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PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES—*Monday, April 13, 1970*

The House met at 12 o'clock noon.

Rev. Eugene V. Stime, president, Lutheran Biblical Institute, Seattle, Wash., offered the following prayer:

Lord of Hosts and Creator of the world, we cannot understand how You can bother with puny man. And yet You have put him in charge of everything You have made.

Facing this delegated responsibility, we pray that Your eternal purposes may be known to those who face major decisions; that Your gracious will may be understood by those who set guidelines for human conduct; that Your loving spirit may be revealed to those who mold public opinion; and that Your highest ideals may be digested by those who write what other people read.

O God, may their thinking be keen, their speech frank and their actions decisive. In the name of the Christ who taught us to pray. Amen.

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THE JOURNAL

The Journal of the proceedings of Thursday, April 9, 1970, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 8654. An act to provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone; and

H.R. 15349. An act to amend the Railway Labor Act in order to change the number of carrier representatives and labor organization representatives on the National Railroad Adjustment Board, and for other purposes.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 12605. An act to amend section 613 of the Merchant Marine Act, 1936, as amended.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate (S. 3690) entitled "An act to increase the pay of Federal employees," with amendments in which concurrence of the House is requested.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3430. An act to amend the Peace Corps Act to authorize additional appropriations and for other purposes.

FEDERAL EMPLOYEES SALARY INCREASES

Mr. UDALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 3690) to increase the pay of Federal employees, with Senate amendments to the House amendment thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments to the House amendment, as follows:

Page 2, line 21, of the House engrossed amendment, strike out "(1) in" and insert "in (1)".

Page 3, line 10, of the House engrossed amendment, strike out "this section" and insert "section 2 of this Act".

Page 3, line 16, of the House engrossed amendment, strike out "Comptroller" and insert "President pro tempore".

Page 5, line 19, of the House engrossed amendment, strike out "other provision" and insert "provisions other than section 6".

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

Mr. JACOBS. Mr. Speaker, reserving the right to object, I wonder if the gentleman from Arizona would enlighten the House as to whether the press reports about this error are correct. Does this error deal with the 6-percent pay raise for congressional legislative employees?

Mr. UDALL. Well, there is considerable confusion, if the gentleman will yield, in the press about the technical amendments.

As I understand the amendments, this is not the case.

At first, it appeared that the House employees would be shut out of the increases because of a technical amendment. However, on further reflection and examination, this would not be the case.

Mr. JACOBS. Will the Members of the House have an opportunity to peruse this language in writing themselves before being asked to vote on these amendments? I notice they are not printed, and they are not at the tables.

Mr. UDALL. I have copies available for the gentleman. I was going to make a rather complete explanation of the amendments. But the matter pending before the House is my request for unanimous consent to take from the Speaker's table and agree to the Senate amendments, and then it would clear it for the White House.

Mr. JACOBS. If it is a unanimous-consent request to agree to the Senate amendments, I would be constrained to object without further information as to precisely what these amendments are, or an opportunity to peruse them myself and determine whether, in fact, they do affect the congressional staff employees.

I do not believe Capitol Hill congressional staff people should catch a pay raise on the misery of the postmen in this country with this bill. Would the gentleman interpret this amendment as helping these staff people toward a pay raise?

Mr. UDALL. If the gentleman will yield to me, I will make a very brief interpretation.

Mr. JACOBS. I am glad to yield to the gentleman.

Mr. UDALL. I have a copy of the bill, and if the gentleman will follow me, on the bill, H.R. 16844, which was the basis of the original House action, the first amendment is in line 21 on page 2, which simply changes the preposition "in", it says "(1) in" and the correct language should have been "in (1)".

That is a purely technical and purely an improper placement of the preposition and does not change the language or the intent any way.

The second one is on page 3, line 10, and there the words in question are "this section". The proper reference should have been "section 2". This section was section 3 and the proper reference should have been "section 2".

Mr. JACOBS. What would happen to the bill as a consequence of this misreference? What is the effect of this misreference, if I may ask the gentleman?

Mr. UDALL. The operative language of the actual increase is to provide as to section 2 rather than to section 3. So this is simply an improper reference and goes to all of the pay increases.

Mr. JACOBS. Is the gentleman prepared to say that this particular error does not result in deleting the pay raise for congressional staff employees?

Mr. UDALL. There is a question of interpretation which the staff and some of the lawyers have struggled over the weekend and you can argue, I am told, as to an interpretation which would exclude the employees of the legislative branch from any pay raise.

On the other hand, some of the best advice I have had is that it would not be so interpreted.

Mr. JACOBS. With all due respect to my colleague, the gentleman from Arizona, for whom I have the profoundest regard, I object because of the possibility that this amendment would in effect give an unwarranted pay raise for congressional employees when the need is borne by the postmen.

The SPEAKER. Objection is heard.

FEDERAL EMPLOYEES SALARY INCREASES

EXPLANATION OF SENATE AMENDMENTS TO HOUSE AMENDMENTS TO S. 3690

Mr. UDALL. Mr. Speaker, the first Senate amendment corrects the placement of the preposition "in" as it appeared in S. 3690 as first passed by the Senate, which was not corrected in the House amendment.

The second Senate amendment corrects a section reference in the House amendment. The amendment incorrectly refers to adjustments under "this section"—section 3—whereas it should refer to "section 2."

The third Senate amendment represents a decision by that body that the pay raises for Senate employees be made by the President pro tempore of the Senate, instead of by the Comptroller of the Senate as provided in the House amendment.

The comparative House procedure is outlined on page 3 of the bill, and provides that the House officer who will adjust pay of legislative employees, is the "Finance Clerk of the House of Representatives."

Actually, the word "Finance" is not needed and should eventually be eliminated from the basic law. It was the committee's intent to refer to the principal fiscal officer of the House, who is really the Clerk of the House.

Thus, it will be the Clerk who adjusts and pays the House employees.

The fourth Senate amendment also corrects an inadvertent omission in the bill as first passed by the Senate which was not corrected by the House amendment. Both the House and Senate versions provide, in effect, that no employee have his salary increased under this bill to an amount in excess of the salary rate for executive level V—$36,000. In another section of the bill, however, the Senate version increased the salaries of a number of District of Columbia judges to amounts in excess of $36,000. The House amendment eliminated all except one of such higher salaries—the salary of the chief judge of the District of Columbia Court of Appeals, which is fixed at $36,500. The fourth Senate amendment provides an exception from the $36,000 limitation for the chief judge.

(Mr. UDALL asked and was given permission to revise and extend his remarks.)

PERMISSION FOR SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION TO SIT DURING GENERAL DEBATE TODAY

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Subcommittee on National Parks and Recreation be allowed to sit during general debate this afternoon.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ATTORNEY GENERAL WRONGLY BLAMED FOR DEFEAT OF SUPREME COURT NOMINATIONS

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS of Alabama. Mr. Speaker, wire service reports this morning indicated that Life magazine has called for the resignation of Attorney General John N. Mitchell who, they said, was responsible for the two defeats of the President's Supreme Court nominations.

Not only is the assertion false, since the blame for the defeats of Judges Clement Haynsworth and Harrold Carswell lie squarely on the shoulders of the Senate, but Mr. Mitchell has led the much-needed vanguard in the fight against crime and criminal disorder in our society that was allowed to run rampant during the last decade.

The Attorney General has initiated a massive assault on organized crime which has reached unprecedented proportions. He has led the fight for stricter laws that will end the permissiveness that has seen complete disregard for law and authority in this country. Moreover, he has personally shown a strong attitude toward criminals that has set an example to others in the law-enforcement field.

Rather than removed from office, Mr. Mitchell should be congratulated and urged to continue his fine work. Hopefully this body will provide him with some help in the fight on crime. Both this body and the other body have been greatly lax in facing their obligations in this area. Maybe Life magazine is pointing its editorial finger in the wrong direction.

THE UNEMPLOYMENT RATE RISES ONCE AGAIN

(Mr. BARRETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARRETT. Mr. Speaker, once again the Nation's unemployment rate has risen. The March unemployment figures show that 4.4 percent of the total labor force was out of work. After a little more than a year of this Republican administration, approximately 1 million more workers are out of work as of March 1970 than were out of work in March 1969. This once again proves that the laborer is nothing but a pawn in the hands of the administration's economic policymakers. The so-called silent majority must bear the burden of unemployment in order to successfully wage the administration's fight against inflation.

Earlier this year the Chairman of the Federal Reserve Board, Dr. Arthur Burns, and the Chairman of the President's Council of Economic Advisers, Dr. Paul McCracken, told the Committee on Banking and Currency that they estimated the unemployment rate for the coming year would not exceed 4.3 percent. Already the unemployment rate has exceeded their expectations. The most pessimistic aspect of the newly released unemployment figures was that the unemployment has been heavily concentrated among adult men and women. When full-time employed workers are being laid off in great numbers, the time has come to recognize that the rise in the unemployment rate is a very serious situation. Also, the figures tell us that both white collar workers as well as blue collar workers have been hit very hard by unemployment.

Mr. Speaker, again we see the Republican administration employing the same tired old tactics to deal with a troubled economy allowing big business to benefit by higher and higher prices charged to the consumer, but doing nothing to help the unemployed worker.

REPORT OF NATIONAL COUNCIL ON MARINE RESOURCES AND ENGINEERING DEVELOPMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–304)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Merchant Marine and Fisheries and ordered to be printed with illustrations:

To the Congress of the United States:

The fact that the United States is first in space is well known; it is less well known that we are also first in oceanic science and technology. And while most of our citizens recognize the opportunities which lie before us in space, fewer understand the enormous benefits which can flow from our national marine activities.

During 1969, the National Council on Marine Resources and Engineering Development, chaired by the Vice President, identified a number of policies and programs concerning the sea which, in their judgment, deserve Federal support. I am today transmitting to the Congress the Council's annual report, "Marine Science Affairs—Selecting Priority Programs." The marine science programs which I have approved for Fiscal Year 1971 are based in part on the Council's recommendations.

My budget request for Fiscal Year 1971 provides $533.1 million for marine science

XUM

and technology activities. These funds would help us to improve the management of our coastal zone, expand Arctic research, develop a program for restoring damaged lakes, expand the collection of data concerning ocean and weather conditions, reduce merchant ship operating costs, and undertake other important projects. The funds would also support U.S. participation in the International Decade of Ocean Exploration, a program which can contribute much to the quality of the marine environment and to the pursuit of world peace.

In November of 1969, this Administration sent to the Congress a comprehensive proposal for protecting and developing the land and water resources of the nation's estuarine and coastal zone. I hope that the Congress will give this program early and careful attention.

The Federal government will continue to provide leadership in the nation's marine science program. But it is also important that private industry, State and local governments, academic, scientific and other institutions increase their own involvement in this important field. The public and private sectors of our society must work closely together if we are to meet the great challenges which are presented to us by the oceans of our planet.

RICHARD NIXON.

THE WHITE HOUSE, *April 13, 1970.*

ANNOUNCEMENT OF MEMORIAL SERVICES FOR THE LATE MRS. MARJORIE COWDEN TEAGUE

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(Mr. SMITH of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SMITH of California. Mr. Speaker, a further sadness has struck the California delegation in that this morning Mrs. Marjorie Cowden Teague, the wife of Congressman CHARLES M. TEAGUE of the 13th District of California, passed away in Ventura, Calif.

There will be no services other than memorial services for the Members and their families in Ojai, Calif.

Congressman TEAGUE has asked that in lieu of flowers any donations be sent to the Visiting Nurse Association of Ventura County, 4900 Telegraph Road, Ventura, Calif. 93003.

Mr. Speaker, Marjorie leaves CHARLES and leaves her mother, two sisters, two daughters, and a son and some grandchildren. She was a wonderful lady. We in the California delegation all loved her.

On your behalf, Mr. Speaker, and on behalf of all the Members, I wish to extend our deep sympathy and condolence to Mr. TEAGUE and to all the members of his family.

THE FEDERAL INSURANCE GUARANTY BILL

(Mr. WIDNALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WIDNALL. Mr. Speaker, on April 9, 1970, I introduced H.R. 16912 the administration's bill that establishes a Federal insurance guaranty program under the Federal Insurance Administrator within the Department of Housing and Urban Development. It would protect the American public against losses resulting from the insolvency of insurance companies by speedily paying unpaid consumers' claims. Although insurance insolvency affects only a relatively small number of American policyholders and claimants, its impact on these consumers is substantial and requires corrective action.

This bill protects the American public against insurance insolvencies for which they are not compensated under State law, at the same time that it recognizes the continued efforts by State authorities both to improve their regulation to prevent insolvencies and to establish on the State level procedures for compensating the victims of any insolvencies which do occur.

The low number of insolvencies is attributable to the effectiveness of State insurance departments and the long established system of State regulation of insurance. Any Federal Government solution to the residual insolvency problem should not supplant this system of State regulation where it is effective, but should be operative only in those States which do not adequately protect their consumers against the results of insolvencies.

This bill makes funds available if, and only if, a State fails to provide for the reasonable compensation of its policyholders and claimants after the insolvency of any property or casualty insurer licensed in that State. If a fund or other mechanism for compensating the consumer for losses resulting from insolvency is in existence in a State, the protection provided by this bill will be unnecessary and will not apply in that State.

Recognizing that the ultimate responsibility for preventing the insolvency of an insurance company must rest with the State supervisory authority and the insurance system in each company's State of domicile, this bill operates entirely within the framework of the existing system of State regulation of insurance. It does not attempt to duplicate the existing functions of State regulation of insurance as other approaches would do. Nor does it establish a new and expensive agency or corporation under unrealistic guidelines as to size and expense. Both bureaucracy and costs are kept to a minimum, because it will be administered by the Federal Insurance Administration already established and operating within the Department of Housing and Urban Development. The ultimate cost to the Federal Government resulting from the insolvency of an insurer will be borne not by the Federal Government itself nor by the general taxpayer throughout the United States, but by the insurance companies in the State where responsibility for the insolvency rests.

This bill is an appropriate response to the problem of insurer insolvency. It does not overreact or disrupt the existing system of State regulation of insurance, but it does promptly and fully protect the consumer at a minimum of cost.

TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATIONS, 1971

Mr. STEED. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16900) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1971, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate continue not to exceed 2 hours, the time to be equally divided and controlled by the gentleman from New York (Mr. ROBISON) and myself.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALL OF THE HOUSE

Mr. DEVINE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 72]

Adair
Alexander
Andrews,
  N. Dak.
Ashley
Baring
Beall, Md.
Blackburn
Boggs
Boland
Bolling
Brademas
Bray
Brock
Broomfield
Brown, Calif.
Brown, Ohio
Buchanan
Burton, Utah
Cabell
Carey
Celler
Clark
Clay
Cohelan
Collins
Cowger
Cramer
Daddario
Davis, Wis.
Dawson
de la Garza
Dellenback
Dent
Diggs
Dulski
Eckhardt
Edwards, Calif.
Farbstein
Fascell
Feighan
Fish
Flynt
Fraser
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gallagher
Giaimo
Green, Oreg.
Halpern
Hanna
Hastings
Hébert
Heckler, Mass.
Helstoski
Howard
Johnson, Pa.
Jones, N.C.
Jones, Tenn.
Kirwan
Kyl
Landrum
Leggett
Lennon
Long, La.
Lowenstein
Lukens
McDade
McMillan
MacGregor
Madden
Mailliard
Mann
Mikva
Mollohan
Moorhead
Morton
Mosher
Nelsen
Ottinger
Patman
Pepper
Pollock
Powell
Pryor, Ark.
Pucinski
Quillen
Rees
Reuss
Rhodes
Rogers, Colo.
Rooney, N.Y.
Rostenkowski
St. Onge
St Germain
Sandman
Schadeberg
Scheuer
Schneebeli
Steiger, Ariz.
Stephens
Stratton
Stubblefield
Stuckey
Taft
Talcott
Teague, Calif.
Tunney
Vander Jagt
Watson
Whalley
White
Wiggins
Wilson, Bob
Wilson,
  Charles H.
Wright
Zablocki

The SPEAKER. On this rollcall 312 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATIONS, 1971

The SPEAKER. The question is on the motion offered by the gentleman from Oklahoma.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 16900, with Mr. MONAGAN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Oklahoma (Mr. STEED) will be recognized for 1 hour, and the gentleman from New York (Mr. ROBISON) will be recognized for 1 hour.

The Chair recognizes the gentleman from Oklahoma.

Mr. STEED. Mr. Chairman, it is a real pleasure to be able to come here again with the first appropriation bill of the session, as we are doing today. This has been made possible because the members of the subcommittee and the staff have given us their best and fullest cooperation, and we have been able to expedite this important piece of work.

The bill we bring in today provides funding for the Treasury Department, the Post Office Department, the Executive Office of the President and some independent agencies, and calls for a total new obligational authority of $9,492,702,000.

Mr. MAHON. Mr. Chairman, will the gentleman from Oklahoma yield?

Mr. STEED. I yield to the chairman of the committee.

Mr. MAHON. I should like to point out that very frequently in the past—almost without exception, or perhaps without exception—the gentleman from Oklahoma has brought in the first regular appropriation bill of the session. He and the members of his subcommittee, Mr. PASSMAN, Mr. ADDABBO, Mr. COHELAN, Mr. ROBISON, the new ranking minority member, Mr. CONTE, and Mr. EDWARDS, and the members of the staff are entitled to a vote of thanks for bringing this bill before the House today.

Last year the revised budget was not submitted by the President until April 15. This is April 13 and we expect to pass the gentleman's bill today.

In checking the statistics, I find that the House passed the Post Office and Treasury bill on May 27 of last year. It was signed into law by the President on September 29. So it is very encouraging to note the progress which has been made in this direction. I know we all hope this will be a good omen with respect to processing the other 12 regular annual appropriation bills which will be before the Congress at this session.

I might also say that the legislative appropriation bill, which is due for consideration this afternoon, passed the House last September 19. This year we expect to pass it today, which shows again that progress is being made in the appropriations process this year.

The Labor-HEW bill, including the education portion, did not pass the House until July 31 of last year, whereas the educational portion is scheduled to be considered by the House tomorrow.

So I think that the gentleman from Oklahoma and his subcommittee are entitled to congratulations and commendations upon the occasion of the presentation of this bill to the House today. The gentleman from Oklahoma is doing a good job.

Mr. STEED. I thank the chairman.

Mr. Chairman, the bill today providing the funding of these agencies for fiscal year 1971 calls for a total of $9,492,702,000, which represents a gross increase of $331,899,000 over the total proposed authority for fiscal year 1970 after allowing for a pending supplemental request in House Document 91–272 of $363,023,000. With additional pay bills in the mill these figures will change before the final record is written, but as of now we are talking about a gross increase of nearly $332 million over the previous year. Most of this increase can be accounted for in fairly uncontrollable types of items that these agencies covered in this bill are faced with. This bill deals with agencies that have high work forces, so over 80 percent of this money is used for paying salaries or wages and related costs. Therefore, as the workload of these agencies increases it is inevitable that the total amount of money they must have must also increase. There is an estimated increase of something over 2 billion pieces of mail. The Customs Service has been faced in the last few years and in this coming year with very heavy increases. The Internal Revenue Service has had heavy increases. And all along the line we find the agencies which carry out the missions for the Government over which they have no control need more manpower and more funds to carry out their work missions.

We have made a cut of $73,053,000 in the budget request before us. If approved, this cut will result in about the elimination of some $65 million from the expenditure budget, which is not a very large cut considering the size of the bill but was all that we thought we could wisely make in dealing with the peculiar types of agencies covered in this bill.

The budget requested some 21,800 additional employees. We have allowed them under this bill 19,500. Of course, we may have gone too far in making some of these cuts because of the workloads that the Internal Revenue Service as well as some other agencies are faced with. However, we are hoping that the agencies will be able to continue the same work level with the number of added employees for which we are making provision in this bill.

Mr. Chairman, in terms of the employment of people provided for in this bill I think it might be of interest to the House to know the numbers involved. The approval of this bill will provide the Post Office Department with a total work force of 765,000; the Treasury Department with 89,500; and the Executive Office of the President and the independent agencies about 1,600, making the total employment of persons provided for in this bill 856,000 for fiscal year 1971.

Mr. Chairman, I would like to touch briefly upon the situation as we find it in some of the Treasury agencies. We are allowing additional funds for the Secret Service because Congress has imposed some new and very heavy duties upon that Service. They not only have to provide for the protection of additional people, including candidates during presidential elections, but they now have the new Executive Protective Service which will provide protection for the foreign embassies located here in Washington and elsewhere, if the occasion arises.

In addition, I think it is fair to point out that we are faced with new improved techniques in the graphic arts industry which has increased the amount of counterfeit money that is in circulation in the country which threatens the security of our currency.

Mr. Chairman, I have been real pleased with the effective manner in which the Secret Service has been able to stay on top of this problem. I believe this year already they have confiscated something like $14 million in bogus money and destroyed it before it ever got into circulation.

The Government is circulating about $485 million Federal checks, most of them being delivered through the mail. This has resulted in a continuing increase in thefts and forgeries of Government checks. Of course, this has placed another heavy workload upon the Secret Service because they have to be in position to get into these cases very quickly because of the criminal activities involved.

I think the fact that they have a conviction record of somewhere between 96 and 98 percent of the cases they handle shows they have been doing a very effective job in convincing the criminal element that the stealing and forging of Government checks is not a very profitable business.

A lot of people tend to forget about these duties and the very vital problems which they have to handle to protect the interests of the American people.

Of course, the Internal Revenue Service has a continuing problem because they are going to have to process about 110 million tax returns this year, of which about 74 million are returns of individuals. Of course, these require a lot of attention and handling. I think that in view of the many demands which are made upon them and in view of the manpower which they have in their auditing section, this represents a compliment to them in the fact that they have been able to keep the income tax record good but not as fine as we would like to have it.

We hope that this coming year with

some new equipment, new computers and new techniques that they will be able to make an improvement in that area and keep us in good shape.

Mr. Chairman, I want to especially direct my remarks to what I think is a most important and critical situation that we now have in the Post Office Department. This is, of course, the largest amount of money contained in the bill and it currently represents one of the most severe problems in the country.

After working in this field for many years, I have become convinced that the growing problems of the Post Office Department are such that there will never be any suitable way to deal with them under the existing system. It is because of that that I am one of the strong advocates of these proposals now before the Congress which would change the operational structure of the Post Office Department sufficiently to give it some of the advantages of the corporate identity.

Because of the kinds of problems they have, it seems to me that the Post Office Department is crying out for this sort of treatment.

As it exists now, with the 86 billion pieces of mail a year that they have to collect, sort and deliver, to maintain the delivery to more than 56 million addresses in this country, and the need to maintain something like 31,000 post offices throughout the country, the present organization does not lend itself to a suitable result.

We find that about 70 percent of our mail problem in terms of pieces of mail, people and costs, are concentrated in the 300 largest cities of this Nation. The other 30 percent is scattered out in the 31,000 other post offices, and this presents a peculiar management problem so that I believe we are going to have to give the postal people better tools of management and control if we are ever going to get on top of the situation.

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The Postmaster General has no power or control over the amount of mail he will be asked to deliver. He has no control over what he can pay the people he has to employ to process and deliver the mail. He has no control over what he can charge for the postal services. He has no control as to where the customers he is going to service locate themselves. He has virtually no control over the kind of workshop that he will do the work in, or what kind of equipment he will have to work with. He has very little control over the rates he has to pay the carriers to transport this mail throughout the thousands of miles of routes in this country.

So, with the big job he has to do, and with no more control over how to do it, I am beginning to feel that it is more remarkable that we have any mail service at all than that we have as some people say, poor mail service.

We have to face up to the fact that our present rate structure is just not adequate—I do not care what you use for a cost accounting system—you are finally going to come to the conclusion that there is no way on earth for this agency to even approach the break-even point with the volume of mail and the wages and all the other things that we are faced with today at the rates that we can charge.

Today, for a 6-cent stamp, you have the choice of 56 million addresses to which you can send a letter. This may not sound important to you, but to maintain this kind of a system is an expensive job, and yet if we do not have this kind of service our mail service would not be a mail service.

We have to face up to the fact that with the funds provided in this bill plus the pending pay raises that I am sure everybody assumes will be finalized, that before the 1971 fiscal year ends unless the rates are changed we are going to be faced with a nice, fat $2.5 billion postal deficit.

When you take into account that $803 million of this postal deficit is imposed upon the Department by act of Congress, and if you take out about $500 million in this bill that goes for public buildings and for plant and equipment which would be classified by private corporations as capital investment, and make allowance for depreciation, you still, if the pay raises now in the bill become law, are going to find about a $1.4 billion deficit staring the Post Office Department in the face at the end of the next fiscal year.

Now if this happens, and I see no way you can keep it from happening, one of two ways will be used to pay this deficit: it either will be met by the Congress in enacting new postal rates or it will be met by the taxes of the American people.

Since 70 percent of our mail is business mail and 65 percent of our taxes are paid by individuals, this means if we do not raise rates so that the users of the mail will be paying their share of this deficit, the individual taxpayer of the country will be making a very sizable contribution to subsidize the business institutions of this country.

So, whether you like it or not, you are either going to put the burden on those who use the mail, or it will remain on those who pay the taxes, the individual taxpayers of the country. There is no escaping one or the other.

I wish we could make a better report than to tell you that even with the billion dollar-plus cost of the mail services, which are not chargeable to the mail users, you are still going to have a hard cold deficit of $1,400 million that should be charged to mail users and if that charge is not passed on, then the average taxpayer of the country is going to have to pick it up.

Mr. Chairman, I want to stress this because there has been a lot of misunderstanding about who pays what. I will say that if you take the institutional costs of the postal system, which accounts for about half of this cost—in other words, this is what you would have to have, to have any system whatever—and then to add to that the additional cost that the volume itself requires, you cannot escape having a deficit of this nature.

The vastness of the country, the huge amount of mail that we have to process and the growing number of addresses that we have to deliver mail to, something more than a million new addresses a year—these are costs that cannot be avoided. You can mechanize a lot of the mail—and we are making some vast gains in our mechanization field and they are making some good efficiency records in that area—but when it comes to delivering the mail, you do it on Shank's pony—and when you have to deliver the mail for over a million new homes each year, it is just going to require more mail costs to get the mail to them and there is not anything we can do about it.

This situation follows as a direct result of the growth of the Nation and of the economy. So I think the only realistic thing we can do is to put postal management under a modern new system where they can cope with these problems in a proper way and expect the users who benefit from this mail system to pay a fair cost or share of it.

Mrs. SULLIVAN. Mr. Chairman, will the gentleman yield?

Mr. STEED. I am happy to yield to the distinguished gentlewoman from Missouri.

Mrs. SULLIVAN. Mr. Chairman, the distinguished gentleman from Oklahoma (Mr. STEED) as usual has done an excellent job in bringing out the major facts in connection with this appropriation bill, both in his remarks here on the floor of the House and in the hearings that he conducted in his subcommittee.

I would like to ask the gentleman whether in his opinion any worthwhile purpose is served by having the mint turn out hundreds of millions of coins which never circulate. We have issued more than 1¼ billion Kennedy half-dollar coins, and now we are being urged to produce 150 million commemorative Eisenhower silver dollar coins.

I can understand the merits of turning out a limited number of proof sets for coin collectors, as long as legitimate collectors can obtain one or two sets each. But should the mint be put back into the sorry business once again of being a producer of commemorative coins?

Mr. STEED. I might recall to the gentlewoman that when the Kennedy half dollar came out, it was expected that it would circulate. But no one could anticipate the tremendous collector's appeal it would have. It is true that no matter how many we make, they do not seem to circulate. It is true also that the silver dollar has not circulated for a long time. So we have met this need of our daily business by increasing our production of the other coins.

In recent years we have been hard pressed to make enough coins to meet the needs of the Nation. With the opening of the new mint in Philadelphia, we are now back on top of the day-to-day requirement for coins. If the appropriate legislative committee, in its wisdom, authorizes the minting of these coins, we cannot turn them down because now we have enough capacity to produce them. But if we are not using our surplus capacity for this purpose, after getting over the coin shortage emergency, we have now started making some coins for foreign governments. We can do more in this field. It not only helps us meet our own mint overhead expenses, but it also makes a fine contribution to international good relations.

If I were on the Legislative Committee, I would be concerned as to what impact the tying up of our productive capacity for making commemorative coins would have on our ability to mint for our foreign friends. I think that is a very important function. Some countries have a critical need for coins, and they do not have the necessary facilities to mint them. We ought to give these countries this sort of help whenever and wherever we can.

They furnish the metal that we make the coins with. They pay our costs. So there is no financial burden on us in the minting. It is actually a financial advantage plus the good will that goes with it. It does not impair our metal resources whatsoever in the minting of foreign coinage.

Mrs. SULLIVAN. Mr. Chairman, if the gentleman will yield further, I realize the gentleman's subcommittee has not attempted to deal with the legislative issues on coinage, which come before the Banking and Currency Committee. As chairman of the subcommittee which has jurisdiction in the Banking and Currency Committee over coinage matters, I want to say that we have not given any consideration in the past 7 years—since our subcommittee was formed—to any of the bills which have come to us which would authorize the minting of commemorative coins. This type of coinage had turned into a real racket. The other body, by subsequent amendments last month to Senate Joint Resolution 158, which had passed the House on October 15, 1969, is now calling for resumption of the issuance of commemorative coins, and this is something that I think we should look at long, hard, and critically. I am sure the gentleman from Oklahoma agrees.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. STEED. Mr. Chairman, before I yield to the gentleman from Massachusetts, let me say that I consider the gentleman to be without peer in this Congress and in the Government. His knowledge of precious metals is very great. He has done an enormous amount of work to make sure that our subcommittee had all the facts we needed on this subject. I am very happy to yield to him because I learned long ago that if I need to know anything about a precious metal. I cannot go to a better authority than my friend from Massachusetts.

Mr. CONTE. Mr. Chairman, I certainly want to thank the gentleman from Oklahoma. I have had a wonderful working relationship for 12 years now on that committee, and even prior to when the gentleman became the chairman, with the distinguished gentleman from Virginia, Vaughan Gary, when he chaired this committee. We worked not only on this problem but on many others.

I would like to direct my remarks to the gentlewoman from Missouri with regard to her question. What she said about the Kennedy half dollar is absolutely true. We minted over 1.2 billion of those coins, and they have gone down the drain. We cannot find them. I fought in the Joint Coinage Commission month after month and year after year to try to get that Commission to come up with a bill to recommend that silver be taken out of the Kennedy half dollar. As the gentlewoman knows, we finally got a bill through the House which would take the 40 percent silver content out of the Kennedy half dollar. We have wasted all that silver. It is gone. It is in collectors' hands.

In regard to the commemorative coin, your committee and the House did pass a bill which provided for an Eisenhower dollar without silver. Then we got into a deadlock with the Senate and we had much discussion with the people over there. It seemed like the bill would never get off dead center.

The amended Senate bill, Senate Joint Resolution 158, is important in two respects. First, it takes silver out of the half dollar so we can mass produce the half dollar once again and get it into circulation. Secondly, it does something about the nonsilver dollar. The only way they would buy that in the Senate—and I imagine one of these days we will go to conference with them—is to mint 150 million Eisenhower dollars with silver and then 200 million nonsilver Eisenhower dollars.

I do not like it. Personally I tried to take silver out of the half dollars under President Johnson, when we took silver out of the dime and the quarter, and we reduced it from 90 to 40 percent in the half dollar. Unfortunately, they will not move except by this means.

The only good thing I can see about this is that we can raise some revenue. We can get some revenue for the Treasury if they sell the Eisenhower dollars with 40 percent silver for a minimum of $5. In this way, we could raise about $500 million which is desperately needed. We can tie down the money, here in Congress, to an antipollution program or some consumer program, but I think we can raise from $500 to $700 million with this coin.

Why can we do this? We cannot make enough proof sets. We make a profit on each proof set minted at San Francisco. Those proof sets are limited to four per customer in 1970. We could sell thousands more if we could mint more of the proof sets, but we cannot.

But let us not close all the doors. The Joint Commission is going to meet again on May 13 on this problem. Let us keep the doors open and if we want to go into this area, let us make sure we get some revenue and that we tie down in the Congress where that revenue is going to be spent.

Mrs. SULLIVAN. Mr. Chairman, if the gentleman will yield, I thank the gentleman from Massachusetts for that explanation. The rumor has gone around that the Senate amendments to the coinage bill are all set to go through and so we are getting many calls each day on my subcommittee from Members asking how their constituents can get the Eisenhower silver dollars. Of course, it has never been minted, and may never be minted, although it was said that the "leadership" of both the House and the Senate on coinage legislation had agreed to the Senate's amendments. But speaking for the chairman of our full committee, I know he had never been consulted by the Treasury on any agreement that a silver dollar be coined. Previous efforts last October to have a silver dollar failed in the House. The Committee on Banking and Currency opposed it, and so did the Treasury.

But I do know that if we open the door now to the minting of commemorative coins, we have a dozen such bills which could be acted upon in our committee, which we have pushed aside for the last 7 years, for commemorative coins. Such coins became a real racket in the past, and we have the back hearings and information to show it. Many of these commemorative coins were returned to the Treasury to be melted in order to make them scarcer and worth far more in the coin market for those who had control over a substantial supply of them.

STATUS OF $1 COIN LEGISLATION

Mr. Chairman, there is widespread interest among the Members of the House in the status of legislation which would authorize the minting of a new $1 coin—one which both the House and Senate have said should bear the likeness of the late President Eisenhower. In view of the many, many calls from Members' offices to my subcommittee, which has jurisdiction in the Banking and Currency Committee over coinage legislation, asking about the plans for minting such a coin, I think it would be appropriate for for me at this time, during consideration of the appropriation bill which contains funds for the Bureau of the Mint, to explain the legislative situation on the proposed Eisenhower coin.

Both the House and Senate have passed legislation which contains authority for minting at $1 coin of cupro-nickel composition—similar to the present quarter and dime—for general circulation. Senate Joint Resolution 158 as passed by both Houses also provides authority for eliminating silver from the half dollar and minting a cupro-nickel half dollar instead of the present 40 percent silver coin. Both versions of the bill also provide authority for the sale to the public, at rare coin market values, of the nearly 3 million Carson City silver dollars still in the Treasury's vaults.

These provisions of Senate Joint Resolution 158 would all carry out recommendations made late in 1968 under the Johnson administration and in May 1969 under the Nixon administration by the

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Joint Commission on the Coinage, which was established by the Coinage Act of 1965 to advise Congress and the President on matters involving coinage, the use of silver in our coins, and the appropriate means for terminating Government dominance of the silver price situation.

However, the legislation is being held up at the present time—as it has been since last October—by the insistence of the other body that a certain number of the Eisenhower $1 coins be made of 40 percent silver composition. In October, the Senate insisted there be 300 million such silver coins minted. On March 19 it amended the bill to authorize 150 million such coins. The latter figure was said in the Senate to represent some sort of compromise agreement between House and Senate "leaders" on this legislation.

JOINT COMMISSION ON COINAGE TO MEET MAY 13

This purported agreement—insofar as it was said to reflect a compromise of House and Senate leaders on the legislation—came as a great surprise to those of us on the Committee on Banking and Currency who have legislative responsibility on the House side for the coinage bill. We never joined in any such agreement. We were particularly surprised to hear that the Treasury Department had apparently accepted this proposal as a reasonable one, in view of the fact that the Treasury, during both the Johnson and Nixon administrations, had endorsed completely the recommendation of the Joint Commission on the Coinage to end the use of silver in our coins.

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Chairman WRIGHT PATMAN, of the House Committee on Banking and Currency, wrote to Secretary of the Treasury Kennedy last month protesting the Treasury's sudden change of position on this issue of using silver in our coinage, and asking how the new position of the Treasury could be justified as one carrying out "the recommendations of the Joint Commission on the Coinage," which is what Senate Joint Resolution 158 as passed by the House on October 15 is supposed to do.

In response to Chairman PATMAN's letter, Secretary Kennedy apologized for not having consulted the Banking Committee on its revised position, and also said he would reconvene the Joint Commission on the Coinage to review the whole matter. I am now informed that this meeting of the Joint Commission has been set for a month from today, May 15. Hence it does not appear likely that the coinage bill will come before the House for further consideration until after that date.

I mention this today because I know that many of the Members are receiving inquiries from constituents asking when they can apply—or how they should apply—to purchase the commemorative $1 silver dollars provided for in the Senate's March 19 amendments to the House-passed version of Senate Joint Resolution 158. No silver dollars will be, or can be, minted until agreement is reached on Senate Joint Resolution 158, and that, as I said, is at least a month away.

PROPOSED USE OF STOCKPILE SILVER FOR COMMEMORATIVE COINS

We on the Banking and Currency Committee are very concerned over the fact that part of the deal for minting a 40 percent silver dollar in large volume involves the use of about 25 million ounces of silver from the defense stockpile. The stockpile, by direction of the Committee on Banking and Currency and of Congress, contains 165,000,000 fine troy ounces of silver. This amount was set aside in 1967 in the legislation we passed terminating by June 24, 1968, the redemption of silver certificates for silver bullion.

Apparently, the Office of Emergency Preparedness now feels that the objective it asked us to set in 1967 is higher than necessary for defense purposes. So far as I know, the Banking Committee has received no documentation of that fact, and I think we would want to have such documentation before proceeding to rob the stockpile for the purpose of turning out 150,000,000 dollar coins which will never circulate—collector coins.

I am surprised that some people think it would be demeaning in some way to the memory of the late President Eisenhower to place his likeness on a cupronickel coin. We had that argument here in the House on October 15 when we acted on the coinage legislation and voted to eliminate all silver from our coinage. As was pointed out then, it is not considered demeaning to George Washington to have his likeness on a cupro-nickel coin, or to Franklin D. Roosevelt. Nor does anyone feel it is demeaning to Abraham Lincoln to appear on the lowly penny, or Jefferson on the nickel coin.

An amendment of mine on October 15 to permit the Treasury to make proof sets of materials different from those used in the regular circulating coins was eliminated in the Senate version of the bill passed on March 19. Instead, it is proposed by the Senate to make 20,000,000 proof $1 coins of 40 percent silver, but all of the other coins sold in proof form would have to be of the same material as the circulating coins.

Another House provision dropped from the Senate-passed version of the bill called for a design on the reverse side of the $1 coin symbolic of the Apollo 11 Eagle landing on the moon.

The implication in the Senate debate was that Senators preferred the symbolic eagle of peace which appeared on the silver dollars minted in the 1920's and early 1930's.

SPECULATIVE ACTIVITY IN SILVER FUTURES

In any event, Mr. Chairman, until the Joint Commission on the Coinage has reviewed the Treasury's position on the actions on this legislation taken by the Senate on March 19, no action can be expected on this side of the Capitol on the coinage bill. I would like to see the Committee on Banking and Currency hold further hearings on it, particularly on the proposal in the Senate version to reduce the silver stockpile objective by 25,000,000 ounces. This is much too important a matter to be casually disposed of as part of some deal or arrangement to satisfy the desire of some Members of both Houses to continue using silver in large amounts in our coinage.

There are many ways to honor the late President Eisenhower—including purchase of the Eisenhower Presidential medal sold by the mint for $3 each. And I certainly think a $1 coin bearing his likeness would be neither despised nor demeaning.

Unfortunately, much of the controversy over the use of silver in coinage seems to arise out of concern by speculators in the silver futures market over which way the highly volatile silver futures market will jump. That should be the least of our concerns in the Congress.

Most experts predict that once the Government stops selling silver at weekly auctions of 1,500,000 ounces per week, probably some time in October, the price will soar.

If that is indeed the probable outcome of Government withdrawal from its role as the major supplier of silver, then it seems to me we should now take all of our remaining silver in the Treasury and immediately put it in the stockpile for future defense and defense-related industrial needs. Otherwise, we may soon reach the point where the silver we have been selling for about $1.89 per ounce may have to be repurchased by the Government—directly or in the purchase of defense equipment—at a much higher price.

Mr. FUQUA. Mr. Chairman, will the gentleman yield?

Mr. STEED. I yield to the gentleman from Florida.

Mr. FUQUA. Mr. Chairman, I appreciate very much the gentleman from Oklahoma yielding.

Mr. Chairman, my colleague, the gentleman from Florida (Mr. PEPPER), has been unavoidably detained in his district today, and he is unable to be on the floor, so he asked me to call the attention of Members to the item in the Post Office appropriation representing Miami and particularly the building of a new complex west of 22d Avenue to take the place of the facilities now constituting the Biscayne annex east of 22d Avenue.

Postal employees now employed at the Biscayne annex have advised Representative PEPPER that they would prefer to continue to work in the immediate area of the Biscayne annex rather than to move to a new complex, and that they think that space will be available for additions to and the enlargement of the Biscayne annex which will provide adequate facilities for the Post Office Department without the necessity of building a completely new complex of facilities west of 22d Avenue.

Representative PEPPER wishes me to ask you whether you have had any communication from the Post Office Department about this matter and whether as the item now appears in the bill, it should be approved into law; and would it be possible if the Post Office Department thought that desirable under the item now in the bill, to add to and enlarge the present Biscayne annex facilities without the necessity of building a new complex west of 22d Avenue.

Mr. STEED. Mr. Chairman, to answer the gentleman's question, I have discussed this matter in some detail with the gentleman from Florida (Mr. PEPPER). We have discussed it with the Department. We have a letter from the Department, which I will make a part of the RECORD, in which the material brought to us by the gentleman from Florida (Mr. PEPPER) has been placed for consideration, and they have withheld action on this until the new review could be made. Following is the letter the committee received from the Department:

POST OFFICE DEPARTMENT,
Washington, D.C. April 8, 1970.

Hon. TOM STEED,
Chairman, Subcommittee on Departments of Treasury and Post Office and Executive Office Appropriations, House of Representatives, Washington, D.C.

DEAR CHAIRMAN STEED: I would like to expand upon my testimony given before your Subcommittee concerning the needs of the Post Office Department for a new postal facility in Miami, Florida.

Our principal mail handling facility for the last 20 years has been a leased facility built in 1953 known as the Biscayne Annex which is co-located with our Vehicle Maintenance Facility.

It is well known that the southern part of Florida has had a much larger percentage growth than the majority of the country and accordingly our postal requirements have been outdated for several years. The Department, in analyzing how to solve these needs, gave consideration to the expansion of its principal facility, the Biscayne Annex; seeking comparable leased space; and the construction of a new postal Public Building. It was our conclusion based on the information available to us sometime ago that the most economical solution for the Government was to propose erecting a new Postal Public Building located in the same general area as our Biscayne Annex facility.

Since that time, however, the present owner of the Biscayne Annex has asked that we permit him time to consider whether it would be economically possible and practicable for him to expand the present building to satisfy our needs. Accordingly at his request and the request of Congressman Claude Pepper, we have granted our lessor approximately two additional weeks for him to submit his proposal. At the end of that time we could then compare the economics and determine which method is in the best interest of the Government.

All parties agree that some improvement in the mail handling for Miami, Florida, must be programmed without further delay. Hopefully, therefore, your Committee will retain in our budget the amount of money we recommended in case our decision is to proceed with construction of a Postal Public Building.

Sincerely,

HENRY LEHNE,
Assistant Postmaster General.

So apparently everybody concerned is satisfied, at this stage and time, that this is the best procedure, because not only do they need additional facilities in this very rapidly growing area but also it is very likely the gentleman from Florida has brought in some information that will furnish the solution we need and do it at a considerable saving of money.

We feel that since this is the program we must go ahead with making the funds available, because hopefully within the not too distant future a decision can be worked out for this area. If we did not have the funds in the bill at this time it would mean another year of delay before any action could be started toward getting the work done.

I must say I believe we have done everything that could be done and that the Department is cooperating very closely in this matter. I am sure a happy solution will be worked out.

I am very grateful to the gentleman from Florida for having given us the benefit of his on-the-scene information about the problem, and I am sure the Department reacts in the same way.

Mr. FUQUA. Let me personally thank the gentleman, and, on behalf of the gentleman from Florida (Mr. PEPPER) express his gratitude.

Mr. ADDABBO. Mr. Chairman, will the gentleman yield?

Mr. STEED. I am happy to yield to the gentleman from New York.

Mr. ADDABBO. On behalf of our colleague (Mr. FARBSTEIN) who is presently conducting hearings in New York, I should like to ask whether there are any specifically earmarked funds in this bill for the expansion of the Morgan Station Post Office facilities, located between Ninth and 10th Avenues on the West Side between 28th and 29th Streets in Manhattan?

Mr. STEED. To answer that question, no, there are no funds for that specific purpose.

I believe it would be fair to say that a study involving the whole New York area is being made by an independent agency. When our colleague (Mr. FARBSTEIN) came to us, he presented some very valuable information. We were able to get the Department to accept that information. I have a letter which I will be happy to make a part of the record dealing with the subject.

It seems to me there is a very strong likelihood that the position the gentleman takes about this particular site not only is a wise one but also will end up saving a considerable amount of money in the construction phase of meeting the needs in New York City and also over the long-haul operation will make an even greater contribution to efficiency and reduced cost.

I believe the fact that the gentleman from New York (Mr. FARBSTEIN) brought this information to us in such a timely manner as he did is a great credit to him. We appreciate it and are grateful to him. Following is the letter the committee received from the Department:

POST OFFICE DEPARTMENT,
Washington, D.C., April 8, 1970.

Hon. TOM STEED,
Chairman, Subcommittee on Departments of Treasury and Post Office and Executive Office Appropriations, House of Representatives, Washington, D.C.

DEAR CHAIRMAN STEED: I would like to expand upon my testimony given before your Subcommittee bringing you up to date in connection with our analysis on how to solve the preferential mail handling requirements for the west side of New York City.

At the present time our studies have not been completed and have not been reviewed by the Postmaster General. These studies basically consist of comparing the economics of alterations and modernization of the existing General Post Office and the Morgan Station Post Office Building in Manhattan versus constructing a new and modern preferential mail handling facility located along the Hudson River on abandoned piers. There are attractive features to either alternative and therefore more study has been required than originally contemplated at the time of my testimony in February.

One of the most pressing problems however, is the need to improve the efficiency of handling preferential mail in the Manhattan area. We are therefore making detailed analyses comparing the time and cost to alter and modernize our existing facilities versus that of repairing the piers and constructing a new facility.

In making these studies we are giving the highest consideration to the requests of Congressman Farbstein and Mayor Lindsay concerning the possibility of turning over some of the Government-owned property in this general area to New York City. We recognize the desire of New York City for additional low-cost housing and have been made aware of this pressing concern. However, it should be pointed out that if any surplus property does result from our study, the existing procedures require that the General Services Administration conduct a canvass of other Government Departments to determine whether they have a need for surplus property before other disposition is authorized.

Unfortunately, these studies have taken longer than was thought at the time of my testimony. However, it is expected that they will be completed and our decision will be forthcoming by the end of this month.

Sincerely,

HENRY LEHNE,
Assistant Postmaster General.

Mr. ADDABBO. I thank the gentleman very much.

Mr. FARBSTEIN. Mr. Chairman, I appreciate the opportunity to appear in opposition to the appropriation of any funds for the expansion of the Morgan Station Post Office in New York City to include a preferential mail facility.

The Morgan Station Post Office is located in the Chelsea section in New York City in the Borough of Manhattan. It is an economically, racially and religiously integrated residential neighborhood located in my congressional district.

Chelsea is one of the oldest neighborhoods in Manhattan. It is on the west side around 23d, 24th, 25th Street, and so on along the Hudson River. Brownstone houses are found throughout the area. It's a fine neighborhood, a streamlined neighborhood. In addition, there is now an area from 23d to 28th Streets between 8th and 9th Avenues, a good complex of cooperatives that were put up by the International Ladies Garment Workers' Union. There are also several thousand families along the west side of the Hudson River between 9th and 10th Avenues from 14th Street all the way up to almost 40th Street.

There is new low-cost housing, constructed by the city all the way down to 20th Street. There are high rise developments, low- and middle-income

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apartments, throughout that whole area in addition to these brownstone houses on the streets along the west side; it is a good neighborhood. It is one of the finest neighborhoods in the city, really.

MORGAN STATION POST OFFICE

The residents of the neighborhood are vehemently opposed to the Morgan Station site for an expanded postal facility or for any purpose other than for low- and moderate-income housing.

The 1962 decision by the Post Office Department to expand the Morgan Station Post Office has been a major contributor to the housing shortage in the community by displacing over 300 families without making any provision for the construction of comparable housing within the Chelsea area. That same decision has also hurt the surrounding community by destroying many badly needed neighborhood facilities located on the site that has been leveled, including the area's only community recreation center.

As severe as has been the impact of the destruction of 300 housing units located on the site, it doesn't begin to compare with the impact that the construction of a preferential mail facility on the site would have on the community.

It would serve as a serious hazard to the residential character of the community by increasing industrial traffic and would threaten the safety of the children occupying housing surrounding the site, attending nearby schools, churches and settlement houses, utilizing the Chelsea Park or availing themselves of the health and hospital facilities in the community.

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The Morgan site is surrounded on three sides by residential housing. The traffic hazards in the Chelsea community are immense today, even without the facility. Every year, the community suffers some tragedy as children are killed or injured in traffic.

Last year a Puerto Rican boy, Julio Biaz, was killed as he attempted to cross the street. Construction of the facility would serve to bring more trucks and traffic into the neighborhood and worsen the situation.

Postmaster Blount has informed me his Department is now considering an alternative for the preferential mail facility on the general post office site. It seems to me that it makes sense to consider the impact of the facility on the surrounding neighborhood, especially when a second site is available.

Presently, the general post office, I don't know whether you have been in that area or not, Mr. Chairman, is located on 8th Avenue between 32d and 33d Streets, and runs through to 9th Avenue. It occupies a tremendous area. Also, Penn Central runs right through, right under it.

So it would seem to me that the logical thing to do would be to build up this facility. The Post Office Department is considering either abandoning this general post office or renovating and building it up between 32d and 33d. This proposed postal facility is proposed between 9th and 10th, between 28th and 29th. They go from 29th to 32d. Here you have the general post office only three blocks north of it. Where is the sense of that? Where is the logic in spending the tremendous sums of money which would be involved here?

The site of the general post office makes infinitely more sense as a location for the facility. The general post office complex is large already and location there would put the new facility in close proximity to the services provided by the existing complex. Then, too, the general post office is located nearby the Penn Central Railroad Station, which would permit transportation of mail to and from the railroad only a few feet away and even permit it to be conveyed by tunnel to keep down the amount of street traffic in the area.

The distance from the railroad station to the Morgan site is approximately 5 blocks, and would have to be covered by truck. More important, the area surrounding the general post office is commercial and industrial, so nobody is going to be hurt. There would be no disruption of a residential community and it would also give the nearby businesses immediate access to this facility.

Now, the Post Office Department has not as yet made up its mind, so far as I know, as to which of the two sites it will choose; but I would request the subcommittee to specifically prohibit the use of any funds being made available in the 1971 bill for the expansion of the Morgan Station Post Office.

The site would be ideal for low- and moderate-income housing because of its location near schools, parks, and health facilities and other neighborhood services. In the event that this site is not utilized by the Post Office Department for a preferential mail facility, it would be made available under the provisions of section 414 of the Housing and Urban Development Act of 1969 of the city of New York for low- and moderate-income housing.

This is the purpose for which I believe the site should be utilized. It is also the purpose for which the residents of the community would like to see it used.

The community has held meetings in opposition to the site, has secured over 5,000 signatures on a petition incorporating the language of House Concurrent Resolution 519 introduced by me to convey the site to the city for low- and moderate-income housing. It has set a date for mass marching and picketing against the site, and insists that it will engage in confrontation, if necessary, to prevent the building of the facility in the area. I regret I am unable to fully convey the intensity of the feeling of the community because words fail me, but I believe it is best suggested by the action of the parents of the community following the death of Julio Biaz. They took it upon themselves to construct a wall in the middle of the street to stop traffic. They were more concerned with protecting their children's lives than whether or not they went to jail. I hope you will appreciate just how strong my feelings and those of the community are on this issue.

Now, what are we going to do? We are going to drop a time bomb right in the center of the complexes of houses. This would be the most difficult thing for any community to envision. I can say this to you—the people in the neighborhood are desperate. They simply will not permit the building of any postal facility in that area because of the danger to their children.

Thank you very much, Mr. Chairman.

Mr. STEED. Mr. Chairman, I yield 5 minutes to the distinguished Speaker of the House.

(By unanimous consent, Mr. McCORMACK was allowed to speak out of order.)

Mr. McCORMACK. Mr. Chairman, at the outset I want to congratulate the Committee on Appropriations for the speedy work undertaken by the various subcommittees and the full committee in reporting out three appropriation bills, two of which will be brought up today and one tomorrow. This augurs very well for quick and early action in connection with appropriation bills during this session of the Congress.

I want to pay my respects to the distinguished gentleman from Oklahoma (Mr. STEED) for bringing up the first appropriation bill for this session of the Congress.

The gentleman from Oklahoma (Mr. STEED) as we all know, is one of the outstanding Members of the Congress of the United States. There is no more dedicated Member than the gentleman from Oklahoma in the performance of his public duties, and he reflects great credit on the people of his district, the State of Oklahoma, and the people of our great country.

In congratulating the gentleman from Oklahoma, I also extend my congratulations to the other members of his subcommittee, both Democrats and Republicans.

25TH ANNIVERSARY OF THE DEATH OF FRANKLIN D. ROOSEVELT

Mr. Chairman, yesterday was the 25th anniversary of the death of our late beloved friend and President, Franklin Delano Roosevelt. It is well that we pause for a few moments today to pay tribute to this notable American and to honor this outstanding statesman. Franklin D. Roosevelt was one of the great Presidents of our entire history. In my opinion, historians of tomorrow will appraise his administrations in such a manner that he will go down in history as one of the outstanding statesmen of all time.

It was my pleasure to be very close to Franklin D. Roosevelt—a friendship and a closeness I value very much. On April 12, 1945, Franklin D. Roosevelt died. Yesterday, while the House was not in session, was the 25th anniversary of his death. Franklin D. Roosevelt gave able and courageous leadership to our country during the depths of the depression that brought back to our people in those days hope and confidence. He also gave leadership to the country during the years that Hitler came across the horizon, doing so under great difficulty and oftentimes with great misunderstanding. Franklin D. Roosevelt saw the dangers of appeasement. He saw that appeasement during the 1930's when Hitler was around was in fact the road to war. President Roosevelt did everything he could to prepare America in case of attack. He did everything he possibly could in case of necessity to have our country prepared and did so under great difficulties and with tremendous opposition.

Mr. Chairman, my purpose in taking the floor today is to make these few remarks in relation to our late beloved President and to keep alive his memory and the fact that this one man, by his leadership, his deeds, his actions, and thoughts, gave to America the outstanding leadership necessary on a domestic level during the dark days of the depression, and also gave to our country outstanding leadership in trying to prepare our country in case of any emergency that might arise during the 1930's. He gave outstanding leadership during World War II up to the time of his death.

It is proper we pause to pay tribute to the memory of Franklin D. Roosevelt.

Mr. ROBISON. Mr. Chairman, I yield myself 10 minutes.

Mr. STEED. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I am happy to yield to the gentleman.

Mr. STEED. Mr. Chairman, I have asked the gentleman to yield to me so that I can call our colleagues' attention to the fact that our good friend from New York (Mr. ROBISON) is appearing today for the first time in his new role as the ranking minority member of our subcommittee. I am happy for his cooperation and hard work and help. I wanted to take this opportunity publicly to tell him how much I appreciate the fine work he has done for our subcommittee this year.

Mr. ROBISON. Mr. Chairman, I appreciate the chairman's kind remarks and in just a moment I shall reciprocate.

Mr. Chairman, this is my first year of service as ranking minority member on this subcommittee, though sixth year of service on it overall.

During all this time, it has been a particular pleasure to be associated in this fashion with our subcommittee chairman, the distinguished gentleman from Oklahoma (Mr. STEED), and our former ranking member—who, I am pleased to note, still retains his membership on the subcommittee—the distinguished gentleman from Massachusetts (Mr. CONTE).

Both of these, our colleagues, know the subject matter that comes under the purview of this subcommittee like the proverbial "book." Each of them, throughout their years of service on this subcommittee, have made substantial contributions toward making the Federal departments, bureaus and agencies that come before us with their budgetary requests more efficient in their operations, more careful with the funds finally allocated to them, and more responsive to the needs of the public they are supposed to serve.

If I have—or am to have—something to also contribute to those same ends, it will be because I have had, in these two friends and associates, the best and most patient of all possible teachers, and I am exceedingly grateful to them both.

Mr. Chairman, as our subcommittee chairman has pointed out in his typically thorough fashion, that portion of the annual Federal budget that is encompassed by the needs of these two departments—the Treasury and Post Office Departments—falls within that category of budgetary requests that is thought of as "uncontrollable" or "relatively uncontrollable."

This is because, at least in very large measure, both are service agencies having, themselves, little control over the volume of their own workload which, since it constantly rises, either requires additional personnel to handle the same or the kinds of capital investment in new facilities and equipment that will enhance the productivity of their employees.

This subcommittee, in carrying out its important oversight responsibility over the operations of these two departments, has attempted to provide a proper mix of these two methods for meeting the demands of a constantly expanding workload.

It has, in past years as in this, led the way in insisting upon as broad an application of the most modern automatic data processing techniques as seemed advisable—and the results of this effort, as demonstrated by the productivity records of such as the Bureau of Accounts and the Bureau of the Public Debt, both within the Treasury Department, have amply demonstrated the wisdom of that investment.

We believe—though with some disappointment over the slowness with which this seems to become fully apparent—that the same can also be said with regard to the similar but larger capital investment made in behalf of the Internal Revenue Service, an agency whose other demands will be all too real to many of us during these next several days.

Computers and the like are marvelous—if occasionally somewhat frightening—devices. Their efficiency input into such IRS tasks as revenue accounting and processing would seem to be near boundless. And I think we can well begin to look forward now to the day when many, if not most, of the Federal income-tax payers—and surely those whose sole income is from wages or salaries, interest or dividends, and who are still willing to use the so-called standard-deduction procedure rather than itemize their deductions—can forgo the annual chore of making out an income tax return, accepting instead the results of a computerized billing system from some centralized headquarters.

Pending that millennium, however, I must confess to some personal concern over the self-evident tendency on the part of IRS to wish to constantly expand its compliance—or auditing—forces and capabilities. We are told that the rows upon rows of new IRS computers can check taxpayer arithmetic, and ascertain by comparison with informational returns whether or not an individual taxpayer has, for instance, reported all his dividends. But we are also told that the same machines cannot do much to audit a return—that, indeed, by developing leads they even add to the normal auditing burden.

Taxes being the unhappy burden that they are, I assume there will always be those who will seek, one way or another, to pay less than they should.

It is, therefore, necessarily of concern both to this subcommittee and to the Congress to be told that there has been a steady decline, in recent years, in the percent of returns examined—or audited—by IRS; from 5.8 percent in 1963, to 4.2 percent in 1967, on down to 3.18 percent in 1969 and an estimated 2.6 percent and 2.83 percent for 1970 and 1971.

To put this a different way, according to a recent news story in the Wall Street Journal, we are told:

> The IRS examined one individual or fiduciary income return in 35 (last year), compared with 1 in 29 the previous year . . . (and) in corporate returns the ratio slipped from 1 in 10 to 1 in 10.5.

Despite the fact that the American taxpayer has established, over the years, a remarkable record of voluntary compliance with the full intent and brunt of our Federal tax system, this slippage in audit percentages, Mr. Chairman, undoubtedly needs to be corrected for the honest taxpayer deserves to be—and must be—protected against the depredations of his less honest, if rare, neighbor.

As Mr. STEED put it during our hearings, voluntary compliance with our tax law rests on public confidence in the impartiality of enforcement of the same, and so we have allowed a carefully considered 1,550 of the 2,894 new, average positions requested by IRS for its compliance work, it being our further thought—in view of the fact that some 41 percent of the returns audited last year resulted in no change—that a more careful selection by IRS of the returns to be audited should work to the advantage of both the Government and the taxpayer.

Before leaving this subject, however, I wish to express my own personal—and urgent—request of Commissioner Thrower, present head of IRS, that he make simplification of the Federal tax returns, and instructions, insofar as this can be done administratively, a primary goal. It is true that the Congress, in last year's Tax Reform Act, failed to provide much in the way of legislative simplification—unless one counts in the estimated 1.3 million returns that, in future tax years, will shift from an itemized to a standard-deduction approach, and the estimated 5.6 million returns in the lower-income brackets that will be eliminated altogether since such persons will be relieved of all Federal income-tax obligations. It is also unfortunately true that, for many other taxpayers, last year's Act may have brought at least temporary, additional complications in the reporting process—adding, on at least a short-term basis, to IRS own workload.

There is not much we can do about that fact, for now, but—though I personally, hold no brief against "H. & R. Block" or even "Mr. Whitehead" of that great mail-order chain that has now gotten into the tax-reporting consultant business—I do aline myself wholeheartedly with Assistant Secretary of the Treasury, Edwin S. Cohen, who recently said:

> I worry about simplicity (in tax reporting) not for the thousands who can afford expert advice on complex matters, but for the millions who cannot and should not be required to do so.

And, Mr. Chairman, there evidently is, somewhere in the darker recesses of the IRS headquarters, one career employee whose job it seems to be to make, each year, just enough change in the reporting procedures—just enough change in the forms themselves—to throw each of us, at this time of year, into at least temporary confusion, and all for no obviously useful purpose except, maybe, that of keeping us on our toes. Some day—some day—Mr. Chairman—maybe we can find that fellow, and when we do, we ought to have his head.

In any event, the internal management problems of the Treasury agencies are as nothing when compared to those endured by the Post Office Department.

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Someone like TOM STEED has wrestled with those problems for a frustratingly long time. In concert with Mr. CONTE he has nursed the Post Office Department into a gradual realization of the basic fact that it could not possibly ever hope to cope with its workload unless, and until, it began to apply modern-day managerial techniques to the handling of the same, and begin to consider a capital investment in long-needed equipment and facilities to the depth required, along with a research and development program into new methods for handling the mail, to save our so-called "postal system"—around which words I have deliberately put quotation marks—from further decay.

I was present in our subcommittee room, back in February of 1967, when the then Postmaster General, Lawrence O'Brien, came before us and told us that in his opinion the Post Office Department was "in a race with catastrophe." That phrase of his subsequently received a good deal of publicity, as it deserved to because it was an absolutely correct assessment of what years of congressional and executive neglect of the postal system's needs had produced.

On that morning of February 27, 1967, Mr. O'Brien, Mr. CONTE, and I—and I also believe Mr. STEED—had a further colloquy regarding what might be done, to begin with, to help the postal system win that "race with catastrophe," and the one thing we agreed upon was that it was time to get the "politics" out of the system.

Subsequently—as you all know—the Kappel Commission on Postal Reorganization was created to review the failings of the system in that and all other regards and, in my judgment, that Commission's report stands out as one of the finest pieces of work that any such study group has ever produced.

The postal service has now had its catastrophe—the recent strike standing as mute evidence of one of the Commission's findings, after taking recognition of the kind of postal-pay increases we have periodically enacted, such as the one we may take final action on today. That finding was:

> The system might be defensible, at least from the point of view of labor, if it produced decent working conditions and a satisfied work force. (But) the tragedy is not only the frustration of management but the failure of the system to satisfy anyone.

Mr. Chairman, I would not presume to speak for every member of this subcommittee, but I believe I can safely say that we are virtually unanimous in our strong conviction—based on the years of experience with the Post Office Department's troubles that our senior members have had—that those troubles will only be cured, and this Nation given a postal service worthy of the name, through congressional acceptance of the kind of postal reform now embodied in H.R. 4, which bill presently awaits our consideration.

Pending that sort of basic change, this subcommittee can—like the Department itself—only struggle with the surface problems and needs of the system.

We have done our best this year, as in past years, to help the Department resolve some of those problems despite the constraints put upon it because of the fact that too many of us want to continue to "play post office"—and we have done our best to help it meet its more obvious needs.

However, under existing circumstances, the budgetary recommendations we make to you for the Post Office Department are, more or less, shots in the dark. They will help the Department get by one more year, hopefully, though obviously in view of our action with regard to postal pay today we will shortly be asking you to consider a supplemental request by the Department for at least another $187 million for what remains of this fiscal year.

Besides which, the second phase of the postal pay increase agreement—with other employee benefits—as worked out between the Postmaster General and the major employee organizations, will cost an estimated additional $1.1 billion in fiscal 1971, the fiscal year we are now considering.

Inasmuch as the net operating loss of the Department is already estimated, for fiscal 1971, as amounting to $1.4 billion—before adjustments for public-service costs, and pay or rate increases—we now are forced to contemplate watching that loss rise to the neighborhood of $2.5 billion unless this Congress takes appropriate action to adjust the postal rate structure.

It is the prospect of such a deficit—though the statutory "postal deficit" would be about $900 million less than that under present procedures—that is of such concern to the President. That prospect has to be of equal concern to you and to me, too, Mr. Chairman, in behalf of the taxpayers of this Nation, for it is they who, after we have tinkered around as we will with public service costs and the like, have to cover that operating loss.

The President, quite probably, may view his responsibilities in this connection in a different light than do we. But, if we do not like—as it appears we do not—his proposal to move the regular first-class mail rate up to 10 cents, then it is our responsibility to consider, and to enact at an early date, some other combination of upward adjustments in the rate structure.

All of us know that this is an election year. None of us need to be reminded of that but, at the same time, none of us should need to be reminded of our own duty in regards to fiscal responsibility.

I happen to think that this whole matter of public-service costs is badly in need of congressional review. But, pending that, if we accept such costs as an approximate credit of $900 million against the net operating loss of $2.5 billion we may soon be contemplating, that loss would be reduced—on paper—to about $1.6 billion. Now, I am no expert in any of this, but I understand that an increase in the regular first-class rate to, say 8 cents and something like a 50-percent increase in second-class rates, plus something like a 33⅓-percent increase in third-class rates—though I am sure we will have arguments aplenty about all of this—would produce about $1.6 billion more in postal revenues, and I would imagine that such a package, or something like it, would be acceptable to the President.

But it is my urgent plea, Mr. Chairman, to the members of the legislative committee whose responsibility all this is, that they take early action on both this controversial question and the longer range question of postal reform, for I should think it would be obvious to all of us that this Department cannot much longer continue down the same dead-end road on which we have kept it.

There are other matters covered by this bill, or referred to in our report, to which I would like to address myself, but I have already taken too much time as it is, and will reserve the balance thereof for the use of other Members.

Mr. HECHLER of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. I notice that in the hearings the gentleman from New York, the gentleman from Alabama, and various others raised the question about cost ascertainment and second- and third-class postal rates. It would seem to me that whatever system of cost allocations is arrived at, the entire problem of second- and third-class mail, and particularly third-class mail, has reached such a stage in this country that it is more than a question of how much is paid to deliver this mail. It is a question of the invasion of privacy, and the sheer nuisance which everybody experiences through having his mailbox crammed with all this unwanted junk.

I would like to ask the gentleman from New York whether he and members of the committee had considered the angle of the utter nuisance of a large amount of the unwanted third-class mail that overburdens our postal system. You can cut off second-class mail by cutting off subscriptions, but third-class junk mail keeps coming. Is it not true that the volume of third-class mail is rising proportionately and putting a larger and heavier financial burden on the operation of the Post Office Department?

Mr. ROBISON. I think the gentleman is correct in suggesting that the volume of third-class mail does constantly rise. The question of whether or not the third-class mail rate is as far out of line as some people say it is, is a matter to be resolved by the cost ascertainment systems of the Department itself. As I am sure the gentleman knows, the Department has a new approach to cost ascertainment in this respect that we hope will be given to the attention of the Congress and the public within the next few weeks.

Mr. HECHLER of West Virginia. Just one further question. It was formerly contended that postal clerks simply sat around and did not have very much to do after handling of first-class mail, and with their spare time they then processed and delivered the third-class mail. It seems to me that with the rising volume of third-class mail, this is no longer true, and it takes additional clerks and carriers to process and deliver billions of pieces of junk mail, and thus does represent a financial burden which contributes to the postal deficit.

Mr. ROBISON. You will find arguments, as the gentleman well knows, on both sides of this issue. We on the subcommittee do not wish to invade the prerogative of the legislative committee, though I will be happy to join the gentleman in his efforts there, which I am sure he is going to make, to bring about a proper mix of postal rate increases throughout the structure so we can assure the American people and ourselves that the rates are fair to all patrons.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. STEED. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. ADDABBO).

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 16900, the Treasury, Post Office, and Executive Office appropriation bill for fiscal year 1971. I was pleased to work on this legislation as a member of the House Appropriations Subcommittee which reported this measure to the full committee and in turn to the House. I commend the distinguished gentleman from Oklahoma (Mr. STEED), chairman of the subcommittee and my fellow colleagues on their diligence in expediting this legislation. I also commend the dedicated work of our subcommittee counsel, Mr. Gunnels.

The total recommended appropriation for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies is $9,492,702,000, a reduction of more than $73 million below the budget estimates and an increase of more than $331 million over the proposed funding level for fiscal 1970. This appropriation increase will provide for 19,500 new positions.

Some 16,000 new positions will be funded for the Post Office Department, most of them in the area of operations or mail processing. About 3,000 new positions are also established to help meet Internal Revenue, Customs, and Secret Service workloads. The need for additional postal workers is clear. Statistics developed by the committee reveal that mail volume will increase by nearly 2 billion pieces and the number of families served will increase by 1.5 million. It is my hope that the Congress will now pass more meaningful and equitable postal pay legislation with area wage differentials, for only will proper pay give us the most capable and dedicated workers and thus good service. Management is only as good as those doing the general work.

Mr. Chairman, I believe the postal service is a service to the people and was never intended as a pay as you go system. No other Government service is. I believe the American public has been paying its way for mail service. If there is to be an increase in rates, then it should be in the so-called junk mail which has never paid for services received.

Another section of this bill which requires special attention is the appropriation of $135,500,000 for the Bureau of Customs—an increase of more than $10 million over fiscal 1970. The committee report justly singles out the success of the Bureau in its antismuggling activities for special mention and praise—especially their activities in the area of controlling the bootlegging of narcotics, marihuana and dangerous drugs into the United States. It is hoped that the additional positions funded by this bill will result in increased surveillance of smuggling of drugs and particularly of conspiracies to smuggle narcotics.

I believe all our Government employees—postal, Secret Service, Treasury and customs workers—should be commended for their dedication to service, and services rendered, usually under the most trying conditions.

Mr. Chairman, I urge my colleagues to support this bill and to vote for passage of H.R. 16900.

Mr. ROBISON. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman. As you know, I had a most difficult decision to make this year. I had to decide whether to remain as the ranking minority member of your distinguished subcommittee or to take up that spot on the Transportation Subcommittee.

I chose the latter, but I will long remember the 5 years I served as the ranking minority member next to the distinguished gentleman from Oklahoma (Mr. STEED). They were good years, and as I have said many times in the past, those were great agencies. I look forward to staying on under the distinguished chairman and the distinguished ranking minority member (Mr. ROBISON).

The committee bill, H.R. 16900, making appropriations for the Treasury, Post Office, and related agencies has already been discussed in great detail. I would of course be pleased to comment on any part of it that my colleagues wish to analyze further. However, I would first like to focus on some areas in which I took a special interest during the hearings.

NARCOTICS JURISDICTION

The drug problem in the United States continues to grow. The statistics on drug use and drug addiction are shocking. However, one factor in the marihuana and narcotics problem stands out in my mind in regard to H.R. 16900. It is that almost all of the marihuana, all of the heroin, all of the cocaine, and all of the smoking opium used in the United States is smuggled into this country.

To the extent this smuggling can be curtailed, the use of these substances can be diminished. The Bureau of Customs can curtail this smuggling. It has curtailed this smuggling. And I intend to see that it continues to curtail this smuggling.

I am concerned, however, over actual and proposed dilutions of the Bureau of Customs jurisdiction in the narcotics field. First the Bureau of Narcotics was transferred out of the Treasury Department and into the Justice Department. I opposed this transfer before it took place, and I have opposed it ever since. I think the two should be working together in the Treasury Department.

The so-called Dodd bill, S. 3246, passed the Senate recently. I was initially troubled over the effect this legislation would have over the Bureau of Customs investigatory jurisdiction in narcotics. I am pleased to report that Eugene T. Rossides, Assistant Secretary for Enforcement and Operations, is putting the final touches on a letter to me that clears up the apprehension I originally had about this bill. I will include that letter for the RECORD when I receive it.

But that is not all that I am concerned about with regard to who has jurisdiction over narcotics. The Ash Council, which is the President's Advisory Council on Executive Organization, seems to be leaning in the direction of an even weaker jurisdiction for the Bureau of Customs. I say "seems" because I could not get a copy of its report during the hearings. In this regard, I would refer my colleagues to page 56 of the Executive Offices hearings where I said:

> I certainly feel we should have that report to the President, and I am asking for it. If you don't want to give it to me, that is all right. However, I want the record to show

I am asking for it. We appropriated $8,750,000 in a supplemental budget recently for Customs, mainly for narcotics. And I am not going to blow the taxpayers' money like this without knowing where it is going. I think it is important for this committee to have this information.

It is my understanding that the Ash Council report will recommend stripping the Bureau of Customs of its overseas jurisdiction, and I for one am not going to let this happen.

Right now, the Bureau of Customs has a limited jurisdiction in the overseas narcotics—less than it used to have, and less than it should have. Specifically, the Bureau of Customs has narcotics jurisdictions only where narcotics are found as a result of its other work abroad. They have a mere 16 men to tackle this job. Meanwhile, the Bureau of Narcotics has about 33 persons abroad, and this number will jump to over 80 if their fiscal 1971 request for 50 new positions is approved.

I believe that the Bureau of Customs, which historically had worked overseas alone, must not only retain the limited jurisdiction it now has, but must also get what it always had. As I told Secretary Kennedy at page 51 of the Treasury hearings, the answer would be to give Customs sole jurisdiction overseas.

In order for my colleagues to get a better understanding of the jurisdictional problems we face now in the overseas narcotics area, I would like to include pages 580 to 583 of the Treasury hearings in the Record at this point. I think the discussion on these pages paints a good picture of just what is going on. The portion of the hearing follows:

Jurisdictional Problems in Narcotics Smuggling

Mr. Conte. Mr. Chairman, I'd like to ask a question in the line that you're asking.

We have heard a lot of rumors, at least I have heard a lot of rumors, that there are jurisdictional problems in regard to narcotics crossing our borders. If this is so, I think that this committee ought to know about it.

I think that this committee has felt for a long time—and we have taken that position—that Customs is the first line of defense for the prevention of narcotics smuggling in the United States. We got fooled once, and not through our inadvertent acts. I fought the transfer of narcotics to Justice very strongly when it was brought up in the House. We only lost by a few votes, and a little more effort would have prevented it from being done.

Mr. Robison. We didn't get fooled, we got outflanked.

Mr. Conte. Yes, we got outflanked by only a few votes, unfortunately. Is there anything to these rumors? I think we ought to know.

OVERSEAS NARCOTIC OPERATIONS

Mr. Ambrose. The situation basically is as follows—about a month or two before I was sworn in, Mr. Rossides issued instructions to the Bureau of Customs to resume operational activities overseas in the area of narcotics.

Some discussions took place and an interchange of correspondence between the Attorney General and the Secretary of the Treasury. I think objections were raised by the Bureau of Narcotics and Dangerous Drugs to a multiagency approach to foreign activities, particularly with reference to direct contact with foreign police agencies.

It is, of course, our view that, if we were going to conduct any investigations overseas in the narcotics area, it would be necessary to have the ability to have direct contacts and access to foreign police agencies. Otherwise we really couldn't operate.

Mr. Steed. They would take a dim view if you did.

Mr. Ambrose. It would be impossible. There is just no way of doing it.

A discussion arose about the drafting of new guidelines, and so forth. I can't tell you the interminable number of discussions that took place between the various echelons and the various Bureaus.

The matter was finally referred, I think in the beginning of December or late November, to the Ash Council, which is named after the chairman of the council, the exact title of which I am not sure. I think the Council on Intergovernmental Relations.

Mr. Conte. Right.

Mr. Ambrose. We understood it was referred to the Council. The question that was referred was whether, in fact, the Bureau of Customs would reinstate its overseas operational activities in the narcotics enforcement area—whether it could communicate directly with foreign police agencies through its personnel stationed overseas and utilize all of its enforcement personnel to develop information on smuggling of narcotics and dangerous drugs.

Thereafter, the Ash Council rendered a report to the President. I'm not sure, Mr. Chairman and Mr. Conte, that I am permitted to divulge the contents of this report. I will have to check, because it is a question of policy with the Department.

Mr. Conte. That is all right.

NEW OVERSEAS GUIDELINES

Mr. Ambrose. But, at any rate, the decision was that we would not use our overseas personnel to contact foreign law-enforcement officials in overseas countries on narcotic matters. Appropriate guidelines were to be drafted by a given date, which has been extended, and the decision, and the resolution of any differences between the two bureaus, would be made by the Attorney General.

BNDD FOREIGN OPERATIONS

Mr. Steed. I assume that the Bureau of Narcotics and Dangerous Drugs has taken the position that it does have the authority to deal in foreign areas?

Mr. Ambrose. It does, yes, sir. It has been doing it since we have been.

Mr. Steed. How many seizures did you make, based on information they developed for you?

Mr. Ambrose. There are a limited number of such instances. The total number during the past 10 years is less than 25. Almost all of these involved marihuana smuggling on the Mexican border. Information on heroin and hard narcotics from other parts of the world is practically nonexistent. Our New York office cannot recall a single instance where information was referred from BNDD. There have been some instances where we were advised of smuggling but the Bureau of Narcotics retained jurisdiction.

JURISDICTIONAL INVESTIGATIVE AREA

Mr. Steed. How do they make a case?

Mr. Ambrose. Mr. Chairman, I am not in the position of knowing intimately the details of their enforcement operation over the last year or so, the last couple of years.

We, of course, are familiar with what we do and we believe that the preservation of our jurisdiction is necessary.

I am also firmly of the opinion, Mr. Chairman, and I make this statement unequivocally, assuming that we operate within our legal area of jurisdiction—which I think I am responsible for under the law and which I think the Secretary is responsible for under the law—that we would be able to operate effectively and that we would be able to establish effective interchange of information between the bureaus so that we would have a joint effort here rather than a segmented, uncohesive attempt. It is imperative in my view that these agencies both participate fully in this effort within their investigative jurisdiction. Ours is smuggling.

Mr. Robison. May I ask, Mr. Chairman, is this jurisdictional problem we are talking about one that relates only to operations overseas and not to operations within the country? Or does it relate to both?

Mr. Ambrose. At the present moment, Mr. Robison—it is 5 o'clock on this date—it relates to both. Because we have not resolved what the definition of smuggling is.

Mr. Robison. I see.

Mr. Conte. But you have jurisdiction, or you have always had jurisdiction, over smuggling into the United States? Customs has always had this?

Mr. Ambrose. Mr. Conte, I have taken the position as a lawyer, and with the advice of those members of the bar who are employed by the Bureau of Customs and by the Treasury Department, at this point that we have no legal way by which we can disclaim this responsibility.

It is our responsibility and, unless there is a legislative reorganization, we still have the smuggling jurisdiction.

CUSTOMS AUTHORITY

Mr. Steed. Let me ask you this question. Since contraband is, up to a certain point, cargo, who is to say our Government has the authority to touch that cargo except Customs? Who is to call?

Mr. Rossides. It is our position—the Secretary's position—very clearly that the Ash Council was asked to look solely at the overseas question of whether Customs should have direct contact with foreign law-enforcement officials in narcotics smuggling matters, just as it does in all other smuggling matters.

In our judgment, we felt that lack of direct contact was a grave defect and that it hurt our proper functioning.

CONTRABAND

Mr. Steed. Mr. Secretary, isn't it so that if you, in examining cargo, decide that a bit of cargo is contraband and you confiscate it, the mere fact you do that doesn't necessarily make it contraband? The owner has other recourses and might eventually compel you to return that to him, isn't that so?

Mr. Ambrose. That is correct, sir.

Mr. Steed. So you just can't say at any given point that this is contraband and this is cargo and you are welcome to step in here and touch it. It would be physically impossible, wouldn't it?

Mr. Ambrose. Yes, sir. I think the problem we have here now is really whether smuggling is restricted to just the actual passage through the Customs lines of contraband, no matter what it is, or whether those acts which take place before and after those acts and which are connected with the passage of the contraband also constitute smuggling. We think that the law is clear that it is smuggling.

Mr. Rossides. Preparatory acts and subsequent acts are clearly a part of the whole smuggling picture.

JURISDICTION LIMITATIONS

Mr. Conte. This is about the most ridiculous thing I have ever heard. I have gone down on the Mexican border, I have been out with agents making a case. A guy comes over. You have got to let him go out and make that delivery. You take the case where they took marihuana from Laredo and flew

XUM

> it all the way into California with a Customs agent pilot on the plane. The case wasn't made until it landed in California, when you could make the arrest of the whole group of smugglers together.
>
> Sometimes it takes a week. Sometimes it takes a month to make a case after it crosses the border. And if we are going to get into this kind of a silly dispute over jurisdiction, the public is the only one that is going to suffer because there is going to be a lot of narcotics—marihuana, hashish, cocaine, or you name it—sold to the public before a case is made by somebody.

The committee recognizes the great work being done by the Bureau of Customs in its antismuggling activities. On page 7 of its report, House Report 91–994, it notes:

> The Committee has been impressed by the remarkable success of the Bureau of Customs in its anti-smuggling activities, particularly those directed at the introduction of narcotics, marihuana, and dangerous drugs into the United States. With the increased enforcement personnel provided in the 1970 supplemental appropriation, as further supported by this bill, it is anticipated that the Bureau of Customs will be able to increase these activities, particularly with respect to conspiracies to smuggle. The larger role which Customs will be able to play in detecting acts preparatory to smuggling and its activities in apprehending smuggling principals as well as mere couriers will be of the greatest significance in the government's overall campaign against the corruption of this country by those who smuggle and traffic in drugs. This role *must not be* diminished.

I urge my colleagues to study this language and what I have just said, I urge you to support the fight against narcotics, and I urge you to support the Bureau of Customs.

EISENHOWER DOLLAR

I would like to turn now to the question of coinage, and specifically to the question of the proposed Eisenhower dollar coin. I think my colleagues know how I feel about the use of silver in any coin whatsoever. My record against it over the years is clear. My reasons for feeling this way are equally clear. Simply stated, I do not believe we should use a precious commodity like silver, which is so desperately needed by private industry, in coins which do not circulate. For a more extensive discussion of my position, I would refer my colleagues to the CONGRESSIONAL RECORD, volume 115, part 22, page 30088.

This body voted "no" on the use of silver in a new "Ike" dollar on October 15, 1969. The vote was 257 to 68. On that same day, the other body voted "yes." The vote there was 40 to 21.

The deadlock that followed is still with us. However, on March 19, 1970, Senate Joint Resolution 158 passed the Senate with an amendment. The amendment provides for taking 25.5 million ounces of silver from the national stockpile; for minting 150 million premium-priced "Ike" dollars with 40-percent silver; and for minting nonsilver half-dollars and $1 coins.

The bill before us, H.R. 16900, does not contain funds to implement this amendment. A supplemental request from the Bureau of the Mint would be necessary if this amendment were accepted by the House.

However, and I want my colleagues to be clear on this, the silver "Ike" dollars would be sold at a premium. That means they will more than pay for themselves. The 20 million proof dollars can be sold for $10 each and bring in $173 million as profits to the Government. The 130 million uncirculated dollars can be sold for $5 each and bring in far more than $300 million in profits.

Moreover, the nonsilver dollars under the amendment, at an annual rate of 200 million, will yield a seigniorage figure of $190 million.

The point is that the 40-percent silver coins will be on a pay-as-you-go basis. The nonsilver coins will require a supplemental request from the Bureau of the Mint.

I might also note that the silver coins called for in the amendment will consume 47.4 million ounces of silver. More than half of this, 25.5 million ounces, will come from the national stockpile.

EXECUTIVE PROTECTIVE SERVICE

On November 24, 1969, the chairman and I joined in cosponsoring H.R. 14944, which called for the Executive Protective Service. This legislation was signed into law by President Nixon on March 19, 1970, at which time I had the pleasure of attending the White House ceremonies.

The budget for the Secret Service reflects an increase of 550 positions, primarily to implement this law and to put teeth into the Executive Protective Service. I think this is important and that my colleagues should support the increase in positions needed to carry it out. The fact is that providing adequate protection for embassies is an inescapable treaty obligation of the United States.

There are 117 diplomatic missions in Washington, D.C., and the immediately surrounding area. Before the enactment of Public Law 91–217, the protection of foreign embassies was solely a responsibility of the Metropolitan Police Department. Over the past 4 years, incidents at embassies and crime involving diplomatic personnel have shown a marked increase and the foreign diplomatic corps has constantly complained to the Department of State. The new law will go a long way toward alleviating this unfortunate situation, and that is why the committee has recommended a substantial increase in Secret Service positions.

CENTRAL FILING PROGRAM

The Internal Revenue Service is the largest item in the Treasury budget and the major collector of Government revenues. In fiscal 1971, the Service expects to collect $202.1 billion.

My pet project in the Internal Revenue Service is the central filing program under which tax returns are filed at a few regional offices rather than a multitude of district offices. The program has worked out beautifully and is now saving the taxpayers about $4 million each year.

I suggested this program to the Service several years ago, and I am very pleased to see that it is now running so smoothly. In this regard, I would like to include the discussions we had on the central filing program on page 795 of the Treasury hearings:

> CENTRAL FILING OF TAX RETURNS
>
> Mr. CONTE. At the outset I want to take this opportunity to welcome the Commissioner back again and tell him once more what a great job he is doing down there. We are really proud of you and certainly any help that we can give you in this committee, we will.
>
> My first question every year has to do with central filing and I don't want to break the norm now.
>
> How is it working out?
>
> Mr. THROWER. This is the master file at Martinsburg?
>
> Mr. CONTE. No.
>
> Mr. THROWER. Oh, the central filing of returns?
>
> Mr. SMITH. We think it has proved itself.
>
> Mr. THROWER. Yes; it has proved itself. Maybe Mr. Jack would want to comment on it.
>
> Mr. JACK. It is just as good as it was when you first suggested it.
>
> Mr. CONTE. Thank you. I wanted to hear that.
>
> Mr. JACK. It is working fine.
>
> Mr. CONTE. I imagine the Middle Atlantic and Southwest regions have implemented it.
>
> Mr. JACK. It is nationwide. We have a few scattered nonmaster files that will come in next year.
>
> Mr. SMITH. It has produced all the efficiency we had reason to expect.
>
> Mr. CONTE. Could you give us any ballpark figures on what it will save the taxpayers?
>
> Mr. SMITH. We estimated $4 million annually and I am sure we made it.

The heart of our tax system is voluntary compliance. A 1-percent drop in voluntary compliance would mean a $2 billion drop in revenues collected. That is why it is so important to fund the IRS adequately. If taxpayers were to lose confidence in the system, the collection of vitally needed revenues would be drastically impaired.

NEW DENVER MINT

Before leaving the Treasury Department, I might mention the discussion I had with the Bureau of the Mint over a new mint for Denver. The mint has studied the possibility of either enlarging the existing facility or building a new one.

I argued, as I have for years with the Post Office Department, that it does not make sense to put up new facilities in the congested downtown areas of our major cities. This is just what was done in the case of the new Philadelphia Mint. I had repeatedly opposed this and called for a new mint in the Philadelphia outskirts. I think it was a big mistake to build it in the middle of town.

Well, the Bureau of the Mint is thinking of doing the same thing in Denver. I do not want to see the same mistake made again, and I made this crystal clear at pages 385–386 in the Treasury hearings.

Moreover, I believe that if there is to be a new mint in the West, serious consideration should be given to building it

XUM

on the west coast. As I said at page 385 of the Treasury hearings:

> Industry is doing this day in and day out. They are getting closer and closer to the consuming public. It just doesn't make any sense to me to continue making money in Denver and shipping it to San Francisco, Los Angeles, and all over the west coast. Just think of the money we could save in transportation costs alone, plus the fact that you have all of these other problems with the Denver Mint. What's more, it is crowded.

I intend to keep a close watch on this situation, and I urge my colleagues to do the same.

POSTAL REFORM

Turning now to the Post Office Department, which represents the bulk of H.R. 16900, the committee has recommended $8.235 billion. This is $272.8 million over the 1970 proposed level, but $42.4 million less than the request.

In fiscal 1971, according to a chart Postmaster General Winton M. Blount provided me at page 30 of the Post Office hearings, the Department will run a deficit of $1.8 billion in terms of new obligational authority used.

The deficit is only part of the big problem. I have long felt that the Post Office was in need of drastic and sweeping reform. I have sat on this subcommittee for 12 years, and I have studied the Department inside out from top to bottom. I am convinced that nothing less than a complete overhaul is called for, and I think recent events have borne me out on this.

The problems of the Post Office transcend politics. Since this is the case, their solution depends upon taking the Post Office out of politics. For this reason, I applauded Postmaster General Blount's recommendation to take the appointment of postmasters out of politics.

The postal strike highlighted a lot of things that are wrong with our postal system. I would not know where to begin if I were to discuss these problems from A to Z, and I do not intend to take up my colleagues' time doing so.

However, I would note what I think is a major problem in the postal pay structure. There should be some "comparability" system based upon the cost of living in a particular area of the country. I have been saying this for 12 years now, since I first came on the Treasury-Post Office Subcommittee.

I do not see why a person living in rural America should make as much as a person living in a major urban area where the cost of living is so much higher. It does not make sense, and it is inequitable. The rural postal worker turns out to be the highest paid person in town while his counterpart in the big city ends up being the lowest paid.

When we debated the Federal employees pay raise on April 9, 1970, I raised this problem with the distinguished chairman of the House Post Office Committee (Mr. DULSKI) and my distinguished colleague from Arizona (Mr. UDALL). I was encouraged when Mr. UDALL said at page 11078.

> One of the things being negotiated and talked about in the major postal reform proposals is giving to the postal unions the right to negotiate an average wage, so that the union of the man in New York can negotiate a higher wage for him, as compared to that negotiated by the union for the man who works in one of my small towns in Arizona, who does not need the same amount.

I also hope the proposed corporation will do something about this gross inequity in the postal pay structure.

Last year I introduced H.R. 11781, the administration's sweeping postal reform bill. I think it is a vital first step toward improving the Department and bringing it into the 20th century. I do not think the bill is perfect, but I do think we should be moving to a corporate setup soon—before it is too late.

The mail volume is expected to increase in fiscal 1971 by some 2 billion pieces, from 84.3 billion to 86.3 billion. But the bulk of that mail will continue to be handled manually. Approximately 80 percent of postal costs are personnel costs. I repeat, 80 percent of costs are for manpower, at a time when machines save private industry thousands of man-hours and man-years.

As if that were not bad enough, I had the Department provide me with a chart showing the age of major postal facilities at page 996 of the Post Office hearings. The average age is 38 years. More interesting, however, is that of 163 facilities, three were built before the turn of the century, 30 between 1900 and 1930, and only 28 since 1940. Moreover, most of the equipment in use is anywhere from 30 to 100 years old.

So when I talk about bringing the Post Office into the 20th century, I mean it.

The postal strike should have awakened the entire Nation to just how bad things are. The postal system could collapse at any time, just like it did in Chicago in 1966. I do not want this to happen again, and I want the record absolutely clear on this.

I am going to continue to work for and support real postal reform, including the proposed postal corporation. I hope my colleagues will do the same. This Nation cannot afford further deterioration of our postal system, and the people will not, and should not, tolerate it.

POSTAL RESEARCH AND DEVELOPMENT

My pet project in the Post Office is the Bureau of Research and Development. When I first looked into this operation, they were designing mud flaps for trucks. A lot of progress has been made since then.

By the end of fiscal 1971, the use of equipment and techniques developed or first applied to postal operations through R. & D. programs will save 12,800 man-years per year. I think this is a remarkable record of accomplishment, and I commend the Bureau of Research and Development for it. I know they will continue to work hard and improve upon the outstanding record they already have set.

What this shows is that we can solve some postal problems right now. For example, in fiscal 1970 automatic readers will account for savings of 160 man-years. The Bureau estimates net savings of 10 man-years per machine on each of the 16 readers that will be in operation by June 30, 1970. These machines reach a cost beneficial point when they process 250,000 letters per machine per day. Some of them are currently processing over 500,000 letters per machine per day.

Moreover, the Bureau estimates that by 1975 cumulative savings from letter sorters alone should offset all postal R. & D. investments made in the past 18 years.

I think my colleagues would agree with me that part of the answer to the postal problem lies in automation. Mechanization accounted for $11.4 million savings in postal operations estimates for 1971. That is why the R. & D. program is so important.

Unfortunately, the Post Office does not emphasize it to the extent that private industry has. For example, private industry investment in R. & D. in 1966, as a percent of net sales, was 3.4 times the estimated postal level for 1971. Moreover, as an investment per employee and using the same years, private industry put in 9.1 times what the Post Office will. Specifically, private industry invested $600 per employee in 1966 compared to the postal level of $66 for 1971.

SAVINGS FROM SUBURBAN FACILITIES

Research and Development is, as I have said, part of the answer. Another solution lies in the building of postal facilities on the outskirts, rather than in the centers, of our major cities.

I mentioned this briefly in my earlier discussion of the Denver Mint. I have been after the Post Office for years to start building their plants where there is more room for their construction and for their operation.

I am very happy to see that the Department is now doing this, and it is paying off handsomely. The new bulk mail facility in New Jersey saved an estimated $72 million in investment costs and $38 million in annual operating costs over what a similar facility would have cost to build and run in downtown New York City.

I might also note, in view of what I said a moment ago about the importance of research and development, that this New Jersey complex is the result of an R. & D. study.

The remarkable savings that were achieved in this instance attest to the importance of building in the suburbs. I hope the Department will continue to move in this direction and continue to come up with such great savings for the taxpayers.

CONSOLIDATION OF WHITE HOUSE BUDGET

Before concluding my remarks, I would like to bring to the attention of my colleagues two changes in the White House budget. For years now the budget has not clearly shown the full cost of White House staff operations. The reason is that the specific "White House" appropriation financed only about half of the total staff requirement. The rest were financed from various agencies or from the "special projects" budget.

The President has decided to end this

XUM

confusing system by consolidating all staff funds under one budget. I support this consolidation. It makes good sense, and it will make it easier for us in Congress to analyze future requests.

The second change involves a new appropriation for the Office of Vice President under the title special assistance to the President. In recent years the responsibilities of the Vice President have increased tremendously. However, he has not had his own staff to meet these increased responsibilties. He has instead had to use temporary and permanent "loans" from agencies.

I also support this new appropriation because it eliminates the undesirable practice of staff loans and gives the Vice President the permanent personnel he needs.

CONCLUSION

I think the committee put together a very tight bill. It cut $73 million from the budget requests, and approved some $330 million above the 1970 proposed level. It also allowed 19,500 of 21,800 new positions requested, most of which are related to uncontrollable increases in workload.

I am pleased to have served on the Treasury-Post Office subcommittee again this year. It has been a real pleassure working with the chairman (Mr. Steed), and the ranking minority member (Mr. Robison) and I certainly appreciate the assistance they have given me.

I urge my colleagues to support this bill. It is a good tight money bill, the kind that is called for in these highly inflationary times and that will fit right in with the President's efforts to cool down the economy.

Thank you Mr. Chairman for the opportunity to make these remarks.

Mr. STEED. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. O'Neal).

Mr. O'NEAL of Georgia. Mr. Chairman, I am very grateful to the distinguished subcommittee chairman for yielding me this time.

Mr. Chairman, I rise in support of this bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year 1971.

Included in this bill are funds for site acquisition, design and construction of a post office and vehicle maintenance facility for Albany, Ga., the largest city in my congressional district.

Albany is one of 29 cities designated by the Post Office Department to receive a major postal facility through this appropriations measure under consideration today.

Let me assure my colleagues that these construction funds are critical if the Albany project is representative of the needs of the other 28 cities.

The Albany post office not only serves a city of 70,000, but it is also a postal sectional center servicing 84 associate post offices in the area.

The post office is located in a building constructed in 1911. The building also serves as a courthouse and Federal office building for an extremely limited number of agencies.

The space alloted to the post office is so inadequate that it became necessary several years ago to lease additional space across town. Even with a split postal operation, which increases costs and prevents efficient manpower utilization, less than one-third of the needed workroom area is available.

The need for a new post office building in Albany has been critical for many years.

In view of the needs of the postal service for adequate space and more efficient facilities throughout the Nation, I feel that our Committee on Appropriations has acted wisely in funding the full amount requested by the administration for construction of postal facilities.

Mr. STEED. Mr. Chairman, I have no further requests for time.

Mr. ROBISON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Alabama (Mr. Edwards).

Mr. EDWARDS of Alabama. Mr. Chairman, I think we have brought to the House today a good bill, cutting some $73 million from the request in the budget. I think the cuts are justified, and I hope the House will uphold the subcommittee in this effort.

I think I should comment just briefly on the question of the Bureau of Customs that was alluded to by the gentleman from Massachusetts (Mr. Conte). We tried to give the Bureau of Customs substantially everything they asked for, and yet I keep being concerned that the Bureau of Customs now being separated from the Narcotics Bureau is not able to do as effective a job as they should be doing. I do not personally know, for example, what the Bureau of Narcotics is asking for this year. I know when the question came up a year or two ago I introduced the disapproval resolution that attempted to hold Narcotics in the Treasury Department where I think it should be. I hope some day we can get these two hard-working bureaus back together, because I am convinced it is the only way we will be able effectively to put a stop to the import of narcotics.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I am happy to yield to the distinguished gentleman from Massachusetts.

Mr. CONTE. I want to compliment the gentleman from Alabama not only upon that point but for the very fine contribution he has made to the Post Office and Treasury Subcommittee as well as the Committee on Transportation.

Is it not ridiculous to try to cut some narcotics jurisdiction away from customs? I say this especially in view of the fact that when you have a smuggling case, and the smuggled article comes over the border, for example at Laredo, Tex., from Mexico, and the customs agents have some knowledge of it, they have to drop that case once they find out and turn it over to the Narcotics Bureau. In many cases they do not want to make their case right there on the border. They may want to get the individual who is the center of the ring, such as in the case mentioned in subcommittee hearings where the marihuana came over the border at Laredo, customs rented a plane and flew it with the smugglers out to San Diego, and there arrested the people—the smugglers and the ring in California. Is it not ridiculous to have to hand this case over at the border to a narcotics agent to pick it up cold at another location?

Mr. EDWARDS of Alabama. I think the gentleman's statement is well taken. It proves the reason why these two Bureaus should not be separated. I say this because they run into all sorts of problems, not intentionally, but the little problems are there for the simple reason that one is in the Justice Department and the other is in the Treasury Department.

Mr. KAZEN. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman.

Mr. KAZEN. I would like to associate myself with the remarks of the two gentlemen on this question of the agents coming from the border at Laredo as has been stated. I have known first hand the work that is performed by these customs agents and I thoroughly agree with the gentleman from Massachusetts it is really ridiculous to cut these cases in half and let two separate agencies handle them. I think the customs agents have done a wonderful job and that they should not be handicapped in this manner.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman from New York.

Mr. McCARTHY. I thank the gentleman for yielding.

I wonder if the gentleman in the well or the members of the committee could enlighten me on something that concerns me deeply? As I understand it, 80 percent of the hard drugs today in the United States come from one route—the poppies are grown in Turkey, they are then taken illegally across the international border into Switzerland where they are then manufactured by professionals—this is not a backroom operation—and then placed into the commercial channels, illegal but commercial drugs, and they then go to France and mainly come out of the port of Marseilles to the United States principally through the John F. Kennedy International Airport.

This has been published information in the New York Times and in other publications and I am inclined to put credence in the published information, although I would recommend the interdiction of this route.

What I would like to know is why the U.S. customs agents, assuming they are knowledgeable about this, are unable to interdict that flow of hard drugs into this country?

Mr. EDWARDS of Alabama. Let me say to the gentleman from New York that, of course, they do interdict a substantial portion that comes in. To assist

XUM

in that situation we added 800 new jobs for the Customs Bureau.

The problem as I see it is that we do not have the overseas network that we should have. I am convinced that in the old setup we had a much greater in-depth overseas scrutiny than we have today.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. ROBISON. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. EDWARDS of Alabama. I am also convinced, if I may say to the gentleman from New York, that part of the problem has been the result of this division of the two most effective agencies in the country that have been working on narcotics.

Mr. McCARTHY. Mr. Chairman, would the gentleman yield further?

Mr. EDWARDS of Alabama. I yield further to the gentleman from New York.

Mr. McCARTHY. Mr. Chairman, I would ask the gentleman why could not the Department of State, assuming that these facts are right and, as I said, they have been published and I have read them in more than one instance, and I have seen no contradiction of them, assuming they are right, why could not the Department of State utilize the influence of the Government of the United States with, say a country such as Turkey which is an ally under NATO, to use what influence we have to stop this?

The same with Switzerland and with France. I mean I agree with the gentleman about the overseas customs situation, but in addition to that——

Mr. EDWARDS of Alabama. One thing that I do not profess to do is to speak for the Department of State. I do understand that they, in fact, are carrying on quite an extensive discussion in this area with these countries at this time.

XUM

Mr. STEED. Mr. Chairman, would the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman from Oklahoma.

Mr. STEED. May I say to the gentleman that a lot is being done in the field we are talking about. The international conference on narcotics, with 86 countries, has been very effective. We do get the active cooperation of the Turkish Government. They are the only country under this agreement that can produce opium for medicinal purposes, and it is done strictly under Government control. The illicit part of it is something that the Turkish Government fights as hard as we do, but it is not all confined to that country. There is illicit opium grown in other countries that we have to cope with also.

Under the international program, working together, through the joint efforts of these countries, they confiscated over 5 tons last year. We are getting a lot of help in these areas. By the very nature of the conspiracy that involves any kind of smuggling, especially narcotic smuggling, which is the important one we are dealing with here, I think it is desirable to give the customs service the people they need to keep the smugglers at arm's length across the border, and after it crosses the border it means we will be much less effective than in the work we are doing now.

Mr. McCARTHY. Mr. Chairman, if the gentleman will yield, while I do not question what the gentleman has said, I have myself had firsthand knowledge and experience where apparently two different agencies of the Government were working at cross purposes in this field.

Mr. STEED. Perhaps I can say it this way: The thing we are dealing with is the police part of the action after the opium is produced and on its way, the other part is in the field of international relations, and I think they do a very good job there. It is in or at the police level where the action is, and that is where customs becomes involved, and that is where we are trying to put the muscle.

Mr. McCARTHY. When I was in Thailand 2 years ago, and up in the mountainous area where they had a Communist infiltration problem, and we were being conducted by the AID people—at least, they said they were AID, I do not know, they could have been some other agency—but they informed us that the infiltration there by the Communists was attempting to foment discord among those Thai—actually, they were mountain tribesmen, they were not Thai, although they were under the protection of the Thai Government—and they had a brush, burn, and slash economy, and their main product was opium, and that this was illegal under Thai law, and they were seeking to dissuade the Thai Government from enforcing this law because otherwise these mountain people might become Communists. They were continuing to grow opium while we were there. And they explained that this finds its way out of there, and from there into the United States.

I wonder if we really have, and you have just explained here, a dichotomy regarding two agencies of Government? We discussed the Department of State and here we have AID. I seriously question whether there is a consistent and uniform policy eminating out of this administration on this problem.

The gentleman from Oklahoma cites the progress that has been made. But the fact of the matter is that this stuff is inundating this country and while there may be some progress, there still is a big job to be done.

Mr. EDWARDS of Alabama. May I say to the gentleman from New York, one of the major problems is that this is a cash crop and in Turkey and in some of these other countries, I understand, our folks have even gone so far as to try to help them to produce new moneymaking crops to relieve the economic burden of doing away with this particular crop.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman from Massachusetts.

Mr. CONTE. First of all, let me say this is not a partisan matter because it was the past administration that recommended taking the Bureau of Narcotics out of the Treasury Department. That little band of agents had, I think, one of the most remarkable records of any agency in the U.S. Government. Now this has been shifted over by the past administration to Justice where they have a tremendous increase of personnel over what the Narcotics Bureau once had under Treasury.

The route you mentioned is somewhat wrong. The great part of opium comes in from Turkey through Beirut, Lebanon, Sardinia, and in Marseilles where it is processed into heroin. You must realize the gigantic problem of interception. They have caught airline hostesses with heroin on some unmentionable parts of their body. They have caught in Lebanon an Ambassador from one of the Central American countries smuggling heroin into the United States. They hide it in ships, and in some of the most peculiar and most difficult places to find in packages, baggage, and so forth.

It is really remarkable that with the ports we have in the United States with no Coast Guard, no customs, and no narcotic agents, a lot more of this stuff does not come in.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield on that point?

Mr. EDWARDS of Alabama. I yield to the gentleman.

Mr. McCARTHY. Why is it that they practically put out the red carpet—as you pass through customs—nobody interdicts you? The policy seems to have been almost in order to encourage tourism that there is no inspection.

Mr. CONTE. Let me answer that, if I may.

First of all, most of your narcotics seizures from overseas are made through informers and through tipsters. This is where you make your case. First of all, you must understand that the U.S. Government cannot go over there and arrest a person who intends to sell heroin in the United States. What he has to do is to work with the local police. As the chairman said, tons of heroin, marihuana, hashish, and cocaine has not come into the United States because of our law-enforcement agents. That is why I suppose heroin is so costly. But our agents have to work with the local police. They have to work with the French police and the Italian police and the Turkish police and the Lebanese police. They are the ones who have to make the arrest.

It is the American agent who really makes the case and hands it on a silver platter to the foreign police department. Then they make the arrest.

What we have done in this particular field is amazing.

Thailand, Laos, and Southeast Asia, have not been a great threat to the United States.

Most of it is coming into the United States from Turkey, some by way of Mexico.

Mr. HUNT. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman.

Mr. HUNT. Mr. Chairman, I will try to reply in several respects to the words of the gentleman from New York.

For a number of years I was engaged in the suppression of illegal narcotics. I was a supervisor of the narcotics squad of the State of New Jersey and worked very closely with the Treasury Department, many States, and in many nations.

First, Mr. Congressman, let me tell you, you are very fortunate in getting through customs without being inspected. I came through last week and they looked through my wife's lingerie. I guess our faces are a bit different in that respect. They detect me pretty well. I thought it was a pretty good inspection.

Mr. McCARTHY. Did you take that as a compliment?

Mr. HUNT. I sure did. I thought it was nice to be checked. I thought that at times they pass you through by virtue of the fact that you are a Member of Congress. Maybe you have the knowledge of how to get through those things.

In respect to narcotics, you talk about the poppies. Gentlemen, they do not carry the poppies around. A poppy comes through a bulb, an opium bulb. They take a three- or four-pronged piece of metal and lacerate the head of it so it exudes a white, gummy substance which we refer to as the opium tar. The workers in the field take this off ultimately into a barrel with dirt and everything else in it. The first rendering becomes what is known as the tar. It is rendered down to what we call opium tar, and from that comes the morphine base, which is further rendered and from the morphine base heroin is rendered. The chemical process reduces it to heroin, which is a white powder.

It is true that Turkey produces the bulk of our legal opium. However, some of the farmers there raise illegal quotas, and they smuggle it out across the border into Greece and other places, and the Turkish Government and the Greek Government have been trying for years to suppress this traffic. They have even planted mine fields at the border, but the smugglers drive sheep and goats across in front of them to explode the land mines. This has been going on since 1955, though I have campaigned against the traffic, around the French port of Marseilles. The bulk of the clandestine laboratories producing heroin are located there. We have had an increasing facility with the French police. We do maintain in Europe a force of narcotic agents who do an excellent job.

As the gentleman from Massachusetts said, it is very difficult, but we are moving in the right direction. It is not, however, that the smugglers have specially built automobiles with specially concealed appointments. They do have certain portions of women's garments where you might find padding, and the padding is something else coming out. There are many ways to smuggle, and it is very difficult.

The gentleman who was with me many years, Mr. Pacino, had all of Europe. He has now returned and is engaged in training agents. But let me tell you, in 1955 the United States of America depended upon 280 Federal agents to suppress the narcotics traffic in the entire world—280 men—and we couldn't get any more men. They would not give them to us.

Now we have the money coming out of our ears, but the tragedy is they have removed the detection processes from the Treasury Department and placed them in another department. It should be back in the Treasury Department so the narcotics agents and the customs agents can work hand-in-hand, the same as they used to, for a smooth-running, flowing operation.

If you want the truth of the matter, that is how it should be set up. You can talk about theory all day long. The thing we have to get down to are the basic fundamentals. We can suppress this traffic with the aid of the other nations. We can suppress it if we can come back once more to that type of operation with the customs and the narcotics agents in the same category.

There is no doubt in my mind that we have the finest group of men, and we can do it, but someone downtown must listen to us.

I thank the gentleman for yielding.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. EDWARDS of Alabama. Mr. Chairman, may I have 3 uninterrupted minutes?

Mr. ROBISON. I am happy to yield 3 additional minutes to the gentleman if he can keep it that way.

The CHAIRMAN. The gentleman from Alabama is recognized for 3 additional minutes.

Mr. EDWARDS of Alabama. I was about to talk about the post office buildings and facilities for which there is such great need. We provided $269 million for postal public buildings in this bill, and yet that is just a drop in the bucket compared to what the post office really needs.

If ever there was an area that pointed up the need to go into a separate postal corporation with separate borrowing capacity, it is this area of facilities. We have to spend more money to build more modern buildings and update the equipment. There is not enough money in the Treasury of the United States to provide these facilities.

The Tax Court has been a subject I have been greatly interested in because of the small taxpayer. A couple of years ago I introduced legislation to try to give the small taxpayer his day in court without all the necessity for great legal proceedings. The Tax Court heard our plea and it has instituted the Small Tax Section for Taxpayers where claims of $1,000 or less are involved. It was reported to us in the hearings that this procedure is now working very well. The taxpayer who cannot afford a lawyer or who does not want to have to go through the great delays in tax cases can get an early hearing and fast decision through this procedure.

I am convinced the small taxpayer today is being treated much better and is being given greater opportunity to have his appeal heard and a decision rendered at an early date. I think the Tax Court should be commended for this procedure it has put into effect.

Mr. Chairman, I think this is a good bill. It is just about as tight as we could make it, considering the particular departments we are entrusted with. I urge its adoption.

Mr. HOGAN. Mr. Chairman, I would take this opportunity to reiterate my position in support of the authorization request for the Treasury Department's Consolidated Law Enforcement Center.

In a time marked by rising crime statistics, any effort, on any level, to provide better training and training facilities for law-enforcement officers must be welcomed by both beleaguered public officials and the public at large—victim of those statistics.

The proposed facility, which is a key in the President's program to improve the lot of law-enforcement officers, would provide a specialized central training complex for 21 Federal police agencies, including those under the Treasury Department.

The present, expanded facilities of the Federal Bureau of Investigation at Quantico, Va., could not be used for the specialized training programs spelled out for the proposed Law Enforcement Center. There is virtually no duplication between the proposed school complex and the established FBI facilities which are used to capacity.

The present facilities available for training of Treasury, Secret Service and customs agents are severely lacking and Treasury officials have expressed concern over the future prospects for training agents.

This same concern was voiced by the Warren Commission when it called for a prompt remedy to the problems encountered during the increasingly complex task of maintaining adequate protection for the President.

The proposed center would provide the Secret Service a course for motorcade training and a range area for teaching techniques of firing weapons from moving vehicles.

Enactment of the authorization in this bill will provide the funding necessary for the completion of the first phase of constructing and equipping the much-needed center and will narrow the gap between present training and future training afforded Federal law-enforcement agencies.

The training center will be located on about 60 acres of property northeast of the intersection of the Washington-Baltimore Parkway and Powder Mill Road near Beltsville, Md., in my congressional district. The facility will consist of a campus-like Center with modern classrooms, ranges, specialized training areas and equipment, dormitories, support facilities and services to accommodate 750 resident students at one time.

After an in-depth study of similar training requirements for other Federal agencies, it was concluded that it would be less costly and more effective to establish a single training center for all interested agencies under the administrative supervision of the Secretary of the Treasury.

Having served as an agent of the Federal Bureau of Investigation, I can appreciate the value of such training. However, even more important, I know, are the very evident reasons for urgency in getting this Center underway, especially today, when there is such a great need for more effective law enforcement. This urgency becomes even more apparent as the crime rate continues to rise. One of the solutions, which can be implemented soon by building this school, lies in giving optimum training to professional law-enforcement personnel.

Mr. RARICK. Mr. Chairman, the bill H.R. 16900 making appropriations for the Treasury, Post Office, Executive Office of the President, and others offers little encouragement in the showing of any fiscal responsibility needed to curb inflation.

With great deference to my colleagues on the committee, I simply have not heard anything to convince me that I am justified in voting to take this kind of money out of the pockets of my constituents.

I most certainly support law and order as well as security, yet I question any imperative need and any corresponding expense to the taxpayers of a prestigious $21.5 million Federal Law Enforcement Training Center at Beltsville, Md., or anywhere else. The country has armed forces—are we now preparing for a national police force?

The IRS was set up for revenue collection, yet in the measure at hand an appropriation of $645 million for "compliance" as compared with only $220 million for all the accounting and processing suggests plans for an aggressive tax collection program. Is the tax revolt here?

Nor does the Executive Office appropriations offer any example of restraint.

Operating expenses—entertainment	$1, 100, 000
White House salaries and expenses	8, 550, 000
Special assistant	700, 000
Advisory Council	500, 000
Intergovernmental relations	300, 000
Special projects	1, 500, 000
Expenses of management improvement	350, 000
Emergency fund for President	1, 000, 000
Bureau of Budget	13, 000, 000
Council of Economic Advisers	1, 233, 000
National Security Council	2, 182, 000

And none of these figures include the President's salary of $200,000 or his statutory expense allowance of $50,000.

Financially our country is in a deplorable condition. Few seem to worry about it, but my constituents do and are increasingly incensed with every new tax, every tax extension, and with every inflationary decrease in the purchasing power of their take-home pay. They cannot seem to rightfully understand why there are more taxpayers, more taxes paid and yet the cost of their Government continues to soar out of proportion.

I simply cannot, in good conscience, cast my people's one vote for these lavish funds to further escalate the bureaucracy. To cut out the fat we need to start somewhere, sometime. If enough of their Representatives start talking and voting the way the people are talking and will be voting we might even be able to let the surtax die a natural death this June.

Mr. STEED. Mr. Chairman, I have no further requests for time.

Mr. ROBISON. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read the bill.

Mr. STEED. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House, with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker, having resumed the chair, Mr. MONAGAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 16900) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1971, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. STEED. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 333, nays 3, not voting 94, as follows:

[Roll No. 73]

YEAS—333

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Annunzio
Arends
Aspinall
Ayres
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Bingham
Blanton
Blatnik
Boland
Bow
Brasco
Brinkley
Brooks
Brotzman
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Caffery
Camp
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Chappell
Chisholm
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Conyers
Corbett
Coughlin
Crane
Culver
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
Delaney
Dellenback
Denney
Dennis
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Frey
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gaydos
Gettys
Gibbons
Gilbert
Goldwater
Gonzalez
Goodling
Gray
Green, Pa.
Griffin
Griffiths
Grover
Gude
Hagan
Haley
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Koch
Kuykendall
Kyros
Landgrebe
Landrum
Langen
Latta
Lloyd
Long, Md.
Lujan
McCarthy
McClory
McCloskey
McClure
McCulloch
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
Macdonald, Mass.
Mahon
Marsh
Martin
Mathias
Matsunaga
May
Meeds
Melcher
Meskill
Michel
Mikva
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Mizell
Monagan
Montgomery
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nichols
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patten
Pelly
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Purcell
Quie
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Riegle
Rivers
Roberts
Robison
Rodino
Roe
Rogers, Fla.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Ruppe
Ruth
Ryan
St. Onge
Sandman
Satterfield
Saylor
Scott
Sebelius
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Sullivan
Symington
Talcott
Taylor
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watts
Weicker
Whalen
Whitehurst
Whitten
Widnall
Wiggins
Williams
Winn
Wold
Wolff
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—3

Ashbrook
Hall
Rarick

NOT VOTING—94

Alexander
Andrews, N. Dak.
Ashley
Baring
Blackburn
Boggs
Bolling
Brademas
Bray
Brock
Broomfield
Brown, Calif.
Brown, Ohio
Burton, Utah
Cabell
Clark
Clay
Cohelan
Collins
Corman
Cowger
Cramer
Daddario
Dawson
de la Garza
Dent
Diggs
Edwards, Calif.
Feighan
Flynt
Fraser
Frelinghuysen
Fulton, Pa.
Gallagher
Giaimo
Green, Oreg.
Gross
Gubser
Halpern
Hanna
Heckler, Mass.
Howard
Jacobs
Johnson, Pa.
Jones, Tenn.
Kirwan
Kyl

Leggett
Lennon
Long, La.
Lowenstein
Lukens
McDade
MacGregor
Madden
Mailliard
Mann
Mayne
Mollohan
Moorhead
Nelsen
Ottinger
Patman
Pepper
Pollock
Powell
Pucinski
Quillen
Rees
Rhodes
Rogers, Colo.
Rooney, N.Y.
St Germain
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Steiger, Ariz.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Taft
Teague, Calif.
Tunney
Vander Jagt
Watson
Whalley
White
Wilson, Bob
Wilson, Charles H.
Wright

So the bill was passed.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Frelinghuysen.
Mr. White with Mr. Andrews of North Dakota.
Mr. Clark with Mr. Fulton of Pennsylvania.
Mr. Hanna with Mr. Bob Wilson.
Mr. Lennon with Mr. Gross.
Mr. Stratton with Mr. Mailliard.
Mr. Patman with Mr. Kyl.
Mr. Boggs with Mr. Rhodes of Arizona.
Mr. Pepper with Mr. Brock.
Mr. Feighan with Mr. Cramer.
Mr. Dent with Mr. Quillen.
Mr. Daddario with Mr. Schadeberg.
Mr. Giaimo with Mrs. Heckler of Massachusetts.
Mr. Pucinski with Mr. Brown of Ohio.
Mr. St Germain with Mr. Broomfield.
Mr. Brademas with Mr. Bray.
Mr. Howard with Mr. Schneebeli.
Mr. Jones of Tennessee with Mr. Scherle.
Mr. Madden with Mr. Cowger.
Mr. Moorhead with Mr. Johnson of Pennsylvania.
Mr. Ottinger with Mr. Stokes.
Mr. Rogers of Colorado with Mr. Nelsen.
Mr. Charles H. Wilson with Mr. Teague of California.
Mr. Cohelan with Mr. Schwengel.
Mr. Corman with Mr. Gubser.
Mr. Edwards of California with Mr. Diggs.
Mr. Gallagher with Mr. McDade.
Mr. Mollohan with Mr. MacGregor.
Mr. Wright with Mr. Burton of Utah.
Mr. Ashley with Mr. Lukens.
Mr. Alexander with Mr. Blackburn.
Mr. Cabell with Mr. Mayne.
Mr. Brown of California with Mr. Clay.
Mr. Flynt with Mr. Collins.
Mrs. Green of Oregon with Mr. Pollock.
Mr. Leggett with Mr. Halpern.
Mr. de la Garza with Mr. Steiger of Arizona.
Mr. Stubblefield with Mr. Whalley.
Mr. Fraser with Mr. Taft.
Mr. Stephens with Mr. Vander Jagt.
Mr. Baring with Mr. Watson.
Mr. Tunney with Mr. Powell.
Mr. Mann with Mr. Jacobs.
Mr. Stuckey with Mr. Kirwan.
Mr. Long of Louisiana with Mr. Lowenstein.
Mr. Rees with Mr. Scheuer.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. STEED. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the bill just passed and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN REPORTS

Mr. STEED. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE BRANCH APPROPRIATIONS, 1971

Mr. ANDREWS of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16915) making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 1 hour, the time to be equally divided and controlled by the gentleman from Ohio (Mr. Bow) and myself.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Alabama.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 16915, with Mr. Murphy of New York in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Alabama (Mr. Andrews) will be recognized for one-half hour, and the gentleman from Ohio (Mr. Bow) will be recognized for one-half hour.

The Chair recognizes the gentleman from Alabama.

Mr. ANDREWS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is the usual annual appropriation bill for the legislative branch of the Government for the next fiscal year commencing July 1. It contains appropriations for all activities except those of the Senate; it is the custom to leave those for the decision of the other body.

HIGHLIGHTS OF THE BILL

The appropriations recommended total $346,649,230.

This recommendation is $9,394,055 below the budget requests. Not all of this represents savings. Over half is a deferral of two items for the Government Printing Office; the establishment of a proposed regional center for the Superintendent of Documents, and plans and specifications for a new plant.

The bill is $61,754,173 over fiscal year 1970 appropriations to date. However, there are pending supplementals totaling $13,375,525, which if allowed in full would reduce this figure to $48,378,648. Of this total increase, $22,000,000 is an addition to the Government Printing Office working capital revolving fund to help finance a larger volume of reimbursable business, and $15,610,000 is to begin construction of the James Madison Memorial Library Building. Funds are included throughout the bill to "annualize" the so-called third-step comparability pay raise—of 10.05 percent—that was effective July 1, 1969. No funds are included for the 6-percent pay raise that the House acted upon last Thursday and earlier today. Financing this increase will be handled in a supplemental appropriation bill at a later date.

MAJOR INCREASES AND DECREASES

Mr. Chairman, as is true each year, there are a number of increases and decreases in the many items in the bill, some of which are made according to requirements and direct actions of the House authorizing specific funds. The committee report summarizes the major increases and decreases, starting on page 3 and following through page 5, both as to the 1971 budget and changes from 1970 appropriations to date. I would refer you to those pages.

INCREASES OVER 1970

Some of the major items that have put this bill over 1970 are as follows:

First, $2,188,120 is to cover increased pay costs for House officers and employees effective July 1, 1969, and 17 additional positions for various offices under the Clerk of the House.

Second, $1,200,000 is to cover increased pay costs for Members' clerk hire.

Third, $1,060,000 is for Government contributions for House officers and employees directly related to the salary increases just noted.

Fourth, $1,083,000 is to cover the additional costs of official franked mail for the entire Congress, fiscal year 1969 over 1968.

Fifth, $15,610,000 is to initiate construction of the James Madison Memorial Library Building.

Sixth, $2,268,500 is to enable the Library of Congress to meet mandatory personnel costs, hire 25 additional employees under its main account, proceed with the preservation program, and continue automation studies.

Seventh, $1,700,000 is to cover the additional costs and increased requirements for congressional printing and binding.

Eighth, $1,732,000 is for the Superintendent of Documents.

Ninth, $22 million is for additional reimbursable working capital in the Government Printing Office revolving fund to meet increased volume of business as well as to allow certain necessary improvements to the plant.

Tenth, $10,712,000 is to enable the General Accounting Office to meet mandatory personnel costs and hire 175 additional employees.

HOUSE RESTAURANT

The House Restaurant is now operating under the direction of the Select Committee on the House Restaurant. That committee estimates a deficit of

XUM

$248,000 in operations in 1970, which it currently anticipated may reach $270,000 in 1971. The bill provides that amount, as recommended by the select committee and the Architect of the Capitol.

The committee is also recommending the employment of a sanitarian to inspect and supervise the food service areas on Capitol Hill as recommended by the Attending Physician, and the two restaurant committees. He will be working under the supervision of the Attending Physician and on request will be available to inspect other public service areas on the Hill.

CONGRESSIONAL STUDENT INTERN PROGRAM

Mr. Chairman, the committee has recommended resumption of the congressional student intern program. The prohibition against the use of funds for the program in recent Legislative branch appropriation acts has been dropped and language is included to make the funds available immediately on enactment of the bill into law in order that the program may commence in June in accord with the terms of the authorizing resolution, which was House Resolution 416 of the 89th Congress, and regulations set up by the House Administration Committee. The bill also includes $300,000 for the program. This amount is the best estimate that the committee could make at this time and is based on past experience.

OFFICE OF THE ARCHITECT OF THE CAPITOL

The committee has made a slight adjustment in the language of this appropriation to accord with a realinement proposed by the Architect in certain top positions in the office and it is explained in the report on page 7. I regret to report that Mr. Stewart, the Architect, is in the hospital. I wish him a speedy recovery. He has served in this capacity since 1954 and as I have said on previous occasions, in my opinion he has been subjected to a lot of unwarranted and unfair criticism. While not always agreeing with all of his recommendations, I have a high regard of his integrity.

XUM

EXTENSION OF THE CAPITOL

No funds were requested for the west central front. Last year's bill provided $2,275,000, including $250,000 for the employment of independent, nongovernmental engineering and other services on the feasibility and cost of restoring the west front. The committee is advised that the Commission for Extension of the U.S. Capitol has contacted the American Society of Civil Engineers and also the deans of a number of schools of engineering throughout the country to secure the names of competent engineering firms who might be considered to study the feasibility of restoring the West walls.

The Architect of the Capitol advised the committee of evidence of new structural deterioration which points to the need for the study to get underway as soon as reasonably possible. The hearings on pages 439–461 include a number of drawings showing both old cracks and new ones that have occurred recently.

JAMES MADISON MEMORIAL BUILDING

The committee has recommended the $15,610,000 requested to commence construction and to secure the exterior stone for the superstructure. Legislation increasing the limit of cost to $90,000,000 was enacted on March 16, 1970. The need for this building is well known and has been reviewed in detail in various reports of this and other committees. The overcrowded conditions in the Library have existed for a good many years. Rental costs are now approximating $2,000,000.

GOVERNMENT PRINTING OFFICE

As I noted earlier, the committee has deferred two items requested by the Government Printing Office. The Superintendent of Documents requested $1,623,000 to establish a branch distribution center. The committee deferred action until this proposal has been acted upon by the Joint Committee on Printing. The budget also included a request of $3,934,000, for plans and specifications for a new Government Printing Office plant on the assumption that a site would be acquired. Inasmuch as this had not transpired, Mr. Harrison, who was still occupying the position of Public Printer at the time the committee took its action, asked that the estimate not be considered at this time.

CONCLUSION

Mr. Chairman, I have tried to touch the more significant matters in the bill. The committee report covers them in much more detail as do the printed hearings. We will try and answer any questions.

Mr. Chairman, before closing, I want to note the excellent cooperation from all concerned during the conduct of the hearings and in developing information on the various items in this bill. I have in mind the Clerk of the House, Mr. Jennings, and other House officers and officials; Mr. Campioli, the Acting Architect of the Capitol; Dr. Mumford, the Librarian; Mr. Harrison, the Public Printer; and the Comptroller General, Mr. Staats. They and their staffs have cooperated fully in every way. I believe the record of the committee hearings bears witness that the various items were generally well documented and well presented. We always appreciate full cooperation in securing orderly consideration and dispatch of the many items dealt with.

TRIBUTE TO DR. REIFEL

I want to say this is the last time that our distinguished colleague on the subcommittee on legislative branch appropriations will be helping us present this bill to you. I am referring to Dr. BEN REIFEL who has announced that he will not seek reelection after 38 years of distinguished public service to his State, his district, and his country. I want to say personally I will miss him. He has been a great member of the subcommittee for a number of years and rendered yeoman service. He is not only a good public official, but he is a good man. It is always a pleasure to be with him and I hope in his retirement he will enjoy continued happiness. Certainly, the subcommittee, the full committee, and entire House will miss him.

Mr. MAHON. Mr. Chairman, will the distinguished gentleman yield?

Mr. ANDREWS of Alabama. I yield to the distinguished gentleman from Texas, the chairman of the Committee on Appropriations.

Mr. MAHON. Mr. Chairman, I want to join the gentleman in paying tribute to the fine record of service of the gentleman from South Dakota (Mr. REIFEL).

I also want to commend the distinguished gentleman from Alabama for presenting this bill to the House of Representatives on the 13th of April.

It is true that, traditionally, this bill has been presented later in the session in order that some of the other appropriation bills might have the right of way, so to speak, especially because certain Members—such as the gentleman from Alabama—have important responsibilities on other subcommittees, and, therefore, hearings were held at a later date, usually, on the legislative appropriation bill.

So, Mr. Chairman, I want to commend the gentleman from Alabama for bringing this bill out early in the session.

I would point out that, last year, the amended budget of the President for fiscal 1970 was not submitted to the House until April 15. Today, 2 days before that date in 1970, we are presenting two bills to the House, and a third one tomorrow.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. ANDREWS of Alabama. Mr. Chairman, I yield myself 2 additional minutes.

I again yield to the gentleman from Texas.

Mr. MAHON. The gentleman and the members of his subcommittee, in my opinion, have done an excellent job and are due the thanks of the House.

Of course, this bill provides for the salaries of Members and employees of the House, for the Library of Congress, the Architect of the Capitol, and many other purposes.

I wanted to ask the gentleman if he is thoroughly in accord with the actions taken by the Committee on Appropriations in providing the additional funds over last year for the General Accounting Office. The General Accounting Office is an arm of the Congress. They have several thousand employees who are working in an effort to prevent waste and to promote efficiency in the operation of the Government. I believe this bill provides about 175 additional employees for the General Accounting Office.

Is the gentleman, in his study of the work of the General Accounting Office, satisfied that this organization is doing a good job for the taxpayer in trying to promote efficiency and economy and avoiding mistakes wherever this can reasonably be done as a result of their work?

Mr. ANDREWS of Alabama. I will say to my chairman that the committee was unanimous in its conclusion that additional positions are needed, and also in the thought that the General Accounting Office is doing a good job.

If you will read the hearings you will find that the General Accounting Office is responsible for approximately $188 million in savings to the Government, which is about 2½ times the total cost of operating the Office. The General Accounting Office is like a policeman on the beat.

Now, that saving is pinpointed in the hearings, and if I remember correctly, amounts to about $20 million in cash that they have recovered for overcharges against the Government, and most of it results in savings by the Government agencies putting into practice suggestions made by the General Accounting Office.

I do not think there is any question but that the General Accounting Office is doing a good job. As the gentleman well knows, Government expenditures are increasing year by year by year and I continually hope that we can see the end in sight. But so far we have not. And the more money the Government agencies spend the more need there is to have, figuratively speaking, that policeman on the beat. And the General Accounting Office will make them do right, in many instances catch them and if they do wrong see they are punished, and then collect the money that the Government otherwise would not get.

So, answering the gentleman's question, I think the General Accounting Office is doing a good job.

Many of these positions will no doubt be assigned to supervise military expenditures. As the gentleman knows, that is a field that is very fertile for investigation and scrutiny and many of the savings that the General Accounting Office accounts for comes from the area of military expenditures.

The CHAIRMAN. The gentleman from Alabama (Mr. ANDREWS) has consumed 16 minutes.

Mr. BOW. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the distinguished chairman of the committee, the gentleman from Alabama (Mr. ANDREWS), has fully explained this bill and has done a magnificent job in handling the hearings and explanation here on the floor. There is little that I can add to what the gentleman from Alabama has said.

I might repeat that the 1970 level for this bill was $284.9 million. The 1971 budget was $356 million, and this bill totals $346.6 million. This is $61.7 million more than was provided for these items in 1970, and $9.4 million less than was requested in the budget.

The increase over last year includes $12.8 million for the Library of Congress, Madison Annex Building, and provides for a necessary increase in the Government Printing Office revolving fund of $22 million.

The bill also provides for 175 additional employees for the GAO. I agree with the gentleman from Alabama that they were necessary to undertake the additional duties we have assigned to the GAO in the various areas of the Government.

The bill also provides for summer interns. I might say that in the committee I voted against this program, but it is here, and it may be the subject of further discussion later on.

Mr. Chairman, I would like also to join the gentleman from Alabama and the gentleman from Texas (Mr. MAHON) in paying my respects to BEN REIFEL, who will retire at the end of this session. Dr. REIFEL, as you know, was born in a log cabin to a Sioux Indian mother and a German-American father. He went on to earn a doctor of philosophy degree in public administration from Harvard University. He has devoted his life to Government, and much of it to the welfare of the Indian population of our Nation. I feel quite certain that when BEN REIFEL leaves these Halls, he will continue his efforts on behalf of the American Indian. He has been a faithful member of both the subcommittee and the full committee, and highly responsible to his duties here on the floor. Truly, we shall miss BEN REIFEL in this House of Representatives.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. BOW. I am delighted to yield to the gentleman from Illinois.

Mr. YATES. I wish to join in the remarks of my colleague from Ohio. We will miss BEN very much. As one who has served on this committee with BEN REIFEL, I know of the very great contribution he has made to the activities of the committee, not only in terms of the knowledge that he has brought to the committee, but the fine, warm, personal traits that identify him. It was a pleasure to work with him, and I wish to join the gentleman from Ohio in wishing him a very happy retirement and express the hope that he will come back to see us often.

Mr. BOW. I appreciate very much what the gentleman has said about our friend. He has been an intelligent and delightful companion, and I know of no one who has worked harder to achieve the success that he enjoys today than our colleague from South Dakota, BEN REIFEL.

Mr. KEITH. Mr. Chairman, will the gentleman yield?

Mr. BOW. I am delighted to yield to the gentleman from Massachusetts.

Mr. KEITH. I, too, wish to join in paying tribute to this fine American soldier, statesman, and public servant. He is one of the most delightful Members of our Congress. He and his family will be very much missed from our Washington scene, but I know his constituents and neighbors in South Dakota will be more than pleased to have him again in their midst for 365 days a year.

Mr. BOW. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman, I think it only fitting that I make a few remarks about our "knights in blue"—I refer of course to none other than the U.S. Capitol Police.

This is truly a unique force. This is not a blanket indictment of our police force, but rather an indictment of the system.

It is estimated that the Capitol Police will cost the taxpayers $5.8 million in fiscal 1971. That is a lot of money, and I think we ought to see whether it is being wisely spent.

What kind of police force is this?

Well, before answering that, let me tell you a little story about my car. I left it in the Cannon Garage over the Easter recess—under the careful watch of the U.S. Capitol Police. Lo and behold, I returned to find that someone had taken the stereo system right out of the locked car. I repeat the car was locked and presumably being looked after by those old hawkeyes, the Capitol Police.

This, of course, is not the first time that something has been stolen inside the Cannon Garage, and the Hill itself is no stranger to crime. Last week at page 10751 of the RECORD, Senator MANSFIELD reported that two pages had been assaulted, mugged, and in one instance robbed in the vicinity of the Capitol.

There are repeated thefts on the streets. There are repeated thefts in the buildings. And there are repeated thefts right in our offices.

Pocketbooks are stolen. Radios are stolen. Money is stolen. Automobiles are stolen. You name it, and the Capitol Police have a record of that item being stolen.

And the crime does not end with theft. Senator MANSFIELD mentioned the two pages. A few weeks back, a relative of the Speaker was beaten and robbed on Pennsylvania Avenue a few blocks from here. And several years ago a Congressman was stabbed in the Longworth Building.

This, however, was not the first time that a stereo had been stolen from my vehicle in the Cannon Garage. Nor was it the second time. It was—you guessed it—the third time.

My initial reaction was one of anger, as it had been on the other two occasions. After all, one Capitol Policeman is supposed to be on duty inside the Cannon Garage, and another outside the garage at all times from Monday through Friday. On Saturdays and Sundays, one officer tackles both inside and outside. It often seems, as these gentlemen congregate to discuss the events of the day, that more than one is around.

Nonetheless, I decided this time to look into the matter a bit further. I wanted to see if the U.S. Capitol Police were perhaps being overworked.

I checked with the police force back in my hometown of Pittsfield, Mass., a town of about 60,000. I came up with some interesting data.

To begin with, the Pittsfield force totals 86 men. The Capitol force totals 665, including 49 from the Metropolitan Police Department, or over eight times the figure for Pittsfield.

Moreover, the salaries in Pittsfield total $614,207 and range from $6,900 to $7,900. The salaries for the Capitol police will run about $4.8 million in 1971, with privates getting $7,665; sergeants getting $10,293; lieutenants getting $12,483; and captains getting $14,893.

The Pittsfield Police cover 42.3 square miles, or 27,072 acres. The Capitol Police cover 155 acres plus the Capitol and the House and Senate Office Buildings. To get around this monumental job, the Capitol Police need five cars, including one for the Chief. The Pittsfield Police need a lot more—15 cars, two ambulances, one wagon, three motorcycles, and two boats.

But Pittsfield cannot claim the distinction of having six canine privates, also known as dogs.

The U.S. Capitol Police spend $134,000 on other equipment, including $21,500 for laundry and dry cleaning and $81,700 for uniforms. Pittsfield spends $35,210, including only $9,410 for uniforms.

I have a list of crimes in Pittsfield, but there is no sense using them because the Capitol Police would not give me similar information.

I think this sketchy comparison raises some serious questions about the efficiency of the Capitol Police. The force here should be the best in the world. It should be the best in every respect—in appearance, in mannerism, in decorum, and in effectiveness.

I feel this way because Congress and the Hill are the center of the world, and people from throughout the Nation and the globe come here to visit. I want them to see a sharp, efficient outfit. I want us to have the finest anywhere.

In order to be the best, a lot of changes are going to have to be made. There should be some kind of review board that would set minimum standards for the Capitol Police—and for all the Capitol Police, not just the majority who are now doing a commendable job.

There should be specialized training, perhaps like other Federal enforcement agencies get. Maybe they could use the new Law Enforcement Training Center we discussed in the Treasury bill earlier today. But they must have topnotch training.

Mr. Chairman, I hope my colleagues will join me in calling for the best Capitol Police force in the world.

Mr. ANDREWS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to my good friend from Alabama.

Mr. ANDREWS of Alabama. I want to say to my friend from Massachusetts, he has made a most persuasive argument. It is eloquent and factual, and I agree with him in most respects.

I wish the gentleman would make that argument before the Committee on House Administration, because that is the committee which authorizes this police army the gentleman refers to.

We have some good policemen on Capitol Hill. We need them here. The gentleman knows that from time to time thousands of people converge on this Capitol, and they are not tourists. They are so-called lobbyists. The police have to handle them.

There was a period 2 or 3 weeks ago when the members of the police force, or many of them, were on duty 24 hours around the clock. The Capitol was in danger. The building was in danger. The Members of Congress were in danger.

There are a number of so-called patronage policemen on that list of 650 some odd the gentleman mentioned.

Some of them are not in any sense of the word policemen. You see them at a desk. They are studying law. Some of them are studying medicine. And it has been that way for years. I am trying to tell the gentleman that our committee, this legislative appropriations subcommittee, does not have any jurisdiction over the number to be employed. All of them are authorized by resolutions that are presented to the House and usually these resolutions pass the House unanimously.

Mr. CONTE. If the gentleman will allow me to, I will answer him.

Certainly we have to start somewhere. I talked about this on the floor on several occasions. This is not a blanket indictment of all the policemen on the Hill. There are some good ones. But let me tell you that I will appear before the Committee on House Administration if I can find out when they are holding hearings on this matter. I will not vote again for this, or I will demand a rollcall vote and move to recommit the bill if they ask for any additional policemen.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BOW. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. CONTE. You say they need this large amount of policemen for lobbyists. I know what you mean when demonstrators come here, but they do not come here every day. What do they do the rest of the time?

The other thing I want to say is that we need better security here. You try this. I have done it myself. Go into any one of these garages. You could go in with a truck and strip down every car and walk out, and nobody will say a word to you.

Mr. ANDREWS of Alabama. Will the gentleman yield?

Mr. CONTE. I yield.

Mr. ANDREWS of Alabama. Our committee used to receive a lot of complaints on the operation of the garages. We had and have no jurisdiction over the garages. Two or three years ago the garages were supervised by the Architect's office. Our committee suggested that a select committee be appointed to look after the garage affairs. That was done. Since that time we have received very few complaints. The gentleman from California (Mr. SISK), the gentleman from Iowa (Mr. GROSS), and the gentleman from Ohio (Mr. HAYS) are on that committee. I would suggest that if the gentleman has concrete evidence of things happening in the garages, he should take them up with the members of that select committee.

Mr. CONTE. I want to answer the gentleman on that. They are merely in charge of the attendants. They have nothing to do with the police. I talked to Mr. HAYS about it earlier. What we have to have is better security. Congressmen and secretaries and other employees should have keys and there should be locks on every one of those doors, at least in the Cannon Building. There should be someone to check every car in and out.

Now let me continue further. You say that there is no complaint made about this. Since I have told people that this happened to me, I have had more Congressmen come up and tell me the same thing. The Congressman from Illinois (Mr. MICHEL) had three stereo sets stolen. The police told me themselves that that week they had six stereos stolen. The gentleman from Ohio (Mr. MINSHALL) had one of his secretaries robbed. We had five secretaries robbed in our hallway. They just walked in, picked up the wallet, took the money out, and ran. We had a girl, the secretary of Congressman BECKER, who was robbed and stabbed right in the Catholic Church behind the Cannon Building while she was praying.

Mr. ANDREWS of Alabama. I remember that unfortunate occasion.

Mr. CONTE. Do not tell me about complaints. There are plenty of complaints but they are difficult to get a compilation.

Mr. ANDREWS of Alabama. Will the gentleman yield further?

Mr. CONTE. I yield to the gentleman.

Mr. ANDREWS of Alabama. I wish the gentleman would read the language of the bill on page 12 regarding standards for police appointees. We are trying to help you. We want a good police force, but I can say to you that it is my honest opinion, if you put the best police force in America up here, you cannot stop crime, because this Capitol Hill is a part of Washington, D.C., and the gentleman well knows it is the crime capital of the world.

Mr. BOW. Mr. Chairman, I yield myself 1 minute.

I agree with much that has been said here, but I do not think we should let this discussion pass without also paying tribute to some of the police who work here. I think Captain Powell, the Chief of the Capitol Police, does an excellent job. He is trying his best to build an effective police force. In my opinion, if we could let him handle the entire responsibility, a better job would be done. I also believe that the Metropolitan Police assigned here—and one does not see much of them because many are plainclothesmen—do an excellent job. Many of our police perform well. However, I agree that we should be concerned, and I hope the Members of this House will do something to bring about a completely professional police force. In the meantime, I do not believe we should condemn all of those now on our police force here on Capitol Hill.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. BOW. I am happy to yield to the gentleman from New York.

Mr. PIRNIE. I appreciate the gentleman yielding. I would like to commend the gentleman for the voice of reason which he has just introduced into these comments.

No doubt there are conditions which prevail here on the Hill which we regret to see and which should be improved. However, I am very sure that there is a danger of overstating the case. For instance, reference was made to the unfortunate incident in the church. If we were to have a police force of any size, I am confident it would not be on duty all the time within the edifice of the churches around here. But I do feel that we have some very loyal, efficient, and competent men who are faithful to their task and who desire to be responsive to the needs of the Congress.

If we have specific suggestions which we wish to make, I believe, as the chairman has indicated, he would like the House Administration Committee advised as to those recommendations and I join in that approach.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BOW. Mr. Chairman, I yield myself 1 additional minute.

Mr. PIRNIE. Mr. Chairman, if the gentleman will yield further, and if we have specific recommendations, I am sure we will have a courteous hearing and I am sure if those recommendations are meritorious they will be adopted.

Mr. Chairman, we are anxious to have Capitol Hill safe not only for those who work here but for those who may visit our Capitol. Any constructive action which can be taken I shall be very glad to support. But I do not think we wish to convey the impression that we have so much inefficiency, indifference, and incompetency.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. BOW. I do think we have about exhausted this issue, but go ahead.

Mr. CONTE. The gentleman from New York, if he had been around here in the past few years when we have debated this bill, he would have heard me make these complaints. I have made them repeatedly for the last 3 or 4 years. If the gentleman will recall, I said that this is not a blanket indictment of the police force. There are good policemen. It is a blanket indictment of the system. I would say to those who go home and scream about law and order that this is our chance to start right here.

Mr. ANDREWS of Alabama. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. Sisk).

Mr. SISK. Mr. Chairman, I hesitate to get into this, but statements have been made by my good friend, the gentleman from Massachusetts (Mr. Conte), that I think do require some comment.

I am not here taking any personal exception to any of the comments. I recognize that things are not perfect here by any means. But I do want to say that if a great many of the comments that the gentleman from Massachusetts made about robberies having occurred here in the garages and even on the Capitol Grounds recently, they have not been reported, because I happen to have a complete breakdown of all categories of crime on the Capitol Grounds for the entire year. This is for the year 1969 and also for 1 month of 1970. They simply do not show on the record.

With reference to the gentleman's theft of the stereo, I believe recently, I heard about it for the first time last Friday morning in the garage.

I discussed it with the superintendent of our garage, Mr. Michael Preloh, who I think is doing a very excellent job. But I would just like to cite a few statistics, and I understand we have very limited time, but for example, for the entire year 1969—and I am not here to carry on any fight, necessarily, for the Capitol Police Force, but I do believe that basically they do an excellent job. At the present time they have on board 585 men, and of this moment I might say that 365 of the men are professionals. We have been moving toward a professional force, and are basically doing a good job, but for the entire year 1969 let us take a look at criminal homicides. In the District there were 287, and none in the Capitol.

Manslaughter, there were 28 in the District and none in the Capitol. Rape by force, there were 162 in the District and none in the Capitol.

Assault to rape, there were 41 attempts in the District and none on the Capitol Grounds.

Robbery, in the District there were 12,366 last year, and 19 on the Capitol Grounds.

Assault with a deadly weapon, there were 3,477 instances in the District and one for the entire year for the Capitol Grounds.

Aggravated assault, 132 in the District, none in the Capitol.

Assaults not aggravated, there were over 2,000 in the District and five on Capitol Grounds.

Burglary total, under that category there were zero at the Capitol.

Forcible entry, there were 21,028 in the District and none on Capitol Grounds.

Unlawful entry, there were 455 in the District and on the Capitol Grounds during 1969 there were zero.

Attempted forcible entry, there were 1,450 in the District and during 1969 there were zero on the Capitol Grounds.

And then larceny; that is, in cases of thefts over $50, there were 11,508 in the District and 33 at the Capitol.

And while I will agree that is more than there should have been possibly, but at the same time, as I say, there were over 11,500 in the District of Columbia as a whole.

Then larceny under $50, there were over 20,000 cases in the District of Columbia, and 222 on the Capitol Grounds.

Auto thefts for the entire year for last year on the Capitol Grounds, there were 26, as against 11,000 in the District.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SISK. Mr. Chairman, I will take further time under the 5-minute rule.

Mr. REID of New York. Mr. Chairman, I would merely wish to indicate my strong support for the funds provided in this bill for the congressional student intern program.

Dropping the prohibition against the use of such funds is a positive step that will indicate to young men and women that the Congress does respect and count on their assistance and point of view. Many student interns perform valuable services for Members and their staffs and, as important, provide a fresh outlook, a link with a large segment of the American population which is often ahead of its Government.

While some colleges and universities are able to provide financial support for students working for the Congress during the summer, many students have been missing out on this experience because they had to have summer income either to meet expenses or to help with next year's tuition. I am indeed pleased that financial barriers will no longer stand in the way of promising students who wish to learn more about their Government at first hand.

Mr. RYAN. Mr. Chairman, I am sure that the gentleman from Alabama (Mr. Andrews), the distinguished chairman of the subcommittee, will be happy to hear that I have no amendment to offer today. He surely recalls my efforts in the past to amend the legislative appropriations bill to continue the congressional student intern program. Fortunately, no such effort is required today as the Committee on Appropriations has recommended the resumption of this program.

During the summer months, hundreds of students come to Washington from all sections of this country to work in congressional offices, and it has been my experience that the congressional student intern program has served as a great benefit to both students and Congressmen alike. I have found interns to be of valuable assistance in all tasks, from the most rudimentary to the most intricate.

More importantly, this experience is a highly valuable one for interns. As they observe our Government in action, the words they have read in books turn into reality.

For the last two summers, the Congress has not appropriated funds to compensate these interns for their living expenses. The real reason that these funds were eliminated was because Members of the House did not like the idea of interns expressing doubts about our Vietnam policy. I considered this congressional response to concerned, committed young men and women ill advised. Rather than reacting adversely to constructive criticism, Congress should have welcomed it. After all, the very purpose of education is to encourage thought and informed participation in our governmental processes. These interns who expressed their misgivings about the war in Vietnam—totally justified misgivings to my mind—represented those very qualities which we should be looking for in our youth, and those very ends for which education should strive.

A mark of the commitment of the young men and women who come to Washington each summer to labor industriously in congressional offices is the fact that, according to a survey taken by our distinguished colleague from California (Mr. Moss), 540 legislative interns worked in Members' offices this past summer. They were dependent on personal funds, or compensation from their college or the Member for whom they worked, to sustain them. Since many offices cannot afford to pay these youths, summer interns for the past 2 years have had to subsist on meager amounts.

What is more, many youths who simply could not afford to come to Washington and live here for several weeks have been unable to participate in the internship program. Without the $75 a week authorized in the 89th Congress in House Resolution 416, and appropriated by the 1971 legislative branch appropriation bill, it would be impossible for all students to have an equal opportunity for summer internship jobs; many extremely able and deserving students would not be able to participate in this program.

The congressional student intern program should be viewed as an investment in the future of this Nation.

Mr. ANDREWS of Alabama. Mr. Chairman, we have no further requests for time.

Mr. LANGEN. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk proceeded to read the bill.

Mr. ANDREWS of Alabama (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as having been read and be open for amendment at any point and points of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. Are there any points of order?

Are there any amendments?

Mr. SISK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not wish to take the time of the House to delay further the passage of this bill which I assume is imminent. But I want to just complete briefly the comments I had here, as I said not necessarily just as to the police force but there has been a good deal of discussion about further protection in the garages.

I want to say this in connection with the comments made by the gentleman from Massachusetts (Mr. Conte), I agree with him that we do need all the protection and security we can get in the garages as well as on the Capitol Grounds. Here again, if we recognize what we are talking about, I suppose we could do the kind of policing job within these garages that maybe would make it absolutely a cinch so far as security is concerned. In just analyzing the problems that we have, even with the underground, this is not counting the some 2,000 spots that we have to be concerned about on the outside parking lots, I did a quick calculation and came up with a figure that we need at least another 50 men on the police force to do the kind of job that some people have indicated we should do in connection with keeping policemen at various levels of these garages.

Again I suppose we could double that or cut it in half depending on how far we want to go to get that security.

The point I want to make to my good friend, and I am not here seeking an argument with him, is just how much security do we want? Because frankly we have had very, very rarely any report of either theft or of any indiscretion within the garages. And if these things exist we are not getting reports of them and naturally we want to know.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Massachusetts.

Mr. CONTE. Can the gentleman tell me how many policemen we had here on the force 10 years ago?

Mr. SISK. I am sure there is a record available. I would guess it would be probably somewhere within 150 or 200 of what we have now—I am not sure.

Mr. CONTE. It might be less than that.

Mr. ANDREWS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. ANDREWS of Alabama. I would like to call the gentleman's attention to line 19 on page 12 of the bill. This committee has done all that we could to try to get a professional police force on Capitol Hill.

I would like to read the provision on page 12, line 19:

> No part of any appropriation contained in this Act shall be paid as compensation to any person appointed after June 30, 1935, as an officer or member of the Capitol Police who does not meet the standards to be prescribed for such appointees by the Capitol Police Board:

We have striven through the years in trying to get a professional force on this Hill.

Mr. SISK. If the gentleman will let me comment there. I just happened to take the time to get a breakdown as I indicated earlier, as of this morning we have 368 professional policemen on the present force. That means there were approximately 220 patronage spots and of those, approximately 126 students.

I may just say this, because of another little housekeeping job that I get involved in occasionally, I have been getting some beefs from Members of Congress because we are insisting on their patronage policemen working rather than studying, and orders have been handed down that these men must be available for police duty, and they cannot study on the job in the future after the end of this semester. So we have had to say, in essence, that they can no longer expect to be on the police force and carry a full college load.

As I have said, we have had complaints on this that what we are doing is to destroy the ability of their political patronage to continue to go to college. Unfortunately, again this is a part of the step to improve security and very simply they cannot work and cannot carry the full college load and at the same time be good policemen 7 hours a day.

Mr. CONTE. Mr. Chairman, will the gentleman yield at this point?

Mr. SISK. I yield to the gentleman.

Mr. CONTE. I certainly appreciate the gentleman's argument. I think everyone thus far in the debate has missed my point. My point is that I am not condemning the vast majority of Capitol policemen who are doing a fine job. Rather, I am condemning the system itself, and that is the point I have been trying to make all day. However, I challenge the figure used by the gentleman from California because I see a total of 665 on page 100 of the hearings.

Mr. SISK. That is the authorized strength.

Mr. CONTE. Let me tell you what is in this budget. As I just noted, a total number of 665 is shown on page 100 of the hearings. The total cost is shown on page 96 as $5.8 million, of which $2.7 million is for House salaries and $2.0 million for Senate salaries. That is the authorized strength. Whether they are hired or not I do not know, but that is what is authorized. I think if you go back and check the records you will find that this force has increased, and the gentleman himself admits that half of them are still under patronage.

Mr. SISK. About a third of them, approximately.

Mr. CONTE. About 200.

Mr. SISK. Approximately 220 at the moment.

Mr. CONTE. That is in the House, is it not?

Mr. SISK. No; this is the entire number I am talking about.

Mr. Chairman, let me say in conclusion that I appreciate the desire for security by all Members and I join in this desire. It is my firm conviction that when we look at the broad picture we will find the Capitol police force, their officers and Chief Powell are all doing an outstanding job. The same thing is true of Mike Preloh, garage superintendent and his staff of people.

The CHAIRMAN. The time of the gentleman from California (Mr. Sisk) has expired.

Mr. REIFEL. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from South Dakota is recognized.

Mr. REIFEL. I shall not take more than 30 seconds. I wish to commend the ranking member of the committee, the gentleman from Ohio (Mr. Bow) for pointing out our wholehearted support of the Chief of Police, and the wonderful job he has done. The chairman of our subcommittee (Mr. Andrews) has emphasized this again and again in our committee meetings. I am glad that both have set the record straight as far as the professional police force and the leadership of our Chief are concerned. I want to commend both of them, Mr. Andrews and Mr. Bow, for their remarks concerning our capable police force.

Mr. ANDREWS of Alabama. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. Albert) having assumed the chair, Mr. Murphy of New York, Chairman of the Committee of the Whole House on the State of

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the Union, reported that that Committee, having had under consideration the bill (H.R. 16915) making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. ANDREWS of Alabama. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

LEGISLATION FOR OUR RETIRED MILITARY

(Mr. VAN DEERLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. VAN DEERLIN. Mr. Speaker, a little more than 7 months ago—on September 11, 1969—I took the floor to talk about a matter of concern to our retired military. I observed that a full year had then passed since Mr. Nixon, as a candidate, made these people a firm and specific promise, "At the earliest possible time" as President, he vowed he would propose legislation permitting retirees who left the service before June 1, 1958, to recompute their benefits in line with increases subsequently awarded to active-duty personnel.

Although it pained me to do so, Mr. Speaker, I pointed out in September that Mr. Nixon had by this time been 8 months in office without once mentioning the recomputation matter.

To refresh the memory of colleagues, let me recall the rather conspicuous circumstances under which Candidate Nixon committed himself less than 8 weeks before the presidential election. In its October 1968 issue, the Retired Officer carried a telegram from Mr. Nixon to Maj. Gen. W. Preston Corderman, president of the Retired Officers Association. Dated September 13, 1969, it said in part:

> Retired military personnel have been unjustly treated because of the failure of the Administration and the Democratic-controlled Congress to remedy the growing disparity between active duty and retired military pay. This unfair discrimination is wholly contrary to the long established principle of equalizing retired pay with existing active duty pay for the same grade or rank. It is a break of faith. . . . An intolerable and unfair burden for our retired military.
>
> I intend to urge the Congress to remedy this injustice at the earliest possible time.

Well, Mr. Speaker, almost 15 months have now passed since Mr. Nixon raised his right hand on the east steps of the Capitol. And thousands of retired fighting men in my San Diego district, as elsewhere across the land, are still waiting for that first word from the President indicating he meant what he said at campaign time.

I hope they will not feel too disappointed by an explanation given them recently by our friend and colleague Rogers Morton, chairman of the Republican National Committee. Responding to an inquiry from Eugene, Oreg., Mr. Morton dispatched the following letter on March 25:

> REPUBLICAN NATIONAL COMMITTEE,
> *March 25, 1970.*
>
> Maj. LAMAR PEEPLES,
> *Eugene, Oreg.*
>
> DEAR MAJOR PEEPLES: This will acknowledge your letter of March 18 regarding your comments relative to President Nixon's Campaign promises concerning the inequities in retired military pay.
>
> I do wish to assure you that the President has not forgotten his promises. We do appreciate, however, that it is not going to be possible for the President to solve all problems which he inherited from two previous Democratic Administrations and also a Democratically controlled Congress within one year of his Administration.
>
> It has been my good fortune to have known our distinguished President over a period of years, and I have great faith in his sense of integrity and judgment. I believe that decisions he has made and will make give to all of us a great and better America.
>
> Therefore, may I take this privilege that you extend additional time to the President to accomplish the promises he had made in the course of his campaign. In other words, I do hope you will keep the faith in our distinguished President.
>
> Yours sincerely,
> ROGERS C. B. MORTON,
> *Chairman.*

The military life teaches patience, Mr. Speaker. But I suspect there may be some among the ranks of the retired who will be churlish enough to take issue with Mr. Morton. They will point out that Mr. Nixon did not restrict nor circumscribe his campaign pledge in the manner now suggested by his party chairman. The promised correction of injustice to retirees was not made contingent upon first solving all other problems his administration faces. The Nixon telegram indicated a determination to undo the evil of two Democratic administrations—not to be awed and immobilized by it.

With an optimism which I feel certain was unjustified, Chairman Morton would soothe long-suffering retirees with an injunction made famous by another of our more prominent colleagues. He admonishes them to "keep the faith."

Mr. Nixon offered them hope. Mr. Morton invokes faith. Let us pray for administration action before the career military must ask charity.

THE 30TH ANNIVERSARY OF THE KATYN FOREST MASSACRE

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, in the spring of 1943 the Big Three were too preoccupied with the tasks of winning the war and minimizing friction between the Allies to give much attention to reports of torture and massacre which came from the eastern front. It was felt that questions which might prejudice Allied cooperation should be postponed until after the war.

But Nazi Germany chose to expose one decisive incident of massacre. April 13, 1943, Radio Berlin announced the discovery of the mass graves of thousands of Polish officers who had been methodically executed by a pistol shot in the back of the head and buried in Katyn Forest, near the Soviet city of Smolensk. The broadcast attributed to typical "Jewish-Bolshevik bestiality" the over 4,000 victims in the graves. In reporting the discovery of the graves, Germany uncovered a great international crime which altered postwar history.

All parties concerned with the crime immediately claimed innocence. In accusing the Soviets of the murder of thousands of Poles, the Germans, guilty of similar crimes in the Warsaw ghetto and elsewhere, tried to turn Polish wrath against the Russians. The Soviets, in turn, blamed the Germans, charging that the Poles were taken prisoner by the Nazis when Germany invaded Russia in 1941. The United States remained publicly silent for fear of alienating the Russians during a crucial period of fighting on the eastern front. Questions of why certain files and reports on the crime at Katyn disappeared or were suppressed were left to be answered by congressional investigation conducted years later.

But the announcement over Radio Berlin had a special significance for the Poles themselves. For the thousands of Poles buried at Katyn represented the elite of the Polish military and civilian intelligentsia who would have provided the leadership of a future independent Poland. Regardless of who committed this appalling crime, Poland was forever deprived of the talents of its victims.

The majority of subsequent investigations have attributed the atrocious crime at Katyn to the Russians. The Poles were sure that the Soviet guilt of Katyn exposed the Soviet purpose to replace the independent Polish state with a Soviet-dominated government—and in this they were right—for it was such a government that Moscow eventually established in Warsaw.

It is unfortunate that Poland today still suffers under repressive Soviet domination. Therefore, on the 30th anniversary of the brutal Katyn Forest massacre, it is fitting that we not only honor the memory of those courageous victims, but also that we rededicate ourselves to the cause of a completely free and independent Poland. We in the Congress shall continue to do all that we can in the days ahead to sustain the hope for a Poland free from Communist bondage.

On this occasion, I want to commend the Polish-Americans in my own Seventh Illinois Congressional District, as well as throughout the United States, for their devotion to this just cause as well as for the distinguished patriotic service they have rendered to America. In particular, I want to mention Aloysius A. Mazewski, president, Polish-American Congress and Polish National Alliance, as well as his associates in these outstanding Polish-American organizations, for organizing in Chicago a 30th anniversary observance of the Katyn Forest massacre.

I would like to include at this point in the RECORD, the program for this observance which took place on Sunday, April 12, at the Lane Technical High School auditorium in Chicago, as well as an editorial from the April 11 edition of the Polish-American commemorating the tragic event.

The program and article follow:

PROGRAM OF THE POLISH-AMERICAN CONGRESS

10:30 a.m. Distinguished Guests are requested to assemble at the Five Holy Martyrs Parish Rectory, 4327 South Richmond Avenue, for participation in the Procession to the church.

11:00 a.m. Mass for the repose of the Katyn Massacre victims offered by Most Reverend Bishop Alfred Abramowicz.

12:00 noon Service for the victims at the Parish War Memorial. Prayers will be offered by Most Reverend Bishop Jaroslaw Gabro, Rabbi David Graubart, D.D., Ph. D., and Most Reverend Bishop Alfred Abramowicz, D.D.

12:30 p.m. Luncheon for Distinguished Guests at the Parish Hall. Invocation by Reverend Nyika Bela, D.D.

3:00 p.m. Commemorative Program at Lane Technical High School Auditorium, Western and Addison.

Invocation—Most Reverend Bishop Vincent Brizgys.

Remarks—Aloysius A. Mazewski, President, Polish-American Congress and Polish National Alliance and Honorable Roman C. Pucinski, M.C.

Principal Speaker—Colonel John Van Vliet, U.S. Army, Ret. American eyewitness at the massacre site.

Prayers for the victims—Most Reverend Bishop Franciszek Rowinski and Rabbi David Graubart, D.D., Ph. D.

[From the Chicago (Ill.) Polish-American]

THE ANNIVERSARY OF KATYN FOREST

Thirty years ago, in 1940, the Soviets, still as friends of Poland, murdered 10,000 Polish officers in the black chasms of Katyn Forest in Soviet Russia. They blamed it upon the Nazis later on, but for once Hitler was not to blame.

This Sunday will mark thirty years since that horrible event. Thirty years is a generation, but it is not long enough for the world to forget. This is an atrocity which must be forgiven, as all sins of our neighbors must be, but that does not, in any way mean, that it should be forgotten, or that information about it should be suppressed from those who are ignorant.

Poland, today, is in a dire situation. Though supposedly a self-determining country, everyone knows that it is run by the Soviets. Poland can, therefore, protest Katyn indirectly—by protesting the paralleled atrocities of the Germans. But clearly, such a protest is not enough, and must somehow be expanded and perpetrated.

In view of this situation, it is the Free World which should take up the task of memory which Poland cannot do. Unfortunately most of the Free World has either forgotten about the Katyn Massacre, or else chooses not to remember, or even, is ignorant of that world-shaking event. It is therefore, up to Polonia in Chicago and the other concentrations of Poles and Polish-descendants from around the world outside of Poland to decide upon action in this matter, and to carry it out.

Chicago is doing something, by having a public commemoration of Katyn this Sunday. But this little thing is not enough.

The action with regard to commemoration of the Katyn atrocity must not limit itself to just one day. Thirty years of remembering is enough to warrant a longer public recognition of that horrible fact.

Many people, unused to horror in their daily lives, may protest an activity which would lead to impress upon them what happened at Katyn. But if we are to maintain the proper perspective of the Russians (who at the present time are trying to get closer to the United States) we cannot forget what they have done among others to Poland—a country which, despite its present political situation, was, is, and will be at heart an ally of the United States.

It is therefore, we feel, very much in the interest of Polonia to band together on this project. We must do it together, and we must do it now, and do it well, if it is to have any serious repercussions in this country and elsewhere, if it is to become as meaningful a historical fact as it is in actuality. Its importance, today, does not lie in the number of Poles shot there; but in what such a deed says of the people who executed it.

Polonia, especially Chicago's Polonia, with its wonderful resources, both in television, radio, and the press, should outline a project for itself, and carry it out consequently.

There should be a week, or perhaps even a month, during which, regularly, the Polish-American press, radio and television would inform its public about the significant details of the Katyn massacre and related deeds, of the Soviets. It should be a project which would concentrate not only on presentation of facts, but also on the repetition of them, in suitable intervals, so that the listeners, viewers and readers would be permanently impressed.

In order not to jeopardize the truth, a research committee should be set up in Polonia which would be composed of scholars who would research the matter of the Katyn Forest Massacre, and would provide the news and entertainment media with the appropriate information, verified and worked out in detail.

Thus, the news and entertainment media of Polonia, and even of American society, would be provided with the truth, which could then be effectively presented. In this way, Polonia and Poland would be assured of proper results in informing the world of the importance of Katyn Forest.

PLIGHT OF FOOTWEAR INDUSTRY IN AMERICA

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, I would like at this time to call the attention of the Members of the House to the plight of the footwear industry in America.

I have in my hand a letter from John R. Evans & Co., of Camden, N.J., signed by Paul B. Kurtz, president.

In the letter he states:

JOHN R. EVANS & CO.,
Camden, N.J., April 10, 1970.

Hon. JAMES A. BURKE,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. BURKE: Some time ago I wrote to various members of Congress concerning the impact of shoe and leather imports on domestic leather and footwear products industries, seeking an Orderly Marketing approach to this ever-increasing problem. My concern was echoed by letters from our employees and their union representatives.

Replies to these letters showed sympathy, but very little action.

Since that time this company, a large and important tanner of kid and kangaroo leathers, has announced its intention to liquidate, as per the enclosed copy of my letter which went out to about 150 hourly employees this past February. The import situation, to be very candid, was only one of a number of factors that led to this painful decision, but it was a very important one.

It is our understanding (and fervent hope) that the question of a shift in our foreign trade policy is and will continue to be hotly debated in the House Ways and Means Committee this month, and that this debate will result in finding a way to cope with the increasing amount of imports from labor-intensive industries. Any relief will be too late to help our particular situation, but as a good (?) example of what is happening I would hope that our story would have some effect in obtaining some positive action to help those in our related industries that are left to keep up the struggle. To my way of thinking, this help should be in the form of realistic import quotas, not some form of burial allowance. I know President Nixon has been opposed to restrictions on trade as has the majority of the House and Senate. Yet it seems to me that the Administration is now more willing to listen to reason and a majority of the Congress may be willing to put this vital question to a test. Will you do what you can to help?

Sincerely yours,

PAUL B. KURTZ,
President.

JOHN R. EVANS & CO.,
Camden, N.J., February 16, 1970.

To All Hourly Employees:

It is with a deep sense of regret that I have to announce that John R. Evans & Company is shutting down after over one hundred and twelve years of business.

The diminishing supply of raw skins, their high cost, the inability of the shoe manufacturers to use the lower grades, foreign imports of leathers and shoes, the high cost of borrowing money to finance our skin purchases and the lack of enough business to fill this plant, have all contributed to this painful decision.

We are in the process of notifying our customers that we will be able to supply their needs for our products through the fall season. Our plan is to continue soaking until about March 24th, and perhaps operate the tanhouse through May and continue work in the dry departments through July or the first part of August. It is difficult to put exact dates on this tentative schedule right now, but we will keep you informed as to any changes as we near the shutdown time for any particular department.

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We will be sitting down with your Union representatives to discuss the various details regarding severance pay, vacation pay, Blue Cross and Blue Shield and other matters covered by the Union contract. It is hoped that you will be able to get definite answers to whatever questions you might have about these matters shortly.

You have worked long, hard and well to keep this company in business. We appreciate your efforts and are only sorry that a combination of factors beyond our and your control have led to our decision. We and your Union will do everything we can together to help you find other employment.

We in management thank you so much for your loyal support.

Sincerely yours,

PAUL B. KURTZ,
President.

Mr. Speaker, I hope that the Members of the House will read this letter and find out what is happening throughout the entire nation in the footwear industry.

MORTGAGE RATES MAY GO EVEN HIGHER

(Mr. ALBERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALBERT. Mr. Speaker, the sharp increase in the unemployment rate during March, coupled with the prediction that record high home mortgage rates may go even higher, is the latest manifestation of the abject failures of the Republican administration's economic policies.

The Nation's unemployment rate which jumped sharply to 4.4 percent in March, rose much faster than administration economists had predicted. This myopic outlook is not new: administration officials have been predicting for a full year that their policies would control inflation and prevent a recession.

Exactly the opposite has occurred: inflation has soared with the greatest increase in the cost of living under this administration since the Korean war, and practically every economic indicator reflects the recessionary trend that has already cost 1 million decent, hard-working Americans their jobs since this administration took over.

The excessive high interest rate policy, adopted by the present Republican administration, is not new. It is the same policy, applied by the same group in favor of big business and the moneyed interests, which brought on the recessions of the 1950's. In addition to the increasing rate of unemployment, the Chairman of the Federal Home Loan Bank Board predicts that the home mortgage rates may continue to increase.

The depressed state of the housing industry, brought on by the excessive and costly interest rates, is the fuel firing the general recessionary trend.

Congress—and this includes leading members of both political parties who are concerned with the plight of the working people, the elderly, and the poor who are bearing the cost of this inflationary recession—has sought relief. The President has been given some powerful tools by Congress to bring relief to the housing industry, and to fight inflation. The President has refused to utilize these, as he has failed to use the moral suasion of the powerful office he holds, to hold prices in line.

Knowledgeable members of the Joint Economic Committee—Republicans and Democrats alike—have urged the administration to act.

I renew that plea today. The unemployment of 1 million men and women who want to work, but who have been put out of work since this administration assumed control, is too costly a price to pay to please big business and big bankers.

THE REVENUE CRISIS

(Mr. ECKHARDT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. ECKHARDT. Mr. Speaker, the need for money is perennial with local and State governments. The need is growing more acute. When the time comes for raising the revenue, the standard answer is to raise taxes. Translated, this usually means that the middle class and the poor will provide the funds, especially in Texas where the sales tax is one of the principal sources of revenue. Yet, a recent study indicates we have prospects of raising substantial additional revenue without raising taxes if all persons—including those who have been able to depress the tax rate on their valuable oil lands in various ways—were made to bear their fair share. A major source of county and city revenue is the property tax and millions of dollars may be slipping through this tax net because of the inequities of the ad valorem tax. A study indicates that had property been evaluated fairly, the school board budget in Ector County, Tex., alone would have been increased by $7 million in 1969. Oil companies in this area are having their property undervalued by about 50 percent and sometimes not assessed at all. All we need to do to close this loophole is to have property evaluated at its fair market value. In Ector County, if property had been assessed at its fair market value in 1969, the county taxes for the homeowner and small businessman would have dropped about 32 percent. The implications for Texas and the Nation from shutting this loophole are great.

We are indebted to Mr. Ralph Nader, once again, for bringing this situation to our attention. I, in turn, want to bring this important study to the attention of my colleagues:

STATEMENT BY RALPH NADER

One of the major crises in which most cities and towns find themselves throughout the country is the revenue crisis. There are too many pressing community needs coming up against increased costs and too few tax revenues. While most of our national interest in some kind of tax reform has been focused recently on the inequities, or "loopholes," in the federal income tax, abuses of grave concern to financially hard-pressed local governments have been overlooked. I am speaking of inequities in the *ad valorem* tax—that is, the property tax we pay to our county and city governments, and to our school and hospital districts and other special taxing agencies.

In order to compute this tax, your local taxing authority is expected, in theory, to do the following:

1. Appraise all of its taxable property (both the surface and subsurface, or mineral property),
2. Decide upon its budget, and
3. Compute the necessary tax ratio and rate to raise the taxes to meet its budget.

Now this can be a fair system—provided *all* of the property is appraised at its *fair market value*. But the potential for tax-abuse here is great. If A's property is substantially undervalued in relation to B's property, then B will be paying far *more* than his fair share of the local tax.

Let us look now, for example, at Ector County, Texas, in the heart of the Permian Basin—one of America's richest oil discoveries. The city of Odessa, located in Ector County, is a town of about 83,000 people—mainly working people. Oil was discovered here in the 1920's, and the industry has grown substantially since then. Ector County ranked second in the state in the value of production in 1968, with total oil and gas production valued at $214.1 million.[1] The oil companies, like major industries in other towns, owe the people not only the wages they earn, but also their fair share of the property taxes.

Like most counties, Ector County taxing agencies (county, school, city, etc.) depend upon a private evaluation firm to appraise its taxable property, in this case the firm of Pritchard and Abbott. In fact, the Pritchard and Abbott Valuation Engineers in Ector County not only *appraise* the property they compute the *tax* as well. The County Tax Assessor then just mails out the statements—and collects the taxes. (Texas is one of the few states that does not even conduct a *periodic ratio study*, which, in its most commonly employed form, involves comparison, on a sampling basis, of the prices of sold properties with their assessed valuation—an attempt to determine assessment levels and measure non-uniformity of assessment.[2])

Pritchard and Abbott contract with almost 70% of the state's taxing districts. The firm has an interest in pleasing not only the tax *assessors*, but the county's biggest tax*payers* as well. The oil companies have tax representatives who contact Pritchard and Abbott in an effort to persuade them to lower their valuations, and—in the words of one Pritchard and Abbott engineer—"We get 99% of their pressure."

The oil companies, despite their pressure on Pritchard and Abbott really *know* what their property is worth: after all, they purchase it, produce it, and make the kind of "in-depth" studies and projections vital to its success. But a comparison of what the *industry* considers its property to be worth, with what Pritchard and Abbott say it's worth, reveals a striking disparity.

A look at some property called the Headlee-Devonian Unit, rich in oil and gas reserves, and located in Ector County,[3] is revealing. This unit, which covers about 15,000 acres, allows the unit operators to pool their production efforts.[4] Prior to entering into this pooling arrangement, the unit operators made a six-weeks, continuous study, culminating in a report (***Devonian Report, Headlee and Dora Roberts Field, Ector and Midland Counties, Texas***), filed with the Texas

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Footnotes at end of article.

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Railroad Commission, Oil and Gas Division (August, 1956). (See Appendix, p. 14)

Valuation estimates based on net income and reservoir data from this report (the report from the industry itself), when compared to the Pritchard and Abbott appraisals, (at 100%) reveal an *undervaluation* for property tax purposes of at least 50%! For at least the last seven years, a period in which actual production corresponded very closely to, and even exceeded in the aggregate, the projected production, this piece of property has been *consistently undervalued!* (See Appendix, pp. 6–7 and 9–10)

But this is a very conservative estimate. Atlantic Richfield[5] claims that the "profits have proven to be higher than originally estimated for the field at this point in time" (referring to March, 1956, when the report was compiled), *and*, that "[T]he predicted recovery for the reservoir is currently estimated to be almost double that referred to in this report." (Emphasis added). This means, then, that to say this 15,000 acres of oil and gas property has been undervalued by approximately 50% is being *very* generous to the oil companies[6]—considering our estimates are based on reservoir data which is approximately half of the actual predicted recovery!

This is a startling example of the under valuation of producing property . . . but consider next the *non*valuation of property having little if any production. It must be remembered that the taxes we are concerned with are taxes on *property* value—the value which a willing buyer would pay to a willing seller. We are *not* talking about a production tax.

Texaco acquired leasehold interests in June of 1965, and January and February of 1966, for a price totaling slightly more than $460,500—but this property was not carried on the tax rolls in 1967, 1968, or 1969. Inexplicably, this was not rendered. (See Appendix, p. 3–5) This means, of course, that no taxes were paid on the property. (However, in 1969 Texaco reported some nonproducing property in a "lump" sum amount, but it totaled only $85,581 at 100%.) (See Appendix, p. 4 NOTE.)

Other nonproducing leases are carried on the tax rolls, but only at a nominal value, varying from approximately $.50 to $1.00 an acre. The explanation for this nominal assessment by the County Tax Assessor, Curtis Wynn, is that the property is just "not worth taxing." The Odessa District Manager of Pritchard and Abbott, Earle Bruce, explains that "until a non-producing property is developed, it could be worthless."

This means, of course, that even though Cities Service purchased a lease in 1961 for $27,272, it is arbitrarily assessed at only $999 (at 100%) for the 1962 tax rolls. And Shell purchased a lease for $100,000 in 1955 which was taxed in 1956 at an assessed value of only $3200 (at 100%). There are other examples. (See Appendix, pp. 1 and 5.)

The point is, of course, that even though not *all* nonproducing property will prove to be worth even as much as its purchase price (which is really just a bonus to induce the signing of the lease) it should not be just appraised *arbitrarily*. A lack of production does not mean that the property is worthless. In fact, property which a major company does not find worth producing may prove profitable to a small independent, who is interested in making a faster return on his investment. Or, as the noted oil and gas tax authority Leland E. Fiske has said, ". . . *any* tract which has not been definitely condemned will have some mineral value; many tracts on which a dry hole has been drilled will not be considered worthless, but will carry a small value. This is because *there is always considered to be possibilities of production* in other horizons, and many properties which were once thought to be worthless are now producing oil and gas."[7] (Emphasis added.)

What is important to recognize is that a starting point in the appraisal process should at *least* be the purchase price, or bonus value—[8] and then the owner of the leasehold interest could be allowed to show why the value might have changed. This would prevent the loss of tax revenue that occurs before a lease starts producing, and before it "suddenly jumps" from a "nominal" value to a much higher sum. Continental, which took a lease by assignment in 1961 for $21,500, then could have it assessed on the tax rolls in 1962 for only $1,142 before production apparently boosted the value to $106,386 the following year. (All figures at 100%) (See Appendix p. 2 and 5.)

Production should *not* be a prerequisite for an appraisal at fair market value; lack of production should *not* be an excuse for nominal valuation, or none at all. The homeowner does not stop paying taxes on his home just because it is not earning him any income!

Let us *look* at the homeowner in Ector County to see if he is paying his fair share. A random survey of homes purchased within the last year reveals that, on the average, the homeowner's property is being undervalued on the tax rolls by only approximately 7.06%! (Appendix, p. 12–13.)

So, while the homeowner is being undervalued by approximately 7%, the oil companies are being undervalued, by very conservative estimates, at about 50%, and sometimes not assessed at all! What does all this mean?

To the homeowner and small businessman it means a loss of revenue which is sizable. If all the property had been assessed at fair market value in 1969, the county taxes for the homeowner and small businessman would have dropped approximately 33%! And the same budget requirements could have been met in both cases!

The revenue loss to the county government and school board is even more dramatic. If all the property had been assessed at fair market value in 1969, and the tax ratios and rates had remained the same, the county government of Ector County revenue could have increased approximately $1.5 million last year alone! Think what this could have meant over a period of just the last five years, for example, to a community which is now concerned with the financing of a $5.8 million hospital expansion! Think what it could have meant to a community whose goals in the past few years have included developing its county airport, establishing a juvenile court, improved police protection, building new recreational parks and swimming pools, and expanding its public library!

To the county school board, the proper assessment of the Headlee-Devonian oil and gas property *alone*, in just the past seven years, would have meant an additional $2 million! But the *overall* increase to the school board is staggering! If all the property had been assessed at the fair market value in 1969, and the tax ratios and rates had remained the same the school budget could have been increased by approximately $7 million! Look at the goals this community could have met in the last ten years with these additional funds: new science laboratories, more classrooms, basic adult education programs, vocational and technical laboratory facilities, addition of the kindergarten to the school system, and the recommended free hot lunch to every child who needs one, but cannot afford it!

But this additional revenue does *not* depend upon raising the tax rates, or adding new taxes, or tacking another penny onto the overburdened sales tax. All of this additional revenue can be raised simply by assessing the *oil property* at its fair market value!

The implication here is great and national in scope: at a time when our cities are facing their greatest crises in history, the local governments can now respond immediately with "money in the pocket" that they never knew they had! Underevaluation of big business property and undertaxation of these corporate industries from banks to insurance companies to oil companies and others is not just an Ector County or Texas phenomenon. It is a nationwide injustice that has deprived local communities and cities of desperately needed local revenues. This deprivation has helped increase the reliance of local communities on Washington and has accordingly reduced those communities' control over their public affairs.

CONCLUSION

I am asking Chairman Ben Atwell, of the Commission on State and Local Tax Policy to initiate an inquiry into these gross discrepancies with the objective of presenting as soon as possible a plan to correct these gross inequities for the upcoming tax year.

In addition, there is every reason for aggrieved individual taxpayers who are paying more than their share to subsidize these highly profitable companies to assert their rights in court against offending local taxing authorities.

We have heard the cry for "law and order" in the streets—it is long overdue to have some law and order in the property tax assessment system. It is imperative and just that the burden of local government be shared equally by all of its citizens, *including* the oil compaines—and *not* just by the homeowners.

Because of this unwarranted underevaluation these companies have received an unjustified windfall. It is only right and honest to require a full public accounting as to this multi-million dollar windfall and to give the other taxpayers the benefits of a full refund plus interest from these companies.

FOOTNOTES

[1] *Odessa American* August 3, 1969, p. 11–B.

[2] "The Role of the States in Strengthening the Property Tax," Vol. 1 *Advisory Commission on Intergovernmental Relations,* June 1963, p. 48 and Table 43 (insert).

[3] A small portion of the unit is located in Midland County as well. Computations of the school taxes (Appendix, p. 8) are based solely on the portion in Ector County.

[4] The unitization agreement, involving operators in the Headlee-Dora Roberts Field, went into effect on December 1, 1957. Briefly, the agreement provides that production obtained from *any* tract in the unit area will be considered for all purposes (except royalty payments) as production from *each* tract in the unit area. Production is pooled without respect to separate boundary lines, and tract participation is based on the percentage proportion that *tract* effective acre feet bears to the *unit* effective acre feet.

[5] A District Engineer of Atlantic Richfield replied to an inquiry directed to the Texas Gulf Producing Company, the original unit operator. (See Appendix, p. 15).

[6] Also—this estimate is conservative because the price upon which the report is based is only $2.83 per barrel; the price since that time (mid-1956) has *never* been that low, and is currently around $3.25 per barrel.

[7] Leland E. Fiske, *Federal Taxation of Oil and Gas Transactions* (1969), p. 171.

[8] Fiske, *supra* at p. 169–70.

Footnotes at end of article.

XUM

APPENDIX—I. NONPRODUCING PROPERTIES

Purchaser (1)	Date recorded (2)	Description (3)	Price (4)		Valuation (at 100 percent) for tax rolls (Pritchard & Abbott) (5)
A. Rendered (with little or no apparent production):					
Texaco	June 25, 1965	E/2 of W/2, W/2 of E/2 of sec. 21, Block 44, T-3-S	$32,500	1966	$4,998.00
				1967	4,440.00
Shell	Jan. 24, 1964	E/2 of sec. 33, block 41, T-1-S	11,500	1965	1,142.40
				1966	1,142.40
Cities Service	Jan. 30, 1961	E/2 of sec. 34, block 44, T-3-S	27,272	1962	999.60
				1963	999.60
Shell	Mar. 27, 1957	W/2 of SE/4 of sec. 34, block 44 T-3-S (Below 4,500 feet.)	16,500	1957	400.00
				1958	200.00
Do	Mar. 8, 1957	E/2 of NE/4 of sec. 34, block 44, T-3-S (Below 4,500 feet)	16,500	1957	400.00
				1958	200.00
Do	Dec. 3, 1956	NW/4 of sec. 30, SW/4 and W/2 of NW/4 of sec. 19, block 43, T-2-S	80,000	1957	2,000.00
				1958	(1)
Do	Sept. 19, 1955	Sec. 12, block 44, T-2-S	100,000	1956	3,200.00
				1957	3,200.00
Do	Sept. 19,1955	E/2 of sec 1, block 44, T-2-S	50,000	1956	1,600.00
				1957	1,600.00
B. Rendered with some apparent production after the 1st year:					
Samedan	Oct. 21, 1693	NW/4 of sec. 10, block 35 University land	11,000	1964 5/6W.I	71.40
				1965 5/6W.I	571.20
				1966 1/2 of 5/6W.I	71.40
				1967 1/2 of 5/6W.I	55.50
Continental (assignee)	May 10, 1961	W/2 of sec. 24, block 43, T-3-S	21,500	1962	1,142.40
				1963	106,386.00
Shell	Sept. 19, 1965	E/2 of Sec. 11, block 44, T-2-S	50,000	1956	1,600.00
				1957	115,200.00

[1] Not carried.

Purchaser (1)	Date recorded (2)	Description (3)	Price (4)	Remarks (5)
C. Not rendered (not carried on the tax rolls as rendered or unrendered property):				
Texaco	Jan. 26, 1966 and Feb. 3, 1966.	E/2 of sec. 22, block 44, T-3-S [1]; W/4 of sec. 21, block 44, T-3-S; E/4 of sec. 21, block 44, T-3-S; W/2 of sec. 30, block 43, T-3-S1; S/2 of sec. 29, block 44, T-3-S; N/2 of sec. 30, block 44, T-3-S; N. 387 feet of W/2 of SW/4 and N. 952 feet of E/2 of SW/4 of sec. 30, block 44, T-3-S; SW/4 of sec. 30, block 44, T-3-S, except that described in tract 3; and in tract 4, only those rights below 4,500 feet sec. 28, block 44, T-3-S.		Not carried on tax rolls in 1967, 1968, or 1969. But the royalty interest was recorded with a value [combined total] of $38,461.50 in 1969.[1]
Total price			[1] $220,000	
Texaco	Feb. 21, 1966	S/2 of sec. 2, block 44, T-3-S [1]; sec. 10, block 44, T-3-S; S/2 of sec. 1, block 44, T-3-S; W/2 of sec. 11, block 44, T-3-S; sec. 11, block 44, T-3-S; sec. 12, block 44, T-3-S, save and except NE/4 of NE/4 of NE/4.		Not carried on tax rolls in 1967, 1968, or 1969.
Total over			[2] 109,500	
Do	June 25, 1965	N/2 of sec. 38, block 43, T-3-S S/2 of sec. 38, block 43, T-3-S N/2 of sec. 29, block 44, T-3-S S/2 of sec. 12, block 43, T-4-3 [3]		Not carried on tax rolls in 1966, 1967, 1968, 1969.
Total price			[3] 131,000	
Total sales value of leases cited here [4]			460,500	

[1] (Releases recorded Nov. 18, 1969; Dec. 1, 1969; Dec. 16, 1969) total price of leases over $100.00.

[2] Over.

[3] Release recorded Oct. 21, 1969.

[4] On the 1969 tax rolls Texaco included for the 1st time a category for "nonproducing minerals as rendered"—giving a total value (at 100 percent) of $85,581, with no breakdown by individual leases. Compare this figure with the total value of just the leases cited here.

Column 1 gives the oil company which purchased (or in some instances took by assignment) the lease or working interest in the property.

Column 2 gives the date the lease (or series of leases) was recorded in the Deed Records, County Clerk's office.

Column 3 gives a description of the working interest.

Column 4 gives the amount of the initial payment, or bonus, made at the time of execution of the lease. (If the property proves to be productive, the bonus value will be only a *fraction* of the fair market value, because the present value of future royalty payments is excluded.) Although the usual lease recites only "for $10.00 and other valuable consideration," the revenue stamps (in effect up until Jan. 1, 1968) can be used to determine bonus value of any lease over $100.00. The valuation of a nonproducing property should be based on the actual sales price, if available. Leland E. Fiske, *Federal Taxation of Oil and Gas Transactions* (1969), page 169–71.

Column 5 gives the actual valuation (at 100%) by Pritchard and Abbott where the property is rendered, *or* notes the fact that the property is not even rendered at all.

II. PRODUCING PROPERTIES—THE HEADLEE-DEVONIAN UNIT

A. PRODUCTION

	(1) Estimates of operators in the field		(2) Pritchard & Abbott	
Year	Projected 8/8 daily average production (in barrels)	Projected number of wells	Actual 8/8 daily average production (in barrels)	Actual number of wells
1969	17,553	164	15,949	164
1968	17,625	164	17,290	164
1967	17,625	164	19,123	164
1966	17,625	164	20,980	164
1965	17,625	164	22,320	164
1964	17,625	164	[1] 17,625	(2)
1963	17,625	164	15,553	140
Total	123,303		128,840	

[1] Estimate—No figure available.

[2] No figure available.

A. PRODUCTION

The Production columns are included to substantiate the validity of a study comparing *actual* valuations by Pritchard and Abbott for the tax rolls, and the valuations based on *projections* by the operators in the field.

Column 1 gives the projected 8/8 Daily Average Production and total number of wells, as estimated by the operators in the field. *Devonian Report, Headlee and Dora Roberts Field, Ector and Midland Counties, Texas*, March, 1956. (Filed with the Texas Railroad Commission, Oil and Gas Division, in preparation for the hearing [August, 1956] relative to the unitization agreement.)

Column 2 gives the actual 8/8 Daily Average Production and the total number of wells, as reported by Pritchard and Abbott.

The seven-year period (1963 through 1969) is chosen as representative because the *actual* daily average production, when compared on an annual basis, corresponds closely to the *projected* daily average. In fact, the *total* actual daily average *exceeds* the estimates during this period.

B. VALUATIONS

	Estimates based on projections of operators in the field: 2 approaches			Pritchard & Abbott	
Year	Valuation of ⅞ mineral interest based on price paid for oil and gas "in the ground" (3)	Valuation of ⅞ mineral interest based on present value of future net income (4)	Valuation based on an average of the 2 approaches (cols. 3 and 4) (5)	Actual valuation (at 100 percent) of ⅞ mineral interest from tax rolls (6)	Approximate percentage of undervaluation (comparing cols. 5 and 6) (7)
1969	$84,856,000	$112,053,000	$98,454,500	$52,009,494	47.2
1968	89,845,000	117,438,000	103,641,500	53,526,087	48.4
1967	94,834,000	122,537,000	108,685,500	44,350,771	59.2
1966	99,823,000	127,506,000	113,664,500	60,135,079	47.1
1965	104,812,000	132,284,000	118,548,000	62,348,836	47.5
1964	109,801,000	136,911,000	123,356,000	65,486,866	47.0
1963	114,790,000	141,388,000	128,089,000	51,499,535	59.8
Average approximate percentage of undervaluation					50.89

C. TAXES—ECTOR COUNTY INDEPENDENT SCHOOL DISTRICT

Year	Taxes based on col. 5 valuations	Taxes based on col. 6 valuations	Taxes due (differences between col. 8 and 9)
1969	$655,141	$346,084	$309,057
1968	643,551	332,364	311,187
1967	648,682	264,703	383,979
1966	625,962	331,170	294,792
1965	611,839	321,789	290,050
1964	604,642	320,991	283,651
1963	613,070	246,491	366,579
Total	4,402,887	2,163,592	[1] 2,239,295

[1] Total taxes due on ⅞ mineral interest (without interest).

B. VALUATIONS

Column 3 gives the valuations of the ⅞ mineral interest based on the price paid for oil and gas "in the ground." The prices used in the calculations are approximately *one-third* of the actual sales prices (for this period) per barrel (of stock tank liquids and plant products) or thousand cubic feet (of gas). This ratio is consistent with accepted oil and gas valuation procedures. Leland E. Fiske, *Federal Taxation of Oil and Gas Transactions* (1969), p. 163–4. Estimates of reserves are from the operators in the field. *Devonian Report, supra.*

Column 4 gives the valuations of the ⅞ mineral interest based on the present value of future net income, discounted at 10% using the Hoskold Formula, suggested as a means of determining the fair market value of oil and gas properties. Fiske, *supra* at p. 166–8. Johns M. Campbell, *Oil Property Evaluation* (1959), p. 452–4. Annual estimates of future net income are from the operators in the field. *Devonian Report, supra.*

Column 5 gives the valuations based on averages of the values determined in the two approaches used in columns 3 and 4.

Column 6 gives the actual valuations (at 100%) of the ⅞ mineral interest as reported by Pritchard and Abbott.

Column 7 gives the annual approximate percentages by which this unit has been undervalued, as well as an average of these percentages.

C. TAXES—ECTOR COUNTY INDEPENDENT SCHOOL DISTRICT

Column 8 gives the approximate values of school taxes that *should* have been paid on the ⅞ mineral interest, based on the valuations in Column 5.

Column 9 gives the *actual* values of school taxes paid on the ⅞ mineral interest, based on valuations in Column 6.

Column 10 reflects the difference between actual taxes and the taxes that should have been paid, *i.e.* taxes *due* (without interest).

(NOTE.—All valuations, as well as the tax values, reflect *only* the ⅞ *mineral* interest, and exclude appraised values of equipment and personal property. This is done so that accurate comparisons can be made with the valuations based on the present value of future net income, which does *not* reflect equipment and personal property unless *added* to the present value figure Fiske, *supra* at p. 165–6.)

III. LOCAL REAL ESTATE: HOMES (A RANDOM SELECTION)

Description (1)	Price (1969 sales) (2)	Valuation (at 100 percent) for 1969 tax rolls (Pritchard & Abbott) (3)	Approximate percentage of undervaluation (comparing cols. 2 & 3) (4)
4009 Pleasant, lot 7, block 27, Terrace Hills	$8,500	$7,048.50	17.1
909 E. 21st, lot 21, block 11, Sage Hill	8,150	7,603.50	6.6
3719 Holly, lot 2, block 33, Windsor Heights	12,250	11,100.00	9.4
2702 S. Colonial, lot 12, block 8, Bellaire	7,950	6,549.00	17.6
2801 Disney, lot 7, block 1, Wedgewood	15,330	14,485.00	5.5
2108 W. 27th, lot 17, block 62, Harrisdale	8,700	8,491.50	2.4
401 Elm, lot 4, block 14, Ridgecrest	7,600	6,605.00	13.1
1508 Spur, North 73 feet of lot 5, block 93, Crescent Park	$19,500	$19,869.00	−1.85
504 Blackstone, lot 31, block 2, Rochester Heights	7,650	7,104.00	7.2
2674 E. 25th, lot 23, block 135, Crescent Park	13,950	13,930.50	.15
1309 Westbrook, lot 11, block 9, Westwood	14,500	13,098.00	9.7
2304 W. 15th, lot 22, block 1, Park Annex	7,500	7,659.00	−2.13
Average approximate percentage of undervaluation			7.06

TEXAS GULF PRODUCING CO.,
Houston, Tex., August 15, 1957.

Mr. PAT KELLY,
Engineering Department, Railroad Commission of Texas, Oil and Gas Division, Tribune Building, Austin, Tex.

DEAR MR. KELLY: I am sending you under separate cover the report entitled *Devonian Reservoir Report, Headlee and Dora Roberts Field, Ector and Midland Counties, Texas.* This is the report written by the Headlee-Dora Robert Devonian Engineering Committee in March, 1956. This report was the result of six weeks continuous effort on the part of all Operators in the fields. All subsequent recovery factors and engineering testimony is based on the results indicated by this report. The report was placed on the Commission's record in the August, 1956 Hearing and it is so noted in the transcript.

I am sending you this report as a result of your request and would appreciate your placing it in the record of that Hearing to substitute for the one you informed me was missing.

Yours very truly,
ROBERT H. PARKS.

JANUARY 30, 1970.

Hon. BEN ATWELL,
Chairman, * *Commission on State and Local Tax Policy, Capitol Station, Austin, Tex.*

DEAR CHAIRMAN ATWELL: I commend the enclosed report to your careful attention in your capacity as Chairman of the Commission on State and Local Tax Policy. The study demonstrates that oil properties in a representative Texas county are grossly undervalued for "ad valorem" tax purposes. I urge the Commission to take whatever immediate action may be necessary to ensure that the tax burden is equitably distributed among ALL the taxpayers of the state.

In attempting to alleviate the obvious injustices that presently exist and to provide for collection of oil company taxes unpaid in the past, the Commission should direct its attention to the following basic inquiries:

(1) Exactly how many tens of millions of dollars have been lost by the State and its citizens due to undervaluation of oil properties?

(2) What other economic interests may be reaping the privileged windfall now being received by the oil companies through undervaluation?

(3) What specific action must be taken to guarantee a full public accounting of all previous oil company underpayments, and how may these funds best be returned to those taxpayers who have borne *more* than their full share of tax load?

(4) What continuing study will be required to promote fiscal responsibility, to ensure proper redistribution of the tax burden, and, generally, to reform the assessment function in the direction of full-time, qualified local government assessors?

(5) What may be learned from the experiences of other states regarding (a) the widespread undervaluation of corporate property, (b) the professionalization of the assessment function, and (c) fairer disclosure by taxing districts and fuller taxpayer rights of appeals?

I realize that the problem of undervaluation of oil properties may be one of such magnitude that the Commission will need to rely on outside assistance to aid it in its inquiries. Congressional hearings may prove to be necessary. Or, if the Commission prefers to tap purely local resources, the public-spirited student body of the University of Texas School of Law may prove to be a valuable source of manpower. At any rate, I am sure that the Commission will take whatever steps are required to rectify this grave situation.

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* Ex-officio as Chairman, House Committee on Revenue and Taxation.

Sincerely,

RALPH NADER.

WHERE WERE YOU WHEN THE LIGHTS WENT OUT OVER AMERICA?

(Mr. KUYKENDALL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KUYKENDALL. Mr. Speaker, in facing the grave problems of our time, probably the greatest threat to our freedoms is apathy on the part of too many of us.

We have had plenty of dialog on crime, drugs, subversive activities, and a decline in our national morality, but only a few have tried to take an active role in doing something about these problems.

In a recent address in Memphis, our capable director of fire and police, Frank Holloman, warned of where such apathy may lead us. I include his remarks, "Where Were You When the Lights Went Out Over America?" at this point in the RECORD:

WHERE WERE YOU WHEN THE LIGHTS WENT OUT OVER AMERICA?

(Frank C. Holloman, director, division of fire and police, Memphis, Tenn., before the Tennessee Teachers Association, Retired Teachers Department, April 3, 1970)

At 5:15 PM on November 9, 1965, a catastrophe struck some 30 million American people. It was at that instant that an electric power failure plunged parts of eight northeastern states into sudden stygian blackness. The greatest blackout in history engulfed a vital section of our nation. Where an instant before there had been millions and millions of lights and a colossus of electrical brightness, there were now darkness and silence. The lights had gone out for over fifteen per cent of the population of America!

A special research grant was made to a group to determine what the people affected by the Great Blackout were doing at that time and where they were. A large number of people asked the question: "Where were you when the lights went out?"

The United States of America has for almost 200 years been a sparkling, glittering, dazzling light freedom. In the galaxy of nations on this earth, America has been the brightest star of liberty. In the sphere of justice all other nations have orbited our Nation, drawn to it by its influence of morality and integrity.

Francis Scott Key stood on the deck of a British man-o-war off the coast of Maryland and peered through the mist and smoke of a breaking dawn to catch a glimpse of the symbol of liberty, freedom, and justice—the Star Spangled Banner—and seeing it proudly unfurled in victory, wrote those time-honored words:

"... may the Heav'n-rescued land
Praise the Pow'r that hath made and preserved us a nation:
Then conquer we must when our cause it is just;
And this be our motto: 'In God is our trust'."

And today all of America's coins and currency bear the inscription, "In God we Trust."

Throughout its history America has associated herself with God and pledged her allegiance to a Nation "under God, indivisible, with liberty and justice for all."

Patrick Henry sounded the challenge for all Americans: "Give me liberty or give me death".

Nathan Hale's answer to tyranny as he stood on the British gallows still resounds in the ears of true Americans: "I only regret that I have but one life to lose for my country".

Thomas Paine prophetically declared: "Those who expect to reap the blessings of freedom, must, like men, undergo the fatigue of supporting it".

J. Edgar Hoover has said: "We have heard about America with our ears but not with our hearts".

Yes, a special research team asked the question of those who experienced the Great Blackout of 1965. It is my fear that all Americans will be required to answer in the not-too-distant future: "Where were you when the lights went out—the lights of American freedom, liberty, justice, morality, integrity, truth and decency?"

Where were *you* when the light of morality went out in America? Morality of our Nation and of each of us is measured by the more than 4 million serious crimes committed annually with a spiraling increase each year, nine times that of the increase in our population, by a steadily increasing annual number of crimes committed by youngsters under 18 years of age; by an annual crime bill of over $32 billion; by parents who impose upon themselves little self discipline, and even less discipline upon their own sons and daughters; by adults who still think they can live their own selfish lives with no influence on others, especially, the youths of their neighborhoods and communities, by doting parents who take teachers who paddle their children to court rather than taking their children to the shed; by rationalizing vandalism as the accepted way for young hoodlums to let off pent-up energy; and by showing no concern over youthful criminality because it didn't cost us anything or our lives this time.

Where were *you* when the light of decency went out in America? The Biblical admonition is that a house built on sand cannot stand. I say that a Nation built on dirt cannot stand the tides of time, America is being bombarded by the most colossal barrage of filth, smut, obscenity, and lasciviousness the world has ever known. This muck is not confined to our movie houses, but appears also on our newsstands and on television. The average citizen—and it appears all too many are just average today—is not even concerned enough to protest, much less censor what his own child is exposed to. One sociologist has suggested we expose our children to a full menu of nakedness and obscenity and smut as a cure. It appears that most parents and adults are following that advice!

Where were *you* when the light of integrity went out in America? We have become such a "fat-cat" society with our stomachs full, our garages enlarged for a third car, our homes expanded for the 4th and 5th baths, our bank accounts bulging, that we have become a Nation of apathetic and indifferent "milque-toasts" who have lost our sense of values. Compromise and appeasement are now the accepted philosophies. Why should we get "involved" when a woman being raped pleads for help? Why should we get "involved" when a gang of teen-age hoodlums beats an old man to death outside our window? Why should we get "involved" in this plebeian thing of voting or serving on a jury or testifying to a truth we witnessed? Why should we get "involved" in civic and community problems that will involve only our children, if not us? Why should we get "involved" in politics, when the politicians are involving us and our heritages in moral bankruptcy much too often?

Where were *you* when the light of freedom went out? There is so much said today about freedom of speech, especially when such freedom is mocked by intellectual prostitutes who parade with placards bearing the most vulgar four-letter words. American freedom today is represented by the principle espoused by too many mental perverts that only those laws they agree with or had a part in passing should be observed and that all others should be ignored or violated at will. Whose freedom is being championed when whole cities or communities are threatened with sacking if the demands of certain violent crusaders are not met? What brand of freedom is represented by cowardly acts of physical violence performed in the name of God beneath a hood in the dark of night?

Who will enjoy freedom after it is slowly whittled away by growing Government controls imposed as the result of subsidies on every level? Supreme Court Justice Jackson declared in 1942 "It is hardly lack of due process for the government to regulate that which it subsidizes." And the due process continues, and it is expedient for the average citizen to permit the process to slowly slice away his individual volition through the opiate of economic prosperity. It was refreshing the other day to see a pick-up truck with a sign on the rear window: "I'm fighting poverty—I'm working." That's rather old fashioned in this day and time when individual achievement through ingenuity, labor, and honest effort are minimized and even discouraged by the doctrine and give-aways, handouts, and subsidies in the name of social reforms. There are all too many today who think that freedom is free. If we have any left, they will learn it's not free but bought only by vigilance, concern, blood, tears, courage, and even lives—our lives and those of our sons.

Where were *you* when the light of liberty went out? John Philpot Curran, on July 10, 1790, declared: "The condition upon which God hath given liberty to man is eternal vigilance". And Benjamin Franklin contended: "Those who would give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety". While we have bought a measure of safety and mental peace for the time being, we have compromised the heritage of American liberty. Where we once examined the facts and formed an honest opinion and expressed it, we now submissively agree in silence with the opinion that is popular and expedient at the moment. Where we once were thrilled at the sight of the flag and the sound of the Star Spangled Banner, we now ignore both as well as the defiant kid who publicly destroys his draft card.

Where were you when the light of Justice went out? In too many of our courts today if the blindfold were removed from the lady of justice, we would find her eyes filled with tears and shame. Where is there justice when rapists and murderers are set free to continue their criminal acts because of some tautly drawn grammatical errors in indictments? What kind of justice is there when two policemen are condemned and castigated by a judge who said they used undue force in drawing their revolvers when attacked by two vicious hoodlums with broken beer bottles in an alley? And it didn't matter that one of the officers suffered severe facial cuts! The lights of justice are dimmed when bleeding-heart judges release hardened criminals on probation or impose ridiculously minor sentences or fines. It is becoming more and more prevalent in some of our courts that the individual rights and liberties of known criminals are paramount to the rights and liberties of society as a whole. Too little concern is given to the woman violated, the man assaulted, the businessman robbed, and the widowed wife—and too much given to the welfare of the criminal who is charged. Too much concern is expressed over so-called police brutality and too little over efforts of certain segments of our population to destroy respect for authority and law enforcement which will surely destroy every individual liberty in America. You may well be sure that when law enforcement is discredited and rendered impotent, ours will be a jungle nation.

Where were you when the lights of liberty, freedom, justice, morality, decency, and integrity went out in America? Most were sitting on their hands doing nothing but enjoying the ease and comfort of a self-indulgent and apathetic society. In the midst of affluence and economic prosperity, the basic American birthrights have been cheaply sold for the expediency of the moment. The chains of complacency and self-satisfaction have become binding shackles. In the midst of economic prosperity and affluence, the nation is on the verge of moral bankruptcy. There is no longer displayed a debt to the past, an obligation and responsibility to the present, or a promise to the future.

Is it really necessary for the lights of American heritage once so treasured to go out? I think not. They can be rekindled. They can once again sparkle in all their glory, but they are not self-powered. We must be their generators. Old-fashioned American patriotism must return to style. Righteous indignation must once more be displayed. Humility, and not arrogance; decency, and not filth; integrity, and not expedience; morality, and not materialism; sweat, and not self-pity; truth, and not deceit; courage, and not fear; principle, and not appeasement; sacrifice, and not self-indulgence; ballots, and not clubs and bullets; are the sources of power to light the lights of our priceless American heritages.

XUM

An old proverb says: "It is better to light one candle than to curse the darkness." It is time that Americans quit cursing the darkness. It is time that Americans quit their pitiful whining. It is time that Americans quit wringing their hands hopelessly. It is time that Americans quit rationalizing their faults and weaknesses. It is time that Americans quit compromising and appeasing.

Our nation still has patriots. Our nation still has citizens imbued with old-fashioned Americanism. Morality still does prevail in some quarters. Integrity is still alive in the breasts of some men. Courage still surges through the veins of some. It is time that they roll up their sleeves and go to work to bring America back—an America of strength and courage—an America of morality, integrity, and decency—an America of freedom, liberty, and justice—an America under God, with one hand in God's hand and the other clenched to battle those who would shame us, who would weaken us, who would bury us.

We can do it by boycotting filth wherever it is found. We can do it by openly supporting those who are right and condemning those who are wrong. We can do it by living an example of truth, morality, and integrity. We can do it by practicing discipline and imposing discipline on our own. We can do it by getting involved when civic responsibilities require it. We can do it by getting the facts, forming an opinion, and expressing it regardless of the economic or social consequencies. We can do it by publicly condemning dishonesty and guile in high places and low. We can do it by being true Americans.

Edward Hale, a former chaplain of the U.S. Senate once said: "I am only one, but I am one. I can't do everything, but I can do something. And what I can do, that I ought to do. And what I ought to do, by the grace of God, I shall do."

Where were *you* when the lights went out in America? Let's don't let them. We don't need to. We dare not! We must not! Civilization depends on it!

PRESIDENT'S FAMILY ASSISTANCE PLAN—POSITION TAKEN BY CHAMBER OF COMMERCE

(Mr. BETTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BETTS. Mr. Speaker, since the Chamber of Commerce of the United States is opposing the Family Assistance Act of 1970, I think it is only fair to the administration to call attention to a recent report sent by the chamber to President Nixon. The report refers to a series of 15 urban action forums conducted by the chamber across the country between September 22 and October 10, 1969, and indicates that the President's family assistance plan for welfare reform was approved by 86.5 percent of the 2,163 respondents in a poll conducted at the urban action forums.

Of those favoring the proposal, 1,026 said their principal reason for supporting it was that it "would require welfare recipients who can do so, to take work or take training"; 669 said the plan "would help make taxpayers out of many welfare recipients"; 396 felt it "would establish national minimum standards for welfare," and the fourth highest number, 372, said their principal reason for backing the President's welfare reform plan was that it "would help those working full time, but who are still poor."

The U.S. Chamber's report on the urban action forums, designed to inspire greater interest and participation in urban problems by businessmen, states that its poll showed over 83 percent of the respondents at the forums supported the administration's revenue-sharing plan, and over 84 percent, the President's new comprehensive manpower training program.

The report reads:

> The welfare plan enjoys broader support than the revenue-sharing plan—86.5 voting in favor.

The impression given by this report, therefore, is that chamber members look favorably upon the plan incorporated in the Family Assistance Act of 1970—H.R. 16311. I call this to the attention of the House at this time in order that the chamber if it cares to may comment upon it prior to the debate on the welfare bill.

DEATH OF LAURENCE S. BURTON, UTAH RELIGIOUS AND CIVIC LEADER

(Mr. LLOYD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LLOYD. Mr. Speaker. Laurence S. Burton, father of our esteemed colleague LAURENCE J. BURTON, passed away in Ogden, Utah, on April 10 at the age of 74, and his funeral is being held today at the Ogden Fourth LDS Ward Chapel.

For 22 years, Mr. Burton was president of the Ogden Stake of the Church of Jesus Christ of Latter Day Saints—Mormon. In addition, he was a member of the Dee Hospital board of trustees and the Lake Bonneville Boy Scout Council. He was local PTA chairman and president and had served as cochairman of "All Faces West," a traditional pioneer-day presentation. He was a member of the executive committee of the Weber County Red Cross, and was associated with the USO and the Community Chest. He was secretary and a member of the board of directors of the George A. Lowe Co., which he served for 55 years.

President Burton was a native of Ogden and was a son of Thomas Walter and Bernadina Schat Burton. He married Marguerite E. Roghaar on March 10, 1926, in the Salt Lake LDS Temple.

He is survived by his wife; three sons and one daughter, Representative BURTON, Dr. Thomas R. Burton, and Richard R. Burton, of Ogden; Mrs. Darold H.—Kathleen—Chambers, Pocatello; 14 grandchildren; and one sister.

At the funeral services today, President Harold B. Lee, first counselor in the LDS Church First Presidency, will be the principal speaker. Burial will be in the Ogden City Cemetery.

Mr. Speaker, our colleague's father was truly one of Utah's great men. Our State still is a pioneer State. Settled in 1847, those pioneer qualities of hard work, honest devotion to duty, to God, and country, and a lifetime of service to others were remarkably illustrated in the life of President Laurence S. Burton, natural leader of men and possessed of robust good fellowship. I express the thanks of a grateful citizenry for the life of service rendered by the father of our colleague, LAURENCE J. BURTON, and sympathy to his loved ones at his passing.

STEUBEN SOCIETY TO HONOR VICE ADMIRAL RICKOVER

(Mr. ADDABBO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ADDABBO. Mr. Speaker, this year the Steuben Society of America will honor Vice Adm. Hyman G. Rickover, U.S. Navy, by presenting him with the Fifth Steuben Society of America Award. The presentation will take place on May 23, 1970, on the occasion of the 51st Founders' Day banquet of the society at the Americana Hotel in New York City.

Previous recipients of the Steuben Society Award have been the late President Herbert Hoover, the late Gen. Douglas MacArthur; the Hon. J. Edgar Hoover, and the late Senator Everett McKinley Dirksen.

The society is actively participating in the American Revolution bicentennial program sponsored by Congress and is creating an exhibit depicting the significant accomplishments of Americans of German descent.

Mr. Ward Lange, national chairman and Edward Sussman, national secretary of the Steuben Society of America, announced that on Saturday, May 23, 1970, on the occasion of its 51st Founders' Day banquet, at the Americana Hotel, the recipient of the fifth Steuben Society of America Award will be Vice Adm. H. G. Rickover, U.S. Navy, pioneer in nuclear research and father of the nuclear submarine. Admiral Rickover will thus join the ranks of the previous illustrious holders of the award; the late President Herbert Hoover, 1954; the late General of the Army Douglas MacArthur, 1956; J. Edgar Hoover, Director of the FBI, 1965; and the late U.S. Senator Everett McKinley Dirksen, 1967.

Mr. Speaker, I believe the following statement of the society is a fitting description of Admiral Rickover:

> Always driven by a crusading zeal, Admiral Hyman Rickover was haunted by the thought that time may run out before he had completed his "revolution" of the U.S. Navy which he loves dearly. He fought a tough battle with a then obstinate administration until he won the support of the U.S. Congress. Finally, in 1963, the Navy, after years of opposition, accepted the Rickover doctrine that the surface fleet of combatant ships should be converted to nuclear power. He did pioneer work in leading the Navy into the nuclear age. One of the missile carrying ships is the "Von Steuben" SSB (N) 632.
>
> Admiral Rickover's experiences in the nuclear reactor program have led him to his sometimes outspoken, sometime philosophical indictment of the American industrial and school system. He has no patience with waste and inefficiency.
>
> The future Admiral had a hard beginning when he entered the Naval Academy in 1919. His father was a tailor who had immigrated from Russia and settled in Chicago, where young Rickover was born and attended the public schools. In his early Naval career he went through the normal jobs of an engineering officer, serving aboard ships and at shipyards. Not until after World War II did he arouse controversy, when he began pressing the Navy to study the feasibility of developing nuclear propulsion for submarines.
>
> Rickover, already an engineer, got some of his special interest in harnessing atomic power during a brief assignment with the war-time Manhattan project, which developed the atomic bomb. Since then, he has been self-taught on nuclear matters. Out of his efforts came the Nautilus, the first atomic submarine, and the construction of the nation's first large-size atomic power station at Shippingsport, Pa.
>
> In 1965 he was awarded the Enrico Fermi Medal, one of a total of 52 awards, medals and citations.
>
> With his mandatory retirement in 1964, his prominent place in American Military history was firmly established. But, retirement was not for him. The then President Johnson immediatly reassigned him to active duty as the Director of Naval Nuclear Reactors for the Atomic Energy Commission, so he could continue his tireless efforts to modernize the United States Navy.
>
> Today he directs the research on nuclear power plants, their installation and refueling in the submarines and surface ships of the U.S. Navy from the Atomic Energy Center. While his specific field is nuclear propulsion, he keeps a close watch on the conversion of the ballistic missile submarines to Poseidon missile carrying ships, increasing their power ten fold. He does not hesitate to call the ships captain, even at his home, when the project is not progressing as well as he feels it should.
>
> The "Father" of the nuclear submarine is uncompromising in his insistence upon exact performance of duty, absolute loyalty, dedication to service to Country and genuine patriotism of the men who serve in the nuclear submarines.
>
> He is held in high esteem by all who serve under him as well as the officers on the highest echelons of the United States Navy and is considered an outstanding patriot, serving beyond the call of duty, without much public notice and without fanfare.
>
> We all salute Vice Admiral Hyman George Rickover, U.S.N., a genuine Patriot.

THE 227TH ANNIVERSARY OF THE BIRTH OF THOMAS JEFFERSON

(Mr. DOWNING asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DOWNING. Mr. Speaker, today marks the 227th anniversary of the birth of Thomas Jefferson, one of our greatest Americans. He was born in Virginia on April 13, 1743. His 83 years were filled with unnumbered accomplishments of uncommon greatness. The Gloucester-Mathews Gazette-Journal, which is published in my district, called attention to Jefferson's birthday in its editorial column this week. I am pleased to offer it for inclusion in the RECORD in the hope that those of us who had the honor to serve here today might spend a brief moment in reflective tribute toward one of those who made our service possible:

THOMAS JEFFERSON

> Thomas Jefferson, whose birthday will be observed Monday, is considered by many historians as one of the three or four greatest Americans. He was born at "Shadwell" near Charlottesville on April 13, 1743 and died at his beloved "Monticello," not far from the place of his birth, on July 4, 1826, the fiftieth anniversary of the proclamation of the Declaration of Independence.
>
> He crowded into his long life span of 83 years more worthwhile activities than would be normally accomplished by a dozen persons in the same length of time. A man of gigantic mind, he received his training for the law at the College of William and Mary. While that could be listed as his occupation it soon became evident that he was destined for many undertakings, all successfully carried into effect.
>
> He was a scientific farmer, architect, politician, statesman, diplomat and, in his day, was undoubtedly the man with the greatest advanced thinking among his contemporaries many of whom were also of large mental stature.
>
> He was elected to the Virginia House of Delegates and to the Continental Congress. As a member of the latter body he was the chief draftsman of the Declaration of Independence, one of the great documents in the history of western civilization. He was elected Governor of Virginia in 1779. In 1784 he, Benjamin Franklin and John Adams were sent to France to represent this new nation in vital peace negotiations.
>
> Jefferson returned to the United States to become Secretary of State under President Washington. He was Vice-President during John Adams term as President and then himself served as the third President of the United States from 1801 to 1809.
>
> With all his many worthy accomplishments in behalf of mankind his humanitarian philosophy and the belief that all men are entitled to rise to the top, though, have to rank as his greatest contributions.
>
> It is interesting to note, in passing, that Jefferson did not regard the Presidency among his celebrated deeds. His epitaph, self-written, simply reads: "Here was buried Thomas Jefferson, author of the Declaration of Independence, of the statute of Virginia for religious freedom, and father of the University of Virginia."

A TIME TO SHOW INTEREST IN OUR MISSING SERVICEMEN

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, a truly tragic part of the Vietnamese war has been the refusal of the North Vietnamese to provide information on missing U.S. servicemen who presumably are held prisoner by the Communists. A total of 1,450 U.S. servicemen are missing in action and many of these are presumed to be prisoners of the Communist forces. Little is known about the plight of these men, their physical condition, or even whether they are living or dead. The continuing refusal of the Communist captors to divulge information is a shocking indictment of the cruel methods which they follow and their indifference to humanitarian considerations. It is a great pity that those who protest the war do not spend their time protesting Communist inhumanity.

An equally serious part of the problem is the fact that the families of these missing men in most cases know little or nothing about them. Even the fact that they are prisoners of war frequently is not confirmed, and the families can only hope that their loved ones are still alive. The Geneva conference long ago established a program for humane treatment of prisoners of war and nearly all non-Communist nations have abided by its terms. These include an exchange of mail, inspection of camps by a neutral organization, and delivery of medical aid and food parcels to prison camps. None of these have been permitted by the Communists in Vietnam. Hanoi signed the Geneva conference agreement in 1957 but now refuses to abide by its terms.

Efforts have been in progress for months seeking a less barbaric attitude by the Communists on the prisoners of war problem, but these have been unavailing. Representations to the Communist delegates at the peace conference in Paris have also been rejected.

Several Congressmen and Senators, including myself, are serving on a special committee to sponsor a national tribute to American prisoners of war and Americans missing in action in Vietnam. The program will center around a rally on May 1 in Constitutional Hall in protest to the treatment of American prisoners of war by the North Vietnamese and Vietcong. Veterans organizations are actively supporting the program plans which are designed to clearly demonstrate America's concern for prisoners of war and those men who are missing in action. Efforts have long been in progress to win world opinion for their cause and it is hoped that the rally in Constitution Hall will help to add momentum to these efforts.

It is hoped that strong support from all of these groups will be forthcoming to help make possible an outstanding rally in Constitution Hall on May 1.

THE ONE AND ONLY LEWIS B. HERSHEY

(Mr. SIKES asked and was given permission to extend his remarks at this

XUM

point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, February 16, 1970, was marked what some have noted as "the passing of an era" in the United States of America.

That was the date of the relief of Gen. Lewis Blaine Hershey as Director of the Selective Service and his elevation to a new position as Adviser to the President of the United States on Manpower and Mobilization.

It marked a milestone also in one of the most remarkable careers in the history of our country.

General Hershey, now wearing the four stars of full general which he so richly deserves, began his military career on February 16, 1911. Many—perhaps a majority—in this House had not been born in that year. The President of the United States was William Howard Taft. Since that time Mr. Taft's son and grandson have served in the Congress. Lewis Hershey served under more Presidents than any military man in our history, in turn giving his loyalty, dedication, and outstanding competence to 11 Commanders in Chief. He has been decorated by more Presidents, and he has enjoyed the confidence and he has given his unquestioned loyalty to more Presidents than any man in history. Truly, he has been a remarkable citizen and it is to his credit that he has considered himself and he has been publicly recognized as a true citizen-soldier in the most splendid of American traditions.

It is no service to General Hershey in paying tribute to his 59 years of service already behind him, to seek to gloss over the fact that during these past several years he has been under fire and that many consider his elevation to the post he now occupies as a means by President Nixon of solving a political problem.

We can truly say, however, and the Members of this body are fully aware of it, that General Hershey has been a "good soldier" throughout these unhappy days of social unrest in our country and in the campaign of violence and outlawry, which unhappily has been waged in our United States. He has taken the brunt of the manifestations of resentment by some elements of American youth against the draft, and has uncomplainingly and unflinchingly carried out his duty. He has carried out the law as enacted by the Congress and he has executed that law under policies laid down by the President of the United States.

It is a tribute to his character and it will always remain bright in his record that he never sought to shuffle criticism on to the shoulders of anyone else, either in the Congress or in the White House, when some elements of American society sought to subject him to painful and embarrassing incidents.

There are so many things about the service, the character, and the personality of General Hershey which merit him a place in American history. He did, indeed, represent an era—an era of strong men and women, an era of trial and tribulation, an era when our democratic society was being tested.

And it is men like Lewis Hershey, many of whom came on the scene, made their contributions and passed on into history, while he in his quiet homespun strength was still making his mark and contributing to the United States as it emerged from conflicts which shook the world, and as it grew and developed into the strongest, richest, and the freest nation which the world has ever seen.

President Nixon, in announcing the promotion of General Hershey and his new assignment as the President's Manpower Mobilization Adviser, paid him a deserved tribute in which I believe the Nation should share. In this White House statement, President Nixon said:

> For thirty-three years General Hershey has served with distinction in the Selective Service System. He has administered a program of paramount importance to the security of the United States, and few Americans have performed a more important service to their country through difficult and often turbulent days. The nation owes General Hershey a hearty "well done."
>
> I look forward to having the benefit of General Hershey's advice and counsel as we move ahead on a broad range of reforms designed to ensure that our manpower mobilization policies are equitable, efficient and geared to the requirements of the future. General Hershey brings to his new assignment vast experience and a perception into national manpower resources, perhaps unmatched in the country. The Nation is fortunate that she will continue to have his wise counsel.

An even richer and more personal tribute was paid to the general by one of his home State metropolitan newspapers, in an editorial under the heading "The General Did His Duty." I quote it as summarizing so many of the thoughts and convictions which I am sure we all share.

> Gen. Lewis Blaine Hershey, the homespun, earthy Hoosier who drafted some 15 million Americans for three different wars, is not the first man to be pilloried unjustly for doing his duty. Nor will he be the last. His stature is elevated, not lowered, by his detractors.
>
> His foes crowed with glee when it was announced that he would retire early next year as director of Selective Service to become a presidential consultant on manpower. They chortled that he had been "kicked upstairs." They sneered that he had refused to quit while he was ahead.
>
> But like most short-sighted critics they overlooked important things. One was that the general, who enlisted in the Indiana National Guard as a private in 1911 and rode against Pancho Villa on the Mexican border, has served his country as a military man for more than 50 years. The crackerbarrel general, who learned the facts of life as an Indiana farm boy, is 76 years old. Few generals of any country or any time have served so long, so well.
>
> The Selective Service System that he took over shortly before World War II was neighborhood oriented. It was, as he put it, "The one area in which people are more immediately participating in governing themselves by deciding on a local level who should go, and not to suit a lot of people."
>
> It was no computerized, punch-card process. It was a hard job but a human job and one that had to be done. In Gen. Hershey the nation had a man with the heart and the stomach for it, with no illusions about what was involved.
>
> This brings up another matter the critics always seemed to forget. They acted as though Gen. Hershey *was* the draft. He was not, of course. The law was passed by Congress. The duty of carrying it out was assigned Hershey. And he did it.
>
> "I'm probably shortsighted enough to think that in my lights I'm right." He said not too long ago, "I have felt that to the best of my knowledge and ability I was doing what I thought was good for my country, and that was selfishness because I have some children and some grandchildren. They're going to have to live in this country, and if there isn't a country, I don't know where they will live.
>
> "And I happen to believe from what I know of our history and what I've lived, I just don't know any country I like better than this one. Ah, what is it?
>
> "England with all thy faults, I love thee still," said somebody. And I could say the same thing about America."
>
> As long as enough Americans go on feeling this way and being brave enough to back their feelings up, there will be an America.

It would require many hours, Mr. Speaker, for me to recite all of the significant contributions General Hershey made to the strength and well-being and the character of this country, and for which today he is a living symbol, and which will be an inspiration to Americans for all time to come.

Lewis Hershey was born September 12, 1893, and he grew up on the family farm near Angola, Steuben County, in the northeastern part of Indiana. As was necessary for many in those days, he worked on the farm and he had the advantage of the character building which comes with meeting responsibility. Even as a 4-year-old boy he had his share of the chores and the work which was a part of farmlife three quarters of a century ago. At the age of 10 he had already learned to plow, mow, rake, harrow, and cultivate the fields, and he was driving a horse team and doing other work on the farm with the dexterity of an adult.

He learned to respect the mysteries of nature and the God-given miracle of life from his personal, wholesome experience on the farm. He developed his love for this free country while still a young man. His respect for the requirement for every citizen to serve his country was manifested when at the age of 18 he joined the Indiana National Guard.

He subsequently made it to Tri-State College which today recognizes him as one of its outstanding alumni. It is Tri-State which is maintaining the library of his papers and which is carrying forward a development program as a tribute to Lewis Hershey, because of that institution's great pride in his career.

Lewis Hershey's military career alone deserves an entire volume to recount. The medals and decorations, not only in the military but from States and communities and institutions throughout the country, are too many to recite. Yet, General Hershey was more than a soldier; he was more than a Federal official; he was more than a national leader who competently and swiftly carried the major burden of mobilizing the manpower of our country for three wars. I think perhaps the most American aspect of General Hershey's life has been his character as a family man.

The devotion of General Hershey to his wonderful wife is itself a legend. She has traveled with him throughout the United States and she has been his daily companion wherever his duty carried him throughout the world. Their two sons and their two daughters and their 13 grandchildren represent, with General and Mrs. Hershey, a close-knit,

XUM

thoroughly American group which is a tribute to the soundness of American society.

I think it likely that everything General Hershey has done has been with the thought of helping to build an America and to keep an America in which his children and grandchildren and their children and grandchildren, may enjoy the freedom which has characterized life in America during the three quarters of a century of his life. Because he fully realizes that a free nation is one built on the family unit, and the tradition of the individual family which is transcendent in free American life.

General Hershey's life and career remind us that freedom is not free, and that every citizen must, indeed, be ready and willing—as General Washington said—to give a portion of his property and of personal services, to his government, if that government and that society is to remain free.

General Hershey has done so much in so many areas of American society; he has shared with so many so much wisdom; he has inspired us so often; and he has served his country so well that he deserves every honor this Nation can give him.

More than anything else, I hope that the Congress and American citizens throughout the land will give him one thing which I think he would value above all else—and that is the assurance that the Nation he served so long and so well comprehends, and is indeed grateful for his services.

THE $15,000 FARM PAYMENT LIMIT COULD SAVE $300 MILLION

The SPEAKER pro tempore (Mr. ALBERT). Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 30 minutes.

Mr. FINDLEY. Mr. Speaker, as the House Committee on Agriculture comes closer to its final version of a new farm program, it seems likely that the bill approved by the committee may not contain any provision calling for a limitation of farm program payments.

Since the names of the Nation's farmers who received $25,000 or more from Federal farm program payments in 1969 were inserted in the RECORD or March 26, 1970—pages 9632–9675—several Members have inquired about data on farmers who received less than $25,000 last year.

I am inserting in the CONGRESSIONAL RECORD today a listing of the Nation's farmers who received between $15,000 and $24,999 for farm program participation in 1969. This list contains the names of 12,806 farmers who divided a total of $242,57,832.

The earlier listing of farmers receiving $25,000 or more contained the names of 7,795 farmers with total payments coming to $366,779,995.

It was expected that the list of farmers receiving between $15,000 and $24,999 would contain the names of more farmers but reveal a lower total Federal outlay than the list of those farmers receiving more than $25,000, and this proved to be the case.

This data will eventually be available in printed form when the testimony of the Senate hearings on appropriations for agriculture and related agencies is published. The hearing testimony will show by name, address, county, and State each recipient whose payments in 1969 exceeded $5,000 under the various commodity programs. Unfortunately, the document is not now available and probably will not be available prior to the time the House considers a general farm bill.

The data is of vital concern, because it shows precisely the impact of a payment limitation. By examining the earliest insertion on March 26, together with today's, each Member can determine which of his constituents would be affected by various payment-limit levels, and to what extent.

Although the limit at $20,000 per farm is the level which has received the widest publicity and on which Members of the House have registered their views most often, other levels have been discussed.

This has importance in terms of potential savings. For example, 20,601 farmers each received $15,000 or more in 1969. Total payments in this category came to $609,327,827. Making the adjustment that each would receive the first $15,000, this means that the unadjusted maximum savings would be $300,312,827—assuming payments in 1970 are the same as 1969. Actually the payments will probably be somewhat higher this year. Adjustment of course must be made for administrative cost, and also for offsetting increases in program costs elsewhere.

These adjustments would be relatively minor, however. Only 2 percent of all corn is produced on farms receiving over $20,000 in payments. Therefore, only a fraction of the 2-percent adjustment could be assumed there. Adjustments for cotton land going to other purposes would be tempered by local circumstances. For example, the shift in land use would more likely go to vegetables, fruit, and other crops in most cotton areas, rather than to corn or other payment-program commodities.

Taking another possibility, if the limitation is established at $25,000, this would affect 7,795 farmers whose payments last year come to $366,779,995. Making adjustment for the fact that each would continue to be eligible for the first $25,000, the potential saving would be $171,904,995.

If the limitation is established at $20,000, then the potential gross savings for this group of farmers would be $210,879,995. Not included in this figure is the savings from those whose payments were between $20,000 and $24,999, so a more accurate estimate of savings at the $20,000 level would be $250 million annually.

Shown here is a table containing the numbers, by States, of farmers who in 1969 received farm program payments from $15,000 to $24,999, and those who received more than $25,000. This is followed by the names and amounts in each county in the Nation who received between $15,000 and $24,999.

While the entire table itself is worthy of careful examination, one of its most notable features is the prominence of the State of Texas and the large number of farmers receiving payments in these proportions. Last year it had 4,034 of the 12,806 farms in the Nation getting $15,000 to $24,999 in Government farm payments. At the same time, Texas had 2,460 of the 7,795 farmers in the Nation getting $25,000 or more from Federal farm programs.

State	Total payees receiving $15,000 to $24,999	Total payments to those receiving $15,000 or $24,999	Total payees receiving $25,000 or more	Total payments to those receiving $25,000 or more
Alabama	370	$6,997,947	201	$7,738,254
Arizona	235	4,616,919	494	32,948,509
Arkansas	583	11,134,997	450	19,645,683
California	614	11,858,777	783	64,479,024
Colorado	320	5,961,446	151	5,920,267
Delaware	3	58,388	None	None
Florida	19	345,766	5	166,524
Georgia	465	8,825,506	211	8,135,812
Idaho	152	2,766,656	61	2,285,643
Illinois	284	5,263,500	73	2,711,225
Indiana	177	3,253,058	62	2,301,398
Iowa	243	4,470,956	54	2,001,725
Kansas	605	11,143,226	199	7,011,137
Kentucky	39	710,840	11	358,854
Louisiana	227	5,254,730	213	8,507,524
Maryland	15	282,678	3	92,242
Michigan	29	527,724	9	282,139
Minnesota	169	3,058,534	45	1,417,524
Mississippi	815	15,882,537	1,033	50,736,564
Missouri	365	6,824,093	138	5,372,086
Montana	381	7,032,437	85	3,587,417
Nebraska	343	6,355,697	114	3,999,179
Nevada	5	$91,049	5	$293,319
New Jersey	2	37,530	None	None
New Mexico	335	6,430,880	214	8,937,296
New York	13	227,474	5	150,569
North Carolina	119	2,229,005	50	2,436,891
North Dakota	262	4,711,863	67	2,275,567
Ohio	88	1,581,949	19	641,035
Oklahoma	294	5,439,371	86	3,113,902
Oregon	115	2,179,864	44	1,534,171
Pennsylvania	6	118,595	6	272,277
South Carolina	282	5,396,252	184	7,519,822
South Dakota	153	2,798,064	39	1,357,627
Tennessee	185	3,432,839	76	2,845,823
Texas	4,034	76,632,368	2,460	100,348,765
Utah	22	415,412	6	212,473
Virginia	15	268,409	3	112,659
Washington	385	7,215,832	121	4,494,158
Wisconsin	25	470,563	13	461,077
Wyoming	13	244,101	2	73,834
Total	12,806	242,547,832	7,795	366,779,995

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Alabama

[Amounts in dollars]

AUTAGUA COUNTY	
Carson W. Johnson	23,748
M. S. Murfee	22,899
W. P. Jones	20,153
O. C. Bruner	19,237
Sam Deramus	15,595
James A. Adams	15,495
Milton Wendland	15,207
Bob Condra	15,178
Total payees in county (8)	147,512
BARBOUR COUNTY	
Allen C. Lane	21,179
Ronnie Scroggins	21,066
Jimmy Sanders	21,061
Clarence Grubbs	21,061
Marshall Johnson Williams	18,208
Bobby Taylor	15,955
Total payees in county (6)	118,530
BIBB COUNTY	
M. C. Murphy	22,473
BULLOCK COUNTY	
Rutland Brothers	21,072
W. H. Austin	17,506
Total payees in county (2)	38,578
BUTLER COUNTY	
J. N. Poole, Jr	20,821
Woodie Foster	19,128
Thomas C. Simmons	17,776
Alvin Reynolds	16,574
William Poole	15,056
Total payees in county (5)	89,355
CALHOUN COUNTY	
Louis Hammonds	19,453
CHAMBERS COUNTY	
Hal Finney	16,199
Penn Montgomery	15,576
Total payees in county (2)	31,775
CHEROKEE COUNTY	
Lowe Brothers	24,691
Sanford L. Flynt	23,431
Jeff D. Jordan & Co	22,322
John B. East	22,263
Woodrow W. Rains	21,569
Jess Willard Lecroy	21,512
David E. Coley Estate	19,165
W. T. Williams & Sons	18,282
Tom B. and George H. Jordan	18,211
Ted H. Singleton	16,505
Ray Brothers	16,455
Ray Allen Lindsey	16,311
Harold Frost	15,459
C. E. Chesnut Sons	15,436
Billy May	15,357
Total payees in county (15)	286,969
CHILTON COUNTY	
J. Robert Cox	22,165
Earl O'Neal	15,904
Total payees in county (2)	38,069
CHOCTAW COUNTY	
W. H. Sparrow	19,278
CLARKE COUNTY	
C. B. Haskew	17,056
J. E. Bush	16,639
Total payees in county (2)	33,695
COFFEE COUNTY	
Johnie B. Maddox	20,133
Nelson Farms	17,755
Total payees in county (2)	37,888
COLBERT COUNTY	
V. Dewees Crockett	23,523
Aaron Patterson	22,452
T. W. Masterson	21,121
Howard Gargis	20,748
Preston Posey	20,140
Hubert R. Stanley	20,010
Bobbie O. Wright	19,137
Sybil Davis Davenport	19,049
L. O. Bishop, Jr	18,822
Kenneth Uhlman	18,361
Ruby Walker Brown	17,870
Jimmy Uhlman	17,452
James Franklin Minor	17,369
Charles Odis Bishop, Jr	16,834
Paul Minor	16,758
Fennel Estate	16,342
Odis Bishop	15,067
Total payees in county (17)	321,055
CONECUH COUNTY	
E. E. Darby	23,765
J. M. Wiggins	23,504
William W. Ward	18,238
Total payees in county (3)	65,507
COVINGTON COUNTY	
S. L. Wise	24,870
J. W. Douglas	15,375
Total payees in county (2)	40,245
CRENSHAW COUNTY	
W. I. Russell	19,469
CULLMAN COUNTY	
Forrest Ingram	23,230
Woodliff Manning	15,222
Total payees in county (2)	38,452
DALE COUNTY	
Hartford J. Thompson, Jr	17,347
Mark T. Donnell, Jr	16,646
Total payees in county (2)	33,993
DALLAS COUNTY	
Robert Culpepper	24,589
Jerry Harpole	23,178
Edwin R. Moore	22,520
Tyler G. Moore	21,807
J. B. Hain Co	21,198
Thomas J. Traylor	20,200
Jewell Farms	18,466
George Wood	17,768
W. P. Sheehan	17,354
J. C. Gresham	17,195
R. W. Zimmerman	17,169
Johnnie Clifford Sheehan	16,209
Givhan Land & Cattle Co	15,835
Robert Levi McHugh	15,513
O. E. Godwin	15,014
Thomas J. Pope	15,009
Total payees in country(16)	299,024
DE KALB COUNTY	
Roy L. Walker	15,990
Tom Fricks	15,466
Total payees in county (2)	31,456
ELMORE COUNTY	
John M. Hann	24,334
Sherrill J. Woodfin	19,760
Lane and Cruise	19,679
Graves H. Weaver	19,091
Forrest C. Speeks	18,559
J. Max Austin, Jr	17,114
James T. Brown	16,716
Riley Mask, Jr	16,189
J. C. Collum	15,456
Total payees in county (9)	166,898
ESCAMBIA COUNTY	
George H. Jackson	19,867
Curtis L. Chavers	18,980
Amon Respress	17,638
George Prestwood	16,983
Calvin Byrd	16,481
Total payees in county (5)	89,949
ETOWAH COUNTY	
Emory Johnson	19,886
A. P. Coley	15,542
Annie R. Shaw	15,389
Total payees in county (3)	50,817
FRANKLIN COUNTY	
Charles Hammock	20,965
Vernia Ganes Masterson	17,431
Albert Grissom	16,640
Total payees in county (3)	55,036
GENEVA COUNTY	
Jim Earl Kelley	19,857
Fleming S. Brooks	17,482
O. L. Chancy	17,451
Total payees in county (3)	54,790
GREENE COUNTY	
K. R. Sanders	23,128
W. M. Steele & Son	20,863
Bigbee Farm	20,561
Stanley Henson	20,426
Charles S. King	19,269
Curtis I. Eatman	18,805
H. E. Carpenter	18,032
J. F. Cameron, Jr	17,825
Curtis R. Taylor	16,948
Velma Farm	15,944
Total payees in county (10)	191,801
HALE COUNTY	
Albert D. Rogers	23,644
Henry A. Bailey	22,402
John D. Bolling, Jr	20,994
Johnnie Bedsole	18,524
Spencer C. Langford, Jr	16,377
Total payees in county (5)	101,941
HENRY COUNTY	
Billy J. Armstrong	22,697
J. W. Green	18,867
Herman C. Hicks	18,548
Rupert Sellers	16,157
Willie L. Trawick	16,017
Moran Baxter	15,045
Total payee in county (6)	107,331

XUM

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Alabama—Continued

HOUSTON COUNTY

Rufus Vann White	18, 650
Joseph Edward Ellenburg	18, 642
Joshua W. Collins	18, 282
M. L. Oakley Co., Inc	18, 063
Billy Earl Etheridge	15, 637
Pete E. Mixon	15, 453
Total payees in county (6)	104, 727

JACKSON COUNTY

John H. Neal	20, 315
J. B. Worley	19, 526
Nichols & Sams, Inc	18, 983
Bledsoe Hereford	18, 495
Dewayne Medlock	18, 138
Robert Rudder	17, 660
Bob Mantooth	17, 201
W. L. Dilbeck	17, 142
C. E. Cornelison	15, 170
Total payees in county (9)	162, 630

LAMAR COUNTY

W. A. Austin	18, 722
Arie H. Humbers	15, 070
Total payees in county (2)	33, 792

LAUDERDALE COUNTY

Howard T. Walker	24, 784
Jeff Winters	24, 571
Billy D. Rhodes	22, 708
Charles P. Vaughn, Jr	21, 801
James E. Hale	21, 539
Alfred J. Buffler	21, 443
Rufus W. Bratcher	20, 821
Ray Smith	19, 187
Fred McIntyre, Jr	18, 316
Homer E. Liles	18, 142
E. B. High	16, 447
Bonnie Burgess, Jr	16, 161
William L. Rice	15, 812
Roy C. Lee	15, 134
Total payees in county (14)	276, 866

LAWRENCE COUNTY

O. C. Lansford	23, 081
Hood Harris, Jr	22, 774
Hollis O. Green	22, 396
Oneal Rose	20, 722
Guy Parker	20, 641
W. C. Aday	20, 107
Neal Williams	19, 713
Brown Bradford	19, 199
Fred O. Terry	18, 532
J. C. Sugg	18, 242
Thomas A. Bowles	18, 076
Wade Terry	17, 238
Willis Manley	16, 710
Percy Morris	15, 931
Jack Wilson	15, 505
Total payees in county (15)	288, 867

LEE COUNTY

Andrew Newt Ingram	24, 990
T. W. Collier	23, 762
Collier & Littrell	20, 586
F. B. Smith, T., Jr	20, 279
James W. Nunn	15, 934
Total payees in county (5)	105, 551

LIMESTONE COUNTY

Thomas C. Downs	24, 663
Olin E. Shaw	24, 438
Wendell Barron	23, 332
Pettus Menefee	23, 059
Lloyd P. Black	22, 878
C. D. Downs	22, 808
Anderson Farms, Inc	22, 248
Ephraim L. Laxson	22, 224
James Morris Black	22, 067
James H. Garrett	21, 601
Gilbert Johnson	21, 291
Olin Mattison Looney	21, 269
Edmond P. Garrett, Jr	20, 496
Rowe B. Sanderson	20, 261
T. L. Thorson	19, 908
Donal L. Peek	19, 470
Kenneth Carter	19, 231
Stanley H. Menefee	18, 856
James M. Newby	18, 830
William Henry Stewart, Jr	18, 227
Withers G. Peebles	18, 127
John David Lecroix	18, 039
Horace L. Devaney	17, 298
Ted Wayne Lankster	17, 157
Homer L. Poole	16, 990
Joe D. Anderson	16, 962
H. E. Hargrave	16, 702
Jeff L. Bond	16, 647
Fred Atkinson	16, 641
Mike Lindsay	16, 206
Chesley H. Moore	15, 945
Wallace Howard Steele	15, 702
Leo Hargrave	15, 595
Byron D. Bowers	15, 558
Darden Bridgeforth	15, 394
James Edward Power	15, 262
Delton E. Sandy	15, 143
Donelson B. Horton	15, 122
James E. Horton, Jr	15, 122
Total payees in county (39)	736, 769

LOWNDES COUNTY

Fred W. Holladay	24, 856
George Marlow Reese, Jr	23, 882
C. H. Rhyne	21, 817
Howard Payne Meadows	18, 559
E. R. Meadows	17, 827
Caswell G. McCurdy	17, 781
Charles Schreiner, Jr	17, 696
Mattie Ruth Mealing	15, 964
Total payees in county (8)	158, 382

MACON COUNTY

B. F. Johnston	21, 478
John M. Davis	21, 063
John C. Carter, Sr	20, 864
T. R. Cunningham	18, 017
John C. Carter, Jr	16, 982
E. E. Story	16, 732
J. M. Walker	16, 528
Roy M. Hammonds	16, 133
James L. Kirby	15, 388
Total payees in county (9)	163, 185

MADISON COUNTY

Claude N. Buchannan	24, 876
Glenn Murphy	24, 551
Donald Spencer	24, 383
William R. Rodman	23, 840
D. C. Moon	23, 543
Dennis O. Bragg	23, 301
A. D. Whitworth	23, 187
William A. Brockway	22, 900
Allen Bragg	22, 609
Dewey Taylor	22, 195
Wade A. Hubert	22, 167
Robert L. Taylor	21, 916
New Market Agri Chemical Co	21, 381
Robert M. Davis	21, 114
E. R. Howard	21, 079
Ronald Vaughn	21, 047
William H. Gray	20, 885
Nick D. Crutcher	20, 874
Glenn Parsons	20, 834
Elon Balch	20, 616
W. L. Sanderson, Jr	20, 531
Millard L. Sanderson	20, 167
Sam Harris Jr	20, 135
Edmund Payne	19, 923
John T. Acuff	19, 907
Aaron Fleming & Sons	19, 842
Glenn Campbell	19, 722
Glancye Gray	19, 656
James Long	19, 376
Clayton Spencer & Charles Patt	19, 135
E. H. Martin	18, 842
Milton Carter	18, 592
Carolyn Moore	18, 507
Buford Parvin	18, 350
E. C. Bell	17, 776
J. A. Pettus	17, 070
Wallwood Farm	16, 945
Samuel J. Darwin III	16, 770
McDonald Farms	16, 632
N. L. Reynolds	16, 569
Reece D. Betterton	16, 543
Thomas Turner	16, 518
Lila S. Moore	16, 183
Thomas R. McCrary	16, 089
I. Schiffman	15, 930
Wilson Mann	15, 849
Austin Smith	15, 733
Robert L. Sublett	15, 354
Total payees in county (48)	949, 944

MARENGO COUNTY

Baker Brothers	24, 503
William G. Rentz	20, 490
South Ala Planting Co	19, 747
Allan Ramsey	16, 965
Stewart D. McKnight	16, 178
Robert M. Gross	16, 063
Total payees in county (6)	113, 946

MARSHALL COUNTY

Frank Bodine	17, 827

MARSHALL COUNTY

Robert L. Haynes	16, 019
Robert Mason	15, 212
Total payees in county (3)	49, 058

MONROE COUNTY

Maston & Bibb Mims	23, 213
Owen Dawson	19, 530
Carson House Jr	18, 001
Fate Brooks	16, 946
Charles L. Sawyer	15, 154
Total payees in county (5)	92, 844

MONTGOMERY COUNTY

G. A. Dozier	21, 365
T. W. Oliver	20, 931
W. C. Gray	17, 359
E. O. Hall & Son	15, 938
Total payees in county (4)	75, 593

MORGAN COUNTY

Royce Sims	23, 412
Alber H. Wallace	18, 871
Floyd M. Brown	18, 710
Elton Hardin	18, 707
Curtis Stroup	18, 536
John B. Sewell	18, 167
Milford Fields	17, 598
Howard Millsap	16, 534
Billy J. Crowe	16, 397
Richard B. Collier	16, 300
Herbert L. Clark	15, 549
Total payees in county (11)	198, 781

PERRY COUNTY

L. B. Sprott	18, 442
J. F. Suttle Co., Inc	18, 344

XUM

Mack Tidwell	16,432
Total payees in county (3)	53,218

PICKENS COUNTY

Kirksey Co	22,297
Thomas Parker	22,187
Jamie M. Summerville	21,344
Roy Goodwin	20,959
W. B. Peebles, Jr	20,787
E. C. Owens, Jr	18,122
J. H. Powell	16,114
H. G. Hankins	15,678
Marshall Dowdle	15,373
Total payees in county (9)	172,861

PIKE COUNTY

George T. Green	15,368

RUSSELL COUNTY

J. Wayne Mott	22,457
James M. Miles	22,403
George M. Adams	19,952
Godwin O. Long	16,839
Claude C. Parkman	16,385
James B. Pharris	16,198
Total payees in county (6)	114,234

SHELBY COUNTY

John D. Kidd	19,305
Billy Joe Perry	18,802
Harold McCranie	17,800
E. D. Wyatt	16,228
Earl V. Baker	15,519
Total payees in county (5)	87,654

SUMTER COUNTY

W. A. Ganguet Estate	19,633
Jim Allen Dial	18,046
Wilmer J. Grimes	16,847
Total payees in county (3)	54,526

TALLADEGA COUNTY

Braxton Baker	24,513
S. F. Tanner	20,485
Glenn M. Hawkins	19,693
T. J. Watson & Sons	16,808
Total payees in county (4)	81,499

TALLAPOOSA COUNTY

William E. Crockett	21,802
Dan Herren, Jr	20,880
O. W. Bradshaw	19,637
Raymond Meadows	15,517
Total payees in county (4)	77,836

TUSCALOOSA COUNTY

Henry Rice	23,095
Fletcher Barnes	21,702
Spiller Farms	20,860
Floyd Hughes, Jr	19,353
Mitt Keith	18,020
W. E. Braughton	17,842
Ala. Dept. of Mental Health	16,201
J. E. Walker, Jr	15,934
Herbert Moore	15,677
Grady Breland	15,434
J. H. Carr	15,128
Total payees in county (11)	199,246

WALKER COUNTY

Hoyt Bagwell	19,901

WASHINGTON COUNTY

Nelson Bedsole Moseley	18,008

WILCOX COUNTY

H. H. Wilkinson & Son	22,779

WINSTON COUNTY

Earl Hughes	18,543
Total payees in State (370)	6,997,947

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Arizona

COCHISE COUNTY

Barney Farms	24,118
J. B. Stevenson	23,720
Henry Wade	22,965
Joe L. Smith	22,768
Leroy Pierce	22,470
So Az Ranch Inc	22,392
Ray Yamasaki	22,263
David Fowler	21,957
Jack Graham	21,425
Clifton Ames	21,183
Dewey Bryce	20,265
Wayne Tate	19,460
Joe H. Hedges	19,185
Don Forbis	18,296
Truman S. Place	18,283
Joseph C. Cooke	17,629
Noel Curry	17,521
Charles Cox	17,070
R. W. Grim	15,841
W. F. Ragland	15,784
B. E. Belew	15,398
Marvin Lamar Barnes	15,106
Total payees in county (22)	435,099

GRAHAM COUNTY

Ewart T. Lee	23,986
Eldon Palmer	22,221
Omer J. Smith	21,888
Allred Brothers	20,057
Dale Olsen	19,814
Ray Alder and Sons	18,954
F. X. Farm & Ranch	18,298
Zenos Howard	18,241
Verle Palmer	16,804
Elbert and Rodney Alder	16,532
Howard and Carter	16,335
W. B. Mattice and Sons	15,481
Paul Alder	15,275
Ferguson Farms, Inc	15,071
Verdell Howard	15,032
Total payees in county (15)	273,989

MARICOPA COUNTY

F. Roy Dobson, Sr., Estate	24,918
Willis C. Chatham	24,844
Carl Mumme	24,563
United Fruit Prod., Inc	24,558
Collier Schulke	24,431
Belluzzi Farms, Inc	24,441
Russell Badley	24,159
Fisher Miller Hay & Dev. Co	24,022
Wayne A. Enloe	23,870
Tyler & Nicholson	23,541
Chris Peterson	23,535
Roach & Baker	23,494
R. I. Dean	23,398
J. B. Hill	23,023
Milford Hutchison	22,996
Hayden E. Ladra	22,974
Norman Knox	22,920
Howard Lydic	22,837
Citrus Hts. Farms	22,816
E. G. Rhodes	22,811
Arthur E. Price	22,531
Otto B. Neely	22,505
Robt. E. Robertson	22,217
Jack Palmer	22,073
Vidal Gomez	21,918
Kenneth R. Burnett	21,652
Richard Rogers	21,324
Chatham Farms, Inc	21,303
H. J. Black	21,290
Peterson Farms, Inc	21,272
Ernest E. Hawes	21,146
G. K. Sasser	21,079
John Evans, Jr	20,905
Ray J. Hansen	20,727
Bruce Brooks	20,721
Ted Hazen	20,664
Talmage A. Barney	20,633
Fidel Leon	20,602
Circle-One Livestock	20,555
E. W. Hudson, Jr	20,313
Tom Waddell	20,099
R. D. Beebe & Sons	20,014
Ronald Hansen	20,004
Geo. D. Ellingson	19,978
James P. Tolmachoff	19,703
Waddell Farms	19,521
Tanita Farms Inc	19,415
F. A. Wilden	19,301
Ray Killian	19,044
Spencer L. Wilson	18,975
Donald L. Bissinger	18,932
Verl Peterson	18,881
H. W. Porterfield	18,874
Joseph F. Bulfer	18,869
L. M. Pace	18,744
E. S. & R. T. Justice	18,641
Alex & John Conovaloff	18,585
R. W. Cheatham	18,472
John W. Hadley	18,383
R. L. McLeod	18,258
John James Anderson	18,255
W. T. Jarnagin, Sr	18,143
Leo C. Smith Farms	18,089
Ralph A. Openshaw	17,902
L. M. Conner	17,845
John Thude	17,773
Allred Brothers	17,477
Sanders Farms	17,308
Eldon W. Cooley	17,291
Jackson Bogle	17,251
John D. Vance	17,151
John C. Badley	17,097
John Butler & Son	16,881
Wayne Freeman	16,868
Robert W. Edwards	16,820
Robert Tyson	16,682
Charles & John Burns	16,658
John Painter	16,476
The Taylor Co	16,458
H. A. Fancher	16,361
Jerald Carpenter	16,313
Don A. Fancher	16,208
William Miles, Jr	16,082
William & O'Connell	16,014
Melvin J. Curtis	15,982
Gail A. Schulz	15,977
L. E. Patterson	15,946
Joe Golden	15,834
Roddy Riggs	15,713
James E. Beauchamp	15,571
Laveen Farming Co	15,385
Fletcher-Anderson	15,166
J. C. Wilson	15,097
Total payees in county (93)	1,832,318

MOHAVE COUNTY

John Vanderslice	15,240

PIMA COUNTY

James Kuen Wong	23,830
Double Z–S Farms, Inc	23,735
Pat Tucker, Jr	22,487
Apex Farms, Inc., Synd	22,049
Claude Hughes	21,269
Edward Anway	21,128
El Rancho Manana	19,662
Silverbell Farms	19,458
H. W. Brittain	19,015
Calyco Farms, Inc	18,969
Iola Cady	18,226

XUM

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Arizona—Continued

PIMA COUNTY—continued

Albert S. Oshrin	17,957
James B. White, Jr	17,042
C. E. Harbour	16,152
W. C. Gladden	15,674
Artco Distributors, Inc	15,324
Ray E. Wentz	15,138
Total payees in county (17)	327,115

PINAL COUNTY

E. L. Farms, Inc	24,965
Frank Hale	24,911
Emmett Jobe, Jr	24,899
J. R. & Velma Urton	24,696
Edward C. Pratt	24,620
Virgil Chandler	24,617
Carl Tomkinson	24,612
Frank W. Shedd, Jr	24,287
Bill Warren	24,172
Richard La Paglia	23,992
Eileen M. Nutt	23,448
J. B. Johnston	23,441
Edward Nevitt	23,352
Robert L. Meeks	22,690
Milton P. Smith, Jr	22,522
Lynn Morrill	22,470
Walter Gantzel	22,455
J. M. Self, Jr	22,145
James F. Brady	22,121
Paul J. Prechel	21,853
J. E. Lawson	21,765
Tom Willmoth	21,636
Sheba I. Macey	21,153
Richard M. Daley	21,121
James Condon, Jr	21,099
Chuichu Farms	20,917
Arthur J. Paul	20,561
David Pretzer	20,049
Clifford Hess	20,004
Woodman Moore	19,789
Edward J. Farrell	19,710
Paul E. Sexton	19,565
H. H. Hanna	19,318
Stageline Rnchs	19,135
James K. Pew Farms	18,996
Austin Weddle	18,445
Alvin T. Ethington	18,253
Don D. Trekell	18,171
H. L. Tom Earley, Jr	18,038
Paul Deconinck	18,015
J. W. Blake	18,004
Sherman T. Pottebaum	17,954
C&V Sheep & Cattle Co., Inc	17,834
S. & A. Farms	17,628
Robert Barnes	17,599
R. S. Dixon, Sr	17,540
Philip C. Hanson	17,447
Earl E. Chandler	17,236
Seco Agri. Ent. Inc	16,619
H. S. McKinney	15,771
Thomas N. Caywood	15,738
Wanda B. Crowley	15,710
Irvin Pate	15,707
John Keeling	15,579
Paul Keeling	15,579
W. C. Pate	15,436
Chester Ethington	15,078
Total payees in county (57)	1,150,467

SANTA CRUZ COUNTY

Constantino Megariz	15,344

YUMA COUNTY

L. A. Johnson	24,995
Dillard Engler	24,412
S. E. Musgrove	23,373
John and Jud Ott	23,290
D. S. Brosie	23,058
Clyde Gaines	21,750
Willard Blohm	21,160
Jim Naquin	21,052
Thom Blohm	20,996
Dale Shumway	20,912
Mike Martinez, Jr	20,776
Allen Marlatt	20,328
J. L. Breech	20,240
D. S. Phillips	20,210
Jon Nickerson	20,021
J. L. Heard	19,913
Robert K. Ades	19,741
Valley Feed and Seed Co	19,095
Ben Matthews	18,668
Gordon Peterson	17,480
Lee Consaul Co	17,414
S. and W. Ranches	17,172
C. M. Harvey	16,657
Vern Hankins	16,551
Norman Hancock	16,270
Bill Alcaida	16,146
Floyd Spar	15,261
J. R. Hancock	15,219
R. T. Ranch	15,187
Total payees in county (29)	567,347
Total payees in State (235)	4,616,919

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Arkansas

ASHLEY COUNTY

John Currie & Wm. Deyampert	24,541
Austin Bordeaux	24,328
Leroy Haynes	23,665
W. W. & L. M. Brooks	23,490
W. T. Files	22,419
William P. Holland	20,403
W. C. Streeter	19,786
James Baugh	19,428
M. M. O'Neal Farm	18,887
John W. Spivey	18,751
Frances D. Wilson	18,707
J. L. Knight	18,267
Norsworthy & Moyers	17,856
R. D. Selby	17,850
Ray Maglothin	17,693
Leslie M. Tullos	16,760
Madison Gilliam	16,582
Harold Stephenson	16,374
Henry Hammond	16,259
Houston Burgess	16,150
Dewel H. Cox	15,842
Curtis Davis	15,511
Barney Allison	15,405
Billy Grimes	15,309
Earl Kitchens	15,284
Charles O. Mustain	15,011
Total payees in county (26)	480,558

CHICOT COUNTY

A. G. Rocconi	24,627
W. B. Bynum Cooperage Co., Inc	24,205
W. J. Allums	23,105
J. H. Hall Farms, Inc	23,013
Jerry Ford	22,828
Woodson B. Hays	21,609
Alvin A. McHan	21,259
A. C. Mazzanti	21,143
Oscar L. Crowe	21,143
Dawson Brothers, Rt. 2, Box 26	20,956
Sam Epstein Est	20,352
Harper Bros	19,389
Garland Thompson	19,334
Gillison Brothers	18,770
Harvey T. Hunter	17,588
Charles D. Crawford	17,579
Verser Bros. Farms	17,545
Billy Hunter	16,518
Dwain Clark	16,382
Johnie Brown	16,221
Mack H. Ball	16,161
W. C. Mencer	15,961
Clyde Talkington	15,951
Maurice R. Gibbs	15,448
William G. Rayder	15,281
John Arnn	15,228
Olan Mencer	15,165
T. V. Tucker	15,076
Total payees in county (28)	527,837

CLARK COUNTY

Sewel Daniell	19,514

CONWAY COUNTY

Jarrell Brown	19,075
Pettingill Bros	17,240
Embry Bros	15,564
Total payees in county (3)	51,879

CRAIGHEAD COUNTY

Dudley Brothers	24,669
Geo. C. Robertson, Jr	23,105
H. V. Holden	22,788
Gipson Bros.	21,189
T. W. Norwood	20,448
Gibson & Stewart	20,019
Ray Dooley	20,013
Larry Burns	20,001
C. and C. Farms, Inc	19,970
Herbert Wood	19,737
W. W. Holmes Gin Co	19,687
William Starnes	18,691
Virgil Booth	18,197
James Isaac	18,058
John E. Johnson	17,627
M. G. Spurlock	16,369
Limuel Grimes	15,226
Total payees in county (17)	335,794

CRITTENDEN COUNTY

Sammy Hatley	24,886
H. E. Cupples	23,633
Olga S. McNeely	23,315
Nat A. Johnson Jr	23,240
Joe Currie	22,964
Earl White	22,862
Wallace A. East	22,705
James R. Stockley	22,504
Leo Linn & Son	21,963
Henry Craft	21,663
L. D. Marcellini	21,453
R. G. Oneal Jr	20,225
Bruce-Scifres Co	20,211
Julia B. Goodwin	19,855
T. Lester Holmes	19,848
William M. Forman	19,349
Robert A. Caldwell	19,230
H. E. Weaver & Son	19,223
Cottondale Farm, Inc	19,144
Hurley Nash	19,067
Johnny Shelton	18,922
Warren Christopher	18,729
Medel Marconi	18,414
Bollinger Enterprises	18,388
Silvio Marotti	18,101
J. A. Dickson	18,038
Steve B. Bernard	17,984
Emmett David Bardwell	17,967
George A. Zanone Jr	17,870
L. C. McCuiston & Son	17,831
Ralph D. Cato	17,580
Sherman Bretherick	17,478
Primo Baioni	17,439
W. L. Cook Jr. and W. L. Cook III	17,240
John J. Hardin, Jr	17,233
Charles L. Williams	16,628
Louis B. Fratesi	16,281
W. H. Greene	15,606
Bob Seaton	15,585
Woodrow Holt	15,503
Jude E. Pollard	15,431
T. E. Garey	15,403
Vernon Felker	15,227
Howard Atkins	15,197
Total payees in county (44)	837,415

CROSS COUNTY

S. A. Atkison	23,025
Twist Parkin Co	22,675
John A. Brenner	20,657
Wallace Martin Inc	20,444
Gene Thompson	19,517
Bill Rucker	19,295
Jimmy Wilkins	17,797
Irvin Sisk, Jr	17,136
Abner Clements	16,998
Jess and George Bradford	16,992
Forrest Mitchell and Sons	15,315
Jesse McDermott	15,004
Total payees in county (12)	224,855

DESHA COUNTY

Desha Farms, Inc	23,426
Leroy Johnson	22,878
Charles Raymond Day	21,700
T. J. New & Houston Lick	21,111
M. L. Walt	20,845
Clifton L. Meador	20,115
Chas. Dante & Son	19,719
S. A. Banks Farms	19,285
Dilbeck & Dilbeck	18,711
Cloyce B. Stevens	17,842
Marny Thompson	17,713
Grover Jones	17,650
Cecil Tucker	17,445
H. G. Leek, Jr	17,245
Sims Bros	16,941
William Lamar Day	16,384
Henley Farms	15,766
Preston Greer	15,121
Total payees in county (18)	339,897

DREW COUNTY

Tillar Livestock Co	23,197
E. R. Lambert, Jr	21,648
Charles S. Holloway	19,775
Donald M. Bulloch	18,919
Joe Cingolani	18,872
William W. Gooch	18,442
H. P. Peacock & John Staudinger	17,764
Jimmy L. Buford	16,230
C. R. Russell & Son	15,249
Total payees in county (9)	170,096

GREENE COUNTY

James Alexander	15,257

JACKSON COUNTY

Lindsey Nicholson	24,959
O. R. Roden, Inc	24,425
Mack Bros., Inc	21,601
J. E. McDaniel	20,742
Village Creek Planting Co	20,291
Jim Bailey	19,594
Bly Story	18,560
H. G. Grahm Farms, Inc	17,613
Tony Walton	17,431
E. F. McDonald	17,120
Rock Island Planting Co	16,252
Cornelius Waters	16,217
M. A. Shoffner	16,155
Total payees in county (13)	250,960

JEFFERSON COUNTY

Noble Lk. Pltg. Co., Inc	24,351
Faver Brothers	24,017
Jesse Page Walt	23,589
Parker Springer Pltg Co	23,229
Lester Carter	23,011
Rob Roy Plantation Inc	22,915
Sam Luckie	22,850
Delton Edward Stratton	22,657
Lynch Brothers	21,946
Bobby Jones	21,861
L. W. Francis	21,541
Morris Allred	21,436
Leslie Joe Rogers	21,154
Sims Brothers	20,668
Gray Farms, Inc	20,664
Stone Planting Co., Inc	20,333
Hawkins Brothers	19,997
Earl H. Jr. and Nonie Clemmons	19,773
Dan Fratesi & Son	19,570
John A. Cantrell	19,216
J. L. Burgess III	18,956
Lyons Farms Inc	18,904
Thomas D. Dial	18,900
Paul Blackwell	18,736
Flat Bayou Farms, Inc	18,718
J. S. Henderson	18,565
Elmos Johnson	18,124
Marshall Benjamin Garrett	17,851
Jake Rainey & Son	17,429
Kenny Mitchell Bonds	17,174
John M. Barrett	17,053
C. J. Best and Son	17,039
William Shelby Jeter	16,994
Marvin Edgerton Burgess	16,716
Clarence Lloyd Reynolds	16,602
Lakewood Plantation, Inc	16,554
E. E. Swindle	16,551
Adams Enterprise, Inc	16,355
Coy Ernest Scott	16,286
Annette Brown	16,036
Joe Newton, Jr	16,027
T. A. Oswald	15,970
Swan Lake Plantation, Inc	15,850
Walter Will Bryant	15,617
R. S. Barnett, Jr	15,474
The C. H. Triplett Co	15,394
Grover H. Gibbs	15,056
Total payees in county (47)	893,709

LAFAYETTE COUNTY

Moore Properties, Inc	24,052
Horace M. Burks	23,978
Henry T. Williams	19,221
Sammie Crabtree	17,646
John M. Beatty	16,957
Charles Hamm	16,407
John L. Powell	16,316
Total payees in county (7)	134,577

LAWRENCE COUNTY

James F. Gipson	18,826

LEE COUNTY

W. E. Stiles	24,510
George L. Ballard	24,179
Lawson Hughes	23,792
J. E. Ivy	23,204
Earl Stiles, Jr	23,174
Ed Whitehead	20,843
Stanfield & Barber	20,039
Eldon Reed	19,605
H. Freeland	19,412
Z. T. Hurt	18,505
Dr. V. Pardo	18,392
Marvin Wilson	17,932
Jones Farms, Inc	17,885
Whitehead Farms, Inc	17,614
Flowers Brothers	17,269
Thomas Gist	17,266
Ocie Broadway	16,760
E. V. Crossno	16.635
Wyona C. May	16,233
A. B. Thompson, Jr	15,975
Curtis & Briley	15,153
Total payees in county (21)	404,377

LINCOLN COUNTY

R. D. Robertson	24,670
Lee Owen	23,828
W. H. Venable	22,454
Richard Jones	22,069
Branson Brothers	21,005
Knight Brothers	20,538
Roy Baugh	20,471
Johnson Brothers	20,345
Marney P. Price	20,307
B. F. McGraw	20,231
Knox W. Bitely	19,771
Ernest Eagle	19,200
Harry D. Fratesi	19,200
Carroll M. Garner	18,216
Virgil Jones	17,454
Herbert West	16,914
Edgar Farmer	16,843
Robert Venable	16,365
Robert Edward Dreher	16,006
Morris H. Dreher	15,824
James D. Hainley	15,305
Robert Edward Dreher, Jr	15,086
Total payees in county (22)	422,102

LITTLE RIVER COUNTY

McGraw Brothers	22,763
S D Matteson	18,972
Total payees in county (2)	41,735

LONOKE COUNTY

Arnold Oneal	24,650
Floyd H. Turner	23,063
J. J. J. Cook	22,363
Luid Jones	21,139
Rex Warren Capps	20,405
Robert Edward Johnson	20,402
Jack H. Case	19,529
H. B. Hayley	18,989
Morris F. Hallum	18,733
William T. Robinson	18,713
Joy Leon Hill	18,699
Elmer E. William	18,641
Doyne R. Townsend	18,550
Eugene L. Neal	18,155
Harvey L. Patterson	17,604
Thomas Murchison, Jr	17,253
Loranzy George Crouthers	17,088
Richard Bransford	16,494
Herbert Glen Sloan	16,451
Paul Junior Capps	16,128
Sam Stewart	15,855
Charles Robert Jeans	15,843
Cobb Brothers & Co	15,828
Darrell Y. Henderson	15,643
Joe Bryant	15,329
James M. Wallace, Jr	15,182
Total payees in county (26)	476,729

MILLER COUNTY

W. Bar Ranch, Inc	20,436
Queen Plantation, Inc	19,638
Total payees in county (2)	40,074

MISS COUNTY

Florenden Plantation	24,885
Charles E. Crigger III	24,637
E. A. Stacy	24,609
George Stanford	24,554
Charles D. & Donald L. Baker	24,498
Gaines Bros	24,214
Ralph Bros	23,782
J. D. Smith	23,668
Wrenacres Inc	23,568
L. C. Shelton Farm, Inc	23,454
Jimmy Baugher	23,371
Arthur Tusing	23,257
J. L. Gurley	23,108
M. E. Little	23,103
Raydo Veach	23,061
Jimmie Davis	22,826
Blythe Clark	22,722
J. H. Smart	22,237
Charles R. Haynes	21,992
Edrington Bros	21,870
Weather Bros	21,775

XUM

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Arkansas—Continued

MISS COUNTY—continued

C. H. Gaines	21, 572
Alex Goble Jr	21, 500
Dunkin Farms	21, 355
Wilbur Wildy	21, 276
Eric Waddell	21, 214
C. C. Councille	21, 052
J. Lynn Tranum	21, 041
Gerald Costner	20, 969
J. R. Whistle	20, 809
Lester B. Gill Trust	20, 743
R. B. Holthouse	20, 465
Virgil Stewart	20, 445
R. E. Cox	20, 332
Langston Enterprises, Inc	20, 113
Larry Joe Bell	20, 110
Lyman Henson	19, 972
Rose & Hitt	19, 905
Brothers & Cole	19, 898
George W. Dillahunty	19, 698
Kibel Holt	19, 692
Tom Marshall	19, 686
Russell Simpson	19, 670
Leon Brothers	19, 647
William H. Wyatt	19, 576
Ted Parnell	19, 574
J. H. Whitaker	19, 488
Murray Richardson, Jr	19, 328
John E. Gann	19, 292
John Ellis	19, 243
Lee Wilson Estate	19, 229
William Knight	19, 175
Cromer & Segraves	19, 174
Gus Morris	19, 151
M. G. Smith	18, 896
Paul Long	18, 719
Holiman Bros	18, 517
K. D. Main	18, 466
Newsom & Crowell	18, 373
Tyer Farms, Inc	18, 355
Jim F. Tompkins	18, 329
Ted and Eddie Thomas	18, 327
Oliver Coppedge, Jr	18, 232
Billy Gann	18, 181
Arnold McDaniel	18, 050
W. R. Middleton	17, 885
Ed Hardin	17, 883
Florence Lowden Estate	17, 773
Thomas H. Callis	17, 640
Hershel G. Johnson	17, 591
W. E. Bradford	17, 536
Buford Jarrett	17, 472
Chris F. Tompkins, Jr	17, 384
Woodrow Cook	17, 267
Blan S. Heath	17, 260
Harry McGinnis	17, 155
Herbert H. Ellis	17, 137
John H. Timmons	17, 078
Gurley Bros	17, 064
Gerald H. Cassidy	17, 059
Ray Harrison	17, 037
Albert Williams	16, 790
Alex Goble	16, 677
A. C. Dryer	16, 619
Jimmy Gill	16, 601
George A. Hale	16, 541
Jackie C. Chandler	16, 496
W. H. Heath	16, 392
W. L. Welborn	16, 096
Charles R. Lutes	16, 034
Lorene H. Fullerton	16, 033
C. C. Elliott	15, 963
Eric Bollard	15, 940
John H. Thweatt	15, 892
Lealun C. Barker	15, 589
J. L. Price, Jr	15, 254
J. C. Boggess	15, 174
Gene Little	15, 163
James C. Price	15, 111
Trice Battle	15, 102
Burdette Gin Co	15, 101
J. E. Teaford	15, 098
Total payees in county (102)	1, 969, 917

MONROE COUNTY

Jay Calloway and Son	23, 459
Rudolph Calloway	22, 744
Thomas Lawrence Coleman	22, 738
Donald R. Dearing	22, 137
Ciro Pardo	21, 684
Bruce Crow	21, 008
Tommy Calloway	20, 770
R. A. Banks, Jr	19, 190
Otis Lindley, Jr	18, 312
Decatur B. Jackson	18, 264
John Martin	18, 214
Barner Richardson	18, 194
Orville McCastlain	17, 603
Robert H. Mayo	17, 526
Willie Hartsell	15, 806
Lily Peter	15, 251
A. B. Walls	15, 116
Luther Harrod	15, 077
Total payees in county (18)	343, 093

OUACHITA COUNTY

W. K. Henry	16, 342

PHILLIPS COUNTY

Martin Paschal	24, 978
C. C. Simmons	24, 795
B. K. Allen, Jr	24, 154
N. R. Hosey	23, 694
E. W. Higginbotham	23, 598
Jack Patton	23, 095
R. L. Carnathan	23, 082
Clinton Hickingbottom	23, 026
Caraway Bonner	22, 530
Dean Roach	22, 124
McCarty Farms	21, 862
G. I. Short	21, 630
Ralph Bunch	21, 206
J. D. Rohrscheib	20, 929
Grauman & Bryant	20, 813
C. E. Barnes	20, 553
Lily Peter	20, 547
F. O. Griffin, Sr	20, 454
Henry Wooten	19, 967
Claude Warren	19, 583
E. H. Harmon	19, 055
J. E. Meador	18, 965
Odis Gregory	18, 721
Jerry Caery	18, 309
Hornor Planting Company	18, 260
S. W. Cooke	18, 059
David Hill	18, 086
Harry Wright	18, 014
H. W. Rohrscheib	17, 950
John W. Hall	17, 817
Jack Crawford	17, 225
James H. Crisp	16, 974
Jerry P. Barnes	16, 964
Jesse C. Peter Est	16, 921
Barnes & Darr	16, 768
Jimmy Vonkanel	16, 485
Terry Wayne Byrd	16, 343
Clay-Atkinson	16, 318
Louis Johnson	15, 729
W. P. Foster, Jr	15, 687
Elton Batchelor	15, 482
J. J. Victory, Jr	15, 386
Joe Waters	15, 375
J. L. Phipps	15, 249
J. M. Countiss, Jr	15, 224
J. H. Quinn	15, 215
S. B. Mackey	15, 099
B. D. Alexander	15, 040
Total payees in county (48)	913, 340

POINSETT COUNTY

Morrisett Brothers	24, 517
Paul Earnhart	24, 036
Edward Pittman	23, 993
Glendell Gallion	23, 712
D. V. Cravens	23, 217
Bill Block Tyer, Inc	22, 837
C. D. Walker	21, 993
W. G. Craig	21, 942
J. Melvin Young	21, 814
James O. Campbell	21, 586
H. C. Bradford, Jr	21, 551
William G. Hill	21, 131
Curtis E. Kent	21, 129
James H. Moon	21, 113
Charley G. Swindle	21, 009
Howington Bros	21, 002
Morris P. Lansdale	20, 873
Mack Crow	20, 570
R. H. Taylor & J. C. Stuckey	20, 340
Eschol O. Terry	20, 203
Emrich Bros. & Sisters	20, 023
J. P. Gooch	19, 931
Donald Valentine	19, 384
Harry Juergens	19, 226
T. L. Tatum	18, 253
Wallace George Willoughby	18, 111
Woodrow Cummins	18, 071
W. R. & Zula D. Payne, Estate	18, 030
Patteson Farms	17, 867
Herbert S. Bingham	17, 637
Creodora Thompson	17, 564
Robert Walker	17, 440
Ralph Cochran	16, 955
Tecota Farms	16, 900
James E. Wray	16, 472
Dayton E. Brean	16, 312
Brodie Fletcher	16, 121
Hobert Alexander	15, 985
J. J. & J., Inc	15, 826
Jimmy Turner	15, 585
James F. Owens	15, 199
Total payees in county (41)	805, 462

POPE COUNTY

Carl E. Embry	21, 141

PRAIRIE COUNTY

George & Moore Farms	17, 146
C. F. Betzner	15, 032
Total payees in county (2)	32, 178

PULASKI COUNTY

Walderns Bros	24, 646
Hollis O. Nipps	22, 459
Bob Dorsey	22, 241
A. T. Henry	21, 729
Jimmy Dean	19, 514
W. George Alexander	17, 971
John Dougan	20, 039
Jimmy Dean	19, 911
Henry Lanehart	19, 514
W. George Alexander	17, 971
Gene Adams	17, 725
J. A. Hughes	17, 656
J. V. Webb, Jr., Estate	16, 672
J. A. McDonald	15, 275
J. R. Wayne III	15, 072
Total payees in county (13)	250, 910

RANDOLPH COUNTY

Huckabee Farms	22, 090
Daily M. Hudson	19, 120
Total payees in county (2)	41, 210

ST. FRANCIS COUNTY

W. B. Burch	24, 662
Wayne Campbell	24, 119
Alton Weeks	23, 915
Vance and Bentley	23, 902
France Bros	23, 639
Carl H. Morris	23, 360
A. L. Devereux	22, 912
Willie Jones	22, 889
Bob K. McKenzie	22, 760
Hubert Charles Christopher	21, 983
Bob Nimocks	21, 824
B. E. Beene	21, 246
E. W. McMinn and E. L. Cupp	21, 232
S. C. Rose, Jr	20, 969
David Gates	19, 985
Floyd Martin	19, 952
E. Mitchusson & R. Bellinger	19, 858

XUM

John Danehower	19, 087
Sam Danehower	19, 034
Scott Blagg	18, 790
Clyde Sulcer	18, 776
Leon Vaughn	18, 687
William N. Lofton	18, 523
Jack Vaughn, Jr	17, 702
Sam Ashworth	17, 635
George B. Morledge	17, 465
Bollinger and Sechrest	17, 040
O. J. Gandy, Jr	16, 755
C. and H. Planting Co	16, 534
Louis Jones and E. Butler	16, 260
E. L. Cupp	16, 152
Larry Hobbs	15, 850
J. M. Hassell	15, 508
Covie Thetford	15, 444
Paul H. Finch	15, 310
Riley Lee McCorkle	15, 262
Total payees in county (36)	705, 021

WOODRUFF COUNTY

Jennings-McAlexander	23, 842
Burtons, Inc	22, 161
W. P. Galloway	21, 638
Raymond Pruitt	20, 180
Joe D. McGregor Ptnrship	19, 213
Bob R. Holder & Son	19, 103
Ernest S. Coles	18, 930
Davis Fitzhugh Rec	17, 070
J. D. Nicholson	16, 610
Wakefield Farm	16, 502
A. L. Crittenden III	16, 487
William B. Rushing	16, 348
Rube Robinson	15, 968
Stanley & Stanley	15, 588
Ada N. Fuller	15, 571
Moody Whitehead	15, 411
L. C. Brogdon	15, 035
Total payees in county (17)	305, 657

YELL COUNTY

W. H. McClure Trust	24, 318
Joe H. Vaughn	20, 217
Total payees in county (2)	44, 535
Total payees in State (583)	11, 134, 997

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—California

ALAMEDA COUNTY

Coleman Foley	$20, 691

BUTTE COUNTY

Leslie H. Vincent	23, 245
Hugh T. Bell	18, 243
Shimizu Bros., Inc	17, 982
Bultema Bros	17, 348
Donald W. Hayes	15, 866
Total payees in county (5)	92, 684

COLUSA COUNTY

Richard McCarthy	22, 435
Compton Hills Ranch	18, 493
Myers Bros	18, 458
O'Sullivan Ranch	17, 840
H. H. Fendt	17, 233
Total payees in county (5)	94, 459

CONTRA COSTA COUNTY

A. J. al Porto & Son	19, 136
E. Gursky	16, 170
Total payees in county (2)	35, 306

FRESNO COUNTY

Richard & August Metzler, Jr	24, 924
C. L. Anderson	24, 893
Frank Freitas	24, 804
Rayona Farms	24, 681
Francis A. Orff	24, 643
Hans P. Gunlund	24, 425
H. Carter & Son	24, 193
L. H. & G. W. Hanneman	23, 794
James W. Wilson	23, 501
Norman Fries	23, 354
John Goulart & Sons	23, 329
D. E. Robison	23, 294
Kenneth Peelman	23, 234
Gary E. Waller	23, 086
Fairless Bros	23, 015
Albert Bufkin	22, 979
Toshio Ihara	22, 888
Nino Groppetti & Sons	22, 875
Frank J. Mendes, Jr	22, 664
Darrell Silveira	22, 571
Erskine Ranch	22, 477
Geo. & Jn. & Walt Orlando	22, 414
Wayne M. Hardy Est	22, 314
Del KO Farms	22, 169
M. K. Mason	22, 021
Joe Yribarren	21, 942
Pucheu Bros	21, 849
B. H. Smith, Jr	21, 837
Edward Wagenleitner	21, 730
E. G. Rank, Jr	21, 687
Nicolini & Maitia	21, 557
Walter Williams	21, 439
John Nakamura	21, 326
Eugene Anderson	21, 089
Majarian Bros	21, 044
Ernest Carvalho	20, 658
Hyde Ranch	20, 610
August Pereira, Jr	20, 426
Jack Cardwell	20, 273
J. O. & O. L. Cooper	20, 247
John A. Gentry Est	20, 170
La Cuesta Verde Ranches	20, 168
Milo Envernizzi	20, 159
Metzler Ranches	19, 903
Speakes Bros	19, 869
Harkness, Harkness & Colgate	19, 743
John Nobile	19, 490
C. R. Wilkins	19, 116
A. F. Mendes & Sons	18, 981
Leroy Hardy	18, 901
G. Delerio & G. Brooks	18, 891
John & Jim Diedrich	18, 700
Jura Farms, Inc	18, 560
Fernando Machado	18, 159
Bert O. Neill Ranch	18, 152
Walter E. Lambrecht	18, 062
Frank Lorenzetti	17, 978
Hedman Ranches	17, 966
Manuel & Jerry Pacheco	17, 563
Elmer Lorenzetti	17, 484
Crosno Farms	17, 355
Donald R. Rohde	17, 312
Harold D. Weis	17, 290
James P. Sims	17, 014
Milo Jacobsen	16, 868
Francesconi Bros	16, 836
Eugene Nord	16, 692
Dino Lorenzetti	16, 675
Roy Green	16, 597
G. Jr. & D. Ketscher	16, 383
Jack Howard Ranch	16, 355
Hughes Bros	16, 350
N. Robert Nielsen, Inc	16, 199
Fresno Land Co	16, 111
Tange Bros	15, 970
Locke Bros	15, 873
Joe D. Coelho	15, 873
Harlan Ranch	15, 698
Vie Del Company	15, 524
Schultz Ranch Inc	15, 409
Douglas Fries	15, 279
Kromberg Bros	15, 249
Triqueiro Bros	15, 153
Eugene Reitz	15, 137
Doyal B. Wood	15, 112
S. R. Botelho	15, 040
E. R. & Andre Leroy	15, 027
Benson, Davis & Benson, Inc	15, 011
Total payees in county (88)	1, 729, 663

GLENN COUNTY

Kaiser, Kaiser Gallo	18, 987
J. S. Garnett Co	16, 019
Total payees in county (2)	35, 006

IMPERIAL COUNTY

Dessert Seed Co., Inc	24, 971
E. E. Otto	24, 836
John Kubler	24, 794
R. E. Bedwell	24, 788
J. P. McKim	24, 198
Harold Orff	23, 956
Kline & Kline	23, 766
James C. Simons	23, 662
Bravo Ranches	23, 646
Edward Dearborn	23, 570
Elijah Bros	23, 385
Shaw Packing Co	23, 361
James Adam	23, 222
Johnson Bros	23, 193
Guadalupe Deen	23, 172
Sham Singh	23, 138
George A. Mallory	22, 681
M. W. Coley	22, 499
Alvin Immel	22, 164
Seybert Farms	22, 087
J. C. Reeves	21, 831
L. O. Power	21, 781
Bagga S. Sunga	21, 650
F. P. Borchard Rchs	21, 202
Desert Edge Farms	20, 746
Kakoo & Rose Singh	20, 554
Glen L. Johnson	19, 976
Bill Slade	19, 764
Harold Brockman	19, 723
Strahm & Sons	18, 943
Lawrence B. Stewart	18, 492
M. Huffman & L. Allen	18, 129
F. M. Riedman	17, 897
Catherine Morrow	17, 054
R. & T. Shank	17, 040
Robert C. Richter	16, 716
R. N. Ramey, Jr	16, 629
Fernando S. Sanga	16, 614
Carr Farms	16, 497
Jack Rutherford	16, 425
Niaz Mohamed	16, 414
Charles K. Corfman	16, 218
Charles J. Smith	15, 770
Williams & Quick	15, 361
Richard Cowell	15, 012
Total payees in county (45)	927, 527

KERN COUNTY

B. W. Duncan	24, 894
Mose Bizieff	24, 872
C. J. Shepherd & Sons	24, 849
So. Lake Ranch	24, 796
Orlando Torigiani	24, 778
R. E. Ballengee	24, 677
R. Pascoe Ranches	24, 500
Kendrick B. King	24, 440
Sagues & Montero	24, 375
C. Hair & Son	24, 329
Bermuda Ranch	24, 270
L. W. Bergman	24, 257
Coombs & Renfro FMS	24, 172
Alfred Palla, Jr	24, 006
Columbus Rice	23, 889
F. L. Starrh	23, 664
Jay Ladd	23, 618
Clara P. Rextroth	23, 551
Lee Herring	23, 502
Frank Del Papa	23, 323
Shafter Wasco Ginn Co	23, 304
R. Fallot & Son	23, 268
Ludy Bros	23, 060
L. K. Olsen	23, 042
A. L. Suckut	22, 849
Dante Giannini	22, 846
Paul Pierucci	22, 752
Woodrow Wilson	22, 524
Dan Tudor & Sons	22, 431
Jay Dow	22, 344
John Camp Farms	22, 207

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—California—Continued

KERN COUNTY—continued

A. Angus	22, 020
Walter E. & Gladys Delfino	21, 932
Morris Brothers Farms	21, 884
Ghilarducci Bros	21, 718
R. Forrest	21, 574
P. Spolsdoff	21, 446
Bergman & Isaac	21, 399
Lloyd Morris & Son	21, 167
G. Emerson Fms., Inc	21, 108
Poznoff Farms	21, 099
Ediger Farms	21, 079
M. Kirschenmann	21, 018
A. Ghilarducci	20, 676
W. A. Kirschenmann	20, 628
E. W. Suorez	20, 594
G. Pizzo	20, 570
Bob Cauzza	20, 475
James S. Albright	20, 067
M. Torigiani	20, 037
Harley Barling	19, 651
Teddy B. Olsen	19, 612
Barlow Farms	19, 590
H. Spitzer	19, 549
Arnold T. Cattani	19, 488
Frick Bros	19, 367
J. Riccomini	19, 344
Al Pistoresi	19, 305
Kermeth Anderson	19, 263
R. E. Shick	19, 257
J. G. Garrison	19, 252
Deno Fanucchi	19, 055
W. A. Burum & Son	18, 981
A. Perelli Minetti & Sons	18, 876
Carl Johns & Sons	18, 830
Edwin J. Neufeld	18, 825
Edward J. Cummings	18, 791
Willis Snow	18, 780
Jonas L. Nickel	18, 776
Camp & Johns	18, 719
Victor J. Krause	18, 673
Bell Farms	18, 625
H. W. Williams, Jr	18, 558
Lloyd Bowman	18, 523
Bill Davis	18, 394
Elmer Andreotti	18, 215
Sabovich Bros	18, 214
R. E. Dargatz	18, 199
Baroncini Bros	18, 159
Robert McClain	18, 158
J. S. Ingram	18, 032
Huges & Wood	17, 961
Wilbur Kruger	17, 920
Darrell L. Janzen	17, 904
Regal Farms	17, 899
Reata Farms	17, 858
F. Galainena & et ux	17, 830
J. E. Wiens	17, 791
W. Siemens	17, 753
Clare Rexroth	17, 684
S. E. Willis	17, 610
John G. Hill	17, 602
G. Chernabaeff	17, 549
Herman W. Long	17, 511
Giovannetti Farms	17, 465
R. Clayton & Sons	17, 265
J. H. Russell	17, 102
C. Zachary & Sons, Inc	17, 097
Earl Garner	17, 069
O. O. Portwood	16, 980
Kindig Bros	16, 955
Capinha Farms	16, 930
Cowan Farms	16, 898
Merz Farms, Inc	16, 832
Charles Long	16, 803
R. H. Hadlock	16, 535
Paul Enns	16, 520
Dante Baggiani	16, 480
David B. Jackson	16, 352
Linus E. Bennett	16, 290
M. L. Sheffield	16, 247
D. Valpredo	16, 163
Dave Rub	16, 153
R. Williams	16, 126
Gary Riccomini	16, 045
Mark A. Avedian	16, 021
M. Caratan, Inc	15, 984
J. A. Eyraud & A. & Sons	15, 942
Obie Hankins	15, 920
H. W. Eberle	15, 919
Jeff Reyes	15, 867
Gene R. Reviea	15, 850
A. Sandrini	15, 678
James Kalpakoff	15, 603
J & R Romanini	15, 602
Douglass Ranch	15, 508
M. P. Hermittee	15, 364
Joe C. Eyraud	15, 364
Abe F. Isaac	15, 323
Paul W. Davis	15, 288
Ruben Bartell	15, 247
E. A. Neufeld	15, 129
E. D. Fisher	15, 120
Fred & Aldo Sandrini	15, 095
Moore Bros. Farms	15, 074
Lenora Ranch Co., Inc	15, 020
Total payees in county (136)	2, 628, 058

KINGS COUNTY

W. F. Turner & Sons	24, 854
Malcolm P. Powers	24, 702
Broder Fabry	24, 622
Benedict Farms	24, 552
Floyd Wisecarver	24, 004
Albert Martin	23, 410
Numes & Pires	23, 301
James & Paul Avila	23, 195
F. or Fleming Bettencourt	22, 777
S. C. Pinheiro	22, 647
Morris Stuhaan	22, 033
Marcy J. Silva	21, 980
William H. Ward	21, 487
B. J. M. Farms, Inc	20, 341
Circle L. Farms	19, 723
Silva Brothers	19, 584
Alvin Odle	19, 409
Uselton Ranch	19, 302
Tony Rodrigues	19, 094
John Verboon	18, 933
Richards & Ysusi A Pts	18, 681
J. W. Guiberson Co	18, 304
Hugh V. Johns	18, 239
Max Johns	18, 030
J. E. Squire & Sons	17, 784
R. L. Squire & Sons	17, 387
Robert Wilkinson	16, 747
T. A. Bettencourt	16, 410
Durst Farms	16, 402
Maaskant Bros	16, 402
Tos Brothers	16, 291
Tommy R. Avila	15, 763
Johnie K. Spears	15, 735
G. W. & W. Squire A Pts	15, 541
Simas Brothers	15, 436
Alvin J. Oliveira	15, 129
Total payees in county (37)	728, 638

LOS ANGELES COUNTY

Larsen Bros	21, 662
Munz Ranch Co	21, 068
Donald L. Grainger	20, 500
Gordon E. Erstad	20, 429
Rancho El Dorado	16, 988
Lazaro Gorrindo	16, 030
Total payees in county (6)	116, 677

MADERA COUNTY

Kenneth Thompson	24, 948
Floyd Williams	24, 590
S. A. Upton	24, 428
Wm. Correia	22, 788
Creamer Brothers	22, 606
J. H. Austin	22, 485
Leonard Frazier	21, 664
William Hagopian	21, 453
Victor Kuhr	21, 372
G. J. Schuh	21, 328
Robert Saulsbury, Jr	20, 929
Jaul Hoschi, Sr	20, 896
Frank Lopes	19, 876
L. G. Beshears	19,697
Guy Houk	19, 570
John Galleano	19, 557
Alvin Gomes	19, 433
James Barton	19, 288
Albert O. Cosyns	18, 938
Jack Mendrin, Jr	18, 877
Raymond R. Sheppard	18, 795
Gerald Leach	18, 427
Kenneth Seibert	18, 279
Morris Richina	17, 922
Clark Bros	17, 872
Reginald Upton	17, 815
Lawrence Leach	17, 698
Arvid Allen	17, 472
J. & D. Schnoor	16, 927
John M. Lasgoity	16, 894
J. L. Sumpter & Sons	16, 837
Carl Hobe	16, 674
Peter Maddalena	16, 663
Lionel Rogers	16, 629
John Koretoff, Jr	16, 606
Howard A. Gentry	16, 504
T. C. and Don Wood	16, 490
James Q. Buffington	16, 444
L. Markarian	16, 325
Richard Johnson	16, 061
Wm. Kochergen	15, 707
John Farmer	15, 654
Erickson Bros	15, 496
L. R. Poythress	15, 386
J. E. McKinney	15, 234
Walter Wittwer	15, 216
Robert Hansen	15, 128
Total payees in county (47)	875, 878

MERCED COUNTY

Elmer Thiel	24, 990
R. H. Burns	24, 713
Marvin Wooten	24, 535
Ollie McDonald	24, 271
Bryant and Son	24, 226
Herman Willis	23, 652
Ray Buie	23, 518
Carl Sumpter	23, 159
A. Lobue Farms	22, 014
John Harman	20, 963
J. J. Stevinson Corp	20, 738
Pereira Bros	20, 547
Dean Barrett	19, 444
Stribling Nurseries	19, 132
Vernie Raven	18, 191
Pellissier and Sons	18, 079
Harry Haynes	17, 965
Herbert Willis	17, 818
Arthur Johnson	17, 421
Tony Neves	17, 359
Taylor C. Courtney	16, 734
Carlucci Bros	16, 262
Gino Pedretti	16, 211
L. D. Properties, Inc	16, 130
Joe H. Santos	16, 128
Tony Roggero	16, 116
Danco Farms	15, 973
Spain Air	15, 710
Total payees in county (28)	551, 999

MODOC COUNTY

Lakeshore Ranch	17, 843

MONTEREY COUNTY

Joe P. Camsuzou	22, 396
Clarence Sayler	19, 076
Tom Hambey & Son	18, 250
Harold Frudden	15, 445
George W. Rist, Sr	15, 193
Total payees in county (5)	90, 360

PLACER COUNTY

Floyd Bonnifield	21,077
Frank & Ross Riolo	20,416
Total payees in county (2)	41,493

RIVERSIDE COUNTY

Sam Keoseyan	24,558
Ripley Land & Cattle	23,766
Raymond Logan	23,227
Gary A. Bryce	22,687
John Coudures Co	22,566
Rancho Del Juan, Inc	22,154
Harboe-Ensley Assoc	21,613
P. V. Land & Cattle Co	20,281
Jack E. Marlowe	18,917
Roripaugh & Pascoe	18,758
William Kersteiner	16,970
David C. Nowell	16,371
Charles Yoder	16,082
Ramon F. Burrell	15,904
Nish Noroian Farms	15,681
Suzy Bel Farms	15,237
Total payees in county (16)	314,772

SACRAMENTO COUNTY

J. E. Upham	15,922
T. F. Kirby	15,869
Dixon & Ferriera	15,853
Total payees in county (3)	47,644

SAN BENITO COUNTY

Maffei Land Co., Inc	17,141
Rey Brothers	17,072
Total payees in county (2)	34,213

SAN DIEGO COUNTY

Western Salt Co	15,418

SAN JOAQUIN COUNTY

L. Stefani and T. Stefani	17,192
King Island Farms	16,428
Total payees in county (2)	33,620

SAN LUIS OBISPO COUNTY

Grayson Owen Co	24,787
Echo Cattle Co	23,625
Ralph Shaw	21,520
Ancho Vista Ranch	20,106
Carrizo Land/J. B. Wheatley	20,103
Iversen Ranch, Inc	19,464
Nels Beck & Sons	18,894
White Ranch Co	18,877
Galainena & Speicher	17,696
Heilmann Bros	16,619
Lane Rhodes	15,327
T. & J. Ranch Co	15,304
Total payees in county (12)	232,322

SISKIYOU COUNTY

Dorman R. York	23,978
Clement Bros	18,675
Robison Ranch	16,619
Townley Bros	16,381
Total payees in county (4)	75,653

SOLANO COUNTY

Arnold Collier	24,147
E. A. Anderson & Sons	20,028
Gnos Brothers	19,918
Mayhood Ranches	18,612
Solano Farms, Inc	17,193
Tom Abel	16,699
Hastings Farms	16,069
Wallace McCormack	16,038
Total payees in county (8)	148,740

STANISLAUS COUNTY

Bogetti Bros	21,192
J. W. Wassum, Estate	18,828
Frank Garcia and Sons	15,698
Total payees in county (3)	55,718

SUTTER COUNTY

Yosuba Farms	23,919
Lamb Brothers	21,971
Spangler Bros	19,173
Paulsen and DuBois	18,619
Fenton D. Williamson	16,440
Howard Van Dyke	15,193
Total payees in county (6)	115,315

TEHAMA COUNTY

Robert E. Mills	22,021
Total payees in county (1)	22,021

TULARE COUNTY

Howard Trimble & Son	24,800
Garth Cobbs	24,776
Henry Oliver & Son	24,159
Bill Beshears	23,940
W. L. Kiggens	23,841
Bill J. Gibbs	23,837
G. D. Cross & Sons	23,536
Onel C. Jackson	23,534
R. G. Burns	23,330
Guido Lombardi	23,265
Manuel Faria	23,221
Wm. & Jeff Hahesy	23,175
Anton Simonich	23,035
Serpa & Co	22,691
Theodore Eberlein	22,613
J. K. Frisch	22,477
Ed Hanni	22,467
A. M. Falconer & Sons	22,391
George Bassett, Jr	22,377
Reliance Dairy Farms	22,350
James P. Mathias	22,299
Pete Lawrence	22,030
Ira J. Chrisman	22,025
Raymond Donaldson	21,995
Joe Bettencourt	21,982
Melvin Santry & Son	21,895
F. L. Percival	21,867
Hillman Corp	21,799
Manuel Torrez	21,676
Julia De Campos	21,410
George P. Orisio	21,386
Bill Faria	21,328
Donald Bergantz	21,109
Pryse Farms, Inc	20,769
M. L. Dudley & Co	20,716
John D. Finni	20,640
Gobel Brothers	20,459
A. B. Enas, Jr	20,396
L. & W. Ellis	20,382
Laddie Weichman	20,301
Carl Hofmeister	20,274
Elmer Jost	20,251
C. Paul Johnson	20,210
Reynold M. Benson	20,146
Elliott Farms	20,132
R. Wayne Lessley	20,129
Donald Marshall	20,078
J. L. Pires & Co	20,046
Anthony Rodrigues	20,003
Frank Junio & Sons	19,902
W. A. Schwartz	19,819
R. W. & G. Stadden, Jr	19,786
L. J. Chroman	19,706
Poplar Grape Growers	19,565
George G. Efseaff	19,553
Bertorelli Brothers	19,479
Kotchevar Bros	19,472
Theodore Smith	19,435
Glenn H. Reed	19,414
Chas. Neufeld	19,414
Elroy M. Gruber	19,399
Alex Karle	19,386
Ritchie & Ritchie	19,376
Chas. Westbrook	19,327
A. Ekizian	19,296
John E. Sola	19,129
T. & R. Ranches, Inc	18,999
C. F. Dessel & Sons, Inc	18,944
Gist Farms	18,935
Mueller & Miller	18,911
Jacob Ryser	18,851
Clarklind Farms	18,841
Don Dollinger	18,807
Robert V. Fallert	18,800
Geo. C. Rising	18,701
G. L. Bennetts	18,668
Uchita Bros	18,631
Wallace Hopper	18,484
Joseph J. Lerda	18,458
John P. Gilbert	18,437
Charles Beals	18,416
J. H. & R. J. Cowart	18,376
Sepeda Brothers	18,276
S. K. Warkentin	18,166
Clarence I. Balaam	18,008
E. & J. Konda	17,990
Sam Perry	17,984
James E. Kagler	17,875
Joe Schott	17,852
Paul Hawthorne	17,821
Roy Langston	17,818
T. L. Burns	17,759
Sam Lessley	17,734
Ernest Thiessen	17,618
Piepgrass Brothers	17,602
H. C. Henderson	17,591
Boone, Batkin & Brelin	17,545
Jack Twiford	17,372
Malvin Klassen	17,336
Nick Della	17,291
R. J. & G. B. Catron	17,291
McCloskey Bros	17,164
William Flores	17,093
R. N. Van Hooser	17,058
Albert Swanson, Jr	16,973
Euel & Ronald Bevers	16,838
Thad Dresser	16,812
Ed Nagal	16,732
Castro & Sons	16,729
Manuel Silveira	16,729
Ralph Bissell	16,703
Bly Farming Corp	16,488
Arsan Iskenderian	16,377
M. J. Silva, Sr	16,272
Harold Sheldon	16,211
T. I. Hampton	16,210
Joe Costa	16,190
Dub & Barbara Lusk	16,165
Lambert Schott, Jr	16,131
M. H. Hampton	16,117
Elzy Carter	16,056
Henry Finck	16,046
Lowell Loftis	15,982
W. H. Reed	15,965
Floyd Ritchie, Jr	15,888
A. G. Correia	15,886
Robert Hutcherson	15,818
Frank Schott & Son	15,763
E. V. Bowles & Son	15,735
F. P. Barcellas & Sons	15,674
A. G. Spuhler, Jr	15,553
W. C. Morrison	15,553
Henrique Verissimo	15,501
Robert Nuckols	15,418
Clarence Davis	15,414
Rosedale Brothers	15,352
Kenneth Kovacevich	15,213
Tony Goulart	15,117
S. Trigueiro, Jr	15,094
Roy Kisling	15,063
Bob & Lyle Barnett	15,044
V. Zaninovich	15,026
Joe Rodgers	15,014
Total payees in county (143)	2,713,341

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—California—Continued

YOLA COUNTY

Woodland Farms, Ltd	24, 518
W. C. Payne	21, 237
W. S. Pedrick	17, 999
Total payees in county (3)	63, 754
Total payees in State (614)	11, 858, 777

1969 ASCS program payments of $15,000 thru $24,999 excluding price support loans and wool and sugar payments—Colorado

ADAMS COUNTY

Gene L. Linnebur	24, 464
Fred Bath	23, 361
Baughman Farms, Inc	23, 284
Ray M. Schmidt	22, 162
Fred Schick	21, 966
Alfred J. Linnebur	21, 054
Danford & Champlin, Ltd	19, 359
M. A. Degenhart	17, 974
Lloyd Linnebur	17, 617
Chris A. Wailes	17, 535
Raymond W. Morris	17, 178
Charles T. Heinricy	16, 744
Sam Wagner	16, 666
William J. Kerksiek	16, 108
Stanley Carlson	15, 929
Fred Wagner	15, 664
Jeff Drohan	15, 438
Glenn H. Lewton	15, 142
Byron W. Trupp	15, 033
Total payees in county (19)	352, 678

ARAPAHOE COUNTY

L. J. Tippett	20, 866
R. J. Hokr	20, 555
Lawrence Cowell	18, 881
John F. Shuman & Sons	17, 770
Johnny Turecek	16, 254
Albert C. Boss	15, 693
Willard Hubbs	15, 225
Total payees in county (7)	125, 244

BACA COUNTY

Warren Konkel	24, 074
Dean Baldwin	23, 767
Earl Crane and Sons	23, 147
O. H. Vail	22, 536
Richard Turner	22, 464
Derral Schroder	22, 428
Clyde McEndree	22, 362
Laramie Burson	22, 104
Harry Hall	21, 684
E. S. Benson	21, 665
Fane K. Humphrey	20, 695
F. G. Burns	19, 970
Ruth Suhler	19, 512
Cecile Kitzmiller	18, 821
Robert H. Bangs	18, 807
C. A. Newman	18, 260
Kenneth Cottrell	18, 225
Clifford Deen	18, 061
Van Stafford	17, 834
Henry Copenhaver	17, 657
Lynn Bitner	17, 650
Kenneth Brown West	17, 649
Roy C. Eikleberry	17, 288
J. A. Rutherford	17, 211
Charles C. Schaller	16, 325
Johnnie Trahern	16, 129
F. L. Geisinger	16, 094
Joel T. Powers	15, 963
Walter A. Hamilton	15, 947
Paul Thompson	15, 898
Melvin Wessler	15, 727
Harvey Jesser	15, 430
Roy Cogburn	15, 113
George Murray	15, 067
James Thompson	15, 039
Total payees in county (35)	656, 593

BENT COUNTY

George Reyher	22, 626
Scranton Bros	21, 689
Frank K. Buster, Wm. M. Leebron	21, 684
Fred Schneider	20, 007
John Smartt Ranch	18, 798
Sam Bourne	17, 364
John J. Ebright	17, 143
C. R. Ely	16, 179
Kasza Bro	15, 344
Total payees in county (9)	170, 834

CHEYENNE COUNTY

Ted L. Shaver	24, 205
John E. Harker	23, 639
Theodore J. Smelker	21, 995
Malcolm Johnson	21, 464
Gail Woodard	20, 757
Harold Rother	20, 711
J. H. Bar Ranch Co	20, 368
Alpine Cattle Co	19, 478
Jack Steele	19, 312
Don Knudsen	19, 265
Mack Johnson	18, 204
Denzil McKinney	17, 972
Harold Sanders	17, 812
Andrew Schaefer	17, 151
R. N. Knudsen Est	17, 092
R. W. Roth	16, 463
M. T. Randolph	16, 357
So Western Clg	16, 354
Lloyd Ritchey	16, 319
Lester Dierksen	16, 266
Arthur W. Carroll	15, 942
Leonard W. Kliesen	15, 542
Doyle D. Durr	15, 511
Walter H. Otte	15, 056
Total payees in county (24)	443, 235

CROWLEY COUNTY

Ross Belew	21, 036
Alberta Franzman	16, 555
Lewis L. Proctor	15, 888
W. P. James III	15, 747
Total payees in county (4)	69, 226

DOLORES COUNTY

Snyder, Inc	19, 236

ELBERT COUNTY

Butler Purdy Land and Cattle	22, 637
Paul R. Stewart	18, 916
Carl Lane	17, 064
Ralph Rickey	15, 594
W. H. Maranville	15, 399
Total payees in county (5)	89, 610

JEFFERSON COUNTY

Eugene Goetz	15, 788

KIOWA COUNTY

Jake Boehs	24, 524
John A. Stavely	23, 367
Jean K. Garvey	23, 255
Shirley F. Garvey	22, 805
La Vern Buck	22, 514
Carl J. Weinman	21, 917
Edwin Negley	21, 391
Wes Barber	21, 310
Olivia G. Lincoln	21, 264
Harold Cloyd	21, 204
Leander C. Weber	20, 992
Lynn Taylor	20, 907
Jess B. Whitson	20, 833
Lauren Hiller	20, 748
Theodore Boulware	18, 604
J. G. Preisser	18, 566
Raymond Teeter	18, 509
Ira Jay Paulin	18, 144
Ray E. Aldrich	17, 912
Cecil R. Crockett	17, 701
Mark Steven Blakemore Trust	17, 349
Lucille Hatcher	17, 217
W. D. Preisser	17, 180
Wet Farms Co	16, 888
Gerald E. Tuttle	16, 696
John Budde	16, 686
Herman J. Rother	16, 508
Keith Uhland	16, 305
Norman Whaley	15, 925
Martha Jane Blakemore Trust	15, 703
Jim Rehfeld	15, 658
Thomas Jerry Blakemore II	15, 644
Corwin Trosper	15, 194
Total payees in county (33)	629, 420

KIT CARSON COUNTY

Lyle Bedford	24, 877
Leo M. Mulch	24, 822
Geraldine Bell	24, 187
Simon Brothers	23, 423
Warren Hodge	22, 690
C. J. Herald	22, 497
Miltenberger Bros	22, 496
Marvin W. James	22, 494
S. E. Fundingsland	22, 413
Britt Bell	22, 296
Lillian Carter	21, 967
G. F. Bollwinkel	21, 735
Kenneth Scheierman	20, 956
Tom G. Conarty	20, 701
Francis L. McCaffrey, Jr	20, 571
James H. Witt	20, 024
Don Scheierman	19, 924
Otto H. Woodrick	19, 320
O. E. Powell	19, 126
Frank Clark Hickey	19, 123
Elton Silkman	19, 046
Neal Dorsch	18, 815
Walter Witt	18, 588
Melvin Gross	18, 370
Louis Henry Nider	17, 590
L. D. Loutzenhiser	17, 387
Harley Rhoades	17, 386
Paul Janssen	17, 383
E. E. Morrell	17, 327
Dan Gay	17, 241
Wayne A. Davis	17, 189
Alvin C. Johnson	17, 151
W. B. Coryell	16, 865
Three Rivers Ranch, Inc	16, 765
Bollwinkel Farms	16, 765
Leland Lampe	16, 703
Ralph Conrad	15, 952
W. T. Pottorff	15, 921
Fred Plautz	15, 653
Cooper Clark Heatherington	15, 620
Ben F. Parmer	15, 570
Louis Leoffler	15, 274
Raymond Hickey	15, 166
Eugene Fasse	15, 135
J. E. Littlefield	15, 063
Joe A. Long	15, 028
Total payees in county (46)	870, 595

LARIMER COUNTY

Kenneth Thayer	23, 983
Stump Farms, Inc	15, 299
Total payees in county (2)	39, 282

LAS ANIMAS COUNTY

John T. Oxley	18, 418
Donald Sammons	16, 380
Dewey Long	15, 569
Total payees in county (3)	50, 367

LINCOLN COUNTY

Harold W. Smithburg	21, 168
Milton Vice	20, 944
Mauck Bros	20, 874
Howard M. Clark	19, 912
Iler P. Andersen	19, 174
Frank Forristall	19, 156
Marvin Wilmeth	16, 899
Robert Payne	15, 446
Chas. E. Schoonover	15, 425
Earl Forristall	15, 286

XUM

Robert Raines	15,082
Total payees in county (11)	199,366

LOGAN COUNTY

Wood Land Co	23,100
John L. Nelson	18,679
Gaylord Goddard	16,789
Raymond Hernandez	15,047
Total payees in county (4)	73,615

MOFFAT COUNTY

Gossard, Inc	16,191
Loudy & Simpson	16,182
Wiley Butler	15,803
Total payees in county (3)	48,176

MORGAN COUNTY

Raymond H. Roark	22,944
R. M. Hough	22,780
Kenneth D. Breneman	20,190
B. B. Peterson	19,900
Clyde E. Foiles	19,158
Scott R. Wolever	16,911
Westhoff Bros	16,797
R. M. Hough, Jr	16,592
Ruby Lea Hough	16,592
Douglas Hough	16,591
Orville Funk	16,303
Forrest S. Morrison	15,863
Total payees in county (12)	220,540

OTERO COUNTY

Catlin Canal	23,872
American Crystal Sugar Co	20,716
C. R. Lusk and Sons	18,151
Total payees in county (3)	62,739

PHILLIPS COUNTY

B. A. Dudden, Inc	18,499
James Burns	18,325
Eugene W. Sprague	16,614
Harry Brinkema	16,308
Total payees in county (4)	69,746

PROWERS COUNTY

J. Marvin Willhite	24,738
John Swenson	24,443
Earl E. Harper	24,347
August Reyher Trust	21,596
Keith Park	21,547
Vernon Appel	21,536
D. W. Burnett	21,389
Clifford Verhoeff	21,322
Lawrence Schenck	21,263
Wilbur K. Beedy	20,688
Oliver E. Ditson, Jr	20,175
Gerald Quattlebaum	20,120
K. W. Dawson	19,919
R. D. Bamber	19,751
Newton Larrick	19,712
Mary E. McClung	19,061
Larry Hixson	19,056
Cottonwood Ranch	18,936
Verner McCracken	18,866
J. V. Tyree	18,561
Lail W. Schmidt	18,429
Ed Heck	18,413
Fred A. Neuhold	18,279
Cal Burkett	17,502
Madeline Van Meter	17,486
Stuart Burnett	17,400
Clede Widener	16,794
Lamar Farms	16,424
Roy W. Campbell	15,931
Henry J. Witt	15,923
George Dieterle, Jr	15,849
E. J. Christian	15,689
L. D. Shirley	15,682
Walter Williams	15,500
Carl S. Harper	15,415
Jerome Rober	15,324
Leroy Stauffer	15,162
Total payees in county (37)	698,228

PUEBLO COUNTY

Arl Fillmore	20,868
Leroy Stroud	15,644
Total payees in county (2)	36,512

ROUTT COUNTY

Hockett Farms	19,870

SEDGWICK COUNTY

Hodges & Sons	21,171
Jacob C. Ricker	15,105
Total payees in county (2)	36,276

WASHINGTON COUNTY

Floyd Starlin	23,746
Oneil Farms, Inc	23,297
R. G. Weninger	22,964
Jens K. Jellerup	19,790
Elmer Brandt	18,599
Henry Fritzler	18,514
James J. Donnelly	18,248
Wagers Farms, Inc	18,036
James Chenoweth	15,322
Verle Lewton	15,148
Stansfield Land and Cattle	15,033
Total payees in county (11)	208,697

WELD COUNTY

Joseph F. Linnebur	24,048
E. E. Foster & Sons	22,129
James Klausner	22,086
William Hoff	20,028
Rodney L. Westberg	19,722
Murray Griffin	18,569
Harold Klausner	17,732
M. A. Scheneman	17,705
Dennis Drake	17,003
Ben Blake	16,900
Harold J. Erker	15,249
Total payees in county (11)	211,171

YUMA COUNTY

Sipple Wheat Farm	23,463
Thomas Brophy	23,254
Maurice Hahn	22,905
Ralph & Jack Bowman	22,773
Cleo A. Brown	22,407
Edward Trautman	21,957
A. R. Crossland	21,127
Mill Iron Diamond Cattle Co	19,835
Melvin Stults	19,823
Curtis Franson	19,600
C. W. Gartrell	18,960
Gilbert D. Monk	17,775
Edward E. Henik	17,427
Earl Rehor	17,009
Petrry J. Blach	16,885
Geraldine Heiserman Estate	16,851
James P. Brophy	16,600
Ivan Leech	16,579
Harper Dairy	16,283
Robert W. Korf	16,174
Willard Gorman	16,008
Helling Bros	15,992
C. K. Soehner	15,851
Robert L. Clarke	15,684
Robert L. Seward	15,645
T. A. Burkhart	15,369
Henry Wiltfang	15,318
Donald Warren	15,246
Edgar Lengel	15,083
Total payees in county (30)	544,402
Total payees in State (30)	5,961,446

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Delaware

KENT COUNTY

Short Farms	20,430

NEW CASTLE COUNTY

S. Rodmond Smith, Jr	22,800

SUSSEX COUNTY

Harley W. Moore	15,158
Total payees in State (3)	58,388

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Florida

ALACHUA COUNTY

A. E. & R. E. Summers	18,438
Beverly Hills Plantation Inc	18,016
Roy Cellon	15,660
Total payees in county (3)	52,114

COLUMBIA COUNTY

I. C. Terry Farms	21,932

GILCHRIST COUNTY

Piedmont Farms, Inc	20,737

JEFFERSON COUNTY

W. G. & Mary Lou A. Miller	16,678
P. H. Firman	16,281
El Destino Plantation	15,363
Total payees in county (3)	48,322

LEON COUNTY

Loveridge Plantation	24,998
J. H. Phipps Plantation	19,060
Total payees in county (2)	44,058

MARION COUNTY

E. Seiler & Son	17,997

SANTA ROSA COUNTY

J. W. Bauldree	22,671
Willie H. Jones	22,411
James Thomas, Jr	16,522
Wayne Godwin	16,475
W. T. Stewart	15,949
Richard E. Finlay	15,531
Paul S. Golden	15,490
Total payees in county (7)	125,049

SUWANNEE COUNTY

Aubrey L. Ward	15,557
Total payees in State (19)	345,766

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Georgia

BAKER COUNTY

W. C. Newberry	22,884
J. W. Tabb	16,743
Total payees in county (2)	39,627

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Georgia—Continued

BALDWIN COUNTY	
Tuddle Barksdale	22,461
BARROW COUNTY	
P. R. Smith	20,014
E. R. Arnold	16,237
Total payees in county (2)	36,251
BARTOW COUNTY	
Noble Maxwell	21,309
Herman Cagle	20,663
J. D. Ferguson	20,401
William Carl Maxwell	20,079
George Cagle	18,456
Howell L. Smith	18,074
James Owens	17,796
Bobby Maxwell	17,791
H. A. Taylor & Sons	17,729
Weldon Thacker	17,576
William J. Sanford	15,813
Wiley Vaughan	16,691
Total payees in county (12)	221,378
BEN HILL COUNTY	
Royce Williams	16,724
BLECKLEY COUNTY	
Jerry Dykes	24,909
Allentown Warehouse Co.	23,175
Theo Williams	21,354
L. L. Phillips	19,966
Willis M. White	18,291
J. W. and W. A. Meadows	16,727
Wallace E. Williams	16,337
Porter Farm	15,944
Oscar Lorick	15,309
Total payees in county (9)	172,012
BROOKS COUNTY	
River Bend Plantation	23,471
Charles M. Gay	18,506
R. B. Robinson, Jr	15,823
Total payees in county (3)	57,800
BULLOCH COUNTY	
Iverson Anderson	19,731
W. H. Smith, Jr. and son	18,348
E. D. Shaw	16,190
Total payees in county (3)	54,269
BURKE COUNTY	
Q. U. Lively	24,013
G. F. Agerton, Jr	21,876
J. C. Palmer, Jr	21,787
George F. Williams	21,711
J. M. Dixon	21,295
W. R. Glisson	20,690
M. H. Sikes	20,601
Paul R. Dye	20,457
Jackie B. Lovett	20,357
Carolyn Dixon	20,173
W. E. Crocket	19,789
Roy R Dixon	19,520
Anita L. Hollis	19,478
Harry Figgie, Jr	19,081
Julian H. Johnson	18,941
S. E. Dixon	18,650
Jack Rogers	18,324
Roy Cates	18,262
W. R. Chance	18,254
Ray Harper	18,020
Leonard Williams	17,449
R. H. Templeton	17,132
Dilane Plantation	17,096
J. O. Cates	17,056
D. C. Netherland, Jr	16,186
Paul Mobley	16,158
Hammond Blanchard	16,107
C. H. Perry	15,935
Eugene Durden	15,494
Paul B. Dye, Jr	15,487
Paul Shivers, Jr	15,391
M. S. Hillis	15,343
B. K. Anderson	15,265
Paul S. Drake	15,246
Total payees in county (34)	626,624
CALHOUN COUNTY	
Chauncey Taylor	24,997
J. S. Cowart II	23,333
J. R. Brooks	23,036
Tommy Sinquefield	19,830
Julian Lane	19,342
J. M. Jordan, Jr	18,935
Alvin Sudderth	18,597
James F. Sudderth	17,123
T. L. Adams	15,683
Total payees in county (9)	180,876
CHATTOOGA COUNTY	
Robert H. Strawn	15,253
CLARKE COUNTY	
Chas. W. Carter	20,348
CLAY COUNTY	
Alton Fendley	17,186
J. D. Thursby	15,613
Total payees in county (2)	32,799
COFFEE COUNTY	
R. B. Evans	18,253
COLQUITT COUNTY	
J. L. Strickland	24,677
L. L. Tucker	21,893
Joe Parker	21,362
J. Mike Horne	21,311
J. L. Tillman Jr	20,228
R. C. Moss	19,893
Neal Clark	19,715
Donald Horne	18,285
W. C. Middlebrooks	17,372
R. L Sumner	16,675
Herbert Hall	16,267
Donald Parker	16,128
Wallace Giles	15,985
Jacob Summerlin	15,555
Horace Parker	15,356
Total payees in county (15)	280,702
COOK COUNTY	
C. L. Cato	19,292
COWETA COUNTY	
Frank Wilkinson, Jr	15,454
CRISP COUNTY	
C. A. Sargent	24,467
CRISP COUNTY	
H. W. McKinney	23,973
J. R. Barry, Jr	22,867
J. R. Dowdy, Jr	22,491
Charles C. Williams	21,466
Kenneth Smith	21,295
Cecil Bagwell	21,158
John F. Haynie	19,172
J. R. Barry, Sr	18,352
G. E. McCay	18,272
Charles Bagwell	17,774
Owen Bagwell	17,768
Charles Miller	17,058
R. M. McKinney	16,415
Pope Williams	15,449
Total payees in county (15)	297,977
DODGE COUNTY	
S. A. Rogers	24,405
Doyle Yawn	22,365
Wilton Woodard	22,016
Matthew Jones	21,471
Watson Hardy	19,936
C. L. McCranie	17,296
Johnnie Walker	16,039
Total payees in county (7)	143,528
DOOLY COUNTY	
Mercer Porter	24,797
Rudolph Royal	24,360
J. D. Lester Residuary Trust	23,095
R. L. Bowen	22,903
Raymond E. Nutt	22,869
Clarence R. Bodrey	21,651
J. W. Sparrow	21,364
Lamar Smith	21,097
Dewitt Clewis	21,088
L. M. Joiner	20,696
W. C. Griggs	20,681
D. W. Smith	20,662
Ralph Bowen	20,562
Ernest L. Taylor	20,306
Van A. Vaughan	20,227
Rubin Christmas	20,122
M. C. McKinney	20,016
Ralph E. Burton, Jr	19,899
Ralph E. Burton	19,899
Alvin Hogsett	19,803
R. C. Sanders	19,787
Claude Bowen	19,579
C. R. Howard	19,529
Jerry Vaughan	19,525
Sidney S. Bledsoe	19,207
Herbert E. Roney	19,067
William Lloyd Horne, Jr	18,731
Carl F. Williams	18,654
Charles Bowen	18,608
Ronnie Bledsoe	18,141
John M. Averill	17,846
J. T. Sparrow	17,809
G. M. Ellis	17,779
Henry H. Hill	17,490
Effie W. Lester Trust	17,481
Bamon L. Hill	17,411
Emory D. Clemons	17,029
J. P. DeLoach	16,838
Robert L. Newby	16,776
W. J. Evridge	16,714
J. D. Williford	16,593
Clinton B. Thompson	16,493
D. L. Bowen	16,279
E. C. West, Jr	16,058
Alton Draughon	15,643
James Warbington	15,526
Henry Fred Moore, Jr	15,395
Donald W. Peavy	15,365
J. P. West	15,242
Herbert Saliba	15,047
Total payees in county (50)	947,739
DOUGHERTY COUNTY	
Blue Springs Plantation	17,300
Russell Cross	17,132
W. C. Clark	16,057
Total payees in county (3)	50,489

EARLY COUNTY	
G. S. Pickle	24,453
W. E. McDowell	24,040
Sanford Ferguson	23,786
J. E. Tabb	23,758
H. L. Martin	22,799
O. B. Everson	22,668
C. W. Shierling	21,710
Stanley Causey	21,334
C. W. Felder	18,579
Richard Grist, Jr	18,577
William Sasser	17,457
John W. Hunter	17,080
Hazel Hudspeth	16,790
Alton Boyd	16,514
H. G. Collier	16,384
Ralph Balkcom	16,348
Guy White	16,103
Bobby King	15,717
John Lee Jones	15,560
Total payees in county (19)	369,657
ELBERT COUNTY	
Calvin Hill	21,641
Ralph King	21,229
Wansley Brothers	16,594
Total payees in county (3)	59,464
EMANUEL COUNTY	
James L. Moore	20,760
A. D. Johnson	20,617
John E. Whetsell	18,398
Thomas Youmans	18,327
J. R. Youmans	15,679
Total payees in county (5)	93,781
EVANS COUNTY	
W. K. Durrence	15,632
FLOYD COUNTY	
Charles Smith	22,780
M. H. Bradshaw, Sr	21,726
Lovell Bros	21,723
L. G. Evans	19,170
John C. Richardson	17,965
Jerry Looney	15,256
Total payees in county (6)	118,620
GLASCOCK COUNTY	
Murray Hadden	21,342
Roy Johnson	16,790
James E. Rivers	15,132
Total payees in county (3)	53,264
GORDON COUNTY	
Hansel Greeson	23,056
W. P. Hunt	21,849
Total payees in county (2)	44,905
GRADY COUNTY	
J. L. McClelland	18,958
Alvin Smith	17,415
Total payees in county (2)	36,373
HANCOCK COUNTY	
Warren A. Archer	15,566
HENRY COUNTY	
J. D. McGarity & Sons	24,141
L. H. Maddox	15,537
Total payees in county (2)	39,678
HOUSTON COUNTY	
J. E. Davidson	22,513
J. H. Davis—Son	19,072
Genie Whitfield	17,724
Fred W. Langston, Jr	16,106
D. F. Daye	15,774
A. E. Harris Farm	15,262
Total payees in county (6)	106,451
IRWIN COUNTY	
S. L. Davis	20,873
Donnie Lewis	18,373
Total payees in county (2)	39,246
JEFFERSON COUNTY	
S. W. McNair	23,498
Ashley Stavely	21,737
Wylly T. Jordan	20,677
Luie Godowns	20,586
P. A. Rheney	20,032
Melvin McDonald	18,484
Donald Cobb	18,345
William W. Rabun	18,169
J. E. Nikkel	18,115
R. M. Samples, Jr	17,547
I. D. Lewis	17,350
G. E. Crouch, Jr	16,837
Kermit D. Bird	16,539
John W. Purvis	16,528
R. G. Norris	16,102
M. A. Claxton	15,749
Jimmie Hancock	15,745
Clifford Williams	15,085
Total payees in county (18)	327,125
JENKINS COUNTY	
A. S. Newton and Son, Inc	23,754
Quinney Lane	18,714
Lessie J. Reeves	16,964
Jessie E. Burke	16,593
Harry D. Aycock	16,187
Dwelle and Boyer	15,992
Total payees in county (6)	108,204
JOHNSON COUNTY	
Gladys J. Hendry	22,447
Tarver Price	21,907
F. B. Jackson	21,417
Wade Lord	18,500
T. L. Bray	17,824
Roger Davis	17,771
G. S. Pool	17,384
Grace J. Hall	16,493
E. L. Price, Jr	16,448
Leon Powell	16,291
Herbert Jackson	16,061
Total payees in county (11)	202,543
LAURENS COUNTY	
James Rawls	24,062
William Slade	22,374
Thomas J. and Ray Walker	20,681
R. H. & R. B. Lowery	19,888
Gurvice A. Manning	19,457
Marshall R. Lord	18,781
Fred Hobbs	18,629
Bobby Watson	18,530
John C. Young	18,330
Benjamin T. Lord	17,750
Harry E. Green	17,143
R. L. Garrett	17,085
William O. Thomas	17,031
Charles H. Fountain	16,714
Estate of W. T. Chappell, Dec	16,641
R. W. Hodges	16,611
Delacy Lord	15,743
W. B. Coleman	15,640
Roy Malone	15,614
Jim Ray Mullis	15,591
T. B. and Thomas B. King	15,362
Felton Grinstead	15,237
Doyle R. Baggett	15,185
Total payees in county (23)	408,079
LEE COUNTY	
J. R. Johnson	24,689
Plez Hardin	24,486
Geise Usry	23,169
B. C. McKinney	22,890
George D. Moreland	20,421
Wilmar Timber Corp	18,337
Gil Barrett	15,288
Total payees in county (7)	149,280
LOWNDES COUNTY	
Julian D. Spurlock	15,256
MACON COUNTY	
Rumph Farms	23,955
Buck Creek Farms	23.133
S. H. Bryan, Jr	22.993
Mack Ham	22,811
D. and D. Farms	21,409
F. A. Ricks Estate	21,284
Joel Barfield	21,232
B. B. Murphy Estate	21,173
Ralph Raper	19,556
Doyle Johnson	18,921
William R. Smith	18,256
Malatchie Farm	18,173
Walter Forsling	17,957
I. P. Cox	17,419
Gordon Sutton	17,292
Williams & Williams	16,173
J. D. Lockerman	16,074
J. Homer Vaughn	15,754
W. and W. Farms	15,209
Total payees in county (19)	368,774
MADISON COUNTY	
W. Reece Whitehead	18,993
MCDUFFIE COUNTY	
Ruth Reeves	22,129
James E. Harrison	21,183
Total payees in county (2)	43,312
MERIWETHER COUNTY	
A. C. Garner	18,727
Roswell Lee	15,021
Total payees in county (2)	33,748
MILLER COUNTY	
Felix Wilkin	24,331
Lonnie Wesley Tabb	20,569
Stokes Tabb	16,082
Total payees in county (3)	60,982
MITCHELL COUNTY	
C. B. Cox	23,202
L. G. Hinson	23,090
Hill Top Farms	20,006
C. M. Stripling	19,008
C. J. Everett	18,737
Donald Hays	18,546
Joe W. Butler	16,355
J. L. Glenn	15,678
Total payees in county (8)	154,622
MONTGOMERY COUNTY	
G. U. Jones	15,609
MORGAN COUNTY	
Bonnie Hawk	21,127
Bennie Malcolm	19,720
Emory C. Thompson	16,112
Total payees in county (3)	56,959
NEWTON COUNTY	
J. H. Anderson	20,328
OCONEE COUNTY	
J. L. Bell	17,357
William C. Wilkes	16,255

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Georgia—Continued

OCONEE COUNTY—continued

Elbert M. Wilkes	15, 796
Geo. A. Wilkes	15, 216
Total payees in county (4)	64, 624

PEACH COUNTY

Bateman Co., Inc	23, 812

PIKE COUNTY

Floyd Turner	24, 984

POLK COUNTY

Geston Womack	23, 715

PULASKI COUNTY

George P. Anderson	22, 092
H. E. Dunaway	21, 104
C. L. Mays	20, 594
James A. Fullington	18, 567
Lorin S. Williams	16, 686
H. T. Fleeman & Son, Inc	15, 421
Total payees in county (6)	114, 464

QUITMAN COUNTY

Sunny View Farms	18, 152

RANDOLPH COUNTY

K. D. Beard	24, 573
Grubbs Bros	24, 018
Tom Allen	22, 384
Marvin Devane	20, 731
Melvin H. Peavy	17, 560
C. W. Lumpkin	16, 319
C. T. Martin	15, 957
Reid Andrews	15, 735
E. E. Morris	15, 712
Total payees in county (9)	173, 169

RICHMOND COUNTY

Wayne Rhodes	24, 955
R. A. McElmurray, Jr	20, 422
Total payees in county (2)	45, 377

SCREVEN COUNTY

Raymond Parker	24, 285
J. A. Thompson, Jr	24, 225
W. P. Sanders	23, 699
R. E. Oliver, J	22, 715
W. W. Wyant	19, 260
W. E. Martin	18, 883
C. L. Miller	18, 170
Ralph E. Dixon	18, 016
Herbert Jacobs	17, 204
Cecil M. Harley	17, 172
Leroy E. Oliver	16, 620
Williams Farm	16, 144
William H. Chance	15, 468
Total payees in county (13)	251, 861

SEMINOLE COUNTY

John I. Spooner	21, 098
Hugh D. Broome, Sr	15, 959
Total payees in county (2)	37, 057

SPALDING COUNTY

Phil Ogletree, Sr	18, 735

SUMTER COUNTY

R. L. Bass	22, 929
Richard Powell	21, 497
George E. and Roy F. Daniel	20, 601
Fred M. McMillan	17, 870
W. C. Cornwell	16, 621
Douglas W. Carreker	16, 422
J. A. McNeill	15, 658
H. J. Williams	15, 515
Thomas Farms, Inc	15, 397
William Suggs	15, 046
Total payees in county (10)	177, 556

TATTNALL COUNTY

Segal Durrence	19, 060

TAYLOR COUNTY

E. B. Swearingen	24, 150
Willard Brunson	23, 190
C. R. Simmons	21, 666
Hilton E. Taunton	18, 840
Thomas H. Taunton	18, 840
J. O. Albritton	18, 445
Robert Brunson	16, 717
Total payees in county (7)	141, 848

TELFAIR COUNTY

William H. Evans	20, 459

TERRELL COUNTY

D. D. Hill	24, 137
W. H. McLendon	23, 308
J. P. Orndorff	22, 478
Charles McLendon	22, 436
B. C. Arthur	22, 348
James G. Raines	22, 147
W. J. Martin	21, 420
Isaac Morris Chambless	20, 364
Alston Brothers	19, 949
Lavonne Speir	18, 705
John Ed Thomas	18, 420
Jim Lane	18, 420
Ray Christie	17, 700
Shelby Marks	16, 642
Bobby J. Locke	15, 870
James V. Drain	15, 396
Total payees in county (16)	319, 740

THOMAS COUNTY

R. B. Vonier	20, 501
C. M. Anderson	17, 690
Conifer Farms	17, 604
Julius Chastain	17, 239
E. N. Parramore	16, 802
Doyle West	15, 245
Total payees in county (6)	105, 081

TIFT COUNTY

Wm. I. Bowen	19, 155
J. H. Moore, Jr	18, 141
Ponder Plant Co	16, 715
H. C. Dorminey	16, 131
Total payees in county (4)	70, 142

TOOMBS COUNTY

Ross P. Bowen	18, 577

TURNER COUNTY

Wilson Hancock	19, 582
R. & M. Farms	18, 554
Oscar Wilkerson	17, 055
J. C. Rodgers	16, 636
G. & G. Farms	15, 258
Total payees in county (5)	87, 085

WALTON COUNTY

T. J. Chandler	24, 904
Bennie R. Anderson	24, 017
Alex Harden	23, 263
T. H. Adcock	22, 553
C. N. Johnson	21, 121
Carl Lemonds	21, 021
Robbie Adcock	20, 785
John Harris	20, 153
John Kilgore	16, 921
E. L. Poss	16, 810
Byron Mitchem	15, 932
J. H. Snow	15, 865
Total payees in county (12)	243, 345

WARREN COUNTY

Loyd Langford	21, 690
Robert E. Scott	20, 738
Jamie L. Gunn	19, 077
Robert A. Langford	19, 050
Total payees in county (4)	80, 555

WASHINGTON COUNTY

Jewell Bridges	21, 189
Raymond & Grover Cobb	21, 161
Thomas S. Jones	20, 556
Allen T. Veal	20, 041
Robert S. Black	19, 885
Arthur Hartley	19, 764
B. W. Lord	19, 320
L. V. Brooks	17, 684
Henry S. Brantley	17, 438
Total payees in county (9)	177, 038

WEBSTER COUNTY

G. W. Jones	20, 550

WHEELER COUNTY

J. M. Johnson	24, 086
E. E. Elton	15, 051
Total payees in county (2)	39, 137

WILCOX COUNTY

D. F. Veal	18, 520
M. D. Brown	18, 035
William Worley	16, 087
Total payees in county (3)	52, 642

WORTH COUNTY

Mercer Mill Plantation	23, 620
H. T. Elliott	22, 673
James R. Young, Jr	22, 478
Roy Barksdale	19, 022
Cecil L. James	18, 730
Lenwood Sutton	18, 691
A. L. Sutton	18, 524
E. B. Conger	18, 257
Andrew J. Aultman	17, 122
O. A. Ruis	15, 863
L. A. Hurst	15, 454
Total payees in county (11)	210, 434
Total payees in State (465)	8, 825, 506

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Idaho

BEAR LAKE COUNTY

Demar Romrell	22, 146
J. O. Walker & Sons	20, 207
R. K. Nelson	18, 211
Total payees in county (3)	60, 564

BENEWAH COUNTY

R. M. Thomas & Son	17, 669
Richard R. Lawson	17, 532
Vernon Larson	17, 419
Hilding Frick	16, 926
Larry Heaton	15, 959
Douglas H. Howe	15, 820
Gerald R. Haas	15, 255
Fox Brothers	15, 039
Total payees in county (8)	131, 619

BINGHAM COUNTY

Curtis W. Holland	20, 428
Rising River Ranches, Inc	19, 352

John L. Smith	17,435
J. Walt Vanderford	17,267
Alex Schelske	17,196
D. & R. Parks Partnership	16,662
Total payees in county (6)	108,340

BONNEVILLE COUNTY

Ernest Martin	23,948
George Lovell	22,857
Foster Associates	21,350
L. B. Holden Farm Co	19,317
Lynn Brown	19,198
Nielson & Nielson	17,110
Glenn Blatter	16,646
Davenport & Fosbinder	16,059
Browns Meadow CK Ranch, Inc	15,468
Total payees in county (9)	171,953

BOUNDARY COUNTY

Henry G. Eckhart	19,973

BUTTE COUNTY

Don A. Aikele	16,010

CAMAS COUNTY

William A. Simon	21,081
James E. Kevan	18,643
Sun Valley Ranches, Inc	18,454
Fields Land Co., Inc	16,391
Clifford Hallowell	15,233
Total payees in county (5)	89,802

CARIBOU COUNTY

Corbridge Brothers	24,470
Christman & Hopkins, Inc	23,315
Thomas Cellan	21,284
Raoul Wistisen	19,869
Don C. Rigby	19,112
Richard Torgesen	18,307
Central Valley Farm, Inc	17,407
Sidney D. Hansen	16,540
Ezra Lakey & Sons, Inc	16,369
Max D. Rigby	16,316
Vernon G. Moser	16,050
Merle Cellan	15,566
Total payees in county (12)	224,605

XUM

CASSIA COUNTY

Critchfield Land & Livestock	24,016
William Rehn	22,641
Leonard Rehn	21,122
Conrad Rehn	20,723
Vernon Rehn	20,425
W. Wayne Newcomb	20,004
O. M. Johnson	19,874
Jack Hirai	19,242
John A. Pierce	17,971
Cranney Bros	16,855
William A. Farwell	16,784
Leonard Funk	16,719
Adele Toevs	16,547
Grant Glorfield	16,543
Pickett Ranch and Sheep Co	15,910
Total payees in county (15)	285,376

CLARK COUNTY

Blaine Grover	20,915
Thomas and Laird Lyndon Laird	18,401
Total payees in county (2)	39,316

CLEARWATER COUNTY

John Summers and sons	17,430

FRANKLIN COUNTY

Kenton G. Fredrickson	16,447

FREMONT COUNTY

Ralph Litton	17,363
K. R. Henry	15,062
Total payees in county (2)	32,425

IDAHO COUNTY

Sam Alm & Sons Inc	23,458
Hauger Ranches, Inc	21,322
Norman Dean	19,203
T. E. Robinson	18,326
Prairie Ranches	17,451
John J. Hanley Assoc., Inc	16,905
Heckman Ranches, Inc	16,548
Klmn. Inc	15,704
H. E. Brown	15,449
Total payees in county (9)	164,366

JEFFERSON COUNTY

Orie W. Robison	20,131
Miller Farms, Inc	19,395
Browning Grain & Produce	17,080
Total payees in county (3)	56,606

KOOTENAI COUNTY

Earl M. Clausen	18,320
George Thayer	16,886
Herbert Millhorn	15,728
Albert Roecks	15,108
Total payees in county (4)	66,042

LATAH COUNTY

Gary Morris	21,734
Jensen Bros	21,268
Snow Farms	18,577
Westberg Bros	17,912
Steelsmith Bros	17,826
Herman Renfrow	17,654
Haxton and Son	16,638
Raymond Reisenauer	16,552
James R. Westcott	16,413
Alonzo C. Wilson and Sons	16,283
Dennis Driscoll	15,563
Clifford Wolf	15,496
Boyd & Story	15,418
Hampton Ranch	15,267
Tom Wahl	15,045
Total payees in county (15)	257,646

LEWIS COUNTY

Richard Renner	24,578
E. M. Fisher & Sons, Inc	18,976
Duane C. Miller	18,067
Zenner Farms	16,805
Joe A. Baldus	16,713
McLeod Bros	15,153
Total payees in county (6)	110,292

LINCOLN COUNTY

Darwin Neibaur	20,707

MADISON COUNTY

Howard and Robinson	22,069
Ed S. Covington	20,535
Jensen Brothers	19,773
Ricks Bros	17,307
J. Wayne Stevens	17,190
Bert Webster	16,501
O. J. Neeley Ranch, Inc	15,509
Total payees in county (7)	128,884

MINIDOKA COUNTY

Mack Neibaur	15,896
Bruneau Sheep Co	15,321
Total payees in county (2)	31,217

NEZ PERCE COUNTY

Wittman Farms	24,642
E. J. McCann	22,170
Gary Schwank	21,508
Orvelle Konen	21,256
Thiessen Ranch	18,498
Galen Buchanan	17,709
Ruckman Ranch	17,650
Chuck Brackett, Jr	17,612
Zenner Brothers	17,245
Harold Zenner	16,687
Loren Crow	16,532
Hoffman Ranch	16,187
Gordon Bundy	15,992
Knowlton Farms, Inc	15,778
Kaufman Farms, Inc	15,479
Lee Heath	15,462
Total payees in county (16)	290,407

ONEIDA COUNTY

J. F. Fredrickson, Co	24,340
D. L. Evans Fms Inc. & Evans Br.	21,143
L. C. Alder & Sons, Inc	16,545
Arch Showell	15,116
Total payees in county (4)	77,144

POWER COUNTY

Dean Meadows	23,887
Ralphs Brothers	23,663
W. E. Barkdull & Sons, Inc	21,330
Rex Hayter	19,488
Vard W. Meadows	18,740
Melvin R. Funk	17,553
Ferdinand Gehring	17,367
Bowler Ranches, Inc	16,055
D. S. Benson	16,055
Glee Michaelson	15,976
Roscoe Weston	15,270
Zimmerman Brothers	15,205
Austin Woodworth	15,153
Neibaur & West Farms	15,062
Total payees in county (14)	251,012

TETON COUNTY

Earl N. Hoopes	23,884
J. Clint Hoopes	19,439
Demar Bott	19,135
Total payees in county (3)	62,458

TWIN FALLS COUNTY

Tom Callen	17,417

WASHINGTON COUNTY

J. B. Barker	18,598
Total payees in State (152)	2,766,656

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Illinois

ADAMS COUNTY

Richard Wittler	22,924
E. A. Meyer	22,214
Cyril Elbus	21,228
Victor Shriver	17,778
Total payees in county (4)	84,144

ALEXANDER COUNTY

John R. Greenwell	17,242

BOONE COUNTY

Frank Bullard	24,572
Wendell Rosene	16,477
K B Farms, Inc	16,001
Total payees in county (3)	57,050

BROWN COUNTY

Rolla Colclasure	15,388
William A. Orr	15,374
Total payees in county (2)	30,762

BUREAU COUNTY

Raymond J. Fitzpatrick	20,770
Edward Perino	15,597
Total payees in county (2)	36,367

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Illinois—Continued

CALHOUN COUNTY

Schulze Bros	18, 161
Schulze Farms, Inc	15, 892
Total payees in county (2)	34, 053

CARROLL COUNTY

Delbert Newcomer	20, 119
John McNitt	18, 251
Robert Cockle	15, 219
Total payees in county (3)	53, 589

CASS COUNTY

Bob Hardwick	17, 760
Charles Turner	16, 600
Walter S. Harwick	16, 003
S. W. Hardwick	15, 732
Total payees in county (4)	66, 095

CHAMPAIGN COUNTY

Willis Winston	23, 445
Pat Murray	23, 233
J. J. McQuaid Est	19, 800
Paul V. Klein	18, 045
Arthur Clark	17, 535
Francis Emkes	17, 421
Roy J. Wilson	16, 203
John Boland	15, 373
Total payees in county (8)	151, 055

CHRISTIAN COUNTY

Donald Linton	20, 624
Donald L. Kuhle	20, 584
Leroy Trulock	20, 014
John H. Butterfield	19, 263
Harold O. Long	18, 152
Earl Scholes	15, 544
Total payees in county (6)	114, 181

CLARK COUNTY

Bernard Halloran	17, 636
Forrest H. Ferris	17, 568
Clyde R. Knowles	16, 616
Glenn O. Pinnell	15, 051
Total payees in county (4)	66, 871

COLES COUNTY

Harold Horn	22, 500
Coffey Brothers	19, 978
Irvin Thompson	17, 917
Total payees in county (3)	60, 395

COOK COUNTY

A. Hagemann	17, 151
Ervin Henry Brandau	15, 027
Total payees in county (2)	32, 178

CRAWFORD COUNTY

O. W. Stoner & Sons	19, 411
Emerson N. Walker	19, 218
Total payees in county (2)	38, 629

CUMBERLAND COUNTY

John Clark	15, 943

DE KALB COUNTY

Millard Sawyer	22, 711
Raymond Katz	21, 651
James E. Willrett	20, 918
Dean N. Lake	19, 815
Axelson Bros. by Erik Axelson	19, 261
Kenneth Nelson	19, 016
Allen Aves	18, 840
Donald L. Faivre	18, 239
Willard Quincer	18,105
Raymond P. Willrett	17, 545
Robert Willis	16, 960
Donald Sawyer	16, 416
Marvin Bridger	15, 710
Total payees in county (13)	245, 187

DE WITT COUNTY

R. F. Kiley	18, 700

DOUGLAS COUNTY

William C. Jones	21, 323
Robert J. Miller	15, 498
John Hemingway	15, 352
Total payees in county (3)	52, 173

EDGAR COUNTY

Shelby Wood	19, 865
W. Herbert Hawkins	17, 390
Kerrick Helton	15, 083
Total payees in county (3)	52, 338

EDWARDS COUNTY

Raymond A. Messman	16, 024

FAYETTE COUNTY

Ayres Buzzard	18, 573
Sam Small	17, 346
R. H. Troop	17, 117
Delbert Wehrle	15, 073
Total payees in county (4)	68, 109

FORD COUNTY

John P. Gallahue	21, 190
Gerald Johnson	19, 163
Total payees in county (2)	40, 353

GALLATIN COUNTY

William Leslie Bradley	23, 495
Charles Hish	22, 867
Agrarian Enterprises	20, 556
Charles Oldham	18, 927
Daniel J. Maloney	18, 737
Charles F. Naas	16, 728
Marshal R. Rigsby	16, 668
W. E. Dawnen	16, 172
Total payees in county (8)	154, 150

GREENE COUNTY

Henry Longmeyer	24, 851
Pete Remmers	23, 837
Hartwell Ranch	23, 834
McWilliams Trust	20, 806
Craver Farms	19, 012
C. L. McLaughlin	18, 050
W. P. Gilmore	17, 855
Beams Bros	16, 189
Gilmore Farms	16, 019
Total payees in county (9)	180, 453

GRUNDY COUNTY

David M. Barr	18, 430
Francis Schaefer	15, 091
Edwin R. Walker	15, 036
Total payees in county (3)	48, 557

HANCOCK COUNTY

Lucie & Dorsett	18, 995
Junior Rea	17, 059
Total payees in county (2)	36, 054

HENDERSON COUNTY

Shelby H. Romine	20, 026
Robert L. Gray	19, 345
Sam Stevenson	15, 701
Total payees in county (3)	55, 072

HENRY COUNTY

George Larson	24, 526
Truman Hays	23, 864
Levi Hostetler	22, 607
Wm. H. Dynes, Sr	16, 456
Marlo Carlson	15, 965
Total payees in county (5)	103, 418

IROQUOIS COUNTY

Andrew Meister	22, 412
H. Edmond Pratt	19, 641
Joe R. Gibson	18, 927
S. D. McCullough	15, 148
Total payees in county (4)	76, 128

JACKSON COUNTY

D. L. Bess Sr	24, 795
Earl Frischkorn	24, 069
Total payees in county (2)	48, 854

JASPER COUNTY

Robert Frohning	16, 680

JEFFERSON COUNTY

Fletcher Farrar	22, 394

JERSEY COUNTY

Floyd Isringhausen	20, 936
Joseph R. Kramer	17, 556
Wm. Gettings, Jr	16, 909
Jack Wock	16, 670
Bernard Heitzig	15, 480
Total payees in county (5)	87, 551

KANE COUNTY

Lyle Lawson	23, 106
James Feece	19, 093
Willis A. Follman	18, 725
Arthur Long	18, 372
Edwin Dunteman	15, 899
Harold Gorenz	15, 656
Frank Gorenz, Jr	15, 656
Long Bros., c/o A. Long Agt	15, 432
Ben Wennlund	15, 245
Total payees in county (9)	157, 184

KANKAKEE COUNTY

Tunis Hoekstra	22, 119
Louis Legris	18, 409
Park Hollenbeck	17, 427
Fred English	15, 855
Jake Munyon	15, 348
Robert Jarvis	15, 085
Total payees in county (6)	104, 243

KENDALL COUNTY

Richard F. Feeney	22, 504
CMP Co., c/o D. C. Kirkpatrick	20, 316
Robert N. Herren	16, 793
Total payees in county (3)	59, 613

KNOX COUNTY

Robert Paul Thompson	15, 354

LAKE COUNTY

Wm. E. Clark	18, 620

XUM

LASALLE COUNTY	
George Lambourne	20,702
Delwin J. Link	17,446
Beetz Bros	16,868
Total payees in county (3)	55,016
LAWRENCE COUNTY	
L-V Airport	18,939
Simms Bros	17,354
Laakman Bros	17,060
Louis Halter	16,888
Jack Seitzinger	16,784
Ward Warner	16,315
Glenn Mahrenholz	16,128
John M. Jordan	15,078
Total payees in county (8)	134,546
LEE COUNTY	
Denton Swarts	16,068
Clifford Albrecht	15,345
Total payees in county (2)	31,413
LIVINGSTON COUNTY	
Hamilton Ranch, Inc	22,632
Est. E. Faragher	19,919
Alfred Andree	18,080
Donald D. Harms	17,295
Everett M. Bailey	15,024
Total payees in county (5)	92,950
LOGAN COUNTY	
Elizabeth K. Drake	24,467
George Gilchrist	18,364
Andrew & Rachel Wiggers Ptrp	18,335
Hoblit Farms, Inc	16,749
Total payees in county (4)	77,915
MACON COUNTY	
C. Wilcox	20,482
Loren M. Pattengill	18,404
Mill Univ	17,867
Waggoner Lehn	16,669
Total payees in county (4)	73,422
MACOUPIN COUNTY	
Robert E. Alford	22,925
Randall Loveless	22,722
Moffet Farm Supply, Inc	18,963
Total payees in county (3)	64,610
MASON COUNTY	
Gearge Martin	21,264
Howard Ermeling	19,354
Total payees in county (2)	40,618
MASSAC COUNTY	
Henry W. Schmidt	23,797
Walter Hastings	16,390
Total payees in county (2)	40,187
MC HENRY COUNTY	
L. O. Napier	23,870
Richard Meyer	16,125
Brickley Bros	15,227
Total payees in county (3)	55,222
MC LEAN COUNTY	
Richard D. Whitwood	24,189
Theo Funk Tr	22,633
Homer Lobdell	21,993
George Arnold	21,422
Kelley Bros. Ptrp	20,498
Wm. T. Larkin	20,015
Orlyn Miller	19,813
Haber Hall	16,694
Ben T. Gildersleeve	16,200
Kenneth Benjamin	15,230
Charles E. Brokaw	15,054
Total payees in county (11)	213,741
MENARD COUNTY	
John Hulby	18,850
MERCER COUNTY	
North Trust Co	19,355
Melvin T. Johnson	17,729
Bill Frieden	17,528
Ralph Tomlinson	16,721
Sheldon Neeld	16,472
Edmund Morris	16,195
Charles E. Woodward	15,585
Total payees in county (7)	119,585
MONTGOMERY COUNTY	
D. M. Chausse and J. A. Chausse	23,153
Ross Lay	18,252
Evan Pocklington	17,442
C. W. Barnstable	15,480
Total payees in county (4)	74,327
MORGAN COUNTY	
Nickel Bros. A. Ptrp	20,226
Louis Werries	16,895
A. E. Curry	16,658
Total payees in county (3)	53,779
MOULTRIE COUNTY	
Robert Waggoner	21,385
John A. Rhodes	15,365
Lloyd Younger, Jr	15,169
Total payees in county (3)	51,919
OGLE COUNTY	
Emil Fisher and R. Allen	21,665
L. D. Carmichael	19,867
Chas. C. Koontz	19,757
Anna Roos	18,990
Merle Snodgrass	18,746
Clifford Ohlinger	18,453
Fred Bushnell, Jr	17,484
Jerry L. Fisher	16,387
Total payees in county (8)	151,349
PIATT COUNTY	
Lynn H. Clarkson	22,313
Jake Chambers	20,479
Margaret Wolfe	18,305
J. E. McCoppin	17,516
J. P. Kratz & Co	15,148
Total payees in county (5)	93,761
PIKE COUNTY	
James M. Byrns	19,745
POPE COUNTY	
Norman Lewis	22,104
PULASKI COUNTY	
E. L. Brown III	16,559
RANDOLPH COUNTY	
Gordon Cohen	16,810
Schaeffer Farms, Inc	16,614
Michael Kertz	16,440
Total payees in county (3)	49,864
ROCK ISLAND COUNTY	
Donald Rursch	21,608
John H. Layer, Jr	15,638
Total payees in county (2)	37,246
SANGAMON COUNTY	
Ross McNaught	20,617
Hiler Bros. A. proprietor	19,413
J. Lee Leonard	18,503
George L. Wilson	16,740
James B. Sudduth	16,634
James F. Kent	16,050
Carl Schmidgall, Jr	15,085
Total payees in county (7)	123,042
SCHUYLER COUNTY	
Wilburn Briney	20,509
SCOTT COUNTY	
Adams & Wilson	19,597
Russell Hubbert	15,832
Total payees in county (2)	35,429
SHELBY COUNTY	
Raymond G. Workman	15,393
ST. CLAIR COUNTY	
Floyd A. Schlueter	22,095
STARK COUNTY	
Alan Harmon	19,296
STEPHENSON COUNTY	
Lloyd Leary	15,114
TAZEWELL COUNTY	
E. E. Sears	18,389
UNION COUNTY	
Gerald Cain	24,918
Howard Davis	19,521
Shawnee Farms, Inc	17,671
Total payees in county (3)	62,110
VERMILION COUNTY	
Peter L. Gernand	22,619
Paul Zook Est	20,633
R. C. Morgan	19,181
Oral W. Clark	17,673
Dale Cunningham	16,780
Fairmount Farms	16,400
Milton Meyer	16,043
Gerhard Frerichs	15,937
Elmer P. Hoggatt	15,654
Larry Smoot	15,173
Total payees in county (10)	176,093
WABASH COUNTY	
Champ Lovellette	16,442
Norman Kieffer	16,251
Don Kennard	15,273
Total payees in county (3)	47,966
WARREN COUNTY	
Walter Gayman	22,378
Arnold Ischer	19,063
Thomas Hennenfent	18,982
Gene Youngquist	17,718
Total payees in county (4)	78,141
WASHINGTON COUNTY	
Lester Pitchford	17,519
WHITE COUNTY	
C. E. Brehm	24,878
Glenn D. Whitley	18,636
Robert J. Williams	17,192
John F. Hooser	16,634
Ralph Campbell	16,255
Total payees in county (5)	93,595
WHITESIDE COUNTY	
Clifford Warkins, Jr	24,863
Elmer Larson	24,665
Joe Besse	24,169
Beattie Brothers	22,256
Woodrow Lorke	19,263
Kobbeman Farms	17,681

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payment—Illinois—Continued

WHITESIDE COUNTY—continued

Dean Larson	16,762
Elwin Schmitt	15,052
Total payees in county (8)	164,711

WILL COUNTY

Daniel T. Walker	20,889
Charlmar Acres Inc	16,551
Total payees in county (2)	37,440

WINNEBAGO COUNTY

Leroy Benson	24,769
Edw. A. Gummow	22,190
Harold E. Nelson	18,754
Rex H. Light	16,278
Irving J. Swanson	15,842
Total payees in county (5)	97,833

WOODFORD COUNTY

Robert Kennell	21,872
Marion Schirer	21,215
Earl Schirer	18,312
Donald M. Laughlin	17,877
Robert E. Rients	15,048
Total payees in county (5)	94,324
Total payees in State (284)	5,263,500

1969 ASCS program payments of $15,000 through 24,999 excluding price support loans and wool and sugar payments—Indiana

ALLEN COUNTY

Chester W. Crates	18,638
David C. Salomon	15,874
Total payees in county (2)	34,512

BARTHOLOMEW COUNTY

Henry Breeding	20,687
Karl Fingel	16,974
Total payees in county (2)	37,661

BENTON COUNTY

Herschbach	24,854
Leo Cyr	20,242
Joseph F. Campagna	18,042
Herman Tolen	17,170
Marvin Gick	16,478
Total payees in county (5)	96,786

CARROLL COUNTY

Walter Fieleke	15,859

CLAY COUNTY

Raymond Francis	17,972
Joe Fischer	15,405
Total payees in county (2)	33,377

DAVIESS COUNTY

Fairview Farms	18,724
Melvin Goodwin	17,187
Stephen Buzan	15,697
Doty Schafer Doty	15,506
Total payees in county (4)	67,114

DE KALB COUNTY

A. J. Custer & Sons	15,712

DECATUR COUNTY

William Richard Fogg	18,556
Morgan Miers	16,609
Stewart Bros	15,159
Total payees in county (3)	50,324

FOUNTAIN COUNTY

Walter C. Bell	22,467

FULTON COUNTY

Fred Zellers	15,781

GIBSON COUNTY

Robert J. Smith	22,028
W. B. Bingham Farms	20,386
Wm. Clark Bugher	17,825
Floyd Investments	15,815
John H. Steelman	15,392
Norman Horrall	15,015
Total payees in county (6)	106,461

GREENE COUNTY

Garland Hasler	20,879
Jack Hasler	15,333
Total payees in county (2)	36,212

HAMILTON COUNTY

Dave Hartley	15,828

HANCOCK COUNTY

Louis W. Rodebeck	19,646
James L. French	16,269
Total payees in county (2)	35,915

HENRY COUNTY

Joseph C. Myers	16,472

HOWARD COUNTY

Kappa Farms Inc	18,849
Howard Newhouse	17,770
Total payees in county (2)	36,619

JACKSON COUNTY

Robert Zollman	21,486
Augustus Mellencamp	17,213
Frank Hill	16,022
Total payees in county (3)	54,721

JASPER COUNTY

Vernon Cavinder	23,372
Richard Schoon	23,333
Oral Baldwin	22,507
F. W. Powers Trust	19,784
Russell Kohlhagen	19,386
Roger Amsler	18,312
Alfred Schrader	18,206
Sam G. Hamstra, Jr	17,720
St. Josephs College	16,956
Sam G. Hamstra Sr	16,697
Firman C. Thompson	16,579
George G. Hamstra	16,516
John Lonergan	16,389
Granville Moody	15,665
Eugene Hageman	15,059
Total payees in county (15)	276,481

KNOX COUNTY

Clem Witteried	24,931
Bower Corp., c/o J. Wyber	24,915
Paul Morris	22,040
Billy H. Barmes	21,661
Henry A. Hagemeier	20,780
William Cardinal, Sr	20,555
Dave H. Newton	20,058
Holscher Brothers	20,017
Willard Pahmeier	19,769
Floyd Wilson	19,095
Nelle Walden	18,438
Nuwealth Farms	18,299
Chris Vieck & Sons	17,937
Floyd G. Wampler, Jr	17,380
Norman McClure	17,374
Ernest Miller	16,214
D. O. Horrall	16,049
Mack Montgomery	15,454
Roy Ice	15,399
Total payees in county (19)	366,365

LA PORTE COUNTY

Leffert Farms, Inc	19,184
Sq. Deal Farm	18,011
John McCombs	17,275
Boilini Farms, Inc	16,749
Henry Germann	16,577
C. L. Rhoade	15,439
Total payees in county (6)	103,235

LAKE COUNTY

Wilson Est. c/o A. Wilson	22,417
Curt Kamminga	22,181
John Brown Son	21,845
Neil Morrow	21,595
Charles Drewry	19,711
Henry Eenigenburg	16,305
Elwood Fifield	16,294
Eugene Black	16,046
Floyd Duncan, Jr	15,654
Lee Kalvaitis	15,139
Total payees in county (10)	187,187

LAWRENCE COUNTY

Lex Rariden	16,752
W. S. Roberts and Sons	15,984
Total payees in county (2)	32,736

MADISON COUNTY

Robert H. Likens & Sons	17,559

MARSHALL COUNTY

Glenn Overmyer	16,009

MARTIN COUNTY

Robert Vollmer	16,007

MONTGOMERY COUNTY

Harold B. Taylor	23,581
M. L. Smith	19,231
Total payees in county (2)	42,812

MORGAN COUNTY

Lee Vickrey	16,981

NEWTON COUNTY

Irving Francis Estate	19,994
Ross Farms, Inc., by George Ross	18,504
Irvin Mashino	18,151
Paul Willis	16,670
Marvin Miller	16,302
Total payees in county (5)	89,621

NOBLE COUNTY

Roy Parker and Sons	16,335

ORANGE COUNTY

Gerkin Farms	15,916

OWEN COUNTY

Alton Cooper	19,812

PARKE COUNTY

Ralph Simpson	20,807
Raymond Brown	15,134
Total payees in county (2)	35,941

PORTER COUNTY

Ted Rudman	19,919
Philip Maxwell	19,163
James Lenburg, Jr	17,638
Johnson Bros	16,743

Wilford Parker	16,385
Total payees in county (5)	89,848

POSEY COUNTY

Charles Schneider	18,484
Hoehn Bros	17,881
Orval Nottingham	17,867
NAAB Seed	16,531
John W. Spencer	15,347
Total payees in county (5)	86,110

PULASKI COUNTY

Otto Wuethrich	24,776
Joseph E. Smolek	22,819
Fred Gutwein and Sons	20,329
Thomas Murray	16,746
Gutwein Milling Co., Inc	15,920
Emil Smolek	15,525
Darl Daily	15,434
Total payees in county (7)	131,549

PUTNAM COUNTY

Britton Farms, Inc	21,892
Walter Dorsett	17,589
Indiana State Farm	17,042
Total payees in county (3)	56,523

RUSH COUNTY

Kendall Stock Farm, Inc	17,686
D. E. Carmony Farms, Inc	16,523
Total payees in countly (2)	34,209

SHELBY COUNTY

Eugene Boring	16,735

SPENCER COUNTY

Ayer Brothers	17,948
Oatley Thrasher	17,704
Jesse J. Dauby	16,060
Total payees in county (3)	51,712

ST. JOSEPH COUNTY

Martin Blad	23,178
Fisher Olive Farm	23,015
Kenneth Sebasty	22,533
St. Joseph Farm	20,864
Steve Cooreman	18,607
Ivan Truyaert	18,511
Total payees in county (6)	126,708

STARKE COUNTY

Jack Brown	24,542
Allen C. Chesak	19,869
Albert C. Christensen	15,490
Total payees in county (3)	59,901

SULLIVAN COUNTY

Mann Seed Farms	23,493
Leland Phegley	21,584
William G. Phillips	19,324
Total payees in county (3)	64,411

TIPPECANOE COUNTY

Maddux Farms, Inc	23,312
Robert F. Fields	17,992
Avery Sheets	15,451
Total payees in county (3)	56,755

TIPTON COUNTY

Longview Farms	24,172
Robert M. Smith	15,762
Total payees in county (2)	39,934

VERMILLION COUNTY

Emery O. Hollingsworth	18,500
Gerald Farrington	17,740
William W. Farrington	16,470
Gerald Morgan	16,068
Herschel Cheek	15,901
Total payees in county (5)	84,679

VIGO COUNTY

Edward E. Laswell	23,135
Joe Archer	19,156
William L. Robertson	18,994
Joe R. Burton	17,647
Virgil Cesinger	17,314
Floyd E. Lenderman	15,952
Emil D. Welsh	15,357
George W. Morris	15,253
Total payees in county (8)	142,808

WABASH COUNTY

Dean Eppley	15,812

WARREN COUNTY

Henry Wright & Son	23,785
Everett Weston	21,843
T. Cor. Fleming Estate, Inc	18,945
Edna Mehaffey	16,706
Total payees in county (4)	81,279

WARRICK COUNTY

Weyerbacher Farms	15,914

WAYNE COUNTY

James L. Cates	19,734
J. Morris Forrest	15,275
Total payees in county (2)	35,009

WHITE COUNTY

Lloyd Lehe	24,949
John Warner	24,143
Richard W. North	19,515
Phillip Woods	17,325
Myers Ranch	17,097
Richard Lehe	15,245
Total payees in county (6)	118,274
Total payees in State (177)	3,253,058

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Iowa

ADAIR COUNTY

Audra Gibbs	23,592

APPANOOSE COUNTY

Munsterman Bros	24,220

AUDUBON COUNTY

Elmer G. Carlson	21,871
Levi S. Hansen	19,494
Total payees in county (2)	41,365

BENTON COUNTY

Ray Van Steenhuyse	20,878
Harry H. Hunzinger	20,814
George Grovert	19,037
Arthur Olson	16,508
Total payees in county (4)	77,237

BLACK HAWK COUNTY

Robert Rottinghaus	18,867
Ray J. Miller	17,190
Waterloo Municipal Airport	15,025
Total payees in county (3)	51,082

BOONE COUNTY

Last Hope Farms	21,277

BUCHANAN COUNTY

Vernon Hoffman	22,134
Paul Norris	16,359
Total payees in county (2)	38,493

BUTLER COUNTY

R. T. Groos Trust	17,682
R. J. Moore	15,971
Total payees in county (2)	33,653

CALHOUN COUNTY

Earl R. Strand	23,450

CARROLL COUNTY

Chrystal Bros	20,841

CASS COUNTY

Theodore Wickman, Jr	21,024
Gene Leslie	19,387
Frank Eblen Co., Inc	18,970
Don Dawson	16,564
Burke Bros	16,411
Total payees in county (5)	92,356

CEDAR COUNTY

Alan Weets	17,200
Oscar Glick	16,227
Vernon Lamp	15,359
Lester L. Linn	15,301
Total payees in county (4)	64,087

CERRO GORDO COUNTY

Kinney Lindstrom Foundation	22,663
Vincent J. Schmitt	21,437
Otto McDonough	20,699
George H. Wendel	20,622
Bruce and Eugene Evans	19,879
Marlin Johnson	18,947
North IA Conf. Pensions	18,401
Kenneth Scott	17,673
Charles Norris	17,594
John Roger Whitt	17,208
Richard K. Petersen	16,853
Marlyn Butz	16,688
William L. Nicholas	16,664
Steven Lundt	16,663
Buford Floy	15,308
Total payees in county (15)	277,269

CLAY COUNTY

George Koenig	18,992
Clyde Brown	18,986
Total payees in county (2)	37,978

CLINTON COUNTY

Gary Hart	21,869
C. P. Small	18,434
Total payees in county (2)	40,303

CRAWFORD COUNTY

Tracy North	21,751
Joe Muff	15,084
Total payees in county (2)	36,835

DALLAS COUNTY

Lewis Baer	16,031

DELAWARE COUNTY

Lux Leghorn Land Farms, Inc	23,764
Elmer D. Baer	23,701
Total payees in county (2)	47,465

DES MOINES COUNTY

Donald B. Nelson	18,229
Hugh Myers	15,612
Total payees in county (2)	33,841

DICKINSON COUNTY

Carl Winterboer	20,698
Harold G. Reiter	19,181
Total payees in county (2)	39,879

DUBUQUE COUNTY

Ambrose Hess	16,330

E. POTTAWATTAMIE COUNTY

Vinson R. Perkins	18,429
Marion Wright	18,273

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1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Iowa—Continued

E. POTTAWATTAMIE COUNTY—continued

Earl G. Sievers	16, 674
D. Wylie King	15, 151
Total payees in county (4)	66, 527

EMMET COUNTY

Hans Hansen	15, 442

FAYETTE COUNTY

Edwin A. Hoehne	19, 803
B. W. Bowling	18, 745
Max Janssen, Jr	18, 615
C. M. Bowling	18, 412
Bowling Bros	15, 330
Total payees in county (5)	90, 905

FLOYD COUNTY

D. L. Trowbridge	24, 140
Hoyle Ginther	23, 903
Kenneth Heft	20, 337
Melvin Marth	17, 547
Melvin Apel	17, 492
Lester Smith Estate	16, 780
William Marshall	15, 952
Total payees in county (7)	136, 151

FRANKLIN COUNTY

Leo Bodensteiner	24, 120
M. Staley Est	20, 572
Foster Barkema	20, 115
James Jorgensen, Jr	17, 636
Farmers Hybrid Co., Inc	16, 911
Glen Crabtree	16, 828
Arthur Behn	16, 613
Harold F. Heinz	16, 354
Max Sheppard	15, 282
Hartley A. Alden	15, 042
Total payees in county (10)	179, 473

FREMONT COUNTY

Lyle Taylor	24, 204
Jack Stanley Farms, Inc	22, 978
Interstate Nurseries	22, 215
Draper Farms	19, 469
Wm. H. Ramsay	19, 376
Bernard Porter	19, 240
John Orton	18, 999
Shull Hardware Farms	18, 506
Penney Bros. & Silcox	17, 564
Carl D. Sjulin	17, 277
Verle Trively & Sons	17, 087
Wesley Sheldon	16, 517
Steve Porter	16, 415
Vogel Farms	15, 995
John Gee	15, 081
Total payees in county (15)	280, 923

GREENE COUNTY

James H. Andrew	19, 312
Hunter Farms	17, 325
Total payees in county (2)	36, 637

GRUNDY COUNTY

Stewart and King, Inc	24, 567
W. L. Mooty	22, 194
Robert Prosser	15, 114
Total payees in county (3)	61, 875

GUTHRIE COUNTY

Garst Warehouse Co	24, 887
Ellis & Draman, Inc	18, 370
Earl M. Kading	16, 106
Total payees in county (3)	59, 363

HAMILTON COUNTY

H. H. Clarke	22, 298
Patrick McCormick	15, 538
Total payees in county (2)	37, 836

HANCOCK COUNTY

Delos V. Smith	16, 966

HARDIN COUNTY

Vernon Ioerger & Sons	15, 706

HARRISON COUNTY

Miles Mann	21, 161
Paul Porter	17, 880
Schwertley Farms	17, 260
Henry K. Peterson Estate	17, 177
James McClannahan	16, 888
Francis Harper, Sr	15, 986
Fannie Rand	15, 796
Total payees in county (7)	122, 148

HENRY COUNTY

McAllister Bros	19, 849
Roger Tweedy	15, 425
Total payees in county (2)	35, 274

HOWARD COUNTY

Ralph Hurst	18, 083
Donald Leff	16, 630
Virgil D. Lewis	15, 255
Total payees in county (3)	49, 968

HUMBOLDT COUNTY

Warwick Land Co c/o Hatfield	20, 150

IDA COUNTY

L. D. Johnson Partnership	23, 496
Richard Schmidt	22, 128
Roland Loehr	17, 808
Calvin Goodenow	16, 046
Total payees in county (4)	79, 478

IOWA COUNTY

Lambert Elwood	19, 589
Leslie Oliver	17, 729
Jake Roemig	16, 915
Clyde McElhinney	16, 409
Total payees in county (4)	70, 642

JASPER COUNTY

Dick De Haai	15, 859

JOHNSON COUNTY

Joe Collins	19, 902
Grabin Brothers	15, 703
Total payees in county (2;	35, 605

JONES COUNTY

Louis H. and Max H. Lexsen	20, 992
Willis Glenn	15, 761
Total payees in county (2)	36, 753

KEOKUK COUNTY

Lee Bros	19, 861
Kenneth Gatton	18, 671
Total payees in county (2)	38, 532

KOSSUTH COUNTY

Eldon Beenken	21, 255
Patterson Land and Livestock	19, 194
John Dressman	17, 795
Schissel Farms, Inc	15, 676
Berl Priebe	15, 480
Mary H. Krieps	15, 369
Total payees in county (6)	104, 769

LEE COUNTY

Edward H. Holtkamp	22, 999
Maurice Steffensmeier	15, 448
Total payees in county (2)	38, 447

LINN COUNTY

V. G. Stoner	18, 355
Everett W. Staskal	16, 286
John H. Davis, Jr	15, 480
Total payees in county (3)	50, 121

LOUISA COUNTY

W. Wayne Johnston	18, 815

MARSHALL COUNTY

James Sinning	23, 002
Ralph White, Jr	15, 717
Total payees in county (2)	38, 719

MILLS COUNTY

Richard Goy	24, 397
Arthur Sieck, Jr	20, 428
Fay McManigal	19, 141
Harold Smith	18, 843
W. B. Hays	17, 945
Brice Hays	17, 945
J. Vrooman	17, 903
Otha Wearin	17, 426
Charles B. Brandt	17, 184
Virgil Roenfeld	15, 782
Sam Kmezich	15, 665
Total payees in county (11)	202, 659

MITCHELL COUNTY

C. C. Hansen	16, 241
Max Patterson	15, 677
Total payees in county (2)	31, 918

MONONA COUNTY

Hugo Mahloch	18, 431
R. H. Chrisman	17, 045
Walt Simpson	16, 301
Laverne Mordhorst	15, 847
Clifford Olson	16, 617
James I. MacClure	15, 435
Sandvold Bros	15, 361
Total payees in county (7)	114, 037

MONTGOMERY COUNTY

G. E. Anderson	18, 087
Kenneth Gridley	17, 423
Total payees in county (2)	35, 510

OSCEOLA COUNTY

L. Hayenga	23, 769
Donald M. Dillehay	15, 682
Total payees in county (2)	39, 451

PALO ALTO COUNTY

S Frm Tr Custom Farm	21, 924
Harley Rouse	21, 114
Kroeker-Wood Inc	18, 265
Elmer Freidel	15, 600
S. J. Brownlee Farms, Inc	15, 581
Total payees in county (5)	92, 484

PLYMOUTH COUNTY

Mark Meis	16, 124

POLK COUNTY

Jan-Rose, Inc	15, 183

POWESHIEK COUNTY

George O. Hauser	24,687
Raymond Schilder	20,722
Total payees in county (2)	45,409

SCOTT COUNTY

James D. Schneckloth	17,260
Richard H. Schwarz	15,522
Total payees in county (2)	32,782

SHELBY COUNTY

Zeno Lapke	21,974
Joseph W. Davis	18,395
Bernard Pauley	16,812
Cyril Schomers	16,400
Total payees in county (4)	73,581

SIOUX COUNTY

Harold Groth	19,180
William McCarthy	15,905
Total payees in county (2)	35,085

STORY COUNTY

Loyal Lowman	24,409
Woodland Farms	16,314
Total payees in county (2)	40,723

TAMA COUNTY

Virgil Bidwell	16,700

TAYLOR COUNTY

H. Dean Beemer	23,817
Orren Jackson	21,497
Total payees in county (2)	45,314

UNION COUNTY

Russell Cheers	24,165

VAN BUREN COUNTY

Don DeVoss	16,386

W. POTTAWATAMIE COUNTY

Raymond Kenkel	23,469
C. H. Brandt & Sons	21,388
Rief Brothers	19,393
Alfred Vorthmann	17,219
Total payees in county (4)	81,469

WASHINGTON COUNTY

Rolling Acres SK Farm	22,035
James Redlinger	17,823
Flynn Bros	17,396
Kay Statler	16,596
Lathol Guy	16,151
Total payees in county (5)	90,001

WEBSTER COUNTY

Francis Prendergast	20,488
Jaeschke Farms, Inc	18,786
Banwell Bros	16,089
Total payees in county (3)	55,363

WINNEBAGO COUNTY

Merle L. Durby	24,499
Norman Hauan	20,365
H. C. McCracken	16,412
Bob D. Holland	16,394
Friesenborg-Larson	15,397
K. B. Potato Farms, Inc	15,407
Total payees in county (6)	109,014

WOODBURY COUNTY

Doyle Smith	23,315
Morningside College	22,444
Dewey Anderson	19,408
O. P. Bennett, Sr	19,025
Willard Fish	18,741
R. Eugene Janssen	18,324
Leslie Tresham	18,013
Don Ludvigson	17,959
Chas. A. Kerr	17,529
W. W. Crowl	16,943
W. O. Rundall	16,796
Forrest Engelkemeier	16,706
Wm. E. Widman	16,229
Lowell Swanger	16,026
Donald Carter	15,196
Total payees in county (15)	272,654

WORTH COUNTY

Robert E. Nack	24,165
Stanley Kittleson	20,769
Rye Bros	16,299
Davidson Bros., Inc	16,298
Olger Tenold	15,679
P. Lucken Est	15,670
Dudley Peterson	15,604
Ralph Harris	15,345
Total payees in county (8)	139,829

WRIGHT COUNTY

J. Henry Arends	17,220
Lester Glenn	15,227
Total payees in county (2)	32,447
Total payees in State (243)	4,470,956

1969 ASCS program payments of $15,000 through $24,999 excluding price-support loans and wool and sugar payments—Kansas

ANDERSON COUNTY

Good Farms	17,592

BARBER COUNTY

Z Bar Cattle Co	23,581
Fred Schupbach, Jr	23,412
Alice E. Groendycke	22,876
Robert Sterling	22,781
Riedel Co., Inc	20,426
R. B. Lake, Sr	20,359
D. D. Bryant	18,377
Harold Mease	17,935
L. T. Groendycke	17,816
J. J. Ranch	16,708
Charles W. Smith	16,400
Albert B. Wheelock	15,978
Jim W. McCullough	15,415
Schrock, Inc	15,077
Total payees in county (14)	267,141

BARTON COUNTY

L. F. Harper	22,190
Vernon Hammeke	15,531
Total payees in county (2)	37,721

BOURBON COUNTY

Robert Towles	16,947
Charles F. Griffith	16,799
Green Acres Ranch	15,827
Total payees in county (3)	49,573

BROWN COUNTY

Wilson Bros	22,610
Merle Rake, Sr	17,806
Total payees in county (2)	40,416

BUTLER COUNTY

Rolland Klaassen	17,624

CHEROKEE COUNTY

Moore Johnson	16,449

CHEYENNE COUNTY

Henry M. Krug	17,121
Lowell, Query	16,565
Gordon L. Weaver	16,369
Mills Ranch, Inc	16,284
Robert E. Walz	15,859
Guy Lamb	15,560
Edwin E. Raile	15,532
Total payees in county (7)	113,290

CLARK COUNTY

Clarence E. Lewis	20,926
Jesse Henderson	18,177
William Norton	16,514
Total payees in county (3)	55,617

CLOUD COUNTY

Clyde Shamburg	16,539
Jimmie E. Dorman	16,329
Total payees in county (2)	32,868

COFFEY COUNTY

Elmer Gleue	15,605

COMANCHE COUNTY

Ernest J. Oller	23,890
Richard Bird	21,222
Clarence Harden	18,441
Roy R. Boisseau	18,218
Harold W. Ellis	18,033
Darrol W. Miller	17,699
Baker & Son	15,908
W. W. Girk	15,105
Total payees in county (8)	148,516

COWLEY COUNTY

Lovell Farms	15,514

CRAWFORD COUNTY

Donald G. Rutherford	15,595

DECATUR COUNTY

Mumm Bros	18,200
Moore Bros	15,743
Total payees in county (2)	33,943

DICKINSON COUNTY

Roy Clemence	22,464
Ted P. Lahr	18,698
Total payees in county (2)	41,162

DONIPHAN COUNTY

Donald Manville	23,228

DOUGLAS COUNTY

Alfred Heck and Sons	17,076

EDWARDS COUNTY

Elmer J. Huff	19,239
Wm. A. Cross	18,687
Vernon Oliphant	17,206
Dean Jarvis	15,743
Albert J. Birzer	15,696
Jimmie V. Hoar	15,666
Merle G. Mundhenke	15,117
Total payees in county (7)	117,354

ELLIS COUNTY

Staab Hereford Ranch	19,481
L. A. Hauschild	16,217
Lester V. Irvin	15,947
Total payees in county (3)	51,645

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Kansas—Continued

ELLESWORTH COUNTY

Vondra Brothers Partnership	17,184

FINNEY COUNTY

W. D. Daniels	24,264
Ralph A. Greathouse	23,915
Raymond G. Morris	22,405
Wiebe & Son Ptrship	21,806
Clifton Algrim	21,120
Winter Bros	20,793
Forest Greathouse	20,172
Wm. M. Turrentine	20,024
Franklin Oldweiler	19,519
Charles Larson	19,444
John V. Moler	18,552
G. Anderson, S. Trinkle et al	18,099
Ben Isaac	17,883
Junior Boyd	17,704
Wayne Johnson	17,653
Mike E. Rome	17,395
Rufus Woods	17,087
Lawrence Anstaett & Sons	16,752
Wesley H. Sterling	16,672
Frederick Finnup	16,451
Harold Berger	16,206
Irwin L. Algrim	15,855
Ralph L. Gross	15,743
Abe Isaac	15,615
Cyril Schiffelbein	15,519
Glenn Haas	15,448
Rumford & Rumford	15,343
Lowell & Douglas McGraw	15,203
Fay Gordanier	15,053
Total payees in county (29)	527,695

FORD COUNTY

Everett Steele	24,691
Eleanor O. Rost	24,255
Bernard Rooney	20,140
Stephen P. McManaman	19,459
Dwight E. Winger	19,268
Irvin Robinson	17,555
Earl J. Steele	17,010
Harold Goetz	16,786
Eugene Jones	16,201
Duane Riegel	16,098
Galland Bartlett	15,335
Total payees in county (11)	206,798

GROVE COUNTY

Karlin Farms	24,801
Harry B. Phelps	24,441
A. L. Swart	22,657
Glenn Wristen Coberly	22,362
Ray G. Beesley	18,614
Jim Virgil & Larry Evans	15,507
Total payees in county (6)	128,382

GRAHAM COUNTY

Eugene Worcester	18,952
Lindenman Bros	17,518
J. L. Griffith	16,152
L. M. Paxson	15,189
Total payees in county (4)	67,811

GRANT COUNTY

Wendell Cheek	23,601
W. Jarvis and C. Jarvis	23,397
J. F. Boylan	22,581
Dan C. Sullivan, Jr	22,293
Marion Hennigh	21,910
C. L. Helwig	21,504
Rollin P. Hagerman	20,952
Harry Caldwell	20,714
Jno W. Alford	20,276
C. E. Battin	19,100
Higgs Farms	18,490
C. M. Dew	18,170
Philip Shorter	17,786
Dale H. Williams	17,537
Earl Boldt	17,397
Willis Christian	17,153
Paul Walters	16,436
Lawrence Barber	16,289
Claude L. King	15,553
P. H. Goertzen	15,003
Total payees in county (20)	386,142

GRAY COUNTY

Stephen Irsik	23,948
Bleumer Irrigation	21,070
Lester Clark	20,837
Lloyd O. Dewey	19,153
Ross L. Miller	19,087
George Loewen	17,721
E. A. Davidson	17,598
Gilbert W. Egbert	17,245
Clarence Irsik	17,238
Norbert Irsik	16,571
Frank A. Robinson	16,520
Rudolph Loewen	16,385
Francis Goddard	15,997
James R. Adams	15,751
Victor V. Thomas	15,651
Don Josserand	15,363
Total payees in county (16)	286,135

GREELEY COUNTY

George Nickelson	24,934
G. and H. Tschudy	24,346
Alfred Koehn	24,170
W. R. Houston	23,864
Harold Hobart	23,443
Dick Holland	22,998
Floyd Tuttle & Son	21,444
C. K. Higgins	21,210
John A. Watson	20,263
W. H. Crotinger	20,261
J. E. Taylor & Son	18,992
Lee Toadvine	18,639
E. E. Kysar	18,176
R. W. Harris & Son	18,127
Thomas L. Dittmer	17,982
Koehn & Koehn	16,756
Chester I. Johnson	16,753
S. D. Bontrager	16,107
Dean Hornbaker	16,013
Ann S. Larson	15,998
W. H. Klein, Jr	15,887
Total payees in county (21)	416,363

HAMILTON COUNTY

Lawrence Herrmann	21,649
Dave Weaver	21,318
Gary Hatcher	21,295
Harold L. Kohlhorst	19,798
Floyd Haslett	19,598
Jesse I. Wilcoxen, Jr	19,437
Murlin Carter	18,889
Fontell C. Hatcher	18,540
Howard Barstow	18,417
Warren Wright	18,239
E. C. Bray	17,186
Virgil C. Lewis	16,362
George Huser and Son	16,212
A. J. Gould	15,840
Gladys & C. Kaiser	15,623
Arthur H. Burns	15,310
David L. Buhrle	15,286
Don W. Martin	15,150
John E. Tracy	15,063
Total payees in county (19)	339,212

HARPER COUNTY

Bird Hereford Farms	16,821
Robert D. Cather	16,514
Dow Mandevill	15,464
C. D. Williams, Jr	15,070
Total payees in county (4)	63,869

HASKELL COUNTY

Dorsey Elliott	23,671
Lewis & Decker Cattle Co	22,785
Edwin Weeks	20,982
John W. Kelman	20,776
Murphy & Murphy	20,219
Donold W. Brown	19,646
Lester N. Alexander	18,961
Stonestreet Farms	18,762
John E. Davis	18,550
Steve E. Cave	16,893
Robert O. Brennan	16,864
Emil H. Gawer	16,423
James Groth	16,141
Harold C. Walter Estate	15,861
C. G. Dennis Estate	15,711
W. E. Orth	15,445
Georgia G. Eubank	15,435
Clyde F. Mercer	15,385
Floyd J. Leonard	15,296
Lawrence Withers	15,248
Harry E. Wright	15,132
Walter E. Preedy	15,045
Total payees in county (22)	389,231

HODGEMAN COUNTY

George Herrmann	23,526
O. T. Salmans	19,645
Clifford Sinclair	16,692
Cecil Glunt	16,069
Austin T. Kropp	15,561
Chet Berger	15,549
Total payees in county (6)	107,042

JEFFERSON COUNTY

Ivan E. Bausch	16,780

JEWELL COUNTY

Laura Spiegel and Sons	24,002
Melvin Douglas	22,271
Ted Isaac	20,682
Johanek Bros	17,617
Hilton Frost	15,372
Robert Boller	15,202
J. J. Clawson	15,108
Total payees in county (7)	130,254

KEARNEY COUNTY

Lawrence N. Graham	22,952
M. F. Powers Estate	20,687
J. A. Pinegar	20,612
Calvin H. Scheuerman	18,455
Wm. Willinger	17,756
N. E. Spencer	17,599
Martin Vann	17,021
Bob L. Landon	16,489
David Goering	16,361
Ede A. Wilken	16,355
Ernest Goering	15,975
C. E. Beymer	15,916
Vernon M. Neff	15,257
Russell Johnson	15,197
Jack Campbell	15,007
Total payees in county (15)	261,639

KINGMAN COUNTY

Aaron E. Greenleaf	16,964
Adrian Kostner	16,864
Total payees in county (2)	33,828

KIOWA COUNTY

Roy Einsel & Sons	18,890
Harold McKinney	18,599
Elmer E. Davis	17,964
Ernest E. Davis	17,399
Hayse Ranch	17,129
Byrd Hardy	15,809
Total payees in county (6)	105,630

LABETTE COUNTY

George Ruttgen	19,864

LANE COUNTY

Edwin A. Borell & Sons	24,284
John A. Hineman	23,483
Lawrance Richards	22,976
Dwight Terwilliger	21,732
Kalo A. Hineman	20,470
Kuhlman Farms, Inc	20,095
Sharp Bros	19,749
J. F. Smid	16,302
G. F. Ohnmacht	16,028
Herbert T. Hineman	15,701
Max Stanley	15,586
R. H. Risley	15,298
Gilbert Selfridge	15,003
Total payees in county (13)	246,707

LINCOLN COUNTY

W. L. Reinert & Sons	18,502
Wayne Morton	16,106
Total payees in county (2)	34,608

LINN COUNTY

Floyd Emerson Martin	20,457
Charles Murray	18,968
Total payees in county (2)	39,425

LOGAN COUNTY

Henry Kuhlman	23,598
Opal V. Lee	20,882
Chester L. Collins	19,821
William Delzeit	18,399
Richard Bertrand	18,069
Harry E. Nickelson	17,678
Dewey Council	16,875
Lulu James	16,122
Eugene Herl	15,730
Paul Nollette	15,682
Harvey Nickelson	15,232
Total payees in county (11)	198,088

MARION COUNTY

F. W. Strait	17,173

MARSHALL COUNTY

B. F. Schwartz	18,437
Otis Hammett	15,130
Total payees in county (2)	33,567

MEADE COUNTY

Holmes C. Bender	24,675
Jenkinson Bros	22,243
A. W. Batman	18,547
John E. Frazier	18,460
G. W. Harris & Co	18,007
Wayne Streiff	16,945
Garrel Packard	16,854
Jack Orr	16,457
Herbert Zortman Sons	15,640
Total payees in county (9)	167,828

MIAMI COUNTY

Lloyd M. Barkis	17,400

MITCHELL COUNTY

Neil Fuller & Sons	24,791
Ogden A. Kadel & Sons	24,413
Guy Noller	22,140
Robert W. Thierolf	17,155
Marion W. File	16,987
Miles E. File	16,643
Earl H. Boehner	16,011
Total payees in county (7)	138,140

MORRIS COUNTY

Herington Cattle Co., Inc	15,530

MORTON COUNTY

Charles Friend	24,368
Harold Anderson	23,479
Paul Hanke	22,256
Otis L. Daniels	21,794
Charles Breeding	20,192
G. Goddard	19,771
George E. Atwood	19,714
James S. Bitner	18,955
William E. Tucker	18,644
Albert Clinesmith	18,321
Hayward Farms	17,950
Martin R. Johns	17,863
Jesse Johns	17,863
Myers Farms	17,727
Robert Musgrove	15,691
Total payees in county (15)	294,588

NESS COUNTY

R. T. McCreight	23,958
Elmore & Ryan & Sons	22,561
John Pfaff	21,732
Clarence Antenen	21,348
W. V. Stutz & Sons	21,295
Frank G. Davison	21,232
Chris Dinges	20,753
Humburg Ranch, Inc	19,589
Ben Brenner	18,520
R. V. Lehner	16,566
Total payees in county (10)	207,554

NORTON COUNTY

Barney Hickert	19,284
Howard Sumner	17,371
Total payees in county (2)	36,655

OSAGE COUNTY

John R. Evans	24,699
David W. Evans, Jr	24,355
David W. Evans	20,698
Fred H. Woodbury	15,147
Total payees in county (4)	84.899

OSBORNE COUNTY

Baughman Ranches, Inc	24,300
O. C. McFadden	23,536
Zona Wolters	22,065
Earl Harzman	15,536
Guttery & Son-Partnership	15,311
Total payees in county (5)	100,748

OTTAWA COUNTY

H. Francis Meiller	20,670
Dick Diedrick	19,996
Clarence Hurtig	15,371
Total payees in county (3)	56,037

PAWNEE COUNTY

Alva Powers	17,847
A. G. Crane	17,700
Bauer Enterprises, Inc	16,575
Melvin Bryant	15,796
Raymond H. Scott	15,657
Wilbur D. Dirks	15,548
Keith W. Mull	15,153
Paul W. Converse	15,149
Total payees in county (8)	129,425

PHILLIPS COUNTY

Jack Adee	22,715
Lavern Wheaton	15,544
Glen Adee	15,537
Total payees in county (3)	53,796

POTTAWATOMIE COUNTY

Peddicord Bros	23,437
Conrad Eriksen	22,919
Total payees in county (2)	46,356

PRATT COUNTY

Fred H. Kerr	22,943
Don Fincham	22,809
Melvin Schrepel	15,813
D. H. Thompson	15,318
Total payees in county (4)	76,883

RAWLINS COUNTY

Frisbie Wheat	21,828
O. Audbrey Briney	16,504
Total payees in county (2)	38,332

RENO COUNTY

Herbert E. Ramsey, Jr	18,607
George C. Martin	18,431
Nelson Kilbourn	16,998
Total payees in county (3)	54,036

REPUBLIC COUNTY

Dwayne M. Dahl	21,997
Dorman Clark	18,992
Glen Aurand	17,195
Don Dejmal	16,862
James J. Hurley, Jr	15,886
Total payees in county (5)	90,932

RICE COUNTY

Arthur Dobrinski	22,079
Leland Janssen	16,662
John R. Burge	15,340
Total payees in county (3)	54,081

ROOKS COUNTY

Earl Sutor	20,673
Wayne McClellan	20,384
Sander Bros	17,751
James Hrabe, Jr	17,231
Donald D. Ganoung	15,395
George Thyfault	15,019
Total payees in county (6)	106,453

RUSH COUNTY

Leroy A. Wilson	19,661
Clyde E. Bryant	18,406
Wilbur R. Weigand	18,326
R. L. Young	15,558
Total payees in county (4)	71,951

RUSSELL COUNTY

Ruthven, Inc	18,385
Herman A. Krug	17,908
Total payees in county (2)	36,293

SALINE COUNTY

George & Jerrie Currie	17,933

SCOTT COUNTY

C. A. Steele & Sons	22,961
Keith Janzen	22,956
Bernard I. Rose	22,733
Charles Socolofsky	21,794
Albert H. Skibbe	21,184
Robinson Farms, Inc	20,960
Harold Crist	20,638
Arthur Huseman	20,525
Homer Janssen	20,443
G. P. Powers	20,050
Gerald Wiechman	20,007
Albert Savolt	19,825
William D. Krebs	19,486
Kay Auten	19,460
Glenn Novak	19,055
Alfred Janssen, Jr	18,952
Glen E. Ryan	17,806
R. L. Crist	17,339
Richard Deng	16,352
Dennis D. Crist	16,251
Ted E. Crist	16,246
Wayne E. Herron	16,231
T. J. Patton	16,141
Elmer T. Carson	16,030
Edwin Cheney	16,015

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Kansas—Continued

SCOTT COUNTY—continued

B. B. & Robert Harkness	15,971
Bruce Whitham	15,918
John Lang	15,510
Ron Beach Est	15,468
Charles W. Duff	15,427
Charles S. Drew	15,235
Jack Corn	15,169
Luke & Son	15,019
Total payees in county (33)	603,157

SEDGWICK COUNTY

Albert Gruenbacher & Sons	15,374

SEWARD COUNTY

Harold & Leroy Stapleton	24,634
Gene & Gordon Shuck	21,475
Dean Printz	20,819
H. Lower Est	19,916
John C. Reimer	19,469
Donald Kane	17,015
Loren Nix	16,712
John S. Grover	15,956
Paul Boles	15,376
Total payees in county (9)	171,372

SHAWNEE COUNTY

Alice Hubener	16,474

SHERIDAN COUNTY

Mark Hueftle	21,881
Murray J. Baalman	18,617
Total payees in county (2)	40,498

SHERMAN COUNTY

Jesse L. Craft	23,822
J. L. Ranch	23,593
Hugh B. Armstrong	23,509
Robert W. Helman	23,430
Harry M. Armstrong	22,701
Clarence E. Taylor	21,729
John T. Nelson	21,110
Floyd F. Owens	21,086
W. A. Franklin	20,862
Earl Finegan	20,699
Howard Voorhies	20,302
Robert Irvin	19,238
William Linin	18,821
Albert Sprecker	17,935
Donald K. Schwendener	17,651
W. Guy Curry	16,619
Wendell Curry	16,619
B. E. Gannon	16,551
Lavern Nelson	16,484
John M. Brooks	16,357
Joe D. Gutsch	16,227
Richard Bursch	15,970
Lazy Heart D Ranch, Inc	15,410
Carl Nordmann	15,231
Merlyn E. Boll	15,186
Total payees in county (25)	477,142

SMITH COUNTY

Theodore Seemann	16,634
Walter C. Jacobs	15,616
Total payees in county (2)	32,250

STAFFORD COUNTY

Doyle Wilson	22,777
Ray T. Childs	17,656
B. Earl Hayes	16,936
Meryle R. Heyen	16,600
Gerald Goodman	15,951
V. L. Doran	15,661
John T. Kachelman	15,570
Total payees in county (7)	121,151

STANTON COUNTY

Stanley A. Julian	24,763
David M. Roach	24,342
Lysle A. Davidson	23,793
Paul E. Plummer	23,420
Olen Warner	22,843
Robert Willinger	22,515
Robert A. Seger	22,496
J. A. Ramsay and Sons	21,488
Sam Ashida	20,392
Richard C. Campbell	20,167
Carl Levens	19,821
James W. Dimitt	19,640
F. G. Collingwood	19,489
Hoopingarner Brothers	18,993
Irvin Pauls	18,519
Max B. Ainsworth	18,419
Virgil Amos Shepard	18,283
Leroy Cockrum	18,248
Plummer-Hall Farm	18,212
Galen Lane	18,125
Wendell Tucker	17,899
Charles Garey	17,624
H. O. Toole	17,161
Vivian Glenn Est	16,673
Julius J. Johns	16,556
F. L. Arnold	16,528
Jean Thompson	16,202
Clifford Harmon	16,194
Lewis Gum	15,837
Harry Teeter	15,786
Donald Molz	15,700
Melvin S. Wilson	15,581
Thomas F. Seyb	15,426
Calvin Davis	15,406
Fred Raney	15,170
A. C. Anderson	15,148
Clarence Walters	15,035
Total payees in county (37)	687,894

STEVENS COUNTY

Harold James	23,681
Ray A. Morgan	23,368
Walter Farrar	22,599
Vincent Youngren	22,195
T. R. Gooch	21,569
Laurence W. Brower	20,911
Sidney A. Thomas	20,717
Charles Garmon	20,435
E. J. Pennington	20,361
Paul Sundgren	19,728
Gillespie Bros	19,632
Schowalter Foundation	18,951
Harry Leonard	18,420
Orval Toole	18,323
Frank J. Keefer	17,728
Larry G. Randle	17,655
Richard Sullivan	17,556
Charles Ratcliff	17,331
J. D. Voiles	17,247
Robert C. Larrabee, exec	17,115
T. V. Bentley	17,052
Roland Hamilton	16,698
Boyd Johnson	16,661
Glenn M. Davis	16,593
Samuel W. Bozone	16,241
A. P. Timmons	16,230
Glenn C. Gaskill	16,188
Jim Chandley	16,051
Thurow Bros.	15,830
M. E. Spikes, Inc	15,795
Ross C. Teeter	15,480
Carl MacThurow	15,455
Robert E. Brightup	15,294
Total payees in county (33)	605,090

SUMNER COUNTY

Charlie Hartman	20,995
Robert Casner	19,652
John L. Larsen	17,725
Sanford Hughes	16,458
Bill Boatright	16,092
Earl M. Thorpe	15,546
Total payees in county (6)	106,468

THOMAS COUNTY

George A. Lincoln	23,598
Eugene J. Karlin	20,552
Gunnels Farms	20,310
E. J. Ostmeyer	20,078
Dumler Farms	20,020
Medford Farms, Inc	19,119
Sam Medford	18,485
Albert Frahm	18,050
Cy Stepper	17,550
Arley Christiansen	17,331
Frank Vacin	17,128
Warren H. Hills	16,485
William Engelhardt	16,104
Melvin L. Barrett	15,925
Conrad A. Dechert	15,685
Vincent Glad	15,564
A. W. Krug & Sons	15,487
Hie C. Pabst	15,329
William J. Waldron	15,259
Ralph E. Brown	15,255
Total payees in county (20)	353,314

TREGO COUNTY

J. R. Koeppen Estate	18,375

WABAUNSEE COUNTY

Howard Deiter	23,716
Adams Cattle Co	19,122
Ross W. Stice	15,057
Total payees in county (3)	57,895

WALLACE COUNTY

Russell I. Unruh	24,968
Robert McKinney	24,711
Harold F. Johannes	24,290
Harold E. Shuman	22,870
R. D. Walker, Inc	22,564
Herbert Peterman	21,943
Edward M. Waugh	21,677
John F. Stoskopf	21,238
H. C. & M. Wilson	21,052
John C. Heise	20,894
G. E. Cloyd	20,720
Philip Shell	19,211
Vernon L. Popp, Agt	18,770
W. O. Smotherman	18,159
Alan Waush	16,987
Charles Pearce	16,474
Wayne Woodmancy	16,197
Orville Walker	16,139
E. L. Brown	15,322
I. O. Miller	15,311
Floyd Larson	15,275
L. W. Pilger	15,235
Loid Koehn	15,008
Total payees in county (23)	445,015

WICHITA COUNTY

Hallie R. Schwindt	22,963
Frank D. Wetmore	20,124
Gerald Smith	19,952
Raymond L. Bauer	18,389
Arthur Kalbach	17,964
Willard D. Kalbach	17,964
Melvin O. Nuss	16,784
Victor Graff	16,768
Edmund Berning	16,615
Jim Lobmeyer	16,554
Ira J. Knobbe	15,972
B. B. Buehler, Jr	15,862
Walter Gorsuch and Son	15,647
Justin V. Graff	15,549
A. L. Gribben	15,266
Clifford C. Farr	15,028
Total payees in county (16)	277,401

WILSON COUNTY

Max Neill	17,150
Total payees in State (605)	11,143,226

XUM

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Kentucky

BALLARD COUNTY	
Vernon Dulworth	18, 575
Clint McQuady	18, 561
Total payees in county (2)	37, 136
BOURBON COUNTY	
Weil Land & Livestock Co	16, 833
BUTLER COUNTY	
Charles Davenport	16, 399
CALDWELL COUNTY	
Frank Riley	17, 127
CHRISTIAN COUNTY	
A. Brunson	21, 842
S. L. Boddie	17, 012
Total payees in county (2)	38, 854
CRITTENDEN COUNTY	
Larry Lovell	18, 657
DAVIESS COUNTY	
T. J. Bartlett	19, 202
FULTON COUNTY	
James E. White	22, 139
Stone & Ledford	21, 708
Jesse Whitson	20, 459
Clyde Morrow & Sons	19, 892
Albert Williams & Sons	17, 929
Gregory McCain	16, 999
Whipple & Middleton	16, 569
Bert Yarbro, Jr	16, 214
Total payees in county (8)	151, 909
GRAVES COUNTY	
C. D. Clark	17, 720
HENDERSON COUNTY	
Charles B. Smith	22, 291
Elva D. Allen	18, 226
Charles Rettig	16, 549
Jack W. King	16, 370
Total payees in county (4)	73, 436
HICKMAN COUNTY	
Roy Dillard	16, 981
Sarah P. Pace	16, 012
Total payees in county (2)	32, 993
LIVINGSTON COUNTY	
Thomas P. Gibson	19, 681
Charles E. Gordon	16, 365
Total payees in county (2)	36, 046
LOGAN COUNTY	
Nell Gorrell	15, 018
M'LEAN COUNTY	
Martin Valley Farms	18, 926
SHELBY COUNTY	
Sarah Hayes	20, 951
J. R. Sanderlin	15, 661
Total payees in county (2)	36, 612
SIMPSON COUNTY	
Wade Farms	16, 645
SPENCER COUNTY	
Lee Stevens	18, 508
TRIGG COUNTY	
Cundiff Farms	22, 981
UNION COUNTY	
Wm. T. Duncan	20, 521
Bill Pride	19, 994
Charles Davis	17, 382
W. A. Anderson	16, 369
Total payees in county (4)	74, 266
WEBSTER COUNTY	
Marlin Curry	15, 838
Glen Watson	15, 734
Total payees in county (2)	31, 572
Total payees in State (39)	710, 840

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Louisiana

ACADIA COUNTY	
Isaac I. Richard	18, 729
Ashton S. Petitjean	16, 677
Henry Cormier	16, 094
Total payees in county (3)	51, 500
AVOYELLES COUNTY	
Orney Dauzat	21, 881
Marion Goudeau	20, 552
Fred Marvin-Durwood Newton	19, 898
C. W. Tebow	19, 181
Gladford Goux	16, 840
J. B. Luke	16, 552
Alfred C. Riche	15, 963
Total payees in county (7)	130, 867
BOSSIER COUNTY	
Joe Rich	23, 015
Tim White	22, 901
J. N. Averett	22, 686
J. T. Rodgers	19, 697
Milton Pittman	19, 319
Atkins-Sonnier	19, 112
Franklin D. Roemer	18, 938
Elmer L. Spears	18, 744
Henry L. Cox	18, 551
B. H. Snyder	17, 736
Fred E. Wemple, Jr	16, 970
Beene Planting Co	15, 988
Carlos San Angelo	15, 553
A. L. Keoun	15, 419
Total payees in county (14)	264, 629
CADDO COUNTY	
F. E. Volentine	24, 004
J. H. Gardner	22, 476
Doles Brothers	21, 613
Malcolm Dutton	21, 046
CADDO COUNTY	
E. H. Gleason, Jr	21, 038
M. P. Connell	20, 847
W. L. Sibley	20, 518
O. C. Shively	20, 462
R. G. Smitherman, Jr	19, 650
R. R. McKinney	19, 145
M. McL Jeter	18, 384
Adrian Douglas	17, 554
W. H. Thompson	16, 781
Ray Volentine	16, 745
Cecilia E. Smith	16, 569
Paul Dominick & Sons, Inc	16, 371
J. B. Carlisle & Son	15, 736
W. K. Cupples	15, 328
Total payees in county (18)	344, 267
CALDWELL COUNTY	
Mann and Jackson	23, 479
Harold E. Cooper	22, 868
Leroy Clark	21, 621
Olan L. Rucker	19, 900
U. M. Youngblood	16, 335
Sam Patton	16, 128
Total payees in county (6)	120, 331
CATAHOULA COUNTY	
Carroll Jordan	24, 682
Gregory C. West	23, 774
Jackson & Purvis	21, 470
Smithland Pltg. Co	17, 980
Total payees in county (4)	87, 906
CONCORDIA COUNTY	
Rota Quinta Plantation	22, 281
Sam Calvert Sons, Inc	20, 679
D. A. Biglane	19, 295
W. C. Gibson, Jr	17, 437
Max Huff	17, 200
Martha J. Rabb	17, 168
Ballina Farm, Inc	16, 504
Willard Schuchs	15, 414
Mossgeil Pltn	15, 151
Total payees in county (9)	161, 129
E. CARROLL COUNTY	
A. & D. Davidson	24, 555
George R. Wise	23, 479
R. W. Fletcher	23, 435
A. J. Hawsey	22, 935
Roy Burgess, Jr	21, 351
Wallace N. Oliver	20, 709
Reynold Minsky	19, 663
Pearson Farming Corp	19, 392
Belle Aire Farms, Inc	19, 332
Benton W. Fortenberry	19, 050
Harry S. Shields	18, 969
W. S. Crews	18, 908
John Howard	18, 626
Prison Dist. 1, 6th Jud. Dist. La	18, 368
Robert Frith, Jr	18, 287
Jeff Marsh	17, 250
Buford Holmes	17, 177
Thomas H. Shields, Jr	16, 195
Russel Fleeman	16, 022
Earl K. Fortenberry	15, 661
Purvis Thomas	15, 574
Rodney Fortenberry	15, 399
Raymond Bell	15, 152
Total payees in county (23)	435, 489
EVANGELINE COUNTY	
G. & S. Emplement Co	16, 381
Aleak Ortego	15, 625
Perry Elliott	15, 052
Total payees in county (3)	47, 058
FRANKLIN COUNTY	
J. Aubrey Browder	23, 378
Donnie McMurry	21, 500
Wade Bufkin	21, 489
W. M. Synder, Jr	21, 001
Eley Farms	20, 383
Lantz Womack	19, 686
L. A. Braswell	18, 536
Leslie Eli Golsby, Jr	17, 393
Charles C. Feltus	17, 042
A. Copeland Liles	16, 238
Charles Banks	16, 216
Beal & Bringol	16, 206
James M. Valentine	15, 966
William G. Bixler	15, 910
Willard Temple	15, 689
Total payees in county (15)	276, 633

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Louisiana—Continued

GRANT COUNTY

Leon & George Dean	19,444
Wallace E. Summerford	19,436
Richard S. Thompson	16,763
Total payees in county (3)	55,643

LAFAYETTE COUNTY

Eugene Rosinski	18,229

MADISON COUNTY

Harry Barrett	24,917
Howard Sevier	23,591
J. M. Gilfoil	23,018
Richland-Foster, Inc	22,253
Waymon Coody	21,599
Bobby Joe Lee	20,909
Hapaca Plantation	20,816
Jesse Anderson	20,453
E. S. Moberley	20,331
T. B. Dukes	17,643
Charles O. Arneson	17,171
Edward W. Williams	16,204
E. C. Woodyear	15,397
W. Z. Adams	15,290
Ralph Durr	15,188
Total payees in county (15)	294,780

MOREHOUSE COUNTY

Ivan Morris, Jr	24,897
Conrad Stallings	24,784
Henry Ferrell, Jr	24,042
Luther Allen Day, Jr	23,947
James McClendon	23,912
Chappell & Defee	23,271
George E. Eckles and Son	22,877
David Pipes	22,498
B. B. Hunt, Jr	21,683
Thomas H. B. Rankin	21,597
M. R. Bolin	21,486
Norman McDuffie	21,257
Robert F. Doles	21,101
Rudie Mardis	20,932
Wayne J. McDonald, Jr	20,104
Samuel W. Mason	19,929
Irie Johnson	19,405
T. E. Barham Co	19,342
Jeff L. McCain	19,119
J. B. Rawlinson III	18,575
W. H. Parker	17,940
James McKoin	17,584
T. R. Coleman	17,047
Cecil Harp	16,802
Dora & N. F. Little	16,766
M. E. Perry	16,648
Z. N. Stutts	16,609
J. B. Holley	16,469
Johnie T. Kovac	15,957
W. T. Blackwell, Jr	15,873
Edward Johnson	15,790
Fred Laing	15,625
Carl N. Wright	15,543
F. A. McCain	15,207
Total payees in county (34)	664,618

NATCHITOCHES

Richard L. Williamson	24,819
Herman Taylor, Jr	24,136
James Taylor, Jr	23,272
Jared S. Pratt	21,882
Henry Lemoine	21,783
Est J. H. Henry	20,968
Sam H. Hill & Son	20,211
U. V. Durr	19,805
Island Cattle Co., Inc	19,485
L. R. Anderson	17,989
Don Ater	17,429
Mary C. Page	16,890
Lewis E. Jones, Jr	16,552
J. B. Taylor	15,703
Total payees in county (14)	280,924

OUACHITA COUNTY

John H. Filhiol	24,637
Glen Crossley	23,222
James H. Pender	19,900
Emmit Lee	19,318
Wm. King Stubbs	17,603
Jack M. Buttitta	17,093
Drew Anderson	16,060
Joe H. Dixon	16,055
Cities Service Oil Co	15,910
R. T. Faulk	15,445
Total payees in county (10)	185,243

POINTE COUPEE COUNTY

Walter P. Hobgood	22,757
Couvillion Bros	16,346
S. F. Barbre	15,802
Total payees in county (3)	54,905

RAPIDES COUNTY

Carpenter and Jackson	20,157
Ferdinand Vandevelde, Jr	19,927
Louis A. Marien	19,738
Roy A. James	19,666
James W. Dyer	19,587
Charles F. Gaiennie	18,435
R. M. C. Duncan	18,095
Woodrow W. Carter	17,468
Greenwood Plantation	16,537
Jerome A. Dekeyzer	16,274
Charles J. Dekeyzer	16,169
Edward W. Lyles	16,017
Clyde Hoyt	15,629
Aylwin L. Lachney	15,581
J. P. Pollard & Harry Moon	15,103
James A. Cruikshank	15,024
Total payees in county (16)	279,407

RED RIVER COUNTY

William Prince	23,191
Ed F. Lester, Jr	22,093
Tom Bolan	18,794
Clarence H. Smith	18,727
R. F. Marston	17,455
Cleo G. Wood & Son	17,336
Burnell Webb	15,704
G. J. Posey	15,056
Total payees in county (8)	148,356

RICHLAND COUNTY

K. E. McDonald, Jr	23,679
W. H. Hubbard	23,144
Claude Morgan	23,138
Richland Farms, Inc	22,584
Alton L. Welch	22,326
Guy C. Pardue	22,320
O. G. Morris	21,056
Francis V. Jordan	20,816
C. W. Earle Estate	20,795
J. E. Tarver	20,772
J. B. Ratcliff	20,758
J. U. Douciere	20,703
Pat H. Earle	20,292
C. M. Noble, Jr	20,178
L. B. Loftin	20,149
Cleto Yates	19,547
R. L. Bell and Sons	19,066
W. H. Mercer	19,028
Dallas Thomason	18,820
A. W. Jones	18,539
James F. Parrish	17,985
Donald Chapman	17,928
Fred E. Douciere, Jr	16,591
R. L. Bell, Jr	16,332
W. W. Holley	16,284
Walter E. Morgan	16,222
Ezra Rundell	15,755
N. E. Thames	15,244
Fred L. Cheek	15,097
Total payees in county (29)	565,148

ST. LANDRY COUNTY

Richard Sanders	20,972
John W. Bertrand	20,760
Martile G. Cannatella	20,051
Stanley Doucet	19,866
W. W. Grayson	19,122
K. H. and R. L. Gordon Plant, Inc	19,106
Delano Plantation, Inc	18,721
Joe J. Artall	18,520
Melvin Soileau	18,064
W. F. Clopton & Co., Inc	18,055
Tonas Guillory	17,925
Joseph A. Cannatella	16,608
Sam Yander	16,220
Daniel and Lunic Richard	15,207
Total payees in county (14)	259,197

ST. MARTIN COUNTY

Regis, LaGrange	18,782

TENSAS COUNTY

Grover Harwood	23,676
Monticello Plt. Co	21,561
Ed. Y. Berry	21,426
J. R. Coor	21,247
L. F. McClain	19,892
Osceola Pltn	19,806
Lake Bruin Development Corp	19,583
Henry Butts	19,186
Clifford Pearce	19,117
Elk Ridge Pltn	18,772
George Bagley	18,736
Virginia Wilkerson	18,635
Maurice Watts	18,444
Robert Manning, Jr	18,170
Jack Day	17,782
McKinney Land Corp	17,717
Peter B. Hays	16,773
C. D. Guthrie	16,542
Rex James	15,481
Bobby Jolly	15,279
Fred M. Miller	15,106
Ezelle James	15,050
Total payees in county (22)	407,981

UNION COUNTY

E. R. Rogers	24,487

W. BATON ROUGE COUNTY

J. C. Bueche Farm	22,100

W. CARROLL COUNTY

S. A. & Lloyd Neal	19,553
Eugene A. Harper	19,018
Total payees in county (2)	38,571

WEBSTER COUNTY

Williams & Hicks Co	16,550
Total payees in State (277)	5,254,730

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payment—Maryland

CECIL COUNTY

Spry Bros	20,248
George C. Fry	19,304
Walter Drummond	18,818
Total payees in county (3)	58,370

XUM

Owings and Sons, Inc	22,899
Remington Farms	16,959
Total payees in county (2)	39,858

MONTGOMERY COUNTY

R. T. White	23,682

QUEEN ANNES COUNTY

O. A. Schmidt and W. Schmidt	19,185
Joseph E. Richardson	16,923
Joseph S. Quimby, Sr	16,233
Total payees in county (3)	52,341

TALBOT COUNTY

E. Boyd	21,798
H. Rhodes, Jr	18,538
J. B. Brooks, Jr	15,586
J. O. Brooks	15,313
Total payees in county (4)	71,235

WICOMICO COUNTY

Eshams Farms Corp	17,652

WORCESTER COUNTY

Clifton A. Murray	19,540
Total payees in State (15)	282,678

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payment—Michigan

BERRIEN COUNTY

P. J. Walton	19,563

BRANCH COUNTY

Dale Mallow	17,139

CALHOUN COUNTY

Duane Sutfin	16,488

CASS COUNTY

M. Kenneth Peterson	23,986
N. P. Beebe Farms, Inc	22,167
Harold Sparks	19,489
Agri Producers, Inc	15,717
Total payees in county (4)	81,359

GLADWIN COUNTY

Arthur Dull	17,800

INGHAM COUNTY

Jerry Jorgensen	21,855
Keith Haynes	18,009
Total payees in county (2)	39,864

ISABELLA COUNTY

Murphy Brothers	15,014

KALAMAZOO COUNTY

Randel Burson	22,187
J. Gilmore Enterprises	16,792
Wilbur Weinberg	16,358
Total payees in county (3)	55,337

LENAWEE COUNTY

Victor Knierim	20,144
Schwyn Bros	17,840
Ralph and Paul Schafer	17,626
Kitty Kurtis, Inc	16,356
Total payees in county (4)	71,966

MONROE COUNTY

Paul Piehl	22,364
Fred Heath	16,731
Cayce Kiger	15,903
Earl T. Creech	15,132
Total payees in county (4)	70,130

MUSKEGON COUNTY

Loyd Arends & Sons	20,533

ST. CLAIR COUNTY

Harvey Dafoe	15,032

ST. JOSEPH COUNTY

Russell Engle	17,967
Donald Klein	15,162
Total payees in county (2)	33,129

VAN BUREN COUNTY

Irvin Warkentien	18,064

WAYNE COUNTY

Knudt Jorgensen	19,427
Arlene Morton	16,339
Total payees in county (2)	35,766
Total payees in State (29)	527,724

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Minnesota

BECKER COUNTY

John Oberg	16,091
Edward Moe	15,362
Total payees in county (2)	31,453

BIG STONE COUNTY

Lismore Stock Farm	22,312
Vincent Stegner	19,677
Total payees in county (2)	41,989

BLUE EARTH COUNTY

Ben Edwards	22,328
Louis Scheurer	19,130
Charles Herbst	18,028
George A. Foster	17,393
Henry Walser	17,022
Charles Rudolph	16,520
Lyle Goodrich & Son	16,035
Lowell Lindeland	15,931
Total payees in county (8)	142,387

CHIPPEWA COUNTY

Alvin Payne, Agt	17,307

CLAY COUNTY

E. J. Dullea, Jr	24,708
Brandt Bros.	16,608
Total payees in county (2)	41,316

COTTONWOOD COUNTY

Swenson Bros.	18,998
Ole E. Smith	15,589
Kenneth Kremmin	15,165
Total payees in county (3)	49,752

DAKOTA COUNTY

James Dilley	19,657
Fairhill Farm	15,769
Cleve Van Dyke	15,107
Total payees in county (3)	50,533

DODGE COUNTY

Walter Buehler	15,855

FARIBAULT COUNTY

Carlyle Hanson	$20,983
Ronald Fenske	20,268
Adorphus Erdahl	17,398
Willette Seed Farm, Inc	16,810
Burton Goodrich	15,384
Total payees in county (5)	90,843

FILLMORE COUNTY

Rendahl Brothers	18,826
Berdell Haack	15,188
Total payees in county (2)	34,014

FREEBORN COUNTY

Carlyle Greibrok	22,659
Trygve Eastvold	19,097
Roger Amundson	18,411
Thomas O'Connor	17,312
Lester Demmer	16,531
Gerald Pestorious	15,096
Richard D. Stadheim	15,071
Total payees in county (7)	124,177

GRANT COUNTY

Jack Lacey	18,668
Paul E. Ogg	16,332
Edward Ellison	15,594
Total payees in county (3)	50,594

HOUSTON COUNTY

Schiltz Farms, Inc	15,315

JACKSON COUNTY

James Thompson	18,035
Dorothy H. Thompson Est	17,594
James and John Swanson	16,567
George R. Nielsen	15,923
Sig Ahrenstorff	15,705
James Post	15,019
Total payees in county (6)	98,843

KANDIYOHI COUNTY

Norling Bros	20,230
Clarence Mages	18,059
Earl Youngkrantz	16,432
Haldon Schlegel	16,266
Total payees in county (4)	70,987

KITTSON COUNTY

Byron G. Hanson	24,885
Harley Younggren	24,474
Wiese Bros. and Bahr Farms	23,926
Eli Kiene	22,562
Philip W. Pearson	21,033
N. A. Bogestad Farms, Inc	19,658
Paul Sorenson	19,328
Russell Younggren	18,186
Glidden Farms	17,976
Mark Baldwin	17,664
Furman Johnson	17,442
Lindberg Farms	17,373
James A. Bernath	16,486
Lowell Anderson	16,386
Swenson Brothers	15,488
Nomie Anderson	15,386
Total payees in county (16)	308,253

LAC QUI PARLE COUNTY

James Bly	17,864
Roland Cram	17,718
Orban Chadderdon & Sons	16,385
Le Center Alf Dehy	16,276
Robert Mazahn	15,398
Total payees in county (5)	65,777

XUM

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payment—Minnesota—Continued

LYON COUNTY

Robert Schrunk	15,455

MARSHALL COUNTY

Jacobi Farms, Inc	20,833
Vernon J. McFarland	20,427
Ray I. Moose	19,806
Sczetpanski Brothers	16,774
Donald Rivard	15,659
Roy Benson and Lynn Benson	15,223
Total payees in county (6)	108,722

MARTIN COUNTY

Gary Miller	24,759
Raymond Wolf	22,804
Merwin E. Thompson	20,312
Roger B. Swanson	18,622
Robert Duffey	18,272
Abel Acres, Inc	17,906
Walter Janssen	17,644
Verlyn Ask	17,431
John V. Hilgendorf	16,823
A. L. and C. E. Ward, Inc	16,762
Donald R. Snyder, Jr	16,760
David Olson	16,523
Merwin Moore & Sons Partnership	16,690
Porter Farms	15,404
Robert Green	15,013
Total payees in county (15)	270,725

M'LEOD COUNTY

Allan Maiers	21,703

MOWER COUNTY

Douglas Durst	20,112
Finn Farms, Inc	18,983
Francis Merten	17,377
Vincent Schlichter	17,197
James Caldbeck, Jr	16,572
Lloyd V. Crum, Jr	16,306
Total payees in county (6)	106,547

MURRAY COUNTY

Coburn Est. c/o L. Backhaus	20,970

NICOLLET COUNTY

Wenner Bros	22,891
Donald Gardner	22,260
Giefer Bros	17,593
Total payees in county (3)	62,744

NOBLES COUNTY

Ruth T. Cathcart	23,297

NORMAN COUNTY

Bertrand Borgen	24,840
Dale Todd	24,132
R. G. Canning	21,813
Edward L. Hess	17,956
Silas Strand	15,344
Total payees in county (5)	104,085

OLMSTEAD COUNTY

Fred Ohm, Jr	16,399
Darrel Leth	16,211
Total payees in county (2)	32,610

REDWOOD COUNTY

John H. Reque	22,521
Eugene B. Hook	19,070
Roy Syverson	17,172
John Clair Larson	16,883
Total payees in county (4)	75,646

RENVILLE COUNTY

Virgil Mellies	22,831
Marvin Pape	22,169
Frank O. Johnson	21,823
Frank Christianson	19,935
Ronald J. Tersteeg	18,438
Sather Bros	18,412
James Brazil	15,850
Total payees in county (7)	139,458

ROCK COUNTY

Norman Thorson	15,439
H. A. Paulson	15,378
Total payees in county (2)	30,817

SCOTT COUNTY

Hauer Bros	18,879

SIBLEY COUNTY

William L. Turtle	22,843

SHERBURNE COUNTY

Forrest Muetzel	22,550
Forrest Howell	20,584
Joseph J. Springer	18,968
Kraay Bros, Inc	18,848
Lyle Wayne	15,841
Total payeec in county (5)	96,791

STEVENS COUNTY

Horning Brothers	18,799

SWIFT COUNTY

David Hughes	17,355
Robert Yost	17,068
Sheldon Rieppel	16,254
Ray Lachmiller	16,233
Thomas Benson	15,085
Total payees in county (5)	81,995

TRAVERSE COUNTY

Darrel R. Miller	23,506
Brink Bros	22,049
Fridgen Farms	18,268
Felix Frisch	17,156
Donald Conroy	15,081
Total payees in county (5)	96,060

WABASHA COUNTY

Ardell E. Schultz	15,626

WASECA COUNTY

Lester Schoenrock	18,210
Henry Bluhm	17,925
George Byron	15,507
Richard Hankerson	15,294
Donald W. Zellweger	15,090
Total payees in county (5)	82,026

WATONWAN COUNTY

Gordon Kelly	19,241
Guyer Hennies Davis	18,005
Tilney Farms	17,998
Marion Gaalswyk	17,640
Robert D. Johnson	16,064
Clifford J. Wolle	15,673
Total payees in county (6)	104,621

WEST POLK COUNTY

Useldinger Brothers	21,179
Anderson Farms	18,535
Leonard Driscoll and Son	18,337
Krueger Farms	18,151
Vernon Hagen	16,000
Walter J. and Armin Ross	15,583
Conrad Danielson	15,433
Dale and Harvey Pulkrabek	15,318
Total payees in county (8)	138,536

WILKIN COUNTY

Richard Kruse	17,369
Van Tassel Bros	16,505
John W. Swenson	15,140
Total payees in county (3)	49,014

WINONA COUNTY

George P. Daley	18,647

YELLOW MEDICINE COUNTY

Otto S. Johnson	19,578
Patrick V. Miller	15,081
Total payees in county (2)	34,659
Total payees in State (169)	3,058,534

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Mississippi

ADAMS COUNTY

Joseph W. Parker, Jr	18,092

ALCORN COUNTY

Marvin K. Rainey	23,784
J. E. Marsh	15,177
Total payees in county (2)	38,961

ATTALA COUNTY

Hugh B. England, Jr	22,447
Billie B. Horne	21,398
Alvin McCory	20,881
Horace G. McMillan	19,752
Arnold C. Lowe	18,760
H. E. Jenkins	17,515
Wade Brothers	17,069
Willie B. McCrory	16,110
Total payees in county (8)	153,932

BENTON COUNTY

Wyatt Thomas	19,979
C. F. Bryan	16,091
Total payees in county (2)	36,070

BOLIVAR COUNTY

Homer Jones	24,856
Mrs. O. J. Scott	24,660
Peter Bramuchi	24,487
G. A. Hood	24,408
Butler Planting Co	24,190
H. R. Wilson	24,136
M. L. Turpin, Jr	23,832
Delbert Farmer	23,709
H. C. Bizzell Estate	23,683
A. C. Wiggins	23,162
J. T. Reed	22,556
Harry Featherston	22,516
Lawrence Gibson	22,085
W. T. Tullos III	21,953
Lamar Stanford	21,879
Louis Bassi	21,551
Pleasant and Co	21,517
Robert L. Yeager	21,485
M. and R. Sandroni	21,476
W. E. Adams	21,454
W. E. Pentecost Jr	21,424
Shelby Place	21,241
J. L. and J. V. Newman	21,239
Hugh Swindoll	20,977
Hard Scramble Plantation	20,816
P. D. Young	70,741
E. F. Abel	20,705
Clayton Holder	20,663
H. H. Harrison	20,607
James L. Naron	20,586

Carolyn Rayner Trust	20,431
James Watson	20,423
Sue Rayner Trust	20,401
Bobby Hawkins	20,174
W. M. Carter	20,081
Bolivar Farms	19,840
Warwick Smith	19,650
T. M. Boschert	19,633
J. K. Walker	19,344
E. J. Conn	19,266
J. P. Skelton	19,248
W. P. Skelton	19,170
Max Lyle Dilworth Jr	19,054
H. & H. Farms	18,965
W. H. Frederick	18,907
J. F. Riddle	18,791
Charles W. Jones	18,739
Albert Rocconi	18,536
M. D. Dunn	18,460
J. T. Cox	18,426
Alex Belenchia	18,356
J. F. Brown	18,283
Pearl S. James	18,245
Don Robertson	18,157
Denton Brothers	18,085
Henry T. McGarrah	17,919
W. B. Holmes	17,827
E. F. Findley	17,826
Thomas N. Boschert	17,632
Isaac Daniels	17,343
H. E. McCaslin	17,341
M. L. Campbell	17,281
H. A. Denton and Son	17,222
Floyd Sanders	17,120
Y. W. Medders	17,009
Bedwell and Evans	16,975
Harden Farms	16,766
Eliot Radicioni	16,745
J. R. Snyder	16,718
Criss Farms	16,679
Bostick Brothers	16,572
J. E. Elmore	16,551
Kenneth Hood	16,436
Gero Mei	16,370
Raymond B. Myers	16,349
L. V. Dickerson	16,246
H. A. Wellman	16,232
Tony Antici	16,210
Charles Evans	16,129
S. B. Tindle	16,034
R. O. Jones	15,758
H. R. Childress	15,734
Harris Brothers	15,712
Gerald D. Denton	15,682
Charles Hicks	15,597
Melvin Hood	15,376
Lucille P. Meek	15,358
C. B. Patterson	15,335
R. G. Bland	15,252
David Malatesta	15,220
E. D. Rayner	15,139
Total payees in county (91)	1,738,974

CALHOUN COUNTY

H. L. Hardin	23,947
W. A. Jennings	23,111
Harvey Easley	19,240
E. F. Wooten	18,730
Carter Edmondson	18,408
Harold Hamilton	18,066
Ronald Easley	17,330
Rainbow Ranch, Inc	15,637
Total payees in county (8)	154,469

CARROLL COUNTY

Ralph Redditt	24,746
J. E. Hobgood	19,866
J. W. Fancher	19,039
J. S. Eades	18,838
J. E. Ellis	18,207
B. H. McCarty	18,162
H. F. Williams	18,145
John L. Mason	17,653
W. C. Brunson	17,586
T. E. Guest	16,565
William L. Lary	15,553
Total payees in county (11)	204,360

CHICKASAW COUNTY

W. H. Gregory	24,879
Larry Carter	23,049
Preston Sullivan	20,977
W. C. Carnathan	15,986
J. A. Murphree	15,140
Total payees in county (5)	100,031

CHOCTAW COUNTY

Rex Swindle	23,267

CLAIBORNE COUNTY

James Beesley	22,923
Jim S. Middleton	22,789
L. B. Allen, Jr	22,764
F. L. Cappaert	20,926
E. A. Porter	19,303
Total payees in county (5)	108,705

CLAY COUNTY

J. H. Tumlinson, Jr	22,916
J. S Brand	22,404
W. C. Loden	19,843
B. Bryan Farms, Inc	19,553
Ralph M. Dexter	19,117
Total payees in county (5)	103,833

COAHOMA COUNTY

J. P. Fisher	24,837
Mac-Wan Farms	24,747
Adams Farms	24,226
G. W. Butler & Son	24,078
Peter Agostinelli, Jr	24,035
McKenzie & Keesee	23,960
Waterloo Planting Co	23,909
H. A. Greene	23,866
Lawrence Malone	23,484
W. H. Rainey	22,429
Heaton Investment Co	22,338
Joe Garrison	22,204
Paul Clark, Inc	21,982
James A. Russell, Jr	21,661
Frank Aderholt	21,292
Jennie W. & Kirk & Dana Haynes	21,079
Ruck Jose	20,655
Mike Antici	20,642
T. O. Fulton	20,623
Malvassi Farms	20,603
James Spaggiari	20,462
Gerald Ives	20,208
W. W. Vaught & Son	20,112
J. J. Plantation	19,954
J. W. Gray, Jr	19,921
B. F. McLaurin	19,892
Floy J. Haney	19,335
Anthony Garst	19,097
Vito Sbravati	18,775
E. G. Larson	18,619
Malcom Mabry Farms, Inc	18,582
W. A. Williams	18,555
Robert Louis Demilio	18,353
Joe & Richard Noe	18,323
L. A. Ross, Jr	18,268
T. R. Rodgers	17,785
W. H. Ellis	17,672
James Agostinelli	17,503
F. R. Ashley	17,373
Berryhill Farms Inc	17,226
Reno Borgognoni	17,052
Harold Mosby	16,890
G. L. McWilliams, Jr	16,779
Homer S. Greene	16,711
Ulysses Martindale	16,245
Van Meek, Jr	16,076
Phil Clark	16,051
E. Zepponi	16,001
J. D. Hitt	15,555
W. L. McKee	15,314
McKnight Farms	15,177
Total payees in county (51)	1,006,516

COPIAH COUNTY

Allen Hodd	23,540
C. E. Strong	18,800
Cloyd E. Bailey	16,829
James West	16,495
Earle Coleman, Jr	15,386
Total payees in county (5)	91,050

COVINGTON COUNTY

Vester Bond	19,867

DESOTO COUNTY

J. H. Miller	24,833
Readus Hudson	24,797
R. M. Treadway	24,379
John Graves	23,432
Otto Koehler	23,379
George B. Banks	21,750
Carthel Todd	20,204
D. F. Wilson	19,942
Milton W. Jones	19,749
H. H. Hawks	16,800
Total payees in county (10)	219,265

GRENADA COUNTY

John M. Little	21,785
Earl L. Gillon	18,906
N. P. Shappley	17,405
Lee K. Harrison	17,166
D. K. Hayden	17,038
Wesley R. O'Neal	15,919
E. L. Boteler, Sr	15,074
Total payees in county (7)	123,293

HINDS COUNTY

Ray R. Cannada	24,188
Jack W. Lilley	24,037
J. S., Sr., J. S., Jr. & R. C. Mellon	23,781
R. E. Floyd	21,957
Tom Virden	21,583
Robert Mashburn	20,910
Hinds Farm Service Association	20,357
Harold Simmons	18,856
J. C. Logan	18,097
J. B. White	16,999
C. J. Brown	16,185
F. E. Brasfield	16,029
Total payees in county (12)	242,979

HOLMES COUNTY

Paul F. McCain	24,489
H. M. Brock	23,987
James F. Jacks	23,509
D. S. Shuttleworth	23,253
W. J. Waits, Jr	22,967
N. B. Parrish	22,383
Keirn Switch Planting, Co	21,126
J. E. Cunningham, Jr	21,006
Frank Gwin, Jr	20,698
T. C. Watkins	20,694
R. K. Oreilly	20,456
Annie M. Smith	20,292
E. O. Peterson	19,929
E. I. Harris	19,478
F. C. Fleming	19,440
A. B. Archer, Jr	19,412
Oklahoma Farms	19,073
Edwin E. Waddell	18,925
J. W. Potts	18,352
J. A. Braswell	17,310
Love Planting Co	17,248
E. J. Hines & Son	17,111
Kenneth Parrish	17,035
D. C. Scott	16,639

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payment—Mississippi—Continued

HOLMES COUNTY—continued

E. E. Oreilly	15, 480
William M. Cade	15, 260
William E. Carroll	15, 142
Payne Brothers	15, 071
Total payees in county (28)	545, 765

HUMPHREYS COUNTY

Dave Bobbitt	24, 996
John H. Daniels, Jr	24, 881
J. A. Bridgers, Jr	24, 227
B. A. Planting Co	23, 937
L. G. Shelton	23, 398
J. E. Weems	23, 165
Pickell Brothers	23, 114
Wesley W. Hester	22, 602
Royal Plantation	21, 603
Mound Lake Plantation	21, 429
S. W. Gardner	21, 298
Del P. Lott, Jr	21, 202
James R. Walker, Jr	20, 404
Gilbert Garner	20, 233
William J. Lea	20, 160
B. J. Barrier III	19, 975
T. A. Tharp	19, 670
R. & G. Farm	19, 484
R. B. Stanley	19, 159
F. B. Janous	19, 113
James S. Reed	18, 872
Henry Reed	18, 572
R. Y. Wright	18, 428
Childs Brothers	18, 271
Martin Farms	17, 874
W. H. Allen Estate	17, 731
James F. Slaughter	17, 358
L. F. Antrim	16, 781
Bass Farms	16, 559
Vincent Liberto	16, 336
H. D. Tharp	16, 069
G. T. Roberts	15, 929
Elizabeth D. Bryan	15, 543
R. L. Hoke	15, 425
Bill Parks	15, 256
W. R. McMillian	15, 115
Total payees in county (36)	704, 169

ISSAQUENA COUNTY

W. E. Fleeman, Jr	23, 947
J. H. Fleming	21, 101
James T. Mabus	20, 261
L. T. Wade	19, 922
W. I. Robertson	17, 859
Jenny Plantation, Inc	17, 620
Catledge Brothers	16, 969
W. Rife Wade, Sr., Estate	15, 972
H. F. Franklin	15, 813
Total payees in county (9)	169, 464

ITAWAMBA COUNTY

Jimmy Pearce	15, 294

JEFF DAVIS COUNTY

M. V. Speights	15, 398

JONES COUNTY

Roscoe Owens, Jr	22, 505
K. N. Knight	19, 618
Total payees in county (2)	42, 123

LAFAYETTE COUNTY

Ralph Roy	22, 843
Toy Dean Babb	20, 083
D. H. Surrette	19, 941
Donald A. Waller	18, 596
James S. Downs	17, 509
Sidney F. Johnson	16, 233
Total payees in county (6)	115, 205

LAUDERDALE COUNTY

Bobby Barrett	15, 804

LEAKE COUNTY

John H. Evans	19, 748
Joseph W. Langford	19, 190
Marlin D. Collier, Jr	15, 255
Total payees in county (3)	54, 193

LEE COUNTY

Earl N. Loftin	21, 822
H. R. Morgan	20, 501
A. D. Coggins	20, 335
Joe Bucy	20, 117
Albert Ethridge	19, 233
Lee Land Company	15, 302
J. C. Holland	15, 117
Total payees in county (7)	132, 427

LEFLORE COUNTY

Harold Coleman	24, 939
James D. Green	24, 658
P. M. Kimbrough, III	24, 469
D. C. Branham, Jr	24, 415
Rickswood Planting Co	24, 409
Riverside Plantation	23, 759
R. C. Colvin	23, 704
Derwood Strain	23, 621
James R. Kent	23, 600
Jerry Falls	23, 113
H. C. Pleasants	23, 010
A. J. Wilson	22, 955
MBG Farms, Inc	22, 908
John F. Bratton	22, 150
E. L. Gilliland	21, 982
Gerald P. Conway	21, 768
Gleeson and Jones	21, 329
John W. Kearney	21, 309
Henry Gosa	20, 873
Walter Walt	20, 679
J. A. Bennett	20, 278
A. H. Beckham	20, 182
C. S. Ware	19, 794
Rex Makamson	19, 208
Dewey Ellis	18, 867
T. F. Lishman	18, 567
Don Corley	18, 505
Arch & Porter Peteet Farm	17, 984
James Holeman	17, 885
Mallette and Henry	17, 808
William Dell Ellis	17, 789
James D. Wood	17, 518
A. D. Meredith	17, 388
G. F. Aust	17, 195
Bailey and Kinney	16, 518
Ed Jones Bledsoe	16, 368
R. L. Lance	16, 298
Cecil M. Boland	16, 172
N. W. Lea, Jr	15, 985
Randle R. Makamson	15, 535
L. N. McGraw	15, 159
Rex Kelly	15, 114
Weed Bros	15, 048
F. C. Manning	15, 047
Total payees in county (44)	875, 862

LOWNDES COUNTY

B. E. Aldridge	24, 464
Gene D. Holliman	24, 309
Tommy Spruill	21, 589
Trenton Sheffield	21, 188
Charles E. Betts	17, 774
Burl O. Gibson	16, 019
Virgil Hanson	15, 978
L. C. Underwood	15, 856
E. L. Robinson	15, 526
Total payees in county (9)	172, 703

MADISON COUNTY

James A. Cook	24, 694
George Heindl, Jr	24, 370
L. A. Millsaps, Jr	24, 167
A. W. Hardy Sr. & A. W. Hardy, Jr	23, 555
L. H. McMullen Jr	22, 807
Billy Ray Stribling	22, 263
Billy McMullen	21, 740
Robert Willis	21, 070
Charlie Williams	20, 869
Linn Hart	20, 861
J. S. Harris, Jr	20, 139
F. C. Tyner	19, 921
J. E. Richardson, Sr	18, 878
James Stewart	18, 683
W. T. Kernop	17, 882
G. H. Galloway	17, 859
Carl Murphy	17, 304
Henry M. Waldrop	16, 740
R. W. Phillips	16, 429
Charlie Leon	16, 427
M. H. James, Jr	16, 335
Clyde Edwards	16, 268
Total payees in county (22)	438, 991

MARSHALL COUNTY

Edgar Lee Bolden	24, 563
J. M. Ash	23, 435
Hargis Hurdle	23, 282
Johnny Taylor	21, 623
Chester Hurdle	21, 520
Egbert Jones	21, 493
Richard Carrington	19, 852
John R. McDermott	19, 597
Marvin St. John	19, 539
Janie C. Hurdle	17, 985
Lowell Strong	17, 977
Jeston Bolden	17, 707
W. G. Callicutt	17, 239
John L. Loftin	16, 361
Percy Hurdle	16, 151
J. W. Martin	16, 113
Steven Hurdle	16, 054
Phil Karr	15, 194
William S. Payne	15, 188
Robert H. Hurdle	15, 048
Joe Hurdle	15, 048
Total payees in county (21)	390, 969

MONROE COUNTY

Thomas E. Millender	23, 781
Lee H. Harrington	22, 592
W. B. Watkins	20, 758
James R. Little	19, 405
Dorlos Robinson	19, 274
Riley Dabbs	18, 994
Charles Boyd	18, 650
M. V. Burks	18, 508
Gilmore Puckett Lbr. Co. Farm	15, 354
Carlos A. Thompson	15, 325
Bob Lueth	15, 246
Total payees in county (11)	207, 887

MONTGOMERY COUNTY

James W. Latham	18, 817
Jack Wilkins	17, 606
Total payees in county (2)	36, 423

NOXUBEE COUNTY

Paula Robertson	20, 248
Deerbrook Corp	16, 356
Total payees in county (2)	36, 604

XUM

OKTIBBEHA COUNTY

Bill Long	18,578

PANOLA COUNTY

Triple H. Farm	24,859
Sanford McNemar	24,808
Taylor Bros	24,223
James Montieth	24,104
Evander Smith	23,700
Emily J. Pointer	23,447
C. Hal West	22,750
David Ross Craig	22,416
E. C. Darby	21,926
H. G. Short	21,769
W. D. Craig	20,608
V. R. Sanford	20,433
James H. Moore	20,149
Derryal Glen Gates	19,806
Otis Jenkins	18,811
James W. Sorrells	18,732
T. E. Williams	18,064
Tom Pugh	17,804
Fred Womble	17,733
Edward Kairit	17,522
J. A. Floyd	17,268
Howard Morris	16,574
Harold Graham	15,997
Frank W. McCurdy, Jr	15,644
J. E. Jenkins	15,304
Walter E. Dilmore	15,198
Total payees in county (26)	519,649

PERRY COUNTY

John A. Thompson	20,596

PONTOTOC COUNTY

Billy Rex Ray	16,245
J. L. Lindsey	16,059
Total payees in county (2)	32,304

PRENTISS COUNTY

A. B. and B. C. Arnold	15,795
E. L. and Willie Hatfield	15,657
Total payees in county (2)	31,452

QUITMAN COUNTY

J. E. Furr, Jr	24,926
C. B. Sigler	24,343
Wadlington Bros	24,167
V. A. Furr, Jr	24,125
T. C. Haley	24,097
Gordon Farms	23,764
Victor Bailey	23,318
Hubert L. Respess	23,181
Smith Planting Co	22,923
Thomas A. Harris	22,503
Clifford Cobb, Jr	21,537
Richard Shellman	21,243
Fred Bailey	21,147
House and Carter	20,976
S. C. Jones	20,343
C. W. McCullar, Jr	19,458
O. A. Davis, Jr	19,449
C. L. Mills	18,710
James G. Harris	17,921
V. L. Howell	17,914
Mark N. Ham	17,836
Mrs. Lena W. Cribbs	17,801
A. C. Atkinson	17,767
Winfred Reid	17,741
A. L. Sbravati	17,611
N. H. Sutton	17,566
A. G. Whitworth	17,498
F. Raynor Starr	17,415
Cuatro Corp	17,319
James O. Jackson	17,227
Obia Owen	17,194
M. D. Bailey	17,065
J. T. Shelton	16,808
Henry Bros	16,760
Ottis F. Meredith	16,484
Harry Lewis	16,102
T. S. Hale, Jr	16,076
J. K. Pearson, Jr	15,845
M. K. Mills	15,806
Edwin L. Meeks	15,373
Total payees in county (40)	775,339

RANKIN COUNTY

F. C. Lawrence	24,096
J. B. Williamson	23,947
Paul Cross	19,309
J. D. McKay	17,933
Ray Gordon	17,292
John R. Chaffin	16,855
Larry Cross	15,466
Total payees in county (7)	134,898

SCOTT COUNTY

Cochran & Myers	15,392

SHARKEY COUNTY

Shiloh Plantation, Inc	24,968
W. E. Patterson, Jr	24,758
A. B. Williams	24,744
Sojamax, Inc	24,707
Benard O. Lovorn	23,710
Clinkscales Bros	23,412
G. M. Baggett	22,581
S. W. Bennett	21,701
Carl Dunaway	21,436
Kelso Plantation, Inc	21,377
Egremont Plantation	21,296
Omega Plantation, Inc	19,929
Robert H. Moses	18,964
Boykin and Patterson	18,623
Savery Farms, Inc	18,427
Fields Planting Corp	15,411
W. B. Thomason, Jr	15,286
V. B. Schimmel	15,207
Total payees in county (18)	376,537

SMITH COUNTY

Burnham Brothers	21,242
R. J. Sullivan, Jr	15,646
Total payees in county (2)	36,888

SUNFLOWER COUNTY

Stacy & Baughman	24,825
B. R. Ammons	24,435
Tommy Ellis	23,983
Black Bayou Plantation, Inc	23,789
Ciro Nobile	23,407
Prichard Brothers	23,377
Harris Russell	23,262
Earl W. Pittman	23,181
Roy and John Dickerson	22,916
P. K. McGregor	22,885
C. T. Ellis	22,875
Ted Borodofsky	22,365
Parker Bros. & Cummins, Inc	22,287
Thomas B. Givens	22,148
Herman Guest	22,108
Bobby Clark	21,983
Curtis A. Smith Farming Co	21,854
F. N. Marlow Estate	21,707
W. C. Hendon	21,556
J. W. Baker	21,444
Thomas J. Sanders	21,437
James Simpson	21,338
J. B. Lee	21,295
A. W. Shurden	21,257
William L. Ervin	21,239
C. F. McGraw	21,118
B. & L. Farm	21,038
Watts Planting Co	21,032
J. O. and H. C. Eastland	20,970
David Williams	20,867
W. L. Prichard	20,842
Sheffield Farms	20,814
C. B. Warnock	20,770
Jim Muzzi	20,540
E. A. Stansel, Jr	20,414
H. I. Clark	20,345
W. E. Coleman and Son	20,300
T. A. Murtagh	20,276
Fitts, Fitts & Pate	20,179
B. L. Kirk	20,115
J. R. Martin	19,932
W. D. Baird	19,889
R. J. Vanlandingham	19,676
J. C. Shurden & Son	19,486
W. T. Skelton	19,415
C. R. Skelton	19,388
Dave Wood	19,360
Howard L. Grittman, Jr	19,221
A. E. B. Britt	19,000
Powell Poe	18,887
Hyman Turner	18,845
John Burrell	18,789
W. E. Wright	18,773
T. A. Fleming	18,327
Robert Doty Mallette	18,169
J. F. Barbour II	18,134
J. J. Stevens	18,022
G. W. Moody	17,935
Albert R. Holeman	17,916
David Woods	17,774
L. D. Booth	17,770
Cooper & Cooper	17,633
H. M. Allison	17,608
Fletcher Clark	17,383
Otis H. Reed	17,303
John W. Taylor & Son	17,303
Southside Farms	17,266
J. R. Stinson	16,850
Robert C. Pratt	16,705
Twin Bayou Plantation	16,564
W. L. Patterson	16,393
C. B. Fisackerly	16,389
Charles E. Boyer	16,330
Virgil E. Redd	16,290
Howard L. Grittman	16,250
W. J. Toler	16,160
Everett Williams	16,128
Oswalt Farms, Inc	16,076
Florence B. Fisackerly	15,997
V. A. Johnson Co	15,979
N. S. Toler	15,926
J. D. Pennebaker	15,892
Albert M. Whatley	15,591
Williams Farms	15,569
Fred Butts	15,465
Norman Pentecost	15,380
L. L. Vance	15,272
G. W. Manning, Jr	15,213
J. P. Sheffield	15,167
Oscar Isom	15,145
Noel Barrett	15,015
Total payees in county (91)	1,753,523

TALLAHATCHIE COUNTY

J. W. House	24,175
W. C. Vinson	23,968
Maggie W. McClellan	23,930
Strider Bros	23,535
Jim Pennington	23,021
B. & S. Planting Co., Inc	22,940
Dry Bayou Planting Co	22,700
G. B. Williams	22,686
Terry James	21,993
Herbert Ratliff	21,498
Tom Rice	21,045
William H. Morrow	21,033
W. W. Pearson	20,889
Frank B. Swearengen	20,774
J. J. Webb, Jr	20,772
R. E. Seawright	20,093
J. W. Fennell	19,877
W. G. Burkhalter	19,671
A. D. Chatham	19,157
Finke Brothers	19,099
Billy G. Flautt	18,976
R. W. Lee	18,780
H. C. Strider, Jr	18,757
Turner Brothers	18,241
George D Hightower	17,701
James H. Morrow	17,603
Edward Dyess	17,219
Russell Hoop	17,163
Cyclone Pltg Co	16,397
E. A. Armistead	16,217
Davis Bros	16,042
Olivia Tankerslay Est	15,882

XUM

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Mississippi—Continued

TALLAHATCHIE COUNTY—continued

M. C. Gates & Son	15, 633
Donald B. Strider	15, 427
Total payees in county (34)	672, 894

TATE COUNTY

S. M. Allison	23, 396
Harry B. House	22, 176
James Rhodes	21, 951
T. P. Veazey III	21, 868
Cecil Howell	20, 776
R. H. Gaines	20, 378
J. F. Watson	19, 296
Billy Thompson	19, 225
H. S. Mabry	17, 876
John M. Poag	17, 783
Nelson Freeman	16, 471
Charles Gaines	16, 322
Lester Graham	16, 157
W. C. Walker	15, 594
W. S. Dougherty Jr	15, 435
Robert P. Thompson	15, 060
Z. M. Veazey, Jr	15, 054
Total payees in county (17)	314, 818

TIPPIN COUNTY

Bonnie Mauney	23, 900
Roy Janes	19, 884
Marlin Childs	19, 524
J. L. Montgomery	18, 096
Hines Graves	15, 909
Total payees in county (5)	97, 313

TUNICA COUNTY

B. M. Martin, Jr	24, 714
J. E. Sides & Son, Inc	23, 999
John Canon	23, 943
Pea Patch Plantation, Inc	23, 578
Walter D. Willis, Jr	23, 548
Vance Moore	22, 470
James Pegram	22, 280
Joe Watson	21, 523
Doright Plantation, Inc	21, 372
Two Sisters Plant	20, 961
Ewing and Son, Inc	20, 752
D. R. Houpt	20, 121
A. M. Dye	19, 846
L. A. Gidden	19, 719
W. C. Bynum	19, 391
Indian Ridge Plant, Inc	19, 322
Dale C. Bynum	18, 947
Milton Boyd	18, 938
William H. Houston III	18, 900
O. S. Woods	18, 647
R. J. Jepsen and Son	17, 445
Frank M. Perry	17, 318
Ray Smith	17, 310
Joe Small	17, 196
Howard Keller & Son	17, 098
W. D. Fisher, Jr	17, 000
Hugh Monteith, Jr	16, 971
W. D. Garrett and Son	15, 342
Total payees in county (28)	558, 651

UNION COUNTY

Homer T. Jackson	16, 018
T. F. McAlister	15, 731
William J. Robbins	15, 685
Total payees in county (3)	47, 434

WARREN COUNTY

J. W. Whitten	19, 787
Eustace Conway, Sr	18, 513
Dorothy G. Butts	17, 654
E. R. McKnight	17, 207
Oakland Plantation	16, 675
Total payees in county (5)	89, 818

WASHINGTON COUNTY

Guido Palasini	24, 879
Loughborough Plantation	24, 872
Auburn Plantation	24, 855
Jessie McDonald	24, 657
Deerfield Farms Co	24, 465
Foch Barnes	23, 294
Hollywood Pltn	23, 178
Mike W. McLaurin	23, 139
Malvina Pltn Inc	23, 023
Marcus Treadway	23, 007
Howard New	22, 914
James V. Nunnery	22, 869
William J. Ireland	22, 628
Martha Pltn, Martha W. Dowd	22, 323
William L. Watson	22, 285
Harry M. Key	22, 027
Marvin Jennings	21, 943
E. A. Lafoe, Jr	21, 418
L. & B. Pltn	21, 406
Elizabeth Jeffreys	21, 382
T. W. Hays	21, 315
Collier Pltn	21, 277
Fred Ballard	21, 241
Cecil Wingfield	20, 859
Laverne Hyer	20, 693
Bobby Rippee	20, 419
Elmo Gerald	20, 253
Stovall Farms	19, 957
Mrs. J. R. Kirker & Son	19, 767
J. P. Tonner	19, 519
Sam Sabatini	19, 274
Wright Planting Co., Inc	19, 076
Oma W. Soder	18, 667
Leo E. Frankel	18, 666
C. D. Hobart and Son	18, 608
Jack Middleton	18, 417
Palmetto Plant Co	18, 319
Morro and Hawkins	18, 313
J. A. Oglesby	18, 290
M. P. Neff	18, 117
F. M. Wigley	17, 893
Cecil Davis	17, 826
James E. Bennett	17, 790
Floyd Wayne Reed	17, 718
John Allen Collier	17, 412
Chester P. Smith	17, 125
E. G. Nelson	17, 048
V. C. Hammett, Jr	16, 851
Susie B. Law	16, 812
T. F. Kirkpatrick	16, 487
Tony Formigoni	16, 119
Fred Bell	15, 725
Total payees in county (52)	1, 056, 417

WAYNE COUNTY

Leroy E. Singley	17, 411

WEBSTER COUNTY

Jack Gary	21, 455
C. C. Hemphill	18, 107
Harold Finnell Dorroh	17, 845
Total payees in county (3)	57, 407

YALOBUSHA COUNTY

A. R. Ingram	24, 176
Joe N. Bailey, Jr	21, 917
D. R. Ingram	20, 704
J. R. Magee	17, 606
Charlie M. Shaw	16, 872
Billy B. Williamson	16, 493
Hurley Pittman	15, 439
Total payees in county (7)	133, 207

YAZOO COUNTY

E. R. Seward	24, 891
R. M. Bridgforth & Sons	24, 760
Hamel Farms, Inc	24, 563
C. S. Guion	23, 883
R. Hancock	23, 767
Nabers Planting Co	23, 308
H. T. Barrier, Jr	23, 300
E. E. Nixon, Jr	23, 300
A. P. Crawford, Jr	23, 121
L. G. Montgomery	23, 044
W. R. Coleman	22, 670
Curran & Clark	22, 612
McGraw Farms	22, 405
H. R. Crowder & Son	21, 328
H. O. Hicks	21, 310
Travis Fouche	20, 972
Downer Planting Co	20, 232
James H. Moore	20, 109
C. W. Ward & Sons	19, 081
J. L. Dixon	19, 058
Clayton Swayze II	18, 807
David T. Slack	18, 602
H. R. Crowder, Sr	18, 313
W. T. Hegman, Jr	17, 938
Kirkland, Inc	17, 921
W. W. Wyatt	17, 709
R. J. Hatchett	17, 696
E. L. Coleman	17, 631
Johnson Farms, Inc	17, 429
J. T. Simmons	17, 229
W. E. Paul	17, 113
R. D. Herren	16, 803
C. H. Vaughan	16, 764
William B. Davis	15, 461
C. C. Phillips	15, 322
Jones Brothers	15, 270
M. E. Kelly	15, 158
J. H. Hogue	15, 139
M. C. Dixon	15, 047
Total payees in county (39)	769, 066
Total payees in State (815)	15, 882, 537

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Missouri

ATCHISON COUNTY

Max Vanhoozer	23, 126
Marvin Leseberg	23, 071
Chas. J. Sillers	19, 063
H. E. Gound	18, 281
John Graf	18, 263
Zanker Bros. Inc	17, 747
Heitman Farms	17, 305
Jack A. Martin	17, 044
Cecil Van Meter	16, 084
Jean Hamel Gnann	15, 605
Donald Hurst	15, 605
Total payees in county (11)	201, 194

AUDRAIN COUNTY

Orma E. Mackey	16, 695

BARTON COUNTY

Robert Rader	15, 523

BATES COUNTY

Howard Eastland, Sr	22, 773
Frederick Craigmiles	22, 692
Bill Ingram	21, 990
Irvin Ranch	21, 346
Leland O. Burch	15, 682
Total payees in county (5)	104, 483

BOONE COUNTY

John S. Williamson	22, 523
Smith Bros	21, 084
M. R. Hudson	16, 118
Paul Higday	15, 975
Total payees in county (4)	75, 700

BUTLER COUNTY

Alfred L. Robertson	15,592

CALLAWAY COUNTY

Raymond Atkinson	22,354
Flying W. Ranch	17,301
Total payees in county (2)	39,655

CAPE GIRARDEAU COUNTY

Clarence Hoppe	17,527

CARROLL COUNTY

Wayne A. Magee	21,916
E. G. Grossman	20,803
E. G. Grossman Co., Inc	20,690
Jimmie D. Leighty	20,587
Charles D. Myers	20,520
Lock Brothers	19,608
Ronald Gibson	19,495
Sherman Shields	18,932
A. W. Lyon	18,789
Terry Abney	18,524
Lloyd Wallace	17,816
G. W. Schifferdecker	17,752
E. W. Wiese & Helen Wiese	16,149
Mertensmeyer Bros	15,976
Francis Wiley	15,851
Harry Mattox	15,783
Johnnie W. Allwood	15,073
Lee Grace	15,018
Total payees in county (18)	329,282

CASS COUNTY

J. H. McDonnell	19,257
J. Harold Smith	18,558
Comstock Farms	18,195
Albert H. Seiz	17,373
H. M. Gepford	16,727
Marion Carlile	15,098
Total payees in county (6)	105,208

CHARITON COUNTY

J. W. Kuhler, Jr	18,159
Mahnken Farm Co	17,743
Harold Edwards	16,373
A. N. Edwards	16,179
Marie Knight Farms, Inc	15,308
Total payees in county (5)	83,762

CLAY COUNTY

Chas. F. Curry	19,256
Roy Thomas	18,662
Ray Sissom	17,225
Total payees in county (3)	55,143

CLINTON COUNTY

Harold J. Hales	21,213
Kincaid Bros	17,719
Total payees in county (2)	38,932

COOPER COUNTY

Knipp Bros	20,379
John J. Hoff	19,390
John W. Stahl	19,312
Elmer Friedrich	17,611
Sieckman Bros	16,903
Leroy Stegner	16,069
Logan Walters	15,083
Total payees in county (7)	124,747

DAVIESS COUNTY

L. L. Cook	24,708
Johnson Land Dev. Co	18,241
Total payees in county (2)	42,949

DUNKLIN COUNTY

M. H. Collins	23,819
M. C. Collins	23,568
L. R. Jones II	22,652
S. E. Wright Farms	22,652
Charles Pelts	20,867
Bond Rouse	20,030
Jack Rollins	19,644
Van Hawkins, Jr	19,202
Matthews Agency Account	18,734
J. T. Moody	18,624
V. M. Jones, Sr	18,583
Lloyd Robertson	18,574
Kenneth Caldwell	18,393
H. W. Droke	18,140
Bill Wilburn	18,041
Thomas Wilkins	17,565
Voyd & H. D. Martin	17,033
Arthur Robinson	16,886
Audie Grisham	16,810
E. L. Porterfield	16,574
Earl Sexton	15,452
Harry Ross	15,349
J. E. Jones Gin Co., Inc	15,316
Charles Temple	15,216
Total payees in county (24)	447,634

GRUNDY COUNTY

L. L. George & Sons, Inc	15,740

HENRY COUNTY

Cecil E. Gray	20,523
Joe V. Beaty	20,425
Donald Batschelett	17,088
Total payees in county (3)	58,036

HOLT COUNTY

Ray Pollert	22,313
W. R. Pulliam	21,408
Hall Farms, Inc	19,128
Caton Bros. Farm	17,216
Welton Ideker	17,170
Olivia Hare	16,741
Dillingham Merrimana	15,351
Total payees in county (7)	129,327

HOWARD COUNTY

Wilbur Daniels	21,259
Fred Weiker	17,051
Fayette Livestock Auction	16,739
Batman Ranch	16,471
John E. Stapleton	15,783
Total payees in county (5)	87,303

JACKSON COUNTY

Kenneth Stock	20,021
Joe McClintock	16,088
W. S. Mann	15,445
Barnes Bros	15,195
Total payees in county (4)	66,749

JASPER COUNTY

Wm. J. Wilson	22,297

JEFFERSON COUNTY

Harry B. Hoene	18,707
Leonard J. Haas	15,872
Total payees in county (2)	34,579

KNOX COUNTY

Frances Mc. Sorley	22,753
V Hone Campell	16,068
Total payees in county (2)	38,821

LAFAYETTE COUNTY

William R. Meyer	20,021
Geo. W. Hackley, Jr	16,181
Edward A. Huscher	15,184
Total payees in county (3)	51,386

LAWRENCE COUNTY

Poirot Farms, Inc	15,333

LEWIS COUNTY

Jerry Spicknall	22,708
H. J. Richter, Inc	20,290
C. W. Solter	17,928
Hilburn Fishback	17,608
Joe McCullough	15,611
Total payees in county (5)	94,145

LINN COUNTY

Roy B. Quinn	22,167
J. C. Wheatcraft & Sons	20,176
Total payees in county (2)	42,343

LIVINGSTON COUNTY

Mervyn Jenkins	19,525
Floyd Edwards	17,322
Total payees in county (2)	36,847

MACON COUNTY

Gail Novinger	18,111

MERCER COUNTY

Hammond Bros	17,228

MISSISSIPPI COUNTY

M. & M. Farms	24,569
A. C. Drinkwater Farms	24,526
Health Farms	23,828
Paul Stallings	23,690
Leslie S. Fox	22,812
A. Vernon Goodin	22,481
Finley Thompson	22,319
David Brewer	21,679
C. E. Vowels & Co	21,497
Ault Co	21,310
Robert W. White	20,990
Donald Williams	20,971
Rolwing Bros	20,913
Al S. Burnett	20,665
Bill G. Johnson	20,636
Moore Bros	20,150
Milas R. Mainord	19,636
Freeman Finley	19,499
W. T. Woods & Bros	18,968
L. D. Joslyn	18,732
Elbert Hanor	18,177
James Scott	17,834
Terry Hequembourg	17,557
Ferrell Farms	17,280
Larkins & Choate	17,236
Russell Bros	17,017
Albert Stallings	16,838
Giltz & Dodson Farms	16,414
John Clevidence, Jr	16,062
H. B. Russell	15,694
Howard Schneider	15,653
W. W. McNeary	15,620
Lawrence McIllwain	15,407
Billy G. Brown	15,344
Renaud Farms	15,210
Total payees in county (35)	677,214

MONITEAU COUNTY

Norman Schoenthal	23,982

NEW MADRID COUNTY

Russell Estes	23,596
M. W. Farms, Inc	23,142
S. L. Hunter, Jr	23,087
J. J. Bloomfield	22,628
W. M. Shaw	21,982
Paul Bradley	21,742

XUM

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Missouri—Continued

D. K. Lape	21, 628
Wallace Bros	21, 552
B. & C. Harvesting Co	21, 473
James C. Girvin	21, 422
Nolley Farms Inc	21, 390
Bert Latham	21, 200
James L. Doster	21, 089
Reno Ashley	20, 770
Oren Ross	20, 758
Lawrence Warren	20, 585
W. W. Burlison	20, 484
J. V. Conran	20, 193
N. J. Nowell	20, 134
R. A. Nesselrodt	20, 030
Gene Wilson	19, 831
Robert McCoy	19, 148
Priggel Bros	18, 746
Jay Blankenship	18, 685
Donald Fay Underwood	18, 446
Grape Ridge Farms	18, 349
Charles Barnett	18, 112
Malden Grain Co	17, 750
Jackson Davis & Herbert Bird	17, 487
Eugene Pardon	17, 452
Robert Riley & H. C. Riley III	17, 275
Gideon-Anderson Lbr. Co	17, 121
Bennie Cannon	16, 979
Farmers District Gin	16, 863
Barney Blankenship	16, 691
John H. Calvin	16, 566
Rance Perkins	16, 526
Hann Bros	16, 497
Ethel Hicks	16, 496
Paul Fisher	16, 392
C. E. Lavalle	16, 359
Carmel Lacewell	16, 335
Milton Bixler	16, 193
L. B. Wolfe	15, 999
Vincent Recker	15, 916
Harold Ellsworth	15, 742
E. E. Jolly	15, 655
V. S. Wescoat	15, 570
Bernard Recker	15, 533
W. S. Edwards, Jr	15, 493
James Chipman	15, 418
Robert E. Bird	15, 191
Total payees in county (52)	969, 701

NODAWAY COUNTY

Felton Grain & Livestock Co	23, 716
Merrill Johnson	16, 221
Robert Lowrance	15, 357
Total payees in county (3)	55, 294

PEMISCOT COUNTY

James S. Bruton	24,950
Jeff Wade, Jr	24, 812
Jack Tipton	24, 753
Clifford Jackson	24, 681
John L. Atwill	24, 009
Lloyd Massey	23, 472
Haggard Farms	22, 880
Max Wallace	22, 793
Olin Dillard	22, 760
Stillman and Bean Fr	22, 658
Harold Hinchey	22, 592
George T. Killion	21, 734
D. J. Merideth, Jr	21, 156
J. W. Bradford	21, 041
C. W. Reed III	20, 227
Boyd McCrary	20, 224
Gary Bruton	20, 102
T. O. Shelly	19, 839
Earl W. Gill	19, 734
J. E. Jones Est	19, 660
Sides Bros	19, 591
Witt Smith	19, 537
Talmadge Burgess	19, 403
Kneibert Stillman	19, 265
William Suddarth	19, 029
Larry Depriest	18, 978
Tommy Pate	18, 925
Willard D. Long	18, 876
Clinton Caudle	18, 578
Sherley Lovins	18, 437
J. Wesley Shrader	18, 120
E. H. Webb	17, 940
Douglas Riddick	17, 938
Robert E. Richardson	17, 829
P. S. Capehart	17, 635
Paul Lynn	17, 437
Cleo Brents	17, 425
Herbert Rone	17, 290
Royal Sanders	17, 153
L. A. Riddick	16, 952
Billy C. Palmer	16, 931
John Till	16, 865
Lawrence Little	16, 789
Charles G. Ross, Jr	16, 457
Able Rushing	16, 428
Truitt Hounihan	16, 174
Downing Brothers	16, 014
James Ted Streete	15, 666
H. L. Odom	15, 550
Don Medlin	15, 547
Clarence Gurley	15, 356
J. F. Brown	15, 180
Total payees in county (52)	1, 003, 367

PETTIS COUNTY

Donald G. Callis	22, 596
Tee-Pee Co	16, 601
Paul O. Selken	16, 523
Total payees in county (3)	55, 720

PIKE COUNTY

Tom Doyle	17, 475

PLATTE COUNTY

I. R. Kirk Farm	23, 815
Charles Renz & Sons	18, 488
James E. Justus	17, 697
Marvin Enochs	15, 089
Total payees in county (4)	75, 089

RANDOLPH COUNTY

Wayne Britt	15, 158

RAY COUNTY

Luman Offutt	24, 686
Richard Loan & Realty Co	23, 576
Wilbert Matthews	22, 441
Luman Offutt Etal	20, 901
Vandiver Bros	17, 580
John L. Wright	15, 780
Wm. C. Westfall	15, 374
Total payees in county (7)	140, 338

SALINE COUNTY

Ralph Harvey	24, 759
James A. Lay	23, 527
Harvey Dierking	22, 278
J. I. Akeman	22, 281
Stonner Brothers	20, 443
Saline Co. Farms	20, 401
Harry L. Hanley	20, 384
Arthur R. Chenault	19, 956
Hamilton Bros	18, 549
Winfield S. Marshall	16, 891
Snoddy/Mikels/Page	15, 916
E. E. Rhoades	15, 787
W. W. Marshall	15, 727
Joe A. Marshall	15, 725
Elder Brothers	15, 235
Total payees in county (15)	288, 059

SCOTLAND COUNTY

Dewitt and Myers	19, 820

SCOTT COUNTY

Tongate and Northington	24, 231
J. M. Wallace	23, 208
Elvert Evans	23, 103
Hermon Smith	22, 943
B. F. Marshall and Sons	22, 591
A. D. and J. G. Johnson	22, 167
Taylor Farms	21, 734
Jackson Hunter	20, 457
United Ridge Co	20, 129
John Engram	19, 944
Norris Edwards	19, 593
W. R. Lewis, Jr	18, 317
L. F. Mayfield, Jr	17, 758
G. B. Greer, III	16, 856
Baker Farms, Inc	16, 847
E. E. Dement	16, 626
K. M. and Delane Streeter	16, 061
Terry Dame	15, 283
Charles R. Beardslee	15, 150
B. B. Wagoner	15, 083
Total payees in county (20)	388, 081

SHELBY COUNTY

O. F. Schwanke, Jr	22, 351
B. B. Rekus	16, 314
Donald Beckley	15, 523
Raymond Novinger	15, 517
Total payees in county (4)	69, 705

ST. CHARLES COUNTY

Bernard McMenamy, Jr	15, 628
Herbert Farley	15, 186
Total payees in county (2)	30, 814

ST. CLAIR COUNTY

Bernard Munsterman	15, 897

ST. LEWIS COUNTY

Raymond J. Sprock	16, 916
Emil L. Wallach	16, 598
Total payees in county (2)	33, 514

STODDARD COUNTY

Avra Cox	24, 525
Harold Lumsden	23, 836
Wm. B. Brown	22, 606
Lincoln Scherer	20, 740
Vernice Garner	19, 480
R. H. McIntyre	19, 245
William Jenkins	18, 851
Wethington & Snider	18, 466
Mack Bain	17, 893
T. E. Campbell	17, 444
Goza-King Farms	17, 245
Ed L. Bridges	17, 148
O. E. Harrison	16, 847
Joe Tucker	16, 635
Robert Reinbott	16, 626
Walter Tillman	16, 622
Robert Rendleman	16, 535
Earl Anthony	16, 511
J. C. Phillips	16, 424
Fred A. Groves	15, 870
Albert Elfrank	15, 569
Larry G. Strobel	15, 416
Total payees in county (22)	400, 534

VERNON COUNTY

Finis Moss	17, 661
Clyde H. Morris	15, 953
Kenneth Tough	15, 835
F. C. Weber	15, 158
Total payees in county (4)	64, 607

WARREN COUNTY

Theo Meyer	21, 126
Vernon Gloe	16, 327
Total payees in county (2)	37, 453
Total payees in state (365)	6, 824, 093

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Montana

BEAVERHEAD COUNTY

Wilding & Stoddard Part	19, 695

BIG HORN COUNTY

Torske Farm, Inc	23, 680
Murry J. Brown	21, 598
Clyde L. Hawks, Inc	19, 029
Raglands Incorporated	18, 685
Pete Miklovich	18, 134
Kodek Land Company	16, 234
Guy Wilson	15, 739
Total payees in county (7)	133, 099

BLAINE COUNTY

C. Spencer & Union Bank	19, 608
Lewis C. Gilbert	17, 848
Kenneth Hansen	16, 044
J. George Pitch	15, 978
John Jergeson	15, 291
Total payees in county (5)	84, 769

BROADWATER COUNTY

Hunsaker Bros., Inc	23, 116
Fred Kamp	16, 335
Alexander P. Toeckes	15, 630
Total payees in county (3)	55, 081

CARBON COUNTY

White Horse Ranch	18, 640
Stanley Arthun	16, 590
Total payees in county (2)	35, 230

CARTER COUNTY

Ralph Bruski	20, 918

CASCADE COUNTY

L. Johnson, Inc	23, 929
Malvin Merja	23, 909
J. Edwin Lassila	23, 583
Clayton Sweeney	21, 834
C. Bovey	21, 506
R. & C. Farming Co	21, 121
Carl Mehmke	20, 022
Carl J. Kantorowicz	19, 934
John B. Jaraczeski	19, 553
Zollinger Farms, Inc	18, 866
Holtz Farms, Inc	18, 208
Lewis Hunt	18, 058
Norman Wood	16, 236
Andersen & Hovland	16, 028
Everett Bumgarner	16, 022
Thomas Sire, Jr	15, 935
William Neuman	15, 856
Angus Hunt Ranch, Inc	15, 837
Dawson Ranch, Inc	15, 779
Rudolph & Arnold Gettel	15, 415
W. R. Selstad	15, 212
Russell Bumgarner	15, 117
Lyman Ranch	15, 117
Total payees in county (23)	423, 138

CHOUTEAU COUNTY

Marcus V. Nichols	24, 153
Wharram Ranch Co., Inc	23, 147
George A. Stevens	22, 927
Leeper Land Co	22, 856
W/M Wheat/Livestock	22, 399
Rettig Farms	22, 147
Rossmiller Farms	21, 912
Harold & Charles Knudson	21, 637
Melvin Batchelor	21, 626
Arnold Smith	21, 252
Paul C. Patton	19, 869
J. A. Gottfried	19, 769
J. R. Katzenberger, Inc	19, 686
Lloyd Cline	19, 661
M. & K. Farm, Inc	19, 439
Dwight J. Charlson	19, 035
Ronald M. Upham	19, 035
Louis Beirwagen	18, 534
Lawrence Romain	18, 295
Ernest Bahnmiller	17, 918
Killion Farms	17, 684
Norris Hanford	17, 204
Larson & Larson	17, 191
Halverson Ranch, Inc	17, 037
Charles Danreuther	16, 882
Jack Arnst	16, 735
Forder Land & Cattle Co	16, 690
Albert W. Bold	16, 660
Ryffel Bros	16, 555
J. Norris Owen	16, 514
Witt Ranch	16, 288
Elmer & Mary P. Dostal	16, 248
Charles M. Withrow	16, 114
Lawrence Rossmiller	16, 095
Turk Ranch, Inc	15, 974
Bessette Ranch	15, 914
A. N. B. Ranch	15, 827
Fred G. White	15, 592
Orval Richard	15, 560
Jack Stallcup	15, 470
Gertrude M. Underdal	15, 453
Richard Rominger	15, 417
George Bandel	15, 294
Ernest Wigger	15, 122
Charley Worrall	15, 114
Kenneth & Henry Zanto	15, 027
Total payees in county (46)	834, 948

CUSTER COUNTY

Ted Hirsch	24, 437
Mugglie Bros., Inc	21, 197
John E. Blackburn	16, 776
Charles Oster	15, 332
Total payees in county (4)	77, 742

DANIELS COUNTY

Frederick Bros	23, 261
Oglesby Farms, Inc	22, 774
Chas. L. J. & N. L. Fouhy	21, 554
Clayton Richardson	19, 552
Dewayne Linder	19, 409
Stanton Danelson	19, 275
Hellickson Bros	19, 077
Dale Marlenee	18, 214
J. E. Carney	17, 882
Herman Ruud	17, 386
Carl Jagiello	16, 024
Albert Shipstead	16, 014
H. Stannebein	15, 927
I. H. Halverson	15, 907
Delmer Safty	15, 499
Nelson Bros	15, 445
Total payees in county (16)	293, 200

DAWSON COUNTY

Gordon Kolberg	20, 560
August Sobotka	19, 801
Keith Guelff	19, 452
Robert K. Schlicht	18, 313
Norman Anderson	18, 268
Clarence Nagle	17, 258
Lloyd Hostetler	17, 107
D. H. Ranch	17, 053
Viola J. Heath	16, 881
Marvin L. Spencer	16, 464
B. E. Barnick	15, 187
Harold Schultz	15, 044
Total payees in county (12)	211, 388

DEER LODGE COUNTY

Mt. Hag. Live. Co	22, 811

FALLON COUNTY

Darrell Johnson	24, 821
Robert L. Cox	24, 809
Sikorski & Sons, Inc	23, 109
Schweigert Ranch	22, 119
Ernest Bechtold	18, 527
Gordon Traweek	16, 579
Fred Buerkle	16, 281
Harvey Nichols	16, 200
A. L. Meccage	15, 968
Art Tronstad	15, 851
Delane Beach	15, 440
Munsell Ranch, Inc	15, 229
Total payees in county (12)	224, 933

FERGUS COUNTY

Ralph Lee	21, 997
Robert-Gerald Barber	19, 980
Spring Creek Colony	19, 707
Franz Weinheimer	18, 812
Wright Ranch Inc	18, 506
Deerfield Ranch Colony	16, 984
Owen Knox	16, 861
King Ranch Colony	16, 582
Max Hertel	16, 388
Betty Crabtree	15, 786
Arnold Ecker	15, 337
Earl M. & Max R. Tyler	15, 057
Total payees in county (13)	211, 997

FLATHEAD COUNTY

Edmiston Land & Cattle Co	18, 999

GALLATIN COUNTY

Henry Dehaan	24, 399
Wilbur Dyk Ranches, Inc	20, 439
Frank Deehaan	17, 251
Catherine Dyk	16, 110
Frank Stockburger	15, 242
Total payees in county (5)	93, 441

GARFIELD COUNTY

Otto Hirsch	18, 711
Cecil F. Weeding	17, 078
Total payees in county (2)	35, 789

GLACIER COUNTY

Mae Higgins	20, 000
E. O. Peterson	19, 483
William McAlpine	18, 629
Lagrand Co	16, 560
Glacier Colony	15, 943
Total payees in county (5)	90, 615

HILL COUNTY

Hilldale Colony	23, 346
Lloyd Twedt	22, 749
Lloyd Kaercher	22, 661
Kraft & Martin	22, 323
Jack Swinney	22, 013
J. P. Verploegen	21, 396
D. O. Koefod, Agent	21, 327
Martin Schuster	20, 849
Dow Brothers	20, 443
Kenneth G. Axvig	20, 387
Leif W. Kapperud	19, 842
Arvin Aageson	19, 176
John McIntosh	18, 642
Monty Borlaug	18, 076
Petrick Brothers	18, 033
Herbert G. Bitz	17, 740
Glennon H. Watson	17, 500
Rodney Spicher & Sons	17, 418
Stuart McIntosh	17, 386
Harold R. Wanke	16, 140
Archie E. Freeman	15, 481
C. Lowell Purdy	15, 422
Dennis Anderson	15, 381
Charles Horinek	15, 176
Peter Woronik	15, 073
Total payees in county (25)	473, 890

JEFFERSON COUNTY

Robert N. Price	21, 899

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Montana—Continued

JUDITH BASIN COUNTY

Glenn Woodbury	24, 383
D. N. Zinnecker	18, 806
Ted Myllymaki	18, 599
William Henry Ward	17, 882
Keith Royston	16, 339
Roger Petersen	15, 702
Total payees in county (6)	111, 711

LAKE COUNTY

Jaye Johnson	19, 005
Curtis Van Voast	18, 713
Total payees in county (2)	37, 718

LEWIS AND CLARK COUNTY

Milford Colony, Inc	22, 686

LIBERTY COUNTY

Carl Brown	24, 651
Semenza Farm	23, 896
Leo Jensen	22, 736
Oliver C. Morkrid	22, 669
Brown & Brown, Inc	22, 224
Skierka Brothers	22, 097
Clark Diemert	20, 578
Bill W. Fraser	20, 317
Galen Kolstad	20, 250
Donald C. Kidd	19, 517
Raymond Fritz	19, 034
William H. Earl, Jr	18, 976
Ole Jensen	18, 792
Hi Line Farms	18, 258
William H. Skinner	18, 016
Bert W. Alley	17, 916
Math Thieltges	17, 486
McClellan Farms, Inc	17, 401
Wickum Brothers	16, 610
Jennings Mattson	16, 451
Henry Hawks	16, 151
Fred Barrett	15, 216
Total payees in county (22)	429, 242

M'CONE COUNTY

Hanz Haynie	21, 690
Eugene Schillinger	20, 539
Haber, Inc	19, 561
Melvin P. Johnson	18, 938
Kermit Erickson	18, 746
Haglund Ranch, Inc	18, 543
Floyd E. Quick, Inc	16, 984
Kenneth Schillinger	16, 643
Marvin Haynie	16, 525
Leo Kahm	15, 682
R. L. Brown	15, 078
Harley C. Berry	15, 004
Total payees in county (12)	213, 933

PETROLEUM COUNTY

Ray Bohn	24, 467

PHILLIPS COUNTY

Roger Simonson	23, 323
North Bench Farms	20, 852
Clyde Waters	19, 039
Stanford Boothe	18, 847
Milton J. Olsen	17, 984
Iven Blatter	16, 963
Total payees in county (6)	117, 008

PONDERA COUNTY

Keil Ranch, Inc	21, 646
Lyman Denzer	21, 010
Russell Wikstrom	20, 726
Gordon Matheson	20, 708
Anderson Lahr Land & Cattle	20, 371
Nichols Farming Co	19, 918
Fisher Angus Ranch	19, 125
Thomas W. Boucher	18, 967
Mary V. Hemry	18, 225
Armstrong Ranch	18, 177
Charles D-E Brent Bliss	17, 567
Donald Keil	17, 532
Birch Creek Colony	17, 410
Walter Banka & Sons	17, 383
Eliz Seifert	17, 332
Boumans Bros	17, 205
Robert W. Boucher	17, 032
John Wood	16, 990
Iverson Farm Co	16, 916
Iverson Ranch, Inc	16, 336
J. C. O'Brien & Sons	15, 324
Total payees in county (21)	385, 900

POWDER RIVER COUNTY

Dale V. Benge	18, 025
Archer Ranch, Inc	15, 802
Total payees in county (2)	33, 827

POWELL COUNTY

Charles Beck	15, 132

PRAIRIE COUNTY

Brandenthaler & Lee	16, 323
Richard Kranzler	15, 198
Total payees in county (2)	31, 521

RICHLAND COUNTY

Bernard Pease	23, 071
J. Harry Johnson	22, 251
Floyd Williams	19, 132
Frank Gladowski	18, 776
Alex Hill	16, 875
Peter D. Thiessen	16, 679
Dan Labonte	16, 572
Robert C. Prevost	15, 892
Covered Wagon Ranch, Inc	15, 647
Aldo Zoanni	15, 639
Charles Basta	15, 625
Dale Waters	15, 260
C. R. Thiessen	15, 070
Total payees in county (13)	226, 489

ROOSEVELT COUNTY

Louis Toavs	23, 403
George Stensland	21, 638
Swank & Son	21, 318
Wheeler Bartley Ranch, Inc	20, 280
Alvin O. Lien	19, 604
William Harmon	19, 590
Lawrence E. Ault	19, 272
BIA	16, 487
Thomas W. Lawson	16, 266
Richard Hughes	16, 222
L. M. Lockman	15, 948
Allen Zimmerman	15, 932
Willie P. Lockman	15, 930
Leslie T. Brown	15, 686
Jacobsen Bros	15, 648
Andresen Farms, Inc	15, 501
Total payees in county (16)	288, 725

ROSEBUD COUNTY

Cliff Wright Ranch, Inc	24, 612
Ivan Dahlman	23, 329
Total payees in county (2)	47, 941

SHERIDAN COUNTY

Richard McCarty	24, 542
Larsen Farms, Inc	23, 749
Anthony Kavon	21, 168
Hanks Wheat Ranch	19, 063
Hass Farms, Inc	16, 773
Chandler Farms, Inc	16, 407
Simonson Bros	16, 151
Lund Hereford Ranch	16, 083
Robert Spoklie	15, 361
Total payees in county (9)	169, 297

STILLWATER COUNTY

Mosdal Bros	23, 713
M. E. Davey	23, 511
Robert S. Bradbrook	18, 140
Arnold Ranch	16, 019
Odeal Dreese & Sons, Inc	15, 405
Total payees in county (5)	96, 788

TETON COUNTY

Luinstra Bros	24, 666
Eugene W. Johnson	23, 391
Robert Stephens	22, 191
New Rockport Colony	19, 180
Christman Ranch	18, 332
Habel Bros	18, 297
Glen & Clark Inbody	17, 352
Robert Kropp	17, 236
Daren J. Vick	16, 997
Nels Hemstad	16, 783
James Stephens	16, 136
Rudydebruycker	16, 128
James or Robert Krause	16, 076
Miller Colony, Inc	15, 936
Wagner, Halverson	15, 871
Rahr & Hamilton	15, 661
Willard Paulus	15, 657
Burns Ranch Corp	15, 293
Herman G. Bouma	15, 115
Total payees in county (19)	336, 298

TOOLE COUNTY

David Ratzburg	23, 664
Westetrmark Bros	22, 991
Alvin Boxwell	21, 393
S. P. Denson	20, 758
Robert Sisk, Jr	20, 315
John McCarter	20, 287
Norman Benjamin	19, 978
Wigen Bros	19, 874
Miles Burd	19, 628
Hellinger Bros	19, 542
Lindberg Bros	19, 446
Pleasant View Farm	19, 056
Raymond Tomsheck	18, 824
Munson Bros	18, 389
Leo Flesch	18, 315
Charles Weigand, Jr	17, 642
Lloyd McLean	17, 127
Clarence Underdal	16, 734
Wm. Judisch & Sons in care of James Judis	16, 524
W. L. Iverson	16, 085
Gary Aklestad	15, 843
McAlpine Bros	15, 698
Olaf & Arnet Smedsrud	15, 366
Fransen Bros	15, 181
Total payees in county (24)	448, 660

VALLEY COUNTY

Mogan Bros	23, 603
R. L. Bailey	23, 378
Graydon Edwards, Jr	20, 894
Norman Zemliska	19, 800
Leo Shellerud	19, 324
Elvin Olfert	18, 908
Delford G. Neufeld	18, 906
Kenneth White	17, 246
Everett Breigenzer	16, 943
Leo M. Pattison	16, 823
Ludvig D. Honrud	16, 701
Andy Strommen	15, 838
Clifton E. Reimche	15, 582
Total payees in county (13)	243, 946

WIBAUX COUNTY

C. T. Finneman	17, 809
Ed Meyer	17, 764
Willis Stull	15, 922
Total payees in county (3)	51, 495

YELLOWSTONE COUNTY

Lazy K. T. Ranch	24, 549
Kemph Land & Livestock Co	21, 517

XUM

Frank Kukla	20, 209
Glenn E. Potts	20, 142
Laurence Schaak	19, 942
Walter John Baxter	19, 562
Drevs Farming Corp	18, 845
Orville Lane	18, 818
George Hart	18, 188
Orie Dosdall	17, 964
Esther Schmidt	17, 272
Vale Creek Ranch	17, 121
David T. Loewen	16, 679
James Cleveland	16, 519
D. K. Hereford Ranch	16, 382
Gordon Swartz	16, 224
Ardell Nelson	16, 138
Total payees in county (17)	316, 071
Total payees in State (381)	7, 032, 437

1969 ASCS programs payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Nebraska

ANTELOPE COUNTY

Dwight Morrison	23, 462
Charles W. Raymond	18, 336
Lewis W. Berry	17, 091
Total payees in county (3)	58, 889

BANNER COUNTY

Bull Canyon Ranch, Inc	20, 528

BOONE COUNTY

Thomas Kennedy	24, 290
Wesley Mansfield	22, 701
Herbert D. Wise	19, 556
H. E. Nore	18, 368
Theo J. Hemmingsen	17, 196
John M. Homan	16, 612
Total payees in county (6)	118, 723

BOX BUTTE COUNTY

Michael Manning	19, 423
Robert R. Elliott	18, 901
Total payees in county (2)	38, 324

BROWN COUNTY

Kenneth O'Hare	22, 888
Warren L. Walz	20, 430
James E. Snyder	17, 787
Total payees in county (3)	61, 105

BUFFALO COUNTY

Kearney Mun. Airport	24, 440
Mark Randall	23, 705
Shofstall, Inc	22, 130
Delbert Lewis	21, 847
Vernon Oliver	21, 482
Weber Co., Inc	21, 154
Harold Moles	21, 111
Fred Unick	21, 037
Larry Niemack	19, 810
Holtz Farms	19,395
Howard Lavington	17, 879
Rogers Grain & Livestock Corp	17, 861
Ronald Carman	17, 257
George Pesek	16, 407
Bob Unick	15, 890
Lawrence Kuebler	15, 863
Elwyn Stephens	15, 244
R. T. Rogers	15, 151
Total payees in county (19)	347, 663

BURT COUNTY

Cecil Ives	24, 454
John and Lillie Schnieder	24, 078
Leonard Eriksen	23, 890
Richard A. Goll	21, 820
Tobin Farms, Inc. & Gramke	21, 413
Elliott Bros. Ptnp	21, 239
Lowell Devasure	20, 321
Hancock Farms, Inc	20, 217
Eriksen Bros	19, 364
Harry L. Hansen	19, 207
Tobin & Englert	18, 388
Edith L. Hall, c/o J. Hall, Ag	18, 065
Otto Dinklage	17, 279
Raymond L. Olson	16, 751
William Phelps	16, 662
Ivan Lydick	16, 382
Gary Cram	16, 281
Total payees in county (17)	335, 811

BUTLER COUNTY

H. F. Klosterman	16, 349

CASS COUNTY

Vilas P. Sheldon	18, 997
Melvin Todd & Son	18, 652
Walter Meierjurgen	17, 499
Kenneth Petereit	17, 133
Paul B. Johnson	16, 771
Walter Marolf	16, 683
Leroy Haertel	15, 851
Ash Grove Lime & Cement	15, 843
Eugene Nolte	15, 200
Total payees in county (9)	152, 629

CHASE COUNTY

Harold D. Hughes	23, 498
J. K. Cox and Arlyn Cox	22, 949
R. J. Schilke	22, 046
Lester Mort	19, 626
Hughes Farms, Inc	18, 838
Dwain Lock	17, 360
Marvin Schilke	16, 517
Total payees in county (7)	140, 834

CHEYENNE COUNTY

Robert R. Rauner	24, 469
E. A. Markel	16, 154
Total payees in county (2)	40, 623

CLAY COUNTY

Diamond Seven Corp	24, 601
Harold F. Smith	23, 968
Russell Swanson	23, 693
Robert H. Kinyoun	21, 287
Grove Corp	20, 852
Hajny Bros	19, 920
Rolland Hakanson	18, 431
Floyd Anderson	17, 125
Harold J. Schultz	16, 920
Howard Smidt	16, 249
Ralph Wilson and Son	16, 219
Herbert Ulmer	15, 545
Warren Wilson	15, 352
William F. Rath	15, 140
Total payees in county (14)	265, 302

COLFAX COUNTY

Clifford McBurney	23, 816

CUMING COUNTY

Wm. Biles, Jr	18, 332
Harry H. Pumphrey	17, 082
John F. Dinklage	16, 329
August J. and Don Leisy	16, 008
Total payees in county (4)	67, 751

CUSTER COUNTY

G. C. Hostick	22, 447
James Hanson	20, 309
Clyde Bartak	19, 120
Melvin R. Slagle	18, 833
Russell Adams Jr	18, 750
Donald J. Coslor	17, 125
McClure Land and Cattle Co	16, 782
John S. Koubek	16, 534
Foster Smith	15, 393
Total payees in county (9)	165, 293

DAKOTA COUNTY

Leland George	17, 959
Earl McLaughlin	16, 832
Total payees in county (2)	34, 791

DAWES COUNTY

William J. Iodence	22, 245
Clifford Bergfield	17, 154
Total payees in county (2)	39, 399

DAWSON COUNTY

George Maloley & Sons	24, 888
Allan Armbruster	23, 935
Gruber Land & Cattle Co., Inc	20, 929
Harold W. Prosser Co	20, 139
Platte River Cattle Co	19, 168
Dwain Kranz	17, 474
Henry R. Vogt	16, 899
Wyatt Davis	16, 446
Edwin Stock	16, 269
Ivan Kauffman	16, 204
Edwin Geiger	15, 754
Nebraska Alfalfa Farms, Inc	15, 458
Arthur Jobman	15, 227
Aden Bros	15, 072
Dee C. Scroggin	15, 015
Total payees in county (15)	268, 877

DEUEL COUNTY

Carlson Ranch, Inc	23, 338
Bailey Partnership	22, 402
Wayne M. Peterson	15, 118
Total payees in county (3)	60, 858

DIXON COUNTY

P. F. Verzani	23, 727
Rewinkel Bros	16, 291
Anson Schram	15, 194
Michael P. Kneifl	15, 077
Total payees in county (4)	70, 289

DODGE COUNTY

F. W. Snover	20, 319
Stanley F. Jaiser	20, 241
Willard D. Heyne	17, 535
Total payees in county (3)	58, 095

DOUGLAS COUNTY

Bruhn Packing Co	19, 132
G. E. Johnson, Exec	18, 522
Paul E. Jensen	17, 078
Clark Noyes	15, 264
Total payees in county (4)	69, 996

DUNDY COUNTY

B. E. Gottschalk	18, 655
Everett E. Alsbury	17, 486
L. L. Loker	16, 413
Alvin Schrader	16, 141
Albert G. Hansen	16, 126
Total payees in county (5)	84, 821

FILLMORE COUNTY

Biegert Brothers	24, 303
Robert D. Lovegrove	23, 376
Ashby Farms	22, 737
Ralph Softley	22, 088
John Wilkins	20, 441
Francis Kimbrough	19, 618

XUM

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payment—Nebraska—Continued

FILLMORE COUNTY—continued

Ernest Stengel & Sons	18,891
Otto Roelfs	18,735
John Charles Dondlinger	18,563
Richard Kleinschmidt	17,975
Dick Walter	17,931
Darrel L. Hughes	17,398
Hendrickson Bros	17,290
Ernest Heinrichs	16,589
Erwin Schmidt	16,559
Chet Chaney	16,152
Rex L. Real	15,728
Edwin A. Johnson	15,416
Alfs Imp. & Well Drlg. Co	15,283
Larry A. Paul	15,103
Harold Everts	15,034
Total payees in county (21)	385,210

FRANKLIN COUNTY

Kahrs Farms, Inc	24,632
Wayne Ziebarth	22,920
Charles R. Harrison	22,690
Calvin Soucie	21,699
Orlan R. Grams	16,807
Louis Bertrand, Jr	16,803
Carl Humpert	15,235
Floyd Goracke	15,025
Total payees in county (8)	155,811

FRONTIER COUNTY

Albert Farr & Fred H. Farr	24,358
Bellamy Bros	15,784
Total payees in county (2)	40,142

FURNAS COUNTY

Eldin Haussermann	19,883
Ten Bensel & Sons	18,389
Fred Hoffman	16,559
W. C. Fleming	15,910
David Sayer	15,726
Total payees in county (5)	86,467

GAGE COUNTY

Fred R. Garman	16,689
Hylo Farms, Inc	16,523
Gronewold Farms, Inc	16,187
Alfred Henzel	15,942
Damkroger Farms, Inc	15,852
Total payees in county (5)	81,193

GOSPER COUNTY

Henry Schilling	19,390

GREELEY COUNTY

Harry E. Cockerill	23,016
Raymond Dugan	17,988
John F. Lammers	15,304
Total payees in county (3)	56,308

HALL COUNTY

John Niedfelt	24,041
Clifford R. Woodman & Son	21,961
Hayse & Derr, Partners	21,649
Donald L. Rohrich	20,193
Robert Boeka	19,613
Ralph Mettenbrink	19,530
Howard Rainforth & Son	16,050
Elmer W. Mettenbrink	15,147
Total payees in county (8)	158,184

HAMILTON COUNTY

B. E. McHargue & W. H. McHargue	22,385
L. L. Aalborg	16,467
Kremer Farms	15,104
Total payees in county (3)	53,956

HARLAN COUNTY

Brown Cattle Co	21,986
L. E. Ehrke	17,318
Orleans milling	16,620
R. L. Lueking	16,519
Floyd W. Murdoch	15,837
Total payees in county (5)	88,280

HAYES COUNTY

Harold Richards	16,496
Earl Smith	15,763
Schroeder Cattle Co	15,357
Total payees in county (3)	47,616

HITCHCOCK COUNTY

K. C. Miller	16,139
James T. Hoyt	15,648
Willard Schlegel	15,321
Total payees in county (3)	47,108

HOWARD COUNTY

Alvin Christensen	20,339
Jim Klinginsmith	17,045
Lester L. Jacobsen	16,323
Total payees in county (3)	53,707

JEFFERSON COUNTY

Glenn Ebbers	17,862
Heasty W. Reesman	17,796
John G. Thorp, Sr	15,334
Total payees in county (3)	50,992

KEARNEY COUNTY

Kermit Felzien	23,141
Stadler Bros	19,217
Herbert Swanson	19,198
John H. Gardels	18,235
Paul Warp Enterprises	16,832
Garnet Rose	16,412
Reuben Nelson	15,186
Gayle Gardels	15,096
Total payees in county (8)	143,317

KEITH COUNTY

Beal Enterprises, Inc	22,719
Milford Krajewski	20,048
Rankin Prochaska, Inc	19,769
Norbert Krajewski	19,246
Nicholas & Sons, Inc	17,253
Erick G. Linquist	17,184
Raymond L. Dilky	17,167
McGinley-Schilz Co	16,719
Lester O. Rhoades	16,617
Total payees in county (9)	166,722

KIMBALL COUNTY

Wayne Kennedy	22,068
Ruth E. Linn	19,835
Earl Yung	18,996
Total payees in county (3)	60,899

LANCASTER COUNTY

Schwaninger Bros	24,088
Frederick C. Retzlaff	21,426
Leavitt Bros	20,865
Carrol C. Ketelhut	17,995
Albert J. Olson & Sons	16,694
Barger & Barger Prtshp	15,176
Total payees in county (6)	116,244

LINCOLN COUNTY

Stewart H. Evans	20,972
Paul Weinman	17,184
Arthur Schuster	16,923
Charles Fleecs	16,804
Olga C. Moorhead	15,279
Alfred Russell	15,037
Total payees in county (6)	102,199

MADISON COUNTY

Elkhorn Valley Cattle Co	23,845
Willard Kuchar	19,909
Boe & Boe Farm Acct	16,767
George Noah	15,176
Total payees in county (4)	76,878

MERRICK COUNTY

Clark Williams	21,619
Harry Preisendorf	21,433
Kenneth Dittmer	17,659
Kenneth Schultz	17,168
Norman Bosselman	16,313
Total payees in county (5)	94,192

NANCE COUNTY

Sonderup Bros	23,578
Theo Prososki	18,924
Davis Bros. Const., Inc	16,627
Osborne Wright Co	16,507
Collins and Collins	15,843
G. W. Grosch	15,461
Total payees in county (6)	106,940

NEMAHA COUNTY

Ward G. Adams	17,120
Claude E. Lang	16,948
Kenneth Aufenkamp	15,088
Total payees in county (3)	49,156

NUCKOLLS COUNTY

Bruce and L. K. Scroggin	20,916
Darrel L. Johnson	20,406
Boyd Jones	19,420
Krogh & Krogh	19,075
Bill Shuck	18,961
Vernon L. Corman	18,165
Everett Barfknecht	15,965
Bob Keifer	15,422
Dean Keim	15,331
Total payees in county (9)	163,661

OTOE COUNTY

Wirth Bros	24,359
James Partnership	19,532
R. M. Catron	16,503
Total payees in county (3)	60,394

PAWNEE COUNTY

L. Dawson	16,533
Richard Binder	15,813
Howard Binder	15,005
Total payees in county (3)	47,351

PERKINS COUNTY

Kjeldgaard Farms, Inc	24,010
Gerald Krajewski	20,979
Herman Regier	20,951
Albert C. Nelsen	17,106
Walter E. Brown	16,221
Walking 7 Ranch	15,475
Total payees in county (6)	114,742

PHELPS COUNTY

Oliver High	19,068
Royle L. Carlson	17,453
David High	17,095
Earl High	16,809
Kenton Peterson	15,850
Total payees in county (5)	86,275

PLATTE COUNTY

Arthur Sprunk	20,100

POLK COUNTY

Maurice Lindburg, Jr	23,323
Dewey Anderson, Jr	20,867
R. Allison & Son	20,357
Beebe & Son	20,166
Van T. Perry	20,086

Leslie Hohndorf	18,127
Calvin J. Christensen	17,208
Mark A. Romohr	16,945
Total payees in county (8)	157,079

RED WILLOW COUNTY

A. B. Bishop	19,883
Martin Sughroue	17,529
Leslie Ruggles	16,820
Lowell A. Ruggles	15,731
Total payees in county (4)	69,963

RICHARDSON COUNTY

Nemaha Realty Co., Inc	21,536
Emery Watton	18,631
Ward H. Reesman	15,039
Total payees in county (3)	55,206

SALINE COUNTY

Duane Hendrickson	20,716

SARPY COUNTY

Foxley and Co	16,408

SAUNDERS COUNTY

Ralph Raikes	24,585
Herbert F. Ritthaler	18,730
Leonard E. Benes	16,867
Total payees in county (3)	60,182

SEWARD COUNTY

A. H. Rolfsmeier	22,065
A. J. Trute Trustee	20,657
William A. Luebbe	18,197
Elmer C. Spahr	16,671
Lawrence Beckler	15,793
Total payees in county (5)	93,383

SHERIDAN COUNTY

Richard Fuchser	19,399

SHERMAN COUNTY

Wm. Couton	17,314

THAYER COUNTY

Verland Tietjen	24,252
Lewis Duensing	23,997
Ted Currey	19,103
Kenneth Holmes	15,761
Ralph Schardt	15,536
Franklin B. Kyker	15,253
Total payees in county (6)	113,902

THURSTON COUNTY

M. B. Connealy	19,863
William J. Connealy	17,211
Omaha Ind. Tribe, Ri	17,067
Total payees in county (3)	54,141

VALLEY COUNTY

Melvin Swanson	23,089
Leonard Jacobs	21,796
Vernon Erikson	19,889
Donald E. Shoemaker	17,379
Lloyd Geweke	16,952
Darrell E. Noll	16,746
Bernard Shotkoski	15,576
Total payees in county (7)	131,427

WASHINGTON COUNTY

Ruwe, Inc	22,955
Wm. G. Wilson	17,038
Total payees in county (2)	39,993

WAYNE COUNTY

Janke Farm ACC	16,367

WEBSTER COUNTY

Corner & Jones	19,110
Gestring Farms, Inc	16,764
Total payees in county (2)	35,874

YORK COUNTY

Wm. H. Otto	24,890
Dale E. Opfer	19,498
Sam R. Janzen	18,941
George Kroeker	18,100
Marvin Heidtbrink	17,779
Ervin Rafert	17,592
Floyd Walford	16,753
Eugene E. Henning	15,638
Martin E. Heine	15,608
J. Klute & S. Klute Partners	15,344
Total payees in county (10)	180,143
Total payees in State (343)	6,355,697

1969 ASCS program payments of $15,000 through $24,999, excluding price support loans and wool and sugar payments—Nevada

HUMBOLDT COUNTY

Clarno Bros	18,848

LYON COUNTY

Dante Lommori	19,738

NYE COUNTY

Perry L. Bowman	18,625
Glenn C. Brady	18,590
Robert H. Ruud	15,248
Total payees in county (3)	52,463
Total payees in State (5)	91,049

1969 ASCS program payments of $15,000 through $24,999, excluding price support loans and wool and sugar payments—New Jersey

MONMOUTH COUNTY

William Snyder	20,980

SALEM COUNTY

Jack Dickson	16,550
Total payees in State (2)	37,530

1969 ASCS program payments of $15,000 thru $24,999 excluding price support loans and wool and sugar payments—New Mexico

CHAVES COUNTY

B. F. Crawford	24,520
Wayne Shipman	24,461
Noling and Noling	24,422
Max Wiggins	24,401
Fletcher Brothers	24,300
Barney E. Green, Jr	23,400
Donald W. Hatch	21,944
Malone Farms, Inc	19,458
Glenn Marshall	19,053
Delbert M. Robinson	18,706
Kap D. Kelley	18,096
Clarence Harshey	17,443
Orville Worley	16,999
Kenneth Jennings	16,934
Berry F. Heine, Jr	16,922
Jimmy Pack	16,799
Marion Pirtle	16,628
Lincoln County Livestock Co	16,039
Jack Shaw	15,639
Beatrice Allison	15,609
Frank Rhodes	15,462
Graves Brothers	15,073
Total payees in county (22)	422,308

COLFAX COUNTY

William M. Crawford	19,154

CURRY COUNTY

John R. Hadley, Jr	24,874
Albert L. Martin	24,745
Dean Myers	24,628
J. G. Palmateer	24,277
W. T. Meeks	24,127
R. Wayne Leonard	24,065
Wilburn Brooks	24,063
Eldon Jones	23,983
Leroy Tucker	23,936
Ollie Damron	23,913
A. C. Nystel	23,773
Johnnie Rucker	23,702
Jerry Bell	23,677
A. Lloyd Grau	23,672
H. B. & J. H. Moberly	23,516
C. C. Jackson	23,450
N. D. Carpenter	23,235
D. Smith Day	23,183
Charles Petty	23,157
Wayne Burford	22,941
Troy L. Lovett	22,839
Albert Chiles	22,833
Andrew Don McCasland	22,768
E. C. Fish	22,737
Jack Mixon	22,653
Hubert Qualls, Jr	22,495
George L. Ashley	22,293
Quincy Arnold	22,201
J. Willard Patterson	22,158
Arvell Branscum	22,088
Dwight Sheriff	22,080
W. R. Cloud	22,069
Ken White	22,024
E. C. Kelso	21,968
L. A. Hutchins	21,967
Jim Starbuck	21,774
J. Ralph Burnett	21,762
W. T. Smith	21,679
Burns Bros	21,621
Thomas F. Martin	21,600
Elwin Bailey	21,537
Billy Meeks	21,360
David H. Allen, Jr	21,302
Richard Motl	21,217
Curtis Lay	21,131
Robert K. Goar	21,113
G. H. Harrington	21,045
Richard Bain	20,861
Victor Stout	20,836
Ethel O. Ashley	20,683
W. G. Patton	20,624
J. M. White	20,617
W. D. Eshleman	20,593
John Reid	20,582
J. A. Chandler	20,531
Billie Stout	20,500
George B. Luder	20,413
W. Earl Willmon	20,245
Bob Johnson	20,231
John P. A. Drager	20,214
Eric J. Smith	20,193
Orville K. Scott	20,013
Claude Lee	20,010
Wesley Engram	19,988
Claude L. Thomas	19,980
Roy L. Keeter	19,976
Ronald Lynn Harmon	19,679
Glenn Bell	19,606
Ronald Minyen	19,560
Clyde W. Gunnels	19,553
V. L. Lambert	19,542
Ray Leach	19,452
R. A. Kelley	19,338
Clifton Brandon	19,322
Steve Myrick	19,280
J. D. Kelley	19,107
Pipkin Corp	19,092
Eugene Scott	19,026
J. Raymond Hodges	18,983
Thomas M. Crump	18,804
L. C. Herington	18,804
J. Ivan Gonser	18,730
Frank Smith	18,644
Roy Lovett	18,599
Thurman Chandler	18,598
Dan C. Gurley	18,500
Roy Lee Richardson	18,496
Ralph Northcutt	18,423
T. B. McGregor	18,307
Oscar Baxter	18,169
Hubert T. Talley	17,892

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payment—New Mexico—Continued

CURRY COUNTY—continued

Irvin D. Shaw	17,884
Ed Ingram	17,850
D. L. Ingram	17,850
Earvin Ritter	17,826
Jerry R. Lofton	17,817
Robert White	17,802
C. J. Blackburn	17,657
George B. Stockton, Jr	17,641
Wayne Martin	17,449
A. B. & June Fleming	17,446
J. R. Castleberry	17,436
Monte Matlock	17,342
Alvis Clark	17,219
Wayne A. Tate	17,129
A. G. Campbell	17,116
Jesse Johnson	17,109
J. Buell Jennings	17,044
Bob G. Howard	16,951
W. L. McCary	16,917
Esther Duncan	16,897
C. L. Hukill	16,882
Gary Eskew	16,820
L. D. Mayfield	16,454
Gorman Byrd	16,447
Dewey Pierce	16,374
Charles L. Roddy	16,354
Clarence Smith	16,322
Max Allen	16,299
Carl Williams	16,246
Gabe Thompson	16,203
George Carver	16,191
H. G. Kelley	16,129
Donald Clark	16,057
P. P. Christesson	16,022
Jack Muse	16,003
E. D. Harvey	15,830
Joe W. Wilkinson	15,803
Joe Reid	15,777
R. S. Gentry	15,746
R. B. Ingram Farm, Inc	15,672
Wilton Wilks	15,603
Cohee Smith	15,598
Noel Dougherty	15,545
Charles A. Starbuck	15,493
Donald Haile	15,481
Don Pemberton	15,480
Walter M. Potts	15,382
Joe Roark	15,315
Clyde Reynolds	15,294
Doyle A. Lowe	15,279
M. R. Blackburn	15,245
P. H. Herndon	15,234
T. J. Kittrell	15,101
Total payees in county (144)	2,801,890

DONA ANA COUNTY

Harvey Investment Co	24,968
Frontera Farms	24,916
Manuel Morales	23,985
Will Holt	23,947
Ramon M. Alvarez	23,809
Tony Salopek	23,274
Bickley Farms	22,698
Brady B. Porter	22,214
J. Max Beene	22,152
Colonia Farms	22,135
E. B. Kriegel	21,637
Koenigs, Inc.	21,561
Elias Dominguez	21,109
Charles L. Deerman	20,136
H. E. Gary	20,123
Juan V. Navarette	20,118
John Salopek	19,969
Dairy Farms Co	19,567
Barry T. Pennington	18,895
Emilio Provencio	18,343
Sammie Singh	18,328
Tom Salopek	18,325
John R. Tomlin	18,057
S. Y. Wilson	18,024
Julius P. Archer	17,832
Walter P. Archer & Sons, Inc	17,795
P. R. Kuykendall	17,794
Raymundo G. Enriquez	17,290
Dennis E. Romney	16,906
J. U. Richardson, Jr	16,508
Marvin L. Hayes	16,179
Fred L. Franzoy & Sons	15,818
C. C. Woodward	15,370
Mundy & Morrow Inc	15,272
C. Jack Griffith	15,203
Emory L. White	15,163
Total payees in county (36)	705,420

EDDY COUNTY

L. T. Lewis Estate	24,549
J. S. Waldrip	23,660
Cottonwood Cattle Co	23,114
S. G. Karr	22,723
Haldeman Farms	21,950
Tom D. Lee, Jr	21,865
Floyd Howard	21,193
Menefee Bros	21,129
James C. Ogden	20,701
Herbert Bindel	20,221
Walterscheid Bros	19,444
G. G. Armstrong and Son	19,199
Ralph Pearson	18,369
Bowman and Son	18,034
Henry H. Grandi	17,986
Augustine & Danny Munoz	17,766
Donald Fanning	16,954
Fred M. Nelson Farms	16,509
Bogle Farms Inc	16,508
Howard Hemler	15,987
B. C. Aaron	15,588
Kermit Southard	15,438
Robert B. Horner	15,171
Larry M. Ferguson	15,016
S. Frank Williams	15,006
Total payees in county (25)	474,080

HARDING COUNTY

Jack Lewis	22,233

HIDALGO COUNTY

Archie Payne	22,708
Adair Merrell	21,618
Harry Turner	16,358
Hatch Bros. Frams	15,468
Franklin Farms	15,295
Total payees in county (5)	91,447

LEA COUNTY

J. W. Spears	24,262
Harada Bros	23,569
C. E. Alexander & Sons	22,391
L. D. Patman	20,405
Melvin Acton	20,335
Howard Gilchrist	19,934
Joe C. McKown	18,287
R. L. Byrum	17,344
Dean Goff	17,002
W. P. Cooke	16,253
Marion C. Benham	16,063
Three H. Ranch	15,810
E. L. Richardson	15,693
J. L. Kidd, Jr	15,278
W. L. Marley	15,038
Total payees in county (15)	277,664

LUNA COUNTY

Jerry Zachek	24,322
H. S. Jackson	22,453
Teddy Zachek	22,402
Hal B. Keeler	19,698
James E. Keeler	18,911
Shelton Ruebush	18,316
James W. Donaldson	18,287
Joe B. Orsak	17,498
V. V. Norwood	16,704
J. M. Guaderrama	16,040
Total payees in county (10)	194,631

OTERO COUNTY

Gene Lutrick	22,825

QUAY COUNTY

James J. Harman	24,915
Lewis O. Caton	24,838
R. C. Tillman	24,448
Cecil E. Moon	23,463
Akin & Akin Corp	23,352
Northcutt & Sons	22,602
Luther Bunch	20,499
E. L. Norris	20,428
F. B. Terry	20,406
Jerry Weaks	20,392
L. L. Poe	20,235
Gedonne Williams	18,615
McKenzie Land & Livestock Co	18,361
Floyd F. Brown	17,716
L. O. Hudson	17,541
F. A. Smith	17,197
Paul Hudson	17,194
R. N. Farmer	17,091
Aaron Dodson	16,823
Tucumcari Farms, Inc	16,652
E. L. Hatfield	16,561
Clara Mae Ward	16,518
Joe L. Jackson	16,515
David Dougherty	16,366
L. A. Sumrall	16,280
Ross & George Faver	16,278
Martin Burk	16,137
C. C. Wagley	15,975
James W. Yates	15,839
M. Leo Moon	15,771
Richard Callison	15,599
Earl C. Harris	15,537
L. C. Jackson	15,519
Jerry Isler	15,174
Manuel Mackechnie	15,044
Total payees in county (35)	641,881

RIO ARRIBA COUNTY

Clyde Cheek	19,015

ROOSEVELT COUNTY

M. A. Tanner	24,159
Johnie B. Gammill	23,493
James D. Usrey	23,182
Cary V. Watson	23,080
John M. Ross	22,977
Kermit Gardner	22,739
C. H. Wall	22,700
William Karl Cox	21,691
Rodney Doak	21,497
Kenneth Victor	21,152
Margaret T. Roberts	20,107
R. L. Stokes	20,002
J. D. Hays	18,732
J. K. Frazier	18,650
R. O. Peterson	18,308
J. W. Carmichael	17,982
Joe A. Burney	17,547
Mayo Varnell	17,488
Delbert Brown	17,342
Karl Quinn	17,314
L. B. Harrison	16,875
Neal Widener	16,734
T. Z. Duncan	16,710
Charley Silhan	16,343
McAlister Sons	16,127
Floyd F. and Gary T. Brown	15,929
Kirk Pitts	15,811
Arnold T. Smith	15,754
Ishmel D. Bigler	15,581
Lloyd C. Morrow	15,049
B. C. Cooper	15,028
Total payees in county (31)	586,083

SANTA FE COUNTY

Simmons Brothers	23,669

SIERRA COUNTY

Price Black Farms, Inc	22,975
Adrian Ogaz	15,752
Total payees in county (2)	38,727

SOCORRO COUNTY

J. B. Kelly	20,135

UNION COUNTY

Matt D. Irwin	20,353
Rode Dimitroff	17,416
H. D. Newman	16,885
Rance L. Grice	15,064
Total payees in county (4)	69,718
Total payees in State (335)	6,430,880

1969 ASCS program payments of $15,000 through $24,999, excluding price support loans and wool and sugar payments—New York

CAYUGA COUNTY

Ward Ohara	16,644

GENESEE COUNTY

L. Brooke Farm	20,302

LIVINGSTON COUNTY

Christiano Farms	16,582
A. N. Kennedy & Son	15,344
Total payees in county (2)	31,926

MONROE COUNTY

John Halpin-Sons	21,346
Frederick Krenzer	20,275
Colby Homestead Farms	16,602
County of Monroe	15,322
Total payees in county (4)	73,545

ONTARIO COUNTY

Robert L. McFetridge	17,873

ORLEANS COUNTY

Garra H. Smith	17,750
Lamont Fruit Farm	15,934
H. Clifford Pask	15,180
Total payees in county (3)	48,864

TOMPKINS COUNTY

M. Beach Stover	18,320
Total payees in State (13)	227,474

1969 ASCS program payments of $15,000 through $24,999, excluding price support loans and wool and sugar payments—North Carolina

ANSON COUNTY

Norwood E. Teal	23,296
John Robinson	21,842
Thomas S. Rhyne	21,342
G. Manley Thomas	17,537
Calvin Phillips	16,387
Hal W. Little	16,004
George P. Capel	15,338
Total payees in county (7)	131,746

BEAUFORT COUNTY

Wilkinson Farms	15,854

BERTIE COUNTY

Lewiston Supply Co., Inc	16,420

BRUNSWICK COUNTY

Rice Gwynn, Jr	16,910

CAMDEN COUNTY

Roberts Bros	24,088
George M. Wood	19,418
Alvin N. Staples	19,151
T. F. Leary	18,000
Sawyer Bros	17,186
Total payees in county (5)	97,843

CLEVELAND COUNTY

Roy Cochran	23,327
Glenn Sperling	20,107
Morris Blalock	18,103
Earl P. Eaker	17,682
Robert F. Cabaniss	17,410
Ollie D. Webb	17,291
E. Y. Spangler & Son	16,027
Sam H. Wilson	15,870
Hoyle Blalock	15,632
Total payees in county (9)	161,449

COLUMBUS COUNTY

Wacc Bank & Trust Co	24,645
Arthur Williamson	22,127
Total payees in county (2)	46,772

CUMBERLAND COUNTY

Jessie H. Byrd	18,362
Tart & Tart	17,272
Total payees in county (2)	35,634

CURRITUCK COUNTY

H. S. Gregory and R. G. Baker	16,686

DUPLIN COUNTY

Avery Lee Cottle	18,164

EDGECOMBE COUNTY

W. S. Clark & Sons, Inc	24,093
W. J. Eason, Jr	23,777
Joel Locke	19,025
E. D. Anderson	17,078
Wiley Bulluck	17,044
Total payees in county (5)	101,017

HALIFAX COUNTY

A. F. Whitehead	24,273
Cecil Moone	21,451
J. G. Shields, Jr	20,493
J. E. Simmons, Jr	17,132
L. Graham Whitehead	16,898
Benjamin B. Everett, Jr	16,554
W. A. Kitchin	16,406
L. H. Kitchin	16,047
Charles L. Tillery	15,814
Robert B. Twisdale	15,554
C. H. Leggett, Jr	15,400
A. H. & W. C. Taylor	15,261
Carolina Peanut Co	15,189
Total payees in county (13)	226,472

HARNETT COUNTY

R. A. McLamb	16,100

HERTFORD COUNTY

E. R. Evans & Sons, Inc	20,559
J. D. Flowers	16,298
Total payees in county (2)	36,857

HOKE COUNTY

J. W. Wright	22,006
J. W. Hayes	21,941
James D. McGougan	21,616
F. C. McPhaul	19,708
Alfred K. Leach	18,956
Julian Love	18,589
R. E. Neeley	18,467
D. A. Currie	17,714
Agnes U. Johnson	15,112
John E. McGougan	15,005
Total payees in county (10)	189,114

HYDE COUNTY

Robert Sawyer	16,620

JOHNSTON COUNTY

First Citizens Bank	18,007

LENOIR COUNTY

M. R. Garris	17,417
Melvin Whitfield	16,994
Total payees in county (2)	34,411

MONTGOMERY COUNTY

Mack Chappell	23,110
Earl R. Parsons	17,910
Sunny Slope Farms Inc	15,828
Total payees in county (3)	56,848

NORTHAMPTON COUNTY

Reuben Turner	24,186
J. C. Edwards Jr	20,718
Lewis Farms	19,171
Seaboard Farm Service	17,854
J. Bennett Stephenson	16,628
Allan A. Dickens	15,717
Total payees in county (6)	114,274

PASQUOTANK COUNTY

Harvey Perry	16,802
Juniper Farms Inc	15,420
Total payees in county (2)	32,222

PERQUIMANS COUNTY

J. Tildon Whitehurst	18,823
Robert E. Sutton	17,297
Clarence C. Chappell, Jr	16,554
Total payees in county (3)	52,674

PITT COUNTY

J. H. Blount, Jr	21,797
Worthington Farms, Inc	20,364
Clayton Carson Farms	16,752
Total payees in county (3)	58,913

RICHMOND COUNTY

Myers Waddell	23,969

ROBESON COUNTY

J. D. Hagler	24,248
B. E. Simpson	23,707
Lewis R. McNeill & Davis	22,493
James M. McNair	21,706
F. R. Keith	21,255
D. M. Lytch	20,828
J. P. Buie	19,349
E. M. Britt	18,143
K. M. Biggs, Inc	18,091
E. D. McGougan	17,623
J. P. McArthur	17,390
First Union National Bank	17,291
Alton A. Price	17,133
David Dunn, Jr	16,630
John P. Jones	15,976
B. G. French	15,782
Total payees in county (16)	307,645

ROWAN COUNTY

David B. Edwards	18,418

SAMPSON COUNTY

James H. Butler	16,569

SCOTLAND COUNTY

Emerson Langley	23,409
Howard E. Gibson	23,198
James P. Wall	21,645
P. B. and J. M. McGregor	20,628
A. D. Gibson Store	20,299
Blue Investment Co	20,253
Sinclair Corp	20,006
Ralph Usher	19,654
Edwin Snead	18,416
Henry F. Gibson	17,922
John M. McLaurin	16,988
Richard Tatum	16,813
Total payees in county (12)	239,231

UNION COUNTY

Wade H. Howey	21,296
D. L. Kimbrell	20,189
V. T. Helms, Jr	18,115
J. Donald Kerr	15,621
Total payees in county (4)	75,221

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payment—North Carolina—Continued

WAKE COUNTY

Bailey P. Williamson	19,378

WASHINGTON COUNTY

Small Bateman & Meade Inc	17,567
Total payees in State (119)	2,229,005

1969 ASCS program payments of $15,000 through $24,999 excluding price suport loans and sugar payments—North Dakota

ADAMS COUNTY

Robert Srb	22,292
Harold Arndorfer	21,342
Darwin Rose	19,158
Fred G. Ehlers	18,291
Henry J. Johnson	17,784
Earl G. Hagen	17,331
Russell E. Bohne	16,689
Sam Hintz	16,097
Martin Schmaltz	15,187
Albert H. Fordahl	15,120
Total payees in county (10)	179,291

BARNES COUNTY

Vincent Zacharias	16,775
Philip J. Sauer & Sons	16,033
Total payees in county (2)	32,808

BENSON COUNTY

Alvin Kenner	23,227
Leo Studness	20,294
James McCarty	19,901
Dwayne & Ardon	17,205
John R. Beckstrand	16,900
Olwin Riveland	16,058
Lyle Halvorson	15,463
Harold Kenner	15,353
Total payees in county (8)	144,401

BOTTINEAU COUNTY

Stair Brothers	22,550
George C. Adams	22,146
Glenn Sletto	20,043
Carris Joe Vandal	19,775
George Stratton	19,205
Henry Grain & Stock Farm	19,029
J. Feuerhelm	17,937
Total payees in county (7)	140,685

BOWMAN COUNTY

Al Osendorf	21,828
Donald Lowe	20,334
A. Bowman	19,715
Wilbur Brewer	18,913
Joe Bagley	18,462
Duane Reimer	16,849
Olaf Assen	16,696
Edgar Hilton	16,232
Melvin Wagner	16,077
Donald J. Andersen	15,281
Frank Lewton	15,242
Total payees in county (12)	210,810

BURKE COUNTY

Earl Schwartz	24,422
John Koch	22,548
Durick Brothers	22,277
Pritz Peterson	16,057
Julius Negaard	15,975
Total payees in county (5)	101,279

BURLEIGH COUNTY

T. Clem Casey	21,087
Preszler Brothers	19,305
J. W. Doan, Jr	15,184
Total payees in county (3)	55,576

CASS COUNTY

Ed Nesemeier	23,845
Orten Brodshaug	19,394
McLean Partnership	19,362
Andrews Farm	17,714
James Runck	17,697
Ralph Peterson	16,551
Morrell Dickson	16,506
Barker Bros	16,416
Fred Williams	16,208
George H. Nesemeier, Jr	16,030
Elmer Fraase	15,014
Total payees in county (11)	194,737

CAVALIER COUNTY

Marvin Mikkelsen	21,643
Clarence Roppel	18,090
Edward Waltz	17,968
R. D. Stalker	16,393
Edward Evans	15,541
Total payees in county (5)	89,635

DICKEY COUNTY

Stanley Malmberg	15,776

DIVIDE COUNTY

Claire E. Bjorgen	18,369
Gordon Brady	18,074
Lloyd Kittelson	15,986
Olaf Anderson	15,491
Total payees in county (4)	67,920

EDDY COUNTY

Byron Langley	15,766
Albert Haas	15,288
Total payees in county (2)	31,054

FOSTER COUNTY

Butts Feed Lots, Inc	23,808
James P. Carr	16,557
Robert Montgomery	16,087
Vern Hoggarth	15,295
Total payees in county (4)	71,747

GOLDEN VALLEY COUNTY

Richard Nagel/Werner Kippley	23,302
Lawrence Kukowski	20,769
Robert Clarin	16,905
Orval A. Ross	16,772
Charles M. Hardy	16,668
Floyd Bosserman	16,496
Total payees in county (6)	110,912

GRAND FORKS COUNTY

Forest River Colony	21,456
Enoch Thorsgard	20,983
John S. Dean	18,218
Art Greenberg	17,515
William H. Omlid	16,656
Chester Krabbenhoft	15,451
Total payees in county (6)	109,279

GRANT COUNTY

Leo Muggli	22,547
Herbert Sprecher	15,736
Total payees in county (2)	38,283

HETTINGER COUNTY

Jakie Hummel	21,676
Allan and Willa Rustan	21,478
Frank F. Mayer	20,960
Lary Stang	20,725
Raymond K. Bieber	20,707
Ralph P. Lutz	19,991
Fred C. Kirschman	19,928
Ernest W. Blickensderfer	19,705
Nick and Barbara Rettinger	19,213
Vernon G. Ebert	19,067
R. C. Schumacher	18,806
Oscar Schaible	18,500
Fred J. Hoherz	18,019
Arnold L. Mehrer	17,996
Ronald L. Swindler	17,948
Edwin M. Metzer	17,797
Albert T. Stagl	17,425
Carl Heinrich	16,907
Wm. Keller	16,487
Wilmer Zenker	16,272
Russell Jalbert	16,174
Gothold Hertz	16,060
Carl Schauer	15,731
Andrew J. Rettinger	15,491
George Hardmeyer	15,288
Wm. Kelsch	15,135
Bernard Kirschenman	15,124
Total payees in county (27)	488,610

KIDDER COUNTY

Fred A. Bon	23,953

LA MOURE COUNTY

Woodrow Nelson	19,995
George Heinrich	18,788
Orville Shockman	17,223
Walter Piehl	16,659
William Boelter	16,485
Reuben L. Schlenker	16,457
Heim Brothers	15,702
Clayton Waldie	15,432
Fred W. Brademeyer	15,194
Total payees in county (9)	151,935

M'HENRY COUNTY

Nick Haman	24,117
H. T. Berge	15,832
Stanus L. Martin	15,315
Total payees in county (3)	55,264

M'KENZIE COUNTY

Joe Gudbrandson	24,008
Roger L. Sanders	23,976
Tim Dwyer	18,986
Lester Wisness	17,298
Total payees in county (4)	84,268

M'LEAN COUNTY

Richard Kerzman	21,449
Earl Hanson	21,256
George I. Risan	18,644
Leon Billadeau	17,343
C. H. Stock Farm	16,635
Nettie V. Holtan	16,241
Francis Dahlberg	16,074
Herman Muhlbradt	15,170
Total payees in county (83)	142,812

MERCER COUNTY

Albert Bauman & Sons	18,456
Stanley Jaeger	15,972
Total payees in county (8)	143,812

MORTON COUNTY

Burton Hoovestol	19,571

MOUNTRAIL COUNTY

Walter Peterson	18,704
A. H. Nelson & Sons	17,106

Wallace Nelson	15, 305
Kenneth Elton	15, 263
Total payees in county (4)	66, 378

NELSON COUNTY

J. P. Lamb Co	23, 813
John Lindvall	20, 741
Roscoe W. Kelly	18, 249
Raymond F. and Frances C. Lamb	17, 769
Jacob Geritz	16, 404
John F. Swanston	15, 456
Total payees in county (6)	112, 432

PEMBINA COUNTY

Vernon R. Fitzsimmonds	24, 861
J. G. Hall & Sons	24, 825
Hector Walleghem	24, 666
Jack Karel	22, 480
Leonard Schwartz	22, 477
Kathryn Grube	21, 400
Warner Bros	20, 987
Whelan Bros	20, 067
W. Ross Brown	18, 592
Schulz Moquist Illing	18, 285
Morrison Bros	17, 506
Raymond S. Littlejohn	17, 455
Ralph Juhl	15, 591
Gary Longtin	15, 314
Total payees in county (14)	284, 506

PIERCE COUNTY

Curtis B. Follman, Estate	17, 335
C. E. Follman & Sons	16, 713
Total payees in county (2)	34, 048

RAMSEY COUNTY

J. Braaten, H. Braaten, R. Braaten	20, 585
Robert L. Weed	20, 407
John and Henry Mertens	20, 073
John Kram	19, 362
Leo Labarre	18, 648
Duane A. Bye	17, 982
Richard G. Stevens	16, 950
Roger Breakey	16, 846
Duane Bauerle	16, 767
Richard K. Saunders	15, 621
Bjarne Berg	15, 521
Total payees in county (11)	198, 762

RANSOM COUNTY

L. J. L. Livestock	17, 336
Roland D. Magill	16, 370
George Defehr	15, 724
August Wagner	15, 474
Total payees in county (4)	64, 904

RICHLAND COUNTY

Ray Kummer	21, 360
Raymond Hudson	17, 634
Merlyn Miller	16, 824
Frank Domm	16, 494
Glenn Ista	16, 134
Total payees in county (5)	88, 446

ROLETTE COUNTY

Ben Mickelson	19, 640

SARGENT COUNTY

Ralph Breker	17, 532
Kenneth E. Nepstad	15, 902
James Nickeson	15, 704
Total payees in county (3)	49, 138

SIOUX COUNTY

Morris H. Wise	15, 300

SLOPE COUNTY

Duane T. Nelson	23, 336
Leroy Sadler	22, 352
Thomas G. Powell	20, 738
Teddy Dale Dilse	19, 413
Glenn Powell	18, 453
Gordon Teske	16, 928
Willard and Keith Ruggles	16, 697
H. J. Burke & Sons	16, 184
Maurice Hansen	16, 151
Eugene L. Fischer	16, 058
Roy Schaar	15, 865
Triple J. Ranch	15, 664
Melvin Stafford	15, 563
Total payees in county (13)	233, 402

STARK COUNTY

Anton J. Biel	17, 507
Ray Reich	16, 857
Harvey Burwick	16, 826
Phillip Messer, Jr	16, 056
Harry Lincoln Lefor	15, 360
Harold Jesperson	15, 057
Total payees in county (6)	97, 663

STEELE COUNTY

Thomas Snortland	18, 096
John E. Mewes	16, 551
Total payees in county (2)	34, 647

STUTSMAN COUNTY

Kenneth Huizenga	23, 965
Kropp Farms	21, 665
Joseph Cysewski, Jr	17, 681
Eugene Rott	17, 157
Ted Van Ray, Jr	16, 935
Lawson Posey	16, 381
D. Rau and V. Bader	15, 636
John C. Wilkinson	15, 170
Total payees in county (8)	144, 590

TOWNER COUNTY

Neil S. Gibbens	19, 829
Oscar Dammen	17, 168
John B. Gibbens	16, 328
Elmer Cole	16, 236
Delbert Lewallen	15, 526
Vernon Koester	15, 217
Total payees in county (6)	100, 304

TRAILL COUNTY

Viker Farms	24, 793
Herbert Gadberry	16, 515
Clark Ewen	15, 009
Total payees in county (3)	56, 317

WALSH COUNTY

H. H. Eelkema	24, 095
Burbidge Farm	18, 448
Ardell Fortier	18, 060
Harley Kingsbury Co	17, 728
Boone Farms	17, 063
Peter Kosmatka	16, 930
Norman Burns	16, 780
Herman Schuster	16, 118
Dolan Brothers	15, 992
Raymond Foerster	15, 522
Selmer L. Amundrud	15, 440
Ambrose Spoonland	15, 015
Total payees in county (12)	207, 191

WARD COUNTY

Henry Neshem, Jr	22, 811
Ernest C. Livingston	18, 600
Ralph and Rouert Detlaff	17, 316
Donald Rademacher	15, 829
Joe T. Rensch	15, 590
Carl R. Buechler	15, 516
Walter Yuly	15, 204
Total payees in county (7)	120, 866

WELLS COUNTY

Milton Pepple	17, 931
Gordon Bentz	15, 535
Total payees in county (2)	33, 466

WILLIAMS COUNTY

Hodenfield Brothers	24, 708
Lloyd Njos	18, 375
Clifford Price	16, 775
George and Thomas Layon	16, 112
Charles Fay	16, 105
Alfred Helstad	16, 044
George Hapip	15, 742
Willard C. Johnson	15, 515
Earl Bauste	15, 453
Total payees in county (9)	154, 829
Total payees in State (262)	4, 711, 863

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Ohio

ALLEN COUNTY

Moeller Land & Cattle	17, 435

BUTLER COUNTY

Fred Martin	17, 927
David Proeschel	16, 361
Total payees in county (2)	34, 288

CHAMPAIGN COUNTY

Wheaton College	19, 590
Woodland Farms, Inc	16, 318
William L. Stadler	15, 233
Total payees in county (3)	51, 141

CLARK COUNTY

Roger Thompson	23, 045
Melvin Kohl	18, 977
Paul Clark	18, 534
Hickory Thorpe Farms	17, 272
Scarff Martin Seed Co	15, 546
George Edwards	15, 217
Total payees in county (6)	108, 591

CLINTON COUNTY

John Barnett, Jr	19, 276

COSHOCTON COUNTY

Ross Brothers	18, 094
Cosh Farms, Inc	15, 859
Total payees in county (2)	33, 953

ERIE COUNTY

Wensink Brothers	21, 098
Oswin Hermes	18, 299
Total payees in county (2)	39, 397

FAIRFIELD COUNTY

George Neeley	22, 319

XUM

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Ohio—Continued

FAYETTE COUNTY

Robert Jackson	20, 771
John Leland	20, 201
Marvin Stockwell	16, 111
Total payees in county (3)	57, 083

FRANKLIN COUNTY

S. Hartman c/o Opekasit, Inc	24, 825
Darby Dan Farm Co	23, 750
W. C. Vance	20, 579
Donn L. Wagner	18, 435
Total payees in county (4)	87, 589

FULTON COUNTY

Max Borton	18, 334

GREENE COUNTY

Trelawny South Farms	21, 979
Arthur H. Pitstick	20, 743
Total payees in county (2)	42, 722

HENRY COUNTY

Beck Bros., Inc	15, 559

HOLMES COUNTY

John C. Hipp	16, 733
Raymond Patterson	15, 422
Total payees in county (2)	32, 155

HURON COUNTY

Harry Hintz	15, 567

KNOX COUNTY

James Piar	19, 093

LOGAN COUNTY

Bernard Bates	15, 659

LORAIN COUNTY

Myron Kolbe	16, 055

LUCAS COUNTY

Sycamore Realty Co	18, 187

MADISON COUNTY

Sawyer Farm	18, 686
Fonrof Bros	16, 667
Ray F. Butz	16, 381
Bennie Miller	16, 049
Donald Hux	15, 966
John C. Barnes	15, 740
Henry Humble	15, 563
John H. Buehl, Jr	15, 495
Total payees in county (8)	130, 547

MARION COUNTY

David Bruggeman	21, 770
Basel Farms, Inc	19, 212
Pfeiffer Farms, Inc	16, 508
Donald E. Mattix	15, 924
Total payees in county (4)	73, 414

MERCER COUNTY

Carl Cross	15, 457

MIAMI COUNTY

Trojan Farm	17, 740
Marvin E. Fox	15, 655
Total payees in county (2)	33, 395

MORROW COUNTY

Merle Mattix	18, 222
Wilbur Ault	16, 662
Total payees in county (2)	34, 884

MUSKINGUM COUNTY

Cox Bros	19, 241

PICKAWAY COUNTY

Joe Vause	24, 439
John H. Dunlap, Jr	19, 619
Earl Metzger & Sons	18, 457
Mary M. Gifford	17, 137
Donald Miller, Sr	16, 444
D. A. Marshall	16, 370
George W. Miller	15, 236
Total payees in county (7)	127, 702

PIKE COUNTY

Robert Ewing	19, 047
J. V. Vanmeter	16, 512
Total payees in county (2)	35, 559

PREBLE COUNTY

Artie Cain	22, 441
Leonard Vonderhaar	17, 922
Emora Fultz	16, 311
K. J. Yost	15, 107
Total payees in county (4)	71, 781

RICHLAND COUNTY

Walter Bevier	17, 950
Maurice Cooke	17, 759
D. K. Wittmer	15, 356
Total payees in county (3)	51, 065

ROSS COUNTY

Robert C. Drake	16, 152
Lynch Farms	15, 486
Total payees in county (2)	31, 638

SANDUSKY COUNTY

William I. Warner	19, 478
D. Wise & Sons by D. Wise	15, 471
Total payees in county (2)	34, 949

TUSCARAWAS COUNTY

Roy S. Rice	18, 723

VAN WERT COUNTY

Marsh Foundation	20, 937
Eli Rager	18, 694
Total payees in county (2)	39, 631

WARREN COUNTY

Frank M. Irelan	15, 216

WILLIAMS COUNTY

Eldon Moomaw	18, 316

WOOD COUNTY

Harold Bordner	17, 321
Richard Rideout	15, 388
Total payees in county (2)	32, 709

WYANDOT COUNTY

William J. Walton	23, 307
Charles McCarthy	21, 086
Hubert Sheaffer, Inc	20, 545
Franklin Walton	18, 679
Bowman Farms	18, 551
Mildred Walton	15, 615
Joyce Walton	15, 536
Total payees in county (7)	133, 319
Total payees in State (88)	1, 581, 949

1969 ASCS program payments of $15,000 through $24,999, excluding price support loans and wool and sugar payments—Oklahoma

ALFALFA COUNTY

Robert E. Dumler	21, 355
Robert L. Hadwiger	20, 283
Frank McArthur	16, 431
Bill Ginder	15, 757
Ross Kasparek	15, 507
Floyd Schupbach	15, 148
Total payees in county (6)	104, 481

BEAVER COUNTY

Leroy Hughes & Sons, Ptn	19, 767
Ralph E. Barby	16, 687
George Kamas	16, 618
Linus Cates	16, 292
C. L. Ranch	16, 117
Howard Franz	15, 833
Total payees in county (6)	101, 314

BECKHAM COUNTY

W. A. Kennemer	20, 402
R. E. Jones	19, 929
A. W. Phillips	18, 449
Lee D. White	15, 672
K. B. Stowers	15, 586
Keither Gregory	15, 498
Don Smith	15, 287
D. Dale McClain	15, 209
Total payees in county (8)	136, 032

BLAINE COUNTY

E. J. Wall	17, 753
Sylvan Meier	16, 828
Total payees in county (2)	34, 581

BRYAN COUNTY

Ralph Wells	21, 471
Harkey & Franks	19, 756
W. K. Haynie	15, 624
G. E. Kelly	15, 380
Total payees in county (4)	72, 231

CADDO COUNTY

O. M. Ulery	23, 121
Harry Buckmaster	21, 433
Forest Dolan	17, 894
Carroll Smith	17, 601
Ernest Bryant	16, 752
Wayne Krehbiel	16, 136
Melvin Rosser	15, 875
Total payees in county (7)	128, 812

CANADIAN COUNTY

Francis Loosen	24, 469
Nelson A. Davison	22, 919
John D. Hufnagel	19, 278
Herman Merveldt	17, 413
Doyal Selvidge	16, 388
Kenneth Barrett	16, 340
Henry Meiwes	16, 316
Everett Feddersen	15, 826
J. Bernard Dow	15, 335
Total payees in county (9)	164, 284

CIMARRON COUNTY

W. S. Hinton	23, 925
Guy L. Ottinger	22, 116
E. W. Payne	22, 087
Merritt S. Swinburne	21, 243
J. Nelson Mcore	21, 126
E. H. Allen	20, 991
George C. Camilli, Jr	20, 894
Ocie Smith	19, 974
Clarence Wilson	19, 412
Jerrie Thrash	19, 173
Clyde E. Adams	18, 969
Lloyd J. Holloway	18, 854

XUM

Raymond Smalts	18, 786
W. Roger Crabtree	18, 525
Millard Fowler	18, 433
Bill Murdock	17, 726
C. J. Purdy	17, 690
Wayne Compton	17, 613
Royce Hanes	17, 144
Frank N. James	16, 988
R. P. Crabtree	16, 225
Roy V. Carey	16, 217
Huston Hanes	16, 105
Grover D. Smith	16, 004
Cecil Ford	15, 255
Total payees in county (25)	471, 475

COMANCHE COUNTY

Mark Scherler	19, 905
J. W. Bohl	15, 542
Total payees in county (2)	35, 447

COTTON COUNTY

Marvin Scherler	19, 608
C. B. Bowles	17, 938
Thad Gower	17, 800
W. W. Bowles	16, 444
Gomer High	15, 967
Howard Gover	15, 451
Hobart Baber	15, 303
Total payees in county (7)	118, 511

CUSTER COUNTY

Clint and Charles Wood	23, 672
Boyd Miller	22, 241
Lorenz Farms	21, 428
Gary Donley	20, 451
George Meacham, Jr	19, 217
J. R. Martin	19, 139
Willard Eagan	18, 731
T. P. Buchanan	18, 143
M. W. Herring	17, 393
R. B. Strong, Sr	17, 247
Wade Myers	16, 964
Don Clift	16, 648
D. N. Hunt	16, 615
Don Haskett	15, 922
Jack Carpenter	15, 661
W. S. Donley	15, 147
Total payees in county (16)	294, 619

DEWEY COUNTY

Dean R. Gaden	22, 456
H. L. Christensen, Jr	21, 660
Paul Graft	17, 378
Lenard Chain	15, 082
Total payees in county (4)	76, 576

ELLIS COUNTY

A. R. Larason	15, 527

GARFIELD COUNTY

Ediger Farms	23, 997
Louis Zaloudek	18, 633
F. W. Zaloudek	16, 065
R. G. Gray	15, 735
Total payees in county (4)	74, 430

GRADY COUNTY

Verle Barnes	23, 591
William Hardesty	22, 603
Joe Humphrey	18, 642
Art Movey	18, 612
Earl Campbell	18, 072
Ralph Jacobs	16, 664
Johnson Land & Cattle Co	15, 610
Total payees in county (7)	133, 794

GRANT COUNTY

E. D. Mitchell	15, 620
Arlo W. James	15, 537
Milfred E. Reser	15, 426
Total payees in county (3)	46, 583

GREER COUNTY

Jimmy Heatly	24, 403
R. V. Staton	21, 010
Fite & Fite	19, 915
Vernon Castle	16, 632
Henry Wilson	16, 542
Pete Byrom	15, 436
Okla State Reformatory	15, 235
Total payees in county (7)	129, 173

HARMON COUNTY

R. S. Moran, Jr	24, 946
L. H. Christian	23, 833
Tapley P. Jordon	23, 766
C. B. Carter	23, 055
G. W. Strawn	22, 607
David Rath	21, 966
W. C. Williams, Jr	21, 695
Olan Farris	21, 218
Sherman Spradling	20, 613
Lee Roy Crawford	19, 989
W. R. Jones	19, 950
Herschel Tabor	17, 667
Paul Lee	17, 489
Regie Lewis	16, 975
Bilbo Coke	16, 204
Roy Sanford	16, 034
E. O. Byrd	15, 881
Bellatti & Willson	15, 799
Talmadge Davidson	15, 349
Tom McBrayer	15, 328
Harlon D. Cary	15, 100
Total payees in county (21)	405, 464

HARPER COUNTY

Robert McClung	15, 888
Orville Stanley	15, 713
Total payees in county (2)	31, 601

JACKSON COUNTY

Raymond E. McLeod	24, 307
John Y. McLeod	24, 306
Harvey R. Petzold	23, 655
Monroe B. Karcher	22, 531
Laverne A. Fessenden	22, 476
Mock Brothers	22, 417
Joseph C. Talbot	22, 276
E. E. and J. P. Weber	22, 118
Jess N. Walker	21, 858
Joy C. Bishop	21, 077
Hopson E. Pickett	20, 841
John A. Richardson	20, 746
Samuel C. Shultz	20, 452
Ewell F. Russell	20, 402
Melton H. Hughes	20, 343
Edgar W. Cleveland	20, 069
Marcus Wright	20, 020
Shirley R. Dillingham	19, 526
Roger C. Moreau	19, 151
Charles D. Felty	18, 651
Eldred M. Landers	18, 064
Garland Thompson	17, 705
Joe J. Cope	17, 568
Tommy E. Beach	17, 481
Hat, Mc., Inc	17, 157
Herschal H. Crow, Jr	16, 854
Lawayne Drury	16, 559
Robert McAskill	16, 557
John R. McMahan	16, 545
Raymond E. Jackson	16, 261
Jim C. Bradford	16, 243
James A. Shirley	15, 976
George W. Weyrick	15, 716
Eddie S. Weaver	15, 633
George E. Gunkel	15, 317
Horace L. Jones	15, 289
Loyce J. Briscoe	15, 135
Total payees in county (37)	707, 282

KAY COUNTY

G E Cales	20, 550
Joe C. Steichen	18, 436
Elston Kahle	17, 430
Bill Carmichael	15, 623
Jack Lane	15, 408
Total payees in county (5)	87, 447

KIOWA COUNTY

Paul Edge	22, 104
Ralph Neal	18, 635
Johnnie Mace	18, 152
Boyd Davis	16, 499
Sherman E. Fowler	16, 364
Sam Fuchs	16, 306
Larry and Zelma Null, Partners	15, 844
Fay Willis	15, 724
Vernon Harris	15, 581
Hubert Richardson	15, 069
Total payees in county (10)	170, 278

LE FLORE COUNTY

Green Valley Cattle Co	16, 421

MAJOR COUNTY

Lloyd H. Jantzen	16, 683
Circle N Ranch	15, 092
Total payees in county (2)	31, 775

M'CLAIN COUNTY

Billy P. Adkins	24, 933
Freeny Hopkins	21, 136
Harry S. Phillips	20, 080
W. R. Griffith	18, 997
Clifford Dean	18, 581
Total payees in county (5)	103, 727

M'CURTAIN COUNTY

Cloverdale Planting Co	20, 832
Doyle Self	18, 672
Calvin Galloway	15, 381
Total payees in county (3)	54, 885

MUSKOGEE COUNTY

M. C. Finklea Estate	21, 704
J. B. Sheffield	15, 475
Total payees in county (2)	37, 179

NOBLE COUNTY

Burdette Garvie	24, 395
Henry Bellmon	16, 278
Total payees in county (2)	40, 673

OSAGE COUNTY

G. P. Evatt	19, 002

ROGER MILLS COUNTY

Bob Allee	18, 179
Donald Harrel	16, 670
Total payees in county (2)	34, 849

SEQUOYAH COUNTY

Fowler Morgan Sheffield	15, 099

TEXAS COUNTY

Brooks Spence	24, 412
Lewis Mayer	23, 922
Ivan Joe Simmons	23, 659
Ralph Grounds	23, 577
Virgil Craig	23, 527
Russell Weeks	23, 053
Ivan Simmons, Sr	22, 359
Lester Wiggains	21, 617
Nash Farm Co	20, 872
Jimmie L. Draper	20, 406
Paul Weeden	20, 219
Roy Mitchell	20, 123
A. L. Jackson, Jr	20, 117
John W. Webb	18, 705
Truman Spragins	18, 558
Ray Hall	18, 049
Ralph S. Abel	17, 999
Harold E. Ferguson	17, 608
Christine W. Hitch	17, 551
G. C. Bergner	17, 495
R. E. Hood	17, 305
George T. McDaniel	17, 047
Vernon E. Bullard	17, 034
L. Jack Flanagan	16, 959
Fischer Bros	16, 887
B. A. Brixey	16, 734

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Oklahoma—Continued

TEXAS COUNTY—continued

Dillon Caddell	16,682
Lester E. Hollis	16,202
G. F. Lundgrin	16,173
Duane Wilson	15,923
Louis Ryman	15,916
Paul Blaser	15,446
Thomas Stephens	15,075
Dave Wagner	15,011
Total payees in county (34)	642,222

TILLMAN COUNTY

R. L. Lindsey	24,150
Galen P. Briggs	23,918
Edd Kinder	23,916
Leonard Stout	22,913
Lester Dickey	22,798
H. L. Akin	22,489
Dewayne Stout	20,906
Clovis Wayne Bagwell	20,838
W. W. Purdy	20,813
John M. Kinder	20,548
John H. Taylor	19,553
John P. Goodknight	19,257
L. D. Due	19,232
Archie W. Gottschall	18,887
Charles Hill	18,668
Harry W. Schroeder	18,663
Ralph Keith	18,455
Izyal Stout	18,284
Edwin Slack	17,858
Beatty Patterson	17,766
J. W. Dysart	17,657
Ronald Ray	17,568
Tom Noel	17,269
C. E. and Ruby Chasteen	17,067
Paul C. Brunk	17,008
Bruce Burke	16,911
Max L. Waldrop	16,587
Frieda Hamill	16,215
Simpson Bros	15,872
T. G. Jennings, Jr	15,860
Harry Dotson	15,586
Van Oxford	15,372
Avant Bros	15,259
Curtis Land Co	15,222
Murl Sturgess	15,058
Total payees in county (35)	654,423

WAGONER COUNTY

Francis M. Chesbro	24,137
Fred Metzger	22,185
Bob Hatfield	17,450
Total payees in county (3)	63,772

WASHITA COUNTY

J. L. Celsor	22,636
Ira M. Johnson, Jr	17,365
William C. Melvin	15,566
A. C. Regier	15,003
Total payees in county (4)	70,570

WOODS COUNTY

Ritter Brothers, Inc	21,598
Emery L. Thurman	21,248
Roland Kietke	20,932
Larry Hellman	17,543
Total payees in county (4)	81,321

WOODWARD COUNTY

Jack Miller	17,763
Lester W. Devous	15,748
Total payees in county (2)	33,511
Total payees in State (294)	5,439,371

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Oregon

BAKER COUNTY

Sieg & Sieg, Inc	24,760
Warren Weishaar	19,859
Total payees in county (2)	44,619

BENTON COUNTY

Bob Nixon	20,943
Donald G. Hector	15,601
Total payees in county (2)	36,544

CROOK COUNTY

Cumberland Ranches Inc	17,266

GILLIAM COUNTY

R. W. Potter & Sons Estate	23,794
Sidney Seale	23,268
Roy Philippi, Jr	23,184
Chester W. Dyer	23,051
Harrison M. Weatherford	22,325
Marion T. Weatherford	21,323
D. A. Kaseberg	19,617
Steinke Bros	19,475
Ronald W. Haguewood	18,812
Van Rietmann	17,958
M. Smith RH Inc	17,061
Dyer Farms	16,227
Harold D. Hartfield	16,213
D. L. Lemon	15,767
M. Snell Weatherford	15,223
Floyd Anderson	15,199
Total payees in county (16)	308,497

KLAMATH COUNTY

Rajnus Bros	20,552
Nevin Cattle Co	19,867
Total payees in county (2)	40,419

LAKE COUNTY

Raymond Padget	22,776
Renner Ranch	22,717
Favell & Utley	18,583
L. W. Garrett	16,781
J. Boyd Taylor	15,171
Total payees in county (5)	96,028

MORROW COUNTY

McElligott Bros	24,025
Fairview Ranch, Inc	23,049
Campbell Ranches, Inc	22,625
Charles Carlson	20,551
Howton Ranch, Inc	20,440
John Proudfoot	19,927
Lee Pettyjohn	19,704
Patrick Cutsforth	19,535
Wm. J. Doherty	18,540
Peterson Bros	18,460
Lindsay Ranch	18,375
Delbert Emert	18,011
H. M. Ranch	17,826
Perry Morter	17,593
Rietmann Bros	16,959
Orville Cutsforth, Jr	16,832
Grieb Farms, Inc	16,763
Nelson and Tucker	15,638
Alvin Bunch	15,497
Total payees in county (19)	360,350

POLK COUNTY

Robert E. Scharf	24,165

SHERMAN COUNTY

Powell-Goodin Farms	24,035
Fred Dormaier	22,067
Richelderfer Ranch	21,426
Weedman Ranch	21,133
Hilderbrand Ranch	21,016
F. L. Watkins	19,433
K-3 Ranches	18,914
Tad O. McCoy	16,744
L. E. Kaseberg	16,541
Larry E. Kaseberg	16,541
Paul A. Fraser	16,446
Charles Allen Tom	16,204
4-R Ranches	15,536
R. M. Johnson	15,493
Total payees in county (14)	261,529

UMATILLA COUNTY

S. E. Brogoitti	23,918
V. R. Ranch	23,806
R. & T. Ranches	23,447
Martin H. Buchanan	22,843
Rees Bros	22,131
Robert Rothrock	21,982
Faye Mann	21,974
Tubbs Ranch	21,859
King Ranches	21,378
John P. Weidert	21,163
Les King, Inc	20,382
Edwin F. Lawrence	20,342
David Horne	20,192
Sand Hollow Ranch	20,069
Carey Farms, Inc	19,813
David Casper Ranch	19,530
G. M. Ransier	19,217
Key Bos, Inc	18,625
Adams Farming Co	18,516
Merton Winn, Estate	18,357
Robert Bissinger	17,710
Lieuallen Ranch, Inc	17,340
Holdman Ranches	17,179
Ralph Terney	17,116
B. & M. Farms	17,007
Lee Weidert	16,614
Leo Gorger Ranches	16,546
Dorran Ranch	16,336
C. Springs Ranches, Inc	15,991
Wernsing Coffman	15,925
Casper Ranch	15,842
King & Temple	15,663
Roy F. Hobby	15,621
P. J. Rohde Ranch	15,389
Leonard A. Lorenzen	15,339
Roy Howard & Son, Inc	15,225
Total payees in county(36)	680,387

UNION COUNTY

William H. Cooper	23,382
Stanley Weishaar	23,257
Homer Case	16,831
Pearl W. Woodruff	16,343
Sylvan Rasmussen	15,551
Total payees in county (5)	95,364

WALLOWA COUNTY

Bill Wolfe	19,246
Gordon Quinn	15,199
Total payees in county (2)	34,445

WASCO COUNTY

Underhill Ranch	22,579
Fax Bros	21,727
William L. Hulse	18,981
Eldon Emerson	17,310
Gary Kortge Farms	17,296
Kenneth Webb	16,587
William Neal	16,354
E. O. Borthwick	15,950
Total payees in county (8)	146,784

WASHINGTON COUNTY

Kenneth Berger	17,979
Robert Kauer, Jr	15,488
Total payees in county (2)	33,467
Total payees in State (115)	2,179,864

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Pennsylvania

CHESTER COUNTY

Shannon Pepple	22,498

CUMBERLAND COUNTY

Otto Bros	20,170

LEHIGH COUNTY

Charles J. Haaf	19,315

NORTHAMPTON COUNTY

Louis Yautz	24,622
Sunny Slope Farms	16,318
Trio Farms	15,672
Total payees in county (3)	56,612
Total payees in State (6)	118,595

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—South Carolina

AIKEN COUNTY

Milton Stack	24,344
B. W. Garvin	23,711
Mcelmurray Farm, Inc	23,402
Weeks Farm Inc	23,226
Carl E. Brown	22,362
John Anderson	22,123
W. J. Dunbar	21,892
Jarrell M. Brown	21,846
H. C. Coward & Son	19,528
John W. Yonce	16,107
Wagener Warehouse Corp	15,846
Arlie Scott	15,675
Burnett G. Dubose	15,208
Total payees in county (13)	265,270

ALLENDALE COUNTY

K. Johnston Oswald	23,965
J. S. McMillan	23,066
H. A. Kearse	22,557
G. M. Brabham	21,417
J. D. Rouse	21,375
W. H. Handberry	21,073
S. M. Rice III	21,029
C. O. Handberry	20,950
C. O. Gray	20,874
Oregon Frazier	19,668
J. M. Oswald	17,911
David Crawford	17,239
Harry T. Kinard	16,119
W. D. Stevenson	16,011
H. E. Johnson	15,992
Total payees in county (15)	299,246

ANDERSON COUNTY

E. J. Wright, Jr	22,560
Fred Dobbins	20,090
J. E. Earle	19,774
Vesta Manning	17,949
Donald B. McPhail	17,300
W. M. Bolt	16,921
Thomas E. Garrison	16,412
Jack C. Dobbins	15,629
Total payees in county (8)	146,635

BAMBERG COUNTY

Francis M. Kearse	23,645
George Cogburn	21,626
H. A. Geddings	21,586
Clifford Ray	15,768
Total payees in county (4)	82,625

BARNELL COUNTY

J. David Bodiford	24,472
Hagood & Richardson	23,473
W. H. Hutto, Jr	22,930
J. B. Weeks, Jr	22,534
Bruce O. Bates	20,698
O. A. Kennedy III	19,998
Walter H. Jenkins	18,653
Norwood & Lemon	18,483
Gordon S. Cain	18,037
Ted W. Craig	16,323
Joe J. Bates	16,043
Robert B. Fickling	15,540
Total payees in county (12)	237,184

BERKELEY COUNTY

Charles G. Marion	23,845
Robert F. Marion	21,318
P. Palmer Gourdine	18,954
Total payees in county (3)	64,117

CALHOUN COUNTY

G. C. Bull	22,581
Moss H. Perrow	22,259
J. Hubert Robinson	22,125
W. Wesley Stabler	21,886
Haigler Bros	19,848
Raymond B. Ayers	17,450
L. B. Wannamaker	17,057
Ralph Troutman	16,599
Lang Syne Farm	15,973
Rawl D. Culclasure, Jr	15,631
T. D. Arant, Jr	15,204
Total payees in county (11)	206,613

CHESTER COUNTY

John H. Neely, Jr	21,641
J. H. Chappell	20,275
Robert W. Lee	16,261
Total payees in county (3)	58,177

CHESTERFIELD COUNTY

K. Stewart Laney	23,942
Rufus L. Jordan	22,670
Robert C. Burr	21,767
James F. Teal	21,718
William E. Eutsler	19,316
James C. Phillips	18,550
Gaskins Gin Co	16,430
Vonelm Crawford	16,395
Joseph F. Miller	16,150
Martin L. Teal, Jr	15,298
Total payees in county (10)	192,236

CLARENDON COUNTY

G. H. Hardy	24,464
D. C. Elliott	23,401
O. D. Harvin	22,475
Leo J. Berry	22,345
W. J. Rawlinson	22,185
James H. McFaddin	22,066
Paul Burke	21,863
L. E. Elmore	21,833
Scott Jackson	21,733
John K. Brogdon	21,561
M. E. DuBose	21,047
R. N. Johnson	20,301
S. L. Touchberry	19,787
Ralph Bell, Jr	19,660
Nelson Brothers	18,888
R. L. Gayle	18,201
James McElveen	17,154
Carey Lee Rawlinson	16,459
Joe Alderman, Jr	16,392
Ralph Bleasdale	16,025
J. G. Dinkins, Jr	15,696
W. J. Jackson	15,691
J. T. Touchberry, Jr	15,378
Thomas C. Gentry, Jr	15,229
Total payees in county (24)	469,834

COLLETON COUNTY

I. N. Rizer	20,294
Milton T. Rhodes	16,041
Total payees in county (2)	36,335

DARLINGTON COUNTY

J. T. Ross	19,649
G. Graham Segars	19,609
Gene Ousley	19,328
Belbrown Farms, Inc	19,057
R. G. Donald, Jr	18,938
Dewitt Farms, Inc	18,835
Loring Davis	18,444
Laurie C. Lawson	18,174
Henry Grady	17,796
J. O. Huggins	15,949
T. B. Cunningham	15,832
Don H. Blackman	15,301
R. B. Pond	15,194
Total payees in county (13)	232,106

DILLON COUNTY

F. C. Howell Estate	24,803
Floyd Johnson	24,781
Bruce Price	21,442
Bernice M. Coleman and John D. Coleman	21,244
Grady Jones	19,426
H. F. Price & Sons	19,165
Neil J. McCrimmon	18,038
Neil D. McLaurin	16,295
W. M. Arnette, Jr	15,853
Legrand Weatherly	15,548
Total payees in county (10)	196,595

DORCHESTER COUNTY

W. S. and J. D. Canaday	24,289

EDGEFIELD COUNTY

Bennie H. Willing	23,415
C. L. Clark	21,451
G. C. Holmes & Sons	16,637
Frank Berry	16,291
L. E. Smith	16,095
R. W. & Rembert C. Dubose	15,577
Vann Bros	15,296
Thomas E. Posey	15,268
Total payees in county (8)	140,030

FLORENCE COUNTY

S. A. Rodgers	21,734
Carlisle A. Smith	15,704
R. M. Fraley	15,537
Total payees in county (3)	52,975

GREENVILLE COUNTY

Allen M. Knight	21,796

GREENWOOD COUNTY

L. B. Adams	24,178

HAMPTON COUNTY

Corrin Bowers	23,593
W. L. Long	22,892
David McKenzie	19,701
Jimmie McMillan	17,022
L. H. Youmans & Sons	16,636
Charles A. Laffitte	16,441
Harrison L. Peeples	15,464
Lillie H. & Grover C. Griner	15,111
Total payees in county (8)	146,860

KERSHAW COUNTY

L. W. Boykin II	19,585
W. A. Boykin	15,386
Total payees in county (2)	34,971

LANCASTER COUNTY

Henry B. Small	18,501

LAURENS COUNTY

John M. Simmons	23,932

LEE COUNTY

B. K. Phillips	24,781
Harris Hicks	23,936
Katherine P. Stokes	23,518
Annette C. Tiller	23,054
Dendy K. Josey	21,727
D. D. Grant & Son	21,653

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—South Carolina—Continued

LEE COUNTY—Continued

E. B. Stuckey, Jr	21,456
J. E. Atkinson	21,449
W. Mcd Jones, Jr	20,854
Sarah C. Tyndall	20,597
H. L. Johnson	20,381
Don D. Grant	19,975
A. L. McCaskill, Sr	19,942
H. W. Atkinson	19,814
Richard Scarborough	19,370
Lee West, Jr	19,346
Vistula Shearer	19,052
Wilfred Davis	18,689
H. B. Turner	17,454
Mason R. Mathis	17,049
R. L. Dickinson	16,485
J. E. Best	16,484
Don R. McDaniel	16,476
G. H. McCutchen	16,476
George M. Stuckey, Jr	16,449
Walter L. Dew, Jr	16,073
W. W. Keels	15,866
Clyde Welch	15,381
John A. McCutchen	15,353
Wyman O. McDaniel	15,124
Total payees in county (30)	574,264

LEXINGTON COUNTY

John H. Dowd	19,618
Fogle Bros	19,003
Furman P. Saylor	17,058
O. Harry Giles	16,456
Hilton S. Fulmer	16,300
Total payees in county (5)	88,435

MARION COUNTY

E. J. Wiggins, Jr	20,046
Hubert Baxley	17,432
Southernair Farms	16,524
Manning & Shine	15,602
Thomas Baxley	15,093
Total payees in county (5)	84,697

MARLBORO COUNTY

John McInnis	24,770
Bloomfield D. Rogers	24,749
William P. Wallace	24,064
Noah A. Usher, Jr	23,724
Y. Lee Carabo	23,290
D. H. McQuage, Jr	21,676
Gordon W. Newton	20,687
G. M. H., Jr., J. D. Hunsucker, part	20,675
Newton Bros	20,343
Robert Stillwell	20,213
Verd Kerns	19,827
Robert F. Breeden	18,502
Moore Bros. Farm	18,458
G. I. Byrd	17,370
Walter S. Hughes	17,251
William H. Dailey	16,799
Charles S. McLaurin	15,845
W. W. Carraway	15,409
C. C. Caulk	15,057
Total payees in county (19)	378,709

M'CORMICK COUNTY

James Tate	18,685

ORANGEBURG COUNTY

Robert L. Polin	23,334
R. L. Zeigler, Jr	22,736
J. L. Gramling, Jr	21,916
Fred Connor Sons	21,670
O. M. Williamson, Jr	21,574
Fred Lawton Irick	21,079
Harvey M. Bates	20,580
James P. Felkel	20,343
Marion H. Davis	20,187
Emerald Lea Farms	19,801
Otto Boltin	19,667
Salley Brothers	19,361
Morgan Livingston	18,645
J. E. Fairey, Jr	18,246
D. L. Rhoad, Jr	17,391
Kenneth W. Bickley	17,306
E. S. Bonnett, Jr	17,297
Dan E. Walker	16,468
L. S. Bozard	16,396
T. F. Riley, Jr	16,325
Jimmy Ott	16,190
Jimmie Metts	16,069
Frederick Irick	15,999
Maxine Scarborough	15,496
D. H. and G. H. Garrick	15,416
L. M. Ott	15,363
Robert B. Shuler	15,188
John A. Fogle	15,175
Total payees in county (28)	515,218

RICHLAND COUNTY

Alfred Scarborough	24,926
Willis M. Clarkson	23,669
H. C. Hill	18,620
F. C. Hill Estate	15,750
Total payees in county (4)	82,965

SALUDA COUNTY

Harold E. Frick	22,226
Harry S. Bell	17,229
Henry S. Crouch	16,079
Mahlon Clark	15,401
Total payees in county (4)	70,935

SPARTANBURG COUNTY

Albert Jackson	22,328
Gary Brockman	21,306
James L. Gossett	18,763
Defoy Seay	16,881
Donald L. Dillard	16,330
Edward Antley	15,073
Total payees in county (6)	110,681

SUMTER COUNTY

S. A. Harvin	24,684
Riverdale Farms, Inc	24,574
J. C. Britton	22,315
Frances I. Davis	21,858
Guy M. Dabbs, Jr	21,758
Minnie Deschamps	21,391
H. D. Barnett et al	20,858
T. C. Croft	20,223
C. E. Phillips, Jr	19,296
Ray Towery	19,137
Sam W. Gillespie	19,053
J. V. Turbeville	18,616
Frank Segars	18,408
Lonnie T. Mathis	17,725
E. B. Watts, Jr	16,805
Roy Griffin	16,635
Booth Farms, Inc	15,806
E. C. Goza	15,372
C. W. Josey, Jr	15,147
J. H. Montgomery, Jr	15,097
Total payees in county (20)	384,758

WILLIAMSBURG COUNTY

James I. Geddings	20,135
James O. Gamble	19,383
J. P. Graham	18,709
Troy H. Lamb	16,440
T. S. Rogan, Jr	15,400
Total payees in county (5)	90,067

YORK COUNTY

Joe Daves	22,333
Total payees in State (282)	5,396,252

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—South Dakota

AURORA COUNTY

Miller Bros	17,305
Glissendorf Bros	16,972
Falk Bros	15,641
Total payees in county (3)	49,918

BEADLE COUNTY

Great Plains Feed Lot, Inc	17,837
H. R. Van Buskirk	16,414
Dario Bloodgood	15,870
Total payees in county (3)	50,121

BENNETT COUNTY

John F. Knecht	19,862
Robert Pinch	15,071
Total payees in county (2)	34,933

BROWN COUNTY

Rodney Barnes	23,485
Shirley Treeby	22,177
Harvey Fliehs	19,986
Dale Cutler	18,821
Wm. F. Dinger	17,140
Lyle Cutler	16,823
Harold Ihde	16,715
Keith Cutler	16,218
Charlie Mitchell	15,968
Ulic Henehan	15,857
Robert J. Hanson	15,258
Total payees in county (11)	198,448

BRULE COUNTY

Cedar Grove Hutterian Association	15,264

BUFFALO COUNTY

James S. Brown	17,577

CHARLES MIX COUNTY

Glenn L. Olson	19,280
Rolland Vanderpol	18,729
Lee Scott	16,810
M. D. Christiansen	16,789
Pete Olson	16,199
Total payees in county (5)	87,807

CLARK COUNTY

Makens Bros	17,762

CLAY COUNTY

Jensen Bros	19,152
Carl M. Olson	18,734
Alphonse Heine	18,235
B. V. McGuirk	16,861
Burl A. Litzelman	16,235
Total payees in county (5)	89,217

CORSON COUNTY

Dorus J. Mollman	20,738
Ray C. Kling	20,516
Jacob Schott	20,103
Wayne Bailey	20,020
Young, Inc	20,010
Weston L. Wolff	18,696
Gilbert W. Lehenbauer	17,490
John E. Mickelson	16,748
Malven Skjoldal	16,280
James Petik	15,569
Joseph M. Olson	15,539
Edward Kittelson	15,038
Total payees in county (12)	216,747

DAY COUNTY

Richard Voss	15,992

XUM

DEWEY COUNTY	
Almond D. Hunt	18, 166
J. Howard Harrison	17, 344
Daniel L. Booth	15, 659
Total payees in county (3)	51, 169
EDMUNDS COUNTY	
Francis Bobby	24, 430
Arthur E. Schaub	20, 271
Total payees in county (2)	44, 701
FAULK COUNTY	
Lloyd Harmon	19, 768
Fred G. Boysen	16, 507
Hogg Hereford Farms	15, 619
Total payees in county (3)	51, 894
GREGORY COUNTY	
Harold Kaupp	22, 378
HAAKON COUNTY	
Eugene Armstrong	20, 687
J. Tipps Hamilton	20, 505
W. A. Hickman	17, 049
Bernard Armstrong	15, 809
Vern Foland	15, 411
Total payees in county (5)	89, 461
HAND COUNTY	
Leo Veskrna	19, 267
Dayton Nelson	15, 475
Total payees in county (2)	34, 742
HANSON COUNTY	
M. A. Loon	16, 223
HARDING COUNTY	
Arthur L. Reitz	22, 881
Willard Korsmo	20, 156
Anna Robinson	18, 139
Total payees in county (3)	61, 176
HUGHES COUNTY	
Donald Crothers	18, 746
Chester Hurn	17, 767
Merle Branine	16, 146
Guy F. Barnes, Inc	15, 135
Total payees in county (4)	67, 794
HYDE COUNTY	
George Wilson	15,652
JONES COUNTY	
Harvey Christian	18, 380
Nielsen Ranches, Inc	17, 119
Daum Brothers	16, 862
Total payees in county (3)	52, 361
LAKE COUNTY	
Milton Maas	20, 727
Milton Ayers	18, 564
Total payees in county (2)	39, 291
LINCOLN COUNTY	
Dwight Clark	23, 939
LYMAN COUNTY	
Alfred Ehlers	23, 513
Verdun Stanley	18, 796
A. C. Miller	17, 244
Joe Leichtnam	17, 199
Krier Bros	16, 716
Gilman Farms, Inc	15, 744
Stephen Taylor	15, 562
Garnos Ranches, Inc	15, 503
Total payees in county (8)	140, 277
MARSHALL COUNTY	
Richard Moeckly	24, 617
Welby Moeckly	21, 180
Vernon Swanson	17, 567
Merl Moeckly	15, 710
Raymond Olson	15, 468
Cyril Hastings	15, 346
Total payees in county (6)	109, 888
M'PHERSON COUNTY	
Albert Fischer	16, 390
M'COOK COUNTY	
Wm. H. Rinehart	17, 240
MEADE COUNTY	
Russell Burmeister	20, 056
Meade Corwin	15, 336
Total payees in county (2)	35, 392
MELLETTE COUNTY	
Stanton Galbraith	16, 540
MINER COUNTY	
Cloverleaf	16, 728
MINNEHAHA COUNTY	
C. J. Delbridge	17, 983
PENNINGTON COUNTY	
Leonel M. Jensen	21, 497
O. G. Shearer	17, 656
Total payees in county (2)	39, 153
PERKINS COUNTY	
Christman Bros	23, 634
Robert R. Kressly	23, 522
Floyd Howe	21, 775
Isaac C. John	20, 934
Roy Schiley	20, 453
Clifford E. Seidel	19, 752
E. B. Peterson	17, 813
Loren Miller	17, 402
Joe O. Miller	15, 585
Henry Hoff	15, 462
Total payees in county (10)	196, 332
POTTER COUNTY	
Sherman Neal, Jesse Rausch	24, 784
Robert Houck	21, 568
James Brown	20, 067
Dakota Cattle Co	19, 094
Eldon Smith	17, 972
Philip Hinckley	17, 324
T. M. Williams	16, 711
Ralph Nauman	16, 475
Don Kunstle	16, 057
Thompson Brothers	15, 793
Hobus Farms, Inc	15, 669
William Goebel	15, 473
Total payees in county (12)	216, 987
SANBORN COUNTY	
Albert J. Selland	18, 291
SHANNON COUNTY	
R. W. Will	22, 838
Gordon Goranson	16, 678
Total payees in county (2)	39, 516
SPINK COUNTY	
Lloyd Kegler	24, 068
Jason Seymour	22, 182
Dewayne Hofer	22, 072
John E. Kingdon	17, 062
Hugh La Bay	16, 398
Layle Evans	15, 629
Ellison Bahde	15, 531
Leland Strahl	15, 400
Total payees in county (8)	148, 342
STANLEY COUNTY	
Carl Hansen	20, 371
E. Vernon Sivage	16, 042
Total payees in county (2)	36, 413
SULLY COUNTY	
Albin H. Olson	24, 420
Jerome J. Weinheimer	24, 320
Arlice J. Williams	23, 064
Elton Eller	21, 878
James G. Young	20, 555
C. D. Strickland	17, 633
Minder Brothers	17, 294
Ludwig and Son	16, 978
Lyle W. Ebert	16, 200
Total payees in county (9)	182, 342
TRIPP COUNTY	
Bartley Mills	24, 028
Van Collins	23, 469
Farmers Supply of Winner, Inc	15, 847
Gay Rowe	15, 278
Total payees in county (4)	78, 622
WALWORTH COUNTY	
Joe Weaver	16, 631
Wilmer Stiegelmeier	16, 097
Total payees in county (2)	32, 728
WASHBAUGH COUNTY	
Leslie Handcock	15, 791
YANKTON COUNTY	
Melvin Cwach	22, 644
ZIEBACH COUNTY	
C. J. Larson	18, 762
Richard A. Bigler	17, 136
Total payees in county (2)	35, 898
Total payees in State (153)	2, 798, 064

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Tennessee

CARROLL COUNTY	
Larry D. Townsend	15, 701
CHESTER COUNTY	
Claude Randolph	17, 191
CROCKETT COUNTY	
H. H. & F. W. Raines	24, 683
Morris Reasons	23, 362
Steve Harper	19, 581
Eli Young	19, 372
Thomas Archer	18, 800
Donald Prescott	17, 872
Thomas D. Dunlap	17, 294
Horace H. Reasons	17, 039
C. D. Cooke	16, 802
Donny Cooke	16, 464
C. C. James	16, 110
H. E. Jordan, Jr	15, 530
J. B. Beaird	15, 330
Total payees in county (13)	238, 239
DYER COUNTY	
Hildred Caton	18, 785
Bedford Patterson	18, 044
Charles & Elvin Miller	17, 823
Tom McGuire	17, 532
Johnie S. Dodds	16, 374
M. Eugene Magee	15, 870
Charles A. Finley	15, 711
B. A. Forsythe	15, 092
Jack Lyon	15, 082
Total payees in county (9)	150, 313

XUM

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Tennessee—Continued

FAYETTE COUNTY

Joe B. Burnette	24,157
J. M. Sullivan, Jr	23,689
William E. Graham	22,906
Cooper Skelton	22,615
Tom Kelley	21,639
Rhea V. Taylor, Jr	21,193
Luther Holland	19,416
Mildred M. Elliott	18,523
Harmon Havercamp	18,070
Pete Williams	17,934
J. M. Caudle	17,763
Jimmy Kilby, Jr	17,726
William M. Tomlin	17,379
J. Pk. Cavender	17,355
Ingram B. Howard	17,343
Louis Montague	17,322
J. M. Sullivan, Jr	16,622
Longtown Supply Co	16,319
W. T. Fowler	16,219
R. W. Collier	15,647
Nancy F. Hall, Exec	15,299
Bill McClure	15,058
Total payees in county (22)	410,204

GIBSON COUNTY

H. L. Tracy	24,330
A. F. Crenshaw	22,774
Will Jere Pillow	18,081
James R. Vandyke	18,006
Willie T. Crocker	17,585
James T. Graves	16,137
Frank Allen	15,891
Howard Joyce	15,756
Gerald S. Flippin	15,179
Total payees in county (9)	163,739

GILES COUNTY

E. M. Dunavant & Sons	23,048

HARDEMAN COUNTY

Mrs. Ruth R. Parham	24,928
J. W. Bishop	22,683
Oscar P. Chapleau	21,808
Drewey Bishop	21,025
G. B. Ervin	18,966
Leo Parker	16,887
Emmett T. Vincent	16,839
Harlan Wooten	16,216
Jimmie Ervin	16,078
O. E. Harris, Jr	15,508
Howard Shearon	15,463
Total payees in county (11)	206,401

HAYWOOD COUNTY

Bill Powell	23,906
Sam S. Davis	23,274
James Coffman	22,446
Poncie Morris	20,350
Warren Hayes	18,994
Hayes Brothers	18,537
Robert E. Thornton	18,307
Rebecca Ann McWilliams	18,294
Bobby Mann	17,502
John W. Moses III	17,414
W. T. Brackin	17,414
Jack Brumett, Jr	17,400
Clyde Caldwell	17,120
G. W. Leath	16,593
Calvin Mann	16,130
Ronald Woods	15,793
Jessie J. Kendrick	15,779
Hiawathia Williams	15,508
William A. Jameson	15,484
Total payees in county (19)	346,245

LAKE COUNTY

Leonard Fisher	24,233
Wm. E. Pashall	23,912
Roy Moore	19,896
Wade Lannom	19,816
Jack Lowrance	19,251
Fredrickson & Keiser	19,107
Clyde Cleo Eddlemon	19,098
Margaret Jackson	19,029
D. W. Armstrong	18,837
P. N. Algee, Jr	18,696
Frank T. Markham	18,225
W. C. Haynes, Jr	17,868
Leonard Hopper	17,839
Charles R. Patterson	17,725
Jack Fields	17,270
Robertson & Argo	17,077
Robert Henley	16,896
John W. Paschall	15,360
Lymon Barker	15,252
Total payees in county (19)	355,387

LAUDERDALE COUNTY

Steelman Brothers	24,934
Carnell N. Armour	24,704
Lauren Shoaf	23,988
E. C. Charlton	23,692
Jammie P. Elder	23,228
T. L. Crihfield	22,878
Will H. Evans	21,167
Albert Leland Jennings	18,856
Claude Shannon Carney, Jr	18,666
Henderson Bros	18,627
Donald M. Ray	17,193
Pugh Farm, Norene S. Pugh	15,946
O. D. Crook	15,727
Preston A. Young	15,666
W. T. Smith	15,063
Total payees in county (15)	300,335

LAWRENCE COUNTY

Gordon Barksdale	23,526
Andrew Walker Rose	16,081
John Sharp	15,697
Total payees in county (3)	55,304

LINCOLN COUNTY

M. M. Delap & Sons	23,664
Carl W. Ogle	19,106
Billy N. Scivally	18,481
Maurice Caldwell	15,909
Total payees in county (4)	77,160

MADISON COUNTY

Jessie Collins	20,984
Wilson Thomas	20,513
Harold McLeary	19,498
Genie and Leamon Phillips	19,433
James Shellabarger	19,191
Lynn Haynes	18,597
P. J. Haynes	18,513
Frank Upton	17,628
Neil Smith	17,421
James Haynes	17,408
Jack Lawrence	17,151
James Sharp	16,927
Carter Dyer	15,678
Bill Woods	15,479
Total payees in county (14)	254,421

M'NAIRY COUNTY

James E. Smith	19,494
Andy Shaw	18,351
Total payees in county (2)	37,845

OBION COUNTY

Floyd Jacobs	23,912
R. C. Moore	17,642
Dale Glover	17,528
C. A. Stone	15,191
Total payees in county (4)	74,273

RUTHERFORD COUNTY

Steve D. McKnight	23,442
James R. Donnell	17,374
Total payees in county (2)	40,816

SHELBY COUNTY

James E. Cowles	24,965
Lawrence Hughes	23,232
James R. Scott	22,762
William K. Bolton	21,278
Harold Ticer	21,048
John R. Thomas	20,911
Leon L. Griffin	19,081
Hardy Johnson	18,678
J. E. Warren	18,335
D. Herbert Sigler	17,599
W. W. McCreight	17.425
Ross Farms	17,356
Russell Kirk, Jr	16,593
D. S. Ward	15,239
J. E. Ervin	15,122
Total payees in county (15)	289,624

TIPTON COUNTY

Dewey Pinner	23,650
R. M. Wooten	22,729
W. F. & L. E. Davis	21,365
Herbert Parr	20,416
Sammy Smith	19,665
J. A. Wooten	19,378
J. W. Delashmit	19,299
Marvin Johnson	18,765
W. J. Burlison	17,337
Dewitt Woods	17,219
G. D. Ray	16,646
John E. Johnson	16,608
Lorene E. Cates	16,598
Blucher Glenn	16,487
Thomas B. Goldsby	16,386
Marcless Sneed	16,204
Franklin Yarbro	15,870
Arvis Fletcher	15,821
Douglas Bryan	15,545
T. E. Smith	15,150
Total payees in county (20)	361,138

WAYNE COUNTY

Joel Yeiser, Jr	15,455
Total payees in State (185)	3,432,839

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Texas

ANDERSON COUNTY

T. L. Harper	18,301

ANDREWS COUNTY

Nathan Chesshir	16,116

ARCHER COUNTY

W. M. Hayter	20,238

ARMSTRONG COUNTY

Henry T. Hamblen	24,213
M. H. Hays	23,970
Henry Fields	22,513
Paul E. Lindsey	21,858
Glenn Butler	21,835
Durrett Cattle	21,680
Nelson Bros	21,574
Roy Conrad	18,748
Ben G. Wilson	18,661
W. K. Hardin	17,994
W. R. Stockett	16,772
W. H. Haley	16,444
James Stockett	16,324

XUM

Jimmy Garland	15,995
Tom Collins	15,049
Total payees in county (15)	293,630

AUSTIN COUNTY

William Dujka	15,147

BAILEY COUNTY

Francis H. Franks	24,249
Delbert Watson	23,784
Ralph Beasley	23,727
Joe Signor Kimbrough	23,657
J. P. Tarlton	23,116
F. W. Hagaman	22,452
Bernard Phelps	22,361
M. T. Gant	21,944
G. W. Wheeler	21,768
Kenneth Nesbitt	21,738
Aubrey Heathington	21,711
Bert M. Seales	21,563
S. M. Etheridge	21,453
J. W. Maddox	21,265
R. L. Scott	21,131
J. V. Stancell	21,122
Byron Gunter	21,086
Robert Kelton	21,016
Wiley R. Baker	20,958
Tommy Haley	20,818
Leldon Phillips	20,817
Burrell H. Black	20,655
W. H. Erickson	20,481
Doyce Turner	20,455
Baker Johnson	20,281
J. H. Lackey	20,135
W. B. Kittrell	20,123
O. M. Lackey	20,116
Archie Sowder	20,102
T. A. King	20,027
Ross Goodwin	19,762
Cecil Cole	19,734
W. D. Lackey	19,679
W. T. Watson	19,625
Johnnie Wheeler	19,576
R. H. Baker	19,530
James Warren	19,481
F. W. Hall	19,198
Finis Verley Kimbrough	19,120
N. A. Dunlap	19,069
Felix J. Silhan	19,047
R. E. Ethridge	18,909
W. J. Ray	18,731
W. E. Medlock	18,585
Harold C. Toombs	18,548
W. R. Young estate	18,543
Gene Bartley	18,519
C. K. Corbell	18,287
Tobie Hatch	18,250
Robert Hunt	18,169
Arvis Grogan	18,122
Ernest Locker	18,032
Clifford Mardis	17,888
Jim Johnson	17,652
C. P. Price	17,525
R. H. Layton	17,523
Charles L. Bucy	17,388
Glenn Carter	17,110
J. E. Layton	17,035
Virgil Nowell	16,944
Fred W. Beene	16,539
T. W. Newsone	16,430
Roy B. Young	16,406
Kelly Jo Barnett	16,391
Robert Couch	16,382
Horton Griffin	15,993
J. H. Vincent	15,843
Lewis Embry	15,823
Lewis Wayne Shafer	15,789
Bob Byrd	15,605
M. C. Street, Jr	15,532
Garland G. Young	15,439
E. W. Bass	15,387
Dalton L. Redwine	15,383
R. L. Fields	15,322
Billie Marlow	15,292
E. W. Gray	15,252
W. B. Killingsworth	15,237
Tom W. Watson	15,147
Total payees in county (79)	1,498,884

BASTROP COUNTY

Henry Seggern	15,905

BAYLOR COUNTY

Emitt Golden & Co	22,419
John A. Young	20,660
Dannie P. Fancher	15,251
Total payees in county (3)	58,330

BEE COUNTY

James J. Pogue, Jr	22,784
Sam E. Hoff	19,806
Beasley Farms, Inc	18,761
George D. Baker	17,018
Doyle Hair	16,684
Opal B. Elliott	16,244
Wayne E. Mengers	15,704
Total payees in county (7)	127,001

BELL COUNTY

Zed C. Lancaster, Jr	15,777

BORDEN COUNTY

Hubert W. Walker	24,355
Henery Dan Turner	19,104
Harlin D. Williams	18,251
Harold William Ludecke	18,085
Kenneth W. Williams	17,751
Pat N. Hensley	16,832
Oscar Telchik	16,818
Bennie Wendell Edwards	16,085
Burl Belew	15,598
C. C. Nunnally	15,532
Floyd Lester Blagraves	15,099
Total payees in county (11)	193,510

BOWIE COUNTY

Bentley Johnston Farms, Inc	22,461
James Lee Sanders II	19,877
Vinters Eason	19,773
Harold Day	16,529
J. Connor Hart	16,261
Otto Farris	16,133
Joe W. Smith	15,393
Total payees in county (7)	126,427

BRAZORIA COUNTY

Robert Wleczyk	15,972

BRAZOS COUNTY

Peter Pry	24,888
Mike Fazzino	24,390
Tom Rotello	24,009
A. C. Sebesta & Sons	21,799
Leon F. Cash	19,109
Sam N. Fachorn	18,903
John H. Stockton	18,130
Joe Daniel Novosad	16,721
John J. Fazzino	16,198
Bill Scarpinato	15,137
Total payees in county (10)	199,304

BRISCOE COUNTY

Lem Weaver	24,691
Carver Monroe	23,337
H. B. Sissney	22,818
Carroll Garrison	22,402
A. T. Bingham	21,371
L. D. Griffin	21,147
Alvie Francis	20,700
Carl D. Bomar	20,608
Charles Whitfill	20,201
Loyd May	20,188
Carol Stark	20,067
Joe O. Neal	19,798
Louis E. Malone	19,715
B. K. Blankenship	19,405
Norman Caldwell	18,840
D. E. Brunson	18,766
Don H. Brown	18,618
Denver Anderson	17,996
Martin Bean	17,687
W. W. Cheatham	17,623
Datis Martin	17,249
James Ross Alexander	17,029
John T. Francis	16,928
William Long	16,472
Wayne Stephens	16,469
Beryl Long	16,393
Raymond Teeple	16,373
Triangle Farms	16,241
Homer Stephens	16,020
Shafe Weaver	15,962
Pascal Garrison	15,830
W. K. Hulsey	15,807
R. L. Hawkins	15,491
W. E. Schott, Jr	15,456
Max M. Stettner	15,395
Max M. Stettner	15,340
Ross Herrington	15,340
Orlin Stark	15,154
Total payees in county (3)	679,590

BURLESON COUNTY

Frank Scarmardo	24,620
Frank J. Fojt, Jr	24,616
FSD Farm	23,180
Luke Bush	23,033
Luke V. Patranella	20,920
Charlie Contella	20,546
Henry Wagner	20,416
Pete R. Scarmardo	19,100
Eugene Polzer	18,323
Carl P. Scarmardo	18,118
Edmund G. Sebesta	17,438
Tony N. Salvaggio	17.409
Fred Gerke	17,185
Pete Altimore	16,416
B. R. Sebesta	16,222
E. C. Lueckemeyer, Sr	16,136
L. M. Scamardo Estate	16,049
Joe Canatella	15,018
Total payees in county (18)	344,745

BURNET COUNTY

Spencer Jamar	16,875

CALDWELL COUNTY

C. Fleetwood Richards, Jr	23,752
Terrell E. Clark	23,304
Lewis N. Little	20,360
Bruce Bowers	19,913
Vivian M. Ashcraft	17,398
William H. Schroeder, Sr	16,225
Paul W. Griffith	15,861
Louis A. Borchert	15,380
Total payees in county (8)	152,193

CALHOUN COUNTY

T. H. Snider	21,414
Sanders Farms, Inc	21,379
Studer & Lange	20,727
Alton W. Hahn	20,149
Glenn E. McKamey	19,659
J. E. Nunley & Sons	19,456
William H. Hahn	19,410
R. E. Smith	18,727
Alvin A. Hahn	16,469
Kenneth Marek	15,548
Total payees in county (10)	192,938

CALLAHAN COUNTY

Weldon Edwards	16,162

CAMERON COUNTY

McHayden Dillard	24,953
Dougles S. Cantwell & Son	24,923
Jerry Tanamachi	24,714
P. McMurtry & B. O. Taubert	24,511
Edwin W. Caughfield	24,359
Ortiz Bros	24,051
Sams-Porter Corp.	23,775
Loop Farms	23,424
Clifton W. Hansen	23,132
Roy W. Renfrow	22,967

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Texas—Continued

CAMERON COUNTY

Leonard P. Simmons, Jr	22,804
Walt O. Waters	22,719
Howard B. Girault	22,395
Johnny J. Canville	22,290
Ronald E. Waters	22,065
Lloyd G. Brotzman	21,971
Lois C. Bourne	21,861
Jack N. Sutter	21,699
West Bros	21,523
J. A. & Winnie C. Whisenant	21,279
Joe T. Maurin	20,931
Noriega Plantation	20,928
J. E. Bruce	20,800
Lawrence J. Phillipp	20,778
Garvin B. Macomb	20,633
Jan H. Heaton	20,367
Brent Pruden	20,340
Tom S. Tanamachi	20,291
Odell P. Morrow	20,066
Taubert & Johnson	20,051
Jess & Warren Willard	19,941
Carl L. Bauer	19,817
Sam Countiss	19,791
Hugo M. Conklin	19,706
Elliott Roberts Rch., Inc	19,581
Dean Alexander	19,570
Carpenter Bros	19,379
W. H. Thompson	19,336
James L. Youngblood	19,176
Harry H. Azuma	19,143
Gordon B. Morrow	19,112
R. W. Gray	18,979
William H. Bookout	18,934
Eldon Meek	18,763
Thomas North	18,595
Lee R. Farmer	18,591
Edward H. Ostrowski	18,540
Premier Farms Inc	18,410
Wayne A. Collingsworth	18,350
Eugene V. Machen	18,073
Old Colony Tr. Co. Tr	17,910
Robert N. Joines	17,865
Ralph A. Wiede	17,693
Dave D. Morgan	17,687
Clovis D. Echols	17,533
B. W. Dane	17,531
William B. Mobley	17,517
Harvey H. Hensz	17,500
Dorothy P. Woodbury	17,282
M. H. Scaief	17,201
Joe E. McCain	17,111
J. E. & E. A. Eubanks	16,917
F. M. & B. S. Hardin	16,888
Charles Eubanks	16,779
Francis L. Phillipp	16,732
William L. Kloepping	16,626
William T. Steele	16,548
Charles N. Dudley	16,496
W. J. Smith	16,491
Howard D. Lievens	16,425
Stephen F. Phillipp	15,918
Ben F. Gabbert	15,911
Eliseo Ruiz	15,888
Vernon M. Murphy	15,795
Charles E. Cherrington	15,502
Dean Cole	15,425
Clifford G. Norman	15,394
Joe M. Magdalena	15,288
Barr Ewing	15,224
Bailey H. Dunlap, Jr	15,038
Total payees in county (80)	1,546,502

CARSON COUNTY

Fowler Bros. Ptn	24,657
J. T. Broadaway	23,381
Jerry Kotara	22,779
Jerry O'Neal	22,452
T. C. Jackson	21,902
O. D. Smith	21,574
H. O. Lemons	21,562
James L. Stalls	21,496
Aubrey Russell	21,487
Tracey Garner	20,939
Albert Weinheimer	20,752
Jim Bush	20,666
H. C. Knapp	20,517
Harrison Caldwell	20,061
Paul Dauer	19,794
Charles Warminski	19,625
C. D. Chenoweth	19,607
R. J. Kuehler	19,411
Frank Burgin	19,244
Wilfred Bichsel	19,238
Glenn Pratt	19,064
R. J. Britten	18,930
Raymond Blodgett	18,801
Agnes Howe	18,746
R. W. Adams	18,528
Walter Dittberner	18,148
Arnold Urbanczyk	18,060
O. M. Spurlock	17,609
B. I. Burgin	17,125
C. L. Culver	17,069
Raymond Biggs	16,726
J. P. Calliham	16,703
Wescoat & Hood Ptn	16,544
Douglas Smith	16,231
C. J. Kuehler	15,903
Lusk Lusk Robinson Ptn	15,890
Kermit Lawson	15,880
George Eller	15,822
Melvin Wagner	15,644
F. E. Evans	15,617
John R. O'Keefe	15,424
R. L. Medlin	15,379
Raymond Britten	15,169
Total payees in county (43)	810,156

CASTRO COUNTY

Roberts Bros., Ptnshp	24,950
Carl Jones	24,811
Cecil Hart	24,704
Burley L. Kent	24,681
Calvin Petty	24,678
Paul T. Brooks	24,382
J. M. Young	24,011
John H. Schacher	24,010
Luke Miller	23,958
Ulys Davis	23,715
James Bradford	23,644
Richmond J. Payne	23,560
Spicer Gripp	23,431
Charles Nutt	23,090
Hubert Edwards	23,054
Claude Hutcherson	22,945
Johnny K. Martin	22,930
E. W. Foster	22,826
E. R. Little	22,821
W. J. Martin	22,617
Roy F. Taack	22,568
Jerry Watts	22,476
Billy Lytal	22,399
G. E. McFarland	22,369
Glenn Merritt	22,277
Herman B. Rose	22,257
J. M. Snyder	22,229
Luke McGuire	22,188
S. R. Hutto	22,095
A. G. Jarvis	21,741
Bransgrove Bros	21,607
Don Magness	21,567
T. G. McKinney	21,509
Glenn Odom	21,408
Doyle McFerrin	21,329
A. H. Cook	21,262
Ray Schulte	21,259
William Summers	21,112
J. F. Clark	21,051
Cleo I. Connell	21,027
Dale Maxwell	20,995
Richard Lupton	20,858
Jess Willard	20,774
Elbert J. Summers	20,702
Clark Andrews	20,546
Dale Carmichael	20,540
Leroy Edwards	20,218
George L. Olson	20,141
Roy Cluck	20,058
Houston Lust	20,012
Bennett Bros. Farms	19,961
Larry W. Hausmann	19,864
Robert Huseman	19,853
Ray Joe Riley	19,765
Rex Wooten	19,543
G. H. Book	19,519
Melvin Walter & Son	19,353
Geo. A. Bagwell	19,317
L. V. Cole	19,243
D. A. Bass	19,174
Walter H. Schilling	19,111
Emmett Myers	19,107
Guy Walser	19,033
J. L. Hrabal	19,026
Moore Farms	19,002
Raybern Ott	18,977
William E. Sutton	18,926
James L. Mann	18,687
Fred Popejoy	18,668
R. B. Haydon Estate	18,633
E. F. Vogler	18,622
W. C. Malone	18,549
Billy Snider	18,527
Orbie Armstrong	18,507
Gerald Allcorn	18,464
F. J. Mears, Jr	18,347
E. P. Grossman	18,302
Freddie Hamilton	18,222
Kenneth P. Hamilton	18,173
Jesse H. Johnson Estate	18,122
Roy Meacham	17,972
Clayton Graef	17,957
H. A. Cooper	17,824
Clyde Hoelting	17,717
Glyn Reed	17,690
Ronnie Farris	17,453
Arnold F. Brockman	17,431
E. M. Green	17,412
Roy Botkin	17,388
A. J. Kemp, Jr	17,381
Cleve McLain	17,306
Loyd Glidewell	17,282
Charles Rickerd	17,222
J. E. Warrick	17,174
J. R. Matthews	17,152
Ronnie C. Johnson	17,144
Paul W. Armstrong, Jr	17,042
Frank Huckert	17,001
Bob Anthony	16,953
Worth Jones	16,933
A. T. Morgan	16,889
Hawkins Partnership	16,886
Tracy Angeley	16,833
Lon C. Boothe	16,815
Dick Reinhardt	16,791
Preston Upshaw	16,572
Doyle Davis	16,532
Brooks & Brooks	16,474
Joe Percy Hart	16,419
Sam McGill	16,372
Austin Mobley	16,354
T. V. & Bobby Murrell	16,334
J. M. Kendrick	16,330
Fred Annen	16,325
Paul Venhaus	16,307
J. W. Crafton, Sr	16,259
Cartwright & Thurmond	16,179
Calvin Lippard	16,178
W. G. Sanderson	16,170
Dale Winders	16,076
Leonard Wilhelm	16,050
Walter Via	16,047
Tommy Stanton	16,005
Trellis Summers	15,989
D. L. Thomason	15,934
H. D. Robbins	15,842
Billie Cluck	15,757
George Elder	15,659
H. J. Clark	15,657
Ray Howell	15,562
L. M. Blanton	15,533
Curt Glenn	15,472
Alfred Dutton	15,462
Jesse Wooten	15,381
Bob Kay	15,370
Dennis Williams	15,370
Richmond Hales	15,335
Ben Kennedy	15,335
Paul R. Barron	15,308
Forrest Vise	15,279
Larry Gamblin	15,261
Ray & Jack Robertson	15,217
Elson Rose	15,167
Cecil Crum	15,161
Frye Associates	15,126

Jay P. Boston	15,102
Ernest Sammann	15,077
Richard Hunter	15,050
Total payees in county (148)	2,794,026

CHILDRESS COUNTY

Kenneth Ellis	23,319
Delbert Seal	23,019
Lake A. Sachse	22,316
Vera Renfro	20,733
Lilburn F. Cox	19,991
John Sherman	19,922
Walter I. Lambert	19,638
Virgil Patterson	18,226
Hillside Farms, Inc	17,955
B. P. Henderson	17,884
Bill J. Duke	17,738
Dean Decker	17,188
James L. Helm	17,007
Garland Collins	17,004
H. R. Mayhugh	16,690
Troy Boykin	16,019
George Helm	15,998
Leonard King, Jr	15,796
Claude Andrews	15,536
Ralph Sides	15,260
L. Roy Widener	15,177
Donald Ray Crook	15,001
Total payees in county (22)	397,417

CLAY COUNTY

P. P. Langford, Jr	18,844
Hammon Properties	18,810
Total payees in county (2)	36,854

COCHRAN COUNTY

J. D. Merritt	24,961
James and Edward Dewbre	24,246
W. L. Foust	24,125
Herbert Greener	23,633
J. B. Nicewarner	23,527
Howard Scoggins	23,167
Owen Egger	22,715
Roy B. Davis	22,556
Eugene Vanstory	22,433
Charles Cumpton	22,107
T. T. Smith	21,953
J. L. Schooler	21,346
H. A. Lamb, Jr	20,354
George G. Williams	20,339
Ben Kuehler	20,078
Leo P. Cunningham	19,706
B. E. Sutton	19,606
Wm. T. Zuber	19,572
Hub Cadenhead	19,418
R. Z. Dewbre	19,252
W. P. Houston	19,116
Don L. Samford	19,104
Glynn Price	18,936
R. J. Merritt	18,857
Weldon Newsom	18,828
David Newsom	18,822
Joe Newsom	18,822
T. M. Tanner	18,809
Robert Greener	18,324
Floyd A. Rowland	18,252
V. L. Cade	18,233
E. L. Brownlow	17,460
Omar Sims	17,453
Merlin Roberts	17,268
Buddy Greener	17,253
Ken Wesley	17,178
J. A. Mullinax	16,577
O. L. Lewis	16,470
Bill Foust	16,459
Ralph Burt	16,418
J. P. Powell	16,317
Elwood Harris	16,290
Don Lynskey	16,107
Grady Best	16,013
Everett Nichols	15,796
Leonard Gainer	15,715
Dalton J. Hodnett	15,502
Tom Silhan	15,463
Morton J. Smith, Jr	15,431
Mrs. R. B. Chandler	15,346
R. B. Chandler	15,346
Marvin Lasater	15,290
Raymond L. Lewis	15,180
G. O. Lyon	15,152
E. D. Richardson	15,118
G. D. Lewis	15,057
Total payees in county (56)	1,042,856

COLLINGSWORTH COUNTY

Wilbur DePauw	24,162
John E. Forbis	23,353
Elvis D. Crawley	23,176
Lewis A. Morris	22,873
William R. Ward	22,469
Helen L. Oldham	20,053
P. J. White	19,694
Fred Covey	19,609
John Coffee	19,268
P. P. Fielding	18,570
William L. Orear	18,431
Drury C. Lacy	17,811
Tommy J. Lewis	17,741
L. E. Ward	17,550
Zook Thomas	17,511
Rudolph Tate	17,468
W. C. Barnett	17,356
Garland O. Hightower	17,025
Hugh A. Painter	16,771
Bill Janes	16,543
J. I. Morgan	16,022
Total payees in county (21)	403,456

COLLIN COUNTY

Joe Doyle	22,490
John D. & Wm. H. Wells	22,175
Dwight D. Crigger	21,645
Edward R. Donihoo	21,517
Jerry David Dodson	18,939
Thomas J. Glendenning	17,374
Royce E. Aycock	17,191
Billy Joe Donihoo	17,145
J. T. Johnson	15,883
William O. Ramsey	15,537
Total payees in county (10)	189,896

COLORADO COUNTY

Vasut Bros	16,268

CONCHO COUNTY

Monroe P. Dierschke	16,080
N. H. & V. C. Whitworth	15,658
Total payees in county (2)	31,738

CORYELL COUNTY

Bobby Latham	21,420

COTTLE COUNTY

Maggie B. & Irless Brook	24,133
J. T. Martin	23,696
James Sweeney	23,496
Don Bros	21,800
Loyd Mayes	20,828
R. C. Martin	20,444
Suttle W. Majors	19,317
G. R. Tippen	19,073
Earl & Glen Bates	18,938
Lester Moss	16,775
Welton Fields	16,634
H. W. Matney	16,323
Homer Biddy	16,241
Edward L. Beck	15,339
D. D. Chewning	15,300
Total payees in county (15)	288,342

CROSBY COUNTY

Curtis M. Wheeler	24,885
Claude Collins	24,683
H. P. Gregory	24,449
Robert H. Perkins	24,373
T. B. Edwards	24,273
R. P. Kirkendall	23,944
Billy Simpson	23,940
W. C. McDuff	23,917
Herschel A. Roye	23,889
Jimmie W. Thornton	23,710
George Cunningham	23,696
James K. Edinburgh	23,446
Harold Moore	23,410
Tommy McGee	23,267
Olin Bryant	22,944
Amon W. Proctor	22,881
Morris H. Wideman	22,833
R. Weldon Jones	22,799
Walter M. Wood	22,661
Noble, Hunsucker, Jr	22,640
Vance Cypert	22,631
James M. Chote	22,539
Arvil Campbell	22,399
John H. Moore	22,110
Wilson & Gray	21,958
John Himmel	21,840
Mack Harmon	21,801
J. B. Marshall	21,631
Harold Trull	21,620
Howell L. Martin	21,410
Fullingim Brothers	21,079
Elmer S. Wells	20,945
H. M. Reed, Jr	20,896
Odell Heathington	20,868
D. B. Ellison	20,712
Grady Evans	20,643
Ramon Johnston	20,575
Ruth S. Blake Est	20,572
B. L. Anderson, Jr	20,552
Howard Harris	20,541
T. G. Hendrick	20,446
Dupre Partnership	20,388
Elnaree Southward	20,379
Charlie Wheeler	20,337
Wright L. Carlisle	20,309
Eddie W. Verett	20,292
J. M. Kirksey, Jr	20,012
Edmond C. Crump	19,996
Harold Wilson	19,976
T. Willard Moses	19,955
Thorne Wilmeth	19,930
Ernest L. Harris	19,867
J. W. Payne	19,824
L. A. Cox	19,669
Clester L. Griffin	19,655
Billy Bounds	19,308
Loyd E. Fowler	19,280
Homer W. Ellison	19,173
Lester Johnson	19,076
Alvin C. Morrison	19,027
Mark Anthony	19,017
Clarence Denson	18,988
Samuel G. Appling	18,902
Billy B. Wright	18,837
Bobby D. Harris	18,810
David Judith Joanne Prewitt	18,649
Loie Ellison	18,631
Danny McDuff	18,608
A. W. Marshall	18,509
Boney Winkler	18,474
Vernon O. Roye	18,454
Billy Higginbotham	18,393
Lewis Ritchey	18,353
Robt. & G. Fullingim Partnership	18,268
George U. Griffin	18,263
Martin & Mimms Forms	18,218
Marwin Brakebill	18,165
Joe D. Rankin	18,158
Garland Jones	18,132
W. H. Ratheal	18,042
George W. Carter	18,001
B. H. Wheeless	17,989
Alfred Martin	17,872
Cornelius & Son	17,783
Billy Joe Boyd	17,757
W. W. Anthony	17,703
Cap McNeill	17,662
Benny J. Poulson	17,514
Bill Lyle	17,491
W. B. Allen	17,369
W. Russel McCurdy	17,327
Melvin Powell	17,314
A. R. Brakebill	17,311
W. F. Sellers	17,245
Woodrow W. Robertson	17,205
Elvis Marley	17,165
Johnnie P. Wallace	17,146
Dopglas K. Stevens	16,980
Robert Chapman	16,936

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Texas—Continued

CROSBY COUNTY—continued

Jack Flowers	16,884
Alfred B. Clark	16,868
B. Harl Cypert	16,617
Jackie—Jerry Robertson	16,609
Leonard L. Stephens	16,507
Clay Kimbrough, Jr	16,415
Silas T. Wheeler	16,348
J. L. Cornwell	16,338
Charles E. Green, Jr	16,212
Raymond K. Ralls	16,154
Fullingim Partnership	16,114
T. A. Rainwater	16,058
Anthony Latta	16,048
Uel L. Arhur	15,996
Boyce A. Bryan	15,930
Jerrell Greer	15,904
Jasper A. Cornelius	15,705
Leon Keene	15,576
Richard V. Pratt	15,547
P. A. & G. L. Abell	15,336
H. G. Joiner	15,283
A. J. Cowley	15,272
Kelly Ferguson	15,256
W. H. Leatherwood & Son	15,211
Dan F. James	15,173
Marvin L. Pair	15,095
C. R. Smith, Jr	15,083
Ben F. Brakebill	15,009
Total payees in county (127)	2,442,960

CULBERSON COUNTY

Ted Brewster	20,606
D. H. Brewster	19,298
George Turner	19,162
D. E. Conoly	19,081
Ryon St. Clair	16,605
Dick Guest	15,826
C. W. Ivey	15,072
Total payees in county (7)	125,652

DALLAM COUNTY

Carl E. French	24,851
Lewis Sharp	24,822
Frank Hamilton	24,241
Jim Clements	24,238
Fountain Angel	24,174
Everett F. Dryden	23,941
Carl W. Miller	23,861
Leo Meek	23,478
Elias N. Crabtree	23,314
Bill R. Brewster	23,199
Elmer R. McNabb	23,099
Louie V. Baker	22,851
E. G. Schuhart II	22,673
Jay Byrd	22,614
Marion B. Byrd	22,613
C. G. Warren	22,444
Roland M. Reeves	22,127
Grover Swift	21,806
Willie Belle Pounds	21,603
Jody Bezner	21,551
Allen B. Smith	21,445
Lowell B. Winsor	21,317
Darling Farms, Inc	21,218
Fred O. Presley	21,096
Kenneth Dowdy	21,009
Taylor & Taylor Ptnp	20,844
Sam Heiskell	20,839
Herb G. Perry	20,636
Thomas G. Warden	20,600
Lyall G. Murdock	20,535
John H. Burnett	20,446
Jesse Davis	20,246
John Nix	20,168
Calvin Gillespie	20,098
Curtis D. Jones	20,058
Robert E. Enns	19,800
Homer L. Steen	19,489
Charles Card	19,475
Archie C. Cleavinger	19,400
Russell Porter	19,216
Fred McDaniel	19,098
Floyd H. Richards	19,096
Plumb/Plumb	19,040
Calvin F. Elms	19,007
Charles Durr	18,863
Donnie D. Stewart	18,822
Pronger/Broyles	18,719
Joe M. Scott, Jr	18,555
N. E. Faver	18,096
Gail McDaniel	18,030
Oda D. Newman	17,878
John C. Dye	17,848
Kenneth Knight	17,706
Kenneth Smith	17,611
Gibson/Owen Ptnp	17,453
Norman O. Steen	17,313
Arendo A. McDougald	17,296
Brack J. Wiggins	16,569
Roy L. Davis	16,535
Wendell G. Porter	16,234
James W. Flores	16,207
Newt James	16,077
Hugh E. Barber	16,051
Kenneth Diller	16,034
William O. Crismon	15,939
A. B. Robertson	15,936
Cecil A. Bleiker	15,864
Charles V. Coulter	15,438
Warren C. Evans	15,238
Ernest D. Sheets	15,169
Alexander & Alexander, Inc	15,052
Jerry C. Turner	15,046
Fred D. Kelley	15,023
Total payees in county (73)	1,434,278

DALLAS COUNTY

Billy C. Beach	23,493
Reagen Glenn	20,089
R. V. Luther	19,908
Clarence Bentley et al	18,270
John David Smith	17,910
John W. Rorie	17,816
Geo. F. Willis	17,422
John R. & A. David Marshall	16,608
Total payees in county (8)	151,516

DAWSON COUNTY

Edwin Rinewalt	24,677
Ela Morris	24,616
Ray Allen Noret	24,597
Cecil O'Brien	24,506
Roy E. Bearden	24,332
Landon Peters, Jr	24,253
Raymond G. Roberts	24,168
Norman Wayne Brown	24,163
Willard H. Free	23,550
Billy Roy Truit	23,488
G. C. Clifft, Jr	23,064
James David McGrew	23,406
Richard Woodward	23,319
Raymond Orson	23,085
G. C. Clifft, Jr	23,064
Lloyd Mears	22,977
W. L. Gilliam	22,786
Eddie Carpenter	22,558
Ronald Raney	22,541
J. R. Weaver Estate	22,376
Lyndall Sharp	22,018
Okyleen Addison	21,889
Bill Mears	21,696
Darus Sumrow	21,483
Edwin Thomas	21,338
Billy Miers	21,333
Bill Barnes	21,275
Jack R. Felts	21,155
Dan Harp	21,144
C. M. Pearce	21,029
Robert C. Koger	20,984
Donald Wayne Merrill	20,969
Dopson Farms	20,940
A. C. Hodges	20,791
Gonzell Hogg	20,776
Jack Wolford	20,674
John Middleton, Jr	20,431
Joe O'Brien	20,425
Bernice Beeman	20,213
Ted Turner	20,210
Jeff D. Raney	20,178
Jack Warren	20,017
H. R. Jeter	19,980
R. H. Stricklin, Jr	19,637
L. D. Echols	19,540
N. W. Weeks	19,492
Leland Harold Bartlett	19,485
Lowell T. Warren	19,456
Carl Barrow	19,278
Broyles Lamesa Farms, Inc	19,223
Jerry Kelley	18,932
Arlis Cline	18,919
F. A. Youngblood	18,900
V. O. Barron	18,887
Gus White, Jr	18,861
Ray Barringer	18,708
J. P. Senter	18,649
Arvis D. Woodul	18,591
Jerry Napper	18,538
R. C. Anderson	18,292
Troy Howard	18,288
W. Lee Harris	18,273
Henry F. Vogler	18,205
Harvey Hanson	18,132
Erwin Gilliam	18,070
Homer Hardberger	17,801
James H. Addison	17,719
Thomas H. Horton	17,572
R. L. Riker	17,566
W. R. Cox	17,402
Hershell Edwin Raines	17,302
Billy D. Roberts	17,297
A. E. Hale	17,204
Pat Childress	17,085
W. T. Snellgrove	17,027
Allen Vandivere	16,979
Jerry D. Harris	16,923
Doylee Ferguson	16,824
Dewey R. Drennan	16,698
D. O. Huddleston	16,693
Emfinger and Son	16,654
Conley Esmond	16,495
J. E. Airhart	16,441
J. T. OBrien	16,414
Donald Airhart	16,413
J. E. Bartlett	16,347
E. A. Truitt	16,240
Louie Drennan	16,226
B. R. Clark	16,207
F. M. Trammell	16,180
Orvis F. Davis	16,130
Effie L. Boatright	16,089
Arit Davison	16,055
W. M. Yates Estate	16,013
Marshall F. Cohorn	15,984
Boyd Echols	15,944
Kenneth Miers	15,907
Donald Holt	15,886
Grey Cook	15,801
Olen Norris	15,743
George Lopez	15,735
Robert C. Hoffman	15,475
Spurgeon C. Motley, Jr	15,461
Don H. Peterson	15,458
W. H. Moore	15,368
William A. Cook	15,305
Cecil T. Jones	15,291
Troy Burdett	15,260
W. C. Taylor	15,192
Bob Miller	15,154
Bobby G. Mitchell	15,116
B. B. Vestal	15,023
Total payees in county (112)	2,132,305

DEAF SMITH COUNTY

Wilhelmina Wimberley	24,874
W. Ralph Hastings	24,810
Wayne Richardson	24,653
Denzil Pulliam	24,630
L. B. Worthan	24,566
Joe Frank Huckert	24,540
G. V. Cassitty	24,246
Leland Burns	24,225
Bruce W. Burney	24,150
Silas G. Wilson	24,125
Claud W. Ayres	24,095

O. W. Harrison	24,023
Glenn D. Welch	23,988
Robert Lloyd	23,933
Estis T. Bass	23,781
Howe & Finley	23,668
R. W. Hairgrove	23,648
Bruce Coleman	23,535
George W. Ritter	23,525
Jerome Friemel	23,495
Roman J Friemel	23,490
W. Q. Duggan	23,456
C. G. Howell	23,394
Strain Farm	23,270
Noble C. Howard	23,082
Royce Cretsinger	23,081
Brown Bros	23,078
Labry E. Ballard	23,072
Roger H. Brumley Est	22,988
W. P. Dutton	22,948
David Downey	22,881
Flat Acre Farm	22,614
Bernard Hartman	22,598
C. M. Phipps	22,569
Charles Long	22,362
J. M Booth, Jr	22,272
Lewis C. Beckman	22,214
James Paetzold	22,067
Arthur B. Kent	21,918
Hugo Kinkler	21,828
R. T & H. R. Stewart	21,697
A. F. Marnell	21,696
R. A. Crist	21,675
C. P. Worthan	21,662
Ernest Flood	21,618
Henry Brorman	21,486
C. F. Homfeld	21,451
Ernest McGee	21,374
Laverne Schenk	20,947
Richard Fortenberry	20,924
Wendell Clark	20,731
Earl Holt	20,508
Roy C. Clements	20,502
Roy and Richard Kuper	20,480
R. B. Latham, Jr	20,411
Larry Harris	20,361
Lawrence Strafuss	20,164
Richard Sims	20,132
Cart T. Wimberley	20,043
Walter H. Andrews	19,880
F. L. Eicke	19,867
Hubert L. Turner	19,853
Jerry R. Landers	19,690
Edgar Vinson	19,664
Edgar Telchik	19,591
Shugart & Keller	19,429
Clarence L. McBroom	19,211
Walterscheid Bros	19,210
E. K. Pinnell Est	19,198
J. T. Holcomb	19,141
W. J. Schumacher	19,066
Mike Betzen	19,044
Raymond Schlabs	19,023
Elmer F. Reinart	19,007
C. W. Sanders	18,949
Paul Zinser	18,878
R. G. Lynch, Jr	18,833
J. D. Whitaker	18,815
Jimmy Cornelius	18,690
Robert M. Hicks	18,524
Ernest Walden, Jr	18,508
Frank P. Cornett	18,441
Corella Z. Di Fede	18,376
Horace Betts	18,374
Eugane Plank	18,371
Stan Metcalf	18,247
George Mode	18,234
B. T. Archley	18,226
Tom Draper	18,200
Willard H. Jones	18,160
Arnold P. Betzen	18,083
Jack R. & Mary J. Vincent	17,947
Harold Martin	17,933
Don Ed Middleton	17,908
Jesse F. Matthews	17,856
Conrad P. Urbanczyk	17,658
Norman Gray	17,603
Siegfried Bolte	17,428
Billy B. Moore	17,405
E. R. Williams	17,389
Austin C. Rose, Jr	17,302
Richard E. Friemel	17,275
H. D. Fowler	17,221
Denson Trust	17,130
James & Herman Hund	17,059
Chet W. Williams	17,008
A. S. Kelly	16,898
William Keith Kromer	16,880
Maurice C. Dorward	16,758
Jim Perrin	16,666
J. Raymond Flores	16,648
J. M. McCasland	16,572
Thomas E. Braddy	16,522
Eldon Cassetty	16,422
J. Y. Childress	16,397
George A. Paschel	16,237
Clarence A. Betzen	16,197
Swinbrook Farms	16,123
A. R. Latham	16,121
Terrell Hodges	16,107
Andrew Kershen	16,093
R. E. Battles	16,078
T. L. Sparkman, Jr	16,065
Lee A. Wagner	15,965
Raymond Higginbotham	15,907
Joe Ruther	15,889
Francis W. Hill	15,882
R. E. Lance, Jr	15,827
Joe Brorman	15,691
M. H. Havs, Jr	15,536
A. L. Hollingsworth	15,518
Goe K. Muse	15,462
Hoyt L. Smith	15,446
Edwin Axe	15,425
J. F. Ford, Jr	15,374
Marcel Fischbacher	15,369
Richard C. Jowell	15,355
Delmar Sigle	15,341
Thompson & Winder	15,303
Lewis L. Smith	15,294
M. R. Latham	15,291
Roddy Allred	15,279
R. B. Glenn Est	15,173
El B. Ranch	15,167
Judge Garrett	15,109
Albert Lamb	15,106
Harry Fuqua	15,056
W. W. Thomas	15,000
Total payees in county (148)	2,867,008

DELTA COUNTY

Garland K. Cregg	23,189
Boyce S. Bailey	19,695
Emmett E. Thomas	17,884
R. W. Smith	16,858
Total payees in county (4)	77,626

DENTON COUNTY

Donald Shifflett	20,827
William Stanley Dozier	19,460
Bert Fields, Jr	19,399
Total payees in county (3)	59,686

DICKENS COUNTY

Kain Cattle Co	22,717
Dovie Smith	22,603
Hickman Bros	20,430
Earl Van Meter	20,353
J. P. Hale	18,572
Harris Bros	18,418
Lula L. Hagins	17,338
R. B. Walsworth	16,800
Mickel Blackwell	15,905
R. G. Bostic	15,726
Weldon Key	15,486
Frank Ragland	15,312
Total payees in county (12)	219,660

DIMMIT COUNTY

Mask Oil Co	16,909

DONLEY COUNTY

Wm. O. Mooring	22,573
Warren Hardin	20,582
Harold L. White	18,087
Earnest W. Barbee	17,692
Lawrence Audrey Watson	17,415
Jimmy Lee Butler	16,676
Guy N. Sibley	15,722
Lacy M. Noble	15,296
John Leo Smith	15,142
Harice A. Green	15,137
Total payees in county (10)	174,322

EL PASO COUNTY

Willard L. Deerman	24,943
Mary Segulia Trust	24,919
E. Winford Rushing	24,837
Bills Farms, Inc	24,733
Brandes-Ramsey, Inc	24,631
S. R. Davis	24,429
Jim Surratt Farms	23,884
John Macguire	22,854
Lester Millican	22,408
L. P. Shafer	22,139
Greenwood, Inc	21,155
Sierra Vista Farms	20,017
John Marchbanks, Jr	19,707
Gene Strachan	19,516
Bounty Harvest, Inc	19,408
Robert Varela	18,913
R. L. Skov-Sons	18,695
W. T. Henderson Estate	18,676
George Lutich	18,568
A. L. Carr	18,309
James Ivey	18,224
Charles Ivey	17,828
C. S. & S	17,603
Sam B. Vancleave	17,108
River Bend Farms	16,861
W. D. Surratt	16,024
Conway & Son	15,854
Louis Burris	15,734
L–S Farms, Inc	15,431
Samuel V. Orr	15,141
A. R. Miller, Jr	15,129
L. R. Jacobs	15,072
Sharp Farms	15,036
Kermit R. Williams	15,036
Total payees in county (34)	658,822

ELLIS COUNTY

C. C. Witherspoon	24,472
Phillip N. Jeffers	24,167
Ocie Ray Gerron	23,497
James H. Pruitt	23,243
Bozek Farm	21,871
G. W. James	21,340
C. H. Shrader, Jr	20,089
D. W. Betts	19,444
F. M. Roberts	18,743
Janie Barron	18,642
H. V. Lowry	18,179
Marvin Borders	17,944
Johnnie F. Allen	17,596
William C. Newton	17,565
Y. Barron Est	16,968
Doyle Reddell	16,216
Carey Hitt	16,142
Alton Adams	16,026
Bob Crittenden	15,956
Donald L. Patman	15,822
Jack Harris	15,574
George F. Hejny	15,437
Roger Harper	15,513
Billy Joe Oglesby	15,438
C. T. James	15,175
Total payees in county (25)	461,159

FALLS COUNTY

Nick Roppolo	24,023
Werner Fuchs	23,401
Billy Pat Bostick	23,371
H. H. Perkins	22,809

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Texas—Continued

FALLS COUNTY—continued

Felix Steinke	22,780
Tony Abate	21,103
Lillian DeGraffenried, Estate	20,430
A. J. Falco	20,085
Ellis Cattle Co	19,984
Phillip Musia	18,227
Pat Margoitta	17,648
A. T. Garrett	16,347
Ben Pomykal	16,047
Marvin Mills	15,458
Annie M. Palasota	15,184
Total payees in county (15)	296,897

FANNIN COUNTY

R. Shelton, Sr. & R. Shelton, Jr	24,148
Ralph Howell	21,257
B. W. Mathews	20,805
Jack P. Farley	20,756
James T. Smith	18,225
Anse J. Babers	16,683
Jerry L. Davis	15,362
Manuel G. Neeley	15,059
Total payees in county (8)	152,295

FAYETTE COUNTY

William F. Rheman	22,762
Johnnie R. Naiser	17,913
Milton Joost	16,162
Total payees in county (3)	56,837

FISHER COUNTY

Willingham Land Cattle	23,182
R. E. McKimmey	22,509
Kermit L. Terry	19,948
Wiley J. Harvey, Jr	19,859
Allan Eugene Terry	19,174
Thurman Terry	18,794
Gerald Kent	18,563
Jack Morton	18,336
Vernon Terry	17,897
B. S. Wright	17,827
John C. Bryant	17,596
Wendel Kent	17,260
Preston Morrow	17,259
Richard Posey	16,928
J. C. Sheffield	16,781
Lois B. Cauble	16,236
Mike Terry	16,221
Jim Rowland	16,175
Raymond Cochran	16,020
B. E. Alldredge	15,742
Afra Eugene Hudnall	15,698
V. C. Murphree	15,682
Odell Rains	15,618
Max O. Stuart	15,473
Frank K. Mitchell	15,422
Kiefer C. Cauble	15,098
Faye Ray	15,043
Total payees in county (27)	470,341

FLOYD COUNTY

Milton Harrison	24,828
William R. Daniel	24,796
Hubert E. Frizzell	24,662
Mary Beth Kropp	24,362
Bryan Smith	24,326
A. V. Bethel	24,126
Barney Manning	24,066
V. H. Kellison	23,822
Harold Norrell	23,799
Thomas H. Chatham	23,567
Garvin Beedy	23,548
L. D. Smith, Jr	23,526
Lonnie Hinsley	23,524
Dale Widener	23,433
Harry E. Blenden	23,087
Wiley Nance, Jr	22,932
Dorsey Baker	22,726
Bobby McCormick	22,576
George D. Probasco	22,480
Elmer B. Jackson	22,412
Ted Reid	22,335
Wilfred H. Stoener	22,240
B. P. Sandefur	22,127
C. T. Hammonds	22,059
Shelby Calahan	21,874
Harry Reeves	21,751
Eugene Beedy	21,706
Billy Hinkle	21,572
Greer Christian	21,531
Robert Lee Daniels	21,449
R. C. Kellison	21,397
C. W. Jones	21,393
Clark J. Harris	21,355
Ralph R. Ray	21,322
Ralph Johnston	21,255
Ned J. Bradley	21,053
Keith Billington	21,027
Harold Woodson	21,010
Kenneth Edwards	20,900
J. W. Day, Jr	20,867
Joe Cunyus	20,844
William E. Brown, Jr	20,773
Norman Smith	20,729
C. Joe Taylor	20,722
Robert W. Reeves	20,385
Bob Lane	20,358
Floyd J. Ellison	20,214
E. J. Kinslow	20,170
C. N. Walding	20,137
Wendell W. McLaughlin	20,109
Sandhill Farm	20,100
W. D. Mount	20,081
Aaron Carthel	19,960
Vera Jackson & Keith Jackson	19,919
W. Leslie Ferguson	19,915
Millard H. Watson	19,875
Jerry Don Battey	19,786
Raymond Reeves	19,785
Dale Jones	19,759
William F. Bertrand	19,668
B. B. Wilkes	19,625
Patty Jo Wilkes	19,619
Lesley L. Wilkes	19,619
Roy L. Hale	19,545
J. D. King	19,540
Edd Muncy	19,500
Verner Hodel	19,427
Bennie R. Case	19,395
A. C. Pratt	19,387
Clyde Baxter	19,357
Edward J. Foster, Jr	19,335
Gerald Ford	19,316
Henry Mitchell	19,299
Austin B. Meriwether	19,254
Boyce Mosley	19,244
W. A. Massie	19,230
John B. Steele	19,206
Gail Wilson	19,165
S. C. Burleson	19,154
Gene Hopper	19,151
Roy L. Fawver	19,105
Abb T. Moore	19,086
Loyse A. Bradshaw	19,014
Pat Frizzell	18,950
Johnny Lloyd	18,922
Frank A. Weigel	18,879
Albert Scheele	18,874
L. R. McCormick	18,865
Paul Wheeler	18,856
Mars Ratliff	18,839
F. L. Montandon, Jr	18,826
Willis & Don Apple	18,816
Fred C. Cates	18,732
Wayne Thorpe	18,662
Eugene Tannahill	18,634
Adrain Helms	18,514
L. M. Wartes	18,377
L. T. Dycus	18,339
Weldon Becker	18,320
William J. Lee	18,126
Albert Jones	18,014
Garland Cox	18,012
George F. Weast	17,802
Dan Hagood	17,790
M. A. Ulmer	17,782
Chester Dale West	17,771
Jakey Younger	17,749
R. L. Neff, Inc	17,712
E. J. Foster	17,533
Harmon Handley	17,485
Gus and Fred Hammonds	17,357
Eastham & Rainwater	17,322
Kendall Cummings	17,303
Alton E. Barnes	17,255
C. L. Gilly	17,216
O. R. Moore	17,174
Durward Jack	17,119
Paul Schacht	17,110
W. L. Davis	17,007
H. B. Johnson	16,927
Mel J. Boggus	16,896
Paul Cooper	16,857
Melvin Lloyd	16,704
Ray I. Cook	16,700
Bernie Parkey	16,662
Ray Lloyd	16,654
Fred Cardinal	16,567
William H. Smith	16,561
E. E. Wells	16,383
J. T. Terrell	16,365
Icie Snead Tr	16,343
R. E. Young	16,114
Milton Edward Shore	16,078
O. D. Tarpley	16,035
Campbell Farm Acc	15,941
Chester Carthel	15,925
Sterling K. Cummings	15,898
L. D. Simpson	15,846
Owen Thornton	15,736
L. C. Pruitt	15,684
Cecil Baxter	15,638
H. E. Seago	15,624
C. O. Lyles	15,606
Kenneth R. Wofford	51,605
Vance Campbell	15,585
Audry McCormick	15,578
D. L. Miller	15,534
W. B. Cates	15,429
Lee W. Burton	15,423
Byran Karr	15,392
Charlie M. Perry	15,340
Jim Simpson	15,338
Floyd Anderson	15,337
C. B. Hartsell	15,336
Bill O. McNeill	15,254
J. O. Elliott	15,182
Grigsby Milton	15,163
Jack Stansell	15,104
Floyd W. Jackson	15,007
Roy Crawford	15,006
Total payees in county (160)	3,051,084

FOARD COUNTY

Kenneth Halbert	17,762
Dwight Campbell	17,655
Carroll Bros	17,628
James G. Johnson	16,515
Grady Halbert	15,229
Total payees in county (5)	84,789

FORT BEND COUNTY

Tilford G. Sulak	23,935
Mulle Bros	21,540
Otto H. Schulz	20,678
Eppolito & Cantello	19,772
Werlla Bros	19,334
Adolph Horelica & Sons	18,027
Arno G. Schultz & Sons	17,864
Max Mahlmann	17,669
Gerald W. Miller	17,356
Frank E. Kunz	16,579
Arthur Lee Stern	16,519
Wessendorff Cattle Co	15,454
Alvin Kettler	15,396
Total payees in county (13)	240,123

FRIO COUNTY

W. E. Stacy & Sons	24, 170
Gene Proctor, Inc	21, 523
Valley Products, Inc	18, 953
Leona Farms	17, 697
J. C. Thompson	16, 230
Beever Farms, Inc	15, 872
Total payees in county (6)	114, 445

GAINES COUNTY

W. A. Freeman, Sr	24, 986
L. D. Smith	24, 859
Luther D. Cope	24, 381
W. V. Lasiter	24, 240
Floyd Oliver	24, 235
J. C. Chaffin	23, 937
Eddie Jameson	23, 839
Kenneth Young	23, 806
A. P. McGuire	23, 650
E. C. Harvey	23, 568
Alvin Keith Forbis	23, 560
E. F. Foshee	23, 556
Weyland R. Mullins	23, 442
R. B. Askew	23, 085
George Washington Jones	23, 079
Nix and Norman	22, 720
Luther Lee	22, 632
Jack Welch	22, 593
K. C. Farms	22, 295
Floyd McGee	22, 139
D. J. Forbis	22, 135
Thomas W. McKinzie	21, 946
H. R. Cope	21, 792
K. K. Whitaker estate	21, 755
N. M. Saunders	21, 626
A. K. Hancock	21, 267
J. M. Newman	21, 244
N. J. McIlwain	21, 237
Keith McConal	20, 934
O. M. Fowler	20, 831
Robert Scott	20, 787
Robert Jameson	20, 737
Charles Cope	20, 709
V. H. Williams	20, 514
Harlan Miller	20, 386
James R. Dunn	20, 348
M. H. Nance	20, 173
A. Ray Russell	20, 028
Neil Sanderson	19, 870
Roy W. Wicker, Jr	19, 825
Amerada Pet Corp	19, 665
Royce Harvey	19, 496
Dennis Nix	19, 461
J. P. Bingham	19, 388
Ervin Lawson	19, 363
Hanson & Moseley	19, 293
J. S. Knisley, Jr	19, 186
Wayne Apple	19, 117
E. F. Riggs	19, 104
Hilton Wilson	18, 972
Hilburn Briscoe	18, 893
Glen Fleming	18, 856
M. R. Newman	18, 537
Roy Archer	18, 520
Johnny Gooding	18, 201
Donald Floyd	18, 179
Glen Huffaker	18, 105
W. H. Griffith	18, 065
Robert Luther Kirk	18, 060
Ben Keith	17, 847
C. W. Garner	17, 840
Leonard H. Kelley	17, 715
Goodpasture Grain & Milling	17, 688
W. M. Smith	17, 554
G. G. Boldin	17, 493
Doyle Neighbors	17, 424
Joe Faulkenberry	17, 418
Black Children	17, 314
C. P. Rowland	17, 271
John Mark Jones	17, 032
Dan Hulse	16, 938
Denton Baucum	16, 841
Dean Faulkenberry	16, 791
Tommy Sparks	16, 712
Forrest Savage	16, 634
Lawrence R. Nutt	16, 545
Marvin H. Williams	16, 487
E. N. Thomason	16, 155
Alvin Smith	16, 111
John Hobbs	15, 971
Homer J. Whitaker	15, 806
C. B. Terry	15, 779
Roy Garrett	15, 675
Jim Ward	15, 652
Jeffrey Keith	15, 637
E. J. Kelly	15, 556
J. A. Smith	15, 555
Ronnie Sullivan	15, 391
Dan Martin	15, 341
Toy King	15, 338
E. W. Cope	15, 185
Newell Bowen	15, 117
W. H. Rhoades	15, 053
Total payees in county (93)	1, 806, 073

GARZA COUNTY

S. C. Storie, Jr	24, 357
C. Wesley Scott	22, 580
D. W. Eubank	21, 943
Billy J. Carlisle	18, 045
Chester L. Morris	15, 706
C. R. Baldwin, Jr	15, 374
W. C. Bush	15, 026
Total payees in county (7)	133, 031

GLASSCOCK COUNTY

Hall Bar H Ranch	23, 961
Daniel A. Hirt	23, 717
Eugene E. Hirt	23, 165
Charlie A. Smith	22, 866
Lawrence A. Jost	21, 623
James C. Johnson	20, 754
Clifford W. Hoelscher	20, 259
Leon A. Halfmann	20, 092
Schraeder & Sons	19, 298
Delbert R. Halfmann	19, 271
Gary H. Seidenberger	18, 716
Arnold O. Lange	18, 007
Robert E. Hayden	17, 463
Isidore L. Hoelscher	16, 685
Arthur Hoelscher	16, 569
Jerome F. Hoelscher	15, 488
Reynold R. Hoelscher	15, 020
Total payees in county (17)	332, 954

GOLIAD COUNTY

Thomas Worth Davis	16, 258

GONZALES COUNTY

Brewster & Brown	21, 976
Harrell Cattle Co	18, 571
Elvin Cook	17, 652
Total payees in county (3)	58, 199

GRAY COUNTY

Ray G. Burger & Son	18, 457
Aubrey S. Cousins	18, 223
James D. Skaggs	17, 538
Kint C. Philpott	17, 154
Sailor Brothers	17, 062
Spearman Ranch	16, 253
Robert F. Gordon	16, 052
Total payees in county (7)	120, 739

GRAYSON COUNTY

Leland Strawn	19, 368
George E. Light	18, 130
C. B. Robinson	17, 105
Total payees in county (3)	54, 603

GRIMES COUNTY

J. C. Lauderdale	18, 594

GUADALUPE COUNTY

Buford Linebarger, Jr	18, 519
Clarence Krackau	18, 253
Marvin A. Koepp	15, 565
Edward F. Scull	15, 342
C. C. & T. D. Bagley	15, 095
Total payees in county (5)	82, 774

HOLE COUNTY

R. N. Hopper	24, 894
Melvin Mahagan	24, 839
Paul Toliver	24, 786
J. W. McReynolds	24, 540
Paul Willis	24, 403
Tommy Wages	24, 339
Ben Roney	24, 223
B. R. Bennett	24, 209
Melvin Hicks	24, 177
F. C. Lewellen	24, 133
A. L. Stone, Jr	24, 090
Dennis Zachary	24, 081
Welkin Farms	24, 003
Elmer Lee Criswell, Jr	23, 947
Lester B. Cox	23, 940
Jimmy Kelly	23, 896
Roy Roberts	23, 833
E. L. Criswell	23, 806
Dempsey D. Skipper	23, 792
Rupert L. Allen	23, 767
Willie V. Dunn	23, 726
Bert Roberts	23, 656
J. O. Bass, Jr	23, 606
James C. Webb	23, 520
Lewis F. Thompson	23, 503
Royce Hillman	23, 481
Hobby Thomas	23, 446
Henry C. Griffin	23, 298
Dee W. Martin	23, 223
Grady Murry	23, 157
Clyde W. Harrell	23, 116
William J. Ingram	23, 062
Harold W. Thomas	23, 033
Roy Mills	22, 993
Howard Shackelford	22, 945
W. W. McCoy and Son	22, 935
W. A. Culp	22, 775
Homer Roberson	22, 650
Melvin Bennett	22, 625
Charles W. Lambert	22, 473
James H. McBeth	22, 461
Larry W. Witten	22, 299
Albert Graf	22, 279
A. D. Williamson	22, 227
Earl C. McClain	22, 179
Charles Norfleet	22, 165
James Gordon Latta	22, 132
S. M. True, Jr	22, 081
Noble Rice	22, 027
Jack Sageser	21, 992
Glen E. Robertson	21, 954
D. L. Lewis	21, 939
Otis A. Stout, Jr	21, 900
V. L. Neis	21, 856
Richard L. Howard	21, 771
Don McCullouch	21, 758
R. E. Parker	21, 665
Homer Garrison	21, 586
Troy Brown	21, 416
E. M. Crow, Jr	21, 401
Willie Teeter Farming	21, 380
Ted Richardson	21, 304
Don Hammer	21, 156
Ershel W. Johnson	21, 148
Lewis Lutrick	21, 123
James K. Sageser	21, 024
Robert L. Cobb	20, 954
Marvin Stephens	20, 856
Edward Weil	20, 761
Jasper C. Logan	20, 564
James W. Taylor	20, 475
E. J. McAnalley	20, 319
Dick G. Shaver	20, 309
Malouf and Sons, Inc. 3	20, 304
Malouf and Sons, Inc. 2	20, 304
Joe Roney	20, 256
Clarence A. Howell	20, 233
Joe M. Stubblefield, Jr	20, 165
Fred Crenshaw	20, 162
Martin Schur	20, 142
Jack F. Jackson	20, 051
Herman Floyd Poer	20, 001
J. D. Black	19, 951

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments— Texas—Continued

HOLE COUNTY—continued

Jerry W. Shadden	19,949
Charles Stroope	19,933
Billy Todd	19,793
Billy Joe Evans	19,791
Ronald Adrian	19,722
Royce Blankenship	19,592
Robert Tipton	19,569
Charles Caswell	19,552
Richard Mahagan	19,551
Donald Huffaker	19,518
Vinson Dixson	19,517
Billy Ray Boggs	19,494
Elowyn Ellis	19,453
Harrold Rhodes	19,332
Glenn Witten	19,325
Kay F. Smith	19,307
Albert Painter	19,245
Thomas Lee Witten	19,227
C. E. White	19,226
C. W. Tatum	19,219
J. P. Stine	19,185
Vernon L. Pettit	19,180
Carl Laney	19,175
Lynn Shadden	19,094
C. D. Ashmore	19,088
Cloys Fancher	19,087
J. B. Holland	19,086
Oscar B. Allen	19,027
Royce Carthel	19,020
C. H. Kayler	18,984
Don Basinger	18,952
Wayne Rankin	18,891
Vernon Bostick	18,859
J. Weldon Blount	18,830
J. W. Lee	18,827
Dale T. Milner	18,778
Horace G. Kelly	18,728
R. D. Barrett	18,725
W. C. Johnson	18,656
C. D. Sageser	18,647
Newlon Rowland	18,607
Arville Nivens	18,606
W. G. Spruill	18,560
R. J. Harrell	18,529
Harry R. Thomas, Jr	18,489
Ted Watts	18,473
Wayne Greenhaw	18,467
Daniel J. Fondy	18,431
Thomas Johnston	18,407
J. S. Hobgood	18,345
Cecil Curry	18,343
O. L. Damron	18,318
Herman Gregg	18,247
A. B. Teaff	18,224
Tommy Applewhite	18,204
James Wiley Stout	18,200
Charles H. Scarborough	18,154
A. W. Hardin and T. Johnston	18,073
Robert W. Kinkaid	18,026
Ray F. Buchanan	17,986
Eugene W. Matthews	17,925
M. C. Church	17,923
Vernon Ramsower	17,904
C. W. Barrett	17,902
O. B. Pope	17,852
N. M. Rogers	17,829
Billie E. Harrison	17,797
Bill John Hegi	17,776
Virgil C. Phillips	17,600
Ott Earl Patterson	17,589
Fred Keesee Jr	17,507
R. Q. Silverthorne	17,482
V. B. Thorpe	17,434
Delbert Howell	17,353
Vincent Redinger Est	17,283
Jack Pritchard	17,261
Carroll C. Castleberry	17,254
Leo Robertson	17,171
Robert Schoppa	17,157
Walter R. Sturdivant	17,154
Furman Shipman	17,142
A. W. Hardin	17,080
Noah Tipton	17,076
Joe H. McWilliams	17,038
John Henry Hayes	17,038
Kenneth Burnett	17,019
Leon Griffin	17,009
J. H. Barnett	16,998
S. M. Williams	16,914
Dick Redinger	16,862
R. D. Garvin	16,826
Jerry Harder	16,814
H. W. Phillips	16,803
Robert Pope	16,802
Clifford J. Pharr	16,755
Robert E. Hooper	16,735
G. B. Amonett	16,730
Elvin Glenn	16,658
Dwight Glenn	16,615
Boedeker Farm Account	16,589
Wasson S. Price	16,549
Clint Gregory, Jr	16,508
Alfred Garibay	16,418
Guy W. Ginn	16,382
Don Hegi	16,375
Shelby Howell, Jr	16,334
C. W. Spann	16,326
Jack E. Dulin	16,320
Ronnie McBeth	16,311
Willis James	16,305
Cecil Gartin, Sr	16,291
M. H. Courtney	16,239
R. Jack James	16,237
Jerry Nix	16,195
H. L. Meek	16,153
Calvin Koelder	16,103
W. D. Lacewell	16,077
J. D. Busby	16,034
J. V. Hall, Jr	16,018
W. H. Dean	15,995
Robert Jamison	15,992
Wiley Jackson	15,977
J. F. Buske	15,963
Wallace Slayton	15,931
Walker Bros. Produce	15,909
Albert Sammann	15,869
Lewis V. Brittain, Sr	15,866
J. D. James	15,851
Gene Boyd	15,840
White and Sturdivant Company	15,840
John F. Bickley	15,825
A. P. Dalton	15,812
Harold H. Guy Hegi	15,788
Virgil C. Whitten	15,621
G. E. Myatt	15,611
Steve Lee	15,562
Nolan J. Fred	15,541
Joe Turner	15,480
Wayne Bankston	15,429
W. B. Albers	15,364
Hugo Falkenberg	15,343
J. B. Scarborough	15,339
Tom Campbell	15,306
Billy Don Teeter	15,245
L. C. Dorman	15,061
Alex Reeves	15,018
Total payees in county (229)	4,415,013

HALL COUNTY

Rayford E. Hutcherson	24,963
W. S. Montgomery	24,897
Jack Montgomery	24,578
Jerald J. McDaniel	23,769
Joe C. Montgomery	23,618
M. P. Smith	22,851
F. G. Monzingo	21,986
Mack D. Richards	21,605
Robert R. Hutcherson	21,554
Hawkins & Lane	20,725
J. Robert Hanvey, Jr	20,383
Palmer & Shawhart	20,069
Crump W. Ferrel	19,572
Mel Roy Cofer	19,426
Robert W. Sexauer	18,448
James S. Guest	18,442
Jack L. Case	18,391
Vera D. Dickey	17,896
Leon Phillips	17,726
R. S. Wansley, Jr	17,683
S. D. Posey & Son	17,678
Foxhall Bros	17,651
W. B. McQueen Est	17,562
James Moss	17,505
Larry Lewis	17,057
Ted Bruce	16,836
Joe K. Eddins	16,529
Otha E. Gardenhire	16,261
V. G. & Kent D. Byars	16,229
Joyce D. Webster	16,198
Bernie P. Watson	16,146
Troy Phillips	16,080
Jerry L. Montgomery	15,646
J. H. Smith & Son	15,470
Jimmy Roden	15,402
Edwin Hutcherson	15,305
George Ferris	15,267
Coy Yarbrough	15,142
Total payees in county (38)	712,546

HANSFORD COUNTY

Logsdon Farms	24,971
Archie Nelson	24,553
Glen O. Hiller	24,292
Dozier & Henson	24,015
John C. Venneman	23,747
Pittman & Sons, Inc	23,004
John C. Harris	22,896
C. A. McLain	22,824
T. C. Harvey, Jr	22,603
Elmo Dahl	22,588
Robert V. Skinner	22,507
L. H. Gruver	22,469
George C. Lowe	22,382
Wm. F. D. Etling	22,134
E. David Knutson	22,093
Don McLain	21,700
Bob Cluck	21,191
H. J. Vernon	20,558
Holt Bros	20,370
Jim McLain	20,296
Bill Glasgow	20,110
Charles R. Ball	20,026
Glendon H. Etling	19,851
Jackson Bros	19,595
Harold Crooks	19,020
Clarence Zabel	18,880
Robert E. Jackson	18,781
M. D. McLaughlin	17,578
Thomas H. Etter	17,419
Burnie Sparks Estate	17,299
C. Ralph Blodgett	17,235
Gene Cluck	16,901
Oscar E. Archer Estate	16,873
Fred Meyer	16,531
Don Peddy	16,352
Frank Allen	16,282
S. & S. Farms, Inc	15,702
J. R. Keim	15,604
Rex Jones	15,267
Doyle Barkley	15,139
Total payees in county (40)	801,638

HARDEMAN COUNTY

Aron W. Phillips	22,955
W. L. Wilson	22,644
Harry C. Becknell	20,961
Quentin Wilson	19,804
Archie W. Tabor	17,691
James W. Tabor	17,580
James Wiley Tabor, Jr	17,306
Kenneth McSpadden	17,290
Jack Hurst	16,850
Van Sparkman	16,461
Jack Hunter	16,366
Total payees in county (11)	205,908

HARTLEY COUNTY

J. Y. McAdams	24,996
R. Hudson Herring	24,886
Larry R. McCormick	23,808
Lathem Ranch	23,157
Alfred R. Ford	22,989
Gary K. George	22,362
Ramon B. Reynolds, Jr	22,245
Robert G. Shrauner	22,057
Kermit D. Kasper	21,964
Winford Jenkins	20,844
Earline Kuper	18,825
Alexander P. Gallo	18,792
Ralph M. Artz	17,906

XUM

Robert A. Thompson	17,897
P. Lee Hill	17,519
Grady G. Bryant	17,481
Carl H. Kuper	17,030
Everett D. McNabb	16,916
Young C. Garrison	16,803
Nine Nesters, Ltd	16,719
Glen C. Andrews	16,189
Hayden Thompson, Jr	16,112
Kenneth G. Brown	15,784
Richard W. Wilson	15,757
George W. Farr	15,694
Robert C. Bailey	15,453
Robert M. Bailey	15,449
Forrest G. Robertson	15,342
Foster L. Jolley	15,252
Paul E. Davis	15,177
Total payees in county (30)	561,405

HASKELL COUNTY

George A. Mullino	24,218
Willie Z. Bettis, Est	22,948
Ellis L. Tankersley	20,808
O. D. Pool, Jr	20,619
Robert W. Herren	18,841
Marilyn C. Cloud	18,533
W. H. Patterson	17,775
Jack H. Neathery	17,752
Virgil E. Sonnamaker	17,747
Auvil R. Eaton	17,613
Leon Burson	17,060
Willard L. Mullins	16,514
Walter C. Winchester	16,333
Albert R. Hannsz	16,073
Wallace L. Dudensing	15,797
Ivan Rowan	15,530
Jalea R. Glover	15,278
William Griffith	15,278
Ray and Tony McWhorter	15,135
Alee H. Becker	15,095
Vernon P. Terrell	15,008
John and Truman Therwhanger	15,007
Total payees in county (22)	384,962

HAYS COUNTY

Henry J. Niemann	22,512

HEMPHILL COUNTY

Jahnel Farm	15,228

HIDALGO COUNTY

Mike & Joe Chapa	24,537
C. F. Skloss	24,470
Kirk Schwarz	24,343
Anthony Keller	24,276
D. J. Schwarz	23,690
Griffin & Brand	23,503
Pete Sakai	23,203
Ned Westmoland	23,122
Marialice Shivers	22,719
Lewis Fry	22,206
Clifford Bros	22,053
Utah Dickerson	22,002
Harold W. Pursley	21,868
L. F. Nittler	21,543
J. V. Harris	21,525
Theser Bros	21,412
E. G. Pinkston	21,306
M. S. Miller	21,298
M. E. Longwell	21,261
Bede Farms	20,880
T. R. Morin	20,850
Elton Houts	20,359
Eugene Houts	20,196
C. W. Hall	20,153
Juan Villanueva, Jr	20,136
Hoblitzelle Ranch	20,084
Arthur E. Schwarz	20,079
Verner Gustafson	19,979
O. D. Emery	19,775
S. D. McDaniel	19,676
Harold V. Hansen	19,381
J. N. Vertrees	19,116
Dallas N. Stites	19,066
Bobby McDaniel	18,925
Edward Willis	18,879
Mid Valley Farms	18,851
Progressive Groves	18,751
T. D. Blackwell	18,746
Gene Moore	18,675
Woody Cellum	18,452
Fred Hammons, Jr	18,337
George Lookingbill	18,260
4 T Ranches, Inc	18,050
Anna Mae Kelly	17,962
Irby Norrell	17,807
Joe A. Cunningham, Jr	17,587
Ernest Coy & Son	17,402
Thompson Bros	17,319
Joe Heller	17,286
Juan F. Moron	17,285
Norman & White	17,160
Aderhold Farms	17,132
J. E. Mitchell	17,072
W. E. & Tommy Richards	17,019
Fred Unland	16,928
Jones Farms, Inc	16,904
Gilbert Skloss	16,879
Tide Products, Inc	16,744
W. O. McCarn	16,540
Burton C. Hester	16,491
W. L. Dreibelbis	16,479
Billy H. Drawe	16,403
R. T. Corns	16,385
James R. Dougherty, Est	16,315
Jack Drawe	16,268
J. A. Zamora	16,202
Jesus L. Villarreal, Sr	16,153
Martin Farina	16,147
Benedict Kotzur	16,140
Double T. Ranch	16,116
C. E. Duncan Farms No. 2	15,846
Bair Farms	15,822
Jarzombek Bros	15,782
Joe V. Corso	15,709
James E. Eubanks	15,686
O. C. Rinehart	15,638
Bonham Farms	15,623
James B. Gilmore	15,525
W. N. Durbin	15,489
John H. Robinson	15,431
Curtis White	15,230
Larry O. Robbins	15,198
Stanley A. Jarzombek	15,183
Taormina Co	15,183
Claude H. Midgett	15,157
J. O. Ogden	15,088
E. K. Keller	15,080
Bobby Dillon	15,056
David Hoelscher	15,045
Total payees in county (89)	1,642,889

HILL COUNTY

Wallace Lavender	19,839
Dennis Brunton	17,809
Girault & Con	16,691
Newton C. Tekell	16,252
Harry F. Holland, Jr	15,752
Herbert Maass	15,589
Henry D. Thuem	15,398
Total payees in county (7)	117,330

HOCKLEY COUNTY

Ron Cook	24,992
Ben M. McWhorter	24,868
Selmer H. Schoenrock	24,833
Jerry Biffle	24,812
Rayford Bynum	24,752
Carl & Everette Butler	24,550
Howard Venable	25,503
Harold R. Phillips	24,338
J. D. Moreland	24,300
Joe Bowman	24,275
L. C. Vance	23,727
W. Bryan Daniel	23,602
Cecil C. Cookston	23,576
Melvin L. Hale	22,984
Bill Ed Watson	22,902
Jack McMillan	22,900
Bill Graf	22,899
Julius Blair	22,820
Ronnie M. Brown	22,728
Bobbie F. Veretto	22,661
Roy N. Whittenburg	22,621
Billy Thetford	22,498
Owens Farms, Inc	22,367
Frank Motl	22,242
M. W. Hart	22,197
H. J. Steinfath	22,125
Ronnie Ayers	22,002
Albert M. Storey	22,933
Dale Newsom	21,931
Pat A. Dunavant	21,806
Billy F. Sylvester	21,728
Ed O. Johnson	21,665
Ernest T. Price	21,539
Harley Stanley	21,081
D. Gordon Cobb	20,974
Hugh Davis	20,806
Willie J. Ivey	20,711
C. A. Jackson	20,607
Joe Bob Garner	20,601
W. J. Shockley	20,546
Clarence E. Myatt	20,312
Donald Ray Gresham	20,305
Kenneth M. Kiser	20,280
C. Fulton Glenn	20,248
Bruce Scoggins	20,030
Ray J. Gerik	19,895
Weldon E. Butler	19,881
W. L. Cook	19,871
Buddy L. Miller	19,853
Ronald E. Karvas	19,818
Raymond Gunn	19,725
Carroll E. Bradshaw	19,596
Robert E. Avery	19,590
Hugh P. Baggett	19,581
Paul W. Christian	19,206
James A. Copeland	19,121
Louie Ray Carter	19,065
James P. Mitchell	18,860
M. G. Moore	18,829
Ed M. Hart	18,767
Henry J. Schmidly	18,752
Van E. Alderson	18,756
Norvel V. Fred	18,535
Billy Hayslip	19,509
Billy R. Carter	18,378
Harry Synatschk	18,288
Lawrence F. Schoenrock	18,284
L. L. Alderson	18,273
Al G. Herrin	18,220
L. L. Lawson	18,181
Joe B. Pate, Jr	18,170
Roger K. White	18,155
Paul H. Tullis	18,091
Ester J. French, Jr	18,078
Ray Gober	18,025
R. E. Bullin	17,929
Danny Grant	17,916
Leon H. Lawson	17,881
Jerry W. Myatt	17,810
Melvin R. Waggoner	17,740
M. F. Gutersloh Trust	17,730
Clarence S. Saunders	17,456
Glenn R. Price	17,391
Don W. Bell	17,346
Hub Butler	17,263
Raymond Marek	17,252
James Stroope	17,215
Woodrow Howard	17,192
Robert Ross Sires	17,190
J. Ralph Welch	17,159
Fred Lasater	17,092
B. E. Hayes	17,088
Wilson H. Ripley	17,064
Donald E. Caddell	17,046
Herbert W. Welch	17,042
Barger Farms	17,026
R. R. Pritchard	16,993
Alva L. Hill	16,895
Omer Lee Dalton	16,887
Jack Ballow	16,887
James Lee Waldrop	16,864
James M. Collins	16,849
L. L. Overman	16,835
Lonnie Lyon	16,832
Olen O. McDonald	16,759
T. W. Evans	16,747
J. R. Stanley	16,728
B. D. Whitley	16,679
Tom Burrus	16,662
Chester P. Arnwine	16,540

XUM

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Texas—Continued

HOCKLEY COUNTY—Continued

George W. Sosebee	16,540
Aubrey L. Roe	16,421
Raymond H. Belew	16,363
Raymond D. May	16,342
Curtis W. Stafford	16,341
Raymond J. Edwards	16,336
Billy F. Mitchell	16,261
Jim Myatt	16,259
Robert & Jeff Kauffman	16,243
George T. Forbus	16,191
Buck Gossett	16,160
G. F. Childress	16,129
Iris W. Holloway	16,101
Goodwin Investment	16,083
Dene R. Headstream	16,025
W. J. Robertson	15,984
S. W. Oliver	15,957
J. E. Wade	15,937
Everette Simpson	15,894
T. A. Henson	15,887
Bobby Garland Neal	15,871
Rafe A. Rodgers	15,853
Gordon Martin	15,830
Jack Ayers	15,806
Thomas B. Johnson, Jr	15,755
Daniel L. Price	15,734
Hollis F. Borland	15,727
Emil C. Seifert, Jr	15,711
Kelsey Smyer	15,583
Monte W. Cookston	15,582
B. C. Hamilton	15,448
Otis Burson	15,403
Otto H. Droigk	15,362
Earl D. Waldrop	15,335
Robert J. Phillips	15,301
J. R. Hisaw	15,276
Vernon L. Forman	15,171
W. H. Robison	15,149
Total payees in county (148)	2,779,686

HOUSTON COUNTY

C. A. Snell	24,557
J. & B. Farm	21,721
Richburg Boys	21,533
Charles A. Snell	21,368
George Murray	20,787
Homer Jones	20,333
Mustang Prairie Ranch	19,599
J. E. Dawson	19,580
N. F. Chandler	16,505
Leon Chandler	16,214
Total payees in county (10)	202,197

HOWARD COUNTY

Horace E. Tubb	23,959
Oliver Nichols	23,239
J. W. Shive	22,515
Donald Lay	21,580
Robert E. Beall	21,532
Jack E. Hopper	21,134
Jerry Iden	20,264
David Barr	20,091
Landon Burchell	20,061
Bigony Farms	19,980
Alvin Walker	19,096
Johnny R. Stanley	18,941
J. W. Fryar	18,332
Lawrence G. Adkins	17,955
Verl Shaw	17,437
Melvin Gibbs	17,001
Neil Fryar	16,904
Morris Patterson	16,730
William C. Fryar	16,684
Bence O. Brown	16,684
W. D. Coates	16,681
Woodrow W. Posey	16,165
Leon Bodine	16,160
Rodney & Stella Brooks	16,088
E. W. Lomax	15,870
W. J. Rogers	15,660
Cecil Leatherwood	15,278
Martin Fryar	15,132
Total payees in county (28)	517,153

HUDSPETH COUNTY

O. A. Thorp	24,681
Condido Holguin	22,503
Kay Maynard, Inc	20,314
John Segulia	19,673
Anson Wiseman	18,980
Lorenzo Diaz	17,336
M. R. Collier	16,643
Wayne Magee	15,437
Total payees in county (8)	155,567

HUNT COUNTY

Marion F. Dodson	24,039
Harold W. Anderson	22,216
Guy W. Ray	20,724
Maurice M. Clack	19,550
Harold W. Burt	19,102
J. D. Pearce	16,089
Homer Roberts	15,637
Robert L. Michie	15,424
Total payees in county (8)	152,781

HUTCHINSON COUNTY

Ira A. Harbour	24,872
Noble Watson	23,754
Ray Moore	23,311
Billy Jarvis	23,290
M & S Agri. & Livestock, Inc	23,261
Coble Cattle Corp	23,145
R. C. and Jerry Womble	23,064
O. C. Holt	21,526
Thomas M. Jones	20,775
Floyd A. Hull	20,603
O. O. Smith	20,563
Jack Johnson, Sr	19,255
Jack Gillispie	17,200
John Jarvis	16,657
Britt Jarvis	16,657
Joe H. Cox	16,233
W. C. Pool	16,169
E. C. Neil	16,151
Charles Reid	15,904
Fred Holt	15,902
Gene Taylor	15,684
F. B. Early	15,607
W. A. Carver estate	15,357
T. A. Blanton trust	15,187
W. M. Lieb	15,082
W. S. Jones	15,026
Total payees in county (26)	490,255

JACKSON COUNTY

Emil Bures, Jr	19,286
Tom J. Babb	16,943
Raymond Novosad	16,716
Willie Vesely	15,044
Total payees in county (4)	67,989

JEFF DAVIS COUNTY

John H. Eudy	15,096

JIM WELLS COUNTY

Fed L. Blundell	21,372
R. W. Miller	20,806
H. H. Presnall	18,979
William C. Tiller	18,394
Wilbur Erck	15,925
John A. True, Jr	15,298
Total payees in county (6)	110,774

JOHNSON COUNTY

J. G. Dobbs	17,476
Sammie B. Atlas	16,192
Duncan Chapman	15,139
Total payees in county (3)	48,807

JONES COUNTY

Herman T. Steel	24,779
Schoonmaker Bros	23,735
Clinton C. Moss	22,994
F. A. Lollar	22,709
Oran Brigham	22,273
Johnny Hansen	22,080
Fred Osment	21,334
Fred Moore	21,010
James D. Lovvorn	20,883
H. H. McLeod	20,282
Elbert D. Apperson	20,176
R. T. Taylor	19,957
L. W. Stenholm & Son	19,206
C. O. Richards	18,530
John E. Scarborough	18,253
Raymond Scifres	17,927
K. A. Goza, Jr	17,801
Spencer Baize	16,749
Wm. B. Harrison, Sr	16,336
Valree Rainwater	16,238
William W. Cook	16,101
Georgie Hines & D. Stovall	15,950
Frank Vasek	15,657
J. H. Fry	15,611
Billy Holmes	15,422
Lowell L. White	15,299
E. J. Whaley	15,297
Oliver H. Smith	15,049
Total payees in county (28)	527,638

KARNES COUNTY

Burnell B. Tips	23,581
Jerome J. Dziuk	18,511
Total payees in county (2)	42,092

KAUFMAN COUNTY

Jack Glenn	20,900
Willie C. Pierce	18,466
H. M. Kelly	17,833
Ellis Co. Land & Cattle	17,534
O. J. Ledbetter, Jr	17,502
Jack Davis	15,953
Allen Farms	15,265
Total payees in county (7)	123,453

KENT COUNTY

Wayne Stanaland	19,226
Fletcher Earnest Rich	18,345
H. T. Stanaland, Sr	15,161
Total payees in county (3)	52,732

KING COUNTY

Raymond King	17,900
Pitchfork Land & Cattle Co	17,814
Roy B. Keith	17,680
T. C. Havins	16,498
J. P. Ratliff, Jr	15,054
Total payees in county (5)	84,946

KLEBERG COUNTY

Huff Bros	21,362
Ernest D. Wernecke	16,023
Johnie F. Schonefeld	15,331
Total payees in county (3)	52,716

KNOX COUNTY

Billy Mitchell	23,408
Sam E. Clonts	21,643
Jack and Garon Tidwell	21,538
League Ranch	21,041
Donald Johnson	20,914
Lee Smith	19,721
Lonnie D. Offutt	19,665
Chalmer E. Hobert	19,497
J. C. Elliott	19,117
John Michels	18,368
Philip F. Homer	18,001
James Albus	17,758
James N. Smith	17,265
C. H. Cornett	16,414
Herbert Bellinghausen	15,566
John Earl Wilson	15,387
G. W. Hawkins	15,154
Boyd Meers	15,121
Edward J. Smith	15,007
Total payees in county (19)	350,685

LAMAR COUNTY

Walter Allen	24,999
O. J.-Ross Rutherford Ptrs	24,051
Creed Bros. Ptrs	24,045
Johnie W. Musbrove	24,037
Thomas A. Roach	23,556
Ben Laird	20,948
C. A. Jones	20,036
Gant-McClung Fms. Inc	19,979
Wilson Bros. Ptrs	19,528
John L. Coplin	19,037
Hubert Peel	17,092
James N. Holt	16,664
Jim S. Sharp Est	16,487
J. D. Campbell	15,931
Dewey D. Whitten	15,927
Total payees in county (15)	302,317

LAMB COUNTY

Garrison/Tyler	24,874
C. B. Fancher	24,866
L. E. Downs	24,838
H. J. Harrell	24,792
Allison Bros	24,763
O. L. Walker	24,687
Troy Blackburn	24,655
John W. Humphreys	24,537
James L. Withrow	24,450
Dewitt Tiller	24,388
Donal K. Clayton	24,282
W. B. Boyles	24,247
E. K. Angeley	24,174
H. B. Carson	24,130
Harvey Patterson	24,009
Dan Quigley	23,962
James C. Graham	23,670
J. T. Gibson	23,659
Elmer McGill	23,646
S. K. Flatt	23,582
Bill Bradley	23,415
James P. Hamilton	23,397
Wallace O. Jones	23,385
Roy L. Bryant	23,322
Ross Lumsden	23,285
Jack Angeley	23,214
Dexter Baker	23,199
Guy Kelley	22,955
Raymon Carson	22,853
Troy Armes	22,852
R. J. Sanderson	22,703
George E. Brown, Jr	22,605
Devurn Mandrell	22,528
C. D. Kirkpatrick	22,514
O. D. Chester	22,411
B. D. Nelson	22,245
Aubrey C. Neinast	22,197
J. B. Haire	22,172
W. C. Bley	22,100
Eldon L. Davis	21,953
B. N. Armstrong	22,912
A. K. Shelby	21,908
Dolan T. Fennell	21,871
C. C. Slaughter	21,843
Dan Puckett	21,792
Samuel G. Thomas	21,788
Drexel Lawson	21,783
E. L. Sibley	21,773
L. E. Ball	21,731
Thomas M. Wiseman	21,590
Franklin Lane	21,566
W. D. Bell	21,522
James C. Holland	21,476
L. H. Carson	21,465
Melvin Bock	21,381
Vernon H. Britton	21,308
James P. Glumpler	21,134
Wayne Whiteaker	21,063
Clark B. Hill	20,941
N. E. Hall	20,933
C. C. Goodwin	20,932
Gene Brownd	20,839
James E. Jones	20,708
M. R. Matthews	20,666
Ollie Davis	20,573
Travis Bundick	20,452
T. V. Murrell	20,429
T. L. Free	20,427
Richard E. West	20,413
Perry F. Coffey	20,404
Robert O. O'Hair	20,333
D. L. Bussanmas	20,311
A. E. Fowler Est	20,217
Martin Palmer, Jr	20,089
Gaulbert Demel	20,017
B. L. Greener	19,955
Johnie Sr./Johnie Harper, Jr	19,898
Roy Hendrick	19,810
Henry Charles Kesey, Jr	19,785
W. B. Hucks	19,785
Kenneth Sawyer	19,700
C. S. Hudson	19,665
Dwain Phillips	19,493
C. O. Bibby	19,445
James E. McCord	19,407
Russell Ingle	19,301
B. F. Helms	19,231
A. L. Humphreys	19,056
Donald C. Kelley	19,038
G. R. Stewart	18,948
Billy Chester	18,946
A. A. Allen	18,902
Earth Gin Co., farm account	18,872
Don McCarty	18,848
Bennie Harmon	18,848
W. W. Thompson	18,817
William R. Boone	18,806
Ross J. Brock, Jr	18,744
W. P. Holland, Sr	18,736
Elroy Wisian	18,628
Truman Stine	18,565
Albert A. Parish	18,552
J. W. Dear	18,520
W. D. Martens	18,497
W. A. Deberry	18,475
Mary Lee Roddy	18,469
Jomeryle Harmon	18,462
Robert E. Coen	18,457
Clois C. Tomes	18,316
Clarence Neinast	18,276
J. E. Carson	18,241
L. C. Olds	18,168
Ronald A. Cleavinger	18,164
Thurlo L. Branscum	18,064
Lester O. Kennedy	18,051
Leroy Maxfield	18,017
Roy A. Hutson	17,942
Alvin E. Ohair	17,852
Alva Mixon	17,817
Homer Worley	17,742
John McCary	17,737
Larry Tunnell	17,637
Orville Cleavinger	17,581
Leroy Wallace	17,559
R. L. Wooten	17,540
Margaret I. Kelley	17,536
Don Squires	17,518
Roberson Brothers	17,514
D. L. Spain	17,512
Charles Edgemon	17,420
J. J. Coker	17,372
Jim Parks	17,364
Earl L. Miller	17,363
H. H. Cain, Jr	17,308
M. M. Bell	17,293
Walter Lewis	17,268
Donnie Cowart	17,227
Thurman H. Lewis	17,172
Elgan Baccus	17,168
J. W. Gosdin	17,131
T. C. Faver	17,115
E. W. Harper	17,104
Leslie Kennedy, Jr	17,086
R. V. Allcorn	17,078
J. W. Bitner	17,076
Hollis Smith	16,937
Wayne Streety	16,931
Howard Keener	16,898
J. H. Thomasson	16,883
D. L. Givens	16,883
George R. Smith	16,835
Winston Cummings	16,827
Stephen Butler	16,804
L. C. Grissom	16,722
W. J. Meeks	16,664
Darold Hardin	16,615
Ernest H. Green	16,518
Emert J. Rose	16,506
Roy P. Jones	16,488
Ralph Carter	16,479
Jack Hadaway	16,452
H. H. Olds	16,447
J. D. Barden	16,403
Paul L. Mathews	16,353
Dennis Williams	16,336
Lowell I. St. Clair	16,319
L. B. Eady	16,289
Don Franks	16,267
Duane Darling	16,200
Rowland W. Stevens	16,190
Bill J. Langford	16,178
E. D. Bingham	16,175
H. W. Kendricks	15,949
Dallas McCurry	15,943
Charles Lewis	15,930
Bill Matlock	15,925
Jim Golding	15,921
Wilton Bodkin	15,914
John A. Jefferies	15,838
Joe Caddell	15,837
P. A. Washington	15,812
Earl E. Glass	15,799
Byron R. Lynn	15,745
James Willie Olds	15,745
Halsell Fodn	15,728
E. P. Oliver	15,719
Roy Hicks	15,705
J. K. Angeley	15,652
Joe Fisher	15,541
George W. Tooley	15,472
Harley D. Jones	15,449
Joe Connell	15,423
J. L. Carson, Jr	15,420
K. E. Priboth	15,412
Artie Shavor	15,384
Walter Kesey	15,377
Billy Guthrie	15,272
Wiley H. Mudgett	15,218
Dick McDaniel	15,212
Glen Batson	15,212
V. C. Cole	15,206
Vernon Qualls	15,073
W. F. Farington	15,029
Total payees in county (203)	3,887,557

LASALLE COUNTY

Ritchie Ranch Part	16,077

LEON COUNTY

Harrell Dean Brown	21,719
Coleman Carter, Jr	18,876
William Nash	17,328
Roderick T. Keeling	15,363
Total payees in county (4)	73,286

XUM

1969 ASCS program payments of $15,000 loans and wool and sugar payments—through $24,999 excluding price support Texas—Continued

LIMESTONE COUNTY

J. F. Jackson	20,196
Dee Pullin	15,133
Total payees in county (2)	35,329

LIPSCOMB COUNTY

Mervyn Harrelson	24,254
Alvin G. Born	21,779
Robert A. Schultz	21,361
Chris Miller, Jr	20,446
John G. Dann	18,132
Ed Weinette	17,906
John Trenfield	17,295
Albert Stabel	15,231
Eccles Brothers	15,102
Total payees in county (9)	171,506

LIVE OAK COUNTY

Thomas Porter	21,301
C. H. Griffin	20,941
Buford Dugger	19,929
W. H. Esse, Sr	17,717
Iley Brothers	17,062
J. I. Hailey	16,987
James Esse	16,888
Leonard C. Smith	15,680
Total payees in county (8)	146,505

LUBBOCK COUNTY

Harold E. Voigt	24,958
Darrell L. Burress	24,861
Sherman Nelson	24,796
Carl D. Jones	24,677
Marvin Hall	24,645
Excell W. McFarling	24,539
Hilburn Barrick	24,397
Pierce H. Truett	24,303
M. J. Williams	24,224
Lulain Estate	24,166
Tommy Robertson	24,144
Melvin H. Jack Phipps	24,104
O. W. Smith	24,003
E. Donald Bledsoe	23,955
C. O. McNabb	23,868
Frank Guess	23,789
James Attebury	23,776
Franklin Heinrich	23,765
J. Pete Thompson	23,653
Paul Cates	23,457
Donald E. Adrian	23,425
Ed H. Foreman	23,420
Walter E. Morgan	23,360
W. R. Sage	23,318
Wesley W. Ferguson	23,297
Virgil M. Isom	23,273
Melville Hankins Est	23,267
Robert Fehleison	23,149
Volney T. Rush	23,093
L. E. Bartlett	23,062
Roy G. Cannon	23,027
Houston H. Sweatt	22,835
Betty L. Petree	22,727
Glenn Brown Blackmon	22,700
Glen M. Wages	22,658
Henry W. Taylor, Jr	22,650
Billy Fortenberry	22,457
Lowery M. James	22,456
Bruce Gentry, Sr	22,246
J. H. Kurklin	22,179
Paul C. Buxkemper	22,075
Ray D. Langford	21,888
Billy D. Biggs	21,826
H. & C. Farms, Inc	21,660
W. E. Medlock	21,517
David C. Fowler	21,506
A. R. Everitt	21,478
Arthur Newton	21,476
Walter Lupton	21,474
Billy H. Piercy	21,464
Joe Fortenberry	21,456
D. J. May	21,237
Brooks Speer	21,198
Robert C. Baxter	21,106
Conrad J. Melcher	21,005
A. C. McCallon	20,991
John G. Shipp	20,962
Earl Foerster	20,962
Jack Adamson	20,857
Grady W. Haliburton	20,832
B. A. Stephenson, Jr	20,693
Granville W. Nelson	20,638
Mary A. Stephenson	20,558
V. T. McDougal	20,544
Melba N. Thompson, Jr	20,424
James E. Winder	20,338
Henry-John Kveton	20,301
J. D. Hufstedler	20,263
Robert H. Park	20,127
Wendell F. Attebury	20,123
Perry Looney	20,110
J. T. Davis	20,046
Gordon W. Kittrell	20,041
Clifford Hilbers	19,922
Royce L. Williams	19,910
Marvin Biffle	19,882
Holeman Farms	19,859
Airport Farms	19,792
Hilton Foerster	19,769
Sam H. Rosson, Jr	19,716
Aubrey Pounds	19,634
H. G. Barrett	19,534
Troy V. Snodgrass	19,534
Medfred Weaver	19,482
Ezdell R. Merrell	19,458
Delbert Robbins	19,384
Irving H. Grimes	19,341
L. E. Evans	19,308
Woodrow B. Debusk	19,231
Randal L. Rieger	19,171
B. L. McGuire	19,082
Loren J. West	19,028
John B. Allen	19,007
Jack Obriant	18,859
Ira L. Elliott	18,853
Nealie J. Konesko	18,828
Robert Leeroy Stence	18,815
Ralph B. Mabry	18,765
O. L. Brownlow	18,700
Mozelle Goble	18,664
Chris W. Reichle	18,652
W. M. Wright	18,613
Berlin Haught	18,603
T. E. Wright	18,543
Dick Park	18,352
M. G. West et al	18,348
Vernice Ford	18,324
O. D. Sanders	18,256
O. V. Sturgeon	18,238
Roy L. Blair	18,197
Carroll D. Teeter	18,195
Walter H. Luker	18,152
Joe W. Felty	18,141
Roy C. Forkner	18,139
Wayne Richardson	18,063
Leon L. Lincecum	18,031
Frank Crownover	17,978
Annette O. Martin	17,878
Charles C. Hurley	17,849
Darby & Darby Pts	17,837
The Medlock Co., Inc	17,813
Myers J. Looney	17,695
Anton A. Wimmer	17,691
Rodney R. Harmon	17,663
O. E. Salyers	17,659
Carlos May	17,594
Verbal L. Peeples	17,571
Derl E. McGuire	17,560
Joe E. Hall	17,530
Darrell McInroe	17,500
L. D. Stanford	17,401
Lonnie B. Teal	17,375
W. C. Crabtree	17,363
Herman Habbinga	17,281
Fred Perry	17,264
Joe McCollum	17,233
Eliza Rea Matthews	17,230
Thurman Neill	17,176
Roy Allen Forkner	17,173
Keith Snowden	17,154
Clarence H. Kitten	17,036
E. J. Batcheller	17,010
Joe Leaverton, Inc	16,983
A. L. McClanahan	16,863
Herbert W. Jackson	16,858
Doyle McKennon	16,854
Stephen D. Pate, Jr	16,760
Wesley P. Davis	16,743
Jerry S. Harlan	16,685
Mabel Dixson	16,676
Lee Hester	16,598
Alva E. Griffis Est	16,565
Doyle Gresham	16,554
Durward D. Mahon	16,552
James N. Hamilton	16,512
Paul D. Kitchens	16,495
J. P. Hobbs	16,454
L. D. Phillips, Jr	16,449
R. Parker Neff	16,431
Abie M. Reed	16,423
John L. Griffis	16,351
Delphine J. Hlavaty	16,243
Bryan L. Burgett	16,187
Wilburn Richardson	16,173
John F. Griffin	16,167
Ronnie Joe Darby	16,157
Gene Reid	16,139
Paul Perry	16,033
Horache L. Turnbow	16,021
Don Veretto	15,980
Royce F. Hess	15,970
Leon T. McPherson	15,966
Cleddie Brown	15,935
Raymond George Kitten	15,851
Doyle Curry	15,849
Grady P. Baze	15,821
Paul H. Meurer	15,783
V. T. Brady	15,732
Jim Marr	15,697
Doyle Lusk	15,645
Edgar Ehler	15,603
Don L. Enger	15,573
Guy E. Lawson	15,481
Robert H. Weems	15,450
Buster Bryant	15,414
Lewis D. Hogan	15,387
May Lewis Stewart	15,370
Joan Rieger Louder	15,333
A. L. Rose, Jr	15,295
Bobby J. Smith	15,276
Harley Martin	15,252
John T. Oats	15,233
Faye Pierce Zinser	15,212
Zappe Land Company	15,188
Edward L. Jones	15,182
Jack Henry	15,179
Bill R. Payne	15,145
Bobby Harkins	15,111
Fritz Bros	15,070
Eugene Becknell	15,054
A. Ross Meador, Jr	15,023
Roy Dale McCallister	15,007
Total payees in county (202)	3,857,739

LYNN COUNTY

H. T. Barrett	24,782
C. T. Louder	24,713
Edward Bartley	24,387
Wayne Clayton	23,949
A. G. Crutcher	23,946
Sam Singleton	23,853
Tekell Farms	23,832
W. A. Russ	23,832
Howard Moore	23,819
Elmer Schoppa	23,121
W. J. Kahl	22,978
O. C. Sikes	22,579
A. C. Fillingim, Jr	22,538
G. W. Turner, Jr	22,499
Boyd Pebsworth	22,451
R. M. Thomas	22,398
D. R. Adamson	22,384
Eldon Gattis	22,214
Draper Brothers	22,190
J. T. Middleton, Jr	22,153
Glynn Moore	22,134
J. Robert Fillingim	22,083
G. G. Norman	21,973
Harold Brumit	21,763
Lit H. Moore, Jr	21,694
W. A. Caveness	21,685
Glen Akin	21,610

XUM

Clifton Clem	21,580
Joe D. Unfred	21,069
John Saleh	21,028
C. G. Keith	20,889
D. W. Hancock	20,578
Maurice J. Huffaker	20,293
T. B. and Chas. Mason, Ptnrshp	20,280
Willie A. Nieman	20,224
Raymond Crain	20,022
Bonnie Brown	19,983
J. Martin Basinger	19,957
W. W. Hagood	19,816
Dick Franklin	19,756
Larry Hagood	19,629
Buster Todd	19,442
Milton Piwonka	19,388
Fred R. Scott	19,212
Miriam Collins Green	19,145
Bill M. Clayton	19,083
Royce Heinrich	19,056
J. L. Crawford	19,020
W. P. Scott	18,907
Harold Payne	18,747
Albert Curry	18,718
James L. Savell	18,563
Roy Stephens	18,542
W. C. Wharton	18,542
Buster Phipps	18,244
R. T. Brewer	18,168
A. H. Buxkemper	18,087
C. W. Armes	18,067
James H. Sanders	17,987
Morris Smith	17,916
L. W. Cannon	17,866
A. A. Denzer	17,806
Frank Lisemby, Jr	17,688
Theodore B. Franklin	17,683
A. G. Cawthron	17,679
Clifton Hamilton	17,645
C and C Farms	17,466
Stewart Rice	17,417
L. D. Halford	17,265
Chester H. Smith	17,193
H. G. Franklin	17,129
Lee Roy Knight	17,121
Leonard Dorman	17,090
A. J. & C. M. Gicklhorn Ptnrshp	17,077
Woodrow Brewer	17,026
Gene Cantwell	16,997
C. R. Burleson	16,849
Tommy Gardenhire	16,735
Wendell B. Morrow	16,696
Don D. Balch	16,690
W. H. Cook	16,578
Robert Edwards	16,518
Odette Saleh	16,469
Sam Saleh	16,469
Cromer & Son Partnership	16,374
Kenneth Turner	16,350
J. W. Pirtle	16,277
G. W. Jones	16,274
R. A. Taylor	16,128
Jack Blevins	16,088
James F. Roberts	16,064
Robert Bessire	15,995
A. B. Norman, Jr	15,830
Roy M. Blevins	15,830
Donald L. Jones	15,819
Leonard Dube	15,755
Royce Steven Greer	15,634
W. A. King	15,590
Jearld Barton	15,564
Robbie Gill	15,532
Roy Lynn Kahlich	15,516
Glen B. Brewer	15,435
J. Dudley Martin	15,374
T. E. Leverett	15,359
B. G. L. Farms Ptnrshp	15,331
J. F. Brandon, Jr	15,300
Clyde Edwards	15,169
Monroe H. Talkmitt	15,153
Leroy Snider	15,043
Total payees in county (109)	2,061,433

MARTIN COUNTY

Raymond A. Pribyla	24,336
H. D. Howard	23,730
Clarence Fryar	23,586
Cliffton Carlton Grigg	23,336
Wayne D. Stroud	23,054
Romine Bros	23,032
Jack Hershell Kuhlman	22,938
Moncue McKaskle	21,379
Sammy Preston Yates	21,075
Jerry Hall	20,970
Marvin L. Standefer	20,863
Elmer Cecil Dyer	20,350
Derwood Blagrave	20,312
Erma Blagrave	20,024
Leonard Clifton Hazlewood, Jr	19,794
James G. Sawyer	19,541
Francis E. Snell	19,530
Jual Reid	19,489
Glen Petree	19,443
Richard L. Linney	19,242
N. E. Glendening	18,715
John Morgan Hale	18,492
Glen Morrison	18,458
Billie Joe Gill	18,282
Larry Zane Shaw	18,277
Teddie DeWitt Barnhill	18,190
Eula Preston Madison	18,048
Walker Bailey	17,971
John Calvin Jones	17,933
Melvin Harris	17,840
Jack Hale	17,748
Malcolm Tunnell	17,472
Myrtle Romine	17,018
Souval Britton	16,996
Robert Martin Nichols	16,819
Rufus Charles Tom	16,724
Loran Dale Snell	16,672
Wesley Weems Williams, Jr	16,629
Delbert Harrison Hopper	16,485
Dora Faye Perry	16,393
Robert Joe Deatherage	16,214
D. W. Dickenson	16,169
Norwood Eugene Holloway	16,098
Fred Phillips	15,876
Donald R. Reese	15,607
John Woodward	15,507
Bob Hill	15,472
Edward Lee Richards	15,391
J. E. Peugh	15,314
Tom Smith	15,247
Troy Cornelius Pierce	15,179
Alvin Harris	15,137
Claud Glaspie, Jr	15,099
Dean Russell Fleming	15,099
Total payees in county (54)	994,595

MATAGORDA COUNTY

Vernon Hunt	24,747
Ed and Leo Jensen	20,161
Ralph E. Petersen	18,548
Total payees in county (3)	63,456

M'LENNAN COUNTY

Lankart Seed Farms, Ltd	24,958
J. B. Vandiver	24,478
Walter Rush	23,425
B. R. Parham, Jr	18,555
J. L. Sharp	17,743
H. F. Redding	16,360
J. W. Maddux	15,293
Total payees in county (7)	140,812

MEDINA COUNTY

Ed Wanjura	23,184
Calvin K. Hardt	19,451
Total payees in county (2)	42,635

MIDLAND COUNTY

Forest G. Eggemeyer	24,937
Jerome Hoelscher	24,617
Louis Koonce	23,558
Bobby Howard	21,322
Alvey A. Bryant	21,154
Roy D. Jones Est	20,957
Bob Evans	20,878
A. C. Teinert	20,775
James Brooks	20,432
Jack E. Leonard	19,911
Roy Graham	19,631
C. R. Welch	19,082
Merwin Haag	18,202
Robert Morgan	17,938
L. V. Braden	17,693
D. L. Cass	17,636
Glenn Drake	17,533
L. C. Duke	16,170
Joe Heidelberg	15,927
H. E. Benton	15,684
John Casselman, Jr	15,461
Don Morgan	15,240
Total payees in county (22)	424,738

MILAM COUNTY

Kenneth G. Willy	23,858
John J. Fagan	21,336
Wayne Doskocil	20,670
W. H. Camp, Jr	20,187
Ike Camp	19,513
Nelson Davis	18,320
Crenan Partnership	17,808
Richard Ellison	17,806
H. L. Allison	17,316
Robert Hunt	17,197
Joe A. Glaser	15,918
J. A. and Willis Looney	15,487
Robert H. Foster	15,465
Total payees in county (13)	240,881

MITCHELL COUNTY

Linden Solomon	24,635
Foy Webb	23,592
J. E. Brown	22,698
James Dell Barber	22,265
D. M. Pieper	21,795
Joe L. Blackard	21,560
Wayne Oliver	21,288
Jack Long	21,107
Mack G. Ritchey	21,041
E. W. Haggerton	20,878
James Cox	20,658
Grady H. Mitchell	20,483
R. B. Golden	20,141
Kenneth Dockrey	19,568
Dewey A. Turner	19,407
J R. Erwin	19,384
C. D. Gray, Jr	19,252
Huston C. Lindsey	18,744
Leonard Long	18,334
Curt Shaw	18,187
Raymond Wheeler	18,147
Henry Hoyle	18,037
James F. Kelly	17,961
W. E. Harris	17,580
T. J. Geiger	17,425
Merket Brothers	17,400
C. B. Webb	16,959
Curtis E. Latimer	16,814
Charlie C. Thompson	16,564
Rex T. McKenney	16,437
O. B. Trulock, Jr	16,376
James K. Butler	16,372
James E. Henderson	16,185
Richard L. Brown	15,836
Billy Cornutt	15,805
Wm. Roscoe Hudgins	15,561
Oren R. Carpenter	15,014
Lindley Webb	15,008
Total payees in county (38)	714,498

MOORE COUNTY

Pat Bradford	23,760
Paulus Schroeter	23,285
M. O. Jack Bain	23,136
L. S. Brown, Jr	22,987
Earl B. Byrd	22,950
101 Ranch Farm Acct	22,766
Johnson Trust	22,742
Nelson E. Burton	22,508
P. F. Younger	22,453
Arie K. Smith	22,411
James R. Clements	22,276
Brent & Sons Partnership	22,035
Weatherford Bros	21,498
E. E. Bain	21,438

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Texas—Continued

MOORE COUNTY—continued

C. C. Burnett	21,429
Herschel Berry	20,828
Arvel A. Perry	20,679
Gladwin Gillispie	20,487
Joe Schuman	20,375
Verna Boulware	20,336
Benny T. Powell	20,299
Roy Harbert	20,297
Walter Powell	20,284
Wilson and Wilson	19,995
J. H. Burkett	19,238
Durward N. Gamblin	19,221
Pendleton Bros	18,834
Raymond White	18,518
Chester Rigdon	18,375
Haskell E. Bilbrey	18,306
J. B. Butler, Jr	18,242
James Tatum, Jr	17,840
T. H. Blanscet	16,996
Peter B. Crabb	16,904
J. D. Matthews	16,485
Thomas Phelphs	16,465
W. H. Brian	16,035
John A. McMurry, Jr	15,836
Wesley Reznik	15,610
Carl Troutman	15,125
G. O. Bain	15,038
Total payees in county (41)	814,322

MOTLEY COUNTY

Allan L. Thomas	21,682
Roy D. Grundy	20,730
George B. Bowles	19,131
Millard C. Jones	18,403
Scott E. Robbins	16,203
Billy B. Hand	15,629
Total payees in county (6)	111,778

NAVARRO COUNTY

Robert L. Colquitt	24,224
James Mitcham	23,497
Clyde Roloff	22,228
Charles T. Pullins	22,191
Jimmy Hooser	20,701
Glynn Hutchins	20,571
George B. Mitchell	20,114
W. M. Lowe	19,052
D. R. Vest	18,720
F. Max Watts	18,341
Henry R. Nicholson	18,043
Roy Southard	17,897
Pascual Ferrer	17,713
James Parker	17,643
John Gillen	17,315
H. Lowell Reed	17,023
W. T. Sanders	16,970
Arlee G. Lockhart	16,212
Leroy Watson	16,201
James W. Brown	16,189
Fred Southard	16,115
Clifford Williams	15,264
Total payees in county (22)	412,224

NOLAN COUNTY

Mance T. Pointer	23,414
George E. Parrott	23,017
Raymond E. Althof	22,302
Robert H. Jordan	21,826
R. B. Pieper	21,288
Wilbert H. Althof	20,336
L. L. Medlock, Jr., & Son	18,484
Dean D. Alexander	18,127
John M. Boston	17,541
Curtis Riggs	16,700
Ocie C. Gabler	16,554
Jesse Faust	16,462
Total payees in county (12)	236,051

NUECES COUNTY

Flato & Hoepfner	24,945
William L. Davis	24,827
Leon Bernsen	24,554
Barkley Farms, Inc	23,736
J. W. Callaway	23,595
A. Burditt	22,521
A. Y. McCallam	22,415
Lynn Dugger	22,065
Terrell McNair	22,005
C. C. Albrecht	21,347
Dryden Farms	20,927
H. L. Gillespie	20,742
Berta C. Cunningham Estate	20,559
Melvin McNair	20,490
B. I. Barnes	20,335
W. A. Whitmire	20,226
Hoepfner & Jackson	19,641
E. M. & Cornie Wilson Estate	18,852
Santa Cruz Farms	18,736
Flinn Farms	18,565
Hellmann Bros	18,174
F. W. Hoepfner	18,135
M. P. Cable & R. J. Garrett	18,041
Arnold Ocker	18,008
Paschal Farms	17,947
Eschberger Farms	17,602
Bennie Treybig	17,505
Harlan Kelly	17,379
Howze Partnership	17,063
E. H. Kirkpatrick	16,985
L. S. T. Farm	16,915
Oscar Machen	16,902
Aubrey Harper	16,863
O. B. Martin	16,267
Homer D. Smith	15,587
McCoy Bros	15,537
Robert S. Parr	15,440
R. Pullin & G. Rogge	15,350
Walter E. Stone	15,252
Mastin Properties	15,183
Hugh & Wayne Bowers	15,175
Hutson & Lawrence	15,048
Total payees in county (42)	797,441

OCHILTREE COUNTY

Herbert Butt	23,790
John Daniel	23,401
Earl D. McGarraugh	23,046
Batman & Son	22,210
Vern Conner	19,218
Frank Buzzard	19,032
Leroy Smith	18,795
James Lair	18,750
Dunnihoo Timmons Inc	17,864
John Cole	17,714
Alma O. Schaefer	17,358
Harold M. Hawk	16,940
Edgar W. Cook	16,055
Greever & Greever	15,951
Tom Slack	15,703
Charley G. Jewell	15,660
William E. Pletcher	15,603
Virby O. Conley	15,545
John Meinders	15,364
Davis Co	15,267
Total payees in county (20)	363,266

OLDHAM COUNTY

Norman L. Jacobson & Son	23,218
John Hinsley	21,784
Edgar N. Jacobson	21,751
Joe N. Newbill	20,191
Taylor Cattle Co	20,048
J. G. Inman	19,810
Dean H. Whaley	18,897
Gist Kirkland	18,803
E. E. Allen	18,325
Mary Wiseman	17,908
Hugh Knox	17,391
L. E. Garrison	16,479
Everett Wiseman	15,272
Total payees in county (13)	249,877

PARMER COUNTY

Charles L. Mercer	24,942
T. I. Burleson, Jr	24,928
Joe A. Schilling	24,924
Durward B. Ivy	24,849
Vernon Estes	24,823
Howard N. Hayes	24,801
Fred Burch	24,709
Leo R. Berend	24,596
Leroy Johnson	24,300
Vernon Symcox	24,035
W. M. Sherley	24,032
J. A. Rushing	23,953
Edelmon Farms	23,892
Jimmie L. Cockerham	23,813
Willoughby F. Gable	23,729
Charles Myers, Jr	23,369
Norbert Schueler	23,342
Charlie V. Glover	23,321
Carl R. Schlenker	23,244
Houston Bartlett	23,143
Philip C. Weatherly	23,138
Buddy J. Wiseman	23,095
Clyde W. Weatherly	23,054
Harold Hawkins	22,918
McLellan Farms	22,893
Herschel Johnson	22,869
Loyd I. Tharp	22,759
John R. Hays	22,532
Nelson J. Foster	22,336
Norman C. Sulser	22,293
Edgar G. Snodgrass	22,063
Wesley H. Long	21,968
Travis Stone	21,951
Max Steinbock	21,891
Virgil M. Mimms	21,703
Daniel L. Carmichael	21,648
Bill Brown	21,525
Harold Joe Wells	21,392
Lester L. Norton	21,373
Floyd L. Rector	21,192
Henry L. Ivy	21,139
Clarence R. Monroe	21,100
Charles Hawkins	20,856
Ray Precure	20,833
Richard L. Ware	20,809
Monty Barrett	20,766
Buryl G. Fish	20,665
Veron L. Billingsley	20,651
Carl C. Maurer	20,559
A. L. Black	20,456
Robert E. Wilson	20,427
Eugene L. Fairchild	20,386
Edward C. Schilling	20,339
Albert F. Phillips	20,239
Ernest F. Osborn	20,211
Raymond J. Garner	20,003
Russel H. O'Brian	19,964
Franklin I. Bauer	19,905
Jesse A. Walling	19,888
Earl D. Stevenson	19,864
Glyn Hamilton	19,860
Truman L. Gleason	19,725
Walter Schueler	19,666
Cole Bros	19,665
Bill H. Brandt	19,635
Jack Smith	19,590
Evans Tr	19,560
Woodrow M. Bradley	19,445
Elvis Powell	19,382
Richard G. Herring	18,373
John R. McGehee	19,363
H. M. Moss	19,360
C. W. Stallings	19,276
Harvey W. Garrison	19,252
John L. Ivy	19,226
J. T. Carroll	19,222
J. W. Gammon	19,187
Don McDonald	19,101
Raymond Wiley	19,061
Don R. Teague	19,018
Paul S. Chisholm	18,928
Jack Nelson	18,927
Thomas E. Lovett	18,854
John Agee	18,848
Joseph S. Talley	18,739
William G. Harlan	18,714
Elvin H. Childs	18,692
James R. Johnson	18,655
Jerry London	18,617
Wilma A. Jones	18,446

XUM

James B. Collier	18,420
Reeves Farms	18,407
Richard M. Waller	18,402
Stanley A. Bishop	18,385
Billy Hunt	18,301
Ray Tharp	18,252
Roy M. Miller	18,222
Claude M. Mears	18,187
Fern W. Barnett	18,009
Aphel Jennings	17,959
John C. Redwine	17,956
Billy E. Mayfield	17,919
Jerry Brownd	17,907
Olan W. Turner	17,851
Eddie J. Hall	17,836
Nelson O. Welch	17,784
Billy D. Baxter	17,719
Jimmie Seaton	17,670
Oakley D. Stevenson	17,605
Collis W. Tannahill	17,577
Leon Smith, Sr	17,558
Hontas D. Bradshaw	17,521
Edgar E. Boggess	17,486
L. A. Lance	17,325
Donald Ray Verner	17,320
Kenyth C. Cass	17,319
Darrell Norton	17,314
Gene P. Jarman	17,308
Earl W. Drake	17,289
Stephen L. Struve	17,283
Raymond Milner	17,282
Ross K. Miller	17,268
Billy B. Sides	17,255
Erma R. Stowers	17,248
R. C. Davis	17,184
McFarland C. Osborn	17,102
Marion C. Osborn	17,102
Finis E. Jennings	17,062
Louie D. Knight	17,005
John Lorenz	16,996
Adolph E. Vasek	16,966
Donald Watkins	16,934
Benjamin I. Foster, Jr	16,889
William C. Bartley	16,874
James H. Jennings	16,858
J. S. Triplett, Jr	16,796
Jerry L. Smith	16,670
Ralph E. Robinson	16,721
Buchanan Est	16,682
Raymond B. McGehee	16,672
W. E. Meyers	16,661
John Range	16,629
Everett McBroom	16,582
Wesley Barnes	16,550
T. C. Wiseman	16,341
Willie F. Lancaster	16,289
Melvin Southward	16,277
M. C. Kelly	16,276
Willie A. Waddell	16,245
Johnny W. Hand	16,218
Johnson Bros.	16,192
Jerry Fancher	16,134
Joe A. Walters	16,111
Edmund A. Schlabs	16,076
Dick Geries	16,072
Doyle E. Ford	16,060
Lee H. Sudderth Est	16,055
Paul E. Winegeart	16,015
Floyd R. Schueler	15,996
Michael E. Russell	15,813
Glendel L. London	15,800
John E. Hodnett	15,736
Alton Morris	15,721
Ernest E. Anthony	15,686
Samuel I. Rundell	15,677
Lonnie J. Fowler	15,661
Jack Clayton	15,641
Max D. Bush	15,630
Gary Hicks	15,525
James D. Carpenter	15,426
G. H. Goggans	15,409
Hubert Elliott	15,338
Guinn Weaver	15,292
Travis C. Goree	15,243
Victor N. Strawn	15,169
Troy F. Ray	15,089
Glen W. Mingus	15,080
Don Murphy	15,001
Total payees in county (178)	3,388,248

PECOS COUNTY

M. R. Tripp	21,762
William A. Tipton	21,743
Andrew J. Sitton, Jr	20,843
Broyles Stockton	19,605
Pecos Co. State Bank	19,591
Clarence A. Stephan	19,058
Glen Brady Williams	18,284
Thomas W. Johns	17,961
Billie Wayne Holladay	15,917
Truman W. Grove	15,908
Allen Tipton	15,065
Total payees in county (11)	205,737

POTTER COUNTY

Fritz G. Menke	23,050
H. T. Neely	16,624
Total payees in county (2)	39,674

PRESIDIO COUNTY

Jones Bros., Inc	21,055

RANDALL COUNTY

Harold Erwin	24,933
Max Rarick	24,737
Edward Wieck	24,344
Davis Est	24,180
Charles E. Gerald	24,128
John W. Byrd	24,043
James F. Gruner	23,029
A. J. McCarley	22,924
Lewel Johnston	22,562
Anton Handing	22,416
Baptist Foundation	22,241
O. H. Rahlfs, Jr	22,109
Wm. H. Bush Trust B	22,045
Donald Olson	21,954
George L. Powers	21,788
H. W. Allen	21,545
Vilo A. Danner	21,414
Northrup Farms	21,281
George Hand	21,064
Lewis Hales	21,022
W. Wayne Dammier	20,853
Eugene Frische	20,765
Elmer W. Miller	20,763
Wm. T. Smoot, Sr	20,701
Roy M. Lamb	20,645
Tom Wilhelm	20,621
James Skarke	20,252
Everett F. Culp	19,408
Jack Sims	19,341
Willie Wieck	18,645
James I. Fletcher	18,517
Robert A. Burrus	18,204
Bernard Wilhelm	17,683
John S. Plank Est	17,586
Farris L. Brewer	17,537
Carol Sims	17,477
Leo V. Artho	17,331
Glynn Burrell	16,921
Louis G. Hinders	16,590
John C. Beckman	16,574
James L. Lamb	16,401
John L. Wieck	16,343
Leander A. Haschke	15,945
Nathan H. Harvey	15,840
Beulah E. Bible	15,832
Cecil Dougherty	15,827
C. R. Moore	15,785
Lyndon Earl Wagner	15,646
O'Brien Est. & O'Brien	15,589
L. S. Johnston	15,281
Thomas T. Triplett	15,212
Trust 59 Emeny Funds	15,069
Total payees in county (52)	1,018,943

REAGAN COUNTY

A. F. Henrichs	22,203
Edward Plagens, Jr	21,564
Leroy Wilde	16,402
Hubert Drgac	16,154
Total payees in county (4)	76,323

RED RIVER COUNTY

Herman, Lawler	20,943
Albert W. Bolton	20,599
Mervin L. Slaton	19,555
Charles R. McLendon	18,800
T. V. Skaggs	18,083
Glen D. Gray	16,970
Thomas V. Earley	16,553
Kenneth M. Allen	16,180
Total payees in county (8)	147,683

REEVES COUNTY

Louis D. McNeil	24,470
Butler Brothers	23,830
W. L. Kington	22,113
L. M. Collier	21,818
Don & Herman Bippes	21,198
Coy Nichols	20,443
M. C. Dixon	20,056
Marion A. Briggs	20,029
Hubert Nunn	19,980
Melvin Schnack	19,779
William C. Smith	19,526
E. D. Godbey, Jr	19,389
E. L. McDonald	19,190
Rudolph Hoefs	17,981
A. L. Gibson	17,977
William D. Fernandes	17,693
Floyd J. McNeil	17,483
W. B. Waters	17,342
J. E. Scott	17,261
J. L. Davis	17,215
James W. Lumpkin	17,005
Robert R. Butler	16,174
Erma T. Leigh	16,342
Finley Gunter	15,536
Tom Hardwick	15,398
Ray Kesey	15,023
Total payees in county (26)	490,251

REFUGIO COUNTY

S. E. Dyer	24,027
R. L. Shaw	23,932
C. L. Lehmann	23,756
Clifton Frazier	20,973
David Zabel	20,432
C. H. French	17,839
E. D. Jackson	17,054
R. M. Galbreath	15,625
H. H. Olson	15,282
Total payees in county (9)	178,920

ROBERTS COUNTY

James W. Campbell	20,562
C. W. Osborne, Sr	17,733
Wallace Locke Cattle Co	16,199
Troy E. Hopkins	15,733
Total payees in county (4)	70,227

ROBERTSON COUNTY

R. F. Manning	24,521
Joe & Matt Salvaggio	23,743
Michael Muse	23,207
Joe L. Collette	21,833
Joe Cotropia	20,730
Louis Morello	19,566
Buck E. Porter	17,615
William Corona	15,801
Total payees in county (8)	167,016

ROCKWALL COUNTY

Marvin Goodwin	23,370
Carlton D. Clinard	21,482
William E. Crawford	21,350
Charles W. Holt	20,223
Jack Pullen	15,478
Total payees in county (5)	101,963

RUNNELS COUNTY

Walter B. Adami	23,466
Leonard H. Halfmann	17,024

XUM

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Texas—Continued

RUNNELS COUNTY—Continued

Joseph Clinton Werner	16,405
Herman Hallmark	15,344
Total payees in county (4)	72,239

RUSK COUNTY

W. C. George	18,509

SAN PATRICO COUNTY

Donald B. Horne	24,424
Jo Ann Owen	24,184
Beyer Bros	23,539
J. D. Patrick, Jr	22,846
James D. Mayo	22,465
Q. M. Priday, Jr	22,111
Martin Schneider	21,605
Ray Cardwell	21,151
Tomas Touchstone	20,746
Milton Gabriel	20,359
R. E. Stalcup	20,294
Albert Kastner	19,606
Sien & Gipson Rnch. Ent	19,526
George Prochaska	19,170
Thomas B. Owen, Sr	19,068
Charles S. Brown	19,026
Stanley Webb III	19,000
Thomas M. Houser	18,796
Mercer T. Ivey	18,229
Homer C. Easterwood	17,937
Ray Troup	17,900
J. W. Setliff	17,889
Robert Tice	17,794
R. J. Garrett	17,647
Roy Rentz	17,557
Clyde C. Mayo	17,464
Douglas & W. O. Hart	17,178
Gus O. Mengers	17,140
Loree Svadlenak	16,804
Leo C. Hennig, Jr	16,671
Glenn Dorris	16,646
Thomas Kenny	16,576
Garland Hollon	15,835
Robert E. Wehmeyer	15,625
Charlie F. Spiekerman	15,591
Cecil Hart	15,470
E. C. McDaniel	15,311
D. L. Gorbet	15,086
Total payees in county (38)	714,266

SCHLEICHER COUNTY

Virginia Bruton	24,004
L. E. Lloyd	17,462
Total payees in county (2)	41,466

SCURRY COUNTY

Ray Herring	24,157
Leroy Key	23,609
Mozell Roggenstein	23,514
Granville E. Chorn	22,578
Ernest Schattel	22,225
J. W. Byrd	21,535
Billy J. Voss	21,314
Glenn Foster	19,298
Roy Hallman	19,248
Donald Tate	19,144
Leo Schattel	18,876
Wayland Huddleston	18,018
Martin Murphy	18,012
R. L. Drum	17,875
J. L. Clark	17,835
Roy L. Beaver	17,684
Buford Light	17,658
John Zalman, Jr	17,259
O. C. Hess Est	17,210
Lloyd Ainsworth	16,749
Max Von Roeder	16,379
Edwin Parks	15,758
Frank A. Wilson	15,488
J. B. Patterson	15,144
Total payees in county (24)	456,567

SHACKELFORD COUNTY

Robert L. Reves, Sr	19,492

SHERMAN COUNTY

Schafer & Schafer	24,987
Walter Lasley & Sons, Inc	24,955
William N. Jackson	24,822
N. W. Hudson	24,553
Wesley Lunt	24,182
George H. Allen	24,086
H. H. Caraway	23,363
W. Dean Heil	23,274
Ernest Cummings	22,471
Spurlock Bros.	22,126
Luther Browder	22,068
Edward Schertler	21,978
Bert Steffens	21,787
J. L. Stowers	20,851
Albert W. Zimmer	20,644
O. H. Ingham & Son	20,634
Harvey & W. A. Spurlock	20,238
E. L. Monroe	19,991
E. P. Hill estate	19,858
Roscoe Dyess & Son	19,677
Frank Pittman	19,673
Melvin Phillips	19,672
Wendell Stacy	19,494
John Basin	19,379
Irene E. Krueger	19,295
Walter Johnson	19,122
Horace D. Sneed	19,059
Bob Donald Evans	19,010
Eugene C. Smith	18,979
R. E. Gunzelman	18,911
Jesse Lee Grantham	18,244
James R. Boadman	17,842
Trayler & Reid	17,744
Gary L. Hawkins	17,718
Wallace N. Bridwell	17,096
Everett Bros	17,052
Haile Bros	16,836
Philip E. Miller	16,697
Pronger Bros	16,648
Paul Chesmer	16,388
Claude W. Sloan	16,169
Mrs. Robert Eubank	15,443
Olen Branham	15,300
Camp & Bag	15,000
Total payees in county (44)	873,316

STARR COUNTY

Griffin & Brand	23,673
A. V. Margo	22,990
Glick Twins	20,703
R. W. Depuy	16,709
Carl E. Oakes	15,210
Lazaro Rodriguez	15,114
Total payees in county (6)	114,399

STONEWALL COUNTY

E. Yakey & E. Murphree	15,293

SWISHER COUNTY

Harvey Milner	24,794
Cecil A. Rousser	24,608
Stanley Vars	24,558
Albert P. Devin	24,353
A. H. Jennings	24,316
H. C. Poage	24,230
Nuckles/Nuckles/Gerald	24,211
Roy Thompson	24,205
Ludeman Ludeman Leib Smith	24,088
Abell & Prewitt	24,062
L. G. George	23,856
Warren Lee Bell	23,798
Curtis Cecil	23,763
Odell Jennings	23,638
Robert R. Brown	23,554
Dwain Garrett	23,366
D. T. Graham	23,364
Jack Montague	23,319
Bayard Sadler	23,285
C. R. Byrd	23,268
Vernon Garrison	23,250
Johnny Nix	23,184
Stark Bros	23,105
Estle Haught	22,898
Clifford J. Vars	22,787
Eugene Mote	22,783
Gerald Schulte	22,607
Frank Loftin	22,532
O. V. Wilson	22,360
Billy T. Young	22,355
Ernest Jackson	22,298
Circle C Agri Assoc	21,936
J. D. Herndon	21,896
Calvin C. Reed	21,889
Vernon H. Harman	21,820
E. E. Sims	21,814
Tom Garrison	21,752
Glen C. Carter	21,724
A. Dean Harman	21,567
Robert S. Francy	21,516
Kenneth Littlefield	21,451
Earl Hillman	21,359
D. E. McEachern	21,268
Melvin Young	21,177
B. H. Williams	21,125
Reece Wilterding	21,034
W. E. Thurman	20,770
Bernell Dutton	20,687
Leroy Measles	20,617
J. O. Garner	20,541
Jones Bros	20,534
Foy E. Moudy	20,475
Stout Bros	20,399
Frank Kiker	20,368
George A. Rahlfs	20,111
Donald Thompson	20,023
G. D. Billington	19,962
Joe Finck	19,936
Dayne Norris	19,841
Eston Breitling	19,825
Milton Dovel	19,693
Bobby Archer	19,588
Weldon Kiker	19,538
C. D. Taylor	19,520
August C. Falkenberg	19,454
J. F. Whitsett	19,424
Orville Finck	19,408
Wayne G. Miller	19,404
B. Elvin Foster	19,282
A. M. Anderson	19,159
J. L. Bevill	19,109
Fred Harris	19,064
Milo Draper	18,998
Murry E. Vise	18,980
Charles Lee White	18,924
George B. Morgan	18,905
Richard Adams	18,805
Melvin Hill	18,763
Jack Thompson	18,667
Fred Nix	18,620
James Beavers	18,602
Lucille Brasher	18,576
Robert Hostetler	18,482
Joe A. H. Bontke	18,450
James G. Harris	18,445
N. L. Singer	18,246
Bob McDonald	18,206
Troy Stewart	18,163
W. B. Ballard, Jr	18,152
Carl Pate	17,984
Olin Nix, Sr	17,947
Harold Obenhaus	17,924
J. W. Hodges	17,917
Joe D. Vaughn	17,847
Russell Barton	17,751
Eugene Searsy	17,710
J. U. Flippo	17,640
T. V. Coile	17,352
C. R. Savage	17,245
Dean Todd	17,218
Albert M. Steinfath	17,149
Wayne Blount	17,126
Virginia D. Butler	17,125
J. R. Latham	16,978
Robert Caraway	16,943
Ewel Jones	16,896
Vernon Loftin	16,816
Charles T. Herring	16,775
Robert P. Reed, Jr	16,734
Lela Valene Hayes	16,648
Ben Berner	16,586
Henry M. McPherson	16,566
W. H. Smith	16,557
Clifton Thomas	16,527
A. C. Glenn	16,468
Dale Swinburn	16,458

XUM

Glenn Mahagan	16,404
Albert Schoenenberger	16,387
Steven A. Morgan	16,310
H. T. Duke	16,228
C. W. Rousser	16,020
L. R. Alsup	15,954
Milton E. Laurie	15,901
Gilford E. Flowers	15,797
Dois Teafatiller	15,779
J. T. McDaniel	15,747
Edgar Lee Borchardt	15,698
Carl Wesley Bevill	15,653
Morris Hardee	15,596
D. S. Burelsmith	15,474
Terry Hardy	15,456
Roy Stockett	15,354
Frank Cox	15,348
Ray Bivens	15,296
James D. Armstrong	15,274
Newt Redmon	15,204
E. F. Rainey	15,182
Bob Morris	15,156
E. N. Foster	15,127
Joe Martin	15,126
Emory Elkins	15,106
Larry Lindeman	15,082
Total payees in county (142)	2,753,385

TAYLOR COUNTY

Ted McAninch	22,836
Jim Ned Valley Supply	16,640
Total payees in county (2)	39,476

TERRY COUNTY

Ross Carter	24,760
J. C. Wooley	24,700
Lewis Havran	24,379
D. L. Adcock	24,344
Elvoyd Barton	24,323
L. R. Gober	23,909
Carl Pye	23,770
Dell Jordan	23,738
Lloyd Hahn	23,033
Robert E. Smith	22,927
John McFarland	22,924
T. A. Hicks	22,893
Graves Nelson	22,669
D. W. Gaignat	22,631
Fred H. Turner	22,373
Don Martin	22,134
Gene Newsom	22,059
E. H. Farrar	21,938
J. W. Lasiter	21,937
Buddy Hawkins	21,937
Harry Stice	21,897
James E. Thurman	21,468
M. R. Paddack	21,275
J. V. Gilliam	21,197
Donald Currie	21,004
Edward L. McCutcheon	21,001
M. H. Ratliff	20,966
Perry Lockett	20,906
Elmer R. Edwards	20,621
J. W. Christesson	20,616
L. L. Howell	20,600
Edward L. Jordon	20,574
M. W. Baccus	20,289
L. P. Joplin	20,259
Billy Yeatts	20,248
Joe Foshee	20,174
Bill Keesee	20,136
G. C. Bevers	19,942
Byron Cabbiness	19,913
Wayne Ratisseau	19,826
Loyd W. Yowell	19,761
H. T. Briscoe	19,759
R. H. Clements	19,740
J. W. Hawkins	19,724
Jimmy Pendergrass	19,721
Monroe Rowden	19,696
Hubert Henson	19,688
Earnest G. Hudson	19,676
J. D. Oliver	19,669
Geo. L. Sullivan, Jr	19,614
O. V. Newton	19,611
Homer Causseaux	19,500
Royce Hester	19,471
Joe H. Henson	19,425
Earl Caswell	19,346
Cecil Cowan	19,309
B. J. McLaurin	19,307
Aubrey Puryear	19,257
J. Ed Crooks	19,228
L. M. Williams	19,184
J. A. Webb	19,176
Victor Watts	19,063
Murphy May	18,952
H. L. Holleman	18,917
T. B. Benson	18,906
Lee Miller	18,886
W. F. Jones	18,732
Herman Wheatley, Jr	18,392
F. L. Earnest	18,261
Odell Fuller	18,212
Hoard Moorhead	18,158
Rex Wilkes	18,142
Johnny R. McKenzie	18,115
Crate Snider	18,107
D. J. Yowell, Jr	18,102
Bobby Gilliam	18,014
Joe W. Grimes	17,986
Willie Hyman	17,923
Raymond Vardeman	17,905
B. H. Bearden	17,808
Grady Goodpasture	17,789
W. D. May	17,362
Harold Forbes	17,312
Carl Hogue	17,194
Phil Addison	17,169
Freddie Howard	17,127
R. G. Nutt, Jr	17,102
Earl Cornett	17,045
Robert Luker	16,979
A. J. Hartman	16,964
Jimmie Berryhill	16,956
Robert Hamm	16,735
Leo Wenzel	16,614
J. O. Farrar	16,609
J. C. Meeks, Jr. & J. C. Meeks, Sr	16,575
Wayne Goza	16,384
L. O. Rogers	16,379
Lewayne Rowden	16,369
John T. Perkins	16,339
M. E. Beck	16,316
Bennie Bevers	16,300
Gordon Patton	16,264
Raleigh Luker	16,246
A. O. Waters	16,239
W. Loyd Franklin	16,213
Marvin C. Warren	16,204
Herman Cottrell	16,122
G. W. Henson, Jr	16,048
Frank Sargent	16,036
C. O. Brown, Jr	16,033
Herbert F. Smith	16,028
W. L. Stephens	15,871
August Steinfath, Jr	15,831
Andrew Smith, Jr	15,811
Orville P. Williams	15,786
J. C. Donaghey	15,723
Buel Draper	15,722
Calvin Booth	15,714
H. M. Smith	15,675
F. W. Chapman	15,669
G. H. Crutcher	15,532
H. B. Harris	15,525
Burke Slaughter	15,506
T. E. Gafford	15,414
Dennis Belew	15,394
Ralph Spain	15,376
L. D. Culbert	15,306
John Shirley et al	15,218
Tommy Ashburn	15,203
Arnold Patton	15,086
Total payees in county (130)	2,445,147

THROCKMORTON COUNTY

Moore Farm	16,703

TOM GREEN COUNTY

Ripple Brothers Part	23,375
Fenton A. Wilde	23,082
Dewey Parmer, Jr	22,085
Dorval D. Lee	17,178
Carson C. Miles	16,424
Leon Kiesling	15,944
Total payees in county (6)	118,088

TRAVIS COUNTY

Clyde Lundgren	22,819
Edgar Graef	22,613
Timmerman and Hagn	21,008
E. A. Randig	17,505
Erwin Pfluger	15,778
Clarence Melber	15,178
Total payees in county (6)	114,901

UVALDE COUNTY

Otto Strube	17,841
W. C. Reagan	16,682
Total payees in county (2)	34,523

VICTORIA COUNTY

William B. Bayer	21,419
H. Marvin Thompson	18,238
Ben Rubac	17,068
Dan Wischkaemper	15,316
Alfred F. Schoener	15,287
Total payees in county (5)	87,328

WALLER COUNTY

Frank Springer	18,560
Alfons Springer	18,560
Hubert Barry	17,776
A. Wm. Schild	15,900
Diemer Lockart Fife	15,094
Total payees in county (5)	85,890

WASHINGTON COUNTY

Billy Pawlak	15,857

WEBB COUNTY

Jack Akin	20,671
N. H. Clark	17,362
Apache Ranch	15,614
Total payees in county (3)	53,647

WHARTON COUNTY

Lawrence Petersen	22,231
William B. Preisler	22,125
Joe S. Kramr	21,545
John J. Kramr	20,986
Julius Hlavinka	19,373
W. F. Kainer	19,330
Lawrence Nilson	18,485
Jerome Koudela	17,805
H. D. Madsen	17,012
James O. Olson	16,823
Earl Yackel	15,704
W. A. Harrison	15,264
Billy A. Hermansen	15,215
Edwin Hawes Vineyard	15,131
Total payees in county (14)	257,029

WHEELER COUNTY

W. V. Lister	22,321
Irven J. Hink	20,279
Raymond Moore	19,255
Alvin R. Hampton	19,183
Allen M. Reynolds	19,014
Cleo Grady Dodd	17,851
A. W. Burrell	17,352
Coy Revious	15,987
J. H. Oldham	15,859
Clifton Boydston	15,453
Mills Ranch	15,097
Leonard Mills	15,028

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Texas—Continued

WHEELER COUNTY—continued

J. R. Hefley	15,004
Total payees in county (13)	227,683

WICHITA COUNTY

Montgomery & Crumpler Inc	19,578
H. C. Preston	17,993
Total payees in county (2)	37,571

WILBARGER COUNTY

Roy W. Judd	21,919
J. C. Riggins	17,473
J. W. Overton	16,470
Marshall K. Berry	15,567
Total payees in county (4)	71,429

WILLACY COUNTY

Roy Morrow	24,875
F. G. Page	24,744
John Wreden	23,770
Doyle Rhodes	22,873
A. J. Shewmaker	22,773
D. B. MacAllister	22,643
Virgil D. Oakes	22,514
Ralph Christian	22,261
Lloyd M. Funk	22,113
W. F. Brooks	22,004
Weldon Haynes	21,967
J. S. Bridwell Est	21,363
Donald Florence	21,259
D. C. & Ted Parham Ptns	21,158
D. V. & J. T. Mayo Ptns	20,715
Grant Clark	19,927
J. A. Pennington	19,920
James M. Lucas	19,655
Fred Klostermann	19,475
Hoot Farms	19,454
Monty Stewart	18,652
Chas. Wetegrove Co	18,208
Geo. L. Labar & Sons	18,149
O. G. Swanberg	17,827
Clarence R. Anderson	16,661
Jack Scogin	16,630
Harold Lemmons	16,623
Fred Palousek	16,478
Fox Farms Ptns	16,306
Cooley Farms	16,249
G. F. McGee & Sons	16,149
Fritz Belschner	15,445
Cleo Roberts	15,398
Thomas J. Rains	15,336
J. B. Pinson	15,332
M. D. Bush	15,324
Est J. D. Campbell	15,312
Willie B. Kipp	15,259
Larry Nance	15,206
Paul Vassberg	15,126
Weldon Willis	15,014
Total payees in county (41)	776,147

WILLIAMSON COUNTY

Jack Kauffman	18,827
Alvin W. Brinkmeyer	16,278
Raymond G. Garrett	15,925
Ed Carlson, Jr	15,687
Total payees in county (4)	66,717

YOAKUM COUNTY

E. B. Hicks	24,809
John Avara	23,591
C. Loran Gayle	23,576
A. L. Reynolds	23,497
T. J. Bearden	22,696
Grady Warren	21,637
Homer T. Sudderth	21,741
Forrest D. Spencer	21,607
Gregg Farms	20,774
A. L. Milstead	20,612
Barron Blair	20,331
A. B. Williams	19,958
Billy J. Smith	18,992
Wallace Rrandolph	18,634
John W. Freeman	18,566
A. O. Bearden	18,115
Wendell Norman	17,977
M. E. Welch	17,789
A. F. Kelley	17,746
Leon Lepard	16,894
Bill Powell	16,878
Wesley Gunter	16,870
Dickie Green	16,853
A. B. Carpenter	16,750
D. E. Green	16,738
A. K. Gilliam	16,372
H. W. Seals	16,286
J. P. White, Jr	16,217
E. O. Winkles	15,927
Mack Sealy	15,484
L. D. Hamm, Jr	15,414
Sam D. Strong	15,243
Dan Beck	15,239
Total payees in county (33)	620,813

YOUNG COUNTY

L. C. Young	22,020
Grover F. Furr	17,606
Dale Heard	15,066
Total payees in county (3)	54,692

ZAPATA COUNTY

James D. Dye	16,345

ZAVALA COUNTY

Harold Lloyd	23,549
Herman F. Watson	22,035
Felton Fitch	21,497
Robert L. Jacobs	21,152
Warren Wagner	21,132
J. D. Lambert, Jr	20,902
Terrell C. Holliday	19,905
Malcolm Richey	18,818
Cecil Kirk	18,244
Total payees in county (9)	187,234
Total payees in State (4,034)	76,632,368

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Utah

BOX ELDER COUNTY

Oleen Garn & Sons	24,251
Norman Grover	24,099
Cassia Graz Association	23,923
Wayne and Dallas Sandall	22,765
Ray Adams	20,927
Paul Stine	19,556
Mariner Munk	18,401
Richard B. Hyer	17,338
Deloris Stokes	15,593
Holmgren Bros	15,438
S. J. Postma Family Part	15,418
Harry Canfield	15,218
Rudy Hupp	15,180
Total payees in county (13)	248,107

CACHE COUNTY

D. Brooks Roundy	21,074

GARFIELD COUNTY

Newel Steed	20,597

IRON COUNTY

Page Angus & Grain Ranch	20,418
Leatha Prestwich	16,240
Total payees in county (2)	35,308

MILLARD COUNTY

Taft Paxton	15,775

SALT LAKE COUNTY

Jones Bros	22,160
Kenneth L. Jones	15,068
Total payees in county (2)	37,228

UTAH COUNTY

Grant B. Smith	20,466
Douglas C. Smith	15,507
Total payees in county (2)	35,973
Total payees in State (22)	415,412

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Virginia

CHESAPEAKE COUNTY

V. L. Whedbee	23,736
M. J. McDonald	18,382
G. B. Pendleton, Jr	18,132
F. W. Culpeper, Sr	16,564
O. G. Weatherly	15,977
Total payees in county (5)	92,791

GREENSVILLE COUNTY

William A. Robinson	19,193
W. H. Ligon	18,228
P. L. Smith	18,026
Geo B. Ligon	16,541
Total payees in county (4)	71,988

HANOVER COUNTY

Kreynus Bros	16,142

ISLE OF WIGHT COUNTY

Ramsey Bros	18,053

NANSEMOND COUNTY

Upton Produce Co	17,682

PRINCE GEORGE COUNTY

Robert Daniel, Jr	16,445

VIRGINIA BEACH COUNTY

Norris Shirley	19,478
John Malbon	15,830
Total payees in county (2)	35,308
Total payees in State (15)	268,409

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Washington

ADAMS COUNTY

Victor R. Franz	24,427
E. C. Phillips Est	24,123
Godfrey Meilke	24,063
Elmer Schoesler & Sons	23,599
James Kagele	23,391
Homer Evans	23,224
M. C. Hollenback	22,661
George O. Pence	20,518
Norman Kagele	20,021
Moeller Ranch	19,927
Walter Jantz	19,664
Ed Faure, Jr	19,255
R. A. Kinch	19,186
Warren W. Kautz	19,183
Donald S. Miller	19,152
Floyd W. Maier	19,074
Emil Kulm	18,809
Mike Damon	18,439
Herbert Sackmann	17,765
John Damon	17,614
Clarence Strohmaier	17,472
Donald D. Bauman	17,414
Wayne F. Klindworth	17,303
J. R. Damon	17,173
Lester D. Lyle	17,151

Tompkins Bros	16,540
E. E. Watkins	16,372
Robert T. Allen	16,357
Orville Smart	16,324
Harold Hoefel	15,988
Carl Beckley	15,647
Vic Yoshino	15,583
Eden Bros	15,569
Ottmar Inc	15,359
John Kisler	15,313
Chas Saunders	15,224
Jacob Greenwalt, Jr	15,084
John H. Loewen	15,011
Total payees in county (38)	704,979

ASOTIN COUNTY

Ralph W. Watson	19,466
Dwight Halsey	18,069
Lester Parsons	17,756
Total payees in county (3)	55,291

BENTON COUNTY

Kenneth Lee Smith	24,792
Allen C. Deffenbaugh	24,591
R. J. McWhorter	24,414
Carl L. Smith	23,424
Walter T. Reese	23,047
Vernon Gramling	21,773
John Wiley	21,592
Harry G. Owens	21,574
Simmelink & Sons	20,268
Edwin Wilkerson	19,767
Ice Bros	19,537
Steve Smith Farms, Inc	18,959
Triple S. Farms, Inc	18,203
Henry Smith	17,736
G. A. Reese	16,641
Ben Blair	16,038
J-F Ranches, Inc	15,550
Richard Deffenbaugh	15,285
Shirl Moon	15,099
Total payees in county (19)	378,290

CHELAN COUNTY

Ben Sloan	18,568

COLUMBIA COUNTY

Ellsworth Conover	24,356
Jack Penner	23,994
Tucker Farms	23,721
Dewey Donohue & Sons	23,700
Fred Kimball	22,182
Robert Patton	21,266
David Archer	19,962
Gordon Anderson	19,450
Glen Bickelhaupt	19,262
Hugh Watkins	18,972
Darin Heady	18,877
Alvin Richter	17,974
Ingram Brothers	17,086
W. W. Day	17,048
Chuck Turner	16,989
James D. Archer	16,983
Gerald Vollmer	16,921
Whitman College	16,902
Richard Archer	16,526
William Payne	16,255
Ronald Ferguson	16,093
Joe F. McCown	15,998
Delbert B. Howard	15,591
Total payees in county (23)	436,108

DOUGLAS COUNTY

Pat Brown	23,322
Ralph Jorgensen	22,948
Daling Farm, Inc	22,709
D. G. Davis	20,889
Howard M. Long	19,998
E. John Isaak	19,559
Howard Jorgensen	19,261
Lloyd D. McLean	19,175
Ronald Dezellem	18,066
P. E. Wainscott	17,471
Orval L. Painter	16,953
Tom Davis	16,863
Harry Lee Hanford	16,051
W. H. Schmidtman	15,062
Total payees in county (14)	268,327

FRANKLIN COUNTY

Van Hollebeke Farms, Inc	23,063
Wilbur Dent, Jr	23,009
Bauermeister Brothers	22,776
Lloyd K. Cochrane	22,243
Francis Havlina	21;589
L. V. Dougherty	21,545
John V. Fisher	21,534
Alvin Mittelstaedt	20,140
Maynard Bailie	17,723
Sullivan Brothers	17,216
Larry Hoffman	16,731
Paul J. Schafer	16,672
Arnold D. Hudlow	16,578
Richard Hart	16,447
Van Hollebeke, Inc	16,388
E. C. Loeber	16,094
Joe F. Havlina and Son	15,028
Total payees in county (17)	324,776

GARFIELD COUNTY

C. C. Wolf Sons	24,745
Gary Duckworth	24,282
Gordon Ruchert	23,906
Wilbur Morgan	23,354
Pearl Gwinn	22,703
A. E. Blachly	21,173
John M. Robinson	20,027
A. H. Bartlow—Sons	18,973
Oscar Victor	18,192
Kate Donley	17,873
Donald L. Johnson	17,738
Lowell Baker	17,429
Crumpacker—Becker	17,396
Clarence Cole	16,274
Robert Heitstuman	16,922
Levi Stradley	16,703
Jack Wassard	16,232
Logan Hugg	15,563
Total payees in county (18)	350,485

GRANT COUNTY

Bob Zimmerman	24,471
Agatha Keener	23,357
H. N. Boger	22,345
George Menke	22,111
James D. Stevens	21,748
C. C. Claassen	21,514
Al Fountain	20,712
Art Schorzman	20,491
Dick Edwards	20,232
Frank Hansen & Sons	19,812
J. H. Poe	19,770
David W. Frick	19,763
Lars Hansen	19,235
William Huddle	19,170
Earl Heathman	19,052
Jerry Escure	18,986
R. E. Carstensen	17,915
Anthony K. Kielian	17,711
Cole Elder & Son	17,694
Ruth Barbre	17,481
Shrock Bros	17,452
Claude A. Pearce	16,910
Senkler Bros	16,798
Arthur Fiess	16,771
Emrys Hughes	16,611
Virgil Stevens	16,452
Walter Spies	16,323
Robert O'Neil	16,169
William R. Sieg	15,976
Thomas Fiess	15,792
Kenneth W. Saunders	15,736
Robert Sieg	15,531
Total payees in county (32)	600,091

KLICKITAT COUNTY

McBride Ranches, Inc	19,420
Jack Davenport	19,071
Mattson, Morris & Wheelhouse	18,414
Mercer Ranches, Inc	17,122
F. H. Naught	16,158
Total payees in county (5)	90,185

LINCOLN COUNTY

Alvin O. Wollweber	23,749
Robert A. Kramer	23,084
Attie L. Turner	22,802
Lyka Corporation	22,141
Lewis Kagele	21,992
Robert Deife	21,390
E. W. Oestreich	21,379
Schafer Farms, Inc	20,900
Don B. Piper	20,828
Lawrence Timm	20,603
J. R. Laney	20,531
Robert Rieth	20,282
Dewane S. Buddrius	20,224
Richard Hardy	20,199
Alvin Schmierer	20,147
Peyton Tr	19,816
K. C. Stack	18,853
Keith E. Schulz	18,335
Lester A. Moos	18,296
Louis M. Wraspir	18,092
Robert L. Johnson	18,023
Llewellyn Farms, Inc	17,795
Walter A. Zellmer	17,563
Gary W. Geib	17,220
Robert E. Zwainz	17,192
Alvin D. Fink	17,058
Donald Kramer	17,021
Rudolph Wagner	17,007
Don and Wallace Weishaar	16,626
Edna Deptuch	16,427
W. L. Gilliland	16,367
Melvin M. Maurer	16,316
F. Leonard Gaffney	16,268
Earl Williams	16,150
Joseph C. Linstrum	15,982
Doerschlag Brothers	15,944
Leo Neilsen	15,854
C. O. and L. W. Peterson /P/	15,496
Klein Brothers /P/	15,481
George Kloster	15,353
Marvin L. Fink	15,252
John I. Kupers	15,203
Harold Jenkins	15,192
Crescent Valley Ranch	15,109
Total payees in county (44)	805,542

OKANOGAN COUNTY

Philip James Joy	17,751

SPOKANE COUNTY

George Clarno	23,889
Babb Bros	23,469
Harvey Raugust	19,466
Henry J. Clausen	19,168
Herman Holling	18,116
Marvin Carstens	17,707
Thomas W. Dashiell	17,418
Emtman Bros	17,237
Ted McMillan	16,686
Elden & Karl Felgenhauer	15,882
Saunders & Ott	15,411
Thomas Hyslop	15,369
Total payees in county (12)	219,818

WALLA WALLA COUNTY

Marvin Tucker	24,214
Allen D. Struthers	24,184
S. Earl Cochran	24,092
Peterson Bros	23,676
Frank Leroux	23,465
Eugene Valaer	23,450
Edwin Bros	23,424
Universal Land Sn Ri	23,036
Albert F. Kibler and Son	23,004
K. & R. Walters	23,001

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1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Washington—Continued

ADAMS COUNTY—continued

Wallace Evans	22,809
Cecil R. Anderson	22,716
Robert D. Frazier	22,513
Casey Farms, Inc	22,506
Hofer Bros	21,857
Don Thomas	21,310
Paul Webb, Jr	21,263
H. Vincent and W. Johnson	21,259
Harvey Farms, Inc	20,910
Tompkins & Sons	20,446
Paul B. Dague	20,266
Lloyd Hair	20,007
Olaus Filan	19,829
Blacklaw Bros	19,806
Theodore B. Small	19,804
Howard P. Smith	19,710
Thelma M. Owsley	19,698
F. Munns Est	19,382
F. Munns Estate	19,382
John S. Anderson	19,066
Gary C. Lasater	18,832
STS Farm, Inc	18,827
E. P. Moore, Tr	18,453
Ronald J. Kenney	18,386
Nelson Thompson & Nelson	18,174
Donald Tucker	18,161
Terry Tucker	18,161
Philip Hoffmann and Sons	18,074
Ernest R. McCaw	17,943
Joe A. Herres	17,738
G. and D. Walters	17,677
J. W. Thomas	17,360
Fred Strohmaier	17,357
Eugene R. Robison	17,311
Phillips Farms, Inc	17,196
O. M. Anderson Farm	17,160
Lyons Bros	17,091
Ray L. Small, Jr	16,963
Bernard T. Moro	16,860
Wallace Warren	16,630
Clymore J. Thomas	16,438
R. E. Corkrum K. Noble	16,087
Lee Pennell	15,976
David E. Cox	15,930
Leroy G. Houger	15,842
Charles B. Preston, Tr	15,543
James A. Stonecipher	15,444
Shepherd Farms, Inc	15,352
Clodius Ranch	15,198
Kermit Peterson	15,178
Ernest Gluck	15,134
Robert Loney	15,049
Total payees in county (61)	1,172,228

WHITMAN COUNTY

Harold H. Smick	24,605
Herbert Camp & Sons	24,499
M. E. Davis	24,104
Maley Farms, Inc	23,436
Hinderer Bros	23,307
Fleming Bros	22,772
B. W. Davidson & Sons	22,323
Lehn Brothers	22,213
R. Mac Crow	22,016
Ivar Nelson	21,590
David Gfeller	21,523
Edward L. Smith	21,502
C. W. Hood	21,489
Pioneer Stock & Grain Farm, Inc	21,374
Don Camp	21,275
Harp Brothers	21,188
Schulthesis Brothers	21,018
Leinweber Brothers	20,727
Edward A. Fulfs	20,505
Leo Addington	20,023
Lester Camp	19,998
Nelson Bros	19,824
Ford Gumm & Sons	19,806
Jack Garrett	19,797
Raymond & Robert Heglar	19,600
Virgil Klaveano	19,462
Lester J. Kile	19,428
Curtis Cattle Co	19,328
Calvin Raugust	19,314
Edwin Kilpatrick	19,095
Ed P. Schu	18,917
Henry Niehenke	18,838
Melvin Camp	18,717
Wheatacre Farms, Inc	18,669
Melvin A. Ensley	18,536
S. P. Rambo	18,491
Roy Auvil	18,369
Dan Lautenslager	18,332
Solomon Schroetlin	18,280
Earl Crowe	18,267
Zaring & Zaring	18,221
Frank Swannack, Jr	18,192
Harold Knott	18,136
Roy S. Smith	18,113
Elmo Richter	18,019
Delwin Parsons	17,934
Willu, Inc	17,870
E. F. Hanford	17,810
Walter Broeckel	17,734
Fred Hollingsworth	17,717
Ed Nelson	17,708
Paul Mader	17,628
Gordon Knott	17,618
Gary Cochran	17,477
Schneidmiller Bros	17,473
Jacobs Farms	17,281
Roy Peringer Farms, Inc	17,278
Richard A. Willson	17,155
William Pendry	17,147
Louis C. Chesnut	17,122
Franklin D. Rockwell	16,996
E. A. Burgess	16,994
Luft Brothers	16,994
Audrey Krueger	16,730
Herbert Hemingway	16,680
Robert L. White	16,669
Norman Hansen	16,521
Alice Neal & Sons	16,499
L. C. Staley Tr	16,460
Don Sodorff	16,460
King & Kinzer	16,447
Myklebust Brothers	16,430
E. L. Jordan	16,328
Clinton Dirks	16,312
Harold Stueckle	16,273
Earl Schluneger	16,265
Dale Bryan	16,243
Lloyd H. Andrus	16,231
John H. Miller & Sons, Inc	16,189
Keith D. Mader	15,936
Leonard Eberle	15,935
Ralph E. Kile	15,890
Dale Culbertson	15,814
Earl M. Pierson	15,804
John H. Doneen	15,745
Warren G. Hanford	15,685
Clanton Eccles	15,669
Loenig Land Co	15,657
Wm. Melville	15,576
Edward Rambo	15,502
Charles McHargue	15,448
Merle Harlow	15,196
James W. Curtis	15,168
Albert Carstens	15,118
Darell Meiners	15,008
John & Loren Blumenshein	15,004
Total payees in county (96)	1,754,064

YAKIMA COUNTY

W. B. Pace, Jr	19,329
Total payees in State (385)	7,215,832

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Wisconsin

COLUMBIA COUNTY

L. J. Kaasa	20,429
Swalheim Farms	15,939
Total payees in county (2)	36,368

DANE COUNTY

R. J. Schmitt Farm	19,590
Jerry Henry Farms	17,091
Total payees in county (2)	36,681

DODGE COUNTY

Roche Bros	16,134
Badger Beefland	15,895
Total payees in county (2)	32,029

GREEN COUNTY

Donald R. Smith	18,540

LAFAYETTE COUNTY

Darlington Farms, Inc	17,450

MILWAUKEE COUNTY

Robert Petzold	16,424

PIERCE COUNTY

Elizabeth Jacques	22,274

RACINE COUNTY

Dennis Kramer	17,414
R. Kiehlbauch & Son	15,442
Total payees in county (2)	32,856

ROCK COUNTY

Donald Pope Est	22,948
Ogden Inman	22,169
John Dyke, Inc	21,619
Norman Hatlen	21,529
C. W. Poff	19,979
C. Robert Hill	19,081
Oliver Earleywine	17,548
Norman Krumwiede	16,732
Dean George	15,630
Francis Fullerton	15,224
Total payees in county (10)	192,459

SHEBOYGAN COUNTY

Kohler Co	17,298

WALWORTH COUNTY

Henry Sterken	24,393
Polyock Bros	23,791
Total payees in county (2)	48,184
Total payees in State	470,563

1969 ASCS program payments of $15,000 through $24,999 excluding price support loans and wool and sugar payments—Wyoming

CAMPBELL COUNTY

J. Russell Kavka	15,064

CARBON COUNTY

C. W. McIlvaine	15,202

GOSHEN COUNTY

Milan Henby	20,413
Buford Reece Beaver	19,914
H. A. Garrelts & Son, Inc	17,804
L. T. Lovercheck	16,965
Total payees in county (4)	75,096

LARAMIE COUNTY

Henry Jessen	24,334
John F. Jessen	19,462
Jimmy Jessen	19,362
Total payees in county (3)	63,158

LINCOLN COUNTY

E. C. Lund	18,778

PLATTE COUNTY

Deuane O. Lowry	24,273
John F. Baker	17,154
Jacob Goertz	15,376
Total payees in county (3)	56,803
Total payees in State (13)	244,101

TYRANNY OF YOUTH

(Mr. CEDERBERG asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CEDERBERG. Mr. Speaker, last year about this time I brought to the attention of my colleagues a series of "handbooks" which were prepared and distributed by the radical Students for a Democratic Society. Since my remarks last March and April we have seen a split in this radical organization over depth of revolutionary ideology, and a marked increase in violence as a method of social protest. Recently we have been reading of bombings and threats of bombings in the major cities of our Nation. Great office buildings have been racked with explosions that have threatened hundreds of lives. A courthouse not very far from this great Capitol was the object of one explosion—an explosion which was calculated to take place at the height of an emotion-laden trial in one of its courtrooms.

We have created in America an atmosphere of genteel permissiveness which has been directed at apologizing for the wrongs of the world. A small, a very small, minority of misguided and ill-directed young people have taken upon themselves the task of being judge, jury, and executioner of American society and the American way of life. I do not, I cannot, agree with their premise that America is all wrong, that it is our institutions and our way of life which have created all of the world's problems and that only by eliminating those institutions can we achieve greatness. America is a great nation today. The vast majority of both young people and their elders work constructively day by day, with sweat, blood, and tears, to make America greater—to make a contribution to improving the quality of life all over the world.

I think that it is time for us to stop apologizing for our past, to stop the insane coddling of our young which has led them to look upon us as failures, and to project this attitude to the institutions of our society. We have succeeded more often than we have failed, and with all of society working together we shall continue to succeed. Man will attack and conquer, as he has for thousands of years, the problems of poverty, prejudice, and greed.

A recent article on the tyranny of youth from the San Francisco Sunday Examiner and Chronicle by Dr. Ross K. Toole, a professor of history at the University of Montana explores this whole business of the atmosphere we have allowed to develop in our young people. The author, a father of seven, who is in daily contact with college-age youth, decries the "tyranny of spoiled brats," and makes some very solid observations about our future conduct with respect to these young radicals. This minority of our young people is tyrannizing both the majority of the youth and the leaders of our institutions. We cannot allow it to continue. I want to recommend very strongly that my colleagues take a moment to read this rather lengthy but well-written article and reflect on its meaning for our actions here each day.

The article follows:

OUR MILITANT BRATS: PROFESSOR DENOUNCES YOUTH TYRANNY

(By Dr. Ross K. Toole)

(NOTE.—The author of this article is in the history department of the University of Montana and offers his views as a representative of the middle age generation.)

I am 49 years old. It took me many years and considerable anguish to get where I am—which isn't much of anyplace except exurbia.

I was nurtured in depression; I lost four years to war; I am invested with sweat; I have had one coronary; I am a liberal, square and I am a professor.

I am sick of the younger generation, hippies, yippies, militants and nonsense.

I am a professor of history at the University of Montana, and I am supposed to have liaison with the young. Worse still, I am father of seven children. They range in age from 7 to 23—and I am fed up with nonsense.

I am tired of being blamed, maimed and contrite; I am tired of tolerance and the reaching out (which is always my function) for understanding. I am sick of the total irrationality of the campus rebel, whose bearded visage, dirty hair, body odor and tactics are childish but brutal, naive but dangerous, and the essence of arrogant tyranny—the tyranny of spoiled brats.

I am terribly disturbed that I may be incubating more of the same. Our household is permissive, our approach to discipline is an apology and a retreat from standards—usually accompanied by a gift in cash or kind.

It's time to call a halt; time to live in an adult world where we belong and time to put these people in their places.

We owe the younger generation what all older generations have owed younger generations—love, protection to a point, and respect when they deserve it.

We do not owe them our souls, our privacy, our whole lives, and above all, we do not owe them immunity from our mistakes, or their own.

Every generation makes mistakes, always has and always will. We have made our share. But my generation has made America the most affluent country on earth. It has tackled, head-on, a racial problem which no nation on earth in the history of mankind had dared to do.

SOCIAL JUSTICE

It has publicly declared war on poverty and it has gone to the moon; it has desegregated schools and abolished polio; it has presided over the beginning of what is probably the greatest social and economic revolution in man's history.

It has begun these things, not finished them.

It has declared itself, and committed itself, and taxed itself and damn near run itself into the ground in the cause of social justice and reform.

Its mistakes are fewer than my father's generation—or his father's or his. Its greatest mistake is not Vietnam; it is the abdication of its first responsibility, its pusillanimous capitulation to its youth, and its sick preoccupation with the problems, the mind, the psyche, the raison d'etre of the young.

Since when have children ruled this country?

By virtue of what right, by what accomplishment should thousands of teenagers, wet behind the ears and utterly without the benefit of having lived long enough to have either judgment or wisdom, become the sages of our time?

The psychologists, the educators and preachers say the young are rebelling against our archaic mores and morals, our materialistic approaches to life, our failures in diplomacy, our terrible ineptitude in racial matters, our narrowness as parents, our blindness to the root ills of society. Balderdash.

Society hangs together by the stitching of many threads. No 18-year-old is simply the product of his 18 years: He is the product of 3000 years of the development of mankind—and throughout those years, injustice has existed and been fought; rules have grown outmoded and have changed; doom has hung over men and been avoided; unjust wars have occurred; pain has been the cost of progress—and man has persevered.

As a professor and the father of seven, I have watched this new generation and concluded that most of them are fine. A minority are not—and the trouble is that minority threatens to tyrannize the majority and take over.

I dislike that minority; I am against that the majority takes it and allows itself to be used. And I address myself to both the minority and the majority.

I speak partly as a historian, partly as a father and partly as one fed up, middle-aged and angry member of the so-called Establishment—which, by the way, is nothing but a euphemism for society.

Common courtesy and a regard for the opinions of others is not merely a decoration on the pie crust of society, it is the heart of the pie.

Too many youngsters are egocentric boors. They will not listen, they will only shout down. They will not discuss but, like 4-year-olds, they throw rocks and shout.

Arrogance is obnoxious; it is also destructive. Society has classically ostracized arrogance without the backing of demonstrable accomplishment.

Why, then, do we tolerate arrogant slobs who occupy our homes, our administration buildings, our streets and parks, urinating on our beliefs and defiling our premises?

SENSITIVITY

It is not the police we need (our generation and theirs), it is an expression of our disgust and disdain. Yet we do more than permit, we dignify it will introspective flagellation.

Somehow it is our fault. Balderdash, again.

Sensitivity is not the property of the young, nor was it invented in 1950. The young of any generation have felt the same impulse to grow, to live freely and to let the minds loose along unexplored corridors.

Young men and young women have always stood on the same hill and felt the same vague sense of restraint that separated them from the ultimate experience—the sudden, and complete expansion of the mind, the final fulfillment.

It is one of the oldest, sweetest and most bitter experiences of mankind.

Today's young people did not invent it; they do not own it. And what they seek to attain all mankind has sought to attain throughout the ages.

Shall we, therefore, approve the presumed attainment of it through heroin, speed, LSD and other drugs?

And shall we, permissively, let them poison themselves simply because, as in most other respects, we feel vaguely guilty because we brought them into this world?

Again, it is not police raids and tougher laws that we need; it is merely strength. The strength to explain, in our potty, middle-aged way, that what they seek, we sought; that it is somewhere but not here and sure as hell not in drugs; that, in the meanwhile, they will cease and desist the poison game.

And this we must explain early and hard—and then police it ourselves.

Society, the Establishment, is not a foreign thing we seek to impose on the young. We know it is far from perfect. We did not make it; we have only sought to change it.

The fact that we have only been minimally successful is the story of all generations—

XUM

as it will be the story of the generation coming up.

Yet we have worked a number of wonders. We have changed it.

We are deeply concerned about our failures; we have not solved the racial problem but we have faced it; we are terribly worried about the degradation of our environment, about injustices, inequities, the military-industrial complex and bureaucracy.

But we have attacked these things. We have, all our lives, taken arms against our sea of troubles—and fought effectively.

But we also have fought with a rational knowledge of the strength of our adversary; above all, knowing that the war is one of attrition in which the unconditional surrender of the forces of evil is not about to occur.

We win, if we win at all, slowly and painfully. That is the kind of war society has always fought—because man is what he is.

Knowing this, why do we listen subserviently to the violent tacticians of the new generation?

Either they have total victory by Wednesday next or burn down our carefully built barricades in adolescent pique; either they win now or flee off to a commune and quit; either they solve all problems this week or join a wrecking crew of paranoids.

Youth has always been characterized by impatient idealism. If it were not, there would be no change. But impatient idealism does not extend to guns, fire bombs, riots, vicious arrogance, and instant gratification. That is not idealism; it is childish tyranny.

The worst of it is that we (professors and faculties in particular) in a paroxysm of self-abnegation and apology, go along; abdicate, apologize as if we had personally created the ills of the world—and thus lend ourselves to chaos.

We are the led, not the leaders. And we are fools.

As a professor I meet the activists and revolutionaries every day. They are inexcusably ignorant. If you want to make a revolution, do you not study the ways to do it? Of course not! Che Guevarra becomes their hero. He failed; he died in the jungles of Bolivia with an army of six. His every move was a miscalculation and a mistake.

Mao Tse-tung and Ho Chi Minh led revolutions based on a peasantry and an overwhelmingly ancient rural economy.

They are the patternmakers for the SDS and the student militants.

READING

I have yet to talk to an activist who has read Crane Brinton's "The Anatomy of Revolution," or who is familiar with the works of Jefferson, Washington, Paine, Adams or even Marx or Engels.

And I have yet to talk to a student militant who has read about racism elsewhere and/or who understands, even primitively, the long and wondrous struggle of the NAACP and the genius of Martin Luther King—whose name they invariably take in vain.

An old and scarred member of the wars of organized labor in the U.S. in the 1930s recently remarked to me: "These 'radicals' couldn't organize well enough to produce a sensible platform let alone revolt their way out of a paper bag."

But they can, because we let them, destroy our universities, make our parks untenable, make a shambles of our streets, and insult our Flag.

I assert that we are in trouble with this younger generation not because we have failed our country, not because of affluence or stupidity, not because we are antediluvian, not because we are middle-class materialists—but simply because we have failed to keep that generation in its place and we have failed to put them back there when they got out of it.

We have the power; we do not have the will.

We have the right, we have not exercised it.

To the extent that we now rely on the police, Mace, the National Guard, tear gas, steel fences and a wringing of hands we will fail.

What we need is a reappraisal of our own middle-class selves, our worth and our hard-won progress.

We need to use disdain, not Mace; we need to reassess a weapon we came by the hard way, but travail and labor, firm authority as parents, teachers, businessmen, workers and politicians.

The vast majority of our children from one to 20 are fine kids. We need to back this majority with authority and with the firm conviction that we owe it to them and to ourselves.

Enough of apology, enough of analysis, enough of our abdication of responsibility, enough of the denial of our own maturity and good sense.

The best place to start is at home, but, the most practical and effective place, right now, is our campuses. This does not mean a flood of angry edicts, a sudden clampdown, a new policy.

It simply means that faculties should stop playing chicken, that demonstrators should be met not with police but with expulsion.

The power to expel (strangely unused) has been the legitimate course of universities since 1209.

A university is the microcosm of society itself. It cannot function without rules for conduct. It cannot, as society cannot, legislate morals.

VIOLATION

It is dealing with young men and women, 18 to 22. But it can, and must, promulgate rules.

It cannot permit students to determine when, what and where they shall be taught; it cannot permit the occupation of its premises, in violation both of the law and its regulation, by militants.

There is room within the university complex for basic student participation but there is no room for slobs, disruption and violence.

The first obligation of the administration is to lay down the rules early, clearly and positively, and to attach to this statement the penalty for violation.

Expulsion is a dreaded verdict. The administration merely needs to make it clear, quite dispassionately, that expulsion is the inevitable consequence of violation of the rules.

Among the rules, even though it seems gratuitous, should be these:

Violence, armed or otherwise, the forceful occupation of buildings, the intimidation by covert or overt act of any student or faculty member or administrative personnel, the occupation of any university property, field, park, building, lot or other place, shall be cause for expulsion.

The disruption of any class, directly or indirectly, by voice or presence or the destruction of any university property, shall be cause of expulsion.

This is neither new nor revolutionary. It is merely the reassertion of an old, accepted right of the administration of any such institution. And the faculty should be informed, firmly, of this reassertion, before trouble starts. This does not constitute provocation.

The failure of university administrators to use it is one of the mysteries of our permissive age—and the blame must fall largely on faculties because they have consistently pressured administrators not to act.

Suppose the students refuse to recognize expulsions, suppose they march, riot, strike. The police? No. The matter, by prearrangement, publicly stated, should then pass to the courts.

If buildings are occupied the court enjoins the participating students. It has the awful power to declare them in contempt.

If violence ensues, it is in violation of the fears, not part of the action.

Too simple? Not at all. Merely an old process which we seem to have forgotten. It is too direct for those who seek to employ Freudian analysis, too positive for academic senates who long for philosophical debate and too prosaic for those who seek orgiastic self condemnation.

This is a country full of decent, worried people like myself.

It is also a country full of people fed-up with nonsense.

We need (those of us over 30), tax ridden, harried, confused, weary and beat-up, to reassert our hard won prerogatives. It is our country too.

We have fought for it, bled for it, dreamed for it, and we love it.

It is time to reclaim it.

ALCOHOL AND ACCIDENTS

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, we are all alarmed by the ever-increasing death rate on our Nation's streets and highways. It would appear that during the calendar year 1969, we managed to cut short the lives of 50,000 to 60,000 of our fellow Americans in traffic accidents. This is to say nothing of the thousands injured and maimed. The total cost in terms of deaths, injuries, pain and suffering, and dollars and cents is staggering.

One of the most widely recognized factors causing this extensive death and destruction is alcohol. It is reliably estimated that alcohol is a factor in 40 to 50 percent of our highway accidents.

It is high time this very serious problem received the attention it so badly needs, and the emphasis should be placed on the single most readily identifiable factor, alcohol.

One approach which has been suggested is that of a massive infusion of funds into our highway and automobile safety programs. It has also been suggested that a logical source for these funds is the excise revenues received from the sale of alcoholic beverages. This seems like a reasonable approach to me. I am therefore introducing today, a bill calling for the expenditure on highway and automotive safety programs of an amount equal to 50 percent of the sum of all funds derived from the taxes on distilled spirits, wine, and beer. The following articles provide some excellent background information on the extent of the problem, and a suggested solution:

[From Traffic Safety, January 1970]

THE CASE FOR QUICKIE BREATH TESTS

(By Forst Lowery)

We spend a lot of money and effort to spot check trucks to make sure they're not overloaded and apt to break up the pavement.

Why not, then, spot check automobiles to make sure they're driven by licensed drivers who are not overloaded and apt to break up my family?

This is the burden of the proposal I am making—that we take a few simple, logical steps toward controlling the pollution of our roads by the drunken driver.

One of the roadblocks to these steps is the fact that there are a lot of people who know a lot of things about the constitution that aren't true. And most of these people are also very skilled at playing the "Yes, but—" game.

Their response to the proposal that we adopt an Americanized version of the highly successful British program for controlling the drinking driver is to say, "Yes, but we can't do it here because it would be unconstitutional."

I propose a plan for an adaptation of the British program that cranks in an important additional element to give us another handle on the problem.

Let's briefly list the significant elements of the British program.

A British police officer may require a driver to take a simple preliminary screening breath test at the roadside in any of these situations: (1) the officer has reason to believe that the driver has alcohol in his body; (2) the driver has committed a moving traffic violation, or (3) the driver has been involved in an accident.

In this preliminary screening alcohol beath test, a simple, cheap, one-use ABT device is used to guide the officer's decision on whether to make an arrest. It is not used in court. Upon arrest a driver is required to provide a blood or urine sample for analysis in a forensic laboratory.

British law provides simply that it is illegal to drive if your blood contains more than .08 per cent of alcohol. Period. No need to show or presume "under the influence" or "impairment" or engage in any other such Mickey Mouse. British law, drawing on medical knowledge, simply says nobody with this much alcohol in his blood can legally drive.

Obviously I have omitted considerable detail. For the most recent published information about the British program's effectiveness, see the August 1969 *Traffic Digest and Review*. An earlier issue of *TD & R*, February 1968, provided an excellent description of the British law and how it came about.

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The British reduction in death and injury was sharp and immediate. The law is still effective. The total of traffic deaths and injuries has been cut 10 per cent, and 80 per cent of this reduction is taking place between 8 p.m. and 4 a.m., the prime time for alcohol related crashes.

EVENTUALLY, WHY NOT NOW?

The results of the British program are clear and remarkable. New York has enacted a preliminary screening breath test law incorporating some features of the British program. New Mexico allows breath test screening. Nebraska has a fixed illegal blood level law.

I'm suggesting that we are going to go the British route sooner or later, and the sooner we do, the sooner we are going to cut the body count.

I said I want to crank in one additional element. And that is a program of routine, random spot checking of driver licenses. Here is an opportunity to get a handle on the slippery problem of driving after revocation or suspension.

When we say that a drunken driver—or any driver who loses his license—has been "ruled off the road," we're only kidding ourselves. Too often it's only a piece of plastic that has been taken out of his pocket.

In California, one-third of the drivers whose licenses had been suspended and two-thirds of those whose licenses had been revoked were known to drive, because they had violations or crashes during the period they had been "ruled off the road." These figures, of course, represent only those who get caught. We don't know the *total* number of people whose licenses are lifted but who continue to drive anyway.

In Minnesota one out of every 19 of the fatal crashes involves a driver whose license is under suspension or revocation or who simply never had one.

Spot checking *to improve compliance* with license suspension and revocation is fully justifiable for this purpose alone. The byproduct of it—deterrence of drunken driving—is even more vital.

Before describing the specific deterrent effect spot checking has on the drinking driver, let's look at one particularly important aspect of the problem. Driving an automobile after drinking is a very popular pastime. How popular is apparent when we note that the majority of drivers, at least occasionally and sometimes frequently, drive after drinking. Surprising? Among those who "frequently" do so are found 65 per cent of those with concentrations of more than .10.

In other words, the worst offenders, the ones who are the drunkest and who are most often responsible for the most violent crashes, are also the ones who most frequently drive while drunk.

Whether we call these people "alcoholics" "problem drinkers", "heavy habitual drinkers," or, using a more old-fashioned word, "drunkards," they are the biggest part of the problem.

Let's settle for calling them heavy drinkers. A few years ago at a legislative hearing where we were getting the presumptive limit reduced I was asked to describe the difference between .10 and .15. I think I was accurate in saying that the difference between .10 and .15 was the difference between being boiled to the eyebrows or bombed out of your skull.

Anyway, whatever we call them, the people in our society who drive when their ability is impaired by alcohol, whether occasionally or frequently, must be deterred from doing so. It's of little importance to the victim whether he has been killed by an infrequent drinker, a heavy habitual drinker, an alcoholic, a problem drinker, or some unlabeled variety of drunk. But it does matter in our efforts to prevent drunken driving that our control measures *control* . . . our deterrences *deter*.

It seems clear that we did *not* deter the drinking drivers who killed about 500 people last week. The body count is kind of high, isn't it? Isn't it about time we deployed an ABT safeguard system to protect our citizens against the aggressive missiles actually being fired down our highways by drunks? These little one-shot, ABT screening units are mighty cheap hardware. They don't cost billions of dollars and we know they work. As a part of a deterrent system they will perform effectively where our present armament, consisting only of counter strike capability, does not.

Let's see why.

The means of improving control of drunken driving most often suggested is that of handing out stiffer penalties. I don't think hanging people from a 15-foot scaffold instead of a 10-foot one increases deterrence very much. Increasing penalties, whether fine, jail sentence, or period of license revocation, may offer courts and licensing authority a wider range of punishment to apply and thus achieve penalization more nearly suited to the offense, the offender and the circumstances.

But we shouldn't kid ourselves by thinking that people who drive when they are drunk do so because they think the penalty is not significant. What they regard as insignificant is the chance of being caught.

Let's look at the considerations we might think would inhibit a person from drunken driving.

There is a general public belief—well-accepted or at least verbally agreed to by most people—that many traffic accidents are caused by drunken driving, and that it's a bad thing to do.

There is virtually complete public knowledge that drunken driving is against the law, and that there is some degree of enforcement of this law in nearly all localities.

Besides the legal penalty of fine or jail sentence and license revocation, the corollary economic costs of a drunken driving conviction can be heavy—sharply increased insurance bills, lawyers' fees, possible loss of work or loss of job. These extra costs do not, of course, affect all people the same, nor do all people know about them. But it is reasonable to assume that the person who would be most affected would also be most apt to know how big the price tag is on a drunken driving rap.

Drunken driving carries some degree of social stigma, although this certainly varies widely with different groups, and the stigma seems to attach principally to causing a child's death, spectacularly maiming someone or getting caught. The *act* of drunken driving, itself, unless accompanied by serious consequences or gross behavior such as vomiting on a fellow occupant of the car, does not seem to carry much opprobrium. Nevertheless, we should include social disapproval as one possible influence that might be thought to inhibit drunken driving.

Public information and education, in the form it has taken, is based primarily on letting people know that these are consequences of drunken driving and urging them, therefore, not to do it. Just as we have said that these considerations have not been effective, so we must also say that communicating them successfully so that people will be guided by them has been ineffective.

Why, then, if the considerations we've listed *ought* to deter drunken driving, do they so clearly fail to do so?

These, I believe, are the reasons:

Many people, perhaps most people, are *not* influenced to avoid driving after drinking by the possibility of having an accident. They simply do not believe that their own driving behavior is likely to result in an accident. For whatever psychological reasons—ego, self-image, rejection of an idea too distasteful to think about—the idea of causing an accident through personal misjudgment, error or lack of skill is not acceptable. Being able to "hold your liquor" is an item of self-esteem.

For somewhat similar reasons—inability to believe in the likelihood of one's own mistakes or incompetencies resulting in tragedy—these people do not seriously believe that the outward appearance of their driving maneuvers could result in their being stopped on suspicion of drunken driving. In some cases this belief is perfectly correct. The experienced, habitual heavy drinker who is also an experienced driver may, although seriously impaired, be able to negotiate routine driving tasks without appearing to be doing anything much different from all the other drivers around him—until the routine task becomes an unusual or an unexpected one.

Police describe many cases in which a driver is stopped for something seeming unrelated to drunken driving, such as for having no taillights or failing to signal a turn, and having the driver literally fall out of the car and be unable to walk. A high percentage of those drunken drivers who are apprehended are caught quite literally "by accident"—when routine piloting of the car is not enough and quick good judgment and even ordinary reflex motor skills are lost to alcohol impairment.

The rational knowledge that thousands of *other* drivers do crash when they are drunk, and that many more thousands do get arrested for drunken driving, does not shake this highly irrational but stubbornly held feeling of personal immunity.

This feeling of immunity to accident or

arrest as a result of drunken driving seems to lie with self-caused trouble. It does not seem to extend to immunity from *chance*. People whose self-confidence (however misplaced) leads them to believe they can get away with drunken driving without anything bad happening if only their own conduct is involved, do not feel immune to the possibility of being caught if, for instance, police are checking a sampling of all traffic at random times and places to see that cars are being driven by properly licensed drivers—in short, a driver license spot check.

A sufficiently broad program of spot checking, carried on at different, constantly changing locations, accompanied by a well-planned program of public information, would deter many people from drunken driving who are not deterred now and, coupled with the authority to require simple preliminary screening breath tests as a supplement to a police officer's objective judgment, would result in apprehension of drunken drivers *before* the accident they don't believe they can have.

I believe that a great deal of the success in the British program has resulted from the deterrent effect of greatly reducing this feeling of immunity I have described. I believe that an even greater deterrent will result from a parallel program of driver license spot checks. I do not mean stopping at random and requiring every driver stopped to blow up the baggie. I do not mean stopping a sampling of cars at random, courteously and without unnecessary delays, to see that they are being driven by licensed drivers. And if the driver appears to merit the opportunity of blowing up the baggie, requiring him to perform that simple task.

I say it would be effective. The "Yes, but" say, "It sounds like a good idea, but it's unconstitutional."

Courts have consistently held that stopping drivers for driver license checking is a justifiable, legitimate exercise of police powers, that the procedure does not constitute an "arrest" and does not violate constitutionally guaranteed liberties.

The questions of requiring that a breath sample be given when a police officer has reason to believe there is a violation of law is *not* clearly decided by the courts simply because until very recently no state had enacted such a requirement and no such program of preliminary screening testing had legally required the driver to give a breath sample. Thus the question has not been asked of our courts.

However, in other decisions involving other aspects of chemical testing for alcohol, the courts have frequently noted the general need to prevent drunken driving; the precedence of protection for the general public over the slight inconvenience of the test procedure, and the fact that constitutional privilege against self-incrimination is not applicable to this kind of evidence.

All these considerations, plus the recent decision by the U.S. Supreme Court upholding stop-and-frisk laws are not being violative of protection from unreasonable search and seizure, leads me to urge that states get started with this proved program that will save lives. After a late start we made some headway in the 1969 session of the Minnesota Legislature. We're pulling out all the stops in preparation for next session.

I firmly believe that these measures would be acceptable to our courts and that the procedures would not be an infringement of constitutional protections. Legal authorities whose judgment I respect agree with this position. Others may disagree.

But the point is, there is only one way to find out.

It won't cost a lot of money. After all, it isn't as if we are asking a legislature to build a fantastically costly building and, if the Supreme Court said it was unconstitutional, we'd have to tear it down.

Let's don't just play, "Yes, but." Let's give it a try.

[From Traffic Digest & Review, December 1969]

BRITISH PREARRESTS BREATH TESTS—CONSTITUTIONAL IN THE UNITED STATES?

(By Andrew R. Hricko)

(EDITOR'S NOTE.—Mr. Hricko is General Counsel for the Insurance Institute for Highway Safety, Washington, D.C. In his capacity as General Counsel, he is the chief legal adviser of IIHS, and also serves as a Program Director in the areas of traffic laws and ordinances and traffic courts.

(This article is based on a paper presented by the author at the Institute on Motor Vehicle and Traffic Law, August 18–21, 1969, University of Colorado, Boulder, Colorado.

(In view of the current interest in the problem of the abusive drinker who drives and legislative action to attempt to control this problem, we are presenting Mr. Hricko's article on this subject in lieu of our regular feature, "Know the Law."

(The City of Baton Rouge, La., has passed a law permitting police to request a breath test of drivers for blood-alcohol content before arresting them on drunk driving charges. Enforcement of the ordinance, which was passed in October, began on November 15. The law permits police to request the test of drivers charged with a moving violation, or involved in a collision, if the officer has reason to suspect the driver has been drinking. The test is offered on site prior to arrest and the driver may refuse—but if he does, he may be fined up to $200 and/or be sentenced to up to 60 days in jail. It is our understanding that the ordinance will be tested in a municipal court during the month of December. We will keep our readers informed as to that court's ruling on this ordinance as well as possible future appellate court decisions.)

A continually rising highway death and injury toll and a greater public awareness that a substantial portion of this carnage can be attributed to hard-drinking drivers have intensified legislative action to attempt to control this problem. In the past three years 26 states have passed implied consent legislation. Now only five states lack it.

Despite these long overdue efforts, it appears that additional legal tools are needed before any real headway can be made to manage the problem of the abusive drinker who drives.

One of the problems with existing chemical test-implied consent laws is that they still rely on the police officer's interpretation of symptoms which may be caused by the excessive use of alcohol: a flushed face, slurring of speech, lack of coordination, etc.

Until the police officer places the suspect under arrest, based on his observance of these external symptoms, one or more of which can be caused by a variety of pathological conditions, he cannot use the provisions of the chemical test-implied consent laws. Police officers, knowing full well that charges of driving while under the influence of alcohol, lacking scientific evidence, are difficult to prove in court, usually arrest only persons exhibiting symptoms of gross intoxication. Two California studies, noted in the U.S. Department of Transportation's report to Congress on *Alcohol and Highway Safety*,[1] indicated that approximately 95 per cent of those arrested had a blood alcohol concentration of 0.15 and above, a concentration far above that at which all individuals are affected. A recent Oregon study of 1,000 drivers convicted of DWI noted that the average blood-alcohol level at time of arrest was 0.21 per cent.

In their everyday operational practices some law enforcement officers offer the suspect an opportunity to take a chemical test prior to arrest. However, since there is no penalty for a refusal, the refusal rate is understandably high.

In search for a legal tool to assist the police in their investigation of a possible case of DWI, legislators and safety officials are looking to the feasibility of a law similar to the one enacted in the United Kingdom, the Road Safety Act of 1967.[2]

This British statute provides that a uniformed officer may require any person driving or attempting to drive a motor vehicle to provide a specimen of breath for a breath test if the officer:

1. has reasonable cause to suspect him of having alcohol in his body; or
2. has reasonable cause to suspect him of having committed a moving traffic violation; or,
3. if an accident occurs and the officer has reasonable cause to believe the person was driving or attempting to drive.

If the person refuses to take the test, none is given. However, refusal could be punishable by a fine of not more than £50, (about $120).

If he takes the test and it indicates a violation of the DWI law, he can be arrested. At the police station a second breath (or blood or urine test) is offered.

In considering the enactment of a similar law in this country one of the first questions raised is whether it would abridge the state and/or federal constitutional safeguards against self-incrimination, unreasonable search and seizure, and due process. Although other constitutional questions could be considered, these three would receive prime consideration.

TEST CASE

Assuming that a state enacted a law containing the principal elements of the British statute, one of the first cases might arise under the following circumstances:

John Doe is involved in a collision. The investigating officer requests him to supply a specimen of his breath for a chemical test to determine the alcoholic content of his blood. Mr. Doe refuses and is charged with a violation of the new statute. He is found guilty and appeals his conviction on the grounds that the statute is invalid because it violates his constitutional rights against self-incrimination, unreasonable search and seizure, and due process.

FIFTH AMENDMENT—SELF INCRIMINATION

The majority of state supreme courts and the U.S. Supreme Court have taken the position that the results of chemical tests of the type under consideration do not violate the Fifth Amendment.

In *Schmerber* v. *California*[3] the U.S. Supreme Court stated: ". . . We hold that the privilege protects an accused only from being compelled to testify against himself, or otherwise provide the State with evidence of a testimonial or communicative nature, and that the withdrawal of blood and use of the analysis in question in this case did not involve compulsion of these ends."

Although this case involved a blood sample rather than a sample of breath, the principle involved should apply equally to both.

There are a number of state supreme court decisions to the same effect that the Fifth Amendment relates only to "testimonial" or "communicative" evidence.[4]

Under the decisions of these cases it is apparent that the statute would not violate the Fifth Amendment.

FOURTH AMENDMENT—UNREASONABLE SEARCH AND SEIZURE

The Fourth Amendment to the U.S. Constitution provides:

"The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

In *Schmerber v. California*[5] the Supreme Court declared that blood testing procedures

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Footnotes at end of article.

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plainly constitute searches of the person and other courts have extended this holding to other chemical testing devices including the breathalyzer test.[6] Thus, an investigatory breath test statute must meet the Fourth Amendment standards for search and seizure.

There is a long line of cases dealing with reasonable circumstances for search and seizure and whether such involved a valid warrant or if such search was incident to a lawful arrest.

A strict interpretation of these cases would lead one to the conclusion that a statute of this type would violate the Fourth Amendment.

These cases, however, are principally concerned with the exclusion of evidence, a gun, narcotics, stolen mecrhandise, etc. The statute in question, however, presents a different set of circumstances since the initial or investigatory breath test would not be used in evidence. It is the subsequent test, after arrest, that would be offered. Thus, these cases are not strictly on point.

In discussing the Fourth Amendment's application to the states, the Supreme Court has stated that:

"The States are not thereby precluded from developing workable rules governing arrests, searches and seizures to meet 'the practical demands of effective criminal investigation and law enforcement' in the States, provided that those rules do not violate the constitutional proscriptions of unreasonable searches and seizures. . . ."[7]

One such state seems to be California. A good statement of the law was given by the Supreme Court of California in the case of *People v. Mickelson.*[8]

"In this state, however, we have consistently held that circumstances short of probable cause to make an arrest may still justify an officer's stopping pedestrians or motorists on the streets for questioning. If the circumstances warrant it, he may in self protection request a suspect to alight from an automobile or to submit to a superficial search for concealed weapons. Should the investigation then reveal probable cause to make an arrest, the officer may arrest the suspect and conduct a reasonable incidental search."

* * * * *

"We do not believe that our rule permitting temporary detention for questioning conflicts with the Fourth Amendment. It strikes a balance between a person's interest in immunity from police interferences and the community's interest in law enforcement."

New York adopted a similar procedure with the enactment of its so-called "stop and frisk" law. In upholding the statute, a Federal District Court discussed the law's "reasonableness" in not requiring probable cause.

"The adjective 'unreasonable' chameleonlike adopts coloration from its surroundings. . . . Common sense would seem to dictate that as we diminish the concept of 'seizure' from one of *arrest* with the heavy burden that it carries to one of the briefest *stopping* entailing at most minor inconvenience, the Constitution should not be offended if simultaneously fewer and less weighty reasons are required to justify the police action. Sparse circumstances sufficient to render a *stopping* 'reasonable' may well be found 'unreasonable' justification for the more lasting inconvenient and significant arrest."[9]

It could be argued that the case upholding a "stop and frisk" statute rely on the need to offer protection to law enforcement officers in the performance of their dangerous duties and that such a need is not present in a case involving a suspected DWI offense. However, since research indicates that half of the nation's highway death toll involves abusive use of alcohol, a parallel argument can be made in support of such a testing procedure for the protection of other users of the highways.

One of the provisions of the British statute permits testing upon the occurrence of a collision without any accompanying suspicion that alcohol is involved. There are indications in several cases that this may violate the Fourth Amendment. Even in the stop and frisk cases the California courts have been careful to insist that, at the very least, there must be some suspicious circumstances to justify even such a limited interference with an individual's freedom of movement, and the New York statute requires reasonable suspicion.

If a court would follow the decision in *Carroll v. United States,*[10] such a testing requirement would be unreasonable. The *Carroll* case involved the search of a vehicle for contraband liquor. The court noted the need for probable cause prior to such search and stated:

"It would be intolerable and unreasonable if a prohibition agent were authorized to stop every automobile on the chance of finding liquor, and thus subject all persons . . . to the inconvenience and indignity of such a search. . . ."

However, this case and the others of this nature can be distinguished on the grounds that the objects searched for are unrelated to the question of the driver's ability to safely operate the vehicle. Alcohol in the trunk of a car is somewhat different than alcohol in the blood, as it relates to safe vehicle operation.

Courts have held that the operation of a motor vehicle is a privilege, or a right subject to restrictions, and have granted more leeway in applying the search and seizure doctrine in cases involving vehicle operation than in cases involving a person's home or right to walk the streets.

State statutes requiring a driver to display his license upon the request of a police officer have been uniformly upheld, even to the extent of permitting the use of road-blocks for this purpose. In *City of Miami v. Aronovitz,*[11] the Supreme Court of Florida refused to enjoin a municipality from operating roadblocks for the purpose of checking automobile drivers' licenses and went on to hold that such practice did not violate the search and seizure provision of the State or Federal Constitutions.

The language of the court bears repeating:

"The owner of such a license exercises the privilege granted by it subject to reasonable regulations in the use of the highway common to all citizens . . . so long as the regulations themselves are reasonable and are reasonably executed in the interest of the public good, the courts should not interfere. . . .

"Giving recognition to our established judicial viewpoint that an automobile is a dangerous instrumentality, we must conclude that any procedure lawfully directed toward the effective prevention of the negligent operation of the automobile and the imposition of requirements of competency on the part of the driver thereof, should meet with judicial approbation."

The prime purpose of the driver license statute is to insure that the driver has at some time exhibited ability to operate a motor vehicle safely. If the roadblock technique of enforcement is permissible to determine if the driver has exhibited such past ability, it can be argued that he could be required to submit to a breath test to determine his present ability to operate a vehicle safely. Under this line of reasoning no suspicion of intoxication would be necessary to allow the police officer to request that the driver take a breath test after being involved in a collision.

In a recent Texas case, *Myricks v. United States,*[12] the U.S. Court of Appeals, Fifth Circuit, went into some detail in discussing the state's authority to stop vehicles and investigate drivers.

The defendant was stopped for a routine driver's license check. The defendant admitted he had no driver's license and further investigation showed that the vehicle had been stolen. The defendant appealed his conviction on the stolen car charge. One of the grounds for the appeal was that the initial stopping was without probable cause and thus subsequent information secured violated his constitutional guarantees. The conviction was affirmed.

The court's comments are instructive:

"The Constitution is, it is often said, a living document. If it lives, it must take account of the dominant symbol of today's dynamic society. It must recognize, therefore, that Texas has a legitimate interest in the roadworthiness of automobiles which transport, but which also can maim and kill. . . . This comprehends both technical fitness of the driver and the mechanical fitness of the machine. After the event it is always too late. *The State can practice preventive therapy by reasonable road checks to ascertain whether man and machine meet the legislative determination of fitness.* That this requires a momentary stopping of the traveling citizen is not fatal. Nor is it because the inspection may produce the irrefutable proof that the law has just been violated. *The purpose of the check is to determine the present, not the past: is the car, is the driver now fit for further driving?*

"In the accommodation of society's needs to the basic right of citizens to be free from disruption of unrestricted travel by police officers stopping cars in the hopes of uncovering the evidence of non-traffic crimes (case citations), the stopping for road checks is reasonable and therefore acceptable. Likewise, an arrest is proper if the check reveals a current violation which by its nature must have been taking place in the immediate past. State and Federal Courts, including this one, have uniformly sustained such checks and arrests when not done as a subterfuge or ruse." (Emphasis added.)

REASONABLENESS

Although not discussing the Fourth Amendment, a recent Iowa Supreme Court case, *State* v. *Heisdorffer,*[13] draws an interesting parallel. The defendant was observed operating a motor vehicle in an erratic manner. He was stopped and the patrolman was confronted with alcoholic breath. Defendant was asked to get out of the car and attempt roadside sobriety tests which he was unable to complete successfully. He then was placed under arrest and later convicted of DWI for the fourth time. Several issues were raised including the request for an attorney, the Fifth Amendment and the failure to warn defendant of his rights.

The court in upholding the conviction stated:

"The erratic path of the car and the smell of alcohol on defendant's breath furnished good cause to suspect defendant might be guilty of operating a motor vehicle while intoxicated. The tests were reasonably necessary to enable the patrolman to decide whether defendant should be arrested. . . .

". . . Such tests are more nearly akin to the taking of blood samples, fingerprints or handwriting exemplars. Requiring defendant to furnish such evidence does not violate his privilege against self-incrimination."

If a roadside sobriety test, touching the nose, etc., is held reasonably necessary to enable the patrolman to decide whether the defendant should be arrested, a preliminary breath test which is no more than a scientific substitute for the roadside test, should also be permitted. Although not directly on point the case gives some indication of what a state supreme court may hold on the issue of "reasonableness."

Footnotes at end of article.

XUM

WAIVER OF RIGHTS

Constitutional privileges can be waived and this type of law could be sustained under an extension of the waiver or consent theory. This has been the basis for upholding motor vehicle code requirements that a driver involved in an accident resulting in injury or death to another person must stop and give certain information.[14] Courts have had little trouble with the Fifth Amendment problems that this type of statute poses, and the reasoning could be extended to include the Fourth Amendment. A sampling of opinions:

"Common observation and experience show that unrestricted use of motor vehicles on public streets would be extremely dangerous to life and limb and the property of the public. Their use thus becomes a fit subject for state regulation. Every person who operates or uses a motor vehicle must be regarded as exercising a privilege, and not an unrestricted right. It being a privilege granted by the Legislature, a person enjoying such privilege must take it subject to all proper restrictions."[15]

"Because of their size and weight, great power and speed, and the fatalities caused by them, the Legislature might absolutely prohibit the use of a motor vehicle on a public highway, and, therefore, assuming that the statute impairs the Constitutional privilege, the Legislature had power to require a waiver of that privilege as a condition to the use of the highways by a motor vehicle, at least to the extent to which it has required such waiver."[16]

"The statute is a simple public regulation. It does not make the accident a crime. . . . It does not attempt in terms to authorize the admission of the information as evidence in a criminal proceeding. . . . We have several statutes which require persons to give information which would tend to support possible subsequent criminal charges, if introduced into evidence. Persons in charge are required to report accidents in mines and factories. Physicians must report deaths and their causes, giving their own names and addresses. . . . Dealers must deliver for inspection foods carried in stock. . . . If the law which exacts this information is invalid, because such information . . . might possibly lead to a charge of crime against the informant, then all police regulations which involve identification may be questioned on the same ground. We are not aware of any constitutional provisions designed to protect a man's conduct from judicial inquiry or aid him in fleeing from justice."[17]

The court has used the same rationale to uphold the implied consent statutes. As stated by the Supreme Court of Nebraska.[18]

"The essence of the 'implied consent law' is that by driving a motor vehicle on the public highway, the operator consents to the taking of a chemical test to determine the alcoholic content of his body fluid. By the act of driving his car, he has waived his constitutional privilege against self-incrimination."

This leaves open the possibility of extending this waiver to a motorist's Fourth Amendment rights, or some form of implied or expressed consentual arrangement to implement this type of statute.

VEHICLE INSPECTION AND WEIGHT LAWS

Several other vehicle code provisions require mention, one that allows a police officer to stop and inspect a vehicle when he has reason to believe it is unsafe or that its equipment is not in proper adjustment or repair,[19] and those that allow a police officer to require vehicles to stop and submit to weighing when he believes weight of vehicle and load to be unlawful. Both provisions have been held not to constitute unlawful searches and seizures.

The laws relating to stopping and weighing vehicles is a close parallel to a prearrest breath test statute. The *Uniform Vehicle Code* provision on this subject, which has been adopted in substance in most states, provides:

"14–111—*Officers may weigh vehicles and require removal of excess loads*

"(a) Any police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the same by means of either portable or stationary scales and may require that such vehicle be driven to the nearest public scales in the event such scales are within two miles. . . .

"(c) Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing or who fails or refuses when directed by an officer upon a weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this section, shall be guilty of a misdemeanor."

Probable cause to require a driver to submit to a weighing is not necessary, only a *reason to believe* that the weight of the load is unlawful is required. In addition, failure or refusal to stop and submit to the weighing is in itself a misdemeanor.

In a case decided by the Illinois Supreme Court, *People v. Munziato*,[20] the defendant was convicted of operating an overweight vehicle on a toll road. He appealed on grounds that the state statute requiring the operator of the vehicle to stop and submit to a weighing violates the state constitution relating to unlawful search and seizure, the due process clause of the federal constitution and the privilege against self-incrimination. The state provides that failure to stop and submit is a misdemeanor and also contains the phrase "having reason to believe that the weight of the vehicle and load is unlawful."

The Court upheld the conviction, stating:

"When a vehicle is driven onto a public highway of the State, its weight becomes a matter of public interest and, as we mentioned, subject to regulation by the State. The investigation authorized by section 132 (authority to weigh vehicles) is limited to relevant inquiry as to the weight of the vehicle, and is essential to effectuate section 131 (establishes gross weights by vehicles), and it is therefore reasonable." (Parenthesis added.)

Eight states[21] currently have statutes permitting a "random spot check" of vehicles for equipment deficiencies. These laws have no requirement that the officer have "probable cause" or even a "reason to believe" or "suspect" that a violation has occurred. In practice it operates similar to the roadblock technique of checking driver licenses.

It could be argued that checking for driver licenses is not a true search in that the driver is only asked to produce his license. However, with respect to the vehicle inspection, there is a probing; looking at tires, turning on light switches and checking brakes. The California "spot check" inspection program has been upheld as constitutional, *People v. De La Torre*.[22]

Several sound legal arguments appear to uphold a prearrest investigatory breath test as not being violative of the Fourth Amendment. Some of the case holdings even indicate that such a test may be given as a routine roadside checking of a driver's ability to operate a motor vehicle safely. However, it would appear that a stronger case could be made if the test were required only after the police officer had a reason to believe or suspect that the person may be violating the laws relating to driving while impaired by, or under the influence of alcohol.

FOURTEENTH AMENDMENT—DUE PROCESS

There is no precise meaning or definition of due process. It is "an elusive concept. Its exact boundaries are undefinable, and its content varies according to specific factual contexts."[23] Since the concept has been a part of Anglo-American jurisprudence throughout history, certain attributes have attached to it and have, thereby, given it some definition. For example, its essence has been described as being fair play. Put in the negative, due process prohibits conduct that denies "fundamental fairness, shocking to the universal sense of justice."[24]

DUE PROCESS OF LAW IN APPLICATION

There are three aspects of a screening test law in which due process questions arise. These involve the pre-arrest part of the law, the imposition of a penalty for refusal to take the test, and the test itself.

The first encompasses the facts leading up to the request. In other words, has due process been violated by the focusing of attention upon a particular driver culminating in a request to take the test? At this point a screening test law must not run afoul of the due process of law aspect that prohibits vagueness, arbitrariness and overbreadth. A narrowly drawn statute that requires such a test in specific and well-delineated situations could overcome questions of vagueness and arbitrariness without any problem. However, it cannot be overbroad in application. The provision in the British law requiring the test for drivers involved in an auto crash (without more) may be found to be overbroad since it makes no distinction between those persons who are suspected of drinking and those who have not been drinking. Although the Department of Transportation's *Alcohol and Highway Safety*[25] report to Congress indicates that alcohol may be a factor in 800,000 crashes a year, this is only about 6 per cent of the estimated 14 million annual run-of-the-mill collisions in the United States. To require testing of all drivers involved may be interpreted as too broad a coverage. A law may be overbroad, and thus violate due process of law, although it is aimed at reaching lawfully punishable conduct.[26] By focusing attention on drivers that the officer has reason to suspect of drinking, the problem of overbreadth can be overcome. Reasons to suspect are not difficult for an officer to substantiate. Such reasons as voice, speech, eyes, breath and gait are sufficient.[27]

However, it can be argued that since alcohol is involved in a disproportiate number of crashes involving serious injury, in addition to about 50 percent of fatal crashes, the testing of drivers involved in collisions is less broad than roadside checks for licenses or vehicle defects. Both of which have been held not violative of the due process clause.

The second aspect which imposes a penalty for refusal to take the test presents a different question. Does the imposition of a penalty—which involves depriving a person of liberty or property—violate due process of law, since the person is being punished for not performing an affirmative act which could provide evidence against him?

There are several types of statutes concerning the operation of motor vehicles that require affirmative action on the part of a driver that may lead to prosecution for a violation of the law. Failure to perform this affirmative act also carries a separate penalty. Uniformly these statutes have been upheld as not being violative of the due process clause.

A driver must show his license at the request of a police officer. Failure to do so is a misdemeanor in some states.[28] The use of roadblocks to check licenses also has been held valid, even if the police officer did not suspect the driver would be in violation of the law.[29]

A driver can be requested to drive a vehicle on a scale to determine if it is in violation of the weight laws. Failure to do so carries a penalty.[30] Drivers also are required to stop and permit inspection of their vehicles for equipment deficiencies.[31]

Footnotes at end of speech.

Statutes also impose duties on persons involved in crashes; they must stop, give identification, and render aid. These also have been held not to violate due process in several states.[32]

The third issue is the test itself. Is it of such a nature as to "shock the conscience" of the court and violate its "sense of justice" as was stated in the *Rochin v. California*[33] case? In that case a stomach pump was used to secure evidence of a violation of the narcotics laws.

The U.S. Supreme Court in the *Schmerber*[34] case held that the extraction of blood, despite the refusal of the driver to consent, did not offend its "sense of justice" since it was done in a proper manner.

The statute under consideration does not envision the forceable extraction of breath. Thus the issue only might arise if the court found that a criminal penalty was being imposed for refusing to take a test that offended its sense of justice. It is highly questionable that the court would find that blowing into a tube or balloon was comparable to having one's stomach pumped against his will.

The investigatory breath test does not appear to violate the due process clause of the Constitution. Although legal precedents can be cited, and analogies drawn from cases involving the inspection of vehicles, to allow testing of all drivers, a sounder case can be made for permitting such tests based on a reason to believe or suspicion of a violation of the DWI laws.

CONCLUSION

The constitutional issues—self-incrimination, unreasonable search and seizure and due process—are judicial questions determined on considering a set factual situation. It is therefore difficult to predict their application unless the exact factual situation is known.

However, a properly drawn statute providing for an investigative breath test after a collision or traffic law violation in which the police officer has at least a reasonable suspicion, or a reason to believe, that the driver may be under the influence of alcohol does not appear to present insurmountable constitutional barriers.

FOOTNOTES

[1] A report to the Congress from the Secretary of Transportation, August, 1968.

[2] See *Traffic Digest and Review,* August, 1969, as to effectiveness.

[3] 384 U.S. 757, 761, 86 S. Ct. 1826, 1830–31, 16 L. Ed. 2d 908 (1966).

[4] State v. Harold, 246 P. 2d 178 (Ariz.-1952); People v. Haeussler, 260 P. 2d 8 (Cal.-1952); People v. Ward, 120 N.E. 2d 211 (N.Y.-1954).

[5] *Supra,* n. 3.

[6] State v. Swiderski, 226 A. 2d 728 (N.J. Super.-1967).

[7] Ker v. California, 374 U.S. 23, 34, 83 S. Ct. 1623, 1630, 10 L. Ed. 2d 726 (1963).

[8] 30 Cal. Rptr. 18, 380 P. 2d 658, 660 (1963).

[9] United States v. Thomas, 250 F. Supp, 771, 780 (S.D.N.Y.-1966). See also Terry v. Ohio, 392 U.S. 1, 88 S. Ct. 1868, 20 L. Ed. 2d 889 (1968), where the U.S. Supreme Court upheld a stop and frisk as reasonable.

[10] 267 U.S. 132, 154, 45 S. Ct. 280, 285 (1925).

[11] 114 So. 2d 784, 787–88 (1959).

[12] 370 F. 2d 901, 904 (C.A. 5th-Tex.-1967).

[13] 164 N.W. 2d 173, 175 (1969).

[14] *Uniform Vehicle Code* (1968), Section 10–104.

[15] Ule v. State, 194 N.E. 140, 142 (Ind.-1935).

[16] People v. Rosenheimer, 102 N.E. 530, 531 (N.Y.-1913).

[17] Ex parte Kneedler, 147 S.W. 983, 984 (Mo.-1912).

[18] Prucha v. Dept. of Motor Vehicles, 110 N.W. 2d 75, 82 (Neb.-1961).

[19] Clark v. Commonwealth, 388 S.W. 2d 622 (Ky.-1965).

[20] 182 N. E.2d 199 (Ill.-1962).

[21] California, Michigan, Minnesota, North Dakota, Ohio, Oregon, Washington, and Wisconsin.

[22] 64 Cal. Rptr. 804 (Cal.-1967).

[23] Hannah v. Larch, 363 U.S. 420, 80 S.Ct. 1502 (1959).

[24] Betts v. Brady, 316 U.S. 455, 62 S.Ct. 1252 (1942).

[25] *Supra,* n. 1.

[26] Thornhill v. Alabama, 310 U.S. 88, 60 S. Ct. 736 (1940); Aptheker v. Secretary of State, 378 U.S. 500, 84 S. Ct. 1659 (1964); Edwards v. South Carolina, 372 U.S. 229, 83 S.Ct. 680 (1963; Cox v. Louisiana, 379 U.S. 536, 85 S.Ct. 466 (1961).

[27] Taylor v. Kelly, 171 N.Y.S.2d 909 (1968).

[28] Rucker v. State, 77 N.E.2d 355 (Ind.-1948).

[29] *Supra,* n. 11.

[30] *Supra,* n. 20.

[31] People v. Galceran, 2 Cal.Rptr. 901 (Cal. App.-1960).

[32] State v. Mead, 102 P.2d 915 (Idaho-1940); People v. Bowlin, 65 P.2d 840 (Cal. App.-1937); Lashley v. State, 180 So. 720 (Ala.-1938).

[33] 342 U.S. 165, 72 S.Ct. 205 (1952).

[34] *Supra,* n. 3; see also Breithaupt v. Abram, 352 U.S. 432, 77 U.S. 408 (1957).

PRE-ARREST BREATH TEST STATUTE OR ORDINANCE

The following is a draft statute authorizing an investigatory breath test. Municipalities in about thirty states have authority to pass ordinances of this nature and the wording of the statute could be adopted to an ordinance format.

DRAFT STATUTE

Section —. Operating a vehicle under the influence of alcohol; implied consent to chemical test, effect of refusal to submit to tests.

(a) Any person who operates a motor vehicle upon the public highways of this State shall be deemed to have given his consent to submit to a chemical test of his breath, for the purpose of determining the alcoholic content of his blood if he is either involved in any collision which results in property damage, personal injury or death, or is cited, charged or arrested for a violation of any state law relating to a moving vehicle, upon the request of a law enforcement officer who has reason to believe such person was driving a motor vehicle while under the influence of alcohol in violation of section —— of the statutes of this State.

If such person refuses to submit to such test, none shall be given, but such refusal shall constitute a violation of this section.

(b) Every person convicted of a violation of this section shall be punished by a fine of not more than $—— or by imprisonment for not more than —— days or by both fine and imprisonment.

(Penalty could be limited to a fine without imprisonment. States could also use a short license suspension as a penalty. However, if license suspension is used a provision would have to be added to provide for an administrative hearing prior to suspension similar to that contained in implied consent laws.)

[From Traffic Safety, February 1970]

GETTING THE ALCOHOL STORY TO THE PEOPLE

(By Howard Pyle)

"If you drink, don't drive!"

For years the National Safety Council gave this advice to drivers. And the Council still believes it's the best rule for drivers to follow.

But—

There are more than 107 million persons who drive in the U.S. and approximately 90 to 95 million who drink—at least occasionally. Very often the categories overlap . . . and so do the activities.

Trying to convince Americans that they should *never* drive after drinking has proved unsuccessful, for both drinking and driving are part of our current "life style."

Alcoholic beverages are gaining in social acceptance and are served at many public and private gatherings. Frequently, people drive to these functions, as well as to restaurants and bars. In fact, sometimes it's their only way of getting there—and back.

When you tell these people they shouldn't drive after they've had even a small amount of alcohol, they just tune you out. And you lose the chance to reach the very people you want to influence—the ones who drink and drive.

They'll tell you it's possible for most people to have a few drinks and drive home safely. They've seen their friends do it—and they've done it themselves.

The National Safety Council is in the business of saving lives. And you don't save any lives by advocating a policy that the majority of people won't buy. So, being realists, we're changing our approach somewhat. We're asking those who *do* drink and drive to drink in such a manner that they will not be under the influence when they drive.

In cooperation with the American Medical Society we have launched a program of alcohol education.

The goal of the new program is two-pronged. First, NSC and AMA educational efforts will be aimed at helping individuals determined, as accurately as possible, their personal "accident risk factor" in the use of alcohol. Using self-awareness techniques and known scientific information on alcohol's action in the human body, an individual can roughly predetermine where his own danger level starts.

The second major goal of the program is to build public support among responsible citizens to provide treatment for the drinker who is sick and to encourage the passage and enforcement of appropriate laws governing those who misuse alcohol and present a hazard to themselves, their families and society.

We are still of the opinion that the best policy is for individuals not to drink if they are to perform *any* activity requiring judgment and skill. But, recognizing the realities of the situation, we believe that many lives can be saved by getting those who *do* drink and drive to determine a safe drinking-driving level for themselves. In our campaign we plan to give them the "know-how" to do this.

As the occasions for drinking in today's society are endless, so are the chances for alcohol related accidents.

The problem of alcohol and accidents is complex. It involves different kinds of drinking and a variety of hazardous activities. Persons who drink range from once-a-year types through routinely social, moderate, heavy and chronic problem drinkers. And their experience, skills and attitudes are just as varied.

Alcohol is medically classified as a drug—a depressant that acts as an anesthetic on the central nervous system. It is absorbed directly into the blood vessels of the stomach and intestines and carried through the bloodstream to all parts of the body. Concentration of alcohol in the bloodstream is determined by:

The amount of alcohol consumed;

The length of time since drinking began;

The length of time since the last drink; and

The quantity and kind of food in the stomach at the time of drinking.

The system disposes of alcohol through elimination and oxidation, and the process usually requires about one hour per drink. Black coffee, cold showers and physical exercise may make the drinker more alert (sometimes, a wide-awake drunk), but they do nothing to rid his system of alcohol.

The Licensed Beverage Industries says,

"Ideally, if you are going to drive, it would be better if you didn't drink anything at all."

The American Medical Association states, "The best solution is for the driver who drinks to drink in such a manner that he will not be under the influence when he drives."

The National Safety Council says, "These are the only reasonable, or rational, alternatives. Failure to choose either of them can lead to tragedy."

The AMA-NSC educational program will urge those who choose the second alternative, drinking in such a manner that they will not be under the influence when they drive, to wait at least one hour per average drink before attempting to operate a motor vehicle. This is the minimum amount of time required by the body to rid itself of alcohol.

Last year this nation recorded 55,200 deaths on the roadway. At least half of these fatalities involved alcohol. Alcohol is also an important factor in home, work and play accidents.

While the initial phase of the alcohol education program will stress the problem of alcohol in traffic accidents, the effort will later be broadened to include the other areas.

The National Safety Council will provide radio and TV stations, daily and weekly newspapers, magazines and trade publications with program materials on a weekly basis. The Council will also work through its conferences—traffic, home, farm, motor transportation, school and college, industrial, women and labor. While the major thrust of the campaign will come from the cosponsors, the American Medical Association and the National Safety Council, the conferences will tailor materials to their particular memberships. Through the conferences, local organizations will be brought into the program. The new advertising campaign of the Advertising Council, which will start in early spring, will also be tied into the drinking-driving program.

The American Medical Association and the National Safety Council hope this new educational program will significantly reduce the number of individuals who lose their lives in alcohol-related accidents at home, at work, at play and on the nation's highways.

[From Traffic Safety, February 1970]

THE FACTS ABOUT DRINKING AND ACCIDENTS: BACKGROUND MATERIAL FOR USE IN ALCOHOL EDUCATION PROGRAMS

Drinking is socially acceptable in the United States—eight out of ten men over 21 and two out of three women over 21 drink alcoholic beverages at least occasionally.

Five Basic Points—In any alcohol education program the following points should be stressed.

1. Beverage alcohol is a drug—a central nervous system depressant.

2. Alcohol is absorbed unchanged in the stomach and small intestines and is promptly disseminated by the blood-stream to all parts of the body, including the brain.

3. The depressant effect of alcohol on the nervous system is proportional to the amount of alcohol in the blood which, in turn, is related to the quantity imbibed, the length of time since drinking began, the time between drinks, the nature of the beverage, the body weight and the speed of absorption.

4. Absorption is delayed by

a. the presence of food in the stomach

b. the concentration and nature of the alcoholic beverage.

5. Elimination of alcohol from the body involves two process. About 90 to 95 per cent of the alcohol is converted to carbon dioxide and water—a process that begins in the liver. The other 5 to 10 per cent is excreted through the lungs and kidneys. Elimination is *not* accelerated by exercise, fresh air, cold showers, coffee or other "remedies."

Stages of Influence—an individual who continues to drink more rapidly than the alcohol is eliminated from his body generally goes through the following stages of alcoholic influence: mostly sober (hardly influenced), elation, excitement, confusion, stupor, unconsciousness, death.

Blood Levels—Measurement of the concentration of alcohol in the body is usually done by either a blood test or a breath test. These tests are used by police agencies to ascertain whether consumption of alcohol can be presumed to have contributed to traffic accidents and by coroners or medical examiners to determine what role alcohol plays in causing a fatality. These tests are reliable, while visual observation of apparent drunkenness is not.

The table at the end of this article lists various kinds of drinks, the size of the drinks normally served in bars and cocktail lounges, and their alcohol content by per cent and by amount. The second section of the table shows the estimated blood-alcohol levels that individuals of various body weights could reach after one, two and three drinks. These levels are calculated on the basis that the individuals have not eaten and that drinks have been consumed at intervals of 15–20 minutes. The table is meant for educational reference only and does not imply that such precise blood-alcohol concentrations would occur in every indivdual. Drinks served at home parties often contain considerably more alcohol than those at bars and cocktail lounges.

BIG DIFFERENCE

The general public often uses the words alcohol, whiskey and liquor synonymously. In explaining blood-alcohol levels, it must be clearly understood that the per cent of alcohol in intoxicating beverages varies greatly, with beer usually having the lowest percentage and rum and whiskies the highest. Whiskey, for instance, usually is 45 per cent alcohol. Roughly, one-half of a 1-ounce "shot" glass of this beverage, therefore, would be alcohol. For comparative purposes, it might be well to point out that a 12-ounce bottle of beer and a 1-ounce "shot" glass of whiskey both contain ½ ounce of alcohol, but that a martini contains a full ounce of alcohol. To complicate the matter further, all alcoholic beverages are not of the same strength or "proof." The term "proof" is used most often in reference to the alcohol content of distilled spirits. The proof figure is always twice the percentage figure—90 proof whiskey being 45 per cent alcohol.

Since a blood-alcohol level of 0.10 per cent is generally recognized as the point of intoxication, it might be helpful for purposes of comparison to think in terms of the number of commonly used drinks that will bring on that level, keeping in mind that "drinks" are not always served in precise amounts shown in the table on Page 25. A 120-pound beer drinker reaches the 0.10 per cent level with slightly more than three bottles, but the 180-pound drinker could consume five bottles to reach that limit. With whiskey, the 120-pound person again would reach 0.10 per cent with less than four "shots," but the 180-pound drinker could consume five "shots." Drinking martinis, however, the 120-pound drinker would reach the intoxicating level of 0.10 per cent with about 1½ glasses, and the 180-pound drinker with slightly more than two glasses.

More is known about alcohol and its effect on traffic accidents than about its effect on accidents generally. However, in the absence of data, it is logical to extrapolate information about drinking and driving to other activities that require equivalent or greater skill, alertness and judgment (flying a plane; boating; operation of a power mower, a power tool or farm machinery; swimming; skiing).

Combined with Other Drugs—Millions of Americans are using drugs to a greater extent than ever before. Some of these, such as tranquilizers and some of the antihistamines, can cause inattention, confusion and drowsiness. When such drugs are used in combination with alcohol, the combined effect may be extremely hazardous as far as accidents are concerned.

In Traffic—Many studies reveal drinking to be a factor in a great number of traffic accidents. Studies in Wisconsin and California of accidents causing fatalities show that drinking was involved in more than 50 per cent of those accidents. Not only was drinking involved, but these studies, as well as a recent one in Illinois, showed that most of the drivers had blood-alcohol levels of 0.10 per cent or higher. Studies of pedestrian fatalities show roughly the same picture.

There is a definite correlation between the amount of liquor in the blood and traffic accidents. Studies at Indiana University showed that a driver with a blood-alcohol level of 0.15 per cent has a 25 times greater chance of causing a traffic accident than he would if he were not drinking. Increased accident causation is noticeable at 0.04 per cent, is twice as great at 0.06 per cent, and the probability is at least six times as great at 0.10 per cent. The risk factor as far as pedestrians are concerned probably is similar.

Legal Aspects—It is unlawful in every state for a person under the influence of intoxicating liquor to operate a motor vehicle on a public highway. The definition "under the influence" is, of course, open to judgment, but chemical tests are now generally accepted as the most effective method of determining alcoholic influence. This has led to state laws setting levels at which a person may be presumed to be under the influence. These levels are based on alcohol concentration in the blood, not on the amount of liquor consumed.

The Department of Transportation, the Department of Health, Education and Welfare, American Medical Association, National Safety Council and the National Committee on Uniform Traffic Laws and Ordinances all recommend that an individual with a 0.10 per cent blood-alcohol concentration may be presumed to be "under the influence" of intoxicating liquor. This does not mean that one cannot be impaired below that level.

The U.S. Supreme Court has ruled that the administration of chemical tests to determine alcoholic influence does not violate an individual's right against self-incrimination. A practical method of overcoming a driver's unwillingness to take a chemical test is the so-called "implied consent" law which declares in effect that every motorist in exchange for the privilege of driving shall be deemed to have given his consent to a chemical test.

At Home—Alcohol is an important factor in home accidents. A Massachusetts study reported that 20 per cent of males and almost 9 per cent of the females in home accidents had been drinking. Such accidents included falling asleep with lighted cigarettes, poisonings and drownings.

In Recreation—Alcohol is known to be a factor in many forms of recreational accidents. A Federal Aviation Administration 1964 study showed that 39 per cent of the general aviation accidents involved drinking. Most of these were private planes. Since flying is a complex task involving factors such as vision, speed, orientation and altitude, alcohol can be a greater factor in the causation of aircraft accidents than automotive accidents.

The Federal Aviation Administration requires eight hours as a minimum waiting period necessary for flying after drinking. Commercial airlines require a 24-hour waiting period for personnel in the crew compartment.

XUM

These rules and recommendations are difficult to enforce for private or non-commercial pilots. Often the identified pilot is a dead one. Enforcement would require testing at many small airports, which is a difficult task. An extensive education program for private pilots, as well as for passengers in private planes, may be part of the answer.

In boating, excessive drinking is a danger to passengers, other boats and swimmers. Boating requires judgment, skill and attitude similar to those required in driving a motor vehicle. Here, too, enforcement is difficult, and an alcohol education program is a must.

Statistics are not available on the number of hunting accidens in which alcohol is a factor. But with the amount of drinking often associated with hunting parties, it is reasonable to assume that the hunter's skill and judgment are often impaired.

Excessive drinking can be hazardous in various sports, particularly swimming. One large city's coroner reported that a high percentage of adult drowning victims apparently were intoxicated when they met their deaths while swimming or after falling from a boat or a pier.

At Work—Alcoholism and heavy drinking can be serious problems in industry, although statistics are lacking as to how large a factor drinking is in the cause of industrial accidents. "Hangovers" interfere with the safe operation of machinery and result in accidents, even when the employe isn't actually "under the influence" on the job.

Studies indicate that employes who are alcoholics have more than twice as many on-the-job accidents and at least 10 times as many off-the-job accidents as nondrinkers. Company programs for identifying and rehabilitating such persons are one means of reducing these accidents.

Possible Solutions—Obviously, there isn't any ready-made, single, easy solution to the problem of drinking and accidents. Public education has been proposed as the best means of attacking the problem of accidents in which alcohol may play a major role. However, it is believed that there are additional means that are particularly applicable to the problem of drinking and driving.

Abstinence from drinking before driving is an obvious solution, but drinking is so widespread and socially acceptable in our society that many drivers will not follow this course. Another course is for the drinking individual to arrange for an unimpaired person to do the driving, or to use other means of transportation.

Without these alternatives, the best solution is for the driver who drinks to drink in such a manner that he will *not* be under the influence when he drives. This means that most individuals should not drink more than one bottle of beer or one highball an hour. One means of accomplishing this is for the person who intends to drive to decide in advance the maximum he will drink. It is important to make such a firm resolution in advance because one of the first effects of alcohol is that it impairs judgment. Hosts have a responsibility to encourage guests who drink to do so at the suggested leisurely rate.

In addition to diagnosis and treatment, the control of drunken drivers requires enforcement, prosecution, adjudication, sentencing and surveillance. The latter is especially important since many drivers ignore driving restrictions. A California study showed that almost half of the drivers whose licenses were revoked, continued to drive. This accentuates the need for effective educational programs as well as legal approaches. Law enforcement agencies, from police officers through the courts are charged with the restraint of antisocial behavior resulting from intoxication. They need public support for firm enforcement of adequate laws, whether the public is serving as jurors or as citizens interested in the general welfare.

Since heavy drinkers and alcoholics seem to cause many of the accidents, they can serve as a focus for one preventive program. Public education must be directed at those who can influence them to accept treatment—physicians, the courts, treatment centers, friends, families, fellow employes must all help to educate and rehabilitate such persons to the point where they can again drive safely and can engage in home, recreational and work activities with safety to themselves and others.

ALCOHOL EDUCATION CHART

Alcoholic beverages	Normal measures dispensed	Alcohol in 1 bottle or glass		Approximate blood-alcohol level—Percent reached in 1 Hour (0.015 can be substituted for each additional hour)					
				1 Drink		2 Drinks		3 Drinks	
		Percent of alcohol	Amount of alcohol (ounces)	Body	weight	Body	weight	Body	weight
				120	180	120	180	120	180
Beer:									
(a) Malt	12-ounce bottle	7	⅘	0.06	0.04	0.08	0.06	0.14	0.09
(b) Ale	do	5	⅗	.05	.03	.07	.05	.10	.08
(c) Regular beer	do	4	½	.04	.02	.06	.04	.09	.06
Wines:									
(a) Fortified: Port, muscatel, etc.	3+-ounce glass	18	½	.04	.02	.06	.04	.09	.06
(b) Natural: Red/white, champagne.	do	12	⅗	.03	.02	.06	.04	.07	.04
Liquers:									
(a) Strong: B&B, Cointreau, Drambuie.	1-ounce glass	40	⅗	.03	.02	.06	.04	.07	.05
(b) Medium: Fruit brandies	2-ounce glass	25	½	.04	.02	.07	.04	.09	.06
"Straight" Spirits: Brandy, cognac, rum, Scotch, vodka, whiskey.	1-ounce glass	45	½	.04	.02	.06	.04	.08	.06
Cocktails:									
(a) Strong: Martini, manhattan.	3½-ounce glass	30	1	.07	.04	.14	.09	.19	.11
(b) Medium: Old fashioned, daiquiri, Alexander.	4-ounce glass	15	⅗	.05	.03	.07	.05	.10	.08
Highballs: With sweet and sour mixes, tonics.	8-ounce glass	7	⅗	.05	.03	.07	.05	.10	.07

THE 18-YEAR-OLD VOTING PROVISIONS OF THE VOTING RIGHTS BILL

(Mr. McCORMACK (at the request of Mr. ALBERT) was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. McCORMACK. Mr. Speaker, in my remarks I include a letter appearing in the New York Times of April 12, written by Prof. Paul A. Freund and Archibald Cox—former U.S. Solicitor General, 1961–65—both of whom are members of the faculty of the Harvard Law School, in which their opinions are that the 18-year-old voting provisions of the voting rights bill, as it passed the Senate, are constitutional. Professors Freund and Cox are outstanding constitutional lawyers, whose opinions are worthy of most profound consideration.

The letter follows:

POWER OF CONGRESS TO LOWER VOTING AGE UPHELD

CAMBRIDGE, MASS.,
April 6, 1970.

TO THE EDITOR:

Congress has ample constitutional authority to enact pending legislation reducing the voting age to eighteen without a constitutional amendment. The contrary view expressed in these columns [letter April 5] and held by the Department of Justice appears to rest upon several misconceptions.

(1) Although the Constitution leaves the states a measure of authority to set voting qualifications, equal protection clauses circumscribe the state's discretion. The importance of this limitation is attested by decisions that a state may not deny the vote because of nonpayment of a poll tax, membership in the armed forces during the period of residency, or lack of property qualifications.

(2) Katzenbach v. Morgan recognizes that under Section 5 of the Fourteenth Amendment, Congress has the power—and we think the responsibility—to make its own investigation and findings on the constitutionality of state voting classifications, which is conclusive if the Court can "perceive a basis upon which the Congress might resolve the conflict as it did."

To limit Katzenbach v. Morgan to "policing state restrictions on ethnic minorities" is to ignore the fact that the equal protection clause, which Section 5 gives Congress power to enforce, condemns, in the words of the Supreme Court, "any unjustified discrimination in determining who may participate in political affairs or the selection of public officials." Indeed, Section 5 is the primary, if not only, source of authority for eliminating all literacy tests and reducing residency requirements as proposed by the Department of Justice.

(3)—Section 2 of the Fourteenth Amendment (invoked by your correspondents as "conclusive") provides for a reduction of Congressional representation whenever a state denies the franchise to any male citizen "being 21 years of age." The sanction was directed at restriction of the franchise; it has nothing to do with enlargement, as is apparent from state laws reducing the voting age below 21. The most that can be inferred is that in 1866–68, Congress and the state legislatures were willing to accept 21 years as a reasonable measure of the maturity and responsibility necessary to vote *at that time*. It is nowise inconsistent to conclude that *in our time* a 21-year requirement unreasonably discriminates against eighteen, nineteen, and twenty-year-olds because of changed conditions—the spread and improvement of education, the age at which young people take jobs, pay taxes, marry and have children, and their interest in public affairs. Since Section 2 did not set an age limit and conditions do change—as all must agree—it did not bind all future Congresses in discharging their responsibilities under Section 5.

There is urgent need to restore the confidence of millions of young Americans in the processes of self-government from which

XUM

too many have been alienated. Congress, as the representative branch of government, should exercise its responsibility for the fairness of electoral processes under contemporary constitutional decisions.

PAUL A. FREUND.
ARCHIBALD COX.

THE PRESIDENT WAS RIGHT

(Mr. KING asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous material.)

Mr. KING. Mr. Speaker, I believe the President acted wisely last week in announcing that he will seek a strict constitutionalist from outside the South as his next appointee to the Supreme Court.

It is obvious that among the few Senators there is an anti-South bias that is enough to keep any southern judge off of the High Tribunal. It remains to be seen whether this bias also extends to any judge who insists on a strict interpretation of the Constitution.

I hope it does not. It is disheartening to know that any Senator would harbor a grudge against any section of the country. But it would be even more disheartening to learn that some Senators do not believe the President should be able to appoint a man of his philosophy to the Supreme Court.

After all, the people who vote for the President do so on the premise and in the expectation that he govern and appoint according to his philosophy not to that of a small cabal within the Congress.

Much has been written over the weekend attempting to give all sides of the controversy over the appointment to the Supreme Court its fullest coverage. One of the best articles I read and which I feel best covers the subject is an article which appeared in the Sunday, April 12, edition of the Evening Star. The article was written by Gould Lincoln and under leave to extend my remarks I include his personal reaction:

LIBERALS FIGHT TO CONTROL COURT

(By Gould Lincoln)

President Nixon, in his statement he would go outside of the South for his next appointee to the Supreme Court, re-emphasized the desperate struggle by liberals in the Senate and outside to retain control of the high court.

Nixon said in bitter terms that the rejection of his nominations of Judge G. Harrold Carswell of Florida and of Judge Clement F. Haynsworth of South Carolina had convinced him no Southerner who believed, as he does, in the strict construction of the Constitution would be confirmed by the Senate as it is now composed. In that he is correct.

Having lost the White House to Nixon the liberals are more than ever determined to hold on to the Supreme Court. What they will do when the President names a judge outside of the South, a Northerner or a Westerner, who is a conservative, remains to be seen.

The defeat of Carswell was engineered by pressure groups, groups which have great influence on many members of the Senate. These pressure groups, as the President well understands, would fight any Southerner appointed to the court. They include civil rights leaders, organized labor, Americans for Democratic Action and anti-war blocks of every description.

Much has been said by the liberals in the Senate about the speedy and favorable action taken by the Senate on the appointment of Chief Justice Warren E. Burger, a native of Minnesota, as an indication of their willingness to confirm a widely known and qualified judge.

Burger was an excellent choice, as he has already proved. But when his name was first presented to the Senate, it is doubtful that more than a half-dozen members had ever heard of him, certainly no more than had heard of Haynsworth, or that Burger's name was widely known, as a jurist, to the American people.

Nixon has been criticized as playing politics in his announced decision not to appoint another Southerner and subject him to the character assassination dealt out to Haynsworth and Carswell by the Senate's liberals. He was merely striking back, and hard, at the Democrats and liberals on the Republican side, who had hit him and his appointees below the belt.

In the Carswell vote, 13 Republican senators deserted the Republican president.

Had only three of these been willing to support the President and vote for Carswell, the judge would have been confirmed by a vote of 49 to 48. So it was the Republican desertions which made it possible for the Democrats to strike a blow against Nixon, a blow they dearly wanted.

The congressional and senatorial elections come up in November. Only three of the Republican senators who voted against Carswell will be on the firing line, Charles E. Goodell of New York, Winston Prouty of Vermont and Hiram L. Fong of Hawaii. Will the "silent majority," which does not relish the crime that has been going on in the streets and homes of America, vote against them?

Also, there is a list of Democrats who voted against Carswell who must face the voters in November. They too, may find they have lost some ground. It would be a real blow to the liberals if the conservatives should gain control of the Senate. And to the Democrats, it would be devastating if the GOP should win the Senate—as they may do.

Among the Democrats who voted against Carswell who will be up for re-election are Thomas Dodd of Connecticut, Quentin Burdick of North Dakota, Howard Cannon of Nevada, Philip Hart of Michigan, Vance Hartke of Indiana, Edward Kennedy of Massachusetts, Gale McGee of Wyoming, William Proxmire of Wisconsin, Albert Gore of Tennessee, Joseph Tydings of Maryland, and Harrison Williams of New Jersey. A considerable number of these Democrats face hard fights at the polls and may be upset.

Nixon's decision to appoint a new nominee to the Supreme Court quickly may give some of the Carswell opponents a chance to get off the hook so far as the coming elections are concerned. If, on the other hand, they should vote against the new nominee they may be in for a hard time.

PRESIDENT NIXON WAS RIGHT

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HALL. Mr. Speaker, the extremists have won again. Twice, in little more than a year, the coalition of the ultra left, the vociferous minority, and the over indulgent liberals, have used the age-old weapon of character assassination onesidedly tried in the court of public opinion, to cut down the Presidential nominations of Judges Haynsworth and Carswell to be Associate Justices of the Supreme Court.

The rejection of Judge Carswell by the other body can be attributed to nothing more than distortion and smear, brought about by the fear that if he were confirmed, his philosophy as a strict constructionist of the Constitution would return a much-needed balance to the Supreme Court. A balance, I might add, that is vital, in view of the fact that the Court has taken upon itself the power to legislate, rather than interpret the law.

Mr. Speaker, I want to go on record as supporting the statement issued by the President on April 9, when he said that Judge Carswell was not confirmed because he is a southerner and a conservative. I believe what he said to be true.

Judge Carswell was rejected by the U.S. Senate. I do not believe that he was rejected by the majority of the American people. Their vote will not be in until November.

TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a Nation.

If the gross national product of the United States in 1967 had been apportioned out on a per capita basis, Mr. average American would have received $4,040. For comparison, here is what he would have received if he lived in the following countries: Sweden, $3,040; Canada, $2,810; Iceland, $2,760; Switzerland, $2,620; Denmark, $2,520; Norway, $2,200; France, $2,190; Belgium, $2,050; Germany, $2,030; the United Kingdom, $1,980; the Netherlands, $1,810; Austria, $1,460; Italy, $1,280; Japan, $1,150; Ireland, $1,060; Spain, $830; Greece, $820; Portugal, $490; and Turkey, $320.

BILINGUAL EDUCATION

(Mr. RYAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, this past September the first bilingual programs funded under the Bilingual Education Act began operation. This was a greatly welcomed beginning to a program which, if adequately funded, will eventually fill the educational needs of the more than 3,000,000 non-English-speaking students who live in all sections of this country.

But the bilingual education program in its present form succeeds in filling the language-education void only minimally. Although $7,500,000 was appropriated for fiscal year 1969, this amount provided schooling for only 1 percent of the students needing this training.

The fiscal year 1970 appropriation for the bilingual education program was increased to $25,000,000. But even this amount would only benefit less than 5 percent of the students who desperately need this service. What is more, the President has used the power granted under section 410 of the Labor-HEW-OEO Appropriation Act, Public Law 91–204, to trim the appropriation to the maximum extent, leaving only $21,250,000. This actual funding falls far short of the full authorization level.

I have introduced H.R. 16553, a supplemental appropriation bill which would bring the appropriation for the Bilingual Education Act to the fully authorized level of $40,000,000 for fiscal year 1970.

With the increased immigration of Puerto Rican and other Spanish-speaking children, the need for bilingual education became more apparent in this last decade. By this year, non-English-speaking students comprise almost 6 percent of the school-age population, ages 5 to 17.

It is obvious that a lack of language skills is a serious learning problem. The educational disadvantages that non-English-speaking students face is appalling. In New York City, the board of education found that fewer than 10 percent of Puerto Rican third graders were reading up to their grade levels in 1966. By the eighth grade, reading disability had increased to such a degree that as many as two-thirds of the Puerto Rican children in that grade were more than 3 years behind.

It is estimated that more than 100,000 Puerto Rican students in New York City require special help with the English language. This figure suggests that almost half of all Puerto Rican students enrolled in New York City schools can hardly hope to progress at a normal rate.

This problem is at least as grave in the Southwest, where many Mexican Americans have settled. In June 1967, Monroe Sweetland, of the National Education Association, testifying before the House Education and Labor Committee:

> Spanish-surnamed children lag almost 2 years behind the educationally-disadvantaged Negro child, and from 4 to 5 years behind the average Anglo-American child.

He further stated:

> Most of these young people experience academic failure in school. At best, they have limited success. A large percentage become school drop-outs, and little headway is being made against the problem.

Although the language barrier may not be the entire reason for the difficulties encountered by non-English-speaking students, the classroom is probably the best and the easiest place to attack this problem. It is there that we can prevent a tragic loss of talent by helping these students attain competency in English.

Because the need for this program is clearly evident, and because pilot programs have proven to be successful remedies for this language handicap, there is no justification for not fully funding the Bilingual Education Act. This, the Congress has thus far failed to do. In fiscal year 1969 the $7,500,000 appropriation was only 25 percent of the authorized funds. These limited funds made necessary the rejection of almost 300 proposals for bilingual schools submitted to the U.S. Office of Education. Only 20 percent of the proposed plans were approved in fiscal year 1969.

This year the Congress appropriated barely 50 percent of the authorized funds, and the Office of Education estimates that only one-third of the $21,250,000 actually to be spent will be utilized to fund additional new programs.

I want to stress that the purpose of bilingual education is not to destroy an old language, but to create a new one. Mr. Sweetland of the National Education Association stated:

> Instead of treating the native language as a blight to be exterminated as we superimpose English, we now know many techniques of teaching which will conserve the mother tongue and parallel it with effectiveness in English. The modern teacher views a native language as a great national resource to be conserved and developed, to be a great strength to our nation in its role of world leadership, not as a negative influence to be suppressed and eradicated.

Most bilingual programs now in operation—76 in 21 States—conduct two half-day sessions, one in English and one in the mother tongue. By giving students an exposure to their first language, they learn to appreciate it, as well as their cultural heritage, instead of rejecting both.

I would like to insert at this point in the Record an article from the Gallup, N. Mex., Independent of January 27, 1970, reporting on a TESOL—teachers of English to speakers of other languages—conference which discussed the need for bilingual education; and an article from the September 1969, issue of Center Forum by Rosa Inclan, describing a bilingual school in operation in Miami, Fla.:

[From the Gallup, N. Mex., Independent, Jan. 27, 1970]

TESOL AND BILINGUAL EDUCATION URGED

Gallup.—The urgency of teaching non-English children in their own language while they are learning English was stressed at a TESOL meeting in Gallup last Friday.

Dr. Bernard Spolsky, a University of New Mexico education professor delivered the main speech to the New Mexico Association for TESOL (Teaching English to Speakers of Other Languages) and Bilingual Education.

New Mexico was the first state to organize TESOL teachers on a state level, and according to Dr. James Alatis, Executive Secretary of the National TESOL Association, this state is the most active affiliate in the nation. Dr. Spolsky is President of the State TESOL Association.

"It's a safe bet that the average first grade teacher in New Mexico faces a class one quarter of whom don't speak English," Dr. Spolsky said. "If we are not to waste a child's first six years of language learning, we must proceed with his own language all the time that we are teaching him English.

"Evidence suggests a child taught to read in his own language will learn to read English better and more quickly," Dr. Spolsky said.

Dr. Spolsky also challenged the "melting pot" hypothesis and said it should be replaced by "an acceptance of cultural pluralism—a recognition that one of America's greatest strengths lies in the many kinds of people who live here, each with his own contribution to America."

Approximately 150 educators from throughout New Mexico and Arizona attended the annual meeting which was held at the Golden Lion Cafeteria in Gallup. Those attending represented local public schools, Bureau of Indian Affairs and parochial schools in both states.

Four other experts in the field of language learning who also attended this meeting are Dr. David Harris, President of the National TESOL Association; Dr. James Alatis; Dr. Russell Campbell, Professor in the Department of English at the University of California, Los Angeles, and Dr. Frederick Bosco, Professor in the Department of Languages and Linguistics at Georgetown University.

After Dr. Spolsky's speech, the remainder of the evening consisted of small group discussions which gave everyone an opportunity to meet informally with the guest speakers.

The following is the text of Dr. Spolsky's remarks at the TESOL meeting in Gallup:

"By the time a child comes to school, he and his parents have already six years in language acquisition.

"These first years are critical for language learning; it is the time at which it can be done best and most cheaply. School then builds on the work. If the school ignores what has been done at home, the six-years are wasted. And if a child's linguistic wealth is ignored, the chance that he will be able to get a good education is vastly reduced.

"For, as is obvious to all of us who teach, the first necessity for education is communication between teacher and pupil: if a child can't understand what his teacher says, he can not learn.

"In New Mexico, at the present time, one might safely guess that teachers can't talk to one quarter of their beginning pupils. Failure to recognize this language situation in the State has meant that our schools have been working at greatly reduced efficiency, and that the potential intelligence of a quarter of the children is being needlessly squandered.

"Let me give you some figures.

"The New Mexico State Department of Education estimates that in 1969, half of the grade classrooms in the State had more than 45 per cent Spanish surnamed children.

"For Title I ESEA Schools, the Department estimated that 38 per cent of the enrollment in 1969 were Spanish surnamed, and over 6 per cent Indian. What does this mean in terms of language?

"Take the case of Navajo children. In the Gallup-McKinley urban schools, we find that 40 per cent of the six-year-old Navajo children speak Navajo, 40 per cent speak only English, and 20 per cent speak both.

"In Gallup-McKinley rural schools, 62 per cent speak Navajo, only 9 per cent speak English, and 29 per cent speak both.

"Conservatively, one might estimate that half of the Spanish surnamed children in the State come to school speaking Spanish rather than English, and more than half of the Indian children speak their language rather than English. So, it is a safe bet that the average first grade teacher in New Mexico faces a class one quarter of whom don't speak English.

"American schools, like all of American society, assume that their pupils will speak the standard language, and punish in various ways those that do not.

"Education is not doing its job until it can help children overcome the disadvantage of not speaking English. The first job of the school then must be to find out the language or dialect background of each individual child; then, in the best and most efficient way, to make it possible for that child to acquire the standard language.

"Our task, as teachers of English to speakers of other languages, is to join with our fellow professionals and learn what is the best and most efficient way; as teachers within the schools, it is to make sure that our school systems put this into operation and as citizens of New Mexico, it is to ensure that the financial resources are available to save the human resources.

"It is imperative at the moment, to be specific, that the current legislators do not sacrifice their children's future for votes in the next election. Better education must come before tax cuts.

"There is a second and equally important job, that we must do at the same time. If we are not to waste the child's first six years of language learning, we must proceed with his education in his own language all the time that we are teaching him English.

"Even when we have looked after the E in TESOL, remember what we are left as: Teachers of Speakers of Other Languages.

"The most efficient way to teach a child is to teach him in his own language. There is good reason to believe that not only will this be more efficient and satisfying, but it will improve his English learning.

"Such evidence as we have suggests strongly that a child taught to read in his own language will learn to read English better and more quickly.

"I've been talking here only in economic terms, of tangible results and of avoiding waste, but there is another factor which cannot be quantified.

"Can we measure in dollars the loss to a community of its language, its way of life, its distinctive history?

"For a long time, Americans have believed that the United States was a melting pot; that its citizens should wish to belong to a single, English-speaking culture.

"It is time perhaps for the melting pot hypothesis to be replaced by an acceptance of cultural pluralism, a recognition that one of America's greatest strengths lies in the many kinds of people who live here, each with his own contribution to America.

"If we accept this view, we then must talk of more than just the transitional bilingual schooling that I have been calling for, and consider the strategies to be followed in permanently maintaining more than one language in our society. But I must leave that for now, for I am concerned tonight with the more urgent and more apparent waste of the State's human resources.

"The language situation in New Mexico demands a combination of teaching English as a second language and bilingual education. To leave either out is wasteful, and criminally so when we have so much need of educational efficiency.

"Every child coming to school must be taught the standard language if he is to have access to the general culture and economy. At the same time he has a right to be taught in his own language while he is learning enough English to handle the rest of the curriculum, and to continue to be taught in his own language if his community wishes to maintain its own culture and language.

"To help see that this is done is the reason for our Association's existence, the meaning of our name, and the task ahead of us all."

[From Center Forum September, 1969]

CORAL WAY ELEMENTARY SCHOOL

(Dade County Public Schools, Miami, Fla., for Spanish-speaking and English-speaking children, grades 1–6, Rosa Inclan, supervisor, Bilingual Education)

First two-way bilingual education program in public elementary school in U.S.; student body mainly middle-income, 50 per cent English-speaking, 50 per cent Spanish-speaking, Cuban refugees; divided by language background into separate classes with daily instruction for both groups in native language, and second language; team teaching used, one English-speaking, one Spanish-speaking teacher. Staff recruitment facilitated through large available number of experienced Cuban teachers. Goal: literate, educated bilinguals.

PROGRAM DESCRIPTION

Dade County, Miami, Florida, covers a metropolitan area with a population of over 1,000,000, and a high concentration of Cuban refugees. Of the 220,000 student body in the more than 150 elementary schools of Dade County, about one-tenth or 20,000 are Cuban refugee children.

In an effort to cope with the problem of educating these Spanish-speaking children, a bilingual program was started in the Coral Way Elementary School in Dade County in September 1963. The Coral Way School was selected for the bilingual experiment because it had a student body evenly divided into English-speaking and Spanish-speaking backgrounds; it was in a reasonably stable middle-class community; and, further, the staff, administration and school parents had shown an interest in a bilingual education program.

The program began in the fall of 1963 with twelve experimental bilingual classes, four in first grade, four in second grade and four in third grade; at each grade level two of the classes consisted of English-speaking children and two of Spanish-speaking children. The intention was that these pupils continue in the experimental program for the remainder of their elementary education; a new grade was added to the program each school year so that by 1966 the program ran from first through sixth grade. All children in the first through third grades were eligible for the program when it began; admission was voluntary, parents were given the option of putting their children in the bilingual program or in a traditional English-only program, and could withdraw child from bilingual program at any time.

In the early grades approximately half the day is spent in each language, with the concepts learned in the morning in the native language and in the afternoon in the second language. Thus, the Spanish-speaking classes receive instruction in Spanish language arts, science and social studies in the morning and this instruction is reinforced for the same subjects in the afternoon. For the English-speaking children, the process is reversed. Each class is taught by a team of two teachers, one native English-speaking, one native Spanish-speaking. The children are brought together in mixed classes for music, art and physical education. Mixed play periods are supervised by teacher aides who are free to use either Spanish or English, thereby giving all pupils a chance to hear a second language in a normal, everyday activity. Beginning with third grade, classes have become increasingly mixed with instruction, for the major subjects, depending on language best fitting the content, i.e., a Latin American history class in Spanish; Colonial New England history in English; or either language used for a math lesson. By the sixth grade many of the classes are mixed and taught in either language.

In first and second grade in Dade County the school day runs from 8:30 A.M. to 2:00 P.M. In the bilingual program the school day has been lengthened for one hour for the last twelve weeks of first grade and for second grade. This provides extra time mainly for teaching reading in the second language, which instruction begins after the foundation for vernacular reading has been established. For many pupils this means that reading instruction in second language begins as early as the thirteenth week of first grade.

PERSONNEL AND TEACHER TRAINING

In September 1963 when the program began, there were twelve teachers for the twelve experimental classes: six teachers were native English-speaking monolinguals and six were native Spanish-speaking bilingual Cuban teachers. Three teachers aides also assisted in music, art and physical education, supervised play periods, and helped with clerical work.

The native English-speaking teachers were selected from the Coral Way faculty and most were ESL-trained. The native Spanish-speakers were experienced Cuban teachers who had completed a special course at the University of Miami certifying them to teach in Florida. The teachers work in teams with one English-speaking teacher handling instruction in English for one English-speaking and one Spanish-speaking class and one Spanish-speaking teacher working with the same two classes.

Before the bilingual program officially began, in the summer of 1963, a six week curriculum workshop was organized for all teachers and aides in the program. In the morning, courses were given in "Basic Linguistics" and "Structures of the English Language"; the afternoons were devoted to developing plans and materials for use in all phases of the curriculum. A similar workshop was held in the summer of 1964.

A mandatory planning hour for teachers of each grade group was included in the school day, during which time the teachers went over weekly and long-range plans and discussed class problems.

CURRICULUM AND MATERIALS

The curriculum follows that used in all Dade County Schools. Special attention has been given to developing seven curriculum areas: ESL, SSL, Spanish and vernacular, science, music, art and physical education.

In first and second grade, the tests used for teaching English to the non-English-speaking children is the Miami Linguistic Readers Series, the reading program developed in Dade County.

For instruction in Spanish, four series of tests are used: Spanish basal readers; a parallel translation of an English Science series; a Spanish health series and a Spanish modern math series.

TESTING AND EVALUATION

A three year evaluative study (1964–66) has been made of the Coral Way program with traditional English-only classes in another school in the county used as control. Tests used included: Stanford Achievement, Otis Alpha and California Test of Mental Maturity. For measuring proficiency in second language, pupils in the bilingual program were given parallel English and Spanish editions of the Cooperative Inter-American Reading Tests. Results of the evaluative study showed that the bilingual program is as effective as the regular, traditional curriculum in achieving progress in paragraph meaning, word meaning, spelling, arithmetic reasoning, and arithmetic computation for English and Spanish-speaking pupils. Although, at the end of the third year, the students were not yet as proficient in their second language as in their native language, they had made impressive gains in learning their second language.

PARENT AND COMMUNITY ROLE

In the late spring of 1963, before the program began, a series of meetings were held with the parents during which the goals of the bilingual program were explained and discussed, including the voluntary nature of the bilingual classes. Paul W. Bell, Supervisor of Bilingual Education in Dade County reports that while a number of parents did not enroll their children in the program when it first started, after one year, these parents requested that their children be transferred to the program, with the result that the school gave up its regular English-only program and has only a bilingual program now. Parents have reported that their third grade students are helping their high school siblings with Spanish lessons.

Another bilingual program was started in another elementary school in Dade County in 1966. The school, the Leroy D. Fienberg Elementary School is located at 1420 Washington Avenue, Miami Beach, Florida.

XUM

FINANCING

Originally the Coral Way bilingual program was financed for three years by a Ford Foundation grant received by the Dade County School Board. The grant was given to the Board to develop bilingual education projects including the establishment of a bilingual school program for three years.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. BRADEMAS (at the request of Mr. GRAY), for today, on account of official business.

Mr. REES (at the request of Mr. SISK), for today, on account of official business.

Mr. STUCKEY (at the request of Mr. BRINKLEY), for today, on account of official business.

Mr. PEPPER (at the request of Mr. FOUNTAIN), for today, on account of official business.

Mr. LENNON (at the request of Mr. FOUNTAIN), for today and remainder of week, on account of official business.

Mr. ROONEY of New York (at the request of Mr. ALBERT), for Monday, April 13, 1970, on account of illness.

Mr. BARING (at the request of Mr. ANDERSON of California), for today, on account of illness in family.

Mr. JONES of Tennessee (at the request of Mr. ALBERT), for today, on account of official business.

Mr. HANNA (at the request of Mr. ANDERSON of California)), for today, on account of official business.

Mr. CHARLES H. WILSON (at the request of Mr. ALBERT), for today, on account of official business.

Mr. PATMAN (at the request of Mr. ALBERT), for today, on account of official business.

Mr. FLYNT (at the request of Mr. ALBERT), for today, on account of official business.

Mr. MOLLOHAN (at the request of Mr. ALBERT), for today, on account of official business.

Mr. McDADE (at the request of Mr. GERALD R. FORD), on account of official business.

Mr. WATSON (at the request of Mr. GERALD R. FORD), for today, on account of annual visual examination.

Mr. SCHADEBERG (at the request of Mr. GERALD R. FORD), for April 13 through 15 on account of personal reasons.

Mr. TEAGUE of California (at the request of Mr. GERALD R. FORD), for an indefinite period, on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LUJAN) to revise and extend their remarks and include extraneous material:)

Mr. FREY for 1 hour, on Wednesday, April 15.

Mr. WEICKER (immediately after Mr. FREY), for 1 hour, on Wednesday, April 15.

Mr. GERALD R. FORD for 1 hour, on Wednesday, April 15.

Mr. WYMAN for 1 hour, on Wednesday, April 15.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. UDALL, following the objection of the gentleman from Indiana on the pay bill amendments today.

Mr. FARBSTEIN (at the request of Mr. ADDABBO), to extend the remarks following those of Mr. STEED today in the Committee of the Whole on H.R. 16900.

Mrs. SULLIVAN, to follow the remarks of Mr. STEED on H.R. 16900.

Mr. STEED to revise and extend his remarks and include extraneous matter in the Committee of the Whole today on H.R. 16900.

(The following Members (at the request of Mr. LUJAN), and to include extraneous matter:)

Mr. POLLOCK in five instances.
Mr. HARSHA in two instances.
Mr. GOLDWATER.
Mr. BUSH.
Mr. CONTE.
Mr. BROWN of Ohio.
Mr. FOREMAN in two instances.
Mr. HOSMER in two instances.
Mr. ASHBROOK.
Mr. DERWINSKI.
Mr. HASTINGS.
Mr. BROYHILL of Virginia in three instances.
Mr. SHRIVER.
Mr. WYMAN in two instances.
Mr. HOGAN in two instances.
Mr. BROYHILL of North Carolina.
Mr. GOODLING.
Mr. ARENDS.
Mr. BURTON of Utah in five instances.
Mr. BOW.
Mr. TEAGUE of California.
Mr. COUGHLIN.
Mr. COLLIER in three instances.
Mrs. DWYER in three instances.
Mr. RAILSBACK in two instances.
Mrs. HECKLER of Massachusetts in two instances.
Mr. McEWEN.

(The following Members (at the request of Mr. McCARTHY) and to include extraneous matter:)

Mr. PUCINSKI in six instances.
Mr. ST. ONGE in two instances.
Mr. FRASER in three instances.
Mr. ROONEY of Pennsylvania.
Mr. SCHEUER.
Mr. MATSUNAGA.
Mr. WOLFF in three instances.
Mrs. SULLIVAN in five instances.
Mr. ECKHARDT.
Mr. WALDIE.
Mr. CHARLES H. WILSON.
Mr. JARMAN.
Mr. RARICK in three instances.
Mr. ROSENTHAL in five instances.
Mr. GALLAGHER.
Mr. GRIFFIN in two instances.
Mr. REUSS in six instances.
Mr. FULTON of Tennessee in three instances.
Mr. FOUNTAIN.
Mr. KLUCZYNSKI in two instances.
Mr. RODINO in three instances.
Mr. GONZALEZ in two instances.
Mr. LONG of Maryland.
Mr. DONOHUE in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3430. An act to amend the Peace Corps Act to authorize additional appropriations, and for other purposes; to the Committee on Foreign Affairs.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 8654. An act to provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone; and

H.R. 15349. An act to amend the Railway Labor Act in order to change the number of carrier representatives and labor organization representatives on the National Railroad Adjustment Board, and for other purposes.

ADJOURNMENT

Mr. McCARTHY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 14, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1907. A letter from the Acting Assistant Secretary for Congressional Relations, Department of State, transmitting copies of a Presidential determination and related memoranda authorizing military grant assistance to an economically developed country; to the Committee on Foreign Affairs.

1908. A communication from the President of the United States, transmitting proposed supplemental appropriations and other provisions for the fiscal year 1970 (H. Doc. No. 91-306); to the Committee on Appropriations and ordered to be printed.

1909. A communication from the President of the United States, transmitting amendments to the requests for appropriations transmitted in the budget for the fiscal year 1971 (H. Doc. No. 91-305); to the Committee on Appropriations and ordered to be printed.

1910. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Justice for "Fees and expenses of witnesses" for the fiscal year 1970, has been reapportioned on a basis which indicates the need for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

1911. A letter from the Director, Office of Emergency Preparedness, Executive Office of the President, transmitting a draft of proposed legislation to amend and extend the

XUM

Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

1912. A letter from the Commissioner, District of Columbia, transmitting the annual report of the Office of Civil Defense of the District of Columbia, pursuant to the provisions of section 6, Public Law 686, 81st Congress; to the Committee on the District of Columbia.

1913. A letter from the Secretary of State, transmitting the 17th annual report of activities under the Federal Property and Administrative Services Act of 1949 for the year 1969, pursuant to section 404(d) of the act; to the Committee on Gevernment Operations.

1914. A letter from the Comptroller General of the United States, transmitting a report on the need for improved practices for obtaining equitable contributions toward the cost of constructing sanitation facilities for Indians; Health Services and Mental Health Administration, Department of Health, Education, and Welfare; to the Committee on Government Operations.

1915. A letter from the Secretary of the Interior, transmitting a report on the Charles R. Robertson Lignite Research Laboratory of the Bureau of Mines at Grand Fork, N. Dak., for the year 1969, pursuant to the act of March 25, 1948 (62 Stat. 85); to the Committee on Interior and Insular Affairs.

1916. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation, "To amend the Natural Gas Pipeline Safety Act of 1969"; to the Committee on Interstate and Foreign Commerce.

1917. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a withdrawal request of previously reported case of Mr. Git-Chuen Henry Wong involving suspension of deportation pursuant to section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

1918. A letter from the associate director of national finance and development services, Boys' Clubs of America, transmitting a report for the 9-month period ended September 30, 1969; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Committee on House Administration. H.R. 12619. A bill to amend section 11 of an act approved August 4, 1950, entitled "An act relating to the policing of the buildings and grounds of the Library of Congress" (Rept. No. 91–997). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Committee on House Administration. S. 1968. An act to authorize the Secretary of the Interior to permit the removal of the Francis Asbury statue, and for other purposes (Rept. No. 91–998). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Committee on House Administration. House Joint Resolution 1069. Joint resolution extending for 4 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune (Rept. No. 91–999). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. S. 2315. An act to restore the golden eagle program to the Land and Water Conservation Fund Act; with an amendment (Rept. No. 91–1000). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Committee on House Administration. House Joint Resolution 1098. Joint resolution to provide for the appointment of James Edwin Webb as Citizen Regent of the Board of Regents of the Smithsonian Institution. (Rept. No. 91–1001). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 909. Resolution concurring in the Senate amendments to the House amendment to S. 3690 (Rept. No. 91–1002). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 16917. A bill to provide for the distribution of judgment funds to the Cheyenne River Sioux Tribe; to the Committee on Interior and Insular Affairs.

By Mr. BERRY (for himself and Mr. Johnson of California):

H.R. 16918. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

By Mr. BROWN of California:

H.R. 16919. A bill to authorize and direct the Secretary of Agriculture to acquire certain lands and interests therein within the San Bernardino National Forest, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. MILLS:

H.R. 16920. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 16921. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. LUKENS:

H.R. 16922. A bill to provide for annual adjustments in monthly monetary benefits administered by the Veterans' Administration, according to changes in the Consumer Price Index; to the Committee on Veterans' Affairs.

By Mr. MOLLOHAN:

H.R. 16923. A bill to establish a development bank to aid in financing low- and moderate-income housing, employment opportunities for unemployed and low-income citizens, and public facilities in certain urban and rural areas; to the Committee on Banking and Currency.

By Mr. MURPHY of New York:

H.R. 16924. A bill to protect the public health and safety by amending the depressant, stimulant, and hallucinogenic drug laws, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16925. A bill to amend the Public Health Service Act, the Federal Food, Drug, and Cosmetic Act, the Community Mental Health Centers Act, and other acts to establish a comprehensive program to deal with narcotic addiction and drug abuse, to provide for control of marihuana, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16926. A bill to amend the National Environmental Policy Act of 1969 to provide for class actions in the U.S. district courts against persons responsible for creating certain environmental hazards; to the Committee on Merchant Marine and Fisheries.

H.R. 16927. A bill to amend title 39, United States Code, to exclude from the mails as a special category of nonmailable matter certain material offered for sale to minors, to protect the public from the offensive intrusion into their homes of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 16928. A bill to amend title XVIII of the Social Security Act to provide for the eariler determination of an individual's eligibility for posthospital extended care services, and to prevent the retroactive denial of such eligibility after the individual has received such services for a specified period; to the Committee on Ways and Means.

By Mr. MURPHY of New York (for himself, Mr. Brasco and Mr. Moss):

H.R. 16929. A bill to require the establishment of marine sanctuaries and to prohibit the depositing of any harmful materials therein; to the Committee on Merchant Marine and Fisheries.

By Mr. SAYLOR:

H.R. 16930. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCHADEBERG:

H.R. 16931. A bill making an appropriation to the Department of Health, Education, and Welfare to complete the Federal obligation due 45 hospitals; to the Committee on Appropriations.

By Mr. SCHWENGEL:

H.R. 16932. A bill to amend the Federal-Aid Highway Act of 1968 to provide additional funds for highway safety programs by authorizing appropriations for such programs in an amount equal to 40 percent of the revenue collected from Federal taxes relating to alcohol; to the Committee on Public Works.

By Mrs. SULLIVAN:

H.R. 16933. A bill to exempt from certain deep-draft safety statutes passenger vessels operating solely on the inland river and waterways; to the Committee on Merchant Marine and Fisheries.

By Mr. TAYLOR:

H.R. 16934. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for investments in certain economically lagging regions; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas (for himself and Mr. Ayres) (by request):

H.R. 16935. A bill to amend title 38 of the United States Code to provide that term insurance be automatically converted to modified life insurance under certain circumstances, to inform term insurance policyholders periodically of the current and estimated future costs for such insurance, to provide for reduced paidup policies, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CHARLES H. WILSON:

H.R. 16936. A bill to assist in combating crime by reducing the incidence of recidivism, providing improved Federal, State, and local correctional facilities and services, strengthening administration of Federal corrections, strengthening control over probationers, parolees, and persons found not guilty by reason of insanity, and for other purposes; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts (for himself, Mr. Schneebeli, Mr. Wyman, Mr. Landrum, Mr. Dorn, Mr. Vanik, Mr. Keith, Mr. Tiernan, Mr. Fulton of Tennessee, Mr. Broyhill of North Carolina, Mr. St Germain, Mr. Price of Illinois, Mr. Harsha, Mr. Rooney of Pennsylvania, Mr. Downing, Mr. Gettys, Mr. Sisk, Mr. Fisher, Mr. Abernethy, Mr. Philbin, Mr. Macdonald of Massachusetts, Mr. Jonas, Mr. O'Neill of Massachusetts, Mr. Donohue and Mr. Cleveland):

H.R. 16937. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. DORN (for himself, Mr. Kyros, Mr. Hathaway, Mr. Mann, Mr. Flynt, Mr. Sikes, Mr. Nichols, Mr. Preyer of North Carolina, Mr. Andrews of Alabama, Mr. McMillan, Mr. Ste-

XUM

phens, Mr. Davis of Georgia, Mr. Gilbert, Mr. Rivers, Mr. Green of Pennsylvania, Mr. Hungate, Mr. Brock, Mr. Hechler of West Virginia, and Mr. Boland):

H.R. 16938. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 16939. A bill to safeguard the consumer by prohibiting the unsolicited distribution of credit cards and limiting the liability of consumers for the unauthorized use of credit cards, and for other purposes; to the Committee on Banking and Currency.

By Mr. FULTON of Tennessee:

H.R. 16940. A bill to extend until December 31, 1972, the suspension of duty on electrodes for use in producing aluminum; to the Committee on Ways and Means.

By Mr. GRAY:

H.R. 16941. A bill to amend the Public Health Service Act to provide for the making of grants to medical schools and hospitals to assist them in establishing special departments and programs in the field of family practice, and otherwise to encourage and promote the training of medical and paramedical personnel in the field of family medicine; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H.R. 16942. A bill to preserve and stabilize the domestic gold mining industry on public, Indian, and other lands within the United States and to increase the domestic production of gold to meet the needs of industry and national defense; to the Committee on Interior and Insular Affairs.

By Mr. JONAS (for himself, Mr. Broyhill of North Carolina, Mr. Mizell, Mr. Ruth, Mr. Buchanan, Mr. Edwards of Alabama, Mr. Dickinson, Mr. King, Mr. McEwen, Mrs. Dwyer, Mr. Fountain, Mr. Burke of Florida, Mr. Watson, Mr. Bow, and Mr. Brock):

H.R. 16943. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 16944. A bill to amend the Internal Revenue Code of 1954 to treat adoption fees in the same manner as medical expenses for income tax purposes; to the Committee on Ways and Means.

By Mr. MORSE:

H.R. 16945. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 16946. A bill to amend the Clean Air Act so as to extend its duration, provide for inspection and enforcement procedures, establish national emission control standards, authorize classification of air contaminant sources, designate penalties for violations of this act, authorize regulation of fuels and fuel additives, provide for improved controls over motor vehicle emissions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Hechler of West Virginia, Mr. Podell, Mr. Donohue, Mr. Dingell, Mr. Price of Illinois, Mr. Koch, Mr. Hawkins, Mr. Nix, Mr. Rees, Mr. Rodino, Mr. Rooney of Pennsylvania, Mr. Moorhead, Mr. Brasco, Mr. Gaydos, Mr. Pepper, Mr. Clay, Mr. Brademas, Mr. Addabbo, Mr. Harrington, Mr. Brown of California, Mr. Daddario, Mr. Farbstein, Mr. Dulski, and Mr. Kastenmeier):

H.R. 16947. A bill to provide for the development of a uniform system of quality grades for consumer food products; to the Committee on Agriculture.

By Mr. ROSENTHAL (for himself, Mr. Murphy of Illinois, Mr. Ryan, Mr. Anderson of California, Mr. Bingham, Mr. Thompson of New Jersey, and Mr. Tunney):

H.R. 16948. A bill to provide for the development of a uniform system of quality grades for consumer food products; to the Committee on Agriculture.

By Mr. ROSENTHAL (for himself, Mr. Hechler of West Virginia, Mr. Podell, Mr. Donohue, Mr. Dingell, Mr. Price of Illinois, Mr. Koch, Mr. Hawkins, Mr. Nix, Mr. Rees, Mr. Rodino, Mr. Rooney of Pennsylvania, Mr. Moorhead, Mr. Brasco, Mr. Gaydos, Mr. Pepper, Mr. Clay, Mr. Brademas, Mr. Addabbo, Mr. Harrington, Mr. Brown of California, Mr. Daddario, Mr. Farbstein, Mr. Dulski, and Mr. Kastenmeier):

H.R. 16949. A bill to require that certain processed or packaged consumer products be labeled with certain information, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Murphy of Illinois, Mr. Ryan, Mr. Anderson of California, Mr. Bingham, Mr. Thompson of New Jersey, and Mr. Tunney):

H.R. 16950. A bill to require that certain processed or packaged consumer products be labeled with certain information, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Hechler of West Virginia, Mr. Podell, Mr. Donohue, Mr. Dingell, Mr. Price of Illinois, Mr. Koch, Mr. Hawkins, Mr. Nix, Mr. Rees, Mr. Rodino, Mr. Rooney of Pennsylvania, Mr. Moorhead, Mr. Brasco, Mr. Gaydos, Mr. Pepper, Mr. Clay, Mr. Brademas, Mr. Addabbo, Mr. Harrington, Mr. Brown of California, Mr. Daddario, Mr. Farbstein, Mr. Dulski, and Mr. Ullman):

H.R. 16951. A bill to require that durable consumer products be labeled as to durability and performance life; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Murphy of Illinois, Mr. Ryan, Mr. Anderson of California, Mr. Bingham, Mr. Thompson of New Jersey, and Mr. Tunney):

H.R. 16952. A bill to require that durable consumer products be labeled as to durability and performance life; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Hechler of West Virginia, Mr. Podell, Mr. Donohue, Mr. Dingell, Mr. Price of Illinois, Mr. Koch, Mr. Hawkins, Mr. Nix, Mr. Rees, Mr. Rodino, Mr. Rooney of Pennsylvania, Mr. Moorhead, Mr. Brasco, Mr. Gaydos, Mr. Pepper, Mr. Clay, Mr. Brademas, Mr. Addabbo, Mr. Harrington, Mr. Brown of California, Mr. Daddario, Mr. Farbstein, Mr. Dulski, and Mr. Ullman):

H.R. 16953. A bill to require that certain durable products be prominently labeled as to date of manufacture, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Murphy of Illinois, Mr. Ryan, Mr. Anderson of California, Mr. Bingham, Mr. Thompson of New Jersey, and Mr. Tunney):

H.R. 16954. A bill to require that certain durable products be prominently labeled as to date of manufacture, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Hechler of West Virginia, Mr. Podell, Mr. Donohue, Mr. Dingell, Mr. Price of Illinois, Mr. Koch, Mr. Hawkins, Mr. Nix, Mr. Rees, Mr. Rodino, Mr. Rooney of Pennsylvania, Mr. Moorhead, Mr. Brasco, Mr. Gaydos, Mr. Pepper, Mr. Clay, Mr. Brademas, Mr. Addabbo, Mr. Harrington, Mr. Brown of California, Mr. Daddario, Mr. Farbstein, Mr. Dulski, and Mr. Kastenmeier):

H.R. 16955. A bill to require that certain drugs and pharmaceuticals be prominently labeled as to the date beyond which potency or efficacy becomes diminished; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Ullman, Mr. Murphy of Illinois, Mr. Ryan, Mr. Anderson of California, Mr. Bingham, Mr. Thompson of New Jersey, and Mr. Tunney):

H.R. 16956. A bill to require that certain drugs and pharmaceuticals be prominently labeled as to the date beyond which potency or efficacy becomes diminished; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Hechler of West Virginia, Mr. Podell, Mr. Donohue, Mr. Dingell, Mr. Price of Illinois, Mr. Koch, Mr. Hawkins, Mr. Nix, Mr. Rees, Mr. Rodino, Mr. Rooney of Pennsylvania, Mr. Moorhead, Mr. Brasco, Mr. Gaydos, Mr. Pepper, Mr. Clay, Mr. Brademas, Mr. Addabbo, Mr. Harrington, Mr. Brown of California, Mr. Daddario, Mr. Farbstein, Mr. Dulski, and Mr. Ullman):

H.R. 16957. A bill to require that certain short shelf-life durable products be prominently labeled as to the date beyond which performance life becomes diminished; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Murphy of Illinois, Mr. Ryan, Mr. Anderson of California, Mr. Bingham, Mr. Thompson of New Jersey, and Mr. Tunney):

H.R. 16958. A bill to require that certain short shelf-life durable products be prominently labeled as to the date beyond which performance life becomes diminished; to the Committee on Interstate and Foreign Commerce.

By Mr. WALDIE:

H.R. 16959. A bill to provide for annual adjustments in monthly monetary benefits administered by the Veterans' Administration, according to changes in the Consumer Price Index; to the Committee on Veterans' Affairs.

By Mr. FRIEDEL:

H.J. Res. 1168. Joint resolution authorizing the President to proclaim National Volunteer Fireman's Week from September 19, 1970, to September 26, 1970; to the Committee on the Judiciary.

By Mr. ALEXANDER (for himself, Mrs. Hansen of Washington, Mr. Burlison of Missouri, Mr. Dulski, Mr. Murphy of Illinois, and Mr. Eckhardt):

H. Con. Res. 569. Concurrent resolution expressing the sense of the Congress in opposition to the high interest rate policy; to the Committee on Banking and Currency.

By Mr. WEICKER:

H. Con. Res. 570. Concurrent resolution expressing the sense of the Congress that the President, acting through the U.S. Ambassador to the United Nations Organization take such steps as may be necessary to place the question of human rights violations in the Soviet-occupied Ukraine on the agenda of the United Nations Organization; to the Committee on Foreign Affairs.

By Mr. MOLLOHAN:

H. Res. 908. Resolution to create a Select Committee on the Investigation of Pornographic Enterprises; to the Committee on Rules.

By Mr. FRIEDEL:

H. Res. 910. Resolution authorizing the Committee on House Administration to con-

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duct certain studies and investigations within its jurisdiction; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 16960. A bill for the relief of L. C. Benedict; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 16961. A bill for the relief of Salvatore Biasi and family; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 16962. A bill for the relief of Lilyana Delonga; to the Committee on the Judiciary.

H.R. 16963. A bill for the relief of Anka Krstic; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 16964. A bill for the relief of Ruth T. Burkhalter; to the Committee on the Judiciary.

H.R. 16965. A bill for the relief of Richard N. Stanford; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

351. By the SPEAKER: A memorial of the Legislature of the State of Kansas, relative to studying the possibilities of using ethyl alcohol produced from wheat in gasolines; to the Committee on Interstate and Foreign Commerce.

352. Also, a memorial of the General Assembly of the Commonwealth of Virginia, relative to amending the Constitution of the United States regarding taxation of income derived from interest paid on obligations of the United States or agency thereof; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

440. By the SPEAKER: Petition of the Catholic Library Association, Haverford, Pa., relative to appropriating funds for fiscal year 1971, the full authorization for public and private libraries; to the Committee on Appropriations.

441. Also, petition of the Daughters of the American Revolution, Washington, D.C., relative to the return of American prisoners held by North Vietnam; to the Committee on Foreign Affairs.

442. Also, petition of Henry Stoner, York, Pa., relative to a national fingerprinting system; to the Committee on the Judiciary.

443. Also, petition of the Canaveral Council of Technical Societies, Cape Canaveral, Fla., relative to designating the Kennedy Space Center as the test and operational base for the space shuttle system; to the Committee on Science and Astronautics.

444. Also, petition of the Melbourne Area Chamber of Commerce, Melbourne, Fla., relative to designating Cape Kennedy as the operational base for the space shuttle system; to the Committee on Science and Astronautics.

445. Also, petition of the mayor and City Council of the City of Palm Bay, Fla., relative to designating Cape Kennedy as the operational base for the space shuttle system; to the Committee on Science and Astronautics.

446. Also, petition of the City Council of the City of Rockledge, Fla., relative to designating Cape Kennedy as the operational base for the space shuttle system; to the Committee on Science and Astronautics.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

> (b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORTS

The following reports for the third calendar quarter of 1969 were received too late to be included in the published reports for that quarter:

A. Actors' Equity Association, 165 West 46th Street, New York, N.Y.
D. (6) $2,500. E. (9) $2,500.

A. Ad Hoc Committee of the Construction Industry Advancement Funds, 1016 20th Street NW., Washington, D.C.

A. S. Allan Adelman, American Gas Association, Inc., 1660 L Street NW., Washington, D.C.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.
D. (6) $975.00. E. (9) $112.00.

A. AFL–CIO Maritime Committee, 100 Indiana Avenue, NW., Washington, D.C.
D. (6) $8,504.52. E. (9) $6,660.14.

A. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,597.70. E. (9) $5,597.70.

A. Herbert F. Alfrey, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue, NW., Washington, D.C.
D. (6) $551.00. E. (9) $34.00.

A. Nicholas E. Allen and Merrill Armour, 444 Shoreham Building, Washington, D.C.
B. Music Operators of America, Inc., 228 North La Salle Street, Chicago, Ill.
D. (6) $750. E. (9) $8.80.

A. American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y.
D. (6) $5,679.60. E. (9) $5,679,60.

A. The American College of Radiology, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,774.17. E. (9) $1,774.17.

A. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $1,663.27. E. (9) $39,628.38.

A. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $14,005.04. E. (9) $14,005.04.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. The National Football League, 410 Park Avenue, New York, N.Y.

A. Edward T. Anderson, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,150.

A. William C. Anderson, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,812.50. E. (9) $47.20.

A. Robert E. Ansheles, 1026 Connecticut Avenue NW., Washington, D.C.
B. Consolidated International Trading Corp., 180 Madison Avenue, New York, N.Y.
D. (6) $693.75. E. (9) $102.25.

A. Arkansas Railroads, 1100 Boyle Building, Little Rock, Ark.
B. Class 1 railroads operating in the State of Arkansas.
D. (6) $173.88. E. (9) $92.39.

A. Associated Dairymen, Inc., 1026 17th Street NW., Washington, D.C.
E. (9) $550.

A. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Michael H. Brader, 1730 M Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C. [Haley, Bader & Potts, 1730 M Street NW., Washington, D.C.]

A. John C. Bagwell, 723 Investment Building, Washington, D.C.
B. Hawaiian Sugar Planters' Association, Honolulu, Hawaii.

A. Irvin L. Barney, 400 First Street NW., Washington, D.C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
D. (6) $3,600.

A. Davis M. Batson, 611 Madison Office Building, Washington, D.C.
B. The Ethyl Corp., 611 Madison Office Building, 1155 15th Street NW., Washington, D.C.
D. (6) $450.

A. Lowell R. Beck, 2100 M Street NW., Washington, D.C.
B. The Urban Coalition Action Council, Inc., 2100 M Street NW., Washington, D.C.
D. (6) $151.41.

A. Helen W. Berthelot, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $4,803.85.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $6,240. E. (9) $401.25.

A. Sidney W. Bishop, 85 John Street, New York, N.Y.
B. American Insurance Association, 85 John Street, New York, N.Y.
D. (6) $2,656.25.

A. Bluejay Oil Co., 1108 National Press Building, Washington, D.C.
E. (9) $75.

A. John F. Bonner, 100 Philip Murray Building, Washington, D.C.

B. Industrial Union of Marine and Shipbuilding Workers of America, 1126 16th Street NW., Washington, D.C.

E. (9) $375.37.

A. Eugene L. Boutilier, 110 Maryland Avenue NE., Washington, D.C.

B. National Campaign for Agricultural Democracy, 110 Maryland Avenue NE., Washington, D.C.

D. (6) $3,457.50. E. (9) $497.25.

A. Melvin J. Boyle, 1200 15th Street NW., Washington, D.C.

B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D.C.

D. (6) $5,000.00.

A. Cyril F. Brickfield, 1225 Connecticut Avenue NW., Washington, D.C.

A. Brotherhood of Painters, Decorators & Paperhangers of America, 217 North Sixth Street, Lafayette, Ind.

E. (9) $1,825.00.

A. Charles H. Brown, 1201 Sixteenth Street NW., Washington, D.C.

B. National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $350.00. E. (9) $50.00.

A. Dan L. Butler, 734 15th Street NW., Washington, D.C.

B. Harold K. Howe on behalf of the National Automatic Merchandising Association, 400 Walker Building, 734 15th Street NW., Washington, D.C.

A. Dan L. Butler, 734 15th Street NW., Washington, D.C.

B. Howard K. Howe, on behalf of the Outdoor Power Equipment Institute, Inc., 400 Walker Building, 734 15th Street NW., Washington, D.C.

A. Canal Zone Central Labor Union—Metal Trades Council, AFL-CIO, Post Office Box 471, Balboa Heights, Canal Zone.

D. (6) $162.01. E. (9) $1,453.87.

A. Marvin Caplan.

B. Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C.

D. (6) $2,219.75. E. (9) $147.25.

A. Caplin & Drysdale, 1101 17th Street NW., Washington, D.C.

B. Council on Foundations, 393 7th Avenue, New York, N.Y.

D. (6) $25,000.00. E. (9) $1,099.29.

A. Robert S. Carr, 1220 Pennsylvania Building, Washington, D.C.

B. Hiram Walker & Sons, Inc., 8232 Jefferson Avenue, Detroit, Mich.

A. Richard M. Carrigan, 1201 16th Street NW., Washington, D.C.

B. National Education Association, Legislation and Federal Relations, 1201 16th Street NW., Washington, D.C.

D. (6) $2,222.50.

A. Casey, Lane & Mittendorf, 26 Broadway, New York, N.Y.

B. South African Sugar Association, Post Office Box 507, Durban, South Africa.

D. (6) $22,780.86. E. (9) $1,449.15.

A. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D.C

A. Donald E. Channell, 1705 De Sales Street NW., Washington, D.C.

B. American Dental Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $500.

A. Hal M. Christensen, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. American Dental Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $2,250.

A. Citizens Committee on Natural Resources.

E. (9) $5,425.14.

A. Joseph S. Clark, 2029 K Street NW., Washington, D.C.

B. World Federalists, USA, Inc., 2029 K Street NW., Washington, D.C.

E. (9) $1,517.64.

A. Coal Industry Committee on Mine Safety, 1250 Connecticut Avenue, Washington, D.C.

D. (6) $21,475. E. (9) $18,796.18.

A. Carl A. S. Coan, Jr, 1625 L. Street NW., Washington, D.C.

B. National Association of Home Builders of the United States, 1625 L Street NW, Washington, D.C.

D. (6) $4,874.99. E. (9) $145.25.

A. Cohen & Uretz, 1730 M Street NW., Washington, D.C.

B. Benwood Foundation, Chattanooga, Tenn.

D. (6) $10,000. E. (9) $275.61.

A. Paul R. Conrad, 491 National Press Building, Washington, D.C.

B. National Newspaper Association, 491 National Press Building, Washington, D.C.

E. (9) $127.85.

A. Robert Craig, 1030 15th Street NW., Washington, D.C.

B. American Nurses Association, Inc., 10 Columbus Circle, New York, N.Y.

D. (6) $3,278.82.

A. F. Bosley Crowther 3d, 605 Third Avenue, New York, N.Y.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Carson W. Culp, 9116 Seven Locks Road, Bethesda, Md.

B. Meramec Basin Association, 114 West Madison Avenue, Kirkwood, Mo.

D. (6) $375. E. (9) $50.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. American Importers Association, Textile and Apparel Group, New York, N.Y.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. American Textile Importers Association, New York, N.Y.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. Japan Chemical Fibres Association, Tokyo, Japan.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. Japan Woolen & Linen Textiles Exporters Association, 4, 4-Chome, Bingomachi, Higashiku, Osaka, Japan.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. Vorort des Schweizerischen Handels- und Industrie-Vereins, Borsenstrasse 26, Zurich, Switzerland.

A. F. Gibson Darrison, Jr., 2000 L Street NW., Washington, D.C.

B. Penn Central Co., 230 Park Avenue, New York, N.Y.

A. John C. Datt, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,125. E. (9) $15.59.

A. Philip J. Daugherty.

B. Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C.

D. (6) $1,911. E. (9) $59.70.

A. Charles W. Davis, 5200 First National Plaza, Chicago, Ill.

B. Inland Steel Co., 30 West Monroe, Chicago, Ill.

E. (9) $152.09.

A. Charles W. Davis, 5200 First National Plaza, Chicago, Ill.

B. Northwest Industries, Inc., 400 West Madison St., Chicago, Ill.

D. (6) $5,872.57. E. (9) $810.74.

A. Charles W. Davis, 5200 First National Plaza, Chicago, Ill.

B. Sears, Roebuck & Co., 925 South Homan Ave., Chicago, Ill.

E. (9) $881.11.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C.

B. D. C. Transit System, Inc., Washington, D.C.

D. (6) $1,250.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C.

B. Guild of Prescription Opticians, 1250 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,000.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.

B. Air Transport Association, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $750.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.

B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.

B. Indian Sugar Mills Association, Export Agency Division, Calcutta, India.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.

B. Ling-Temco-Vought, Inc., Dallas, Tex.

A. Ray Denison, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $4,556.50. E. (9) $378.07.

A. C. H. Devaney, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,750. E. (9) $46.50.

A. George S. Dietrich, 1741 DeSales Street NW., Washington, D.C.

B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Robert H. Doyle, 2029 K Street NW., Washington, D.C.

B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.

D. (6) $2,500.

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A. Evelyn Dubrow, 1710 Broadway, New York, N.Y.
B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.
D. (6) $3,032.46. E. (9) $2,023.14.

A. William DuChessi, 1126 16th Street NW., Washington, D.C.
B. Textile Workers Union of America, AFL–CIO, 99 University Place, New York, N.Y.
D. (6) $975.15. E. (9) $100.

A. Ethyl Corporation, 1155 15th Street NW., Washington, D.C.
E. (9) $1592.95.

A. Clinton M. Fair, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,712.50. E. (9) $261.10.

A. Roger Fleming 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago. Ill.
D. (6) $1,550. E. (9) $44.87.

A. Frank U. Fletcher, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. Mello G. Fish, 100 Indiana Avenue, Washington, D.C.
B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $670.33. E. (9) $97.55.

A. GATX–ARMCO–BOOTHE, 1 Maritime Plaza, San Francisco, Calif.

A. Mary Condon Gereau, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $2,871. E. (9) $36.30.

A. William T. Gibb, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $375. E. (9) $25.17.

A. Ernest Giddings, 1225 Connecticut Avenue N.W., Washington, D.C.
B. National Retired Teachers Association, American Association of Retired Teachers.
E. (9) $1,275.77.

A. Glassie, Pewett, Beebe & Shanks, 1819 H Street NW., Washington, D.C.
B. Thomas Arciola and Techbestos, Inc., Moonachie, N.J.
E. (9) $1,475.

A. The Glenmede Trust Co., 1608 Walnut Street, Philadelphia, Pa.

A. James M. Goldberg, 1616 H Street NW., Washington, D.C.
B. American Retail Federation, 1616 H Street NW., Washington, D.C.

A. Jack Golodner, 1225 19th Street NW., Washington, D.C.
B. Actors' Equity Association, 165 West 46th Street, New York, N.Y.
D. (6) $2,500. E. (9) $310.
A. George Grant, 1619 Massachusetts Avenue NW., Washington, D.C.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $900. E. (9) $3.60.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.
B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $126.12.

A. Hoyt S. Haddock.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $62.39.

A. Herbert E. Harrris II, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,712.50. E. (9) $31.80.

A. F. Donald Hart, 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Clifford J. Harvison, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Kit H. Haynes, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,687.50. E. (9) $64.58.

A. Harold K. Howe, 734 15th Street NW., Washington, D.C.
B. National Automatic Merchandising Association, 400 Walker Building, Washington, D.C.

A. Harold K. Howe, 734 15th Street NW., Washington, D.C.
B. Outdoor Power Equipment Institute, Inc., 400 Walker Building, Washington, D.C.

A. David J. Humphreys, 1140 Connecticut Avenue NW., Washington, D.C.
B. Mobile Housing Association of America, 39 South LaSalle Street, Chicago, Ill.
D. (6) $2850. E. (9) $178.28.

A. David J. Humphreys, 1140 Connecticut Avenue NW., Washington, D.C.
B. Recreational Vehicle Institute, 2720 Des Plaines Avenue, Des Plaines, Ill.
D. (6) $5000.01. E. (9) $811.84.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
D. (6) $10.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
B. William R. Smith, Washington D.C.
E. (9) $307.

A. Independent Brokers Dealers' Trade Association, 472 Bridge Street, Springfield, Mass.

A. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.
E. (9) $14,758.27.

A. Ronald J. James, 2100 M Street NW., Washington, D.C.
B. The Urban Coalition Action Council, Inc., 2100 M Street NW., Washington, D.C.
D. (6) $117.37.
A. Ned Johnston, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Eugene Adams Keeney, 1616 H Street NW., Washington, D.C.
B. American Retail Federation.

A. Kennon, White & Odom, 356 Saint Charles Street, Baton Rouge, La.
B. Provident Life and Accident Insurance Co., Chattanooga, Tenn.
D. (6) $1400. E. (9) $310.44.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.
B. Associated Railroads of Pennsylvania, 1022 Transportation Center, Philadelphia, Pa.

A. John L. Kilcullen, 1250 Connecticut Avenue, Washington, D.C.
B. Coal Industry Committee on Mine Safety, 1250 Connecticut Avenue, Washington, D.C.
D. (6) $7,000.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $937.13. E. (9) $27.86.

A. King, Miller, Anderson, Nash & Yerke, 1200 American Bank Building, Portland, Oreg.
B. Confederated Tribes of the Umatilla Indian Reservation, Post Office Box 520, Pendleton, Oreg.
D. (6) $3,630. E. (9) $120.60.

A. George J. Knaly, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, AFL–CIO & CLO, 1200 15th Street NW., Washington, D.C.
D. (6) $4,999.98.

A. John P. Lagomarcino, 2100 M Street NW., Washington, D.C.
B. The Urban Coalition Action Council, Inc., 2100 M Street NW., Washington, D.C.
D. (6) $134.68.

A. Glenn T. Lashley, 1712 G Street NW., Washington, D.C.
B. D.C. Division, American Automobile Association, 1712 G Street NW., Washington, D.C.

A. George H. Lawrence, 1660 L Street NW., Washington, D.C.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.
D. (6) $425. E. (9) $110.

A. William J. Lehrfeld, 1000 Federal Bar Building, Washington, D.C.
B. The National Fraternal Congress of America, 35 East Wacker Drive, Chicago, Ill.
E. (9) $311.70.

A. Life Insurance Association of America, 277 Park Avenue, New York, N.Y., and 1801 K Street NW., Washington, D.C.
D. (6) $5,550.56. E. (9) $5,550.56.

A. Edward Lippert, 1816 S Street NW., Washington, D.C.
B. Americans for Democratic Action, 1424 16th Street NW., Washington, D.C.
D. (6) $2,375.10.

A. John M. Lumley, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Legislation & Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $4,797. E. (9) $217.59.

A. Milton F. Lunch, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $1,000.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washintgon, D.C.
B. The Coca-Cola Co., Post Office Drawer 1734, Atlanta, Ga.
E. (9) $23.95.

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A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Gulf & Western Industries, Inc., 437 Madison Avenue, New York, N.Y.
D. (6) $487.50. E. (9) $187.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. International Packers Limited, 410 North Michigan Avenue, Chicago, Ill.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.
D. (6) $456.45. E. (9) $163.70.

A. William G. McFadzean, 505 Foshay Tower, Minneapolis, Minn.
D. (6) $5,601.33. E. (9) $4,923.20.

A. Stanley J. McFarland, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Legislation & Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $3,108.60. E. (9) $139.60.

A. Mrs. Barbara D. McGarry, 20 E Street NW., Washington, D.C.
B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C., and the subcommittee Bipartisan Citizens Committee for Federal Aid for Public Elementary and Secondary Education, 2107 Davenport Street NW., Washington, D.C.

A. Joseph B. McGrath, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $5,999.98. E. (9) $1069.33.

A. F. Howard McGuigan, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, Federation of Trades and Labor Unions, 815 16th Street NW., Washington, D.C.
D (6) $4,712.50. E. (9) $288.40.

A. Marvin L. McLain, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,750. E. (9) $37.98.

A. William H. McLin, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Legislation and Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $2,871. E. (9) $65.16.

A. Ralph J. McNair, 1701 K Street NW.. Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $540. E. (9) $24.60.
A. Ben J. Man, 100 Indiana Avenue NW., Washington, D.C.
B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,384.62. E. (9) $508.48.

A. Robert A. Maslow, 201 Massachusetts Avenue NE., Washington, D.C.
E. (9) $1,740.

A. Paul J. Mason, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $750. E. (9) $63.41.

A. Walter J. Mason, 815 16th Street NW., Washington, D.C.
B. Building and Construction Trades Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $5,499.91. E. (9) $2,100.

A. Anthony Mazzocchi, 1126 16th Street NW., Washington, D.C.
B. Oil, Chemical & Atomic Workers International Union, 1840 California Street, Denver, Colo.
D. (6) $1,750. E. (9) $227.50.

A. James E. Meals, 1329 E Street NW., Washington, D.C.
B. Air Line Pilots Association, 1329 E Street NW., Washington, D.C.

A. Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,712.50. E. (9) $387.58.

A. R. Otto Meletzke, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $218.50.

A. Lester F. Miller, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $485. E. (9) $31.

A. Joseph L. Miller, 1612 K Street NW., Washington, D.C.
B. Northern Textile Association, Maytag Company, National Parking Association.

A. Clarence Mitchell, 422 First Street SE., Washington, D.C.
B. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y.

A. Mobile Housing Association of America, 39 South La Salle Street, Chicago, Ill.,
E. (9) $3028.28.

A. Susan Moon, 1030 15th Street NW., Washington, D.C.
B. American Nurses Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $2,609.22.

A. Carlos Moore, 25 Louisiana Avenue NW., Washington, D.C.
B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.
D. (6) $6,249.

A. Micah H. Naftalin, 1510 H Street NW., Washington, D.C.
B. The Ethyl Corp., 611 Madison Office Building, Washington, D.C.
D. (6) $750.

A. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y.
A. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $87,853.40. E. (9) $42,236.53.

A. National Association of Railroad Passengers, 41 Ivy Street SE., Washington, D.C.
D. (6) $3,305.67. E. (9) $8,445.39.

A. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill., and 1300 Connecticut Avenue, Washington, D.C.
E. (9) $14,345.70.

A. National Association of Social Workers, Inc., 2 Park Avenue, New York, N.Y., and 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $1,500.

A. National Campaign for Agricultural Democracy, 110 Maryland Avenue NE., Washington, D.C.
D. (6) $2,207.15. E. (9) $7,366.63.

A. The National Committee for the Recording Arts, 10000 Santa Monica Boulevard, Los Angeles, Calif.
D. (6) $84,120. E. (9) $46,833.51.

A. National Council of Agricultural Employers, 620 Southern Building, Washington, D.C.
D. (6) $8,375. E. (9) $16,673.

A. National Council, Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
E. (9) $12.50.

A. National Education Association, 1201 16th Street NW., Washington, D.C.
E. (9) $24,179.36.

A. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.

D. (6) $387,842. E. (9) 3,078.81.
A. National Housing Conference, Inc., 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $13,750.97. E. (9) $14,676.34.

A. National Realty Trust, 60 Hickory Drive, Waltham, Mass.
E. (9) $95.

A. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $29,338. E. (9) $7,187.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $12,500. E. (9) $11,770.

A. Verlin L. Nelson, 1424 16th Street NW., Washington, D.C.
B. Americans for Democratic Action, 1424 16th Street NW, Washington, D.C.
D. (6) $2,411.85.

A. Peter K. Nevitt, 1 Maritime Plaza, San Francisco, Calif.
B. GATX-ARMCO-BOOTHE, 1 Maritime Plaza, San Francisco, Calif.

A. F. Clayton Nicholson, Box 15, Route 1, Henryville, Pa.
B. Northern Helex Co., 2223 Dodge Street, Omaha, Neb.
D. (6) $1,900. E. (9) $732.09.

A. Robert H North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.
E. (9) $52.82.
A. Lew W. O'Brien, 160 S. Manning Boulevard, Albany, N.Y.
B. Virgin Islands Legislation, St. Thomas, Virgin Islands.
D. (6) $1,875.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Investers Diversified Services, Inc., Investors Building, Minneapolis, Minn.
D. (6) $1,500. E. (9) $155.

A. Claude E. Olmstead, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. National Rural Letter Carriers' Associa-

tion, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $433. E. (9) $30.

A. Charles T. O'Neill, Jr., 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $2,000.

A. Jerry H. Opack, 1211 Connecticut Avenue NW., Washington, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Pepper, Hamilton & Scheetz, 123 South Broad Street, Philadelphia, Pa.
B. The Glenmede Trust Co., 1608 Walnut Street, Philadelphia, Pa.
E. (9) $727.75.

A. Albert Pike, 277 Park Avenue, New York, N.Y.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. Plains Cotton Growers, Inc., 1720 Avenue M, Lubbock, Tex.
D. (6) $34,382.69. E. (9) $1,350.

A. J. Francis Pohlhaus, 422 First Street SE., Washington, D.C.
B. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y.

A. Frederick T. Poole, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $400. E. (9) $9.25.

A. Potomac Basin Federation, Route 1, Charleston, W. Va.

A. William J. Potts, Jr., 1730 M Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C. [Haley, Bader & Potts, 1730 M Street NW., Washington, D.C.].

A. Thomas H. Quinn, 1750 Pennsylvania Avenue NW., Washington, D.C.
Committee for Study of Revenue Bonds Financing, 1200 18th Street NW., Washington, D.C.
D. (6) $1,651.53. E. (9) $118.20.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. The Department of Tourism and Trade Development, Hamilton, Bermuda.
D. (6) $1,666.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. Sea-Land Service, Inc., Post Office Box 1050, Elizabeth, N.J.
D. (6) $900.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. South Atlantic & Caribbean Line, Inc., 250 Park Avenue, New York, N.Y.
D. (6) $200.

A. Ragan & Mason, 900 17 Street NW., Washington, D.C.
B. Stimson Lumber Co., Post Office Box 68, Forest Grove, Oreg.
D. (6) $500.

A. Realty Committee on Taxation, 299 Madison Avenue, New York, N.Y.
D. (6) $91,950. E. (9) $80,330.73.

A. Recreational Vehicle Institute, Inc., 2720 Des Plaines Avenue, Des Plaines, Ill.
E. (9) $5,811.85.

A. Darrell G. Renstrom, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Legislation and Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $2,867.40. E. (9) $70.86.

A. James W. Riddell, 723 Washington Building, Washington, D.C.
B. The Kellogg Co., Battle Creek, Mich.

A. John Riley, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW, Washington, D.C.
D. (6) $628.12. E. (9) $41.26.

A. Paul H. Robbins, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $1,000.

A. John P. Roche, 150 East 42d Street, New York, N.Y.
B. American Iron and Steel Institute, 150 East 42d Street, New York, N.Y.
D. (6) $500. E. (9) $210.

A. James A. Rock, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
4. (6) $168.75. E. (9) $0.29.

A. Nathaniel H. Rogg, 1625 L Street, NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $1,875. E. (9) $99.48.

A. John F. Rolph III, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.

A. Patricia A. Samuel, 120 Maryland Avenue NW., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.
D. (6) $47,121.78. E. (9) $5,908.25.

A. Hilliard Schulberg, 1900 L Street NW., Washington, D.C.
B. Washington, D.C., Retail Liquor Dealers Association, Inc., 1900 L Street NW., Washington, D.C.
E. (9) $40.

A. Clayton A. Seeber, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Legislation and Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $2,871. E. (9) $54.12.

A. Stanton P. Sender, 1211 Connecticut Avenue NW., Washintgon, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Theodore A. Serrill, 491 National Press Building, Washington, D.C.
B. National Newspaper Association, 491 National Press Building, Washington, D.C.
E. (9) $88.38.
A. Harold M. Shapero, 2525 Cadillac Tower, Detroit, Mich.
B. Samuel Hamburger, 20001 Sherwood, Detroit, Mich.
E. (9) $20.

A. Shipley, Akerman, Pickett, Stein & Kaps, 1108 National Press Building, Washington, D.C.
B. Independent Broker Dealers' Trade Association, 472 Bridge Street, Springfield, Mass.
E. (9) $475.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $3,960. E. (9) $3,180.

A. Smathers, Merrigan & O'Keefe, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. American Horse Council, 1776 K Street NW., Washington, D.C.
D. (6) $6,250. E. (9) $776.50.

A. Smathers, Merrigan & O'Keefe, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. American Institute of Merchant Shipping, 1120 Connecticut Avenue NW., Washington, D.C.
D. (6) $3,200. E. (9) $192.97.

A. Irvin A. Smith, 418 East Rosser Avenue, Box 938, Bismarck, N. Dak.
B. North Dakota Railway Lines.
E. (9) $503.55.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.
D. (6) $1,794. E. (9) $1,078.40.

A. John F. Speer, Jr., 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Lynn Stalbaum, 1026 17th Street NW., Washington, D.C.
B. Associated Dairymen, Inc., 1026 17th Street NW., Washington, D.C.
D. (6) $450.

A. Mrs. Annalee Stewart, 120 Maryland Avenue NE., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.

A. Nelson A. Stitt, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $50.

A. James F. Sullivan, 1225 Connecticut Avenue NW., Washington, D.C.
B. American Association of Retired Persons, National Retired Teachers Association.

A. Frank L. Sundstrom, 1776 K Street NW., Washington, D.C.
B. The Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C.

A. Noble J. Swearingen, 128 C Street NE., Washington, D.C.
B. National Tuberculosis and Respiratory Disease Association, 1740 Broadway, New York, N.Y.
D. (6) $950.

A. Monroe Sweetland, 1705 Murchison Drive, Burlingame, Calif.
B. National Education Association, Legislation & Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $335. E. (9) $50.

A. Russell A. Swindell, Box 2635, Raleigh, N.C.
D. (6) $343.75. E. (9) $850.45.

A. Julia C. Thompson, 1030 15th Street NW., Washington, D.C.
B. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $3,935.05.

A. E. Linwood Tipton, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

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A. Matt Triggs, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $2,218.75. E. (9) $30.91.

A. W. Lloyd Tupling, 235 Massachusetts Avenue NE., Washington, D.C.

B. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif.

A. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $593.63. E. (9) $593.63.

A. The Urban Coalition Action Council, Inc., 2100 M Street NW., Washington, D.C.

E. (9) $647.98.

A. John M. Vansant, Jr., 1250 Connecticut Avenue NW., Washington, D.C.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Charles R. Van Horn, 17th and H Streets NW., Washington, D.C.

B. Baltimore & Ohio Railroad Co., and Chesapeake & Ohio Railway Co., Charles and Baltimore Streets, Baltimore, Md.

A. Veterans of World War I, USA, Inc., 40 G Street NE., Washington, D.C.

A. Harold S. Walker, Jr., 605 Third Avenue, New York, N.Y.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Charles S. Walsh.

B. National Cable Television Association, Inc., 1634 I Street NW., Washington, D.C.

D. (6) $127.50. E. (9) $15.

A. William A. Walton, 800 Merchants National Bank Building, Topeka, Kans.

B. Kansas Railroad Committee, 800 Merchants National Bank Building, Topeka, Kans.

A. War Singles (Not War Widows), 1692A Green Street, San Francisco, Calif.

D. (6) $293.23. E. (9) $675.13.

A. Richard D. Warden, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $4,712.50. E. (9) $332.40.

A. James A. Warren, 1101 17th Street NW., Washington, D.C.

B. R E A Express, 219 East 42d Street, New York, N.Y.

D. (6) $600.

A. West Mexico Vegetable Distributors Association, Post Office Box 848, Nogales, Ariz.

B. West Mexico Vegetable Distributors Association, Post Office Box 848, Nogales, Ariz.

E. (9) $600.

A. Edwin M. Wheeler, 1700 K Street NW., Washington, D.C.

B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.

E. (9) $50.

A. John L. Wheeler, 1211 Connecticut Avenue NW., Washington, D.C.

B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Donald F. White, 1616 H Street NW., Washington, D.C.

B. American Retail Federation.

A. Kenneth Williamson, 1 Farragut Square South, Washington, D.C.

B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.

D. (6) $1,763.08. E. (9) $768.12.

A. Edward E. Wright, 1000 Connecticut Avenue NW., Washington, D.C.

B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $350.

A. Kenneth Young, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $4,712.50. E. (9) $404.14.

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QUARTERLY REPORTS

The following quarterly reports were submitted for the fourth calendar quarter 1969:

(Note.—The form used for registration is reproduced below. In the interest of economy in the Record, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

File One Copy With the Secretary of the Senate and File Two Copies With the Clerk of the House of Representatives:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

Place an "X" Below the Appropriate Letter or Figure in the Box at the Right of the "Report" Heading Below:

"Preliminary" Report ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"Quarterly" Report: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_______ ◄

REPORT

Pursuant to Federal Regulation of Lobbying Act

P	Quarter			
	1st	2d	3d	4th
(Mark one square only)				

Note on Item "A".—(a) In General. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) Separate Reports. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. Organization or Individual Filing:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

Note on Item "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. Employer.—State name, address, and nature of business. If there is no employer, write "None."

Note on Item "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. Legislative Interests, and Publications in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report. ◄

AFFIDAVIT

[Omitted in printing]

PAGE 1 ◄

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NOTE ON ITEM "D."—(*a*) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(*c*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $--------Dues and assessments
2. $--------Gifts of money or anything of value
3. $--------Printed or duplicated matter received as a gift
4. $--------Receipts from sale of printed or duplicated matter
5. $--------Received for services (e.g., salary, fee, etc.)

6. $--------TOTAL for this Quarter (Add items "1" through "5")
7. $--------Received during previous Quarters of calendar year

8. $--------TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $--------TOTAL now owed to others on account of loans
10. $--------Borrowed from others during this Quarter
11. $--------Repaid to others during this Quarter

12. $--------"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": --------

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	(*"Period"* from Jan. 1 through ------------------, 19----)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(*a*) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $--------Public relations and advertising services
2. $--------Wages, salaries, fees, commissions (other than item "1")
3. $--------Gifts or contributions made during Quarter
4. $--------Printed or duplicated matter, including distribution cost
5. $--------Office overhead (rent, supplies, utilities, etc.)
6. $--------Telephone and telegraph
7. $--------Travel, food, lodging, and entertainment
8. $--------All other expenditures

9. $--------TOTAL for this Quarter (Add "1" through "8")
10. $--------Expended during previous Quarters of calendar year

11. $--------TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $--------TOTAL now owed to person filing
13. $--------Lent to others during this Quarter
14. $--------Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

PAGE 2

A. Aberman, Greene & Locker, 660 Madison Avenue, New York, N.Y.
B. Toy Manufacturers of America, Inc., 200 Fifth Avenue, New York, N.Y.
D. (6) $4,125. E. (9) $874.07.

A. Actors' Equity Association, 165 West 46th Street, New York, N.Y.
D. (6) $2,500. E. (9) $2,500.

A. Clarence G. Adamy, 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $100.

A. S. Allan Adelman, 1660 L Street NW., Washington, D.C.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.
D. (6) $975. E. (9) $479.09.

A. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.
D. (6) $6,919.17. E. (9) $6,919.17.

A. Air Traffic Control Association, Inc., Suite 409, ARBA Building, 525 School Street SW., Washington, D.C.

A. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $4,216.30. E. (9) $4,216.30.

A. John R. Ale, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $189.92. E. (9) $12.31.

A. ALERT, Inc., Suite 511, 1404 New York Avenue NW., Washington, D.C.
E. (9) $690.80.

A. Willis W. Alexander, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $240. E. (9) $38.

A. Mrs. Donna Allen, 3306 Ross Place NW., Washington, D.C.
B. National Committee to Abolish HUSC/HISC, 555 North Western Avenue, Los Angeles, Calif.
D. (6) $1,040. E. (9) $1,417.28.

A. Kenneth D. Allen, 170 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $47.50. E. (9) $41.46.

A. Nicholas E. Allen and Merrill Armour, 444 Shoreham Building, Washington, D.C.
B. Music Operators of America, Inc., 228 North LaSalle Street, Chicago, Ill.
D. (6) $1,500. E. (9) $23.

A. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Amalgamated Transit Union, National Capital Division 100 Indiana Avenue NW., Washington, D.C.

A. American Association of Fund-Raising Counsel, Inc., 500 Fifth Avenue, New York, N.Y.
E. (9) $1,000.

A. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. American Cancer Society, 219 East 42d Street, New York, N.Y.
E. (9) $7,810.20.

A. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. American Dental Association, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $3,833.26. E. (9) $3,833.26.

A. American Education Lobby, 20 E Street NW., Washington, D.C.
D. (6) $1,872.18. E. (9) $1,852.51.

A. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill., and 425 13th Street NW., Washington, D.C.
D. (6) $39,224. E. (9) $39,224.

A. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
E. (9) $48,670.95.

A. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. American Humane Association, 5351 Roslyn Street, Englewood, Colo.
E. (9) $1,500.

A. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $1,650. E. (9) $1,650.

A. American Insurance Association, 85 John Street, New York, N.Y.
D. (6) $12,415.38. E. (9) $12,415.38.

A. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C.
D. (6) $2,920.86. E. (9) $2,015.41.

A. American Justice Association, Defense Highway, Gambrills, Md.
D. (6) $2. E. (9) $2.

A. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $1,084.74. E. (9) $119.31.

A. American Lobby, 20 E Street NW., Washington, D.C.
D. (6) $1,600. E. (9) $1,626.80.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
E. (9) $23,314.64.

A. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.
E. (9) $365.

A. American Optometric Association, care of J. C. Tumblin, O. D., Post Office Box 5147, Knoxville, Tenn.
D. (6) $2,510.19. E. (9) $2,510.19.

A. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.

A. American Parents Committee, Inc., 21 E Street NW., Washington, D.C. and a Subcommittee Bipartisan Citizens Committee for Federal Aid for Public Elementary & Secondary Education, 2104 Davenport Street NW., Washington, D.C.
D. (6) $2,869.21. E. (9) $1,500.33.

A. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $3,098. E. (9) $14,628.

A. American Podiatry Association, 20 Chevy Chase Circle, Washington, D.C.
E. (9) $1,336.80.

A. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $1,350. E. (9) $1,000.00.

A. American Taxpayers Association, 326 Pennsylvania Building, Washington, D.C.

A. American Textile Machinery Association, 224 Ellington Road, Longmeadow, Mass.
D. (6) $3.12.

A. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $13,809.68. E. (9) $13,809.68.

A. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $10,290.06. E. (9) $27,970.03.

A. American Unsubsidized Lines, 1824 R Street NW., Washington, D.C.
D. (6) $1,915.25. E. (9) $1,915.25.

A. American Veterinary Medical Association, 1522 K Street NW., Washington, D.C.
E. (9) $335.

A. The American Waterways Operators, Inc., 1250 Connecticut Avenue, Washington, D.C.
D. (6) $3,694.92. E. (9) $3,694.82.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. The National Football League, 410 Park Avenue, New York, N.Y.

A. Edward T. Anderson, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,398.

A. Walter M. Anderson, Jr., Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $180. E. (9) $209.09.

A. William C. Anderson, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,854. E. (9) $32.50.

A. George W. Apperson, 100 Indiana Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, 100 Indiana Avenue NW., Washington, D.C.

A. Arent, Fox, Kintner, Plotkin & Kahn, 1815 H Street NW., Washington, D.C.
B. Phoebe Waterman Foundation, Inc., 1819 John F. Kennedy Boulevard, Philadelphia, Pa.

A. Carl F. Anderson, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $3,562.50. E. (9) $5,473.07.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. American Council of Learned Societies, 345 East 46th Street, New York, N.Y.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. American Trading & Production Co., 1 North Charles Street, Baltimore, Md.
E. (9) $1.64.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Fairchild Camera and Instrument Corp., 464 Ellis Street, Mountain View, Calif.
E. (9) $0.75.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Floor Covering Committee Affiliated with

the National Council of American Importers, 295 Fifth Avenue, New York, N.Y.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Samuel Hamburger, 20001 Sherwood, Detroit, Mich.
E. (9) $24.80.

A. John C. Ashton, 1156 15th Street NW., Washington, D.C.
B. Northern Pacific Railway, Northern Pacific Building, St. Paul, Minn.

A. Associated Dairymen, Inc., 713 1026 17th Street NW., Washington, D.C.
E. (9) $40.

A. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C.

A. Associated Railroads of New Jersey, Pennsylvania Station, Newark, N.J.

A. Associated Third Class Mail Users, 1725 K Street NW., Washington, D.C.
B. Associated Third Class Mail Users.
D. (6) $949.35. E. (9) $949.35.

A. Association of American Physicians and Surgeons, Inc., 230 North Michigan Avenue, Chicago, Ill.
D. (6) $500. E. (9) $500.

A. Association of American Railroads, 1920 L Street NW., Washington, D.C.
D. (6) $20,720.80. E. (9) $20,720.80.

A. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.
E. (9) $1,000.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.
E. (9) $310.

A. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $525.

A. Atlanta Committee for Democratic Republican Independent Voter Education, 2540 Lakewood Avenue SW., Atlanta, Ga.
D. (6) $1,080. E. (9) $2,408.95.

A. Robert L. Augenblick, 61 Broadway, New York, N.Y.
D. (6) $250. E. (9) $61.36.

A. Richard W. Averill, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, c/o J. C. Tumblin, O.D., Post Office Box 5147, Knoxville, Tenn.
D. (6) $800. E. (9) $301.

A. Michael H. Bader, 1730 M Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C. (Haley, Bader & Potts, 1730 M Street NW., Washington, D.C.)

A. Harry S. Baer, 1725 DeSales Street NW., Washington, D.C.
B. National AeroSpace Service Association, 1725 DeSales Street NW., Washington, D.C.
E. (9) $300.

A. John C. Bagwell, 723 Investment Buildnue NW., Washington, D.C.
B. Hawaiian Sugar Planters' Association, Honolulu, Hawaii.

A. Emil F. Baker, 1303 New Hampshire Avenue, NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. Baker & McKenzie, 815 Connecticut Avenue NW., Washington, D.C.
B. National Association of Property and Casualty Reinsurers, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $7,500.

A. Baker & McKenzie, 815 Connecticut Avenue NW., Washington, D.C.
B. Wm. Wrigley Jr. Co., 410 North Michigan Avenue, Chicago, Ill.
D. (6) $13,000.

A. John F. Banzhaf III, 530 N Street SW., Washington, D.C.
B. LASH (Legislative Action on Smoking and Health), 2000 H Street NW., Washington, D.C.
D. (6) $2558. E. (9) $400.78.

A. Ernest L. Barcella, Washington, D.C.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. John Barnard, Jr., 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Arthur R. Barnett, 1140 Connecticut Avenue NW., Washington, D.C.
B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $139.13. E. (9) $27,18.

A. Irvin L. Barney, 400 First Street NW., Washington, D.C.
B. Brotherhood Railway Carmen of the United States and Canada, 4929 Main Street, Kansas City, Mo.
D. (6) $3,600.

A. David S. Barrows, 214 Century Building, Portland, Oreg.
B. Association of Oregon and California Land Grant Counties, Douglas County Courthouse, Roseburg, Oreg.
D. (6) $900. E. (9) $365.84.

A. A. Wesley Barthelmes, 1776 K Street NW., Washington, D.C.
B. Insurance Company of North America and Life Insurance Company of North America, 1600 Arch Street, Philadelphia, Pa.
D. (6) $450. E. (9) $435.30.

A. (Mrs.) Dita Davis Beard, 1707 L Street NW., Washington, D.C.
B. International Telephone & Telegraph Corp., 1707 L Street NW., Washington, D.C.
D. (6) $4,200. E. (9) $6,225.

A. Bebchick, Sher & Kushnick, 919 18th Street NW., Washington, D.C.
B. Connecticut Avenue Association, 1773 Church Street NW., Washington, D.C.
D. (6) $440. E. (9) $10.

A. Daniel S. Bedell, 1126 16th Street, NW. Washington D.C,
B. International Union, United Automobile, Aerospace & Agricultural Implement Workers, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $2,168.25. E. (9) $449.06.

A. John H. Beidler, 1000 Wisconsin Avenue NW., Washington, D.C.
B. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.
D. (6) $3,125.01. E. (9) $557.90.

A. James F. Bell, 1100 Connecticut Avenue NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 Seventeenth Street NW., Washington, D.C.
D. (6) $1,250. E. (9) $66.84.

A. Reed A. Benson, 1028 Connecticut Avenue NW., Washington, D.C.
B. The John Birch Society, Inc. 395 Concord Avenue, Belmont, Mass.

A. Berlack, Israels & Liberman, 26 Broadway, New York, N.Y.
B. General Public Utilities Corp., 80 Pine Street, New York, N.Y.
D. (6) $1,350. E. (9) $18.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, Federation of Trades and Labor Unions, 815 16th Street NW., Washington, D.C.
D. (6) $7,200. E. (9) $398.30.

A. Walter J. Bierwagen, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Bigham Englar Jones & Houston, 99 John Street, New York, N.Y.
B. American Institute of Marine Underwriters, 99 John Street, New York, N.Y.

A. Sidney W. Bishop, 85 John Street, New York, N.Y.
B. American Insurance Association, 85 John Street, New York, N.Y.
D. (6) $2,656.25.

A. John H. Bivins, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1101 17th Street NW., Washington, D.C.
D. (6) $760.

A. Robert W. Blair.
B. New Process Co., Warren, Pa.
E. (9) $81.

A. John L. Blake, 260 Madison Avenue, New York, N.Y.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.

A. Wm. Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $2,086.61. E. (9) $1,065.83.

A. William Blum, Jr., 1815 H Street NW., Washington, D.C.
B. Committee for the Study of Revenue Bond Financing, Care of William A. Geoghegan, Esq., 1000 Ring Building, Washington, D.C.
D. (6) $2,333.33. E. (9) $465.63.

A. Blumberg, Singer, Ross, Gottesman, Diamond & Gordon, 245 Park Avenue, New York, N.Y.
B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York. N.Y.
D. (6) $13,750.

A. Eugene F. Bogan, 1000 16th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Lyle H. Boren, Seminole, Okla.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $525.

A. Robert T. Borth, 777 14th Street NW., Washington, D.C.

XUM

B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $1,400. E. (9) $107.02.

A. G. Stewart Boswell, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, 1501 Johnston Building, Charlotte, N.C.
D. (6) $324.95. E. (9) $18.41.

A. Charles G. Botsford, 1225 Connecticut Avenue NW., Washington, D.C.
B. Fairchild Hiller Corp., Germantown, Md.

A. J. Wiley Bowers, 325 Pioneer Building, Chattanooga, Tenn.
B. Tennessee Valley Public Power Association, 325 Pioneer Building, Chattanooga, Tenn.

A. Samuel W. Boyle, 423 South Avenue, Pittsburgh, Pa.
B. The Christian Amendment Movement, 604 Penn Avenue, Pittsburgh, Pa.
D. (6) $1,950.

A. Wayne W. Bradley, 1776 K Street NW., Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,875. E. (9) $562.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Joseph E. Brady, 122 Sheraton Gibson Hotel, Cincinnati, Ohio.
B. National Coordinating Committee of the Beverage Industry.

A. Ophalandus Brasfield, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile, Aerospace and Agricultural Implement Workers, 800 East Jefferson Avenue, Detroit, Mich.
D. (6) $793.50. E. (9) $205.59.

A. Parke C. Brinkley, 1155 15th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association.
D. (7) $20.

A. Wally Briscoe.
B. National Cable Television Association, Inc., 1634 I Street NW., Washington, D.C.
D. (6) $135.00. E. (9) $16.50.

A. Florence I. Broadwell, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $4,681.60.

A. David A. Brody, 1640 Rhode Island Avenue NW., Washington, D.C.
B. Anti-Defamation League of B'nai B'rith, 315 Lexington Avenue, New York, N.W.
D. (6) $250.

A. W. S. Bromley, 605 Third Avenue, New York, N.Y.
B. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. Joseph P. Brosnan, 9160 Springhill Lane, Greenbelt, Md.
B. Air Force Sergeants Association, 1501 Pennsylvania Avenue SE., Washington, D.C.
D. (6) $100.

A. Brotherhood of Painters, Decorators & Paperhangers of America, 217 North Sixth Street, Lafayette, Ind.
E. (9) $1,825.

A. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill.
D. (6) $27,324.67. E. (9) $27,324.67.

A. J. D. Brown, 2600 Virginia Avenue NW., Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $150.

A. Brown, Lund & Levin, 1625 I Street NW., Washington, D.C.
B. Ebasco Industries (a division of Boise Cascade Corp.), 345 Park Avenue, New York, N.Y.
D. (6) $882.50.

A. Brown, Lund & Levin, 1625 I Street NW., Washington, D.C.
B. General Public Utilities Corp., 80 Pine Street, New York, N.Y.
D. (6) $250.

A. Anne Bryant, 1025 Connecticut Avenue NW., Washington, D.C.
B. COMAC Co., 1025 Connecticut Avenue NW., Washington, D.C.

A. George S. Buck, Jr., Post Office Box 12285, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. Bulgarian Claims Committee, care of Dreyfuss & Co., 2 Broadway, New York, N.Y.
D. (6) $150. E. (9) $53.43.

A. David A. Bunn, 818 18th Street NW., Washington, D.C.
B. Parcel Post Association, 818 18th Street NW., Washington, D.C.
E. (9) $700.

A. George J. Eurger, 250 West 57th Street, New York, N.Y.
B. Burger Tire Consultant Service, 250 West 57th Street, New York, N.Y.

A. George J. Burger, 921 Washington Building, Washington, D.C.
B. National Federation of Independent Business, 921 Washington Building, Washington, D.C.

A. J. J. Burke, Jr., 40 East Broadway, Butte, Mont.
B. The Montana Power Co., Butte, Mont.

A. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $34,503.20. E. (9) $617.15.

A. George B. Burnham, 120 C Street NE., Washington, D.C.
B. Numerous stockholders of the Burnham Chemical Co., 120 C Street NE., Washington, D.C.
D. (6) $200. E. (9) $200.

A. George Burnham 4th, 1625 K Street NW., Washington, D.C.
B. United States Steel Corp., 525 William Penn Place, Pittsburgh, Penna.
D. (6) $675. E. (9) $474.

A. Herbert H. Butler, 438 Pennsylvania Building, Washington, D.C.
B. United States Independent Telephone Association, 438 Pennsylvania Building, Washington, D.C.
D. (6) $50. E. (9) $220.78.

A. Monroe Butler, 1801 Avenue of the Stars, Los Angeles, Calif.
B. The Superior Oil Co., 1801 Avenue of the Stars, Suite 1110, Los Angeles, Calif.

A. Robert B. Byrnes, 1514 17th Street NW., Washington, D.C.
B. National Railroad Pension Forum, Inc., 328 Pennsylvania Avenue SE., Washington, D.C.
E. (9) $211.85.

A. John H. Callahan, 1126 16th Street NW., Washington, D.C.
B. International Union of Electrical, Radio & Machine Workers, AFL–CIO, 1126 16th Street NW., Washington, D.C.
D. (6) $875. E. (9) $240.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $2,000. E. (9) $1,063.

A. Donald L. Calvin, 11 Wall Street, New York, N.Y.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. Carl C. Campbell, Ring Building, Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. Charles A. Campbell, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the USA.

A. Marvin Caplan.
B. Industrial Union Dept., AFL–CIO, 815 16 Street NW., Washington, D.C.
D. (6) $2,322.20. E. (9) $150.62.

A. Caplin & Drysdale, 1101 17th Street NW., Washington, D.C.
B. Council on Foundations, 393 Seventh Avenue, New York, N.Y.
E. (9) $712.29.

A. Ronald A. Capone, 505, The Farragut Building, Washington, D.C.
B. Committee of European Shipowners, 30–32 St. Mary Avenue, London, E.C.3, England; CENSA/CES Joint Container Committee, 30–32 St. Mary Avenue, London E.C.3, England.
D. (6) $5,625. E. (9) $338.28.

A. Michael H. Cardozo, Washington, D.C.
B. Association of American Law Schools, 1 Dupont Circle NW., Washington, D.C.

A. Philip Carlip, 650 Fourth Avenue, Brooklyn, N.Y.
B. District 2, National Marine Engineers' Beneficial Association.
D. (6) $1,000. E. (9) $152.20.

A. Philip Carlip, 675 Fourth Avenue, Brooklyn, N.Y.
B. Seafarers International Union.
D. (6) $2,500. E. (9) $1,355.

A. Braxton B. Carr, 1250 Connecticut Avenue, Washington, D.C.
B. The American Waterways Operators, Inc., 1250 Connecticut Avenue, Washington, D.C.
D. (6) $3,066.66. E. (9) $227.43.

A. Blue Allan Carstenson.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $262.50. E. (9) $10.65.

A. Eugene C. Carusi, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Francis R. Cawley, 1015 Shoreham Building, Washington, D.C.
B. Agricultural Publishers Association, 1015 Shoreham Building, Washington, D.C.
D. (6) $50. E. (9) $10.25.

A. Francis R. Cawley, 1015 Shoreham Building, Washington, D.C.
B. Harcourt, Brace & World, Inc., 1015 Shoreham Building, Washington, D.C.
D. (6) $64. E. (9) $34.65.

A. Michael J. Cefalo, 4880 MacArthur Boulevard NW., Washington, D.C.
B. International Union of District 50, UMWA, 4880 MacArthur Boulevard NW., Washington, D.C.
D. (6) $2,733.36.

A. James W. Chapman.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $2,000.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.
B. Louis A. Cohn, c/o Super City Department Store, 710 North Stone Avenue, Tucson, Ariz.
E. (9) $7.20.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.
B. International Association of Game, Fish and Conservation Commissions, Secretary's Office, 5727 Blake Road, Minneapolis, Minn.
D. (6) $455. E. (9) $8.40.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.
B. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.
E. (9) $407.46.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.
B. Strohmeyer & Arpe Co., 260 West Broadway, New York, N.Y.
E. (9) $27.59.

A. Leslie Cheek III, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Insurance Association, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $250.

A. A. H. Chester, 400 First Street NW., Washington, D.C.
B. United Transportation Union.
E. (9) $500.

A. Hal M. Christensen, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. American Dental Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $2,250.

A. The Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $2,515.82. E. (9) $6,314.19.

A. Edwin Christianson.
B. The Farmers' Educational and Cooperative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo., and 1012 14th Street NW., Washington, D.C.

A. Lowell T. Christison, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, c/o J. C. Tumblin, O.D., Post Office Box 5147, Knoxville, Tenn.
D. (6) $210.98. E. (9) $341.28.

A. Albert T. Church, Jr., 1120 Connecticut Avenue NW., Washington, D.C.
B. American Institute of Merchant Shipping, 1120 Connecticut Avenue NW., Washington, D.C.
D. (6) $45. E. (9) $4.06.

A. Cigar Manufacturers Association of America, Inc., 350 Fifth Ave., New York, N.Y.
D. (6) $40,235.99.

A. Citizens Committee for Postal Reform, Inc., 206 Premier Building, 1725 I Street NW., Washington. D.C.
D. (6) $38,885.09. E. (9) $40,007.16.

A. Allen C. K. Clark, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Earl W. Clark.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $64.24.

A. Robert M. Clark, 1100 Connecticut Avenue NW., Washington, D.C.
B. Atchison, Topeka & Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Clay Pipe Industry Depletion Committee, Post Office Box 13125, Kansas City, Mo.
E. (9) $382.94.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
B. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.
E. (9) $3.60.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
B. Washington International School, 3211 Volta Place NW., Washington, D.C.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C.
B. American Brands, Inc.
D. (6) $300. E. (9) $103.95.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C.
B. Brown & Williamson Tobacco Corp.
D. (6) $300. E. (9) $103.95.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C.
B. Liggett & Myers, Inc.
D. (6) $300. E. (9) $103.95.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C.
B. Philip Morris Inc.
D. (6) $300. E. (9) $103.95.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C.
B. R. J. Reynolds Tobacco Co.
D. (6) $300. E. (9) $103.95.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C.
B. The Tobacco Institute, Inc.

A. Eugene R. Clifford.
B. Cooperative League of USA, 59 East Van Buren Street, Chicago, Ill.
D. (6) $1,800. E. (9) $2,050.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C.
B. Australian Meat Board, 30 Grosvenor Street, Sydney, New South Wales, Australia.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C.
B. General American Transportation Corp., 120 South Riverside Plaza, Chicago, Ill.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C.
B. Hughes Tool Co., Houston, Tex.
E. (9) $18.54.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C.
B. Owens-Illinois Inc., Madison Avenue and St. Clair Street, Box 1035, Toledo, Ohio.
E. (9) $12.92.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C.
B. Realty Committee on Taxation, 299 Madison Avenue, New York, N.Y.
E. (9) $284.33.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C.
B. Toy Manufacturers of America, 200 Fifth Avenue, New York, N.Y.
E. (9) $80.12.

A. David Cohen, 1000 Wisconsin Avenue NW., Washington, D.C.
B. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.
D. (6) $778.68. E. (9) $236.

A. Cohen & Uretz, 1730 M Street NW., Washington, D.C.
B. Benwood Foundation, Chattanooga, Tenn.
D. (6) $7,150. E. (9) $7,268.48.

A. Cohen & Uretz, 1730 M Street NW., Washington, D.C.
B. Wisconsin Corp., Seattle, Wash.
D. (6) $10,000. E. (9) $10,110.26.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee on American Tanker Owners, Inc., 1 Chase Manhattan Plaza, New York, N.Y.

A. William J. Colley, 1776 K Street NW., Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D (6) $1,875. E. (9) $792.83.

A. Collier, Shannon, Rill & Edwards, 1625 I Street NW., Washington, D.C.
B. American Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
D. (6) $1,500. E. (9) $485.

A. Collier, Shannon, Rill & Edwards, 1625 I Street NW., Washington, D.C.
B. The Boston Herald Traveler Corp., 300 Harrison Avenue, Boston, Mass.
D. (6) $1,000. E. (9) $400.

A. Collier, Shannon Rill & Edwards, 1625 I Street NW., Washington, D.C.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $200.

A. Collier, Shannon, Rill & Edwards, 1625 I Street NW., Washington, D.C.
B. Tool and Stainless Steel Industry Committee, % Carpenter Technology Corp., Reading, Pa.
D. (6) $3,750. E. (9) $515.

A. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.
D. (6) $1,350. E. (9) $2,905.

A. Earl M. Colson, 1815 H Street NW., Washington, D.C.
B. Antonio M. Marinelli, 4744 Baltimore Avenue, Hyattsville, Md.
D. (6) $1,200.

A. COMAC Co., 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $203.85.

XUM

A. Harrison Combs, Jr., 1437 K Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $3,452.

A. The Committee for Broadening Commercial Bank Participation in Public Financing, 50 South LaSalle Street, Chicago, Ill.
D. (6) $3,500.

A. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.
D. (6) $8,877.40. E. (9) $8,877.40.

A. Committee for Free Cotton Market, Inc., 1725 K Street NW., Washington, D.C.

A. Committee on Metropolitan Washington Banking, Union Trust Building, Washington, D.C.
D. (6) $2,327.73. E. (9) $2,119.24.

A. Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,558. E. (9) $603.

A. Committee for Study of Revenue Bond Financing, 1000 Ring Building, Washington, D.C.
D. (6) $17,150. E. (9) $10,522.47.

A. Paul B. Comstock, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. Raymond F. Conkling, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco Inc., 135 East 42d Street, New York, N.Y.
D. (6) $400. E. (9) $297.40.

A. Howard M. Conner, 1725 K Street NW., Washington, D.C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $1,397. E. (9) $763.25.

A. James T. Conner, 1155 15th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association.
E. (9) $102.85.

A. John A. Connor, 2139 Wisconsin Avenue, Washington, D.C.
B. National Machine Tool Builders Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Bernard J. Conway, 211 East Chicago Avenue, Chicago, Ill.
B. American Dental Association, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $2,052.87.

A. Harry N. Cook, 1130 17th Street NW., Washington, D.C.
B. The National Waterways Conference.

A. Howard Lee Cook, Jr., 1776 K Street NW., Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,875. E. (9) $775.98.

A. Eileen D. Cooke, 200 C Street SE., Washington, D.C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
D. (6) $76.14.

A. Edward Cooper.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C.

A. J. Milton Cooper, 1000 Vermont Avenue NW., Washington, D.C.
B. R. J. Reynolds Tobacco Co., Winston-Salem, N.C.

A. Joshua W. Cooper, 626 South Lee Street, Alexandria, Va.
B. Portsmouth-Kittery Armed Services Committee, Inc., Post Office Box 1123, Portsmouth, N.H.
D. (6) $3,750. E. (9) $1,496.24.

A. Mitchell J. Cooper, 1001 Connecticut Avenue, Washington, D.C.
B. Council of Forest Industries, 1477 West Pender Street, Vancouver, B.C., Canada.
D. (6) $3,000. E. (9) $22.85.

A. Mitchell J. Cooper, 1001 Connecticut Avenue, Washington, D.C.
B. Footwear Division, Rubber Manufacturers Association, 444 Madison Avenue, New York, N.Y.
D. (6) $6,000. E. (9) $4.75.

A. Darrell Coover, 215 Watergate Building, 2600 Virginia Avenue, Washington, D.C.
B. National Association of Independent Insurers, 30 West Monroe Street, Chicago, Ill.
D. (6) $2,000. E. (9) $523.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW., Washington, D.C.
B. Association of Stock Exchange Firms, 120 Broadway, New York, N.Y.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW., Washington, D.C.
B. The Committee for Broadening Commercial Bank Participation in Public Financing, 50 South LaSalle Street, Chicago, Ill.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW., Washington, D.C.
B. Committee on Metropolitan Washington Banking, Union Trust Building, Washington, D.C.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW, Washington, D.C.
B. Gas Marketers Association, 1250 Connecticut Avenue NW., Washington, D.C.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW., Washington, D.C.
B. Lilly Endowment, Inc., 914 Merchants Bank Building, Indianapolis, Ind.

A. Emmet P. Corrigan, 922 24th Street NW., Washington, D.C.
B. United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, 901 Massachusetts Avenue NW., Washington, D.C.

A. Allan D. Cors, 1629 K Street NW., Washington, D.C.
B. Corning Glass Works, Corning, N.Y.
D. (6) $125.

A. Council for a Livable World, 201 Massachusetts Avenue NE., Washington, D.C.
D. (6) $31,111.60. E. (9) $34,157.17.

A. Council of Mutual Savings Institutions, 60 East 42d Street, New York, N.Y.
E. (9) $373.50.

A. Council of Profit Sharing Industries, 29 North Wacker Drive, Chicago, Ill.

A. Council of State Chambers of Commerce, 1028 Connecticut Avenue, Washington, D.C.
D. (6) $950.47. E. (9) $950.47.

A. Covington & Burling, 888 16th Street NW., Washington, D.C.
B. American Machine Tool Distributors Association, 1500 Massachusetts Avenue, NW., Washington, D.C.

A. Covington & Burling, 888 16th Street NW., Washington, D.C.
B. Electronic Industries Association, 2001 I Street NW., Washington, D.C.

A. Covington & Burling, 888 16th Street NW., Washington, D.C.
B. The James Irvine Foundation, 111 Sutter Street, San Francisco, Calif.

A. Covington & Burling, 888 16th Street NW., Washington, D.C.
B. A. P. Miller, 8 Kongens Nytorv, Copenhagen, Denmark.

A. Covington & Burling, 888 16th Street NW., Washington, D.C.
B. National Machine Tool Builders Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Covington & Burling, 888 16th Street NW., Washington, D.C.
B. National Ready Mixed Concrete Association, 900 Spring Street, Silver Spring, Md.

A. Covington & Burling, 888 16th Street, NW., Washington, D.C.
B. Truck Mixer Manufacturers Bureau, 900 Spring Street, Silver Spring, Md.

A. Cox, Langford & Brown, 1521 New Hampshire Avenue NW., Washington, D.C.
B. Association of Research Libraries, 1527 New Hampshire Avenue NW., Washington, D.C.
D. (6) $2,500. E. (9) $33.98.

A. Cox, Langford & Brown, 1521 New Hampshire Avenue NW., Washington, D.C.
B. The National Collegiate Athletic Association, Midland Building, Kansas City, Mo.

A. W. J. Crawford, Post Office Box 2180, Houston, Tex.
B. Humble Oil & Refining Co. (A Delaware Corporation), Post Office Box 2180, Houston, Texas.
E. (9) $232.99.

A. Harold L. Crosier, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill.
D. (6) $2,110.28.

A. H. C. Crotty, 12050 Woodward Avenue, Detroit, Mich.

A. J. A. Crowder, 1200 17th Street NW., Washington, D.C.
B. National Association of Wool Manufacturers, 1200 17th Street NW., Washington, D.C.
D. (6) $1,500.

A. Michael B. Crowson, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. F. Bosley Crowther 3d, 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Culbertson, Pendleton & Pendleton, 1155 15th Street NW., Washington, D.C.
B. Canned Meat Importers' Association, % Transmundo Co., Inc., Times-Life Building, Rockefeller Center, New York, N.Y.
D. (6) $750. E. (9) $132.47.

A. John T. Curran, 905 16th Street NW., Washington, D.C.
B. Laborers' International Union of North

America, 905 16th Street NW., Washington, D.C.
D. (6) $6,000. E. (9) $2,602.06.

A. John R. Dalton, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. F. Gibson Darrison, Jr., 2000 L Street NW., Washington, D.C.
B. Penn Central Co., 230 Park Avenue, New York, N.Y.

A. John C. Datt, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,156.25. E. (9) $22.81.

A. Philip J. Daugherty.
B. Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C.
D. (6) $1,999.20. E. (9) $65.50.

A. John Davenport, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $165.

A. Aled P. Davies, 59 East Van Buren Street, Chicago, Ill.
B. American Meat Institute, 59 East Van Buren Street, Chicago, Ill.
D. (6) $3,000. E. (9) $199.20.

A. Charles W. Davis, 5200 First National Plaza, Chicago, Ill.
B. Inland Steel Co., 30 West Monroe, Chicago, Ill.
E. (9) $13.59.

A. Charles W. Davis, 5200 First National Plaza, Chicago, Ill.
B. Northwest Industries, Inc., 400 West Madison Street, Chicago, Ill.
D. (6) $2,083.92. E. (9) $287.03.

A. Charles W. Davis, 5200 First National Plaza, Chicago, Ill.
B. Sears, Roebuck & Co., 925 South Homan, Chicago, Ill.
E. (9) $977.43.

A. Charles W. Davis, 5200 First National Plaza, Chicago, Ill.
B. Trans Union Corporation, 111 West Jackson Blvd., Chicago, Ill.
E. (9) $71.75.

A. Fred Davis.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. Davis, Wright, Todd, Riese & Jones, 4200 Seattle-First National Bank Building, Seattle, Wash.
B. Arctic Slope Native Association, Post Office Box 486, Barrow, Alaska.
E. (9) $2,992.12.

A. Dawson, Nagel, Sherman & Howard, 1900 First National Bank Building, Denver, Colo.
B. Colorado Bond Dealers Association, 660 17th Street, Denver, Colo.
D. (6) $650.

A. Charles W. Day, 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $180. E. (9) $232.

A. Tony T. Dechant.
B. Farmers' Educational and Co-operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo., and 1012 14th Street NW., Washington, D.C.
D. (6) $1,875. E. (9) $168.13.

A. James J. Delaney, Jr., 1003 Lancaster Drive, Anchorage, Alaska.
B. Association of American Railroads, American Railroad Building, Washington, D.C.

A. Richard A. Dell, 200 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $150.

A. Ray Denison, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street, Washington, D.C.
D. (6) $5,430.30. E. (9) $465.73.

A. Max A. Denny, 1629 K Street NW., Washington, D.C.
B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $900.

A. Leslie E. Dennis, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill.
D. (6) $618.36. E. (9) $99.85.

A. Lloyd J. Derrickson, 888 17th Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. Claude J. Desautels Associates, 1725 I Street NW., Washington, D.C.
B. American Society of Composers, Authors & Publishers, 575 Madison Avenue, New York, N.Y.
D. (6) $6,000.

A. Claude J. Desautels, 1725 I Street NW., Washington, D.C.
B. Citizens Committee for Postal Reform, Inc., 1725 I Street NW., Washington, D.C.
D. (6) $5,769.24.

A. Claude J. Desautels Associates, 1725 I Street NW., Washington, D.C.
B. Joseph Napolitan Associates, Inc., 121 Chestnut Street, Springfield, Mass.
D. (6) $12,000.

A. C. H. DeVaney, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,812.50. E. (9) $45.20.

A. George S. Dietrich, 1741 DeSales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Joseph E. Dillon, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Federal Cartridge Corp., 2700 Foshay Tower, Minneapolis, Minn.
D. (6) $5,929.16. E. (9) $60.40.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Department of Water Resources, State of California, Post Office Box 388, Sacramento, Calif.
D. (6) $1,756.36. E. (9) $106.36.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Sacramento Municipal Utility District, Post Office Box 15830, Sacramento, Calif.
D. (6) $1,685.62. E. (9) $135.62.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Yuba County Water Agency, Marysville, Calif.
D. (6) $1,210.19. E. (9) $10.19.

A. Disabled American Veterans, 1221 Massachusetts Avenue NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $17,125. E. (9) $2,408.07.

A. William H. Dodds, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America, UAW, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $954.50. E. (9) $168.70.

A. C. L. Dorson, 501 13th Street NW., Washington, D.C.
B. Retirement Federation of Civil Service Employees of the U.S. Government, 501 13th Street NW., Washington, D.C.
D. (6) $2,921.10. E. (9) $200.

A. Dow, Lohnes and Albertson, 1225 Connecticut Avenue NW., Washington, D.C.
B. Newspaper Committee for Cablevision, 9th and Edmond Streets, St. Joseph, Mo.
D. (6) $12,120. E. (9) $1,387.17.

A. F. Raymond Downs, 1730 K Street NW., Washington, D.C.
B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio.

A. Robert H. Doyle, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $2,500.

A. Franklin B. Dryden.
B. The Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C.

A. Evelyn Dubrow, 1710 Broadway, New York 19, N.Y.
B. International Ladies' Garment Workers' Union, 1710 Broadway, New York 19, N.Y.
D. (6) $3,120. E. (9) $2,295.13.

A. William DuChessi, 1126 16th Street NW., Washington, D.C.
B. Textile Workers Union of America, AFL-CIO, 99 University Place, New York, N.Y.
D. (6) $975.15. E. (9) $100.

A. William E. Dunn, 1957 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C.

A. J. D. Durand, 1725 K Street NW., Washington, D.C.
E. (9) $310.

A. Roy W. Easley, 1735 DeSales Street NW., Washington, D.C.
D. (6) $63. E. (9) $18.25.

A. Macon T. Edwards, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $127.50. E. (9) $35.82.

A. George V. Egge, Jr., 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. J. C. B. Ehringhaus, Jr., 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $234. E. (9) $75.

A. Harmon L. Elder, 1900 L Street NW., Washington, D.C.

B. Wilson E. Hamilton & Associates, Inc., 1900 L Street NW., Washington, D.C.

D. (6) $ 250. E. (9) $12.

A. John Doyle Elliott, 5500 Quincy Street, Hyattsville, Md.

D. (6) $2,510.74. E. (9) $2,883.23.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D.C.

B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. D. A. Ellsworth, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill.

D. (6) $4,219.74. E. (9) $588.95.

A. Ely, Bartlett, Brown & Proctor, 225 Franklin Street, Boston, Mass.

B. Massachusetts Federal Savings Council, Inc., 11 Beacon Street, Boston, Mass.

D. (6) $7,500. E. (9) $1,910.15.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.

D. (6) $2,100. E. (9) $35.18.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. Coachella Valley County Water District, Coachella, Calif.

D. (6) $1,200.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. Department of Water and Power of the City of Los Angeles, Calif., 111 North Hope Street, Los Angeles, Calif.

D. (6) $1,600.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.

D. (6) $1,200.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. Imperial Irrigation District, El Centro, Calif.

D. (6) $2,100.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.

D. (6) $3,000.

A. Emergency Committee for American Trade, 1211 Connecticut Avenue NW., Washington, D.C.

D. (6) $650. E. (9) $4,849.

A. Richard W. Emory, 1400 Mercantile Trust Building, Baltimore, Md.

B. Maryland State Fair & Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. James C. England, 1317 F Street NW., Washington, D.C.

B. National Retail Merchandise Association, 100 West 31st Street, New York, N.Y.

E. (9) $33.15.

A. Grover W. Ensley, 200 Park Avenue, New York, N.Y.

B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.

D. (6) $1,052. E. (9) $102.

A. John D. Fagan, 200 Maryland Avenue NE., Washington, D.C.

B. Veterans of Foreign Wars of the United States.

D. (6) $2,575. E. (9) $18.75.

A. Richard E. Faggioli, 1025 Connecticut Avenue NW., Washington, D.C.

B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.

A. Clinton M. Fair, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $5,437.50. E. (9) $171.93.

A. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.

D. (6) $68,988.49. E. (9) $19,780.86.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.

B. Council of Forest Industries of British Columbia, 1477 West Pender Street, Vancouver, British Columbia, Canada.

D. (6) $7,500. E. (9) $155.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.

B. Joint Committee of Printing and Publishing Industries of Canada, Fourth Floor, 117 Eglinton Avenue East, Toronto, Canada.

D. (6) $2,250. E. (9) $34.

A. Francis S. Filbey, 817 14th Street NW., Washington, D.C.

B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.

D. (6) $3,739.77.

A. Firearms Lobby of America, 415 Second Street NE., Washington, D.C.

D. (6) $20,119.26. E. (9) $17,918.70.

A. William J. Flaherty, 1221 Massachusetts Avenue NW., Washington, D.C.

B. Disabled American Veterans, 3726 Alexandria Pike, Cold Spring, Ky.

D. (6) $5,500. E. (9) $528.98.

A. Roger Fleming, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,591.60. E. (9) $13.72.

A. Frank U. Fletcher, 1225 Connecticut Avenue NW., Washington, D.C.

B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. Fletcher, Heald, Rowell, Kenehan & Hildreth, 1225 Connecticut Avenue NW., Washington, D.C.

B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. John J. Flynn, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. Loeb, Rhoades & Co., 42 Wall Street, New York, N.Y.

D. (6) $3,100. E. (9) $965.

A. John J. Flynn, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

E. (9) $204.

A. W. Robert Fokes, 800 Tallahassee Bank & Trust Building, Tallahassee, Fla.

B. Florida Railroad Association, Washington Square Building, Tallahassee, Fla.

D. (6) $225. E. (9) $188.20.

A. Gene Fondren, Post Office Box 192, Taylor, Tex.

B. Texas railroads.

D. (6) $3,910. E. (9) $839.52.

A. Gordon Forbes, 207 Union Depot Building, St. Paul, Minn.

B. Minnesota Railroads Association.

D. (6) $500. E. (9) $541.96.

A. Frederick W. Ford.

B. National Cable Television Association, Inc., 1634 I Street NW., Washington, D.C.

D. (6) $417. E. (9) $18.

A. James W. Foristel, 1776 K Street NW., Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $1,950. E. (9) $426.80.

A. Ronald J. Foulis, 1140 Connecticut Avenue NW., Washington, D.C.

B. Encyclopaedia Britannica, Inc., and William P. Benton, 425 North Michigan Avenue, Chicago, Ill.

A. Ronald J. Foulis, 1140 Connecticut Avenue, Washington, D.C.

B. United States Independent Telephone Association, 425 13th Street NW., Washington, D.C.

D. (6) $275.

A. John G. Fox, 2000 L Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.

B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.

D. (6) $87.48.

A. Morley E. Fox, 300 New Jersey Avenue SE., Washington, D.C.

B. Central Arizona Project Association, 1124 Arizona Title Building, Phoenix, Ariz.

D. (6) $34.70. E. (9) $19.91.

A. Walter L. Frankland, Jr., 1625 I Street NW., Washington, D.C.

B. Silver Users Association, 1625 I Street NW., Washington, D.C.

D. (6) $500. E. (9) $163.58.

A. Robert M. Frederick, 1616 H Street NW., Washington, D.C.

B. The National Grange, 1616 H Street NW., Washington, D.C.

D. (6) $3,750.

A. James O. Freeman, 812 Pennsylvania Building, Washington, D.C.

B. United States Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $1,625. E. (9) $55.50.

A. Joseph Freni, Jr., 1629 K Street NW., Washington, D.C.

B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.

D. (6) $750.

A. Bernice Friedlander, 950 25th Street NW., Washington, D.C.

B. LASH (Legislative Action on Smoking and Health), 2000 H Street NW., Washington, D.C.

D. (6) $2,558. E. (9) $400.78.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C.

B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.

D. (6) $50. E. (9) $3.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $40,720. E. (9) $11,294.

A. Frank W. Frisk, Jr., 2600 Virginia Avenue NW., Washington, D.C.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.

D. (6) $200.

A. David C. Fullarton, 1000 Connecticut Avenue NW., Washington, D.C.
B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,122.92.

A. Garrett Fuller, 777 14th Street NW., Washington, D.C.
B. Columbia Steamship Co., Inc., 2300 Southwest First Avenue, Portland, Oreg.
D. (6) $300. E. (9) $6.50.

A. Fuller, Seney, Henry & Hodge, 8th Floor, Owens-Illinois Building, Toledo, Ohio.
B. Owens-Illinois, Inc., Madison Avenue and St. Clair Street, Box 1035, Toledo, Ohio.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Anchor Corp. et al.
D. (6) $2,000. E. (9) $20.76.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Royal Crown Cola Co., Columbus, Ga.

A. James E. Gaffigan, 777 14th Street NW., Washington, D.C.
B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

A. Henry E. Gardiner, 1511 K Street NW., Washington, D.C.
B. Anaconda Co., 25 Broadway, New York, N.Y.
D. (6) $550.

A. William B. Gardiner, 1221 Massachusetts Avenue NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $4,750. E. (9) $65.

A. Gardner, Morrison & Rogers, 1126 Woodward Building, Washington, D.C.
B. Chas. Pfizer & Co., 235 East 42d Street, New York, N.Y.
E. (9) $55.85.

A. Marion R. Garstang, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $200.

A. Gas Appliance Manufacturers Association, 2000 K Street NW., Washington, D.C.

A. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C.
D. (6) $7,550.

A. General Public Utilities Corp., 80 Pine Street, New York, N.Y.
E. (9) $1,618.

A. William T. Gibb, 170 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $750. E. (9) $81.24.

A. John H. Gilbert, 128 C Street, Washington, D.C.
B. National Association of Theatre Owners, Inc., 1501 Broadway, New York, N.Y.

A. Arthur P. Gildea, 2347 Vine Street, Cincinnati, Ohio.
B. International Union of United Brewery, Flour, Cereal, Soft Drink and Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.
B. Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
D. (6) $1,375. E. (9) $170.42.

A. Dave Givens, 916 Nashville Trust Building, Nashville, Tenn.
B. Class I railroads in Tennessee.

A. Glassie, Pewett, Beebe & Shanks, 1819 H Street NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $5. E. (9) $4.71.

A. Glassie, Pewett, Beebe & Shanks, 1819 H Street NW., Washington, D.C.
B. National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $225. E. (9) $9.62.

A. The Glenmede Trust Co., 1608 Walnut Street, Philadelphia, Pa.

A. Jack Golodner, 1225 19th Street NW., Washington, D.C.
B. Actors' Equity Association, 165 West 46th Street, New York, N.Y.
D. (6) $2,500. E. (9) $310.

A. John Gonella, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill.
D. (6) $1,666.

A. Vance V. Goodfellow, 828 Midland Bank Building, Minneapolis, Minn.
B. Crop Quality Council, 828 Midland Bank Building, Minneapolis, Minn.
D. (6) $4,500. E. (9) $14.30.

A. Frederick D. Goss, 1000 Connecticut Avenue NW., Washington, D.C.
B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $468.

A. Edward Gottlieb & Associates, Ltd., 485 Madison Avenue, New York, N.Y.
B. Florists' Transworld Delivery Association, 900 West Lafayette Boulevard, Detroit, Mich.

A. Government Employes Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $10,470.67. E. (9) $5,453.06.

A. Grain & Feed Dealers National Association, 725 15th Street NW., Washington, D.C.
E. (9) $20.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. George O. Gray, 1625 I Street NW., Washington, D.C.
B. International Economic Policy Association, 1625 I Street NW., Washington, D.C.
E. (9) $528.58.

A. James A. Gray, 2139 Wisconsin Avenue NW., Washington, D.C.
B. National Machine Tool Builders Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Robert K. Gray, 1735 K Street NW., Washington, D.C.
B. Hill & Knowlton, Inc., 150 East 42d Street, New York, N.Y.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D.C.
B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.
D. (6) $100. E. (9) $169.48.

A. Samuel A. Grayson, 611 Idaho Building, Boise, Idaho.
B. Union Pacific Railroad, 1416 Dodge Street, Omaha, Nebr.
E. (9) $1,370.43.

A. Clifford P. Greck, 432 Park Avenue South, New York, N.Y.
B. American Educational Publishers Institute, 432 Park Avenue South, New York, N.Y.
D. (6) $250.

A. William G. Greif, 1155 15th Street NW., Washington, D.C.
B. Bristol-Myers Co., 345 Park Avenue, New York, N.Y.

A. Fred J. Greiner, 910 17th Street NW., Washington, D.C.
B. Evaporated Milk Association, 910 17th Street NW., Washington, D.C.

A. John F. Griner, 400 First Street NW., Washington, D.C.
B. American Federation of Government Employees, 400 Street NW., Washington, D.C.
D. (6) $10,432.10. E. (9) $2,570.16.

A. James J. Gudinas, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Dr. Harry P. Guenther, 1101 17th Street NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 17th Street NW., Washington, D.C.
D. (6) $950.

A. Ben H. Guill, 2000 K Street NW., Washington, D.C.
B. National Automobile Dealers Association, and American Zinc.
D. (6) $1,888.44. E. (9) $925.

A. Jerome R. Gulan.
B. National Federation of Independent Business, 15th Street and New York Avenue NW., Washington, D.C.

A. R. William Habel, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. Hoyt S. Haddock.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9)$40.97.

A. John R. Haire, 61 Broadway, New York, N.Y.
B. Investment Co. Institute, 61 Broadway, New York, N.Y.

A. Matthew Hale, 815 Connecticut Avenue NW., Washington, D.C.
B. American Bankers Association, 815 Connecticut Avenue NW., Washington, D.C. and 90 Park Avenue, New York, N.Y.
D. (6) $1,000. E. (9) $350.

A. J. G. Hall, Detroit, Mich.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Keith Halliday, 1725 K Street NW., Washington, D.C.
B. Associated Third Class Mail Users, 1725 K. Street NW., Washington, D.C.
D. (6) $300.

A. Norman S. Halliday, 1629 K Street NW., Washington, D.C.
B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y.
D. (6) $2,500. E. (9) $576.68.

A. Thomas A. Halsted, 201 Massachusetts Avenue NE., Washington, D.C.

B. Council for a Livable World, 201 Massachusetts Avenue NE., Washington, D.C.

D. (6) $5,499.94.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. American Courier Corp., 2 Nevada Drive, Lake Success (NHP-PO), N.Y.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. Ida Cason Callaway Foundation, Pine Mountain, Ga.

D. (6) $1,400. E. (9) $129.53.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. National School Supply & Equipment Association, 79 West Monroe Street, Chicago, Ill.

D. (6) $350. E. (9) $25.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. Scientific Apparatus Makers Association, 1140 Connecticut Avenue NW., Washington, D.C.

D. (6) $300. E. (9) $25.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. United Student Aid Funds, Inc., 845 Third Avenue, New York, N.Y.

A. Edward F. Harding, 140 New Montgomery Street, San Francisco, Calif.

B. The Pacific Telephone & Telegraph Co., 140 New Montgomery Street, San Francisco, Calif.

D. (6) $136. E. (9) $100.70.

A. Franklin Hardinge, Jr., 1444 Wentworth Avenue, Pasadena, Calif.

B. California Savings and Loan League, 1444 Wentworth Avenue, Pasadena, Calif.

D. (6) $1,800. E. (9) $1,052.94.

A. William E. Hardman, 1411 K Street NW., Washington, D.C.

B. National Tool, Die & Precision Machining Association, 1411 K. Street NW., Washington, D.C.

A. Eugene J. Hardy.

B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. Mrs. Mildred B. Harman, 640 Warner Building, Washington, D.C.

B. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.

D. (6) $825. E. (9) $463.40.

A. William B. Harman, Jr., 1701 K Street NW., Washington, D.C.

B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

D (6) $480. E. (9) $76.85.

A. Herbert E. Harris II, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,766.50.

A. F. Donald Hart, 605 Third Avenue, New York, N.Y.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. David Hartsough, 245 Second Street NE., Washington, D.C.

B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $839.

A. Walter A. Hasty, Jr., 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

A. Michael D. Hathaway, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida NW., Washington, D.C.

D. (6) $150.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.

B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

D. (6) $535. E. (9) $49.17.

A. Kit H. Haynes, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago Ill.

D. (6) $1,750. E. (9) $52.20.

A. Haynes & Miller, 1511 K Street NW., Washington, D.C.

B. Northeast Utilities Service Company and Subsidiaries, Post Office Box 270, Hartford, Conn.

A. Hays & Hays, Warner Building, Washington, D.C.

B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.

D. (6) $121.60. E. (9) $2.40.

A. Health Insurance Association of America, 1701 K Street NW, Washington, D.C.

D. (6) $2,392.85. E. (9) $2,392.85.

A. Patrick B. Healey, 30 F Street NW., Washington, D.C.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

D. (6) $300. E. (9) $158.90.

A. George J. Recht, 52 Vanderbilt Avenue, New York, N.Y., 20 E Street NW., Washington, D.C.

B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C. and the Subcommittee Bipartisan Citizens Committee for Federal Aid for Public Elementary & Secondary Education.

A. William H. Hedlund, 909 American Bank Building, Portland, Oreg.

B. Standard Oil Co. of California, San Francisco, Calif., Shell Oil Co., San Francisco, Calif., Mobil Oil Co., Los Angeles, Calif., Atlantic Richfield Oil Co., Los Angeles, Calif., Union Oil Co. of California, Los Angeles.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D.C.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $875. E. (9) $528.91.

A. Kenneth G. Heisler, 1200 17th Street NW., Washington, D.C.

B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.

D. (6) $1,000.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N.Y.

B. Mobile Oil Corp., 150 East 42d Street, New York, N.Y.

D. (6) $1,125. E. (9) $913.89.

A. Richard I. Hersh, 1025 Vermont Avenue NW., Washington, D.C.

B. National Home Furnishings Association, 1150 Merchandise Mart, Chicago, Ill.

D. (6) $50.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.

B. National Football League, 410 Park Avenue, New York, N.Y.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.

B. Savage Arms, Westfield, Mass., Redfield Gun Sight Co., Denver, Colo., Browning Arms Co., Morgan, Utah.

E. (9) $97.70.

A. Hester & Stone, 432 Shoreham Building, Washington, D.C.

B. United States Brewers Association, 535 Fifth Avenue, New York, N.Y.

D. (6) $5,000. E. (9) $53.40.

A. Andrew I. Hickey, Jr., 1133 15th Street NW., Washington, D.C.

B. Federal National Mortgage Association, 1133 15th Street NW., Washington, D.C.

D. (6) $2,812.50. E. (9) $159.04.

A. John W. Hight, 1028 Connecticut Avenue NW., Washington, D.C.

B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.

D. (6) $100.

A. J. Eldred Hill, Jr., 720 Hotel Washington, Washington, D.C.

B. Unemployment Benefit Advisors, Inc.

D. (6) $2,000.

A. James J. Hill, 5025 Wisconsin Avenue NW., Washington, D.C.

B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Harry R. Hinton, 1776 K Street NW., Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $2,100. E. (9) $737.84.

A. Mrs. Mae Hipsley, 1776 K Street NW., Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $712.50. E. (9) $116.26.

A. Lawrence S. Hobart, 2600 Virginia Avenue NW., Washington, D.C.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.

D. (6) $400.

A. Claude E. Hobbs, 1000 Connecticut Avenue NW., Washington, D.C.

B. Westinghouse Electric Corp., 3 Gateway Center, Pittsburgh, Pa.

D. (6) $900. E. (9) $155.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C.

B. Hughes Tool Co., Houston, Tex.

A. Lee B. Holmes, 666 11th Street NW., Washington, D.C.

B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

E. (9) $142.50.

A. John W. Holton, 815 Connecticut Avenue NW., Washington, D.C.

B. The American Bankers Association, 90 Park Avenue, New York, N.Y.

D. (6) $1,750. E. (9) $471.78.

A. Edwin M. Hood, 1730 K Street NW., Washington, D.C.

B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. The Hormel Foundation, Austin, Minn.

E. (9) $26,203.87.

A. Thomas B. House.

B. National Association of Frozen Food

Packers, 919 18th Street NW., Washington, D.C.
D. (6) $100.

A. Joe L. Howell, 1225 Connecticut Avenue NW., Washington, D.C.
B. Allstate Enterprises, Inc., Allstate Plaza, Northbrook, Ill.

A. Joe L. Howell, 1225 Connecticut Avenue NW., Washington, D.C.
B. Allstate Insurance Cos., Allstate Plaza, Northbrook, Ill.

A. Charles L. Huber, 1221 Massachusetts Avenue NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $6,875. E. (9) $1,814.09.

A. William J. Hull, 1660 L Street NW., Washington, D.C.

A. William J. Hull, 1660 L Street NW., Washington, D.C.
B. Ohio Valley Improvement Association, Inc.

A. Edward W. Hummers, Jr., 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. David J. Humphreys, 1140 Connecticut Avenue NW., Washington, D.C.
B. Mobile Housing Association of America, 39 South La Salle Street, Chicago, Ill.
E. (9) $596.82.

A. Robert R. Humphreys, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $320. E. (9) $172.85.

A. James L. Huntley, 1775 K Street NW., Washington, D.C.
B. Retail Clerks International Association, 1775 K Street NW., Washington, D.C.
D. (6) $5,312.50. E. (9) $1,663.08.

A. Philip A. Hutchinson, Jr., 1735 New York Avenue NW., Washington, D.C.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $1,000. E. (9) $2,237.76.

A. Elmer F. Hutter, Post Office Box 2255, Washington, D.C.
D. (6) $15.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
B. William R. Smith, Washington, D.C.
E. (9) $338.

A. Frank N. Ikard, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

Illinois Railroad Association, Room 801, 135 East 11th Place, Chicago, Ill.
E. (9) $2,588.40.

A. Bernard J. Imming, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Independent Natural Gas Association of America, 1660 L Street NW., Washington, D.C.
D. (6) $1,300.

A. Industrial Union Department, AFL–CIO, 815 16 Street NW., Washington, D.C.
D. (6) $5,357.52. E. (9) $5,357.52.

A. Harry A. Inman, 1200 17th Street NW., Washington, D.C.
B. The New York Botanical Garden, Bronx Park, New York, N.Y.

A. International Association of Machinists & Aerospace Works, 1300 Connecticut Avenue NW., Washington, D.C.
E. (9) $7,814.23.

A. International Economic Policy Association, 1625 I Street NW., Washington, D.C.
E. (9) $528.58.

A. Investment Co. Institute, 61 Broadway, New York, N.Y.
E. (9) $1,851.71.

A. Iron Ore Lessors Association, Inc., 1500 First National Bank Building, St. Paul, Minn.
D. (6) $1,146.03. E. (9) $10,773.55.

A. William E. Isaeff, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Chas. E. Jackson, Washington, D.C.

A. Robert C. Jackson, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, 1501 Johnston Building, Charlotte, N.C.
D. (6) $2,750. E. (9) $381.48.

A. Raymond M. Jacobson, 1819 H Street NW., Washington, D.C.
B. American Society of Consulting Planners, 1819 H Street NW., Washington, D.C.
D. (6) $2,250.

A. Robert L. James, 730 15th Street NW., Washington, D.C.
B. Bank of America N.T. and S.A., Bank of America Plaza, San Francisco, Calif.
D. (6) $120. E. (9) $160.

A. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
E. (9) $200.

A. Daniel Jaspan, Post Office Box 1924, Washington, D.C.
B. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $6,864.51. E. (9) $72.12.

A. Philip F. Jehle, 300 National Press Building, Washington, D.C.
B. Smith, Kline & French Laboratories, 1500 Spring Garden Street, Philadelphia, Pa.

A. Chas. B. Jennings, 1712 I Street NW., Washington, D.C.
B. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $400.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Reuben L. Johnson.
B. Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo., and 1012 14th Street NW., Washington, D.C.
D. (6) $4,307.52. E. (9) $210.84.

A. Spencer A. Johnson, 1025 Vermont Avenue NW., Washington, D.C.
B. National Home Furnishings Association, 1150 Merchandise Mart, Chicago, Ill.
D. (6) $300.

A. Ned Johnston, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream, 1105 Barr Building, Washington, D.C.
A. Charlie W. Jones, 815 Connecticut Avenue NW., Washington, D.C.
B. Signal Companies, Inc., 1010 Wilshire Blvd., Los Angeles, Calif.

A. Geo. Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.

A. L. Dan Jones, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $63.37.

A. Oliver H. Jones, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $11,250. E. (9) $3,847.

A. Ardon B. Judd, Jr., 1100 Connecticut Avenue, Washington, D.C.
B. Dresser Industries, Inc., 1100 Connecticut Avenue, Washington, D.C.

A. Francis Judge, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A.

A. Edwin L. Kahn, 1000 Federal Bar Building, Washington, D.C.
B. B'nai B'rith, 1640 Rhode Island Avenue NW., Washington, D.C.
E. (9) $80.41.

A. Fritz R. Kahn, 9202 Ponce Place, Fairfax, Va.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.
E. (9) $29.45.

A. Karelsen, Karelsen, Lawrence & Nathan, 230 Park Avenue, New York, N.Y.
E. (9) $296.85.

A. Frank M. Karsten, 221 Emerald Hill Drive, Washington, D.C.
B. Affiliated Government Organizations, Brooklyn, N.Y.

A. Gerald M. Katz, 1400 Mercantile Trust Building, Baltimore, Md.
B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. Carleton R. Kear, Jr.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $750.

A. Capt. William J. Keating, 500 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 500 Bolger Building, Washington, D.C.
D. (6) $50.

A. Howard B. Keck, 1801 Avenue of the Stars, Los Angeles, Calif.
B. Superior Oil Co., 1801 Avenue of the Stars, Los Angeles, Calif.
E. (9) $300.

A. W. M. Keck, Jr., 1801 Avenue of the Stars, Los Angeles, Calif.
E. (9) $275.

A. Charles C. Keeble, Post Office Box 2180, Houston, Tex.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $21.16.

A. Robert H. Kellen, 25 East Chestnut Street, Chicago, Ill.

B. Mayonnaise & Salad Dressings Institute, 25 East Chestnut Street, Chicago, Ill.

A. Robert H. Kellen, 25 East Chestnut Street, Chicago, Ill.

B. National Preservers Association, 25 East Chestnut Street, Chicago, Ill.

A. James C. Kelley, 1500 Massachusetts Avenue NW., Washington, D.C.

B. American Machine Tool Distributors Association, 1500 Massachusetts Avenue, NW., Washington, D.C.

A. Harold V. Kelly, 720 Hotel Washington, Washington, D.C.

B. Unemployment Benefit Advisors, Inc.

D. (6) $1,000.

A. John T. Kelly, 1155 15th Street NW., Washington, D.C.

B. Pharmaceutical Manufacturers Association.

A. Edward F. Kenehan, 1225 Connecticut Avenue NW., Washington, D.C.

B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. I. L. Kewen, 1341 G Street NW., Washington, D.C.

B. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C.

D. (6) $600.

A. Harold L. Kennedy, 420 Cafritz Building, Washington, D.C.

B. Marathon Oil Co., Findlay, Ohio.

E. (9) $112.15.

A. James J. Kennedy, Jr., 400 First Street NW., Washington, D.C.

B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill.

D. (6) $4,119.98. E. (9) $1,513.74.

A. Franklin E. Kepner, The Berwick Bank Building, Berwick, Pa.

B. Associated Railroads of Pennsylvania, Room 1022, Transportation Center, Philadelphia, Pa.

A. Thomas P. Kerester, 1025 Connecticut Avenue NW., Washington, D.C.

B. Gulf Oil Corp., Pittsburgh, Pa.

D. (6) $150. E. (9) $150.

A. J. Don Kerlin, 1108 Stuart Road, Herndon, Va.

B. Time, Inc., Publisher, Rockefeller Center, New York, N.Y.

D. (6) $300. E. (9) $200.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $1,312.88. E. (9) $125.88.

A. Joseph T. King, 3600 M Street NW., Washington, D.C.

B. Associated Equipment Distributors and Sprinkler Irrigation Association.

E. (9) $1,133.72.

A. T. Bert King, 812 Pennsylvania Building, Washington, D.C.

B. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.

D. (6) $825.

A. Mr. and Mrs. Harry I. Kingman, 535 San Luis Road, Berkeley, Calif.

E. (9) $95.

A. John M. Kinnaird, 1612 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1612 P Street NW., Washington, D.C.

D. (6) $1,000. E. (9) $1,115.79.

A. Herbert C. Kirstein, 30 F Street NW., Washington, D.C.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

D. (6) $3,560. E. (9) $135.35.

A. Ernest A. Kistler, 901 Hamilton Street, Allentown, Pa.

B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.

D. (6) $41.50. E. (9) $136.28.

A. Ralph W. Kittle.

B. International Paper Co., 220 East 42d Street, New York, N.Y.

D. (6) $400. E. (9) $125.

A. Robert E. Kline, Jr., 1028 Connecticut Avenue NW., Washington, D.C.

B. Bowling Proprietors' Association of America, Inc., West Higgins Road, Hoffman Estates, Ill.

D. (6) $1,250. E. (9) $87.85.

A. James F. Kmetz, 1437 K Street NW., Washington, D.C.

B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.

D. (6) $5,552.

A. John D. Knodell, Jr., Post Office Box 2180, Houston, Tex.

B. Humble Oil & Refining Co., Post Office Box 2180, Houston. Tex.

E. (9) $738.65.

A. Robert M. Koch, 702 H Street NW., Washington, D.C.

B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.

E. (9) $23.50.

A. Wm. L. Kohler, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200. E. (9) $475.27.

A. Horace R. Kornegay, 1776 K Street NW., Washington, D.C.

B. Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C.

A. June Kysilko Kraeft, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $125.

A. Germaine Krettek, 200 C Street SE., Washington, D.C.

B. American Library Association, 50 East Huron Street, Chicago, Ill.

D. (6) $607.50.

A. Lloyd R. Kuhn, 1725 DeSales Street NW., Washington, D.C.

B. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.

D. (6) $5,472. E. (9) $998.52.

A. Labor Bureau of Middle West, 1155 15th Street NW., Washington, D.C. and 11 South LaSalle Street, Chicago, Ill.

A. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $9,873. E. (9) $8,015.

A. A. M. Lampley, 400 First Street NW., Washington, D.C.

B. United Transportation Union.

E. (9) $250.

A. Ronald A. Lang, 330 Madison Avenue, New York, N.Y.

B. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.

A. Asger F. Langlykke, 1913 I Street NW., Washington, D.C.

B. American Society for Microbiology, 1913 I Street NW., Washington, D.C.

E. (9) $38.66.

A. Albert Lannon, 1341 G. Street NW., Washington, D.C.

B. International Longshoremen's Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.

D. (6) $3,253.26. E. (9) $385.12.

A. James J. LaPenta, Jr., 905 16th Street NW,. Washington, D.C.

B. Laborers' International Union of North America, 905 16th Street NW., Washington, D.C.

E. (9) $351.89.

A. LASH (Legislative Action on Smoking & Health), 2000 H Street NW., Washington, D.C.

D. (6) $2,558. E. (9) $400.78.

A. Glenn T. Lashley, 1712 G Street NW., Washington, D.C.

B. D.C. Division, American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Dillard B. Lasseter, 1616 P Street NW., Washington, D.C.

B. American Trucking Association, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200. E. (9) $525.

A. Donald F. Lavanty, 1026 17th Street NW., Washington, D.C.

B. American Optometric Association, c/o J. C. Tumblin, O.D., Post Office Box 5147, Knoxville, Tenn.

D. (6) $63.30. E. (9) $23.30.

A. George H. Lawrence, 1660 L Street NW., Washington, D.C.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

D. (6) $425. E. (9) $110.

A. Robert F. Lederer, 835 Southern Building, Washington, D.C.

B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.

D. (6) $20. E. (9) $267.84.

A. Charles W. Lee, 300 New Jersey Avenue SE., Washington, D.C.

B. Emergency Committee for Full Funding of Education Programs, 300 New Jersey Avenue SE., Washington, D.C.

D. (6) $500. E. (9) $50.

A. Legislation for Animal Welfare, Inc., 3045 P Street NW., Washington, D.C.

A. William J. Lehrfeld, 1000 Federal Bar Building, Washington, D.C.

B. Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America (Shriners), 323 North Michigan Avenue, Chicago, Ill.

A. William J. Lehrfeld, 1000 Federal Bar Building NW., Washington, D.C.

B. The National Fraternal Congress of America, 35 East Wacker Drive, Chicago, Ill.

D.(6) $4,521.60. E. (9) $75.60.

A. William J. Lehrfeld, 1000 Federal Bar Building, NW., Washington, D.C.

B. Strawberry Water Users Association, Payson, Utah.

E. (9) $0.90.

A. Robert J. Leigh, 1000 Connecticut Avenue NW., Washington, D.C.

B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $245.17.

XUM

A. Nils A. Lennartson, 1140 Connecticut Avenue NW., Washington, D.C.
B. Railway Progress Institute, 1140 Connecticut Avenue NW., Washington, D.C., and National Association of the Railway Equipment & Supply Industry.
D. (6) $11,000.06.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C.
B. American Waterways Operators, Inc., 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,000. E. (9) $106.49.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C.
B. Committee of Producers of Ferroalloys and Related Products.
D. (6) $500. E. (9) $10.

A. Marx Leva, 815 Connecticut Avenue NW., Washington, D.C.
B. C.I.T. Financial Corp, 650 Madison Avenue, New York, N.Y.

A. J. Stanley Lewis, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,812.50.

A. Life Insurance Association of America, 277 Park Avenue, New York, N.Y., and 1701 K Street NW., Washington, D.C.
D. (6) $7,333.28. E. (9) $7,333.28.

A. Lester W. Lindow, 1735 DeSales Street NW., Washington, D.C.
D. (6) $93.75. E. (9) $96.54.

A. Lindsay, Nahstoll, Hart, Dafoe & Krause, Ninth Floor, Loyalty Building, Portland, Oreg.
B. Master Contracting Stevedore Association of the Pacific Coast, Inc., San Francisco, Calif.

A. Lindsay, Nahstoll, Hart, Dafoe & Krause, Ninth Floor, Loyalty Building, Portland, Oreg.
B. National Maritime Compensation Committee, Ninth Floor, Loyalty Building, Portland, Oreg.

A. Edward Lippert, 1816 S Street NW., Washington, D.C.
B. Americans for Democratic Action, 1424 16th Street NW., Washington, D.C.
D. (6) $2,375.10.

A. Charles B. Lipsen, 1775 K Street NW., Washington, D.C.
B. Retail Clerks International Association, AFL–CIO, 1775 K Street NW., Washington, D.C.
D. (6) $5,985.50. E. (9) $1,023.37.

A. Robert G. Litschert, 1140 Connecticut Avenue NW., Washington, D.C.
B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $417.38. E. (9) $291.92.

A. Paul H. Long, 1025 Connecticut Avenue NW., Washington, D.C.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.
E. (9) $17.50.

A. Lord, Day & Lord, 25 Broadway, New York, N.Y.
B. Virginia and D. K. Ludwig Foundation, 1345 Avenue of the Americas, New York, N.Y.
E. (9) $259.55.

A. James F. Lovett, 1000 Connecticut Avenue NW., Washington, D.C.
B. Westinghouse Electric Corp., 3 Gateway Center, Pittsburgh, Pa.
D. (6) $700. E. (9) $200.

A. Harold O. Lovre, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $2,400. E. (9) $327.

A. Otto Lowe, Cape Charles, Va.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $1,500.

A. Otto Lowe, Cape Charles, Va.
B. Norfolk & Western Railway Co., Roanoke, Va.
D. (6) $600.

A. George A. Lucas, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill.
D. (6) $2,054.

A. Virginia and D. K. Ludwig Foundation, 1345 Avenue of the Americas, New York, N.Y.

A. Milton F. Lunch, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $1,000.

A. James H. Lynch, 400 First Street NW., Washington, D.C.
B. American Federation of Government Employees, 400 First Street NW., Washington, D.C.
D. (6) $3,606.40. E. (9) $352.59.

A. LeRoy E. Lyon, Jr., 11th and L Building, Sacramento, Calif.
B. California Railroad Association, 11th and L Building, Sacramento, Calif.

A. Breck P. McAllister, 25 Broadway, New York, N.Y.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. John A. McCart, 100 Indiana Avenue NW., Washington, D.C.
B. Government Employes Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,280.81.

A. Bruce E. McCarthy, 1730 Rhode Island Avenue NW., Washington, D.C.
B. National Electrical Contractors Association, 1730 Rhode Island Avenue NW., Washington, D.C.

A. Jack F. McCarthy, 1700 K Street NW., Washington, D.C.
B. United Utilities, Inc., 2330 Johnson Drive, Shawnee Mission, Kans.
D. (6) $40.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Cities Service Co., 60 Wall Street, New York, N.Y.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Coca-Cola Co., Post Office Drawer 1734, Atlanta, Ga.
E. (9) $42.79.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Corporate Fiduciaries of Chicago, in care of Northern Trust Co., LaSalle Street, Chicago, Ill.
D. (6) $500. E. (9) $0.73.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Gulf Resources & Chemical Corp., 2125 Tenneco Building, Houston, Tex.
D. (6) $486.25. E. (9) $16.49.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Gulf & Western Industries, Inc., 437 Madison Avenue, New York, N.Y.
D. (6) $1,968.75. E. (9) $233.93.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. International Packers Limited, 410 North Michigan Avenue, Chicago, Ill.
D. (6) $78.75. E. (9) $0.52.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Mobil Oil Corp, 150 East 42nd Street, New York, N.Y.
D. (6) $3,638.75. E. (9) $295.28.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Silberberg & Co, 40 Wall Street, New York, N.Y.
D. (6) $500. E. (9) $82.78.

A. E. L. McCulloch, 400 First Street NW., Washington, D.C.
B. Brotherhood of Locomotive Engineers, B. of L. E. Building, Cleveland, Ohio.
D. (6) $284.60. E. (9) $81.50.

A. Albert L. McDermott, 777 14th Street NW., Washington, D.C.
B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.
D. (6) $100.

A. Angus H. McDonald.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $3,984.51. E. (9) $225.35.

A. Joseph A. McElwain, 40 East Broadway, Butte, Mont.
E. (9) $154.82.

A. Mrs. Barbara D. McGarry, 20 E Street NW., Washington, D.C.
B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C. and the Subcommittee Bipartisan Citizens Committee for Federal Aid for Public Elementary & Secondary Education, 2107 Davenport Street NW., Washington, D.C.

A. J. Raymond McGlaughlin, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $6,000.

A. Marshall C. McGrath.
B. International Paper Co., 220 East 42d Street, New York, N.Y.
D. (6) $500.01. E. (9) $184.53.

A. F. Howard McGuigan, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, Federation of Trades & Labor Unions, 815 16th Street NW., Washington, D.C.
D. (6) $5,437.50. E. (9) $296.72.

A. Peter E. McGuire, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline &

Steamship Clerks, 6300 River Road, Rosemont, Ill.
D. (6) $2,592.34.

A. William F. McKenna, 1200 17th Street NW., Washington, D.C.
B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.
D. (6) $356. E. (9) $1.70.

A. Marvin L. McLain, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,791.50. E. (9) $31.55.

A. John S. McLees, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A.

A. William F. McManus, 777 14th Sreet NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $850. E. (9) $378.45.

A. Clarence M. McMillian, 1430 K Street NW., Washington, D.C.
B. National Candy Wholesalers Association, Inc., 1430 K Street NW., Washington, D.C.

A. Ralph J. McNair, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $299.70. E. (9) $23.90.

A. Charles R. McNeill, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $2,000. E. (9) $6,690.33.

A. McNutt, Dudley, & Easterwood, 910 17th Street NW., Washington, D.C.
B. American Dredging Co., 12 South 12th Street, Philadelphia, Pa., Great Lakes Dredge & Dock Co., 228 North LaSalle Street, Chicago, Ill., Dunbar & Sullivan Dredging Co., 2312 Buhl Building, Detroit, Mich.
D. (6) $3,150. E. (9) $293.74.

A. Shane MacCarthy, 5223 River Road, Washington, D.C.
B. Printing Industries of America, 5223 River Road, Washington, D.C.
D. (6) $750. E. (9) $1,125.

A. Earl S. Mackey, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $1,200.

A. H. E. Mahlman, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, c/o J. C. Tumblin, O.D., Post Office Box 5147, Knoxville, Tenn.
D. (6) $700. E. (9) $70.33.

A. Robert L. Maier, 900 17th Street NW., Washington, D.C.
B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.

A. Carter Manasco, 5932 Chesterbrook Road, McLean, Va.
B. National Coal Association, Coal Building, 1130 17th Street NW., Washington, D.C.
D. (6) $18,000. E. (9) $168.26.

A. Mike Manatos, 1730 K Street NW., Washington, D.C.
B. Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio.
E. (9) $114.90.

A. Manufacturing Chemists Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000. E. (9) $3,500.

A. Mrs. Olya Margolin, 1346 Connecticut Avenue NW., Washington, D.C.
B. National Council of Jewish Women, Inc., 1 West 47th Street, New York, N.Y.
D. (6) $3,250. E. (9) $188.46.

A. Rodney W. Markley, Jr., 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $1,000. E. (9) $538.20.

A. Edwin E. Marsh, 600 Crandall Building, Salt Lake City, Utah.
B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $3,857.81. E. (9) $5.

A. Winston W. Marsh, 1343 L Street, NW., Washington, D.C.
B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.
D. (6) $75.

A. James J. Marshall, 1725 I Street NW., Washington, D.C.
B. Citizens Committee for Postal Reform, Inc., 1725 I Street NW., Washington, D.C.
D. (6) $4615.38.

A. J. Paule Marshall, 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $191.96. E. (9) $265.05.

A. Thomas A. Martin, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.
D. (6) $500. E. (9) $120.

A. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. Mike M. Masaoka, 2021 L Street NW., Washington, D.C.

A. Mike M. Masaoka, 2021 L Street NW., Washington, D.C.
B. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.
D. (6) $1,000.

A. Mike M. Masaoka, 2021 L Street, Washington, D.C.
B. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
D. (6) $200.

A. Mike M. Masaoka, 2021 L Street NW., Washington, D.C.
B. West Mexico Vegetable Distributors Association, Post Office Box 848, Nogales, Ariz.
D. (6) $500.

A. Paul J. Mason, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $875.25. E. (9) $271.28.

A. Walter J. Mason, 815 16th Street NW., Washington, D.C.
B. Building and Construction Trades Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $5,500.27. E. (9) $2,130.

A. P. H. Mathews, 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $1,704. E. (9) $579.15.

A. Charles D. Matthews, 1140 Connecticut Avenue NW., Washington, D.C.
B. National Association of Electric Cos., 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $423.50. E. (9) $309.81.

A. Charles E. Mattingly, 1608 K Street NW., Washington, D.C.
B. American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,298.50. E. (9) $266.15.

A. C. V. and R. V. Maudlin, 1111 E Street NW., Washington, D.C.
B. Georgia Power Co., 270 Peachtree Street, Atlanta, Ga.

A. Albert E. May, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Institute of Merchant Shipping, 1120 Connecticut Avenue NW., Washington, D.C.
D. (6) $320. E. (9) $5.20.

A. Mayonnaise & Salad Dressings Institute, 25 East Chestnut Street, Chicago, Ill.

A. George G. Mead, 128 C Street NE., Washington, D.C.
B. American Society of Radiologic Technologists, 645 North Michigan Avenue, Chicago, Ill.
D. (6) $4,500. E. (9) $675.

A. George G. Mead, 128 C Street NE., Washington, D.C.
B. National Association of Theatre Owners, Inc., 1501 Broadway, New York, N.Y.
D. (6) $3,000. E. (9) $1,643.59.

A. Medical-Surgical Manufacturers Association, 342 Madison Avenue, New York, N.Y.
D. (6) $2,500. E. (9) $2,916.23.

A. Mr. Carl J. Megel, 1012 14th Street NW., Washington, D.C.
B. American Federation of Teachers, AFL–CIO, 1012 14th Street NW., Washington, D.C.
E. (9) $11,300.

A. Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $5,437.50. E. (9) $667.42.

A. R. Otto Meletzke, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $150. E. (9) $4.68.

A. Ellis E. Meredith, 2000 K Street NW., Washington, D.C.
B. American Apparel Manufacturers Association, Inc., 2000 K Street NW., Washington, D.C.
E. (9) $1,200.

A. Lawrence C. Merthan, Inc., 1735 K Street NW., Washington, D.C.
B. Hill and Knowlton, Inc., 150 East 42d Street, New York, N.Y.
D. (6) $1,000. E. (9) $95.

A. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

A. George F. Meyer, Jr.
B. Retired Officers Association, 1625 Eye Street NW., Washington, D.C.
D. (6) $812.50.

XUM

A. James G. Michaux, 777 14th Street NW., Washington, D.C.
B. Federated Department Stores, Inc., 222 West 7th Street, Cincinnati, Ohio.
D. (6) $500.

A. Midland Cooperative Dairy Association, Shawano, Wis., and Box 128, Cazenovia, N.Y.

A. Capt. A. Stanley Miller, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Dallas, Tex., Chamber of Commerce.
D. (6) $1,950.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Gulf Intracoastal Canal Association, 2211 First National Life Building, Houston, Tex.
D. (6) $2,625.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N.Y.
D. (6) $2,250.

A. Edwin Reid Miller, 1815 Capitol Avenue, Omaha, Nebr.
B. Nebraska Railroads Legislative Committee, 1815 Capitol Avenue, Omaha, Nebr.
D. (6) $4,305. E. (9) $927.48.

A. Hermon I. Miller, 5116 Moorland Lane, Bethesda, Md.
B. National Turkey Federation, Mount Morris, Ill.

A. Joe D. Miller, 535 North Dearborn Street, Chicago, Ill.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $875.

A. Lloyd S. Miller, 1700 K Street NW., Washington, D.C.
B. United Utilities, Inc., Post Office Box 11315, Plaza Station, Kansas City, Mo.
D. (6) $240.

A. Luman G. Miller, 912 Failing Building, Portland, Oreg.
B. Oregon Railroad Association, 912 Failing Building, Portland, Oreg.
E. (9) $793.32.

A. Robert H. Miller, 1000 16th Street NW., Washington, D.C.
B. Tenneco Inc., Post Office Box 2511, Houston, Tex.
E. (9) $78.53.

A. Jack Mills, 1776 K Street NW., Washington, D.C.
B. The Tobacco Institute, Inc.

A. Daniel Minchew, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $87.50.

A. Marion Daniel Minchew, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $206.25. E. (9) $1.58.

A. Thomas F. Mitchell, 1735 I Street NW., Washington, D.C.
B. Georgia-Pacific Corp., Post Office Box 311, Portland, Oreg.
E. (9) $260.

A. Mobile Housing Association of America, 39 South LaSalle Street, Chicago, Ill.

A. Willis C. Moffatt, Post Office Box 829, Boise, Idaho.

A. Michael Monroney.
B. Communications Satellite Corp., 950 l'Enfant Plaza South SW., Washington, D.C.
D. (6) $1,750. E. (9) $50.

A. Joseph E. Moody, 1000 11th Street NW., Washington, D.C.
B. National Coal Policy Conference, Inc.
D. (6) $500.

A. Albert R. Morand, 7 Mallard Drive, Greenwich, Conn.
B. Gerli Co., Cheney Division, Manchester.
D. (6) $1,500.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D.C.
B. American Humane Association, Post Office Box 1266, Denver, Colo.
D. (6) $1,500. E. (9) $526.64.

A. Morgan, Lewis & Bockius, 1140 Connecticut Avenue, Washington, D.C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $200.

A. Robert E. Morin, 1311 Delaware Avenue SW., Washington, D.C.
B. National Association of Mutual Insurance Agents, 520 Investment Building, Washington, D.C.
E. (9) $5,784.09.

A. Morison, Murphy, Abrams & Haddock, 1776 K Street NW., Washington, D.C.
B. The Sperry and Hutchinson Co., 330 Madison Avenue, New York, N.Y.

A. James G. Morton, 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,500. E. (9) Under $200.

A. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
E. (9) $285.85.

A. James T. Mular, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill.
D. (6) $1,523.10.

A. Converse Murdoch, 350 Delaware Trust Building, Wilmington, Del.

A. John J. Murphy, 33 Wilelinor Drive, Edgewater, Md.
B. National Customs Service Association.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 200 Florida Avenue NW., Washington, D.C.
D. (6) $185.

A. Augustus Nasmith, Pennsylvania Station, Raymond Plaza, Newark, N.J.
B. Associated Railroads of New Jersey, Pennsylvania Station, Raymond Plaza, Newark, N.J.

A. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C.
D. (6) $102.85. E. (9) $102.85.

A. National Associated Businessmen, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $659.14. E. (9) $857.57.

A. National Association of Credit Management, 44 East 23d Street, New York, N.Y.
D. (6) $1,662.40. E. (9) $453.55.

A. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,038.20. E. (9) $9,227.57.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $100. E. (9) $100.

A. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.
D. (6) $69,598.38. E. (9) $1,131.14.

A. National Association of Insurance Agents, Inc., 96 Fulton Street, New York, N.Y.
B. Maurice G. Herndon, Federal Liaison, Suite 1223 Pennsylvania Building, Washington, D.C.
E. (9) $13,866.67.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $623,394.29. E. (9) $116,541.83.

A. National Association of Life Underwriters, 1922 F Street NW., Washington, D.C.
D. (6) $887.40. E. (9) $887.40.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D.C.

A. National Association of Mutual Insurance Companies, 2611 East 46th Street, Indianapolis, Ind.

A. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $2,679.06. E. (9) $2,679.06.

A. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $35,000. E. (9) $20,688.90.

A. National Association of Single Taxpayers, 1010 Vermont Avenue NW., Washington, D.C.
D. (6) $335. E. (9) $1,299.95.

A. National Association of Theatre Owners, Inc., 1501 Broadway, New York, N.Y.
D. (6) $4,433.50. E. (9) $25,136.55.

A. National Association for Uniformed Services, 956 North Monroe Street, Arlington, Va.
E. (9) $2,408.

A. National Automobile Dealers Association, 2000 K Street NW., Washington, D.C.
D. (6) $1,809.76. E. (9) $1,809.76.

A. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $703,186.60. E. (9) $6,034.61.

A. National Coal Association, Coal Building, Washington, D.C.

A. National Committee to Abolish HUAC/HISC, 555 North Western Avenue, Los Angeles, Calif.
D. (6) $1,613.33. E. (9) $1,613.33.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $11,450.29. E. (9) $11,450.29.

XUM

A. National Council of Naval Air Stations Employee Organizations, 239 Beach Road, Alameda, Calif.

A. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.
D. (6) $840. E. (9) $831.84.

A. National Cystic Fibrosis Research Foundation, 202 East 44th Street, New York City, N.Y.
E. (9) $1,500.

A. National Electrical Contractors Association, Inc., 1730 Rhode Island Avenue NW., Washington, D.C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.

A. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $240,956.98. E. (9) $18,006.26.

A. National Federation of Independent Business, Inc., 920 Washington Building, Washington, D.C.
D. (6) $10,128.31. E. (9) $10,128.31.

A. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $2,643.75. E. (9) $3,462.84.

A. The National Grange, 1616 H Street NW., Washington, D.C.
E. (9) $9,350.

A. National Home Furnishings Association, 1150 Merchandise Mart, Chicago, Ill.
E. (9) $560.

A. National Housing Conference, Inc., 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $8,410.34. E. (9) $14,870.61.

A. National Independent Dairies Association, 1735 K Street NW., Washington, D.C.
E. (9) $320.23.

A. National League of Insured Savings Association, 1200 17th Street NW., Washington, D.C.
D. (6) $386.64. E. (9) $1,464.16.

A. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
D. (6) $1,452.90. E. (9) $1,452.90.

A. National Livestock Feeders Association, Inc., 309 Livestock Exchange Building, Omaha, Nebr.
D. (6) $2,104.89. E. (9) $2,104.89.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $7,403.62. E. (9) $7,403.62.

A. National Multiple Sclerosis Society, 257 Park Avenue South, New York, N.Y.
E. (9) $796.71.

A. National Preservers Association, 25 East Chestnut Street, Chicago, Ill.

A. National Rehabilitation Association, 1522 K Street NW., Washington, D.C.
D. (6) $16,751. E. (9) $1,221.75.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $5,458.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $12,500. E. (9) $11,662.

A. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,836.09.

A. National Tire Dealers and Retreaders Association, 1343 L Street NW., Washington, D.C.
D. (6) $125. E. (9) $128.

A. National Turkey Federation, Mount Morris, Ill.

A. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $34,962. E. (9) $5,060.52.

A. The Nation-Wide Committee on Import-Export Policy, 815 15th Street NW., Washington, D.C.
D. (6) $9,350. E. (9) $13,778.36.

A. Alexander W. Neale, Jr., 1101 17th Street NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 17th Street NW., Washington, D.C.
D. (6) $2,062.50. E. (9) $245.63.

A. Alan M. Nedry, 888 17th Street NW., Washington, D.C.
B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.
D. (6) $2,500. E. (9) $2,519.63.

A. Allen Neece, Jr., 537 Washington Building, Washington, D.C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
D. (6) $300.

A. Samuel E. Neel, 1200 18th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $6,250. E. (9) $1,287.

A. Frances E. Neely, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,139.

A. George R. Nelson, 1300 Connecticut Avenue NW., Washington, D.C.
B. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,500. E. (9) $341.78.

A. Louis N. Nevins, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,667. E. (9) $50.10.

A. E. J. Newbould, 1130 17th Street NW., Washington, D.C.
B. National Clay Pipe Institute, 350 West Terra Cotta Avenue, Crystal Lake, Ill.
D. (6) $150. E. (9) $22.80.

A. F. Clayton Nicholson, Box 15, Route 1, Henryville, Pa.
B. Northern Helex Co., 2223 Dodge Street, Omaha, Nebr.
D. (6) $2,550. E. (9) $703.89.

A. Patrick J. Nilan, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, Washington, D.C.
D. (6) $5,753.50. E. (9) $1,579.87.

A. James W. Nisbet, 280 Union Station Building, Chicago, Ill.
B. Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Stanley D. Noble, 29 North Wacker Drive, Chicago, Ill.
B. Council of Profit Sharing Industries, 29 North Wacker, Chicago, Ill.

A. Robert W. Nolan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.
D. (6) $100.

A. Charles M. Noone, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of Small Business Investment Cos., 537 Washington Building, Washington, D.C.
D. (6) $1,500. E. (9) $473.98.

A. Robert D. Nordstrom, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $400. E. (9) $225.

A. Robert H. North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Graham T. Northup, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $7,000. E. (9) $12,894.

A. Seward P. Nyman, 20 Chevy Chase Circle, Washington, D.C.
B. American Podiatry Associataion, 20 Chevy Chase Circle, Washington, D.C.
D. (6) $650.

A. Raymond D. O'Connell, 400 Madison Avenue, New York, N.Y.
B. National Cable Television Association, Inc., 1634 I Street NW., Washington, D.C.
D. (6) $6,000. E. (9) $118.80.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. American Transit Association, 815 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,250. E. (9) $222.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Upper Mississippi Towing Corp., 7703 Normandale Road, Room 110, Minneapolis, Minn.
D. (6) $2,500. E. (9) $105.

A. John B. O'Day, 11 East Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 11 East Adams Street, Chicago, Ill.
D. (6) $5,844.35.

A. John A. O'Donnell, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. Jane O'Grady, 1000 Wisconsin Avenue NW., Washington, D.C.
B. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.
D. (6) $2,187.51. E. (9) $196.55.

A. Richard C. O'Hare, 1120 Investment Building, Washington, D.C.

B. Harness Tracks of America, 333 North Michigan Avenue, Chicago, Ill.

A. Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
E. (9) $1,882.47.

A. Alvin E. Oliver, 500 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 500 Folger Building, Washington, D.C.

A. Edward W. Oliver, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Robert Oliver, 400 First Street NW., Washington, D.C.
B. Sperry & Hutchinson Co., 330 Madison Avenue, New York City.

A. Michael S. Olson, 501 Raleigh Building, Raleigh, N.C.
B. Carolinas Association of Mutual Insurance Agents, Inc., 501 Raleigh Building, Raleigh, N.C.
E. (9) $185.

A. Samuel Omasta, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
E. (9) $13.50.

A. Raymond B. Ondov, 105 East Oakland Avenue, Austin, Minn.
B. The Hormel Foundation, Austin, Minn.
D. (6) $36,340. E. (9) $5,566.21.

XUM

A. 111 Realty Corp., 620 Guaranty Building, Indianapolis, Ind.
E. (9) $7,706.44.

A. Charles T. O'Neill, Jr., 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $2,000. E. (9) $89.88.

A. Jerry H. Opack, 1211 Connecticut Avenue NW., Washington, D.C.
B. Sears, Roebuck and Co., 925 South Homan Avenue, Chicago, Ill.

A. Franklin L. Orth, 1600 Rhode Island Avenue NW., Washington, D.C.
B. National Rifle Association, 1600 Rhode Island Avenue NW., Washington, D.C.
D. (6) $625.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $185.

A. Walter Page, Box 128, Cazenovia, N.Y.

A. Norman G. Paige, 1132 Pennsylvania Building, Washington, D.C.

A. J. D. Parel, 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $231.63. E. (9) $30.

A. Judith E. Park, 1909 Q Street NW., Washington, D.C.
B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.
D. (6) $2,548.97. E. (9) $124.75.

A. Michael L. Parker, 3300 Crocker Plaza, San Francisco, Calif.
B. Kaiser Foundation Health Plan, 300 Lakeside Drive, Oakland, Calif.
D. (6) $1,833.33. E. (9) $2,664.16.

A. Geo. F. Parrish, Post Office Box 7, Charleston, W.Va.
B. West Virginia Railroad Association.
D. (6) $6,000. E. (9) $167.05.

A. Parsons, Tennent, Hammond, Hardig & Ziegelman, 600 Ford Building, Detroit, Mich.
B. Conac Co., 1500 North Woodward Avenue, Birmingham, Mich.
D. (6) $200. E. (9) $3.85

A. Parsons, Tennent & Zeidman, 1625 Connecticut Avenue NW., Washington, D.C.
B. Council of Housing Producers, 1901 Avenue of the Stars, Los Angeles, Calif.

A. Robert D. Partridge, 2000 Florida Avenue, NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $78.40.

A. Patton, Blow, Verrill, Brand & Boggs, 1200 17th Street NW., Washington, D.C.
B. Boating Industry Association, 333 North Michigan Avenue, Chicago, Ill.
D. (6) $500.

A. Patton, Blow, Verrill, Brand & Boggs,, 1200 17th Street NW., Washington, D.C.
B. Donaldson, Lufkin & Jenrette, Inc., 140 Broadway, New York, N.Y.
D. (6) $1,200.

A. Patton, Blow, Verrill, Brand & Boggs,, 1200 17th Street NW., Washington, D.C.
B. Geothermal Resources International, Inc., 1705 Chester Avenue, Bakersfield, Calif.
D. (6) $500.

A. Patton, Blow, Verrill, Brand & Boggs, 1200 17th Street NW., Washington, D.C.
B. New Process Co., Warren, Pa.
D. (6) $1,000.

A. Patton, Blow, Verrill, Brand & Boggs,, 1200 17th Street NW., Washington, D.C.
B. Reader's Digest Association, Inc., Pleasantville, N.Y.
D. (6) $1,000.

A. Paul, Weiss, Goldberg, Rifkind, Wharton & Garrison, 345 Park Avenue, New York, N.Y.
B. Computer Lessors Association, Inc., Room 3901, 1 Chase Manhattan Plaza, New York, N.Y.
E. (9) $27.75.

A. Paul, Weiss, Goldberg, Rifkind, Wharton & Garrison, 1775 K Street, Washington, D.C., and 345 Park Avenue, New York, N.Y
B. Denver Post, Inc., 650 15th Street, Denver, Colo.
E. (9) $440.68.

A. Paul, Weiss, Goldberg, Rifkind, Wharton & Garrison, 345 Park Avenue, New York, N.Y.
B. GATX-Armco-Boothe, Alcoa Building, 1 Maritime Plaza, San Francisco, Calif.

A. Lynn C. Paulson, 1735 K Street NW., Washington, D.C.
B. National Independent Dairies Association, 1735 K Street NW., Washington, D.C.
E. (9) $639.42.

A. Peabody, Rivlin, Kelly, Cladouhos & Lambert, 1730 M Street NW., Washington, D.C.
B. Mass Retailing Institute, 570 7th Avenue, New York, N.Y.
D. (6) $500. E. (9) $25.

A. Pennzoil United, Inc., 900 Southwest Tower, Houston, Tex.
E. (9) $4,578.29.

A. D. V. Pensabene, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.
D. (6) $50. E (9) $25.

A. Pepper, Hamilton & Scheetz, 123 South Broad Street, Philadelphia, Pa.
B. The Glenmede Trust Co., 1608 Walnut Street, Philadelphia, Pa.
E. (9) $2,878.94.

A. J. Carter Perkins, 1700 K Street NW., Washington, D.C.
B. Shell Oil Co., 50 West 50th Street, New York.

A. A. J. Pessel, 1001 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,250. E. (9) $245.

A. A. Harold Peterson, 715 Cargil Building, Minneapolis, Minn.
B. National R.E.A. Telephone Association, 715 Cargill Building, Minneapolis, Minn.
D. (6) $2,500. E. (9) $1,179.04.

A. Esther Peterson, 815 16th Street NW., Washington, D.C.
B. Amalgamated Clothing Workers of America, 15 Union Square, New York, N.Y.
D. (6) $3,499.99. E. (9) $104.84.

A. Michael Petresky, 400 First Street, NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $2,550.

A. Walter T. Phair, 900 17th Street NW., Washington, D.C.
B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.
D. (6) $325. E. (9) $275.

A. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C.

A. John P. Philbin, 1100 Connecticut Avenue, Washington, D.C.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.
D. (6) $1,125. E. (9) $229.47.

A. Pierson, Ball & Dowd, 1000 Ring Building, Washington, D.C.
B. Committee for Study of Revenue Bond Financing, 1000 Ring Building, Washington, D.C.
D. (6) $3,333.33. E. (9) $367.24.

A. Albert Pike, 277 Park Avenue, New York, N.Y.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. James F. Pinkney, 1616 P Street NW., Washington, D.C.
B. American Trucking Association, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $38.95.

A. James H. Pipkin, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco Inc., 135 East 42d Street, New York, N.Y.
D. (6) $700. E. (9) $1,700.

A. Frederick T. Poole, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $406.30. E. (9) $8.95.

A. Robert R. Poston, 908 Colorado Building, Washington, D.C.

B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $900. E. (9) $300.66.

A. George G. Potts, 15 East Cliff Street, Alexandria, Va.
B. National Association of Mutual Insurance Agents, 520 Investment Building, Washington, D.C.
E. (9) $660.

A. Ramsay D. Potts, 910 17th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $1,540.35. E. (9) $1,295.34.

A. William J. Potts, Jr., 1730 M Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 De Sales Street NW., Washington, D.C.

A. Richard M. Powell, 1210 Tower Building, Washington, D.C.
B. National Association of Refrigerated Warehouses, 1210 Tower Building, Washington, D.C

A. William T. Powell, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $31.94.

A. Carlton H. Power, 1918 North Parkway, Post Office Box 12285, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $540. E. (9) $46.33.

A. William C. Prather, 221 North La Salle Street, Chicago, Ill.
B. U.S. Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $450.

A. William H. Press, 1616 K Street NW., Washington, D.C.
B. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.
D. (6) $8,450.

A. Forrest J. Prettyman, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C.
D. (6) $218.75. E. (9) $3.20.

A. Mrs. Pearl B. Price, 406 Mayrant Drive, Dallas, Tex.

A. Jerry C. Pritchett, 59 Ivy Street SE., Washington, D.C.
B. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C.
D. (6) $3,660. E. (9) $3,660.

A. Earle W. Putnam, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL-CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Joseph E. Quin, 1616 H Street NW., Washington, D.C.
B. National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $600.

A. William A. Quinlan, 1317 F Street NW., Washington, D.C.
B. Associated Retail Bakers of America.
D. (6) $624.72. E. (9) $237.40.

A. William A. Quinlan, 1317 F Street NW., Washington, D.C.
B. Private Truck Council of America, Inc.
D. (6) $153.73. E. (9) $58.42.

A. Earl G. Quinn, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline and Steamship Clerks, 6300 River Road, Rosemont, Ill.
D. (6) $502.50.

A. Luke C. Quinn, Jr., 1001 Connecticut Avenue NW., Washington, D.C.
B. American Cancer Society, New York, N.Y., et al.
D. (6) $21,650. E. (9) $12,050.15.

A. Thomas H. Quinn, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Committee for Study of Revenue Bond Financing, 1200 18th Street NW., Washington, D.C.
D. (6) $1,830.75. E. (9) $164.09.

A. Thomas H. Quinn, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Federal Cartridge Corp., 2700 Foshay Tower, Minneapolis, Minn.
D. (6) $5,929.16. E. (9) $360.40.

A. James H. Rademacher, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $3,375.

A. Alex Radin, 2600 Virginia Avenue NW., Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $341.40.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.
B. The Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C.

A. Railway Progress Institute, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $50. E. (9) $50.

A. Alan T. Rains, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit and Vegetable Association, 777 14th Street NW., Washington, D.C.

A. William A. Raleigh, Jr., 1000 16th Street NW., Washington, D.C.
B. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
D. (6) $4,988.

A. Carl R. Ramsey, 239 Beach Road, Alameda, Calif.
B. National Council of Naval Air Stations Employee Organizations, 239 Beach Road, Alameda, Calif.

A. Louis J. Rencourt, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill.
D. (6) $2,110.28.

A. Robert E. Redding, 1101 17th Street NW., Washington. D.C.
B. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

A. E. Lewis Reid, 111 Sutter Street, San Francisco, Calif.
B. Valley Center Municipal Water District, Valley Center, Calif.
D. (6) $1,912.50. E. (9) $251.79.

A. John A. Reilly, 59 Maiden Lane, New York, N.Y.
B. Estate of Bert N. Adams.
E. (9) $25 (estimated).

A. Research to Prevent Blindness, Inc., 598 Madison Avenue, New York, N.Y.
E.(9) $3,000.

A. Ronald E. Resh, 1300 Wyatt Building, Washington, D.C.
B. Wyatt & Saltzstein, 1300 Wyatt Building, Washington, D.C.
D. (6) $1,250.

A. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $3,575.

A. Retirement Federation of Civil Service Employees of the U.S. Government, 13th and E Streets NW., Washington, D.C.
D. (6) $9,751.88. E. (9) $8,581.72.

A. William L. Reynolds.
B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.
D. (6) $42.

A. James W. Richards, 1000 16th Street NW., Washington, D.C.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,284.02. E. (9) $17.22.

A. Harry H. Richardson, 335 Austin Street, Bogalusa, La.
B. Louisiana Railroads.
D. (6) $33.25. E. (9) $70.77.

A. Mark Richardson, 342 Madison Avenue, New York, N.Y.
B. American Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
D. (6) $250. E. (9) $250.

A. Siert F. Riepma, Munsey Building, Washington, D.C.
B. National Association of Margarine Manufacturers.

A. Richard N. Rigby, Jr., 1900 L Street NW., Washington, D.C.
B. National Oceanography Association, 1900 L Street NW., Washington, D.C.
D. (6) $435. E. (9) $61.50.

A. William Neale Roach, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. Paul H. Robbins, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $1,000.

A. Roberts & Holland, 1301 Avenue of the Americas, New York, N.Y.
B. AMK Corp., 245 Park Avenue, New York, N.Y.

A. Roberts & Holland, 1301 Avenue of the Americas, New York, N.Y.
B. Samuel Hamburger, 2001 Sherwood Road, Detroit, Mich.
E. (9) $76.04.

A. Roberts & Holland, 1301 Avenue of the Americas, New York, N.Y.
B. John D. Rockefeller, 3d, 30 Rockefeller Plaza, New York, N.Y.
E. (9) $277.17.

A. Roberts & Holland, 1301 Avenue of the Americas, New York, N.Y.
B. Trustees of the Bernice P. Bishop Estate, 519 Halekauwila Street, Honolulu, Hawaii.
E. (9) $77.35.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $185.

A. James A. Rock, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $171.85. E. (9) $1.28.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Cos., 730 15th Street NW., Washington, D.C.
D. (6) $562.50.

A. Frank W. Rogers, Suite 605, 1700 K Street NW., Washington, D.C.
B. Western Oil and Gas Association, 609 South Grand Avenue, Los Angeles, Calif.
D. (6) $688.80.

A. Walter E. Rogers, 1660 L Street NW., Suite 601, Washington, D.C.
B. Independent Natural Gas Association of America, 1660 L Street NW., Washington, D.C.
D. (6) $1,000.

A. William E. Rollow, 815 15th Street NW., Washington, D.C.
B. National Capital Area Council of Sportsmen, 815 15th Street NW., Washington, D.C.

A. William E. Rollow, 815 15th Street NW., Washington, D.C.
B. The National Skeet Shooting Association.

A. John F. Rolph III, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $1,000.

A. Michael J. Romig, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Insurance Association, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $250.

A. Michael P. Roudnev, 1825 K Street NW., Washington, D.C.
B. Del Monte Corp., 215 Fremont Street San Francisco, Calif.
D. (6) $500. E. (9) $50.

A. Robert J. Routier, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

A. Royall, Koegel & Wells, 1730 K Street NW., Washington, D.C.
B. The ARW Foundation, 100 Church Street, New York, N.Y.
D. (6) $4,000. E. (9) $95.60.

A. Royall, Koegel & Wells, 1730 K Street NW,. Washington, D.C.
B. The Morris and Gwendolyn Cafritz Foundation, 1825 K Street NW., Washington, D.C.

A. Royall, Koegel & Wells, 200 Park Avenue, New York, N.Y., and 1730 K Street NW., Washington, D.C.
B. Great Salt Lake Minerals & Chemicals Corp., Post Office Box 1190, Ogden, Utah.
D. (6) $2,615. E. (9) $257.92.

A. Royall, Koegel & Wells, 1730 K Street NW., Washington, D.C.
B. Pinkerton Foundation, 100 Church Street, New York, N.Y.
D. (6) $4,000. E. (9) $95.60.

A. Ruder & Finn, Inc., 1819 H Street NW., Washington, D.C.
B. American Academy of General Practice, Volker Boulevard at Brookside, Kansas City, Mo.
D. (6) $650.

A. Ruder & Finn, Inc., 1819 H Street NW., Washington, D.C.
B. Potter Bros., Inc., Culstadt, N.J.

A. John Forney Rudy, 902 Ring Building, Washington, D.C.
B. Goodyear Tire & Rubber Co., Akron, Ohio.

A. Harland J. Rue.
B. New Process Co., Warren, Pa.
E. (9) $81.65.

A. Rural Small Town, Small City Coalition, Inc., Rushville, Ind.
D. (6) $7,175. E. (9) $9,171.22.

A. Albert R. Russell, Post Office Box 12285, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $1,666.72. E. (9) $233.45.

A. J. T. Rutherford & Associates, Inc., 1555 Connecticut Avenue NW., Washington, D.C.
B. American College of Radiology, 20 North Wacker Drive, Chicago, Ill.
D. (6) $750. E. (9) $820.21.

A. J. T. Rutherford, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $1,108.61.

A. Mrs. Edward F. Ryan, 110 Bridge Street, Manchester, Mass.
B. National Congress of Parents & Teachers, 700 North Rush Street, Chicago, Ill.
E. (9) $500.39.

A. Russell J. Ryan, Jr., 1000 Circle Tower, Indianapolis, Ind.
B. 111 Realty Corp., 620 Guaranty Building, Indianapolis, Ind.
D. (6) $7,706.44.

A. William H. Ryan, Machinists Building, Washington, D.C.
B. International Association of Machinists & Aerospace Workers, AFL–CIO.
D. (6) $2,006.25. E. (9) $480.

A. Francis J. Ryley, 519 Title and Trust Building, Phoenix, Ariz.
B. Standard Oil Co. of California, San Francisco, et al.

A. Carl K. Sadler, 400 First Street NW., Washington, D.C.
B. American Federation of Government Employees, 400 First Street NW., Washington, D.C.
D. (6) $4,988.20. E. (9) $8,539.79.

A. Robert A. Saltzstein, 1300 Wyatt Building, Washington, D.C.
B. American Business Press, Inc., 205 East 42d Street, New York, N.Y.
D. (6) $6,562.50. E. (9) $3,596.64.

A. William H. Scheick, 1735 New York Avenue NW., Washington, D.C.
B. American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $50.

A. Jacques T. Schlenger, 1400 Mercantile Trust Building, Baltimore, Md.
B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. Edwin R. Schneider, Jr., 1522 K Street NW., Washington, D.C.
B. Mail Advertisers Educational Committee of the Major Mailers and Producers of the Mail Advertising Service Association International, Inc., 425 13th Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $295.43.

A. C. Herschel Schooley, 815 15th Street NW., Washington, D.C.
B. Independent Bankers Association of America, Sauk Centre, Minn.
D. (6) $4,250. E. (9) $4,345.91.

A. Hilliard Schulberg, 1900 L Street NW., Washington, D.C.
B. Washington, D.C., Retail Liquor Dealers Association, Inc., 1900 L Street NW., Washington, D.C.
E. (9) $121.20.

A. John W. Scott, 1616 H Street NW., Washington, D.C.
B. National Grange, 1616 H Street NW, Washington, D.C.
D. (6) $5,000.

A. Scribner, Hall, Casey, Thornburg & Thompson, 1200 18th Street NW., Washington, D.C.
B. Provident Life & Accident Insurance Co., Chattanooga, Tenn.
E. (9) $12.95.

A. Scribner, Hall, Casey, Thornburg & Thompson, 1200 18th Street NW., Washington, D.C.
B. Realty Committee on Taxation, 299 Madison Avenue, New York, N.Y.
E. (9) $4.20.

A. Scribner, Hall, Casey, Thornburg & Thompson, 1200 18th Street NW., Washington, D.C.
B. Transamerica Corp., 701 Montgomery Street, San Francisco, Calif.
E. (9) $5.13.

A. Dunward Seals, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Hollis M. Seavey, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. Ronald C. Seeley, 1357 Nicolet Place, Detroit, Mich.
B. Estate of Bert Adams et al.
E. (9) $166.38.

A. Stanton P. Sender, 1211 Connecticut Avenue NW., Washington, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. W. O. Senter, 1725 DeSales Street NW., Washington, D.C.
B. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,125. E. (9) $364.60.

A. Robert L. Shafer, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y.
D. (6) $700. E. (9) $275.

A. Joseph H. Sharlitt, 1522 K Street NW., Washington, D.C.
B. Mail Advertisers Educational Committee of the Major Mailers and Producers of the Mail Advertising Service Association International, Inc., 425 13th Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $295.43.

A. Sharon, Pierson & Semmes, 1100 17th Street NW., Washington, D.C.
B. Anchor Corp. et al.
D. (6) $1,500.

A. Sharon, Pierson & Semmes, 1100 17th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $500.

A. Sharon, Pierson & Semmes, 1100 17th Street NW., Washington, D.C.
B. Hershey Trust Co., trustee for Milton S. Hershey School, Chocolate Avenue, Hershey, Pa.
D. (6) $6,875.

A. Sharon, Pierson & Semmes, 1100 17th Street NW., Washington, D.C.
B. National Livestock Tax Committee, 500 Equitable Building, Denver, Colo.
D. (6) $3,500.

A. Sharon, Pierson & Semmes, 1100 17th Street NW., Washington, D.C.
B. Rubber Manufacturers Association, 444 Madison Avenue, New York, N.Y.
D. (6) $5,612.

A. Arnold F. Shaw, 503 D Street NW., Washington, D.C.
B. National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.

A. Kenneth D. Shaw, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill.
D. (6) $750.

A. Shaw, Pittman, Potts, Trowbridge, & Madden, Barr Building, Washington, D.C.
B. Doubleday and Co., Inc., 277 Park Avenue, New York, N.Y.

A. Ira Shesser, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Max Shine, 1126 16th Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 1126 16th Street NW., Washington, D.C.
D. (6) $992.50. E. (9) $20.

A. Grant S. Shotwell, 1957 E Street NW., Washington, D.C.
B. Associated General Contractors of America, 1957 E Street NW., Washington, D.C.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago, Ill.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,000.

A. Sidley & Austin, 1621 I Street NW., Washington, D.C.
B. American Insurance Association, 85 John Street, New York, N.Y.

A. Sidley & Austin, 1625 I Street NW., Washington, D.C.
B. Associated Third Class Mail Users, Inc., 1725 K Street NW., Washington, D.C.

A. Sidley & Austin, 1625 I Street NW., Washington, D.C.
B. Bankers National Life Insurance Co., 1 Sunset Avenue, Montclair, N.J.

A. David Silver, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Silver Users Association, 1625 I Street NW., Washington, D.C.
D. (6) $2,094. E. (9) $1,697.64.

A. Lana H. Sims, 1003 Security Federal Building, Columbia, S.C.
B. South Carolina Railroad Association, 1003 Security Federal Building, Columbia, S.C.
D. (6) $82. E. (9) $135.27.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
E. (9) $3,000.

A. Carstens Slack, 1625 I Street NW., Washington, D.C.
B. Phillips Petroleum Co., Bartlesville, Okla.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $3,125. E. (9) $44.40.

A. Donald E. Smiley, 1025 Connecticut Avenue NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $639.08.

A. T. W. Smiley, 135 East Eleventh Place, Chicago, Ill.
B. Illinois Railroad Association, 135 East Eleventh Place, Chicago, Ill.
E. (9) $2,588.40.

A. Gordon L. Smith, 1145 19th Street NW., Washington, D.C.
B. Edward Gottlieb & Associates, Ltd., 485 Madison Avenue, New York, N.Y.
E. (9) $155.76.

A. Mrs. Irvin A. Smith, 418 East Rosser Avenue, Box 938, Bismarck, N. Dak.
B. North Dakota Railway Lines.
E. (9) $22.55.

A. Robert Wm. Smith, 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $880. E. (9) $186.

A. Wallace M. Smith, 425 13th Street NW., Washington, D.C.
B. American Unsubsidized Lines, 1824 R Street NW., Washington, D.C.
D. (6) $1,800. E. (9) $115.25.

A. Wallace M. Smith, 425 13th Street NW., Washington, D.C.
B. National Association of Mutual Insurance Co's., 2611 East 46th Street, Indianapolis, Ind.

A. Wayne H. Smithey, 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $1,287.95. E. (6) $721.35.

A. Lyle O. Sander, 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $320.63. E. (9) $253.

A. Frank B. Snodgrass, 1726 M Street NW., Washington, D.C.
B. Burley & Dark Leaf Tobacco Export Assn., Post Office Box 860, Lexington, Ky.
D. (6) $487.50. E. (6) $129.65.

A. Edward F. Snyder, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NW., Washington, D.C.
D. (6) $1,900.

A. Society for Animal Protective Legislation, Post Office Box 3719, Georgetown Station, Washington, D.C.
D. (6) $4,520.57. E. (6) $3,286.81.

A. Carl A. Soderblom, 1 East First Street, Reno, Nev.
B. Nevada Railroad Association, 1 East First Street, Reno, Nev.
D. (6) $145. E. (9) $969.12.

A. J. Taylor Soop, 400 First Street NW., Washington, D.C.
B. International Brotherhood Electrical Workers, 330 South Wells Street, Chicago, Ill.
D. (6) $1,999.80.

A. William W. Spear, 1000 16th Street NW., Washington, D.C.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.,
D. (6) $1,100.40. E. (9) $4.41.

A. Frank J. Specht, 1724 DeSales Street NW., Washington, D.C.
B. Schenley Industries, Inc., 1290 Avenue of the Americas, New York, N.Y.

A. John F. Speer, Jr., 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Nicholas J. Spiezio, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $3,375. E. (9) $3,134.

A. Joseph L. Spilman, Jr., 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.
D. (6) $500. E. (9) $100.

A. Louis P. Spitz, 1828 L Street NW., Washington, D.C.
B. American Association of Motor Vehicle Administrators, 1828 L Street NW., Washington, D.C.
D. (6) $1,000.

A. Lynn Stalbaum, 1026 17th Street NW., Washington, D.C.
B. Associated Dairymen, Inc., Room 713, 1026 17th Street NW., Washington, D.C.
D. (6) $450.

A. Melvin L. Stark, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Insurance Association, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $3,000. E. (9) $350.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. American Claims in Cuba Committee, 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $325. E. (9) $8.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. Robert College of Istanbul, Turkey, 548 Fifth Avenue, New York, N.Y.
D. (6) $275. E. (9) $11.20.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. Rule of Law Committee, 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $600. E. (9) $11.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. Teachers Insurance and Annuity Association of America, 730 Third Avenue, New York, N.Y.

A. Mrs. Annalee Stewart, 120 Maryland Avenue NE., Washington, D.C.
B. Women's International League for Peace

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and Freedom, 120 Maryland Avenue NE., Washington, D.C.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.
B. Trade Relations Council of the United States, 1001 Connecticut Avenue, Washington, D.C.
D. (6) $150. E. (9) $12.

A. Travis B. Stewart, 1775 K Street NW., Washington, D.C.
B. Hoffmann-LaRoche Co., Inc., 340 Kingsland, Nutley, N.J.
D. (6) $800. E. (9) $275.

A. Stitt, Hemmendinger and Kennedy, 1000 Connecticut Avenue NW., Washington, D.C.
B. Imported Footwear Group, American Importers Association, New York, N.Y.; Japan General Merchandise Exporters' Association and Japan Rubber Footwear Manufacturers' Association, Tokyo, Japan.
D. (6) $1,300. E. (9) $820.

A. Stitt, Hemmendinger and Kennedy, 1000 Connecticut Avenue, Washington, D.C.
B. Japan Iron and Steel Exporters' Association, Tokyo, Japan.

A. Nelson A. Stitt, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $50.

A. Sterling F. Stoudenmire, Jr., 61 St. Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.

A. Francis W. Stover, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $5,350. E. (9) $419.62.

A. William M. Stover, 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $815.90. E. (9) $100.

A. Herald E. Stringer, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $5,050.50. E. (9) $499.15.

A. Structural Clay Products Industry Depletion Committee, 1032 Shoreham Building, Washington, D.C.
D. (6) $26,816.12. E. (9) $10,177.08.

A. Norman Strunk, 211 North LaSalle Street, Chicago, Ill.
B. U.S. Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $1,875. E. (9) $448.84.

A. Walter B. Stults, 537 Washington Building, Washington, D.C.
B. National Association of Small Business Investment Co., 537 Washington Building, Washington, D.C.
D. (6) $600.

A. Norman A. Sugarman, 1956 Union Commerce Building, Cleveland, Ohio.
B. Battelle Memorial Institute, 505 King Avenue, Columbus, Ohio.
D. (6) $2,500. E. (9) $109.94.

A. Norman A. Sugarman, 1956 Union Commerce Building, Cleveland, Ohio.
B. Federal Cartridge Corp., 2700 Foshay Tower, Minneapolis, Minn.
D. (6) $2,000. E. (9) $200.75.

A. Norman A. Sugarman, 1956 Union Commerce Building, Cleveland, Ohio.
B. Olin Foundation, Inc., 1 East 44th Street, New York, N.Y.

A. Barry Sullivan, 536 Washington Building, Washington, D.C.
B. National Association of River & Harbor Contractors, 536 Washington Building, Washington, D.C.

A. John T. Sun, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Irving W. Swanson, 1155 15th Street NW., Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. Noble J. Swearingen, 128 C Street NE., Washington, D.C.
B. National Tuberculosis and Respiratory Disease Association, 1740 Broadway, New York, N.Y.
D. (6) $950. E. (9) $103.45.

A. John R. Sweeney, 1000 16th Street NW., Washington, D.C.
B. Bethlehem Steel Corp., Bethlehem, Pa.

A. Russell A. Swindell, Post Office Box 2635, Raleigh, N.C.
D. (6) $204.96. E. (9) $75.

A. Synthetic Organic Chemical Manufacturing Association, 330 Madison Avenue, New York, N.Y.
E. (9) $248.58.

A. Charles P. Taft, 1028 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee, Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.

A. Rev. Charles C. Talley, 100 Augus Court, Charlottesville, Va.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. L. D. Tharp, Jr., 1660 L Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 1660 L Street NW., Washington, D.C.
D. (6) $300.

A. Wm. B. Thompson, Jr., 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $224. E. (9) $265.65.

A. William H. Tinney, 2000 L Street NW., Washington, D.C.
B. Penn Central Transportation Co., 230 Park Avenue, New York, N.Y.

A. E. Linwood Tipton, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Tobacco Associates, Inc., 1101 17th Street NW., Washington, D.C.
E. (9) $1,115.

A. H. Willis Tobler, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $2,800. E. (9) $249.37.

A. David R. Toll, 1140 Connecticut Avenue, Washington, D.C.
B. National Association of Electric Companies, 1140 Connecticut Avenue, Washington, D.C.
D. (6) $500.85. E. (9) $758.29.

A. F. Gerald Toye, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $1,200. E. (9) $23.25.

A. Trade Relations Council of the United States, 1001 Connecticut Avenue, Washington, D.C.
E. (9) $162.

A. Joseph P. Trainor, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline and Steamship Clerks, 6300 River Road, Rosemont, Ill.
D. (6) $2,110.28

A. Transportation Association of America, 1101 17th Street NW., Washington, D.C.
E. (9) $6.25.

A. Richard S. Tribbe, 1000 16th Street NW., Washington, D.C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.

A. Matt Triggs, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,244. E. (9) $55.36.

A. Bernard H. Trimble, 1730 Rhode Island Avenue NW., Washington, D.C.
B. National Electrical Contractors Association, 1730 Rhode Island Avenue NW., Washington, D.C.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $5,000. E. (9) $112.

A. Joe B. True.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. Galen Douglas Trussell.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. Richard F. Turney, 835 Southern Building, Washington, D.C.
B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.
D. (6) $20. E. (9) $287.84.

A. John D. Tyson.
B. International Paper Co., 220 East 42d Street, New York, N.Y.
D. (6) $410.16. E. (9) $140.56.

A. United Cerebral Palsy Associations, Inc., 66 East 34th Street, New York, N.Y.
E. (9) $1,412.06.

A. United Federation of Postal Clerks, 817 14th Street NW, Washington, D.C.
D. (6) $611,481.80. E. (9) $44,372.72.

A. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $285.03. E. (9) $285.03.

A. United States Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.
E. (9) $33,037.10.

A. The Universal Exchange, Post Office Box 8701, Orlando, Fla.
E. (9) $418.89.

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A. Valicenti, Leighton-Reid & Pine and Richard L. Goldman, 70 Pine Street, New York, N.Y.

B. Association of Mutual Fund Plan Sponsors, Inc., 50 East 42d Street, New York, N.Y.

D. (6) $7,000. E. (9) $864.18.

A. John A. Vance, 1725 K Street NW., Washington, D.C.

B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.

D. (6) $3,420. E. (9) $2,438.55.

A. Theodore A. Vanderzyde, Machinists Building, Washington, D.C.

B. International Association of Machinists & Aerospace Workers, AFL–CIO.

D. (6) $2,006.25. E. (9) $480.

A. Mrs. Lois W. Van Valkenburgh, 1673 Preston Road, Alexandria, Va.

B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.

D. (6) $90.60.

A. Venable, Baetjer & Howard, 1400 Mercantile Trust Building, Baltimore, Md.

B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. Richard E. Vernor, 1701 K Street NW., Washington, D.C.

B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

D. (6) $414.82. E. (9) $30.15.

A. L. T. Vice, 1700 K Street NW., Washington, D.C.

B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.

E. (9) $75.

A. Vinson, Elkins, Searls & Connally, 2201 First City National Bank Building, Houston, Tex.

B. Livestock Producers Committee, 2000 National Bank of Commerce Building, San Antonio, Tex.

E. (9) $2,891.77.

A. Volume Footwear Retailers of America, Inc., 51 East 42d Street, New York, N.Y.

E. (9) $185.92.

A. E. R. Wagner, 888 17th Street NW., Washington, D.C.

B. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.

D. (6) $215.38. E. (9) $50.25.

A. Paul A. Wagner, 1126 16th Street NW., Washington, D.C.

B. International Union, United Automobile, Aerospace & Agricultural Implement Workers, 8000 East Jefferson Avenue, Detroit, Mich.

D. (6) $742.50. E. (9) $153.15.

A. Richard B. Walbert, 888 17th Street NW., Washington, D.C.

B. National Association of Securities Dealers, Inc.

A. Harold S. Walker, Jr., 605 Third Avenue, New York, N.Y.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

E. (9) $236.89.

A. Jack A. Waller, 905 16th Street NW., Washington, D.C.

B. International Association of Fire Fighters, 905 16th Street NW., Washington, D.C.

A. Franklin Wallick, 1126 16th Street NW., Washington, D.C.

B. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America, Solidarity House, 8000 East Jefferson Avenue, Detroit, Mich.

D. (6) $4,172.48. E. (9) $1,074.55.

A. Charles S. Walsh.

B. National Cable Television Association, Inc., 1634 I Street NW., Washington, D.C.

D. (6) $127.50. E. (9) $15.

A. Thomas G. Walters, 1909 Q Street NW., Washington, D.C.

B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.

D. (6) $2,884.80. E. (9) $2,869.20.

A. William A. Walton, 800 Merchants National Bank Building, Topeka, Kans.

B. Kansas Railroad Committee, 800 Merchants National Bank Building, Topeka, Kans.

A. War Singles (Not War Widows), 1692A Green Street, San Francisco, Calif.

D. (6) $164. E. (9) $107.17.

A. Richard D. Warden, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $5,437.50. E. (9) $427.20.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C.

B. American Occupational Therapy Association, 251 Park Avenue South, New York, N.Y.

D. (6) $350. E. (9) $285.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C.

B. Rehabilitation Institute of Chicago, 401 East Ohio Street, Chicago, Ill.

D. (6) $900. E. (9) $800.

A. Charles A. Webb, 1025 Connecticut Avenue NW., Washington, D.C.

B. National Association of Motor Bus Owners, 1025 Connecticut Avenue NW., Washington, D.C.

A. F. Jerome Webster, Jr.

B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

D. (6) $100.

A. Clarence M. Weiner, 350 Fifth Avenue, New York, N.Y.

B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.

D. (6) $8,750.

A. Dr. Frank J. Welch, 3724 Manor Road, Chevy Chase, Md.

B. The Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C.

A. Joseph E. Welch, 1630 Locust Street, Philadelphia, Pa.

B. Wellington Management Co., 1630 Locust Street, Philadelphia, Pa.

A. Wenchel, Schulman & Manning, 1625 K Street NW., Washington, D.C.

B. The Heckscher Foundation for Children, 52 Vanderbilt Avenue, New York, N.Y.

E. (9) $45.86.

A. Wenchel, Schulman & Manning, 1625 K Street, Washington, D.C.

B. J. L. Hudson Co., 1206 Woodward Avenue, Detroit, Mich.

E. (9) $32.04.

A. Wenchel, Schulman & Manning, 1625 K Street NW., Washington, D.C.

B. National Bank of Detroit, Detroit, Mich.

D. (6) $2,000. E. (9) $127.98.

A. Wenchel, Schulman & Manning, 1625 K Street NW., Washington, D.C.

B. Public Welfare Foundation, Inc., 2600 Virginia Avenue NW., Washington, D.C.

A. Terrell M. Wertz, 1608 K Street NW., Washington, D.C.

B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $2,934. E. (9) $83.14.

A. West Mexico Vegetable Distributors Association, Post Office Box 848, Nogales, Ariz.

E. (9) $500.

A. Edwin M. Wheeler, 1700 K Street NW., Washington, D.C.

B. Fertilizer Institute, 1700 K Street NW., Washington, D.C.

E. (9) $50.

A. John L. Wheeler, 1211 Connecticut Avenue NW., Washington, D.C.

B. Sears, Roebuck and Co., 925 South Homan Avenue, Chicago, Ill.

A. John C. White, 1317 F Street NW., Washington, D.C.

B. Private Truck Council of America, Inc., 1317 F Street NW., Washington, D.C.

A. John S. White, 420 Cafritz Building, Washington, D.C.

B. Marathon Oil Co., Findlay, Ohio.

E. (9) $138.91.

A. Douglas Whitlock II, 910 Washington Building, Washington, D.C.

B. Montgomery Ward & Co., Box 8339, Chicago, Ill.

A. Whitlock & Tait, 1032 Shoreham Building, Washington, D.C.

B. American Institute of Laundering, Joliet, Ill., and National Institute of Drycleaning, 909 Burlington Avenue, Silver Spring, Md.

D. (6) $500.

A. William E. Wickert, Jr., 1000 16th Street NW., Washington, D.C.

B. Bethlehem Steel Corp., 701 East Third Street, Bethlehem, Pa.

A. Leonard M. Wickliffe, 11th and L Building, Sacramento, Calif.

B. California Railroad Association, 11th and L Building, Sacramento, Calif.

D. (6) $2,312.49. E. (9) $4,879.48.

A. Claude C. Wild, Jr., 1025 Connecticut Avenue NW., Washington, D.C.

B. Gulf Oil Corp., Pittsburgh, Pa.

D. (6) $1,000. E. (9) $250.

A. Billy Glen Wiley, 1000 16th Street NW., Washington, D.C.

B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.

D. (6) $736. E. (9) $9.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. American Association of Presidents of Independent Colleges and Universities, in care of John Howard, President, Rockford College, Rockford, Ill.

E. (9) $15.70.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y.

E. (9) $90.78.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. Arapahoe Indian Tribe, Fort Washakie, Wyo.

E. (9) $37.10.

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A. Wilkinson, Cragun & Barker 1616 H Street NW., Washington, D.C.
B. Association of Data Processing Service Organizations, Inc., 420 Lexington Avenue, New York, N.Y.
E. (9) $70.98.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Brigham Young University, Provo, Utah.
E. (9) $0.90.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Church of Jesus Christ of Latter-Day Saints, 47 East South Temple, Salt Lake City, Utah.
E. (9) $7.80.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. College Placement Council, Inc., 65 East Elizabeth Street, Bethlehem, Pa.
E. (9) $7.50.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.
E. (9) $38.50.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Estate of Albert W. Small, c/o Mrs. Albert W. Small, 5803 Green Tree Road, Bethesda, Md.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Hoopa Valley Tribe, Post Office Box 817, Hoopa, Calif.
E. (9) $0.92.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. National Congress of American Indians, 1346 Connecticut Avenue NW., Washington, D.C.
E. (9) $36.38.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Quinaielt Tribe of Indians, Taholah, Wash.
E. (9) $36.10.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. The Three Affiliated Tribes of the Fort Berthold Reservation, New Town, N. Dak.
E. (9) $40.35.

A. John Willard, Box 1172, Helena, Mont.
B. Montana Railroad Association, Box 1172, Helena, Mont.
D. (6) $400. E. (9) $428.58.

A. Francis G. Williams.
B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.
D. (6) $100.

A. Harding deC. Williams.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000. E. (9) $594.84.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. American Express Co., 65 Broadway, New York, N.Y.
E. (9) $6.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C
B. Automobile Manufacturers Association, 320 New Center Building, Detroit, Mich.
E. (9) $293.25.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. Chronicle Publishing Co., Fifth and Mission Streets, San Francisco, Calif.
E. (9) $15.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. Kaiser Industries Corp., 300 Lakeside Drive, Oakland, Calif.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. Massachusetts Institute of Technology, Cambridge, Mass.
E. (9) $1.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. National Corporation for Housing Partnership, 1625 L Street NW., Washington, D.C.
D. (6) $500. E. (9) $1.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. Stanford University, Stanford, Calif.
D. (6) $510. E. (9) $22.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. Yale University, New Haven, Conn.
E. (9) $51.

A. E. Raymond Wilson, 245 Second Street NW., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $925.

A. Earl Wilson, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline and Steamship Clerks, 630 River Road, Rosemont, Ill.
D. (6) $285.38. E. (9) $114.18.

A. Frank J. Wilson, 888 17th Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. Milburn E. Wilson, Route 1, Fremont, Mich.
B. Gerber Products Co., 445 State Street, Fremont, Mich.
D. (6) $200.

A. W. E. Wilson, 623 Ockley Drive, Shreveport, La.
B. Pennzoil United, Inc., 900 Southwest Tower, Houston, Tex.
D. (6) $1,800. E. (9) $1,099.61.

A. R. J. Winchester, 900 Southwest Tower, Houston, Tex.
B. Pennzoil United, Inc., 900 Southwest Tower, Houston, Tex.
D. (6) $500. E. (9) $398.68.

A. Richard F. Witherall, 702 Majestic Building, Denver, Colo.
B. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.
D. (6) $1,350. E. (9) $2,905.

A. Peter L. Wolff, Washington, D.C.
B. Association of American Law Schools, 1 Dupont Circle NW., Washington, D.C.

A. Nathan T. Wolkomir, 1737 H Street NW., Washington, D.C.
D. (6) $6,395.20. E. (9) $1,112.09.

A. James Woodside, 1126 16th Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 1126 16th Street NW., Washington, D.C.
D. (6) $240. E. (9) $20.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.
B. Flying Tiger Line, Inc., Los Angeles International Airport, Los Angeles, Calif.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.
B. Signal Co., Inc., 1010 Wilshire Boulevard, Los Angeles, Calif.

A. Perry W. Woofter, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $1,718.75. E. (9) $1,077.32.

A. Frank K. Woolley, 230 North Michigan Avenue, Chicago, Ill.
B. Association of American Physicians & Surgeons, Inc., 230 North Michigan Avenue, Chicago, Ill.

A. Wyman, Bautzer, Finell, Rothman & Kuchel, 1211 Connecticut Avenue NW., Washington, D.C.
B. City of Palm Springs, Municipal Building, Palm Springs, Calif.

A. Wyman, Bautzer, Finell, Rothman & Kuchel, 1211 Connecticut Avenue NW., Washington, D.C.
B. Copyright Owners Negotiating Committee, in care of Phillips, Nizer, Benjamin, Krim & Ballon, 477 Madison Avenue, New York, N.Y.
D. (6) $225.

A. Wyman, Bautzer, Finell, Rothman & Kuchel, 1211 Connecticut Avenue NW., Washington, D.C.
B. Paul, Weiss, Goldberg, Rifkind, Wharton & Garrison, 345 Park Avenue, New York, N.Y.
E. (9) $46.10.

A. Wyman, Bautzer, Finell, Rothman & Kuchel, 1211 Connecticut Avenue NW., Washington, D.C.
B. Unionamerica, Inc., 435 South Figueroa Street, Los Angeles, Calif.
D. (6) $200.

A. Jack Yelverton, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.
B. Association of Corporate Owners of One Bank, 905 16th Street NW., Washington, D.C.
D. (6) $500. E. (9) $62.05.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.
B. First National City Bank, 399 Park Avenue, New York, N.Y.
D. (6) $100. E. (9) 48.62.

A. J. Banks Young, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $600.

A. Kenneth Young, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington D.C.
D. (6) $5,437.50. E. (9) $488.01.

A. Robert C. Zimmer, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

XUM

A. Zimring, Gromfine and Sternstein, 1155 15th Street NW., Washington, D.C., and 11 South LaSalle Street, Chicago, Ill.

A. Albert H. Zinkand, 1701 Pennsylvania Avenue, Washington, D.C.
B. Getty Oil Company.

A. John Zorack, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $900. E. (9) $211.85.

A. Charles O. Zuver, 815 Connecticut Avenue NW., Washington, D.C.
B. American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $500. E. (9) $50.

REGISTRATIONS

The following registrations were submitted for the fourth calendar quarter 1969:

(NOTE.—The form used for report is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19______ ◀

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.
2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◀

AFFIDAVIT

[Omitted in printing]

PAGE 1◀

A. Alert, Inc., 1404 New York Avenue NW., Washington, D.C.

A. Willis W. Alexander, 815 Connecticut Avenue NW., Washington, D.C.
B. American Bankers Association, 90 Park Avenue, New York, N.Y.

A. Arent, Fox, Kintner, Plotkin, & Kahn, 1815 H Street NW., Washington, D.C.
B. Conwood Corp., 701 North Main Street, Memphis, Tenn.

A. William E. Armstrong, 128 West Jersey Street, Elizabeth, N.J.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. American Council of Learned Societies, 345 East 46th Street, New York, N.Y.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Chris-Craft Industries, Inc., 600 Madison Avenue, New York, N.Y.

A. John C. Ashton, 1156 15th Street NW., Washington, D.C.
B. Northern Pacific Railway, Northern Pacific Building, St. Paul, Minn.

A. Average Citizens' Voters & Taxpayers Association of America, Inc., 1813 Keokee Street, Adelphi, Md.

A. Richard B. Barker, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Lennox Industries, Inc., Post Office Box 250, Marshalltown, Iowa.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen, & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C., for Synthetic Organic Chemical Manufacturers Association.

XUM

A. Robert W. Barrie, 2600 Virginia Avenue NW., Washington, D.C.
B. General Electric Co., 777 14th Street NW., Washington, D.C.

A. Robert M. Bartell, 1033 National Press Building, Washington, D.C.

A. Michael K. Beard, 2029 K Street NW., Washington, D.C.
B. World Federalists, USA, 2029 K Street NW., Washington, D.C.

A. Bluejay Oil Co., 1108 National Press Building, Washington, D.C.

A. John Borbridge, Jr., 1675 C Street, Anchorage, Alaska.
B. Central Council of the Tlingit & Haida Indians, 1675 C Street, Anchorage, Alaska.

A. Ophalandus Brasfield, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile, Aerospace & Agricultural Implement Workers, 8000 East Jefferson Avenue, Detroit, Mich.

A. John Henry Brebbia, 1100 Connecticut Avenue NW., Washington, D.C.
B. Metropolitan Taxicab Board of Trade, 1775 Broadway, New York, N.Y.

A. Monroe Butler, 1801 Avenue of the Stars, Los Angeles, Calif.
B. Superior Oil Co., 1801 Avenue of the Stars, Los Angeles, Calif.

A. John R. Carson, 20 Chevy Chase Circle, Washington, D.C.
B. American Podiatry Association, 20 Chevy Chase Circle, Washington, D.C.

A. A. Carstenson.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo., and 1012 14th Street NW., Washington, D.C.

A. L. Robert Castorr, 1033 National Press Building, Washington, D.C.

A. Central Council of the Tlingit and Haida Indians, 1675 C Street, Anchorage, Alaska.

A. Frank Chelf, 220 C Street SE., Washington, D.C.
B. Conwood Corp., 701 North Main Street, Memphis, Tenn.

A. William F. Claire, 2029 K Street NW., Washington, D.C.
B. World Federalists, USA, Inc., 2029 K Street NW., Washington, D.C.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
B. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C.
B. Australian Meat Board, 30 Grosvenor Street, Sydney, N.S.W., Australia.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C.
B. Hughes Tool Co., Houston, Tex.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C.
B. Owens-Illinois, Inc., Madison Avenue and St. Clair Street, Box 1035, Toledo, Ohio.

A. Cohen & Uretz, 1730 M Street NW., Washington, D.C.
B. Wisconsin Corp., Seattle, Wash.

A. Collier, Shannon, Rill & Edwards, 1625 I Street NW., Washington, D.C.
B. Boston Herald Traveler Corp., 300 Harrison Avenue, Boston, Mass.

A. Columbia Gas System Service Corp., 120 East 41st Street, New York, N.Y.

A. Conwood Corp., 701 North Main Street, Memphis, Tenn.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.
B. Adhesive & Sealant Council, 1410 Higgens Road, Park Ridge, Ill.

A. Charles W. Davis, One First National Plaza, Chicago, Ill.
B. Chicago Bridge & Iron Co., 901 West 22d Street, Oak Brook, Ill.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Corporate Fiduciaries Association of Chicago, care of Mr. Van Gathany, 50 S. LaSalle Street, Chicago, Ill.

A. R. Hilton Davis, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D.C.

A. Davis, Wright, Todd, Riese & Jones, 4200 Seattle-First National Bank Building, Seattle, Wash.
B. Arctic Slope Native Association, Post Office Box 486, Barrow, Alaska.

A. Dawson, Nagel, Sherman & Howard, 1900 First National Bank Building, Denver, Colo.
B. Boettcher & Co., 828 17th Street, Denver, Colo.

A. Dawson, Nagel, Sherman & Howard, 1900 First National Bank Building, Denver, Colo.
B. Colorado Bond Dealers Association, care of W. A. Conklin, 660 17th Street, Denver, Colo.

A. DeHart & Broide, Inc., 1150 Connecticut Avenue NW., Washington, D.C.
B. Wisconsin Corp., 1309 Hoge Building, Seattle, Wash.

A. Denver Post, Inc., 650 15th Street, Denver, Colo.

A. R. Daniel Devlin, 1000 16th Street NW., Washington, D.C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.

A. Joseph E. Dillon, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Federal Cartridge Corp., 2700 Foshay Tower, Minneapolis, Minn.

A. H. Stewart Dunn, Jr., 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Longwood Foundation, Inc., 2024 Dupont Building, Wilmington, Del.

A. H. Stewart Dunn, Jr., 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Wilmington Trust Co., Wilmington, Del.

A. George V. Egge, Jr., 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Emergency Committee for American Trade, 1211 Connecticut Avenue NW., Washington, D.C.

A. Walton J. Fischer, 1922 F Street NW., Washington, D.C.
B. National Association of Life Underwriters, 1922 F Street NW., Washington, D.C.

A. Ronald J. Foulis, 1140 Connecticut Avenue NW., Washington, D.C.
B. Encyclopaedia Britannica, Inc. and William P. Benton, 425 North Michigan Avenue, Chicago, Ill.

A. Fuller, Seney, Henry & Hodges, Eighth Floor, Owens-Illinois Building, Toledo, Ohio.
B. Owens-Illinois Inc., Madison Avenue and St. Clair Street, Box 1035, Toledo, Ohio.

A. Jay W. Glasmann, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Xerox Corp., Stamford, Conn.

A. Ashton G. Gonella, 121 Second Street NE., Washington, D.C.

A. John Gonella, 4836 Van Ness Street NW., Washington, D.C.

A. John Gonella, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill.

A. William Habel, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. H. Robert Halper, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Southeastern Lumber Manufacturers

Association, 1001 Virginia Avenue, Hapeville, Ga.

A. Hamel, Morgan, Park & Saunders, 888 17th Street, NW., Washington, D.C.
B. Economics Laboratory, Inc., Osborn Building, St. Paul, Minn.

A. Hamel, Morgan, Parks & Saunders, 888 17th Street, NW, Washington, D.C.
B. Standard Oil Co., (Indiana), 910 South Michigan Avenue, Chicago, Ill.

A. Jerry W. Hamovit, 815 Connecticut Avenue NW., Washington, D.C.
B. Greyhound Leasing & Financial Corp., 10 South Riverside Plaza, Chicago, Ill.

A. Harold Weinberg, Harby, 8018 Richmond Highway, Alexandria, Va.

A. Andrew E. Hare, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.

A. Haynes & Miller, 1511 K Street NW., Washington, D.C.
B. Northeast Utilities Service Co. & Subsidiaries, Post Office Box 270, Hartford, Conn.

A. Richard I. Hersh, 1025 Vermont Avenue NW., Washington, D.C.
B. National Retail Furniture Association, 1150 Merchandise Mart, Chicago, Ill.

A. Andrew I. Hickey, Jr., 1133 15th Street Washington, D.C.
B. Federal National Mortgage Association, 1133 15th Street NW., Washington, D.C.

A. Frederic W. Hickman, 1 North LaSalle Street, Chicago, Ill.
B. Corporate Fiduciaries Association of Chicago, c/o Mr. Van Gathany, 50 S. LaSalle Street, Chicago, Ill.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C.
B. Committee of European National Shipowners' Associations, 30/32 St. Mary Axe, London, E.C. 3.

A. Holland & Hart, 500 Equitable Building, Denver, Colo.
B. Denver Post, Inc., 650 15th Street, Denver, Colo.

A. Ronald A. Jacks, 1025 Connecticut Avenue NW., Washington, D.C.
B. National Association of Property & Casualty Reinsurers, 1025 Connecticut Avenue NW., Washington, D.C.

A. Ronald J. James, 2100 M Street NW., Washington, D.C.
B. Urban Coalition Action Council, Inc., 2100 M Street NW., Washington, D.C.

A. Frank M. Karsten, 221 Emerald Hill Drive, Washington, D.C.
B. Affiliated Government Organizations, Brooklyn, N.Y.

A. Robert F. Kennon, 356 St. Charles Street, Baton Rouge, La.
B. Stroock & Stroock & Lavan, 61 Broadway, New York, N.Y.

A. Kennon, White & Odom, 356 St. Charles Street, Baton Rouge, La.
B. James Irvine Foundation, 111 Sutter Street, San Francisco, Calif.

A. Michael L. Kerley, 1922 F Street NW., Washington, D.C.
B. National Association of Life Underwriters, 1922 F Street NW., Washington, D.C.

A. H. Cecil Kilpatrick, 1776 K Street NW., Washington, D.C.
B. National Association of Real Estate Investment Funds, 900 Chapel Street, New Haven, Conn.

A. Charles L. King, 1329 E Street NW., Washington, D.C.
B. Air Line Pilots Association, International.

A. Stephen Kurzman, 1616 H Street NW., Washington, D.C.
B. The Urban Coalition Action Council, Inc., 2100 M Street NW., Washington, D.C.

A. John P. Lagomarcino, 2100 M Street NW., Washington, D.C.
B. Urban Coalition Action Council, Inc., 2100 M Street NW., Washington, D.C.

A. Ronald A. Lang, 330 Madison Avenue, New York, N.Y.
B. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.

A. Asger F. Langlykke, 1913 I Street NW., Washington, D.C.
B. American Society for Microbiology, 1913 I Street NW., Washington, D.C.

A. Donald F. Lavanty, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, Inc., c/o J. C. Tumblin, O.D., Post Office Box 5147, Knoxville, Tenn.

A. League for Economic Assistance and Development, c/o George R. Gerardi, 390 Plandome Road, Manhasset, N.Y.

A. William J. Lehrfeld, 1000 Federal Bar Building, Washington, D.C.
B. Imperial Council, Ancient Arabic Order of the Nobles of the Mystic Shrine for North America (Shriners), 323 North Michigan Avenue, Chicago, Ill.

A. William J. Lehrfeld, 1000 Federal Bar Building, Washington, D.C.
B. Strawberry Water Users Association, Payson, Utah.

A. Steven H. Lesnik, 1155 15th Street NW., Washington, D.C.
B. Lumbermen's Mutual Casualty Co., 4750 North Sheridan Road, Chicago, Ill.

A. Herbert Liebenson, 1225 19th Street NW., Washington, D.C.

A. Livestock Producers Committee, 2000 National Bank of Commerce Building, San Antonio, Tex.

A. Lord, Day & Day, 25 Broadway, New York, N.Y.
B. Virginia and D. K. Ludwig Foundation, 1345 Avenue of the Americas, New York, N.Y.

A. James F. Lovett, 1000 Connecticut Avenue NW., Washington, D.C.
B. Westinghouse Electric Corp., 3 Gateway Center, Pittsburgh, Pa.

A. Virginia and D. K. Ludwig Foundation, 1345 Avenue of the Americas, New York, N.Y.

A. Lumbermen's Mutual Casualty Co., 4750 North Sheridan Road, Chicago, Ill.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Cities Service Co., 60 Wall Street, New York, N.Y.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Corporate Fiduciaries of Chicago, LaSalle Street, Chicago, Ill.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Gulf Resources & Chemical Corp., 2125 Tennessee Building, Houston, Tex.

A. William K. McGrath, 1616 H Street NW., Washington, D.C.
B. American Retail Federation, 1616 H Street NW., Washington, D.C.

A. McNutt, Dudley & Easterwood, 910 17th Street NW., Washington, D.C.
B. American Dredging Co., 12 South 12th Street, Philadelhpia, Pa., Great Lakes Dredge & Dock Co., 228 North La Salle Street, Chicago, Ill., and Dunbar & Sullivan Dredging Co., 2312 Buhl Building, Detroit, Mich.

A. Alwyn F. Matthews.
B. Major League Baseball Players' Association, National Basketball Players Association, and National Hockey League Players Association.

A. Edward L. Merrigan, 1700 Pennsylvania Avenue, Washington, D.C.
B. Vance Sanders Co. Inc., 111 Devonshire Street, Boston, Mass.

A. James G. Michaux, 777 14th Street NW., Washington, D.C.
B. Federated Department Stores, Inc., 222 West Seventh Street, Cincinnati, Ohio.

A. Miller & Chevalier, 1700 Pennsivania Avenue NW., Washington, D.C.
B. American Smelting & Refining Co., 120 Broadway, New York, N.Y.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Columbia Gas System Service Corp., 120 East 41st Street, New York, N.Y.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Iowa State University, Ames, Iowa.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Marshfield Clinic, Marshfield, Wis.

A. Daniel Minchew, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

A. O. William Moody, Jr., 815 16th Street NW., Washington, D.C.
B. Maritime Trades Department, AFL–CIO, 815 16th Street NW., Washington, D.C.

A. Paul W. Morgan, Jr., 132 Virginia Avenue, West Chester, Pa.

A. John G. Morley, 542 South 23rd Street, Arlington, Va.

A. James T. Mular, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill.

A. Gary M. Nateman, 1922 F Street NW., Washington, D.C.
B. National Association of Life Underwriters, 1922 F Street NW., Washington, D.C.

A. National Association of Real Estate Investment Funds, 900 Chapel Street, New Haven, Conn.

A. National Patent Council, 1225 19th Street NW., Washington, D.C.

A. National Sharecroppers Fund, Inc., 112 East 19th Street, New York, N.Y.

A. National Star Route Mail Carriers' Association, 324 East Capitol Street, Washington, D.C.

B. John V. Maraney, 324 East Capitol Street, Washington, D.C.

A. National Taxation, Inc., 1033 National Press Building, Washington, D.C.

A. John F. O'Neal, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. National R.E.A. Telephone Association, 715 Cargill Building, Minneapolis, Minn.

A. John F. O'Neal, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Southeastern Lumber Manufacturers Association, 1001 Virginia Avenue, Hapeville, Ga.

A. Parsons, Tennent & Zeidman, 1025 Connecticut Avenue NW., Washington, D.C.
B. Council of Housing Producers, 1901 Avenue of the Stars, Los Angeles, Calif.

A. Patton, Blow, Verrill, Brand & Boggs, 1200 17th Street NW., Washington, D.C.
B. Donaldson, Lufkin & Jenrette, Inc., 140 Broadway, New York, N.Y.

A. Patton, Blow, Verrill, Brand & Boggs, 1200 17th Street NW., Washington, D.C.
B. Geothermal Resources International, Inc., 1705 Chester Avenue, Bakersfield, Calif.

A. Patton, Blow, Verrill, Brand and Boggs, 1200 17th Street NW., Washington, D.C.
B. New Process Co., Warren, Pa.

A. Paul, Weiss, Goldberg, Rifkind, Wharton & Garrison, 1775 K Street, Washington, D.C.; 345 Park Avenue, New York, N.Y.
B. Denver Post, Inc., 650 15th Street, Denver, Colo.

A. Peabody, Rivlin, Kelly, Cladouhos and Lambert, 1730 M Street NW., Washington, D.C.
B. National Cable Television Association, 1634 I Street NW., Washington, D.C.

A. Peabody, Rivlin, Kelly, Cladouhos & Lambert, 1730 M Street NW., Washington, D.C.
B. National Tool, Die and Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Pepper, Hamilton & Scheetz, 1629 K Street NW., Washington, D.C.
B. INA Corp., 1600 Arch Street, Philadelphia, Pa.

A. Georgette Kelley Peterson, 520½ G Street SE., Washington, D.C.
B. Peace in Africa, 240 Dewy Avenue, Buffalo, N.Y.

A. Pierson, Ball & Dowd, 1000 Ring Building, Washington, D.C.
B. El Pomar Foundation, Post Office Box 158, Colorado Springs, Colo.

A. Pierson, Ball & Dowd, 1000 Ring Building, Washington, D.C.
B. Federal Cartridge Corp., 2700 Foshay Tower, Minneapolis, Minn.

A. Pierson, Ball & Dowd, 1000 Ring Building, Washington, D.C.
B. Mae Lama Mining Co., Ltd., No. 51, Soi Klang, Bangkapi Bangkok, Thailand.

Pierson, Ball & Dowd, 1000 Ring Building, Washington, D.C.
B. Olin Foundation, 1 East 44th Street, New York, N.Y.

A. Thomas H. Quinn, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Federal Cartridge Corp., 2700 Foshay Tower, Minneapolis, Minn.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. Atkins, Kroll & Co., Ltd., 417 Montgomery Street, San Francisco, Calif.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. Virginia and D. K. Ludwig Foundation, 1345 Avenue of the Americas, New York, N.Y.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. Harold A. Miller, in care of Miller Redwood Co., 315 Pacific Building, Portland, Oreg.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. National Bulk Carriers, Inc., 1345 Avenue of the Americas, New York, N.Y.

A. W. W. Renfroe, 101 East High Street, Lexington, Ky.

A. James W. Riddell, 723 Washington Building, Washington, D.C.
B. Volume Footwear Retailers of America, 51 East 42d Street, New York, N.Y.

A. Eric P. Schellin, 1225 19th Street NW., Washington, D.C.
B. National Patent Council, 1225 19th Street NW., Washington, D.C.

A. Martin S. Schwartz, 427 West Fifth Street, Los Angeles, Calif.
B. California Savings & Loan League, 1444 Wentworth Street, Pasadena, Calif.

A. Scribner, Hall, Casey, Thornburg & Thompson, 1200 18th Street NW., Washington, D.C.
B. Realty Committee on Taxation, 299 Madison, N.Y.

A. Scribner, Hall, Casey, Thornburg & Thompson, 1200 18th Street NW., Washington, D.C.
B. Transamerica Corp., 701 Montgomery Street, San Francisco, Calif.

A. John J. Sexton, 1815 H Street NW., Washington, D.C.
B. J. A., and Leta M. Chapman Trust, c/o National Bank of Tulsa, Tulsa, Okla.

A. Henry B. Shepard, Jr., 28 State Street, Boston, Mass.
B. Boston Co., Inc., 100 Franklin Street, Boston, Mass.

A. Henry B. Shepard, Jr., 28 State Street, Boston, Mass.
B. National Association of Business Development Corp., 1908 Sutton Drive, Raleigh, N.C.

A. Sidley & Austin, 1625 I Street NW., Washington, D.C.
B. American Insurance Association, 85 John Street, New York, N.Y.

A. William L. Slayton, 1735 New York Avenue NW., Washington, D.C.
B. American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.

A. Maynard H. Smith, 184 Washington Avenue, Albany, N.Y.

A. Arthur R. Spillers, 1341 G Street NW., Washington, D.C.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. Mallinckrodt Chemical Works, Post Office Box 5439, St. Louis, Mo., Merck & Co., Inc., Rahway, N.J., and S. B. Penick Division, CPC International, International Plaza, Englewood Cliffs, N.J.

A. Steptoe & Johnson, 1250 Connecticut Avenue, Washington, D.C.
B. Rule of Law Committee, 1250 Connecticut Avenue, Washington, D.C.

A. Travis Stewart, 340 Kingsland Street, Nutley, N.J.
B. Hoffmann-La Roche Inc., 340 Kingsland Street, Nutley, N.J.

A. Surrey, Karasik, Greene & Hill, 1156 15th Street NW. Washington, D.C.
B. American Joint Jewish Distribution Committee, 60 East 42d Street, New York, N.Y.

A. Robert Sykes, 1225 Connecticut Avenue NW., Washington, D.C.
B. American Association of Retired Persons, National Retired Teachers Association.

A. Edward C. Sylvester, Jr., 2100 M Street NW., Washington, D.C.
B. Urban Coalition Action Council, Inc., 2100 M Street NW., Washington, D.C.

A. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.

A. Henry B. Taliaferro, Jr., 1614 20th Street N.W., Washington, D.C.
B. Weissbrodt & Weissbrodt, 1614 20th Street NW, Washington, D.C.

A. Vinson, Elkins, Searls & Connally, 2201 First City National Bank Building, Houston, Tex.
B. Livestock Producers Committee, 20th Floor, National Bank of Commerce Building, San Antonio, Tex.

A. Paul A. Wagner, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile Aerospace & Agricultural Implement Workers, 8000 East Jefferson Avenue, Detroit, Mich.

A. Weissbrodt & Weissbrodt, 1614 20th Street, Washington, D.C.
B. Central Council of the Tlingit & Haida Indians of of Alaska, 1675 C Street, Anchorage, Alaska.

A. Wenchel, Schulman & Manning, 1625 K Street NW., Washington, D.C.
B. J. L. Hudson Co., 1206 Woodward Avenue, Detroit, Mich.

A. Wenchel, Schulman & Manning, 1625 K Street NW., Washington, D.C.
B. National Bank of Detroit, Detroit, Mich.

A. Clyde A. Wheeler, Jr., 1819 H Street NW., Washington, D.C.
B. Sun Oil Co., 1608 Walnut Street, Philadelphia, Pa.

A. John S. White, 420 Cafritz Building, Washington, D.C.
B. Marathon Oil Co., Findlay, Ohio.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. American Association of Presidents of Independent Colleges and Universities, in care of Dr. John Howard, President, Rockford College, Rockford, Ill.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Brigham Young University, Provo, Utah.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

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B. Church of Jesus Christ of Latter-Day Saints, 47 East South Temple, Salt Lake City, Utah.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. College Placement Council, Inc., 65 East Elizabeth Avenue, Bethlehem, Pa.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. American Express Company, 65 Broadway, New York, N.Y.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. Automobile Manufacturers Association, Inc., 320 New Center Building, Detroit, Mich.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. Chronicle Publishing Co., Fifth and Mission Streets, San Francisco, Calif.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. Kaiser Industries Corp., 300 Lakeside Drive, Oakland, Calif.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. Massachusetts Institute of Technology, Cambridge, Mass.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. Stanford University, Stanford, Calif.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. National Corporation for Housing Partnerships, 1625 L Street NW., Washington, D.C.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C.
B. Yale University, New Haven, Conn.

A. Wyman, Bautzer, Finell, Rothman & Kuchel, 1211 Connecticut Avenue NW., Washington, D.C.
B. City of Palm Springs, Calif., Municipal Building, Palm Springs, Calif.

A. Wyman, Bautzer, Finell, Rothman & Kuchel, 1211 Connecticut Avenue NW., Washington, D.C.
B. Copyright Owners Negotiating Committee, c/o Phillips, Nizer, Benjamin, Krim & Ballon, 477 Madison Avenue, New York, N.Y.

A. Wyman, Bautzer, Finell, Rothman & Kuchel, 1211 Connecticut Avenue NW., Washington, D.C.
B. Unionamerica, Inc., Fifth and Figueroa Streets, Los Angeles, Calif.

SENATE—*Monday, April 13, 1970*

The Senate met at 12 o'clock meridian and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father of Life, fountain of our being and light of all our days, giver of every good and perfect gift, we pause for cleansing, for renewal, for dedication, and for direction in daily duties. Make our hearts and the hearts of all the people a temple wherein Thy spirit dwells.

Lift this Nation to holier living and higher purposes. Make it a land where all who toil shall be honored and rewarded; where a man's worth is reckoned higher than the things he makes or uses; where property is valued as the extension of the person; where science serves not destruction but preservation of the common good; where all men have freedom under the law; and where by Thy pervading presence we live in the unity of spirit and the bonds of peace.

O God, we beseech Thee to guide this Nation and its leaders through the perils and conflicts of the present into the glorious light of the new day when Thy kingdom comes and Thy will is done on earth.

In the Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

MARINE SCIENCE AFFAIRS—SELECTING PRIORITY PROGRAMS—MESSAGE FROM THE PRESIDENT—(H. DOC NO. 91-304)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States which was referred to the Committee on Commerce:

To the Congress of the United States:

The fact that the United States is first in space is well known; it is less well known that we are also first in oceanic science and technology. And while most of our citizens recognize the opportunities which lie before us in space, fewer understand the enormous benefits which can flow from our national martime activities.

During 1969, the National Council on Marine Resources and Engineering Development, chaired by the Vice President, identified a number of policies and programs concerning the sea which, in their judgment, deserve Federal support. I am today transmitting to the Congress the Council's annual report, "Marine Science Affairs—Selecting Priority Programs." The marine science programs which I have approved for Fiscal Year 1971 are based in part on the Council's recommendations.

My budget request for Fiscal Year 1971 provides $533.1 million for marine science and technology activities. These funds would help us to improve the management of our coastal zone, expand Arctic research, develop a program for restoring damaged lakes, expand the collection of data concerning ocean and weather conditions, reduce merchant ship operating costs, and undertake other important projects. The funds would also support U.S. participation in the International Decade of Ocean Exploration, a program which can contribute much to the quality of the marine environment and to the pursuit of world peace.

In November of 1969, this Administration sent to the Congress a comprehensive proposal for protecting and developing the land and water resources of the nation's estuarine and coastal zone. I hope that the Congress will give this program early and careful attention.

The Federal government will continue to provide leadership in the nation's marine science program. But it is also important that private industry, State and local governments, academic, scientific and other institutions increase their own involvement in this important field. The public and private sectors of our society must work closely together if we are to meet the great challenges which are presented to us by the oceans of our planet.

RICHARD NIXON.

THE WHITE HOUSE, *April 13, 1970.*

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore (Mr. METCALF) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations received today, see the end of Senate proceedings.)

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, April 10, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. KENNEDY. Mr. President, as I understand it, under the order previously entered, the distinguished Senator from Arizona (Mr. FANNIN) will be recognized, and I wonder whether he will yield to me without losing his right to the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Arizona is recognized for 30 minutes.

Mr. FANNIN. I am happy to yield to the Senator from Massachusetts, without losing my right to the floor.

ORDER DISPENSING WITH THE CALL OF THE CALENDAR UNDER RULE VIII

Mr. KENNEDY. Mr. President, I ask unanimous consent to waive the call of the calendar of unobjected-to bills under rule VIII.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. KENNEDY. Mr. President, I ask unanimous consent that following the remarks of the distinguished Senator from Arizona (Mr. FANNIN), there be a period

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for the transaction of routine morning business, with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. KENNEDY. Mr. President, I ask unanimous consent that at the conclusion of the morning business, the unfinished business be laid before the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. SCOTT. Mr. President, will the Senator from Arizona yield briefly to me, with the understanding that he not lose his right to the floor?

Mr. FANNIN. I am glad to yield to the Senator from Pennsylvania.

S. 3709—INTRODUCTION OF A BILL—VETERANS' PENSION-SOCIAL SECURITY BILL

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Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to make sure absolutely that no veteran, widow, or dependent suffers any financial penalty or loss as the result of the 15-percent social security increase now payable.

My bill, Mr. President, represents a simple and straightforward answer to this problem. It provides that no part of the 15-percent social security increase may be counted in any way as "earned income" in the computation of veterans' pensions. All veterans and dependents would receive this protection, whether covered by the Veterans' Administration's program for non-service-connected pensions, the so-called pension law governing entitlement prior to July of 1960, or dependency and indemnity compensation known as DIC.

Precise figures are not available, but the best estimates place at well above 1,200,000 the number of beneficiaries throughout the Nation who receive both Veterans' Administration and social security payments in some form. This figure represents about 70 percent of those now on VA pension rolls.

Unless Congress acts, however, many of these veterans will suffer a future financial reduction, including even a full loss of VA pension, under the law which now bases eligibility in part on annual earned income limitations of $2,000 for a veterans or widow with no dependents, and $3,200 for a veteran or widow with dependents. Since social security is otherwise counted by the VA as a part of earned income, it is vital that the 15 percent social security increase, passed by Congress as a provision of the 1969 Tax Reform Act, not be included in these computations. This is the purpose of my bill.

I am aware, of course, that none of these reductions could be effective before next year. This is because of the current law which precludes recomputation in the year in which an increase in earned income takes place.

Nevertheless, my mail indicates that a great many veterans, perhaps not fully familiar with the law, see the social security increase as a matter of immediate concern and worry. They want assurance now that Congress will resolve specifically this problem.

Mr. President, I am well aware of the many proposals both to increase veterans' pensions and to liberalize income limitations. I have supported such legislation in the past, and I expect fully to do so again. Therefore, I offer my bill today not as a cure-all for the many problems facing VA pensioners, but in the attempt to identify and to insure prompt action on a situation of current, overriding concern.

Clearly, Congress did not intend the social security increase to become a source of worry for our veterans, their families and survivors. Congress should remove this doubt by acting quickly on my bill. As the legislators for a nation grateful to its veterans, surely we can do no less.

The ACTING PRESIDENT pro tempore (Mr. METCALF). The bill will be received and appropriately referred.

The bill (S. 3709) to prevent a decrease in the dependency and indemnity compensation of any dependent parent of a deceased veteran or in the pension of any veteran or widow of a veteran as the result of the increase in social security benefits provided for by the Social Security Amendments of 1969, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Finance.

FREE AND FAIR COMPETITION IN INTERNATIONAL TRADE

Mr. FANNIN. Mr. President, we must move faster toward the goal of free and fair competition in international trade. Right now the jobs of thousands of American workers are gravely threatened by our imbalance of trade, the first in the modern history of our Nation. The roots of this imbalance are twofold: unfair foreign barriers to our exports and unfair competition in our domestic markets.

We do not need or want to restrict competition. Competition is the lifeblood of our economic system. We need only the opportunity to compete fairly both at home and abroad. But we need that opportunity urgently.

In my remarks on this subject several weeks ago, I expressed particular concern over imports from abroad that compete unfairly in our domestic markets. More and more of our basic industries are being affected by this unfair competition. Unfair, not because of lower wage costs—we should be able to compete in spite of this factor by keeping our own wage costs within bounds and by constantly improving our efficiency—but unfair because of foreign government subsidies or outright dumping, designed, in both instances, to steal our domestic markets.

In my earlier remarks, I pointed out that in electronics, electrical equipment, steel, chemicals, autos, textiles, garments, machinery, and many more of our basic industries, American jobs are being lost, are, in effect, being exported from our shores, because of this unfairness. I asked your help and the help of labor leaders, industrialists and government in developing all of the facts. The response has been gratifying, but the facts are alarming. I also urged that Congress meet its constitutional responsibilities in the area of foreign commerce and act to eliminate this evil of unfairness in our foreign trade.

Whether or not additional legislation is needed remains to be seen after a thorough congressional investigation. Meanwhile, there are two statutes already on the books which, if effectively executed, could go a long way toward solving the problem. One is the countervailing duties statute which has been a part of our law for more than 70 years. The other is the Anti-Dumping Act of 1921. Today I would like to initiate consideration of the former.

The countervailing duty concept is almost as old as international trade itself. For centuries it has been recognized that the encouragement of exports through Government subsidy distorts the natural and most efficient allocation of resources in international trade and creates false competitive advantages. The device most commonly used over the years to counteract the harmful effects of such subsidies has been the countervailing duty. The countervailing duty is simply a duty imposed by the importing country to offset the unfair advantage created by the subsidy.

Our general countervailing duty law was originally enacted as a part of the Tariff Act of 1897. It was reenacted in the Tariff Acts of 1909 and 1913, widened in scope in 1922, and, in its present form, embodied in section 303 of the Tariff Act of 1930. Under its provisions, whenever a foreign government has subsidized a dutiable import into this country, the Secretary of the Treasury is required to determine the amount of the subsidy and to impose an additional duty on the import equal to the net amount of the subsidy.

The statute does not actually use the word "subsidy." It speaks of any direct or indirect "bounty or grant," a phrase which is perhaps even broader than subsidy and one which would seem to encompass almost any conceivable pecuniary device to create false competitive advantage. However, I am informed that the foreign government practices generally regarded as being covered by the statute fall within the following general categories:

First. Direct export subsidies.

Second. Rebates of taxes by virtue of exportation.

Third. Preferred tax treatment.

Fourth. Excessive customs duty drawbacks.

Fifth. Export financing.

Sixth. Export insurance.

Seventh. Currency manipulations in favor of exports.

Eighth. Price supports.

Ninth. Government enterprises.

This list of general categories constitutes a convenient check list when considering the availability of countervailing duties to offset the false competitive advantage given to an import by a particular foreign nation.

There is nothing unique about our countervailing duties statute. Almost every major trading nation has something of a similar nature. Many international trade treaties have contained its equivalent. GATT, the most comprehensive and universal trade agreement in world history, recognizes and treats with such laws.

The United States has not made extensive use of its countervailing duties statute. In the past there has not been much occasion to do so. Since the passage of the 1930 Tariff Act only 34 categories of products and 12 different nations have been the objects of Treasury Department countervailing duty orders. The high point of activity under the statute arose in response to the trade gyrations of the Nazis. In the early 1930's, Germany instituted a system of currency manipulation to subsidize exports. These subsidies had such an impact on the United States that between 1934 and the start of World War II, Treasury countervailed against nine categories of products from Germany or German-controlled areas.

Recently there has been a new flurry of activity, focused in the main on subsidized imports from Common Market countries. Of the 11 countervailing duty orders now in effect, nine were issued during the last 3 years and of those nine, eight were directed against members of the Common Market.

It is somewhat puzzling to me that in spite of the ever-increasing flood of subsidized imports from the Far East during recent years, no countervailing duty order has ever been issued against a nation in that part of the world. This in face of the fact that Japan, for example, has probably the most elaborate and effective system in the world today for subsidizing exports. I have seen a State Department report on Japan's export promotion techniques which indicates the existence of export subsidies in at least five of the nine general categories in the checklist I gave a few moments ago.

It is high time, I believe, that the United States began to take full advantage of its countervailing duties law to meet the crisis of unfair foreign competition—a crisis that threatens our domestic industries and the jobs of countless Americans.

In his message to Congress on November 18, 1969, on foreign trade policy, President Nixon had these realistic and significant words to say on the subject of unfair competition:

> (We) must recognize that a number of foreign countries now compete fully with the United States in world markets. We have always welcomed such competition. It promotes the economic development of the entire world to the mutual benefit of all, including our own consumers. It provides an additional stimulus to our own industry, agriculture and labor. *At the same time, however, it requires us to insist on fair competition among all countries.*

That—"fair competition among all countries"—is what we must insist on today, and tomorrow, and everyday until the goal is achieved. Why not start by using effectively an instrument that we have already on hand, one designed for the sole purpose of insuring fair competition? Why not use our countervailing duties statute?

This would have, I believe, a twofold effect. Not only would it help directly to insure fair competition in our domestic markets, but I think it also could well result indirectly in removing many unfair foreign barriers to our exports—thus striking at the two basic roots of our imbalance of trade situation.

In a recent address delivered before the Electronics Industries Association, Mr. Kenneth Davis, Assistant Secretary of Commerce for Domestic and International Business, commented on the seeming failure of Europe and Japan to realize that sentiments such as those I am expressing today "are becoming widespread here," that we are becoming "more and more insistent on being fairly treated." What better way to make all trading nations of the world understand this insistence than by initiating countervailing duty proceedings whenever and from wherever subsidized exports are encountered on our shores—exactly what our law, as all nations are fully aware, requires that we do?

I venture to say that such a program would soon convince our foreign trading partners that we mean business, that fair competition is the name of the game, and that as a result many unfair barriers to our exports would be voluntarily removed.

Some, because they either do not understand, or do not want to understand, the concept of countervailing duties, have characterized this law as "protectionist." This is clearly erroneous. A countervailing duty is not a barrier to free trade. On the contrary, it is a means to promoting free trade. While a protective tariff is dedesigned to offset the real competitive advantage of a foreign producer—in other words, to restrict competition—a countervailing duty is designed to insure that products compete according to their relative merits. It is only protectionist, in any sense of the word, in that it protects competition.

The days of protectionism in the sense of restricting competition are gone, and rightly so. But the days of free and fair trade are unfortunately not yet here. We must move as rapidly and effectively as we can to arrive at those days—to arrive there before it is too late.

I suggest, Mr. President, that the immediate and effective execution of our countervailing duties law would be a significant step in that direction.

Mr. President, I would like to call the Senate's attention to an excellent article in the April 6 edition of U.S. News & World Report.

This article points out in startling detail the determination of the Japanese to not only equal the United States in its drive to become the richest nation in the world, but to leave us choking in the dust.

I read from the article on page 26:

> Japanese ambitions are unconcealed. The energetic islanders are clearly determined to be *ichiban*—number one. Many Japanese leaders believe that the goal can be reached in this century.

Mr. President, this article goes on to point out that this nation of about 103 million people—roughly half the size of the population of the United States—has now achieved an economic output about one-fifth of the U.S. level. The startling fact is that Japan's growth rate over the last 10 years has averaged about three times that of the United States. If they are able to maintain this rate, their output is expected to double in the next 5 years and quadruple in 12 years.

I am alarmed by these projections, Mr. President. I am alarmed because of what this will mean to American jobs and to American industry.

American industry has never been outstripped in its productive capacity and ability to compete, Mr. President, in those cases where it was able to meet the challenge unfettered. But we have so crippled our industry in many areas with unfair tariff agreements that I am seriously concerned about our future ability to maintain our economic manufacturing base.

My colleague from South Carolina (Mr. THURMOND) has outlined over and over the threat the textile industry is facing from competition that comes primarily from Japan. In support of what he has said, I would like to quote from Newsweek magazine page 80, March 30, 1970:

> In dealing with Japan, the U.S. effort to obtain voluntary restrictions on textiles is part of a larger pattern of frustration. The Japanese run a handsome $1.5 billion surplus in trade with America, while they have set up barriers to the import of 109 classes of manufactured products—*virtually anything that might compete with domestic* production. (emphasis added)

In fairness to the Japanese, Mr. President, it should be noted that the story goes on further to say that most European countries now bar many categories of Japanese goods. The result is, Mr. President, that when Japan finds herself frozen out of the economic market in Europe, she resorts to dumping those goods on the relatively accessible market of the United States.

Here are just a few indicators of the great strides made by the Japanese in their effort to surpass the United States.

For 14 years the Japanese have lead the world in shipbuilding. Nearly half the tonnage in 1969 was launched from Japanese shipyards.

In the last 10 years, Japan has moved from seventh place in automobile production to third, and in the process has become the No. 1 exporter of autos.

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Steel industry officials are quoted as projecting Japan's steel output in 1975 at some 160 million tons. If that happens, she will have surpassed both the United States and Russia in steel production.

The Japanese now use more computers than any other country except the United States and West Germany.

Noting the increasing economic ties of Japan with Australia as a supplier of raw material, the article, in its concluding part, quotes an Australian businessman:

> The Japanese are running rings around the Americans in steel, aluminum and electronics. They will soon be doing the same thing in control systems, major industrial equipment, even computers.

Mr. President, this article indicates to me that we can still compete in the worldwide economic race—but no one ever won a race without ever realizing he was in one.

America must wake up. American business, government, and labor must realize they are in a fight for their economic lives.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TALMADGE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. METCALF. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

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TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order the Senate will now proceed to the transaction of routine morning business, with a 3-minute limitation on statements.

The Senator from Montana is recognized.

Mr. METCALF. Mr. President, I ask unanimous consent that I may be recognized for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SEAWARD LIMITS OF OUR LEGAL CONTINENTAL SHELF

Mr. METCALF. Mr. President, the yet unresolved issue of our national policy on the seaward limits of our legal Continental Shelf is at long last receiving the high level attention of the administration it so rightfully deserves.

My Special Subcommittee on the Outer Continental Shelf has been holding hearings on this and related issues since late last fall. As our record will indicate by both its volume and breadth of coverage, we have heard witnesses representing as many different points of view as available.

We were about to hear testimony from the interested agencies of the executive department and we had asked the Departments of Interior and Defense to lead off on this past Wednesday, April 8. They were to be followed on April 22 by spokesmen for the Departments of Transportation and Commerce and the scientific community and on the 29th by Treasury and State.

On Tuesday, April 7, I was personally called upon by a member of the President's staff. I was asked to postpone our hearings until April 22 to give the administration time to develop a unified position. Upon being assured that there would be an administration position by that date, I agreed to the postponement.

Mr. President, I want to make it clear to the administration that the Special Subcommittee on the Outer Continental Shelf does not lightly consider the matter of the limits of the legal rights of the United States to explore and exploit the natural resources of our Continental Shelf. We expect the administration position to reflect the same careful and extended attention given this matter by members of the Special Subcommittee on the Outer Continental Shelf.

We of the subcommittee have yet to reach final agreement on all aspects of this complex issue. There are several major premises upon which I feel the U.S. position should be based. Among these are:

First. The United States should not forfeit any of the legal rights, present or potential, to the natural resources of the continental margin it enjoys by virtue of the 1958 Geneva Convention on the Continental Shelf.

Second. The United States should attempt to maximize the quantity of Continental Shelf natural resources to which it is exclusively entitled in light of the need to insure undisputed access to the mineral and petroleum resources necessary to sustain our national economic security.

Third. The United States, in exercising its sovereign rights to explore and exploit the natural resources of its Continental Shelf, should limit the character of its claims to the shelf in such a way as to avoid the valid accusation that we are asserting unilaterally any claim which would fly in the face of the customary freedom of the seas doctrine.

Fourth. The U.S. decision on the seaward limits of its legal Continental Shelf should not be couched in terms prejudicial to development by U.S. nationals of the mineral resources of the deep seabed beyond the continental margin.

Fifth. The decision of the United States regarding its legal Continental Shelf boundary should not be influenced by excessive and unrealistic demands being voiced in some segments of the international community.

Mr. President, in summary, I feel that the Special Subcommittee on the Outer Continental Shelf has complied with the request from the White House that we postpone for 2 weeks our hearing of administration witnesses, with the understanding that by April 22 there will be a unified administration position. The special subcommittee will give that position every consideration under the criteria which represent what we believe to be in the national interest.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. METCALF. I am delighted to yield.

Mr. KENNEDY. I just want to say how much I think all of us appreciate the attention that the distinguished Senator from Montana is giving to the question of utilization of the outer shelf and helping to establish some guidelines for all of us. Obviously, we will have to take into consideration our relations with other countries, and relate the kind of action taken by the United States with the corresponding action taken by our friends around the world.

In the area of mineral resources, I would hope the Senator would also consider those resources which are either attached to the Continental Shelf or closely related to the Continental Shelf. I think of the mineral resources of, say, ground lobsters, which form an important part of the industry of the maritime States in the Northeast. I would also hope at least some attention is given to the whole question of fish as related to the Continental Shelf.

The PRESIDING OFFICER. The 5 minutes allotted to the Senator have expired.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have 3 minutes.

The PRESIDING OFFICER. Without objection, the Senator is recognized for 3 additional minutes.

Mr. KENNEDY. Traditionally, fish has always been considered to be not a natural resource in the terms normally included in that definition, and understandably so. Nonetheless, we have seen foreign nationals come in and sweep the whole feeding grounds and breeding grounds virtually dry, making a very significant change in the whole pattern of the fishing industry, which has been altered more, perhaps, in the last 10 years, than it was altered in the previous 200 years. It becomes a matter of great concern and interest to the maritime States. So this problem is related to what is happening on the Continental Shelf, because the feeding grounds are on the Continental Shelf.

I have noticed, as I am sure the Senator from Montana has, that some countries, particularly in South America, and I refer particularly to Peru, where the Continental Shelf drops so dramatically, consider the products of the sea to be a natural resources. So they have extended their definition of how far out the Continental Shelf goes—arbitrarily so.

Mr. METCALF. It is 200 miles.

Mr. KENNEDY. They think fishing is as significant a resource for the people of Peru as perhaps oil is for the Gulf States.

So it is an enormously complicated problem. The study and work of the Senator's committee will be of tremendous interest, I think, to many of the maritime States, and may very well establish precedents which are going to affect the development of the shelf for many years to come.

I am merely raising some points involved. I think the Senator has considered them. There is a dispute in these matters, but I think all of us will be interested in the position taken by the administration. I just want to state to my friend from Montana that I think his undertaking is of significant priority. I am delighted that he is undertaking this responsibility.

Mr. METCALF. I thank my friend from Massachusetts. This is a strange sort of jurisdictional provision. Lobsters, oysters, and so forth, lie on the seabed. That area may be under the jurisdiction of the committee that I represent, the Committee on Interior and Insular Affairs. Certainly, the Committee on Interior and Insular Affairs was the committee that passed on the subject which led to the law on the Continental Shelf. That committee has jurisdiction relating to minerals on the sea bed and oil leasing with reference to the Continental Shelf. But the water column above may be under the jurisdiction of the Committee on Commerce, which also is holding hearings on this very important question. Of course, the territorial limits and the law of the sea and the defense provisions and the problems of flying over the area, above the water column, and so forth, are all problems that relate to national defense, the State Department, or other jurisdictions.

The PRESIDING OFFICER. The additional time of the Senator has expired.

Mr. METCALF. Mr. President, I ask unanimous consent to have 2 additional minutes.

The PRESIDING OFFICER. Is there objection? Without objection, the Senator is recognized for 2 additional minutes.

Mr. METCALF. I feel the hearings which the committee has held, which have been substantial, and in which we have called experts from all walks of life, the academic community, the fisheries field, the State Department, and so forth, have been a catalyst to try to force the administration to take a position. If the administration takes a position, then it will be one we can either agree with and operate in accord with or move away from. I feel that my committee can work with the administration. But we cannot gratuitously give away some of our natural resources, nor can we gratuitously give away lobster beds or oyster beds or resources of that kind. At the same time, we cannot say that no one will be allowed within 12 miles, or 15 miles, or 200 miles of the shore for military defense purposes.

So it is a very complex question. Our committee has not made up its mind. I have not made up my mind. What I do want is to have some definitive resolution from the administration as we close these hearings.

Mr. KENNEDY. Again I want to commend the Senator from Montana and repeat that this is a matter of great importance to many of the States in the Northeast, and I am sure to all the maritime States. There is great interest and dispute in the matter. I do not envy the Senator for trying to wind his way through the varying viewpoints which have been expressed on this issue. He is charting a new course into one of the really important areas. I think all of us look forward to the report of his committee.

Mr. METCALF. I thank the Senator.

Mr. BELLMON. Mr. President, I would like to join the distinguished Senator from Montana (Mr. METCALF) in his recommendations to the administration that careful consideration be given to the matter limiting the legal rights of the United States to explore and develop the natural resources of the Continental Shelf. As a member of the Special Subcommittee on the Outer Continental Shelf, I share the hope expressed by the Senator from Montana that the decision reached by the administration will be based on criteria which will help preserve the opportunity of our country to meet its energy and mineral needs in the future.

The population of the United States has doubled in the last 50 years and by the year 2000 the population should approach 350 million people. With this rapid increase in our population our Nation has also increased its consumption of energy and minerals. It is apparent that in order to maintain the standards which our country has attained and to assure further development of our Nation, there must be adequate dependable supplies of these resources available at reasonable prices.

Mr. President, I am confident that the position of the administration regarding development of the Outer Continental Shelf will reflect its desire to forward the best interest of the citizens of this country and help insure the future program of our country will not be jeopardized.

OFFSHORE PETROLEUM

Mr. HANSEN. Mr. President, I feel compelled to call to the attention of the Senate a recent article which appeared in the March 27 edition of the Wall Street Journal. The article declares that "influential counselors" to the President are urging him to renounce our rights to billions of dollars of offshore petroleum contained on our Continental Shelf. Further, the article asserts, the Defense Department advisers are favoring such action. Worst of all, the article indicates that the President's advisers are urging him to turn over much of our continental shelf to the United Nations.

Mr. President, although I do not always have faith in all of the President's advisers, I do have faith that the President is certainly prudent enough not to rely on such bad advice.

The apparent motivation behind the Defense Department's suggesting a giveaway scheme is to "buy off" international agreement for a narrow territorial sea plus the right of innocent passage through foreign territorial seas by our naval ships. Mr. President, this entire scheme sounds rather cockeyed. The 1958 Geneva Convention on the Territorial Sea already guarantees the right of innocent passage. I cannot understand why the Department of Defense would want the United States to buy a right it already enjoys.

But returning to the central problem, that of giving away our Continental Shelf, it would seem rather foolish to give up our sovereign rights to our Continental Shelf for any reason.

By virtue of the Geneva Convention, the United States is guaranteed the right to explore and exploit its Continental Shelf to a depth of 200 meters and "beyond that limit to where the depth of the superjacent water admits of the exploitation of the natural resources" of the seabed.

The International Court of Justice, in the North Sea decision, referred to this inherent sovereign right as extending to limits of the submerged natural prolongation of the continental land mass.

Mr. President, we have an exclusive right to explore and exploit the natural resources of our Continental Shelf right out to the point where the submerged land continent touches the deep ocean floor. We should not give away this right for the sake of carrying out some ill-conceived and illusory scheme which, by virtue of the Wall Street Journal article, is already exposed to the world.

According to the report of the National Marine Science Commission, 16 percent of total world oil production comes from offshore sources and in 10 years, about one-third of all the world's oil will come from offshore reserves. So far as the United States is concerned, about one-half of our estimated national reserves of petroleum and natural gas are located on our Continental Shelf.

Some have suggested that our Continental Shelf really is not that valuable because we can import oil from abroad just as easily as drilling it off our own shores. My answer to that argument is that so far as the U.S. economy is concerned, when our petroleum industry drills for oil on our shelf it pays royalties for those rights—to our Treasury, not a foreign treasury. Incidentally, royalties and related fees to date paid into the U.S. Treasury from Federal leases on our Continental Shelf are rapidly approaching the $5 billion mark. We should not give away our oil or our royalties.

Furthermore, if we become dependent upon foreign oil, we are at the mercy of foreign governments who can cut off our supply of oil at any time. Clearly, national security demands that we retain all of the mineral rights we have in our Continental Shelf.

There is one other reason why I think that giving away our Continental Shelf to the United Nations would be disastrous. A growing number of underdeveloped nations in the U.N. are urging that a U.N. agency take over the entire seabed and run it as it sees fit. These proposals urge that a U.N. agency have jurisdiction and control over the entire seabed; that it have the right to exclude any nation from exploiting the seabed; that it have the right to control seabed production and thereby influence world market prices of various minerals; and, finally, that it have the right to determine what military uses, if any, of the entire seabed will be permitted. Those may sound like the ideas of raving mad men—and possibly they are—but such proposals are being voiced in increasing numbers at the United Nations.

Mr. President, we cannot afford to allow such a possibility to happen. The American public would not stand for it, and I am confident that the President will not allow it to happen.

XUM

THE GENOCIDE CONVENTION MOVES TO THE FORE

Mr. PROXMIRE. Mr. President, 20 years ago the Foreign Relations Committee held hearings to consider the United Nations Human Rights Convention on the Prevention and Punishment of the Crime of Genocide. The committee failed to report out this tragedy and it has languished there for all these years.

I have been vitally interested in securing Senate ratification of the genocide and other human rights conventions and have daily urged the Senate to take up these matters. I was pleased when President Nixon, following the recommendation of Secretary of State Rogers, and Attorney General Mitchell indicated to the Senate that he favored prompt Senate ratification of the Genocide Convention. The failure of the American Bar Association to endorse ratification was unfortunate, but the closeness of the ABA vote coupled with the fact that the Attorney General found no constitutional objections to U.S. accession to the treaty more than offset the ABA's lack of positive action.

It was good news when the chairman of the Foreign Relations Committee (Mr. FULBRIGHT) announced that new hearings were soon to be held on the Genocide Convention, and when the Senator from Idaho (Mr. CHURCH), the chairman of the subcommittee, promptly scheduled hearings on genocide before his special subcommittee.

XUM

It is my understanding that Secretary Rogers will testify and I am hopeful his support together with the continuing efforts of those of us who have battled for ratification will provide the impetus necessary to persuade the Senate at long last after more than 20 years to ratify the Genocide Convention.

THE CARSWELL AFFAIR

Mr. HOLLAND. Mr. President, since the decision of the Senate on the nomination of Judge Carswell to be an Associate Justice of the U.S. Supreme Court, many editorials on the subject have appeared in the newspapers of Florida. The great majority of them have indicated disappointment and frustration, and have been in some respects quite bitter.

I note, however, that some of the editorials have been more objective, and though I sympathize with those which have been bitter and frustrated, I am going to ask unanimous consent to have printed in the RECORD certain editorials which I think have a more constructive meaning for the Senate.

I first ask unanimous consent to have printed in the RECORD an editorial entitled "The Bias Shouldn't Block the Balance," published in the Tampa Tribune of Saturday, April 11, 1970.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE BIAS SHOULDN'T BLOCK THE BALANCE

President Nixon's conclusion that no conservative Southern judge would be confirmed for the Supreme Court by the present Senate may be an overstatement—but not much of one.

The truth is that any conservative Southerner nominated for the Supreme Court goes before the Senate with two strikes against him. He is automatically suspected of being (1) anti-Negro, and (2) anti-labor.

If, as a judge, he has ruled against civil rights crusaders and labor unions even in litigations where the law or merits were clearly against them, he can expect the opposition of their lobbies in Washington. That means that Senators who depend for election on the support of these elements will search for reasons to vote against him.

A judge from outside the South who is conservative does not confront this built-in bias. The liberals in the Senate may not want him on the Court because of his philosophy, but they find it difficult to build a case against him.

To come right out and say of a nominee "We oppose him because he is a stickler for Constitutional principles" would be self-defeating; but if they can say he made a white supremacy speech 22 years ago or owned a house with a restrictive deed, they can inspire enough horror in the Northern press to press the ablest judge off the Supreme Court.

No nominees for the Court in many years have undergone the flyspecking examinations to which Judges Clement Haynsworth and Harrold Carswell were subjected. Few, we'd guess, could have emerged unsmudged from such a scrutiny.

The bias against the South is clearly shown by the inconsistent position most Northern Senators and newspapers take on the matter of segregated schools. An all-black school in the South is an offense against the Constitution and must be broken up by distributing its pupils around the countryside; an all-black school in the North is the natural result of housing patterns and, while it may be a cause for regret, is not a proper issue for the courts.

Of all Northern Senators, only Connecticut's Abe Ribicoff had the honesty to admit that this position is one of pure hypocrisy.

In charging the Senate majority with bias, President Nixon is accused of playing to Southern pride with an eye on November elections. Three Southern Democrats who voted against Judge Carswell, Albert Gore of Tennessee, Ralph Yarborough of Texas, and Joseph Tydings of Maryland, face strong Republican opposition.

There may be a dash of politics in Mr. Nixon's angry statement but there is also a tumbler full of truth.

In the circumstances, we would agree that the President now could best seek a Justice outside the South. There is need—urgent need, in view of some pending issues—for the vacant seat to be filled as soon as possible.

Southerners, naturally, would take pride seeing one from their own region on the Court. But most of all they want to see a Justice appointed, no matter what his origin, who will in Mr. Nixon's words "help restore to the Court the balance it genuinely needs."

Mr. HOLLAND. I quote the last two paragraphs of that very fine editorial, as follows:

In the circumstances, we would agree that the President now could best seek a Justice outside the South. There is need—urgent need, in view of some pending issues—for the vacant seat to be filled as soon as possible.

Southerners, naturally, would take pride in seeing one from their own region on the Court. But most of all they want to see a Justice appointed, no matter what his origin, who will in Mr. Nixon's words "help restore to the Court the balance it genuinely needs."

The second editorial that I ask unanimous consent to have printed in the RECORD appeared in the April 10, 1970, issue of the newspaper Today, published at Cocoa, Fla., in the Space Center area. Of that editorial I shall read only its title: "Senate's Out of Touch."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENATE'S OUT OF TOUCH

A final word needs saying about Judge G. Harrold Carswell.

He was caught in a changing of the tide, a peculiar, disorganized state of flux that finds liberalism on the way out and conservatism sweeping in.

Carswell got caught in a cross current brought about, we think, by a misreading of the public's mood by otherwise astute senators.

We think they'll discover—some at the polls in November, some two and four years later—that the public has had it up to here with the ultra-liberal, activist Supreme Court.

President Nixon has been twice thwarted in an effort to restore ideological balance to the court, and the voters are not likely to forget it.

The senators, on the other hand, are still too closely attuned to the belief that when the legislative branch doesn't move fast enough to suit you, it is excusable for an impatient court to assume the legislative function.

Non-practicing law professors of the liberal political persuasion filled the senators ears with torrents of criticism about Carswell's "mediocrity," yet one of their own number, Professor Alexander M. Bickel, chancellor Kent Professor of law and legal history at the Yale Law School, recently offered this analysis of the court to which Carswell had been nominated:

"The Warren Court has come under professional criticism for erratic subjectivity of judgment, for analytical laxness, for what amounts to intellectual incoherence in many opinions and for imagining too much history . . . the charges against the Warren court can be made out, irrefutably and amply."

As for the charge of "mediocrity" against Carswell, that is a subjective judgment, depending a great deal in this case on whether you are one who believes in strictly construing the Constitution or whether your interpretation comes from "imagining too much history."

Judge Carswell's crime was that he had 12 years judicial experience—more than any other appointee (with the exception of Chief Justice Burger) since Justice Cardozo was appointed in 1932.

President Roosevelt appointed eight new justices to the Supreme Court. All eight together had less than 12 years experience on the bench.

President Truman appointed four members, who had a combined total of 12 years on the bench.

President Eisenhower appointed five whose judicial service totaled 15 years.

And the four justices appointed during the Kennedy-Johnson years had only four years total experience, one-third the experience of Carswell alone.

Such a record indicates that if one is to avoid the charge of "mediocrity" he had best come to the court from the field of insurance or real estate, and especially not from the South. An honest-to-God judge is anathema to a majority of the U.S. Senate, and he's no judge at all if he's from the South.

Mr. HOLLAND. The third editorial, entitled "A Bitter, Realistic Judgment," was published in the Florida Times-Union of Jacksonville, Fla., on Friday, April 10, 1970. I ask unanimous consent that

that editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A BITTER, REALISTIC JUDGMENT

President Richard Nixon, faced with the unpleasant likelihood of having his third U.S. Supreme Court nominee in a row rejected if he stayed with his prior announced intention to nominate a Southerner, has thrown in the towel on that issue. Senate liberals have carried the day.

The President said he had "reluctantly concluded" that the U.S. Senate "as presently constituted" would not confirm a judicial conservative if he happens to come from the South.

On the other hand, Nixon added, he is confident that a judge who shares his views as a strict constructionist of the Constitution would be confirmed if he came from another section of the nation.

He pointed out that the South does not have proportionate geographic representation on the Court at present. It has 25 percent of the population and one of the present eight justices is from the South. The East has four, the West two and the Midwest one.

But he also concluded that philosophical balance on the Court is more important than geographic balance. In other words it is more important to get a judicial conservative on the Court than it is to attempt to achieve regional balance with another Southerner.

Further, he says he will name a candidate in the near future since a vacancy should not be left on the Court when it can be filled.

All of what Nixon says is true. His assessment of the Senate liberal's bias against the South: his statement that philosophical balance is more important than geographic balance and his intention to fill the vacant seat as soon as possible.

The truth of his statement makes it no less galling. On the contrary, it makes the fact that much more bitter.

Senator Joseph Tydings of Maryland and some of his fellow hatchetmen in the lynching of the reputations of Clement Haynsworth and G. Harrold Carswell jumped up after the Carswell defeat with the magnanimous offer to vote for a Southerner if the President would only find one they could support.

Give us a southern Oliver Wendell Holmes, a Brandeis or Cardozo and we'll support him to continue that great tradition, they say. The fact of the matter is that there aren't any southern Brandeises, Holmeses or Cardozos. There aren't any northern ones either.

There's Justice William O. Douglas sitting on the Court, but the liberals don't say much about him and that's understandable.

A conservative Southerner won't sit on the Supreme Court unless he has a permanent halo and undetachable wings as long as the liberals control the Senate and President Nixon made a realistic judgment.

It is a bitter fact. But it is a fact.

Mr. HOLLAND. Mr. President, I think it well to quote specifically the last two paragraphs of that editorial, which read as follows:

> A conservative Southerner won't sit on the Supreme Court unless he has a permanent halo and undetachable wings as long as the liberals control the Senate and President Nixon made a realistic judgment.
>
> It is a bitter fact. But it is a fact.

FRANKLIN D. ROOSEVELT WILL EVER BE REMEMBERED FOR THIS

Mr. YOUNG of Ohio. Mr. President, on April 3 the little brown envelopes containing social security benefit payments for the preceding month were received in the homes of 1,259,000 men, women, and fatherless children in Ohio. The total amount of these checks payable to Ohio children, men, and women exceeded $128,294,000. The significance of this is that nearly one of every eight men, women, and children residing in Ohio receive this huge total sum of money every month.

Where would our economy be without social security? Furthermore, social security is an actuarially sound insurance system. This beneficent program was proposed by President Franklin D. Roosevelt and enacted into law in the 74th Congress whose Members were elected in 1934. I was sworn in as Congressman-at-large on the opening day of that historic session March 9, 1933. Without a doubt the social security system is the greatest landmark achievement in behalf of the American people by any President of the United States.

Then, in 1949 as a member of the Ways and Means Committee of the House of Representatives, I helped draft our present expanded and liberalized social security law.

Not only is social security an actuarially sound insurance system, but the present surplus in the social security fund and in the social security disability fund exceeds $31 billion. It is a fact that the present Congress could safely increase all social security payments by 5 percent effective at this time and the system would continue to be actuarially sound. We should do that and make this increase retroactive to April 1, 1970.

Twenty-six million six hundred thousand men, women, and children whose father are dead received early this month, and will receive regularly each month hereafter as long as men and women who have attained the age of 65 live and throughout the entire period that a fatherless boy or girl remains a minor or until he or she is 22 if attending college, social security benefit checks on the 3d day of each month. The total amount received in the entire Nation approximates $2.5 billion every month at this time.

Mr. President, when the Social Security Act was signed by President Franklin D. Roosevelt, there were fewer than 7 million Americans 65 years or older eligible for social security payments. Also, at that time the total number of fatherless children who began to receive social security payments each month numbered about 48,000. This figure now approaches 2 million in the United States who receive approximately $142 million each month. The majority of men and women beyond 65 years of age have inadequate incomes. To them social security is a Godsend as it is to fatherless children.

In the United States throughout the years from those dark depression days of 1931 when President Hoover said, "Relief is a local problem," we have gone a long way toward providing security against the economic hazards of old age, widowhood, and orphanhood.

The hope we all cherish is an old age free from care and want. To that end people toil patiently and live closely, seeking to save something for the day when they can earn no more. As age creeps on, there is a constantly declining capacity to earn, until at 65 many find themselves unemployable.

There was no more pitiful tragedy than the lot of the worker who had struggled all his life to gain a competence and who, at 65, was poverty-stricken and dependent upon charity. The black slave knew no such tragedy as this. It was a tragedy reserved for the free workers of our Nation throughout an era which now seems remote, I am happy to say.

Mr. President, only those of us who lived through the terrible depression of 1930 and 1931 know that there were bread lines and soup kitchens in the cities of America. I remember the bread lines and soup kitchens in my home city of Cleveland and in Lorain and Akron, Ohio. Banks in 48 States were closed; many had failed and the savings of some millions of our citizens had been wiped away. In the final months of the administration of President Herbert Hoover, the entire financial structure of the United States had collapsed. Never at any time since the Federal troops streamed back into Washington in panic in July 1861, after the Battle of Bull Run, or Manassas, in the War Between the States, was our Nation and Government so imperiled.

Our farmers were not making enough money to pay their taxes and interest on their mortgages. Groups of farmers gathered on courthouse steps threatening to hang judges, demonstrating against foreclosures of farms, and interfering with the orderly processes of the law. I recall that distinctly, because my father was a county judge in Ohio. I recall that at Bowling Green, Ohio, farmers gathered on the courthouse steps, threatening to hang the judge and trying to stop the sheriff's sales of farms.

Of course, as we know, Mr. President, the farmers of our land were never radicals. If and when the red flag of revolt and rebellion should be carried in our Nation—we hope that it never will be—it will not be carried down country lanes. It will be carried through city streets; because in the end the farmer may read the dread portent of the hour, but at that time he still will be working on his farm, and the farmer's wife will be feeding the hands. Yet, in 1931 and early 1932, they were threatening the foreclosure proceedings.

Furthermore, businessmen did not know whether checks in their pockets were good.

Mr. President, we have in this country on a few occasions since the early 1930's experienced recessions. We may be in a recession at this time or approaching one. We do know that no depression such as occurred in the Hoover administration is possible. Private charities, breadlines, and soup kitchens will never again be the answer of the American intelligence and sense of justice to the problem of employment and indigent old age.

Something deep inside a person is offended if, after a lifetime of productive effort, all he or she gets is a handout. That has all been changed. With our liberalized and expanded social security law and with medicare and medicaid legislation, all Americans have reason to believe and hope that their savings will no longer be wiped away by prolonged illness or injuries, and when illness afflicts elderly relatives, the family will not be compelled to incur colossal debt for their care, and we may be thankful also that fatherless children are not forgotten.

Franklin D. Roosevelt, a great President of the United States, was the pioneer, when he asked Congress and urged Congress to enact the social security law and when he signed that landmark act of Congress into law.

SALARIES PAID IN RESEARCH PROJECTS

Mr. WILLIAMS of Delaware. Mr President, much has been said in recent weeks about the salary scales of postal workers and certain types of Government employees, but today I call attention to a type of privileged employees who are drawing a salary far in excess of what Congress intended or to which they are entitled.

It seems that the Defense Department has been awarding outside contracts or grants to private corporations for a variety of research projects. I was surprised to find that there appears to have been no control over the salaries that are being paid under these grants. For example:

Under one Air Force contract, an individual was drawing a salary of $97,500 per year. This salary is far in excess of that being paid the Vice President of the United States. Under the same contract, another individual was being paid $70,000; one, $65,000; six were drawing salaries between $50,000 and $60,000; and five were being paid salaries ranging between $30,000 and $50,000.

A second Air Force contract was headed by a man drawing $70,000, and he had as his assistants three men, one drawing $58,000 and two drawing $50,000.

A third Department of Defense contract was paying two individuals $60,000 each.

In a series of 10 other contracts we find salary scales ranging between $30,000 and $60,000.

This method of Government agencies' awarding outside contracts for the performance of works is clearly a method of bypassing the civil service laws which establish ceilings on the salaries that can be paid for the respective jobs.

When this was called to my attention earlier this year I directed a letter to the Secretary of Defense, Mr. Melvin R. Laird, and asked for a list of all such projects wherein salaries in excess of $30,000 were being paid along with the names and addresses of the officials drawing these higher salaries.

It appears that there were 13 such contracts awarded by the Department of Defense in fiscal years 1968 and 1969 wherein 59 employees were paid salaries between $30,000 and $97,500 with 16 of this number being paid $50,000 or over.

I ask unanimous consent that my letter of February 24, 1970, and the reply of the Department of Defense dated March 11, listing the various contracts along with the names of the employees drawing these high salaries, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., February 24, 1970.

Hon. MELVIN R. LAIRD,
Secretary of Defense,
Washington, D.C.

MY DEAR MR. SECRETARY: In a recent article by Mr. Ralph de Tolendano as appearing in the Fort Lauderdale News there appeared the statement that the Defense Department in 1968 had sponsored sixteen "nonprofit" research programs wherein the president of one research group was drawing $97,000 a year and other executive officers were drawing lesser but still large salaries.

In this connection will you please furnish me:

1. A list of all such research programs in 1968 and 1969 which were sponsored or subsidized by the Defense Department along with the amount awarded in each instance.

a. The names and addresses of all officers or employees of these projects whose salaries or allowances were in excess of $30,000 per year.

Yours sincerely,

JOHN J. WILLIAMS.

DIRECTOR OF DEFENSE,
RESEARCH AND ENGINEERING,
Washington, D.C., March 11, 1970.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Secretary Laird has asked me to furnish you the information on Federal Contract Research Centers which you requested in your letter of February 24, 1970.

The enclosure for each of the FCRC's indicates the DoD organization responsible for the FCRC and the dollar value of the contract with the FCRC for FY 1968 and FY 1969. Also included are the names of the officers of the FCRC whose salaries were in excess of $30,000 per year.

I am sure that you recall the Senate amendment that was attached to the DoD 1970 Authorization Bill which restricts these salaries to $45,000 per year except as specifically approved by the Secretary of Defense under guidance from the President. This amendment has been implemented by the Department of Defense and I am enclosing, for your information, a copy of the instructions which have been sent out to the DoD activities concerned. We anticipate that under these rules only a very few salaries above $45,000 will be approved.

If I can be of further assistance in this matter, please do not hesitate to call.

Sincerely,

Vice Admiral DEPOIX.
JOHN S. FOSTER, Jr.

Aerospace—Air Force contract

Actual, fiscal 1968	$71,987,000
Actual, fiscal year 1969	74,100,000
Name:	*Salary*
I. A. Getting	$97,500
A. F. Donovan	70,000
E. H. Krause	65,000
B. P. Leonard	58,000
W. B. Brewer, Jr	55,000
A. Mager	50,000
W. C. Williams	50,000
D. A. Dooley	50,000
W. F. Leverton	50,500
W. W. Drake	45,500
G. W. King	45,500
J. H. Irving	44,000
R. T. Jensen	33,000
H. B. Garoutte	31,800

Rand—Air Force contract

Actual, fiscal year 1968	$20,440,000
Actual, fiscal year 1969	19,273,000
Name:	*Salary*
H. S. Rowen	$70,000
J. R. Goldstein	58,000
L. J. Henderson	50,000
B. W. Augenstein	50,000
G. H. Shubert	36,000
J. S. King	32,500
S. P. Jeffries	32,500

Institute for Defense Analyses—Department of Defense contract

Actual, fiscal year 1968	$10,546,000
Actual, fiscal year 1969	9,773,000
Name:	*Salary*
Maxwell D. Taylor	$60,000
Alexander H. Flax	60,000
Norman L. Christeller	34,980

Research Analysis Corporation—Army contract

Actual, fiscal year 1968	$9,619,000
Actual, fiscal year 1969	9,837,000
Name:	*Salary*
Frank A. Parker	$46,000
Dr. Hugh M. Cole	37,000
Fred Wolcott	36,000

Analytical Services, Inc. (Anser)—Air Force contract

Actual, fiscal year 1968	$1,500,000
Actual, fiscal year 1969	1,180,000
Name:	*Salary*
Stanley J. Lawwill	$42,500
Thomas W. Chappelle	30,000

Center for Naval analysis—Navy contract

Actual, fiscal year 1968	$8,838,000
Actual, fiscal year 1969	9,213,000
Name:	*Salary*
Dr. Charles DiBona	$42,000
Dr. Erwin Baumgarten	33,500
Dr. David Kassing	33,000
Mr. Carl Amthor	32,000
Dr. Arnold Moore	32,000

Applied physics laboratory—Johns Hopkins University—Navy contract

Actual, fiscal year 1968	$32,793,000
Total, fiscal year 1969	36,845,000
Name:	*Salary*
R. E. Gibson	$40,000
A. Kossiakoff	38,000
F. T. McClure	36,000
R. B. Kershner	34,500
W. H. Avery	33,000
H. H. Porter	33,000
A. R. Eaton	32,250
R. C. Morton	32,000
T. W. Sheppard	31,500

Mitre Corp.—Air Force contract

Actual, fiscal year 1968	$32,578,000
Actual, fiscal year 1969	31,628,000
Name:	*Salary*
R. R. Everett	$60,000
W. E. Carroll	32,500
J. F. Jacobs	42,000
C. A. Zraket	41,000
T. F. Rogers	42,500

Lincoln Laboratory (MIT)—Air Force contract

Actual, fiscal year 1968	$39,120,000
Actual, fiscal year 1969	41,185,000
Name:	*Salary*
M. V. Clauser	$48,000
G. P. Dinesen	40,000
H. Freedman	39,200
W. E. Morrow, Jr	38,200
O. E. Dustin	35,200
H. W. Fitzpatrick	35,000

Applied Physics Laboratory—University of Washington—Navy contract

Actual, fiscal year 1968	$3,192,000
Actual, fiscal year 1969	3,505,000

Name:	*Salary*
Dr. J. E. Henderson	$32,004
Dr. W. M. Sandstrom	30,984

Ordnance Research Laboratory—Pennsylvania State University—Navy contract

Actual, fiscal year 1968	$7,159,000
Actual, fiscal year 1969	8,282,000

	Salary
Name: Dr. J. C. Johnson	$33,000

Human Resources Research Organization—Washington, D.C.—Army contract

Actual, fiscal year 1968	$3,427,000
Actual, fiscal year 1969	3,945,000

	Salary
Name: Dr. Meredith P. Chawford	$30,000

Mathematics Research Center—University of Wisconsin—Army contract

Actual, fiscal year 1968	$1,300,000
Actual, fiscal year 1969	1,350,000

	Salary
Name: Dr. J. Barkley Rosser	$37,482

Mr. BYRD of Virginia. Mr. President, may I say to the distinguished Senator from Delaware that I am glad he has brought these facts out on the floor of the Senate.

This matter has been given a great deal of consideration. A few months ago, the Committee on Armed Services, at my request, adopted an amendment to the military authorization bill directed toward the salaries and programs to which the Senator from Delaware has referred.

The committee approved, and then the Senate approved, a tightening up of this process and put it in the hands of the President, who has delegated it to the Secretary of Defense. The Secretary of Defense has been working on these salary requirements for the Federal research centers, and I have been informed unofficially—but nevertheless informed—that steps are being taken to get these salaries more in line. It is difficult to justify salaries higher than those paid Cabinet officers.

I do not think that the matter to which the Senator from Delaware has alluded will be handled to the entire satisfaction of the Senator from Delaware or the Senator from Virginia. But I do think that progress has been made in focusing the attention of the top executives of the Government on this problem and that in the future these tremendous salaries at the research centers will be gone into much more carefully than in the past.

I think it is very desirable that the Senator from Delaware focus attention on this problem, as he is doing today, and I am happy to have been in the Chamber to have heard his remarks.

Mr. WILLIAMS of Delaware. I thank the Senator. I am glad to note that the Armed Services Committee has been giving this their attention. Knowing the Senator from Virginia as I do, I feel that we will reach the proper solution because I know that as a member of that committee he will certainly be pursuing it. I congratulate him on the steps he has taken thus far and I assure him of my continued support in that direction.

Mr. BYRD of Virginia. I thank the Senator from Delaware.

ACCESS TO INCOME TAX RETURNS BY PRESIDENTIAL STAFF MEMBERS

Mr. BYRD of Virginia. Mr. President, undenied published reports state that special Presidential counsel, Clark Mollenhoff, has worked out an informal arrangement with the Internal Revenue Service which gives him access to the income tax returns of every American citizen.

I know Mr. Mollenhoff well. I know him as an able newspaperman, a thorough investigator, and an incorruptible public official.

But I believe the income tax returns of all Americans should be considered confidential, and access to them should be given only by specific direction of the President on an individual case-by-case basis.

I do not feel it proper for a White House staff official to assume blanket authority in this regard.

Two former Internal Revenue Commissioners have asserted that such an arrangement between Mr. Mollenhoff and the Internal Revenue Service is contrary to the law. That, too, is my understanding.

I hope President Nixon will act immediately to take away from any of his staff any such blanket authority.

There will be occasions, in regard to Presidential appointments, for example, when it might be appropriate and necessary for the President to have detailed knowledge of an individual's income tax.

But these, I believe, should be handled on a case-by-case basis and only with a specific authorization by the President in each individual case. This is the clear interest of the law.

ORDER OF BUSINESS

Mr. BYRD of Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McINTYRE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HANSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore (Mr. METCALF):

H.R. 8654. An act to provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone; and

H.R. 15349. An act to amend the Railway Labor Act in order to change the number of carrier representatives and labor organization representatives on the National Railroad Adjustment Board, and for other purposes.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. METCALF) laid before the Senate the following letters, which were referred as indicated:

PROPOSED AMENDMENT OF THE DEFENSE PRODUCTION ACT OF 1950

A letter from the Director, Office of Emergency Preparedness, Executive Office of the President, transmitting a draft of proposed legislation to amend and extend the Defense Production Act of 1950, as amended (with accompanying papers); to the Committee on Banking and Currency.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for improved practices for obtaining equitable contributions toward the cost of constructing sanitation facilities for Indians, Health Services and Mental Health Administration, Department of Health, Education, and Welfare, dated April 10, 1970 (with an accompanying report); to the Committee on Government Operations.

REPORT ON THE CHARLES R. ROBERTSON LIGNITE RESEARCH LABORATORY

A letter from the Secretary of the Interior, reporting, pursuant to law, on the activities of, expenditures by, and donations to the Charles R. Robertson Lignite Research Laboratory of the Bureau of Mines at Grand Forks, N. Dak., for calendar year 1969; to the Committee on Interior and Insular Affairs.

PROPOSED AMENDMENT OF THE NATURAL GAS PIPELINE SAFETY ACT OF 1968

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Natural Gas Pipeline Safety Act of 1968 (with an accompanying paper); to the Committee on Commerce.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. METCALF):

A resolution adopted by the Canaveral Council of Technical Societies, Canaveral, Fla., advocating the Cape as the most logical area to be the launch and prime recovery site for the space shuttle program; to the Committee on Aeronautical and Space Sciences.

Resolutions adopted by the Daughters of the American Revolution, Washington, D.C., relating to obscenity, and so forth; ordered to lie on the table.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. SCOTT:

S. 3709. A bill to prevent a decrease in the dependency and indemnity compensation of any dependent parent of a deceased veteran or in the pension of any veteran or widow of a veteran as the result of the increase in social security benefits provided for by the Social Security Amendments of 1969; to the Committee on Finance.

(The remarks of Mr. SCOTT when he introduced the bill appear earlier in the RECORD under the appropriate heading.)

By Mr. TYDINGS:

S. 3710. A bill for the relief of Miss Delores Johnson A18879373; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILLS

S. 3579

Mr. GRIFFIN. Mr. President, on behalf of the Senator from Vermont (Mr. PROUTY), I ask unanimous consent that, at the next printing, the name of the Senator from Connecticut (Mr. DODD) be added as a cosponsor of S. 3579, to authorize the importation without regard to existing quotas of fuel oil to be used for residential heating purposes in the New England States.

The PRESIDING OFFICER (Mr. DOLE). Without objection, it is so ordered.

S. 3585

Mr. SPARKMAN. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from New Jersey (Mr. WILLIAMS) be added as a cosponsor of my bill, S. 3585, to provide a Federal employee with certain procedural rights if he is removed or reduced in grade as the result of a reduction in force, and to authorize saved pay to be paid to a Federal employee reduced in grade because of a reduction in force due to lack of funds.

The PRESIDING OFFICER (Mr. TALMADGE). Without objection, it is so ordered.

S. 3643

Mr. GRIFFIN. Mr. President, on behalf of the Senator from Pennsylvania (Mr. SCOTT), I ask unanimous consent that, at the next printing, the name of the Senator from California (Mr. CRANSTON) be added as a cosponsor of S. 3643, to provide for the issuance of a gold medal to the widow of the Reverend Dr. Martin Luther King, Jr., and the furnishing of duplicate medals in bronze to the Martin Luther King, Junior, Memorial Fund at Morehouse College and the Martin Luther King, Jr., Memorial Center at Atlanta, Ga.

The PRESIDING OFFICER (Mr. DOLE). Without objection, it is so ordered.

S. 3678

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin (Mr. PROXMIRE), I ask unanimous consent that, at the next printing, the name of the Senator from Ohio (Mr. YOUNG), be added as a cosponsor of S. 3678, to amend the Federal Deposit Insurance Act to require insured banks to maintain certain records, to require that certain transactions in U.S. currency be reported to the Department of the Treasury, and for other purposes.

The PRESIDING OFFICER (Mr. DOLE). Without objection, it is so ordered.

PRINTING OF REPORT ON THE EAST RIVER, N.Y. (S. DOC. No. 91-60)

Mr. BYRD of West Virginia. Mr. President, on behalf of my colleague, the senior Senator from West Virginia (Mr. RANDOLPH), I present a letter from the Acting Secretary of the Army, transmitting a report from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on East River, N.Y.—spur channel to Astoria waterfront—requested by a resolution of the Committee on Public Works, U.S. Senate, adopted August 31, 1962. I ask unanimous consent that the report be printed as a Senate document and referred to the Committee on Public Works.

The PRESIDING OFFICER (Mr. DOLE). Without objection, it is so ordered.

NOTICE OF HEARINGS ON AMENDMENT TO S. 2348, A BILL TO ESTABLISH A FEDERAL BROKER-DEALER INSURANCE CORPORATION

Mr. MUSKIE. Mr. President, nearly 1 year ago, I introduced S. 2348, a bill to establish the Federal Broker-Dealer Insurance Corporation. This Corporation would protect 26 million direct investors from losing their savings through the financial failure of brokers. In so doing it would close a serious gap in our securities laws.

Under existing securities law there is no protection for the investor whose broker goes bankrupt. The Securities Act of 1933 requires that investors have adequate information to exercise sound judgment concerning the securities he purchases. The Securities Exchange Act of 1934 insures that he will not be victimized by fraudulent, manipulative, or deceptive selling schemes, and that the market in which his broker transacts his order will be maintained in a fair and orderly fashion. But neither statute insures that this same investor who exercises sound judgment in his choice of stock, and places his order with a reputable broker, cannot lose his entire investment if that broker subsequently fails because of operational or financial difficulties.

The United States insures bank deposits under the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation, which are the models for the Federal Broker-Dealer Insurance Corporation. The FBDIC would give the investor, who leaves his savings with a broker, the same protection now afforded the depositor, who places his money in a bank.

The broker does not act as a simple pass-through agent, whose liability to his customer ends at the close of each transaction. Customer accounts with brokerage firms are maintained on a continuing basis. Credit balances of cash and securities provide the investor with instant liquidity for future transactions. As is the case with banks, these balances are used by the broker to finance the operations of his business. Margin regulations governing the purchase of securities on credit currently require 80 percent collateral in transactions involving public customers. This means that credit balances and positions must always run well in excess of debits in customer accounts. Brokers' liabilities to their customers, measured as the net between credit and debit balances in customer margin accounts, is currently more than $14 billion according to a recent estimate that appeared in the Wall Street Journal. This $14 billion of the public's money is only one part of investor assets that the FBDIC would insure. A still greater amount is held in customer cash accounts. In all, assets in brokers' custody exceed $50 billion.

The FBDIC, like the Federal corporations that insure savings deposits, would serve a dual purpose. It would protect investors and the national economy from serious hardship which can follow the failure of financial institutions, and it would increase the soundness of these institutions and public confidence in them.

Our securities markets are a national asset. They permit individuals to invest their savings in private industry and thereby contribute to the growth of capital investment. Without strong capital markets it would be difficult for our national economy to sustain continued growth.

Brokers support the proper functioning of these markets, by providing a constant flow of orders. The continued financial well-being of brokers and the economy depends, in part, on public willingness to entrust assets to brokers.

Partly because of Government insurance, failures of banks are very rare. A run on banks is virtually impossible. The same principle dictates that we pass legislation to insure, at a premium fairly related to the risk, accounts of 26 million direct investors and approximately 100 million people with interest in securities through mutual funds, banks, penpointed for at least 24 firms. This figother institutions.

When S. 2348 was introduced, many brokers had serious operational or "back office" difficulties. Recently, the financial difficulties of several brokerage firms have compounded these problems. Some of these financial problems were originally triggered by operational problems.

Stockbrokers owe money to one another. The failure of one aggravates the problem and reduces the financial soundness of all other firms to which it is indebted. Since many firms invest their capital in securities, market declines may further aggravate brokers' financial problems and cause stockbrokers failures to pyramid. This can also force the sale of brokers' securities, intensifying a general decline in securities values. A combination of these events can erode investor confidence and cause securities values to plummet. One of the features of the insurance program proposed under S. 2348 is to guard against such a situation by protecting brokers from each others' failures.

Since June 9, 1969, the date I introduced this bill, liquidators or receivers have been appointed for at least seven firms. While total losses are not known, the New York Stock Exchange trust fund has committed more than $15 million to protect the customers of three of those firms.

While delay in payment and total losses to public customers and other creditors are unknown, since mid-1968 liquidators or receivers have been appointed for at least 24 firms. These figures do not include those that have merged, closed quietly or narrowly escaped collapse. The actual delays in payment and total losses to the public are known only to liquidators or trustees in bankruptcy.

Ultimate loss to the customer is only part of the problem. The brokerage business is built on the concept of liquidity—the fact that an investor can get his money immediately and not have to wait the outcome of a prolonged bankruptcy court proceeding. A compulsory trust fund or insurance system promotes such liquidity.

Hamer Budge, Chairman of the Securities and Exchange Commission, has warned of the dangerously high level of "fails" in the securities industry. In a speech reported in the Wall Street Journal on December 10, 1969, he said that recent market activity indicates that repeated continuous high volume could force "fails" and other operation problems to return to crisis levels. "Fails" are the nondelivery within the 5-day settlement period of securities owed by one broker to another. High levels of "fails" and operational problems make it difficult for a brokerage firm to know what its financial position is and what risks it may reasonably take.

In addition to these problems, there have been huge thefts on Wall Street. Newsweek magazine, on December 15, 1969, reported former U.S. Attorney Robert M. Morgenthau's estimate that organized crime is stealing $45 million of securities annually. The total losses are unknown and may be even larger. This obviously compounds brokers' financial problems.

In the 10 months since I introduced this bill, the securities industry has lost over $15 million through brokerage failures. Our latest information is that in October 1969, 62 firms were required by the New York Stock Exchange to file monthly reports because they needed "closer scrutiny." Since then, two substantial member firms, Gregory & Sons and McDonnell & Co., have gone into liquidation, and the problems of the industry seem to have intensified.

One week ago Thursday, the Securities and Exchange Commission was forced to approve a temporary surcharge on brokerage commissions because of the industry's deteriorating financial condition. SEC Chairman Budge stated in an official letter to the New York Stock Exchange that the commission was concerned with "the financial problems of the industry and the losses sustained in the past year and during the first quarter of 1970." The Chairman also stated that the commission acted on its understanding that the industry required "immediate financial relief".

After the 1963 bankruptcy of Ira Haupt and Co., a large member firm, the New York Stock Exchange required its members to repay the firm's public customers. Subsequently, the New York Stock Exchange also established a guarantee fund, with initial assets of $10 million and a line of credit of $15 million. According to the press, the New York Stock Exchange's guarantee fund now has less than $3 million remaining in uncommitted funds. Furthermore, its line of credit has been adjusted down to $10 million.

The guarantee fund of the New York Stock Exchange is in the interest of the public and of its member firms. However, it also has obvious weaknesses. The fund is small in comparison to the total dollar volume of trading; to the $2 billion to $4 billion of "fails", that have been outstanding at various times; to the annual losses of $45 million due to theft; or to the over $50 billion value of customer assets held by brokerage firms. The fund protects only members of the New York Stock Exchange. It is voluntary as to its application. By its terms, it need not be applied to protect investors unless the board of the New York Stock Exchange decides to act. The fund would be unable to reimburse customers if one or more large member firms suffered substantial losses and needed to liquidate.

S. 2348 would extend protection to customers of brokerage firms that are not members of stock exchanges with guarantee funds. In addition, the credit of the U.S. Government would strengthen the protection now available from guarantee funds. The mere availability of this Federal guarantee should benefit the brokerage community. It would encourage customers to leave securities in "street name" and would therefore reduce the difficulty of transferring securities. It would also encourage the development of new concepts of securities transfers. All these factors could possibly increase the profitability of the brokerage industry. It would also reduce the chance of a run on brokers, thus making it possible to set an insurance rate for brokers lower than any private plan being discussed.

The insurance plan would be entirely paid for by brokers. It would be cost free to taxpayers.

A study by the North American Rockwell Information Systems Co. for the American Stock Exchange recommends a similar insurance program. The study concluded that operations systems development would be advanced if customers trusted brokers sufficiently to leave securities with them. The report suggests a system such as a Federal Deposit Insurance Corporation which would provide investors with the necessary confidence. A study made by Lybrand, Ross Brothers and Montgomery, also recommends this system.

It is understandable that brokerage firms might be apprehensive that this measure could lead to intensified Federal regulation. However, this bill provides insurance and permits a minimum of regulation. It recognizes a legitimate role for privately financed guarantee funds. I urge the investment community to join in a cooperative effort to establish a Federal broker insurance program in which all legitimate interests of brokers would be recognized. We can do that and at the same time provide the necessary protection for investors and for all Americans who depend on the well-being of the financial community.

Last Thursday, I introduced an amendment to my bill which does not alter its original purpose or reduce the protection provided for investors. In part, the amendment incorporates suggestions we have received from Government agencies, the industry, and concerned citizens. It also reflects my efforts to increase the fairness of the assessment provisions and to improve protection for all segments of the industry.

The principal change in amended S. 2348 is that premiums are based on the insured risk—a way for setting rates which conforms to widely accepted business and economic principles. This program should be less costly for brokers than the plan presently being considered by the industry.

The amended bill expands the insurance coverage for the industry. Brokers are now insured against failures resulting from transactions among themselves. Institutional investors and investment clubs are given increased protection.

If this bill is enacted, no American would lose his savings through a brokerage firm bankruptcy. Without the enactment of the bill, it is possible that we could experience a run on brokers that could cause a decline in securities values which would destroy confidence and fracture the economy.

Unfortunately, it took the panic of 1929 to pass the Federal securities laws, and a run on the banks to create the FDIC. Let us not wait for an emergency. Instead let us use our foresight to act now to reestablish public trust in our securities markets. There is still time to avert a crisis. We must not delay until we can no longer act but are forced to react.

Mr. President, the Securities Subcommittee of the Committee on Banking and Currency will hold hearings on this legislation on Thursday and Friday, April 16 and 17. The creation of the Federal Broker-Dealer Insurance Corporation is so essential that I urge my fellow Senators and Representatives to join with me in assuring the prompt enactment of the bill.

I ask unanimous consent that four articles which deal with the need for this legislation be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Newsweek, Apr. 6, 1970]

WHEN BROKERS GO BROKE

(By Clem Morgello)

The prime rate finally went down last week and, just as everyone expected, stock prices went up. The brisk rally put Wall Street in a decidely better mood—at least as far as the price trend is concerned.

Brokers sorely needed the lift, for the fi-

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nancial health of Wall Street itself is still a matter of mounting concern. A great number of brokerage firms are losing money, and no day passes without reports that one firm or another is about to fold. It is impossible to say which, if any of the rumors is based on fact. But they reflect genuine worry.

That concern was shown last week when a New York Stock Exchange study recommended that the exchange lend as much as 30 million to its Special Trust Fund if the money is needed to compensate the customers of failing member firms. The trust fund, set up in 1964 and limited in size to $25 million, has been reduced to about $3 million in uncommitted cash and government securities plus $10 million in stand-by bank credit because of allocations to take care of four member-firm failures. The board plans to permanently enlarge the fund, and some Wall Street men believe that it should be as large as $100 million.

CALLING FOR STOCK

Because they are concerned about the health of Wall Street, some investors are asking their brokers to send them the stock certificates that they have until now left in the custody of their brokers. They are worried about recovering their stock if the firm folds. While these are still isolated cases, they raise questions about the safety of investments left in the custody of brokers.

To Wall Street's credit, no customers have lost money due to the failure of a member firm since World War II. The Big Board's trust fund covers not only its own listed securities, but also issues traded on the American Stock Exchange and over-the-counter if they are being held in custody by a member firm. Amex, in addition has its own $10 million trust fund, but none is maintained by over-the-counter dealers.

But what if an investor wants to sell a stock that is being held for him by a firm that goes under? Unfortunately, he is locked in for varying periods of time, and that is disconcerting in a falling market.

The investor can sell his stock as soon as his account is transferred out of his old firm to any new broker he designates. Under ideal conditions, the account can be transferred in two or three weeks. But because the records of the failing firm are usually in poor shape, it typically takes longer. It took three months, for example, to transfer out the accounts when Gregory & Sons folded last year.

PROTECTIVE BOND

The Big Board and Amex trust funds guarantee only the accounts of customers in failing firms. They do not cover theft, fraud or the loss of a client's securities. But both exchanges require members to take out what is known as a "broker's blanket bond" as protection. These actually insure the brokers themselves against loss or theft, but they protect the customer indirectly because an uninsured loss could place a firm in serious financial jeopardy.

But the big concern at the moment is customer losses due to failure. And some legislators believe that the trust fund is not adequate to protect investors. Identical bills submitted in the House and Senate calls for a Broker-Dealer Insurance Corp. similar to the Federal-Deposit Insurance Corp. that insures bank depositers. Each account would be insured up to a maximum of $50,000. The money for this insurance fund would come from an annual fee levied against brokers and amounting to one-half of 1 per cent of their net capital.

Most Wall Streeters oppose the legislation. They say that it would be costly—amounting to about $25 million a year in fees for Big Board members. A more fundamental objection is that it would set up another regulatory body with broad powers (to liquidate or merge firms, for example)—striking another blow at self-regulation.

Late last week, the Big Board took a step that may ease its problems. It formally adopted specific rules allowing its members to go public—including provisions that has mutual funds, pension funds and other institutions from taking over member firms. Capital raised in public offerings will strengthen brokerage houses and lessen the danger that they may fail.

[From Time magazine, Mar. 30, 1970]

LOOKING FOR MORE MONEY

For more than a year, savvy Wall Street insiders have feared that the back-office paper-work tangle in brokerage houses might lead to a major scandal. Now those fears have been heightened. Several firms have failed, some others are in obvious financial trouble and the top officers of the New York Stock Exchange are desperately asking Washington for emergency help. Nobody expects a repeat of the classic 19th century panics, when brokerage houses went under in domino fashion, trading was suspended on the Exchange and Wall Street was crowded with frantic depositors trying to get their money from failing banks. But if the siutation gets much worse, it could hurt some investors, scare others and provoke selling that would drive stock prices still lower.

Taking a Beating. Two weeks ago, McDonnell & Co. announced that it would close because of insufficient capital. Three smaller houses have liquidated in the past two years, but McDonnell is the best-known one to have shut down since 1963. One problem was that McDonnell has invested some of its capital in the sagging stock market. Investing capital reserves in stocks is a common though risky practice on Wall Street. Many of the larger firms, including Merrill Lynch, refuses to change it. But McDonnell did, and so does Francis I. du Pont, among others.

Last week's news was also disconcerting, Bache & Co., the second largest brokerage house, announced an $8.7 million pretax loss for last year. Goodbody & Co. reportedly had a $1.5 million operating loss in the first two months of this year. Hayden, Stone took a $17.5 million loan from a group of investors in Oklahoma. And Kleiner, Bell & Co. announced that it was getting out of the brokerage business, but will continue as an investment banker.

No Profit in Trades. The trouble with Wall Street is that the securities business, which fattens on the managerial prowess and high technical competence of others, is itself poorly managed and technically backward. Though the Stock Exchange has started a centralized certificate clearing service, millions of dollars worth of stock certificates are still moved back and forth each day by aged messengers. Office automation came to the brokerage business relatively recently, and only because the Street was strangling in its own paper work. In 1968, brokers stepped up hiring expensive new talent and adding office equipment. All of this added greatly to the brokers' costs. At the same time, their income was reduced because of a cut in commission rates on large trades and the shortening of trading hours, a change imposed to give back offices time to catch up. On top of that, the market started its long decline in December of 1968, and volume tumbled. Costs could not be cut enough to prevent last year from being a disaster.

According to the Exchange, half of its member firms that serve the public lost money on their stock-trading business last year and continue to do so. Even Merrill Lynch, the largest and most efficient brokerage house, made most of its 1969 profit from underwriting and from its commodity and bond-trading activities. Institutional houses—which deal with mutual funds, insurance companies and pension plans—do well by comparison. Such institutions account for more than 40% of the current 11-million-share daily volume. That leaves the retail firms to scramble for the remaining 6,000,000 shares per day, the level of trading that prevailed in the mid-1960s before the recent spurt of expensive expansion took place. One good index of the malaise in the market: the price of a seat on the Exchange dropped from $515,000 last May to $300,000 this month.

Emergency Fund. In a semicrisis atmosphere last month, Robert Haack, Bernard Lasker and Ralph DeNunzio, the three top officers of the New York Stock Exchange, went to Washington to ask the Securities and Exchange Commission for an increase of 17% in brokerage commissions, the first raise since 1958. At the time, the plan was criticized because the heaviest burden would fall on small investors, and the public would be asked to support some sloppily managed firms. Last week, with a real crisis on their hands, the Exchange's trio went back to Washington to ask permission to impose an interim surcharge on all trades up to 1,000 shares. The surcharge would be $15 or 50% of the regular commission, whichever is lower. That would help keep some brokers solvent while the SEC studies the February proposal.

The Exchange maintains a trust fund to cover customers against losses if their broker fails. It has committed $6,000,000 to the orderly liquidation of McDonnell. The money will enable McDonnell to repay bank loans and reclaim customers' stock that had been pledged as collateral to secure the loans. Investors who buy stock on margin must agree to let the brokerage firm use the stock as collateral. McDonnell's clients stand to get their cash or stock, though margin customers may have to wait some time for the paper work to be unscrambled. One result of the McDonnell failure could be a decline in margin speculation because there is always the chance that the stock could be tied up indefinitely if more brokerages fail.

The Exchange has also committed $6,000,000 from its trust fund to the liquidation of two firms that failed last year. It has only $3.3 million left to handle other emergencies, though it does have a $15 million line of credit from banks. If several big houses should go under, the Exchange would assess the membership, and some institutional firms might well decide to leave the Big Board rather than pay up.

The latest tremors show that share-holders need more protection than the Exchange's trust fund provides. Maine's Senator Edmund Muskie has introduced a bill that would set up a Broker-Dealer Insurance Corp. similar to the Federal Deposit Insurance Corp., which protects bank depositors. Congress might be wise not to wait for the kind of disaster that brought FDIC to fruition before acting on the proposal.

[From the New York Times, Mar. 23, 1970]

MORE FAILURES PORTENDED AS WALL STREET WOES RISE

(By Terry Robards)

Shrinking volume in the stock market, the continually rising cost of doing business and the unlikelihood of immediate commission-rate increases are once again creating a crisis atmosphere on Wall Street. The securities industry, in fact, is rife with rumors that another major brokerage house will follow the lead of McDonnell & Co., which announced 10 days ago that it would go out of business because it had been unable to stem a rising tide of heavy losses.

Informed sources report that at least two major securities firms with known financial difficulties are foundering.

At least three other firms are mentioned frequently as having major operating difficulties. Still others are said to be losing money at rates that cannot be sustained for long.

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The New York Stock Exchange reported to the Securities and Exchange Commission last week that preliminary data for all its member houses doing a public business indicated that more than half had lost money on their securities commission business in 1969.

"SEVERE" LOSSES LISTED

Recent data covering almost 20 per cent of the business done suggested that "important firms" sustained severe losses in both the third and fourth quarters of 1969, both on their brokerage business and on an overall basis, the exchange continued.

It added that there were indications the losses had continued into early 1970. Industry experts say it is probably that losses not only have continued, but have mounted, namely because most of the same adverse conditions prevailing last year have continued into the present year.

Stock market volume, a direct indicator of the level of commission income available to meet costs, has not only remained relatively low but actually has declined.

Turnover on the New York exchange averaged 11.4 million shares daily last year.

Fourth-quarter volume averaged 12.4 million shares a day and it is known that several of the industry's largest firms operated at loss during that period.

Activity has continued to diminish this year, reflecting the slowing of the economy, the discouraging duration of the bear market and little in the way of optimistic news.

DAILY AVERAGE FALLS

The Big Board's daily trading average in January fell to 11.6 million shares and moved sharply lower in February, to 9.4 million. In the first three weeks of March it was running at less than a 10 million rate again.

Meanwhile, fixed costs have remained high, reflecting the costly new operating capacity which many brokerage houses were forced to install last year and the year before in crash programs to cope with the paperwork problems brought on by heavy volume.

"I don't think I'd like to bet that McDonnell will be the last," a well known securities industry figure said last week. "You know the ones in trouble as well as I do," he added. "We all hear the same stories."

Confirmation of brokerage-house difficulties is difficult to obtain. The senior officers of troubled firms are understandably wary of making their losses public, lest the disclosure itself cause customers to panic and losses to be aggravated.

The urgency of the situation last Tuesday, when representatives of the New York exchange proposed to the Securities and Exchange Commission that a "minimum service charge" be imposed on all transactions to provide interim commission rate relief.

The $15 charge would be only a temporary measure, designed to raise revenues while the commission conducts its study of the more comprehensive rate package proposed Feb. 13. This study is expected to take months.

In a letter to the exchange membership Thursday, Robert W. Haack, president, said, "Allowing for the normal three-week waiting period of S. E. C. comments, if the commission interposes no objection, the new charge could be given final approval by our board on April 12 and take effect shortly thereafter."

SPEEDY ACTION ASKED

Mr. Haack noted that the S. E. C. had been asked to expedite its review of the service-charge proposal, but some industry leaders wondered if quick action by the S. E. C. would be forthcoming under any circumstances and whether certain firms could continue in business much longer.

Of special concern is the crisis of public confidence that could ensue if one or more of the securities industry's giant houses were to become insolvent. Such a crisis could cause a run on other houses, according to one theory, and the result could be a major catastrophe.

WALL STREET TREMORS

The bear market in Wall Street and the climb in operating costs are producing serious financial problems for stock brokers. McDonnell & Co. is to be gradually liquidated and its accounts transferred to other houses. Kleiner, Bell & Co., a California firm, has decided to end its public brokerage business. Bache & Co., the second largest broker in the country, has announced that it lost $8.7-million last year, although its chairman states that the deficit did not seriously impair the firm's financial position.

These events appear on the surface to lend support to the New York Stock Exchange's proposal for a boost in the level and change in the structure of commission charges. Rates to small investors would be drastically increased and rates to big institutional investors steeply cut. The new rates are designed to increase the earnings of the securities industry by more than 10 per cent; the aim is to assure what the "big board" describes as a normal after-tax return of 15 per cent on invested capital from securities commissions and the interest on margin accounts.

In effect the New York Stock Exchange wants to be treated as a kind of public utility, with the privilege of determining its own rate structure. The Justice Department objects to this arrangement on antitrust grounds and says that rates should not be collusive.

There are better ways of dealing with the problems of setting proper commission charges than through monopoly pricing by the New York Stock Exchange. There is no reason why big institutional investors cannot be permitted to work out commissions with the brokers who handle their accounts. It is only fear of potential conflicts between the managers of two types of institutions, mutual funds and banks, that inhibits the S.E.C. from endorsing free-market pricing at the upper end of the scale.

At the lower end of the trading scale, the market might also do a better job of setting commissions than a rate-making authority. A study done for the Stock Exchange has tried to calculate the costs of securities trades objectively, but its results are open to criticism on several grounds: that they have focused on the individual transaction rather than the customer, that the study is based on an unrepresentative period, and that the report does not record all stockbrokers' income.

Instead of moving at once to a full free market solution, the S.E.C. could require the Stock Exchange to deregulate commissions at the upper end of the scale. Initially, rates on transactions of $100,000 or higher could be left to the parties involved. If a free market system for commissions on big trades were found to work well, it might gradually be extended to apply to trading at the lower levels. But changes should be made carefully, especially given the present degree of illiquidity of some brokers.

The job of protecting the public from losses that might result from the failure of stock brokers should be separated from the problem of setting commission rates. The way to protect customers should be through a Broker-Dealer Insurance Corporation, similar to the Federal Deposit Insurance Corporation which protects bank depositors. Representative John E. Moss of California and Senator Edmund Muskie of Maine have introduced just such a bill. The signals of danger on Wall Street call for urgent Congressional attention and action on legislation to protect the investing public.

ADDITIONAL STATEMENTS OF SENATORS

PSYCHOLOGICAL TESTS FOR 6-YEAR-OLDS

Mr. HATFIELD. Mr. President, on the front page of the Washington Post of April 5 is an article which I hope every Senator will read with care. It was headlined as "Crime Tests at Age 6 Urged" and referred to President Nixon's request that the Department of Health, Education, and Welfare study proposals set forth by Dr. Arnold Hutschnecker, a New York psychiatrist, that "psychological tests be administered to all 6-year-olds in the United States to determine their future potential for criminal behavior."

Mr. President, all of us favor alleviating antisocial behavior and reducing the number of delinquent and criminal offenses, and Dr. Hutschnecker's concern with this goal is most commendable. However, the basic assumptions and implications that Dr. Hutschnecker's proposal holds for our society and the inherent difficulties and problems contained in his memorandum to the President are quite frankly outrageous, and I must express complete surprise at learning that a feasibility study is actually taking place within a government agency with an eye to implementing Dr. Hutschnecker's massive program of psychological testing.

Psychology is yet an imperfect science. It is a field of enormous conflict of ideas and opinions, no one of which has ever gained acceptance or superiority over the others. The very fact that Dr. Hutschnecker believes he can detect the potential for criminal behavior in a mass test of 6-year-olds is in itself a very experimental and shaky assumption. There are many psychologists and psychiatrists who believe that emotional characteristics are not a stable factor in children. Others believe that aggressive and hostile behavior is inherent in all of us and the entire socialization process determines how this behavior will be expressed.

There are many studies which show that children from lower economic classes are usually socialized to outwardly express aggression in physical means and that in many instances male children at this economic level find that in their environment aggression makes them more socially acceptable. Another problem of Dr. Hutschnecker's proposal is the fact that he proposes to study the child at such a young age.

Assessing the behavior of children at this age level is a highly sensitive and difficult process. Rapport must first be established with each individual child allowing for no standardized tests for this age group which could account for all the variables involved in detecting truly aggressive tendencies. Another factor unaccounted for by Dr. Hutschnecker is the astounding room for error that is inherent in his proposal.

Given the imperfect state of the field of psychology, given the number of subjects involved, given the use to which

XUM

the "knowledge" gained by the testing will be out, and given our past experience with massive governmental programs of a much less sensitive nature, the amount of abuse which would be a byproduct of his proposal is beyond comprehension.

The fact that Dr. Hutschnecker's proposal is being taken seriously is frightening. The logical consequences of his proposal are a direct violation of our cherished concepts of public privacy and freedom. In essence the proposal provides for massive governmental control over behavior, over the futures of every one of the 6-year-olds tested. Governmental camps, mass psychological treatment for so-called deviants all for the expressed purpose of "weeding out psychopathic personalities before they reached positions of power." Hutschnecker has even gone so far as to call for a mental health certificate that would be required for all young people as a prerequisite for any job of political responsibility. This type of language is disturbingly reminiscent of "Brave New World." In the last analysis our entire judicial system becomes one where the individual is guilty until proven innocent and is awarded with a "clean bill of mental health" by his paternal government. And at the end of all of this there are many in the field of psychology who state that such a method of testing will not even weed out the psychopaths, that many psychopathic individuals that have committed outrageous crimes against their fellow man have been described as "wonderful people" and who according to some theorists would appear as "normal," well-adjusted individuals on these tests.

Let us take this proposal to a very possible extreme. A small ghetto child already the product of a hostile environment has a fight with his parents, has had a bad week at school, and has just lost his best friend due to a move. He goes to school and is administered psychological tests. He turns up on the test interpretation as showing definite antisocial behavior and a tendency for aggression. He is marked for the Government's mass psychological and psychiatric treatment for "children found criminally inclined." He is confused and frightened by such treatment and he begins to develop a very real hostility toward school which is the source of his problem. Due to his behavior and uncooperative attitude the Government directs him into a friendly camp to help him adjust to life. His continued confusion and bewilderment adds to his fright and hostility. Finally he commits a "hostile act" trying to fight back against his oppressors. He is marked by the government. The result is a self-fulfilling prophecy: a psychopathic personality was made and weeded out—all at the Government's whim.

Of course, the above story only demonstrates the extreme of Dr. Hutschnecker's proposal, but it does point out the rampant discrimination process which could result from the implementation of this program. Children will receive treatment who do not require treatment; people will be labeled for life out of normal human error; perhaps very real psychological problems will be overlooked or not interpreted correctly; and finally the very people who will end up in these centers and camps will more than likely be the poor, the minority groups, the ghetto children who have legitimate reasons for being aggressive and hostile to their environment.

What is being proposed here is beyond understanding. Are we to buy the assumption that the Government has the right to give psychological examinations to our children which, in themselves, are debatable and have no proven validity? Are we to buy the assumption that on the basis of these imperfect tests the Government has the right to judge the future character potential of our children, put them in camps, oblige them to undergo therapy of an experimental and dubious state and, in essence, map out the limits of their lives at age 6? I am astounded and alarmed that HEW is actually studying the "advisability of setting up pilot projects embodying some of the approaches." It is an insult to human dignity; it is an insult to democratic freedom, and it is an insult to our privacy and constitutional rights.

There is little question that the Government could undertake many sweeping programs and plans of action which would immeasurably lessen some of the ills of our society. Indeed, many of these activities could have the guarantee of being foolproof, unlike Dr Hutschnecker's proposal. We could remove the freedom of movement within the United States in order to develop a proper population dispersal. We could raise all children in massive governmental centers in order to have a balance of personality types and give them a conformity of environment. To stop the flow of gold from our Nation, we could prevent all travel of citizens out of the country. To prevent an intensification of the urban problem, we could require governmental permission for rural-urban moves. But if we allow our Government to take such steps, we no longer are a free society. We no longer have the freedom of choice, expression, movement. We become but pawns of the state and the shells of human beings.

Mr. President, I am not in the least trying to denigrate the beneficial aspects of psychology or psychiatry. I certainly feel that delinquency, and especially juvenile delinquency, deserves all the psychiatric and psychological attention that the resources of the community can afford. But we must not allow yet imperfect theories to become governmental law. If we do, then this can extend to our entire lifestyle and we will lose the very essence of democratic life.

I reiterate that psychology is yet an imperfect science. Such a widespread use of imperfect methods can lead not only to massive abuse but also to rampant discrimination.

I urge the President to reconsider his request to Secretary Finch.

I ask unanimous consent that Robert C. Maynard's article be printed in the RECORD. I also invite attention to the Washington Post's April 10 lead editorial which discusses Dr. Hutschnecker's proposal and the letters to the editor which appeared the same day. I call particular attention to the letters by Dr. Cummings and Dr. Kaufman who state from a more professional point of view the same reactions that I have to this incredible proposal. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Washington Post, April 5, 1970]

HEW STUDYING CALL FOR CAMPS—CRIME TESTS AT AGE 6 URGED

(By Robert C. Maynard)

President Nixon has asked the Department of Health, Education and Welfare to study the proposals of a New York psychiatrist that psychological tests be administered to all the six-year-olds in the United States to determine their future potential for criminal behavior.

Dr. Arnold Hutschnecker further proposed massive psychological and psychiatric treatment for those children found to be criminally inclined. He said such a program is a better short-term solution to the crime problem than urban reconstruction.

Teen-age boys later found to be persisting in incorrigible behavior would be remanded to camps, under the proposals submitted to the President last December.

The determination of criminal tendencies of children 6 to 8 years old would be made by psychologists using such tests as the Rorschach, which depends for its predictive insights on the reactions of the person being tested to a series of ink blot images.

Dr. Hutschnecker, a consultant to the former National Commission on the Causes and Prevention of violence, advised the President of his proposals in a 1,600-word critique of the Commission's report after it disbanded at the end of last year.

Assistant to the President John D. Ehrlichman, in a memorandum to HEW Secretary Robert Finch on Dec. 30, said, "the President asks your opinion as to the advisability of setting up pilot projects embodying some of these approaches."

NO ANSWER YET

A spokesman for Finch said yesterday that no answer has been sent to the White House because the study of Dr. Hutschnecker's suggestions "requires considerable staff work," which is not complete.

Dr. Hutschnecker, formerly an internist, treated Mr. Nixon in that capacity when the President was Vice President in the 1950s.

The Violence Commission concluded that the solution to urban violence is urban reconstruction, creating an environment that would reverse the trend toward crime.

"No doubt," Dr. Hutschnecker told the President, "there is a desperate need for urban reconstruction but I would suggest another, direct, immediate and I believe effective way of attacking the problem at its very origin, by focusing on the criminal mind of the child.

"The aim is to prevent a child with a deliquent character structure from being allowed to grow into a full-fledged teen-age delinquent or adult criminal," Dr. Hutschnecker said.

"The sooner this destructive trend is recognized and reversed, the better the chances for the prevention of crime and the cure of the individual," he wrote.

ADVOCATED EARLIER

The early testing of children to detect deviant behavior has been advocated by the doctor before.

He wrote last year in Look magazine that

XUM

high school and college students "should be obliged to undergo psychological testing." He argued then that aside from detecting mental illness in time to facilitate early treatment, such tests would serve the purpose of "weeding out psychopathic personalities before they reached positions of power."

In the magazine article, Dr. Hutschnecker urged "a kind of mental health certificate (that) would be required of all young people as a prerequisite for any job of political responsibility."

Dr. Hutschnecker bases his advocacy of psychological testing on what he believes to be the successful predictive achievements of such tests as those devised in the 1950's by Sheldon and Eleanor Glueck of Harvard University.

GLUECK TEST

Using a combination of social and psychological data, the Gluecks reported that they were able to predict over time that certain children would become youthful offenders as adolescents. Their test is one of those specifically recommended for universal administration in Dr. Hutschnecker's memo to Mr. Nixon.

"The government," Dr. Hutschnecker told the President, "should have mass testing on all 6 to 8 year old children." He said the Glueck's test and the Rorschach ought especially to be considered, adding that he felt the need for more research "to determine the most effective and least costly method.

"These tests," the President was advised by his former physician, "could help detect the children who have violent and homicidal tendencies. Corrective treatment could begin at that time."

He advocates in his memo to Mr. Nixon corrective treatment by teams of young graduate students in psychiatry and psychology for children. He urges the President to establish day-care centers for pre-schoolers, after-school centers for older children and guidance counseling for those who show delinquent tendencies.

SOVIET SUCCESS

"The more disturbed, the more angry, rebellious, undisciplined and disruptive boys especially those who show criminal tendencies, should be given aptitude tests to determine areas of interest which should be carefully encouraged. There are Pavlovian methods which I have seen effectively used in the Soviet Union," Dr. Hutschnecker said.

Continuing with his message to the President, the New York physician says:

"For the severely disturbed, the young hard-core criminal, there may be a need to establish camps with group activities under the guidance of counselors, under the supervision of psychologists, who have empathy (most important) but also firmness and who can earn the respect of difficult adolescents.

"By governing themselves," he continues, these boys "would learn the meaning of responsibility and of adjusting to life in a group."

Dr. Hutschnecker said he believes his proposal should be treated as "a crash program" for which the government should "extend loans to a large number of students to enable them to become psychologists or psychiatrists."

Dr. Hutschnecker's memorandum is one of several addressed to the President that have landed in public print. Negro leaders and civil rights supporters expressed outrage recently at a memorandum—by presidential counselor Daniel P. Moynihan which described economic conditions of Negroes as being better than many Negroes feel they are.

[From the Washington Post, Apr. 10, 1970]

Dr. Hutschnecker's Modest Proposal

Unlike Jonathan Swift, who formulated "A Modest Proposal for preventing the Children of Poor People in Ireland from being a Burden to their Parents or Country," Dr. Arnold Hutschnecker does not suggest that the rich should devour the children of the poor by way of solving the nation's social problems. Rather, he merely suggests that the state begin a massive psychological testing program on all 6-to-8-year-olds (to unearth "delinquent character structure") and provide a series of correctional measures for those who flunk, including ultimately "camps" for such young people as resist the state's benevolent ministrations and turn out to be—despite them—"hard-core." That and the fact that, unlike Dean Swift, Dr. Hutschnecker does not seem to be kidding, are the principal differences between these two works of art, one of which is to be found between the covers of any reputable collection of British satire and the other of which turned up in this newspaper last Sunday in an article by Robert Maynard.

Since a covering note to Secretary Finch makes plain that both Mr. Nixon and his assistant John Ehrlichman take the proposal seriously ("The President asks your opinion as to the advisability of setting up pilot projects embodying some of these approaches"), we will refresh your memory as to what it's all about. Dr. Hutschnecker picks up where the Eisenhower Commission on Violence left off—prematurely and incompletely, in his opinion, since the commission observed that, "only progress toward urban reconstruction can reduce the strength of the crime-causing forces in the inner city and thus reverse the direction of present crime trends." Dr. Hutschnecker disagrees:

"I would like to suggest another, direct, immediate and . . . effective way of attacking the problem at its very origin, by focusing on the criminal mind of the child."

He thereupon cites some projective psychological tests which are the subject of considerable controversy and reservation among psychologists so far as both their potential use and abuse are concerned, and from this scanty material fashions his modest proposal.

Because "delinquent tendencies" can be predicted from tests "even at the age of six," Dr. Hutschnecker contends that what is wanted is a comprehensive testing program. Those children in whom government detected "violent and homicidal tendencies" would get treatment and guidance and finally, if they failed to respond, a place in Camp Hutschnecker-by-the-Sea. There they would be supervised in "group activities" by psychologists, psychiatrists, and "psychomedics" who had been trained with the help of government loans. Dr. Hutschnecker, ever looking on the bright side of things, maintains that in or out of camps even the most intractable adolescents can be redeemed: "There are Pavlovian methods which I have seen used effectively in the Soviet Union."

It should be stated at about this point that Dr. Hutschnecker himself is a physician and that his credentials as a diagnostician of the nation's psychic ills are rather slim. He has not let this fact get in the way of his publicly administered group therapy, however: only last summer Dr. Hutschnecker was promoting in Look magazine his universal pass-fail system for grading the mental health of prospective public servants and issuing them a kind of sanity card as proof against—well—who knows what? At that time he also came up with some highly imaginative, if politically suspect, psychologicalesque descriptions of public figures (not Mr. Nixon) whom he of course has never treated.

So Dr. Hutschnecker lacks the two credentials that might have justified in some degree the interest the White House has shown in this document: he is not a satirist and he is not a specialist in the subject on which he made his sweeping recommendations.

Among his other shortcomings we would include what Arthur Godfrey once perceived in Julius La Rosa as a certain want of humility, and we would also cite his gross indifference to the delicate relationship that exists and must be preserved in these matters between the government and the citizen, and between "predictive" concepts of crime of any kind and the actual committing of crime, which is what we punish people for or treat them separately and specially for. Finally, in a somewhat less-thunderous vein, we would commend to Dr. Hutschnecker's attention the inferences of Drs. Gesell and Ilg in the section called "Six Years Old" of the classic work, "The Child From Five to Ten." Some of our best friends are 6-year-olds, and we have no intention of *smearing* them as a group. But the implication is strong that what with one thing and another, generally speaking, and in terms of decorum, *all* 6-year-olds are criminals. We don't want to be too flibberty-gibbet: the few truly sick and hurt can be helped by special care, and for those who are trapped in the horror of our urban slums, we think the Eisenhower Commission was doing just fine in its diagnosis without Dr. Hutschnecker's addendum. For the rest of the world's wanton 6-year-olds there is nature's special cure: turning 7.

On "Crime Tests" for 6-Year-Olds

In the past several days, press and radio across the country have carried a set of proposals by Dr. Arnold Hutschnecker, bearing on "crime tests" for all 6-year-old children and subsequent mass remedial programs for those who score badly on those tests. As presented in the Page One article in The Washington Post of Sunday, April 5, these proposals are little short of fantastic.

At the most basic level, the reported views show little awareness of the strengths and weaknesses of psychological tests as predictors of the later actions of 6-year-olds. And, even were the plan otherwise feasible, it would be simply impossible to test every member of a particular age group, especially when a test like the Rorschach ink blots (typically administered to one person at a time) is included in the test battery. Further, the assumptions which Dr. Hutschnecker, makes about the causes of criminal and delinquent behavior seem to overlook the importance of social and environmental factors.

Perhaps most important, Dr. Hutschnecker's remarks imply that psychology would be interested in a mass testing program whose goals are (1) sorting children into categories by criminal tendencies, and (2) deciding that this or that youngster will be remanded to a treatment setting. But such ideas do not sit well with the great majority of psychologists. Not only do they run counter to cherished principles of individual freedom, but also it is difficult to reconcile them with those ethical principles which steer the testing and therapeutic activities of psychologists.

Our community faces many dismaying problems, including crime and delinquency. The District of Columbia Psychological Association wants very much to contribute to the solutions of these problems in any way it can. But the proposals presented in the accounts of Dr. Hutschnecker's views are not the guidelines which this association will use to steer its attempts to help.

JONATHAN W. CUMMINGS.
President, District of Columbia Psychological Association.
WASHINGTON.

On April 5, The Washington Post gave page one coverage to an astounding and alarming proposal by Dr. Arnold Hutschnecker, President Nixon's former physician. Assuming your report to be relatively accurate, I understand that Dr. Hutschnecker advocates compulsory testing by the government of "all 6- or 8-year-old children" to "detect the chil-

XUM

dren who have violent and homicidal tendencies." Involuntary "corrective treatment could then begin." Similarly, he suggests "focusing on the criminal mind of the child," "weeding out psychopathic personalities before they reached positions of power" and "the more disturbed, more angry, undisciplined and disruptive boys."

Dr. Hutschnecker's presumably well-intentioned program would be merely entertaining as an outrageous parody of misinformation, professional arrogance and the misuse of behavioral science—were it not so potentially threatening to the constitutional guarantees of liberty and due process of law. Regrettably, it seems to be getting the administration's serious attention, according to your report.

His proposals are based on misguided and naive assumptions about the corrective and predictive capabilities of psychological and psychiatric methods. For example, he assumes incorrectly that psychological tests can accurately reveal those children who have what he calls "violent and homicidal tendencies." The Gluecks' studies, which he cites approvingly, have been widely discredited. They at best tell us what we knew all along: that children living in deplorable conditions tend toward "delinquency," not homicide. While paying lip service to changing these conditions, Dr. Hutschnecker's program emphasizes changing what he callously calls "the criminal mind of the child"—a term of his own invention with as little empirical meaning as his "violent and homicidal tendencies."

Psychiatric predictions of future dangerousness are even more unsatisfactory as a basis for any program, because they enormously overpredict dangerousness. Thus, for every child correctly identified as "dangerous" (however defined) by present methods of psychiatric prediction, 20 or more others would be *incorrectly* so labeled. They, too, would be involuntarily concentrated in Dr. Hutschnecker's "camps with group activities." They, too, would be coercively deprived of liberty without benefit of trial, without having committed a crime, and unjustifiably stigmatized for life.

The techniques of psychological and psychiatric evaluation are easily manipulated and can be extremely dangerous if used to promote political ends. One wonders why Dr. Hutschnecker does not propose programs for testing "symptomatic" presidential candidates, for "weeding out sadistic racist politicians," "sociopathic disturbed and unscrupulous corporate executives" or "obsessive-compulsive authoritarian personalities of military and political power." These "disturbed" persons surely pose a greater threat to the nation than his "disturbed, angry, rebellious boys."

The critical point is that *neither* group is objectively "disturbed." When used to promote political policies, mental illness labels are essentially character assassinations. They can be made to discredit any idea or person whose behavior one dislikes. Accordingly when as Dr. Hutschnecker proposes, psychiatric, and psychological judgments are made the basis upon which human liberty is deprived, the rule of man will be substituted for the rule of law. Involuntary preventive detention for any political purpose will then be possible.

HAROLD KAUFMAN, M.D., LL.B.,
Adjunct Professor of Psychiatry and Law, Georgetown University Law Center.
WASHINGTON.

We read with interest your April 4 report about President Nixon asking the Department of Health, Education and Welfare to study a proposal by Dr. Arnold Hutschnecker that psychological tests be given to all 6-year-olds to determine their future potential for criminal behavior. The idea is fascinating and may indeed be a goose step forward in the crusade for "law and order."

However, it may require our spendthrift President to part them with some money for a good system of identifying the undesirables. Perhaps the money that was saved by cutting the funds for programs for slum housing and education might have to be used—but such is the price of progress.

Rather than the yellow star popular before and during World War II in another nation interested in combating fundamental causes of "criminal behavior," we might require the tattooing of a red X on the foreheads of those 6-year-olds who "flunk" their Rorschach.

The model the President might use for the camps to which to send the incorrigibles could very well be the prior regimes who also wanted to protect their silent majorities from undesirable elements.

FRED and HOLLY JELLISON.
WASHINGTON.

It had to come sooner or later, but I did not expect it this soon. According to The Washington Post (April 5), the President has asked HEW to study a proposal for preventive detention of sorts via the psychological testing of 6-year-old children in order to weed out potential criminals! It is fantastic that Mr. Nixon could entertain the notion that such a plan would be constitutional, let alone wise. Given the present state of knowledge and skill in the art of predicting human behavior, such a plan could result in little more than the brainwashing and Pavlovian conditioning of what would surely turn out to be predominantly black, poverty-stricken children from the ghetto to the questionable life style and value system of the President himself, and, God forbid, the Attorney General.

As a preliminary test of the administration's gut faith in this sort of predictive device, let the President first decree that all Republican candidates and high level appointees be screened and the results made public prior to eligibility for office.

RICHARD E. JONES.
ANNANDALE, VA.

Dr. Hutschnecker's proposal that six-year-olds be tested for their potential criminal behavior is too modest. Mothers know very well the larcenous, uncivilized behavior of two-year-olds. Many show little respect for the voice of authority, especially those children with potential to be effete intellectual snobs due to insufficient mediocrity. Put the independent stubborn ones in government creches. For due process of law, a judge and a psychologist could be present to tattoo their criminal heads, assuring that only the righteous would ever hold jobs. Of course the offending parents should be sterilized to remove their criminal genes from circulation. Then we should be well on the way to a final solution to the crime problem by 1984.

ELLEN D. YORKE.
JAMES A. YORKE.
BELTSVILLE.

LOWERING THE VOTING AGE TO 18 BY STATUTE—SUPPORT BY PAUL FREUND AND ARCHIBALD COX

Mr. KENNEDY. Mr. President, last week, in a letter to the editor of the New York Times, six professors of the Yale Law School questioned the constitutionality of the Senate's action in lowering the voting age to 18 by statute.

In yesterday's New York Times, two distinguished professors of Harvard Law School answered the Yale arguments in detail, and strongly supported the constitutionality of lowering the voting age by statute. Yesterday's letter was written by Prof. Paul Freund, the most renowned constitutional authority in America, and Prof. Archibald Cox, who served as Solicitor General of the United States under President Kennedy and President Johnson. Because of the importance of the constitutional question, I ask unanimous consent that the letter by the Yale professors and the reply by Professor Freund and Professor Cox be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KENNEDY. Mr. President, as the Yale professors state, they support the Justice Department's constitutional objections to the statute. However, both the Department and the professors ignore a fact that was repeatedly emphasized in the Senate debate—the same bill now pending in Congress to lower the voting age also imposes a nationwide ban on State literacy tests, and makes a substantial reduction in State residence requirements for voting.

In the Senate and House hearings on the voting rights bill, the Justice Department strongly supported the constitutionality of the literacy and residence provisions, and cited Katzenbach against Morgan as authority for this view. Surely, if Congress has the power to act by statute to change voting qualifications in the areas of literacy and residence, then it also has the power to act by statute to change the voting age.

The Yale professors propose to restrict the Supreme Court's holding in the Morgan case to circumstances involving discrimination against ethnic minorities. However, neither the equal protection clause of the 14th amendment nor section 5 of the amendment contains any such limitation. As the Court clearly stated in the Morgan case, Congress has broad power under section 5 to weigh the facts and make its own determination of discrimination under the equal protection clause, whether the discrimination is based on race or any other ground. So long as the Supreme Court can find a reasonable basis for Congress' determination, the Court will sustain it.

The Yale professors also suggest that, in any event, there is no discrimination in State voting age restrictions, because they apply equally to all young Americans in 46 States. Obviously, if a minority group were denied the right to vote, no one would argue that the denial was nondiscriminatory merely because it applied equally to all members of the group. Similarly, merely because all 18-year-olds are denied the right to vote does not mean that there is no discrimination against them.

Three weeks ago, by a vote of 64 to 17, the Senate made a clear finding that such discrimination does exist. The Senate held that laws setting the voting age at 21 unfairly discriminate against millions of 18-, 19-, and 20-year-old Americans who fight and die in Vietnam, who work, marry, and pay taxes, and who are treated as adults by the criminal law, but who are denied the most basic right of all in our democratic society—the right to vote.

The Yale professors also assert that the long-ignored section 2 of the 14th amendment is conclusive on the constitutional question. But, section 2 says only that, if a State denies the vote to male citizens over 21, the State's representation in Congress must be reduced. Section 2 says nothing of the broad power of Congress under section 5 of the amendment, or the broad power of the States under other provisions of the Constitution. To read a provision that all males of 21 shall be entitled to vote as meaning that only those attaining that age shall be so entitled is to commit the most elementary logical fallacy. All the section shows is that in 1868, when the 14th amendment was adopted, Congress and the States did not think 21 was an unreasonable age requirement for voting. Nothing in section 2 prevents Congress or the States from determining today that times and people have changed, that young Americans are more mature and better educated, and that the 21-year age requirement for voting is no longer reasonable.

In fact, the professors' argument on section 2 proves too much. If, as they insist, Congress has no power to reduce the voting age mentioned in section 2, then it also follows that the States have no such power as well. Yet, no one doubts the constitutionality of the actions by Georgia, Kentucky, Alaska, and Hawaii in recent years to reduce the voting age below 21.

The power of Congress under the Morgan case to enforce the equal protection clause and to lower the voting age by statute is unequivocally supported by Professor Freund, by Professor Cox, and by many other constitutional experts. I believe that Congress has not only the capacity to exercise this power wisely, but also the responsibility to do so. By accepting this responsibility in the voting rights bill and other measures, Congress is making a basic contribution to representative government in our democracy, and is helping to balance the trend of judicial activism in our recent history.

Indeed, there is obvious irony in the Yale professors' position. For a generation, Yale Law School has been the leading bastion of judicial activism in the Nation. Now it emerges as the advocate of congressional restraint.

It is also noteworthy that Louis Pollak, dean of the Yale Law School, testified to Congress shortly before the Senate vote that, in spite of his constitutional doubts, Congress should proceed by statute if there was no substantial chance that the constitutional amendment route would work. In light of three decades of outspoken opposition to the principle of 18-year-old voting by Members of Congress in control of the committees that must pass on the issue, I and many others in the Senate believe that Dean Pollak's test is met. The present voting rights bill is our last real hope of enfranchising American youth, and thereby bringing them into the mainstream of our political process. Millions of young Americans deserve the right to vote, and Congress should respond.

EXHIBIT 1

[From the New York Times, Apr. 5, 1970]

AMENDMENT FAVORED FOR LOWERING VOTING AGE

TO THE EDITOR:

As The Times has reported, the Justice Department opposes, as unconstitutional, the pending proposal to lower the voting age in national and state elections to 18 by statute.

As constitutional lawyers—some of whom favor and some of whom oppose lowering the voting age, and none of whom counts himself a knee-jerk partisan of all Justice Department positions—we believe the Department is right on this very important constitutional issue. Our reasons are these:

1. Within broad limits, the Constitution leaves states free to set qualifications for participation in national and state elections. The limits are these: Those qualified to vote for the most numerous branch of the state legislature must be permitted to vote for Representatives and Senators.

No would-be voter can be excluded from any election on grounds of race (the 15th Amendment) or sex (the 19th Amendment). And no state can impose a poll tax in any national election (the 24th Amendment) or, in any election, prescribe a voting qualification so invidious or irrational as to be a denial of the equal protection of the laws (Section 1 of the 14th Amendment).

2. Those who believe Congress can lower the voting age by statute argue in substance that Congress can declare that the 46 states with a minimum voting age of 21 are denying younger would-be voters the equal protection of the laws.

Reliance is placed on Katzenbach v. Morgan, where the Supreme Court sustained a Federal statute barring states from denying the vote to Americans of Puerto Rican origin literate in Spanish but not in English. Katzenbach v. Morgan makes sense as part of the main stream of 14th Amendment litigation, policing state restrictions on ethnic minorities. But it has little apparent application to a restriction affecting all young Americans in 46 states.

3. There is a further, and to us conclusive, reason why Katzenbach v. Morgan is unavailing: The long-ignored Section 2 of the 14th Amendment explicitly recognizes the age of 21 as a presumptive bench mark for entry into the franchise. It surpasses belief that the Constitution authorizes Congress to define the 14th Amendment's equal-protection clause so as to outlaw what the Amendment's next section approves.

A statute lowering the voting age would raise the expectations of ten million young Americans—expectations likely to be dashed by a judicial determination that the statute is unconstitutional. This lends point to the fact that when heretofore the nation decided upon a fundamental change in the composition of the electorate, the consensus was embodied, in permanent and unchallengeable form, in a constitutional amendment: One hundred years ago the 15th Amendment, enfranchising blacks, was added to the Constitution.

Fifty years ago the 19th Amendment, enfranchising women, was added to the Constitution. If, in 1970, the nation is ready to welcome into the political process Americans who have reached the age of 18, Congress should, in fidelity to our constitutional traditions, submit to the states for ratification a new constitutional amendment embodying that new consensus.

Alexander M. Bickel, Charles L. Black, Jr., Robert H. Bork, John Hart Ely, Louis H. Pollack, Eugene V. Rostow,
New Haven, April 1, 1970.

The writers are members of the faculty at Yale Law School.

[From the New York Times, Apr. 12, 1970]

POWER OF CONGRESS TO LOWER VOTING AGE UPHELD

TO THE EDITOR:

Congress has ample constitutional authority to enact pending legislation reducing the voting age to eighteen without a constitutional amendment. The contrary view expressed in these columns [letter April 5] and held by the Department of Justice appears to rest upon several misconceptions.

(1)—Although the Constitution leaves the states a measure of authority to set voting qualifications, equal protection clauses circumscribe the state's discretion. The importance of this limitation is attested by decisions that a state may not deny the vote because of nonpayment of a poll tax, membership in the armed forces during the period of residency, or lack of property qualifications.

(2)—Katzenbach v. Morgan recognizes that under Section 5 of the Fourteenth Amendment, Congress has the power—and we think the responsibility—to make its own investigation and findings on the constitutionality of state voting classifications, which is conclusive if the Court can "perceive a basis upon which the Congress might resolve the conflict as it did."

To limit Katzenbach v. Morgan to "policing state restrictions on ethnic minorities" is to ignore the fact that the equal protection clause, which Section 5 gives Congress power to enforce, condemns, in the words of the Supreme Court, "any unjustified discrimination in determining who may participate in political affairs or the selection of public officials." Indeed, Section 5 is the primary, if not only source of authority for eliminating all literacy tests and reducing residency requirements as proposed by the Department of Justice.

(3)—Section 2 of the Fourteenth Amendment (invoked by your correspondents as "conclusive") provides for a reduction of Congressional representation whenever a state denies the franchise to any male citizen "being 21 years of age." The sanction was directed at restriction of the franchise; it has nothing to do with enlargement, as is apparent from state laws reducing the voting age below 21. The most that can be inferred is that in 1866-68, Congress and the state legislatures were willing to accept 21 years as a reasonable measure of the maturity and responsibility necessary to vote *at that time*. It is nowise inconsistent to conclude that *in our time* a 21-year requirement unreasonably discriminates against eighteen, nineteen, and twenty-year-olds because of changed conditions—the spread and improvement of education, the age at which young people take jobs, pay taxes, marry and have children, and their interest in public affairs. Since Section 2 did not set an age limit and conditions do change—as all must agree—it did not bind all future Congresses in discharging their responsibilities under Section 5.

There is urgent need to restore the confidence of millions of young Americans in the processes of self-government from which too many have been alienated. Congress, as the representative branch of government, should exercise its responsibility for the fairness of electoral processes under contemporary constitutional decisions.

PAUL A. FREUND.
ARCHIBALD COX.

Cambridge, Mass., April 6, 1970

The writers are members of the faculty, Harvard Law School. Professor Cox served as U.S. Solicitor General, 1961-65.

ENVIRONMENTAL LECTURES

Mr. BOGGS. Mr. President, the Environmental Clearinghouse, a nonprofit

XUM

group seeking to improve communications between Congress and the academic community, has organized a series of lectures on the subject of ecology and the environment. As I have had the honor to be a sponsor of the lecture series, I would like to tell Senators briefly about the series.

The initial lecture, "Ecology and National Policy," was presented last Wednesday by Dr. John E. Cantlon, provost of Michigan State University. The second of 10 weekly lectures will be presented tomorrow at 6 p.m. in the auditorium of the New Senate Office Building. The speaker will be Robert Alex Baron, executive vice president of the Citizens for a Quieter City, Inc.

The subject of Mr. Baron's talk, "Noise and Its Environmental Effects," is a most timely one. Legislation currently before the Subcommittee on Air and Water Pollution would create an Office of Noise Abatement and Control within the Department of Health, Education, and Welfare.

It is my hope that many Members of the Senate, as well as their staffs, will have the opportunity to attend the lecture tomorrow evening and each succeeding lecture in the series.

ALL HAIL THE PORTSMOUTH, N.H., MARCHING BAND—"THE CLIPPERS"

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Mr. McINTYRE. Mr. President, it is my happy purpose to announce that in the Cherry Blossom Band contest just held in Washington "The Clippers," the famed Portsmouth, N.H., High School Band won first place in both the concert and marching competition.

I am told this is the first time in Cherry Blossom history that such a feat has been accomplished. I salute "The Clippers."

"The Clippers" have been here before. They have done well winning various prizes. But never have they done as well as this time.

The Portsmouth band, under the distinguished leadership of Band Director William Ewell, is one of the prides of the seacoast area of New Hampshire. The band is 160 members strong. They are seen at many civic functions, parades, athletic events, and other public functions in New Hampshire and New England.

The community of Portsmouth is fully behind the band. It was through the support of the people of Portsmouth that the funds were raised to make it possible for the band to come to Washington. Hugh R. Clarke served as chairman of the drive to arrange the funds. The Portsmouth Chamber of Commerce, under the able leadership of its president, Richard Grant, contributed to the finance campaign.

I am told that the involvement of Mr. Clarke was wholehearted. In one instance he served as a target for a cherry pie-in-the-face in exchange for a $25 contribution.

Mayor Eileen Foley, of Portsmouth, promised the official support of the city if the fundraising drive fell short of its goal.

I might add that the victories in the competition are important, but the comradeship, the spirit of competition, the education received in traveling throughout the country, and the musical experience share in this importance. This is a great experience for young Americans.

All hail "The Clippers" and all those who helped in making their trip to Washington and their victory possible.

TIMES CHANGE

Mr. HANSEN. Mr. President, last Monday the Committee on Interior and Insular Affairs, of which I am a member, considered the nomination of Mr. Fred J. Russell as Under Secretary of the Department of the Interior.

Mr. Russell's background is brilliant. He is truly a self-made man, having made his mark in several varied business fields. His administrative ability is outstanding. He will perform the functions of Under Secretary of the Interior with distinction and credit.

It occurs to me that Mr. Russell's background could not be determined as one which could be described as conservation oriented. Too many people, I feel, believe that a realtor only thinks in terms of land development rather than conserving it without development. Fortunately, Mr. Russell made it clear that he subscribes totally to the philosophy expressed by Secretary Hickel, that is, "the wise use of our natural resources without abuse."

In January 1969, the Senate considered the nomination of Secretary Walter Hickel. Senators will recall that Secretary Hickel was pretty well labeled as a foe of conservation; a builder and developer who would give but small moment to the conservation and wise use of the lands and water under his jurisdiction. I doubt, quite candidly, that the nomination of a man of the background of Fred Russell would have been confirmed as Under Secretary last year at this time.

The point I wish to make is that it is a wonderful thing in this country to know that a man like Wally Hickel has, in little over a year, proven himself to be one of the most able, courageous, and effective Secretaries of the Interior in history. Today, Walter Hickel is classified and thought of as a conservationist in the highest sense of the word. He has proven that he is not for conservation for conservation's sake; rather, he is for conservation for the sake and the good of the American people.

I know that Secretary Hickel and his new Under Secretary, Fred Russell, will continue to carry out the wise policies of President Nixon as they affect our lands and waters in a manner which will bring distinction to them, both personally and professionally.

Mr. President, I ask unanimous consent that the press release issued by Secretary Hickel when Under Secretary Russell was sworn in be printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

FRED J. RUSSELL SWORN IN AS UNDER SECRETARY

Fred J. Russell was sworn in today as Under Secretary of the Interior by Secretary Walter J. Hickel.

"The Department is fortunate to have a man with Mr. Russell's managerial ability and record of accomplishment," the Secretary said. "He brings into the fight to protect our environment outstanding qualifications to administer and implement the policies of the Department with integrity and objectivity. I am glad to have him as my right hand."

Russell, who succeeds Russell E. Train, Chairman of the Council on Environmental Quality, was engaged in diverse business fields for more than 30 years prior to entering government service in February 1969, as Deputy Director of the Office of Emergency Preparedness.

After early employment with the Southern Pacific Railroad, Douglas Aircraft Company, and Timm Aircraft Corporation in California, he joined the Weiser Lock Company in 1946 and became its president and sole owner until 1967. During this same period, he purchased and operated the Gabriel Steel Company in Michigan and the S & S Manufacturing Company in Ohio, and also was in commercial and industrial building operations, farming, property management, public utility operations and residential buildings.

Russell was born in Edmonton, Canada. He attended public schools in Monrovia, California, and the University of California in Los Angeles, and served in the Fleet Marine Corps Reserve.

SENATOR JACKSON RECEIVES CONSERVATION AWARD

Mr. CHURCH. Mr. President, I invite attention to an honor bestowed upon one of our most distinguished Members—Hon. HENRY M. JACKSON, of Washington.

On March 21, during the 34th annual meeting of the National Wildlife Federation at the Hotel Ambassador in Chicago, Senator JACKSON was presented the federation's "Distinguished Service to Conservation Award."

The 2.5 million member federation cited the Senator for initiating the precedent-setting Environmental Quality Act of 1969—legislation which established national environmental policy.

In a press release, the federation also said as follows:

> In naming Senator Jackson for the organization's highest honor in the field of conservation legislation, the Wildlife Federation referred to him as an aggressive conservation ally. He has authored and sponsored a bill to establish a Youth Conservation Corps. And through his position as Chairman of the Senate Committee on Interior and Insular Affairs, Senator Jackson has paved passage for legislation including the Land and Water Conservation Fund Act, the Wilderness Act, and the Wild and Scenic Rivers Act.

As a member of the Committee on Interior and Insular Affairs, I commend the National Wildlife Federation's selection of Senator JACKSON for this important award, and to congratulate him on this well-earned recognition of his efforts to protect and save the natural environment.

NATIONAL LIBRARY WEEK

Mr. MURPHY. Mr. President, I am pleased to join in saluting and inviting to the attention of the Senate the current celebration of National Library Week, which extends from April 12 to April 18.

Established to encourage lifetime reading habits and increase the use of libraries by all of our citizens, National Library Week has the backing of every librarian, every educator, and every American concerned with the education of our people and with the continued improvement of our quality of life.

National Library Week is the result of a program developed in California in 1957. The program was expanded in 1958 to encompass all of the United States. The sponsors of this event are the National Book Committee, Inc., an independent, nonprofit citizens group, and the National Library Association. Of course, the California Library Association is cooperating in this effort.

The purpose of National Library Week is to impress upon the public mind the vital importance of reading in American life and the equal importance of every kind of library—from general public and public school, to university, industrial, and private home collections. Leaders in the magazine, newspaper, book, radio, television, business and educational fields will join in the general celebration all over the land and in providing special attention to reading and libraries in national journals and national broadcasting.

In practice, National Library Week sponsorship is as wide and diverse as America itself. The principal motive force will come in individual cities, towns, and villages. Here, tens of thousands of citizens of all occupations will unite in local committees to spread the concern, and through locally inspired and guided projects, to do what is necessary community by community to make that concern effective.

The object of National Library Week is to remind the American people that reading can help them to explore and to satisfy their need for a greater sense of purpose and meaning in their lives. American society is founded on the choices determined by the many, rather than the few, and its greatest concern has always been the development of every individual to his highest capacity. Its vitality, its very existence, depend upon the extent to which the people are able to inform themselves of their surroundings, and act intelligently on the basis of that information. Limited horizons are dangerous to a free people, and a better-read, better-informed America has become a necessity.

Only a lifetime of continuing self-education through reading can keep Americans in watchful readiness to exercise responsible citizenship. Only a wide variety of reading can keep us abreast of what has been and what is, and train the imagination to forge ahead into the world to come.

National Library Week also is a focus for the continuing activities of the countless organizations and individuals that share its objectives. It can be a catalyst, working with all these other forces for the support of libraries and the spread of reading. Libraries work with and through all aspects of American life; strengthening them in home, school, college, and community and will help America to prepare for whatever the future may bring.

As a member of the Education Subcommittee of the Senate, I have supported the various programs to strengthen and improve our libraries. It is certainly a privilege for me to share in this program, and it is my hope that the celebration of National Library Week will generate new and increased interest in reading and in books. I am hopeful, however, that this renewed interest will continue all the weeks of the year and throughout the lifetime of our citizens.

A LIGHT OF HOPE FOR THE MIDDLE EAST

Mr. HATFIELD. Mr. President, for more than two decades the Middle East turmoil has vacillated in intensity, the trend being too infrequently toward increasing hostility and polarization rather than reconciliation and stability. There had been few signs of flexibility by any of the parties involved until the past month, when it was reported that Nahum Goldmann, president of the World Jewish Congress and former president of the World Zionist Organization, was invited to speak privately with President Nasser of the United Arab Republic.

Mr. Goldmann has written a provocative article, published in the April 1970, edition of Foreign Affairs, in which he questions some of the basic assumptions of Zionism and reaches conclusions that hopefully spell the beginning of a new attitude not only by the Israelis but also by the other parties in the Middle East Conflict.

I ask unanimous consent that the article written by Nahum Goldmann be printed in the RECORD.

On April 10, 1970, the New York Times printed an editorial in reaction to the Israeli Government's public refusal to send Mr. Goldmann to Egypt. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THE FUTURE OF ISRAEL

(By Nathan Goldman)

After more than 50 years of Zionist activities—among them many decades over the international diplomatic front—and on looking back on the experiences gained in the 20 years of the existence of the state of Israel, I am beginning to have doubts as to whether the establishment of the state of Israel as it is today, a state like all other states in structure and form, was the fullest accomplishment of the Zionist idea and its twofold aim: to save Jews suffering from discrimination and persecution by giving them the opportunity for a decent and meaningful life in their own homeland; second, to ensure the survival of the Jewish people against the threat of disintegration and disappearance in those parts of the world where they enjoy full equality of rights. In expressing and explaining these thoughts, I want to make it clear that I have no doubt as to the historical justification and moral validity of Zionism. The concentration of a large part of the Jewish people in their own national home, where they are masters of their destiny, seems to me to be the only way to solve what has been called for centuries "the Jewish problem."

The character both of the Jewish people and of Jewish history can alone explain and justify the Zionist idea, criticized today by many anti-Israel countries and groups as a form of aggressive colonialism which has robbed the Arab people of a part of their patrimony. Any definition of the Jews as a race, a people, a religion, is incomplete; it is the combination of all these elements which accounts for the singular character and the unique destiny of Judaism. There is no other example of a people which has lost its own state and country of origin, which is dispersed in countries all over the world, which has gone through hundreds of years of persecution—from simple discrimination and denial of equal rights to the barbaric annihilation of millions by the Nazis—and which not only survived these tragic periods, but has consistently made notable contributions to civilization. In our own generation, the three greatest figures, who may have influenced our present life and thinking more than any others—Marx, Freud and Einstein—have been Jews. With such a history, the Jewish people certainly deserves to be given the means for its survival; and humanity, having been responsible for hundreds of years of suffering and having failed to do anything radical to save the Jewish people in the Nazi period, owes this people a moral debt which can be discharged only by helping it to secure its survival.

Experience has shown that only a country of its own, however small, can serve this purpose. And only Palestine can be this country, in view of the religious, emotional and even mystical attachment of the Jews to "Eretz Israel," the Land of Israel, in which they made their greatest contribution to human civilization; which in no period of their history they were ready to forget; and for the return to which they prayed and longed for during thousands of years. Only because of this particular attachment of the dispersed people to its country of origin can the Jewish claim to Palestine be justified against the Arab argument that it belongs to them because they lived there as a majority for several centuries. Under normal rules of international life, there is no question that the Arab claim has meaning and substance, and it would be foolish and unfair to deny its justification. Dr. Chaim Weizmann repeatedly declared that the Arab-Jewish conflict with regard to Palestine is a clash between two rights, not between right and wrong, and that is what makes it so complex and difficult. Only if one understands the singularity of the Jewish people (which has nothing to do with any notion of superiority) and its tragic history can one presume that the Jewish claim is morally and historically superior. The Arab peoples possess immense territories in which they are masters of their destiny, and their survival and future are in no way endangered by their renunciation of their claim to a very small part of their overall territorial expanse; whereas tiny Palestine is for the Jewish people the only means of survival and the sole guarantee of a creative future. The fact that in a relatively short period of time most of the peoples of the world have recognized this claim and that, under the impact of the Nazi tragedy, more than two-thirds of the United Nations approved the idea of a Jewish state in a part of Palestine—the Soviet as well as the Western bloc voting in favor—proves realistically the validity of the Jewish right as against the Arab one.

It is the very uniqueness of the Jewish problem and of the Zionist idea as its solution which, in the last analysis, makes me doubt whether the creation and existence of

XUM

a Jewish state no different in structure and character from any other state can be the real implementation of Zionism. Even in those bygone years when I, with many other Zionist leaders, fought on the diplomatic front for the acceptance of the Jewish claim for a state in Palestine, I pondered whether we should not ask for a state of a specific character, more in conformity with the special nature of the Jewish people and Jewish history. Together with Dr. Weizmann, Ben Gurion and Moshe Sharett I was among the protagonists of the idea of a partition of Palestine as the inevitable condition for creating a Jewish state after the war. Even in those days I considered the possibility of asking for a specific form of state; but I felt then that, with all the difficulties inherent in getting the consent of the majority of nations for a Jewish state at all, it would be too much to ask at the same time for a unique character for this state.

More than 20 years have now gone by since the creation of the state of Israel. The experiences gained in these two decades have led me to the conviction that to guarantee its survival and to makes sure that it fulfills its raison d'être as the main instrument of Jewish future, one must begin to think of a specific character and form for this state.

My growing skepticism as to the present form of Israel's existence is based on the two decisive conditions for its future and survival. These two conditions are, on the one hand, the relation between Israel and the Arab world in whose midst it exists, and on the other hand its relation with the Jewish people, in its large majority dispersed over the world. These two problems will decide the destiny of Israel. From a short-term point of view, it may seem that the United States and the Soviet Union are more important factors in Israel's international position, but seen from a long-term point of view, in the context of Jewish and general history, the Arab and the Jewish aspect of Israel's position is much more fundamental and decisive.

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As far as the relations with the Arab world are concerned, it was one of the shortcomings of the Zionist movement that, in its early years, it did not fully realize the gravity and importance of this problem. Theodor Herzl, the author of the *Judenstaat* (the Jewish State) and founder of the Zionist movement, once said that the Zionist idea is a very simple one—that all it has to do it to "transport a people without a country to a country without a people." This formula, like all oversimplifications, was wrong in both its premises: a large part of the Jewish people after the Emancipation was already a people with a country, and Palestine, inhabited for centuries by the Arabs, was certainly not a country without a people. It is true at the same time that neither in ideology nod in practical political action Zionism ever thought of having to resort to an armed conflict with the Arab world in order to create the Jewish state. It was the—maybe naive—hope and belief of the Zionist movement that it would be possible to get Arab consent to the creation of a Jewish homeland of a Jewish state by bringing the blessings of Western civilization into Palestine, which was then sparsley populated, by providing room for new immigrants through economic and social development of the country and through the fact of being part of the same Semitic race. Many Zionist leaders tried hard to bring about such a consent: from the negotiations of Dr. Weizmann after the First World War with Emir Faisal and his success in obtaining his agreement to a Jewish state, through all the years of endeavors by Ben Gurion, Sharett, myself (when I represented the Jewish Agency in Geneva at the League of Nations) and other Zionist leaders. All these attempts were unfortunately unsuccessful. And when the Arab states rejected the decision of the United Nations to partition Palestine and establish a Jewish state in part of it, and reacted to the creation of the state by the invasion of the country by their armies, it was inevitable that the state from its first days had to be defended by military action.

The inevitability of this development does not diminish its tragic character. The first War of Liberation was followed by two other major wars, and from all three Israel emerged victorious—most decisively from the 1967 Six Day War. But these victories have not, for the time being, brought nearer any solution of the Arab-Israeli conflict. Victories in themselves, however important they are psychologically both for the victor and the defeated, are meaningful only if they lead to stability and peace. The fact that nearly three years after the overwhelming victory of the Six Day War none of the Arab states is ready to negotiate directly with Israel and certainly not to sign a formula peace treaty indicates the depth of Arab resentment and the categorical Arab rejection of the Jewish state. The Arab world regards Israel as a foreign element in its midst and refuses to accept its existence. This feeling is growing with every new Israeli victory, so as to compensate for the Arab sentiment of humiliation and inferiority. The hope to impose peace on the Arab world, either by pressure of the big powers or by another Israeli victory, is more than slim. History proves that an imposed peace does not last long, even if a defeated people is forced for a certain time to accept a truce extracted by arms. In the case of Israel and the Arabs, this probability is much smaller in view of the tremendous numerical superiority of the Arab peoples which no Jewish immigration, however large, can hope to match and which must, particularly considering the much higher Arab birth rate, lead to an ever-growing numerical disproportion. At the moment, and probably for some time to come, the qualitative superiority of Israel is outstanding; it is unrealistic, however, to rely on it forever: the Arab peoples have created a brilliant civilization in the past and will no doubt one day acquire the technical know-how of the West, both in peaceful endeavors and in warfare.

III

For both parties to the conflict, the present state of affairs has disastrous consequences, by imposing on Israelis and Arabs alike the necessity to mobilize and strengthen their arms potential, by diverting their efforts to a large degree from social and economic progress to military efforts. For Israel these consequences are even more significant—in a negative way—than for the Arabs, because at least qualitatively it must maintain equality and even superiority against the many surrounding states and in view of the impact of the situation on its international position. The hope of some Israeli leaders that time is on their side and that the Arabs, recognizing Israel's military capability, will be more ready to accept the fait accompli of Israeli's existence, seems to me based on very tenuous assumptions. The attitude of the Arab leaders, both the conservative and the revolutionary type, and the state of mind of the new Arab generation, as reported by experts, show that rather than diminishing, their rejection of Israel and their determination not to accept it are growing.

The Arab peoples are characterized by an unusual capability of ignoring or discarding realities. When defeated they attach their hopes to a new war with a possible victory, and have been doing this, with regard to Israel, after three defeats. They draw an analogy with the Crusaders' state which after long domination, was destroyed by Saladin. This fundamental psychological trait of the Arabs, which explains their seemingly unrealistic approach, is shared also by the Jews. If, in centuries of persecution, discrimination and misery, the Jewish people had accepted the realities of its fate, there would not be a Jewish people today; but against the tragedy of their situation, the Jews reacted with increasing faith and passionate hopes for the coming of the Messiah.

In addition to the growing hostility of the Arab world, from an international point of view, the political position of Israel is also becoming more difficult and isolated. It has lost much of the sympathy aroused by the brutal Arab threats of 1967 to annihilate the Jews in Israel physically in case of their victory, and by the admiration caused by Israel's brilliant victory. Today the whole communist world—with some exceptions—is fundamentally anti-Israel. France has changed its position from a friendly to an unfriendly one. Nobody can say whether England inclines more to the Arabs or to Israel. Over twenty Arab and Moslem states, and countries with large Moslem populations, like India, are hostile to Israel. The only real and decisive political support of Israel at the moment is supplied by the United States and a few smaller West European countries. But the experience of the last twenty years has shown that American backing cannot be taken for granted, as was demonstrated so dramatically in the wake of the Suez-Sinai campaign. The recent statements by Secretary of State Rogers, and the rejection of his proposals by the Israeli Government, indicate again the possibility of a deterioration of the fundamentally friendly policy of the United States toward Israel, and have caused serious worries and disquiet in Israel. One must realize that for a normal diplomat, whose policies are determined by day-to-day interests rather than by great visions or moral concepts, 80 to 90 million Arabs and many more million Moslems, in possession of the Middle Eastern lands with the richest oil resources in the world, weigh more heavily than the small state of Israel, even taking into account its Jewish periphery. In decades of political work I have nearly always found all foreign ministries to be anti-Zionist and anti-Israel. Only exceptional statesmen with a great historical outlook, like Lloyd George, Balfour, General Smuts, President Wilson, could overcome their prosaic, realistic concerns in favor of the moral concept underlying the Jewish claim for a country of their own.

Another negative consequence of this permanent state of war is the change of image of the young state of Israel, which is more admired in the world today for its military brilliance than for its spiritual achievements. Although the world justly admires the strength and the courage, the resourcefulness and the unexpected talents of Israel's army, this is certainly nothing either unique or specific to the Jewish people, nor have other peoples and civilizations been admired and remembered in history primarily for their military accomplishments. It is furthermore not to be underestimated that in many parts of the world it is the reactionary, nationalistic groups which have become the sponsors and admirers of Israel, whereas large parts of the progressive world have become disappointed and antagonistic to Israel. In its classical days, Zionism was a movement favored and supported by liberal, progressive and radical groups all over the world. This has changed considerably and may change even more if the present situation prevails.

From a Jewish point of view, too, the situation presents negative consequences of far-reaching importance. The large majority of the Jewish people lives outside the state of Israel and it must be taken for a fact that, despite all appeals, there is no reasonable expectation for very large immigration in the coming years. Israel had grown from its initial 650,000 to two and a half million inhabitants by absorbing the natural reservoir of Jews who had to come to the Jewish state as their only country of salvation—half a million Nazi victims from the camps after the war, hundreds of thousands of Jews in Moslem countries who were the first victims of Arab antagonism to Israel, and large numbers of Jews from Eastern Europe. The one remaining large community which could, in previous decades, have been an obvious source for large-scale immigration into Israel, Soviet Jewry, is unable to come as long as the U.S.S.R. is hostile. Even if one day this impediment should be overcome, I doubt whether a major part of Soviet Jewry would go to Israel; to count on a few hundred thousands may not be unrealistic, but there will certainly not be millions (and I refrain from speaking of the tremendous problem of their absorption). Unless something tragic and unexpected happens, like large-scale persecution of Jews in Western countries, it is unlikely that within the foreseeable future the large majority of Jews living outside the Jewish state will settle in Israel.

This too is characteristic of the specific situation and structure of the Jewish people, and it explains why the existence and development of Israel are so decisive for the survival of the Jewish people as a whole. The two great challenges—to use Toynbee's terminology—which account for the miracle of Jewish survival in the dispersion were, on the one hand, the permanent persecution, the impossibility for Jews to forget their Jewishness and the feeling of solidarity this generated and, on the other hand, the tremendous power of the Jewish religion, the set of laws which regulated the life of the Jewish individual and collectivity in the days of the ghetto and constituted, in Heinrich Heine's famous formula, the "portable fatherland" which every Jew carried along with him in all his migrations. (To give an example only of our days: the persecution and annihilation of millions of Jews by the Nazis made the survivors more conscious of their Jewishness, gave them a feeling of guilt for not having been able to save the victims and inspired them with the determination not to allow a similar tragedy to recur.)

Both these motivations have to a great degree lost their impact nowadays. Anti-Semitism is no more what it used to be in past centuries; Jews everywhere enjoy equality of rights and have become more and more integrated into the political, social, economic and cultural life of the countries in which they live. Simultaneously, the Jewish religion has ceased to be, as least for the larger part of the Jewish people, the great authoritative force which guides their daily life and guarantees their identity and distinctive character. It must be recalled that the Nazi holocaust destroyed precisely those great Jewish communities in Central and Eastern Europe which maintained fully the Jewish tradition and created all the ideas on which the Jewish people today bases its spiritual existence, and that they cannot be replaced by the Jewish communities in the free world of today, which do not lead their own separate cultural life. The existence of Israel as the new center where Jewish civilization can be continued and where new ideas will be created, as a source of challenge and inspiration for Diaspora Jewry, is therefor much more essential for Jewish survival today than was even envisaged by Zionist ideologists before the Nazi period.

IV

For the survival of the Jewish people as a whole, but also from the point of view of Israel's future, it is no exaggeration to say that the problem of Israel-Jewish relations, the ties which attach Jewish communities and individuals in the Diaspora to the state of Israel, is the number-one problem on which the success or failure of the Zionist solution of the Jewish question will finally depend. There are other peoples who have diasporas, sometimes counting millions, but these diasporas are unimportant in comparison with the vast majority of the peoples living in their own country and state. For example, if—as is probable—the German diaspora in the United States or in South America will assimilate and disappear as a distinct minority in the future, or if the same thing happens to the Italian minority on the American continent, this will in no way endanger the existence of the German or the Italian people and state. But, if, for argument's sake, the Jewish Diaspora were to assimilate itself to such a degree that it would lose all interest in the state of Israel, the survival of the state would be nearly impossible. Without the solidarity and cooperation of world Jewry, the state of Israel would never have come into existence, because it is ludicrous to assume that 650,000 Jews without the millions of others backing them could have established a Jewish state in the midst of the Arab world. Without the economic, financial and political help of Jewish communities in the Diaspora, the state would have been unable to secure its existence, develop its economy, build up its brilliant army and provide possibilities for the immigration of more than a million and a half needy Jews. To strengthen this solidarity is therefore the *condition sine qua non* for the future of Isreal.

The present character and structure of the state, however, endanger this basic precondition of Israel's survival. Its participation in international politics and its conflict with the Arab countries must inevitably bring Israeli policies into situations which clash with the political attitudes of many other states. This, in turn, in the present atmosphere of state nationalism, must lead to problems as far as the attachment and solidarity of Jews in the Diaspora with the state of Israel are concerned. A few examples of events in recent years illustrate this fact: hundreds of thousands of Jews had to leave the Moslem countries because of the Arab-Israeli wars; the Jewish communities of South Africa and above all Russia have to face serious problems partly because of the policies of Israel, which may be fully justified from the point of view of the state as it is today, but create difficulties for the Jews living in countries to which Israel is in opposition (what happened in France is a clear and additional manifestation of this problem). All this means that a Jewish state which requires the solidarity and the cooperation of the great majority of the Jewish people for its survival must have a character which can claim the sympathy of Jewish communities wherever they live.

Finally, the present situation has another and by far not the least negative consequence for the moral, spiritual and cultural character of Israel. This aspect is important if Israel is to fulfill its historical task of securing Jewish survival all over the world; it requires that Israel become a center of attraction, the greatest challenge for the best, most idealistic elements of the young generation, which is in great danger of largely being lost to the Jewish people within a few decades. An Israel at war, in permanent mobilization, cannot become this center. There are limits to the possibilities and capabilities of even the most gifted and purposeful people. The tremendous effort which Israel had to make in order to maintain its military strength and superiority, and which it will have to continue to make to an ever-increasing degree, naturally deflects a large part of its creative resources from cultural and spiritual endeavors. An Israel at war can attract thousands of volunteers, but it will not attract tens of thousands of young Jews who are dissatisfied with their present form of life—particularly in such rich countries as the United States—who look for more idealistic ways of existence and who would be natural candidates for immigration into Israel. One can but imagine what even in the very short lapse of 20 years could have been created by the dynamic genius of Israel—culturally, scientifically, spiritually—if its young, gifted and creative generation, with its tremendous energy and élan, not to speak of the billions of dollars, had been concentrated on science, literature, social experiments and similar tasks, instead of having had to build and maintain, as its greatest and most successful achievement, the brilliant army of the young state.

V

What is the answer to these questions? I belong, as my record proves, among the very first proponents of the idea of partition of Palestine. I was always a political Zionist, in the sense that I believed that Jews must have a state of their own to secure their identity and civilization. More and more, however, I am coming to the conclusion that Israel cannot be one of the more than a hundred so-called sovereign national states as they exist today and that, instead of relying primarily and exclusively on its military and political strength, it should be not merely accepted but guaranteed, de jure and de facto, by all the peoples of the world, including the Arabs, and put under the permanent protection of the whole of mankind. This neutralization would certainly be an exception to the normal forms of modern state but, as I indicated before, the Jewish people and the Jewish history are unique. Their singular character and ceaseless suffering—particularly during the Nazi catastrophe—allow the Jewish state to demand from the world the right to establish its own national center in its old homeland and to guarantee its existence. How this guarantee should be practically formulated and implemented will have to be thought out and elaborated. There may be a slight precedent for it in the neutrality of Switzerland, which was guaranteed by the major powers more than 150 years ago, with lasting results. If Switzerland, because of its history and tradition, was and is entitled to claim and obtain the respect for its specific neutral character, the Jewish people and Israel certainly have an even greater moral claim to it.

This neutralization of Israel would naturally have important consequences for the character and the activities of the state. It would have to keep itself outside the sphere of power politics. Switzerland, for example, is not a member of the United Nations, because it is more than difficult to be in the United Nations and remain really neutral, abstaining from decisions which indicate a political position in favor of one or another of the groups and blocs in the world. Neutralization may even mean that a permanent symbolic international force may have to be stationed in the state of Israel, so that any attack on it would imply an attack on all the states guaranteeing Israel's existence and neutrality and participation in this international force. (To avoid misunderstandings, I would add that this does not signify the demilitarization of Israel and the abolition of its army, as long as there are no proof and experience to show the effectiveness of the international guarantee.) But by the nature of things, especially if this guarantee were tied up with a control of arms deliveries to the countries of the Middle East—a plan much discussed these days—the importance of the army and armaments would be reduced the more the guarantee and the neutralization become a reality, and this would allow Israel, as I said, to concentrate fully on its economic, cultural and spiritual efforts.

I can well imagine that such a neutralization could be the basis for an Arab-Israeli

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settlement and peace. Psychological and emotional motives are primarily at the root of the enduring Arab-Israeli conflict, as of most conflicts. All the factual problems—refugees, borders, etc.—could be solved without too great difficulties if there were goodwill and eagerness to reach an understanding. Seen from this aspect, the greatest hindrance in Arab-Israeli relations is the humiliation which the Arab world has suffered time and again by its military defeats. Whoever knows the Arabs, their history and character, agrees that pride is one of their most excessive virtues. But an appeal to the generosity of the Arabs, to be guarantors with the rest of the world for a Jewish state in a tiny part of the tremendous territories at their disposal—however unrealistic it may sound at the moment—may be more effective in the long run for an Arab-Israeli coexistence than one Israeli victory after another.

Neutralization would also do away with one of the major and understandable fears of the Arab world, namely the worry about possible Israeli territorial expansion on the one hand and, on the other, the obstacle which Israel, by its geopolitical position, represents to the ideal of a united policy for the Arab world. A guaranteed neutrality of Israel, including the guarantee of its boundaries after the settlement of the present conflict, would do away with the Arab fear of Israeli aggression and expansion. A neutralized Israel, outside the sphere of power politics, would not be a handicap for the policies of a united Arab world, which sooner or later will have to emerge in this period tending toward the creation of larger units comprising many sovereign states. I mention, in this regard, a conversation between Nasser and Dag Hammarskjöld, who tried several times in talks with him to find a basis for an Arab-Israeli agreement, and on which Hammarskjöld reported to me. Nasser, Hammarskjöld told me, had indicated that maybe the Arabs would acquiesce in the partition of Palestine and the establishment of a Jewish state in part of it, but they could never accept that Israel, by its location, partitions the whole Arab world—between Morocco and Iraq—and makes a united Arab policy very difficult. A neutralized Jewish state would do away with this fear.

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The solution, I suggest would depend on two preconditions. The first and obvious one is that the present crisis and war between Israel and the Arabs find an end by some kind of agreement between the parties, the exact nature of which this essay would not attempt to outline. Although nothing can be done concretely toward the implementation of my concept until this is achieved, if the concept should be accepted, it would naturally influence the character of the settlement of the present conflict.

The second precondition would be a basic settlement of the greatest human and emotional obstacle to Arab-Israeli understanding, namely the Arab refugee problem. Its main solution would have to consist in financing the settlement of the major part of the refugees in Cis- and Transjordan, which experts believe to be technically feasible; in Israel's acceptance, even as a matter of principle, of a limited number of Arab refugees; and possibly in yielding the Gaza Strip to Israel, on condition that it integrate the 200,000 Arabs living there as equal citizens.

There was a time when I advocated, privately and publicly, as a solution of the Arab-Israeli conflict, the establishment of a confederation of states of the Middle East in which Israel should be a member. In such a confederation the Arabs would naturally be the majority and Israel would have to adapt its world policies to their desires. When I negotiated the idea of partition in 1945 with Dean Acheson, the then Undersecretary of State, and got his agreement, followed later by the consent of President Truman to this idea, I submitted to him a memorandum on behalf of the Zionist Executive, formulating our proposal as twofold: a Jewish state in part of Palestine and this state as part of a confederation of Middle Eastern states. In view of the experience of the last 20 years, I am no longer convinced of the practicability of this solution. First of all, because of Arab individualism and the tremendous cleavage between the feudalistic Arab forces of yesterday and the revolutionary forces of today, it will take a very long time for the Arab world to unite and form such a confederation. Secondly, and even more decisively, if this day should come, Israel as the only Jewist state in such a confederation would be overwhelmed by the enormous numerical superiority of the Arabs, even if a few non-Arab states were to participate.

In the last two years, another solution suggested by certain Arabs as well as by some Israelis has been gaining the sympathy of Left-leaning pro-Arab groups in the free world. It proposes the recognition of the Palestinian people in Cis-jordan which (in the suggestion of El Fatah) would form one democratic Palestinian state together with Israel or (the solution favored by the Israeli proponents) would be recognized as a state of its own, linked in a federation with Israel. I do not regard this as practical, either from a Jewish or an Arab point of view.

From the Jewish aspect, such a unitarian Palestinian state would do away with the Jewish character of Israel. Had the purpose of Zionism been merely to save homeless and persecuted Jews, this concept might have been of value. But the Zionist ideal was to create a state which, beyond offering refuge to a number of suffering Jews, would be determined by its Jewish majority and would enable the Jewish people to maintain its traditions, develop its genius and contribute to world civilization. This aim could not be achieved by a binational Arab-Jewish Palestinian state, particularly in view of the higher birthrate of the Arab population, which would in a short while become the majority and do away with the Jewish character of this state—even if, as is the case in Lebanon, the equal position of both parts of the population, irrespective of their number, were to be guaranteed constitutionally. In addition, the Arab citizens of such a unitarian Palestinian state would, quite naturally, tend to side with the neighboring Arab states and would, consciously or unconsciously, constitute a "fifth column" within the state.

From an Arab point of view, genuine patriots will not agree to a Palestinian state which would imply their separation from the main body of the Arab world and would make them dependent on the superior strength and know-how of the Jewish citizens, with their greater technical and scientific knowledge and larger financial and economic means.

As for a federation between an Arab and a Jewish state, from an Arab point of view, the Israeli part would be economically and technologically so much superior that the Arab component would be practically a satellite of the Jewish one, which the Arab world would of course never accept.

For all these reasons, the idea seems to me—despite a certain attractiveness—unrealistic and unfeasible. I suggest, instead, the neutralization of the Jewish state of Israel.

VI

Let me now deal with the chances for this proposal which at first glance may seem utopian and not to be implemented. The emergence of the state of Israel shows that one must not be too hasty in characterizing radical, visionary proposals as quixotic and unrealistic. We are living in a great revolutionary period, probably the most revolutionary of human history, with tremendous events taking place again and again that even experts would have regarded as impossible a short while before. There are a number of arguments and facts which favor my solution and make it appear as practicable.

The Arab-Israeli conflict is a permanent grave worry to the world at large. It is one of the possible major causes of a world conflagration, in view of the geopolitical importance of the area, rich in oil resources, significant by its location among three continents and a center of interest for all major powers and the three major religions. It has already had great international consequences. It has facilitated Soviet penetration into the Middle East and into the Mediterranean. It has made the Middle East a place of unremitting tension and turbulence, and as the years go by without a settlement, the explosive character of the situation is increasing. This danger gives the Arab-Israeli conflict a much wider international significance than it would normally have, and makes any program for its solution important to the whole world. I believe that neither the United States nor the U.S.S.R., the decisive international powers for the Middle East problems, desire a war and both wish to avoid a confrontation because of the Arab-Israeli conflict; their attitude in the Six Day War proved it. Both are interested therefore in reaching a solution as soon as possible, especially if there is a chance for some general and global agreement between them, which would be impossible without a Middle East settlement. I am not sure that the United States is delighted with its primary responsibility for Israel's survival, nor that Russia is happy with its burden of protecting and rearming the Arabs without any certainty as to the usefulness and effectiveness of their rearmament. The U.S.S.R. has gained, because of the Arab-Israeli conflict, what Russia had tried to obtain for centuries without success, namely a firm position in the Middle East; and nothing in my view justifies the belief that it is interested in a permanent state of war in this area in order to maintain its position. I have been told by communist statesmen close to the Soviet Union that the Soviet position in the Middle East is so strong and deeply rooted—economically, financially and militarily—that it is genuinely interested now in stability and peace, especially in view of the much more important and difficult problems which it has to face in some of the nearer communist countries. I have reason to hope that the Soviet Union would be ready, in case of a satisfactory agreement, to guarantee the stability and territorial integrity of the countries of the Middle East, together with the United States or with the Big Powers or within the framework of the United Nations.

As for the Arabs, once they know the Big Powers guarantee the stability of the Middle East and may agree to a limitation of arms deliveries to the area, the hope of the extremists among them of destroying Israel with the help of the U.S.S.R. would fade away. Furthermore, as I said, an appeal to them to be generous and magnanimous and accept the fait accompli of the existence of the tiny Jewish state and even be among its guarantors, could have a tremendous psychological impact on the Arabs who are a very emotional people, given to extremes, able to be cruel and brutal on the one hand, noble and large on the other. It is worthwhile to note here that in Jewish history, with its many encounters with countless peoples, states and civilizations, the Arab-Jewish rencontre was much more human and fair than the instances of Jewish-Christian relations. The great Arab-Jewish civilization in Spain, and the freedom of life and creativeness of Jewish communities in many Moslem countries in the past, may encourage the hope of a positive Arab reaction to this solution of the problem.

Israel would, I am sure, as a neutralized country quickly become a major international cultural center, especially in view of the special character of Jerusalem, to which all religions and peoples of the world would naturally have free access. I could see many international organizations, religious, cultural and social, being established in the city of Jerusalem which, as the capital of a neutralized state, could be a holy place and center for Christian and Moslem religious institutions. Israel would above all become the natural center of the creativeness of the Jewish people as a whole. It would attract many of the most gifted and idealistic elements of the Jewish community in the world. It would become the great new source of Jewish inspiration and challenges, and in the deepest sense of the world the spiritual center of the Jewish people.

One last obeservation. Zionism is a singular movement—the return of a people to its ancient homeland after two thousand years—the result of the unique history of a unique people. Seen from a large historical point of view, which alone justifies, explains and validates the Zionist idea, I am convinced that the Jewish state, in order to survive, must represent the singularity of this people and its destiny. I cannot imagine that the thousands of years of Jewish suffering, persecution, resistance and heroism should end with a small state like dozens of others today, living continuously in peril of its annihilation, bound to remain mobilized and armed to the teeth, and concentrating its major efforts on physical survival. Nor am I sure that the enthusiasm and loyalty of the Jewish people in the world will forever be secure for such a state. What I suggest here is something exceptional, and therefore the fitting outcome of the exceptional Jewish history.

It may appear to hard-boiled politicians today as a quixotic vision. It is certainly no more quixotic by far than Herzl's *Judenstaat* seemed to the peoples of the world and to most of the Jews when it was published some 75 years ago. The history of the Zionist movement, as of many others, proves that the greatest real factors in history in the long run are neither armies nor physical economic or political strength, but visions, ideas and dreams. These are the only things which give dignity and meaning to the history of mankind, so full of brutality, senselessness and crime. Jewish history certainly proves it: we survived not because of our strength—physical, economic or political—but because of our spirit. And therefore, seen from a historical point of view, this different concept of the character of a Jewish state as the solution of the Jewish problem may become not less realistic than the original Zionist idea proved to be and could, I am inclined to think, be implemented in a much shorter period than it took for the *Judenstaat* to be carried into effect in the state of Israel.

SORRY, WRONG NUMBER

Prime Minister Golda Meir acted rashly and, in our view, most unwisely in torpedoing—by making public—a private invitation to a distinguished Israeli citizen to meet with President Nasser in Cario. Her move, together with the Israeli Cabinet's flat rejection of the proposal, makes more difficult than ever any behind-the-scenes maneuvers that could lead toward Arab-Israeli peace.

Dr. Nahum Goldmann, who says he received the invitation through an unnamed third party, is president of the World Jewish Congress and has a lifelong record of service to Zionism. He was one of those instrumental in persuading both the Big Powers and his fellow Zionists to accept the partition plan which led to the creation of a Jewish state in Palestine.

In an article in the current (April) issue of Foreign Affairs, Dr. Goldmann has questioned the view that time is on Israel's side and that military pressure eventually will force the Arabs to sue for peace. He has suggested that a neutral nation—protected by an international force—would be more suitable as an expression of the spirit of Israel than the present garrison state, and, furthermore, would be much more likely to be acceptable to the Arabs.

Cairo's apparent interest in exploring these views tends to confirm the hope expressed by Dr. Goldmann that a more forthcoming Israeli policy might elicit a positive Arab response. In the light of the embarrassing publicity generated by Mrs. Meir's actions, it was predictable that the Egyptians would deny that the invitation was ever extended, as they have have now done.

Dr. Goldmann could of course not have spoken with authority for an Israeli Government with which he has often been in disagreement. But he at least might have helped to open a crack in the door to peace had he been allowed to proceed. The furor created by this incident inside Israel suggests that many Israelis share his concern for a new approach to peace. Discussions between this veteran Zionist leader and the Egyptian President would certainly have represented a significant breakthrough toward the direct contacts on which the Israeli Government has always insisted.

Israeli officials have often said they are just "waiting for the phone to ring" in order to begin negotiations. It is said that, when Dr. Goldmann's phone rang, the Israeli Government declined to let him answer.

NEW APPROACH TO MEDICAL CARE

Mr. SAXBE. Mr. President, I have frequently been critical of the notion that we can solve our medical ills by dumping money into medicare and medicaid. The Nation's medical system is creaking, straining, and breaking down, and there is a growing concern, shared by me, that our approach to medical care just has not worked. It is beginning to soak in that money alone is not the solution.

In discussing this problem in recent speeches, I have called on the medical profession to take steps to help make the system work by extending its services and conserving its time. For example, I have called for more specialists and general practitioners to set up their own clinics for group work. I have urged more use of paramedical personnel. I have suggested the use of closed-circuit TV, as used now in medical outposts, so that a doctor, monitoring a set somewhere, could diagnose certain ailments without the need of a personal examination.

Mr. President, these problems and related ones were discussed Sunday in an excellent article published in the Washington Post. It was written by Sidney R. Garfield, a director of the Kaiser Foundation Health Plan and Hospitals, and is entitled "A Health Plan to 'Cure' the Well." I ask unanimous consent that it be printed in the Record. It first appeared in Scientific American.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Health Plan To "Cure" the Well

(By Sidney R. Garfield)

The U.S. system of high-quality but expensive and poorly distributed medical care is in trouble. Dramatic advances in medical knowledge and new techniques, combined with soaring demands created by growing public awareness, by hospital and medical insurance and by Medicare and Medicaid are swamping the system by which medical care is delivered.

As the disparity between the capabilities of medical care and its availability increases, and as costs rise beyond the ability of most Americans to pay them, pressures build up for action. High on the list of suggested remedies are national health insurance and a new medical care delivery system.

National health insurance, an attractive idea to many Americans, can only make things worse. Medicare and Medicaid—equivalents of national health insurance for segments of our population—have largely failed because the surge of demand they created only dramatized and exacerbated the inadequacies of the existing delivery system and its painful shortages of manpower and facilities.

The question then becomes: What are the necessary elements of a rational medical care delivery system? Many have proposed that prepaid group practice patterned after the Kaiser-Permanente program, a private system centered on the West Coast, may be a solution. We at Kaiser-Permanente, who have had more than 30 years experience working with health care problems, believe that prepaid group practice is a step in the right direction but that it is far from being the entire answer. Lessons we have learned lead us to believe there is a broader solution that is applicable both to the Kaiser-Permanente system and to the system of private practice that prevails today.

135 DOCTORS PER 100,000

The heart of the traditional medical care delivery system is the physician, and any realistic solution to the medical care program must therefore begin by facing up to the facts about the supply of physicians. Of the active doctors in the United States, a great many are engaged in research, teaching and administration. Those actually giving patient care, in practice and on hospital staffs, number about 275,000 (approximately 135 per 100,000 of population), and they are far from evenly distributed throughout the population.

Increasing specialization accentuates the shortage of doctors. If we were to augment the output of our medical schools from the present level (fewer than 9,000 doctors a year) to twice that number (which is scarcely possible), we would barely affect this supply in 20 years, considering the natural attrition in our existing physician complement. This limited supply of physicians forces us to focus on the need for a medical care delivery system that utilizes medical manpower properly.

The traditional medical care delivery system has evolved with little deliberate planning. At the end of the 19th century, medical care was still relatively primitive: there was the doctor and his black bag and there were hospitals—places to die. In this century, expanding medical knowledge soon became too much for any one man to master, and laboratories, X-ray facilities and hospitals became important adjuncts to the individual physician in his care of sick people.

Throughout these years of medical achievement, the delivery system has remained relatively unchanged. Physicians have clung to individualism and old traditions; individual hospitals have striven to be all things to their doctors and patients, largely ignoring the tremendous need to merge their highly specialized services and facilities.

It is only in comparatively recent years that group practice by doctors has been considered respectable (and as yet only 12 percent of all physicians practice in groups) and that regional facility planning boards have appeared to force some semblance of cooperation on hospital construction.

A MASS IN NEED

The Kaiser-Permanente plan had its origin in Southern California in the Depression. I was then in private practice, and I became involved in providing medical and hospital services and facilities for several thousand construction workers. Unable to make ends meet by depending for remuneration on the usual fee for service, I finally tried prepayment and thus happened on our basic concepts of health care.

Prepayment to a group of physicians in integrated clinic and hospital facilities proved to be a remarkably effective system for providing comprehensive care to workers on a completely self-sustaining basis. With the warm interest and counsel of Henry J. Kaiser and his son Edgar, these basic concepts were further tested and broadened into a complete family plan for the entire temporary community built around the Grand Coulee Dam Construction job in 1938–42.

World War II expanded our health plan into care for 90,000 workers of the Kaiser wartime shipyards in the San Francisco Bay area and a similar number of workers in the Portland and Vancouver area. At the end of the war, these workers returned to their homes and we decided to make our services available to the community at large.

Since 1945, the plan has grown to include more than two million subscribers served by outpatient centers, 51 clinics and 22 hospitals in California, Oregon, Washington and Hawaii and in Cleveland and Denver. The plan provides comprehensive care at an annual cost of $100 per capita, which is approximately two-thirds the cost of comparable care in most parts of the country.

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The plan is completely self-sustaining. Physical facilities and equipment worth $267 million have been financed by health plan income and bank loans (except for gifts and loans to the extent of about 2 per cent). The plan income provides funds for teaching, training and research and pays competitive incomes to 2,000 physicians and 13,000 non-physician employees.

The health plan and the hospitals are organized as nonprofit operations and the medical groups in each area are autonomous partnerships. This gives our physicians essentially the same incentives as physicians in private practice have.

All of this is not to say that U.S. medicine should now change over to the Kaiser-Permanente pattern. On the contrary, freedom of choice is important. Any change to prepaid group practice should be evolutionary, not revolutionary. Physicians in general have too much time and effort invested in their practice to discard them overnight. It will probably be the younger men, starting out in practice, who will innovate.

THE DOCTOR A CONSTANT

In the traditional medical care system, the patient decides when he needs care. This more or less educated decision by the patient creates a variable entry mix into medical care consisting of (1) the well, (2) the "worried well," (3) the "early sick" and (4) the sick.

This entry mix has markedly increased in quantity and changed in character over the years as medical care resources have grown in complexity and specialization. One constant throughout this evolution has been the point of entry into the system, which is the appointment with the doctor. Moreover, in traditional practice, the patient enters with a fee.

The Kaiser-Permanente program alters the traditional medical-care delivery system in only two ways. It eliminates the fee for service, substituting prepayment, and it organizes the many units of medical care resources into a coordinated group practice in integrated clinic and hospital facilities.

We have come to realize that, ironically, the elimination of the fee has created a new set of problems. The obvious purpose of the fee is remuneration of the physician. It has a less obvious side effect as a potent regulator of flow into the delivery system.

Since nobody wants to pay for unneeded medical care, one tends to put off seeing the doctor until one is really sick. This limits the number of people seeking entry, particularly the number of well and early-sick people.

Elimination of the fee has always been a must in our thinking, since it is a barrier to early entry into sick care. Early entry is essential for preventing serious illness and complications. Only after years of costly experience did we discover that the elimination of the fee is practically as much of a barrier to early sick care as the fee itself.

The reason is that when we removed the fee, we removed the regulator of flow into the system. The result is an uncontrolled flood of well, worried-well, early-sick and sick people into our point of entry—the doctor's appointment—on a first-come, first-served basis. This overloads the system and the usurping of doctors' time by healthy people actually interferes with the care of the sick.

The same thing has happened at the broad national level. The traditional medical care delivery system is being overwhelmed because of the elimination of personally paid fees through the speed of health insurance, Medicare and Medicaid.

A COMPUTER HISTORY

The obvious solution is to find a new regulator to replace the eliminated fee at the point of entry, one that can help to separate the well from the sick and establish entry priorities for the sick. We believe we have developed just such a regulator, which is variously called multiphasic screening, health evaluation of simply health testing.

Originally designed to meet our ever-increasing demand for periodic health checkups, health testing combines a detailed computerized medical history with a comprehensive panel of physiological tests administered by paramedical personnel.

Tests record the functions of the heart, thyroid, neuromuscular system, respiratory system, vision and hearing. Other tests record height and weight, blood pressure, a urine analysis and 20 blood-chemistry measurements plus hematology. The chest and (in women) the breasts are X-rayed.

By the time the entire process is completed, the computerized results generate "advice" rules that recommend further tests when needed or, depending on the urgency of any significant abnormalities, an immediate or routine appointment with a physician. The record is stored by the computer as a health profile.

Besides separating the well from the sick and establishing entry priorities, this detects symptomless and early illness, provides a preliminary survey for the doctors, aids in the diagnostic process, saves the doctor (and patient) time and visits, saves hospital days for diagnostic work and makes possible the maximum utilization of paramedical personnel.

A NEW SERVICE

With health testing as the heart system, the entry mix is sorted into its components: a health care service, a preventive maintenance service and a sick care service.

Health care service is a new division of medicine that does not exist anywhere else. Medical planners have long dreamed of the day when resources could be channeled into keeping people healthy, in contrast to our present preoccupation with curing sickness. Not even governments with socialized medicine have created any significant services for the healthy other than sanitation and immunization.

A health care service, made possible by health testing, should be housed in a new type of health facility where, in pleasant surroundings, lectures, health exhibits, audiovisual tapes and films, counseling, and other services would be available. Whether or not one believes in the possibility of actually keeping people well is beside the point; this new service is absolutely essential in order to keep people from overloading sick care resources.

Preventive maintenance service is essentially a service for high-incidence chronic illness that requires routine treatment, monitoring and follow-up; its object is to improve the patient's condition or prevent progression of the illness, if possible, and to guard against complications. This type of care, performed by paramedical personnel reporting to the patient's doctor, can save a great deal of the doctor's time.

THE DOCTOR'S PROVINCE

The use of paramedical personnel with limited knowledge and limited but precise skills to relieve the physician of minor routine and repetitious tasks requires that such tasks be clearly defined and well supervised. Three of the four divisions of the proposed system are primarily areas for paramedical personnel.

This leaves sick care, with its judgments on diagnosis and treatment, clearly in the physician's realm. Even here, however, he will be aided by the three other services.

Although the complete system remains to be tested and evaluated at each step, our hypothesis is that we can save at least 50 per cent of our general practitioners', internists' and pediatricians' time. This should greatly enhance our service for the sick.

The sponsorship of health testing and health care services for private practice logically falls to the local medical societies. A few local medical societies in Northern California have for several years been operating a mobile unit evaluating the health of cannery workers.

The proposed delivery system may offer a solution to the problem of poverty medical care in many areas. To this end, neighborhood clinics are established, but staffing these clinics with physicians has proved virtually impossible. Physicians in general like to associate with well-trained colleagues in good medical centers and tend to avoid isolated clinics.

In the system being proposed, a central medical center, well-staffed and equipped, would provide sick care. It could have four or five "outreach" neighborhood clinics, providing the three primarily paramedical services. Staffing these clinics with paramedical personnel should be much less difficult than staffing them with doctors; many of the workers could be recruited from the neighborhood itself.

The concept of medical care as a right is an excellent principle that both the public and the medical world have now accepted. Yet the words mean very little, since we have no system capable of delivering quality medical care as a right.

This is hardly surprising. Picture what would happen to, say, transportation service if fares were suddenly eliminated and travel became a right.

National health insurance, if it were legislated today, would have the same effect. It would create turmoil. Even if sick care were superbly organized today, with group practice in well-integrated facilities, the change from "fee" to "free" would stagger the system.

To make national health insurance possible, we must first make available health testing and health care services throughout the country. It is our conviction that these services should be provided or arranged for by the physicians themselves in order to be responsive to their needs.

The entry of healthy people into the medical care system should not be considered undesirable. If these well people are guided away from sick care into a meaningful health care service, there is hope that we can develop an effective preventive care program for the future. The concomitant release of misused doctors' time can significantly slow the trend toward the inflation of costs and the maldistribution of service.

HAWAII-ARIZONA STUDENT EXCHANGE PROGRAM

Mr. FONG. Mr. President, a novel program involving the first student exchange between the States of Hawaii and Arizona is underway. On March 18, 20 fifth-grade students from Waianae, Maili, and Nanakuli left Hawaii to spend 2 weeks as exchange students in Steamboat Rock, Ariz., which is located within a Navajo reservation. On April 23, 20 Navajo and Hopi Indian fifth-grade students will arrive in Hawaii to spend 2 weeks as exchange students in Waianae.

Named "Operation Opportunity," the exchange program between children from Hawaii and children of American Indian ancestry from Arizona is being financed through private efforts. More than $8,000 was raised from the community in Hawaii to make the exchange possible.

One of the most active supporters of the program is Mrs. Eureka Forbes, a member of the Senate of the Hawaii State Legislature.

Mrs. Forbes offered a resolution adopted by the Hawaii State Senate commending the program and congratulating the Leeward Cultural Exchange and station KHVH–TV for their roles in establishing the program in Waianae.

Mrs. Forbes states:

> We have great hopes that these exchange visits will result in a valuable cultural and educational experience for the students directly involved as well as for their teachers, their friends, their parents and the members of their respective communities.

I ask unanimous consent that the resolution of the Hawaii Senate and two articles from Honolulu newspapers be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Senate Resolution Congratulating the Leeward Cultural Exchange and KHVH–TV for Their Roles in Establishing a Student Exchange Program for Waianae

Whereas, on March 18, 1970, twenty fifth grade students from Waianae, Maili and Nanakuli will leave Hawaii to spend two weeks as exchange students in Steamboat Rock, Arizona, wihch is located within a Navajo Indian reservation; and

Whereas, on April 23, 1970, twenty Navajo and Hopi Indian fifth grade students will arrive in Hawaii to spend two weeks as exchange students in Waianae; and

Whereas, this exchange is the first exchange ever made between children from Hawaii and children of American Indian ancestry; and

Whereas, these visits will result in valuable cultural and educational experiences not only for the children involved, but also for the parents of the children involved and other adults in the community; and

Whereas, the Leeward Cultural Exchange was formed for the purpose of promoting and developing this student exchange, and KHVH–TV led the fund drive for this exchange program under the name of "Operation Opportunity"; and

Whereas, more than $8,000 was raised from the community in order to make this exchange economically possible; now, therefore

Be it resolved by the Senate of the Fifth Legislature of the State of Hawaii, Regular Session of 1970, that the Leeward Cultural Exchange and KHVH–TV be and they hereby are congratulated for their roles in establishing a student exchange program in Waianae; and

Be it further resolved that certified copies of this Resolution be transmitted to Edward J. McGrath, President of the Leeward Cultural Exchange, and Lawrence S. Berger, President of KHVH–TV.

Navajo Land Beckons Leeward Youngsters

Twenty Leeward Oahu fifth graders will leave next week to spend two weeks living and going to school in a little Navajo Indian settlement named Steamboat Rock, Arizona.

The trip, which will be countered in April by a visit of 20 Navajo youngsters to Leeward, was dreamed up by two federal Teacher Corps volunteers and was made possible by enthusiastic community support.

The idea started last year when Edward J. McGrath and Craig Thompson joined the Teacher Corps together.

Teacher Corps is a federally funded program that sends non-education college graduates to various areas to help local teachers innovate new out-of-the-classroom programs.

McGrath was sent to Leeward and Thompson was sent to the Arizona Navajo Reservation, the two threw around the idea of a cultural exchange and decided to sound out their respective communities on the idea.

"Everyone was really enthusiastic about the idea," McGrath said. "Both the Leeward and Navajo people have very definite and unique cultural features and both are very proud of them."

So the Leeward Cultural Exchange was formed and an appeal for funds locally brought an immediate community response that resulted in the donation of the $8,401 necessary for the Leeward youngsters to make the trip.

KHVH–TV led the fund drive under the name "Operation Opportunity."

The group will leave a week from Wednesday at 11:30 a.m. on Continental Airlines flight 766. The public is invited to see them off.

Steamboat Rock is in Northeastern Arizona, about 160 miles northeast of Flagstaff. It is in the center of the Navajo Reservation and sits on the outskirts of the Hopi Reservation, which is surrounded by Navajo land.

The Leeward students will stay at Toyei Boarding School, which is just outside Steamboat Rock. The boarding school houses both Navajo and Hopi children, who live there during the school week and go home on weekends.

Activities include visits to the hogans (mud dwellings) of Navajo families, visits to such scenic and cultural attractions as the Grand Canyon, and a visit to Disneyland on the way home.

A Swap With the Indians

(By Bob Krauss)

Mrs. Roy Yamada out in palm-shaded Waianae is knitting a pair of woolen mittens for her fifth-grade son, Derek.

Mrs. Elizabeth Saragosa at Maili (where the temperature averages 75 degrees) bought a pair of flannel pajamas last week for her 10-year-old son, Jeffrey.

Mrs. Herbert Amina in tropical Nanakuli, mother of 10-year-old Brian Amina, is shopping for a warm jacket.

These cold weather activities popped up on the sun-splashed, Waianae Coast yesterday where 20 mothers are preparing their kids for a trip to Arizona. There they will spend two weeks on the Navajo Reservation.

Last night the temperature in Navajoland was below freezing.

That's not the only problem facing Waianae mothers.

I have twins, said Mrs. Raymond Rodrigues. "My daughter, Ramy, was chosen to make the trip but her sister, Raelene, isn't going. They've never been separated before. I don't know how they'll take it."

A fifth-grader from Makaha, who has never been away from Hawaii, is concerned about visiting the reservation because of snakes.

"Don't worry," her teacher told her. "You wouldn't stop swimming in the ocean just because of the sharks out there, would you?"

The trip to Arizona begins a week from tomorrow and marks the beginning of the first cultural exchange ever attempted between kids from Hawaii and American Indians.

For more than a month the Waianae Coast community has been raising funds to meet the budget of $8,401.65.

"We now have $8,000 cash in hand with pledges for the rest," said Edward McGrath, president of the Leeward Cultural Exchange, sponsoring organization. "We are still taking donations.

"Any money we get beyond our own budget will be used to help the Indian kids come to Hawaii."

McGrath said the Leeward children are hoping to accept an invitation to visit a session of the State Legislature this week. Meanwhile, they are practicing Hawaiian songs and dances after school every Monday and Wednesday.

"We had a picnic in Makaha on Sunday," McGrath said. "The kids performed for their parents."

Robert Moore, principal of Waianae Elementary School said the significance of the cultural exchange is that it will be a carefully planned and supervised educational experience.

This isn't like sending another baseball team to Disneyland," said Moore. "The object of this trip is education. Our kids have been having two classes a week since Jan. 28 in Hawaiian language, dance, music, arts and crafts, history.

"They've heard Navajo speakers, seen movies about the Navajo Reservation so they'll have some idea of what to expect. I'm hoping this will turn out to be a pilot program for other exchanges in the future."

The kids put on a car wash in Waianae two weeks ago to help raise money for the trip. They made $100. Donations have come in from all over the State.

Movie actor Richard Boone collected over $300 by passing a calabash in Waikiki night clubs.

On the reservation, McGrath said, the kids will visit Navajo hogans (mud houses, attend class with Navajo fifth-graders, perform hulas, tour the Grand Canyon, go on a hayride, see Indian dances and ride horses. They will spend a day at Disneyland on the way home.

A group of Navajo fifth-graders will arrive in Hawaii April 23 for the second half of the exchange.

McGrath said Leeward parents are now signing up to house the children during the two-week stay. They will go swimming and fishing, attend a luau, tour the Island and attend school with the Leeward youngsters, McGrath said.

Donations can be mailed to Leeward Cultural Exchange, P.O. Box 1017, Waianae, Hawaii 96792.

XUM

KRISTY VIVION: YOUNG AMERICAN

Mr. HANSEN. Mr. President, I invite the attention of the Senate to a young American from Rawlins, Wyo.

Her name is Kristy Vivion, and I believe that her outstanding attitudes about the United States and the responsibility of America's youth to the Nation are shared by the vast majority of our young people.

Miss Vivion is this year's Wyoming winner of the "Voice of Democracy" competition sponsored annually by the Veterans of Foreign Wars. She has done an outstanding job, and all of us are very proud of her.

Miss Vivion's entry in this competition, entitled "Freedom's Challenge," in my opinion is inspiring to young Americans and older Americans, as well.

I ask unanimous consent that Kristy's excellent paper be printed in the Record.

There being no objection, the essay was ordered to be printed in the Record, as follows:

Freedom's Challenge

"The rocket's red glare, bombs bursting in air, gave proof through the night that our flag was still there" . . . This was freedom's challenge nearly two hundred years ago, and since that night, countless Americans have fought, labored, sacrificed and died so this flag may wave on. Even today they die, for the American adventure is not over, and the challenge of America is not dead.

Freedom's challenge rings out today when my contemporaries defile our flag—now grown to 50 stars—at the very minute our soldiers defend it in Viet Nam. Freedom's challenge screams from the ghettos here at home. It beckons from the Peace Corps and Vista. But the challenge is never more heartrending than when a black hand reaches out to say "Accept me" . . . Freedom isn't free. It wasn't that night 200 years ago and it isn't today. Freedom is purchased with dedication and sacrifice. And it means responsibility and taking a stand. Perhaps this is what this challenge is really all about.

So if today we would answer freedom's challenge in the same spirit our forefathers did, we cannot stay uninvolved and comfortable while the vocal minority tears our country apart. We must have the courage to follow where our hearts would lead us and be unashamed of some old-fashioned patriotism. It's time we stood up and defended the Constitution and the Bill of Rights as the greatest documents ever conceived by man. And it's time to remind people again of the American success story—that this is the only country on earth where every man can reach for a star!

Freedom's challenge has never been more demanding than to my generation because we stand in danger of losing our heritage. The concepts that built this nation are attacked on every side every day. Confusion abounds. Communal living, the new morality, an anti-establishment attitude, are all around. To be unpatriotic is popular; to say God is dead finds favor. To deny all standards seems to be the "in" thing.

Yet, somehow, the faction preaching these doctrines doesn't frighten me. I have faith in my fellowman and in America. For the great silent majority of us are not ashamed if "America The Beautiful" brings a tear to our eye. We fill with pride at our flag on parade, or a friend just home from Viet Nam. And there are countless numbers of us standing in the wings, working and preparing ourselves for tomorrow's citizenship privileges. We want to serve this great country; and want to build, not tear down. We want to help make our weak stronger, our poor more comfortable. And, yes, we want to help give opportunity to the oppressed and education to the uneducated.

This is the American dream; this is freedom's challenge. I saw an eternal flame at Arlington that reminded me. And I hear immortal words echoing from half-way around the world and down through the years to inspire me and my generation: "To you from failing hands we throw the torch. Be yours to hold it high" . . .

SENATOR MURPHY URGES EXPANSION AND EXTENSION OF SEA GRANT PROGRAM

Mr. MURPHY. Mr. President, I have been interested for some time in accelerating the Nation's efforts in ocean exploration and development.

In 1966, I coauthored the Sea Grant measure, which is now Public Law 89–688.

In a statement on April 3 before the Education Subcommittee, of which I am a member, I strongly supported the extension and expansion of the Sea Grant College measure.

Mr. President, I ask unanimous consent that the text of my statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator George Murphy

Mr. Chairman. As one who co-authored S. 2439, the original Sea Grant bill, which is now Public Law 89–688, I am pleased to cosponsor S. 2293, the measure before us today. This bill would extend the Sea Grant College program, which is scheduled to expire this June, for three years with an authorization of $20 million, $25 million, and $30 million for fiscal years 1971 through 1973.

For some time I have been critical of the nation's total ocean effort. When the Sea Grant measure cleared the Senate in 1966, I said that "this nation's efforts in the exploration of the oceans have been inadequate and moving at a snail's pace." This is still true.

On May 20, 1969, I introduced S. 2204, a bill to establish a National Oceanic Agency to give focus, coordination and acceleration to our nation's ocean effort. Since the introduction of S. 2204, I have had various briefings with Administration officials conveying to them my strong feelings about ocean exploration and development, and I am confident that this year the Administration is going to take important steps in this vital field, steps designed to make the nation the world's leader in oceanology.

I believe that as we speed up our ocean efforts, we will be appreciative of the role that the Sea Grant program has played and is continuing to play in laying the foundation for the coming oceanology push in the seventies.

Patterned after the Land Grant College program, which has been greatly responsible for making American agriculture the most productive and efficient in the world, the Sea Grant Act attempts to do the same for the development of our marine resources.

The Sea Grant program has been part of our law for a little over two years, and it has already generated a great deal of interest in California and across the country. I was very interested in Chairman Pell's introductory remarks on the Senate Floor that the University of Wisconsin had "discovered deposits of magnesium nodules in the shallow waters of Green Bay which are estimated to have a value of more than $15 million." This, of course, exceeds the total amount, $11 million, appropriated to date for this program.

I am pleased that California was one of the first states to receive a Sea Grant when the program was initiated. A two-year grant was made to Wheeler J. North of California Institute of Technology to develop techniques for establishing commercially valuable kelp beds in barren areas. This work has proved to be so valuable that it is being considered for renewal for another two years. The kelp beds of California provide the essential raw material for the algin industry as well as an excellent habitat for sports fish and other marine organisms. Dr. North's project is improving the kelp forests and extending them to provide a greater source of this important raw material.

California also was one of the first states to receive support for marine technician training. Santa Barbara City College initiated a program for diving and general marine technicians and will graduate its first class under Sea Grant auspices this year. Preliminary reports indicate that, of 29 students in the graduating class, 24 already have jobs, 4 are going on for additional education, and one has established a business of his own but is uncertain about his future direction. Continuation and expansion of this program, which is directed by an Industry Advisory Committee made up of marine technician employers, is under review.

A second marine technician training program was instituted at Marin Junior College in Kentfield, California. This program was initiated only last August, and it is too early to have definite results.

Two of the excellent California State Colleges already are represented in the program. San Diego State College is conducting research leading to improving the valuable commercial and sports fishery for the California spiny lobster. This project already has developed substantial information on the spiny lobster, and while it is not expected to result in an immediate increase in the fishery, it should provide a basis for such an expansion and for improved management. An integral part of the program is the training of additional scientists for marine resources.

Humboldt State College at Arcata, California, was awarded one of the limited number of Sea Grant Coherent Projects. A Coherent Project is one composed of several sub-projects related to a common theme. In the case of Humboldt, the theme is development and proper management of fishery resources of northern California. Among the projects are the feasibility of enriching salmon and trout rearing ponds with sewage effluent; the seasonal changes, relative size and biochemical composition of the dungeness crab; the feasibility of utilizing processing-plant fish waste in the rearing of crab and fish; and the ecology and standing crop estimates of the Gaper clam in South Humboldt Bay. Most of these projects were developed in concert with the local fishing industry and the California Department of Fish and Game.

The Sea Grant staff has been conducting discussions for some time with the consortium of state colleges represented in the Moss Marine Landing Laboratory. A formal proposal for development of a Sea Grant program of planning, public service, and pilot research activities to serve the Monterey Bay region and the central California coast is now under review.

The way that the Sea Grant program has been able to respond to national needs can be seen by the Santa Barbara disaster. Following this tragedy, I learned that the University of California at Santa Barbara had a

XUM

Sea Grant application pending, part of which would enable them to assess what was being done about the spills and their effect on the environment. I wired the National Science Foundation urging immediate approval of this application, and as a result, I was able to announce five days later, when the Senate Public Works Subcommittee was holding hearings in Santa Barbara, that the National Science Foundation, in response to my wire, had moved immediately to approve a $90,000 grant for the study of the emergency effects of oil leakage. Later in the year, I was able to announce a supplemental and larger grant to the University.

The program now includes research on several aspects of the main offshore industry of the area—oil—and on other important resources of the Santa Barbara channel, the kelp beds, and their associated sports fish. The program includes both research and the education of applied marine scientists. A renewal proposal for Santa Barbara, which I hope will be approved, is in process of review.

Another campus of the University of California in the Sea Grant program is the famous Scripps Institution of Oceanology/San Diego Campus. Initially they came into the program with a coherent project for graduate instruction and research in applied ocean sciences. The University began an instructional program in the applied aspects of marine sciences and an advisory service program was initiated. During the first two years of Scripps/San Diego Campus participation, discussions between the Sea Grant staff, various state offices and the Governor's commission continued, resulting recently in a letter to the Sea Grant program, from Chancellor Hitch of the University of California stating that he wished the entire higher education system in California to participate in the institutional program with the San Diego Campus and Scripps as the lead institution. The Sea Grant program has received a proposal for institutional support from the Scripps Institution/University of California, San Diego complex. This proposal is now under review.

Sea Grant interest in the resources of California's many excellent institutions is perhaps indicated by a rather small grant which NSF is now considering. It is a request for funds to print a report on "Marine Sciences in California's Institutions of Higher Education," prepared by the Coordinating Council for Higher Education. The necessity for the large printing is the interest of many of California's educational institutions in participating in various marine science activities. The report contains an assessment of existing and planned programs and a series of recommendations for future marine science efforts including some specifically related to participation by California schools in the Sea Grant program. The initial printing did not begin to meet the demand, and funds were requested of Sea Grant to print an additional one thousand copies of the report, of which 750 already are committed.

The amount of marine activity directly applicable to the Sea Grant mission in the state of California is so large that the entire Sea Grant appropriations to date could have been spent productively in that one state. It is apparent, and particularly with the interest of the higher education system in California, and of the interest in the thirty other states in Sea Grant participation that the Sea Grant program must be extended and enlarged. Bordering the Pacific Ocean, Californians have always appreciated the importance of the ocean, and have been cognizant of the benefits that might be derived for all mankind by an increased effort. Because of the great interest in oceanology and in the Sea Grant program in my state, I am pleased to join in this effort to extend and expand the Sea Grant program.

SECRETARIES WEEK: APRIL 19–25

Mr. HART. Mr. President, "Better Secretaries Mean Better Business" is the theme of the 19th consecutive annual Secretaries Week, April 19–25, 1970. Wednesday, April 22, is designated Secretaries Day.

Governors and mayors throughout the United States will officially proclaim Secretaries Week, and their counterparts in Canada will do the same. For the seventh consecutive year, the Outdoor Advertising Association has undertaken Secretaries Week as a public service project, and billboards will be made available throughout the country. Many chambers of commerce also observe Secretaries Week, and service clubs such as Rotary, Lions, and Kiwanis frequently invite secretaries to participate in special programs.

The purpose of Secretaries Week is to bring recognition to secretaries for the vital role they play in business, industry, education, government, and the professions. Secretaries Week was originated in 1952 by the National Secretaries Association (International) in cooperation with the U.S. Department of Commerce to draw attention to the secretary's contribution to the educational, professional, and civic growth of the community. It also serves to remind secretaries of their responsibilities to their employers and to their profession. Many secretaries also will participate in secretarial seminars.

Mr. President, I have been supporting the efforts of the senior Senator from Maryland (Mr. TYDINGS) to secure Judiciary Committee action on Senate Joint Resolution 101, which would have authorized the President to issue a proclamation designating the last full calendar week of April as National Secretaries Week.

The secretaries of this country deserve this recognition, and I hope that next year we will be able to pass such a joint resolution in time to make our contribution to the event.

IMPROVED AMERICAN ENVIRONMENT

Mr. ALLOTT. Mr. President, I am pleased to learn that Secretary of the Interior Walter J. Hickel today has recommended that Congress raise from $200 million to $300 million the Federal money available for the Land and Water Conservation Fund, which is used to acquire and develop park land and other recreation areas.

This proposal for a 50-percent increase in the Federal effort accords with a bill I am cosponsoring for the same purpose. This proposal embodies an important and timely advance in the fight for an improved American environment.

Mr. President, a powerful commitment to such conservation measures is as American as apple pie, and as Republican as a healthy bull elephant.

The active American concern with conservation and other environment issues dates from the administration of President Theodore Roosevelt. It was at about this time—in the early years of the century—that Americans began to understand the basic changes taking place in the country. They began to understand that the rural yeoman's Republic was becoming an urban industrial giant. And they began to understand that their desires were limitless, but their resources were not.

It was at this time that President Roosevelt began his campaign to shape a comprehensive American commitment to preserving the national treasure of resources and beauty.

I am proud to be able to remind Senators that Theodore Roosevelt's environmental concern grew out of his lifelong love affair with the American West, about which he wrote so movingly, and in accordance with which we acted so decisively.

An important part of his environmental campaign was a program of developing and preserving recreation areas in areas particularly blessed by natural beauty.

Teddy Roosevelt understood that these places of natural beauty would become increasingly valuable to an urbanized nation. He understood the necessity for such places of beauty, to which an urban population could periodically adjourn for relaxation, and for the spiritual renewal that can only come from the relative quiet and solitude of areas of natural beauty.

Mr. President, the American people today use their national parks and other recreation areas for just this purpose. And they are using them more each year.

Indeed, some persons are unhappy about the crowds which recently have been attracted to our great national parks. There are those who deplore the fact that visits to national parks have risen by 400 percent in less than three decades.

Mr. President, I do not find anything deplorable about this increasing use of our national parks.

That increase is not simply a reflection of a rising population. After all, during the period in which the visits to national parks were rising 400 percent, the population was growing by only 30 percent.

The fact is that our national parks are being visited more frequently because more and more Americans have the incomes and leisure time necessary to travel great distances and enjoy such recreations as camping.

This represents an ever-wider sharing of the blessings of affluence. This is not deplorable.

Further, this increasing use of national parks means that the national parks are being used for one of the purposes for which they were originally intended to be used—they are being used for the enjoyment of a mobile, urban population.

The answer to the heavy use and, in some cases, overcrowding of our national parks and other recreation facilities is not to bewail the fact that so many Americans are able and inclined to travel in search of natural beauty.

Rather, the progressive, positive response to this is a program to increase the amount and caliber of national parks and other recreation areas. This is just what Secretary Hickel is advocating by his support of a 50-percent increase in the Land and Water Conservation Fund, the principal source of revenue for the acquisition of parks, forests, and wilderness areas by the National Park Service, Bureau of Sport Fisheries and Wildlife, and the Forest Service.

The President addressed himself to this matter in his message to Congress on the environment. He said:

> Increasing population, increasing mobility, increasing incomes, and increasing leisure will all combine in the years ahead to rank recreational facilities among the most vital of our public resources.

Now Secretary Hickel is backing a proposal which demonstrates that there is more to this administration's environmental concern than mere rhetoric and empty pledges.

The Secretary is especially anxious to ease some of the burdens on our larger national parks, while also easing some of the travel burdens on urban Americans. He says:

> It is urgent that we move now to bring recreation opportunities to the people. This is especially true in the urban areas where the needs are the most out of balance, suitable open spaces are getting scarce, and land costs are spiraling.
>
> Three quarters of the population live in and around our major cities and that concentration is increasing. We must bring more "parks to the people" to relieve the social pressures in these crowded areas.

I applaud the Secretary's remarks and commend his proposal to the attention of the Senate.

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POPULATION CRISIS—V

Mr. TYDINGS. Mr. President, inherent in the creation of a national population policy is the problem of determining an optimum population size for the United States; that is, calculating what aggregate population level is most consistent with our resources and aspirations. An excellent article dealing with this issue, entitled "Tailoring Our Elbow Room," and written by Paul and Anne Ehrlich, was published in the Washington Post of April 5.

This is a piece which ought to be read by all Americans interested in intelligently searching out a solution to our pressing population problem.

Mr. President, I ask unanimous consent that the Ehrlichs' article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TAILORING OUR ELBOW ROOM

(By Paul R. Ehrlich and Anne H. Ehrlich)

(Paul Ehrlich is professor of biology at Stanford University and his wife is a biological illustrator and research assistant in biology there. The following is excerpted by permission from their book "Population Resources Environment: Issues in Human Ecology," to be published next month by W. H. Freeman and Co.)

It is to be hoped that all people would agree that the only humane way to control the size of the human population is by limiting the number of births; that an increase in the number of deaths (or reduction in the life expectancy) should be avoided at all costs. But the idea of controlling the size of a population implies the existence of some standard of optimum size. Ways of determining when a population is "to large" and when it is "too small" must be established.

At one extreme, human population sizes are limited by the physical capacity of the earth itself, and at the other, by the smallest group that can reproduce itself. But other factors should enter into considerations of optimum population size, including an individual's relationships with his fellow men and his psychological relationship to his environment—factors that we recognize in such concepts as "the quality of life" and "the pursuit of happiness."

The idea of controlling the size of the human population is really a new one. Until very recently, population limitation has been considered neither possible nor proper or limits have been set so high that the problem of limitation would, in effect, be postponed into the indefinite future. The tendency to avoid this issue still exists, even in the face of abundant evidence that very large numbers could never be supported.

Discussions about fertility control are still far more likely to center on changing rates of growth; absolute size is often considered irrelevant to anything. Nevertheless, the absolute size of the human race is now so large that it is perhaps the single most important factor we have to consider in discussing man's future, and its present unprecedented rate of growth adds to the urgency of the problem.

Rapid growth rates hinder economic development in underdeveloped countries. Therefore the population problem is perceived by economists and politicians as a problem of growth rates. That the human population is now putting stress upon the carrying capacity of the earth itself must be recognized by all responsible people, not just by ecologists. In the next few decades, our efforts to support a growing population are bound to result in much more stress, even if we immediately bend most of our efforts toward alleviating the deleterious effects of overpopulation.

THE RESOURCES FACTOR

In order to be meaningful, statements about overpopulation and underpopulation must be based on consideration of many environmental factors in addition to numbers of people per unit of land area. One commonly hears that South America is underpopulated because it has relatively few people per square mile in comparison with, say, Asia. It sounds logical at first to use population density as the basis for discussions of optimum population. It becomes evident on further reflection, however, that in most circumstances density alone is one of the least important considerations.

Much more critical than density alone will be density in relation to available resources. The Sahara Desert, for instance, might be "overpopulated" at a much lower density than the tropical island of Tahiti. More people are able to live well on the resources of the island than they could on the resources of an isolated piece of desert of the same size.

Of course, the discovery of valuable resources like oil or water under the desert might alter the situation. The oil could be exchanged for food and other necessities and, in time, the desert might develop into a local population center of very high density. This is essentially what happens in cities, which exchange manufactured goods, technological know-how and various services for food, commodities and other needed materials.

If, instead of oil, water were discovered and could be made available locally, the surrounding desert might be made to bloom, and intensive agriculture might also permit the establishment of a higher population density than prevails in Tahiti. This, in fact, happens around oases.

However, we cannot be optimistic about the prospects for intensive agriculture in the tropics, where the soils will not, with present technology, support intensive agriculture and high densities of people. Possibly some of these areas, through the development of a "true culture" with shade-loving vegetables beneath the trees, could successfully support more people than they do now. But the suggestion that all land areas can be made to support population densities as great as those of such European countries as the Netherlands is misleading, for two reasons.

First, Europe is blessed with very favorable soils and climate which are not equaled in the tropics, where most of the poor countries are located. Second, Europe is by no means self-sufficient in food. Even Denmark, an exporter of dairy products, eggs and meat, must import huge quantities of oilseed cakes and grain to support the livestock.

Measured against food needs and production, Europe is already overpopulated. The continent is also a consumer of nonrenewable resources that are largely imported from other areas, and it also has serious population-related pollution problems.

CARRYING CAPACITY

Relative to resources, then, optimism population is not a simple figure to establish. The size and location of the land area and its possibilities for exchange with other areas must be considered. In addition, the question of how long the population is to be maintained is important.

An area must be considered overpopulated if it is being supported by the rapid consumption of nonrenewable resources. It must also be considered overpopulated if the activities of the population are leading to a steady deterioration of the environment.

In other words, when we are dealing with the concept of optimum population, we must consider the relationship of human numbers to the carrying capacity of the environment. Taking into account present population densities and the other factors involved in carrying capacity, we arrived at the inescapable conclusion that, in the context of man's present patterns of behavior and level of technology, the planet Earth as a whole, is over populated.

Biochemist H. R. Hulett of the Stanford University Medical Center, in considering the possible size of an optimum population, has made some interesting calculations that bear on the question of the degree of overpopulation. He assumed that the average U.S. citizen would not consider the resources available to him to be excessive. He then divided estimates of the world production of those resources by the American per capita consumption.

On this basis, Hulett concludes ". . . it appears that (about) a billion people is the maximum population supportable by the present agricultural and industrial system of the world at U.S. levels of affluence." Hulett's estimate means that, even ignoring depletion of nonrenewable resources and environmental deterioration, the population of the earth is already almost three billion people above a reasonable optimum.

This does not mean that, in certain ways, some areas of the earth may not still be underpopulated. For instance, if more people lived in Australia now, that country might be able to afford a better surface transport system and extend paved roads across the continent. Australians would also be in a better position to develop and utilize their mineral and energy resources.

But, unhappily, even though a larger population could well live there, the "frontier philosophy" is even more rampant in Australia than in the United States in terms of environmental deterioration and agricultural over-exploitation. Thus Australia may be considered overpopulated already in relation to its long-term ability to feed its people, even though the continent is too thinly populated in terms of highway construction and economic development.

Regardless of such examples of "underpopulation," it is clear that, in dealing with population problems, we must focus on the earth as a whole, because it has become a single, closed-loop feedback system as far as human activities are concerned. Air pollution is a global problem; resource depletion is a global problem; food shortage is a global problem; chlorinated hydrocarbons are a global problem, and thus an excessive population in one area of the world creates problems for all other areas.

BATTLE FOR SURVIVAL

The urge toward maximizing the number of children successfully reared has been fixed in us by billions of years of evolution during which our ancestors were fighting a continual battle to keep the birth rate ahead of the death rate. Even among our ape-like ancestors a few million years ago, most of the children died before they reached reproductive age.

Then another factor, cultural evolution, was added to biological evolution, resulting in a trend toward larger brains. Human brain size was eventually limited by the ability of women to carry and deliver large-headed infants without themselves being immobilized. Consequently, more and more brain growth was concentrated in the period after birth.

Although this resulted in a longer period of postnatal helplessness for the infants, presumably this was less of an adaptive disadvantage than further pelvic expansion of the mothers would have been. The long period of helplessness of the human infant had many effects, most of which center on the mother's problem of caring for and protecting it. Presumably a selective premium was placed on keeping the father with the family group, and an essential step in that direction was the elimination of the short, well-defined breeding season characteristic of most mammals.

Year-round sexuality and the development of strong mother-offspring and father-mother bonds (pair-bonds), which led to the evolution of family groups, may be traced at least in part to increased brain size. These are, of course, the essential ingredients of what mankind has developed into the vast, varied, complex and pervasive social phenomenon that is sometimes referred to in our society simply as "sex."

Sex in this sense is not simply an act leading to the production of offspring, but rather it is a cultural phenomenon penetrating into all aspects of our lives, including our self-esteem and our choice of friends, cars and leaders. It is tightly interwoven with our mythologies and history, and it influences our views of nearly everything.

Understanding these points makes it easier to evaluate many arguments raised against birth control on the basis of emotional ideas about the "natural" function of sex. Furthermore, a grasp of the cultural importance of sex brings home the difficulty of changing the reproductive habits of a society, since attempts to do so may be perceived by the society as an assault on the very basis of its culture.

DIFFICULT QUESTIONS

In addition to the evolutionary origins of man's attitudes toward reproduction, we must consider what kind of environment man is best adapted to. What size groups does he feel most comfortable in? How important is solitude for the well-being of the human psyche? Is the color green an important component of the environment of *Homo sapiens?*

To give an analogy, one may, by selection, experimentally create a strain of fruitflies that is resistant to DDT in six to eight generations, presumably as a result of some minor changes in enzyme systems or behavior. It seems unlikely, however, that any number of generations of selection would produce a fruitfly able to fly with one wing; in fact, an attempt to produce such a change by artificial selection would probably lead to extinction of the experimental population.

Some biologists feel that mankind's evolutionary history has been such that the present environments to which he is subjecting himself are essentially asking him to "fly with one wing." This general viewpoint has been expressed by three biologists at the University of Wisconsin, H. H. Iltis, P. Andrews and O. L. Loucks. They feel that mankind's genetic endowment has been shaped by evolution to require "natural" surroundings for optimum mental health. They write:

"Physically and genetically, we appear best adapted to a tropical savanna, but as a cultural animal, we utilize learned adaptations to cities and towns. For thousands of years we have tried in our houses to imitate not only the climate, but the setting of our evolutionary past: warm, humid air, green plants and even animal companions. Today, if we can afford it, we may even build a greenhouse or swimming pool next to our living room, buy a place in the country or at least take our children vacationing on the seashore.

"The specific physiological reactions to natural beauty and diversity, to the shapes and colors of nature (especially to green), to the motions and sounds of other animals, such as birds, we as yet do not comprehend. But it is evident that nature in our daily life should be thought of as a part of the biological need. It cannot be neglected in the discussions of resource policy for man."

There is virtually no experimental evidence on how varying such factors as the density of the population, or levels of noise or the amount of green in the environment may alter human behavior. We do know from the systematic observation of anthropologist Edward T. Hall that peoples of different cultures have different perceptions of "personal space." It is not clear, however how much such differences are attributable to the perception of crowding as opposed to the actual tolerance of crowding.

For instance, do the residents of Tokyo feel uncrowded at densities that might make residents of Los Angeles feel intolerably crowded, or are the Japanese merely better able to tolerate the crowding even though their perceptions of it may be essentially the same?

We have almost no information on the levels of crowding at which people feel most happy and comfortable and can perform various tasks with the greatest efficiency. We do not know whether high density during one part of the daily routine (at work, for example) coupled with low density at another (at home) would have the same effects as medium density throughout the day. We do not know exactly what role high density plays in the incidence of stress diseases and mental health. We do not know whether density alone can be a contributing cause to riots.

In dealing with a high population density, the Japanese seem to have developed a variety of cultural devices to alleviate the stress. It has been suggested that their very formal and elaborate etiquette may be one mechanism for self-protection against the inevitable frictions of constant human encounter.

In contrast to the Japanese and the Europeans, who also have had high population densities for several generations, people from currently or recently low-density countries (such as the United States or Australia) are likely to have the reputation of being informal and easy-going, or even bumptious and rude. The Japanese are famous for their interest in esthetic values and respect for nature, which they demonstrate in their lovely gardens. They also successfully create an illusion of space when there is very little in their homes and buildings, a talent that possibly contributes much to domestic serenity.

People in general remain unaware of the influence that population size and density have upon their ways of life and their perceptions of the world. After all, these factors usually do not change drastically in times on the order of a generation or less. When they do change rapidly, as they are doing in some Latin American countries, the result seems more likely to produce disruption than gradual social change.

Around 1910, the United States had about half the number of people that it has today. Society then differed from today's in ways that cannot be entirely explained by the processes of industrialization and urbanization, or by such historical events as two world wars and a depression. Such qualities as friendliness and neighborliness, once common in this country and generally esteemed, now seem to exist primarily in rural areas, small towns and occasional enclaves in big cities.

In myriad ways, our lives have become more regulated, regimented and formalistic, a trend that is at least partly due to population growth. If we add another 100 million people in the next 30-odd years, this trend will certainly continue and will probably even accelerate.

Certain values conflict with numbers, even though numbers may also be considered a value by many people, such as economists, politicians (who see more votes) and parents of large families. Those who promote numbers of people as a value in itself may fail to consider the cheapness such abundance often brings. One might well ask whether traditional ideals of cherishing human life have not been eroded by our growing population in the last generation or two.

There is some sign of this, especially in the way the nation today barely reacts to such tragedies as devastating floods, hurricanes and airline crashes—a striking contrast to the prolonged sympathy and relief operations evoked by disasters of lesser magnitude before World War II. The growing impersonality of life in our large cities, in which citizens' cries for help are often ignored by bystanders, further supports this view.

The conflict between values and numbers may arise in a choice between having many deprived children or having only a few who can be raised with the best care, education and opportunity for successful adulthood. It is surely no accident that so many of the most successful individuals are first or only children; nor that children of large families (particularly with more than four children), whatever their economic status, generally do relatively poorly in school and show lower IQ test scores than their peers from small families.

Perhaps more opportunities for contact between generations would go a long way toward compensating for large families, when and if a small family norm can be established. The simplest way to provide intergenerational contact is to encourage the development of neighborhoods composed of families of all ages—from newlyweds to senior citizens—and provide communal areas where they can associate. Very structured child-adult relationships have been developed in such social organizations as hippie communes and Israeli kibbutzim, where all adults in the community come into regular contact with children.

FINDING THE OPTIMUM

The approach to establishing optimum population sizes relative to resources is straightforward in principle. We must first determine what material standard of living

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for people is desired and then determine how many people can be maintained at that standard.

The minimum size will be determined by the societal complexity necessary for divisions of labor, construction of public works and so forth. The maximum size will be set by the need to avoid the various unhappy consequences of overpopulation already discussed.

But material standards, as we have seen, are only part of the story. Approaches to optimizing the quality of life should recognize the need for diversity. Population size must be set so that a continuum of density is possible, from crowded cities to utter solitude. People should be able to establish themselves at whatever density makes them feel most comfortable, and strict regulations might prevent great density changes within specified areas.

Such a utopian system would require an overall global density considerably below the maximum "base subsistence density." Not only could the rewards for the human psyche be enormous, but some scope would be left for human social and cultural development, including genuine opportunities to create "free societies," without the need to pour all our efforts into solving the elemental problems of survival.

The ideal of an optimum population size must be a dynamic one in which population size changes in response to human needs. The number of children that couples may have will not simply be the number of children they desire, but will take into account the children's future well-being as well as social and physical environmental factors.

Arriving at ideals of optimum population sizes, however, will involve more than simply avoiding unwanted births. By virtually every standard, the world is already overpopulated, and there is considerable evidence that, even if every unwanted birth were avoided, the global population would still grow. In order to achieve population control, extraordinary changes in human attitudes—attitudes produced by eons of biological and cultural evolution—will have to occur.

These changes will inevitably trouble men's minds; death control goes with the grain, but birth control goes against it. Changing people's views of birth control and family size to coincide with the goal of a better future for all mankind is one of the greatest challenges humanity has ever faced.

SOUTHEAST ASIA REMAINS A TINDERBOX

Mr. SAXBE. Mr. President, we are all aware that the military picture in Southeast Asia remains a tinderbox. I think many of us also agree that we want to avoid a wider Asian war, an escalation of hostilities. An indepth look at the changing conditions in Southeast Asia was recently completed by Mr. James McCartney, a national correspondent for the Knight Newspapers. McCartney's views and impressions were summed up recently in a three-part series given wide distribution. Because of the timeliness of these articles, I ask unanimous consent that they be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Philadelphia Inquirer, Apr. 5, 1970]

Do We Face the Grim Prospect of Wider Asian War?

(By James McCartney)

(Editor's note.—Knight Newspapers Washington correspondent James McCartney has just returned from a two-month trip to Vietnam and Laos. His assignment: To examine how the Nixon Administration is doing in its effort to get out of the Vietnam War. This is the first of several articles making up his final report.)

Washington, April 4.—The Nixon Administration today is facing an authentic crisis in Southeast Asia.

In the weeks to come it must make tough, subtle, long-range decisions under pressure.

The question: Does the Administration really intend to get out of Vietnam and out of direct combat involvement in Southeast Asia—or does it want to hold on, country by country, in the continuing hope of denying Southeast Asia to the Communists?

Communist attacks in Laos, a new government in Cambodia and a sharp upsurge in the level of combat in South Vietnam have brought the problem into sharp focus.

"It's a whole new ballgame," says one top-level State Department official. Other Asian specialists agree.

Says Douglas Pike, perhaps the government's top expert on North Vietnam:

"We face the grim possibility of a real, Indo-China war, with new fighting in four countries—South Vietnam, Cambodia, Laos and Thailand."

The problem, essentially, is that the Communists have not surrendered in Southeast Asia—and are still strong, in spite of the fact that the U.S. has invested nearly 50,000 American lives and $100 billion in an Asian land war.

For months the Nixon Administration believed the best approach in Southeast Asia was a strategic withdrawal of U.S. power.

It invented the word "Vietnamization" to cover an American withdrawal—and concentrated most of its efforts on trying to upgrade a shaky, militaristic regime in South Vietnam.

It has dumped hundreds of thousands of guns on the South Vietnamese.

U.S. officials—from Defense Secretary Melvin R. Laird on down—have been talking "optimism" about Vietnam, praising "progress" in the Vietnamization program and promising new troop withdrawals.

But it is suddenly clear that Vietnamization is only part of the problem. Even if Vietnamization works, as one official put it: "That's not the issue now.

"The issue really is: Will catastrophe come? Will all that we have put into Vietnam go down the drain?"

Military statistics for the Indo-China peninsula as a whole are sobering.

It is a harsh fact that today—five years after the U.S. began to escalate its role in the Vietnam War—Communist military strength in Indo-China, outside of North Vietnam, is more than 350,000.

At least 240,000 of those troops are focused on South Vietnam—about the same number as two years ago.

More than 100,000 Communist troops are in Laos and Cambodia.

A vital factor is that Cambodia and Laotian Communist forces are substantially out of reach of U.S. military power.

No informed official at either the State Department or the Pentagon questions that the Communists have the power—now—to take over both Cambodia and Laos if they wish.

That would isolate South Vietnam militarily at a time when the U.S. is desperately seeking to get out of the war.

There is no overt evidence that the Nixon Administration has decided what it wants to do in Southeast Asia on a long-term basis.

It is still trying to keep its cool and to gauge what the Communists are up to.

Mr. Nixon is trying hard to avoid an atmosphere or crisis in Washington. He is taking his vacations at Key Biscayne and the official attitude at the State Department is one of deliberate caution.

But behind the scenes at the State Department and the Pentagon all is not so cool.

The fear is that the Communists may continue to build up pressure, forcing the U.S. hand.

New attacks in South Vietnam this week—in which 80 Americans were killed and more than 400 wounded in two days—seem to fit that formula. They were the most ambitious attacks in Vietnam in eight months.

Bluntly: The Communists are far from beaten.

Even more bluntly:

—The U.S. has failed so far in its effort to force a negotiated settlement to the Vietnam War.

—The U.S., from all appearances, is going to be deeply involved in Indo-China for years to come.

The pressures within the administration—both in Vietnam and in Washington—are immense.

Many powerful elements in the U.S. military want desperately to go into Cambodia and tear the Communists apart.

The pressure has been there for years. The military has been frustrated by Cambodia's "neutrality" and the presence of huge Communist military bases in Cambodia that the U.S. could not touch.

These "sanctuaries" in Cambodia, and others in Laos, have been used as staging areas to mount attacks on Vietnam.

It has been reported that the military is now considering proposals to use South Vietnamese, Korean or even Australian troops against the Communists in Cambodia.

Discussions have also been held about the possibility of extending military aid to the new Cambodian regime.

But many State Department officials believe U.S. military action in Cambodia, or U.S. support of military action, would lead to disaster.

Secretary of State Rogers told the Senate Foreign Relations Committee in a closed session that the administration is striving to maintain the neutrality of Cambodia and to avoid becoming involved in an all-Indo-China war.

The administration has made no public commitment one way or another, on what it might do if the pressure rises.

What, then, is administration policy?

Is Mr. Nixon determined to get out of Vietnam and out of direct combat involvement in Southeast Asia?

Do Administration officials expect a country-by-country scrap for Southeast Asia, with struggles to come in Cambodia, Laos, and eventually, Thailand?

The best way to describe administration policy today is to say that Mr. Nixon is postponing decisions as long as he can.

Administration officials believe Vietnam is still the central problem.

They are hoping, passionately, for stability in Laos and Cambodia so that "Vietnamization" gets a chance to work.

Mr. Nixon has been flooded with optimistic reports on Vietnam from officials in the field—both military and diplomatic.

Those reports say that the Communists are on the ropes, that they can't mount a sustained offensive.

The military is telling Mr. Nixon that it has won the war in Vietnam—but hasn't gotten credit for it on the home front.

The diplomats don't put it quite that way. They say that the Communists have been seriously hurt, but haven't given up.

One high official in the U.S. Embassy in Saigon was asked:

"Is it U.S. policy in Southeast Asia to resist Communist expansion wherever it appears?"

"By withdrawing troops from Vietnam, has the U.S. changed policy, or simply changed tactics?"

The answer was explicit.

The official replied: "We have changed

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tactics. Our policy is the same as it has been in recent years.

"You can anticipate that the U.S. will oppose Communist expansion in this part of the world in every way we can.

"But the lesson of Vietnam has been that you can't follow a policy that doesn't have public support.

"And no one that I know believes the public will support more U.S. ground troops in Asia."

Other officials agree that this is the general direction of administration thinking.

What that means is deep U.S. involvement in Indo-China for years to come.

It means a continuing search, country by country, for allies to resist Communist expansion.

In Laos, the U.S. may align itself with a coalition regime, in which Communists are represented.

In South Vietnam, it opposes a coalition—seeking an entirely anti-Communist regime.

In Cambodia, it would be delighted to have a neutralist regime.

Mr. Nixon has said: "We remain involved in Asia. We are a pacific power."

And he has enunciated the so-called "Nixon Doctrine," stating that nations in Asia which are directly threatened will have to assume "the primary responsibility of providing the manpower" for their own defense.

Thus, Mr. Nixon has split objectives.

He wants out—but on his own terms.

And if the Communists decide to make it tough, as they well may, no one can say what the outcome will be.

PLAN TO VIETNAMIZE WAR APPEARS DOOMED TO FAIL

(By James McCartney)

WASHINGTON, April 5.—President Nixon's program to "Vietnamize" the war in South Vietnam is working in the short run—and working reasonably well.

But the program probably is doomed to failure in the long run. It is just too late.

The U.S. has made too many mistakes for too long. And the South Vietnamese government that is supposed to take over the war is too shallow, lacks popular support and is shot through with corruption.

The war has not been won, and there is not the slightest shred of evidence that it can be won by military means.

STILL MILITARY

Yet the primary emphasis of the "Vietnamization" program continues to be almost exclusively military.

American programs in other areas—political and economic programs—have been poorly managed and under-financed.

A sound South Vietnamese government of which the U.S. can be proud, and a stable economic system to improve the lot of the people of South Vietnam, simply do not exist.

"We've had a very poor record politically," said one top U.S. official in Saigon.

He meant that the South Vietnamese government of President Nguyen Van Thieu hasn't measured up to U.S. hopes and expectations.

The same could be said for U.S. economic programs. Little progress has been made in developing a solid economy.

Nor does anyone claim that substantial progress has been made in improving the lot of the ordinary South Vietnamese citizen.

Many South Vietnamese are disillusioned with Thieu and with the continuing war.

But what about all the "progress" that is reported so often—and so endless endlessly—in Vietnam?

Officials claim progress in two areas:

—In "Vietnamization"—in the growing strength of South Vietnamese armed forces.

—In "pacification"—in bringing new areas in the countryside under control of the South Vietnamese government. This is a key part of the "Vietnamization" effort.

Yes, there has been "progress" in both of these areas.

The South Vietnamese armed forces have been rapidly expanded, given better guns, better training. In fact, the military buildup may be the most concentrated effort in history to give fire power to a relatively unsophisticated people.

WILL TO FIGHT?

But there is an underlying question: do the South Vietnamese have the will, the motivation, to fight?

As yet, it hasn't been established that they do.

They are taking casualties—deaths and injuries every day. But they haven't really had to face the highly motivated Communists yet in major engagements without firm U.S. support.

More than that, the Communists have changed tactics, and haven't made any kind of sustained push in recent months. Thus the record has to read that the South Vietnamese are substantially untested.

If they aren't getting much out of the struggle except death and grief; if prices continue to rise to threaten their already meager standards of living; if they have little faith in their own government, or none at all—why should they fight?

American officials have no ready answers.

There is measureable "progress" in the countryside.

You can travel on many roads that were not safe for an American a year ago. You can go into hamlets that the Vietcong controlled for years.

You find that the Communists in late 1968 and in 1969 stopped contesting areas that they had contested.

Time after time, those on the scene explain, South Vietnamese government forces entered hamlets and villages that had been contested for years—and were not challenged.

So statistics show that something like 88 percent of the South Vietnamese population is now living in relatively "pacified" areas.

WHAT "BEAT" THEM?

The U.S. military likes to say that the Communists were simply beaten by U.S. power.

"Where?" you ask. "When? Can you show me the place on the map?"

The reply, inevitably, is, "It didn't happen in any one place. It was attrition, over a period of time."

Certainly the Communists have been hurt. Probably they changed their tactics, in part at least, because they have been hurt. But even the military's own estimates of Communist strength do not show a defeated enemy.

They show, in fact, an enemy of substantially the same number in the Communist political "infrastructure" are actually considerably higher than they were 10 years ago.

NO DIFFERENCE

No American official is claiming that the internal structure of the Communist movement in South Vietnam has been seriously damaged.

All of this raises the serious question of whether U.S. officials are capable of fooling themselves. Sad to say, the answer has to be an emphatic "yes."

The U.S., under President Lyndon Johnson, insisted on fighting the war itself, shunting the South Vietnamese aside. South Vietnamese troops were given second-rate equipment and kept in the background.

Some 40,000 American lives later, the U.S. changed its mind.

Now South Vietnam is being asked to develop immensely complex social and political institutions overnight, and under pressure.

MATTER OF DOUBT

The flimsy structure of the South Vietnamese government, with little obvious support among the people, may not be able to handle it.

The test has not yet come. If it comes early, the U.S. may be tempted to hold on, to continue major U.S. involvement in the war, giving South Vietnam more time.

If it comes later, the prospects for a non-Communist South Vietnam are probably dim.

NIXON FACES GRAVE RISK IN VIET PULLOUT

(By James McCartney)

WASHINGTON, April 6.—Can President Nixon get the United States out of the Vietnam War?

The answer to that question is Yes, he can, if he is determined enough to do it.

In fact the evidence now is that the Communists—in their own ambiguous convoluted, calculatedly-confusing way—are seeking to give him a hand.

But Mr. Nixon has made his own goals broader.

He wants to disengage from the war, but he wants to do it on his own terms. He wants, at the same time, to preserve a non-communist Southeast Asia if he can.

The time may come when he'll have to set one goal or the other as his first priority. He may not be able to have it both ways.

Right now, however, more U.S. troop withdrawals from Vietnam are a virtual certainty, probably at about the current rate of 12,500 men a month.

Even if the war in Vietnam temporarily escalates, or if the level of violence increases somewhat in Cambodia or Laos, U.S. troop withdrawals may be expected to continue, at least in the immediate months ahead.

There are reasons for this.

One is that a great many U.S. troops in Vietnam simply aren't needed to accomplish the current, largely defensive mission.

The United States has too many troops in Vietnam.

Sometime in 1966 or 1967 President Lyndon B. Johnson and the U.S. military drifted away from their original objective in Vietnam.

The original objective had been to deny South Vietnam to the Communists. But Mr. Johnson and the military decided to try to make a major effort to "win" the war.

They poured a half-million U.S. troops into the country to try to do so.

Now that Mr. Nixon has abandoned that objective the United States doesn't need so many troops.

One high-level State Department official says flatly that the U.S. troop level could be cut to 300,000 without changing the essential military balance in Vietnam a whit.

In other words, 125,000 additional troops could be withdrawn with no harm done—125,000 beyond the 110,000 already scheduled to be withdrawn. The present troop level is approaching the April 15 administration goal of 434,000.

Another factor—rarely discussed—is that there is a great deal of fat in the U.S. military establishment in Vietnam.

This fat is almost shocking to see.

Saigon is loaded with headquarters personnel who often sit idly in their air-conditioned offices with little to do.

Many GIs are being used as errand boys for officers and in other non-essential jobs.

Thousands of GIs in Vietnam are involved in the logistics of providing the niceties of life for others—movies, entertainment, comfortable lodgings and all the rest.

One high-level U.S. adviser said he wanted to cut the military part of his mission, but the Army wouldn't let him. Four out of 10 soldiers in the mission, he said, were involved in providing entertainment and recreation for the others.

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REDS HELP CAUSE

Another reason why troop withdrawals probably can continue is that the Communists have helped to de-escalate the war. But they have done it in such a way that it poses a particularly subtle and difficult problem for the United States.

The United States sought a de-escalation of the war with its troop withdrawal program and by cutting back slightly on the volume of bombing.

Top U.S. commanders now aren't sure whether the Communists are seeking to gear down the war—or whether they have been so badly mauled on the battlefield that they were forced to change military tactics.

TACTICS CHANGED

There is agreement all the way to the top of the U.S. command—including Ambassador Ellsworth Bunker—that the Communists have changed tactics.

They have opted, officials say, for a "long war" or "economy of force" approach, and this has meant a de-escalation on the battlefield.

The Communists, at the same time, are continuing to apply pressure, not only in Vietnam, but in Laos and apparently in Cambodia.

More than that, they have been involved in a massive supply buildup since December, the largest of the entire war. They have been flooding war material down the Ho Chi Minh Trail in Laos at a record rate—convoy after convoy.

MAXIMUM OPTIONS

The able U.S. commander in Vietnam, Gen. Creighton Abrams, believes they are simply keeping a maximum number of options open.

That means that new attacks may come—possibly after the U.S. force has dropped to a lower level. Gen. Abrams doesn't pretend to know when.

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The key question at the moment is whether the Communists will continue to keep the overall level of the war down—to permit the United States to continue its withdrawal.

No one outside of Hanoi knows the answer.

If they do, Mr. Nixon apparently is prepared to let South Vietnam take its chances. If the South Vietnamese can't make it, the United States will have made a sincere try.

VISIBLE SINCERITY

No visitor to South Vietnam can question the sincerity of the U.S. effort in trying to turn the war over to South Vietnam. It is visible at every level.

U.S. troops—all the way down to the company, platoon and squad levels—are working hard at trying to train and equip the South Vietnamese.

Skepticism on this point is really not warranted. But there is valid skepticism on whether it will work. That is warranted.

Mr. Nixon's most serious and critical problems in seeking to disengage in Vietnam lie ahead. They lie, in all probability, at the point when the U.S. troop level begins to drift below 300,000.

LEVEL OF RISKS

If the Communists continue to play it relatively cool, Mr. Nixon may be able to go on with the withdrawal. But he also may encounter a confrontation with the U.S. military, who will be telling him that his risks of losing Southeast Asia will multiply as the troop level goes down.

Then it will be up to the President.

What risks is he prepared to accept? Can he accept the possible loss of Southeast Asia? Will the U.S. public accept the possibility of the loss of Vietnam after nearly 50,000 American lives have been sacrificed?

TIME OF DECISION

"Vietnamization" will not have to work perfectly for him to continue the U.S. withdrawal. It will have to work well enough so that the United States is not humiliated. Mr. Nixon has made that clear.

But Mr. Nixon will have to come to a time of decision—a choosing of his priorities.

If he is determined to get out, he will have to accept terrible risks.

It will not be an easy decision.

HIGHWAY SAFETY

Mr. BAYH. Mr. President, death on the Nation's highways hit an alltime high in 1969 when an estimated 56,400 people were killed by motor vehicle accidents. It must be remembered, however, that there are increasingly more persons driving more cars a greater number of vehicle-miles each year. Therefore, even though a single highway death is deplorable, any realistic measure of progress must be stated in terms of fatality rates which take into consideration the added exposure to accidents resulting from increased travel.

It is not possible to determine with any degree of accuracy what the highway death toll would have been if it were not for the accelerated highway safety efforts by local, State, and Federal governments as well as increased safety consciousness by many industry groups and the public at large. Without any doubt, however, enactment in 1966 of the Highway Safety Act and the National Traffic and Motor Vehicle Safety Act has contributed substantially toward improving this record.

An analysis of highway fatality trends before and after enactment of the 1966 legislation offers some clues as to what might have happened if these safety programs had not been undertaken.

ACTUAL HIGHWAY FATALITY STATISTICS, 1962 TO 1969

Year	Number of fatalities	Percent increase	Deaths per 100,000,000 vehicle-miles
1962	40,804	7.1	5.32
1963	43,564	6.8	5.41
1964	47,700	9.5	5.63
1965	49,163	3.1	5.54
1966	53,041	7.9	5.70
1967	53,100	.1	5.47
1968	55,200	3.5	5.47
1969	56,400	2.2	5.30

If the trend in the increase of deaths per 100 million vehicle miles between 1962 and 1966 had continued proportionately through 1969, it would have resulted in the following numbers of fatalities during the latter 3 years:

ESTIMATED HIGHWAY DEATHS, 1967 THROUGH 1969, IF PRE-1966 FATALITY RATE TRENDS HAD CONTINUED

Year	Death rate per 100,000,000 vehicle-miles	Probable number of fatalities	Potential number of lives saved
1967	5.78	56,500	3,400
1968	5.85	59,000	3,800
1969	5.93	63,000	6,600
Total potential number of lives saved over the 3-year period			13,800

An even more impressive reduction in highway fatalities is indicated if the actual number of highway deaths since 1966 is compared with what it could have been if the average annual percentage increase in the absolute number of deaths between 1962 and 1966 had continued through 1969.

ESTIMATED HIGHWAY DEATHS, 1967 THROUGH 1969, IF PRE-1966 ABSOLUTE FATALITY TREND HAD CONTINUED

Year	Number of fatalities	Potential number of lives saved
1967	56,700	3,600
1968	60,600	5,400
1969	64,800	8,400
Total potential number of lives saved over the 3-year period		17,400

This analysis indicates that something must have occurred subsequent to 1966 to slow down the rate of increase in highway deaths and actually reverse the trend in deaths per 100 million vehicle-miles of travel. It would be, of course, purely speculative to attempt an analysis of the factors responsible for this apparent reversal in trends or to allocate portions of the reduction to any particular program or activity. Nevertheless, it seems logical to conclude that a substantial portion of the credit is attributable to the improved safety design of our modern highways. Statistics indicate, for instance, that the Interstate System is about four times safer than conventional highways in terms of deaths per 100 million vehicle-miles. It is also reasonable to assume that part of the credit belongs to the counter measures resulting from the safety legislation of 1966. For example, insurance companies have reported a slight downward trend in the number of bodily injury claims for each 1,000 claims for property damage resulting from motor vehicle crashes. Improved vehicle safety standards and more widespread use of seat belts apparently has had meritorious results.

Despite these signs of some favorable progress, we cannot rest comfortably when over 56,000 people are killed on the highways in a single year and the carnage continues to grow in absolute numbers. It seems apparent that the highway safety problem is far from being solved. Highway deaths in the next 4 years could exceed a quarter of a million unless further steps are taken. This destructive problem ranks in severity, size, and complexity with other social ills such as crime, disease, and poverty. Already injuries inflicted by highway accidents exceed by 10 times all violent criminal acts combined, including homicides, armed robbery, rape, riot, and assault. It has been estimated that highway accidents rob society of nearly as many productive working years as heart disease and more than are lost because of cancer and strokes. It is interesting to note, also, that only 1 of 5 expected man-years of life lost to heart disease is in the age interval between 20 and 65 in contrast to 7 out of 10 for motor vehicle deaths for persons in the same productive ages.

The dimensions of the problem extend beyond the death and injury totals. According to the Insurance Institute each American family suffered an average financial loss estimated at $291 as a result of highway crashes in 1968—a total loss of almost $15 billion.

This human carnage on our Nation's highways is deplorable. While it is fair to say that progress has been made in highway safety during the past 3 years, this is no time to relax our vigilance. To the contrary, the facts of the situation dictate that efforts must be increased and new approaches and techniques devised.

Recently an excellent article on highway safety, which was written by David J. Allen, a former administrative assistant to two Governors in Indiana, appeared in Contemporary Education. He is especially well qualified to write on this topic in view of his role as the Governor's representative and the first administrator for the State of Indiana's agency designated to develop the necessary programs under provisions of the Highway Safety Act of 1966. Because it provides an excellent history of Federal involvement in traffic safety and demonstrates the effectiveness of a Federal-State-local partnership in attacking the root causes of traffic accidents, I ask unanimous consent that Mr. Allen's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Contemporary Education,
February 1970]

FROM WHENCE CAME AND WHITHER BOUND: THE STATE OF INDIANA AND THE HIGHWAY SAFETY ACT OF 1966

(By David J. Allen)

More than three years ago, Congress enacted the most comprehensive traffic safety legislation to date. The Highway Safety Act of 1966 was the culmination of many years of effort and the combination, under one banner, of several existing Federal statutes. In this ambitious undertaking, the various elements required for an effective traffic safety program were enumerated. Congress recognized the need for a comprehensive planning approach if any concerted attack on the startling rise in deaths, injuries, and property losses directly attributable to traffic related crashes was to occur.

The efforts of many persons and organizations, both public and private, were responsible for the success of the legislation. The climate for such action was available and the sponsors of the program moved rapidly and effectively to attain the goals so long unsuccessfully sought. Fortunately, no other event on either the foreign or domestic scene required national attention and the focus remained on the critical traffic safety situation.

It may be too early to ascertain what, if any, positive reaction has occurred as a result of the increased efforts in traffic safety. Any immediate assessment of traffic safety progress must be placed in proper perspective or it will not be meaningful. In order to provide a means for such assessment, this article is structured to show (1) the historical background which preceded the Act's adoption; (2) the state and federal administrative structure and operation.

THE FEDERAL GOVERNMENT'S INVOLVEMENT IN TRAFFIC SAFETY

A review of Congressional involvement in traffic safety programming reveals a marked interest by many members as the interstate highway network began to appear. The first significant legislation was adopted by Congress in 1956 as a part of the Federal Aid Highway Act. The Secretary of Commerce was directed to undertake a comprehensive investigation of the subject of traffic safety. The complete document, "The Federal Role in Highway Safety," was published in 1959.[1] Even though it is now ten years old, it remains a basic document for federal traffic safety activity.

The Congress, in 1965, evidenced even greater interest in the development of comprehensive traffic safety programs. The House Subcommittee on Roads of the Public Works Committee, in its report, gave a clear indication of things to come. The report commented that:

"The important consideration is the fact that coordinated State action programs have generally been missing, and should be established now, on the basis of utilizing the best information available today, without awaiting the completion of long term research project. . . .[2]

"This does not mean that all the State programs must be the same, and it does not mean that there will be any Federal dictation as to the particular State Agencies to have jurisdiction over any particular aspect of such State programs. The amendment does contemplate that highway safety programs within each state and among the several states will be coordinated and comprehensive. . . .[3]"

The amendment referred to above was known as the "Baldwin Amendment" and, as a reading of the language clearly shows, was the predecessor of the Highway Safety Act of 1966.

In 1966, the year for traffic safety legislation arrived. Three major traffic safety bills became law: Highway Safety Act of 1966; National Traffic and Motor Vehicle Act of 1966;[4] and, Department of Transportation Act.[5] In the final committee report on the Highway Safety Act, the comments are indicative of the feeling at that time. ". . . The Committee believes that there is no more urgent domestic need than to reduce drastically the carnage and destruction on our Nation's highways." [6]

President Johnson, in his March 2, 1966, special message on transportation, challenged the Congress when he stated:

"The weaknesses of our present highway safety program must be corrected.

"Our knowledge of causes is grossly inadequate. Expert opinion is frequently contradictory and confusing.

"Existing safety programs are widely disbursed. Government and private efforts proceed separately, without effective coordination.

"There is no clear assignment of responsibility at the Federal level.

"The allocation of our highway safety resources is inadequate.[7]

"I urge its (the Highway Safety Act) prompt enactment by the Congress.[8]"

PRELIMINARY ADMINISTRATION OF THE ACT

Three problems developed immediately in the preliminary administration of the Act. Initially, the deadlines in the Act were severe and put the new Agency under much pressure. The hiring of staff and setting of general administrative policy was difficult enough without the deadlines that had to be faced. Secondly, the states, many of which had been preparing traffic safety programs to meet the requirements of the Baldwin Amendment, were anxious to get moving and earmark the Federal funds available for parts of their safety program. This could not be done until the highway safety program standards were developed, reviewed, and approved.

Once the necessary preliminary internal work was completed, the National Highway Safety Agency began its operation. On November 1, 1966, Dr. William Haddon, Jr., was appointed by the President to the post as Administrator of the National Traffic Safety Agency—a companion unit. The Secretary of Commerce in a letter dated October 6, 1966, requested each Governor to appoint an administrator to coordinate state and local traffic safety programing.

On December 5, 1966, these designated representatives convened in Washington, D.C. prior to that meeting, Dr. Haddon had requested each state to submit to his Agency as detailed an analysis as possible of the traffic safety efforts currently operational in the State and local governments and some estimate of the expenditures by the state for such programs.[9] The preliminary policy proposals and the initial nine proposed highway safety requirements were announced during the meeting.

These would be the basis for the original thirteen performance standards. The Governors' liaison representatives were called to a meeting in Washington, D.C., on February 16, 1967, where the detailed standard proposals were distributed; final comments on these standards were to be returned to the Regional offices by the middle of March.[10]

On March 16, 1967, the President appointed the members of the National Highway Safety Advisory Committee. This body would guide the NHSB in its work and have final review authority over the standards.[11]

The promulgation of the initial thirteen standards was a necessary step before any Federal funds could be made available to the states and their political subdivisions for highway safety program projects. The initial thirteen standards and the supplemental three now in effect include: Motor Vehicle Inspection, Motor Vehicle Registration, Motorcycle Safety, Driver Education, Driver Licensing, Codes and Laws, Traffic Courts, Alcohol in Relation to Highway Safety, Identification and Surveillance of Accident Locations, Traffic Records, Emergency Medical Services, Highway Design-Construction-Maintenance, Traffic Control Devices, Pedestrian Safety, Police Traffic Services, and Accident Cleanup.

The apportionment of the Congressionally authorized funds of $167 million through FY1968 had been announced on December 20, 1966. However, the appropriation was but one quarter of the authorization. The practical application of the reduction, notwithstanding all the conversation about the "full obligational authority available," was obvious. This, in itself, was not a great setback since most states and their political subdivisions were not geared to meet the required fund match nor were they staffed to properly handle the new program. The availability of funds for the planning and administration of the traffic safety organization proved helpful and minimized disruptions of the program development.[12]

A more severe setback occurred when a personnel freeze at the Federal level was ordered. The National Highway Safety Bureau, understaffed from the beginning, was now compelled to remain that way. This critical decision, at the very time when the states were looking forward to and fully expecting complete staff support, greatly crippled the progress of the program and contributed to the increasingly strainded relations between Federal and State Governments.

The intergovernmental friction came to a head at the June 1968 meeting of governor's representatives and National Highway Safety Bureau officials when the requirements for the comprehensive traffic safety plan were discussed.[13] Before the two day session concluded, much of the air had been cleared and relationships have been on the positive side ever since. Just recently the regional offices have been granted more authority and this will improve further the handling of project applications and grants.[14]

Footnotes at end of article.

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STATE ADMINISTRATIVE STRUCTURE AND PROGRAM DEVELOPMENT

The Governor of the State of Indiana, in response to Congressional passage of Public Law 89–564, proposed and the 1967 Indiana General Assembly enacted the necessary enabling legislation [15] to grant to the State specific authorization for participation in the programs enumerated by and the funding provided for comprehensive traffic safety programing. This Act also places administrative responsibility for and control of the program with the Governor.

Pursuant to the provisions of this Act, Governor Roger D. Branigin issued Executive Order 2–67 on April 25, 1967,[16] creating a Traffic Safety Coordinating Committee and authorizing its guidance in the preparation of the necessary state and local programs envisioned by the Highway Safety Act of 1966. Membership on this Committee included all the major state agencies with traffic safety responsibilities.

The Coordinating Committee and subcommittee selected from its membership meet regularly to review proposed projects designed to assist Indiana in its traffic safety planning and to develop the projects designed to meet the performance standards issued by the United States Department of Transportation. In 1968, the Coordinating Committee met seven times in official sessions to transact business and recommend programs to the Governor. Numerous other subcommittee meetings and special project review sessions were also held.

The Governor's Traffic Safety Program staff is by statute charged with the responsibility for providing background information necessary for the Coordinating Committee's action as well as the follow-up activities required for full implementation of the traffic safety program. In order to insure continuity of approach and uniformity of purpose, all proposed state and local projects, submitted under the provisions of Public Law 89–564, are reviewed by the staff, submitted to the Coordinating Committee for its consideration and action, analyzed for fiscal integrity and accountability by the State Budget Agency, and a composite report and recommendation is prepared by the Governor's Representative for action by the Governor. All of these steps are taken prior to any submission to the Region 4 Office of the Federal Highway Administration. State agency involvement in every phase of the planning for traffic safety programming is an accomplished fact.

The Traffic Safety Program staff meets regularly in order to coordinate policy and develop priorities. The program staff developed an administrative manual and other helpful publications and documentation to assist the state agencies and the local units of government to a better understanding of the various aspects of the highway safety program.

With the cooperation of state agencies a booklet was prepared entitled "Guidelines for Traffic Safety Programming" [17] containing a responsibility chart for each standard. The narrative is accompanied in each standard explanation with a detailed chart graphically illustrating the responsibilities involved.

Other state agencies developed brochures providing additional information on motorcycle safety, driver licensing, emergency medical services, policy traffic services, and pedestrian safety.

Involvement of Indiana's ninety-two counties and eighty-one cities with over 5,000 population—as well as other towns and school districts—in comprehensive traffic safety planning is one of the major aims of both the federal and state legislation.

In addition to the encouragement of local participation by the City-County Traffic Safety Programs Advisory Board, the various state agencies and the Traffic Safety Program staff have solicited the active involvement of local units. An "in-house" memorandum was circulated by the administrator to members of the State Coordinating Committee enlisting their support and advice. As a result of this memorandum, individuals in each traffic safety oriented agency were designated to cooperate with local units of government in program development. In addition to these activities individual contacts with various local officials and public interest groups have been numerous. The field staff from the Indiana Office of Traffic Safety has been instructed in the preparation of the project application form and is able to lend its support to local units of government on project development.

Initiative at the local government level has continually been encouraged. A concerted effort has been made by the staff to engender local interest in traffic safety activities. A self appraisal of the local need was encouraged so that programs were not presented merely because it appeared the thing to do. Local programs designed to meet deficiencies were stressed. In April, 1968, a comprehensive letter detailing prospective local programs was sent to each mayor, each county commissioner, and the president of each county council in Indiana. As an outgrowth of this original letter, a special Governor's Conference was called for August, 1968.

In 1968, the special Governor's Conference on City-County Traffic Safety Programming under the Highway Safety Act of 1966 was attended by 170 key representatives of local units of government. An informational booklet [18] for the express use of local units of government was prepared for and distributed to those in attendance. Additional copies of the publication were sent to all mayors, chiefs of police, county commissioners, sheriffs and public support traffic groups as an aid to local planning.

The Governor requested each chief administrative official of the cities and counties to designate one person to coordinate traffic safety programming with the Traffic Safety Program staff in order that a good working relationship between state and local officials could be cultivated.

Contact between state and local traffic safety officials has emphasized the importance of developing local programs designed to maximize local needs and also to fit into the state's overall planning. Local units of government are circularized as to the proposed and approved state oriented safety projects. A number of the approved Indiana projects are in reality both state and local projects, e.g., the accident location system, driver education system, driver education and safety demonstration center, the emergency medical services survey.

Local units of government are encouraged to plan safety activities with as broad a base as possible. Planning on a county-wide basis wherever financially and administratively feasible is encouraged. The fiscal realities which face local units of government require that officials accurately assess their needs and develop those programs from which the most benefit to local citizens will develop.

The City-County Board adopted a definition which encompasses this philosophy. The basic criteria for local participation and cooperation is evident in the definition:

A political subdivision for the purpose of administration of the Highway Safety Act of 1966, shall be any county, city, town or school district or any combination of these units when the areas of jurisdiction are co-extensive or continguous and the governing officials involved have agreed on a single representative administrator.

The philosophy adopted by this locally oriented group is consistent with the state's programing in that the structure of all traffic safety planning in Indiana evolves around the concept that we should plan in such a manner that those priorities established are in reality those areas which need the greatest attention. Rigid adherence to any mathematical formula providing money was not felt to be the most appropriate means for sound planning.

The initial impact of the Highway Safety Act of 1966 required more extensive action and project determination at the state level than at the local. Now that the state has geared up its priorities and established its needs, more detailed attention should be directed toward local units of government. Projects for the next fiscal year should provide evidence of additional emphasis on the local government safety program effort.

The 1967 General Assembly enacted at least eleven major pieces of legislation related to traffic safety. These include such items as:

1. The regulation of slow moving vehicles.
2. The adoption of certain Uniform Vehicle Code sections concerning speed limits (this was done after a two-year study of Indiana's traffic laws).
3. The establishment of a periodic vehicle inspection program.
4. The designation of a medical commission on driver licensing.
5. The enactment of a mandatory police training bill.
6. The provisions for a study of alcohol, carbon monoxide and drugs as they pertain to fatal accidents.
7. The authorization to participate in the Highway Safety Act of 1966.
8. The creation of a City-County Traffic Safety Programs Advisory Board to encourage public support of traffic safety activities.
9. A revision of the Office of Traffic Safety Act to provide for more expeditious handling of traffic safety matters and to reduce duplication.
10. The authorization to participate in the Interstate Driver License Compact.
11. The statutory approval for tire studs or ice grips during certain months of the year.

The impact of the performance standards is evidenced by the scope of these laws. The State attempted to take a huge stride forward while the legislators' attitude was favorable. The success of the effort is self-explanatory.

The 1969 General Assembly enacted legislation covering the "implied consent" situation.[19] The Assembly, in the text of the 1969–71 Operating Budget [20] combined the heretofore independent office of Traffic Safety, Governor's Traffic Safety Program Staff, and Vehicle Inspection Department into one body for administrative purposes. The ultimate success of this fiscal combination will depend on a number of adjustments that must be made.

The development of projects under the provisions of the Act reflects the desire of the State to "plug" the gaps in its program and to take advantage of innovation in employing traffic safety efforts. The initial projects included: (1) a state program on alcohol and its relation to highway safety; (2) a preliminary proposal for a state emergency medical plan; (3) a driver education and traffic safety institutional demonstration center; (4) a VASCAR speed enforcement program; (5) the implementation of a "grid" system for traffic crash locations; (6) a vehicle inspection project to handle the administrative structure for the program; and (7) the planning and administration grant for coordination of the entire program.

The product of the efforts of all those involved in state and local traffic safety planning is contained in the "1968 Highway Safety Program Submission" forwarded by Governor Roger D. Branigin to Secretary of Transportation Boyd.

After several months for review and evaluation, the Department of Transportation informed Governor Edgar D. Whitcomb of

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Footnotes at end of article.

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its analysis of the presentation. The officials of the National Highway Safety Bureau commented that ". . . the submission from Indiana reflects a high degree of professionalism and dedication to the program. It is an excellent planning document, and is to be commended."[21]

As progress continues to be made and a greater degree of program sophistication develops, the participation of trained professionals in traffic safety planning is a vital ingredient. The availability of Federal matching funds as well as the competition for state and local tax dollars requires careful planning of fund use. The balancing role of each unit of government is important to the ultimate success of the highway safety effort. The dedication of people to the thankless task of traffic safety work is a key. The tools, as shown above, are available. The initiative must come from those who are vitally concerned with the problem. Rhetoric has never solved the traffic safety problem. Hard work and the desire to succeed is the way to an improved record.

In 1968, 53,000 Americans died on our highways, streets, and roads; 4,400,000 were injured as a result of traffic crashes. These figures—a 5 per cent increase nationally for fatalities—do not show we are winning—we are losing.

The concerted efforts by the State of Indiana, since the passage of the Highway Safety Act of 1966 indicate that within the state during that period some progress was made. The 1968 traffic fatality toll was only four higher than 1967. Perhaps this is an indication of progress.

These past three years, in spite of the growing pains of a new Federal Department whose financial resources and personnel needs were severely restricted, have been marked by an increased awareness of the need for a comprehensive and coordinated effort to solve the traffic safety problems. Let us hope this tenuous beginning can soon become a firm base from which the benefits in lives saved, injuries avoided, and property not damaged will emerge.

FOOTNOTES

[1] H.R. Doc. No. 93, 86th Cong., 1st Sess. (1959).

[2] U.S. Code Cong. & Ad. News 1965, vol. 2, p. 2857.

[3] Id., 2857.

[4] 15 U.S.C. § 1391–1409, 23 U.S.C. § 313 note, 80 Stat. 718 (1966).

[5] P.L. 89–670, 80 Stat. 931 (1966).

[6] U.S. Code Cong. & Ad. News 1966, vol. 2, p. 2758.

[7] To Heal and to Build: The Programs of President Lyndon B. Johnson (Burns, ed. 1968), 337.

[8] Id., 338.

[9] A copy of this report is on file with the Governor's Traffic Safety Program Agency, Room 316, State Office Building, Indianapolis, Indiana.

[10] Letter from Dr. William Haddon to all Governors' liaison representatives dated February 2, 1967.

[11] See 23 U.S.C. 404, 80 Stat. 733 (1966), amended P.L. 90–150, 81 Stat. 507 (1967).

[12] Memorandum from Lowell K. Bridwell to all Governors' representatives dated April, 1967.

[13] The final review of the general highway safety requirements created much discussion and disagreement among the representatives of the states and the National Highway Safety Bureau officials. The outgrowth of the meeting was a compromise between the states on several points in the Program submission format. For more detailed information see *Federal Highway Administration, Highway Safety Program Submission*, NHSB notice 42–50, May 16, 1968, and the July 22, 1968 revision of same.

[14] Fed. Highway Adm., NHSB Order 2,0300–1 Feb 26, 1969.

[15] Ind. Stat. Ann § 47–3021–3031, ch. 134, Acts 1967.

[16] The text of the Executive Order can be found in the National Highway Program Submission of October 15, 1968, and in the State Administrative Manual available through the Governor's Traffic Safety Program, Room 316, State Office Building, Indianapolis, Indiana.

[17] Allen, Guidelines For Traffic Safety Programming: State of Indiana, 1967, revised 1968.

[18] Ind. Office of Traffic Safety—City-County Traffic Safety Programming (1968).

[19] Ch. 64, Acts 1969.

[20] Ch. 397, Acts 1969.

[21] Evaluation Summary of the State Highway Safety Program: State of Indiana, p. 1, accompanying letter from Acting NHSB Director Robert Brenner to Indiana Governor Edgar D. Whitcomb, received on February 22, 1969.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia, Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

DEVELOPMENTAL DISABILITIES SERVICES AND FACILITIES CONSTRUCTION ACT OF 1970

The PRESIDING OFFICER (Mr. McINTYRE). Under the previous order, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2846) to assist the States in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originating in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes, reported from the Committee on Labor and Public Welfare with amendments.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. I ask unanimous consent that members of the staff of the Committee on Labor and Public Welfare be permitted to be present in the Chamber during the debate on the pending measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, we are all well aware that the treatment of the mentally retarded has been one of the most shameful chapters in the history of American health. For more than two centuries, we cast out the mentally retarded from our society. We buried them alive for decades in the vast State and county institutions. We confined thousands of patients in hundreds of wards, hundreds of miles from their families, their pastors, their doctors, and their friends, with insanity or death the only sure escape.

The Federal mental retardation program of the early 1960's brought revolutionary change in this inhuman care. With its sharp focus on prevention, treatment, and rehabilitation, it launched a new era of compassion and care for the retarded that has brought credit to our society and hope to millions of our citizens afflicted with such illness.

In the Mental Retardation Facilities Construction Act of 1963, President Kennedy and Congress launched a far-reaching program for the development of comprehensive services and facilities for the retarded, and for research into the problems of mental retardation. It is now almost 7 full years since Congress enacted this first major Federal legislation for specific assistance to the mentally retarded. Today in the Senate, we have the opportunity to build on the work we have begun, and to provide a strong, new incentive for the programs that are being developed in every State.

It is a special honor for me to have the privilege of bringing this bill before the Senate. As Members of the Senate are aware, I have had a long and continuing interest in the problems of mental retardation, and I have a special interest in the success of the broad variety of Federal assistance programs in this area.

We know there still are many problems that have not been solved. One of the most serious problems concerns the lack of satisfactory residential care facilities for the retarded. At least 50 percent of the Nation's institutionalized retarded live in functionally inadequate buildings whose average age is almost 50 years. The staffs are overworked, underpaid, and ineffectively used. Many of the personnel are poorly trained. Waiting lists for the admission of the retarded—both children and adults—are far too long.

We know that deplorable conditions for the retarded still exist in many of these institutions. Recently, in Springfield, Mass., the Springfield Union published a series of six major front-page articles on the Belchertown State School for the Retarded. The articles called the institution a human warehouse, and described in detail the cruel and dehumanizing conditions that exist—the stench of inadequate sanitary facilities, the lack of privacy, the grotesque physical restraints, the solitary confinement.

At last, however, we are beginning to attack the sources of our ancient neglect. Through programs like the Federal legislation in 1963, we are beginning to provide new services and facilities for the retarded. We know that we can develop improved methods for early diagnosis and treatment of retardation. Special schools and classes, sheltered workshops, and vocational training centers can teach thousands of retarded children and adults to become productive members of society. Day centers can provide extensive care, supervision, and treatment for the retarded, and thereby

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enable them to live in their own community.

The bill recommended by the committee is designed to foster these and other new approaches to the problems of the retarded. It offers a broad program for the development of a comprehensive State-Federal partnership to bring new hope not only to the mentally retarded, but also to citizens suffering from other serious and continuing handicaps originating in childhood.

In essence, the bill creates a new point of departure under the original 1963 legislation. The program established by Congress in 1963 contained three principal aspects:

First, it authorized a program of Federal grants for the construction of centers for research into the causes of mental retardation and related aspects of human development. In these centers, the combined skills of a variety of professional research workers and technical experts could be brought to bear on the problems of the retarded, such as the cause and diagnosis of the chromosome abnormality in mongolism, or the effect of malnutrition on the prenatal development of infants. A total of 12 research centers were constructed with Federal aid under the act before the authorization for this program was allowed to lapse in 1967. A number of these centers have already made significant contributions to our scientific knowledge. Two of the most important centers have been established in Massachusetts—one at the Walter E. Fernald State School in Waltham, and the other at the Children's Hospital Medical Center in Boston.

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Second, the 1963 act authorized a program of project grants for the construction of so-called university-affiliated facilities for the retarded. The purpose of this program was to develop clinical facilities associated with universities, in order to promote programs for training professional personnel in the field of mental retardation. At the present time, some 18 projects have been funded under this aspect of the 1963 legislation. In spite of the progress that has been made, we still have far to go before we achieve the goal of the program, which is the establishment of at least one university-affiliated facility in every State.

Third, the 1963 act authorized a basic program of formula grants to the States for the construction of facilities for the mentally retarded. In 1967, the act was amended to authorize an additional program of project grants to pay a portion of the cost of compensating professional and technical personnel in such facilities. As a result of this assistance, more than 300 community facilities for the retarded have already been or are being constructed with Federal funds. They are to be found in every State.

The impetus for the 1963 legislation was the path-breaking report of the President's Panel on Mental Retardation, which was appointed by President Kennedy in 1962. The Panel's report revealed an appalling shortage of residential and day care facilities for the mentally retarded, both children and adults. It emphasized the need for basic new approaches to the training of personnel to work with the handicapped, to diagnose their conditions, to treat their disorders, to train their crippled minds, and to counsel their distressed families.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KENNEDY. I am glad to yield. First, Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. GORE. I asked the Senator to yield in the course of his able speech in support of a bill which he and others have introduced and brought to the committee, in order to express to him and, through him, and through the RECORD, to members of his distinguished family the appreciation of the people of Tennessee, of middle Tennessee, and of Nashville, for the facility for the benefit of the mentally ill or retarded which has been sponsored in Nashville, Tenn., in connection with the colleges and hospitals there, by the Kennedy Foundation and by individual members of the family of the distinguished Senator.

This is very worthwhile. It is something that will provide much benefit and something for which, on behalf of the people of Tennessee, I now publicly express appreciation.

Mr. KENNEDY. I thank the distinguished Senator from Tennessee.

That facility is really one of the great facilities in our country. It has one of the ablest teams of medical personnel that has been assembled. It is performing an extremely important service and is adding greatly to the knowledge and understanding of the whole problem of mental retardation and its treatment and care. Their leadership in this field is universally recognized throughout the country, and I think it is a great credit to the State of Tennessee and to the people throughout the State that they have given such strong support to this facility.

Mr. GORE. The Senator's distinguished mother as well as the Senator's sister and brother-in-law were present at the dedication of the facility. I was present, also, and I am watching with the greatest of interest and enthusiasm the development of this very worthwhile undertaking.

Mr. KENNEDY. I thank the Senator.

Mr. President, although the 1963 legislation fell short of its goal, it provided a sound beginning. Its principal achievement was the demonstration of a solid Federal commitment to help the handicapped. The hearings held by the Senate Health Subcommittee last fall, which I had the privilege to chair, revealed a number of the constraints under which the act has operated in recent years, and helped to chart the direction we must pursue if we are to maintain our strong commitment.

The legislation recommended by the committee offers major improvements over existing law in a number of areas:

First, and perhaps most important, it emphasizes our basic faith in the ability of the States to recognize and solve the problems of the retarded, in partnership with the Federal Government. In spite of the proposal by the administration that this legislation should be converted into a program of project grants dispensed from Washington, the committee's decision was to continue and expand the formula grant program launched in 1963. We thereby do recognize the significant progress already made by the States in this area.

The committee expanded the construction program to include planning, administration, and services, as well as construction, with authorization totaling $405 million over a 3-year period. I recognize that at this time of increasing restrictive Federal budgets, it is difficult to obtain adequate funding for urgently needed Federal programs. In light of the hard budget reality, the authorizations in the committee bill have been stripped to the minimum level consistent with maintaining a satisfactory ongoing program. We know from the administration's own testimony last November that the $100 million authorized for the coming fiscal year is enough to satisfy only the State projects and programs that have already been proposed or are nearing completion on the drawing boards. It is clear that at least the level of funding recommended by the committee will be essential if we are to prevent the growing disillusionment in the States with the strength of our Federal commitment.

Second, the bill before the Senate extends and expands the program for the construction and development of university-affiliated facilities. The authorizations total $93 million in Federal funds over the next 3 years. In the hearings on this legislation, eloquent testimony was presented to the committee to demonstrate the extraordinary success of these university programs and the basic human values at stake in this legislation.

Dr. Robert E. Cooke and Dr. Arnold Capute, from the John F. Kennedy Institute for Handicapped Children at Johns Hopkins University in Baltimore, brought three young retarded children before the committee. We were able to see the dramatic progress these children have made. We compared their prior condition, as recorded on film, with their present and vastly improved condition. The father of one of the children—a child suffering from infantile autism and profound mental retardation, who was barely able to function and unable to communicate at all—spoke eloquently to the committee in the following words:

> In May of 1968 our son was admitted to the Kennedy Institute and was discharged in August of 1969. In that short period of time he has developed to the point where now he is qualified to enter a special private school and is a more functional member of the family. I think that this little child represents the light that President Kennedy spoke of, lighting the darkness with one candle, because we see here this child who is living evidence of that light, coming from a non-functioning human being to what he is today, and continuing to develop.

Mr. President, that was some of the most compelling testimony I have ever heard on any piece of legislation. As I mentioned, it was uniquely presented. At the outset, we saw film recordings of the condition of the children when they were first admitted to the program. The children themselves came before the committee and we were able to see the dramatic progress they have made. They responded to questions. They were alert and paid attention to the course of the hearing. Some of the most dramatic comments were made by the parents, who, for the first time, really had hope for the future and for the well-being and happiness of their children.

Third, the committee bill broadens the definition of persons eligible for services under the 1963 act to include not only the mentally retarded, but also other persons affected with closely related developmental disabilities, such as cerebral palsy and epilepsy. Too often in the past, children who might have benefited from the Federal program were turned away because of the rigid categories in the original legislation. Many witnesses at the hearing emphasized that services already developed for the mentally retarded could easily be made available to persons with other developmental disabilities, at no cost whatever to our ongoing effort against mental retardation. This is the sort of functional approach we need if our Federal assistance programs are to be efficient and effective in directing limited Federal resources to the areas of greatest need.

In my own State of Massachusetts, for example, we have recognized the need for greater coordination in the provision of services to all the handicapped. In the executive office of the Governor, we have created a separate bureau that coordinates the efforts of 12 State agencies carrying out various programs for the disabled and the multiply handicapped. I understand that this bureau is the first of its kind in the Nation. It signifies Massachusetts' strong commitment to the delivery of adequate care and services to the retarded.

Fourth, the committee bill gives special emphasis to the need for facilities and services for the retarded in areas of urban and rural poverty. One of the most distressing results of the 1963 legislation was the fact that the major portion of Federal funds has flowed to communities with the greatest resources in terms of matching funds, local initiative, and community interest. Too often, urgently needed facilities were not developed in poverty areas where they were needed most. Too often, the stress of conflicting demands on State and local governments has meant that the development of facilities for the retarded was heavily dependent upon private initiative and private resources. As a result, facilities for the retarded have tended to be concentrated in the most privileged geographic areas, to the neglect of poverty areas.

To offset this tendency, the bill contains a number of important features. It requires States to give special consideration to the needs of poverty areas, and it provides more favorable matching ratios—up to 90 percent—for the distribution of Federal assistance. I believe that these improvements in the existing legislation will go far toward redressing the unfair balance that has existed for so long against our poorest citizens in our struggle against retardation.

In sum, I believe that the bill reported by the committee offers a realistic and imaginative approach to the problems of mental retardation and other developmental disabilities. Seven years of experience have taught us that a strong Federal commitment is the key to expanding State and local effort, and I urge the Senate to accept the committee's proposals.

In closing, I would like to express my appreciation to the distinguished senior Senator from Texas, RALPH YARBOROUGH, who is the chairman of the Health Subcommittee and the chairman of the full Committee on Labor and Public Welfare. In large part, the bill that is coming to the Senate floor is the product of his leadership and contributions and interest in the problems of the retarded, and I am grateful for his assistance and cooperation.

Mr. DOMINICK. Mr. President——

The PRESIDING OFFICER (Mr. CRANSTON). The Senator from Colorado is recognized.

Mr. DOMINICK. Mr. President, I have listened with great interest to the distinguished Senator from Massachusetts and the presentation of the bill and find that the presentation is not only accurate but its compassion is heartwarming.

From the beginning, long before I ever entered Federal service, I was involved in these problems at the community level. There is an urgent need to take action at the community, the State, and the Federal level. This need is self-evident to anyone who becomes involved in this field. It is personally evident to those who have had close and intimate contact with people who have found themselves in the position of having someone who is temporarily or almost disabled by mental retardation or other multiple diseases of that kind.

There is no one who is more sympathetic to the goal of the pending bill than I.

However, I think it is only fair to point out that the largest appropriation ever given for this particular program occurred in 1967 with a total for all parts of the program of $31 million; that the next largest was in fiscal 1969, $29.5 million; and for fiscal 1970, $21.2 million is forecast. This, I think, must be compared with the level of authorization contained in the committee bill.

For part C alone, the program proposed will cost $100 million for the first year; $135 million for the second year; and $170 million for fiscal year 1973.

It seems obvious to me that when we take into account the problems which we have with the budget, and the problems which we have in determining overall priorities within the government system, which we are trying to hold at least somewhat in balance so far as outgo and income are concerned, we are not going to get, in terms of appropriations, anywhere near the amount of money the authorization calls for.

It concerns me that we should put through a bill with this size authorization, which I think can lead many people—very sincere and honest people around the country—to be led to the conclusion that this amount of money will be available for expenditures, when a perfectly realistic and practical viewpoint shows that we will be lucky if we get even slightly more than the $21.2 million now forecast—far below the level of the $100 million, and far below the $135 million.

This does not mean that we should not have an authorization higher than what we expect to get by way of appropriations, because under no circumstances should the legislative committee feel themselves bound by what they feel they will get by way of appropriations. It seems to me that we should take account of the practical problems with which we are faced and not put forth a bill which raises grand expectations on the part of those who are not closely affiliated with Federal fiscal problems. Making programs and plans in anticipation of this legislation would not be prudent because the money may well not be available.

Because of these fiscal limitations, it would seem to me that perhaps we should take a look at this. I do not have any particular amendment at the present time, but at this point, in order to find a little time to discuss this matter, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. As chairman of the Health Subcommittee and as a member of the Health Subcommittee for the past 12 years, it has been my privilege to have worked and assisted in bringing about the first great Mentally Retarded Facilities Act of 1963 which was the breakthrough legislation in this field as passed by Congress, following a message from the then President John F. Kennedy, urging it. I had the honor and privilege of being down at the White House when that Mentally Retarded Facilities Act of 1963 was signed into law, which provided for facilities.

Mr. President, it is a distinct pleasure to join my colleague from Massachusetts (Mr. KENNEDY) as a cosponsor of S. 2846, the Developmental Disabilities Services and Facilities Construction Act of 1970. This legislation extends and expands the Mental Retardation Facilities Act of 1963, as amended by Congress, and represents the culmination of months of effort and creative action by the Committee on Labor and Public Welfare.

The relevant provisions of Public Law 88–164, the Mental Retardation Facilities Act of 1963, will expire on June 30 of this year, and the committee feels strongly that this bill is vital to the assurance of continuation of programs for the 6 million retarded people in this country and the hundreds of thousands of others who are afflicted with related developmental disabilities.

S. 2846 was introduced by Senator KENNEDY and myself and cosponsored by a bipartisan group of members of the Labor and Public Welfare Committee. In November of 1969, hearings were held by the Subcommittee on Health, and this bill is the result of the synthesis of those hearings. It is significant to note, I believe

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that the witnesses appearing on behalf of the private agencies concerned with the problems of mental retardation were unanimous in their support of the legislation as originally introduced and that they have concurred in the need for the amendments made by the Committee and presented to you today.

Witnesses were: The National Association for Retarded Children; United Cerebral Palsy Association, Inc.; National Association of State Mental Health Program Directors; Association of State Mental Retardation Program Directors; American Association on Mental Deficiency; National Association of Directors and Administrators of University Affiliated Facilities for the Mentally Retarded; and several individual witnesses representing specific programs. It was heartening to see such unanimity among the private sector and to have their support in such a wholehearted fashion.

Mr. President, I should like to take a few minutes to outline the dimension of the need for this legislation.

Mental retardation can happen to any family—in any walk of life—regardless of race or creed or other differences—at any time. It is a tragic and appalling fact that one retarded child is born every 5 minutes. Mental retardation, more than perhaps any other ailment, affects an individual and his family in every way—the way they work, they live, they learn. The mentally retarded can develop physical ailments, such as cancer or kidney problems or any other. Many retarded individuals are multiply handicapped—cerebral palsied, blind, deaf, crippled by prenatal contact with rubella. The one common factor is their retardation, their inability to live a completely normal life.

As staggering as the fact of the tragedy, however, is the realization that perhaps as many as 85 percent of the retarded can be helped, can be assisted to take place in society, often a productive place. But in this day and age of national affluence, it is frightening to realize how much remains to be done for the retarded and now pitifully inadequate are the programs which can assist the retarded.

My colleague will note in the printed hearings and in the committee report some statistics which deal with the lack of Federal funding for programs for the retarded and the otherwise developmentally disabled. To cite but one example, the report of the President's Panel on Mental Retardation, published in 1962, indicated that this country should spend at least $50 million for construction of community facilities a year for a minimum of 10 years for the retarded. In the current fiscal year, the sixth year of operation of the programs authorized by the Congress in 1963, a mere $8 million was requested for construction for these vitally needed facilities. Although the Congress increased this appropriation to $12 million, the version of the budget which was accepted after the veto of the Labor-HEW appropriation, left the expenditure at a $10 million level.

The combination of a lack of Federal funding and the sheer enormity of the need for services and facilities for the retarded has brought us—7 years after the passage of the first facilities act—somewhat nearer but still pitifully short of reaching the goal of full services for the retarded.

I realize full well that this is a year of budget stringencies and that national priorities must be rechanneled and refocused appropriately. But I do not believe that any reasonable person would challenge that the mentally retarded and otherwise developmentally disabled individuals of this country had a right to opportunity, a right to dignity, a right to the assurances of an adequate life. We cannot tolerate a continued lack of care for these people. Every inadequate facility—every retarded child who must sit at home because there is not a program in which he can participate—every institutionalized individual whose days are filled with boredom and lack of hope because of some official who had decided that we cannot afford to spend any money on the retarded children and adults—every instance of this, and tragically, there are many thousands of examples—every instance of this is a crime against humanity. The fact remains that mere words cannot replace the action that we have the opportunity to foster here today.

The 7 years of life of Public Law 88-164 have been rewarding, if slim ones. Public and private institutions have begun to develop programs to attempt to deal with the myriad problems of the retarded.

With the prospect of the expiration of Public Law 88-164, essentially two choices were open to us. We could pass a simple extension of the legislation under which these successful programs—although limited by inadequate funding—had been initiated by the States, or we could build on this experience and produce legislation which reflects the "state of the art" and acknowledges the increased sophistication and ability to provide services now being evidenced by the States and the private agencies. It was this latter concept that we adopted and which was so widely supported by public and private agencies in the field and which is embodied in S. 2846.

Again I stress the importance of this bill. I wish I could say we would be curing mental retardation with this legislation. Unfortunately, we will not be. Research, yes. New techniques, yes. But this bill will deal with the day-to-day problems of the retarded and the otherwise developmentally disabled. It will give them facilities, give them services, but most of all it will make it possible for them to live with dignity and hope.

What a humbling, yet proud opportunity to do what is so badly needed for those who are in such need, who cannot help themselves and yet for whom help is in such short supply.

I urge passage of this legislation.

In closing, it may be added that it has just been brought to my attention that the national office of the National Association for Retarded Children will soon be moving to Dallas, Tex. I am sure all of my fellow Texans join me in welcoming NARC to Texas. It will be our privilege and honor to help you in your vital work.

Part B of the 1963 act, which now authorizes project grants for the construction of university-affiliated facilities for the mentally retarded, would be extended for 3 years, and a provision would be added authorizing the expenditure of funds for operational support for programs in facilities of this type. The authorization for construction would be continued at its present level—$20 million—for each of the fiscal years 1971, 1972, and 1973. The levels of authorization for operational support would be $7 million for fiscal year 1971, $11 million for fiscal year 1972, and $15 million for fiscal year 1973.

Part C of the 1963 act, which now authorizes formula grants to States for the construction of community facilities for the mentally retarded, would also be extended for 3 years. The present part C would be replaced by a combined formula grant and project grant program covering both construction and services. In addition, the scope of part C would be broadened to include not only the mentally retarded, but also persons suffering from certain other closely related developmental disabilities, such as cerebal palsy, epilepsy, and related neurological handicaps. Of the funds appropriated for part C, not more than 20 percent would be reserved for project grants to be administered by the Secretary of Health, Education, and Welfare, and the remainder would be allotted by formula among the States for planning, administration, services, and construction, in accordance with an approved State plan. The levels of authorization for the new part C would be $100 million for fiscal year 1971, $135 million for fiscal year 1972, and $170 million for fiscal year 1973.

The bill has been so well explained by the distinguished senior Senator from Massachusetts that it is not necessary to have a detailed description of each part. However, as one who has been on the Health Subcommittee for 12 years and chairman since January of last year, I commend the distinguished Senator from Massachusetts for his able handling of the bill, of which I have the honor to be a cosponsor, as I was of the former mental retardation bill.

The Senator from Massachusetts has been diligent in pressing for hearings on the bill. The evidence was thoroughly developed. The need was great. It has been documented by authorities who are familiar with the subject and have studied in this field for life.

The necessity for the legislation is shown in the report.

I again commend and compliment the distinguished senior Senator from Massachusetts for the great work he has done on this bill.

I hope that the pending bill will be passed unanimously. I think it is a matter that we might all take pride in as an accomplishment of the Senate. There are many fields concerning health and education in which the Senate has been in the forefront of progress in this country.

So, I think the Senate of the United

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States and the chief author of the pending legislation are entitled to great credit for having successfully steered the legislation through the Senate.

The PRESIDING OFFICER (Mr. ALLEN). The Senator from California is recognized.

Mr. CRANSTON. Mr. President, I rise to express my strong support of S. 2846, Senator KENNEDY's Developmental Disabilities Services and Facilities Construction Act of 1970. This is a bill that I cosponsored and have strongly supported throughout its consideration by the Health Subcommittee and the full Labor and Public Welfare Committee.

I congratulate the senior Senator from Massachusetts (Mr. KENNEDY) for his initiative in introducing and developing this significant legislation, along with the chairman of the Health Subcommittee, Senator YARBOROUGH. The ranking minority members of the subcommittee, Mr. JAVITS and Mr. DOMINICK have also done outstanding work on behalf of this important program.

The subcommittee's consideration of S. 2846 was an example of the bipartisan operation of our committee system at its very best.

As Members are aware, the administration at first strongly opposed the Kennedy bill at hearings chaired by Senator KENNEDY last November.

Although four representatives of the Department of Health, Education, and Welfare opposed enactment, all of the other witnesses, including representatives of a large number of State and local organizations, testified strongly in favor of this new approach to helping the mentally retarded.

Three issues quickly developed. Each was resolved in committee executive sessions to the lasting benefit of hundreds of thousands of our citizens.

The principal issue was the formula grant approach as originally introduced, under which Federal funds would be distributed to the States according to population, per capita income, and the need for facilities. The administration proposed to abandon formula grants in favor of project grants, under which all Federal funds would be dispensed under strict control from Washington.

Ironically, one of the major appeals of the present administration has been for a "new federalism," giving recognition to the States' proper role in our Federal system.

Yet here the administration was asking that control over a program, which had already proved itself in the States, be centralized in Washington.

The committee retained the formula grant approach as the heart of the bill, but added a compromise provision allowing HEW to use 20 percent of the funds for programs of special national significance.

Two other issues involved the definition of persons eligible for services, and the level of funding.

Each of these issues also was very well resolved by the committee.

Recognizing the need for a functional approach to the problems of the seriously disabled—whatever the diagnostic label on their condition—the committee broadened the scope of the existing program. Besides the mentally retarded, the bill now includes persons suffering from cerebral palsy, epilepsy, and other closely related developmental disabilities originating in childhood.

On funding, the committee bill retains the authorization proposed by Senator KENNEDY of $100 million for fiscal 1971. The committee responded to impressive testimony during the hearings that this is the minimum level needed today if the program is to be successful. However, recognizing our fiscal crisis, the committee reduced the amount by which authorizations were increased for subsequent fiscal years.

In closing, Mr. President, let me say that I was extremely pleased to have the opportunity to play a part in the development of this major legislation. I cannot overemphasize or overstate my admiration for Senator KENNEDY and Senator YARBOROUGH for their great and successful efforts to bring direct help to our retarded citizens, and thus also to bring indirect but no less meaningful help to their loved ones and, indeed, to our entire society.

Mr. YARBOROUGH. Mr. President, I express my appreciation to the chairman of the Subcommittee on Veterans' Affairs for his very generous remarks.

The Senator from California is doing outstanding work in this field. He is chairman of the Veterans' Affairs Subcommittee. He has pointed out the terrible inefficiencies in the Veterans' Administration, particularly with respect to the lack of care for veterans of the Vietnam war. He has shown his interest in this field of mental retardation as well as in other fields.

Mr. President, his length of service in the Senate has been short. However, it has been typified by his contribution to the pending legislation as well as to many other legislative matters.

I express my appreciation to the Senator for his work on the pending legislation and for his work on the Veterans' Affairs Subcommittee. I compliment him for his contributions to a multitude of measures by which the Labor and Public Welfare Committee tries to enhance the qualities of American life.

The distinguished Senator from California made a notable contribution to the pending bill which was so ably steered by the Senator from Massachusetts.

Mr. CRANSTON. Mr. President, I thank the Senator from Texas for his very gracious comments and in addition for the work that he has done on the pending bill, a problem that no one knows better than the Senator from Texas because of his great and extensive attention and effort devoted in the field of veterans' medical problems.

There is an overwhelmingly serious problem concerning medical and psychiatric help for veterans which is needed but which is not rendered due to budgetary and other problems. The Senator from Texas has provided great leadership in this area.

I am confident that through his leadership in this field we will deal with the mental problems of veterans as well as with the problems of people who have difficulty in this area generally.

Mr. YARBOROUGH. Mr. President, I thank the Senator from California.

The PRESIDING OFFICER (Mr. CRANSTON). The Senator from Texas is recognized.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a statement made by the distinguished senior Senator from New York (Mr. JAVITS) in support of the Developmental Disabilities Services and Facilities Construction Act of 1970.

The PRESIDING OFFICER (Mr. objection, it is so ordered.

(See exhibit 1.)

Mr. YARBOROUGH. Mr. President, the Senator from New York (Mr. JAVITS) is the ranking minority member on the Committee on Labor and Public Welfare. I hope that all Senators will have time to read his statement on this matter. It is brief and concise. It is only three pages. It has a tremendous amount of information concerning the need in this country for aid in this field.

The Senator from New York has a notable record of rendering aid to the disadvantaged and those who need a greater opportunity in life.

One great reason for the volume of beneficial and progressive legislation brought out of this committee is the brilliant leadership, the hard work, and the contributions made by the ranking minority member. It is with great pleasure that I offer his statement for the RECORD. The Senator from New York is unavoidably absent from the Senate today.

The Senator from New York is due a great deal of credit for the various health bills we have been able to pass this year and the education bill. As the chairman knows, the Senator from New York has been a hard worker in the field of building legislation to help the disadvantaged, the afflicted, and the undereducated. It is with great pleasure I place this statement in the RECORD.

EXHIBIT 1

STATEMENT OF SENATOR JAVITS

I rise in support of S. 2846, the Development Disabilities Services and Facilities Construction Act of 1969, a mark of our nation's progress in meeting the great need to combat mental retardation, and other developmental disabilities originating in childhood, by establishing a creative Federal-State partnership in developing and providing comprehensive services to those so afflicted.

The bill also incorporates an amendment I authored on behalf of the Administration to provde in addition to the State formula grant authority, project grant authority in the Secretary of HEW. The Secretary is authorized to utilize up to 20 percent of the appropriations to make grants to public or nonprofit private agencies to pay up to 90% of the cost of projects for carrying out the purposes of the act which are of special national significance because they will assist in meeting the needs of the disadvantaged with developmental disabilities, or will demonstrate new or improved techniques for provision of services for such persons, or are otherwise specially significant for carrying out the purposes of this title.

I believe this legislation represents an important advance in the thinking and knowledge of the needs of seriously disabled individuals and progress in the realization that agencies with categorical focus can work cooperatively to provide the comprehensive range of programs that are required. It is widely recognized today that mental retardation is often associated with other kinds of developmental disabilities—such as cerebral palsy, epilepsy, congenital malformations, and the like. Moreover, even normally intelligent children and adults with such developmental disorders may have problems requiring special care, training, treatment, and living arrangements similar to those needed by the mentally retarded. Yet, unlike the retarded, they frequently have urgent needs which are not covered by any of our existing Federal grant programs. This bill would enable programs to be expanded to cover these persons as well.

The disproportionately high incidence of mental retardation in poverty areas in conjunction with research on the effects of cultural deprivation, suggests that contributing to mental retardation may be mother and child malnutrition, chronic disease-producing surroundings, restricted opportunities for learning, and the generally harsh living conditions associated with life in disadvantaged environments. In such circumstances, children are often deprived of the stimuli of touch, talk, shared activity and encouragement that are essential to growth and learning. To meet the critical need—in addition to my special project grant authority amendment—the bill would require the States to give special consideration to the needs of urban and rural poverty areas, as well as require technical and financial assistance to such areas.

The levels of authorization for the new part C of the act—which combines the formula and project program for construction and services and broadens its scope to include with the mentally retarded persons suffering from related developmental disabilities, such as cerebral palsy, epilepsy, and related neurological handicaps—are an indication of our concern for the great unmet needs in providing services to the mentally retarded and persons with developmental disabilities. There are, the New York State Association for Retarded Children advises me, an estimated 3% of the population of the United States, or more than 6,000,000 individuals, who are believed to be mentally retarded and it is probable that between 100,000 and 200,000 babies born each year will be added to this number unless far-reaching preventive measures are discovered and employed.

However, I regretfully caution the people who labor in the field—concerned parents, educators, and other professional personnel—that the enormity of the problem is not met although we now have authorized more than $100 million to combat mental retardation and other developmental disabilities. We must continue to marshal our energies, spirit, and determination, to assure that what has been started—to move the mentally retarded and other developmentally disabled where they can be seen for what they are—human beings who need just as much as the rest of us—a chance to grow and achieve to their fullest ability and potential—will be carried forward and well beyond these immediate years. I pledge myself to continue to seek a great, moving, cooperative effort to combat mental retardation and other developmental disabilities with all the resources available to this great nation of ours.

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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Mr. DOMINICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, during the quorum call I had an opportunity to discuss the problem of authorizations. I am concerned about them, not because I do not think there is a need for the amount of money provided in the bill, but simply, as I said before, I am afraid if we make authorizations in these amounts we will arouse hopes which will result in disappointments and the failure of the programs when they find the money is not forthcoming.

It is difficult to correlate the sum of $135 million for the part C program, when on the overall program only about $20 million has been requested. The authorization history of this program shows an approximate $20 million annual appropriation level.

I have discussed the matter with the Senator from Massachusetts. He has been one of the leaders in this matter and is interested in it, as are the rest of us. He has gone over applications for funds that have been received from around the country, and he has gone over the applications point by point.

I think it might be advisable to keep the $100 million for this year and suggest we cut back to $125 million from the $135 million for the second year, and back to $150 million instead of $170 million for the third year. This would give us room to hold this position and have the House Members bring their level of authorization up so we can show the real need for it in the Committee on Appropriations.

I intend to submit an amendment but first I would like to have a brief colloquy with the Senator from Massachusetts on this matter.

Mr. KENNEDY. Mr. President, as the Senator from Colorado stated, we are not fulfilling our responsibilities if our legislation builds up expectations that cannot be realized. But I have always felt that our responsibility in the authorizing committee is to try to define an authorization that is realistic in terms of need.

It was my hope and expectation that we could have a 5-year program for the retarded that would adequately reflect the need that exists for this program. In the initial bill that I introduced, we had a 5-year authorization with funds as follows: For the first year, $100 million; for the second year, $150 million; for the third year, $200 million; and for the fourth and fifth years, $250 million each.

The President's panel on mental retardation in 1963 made it clear that if we were going to meet the existing need, we should spend at least $50 million a year. Unfortunately, with the appropriations that have been available under the 1963 act, we have provided only about $70 million for all 7 years of the program. Obviously, we have not met our commitment since 1963. In addition, we know that our problems have been magnified by our growing population.

During the hearings, Dr. Jaslow, of HEW, testified about the existing need. His testimony appears at page 119 of the printed hearings. When asked about the number of applications that had actually been submitted to HEW, he indicated that about 318 construction projects were on the drawing boards now and were being considered, and that the Federal share of these projects would be around $100 million. This does not include funds for staffing these programs.

So even at the present time, in terms of pending applications, the need is well in excess of even the authorization that is proposed for the first year under the bill.

The argument which the Senator from Colorado has made today was also made before the committee. The committee saw fit to reduce the amounts authorized for the second year from $150 million to $135 million, and for the third year from $200 million to $170 million.

As a part of this adjustment, the committee also eliminated the authorizations for the fourth and fifth years of the program.

I feel that the amounts in the committee bill represent a reasonable balance between the problem of creating unfulfilled expectations, and our responsibility assess the need that exists.

The Senator from Colorado has now suggested some additional cuts. He would leave the first year authorization at its present level of $100 million, but he would reduce the authorizations for the second year to $125 million, and for the third year to $150 million.

I am sure these cuts are proposed with the greatest reluctance by the Senator from Colorado. It seems to me unfortunate that such cuts should have to be made. We are at a very early stage in the actual appropriation procedure and we will have to go through a period in which we meet with conferees of the House of Representatives. Later there will be meetings on appropriations by the House and Senate committees. So we are still a long way from realizing the kind of funding that has been proposed in the legislation before us this afternoon.

I look at these additional cuts in the authorization with reluctance. However, it is my understanding that the ranking minority member of the Health Subcommittee feels that if we accept these cuts, the funding will be at a level which he can support with enthusiasm in any conference, and that he can assist in the battle which will be fought to hold the authorizations to these figures as closely as possible.

Mr. DOMINICK. Mr. President, the Senator from Massachusetts is correct when he says I would be willing to support the will of the Senate and of the committee, which I would do in any event, but I think it could be done much more easily if we could get the figures within some reason. Without divulging any secret, I think the Senator will agree that the House is going to propose a smaller amount than we have. Therefore, the delineations the Senator has made of the needs we will have in 1971 and 1972 will be most helpful in trying to maintain these levels. I appreciate the colloquy we have had and the record he has made in behalf of this proposal. It is my hope that, as a result, we will be able to hold this proposed level of authorization, if my amendment is adopted, and will be able to keep it in conference.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. MURPHY. Mr. President, I am entirely in agreement with the necessity for this bill and the funding for its operation. I think the Senator from Massachusetts and his subcommittee should be commended. The need increases every year.

I rise at this moment to point out that in California, commensurate with the population growth out there, we have great need for such programs. In instituting new programs, unfortunately, at the outset the Governor was criticized because people felt adequate provisions were not being made in the changeover in the program. I am pleased to report that not only have adequate provisions been made, but the programs are dealing with a far greater number of people and doing a much better job.

I am inclined to think that the suggested amendment of the Senator from Colorado is a very practical one. I would like to urge that as the expenditures of the money and the expansion of the services take place, possibly a look could be taken at what happened in California as a means of guidance. I think we all know that one of the problems of government at this time is to create greater services for a smaller amount of taxpayer's dollars, as the taxpayer is already overburdened. It is very easy to say, "Let us provide more service." Where will we get the money? "We will get it from the taxpayer." At times we forget that there is no Federal money.

So I would be inclined to agree with the Senator from Colorado that this would be a more practical beginning approach. Then as the program expands, I am sure the Senator from Massachusetts will request what is necessary, and, with better use of the money, the funds can be raised as necessary.

I thank the Senator for the way he has handled this matter and for attention to the great need involved.

Mr. KENNEDY. I thank the Senator from California. As the Senator probably knows, 14 or 15 States at the present time are spending more on their own individual programs for the retarded than the Federal Government is spending in its total program throughout the Nation. I believe that California is one of the States in the lead in this area. That is why we want to provide adequate authorization figures. We must put the Federal Government in a position to assist the States to move much more rapidly in their programs. In the past this has been a field where Federal grants to the States have enabled the States to mobilize great interest in retardation programs.

Of course, the activities of many of the mental retardation associations in the States have been extraordinary. The National Association for Retarded Children has been especially effective in this area. As a result, the States have assumed great responsibility and have taken great initiative.

Mr. President, I am willing to accept the amendment which I understand the Senator from Colorado has.

Mr. DOMINICK. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. CRANSTON). The Chair advises the Senator that the committee amendments must be agreed to before amendments can be offered from the floor.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be treated as original text for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

There being no objection, the committee amendments were agreed to en bloc, as follows:

On page 1, line 6, after the word "of", strike out "1969." and insert "1970."; on page 2, line 2, after the word "Construction", insert "And Operation"; after line 4, insert a new section, as follows:

"SEC. 101. (a) Title I of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, as amended, is amended by striking out the caption and substituting the following:

" 'TITLE I—SERVICES AND FACILITIES FOR THE MENTALLY RETARDED AND PERSONS WITH OTHER DEVELOPMENTAL DISABILITIES' "

At the beginning of line 13, strike out "Sec. 101.", and insert "(b)"; at the beginning of line 15, insert "the caption and"; in line 18, after the word "Construction", insert "And Operation"; in line 22, after the word "is", insert "to authorize—"; in line 23, after "(a)", strike out "to make"; on page 3, line 1, after the word "persons", strike out "affected by" and insert "with"; in line 2, after the word "disabilities;", strike out "and"; in line 3, after "(b)", strike out "to make"; in the same line, after the word "public", strike out "and", and insert "or"; in line 4, after the word "profit", insert "private"; in line 5, after the word "persons", strike out "affected by" and insert "with"; in line 6, after the word "developmental", strike out "disabilities." and insert "disabilities, including facilities for any of the purposes stated in this section;

"(c) grants for provision of services to persons with developmental disabilities, including costs of operation, staffing, and maintenance of facilities for persons with developmental disabilities;

"(d) grants for State or local planning, administration, or technical assistance relating to services and facilities for persons with developmental disabilities;

"(e) grants for training of specialized personnel needed for the provision of services for persons with developmental disabilities, or research related thereto: and

"(f) grants for developing or demonstrating new or improved techniques for the provision of services for persons with developmental disabilities."; at the beginning of line 23, strike out "provisions" and insert "purposes"; in line 25, after "1971,", strike out "$150,000,000" and insert "$135,000,000"; on page 4, line 1, after "1972," insert "and"; after the amendment just above stated, strike out "$200,000,000", and insert "$170,000,000"; in line 2, after "June 30,", strike out "1973, $250,000,000 for the fiscal year ending June 30, 1974, and $250,000,000 for the fiscal year ending June 30, 1975." and insert "1973."; at the beginning of line 8, insert "other than amounts reserved by the Secretary for projects under subsection (e)"; in line 13, after the word "financial", strike out "need" and insert "need,"; in line 17, after the word "than", strike out "$100,000." and insert "$100,000 plus, if such fiscal year is later than the fiscal year ending June 30, 1971, and if the sums so appropriated for such fiscal year exceed the amount authorized to be appropriated to carry out such purposes for the fiscal year ending June 30, 1971, an amount which bears the same ratio to $100,000 as the difference between the amount so appropriated and the amount authorized to be appropriated for the fiscal year ending June 30, 1971, bears to the amount authorized to be appropriated for the fiscal year ending June 30, 1971"; on page 5, line 5, after "134(b)", strike out "(4)" and insert "(5)"; in line 14, after the word "the", strike out "States"; in the same line, after the word "maximum", strike out "permissible allotment" and insert "amount which may be specified pursuant to section 134(b)(15)"; in line 18 after the word "State", insert "shall"; in line 20, after the word "subsequent", strike out "allotments for the specified purpose.", and insert "amounts specified for meeting the Federal share of the cost of construction of such facility."; in line 23, after the word "plan", strike out "developed" and insert "approved"; on page 6, after line 9, insert:

"(c) Whenever the State plan approved in accordance with section 134 provides for cooperative or joint effort between States or between or among agencies, public or private, in more than one State, portions of funds allotted to one or more such cooperating States may be combined in accordance with the agreements between the agencies involved."

At the beginning of line 16, strike out "(c)" and insert "(d)"; on page 7, after line 6, insert:

"(e) Of the sums appropriated pursuant to section 131, such amount as the Secretary may determine, but not more than 20 per centum thereof, shall be available for grants by the Secretary to public or nonprofit private agencies to pay up to 90 per centum of the cost of projects for carrying out the purposes of section 130 which in his judgment are of special national significance because they will assist in meeting the needs of the disadvantaged with developmental disabilities, or will demonstrate new or improved techniques for provision of services for such persons, or are otherwise specially significant for carrying out the purposes of this title."

In line 23, after the word "of", strike out "twelve" and insert "twenty"; on page 8, line 8, after the word "other", insert "persons with"; after the amendment just above stated, strike out "developmentally disabled persons." and insert "developmental disabilities, including leaders"; in line 10, after the word "government," insert "in institutions of higher education," in line 12, after the word "least", strike out "four" and insert "six"; in line 13, after the word "local", insert "public or nonprofit private"; in line 14, after the word "to", strike out "the developmentally disabled," and insert "persons with developmental disabilities,"; in line 15, after the word "least", strike out "four" and insert "six"; in line 21, after the word "the", where it appears the second time, strike out "twelve" and insert "twenty"; in line 22, after the word "appointed," strike out "three", and insert "five"; in line 23, after the word "years," strike out "three" and insert "five"; in line 24, after the word "and", strike out "three" and insert "five"; on page 9, line 20, after the word "exceeding", strike out "$100" and insert "the"; in line 21, after the word "per", strike out "day", and insert "diem equivalent for GS–18 of the General Schedule for each day of such service,"; on page 10, line 16, after the word "which", strike out "may" and insert "will"; after line 20, insert:

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"(2) describe (A) the quality, extent, and scope of services being provided, or to be provided, to persons with developmental disabilities under such other State plans for federally assisted State programs as may be specified by the Secretary, but in any case including education for the handicapped, vocational rehabilitation, public assistance, medical assistance, social services, maternal and child health, crippled children's services, and comprehensive health and mental health plans, and (B) how funds allotted to the State in accordance with section 132 will be used to complement and augment rather than duplicate or replace services and facilities for persons with developmental disabilities which are eligible for Federal assistance under such other State programs;"

On page 11, at the beginning of line 10, strike out "(2)" and insert "(3)"; at the beginning of line 16, strike out "(3)" and insert "(4)"; in line 17, after the word "that", strike out "(i)" and insert "(A)"; in line 22, after the word "services;" strike out "(ii)" and insert "(B)"; in line 25, after the word "organizations;", strike out "(iii)" and insert "(C)"; on page 12, line 4, after the word "and", strike out "(iv)" and insert "(D)"; in line 6, after the word "of", strike out "administering and implementing", and insert "carrying out"; at the beginning of line 8, strike out "(4)" and insert "(5)(A)"; in the same line, after the word "furnishing", strike out "of a range"; in line 11, after the word "specify", strike out "the" and insert "which if any,"; in line 12, after the word "disabilities", insert "(as approved by the Secretary)"; after the amendment just above stated, strike out "which"; in line 15, after the word "to"; insert "eligible"; after the amendment just above stated, strike out "persons with mental retardation and other developmental disabilities;" and insert "persons;"; at the beginning of line 17, strike out "(5)" and insert "(6)"; at the beginning of line 23, strike out "(6)" and insert "(7)"; in the same line, after the word "of", strike out "administration (including" and insert "administration, including"; on page 13, line 1, after the word "merit", strike out "basis, except" and insert "basis (except"; in line 4, after the word "such", strike out "methods") and insert "methods),"; at the beginning of line 7, strike out "(7)" and insert "(8)"; in line 8, after the word "staffed," insert "and"; at the beginning of line 16, strike out "(8)" and insert "(9)"; at the beginning of line 21, strike out "(9)" and insert "(10)"; on page 14, at the beginnig of line 4, strike out "(10)" and insert "(11)"; in line 6, after the word "for", insert "person with"; at the beginning of line 7, strike out "developmentally disabled" and insert "developmental disabilities who are"; at the beginning of line 9, strike out "(11)" and insert "(12)"; in line 11, after the word "of" insert "persons with"; after the amendment just above stated, strike out "developmentally disabled persons" and insert "developmental disabilities"; at the beginning of line 13, strike out "(12)" and insert "(13)"; in line 17, after "(B)", strike out "which"; at the beginning of line 20, strike out "(13)" and insert "(14)"; in line 23, after the word "paragraph", strike out "(12)", and insert "(13),"; on page 15, at the beginning of line 4, strike out "(14)" and insert "(15)"; in line 7, after the word "than", strike out "50 per centum or such lesser per centum of the allotment"; and insert "such per centum as"; at the beginning of line 10, strike out "(15)" and insert "(16)"; at the beginning of line 13, strike out "(16)" and insert "(17):" at the beginning of line 17, strike out "(17)" and insert "(18)"; on page 16, line 6, after the word "or", where it appears the third time, strike out "other"; in line 7, after the word "nonprofit", insert "private"; in line 16, after the word "or", where it appears the second time, strike out "other"; in the same line, after the word "nonprofit", insert "private"; on page 17, line 7, after "(15 F.R." strike out "3176)" and insert "3176; 5 U.S.C. 133z–15)"; on page 18, line 11, after the word "to", insert "the State planning and advisory council designated in section 134(b)(1)(A) and"; on page 19, line 3, after the word "notify", strike out "the State" and insert "such State council and"; on page 20, line 1, after the word "For", strike out "Planning" and insert "Planning, Administration,"; on page 21, line 1, after the word "For", strike out "Planning" and insert "Planning, Administration,"; in line 2, after the word "And", strike out "Service" and insert "Services"; in line 5, after the word "council", insert "and the State agencies designated pursuant to section 134(b)(1)"; at the beginning of line 7, strike out "(1)" and insert "(a)"; at the beginning of line 10, strike out "(2)" and insert "(b)"; in line 13, after the word "council", insert "and agencies"; in line 23, after the word "than", strike out "March" and insert "July"; on page 22, at the beginning of line 5, strike out "(1)" and insert "(a)"; in line 8, after the word "under", insert "a State plan approved under"; at the beginning of line 11, strike out "(2)" and insert "(b)"; in line 12, after the word "services", strike out "which must be"; at the beginning of line 15, strike out "(3)" and insert "(c)"; at the beginning of line 22, strike out "(4)" and insert "(d)" on page 23, line 11, after the word "for", strike out "planning" and insert "planning, administration,"; on page 23, after line 21, strike out:

"(1) inserting 'the Trust Territory of the Pacific Islands' after 'American Samoa' in subsection (a);".

And, in lieu thereof, insert:

"(1) striking out '; for purposes of this title and title II only, includes the Trust Territory of the Pacific Islands' in subsection (a) and inserting 'the Trust Territory of the Pacific Islands,' after 'Virgin Islands,';".

On page 24, at the beginning of line 7, strike out "(2)" and insert "(b)"; in the same line, after the word "for", strike out "the developmentally disabled'" and insert "persons with developmental disabilities'"; in line 11, after the word "persons", strike out "affected by" and insert "with"; in line 13, after the word "words", strike out "'mentally" and insert "'the mentally"; in line 15, after the word "words", strike out "'developmentally disabled'" and insert "'persons with developmental disabilities'"; after line 16, strike out:

"(4) striking out 'August 31, in subsection (j)(1) and inserting in lieu thereof 'September 30'; and"; at the beginning of line 19, strike out "(5)" and insert "(4)"; in line 23, after the word "epilepsy," strike out "a" and insert "or other"; in the same line, after the word "neurological", strike out "impairment, sensory defect, or any other chronic physical or mental impairment" and insert "handicapping condition"; on page 25, line 13, after the word "individual", strike out "affected by" and insert "with"; in line 14, after the word "socio-legal", strike out "services and information and referral services." and insert "services, information and referral services, follow-on services, and transportation services necessary to assure delivery of services to persons with developmental disabilities."; in line 22, after the word "Sections", strike out "403, and 405" and insert "403, 405, and 406"; in line 23, after the word "or", strike out "the developmentally disabled'" and insert "persons with other developmental disabilities'"; on page 26, after line 2, insert:

"(c) Section 404 of such Act is amended by deleting '134(b)' and inserting '134(c)' in lieu thereof."

In line 7, after the word "to", insert "appropriations for"; in line 8, after "June 30," strike out "Provided, however, That funds appropriated prior to that date under part C of the Mental Retardation Facilities Construction Act shall remain available for obligation during the fiscal year ending June 30, 1971." and insert "1970."; in line 13, after "Title II", strike out "Amendments To Part B Of The Mental Retardation Facilities Construction Act" and insert "Construction, Demonstration, and Training Grants For University-Affiliated Facilities For The Mentally Retarded"; on page 27, line 2, after the word "University-Affiliated", strike out "Mental Retardation Facilities"." and insert "Facilities For The Mentally Retarded'"; at the beginning of line 21, strike out "seven" and insert "five"; on page 28, after line 13, insert:

"'Demonstration And Training Grants"; in line 21, after the word "demonstration", strike out "facilities" and insert "facilities,"; in line 22, after the word "for", strike out "personnel" and insert "personnel,"; on page 29, line 4, after "1972", insert "and"; in line 5, after "June 30," strike out "1973; and $20,000,000 for each of the next two fiscal years." and insert "1973."; in line 8, after the word "after", strike out "'Sec. 122,'" and insert "'Sec. 123.'"; in line 10, after the word "facility," insert "by deleting '133(3)' and inserting '139(d)' in lieu thereof"; in line 16, after the word "public", insert "or"; in line 17, after the word "non-profit", insert "private"; in line 23, after the word "progress,'" insert "in subsection (b) thereof."; on page 30, at the beginning of line 7, change the section number from "126" to "127"; and at the beginning of line 12, insert the word "facilities".

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Colorado.

The assistant legislative clerk read as follows:

On page 3, line 25, delete "$135,000,000" and insert "$125,000,000"; on page 4, line 1, delete "$170,000,000" and insert "$150,000,000".

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KENNEDY. Mr. President, if there are no further amendments, I ask for the third reading.

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. DOLE. Mr. President, last April 14 in my first major speech on the Senate floor, I addressed myself to the problem of 42 million citizens of our Nation who are physically, mentally, or emotionally handicapped. As I pointed out at that time, "these handicapped Americans are one of our Nation's greatest unmet responsibilities and untapped resources."

With this in mind, I proposed that President Nixon appoint a task force for the handicapped to study the problems and needs of the mentally and physically handicapped.

Last October, the President announced the formation of such a Task Force on the Physically Handicapped. In December, he appointed a Task Force on the Mentally Handicapped. This was a step in the right direction.

Today we are taking another step to demonstrate our commitment to the Nation's handicapped.

MENTAL RETARDATION FACILITIES CONSTRUCTION ACT

Prior to 1963, no Federal legislation existed to support the construction of facilities designed specifically for the mentally retarded. That year, with bipartisan support, Congress passed the Mental Retardation Facilities Act in recognition of the urgent need for the development of manpower, research, and a network of facilities for the delivery of health care to the mentally retarded.

COMMUNITY MENTAL FACILITIES PROGRAM

The Community Mental Facilities program, part C, has provided the basis for 297 projects which will serve 30,000 people not served before, and improved services for an additional 45,000 persons. My State of Kansas has benefitted from this program. On March 21, 1970, I was present at the dedication of Lakemary Center in Paola, Kans. I am particularly proud of that community which in 5 years has built and put into operation an expanded medical, educational and service complex. It is a story of the responsibility which the State of Kansas and its citizens have assumed in meeting the problems of mentally retarded children. I ask unanimous consent that my remarks at the dedication of Lakemary Center be placed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

UNIVERSITY-AFFILIATED FACILITIES PROGRAM

Mr. DOLE. Mr. President, another major effort financed under the 1963 act is the university-affiliated facilities program, part B, which provides grants to assist in the construction of facilities affiliated with universities or colleges which offer interdisciplinary training based on exemplary models of comprehensive services to the mentally retarded. Through 1969, 18 projects have been approved and funded; six have been completed; and eight are scheduled for completion within the next 12 to 18 months.

Kansas has always been a leader in the development of facilities to treat mental illness. As a part of that tradition, the University of Kansas at Lawrence, Kansas University Medical Center at Kansas City, and the Parsons State Hospital are constructing facilities to make possible the utilization of the varied research and clinical training resources at these institutions.

INADEQUATE APPROPRIATIONS

While much has been done, we have really just scratched the surface. Unfortunately, in fiscal year 1969, authorizations were $60 million, while appropriations were $29.5 million. For fiscal year 1970, $84 million was authorized and $21.2 million was appropriated.

Mr. President, because of budgetary pressures, the Congress has been unable to appropriate funds necessary to fulfill the objectives of the Mental Facilities Construction Act. While S. 2846 provides for greatly increased authorizations, that goal appears to be unrealistic at this time.

I am hopeful that an agreeable compromise can be reached with the other body that will consider all of our pressing health needs.

Mr. President, the President's Task Force on the Mentally Handicapped was created to define our priorities for the mentally handicapped in the next decade. In conjunction with the President's Committee on Mental Retardation, of which an outstanding woman from my State, Mrs. Maryanna Beach, is a member, I am confident we can meet the needs of our mentally retarded children.

I urge Senators to support the bill.

EXHIBIT 1

DEDICATION OF LAKEMARY CENTER, PAOLA, KANS., MARCH 21, 1970

This is an historic day—not only for Paola and Miami County—but for all Kansans. It is a special pleasure for me to participate in the dedication of this new residential-day school for mentally handicapped children—the first of its kind in Kansas.

The story of Lakemary and this community is an exciting story of imaginative and enlightened leadership. Thanks to the efforts of its people, Paola is now known as the "Can Do Town."

But this is primarily a story of the responsibility which the State of Kansas and its citizens have assumed in meeting the problems of mentally handicapped children. Here we witness what can happen through community self-help, enlightened Government participation, and the imaginative financial planning of private enterprise.

A PERSONAL CONCERN

As you know, I have a personal concern for what is taking place here today—as one of America's 42 million handicapped.

In my first major speech on the Senate floor, last April 14, I proposed President Nixon appoint a task force for the handicapped to study the problems and needs of the Nation's mentally and physically handicapped.

Last October, the President announced the formation of such a task force on the physically handicapped. This was a step in the right direction in meeting one of America's greatest unmet responsibilities and untapped resources. I am happy to announce that in December my wife, Phyllis and Mrs. Harvey Fried of Prairie Village, were appointed by President Nixon to a task force on the mentally handicapped. They will be submitting their recommendations soon in regard to the entire scope of mental retardation.

PAOLA, KANSAS—NATIONAL LEADERSHIP

As witness to what you have accomplished here, I am proud of the leadership you have taken in meeting the problems of handicapped children and their families.

When considering what this means to the community and the area—Lakemary Center and the other two facilities comprising the medical center complex have made it possible for Paola to attract a wide range of medical and related specialists, many of whom would not otherwise have come into this community and State.

Within the past five years, you have built and put into operation an expanded medical-educational-service complex, covering sixty acres; providing enlarged hospital facilities, an extended care nursing home, and this school for mentally retarded children. In short, your action has extended a critical need far beyond your community and State.

Thanks to what the people of Paola have devoted themselves to in the creation of this center, a generally recognized national commitment to improving the educational opportunities for handicapped children has been greatly enhanced. What you have accomplished here is proof that both the public and private sectors of this nation have awakened to the tremendous long-run importance of starting early in an effort to insure meaningful lives for the youngest members of this untapped national resource.

THREE CONCEPTS

My remarks this morning have been based upon three concepts which have inspired my past actions and are at the heart of the story behind Lakemary and the people of this community:

First, That every child should have the opportunity to grow, develop, and contribute to his or her fullest capability;

Second, that we who represent America's professional governmental and religious institutions share one basic goal: to provide the best possible services for the handicapped child and his family at the time and place needed; and

Third, that helping handicapped children is not solely a government responsibility; neither is it a purely private or voluntary venture. It should and must be a cooperative, coordinated partnership—among the handicapped, their families, private enterprise, and government at all levels.

Finally, I wish to congratulate Sister Patrice and the Ursuline Sisters, and Mike Schwartz for this magnificent accomplishment. To initiate this project, the Ursuline Academy provided $50,000 in cash and 34 acres of land valued at $50,000 as the initial assets for Lakemary. It was Mike Schwartz's idea to utilize municipal industrial bonds to finance a nonprofit facility. Under Mike's leadership, these 25-year bonds were successfully marketed. The Citizens State Bank and the five other Miami County banks purchased these bonds, and today Citizens State Bank serves as trustee. With an HEW grant of $545,000 assured, construction was launched in 1967 to give us what we see before us today.

I believe Mike spoke for all of us when he said: "Our philosophy is that if we help our people and community to be successful financially, some of it will rub off on us. What we have accomplished is the result of the interest and labor of hundreds of people over a long period of time. Paolo may not be big in size, but its heart is big and its people are willing to do what is needed for progress. We think that is the real strength of the county."

The PRESIDING OFFICER (Mr. CRANSTON). The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senators from Nevada (Mr. BIBLE and Mr. CANNON), the Senator from Connecticut (Mr. DODD), the Senator from Mississippi, (Mr. EASTLAND), the Senator from Arkansas (Mr. FULBRIGHT, the Senator from Alaska, (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Iowa (Mr. HUGHES), the Senator from North Carolina (Mr. JORDAN), the Senator from Montana (Mr. MANSFIELD), the Senator from Wyoming (Mr. McGee), the Senator from New Mexico (Mr. Montoya), the Senator from Utah (Mr. Moss), the Senator from Maine (Mr. Muskie), the Senator from Georgia (Mr. Russell), and the Senator from New Jersey (Mr. Williams) are necessarily absent.

I also announce that the Senator from Louisiana (Mr. Long), the Senator from Washington (Mr. Magnuson), and the Senator from Rhode Island (Mr. Pell) are absent on official business.

I further announce that, if present and voting, the Senator from New Mexico (Mr. Anderson), the Senators from Nevada (Mr. Bible and Mr. Cannon), the Senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Arkansas (Mr. Fulbright), the Senator from Alaska (Mr. Gravel), the Senator from Oklahoma (Mr. Harris), the Senator from Iowa (Mr. Hughes), the Senator from North Carolina (Mr. Jordan), the Senator from Montana (Mr. Mansfield), the Senator from Wyoming (Mr. McGee), the Senator from New Mexico (Mr. Montoya), the Senator from Utah (Mr. Moss), the Senator from Maine (Mr. Muskie), the Senator from Louisiana (Mr. Long), the Senator from Washington Mr. Magnuson), the Senator from Rhode Island (Mr. Pell), the Senator from Georgia (Mr. Russell) and the Senator from New Jersey (Mr. Williams) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. Bennett) is absent on official business as observer at the meeting of the Asian Development Bank in Korea.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

The Senator from Tennessee (Mr. Baker), the Senator from Massachusetts (Mr. Brooke), the Senator from Florida (Mr. Gurney), the Senator from Nebraska (Mr. Hruska), the Senator from New York (Mr. Javits), the Senator from Iowa (Mr. Miller), the Senator from Alaska (Mr. Stevens), and the Senator from South Carolina (Mr. Thurmond) are necessarily absent.

The Senator from Kansas (Mr. Pearson) is detained on official business.

If present and voting, the Senator from Utah (Mr. Bennett), the Senator from Massachusetts (Mr. Brooke), the Senator from Florida (Mr. Gurney), the Senator from New York (Mr. Javits), the Senator from Iowa (Mr. Miller), the Senator from South Dakota (Mr. Mundt), the Senator from Kansas (Mr. Pearson), the Senator from Alaska (Mr. Stevens), and the Senator from South Carolina (Mr. Thurmond) would each vote "yea."

The result was announced—yeas 69, nays 0, as follows:

[No. 129 Leg.]

YEAS—69

Aiken
Allen
Allott
Bayh
Bellmon
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dole
Dominick
Eagleton
Ellender
Ervin
Fannin
Fong
Goldwater
Goodell
Gore
Griffin
Hansen
Hart
Hartke
Hatfield
Holland
Hollings
Inouye
Jackson
Jordan, Idaho
Kennedy
Mathias
McCarthy
McClellan
McGovern
McIntyre
Metcalf
Mondale
Murphy
Nelson
Packwood
Pastore
Percy
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Smith, Maine
Smith, Ill.
Sparkman
Spong
Stennis
Symington
Talmadge
Tower
Tydings
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—31

Anderson
Baker
Bennett
Bible
Brooke
Cannon
Dodd
Eastland
Fulbright
Gravel
Gurney
Harris
Hruska
Hughes
Javits
Jordan, N.C.
Long
Magnuson
Mansfield
McGee
Miller
Montoya
Moss
Mundt
Muskie
Pearson
Pell
Russell
Stevens
Thurmond
Williams, N.J.

So the bill (S. 2846) was passed, as follows:

S. 2846

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

Section 1. This Act may be cited as the "Developmental Disabilities Services and Facilities Construction Act of 1970."

TITLE I—GRANTS FOR PLANNING, PROVISION OF SERVICES, AND CONSTRUCTION AND OPERATION OF FACILITIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES

Sec. 101. (a) Title I of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, as amended, is amended by striking out the caption and substituting the following:

"TITLE I—SERVICES AND FACILITIES FOR THE MENTALLY RETARDED AND PERSONS WITH OTHER DEVELOPMENTAL DISABILITIES"

(b) Part C of the Mental Retardation Facilities Construction Act, as amended, is amended by striking out the caption and sections 131 through 137 and substituting the following:

"Part C—Grants for Planning, Provision of Services, and Construction and Operation of Facilities for Persons With Developmental Disabilities

"declaration of purpose

"Sec. 130. The purpose of this part is to authorize—

"(a) grants to assist the several States in developing and implementing a comprehensive and continuing plan for meeting the current and future needs for services to persons with developmental disabilities;

"(b) grants to assist public or non-profit private agencies in the construction of facilities for the provision of services to persons with developmental disabilities, including facilities for any of the purposes stated in this section;

"(c) grants for provision of services to persons with developmental disabilities, including costs of operation, staffing, and maintenance of facilities for persons with developmental disabilities;

"(d) grants for State or local planning, administration, or technical assistance relating to services and facilities for persons with developmental disabilities;

"(e) grants for training of specialized personnel needed for the provision of services for persons with developmental disabilities, or research related thereto; and

"(f) grants for developing or demonstrating new or improved techniques for the provision of services for persons with developmental disabilities.

"authorization of appropriations

"Sec. 131. In order to make the grants to carry out the purposes of section 130, there are authorized to be appropriated $100,000,000 for the fiscal year ending June 30, 1971, $125,000,000 for the fiscal year ending June 30, 1972, and $150,000,000 for the fiscal year ending June 30, 1973.

"state allotments

"Sec. 132. (a) (1) From the sums appropriated to carry out the purposes of section 130 for each fiscal year, other than amounts reserved by the Secretary for projects under subsection (e), the several States shall be entitled to allotments determined, in accordance with regulations, on the basis of (A) the population, (B) the extent of need for services and facilities for persons with developmental disabilities, and (C) the financial need, of the respective States; except that the allotment of any State (other than the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands) for any such fiscal year shall not be less than $100,000 plus, if such fiscal year is later than the fiscal year ending June 30, 1971, and if the sums so appropriated for such fiscal year exceed the amount authorized to be appropriated to carry out such purposes for the fiscal year ending June 30, 1971, an amount which bears the same ratio to $100,000 as the difference between the amount so appropriated and the amount authorized to be appropriated for the fiscal year ending June 30, 1971, bears to the amount authorized to be appropriated for the fiscal year ending June 30, 1971.

"(2) In determining, for purposes of paragraph (1), the extent of need in any State for services and facilities for persons with developmental disabilities, the Secretary shall take into account the scope and extent of the services specified, pursuant to section 134(b) (5), in the State plan of such State approved under this part.

"(3) Sums allotted to a State for a fiscal year and designated by it for construction and remaining unobligated at the end of such year shall remain available to such State for such purpose for the next fiscal year (and for such year only), in addition to the sums allotted to such State for such next fiscal year: *Provided,* That whenever the State plan calls for the construction of a specific facility the Federal share of which will exceed the maximum amount which may be specified pursuant to section 134(b) (15) for construction for the fiscal year, the Secretary may, on the request of the State, provide that funds allotted to the State shall remain available, to the extent necessary but not to exceed two additional years, to be combined with subsequent amounts specified for meeting the Federal share of the cost of construction of such facility.

"(b) Whenever the State plan approved in accordance with section 134 provides for participation of more than one State agency in administering or supervising the administration of designated portions of the State plan, the State may apportion its allotment among such agencies in a manner which, to the satisfaction of the Secretary, is reasonably related to the responsibilities assigned to such agencies in carrying out the purposes of this part. Funds so apportioned to State agencies may be combined with other State or Federal funds authorized to be spent for other purposes, provided the purposes of this part will receive proportionate benefit from the combination.

"(c) Whenever the State plan approved in accordance with section 134 provides for cooperative or joint effort between States or between or among agencies, public or private, in more than one State, portions of funds allotted to one or more such cooperating States may be combined in accordance with the agreements between the agencies involved.

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"(d) The amount of an allotment to a State for a fiscal year which the Secretary determines will not be required by the State during the period for which it is available for the purpose for which allotted shall be available for reallotment by the Secretary from time to time, on such date or dates as he may fix, to other States with respect to which such a determination has not been made, in proportion to the original allotments of such States for such fiscal year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Secretary estimates such State needs and will be able to use during such period; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount so reallotted to a State for a fiscal year shall be deemed to be a part of its allotment under subsection (a) for such fiscal year.

"(e) Of the sums appropriated pursuant to section 131, such amount as the Secretary may determine, but not more than 20 per centum thereof, shall be available for grants by the Secretary to public or nonprofit private agencies to pay up to 90 per centum of the cost of projects for carrying out the purposes of section 130 which in his judgment are of special national significance because they will assist in meeting the needs of the disadvantaged with developmental disabilities, or will demonstrate new or improved techniques for provision of services for such persons, or are otherwise specially significant for carrying out the purposes of this title.

"NATIONAL ADVISORY COUNCIL ON SERVICES AND FACILITIES FOR THE DEVELOPMENTALLY DISABLED

"SEC. 133. (a)(1) There is hereby established a National Advisory Council on Services and Facilities for the Developmentally Disabled (hereinafter referred to as the 'Council'), which shall consist of twenty members, not otherwise in the regular full-time employ of the United States, to be appointed by the Secretary without regard to the provisions of title 5, United States Code, governing appointments in the competitive civil service.

"(2) The Secretary shall from time to time designate one of the members of the Council to serve as Chairman thereof.

"(3) The members of the Council shall be selected from leaders in the fields of service to the mentally retarded and other persons with developmental disabilities, including leaders in State or local government, in institutions of higher education, and in organizations representing consumers of such services. At least six members shall be representative of State or local public or nonprofit private agencies responsible for services to persons with developmental disabilities, and at least six shall be representative of the interests of consumers of such services.

"(b) Each member of the Council shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that, of the twenty members first appointed, five shall hold office for a term of three years, five shall hold office for a term of two years, and five shall hold office for a term of one year, as designated by the Secretary at the time of appointment.

"(c) It shall be the duty and function of the Council to (1) advise the Secretary with respect to any regulations promulgated or proposed to be promulgated by him in the implementation of this title, and (2) study and evaluate programs authorized by this title with a view to determining their effectiveness in carrying out the purposes for which they were established.

"(d) The Council is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Council such secretarial, clerical, and other assistance and such statistical and other pertinent data prepared by or available to the Department of Health, Education, and Welfare as it may require to carry out such functions.

"(e) Members of the Council, while attending meetings or conferences thereof or otherwise serving on the business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding the per diem equivalent for GS–18 of the General Schedule for each day of such service, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"STATE PLANS

"SEC. 134. (a) Any State desiring to take advantage of this part must have a State plan submitted to and approved by the Secretary under this section.

"(b) In order to be approved by the Secretary under this section, a State plan for the provision of services and facilities for persons with developmental disabilities must—

"(1) designate (A) a State planning and advisory council, to be responsible for submitting revisions of the State plan and transmitting such reports as may be required by the Secretary; (B) the State agency or agencies which will administer or supervise the administration of all or designated portions of the State plan; and (C) a single State agency as the sole agency for administering or supervising the administration of grants for construction under the State plan;

"(2) describe (A) the quality, extent, and scope of services being provided, or to be provided, to persons with developmental disabilities under such other State plans for federally assisted State programs as may be specified by the Secretary, but in any case including education for the handicapped, vocational rehabilitation, public assistance, medical assistance, social services, maternal and child health, crippled children's services, and comprehensive health and mental health plans, and (B) how funds allotted to the State in accordance with section 132 will be used to complement and augment rather than duplicate or replace services and facilities for persons with developmental disabilities which are eligible for Federal assistance under such other State programs;

"(3) set forth policies and procedures for the expenditure of funds under the plan, which, in the judgment of the Secretary, are designed to assure effective continuing State planning, evaluation, and delivery of services (both public and private) for persons with developmental disabilities;

"(4) contain or be supported by assurances satisfactory to the Secretary that (A) the funds paid to the State under this part will be used to make a significant contribution toward strengthening services for persons with developmental disabilities in the various political subdivisions of the State in order to improve the quality, scope, and extent of such services; (B) part of such funds will be made available to other public or nonprofit private agencies, institutions, and organizations; (C) such funds will be used to supplement and, to the extent practicable, to increase the level of funds that would otherwise be made available for the purposes for which the Federal funds are provided and not to supplant such non-Federal funds; and (D) there will be reasonable State financial participation in the cost of carrying out the State plan;

"(5)(A) provide for the furnishing of services and facilities for persons with developmental disabilities associated with mental retardation, (B) specify which, if any, other categories of developmental disabilities (as approved by the Secretary) will be included in the State plan, and (C) describe the quality, extent, and scope of such services as will be provided to eligible persons;

"(6) provide that services and facilities furnished under the plan for persons with developmental disabilities will be in accordance with standards prescribed by regulations, including standards as to the scope and quality of such services and the maintenance and operation of such facilities;

"(7) provide such methods of administration, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods), as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

"(8) provide that the State planning and advisory council shall be adequately staffed, and shall include representatives of each of the principal State agencies and representatives of local agencies and nongovernmental organizations and groups concerned with services for persons with developmental disabilities: *Provided*, That at least one-third of the membership of such council shall consist of representatives of consumers of such services;

"(9) provide that the State planning and advisory council will from time to time, but not less often than annually, review and evaluate its State plan approved under this section and submit appropriate modifications to the Secretary;

"(10) provide that the State agencies designated in paragraph (1) will make such reports, in such form and containing such information, as the Secretary may from time to time reasonably require, and will keep such records and afford such access thereto as the Secretary finds necessary to assure the correctness and verification of such reports;

"(11) provide that special financial and technical assistance shall be given to areas of urban or rural poverty in securing services and facilities for persons with developmental disabilities who are residents of such areas;

"(12) describe the methods to be used to assess the effectiveness and accomplishments of the State in meeting the needs of persons with developmental disabilities in the State;

"(13) provide for the development of a program of construction of facilities for the provision of services for persons with developmental disabilities which (A) is based on a statewide inventory of existing facilities and survey of need; and (B) meets the requirements prescribed by the Secretary for furnishing needed services to persons unable to pay therefor;

"(14) set forth the relative need, determined in accordance with regulations prescribed by the Secretary, for the several projects included in the construction program referred to in paragraph (13), and assign priority to the construction of projects, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

"(15) specify the per centum of the State's allotment (under section 132) for

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any year which is to be devoted to construction of facilities, which per centum shall be not more than such per centum as the Secretary may from time to time prescribe;

"(16) provide for affording to every applicant for a construction project an opportunity for hearing before the State agency;

"(17) provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of and accounting for funds paid to the State under this part; and

"(18) contain such additional information and assurances as the Secretary may find necessary to carry out the provisions and purposes of this part.

"(c) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (b). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

"APPROVAL OF PROJECTS FOR CONSTRUCTION

"SEC. 135. (a) For each project for construction pursuant to a State plan approved under this part, there shall be submitted to the Secretary, through the State agency designated in section 134(b)(1)(C), an application by the State or a political subdivision thereof or by a public or nonprofit *private* agency. If two or more agencies join in the construction of the project, the application may be filed by one or more of such agencies. Such application shall set forth—

"(1) a description of the site for such project;

"(2) plans and specifications thereof, in accordance with regulations prescribed by the Secretary;

"(3) reasonable assurance that title to such site is or will be vested in one or more of the agencies filing the application or in a public or nonprofit private agency which is to operate the facility;

"(4) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed;

"(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) (3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

"(6) a certification by the State agency of the Federal share for the project.

"(b) The Secretary shall approve such application if sufficient funds to pay the Federal share of the cost of construction of such project are available from the allotment to the State, and if the Secretary finds (1) that the application contains such reasonable assurances as to title, financial support, and payment of prevailing rates of wages and overtime pay, (2) that the plans and specifications are in accord with regulations prescribed by the Secretary, (3) that the application is in conformity with the State plan approved under this part, and (4) that the application has been approved and recommended by the State agency and is entitled to priority over other projects within the State in accordance with the State's plan for persons with developmental disabilities and in accordance with regulations prescribed by the Secretary.

"(c) No application shall be disapproved until the Secretary has afforded the State agency an opportunity for a hearing.

"(d) Amendment of any approved application shall be subject to approval in the same manner as the original application.

"WITHHOLDING OF PAYMENTS FOR CONSTRUCTION

"SEC. 136. Whenever the Secretary, after reasonable notice and opportunity for hearing to the State planning and advisory council designated in section 134(b)(1)(A) and the State agency designated in section 134(b)(1)(C) finds—

"(a) that the State agency is not complying substantially with the provisions required by section 134(b) to be included in the State plan, or with regulations of the Secretary;

"(b) that any assurance required to be given in an application filed under section 135 is not being or cannot be carried out;

"(c) that there is a substantial failure to carry out plans and specifications related to construction approved by the Secretary under section 134; or

"(d) that adequate funds are not being provided annually for the direct administration of the State plan,

the Secretary may forthwith notify such State council and agency that—

"(e) no further payments will be made to the State for construction from allotments under this part; or

"(f) no further payments will be made from allotments under this part for any project or projects designated by the Secretary as being affected by the action or inaction referred to in paragraph (a), (b), (c), or (d) of this section;

as the Secretary may determine to be appropriate under the circumstances; and, except with regard to any project which the application has already been approved and which is not directly affected, further payments for construction projects may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurance or plans and specifications or to provide adequate funds, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

"PAYMENTS TO THE STATES FOR PLANNING, ADMINISTRATION, AND SERVICES

"SEC. 137. (a)(1) From each State's allotments for a fiscal year under section 132, the State shall be paid the Federal share of the expenditures, other than expenditures for construction, incurred during such year under its State plan approved under this part. Such payments shall be made from time to time in advance on the basis of estimates by the Secretary of the sums the State will expend under the State plan, except that such adjustments as may be necessary shall be made on account of previously made underpayments or overpayments under this section.

"(2) For the purpose of determining the Federal share of any State, expenditures by a political subdivision thereof or by nonprofit private agencies, organizations, and groups shall, subject to such limitations and conditions as may be prescribed by regulations, be regarded as expenditures by such State.

"(b) The 'Federal share' for any State for purposes of this section for any fiscal year shall be 80 per centum of the expenditures, other than expenditures for construction, incurred by the State during such year under its State plan approved under this part.

"WITHHOLDING OF PAYMENTS FOR PLANNING, ADMINISTRATION, AND SERVICES

"SEC. 138. Whenever the Secretary, after reasonable notice and opportunity for hearing to the State planning and advisory council and the State agencies designated pursuant to section 134(b)(1) finds that—

"(a) there is a failure to comply substantially with any of the provisions required by section 134 to be included in the State plan; or

"(b) there is a failure to comply substantially with any regulations of the Secretary which are applicable to this part,

the Secretary shall notify such State council and agencies that further payments will not be made to the State under this part (or, in his discretion, that further payments will not be made to the State under this part for activities in which there is such failure), until he is satisfied that there will no longer be such failure. Until he is so satisfied, the Secretary shall make no further payment to the State under this part, or shall limit further payment under this part to such State to activities in which there is no such failure.

"REGULATIONS

"SEC. 139. Not later than July 1, 1970, the Secretary, after consultation with the National Advisory Council on Services and Facilities for the Developmentally Disabled (established by section 133), by general regulations applicable uniformly to all the States, shall prescribe—

(a) the kinds of services which are needed to provide adequate programs for persons with developmental disabilities, the kinds of services which may be provided under a State plan approved under this part, and the categories of persons for whom such services may be provided;

(b) standards as to the scope and quality of services provided for persons with developmental disabilities under a State plan approved under this part;

(c) the general manner in which a State, in carrying out its State plan approved under this part, shall determine priorities for services and facilities based on type of service, categories of persons to be served, and type of disability, with special consideration being given to the needs for such services and facilities in areas of urban and rural poverty; and

(d) general standards of construction and equipment for facilities of different classes and in different types of location.

"NONDUPLICATION

"SEC. 140. (a) In determining the amount of any payment for the construction of any facility under a State plan approved under this part, there shall be disregarded (1) any portion of the costs of such construction which are financed by Federal funds provided under any provision of law other than this part, and (2) the amount of any non-Federal funds required to be expended as a condition of receipt of such Federal funds.

"(b) In determining the amount of any State's Federal share of expenditures for planning, administration, and services incurred by it under a State plan approved under this part, there shall be disregarded (1) any portion of such expenditures which are financed by Federal funds provided under any provision of law other than this part, and (2) the amount of any non-Federal funds required to be expended as a condition of receipt of such Federal funds."

SEC. 102. (a) Section 401 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, as amended (42 U.S.C. 2691), is amended by—

(1) striking out "; for purposes of this title and title II only, includes the Trust Territory of the Pacific Islands" in subsection (a) and inserting "the Trust Territory of the Pacific Islands," after "Virgin Islands,";

(2) striking out subsection (b) and inserting in lieu thereof the following:

"(b) The term 'facility for persons with developmental disabilities' means a facility, or a specified portion of a facility, designed primarily for the delivery of one or more

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services to persons with one or more developmental disabilities.";

(3) striking out the words "the mentally retarded" wherever they occur in subsection (d) and inserting the words "persons with developmental disabilities" in lieu thereof;

(4) by adding at the end of the section the following subsections:

"(1) The term 'developmental disability' means a disability attributable to mental retardation, cerebral palsy, epilepsy, or other neurological handicapping condition of an individual which originates before such individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual.

"(m) The term 'services for persons with developmental disabilities' means specialized services or special adaptations of generic services directed toward the alleviation of a developmental disability or toward the social, personal, physical, or economic habilitation or rehabilitation of an individual affected by such a disability, and such term includes diagnosis, evaluation, treatment, personal care, day-care, domiciliary care, special living arrangements, training, education, sheltered employment, recreation, counseling of the individual with such disability and of his family, protective and other social and sociolegal services, information and referral services, follow-on services, and transportation services necessary to assure delivery of services to persons with developmental disabilities.

"(n) The term 'regulations' means (unless the text otherwise indicates) regulations promulgated by the Secretary."

(b) Sections 403, 405, and 406 of such Act are amended by inserting the words "or persons with other developmental disabilities" after the words "mentally retarded" wherever they occur.

(c) Section 404 of such Act is amended by deleting "134(b)" and inserting "134(c)" in lieu thereof.

EFFECTIVE DATE

SEC. 103. The amendments made by this title shall apply with respect to appropriations for fiscal years beginning after June 30, 1970.

TITLE II—CONSTRUCTION, DEMONSTRATION, AND TRAINING GRANTS FOR UNIVERSITY-AFFILIATED FACILITIES FOR THE MENTALLY RETARDED

CAPTION

SEC. 201. (a)(1) The caption to part B of the Mental Retardation Facilities Construction Act is amended to read as follows:

"CONSTRUCTION, DEMONSTRATION AND TRAINING GRANTS FOR UNIVERSITY-AFFILIATED FACILITIES FOR THE MENTALLY RETARDED

CONSTRUCTION GRANTS

SEC. 202. (a) The first sentence of section 121(a) of the Mental Retardation Facilities Construction Act is amended—

(1) by striking out "clinical facilities providing, as nearly as practicable, a full range of inpatient and outpatient services for the mentally retarded (which for purposes of this part, includes other neurological handicapping conditions found by the Secretary to be sufficiently related to mental retardation to warrant inclusion in this part) and";

(2) by striking out "clinical training" and inserting in lieu thereof: "interdisciplinary training"; and

(3) by striking out "each for the fiscal year ending June 30, 1969, and the fiscal year ending June 30, 1970" and inserting in lieu thereof: "for each of the next five fiscal years".

(b) Section 121 of such Act is amended by adding at the end thereof the following subsection:

"(c) For purposes of this part, the term 'mentally retarded' shall include mental retardation and other neurological handicapping conditions found by the Secretary to be sufficiently related to mental retardation to warrant inclusion in this part."

DEMONSTRATION AND TRAINING GRANTS

SEC. 203. Part B of the Mental Retardation Facilities Construction Act is amended by redesignating sections 122, 123, 124, and 125 as sections 123, 124, 125, and 126, respectively, and by adding the following new section after section 121:

"DEMONSTRATION AND TRAINING GRANTS

"SEC. 122. (a) For the purpose of assisting institutions of higher education to contribute more effectively to the solution of complex health, education, and social problems of children and adults suffering from mental retardation, the Secretary may, in accordance with the provisions of this part, make grants to cover costs of administering and operating demonstration facilities, and interdisciplinary training programs for personnel, needed to render specialized services to the mentally retarded, including established disciplines as well as new kinds of training to meet critical shortages in the care of the mentally retarded.

"(b) For the purpose of making grants under this section, there is authorized to be appropriated $7,000,000 for the fiscal year ending June 30, 1971; $11,000,000 for the fiscal year ending June 30, 1972; and $15,000,000 for the fiscal year ending June 30, 1973.

SEC. 204. Section 123 of such Act, as redesignated by this Act, is amended by inserting "(a)" after "Sec. 213.", by inserting "the construction of" before "any facility," by deleting "133(3)" and inserting "139(d)" in lieu thereof, and by adding the following new subsection at the end thereof:

"(b) Applications for demonstration or training grants under this part may be approved by the Secretary only if the applicant is a college or university operating a facility of the type descrbed in section 121, or is a public or nonprofit private agency or organization operating such a facility."

SEC. 205. Section 124 of such Act, as redesignated by this Act, is amended by deleting the phrases "for the construction of a facility" and "of construction" in subsection (a) thereof, and by deleting the phrase "in such installments consistent with construction progress," in subsection (b) thereof.

SEC. 206. Section 125 of such Act, as redesignated by this Act, is amended by inserting "construction" before "funds" in the first line thereof.

MAINTENANCE OF EFFORT

SEC. 207. Such Act is amended by adding at the end thereof the following new section:

MAINTENANCE OF EFFORT

"SEC. 127. Applications for grants under this part may be approved by the Secretary only if the application contains or is supported by reasonable assurances that the grants will not result in any decrease in the level of State, local, and other non-Federal funds for mental retardation facilities, services and training which would (except for such grant) be available to the applicant, but that such grants will be used to supplement, and, to the extent practicable, to increase the level of such funds."

Mr. KENNEDY. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. PASTORE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

PERSONAL STATEMENT BY MRS. SMITH OF MAINE

Mrs. SMITH of Maine. Mr. President, I rise on a point of personal privilege.

Presidential Counsellor Bryce N. Harlow has impugned the integrity and veracity of my office. He stated on the CBS–TV morning news program on Friday, April 10, 1970, with respect to his call to Senator MARLOW COOK stating that I had been won over to vote for Judge Carswell that the "information came from Mrs. SMITH's office."

He first claimed to me on Wednesday that such information came from my executive assistant, Bill Lewis. That false accusation was completely refuted later that very day and again the next day on Thursday by the receptionist in the Senate Office Building office of the Vice President where the false report originated.

Yet, early the next day, on Friday, he repeats the false accusation, but broadens it to my "office" instead of Mr. Lewis and does not specify any individual.

About an hour prior to the Carswell vote on Wednesday, April 8, 1970, Presidential Counsellor Bryce N. Harlow, and members of his White House lobbying team, called some Republican Senators stating that I had been won over and would vote for Judge Carswell and that they should do likewise.

When I learned of this I called Mr. Harlow, expressed my resentment to him, and asked on what basis he was making this representation. He stated that my executive assistant, Bill Lewis, had so stated as reported by Presidential Assistant for Senate Relations, Kenneth E. BeLieu.

I then went to Mr. BeLieu who stated that he had been informed by Walter L. Mote, Administrative Assistant to the Vice President, who had received the word from one of the girls in the Vice President's Capitol office, who had received the word from the receptionist in the Vice President's office in the New Senate Office Building, who had received it from a man passing in the hall in front of the Vice President's office.

After the vote that day, Bill Lewis went to the Vice President's receptionist and stated that she had been quoted as saying denied that she had made such a state-that he had told her that I would vote for Judge Carswell. She emphatically ment.

The next day on Thursday, April 9, 1970, Mr. BeLieu asked to talk with Mr. Lewis. He came to the office and expressed his regrets about the incident to Mr. Lewis and stated that he had questioned the Vice President's receptionist and she had unequivocally denied that Mr. Lewis had made the statement attributed to him. He related the sequence of the report—the Vice President's New Senate Office Building receptionist to the girls in the Vice President's Capitol office to the Vice President's Administrative Assistant to Mr. BeLieu to Mr. Harlow.

Mr. BeLieu and Mr. Lewis then came into my office and Mr. BeLieu repeated to me the statements he had made to Mr. Lewis.

On Friday, April 10, 1970, the day after Mr. BeLieu's visit to my office, a CBS representative called Bill Lewis and stated that Mr. Harlow on the CBS–TV news program that morning had stated that the "information came from Mrs. Smith's office."

It was incredible that he would make such a statement after Mr. BeLieu's statements to me and Mr. Lewis the afternoon before. To be sure about this, the transcript was checked and verified that Mr. Harlow had made the statement.

There are only two men on my staff—my executive assistant and my secretary—both have denied unequivocally that they had made such a statement of how I would vote to the Vice President's receptionist or to anyone else.

When verification of Mr. Harlow's statement on CBS–TV was made, Mr. Lewis called Mr. BeLieu and told him of the Harlow statement.

Mr. Lewis stated that he wanted to check again with Mr. BeLieu on accuracy of recollection of Mr. BeLieu's statements of the day before and Mr. BeLieu reaffirmed his statements.

I am shocked at the repeated irresponsibility of Mr. Harlow both before and after the vote.

He has a serious obligation to make positive identification and submit positive proof—or retract his statement and apologize.

EQUAL-TIME REQUIREMENTS FOR CANDIDATES FOR PUBLIC OFFICE

Mr. PASTORE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 747, S. 3637.

The PRESIDING OFFICER (Mr. SAXBE). The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. S. 3637, to amend section 315 of the Communications Act of 1934 with respect to equal-time requirements for candidates for public office, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. PASTORE. Mr. President, I think that the pending bill is of intense interest to everyone in this Chamber and I would very much appreciate their indulgence and their attention so that they will understand what the pending measure really is and what it really does.

Mr. President, today, the Senate begins consideration of S. 3637, a bill to amend section 315 of the Communications Act of 1934, as amended. Among other things, that section requires a licensee of a broadcast station who permits any legally qualified candidate for a public office to use his facilities to afford equal opportunities to all other candidates for that office to use the facilities.

S. 3637 would repeal that requirement insofar as it applies to legally qualified candidates for the Office of President and Vice President.

Section 315 also requires that the charges made by a licensee for the use of his station by a legally qualified candidate for any of the purposes set forth in the section shall not exceed the charges made for the comparable use of such station for other purposes.

This legislation would also amend that requirement so that a licensee could not charge any such candidate who uses his station more than the station's lowest unit charge for any time period.

In all other respects section 315 remains applicable to the use of broadcast facilities by legally qualified candidates for public office. This means the prohibition against censorship as presently contained in section 315 remains intact with respect to all candidates, including those for the Offices of President and Vice President.

It also means that this legislation does not diminish or affect in anyway the FCC policy or existing law which holds that a licensee's statutory obligation to serve the public interest is to include the broad encompassing duty of providing a fair cross section of opinion in the station's coverage of public affairs and matters of public controversy. This standard of fairness applies to political broadcasts not coming within the coverage of section 315, such as speeches by spokesmen for candidates as distinguished from candidates themselves.

Mr. President, the amendments recommended in S. 3637 are the result of extensive hearings and deliberations by the Commerce Committee.

The committee unanimously agreed that they are the minimum steps necessary if the public is to receive the full benefit of the dynamic media of radio and television in the arena of political broadcasting. And, after all, this is the fundamental purpose of section 315—to insure that the electorate is fully informed on the issues and the candidates.

The airwaves, especially those used for television, now play a dominant role in political campaigning. During the 1968 presidential election campaign a candidate could with a single message lasting 1 minute, presented within one program, on one television network, reach as many as 23 million viewers of voting age—a number equal to almost a third of the votes cast in that election. Prior to television, with the most intensive campaign, a candidate could have reached only a small fraction of that audience.

In recognition of the value of the medium to inform the electorate, and encouraged by the results of the 1960 suspension which resulted in the Kennedy-Nixon debates, the committee believes that repeal of section 315(a) with respect to candidates for the offices of President and Vice President will provide the opportunity for the major party candidates in cooperation with the broadcasters to present their views without the inhibitions presently contained in section 315.

In doing so, however, I wish to emphasize that all other provisions of section 315 remain applicable to these candidates.

As a matter of fact, I may say here parenthetically that our committee, and especially the chairman of that subcommittee, who is addressing the Chair and the Senate at this time, is very eager to obtain a pledge from the networks that they would in no way dictate the format. And the hearings indicate very definitely that they will cooperate.

This is what the president of NBC said:

> To advance this purpose three years ago, I pledged that NBC television network would make available a designated number of prime time half hours for appearances by the Presidential and Vice Presidential candidates of the major parties of the 1968 campaign. We proposed to offer the time without charge for the candidates to use as they saw fit.

Mr. President, I want to emphasize that.

Mr. President, there has been a tremendous amount of discussion and debate in this country about the cost of national elections.

Last year the Republican candidate, I understand, spent more than $12 million. The Democratic candidate spent more than $6 million. Four years before the situation was just the reverse. It was the Democratic candidate who spent more money than the Republican candidate.

The question has arisen whether all of this is becoming rather scandalous—the amount of money that is being spent for television in a political campaign.

We realize that television is an intricate part of the campaign process. But there has to be a limit on how much money can be spent. Otherwise we will end up realizing that only the wealthy can seek the Office of President. That would be a tragedy for our democratic process.

Mr. President, I want to make it absolutely clear that the networks have promised that if we enact the provisions of this bill that have been reported by the committee, they will give one-half hour of prime time, several spots, to the prominent presidential candidates without charge, that time to be used by the candidates as they themselves see fit.

How anyone could refuse that offer is beyond me.

I also wish to point out that in urging the adoption of this legislation repealing section 315 as it applies to presidential and vice presidential candidates, the committee is not endorsing any particular format for the appearances of the candidates. Rather, complete freedom is being given to the broadcaster and candidates to develop specific program formats for the appearance of the candidates. The committee feels that the flexibility being given in this legislation will permit the broadcaster and candidates to innovate and experiment with various program formats, including joint appearances. Whatever is done, should be done as a result of discussion, negotiations, and cooperation between the candidates and the broadcasters.

Mr. President, we do not want any of this stage business of the empty chair or any other gimmick.

This has to be on a dignified basis. This is an offer made by the networks to meet the problem of the very excessive costs involved. This has nothing to do with the purchase of time. This has nothing to do with the amount of time that will be given by the networks if we relieve them of section 315. The time will be

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given free to presidential and vice presidential candidates on a format to be chosen by the candidate.

It is expressly intended, therefore, that each candidate be free to choose his own format.

Moreover, the committee has been assured by the networks that in addition to the time made available to major party candidates, free time will also be made available on a fair basis to the candidate of any significant third party which might emerge, such as the States Rights Party in 1948 or the Progressive Parties in 1924 and 1948 or the American Independent Party in 1968.

One might ask what would be done in the case of Wallace. There is no question at all that he was a significant candidate at that time. He would be given an appropriate amount of time to use at his own discretion.

Mr. President, in addition to relieving broadcasters of some of the strictures of section 315, S. 3637 would also bring some semblance of uniformity to the rates charged candidates for public office and enable them to purchase time at the more favorable rates available to commercial advertisers.

Here again I wish to emphasize that the committee's ultimate purpose is to make information on the issues and candidates more widely available to the public.

As presently applied, section 315(b) requires the charges made for the use of any broadcasting station by a candidate shall not exceed the charges made for the comparable use of such station for other purposes. All discount privileges offered by a station to commercial advertisers by reason of bulk time sales or other commercial trade practices are only available to candidates under equal terms.

Mr. President, I think I should explain that in simple language. Today a commercial advertiser can go to a broadcasting station and get a package deal. He is advertising, let us say, a detergent, or soap, or some other article. Because he takes a certain number of time periods over a matter of months or throughout the entire season, he gets a special rate.

In other words, a minute might cost him, let us say, $200. Then a candidate for public office comes along, whether it be for the office of Senator, Governor, or President. He wants to buy a 1-minute spot for the 8 weeks before the election. He does not have a package, so that will cost him $400 a minute. That is a hypothetical case.

This amendment provides that in no case for any office, even a school committeeman, can a broadcaster charge for a particular time period at any time more than the lowest cost he charges any other advertiser for that period. That, I am told, could be between 30 to 50 percent. This is in the public interest because the public is entitled to know the issues and the candidates.

Since a political candidate's broadcast time requirements are limited in terms of weeks or a few months at best, he cannot avail himself of the favorable rates available to commercial advertisers who usually buy time for much more time and for longer periods.

Thus, despite the present provisions of section 315(b), he is at a distinct disadvantage insofar as benefiting from combinations of rates or other arrangements offered the usual commercial time buyer.

We are all aware that these commercial practices are intended as incentives to advertisers, and they are related to the demands of the marketplace.

Nevertheless, broadcasting is impressed with a public trust; and broadcasting licenses are conditioned upon service to the public.

Accordingly, S. 3637 provides that the charge made to a candidate for the use of broadcast facilities for any amount of time not to exceed the lowest unit charge made to any commercial advertiser for the same amount of time in the same time period.

This means that a candidate, regardless of how little time he wished to purchase, could purchase it at the same low rate it was sold by the station to the commercial advertiser who may have bought it under the most favorable arrangement.

In other words, if a candidate wishes to purchase a unit of time during prime time on a week night, he could only be charged the lowest rate that was charged a commercial advertiser for a similar unit in the same time segment, regardless of what sort of a bulk time or combination time sales agreement the commercial buyer entered into in order to receive the lowest rate.

In order to facilitate administration of this provision, and so that licensees may know their obligation under it, the FCC would adopt appropriate rules and regulations to assure that licensees comply with this provision in S. 3637 providing candidates with the opportunity to purchase time at the lowest unit rate.

Mr. President, S. 3637 does not contain the final answer to the spiraling cost of campaigning via the electronic media. As I noted earlier, the committee feels that the provisions of this legislation are minimum steps that must be taken if candidates are to be able to use this media in a manner that is most beneficial to the public.

In recommending this legislation in its present form the committee was mindful of the complex nature of the subject. Accordingly, it has sought to draft provisions that are easily understood and applied so that candidates will know their rights; licensees their obligations; and the FCC will be able to administer the provisions expeditiously.

That is what the bill contains. I am perfectly willing to answer any questions, but before I yield I want to bring out this matter. Last Thursday I introduced an amendment I intend to call up. I am going to modify it slightly. I introduced an amendment, which I explained in the RECORD for the benefit of the Senate. In essence, this is what my amendment would do. I repeat that television and radio have become a very integral and essential part of the campaign process. There is no question at all about it. Because it is such a dynamic media and because it reaches so many people the political campaigner, naturally, would like to indulge in it to some extent. But it is costly—very costly.

As I pointed out, the cost was about $18 million on the national level. There have been some States—and I have been flabbergasted by this information—where some candidates in seeking office that pays only $42,500 a year have paid a half million dollars for television alone. This money has to be raised and that is where the possibility of scandal comes in. If the candidate is not wealthy enough to get it from his own pocket he has to raise the money. And that is where these contrivances come in. So we end up with $100 dinners, $1,000 dinners, and in Washington a short while ago it was a $1½ million dinner that made the headlines.

Mr. President, all of that effort is to do what? It is to create a television image. I think it is essential to keep this matter under control. That is what my amendment would seek to do. My amendment is very simple. I can state it in one paragraph. My amendment would limit the expenditure of money by the candidate, or anyone in his behalf—Committees for Pastore, Committees for Percy, Committees for Stennis, or for anybody—so that, all told a candidate could not spend for the electronic media more than the sum of 5 cents multiplied by the number of votes in the previous election.

Mr. President, I will tell you what that means. This is the money spent just to buy, not production. In Mississippi you could spend $32,725.45. That is a lot of money. Your opponent could not spend any more. The way it operates now, it is, "I'll go you one better; and I'll go you one better." It is something we are all subject to. Drive along a highway during a campaign and you will see your opponent's billboard and you have to have one across the road from him. After the election you could kick yourself for the extravagance, but when election time comes, you do it all over again. It is getting out of bounds.

In the case of Illinois, you could spend $230,987.45 alone to purchase time and your opponent could not spend more. All of this has been figured out from the point of experience. In my State, it comes to about $20,000. I have recommended a minimum of $20,000 to meet the needs of a State with a small voting population. Therefore, we do have a floor of $20,000; not less than $20,000 in any State. But above that it is predicated upon 5 cents for the number of votes cast in the previous election. That is a reasonable figure and it would bind everyone running for that office. You would have to file a record with the Secretary of the Senate; the broadcasters have to keep a record. It would be the easiest thing in the world to check, and it will bring this whole matter into an area of commonsense and sanity.

Mr. PERCY. Mr. President, will the Senator yield?

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Mr. PASTORE. I yield.

Mr. PERCY. Mr. President, I concur in what the Senator is trying to accomplish. I understand this would apply only to general elections and would not affect primary elections.

Mr. PASTORE. That is correct.

Mr. PERCY. What concerns me is that one candidate may have no primary opposition from one party and yet another candidate may have intensive competition. He may spend a tremendous amount of money in that competition on television to sell his name and his ideas and get his point of view across. The other candidate, with no contest has no reason to spend much money.

With the limitation in the general election, is it going to force the candidate to really spend when it is unlimited in order to get his message across?

Mr. PASTORE. My experience is that a primary has never helped anybody, and I have been at it for 35 years. You are more apt to be hurt in a primary than helped.

But the practical question is, How we would go about it? How can there be a limitation? If primaries were included we would run into a buzz saw. If the Senator wishes to include the primaries I would be willing to consider it now but it is at election time that we are essentially concerned and that is when the candidate has a real opponent.

The political complection of the country is changing. The two-party system is becoming stronger throughout the country. In due time the primary system will be an intraparty fight and no more.

We did consider that. It complicates the whole matter. I think this present measure is a fine practical beginning and that is where it should stay.

Mr. PERCY. My second question is this. I have not had a chance to consider this matter thoroughly. If we get into a limitation of one type of advertising and communicating, does it imply there will be control over other aspects? The use of television is a decision a candidate may or may not make based on whether that would be the best use for his money. But if there is a limitation on television, would the arbitrary limitation on television cause candidates to spend unlimited amounts of money on radio, billboards, direct mailing, and newspaper advertisements? I am not sure why we discriminate against advertising on television and think we are controlling the matter.

Mr. PASTORE. It would not be discriminating. Here is the story. This includes radio, as well. The controversy has been raging for years. As a result, there was appointed what is known as the Twentieth Century Fund Committee on Campaign Costs. This was headed by Newton Minow, with such people as Thomas Corcoran and Dean Burch as members. They came before our committee and here was one of their recommendations. I do not question their motives. They did it "for free." The Senator and I, being Members of the Senate, know how impractical it is. This is their recommendation: That the broadcasters charge the presidential candidates no more than half of what the cost is and that the other half would be underwritten by the Congress of the United States out of the U.S. Treasury. The Senator knows what a chance that has of passing. That is one idea.

Then we had another idea from the group known as a Committee for a More Effective Congress. The proposal was that we offer a specific number of 1-minute spots at special discounts. I do not want to tell a candidate what format he should use. I want him to decide how he is going to spend his money. We decide how much, and the candidate decides how he shall spend his money, we do not tell him what his format is going to be.

We studied all these proposals. I felt that we could control it best in this way we have spelled out. This is predicated on experience.

But the Senator raises the question why we do not undertake restrictions with respect to newspapers. The Congress ought to do it, under the Corrupt Practices Act. We have a limitation under the law. The only trouble is that we have shot it so full of holes. One cannot spend more than 3 cents per voter under the law, so they engage in subterfuge of having various committees spend money for the candidates. We ought to do our job better. I am on the Communications Subcommittee of the Committee on Commerce. I can deal only with the electronic media, which is the most dynamic part of the news media, and that is what we are dealing with at this time. This is the only phase in our specific jurisdiction. All the other elements the Senator is discussing are for the Congress to take care, but I point out that this particular matter is under the jurisdiction of my subcommittee. If we try to take care of all of these other matters, nothing will happen.

Mr. PERCY. Will the Senator yield for another question?

Mr. PASTORE. I yield.

Mr. PERCY. I keep thinking of the built-in advantages that an incumbent has, and I feel comfortable about it, being an incumbent; but I can also remember the problems I had as a challenger, looking from the outside in. I can remember the built-in advantages that a challenger is working against, the franking privilege and the post office privilege. A challenger is working against the advantages that an incumbent has in the way of television studios downstairs, with films being ground out at cost. A challenger is constantly working against the incumbent.

I can remember working against Paul Douglas, and I can remember seeing the public service telecasts coming on Sunday morning or Saturday night for 15 minutes, black and white at that time. Think about how much it would cost a challenging candidate to get 15 minutes of sometimes prime time, trying to get name identification, when I was not known from a barn door, and when Paul Douglas, the incumbent, had been known for 18 years. I remember the amount of money it took in my State. It took $1 million in my State to wage a losing campaign, just to try to pull name identification up from zero to somewhere into 50 or 60 percent, and still be battling a name recognition of 80 or 90 percent.

I wonder if it is not unfair to a challenger to put an arbitrary limitation on the most dramatic way he has of getting his name and story across, even though I realize it would be a tremendous advantage to me? The incumbent does not declare until he has to. The equal time provision does not apply until he becomes a candidate. So all the incumbent has to do is withhold his candidacy, trying to get as much of the free time as is available to him as so-called public service. Yet he thinks of it not so much as public service as utilizing it for running for his next candidacy. I wonder if the challenger should be so limited in view of the built-in advantages that an incumbent has.

Mr. PASTORE. I do not mean to be facetious about this, but, after all, the Senator won; did he not?

Mr. PERCY. The second time.

Mr. PASTORE. That is right, and that is the best proof of the success of his campaign. On the other hand, is the Senator telling me that $250,000 spent in his State on television is insufficient to bring his story before the people? If I were proposing a miniscule amount, the Senator would have an argument, but, after all, the figure is reasonable. The amount of time is limited by a quarter of a million dollars to be spent. My goodness, the salary for this job is only $42,500. What is a senatorial candidate going to do? Buy it?

Mr. PERCY. I know that is the implication.

Mr. PASTORE. Of course that is the implication, and the public is getting disconcerted and suspicious. They say, "What gives here? What can be in this job that pays only $42,500; yet a man will go out and spend $2 million to win it? What gives here?" If I were on the outside looking in, very frankly I would ask the same question. I think this is becoming scandalous in many areas. At some point we have to put the brakes on. If the Senator does not think 5 cents a voter is enough, I am willing to listen; but we must have a ceiling. Otherwise the sky is the limit. Someone will come along who has abundant money and who can take it out of his own pocket. He may be running against someone who does not have the money, and will have to get it from these assorted and sometimes questioned procedures of raising money over which the public is getting aroused. This question of campaign costs hits the front pages of the newspapers all over the country.

We had that problem before the committee. The committee is making certain recommendations. We have analyzed all the proposals, and we think this is the ultimate decision. I am not tied down to any pride of authorship. I think something needs to be done. Something has got to be done.

I have run for office. The first time I ran for Governor we spent $50,000.

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That was in 1946—$50,000 was spent and I was elected Governor. I understand that in the last campaign they spent half a million dollars. They tell me that in New York State it costs $3 million. What has this become? This is terrible. It is nothing less than terrible. This has to be a bad reflection on our whole democratic election campaign process unless we begin to tie or nail it down.

I think the day must and will come when we do something about these other media of campaigning. I think there should be stricter laws. I think there should be greater accountability by the incumbent and by the opponent as to how much money is being spent and how the money is being raised.

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. ALLEN. First, I want to commend the distinguished Senator from Rhode Island for the outstanding leadership he has furnished in this field in attempting to see to it that the great power of the television medium is used in the general public interest. I want to commend him, too, on the purposes behind and in support of the pending measure.

I would like to ask the distinguished Senator, however, if the bill as introduced is in accordance with the recommendations of the committee, and I read from the fifth full paragraph and the seventh paragraph on page 6 of the committee report:

> Accordingly, your committee urges that the charge made to a candidate for the use of broadcast facilities for any amount of time not to exceed the lowest unit charge made to any commercial advertiser for the same amount of time in the same time period.

Skipping a paragraph and going on:

> In other words, if a candidate wishes to purchase a unit of time during prime time on a weeknight, he could only be charged the lowest rate that was charged a commercial advertiser for a similar unit in the same time segment, regardless of what sort of a bulk time or combination time sales agreement the commercial buyer entered into in order to receive the lowest rate.

I am heartily in favor of the move for comparability for political advertising as compared with commercial advertising, even to the extent of allowing the less frequent user of political advertising the same rate as the quantity discount allowed to the commercial user.

I note that the bill itself says:

> The charges made for the use of any broadcasting station by any person who is a legally qualified candidate for any public office shall not exceed the lowest unit charge of the station for any time period.

That would mean that a political advertiser in the prime time of around 7:30 p.m., would have to pay only the lowest rate, which I assume would be the rate along about the time of the late late show.

I do not believe that is what the Senator has in mind.

Mr. PASTORE. No; it does not mean that at all, and perhaps a clarification there would be desirable. It is not intended to mean that. For the same time period.

Mr. ALLEN. Yes. I suggest the use of the committee language, as found in the committee report: "not to exceed the lowest unit charge made to any commercial advertiser for the same amount of time in the same time period."

Mr. PASTORE. I agree. Mr. President, could the bill be modified to that extent?

The PRESIDING OFFICER (Mr. DOLE). Will the Senator state his modification?

Mr. GRIFFIN. Mr. President, reserving the right to object, what was the request?

Mr. PASTORE. There is a question of misconstruction here. In the bill we used the words "any time," which was intended to mean during the same time period; and the Senator from Alabama brings up the thought, and properly so, that that could be misconstrued, that a cheaper time let us say during the morning hours, would have to be at the same rate as prime time. He is correcting that, and I think it is a good modification.

Mr. GRIFFIN. I might say I had noticed the same problem in the language.

Mr. ALLEN. It did seem to be unfair to the medium, in that the lowest charge is late at night or early in the morning, and for prime time advertising, under the bill as reported, the political advertiser could claim the lowest rate charged at any time during the day.

Mr. PASTORE. That was never intended, but I am glad that the point has been made.

Mr. GRIFFIN. What are the words suggested?

Mr. PASTORE. To use the word "same" instead of "any."

Mr. ALLEN. To use the words of the committee report: "not to exceed the lowest unit charge made to any commercial advertiser for the same amount of time in the same period."

Mr. PASTORE. That is right.

Mr. GRIFFIN. No objection. If the Senator will send that modification to the desk, I do not think we will have any trouble with it.

Mr. COTTON. Curiously enough, in the committee report, that expression is used, and then later the bill was written without it. But it was intended by the committee, I am sure.

Had the Senator from Rhode Island finished with the floor? I did not intend that he yield to me. Is the Senator's point determined?

Mr. PASTORE. That point is determined. I was going to bring up an amendment.

Mr. COTTON. If the Senator will yield very briefly before he brings up his amendment, and before we get into debate, if there is to be a debate on the merits of controlling or limiting expenditures in this fashion, I should like to state, on behalf of the minority members of the committee who were present at the executive session when this bill was finally discussed and reported, first, that we join in commending the distinguished Senator from Rhode Island. I think that through the years, he has acquired—I do not mean that he did not have it in the first place, but he has gained tremendous knowledge and grasp of the problems of communications, in his capacity as chairman of the Subcommittee on Communications.

The subject which is now before the Senate is not a new one. Before the campaign of 1960, the record will show there was a temporary suspension of section 315 which took place during that campaign. As a result, there occurred the debate between Mr. Kennedy and Mr. Nixon, who were the candidates.

In that case, neither of the candidates was President of the United States; they were both running for the Presidency.

Then later, in 1964, this rule was resumed. In other words, the suspension was discontinued, and I think this was perfectly natural. At that time, Lyndon Johnson was President of the United States, with a candidate who did not have the prestige of the Office running against him. I do not know that the President himself had any statements to make upon the subject, but many of his supporters did not want the President of the United States to be placed in a position of refusing to debate or refusing to meet his opponent.

The Senator from New Hampshire at that time spoke at some length on this floor on that question, and took the position that if the President of the United States felt that the dignity of his Office and commonsense dictated that he should not use the prestige of that Office to provide an audience for a new man running against him, all he had to do was refuse. We should not change the rule simply to relieve the President from the necessity of making that decision.

However, the rule was changed. Now we are up against a situation where the boot is on the other foot. I have not had any indication from anyone down at the White House that the President of the United States now has any objection, but nothing would surprise me. It would not surprise me at all if, the day after tomorrow, someone would come up from the White House and say, "We do not want this rule now, because the present President of the United States would be placed in the embarrassing situation of appearing not to want to confront his opponents."

I say right now that if that happens, I shall take the same position I took in 1964.

Mr. PASTORE. Will the Senator yield at that point?

Mr. COTTON. I yield.

Mr. PASTORE. I think the Senator is absolutely correct. I took the same position myself. I know that President Kennedy was quite eager for the debate format. That is understandable; I think he was one of the best debaters the Senate ever produced.

Mr. COTTON. That was before he was President, however.

Mr. PASTORE. Yes. But after he became President, he sent a recommenda-

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tion up to continue the law; I think in fairness that should be stated.

I will say this: President Johnson felt very differently about it, as the Senator has pointed out. I do not think the President of the United States ought to be made to debate with anyone. I think, as President of the United States, he might be asked embarrassing questions. If he accepts, he might be led into revealing classified information. If he does not answer, it would look as if he were hiding something, and that would be unfair.

That is the reason I requested and received a pledge from the networks that the format would have to be at the choosing of the candidates. If the candidate says solo, it is solo. If they want to debate, that is their business. But if not, there would be no embarrassment, no empty chair business, and the time would be given free.

Mr. COTTON. That appears in the committee report.

Mr. PASTORE. Yes.

Mr. COTTON. Is the Senator satisfied that that is sufficient protection, the assurance the committee and the chairman received from the networks plus the report? Does he feel that is ample assurance, without those words being written into the bill?

Mr. PASTORE. Without any question at all. To go farther than that would actually, I am afraid, reflect upon the integrity of the networks, and I do not think that they would renege.

Mr. COTTON. I agree with the distinguished Senator, but it is important that we make this legislative history, I think.

Mr. President, may I simply say this: The committee, at least all those who were present when the bill was reported out, were in agreement on the first part of the suspension of rule 315. We were in agreement on the second step—namely, the step that broadcasters must not charge political advertisers—that is, bona fide legal candidates—more than the low unit rate which they give to their regular business advertisers who advertise all year round. We felt that that was a perfectly just enactment because, after all, political candidates are not running all the year round. So it is in a sense a discrimination against them and against the people who want to hear them if they are not given the same rate that the regular advertisers on the particular broadcasting station are given for the same time.

That was the purpose of the committee and I think of the distinguished Senator from Alabama.

Mr. PASTORE. That was sometimes used by certain broadcasters—in full fairness, I say not all and not most—as a way of not allowing sufficient time. They would boost these rates for political purposes, making the charges for time almost prohibitive.

Mr. COTTON. On those two points, the committee was in agreement.

As to the rest of the bill we were considering, there was disagreement. There was some disagreement—about the advisability of the limit that is in the amendment of the distinguished Senator from Rhode Island which he was about to offer.

There were other provisions in the bill which gave a lower rate, a discount, for bona fide candidates; and my recollection is that it was for candidates for the Senate and the House of Representatives. Then the question was raised, "How about people running for Governor, and how about people running for attorney general, and how about people running for the State senate?"

While there was some merit in the proposal, many of us felt that one of the worst things we could do, at a time when Congress is being criticized for increasing its own salaries and for various other reasons, would be to present a bill which gave a discount under the regular advertising rates on the air. The distinguished Senator from Rhode Island, the chairman of the subcommittee, was very understanding and very reasonable about it. To some of us who were in opposition, he said, "We agree. Let us report to the floor of the Senate the bill with just the two points in it, and then these other points—namely, the restriction on limiting of expenditures for advertising, possibly the matter of discounts and a lower rate of advertising for candidates—and any of the other points that were in the original bill can be offered in the form of amendments. If the Senate chooses to take them, the Senate will do so. But we will report that portion of the bill on which we are in agreement."

So this portion of the bill, as it now reads, represents the unanimous view of the committee—at least, the unanimous views of all those members of the committee who were present and with whom we had contact. I do not attempt to speak for every member. They were the unanimous views of most of the committee; I will put it that way.

So far as the minority were concerned, we were in accord with the majority—in fact, I think it was the suggestion of the Senator from New Hampshire that we confine ourselves to this.

Mr. PASTORE. The Senator will admit that the majority felt that there should be some limitation on the expenditure. Some thought the limitation should be as to time, as against others who thought it should be as to money. Rather than come out with a confused situation, we thought we would openly debate it on the floor of the Senate and make up our minds as to whether it should be one or the other or neither. But we were unanimous on the question of the two that are contained within the bill; that is true.

Mr. COTTON. The Senator from New Hampshire would not attempt to say that there was not a majority that favored some limitation of expenditures. It did not come to a vote, as I recall. It was a matter of discussion. A substantial number of the committee—quite possibly a majority of those present—felt that they wanted some limitation, but they were not entirely in accord as to what limitation.

Mr. GORE. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. GORE. I have listened with a great deal of interest to the debate. All the debate has been about the candidates. I wonder if the committee gave some consideration to the rights of the people.

It seems to me that there are two rights here—one is to be adequately informed of the issues and the questions to be decided. But is there not some other right here—the right to be protected against an overuse? Many people look at television for amusement; others view it for education and news.

During the course of campaigns, when there is a multiplicity of candidates, with everybody spending all sorts of money, I find that it just about usurps the time, and the people become terribly irritated with it. Is there not some obligation to protect the people?

Mr. PASTORE. There is a modification in the amendment I am proposing to the effect that adequate time shall be made available to political candidates in prime time, consistent with other needs of the community.

I know of a case in which a candidate for an office bought the time usually devoted to Bishop Sheen. I need not tell you what happened. He lost the election.

Of course, overexposure is bad. I think that anybody who takes up the time, let us say, of Bob Hope on a special is taking his political life in his own hands.

Mr. COTTON. I shall surrender the floor in a moment.

In answer to the question that was well raised by the distinguished Senator from Tennessee, the committee did discuss that—both the right of the people to have an opportunity to hear the views, particularly of the candidates for President and Vice President, as well as other major candidates within reason; and what the Senator has referred to—the right of the people to be protected from too much of this.

I think it probably does not need any act of Congress to protect the public from having their favorite programs pushed off the air by candidates; because, as the Senator from Rhode Island has just intimated, in those cases punishment will come swiftly and surely.

Mr. GORE. That is one angle, and I recognize that that happens sometimes. But there is also not the destruction but the minimization of this great medium of communication and of education. If by abusing the purchase of television time, television—not only for one candidate but for all candidates in aggregate as well—becomes so tiresome and so obnoxious to the people that the program is turned off, and the use of the medium is thus degraded, it seems to me that there ought to be some limit to the time that politics can usurp television time going into everyone's living room.

Mr. COTTON. Mr. President, while the distinguished Senator from Tennessee is meditating on that problem, I should like to invite his attention to the fact that there are things much more effective than anything we can do in the bill, to take care of the very good point the Senator from Tennessee raises.

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I think that the problem of the national conventions of the two political parties goes back to the time they were fixed. Years ago they were fixed at a time so as to allow all participants 4 or 5 days to get home, and the campaign could not start for 2 or 3 weeks or a month almost after the candidates had been nominated by the conventions. This was before the time of lightning communication. Still, we continue to hold the Democratic and Republican National Conventions at approximately the same time before the elections that we did in those bygone years. The result has been—that the public has listened for a solid week while Democrats view with alarm and point with pride, and then listened for another solid week while the Republicans view with alarm and point with pride. And this verbage repeated right up to the night before election. The people hear all this dinned into their ears repeatedly until they are so sick of it, it has a dangerous result; namely, a loss of interest by the American people. It goes on and on so long and there is so much of it, that the last 2 or 3 weeks of a campaign sometimes serve to merely reduce the number of votes cast.

Mr. PASTORE. As to the limitation—and that is the point the Senator from Rhode Island makes—the limitation will cut down to a reasonable extent on that, so that there will be adequate exposure but not overexposure. That is its purpose. I think we use too much time on television for campaign purposes. There is overexposure which becomes so competitive that when your opponent is on, you have to get on, too, and this goes back and forth and it just escalates.

I believe the limitation puts it within reasonable bounds, not 4 cents or 6 cents. I have been guided by the firm experience which would indicate that 5 cents is reasonable enough. I do not think that is too much or too little. If we make it 10 cents, that is too much.

Mr. COTTON. Just one more brief statement and then I will yield the floor. May I suggest to the Senator that we should consider moving the conventions up to a later time so that we can start the campaign. I am shocked when I hear people talking about having a popular election and destroying the electoral college instead of revising it.

God only knows how we would manage if we had to have two presidential campaigns, but that is what we have to think of.

Mr. GORE. Mr. President, this bill raises an extremely important subject. The amendment offered by the Senator from Rhode Island also raises one now.

The Senator from Illinois raised the point that the incumbent has the advantage of name recognition. This name recognition helps, and it also hurts. This name recognition comes from voting on controversial issues. There have been some votes recently that gave me some name recognition that I could do without. [Laughter.] But the question of name recognition is not all a plus. There is a good deal of minus in it.

Mr. COTTON. Mr. President, let me recapitulate in three sentences.

First, the Senator is quite right that two items in the bill were agreed upon by those present when the committee reported, both majority and minority sides. Other matters were resolved to leave to be settled on the floor. I commend the Senator from Rhode Island for his broadmindedness in agreeing so readily to simplifying the work of the committee, asking for what we were practically all agreed upon, and then leaving those points in disagreement so that amendments will be debated on them.

Mr. SCOTT. Mr. President, will the Senator from Kansas yield to me before he makes his unanimous-consent request?

Mr. PEARSON. I am glad to yield for that purpose.

Mr. SCOTT. Mr. President, I understand that the Senator from Kansas is about to propose a unanimous-consent request as to a limitation on time, but before we get into that, I want to make a brief comment that the distinguished chairman of the subcommittee, the Senator from Rhode Island (Mr. PASTORE), is entirely consistent with the debate of August 18, 1964, when he pointed out:

> I have some qualms as to whether a President should have a confrontation with a candidate. There are two schools of thought on that particular subject. Be that as it may, I think the proposed legislation is in the public interest. The format is left up to the candidates themselves. They can arrange the format as they please and if they please.

That, Mr. President, pretty much represents my own position. I do not see much need to belabor the point.

The distinguished Senator from New Hampshire has made the point that the bill as it came to the floor has the unanimous support of the Committee on Commerce, and that there is some difference of opinion on the amendment of the distinguished Senator from Rhode Island with regard to the limitation of time. On that one, I have to confess that I have some concern and some doubts, because we obviously have no history of it. We have not had enough study as to how the limitation would work out and whether, even though it is on a so much provoked basis, that is, fairly as between the largest and the small, or as between the incumbent and the nonincumbent, that I reserve my opinion until we hear more debate.

At this time, I should like to yield to the distinguished Senator from Kansas, who wishes to propose, as I understand it——

Mr. PASTORE. Before the Senator does that, may I point out one section for his own attention without any comment, as to why I make this observation in his particular case. My formula would allow him and his opponent—each—to spend up to $237,396.40 just for purchase time.

I just thought the Senator should know that and think about it.

Mr. SCOTT. I am glad to know how much time we will have. I wish I could find some way to get away from this whole business of being obliged to do it under the present system, of dependence upon contributions. I happen to like the Long system where $1 is taken out of the income tax. Of course, many people are being taken off the income tax rolls, so that they might not have any interest in the election thereby, if they did not have to put their $1 and lay it on the line. But I would like to have it made available to put that $1 up for campaign expenditures, rather than depending on contributors. We all have some sense of obligation to people who have some ax to grind. It is a difficult and undesirable situation.

Now, Mr. President, I yield to the Senator from Kansas.

The PRESIDING OFFICER (Mr. DOLE). The Chair would inform the Senator from Pennsylvania that the Senator from Kansas (Mr. PEARSON) already has the floor.

Will the distinguished Senator yield for a moment so that we can report the pending amendment?

Mr. PEARSON. I yield.

The PRESIDING OFFICER. The clerk will state the amendment.

The BILL CLERK. On page 2, line 6, after the word "station", strike out "for any time period.' "; and insert "for the same amount of time in the same time period."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

UNANIMOUS-CONSENT REQUEST

Mr. PEARSON. Mr. President, I propose a unanimous-consent agreement, that there be a limitation of time on each amendment, 30 minutes on a side, and a similar limitation on any amendment to the amendments, and that there be a limitation of time on the bill of 1 hour.

Mr. COTTON. Mr. President, reserving the right to object——

Mr. SCOTT. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I yield.

Mr. SCOTT. Mr. President, would the Senator accept an amendment to his proposal to the effect that the debate at such time be after the morning business has been concluded?

Mr. PEARSON. That was what I had in mind.

Mr. GORE. Mr. President, reserving the right to object, I am apprehensive that my colleagues have not appreciated the importance of the pending bill and the amendment.

The able senior Senator from Rhode Island did not complete his speech. Part of his remarks was inserted in the RECORD. I would be prepared to consider a limitation on tomorrow after I have been able to read the RECORD and give it some thought. However, I hope the Senator will wait until tomorrow to present his request.

Mr. PASTORE. Mr. President, if the Senator will yield, I had a page and a half of my remarks printed in the RECORD. However, I covered the points extemporaneously anyway.

Mr. GORE. I am sure the Senator improved on that part of it.

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Mr. PASTORE. The statement does not say anything more than I stated on the floor. I covered the written part in my extemporaneous remarks.

If that is what the Senator desires, it is satisfactory to me.

Mr. GORE. Mr. President, I have in mind that I may want to offer an amendment. This is an extremely important bit of legislation affecting the rights of the people as well as of the candidates themselves. I would not be prepared to agree to a limitation at this time. I might be on tomorrow.

Mr. PEARSON. Mr. President, I understand there has been objection.

The PRESIDING OFFICER. Objection has been heard.

Mr. SCOTT. Mr. President, since the request has been withdrawn, I would hope that we could at least have an agreement not to vote today. It is obvious that amendments will be offered. I hope that we could at least have an understanding among the Senators present that we do not intend to vote until tomorrow.

Senators might be able to make their plans accordingly. And some Senators are absent today and might be here on tomorrow.

I make that as a suggestion and not as a unanimous-consent request.

UNANIMOUS-CONSENT AGREEMENT

Mr. PASTORE. Mr. President, I ask unanimous consent that after the conclusion of business today, the bill be made the pending business after the completion of the morning hour tomorrow.

Mr. BYRD of West Virginia. Mr. President, reserving the right to object—and I will not object—does the Senator mean after the transaction of routine morning business on tomorrow?

Mr. PASTORE. The Senator is correct.

Mr. BYRD of West Virginia. Mr. President, I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, I would like to address a question or two to the Senator from Rhode Island with the request that the Senator from New Hampshire also listen.

Am I correct in my understanding that, except for the provision with reference to the amount of charges to candidates other than candidates for the Office of President and Vice President, the bill would accomplish exactly what was accomplished by the 1960 amendments?

Mr. PASTORE. With one exception, that we have a pledge from the networks that they will give these half-hour time periods during prime time, several of them, to be used at the choosing of the candidates themselves.

Mr. HOLLAND. Mr. President, the Senator means they would do that now or did it then?

Mr. PASTORE. At that time, there was a serious question that resolved itself into debate. Had there been no debate, I do not think there would have been free time.

Mr. HOLLAND. Mr. President, do I understand that as to all candidates to the Senate and House, Governorships, and local offices, this amendment would make no change at all except in the amount of charges not being greater than the best rates made available to other users of the same type of time?

Mr. PASTORE. The Senator is correct.

Mr. HOLLAND. Then the amendment would change the law exactly as the 1960 amendments changed it with what difference? I do not understand completely what the Senator meant as to the difference between the 1960 situation and the present one. It seems to me, just looking at the changes, that it makes precisely the same changes, so far as the reading of the law is concerned, that it did in 1960.

Mr. PASTORE. With one exception. In 1960 we applied it alone to the 1960 election. In this matter, we would make it permanent. So it would effect the 1972 election.

Outside of that point, the Senator is correct. It does not make any change at all.

Mr. HOLLAND. Mr. President, I thank the Senator. I thought the change then was good, and I believe that the change now will be good.

I am glad that it has not been made applicable to other candidates, because as I stated during the other debate prior to the 1960 amendments, I think there has been some showing of favoritism to candidates in other races which would be very hurtful to some candidates.

Since this applies only to the President and Vice President and makes exactly the same change as was made in 1960, except that this becomes permanent legislation, it seems to me that this is nothing but an expression on the part of Congress—if it be enacted—that the 1960 experiment was a success and that we are willing to make it applicable to all presidential races beginning with the 1972 race.

I thank the Senator for yielding.

Mr. BYRD of Virginia. Mr. President, do I correctly understand that the amendment offered by the Senator from Rhode Island, with respect to the limitation of 5 cents per vote, would apply only to the time charges for television or radio and not to the production?

Mr. PASTORE. The Senator is correct. It would be only with respect to the time.

I should point out to the Senator from Virginia that with respect to Virginia the cost involved for the office of Governor would be $68,000. That is for the purchase of time and not production.

Mr. BYRD of Virginia. Mr. President, assuming that candidates for public office outside——

Mr. PASTORE. Mr. President, an independent candidate could spend $68,000.

Mr. BYRD of Virginia. Mr. President, I will phrase it another way. There is nothing in the legislation that would affect an independent candidate.

Mr. PASTORE. The Senator is correct. I had the Senator in mind. When he comes back as an Independent Senator, I still want him to sit on this side of the aisle.

Mr. PEARSON. Mr. President, last year the distinguished Senator from Michigan (Mr. HART) joined with me and 36 of our colleagues in sponsoring the Campaign Broadcast Reform Act, S. 2876, in an attempt to come to grips with the problem of soaring campaign costs that are dangerously distorting our traditional democratic political system. Today we are considering a greatly amended version of this original proposal sponsored by the distinguished Senator from Rhode Island (Mr. PASTORE) that has been reported out favorably by the Senate Commerce Committee, after extensive hearings on the use of television in today's political campaigns conducted by the Subcommittee on Communication. The bill reported by the committee—S. 3637—is a worthwhile proposal that merits serious consideration though I believe a few changes could and should be made. I know my distinguished colleague from Rhode Island shares this view and, in fact, has already offered one substantive amendment—amendment No. 580.

Mr. President, campaign costs have been soaring in recent years and have already reached dangerous heights in many instances. It is said that Abraham Lincoln spent only 75 cents on his 1846 Congressional campaign and for the next 100 years most of the growth in political spending corresponded to the increases in our population and our cost of living. The sudden and enormous spurt in campaign spending of 114 percent since 1952 can be directly attributable only to the revolutionary role of television in American politics.

To illustrate just how much the cost of television has escalated the cost of modern politics, reference is made to the amounts our presidential candidates have spent per vote over the past several decades. From 1912 through 1928 the cost per vote cast for the two major candidates never exceeded 19 to 20 cents. In fact, it even remained at this relatively low level during the elections of 1952 and 1956. But in the past 12 years this cost indicator has increased by over 300 percent—reaching 67 cents per vote in 1968 if spending on behalf of the third party candidate, Mr. George Wallace, is included.

Thus, Mr. President, we are faced with the recent phenomenon; namely, the extensive use of television by candidates for major office. Whether or not this trend is desirable, today's conditions have made heavy reliance upon television seem necessary.

For example, although the size of the electorate is steadily growing the number of Senators and Congressman is fixed at 535. Thus with few exceptions, each Member of Congress is representing more and more people every year.

In 1910, for example, the average congressional district contained 210,000 people. By 1930 this figure had risen to 280,000. By 1960 it had reached 410,000 and today the average is around 470,000. Thus communicating with constituents is becoming more difficult for officeholders and candidates alike. Many believe that the only really effective way to reach the people in most areas is through television. And as a result television has become literally indispensable. In most instances failure to use the medium when a political opponent does so is to virtually guarantee defeat. Mr. President, for any candidate to compete even at a bare minimum level is to incur staggering expenses far beyond the reach of the average man.

Statistics, although subject to question because of the haziness in reporting, serve to demonstrate the point. The total cost of all campaigns last year was estimated at approximately $300 million, an increase of 50 percent since 1964 and 100 percent since 1956. It was estimated that roughly $58.9 million of this total was expended on political broadcasts with 64.5 percent being spent on television.

The full extent of the insatiable demands of this campaign revolution are best revealed when the specific requirements for House and Senate races are concerned. A memorandum prepared at my request brought forth the following estimates. Many House races cost at least $100,000—of which 40 to 50 percent is often spent on broadcast time. As for the Senate, several candidates last year were told by their advertising agencies that television would cost them 10 cents for every man, woman, and child in their State. If this figure is used as an average, senatorial candidates in six States would expect to pay at least $1 million for television if they conducted what would be considered a well-run campaign. In California and New York this sum would be near $2 million and these figures do not even include the production costs which are normally the equivalent of one-fourth of the expense of air time.

As a recent study by the New York City Bar Association showed, a majority of all Senators elected last year reported heavy purchases of television time, and the report further showed that all Senators save one whose service began after April 1957 have relied heavily upon television use.

Clearly, then, television is essential. Television is expensive. And no other medium of communication offers an acceptable alternative.

It should also be pointed out, Mr. President, that the high cost due to the heavy use of television demanded by today's political contests has been considerably fueled by an average rise of 30 to 40 percent in television rates between 1961 and 1967. The need to raise these enormous sums of money completely prices out the man of modest means unless he is able to secure the backing of wealthy special interest groups.

Mr. President, the implications of this situation for our cherished democratic system of Government should cause some alarm. It seems to me that we can act to reverse the current narrowing of the political arena to the wealthy or the obligated few before it is too late.

If we do not have the wisdom and courage to reform our political system from within in a rapidly changing America, then there are many who stand ready to cast aside our institutions by revolution rather than by evolution. Public confidence can only be maintained by reforming obvious inequities.

Mr. President, in addition to repealing the equal time provision of the Communication Act of 1934 as applied to Presidential and Vice Presidential candidates in order to permit the broadcasting industry to make free time available to major contenders, the bill reported by the Commerce Committee provides that no legally qualified candidate shall be charged more than the lowest unit charge for any time period which he may purchase. This last provision is a vital first step toward meeting the spiralling costs of campaigning at all levels. It means that contenders for major public office will be treated the same as corporate advertisers selling soap, stoves, automobiles, or whatever. Heretofore, every time a candidate seeking the heavy responsibilities of public office appeared to buy some broadcast time to air his views before his fellow citizens, he usually was charged at the highest rates. I submit that such action is contrary to the spirit of the existing law requiring broadcasters to operate in the public interest and thus I welcome the new requirement that will insure that political broadcasts which involve issues of weighty public importance are charged at the lowest unit rate. This provision will still permit broadcasters to make a profit and should go a long way toward reducing the horrendous costs of seeking major office that are driving many talented men of modest means from public life.

Mr. President, action is needed and needed now if we are to halt the trend toward even greater and greater campaign spending. It is needed because it is right, not because it will favor one political party over another or one candidate over another and I hope it will be supported on this basis. This bill deserves passage on its merits and I would urge all those who feel financially secure at the moment to remember how quickly the tides of fortune can change. The object of this proposal is to try and equalize candidates in terms of the money they will need to communicate their views accurately to the electorate whose support they are seeking. It is in everyone's interest to have candidates chosen because of their qualifications instead of the size of their campaign chests and I trust that a majority of the Congress shares this view and will thus speed this bill to the President's desk for signature.

ORDER FOR ADJOURNMENT TO 10:30 A.M. TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 10:30 a.m., tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATORS JAVITS AND DOLE TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that immediately after the disposition of the reading of the Journal on tomorrow, the senior Senator from New York (Mr. JAVITS) be recognized for not to exceed 1 hour and that after the conclusion of the remarks of the Senator from New York, the Senator from Kansas (Mr. DOLE) be recognized for not to exceed 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS ON TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that following the remarks of the Senator from Kansas (Mr. DOLE), there be a period for the transaction of routine morning business with the usual 3-minute limitation.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS ON TUESDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that upon the completion of the period for the transaction of routine morning business on tomorrow, the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time under the Pastore rule of germaneness not begin to run on tomorrow until all special orders heretofore entered into have been concluded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO 10:30 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10:30 tomorrow morning.

The motion was agreed to, and (at 4 o'clock and 21 minutes p.m.), the Senate adjourned until tomorrow, Tuesday, April 14, 1970, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate April 13, 1970:

IN THE MARINE CORPS

The following-named staff noncommissioned officer for temporary appointment to the grade of second lieutenant in the Marine Corps, for limited duty, subject to the qualifications therefor as provided by law:

Goff, Gary L.

The following-named (Naval Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Glynn, Patrick J.

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EXTENSIONS OF REMARKS

FRANK E. BARR, FORMER ASSISTANT POSTMASTER GENERAL OF THE UNITED STATES

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. SHRIVER. Mr. Speaker, Frank E. Barr, of Wichita, Kans., who served as Assistant Postmaster General of the United States in 1959, died on April 2, 1970. His passing marked the culmination of an outstanding and distinguished career in business and public service. Frank Barr was a mover and a doer. He was instrumental in the progress and growth of his home community and State.

When he retired as vice president of the Kansas Gas & Electric Co., he made himself available for service to his country and he subsequently was appointed director of the Wichita Regional Post Office. Three years later he was appointed by Postmaster General Arthur Summerfield to the position of Assistant Postmaster General to work on reform of personnel hiring. He retired from that position in 1961.

A year later he started a new career in banking and became executive vice president of the Parklane Bank in Wichita.

Frank Barr will be missed by all of us who knew and admired him. Mrs. Shriver and I join in extending our heartfelt sympathy to Mrs. Barr and his son, Tom.

Under the leave to extend my remarks in the RECORD, I include the following editorial from The Wichita Eagle which eloquently expresses the sentiments of those who knew and will miss Frank Barr:

FRANK E. BARR

Frank E. Barr, who died Thursday in France, was one of those quiet but hard-driving men without whom our community would have been far less than it is today.

Colonel Barr, as he was known to everyone, was a self-made man who rose high in the world of business and public affairs. He was vice president of Kansas Gas and Electric Co.; he once was assistant postmaster general of the United States; he was regional postoffice director for Kansas, Oklahoma and Nebraska, and at the time of his death he was executive vice president of Parklane National Bank.

That is a notable record of accomplishment for one man. But it doesn't begin to tell the story of Colonel Barr's active life. In addition to those formal duties, he undertook good works on a scale that made him virtually without parallel in this community.

Whenever a civic or service project was going on, Colonel Barr could be found in the thick of it, working diligently and effectively. Hardly a board or council or committee in the area but benefited from his energies and wisdom at one time or another. He was into everything and he knew everybody. He lived life to the fullest, and he was a friend to literally thousands of persons.

Frank Barr was truly one of the shapers of this community. His loss will be keenly felt.

VIETNAM RESOLUTION

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. SCHEUER. Mr. Speaker, recently the New York State Debate Association Intercollegiate Assembly passed a resolution urging the Nixon administration to withdraw all U.S. forces from Southeast Asia within 6 months and to channel into our cities the funds now deployed for military purposes.

I am inserting this distinguished student group's resolution into the RECORD to give my colleagues an opportunity to listen to the voices of some of my State's most gifted and most dedicated youth:

VIETNAM RESOLUTION

(By Howard Pozmanter)

An act to express the sense of the New York State Intercollegiate Legislative Assembly in regard to the involvement of the United States in Vietnam and Southeast Asia.

Whereas, the United States presence in Vietnam is in violation of international agreements and the Constitution of the United States, and

Whereas, the United States involvement in Vietnam is in violation of any proper standard of national moral conduct, and

Whereas, the involvement of the United States in Southeast Asia has resulted in undeclared wars not only in Vietnam but Laos and Thailand as well, and

Whereas, the continued American involvement in Southeast Asia is a factor in the deepening urban crisis within the United States, and

Whereas, the termination of the Vietnam conflict and all American military involvement in Southeast Asia would permit the United States to meet its commitments to its own people and alleviate the growing social tensions, therefore be it enacted by the New York State Intercollegiate Legislative Assembly:

Section 1. That the New York State Intercollegiate Legislative Assembly (NYSILA) urges the immediate disengagement of all United States forces in Southeast Asia, and the withdrawal of such forces within six months.

Section 2. That the NYSILA urges the Federal Government to earmark these monies now used to support the involvement of the United States in Southeast Asia for the solution of the problems of the inner cities.

Section 3. That the NYSILA urges the immediate end of the Selective Service System, and the establishment of a new military pay scale capable of attracting a large enough amount of men to meet legitimate defensive needs.

Section 4. That the Speaker of NYSILA is hereby directed to send copies of this resolution to the President of the United States, Senators Javits and Goodell, the 41 United States Representatives from the State of New York, and the Governor of the State of New York, the leaders of the New York State Legislature, and to all the member schools of the New York State Debate Association.

Section 5. That the Speaker of the NYSILA is hereby directed to meet with the Central Committee of the NYSILA to devise a plan for future coordinated action against the war among the member schools of the New York State Debate Association and report by mail on such a plan to all member schools within 30 days.

FEDERAL RESPONSIBILITY TO THE AMERICAN INDIAN

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. FOREMAN. Mr. Speaker, I want to bring to the attention of the Members of the House the statement which I presented to the Subcommittee on Department of Interior and Related Agencies of the Senate Appropriations Committee during hearings on the 1971 appropriations bill which includes funding for the Bureau of Indian Affairs.

I will also appear before the Interior Subcommittee of the House Appropriations Committee during consideration of this legislation.

The Federal Government has a responsibility and an obligation to American Indians living on reservations in my own State of New Mexico as well as other States of our Nation. While we must eliminate nonessential Government spending, we must not ignore fundamental Federal responsibilities. I urge my colleagues in the House to give thoughtful consideration to the following:

STATEMENT OF HON. ED FOREMAN, SECOND DISTRICT, NEW MEXICO, TO THE SENATE APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, 1971 APPROPRIATIONS BILL FOR INTERIOR AND RELATED AGENCIES

Mr. Chairman, the appropriations bill pending before this subcommittee will provide funding for the Department of the Interior and related agencies and includes the burget request submitted for the Bureau of Indian Affairs.

I am respectfully requesting approval of the full amount presented to the committee. I am further requesting serious consideration be given to increasing the total appropriation for the Bureau of Indian Affairs above the total figure in the budget request.

I fully understand and support the efforts of the administration and the Congress to curb unnecessary spending by the Federal government. We must eliminate waste and extravagance in federal expenditures. There is no other way to halt the soaring inflation which threatens our economic stability as a nation and depreciates the value of our dollar.

However, we also recognize the responsibility of the federal government to continue certain vital services to all citizens. We cannot in our efforts to trim the budget—cut off funding of projects and programs—providing essentials such as housing, education, medical facilities, water, and roads—to citizens who have no other place to turn but to the federal government, and where the responsibility for such projects rests with the federal government—as in certain projects for American Indians.

The American Indians live on reservations under conditions established through legal treaties and mutual agreements with the U.S. Government. While a number of federal

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agencies can contribute to projects and services for Indian citizens on reservations, a major responsibility for the obligated federal support to these citizens remains with the Bureau of Indian Affairs.

Approximately 20% of the American Indians in the United States live in the Second District of New Mexico which I represent. I know from my personal knowledge the conditions under which too many of the Indians in my district must exist—substandard housing—inadequate water development which could increase the land potential for agriculture products and livestock—inadequate schools—lack of opportunity to achieve economic improvement.

Because of the lack of school facilities, the dropout rate of Indian children is high. There is dangerous overcrowding in the schools and the need for increased facilities places a heavy burden on local school districts which are providing education to the extent possible to Indian children on and off the reservation. Indian children in some cases have been bussed more than 160 miles daily, a four-hour bus ride, to attend school. In many cases, Indian children are forced to attend schools far from their homes and live in B.I.A. dormitories or in foster homes in order to attend school—in some instances attending school in other states.

The incident of tuberculosis is six times as great among Indians as among all other races in the United States. 3.5% of Navajo children get a positive TB reaction at the age of six . . . 9.1 percent at the age of 14. The most recent study available reported 192 active cases of TB among the Navajos not receiving therapy—106 cases of TB were under treatment in a hospital as of June 30, 1968.

Federal funds are being spent for projects to benefit American Indians—in New Mexico as well as in other parts of the country—and the B.I.A. budget as submitted will provide for many of the projects vital to American Indians. The point I am making is that with budget trimming, many really essential projects were left out for Fiscal-71.

As an example I submit the following list of unfunded projects not included in the B.I.A. budget request in the State of New Mexico with amounts listed which either reflect total cost or expenditure which could be used in construction or development in Fiscal-71.

Unfunded projects, State of New Mexico, Department of the Interior, Bureau of Indian Affairs

EDUCATIONAL ASSISTANCE, FACILITIES AND SERVICE	
Assistance to pupils in non-Federal schools:	
Higher education	$120,000
Johnson O'Malley	500,000
Federal facilities: Library centers in the Pueblos	100,000
Summer programs	25,400
WELFARE AND GUIDANCE	
Housing improvement: Housing improvement at Ramah (Zuni Reservation)	140,000
FOREST AND RANGE	
To intensify forest management on the Indian forests of Mescalero, Navajo, Jicarilla, Zuni Reservations and the Pueblos of New Mexico	200,000
Range seeding, brush control, and water development projects through the soil and moisture conservation program on the Jicarilla and Navajo Reservations and the Pueblos	250,000
Range water (Zuni Reservation)	43,100
SOIL AND MOISTURE CONSERVATION	
Soil and moisture control (flood control) (Zuni Reservation)	13,000
Repair and maintenance of	
REPAIR AND MAINTENANCE OF BUILDINGS AND UTILITIES	
Youth development program (for various Northern Pueblos)	50,000
CONSTRUCTION OF BUILDINGS AND UTILITIES	
Albuquerque Vocational-Technical School completion	5,215,000
Acoma Elementary School	1,228,453
El Morro Navajo Elementary School	1,200,000
Laguna Acoma Junior-Senior High School	1,000,773
New sewerage lagoon—Sanostee School	200,000
Rehabilitation centers (jails) Jicarilla and Zuni	100,000
All purposes building—Ramah	$85,000
Kindergarten (1)—San Juan	35,000
Kindergarten (2)—San Felipe	70,000
Water system improvement—Mescalero	212,000
Relocatable classroom (3)—Isleta	45,000
Relocatable classroom (1)—San Juan	15,000
Relocatable classroom (1)—Zia	15,000
Relocatable classroom (5)—El Morro (Ramah)	[1] 127,000
Houses (3)—El Morro (Ramah)	63,000
Office (1)—El Morro (Ramah)	21,000
Houses (13)—Dulce	273,000
Houses (6)—Mescalero	126,000
Kitchen/dining facilities—Albuquerque Indian School	600,000
Kindergarten, 2 additional classrooms—Taos	75,000
Adult education calssroom (1)—Laguna	30,000
Adult education classroom (1)—San Juan	30,000
Adult education classroom (1)—Taos	30,000
Kitchen/dining facilities and classroom—Jemez	80,000
Kitchen/dining facilities—Zia	40,000
Acomita School	1,225,000
San Felipe School	1,200,000
Alamo School	800,000
Kitchen/dining facilities—San Juan	40,000
MAJOR ALTERATIONS AND IMPROVEMENTS	
Renovate Camerco warehouse	88,000
Wingate High School parking road surfacing	20,000
Renovate Wingate High School auditorium	20,000
Improve sewerage lagoon—Dzith-Na-O-Dith-Hle	15,000
Improve sewerage lagoon—Huerfano School	15,000
Improve sewerage lagoon—Standing Rock School	15,000
Dulce water systems improvements	160,000
Aztec Dormitory Road	8,000
Enlarge quarters—Crownpoint	5,000
Rewire school—Taos	14,000
Student center—Albuquerque Indian School	75,000
Reroof dormitory—Magdalena	80,000
IRRIGATION	
Middle Rio Grande Pueblos irrigation systems extension, rehabilitation and betterment	100,000
Miscellaneous Pueblo irrigation unit improvement	100,000
Navajo Hogback irrigation project extension (continuation of construction)	1,100,000
Navajo Indian irrigation project (continuation of construction)	12,000,000
ROAD CONSTRUCTION	
Washington Pass to Sheep Springs	2,002,000
U.S. 666 to Crownpoint	645,000
Tularosa Canyon	518,000
Tesuque entrance road	15,000
Santa Clara Canyon Road	130,000
Sandia Village streets	95,000
Red Rock Bridge	70,000
Torreon Bridge	200,000
Crownpoint east road	2,300,000
Streets for housing projects in the Pueblos	50,000

[1] Includes $52,000 for water and sewerage system.

These are not requests for excessive, wasteful spending—these are requests for funds to educate children—to build homes for families—to irrigate lands for cultivation to support families—to build roads needed to open the way for economic and industrial growth. Projects are included which would eliminate existing health hazards to adults and children—and projects to make repairs on existing facilities where original expenditure can be lost if the needed work is too long delayed.

The members of the Subcommittee have a very difficult task in determining the extent to which appropriations should be approved in relation to our difficult economic situation. I appreciate the opportunity to present these facts to the committee, and want to thank the members for extending this courtesy to me.

I respectfully request that serious consideration be given to increasing the appropriation for the Bureau of Indian Affairs so that some of the most critically needed projects—now unfunded—in the State of New Mexico as well as in other parts of the country—may be funded during Fiscal Year 1971.

RIDICULING FBI SENSELESS

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. RAILSBACK. Mr. Speaker, I would like to submit for the consideration of my colleagues an editorial from the Peoria Journal Star commenting on the outstanding job that the FBI is doing in fulfilling its responsibilities as the law enforcement arm of the Department of Justice. At a time when so many people are taking potshots at this agency and its Director, I believe this editorial offers a fine tribute to the excellent work that is being done by the FBI.

The editorial follows:

RIDICULING FBI SENSELESS

It has become fashionable for many of us to ridicule the FBI and J. Edgar Hoover, who have, of course, long been the targets of subversive groups and their ever-present ultra-liberal imitators.

The picture of the FBI man as a slightly kooky individual who sees Communist agents under every bed and a bogey-man behind every tree has become a bit common in TV "humor skits", and the like propaganda pieces in magazine and other print media.

Likewise, the liberal joke factory loves to make out J. Edgar Hoover as a fuddy-duddy right wing extremist coming up with absurd claims and obsolete suspicions. A good many columnists also seem to like to exploit this basic view.

Recent events have once again, as so often in the past, made it clear that this process of adopting an ideological attitude and making it dogma may feed the ego but does not jibe with the facts.

In the past year, as we review FBI reports and the annual report of the director, it becomes increasingly clear that the agency is simply doing an objective and brilliantly accurate job—whereas its detractors are blithely ignoring the realities.

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FORETOLD PROBLEMS

The FBI forecast with remarkable accuracy, months ahead of the event, the actual internal splits and developments within the SDS, for example, which have since come to pass . . . including the emergency of a violence-prone "Weatherman" faction.

The FBI also forecast, soberly, with remarkable accuracy, some months ago, the preparation of a new phase of leftist activity which was a plan to take up the tactics of planting bombs in business and public buildings.

They accurately predicted this new problem, well in advance, and the timing of it. The bombing series has occurred as forecast.

It is pretty silly to make fun of an agency that does its work that efficiently, and that consistently tells us unpleasant truths, months before the actual development.

The very ability of the FBI to make these accurate forecasts further suggests that the persistent notion among some that all these "unrest" reactions are "spontaneous" and that no planning or conspiratorial activity is involved doesn't jibe with the facts.

SAW BOMB SCARES COMING

When a series of bomb plantings can be forecast by months, the development is hardly "spontaneous."

It can only be forecast because some subversive groups have arrived at the plan in discussions and begun the preliminary work of getting hold of explosives, and training people in the use of such.

It's time to quit kidding ourselves about the work of the FBI, and about the nature of some of these "loyal but disenchanted" "idealistic" "reform" groups.

It is time to face some facts.

The facts are there for anyone who chooses to read FBI reports, old and new, and check them against the record.

Such a review demonstrates, item by item, that this organization knows its business and these people know what they are doing.

It also demonstrates that most of their critics simply do not know what they are talking about, do not know their business—or else have to be lying deliberately themselves. They are so consistently wrong on the facts that they are either misled themselves, or deliberately trying to mislead others.

There are probably some of each, and ironically, the FBI probably has an excellent record and dossiers to reveal, which is which. Which is precisely why some folks are so eager to discredit them.

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THE MIDDLE EAST CRISIS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. WOLFF. Mr. Speaker, the Middle East crisis is a matter which concerns young and old alike. For in this continuing crisis the fate of world peace lies in balance.

I recently received a letter from a ninth grade social studies class at Roslyn High School, which is part of the Third Congressional District which I am pleased to represent in Congress. The letter contained a copy of a proposal for a Middle East Peace Treaty which is part of a book—the Students Guide to the Middle East.

Planned under the direction of the class's teacher, Mr. Murray Kaufman, these modest suggestions are extremely insightful.

In light of the value of this document, I would like to extend my remarks to share its contents with my colleagues:

SETTLEMENT

The following proposals, suggested by Mr. Kaufman's 9th grade social studies class at Roslyn High School, are presented with the hope that they will offer a constructive alternative to the violence that now prevails in the Middle East:

1. Israel and the Arab states should accept the principle of sitting down together at the same table to negotiate and iron out their differences with the assistance and mediation of the U.N.

2. A regional, Middle East Economic Development Organization (M.E.E.D.O.) shall be formed by all the Middle East nations and funded by them. M.E.E.D.O. will establish a Middle East Bank (M.E.B.) to support and encourage economic development.

3. The U.N. Emergency Force will continue its efforts to keep the peace in the area.

4. No Middle East nation will permit independent military forces to operate within its borders, nor shall it take part in any aggressive action against any of its neighbors. The U.N. Emergency Military Force will provide assistance upon the request of any nation.

5. It is suggested that the U.N. resolve that all member states refrain from providing military aid or financial aid for military purposes to any country in the Middle East.

6. A neutral "buffer zone" shall be established along the present lines where military action is most severe. It (the buffer zone) will be controlled by the U.N. Emergency Military Force and will be eventually phased out by agreement of all parties involved.

7. It is suggested to the U.N. Secretary General that he initiate a new approach to guaranteeing that all nations in the Middle East region be given equal opportunity to serve on the U.N. Security Council in a fair and judicious manner so that all points of view are ultimately represented.

8. All refugees in the Middle East region shall be relocated to land in the Sinai Peninsula which will be returned to the control of the U.A.R. Israel and the U.A.R. shall cooperate in a joint effort to develop this area, utilizing the assistance and direction of M.E.E.D.O.

9. All Arab funds "frozen" in Israel shall be released to their rightful owners.

10. All of the following actions shall be put into effect simultaneously in order to ensure peace in the Middle East:

(a) All the signatories to this treaty shall agree to recognize Israel as a sovereign and independent state.

(b) All the signatories to this treaty shall agree to maintain and keep the peace.

(c) All conquered lands shall be demilitarized.

(d) The Sinai Peninsula shall become territory under the control of the U.A.R.

(e) Jerusalem shall become Israeli territory with the understanding that it will be an "open city" for all to live in, or freely visit, without restriction as to Race or Religion.

(f) A Suez Canal Corporation shall be organized with ownership equally divided among the U.N., the U.A.R., and Israel. The Middle East Bank will make itself available with funds to assist the re-opening of the Suez Canal to world trade. After restoring it to operation, all nations of the world will have free access to the use of the Suez Canal.

(g) The Gulf of Aqaba will be open to all nations of the world.

(h) The Gaza Strip shall be under the control of Israel.

(i) The Golan Heights shall be returned to Syrian control, with the U.N. Emergency Military Force stationed in the area to prevent any military action.

(j) The West Bank of Jordan will be returned to Jordanian control. A Jordan River Development Project will be formed by both Israel and Jordan with the assistance of M.E.B. to assist economically in the development of both nations.

LIBERALS FIGHT TO CONTROL COURT

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. FISHER. Mr. Speaker, under leave to extend my remarks I include an article written by the well-known columnist, Gould Lincoln. It contains an interesting commentary on an issue of great national interest. The article follows:

LIBERALS FIGHT TO CONTROL COURT

President Nixon, in his statement, said he would go outside of the South for his next appointee to the Supreme Court, re-emphasized the desperate struggle by liberals in the Senate and outside to retain control of the high court.

Nixon said in bitter terms that the rejection of his nominations of Judge G. Harrold Carswell of Florida and of Judge Clement F. Haynsworth of South Carolina has convinced him no Southerner who believed, as he does, in the strict construction of the Constitution would be confirmed by the Senate as it is now composed. In that he is correct.

Having lost the White House to Nixon the liberals are more than ever determined to hold on to the Supreme Court. What they will do when the President names a judge outside of the South, a Northerner or a Westerner, who is a conservative, remains to be seen.

The defeat of Carswell was engineered by pressure groups, groups which have great influence on many members of the Senate. These pressure groups, as the President well understands, would fight any Southerner appointed to the court. They include civil rights leaders, organized labor, Americans for Democratic Action and anti-war blocks of every description.

Much has been said by the liberals in the Senate about the speedy and favorable action taken by the Senate on the appointment of Chief Justice Warren E. Burger, a native of Minnesota, as an indication of their willingness to confirm a widely known and qualified judge.

Burger was an excellent choice, as he has already proved. But when his name was first presented to the Senate, it is doubtful that more than a half-dozen members had ever heard of him, certainly no more than had heard of Haynsworth, or that Burger's name was widely known, as a jurist, to the American people.

Nixon has been criticized as playing politics in his announced decision not to appoint another Southerner and subject him to the character assassination dealt out to Haynsworth and Carswell by the Senate's liberals. He was merely striking back and hard, at the Democrats and liberals on the Republican side, who had hit him and his appointees below the belt.

In the Carswell vote, 13 Republican senators deserted the Republican president.

Had only three of these been willing to support the President and vote for Carswell, the judge would have been confirmed by a vote of 49 to 48. So it was the Republican desertions which made it possible for the Democrats to strike a blow against Nixon, a blow they dearly wanted.

The congressional and senatorial elections come up in November. Only three of the Republican senators who voted against Carswell will be on the firing line, Charles E. Goodell of New York, Winston Prouty of Vermont and Hiram L. Fong of Hawaii. Will the "silent majority," which does not relish the crime that has been going on in the streets and homes of America, vote against them?

Also, there is a list of Democrats who voted against Carswell who must face the voters in November. They, too, may find they have lost some ground. It would be a real blow to the liberals if the conservatives should gain control of the Senate. And to the Democrats, it would be devastating if the GOP should win the Senate—as they may do.

Among the Democrats who voted against Carswell who will be up for re-election are Thomas Dodd of Connecticut, Quentin Burdick of North Dakota, Howard Cannon of Nevada, Philip Hart of Michigan, Vance Hartke of Indiana, Edward Kennedy of Massachusetts, Gale McGee of Wyoming, William Proxmire of Wisconsin, Albert Gore of Tennessee, Joseph Tydings of Maryland and Harrison Williams of New Jersey. A considerable number of these Democrats face hard fights at the polls and may be upset.

Nixon's decision to appoint a new nominee to the Supreme Court quickly may give some of the Carswell opponents a chance to get off the hook so far as the coming elections are concerned. If, on the other hand, they should vote against the new nominee they may be in for a hard time.

EDUCATION NEEDED TO COMBAT POLLUTION

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. LONG of Maryland. Mr. Speaker, I recently introduced a bill—H.R. 15638—to encourage classroom instruction on ecological and environmental problems. Many of our beautiful natural resources are suffering the blight of pollution. It is not enough to clean up presently polluted areas. We must make sure that all of our resources are protected from now on. Education is one big step toward this goal, for pollution is everybody's problem. Norwood Elementary School in Dundalk, Md., is already tackling this problem. I should like to share with my colleagues two letters I received recently from a student teacher and one of her pupils. It is a pleasure to honor their fine work in the CONGRESSIONAL RECORD today:

BALTIMORE, MD., *April 8, 1970.*

Mr. CLARENCE D. LONG,
Towson, Md.

DEAR CONGRESSMAN LONG: I am student teaching with Mrs. Brown's first grade class at Norwood Elementary School. We have been studying water pollution at even this low level and the children are interested in what they can do to help the problem. The enclosed letter was written as the joint effort of the entire class. I am sure they would be greatly pleased if you would send an answer to the class. The address is:

Mrs. Brown's Class—Room 3, Norwood Elementary School, 1700 Delvale Ave., Baltimore, Md. 21222.

Also, I have given all of the children your address so their parents could help them write their own personal letter.

It is surprising how much they understand the problem of water pollution and how sincere their interest is.

Thank you,

MISS SALLY LOGUE.

BALTIMORE, MD., *April 8, 1970.*

DEAR MR. LONG: My name is Joe Wozniak. I am in first grade. Would you stop water pollution please?

I am studying about water.

Thank You.

JOSEPH WOZNIAK.

SECURE SCHOOLS

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. HOGAN. Mr. Speaker, I would like to call to the attention of my colleagues an editorial appearing in the April 12 Washington Sunday Star dealing with the deplorable vandalism in the District public schools.

School board president, Mrs. Anita Allen, who is doing an outstanding job in an almost impossible situation, has sought help from the City Council to curb school vandalism.

I would like to concur with the Star editorial—proposals from school officials to deal with this increasingly serious problem should be considered immediately.

In fiscal 1970, vandalism has cost the system over $813,000, with $534,000 going to replace broken windowpanes. These funds, ideally, should have been spent to provide a better education for students in the Nation's Capital. Unfortunately, the climate in the schools is, obviously, far from ideal. Preventative measures must be taken.

At this point in the RECORD, I include the text of the Star editorial:

SECURE SCHOOLS

Some days ago the City Council asked whether the local government might do more to help curb the rash of vandalism and thefts in District schools. Mrs. Anita Allen, the school board president, has sensibly lost no time replying in the affirmative—and sounding a justified note of alarm. For the problem obviously has overwhelmed the present resources of the school system.

During the current term, for instance, the loss of educational equipment, chiefly through theft, has hit a rate double that of last year. According to Acting Superintendent Henley, the result in some schools has been "a major setback" to the entire teaching process. In the absence of some alternative relief, Mrs. Allen notified the council that the board may soon request "armed guards to protect our buildings at night."

As a matter of fact the school board, at the urging of member Bardyl Tirana, endorsed just such a move at its last meeting. And the city government should seriously consider a response to the proposal right now—and, as well, to Mrs. Allen's demand for more effective burglar alarm systems.

The problem also requires further efforts, however, by school officials themselves. The appointment of a good man to serve as a system-wide safety officer was a promising first step. But this may be an area in which more community involvement—about which we have heard so much—might be brought into play. Perhaps, for example, parents in certain neighborhoods might be mobilized on a voluntary basis to serve on patrol teams—in sufficient numbers to assure their personal safety.

The most discouraging aspect of all this is that the needs for improvements of a purely educational nature in our schools is quite severe enough to occupy all the best efforts of teachers, principals and school administrators. Yet the realities of the situation must be faced: Unless schools can be made safe and secure as a matter of first priority, the prospects for advances in learning are poor indeed.

ANOTHER POSTAL INCREASE LOOMS

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. GRIFFIN. Mr. Speaker, this thought-provoking editorial by editor, Louis B. Cashman of the Vicksburg Sunday Post, points out the need for postal reform. The editorial follows:

ANOTHER POSTAL INCREASE LOOMS

To all appearances, the postal strike is over. The settlement brings a raise in pay for the postal workers, plus more than 2 million other governmental workers. The increase is 6 per cent and is retroactive to December 27th, 1969. And then, another eight per cent if the Post Office Department is reorganized.

The settlement carried with it the authority to extend the collective bargaining to employees of state and local governments, and George Meany, president of AFL-CIO, called the settlement a landmark agreement.

How will this increase be paid? Will there be an increase in the income tax or will the surtax, scheduled to die June 30th, be retained? According to administration sources, neither is considered. But there will be a cost of $1.2 billion the first six months of this year and $2.5 billion in fiscal 1971. How will this be financed? Mr. Nixon has urged Congress to increase the cost of mailing a first-class letter to 10 cents to help pay for the postal part of the new pay raises proposed for 5.9 million federal employes.

Ten cents for a first-class letter! The workers get a 6 per cent increase in wages now and another 8 per cent later, but John Q. Public, his wife and his children, and all citizens will have imposed on them a 4 cent increase in the first-class rate. Now four cents doesn't seem too large, but when it is considered percentagewise, it is clear that a whopping 66⅔% increase in the rate is proposed.

Remember when two cents carried a letter? Then it went to three cents, and then to four cents, followed by the five cent rate, until it reached the present six cents. In that process first-class mail rate was tripled, almost in a generation. Now the proposed increase is fivefold the two cent postage we once enjoyed.

As in all things, the burden of cost is finally borne by the individual consumer. Every strike in any area finally brings to the public increases in prices, or curtailment of services. Because the post office department has always been considered as a great

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source for federal patronage, it has always been completely involved in politics. So it is the department that has always been deep, deep in the red. Any other business operated in the manner of the post office department, free from just ordinary business practices, and open at all times for political exploitation, would never survive. That the post office department is still with us rests in the fact that it is always easy to draw on the people to overcome the deficits, meanwhile giving abominable service.

A reorganization of the department is urgently needed, and, if tried and tested business principles were followed, it is conceivable that the first-class rate can be brought back down. Of course, that will never happen if a stubborn Congress refuses to go for reorganization of the department.

Meanwhile, the country may well be resigned to that big, big 66⅔% increase in the letter rate—unless, of course, enough noise is made to block the increase when it gets to the voting stage. Increases are also being considered in the rates for other classes, but it is significant that the users of first class mail total very close to 100 per cent in our nation, and the little fellow as well as the big, the rich as well as the poor, the educated as well as the illiterate, the sick as well as the well, will have to pay what we believe to be an outrageous increase in first-class postal rates.

DICTATORIAL LAWS IN SOUTH AFRICA

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. FRASER. Mr. Speaker, the unbridled power of the South African Government to arrest and detain anybody in solitary confinement for any length of time for the flimsiest of reasons has been of great concern to many observers for a long time. Evident of flagrant abuse of this so-called Terrorism Act is now beginning to surface. I insert in the RECORD at this point recent newspaper articles from the Johannesburg Sunday Times of March 15, 1970, and the Rand Daily Mail of March 14, 1970, which discuss this law:

[From the Johannesburg (South Africa) Times, Mar. 15, 1970]

TERRORISM ACT WIDE OPEN TO ABUSE—MRS. SUZMAN

(By Margaret Smith)

(The Terrorism Act, which gives unfettered powers to the authorities and is not subject in any way to the scrutiny of the courts, is wide open to abuse, Mrs. Helen Suzman, Progressive Party M.P. for Houghton, said in Johannesburg yesterday.)

She urged a return to the principle that no person should be deprived of his liberty unless he had been charged in a court of law, found guilty and sentenced.

"The Terrorism Act has been on our Statute Book now for nearly three years and we do not know how many people have been held in solitary confinement for months on end under this Act," she said.

"We know that a considerable number are presently being held—but we do not know how many. I cannot even get answers to the questions I put every year in Parliament on this subject.

"But although we are in the dark about these aspects of this Draconian law, there is one thing we do know—and which must surely disturb every ordinary, decent South African. That is that:

"Seven people have died while in detention under the Terrorism Act.

"Some of the inquest findings in these cases have been less than satisfactory, to put it mildly."

This week an inquest into the death of Imam Abdullah Haron, religious leader of a large Malay community in Cape Town, who died while in detention under the Terrorism Act, found that he had received injuries other than those caused by falling down 11 steps at Caledon Square.

"The Terrorism Act is the most far-reaching measure the Government has ever passed, giving greater powers than the 90-day Act and the 180-day Act," Mrs. Suzman said.

"Anyone suspected of knowing anything about terrorism or who is 'likely' to know anything about terrorism can be held indefinitely in solitary confinement for interrogation.

"And let us not be blinded in panic by the word 'terrorism'.

"FRIGHTENING

"We all oppose terrorism. But many held under the frightening powers of the Act have been subsequently charged with far less serious crimes.

"Many have been released without any charges being preferred against them."

Last year a number of simple tribesmen in Rustenburg and Hebron had been detained for several months under the Act. Of the 62 held, 16 had been charged and six had been eventually found guilty of attempted murder. The rest had been discharged.

It was clear that these cases arose out of tribal disputes and had had nothing to do with terrorism.

The example of Miss Shanti Naidoo, a young Indian woman who had been detained in June last year, was another disturbing one. After five months in solitary confinement under the Terrorism Act she was called to give evidence in a case (not a terrorism trial) and when she refused, was sentenced to two months' imprisonment.

When she had served the two months, she was re-detained under the Terrorism Act without presumably leaving the prison, Mrs. Suzman said.

"There is the case of 22 people acquitted nearly a month ago of charges of aiding a banned organisation, and who were immediately re-arrested.

"They have been held incommunicado since then. How much longer they will be held is anybody's guess for nobody—relatives, legal advisers or anybody else—is given access to them or giving any information about them.

"There was a time in South Africa when acquittal meant acquittal. Certainly 10 years ago when the treason trialists were acquitted, they went free.

"Now acquittal can mean re-arrest and indefinite detention under the far more stringent conditions of the Terrorism Act.

"What has happened to the rule of law in South Africa? Does nobody care? It is not good enough to say 'security measures' or 'the authorities must know something we don't know.'

"Let's stick to the well-tried principle that no person should be deprived of his liberty unless he has been charged in a proper court of law, found guilty and sentenced," Mrs. Suzman said.

[From the Rand Daily Mail (South Africa), Mar. 14, 1970]

IMAM: ANOTHER NAME ON A SAD LIST

At least 14 people are known to have died while being detained, without trial, under either the 90-day clause, the subsequent 180-day clause or the Terrorism Act.

Three are known to have died since June last year—one, it was officially stated, by suicide, one from natural causes and one, according to the finding of a Cape Town inquest court this week, from injuries caused in part by an accidental fall.

The man who fell was the Moslem leader, Imam Abdullah Haron. He died in custody on September 27 last year. He had been in custody for four months, having been detained on May 28 under the 180-day clause.

The court was told that the Security Police had reliable information that the Imam had been involved in unlawful political and terrorist activities.

Security police evidence was the Imam slipped and fell down the last few steps of a flight of stairs after interrogation on September 19. He did not appear to have been hurt. They denied any knowledge of assaults on the Imam.

According to the post-mortem report, the Imam had 26 separate bruises on his body, a blood-swelling on his back and a fractured rib.

The pathologist who made the report said in court that the bruises were widespread and that some were older than others. He said that they could not all have been caused by the fall. Excluding the possibilities of self-infliction or a fall, assault would then have been a "probability."

The magistrate found that the Imam died as a result of injuries partly caused by an accidental fall down a flight of stairs. He said that, on the available evidence, he could not say how the other injuries were caused.

Michael Shivute's death was revealed by the Minister of Police, Mr. S. L. Muller, in Parliament last month. He said that the man died by suicide, on June 16, the night of his detention under the Terrorism Act.

Jacob Monnakgotla's death was disclosed at the trial of 10 Africans charged under the Terrorism Act following tribal unrest in the Transvaal. He died the night before the start of the trial. According to police at the trial, his death was due to natural causes. A district surgeon found that the man died from thrombosis. During the trial Terrorism charges were withdrawn against the surviving accused.

Caleb Mayesiko died of natural causes, 18 days after his detention under the Terrorism Act on May 13, according to the Minister of Police.

James Lenkoe was found hanging by a belt from the window of his prison cell on March 10 last year, five days after his detention. Traces of copper were found in a wound on his toe.

Four pathologists, one of them from overseas, said that the toe wound could have been caused by an electric burn. Security Police witnesses denied that detainees were given electric shock treatment. The inquest magistrate found that the cause, or apparent cause, of death was suicide by hanging that no blame was attached to any person and that the allegation that electric shock contributed to his death was not proved.

Solomon Modipane died approximately three days after his arrest on February 25 last year. There was no inquest. A magistrate endorsed a post-mortem report that death was due to natural causes. Police spokesmen said he slipped on a piece of soap.

Nicodimus Kgoathe died on February 2 last year after having been in custody since November 7, 1968. He spent two weeks in hospital before his death. A post-mortem showed he died of bronchial pneumonia. The doctor who had him admitted to hospital said at the inquest he found various injuries which he thought were the result of assault. A police sergeant said that Kgoathe claimed he had been assaulted by the Security Police during interrogation. Security Police evidence was that the detainee fell while taking a shower. The inquest magistrate said he was unable, on the evidence before him, to conclude that any person was to blame for the death.

J. B. Tubakwe died on September 11, 1968, the day after his detention. The verdict was suicide by hanging.

Ah Yan was found hanging by socks from the water pipe of a shower cubicle in a police cell on January 15, 1967. He has detained probably in either November or December, 1966. The inquest verdict was suicide by hanging and that nobody was to blame.

Leong Yum Pin died by suicide by hanging on November 19, 1966, after three days in detention.

James Hamakwayo's death was due to suicide by hanging, according to evidence in a Terrorism Trial. He was detained on August 26, 1966, but the date of his death is not known.

Suliman Saloojee died after falling seven floors from the then Security Police headquarters in Johannesburg on September 9, 1964, two months after his detention. A Security Policeman, who refused to answer some of the defense questions, denied that the man had been assaulted. The magistrate found that the man died of multiple injuries after a fall during interrogation. He could not say whether Saloojee committed suicide or was trying to escape but there was nothing in the evidence to suggest assault or other irregularities.

"Looksmart" Solwandle Ngudle died on September 5, 1963, after some three weeks in detention. He was found hanging by a pajama cord and a jersey in a police cell. Allegations of assaults on detainees were made and a magistrate who visited Ngudle said the man complained of having been assaulted. The inquest finding was suicide with no blame attached to anyone.

Unknown. An unknown man died on an unknown date, of cause unknown. His death was disclosed, without detail, in Parliament.

OUR COUNTRY

HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. HARSHA. Mr. Speaker, every American should be gravely concerned over the future of our Nation. Each day brings new instances of violence, dissidence, civil disobedience, and what appears to be a general breakdown in law and order and the degeneration of moral values.

Our country is beset by disunity and dissention, and we face the frightening prospect of descending from a Nation governed by a system of laws to a Government based on lawlessness by mob rule.

It is the duty of every responsible citizen—the so-called silent majority—to voice his deep concern over the deterioration of our society and demand an end to insurrection and disorder and a return to the principles upon which America was founded.

I recently read an editorial that appeared in the Adams County News of West Union, Ohio, that described far more cogently than I can, the crisis currently facing our Nation, and I would like to take this means of commending this article to the attention of my colleagues:

OUR COUNTRY

Every reader of this editorial, every American, should be—and probably is—concerned about the future of his country. And it is appropriate that one is concerned today, for the United States system of government and the functioning of our society is experiencing a crisis.

The crisis, which is worst in some ways than that of the thirties during the depression, has been produced this time by an unpopular war, a generation of undisciplined children (the don't say no to junior generation), racial differences and discriminations among the melting pot U.S. population and a well organized and financed communist plot to overthrow the U.S. system of government by revolution and chaos, exploiting all these conditions.

That conditions inside America today are tragic cannot be denied. An Englishman, a German or an Irishman arriving in the United States today, for a visit, or to make a new home, can hardly believe the scene which confronts him. On many college campuses there are thousands of heroin addicts! Crime and drug addiction in cities like New York, where he might arrive, are at a scandalous level. Violence is everywhere. Television is rotten with violence and sadism. Millions of young people are smoking marijuana. Militants, rights crusaders, communists and anarchists are rioting, through bombs, lighting fires, disrupting both education and government processes.

This is a grave crisis measured by any standard and President Nixon and Vice President Agnew are doing their best to stem the tide of misguided lawlessness. But many are doing their best to discredit them, and the country's system of government and courts, and calling for revolution. Even William Douglas of the Supreme Court seems to condone revolution in his latest book!

What we are now experiencing, as a result of the chaos, is a turn to the right by the majority, inevitably and naturally enough, because the majority supports the President and believes in the American system. In Germany after World War I the same sort of street scenes prevailed, as militants—communists and fascists—roamed the streets and struggled to gain control of the state. Hitler followed and brought order.

There will be no successful revolution in this country. Communism hasn't a chance. The nation's future, however, does hang in the balance, as between a continuing democratic society as we have enjoyed it in the past and a more repressive society, with majority backing, if the revolutionaries and militants continue to aggravate public sentiment and defy the majority will.

The great test for us all—and many Europeans and others in homogeneous countries think we might fail it—is whether the diversity of races which make up our democracy can achieve and maintain a degree of harmony and sustain the lawful processors of democracy. Austro-Hungary fell apart under the stress and crisis of military defeat, a once-great empire of diverse races. Will this country dissipate its strength, its union, in the developing crisis, like the Hapsburg monarchy in 1919?

The future for America depends upon the actions and counter actions of all Americans, so many of whom today fail to appreciate the many blessings of the American Republic and attack its imperfections with such vehemence, violence, impatience and radicalism.

INCREASE IN MEAT IMPORTS IS NOT THE ANSWER TO FIGHT INFLATIONARY RISES IN MEAT

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. SEBELIUS. Mr. Speaker, I am most concerned over recent congressional comment and consideration of a proposed increase in meat imports purportedly to offset the inflationary rise in meat costs and to protect the rights of the American consumer.

I submit an increase in meat imports from foreign countries is certainly not the answer to this problem and could seriously jeopardize our national cattle industry.

While the price of steak has increased approximately 20 percent since 1951, the price received by the beef producer has actually declined 10 percent during the same period. I urge my colleagues who would support increased imports and propose a Federal commission to "ride herd on the American cattleman" to reconsider. The real problem in high beef prices is not the beef cost; it is the high cost of preparing it and getting the product to the market.

Consider the cattleman's plight:

The rancher's costs have increased 27 percent in the last 10 years while his income has stayed the same or dropped. On the other hand, he must pay 42 percent more in workers' wages, almost 40 percent more for transportation, and 46 percent more for medical care.

On the other hand, the consumer now spends only 16.5 percent of his disposable income after taxes for food as opposed to 21 percent in 1957. And he receives a higher quality product. This 16.5 percent compares with a similar figure of 25 percent for Great Britain, 28 percent for West Germany, 40 percent for Japan, and 50 percent for Russia.

Today, Americans are eating more steaks, roasts, and hamburgers than ever before. In 1969, Americans consumed 110 pounds of beef per person compared with 63.1 pounds per person two decades ago. Our affluent society is demanding and receiving a better quality, high protein diet for a smaller portion of his income. With this knowledge at hand, why should we seriously consider cheapening the product and endangering the cattle industry by increasing foreign imports?

Recently, several countries have used "third country agreements" as a vehicle to ship 18 million pounds of meat into the United States above their voluntary quotas. As a result of this increase, domestic meat markets have been disrupted and foreign interests have profited. This exploitive practice must be stopped.

Certainly the cattleman should at least expect parity regarding our national meat import policy. Last year meat imports into the United States were valued at $1,234 million, a significant increase over the 1964 figure of $761 million. At the same time, the United States exported $547 million worth of livestock and meat products last year, only a small increase over the $490 million in 1964.

In view of the present continuing cost-price squeeze in agriculture and the declining domestic price for beef cattle, meat import quotas must be maintained to protect the beef cattle industry and the consumer. If we are to continue to provide the American consumer quality meat products at the lowest possible price, the rancher must be allowed to operate where he can get a reasonable return on his investment.

Increasing beef imports at this time could very well spell the beginning of the

end for our Nation's cattle industry and at the same time would simply mean the American housewife would receive an inferior meat product with no decrease in price.

MR. JAMES G. STAHLMAN RECEIVES SAR'S PATRIOT'S MEDAL

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. FULTON of Tennessee. Mr. Speaker, Mr. James G. Stahlman, the distinguished dean of southern newspaper publishers, recently was awarded the Patriot's Medal of the Tennessee Society of the Sons of the American Revolution.

The Patriot's Medal is the highest honor which the National Society of the Sons of the American Revolution bestows on an individual.

On the occasion of the ceremony Mr. Stahlman was the principal speaker and his address was a moving commentary based on firm belief and deep conviction built upon and enforced by many, many years of active service to his community and Nation as a publisher, military officer, and private citizen.

Mr. Speaker, I include Mr. Stahlman's remarks in the RECORD at this point and highly commend them to the attention of our colleagues for their consideration:

MR. JAMES G. STALMAN RECEIVES SAR'S PATRIOT'S MEDAL

America is passing through a period of multiple disturbances. Many have ceased to honor in any respect the Constitution of our country, and the investment of blood, sweat and tears on the part of those who first created this nation and later expanded the Atlantic seaboard to the far Pacific. Many have ceased to be patriots in any basic sense, and think only in terms of their own personal self-centeredness and advantages.

I join with those fellow Americans who strongly resolve that this nation must not die, that her Constitution must be newly recognized and honored, and that our debt to the past should strengthen all of us to safeguard our nation at this period of her history, and thereby guarantee her continuance into long and illustrious tomorrows.

It is therefore with pleasure and appreciation that we recognize one of Nashville's leading citizens as having earned the right to receive the Patriot's Medal granted by the National Society Sons of the American Revolution. So powerfully has this man established himself in terms of this community, state and nation, that none can question his integrity, his patriotism, and his service to his fellowmen. It is therefore with enthusiasm that we pause to honor one whose honor has honored all of us, and it is with a real sense of appreciation that we present the Patriot's Medal and Certificate to Mr. James Geddes Stahlman.

In accepting the award, Stahlman said:

"No man deserves extra credit for service to his country in time of peace or in war. Such is an obligation of citizenship in this great nation of ours.

"It is gratifying on occasions like this to receive such recognition of one's efforts as you have accorded me by the award of this Patriot's Medal, representative of the ideals and purposes of this society of patriots in which you and I are privileged to hold membership. I am deeply grateful to the National Society and this Tennessee chapter of the Sons of the American Revolution for this distinguished honor.

"I lay no claim to credit for having tried to serve my country, my God and my fellowman in a long, exciting and, at times, turbulent and controversial life. Like you, I have endeavored to fulfill my duties as an American citizen, cognizant of the obligations and responsibilities imposed upon us by the rights conferred by a free government upon a free people.

"Why are we a free people?

"How have we remained a free people?

"How long can we preserve the freedoms of ours, too frequently and too lightly taken for granted, which we see being eroded daily by demagogues in public office, a permissive judiciary, left-wing professional meddlers, heretical clergy, babbling the twaddle that "God is dead," and foreign forces, paid and expertly directed to destroy from within and without, in their relentless conquest of the minds and souls of freedom-loving peoples everywhere—aimed at their inevitable enslavement and permanent serfdom.

"NO SUPERPATRIOT

"Now I am no superpatriot. I do love my country. And I love it better than my life.

"Like you, I come by that devotion honestly through a cherished and devoutly nourished heritage.

"My distinguished ancestor, William Claiborne, arrived in Virginia in 1620 slightly before the Pilgrims landed at Plymouth Rock. He becames the first Colonial Secretary of Virginia and prevented Lord Baltimore from his intended total conquest of the Virginia colony.

"William's great-grandson, my great-great-great grandfather, served in Captain Creed Haskin's company of Virginia patriots in the American Revolution. From him I derive my proud claim as one of your compatriots.

"On another side of my family, the Geds, later the Geddeses, drove the Roman legions of Septimus Severus from Caledonia (northern Scotland) 1700 years ago.

"Fourteen hundred years later, another Geddes, this one a woman, defined an edict of Charles II directing the resumption of the Catholic liturgy in a Church of Scotland kirk, conked the vicar with her stool which she threw with typical Scot accuracy and broke up the prospective worship. On the right side of the transept of St. Giles, Edinburgh, there is a large bronze plaque which reads: 'Constant oral tradition affirms that near this spot, a brave Scotch woman, Janet Geddes, on 23 July, 1637, struck the first blow for freedom of conscience, which after a conflict of half a century, ended in the establishment of civil and religious liberty.'

"Further, on my mother's mother's side I am entitled to a claim of consanguinity with the Hawkins, the Forts, the Smiths and the Burnhams, all of Kentucky.

"My great-grandfather Frederick Stahlman, a native of Mecklenburg-Strelitz, seeking a haven of freedom in America, brought his devout Lutheran wife Christina, and their brood of minor children to settle in what was then Virginia, now West Virginia near Parkersburg. Within hours after their landing in the United States, a son was born. They christened him George Washington.

"I have not given you this genealogical background to 'impress' you, but to establish the fact that through my veins courses the blood of men and women who loved freedom in its every form, who sacrificed for it and whose progeny migrated to America to find that liberty which they could not enjoy in their native lands.

"It is because of them, and others like them, that I am privileged to call myself a free man, to call this my country. You and I, with such a heritage, have a proper sense of 'belonging,' of 'ownership' as it were of a precious share of this thing which we call liberty.

"This is our country and we are duty-bound to preserve it for those who follow, just as it has been handed down to us by men and women who believed in the principles of our foundation and have been willing to die to maintain them.

"If there is one thing which I bitterly resent in this tragic era, it is the comparison of our American Revolution with the current wave of anarchy. The first was revolt against tyranny in order to establish a republic of free men. The present 'revolution' is designed to destroy that republic and substitute therefor, a mobocracy of the riffraff.

"This is not the democracy for which millions have fought and died, a democracy in which every citizen, regardless of race, creed, color, or ethnic origin is entitled to enjoy the fruits of his own labors, the sanctity of his home, the protection of his person and property, his right to free expression, free worship, free assembly and legitimate protest, all guaranteed by the Bill of Rights, but properly circumscribed by the laws of obscenity, libel, slander and treason, as well as by the tenets of common decency and personal and professional ethics.

"As a newspaper publisher, I am obligated to protect your sacred right to know. I am just as dedicated to the search for the Truth wherever it may be found. I am determined to protect all the rights and privileges of American citizenship to my last breath, but I do not intend for my newspaper to become either the forum for their vocal villainy or the show-window of the treacherous actions of the Kunstlers, the Carmichaels, the Rubins, the Hoffmans and all their hairy, filthy, hopped-up hippie legions, many of whom are defiling this country's lovely beaches and resort areas this holy Easter weekend.

"I am disturbed by much that has become an almost accepted way of life.

"I am disturbed by the decline in the quality and much of the produce of our educational system, at every level.

"I am disturbed by the decline in the exercise of and respect for parental authority.

"I am disturbed by a rather general disdain for the personal rights of others.

"I am disturbed by the assaults upon private property.

"I am disturbed by the decline in respect for law and our courts.

"I am disturbed by the dangers that lurk in our streets, both day and night.

"I am disturbed by the planned and deliberately executed reign of terror now plaguing our cities and even our smaller towns and hamlets. The torch, the bomb, the assassin's bullet have signalled the start of a guerrilla warfare whose purpose is clear, but whose end is not predictable.

"I am disturbed by the frightening spread of the use of narcotics, principally among our youth at the secondary school and collegiate levels.

"The fact that a 'majority' of our student youth have not smoked 'pot' may be comforting to a degree, but it is no offset for the knowledge afforded by surveys which find that there are 700 or more teen-agers in Hillsboro High School alone, who have tried 'pot' and some its customary consequences, heroin, LSD or other forms of deadly hallucinogenic drugs.

"Students in institutions of higher learning are reported to be experimenters with, and some 'pushers' or purveyors of the stuff that sends its victims sailing like Icarus from dormitory windows, to be scrapped up in bloody, unrecognizable mass from sidewalks below.

"This wholesale pollution of the minds, the corruption of morals, the consequent defileman of the bodies of our youth—all hold the greatest and surest threat to the future of this nation.

"What is the answer? Frankly, there is no general formula as a panacea. Each condition, each situation as it occurs, each provo-

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cation requires analysis on its own basis and a determination on the part of each of us as to where we may fit into the overall solution.

"But of one thing I am dead certain: Unless you, as responsible citizens, as concerned parents, as patriotic Americans stop your wishful thinking, your futile hoping that 'this, too, shall pass,' and make up your minds, jointly and severally to put an end to permissiveness, to treasonous teaching, to open anarchy, to the master minds of the narcotic traffic, their puppet pushers and peddlers—then this nation will be well on its way to the fate of Greece, Rome and other governmental structures brought down by the dissolution of their people's morals, the corruption of their minds and bodies, and their disregard and defiance of the laws and Man, but more importantly, the laws of a loving, just but wrathful God who still lives and rules the destinies of all mankind."

PENNSYLVANIA'S HIGHWAY CONSTRUCTION PROGRAM SECOND TO NONE IN THE NATION

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. GOODLING. Mr. Speaker, in the past 3 years the residents of Pennsylvania have invested a record $1.4 billion in the construction of 1,190 miles of new highways. Recently Gov. Raymond P. Shafer released the following detailed report on the State's dramatic highway construction program which is second to none in the Nation:

A VIEW FROM THE GOVERNOR'S OFFICE

(By Gov. Raymond P. Shafer)

For the past three years, Pennsylvania has engaged in a dramatic new highway construction program second to none in the Nation.

But the progress revealed by a look at the record is not limited to road-building itself. Instead it is found in highway safety; in the protection of our environment and in total transportation planning to keep Pennsylvania the hub of the Northeastern United States.

Consider the record:

We have invested a record $1.4 billion in the construction of 1,190 miles of roads in just three years.

More highways were contracted for and built in the first two and a half years of this Administration than in the entire term of any previous Governor.

Ninety-three percent of our goal to connect the communities of our State with a system of interstate highways has been completed.

The long hard fight for new revenues to pay for new and improved highways has finally been won.

Our communities are receiving a fairer share of the highway dollar for local road programs in the spirit of revenue-sharing by State Government.

We have pressed hard for Appalachia Regional Commission developmental highway money and the result is $65 million for roads into the more inaccessible areas of our State—a construction program that is bringing new economic and social hope to thousands of our citizens.

The continuity of our highway construction program that was so long sought has been maintained, and the integrity of the bipartisan Highway Commission established forever.

Reform, modernization and a new professionalism have been established in the operation of the Highways Department.

In addition, we have responded to human needs by working toward an effective program of equal opportunity and by leading the way in liberalizing relocation assistance for those displaced by projects.

The slaughter of people on our roads has brought renewed efforts to do something about this most serious of problems.

A Safety Improvement Program to eliminate driving hazards on roads throughout the State is now under way.

Important legislative proposals contained in my special message on Highway Safety to the General Assembly have been or are being enacted. These proposals, recommended by the Governor's Highway Safety Task Force, include major measures to combat drunken drivers and to improve the safety of the buses that carry our children to school.

A traffic safety research center has been established to help us find new ways to improve the safety of our roads, drivers and vehicles.

Another important human need—the protection of our resources and environment—has been made an important part of highway planning.

Just last week, I signed an expanded order to insure the prevention of air, water and land pollution from highway construction.

This is a short catalogue of the record, but it is enough to indicate that major transportation achievements have been made.

But there is one major achievement—perhaps the most important of them all—that is just short of being a reality, the establishment of a new Department of Transportation and the final development of a Master Plan for Transportation.

There is, in my opinion, no more basic need for the future development of our Commonwealth in all aspects—social, cultural, economic.

It is basic to helping us find a solution to the problems of urban growth because the present inadequate transit systems of our cities are making them unlivable.

It is basic to the continued development and growth of trade and commerce through our great ports.

With a modern, coordinated transportation system, we will be able to solve many of our present problems. Without it, our State will wither as a leader in all areas of human endeavor.

DANGER STALKS USERS OF AMPHETAMINES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. WALDIE. Mr. Speaker, the overproduction and overprescribing of amphetamine or pep pills in the United States is beginning to receive the widespread public attention that is long overdue.

I was very much impressed by two thoughtful and informative articles published recently.

The first, by Mark R. Arnold, Washington correspondent for the National Observer, is entitled "Danger Stalks Users of Amphetamines." The disturbing facts brought out in Mr. Arnold's article concerning the extent of illicit traffic in legally produced amphetamine tablets underscores the need for corrective legislation.

The Select Committee on Crime of this House, on which I serve, held extensive hearings in San Francisco and Washington, D.C., on this very subject. Eminent medical authorities, including Dr. Sidney Cohen of the National Institute of Mental Health, told the committee that only several thousand amphetamine tablets are needed for medical purposes. The American Medical Association lists only two noncontroversial uses for amphetamines—for narcolepsy, a rare sleeping sickness, and for hyperkinetic behavior in children.

Yet, as many as 8 billion of these pills are pouring out of the drug houses each year. What happens to all the rest?

Testimony before our committee indicates that more than half go into illicit uses as mind-altering drugs, used to an alarming extent by young people. The remainder are prescribed for such medically questionable uses as weight reduction and to combat fatigue.

For these and other reasons, a bipartisan majority of the members of the Crime Committee have introduced legislation to place a quota on the number of amphetamines that can be legally produced each year. Restrictions governing the distribution and sale of these pills are also embodied in the bills. We hope that these measures will be enacted.

The second article appeared in the Boston Globe of March 10 and is headlined "Eight Billion Pep Pills Labeled U.S. Menace." The writer, Mr. John S. Driscol, highlights testimony before the committee in its San Francisco hearings of late last year.

Since those hearings, a growing number of newspapers have called editorially for restrictions on amphetamine production. These include the Los Angeles Times, San Diego Union, Albuquerque Tribune, and Houston Chronicle.

Mr. Speaker, I ask that the two aforementioned articles appear at this point in the RECORD:

[From the National Observer, Mar. 30, 1970]

DANGER STALKS USERS OF AMPHETAMINES—SOME FOES SEEK RESTRICTIONS, OTHERS WANT DRUG BANNED

(By Mark R. Arnold)

WASHINGTON, D.C.—The most widely abused drug in America is perfectly legal. It is produced by some of the largest pharaceutical houses, in ever-increasing quantities—despite growing doubts in the medical profession as to its efficacy.

The drug is amphetamine, the central nervous system stimulant used widely as a pep pill for diet control or to combat fatigue.

Eight billion doses of amphetamines are produced annually, enough to supply every man, woman, and child with almost 40 doses. Housewives take amphetamine pills to perk up, truck drivers to keep awake, athletes for bursts of energy, and students to cram for exams.

In the form of injectible methamphetamine, better known as "Speed" or "Crystal," amphetamines can kill or seriously incapacitate, as increasing numbers of student-age "Speedfreaks" are discovering.

Now, for the first time, some authorities are saying the dangers of amphetamine abuse exceed the drug's medical benefits. Some of them are calling for an outright ban on amphetamines. Others want to clamp new restrictions on the drug. Items:

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Just recently, a parade of medical witnesses told the House Select Committee on Crime that amphetamine addiction is "more widespread, more incapacitating, more dangerous and socially disrupting" than narcotics addiction. Dr. Sidney Cohen, chief of the drug abuse division of the National Institute of Mental Health, stated that amphetamine abuse among white middle- and upper-class youth has reached epidemic proportions. One important source of the drug is "the family medicine cabinet," said Dr. Cohen.

The Food and Drug Administration (FDA), which oversees the safety and effectiveness of pharmaceuticals, commissioned the National Academy of Sciences' National Research Council to investigate the efficacy of amphetamines, among other drugs. In August 1968, the academy recommended limiting the medical use of amphetamines to treatment of two rare disorders, narcolepsy and hyperkinetic behavior in children, plus a third use—"as an adjunct" in the early stages of weight-control. The FDA accepted the recommendation but has still not put it into effect.

The drug companies, responding to the growing controversy over amphetamines, have been sending up their own warning signals. One major manufacturer is issuing new instructions advising physicians to avoid prolonged use in treatment of obesity for fear it may be habit-forming.

Behind these developments lie two distinct problems. First, a significant amount of the amphetamines legally produced end up on the black market. Dr. James L. Goddard, former commissioner of the FDA, estimates as many as half of the amphetamines produced under law are eventually sold illegally. In past years, efforts to curb amphetamine abuse have centered on trying to stop the diversion—the thefts, phony wholesalers, illegitimate mail-order companies, and other offenders who obtain and dispense amphetamines illegally.

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But now there is a growing awareness of another problem in amphetamine abuse. This results from the way they are legally dispensed—by physicians. More than 90 per cent of all amphetamine prescriptions are written for weight control—the drug works as an appetite suppressant—and to counter mild depression and fatigue. But critics say the billions of amphetamines produced for these purposes are widely abused and of doubtful medical benefit anyway. So now there's a move afoot to plug the amphetamine traffic at its source: by curbing production.

Says Florida Democrat Claude Pepper, chairman of the House Crime Committee: "The production of amphetamines in the United States vastly exceeds the legitimate medical needs of this country. Unless we restrict production to treating those diseases in which it has a legitimate role, we won't lick the problem of amphetamine abuse."

The problem dates back at least to World War II, when military doctors began dispensing amphetamine pep pills—now known also as "bennies" (Benzedrine) and "dexies" (Dexedrine)—to combat battle fatigue and increase the alertness of pilots and others on long missions. Postwar dumping of the drug in Japan created a major epidemic of abuse in that country and led to the drug's being oulawed there in the mid-1950's. A similar problem of abuse, reflected in a mounting volume of crimes of violence, caused Sweden to ban amphetamine and methamphetamine two years ago.

In the United States, amphetamines are legal if prescribed by a physician and they can be purchased in almost any pharmacy, with up to five refills in a six-month period. They also are available to "authorized purchasers" from mail-order drug houses. In small doses and under a physician's direction, the drug can combat mild depression, fatigue, and can serve as an appetite-suppressant in weight-control regimes. A vast diet pill industry, estimated to gross $400,000,000 a year in obesity-specialist fees and prescriptions, has grown up around the drugs.

Abuse of amphetamines takes three forms, according to Dr. Cohen: First, and relatively minor, are quick doses taken for an added burst of energy—by students, truck drivers, or athletes. A second form of overuse consists of taking larger-than-recommended amounts of amphetamine or methamphetamine pills or tablets to achieve an artificial lift or "high."

This practice, increasingly common among teenagers and college students, is also turning many ordinary housewives into what Dr. Goddard calls "peppill junkies." They get diet pills, then continue to use them long after they have been discontinud by a physician. If their refill prescription runs out, they go to another diet doctor.

The third and most pernicious form of amphetamine abuse is that experienced by the "Speedfreak," says Dr. Cohen, the person who relies on intravenous injection of hundreds, perhaps a thousand milligrams of the drug in a single dose. Methamphetamine is particularly popular among Speeders, though other injectible amphetamines give the same "kick." The injection gives an initial "rush," similar to that experienced by heroin users, and the resulting euphoria lasts for hours. During that time, the Speeder becomes impulsive, hyperactive, aggressive, and sometimes destructive.

Dr. Cohen believes crimes of violence are more apt to be caused by Speeders than by users of any other kind of drug. The reason: Most drugs make users less able to function effectively. Amphetamines make them more able, and more confident, about what they do.

Habitual use of amphetamines can be addictive because the body builds up tolerance to the drug, requiring ever larger doses to achieve the same effect. Speeders can go for days without food or sleep, but when they "crash" or come down from their high, they go through a period of withdrawal (depression, convulsions, pains) similar to that experienced by heroin users. In addition medical authorities say chronic use of heavy doses can result in hepatitis, heart irregularities, brain damage, or death.

THE PRODUCERS' VIEW

Producers of amphetamines and methamphetamine argue that the way to control abuse is through better law enforcement. The drugs used by Speedfreaks, they contend, emanate from illicit laboratories, where a $1,600 supply of methamphetamine can be produced for an investment of $200.

Others disagree. "The industry, in one recent year, produced 150,000,000 units of injectible methamphetamine," says Donald E. Miller, general counsel of the U.S. Bureau of Narcotics and Dangerous Drugs. "You can sure cure a lot of narcolepsy and hyperkineticism with that."

How amphetamines get into the illicit stream of traffic was explained in detail at hearings held in San Francisco by the House Select Committee on Crime. Those hearings showed an Alice-in-Wonderland pattern of unreality all the way down the distribution pipeline.

Manufacturers of amphetamines, barbiturates, and other dangerous drugs fill the orders they get from wholesalers, presuming that the wholesalers are legitimate. Wholesalers fill the orders they get from distributors presuming they too are legitimate. And so on, down to the corner pharmacy and the prescribing psysician. "Everyone," says a congressional critic, "fills the orders and washes his hands of the consequences."

A FICTITIOUS COMPANY

A sample case: A private-label drug manufacturer in Illinois, with annual sales of $1,500,000 a year, shipped approximately 15,000,000 amphetamines over a decade to a Mexican company in Tijuana, through a broker in San Ysidro, Calif. Customs agents, acting on leads from the House crime committee, investigated and found the company was fictitious. A representative of the fictitious company had actually been claiming the drugs in San Ysidro, and selling them illegally in the United States.

The committee made a study of Mexican towns along the U.S. border, since many U.S. drug companies have Mexican subsidiaries. They found that production in some of the companies' Mexican plants was higher per capita than in their U.S. plants. Smith Kline & French, which employs a full-time "manager of distribution protection" just to thwart diversion of company products into the illicit market, said the company had seven distributors in the Mexican city of Monterrey, 145 miles from the U.S. border.

This exchange occurred between Rep. Jerome R. Waldie, a California Democrat, and Donald K. Fletcher, Smith Kline & French's manager of distribution protection.

Mr. Waldie: Is there any effort made by you or the company to determine, for example, when you have a request for a new wholesaler in Monterey . . . medicinal needs [or is it] what the market will bear in terms of selling the product, with the assumption that the product is always sold legitimately?

Mr. Fletcher: Yes. I do not know if anyone has determined an accurate method of specifically and accurately measuring medical need. . . . Our criteria for adding a new wholesaler . . . is primarily the providing of services to pharmacies.

Other witnesses testified that Mexican pharmacies in border towns do a brisk business in dispensing legal amphetamines and barbiturates under the counter. Most of them are then smuggled back to the States.

Drug companies naturally are sensitive to charges that they produce, even indirectly, for the illicit market. Several have stopped producing injectible methamphetamine as a result of the widespread abuse of the product. Some authorities, and all amphetamine producers, insist that most of the "meth" on the streets is produced in illegal laboratories. Under present law, anyone can order the ingredients of amphetamine. It is illegal only to synthesize them—to produce amphetamines without registering with the Government.

A visit to the world headquarters of Smith Kline, & French (SK&F) in Philadelphia throws some light on the production and distribution of amphetamines. SK&F, the world's largest amphetamine producer, is acknowledged to have the best security system in the industry to protect its amphetamines and barbiturates from diversion. Those seven distributors in Monterrey, says Donald Fletcher, serve a wide area in Mexico, not just the city itself. The proof that its products are not sold under the counter, he says, is in the Customs' seizure reports. They show 20,000 units of SK&F amphetamines seized in a recent 18-month period, out of an estimated 6,000,000 units produced by the company.

But not all companies can boast a track record to match that of SK&F. Studies by the Bureau of Narcotics and Dangerous Drugs indicate that more than 80 per cent of the dangerous drugs seized because of illicit use were legally produced. There are about 10 major producers of amphetamines, and hundreds of smaller ones, which pay varying degrees of attention to security. Output of amphetamines has increased 25 per cent since 1966.

Furthermore, the companies have done little to alert physicians to the abuse potential of legal use of their amphetamine products over a prolonged period. Authorities say the effect of the drugs as an appetite-suppressant wears off after six to eight weeks, yet it is common to find women whose doctors prescribe amphetamines for weight control over several months or even a year or more.

Dr. H. J. Anlage, Smith Kline & French's associate director of clinical services, says, "Prolonged use of amphetamines for diet-control is bad medical practice. It can produce psychological dependence." Yet there is nothing in the prescribing information the company sends to physicians that would indicate any danger in prolonged use. On the contrary, its products are advertised as giving "continuous and prolonged control of appetite." The instructions another major amphetamine producer issues to physicians say its product can be used "until optimal weight (is) reached."

Dr. Anlage says future editions of SK&F's prescribing information to physicians will contain a warning against prolonged use. That warning, if approved by the Food and Drug Administration in its present form, will read: "As with any central nervous system stimulant, the possibility of tolerance and psychological dependence should be kept in mind, particularly with prolonged or excessive use. Therefore, care should be used in the selection of candidates for (name of drug) therapy and prescriptions should be no longer than necessary to achieve immediate therapeutic goals."

Dr. Stanley F. Yolles, director of the National Institute of Mental Health, figures more Americans are hooked on the so-called dangerous drugs—amphetamines and other stimulants; barbiturates and other depressants—than on any other class of drugs. And he adds: "There is no generation gap in the misuse of stimulants and sedatives."

The question is, what can be done about it? The drug industry argues that amphetamine abuse is part of the over-all drug problem, to be dealt with by public education, better law enforcement, more attention to ways of stopping the diversion of legally produced drugs. They favor the approach of President Nixon's Controlled Dangerous Substances Act, which has passed the Senate and is in committee in the House. It would require Federal registration and more record-keeping by drug handlers. It would also provide stiffer penalties for abuse—including unauthorized ordering of ingredients of dangerous drugs.

But Congressman Pepper and a few other lawmakers want a direct curb on the production of the drug. Mr. Pepper's bill, which has received almost no public attention, would require the Secretary of Health, Education, and Welfare to determine the "legitimate" medical needs for amphetamines, then restrict production to conform with them, setting up production quotas for companies in the same way quotas are now used to regulate production of hard narcotics. Rep. Paul Rogers, Florida Democrat, wants the Government to ban use of amphetamines for obesity control entirely. That would eliminate more than 90 per cent of the present supply.

It is noteworthy that the World Health Organization's Commission on Narcotics recently proposed placing amphetamines in Schedule II, a category for drugs with low medical utility and a high potential for abuse. That would require much tighter national controls than the Administration proposes for amphetamines in its new legislation.

DR. NOVITCH'S VIEW

A few Federal officials admit to being concerned with the present "overproduction" of amphetamine. One is Mark Novitch, special assistant for pharmacological affairs to the U.S. Surgeon General. Dr. Novitch said in an interview last week:

"There is a substantial and growing body of opinion which holds that the benefits of these drugs do not match their risk, in view of the widespread abuse which we see around us. In addition, we know they pose additional hazards to persons with incipient heart disease."

The FDA will end some of the controversy when it acts on the recommendations from the National Academy of Sciences' National Research Council. That body, which is investigating the medical usefulness of 3,000 drugs produced between 1938 and 1962, recommended limiting amphetamines to treatment of narcolepsy, hyperkinetic behavior, and as an adjunct in the early stages of weight control. The FDA has said it would issue regulations in conformity with that recommendation "in due course."

[From the Boston Evening Globe, Mar. 10, 1970]

EIGHT BILLION PEP PILLS LABELED U.S. MENACE

(By John S. Driscol)

A drugstore in Tijuana, Mex., for the last few years has been ordering millions of pep pills from U.S. manufacturers. A check on the given address of the "store" found it would have been located on the 11th hole of the Tijuana Country Club.

An estimated 8 billion amphetamine pills are produced annually in this country. One expert says only a few thousand a year are needed to meet our medical needs.

Over 80 percent of Federal seizures of illegal amphetamines were originally manufactured legally.

These are among the reasons why Rep. Claude Pepper (D-Fla), chairman of the House Select Committee on Crime, has filed a bill calling for amphetamine controls that are stricter than those in a recently passed Senate bill.

Amphetamines are stimulants used chiefly to reduce appetite and to relieve minor cases of mental depression. They often are used to promote wakefulness and-or increase energy.

Methamphetamine or "Speed" is a related, more potent stimulant. Taken improperly, both can have serious mental and physical effects ranging from addiction to death.

Under Pepper's bill the Attorney General would set amphetamine production quotas; manufacturers, distributors and dispensers would have to be licensed; separate records would be required for all controlled dangerous substances; approved order forms would have to be used for all drugs; prescriptions would be limited to three months' duration with only three refills, and methamphetamines would be banned except for scientific research.

In testimony before the Subcommittee on Public Health and Welfare, Pepper cited an American Medical Association handbook which lists eight reasons why physicians might prescribe amphetamines.

Except for two uses—control of narcolepsy and hyperkinetic behavior disorders among children—the handbook says the other uses are subject to "varying degrees of professional controversy."

Another of the eight, diet control, can now be handled by Fenfluramine, an appetite depressant which is not a stimulant drug, Pepper reported.

Regulation of the precursors of amphetamines also is needed, said Pepper. In San Francisco his committee heard testimony from a man who for an initial investment of $200 and a monthly overhead of $1800 made a net profit of over $30,000 a month.

He had a clandestine "Speed" lab. And he learned his meth methods from a fellow inmate during a 40-day jail term.

To back up information received from hearings and from his investigators who uncovered the Tijuana problem among others, Pepper solicited the opinions of 75 medical school deans plus 16 other groups, including the World Health Organization and the American Society of Bariatrics.

"Though few would welcome a total ban similar to that imposed in Sweden, the majority agreed that tighter controls were needed," Pepper said.

Among those participating in the survey were Dr. Richard Reth of Dartmouth, Dean W. F. Maloney of Tufts and Dean E. C. Andrews of Vermont.

POEMS OF LT. COL. JAMES PATRICK McCARTHY, U.S. AIR FORCE

HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. McEWEN. Mr. Speaker, in recent days I have had the opportunity of working closely with Air Force Lt. Col. James Patrick "Pat" McCarthy, a congressional liaison officer, who is known, I am sure, by many of my colleagues. I wish that all of our colleagues could have the opportunity of speaking with him as I have had, as I think he has much to say regarding America's position in the world.

Colonel McCarthy enlisted in the Air Force in 1951 and spent the first several years as a supply sergeant and student pilot, graduating in September 1953, as a second lieutenant. He alternated assignments between the cockpit and logistics work. He recently completed 157 combat missions in the F-100 Super Sabre as fighter pilot and executive officer of the 35th Tactical Fighter Wing at Phan Rang Air Base, Vietnam.

His military career can be appreciated by a mere listing of his awards. Colonel McCarthy has received the Distinguished Flying Cross, Bronze Star, Air Medal with seven Oak Leaf Clusters, Air Force Commendation Medal, and various unit awards and service ribbons.

His accomplishments are more than military. He entered the service after attending two universities. He attended five more in night school and on-duty programs throughout the past 11 years. He has received a bachelor of science degree in business and a master's degree in management plus attending Squadron Officers School, the Armed Forces Staff College, and the Industrial College of the Armed Forces.

I am taking this opportunity of placing in the CONGRESSIONAL RECORD two poems written by Colonel McCarthy.

The first, "Prayer for the Fighter Jock," was written on January 26, 1969, when the colonel's base at Phan Rang was under attack. At that time, one of the aircraft sustained a direct mortar hit and was burning. The bullets from it set an aircraft across from it afire. Billowing flames in the sky at 2:30 a.m. had Colonel McCarthy and his fellow fighting men believing that they were in Dante's Inferno. Colonel McCarthy wrote this poem in behalf of his friends who had been killed in air missions in the previous 4 months and, of course, in behalf of their widows.

Colonel McCarthy's second poem, "A Half 'O World From Home," was written in March 1969. It, too, was drafted under emotional circumstances. Colonel Mc-

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Carthy and his fellow fighting men had attended a going away party for a friend who was returning home after having flown his last combat sortie. He proceeded to toast every fallen comrade he had known in his year in Vietnam. Colonel McCarthy told me that by the time toasts had been offered in behalf of over 20 fellow pilots, there were a lot of grown men with tears in their eyes in attendance. Colonel McCarthy wrote this poem for all the other men who wanted something to identify with as the pilot had in "Prayer of the Fighter Jock."

Mr. Speaker, I think that it is important that we recognize that Colonel McCarthy—the father of four boys and two girls—realizes that the burden of the war in Vietnam is shared by the wives who assume the role of head of their families while their husbands and fathers are half a world away. Colonel McCarthy's poems are as follows:

PRAYER FOR THE FIGHTER JOCK

Don't badger me for facts my friend about the stinkin' war.
My limited myopic view is warped by blood and gore.
Where others see divisions poised in battle gear,
I see fourteen bodies, of friends I've known this year.
A locker standing empty—devoid of signs of life;
A tragic haunting letter from a forlorn wife.
Relentless plodding hands of time recording endless days
Wailing sirens cry at night for sight of morning's rays.
Raucous laughter, too much drink and talk of many flights.
And dreams of round-eyed girls you've known on much more pleasant nights.
My friend, my friend I say to you, "It's been my longest year!"
Emotions run the gamut from love to hate and fear.
But on my knees I'll thank my God no matter where I roam—
For He's the one who guided me, and saw me safely home.

—James Patrick McCarthy.

A HALF 'O WORLD FROM HOME

You wonder, my friend, what you're doing here,
A half 'o world from home.
Your wife left behind in a quandary of tears,
A half 'o world from home.

The world is home, but home is gone
And here you fight your war,
Among a land of strangers, alone among a crowd,
Alone as never before.

You read the words of the hawks and the doves,
They melt to a meaningless blur.
The issue, you see, is a personal one,
You can't avoid it sir.

Civilians think you started this mess
For personal pride and gain.
Where other wars spawned heroes, friend,
This one spawns disdain.

Your thoughts are upon the enemy,
Does he really exist?
A cancerous sceptre that shadows the land
And never may desist.

And then a buddy buys the farm
Nipped by a .30 cal.
A useless loss, you grieve for him
And toast your fallen pal.

You're a pawn in a living chess game
Doing your part each day,
Hanging in there and holding the line
In your insignificant way.

It all adds up to a bucket of worms
For the Communist way of life.
You've stemmed the tide without knowing it
As you head home to your wife.

A fifth of the world went Red, you see,
In the decade past World War Two,
But not an inch have they gained in years,
And partly 'cause of you.

So rest, my friend, and go in peace,
A half 'o world from home.
And rest assured you've done your share,
A half 'o world from home.

—James Patrick McCarthy.

REJECTION OF JUDGE HAYNSWORTH AND JUDGE CARSWELL

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. ARENDS. Mr. Speaker, the people of my congressional district are very much distressed that the Senate did not confirm President Nixon's nomination of Judge Carswell to the U.S. Supreme Court. The reaction throughout the State of Illinois is somewhat the same as in my congressional district.

Under leave to revise and extend my remarks I am inserting in the RECORD a statement I released last Friday on the rejection of Judge Haynsworth and Judge Carswell.

I am also inserting William S. White's column entitled, "Carswell Affair Is a Tragedy at American, Personal Levels," which appeared in the Washington Post of last Saturday.

The materials follow:

STATEMENT OF CONGRESSMAN LESLIE C. ARENDS, REPUBLICAN, OF ILLINOIS, HOUSE MINORITY WHIP

I agree with President Nixon that this Senate will not approve any appointee to the Supreme Court, whatever his qualifications, if he is a "strict constructionist" and also from the South. He cannot be both and expect confirmation by the Senate as presently constituted.

If the appointee were a Southern liberal, acceptable to labor and the civil rights activists, he probably would be confirmed whether he had any judicial experience or not.

If he were a liberal from the North, he would probably meet all the requirements of this Senate so long as he was admitted to the bar.

If he were a "strict constructionist" from the North, this Senate would reluctantly confirm him provided he met the most rigid of every conceivable requirement as to character, ability, learning and experience.

President Nixon is determined to bring balance to the Supreme Court. It is to be regretted that he cannot accomplish this by a Southern appointment that the Court will have balance geographically as well as philosophically.

In the forthcoming elections the American people themselves will lend a hand in this objective by bringing balance in the Senate itself. The qualifications argument made against Judge Haynsworth and Judge Carswell, both experienced Federal jurists, was merely a cover up. The liberals are determined to resist President Nixon's efforts to have a Supreme Court that confines itself to its Constitutional function of interpreting the laws, not writing them.

CARSWELL AFFAIR IS A TRAGEDY AT AMERICAN, PERSONAL LEVELS

(By William S. White)

The Carswell affair is an American as well as a personal tragedy. This is the plain fact of the business when one strips away all the self-justifying flummery while simultaneously and readily conceding the presence here of a substantial measure of sincere and intellectually honest opposition.

For the Senate's rejection of Harrold Carswell of Florida for the Supreme Court, in the wake of its rejection of Clement Haynsworth of South Carolina, is far more than an unexampled rebuff to an American President.

In a judicial sense it amounts to notice, now twice given, that a Northern liberal coalition is determined to defeat every presidential effort to restore some kind of balance to a presently very liberal high bench—and implacably determined to bar any conservative who is also a Southerner.

In the social sense, it amounts to notice, now twice given, that this same coalition is equally resolved to frustrate a new administration's civil rights approach that has the novel purpose of ending a double standard on school integration by applying sanctions to North as well as South.

In the constitutional sense, it amounts to notice, now twice given that this coalition seeks, with the aid of labor and Negro leaders, to impose a practical veto upon the appointive power of the institution of the presidency itself.

In the human sense, what has occurred here will be seen in the South, even by moderate people, as a new effort to outlaw a whole region. Just as was Haynsworth, Carswell was pursued with a remorselessness remindful of the saddest lapse in the career of one of the great senators of history, Robert Taft of Ohio. Taft, at a time when he did not truly understand what Sen. Joseph McCarthy was really all about, advised that professional witch hunter that if one charge failed he should at once only put up another one.

This is what happened to Carswell, as it had happened to Haynsworth: If you can't get him at one point then find another point. Haynsworth, at the end, was destroyed because of alleged "insensitivity" in his private business affairs; at the end, was destroyed upon basically two indictments: He had many years ago had some tenuous connection with a segregated club—and many a senator solemnly voting against him has belonged or even now belongs to segregated clubs.

Again, it was said that Carswell's long record as a judge was "mediocre"—where many an appointee had sailed untouched through the Senate with no judicial experience whatever and not too much experience even at the bar, for that matter. One thinks of one of the best of current justices, Byron White, a nominee of President Kennedy who had been a local lawyer in Colorado and a star halfback in college.

The one true crime of Clement Haynsworth and Harrold Carswell was simply this: "Southern conservative." The one true crudity of the Senate was its lack of candor, except among a distinguished few who honestly thought Carswell not qualified and did not merely punish him obliquely for thinking the wrong thoughts.

To read of the "heroism" of those Northern urban Republicans who voted against Carswell is to laugh; it was far the safer course for them. And there will be more laughs when the President takes this thing to the country in this year's senatorial elections. It will be interesting to see how widely Sens. Albert Gore of Tennessee and Ralph Yarborough of Texas will advertise their valor down home, come November. Of course, both are only pseudo-Southerners in any case, and have long since gone in with the ultra-liberals. "Hero" is hardly the word for them, either, since they had nowhere else to go.

Finally, what of the two pro-Carswell Republicans so long all but unanimously held up by the liberals—up to now—as "the consciences" of the Senate? Have John Cooper and George Aiken suddenly lost their sensitivity? This columnist thinks not.

THEME BASED ON ALEXANDER POPE'S ESSAY ON MAN

HON. JOHN JARMAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. JARMAN. Mr. Speaker, I am pleased to include in the RECORD an in-class theme by Miss Ashley Dahlgren of Oklahoma City. Miss Dahlgren's theme, based on a quotation from Alexander Pope's "Essay On Man,' is written with real maturity of thought and is worthy of the attention of every Member of this House:

IN-CLASS THEME

(By Ashley Dahlgren)

(*Assignment:* Relate your essay to the following quotation from Alexander Pope's *Essay on Man:*)

Vice is a monster of so frightful mien,
As to be hated needs but to be seen:
Yet seen too oft, familiar with her face,
We first endure, then pity, then embrace.

VICE VERSUS THE UNITED STATES

The United States of America was founded with the purpose of constructing a nation in which people might live peacefully with a great amount of personal freedom. Every man was given the freedom to think, speak, and live the way he desired, as long as his actions did not infringe upon the rights of others. Throughout the history of this country, Americans have held their citizenship dear and have been willing to fight—even to risk their lives—for the preservation of peace and of the nation. Our country is envied by the world because it holds the primary status position among the great powers. However, in recent years another great power has vowed to destroy the United States. Their plan is intricate and designed to crumple the nation from within, using "social" weapons, instead of brute military force from without.

A speaker once said that when a country loses its morals, then it will also lose its strength, because the general apathetic condition that follows would be too great to overcome. This may seem illogical, but examination of our country's problems today would reveal data to support this idea. However, our problems are not unique. Every generation has been plagued with some sort of revolution, although the issues at hand have changed with the times. Each time destruction has seemed imminent, but somehow the pendulum has swung back the opposite way, correcting the condition the instant before it was to be too late. Will the decay that seems to be menacing our country today eventually reach its limit as the pendulum swings its farthest before changing direction? Or will our country indeed be conquered by the problems of modern times?

One of the enemy's weapons is vice. Vice is something that becomes less abominable as contact with it is made more frequently. Today, the movies often deal with subjects of sex, insurrection, prejudice, and other social "ills" of the country. Many are exaggerated, but they have the ability to condition man's mind to heretofore immoral and absolutely unpublicized social vices. As a result, most people today at least endure these films, while many actually have shown their support for such matter through attendance at the local "shows". Ideas have been presented and accepted. Occasionally, crime has been linked directly to a production because the production has presented an idea in such a way that an individual has actually placed himself in a fictitious role in the real world.

In all fairness, however, one cannot blame movies or other media alone. The gullibility of the populace and the frequency of vicious presentations (in a variety of situations) are the main factors supporting decay. According to Alexander Pope, "vice is a monster" when seen for the first time, but familiarity makes people "first endure, then pity, then embrace." Our country has passed the point of mere endurance. Many have begun to embrace that which they first condemned.

We, the people, need to notice the situation at hand. A country with social vices will not be able to withstand the conquest of greater "vices" or misuse of government processes. Our laws have begun to embrace the underprivileged and the criminal by protecting their rights through constitutional interpretation while often infringing upon the rights of others. However, these interpretations have not yet reached the point of being endured by the citizens. But these ideas are new, and should they become familiar, great catastrophe could fall upon the nation.

Although much of our nation's future looks bleak now, I believe the pendulum will swing back. I believe that the citizens will awake to the vicious problem at hand. Our country, although troubled, is still the greatest in the world; and until the line waiting to get out is longer than the line waiting to get in, we are still "okay".

WELFARE REFORM AND REVENUE SHARING

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. BURTON of Utah. Mr. Speaker, with the Family Assistance Act of 1970 scheduled for consideration in the House of Representatives soon—possibly this week, I believe an article in the April issue of Tax Review by John G. Veneman, Under Secretary of Health, Education, and Welfare, is timely and informative. The article follows:

THE NEW FEDERALISM: FISCAL RELIEF FOR THE STATES

(By John G. Veneman)

Legend has it that Ralph Waldo Emerson left his home in Concord, Massachusetts to travel to a mid-western meeting of world federalists in the mid-19th century. He grew increasingly irritated during the convocation, but when one speaker proposed that the capital of the world be Constantinople, he walked out, growling, "It's too far from Concord."

Many Americans feel that their national government is "too far from Concord" today. The predominant direction of change in American government over the past three decades has been toward centralization of authority created by the need for a total national response to World War I, the depression of the 30's and World War II. The flow of power from the states to Washington continued in the 50's and 60's as the government initiated scores of new programs and devoted billions of dollars to healing the wounds of a deeply divided America.

In its 16 years of existence, the budget of the Department of Health, Education, and Welfare for public service programs has mushroomed from $2.5 billion to $60 billion and the services it provides to meet human needs have been upgraded and extended to a point never before contemplated.

But a concomitant result has been the dehumanization of government . . . a hardening of the arteries of communications between the government and the governed.

When President Nixon first discussed his domestic programs last April, he pointed out what he considered to be the country's most pressing need:

"If there is one thing we know, it is that the Federal government cannot solve all the nation's problems by itself; yet, there has been an overshift of jurisdiction and responsibility to the Federal government. We must kindle a new partnership between government and the people and among the various levels of government."

The need for such a new partnership has never been more apparent. The limits to the Federal government's effectiveness have become increasingly obvious. The country's problems have resisted Federal solutions, while the fiscal ability of state and local government to provide solutions has depreciated.

Consider these facts:

The traditional mainstays of state and local finances have been property and sales taxes. These taxes lag 40–50 percent behind the rate of growth in state-local expenditures.

The mainstays of the Federal Treasury are the personal and corporate income taxes. These taxes tend to be more equitable and grow rapidly, as much as 25–50 percent faster than the economy.

The result is what President Nixon has called a "fiscal mismatch" and its cumulative impact is illustrated by recent experience with State tax laws.

More than half of all state tax revenues during the 1950–67 period were the result of rate increases or the enactment of entirely new taxes.

Over 200 rate increases were required in major state taxes between 1959 and 1967.

More than ⅘ of the state legislatures which met early last year faced requests for tax rate increases.

Yet, the services the public demands of state and local governments . . . education, environmental control, transportation, health and welfare programs . . . have often been beyond the capacity of their resources.

The Federal government has not been oblivious to these problems. Through grants-in-aid, over $25 billion were passed to state and local governments in FY 1969. But the offspring of grants-in-aid has been an ever-growing maze of program restrictions, formulas, matching provisions, project approval requirements and administrative burdens . . . a bureaucratic monster of grand proportions.

The President has accepted the challenge of reform. Last August, he announced a program of "New Federalism in which power, funds, and responsibility will flow from Washington to the states and to the people."

In separate speeches, he proposed two interrelated programs—welfare reform and revenue sharing—which reflect the belief of the Administration that the Federal government should do what it can do best and that state and local governments should be strengthened to do what they do best. Providing basic cash assistance and Food Stamps to the poor is a task which the Federal government can accomplish efficiently and equitably by bringing to bear its vast reve-

XUM

nue collecting capabilities. On the other hand, providing social services to people is typically a task which requires state and local talent and administrative capability.

Both revenue sharing and welfare reform, as proposed by President Nixon, provide needed fiscal relief to state and local governments. In the first year under the proposed Family Assistance Plan (FAP), the Federal government would begin to turn the tide away from rising state costs by absorbing a portion of those costs. These savings, combined with revenue sharing, would provide a considerable and rising amount of resource support for state and local governments.

COSTS OF PROGRAMS DOUBLE TO $6 BILLION

The inadequacies of the present system are most evident in the recent increases in costs and caseloads. In the 60's, total costs of the four federally-aided welfare programs more than doubled to a level now of about $6 billion per year. The number of beneficiaries of the four programs rose from 5.8 million in 1960, to a total of 10.2 million in June 1969.

In all of the adult categories, the aged, blind and disabled, the caseloads increased only about 3.5 percent in the last year. The major problems in these categories are very low benefits in some states and lack of uniformity of eligibility requirements.

The President's program for the aged, blind, and disabled would establish for the first time a Federal floor . . . $110 per month . . . of combined income and assistance which would be assured to adult recipients in any state. The most substantial fiscal relief would be realized by those 30 states which presently pay more than $110 per month in benefits.

Most of the controversy over welfare centers around another Federal program . . . Aid to Families with Dependent Children. What began as a benevolent program to aid "nice widows" and their children has become a burgeoning population of 6.1 million people. Costs have more than tripled since 1960, and the number of recipients has more than doubled.

Prospects for the future show no likelihood of relief from the present upward spiral. Conservative estimates show that AFDC costs will double again by FY 1975, and caseloads will increase by 50–60 percent.

The present AFDC program embodies several fundamental inequities.

First, children of a parent who had died, is incapacitated, or is absent from the home, are eligible in all states. Those with an unemployed father are eligible in about half the states. Those with a father employed full-time are not eligible in any state. Many men in this last group—the "under-employed"—work full-time, but still earn less than is available to families on welfare. The exclusion of these working poor is a central structural defect of the system since it creates a powerful economic incentive for a father to leave home so the state may better support his family. It undermines the rewards of work and peoples' willingness to work.

Second, it is characterized by unjustifiable discrepancies between regions of the country . . . with no national standards for benefit levels, AFDC payments vary now from an average of $39 per month for a family of four in Mississippi to $263 or such a family in New Jersey.

Third, the present system discourages the move from welfare to work by cutting benefits too fast and too much as earnings begin.

Fourth, families headed by "unemployed fathers"—defined by regulation as those working no more than 30 hours per week—are eligible in only half of the states. In those states, a father will be better off working, so long as he doesn't work more than 30 hours per week. He will then receive supplementary welfare benefits.

With these points in mind, the Administration started during the transition period to develop a Family Assistance Plan (FAP) which would abolish these inequities and meet the major goals of providing the minimum degree of income support for those who cannot support themselves, providing maximum incentives for recipients to begin working and to sustain the effort of those who are now working, and relieving the states and localities of some of their financial burdens. The total Federal cost for all proposals in the Family Assistance Act is $4.4 billion per year. This is the new cost of the program and is in addition to the $3.2 billion spent on welfare in 1968. The Family Assistance Plan tries explicitly to achieve those goals in a complementary way.

For the first time, it purposes a national floor under welfare payments of $1,600 per year for a family of four with no other income. Although these payments would be insufficient to support families without other sources of income, they nevertheless represent a substantial improvement in the level of payments now made in eight states.

PLAN WOULD ALSO REACH UNDER-EMPLOYED WORKER

Unlike the present program of AFDC, the new plan would expand and mandate for the first time benefit supplements to all American families headed by a full-time but "under-employed" male worker. No state today provides assistance to a family headed by a father who is working full time . . . even though the family may be living in poverty. This is the group of some 2 to 3 million families which we call the "working poor."

The Federal benefits would also be provided throughout the nation to families headed by a mother or an unemployed father. Today such assistance is available in only 25 of 54 jurisdictions. Eligibility of the working poor for assistance and a nationwide program for families headed by unemployed and "under-employed" fathers are the critical steps toward eliminating the harshest inequities of the present system. Without including the working poor, fundamental improvement of the work and family stability incentives is impossible.

Generally, assistance benefits would be reduced $1 for each $2 of earned income that the family has. This kind of offset would provide an in-pocket financial incentive for the family to work and increase its earnings, and would continue until the family of four had reached an income level of $3,920 per year.

As an additional work incentive, and to cover the costs of going to work, the first $180 of earnings in a calendar quarter ($720 per year) would be completely excluded or disregarded in determining the amount of payments for a family.

The new system is designed to fulfill the mandate of the President that government has "no less of an obligation to the working poor than to the nonworking poor; and for the first time, benefits would be scaled in such a way that it would always pay to work."

The built-in guarantee that people would always be better off by working would be bolstered by strong work requirements in the system itself. Failure to register or accept a suitable job or training opportunity would result in termination of the individual's benefits.

All able-bodied adult family members would be subject to these provisions, with certain defined exceptions such as mothers with children under six years of age or mothers where the father is present in the home as the primary worker.

The Administration felt it was critical to maximize the incentives and requirements for work, both for those on welfare and for those working people who are likely to enter the welfare population.

To make the work incentives and requirements effective, the program contains proposals for a major expansion of job training, employment child care programs and vocational rehabilitation services. In this last category, whether afflicted by a minor or major disability, the Secretary would refer the individual to the Department of Vocational Rehabilitation for specialized individual attention. Over $600 million is being requested for these elements, of which $386 million is for the child care component.

Under the Administration's proposed welfare reform system, all states would receive some fiscal relief. In addition to basic payments, the Federal government would supplement 30 percent of state payments over $1,600 per year for a family of four. The plan guarantees that no state will spend more than they would if the present welfare program continued in effect.

Because the plan contains a build-on savings mechanism for the states, it might be considered an efficient and substantial means of monetary relief for the states. This is not its primary purpose. State fiscal relief is simply a by-product of structural reform of the welfare system for under the Family Assistance Plan, the amount of relief enjoyed by the states and localities is not necessarily related to the tax base of that state. Relief through structural reform is unrelated to any such equitable distribution and is not the best mechanism for revenue sharing.

For this reason, the President in a special address to Congress on August 13, 1969, announced a separate plan for revenue sharing.

In doing so, he made it clear that the success of revenue sharing depends upon the restructuring of welfare. For, if the burdens of the present welfare system remain, and the state must continue to support them, the increased elasticity of the tax base encouraged by revenue sharing is negated by the rising costs of welfare.

Revenue sharing would provide both the encouragement and the resources for local and state officials to exercise leadership in solving their own problems and make the overall tax structure of the nation more equitable. The proposal contains four major elements:

The amount to be shared will be a percentage of personal taxable income;

The allocation of the fund will be made on a basis of each state's share of national population adjusted for that state's revenue effort;

The allocation of a state's share among its units of local government will be established by a prescribed formula; and

The administrative requirements will be kept to a minimum.

The revenue sharing proposal is expected to return to the states some $5 billion, or one percent of the personal income tax base, per year "without Federal strings" by FY 1976. Because specific functions will not be designated for these federally shared funds, there is no way to be certain how they will be spent, but an analysis of existing state and local budgets does provide some clues. It can be expected that education which consistently takes over two-fifths of all state and local revenues, will be the major beneficiary of the new funds.

Together, the Family Assistance Plan and the revenue sharing package can give to the states fiscal relief which will hopefully allow them room for state initiative in solving some of the social problems which they face.

As the President has said, "the investment in these proposals is a human investment." If we fail to radically alter a faltering machine at this point in time, we will pay for our mistakes many times over in the future

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MAJ. GEN. JAMES E. RUDDER

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks in the Record, I wish to insert an editorial from the Houston Chronicle for March 25, 1970, eulogizing the late Maj. Gen. James Earl Rudder, president of Texas A. & M. University and former classmate of mine at that institution. Earl Rudder was known nationwide and his loss will be felt both in academic and military circles alike.

The editorial follows:

James Earl Rudder

The death of Maj. Gen. James Earl Rudder at 59 ends a life that was the embodiment of the American dream. His athletic prowess, his valor in battle, his success as a rancher and businessman, public servant, civic leader and educator placed him in the mold of a Horatio Alger hero. Whatever the task or the challenge, he accepted it and did well.

When great men pass, society is the loser. So it is with Gen. Rudder. Those who knew him or his deeds mourn the loss of this man.

Gen. Rudder served as major of Brady from 1946 to 1953, when he was named to a two-year term on the State Board of Public Welfare. In 1955, Gov. Allan Shivers named Rudder land commissioner. He served until Feb. 1, 1958, when he resigned to become vice-president of Texas A & M University in College Station.

As a soldier, he was highly decorated during World War II. He was the recipient of the Distinguished Service Cross, the nation's second highest military award. In 1967, President Johnson presented him the Distinguished Service Medal, this nation's highest peacetime honor.

As the commander of the Provisional Ranger Force, Gen. Rudder gained lasting fame on D-Day, 1944, when he led a select force up the 100-foot cliffs at Pointe du Hoe, France. This action played a decisive part in the success of the Normandy landing. Gen. Rudder was twice wounded in bringing off the difficult mission against fantastic odds.

In December of that year, he was given command of the 28th Division's 109th Infantry Regiment, later involved in fighting during the Battle of the Bulge in Belgium.

In 1954 he was promoted to brigadier general in the Army Reserve and the next year named commander of the 90th Infantry Reserve Division. In 1957 he was made major general. In 1963 he left the 90th to become assistant deputy commanding general for mobilization of the Continental Army Command. In the summer of 1967 he retired from the Army, ending a 35-year career.

For his undergraduate gridiron feats, Sports Illustrated magazine named him to its 1956 Silver Anniversary All-American football team.

Gen. Rudder's death is a particularly severe blow to Texas A&M. Gen. Rudder was more than just the president of the Texas A&M University System. He was an Aggie himself. He graduated in 1932 with a bachelor of science degree in industrial education and a reserve commission as a second lieutenant of infantry.

Moreover, he became president of the school in July, 1959, at a time when it was at an ebb, troubled with divisiveness. He ended the factionalism, rekindled school spirit, eliminated student unrest and focused the energies of the school on the continued improvement of education. With typical mental and physical vigor, he led Texas A&M to its finest days.

His death at a relatively early age is especially sorrowful since the school's period of greatest achievement—due partly to his personal work and vision—lies ahead.

Not only Texas A&M but American colleges and universities throughout this nation need leaders and friends of the stature of Gen. Rudder. And they are rare.

PATRIOTISM DEFINED

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. BIAGGI. Mr. Speaker, patriotism, in some quarters, has suffered from a severe redefinition—one that discourages its public expression and causes it to be spoken of in low tones and only to proven friends. What a shame that this distortion of a most basic value should have occurred in our great Nation.

Yet, some may claim that patriotism can be expressed in many ways. While this may be true, some of these ways seem utterly strange and alien to those persons who have the courage to speak forthrightly about their country rather than in phrases coined to fit a fad.

I was recently impressed by a refreshing and clear expression of patriotism—one that resulted from a searching inquiry into the recesses of one's heart and mind—and one that does not hesitate to say, "I love my country and I'll tell you why."

Mr. Speaker, I offer for the Record, a speech recently delivered by Leonard M. Shane, president of the National Customs Brokers and Forwarders Association of America, on his view of patriotism in America:

Patriotism

Fellow Americans, fellow veterans, my remarks are highly personal for I consider that patriotism is a personal emotion. Therefore, I am honored to be able to address you today but at the same time I am somewhat embarrassed to discuss what have been my private thoughts.

Men have created many beautiful works of art—some of the greatest of these I have been privileged to see and to admire the world over. But no other thing that man has made gives me the thrill and the excitement that I feel when I see my flag, the flag of our country, our star spangled banner. Its brilliant colors, its shape, its design are to my eyes a thing of never-ending beauty.

Yet, I ask myself, Are red and white and blue any more beautiful colors than green or yellow or any other color? Do not men of equally critical faculty admire their own national flags as much? If I am an honest man, must I therefore not admit that my flag is beautiful to me because my eyes see the symbol but my heart and mind see something else beyond? Without doubt it is the love of country which makes us admire our flag, and without doubt when we pay our reverend respects to our flag, we try to express our attitude towards our country.

Our country! The country we love. The wondrous, rich, bountiful land which by grace of God we were born in. The land to which by His grace, and by our courage and intelligence or that of our forefathers, we migrated. It is a lovely land. No river or valley exceeds in majesty that of our own Hudson. No seacoast is superior in beauty to that of Maine, nor beaches to those of Cape Cod, nor mountains to the Grand Tetons. One could catalog our nation's natural wonders for hours. It is easy to love the beautiful handiwork of nature we find here—it is easy to love our remarkable land. But, stop now—what of the sights of other countries that I have seen—the towering Alps, the Mediterranean coasts, the rolling green fields of England and of Ireland. Surely these are beautiful too. It cannot be only the land of America that I love, for the wonders of nature are everywhere in the world.

Perhaps it is the works of my fellow men I see about me which inspire my admiration—this towering city, our institutions, museums and universities, our places of worship, our public monuments such as this magnificent building in which we are assembled. I admire so many of them, and I am proud to see what my countrymen have built. But, my friends, there is Paris, London, and Rome—there are the wondrous remains of Ancient Greece, and, in all truth, what we have made here may be bigger or different and we may prefer it to what men have created elsewhere because it is our creation, but it is hard indeed to say that ours is better in the absolute sense than that which other men have created elsewhere.

Perhaps my love of country is based upon the beauty of our people—but in truth our people are but the immediate descendants, and in many cases of the same generation, as their brothers and sisters of other continents. We do not have our own language. Most of our customs are not our own. Our people are vigorous and creative and have that special spirit which is "American". But all in all we are not native to this land. We are native to the whole world. They are us, and we are they.

Our form of government is surely to my preference. I like the fact that I can speak my mind and vote secretly as I choose. I cherish the right to believe or not to believe as I choose, to worship as I choose, to aspire as my imagination leads me. I value the security of my home and I feel that it is secure. I value the knowledge that the corner cop is there to protect me, the certainty that our citizen armed forces are our defenders—the mighty arm of civilian government, the knowledge that our courts presume every man innocent of wrongdoing until proven guilty, the sense of government by the people for the people which finds each public official to be at once a citizen like me and a man of conscience, and a servant of the people. The entire fabric of democratic government chosen by a free and educated electorate is necessary to me. Yet, the citizens of Great Britain, the Scandinavian countries, France, our Canadian neighbors and many others in today's world have a basically similar atmosphere of government.

I ask myself then, what is it that makes an American love his country? What should he love about it? Why do I?

It is the *idea* of it. Not the symbols, not the flag, not just the land, nor the things we have wrought, nor our people who are our partners during these brief years we have on earth, but the totality of the *idea* of America which is unique and precious and superior to any other *idea* of nationality that has existed and survived.

Thomas Jefferson and the founders of our country summed it up better than I can.

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

This is what we fought for in war. This is what we worked for in peace. This is what Americans have died for on battlefields

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around the world. This is what Americans live for and work for at all times.

Friends, I thank you for inviting me to speak to you on this important occasion because it has given me an opportunity to consider seriously these matters which we tend to forget during our busy daily lives. Fellow citizens, I repeat—patriotism is a personal matter, and I admonish myself as follows (for I do not presume to suggest to others), I admonish myself: Wave the flag for the sake of the pleasure it may give you, but remember the republic for which it stands. Work for the ideals of that republic, for much remains to be accomplished. Love your country—be proud of its heroes—but do what you can to make their sacrifices worthwhile. Regretfully, the dead are dead, no pomp or circumstance can affect them or bring them back. So, think of their families, think of their loved ones, think of their ideals. Think of those who are fighting for our country today on foreign fields, think of their loved ones and those who love them. Think of all our living fellow Americans everywhere who need us. Think of the living who are in pain, or in want, or who suffer injustice. And thus remembering, let me express my appreciation of the privilege of being an American not alone by my thoughts or by my words, but my deeds of every day.

CONSUMER COMPLAINTS: 2,500 A MONTH AND RISING FAST

HON. JAMES T. BROYHILL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. BROYHILL of North Carolina. Mr. Speaker, Mrs. Virginia Knauer, Special Assistant to the President for Consumer Affairs, in an article in the March 23 Republican Congressional Newsletter, discusses the problems and complexities that her office deals with. She writes of the many complaints her office receives and the way in which they are handled. For those who wish to know a little more about the Office of Consumer Affairs, I certainly recommend this personalized "birds-eye view":

CONSUMER COMPLAINTS: 2,500 A MONTH AND RISING FAST

(By Virginia H. Knauer)

The key to obtaining effective consumer protection legislation, adequately funded programs and qualified personnel, is full participation at the grass-roots level by consumers. If you have a complaint, let somebody know it.

"Write your Congressman" is an old piece of advice. In actual practice, however, there is no one outside of your own family who is as sensitive to your troubles as your Congressman. To be a bit cynical, he cannot afford to lose your vote through inaction. If enough constituents get up in arms over consumer fraud, you can be sure your Congressman will respond or face the threat of unemployment at the next election. A few voters can't do the job, but a few thousand can.

My own consumer mail has doubled in the past year. I am receiving more than 2,500 complaints a month. One fourth of my mail is from members of Congress, and the total number is growing rapidly.

In January, we began a system we hope will enable us to give real help to consumers. We are now personally contacting the manufacturer on behalf of individual consumers when we believe that consumer has a legitimate complaint.

So far, the results have been better than we had anticipated. The number of letters marked "complaint resolved" is increasing daily. The response of company presidents to our requests for assistance has been characterized for the most part by cooperation.

Since many of the problems consumers have are with local businesses, we asked the American Society of Association Executives to contact all its consumer-related associations, approximately 3,200, with a request that they aid us in passing on complaints to their members.

We have already heard from over 200. And the number of positive replies is increasing at the rate of about 10 to 15 more each day.

Smart top executives want to learn about these problems because it gives them a better insight into their product, the operations of their franchises, and the efficiency of their complaint-answering services.

They are finding out that when only computers handle complaints, they are increasing consumer frustration in the marketplace.

Of course we have run across a few dinosaurs—businessmen who refuse to act on legitimate consumer complaints.

Right now one of our success files is about as thick as the Manhattan telephone directory. And that file covers only one month.

One of the objectives of our new system is to help break down the communication barrier so often existing now between business and consumers. Anyone who has tried to return a product with a money-back guarantee knows what I mean. Witness the growth in computer-answered mail. People are sometimes four times removed from the manufacturers of the products they buy.

While I am very proud of the progress of my office, in solving consumer complaints, I must stress that, when possible, consumers should first try to solve their problems at the local level.

This is also where the Republican Party organization and Republican women's councils can effectively and dramatically demonstrate their concern for consumers and their problems. They can seize the initiative by lobbying for stronger local or state consumer-protection bureaus, more laws, and adequate funding.

A fine example for us all has been set by the "Action Now" program started by Elly Peterson in Detroit's inner city. And six other Republican Action Centers are also functioning now in Southgate, Mich., Hartford and New Haven, Conn., Milwaukee, Wis., Dallas, Tex., and Albany, N.Y.

These Centers, which I hope will eventually be established in every major city, can make invaluable contributions to the improvement of our present consumer-protection system. By solving problems at the community level, not only can consumers receive personal help but also the speedy service which can sometimes be so crucial.

To quote Rep. Rogers Morton, Republican National Committee Chairman: "The city is the heart of the problem—and that's where we Republicans ought to be."

A LEGISLATIVE WAY TO SAVE THE "QUEEN"

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mrs. SULLIVAN. Mr. Speaker, today, I introduced legislation to continue one of our country's great traditions. Only by action of the Congress can we keep this tradition alive.

I refer to the *Delta Queen*—a paddle wheel riverboat—the only overnight passenger vessel left on our rivers. She is the last of her class and if Congress fails to act, she will be forced into retirement and another of our great American traditions will have passed from the scene. If that happens it will mean the end of nearly 160 years of paddle wheel history in this country and particularly on the Mississippi River.

Under legislation enacted in the 89th Congress—Public Law 89-777—certain standards for the safe operation of deep-draft cruise vessels were enacted into law. Inadvertently, it seems, this legislation was made broad enough to include passenger vessels carrying overnight passengers and operating in our inland rivers and waterways.

This original legislation gave the inland water passenger vessel owners a short period of time to permit the companies involved to assess their situation. As a result, one company operating on the Great Lakes went out of business, ceasing all its operations. The last remaining company, Greene Line Steamers, Inc., the owners and operators of the *Delta Queen* decided to attempt to build a new vessel and thus continue its operations. An extension of time was enacted by the Congress in 1968—Public Law 90-435—allowing the *Delta Queen* to continue operating until November 1970.

This extension was granted in order to permit the owners and operators of the *Delta Queen* to have time to design and construct a new vessel to replace the original *Queen*.

The owners and operators of the *Delta Queen* found, to their dismay, that with the rise in the costs of construction, material, and labor, under competitive bidding, a new replacement vessel would cost in excess of $10 million, instead of the $4 million—not to exceed $6 million—which had been estimated. This is believed by all to be prohibitive.

Therefore, unless the Congress takes action, the last overnight passenger steamer operating on the rivers will have to cease such operations by November 1, 1970.

This is distressing not only to me but to thousands of persons throughout the country. As a young girl, I remember with pleasure overnight trips on the river on vessels similar to the *Delta Queen*. I have received letters, cards, telegrams, and all other forms of communication from every part of this country from people who have traveled on the *Queen*, urging that something be done to keep it in operation. Those who have written me have ranged from youngsters to oldsters, from every walk of life.

Later this week the *Delta Queen* is scheduled to arrive in Hannibal, Mo., the famous river hometown of Mark Twain, on its last trip to that area unless a reprieve is granted. The citizens of that area, as well as my home city of St. Louis, and the citizens from other river towns across the country, do not want to see the cessation of this great tradition.

They feel, as I do, that special consideration should be given since these inland passenger vessels are never more

XUM

than a few yards from any shore, presently meet certain Coast Guard safety standards, and are frequently operated in water no deeper than the middle of the ship.

The legislation which I have introduced today would except the *Delta Queen* from Public Law 89–777 and would permit the continuation of the great tradition of overnight passenger service to river cities on the Mississippi, Ohio, Illinois, and other rivers.

CONSTRUCTION INDUSTRY COUNCIL FOR EDUCATION, MANPOWER, AND RESEARCH, INC.

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. BUSH. Mr. Speaker, in 1969, a unique effort was begun in Texas to meet the tremendous future manpower shortages this country faces. The Construction Industry Council for Education, Manpower, and Research, Inc., formed to serve the interests of all components of the construction industry, and the Texas Education Agency, the State agency charged with the supervision and administration of the State's public education programs, have begun pilot programs designed to teach young people through vocational-technical education the excitement and skills required in order to be employed in mechanical construction.

The course is designed to meet the interest and the ability of the students and the skills learned are geared to available jobs. The course called "Environmental Technology" takes 4 years and will be offered in grades 9 through 12. Basically, it consists of:

Ninth Grade—a 1-hour vocational exploratory class in which the students are counseled in the many occupational opportunities, taken on field trips, tests for aptitude, and counseled by businessmen from the industry on career opportunities.

Tenth Grade—a 2- or 3-hour preemployment laboratory in plumbing and pipefitting.

Eleventh Grade—a 2- or 3-hour preemployment laboratory in air conditioning, heating, and refrigeration.

Twelfth Grade—regular industrial cooperative training and distributive education classes, on-the-job training selected in keeping with the students' interest, aptitude, and educational achievements.

Burbank Junior High School in Houston, Tex., has begun the program and the 10th grade section will begin in Sam Houston High School next fall. Other Texas school districts participating in the pilot classes are McAllen, Harlandale, and North East school districts in San Antonio, Irving, Beaumont, Dallas, and Tyler.

Mr. Speaker, I have long felt that unemployment can be eradicated if a unified approach to job training were instituted. One important factor—if not the most important factor—in this approach is the bringing together of the resources of industry, labor, education, and all levels of government in programs that will provide young people with functional training in needed new skills. This pilot program that is beginning in Texas is such a program and has my full support.

THE INAUGURAL ADDRESS OF HARLAN CLEVELAND, EIGHTH PRESIDENT OF THE UNIVERSITY OF HAWAII

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. MATSUNAGA. Mr. Speaker, one of the most stirring speeches that I have had the opportunity to read is the one delivered by President Harlan Cleveland at his recent inauguration as the eighth president of the University of Hawaii.

The inaugural address is noteworthy not only for its superb literary style, but also for the profound message which it has for all Americans.

President Cleveland took note of the significance of Hawaii's very special experience in achieving cultural equality and racial peace. He related this experience in a most meaningful way to the larger world society, and stated that it was his hope that the University of Hawaii would continue to be known in the 1970's for openness and for cross-cultural tolerance. But most of all, he said, "I hope it will be known as a center for thinking."

Dr. Cleveland is an outstanding educator and administrator, and he will no doubt play an important role in shaping educational policy in the 50th State—and indeed the entire Pacific area—during the new decade. Envisioning Hawaii's role as one that could "cut the pattern for elsewhere," he stated—

> Part of Hawaii's destiny, then, is to be an entrepot for intelligent people, a mecca for intellectual tourism, a center for international training, a laboratory for cross-cultural operations, technology assessment, environmental planning and the public management of problem-solving.

I commend Dr. Cleveland's inaugural address to my colleagues in Congress and to others who are concerned with the future course of higher education in this era of rapid change and crisis. The March 18, 1970, speech by President Harlan Cleveland of the University of Hawaii follows for the CONGRESSIONAL RECORD:

INAUGURAL ADDRESS

(By Harlan Cleveland)

This is a funny kind of job. In every other form of employment, they swear you in first and then put you to work. But in academic administration it's the other way around. they put you to work, and tell you to organize your own swearing-in. Maybe they want to make sure you survive the first few months before they have to buy all that champagne.

Even the compliments and congratulations are mildly equivocal, with mental reservations—as in the exchange of compliments between Winston Churchill and George Bernard Shaw before the opening of one of Shaw's plays. Shaw began it by writing to Churchill, enclosing two tickets to the opening and inviting Churchill to bring a friend, as he put it; "if you have a friend." Churchill promptly replied that he was busy on opening night, but would appreciate a pair of tickets to the play's second night, as he put it, "if there is a second night."

Well, I can certainly say that I have more friends in Hawaii than I had a year ago; I hardly knew anybody in Hawaii then. And here I am six months and 18 days on the payroll already, being "inaugurated." It's no longer opening night, yet this must by definition be the beginning of something. What is it the beginning of?

For me, this is the beginning of an association with a congenial people in a precious environment—a first full taste of Aloha, that spirit which is impossible to define but equally impossible not to feel. This is also my introduction to a State which really believes in education—students who believe in education, a faculty that believes in education, alumni and parents who believe in education, Regents who believe in education—and political leaders who, together with the people they represent, genuinely want a first-rate system of public higher education in the State of Hawaii. In six months and 18 days, I have yet to meet a leader of any political persuasion who thinks it good politics to campaign against education. I will not detain you by reading the long list of American States in which the Presidents of the public universities cannot make that claim.

A visitor in my office the other day asked what I hoped the University of Hawaii would be known for, during the time I am here. I suppose that anyone with pretensions to be an educator has some private image of what the people who touch his school should take away with them. Some of these desired outcomes are universal among universities: both Johns Hopkins and the University of Hawaii hope that they can help students discover their hearts, develop their minds, and add to the range of their imaginations. We even join in hoping that they will find interesting jobs and happy marriages. But each of us is bound to have some special ambitions for his own institution. So here are some personal hopes of mine for the kind of place the University of Hawaii can be.

First of all, I hope that in the 1970's the University of Hawaii is known as an experience in openness—its campuses open to a free market in ideas, the open minds of its students and their teachers grappling together with the mysteries, the uncertainties, and the dilemmas of science and society.

Our doors of admission will be open too. Go out on the streets of Honolulu and ask the first adult you see which of his children is going to college. I'll guarantee you an argumentative response. *"All* of *my* children are going to college" he or she will probably reply.

In these islands, the State Legislature has already, in effect, declared a policy of "open admissions" to the University of Hawaii.

II

My second hope is that the University of Hawaii can continue to be a very special experience in cross-cultural humility and tolerance.

Every one who comes to live in Hawaii must be impressed, as I am, by the variety of its peoples and their comparatively tolerant attitudes toward one another. But on closer inspection, paradise seems based on paradox: the tolerance is not despite the variety but because of it.

For it is not through the disappearance of distinctions in a melting pot that Hawaii has achieved a level of cultural equality and racial peace with few parallels around our discriminatory globe. Quite the contrary: the glory is that each of Hawaii's main ethnic groups retained or developed enough pride,

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enough self-confidence, and enough sense of its cultural history—in a word, enough distinctiveness of its own—to establish its right to be separate. And this group separateness was, paradoxically, the first step in establishing the rights of the individuals in each group to equality with people of different racial aspect, different ethnic background, and different cultural heritage.

Perhaps after all the Hawaii experience is not so different from the transatlantic migration of the various more or less white Caucasians. On their way into New York they read a sign on the Statue of Liberty: "Send these, the homeless, tempest-tost, to me." But on arrival they didn't melt into open arms of the white Anglo-Saxon Protestants who preceded them. Quite the contrary: each new arrival glued himself to his own kind, shared the religion and language and humor and discriminatory treatment with his soul-brothers, and gravitated into occupations which didn't too seriously threaten the jobs of earlier-arriving ethnic groups.

In Hawaii as on the East Coast, waves of new Americans and older Americans have been thrown together in the tiderip of democracy, and have learned in time to tolerate each other—first as groups and only thereafter as individuals. As they rubbed against one another in an urbanizing America, they gradually discovered not just the easy old Christian lesson that all men are brothers, but the hard new multi-cultural lesson that all brothers are different.

So maybe the lesson from both Atlantic and Pacific migrations is that each ethnic group must first find its own identity, before the members of other ethnic groups will treat its members as individual human beings—as respected, valued citizens of a common polity—as brothers who are different and therefore brothers.

The lesson of Hawaii has plenty of modern relevance. The lesson has to be that black Americans who want to establish their blackness and glory in it are on the right track. It *is* important that a black child knows where he comes from, relives the history of his forefathers, feels the shame of historical failures and the pride of historic contributions, uses the flexible English language in ways that are distinctive, and brings to the forceful attention of all Americans that the various colors called black can be beautiful. Only when the distinction is fully accepted, will mutual tolerance likely follow—that, it seems, is the general meaning of Hawaii's very special experience.

For equality is not the product of similarity. It is the cheerful acknowledgment of difference.

Here in Hawaii, we have an incomparable opportunity to honor a wide variety of differences—and put them to work in higher education. I hope that it will be said of a University of Hawaii degree that its holder seems better able than other Americans to function across the barriers of color and culture; that he knows his own workways and his own outlook are not a valid standard by which the workways and outlooks of others are to be judged—and always found wanting.

We need not be embarrassed, as newcomers sometimes are, to list among Hawaii's natural resources the quality of aloha, which is another name for love. "Some day," says Teilhard de Chardin, "after mastering the winds, the waves, the tides and the force of gravity, we shall harness the energies of Love, and then, for the second time in the history of the world, man will have discovered fire."

III

Our best laboratory of practical aloha is right here on the Manoa campus and the other campuses of the University, the eight we have now and the two we are looking for this year. The University of Hawaii has the broadest ethnic and cultural mix of any American university; visiting academic consultants have recently praised the quality and dedication of its faculty; some outside experts credit our students with an unusual motivation for education.

This faculty, these students, and the administrators who are here because the faculty and students are here, will have to make together some far-reaching judgments—about what is learned and how, and about the management of our burgeoning campuses.

Our cultural diversity gives us a special opportunity to broaden the participation in University decision-making, and a special obligation to devise a system of governance, which matches participation to responsibility.

Academic faculties have traditionally dealt with faculty problems, students with student problems, and administrators with anything left over—which too often includes the most excruciating dilemmas and the most unanswerable questions. Without derogating from the elected organs of faculty and student governance, I think there is a place for a broader organization of representatives with whom the Regents and I can share the ethical dilemmas, the judgments about priorities, and the visions of future opportunities affecting the University as a whole. I will therefore suggest soon the framework for a University of Hawaii Conference—not a one-shot meeting but an on-going broadly representative group to help in developing consensus on all-University issues.

IV

I have said that I hope the University of Hawaii will be known in the Seventies for openness and for cross-cultural tolerance. But most of all I hope it will be known as a center for thinking.

"Thinking," said Josiah Royce, "is like loving and dying. Each of us must do it for himself." Yet the thinking the world needs most is done by the dozens, by the hundreds, sometimes by the thousands of educated people, working in groups to solve problems so complex that no individual can presume to tackle them alone. The great issues of our time—the organization of world order, the deterrence of ecological disaster, the achievement of a quantum jump in the quality of life will yield only to the organized application of human brainwork. There is no reason why a disproportionate share of that brainwork should not be done in our pleasant surroundings, and there is no reason why we cannot keep our surroundings pleasant.

Without posing as an instant oracle on Hawaii in the year 2000 or any other year the futurists want to pick, I do have an idea that a very large part of Hawaii's future role depends on the excellence of Hawaii's University. Hawaii's attractive environment—*if* we can keep it that way—will attract more and more people who think for a living—*if* we already have here a "critical mass" of bright and creative thinkers.

The smokeless think-industries—a more enduring asset than some agricultural products, a more stable economic asset than mass tourism or military spending—cluster around good universities. If we can keep the first-rate thinkers who are here, and get a good many others to join them, Hawaii is a "natural" headquarters for organizations which can do their thinking anywhere, just so the surroundings are congenial and the intellectual company stimulating.

Part of Hawaii's destiny, then, is to be an entrepot for intelligent people, a mecca for intellectual tourism, a center for international training, a laboratory for cross-cultural operations, technology assessment, environmental planning, and the public management of problem-solving.

There will be a thirsty market for organized brainwork in the years before and after 2000—of that there can be no doubt. Never has our destiny had less to do with the specialized search for knowledge; never has it hung so clearly on the capacity of men and women to encompass in their thinking the situation as a whole. Only the poets have captured the drama of this moment, as Christopher Fry does in a "A Sleep of Prisoners".

"The frozen misery of centuries breaks,
cracks, begins to move,
The thunder is the thunder of the floes,
The thaw, the flood, the upstart Spring.
Thank God our time is now when wrong
Comes up to face us everywhere,
Never to leave us till we take
The longest stride of soul men ever took
Affairs are now soul size."

Our affairs in Hawaii are soul size, because what we do here can cut the pattern for elsewhere, on the big island of North America and the bigger island of Eurasia. As we plan ahead there is no difficulty finding an enormous role for Hawaii; the problem will be to live up to the education requirements of that role.

That is why this State is so wise to bet so heavily on the academic excellence of the University of Hawaii. Governor Burns in his talk at our Interim Session last January, said it all in one sentence: "If education isn't booming, nothing will."

V

New friends and new colleagues, a good many extravagant things have been said about me this week. I am grateful to their authors, and I shall treasure them all, to remember on the days when the things being said will be less flattering and less elegantly expressed.

For those days of disillusion, when the eighth President of the University of Hawaii turns out to be a little lower than the Angel Gabriel, I remind you of the dialogue between two newlyweds. Right after their honeymoon, the groom took his bride by the hand and said, "Now that we're married, dear, I hope you won't mind if I mention a few little defects that I've noticed about you."

"Not at all," the bride replied with a deceptive sweetness. "It was just those little defects that kept me from getting a better husband."

As for the marriage which is celebrated here today, it is enough to say quite simply that I am in love with Hawaii.

"IMPACTED" AID PROGRAM NEEDS A GOOD OVERHAULING

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. COLLIER. Mr. Speaker, Montgomery County, Md., has the second highest per household income among the United States approximately 3,000 counties, its figure of $20,831 per annum being exceeded only by Westchester County, N.Y., $21,115.

The primary reason for Montgomery County's high figure is the fact that thousands of well-paid Federal employees live there, our Nation's Capital having been right next door to it since 1800. Despite the proximity which has attracted such affluent people, who contribute substantially to the tax coffers of the county and its numerous local governments, Montgomery County receives millions of dollars additionally each year because it has been designated as an impacted area.

The impaction is not new or sudden or overwhelming as the District of Columbia as presently constituted was originally a part of the State of Maryland. Every President of the United States except the first one has resided in the District and every Congress from the seventh to the 91st has met in Washington, D.C. The huge growth of the Federal Government that has occurred through the years has been of tremendous benefit to Montgomery County rather than a detriment.

If there was ever a Federal program which need overhauling, it is this one.

A table that I am submitting for the RECORD shows that during fiscal 1969 Montgomery County, Md., received over $15 per capita from payments under sections 2, 3, and 4 of Public Law 81-874. My colleagues will, I am sure, find the compilation interesting as they compare the county's payments with those of 17 other selected counties.

The table follows:

County	Population July 1, 1966	Fiscal 1968 payments	Fiscal 1969 payments (estimated)	1968 per capita	1969 per capita
Montgomery County, Ala	174,200	$893,183	$960,300	$5.13	$5.51
Montgomery County, Ark	5,500		26,568		4.83
Montgomery County, Ga	7,200				
Montgomery County, Ill	30,900				
Montgomery County, Ind	32,200				
Montgomery County, Iowa	13,100				
Montgomery County, Kans	40,300	39,793	63,282	.99	1.57
Montgomery County, Ky	15,200	21,996	22,674	1.45	1.49
Montgomery County, Md	440,300	5,704,065	6,636,130	12.95	15.07
Montgomery County, Miss	14,900				
Montgomery County, Mo	10,800				
Montgomery County, N.Y	57,900	12,709		.22	
Montgomery County, N.C	20,000				
Montgomery County, Ohio	576,400	$2,431,340	$2,934,307	$4.22	$5.09
Montgomery County, Pa	588,600	306,086	323,696	.52	.55
Montgomery County, Tenn	60,000	528,313	605,267	8.81	10.09
Montgomery County, Tex	33,300	33,635	43,679	1.01	1.31
Montgomery County, Va	40,000	190,683	220,072	4.77	5.50
Total	2,160,800	10,161,803	11,835,975	4.70	5.48
Montgomery County, Md	440,300	5,704,065	6,636,130	12.95	15.07
Remaining 17 counties	1,720,500	4,457,738	5,199,845	2.59	3.02

Note: Payments are made under Public Law 81-874 (secs. 2, 3, and 4).

ONE MAN'S VANITY COSTS BILLIONS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. DERWINSKI. Mr. Speaker, one of the most knowledgeable and penetrating observers of the Washington scene is Walter Trohan of the Chicago Tribune. He has earned a well-deserved reputation among his colleagues of the fourth estate for his ability to penetrate through smokescreen and reach the basic facts for his stories. Therefore, I direct the attention of the Members to his column of April 6 summing up the administration of former Defense Secretary Robert S. McNamara:

ONE MAN'S VANITY COSTS BILLIONS

(By Walter Trohan)

WASHINGTON, Apil 5.—The stubborn arrogance of one man's vaulting vanity has cost American taxpayers billions of dollars and seriously imperiled national security. This same vanity also showered cruel criticism and violent vilification on a group of Senate investigators interested in promoting that security and saving money.

The man is Robert S. McNamara, formerly secretary of defense who still holds an honored and responsible position as president of the International Bank for Reconstruction and Development. The senators are the members of the Senate permanent subcommittee on investigations of the committee on government operations, under the chairmanship of Sen. John L. McClellan (D., Ark.).

For almost 7½ years the subcommittee has been investigating the fiasco of the TFX plane or the F-111. This aircraft was designed to perform the different missions of the navy and the air force. The navy was interested in a plane with a short take-off so that it could readily be launched from carriers, and the air force, with long air lanes available, couldn't have cared less.

McNamara overruled the recommendations of the highest ranking military and aeronautical experts in the adoption of the plane and the selection of its manufacturer. Adm. George Anderson was removed as chief of naval operations, because of his opposition, and kicked upstairs to the embassy in Portugal by Former President Kennedy. Others paid for their opposition in loss of promotion and pay.

For years the Senate investigators who uncovered the McNamara machinations, including falsification of figures, were ridiculed by the establishment and its kept press. It was said that when the plane began to fly, the senators would be revealed as obstructors of progress, if the most favorable light was placed on the investigation, or as enemies of security, if the worst interpretation was placed on their investigations.

Now that the plane has flown and not at all well—the navy has abandoned it and the air force has grounded the plane—the Senate subcommittee has entered the final phase of its investigation. It will measure the cost of the colossal failure.

In 1963 McNamara said the dual purpose plane would save a billion dollars. It now appears that it will cost at least 8 billions without providing security needs.

Originally it was estimated that the plane would cost about 3.5 million dollars. Actually those produced have cost 16 millions each. The Senate subcommittee disclosed startling performance failures, including the fact that total weight is almost 7 tons over specifications, take-off distance is 28 per cent greater than specifications, the ferry range is some 1,500 miles less, the maximum speed is 12 per cent under, and the dash distance is 85 per cent below specifications.

Now that the development has proved it to be a fiasco, those who vilified the Senate subcommittee have not apologized. They have been silent, especially on the final phase of the investigation under which McClellan will seek to determine the cost to the taxpayers and to fix the responsibility for the failure.

During the investigation a newspaper which supported McNamara said that McNamara would have "the last laugh," when the plane proved successful. At the time McClellan reported on the floor of the Senate that he did not regard the TFX fiasco as a laughing matter.

Now, McClellan insists, the time has come to tell the whole story and to put the committee's disclosures in perspective, not in any spirit of gloating or revenge, but in the interests of promoting the national security, curbing undue exercise of power, and saving money.

YOUNG PEOPLE ARE CONCERNED ABOUT THE ENVIRONMENT

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. BROWN of Ohio. Mr. Speaker, young people of today are on the move against the destruction of our environment. They are ready and willing to act to combat the ecological problems facing our country.

I should like to salute and commend the actions taken by a group of young adults in Greene County in the Seventh Ohio District. Concerned by the threatened destruction of both a hillside and a creek by erosion, girls in a local Scout troop asked, "Can't something be done?" and then proceeded to organize and carry out a project which returned the hillside and creek to their natural state.

As Donald W. Jackson, Soil Conservation Service district conservationist, in an article contained in the Soil Conservation magazine, told it:

GIRL SCOUTS ORGANIZE A "HILL DAY" TO STABILIZE ERODING SLOPES

One hundred and sixty tons of sediment deposited in Little Sugar Creek each year—that was the dirty record of this ½-acre gullied hill at the edge of Bellbrook in Greene County, Ohio.

Little Sugar Creek is the pride of scenic Sugarcreek Township, but the eroded area was not exactly America the Beautiful. The hill was bulldozed for a shopping center several years ago, but construction never materialized. The unprotected cut slopes became a gullied eyesore and a threat to the creek.

Girls of a local scout troop voiced their concern and their leader, Mrs. Robert M. Hunter, asked the SCS soil conservationist, "Can't something be done?"

"Yes, of course, if the owner is interested."

He was. Gomer Bledsoe became a cooperator with the Greene Soil and Water Conservation District, and his conservation plan included provisions for smoothing the gullied area, then planting trees, shrubs, vines, ground cover plants, and grass. The Girl

Scouts offered their help in planting the trees and shrubs.

Four of the girls volunteered to sponsor the effort as a community service project. They notified the leaders of every Boy Scout and Girl Scout troop in the Bellbrook area of their plan and secured most of the plants used.

"Hill Day" was set for Saturday, April 26. Different troops were scheduled to arrive at the hillside every half hour and work for 1 hour. Some 300 girl and boy scouts participated during the day.

Mr. Bledsoe, the owner, did much of the advance earthmoving, operating a bulldozer himself. He also purchased fertilizer, seed, and straw for mulch. He planted the grass and applied the mulch before Hill Day. The youngsters planted more than 400 trees and shrubs on the slopes.

Erosion of the hill is now halted. Today the area has a new look to complement the surrounding hills of Sugarcreek Township.

The area will be a real test plot, too, because of the variety of plants used. Kentucky 31 fescue and crownvetch were seeded over all. Trees, shrubs, and other perennials were planted in selected areas. They include: autumn olive; white, red and Austrian pine; Norway spruce; iris; dogwood; junipers; and ivy and myrtle vines.

NEW ATTENTION GIVEN CONSUMER

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. CULVER. Mr. Speaker, until very recently, one of the least heard or considered interests in Washington was that of the consumer, whose voice was rarely raised above those of organized lobby groups representing special interests.

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That situation has improved in the past few years, as both Congress and the executive branch have given steadily increasing attention to the housewife who does the Saturday grocery shopping, the man who buys a new car and automobile insurance, the family who borrows money for home improvements, or the merchant who must assume responsibility for the manufacturer's products he sells to his customer.

This new focus of attention and concern is a direct result of the most vigorous and concerted lobbying effort, for the first time, by the wide variety of interests who come within the general definition of consumer. In our own State, for example, a consumer's league has been formed under the leadership of women's groups, educators, attorneys, cooperatives and farm groups, labor unions, community action agencies, newsmen, and local officials.

That growing concern has resulted in the most significant body of consumer legislation in history, including motor vehicle and highway safety laws, the National Commission on Product Safety, truth in packaging, truth in lending, and the Wholesome Meat Act.

There are still additional areas for legislative attention—the safety of tires and drugs, effective warranty protection, and power reliability; for example, but however many laws we put on the books, the effectiveness of the consumer protection efforts will rest ultimately on adequate funding and effective rulemaking and implementation by the responsible agencies.

For that reason, many in Congress have been advocating the establishment by law of a separate Federal office devoted exclusively to the consumer. The Office of Special Assistant to the President for Consumer Affairs, created several years ago in the White House by Executive order, has done much to focus attention on consumer matters. The current proposal, which President Nixon endorsed in his consumer message to Congress would establish that office by law rather than Presidential decree, and would increase its budget and its areas of responsibility.

One of the most far-reaching proposals, again endorsed by the President, would replace the present one lawyer consumer counsel in the Justice Department with a full Consumer Protection Division, headed by an Assistant Attorney General to act as the consumer's lawyer before Federal agencies, in judicial proceedings and in Government councils.

That division would be armed with a new consumer protection law which would clearly define a broad range of prohibited frauds and deceptions, with adequate notice to business and manufacturers of activities to be considered illegal.

Private citizens would then be given the right to bring action in Federal court to recover damages under the new law, either individually or as a class action.

Protection of the consumer also means protection of the vast majority of businessmen, creditors, and manufacturers who operate honestly and fairly in this country. It is the abuse of the few that casts shadows on the legitimate operations of the rest. Increasing numbers of those who provide products and services for the consumer have recognized their own interests in halting deceptive and fraudulent practices, and have joined ranks to help restore public confidence in the marketplace of our free enterprise system.

ESCAMBIA BAY JAYCEES HONOR OUTSTANDING YOUNG SOLDIER

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. SIKES. Mr. Speaker, I was very pleased and proud recently to have the opportunity on behalf of the Escambia Bay Jaycees to present to S. Sgt. Richard Allen Davis, Jr., of Pensacola, Fla., the club's annual Distinguished Service Award. The DSA is presented traditionally each year during January by the Jaycees to a young man "whose dedication to service to humanity will serve as a lasting reminder and inspiration to all men of all nations." I quote Jaycees President Stanley Wilson that "although the DSA Award is not unique as it was begun in 1938 and is traditionally given annually to a young man in the community who is head and shoulders above the crowd, and has honored such men as Orson Welles, Howard Hughes, Richard Nixon, John F. Kennedy, and Capt. Gus Grissom, it is unique in that we are giving it this year to a young man from the Pensacola area serving his community and country on the front lines in Vietnam and who is showing leadership and dedicated service qualities. We felt that this award is particularly fitting as a means of demonstrating the Jaycees' support of their country and the young men serving it in a time when elements within America are actively demonstrating their rejection of it and the principles for which it was founded."

Staff Sergeant Davis, who has served two consecutive tours in Vietnam on a volunteer basis, was most recently assigned with the U.S. Army 10th Cavalry at Pleiku. This admirable young man, who joined the Army in August 1967 and has risen rapidly in the ranks, has established an outstanding military record. To date he has received the Combat Infantry Badge, Paratrooper Badge, two Army Commendation Awards, two Bronze Stars, the Air Medal, the Vietnam Campaign Medal, National Defense Service Medal, and the Vietnamese Service Medal. Richard, who is just 21, is to be highly commended for his record of achievement in his military career and for his selection to receive the Escambia Bay Jaycees Distinguished Service Award.

At the same time, may I warmly congratulate the Escambia Bay Jaycees organization on the important role they are playing in the recognition and encouragement of these deserving young people. Participating in the award ceremony from the Jaycees organization were Stanley Wilson and Zearl Lancaster.

FOR A 50-CENT PERMIT YOU CAN BLOW UP A BUILDING

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. HASTINGS. Mr. Speaker, the rash of bombings which have swept the Nation has exposed the shocking shortcomings of our present laws governing the sale and distribution of explosives.

There can be no question that tougher laws are needed in dealing with the radicals and crackpots who spread terror, death, and destruction. I recently cosponsored a bill which would make possession of untaxed explosives a Federal crime, levy a tax on the transfer of all blasting materials, and require that all parties to such a transaction be registered.

President Nixon has proposed legislation calling for capital punishment when a death has resulted from bombings and he is asking for penalties of 10 years in prison and fines of $10,000 for persons found guilty in the transportation and receipt of explosives for unlawful purposes.

In all our 50 States, less than a dozen actually have laws restricting the purchase and use of deadly explosives. In the majority of the other States, the laws deal mainly with the safe handling of explosives, and contain only a minimum of guarantees against criminal use.

The ease with which one can obtain explosives is frightening as was demonstrated recently by television station WGR in Buffalo, N.Y., following a bombing that caused heavy damage to a downtown building and bombing scares which caused the evacuation of other buildings including schools.

Newscaster Henry Marcotte went out and bought a stick of dynamite and a blasting cap for a total cost of just 95 cents, including 5 cents for the sales tax. It was as simple as that. No questions were asked by the salesman because Mr. Marcotte had less than an hour previously obtained for 50 cents a license to purchase the dynamite. In addition, he had also received an instruction sheet, with diagrams, showing him how to make a primer.

Later that night on WGR–TV's 6 and 11 o'clock newscasts, Mr. Marcotte related how easy it was for him to purchase explosives. The station followed up with several editorials calling for stricter laws controlling such sales and rightly so.

WGR–TV is to be highly commended for exercising special journalistic enterprise in making the public aware of just how weak our present laws are and how much we need effective regulations as a safeguard against the indiscriminate sale of such explosives.

I am including in the RECORD transcripts of Mr. Marcotte's broadcasts, hoping that they will help spur quick action on this much-needed legislation.

HENRY MARCOTTE COMMENTARY, MARCH 17, 1970

There has been a wave of dynamite bombs across the United States . . . many more bomb threats . . . today the U.S. Treasury was threatened with a scare and there were several in the Buffalo area . . .

The ease with which anyone can buy dynamite is no joke. It took me less than an hour today to buy this dynamite and this blasting cap . . . legally . . .

It took a trip to my town hall where I purchased a license which allows me to purchase, own, possess, transport and use explosives. Then I bought one stick of dynamite for thirty cents and the blasting cap that detonates the stick for sixty cents. No questions were asked by the salesman in Orchard Park because I had a valid license obtained legally that allows me to purchase, own, possess, transport and use explosives.

In concluding the purchase, I signed a sales slip that acknowledged that I had received the pamphlet . . . prevention of accidents in the use of explosives . . . and that I will heed its warnings and follow its instructions.

After reading the first few pages, I realized how dangerous this small amount of dynamite can be and I am turning it over to the sheriff's department for disposal.

It also proves to me how dangerous the New York State law governing explosives is and the need for tougher legislation.

HENRY MARCOTTE COMMENTARY, MARCH 18, 1970

Police said that today's blast was equal to about a dozen sticks of dynamite . . . just three dollars and sixty cents worth. Last night I showed you how easy it is to purchase this license for fifty cents . . . which then allows you to buy as much dynamite as you want.

Fortunately, no one was killed in the Lafayette Building today. But within the past week, several persons were killed in a New York City explosion . . . caused by dynamite bombs, two men died in Maryland, and if there's another explosion here . . . we may not be so lucky to escape without any casualties.

In addition . . . the actual explosions have caused a wave of bomb threats resulting in business disruptions . . . and causing fear in thousands of people. In Buffalo today . . . the Rand Building . . . across the street from the devastated Lafayette Building . . . received a bomb threat and had to be evacuated for ninety minutes while police conducted a search. No bomb was found. Another threat kept people out of the Statler Hilton Hotel for a time. Other bomb threats were made at Kensington High School and several other places. Explosions and bomb threats will continue to plague our society as long as explosives are so easy to obtain . . . and until tougher penalties are imposed on those who call in phony bomb scares.

PURCHASE OF EXPLOSIVES NO. 1

For fifty cents the State of New York will sell you a license to destroy anyone or anything. A stick of dynamite and the cap to detonate it cost less than a dollar.

Mysterious bombings, unexplained explosions, and frightening bomb scares have been rampant across the country. The situation is serious in Western New York. On January 26th of this year a live bomb was found in an East Aurora shopping center. Bomb threats in schools have been numerous. In downtown Buffalo an office building was extensively damaged by explosives recently . . . a Niagara Falls man found dynamite wired to go off in his automobile.

Anyone is able to buy explosives; this indicates the present selling control isn't effective.

Very tight controls on the sale and possession of explosives are necessary. They have to be more than just signing a piece of paper with a few meaningless phrases on it.

Legitimate users of explosives won't be seriously inconvenienced.

We support the Governor's proposal for greater control of explosives and have a couple of suggestions which we'll make tomorrow.

PURCHASE OF EXPLOSIVES NO. 2

The New York State license to purchase, own, possess, transport, or use explosives, asks questions which are meaningless; they contribute nothing to the control of the sale of explosives.

Question 9 is "Are you either disloyal or hostile to the United States?" Now, would a person about to purchase dynamite for illegal use admit it? Question 10 requires a yes or no answer on having served time in prison. Question 11 addresses itself to those who have been or still are mentally ill.

It is our suggestion that the license be restricted only to these people who have legitimate use for explosives . . . industry, farming, mining, and construction. An inventory control system similar to that set up for narcotics should be formulated. The detonation of explosives should be restricted to qualified experts, licensed by the state.

We believe improved regulations, set up by the Department of Labor and strictly enforced by the police, will reduce the incidence of mysterious explosions and near explosions.

The over-the-counter sale of explosives is not necessary.

THE ANTICRIME EFFORT BELONGS INSIDE THE PRISON AS WELL AS OUTSIDE THE WALLS

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. CHARLES H. WILSON. Mr. Speaker, I think few of us are unaware of the extent to which our Federal and State penal institutions have been criticized for their unfortunate record in rehabilitating inmates convicted of crimes. The recidivism rates are astonishingly high; our prisons detain and punish but apparently do little else to turn the offender away from a life of continued crime when he or she is freed. The first offender who may still be very young is treated in exactly the same manner as a hardened criminal who may have spent most of his life involved in crimes and prison sentences to pay for them. Many hold that this practice has made prisons into training schools where hard-core criminals are produced far more often than are rehabilitated, useful members of society.

Strict unformity is also the rule governing paroles for inmates. A certain equal portion of every sentence will be served regardless of all other factors. The same uniformity applies to treatment in most institutions. Inmates adhere to basically the same standards of strictness and behavior regardless of what their offense or temperament may be. Genuine, rehabilitative therapy is absent from most prisons and consequently it becomes of lesser importance that different prisoners be separated because needed treatment is simply not available on a personal need basis.

I think it is clear that while we are doing all we can to bring down high crime rates, we cannot forget that whatever we do to combat both the causes and effects of crime will be badly diluted if we ignore the fundamental importance of accomplishing a high degree of actual rehabilitation within our Nation's correctional institutions.

With this in mind, I am sponsoring the Correctional Services Improvement Act, introduced earlier by my colleague from Illinois (Mr. MIKVA) and others. This in my judgment, is worthwhile and well-constructed legislation which recognizes that the vital work which should be done within our prison system cannot succeed without badly needed assistance.

This legislation acknowledges the difficulty which prison administrators face in attempting to run positive rehabilitation programs on the very limited budgets available to them. The Attorney General is, therefore, authorized to make available grants to various States in order that they may adhere to standards which the bill authorizes the Attorney General to set in contract with the States. The measure also permits "halfway houses" to be set up as areas of treatment for those preparing to reenter society.

A Federal Corrections Institute to serve as an information bank is also called for in the bill to help in improving the training and number of qualified Federal, State, and local corrections personnel; $300,000,000 is authorized for the creation of demonstration correctional centers for special groups of offenders such as short termers, the young, the mentally ill, women, and others. A Federal Corrections Coordinating Council would be established for examining and researching new methods of treatment and rehabilitation. Greater flexibility for officials granting paroles to specific inmates, especially the young, is also part of this bill.

I believe the provisions of this bill add up to a logical and well-reasoned approach to a problem which is very real and which will continue to defy solution as long as we are unwilling to commit the resources necessary to do the job. I am persuaded that this new act is an excellent vehicle through which to begin a meaningful effort to rebuild the rehabilitation process in our correctional institutions.

EDITOR OF THE WEEK

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mrs. HECKLER of Massachusetts. Mr. Speaker, the Publishers' Auxiliary, which calls itself the newspaperman's newspaper, recently paid a well-deserved tribute to one of Massachusetts' outstanding newspapermen with a special feature story on Herbert Austin, editor of the Wellesley Townsman.

Because my home is in Wellesley, I know of the respect Herbert Austin enjoys in the community and the excellence of his newspaper. I am delighted that he was honored as "Editor of the Week."

Herbert Austin edits one of the larger weeklies in the suburban Boston area. He is one of those remarkable jacks-of-all-trades of his profession. He edits the paper and contributes thoughtful editorials on local issues. When required, he can fill in as a printer, solicit ads, or turn out a sports story or a society item. He travels abroad and around the Nation as often as he can and finds time to participate in professional organizations and in church, town, and charity activities. Even at the age of 78, Herbert Austin is still going strong with no thought of retiring.

He is well known in his field. He is a past president of the Massachusetts Press Association, which he joined 35 years ago and which he has served as secretary-treasurer for 15 years, and is a founder and past president of the New England Press Association. He is active with Sigma Delta Chi and has been listed in "Who's Who in the East."

It is hardly surprising that he has also edited the Kiwanis Club district publication for the past 20 years. Herbert Austin is a man of many unusual talents, broad interests, and inexhaustible energy.

I know the people of Wellesley admire this man as much as he loves Wellesley. I want to join in congratulating him. The article about Herbert Austin reads as follows:

EDITOR OF THE WEEK—AUSTIN'S "SECOND LOVE" IS TRAVEL

An active, enthusiastic, travelling editor is the way to describe Herbert Austin, the 78-year-old editor of the Wellesley (Mass.) Townsman and perennial secretary-treasurer of the Massachusetts Press Assn.

"Retirement should appear to be logical at my age, but I enjoy what I am doing and expect to continue until the management can no longer put up with my approaching senility," explained Austin.

He started on the Townsman on a part-time basis in the middle 30s after a bout with the depression. The job eventually became full-time, and he was the advertising manager until 1960 when he took over as the editor.

"We have over 8,000 circulation and 90 percent coverage of Wellesley, being one of the larger weeklies in the suburban Boston area. Thus far we have stuck to letterpress but offset is definitely in the future," he said.

Austin joined the Massachusetts Press Assn. 35 years ago, and he has been their secretary-treasurer for the last 15 years. He also served as president in 1952.

In 1950 he helped start the New England Press Assn. and was elected their president in 1958. He is also active in Sigma Delta Chi and has been listed in Who's Who in the East.

The editor has taken every opportunity to travel and see the United States and Canada. He has also toured Alaska and the Canadian Rockies.

When the National Newspaper Assn. began to sponsor study missions abroad Austin joined many groups and since has been in all parts of the world including some 50 countries.

"For a newspaperman with what is supposed to be a desk job, I have been far ranging."

Austin is a Kiwanis Club member and has been the editor of their district publication (12,000 circulation) for 20 years. He is also active in church, town and charity affairs.

Before coming to the Townsman, Austin was with the Babson Reports for 12 years. He received his bachelor of science degree from Dartmouth in 1914.

"I have no hobbies to indulge other than travel and as yet do not wish to retire to New Hampshire where I have a lake cottage. Neither have I any urge to retire to Florida or the other warm climates, Wellesley suits me fine," commented Austin.

MEMBER OF DEDICATED MAJORITY WILL BE HONORED

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. COUGHLIN. Mr. Speaker, in these times of momentous and fast-breaking events we sometimes fail to acknowledge the accomplishments of individuals whose dedication and labors have contributed so significantly to their local communities and, in turn, to the Nation as a whole.

I am particularly proud to commend one of these individuals, Luthur C. Klosterman, a member of the dedicated majority of Americans, as he is honored on the completion of a remarkable career in veterans' work, government, and politics. Mr. Klosterman, who lives in Upper Dublin Township, Montgomery County, Pa., is a constituent of mine whose activities have demonstrated that one person can make an impact for good on the fabric of our society.

When Mr. Klosterman is cited on Saturday night, April 18, 1970, by his American Legion comrades, he will be looking back on more than a half century filled with memories of meaningful achievements.

Luther Klosterman devoted some 60 years to political activities, in this case, the cause of the Republican Party. For more than 20 years he served as a committeeman and for more than 10 years as township chairman. I, of course, am pleased that he is a Republican, but more importantly that he showed the individual citizen can play an important role in politics if he wants.

As an employee of the Montgomery County government, Mr. Klosterman worked diligently and faithfully. For the many years that he served in this capacity, he helped county government meet an amazing growth—growth that say Montgomery County increase its population from less than 200,000 persons at the end or World War I to its present three-quarters of a million.

But Luther Klosterman's drive for community and civic activities best can be illustrated by his veterans' work.

A World War I inductee, he trained at then Camp Meade, Md., before joining Battery E, 310th Field Artillery, 79th Division. He left Philadelphia on July 13, 1918, and arrived in Liverpool, England, on July 27, 1918. Transferred to France for further training, he eventually was assigned to artillery loaded on trains and ready to leave for the front. Before the trains could move, armistice was declared on November 11, 1918.

On his discharge from the service as a corporal on June 2, 1919, Luther Klosterman began his veterans' activities. He was a charter member of William Boulton Dixon Post No. 10, Fort Washington, and launched a career of more than 50 years in helping servicemen and veterans.

Mr. Klosterman was the first post adjutant. A post commander twice, he has served in every position at the post level. Remarkably, he still is the post's service officer, a position in which he has aided untold thousands.

His distinguished Legion career includes tenure as a commander of the Ninth District of Montgomery and Bucks Counties, a founder of Voiture 927, Forty and Eight, and as department hospital chairman for Valley Forge Hospital. He was department rehabilitation chairman for 4 years.

Mr. Klosterman was a member of the National Distinguished Guests Committee for 5 years. He is serving as a vice chairman of the National Security Committee. Other assignments included vice-chairman of the resolutions assignment committee, member of the American Legion Press Association, Keystone Go-Getters Club, past district commanders memorial fund drive, and United States Officers Association.

In these positions, Mr. Klosterman has more than worn the title. He contributed, by dint of his amazing capacity for work, to the well-being of servicemen and veterans. He must be very proud. All of us who know him are very proud indeed.

The worth of individuals such as Luther Klosterman to their communities cannot be weighed in words or commendations alone. Yet, I would not feel that I had done him justice without citing his contributions to his country and community. He merits our highest plaudits and "a job well done, Luther."

ANNIVERSARY OF LENIN, THE BOLSHEVIK BUTCHER

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. RARICK. Mr. Speaker, the world is about to celebrate with appropriate Red fanfare the 100th anniversary of one of the bloodiest murderers in its history—Nikolai Lenin, whose real name was Vladimir Ilyich Ulyanov. This character is the hero of the United Nations Organization humanist religion, as well as the patron saint of the new-breed ecologists who will spend April 22 honoring him by whining about decadent capitalistic civilization.

In order that we may have ready reference prior to the celebration, I include in my remarks pertinent published items dealing with the true activities and accomplishments of this internationalized Red hero:

[From the American Legion magazine, April 1970]

THE 100TH BIRTHDAY OF NIKOLAI LENIN

(By Albert L. Weeks)

April 22, 1970, is a red-letter day for Communists all over the world. It is the 100th birthday of the founder of modern Communism—Nikoli Lenin.

Lenin's real name was Vladimir Ilyich Ulyanov. He used many others, but to history he is Nikolai Lenin, born April 22, 1870, in Simbirsk on the Volga River.

His central claim to fame is as the creator and leader of the small Bolshevik Party which took over the Russian Revolution, cementing its power in November, 1917. A spontaneous uprising by others had overthrown the Tsar's government eight months earlier, while Lenin was in Switzerland; and Alexander Kerensky, a mild socialist, became the temporary leader.

To the Communists, whose Russian leaders have succeeded to the power structure set up by Lenin in 1917, Lenin is a saint, the holiest of the trinity of Communist deities consisting of the German Karl Marx, Marx's colleague Friedrich Engels and Lenin. Although the Communists profess atheism and condemn religion, there is nothing snide about likening their own regime to a religion.

The Lenin anniversary slogans emanating from Russia are full of religious symbolism. Some of these are: "Lenin is eternal," "Lenin is life itself" and "The Leader is the greatest genius of all time." The Russian Orthodox Easter falls on April 26 this year, four days after Lenin's birthday, and the Soviet propaganda bureau, Agitprop, has referred to the birthday as a "rebirth," a phrase with strong connotations of a resurrection. You frequently see such expressions in the Soviet press these days as "We vow to Thee, oh dear Ilyich." "Lenin bequeathed to us his sacred commandments" or the "sacred word of our dear Ilyich."

The Kremlin is pulling out all the stops for its worldwide commemoration and veneration of Lenin. Moscow radio and TV are broadcasting such programs as "Chronology of the Life and Work of Lenin," "Music the Ulyanov Family Listened To," "The Importance of V. I. Lenin's Book, 'Materialism and Empirio-Criticism,' in the Struggle Against Contemporary Bourgeois Philosophy and Sociology.' Movie theaters across the U.S.S.R. and abroad are showing such Lenin films as "Mother's Heart, Mother's Devotion" (a glamorization of Lenin's stormy and unhappy boyhood), "The Living Lenin," "Lenin in Poland," "Lenin in October," "Lenin in 1918," "Stories about Lenin," and ". . . Man with a Gun." Hundreds of thouands of rubles have been spent to set up "Leniniana" exhibitions; to publish Lenin's writings in 150 languages; to sponsors tours to Lenin shrines inside and outside Russia; to fly teams of speechmakers to remote Siberian villages, as well as to thickly populated areas; and to ship abroad "Leniniana kits" consisting of "study materials" destined for such remote places as Surinam, Zanzibar, Chad, Malta and San Marino, as well as large countries like the United States, West Germany, France, Britain and India.

The tiny eastern Siberian village of Shushenskoye has had its face lifted, and is decked out in banners and huge Lenin posters. It is a big tourist attraction in spite of the climate. Shusherskoye is the place where Lenin spent three years in serene exile, from 1897 to 1900. Today's visitors to the site are guided to the places where Lenin slept, took his meals, wrote pamphlets and letters (which were mailed back west), hunted and fished, skied and ice-skated, wrote a long book on capitalism in Tsarist Russia, and married Nadezhda Krupskaya, his homely lifelong "Girl Friday." Siberian exile in the days of the Tsar wasn't so bad if you were a well-known prisoner like Lenin.

Two years ago the Soviet Union asked the United Nations to join in the celebration. In October 1969 UNESCO agreed to sponsor the observance of the Lenin centenary after the Soviets insisted that its participation in Mahatma Gandhi's centenary (October 2, 1969) was a precedent for joining in Lenin's in 1970. The Soviet-backed resolution passed UNESCO by 48 to 7, with 21 abstentions and 47 members reporting themselves "absent." As finally approved, the resolution calls on UNESCO to "initiate certain activities to commemorate the centenary of the birth of V. I. Lenin, including . . . a symposium on the theme: 'Lenin and the Development of Science, Culture, and Education.' " A sum of $5,000 will be allocated toward the Lenin Symposium, to be held in Tampere, Finland, from April 6–10, 1970. The United States, which cast one of the 7 dissenting votes, protested against the symposium through an official spokesman. "[Lenin's] greatness," he said, "was of the sort that puts him in the historical company of Bismarck or Napoleon, not of Gandhi or Buddha or Marx . . . Like Napoleon, Lenin came to power promising freedom and became instead the innovator in what might be called the technology of the police state; just as Napoleon became the patron saint of military strategists in the nineteenth century, so has Lenin become the patron saint of advocates of violent revolution in the twentieth century." The U.S. spokesman asked if they are the kind of accomplishments to which UNESCO wishes to lend its name.

Lenin was a "compulsive revolutionary," writes Dr. Stefan Possony, the Rand Corporation Soviet expert, in his 1964 biography of Lenin. He was also a compulsive writer. He wrote no fewer than 100 million words during his 54-year lifetime, or about the same as Voltaire had produced by the time he was 84. The works of Lenin, according to *Pravda* (Dec. 28, 1969), have gone through 10,096 printings running to 348 million copies.

When one reads through a large share of Lenin's writings, he is struck by the contrast between what Lenin had to say before the Revolution and what he said after 1917. There is Lenin the promiser in the pre-revolutionary pamphlets and Lenin the dictator in the post-revolutionary decrees and secret letters to the Politburo. Just before the Bolshevik seizure of power on Nov. 7, 1917, Lenin promised to deliver the Russian people from Tsarist tyranny and give them "peace, land, and bread." Once in power he founded the oppressive "dictatorship of the workers and peasants," the Cheka or secret police, the Revolutionary Tribunals (imitated later in Castro's Cuba), concentration camps, the four-year civil war, the cult of the modern dictator and the international Communist revolutionary apparatus. All of these deeds were accomplished by Lenin in the short space of six years, from 1917 until 1924 when he died, presumably of a stroke. Part of that time he was laid low by a bullet from a female would-be assassin. The toll in lives stemming from those six Lenin years was staggering: [1]

Civil War in Russia (1917–1921)	3,000,000
War against Finland (1918)	50,000
War against the Baltic States (1918–19)	110,000
War against Poland (1920)	600,000
War against Georgia (1921–22)	20,000
Red Terror (1917–23)	2,290,000
Starvation (1921–22)	6,000,000
Total	12,070,000

Faced with the contradictions between the pre- and the post-revolutionary Lenins, today's Party is fabricating a third Lenin, in the shape of a saint. It is at the Lenin tomb in Red Square that the present-day Politburo ritualizes its legitimate succession down from Lenin.

But the Lenin religion has its heretics. Whispers of bitter criticism of Lenin and Leninism can be heard today within the Communist world. Some of it started to leak out of the Soviet Union just around the time when preparations for the Lenin jubilee got under way, back in 1968. The anti-Lenin criticism amounts to spreading disillusionment with "St. Vladimir," as his detractors call him. "Roy Medvedev," a Russian intellectual whose real name is his secret, has recently composed a 1,000-page indictment of Lenin. Written on a typewriter and stealthily circulated in numerous carbon copies inside and outside Russia, this document blames Lenin and Leninism, point by point, for all the evils of Stalinism (1928–1953), and beyond, and for Stalin himself, whom Lenin appointed to the highest post in the Party's executive organ, the Secretariat, as "General-Secretary." The Medvedev manuscript has found its way to France where it will soon be published in English under the tentative title, "The Genesis of Stalinism in Russia."

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[1] Statistics courtesy of Prof. Ivan A. Kurganov, former Director of the Leningrad Finance Institute, and published in Novoye Russkoye Slovo (New Russian Word), N.Y. Nov. 5, 1967.

The three Lenins bother other sensitive Russians who see the "Lenin cult" as a blind or rationalization for the many excesses of the Lenin, Stalin and post-Stalin periods—or as the Russians call them, the "dark side of the moon." The Lenin cult is seen as a mere pretext for the continuance of "modern Bourbonism" or royal rule, to use Boris Pasternak's phrase in his novel, Doctor Zhivago. It exists like a dangerous relic in an era of H-bombs and automation. The ever-growing number of anti-Bolshevik Russian intellectual, including the "father of the Soviet H-bomb," Dr. Andrei Sakharov, want to reform Russia, and reform it thoroughly. The Kremlin leaders, who call themselves "The disciples of Lenin," seem unable to throttle these protests altogether. The authentic Lenin has never been revealed to the whole Soviet people. No complete biography of Lenin has been published in Russia. But the men like Medvedev are beginning to piece together the flesh-and blood original. If an authentic biography should appear in Russia, the damage to the present ideology and justification of authority could be irreparable.

Who was the real Lenin?

He began life in the medium-size Volga River town of Simbirsk (renamed "Ulyanovsk" with Lenin's approval, in 1923), in April 1870.

Like many ultra-radicals, Vladimir Ilyich Ulyanov was born in comfortable circumstances. His mother's father, Alexander Blank, was a serf-owning landlord, a fact that is omitted from the very long article on Lenin in the *Great Soviet Encyclopedia*. Blank's large estate in Kokushkino served as the Ulyanov family's summer vacation home. Lenin's father, Ilya, was a public school administrator with a high rank and a Tsarist uniform to go along with it. Father Ilya was often away from home on alleged "inspection trips." This dismayed the mother because she suspected her husband of two-timing. She threatened several times to sue him for divorce, but didn't. Lenin's mother, Maria, who is depicted by Soviet propagandists as a sort of "Holy Mary," was of Swedish and German stock. On his father's side, Lenin's ancestry was Finno-Ugrian (Volga Chuvash) with an admixture of the Kalmuck Mongols. Moscow Party historians have clamped a tight lid on the genealogy of the Blanks. From his various ancestors Lenin inherited a swarthy complexion, deep-set almond-shaped eyes, high cheek bones and premature baldness (one of young Lenin's earliest nicknames was "*Starik*," or Old Man). At times, he bore a striking resemblance to the wild Asian Tartars from whom he was partly descended.

Lenin, the boy, was a "problem child," by far the most unruly of the six Ulyanov children. A seventh, Olga, died in infancy, a fact omitted for no special reason that I can think of in officially-approved "Reminiscences of Lenin." Lenin became especially difficult after his father died when the boy was fifteen. His school principal described him as a morose loner who "kept apart from the others." When he played chess—always within the family circle—he went about the game as if his whole life depended upon it. If he lost, which was seldom, he ranted and raved. Rebellious and contemptuous of all authority, he once tore off his Orthodox cross, threw it to the floor and then spat on it. He gravitated toward the most radical and uncompromising of political programs for reforming Russia. When he was seventeen, an event within the family bruised Lenin for life, and further impelled him in political pathological directions. His only older brother, Alexander, was executed on the Tsarist gallows in a much-publicized trial at the age of twenty-one. Alexander, a brooding ascetic type, had participated in an unsuccessful attempt to assassinate Tsar Alexander III. Once Lenin's grief, and that of his mother, had subsided, young Vladimir became coolly vengeful over what had happened to "Sasha." "We shall not take [Sasha's] road," he said. "Our road must be different." And indeed it was. No revolutionary heroics of "individual terror" would do the job, said Vladimir. His brother's revolutionism was hopefully idealistic and naive. Instead, Lenin painstakingly developed the concept of a tightly organized and disciplined underground band of "professional revolutionaries," adept with guns, manifestos, and the derring-do to rob banks for party funds. Lenin also developed the outlines of a post-revolutionary dictatorship which would unleash mass terror for the purpose of cleansing and 're-educating" remnants of the old society.

Long before he became an "orthodox Marxist," Lenin was the supporter of a species of home-grown Russian revolutionism called "Jacobinism." Named after the most ultra-radical and dictatorial sect of the French Revolution, the Russian Jacobins were unpopular with the rest of the Russian revolutionists. The latter condemned the Jacobins for their dictatorial methods and their cynical view of human affairs. Lenin was attracted to the Jacobin sect not only because it appealed to his arrogant, restless and secretive nature, but through his attachment at the age of about twenty to a woman revolutionary nine years his senior. This forceful personality, Maria Yaseneva, became Lenin's revolutionary teacher and mistress. For several years, she instructed Lenin in the Jacobin tradition in Russia, particularly in the writings and deeds of such firebrands as Sergei (The Eagle) Nechayev and Peter Tkachev. Nechayev was a murderer, terrorist and blackmailer of the 1860's who trusted none of his comrades, nor did they him. Tkachev, known as the "first Bolshevik" of the 1870's to Western historians, once recommended shooting everyone in Russia over 25, thereby starting the New Order "from scratch." Lenin later read, and copied from, Tkachev's numerous writings.

Only some years later, after the Yaseneva period, did Lenin decide to graft Western Marxism upon earlier beliefs. Thus, the Bolshevism which was to take shape in his mind was, by around 1900, a mixture of the German Marx and the Russian Jacobins. The revolutionaries would all be professionals, observing iron discipline, following without question the orders handed down from the Leninist "Center" of "talented leaders." Eventually, Lenin taught, the Center would order the seizure of power from the Tsar or whoever overthrew the Tsar, if someone else did. In that case, power would be "lying in the streets," and the Bolsheviks would pick it up, as Lenin was to say later.

Lenin soon set about making himself known to the budding Russian Marxist circles of the 1890's and early 1900's. The book that he wrote in exile at Shushenskoye, *The Development of Capitalism in Russia*, was an imposing work, replete with long, Germanic-like sentences resembling the heavy style of Dostoevski. It was accompanied with numerous statistical tables. The book immediately caught the attention of the "dean of Russian Marxism," George Plekhanov. Plekhanov eagerly awaited making the acquaintance of this "talented writer." That day came in 1900 when the thirty-year-old "Tulin" (Lenin) showed up in the Russian emigré haven of Geneva, Switzerland. Altogether.

Lenin used almost 100 pen names during his adult life. He rather enjoyed the secretiveness of the whole thing, and he knew he was not fooling the Tsar's police. His attachment to old Plekhanov was brief. Willful and self-assertive, intolerant of anyone who disagreed with him in the slightest, Lenin began to employ his famous salami-slicing tactics within socialist organizations. By splintering and breaking the back of more conservative revolutionary groups he was able to forge a small party of his own, carved out of the larger Russian Social Democrats. His followers called themselves "Bolsheviks" (from the Russian word, *bolshinstvo*, meaning "majority"). They were the most cynical and ruthless of the many Russians who hoped to end the Tsar's regime. Like almost everything else about the Bolsheviks, even the name was cynical. They became a "majority" of the Russian Social Democrats only because the rest of the SDs had walked out of a London party conference in 1903. The real majority, the democratically inclined Russian socialists who had left, were ironically labeled "Mensheviks" (from the Russian word *menshinstvo*, meaning "minority").

The major work written by Lenin at this time was *What Is To Be Done?* Often given the silent treatment in Russia today, this pamphlet is crucial for a true understanding of Bolshevist ideology, and of Lenin's politics.

The main points of the writing can be summarized as follows:

1. Socialism, he claimed, is the product of talented middle class minds (like Marx, Engels or Lenin himself), and is by no means the result of the thoughts and activities of the "ignorant" workers, as the Mensheviks and other "opportunists" maintain.

2. Revolution and his form of socialism must be forced on the workers "from outside," since they couldn't think out what they needed, or how to get it, or even stick to a plan of action if someone gave it to them. Workers, when left to their own devices, develop only money-grabbing "trade-union" ideas, said Lenin, as he named himself the head of the working classes.

3. Bolshevist revolutionary organizations must combine legal activity (via a political party, newspapers, agitation within unions, demonstrations, etc.) with illegal subversion (plotting the over-throw of the government, whether Tsarist or democratic, and shooting politics out of the barrel of a gun).

4. Bolshevist revolutionary organizations are to be run from the all-powerful Center, assuring perfect unity between scattered revolutionary cells, unquestioning obedience and iron discipline.

These were the main points of *What Is To Be Done?* Many of its principles were carried over into the post-1917 period and put into practice in the Soviet Republic in the form of "Essentials of Leninism," as Stalin put it. After 1917, the same enforced obedience to the ruling Communist Party in the Soviet State was demanded of the people as a whole, as it had been of Lenin's revolutionary cells before the Revolution. Moreover, the workers were told that "their" dictatorship required them to submit to ironclad discipline. He enforced it with the secret police and the new Red Army, which Lenin's colleague, Leon Trotsky, organized.

These policies bore no resemblance to the "anarcho-syndicalism" that Lenin had preached before he captured power. Before 1917 he had said that the workers would make decisions via "soviets" in "their own" socialized factories. A "soviet" was a local council running its own affairs, and a factory soviet was a council of workers running a factory. When Lenin needed the support of mobs and armed remnants of the Tsar's military to overthrow Kerensky's temporary revolutionary regime, he gave them the slogan "All power to the soviets!" When he achieved control, he suppressed the soviets at gunpoint when need be, but incorporated their name in the title of the new government.

In all of this he was true to the authoritarian spirit of the 1902–03 work. *What Is To Be Done?* which had not been meant for the eyes of rank and file workers. It, like other pamphlets soon to follow it, was addressed exclusively to potential recruits for

Bolshevism among the members of the Russian Social Democratic Labor Party.

In March 1917, Lenin was in Switzerland when the Tsar was suddenly overthrown by a spontaneous and leaderless uprising of city mobs. Lenin had not been in Russia for ten years, and he had recently predicted that revolution in Russia "would not come in my lifetime." Now it had happened and "power was lying in the streets." Dispirited, hungry citizens and mutinous soldiers had come to the end of centuries of suffering under aristocratic rule, capped by the Tsar's incompetent management of the war economy and the military in WWI. In the confusion that followed the deposition of the royal house, a Provisional Government was set up, first under Prince Lvov, and then under Alexander Kerensky, a member of one of the many underground socialist parties. Kerensky, who lives in New York City today, was such an agreeable and liberal man that hardly anyone objected to his temporary leadership until a constitutional convention could be called to establish a social democracy. The little Bolshevik cells in Russia, including men like Stalin and Molotov, had been operating by remote control during Lenin's long absence, and they, too, joined in support of the Provisional Government.

These events caught Lenin by complete surprise. He saw that, if he remained in Switzerland, opportunity to take charge during the confused state of things in Russia would slip through his fingers. He had to return home, he told his wife, Krupskaya.

After several weeks of negotiations between himself and agents of the German Kaiser in Berlin. Lenin and several of his followers were granted permission by the German Emperor, and indeed were eagerly abetted by the Germans, to make the long journey by sealed train from Switzerland into Russia and the "Finland Station" in Petrograd, Russia, though prostrate, was still technically in the war on the Allied side. The German motive in aiding Lenin was to help overthrow the new revolutionary regime in Russia and knock her totally out of the war.

Once back in his native country, Lenin took command of the confused Bolshevik cadre who had strayed from his party line. Instead of support-for-the-Provisional-Government line, Lenin preached subversion of the budding new democracy. At the same time, he ordered his Bolshevik editors and propagandists to shower a whole catalogue of promises upon the restive workers and peasants: peace, land, and bread; calling of a freely-elected Constituent Assembly which would draft a Constitution for a free Russian Republic; socialized factories in which the workers would run things and share in the profits; freedom of speech, press, and assembly, no strings attached; abolition of ranks and privileges in the armed services and civilian administration; abolition of the death penalty and Siberian exile; a prosperous material life in which there would be no inequality. And so on.

The basic Lenin work, in which these recipes for Bolshevik pie-in-the-sky may be found, is the August 1917 pamphlet written by Lenin under the title *State and Revolution*, a title borrowed from Peter Tkachev. According to a recent issue of Pravda, *State and Revolution* is the Lenin writing most exported out of Russia for consumption by "class-conscious toilers in foreign countries." There is much in the pamphlet that would appeal to unsophisticated audiences in Asia, Africa and Latin America. Many Russians, some of them avowed Bolsheviks, were themselves fooled by Lenin's promises. Some years after the November 1917 Bolshevik *coup d'etat*, Lenin made some rather rare, frank statements about the kinds of promises he had made in 1917 just before the *coup*. In his speech made to the party in May 1919, Lenin rebuked those comrades who always kept bringing up the subject of his "unfulfilled promises." He explained that the promises on which his party got itself into power were made under "adverse conditions" and were directed only at the emotions of the masses. Such promises, he said, "do not count."

Reading Lenin's utopian promises in Soviet Russia today, a Russian does not know whether to weep bitterly or to laugh. Lenin the promiser wrote in August 1917:

"All governmental power will begin to be diminished immediately after the revolution.

"The military, the police, jails, etc., will start to disappear once the 'democratic dictatorship of the proletariat' comes into operation.

"Everyone, including ordinary workers and Russian housewives, will participate directly in the 'simple operations of control and accounting' within socialist society, and everyone will govern.

"Authorities will enjoy the same rank, station in life, even salary, as the workers and peasants, or about 6,000 rubles per year [today's average worker's salary is about 1,500 rubles].

"The 'workers' democracy,' which will replace 'middle class democracy,' will be ten times more democratic.

"No violence will be permitted 'against men in general' and 'all need for the application of force will vanish, as will subjection of one man to another, or one part of the population to another.' "

Lenin's very words.

But once Lenin the promiser became Lenin the leader of the Soviet State, the promises began to be cast aside.

Describing his Soviet Government as temporary in the decree signed by him on Nov. 8, 1917, Lenin immediately set about making it permanent. "Hostile" newspapers were suppressed, ditto political parties. Revolutionary Tribunals were established all over the country and justice, if it can be called that, was meted out to "counter-revolutionary elements," by means of drumhead firing squads. The Cheka (abbreviation for the Russian words for "Extraordinary Commission for Fighting Counter-revolution") was established under the sadistic non-Russian. Felix Dzerhinsky. The Cheka was the forerunner of the later state police agencies—GPU, NKVD, MVD and KGB.

Lenin and his tiny group of about a dozen Commissars and other Bolshevik colleagues, abetted by some 25,000 loyal and disciplined local Bolshevik agents, had seized power and intended to hang onto it forever. Dictatorship became the order of the day. As Lenin said soon after the 1917 seizure of power: "How can the strictest unity of will be guaranteed? Only by the subordination of the wills of thousands to the will of one."

One very big promise, however, stuck, like a bone in Lenin's throat. Even some of his Central Committee comrades thought it should be fulfilled, at least in part. This was the long-standing pledge made by *all* political parties before November 1917, to call an all-Russian Constituent Assembly, reminiscent of the Convention that wrote the U.S. Constitution in Philadelphia in 1787. For weeks the Bolsheviks debated the question among themselves, while Lenin stubbornly said "No!" Eventually, a majority of Lenin's comrades prevailed upon him, and the Assembly was permitted to meet.

Perhaps no other event in Soviet history reveals so much about Lenin and the Communists as does that tragic one-day meeting of the last freely-elected assembly in Russia. The precedent of how the Communists destroyed it, and Russian democracy along with it, is a reminder to any contemporary non-Communist democratic country not to neglect, but to defend its democratic institutions.

Elected by no less than 36 million Russian voters, an Assembly that was largely non-Bolshevik and considerably anti-Bolshevik took its seats in Tavrida Palace in Petrograd (renamed Leningrad three days after Lenin died) on a bitterly cold January 18, 1918. The Bolsheviks had won only about 20% of the vote. This was quite a setback when you realize that much of the country was honeycombed with Chekists and Communists during the time of the balloting. But still the Russian people refused to support the Communists. Lenin had been proved right in his fear that the Bolsheviks would be roundly rejected in a free contest. And so dozens of speeches were made inside the Tavrida Palace while Bolshevik armed guards, consisting mostly of Latvian sharpshooters, ringed the building and were posted at all doors to the palace. Lenin's behavior was typically contemptuous. He lounged in the front of the hall, slouched rudely down in his seat, his feet propped up against the raised platform. At intervals he yawned audibly, smirked or guffawed at non-Bolshevik speakers. Occasionally the Bolshevik claque noisily interfered with the speakers.

As if to signal that an end should be put to what Lenin called the "bourgeois-democratic talk fest." Lenin abruptly left the auditorium, returning to his headquarters in Smolny Institute down the street. Then the going really got rough inside the hall. By repeatedly stamping their feet, shouting and jumping up on the speaker's rostrum, Bolshevik agitators made it all but impossible for anyone to finish a sentence. Suddenly, the lights were turned off. "We're going home!" shouted one of the riflemen-guards, and his comrades proceeded to empty the hall, at gunpoint when necessary.

The next day, Tavrida Palace was bolted tight and guards were posted to cordon off the building. Meanwhile, many of the delegates, especially the better known socialists and liberals, were arrested, sent to labor camps, imprisoned, banished from the country or shot. The Constituent Assembly "is hereby prorogued," announced the Soviet Government, with the authority of the Chairman of the Council of People's Commissars, V. I. Ulyanov (Lenin). "Prorogued" means "deferred to a later date." This ended the one day that did not shake the world, nor Lenin's dictatorship. Today, as I found on a recent rtip to Leningrad, Tavrida Palace functions as a "Higher Party School." The words of Lenin hover over the palace like an unwelcome ghost—"The dispersal of the Constituent Assembly by the Soviet Government is a frank and complete liquidation of formal democracy in the name of revolutionary dictatorship." Which explains why the Assembly is still prorogued after 52 years.

From mid-January 1918 forward, Lenin's regime was on the defense, as anti-Bolshevik sentiments within the population began to be converted into armies of counter-Bolshevik soldiers. Prisons began to fill up with "pol-pleniki," or political prisoners. The Lenin toll in lives began to mount. But, at the same time, a virulent political opposition within the Bolshevik party began to develop, much to Lenin's horror. The famous Tenth Party ("Unity") Congress (1921) went down in Communist history as Lenin's classical way of dealing with opposition in his own party. Disagreement with the party line by party members, he said, is a "breach of party discipline" and will not be tolerated. "We have had enough of opposition!" Lenin insisted at the congress. The Cheka and Trotsky's soldiers stood behind these declarations.

What were the gripes of the Bolsheviks who thus opposed their founder? The best statement ever made by disillusioned Communists—with the possible exception of the Czechoslovak reformed-Communists in 1968—is that of the Kronstadt sailors and their Communist leaders. It was this island

XUM

fortress of garrisoned Red sailors situated in the Baltic Sea near Petrograd which openly revolted against the Lenin regime in March of 1921. Some of them had held the rifles that sent the Constituent Assembly home.

The first grievance of the Kronstadters against Lenin was aimed at his government's poor economic performance. Production of consumer goods, sorely needed by the Russian population, was not more than a fourth of the pre-World War I figure. Peasants could not work the soil properly since production of agricultural tools and equipment was neglected in favor of production of weapons and vehicles needed for enforcing the dictatorship. Paper-money inflation reached such astronomical heights that workers' wages were often paid in kind—food rations, clothing, shoes—since the real value of their earnings had been reduced nearly to zero.

Second, the Kronstadt rebels, and they had many sympathizers beyond Petrograd, demanded an end to dictatorship by a single party and the single leader, Lenin.

Third, all land was to be returned to the peasants, from whom in many cases it had been appropriated in the name of "nationalization of all property." Factories were to go to the workers to be run by the soviets, as promised by Lenin in *State and Revolution* and in other articles and speeches before November 7, 1917. And so on.

Naturally, Lenin and his men did not intend to stand by and watch Kronstadt become a national insurrection. Trotsky unlimbered part of the Red Army and marched it on Kronstadt. The sailors asked for a meeting to state their grievances. Instead they were given an ultimatum to surrender, followed by an armed attack.

Lenin sent his white-garbed Red Soldiers across the ice in a driving snow storm on the night of March 8, 1921. The sailors defended themselves valiantly but hopelessly. The attackers suffered 4,127 wounded and 527 killed. No figures for the losses inflicted on the rebels have ever been released, but they were overcome. "Once Kronstadt had been taken," writes Roland Gaucher in his new book, *Opposition in the U.S.S.R. 1917–1967* (Funk & Wagnalls, 1969), "the Cheka's tribunals moved in. There were mass arrests. Petrograd's prisons were jammed. Every night little groups of prisoners were taken out of their cells and shot . . . Those who were spared were loaded on to trains and shipped to the north and the camps of Arkhangel. These men would never be seen again."

XUM

Should the presently spreading anti-Lenin campaign, represented by the Medvedev manuscript, ever build into large-scale insurrection, the "Kronstadt Program" of the demands made by the sailors against the Lenin regime would undoubtedly be resurrected.

Just before he died and while he was prevented by illness from working in his Kremlin office for over a year, Lenin seems to have been plagued by a dozen demons besides popular dissatisfaction. He began to become aware of a conspiracy against him from within his own Politburo (some say Stalin had Lenin poisoned). He became increasingly confused as to how to handle the ponderous bureaucracy which he had created. The Soviet State had become a Frankenstein's monster and its creator had no idea how to manage it. Utterly useless "secret letters to the Politburo" were written by the ailing leader. All sorts of new agencies were created to "combat bureaucracy." Having become suspicious of Stalin, Lenin advised his comrades to find some way of "removing Stalin." But in this, as in many other respects, the comrades ignored him. One night, on the spur of the moment and with almost frantic suspicion, the ailing Lenin ordered his chauffeur to drive him unnoticed and unannounced to his empty Kremlin office. There he saw terrified looks on the faces of underlings who watched him stalking his office like an unwanted ghost. The visit lasted only a few hours, after which Lenin's doctors ordered him to return to his suburban Moscow retreat of Gorky. That was the last time he came to the Kremlin alive.

A few months later he died. Stalin, whom Lenin had belatedly warned his followers to cast off, jockeyed himself into position as the chief mourner, and the Lenin cult was born.

The rest of the heritage that started with Lenin has been surveyed time and again—the brutal collectivization drive, the ever-increasing number of labor camps, violent insurrections among the population that were put down by the Soviet police and military, the bloodbath purges of the 1930's, the wartime and postwar Soviet take-overs in the Baltic States, Eastern Central and Balkan Europe, the lack of elmentary civil liberties and so on.

The celebration takes place this April 22.

ECCE HOMO—BEHOLD THE MAN

You will be hearing quite a bit this year about Lenin and his "humanism" . . . his concern for the toiling, oppressed masses. Be careful! These are lies!

For, in truth, Lenin was a cunning, self-centered, cynical bigot who didn't give a whit about anybody or anything. His sole concern was *violent revolution* to save and expand the Russian Empire, and the power that flows from revolution. Although bemoaning the plight of the proletariat, he ridiculed those liberals who were trying to legally reform the system or who personally performed philanthropic work among the masses. He, himself, having been born into a well-off family, and preferring to subsist off his mother's pension, never knew the meaning of manual work. Even as a lawyer, with the opportunity to defend the exploited from the exploiters in a court of law, Lenin was a complete flop: out of ten cases he won only one—his own.

The particular kind of psychopathy that had taken possession of Lenin would, in contemporary psychology, be diagnosed as megalomania. Traces of it can be found very early in his childhood, and, after several nervous breakdowns, terminated in a brain hemorrhage. As a child he was rejected by his peers because of his mocking, arrogant attitude and ill-tempered intolerance. A biographer has described him at this time as . . . "cruel by nature. As a boy, he liked to shoot at stray cats, or to break a crow's wing with his airgun." This cruelty was to exert itself a thousand times more strongly, when he ordered his Red Troops to "pry bread from the peasants with bayonets," and to apply the "most drastic measures" in destroying the Ukrainian, Byelorussian, Caucasian, Baltic, and other national republics that had declared their independence of the Russian Tsarist Empire in 1917–1918.

Regarding his personal ethics, Trotsky referred to Lenin as "opportunistic" in his standards. Lenin, himself, admitted that he had learned to regard "all persons without sentiment; to keep a stone in one's sling." For Lenin, the fulfillment of his psychotic dream—a communist world under Moscow's absolute control—was greater than life itself (particularly somebody else's); in his own words: ". . . it doesn't matter if three-fourths of mankind perish! The only thing that matters is that, in the end, the remaining fourth shall be communist."

George F. Kennan, America's top Sovietologist, describes the Bolshevik clique that grabbed power in 1917 as "frustrated, discontented, hopeless of finding self-expression—or too impatient to seek it—in the confining limits of the Tsarist political system, yet lacking wide popular support for their choice of bloody revolution as a means of social betterment, these revolutionists found in Marxist theory a highly convenient rationalization for their own instinctive desires. It afforded pseudo-scientific justification for impatience, for their categoric denial of all value in the Tsarist system, for their yearning for power and revenge, and for their inclination to cut corners in the pursuit of it. . . . But in seeking that security of their own rule, they were prepared to recognize no restrictions, either of God or man, in the character of their methods. And until such time as that security might be achieved, they placed far down on their scale of operational priorities the comforts and happiness of the peoples entrusted to their care . . . . The security of Soviet power came to rest on the iron discipline of the Party, in the severity and ubiquity of the secret police, and on the uncompromising economic monopolism of the state."

HAS ANYTHING CHANGED?

Has anything changed since the overthrow of Tsarism in the Russian Empire? Yes . . . for the worse! The 5,000 Tsarist secret police were replaced by the Soviet secret police of 2,000,000. The Tsarist policy of Russification of captive, non-Russian nations such as Ukraine, Esthonia, Armenia, Turkestan, etc., became a more refined policy of outright physical extermination, mass deportation—resulting in a staggering 72,000,000 deaths since 1917. Tsarist imperial expansion under the guise of Pan-Slavisim was replaced by a globe-girding Bolshevik program of expansion under the guise of Communism. Tsarist feudal exploitation of the peasantry by the wealthy aristocracy, was replaced by state exploitation of the peasantry by the party bureaucracy. Even the highly-touted industrial development of the Russian Communist Empire has yet to match the 19% annual rate of growth of the Empire industry prior to the bolshevik Revolution. Absolutism, despotism, centralism, and the law of force became the keystones of this "workers' paradise" founded by Lenin and his cronies. All non-Russian churches were virtually destroyed.

Yes, Lenin would have been proud to see how "mother Russian" has advanced in the last 52 years . . . like a large, bloated parasite feeding off the blood and sweat of Eastern Europe, Cuba, and now is reaching out over the Mediterranean to snuff out the life of tiny Israel, and thereby ensnare the whole Arab world. Today Russians are in control of all the administrative positions in the USSR, in the universities, behind desks, while the colonial non-Russian republics, are providing the man-power and natural resources to fuel this gigantic machine of oppression.

Yet, in spite of Lenin's extensive and serious criminal record, the U.N. educational division, UNESCO, has authorized a symposium on Lenin in April, 1970 to greet the centenary of his birth in 1870, and empowered the U.N. Commission on Human Rights in Geneva to hold a special meeting as a memorial for the "humanist ideas of Lenin" and the "significant practical and theoretical contributions of Lenin, prominent humanist, to the development and realization of economic, social, and cultural rights."

By authorizing a symposium and a special meeting for the glorification of Lenin, the U.N. has trampled upon the misery of the people enslaved by the communist tyrants, and especially those of the captive, non-Russian people in the USSR; has perverted the concept of peace, freedom, humanity and justice into a monumental, perfidious hypocricy; and has become a willing accessory for the promulgation of red fascism.

What a travesty against history!

That any organization—other than communist—would attempt to prostitute education by peddling Lenin as a humanist is an insult to the civilized world community.

Shame on the U.N.! Shame on UNESCO!

Freedom to Nations! Freedom to Individuals!

Achievements of the U.S.S.R. after 52 years of existence—the human victims

The Russian Civil War (1917–21)	1,000,000
War against Ukraine (1917–22)	2,000,000
War again Finland (1918)	50,000
War against the Baltic countries (1918–19)	110,000
War against Poland (1920)	600,000
War against Georgia (1921–22)	20,000
War against Japan (1928–31)	30,000
War against Poland (1939)	3,000
War against Finland (1939)	400,000
Second World War (according to Khrushchev data)	20,000,000
The Red terror (1917–23)	2,290,000
Second wave of terror of Cheka (1923–30)	2,000,000
First Famine (1921–22)	6,000,000
Second artificial Famine in Ukraine (1933)	1,000,000
Killing of "kulaks" (collectivization)	1,000,000
Third wave of terror by the NKVD (1933–37)	1,600,000
Yezovshchina (1937–38)	2,500,000
Years of antiwar and postwar (1937–47)	2,700,000
In concentration camps in Siberia	20,000,000
Total	72,303,000

American Friends of Antibolshevik Block of Nations, Washington Metropolitan Branch, Post Office Box 4212, Washington, D.C., 20012.

AN APPEAL TO THE NATIONS OF THE WORLD

In 1970 the Soviet government is going to celebrate the centennial anniversary of the birth of Lenin, the founder of the USSR. Grand parades will take place in Moscow and the Russian people will be compelled, for fear of severe reprisals, to glorify the fanatic who enslaved them to Communism.

It has been announced in the newspapers that the United Nations intend to pay their tribute to V. I. Lenin, honoring him for his alleged "humanitarian ideas" and his "activities inspiring and developing economic, social and cultural rights".

We, Russian immigrants, who chose freedom earnestly protest against the celebration of V. I. Lenin by the United Nations because such a glorification of this Communist leader would be a proof of complete ignorance of historic facts by the participating Nations and a bitter mockery at the suffering Russian people.

We are speaking on behalf of several millions of Russian immigrants who left their homes in their Fatherland and immigrated to foreign countries all over the world because of the intolerable oppression of the Communist regime imposed by Lenin in the Soviet Union that *deprived the people of human rights and made them slaves.*

We accuse Lenin and the Comintern of having seized Russia by deceit and terror and having established their Headquarters (the Soviet Government) in Moscow. They have abolished even the name "Russia" and changed it into a "Union of Soviet Socialist Republics" pending the formation of a World Socialist Union under Communist rule.

We accuse Lenin and the Communist Soviet government of regicide: the brutal massacre of Emperor Nicholas II and Empress Alezandra, their son the heir to the throne Czsrevich Alexey and their beautiful young daughters in the basement of the Ipatiev's house in Ekaterinburg, which has been renamed Sverdlovsk in honor of the man by whose order the massacre had been committed.

We accuse Lenin and the Communist Soviet government of the murder of scores of millions of Russian men, women and even adolescents in the prisons of the Cheka and in the slave-labor camps beyond the Arctic Circle, submitted to torture, exhausted by hard labor and shot, their bodies being thrown into ditches without Christian burial.

We accuse Lenin and the Communist Soviet government of the tragic plight and death of millions of children who had been made homeless orphans, their parents having been shot or imprisoned, who were roaming all over the country in quest of food, sleeping under bridges, traveling on tops or between wheels of railway carriages, gathering in packs, robbing vegetable gardens and being shot like little wild animals, dying by thousands from accidents, sickness, hunger and early vice. According to the Soviet census in 1927 there were 9,000,000 such destitute children, called "bezprizorniki" which means "those who are not cared for."

We accuse Lenin and the Communist Soviet government of inhuman "collectivization" of peasants whose will they had broken by ruthless shootings and the organization of an artificial hunger which brought death to millions of people and depopulated whole regions.

We accuse Lenin and the Communist Soviet government of ruthless persecution of religion and especially of the Russian Orthodox Church, of having imprisoned and shot thousands of priests (among them 51 bishops and 2 metropolitans), of deporting to slave-labor camps, monks, nuns and Christian believers, of demolishing the beautiful cathedral of Christ Our Savior in Moscow, of transforming the highly venerated Solovky Monastery into a terrible prison, of destroying and desecrating thousands of Russian churches and of carrying on a vicious militant propaganda of atheism. We also accuse Lenin of vandalism; of the destruction of historical monuments and landmarks and beautiful works of art precious to the Russian culture.

We accuse Lenin and the Communist Soviet government of having robbed the Russian people of their wealth and of having abolished private property. We accuse Lenin of his senseless economic policy because of which Russia, formerly the granary of Europe, but since transformed into the USSR, has to buy wheat from the United States and Canada.

We accuse Lenin and the Communist Soviet government of inculcating the Marxism-Leninism and the deadly Dialectical Materialism into the minds of the people, stifling and killing every free thought, every free word, every initiative, transforming a human being into a soul-less robot. We accuse Lenin of exploiting and harnessing the Russian genius with the purpose of deceiving the Free World and destroying it.

We accuse Lenin and the Communist Soviet government with the diabolic organization of the CHEKA, GPU, NKVD and KGB which introduced spying into public life and even into the family, teaching children to report on their parents and destroying the trust among individuals, making impossible any preparation necessary for the liberation movement.

We accuse Lenin and the Communist Party of world aggression having for object World Domination.

We believe that the eulogy of Lenin's "ideas" and "activity" by the United Nations will be misleading and dangerous to the Free World.

OLGA SVIR.

LOS ANGELES, CALIF.

PERSECUTION OF CHRISTIANS IN THE SOVIET UNION—1969

The year ends. What happened in this year with the Christians in the Soviet Union? Let us give the words of the Soviet press:

"Pravda Vostoka" of March 6, 1969, reports about the second trial of the Orthodox Valentina Wnukowa. Her crime is that she protested against the closing of the church in her village, and that she changed her home into a church. Together with her, Ekaternia Pochiltschuk also landed in prison.

"Znamia Vostoka" of March 6, 1969, reports from Suchumi that several illegal prayer houses have been discovered. Boris Lukaschew, Punk, Reschuk, and other have been condemned because they organized a secret printing press on which the secret Baptist magazine, "The Herald of Salvation," was printed."

Another point of incrimination is religious teaching of children. Zoia Pokrachinskaia, a member of the organization of the Communist youth, was converted and started writing to soldiers of the Red army, asking them, in the name of the love of God, to separate themselves from the world. For this, this girl landed in prison.

"Pravda Vostoka" of May 8, 1969, reports that in the town of Angren, eight Soviet citizens, all of German background, have been condemned to up to five years of prison. They are guilty of organizing prayer meetings with over sixty young people and of spreading contagious diseases to the Soviet population by three means: (1) The holy kiss. (The Russian Christians kiss each other at the end of the church service.) (2) Taking part in the holy sacrament from the same glass. (3) Baptizing in the same water.

Only one month later, in the same town of Angren, another fifteen people were condemned for their religious convictions. Among others are Rabintschuk together with his four sons. ("Pravda Vostoka" of June 12).

We also have reports about twenty-three condemnations for religious reasons within one town, in one month. The Soviet Union has 5,094 towns. The year has twelve months. There is no reason to believe that the Christians in Angren are more persecuted than in other places. How many Christians are there in prison today in the Soviet Union?

"Liudina i Svit," the atheist Ukrainian magazine in its issue of August 1, incriminates B. Zdorowetz, charging him with sending to the West materials about the state of the church in the Soviet Union. In Krivoi Rog, according to this report, Baptists had an open procession. The police tried to disperse them. The Baptist Petrakov, according to the article, slapped a policeman and of course received the natural consequence of his act.

"Pravda" of August 19, 1969, reports about the secret Baptist and underground prayer meetings (why should they be underground?). Tscherwiakowa arrived before the tribunal. She had twelve children reared in the Christian faith. The same with Kondraschow.

"Komnunist Tadjikistana" of September 30 reminds the Communists that Lenin taught them that the fight against religious ideology and the atheist rearing of children is the main task of the Party.

"Sovietskaia Estonia" of October 5 presents us a picture of the church in Suzadal. The church has been transformed into a museum.

"Kazakstankaia Pravda" of September 20, 1969, reports about the imprisonment of the believers Andreas Dehring, Iokob, and Olga Stadel.

This is only a very short and prosaic presentation of some facts from the Soviet Press. How much pain and torture lies beyond that can be seen from the report of the Underground Church in the Soviet Union concerning Hmara of Kulunda, whose corpse was returned to his family. From the mouth bloody rags have been taken out, revealing that the tongue had been cut out and the teeth kicked out. The soles of the feet were cut and bruised by beatings. Burns appear on his legs. The case of Hmara was reported in 1966. Those who ran the prisons in 1966 in the Soviet Union are still running them

XUM

today. The well-known book of Marchenko, my testimony, describes the awful treatment of Christians and others in Soviet prisons.

I have just received an open letter addressed to Kosygin and Brezhnev by families of Christian prisoners. Out of this letter we present new facts.

Lieutenant Arnow, the head of the Kairsch prison camp, one day told the Christian prisoner Petrenko, "Today the Baptist Petrenko is dead. From today on, even the prisoner Petrenko does not exist in the prison camp." Since then, his family has not seen him anymore, and no parcels can be sent to him. It is believed that he is very ill. To the invalid Fiodor Petrakov, Major Schtscheglow said, "Forget your faith and your God. Then you may eat." The Christian refused the deal. Here also, his contact with his family was broken.

In the city of Kopeisk, the Communists and policemen entered the Baptist church during the service. On the altar they placed bottles with alcoholic beverages and photographed the believers with them. Then, they could show in their atheistic propaganda that the Christians were reveling during their church service.

In Nijnaia Tagida, twenty-three Christians were fined 4,945 rubles for illegal prayer meetings. Because they were too poor, they could not pay this fine. Now, their furniture, their sewing machines, and other things are publicly auctioned to pay the fine.

In this letter, new arrests are also announced. Among the condemned is Serghei Golev. He is 74 years old and has already spent nineteen years in prison. In the condemnation, it was stated that the Bibles found in his home were destroyed.

All Christians who have fulfilled their prison term are now under house arrest.

The sentence against N. Sloboda, V. Sloboda and P. Kurasch states that radios have been confiscated from them because they listened to religious broadcasts from the West.

"Visti i Rymu" of June, 1969, says also that the Greek Catholic Bishop Basil Welyczkowskii has died in prison.

This is the state of the Christians in the Soviet Union in 1969.

RICHARD WURMBRAND.

XUM

HOW I CAN MAKE A BETTER AMERICA

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. DULSKI. Mr. Speaker, each year a large number of students in the schools of Erie County, N.Y., engage in an essay contest conducted by the Buffalo Evening News and the Erie County American Legion and Auxiliary.

This year marked the 41st year of the contest and 12 winners were chosen from among the thousands of entrants in the sixth through the 12th grades in some 300 public and private schools.

The prize for the 12 winners, once again, was a long weekend trip by air to our Nation's Capital over the Easter holiday weekend.

In the Capital, the winners received, very appropriately, the real VIP treatment, being provided with a private bus which took them to historic sites on a carefully prearranged and all-inclusive schedule.

Accompanying the winners to Washington were Russell F. Tripi, Legion Americanism chairman; Mrs. Max F. Senn, Auxiliary Americanism leader; Mr. Senn; and David E. Peugeot, promotion editor of the Buffalo Evening News.

The topic for this year's contest was: How I Can Make a Better America.

Following are the texts of the winning essays:

HOW I CAN MAKE A BETTER AMERICA

(By Valorie Dubois)

(Miss Dubois, 17, of 170 Woodlawn Ave., Buffalo, is an East High School junior, winner of Girls Division of the Buffalo High School Classification. Her teacher is Melvin A. Bass.)

America is my homeland, a land that I love. Her founding fathers visualized and sought to establish a nation which would provide life, liberty, and happiness to all her people. But despite all the good aspects of the American way of life, evils also emerge. America is plagued by internal turmoil, crime, social injustice, drug abuse, pornography, and immorality. Yet I, as a citizen, can help make America better. Her ideals have not been attained fully, but her case is not hopeless. Amid America's strife, I must keep a cool, level head. I must assert my individuality and use my own judgment in moral and civil matters.

My contribution to the improvement of my country depends on my love for her. Everyone respects, admires, and protects anything he loves. I can prove my love, and dedication to my country by obeying her laws, guarding her freedom, and being true to the ideals set forth by her forefathers.

I must make full use of the privileges and accept the responsibilities offered to me by my country. I can help America find peace needed so desperately. I can help America return to religion and prayer; to be aware of her moral conduct; to seek good in all men; and to face and live life completely. I must be a personal ambassador in my home, community, and city by exemplifying the American way of life. I must be a symbol to the world of a true American. I must display an understanding attitude toward others, and through education learn more about others and their way of life. I must help others to realize that human beings all over the world have similar desires and aspirations.

It is my individual responsibility as an American to understand her way of lfe, to help sustain it, to conduct myself at all times as a true American. I have to try to transmit this spirit to others around me and to future generations.

America will be better if I, and all Americans, build upon rather than try to destroy the solid foundations laid by our forefathers.

(By Bruce Markowitz)

(Mr. Markowitz, 15, of 117 Homer Ave., Buffalo, is a Riverside High School sophomore, winner of Boys Division of the Buffalo Public High School Classification. His teacher is Mrs. Ruth P. Zietlow.)

Perching upon a mountain—a cloudy view of the American countryside unfolding before my eyes. Numerous thoughts spin through my mind as I view the glorious scene of splendor and beauty. The land is so beautiful and magnificent; its potential to be a haven of common brotherhood is limitless. Therefore, why are there so many huge problems if the land is so capable of being a glorious place in which to live?

I, as an American youth living in the twentieth century, am faced with the tremendous responsibility and challenge of helping to alleviate the familiar problems of poverty, war, pollution, and prejudice that blight our country. It would be so easy to assume the attitude of many of my fellow Americans—apathy. I will not because I must meet my responsibility and apathy is fatal to the indefatigable efforts of those Americans who are trying to unite in a mutual understanding.

I firmly believe that before America can fully solve her manifold problems, the citizens of our country, including myself, must undergo a period of self-examination and soul-searching to determine what should be improved in ourselves and afterwards we can all aid in the betterment of America because we have achieved the goal of self-betterment.

Indeed, the challenge is demanding, but I must help meet it by involvement in community affairs. The path to achieving harmony is difficult and obstacles loom in our path. However, if I as an American can undergo a personal self-examination and persuade others to do so, I will have bettered America. American values can, must, and will change through a unified effort. By aiding my fellow Americans financially, physically, mentally, and emotionally I am helping to better America.

As the late Robert F. Kennedy said, "I dream of things that never were and ask why not?" In these troubled times for America, let us all fulfill our individual responsibilities of self-betterment and then unite in a single common brotherhood of man under the fatherhood of God. I hope that I will be able to play an important role in achieving this ideal situation.

(By Cynthia Lipsius)

(Miss Lipsius, 11, 21 Parkside Ave., Buffalo, is a sixth-grade pupil at School 54, winner of the Girls Division of Buffalo Public Elementary School Classification. Her teacher is Joyce C. Pestell.)

How can I make a better America? There are many ways that come to mind, but the most important of these ways is to improve myself. I can work at breaking down bad habits and building good ones. I can learn to accept helpful criticism without becoming hurt. I can try to think of other people first and myself last. I can learn to understand other people and their way of life, and in many ways show kindness and consideration for others.

How can I make a better America? I can make a better America by showing good conduct and attitudes.

How can I make a better America? I can set a good example for others. I can try to be a good citizen right here where I live.

How can I make a better America? I can take advantage of the education offered to me. I can pass on the benefits of this education to those who are less fortunate than I am.

It is only when I have bettered myself that I can help to improve my surroundings, thus helping my country. How can I make a better America? There are many ways, but the most important of these ways is by improving me.

(By Allan E. Frank)

(Mr. Frank, 13, 544 Highgate Ave., Buffalo, is an eighth-grade pupil at School 80, winner of the Boys Division of the Buffalo Public Elementary School Classification. His teacher is Mrs. Mary A. Lynch.)

America's image today has become blurred at home and abroad, but we know that this picture can be cleared.

To reestablish America's prestige, I have to start improving myself. I will begin by upgrading my speech habits and acquiring a vocabulary that shows culture and maturity. My attitude towards rules, my personal conduct, and my eagerness to learn are impressive examples for the younger people of my generation.

Directly, I can do very little for peace, but to help achieve this goal, I cannot run away from it; I must strive for peace. Respecting others is a start. Although I might not agree with another's opinion, I can let it be proved or disproved before accepting or rejecting it, I can rate people for what they are, not for their background or color. This respect will spread until races will respect races and nations will respect nations. This will truly be a basis for peace.

I will study the characters and accomplishments of politicians of today so that when I reach voting age, I will be able to better evaluate candidates. It will be my generation that must keep our government from going to the extremes of despotism or anarchy.

Since I am a young American, I have to prepare myself for an occupation that will benefit America. I could consider the Peace Corps, Vista and other social services. But not everybody has to be a social worker. America needs private enterprise for its economy. Who else will pay taxes? Who else will grow food? Who will make necessities and luxuries? Who will distribute these?

It's about time I stopped putting the blame on some one else for how this country looks, and stopped complaining about what "They" should do. I have to start working—Now!

(By James P. Speciale)

(Mr. Speciale, 16, 31 Avery St., Lackawanna, is a Lackawanna Senior High junior, winner of the Boys Division of the Erie County Public High School Classification. His teacher is Julius Boda.)

Perfection is an endless struggle, but the very striving for perfection brings about a change for the better. Since the time of colonial America, countless changes have taken place in this country, most of which were initiated by individuals attempting to improve America.

In America today, the pendulum of ideas is winging toward dissent. But when the pendulum swings far to one extreme, it soon swings the other way. It is the responsibility of America's youth to push the pendulum toward peaceful patriotism and constructive amelioration instead of destructive malefaction.

I am a young American with a whole life yet to be molded. My turn will come to take up the battle begun by my predecessors to work for the betterment of America. I will have to take part in pushing the pendulum toward peace and improvement. And I must begin now by improving myself.

I must take advantage of the knowledge offered by education. Through this knowledge I may understand my country's successes and short comings, and possibly find a method of helping to make a better America.

I must also utilize the freedom already granted me. If the people who call themselves "freedom fighters" would lay aside their weapons and think, they would discover that they are barring their own freedom. For freedom lies in the attitude of the people.

As an individual, I cannot change all of America. But perhaps I can change a small part. And that part may become a small victory in the continuing battle to make a better America.

(By Debra Jean Ekberg)

(Miss Ekberg, 13, 16 Burdette Drive, Cheektowaga, is an eighth-grade pupil at Maryvale Junior High School, Cheektowaga, winner of the Girls Division of the Erie County Public Junior High School Classification. Her teacher is Helen M. Stellrecht.)

As an individual walks the streets of our nation, many scenes confront him. He observes the young Negro in the ghetto, the teen-ager from a wealthy family, and then he sees me.

I am an average young American who recognizes a condition of restlessness and uncertainty in my country, but I believe I can envision a brighter future for America.

If I try to know people and understand their feelings before I judge them, maybe I can set an example for others, and thus ease some of the prejudice in my environment.

If I try to respect the experience and opinions of those older than I, maybe today's parents will not lose hope for the future. This communication between generations would make it easier for us to understand our own children in years to come.

If I try to comprehend the feelings and motives of the drug abuser and the rioter, maybe others will see a young teenager trying to understand, and feel that they can also try. Such actions might also contribute toward bringing about a type of change acceptable to the generations of our society.

If I encourage my friends to improve conditions in school, at home, and in their neighborhoods, maybe each word or action of mine will send out its own small ray of hope for our nation's future.

I believe that great accomplishments grow from small beginnings. A great number of individual efforts are needed to solve our nation's problems. I am one of thousands of students who have entered this contest. If each of us is sincere in what he has written, we have the strong foundation so necessary in building a better America.

(By Christine Turner)

(Miss Turner, 17, 100 Toelsin Rd., Buffalo, is a Cheektowaga Central High School senior, winner of the Girls Division of the Erie County Public High School Classification. Her teacher is Mrs. Elvira W. Hammond.)

I, as an American, must evaluate my country, review its purposes and goals, and then compare them to its reality. I can achieve this objective, day by day, by being aware of how the United States is acting domestically and on foreign fronts, and by keeping abreast of current events. Only then am I qualified to criticize, for only when I know all the facts am I able to view the situation objectively. Criticize I must, as must all Americans concerned with the health and welfare of our country and people. Without this criticism our country might deteriorate into complacency or crumble into apathy and oblivion.

This criticism, to be useful, however, must be more than impressive words. It must be full of purpose and meaning. It must be constructive in that it has been the result of deliberation and reflects enthusiastic and optimistic hope for the future. I must express my views, not only to those who nod their heads in agreement, but also those who vehemently disagree. In return, I must be willing to listen with the ultimate objective of understanding. I must not hesitate to express my views, even in the face of oppressive opposition.

I must communicate my awareness to others, expecting their awareness and concern in return. In this way I am building attitudes and engendering interest and a deep involvement which may eventually lead to action.

One of the vital responsibilities of an American is to be concerned about his country. I feel that I can improve America with my interest and awareness, both contagious factors, and by communication and exchange of my ideas with others. In an effort to counteract futility and resignation, I must attempt to make each individual realize what an important part, modest and humble though it may be, he plays in his country. Both you and I must be held accountable for our country's actions. For does not each one of us make up a minute part of the whole—America, without which the whole could not exist?

(By Donald Enzinna)

(Mr. Enzinna, 13, 72 Santin Drive, Cheektowaga, is an eighth-grade pupil at Maryvale Junior High School, Cheektowaga, winner of the Boys Division of the Erie County Public Junior High School Classification. His teacher is Helen M. Stellrecht).

How can I make a better America? This is a difficult question to answer, for I cannot change the world by myself. I am one of many, however, and through influencing others, I hope that all of us, working together, will bring about improvements.

I can make a more economically-conscious America by influencing my generation to work and earn their own money! That way, as future leaders, we will know and respect its value.

I can make a more beautiful and lasting America by my example in the discontinuance of littering and the support of antipollution measures.

I can make a more positive America, as well as insuring the health of future generations, by setting an example in refusing to experiment with dangerous drugs.

I can make a more peaceful America by showing respect for law and order, and by striving, with endurance and openmindedness, to help my fellow Americans, regardless of their color or creed.

I can make a more loyal America by reminding other teen-agers of the debt we owe to our heritage. If we should then be called into service we will defend our nation on foreign battlegrounds, rather than destroying it on campus battlegrounds.

I can set an example for a more educated America by striving to the best of my ability to make the most of my schooling. I can best help America by first improving myself.

If everyone possesses these ideals, considers it a God-given privilege to live in a free country, and works toward its improvement, this goal can be reached. It will then be a truly better America, and I will have contributed to it.

(By Mary E. Margerum)

(Miss Margerum, 17, 59 Ashton Place, Buffalo, is a Victory Academy senior, winner of the Private and Parochial High School Classification. Her teacher is Sister M. Sylvia Reimondo.)

John Stuart Mill once said "freedom of speech provides a means of searching for the truth and is effective antidote for error." Alexander Hamilton, in "The Federalist," stated that trial by jury is a security against corruption. These men were concerned with basic principles of our land. However, time has elapsed and problems have demanded solutions for improving our country, and I ask myself: "What can I, as an individual, do?"

First, I can be active in my community by becoming involved politically. By encouraging people to register and vote, I can help America to become better.

Then, too, by writing to my congressmen and expressing my views on current problems facing our government, I might in some small way encourage others to do so.

In addition to the above, I can support my country through the right kind of education. A good basic education will help materially to keep safe the spirit of "one nation, indivisible, with liberty and justice for all."

Offering my services to such youth organizations as the Peace Corps and VISTA, where I can teach people to read and write and to "help themselves," is another way of helping America. Often, a smile, a pleasant handshake, or an encouraging word are what these underprivileged people need most.

For what my country has given me, I shall show a deep devotion and loyalty to her interests. Of course, as a citizen, I have the freedom to agree or to disagree, but I must remember that the freedom to disagree does not mean the freedom to destroy. It is my country; I am its citizen; it is my duty to do everything I can to uphold law and order. Doing this will strengthen America.

America is still young; it is only two centuries old, with plenty of time to do some better living. I, as a young adult, have a wonderful opportunity to help. The United

States was appropriately named; I want to keep the states and the people united, for disunited we are nothing; together we are one. This means a better America.

(By Victor J. Patnella)

(Mr. Patnella, 17, 254 Stockbridge Ave., Buffalo, is a Bishop Turner High School junior, winner of the Private and Parochial High School Classification. His teacher is Rev. Francis Braun.)

As a young American of 16, my role as a fully matured person, who takes part in the great issues of our day, has yet to begin. At the present time, the only way that I can make a better America is to make a better "me." In developing my knowledge, my talents, my potential, I am preparing myself for my future as an active American.

The main question for me now, in a world where battle lines are constantly being drawn, is: "Where is the greatest work that I can do with the talent that I have?" I must answer this soon and by myself. The 20th Century is my time and I must seek my place in it.

At the present time, the answer and the challenge is in earning the letters. "M.D.", after my name. As a physician, as one who sacrifices himself for the welfare of many, I must accept the ugly as well as the beautiful. To answer this challenge is my privilege and my responsibility.

The problems of today's America are my problems and they demand deeds. As a physician I will try to utilize, along with my physical talents, the powers of my spirit and mind. I hope this will help to support the fragile peace existing among men.

Today demands a deeper emphasis on the brotherhood of man. All people and professions must seek this. Brotherhood is the force that should unite men. Patriotism is not enough. Tomorrow's nations must belong to a larger world with a greater goal than any one country. Countries must work together, each giving something to each other. This is my dream.

Only by fulfilling myself can I hope to fulfill this dream. I must achieve my highest possible level of self improvement and become a total American. Then I can take the privilege of my American freedom which I have received from the past and project it into the future for other men.

(By Marlene Ann Zolnowski)

(Miss Zolnowski, 13, 94 Nash Ave., Buffalo, is an Eighth-grade pupil of Our Lady of Czestochowa School, Cheektowaga, winner of the Girls' Division of the Private and Parochial Elementary School Classification. Her teacher is Sister Mary Adelbert.)

The youth of America faces the serious problem of building tomorrow's better America. It is a great task and a challenge, but I accept it and willingly perform my part.

I am continuously striving to obtain a good education, developing sound values and using my abilities to their fullest potential. I must become all that I can be, for a "Better America" begins with better men and women. I must acquire an education to comprehend tomorrow's new ideas and put them into daily use. Therefore, there is a need of more competent teachers to instruct tomorrow's leaders. As I begin to think of my career, I realize that a teaching career will greatly shape tomorrow's America.

In an age marked by disorder and riots, I face greater responsibility to respect and obey laws. I must serve my nation with determination, courage and honor and work zealously to brighten reality. There is racial tension alienating many from their fellow Americans, but I must learn to live and work with others prudently and thus, through mutual understanding and cooperation, tear down the barriers which separate one individual from another and make a "Better America." I shall help to overcome the prejudices that exist for America was built on the principle that all men were created equal. It must remain that way and we must become all that we can, for a better and stronger America.

As leaders and citizens of tomorrow, today's youth will be faced with the task of helping to solve the numerous problems which confront our nation. It is my right and duty to get involved expressing my opinions and sound judgments and help keep America become better and remain forever great and free!

(By Samuel J. J. Merritt III)

(Mr. Merritt, 14, 258 East Utica St., Buffalo, is an eight-grade pupil of St. Nicholas School, winner of the Boys Division of the Private and Parochial Elementary School Classification. His teacher is Sister M. Trinita).

The future of our country depends on me as a youth of today. The most important thing my country asks of me is to be loyal.

There are many ways for me as a dedicated young American to show my loyalty. While I am in school I can do nothing better than to prepare for a useful and worthwhile life. This shows loyalty towards your country. If I do not take advantage of every opportunity now to know my government, I will not be ready to serve it when I take my place in the community in which I will live. I will have to establish a stable foundation in society so I can survive.

As a loyal American youth I will strive to know everything about my government. I will endeavor to understand its history, its growth and the problems it faces, such as drugs, pollution, racism, etc.

I must learn to stand up for what is right. And the only way I can achieve this is to strengthen my character and my personality.

A good American must be an intelligent American. If I would love and be loyal to my country, I must know it and know what it stands for.

Loyalty implies courage. It is the courage of citizens who love and vote so that their country can get the right man in office and rid the government of weak or unscrupulous men. I, as a youth of America, cannot do this today but in the future I shall. Considering myself as a future citizen I should strive to improve the law of the future America for the betterment of all citizens. To show supreme courage for my country I must be willing to lay down my life for it, even in the face of the enemy.

My country depends on me! America stands for freedom, courage, decent education, opportunity for all, and a respect for every individual. At present this is being done but not on a large scale. I must try to achieve freedom, courage, education, opportunity for everyone and this will have to be on a large scale. America must be a nation endowed by God to be a beacon light for all mankind.

THE SINCERITY OF YOUTH

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. WYMAN. Mr. Speaker, a challenging exposition of personal conviction has been eloquently stated by Mr. Richard Chaput a former national outstanding Jaycee in the United States from New Hampshire in the March 11, 1970, issue of the New Hampshire Broadcaster. It helps cast light on the confusion that attends much of the conduct of some young people today and I consider it a constructive message worthy of national attention.

Members of Congress share Mr. Chaput's declaration of sincere interest and concern with the problems of our youth. Somehow they must be constructively persuaded not to throw away their lives or cast themselves adrift on seas of nihilism or allow their bodies to be consumed by drugs.

There is no need for them to feel they are not being heard—or understood, for that matter—for they are both. Resort to violence or criminal conduct can only destroy avenues of communication and invite reaction.

The abiding principles that are the strength of our people are still faith, hope and charity. Young Americans will profit greatly from increased understanding that on these rest the sound foundations of true progress for themselves and their generation.

An article by Mr. Chaput follows:

WE UNDERSTAND SINCERITY

(By Richard Chaput)

It is said that teen-agers and young adults do not trust anyone over thirty. I'm afraid that my longevity of two extra years beyond the tolerable three decades of life classifies me "Establishment." But whether or not my age endangers my credibility, I am still a man who must express his opinion.

I am deeply in love with my country, and I'm going to say so to anyone who will listen or half listen. It disturbs me to see young people so easily intimidated by radical groups who are principally anti-American, such as S.D.S., Black Panthers and the rest. Already I have turned off many a reader with the above statement, but permit me to go on and fully express what I want to say.

Granted, most of us may be disturbed at young radicals who shout obscenities and cause near riots in our courts of law, such as what Judge Julius Hoffman was subjected to in Chicago recently. We who like order in our country get "up tight" over such irrational behavior. In fairness to most young people, I must turn the coin over and recognize the majority of youngsters who are changing the face of society, quietly but effectively.

I am with many of these young people, and in partnership with them. I wish to ask a few questions of the hell-raisers and endeavor to explore their thinking.

What is running off to Cuba to cut cane with Castro going to accomplish?

If the reasons are purely humanitarian, why have you come back advocating revolution? Why are the Black Panthers armed like a militia and encouraging the overthrow of this system wherever they go? Why does the S.D.S. and other groups take over university buildings and incarcerate their very administrators?

Now, without going any further, I know what you, who are doing these things are asking of me. Why have we, the silent majority, allowed our government to entangle itself in a ten-year war in South East Asia resulting in over 40,000 American deaths? Why have we, who claim to be Christians, allowed racism denying the rights of minority groups? How can we regard poverty with so much apathy and indifference?

Admittedly, these questions must also be asked. The difference is, I am not afraid to face all of these issues squarely. I will not, however, face them with militancy, bitterness and inflamed hatred. No, I will cope with these problems with love, understanding and sincerity. Chaos tends to divert one from the real work at hand. Love and sincerity are the implements.

Recently, two people, dear to me, found themselves in a large West Coast Air Terminal—it was midnight and all was darkened. This couple, in their fifties, were on a brief holiday waiting for a late flight.

A young man, appearing like a hippie, politely asked if they would sign a petition seeking to legalize marijuana in that state. The wife first gently refused, commenting that she could not, in conscience, sign the paper, as she believed marijuana to be harmful.

Notice, this couple were not turned off by this young man wearing long hair, fringed vest and sandals. They took the time to listen.

He then asked them, if alcohol was legal, why not marijuana? The man and wife explained quietly that alcohol was used socially and in brief periods by most people and that most users did not abuse it. Marijuana, on the other hand, was a mind-bending drug which seriously affects the mind and its thinking.

The young man admitted his hatred for alcohol because of his father's addiction. The husband asked, "would you run the risk of a similar addiction with the possibility of going on to harder drugs? The boy began to waver in his cause—"No one ever took the time to talk to me this way before, why do you?" The woman answered, "because we care about our young people, because we love you!"

The boy's face softened. He was shown a picture of a man 3,000 miles away, who lives his life flat on his back but does writing, lecturing, counseling, all without a "crutch"—he is making it on his own.

Tears began to trickle down the boy's check. The husband asked, "do you pray?" "No, not much" was the answer. "I've abandoned my christianity." The couple assured him that they would pray for him and they trusted that he would keep his mind clear and receptive to the wonder and beauty around him. A voice suddenly called the flight number, with warmth and emotion, they parted.

From a distance, the couple turned and saw a young man, eyes still wet with tears, waving farewell, the petition paper nowhere in sight.

I give you this vignette to assure young people that many adults do care. We too, hate the Vietnam war, we too, seek a solution. We too, want to abolish unfair practices against minority groups. The difference is in approach. We understand much of what University and high school students are saying.

For the most part we are happy that you are saying it. We admire your zeal, your hatred for hypocrisy and injustice. But, as we are learning from you, you must also learn from us. We can give you judgment, moderation and whatever faith and love we have.

How about if we, hand in hand experiment with a new approach. Let us trample down the mongers of hate, the peddlers of dissent and destruction, and champion and raise up the students for change without malice, the students who can openly pray, admitting to the need for Divine guidance in their search for a perfect America!

YOUTH AS A CONSTRUCTIVE FORCE

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. GOLDWATER. Mr. Speaker, a few extremists among the youth of our Nation have cast an unfavorable light on the rest of our youth. Too often the Nation's news media give too much consideration to rebellious acts by a minority group.

I have been pleased to see the fine efforts of some of the news media to present the more positive side of youth as a constructive force. Therefore, I wish to submit the following editorial that recently appeared in the Los Angeles Times. It is an excellent example of the positive efforts of the young people of our Nation:

YOUTH AS A CONSTRUCTIVE FORCE

In these days of bank burnings, campus disorder and drug abuse, we must not mistakenly conclude that all youth are bent on the destruction of society—or themselves.

This we have noted before. But we think it wise to reflect on the possibility of such a misconception in light of constructive efforts by students at several Orange County campuses.

How many people, we wonder, balanced the news of youthful violence with the stories of the responsible and heart-warming efforts of other young adults?

In Costa Mesa, when 16-year-old Justin Ogata was paralyzed in a wrestling practice, his classmates and students from a nearby campus launched a community effort to help offset the mounting medical bills that now total nearly $16,000.

They staged a banquet and a ball game, a concert and a paper drive, a wrestling match and a fishing trip.

In just a few months they have raised more than $5,000. But more important, they rallied a community and gave faith and courage to their stricken friend and his family.

"After the accident we were depressed. After all, we are a little different so we didn't know what to expect," said Hitomi Ogata, father of the Japanese-born youth.

It will be a long road back for Justin and his family, but they found they are not traveling it alone.

There is another example of what we are talking about at Chapman College. There more than 400 students decided to change their environment.

Classes were suspended as students staged Operation Facelift—a three-day assault with soap, water, paint and teamwork to beautify the campus. Students, faculty and administrators, led by President John L. Davis, joined forces in the painting, landscaping and remodeling project.

The students had often talked of ecology in class. And they were aware of the disorder and destruction taking place on other campuses across the country. But they chose to build.

These efforts were demonstrations, too. They are reminders, lest we forget, that this generation—which is one of the best informed in history—is as responsible as any before it.

The young should not be measured by the aimless or lawless few among them.

FREEDOM HIGH SCHOOL IN BETHLEHEM, PA., STIRS ART INTERESTS IN TALKING GALLERY

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. ROONEY of Pennsylvania. Mr. Speaker, a high school in my congressional district which ranks among the finest new secondary school facilities in the country is offering its students and visitors a unique experience in art appreciation.

Freedom High School in Bethleham, Pa., which was dedicated by Hubert H. Humphrey while he served as Vice President of the United States, has developed a talking art gallery.

With the aid of the school's multimedia communications system, a second floor art gallery offers taped commentaries on student art works. The comments are the artists' own views of their art.

Similar talking exhibits were pioneered by the National Gallery and the Smithsonian Institution in Washington and several other prominent art museums around the country.

Freedom High School's experiment in talking art is gaining favorable reaction from students and adults alike. It is a fine example of how learning opportunities can be improved by modern technology and I am pleased to include in the RECORD a description of the Freedom High Talking Art Gallery which appeared in the Bethlehem Globe-Times:

TALKING GALLERY COMES TO FREEDOM

(By Steve Day)

Freedom High School is the first school in the country to have a talking art gallery.

But, as impressive as this might sound, the fact is that the gallery is just another facet of the long awaited multi-media communications system at the ultra-modern school. Most people know it as the dial access system.

The magic number to dial at Freedom is 150. The gallery visitor then hears the artist discuss his work from a speaker hung on a wall of the second-floor gallery.

Dr. Frederick Gilmartin, art supervisor for the Bethlehem School District, says that "today's youngsters have been weaned on the mass media.

"And practically from birth they have been confronted by 'talking pictures,' namely 'television.'" Gilmartin has taken hold of this point and pushed it "into the mute world of the art gallery."

The inaugural exhibit is 20 pieces by students from the Easton Area High School. The students taped their responses to their own work as they viewed it in Easton. The comments were completely spontaneous.

The student's thoughts were candid and refreshing. The tape was not. Gilmartin had to decide whether to use this poor tape as the initial example of the "talking gallery" or have a better tape made by speech students.

A new tape was made by a Freedom drama class who familiarized themselves with the work.

Mrs. Louise Roberts, chairman of Freedom's art department, said that "one of the joys of this talking gallery is that it is communication between students. I saw how students here would become cold toward art because they wanted to know 'what is he trying to do in that painting?' and no one was around to explain."

She said that many students who would ordinarily brush by the art work will now stop and listen, or ask her to dial the tape. "And a group of parents who visited was absolutely fascinated."

The National Gallery in Washington, D.C. set precedent for audio galleries in 1958 and since then the Smithsonian Institution; Metropolitan Museum of Art in New York; Chicago Institute of Art, and San Francisco Museum of Art have followed suit.

The variety of subject matters and media by the young Easton artists enhances this innovation in school art galleries. Among the

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pieces are metal work; mask and beer can assemblages, a vibrant tissue paper illustration of a polluted city, and a number of pencil and pen and ink sketches.

Well-known Bethlehem painter Will Behler is scheduled for a one-man show at Freedom High School beginning next week.

Perhaps one of the prerequisites for exhibiting in galleries of the future will be that the artist be a proficient speaker.

ANSWERING ABA COMMITTEE REPORT ON CONSUMER LEGISLATION

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. ECKHARDT. Mr. Speaker, again a small segment of the bar of the United States purports to speak for American lawyers in a manner in which I think is against both the interests of the lawyers and the interests of the people. A committee of nine men of the American Bar Association's Section of Antitrust Law has come out against consumer class actions as a means of revitalizing American law for the protection of the consumer and in favor of relegating this important subject matter to the old, tired processes of the Federal Trade Commission. All the consumer bills dealing with this subject—my bill in the House, Senator Tydings' bill in the Senate, and the administration's proposals—call for consumer class actions, yet this small defense lawyer-oriented splinter of the whole body of the bar proposes altogether bureaucratic processes for protecting consumers. Belatedly the counsel for many corporations that deal with consumers come out for stronger Federal Trade Commission processes.

They are saying, "Please throw us in the briar patch," the briar patch of the Federal Trade Commission. Indeed, this is exactly where they want to be thrown.

As Ralph Nader has pointed out, administrative agencies have fallen down in their duty to protect the public interest. They have become the hospitable briar patch into which malefactors against consumers wish to be thrown, and the lawyers for these interests do not even have the subtlety of Brer Rabbit but plead directly their preference for the briar patch of the Federal Trade Commission. What a comfortable and sound hedge against effective action this has become. It is a familiar ground of the Washington lawyer who can speak directly to the Commissioners and other administrative personnel of the agencies. He cannot speak directly to the judge who is trying the case in which he is involved about the merits of that case. He has come to be more comfortable with those before whom he may plead over lunch than before those he must address at the bar.

Naturally the typical defendant lawyer who wants to isolate his client from the risk of a large and successful class action does not want to put this effective instrument in the hands of the consumer. The bar committee's report quite audaciously says:

> Experience indicates that class actions do not achieve their goal and in fact militate against effective relief.

Yet the class action has been perfected and has been effective in the consumer-type drug antitrust case. It is good enough for big plaintiffs who own stock in corporations whose directors have allegedly cheated them. Why is it not good enough for little people who have been massively bilked for defectively manufactured products? Why, merely because the amount in controversy is something less than $10,000, should consumers go without an effective remedy?

The Bar committee belatedly supports the proposition that "effective relief for unconscionable practices aimed at the consumer are both timely and generally warranted." But at the close of the hearings held on the consumer class action bills, on February 24, 1970, my colleague, the Honorable Hastings Keith, remarked to Mr. Herbert H. Schiff, representing the American Retail Federation:

> I am somewhat intrigued by the fact that you have suggested that we ought to hear from the Bar Association and the American Bankers Association. I don't believe that they have requested to appear.

It was after this suggestion that the Honorable John M. Murphy, acting chairman of the committee, requested an opinion of the Bar Association and it was not until March 27, 1970, that the request was answered.

I believe it is interesting to note Mr. Schiff's objections in contemplating why the committee was so slow and what activated this small, special interest subcommittee to respond as it did to the request. Mr Schiff said:

> In answer to the first part of your question, they may not look upon this as seriously as we do and they may not work as fast as we do. The American Bar Association, its people, do a lot of business with our people as they do with a lot of other people and the American Bankers Association are financiers and they finance us in business as well as the small loan people when it comes to things like major appliances where they will be carrying the paper and they are going to be definitely affected.

It may be presumed that Mr. Schiff and other industry witnesses did spur those who "do a lot of business with our people" to get interested in the consumer class action bill. Though the incident is not of major importance in itself, these direct contacts can be traced through such specific language as some contained in the testimony of Edward Dunkelberger, a member of the firm of Covington and Burling, counsel for the National Canners Association, whose partner is one of the nine members of the committee that was responsible for the ABA report. He recommended the use of the word "unused" in place of the word "new" in section 201(a)(6) of H.R. 14931, the administration bill—transcript of hearings before the Interstate and Foreign Commerce Committee, page 294, February 19, 1970. This exact recommendation appears in the Bar committee's report.

Some of the committee's objections to court relief are most puzzling unless considered in light of the interest of Washington lawyers in controlling the process. For instance, on page 30 of the report the committee shows a preference for the use of the Federal Trade Commission hearing examiner over the use of what the committee calls "an often distant Federal Court." It is true, of course, that a "hearing examiner" can ride circuit for the distant commission. But for myself I would rather entrust my rights to courts and juries located in my State, usually my town, than to the tender mercies of the FTC in Washington, D.C., particularly when members of this committee of the Bar are in Washington with much closer access to them than I am.

With all its shortcomings our system of using judges and juries to determine private rights is far better, far less corruptible than any other system of determining private rights and remedies. I submit that it is better than the so-called "prompt and uncomplicated" procedure for "recovery of actual damages by consumers" proposed by the committee. Listen to this uncomplicated and prompt procedure:

> As soon as final determination of liability in a proceeding commenced by the Justice Department or the FTC either through a final court judgment or a final Commission order, the Commission will designate a hearing examiner to see that injured consumers are accorded relief. The hearing examiner will immediately enact a process by which consumers who have suffered from the practice will be made aware that they can obtain monetary recovery and any other appropriate relief.

Now, what does this mean? It means that if Betsy Smith has bought a deceptively advertised and faulty dishwasher, she first hires a Washington law firm to lobby with the FTC or the Justice Department to bring a general action against the Dixie Belle Washing Machine Co. After the case has wended its way through the FTC and the Justice Department processes, an order will be issued. Of course, she has no way of influencing the nature of that order, though her rights may depend on its terms. She then must present her case before the hearing examiner.

Peculiarly, the Bar committee suggests that she may not need a lawyer in this process. Presumably the Dixie Belle Washing Machine Co. will be represented by counsel. Her case is not decided by a jury or persons living in her community but by a hearing examiner sent down from Washington.

If Betsy Smith gets a favorable determination from the hearing examiner, the Dixie Belle Washing Machine Co. will probably want to appeal the case and the "simple and prompt proceeding" may lose such character as it wends its way through the Federal court system.

It should be understood here that I am not arguing against reform of the FTC processes, but I reiterate what I said to the committee upon the opening of the hearing:

> Congress has the means of making (a vehicle for justice for consumers) one that is

self-induced and self-propelling, not one that depends for its impetus upon the good motivations and energetic administration of a commission. Commissions are not always well motivated. Many exemplify the principle of the possum guarding the chicken coop.

The Commission processes are necessary for the protection of many very small consumers. Many reprehensible practices should be curbed by cease-and-desist orders as they are now. It may be desirable to provide a system of fines and of some degree of restitution in a proper case.

But I still insist that the following principles of law and justice are paramount:

Just as the fear of criminal prosecution goes a long way toward making men honest, the threat of an effective civil suit goes a long way toward making them scrupulous. Though lawsuits are sometimes complicated and protracted, the fact that they are available induces people dealing with each other to deal fairly. Unless there is an effective process for individuals, acting either alone or in concert, to obtain redress, without the prior intervention of a governmental agency, honesty and fair dealing rest solely upon the consciences of the dealers and the bureaucrats and the sensitivity of these consciences I am not willing to trust.

The report, in outlining its proposed process, requires that the consumer await the go-ahead sign from the Commission. It says on page 31:

> The Commission will then ask the consumer to complete a form setting forth the basis of his claim.

His claim is then to be serviced "at Government expense." The report says that he is thus relieved of certain burdens and that he need not hire a lawyer. I have no objection to administrative processes which permit certain relief short of law courts. Indeed, the hearings indicated that they were called for. But I have vigorous objection to providing such bureaucratic nursemaiding as a substitute for the individual's right to process, in an effective way and through a practically available procedure, his legal rights. He should have the right to counsel and he should have the right to the courts without first filing with the bureaucracy a "form setting forth the basis for his claim."

And, in passing, I must say that I am always suspicious of those who advise me that the proceeding I am engaged in is "so uncomplicated that no lawyer may be required."

Following is the list of members of the committee:

SPECIAL COMMITTEE ON CONSUMER LEGISLATION OF THE AMERICAN BAR ASSOCIATION

Edgar E. Barton, partner in White and Case, a large Wall Street firm in New York City, with many of the largest companies as its clients.

Donald McSweeney, partner in Schiff, Harden, Waite, Dorschel and Britton, a prominent Chicago firm, which has represented U.S. Steel, major book publishers, and many other very large commercial and industrial plants.

James Rill, partner in Collier, Shannon, Rill and Edwards, a Washington, D.C. firm, who does government administrative work and antitrust work. Names of clients not known.

Edwin Rockefeller recently formed his own law firm. Until about six months ago he was a partner of Wald, Harkrader & Rockefeller, a prominent firm doing a lot of administrative agency practice. This firm has been on both sides of antitrust matters.

William Simon, partner in Houghrey, Simon, Baker & Murchison, a Washington, D.C. firm engaged primarily in government and administrative practice.

H. Thomas Austern, partner in Covington & Burling. He is the law partner of Edward Dunkelberger, representing the National Canners Association. This firm has an international reputation for having the largest corporate clients.

Allen C. Holmes, partner in Jones, Day, Cockley & Reavis, Cleveland, Ohio, representing the Chrysler Corporation, Firestone Tire & Rubber Company, General Motors Corporation, Westinghouse Electric Company, Cleveland Trust Company, Timken Roller Bearing Company, and many others.

William T. Lifland of Cahill, Gordon, Sonnett, Reindel & Ohl, a prominent New York City firm representing many of the largest companies in the country and are involved currently in defending several of the antitrust class actions.

Marcus Mattson of Lawler, Felix and Paul, a prominent Los Angeles, California firm that represents Standard Oil of California, Pacific T&T, General Motors Corporation, Western Union, May Department Stores, Bank of America, Reliance Steel Corporation and many others.

THE 15TH ANNUAL DEUTSCHER SPRACH UND SCHULVEREIN—GERMAN LANGUAGE AND SCHOOL SOCIETY—ESSAY CONTEST

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. REUSS. Mr. Speaker, the German Language and School Society—Deutscher Sprach und Schulverein—founded in Milwaukee in 1956, recently held its 15th annual German essay contest in Wisconsin.

A description of this yearly event, and of the German Language and School Society, follows:

THE GERMAN LANGUAGE AND SCHOOL SOCIETY

(By Gerhard Rohr, president)

The German Language and School Society was founded in Milwaukee in 1956. One year later it was chartered as a nonprofit educational corporation under the laws of the State of Wisconsin.

Membership in this organization is open to all persons who have reached the age of eighteen (18) and who are interested in the objectives of this organization.

The purpose of the society is educational: promoting interest in and understanding of the German culture and language of a non-political, non-religious nature by means of an annual essay contest for students of the German language, lectures and social affairs for adults.

The most notable event sponsored by this society is the annual German Essay contest. This contest is open to all students of public and private high schools in Wisconsin presently enrolled in a German course. All participants take the objective part of the test. This section is designed to test the students' listening and reading comprehension of the German language. It also tests their knowledge of German history and culture. In addition to this test students at the fourth year level are required to write an essay in German on an assigned topic.

These tests are held annually, in 1970 for the fifteenth time. They are simultaneously held at eleven centers: Milwaukee, Madison, Waukesha, Eau Claire, Sheboygan, West Bend, Racine, Appleton, La Crosse, Superior, Wausau. At these centers the contest is supervised by members of the German departments of the various universities and colleges.

The eight top ranking students in the contest are invited for an oral interview before an independent jury. It is the responsibility of this jury to select the two top prize winners. These two prizes are a four week study and vacation trip to Germany where the students will live with German families. We feel that these students will become representatives of our youth and of the best education available in the United States, and that they are ambassadors of good will and must be able to exercise tact, good judgment and courtesy.

The jury choses the two top prize winners on the basis of their academic records and personality. Members of the German faculties, representatives of our local government and civic organizations as well as outstanding citizens have served on the jury.

The members of this society raised the funds to sponsor the two grand prizes, many cash and valuable book prizes which will be awarded to other students who have shown outstanding achievement in this contest.

The representative of the Department of Public Instruction of the State of Wisconsin, Dr. Frank Grittner, stated at the last prize award ceremony:

"For years, we at the Department for Public Instruction, have followed the important and successful work of the German Language and School Society with greatest interest. We cannot evaluate highly enough the effect which the activities of this society have upon the success of our teaching efforts. The fact that the achievements of the students are also recognized by an organization other than the school undoubtedly acts as a stimulus which leads to increased efforts and accomplishments on the part of the students."

The contest developed from a local affair with 53 participants in 1956 to a statewide event with 675 participants in 1969.

The members of the German Language and School Society have dedicated this organization to the task of promoting interest in foreign language instruction. As Americans of German descent we believe that our efforts contribute to the great work of rebuilding and maintaining a better understanding between the nations.

THOMAS JEFFERSON TODAY

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. ROSENTHAL. Mr. Speaker, today is the anniversary of the birth date of Thomas Jefferson. Although the views of our third President are not as enlightened in certain aspects as we might prefer—such as his ideas regarding relations between the races—there is much that he said nearly two centuries ago that remains appropriate today.

When we are embroiled in a costly Asian war let us recall Thomas Jefferson's advice in his First Inaugural Address to pursue "honest friendship with

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all nations, entangling alliances with none."

In that First Inaugural Address, he also provided some thoughts that our present Vice-President might do well to dwell upon.

> If there be any among us who would wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it.

We should also heed his advice to maintain—

> The supremacy of the civil over the military authority.

When we are burdened with a bureaucratic government that frequently is unresponsive to the desires of the people, let us not put aside suggestions to alter the government as being radical in nature. If placed in the scheme of American history such suggestions may actually be conservative. Nearly 200 years have passed since Thomas Jefferson stated in the document that is the birth certificate of our Nation:

> We hold these truths to be self-evident; that all men are created equal; that they are endowed by their creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government.

TRIBUTE TO BROTHER THOMAS S. FARRELL

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. BOW. Mr. Speaker, my fellow citizens of Canton and Stark County, Ohio, will pay tribute this weekend to Brother Thomas S. Farrell who retires this year as president of Malone College. I cannot be present in person, but I wish to add my word of praise for Brother Farrell and call attention to the remarkable work he has done in our area.

Brother Farrell came to Canton about 15 years ago in the course of a search for a new site for La Mennais College of Alfred, Maine, a task he was assigned by the Brothers of Christian Instruction who desired to relocate and enlarge the institution. He liked what he saw in Canton and the people of Canton welcomed the possibility of a new liberal arts college. As a result, Malone College was established by Brother Farrell in Canton in 1959 and he has served as its president since that date.

Canton and Stark County people hold him in warm regard and affection for his personal qualities as well as his success with the college and his willing participation in such diverse community activities as the United Fund, the Red Cross, mental health, and other civic programs. We will be sorry to see him go.

Brother Farrell welcomed his first class at Malone on November 17, 1960. There were 66 freshmen students and seven faculty members. Since then the enrollment has grown to over 1,000 and the faculty to over 75, 15 of whom are brothers of the order.

Additional details of the growth of the institution are set forth in the Canton Repository article which I will include with my remarks.

The college will remain in Canton as a living memorial to the work of this dedicated man. On a more personal note, I am one of hundreds who will always recall with pleasure our association with Brother Farrell and who wish him well in whatever new assignment he may undertake. We are grateful for the fact that our community is a better place because he spent so many years among us.

The article follows:

WALSH'S BROTHER FARRELL RETIRING

Brother Thomas S. Farrell, the man who founded Walsh College on a rolling Plain Township meadow 11 years ago and has been its only president, is retiring.

The 58-year-old Canadian-born educator will finish out this school year as head of the institution he has seen grow from a single class of 66 freshmen to a four-year degree-granting college with an enrollment of 1,023.

Brother Farrell cited his long tenure as president of the college as his primary consideration in requesting retirement. Only Glenn L. Clayton, president of Ashland College since 1948, has served longer as head of a private college in Ohio.

What Brother Farrell does after his retirement June 30 "is up to my superiors in the Brothers of Christian Instruction," he said. "Where they want to send me and in what capacity is up to them and I will follow their wishes."

Walsh trustees will pick a new president before June 30. They have not yet made a selection.

Brother Henry G. Vanasse, trustees' chairman, said Brother Farrell's retirement request was granted "with regret."

"The board of trustees also join me in an expression of heartfelt gratitude for your decade of leadership at Walsh College and the trustees want you to know of their gratitude for your courage, your prudence and diligence in making our hopes a reality, in making Walsh College a respected member of the educational community and a valuable asset to the people of northeastern Ohio.

Brother Farrell came to the Canton area in the mid-1950s looking for a place to relocate La Mennais College of Alfred, Maine. While in the area, he made a courtesy call on the late Most Rev. Emmet M. Walsh, Bishop of the Youngstown Diocese.

It was Bishop Walsh who suggested that the college be established in the Canton area and in 1959 consented to have it named for him.

"The late bishop's deep interest in education, his warmth, his enthusiasm and grandeur of vision convinced the brothers that they should establish the college in this diocese," Brother Farrell later recalled.

"Bishop Walsh promoted the venture with his complete approval and moral and financial support."

That financial support was a $304,000 gift from the diocese to build a residence hall for the teaching brothers who attend Walsh as students.

The original 50 acres of campus on the south side of Easton Street NW just west of Market Avenue was purchased by the brothers in 1958. Ground for the first building was broken late the next year.

On Nov. 17, 1960 Brother Farrell welcomed his first freshman class of 66 students. In the early days, he also took time from his administrative duties to teach.

One class was added each year and in 1964 the first graduation was held.

Growth, under Brother Farrell's leadership, has been steady. The college now has 115 acres, five buildings, including two residence halls for a total of 400 students, a physical education center in the works, faculty numbering over 75 and student body totaling 1,023, including 670 day students and 263 in evening courses.

Since its founding, Walsh College has been synonymous with the robust, friendly brother at its helm.

His relationship with his adopted community has gone beyond the limits of the Walsh campus. He has been active in the United Fund and is chairman of the Canton chapter of the American Red Cross and a member of the Stark County Mental Health and Retardation Board.

He is a member of the National Education Association, National Catholic Education Association, Council for the Advancement of Small Colleges and Epsilon Delta Sigma and Phi Delta Kappa fraternities.

Brother Farrell was born in Montreal, Quebec and attended public schools and then Sacred Heart Normal School.

He earned his Bachelor and Master of Arts degrees from St. Michael's College in Winooski, Vt., and did graduate work at Ottawa, Montreal and Catholic universities.

His teaching career started in 1930 at Mt. Assumption Institute in Plattsburg, N.Y. He later taught at his order's school in Biddeford and Sanford, Maine and Fall River, Mass.

At various times he served as athletic director, dean of boys, acting principal and principal at Mt. Assumption.

He spent 1947–48 on a sabattical at Highland College on the Isle of Jersey in the English Channel, headquarters for the 2,300 member Brothers of Christian Instruction.

He was a member of the board of trustees of the order from 1950 to 1961 and was president of La Mennais College from 1955 to 1958 before founding Walsh.

PRESIDENTIAL ACTION URGED TO RELIEVE NEW ENGLAND CONSUMERS FROM EXCESSIVE FUEL OIL COSTS

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. DONOHUE. Mr. Speaker, as you well know the increasingly high cost of fuel oil has been, for too long, visiting extreme economic hardships upon all consumers in Massachusetts and throughout the New England region.

As you are also aware, early this year, a Cabinet task force appointed by the President completed a 12-month-long examination of the restrictive oil import quota system and issued a comprehensive report. In the report the task force recommended that quota limitations be scrapped and replaced by a flexible tariff arrangement. Unfortunately, for some unexplained reasons, the President, thus far, has not seen fit to implement his own task force's recommendations.

Last week the Small Business Subcommittee of the Senate Committee on Banking and Commerce, chaired by the distinguished Senator THOMAS J. MCINTYRE, of New Hampshire, held 2 days of hearings on the inflationary and anticompetitive aspects of the oil import program, as it applies to home heating oil in the Northeast. The purpose of the hearings was to develop testimony and information for presentation to the President with the hope that it may serve to expedite his action in granting the economic relief to the New England oil consumer that is so desperately needed and so long overdue.

In preserving cooperation with my Massachusetts and New England colleagues here, in seeking executive approval of such relief for our regional consumers, I presented a statement to Senator MCINTYRE's subcommittee which I include here:

STATEMENT OF HON. HAROLD D. DONOHUE TO SMALL BUSINESS SUBCOMMITTEE OF THE SENATE BANKING AND CURRENCY COMMITTEE ON APRIL 8, 1970

Mr. Chairman: First, I would like to thank this distinguished subcommittee for affording me this opportunity to express my convictions concerning the mandatory oil import program.

Others who have appeared before you have documented the extra cost that this program imposes on the American consumer. During the eleven year history of the quota system, direct costs to the consumer have risen until, at present, it is costing us a total of over $5 billion each year. Most of this money goes directly into the pockets of certain oil refiners, who are permitted to buy specified amounts of oil at the world market price and sell that oil in the United States at the artificially high domestic price. And the burden of paying that higher price falls heavily—disproportionately so—on oil consumers in New England, where some eight of ten homes are heated by oil. In Massachusetts, for example, it is estimated that the mandatory import quotas cost every family of four about $140 in increased oil price in 1969.

And why is this injustice permitted to continue?

According to law, the only justification for the imposed quota system is that it protects our national security, that is, that it prevents us from relying too heavily on foreign sources of supply, which might be severed in a time of national emergency.

This committee is well aware, Mr. Chairman, of what the President's Cabinet Task Force on Oil Import Control, reporting in February after a year-long study, thought of the quota system's effect on national security:

"[The fixed quota limitations] bear no reasonable relation to current requirements for protection either of the national security of essential oil consumption."

In other words, Mr. Chairman, the only legally allowable justification for the import quota system was found inappropriate by the President's Task Force.

Unhappily, the President has not seen fit to implement his own Task Force's recommendations, phasing out the oil import quotas over three to five years, and substituting a system of flexible tariffs. What he has done, even more unhappily, is to impose a quota where there previously was none; on oil piped in from our good neighbor Canada. I do not feel, Mr. Chairman, that a national emergency would cut off our Canadian sources of oil in the most extreme set of forseeable circumstances.

When a man buys insurance, he pays no more than necessary for the amount of protection he has judged advisable. If the United States must buy insurance against interruptions in our supply of oil by protecting the domestic oil industry, we should be insuring against emergencies that are reasonable to anticipate, and we should pay no more than necessary for that insurance.

I feel strongly, Mr. Chairman, that the recommendation of the President's Cabinet Task Force should be implemented without further delay. I urge this distinguished committee to take whatever action it deems appropriate to accomplish that objective.

EUROPEANIZATION—A STEP TOWARD THE VOLUNTARY ARMY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. RARICK. Mr. Speaker, the recent visit to the White House of German Chancellor Willy Brandt has resulted in renewed and interesting discussion in the press about the future of the American forces in Europe.

It is no secret that these forces are not now and never have been of sufficient strength to do the job assigned them. Unless Europe will defend herself from an attack by the Soviet and its satellites, she cannot be again defended by Americans.

This means that Americans in Europe are nothing more than pledges of good faith—hostages, if you please—to our NATO commitment. When we find the Soviet complacently sailing its warships through the Bosporus and the Dardenelles—within the territory of our NATO Eastern Anchor, Turkey—it is high time to wonder about the present validity of these NATO commitments.

Perhaps a giant step forward in the direction of ending the draft and returning to an all-volunteer army would be a Europeanization of Europe and the recalling of our forces from that continent. These U.S. units could be disbanded, the size of our Army reduced, and the size of the draft correspondingly reduced. By returning the enlistment standards to their peacetime normal, there would be no fear of a deterioration in the quality of our forces when they return to a voluntary basis.

Reduction in the size of the Army would automatically reduce the expenditures for defense, both long-term and short-term. If we can avoid using these moneys to buy votes in the upcoming elections, we can even reduce the burden on our taxpayers. Such an idea as that might be welcome news to our people.

I include in my remarks pertinent newspaper clippings relating to the American presence in Europe:

[From the Washington Star, Apr. 11, 1970]

NIXON, BRANDT PUT OFF TALKS ON U.S. FORCE

(By George Sherman)

President Nixon and visiting German Chancellor Willy Brandt have decided to defer discussion of future American military presence in Europe.

According to informed sources, the two leaders agreed yesterday in their first talk at the White House that detailed examination of American troop levels must wait both Western alliance and Nixon administration reviews. The President's National Security Council machinery has already launched such a study on future European strategy.

Nixon saw Brandt off today after their second meeting, lasting 50 minutes, this morning at the White House. Contrary to usual practice the two leaders did not make public statements summing up their conversations before the departure.

But officials on both sides stressed that the omission did not reflect any hitch in the talks. Rather, they said, neither Brandt nor Nixon wanted to endanger the delicate German negotiating position in East Europe by any appearance that the United States is sponsoring the West German dialogue with the Communists.

Brandt, accompanied by Vice President Spiro T. Agnew, is flying to Florida for the Apollo 13 moon launching before returning to Germany.

So far Nixon and his chief aides, fighting mounting congressional pressure, have promised publicly that no substantial changes in the 310,000-level of forces in Europe will be made before June 30, 1971. Throughout yesterday Brandt repeatedly urged publicly that the U.S. maintain a "continued and adequate military presence" in Europe.

Yesterday, in an atmosphere which both sides agreed was extraordinarily friendly, Brandt won the first full personal endorsement by Nixon for the new German initiatives toward Soviet Europe.

HINTED BY TOAST

German government spokesman Conrad Ahlers said that Nixon, in the private talks, had expressed "full confidence" in Brandt and assured the chancellor that German initiatives in Europe also had the "full confidence" of the Nixon administration.

Nixon's toast to Brandt at the formal White House dinner last night hinted at this endorsement. He praised Brandt for maintaining "the strength that is necessary, to preserve freedom," while still pursuing "a policy of negotiation which we hope will eventually take the place of confrontation in the very heart of Europe."

In response Brandt repeated that the "painful partition" of Germany could only be cured by healing the split dividing Europe. He was striving, Brandt said, for a structure of peace under which countries on both sides of the line could achieve "a higher degree of security through a higher degree of cooperation."

Earlier in the question-and-answer period at a National Press Club luncheon, the chancellor explained that West German efforts toward "coexistence" with the East German state would not yield quick results. He had said in his speech that this intra-German dialogue, no less than that with the Soviet Union and Poland, was "free from illusion and nervous haste."

"FREE FROM HASTE"

The main problem, he then told a questioner, was not "formal treaty" commitments between two German states. It was how to heal the real problems of a divided people.

At some future time, he said, West Germany might well agree to join the United Nations along with the East German state—but only if that regime began tearing down the "walls" preventing Germans from meeting one another.

Brandt made clear during the day that negotiating success in East Europe depended upon continued military and political strength of the Western alliance. And that strength, in turn, he said, depended upon keeping American forces in Europe.

"BURDEN-SHARING" ACCEPTED

To this end the German government has indicated here that it is willing to accept "burden-sharing" in the cost of those forces.

The present offset agreement, by which West Germany pays back 80 percent of the $950 million annual foreign exchange costs of American troops in Germany, runs until June 30, 1971.

According to informed sources, Brandt has told Nixon that he would like to have the principle of burden-sharing discussed and formulated formally by NATO. Then, under that NATO umbrella, the United States and West Germany could enter early discussions for continuing the offset costs agreement.

MUST KEEP U.S. FORCE IN EUROPE, RESOR SAYS

(By Orr Kelly)

The continued presence of large American forces in Europe is even more important now than it has been in the past, according to Army Secretary Stanley R. Resor.

Speaking to the Los Angeles World Affairs Council yesterday, Resor made the strongest appeal so far by a high administration official to keep substantial numbers of American troops in Europe.

His speech apparently was intended to counter increasing pressure in the Senate for a sharp reduction in the number of men still in Europe a quarter of a century after the end of World War II.

WARNS OF VACUUM

Resor said it would undoubtedly be possible to make relatively minor reductions in headquarters staff and backup support for the more than 300,000 men in Europe.

But he warned that, if large numbers are withdrawn, they would probably leave a power vacuum on the continent.

"Soviet military forces could dominate Europe without ever being used, if there were no substantial forces to oppose them," he said. "No doubt the Soviets would prefer this."

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The only country potentially capable of being able to replace American forces would be West Germany, he said. Such a change, he warned, could be dangerous to the peace of Europe.

CAUTIONS ON SAVINGS

Resor also argued strongly against those who say the United States can save money by bringing its troops home.

"The savings from withdrawing our troops from Western Europe would not be great," he said. "In fact, there might be no savings at all."

The only way substantial amounts of money can be saved, he said, is by not only bringing the troops home but by disbanding them.

[From the Washington Star, Apr. 12, 1970]

BRANDT ASSURED ON U.S. TROOPS

(By George Sherman)

President Nixon has reassured visiting German Chancellor Willy Brandt that there will be no precipitate withdrawal of American troops from Europe.

American officials explained that Nixon, during two days of talks ending yesterday, sought to correct the "wrong impression" that the United States will begin reducing its 310,000 troops in Western Europe after June 30, 1971.

The President already has pledged publicly that there will be no substantial changes before that date.

White House Press Secretary Ronald L. Ziegler said yesterday that "it does not necessarily follow that there will be a revision" after June 1971.

SURVEY AWAITED

He reported that the President has no plans for cutting back troop strength in Europe, having only said that the strength should be reviewed "from time to time."

Other officials admitted that Brandt and his defense minister, Helmut Schmidt, had made an extremely strong case here against substantial reductions. But they added that the final decision would await an across-the-board study now under way in the President's National Security Council machinery.

Ziegler's remarks followed closely on a strong assertion by Army Secretary Stanley R. Resor on Friday in Los Angeles that large American forces in Europe are essential. He warned against a large withdrawal which, he said, would leave a power vacuum on the continent.

The administration campaign is aimed at mounting pressure in Congress, led by Senate Majority Leader Mike Mansfield of Montana, for sharp and immediate force cutbacks in Europe.

German officials made no secret of their worry and indicated that a major aim of Brandt here was to bolster Nixon resistance to the pressure.

Ziegler yesterday said Nixon's comments were "totally consistent" with Secretary of State William P. Rogers' recent press conference remarks that a reduction would be given "serious consideration" during 1971. But officials said they feared Rogers' remarks may have fed expectations of a cutback.

ASKS "ADEQUATE" PRESSURE

Brandt publicly argued here that a "continued and adequate" American military presence in Europe is essential to the delicate negotiations now going on to heal the East-West division in Europe.

Unilateral American cutbacks would remove any incentive for the Russians and their allies to negotiate, he said, and it would leave gaps in NATO defenses and cause psychological havoc in West Europe.

On Friday, Brandt told the Senate Foreign Relations Committee that it would be "premature" to make substantial American troop reductions before any progress is registered in the Soviet-American talks on limiting strategic arms. Those talks enter their second stage in Vienna on Thursday.

After the final 50-minute talk with Nixon at the White House yesterday, Brandt flew to Florida with Vice President Spiro T. Agnew to watch the Apollo 13 launch. Afterward he was returning to Germany.

NO PUBLIC REMARKS

Nixon and Brandt parted company outside the White House Rose Garden with a smile and handshake, but without the customary public remarks on their talks. The omission had been agreed to previously, and Ziegler explained that there were "no outstanding bilateral problems" between the two.

But he carefully hedged on how involved Nixon is in the current West Germany initiatives to open genuine dialogues with the Soviet Union, Poland and East Germany. Ziegler said that in the State of the World report Feb. 18, Nixon had taken a "positive attitude" toward these delicate negotiations.

Officials later said that neither Nixon nor Brandt saw much advantage in a dramatic U.S. embrace of the West German policy. Neither side wants to feed natural Soviet suspicions that the United States is in fact running the show. Therefore, Nixon said as little as possible in public about it.

MOVE TOWARD WARSAW PACT

Ziegler said that the talks had been "very worthwhile, very constructive, very complete." Other officials later added that the two leaders agreed that there would be no "quick solid" results from the East-West negotiations in Europe.

It also was agreed, these officials said, that the Western alliance should take the initiative toward the Warsaw Pact for a balanced reduction of troops in Europe.

The initiative is expected to come out of the semi-annual May meeting of NATO ministers in Rome. According to German sources, the British and German defense ministers already have outlined the proposal and Secretary of Defense Melvin R. Laird accepted the idea "in principle" during his talks with Schmidt here.

But, according to these sources, Nixon wanted more details before giving final agreement.

TESTING TIME HAS COME FOR PRESIDENT'S WAR POLICY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. FRASER. Mr. Speaker, the former Vice President, Mr. Humphrey, has written a column on our Southeast Asian involvement. It appeared in the Sunday, April 5, 1970, Minneapolis Tribune. I include it in the RECORD at this point:

TESTING TIME HAS COME FOR PRESIDENT'S WAR POLICY

(By Hubert H. Humphrey)

Once again we are being tempted and tested. Pressures are mounting from Hanoi, Peking and Moscow. The war of nerves has been added to the war of men and weapons. The fighting in Laos and the overthrow of Prince Sihanouk in Cambodia raise the danger of a bigger and more dangerous war in Southeast Asia and threaten to halt the President's program of disengagement from Vietnam.

There is considerable pressure from Saigon for the President to slow down his program of troop withdrawals. This pressure must be resisted, and the President's schedule of troop reductions must be maintained. The American people are once again on edge about Laos and Cambodia. The President has informed the nation of whatever involvement we have in Laos, and at present it seems there will not be any direct involvement of American forces in Cambodia.

The real test of President Nixon's Guam doctrine is now underway. We are frankly confronted with whether or not we wish to pursue a course that relies primarily on military power or to turn our attention to a peace offensive of diplomacy and negotiation.

MORE ACTIVE DIPLOMACY NEEDED

With the developments in Laos and Cambodia and the danger of the fires of war spreading throughout all of Indochina, it is becoming increasingly obvious that the policy of Vietnamization is but one part of a peace program. Vietnamization is essentially a military policy of disengagement. To end the war and to bring any kind of security or neutralization to Vietnam requires not only troop withdrawals but also a political settlement. And this necessitates a much more active diplomacy than has taken place these last six months.

The closer we come to a political settlement through the channels of diplomacy, the greater the chances for a neutralization of all Southeast Asia and an end to the fighting.

At a time when we have needed political and diplomatic direction, we have experienced a period of diplomatic drift and delay. This lack of initiative cannot continue without serious consequences in view of the increased danger of a wider war involving Cambodia, Laos and Thailand.

Action is needed in these areas:

1. The negotiations at Paris must be upgraded. The Lodge vacancy has existed for over four months, which has lowered the level of negotiations all around. President Nixon should send his own personal ambassador to the Paris peace talks. He must be a man of recognized national stature. He must be instructed that the United States is not tied to the past; that we are not committed to

a military solution; that we have the right and the obligation to advocate in Paris and elsewhere, without the veto of the Thieu-Ky government, a political settlement.

NLF MUST BE INCLUDED

The National Liberation Front should be brought into the legitimate political processes of South Vietnam, and the Thieu-Ky government must accept elections, internationally supervised, with all parties taking part. We can best exert diplomatic pressure and exercise diplomatic initiative while our military presence in South Vietnam allows negotiations for the formation of a broadened and more representative government in Saigon. The administration should not hesitate to speak out publicly as well as privately against any police-state actions by the Saigon authorities such as the recent arrest of the elected delegate, Chau.

This has been a difficult, costly and ugly war, and at best it will be a difficult peace. But if we do not use every political and diplomatic means at our disposal now, we will find our efforts to bring about a political settlement weakened by our Vietnamization policy and the Thieu-Ky government's commitment to a military solution.

2. President Nixon should launch a full-scale diplomatic offensive to bring to bear the full weight of the international community on Southeast Asia if a wider war is to be prevented. This diplomatic initiative would include the reconvening of the Geneva Conference, to consider all aspects of the conflict in Southeast Asia.

3. The United Nations peacekeeping machinery should be used immediately. The new and dangerous situation in Southeast Asia involving the security of Thailand, Cambodia and Laos as well as Vietnam demands U.N. action.

4. The time is at hand to lay the groundwork for a regional security organization in Southeast Asia. The SEATO treaty is as out of date as colonialism itself. We must look forward to the day when a regional mutual security treaty of the nations involved in Southeast Asia takes the place of SEATO. In the meantime we should encourage and assist friendly nations in the area for self defense.

5. One sure way to limit our commitments in Southeast Asia is for the President to make clear that no more draftees will be sent to fight in Southeast Asia.

Surely we have learned that the primary responsibility for security and development in Asia rests with the Asian nations themselves. They must take the lead. It is they who best understand themselves—their past and their hopes for the future. We should be prepared to cooperate—to be a helpful partner, not a dominating force. We do have an interest in Asia—but we are not an Asian power. We are a Pacific power.

We should continue, particularly during this period of transition, to be concerned with Asian affairs. We cannot ignore the real problems that will continue in Southeast Asia once we are gone from Vietnam. Without becoming an Asian power, deeply enmeshed in the politics and problems of that continent, we can and should support hopeful efforts by local peoples to work out their own destiny.

THESE GUIDELINES REQUIRED

But whatever role we play in Southeast Asia should carefully follow three guidelines: Self-help, regional and multilateral assistance, and selective American involvement.

First, local countries must manifest a willingness to help themselves, both to provide security and to undertake economic and social development; and they must have the courage to organize their own affairs in ways that will provide them with a stable basis for governing.

Second, primary responsibility for helping individual nations provide for their security and economic development should rest with the nations in the area and with multilateral and regional organizations.

Third, American help should be selective and carefully measured. Our efforts must be justified by our own interests and responsibilities; and they should be concentrated on economic development through multilateral means.

We are no longer the only source of help against threats to the security of Southeast Asia, or against poverty. Constructive developments there will be lasting only if they spring from efforts by local countries, and if they command broad popular support.

It is around these guidelines that we can develop a bipartisan policy for Asia. It must have the active cooperation and support of Congress—implemented by periodic and consistent consultation by the President.

Mr. Speaker, Mr. Humphrey has outlined five areas in which he believes immediate action is needed. I am convinced that the emphasis on increased diplomatic efforts is vital.

The Vice President also establishes three guidelines which should govern our future in Asia. He points out that the United States is a Pacific power, not an Asian power. I think this is a real distinction and that we must recognize, once free of our Southeast Asian involvement, that our vital interests are not at stake in Southeast Asia.

Finally, Mr. Speaker, I want to note that while I am less sanguine about the possibility of a political settlement in Vietnam than Mr. Humphrey seems to be, I agree with him that Vietnamization, even if successful, "is but one part of a peace program." A policy which downgrades the peace negotiations in Paris and does not actively pursue an international peace offensive is not a policy I can support.

CALIFORNIA STUDENTS VIEW POLLUTION, NATIONAL PRIORITIES

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. BROWN of California. Mr. Speaker, earlier this year, in an effort to determine how citizens see as key priorities for future governmental action, I asked many Californians their opinions on a number of environmental issues and their rating of national priorities.

Over a half million concerned Californians responded to my questions, and the overall impact was that of tremendous emphasis on the need for stronger Government action to maintain environmental quality.

But, in addition, I am pleased that the questionnaire I used in this poll has been employed by a number of schools and school districts throughout the State for similar opinion-taking efforts.

In the past month, I have inserted in the RECORD a series of letters from young Californians who are quite worried about the environment they will inherit from our generation. I have received many comments about the depth and degree of sophistication shown by these students in their grasp of the issues which comprise the real controversies over environmental quality.

Today, I want to insert what more young California students—from all education levels—feel about pollution and priorities. In each case, teachers and students from the five schools circulated copies of my prototype questionnaire among their peers, and then sent the results to me.

I congratulate them—Julie Burgess of Murial Wright School in Coyote, Calif.; Gerald J. Casey of the 12th grade geography class at Berkeley High School; James C. Chance, counselor at Tulelake High School on behalf of the senior problems classes; Michel R. Janicot, the language arts instructor of the Pleasant Ridge Union School, Grass Valley, Calif., for the seventh and eighth grade English class; Victor Eugene Jozens for the seniors at Fontana Unified School District—and I agree with them that the voice of our young people is a critical guide for those of us who must make the policies which shape the future for all of us.

In addition to just making choices, some of these students and teachers sent along some interesting comments on the questionnaire as such, on the role of students in our society, and on the relationship of national priorities. Here are some of those comments:

COMMENTS ON POLLUTION

These results, as you can see, do show that our future generation does care about its future. Even though these students live in a rural area that is as of now still quite unspoiled but that does show signs of man's rapes, they are concerned and are aware of the problems.

As high school students the group whose views I cite below are not eligible to vote, but as you know, there are serious efforts being made to extend the franchise to 18 year olds. In any case, these students will be voters within three to four years and so it is important that their views be considered on these issues—not to mention that questions on environmental quality are perhaps more pertinent to the young than to the older citizens.

The questions in this questionnaire are certainly worded to elicit a yes answer—which I'm sure you were wanting. However, in ranking priorities it seems almost impossible to put each subject in a neat little cubbyhole of its own. Certainly one cannot help but get greater tax revenues when a greater number of people are well educated and therefore earn greater salaries. Certainly we could be pouring a fraction of the tremendous military budget into improving our world: the environment, living conditions, job opportunities, quality and quantity of food for *all* people, peaceful international relations and intra-national. How can urban crisis be separated from crime and from education. It would seem that improving the opportunity for all our people to realize their individual potentials should be our priority. Can this be done in a poisoned environment? Can this be done within a welfare system that soaks the taxpayer and

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discourages the recipient from getting a better education to eventually become a productive individual? Can this be done in a political system that listens to and bends to the pressures of those interests which worship only the almighty dollar and which care little about the long run consequences? How can our society expect its young citizens to accept responsibilities when its political system is so often more concerned with propagating itself than listening and responding to the needs of the people today, and tomorrow? I do sincerely hope that this questionnaire was prompted by genuine concern, and not because the political bandwagon today is the environment.

Thank you for sending this questionnaire to me. I relish the opportunity to express my interests and opinions. As you can see by my answers I strongly believe the environment questions are all very urgent problems.

Seven out of the nine questions dealt with environment crisis, problems which each citizen should be aware of and doing something to alter it out of his own need for survival. Yet it (seems) a necessity to have someone else force him to do this. Overpopulation of our land is very frightening to me. As a mother and knowing my love of children I shudder at the thought of having people told they can not have babies.

The number 8 question lumped together 6 problems other than pollution. Each item could fill 3 or 4 pages of questions in themselves. I feel I cannot choose a priority among these items they are all very connected.

I feel there is an irony in your questionnaire. The items in question number 8 are the things that should be worked on at a legislative level. All the other problems on environment should be handled by each citizen. It seems that the human species doesn't always do whats best for him. What I am trying to point out is that although I want a good environment again I don't like the idea of "written laws" to govern everything in our life.

STUDENTS RATE NATIONAL PRIORITIES

1. Vietnam.
2. Pollution.
3. Education.
4. Inflation.
5. Crime.
6. Taxes.
7. Urban Crisis.
8. Other.

I am impressed by the views of these students and teachers.

At this point, I shall give the tabulation of answers from these five schools and how they rated national priorities:

QUESTIONNAIRE RESULTS

	Murial Wright School		Tulelake High School		Berkeley High School		Pleasant Ridge Union School		Fontana Unified	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Do you favor proposals to ban the internal combustion gasoline engine unless it meets stringent exhaust emission standards?	21	2	16	38	10	0	67	8	41	25
Do you feel the oil companies and automobile manufacturers should be required to act more quickly to solve the problems of air pollution?	22	1	36	20	9	0	77	1	58	7
Do you favor a Federal Regulatory Commission on Environmental Quality?	13	8	29	27	9	0	52	22	43	19
Do you favor stronger Government efforts to regulate shoreline use in order to substantially increase the amount of beach property available for public use?	16	8	51	9	11	0	55	19	53	9
Would you support stronger Government efforts to regulate use of undeveloped open spaces, including advance acquisition of land for public use?	17	3	48	12	10	1	46	24	52	7
Would you support a complete ban on all Federal offshore oil drilling except in national emergency?	22	1	33	27	3	0	43	28	33	26
Do you favor much stronger governmental efforts to educate the public as to the problems of overpopulation?	18	5	48	10	10	1	65	11	46	9

IN RECOGNITION OF CITY NEWS, A WEEKLY NEWSPAPER SERVING CO-OP CITY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. BIAGGI. Mr. Speaker, in this era of rapidly shifting emphasis on the forms and functions of the communication media in America, it makes me glow with pride to give special recognition to a relatively small but effective and efficient weekly newspaper operating in my congressional district.

The City News is a young and vigorous independent weekly, serving the residents of Co-Op City, a tremendous cooperative housing development in an enormous city. It is one of 450 weeklies operating in all parts of New York State.

Long thought to be the "little brothers" of syndicated newspapers serving only the small towns and hamlets of the Nation, the independent weeklies have developed to a point of high journalistic sophistication that their role in disseminating news to the public has vastly changed.

Thriving in all parts of the country—the hinterlands, suburban areas and in the midst of our large metropolitan centers—the weekly papers have become a significant segment of the communications media of America. For this reason we ought to take particular note of weekly newspapers selected by their peers as exemplars of their trade.

Therefore, when the New York Press Association, composed of 450 weeklies in the State, convenes to consider those among them who best represent the strict criteria of professional news reporting and newspaper management, the industry and the public should take particular note.

I would like to publicly commend the City News for the recognition it received at just such a convention.

Several weeks ago, this 1-year-old weekly newspaper was awarded first place for general excellence in news reporting—the highest award in the category made by the New York Press Association in a convention held at Syracuse, N.Y. To add to its laurels, the City News also garnered a third place award for its excellence in photography.

Composed of leading journalists in the United States, the board of judges acclaimed the City News for its "outstanding achievement in the field of journalism," a distinction deservedly made and proudly accepted.

Managed by a young but quick-learning executive staff headed by Editor Henry Hurt, the City News epitomizes a new breed in an old and seasoned profession. It speaks forthrightly, unequivocally, and courageously. It concerns itself with the truth by addressing itself to all issues, both large and small, that affect its readers.

Such is the making of a newspaper that could have survived the early era of radio and motion picture newscasting and has, indeed, prospered in the present era of fierce competition from television, magazines, and other forms of direct mass communication media.

It is a tribute to a reading public that demands and recognizes these qualities in one of its news services and allows it to prosper. The people of Co-Op City, to whom City News is exclusively devoted, deserve a share in the coveted awards. For, after all, City News has raised its standards to these high levels in direct response to the requirements of its readers. That it was capable of doing so adds to its achievement.

I commend the management and editorial staff of City News for its excellence in craftsmanship. I congratulate the people of Co-Op City for insisting on nothing less than a giant among weeklies—the City News of Hagedorn Communications.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,400 American prisoners of war and their families.

How long?

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TITLE IX: THE DYNAMICS OF GROWTH IN DEVELOPING NATIONS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. ROSENTHAL. Mr. Speaker, my Foreign Affairs Committee colleague (Mr. Fraser) has authored an article in the March 1970 "Foreign Service Journal," which issue is devoted entirely to title IX of the Foreign Assistance Act. Mr. Fraser is one of the fathers of title IX, which seeks to incorporate political and social development in our aid programs. Mr. Fraser's comments are worthy of our attention.

For anyone interested in the title IX concept, and it is an important one, I recommend highly the entire issue. Title IX seeks, in Mr. Fraser's words: "to broaden AID's mandate from an unquestioning reliance upon the conventional wisdom—that developing nations most urgently need economic assistance, which promotes a better standard of living, which in turn eases social tension and fosters the growth of democratic institutions—to a more searching, critical appraisal of the interaction between our external aid and the dynamics of change and growth in a developing nation."

From personal knowledge I know that Don Fraser has spent many long hours probing, questioning, reading, speaking and writing about title IX.

This latest effort is a synthesis of many of his ideas. I commend it to you.

The article follows:

Title IX: The Dynamics of Growth in Developing Nations

(By Congressman Donald M. Fraser)

My conviction in 1966 when I sponsored the Title IX legislation of the Foreign Assistance Act was that our foreign aid programs depended too much on a faulty bit of conventional wisdom; the hypothesis was that developing nations most urgently need economic assistance, which promotes a better standard of living, which in turn eases social tension and fosters the growth of democratic institutions.

The assumption that economic aid actually does enhance living conditions for the peoples of emerging nations is challengeable on two grounds: first, that the total amount of U.S. economic aid to emerging nations is often too small to accomplish any general miracles, and second, that economic assistance seldom has any very direct or massive effect on the most impoverished citizens of the third world.

The first point can be substantiated by comparing the amount of our economic aid with the Gross National Product in Latin America, where we have expended more than in most sections of the world. The amount of our assistance has not equalled one and one half per cent of their GNP. Economic transfusions at that rate might keep the patient alive, but they can hardly be expected to send him quickly on his way to full recovery. The second point simply suggests the process of diffusion that occurs whenever aid is disseminated through a central government. In such cases the benefits tend to remain in a country's urban areas, where they too often accrue to an already economically advantaged class of citizens. This process of diffusion, therefore, limits the potential of economic assistance to enrich the living standards of the general population.

But faulty diffusion is not the only difficulty. Economic assistance to a society which is badly organized does not automatically lead to better organization through necessary changes in institutions, skills and attitudes. Sometimes such aid merely adds to the inertia of the status quo. Occasionally the changes may be in the wrong direction.

The question of how a society is organized and functions is our primary concern, because the internal workings of a society profoundly influence its international behavior.

Thus Title IX seeks to broaden AID's mandate from an unquestioning reliance upon the conventional wisdom to a more searching, critical appraisal of the interaction between our external aid and the dynamics of change and growth in a developing nation.

This effort to broaden the perspective on our aid programs embraces the dimension of political development which the Title IX legislation seeks to isolate for special consideration.

New nations need to develop skills for self management if they are to become stable and responsible members of the international community. Yet too much of our foreign assistance has proceeded on the myth that if only we sufficiently bolster the material resources of the emerging nations, they will discover within themselves the innate capacity to manage their own affairs. The zeal with which we follow changes in the per capita GNP suggests a single-minded devotion to the purely material side of nation building. But as Edgar Owens rightly asserts in his recent paper on political development in Southeast Asia, "physical progress, without a change in the role of man in society, is government by benevolence. But benevolence is not, and never has been throughout history, a big enough idea to guide the organization of societies and governments."

Genuine development means change, and change is often disruptive and destabilizing. Economic development usually requires social and political changes in a political environment strained by the tensions inherent in the disjunction between rising expectations and the capacity of the new nations to meet them.

In our own country we have experienced in recent years the painful and disruptive lesions of change, and who knows yet how they will ultimately affect our national political character? What we cannot well predict from our own experience in our own land, we cannot reasonably expect to predict accurately in foreign lands subject to different social, cultural, and historical forces under conditions of especially aggravated disparity.

A second and closely related myth is that whenever Communism threatens, economic aid will provide an effective answer. This myth is nowhere more effectively denied than in Vietnam, where our hundreds of millions of dollars in economic aid have had only negligible effect on the political views of those fighting the war. Political ideology is the result of a combination of many factors, some of them emotional, some of them philosophical. Ideology emerges from a complex tangle of various personal and institutional commitments, convictions, and loyalties. One factor in this complex is, of course, the level of economic well-being, but it is no more than a single factor, and it is not necessarily a major one.

The broader perspective we seek through Title IX does not contemplate the transfer to other nations of our own sophisticated political system, nor does it seek the transfer to other nations of our own cultural and value systems. Rather, we intend to lend our technical, social and material resources to the emerging nations for whatever usefulness they may have in support of the efforts of the nations themselves to shape their own future. In the process we are bound to pinch some sensitive nerves, and for that reason we must be especially vigilant in avoiding any direct interference in the internal political decision-making of the countries receiving our aid.

Title IX legislation does contain an explicit hypothesis to be followed in our conventional aid programs: the enhancement of socio-economic pluralism. In part this pluralism aims at the problem of creating tolerance for democratic governmental institutions in social situations complicated by the pressures of rising expectations—situations in which popular demands expressed through democratic decision-making encounter limited resources and the need for economic discipline. This kind of tolerance is not likely to be promoted best by dissemination from a central government on down; it is a change in attitudes which will be effectively promoted by creating first a tolerance for the limitations under which local democratic governmental institutions must function as demands and the resources to meet those demands are more easily comprehended. As democratic government is understood at decentralized levels, tolerance for the limitations of national governments will increase. Out of this growth in attitudes perhaps we can move toward a genuinely cooperative pluralism in the international community.

Economic institutions—trade unions, cooperatives, associations and some corporate endeavors for example—can be useful in promoting the idea of democratic government because they provide the idea with concreteness. They also center decision-making among the people affected by the results of the decision.

The principal injunction of Title IX, however, is to analyze and to be sensitive to the political, institutional, and attitudinal changes we promote by our aid. In this sense there are no such things as Title IX projects. What is involved is not necessarily any new course of action but rather a new way of looking at an old problem.

Professional perspectives tend to be narrow; poets have always noticed different things about roses than have botanists, women have always regarded them differently than have florists. It is hardly because of any physical or spiritual agility in the rose that it can at once evoke wisdom, scientific principle, romance and money; it is all a matter of one's point of view. Nor is any one response to a rose necessarily more legitimate than any other. And it is perhaps not outrageously overtaxing an analogy to suggest that it is rather the same with emerging nations: how one perceives the complex, intricate changes implicit in development is at least in one respect simply dependent upon who is looking at the process. Economists have one perspective, but political and social observers have other perspectives that demand attention, too, if the whole of a developing nation is to be fully perceived.

Our ultimate interest is in a functioning international community. The success of this international community will depend upon the power of the idea of cooperative pluralism among nations, an idea which cannot be expected to grow up in a thicket of nonpluralistic national ideologies. So, while recognizing that actual growth in the productivity of a nation may be much more difficult without external aid, we know that we cannot afford to proceed in our programs of foreign assistance without some much broader understanding of the effects of our involve-

XUM

ment. It is even possible that, through a better understanding of what we are now doing, we might conclude that we should do nothing in preference to continuing. But in any case that understanding is imperative.

A more comprehensive look at our foreign assistance programs under Title IX would suggest these kinds of non-economic questions:

1. How does one promote the national integration of often traditionally disparate cultural and tribal groups? By what process is local loyalty transcribed into national loyalty? How does a long neglected and impoverished mass of people, who have always felt themselves to be apart from the business of a distant ruling aristocracy, begin to relate to the business of building a nation? As the internally unifying effects of the quest for independence or the struggle against external threats subside, disintegrative forces within nations may well become the prevailing problem of the 1970s. This problem is not one the world community can wisely neglect, and it is not one which comes first to the mind of an economist. This is an especially important inquiry because it is one in which outside assistance might be particularly useful. Outside observers can sometimes develop perspectives denied to the parties to the conflict.

2. What role do internal communications play in development? How can we encourage the growth of competence in communications? What combination of communications techniques will work best to bring about the common set of ideas and attitudes that will enhance democratic pluralism within the framework of a national government? How can a competent communications system support the technical and economic goals of a national development program?

3. How are economic and technical programs best administered so as to leave a residue of local skills sufficient to carry on and increase the fruits of the undertaking? For example, how does one conduct a program of community development so that the community retains the institutional capacity to carry on? Community development has always been a major thrust of our aid programs, but this development often has not been effectively institutionalized.

4. How essential is a strong legal system? How does it affect a nation's capacity to work out its internal difficulties in an orderly fashion?

5. How are the new laws and institutions encouraged that will make the effective utilization of new technology possible? As Edgar Owens has pointed out, our monetary and banking systems, the law of contracts, corporations, the law of property, our savings and credit systems, trade unions, professional associations—all these and others have been as instrumental as the great advancements in technology in carrying our own society to its present level of development. Under situations of relatively rapid technological advance, will these supporting laws and institutions be developed at an equally rapid rate?

6. What role do political parties and political ideologies play in national development? To what extent do disparities in access to political power reinforce those disparities, as in the contest between urban and rural interests in governmental decisions?

These are illustrative of the questions which Title IX legislation urges us to consider.

One phrase in Title IX deserves a further comment. This phrase refers to civic and political skills in the developing nations.

Understandably this language was not embraced by AID with either enthusiasm or a program. The reference to political and civic skills is based on the conviction that "politics is the name of the game" in most countries, including our own. It is often rightly argued that political skills in the United States are no more advanced than those in the developing nations. If this is so, what role has the United States to play in this area, assuming that it could surmount its spine-tingling apprehensions about interfering in another nation's politics?

The answer must be found in the developing nations themselves. Any involvement by the United States must reflect ideas or proposals from political leadership in other nations—leadership which shares with us a commitment to encourage the growth of societies in which political activity is a right of the people. Unfortunately, our own major political parties in the United States are inward looking. They have no international ties and little knowledge of, or interest in, political movements in other countries. Thus our political parties cannot presently contribute much in this area.

In contrast, one might look at the role of the Christian Democratic movement. The growth of the Christian Democratic movement in most of the Latin American countries has been stimulated and encouraged by political work supported by the European Christian Democrats.

Communist parties have been even more aggressive in their efforts to provide training and ideological indoctrination. Moreover, their work often goes on in hostile environments. A conference at Havana brings together political activists from left and communist parties. But where are the conferences for political activists (not government officials) who are committed to democratic values?

Ideas for activities which could be supported or sponsored by AID in the purely political field could come from gatherings of political leaders from various nations. AID may find that a non-governmental institution could more easily carry on this kind of activity, preferably one in which both of our major political parties shared responsibility.

Any activities of this kind would carry reciprocal benefits—enabling everyone involved to gain a deeper understanding of the democratic political process. These activities should not be aimed at parliamentarians, but at other layers of political activists.

A common American myth is that politics must be kept out of our international dialogue. The legitimate concern about interference in another nation's political decision-making is generalized to create a sterility in our relationship with others that hardly does us any good. The truth is that political dialogue—the exchange of ideas—is the least sensitive of all the ways in which people of different nations can relate to one another. To discuss an idea is to assume, implicitly, a mutuality of status which is conducive to openness and frankness.

Despite its lack of response to the purely political concepts, AID has moved ahead with some skill and understanding in the other areas of Title IX concern. Title IX ideas cannot be mandated through airgrams sent to overseas missions. The problem is to create through training the deeper understanding of nation-building which Title IX seeks to encourage. AID through its Title IX division is moving toward such training, through its regional seminars for AID personnel, its contract with the Fletcher School of Diplomacy and in other ways. It will be a long process which will ultimately involve all our institutions of higher education. Broadly enough conceived, Title IX insights should influence our more traditional foreign policy approaches to other nations.

The justification for foreign aid expenditures must, in the end, be that they are in the national interest, but we must take care to define "national interest" within the broader context of the present historical situation. As the Pearson Commission on International Development recently argued,". . . the acceleration of history, which is largely the result of the bewildering impact of modern technology, has changed the whole concept of national interest. Who can ask where his country will be in a few decades without asking where the world will be? If we wish that world to be secure and prosperous, we must show a common concern for the common problems of all peoples."

It is my continuing belief that we can effectively demonstrate our common concern, but only insofar as we work within the total economic and political dynamics of emerging nationhood, and that is, in the end, the point of the Title IX legislation.

GRAND CHAMPION STEER TO GO ON DISPLAY AT EXPO 70

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. RAILSBACK. Mr. Speaker, it was my pleasure to attend a ceremony at the Department of Agriculture April 7 at which the 1969 grand champion steer of the Chicago International Livestock Exposition was presented to the Government of Japan by the Government of the United States for display at Expo 70.

This goodwill gesture was made possible by the Chicago Mercantile Exchange, which bought the champion at the International and presented it to the U.S. Government.

I am proud to say, Mr. Speaker, that Chicago's was not the only Illinois contribution to this presentation: That prize animal was fed to championship proportions by Brad Lindskog of Prophetstown, Ill. Brad is an 11-year-old 4-H'er from my district who turned a 4-H calf project into an international championship, and I think you will agree that is quite an achievement. Brad is the youngest person to win this honor.

So I want the RECORD to show that while we in Illinois are proud of our efficient livestock feeding industry we are even more so of boys like Brad Lindskog. Secretary of Agriculture Hardin summed it up well when he made the presentation to Ambassador Shimoda of Japan. He said:

> I think you will all agree with me that what we have here is more than a fine steer. It is a symbol of youthful achievement and a promise for the future. With boys like Brad Lindskog, boys who are doing the very best they can in whatever they attempt, boys in America, in Japan—all over the world—the decades ahead shine brighter for us all.

In accepting the gift, the Ambassador congratulated Brad and pointed out that Japan expects more than 3 million foreign visitors to Expo 70—"people from all over the world who will admire this splendid steer raised by an 11-year-old American citizen."

XUM

SENATE—*Tuesday, April 14, 1970*

The Senate met at 10:30 o'clock a.m. and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou Creator Spirit, we thank Thee for this world which Thou hast given us for our home. For the glory and wonder of springtime we thank Thee. For gentle rains, for the calm warmth of the sun, for buds and blossoms, and lush meadows, for cascading streams and bounding waves, for starlit nights and high sailing clouds, for the lyric notes of birds—for all that reminds us of resurrection and new life.

Help us, O Father, to lift our eyes of faith that we may worship Thee in the holiness of beauty and serve Thee in the beauty of holiness. As we turn to waiting tasks we ask Thee to make us channels of Thy grace and wisdom for the betterment of the people of this Nation and the welfare of all mankind.

In the name of Him who is the way, the truth, and the life. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. RUSSELL).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., April 14, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, April 13, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Chair recognizes the Senator from New York (Mr. JAVITS) for not to exceed 1 hour.

Mr. KENNEDY. Mr. President, will the Senator be kind enough to yield briefly?

Mr. JAVITS. I yield.

MERRIMAN SMITH

Mr. KENNEDY. Mr. President, I think all of us join this morning in our sorrow at the tragic death of a good friend, Merriman Smith.

"Smitty" was a great journalist, and a unique figure on the American political scene. He carried his skills to the top of his profession. He set a standard of wire service coverage which will stand as an example to generations of reporters in the future.

And his death takes from us as well the personal qualities which made Merriman Smith a legend in his time.

I know the great fondness and respect that President Kennedy had for Merriman Smith. And I remember, too, that my father enjoyed and cherished his friendship.

On behalf of myself and the members of the Kennedy family I would like to express my sincere regret at his passing.

Mr. JAVITS. Mr. President, I join the deputy majority leader in expressing my sympathy to the family of Merriman Smith, whom I knew well for many years, who was a newspaperman's newspaperman, one of the best among his fellows, and a splendid servant for the people of the United States, who have the right to know.

With many, many persons throughout the Nation, I mourn his loss.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the minority leader.

Mr. SCOTT. Mr. President, all of us here knew and admired the late Merriman Smith. His face and his voice were known to all Americans as the man who was the dean of the White House press corps, the man who concluded interviews with many Presidents with the well-known phrase, "Thank you, Mr. President."

We thank the whole corps of journalism for having produced such a man as Merriman Smith. We join his family, his loved ones, his friends, in grieving over his sad passing. Our hearts go out to them. Our sympathies are extended on behalf of the whole Senate, and, of course, our press corps and our Senate staff.

THE APOLLO 13 FLIGHT

Mr. SCOTT. Mr. President, the entire world is holding its breath today, praying that the breath of life may continue to be supplied to the astronauts who are confronted with one of those unexpected dangers which Americans have always feared might at some time happen in our search through outer space for new knowledge and new achievement. We will all be praying for their successful return.

The aborting of a moon project is of the least possible importance in comparison with the saving of the lives of brave, gallant, courageous, and venturesome men. We will hope, as all the world hopes; we will wait, as all the world waits; we will abide the will of God, as all the world must abide the will of God; and we will look to the end of this mission and trust that it may end safely and successfully in the only true meaning of the word "success," and that is with the return of these men in their full vigor.

Later today I believe the Senator from California (Mr. MURPHY) will have something to say on this subject and will perhaps have a proposal to make. I shall not go into it at this time, until the Senator from California is ready to do so, but I know what he has in mind, and I would be, indeed, most anxious to support him in his suggestion.

Mr. GOLDWATER. Mr. President, I join my colleague from Pennsylvania relative to the concern about the Apollo mission, although I only learned about it this morning. I was flying last night and did not have the news radio turned on.

I have contacted Houston. The thing that impresses me and gives me the greatest confidence is the sureness of the men in Houston working on this problem. I was in Houston when the Apollo 12 liftoff lost communication, and I was very much impressed with the thoroughness, the quickness, the competency, and the complete calmness with which these men proceeded. This has happened again. This has been a very serious happening. It could have been disastrous.

But I think with the successful firing of the LEM engine and the continued concern about the men in the module relative to being careful about the use of their oxygen, and the help of the people on the ground in NASA, they will be returned safely, and I would not be surprised if it is a little bit earlier than the Friday date. They possibly could splash down sometime Thursday, because they have discovered that they had more power in the LEM motor than they thought.

I wanted to give assurance to my friends in the Senate on this matter. I think that they will return. I do not think it will affect the Apollo missions. I do not think it ought to. I think we should continue with the rest of them. The hardware is there, all bought and paid for, and, contrary to what many people say, that we have only collected some vials of dust, I hope that within the coming months of this session, I shall be able to lay before my colleagues in the Senate a list of spinoffs from the $28 billion expenditure, which will show that we have received more than value in return for the money spent, and that the American people will live a better life because of the courage, daring, and willingness of the men of the Apollo program.

Mr. SCOTT. I thank the Senator from Arizona.

Mr. JAVITS. Mr. President, I now yield 3 minutes to the Senator from California.

XUM

SENATE RESOLUTION 388—SUBMISSION OF A RESOLUTION RELATIVE TO THE MISSION AND SAFETY OF THE APOLLO 13 ASTRONAUTS

Mr. MURPHY. Mr. President, I concur in the statements of the distinguished minority leader and the distinguished Senator from Arizona. I have prepared a resolution, which I shall read in a moment. It urges all businesses and communications operations, all the media, to pause briefly at 9 o'clock this evening, local time, to permit persons who may wish to do so to join in prayers for the safe return of the Apollo 13 astronauts.

I, like my distinguished friend from Arizona, have the greatest confidence in the capabilities of the scientists in charge, but I also was taught, when I was very young, that when you are in serious trouble, you not only look around for help, but sometimes it is good to look up.

I had intended to ask unanimous consent that following the completion of the reading of the resolution, the resolution be considered at the end of the morning hour. I have been advised that this is a relatively unusual course of action. I submit, Mr. President, that the situation which is on all of our minds is itself an unusual situation, to which it would not be inappropriate for us to respond through extraordinary action.

I have been informed by the distinguished minority leader that it is not necessary to wait until the end of the morning hour, but that the resolution may be taken up immediately.

XUM

I ask unanimous consent that at the end of the reading of the resolution, it be left open for cosponsors, and I now ask unanimous consent to add the names of the Senator from Pennsylvania (Mr. Scott), the Senator from Arizona (Mr. Goldwater), the Senator from New York (Mr. Javits), the Senator from Michigan (Mr. Griffin), the Senator from Massachusetts (Mr. Kennedy), the Senator from Wyoming (Mr. Hansen), the Senator from West Virginia (Mr. Byrd), and the Senator from Alabama (Mr. Allen).

The ACTING PRESIDENT pro tempore (Mr. Allen). Without objection, it is so ordered.

Mr. MURPHY. I submit the resolution and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. Will the Senator send his resolution to the desk, to be read by the clerk?

The legislative clerk read the resolution, as follows:

S. Res. 388

Resolved, that the Senate of the United States commends the Apollo 13 astronauts—James Lovell, John L. Swigert, Jr., and Fred W. Haise, Jr.—for their fortitude and courage; extends its support to their families, their friends and all who are involved in their mission; and urges all businesses, commercial operations, communications media, and others who wish to and can comply to pause at 9 p.m. today, April 14, 1970, in order that all persons who so desire may join in asking the help of Almighty God in assuring the safe return of the astronauts.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCOTT. Mr. President, I do not wish to delay action on the resolution. I would simply say that the matter is in the hands of the astronauts and their great skill and training, and it is also in the hands of the Great Architect of the Universe.

Mr. BYRD of West Virginia. Mr. President, I was saddened to learn last night of the misfortune of Apollo 13. The world will be witness as the command craft Odyssey makes its way back to earth after losing the majority of its electrical power.

I am certain that I reflect the thoughts of all Senators, the citizens of my State of West Virginia, and the people of our great country, when I wish America's three brave astronauts James Lovell, Fred Haise, and John Swigert a safe return to earth. It is courageous men like these three, who have made America great.

Mr. President, it is my sincere hope that all Americans, and the peoples throughout the world, will put aside their everyday hostilities and differences, and join together in prayer, for these three great men traveled not only for America, but for all mankind.

Mr. KENNEDY. Mr. President, I think it is appropriate to take note, as we transact Senate business today, that the thoughts of all of us, and of all Americans, are turned toward the drama which is taking place in outer space.

The latest word from Houston is that Apollo 13, despite the severe accident it suffered last night, is continuing on a course which will bring our astronauts safely back to earth.

There is, of course, much disappointment that this mission will not accomplish its objective of a lunar landing. But this disappointment is nothing in comparison with our great concern for the three men aboard the spacecraft. The success of all of our space expeditions has always been far secondary to the safety of the brave men we send on these missions. Today, more than ever, this is true.

Astronauts James Lovell, Fred Haise, and John Swigert are facing their unprecedented ordeal with courage and calm. We should all take pause and consider their extraordinary bravery. America can be very proud of them.

Our hearts are with them, and their families, as these three astronauts continue on their perilous adventure. We pray for their safe return.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 388) was unanimously agreed to.

Mr. MURPHY. Mr. President, I thank the Senator from New York for yielding this time.

Mr. JAVITS. Mr. President, I compliment the Senator from California (Mr. Murphy) on what he has done. I think it is a matter of solace to all of us.

Mr. MURPHY subsequently said: Mr. President, this morning I submitted a resolution, which was immediately passed by the Senate, asking all businesses and communications operations to pause briefly at 9 o'clock local time this evening to permit persons who wish to do so so to join in prayers for the safe return of the Apollo 13 astronauts.

Those Senators who were on the floor at the time joined me as cosponsors and their names have already been recorded with the resolution.

Other Senators subsequently asked that they be listed as cosponsors of the measure and I would now like to read their names into the Record.

They are:

Senator Allott, Senator Baker, Senator Bennett, Senator Boggs, Senator Burdick, Senator Church, Senator Cooper, Senator Cotton, Senator Dodd, Senator Dominick, Senator Eastland, Senator Ervin, Senator Fong.

Senator Anderson, Senator Bayh, Senator Bible, Senator Brooke, Senator Case, Senator Cook, Senator Williams of New Jersey, Senator Curtis, Senator Dole, Senator Eagleton, Senator Ellender, Senator Fannin, Senator Goodell.

Senator Gore, Senator Gurney, Senator Harris, Senator Hollings, Senator Inouye, Senator Jordan of Idaho, Senator Jordan of North Carolina, Senator Mansfield, Senator McGee, Senator Mathias, Senator Metcalf, Senator Miller, Senator Moss, Senator Nelson, Senator Packwood, Senator Pearson, Senator Percy, Senator Proxmire, Senator Ribicoff, Senator Saxbe, Senator Smith of Illinois, Senator Smith of Maine, Senator Stennis, Senator Talmadge, Senator Thurmond, Senator Tydings, Senator Young of North Dakota, Senator Young of Ohio.

Senator Gravel, Senator Hartke, Senator Hatfield, Senator Hruska, Senator Jackson, Senator Long, Senator McClellan, Senator McGovern, Senator Montoya, Senator Muskie, Senator Pastore, Senator Prouty, Senator Randolph, Senator Russell, Senator Schweiker, Senator Sparkman, Senator Stevens, Senator Tower, Senator Williams of Delaware, and Senator Yarborough.

S. 3711—INTRODUCTION OF A BILL TO ESTABLISH A SYSTEM OF NATIONAL HEALTH INSURANCE

Mr. JAVITS. Mr. President, I rise this morning to introduce the National Health Insurance and Health Improvements Act of 1970. I send to the desk the bill, together with a section-by-section analysis of the bill and a separate statement of the level of benefits which would result from its enactment.

Mr. President, in cooperation with many technical experts and distinguished people interested in the field throughout the country, I have had his measure in preparation for months. It represents the culmination of an enormous amount of effort. I introduce it as my own contribution to what I am confident will be a significant debate and, in my judgment, within a year or two, at the most, will result in the successful adoption of a national health program which will assure high quality health care to every American, whatever may be his economic need.

This is one of the really basic reforms of our time, standing on a level with social security, unemployment compensation, the tremendous Civil Rights Act of 1964, the war on poverty, the Economic Opportunity Act, and other recognitions by our country of the great social needs of our people, which have developed over the decades. This bill is my own way of meeting that need.

A number of other bills have been and will be introduced. I hope very much the administration will come forward with its program. I believe that, as we did with medicare and medicaid, where I worked so closely with the most distinguished and beloved Senator from New Mexico (Mr. ANDERSON), we may all soon see the fruition of the day when high level medical care will be truly available to every American.

Mr. President, the establishment of the system I urge, which I shall describe in the next half hour or so, would initiate the process of change in the organization and delivery of health services which is essential if the promise of adequate health care for all Americans is to become a reality.

Almost 40 years ago President Herbert Hoover equated the right to public health with public education. In his inaugural address he said:

> Public health service should be as fully organized and as universally incorporated into our governmental system as is public education. The returns are a thousand-fold in economic benefits, and infinitely more in reduction of suffering and promotion of huhuman happiness.

I quote President Herbert Hoover, Mr. President, because he was no wild-eyed radical. It is a conservative point of view, which he always espoused and of which he was very proud; and this is a conservative bill.

It is self-financed in the main, and insofar as it is not self-financed, but requires a resort to the general revenues, it involves an enormous contribution to the health of the country, and therefore to an increase in its resources, as well as its tax take, because of the millions of people whom it will enable to do more and better work.

In addition, my bill draws very heavily on the private enterprise system. This has always characterized the health measures that I have worked on. The major one, notably, with the Senator from New Mexico (Mr. ANDERSON), was essentially premised on the utilization of the private enterprise system of the United States, as is my present bill.

Today, Mr. President, despite the enormous growth of governmental programs and private health insurance plans; despite the $38 billion in private expenditures by Americans for health care; despite the $60 billion health industry—the fastest growing unsuccessful big business in America—that goal remains illusory.

My relationship to this problem goes back a very long time. Twenty-one years ago, in 1949, I introduced H.R. 4919 in the 81st Congress, a bill for a system of national health insurance. One of its cosponsors, was then Congressman, now President, Richard M. Nixon, and others included the late very distinguished Secretary of State, Christian Hereter, and former National Republican Chairman, Thruston Morton, who served with such distinction in this body.

Since then, along with many Members of the Senate, I have been actively engaged in the long struggle to provide health insurance to the aged. The landmark medicare legislation, finally enacted in 1965, was the culmination of an effort in which I had been engaged from the time I entered Congress. However, neither title XVIII—medicare program—nor the then little-noticed title XIX enacted at the same time—medicaid—has proven adequate to meet an exploding demand for quality health care or—and this is critically important—to control a rapid and inflationary escalation of health care costs.

The situation is much the same for private health insurance. Although about 85 percent of the American people have some form of private health insurance, such insurance covers only a third of their health-care expenditures. In contrast, the bill I introduce today, when fully effective—and it will take a period of years to make it fully effective—will cover approximately 80 pecent of the cost of personal health services.

Perhaps most serious of all, there is no Federal program and almost no system of private prepaid care to change the dangerously haphazard organization of health care in America. Thus, even as additional Americans have obtained the financial ability to "purchase" health care, there has been insufficient expansion of, or new allocation of, medical resources.

In mid-1969, President Nixon, Secretary Finch, and the Assistant Secretary for Health and Scientific Affairs, Dr. Roger Egeberg, met at the White House to tell the Nation that it "faces a breakdown in the delivery of health care. Expansion of private and public financing for health services has created a demand for services far in excess of the capacity of our health system to respond." They continued:

> Our overtaxed health resources are being wastefully utilized, and we are not adding to them fast enough to keep pace with rising demand. Our health priorities are critically out of balance.

I call the health industry in the United States today a "cottage industry," because it is so incredibly wasteful in terms of economics and productivity. We are dealing with the lives and welfare of all Americans, and the issue of adequate and accessible health care, therefore, has become an imperative of social justice.

Almost 1 year ago I pledged myself to the introduction of a national health insurance bill. Since then, public awareness of and support for this concept have grown dramatically. It is now clear that some form of mandatory prepaid health care for all Americans is an idea whose time has arrived. The bill which I introduce today is intended as a contribution to what will, I believe, be an extensive examination of this subject. I have no doubt that in the next few years such a program will be enacted.

Like the oft-embattled hospital—the public symbol of modern medicine—national health insurance legislation will soon find itself the subject of much controversy and debate. However, I am confident that this national health insurance bill will come to be a part of our Nation's new commitment to solve the great and complex problems of providing health care rationally and effectively for all.

OUTLINE OF BILL

My bill includes the following provisions:

First. Eligibility for basic benefits under title XVIII of the Social Security Act would be available without limitation to all resident citizens of the United States, without regard to age.

In recognition of the fact that such a massive expansion of health insurance coverage cannot be imposed immediately upon our present health-care system, these benefits would not be extended to all Americans until July 1, 1973. It may be necessary to defer even that for a year or perhaps two. This would give the care system time to "gear-up" for the greatly increased demand and to allow the vast reorganization which other parts of this bill would stimulate. I am hopeful that in the interim—that is, beginning now and in the course of the next 2 to 4 years—the disabled, the unemployed, and the poor may be phased into the system sooner, if the system cannot be extended to all Americans by the date specified—to wit, July 1, 1973.

Second. Before health insurance is extended to all, the following improvements would be made in the present medicare system: Merger of parts A and B of that system; a single tax would provide for both hospital and physicians' benefits for the elderly; and extension of these benefits to the disabled under age 65. These changes would become effective July 1, 1971.

Third. At the same time health insurance is extended to all Americans, a new benefit would be added to the package: the financing of a limited prescription drug benefit. This would be available, with a $1 copayment per prescription, for long-term maintenance drugs. The Secretary also would be authorized to conduct studies relating to maintenance drug utilization, efficacy and cost, and to establish a committee to assist with the drug program.

This is an enormous problem, and it involves the whole question of the cost of generic and trademark drugs, and it should be part of the package of health insurance which we propose to the American people.

Fourth. One year after the effective date of extending medicare benefits to the disabled under 65, two new benefits would be added—and it may very well be that we could not add these benefits until we have actually expanded the system by 1973 or 1974 to include all Americans: Dental care for children under 8 years of age restricted to examination and diagnosis, oral prophylaxis and the filling and removal of teeth; and a diagnostic benefit, providing for annual physical checkups, and eye and ear examinations. There is, of course, the risk of abuse of this benefit, but so crucial is its role in preventing more serious and

XUM

costly illnesses and hospitalization, that it should be included in the benefit package. A recent national conference on multiphasic screening noted that technology has not caught up with our need to identify the most serious symptoms of illness. Thus, there is a problem of unnecessary tests and skyrocketing costs. However, I believe that the incentives in this bill which seek to move the system to greater comprehensiveness and coordination in care, as well as new powers it would afford the Secretary of Health, Education, and Welfare in cost and utilization review and reimbursement modes, would counteract the possibility of abuse in extending the physical checkup benefits to all.

Fifth. Continuation of a separate trust fund for the elderly and a new trust fund for those under 65. Thus, the soundness of the medicare trust fund would be protected. To simplify administration, however, both trust funds would be financed from a basic payroll tax split between the employer and the employee. The Secretary of Health, Education, and Welfare would be authorized to apportion revenues between the two trust funds.

Sixth. Health insurance would be financed by a tax on employers, employees, and the self-employed. The earnings base would be increased to $15,000 for all employees and self-employed. Public assistance recipients and the unemployed would receive full health benefits, the cost of which would be underwritten by Government subsidy. The contribution rates from all—as set forth in the actuarial cost estimates developed by the Social Security Administration for my bill—would be, with respect to wages paid during the calendar year 1971, 0.7 percent; 1972, 0.9 percent; 1973, 2 percent; 1974, 3.1 percent; and 1975 and thereafter, 3.3 percent. I believe a contributory health insurance system is far preferable to the financing of all health services out of general public revenues. Beneficiaries make a direct financial contribution to the system and, consequently, have a personal stake in its fiscal health. Extremely important in the scheme of my bill is the exclusion from the imposition of the tax of groups which have contracted with the Secretary of Health, Education, and Welfare to provide health services equivalent to the benefits provided under the bill and to encourage rational organization of health care services. That is a very important point and ties in the bill directly to the working private enterprise system.

Seventh. Significant changes would be established in the administration of health insurance financing. These changes would seek, at the same time, to preserve the pluralistic strength of the present health care system and to provide significant incentives and leverage to move that system to greater cohesiveness and coordination.

Eighth. The rational organization of health care would be encouraged by the Secretary of Health, Education, and Welfare by entering into a variety of administrative arrangements with comprehensive health service systems—that is, prepaid group practice, one or more providers of health services, health insurance carriers, or a combination thereof—private, profit or nonprofit—for comprehensive health insurance benefits. Such organization would receive reimbursement for costs and incentive payment to bring about a reduction of costs without impairment of services. This incentive payment would depend on the suppliers achieving an average cost for services which is less than the average cost for services for which payment is made, to comparable population groups under comparable circumstances in the local regional area. So that the incentives would represent the actual saving which lower costs produce.

Ninth. The Secretary would be mandated to undertake a comprehensive study of compensation methodologies for providers of services, soliciting the widest possible expression of views from interested persons and organizations, including health insurance carriers. He then would present a proposed regulation, no later than December 1, 1972, regarding modification of methods of compensation.

Let me add that a late addition to the bill is an interesting one, especially, I believe, to those who have been students in this field. I propose to require the Secretary to study methods of compensation designed to encourage responsibility by the medical associations, which are largely regional in character, in regard to this question of methodology, compensation, and the rationalization with which services should be provided to improve—through peer review and otherwise—the quality of health care. I believe that this is an entirely legitimate responsibility which the Government has a right to impose upon State and local medical societies, which are legally recognized professional organizations, and which exercise very great leadership and authority. This is a public responsibility which they should share. I consider this to be a very important point.

Tenth. "Reasonable" charges as presently called for by title XVIII would be modified to provide that wherever that phrase appears, it would be subject to the modification of "appropriate." The reason for that modification is that the charges should be what the service is really worth when efficiently delivered, in view of the fact that the bill carries so many incentives, including a broad division of the actuarial risks, to rationalize and improve materially the health service which is rendered.

Eleventh. The Secretary of Health, Education, and Welfare would be authorized in his discretion to require physicians providing services under this bill to meet standards of continuing professional education; national minimum standards of licensure, if licensed after standards promulgated, and certain professional specialty board standards of qualification for the performance of major surgery or certain other specialty services.

Twelfth. To the extent practicable and consistent with good medical practice, the Secretary of HEW would encourage the training and employment of allied health personnel and other subprofessionals in the rendering of comprehensive health services. I would explain that I have waged almost a single-handed campaign to bring medical corpsmen, 30,000, as released from the Armed Forces every year, in an important way into the provisions of health services. This is a critically important question, as we are dreadfully short in health manpower, and medical corpsmen, given proper and added training, and the inducement of good compensation, represent an enormously effective pool of already almost fully trained men for this particular purpose.

Thirteenth. The Secretary of Health, Education, and Welfare would be authorized to make loans and grants and to provide technical assistance to contracting comprehensive health service systems to help them develop the capability to administer the program. These systems would include such comprehensive health services as can be established in given communities with Federal aid which do not have them now. Enrollment would be open to all residents of a "primary" service area, so that the members, for a fixed annual capitation fee, are assured continuity of care and provided comprehensive health service.

This is especially applicable to group practice units, established by a medical school, a hospital medical staff, or a medical center, or similar arrangement among providers of services, which are uniquely adaptable to this kind of comprehensive health care.

Fourteenth. The Secretary of Health, Education, and Welfare is authorized to establish a National Health Insurance Corporation, either a corporation or corporations. This is a very, very important point to me because there must be a recognition of something that took place in respect to medicare which I deplore very greatly.

When the Senator from New Mexico (Mr. ANDERSON) and I first joined in the development of the legislation which led to medicare, Mr. President, we relied very heavily upon the fact that the insurance carriers of the country, recognizing the great public interest involved, would support the administration of services and need not establish a Government bureaucracy. We thought that they had the machinery and the expertise and could do it most efficiently and economically.

To our dismay, the testimony before the House Ways and Means Committee revealed that the insurance companies would not perform. It was a very black day, indeed, for them and for the country.

Much as I regret it, we may face the same situation in national health insurance, which is coming as sure as day follows night. To provide against that contingency, either nationally or regionally, my bill provides for an autonomous Government corporation which can, in a given area—I hope it will not be necessary nationally—function if the insurance carriers will not do so.

Mr. President, I wish to point out that when it came to the matter of health insurance for Government employees, we had a different situation. To the great credit of the insurance companies, they

XUM

accepted it and, by the way, did very well with it. It may be an inspiration to other companies. We did find private enterprise willing to pitch in in that instance.

I hope very much that wiser counsel and judgment will prevail and that the insurance companies will, as they should, undertake this great public responsibility and great public opportunity which will be opened by the national health insurance bill—whether it is my bill, someone else's bill, or, as perhaps will be the case, some amalgam of many different ideas, some of which are contained in my bill.

Mr. President, I emphasize that because all plans must be carefully examined. We think it is a great hardship for the Government to meet and I think it is critically important that private enterprise assume this additional responsibility. They have a great responsibility to our Nation which they should perform. This would give them an ideal framework within which to perform it.

Mr. President, I introduce this bill to help arouse the conscience of the Nation to the urgent need for the development of a better system of health care—more readily accessible, more economical and more equitably distributed—and to stir the Congress to action in the enactment of legislation that takes a comprehensive and rational approach to the problems of health care. It not only must increase purchasing power and thereby equalize access, but it must also bring about significant change in the health care system.

It must be emphasized that no system of universal health insurance which does not take into consideration the inadequacies of the present "nonsystem" of health care and which does not seek to bring some order into it can truly increase the availability of quality health care.

A new system of national health insurance should not serve merely as a conduit for funds which reinforces existing inadequacies. That is one of the big things that I am pointing out about too many plans. All they are doing is making the supply shorter and complicating the already inefficient system. We cannot simply pay doctor bills and reimburse hospital costs. Quite the contrary, those funds and the power of reimbursement should be used to improve the delivery and availability of health care.

The health-insurance industry should undertake to foster better organization of health care and to reshape financing mechanisms to facilitate progressive change. It cannot stand aside and reap profits as conduits. The Nation needs their management talents, expertise and experience to make a national health insurance system work.

Mr. President, I wish to emphasize that I am all for profit based on service and efficiency. I think that the companies, if they get into this plan, will find that many of us feel that way. There is no doctrinaire effort not to understand that an efficiently functioning business deserves to make a profit, because if it is a profit enterprise, profit is equally important to have the ability to supply additional resources for the plowback which profits produce.

Furthermore, I feel Congress, in legislating such a program, should not be in the business of putting an established industry out of business. But this is what would happen if we bypassed the insurance carriers in establishing a national health insurance system. I hope very much they will not allow it to happen, but will do their part in the effort and do the job that I am confident they are capable of doing.

Let me emphasize at the same time that from a practical standpoint I believe a national health insurance program is far more likely to emerge from Congress if we utilize the existing health insurance industry. However, should hearings on national health insurance legislation indicate that the health insurance industry is not prepared to cooperate, then I will consider bypassing the carriers with the alternative of the establishment of an autonomous Federal corporation or corporations to administer the program, as authorized by title 5 of my bill.

This bill is designed to establish a system of national health insurance offering every American the means to purchase adequate health care and providing the best way to guarantee the accessibility of that care to him. Funds going into the health care system from the Government and from private third-party payers—properly directed—can be a force of change. That is the very essence of my bill.

We must seek to stem the inflationary cost spiral which most Americans view as the heart of the health crisis and which is a big factor in overall price inflation. There has been a fantastic increase in the cost of health services. While the general cost of living index rose 70 percent between 1946 and 1967, medical care costs increased almost twice as much—123 percent. The average cost of a day in a hospital in New York State, for example, went up from $10.72 in 1950 to $21 in 1960 to $58 in 1967. In 1968, 1 day of care in a hospital increased more than 12 percent over the 1967 figure. The average cost nationally now stands, according to the American Hospital Association, at $65.27 to treat a patient in a community hospital. In many hospitals in New York City the daily charge is now well in excess of $100 a day, with one hospital which is State approved for medicare reimbursement in excess of $150 a day. Costs of hospital care are still rising at 13 percent per year—more than twice the rate of other parts of the BLS cost of living price index.

Although we spend more money than any other country in the world on health care, the quality of care remains uneven—and for many—particularly the poor—it is abysmally low, if not nonexistent.

The United States leads the world in many branches of medical science. Yet a national disparity in health services between rich and poor is mirrored by New York City figures. In 1964, Bedford-Stuyvesant contained 9 percent of Brooklyn's population but produced 24 percent of its tuberculosis deaths and 22 percent of its infant deaths. However, only four new physicians located in that area between 1960 and 1966. In 1964, a New York City child from a family earning less than $4,000 a year was half as likely to have had a polio immunization as a child from a family earning over $6,000. A former New York City health commissioner has rated poverty as the third leading cause of deaths in that city.

The health profession personnel and facilities are not presently adequate to meet the demand which would be established if these benefits were immediately made available to all Americans. Accordingly, my bill proposes that the level of benefits previously discussed, be phased-in to the system, with a priority to the aged, the disabled, the unemployed and the poor. In the interim, we should allocate sufficient resources—provided for by my bill and through other Federal legislation—to seek to remedy the deficiencies in health personnel and facilities. I do not believe we in the Congress should make a promise which cannot be fulfilled. We must allocate sufficient resources to establish a Federal commitment to assist in the development of the newest and safest in quality health care, treatment, personnel and facilities.

In the event we determine it is not possible for our health industry, either because of a shortage of manpower or facilities, to deliver the total health benefit package, I believe we should consider authorizing the Secretary of HEW to curtail the package of health services.

If there are children who die whose lives can be saved; if there are adults who are handicapped when medicine has the capacity to heal; if the life expectancy of a nonwhite American is 7 years less than his white counterpart; if infant mortality rates are twice as great for nonwhites as for whites; if nonwhite maternal mortality is four times as great as the rate for whites—then it is clear that we are in a health care crisis. It is a crisis that merits our making a start at the establishment of an organized, coordinated and total health care system—a system which emphasizes delivery and accessibility to every American in need.

I believe that there is a growing willingness within the medical profession, particularly among medical students and young doctors, to establish and participate in such a system. Increasingly, leading medical schools have begun to emphasize community health and the delivery of health services, and several of them have initiated demonstration programs of prepaid comprehensive health care. And there seems to be a renewed interest among both private and public leaders in making this commitment to health care. There have been an increasing number of hearings in both Houses of the Congress on this subject and favorable statements from political leaders, businessmen, insurance companies and labor leaders.

We have talked about these issues for decades. We have made great progress, but that progress has been largely in the quality of available health care. This exceedingly high quality is a great tribute

XUM

to the medical profession and to the hospitals and medical schools of this country. However, the sad fact remains that to many, many Americans, quality health care—indeed almost any health care—is still unavailable.

The eminent British statesman, Benjamin Disraeli, said:

> The health of the people is really the foundation upon which all their happiness, and all their powers as the state, depend.

If we are to begin to build upon a strong foundation—and I am convinced our country is by no means through; there is initiative, vitality, conviction, faith, tremendous energy, and capability in the American society—I am convinced that this is the year we must begin to move to enact national health insurance legislation as the means of improving and preserving quality health care and organizing a health care system which will benefit all Americans.

Mr. President, I wish to make a few additional observations. I would like to read to the Senate a telegram I have received from Gov. Nelson Rockefeller of my State, who has been one of the leading apostles of the "universal" health plan—that is his word for it—in this country. The telegram reads:

TEXT OF TELEGRAM SENT BY GOV. NELSON A. ROCKEFELLER TO SENATOR JACOB K. JAVITS

We have shared a concern that the right to basic health care services become a reality for all Americans. This requires that we eliminate economic barriers which prevent an individual or family from receiving basic health services. At the same time, it requires encouragement of innovation to improve the delivery of these services. It is also important that the strengths and achievements of the private insurance industry be utilized.

I am very pleased that you are introducing legislation to achieve these desirable objectives. I wish to congratulate you for your leadership in introducing the National Health Insurance Act of 1970 which would extend expanded Medicare benefits to virtually the entire population and would allow the utilization of the valuable skills of the private insurance industry.

I have long advocated that the Federal government establish a university health insurance program which would put the financing of health care on a sound contributory fiscal basis. Such a program would then enable Medicaid to become a second line of defense against catastrophic illness costs not otherwise covered.

Your bill also provides for developing improvements in the manner of providing comprehensive health services by encouraging preventative, diagnostic, ambulatory and rehabilitative services. In addition, it would stimulate group practice and other more efficient systems among physicians, hospitals and other providers.

We can both be heartened that the national dialogue on universal health insurance is now earnestly under way and I congratulate you for introducing pioneering health insurance legislation.

With warm regards,

Sincerely,

GOV. NELSON A. ROCKEFELLER.

Mr. President, I also ask unanimous consent to have printed in the RECORD a telegram from former Secretary of Health, Education, and Welfare, the Honorable Wilbur J. Cohen, with whom I have worked closely in this field. The telegram comments upon the contribution which this bill would make.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

TEXT OF TELEGRAM SENT BY HONORABLE WILBUR J. COHEN TO SENATOR JACOB K. JAVITS

Congratulations on introduction of your National Health Insurance bill. The bill is an important contribution to Congressional and public consideration. Your bill will do much to advance the dialogue of this important public policy issue. I hope it will be possible to have early and full hearings on the bill with a view to finding ways and means to bring insurance coverage to all persons in the United States with assurance of high quality medical care and access to services. Your leadership in this matter is appreciated.

WILBUR J. COHEN.

Mr. JAVITS. Mr. President, I deeply appreciate the very generous assistance and advice of Governor Rockefeller and his staff, which were given most freely to me, as well as the assistance received from the Honorable Wilbur J. Cohen, who is such an eminent authority in this field, and his associates who helped us with this bill. Neither Governor Rockefeller nor Mr. Cohen are parties to the bill, but they have been of enormous assistance and I am grateful.

Finally, I have received some cost estimates respecting the bill I have introduced, because I think the Senate should have an idea of the cost involved. I wish to point out that the cost estimates do not take into account savings in medicare and medicaid which would result from national health insurance. I extrapolate and estimate these savings at something in the area of $4 billion to $4½ billion minimum when the program is in full operation, which very materially reduces the cost. The Social Security Administration cost estimates accept present cost, without reference to the diminutions which will occur from the tremendous increase in the number of people participating because we will have universal coverage.

Second, and very importantly, it fails to take into account the factor of the economy which will arise from the rational organization and delivery of health care, which will be provided by this bill.

Nonetheless, I wish the Senate to have these estimates and I submit them for the RECORD.

[In billions]

1971	$3.5
1972	5.2
1973	10.2
1974	19.2
1975	22.7

Mr. President, I ask unanimous consent that a section-by-section analysis prepared by the Legislative Reference Service of the Library of Congress, a description of the level of benefits of the act which I have introduced, and the text of the bill itself may all be made a part of my remarks.

The ACTING PRESIDENT pro tempore (Mr. ALLEN). The bill will be received and appropriately referred; and, without objection, the bill, section-by-section analysis, and level of benefits will be printed in the RECORD.

The bill (S. 3711) to provide a national health insurance program by extending the benefits, enlarging the coverage, expanding the role of private carriers, and otherwise improving the health insurance program established by title XVIII of the Social Security Act, and by establishing a new title XX to such act to provide comparable health insurance benefits to individuals not covered therefor under the program established by such title XVIII, by providing Federal assistance to develop local comprehensive health service systems, and authorizing the establishment of federally chartered national health insurance corporations, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 3711

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act, with the following table of contents, may be cited as the "National Health Insurance and Health Services Improvement Act of 1970".

TABLE OF CONTENTS

Sec. 2. Findings and declaration of purpose.

TITLE I—AMENDMENTS RELATING TO HEALTH INSURANCE PROVIDED BY TITLE XVIII OF THE SOCIAL SECURITY ACT

Sec. 101–105. PART A—COVERAGE OF ALL AGED AND DISABLED; EXTENSION, WITHOUT PREMIUM, OF SUPPLEMENTARY BENEFITS TO ALL COVERED INDIVIDUALS.
Sec. 110–112. PART B—COVERAGE OF DRUGS.
Sec. 120. PART C—ANNUAL PHYSICAL CHECK-UPS.
Sec. 130. PART D—DENTAL SERVICES.
Sec. 140–141. PART E—LIMITATIONS ON CERTAIN CHARGES FOR SERVICES, PHYSICIANS' QUALIFICATIONS.
Sec. 150. PART F—AGREEMENTS WITH STATES FOR ADMINISTRATION.
Sec. 160–162. PART G—IMPROVEMENT IN ORGANIZATION OF HEALTH CARE.
Sec. 201. TITLE II—HEALTH BENEFITS FOR THE GENERAL PUBLIC.
Sec. 301–305. TITLE III—FINANCING OF HEALTH INSURANCE.

TITLE IV—FEDERAL AID TO ESTABLISH LOCAL COMPREHENSIVE HEALTH SERVICE SYSTEMS.

Sec. 401. Findings and declaration of purpose.
Sec. 402. Basic authority.
Sec. 403. Eligibility for assistance.
Sec. 404. Financial and technical assistance for planning comprehensive health service systems.
Sec. 405. Financial and technical assistance for the operation of approved comprehensive health service systems.
Sec. 406. Appropriations.
Sec. 407. Definitions.
Sec. 501. TITLE V—FEDERALLY CHARTERED HEALTH INSURANCE CORPORATIONS.

FINDINGS AND DECLARATIONS OF PURPOSE

SEC. 2. The Congress hereby finds and declares that:

(1) the ability to deliver basic health protection is impaired as the result of the inadequate allocation of health resources and less than optimum management and rapidly escalating health care costs. An anachronistic national health care system often operates to provide priority to patients on the basis of ability to pay rather than most pressing need for services. The inequities and hardships which result from such a system are further aggravated by duplication, waste, overlap, and poor coordination in the system

XUM

at a time when health manpower and resources are in short supply.

(2) the right to quality health care has become a national objective and a right for all Americans. The removal of financial barriers to health care services, and improvement of the present system of delivery of health services, are matters of vital concern affecting the public health, safety, and welfare.

(3) every American regardless of economic status, should be enabled to obtain basic health benefits and a national system should be established which will allocate sufficient resources to bring about the needed changes in the system of health care.

(4) we should develop a system of health insurance benefits which will be financed by employer-employee contributions and from general revenues, and which will provide benefits to all Americans including the aged, the indigent, the disabled, and the unemployed.

(5) we should encourage the development of a system of health care under Federal standard which utilizes a wide diversity of care and benefit mechanisms, including the valuable management skills of the commercial and nonprofit insurance industry, the nonprofit health care community and cooperative agencies and group practice units, and which maximizes consumer choice between such competing mechanisms.

(6) we should encourage the development of system of continuing and comprehensive health care which emphasize preventive, diagnostic, ambulatory, and rehabilitative services, as well as physicians' and hospital care, and which stimulate physicians and providers to enter into group practice and other arrangements and into relationships with other providers, under which the delivery of quality health care will be facilitated.

TITLE I—AMENDMENTS RELATING TO HEALTH INSURANCE PROVIDED BY TITLE XVIII OF THE SOCIAL SECURITY ACT

Part A—Coverage of All Aged and Disabled; Extension, Without Premium, of Supplementary Benefits to All Covered Individuals

Sec. 101. (a) Section 226(a) of the Social Security Act is amended to read as follows:

"(a) (1) Every individual who—

"(A) has attained age 65, and

"(B) is—

"(i) (I) entitled to monthly insurance benefits under section 202, or (II) a qualified railroad retirement beneficiary, or

"(ii) a resident of the United States (as defined in section 210(i)) and—

"(I) a citizen of the United States (as so defined), or

"(II) an alien lawfully admitted for permanent residence who, after being so admitted, has resided in the United States (as so defined) continuously for a period of not less than 5 years,

shall be entitled to hospital insurance benefits under part A of title XVIII for each month for which he meets the conditions specified in subparagraph (B), beginning with the first month after June 1971 for which he meets the conditions specified in subparagraphs (A) and (B).

"(2) Every individual who—

"(A) has not attained age 65, but

"(B) (i) is entitled to disability insurance benefits under section 223, or (ii) has attained the age of 18 and is entitled to child's insurance benefits under section 202(d) and is under a disability (as defined in section 223(d)) which began before he attained age 18, or (iii) has not attained age 60 and is entitled to widow's insurance benefits, or (iv) has not attained age 62 and is entitled to widower's insurance benefits, or (v) is a qualified railroad retirement beneficiary,

shall be entitled to hospital insurance benefits under part A of title XVIII for each month beginning with the later of (I) July 1971 or (II) the first month he satisfies the applicable conditions of subparagraph (B), and ending with the second month after the first month in which he ceases to meet the applicable conditions of subparagraph (B) or, if earlier, with the month before the month in which he attains age 65.

"(3) Notwithstanding clauses (iii) and (iv) of subparagraph (B) of paragraph (2)—

"(A) a widow or surviving divorced wife who has attained age 60 shall be deemed to have satisfied the applicable conditions of such subparagraph (B) in any month in which (i) she is entitled to benefits under section 202(e) (or would be entitled to benefits under section 202(e) but for paragraph (1) (E) thereof, and (ii) she would be entitled to such benefits without regard to such paragraph (1) (E) and section 202(e) (1) (B) (i)) had the period specified in section 202 (e) (5) ended in the month in which she attains age 65 instead of in the month in which she attains age 60, and had the reference to age 60 in section 202(e) (1) (B) (ii) been a reference to age 65; and the first month in which she shall be deemed not to have satisfied such applicable conditions shall be the second month following the first month in which such benefits would have been terminated on the basis of the occurrence of an event specified in section 202(e) (1); and

"(B) a widower who has attained age 62 shall be deemed to have satisfied the applicable conditions of such subparagraph (B) in any month in which (i) he is entitled to benefits under section 202(f) (or would be entitled to benefits under section 202(f) but for paragraph (1) (E) thereof, and (ii) he would be entitled to such benefits without regard to such paragraph (1) (E) and section 202(f) (1) (B) (i)) had the period specified in section 202(f) (6) ended in the month in which he attains age 62, and had the reference to age 62 in section 202(f) (1) (B) (ii) been a reference to age 65; and the first month in which he shall be deemed not to have satisfied such applicable conditions shall be the second month following the first month in which such benefit would have been terminated on the basis of the occurrence of an event specified in section 202(f) (1)."

(b) (1) Section 226(b) (1) of such Act is amended to read as follows:

"(1) entitlement of an individual to hospital insurance benefits for a month shall consist of entitlement to the benefits provided under part A of title XVIII (subject to the limitations, conditions, and procedures provided in such title for the provision of such services) furnished to him in the United States (or outside the United States in the case of inpatient hospital services furnished under the conditions described in section 1814 (f)) during such month; and".

(2) Section 226(b) (2) of such Act is amended by striking out "under section 202" and inserting in lieu thereof "under section 202 or 223".

(c) Section 226(d) of such Act is hereby repealed.

(d) Section 103 of the Social Security Amendments of 1965 is hereby repealed.

Sec. 102. (a) The heading of title XVIII of the Social Security Act is amended by striikng out "FOR THE AGED".

(b) The heading of part A of title XVIII of such Act is amended by striking out "for the Aged".

(c) Section 1811 of such Act is amended by inserting immediately before the period at the end thereof the following: ", and for individuals who are disabled and are entitled to benefits based on disability under title II of this Act or under such system".

Sec. 103. (a) The heading of part B of title XVIII of the Social Security Act is amended by striking out "for the Aged".

(b) (1) Section 1831 of such Act is amended to read as follows:

"Sec. 1831. There is hereby established an insurance program to provide medical insurance benefits in accordance with the provisions of this part for individuals who are entitled to the hospital insurance benefits provided by part A."

(2) The heading for section 1831 of such Act is amended to read as follows: "ESTABLISHMENT OF SUPPLEMENTARY MEDICAL INSURANCE PROGRAM".

(c) (1) Section 1836 of such Act is amended to read as follows:

"Sec. 1836. Every individual who is entitled to hospital insurance benefits under part A shall be entitled to the benefits provided by the insurance program established by this part."

(2) The heading to section 1836 of such Act is amended to read as follows: "ENTITLEMENT TO BENEFITS".

(d) Sections 1837, 1838, 1839, 1840, 1841, 1843, and 1844 of such Act are repealed.

(e) Section 1815 of such Act is amended by striking out "Hospital" and inserting in lieu thereof "Health".

(f) (1) The heading to section 1817 of such Act is amended by striking out "HOSPITAL" and inserting in lieu thereof "HEALTH".

(2) Section 1817(a) of such Act is amended by striking out, in the second sentence thereof, "part" and inserting in lieu thereof "title".

(3) Section 1817(h) of such Act is amendend by inserting "and part B" immediately after "this part".

(4) Section 1817 of such Act is further amended by adding at the end thereof the following new subsection:

"(i) On July 1, 1971, there shall be transferred to the Trust Fund all of the assets and liabilities of the Federal Supplementary Medical Insurance Trust Fund."

(g) The Last sentence of section 1861(v) (1) of such Act is amended by striking out "Hospital" and inserting in lieu thereof "Health".

(h) Section 1864(b) of such act is amended by striking out "Hospital" and inserting in lieu thereof "Health".

(i) Section 201(g) (1) (A) of such Act is amended—

(1) by striking out "Hospital" and inserting in lieu thereof "Health", and

(2) by striking out "and the Federal Supplementary Medical Insurance Trust Fund".

(j) Section 1875(a) of such Act is amended by striking out "health care of the aged" and inserting in lieu thereof "health care of the aged and disabled".

(k) Section 1902(a) (10) of such Act is amended by striking out "the making available of supplementary medical insurance benefits under part B of title XVIII to individuals eligible therefor (either pursuant to an agreement entered into under section 1843 or by reason of the payment of premiums under such title by the State agency on behalf of such individuals), or".

(l) Section 1902(a) (15) of such Act is amended by striking out "either or both of".

(m) Section 1903(b) (2) of such Act is repealed.

Sec. 104. (a) (1) Section 21(a) of the Railroad Retirement Act of 1937 is amended by striking out "consisting of inpatient hospital services, posthospital extended care services, posthospital home health services, and outpatient hospital diagnostic services (all hereinafter referred to as 'services')" and inserting in lieu thereof "and other benefits and services (such benefits and services hereinafter being referred to as 'services')".

(b) (1) Section 21(d) of the Railroad Retirement Act of 1937 is amended by striking out "and sections 1840, 1843, and 1870" and inserting in lieu thereof "and section 1870".

(2) Section 21(e) of such Act is amended

XUM

by striking out "Hospital" and inserting in lieu thereof "Health".

(c) The Railroad Retirement Act of 1937 is amended by adding after section 21 the following new section:

"HEALTH INSURANCE BENEFITS FOR THE DISABLED

"SEC. 22. Individuals under age sixty-five who are entitled to annuities under paragraph 4 or 5 of section 2(a) or are entitled to annuities under section 5(c) (or who have been or would be considered in applying the provisions of section 3(e)) and have attained the age of eighteen and have a disability (within the meaning of section (5)(1)(ii)) and who are in a 'period of disability' (as this term is described in section 3(e)) and, with respect to individuals entitled to annuities under paragraph 4 or 5 of section 2(a) are not in a 'waiting period' (as defined in section 223(c)(2) of the Social Security Act) shall be certified by the Board under section 21 in the same manner, for the same purposes, and subject to the same conditions, restrictions, and other provisions as individuals specifically described in such section 21, and also subject to the same conditions, restrictions, and other provisions as are disability beneficiaries under title II of the Social Security Act in connection with their eligibility for hospital insurance benefits and medical insurance benefits under title XVIII of such Act; and for the purposes of this Act and title XVIII of the Social Security Act, individuals certified as provided in this section shall be considered individuals described in and certified under such section 21."

SEC. 105. The amendments made by this part shall take effect July 1, 1971.

PART B—COVERAGE OF DRUGS

SEC. 110. (a)(1) Section 1861 of the Social Security Act is amended by adding after subsection (y) the following new subsection:

"(z)(1) The term 'maintenance drugs' means those drugs appearing on the list specified in paragraph (2) of this subsection.

"(2)(A) Subject to the provisions of subparagraph (C), the Secretary shall establish and publish a list of those legend and nonlegend drugs for which payment may be made subject to the conditions of section 1812(a)(4) under part A of this title. The Secretary shall distribute such list on a current basis to practitioners licensed by law to prescribe and administer drugs or to dispense drugs and shall make such other distribution as in his judgment will promote the purposes of this title. He shall from time to time (but at least once a year) review such list, and shall revise it or issue supplements thereto, as he may find necessary, so as to maintain insofar as practicable currency in the contents thereof and shall publish and distribute such revisions in accordance with the preceding sentence.

"(B) Each drug appearing on the list established under subparagraph (A) shall be designated by its established name and with respect to each such drug, the Secretary may include such other information (including trade names of such drug) as he finds necessary or appropriate in the administration of this title.

"(C) A drug shall not appear on the list established under subparagraph (A) unless—

"(i) such drug is lawfully available in interstate commerce for dispensing or administration to humans;

"(ii) it is determined by the Secretary that such drug is appropriate for the treatment of diabetes or of chronic cardiovascular diseases, kidney conditions or respiratory conditions;

"(iii) such drug is usually used for treatment extending over a period of 90 days or more (but not necessarily consecutive); and

"(iv) (in the case of a nonlegend drug) it is a life-saving drug, or a drug the withdrawal of which would be seriously harmful to the health of the individual, or a drug which the Secretary determines (under such standards and criteria as he may prescribe) is a satisfactory substitute for a legend drug appearing on the list.

"(D) For purposes of this subsection—

"(i) the term 'drug' means a drug as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (including those specified in section 351 of the Public Health Service Act);

"(ii) the term 'legend drug' refers to a drug specified in section 503(b) of the Federal Food, Drug, and Cosmetic Act; and

"(iii) the term 'established name' shall have the meaning assigned to such term by section 502(e)(2) of the Federal Food, Drug, and Cosmetic Act."

(2) Section 1861(t) of such Act is amended by inserting after subsection "(m) (5)" the following: "or subsection (z)".

(b) Section 1812(a) of such Act is amended by—

(1) striking out "and" at the end of paragraph (2);

(2) striking out the period at the end and inserting in lieu thereof:"; and"; and

(3) adding at the end the following new paragraph:

"(4) maintenance drugs furnished to such individual while he is not an inpatient in a hospital."

(c) Section 1813 of such Act is amended by adding at the end the following subsection:

"(c) (1) The amount payable for a maintenance drug furnished an individual shall be reduced by an amount equal to the copayment determined under paragraph (2) or, if less, the charges imposed with respect to such individual for such maintenance drug.

"(2) The copayment specified in paragraph (1) shall be $1 during the period ending December 31, 1973, and such amount as may be determined pursuant to paragraph (3) of this subsection during any period thereafter.

"(3) The Secretary shall, between July 1 and October 1 of 1973, and of each year thereafter, determine and promulgate the copayment for purposes of the preceding paragraphs of this subsection and such co-payment shall be in effect for purposes of such paragraphs for the calendar year succeeding the year in which such co-payment is promulgated. Such co-payment shall be equal to $1 multipled by the ratio of (A) the average per capita costs for maintenance drugs for the calendar year preceding the year in which the determination is made to (B) the average per capita costs for such maintenance drugs for the calendar year 1970. Any amount so determined, which is not a multiple of $0.10, shall be rounded to the nearest multiple of $0.10 (or, if it is midway between two multiples of $0.10, to the next higher multiple of $0.10)."

(d) Title XVIII of the Social Security Act is amended by adding after section 1817 of such Act the following new sections:

"PAYMENTS FOR MAINTENANCE DRUGS; CONDITIONS AND LIMITATIONS ON SUCH PAYMENT

"SEC. 1818. (a)(1) The amount paid to any provider of drugs with respect to maintenance drugs for which payment may be made under this part shall, subject to the provisions of this section and section 1813(c), be the reasonable drug charge with respect to such drugs.

"(2)(A) The 'reasonable drug charge' for a maintenance drug shall be the acquisition allowance plus a dispensing allowance.

"(B) The Secretary shall by regulations establish the method or methods for determining the acquisition allowance of a maintenance drug, giving consideration to the cost to providers of drugs of acquiring the drug by its established name. If the source from which any maintenance drug is available charges different prices therefor to different classes or types of providers, or if a class of providers may reasonably obtain such drug from only certain types of sources, the Secretary may, in establishing the acquisition allowance, take into account these differences.

"(C) The Secretary shall by regulations establish the methods for determining a dispensing allowance for a maintenance drug, giving consideration to such factors as cost of overhead, professional services, and a fair profit. He may provide different dispensing allowances for different classes of providers.

"(b) Payment for maintenance drugs furnished to an individual may be made only to a dispenser of drugs eligible therefor under subsection (c) and only if—

"(1) written request, signed by such individual, except in cases in which the Secretary finds it impracticable for the individual to do so, is filed for such payment in such form, in such manner, within such time, and by such person or persons as the Secretary may by regulation prescribe; and

"(2) (in the case of a legend drug) a written prescription, signed by a physician, was filed with such provider of drugs, or (in the case of a nonlegend drug) a physician has certified that the covered drug furnished the individual was medically required by such individual;

except that (pursuant to such regulations as the Secretary may prescribe) no payment may be made for a maintenance drug—

"(3) to the extent that the quantity of such drug furnished an individual exceeds the quantity of such drug needed for the treatment of such individual for 90 days; or

"(4) if it fails to meet such requirements as to quality and standards of manufacture as the Secretary may prescribe; or

"(5) it fails to meet such specifications as to dosage form as the Secretary may require.

"(c) For purposes of subsection (a), a provider of drugs shall be eligible for payment if—

"(1) he is licensed or authorized to compound and dispense drugs to humans pursuant to State law;

"(2) he agrees to comply with such rules and regulations as the Secretary may issue with respect to—

"(A) submission of bills at such frequency and on such forms as may be prescribed in such rules and regulations;

"(B) availability for audit of his records relating to drugs and prescriptions;

"(C) the maintenance and retention of such records relating to the cost of drugs as may be specified in such rules and regulations;

"(3) he meets such other conditions relating to health and safety as the Secretary may find necessary;

"(4) he agrees not to charge any individual for a drug for which such individual is entitled to have payment made under this section and section 1861(z) an amount in excess of the amount which, when added to the amount of payment made under this section and section 1813(c) for such drug, exceeds the customary charge at which such dispenser of drugs sells or offers such drug to the public at the time such drug is furnished to such individual.

"USE OF ORGANIZATIONS IN ADMINISTRATION OF PROGRAM FOR FURNISHING MAINTENANCE DRUGS TO ELIGIBLE INDIVIDUALS

"SEC. 1819. (a) The Secretary is authorized to enter into contracts with organizations to perform such functions as he may find appropriate in administering a maintenance drug benefit if he finds that the utilization of one or more of such organizations will promote the effective and efficient administration of the program provided under this part for the furnishing of maintenance drugs to eligible individuals.

"(b) Contracts with organizations under subsection (a) may be entered into without

XUM

regard to section 3709 of the revised statutes or any other provision of law requiring competitive bidding.

"(c) For purposes of this section, the term 'organization' means a voluntary association, corporation, partnership, or other nongovernmental organization which is lawfully engaged in providing, paying for, or reimbursing the cost of, prescription drugs under group insurance policies or contracts, medical or hospital service agreements, memberships, or subscription contracts, or similar group arrangements, in consideration of premiums or other periodic charges payable to the organization, including a health benefits plan duly sponsored or underwritten by an employee organization.

"STUDY OF DRUG UTILIZATION

"SEC. 1820. The Secretary is authorized to conduct and publish studies relating to the utilization, efficiency, and costs of maintenance drugs for which payment may be made under this part in order to encourage the proper use of such drugs."

(e) Title XVIII of the Social Security Act is further amended by adding after section 1867 of such Act the following new section:

"EXPERT COMMITTEE ON DRUG COVERAGE

"SEC. 1868. (a) There is hereby created an Expert Committee on Drug Coverage which shall consist of five persons, not otherwise in the employ of the United States, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. The Secretary shall from time to time appoint one of the members to serve as Chairman. The members shall include persons who are outstanding in the fields of pharmacology, geriatrics, and other branches of medicine. Members of the Expert Committee, while attending meetings or conferences thereof or otherwise serving on business of the Expert Committee shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently. The Expert Committee shall meet as frequently as the Secretary deems necessary.

"(b) It shall be the function of the Expert Committee to advise the Secretary on matters of general policy in the administration of the program provided under this title for furnishing maintenance drugs to eligible individuals. The Expert Committee shall also make recommendations to the Secretary as to what drugs should be included in the list established under section 1861(z)(2) and what drugs should be deleted from such list. In making any such recommendation the Expert Committee shall submit in such detail as the Secretary may request the information and data the Expert Committee considered in making such recommendation. In carrying out its work, the Expert Committee shall consult with organizations representing the aged, pharmacists, the pharmaceutical industry, and with such other organizations or individuals as the Expert Committee finds appropriate. The Expert Committee shall make an annual report to the Secretary on the performance of its function, including any recommendations it may have with respect thereto, and such report shall be transmitted promptly by the Secretary to the Congress.

"(c) The Expert Committee is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Expert Committee such secretarial, clerical, and other assistance and such pertinent data obtained and prepared by the Department of Health, Education, and Welfare as the Expert Committee may require to carry out its functions."

(f) The heading of part A of title XVIII of such Act (as amended by section 102(b) of this Act) is further amended by striking out "INSURANCE" and inserting in lieu thereof "INSURANCE AND DRUG".

(g) Section 1811 of such Act (as amended by section 102(c)(3) of this Act) is further amended by inserting after "services" the following: "and the cost of maintenance drugs".

(h) Section 1814(c) of such Act is amended by—

(1) adding at the end of the heading the following "or Federal Provider of Drugs";

(2) inserting "(1)" after "(c)"; and

(3) adding at the end the following new paragraph:

"(2) No payment may be made under this part to any Federal provider of drugs (as provided for in section 1818), except a provider of drugs which the Secretary determines is dispensing drugs to the public generally as a community institution or agency; and no such payment may be made to any provider of drugs for any drug which such provider is obligated by a law of, or a contract with, the United States to render at public expense."

(i) Section 1815 of such Act is amended by—

(1) adding at the end of the heading the following "and Provider of Drugs";

(2) adding after "provider of services with respect to the services furnished by it": ", and each provider of drugs with respect to drugs,";

(3) inserting after "provider of services" the second time it appears "and the provider of drugs, as the case may be,".

(j) Section 1861(r)(3) of such Act is amended by adding at the end before the period the following: "and, for purposes of section 1818, only with respect to drugs he is legally authorized to prescribe by the State in which he prescribes such drugs".

(k) Section 1869(c) of such Act is amended by inserting after "provider of services" the following: "or any person dissatisfied with any determination by the Secretary that he is not a provider of drugs eligible for payment under this title,".

(l)(1) Section 1870(a) of such Act is amended by—

(A) inserting ", provider of drugs," after "provider of services"; and

(B) inserting "or drugs" after "items or services".

(2) Section 1870(b) of such Act is amended by—

(A) inserting ", or provider of drugs," after "provider of services" each time it appears;

(B) inserting "or drugs" after "items or services; and

(C) adding at the end of paragraph (2) the following: "or any payment has been made under section 1818 to a provider of drugs for drugs furnished an individual,".

(3) Section 1870(d) of such Act is amended by inserting ", or provider of drugs," after "provider of services".

(m)(1) The heading of section 226 of such Act is amended by striking out "INSURANCE" and inserting in lieu thereof "INSURANCE AND DRUG".

(2) Section 226(a) of such Act (as amended by section 101(a) of this Act) is further amended by inserting, in paragraphs (1) and (2), "and drug" immediately after "hospital insurance".

(3) Section 226(b)(1) of such Act (as amended by section 101(b)(1) of this Act) is further amended by inserting "and drug" immediately after "hospital insurance".

SEC. 111. Section 21(e) of the Railroad Retirement Act of 1937 (as amended by section 104(b)(2) of this Act) is further amended by inserting "(other than maintenance drugs)" immediately after "services" the first place it appears therein.

SEC. 112. The amendments made by this part shall be effective with respect to drugs dispensed after June 30, 1973.

PART C—ANNUAL PHYSICAL CHECKUPS

SEC. 120. (a) Section 1861 of the Social Security Act is amended by adding after subsection (z) (added by section 110(a) of this Act) the following new subsection:

"Physical Checkup

"(z–1) The term 'physical checkup' means eye examinations for the purpose of prescribing, fitting, or changing eyeglasses, procedures performed (during the course of any eye examination) to determine the refractive state of the eyes, examinations of the ears for the purpose of determining the need for hearing aids, and such diagnostic X-ray tests, diagnostic laboratory tests, and other diagnostic tests, as the Secretary may by regulations specify as being the type and kind of tests which are the most likely to reveal defects, diseases, or conditions which are susceptible to effective treatment or control. Such regulations may specify different tests, as may be appropriate, for individuals on the basis of their age or sex. Such terms shall also include such physicians' services as may be appropriate for the interpretation, evaluation, and analysis of such tests."

(b) Section 1861(s)(3) of such Act is amended (1) by inserting "(A)" immediately after "(3)", and (2) by inserting before the semicolon at the end thereof the following: ", and (B) physicians' services and diagnostic tests included within a physical checkup (as defined in subsection (z–1))".

(c) Section 1862(a)(1) of such Act is amended by inserting immediately before the semicolon the following: "(except physical checkups (as defined in section 1861(z–1))".

(d) Section 1862(a)(7) of such Act is amended by striking out all after "checkups" and inserting in lieu thereof the following: "(other than physical checkups as defined in section 1861(z–1))".

(e) Section 1833 of such Act is amended by adding at the end thereof the following new subsection:

"(g) Notwithstanding any other provisions of this part, with respect to expenses incurred by an individual in any calendar year for a physical checkup (as defined in section 1861 (z–1))—

"(1) the provisions of subsection (a) shall be applied without regard to the provisions of subsection (b);

"(2) such expenses shall be regarded as incurred expenses for purposes of subsection (a) only if such individual has not, previously during such year, incurred expenses for a physical checkup (as so defined);

"(3) such expenses shall not be taken into account for purposes of subsection (b);

"(4) there shall be considered as incurred expenses for purposes of subsection (a) only whichever of the following amounts is the smaller—

"(A) $75, or

"(B) the amount determined by the Secretary to be equal to the charge which would be imposed for such physical checkup if it had been provided by the most efficient provider of high quality physical checkups in the area wherein such physical checkup was conducted."

(f) The amendments made by the preceding provisions of this section shall apply only in the case of physical checkups performed after June 30, 1974.

PART D—DENTAL SERVICES

SEC. 130. (a) Section 1861(r)(2) of the Social Security Act is amended (1) by striking out "or" at the end of clause (A), and by inserting at the end thereof the following: "(C) dental services for children (as defined in subsection (z–2))".

XUM

(b) Section 1861 of such Act is amended by adding after section (z–1) (added by section 120(a) of this Act) the following new subsection:

"Dental Services for Children

"(z–2) The term 'dental services for children' means professional services rendered to children under 8 years of age by or under the direction of a doctor of dentistry or of dental or oral surgery who is legally authorized to practice dentistry by the State in which he performs such function; such term shall include oral examinations and diagnosis, oral prophylaxis, filling, and removal of teeth, but shall not include the provision of braces or prosthetic devices."

(c) Section 1862(a)(12) of such Act is amended by inserting "(unless such services consist of dental services for children, as defined in section 1861(z–2))" immediately after "supporting teeth."

(d) Section 1833 of such Act is amended by adding after subsection (g) (added by section 120(e) of this Act) the following new subsection:

"(h) With respect to expenses incurred by an individual for dental services for children as defined in section 1861 (z–2)), the provisions of subsection (a) shall be applied without application of the provisions of subsection (b)."

(e) The amendments made by the preceding provisions of this section shall apply only in the case of dental services for children performed after June 30, 1974.

PART E—LIMITATIONS OF CERTAIN CHARGES FOR SERVICES; PHYSICIANS' QUALIFICATIONS

SEC. 140. Section 1833(a)(1) of the Social Security Act is amended, effective January 1, 1971, by striking out "reasonable charges" each place it appears therein and inserting in lieu thereof "appropriate and reasonable charges."

SEC. 141. Section 1861(r) of the Social Security Act is amended—

(1) by striking out "The" and inserting in lieu thereof "Subject to subsection (r–1), the"; and

(2) by adding immediately thereafter the following new subsection:

"(r–1)(1) Taking into consideration standards approved by appropriate professional organizations, and upon recommendation of the Health Insurance Benefits Advisory Council, the Secretary may, after public hearings, prescribe for physicians (as defined in subsection (r)) providing services under this title—

"(A) standards of continuing professional education,

"(B) national minimum standards of licensure, applicable to any individual first licensed as a physician after the effective date of such standards, or

"(C) standards of qualification for the performance of major surgery or of other specialty services designated by the Secretary.

"(2) After the effective date of standards issued under clause (A) or (B) of paragraph (1), an individual who fails to meet such standards shall not be deemed to be a physician for purposes of this title; except that a failure to meet standards issued under clause (A) of paragraph (1) shall not be found until the Secretary has notified the individual involved of the deficiency and afforded him a reasonable opportunity to correct it. After the effective date of standards issued under clause (C) of paragraph (1), an individual who fails to meet such standards shall not be deemed, for purposes of this title, to be a physician in connection with any services to which such standards are applicable.

"(3) The provisions of section 553 of title 5, United States Code, shall be applicable to the promulgation of standards under this subsection.

PART F—AGREEMENTS WITH STATES FOR ADMINISTRATION

SEC. 150. Section 1874 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(c) The Secretary may enter into an agreement with any State under which such State will administer, on behalf of the Secretary, the health insurance programs established by this title (or such part thereof as may be specified in the agreement) with respect to individuals in such State. The costs of carrying out any such agreement shall be paid to the State by the Secretary in advance or by way of reimbursement and in such installments as may be agreed upon."

PART G—IMPROVEMENTS IN ORGANIZATION OF HEALTH CARE

SEC. 160. Title XVIII of the Social Security Act is amended by adding after part C thereof the following new parts:

"PART D—IMPROVEMENTS IN ORGANIZATION OF HEALTH CARE

"PURPOSE

"SEC. 1881. The purpose of this part is (a) to encourage the rational organization of health care services and facilities so as to provide greater continuity and comprehensiveness of care of the individual, to provide greater consumer education and participation, and to emphasize preventive, diagnostic, and early therapeutic services, (b) to control the costs of services paid for under this title, and (c) to stimulate diversity and innovation in the provision of health insurance protection.

"USE OF CARRIERS AND OTHER AGENCIES AND ORGANIZATIONS

"SEC. 1882. No agreement or contract shall be entered into under section 1816 or section 1842, or continued in force after the effective date of this section, unless the agency, organization, or carrier agrees to use its best effort to carry out the purposes of section 1881(a), and agrees—

"(a) to make (alone or in conjunction with other appropriate public or private agencies) a continuing study of the organization and methods of delivery of health services in the geographic area in which it operates, and of potential improvement of such organization and methods with a view to the effectuation of those purposes;

"(b) to review periodically patterns of utilization of the services paid for under this title and the effectiveness of existing procedures for the control of unnecessary utilization, to develop programs for the strengthening of such procedures, and to perform the functions specified in section 1816(b)(1)(B) or section 1842(a)(2), as the case may be; and

"(c) to take such action within its own authority and to recommend such action by the Secretary authorized by part E (or by section 402 of the Social Security Act Amendments of 1967), as it finds calculated to further the objectives of section 1881(a) and to strengthen the control of unnecessary utilization.

"CONTRACTS WITH COMPREHENSIVE HEALTH SERVICE SYSTEMS

"SEC. 1883. (a) The Secretary is authorized to contract with a comprehensive health service system which meets the conditions set forth in subsection (b), for the provision, to the members of the system, of all services for which payment may be made under this title. In lieu of payment otherwise prescribed by this title, he shall pay to such system, at its election, either (1) the reasonable cost of all such services, or (2) a periodically predetermined capitation amount for each member, equal to the estimated average reasonable cost of such services per member; and if he finds (A) that the average cost of such services in any fiscal year is less than the average cost of services (for which payment is made under this title) to comparable population groups under comparable circumstances, and (B) that services provided by the system have been of high quality and adequate to the needs of its members, he may in addition make an incentive payment to the system equal to not more than two-thirds of such difference of cost per member. The amount of an incentive payment may be used by the system for any of its purposes, including application to the cost of services for which payment is not made under this title, whether or not such services are otherwise provided by the system. Expenditure of funds received as an incentive payment, for whatever purpose, shall not be deemed a cost of services under the contract.

"(b) No contract shall be made under this section with a comprehensive health service system unless—

"(1) such system assures the provision of health services to all its members by a contract or contracts with the Secretary, or by such a contract and subcontracts, entered into by one or more providers of services and other persons furnishing health services, or by a health insurance carrier or nonprofit prepayment plan, or by a combination of the foregoing;

"(2) such system is designed, to the maximum extent feasible, to make all health services readily accessible to persons residing in a specified primary service area and will pay for transportation where reasonable accessibility to persons in that area cannot otherwise be assured;

"(3) all persons, whether or not residing within the primary service area, are eligible to become members of such system, except that (A) the number of members may be limited, with or without giving preference to persons living within the primary service area, to avoid overtaxing the resources of the system, and (B) such restrictions upon enrollment may be imposed as are approved by the Secretary as necessary to prevent undue adverse selection; and the system is so designed and operated as to encourage enrollment from as broad as practicable a range of income and social groups;

"(4) all health services are provided by providers or other persons who meet the standards imposed by or pursuant to this title for the respective services;

"(5) such system encourages increased health education of its members and the development and use of preventive health services, and provides for a group of physicians (such as a committee of a medical school faculty, of a hospital medical staff, or of a group practice organization), approved by the Secretary for this purpose, which group shall consult periodically with representatives of the membership, fix the professional policies of the system, oversee the professional aspects of the delivery of services, and review the utilization of all health services, drugs and supplies;

"(6) such system, to the extent practicable and consistent with good medical practice, trains and employs allied health personnel and subprofessional and lay persons in the rendering of services;

"(7) any participating extended care facility under such system is affiliated with a hospital or with a group practice or similar organization, and the medical staff of the hospital or the group practice organization assumes responsibility for rendering or supervising professional services in the facility;

"(8) premiums charged by such system for services not paid for under this title are reasonable; and

"(9) the establishment of such system is

XUM

consistent with any comprehensive State health plan developed pursuant to section 314(a) of the Public Health Service Act, as amended, and has been approved by the State planning agency designated or established pursuant to that section, and, where appropriate, is in accord with area-wide health planning carried out pursuant to section 314 (b) of that Act.

"(c) In administering this section the Secretary shall emphasize consumer and community involvement in the operation of comprehensive health service systems, and shall seek to insure prompt response to local initiative and maximum flexibility in such operation.

"(d) For the purposes of this section, 'comprehensive health service system' means a system of providing health care to an identified population in a primary service area and its environs, enrolled as members, on the basis of contractual arrangements (which embody group practice, or similar arrangements established by a medical school, a hospital medical staff or a medical center) among participating providers of services and other persons so as (1) to assure continuity of care and ready referral and transfer of patients where medically appropriate, and (2) to provide comprehensive health services, which shall include at least all services for which payment may be made under this title (such services to be provided, except as authorized by the Secretary without deductibles, coinsurance, or copayment), drugs prescribed for ambulatory patients, one hundred days of extended care services (which are not post-hospital extended care services) in any spell of illness, and necessary immunizations, and may include other health services approved by the Secretary as appropriate to the particular comprehensive health service system.

"CONTRACTS FOR EQUIVALENT HEALTH INSURANCE PROTECTION

"SEC. 1884. The Secretary is authorized to contract with any carrier (as defined in section 1842(f)(1)) to provide, to individuals electing insurance by such carrier in lieu of other rights under this title, health benefits equivalent to those for which payment would be made under this title. No such contract shall be made unless the Secretary is satisfied (a) that the carrier will make such insurance available to all individuals (or to all individuals who reside in a specified area), subject to such restrictions on enrollment as he has approved as necessary to avoid undue adverse selection, (b) that the benefits to be provided by the carrier under the contract will furnish health protection which the Secretary determines (under national standards prescribed by him) to be equivalent to, and at no greater cost than, the protection furnished by the benefits for which payment is made under this title, and (c) that premiums for any health insurance to be sold by the carrier to supplement the benefits provided under the contract will be reasonable. A contract under this section shall require the carrier to perform such of the functions specified in section 1882 as the Secretary finds appropriate.

"PROVISIONS RELATING TO CONTRACTS FOR ALTERNATIVE HEALTH SERVICE PLANS

"SEC. 1885. (a) The Secretary shall by regulation prescribe the manner of making an election (including the manner in which an election may be made on behalf of a legally incompetent individual) to become a member of a comprehensive health service system with which the Secretary has contracted under section 1883, or an election to be insured by a carrier with which the Secretary has contracted under section 1884; the manner in which the election may be revoked; and the frequency with which election and revocation may be made.

"(b) Notwithstanding other provisions of this title, an individual with respect to whom an election made in accordance with subsection (a) is in effect shall not, except in such cases and to such extent as may be provided in regulations, be entitled to have payment made to him or on his behalf for services other than those provided, or to be paid for, in accordance with such election.

"(c) Contracts under section 1883 or section 1884 may be entered into by the Secretary without regard to section 3709 of the Revised Statutes or any other provision of law requiring competitive bidding.

"(d) Each such contract shall provide that the comprehensive health service system or the carrier, as the case may be, shall—

"(1) establish and maintain procedures pursuant to which an individual, with respect to whom an election in accordance with subsection (a) is in effect, will be granted an opportunity for a fair hearing by the system or carrier when any claim by or on account of such individual is denied (in whole or in part) or not acted upon with reasonable promptness;

"(2) will furnish the Secretary such timely information and reports as he may find necessary in performing his functions under this title; and

"(3) will maintain such records and afford such access thereto as the Secretary finds necessary to assure the correctness and verification of such information and reports and otherwise to carry out the purposes of this title;

and shall contain such other terms and conditions (including, in the case of contracts entered into pursuant to section 1884 or this section, provisions relating to the methods of payment to be used in paying for health services provided under any such contract) not inconsistent with this section as the Secretary may find necessary, appropriate, and practicable.

"(e) Each such contract shall be for a term of at least one year, and may be made automatically renewable from term to term in the absence of notice by either party of intention to terminate at the end of the current term; except that the Secretary may terminate any such contract at any time (after such reasonable notice and opportunity for hearing to the system or carrier involved as he may provide in regulations) if he finds that the system or carrier has failed substantially to carry out the contract.

"EMPLOYER-EMPLOYEE HEALTH PLAN OPTION

"SEC. 1886. (a) The Secretary may authorize under appropriate regulations promulgated by him agreements or arrangements with any employer who, in agreement with his employees or their representatives, provides for his employees health care benefits under a qualified plan (as specified in subsection (b)) in lieu of the benefits provided under other provisions of this title.

"(b) For purposes of subsection (a), a qualified plan is a health benefits plan—

"(1) which is provided through or in conjunction with an insurance carrier or similar organization or a union-management health or health and welfare plan;

"(2) not less than 75 per centum of the cost of which is paid by the employer offering such plan;

"(3) covers the employees of the employer offering such plan, and the dependents of such employees;

"(4) provides benefits of a type and level which, in terms of actuarial and health care considerations, is superior to the health benefits provided under other provisions of this title;

"(5) which contains provision for a fair hearing to any individual covered thereunder who is dissatisfied with the disposition of any claim he may have for benefits provided thereunder; and

"(6) which employs methods of payment determined by the Secretary to carry out the objectives of part E.

"(c) Any agreement entered into under this section with an employer shall provide that the employer shall supply to the Secretary such information and data as may be necessary to keep the Secretary currently advised as to the identification of the particular employees covered by such plan as well as such other information and data as the Secretary may reasonably require in carrying out the purposes of this title.

"(d) Any agreement entered into pursuant to this section shall be for a term of at least one year, and may be made automatically renewable from term to term in the absence of notice by either party of intention to terminate at the end of the current term; except that the Secretary may terminate any such agreement at any time (after such reasonable notice and opportunity for hearing to the employer involved as he may provide in regulations), if he finds that the employer has substantially failed to carry out the agreement, or that the agreement is not carrying out the purposes of this title.

"(e) The Secretary shall provide to the Secretary of the Treasury such information regarding employees covered by qualified plans covered under agreements under this section as may be necessary or appropriate to enable the Secretary properly to administer the provisions of chapter 21 of the Internal Revenue Code of 1954.

"PART E—METHODS OF COMPENSATION FOR HEALTH SERVICES

"MODIFICATION OF METHODS OF COMPENSATION FOR HEALTH SERVICES

"SEC. 1891. (a) The Secretary, with the approval of the President, is authorized in accordance with this section to modify, effective July 1, 1973, the methods prescribed in this title for determining the amounts of payments to providers of services and other persons furnishing services to individuals entitled to benefits under this title. If any such action requires modification of the provisions of section 1813 or section 1833 relating to deductibles, coinsurance, and copayment, it shall contain provisions imposing equivalent requirements as nearly as may be.

"(b) The Secretary shall forthwith undertake a comprehensive study of methods of determining and paying compensation to providers of services and other persons furnishing health services, with a view to ascertaining what methods are, for the purposes of this title, best calculated to further the following objectives:

"(1) to control the cost of services paid for under this title, to reduce costs whereever possible, and to assure that costs will not in any event increase more rapidly than average wage levels;

"(2) to control the utilization of services paid for under this title, so that to the greatest extent possible unnecessary utilization will be eliminated;

"(3) to improve the organization of health services and the manner of their delivery, in order (A) to increase their accessibility to all individuals wherever resident in the United States (B) to provide continuous and comprehensive care, and (C) to emphasize the maintenance of health as well as the treatment of illness; and

"(4) to assure, through improved organization and methods of delivery, that control of the aggregate cost of health services will not deprive providers of services and other persons furnishing health services of fair and reasonable compensation therefor.

"(c) Such study shall include (1) alternative methods of compensating hospitals and other providers of services (such as negotiated charges, capitation payments, or annual budgets), (2) alternative methods of compensating professional practitioners (such as fee schedules or unit value scales with or without proration, capitation payments, or salaries or per session allowances) (3) alternative methods of paying for drugs and

XUM

other supplies (4) the use of specific financial incentives and disincentives as means to further the objectives set forth in subsection (b), and (5) methods of compensation designed to encourage assumption of responsibility, by local or State medical societies or other professional organizations or organizations of providers of services, for maintaining and improving (through peer review and otherwise) the quality and efficiency of care provided by their members, for the avoidance of unnecessary utilization and for the continuing education of professional and paramedical personnel.

"(d) In making such study the Secretary shall solicit the widest possible expression of views from interested organizations and their members and from the public. To this end he shall appoint such advisory committees, hold such conferences and hearings, and publish such proposals, as he finds appropriate to obtain the views of providers of services and other persons furnishing health services, of health insurance carriers of qualified students of the health care system, and of users of health services.

"(e) Not later than December 1, 1972, the Secretary, with the approval of the President, shall publish in the Federal Register a proposed regulation prescribing the methods of payment for services for which payment may be made under this title. Such proposed regulation shall be subject to the provisions of title 5, section 553, United States Code.

"(f) Not later than March 1, 1973, the Secretary, with the approval of the President, shall issue and publish in the Federal Register his final regulation. Such regulation shall be effective on and after July 1, 1973, and shall supersede all inconsistent provisions of this title.

"(g) The regulations of the Secretary under this part with respect to the methods of payment for services for which payment may be made under this title may be amended or modified by the Secretary, with the approval of the President, from time to time, in accordance with the provisions of section 553 of title 5, United States Code.

"STATE AND LOCAL ADVISORY COMMITTEES

"SEC. 1892. (a) The Secretary, in carrying out the provisions of this part, shall consult with and seek the advice of the State committees, representative of consumers and professional health personnel, and such local committees of like character as he may deem appropriate.

"(b) If in any State, or in any local area in which he decides to utilize such a committee, there is not in existence an appropriate State or local consumer-physician committee, the Secretary is authorized to encourage and assist in the establishment of such a committee, or appoint such a committee."

PROCEDURES REQUIRED OF SECRETARY IN ESTABLISHING STANDARDS

SEC. 161. Standards promulgated by the Secretary with respect to qualifications of institutional providers of service under section 1861(e)(8), section 1861(f) (3) and (4), section 1861 (g) (3) and (4), section 1861(j) (10), section 1861 (p)(4) (A)(v) and (B) shall be promulgated in accordance with the provisions of section 553 of title 5, United States Code.

EFFECTIVE DATE

SEC. 162. That part of the amendments made by section 160 which added new sections 1881 through 1885 to title XVIII of the Social Security Act shall take effect July 1, 1971.

TITLE II—HEALTH BENEFITS FOR THE GENERAL PUBLIC

SEC. 201. (a) The Social Security Act, as amended by the preceding provisions of this Act, is further amended by adding after title XIX the following new title:

"TITLE XX—HEALTH BENEFITS FOR THE GENERAL PUBLIC

"PURPOSE

"SEC. 2001. It is the purpose of this title to secure to every individual who—

"(1) is a resident of the United States, and

"(2) is a citizen of the United States or an alien lawfully admitted for permanent residence in the United States,

coverage for all the benefits provided under parts A and B of title XVIII of this Act.

"ENTITLEMENT TO BENEFITS

"SEC. 2002. (a) Every individual who—

"(1) is not entitled or deemed to be entitled (and upon the filing of appropriate application or applications could not become entitled or deemed to be entitled) under section 226 to hospital insurance benefits under part A of title XVIII;

"(2) is a resident of the United States (as defined in section 210(i));

"(3) is (i) a citizen of the United States, or (ii) an alien lawfully admitted for permanent residence; and

"(4) has filed application under this section in such manner and in accordance with such other requirements as may be prescribed in regulations of the Secretary,

shall be entitled to hospital insurance benefits under part A of title XVIII (and consequently to the benefits provided by part B thereof) for each month that he meets the conditions specified in paragraphs (1) through (3), beginning with the first month after June 1973 for which he has filed application for such benefits and meets the conditions specified in paragraphs (1) through (3). An individual met the conditions specified in paragraphs (1) through (3) for any month shall be deemed to be entitled to such benefits for such month if he files application in accordance with the requirements imposed pursuant to paragraph (4) prior to the end of the twelfth month following such month.

"(b) Except as otherwise provided in this title or by regulations of the Secretary, individuals entitled to hospital insurance benefits under part A of title XVIII by reason of the provisions of this title shall receive such benefits in like manner and under the same conditions as obtained in the case of individuals who are entitled to such benefits by reason of the provisions of section 226.

"TRUST FUND ACCOUNT FOR PERSONS COVERED UNDER TITLE XX

"SEC. 2003. (a) There is hereby established in the Federal Health Insurance Trust Fund a special account to be known as the 'Special Account for Persons Covered Under Title XX' (hereinafter in this section referred to as the 'Special Account').

"(b) Notwithstanding any provision of title XVIII, all benefits to which individuals are entitled under such title by reason of the provisions of this title, and all administrative expenses attributable to the providing of such benefits, shall be paid from and only from the Special Account.

"(c) Moneys in the Federal Health Insurance Trust Fund which are not transferred to the Special Account shall be regarded as being held in the General Account of such Fund and moneys in such General Account shall be available for the purposes for which moneys in such Fund were available prior to the establishment of the Special Account.

"(d)(1) The Secretary shall prior to each fiscal year, estimate the total amounts which will be necessary—

"(A) to pay the total of the benefits payable from the General Account for such fiscal year, together with the administrative expenses attributable to the payment of such benefits, and

"(B) to pay the total of the benefits payable from the Special Account for such fiscal year, together with the administrative expenses attributable to the payment of such benefits.

"(2) The Board of Trustees of the Federal Health Insurance Trust Fund, shall, on the basis of estimates of the Secretary with respect to any fiscal year, apportion moneys which will be appropriated to the Trust Fund for such year between the General Account and the Special Account; except that, if, on the basis of estimates of the Secretary of the Treasury as to the total amounts which will be so appropriated, such total amounts will be less than the aggregate of the estimates of the Secretary for the General Account and for the Special Account, there shall be apportioned to the General Account the full amount estimated under paragraph (1) for the General Account and the balance shall be apportioned to the Special Account."

TITLE III—FINANCING OF HEALTH INSURANCE

SEC. 301. (a)(1) Section 3121 of the Internal Revenue Code of 1954 (relating to definitions for purposes of the Federal Insurance Contributions Act) is amended by adding at the end thereof the following new subsection:

"(r) WAGE BASE FOR PURPOSES OF HEALTH INSURANCE.—For purposes of the tax imposed by section 3101(b) only, the term 'wages' (as defined in subsection (a)) shall have the same meaning as that set forth in such subsection, except that the amount '$7,800', wherever it appears therein, shall be deemed to be '$15,000'; and, for purposes of the tax imposed by section 3111(b) only, the term 'wages' (as defined in subsection (a)) shall have the same meaning as that set forth in such subsection, except that the provisions of paragraph (1) of such subsection shall be deemed to be inapplicable."

(2) The second sentence of section 3122 of such Code (relating to Federal service) is amended by striking out "section 3111" wherever it appears therein and inserting in lieu thereof "section 3111(a)".

(3) Section 3125 of such Code (relating to returns in case of Governmental employees in Guam, American Samoa, and the District of Columbia) is amended—

(A) by striking out (in the second sentence of subsection (a) thereof) "section 3111" and inserting in lieu thereof "section 3111(a)";

(B) by striking out (in the second sentence of subsection (b) thereof) "section 3111" and inserting in lieu thereof "section 3111(a)"; and

(C) by striking out (in the second sentence of subsection (c) thereof) "section 3111" and inserting in lieu thereof "section 3111(a)".

(4) Section 6413(c)(1)(D) of such Code (relating to special refunds) is amended—

(A) by inserting "(ii)" immediately after "(D";

(B) by striking out "section 3101" and inserting in lieu thereof "section 3101(a)"; and

(C) by inserting immediately before the period at the end thereof the following: "; and (ii) during any calendar year after the calendar year 1970, the wages received by him during such year exceed $15,000, the employee shall be entitled (subject to the provisions of section 31(b)) to a credit or refund of any amount of tax, with respect to such wages, imposed by section 3101(b) and deducted from the employee's wages (whether not not paid to the Secretary or his delegate), which exceeds the tax with respect to the first $15,000 of such wages received in such calendar year".

(5) The amendment made by paragraph (1) shall be effective only with respect to remuneration paid after December 1970; the amendments made by paragraph (2) and (3) shall be effective only with respect to taxes imposed by chapter 21 of the Internal Reve-

XUM

nue Code of 1954 with respect to service performed after December 1970; and the amendments made by paragraph (4) shall be effective only in the case of wages received during calendar years after the calendar year 1970.

(b) (1) Section 1402 of the Internal Revenue Code of 1954 (relating to definition for purposes of the Self-Employment Contributions Act of 1954) is amended by adding at the end thereof the following new subsection:

"(1) Self-Employment Income Base for Purposes of Health Insurance—For purposes of the tax imposed by section 1401(b) only, the term 'self-employment income' (as defined in subsection (b)) shall have same meaning as that set forth in such subsection, except that the amount '$7,800' contained in paragraph (1)(E) thereof shall be deemed to be '$15,000'."

(2) The amendment made by paragraph (1) shall be effective only with respect to taxable years ending after December 1970.

Sec. 302. (a) Section 3121 of the Internal Revenue Code of 1954 (relating to definitions for purposes of the Federal Insurance Contributions Act), as amended by section 301 (a)(1) of this Act, is further amended by adding after subsection (r) thereof (as added by such section 301(a)(1)) the following new subsection:

"(s) Employment for Purposes of Health Insurance.—For purposes of the tax imposed by section 3101(b) only, the term 'employment' (as defined in subsection (b)) shall have the same meaning as that set forth in such subsection except that the provisions of paragraphs (3), (5), (6), (7), (8), (9), (10), and (17) of such subsection shall be deemed to be inapplicable; and, for purposes of the tax imposed by section 3111(b) only, the term 'employment' (as defined in subsection (b)) shall have the same meaning as that set forth in such section, except that the provisions of paragraph (3), (5), (6), (9), (10), and (17) of such subseecion shall be deemed to be inapplicable."

(b)(1)(A) Section 218(e)(1)(A) of the Social Security Act is amended by striking out "sections 3101 and 3111 of the Internal Revenue Code of 1954" and inserting in lieu thereof "sections 3101(a) and 3111(a) of the Internal Revenue Code of 1954".

(B) Section 218(e) of such Act is further amended by adding at the end thereof the following new paragraph:

"(3) Notwithstanding the provisions of any agreement entered into under this section prior to January 1, 1971, no State shall be required to pay or be under any obligation to pay to the Secretary of the Treasury, with respect to service covered under the agreement and performed after December 31, 1970, amounts equivalent to the taxes which would have been imposed by sections 3101(b) and 3111(b) of the Internal Revenue Code of 1954 if such service constituted employment as defined in section 3121 of such Code."

(2) Section 218(h)(1) of such Act is amended—

(A) by striking out "and the Federal Hospital Insurance Trust Fund", and

(B) by striking out "subsection (a)(3) of section 201, subsection (b)(1) of such section, and subsection (a)(1) of section 1817, respectively" and inserting in lieu thereof "subsection (a)(3) and (b)(1) of section 201".

(c) The amendment made by subsections (a) and (b)(2) of this section shall be applicable only with respect to service performed after December 31, 1970; and the amendment made by subsection (b)(1)(A) shall apply with respect to agreements under section 218 of the Social Security Act which are entered into after December 31, 1970, or which are entered into prior to such date but which first become effective on or after January 1, 1971.

Sec. 303. Section 3121 of the Internal Revenue Code of 1954 (relating to definitions for purposes of the Federal Insurance Contributions Act), as amended by sections 301 (a)(1) and 302(a) of this Act, is further amended by adding after subsection (s) thereof (as added by such section 302(a)) the following new subsection:

"(t) Exclusion From Employment of Certain Services for Purposes of Health Insurance.—For purposes of the taxes imposed by sections 3101(b) and 3111(b) only, the term 'employment' shall not include performance of service by an employee of an employer who has in effect an agreement entered into between such employer and the Secretary of Health, Education, and Welfare pursuant to section 1886 of the Social Security Act for the provision of health care benefits for the employees of such employer, if such employee is, at the time such service is performed, entitled to the health care benefits provided pursuant to such contract."

Sec. 304. (a)(1) Section 3101(b) of the Internal Revenue Code of 1954 (relating to rate of tax on employees) is amended by striking out paragraphs (1) through (5) and inserting in lieu thereof the following:

"(1) with respect to wages paid during the calendar year 1971, the rate shall be 0.7 percent;

"(2) with respect to wages paid during the calendar year 1972, the rate shall be 0.9 percent;

"(3) with respect to wages paid during the calendar year 1973, the rate shall be 2.0 percent;

"(4) with respect to wages paid during the calendar year 1974, the rate shall be 3.1 percent; and

"(5) with respect to wages paid during the calendar year 1975, or any calendar year thereafter, the rate shall be 3.3 percent."

(2) The amendment made by paragraph (1) shall be effective only with respect to remuneration paid after December 31, 1970.

(b)(1) Section 3111(b) of such Code (relating to tax on employers) is amended by striking out paragraphs (1) through (5) and inserting in lieu thereof the following:

"(1) with respect to wages paid during the calendar 1971, the rate shall be 0.7 percent;

"(2) with respect to wages paid during the calendar year 1972, the rate shall be 0.9 percent;

"(3) with respect to wages paid during the calendar year 1973, the rate shall be 2.0 percent;

"(4) with respect to wages paid during the calendar year 1974, the rate shall be 3.1 percent; and

"(5) with respect to wages paid during the calendar year 1975, or any calendar year thereafter, the rate shall be 3.3 percent."

(2) The amendment made by paragraph (1) shall be effective only with respect to remuneration paid after December 31, 1970.

(c)(1) Section 1401(b) of such Code (relating to rate of tax on self-employment income) is amended by striking out paragraphs (1) through (5) and inserting in lieu thereof the following:

"(1) in the case of any taxable year beginning after December 31, 1970 and before January 1, 1972, the tax shall be equal to 0.7 percent of the amount of the self-employment income for such taxable year;

"(2) in the case of any taxable year beginning after December 31, 1971 and before January 1, 1973, the tax shall be equal to 0.9 percent of the amount of the self-employment income for such taxable year;

"(3) in the case of any taxable year beginning after December 31, 1972 and before January 1, 1974, the tax shall be equal to 2.0 percent of the amount of the self-employment income for such taxable year;

"(4) in the case of any taxable year beginning after December 31, 1973 and before January 1, 1975, the tax shall be equal to 3.1 percent of the amount of the self-employment income for such taxable year; and

"(5) in the case of any taxable year beginning after December 31, 1974, the tax shall be equal to 3.3 percent of the self-employment income for such taxable year."

(2) The amendment made by paragraph (1) shall apply only with respect to taxable years beginning after December 31, 1970.

Sec. 305. Section 1817 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(i) In addition to the funds appropriated for each fiscal year to the Federal Health Insurance Fund pursuant to subsection (a), there is authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1972, an amount which is equal to 50 per centum of the amount appropriated to such Fund for such year pursuant to such subsection," and such additional amount as the Secretary estimates would have been so appropriated if he had not entered into any agreements pursuant to section 1886.

TITLE IV—FEDERAL AID TO ESTABLISH LOCAL COMPREHENSIVE HEALTH SERVICE SYSTEMS

FINDINGS AND DECLARATION OF PURPOSE

Sec. 401. (a)(1) The Congress hereby finds and declares that improving the provision and the delivery of health care is of critical importance and of the highest national priority and that present programs of health services do not provide for continuing, efficient and comprehensive health care, and lead to an unnecessary duplication of facilities, equipment, and personnel.

(2) The Congress further finds and declares that the establishment of a system of health insurance for every American must not only increase purchasing power and equalize access to quality health care but must also bring about significant changes in the health care system.

(b) It is the purpose of this title to provide financial and technical assistance through loans, grants, supplementary financing and otherwise to health service institutions and organizations which will stimulate and enable such institutions and organizations to plan, develop and implement comprehensive systems for the delivery and provision of health care.

BASIC AUTHORITY

Sec. 402. The Secretary of Health, Education, and Welfare (hereinafter in this title referred to as the "Secretary") is authorized to make loans and grants and to provide technical assistance, as provided by this title, to enable comprehensive health service systems (as defined in section 407) to plan and develop comprehensive health care programs in accordance with the purpose of this title, and to assist them to become self-supporting.

ELIGIBILITY FOR ASSISTANCE

Sec. 403. (a) A comprehensive health service system (as defined in section 407 of this title) is eligible for assistance under section 405 of this title if—

(1) such system assures the provision of health services to all its members by a contract or contracts with the Secretary, or by such a contract and subcontracts, entered into by one or more providers of services (as defined in section 1861(u) of the Social Security Act) and other persons furnishing health services, or by a health insurance carrier or nonprofit prepayment plan, or by a combination of the foregoing;

(2) such system is designed, to the maximum extent feasible, to make all health services readily accessible to persons residing in the specified primary service area and will pay for transportation where reasonable accessibility to persons in that area cannot otherwise be assured;

(3) all persons, whether or not residing within the primary service area, are eligible to become members of such system, except that (A) the number of members may be

XUM

limited, with or without giving preference to persons living within the primary service area, to avoid overtaxing the resources of the system, and (B) such restrictions upon enrollment may be imposed as are approved by the Secretary as necessary to prevent undue adverse selection: and the system is so designed and operated as to encourage enrollment from as broad as practicable a range of income and social groups;

(4) all health services are provided by providers or other persons who met the standards imposed by or pursuant to title XVIII of the Social Security Act for the respective services;

(5) such system encourages increased health education of its members and the development and use of preventive health services, and provides for a group of physicians (such as a committee of medical school faculty, of a hospital medical staff, or of a group practice organization), approved by the Secretary for this purpose, consulting periodically with representatives of the membership, to fix the professional policies of the system, to oversee the professional aspects of the delivery of services, and to review the utilization of all health services, drugs and supplies;

(6) such system shall, to the extent practicable and consistent with good medical practice, train and employ allied health personnel and subprofessional and lay persons in the rendering of services;

(7) any participating extended care facility is affiliated with a hospital or with a group practice or similar organization and the medical staff of the hospital or the group practice organization assumes responsibility for rendering or supervising professional services in the facility;

(8) premiums charged by such system for services not paid for under title XVIII of the Social Security Act are reasonable; and

(9) the establishment of such system shall be consistent with any comprehensive State health plan developed pursuant to section 314(a) of the Public Health Service Act, as amended, and shall be approved by the State planning agency designated or established pursuant to that section, and, where appropriate, shall be in accord with areawide health planning carried out pursuant to section 314(b) of that Act;

(b) In administering this title, the Secretary shall emphasize local initiative and consumer and community involvement in the planning, development and operation of such comprehensive health service systems, and shall seek to insure prompt response to local initiative, and maximum flexibility in the planning, development and operation of such systems. Appropriate Federal departments and agencies shall provide maximum coordination of other Federal assistance with the operation of this title.

FINANCIAL AND TECHNICAL ASSISTANCE FOR PLANNING COMPREHENSIVE HEALTH SYSTEMS

SEC. 404. (a) The Secretary is authorized to make grants to, and to contract with, any public or nonprofit hospital, or any medical school or other institution of higher education, or any insurance carrier or nonprofit prepayment plan providing health coverage, or any nonprofit community organization, or any community group organized for this purpose in a geographically defined primary service area and representing a broad range of income and social groups, or any combination of two or more such entities, to pay 80 percent of the cost of planning and developing a plan for a comprehensive health service system (as defined in section 407) which will meet the requirements of section 403. The Secretary is also authorized to undertake such activities as he determines to be desirable to provide, either directly or by contracts or other arrangements, technical assistance to such entities for the development of plans for such comprehensive health service systems.

(b) Financial and technical assistance for planning such a system will be provided under this section only if the application for such assistance has been approved by the State health planning agency designated or established pursuant to section 314(a) of the Public Health Service Act, as amended.

FINANCIAL AND TECHNICAL ASSISTANCE FOR THE OPERATION OF APPROVED COMPREHENSIVE HEALTH SERVICE SYSTEMS

SEC. 405. (a) The Secretary is authorized to approve a plan for a comprehensive health service system (as defined in section 407) if, after review of the plan, he determines that such plan satisfies the criteria set forth in section 403.

(b) The Secretary is authorized to contract, in accordance with section 403(a)(1), with a comprehensive health service system, if he has approved the plan for such system, to pay so much of the administrative operating, and maintenance costs of such system as exceed its income for the first five years of operation after approval under this section. Any such contract shall require the system to make all reasonable efforts to enroll members, to control costs and the utilization of services, facilities, and supplies, and otherwise to maximize its income and minimize its costs. If at any time the Secretary finds that the system in not making reasonable progress toward becoming self-supporting, he may, after hearing, terminate the contract on not less than six months' notice.

(c) To assist a comprehensive health service system to carry out programs of capital development which the Secretary finds necessary for the purposes of this title, the Secretary is authorized to make a grant to such system of not to exceed 80 percent of the amount of non-Federal contribution otherwise required for the construction or modernization of hospitals and other medical facilities assisted under title VI of the Public Health Service Act, as amended: *Provided*, That such project has been approved by the State agency under that title and is consistent with the approved State plan, other than the provisions thereof respecting priorities.

(d) In connection with any project of an approved comprehensive health service system for the modernization, rehabilitation, or construction of ambulatory care facilities which the Secretary finds necessary for the purposes of this title, the Secretary is authorized, in lieu of assistance under any other Federal program or under subsection (c) of this section, to make a grant for up to 50 percent of the cost of such project and to make a loan, on such terms as he shall prescribe, except that the rate shall not exceed 3 percent per annum, for the remaining cost of the project.

(e) The Secretary is authorized to contract to make periodic interest reduction payments on behalf of any group practice or other ambulatory care facility, nonprofit hospital or nursing home which is operated or to be operated as part of an approved comprehensive health service system, such interest reduction to be accomplished through payments to the holder of a mortgage insured under Title XI, or Section 232, or Section 242, of the National Housing Act. Interest reduction payments with respect to a facility shall be made during such time as the facility is operated as part of the approved comprehensive health service system. The interest reduction payments shall be in an amount not exceeding the difference between the monthly payment for principal, interest, and mortgage insurance premium which the owner of the facility is obligated to pay under the mortgage, and the monthly payment for such purposes which the owner would be obligated to pay if the mortgage bore interest at the rate of 1 percent per annum.

(f) Of the sums appropriated pursuant to section 406 for any fiscal year, 2 per centum shall be available for grants by the Secretary to pay 100 per centum of the costs (but in no case to exceed $100,000) of projects, in areas designated by the Secretary as urban or rural poverty areas, for assessing local needs for comprehensive health service systems, obtaining local financial and professional assistance and support for local comprehensive health service systems, or for comprehensive health service system projects which, in his judgment, are of national significance because they will assist in meeting the needs of the disadvantaged for comprehensive health services systems or demonstrate new or particularly effective or efficient methods of delivery of health care through comprehensive health service systems.

APPROPRIATIONS

SEC. 406. There are authorized to be appropriated for the purposes of this title $——— for the fiscal year ending June 30, 1970, $——— for the fiscal years ending June 30, 1971 and June 30, 1972, $——— for each of the three fiscal years thereafter, and for succeeding fiscal years sums sufficient to carry out contracts entered into pursuant to this title.

DEFINITIONS

SEC. 407. As used in this title, the term "comprehensive service system" means a system providing health care to an identified population group in a primary service area and its environs enrolled as members, on the basis of contractual arrangements (which embody group practice, are established by a medical school, a hospital medical staff or a medical center, or similar arrangements) among participating providers of service and other persons organized so as to—

(1) assure continuiny of care and the ready referral and transfer of patients where medically appropriate;

(2) provide comprehensive health services, which shall include at least all services specified in title XVIII of the Social Security Act, as amended by this Act (such services to be provided except as authorized by the Secretary, without deductibles, coinsurance, or copayment), drugs prescribed for ambulatory patients, one hundred days of extended care services (which are not post-hospital extended care services) in any spell of illness, and necessary immunization, and may include other health services which are approved by the Secretary as appropriate to the particular comprehensive health service system.

TITLE V—FEDERALLY CHARTERED HEALTH INSURANCE CORPORATIONS

SEC. 501. Title VII of the Social Security Act is amended by adding at the end thereof the following new section:

"SEC. 708. In order to assure maximum availability of a variety of techniques for the administration of benefits and services under title XVIII, the Secretary of Health, Education and Welfare is hereby authorized to organize and establish one or more national health insurance corporations, each of which shall be an agency of the United States under the policy guidance of the Secretary, and shall have such organization and such powers as the Secretary finds necessary for the effectuation of title XVIII.

"SEC. 709. The Secretary shall be authorized to contract with, or enter into arrangements with, the corporation or corporations organized and established under section 708 to the same extent as he is authorized to contract with carriers and other agencies and organizations under Part G of title XVIII and to enter into agreements with States under Part F of such title."

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The material presented by Mr. JAVITS is as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C., April 13, 1970.

To. Hon. JACOB JAVITS.

From: Education and Public Welfare Division.

Subject: Review of the major provisions of your proposed National health insurance plan.

This is in reply to your recent request asking for a review and description of the major provisions of your proposed program of National health insurance for the United States. The description of the provisions of the bill, which is outlined below, is intended only to summarize the principal features of the legislation and in no way is it intended to constitute a comprehensive analysis of any single provision in the legislation. Because of the time requirements imposed on us by this request, we are unable to touch upon every aspect of the proposal. We have, therefore, confined this discussion to capsule statements summarizing the principal features of each part of the proposal. In the event you would like us to examine the bill in greater detail, please let us know.

PURPOSE AND ORGANIZATION OF THE LEGISLATION

The proposed "National Health Insurance and Health Services Improvement Act of 1970" would create a National health insurance program for the United States by extending the benefits, enlarging the scope of coverage, and by otherwise revising the existing program of health insurance for the aged, commonly known as medicare (title 18 of the Social Security Act), and provide Federal assistance for the development of local comprehensive health care.

According to the findings outlined in the draft bill, Congress finds that the existing health care system in the Nation cannot guarantee the right to quality health care for every citizen regardless of economic status. The legislation states that the Government has, therefore, an obligation to encourage the development of systems of care which would eliminate economic and organizational barriers to health care for every American, including the aged, the indigent, the disabled and the unemployed.

Specifically, the draft legislation would seek to meet these objectives by means of five titles.

First, the existing Title 18 program would be revised, both as to its coverage of certain insured individuals and to the benefits provided by the program. Basic hospital insurance benefits (Part A of the existing Title 18 program) would be available under the bill not only to all older people but to the disabled, widows, and widowers as well. The supplementary benefits program (Part B of the existing Title 18 program) would be provided to such covered individuals without separate premium costs. Title I of the bill would also add, among the services covered by the newly expanded Title 18 program, the costs of certain maintenance drugs, annual physical checkups, and certain dental health services for children under 8 years of age. Other provisions provide for limitations on certain charges for services, for administration of the program and for means of stimulating improvements in the organization of health care in the United States.

Title II of the proposed legislation establishes a health benefits program for all persons not otherwise protected under the revised title 18 program. The benefit package provided for under this new title (a proposed title 20 of the Social Security Act) is identical with those benefits provided to the aged and disabled under the revised title 18 program.

Title III of the proposal provides for the financing of the National health insurance program by expanding upon the current payroll tax mechanism used to finance retirement, survivors, disability and hospital insurance benefits in the present Social Security Act. Changes in the tax rates and earnings base, to which such rates are applied, are provided for in the legislation. In addition to the wage-related financing provisions authorized by the bill, however, a separate source of income for the program is authorized by requiring the Government to meet one-third of the total costs of National health insurance out of general revenue funds.

Title IV of the proposal provides for financial and technical assistance through programs of loans, grants, and supplementary financing to institutions and to other organizations for the purpose of stimulating and developing improved comprehensive systems delivering and providing health care to the public.

Title V of the proposed Act calls for the establishment of national health insurance corporations which would be federally chartered and operate as agencies of the U.S. under the guidance of the Secretary of Health, Education and Welfare. Such federal health insurance corporations would operate under contract with the Secretary in a manner similar to contract agreements entered into between the Secretary and various private health insurance carriers, non-profit organizations, etc.

SELECTIONS OF THE DRAFT PROPOSAL

Title I—Amendments relating to the present title 18 of health insurance program

Title I of the proposed legislation contains seven parts designed to revise the scope of coverage of the title 18 program to groups of persons in addition to those now covered by law, to expand the scope of benefit coverage provided by the existing program, and to provide for improved health care administration in connection with a National health insurance program.

Part A

Sec. 101—*Changes in Entitlement to Health Insurance:* revises Sec. 226 of the present Social Security Act, relating to who is entitled to hospital insurance benefits under medicare (title 18, Part A), by including all persons aged 65 and older (including those not presently insured) and all others receiving benefits based upon their disability (including those 18 and over with childhood disabilities). In addition, entitlement is established for widows aged 60 and over and for widowers aged 62 and over. The existing provisions relating to entitlement for certain uninsured persons are repealed by the bill.

Sec. 102—*Changes in the Name of the Title 18 Program:* the present Health Insurance Program for the Aged is renamed the "Health Insurance Program," and the program description is changed to refer to the disabled as well as to the aged. The phrase "for the Aged" is dropped from the names of the present Hospital and Supplemental Medical Insurance Programs.

Sec. 103—*New Supplementary Medical Insurance Program:* deletes reference of this program solely for the aged and makes entitlement to supplemental benefits solely a matter of entitlement to the Part A, or hospital insurance program. Repeals certain provisions of the present supplementary program and transfers to a Federal Health Insurance Fund the assets and liabilities of the Supplementary Medical Insurance Trust Fund now used to finance current Part B benefits. Eliminates reference in the present medicaid law (title 19) to the present Part B, or supplementary program.

SEC. 104—*Coordination with the Railroad Retirement Act:* Coordinates provisions of the Railroad Retirement Act with the expanded title 18 program and includes the disabled railroad retirement employees among those entitled to health insurance benefits, in a manner similar to those disabled covered under the Social Security Act.

SEC. 105—*Effective Date:* The effective date of the Part A provisions would be July 1, 1971.

Part B

Sec. 110—*Coverage of Drugs under the New Health Insurance Program:* expands the benefit coverage under the new title 18 program to include protection against the costs of certain maintenance drugs appropriate to the treatment of certain long-term conditions. Provides for the cost-sharing by beneficiaries for such maintenance drugs available on an outpatient basis. Establishes the conditions for which drugs are to included, how drug costs are to be paid, and other standards for administering and supervising a drug benefit under the program. The inclusion of a maintenance drug benefit would be effective with respect to drugs dispensed after June 30, 1973.

Part C

Sec. 120—*Coverage of Physical Examination:* adds a new benefit to the revised title 18 program by covering the costs of physical checkups to include eye examinations, ear examinations, and such other diagnostic tests or examinations which would be likely to reveal defects, diseases or conditions susceptible to effective treatment and control. Checkup services would also include the costs of physicians' service appropriate for the interpretation, evaluation or analysis of these tests. The deductible provision, now applicable to the Part B program, would not apply in the case of expenses incurred for checkups, except that limits are placed upon the maximum charges which would constitute incurred charges for checkups. These additional benefits would become available after June 30, 1974.

Part D

Sec. 130—*Dental Services for Children:* amends the new health insurance program to provide for routine dental care for children under 8 years of age. As in the case of physical checkups, the deductible provisions of the present Part B program would not apply. These benefits would become available after June 30, 1974.

Part E

Sec. 140—*Limitations on Certain Charges for Services:* amends effective January 1, 1971 the current "reasonable charges" section of the present Part B program and substitutes the phrase "appropriate and reasonable charges."

Sec. 141—*Physicians' Qualifications:* Revises under Title 18 of the Social Security Act the definition of the term "physician" by imposing certain qualifications for physicians providing services under the health insurance program. Such qualifications would be related to standards for 1) continuous professional education 2) national minimum licensure requirements 3) performance of various specialty services. Any physician or specialist failing to meet such standards would not be recognized as a "physician" for purposes of the program, although the Secretary of HEW would be required to notify the physician of any deficiency and allow for a "reasonable opportunity" to correct it.

Part F

Sec. 150—*Agreements with States for Administration:* amends Title 18 of the Social Security Act to allow the Secretary of HEW to arrange for State administration of the health insurance programs established pursuant to Title 18 of the Act. Reimbursement to the States for costs of carrying out such agreements would be made by the Secretary of HEW.

Part G

Sec. 160—*Improvement in the Organization of Health Care:* Amends Title 18 of the Social Security Act (the revised medicare pro-

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gram) by adding a new "Part D" to the program. The purpose of this part is to encourage the rational organization of health care services and facilities so as to provide greater continuity and comprehensiveness of care of the individual, to provide greater consumer education and participation, and to emphasize preventive, diagnostic, and early therapeutic services, to control the costs of services paid for under the title and to stimulate diversity and innovation in the provision of health insurance protection.

Part D would authorize the Secretary to develop, by means of contracts and by other methods, the growth of "comprehensive health service systems." Such systems would agree to provide the basic benefits provided for in the revised health insurance program and also agree to carry out appropriate utilization and cost control responsibilities in connection with the provision of benefits. Such systems would have to be consistent with comprehensive health plans developed by each State. The Secretary would be authorized to use various means of reimbursement (other than a reasonable cost system) to pay for benefits provided by comprehensive health service systems, and could develop special incentive provisions for these systems if their costs were generally less than costs otherwise experienced by the health insurance program. A special employer-employee health plan option is authorized where employers provide for their employees' health care benefits under a qualified plan in lieu of benefits otherwise provided by the new program. The effective date for the new Part G program would be July 1, 1971.

Title II—Amendments relating to health benefits for the general public

Title II of the proposed legislation would add a new title 20 to the Social Security Act to provide for the entitlement to benefits of the revised title 18 program for all persons not otherwise so entitled by reasons of other provisions in the law. The new title 20 is composed of two sections:

Sec. 2001—*Entitlement to Benefits for the Uninsured:* provides that any person, who is a resident and a citizen (or an alien lawfully admitted for permanent residence), not otherwise entitled to the revised title 18 program (by reason of Sec. 226 of the Act) would be entitled to the same benefits of that program on July 1, 1973. Special provisions would govern the manner and period during which such entitlement would be established.

Sec. 2002—*Trust Fund Account for the Uninsured:* creates within the new Federal Health Insurance Trust Fund a special account known as the "Special Account for the Uninsured." Benefits provided for the persons entitled under title 20 would be paid from, and only from, this Special Account. This section also specifies the manner in which funds are to be appropriated to the Special Account within the Health Insurance Trust Fund.

Title III—Financing of health insurance

Title III of the proposed legislation is divided into five parts which identify and explain the taxing mechanism devised to provide the financial resources with which the national health insurance program will operate. The new title includes amendments to the Internal Revenue Code relating to payroll deductions for the purposes of health insurance:

Sec. 301—*Wage and Income Bases for Purposes of Health Insurance:* amends those sections of the Internal Revenue Code of 1954 (relating to definitions for the purposes of Federal Insurance Contributions) by adding new subsections setting forth definitions of wage and self-employment income bases for purposes of health insurance. The wage and income bases on which taxes are imposed in connection with the financing of health insurance benefits provided under the proposed Act would be set at $15,000 rather than $7800 per annum with respect to the tax paid by employees of the self-employed. No ceilings are placed on the wages with respect to taxes paid by the employer. The bill indicates that the effective date of the tax change and wage base would begin with taxable years ending after December, 1970.

Sec. 302—*Definition of the Term "Employment" for the Purposes of Health Insurance:* amends Internal Revenue Code so as to include only within the framework of the revised taxing mechanism, certain additional categories of employees and employers formerly excluded from taxing provisions used to finance benefits under Title 18 Social Security Act. Additional categories of employees to be included for taxing purposes are: individuals engaged in family employment; federal, state and local government employees; ministers; railroad employees, individuals in employ of tax-exempt organizations; individuals in employ of registered subversive organizations. Employers of these individuals in above-mentioned categories would also be included in the taxing mechanism for health insurance with the exception of employers falling into the categories of state and local governments and churches and religious orders. Effective date of this section will be 12/70.

Sec. 303—*Exception of Certain Employment for Health Insurance Taxing Purposes:* provides that employment which includes the performance of service by an employee for an employer, who has in effect a contract with the Government relating to a comprehensive health service system, is excluded for purposes of health insurance taxation.

Sec. 304—*Rate of Tax for Health Insurance Purposes on Employees, Employers, and Self-Employed Individuals:* amends Internal Revenue Code by establishing new tax rate schedules for health insurance purposes applicable equally to employers, employees, and self-employed individuals as follows:

[In percent]

Calendar years	Employers	Employees	Self-employed
1971	0.7	0.7	0.7
1972	.9	.9	.9
1973	2.0	2.0	2.0
1974	3.1	3.1	3.1
1975 and thereafter	3.3	3.3	3.3

Sec. 304—*Appropriations to Federal Health Insurance Fund:* provides that in addition to funds appropriated to Federal Health Insurance Fund through taxing mechanism described above, there shall also be appropriated from general revenues an amount equal to 50% of the amount deposited in the Health Insurance Fund collected by means of the payroll tax mechanism and any additional amounts that would have been appropriated if no agreements had been authorized for employer-employee health plan options (as provided for in Part C, Title I of this bill).

Title I——Federal aid to establish local comprehensive health service systems

Title IV is composed of seven sections which emphasize the need for a reorganization of the present health care system and provisions of Federal financial and technical assistance to affect the desired changes:

Sec. 401—*Findings and Declaration of Purpose:* in keeping with its findings that present programs of health services fail to provide for continuous, efficient, and comprehensive health care, Congress declares that a system of national health insurance must be established in a way that will increase purchasing power, equalize access to quality care, and affect a change in the health care system. Declares that the purpose of this title is the provision of financial and technical assistance through the awarding of grants and loans to health service institutions and organizations in order to stimulate the planning, development, and implementation of comprehensive health service systems.

Sec. 402—*Basic Authority:* authorizes the Secretary of Health, Education, and Welfare to make such loans, grants, etc. as are provided for under this title.

Sec. 403—*Systems Eligible for Financial and Technical Assistance:* establishes the criteria for systems wishing to receive financial and technical assistance from the Government for the purposes of developing comprehensive health service systems. Such systems must, among other things, enter into an agreement with the Secretary to provide or arrange to provide services authorized by medicare. In addition to certain requirements concerning enrollment of beneficiaries in such systems, comprehensive health service systems must develop preventive health care programs, train and employ allied health personnel, and be organized in a manner consistent with the State's overall comprehensive health care plan.

Sec. 404—*Financial and Technical Assistance for Planning Comprehensive Health Service Systems:* authorizes Sec. of HEW to make grants to public or non-profit hospitals, medical schools, any insurance carriers or non-profit prepayment plans, etc. to pay 80% of the cost of planning and development of comprehensive health service systems. Applications for assistance under this title must be approved by a State health planning agency.

Sec. 405—*Financial and Technical Assistance for Operation of Approved Comprehensive Health Service Systems:* authorizes Secretary to contract with approved comprehensive health service system to pay so much of administrative, operating, and maintenance costs of such system as exceed its income for the first five years after approval. The contract shall require the system to make efforts to enroll members, control costs and utilization of services, and otherwise maximize income and minimize costs. Secretary may see fit to terminate contract after giving 6 months notice. Secretary is authorized to make grants to system for programs of capital development in an amount not to exceed 80% of non-Federal contributions otherwise required for construction and modernization of hospital, etc., under Title 6 of Pulic Health Service Act. The awarding of such a grant depends upon approval of the proposed project by the resonsible State health planning agency.

Sec. 406—*Appropriations:* authorizes appropriations to carry out contracts pursuant to Title IV.

Sec. 407—*Definitions:* the term "comprehensive health service systems" is intended to identify a system providing health care to an identified population group in a primary service area on basis of contractual arrangements which embody group practice, are established by a medical school, a hospital medical staff or medical center or similar arrangements among the participating providers of services. Describes comprehensive health service systems as those which provide at least all services specified in Title 18 of the Social Security Act as amended by this Act.

Title V—Federally chartered health insurance corporations

Title V of the proposed Act is composed of one section which amends the Social Security Act by adding new sections authorizing the Secretary of HEW to establish various national health insurance corporations which will operate under the guidance of the Secretary.

Sec. 501—National Health Insurance Corporations: Authorizes the Secretary of Health, Education, and Welfare to establish and contract with one or more Federally chartered health insurance corporations for provision of health benefits under Title 18 of the Social Security Act. Health Insurance corporations so organized will act as agents of the U.S. Government under the guidance of the Secretary of HEW.

LEVEL OF BENEFITS—NATIONAL HEALTH INSURANCE AND HEALTH SERVICES IMPROVEMENT ACT OF 1970

The benefits provided to all citizens of the United States under my national health insurance bill—subject to existing coinsurance and deductibles—shall consist of no less than the following (effective for over 65 and disabled, July 1, 1971; for general public, effective July 1, 1973):

1. Up to 90 days—with a lifetime reserve of 60 additional hospital days—of bed patient care in any participating general care, tuberculosis or psychiatric hospital. When a bed patient in a hospital, some of the services paid for include:

Bed in semiprivate room (2-4 beds in a room) and all meals, including special diets;

Operating room charges;

Regular nursing services (including intensive care nursing);

Drugs furnished by the hospital;

Laboratory tests;

X-ray and other radiology services;

Medical supplies such as splints and casts;

Use of appliances and equipment furnished by the hospital such as wheelchairs, crutches, braces, etc.; and

Medical social services.

2. When the patient no longer needs the intensive care which hospitals provide, but still needs full-time skilled nursing care, he may be transferred—for up to 100 days—to an extended care facility—a specially qualified facility, staffed and equipped to furnish full-time skilled nursing care and related health services, which include:

Bed in a semiprivate room (2-4 beds in a room) and all meals, including special diets;

Regular nursing services;

Drugs furnished by the extended care facility;

Physical, occupational, and speech therapy;

Medical supplies such as splints and casts;

Use of appliances and equipment furnished by the facility such as wheelchairs, crutches, braces, etc., and

Medical social services.

3. After a stay in a hospital (or in an extended care facility after a hospital stay) if the physician determines continued care can be best given at home through a home health agency, the individual will be covered for as many as 100 home health visits for further treatment of the condition for which he received services as a bedpatient in hospital or extended care facility. The home health services include:

Part time nursing care;

Physical, occupational, or speech therapy;

Part-time services of home health aides;

Medical social services;

Medical supplies furnished by the agency; and

Use of medical appliances.

4. Doctor's services no matter where he treats the patient—in a hospital, his office, an extended care facility, home, a group practice or other clinic—and included are:

Medical and surgical services by a doctor of medicine or osteopathy;

Certain medical and surgical services by a doctor of dental medicine or a doctor of dental surgery;

Services by podiatrists which they are legally authorized to perform by the State in which they practice; and

Other services which are ordinarily furnished in the doctor's office and included in his bill, such as:

Diagnostic tests and procedures;

Medical supplies;

Services of his office nurse; and

Drugs and biologicals which cannot be self-administered.

5. Ambulance service to a hospital when

(a) ambulance services are medically necessary to protect the health of the patient,

(b) transportation by other means could endanger the patient's health, and

(c) the patient is taken to the nearest hospital that is equipped to take care of him (or to one in the same locality).

6. Outpatient hospital benefits which include:

Laboratory services such as blood tests and electrocardiograms;

X-ray and other radiology services;

Emergency room services; and

Medical supplies such as splints and casts.

7. In addition to "3" above, home health benefits—up to 100 home health visits each calendar year—even if the individual was not first hospitalized, if confined to home, a doctor determines home health care needed and periodically reviews the home health care plan. It would include:

Part-time nursing care;

Physical, occupational, or speech therapy;

Part-time services of home health aides;

Medical social services;

Medical supplies furnished by the agency; and

Use of medical appliances.

8. Other medical services and supplies for the treatment of illness or injury—furnished by a doctor as part of his treatment, or by the outpatient department of a hospital, or a medical clinic in connection with treatment, includes:

Diagnostic tests such as X-rays and laboratory tests;

Radiation therapy;

Portable diagnostic X-ray services furnished in your home under a doctor's supervision;

Surgical dressings, splints, casts, and similar devices;

Rental or purchase of durable medical equipment prescribed by a doctor to be used at home; for example, a wheelchair, hospital bed, or oxygen equipment, and

Devices (other than dental) to replace all or part of an internal body organ. This includes corrective lenses after a cataract operation.

9. Payment for maintenance drugs, a drug used for treatment extending over a period of 90 days or more and the withdrawal of which would be seriously harmful to the individual's health. The copayment shall be $1 until January 1974 and thereafter, an amount to be determined by the Secretary pursuant to the formula set up in the bill, effective July 1, 1973.

10. Payment of up to $75 for annual physical checkups, which include eye examinations for the purpose of prescribing, fitting, or changing eyeglasses; ear examinations for the purpose of determining the need for hearing aids; and such diagnostic X-ray, laboratory and other tests as are likely to reveal defects, diseases or conditions susceptible to effective treatment or control; including physician's services appropriate for interpretation, evaluation and analysis of such tests, for all over and under 65, effective July 1974.

11. Dental services for children under 8 years of age, including oral examinations and diagnosis, oral prophylaxis, fillings and removal of teeth, effective July 1, 1974.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. At this time, pursuant to a previous order, the Chair recognizes the Senator from Kansas (Mr. DOLE) for not to exceed 20 minutes.

HANDICAPPED AMERICANS—1970

Mr. DOLE. Mr. President, April 14 marks two anniversaries in my life. One year ago I made my maiden speech to this body. Of course, that was a memorable occasion for a freshman Senator; however, the date for those remarks was itself chosen to mark another event. Twenty-five years ago on an April 14 in World War II, I became a member of an often misunderstood, frequently underestimated, and wholly involuntary minority group: the handicapped.

TASK FORCES

Membership in this minority has meant many things to me. However, one point of special significance to me has been an appreciation of the immense potential for contribution to our society which the handicapped possess. Along with this great potential there is also a great need, a need for understanding—of the problems which the handicapped face—of the assistance they require to fulfill their potential—and of priorities for the limited resources available to attain this goal. As a step toward achieving this understanding, in my remarks last year I proposed the creation of a presidential task force on the handicapped. It was suggested that such a body review efforts in both the public and private sectors on a broad basis and furnish suggestions and observations on the most critical areas of concern to the handicapped.

I was highly gratified when President Nixon appointed two task forces to study the physically and mentally handicapped. The task force on the physically handicapped, composed of 13 highly dedicated and widely experienced individuals from State governments, industry and private organizations, was appointed in October and met during the fall and early winter. The task force on the mentally handicapped was appointed in December, and its distinguished members completed their meetings only last week.

The reports of these task forces should be uniquely valuable to both the administration and to the Congress in the formulation and administration of future programs to aid the handicapped. The focus of the task forces' effort within the areas of physical and mental disabilities will afford a perspective which to date has been unavailable to concerned agencies, organizations, and individuals.

THE NEXT STEP

I would hope, however, that study of the handicapped will be carried one step further. To obtain the most comprehensive viewpoint of the entire area, it seems appropriate that an effort be made to synthesize and combine the work of the two task forces and the President's Committee on Mental Retardation. Each of these three groups has concentrated its efforts on major, broad segments of a general field. We now need to draw together all the elements and components of the problems of the handicapped.

Our current status reminds me of the fable of the three blind men who discovered an elephant. One encountered the trunk; another, the tail; and the other an ear. Although these three

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groups are not by any measure blind, we now stand as did each blind man, with an accurate, but incomplete understanding of the entire animal. We must now combine the knowledge and understanding which each task force and the committee have accumulated. We need to put the ear and the tail and the trunk together and construct the whole elephant.

The urgency of this need would not be so great if handicapped individuals neatly fell into one category or another and if the ramifications of developments in one field did not extend to other areas. But individuals frequently suffer combination or multiple handicaps. They are also affected emotionally by physical disabilities and have physical reactions to emotional handicaps. We cannot achieve optimum results in one area if we do not fully understand the whole field.

I sincerely hope the President will take the next step in fulfilling the commitment demonstrated by the creation of the task forces and the committee. A general committee or task force on the handicapped would cement the new foundation this administration has laid for progress and greater understanding in this field.

DIFFICULT AND UNIQUE PROBLEMS

In my remarks last year, I called attention to several projects of life in which the handicapped encounter particularly difficult and frequently unique problems.

Of course, employment is almost universally recognized as an area in which the handicapped are underutilized and often unjustifiably restricted. Numerous organizations and programs have sought to stimulate employment of handicapped workers and to open greater opportunities for them in the mainstream of life.

The economic problems which a handicap often generates are to a certain degree understood by the general public, but the impact on the lives of the afflicted and their families is frequently unappreciated. Some resources and financial benefits are available both through governmental and private channels, but often they are difficult to obtain or of only token significance.

The availability and access of needed health care facilities and personnel looms large in the lives of the handicapped. This is a matter which usually receives scant attention from the great mass of people because they have no comparable needs in their lives.

In a similar sense, rehabilitation services can be tremendously significant to the handicapped and disabled, but the public is largely unaware of the critical nature of this need.

Also, in the field of education the handicapped pose special difficulties in requirements of methodology, facilities and curricula. Slight attention and publicity have been given these matters outside fairly narrow corridors of concern and involvement.

A COMMON PROBLEM—INFORMATION

Common to each of these areas of difficulty is the problem of information. It appears that the greater the availability and coordination of knowledge, the more progress the handicapped have made toward achieving meaningful solutions and progress.

As an illustration of the general problem which affects the entire area, take the matter of architectural barriers to the handicapped.

ILLUSTRATION—ARCHITECTURAL BARRIERS

During the past decade, the pressures to create a more livable environment for disabled people have mounted. Not only the handicapped but all Americans are demanding environmental improvement—a respite from foul air, spoiled rivers, dying lakes, and squalid slums.

A vital part of the improvement that is required must take into account the special needs of the physically handicapped and the elderly in our population.

TWO FACTS UNDERSCORE THE NEED

The American Institute of Architects says that more buildings will be built in the United States between now and the year 2000 than were built here in the nearly five centuries since Columbus discovered America.

Due to medical and rehabilitation advances, the number of crippled children, disabled adults, and old people in the active population is steadily increasing and fewer of them are housebound.

Inevitably, there will be more handicapped people, and they will need more buildings and parks and transportation facilities to use in common with everyone. Therefore, it is now time to plan for, to design, and to control the construction of buildings, recreational areas, and equipment that will be used in the years ahead.

With so many customers for barrier-free environment, one might think that all architects, engineers, planners, and financiers of community facilities would automatically make it easy for the physically disabled to utilize them. But such is not the case. A continuing effort must be made to educate new architects and engineers to design with the needs of all Americans in mind—the disabled as well as the able bodied. We can, and we are, orienting the architects in general practice to the needs of the disabled and some of the design solutions to problems of making buildings more easily entered by handicapped people. Simple things which are built into the design of a structure can accomplish this. Examples are: one-ground-level entrance to each building; elevators in addition to stairs; ample door widths to permit entry of wheelchairs and people on crutches; toilets that can be used with privacy; some of the water fountains and phones lowered, so they can be reached by children and people in wheelchairs.

Much has been done through the great voluntary agencies of the country to sensitize the public to the architectural needs of the handicapped. In cooperation with Federal agencies, they have made great inroads into this problem. Most State legislatures and the Federal Government have passed laws or modified codes to take the architectural needs of the handicapped into account. The examples of good work and measurable achievement are many. But, the job is larger than can be accomplished with the present uncoordinated and fragmented attack on the problem.

NO CENTRAL SOURCE

This lack of coordination and centrally available information is not restricted to the subject of architectural barriers.

No one source exists where the handicapped can turn for information on colleges with special programs and facilities for them. The materials that are available are often incomplete and out of date when published and received.

Data on rehabilitation facilities and services, even on a regional basis, is woefully incomplete, and that which is compiled often can be found only through professional channels.

Much the same can be said for information on employment opportunities, health care facilities, and economic aid programs.

There is a great void in the efforts now underway. There is no central place, in or out of Government, where the handicapped, or their families or people who want to work on these and other problems, can get the information they need: The examples of what other communities, organizations, and institutions have done; copies of laws, standards and plans; and available funds and opportunities. Many people now try to keep in touch with what is going on by writing to the Department of Health, Education, and Welfare for information in connection with schools, or rehabilitation centers or aid programs. They contact the General Services Administration concerning design specifications for post offices and other Federal Government buildings. They call on the Department of Housing and Urban Development when they need assistance in building housing for the handicapped, or ideas on how to change local and State building codes to get a better system of private facilities developed. They also spend considerable effort in tracking down often groundless reports of new funds, programs and facilities for themselves and members of their families.

In other words, the knowledge about resources, research findings, technical assistance, reports, and information about what other governmental units, communities, businesses and colleges have done to accommodate handicapped people is diffused and completely lacking in centralization or coordination.

A NATIONAL RESOURCE AND INFORMATION CENTER

It is time that the Congress provided for the establishment of a National Information and Resource Center that would be a point of contact for individual citizens, private organizations, professional groups, and city and State officials, who seek information or direction. In such a center, the information would be stored for all to use. A small staff would be available to direct inquiries to specialized contacts, either universities, individuals or organizations, which have special knowledge or have successfully worked on aspects of these problems. Here it would be possible for interest groups and individuals to pool their knowledge with others. In the interchange of their experiences, we would see develop new ways to utilize our expanding technology in providing better living conditions, expanded personal opportunities, and more complete realization for the handicapped.

This information center will not be an end in itself. It is, however, an answer to a specific and well-defined need, and it will meet this need at modest cost.

ANNUAL EVENT

Mr. President, this is the second floor speech I have given on the needs and problems of the handicapped. I plan to make it an annual event with the hope that each year I can offer some specific positive suggestions for action. I know that many of my distinguished colleagues are well known for their longstanding concern for the handicapped, and I solicit their comments and suggestions for possible initiatives. This field truly knows no partisanship or ideology, and working together we in the Senate, as well as all other interested individuals or organizations, can do much to secure meaningful and productive lives for the handicapped.

50TH YEAR FOR REHABILITATION

This is the 50th year for the State-Federal rehabilitation program. In this half-century the program has grown from one serving 523 people on a budget of $285,000 to one serving more than a quarter million disabled and handicapped individuals on a budget of more than $500 million. The services provided have broadened from strictly physical rehabilitation to encompass programs for those with emotional and behavioral disorders.

A most fitting mark for the beginning of the Federal Government's second half-century of active concern for and service to the handicapped would be the establishment of this center.

Mr. President, I shall soon introduce legislation to establish the national resource and information center for the handicapped. I urge and solicit the cosponsorship and support of my colleagues.

The 42 million Americans who belong to the handicapped minority will be the immediate beneficiaries of the center's services. America and the 160 million majority will be the ultimate beneficiaries, through the increased contribution, well-being and personal fulfillment of the handicapped.

TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. At this time, in accordance with the previous order, the Senate will proceed to the transaction of routine morning business.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATOR SYMINGTON STRESSES NEED FOR WATER RESOURCE PROGRAM

Mr. RANDOLPH. Mr. President, over the years my distinguished colleague from Missouri, Senator SYMINGTON, and I have shared a common concern in the full development of our Nation's water resources.

Water is as vital to the citizens of West Virginia as it is to the citizens of Missouri, and indeed the future of our Nation and the very life of our people will depend in large part on the degree to which our water resource programs move ahead.

I bring to the attention of the Senate an excellent speech by the able Senator, made recently before the Mark Twain Lake and Clarence Cannon Dam Area Reservoir Association in Monroe City, Mo.

I ask unanimous consent that this speech be printed in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

LIFE FROM WATER

Perhaps no other Federal project in the United States pays tribute to two such illustrious Americans as the Clarence Cannon Dam and the Mark Twain Lake; and therefore, it gives me special pleasure to be with you and to acknowledge with gratitude the tremendous role that this organization and its leadership have played over the years in bringing this dam to reality.

Although there still remains much to be done, this year's Budget request of $5,225,000 is recognition of the Government's commitment to move ahead now in bringing flood control, power and recreation to this great area of our State. That is the second highest sum earmarked for any single project in Missouri. Incidentally, at a time when Missouri projects are being funded at an average of only 60 percent of capability, the request for Cannon is 80 percent of capability.

Progress is being made, and one day, we hope soon, Cannon Dam will be the jewel of Northeast Missouri.

Tonight I would talk to you about the vital need to take stock of our water; to conserve, wherever possible, clean fresh water; because if we are unsuccessful in that aim, neither this community nor this country can survive.

Water, it has often been noted, is perhaps the most dynamic force of change on earth. It is a tool that can be well utilized to reduce poverty and hunger, to make the arid lands bloom, and to bring hope where previously there was little hope.

Perhaps the best recognition of water lies in the motto of the town of Brits in South Africa: "Life from Water."

One has only to read history to realize the impact of water on the development of man. Slender threads of perhaps our first civilization can be traced along the fertile river valleys of the Tigris and Euphrates in Mesopotamia, the Nile in Egypt and the Lo River in China.

Thousands of years later the Missouri and the Mississippi served as highways to the pioneers who opened this continent; and we know that many of our greatest cities have grown up along their banks. Always the patterns of human settlement are linked to an accessible supply of fresh water.

Man cannot live without water. Even if he could live "by bread alone," it takes some 300 gallons of water a day to grow enough wheat to make a subsistence amount of bread.

Despite its great importance, although we are not running out of water per se, we are rapidly depleting our usable water supply.

Let me present what I mean by usable supply.

If the total amount of water in the world could be visualized as one barrel—55 gallons—the ocean would be represented as a tub containing 50 gallons. The ice caps and glaciers would be a small block of ice equivalent to about one gallon of water. All the remaining water in the world—representing the water in the atmosphere, lakes, and inland seas, rivers, ground water reservoirs, and soil moisture—would fill a four gallon bucket.

Of this four gallons, the total amount of usable water in the world would barely fill a tablespoon; and would represent all water flowing annually in the rivers of the world, the annually recoverable ground water, and the annual precipitation of all water on the land.

Even this "tablespoon" of water would be enough to meet man's basic needs of this planet if it were not for its unequal distribution. Some areas have far too little, others far too much. This was illustrated right here in Missouri last summer, because while much of the north and central part of the State was suffering from excessive rains and flooding, at the same time serious drought conditions prevailed in much of southern Missouri.

A Department of Agriculture official in Washington has observed that it was the first time in his memory disaster assistance had been requested for both drought and rain damage, at the same time, by a single state.

Because of this unequal distribution, more than half of the earth's people inhabit regions handicapped by water shortages; and this of course has had a profound effect on their standard of living.

As a whole, the United States has been blessed with abundant water supplies; but within the borders of our country we have been forced to undertake a program first to impound and store water, then to transport it to areas where it has been badly needed.

Several problems peculiar to the 20th century have seriously affected our usable water supply. Water pollution, for instance, has left very large amounts of water unsuitable for either consumption or industrial needs. Moreover, it is clear the burgeoning world population can only create dangerous additional water shortages in the future.

The late Senator from Oklahoma, Robert S. Kerr, once observed in 1960:

"Very few communities in this nation have enough water to sustain even their present population on the basis of demands expected twenty years from now."

In order to insure an adequate supply, and so that we might further the continued expansion of our economy, it is essential to initiate, now, a broad and vigorous program of water resource development.

Senator Allen J. Ellender, another great Senate expert in this field, observed recently:

"Unless a well-planned and aggressive program for water resource development is carried forward, our children won't have the opportunity to enjoy the many advantages you and I take for granted."

Nevertheless it is sad but true that at a time when we should be accelerating water resource development, the whole program is being hamstrung because of lack of funds, partly because many project benefits receive only passing consideration when evaluated. I am confident that if all project benefits were measured and their positive contribution to our national goals demonstrated, water resource programs would certainly be accorded greater priority in our national budget.

Today projects are largely justified in terms of their "primary" benefits, which means benefits that result directly from the project in question. Most commonly these are flood control, production of hydroelectric power, local water supplies, and navigation.

"Secondary" benefits, "human benefits" such as raising the standard of living, recreation; i.e., improving the quality of life, along with the subsequent indirect increase in the value of goods and services, are given little consideration. Experience proves, however, that these "indirect" benefits can be potentially greater or more significant than the direct benefits.

Public works projects, especially reserviors, can be of inestimable benefit in promoting development in rural areas. Automatically reservoirs give many small towns and communities a new lease on life. It is a fact that such impoundments have proved excellent tools in stemming the flow of youth from the farming communities because they bring economic development, employment, and recreation to those communities.

This can be no better illustrated than that of the Table Rock Reservoir in southwest Missouri. In nine short years, from 1958 when Table Rock was completed, to 1967, the assessed valuation of the five-county Table Rock area has climbed from $53 million to over $87 million; and soon it is expected to go over the $100 million mark.

The value of non-residential construction was negligible in this five-county area in 1958. In 1967 alone, however, almost $5 million was invested in new business construction.

Based on Corps of Engineers estimates, during the 1958–1967 period, a total of over $45 million worth of new homes and motels were also constructed; whereas nine years before, the assessed valuation of home sites had been minimal.

In light of these facts, it is my firm conviction that all beneficial effects of a project should be measured. Certainly secondary benefits should no longer be regarded as secondary considerations in justifying a project.

In addition to the low significance attached to secondary benefits, a number of benefits have been consistently underestimated or regarded as incidental to such purposes as flood control and navigation. In this category the most notable would be recreation.

XUM

This is unfortunate because the availability of water-oriented recreation, today the most popular form of recreation among Americans, not only stimulates economic development and enhances the attractiveness of living in a state or locality, but also plays an important role in the promotion of tourism; and tourism in our State is now second only to agriculture, with over 20 million out-of-state visitors spending their money with us last year.

In 1969, 6½ million visitors traveled to seven reservoirs in the Kansas City Corps of Engineers District. This is 2½ times as many as we had in 1963, an 18 percent increase over 1968. (Pomme de Terre Reservoir showed the greatest increase in visitation—28 percent.)

Since more than one million people live within a radius of 100 miles, Cannon Dam, right here in the heart of the Mark Twain Region, will draw thousands upon thousands of tourists and millions of dollars in revenue, every year, to Monroe and surrounding counties.

Obviously, therefore, we should give far greater emphasis to recreation benefits, particularly to those that can bring recreation nearer to the inhabitants of our already over-crowded cities.

Also, in recognition of the great and growing interest in preserving and enhancing the quality of our environment, more emphasis should be given to environmental objectives, particularly water quality control, in the justification of public works and other comparable water resource projects.

In the fiscal year 1971, out of a Federal budget in excess of $200 billion, only 62 cents out of every $100 is proposed for the Corps of Engineers to enable better water control and comparable wise development programs in the United States.

So as to put this into perspective, that amount is less than two weeks cost of the war in Vietnam.

At the current level, the cost over-runs alone on 27 major weapons systems currently being developed by the Defense Department would fund the entire civil works program of the Corps of Engineers for the next 12 years.

The problem, as Bob Kerr used to say, is as near as the glass of water on your table; and it is high time for us to realize that a continued supply of fresh clean water is as vital to our overall security, more vital to our prosperity, than, for example, the Space Program.

It is popular among some of our youth to talk about the "Age of Aquarius"—a time of universal love and brotherhood.

From ancient mythology, however, Aquarius has also come down through the ages as a symbol of the importance of water.

Tonight let us all join together in making this "Age of Aquarius" a time for enterprise and initiative in the development of the priceless water resources of this nation.

THE GREAT CAMPUS FALLACY

Mr. RANDOLPH. Mr. President, I know all of us are concerned with the threats and coercion that are coming to our college and university campuses. In many of these situations the faculty is beginning to respond as I think faculties should; and from the standpoint of the more militant actions which take the category of terror and violence, there is an awakening that I think must be a very realistic one.

It is extremely gratifying to me to ask unanimous consent to place in the Record an editorial from yesterday morning's New York Times which is titled "The Great Campus Fallacy," which goes into this matter in what I believe to be a very constructive way.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 13, 1970]

THE GREAT CAMPUS FALLACY

After the present rash of disruptive and destructive incidents on the university campuses have run their course, will there be the predictable post-mortem rationalizations? It will be said once again, with a condescending indulgence which honest members of the student generation ought to resent, that because legitimate grievances had existed, the lawlessness was a necessary prelude to reform.

The question too rarely asked is—what has been the cost? As the gains for each uprising are extolled, the losses are ignored. Who speaks for the rights of those students and faculty members at Hunter College who, though anxious to negotiate for reform, did not want to be locked out of their classes? Who defends the views of those members of the Columbia University community who do not want to see the buildings invaded or windows smashed? Are those who object to rampaging and book-burning at Cornell, even when it is in response to suspected arson of the Black Studies Center, simply to be put down as callous reactionaries?

What is being lost in the process is not merely the campus as a non-violent enclave, though that is serious enough. There is no comfort for anyone in the prospect of safety and order maintained by curfews and security guards. But even worse than the physical restrictions is the loss of rationality in what ought to be the proving ground of reason.

When a list of non-negotiable demands simultaneously calls, as it does at Hunter, for items which would greatly increase the costs of education and for the abolition of all fees; when a radical at Columbia asks that windows be smashed in order to make it more expensive for the university to exist, while others clamor to be admitted without charge, when legitimate demands are inflated by dreams of revolution—then there is little hope for rational settlement and even less for a subsequent, rational discourse.

The ultimate fallacy is the notion that, after a coerced settlement of grievances, the university will have been transformed into a tranquil—or tranquilized—institution which need no longer fear the threat of coercion. In reality, every surrender, even if it brings with it some reform, leaves the institution and each of its members more vulnerable to blackmail than before.

Some will argue that the university, in following this trend, is merely adjusting to the ways of society. They fail to see that for a university to adopt the unreason of its environment means to have lost not only its way, but the chance to seek and show the way to the future. This is an unacceptable surrender. The leaders of Columbia's faculty, by pledging not to submit to threats and coercion, have pointed to the only proper course designed to protect the campus from within and from such appalling outside repression as is currently threatened by the State Legislature.

ADDRESS BY VICE PRESIDENT AGNEW AT REPUBLICAN STATEWIDE FUNDRAISING DINNER

Mr. HANSEN. Mr. President, last night, in Des Moines, Iowa, the Vice President of the United States addressed the Republican statewide fundraising dinner. Because he chose to speak on the subject of higher education and because I find his remarks particularly noteworthy, I would like to call to the attention of Senators what he said.

He said:

> From the light of experiences in the last decade, it would seem to me that Professor Sidney Hook hit the nail on the head in his recent book, *Academic Freedom and Academic Anarchy*. He stated:
>
> "There are no compensating advantages in the risks incurred when students are given the power of educational decision.
>
> "That is why with respect to the . . . demand for student rights, we must say: 'Consultation, yes—decision, no.' "

Later the Vice President called attention to what Prof. Gardner Ackley, the economics professor who served as Chairman of President's Johnson's Council of Economic Advisers, according to the Ann Arbor News, told a faculty meeting:

> This has been a very tragic year . . . which has seen the beginning of the destruction of this University as a center of learning . . . It is being destroyed by its own faculty and administration.
>
> The University's administration, he said, is "unwilling or unable to resist the destroyers . . . However ridiculous or worthy the cause, it will win it, proportion to the willingness of its supporters to disrupt the life of the University.
>
> University facilities are now available for . . . promoting any cause, no matter how obscene or revolting.
>
> There is no reason. There is only power.

The Vice President called attention to a statement that has been made by the

President of the United States. The President's words were:

> No *qualified* student who wants to go to college should be barred by lack of money. That has long been a great American goal: I propose that we achieve it now.

Then the Vice President continues to point out:

> We must also recognize the needs of the unprepared and underachieving child and of those who do not begin to show promise academically until later in high school. Where necessary—and it is often critically necessary—substantial programs of compensatory education must be developed. Extra summers of study, extra years of academic preparation must be provided at public expense. For there can be no doubt that we must compensate for the deprived environment.
>
> Rather than lower the standards of higher education, we must raise the level of the student's preparation and achievement, so that he may not only one day take his place in the colleges and universities of this nation, but successfully hold that place in active, healthy competition with other students.

Mr. President, because I find the statement of the Vice President to be most noteworthy, I ask unanimous consent that the entire speech may be included in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE VICE PRESIDENT

Five months to the day have passed since I visited Des Moines to present a few thoughts about the network news. It is a pleasure to be back—I enjoy visiting famous battlefields, especially when the outcome of the conflict was decisive and served a useful purpose.

Tonight I hope to cover more completely a subject touched upon in my Lincoln Day remarks in Chicago—the disturbing trends in administrative and admissions policies of America's colleges and universities.

With regard to the determination of curricula and the hiring and firing of college professors, I stated in Chicago that the desires of students should not be the controlling factor. However, it cannot be validly argued that students' views on these matters are of no value in making educational judgments. Students, the consumers of knowledge, are in a unique position to assess the effectiveness of educational policies. Therefore, their views should be considered and be an ingredient of final decisions by the educational establishment.

From the light of experiences in the last decade, it would seem to me that Professor Sidney Hook hit the nail on the head in his recent book, *Academic Freedom and Academic Anarchy*. He stated:

"There are no compensating advantages in the risks incurred when students are given the power of educational decision.

"That is why with respect to the . . . demand for student rights, we must say: 'Consultation, yes—decision, no.' "

Tonight I want to give you my views in greater particularity on the subject of college admissions, and this time I come armed with supportive quotations from distinguished administrators who are equally concerned about this problem.

The American system of colleges and universities, ladies and gentlemen, is the envy of mankind. It belongs not just to the professional educational community, but to all of us. When decisions begin to represent a definite trend that may drastically depreciate those national assets, then all of us have an interest at stake; all of us have a right to be heard—indeed, a duty to speak.

When one looks back across the history of the last decade—at the smoking ruins of a score of college buildings, at the outbreaks of illegal and violent protests and disorders on hundreds of college campuses, at the regular harassment and interruption and shouting down of speakers, at the totalitarian spirit evident among thousands of students and hundreds of faculty members, at the decline of genuine academic freedom to speak and teach and learn—that record hardly warrants a roaring vote of confidence in the academic community that presided over the disaster.

We in public life who criticize, however, should make that criticism constructive. This I intend to do. I feel as much as anyone that there should be expanded educational opportunities for deprived, but able, young people in our society. The difference is that I favor better preparing them—with additional governmental assistance—in some form of prep school rather than tossing them into a four-year college or university curriculum that they are not equipped to handle. And I do not feel that our traditional four-year institutions should lower their sights or their standards for the sole purpose of opening their doors wider.

Now, there are two methods by which unqualified students are being swept into college on the wave of the new socialism. One is called a quota system, and the other an open admissions policy. Each is implemented by lessening admission requirements. They may be equally bad.

Under a quota system, a specific percentage of the student body must consist of minority or disadvantaged students regardless of whether they can meet the existing standards for enrollment. If they do not apply, they must be recruited.

Under an open admissions policy, a college deliberately opens its doors and expands its enrollment despite the inability of many of the applicants to meet minimum standards.

There are distinguished, even brilliant, men with grave reservations about the wisdom of either of these policies. The Historian, Daniel Boorstin is one of them. Speaking in Tulsa last June, he carved his views in sentences more emphatic than my own.

"In the university all men are not equal. Those better endowed or better equipped intellectually must be preferred in admission, and preferred in recognition. . . . If we give in to the armed demands of militants to admit persons to the university because of their race, their poverty, their illiteracy, or any other non-intellectual distinctions, our universities can no longer serve all of us—or any of us."

Professor Boorstin argues his case on behalf of the integrity of the university, but there are also other arguments against racial quotas, not the least of which is that of simple justice.

For each youth unprepared for a college curriculum who is brought in under a quota system, some better prepared student is denied entrance. Admitting the obligation to compensate for past deprivation and discrimination, it just does not make sense to atone by discriminating against and depriving someone else.

Another argument against easy admissions was summed up in the testimony of Dr. Clark Kerr of the prestigious Carnegie Foundation's Commission for the Advancement of Teaching in testimony before the House Education Committee. He said:

"Some institutions have brought in students too far below the admissions standards with the result that it ended up in frustration for the student . . . It's bad policy to start someone on a path when you know he can't reach the end of the road."

Is it understandable that I wonder why the remarks of Kerr and Boorstin were greeted with respectful editorial silence by the same tribe that came looking for my scalp after Chicago?

We can see the visible results of weak and insufficiently defined educational policy in the growing militancy of increasing numbers of students who confuse social ideals with educational opportunities. John Roche, a former Special Consultant to President Johnson, a syndicated columnist and a professor at Brandeis, observed the phenomenon on his own campus. In my opinion, he analyzed it correctly. Last year he wrote as follows about the violence emanating from black student militancy:

"Sociologists and others have had a field day explaining the sources of this behavior, but I do not believe the problem at Brandeis, San Francisco, Swarthmore or wherever trouble has erupted is terribly complex. We created our own difficulties the day we (and I mean the liberal academicians) decided that a college or university should double as a settlement house. Once the decision was made that Negro or 'culturally underprivileged' youngsters should be admitted to first class colleges, without the usual prerequisites, the escalation began . . .

"All this special Black admission business has, of course, been conducted with a brass band, as college and university administrators and faculties congratulate themselves on their radicalism, on their willingness to rise above white racism. In fact, what has happened in most instances that have come to my attention is sheerly cosmetic: nobody has actually worried about the anguish of the poor Negro kids who have been dumped into a competitive situation, have been thrown with inadequate preparation into water well beyond their capacity to swim."

In criticizing my views on racial quotas following my speech in Chicago, the *Cleveland Plain Dealer* said:

"In the prestigious Ivy League, the schools admitted freshman classes last September that were 10 per cent Negro . . ." and it added approvingly, "This represented a huge increase in black enrollment."

But, is this a really good thing—and if ten per cent is good, would twelve or fifteen per cent be better?

President Clifford Lord of Hofstra, in a speech last December, aired his own doubts about a policy of "open admissions."

"This can be a very expensive process for the private institution, financially and academically," he noted. ". . . There is the additional and critical question of the educational desirability of mixing those who are qualified by modern standards for work in a particular institution and those who came in under an open enrollment program."

A Ford Foundation education expert, Mr. Fred Crossland, registers more than just doubts; he thinks this 10 per cent quota today is impossible to attain.

According to the Office of Education, though blacks constitute about twelve per cent of our college age population, they account for only six per cent of all high school graduates. Mr. Crossland adds that only about half of this six per cent is capable of handling a college curriculum. Where does this leave the *Plain Dealer's* ten per cent? Says Mr. Crossland:

"Given present standards, it's preposterous and statistically impossible to talk about boosting black enrollment to ten per cent even over the next five years."

What makes Mr. Crossland's unequivocal statement so timely is that just two weeks ago—after twelve days of heat from striking

XUM

black militant students at the University of Michigan—President Robben W. Fleming agreed to nearly all their major demands—the first of which was for a ten per cent black enrollment by 1973.

Now let me read you what a distinguished member of the Michigan faculty said about the President's action. He is Gardner Ackley, the economics professor who served as Chairman of President Johnson's Council of Economic Advisors. According to the *Ann Arbor News*, this is what Professor Ackley told a faculty meeting:

"This has been a very tragic year . . . which has seen the beginning of the destruction of this University as a center of learning . . . It is being destroyed by its own faculty and administration.

The University's administration, he said, is "unwilling or unable to resist the destroyers . . . However ridiculous or worthy the cause, it will win in proportion to the willingness of its supporters to disrupt the life of the University.

"University facilities are now available for . . . promoting any cause, no matter how obscene or revolting.

"There is no reason. There is only power."

According to the *Ann Arbor News*, Professor Ackley received a standing ovation; and there were shouts of "Bravo" from his colleagues.

The surrender at Ann Arbor is not dissimilar to the tragic surrender of Italian academic and political leadership to the demands of rebellious students two years ago for open admissions to the universities of all high school graduates.

The results have been instructive, to say the least. Measured in diplomas granted annually—the number has jumped, in just a few years, from 28,000 to 40,000—the reform is a success. But these are bargain basement diplomas—and today Italian employers advertising for college graduates are careful to specify that the degree must date back to 1967.

In a few years' time perhaps—thanks to the University of Michigan's callow retreat from reality—America will give the diplomas from Michigan the same fish eye that Italians now give diplomas from the University of Rome.

President Lord of Hofstra, who, as I stated earlier, expressed his serious reservations about mixing "open enrollment" students and academically qualified students, feels nevertheless that this might be a good policy—for institutions other than Hofstra. Is it with tongue in cheek that he said:

"It seems to me that the wholly or largely tax-supported institutions such as the State University or the City University have got to pick up his ball and carry it . . ."

One gets the distinct impression that Hofstra will not be picking up the ball and carrying it any time soon.

But the public institutions are not without impassioned defenders—like Irving Kristol—who believe it a major tragedy to impose upon quality institutions of higher learning, such as the city colleges of New York, a social burden of assimilation and uplift that they are neither designed nor equipped to shoulder.

Writing in the *Public Interest* last November, he warned:

". . . black militants are demanding that many more (and eventually all) black students who are graduated from high school be admitted automatically to the city colleges regardless of grades or aptitude, or whatever and (New York's Upper East Side and Suburban Elite) which in any case sends its youngsters out of town, thinks it is being 'constructive' when it meets this demand at least part way—i.e., when it grants to poor black youngsters a college diploma in lieu of a college education. . .

"The city colleges," continues Professor Kristol, "are one of the most valuable—perhaps the most valuable—patrimonies of New York. The Jews took them over from the WASPS and used them to great advantage; the Irish and Italians are now participating and benefitting; the Negroes and Puerto Ricans will very soon be in a position to inherit this remarkable system of higher education. But as things are going now, their inheritance will be worthless."

These institutions—the widening avenue of advancement for the young natural leaders in New York's community—are, in his words:

". . . being transformed—degraded is not too strong a term—with the approval and consent of the elite, into four-year community colleges, with all academic distinction being remorselessly extinguished."

If these quality colleges are degraded, it would be a permanent and tragic loss to the poor and middle class of New York, who cannot afford to establish their sons and daughters on the Charles River or Cayuga Lake. New York will have traded away one of the intellectual assets of the Western world for a four-year community college and a hundred thousand devalued diplomas.

The central mission of higher education is intellectual, argues Dr. Lincoln Gordon of Johns Hopkins.

To the extent universities deviate from that objective, we are devaluating a national asset that many foreign leaders believe has given America a unique advantage over the nations of the world.

I agree with Dr. Gordon. Any attempt to subordinate the great universities of this country to social goals for which they are ill-designed and ill-equipped can only result in tragic losses to both these institutions and the nation.

Perhaps the country has already marched too far under the banners of the slogan, "Every Man A College Graduate," to abandon it now. But maybe not. Perhaps there remains a "via media," a middle way, that will both preserve the integrity and quality of America's colleges—and advance the cause of minorities and the disadvantaged.

Assuredly, the first step along such a road was taken a few weeks ago by President Nixon when he called on the nation to make an historic commitment:

"No *qualified* student who wants to go to college should be barred by lack of money. That has long been a great American goal: I propose that we achieve it now."

Certainly, no young man or woman with ability and talent should be denied by the ancient and traditional barrier of poverty, the opportunity to advance to the limits of his capacity. Not in this wealthy country in 1970. To allow that to happen is to tolerate an unnecessary individual tragedy which, when multiplied, amounts to a national tragedy.

Nor can we let talent go unnoticed. A perpetual national search should be conducted to locate within every community every child of ability and promise. When located, they should be given special attention—to advance them to limits of their potential and to prepare them for leadership in their communities and in society.

We must also recognize the needs of the unprepared and underachieving child and of those who do not begin to show promise academically until later in high school. Where necessary—and it is often critically necessary—substantial programs of compensatory education must be developed. Extra summers of study, extra years of academic preparation must be provided at public expense. For there can be no doubt that we must compensate for the deprived environment.

For these students I believe we must have more community colleges and special preparatory schools, to insure to the late-blooming, the underprepared and the underachieving student every educational opportunity.

But I make this distinction: preparatory and compensatory education do not belong in the university. Students needing special educational services—who do not meet the standards and requirements of institutions of higher education—should not be encouraged to apply—in the first instance—to such institutions.

Rather than lower the standards of higher education, we must raise the level of the student's preparation and achievement, so that he may not only one day take his place in the colleges and universities of this nation, but successfully hold that place in active, healthy competition with other students.

This, I believe, is the kind of commitment that can and must be made to balance the scales and insure full equality of educational opportunity.

But, a firm commitment to equality of opportunity must not result in the dilution of that opportunity. For colleges and universities to deliberately draw into a high academic environment students who are unqualified intellectually or whom the primary and secondary schools have conspicuously failed to prepare is to create hopes which are doomed to disappointment.

Moreover, the cluttering of our universities, already too large in many cases, through the insertion of high school level semesters for the accommodation of those unqualified for the traditional curriculum is a major cause of campus inefficiency and unrest. The number of students on college campuses has increased by 400 per cent in three decades and is expected to reach nearly ten million within five years. In 1940 only two universities in the country had more than twenty thousand students; today, sixty universities can claim that dubious distinction.

Rising student enrollments have been forced to exaggerated heights by a combination of underlying social pressures. Within the awesome statistics of bigness lie the heart of the justified complaints of many college students today—complaints about absentee professors—about the plastic facelessness on campus—about the decline and disappearance of the personal teacher-student relationship—about ill-equipped graduate students teaching courses for which undergraduates have paid $60, $70, and even $80 a credit—about being matriculated, administrated, graded and graduated by computer.

I do not accept the proposition that every American boy and girl should go to a four-year college. Even now, with nearly eight million students on the campuses of this country, there are tens of thousands there who did not come for the learning experience and who are restless, purposeless, bored and rebellious.

College, at one time considered a privilege, is considered to be a right today—and is valued less because of that. Concentrations of disoriented students create an immense potential for disorder.

The Chairman of the Sociology Department of Columbia University, Professor Amitai Etzioni, recognizes the phenomenon, deplores its inevitable and undesirable by-products—the depersonalization of the campus and the threat to academic quality because of massive enrollments—but sees no certain solution.

Writing recently in the *Wall Street Journal*, he contends that the lowering of admission standards results in the presence on campus of pressure groups with—and I quote:

"a social ideology and a political organization to further demands for easy promotion and guaranteed graduation.

"If one tries to enforce select admission or academic standards, he risks being labeled a racist, and he lays himself open to campus-wide attacks . . .

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"The goal of college education for everyone is now too widely endorsed both by white middle class Americans and minorities to stop the high-schoolization of colleges simply by trying to uphold the old standards . . .

"If we can no longer keep the floodgates closed at the admissions office, it at least seems wise to channel the general flow away from four-year colleges and toward two-year extensions of high school in the junior and community colleges."

And, of course, that is what should be done.

Consistent with this philosophy, I favor the sort of procedures in high school that screen out the best students and make greater demands upon their greater talents.

In some areas, such ideas have been discarded as reactionary. But if we accept Jefferson's concept of a "natural aristocracy" among peoples—then that is as true for every race and community of man. It should be our objective to find, to nurture and to advance that natural aristocracy through the rigorous demands of intellectual competition.

To require a student of genuine ability to sit for hours in a classroom with those neither able nor prepared, and to permit him to be intellectually stalled at the level of the slowest, is a cruel waste of his God-given talents.

In Washington today there is a single black high school—Dunbar—which once trained this natural aristocracy with unrivaled success. Two decades ago, eighty per cent of its graduates went on to college, a higher percentage than any other school in the District of Columbia. That high school numbers among its graduates federal, district and appellate judges, the first black General in the American Army, and a United States Senator.

After the Supreme Court decision of 1954, however, this school under prevailing educational nostrums was allowed to become just another school in the inner city. Today, it ranks at the bottom of District of Columbia schools in the percentage of graduates going on to college.

In my opinion, Dunbar High School was sacrificed by the levelers and the ideologists on the alter of educational egalitarianism—and I canot believe that the black people of the capital or the nation are better for the loss.

My remarks here tonight have been extended—I am sure they will also strike some of my critics as pure heresy. As soon as they come clacking off the news wires into the horrified city rooms of the East, my friends on the editorial pages will start sharpening their knives and dancing around the typewriters. I ask no favors—but make one recommendation. Read my remarks through, just once at least, before turning to the keyboard. Sometimes, that can improve the editorial.

Thank you and good night.

GIVE LIGHT AND THE PEOPLE WILL FIND THEIR OWN WAY

Mr. YOUNG of Ohio. Mr. President, Americans are entitled to know the truth about Mylai incident. There is a slogan at the masthead of Scripps-Howard newspapers, "Give light and the people will find their own way." President Nixon and our military leaders have a responsibility to disclose completely the facts surrounding the Mylai massacre. Surely the American people are entitled to know the facts of a war crime perpetrated more than 2 years ago.

I urge the Secretary of Defense to make public the complete report of the investigation conducted by Lt. Gen. W. R. Peers and Robert MacCrate. Their inquiry into the events surrounding the Mylai massacre was thorough and extensive. General Peers and those who assisted him deserve the gratitude of all Americans for their diligence and courage in unearthing the truth of the horrible events that transpired at Mylai in March 1968, and then reporting the whole truth in detail. The facts they have uncovered would, if released, provide a new perspective on the meaning of American involvement in that immoral, brutal, undeclared war in Vietnam.

Secretary Laird should release the full Peers-MacCrate report, with only the names of persons involved deleted. It is an abominable situation for the Defense Department to term as classified any information that the top officials of the Pentagon do not wish the American people to have. Release of the full Peers-MacCrate report would in no way prejudice the rights of the accused to receive a fair trial. It would once and for all dispel conflicting rumors, conjecture and misinformation given out by some top ranking military officers that has confused Americans and caused them further to distrust the leaders of the Military Establishment. It is well recognized by the American people that every effort was made from the top down to whitewash what actually happened there.

It appears that the real reason why the Secretary of Defense has refused to date to release the Peers-MacCrate report is that a complete disclosure of the facts of the Mylai massacre would clearly reveal we are waging a cruel and barbaric war against the Vietnamese people and that a massacre on a large scale of Vietnamese women, children, babies, and old men was perpetrated on command of officers of our troops "to destroy the village and everything in it."

The American people have been the innocent victims of a chain of lies about our involvement in South Vietnam dating back to the misrepresentation of facts surrounding the infamous Gulf of Tonkin incident in August 1964. President Johnson used this alleged incident to obtain authority from Congress to send hundreds of thousands of men to Vietnam and escalate our involvement into a major ground war in Southeast Asia. Then, for 4 years former Secretary of State Rusk attempted to deceive Americans regarding our so-called commitment in Vietnam—an obligation that in fact never existed. The people of the United States should know the truth about our alleged commitment to wage war in Southeast Asia and in Vietnam, and they would find that there was no such commitment.

Mr. President, I have read the transcript of the report submitted by General Peers. I have read it carefully and thoroughly. Of course, I cannot reveal what I read. But, very definitely, from reading that report and from my personal talks with Ohio GI's who were in that little village on that March day, I know that the Mylai incident was murder in cold blood of old men, women, children, and babies on order of officers who should, in my opinion, be placed on trial. I assert that officers and men of our Armed Forces in Mylai hamlet perpetrated a war crime of tremendous magnitude without parallel in the history of our Republic.

There is no valid reason whatever for keeping the facts of this horrible incident secret. The truth should be reported to the people.

Mr. President, Mary McGrory, one of the few great journalists and political commentators in the Nation, recently wrote an outstanding interpretive report entitled "More on Victory That Was a Tragedy" which appeared in the Washington Star of April 13, 1970. With her usual incisiveness and clarity of thought, Miss McGrory points out the fact that the Mylai atrocity constituted one of the worst pages in our history. Her report on this everlasting stain on our national conscience should be read by all Americans. I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection the article was ordered to be printed in the RECORD, as follows:

MORE ON VICTORY THAT WAS A TRAGEDY

(By Mary McGrory)

My Lai was chronicled as a "victory" in the New York Times, and Gen. William C. Westmoreland, then commanding general of U.S. forces in Vietnam, sent a routine message of congratulations to Charlie Company for "outstanding action."

What it was, in actuality, was the worst page in a bad war, and it is back today with publication in Harper's magazine of a 30,000-word excerpt from the forthcoming book by Seymour Hersh, the 33-year-old Washington reporter who rocked the country in November with revelations about a morning the Army finally called "a tragedy of major proportions."

Michael Bernhardt, one of 50 men in C Company interviewed by Hersh, described the "pincer movement" of Army reports on March 16, 1968, this way: "We met no resistance and I only saw three captured weapons. We had no casualties. . . ."

The official body count was 128, but between 450 and 500 Vietnamese villagers—old men, women and children—lay dead.

Hersh, a fair-haired, fast-taking whirlwind, traveled 50,000 miles and peeked at Army files to get the story the Army tried to cover up. He expects accusations that his detailed and harrowing account will prevent a fair trial for Lt. William F. Calley Jr. who is charged with murder of "106 Oriental human beings."

"It took the Army 20 months to tell the public anything about My Lai," Hersh counters. "Besides, I don't say Calley is guilty. If the Army had told him to pick up every blade of grass in Southeast Asia, he would have done it. I just ask who is guilty. I raise a lot of questions."

QUESTION IS NOT WHY

The central question is not why it happened. Hersh explains that the men of Charlie Company were both green and weary.

To them, the South Vietnamese were "gooks" whom they saw their officers ravage without restraint and whom they abused with impunity. They were in a "free-fire zone," which meant everyone was the enemy. The standard of success was the body count.

One of the men was killed the night before, and in the funeral oration by their captain, some of them thought they heard a command for vengeful slaughter.

The big question Hersh puts is: "Why and how the deliberate murder of hundreds of civilians remained a secret for so long is difficult to understand, especially because so many knew about it—and so many participated in it."

The most bizarre minor fact reported by Hersh is that the whole day's doings—the frantic protests of the valiant helicopter pilot, Hugh Thompson, the commands, the screams of the wounded and dying, the crackle of the blazing huts—are on tape.

A recording buff at battalion headquarters attached his tape to the central radio network. The tape was heard by dozens of officers, none of whom thought of reporting "the turkey shoot" of Charlie Company to the authorities.

GENERAL KOSTER'S ROLE

Hersh tells about Gen. Samuel W. Koster, former superintendent of West Point and commanding general of the Americal Division at the time. Koster is the highest ranking officer to be charged with "failure to obey regulations and dereliction of duty."

On the night of the bloody day, Charlie Company's commanding officer, Capt. Ernest L. Medina, who now faces a court-martial on a murder charge, objected to an order from a major to go back for a more accurate body count. Over the radio of his command helicopter, Koster sided with Medina, saying there was no need for him "to go back into all that mess."

Koster subsequently ordered Col. Oran K. Henderson to make a formal inquiry into stories of "promiscuous" killing. Henderson reported back that talks with the men had yielded negative replies. Nothing happened.

Bernhardt told his GI buddies he thought he should write to his congressman. Medina, on hearing of his intention, according to an Army investigation begun a year later, had not really threatened Bernhardt, merely "encouraged" him "not to write any letters."

The first serious investigation was prompted by a now famous letter written in May 1969 to a score of Washington officials by 23-year-old Ronald Ridenhour of Phoenix, who heard about the action from one of the dispersed members of C Company.

PHOTOS IN DYING COLOR

One official photographer did not bother to develop some of his films, knowing headquarters would never approve. Another photographer showed pictures of the carnage in dying color to an Ohio Rotary Club. Nobody believed them.

A South Vietnamese province chief who received a report from a district chief put it away. It would provide the enemy with propaganda and "he also had doubts the Americans could commit such a crime." President Thieu knew, Hersh writes, but was said to have believed disclosure "would only increase the anti-American feeling in Vietnam."

It was eventually the GIs who came through, who talked to Army investigators and told or sold their stories to the press. No commissioned officer ever cracked.

But Herbert Carter, a black GI who shot himself in the foot because he couldn't "take no more," told Hersh maybe war itself was to blame: "The people didn't know what they were dying for, and the guys didn't know why they were shooting them."

THE ACTION OF THE SENATE ON THE NOMINATION OF JUDGE CARSWELL

Mr. HOLLAND. Mr. President, on yesterday, April 13, I remarked that many editorials on the subject of the action of the Senate on Judge Harrold Carswell's nomination to the Supreme Court had appeared in the newspapers of Florida—that the great majority of them had indicated disappointment and frustration and had in some respects been quite bitter. I placed, however, in yesterday's RECORD, at pag 11431, some of the editorials from Florida papers which I regarded as objective and which I thought would have a constructive meaning for the Senate. I have now selected from the large number of Florida editorials on Judge Carswell, most of which strongly support his nomination and express deep regret at the fact that he was not confirmed a few others which I think should appear in the CONGRESSIONAL RECORD.

I first ask unanimous consent, therefore, that an editorial from the Tampa Tribune dated April 9, entitled, "No. 3 Must Have a Speckless Record," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NO. 3 MUST HAVE A SPECKLESS RECORD

No southerner appointed to the Supreme Court will be confirmed by the present Senate unless—

1. He is a card-carrying liberal whose credentials are acceptable to the civil rights zealots and labor union bosses, OR

2. His record is free of any statcment or action, dating back to his childhood, which could be distorted into a scar on his character.

Judge Harrold Carswell, no liberal, fell victim to the distortion tactic yesterday, just as Judge Clement Haynsworth had earlier.

In Haynsworth's case, opponents magnified technical conflicts of interest in stock dealings; in the case of Carswell, they converted a 1948 political speech into a confession of enduring bigotry.

There was another charge against Judge Carswell, of course. He lacked brilliance; he was "mediocre." The awful proof of this was pointed out in the percentage of his decisions reversed by appellate courts.

Considering the fuzzy opinions and unpredictable switches of position by the Supreme Court in recent years, especially in civil rights cases, a District Judge's reversal rate is a poor indicator of his competence.

No matter. The mediocrity charge was merely an excuse for a negative vote. The real reason for the sustained campaign to defeat Judge Carswell, as for that against Judge Haynsworth, was his conservative philosophy.

Liberals now dominate the Senate, and they don't want a Justice so old-fashioned as to try to follow Constitutional principles; they want one who believes his mission is to change the established order by judicial decree.

While we think Judge Carswell has the essential qualifications to sit on the Supreme Court, he proved vulnerable to the liberal attack.

If the Justice Department had done a proper job of checking his record, it would have turned up the white supremacy speech he made when running for the Georgia Legislature 22 years ago and advised President Nixon. With this knowledge, the President probably would have chosen another nominee. There's no point in giving your enemies an open target.

Now, President Nixon must make a third choice for the seat vacated by Abe Fortas—whom most of the liberals were ready to accept as Chief Justice despite his serious violations of ethics.

The President should, and we're quite certain he will, nominate another conservative, or "strict constructionist" of the Constitution.

It would be pleasing to have one from the South, one who would take to the Court an understanding of the practical aspects of integration issues which now seems sadly lacking there.

But the home of the new Justice is of less importance than his qualifications.

From our viewpoint, he should have experience as an appellate judge in Federal or state courts, so that both his philosophy and his legal scholarship would be a matter of record. Preferably, he should be less than 60 years of age, in order to have some years of useful service on the high court. And his record as a man and a judge should contain no speck which vindictive opponents could enlarge into a smear.

It's not easy to find such a man. But no task before President Nixon is more urgent than this search. The composition of the Supreme Court can alter the course of government and the structure of our society. To realize the consequences of a single appointment, consider that William O. Douglas has been helping smash precedents and remake laws for 31 years—and grows more radical by the year.

To Judge Carswell, our regrets; to President Nixon, good hunting.

Mr. HOLLAND. Mr. President, after discussing the importance of a speedy choice by President Nixon of a third nominee to succeed resigned Justice Abe Fortas, and expressing a strong viewpoint as to the type of man who should be chosen, this editorial continues as follows:

> It's not easy to find such a man. But no task before President Nixon is more urgent than this search. The composition of the Supreme Court can alter the course of government and the structure of our society. To realize the consequences of a single appointment, consider that William O. Douglas has been helping smash precedents and remake laws for 31 years—and grows more radical by the year.
>
> To Judge Carswell, our regrets; to President Nixon, good hunting.

I next ask unanimous consent that an editorial from the Tallahassee Democrat of April 9 entitled, "Discredit Not on Carswell But on Tactics of His Foes" be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DISCREDIT NOT ON CARSWELL BUT ON TACTICS OF HIS FOES

There is keen disappointment here in Judge Harrold Carswell's hometown over the Senate's rejection of his nomination to the U.S. Supreme Court—disappointment, some bitterness, and some anger impelled by issues beyond personal friendship.

The judge himself accepts the Senate's action with a composure which testifies to the judicial temperament some opponents tried to besmirch.

We who know him best can vow with all sincerity that we see no bigotry in this judge.

We know that, instead of being mediocre, he has served the federal judiciary with distinction longer than any member of the Supreme Court had served when he was appointed. Not one of them had a better record as a judge, nor the vital experience he has in conducting trials and as a criminal prosecutor. That record was distorted, but it was not destroyed in the wanton attacks on him. It will be amplified as he continues his service on the U.S. Fifth Circuit Court of Appeals.

History will reflect no black marks against Judge Carswell.

Rather, it will reflect discredit on those Senators who allowed themselves to be bullied and deluded by the delays and duplic-

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ity of a coalition of activist press, labor and racial organizations determined to retain a system which makes the federal judiciary a shortcut route for objectives which cannot win ready passage through the constitutionally prescribed processes of representative law-making. That was the issue here, as in the Haynsworth case before. It will continue to be the issue as President Nixon seeks to carry out his campaign pledge (and the mandate thereby given through his election) to balance the court with some judges who will be guided by the words of the Constitution—not their own political leanings.

There should be no question of the right of the Senators to scrutinize the competence, character and background of a nominee to the Supreme Court. We only wish they had started it 25 years ago instead of rubber-stamping presidential appointments. Not many of the present justices could have stood the ordeals of Haynsworth and Carswell. Some of them would wither now, if the Senate should follow through and assert its authority to examine the "good behavior" which is the constitutional qualification for tenure of federal judges.

But this right of Senators to probe deeply into the conduct of a proposed judge doesn't give them the right, either as Senators or as humans, to distort and exaggerate and minimize in a hypocritical effort to cover their simple desire to reject because of his political philosophy.

The long-drawn campaign of calculated calumny and insult which produced rejection of Judges Haynsworth and Carswell raises a question of when the President again will be able to convince a clean and qualified man to run that gamut. Indeed, it may be that he cannot get through this Senate any man from the South who doesn't hop at the finger-snap of the pressures groups which have tormented his last two nominees.

Mr. HOLLAND. Mr. President, I next ask unanimous consent that an editorial from the Pensacola Journal of April 11 entitled "Nixon Should Act Soon on High Court Choice" be printed in the Record.

I quote the last three paragraphs of that editorial as follows:

> The twin victory achieved by the liberal heirarchy could turn out to be its nemesis.
>
> Hopefully, President Nixon will lose no time in making another selection from the ranks of jurists who are constitutional constructionists in defiance of those making a power play to maintain a Supreme Court subservient to the liberal establishment.
>
> There must be no compromise when the stakes are so high.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Nixon Should Act Soon on High Court Choice

It is significant that almost to a man the Senate bloc which opposed confirmation of Judge G. Harrold Carswell for a seat on the United States Supreme Court immediately rushed to a microphone or into print to rationalize the vote.

To paraphrase a line from Shakespeare we think "they do protest too much."

For the most part their explanations were lame and, on the face of it, farfetched, ranging from charges that he is a "racist" as evidenced by a statement attributed to him nearly a quarter of a century ago to an allegation of "mediocrity."

Anyone with an ounce of political acumen knows full well that it was a sordid exhibition of knuckling under to pressure applied by organized labor, the far left, and civil rights activists intolerant of anyone with a conservative background south of the Mason-Dixon Line.

The offensive mounted by opponents was unprecedented.

Literally thousands of protest letters flooded the Senate.

A veritable army of lobbyists representing loud mouthed minority groups intent on preserving the leftist bent of the Supreme Court converged on Capitol Hill.

When the vote was announced they broke into wild cheering from Senate galleries, celebrating two victories in a row for the cause of liberalism on the high bench.

Astute political observers regard it for what it is: a showdown between pseudo liberals who would endow the Court with legislative powers and strict constructionists who maintain it is the constitutional duty of jurists to confine themselves solely to interpretation of laws and the intent of Congress.

The outcome moved Sen. Hugh Scott of Pennsylvania to suggest that the double defeat of the administration—the impasse between the Senate and the White House with regard to confirmation of nominees—calls for a change in procedure.

What Scott failed to recognize was the fact that the fault did not lie with the system of checks and balances as between executive and legislative branches of government, but the craven retreat of lawmakers in the upper house when challenged by blatant minorities which seek to destroy the division of power principle as enunciated in the Constitution.

The need is not revision of confirmation procedure, but rather a Senate with integrity and the courage to face up its responsibilities to the people and the Constitution it is sworn to defend.

There is little reason for rejoicement in the Senate over the rejection of Judge Carswell on flimsy charges dredged up by his opponents.

The silent majority—that great segment of Middle America which speaks its piece at the polls instead of public forums—is yet to be heard.

Come the next general election their "voice" might well change the whole complexion of the Senate.

The twin victory achieved by the liberal heirarchy could turn out to be its nemesis.

Hopefully, President Nixon will lose no time in making another selection from the ranks of jurists who are constitutional constructionists in defiance of those making a power play to maintain a Supreme Court subservient to the liberal establishment.

There must be no compromise when the stakes are so high.

Mr. HOLLAND. Mr. President, next, I ask unanimous consent that a column entitled "A Southerner Can't Make It" from the able pen of Malcolm Johnson, the dean of Florida political columnists, be printed in the Record.

Speaking of the President's search for a third nominee, Mr. Johnson, in his column, states as follows:

> So, for now at least, he is right in looking northward and westward from Washington for his strict constructionist judge.
>
> He shouldn't delay until after the elections in November. The Court has been without a ninth judge for nearly a year now; and scuttlebutt has it that numerous cases are hanging 4–4 awaiting a deciding vote. (The risk that Carswell or Haynsworth would cast that vote on the conservative side probably was at the bottom of the desperate opposition to them.)

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Tallahassee (Fla.) Democrat, Apr. 10, 1970]

A Southerner Can't Make It

(By Malcolm Johnson)

The President is right in looking outside the South for a Supreme Court Justice who will read the Constitution as it is instead of as he thinks it should be.

The Southern majority is more interested in having that kind of a "strict constructionist," or constitutional conservative, on the court than it is in having a Carswell, or a Haynsworth, or any Southerner.

Naturally, we have enough regional pride to prefer one of our own in whose judgment we have confidence to sit in that seat of the mighty; but we must acknowledge that such a Southerner can't get through the Senate under present conditions and its lineup.

It will be hard to find a more honorable man, with more genuine hard-working federal judicial experience, still at a vigorous age, than Judge Harrold Carswell; and it is illusory to say, now, that he was rejected because of his "mediocrity."

That word got him, it's true. But "mediocrity" was a specious issue raised against him in the latter stages of a deliberately delayed campaign after the minor offenses of his past life failed to sustain the automatic opposition of the instant-integration, pro-labor, anti-Southern bloc.

Those people wouldn't have liked Carswell's philosophy if he had been from Alaska, but none can deny that it was his white Southern heritage that really made him persona non grata to Senators who dance to the tune of those who recognize nothing in the Constitution but the 14th amendment.

Oh, there is a great chorus rising now among them that the Senate surely would accept a "qualified" Southerner on the Court. Then they reel off a list of names which demonstrates that a "qualified" Southerner is an activist Southerner.

Most of them now sit or have sat on the U.S. Fifth Circuit Court of Appeals which during all the integration litigation has seemed anxious to keep one step ahead of the Supreme Court. Carswell, as a district judge and lately as a member of that Circuit Court, has been more disposed to follow the Supreme Court dictum (doesn't it make the law of the land?) instead of hunting new ground to plow with expansive opinions to be quoted with admiration in the liberal journals.

The political fact is that the President couldn't get support from the Southern Senators for almost any of those Southern judges acceptable to the opposition.

He probably couldn't get most of them through the Judiciary Committee; and if he did he would lose floor support of his own northern Republican conservatives. He can't operate in the Senate at all without that coalition of conservative Southern Democrats and Northern Republicans.

So, for now at least, he is right in looking northward and westward from Washington for his strict constructionist judge.

He shouldn't delay until after the elections in November. The Court has been without a ninth judge for nearly a year now; and scuttlebutt has it that numerous cases are hanging 4–4 awaiting a deciding vote. (The risk that Carswell or Haynsworth would cast that vote on the conservative side probably was at the bottom of the desperate opposition to them.)

Senator Bayh and his cohorts are hooting that the President's decision to look outside the South next time is acknowledgement that the Carswell and Haynsworth nominations

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were part of a "Southern strategy" for Republican gains in Dixie.

Well, so what? Of course the President wants his party to gain strength in the South. Of course he wants to carry it again, as he did in 1968. And of course he recognizes that it was in large part his open commitment to put a Southern strict constructionist on the court which elected him.

Is this commitment, revealed to the nation and repeated in his campaign speeches, any more reprehensible than the commitment Senator Bayh gave organized labor for the $80,000 it donated to his campaign for the Senate?

Lord knows what that commitment was; but it would not be straining to assume it included an obligation to fight a Haynsworth or a Carswell with every kind of smear and besmirch tactic required to keep him off the Supreme Court.

Mr. HOLLAND. Mr. President, I next ask unanimous consent that an editorial appearing in the Orlando Sentinal of April 9 entitled "The Senate And Carswell" be printed in the RECORD.

I note with interest the following quotation from that editorial:

> The liberals regard the Supreme Court lineup as a death struggle, as indeed it may be.
>
> They cannot face the prospect of a conservative Supreme Court, for that would return some sanity to the country.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SENATE AND CARSWELL

We have said it all before.

The liberal United States Senate—made that way in the landslide election of Lyndon Johnson—got another pound of flesh from the conservatives in rejecting President Nixon's nomination of Judge Carswell for the Supreme Court.

The liberals regard the Supreme Court lineup as a death struggle, as indeed it may be.

They cannot face the prospect of a conservative Supreme Court, for that would return some sanity to the country.

Despite President Nixon's pledge to the nation in his 1968 election campaign to restore balance to the high court, the liberals will not give up their seat of power willingly, as we have seen.

Those liberals elected in 1964 must face the voters again this year. Perhaps the spectacles of the pillorying of two fine judges will cause the voters to send them to the same fate that the liberal senators decreed for Haynsworth and Carswell.

At this point we can only hope so.

Mr. HOLLAND. Mr. President, I next ask unanimous consent that an editorial from the Fort Lauderdale News be printed in the RECORD.

I quote the last paragraph of that editorial as follows:

> To date, however, he has encountered all kinds of trouble in getting the liberal-minded Senate to approve his nominations. We have seen more political nitpicking, more absurd arguments and more outright hypocritical issues raised in the Senate in recent months over the Haynsworth and Carswell nominations than anybody can shake a stick at, and in essence they all boil down to the fact that the liberals just don't want to see any judge appointed to the Supreme Court who doesn't conform to their own way of thinking.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Fort Lauderdale (Fla.) News, Apr. 2, 1970]

HOW LONG WILL IT TAKE FOR PRESIDENT TO SEAT NEW HIGH COURT JUSTICE?

(By Jack W. Gore)

While nobody, certainly, can question the right or the responsibility of the members of the U.S. Senate to dig deeply into the qualifications of certain presidential appointees to high-ranking governmental jobs, one has to wonder these days just how long it is going to take for President Richard Nixon to get a judge of his choosing to fill the present vacancy on the U.S. Supreme Court.

One also has to wonder in view of some of the character assassination tactics employed by certain members of the Senate against the last two men Mr. Nixon has nominated to the vacant court seat, just how many jurists we have left in the nation who would subject themselves to this kind of scrutiny for whatever honor or glory that is still associated with serving on the country's highest tribunal.

It might well be true that President Nixon, in first selecting Judge Clement F. Haynsworth and then picking Judge Harrold Carswell as his nominees, could have exercised somewhat better judgment and chosen men whose backgrounds bore no blemish whatsoever.

But where does one find a judge today who has come up through our political appointee judgeship system and whose record on the bench and whose personal life and conduct have been so crystal pure that nobody can find the first stone to cast against him?

Could any of the present judges serving on the Supreme Court have passed the scrutiny the Senate has given Judges Haynsworth and Carswell? Justice Hugo Black, for instance, is an admitted former member of the Ku Klux Klan. Former Chief Justice Earl Warren held the dubious distinction when he was appointed of never having even presided over a court case. Justice William O. Douglas' personal life and writings at the moment are both so controversial that his name couldn't even get by the Senate Judiciary Committee, much less be debated on the floor of the Senate.

Few, if any, members of the present court were given much more than casual scrutiny by the U.S. Senate when their names were proposed. Yet now we are expected to believe that no jurist, particularly if he is a southerner or has a judicial record of being somewhat of a strict constructionist as far as the U.S. Constitution is concerned, should be permitted to serve on the court unless he is such a lily-white character as to have done absolutely nothing and said absolutely nothing in his past life that could remotely be held against him.

If the voters of this nation scrutinized the records and the personal lives and activities of the members of the Congress in the fashion the Senate has gone after Judges Haynsworth and Carswell, we doubt there would be very many congressmen who could survive such a scrutiny.

How many congressmen are there, for instance, who haven't said things and done things in the past 20 years that would make them appear as fools if they were brought up against them today. Times change, standards change and men change and for anybody to label a person as a confirmed bigot for something he said 20 years ago or for something he did, which at the time was common practice, is not only a bit ridiculous but hypocritical as all getout.

Obviously, this nation needs the best men it can get to serve on the U.S. Supreme Court. But just as obviously the political system under which this country has operated al these years seldom produces outstanding candidates for the Supreme Court anymore than it produces outstanding candidates for any public office from the President right on down the line.

President Nixon happens to think, as do many concerned citizens of this country, that it is time to restore some balance to the Supreme Court. Under that philosophy he has selected men who have gained a reputation on the bench of interpreting laws as they have been written rather than how they or others might think these laws should have been written.

Many of this country's present problems stem from the very fact that too many present members of the Supreme Court are addicted to legislating new law rather than interpreting the law as written by others having that responsibility.

This is what President Nixon has wanted to change and this is why he deliberately sought the kind of judges who could help bring about such a change.

To date, however, he has encountered all kinds of trouble in getting the liberal-minded Senate to approve his nominations. We have seen more political nitpicking, more absurd arguments and more outright hypocritical issues raised in the Senate in recent months over the Haynsworth and Carswell nominations than anybody can shake a stick at, and in essence they all boil down to the fact that the liberals just don't want to see any judge appointed to the Supreme Court who doesn't conform to their own way of thinking.

Mr. HOLLAND. Mr. President, lastly, I ask unanimous consent that an editorial from the Pompano Beach Sun-Sentinel of April 10 entitled "People Were Real Losers When Court Lost Carswell" be printed in the RECORD.

I quote with approval a paragraph out of that editorial as follows:

> No, Mr. Nixon might be embarrassed by losing two Supreme Court nominees in a row, but it was the people he represents and those who are subject to the edicts of the court who were the losers.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PEOPLE WERE REAL LOSERS WHEN COURT LOST CARSWELL

(By William A. Mullen)

Newspaper critics and political foes of Richard M. Nixon were quick to crow that the rejection of Judge G. Harrold Carswell as a nominee for associate justice of the U.S. Supreme Court was a bitter defeat for the President.

We wonder if the outcome of the Senate vote Wednesday was not more of a defeat for the average American—denied full representation in the land's highest court; victimized by sectionalism; hoodwinked by "public opinion," and refused a wanted voice for common sense and conservatism.

Mr. Nixon was elected in 1968 during a change of mood that wanted the nation to move away from the reign of permissiveness and the wave of crime that sorely perturbed the electorate. These were not the sole issues, but they had a part in the change that saw Republicans and conservatives gain seats in the Congress and in the legislatures, and a majority of the governorships.

Part of the mood was dismay with the Supreme Court under the chief justiceship of Earl Warren, blamed for coddling the criminal, giving latitude to violent dissent, and writing law with a liberal slant.

A more conservative court was anticipated, especially after the chief justiceship was left waiting for Mr. Nixon after Lyndon Johnson's choice, Associate Abe Fortas, resigned under threat of impeachment.

Mr. Nixon had little difficulty in filling the chief justiceship with Warren Earl Burger, approved with only hard core liberals McCarthy of Minnesota, Nelson of Wisconsin and Young of Ohio opposing.

But the liberals dug in for a battle for control of the court when the President nominated his first southerner, Clement F. Haynsworth. His approval could swing the court toward conservatism. Thus, he became a target of character assassination and his nomination was defeated.

The story was repeated for Judge Carswell, except basis for opposition was flimsier. This did not, however, deter the liberals from weaving gossamer into sackcloth with the aid of liberal and anti-administration segments of the mass communications media, of academe, and among the political hatchet men.

These cadres, eager to forgive the criminal, to excuse the rioter, to debase the courts and to spare their own pounced upon a Carswell speech of two decades ago in which as a Georgia legislative candidate he favored White supremacy.

Although he renounced that speech, the always-forgiving liberals were intractable. A murderer, rapist or subversive is capable of mending his ways; a church-going, clean-living member of the judiciary is not.

"Public opinion," it was said, opposed Carswell. That public opinion was made by the National Assn. for the Advancement of Colored People (NAACP), by the AFL–CIO, which regarded Judge Carswell as anti-labor because in exercising his wisdom and judgment he was not 100 percent blindly pro-labor, and by the liberal members of campus faculties.

"Public opinion," was represented by the labor lobbyists who flocked to Washington in the closing hours before the Carswell vote, by the professional civil rightists, and by the members of the Senate who appeal to minorities and who cater to big labor.

"Public opinion," was not represented in force in Washington by Mr. Nixon's "silent majority," by the middle American, by the advocates of the Constitution who provided the vote to place Mr. Nixon in office where he might exercise presidential prerogatives, including choosing members of the Supreme Court of the United States.

No, Mr. Nixon might be embarrassed by losing two Supreme Court nominees in a row, but it was the people he represents and those who are subject to the edicts of the court who were the losers.

And the victors were the coterie who have found a winning combination in unified opposition, looseness with fact, and manipulated "public opinion," a combination that is a portent of danger for representative government.

TODAY'S BRUTAL AND FASCIST GREEK GOVERNMENT

Mr. YOUNG of Ohio. Mr. President, last week, a court in Athens sentenced five newspapermen and a former government minister to prison terms of up to 4½ years in addition to stiff fines. Their crime consisted of publishing an interview in which an appeal was made for restoration of democracy in Greece. Yesterday, another Athens tribunal handed out sentences of imprisonment ranging up to life imprisonment to 27 persons accused of plotting to overthrow the Greek Government. Several defendants in retracting their confessions stated in court that they were obtained under torture during their months of pretrial imprisonment. These are only the most recent in a series of events revealing the brutal and barbaric dictatorship of the Fascist colonels who now tyrannize Greece.

"Democracy" is a Greek word and a form of government created by the genius of ancient Greece. However, "tyranny," "despotism," and "anarchy" are also Greek words, and those who now govern there are giving these words new meaning.

The ruling military junta has destroyed free institutions, abolished representative government, prevented free elections, established control over press and radio, throttled freedom of speech, put an end to all guarantees of individual liberty, conducted a reign of terror against dissenters, and tortured political prisoners. These Fascist colonels govern by decree the same as Communist dictators. The fact is that since a small group of Fascist army officers seized power on April 21, 1967, the people of Greece have been living under a dictatorship little different from that of Nazi Germany.

Mr. President, thousands of political prisoners in Greece, both men and women, have suffered tortures almost beyond belief. Reports of such torture on the part of the military regime have been filtering out of Greece for 3 years. Many of these reports were so horrifying and grotesque that they lacked credibility. However, in a new book, "Barbarism in Greece," an American lawyer, James Becket, has carefully documented the systematic use of terror and violence by the ruling junta against its political opponents. Mr. Becket devoted several years to his inquiry, conducting hundreds of personal interviews. He lists by name 438 Greeks who have been subjected to the most vicious and inhumane tortures. Reading Mr. Becket's account, I found it difficult to understand how men and women could undergo such brutality and survive.

One can only guess how many additional thousands of political prisoners have been tortured and brutalized. Without doubt the most horrifying thing in the world for one who has been tortured and survived is the fear of being again tortured.

It is clear from Mr. Becket's book that facism is dominant in Greece. The colonels have given free reign to the sadists and torture specialists to practice their trade in the dungeons of Greek jails. The horrors of Dachau, Auschwitz, Buchenwald, and the Gestapo basements of Nazi Germany are being relived in the dark cells of Athens' Bouboulinas Street prison.

The United States can no longer afford to ignore the brutality that is being perpetrated by the Fascist colonels and their underlings. These are the same colonels who were trained by American military missions and they used American weapons in their overthrow of the constitutional government in Athens, the cradle of democracy. The terror continues unabated with every passing day. Purges take place mercilessly in the military, the church, and throughout Greek society as the Fascist dictatorship tightens its grip on every aspect of Greek life.

Mr. President, our State Department made a serious mistake in extending diplomatic recognition to the military junta in Athens. That mistake has been compounded by the continuation of military assistance to that terrorist regime. Since the brutal Fascists took power 3 years ago, the United States has given $234 million of American taxpayers' money in military assistance to help maintain these Fascist colonels in power.

Today the Greek people are being crushed by a regime as tyrannical as any in the world. Meanwhile, our State Department does nothing more than pay lipservice toward restoring freedom to Greece. We continually express our concern but take no real steps toward ousting the junta.

Despite the claims of State Department officials that the United States is without power to affect significantly the state of affairs in Greece today, it is obvious that there is much we could do.

The United States should sever diplomatic relations with the Greek dictatorship, withdraw our Ambassador, and close our Embassy, leaving only a custodial group; and thereby indicate our disapproval of the regime in such a way that the Greek people could not be mistaken about it.

We should suspend completely the delivery of all military and economic assistance to Greece.

Our Government has available a widerange of economic powers that it could exercise to apply pressure on the Greek Government to end the torturing of political prisoners and to restore civil liberties to the Greek people.

The United States should join forces with its friends in the Council of Europe to isolate the military junta politically and economically as various Western European governments are prepared to do.

Finally, we have the ultimate sanction of moving to expel Greece from NATO

None of these steps has been taken and the suffering in the torture chambers of Bouboulinas Street continues. The freedom-loving people of Greece are looking for a sign from the United States—a genuine sign that will assist them in regaining their freedom. The eight million liberty-loving Greek people regard our aid to their oppressors as the most powerful factor in keeping them in power.

Mr. President, for Americans the saddest part of the unfolding tragedy in Greece is the fact that our own Government has, through diplomatic recognition and military assistance, condoned the tyranny and brutality of the colonels. In the eyes of free people everywhere we have been the accomplices of tyranny.

Officials of our State Department and Defense Department should stop using our prestige and valuable resources in behalf of these Fascist tyrants. Our efforts must be directed at revitalizing democracy in Greece and restoring power to the downtrodden Greek people. It is clearly not in our best interest that tyrannical rule—whether in Greece, Brazil, Haiti or elsewhere—be aided and abetted by the United States.

In that connection, John Gunther in his great work "Inside Europe Today" wrote:

> One lesson that may well be drawn from all this is that it is always dangerous for a democracy, like the United States, to become too closely involved with a dictator or

XUM

semi-dictator, no matter how convenient this may seem to be. It is the people who count in the long run, and no regime is worth supporting if it keeps citizens down—if only for the simple reason that they will kick it out in time.

ONE-WAY PRESS

Mr. DOLE. Mr. President, when I returned from Kansas on Sunday, I scanned the Saturday issue of the Washington Post.

There was a two-column head which said "Senators Counter President's Attack."

For 12 full inches we were told about the Senators who had questioned the President's motives in deciding not to nominate at this time another southern appellate judge to the Supreme Court. Almost every Senator who spoke against the President was named and quoted.

It was not until we turned to the continuation of the story that we learned that the President had been defended at all.

Two defenders were cited by the author of this column. The other five were not mentioned.

Mr. President, this, frankly, is misrepresenting the facts. The thousands of persons who daily depend on the Post for their information deserve something better. They must believe, after reading the Post, that the Senate overwhelmingly opposed the President's statement. From Mr. Rich's story they have a right to think so. But it is not so and I stand here today to tell them it is not so, knowing, of course, this statement is unlikely to make Mr. Rich's next story.

XUM

Mr. President, I call the attention of my colleagues who may not have been present on Friday to the RECORD of that date. The facts are there. They are not in the Post.

Neither, Mr. President, are they in the New York Times.

The Times went on for 27 inches of type, not counting heads, before it bothered to mention that there was some support for the President in the Senate. Then it was brushed off in one short paragraph. The author of this was John W. Finney.

But let me hasten to add that the Times to which I refer is the city edition which we see here in Washington. The Times editors have a habit of running one version in an edition no one in Washington sees, then pointing to it when there is a complaint about the version that appears in the Washington edition.

At any event, Mr. President, we have two of the Nation's largest newspapers failing to report what the people have the right to know.

Mr. President, I have no desire to censure the press, but I would like to occasionally see fair and objective reporting of the news.

It would be shocking but refreshing.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on April 11, 1970 the President had approved and signed the act (S. 227) to provide for loans to Indian tribes and tribal corporations, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. HOLLINGS) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Labor and Public Welfare.

(For nominations received today, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 16900. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1971, and for other purposes; and

H.R. 16915. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on Appropriations:

H.R. 16900. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1971, and for other purposes; and

H.R. 16915. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. ALLEN):

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on Commerce:

"HOUSE CONCURRENT RESOLUTION No. 1084

"A CONCURRENT RESOLUTION MEMORALIZING THE CONGRESS OF THE UNITED STATES TO AMEND THE UNIFORM TIME ACT OF 1966

"*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Legislature of the state of Kansas respectfully petitions the Congress of the United States to amend the Uniform Time Act of 1966 to provide that observance to daylight saving time in the United States shall be limited to the period in each year between Memorial Day and Labor Day of such year.

"*Be it further resolved:* That a duly attested copy of this resolution be immediately transmitted by the Secretary of State to the Secretary of the Senate of the United States, the clerk of the House of Representatives of the United States and to each member of the Congress from this state.

"I hereby certify that the above Concurrent Resolution originated in the House, and was adopted by that body February 25, 1970

"CALVIN A. STRAWIG,
"*Speaker of the House.*
"L. O. HAZEN,
"*Chief Clerk of the House.*"

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on Foreign Relations:

"HOUSE CONCURRENT RESOLUTION NO. 1111

"A Concurrent Resolution memorializing the Congress of the United States to direct the Department of State to undertake a more determined effort to obtain the release of names of prisoners now held; to effect the immediate release of sick and wounded prisoners; to achieve impartial inspections of prisoner of war facilities; to assure proper treatment of all prisoners; to facilitate the regular flow of mail; to obtain the release and freedom from captivity of those American men of this "undeclared" war with North Vietnam

"Whereas, Article VI of the United States Constitution specifically states that provisions of treaties ratified by the United States Government become the 'supreme law of the land'; and

"Whereas, Notwithstanding solemn promises ratified at the international conference at Geneva that all prisoners of war captured would be given the respect of humane treatment; that Article 2 of the convention provides that it 'shall apply to all cases of declared war or any other armed conflict which may arise between two or more of the High Contracting parties, even if the state of war is not recognized by one of them'; and

"Whereas, The government of North Vietnam acceded to the convention on June 28, 1957, and the government of South Vietnam acceded to the convention on November 14, 1953, and the government of the United States acceded to the convention on August 2, 1955; no pretense of compliance has been advanced by North Vietnam or the National Liberation Front (Viet Cong) despite the reminder to do so on June 11, 1965, by M. Jacques Freymond, Vice President of the International Committee of the Red Cross; and

"Whereas, Repeated appeals on the part of wives, parents, relatives, and dependents of those unfortunate victims of Communist violence have proven ineffective through the United States Department of State; Now, therefore,

"*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Congress of the United States of America direct the Department of State to undertake a more determined effort to obtain the release of names of prisoners now held; to effect the immediate release of sick and wounded prisoners; to achieve impartial inspections of prisoner of war facilities; to assure proper treatment of all prisoners; to facilitate the regular flow of mail; and most importantly, to obtain the release and freedom from captivity of those American men of this 'undeclared war' with North Vietnam.

"*Be it further resolved:* That a duly attested copy of this resolution be immediately transmitted by the Secretary of State to the Honorable Richard M. Nixon, President of the United States, the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, each member of the Congress from this state.

"I hereby certify that the above Concurrent Resolution originated in the HOUSE, and was adopted by that body March 9, 1970.

"House concurred in Senate amendments March 14, 1970.

"CALVIN A. STRAWIG,
"*Speaker of the House.*
"L. O. HAZEN,
"*Chief Clerk of the House.*"

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on the Judiciary:

"HOUSE CONCURRENT RESOLUTION No. 1081

"A Concurrent Resolution rescinding the action of the legislature of the state of Kansas memorializing congress to call conventions for the purpose of proposing amendments to the Constitution of the United States

"Whereas, The legislature in adopting senate concurrent resolution No. 4 on January 31, 1963, memorialized congress to call a convention for the purpose of amending the Constitution of the United States in regard to restricting or limiting any state in the apportionment of representation in its legislature and in regard to the prevention of the judicial power of the United States extending to any suit in law or equity to any controversy relating to apportionment of representation in the state legislature, and such resolution is now moot in that the house of representatives and senate of the legislature of the state of Kansas have already been apportioned since the adoption of such resolution, and the senate and house of representatives of the legislature of the state of Kansas are preparing to reapportion in the 1971 legislative session; and

"Whereas, The legislature of the state of Kansas in adopting senate concurrent resolution No. 3 on January 31, 1963, memorialized Congress to call a convention for the purpose of amending the Constitution of the United States to provide a change in the procedure for amending said Constitution and such amendment to the Constitution of the United States may be proposed without the necessity of calling a constitutional convention which might relegate to itself the power to rewrite the Constitution of the United States; and

"Whereas, The legislature of the state of Kansas in adopting senate concurrent resolution No. 23 on April 1, 1963, petitioned Congress to call a convention for proposing an amendment to the Constitution of the United States to provide for the election of the president and vice-president in a manner fair and just to the people of the United States, and such amendment to the United States Constitution could be proposed without the necessity of calling a constitutional convention which might relegate to itself the power to rewrite the United States Constitution, and

"Whereas, The legislature of the state of Kansas in adopting senate concurrent resolution No. 1 on January 27, 1965, applied to Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States in regard to allowing states which have a bicameral legislature to apportion the membership of one house of such legislature on factors other than population, and removing any restrictions or limitations on a state in its determination of how membership of governing bodies of its subordinate units shall be apportioned, and such amendment to the United States Constitution could be proposed without the necessity of calling a constitutional convention which might relegate to itself the power to rewrite the United States constitution: Now, therefore,

"Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature rescind its action on January 31, 1963, by which it adopted senate concurrent resolutions Nos. 3 and 4, and rescind its action of April 1, 1963, by which it adopted senate concurrent resolution No. 23 and rescind its action of January 27, 1965, by which it adopted senate concurrent resolution No. 1, and

"Be it further resolved, That duly attested copies of this resolution be immediately transmitted by the Secretary of State to the Secretary of the Senate of the United States, to the Clerk of the House of Representatives of the United States, to each member of the congress from this state, and to the legislatures of all other states of the United States.

"I hereby certify that the above Concurrent Resolution originated in the House, and was adopted by that body February 10, 1970.

"House concurred in Senate amendments March 12, 1970.

"CALVIN A. STRAWIG,
"Speaker of the House.
"L. O. HAZEN,
"Chief Clerk of the House."

A joint resolution of the General Assembly of the Commonwealth of Virginia; to the Committee on the Judiciary:

"HOUSE JOINT RESOLUTION No. 81

"Memorializing the Congress to submit to the states an amendment to the Constitution of the United States.

"Whereas, taxes by the United States Government on the interest on evidences of indebtedness of states, their political subdivisions, and the agencies and instrumentalities thereof, impose a burden on the sovereign power of the states, and their political subdivision, agencies and instrumentalities to borrow money for essential state and local purposes; and

"Whereas, the constantly recurring attempts of Congress and the Treasury Department of the United States to tax the interest on such evidences of indebtedness has severely damaged the ability of the states and their political subdivisions, agencies and instrumentalities to borrow money, and has substantially increased the cost of such borrowings to the detriment of the taxpayers of the states and their political subdivisions, agencies and instrumentalities; and

"Whereas such recurring attempts to tax the interest on such evidences of indebtedness flout the Constitutional principle of reciprocal inter-governmental tax immunity first enunciated by the Supreme Court of the United States in McCulloch v. Maryland (4 Wheat 316) in the year 1819 and more specifically applied by that Court in Pollack v. Farmers' Loan & Trust Co. (157 U.S. 429) and later cases; and

"Whereas, it is advisable and in the best interest of the states to prevent future attempts to tax the interest on such evidences of indebtedness by amending the Constitution of the United States to unequivocally state the principle of reciprocal inter-governmental tax immunity in respect of taxes on the interest on such evidences of indebtedness and thereby restore investor confidence to the market for such evidences of indebtedness and, consequently, reduce the cost of borrowing by the states and their political subdivisions, agencies and instrumentalities; now, therefore, be it

"Resolved, by the House of Delegates, the Senate concurring, That the Congress of the United States is hereby memorialized to submit to the legislatures of the states an amendment to the Constitution of the United States in the following form, which amendment is hereby ratified as an amendment to the Constitution of the United States on behalf of the State of Virginia, by this Joint Resolution, to wit:

" 'Without the consent of a state, Congress shall have no power to lay and collect any tax, direct or indirect, upon the income derived from interest paid on evidences of indebtedness of such state, or of any political subdivision, agency or instrumentality thereof, nor shall any state have power, without the consent of Congress, to lay and collect any tax, direct or indirect, upon the income derived from interest paid on obligations of the United States or of any agency or instrumentality thereof'; and be it further

"Resolved, That a duly attested copy of this Joint Resolution shall be immediately transmitted by the Clerk of the House of Delegates to both the President and Secretary of the Senate of the United States and to the Speaker and Clerk of the House of Representatives of the United States.

"Agreed to by the House of Delegates March 9, 1970.

"GEORGE R. RICH,
"Clerk.

"Agreed to by the Senate March 14, 1970.

"BEN D. LACY,
"Clerk."

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, with an amendment:

S. 3544. A bill to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations and provide for the uniform compensation of Assistant Directors (Rept. No. 91–766).

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS:

S. 3711. A bill to provide a national health insurance program by extending the benefits, enlarging the coverage, expanding the role of private carriers, and otherwise improving the health insurance program established by title XVIII of the Social Security Act, and by establishing a new title XX to such act to provide comparable health insurance benefits to individuals not covered therefor under the program established by such title XVIII, by providing Federal assistance to develop local comprehensive health service systems, and authorizing the establishment of federally chartered national health insurance corporations; to the Committee on Finance.

(The remarks of Mr. JAVITS when he introduced the bill appear earlier in the RECORD under the appropriate heading.)

By Mr. MATHIAS:

S. 3712. A bill for the relief of the city of Frederick, Md.; to the Committee on the Judiciary.

S. 3713. A bill to authorize the District of Columbia Government to undertake the planning, construction and operation of a supplemental water-supply intake in the fresh-water tidal estuary of the Potomac River, and for other purposes; to the Committee on the District of Columbia.

(The remarks of Mr. MATHIAS when he introduced the last bill appear later in the RECORD under the appropriate heading.)

By Mr. CRANSTON:

S. 3714. A bill for the relief of Cindeline Dawn Dillon; to the Committee on the Judiciary.

By Mr. BROOKE:

S. 3715. A bill to authorize the President, subject to congressional disapproval, to raise or lower income tax rates by not more than 10 percent; to the Committee on Finance.

S. 3716. A bill for the relief of Bridget Hanna; to the Committee on the Judiciary.

(The remarks of Mr. BROOKE when he introduced the first bill appear later in the RECORD under the appropriate heading.)

By Mr. BURDICK:

S. 3717. A bill to amend the Internal Revenue Code of 1954 to provide for the continuation of the investment tax credit for small businesses, and for other purposes; to the Committee on Finance.

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S. 3713—INTRODUCTION OF A BILL RELATING TO A SUPPLEMENTAL WATER-SUPPLY INTAKE IN THE FRESH-WATER TIDAL ESTUARY OF THE POTOMAC RIVER

Mr. MATHIAS. Mr. President, today I am introducing S. 3713, to authorize the planning, construction, and operation of a supplemental water supply intake in the fresh water tidal estuary of the Potomac River.

Enactment of this legislation now is important to insure that the District of Columbia has an adequate supply of water during those summer periods when the flow of the Potomac is low.

Last summer we faced a water shortage that would have been critical had the July rains not descended upon us. In anticipation of that emergency, the Army Corps of Engineers was preparing to float barges up the Potomac River to a point just below Little Falls to pump water out of the estuary into the city's water supply system.

The bill I am introducing today would forestall such makeshift responses to critical situations by enabling the District of Columbia to construct a permanent intake facility. There would then be no more water crises in times of low flow.

Last year both the Committee on the District of Columbia and the Committee on Public Works of the Senate examined the Washington water situation very carefully. At that time we received abundant testimony from all quarters that the upper estuary could be used as a source of supplemental water supply for the District. The only disagreement was on how much water could be taken out during periods of low flow in the river without drawing on water of unreliable quality. The most conservative estimate, presented by the Corps of Engineers, was 50 millions gallons a day for 60 days—more than would be required to meet anticipated shortages for years to come. Other competent witnesses testified that the potable water resources of the estuary are unlimited. Several extensive studies are now being conducted which will give us hard information about the safe limits of estuarial use.

The performance of the Blue Plains treatment plant is a critical factor in improving the quality of the water in the upper estuary. I am very encouraged by the research now under way by the Federal Water Pollution Control Administration and the District of Columbia Government at Blue Plains, and by the plans recently announced for dramatic upgrading of Blue Plains. This will be an expensive task but its rapid completion is essential.

In testimony before the Committee on Public Works, I urged that several steps be taken promptly to cope effectively with the immediate and long-range water situation confronting Washington. This legislation today is designed to implement one of those steps: Immediate completion of the emergency pumping facilities proposed by the corps for taking limited amounts of fresh water from the upper Potomac estuary near Chain Bridge.

Mr. President, construction of a permanent intake facility is the appropriate way to solve Washington's seasonal water shortage problem.

It is the most inexpensive way to solve the problem. By 1968 prices, construction of a two-unit intake facility—each unit with a capacity of 200 million gallons a day—was estimated to cost $5 million. This facility would be enough to provide a safe margin of water supply until 1990, when another two-unit facility could be constructed.

It is also the way to insure that the Potomac Basin is kept in its natural state, unimpaired by Army Corps of Engineer dams on the main stem of the river. For, in the last analysis, the major rationale for a large number of Army-type dams is to increase the flow of the water down the Potomac River in order to increase the water available for consumption in the Washington area.

It has been asserted that all the purported advantages of the Army dams can be accomplished much more efficiently in other ways:

Washington's water supply can be assured by the estuarial intake.

Local water supply needs can be assured by the construction of small headwater, Soil Conservation Service type dams which do not mean big drawdowns during midsummer, high recreation use months.

Water recreation for residents of the Washington area can be provided by cleaning up the estuary and making it usable for both swimming and boating. Water recreation for residents in other parts of the basin can be provided in connection with the headwater dams or on the flatwater sections of the Potomac River.

Improved water quality can ultimately be assured by elimination of pollution at its source, upstream and downstream. The old time method of flushing pollution downstream and out to sea is—everyone agrees now—no longer acceptable.

Any problem of flooding can be adequately handled by the construction of small headwater dams and other local impoundment structures in areas where flooding is a problem. Flooding is not a serious problem in all parts of the basin.

These arguments must be fully considered. I intend to work with Federal, State, and local officials in the basin to examine such alternatives and develop ways to meet the region's needs at lowest cost and with the least environmental damage.

Perhaps the most telling argument for construction of the estuarial intake facility is money.

The corps estimated last summer that it would cost $1 million to install and operate the emergency barge intake system to cope with last summer's drought. For an estimated $5 million we could construct a facility that would be available year in and year out to meet water shortage crises—and it would not take a last minute rush to get it set up. Furthermore, the corps estimates of the cost of constructing enough dams on the Potomac and its tributaries to meet future needs without using any other tools range between $300 and $500 million. The several hundred million dollars that could be saved in the long run by relying on the estuary for Washington's supplemental water supply needs could be put to great advantage in helping to improve the quality of the water in the estuary.

We are approaching the day when the total recycling of water will be a common practice in this country. It is already feasible and used in some areas. While success in using the estuary as a supplemental source of water for Washington is not dependent upon a system of recycling water, it would certainly be compatible with such a system should it be developed for this area. Construction of upstream Army-type dams would not be. Thus, the investment in the program I am proposing today is an investment that looks toward the future while meeting present-day needs.

The PRESIDING OFFICER (Mr. HOLLINGS). The bill will be received and appropriately referred.

The bill (S. 3713) to authorize the District of Columbia government to undertake the planning, construction and operation of a supplemental water supply intake in the fresh water tidal estuary of the Potomac River, and for other purposes; introduced by Mr. MATHIAS, was received, read twice by its title, and referred to the Committee on the District of Columbia.

S. 3715—INTRODUCTION OF FLEXIBLE FISCAL POLICY ACT

Mr. BROOKE. Mr. President, the severe strains on the Nation's economy have lingered now for many months. The administrations' commendable efforts to curb inflation and to bring the country back to economic stability have encountered great difficulty. It is not yet clear how soon or how effectively the stern economic medicine of recent months will succeed in this essential task.

Yet one thing is all too clear. The United States has fought the war against inflation with primitive and inadequate weapons. The measures to cool the economy came much too late; every reputable economist agrees now—and agreed years ago—that efforts to head off inflation should have begun no later than 1965 or 1966, when the vast expansion of the Vietnam war fueled the damaging surge through which we are still passing. The tragic consequences of the failure to maintain stability while it was still possible to do so will be compounded if the Nation and the Congress do not reap the central lesson of this bitter experience. It is not possible to undo all the damage that has been done. But it is imperative, I submit, that such an episode not be repeated.

It is my conviction, stated many times before, that one of our most severe handicaps in combating inflationary or deflationary impulses is the rigidity of our tax structure. The long and complex procedures for changing tax rates have virtually removed from our fiscal arsenal the option of rational and timely tax adjustments as a means of regulating

XUM

dangerous economic trends. Certainly expenditure control is vital and monetary policy has a crucial role to play, but without a more adaptable tax policy those important instruments bear an inordinate burden. Under such circumstances they engender grave distortions of their own, as we have seen in the current disaster which afflicts the Nation's housing market. There is no reason to persist in this error.

A variety of methods might be considered to remedy this serious defect in our economic machinery. It should be evident that any plan should fully respect the constitutional requirement vesting in the Congress responsibility and authority to raise revenue.

I am today introducing the Flexible Fiscal Policy Act which meets this test and which will also serve the vital interest which I have described. The simple purpose of this legislation, recognizing that economic stability and optimal employment levels require improved procedures for timely adjustments in tax rates, is to mesh executive and legislative responsibilities more constructively.

Under this proposal, when the President determines that inflationary or deflationary trends threaten the economy, he may submit to the Congress a tax adjustment plan proposing that income tax rates be raised or lowered by up to 10 percent. Such a plan would take effect only if neither House of Congress passes a resolution disapproving it within 60 days. This concept is quite similar to that followed in the case of reorganization plans. Any such resolution of disapproval would be highly privileged and there would be clear opportunity for the Congress to reject any tax adjustment plan which did not meet with the approval of both Houses. Furthermore, the bill retains full legislative authority to terminate any such plan at any time.

This bill provides a straightforward mechanism for prompt and rational changes in fiscal policy. It will equip the Nation's policymakers with an option which could have forestalled the disastrous inflation we are currently experiencing. We all recall the tardiness with which the recent surtax was recommended and the unfortunate delays in final enactment of the temporary tax change.

We may argue endlessly about the exact effects of the surcharge finally adopted, but few can disagree that it would have been far more effective if implemented much earlier. In my opinion, the President should have followed the advice of the Joint Economic Committee to seek authority for such an increase months before he finally acted. However, it is understandable that the Chief Executive may have been intimidated both by the political implications of requesting a tax increase and by the formidable obstacles to achieving congressional concurrence.

I believe that had the system proposed in the Flexible Fiscal Policy Act existed in 1965 it would have facilitated more responsible action by both the executive and legislative branches. The President might have been encouraged to act on sound economic principles by recommending a tax increase to cover the increased costs of the Vietnam war and the Congress would have been enabled to consider this crucial proposal in an accelerated manner.

Similarly, in periods of recession, both the President and the Congress would be enabled to cut taxes quickly if that were determined to be a helpful means of stimulating demand in the private sector. This modest device is not a panacea for the troubles of our complicated economy. It is merely one tool for improving our capacity to harness that economy in the interests of all our people.

American citizens have a right to expect that our political leaders will find means of making our Constitution responsive to the requirements of modern times. I believe this proposal contributes to that goal. Integrated with appropriate expenditure controls and adaptive monetary policy, more vigorous and flexible application of the revenue power will advance the cause of rational management of our free-enterprise system.

I hope that this proposal will generate a wide consensus in the Congress and in the country. With such a consensus I am confident we can devise the innovations which will insure greater economic security for every American.

I ask unanimous consent that the text of the bill be printed at this point in the Record.

The PRESIDING OFFICER (Mr. Cranston). The bill will be received and appropriately referred; and without objection, the bill will be printed in the Record.

The bill (S. 3715) to authorize the President, subject to congressional disapproval, to raise or lower income tax rates by not more than 10 percent, introduced by Mr. Brooke, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 3715

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. Short Title.

This Act may be cited as the "Flexible Fiscal Policy Act."

Sec. 2. Adjustment of Income Tax Rates.

(a) In General.—Subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to determination of tax liability) is amended by adding at the end thereof the following new part:

"PART VII—TAX ADJUSTMENT PLANS

"Sec. 59a. Findings and policy.
"Sec. 59b. Tax adjustment plans.
"Sec. 59c. Contents and duration of tax adjustment plan.
"Sec. 59d. Miscellaneous provisions.

"Sec. 59a. Findings and Policy.

"(a) Findings.—The Congress finds that the achievement of reasonable economic stability and optimal levels of employment requires a flexible fiscal policy responsive to changing conditions. The Congress further finds that, within the limitations and for the purposes set forth in this part, such a policy requires an improved procedure to make timely adjustments in the rates of income taxes.

"(b) Policy.—The President shall exercise the authority conferred by this part solely for the purpose of stabilizing the national economy in order (1) to achieve the policy set forth in section 2 of the Employment Act of 1946, (2) to maintain the purchasing power of the dollar, or (3) to maintain the stability of the monetary system.

"Sec. 59b. Tax Adjustment Plans.

"(a) Preparation and Submission to Congress.—When the President determines that an adjustment in the rates of the taxes imposed by this chapter is necessary to accomplish one or more of the purposes stated in section 59a, he shall prepare a tax adjustment plan and transmit the plan (bearing an identification number) to the Congress.

"(b) How submitted.—The President shall have a tax adjustment plan delivered to both Houses on the same day and to each House while it is in session. In his message transmitting a tax adjustment plan, the President shall specify the reasons for submitting the plan to the Congress.

"(c) Disapproval by Either House of the Congress.—A tax adjustment plan shall take effect at the end of sixty calendar days after the date on which the plan is transmitted to the Congress unless, between the date of transmittal and the end of the sixty-day period, either House of the Congress passes a resolution stating in substance that such House disapproves the tax adjustment plan.

"(d) Publication.—Any proposed tax adjustment plan shall be printed in the Federal Register, and any tax adjustment plan which takes effect shall be printed in the Statutes at Large in the same volume as the public laws.

"Sec. 59c. Contents and Duration of Tax Adjustment Plan.

"(a) In General.—A tax adjustment plan submitted to the Congress under section 59b shall—

"(1) specify a plus or minus tax adjustment percentage,

"(2) specify its effective date (which may be on, or after the date on which the plan is submitted to the Congress),

"(3) specify the termination date for the change in tax rates or provide that the change made by the plan shall remain in effect until a termination date is provided by law or by later tax adjustment plan,

"(4) prescribe tables which shall apply, in lieu of the tables contained in section 3402 (relating to income tax collected at source), with respect to wages paid during the period specified in the plan, and

"(5) contain such other provisions as the President determines are necessary to carry out the purposes of this part of the plan.

"(b) Special Provisions.—A tax adjustment plan may—

"(1) provide tables specifying the amount of additional tax imposed within specified adjusted tax brackets,

"(2) exempt taxpayers whose adjusted tax does not exceed the amount specified in the plan from any increase in tax provided by the plan,

"(3) provide that any decrease in tax provided by the plan shall not apply in the case of taxpayers whose adjusted tax exceeds the amount specified in the plan, and

"(4) specify different tax adjustment percentages (plus or minus) for different taxable years or other periods specified in the plan.

"(c) Duration.—A tax adjustment plan which has taken effect shall continue in effect until:

"(1) The date (if any) specified in the plan for its termination;

"(2) The date specified in a new tax adjustment plan which takes effect as provided by section 59b; or

"(3) The date provided by law enacted after the date on which the plan was submitted to the Congress.

"(d) Definitions.—For purposes of this section—

"(1) Tax adjustment percentage.—The term 'tax adjustment percentage' means the

XUM

percentage, not greater than 10 percent, specified in a tax adjustment plan as the percentage by which the adjusted tax for any taxable year is to be increased or decreased under the plan.

"(2) ADJUSTED TAX.—The term 'adjusted tax' means, with respect to any taxable year, the tax imposed by this chapter for such taxable year, determined without regard to—

"(A) the taxes imposed by this part, section 56 (relating to minimum tax), section 871 (a) (relating to tax on nonresident alien individuals), and section 881 (relating to tax on income of foreign corporations not connected with United States business); and

"(B) any increases in tax under section 47 (a) (relating to certain dispositions, etc., of section 38 property) or section 614 (c) (4) (C) (relating to increase in tax for deductions under section 615 (a) prior to aggregation).

and reduced by an amount equal to the amount of any credit which would be allowable under section 37 (relating to retirement income) if no tax were imposed by this section for such taxable year.

"SEC. 59d. MISCELLANEOUS PROVISIONS.

"(a) SPECIAL RULE.—For purposes of this title, to the extent the tax imposed by this section is attributable (under regulations prescribed by the Secretary or his delegate) to a tax imposed by another section of this chapter, such tax shall be deemed to be imposed by such other section.

"(b) WESTERN HEMISPHERE TRADE CORPORATIONS AND DIVIDENDS ON CERTAIN PREFERRED STOCK.—In computing, for a taxable year of a corporation, the fraction described in—

"(1) section 244(a)(2), relating to deduction with respect to dividends received on the preferred stock of a public utility.

"(2) section 247(a)(2), relating to deduction with respect to certain dividends paid by a public utility, or

"(3) section 922(2), relating to special deduction for Western Hemisphere trade corporations,

the denominator shall, under regulations prescribed by the Secretary or his delegate, be increased or decreased to reflect the tax adjustment percentage.

"(c) SHAREHOLDERS OF REGULATED INVESTMENT COMPANIES.—In computing the amount of tax deemed paid under section 852(b)(3)(D)(ii) and the adjustment to basis described in section 852(b)(3)(D)(iii), the percentages set forth therein shall be adjusted under regulations prescribed by the Secretary or his delegate to reflect the tax adjustment percentage."

(b) TECHNICAL AND CLERICAL AMENDMENTS.—

(1) Section 21(a) of the Internal Revenue Code of 1954 (relating to effect of changes in tax rates during taxable year) is amended by adding immediately below paragraph (2) thereof the following new sentence: "If the amount of tax imposed by this chapter is increased or decreased under part VII (relating to tax adjustment plans) such increase or decrease shall be deemed a change in the rate of tax of such tax for purposes of this subsection."

(2) The table of parts for subchapter A of chapter 1 of such Code is amended by adding below the last item thereof the following:

"Part VII. Tax adjustment plans."

SEC. 3. EXERCISE OF CONGRESSIONAL RULE-MAKING POWER

(a) The following subsections of this section are enacted by the Congress:

(1) As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in subsection (b); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

(b) As used in this section, the term "resolution" means only a resolution of either of the two Houses of Congress, the matter after the resolving clause of which is as follows:

"That the ____________________ disapproves the Tax Adjustment Plan transmitted to the Congress by the President on ______________, 19____.",

the first blank space therein being filled with the name of the resolving House and the other blank spaces therein being appropriately filled.

(c) All resolutions with respect to a tax adjustment plan introduced in the Senate shall be referred by the President of the Senate to the Committee on Finance, and all resolutions with respect to a tax adjustment plan introduced in the House of Representatives shall be referred by the Speaker of the House to the Committee on Ways and Means.

(d) (1) If the committee to which has been referred a resolution with respect to a tax adjustment plan has not reported it before the expiration of ten calendar days after its introduction, it shall then (but not before) be in order to move either to discharge the committee from further consideration of such resolution, or to discharge the committee from further consideration of any other resolution with respect to such tax adjustment plan which has been referred to the committee.

(2) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same tax adjustment plan), and debate thereon shall be limited to not to exceed one hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(3) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same tax adjustment plan.

(e) (1) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to a tax adjustment plan, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(2) Debate on the resolution shall be limited to not to exceed ten hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

(f) (1) All motions to postpone, made with respect to the discharge from committee or the consideration of a resolution with respect to a tax adjustment plan, and all motions to proceed to the consideration of other business, shall be decided without debate.

(2) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a tax adjustment plan shall be decided without debate.

SENATE CONCURRENT RESOLUTION 60—SUBMISSION OF A CONCURRENT RESOLUTION COMMEMORATING THE 100TH ANNIVERSARY OF THE OHIO STATE UNIVERSITY

Mr. SAXBE. Mr. President, in 1862, President Lincoln signed the Land-Grant Act which opened the door of educational opportunity to young men and women from all walks of life.

In 1970, the centennial year of the Ohio State University, the people of Ohio salute with pride their land-grant university for the many contributions it has made to the lives of people during its first 100 years.

Under the leadership of Dr. Novice G. Fawcett, president since 1956, the university has become one of the major centers of higher education in the world. In partnership with trustees, faculty, governmental officials, alumni, and friends of the university, President Fawcett has been instrumental in the development of Ohio State's comprehensive program of teaching, research, and public service.

Ohio State's program attracts students from every county in Ohio, every State in the Nation, and from 87 countries of the world. Enrollment in this centennial year will reach 50,000 students. The number of living graduates will reach 150,000 as Ohio State annually adds new alumni to serve in all the major fields of business and professional endeavor.

The university is a major resource for the future progress and well being of the people of Ohio and of the Nation. To help insure that the full benefits of this great resource are available to the people, Ohio State has undertaken a centennial development fund. The fund is designed to make possible, through private gifts, the extra measure of financial support which can open the way to a new century of unprecedented service.

For its record of accomplishment during its first century; for its great potential for future contributions; for its able faculty and staff and its distinguished president, Dr. Novice G. Fawcett, the Ohio State University merits the commendation and support of the people of Ohio and of the Nation.

I submit a concurrent resolution commemorating the 100th anniversary of the Ohio State University.

The PRESIDING OFFICER (Mr. BELLMON). The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 60), which reads as follows, was referred to the Committee on the Judiciary:

S. CON. RES. 60

Resolved by the Senate (the House of Representatives concurring), That the Congress send congratulations and greetings to the Ohio State University on the occasion of the one hundredth anniversary of its founding, and extends the hope of the people of the

XUM

United States that the State University will continue to grow and prosper in centuries yet to come.

SENATE RESOLUTION 388—SUBMISSION OF A RESOLUTION RELATIVE TO THE MISSION AND SAFETY OF THE APOLLO 13 ASTRONAUTS

Mr. MURPHY (for himself and other Senators) submitted a resolution (S. Res. 388) relative to the mission and safety of the Apollo 13 astronauts, which was considered and, by unaninous consent, agreed to.

(The remarks of Mr. MURPHY when he submitted the resolution, and the ensuing debate, appear earlier in the RECORD under the appropriate heading.)

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, April 14, 1970, he presented to the President of the United States the enrolled bill (S. 3690) to increase the pay of Federal employees.

NOTICE OF HEARINGS ON DRUGS

Mr. NELSON. Mr. President, on behalf of the senior Senator from Texas (Mr. YARBOROUGH), I wish to announce that the Health Subcommittee of the Senate Committee on Labor and Public Welfare will hold 2 days of hearings on April 28 and 29, 1970, on the following bills: S. 3096 and S. 3297, regarding prescription drug identification programs; S. 3651, regarding the inspection of firms manufacturing prescription drugs; and S. 3652, regarding the labeling of prescription drug containers.

ADDITIONAL STATEMENTS OF SENATORS

DEFENSE DEPARTMENT INVADES THOUGHTS AND PRIVACY OF ITS CIVIL SERVANTS

Mr. ERVIN. Mr. President, in addition to keeping files on the way in which other American citizens exercise their first amendment rights, the Defense Department frequently undertakes to monitor the thoughts, habits, and personal lives of the people who work for it.

The Constitutional Rights Subcommittee studies over the last 9 years show that some, or all, of the Defense agencies attempt to obtain such information through privacy-invading interviews, questionnaires, lie detectors, and personality tests. Other management techniques have been used to stifle free expression of the individual's opinions and to intimidate him beyond the bounds of the employer-employee relation. Telephone monitoring, better known as wiretapping, psychiatric evaluations, and suspension of security clearances are such techniques. Other Federal agencies share in this indictment, though perhaps to a lesser degree.

It was for this reason that I introduced S. 782, a bill of rights for employees of the executive branch. The bill now has 56 cosponsors, an impressive showing of the determination of Senators on both sides of the aisle that they mean to put an end to violations of the constitutional rights of Federal employees. It passed the Senate in the last Congress with the approval of 90 Senators. Although it then died in the House committee, I believe its prospects for passage are now much more favorable.

While it will not cure all the maladies in the executive departments and agencies, this proposal will halt some of the tyrannies practiced by Federal agencies and prevent some of the follies to which many Americans are subjected simply because they work for Government and thus are a captive audience.

Two of the latest examples of what these citizens must endure recently came to the attention of the Constitutional Rights Subcommittee. The first is a questionnaire to determine the political attitudes of civil servants. Distributed by an Army deputy civilian personnel officer, this form asks such questions as the following:

How old are you?

What is your race?

When did you last vote in a local election?

When did you last vote in a presidential election?

Are you a registered member of any political party?

With the views of which party do you most usually agree? American Independent? Democratic? Republican? Other? No party?

Have you ever actively campaigned for any candidate or worked for a political party?

Have you ever contributed money to a political party or candidate?

I think the best form of city government is: City manager/council. Strong mayor/council. No opinion.

I feel that local school boards ought to be: Politically responsive. Above politics.

I believe that elections for offices such as city councilman ought to be: Partisan. Nonpartisan. It makes no difference.

I believe the political rights of civil servants ought to be: Limited. The same as any citizen.

In order to have the best chances for advancement, I believe the career military officer should: Become involved in party politics. Get a politician to "sponsor" him, but avoid political commitment himself. Keep out of any political involvement.

Civil servants know more about the real world of politics than do military officers.

Military officers are at a disadvantage in dealing with civil servants because the latter understand politics better.

Foreign service officers are more politically sophisticated than civil servants.

"Block" voting by members of minority groups is a thing of the past.

"Pressure groups" perform no legitimate function.

Recipients honored with this 50-question form are reassured that their reply is anonymous. The project is, they are told, conducted in the Army staff as part of a larger research project encompassing several military installations. In addition, the results will be part of the basic research required for an advanced degree of a former Army staff officer. The civilian personnel officer then continues, "I urge you to complete and mail the questionnaire ASAP," which we presume means "as soon as possible."

Nowhere is the recipient accorded the courtesy of being informed that his participation is voluntary, that he is under no obligation to reply. Rather, since this comes from his personnel officer who holds a life-death power over his job and who "urges" him to respond, the employee must assume he has little choice unless he wants to get on a blacklist. This former Army staff officer is most likely to report a lack of cooperation.

Mr. President, I submit that it is very probable that the Chief Executive and his political appointees are interested in the past and present political beliefs and activities of civil servants. Indeed, it is to the interest of the administration to support any research at any level which might predict how Federal employees will vote in any election, and how they feel about their boss.

I venture a guess that, if the military continue to support this sort of research, they will be given a vivid demonstration of employee political "attitudes" at the ballot boxes.

Mr. John Cramer, writing about this survey in his Washington Daily News column, offers the following sound advice to employees:

> Mail the questionnaire as directed. Just don't bother to fill it out.

I offer some advice to managers and personnel officers faced with decisions involving research on the personalities or the persons of their employees:

> Forget it. You have more immediate duties at hand: Managing the U.S. Government, while maintaining the morale and respecting the right of employees who work for you.

Mr. President, I ask unanimous consent that the entire text of the questionnaire be printed at this point in the RECORD.

There being no objection, the questionnaire was ordered to be printed in the RECORD, as follows:

> The inclosed survey is being conducted in the Army Staff as part of a larger research project encompassing several military organizations. The results will become part of the basic research required for an advanced degree of a former Army Staff officer.
>
> You have been selected to complete the questionnaire because you represent part of the desired cross section of grade and functional specialty. You will note anonymity is desired. I urge you to complete and mail the questionnaire ASAP.
>
> To mail simply fold top to bottom and staple. Address and stamp are then in the appropriate position for handling by U.S. Postal Personnel.
>
> ROBERT L. MOUSEL,
> *Deputy Civilian Personnel Officer.*

SURVEY

> You are being asked to complete this questionnaire as part of a study being conducted of group attitudes and opinions on certain political matters. Three distinct and separate groups are being surveyed. Your group is part of one of the larger groups.
>
> The questionnaire is divided into six parts; it contains a total of 50 questions. Please

XUM

read the directions at the beginning of each part. As you complete each part go directly to the next part. Please answer all questions. There is no time limit.

Please do not put your name anywhere on the survey form.

Now, please turn the page and begin.

PART 1.—The questions in this part are designed to gather statistical data about the people who complete this questionnaire. Please circle the letter in front of the word or phrase which most nearly answers the question as it pertains to you.

1. How old are you? A. Less than 25. B. 25 to 30. C. 30 to 35. D. 35 to 40. E. Over 40.

2. What is your education? A. Less than high school. B. High school graduate. C. Two years college. D. Bachelors Degree. E. Masters Degree. F. Doctors Degree.

3. What is your race? A. Caucasian, B. Malayan. C. Negroid. D. Oriental. E. Other.

4. What is your yearly income? A. Less than $10,000. B. $10,000 to $14,000. C. $14,000 to $18,000. D. More than $18,000.

5. How would you classify the place in which you grew up? A. Rural. B. Small town. C. Small city. D. Medium city. E. Large city.

6. What do you consider to be your geographical background? A. Eastern. B. Southern. C. Midwestern. D. Western. E. Pacific Coast.

7. Are you a registered voter? A. Yes. B. No.

8. Are you a registered member of any political party? A. Yes. B. No.

9. When did you last vote in a local election? A. 1969. B. 1968. C. 1967. D. Other. E. Never.

10. When did you last vote in a Presidential election? A. 1968. B. 1964. C. 1960. D. Other. E. Never.

11. With the views of which party do you most usually agree? A. American Independent. B. Democratic. C. Republican. D. Other. E. No party.

12. Have you ever contributed money to a political party or candidate? A. Yes. B. No.

13. Have you ever actively campaigned for any candidate or worked for a political party? A. Yes. B. No.

14. Have you ever run for public office? A. Yes. B. No.

PART II.—The questions in this part are also designed to get statistical information, but require you to write a one-or-two word response. Please fill in the blanks below. If you do not know the answer, or if none is appropriate, please write "unknown" or "none."

15. What do you do for a living?

- -

16. In what congressional district do you now live?

- -

17. What is the name of the congressman from that district?

- -

18. What is your state of legal residence?

- -

19. What is your congressman's name?

- -

20. What is the name of the Attorney General of your home state?

- -

PART III.—The questions in this part are designed to obtain some information about your opinions on certain political matters. Please circle the letter in front of the word or phrase which most nearly answers the question as it pertains to you.

21. Of the three alternatives, I believe it is most important for government to be: A. Responsive. B. Efficient. C. Fair.

22. I think the best form of city government is: A. City manager/council. B. Strong mayor/council. C. No opinion.

23. The major defect of the city manager/council form of local administration is: A. It puts too much power in the hands of an individual not elected by the voters. B. Dynamic leadership, progress, and innovation occur less than in other forms: the city tends to stagnate. C. The city manager may step beyond the limits of administration and enter the area of policy. D. An incompetent manager is hard to fire.

24. County governments tend to provide better services to residents when: A. Department heads are professional public administrators who are hired. B. Department heads are elected directly by the voters. C. Department heads are appointed by elected officials. D. It doesn't matter.

25. I feel that local school boards ought to be: A. Politically responsive. B. Above politics.

26. I feel that elections for mayor and similar positions ought to be: A. Partisan. B. Non-partisan. C. It makes no difference.

27. I believe that elections for offices such as city councilman ought to be: A. Partisan. B. Non-partisan. C. It makes no difference.

28. I believe the political rights of civil servants ought to be: A. Limited. B. The same as any citizen.

29. I believe the political rights of military officers ought to be: A. Limited. B. The same as any citizen.

30. In order to have the best chances for advancement, I believe the career military officer should: A. Become involved in party politics. B. Get a politician to "sponsor" him, but avoid political commitment himself. C. Keep out of any political involvement.

PART IV.—The questions in this part are designed to survey your opinions about some matters related to politics. Please indicate whether you agree or disagree with each of the following statements by circling the letter "A" for agree, or "D" for disagree to the right of each statement.

31. Civil servants perform more effectively at higher management positions than do politically appointed officers (A) (D).

32. Civil servants know more about the real world of politics than do career military officers (A) (D).

33. Military officers are at a disadvantage in dealing with civil servants because the latter understand politics better (A) (D).

34. Politicians often dupe or use career military officers because the latter are politically naive (A) (D).

35. Civil servants are more politically sophisticated than career military officers (A) (D).

36. Foreign service officers are more politically sophisticated than civil servants (A) (D).

37. Foreign service officers are more politically sophisticated than career military officers (A) (D).

38. Career military officers are too open and honest to deal effectively with politicians (A) (D).

PART V.—The next two questions are designed to learn what you think you would do under certain circumstances. Each question contains a hypothetical situation. Please indicate which alternative you feel you would take by circling the letter in front of the phrase which most nearly describes what you feel your actions would be in the situation described.

39. One of your hometown friends is elected to the Congress. You are assigned to the Washington, D.C. area. Would you: A. Tell your friend that because of his position and yours, the two of you should have no contact, in order to avoid even the appearance of political influence? B. See your friend socially. Introduce him to your friends, and introduce him to your supervisor? C. See your friend, but keep your friendship very, very quiet? D. Report the situation to your supervisor?

40. You have final authority to make a personal management decision affecting one of your subordinates. You haven't made up your mind, and your decision could go either way. You receive a telephone call personally from a member of Congress who says he would appreciate it if you would approve the action. Would you: A. Approve it? B. Disapprove it? C. Ask your supervisor what to do? D. Tell the Congressman politely that you would decide the case on its merits?

PART VI.—The questions in this part are designed to test your knowledge of the workings of our political system. Please indicate whether each statement is true or false by circling the letter "T" for true, or the letter "F" for false to the right of each statement.

41. Third or minor parties rarely affect National policy (T) (F)

42. All primary elections are partisan? (T) (F)

42. Membership in American political parties is based mainly upon social and economic class? (T) (F)

44. "Block" voting by members of minority groups is a thing of the past? (T) (F)

45. A member of the Congress who achieves great national prominence can likely do more for his home state or district than a relatively obscure member who has a committee chairmanship? (T) (F)

46. "Pressure groups" perform no legitimate functions? (T) (F)

47. In the operations of our National Government, the separation of executive, judicial, and legislative powers is carefully adhered to? (T) (F)

48. Centralization of party control is a distinguishing feature of American political parties? (T) (F)

49. The aims, policies, and directions of some bureaus of the Federal Government are set solely by the applicable committees of the Congress? (T) (F)

50. The open primary is the most common form of primary?(T) (F)

Mr. ERVIN. Mr. President, the second questionnaire, also sent to Army employees is a little closer to having a management purpose. This is to measure the effectiveness of certain aspects of the Department of the Army's sick leave provisions. It is not clear to me, however, how this management purpose will be achieved by asking an employee to state truthfully whether he would like to fire his boss.

Nor can it be expected that any sensible employee, informed by the commanding officer that he has been selected as part of the group to be surveyed, will provide frank and honest answers to such questions as these. At least, assurances of anonymity would not suffice to encourage my responses were I in their places.

In my job, I am paid: More than the work I am doing is really worth; about what the work I am doing is worth; less than the work I am doing is really worth.

In my office: We all think very highly of the boss; most of us respect the boss; most of us do not respect the boss; none of us think too much of the boss.

Off the job, I socialize: Mostly with people I know from work; about as much with people I know from work as with people I know from other places; mostly with people I know from places other than work.

Compared with other places you know about, is your office a good place to work: I would rather work here than any place else I know; I think it is about average; It is just average; I think it is below average.

Check the statement which best applies to you: I believe that, sooner or later, I am going to be promoted; I think I have a good chance of being promoted; I do not think I have much chance of being promoted; I am sure that I am not going to be promoted.

In dealing with me, my boss is: Always very fair; he plays it straight; usually fair; he always means well, anyway; sometimes unfair; in a pinch, he does what is good for him; usually unfair; he is out to get me if he can.

Pity the office with one respondent who dares to indicate that he thinks his boss is really a figurehead who only thinks he is in charge.

Again, the recipient was not told that this form was voluntary, and he was free to ignore it or not, as he saw fit:

As Mr. Cramer appropriately writes:

> It's an amateurish questionnaire which will measure little and produce less . . . an imposition on employees who have been asked (not ordered) to fill it out . . . and almost certainly a waste of whatever tax dollars the finance office spent in distributing and collecting.

Yet this form, although purportedly helpful to the Army, like the first, was apparently basically for the personal research needs of another Army officer engaged in graduate study.

Mr. President, I recognize the need for research to produce better management techniques. However, at a time when the strains on the Federal service are many, there is also a real need for creative thinking to produce management theories which rely on more than frivolous personality studies and behavior questionnaires.

I can perceive no reason why the Defense Department or any other agency should support governmental or private research which invades the privacy which employees possess as citizens. Certainly the need for the research and the relevancy of the questions to the purpose should be carefully reviewed at the highest level.

The least we can expect of Federal managers, whether civilian or military, is that they will demonstrate the basic commonsense as well as the courage to veto such obviously questionable research projects.

Mr. President, I ask unanimous consent that the text of the questionnaire, the perceptive articles on this subject, written by John Cramer, and published in the Washington Daily News of April 3 and 7, 1970; and my letter to the Secretary of Defense be printed at this point in the RECORD.

There being no objection, the questionnaire, letter, and articles were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE ARMY,
Washington, D.C., March 25, 1970.

Subject: Sick Leave.

1. References: a. CPC 2 dated 24 April 1969; b. CPP 60 dated July 1960.

2. In accordance with the above references, the attached questionnaire is designed to measure the effectiveness of certain aspects of the Department of the Army's sick leave provisions to determine what improvements in application are needed.

3. You have been selected as part of the group to be surveyed. Your frank and honest answers will contribute to the success of the task. Your answers will remain anonymous. Do not place your name on the questionnaire.

4. Instructions:

a. Fill in items 1–6 as indicated.

b. Questions 1–18 inclusive should be answered by placing an "X" in the appropriate blanks. Only one answer should be given for each question.

c. Questions 19, 20 and 21 may be answered in any way you choose.

d. Please complete and return the questionnaire by 6 April 1970. Tear off this letter before you forward the questionnaire so that your answers will remain anonymous.

M. E. RICHMOND,
Colonel, FC, Commanding.

SICK LEAVE QUESTIONNAIRE

To: CIVILIAN PERSONNEL OFFICE,
Room 302 Headquarters Bldg
Fort Lesley J. McNair.

Paygrade:______ Time in Grade:______
Male:______ Female:______
Length of employment with this organization:______
Length of civil service employment:______

1. Check the statement that best applies to you:
----(a) I'm the breadwinner in the family and I make enough money at this job to support us and enjoy most of the luxury items we want as well.
----(b) As breadwinner, I make enough money to support myself (or my family) with a little left over for luxuries.
----(c) As breadwinner, I don't make quite enough money to support myself (or my family) in this job.
----(d) As breadwinner, I cannot support myself (or my family) on what I make in this job.
----(e) I am not the principal breadwinner in our family but I have to work to help support us.
----(f) I am not the principal breadwinner in our family and I do not really have to work to support us.

2. Check the statement which best applies to you:
----(a) I am sure my boss cares about me.
----(b) I think my boss cares about me.
----(c) I don't think my boss cares about me.
----(d) I am sure my boss doesn't care about me.

3. In my job, I am paid:
----(a) More than the work I am doing is really worth.
----(b) About what the work I am doing is worth.
----(c) Less than the work I am doing is really worth.

4. In my office:
----(a) We all think very highly of the boss.
----(b) Most of us respect the boss.
----(c) Most of us do not respect the boss.
----(d) None of us think too much of the boss.

5. The people I work with:
----(a) Are congenial; we get along very well together.
----(b) Are all right; we get along about as well as could be expected.
----(c) Are only so-so; sometimes we don't get along too well.
----(d) Aren't much good; we don't get along at all.

6. Check the statement that best applies to you:
----(a) I do not hesitate to discuss job-related problems freely with my boss.
----(b) I usually hesitate a bit before bringing job-related problems to the attention of my boss.
----(c) I do not bring job-related problems to the attention of my boss unless I have to.
----(d) I never bring job-related problems to the attention of my boss under any circumstances.

7. Off the job, I socialize:
----(a) Mostly with people I know from work.
----(b) About as much with people I know from work as with people I know from other places.
----(c) Mostly with people I know from places other than work.

8. Check the statement which best applies to you:
----(a) My boss keeps me well-informed about what is going on in our organization without my having to ask.
----(b) My boss usually keeps me informed about what is going on in our organization; if I want to know something special, I can find out by asking him.
----(c) My boss seldom tells me what is going on in our organization; he doesn't like me to ask questions.
----(d) My boss never tells me what is going on in our organization; he won't answer questions if he can help it.

9. Check the statement which best applies to you:
----(a) I would never take on a second job.
----(b) I might take on a second job.
----(c) I am looking for a second job.
----(d) I have a second job now.

10. Compared with other places you know about, is your office a good place to work?
----(a) I would rather work here than anyplace else I know.
----(b) I think it is about average.
----(c) It is just average.
----(d) I think it is below average.

11. Check the statement which best applies to you:
----(a) I believe that, sooner or later, I am going to be promoted.
----(b) I think I have a good chance of being promoted.
----(c) I do not think I have much chance of being promoted.
----(d) I am sure that I am not going to be promoted.

12. In dealing with me, my boss is:
----(a) Always very fair; he plays it straight.
----(b) Usually fair; he always means well, anyway.
----(c) Sometimes unfair; in a pinch, he does what is good for him.
----(d) Usually unfair; he is out to get me if he can.

13. The work I am doing:
----(a) Is very interesting and satisfying.
----(b) Is fairly interesting and satisfying.
----(c) Is pretty dull and boring.
----(d) Is a waste of my time.

14. If I could, I:
----(a) Would promote my boss.
----(b) Would not promote my boss, but I would keep him on the job.
----(c) Would demote my boss.
----(d) Would fire my boss.

15. Choose the statement that best applies to you:
----(a) I know I could handle a bigger job than the one I have now.
----(b) I think I could probably handle a bigger job than I have now.
----(c) I am not sure I could handle a bigger job than the one I have now.
----(d) I know I could not handle a job any bigger than the one I have now.

16. Check the statement which best applies to you:
----(a) I always know where I stand with my boss.
----(b) I am pretty sure I know where I stand with my boss.
----(c) I am not so sure I really know where I stand with my boss.
----(d) I have no idea where I stand with my boss.

17. On the whole, I would say that:
----(a) My boss leaves no doubt that he is in charge; he runs a "taut ship".
----(b) My boss generally keeps control of what is going on; at least he keeps tabs on important things.

XUM

----(c) My boss exercises only loose control over what is going on; he doesn't influence as many activities as he likes to believe.
----(d) My boss is really a figurehead; he only thinks he is in charge.

18. Do you have a transportation problem getting to and from work?

----(a) I drive my own car.
----(b) I am in a car pool or ride with someone else.
----(c) I take the bus and have no difficulty.
----(d) I take the bus and have great difficulty.
----(e) I walk to and from work.

19. Please write below any comments you have about your office which you feel are especially good.

----

20. Please comment on any practices which you feel are especially bad.

----

21. If you had the power to do so, what would you do to improve employment conditions?

APRIL 8, 1970.

Hon. MELVIN R. LAIRD,
Secretary of Defense,
The Pentagon,
Washington, D.C.

DEAR MR. SECRETARY: In the course of the Constitutional Rights Subcommittee's study of governmental invasion of the privacy of federal employees, it has come to my attention that Defense Department employees are being asked to complete questionnaires about their social and political beliefs, attitudes and activities, and about their personal thoughts and beliefs about people in their offices.

One example of these questionnaires is enclosed with this letter. As you will see, it is distributed to selected employees by a Deputy Civilian Personnel Officer with the comment, "I urge you to complete and mail the questionnaire ASAP." The directions state that the "survey is being conducted in the Army Staff as part of a larger research project encompassing several military organizations, and that the results will become part of the basic research required for an advanced degree of a former Army Staff officer."

Among the questions which this questionnaire asks employees are the following:

How old are you?

What is your race?

When did you last vote in a local election?

When did you last vote in a Presidential election?

Are you a registered member of any political party?

With the views of which party do you most usually agree?

A. American Independent.
B. Democratic.
C. Republican.
D. Other.
E. No party.

Have you ever actively campaigned for any candidate or worked for a political party?

Have you ever contributed money to a political party or candidate?

I think the best form of city government is:

A. City manager/council.
B. Strong mayor/council.
C. No opinion.

I feel that local school boards ought to be:

A. Politically responsive.
B. Above politics.

I believe that elections for offices such as city councilman ought to be:

A. Partisan.
B. Non-partisan.
C. It makes no difference.

I believe the political rights of civil servants ought to be:

A. Limited.
B. The same as any citizen.

In order to have the best chances for advancement, I believe the career military officer should:

A. Become involved in party politics.
B. Get a politician to "sponsor" him, but avoid political commitment himself.
C. Keep out of any political involvement.

Civil servants know more about the real world of politics than do career military officers.

Military officers are at a disadvantage in dealing with civil servants because the latter understand politics better.

Foreign service officers are more politically sophisticated than civil servants.

"Block" voting by members of minority groups is a thing of the past.

"Pressure groups" perform no legitimate functions.

A member of the Congress who achieves great national prominence can likely do more for his home state or district than a relatively obscure member who has a committee chairmanship?

I think you would agree with me that the answers to these questions clearly are none of this student Army officer's business, nor are they the business of the Army. The fact that this reply is supposed to be anonymous is irrelevant.

As an old infantry drill regulation states, a request from a superior is equivalent to a command, and no citizen should be commanded to supply such information, regardless of the purpose.

I strongly urge that this and any similar surveys be cancelled and that procedures be established in all of the services to assure an adequate review at a high level of such research, whether it be private or governmental.

The second questionnaire is apparently also for private research by an Army officer, although ostensibly designed to aid in management of sick leave programs. Again, employees are not told this survey is voluntary, but rather, the Commanding Officer tells them to "please complete and return the form by April 6." Although it is noted that the replies of this "selected" group are "anonymous," recipients are told by the Commanding Officer to send questionnaires back to the Civilian Personnel Office which supposedly selected them in the first place.

I know it will perplex you as much as it does me why the Army sees fit to spend taxpayers' money asking employees "frank and honest" answers to questions such as:

I am sure my boss does not care for me.

In my job, I am paid more than the work I am doing is really worth.

In my office, none of us think too much of the boss.

I am sure that I am not going to be promoted.

In dealing with me, my boss is usually unfair; he is out to get me if he can.

If I could, I would fire my boss.

On the whole, I would say that my boss is really a figurehead; he only thinks he is in charge.

In my opinion, the only worthwhile question is the last, which is "If you had the power to do so, what would you do to improve employment conditions?"

It would be most useful to have, for each of the armed services and the Defense agencies, copies of all similar statistical research questionnaires asking civil servants to report on their thoughts, habits, beliefs and personal lives.

In the interest of employee morale and protection of individual privacy, I urge you to give serious consideration to issuance of a Department-wide directive:

(1) Requiring that every governmental or private research questionnaire sent to civil servants in the Defense Department state on the first page that response is voluntary, and that the recipient is under no compulsion to reply;

(2) Requiring a high level clearance for all such questionnaires;

(3) Banning all such forms asking about an individual's political, economic, and social beliefs which have nothing to do with his employment.

With all kind wishes, I am

Sincerely yours,
SAM J. ERVIN, Jr.,
Chairman, Subcommittee on Constitutional Rights.

[From the Washington Daily News, Apr. 3, 1970]

RARE AND RANK

(By John Cramer)

Today we have rare, rank bit of bureaucratic abuse—an Army personnel guy using his official muscle to pressure Army employees into helping an Army officer get a graduate degree.

Specifically, he asked them (in terms which could be construed as an order) to fill out a six-page questionnaire of 50 questions on their "political attitudes."

The personnel guy is Robert L. Mousel, deputy civilian personnel officer for the Office of the Army Chief of Staff. Perhaps he's merely a victim of the system.

The controversial questionnaire was distributed over his signature with a note which read:

"The enclosed survey is being conducted in the Army staff as part of a larger research project encompassing several military organizations. The results will become part of the basic research required for an advanced degree of a former Army staff officer.

"You have been selected to complete the questionnaire because you represent part of the desired cross section of grade and functional specialty. You will note anonymity is desired. I urge you to complete and mail the questionnaire ASAP."

The employes were "urged" to complete the questionnaire . . . were not told they were free to ignore it. Unquestionably, subtle pressure to "cooperate" was there.

Mr. Mousel said the research project, designed to analyze differences in political attitudes between civilian and military personnel, was the work of a lieutenant colonel whom the Army has assigned to George Washington University while he pursues a master's degree in political science.

He also said:

That the colonel's planned course of study, including his research project, had been approved in advance by the Army.

That civilians who received the questionnaire were 250 GS-12s, 13s, and 14s, selected at random by a "small computer run."

That the questionnaires were distributed to the 250 thru the Pentagon mail system.

That the Army frequently performs similar services for other researchers.

The questionnaire came with a cover sheet bearing the colonel's home address and a stamp. Employes were told: "To mail simply fold top to bottom and staple. Address and stamp then are in the appropriate position."

My suggestion to employes: mail the questionnaire, as directed. Just don't bother to fill it out.

This won't help the colonel get his degree. It may, however, ennoble his future career by pointing out to him one dominant "political attitude" of Army civilians.

They dislike being shoved around.

XUM

MORE BRASS USING CIVILIANS FOR RESEARCH

[The Washington Daily News, Tuesday, Apr. 7, 1970]

(By John Cramer)

Apparently it's common practice in Army—the business of letting its civilian employes be used as semi-captive guinea pigs for the research projects of Army officers assigned to graduate schools.

Last week, there was mention here of a six-page questionnaire recently distributed by the Office of the Army Chief of Staff to 250 employes at the GS-12-14 level.

It was the work of a lieutenant colonel studying differences in "political attitudes" of Army civilian and military personnel as a research project required for an advanced degree at George Washington University.

ANOTHER QUESTIONNAIRE

Now we have a different lieutenant colonel, also at GWU, with a different questionnaire—this one a mere four pages.

It purports to "measure the effectiveness of certain aspects of the Department of Army's sick leave provisions."

And the captive guinea pigs for this one are employes of the Army's Finance and Accounts Office here.

Actually, this second questionnaire in no way deals with "sick leave provisions." Instead, it apparently seeks to discover relationships between sick leave use and such things as employe earning . . . their rapport with co-workers . . . attitude toward their bosses . . . chances of promotions . . . etc.

But it's an amateurish sort of questionnaire which will measure little and produce less . . . an imposition on employes who have been asked (not ordered) to fill it out . . . and almost certainly a waste of whatever tax dollars the Finance Office spent in distributing and collecting it.

BLAME ARMY

In the long run, it will be of value only to the lieutenant colonel who foisted it off on the Finance Office. But don't blame him. Blame the Army for letting him get away with it.

The best that can be said for his project is that it makes more sense than the Office of Chief of Staff research on "political attitudes."

The Finance Office questionnaire was authorized by Col. M. E. Richmond, new commander of the office, who explains himself so decently that I'm almost inclined to forgive him.

He said he has a sick leave "problem" in the Office . . . that he hopes to correct it by providing better motivation . . . that he thinks the questionnaire might point the way.

But I can't quite see spending taxpayer dough, and imposing on employes with questions such as No. 5 in the questionnaire:

"The people I work with:

"(a) Are congenial; we get along very well together.

"(b) Are all right; we get along about as well as could be expected.

"(c) Are only so-so; sometimes we don't get along too well.

"(d) Aren't much good; we don't get along at all."

"Check the statement that best applies to you:

Or No. 7—

"Off the job, I socialize:

"(a) Mostly with people I know from work.

"(b) About as much with people I know from work as with people I know from other places.

"(c) Mostly with people I know from places other than work."

Sen. Sam Ervin, D-N.C., and others have made the point that we already have an excess of professionals licensed to practice their psychological tests, attitude surveys, and other assorted sorceries on federal workers.

So spare us, please, the Army's student-type amateurs with their one-time ventures into the sticky world of attitude testing.

FILING DATES FOR PERSONAL FINANCIAL REPORTS

Mr. STENNIS. Mr. President, recent inquiries to the Select Committee on Standards and Conduct suggest that not all Senators and employees are familiar with the filing deadlines for personal disclosure and outside employment reports required by the Senate rules of conduct. Senators, candidates for Senator, and officers and employees of the Senate are reminded that personal financial statements must be filed before May 15 and that reports of outside employment must be filed on May 15.

The Select Committee on Standards and Conduct has prepared forms for these reports whose use is recommended but not mandatory. The committee also has issued instructions for preparing the reports, which state among other things when and where to file.

Copies of the forms and the instructions may be picked up in the committee offices in room 1417 of the New Senate Office Building or may be requested by telephone on extension 2981. The staff of the committee will assist anyone who requests help in preparing reports.

LET REASON PREVAIL IN OUR TRADE POLICIES

Mr. BYRD of West Virginia. Mr. President, on October 13 of last year my distinguished colleague and fellow West Virginian (Mr. RANDOLPH) and I, introduced S. 3022, the Trade Expansion Act of 1969. Since that date, due in part to the subsequent supporting debate on this floor, the fog shrouding the issues confronted by the bill has lifted enough to reinforce my belief that it has immediate merit.

The fundamental reason for my support of the bill is my conviction that in the currently expanding world economy the rate of growth of industrial production must be subject to a modicum of order. The present structure tends towards overproduction in some industrial fields, with seriously disruptive consequences to parts of the American economy.

The fact that the United States is the largest market, and the major open market in the world economy, does not vitiate my argument. On the contrary, it makes it more relevant and timely. Hardly a week passes by without reports of difficult or unsuccessful meetings and official negotiations dealing with the problem of mounting imports in fact of a relative decline in our exports. Generally, statements from all parties concerned are more self-seeking than self-evident. But there is also noticeable a change in mood and a stiffening of national positions. The seriousness of this situation is underscored by the very fact that meaningful international relations, both political and economic, must be based on a give-and-take formula. I find that we have been doing most of the giving and little of the taking. In fact, we have been giving so long that our trade partners have frozen in their position of taking to such an extent that they seem now to consider it the natural state of affairs.

Mr. President, I think that the time has come for Congress to do what it can to correct this situation. Our Government's dealings with the Japanese Government on the matter of textile imports have been marked by intransigence. The high point of this was reached by the statement of the powerful Japanese Minister of International Trade and Industry who in February was quoted saying:

> There can be no way of pushing ahead talks unless the United States accepts Japan's basic thinking.

Only recently, the chairman of the Japan Textile Federation warned the Japanese Government that the federation would not honor any agreement between the United States and Japan on the textile issue if unreasonable concessions were made to the Americans. The chairman implied that there was no need for such concessions since critical voices in Washington could be counted upon to prevent the passage of protectionist legislation by Congress.

In an unprecedented move, the United States presented to Japan, in late January of this year, detailed economic data to show that the U.S. textile firms and apparel industries are being injured by imports. On March 10 a report from Tokyo described the current United States-Japan export curb talks as fruitless. A dead end has been reached, the report said, in the year-long search for an agreement on textile imports to the United States when our "final offer" was made. This, however, was followed by a flying visit to Washington by a high Japanese diplomat who reportedly envisaged Japanese voluntary restraints only after Japanese exports to this country exceeded a 50-percent rise over any preceding year. Is this a realistic and reasonable approach in trying to solve a problem on a mutuality of interests? The same report also noted that the Japanese public opinion is increasingly marked by a new awareness of national self-confidence which, according to their culture, requires them to "stand up" to American "pressures."

Japan will have to learn that the inordinate expansion of its trade and financial exchanges with the rest of the world, but especially with the United States, is no longer consistent with its restrictive practices and policies. Measures that made some sense when Japan was rebuilding its war-ravaged economy and trying to create industries that could stand on their own in international competition have no shred of justification now.

Of course, the problem does not lie with textiles alone, nor is it confined to Japan. Other major industrial products are affected by mounting imports, among them glass, hardware, steel, and electronic products.

Assistant Secretary of Commerce Kenneth N. Davis, Jr., bluntly cautioned Western Europe and Japan in March that they must give fairer treatment to American exports sold in their markets and that both trading areas should not underestimate the American administra-

XUM

tion's determination to achieve an equitable solution.

Mr. Davis said:

> For the benefit of all the world's trade, it is time for Japan and Europe to respond more fairly than heretofore to 20 years of U.S. leadership in expansionist world trade policy!

Subsequently, Mr. Davis mentioned that a series of missions of U.S. business leaders will visit other nations in the interest of fairer trade relations. Moreover, it is reported that Commerce Secretary Maurice Stans is considering calling to Washington leaders of American industry and trade associations to map an all-out drive on unfair restrictions against U.S. business activities by some of the major industrial nations.

But is our Government pressing the issue strongly enough? The lack of results and the seeming widening policy of restrictionism of the various nations involved would indicate that this is not the case. Extended consultations and talks across the Atlantic have yielded, at best, accusations and counteraccusations. Mr. Davis termed troublesome the attitude of the Europeans and their lack in understanding that serious differences exist between the two trading areas. True, it may not be within the spirit and the letter of the General Agreement on Tariffs and Trade for the United States to retain the American selling price provision in our trade with GATT members. But for the Europeans to insist on our repeal of ASP while they are about to erect new barriers discriminating against American electronic components is an unreasonable and untenable position. The French-German-British accord may well be considered by its members as nondiscriminatory, but it is aimed at what the Electronic Industries Association estimates to be about 35 percent of the U.S. shipments of electronic components to Europe.

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A visit here in February by a trade representative of the European Economic Commission in the wake of U.S. criticism of the Common Market was preceded by a salvo of criticism from Europeans warning about the danger to world trade by the protectionist measures advocated in the U.S. Congress. The European Commission also maintained that the common American notion that the U.S. complaints of the European Community by far outweigh in number and importance their complaints of the American system is unfounded. They cited U.S. import restrictions in the agricultural and mechanical industries, but failed to mention the severity of their barriers in agriculture, which surpass any rationality. If the European Commission is publicly expressing anxieties about import restrictions pending in Congress, then they ought to publicly or privately consider the issues in terms of their merits and in line with their avowed extremely liberal policy toward trade, instead of contributing to the atmosphere of criticism and suspicion of intentions.

Quite contrary to many of its pronouncements, the European Community has been busy in protective action lately. The Common Market has been signing preferential trade agreements with a variety of African and Mediterranean countries. These trade pacts often violate the spirit if not the letter of the GATT principles.

The process is fast becoming a mockery of the most-favored-nation principle which, in international trade, requires that the extension of preferential treatment to one trade partner be extended to all partners. This principle is fast becoming something to invoke in one case and to disregard in another while in hot pursuit of national self-interest.

The initial beneficiaries of the preferential trade pacts of the Common Market were Greece and Turkey and the former French and Belgian colonies, now independent states. In the past several years the list expanded to include Yugoslavia, Tunisia, and Morocco. Lately, the European Community has been quietly creating a network of preferential trade pacts with Mediterranean countries. This area has been buying about $1.3 billion worth of goods from the United States. Two nations particularly involved are Israel and Spain which alone imported more than 1 billion of these American exports. This trade is bound to be affected not because of improved competition, but because new barriers will be erected discriminating against our goods. Meantime, waiting in the wings are Eygpt and Lebanon, Libya and Algeria, and little Malta, all lining up for preferential trade accords with the Common Market.

No doubt there may be economic justifications for such a policy and the European continental powers are frank about their main goal in these arrangements. They seek political influence if not dominance. While the United States should perhaps not complain on the latter aspect, we have the right to examine the methods used as they would seem not only contrary to existing agreements but directly injurious to our national interests. At stake are the welfare of our business firms and our workers' jobs in the years ahead.

The proliferation of preferential trade ties can only lead to a growing polarization of regional interests with the eventual emergence of large rival trading blocs.

It is interesting to note that privately the Common Market has been saying that the basic circumstances of international trade have been altered since the industrial tariffs were reduced almost 40 percent in the Kennedy round. This is exactly the point that I have been expounding. If GATT principles within which the Kennedy round have been conducted and, so far, partly implemented are no longer viable, then it is high time for this Congress to establish new guidelines consonant with our current national interest and policy. It may well be that the Common Market does not want a division of the world in economic blocs. Nor, would this I believe, be in the interest of the United States. But we cannot sit here just watching events as they unfold. Furthermore, it does not help us that the European Common Market officials are ready and willing to swear that their intentions are to preserve the GATT, while at the same time their actions indicate a different course of events. Some of the Europeans have successfully blocked the current initiative of GATT in its attempt of starting negotiations later this year on agricultural trade and nontariff barriers. Morevover, the total direction of current efforts crossing the Atlantic and the Pacific would indicate a return toward erecting new nontariff barriers so that the major GATT members can consolidate their negotiating positions for the next bout.

I am not in favor of either political war or economic war. I believe that reason can prevail. But now is the time to use reason and bring our house in order. We cannot wish our problems away. We have a responsibility toward our citizens and our Nation's economy. We cannot allow the present unsettled situation to rule us or to continue unchecked. If the administration is unable to achieve its stated goal within the existing framework of international trade agreements, we in Congress have the duty to do it here and now. I am not proposing major surgery. But I am convinced that preventive medicine is far preferable to the treatment of an organism in an advanced state of decay. Every doctor will also tell you that in the long run such an approach is both more effetcive and more economical.

Mr. President, the bill that I support is not repressive or protectionist in nature. It would only assure us and our trading partners full participation of a fair share of an orderly growth of our markets. This I do in the face of growing direct subsidies of foreign exports undercutting our efforts to sell our goods abroad, while at the same time U.S. manufacturers are being asked by the same governments to transfer production and jobs out of the United States.

What it finally comes down to is the preservation of American workers' jobs—the preservation of West Virginia jobs and jobs in every State where our magnanimous trade policies are resulting in loss to our own citizens.

The bill of which I am a cosponsor would apply to imports of flat glass, glassware, steel, footwear, manmade fibers, and electronic products. Other commodities, of course, can be included in instances where economic loss is occurring.

In my own State, 30,000 jobs, in round figures, are represented by the industries to which the bill applies. That is a very substantial number in our work force.

Too many people tend to think of unemployment in terms of statistics when they should be thinking of it in human terms. Being unemployed, being without a job and the means to support oneself or one's family is a cruel and degrading experience. We simply cannot afford, Mr. President, for the overliberal import policies of government to be the cause of joblessness and misery among our own people.

Theory and practicality have historically collided in America's foreign trade experience. Too often have we erred on the side of theory. Wishful thinking about the intentions of others has too often blinded us to the fact that in the real world in which we live and do business, there are always those who are waiting for the opportunity to take advantage of situations most favorable to them.

It is time for us to make quite clear to Japan and the European Common Market that we are not going to stand idly by while they maintain trade restrictions against us. They must give fairer, more competitive treatment to American products sold in Japanese and European markets. Favorable action on S. 3022 could be a means of showing our determination to protect our own interests.

I am not advocating a return to a policy of all-out protectionism. But I think we can accept no less than reciprocity. World trade must be a two-way street. Anyone who is not disturbed at the mounting shipments of foreign-made goods at our ports of entry is blind and deaf to reality.

I repeat what I have said before: Congress has an obligation to conduct a complete review of our trade program, and the sooner we get at it in these unsettling economic times, the better it will be for all concerned.

American workers, American businessmen, and American consumers are waiting for us to act.

FAIR COMPETITION IN WORLD TRADE

Mr. HANSEN. Mr. President, I wish to compliment my good friend the distinguished Senator from Arizona (Mr. Fannin) on his very excellent appraisal yesterday of our problems in international trade. I was happy to join the able Senator a few weeks back when he spoke in the Senate on the same subject, and I am glad now to join him again in proposing that the President use the authority he now has for the purpose of equalizing the advantages many foreign competitors now have over their American counterparts.

The Senator has made a very good analysis of the problem, a problem that has been of major concern to many of the so-called producing States, such as Arizona and Wyoming, and is becoming more and more of a problem for manufacturing States, as well.

Recent remarks in the Senate by New England and Southern Senators attest to the seriousness of the mounting volume of textile and footwear imports. News articles have pointed up the unemployment problem brought on by imports in the electronic field—color TV sets, radios, and the like—and these are only samples.

We who insist on some better ground rules for true reciprocity are branded as protectionists when we object to a continuation or worsening of trade policies that are disrupting entire industries under the deceptive umbrella of the liberal trade policies of recent years, policies which, if pursued to their logical ends, could cause massive unemployment and a dangerous dependence on foreign products that could prove critical to U.S. national security—minerals, oil, steel, and others.

Those who insist on using many of these imports as a lever to force domestic prices down even at the expense of disrupting American industries should consider the effects on their own industries and the dependence of the more vital ones to not only the Nation's prosperity but its security as well.

Mr. President, in answer to an editorial entitled "Polishing Up Protectionism," I recently wrote a letter to the editor of the Wall Street Journal about the particular problem the able Senator
RON LINTON'S "TERRACIDE"
unanimous consent that my letter be printed in the Record. With him, I ask that unfair foreign barriers to our exports and unfair competition in our domestic markets be corrected so that we may have truly fair competition between all countries.

There being no objection, the letter was ordered to be printed in the Record, as follows:

April 4, 1970.

Vermont Royster,
Editor, the Wall Street Journal,
New York, N.Y.

Dear Mr. Royster: Your April 2 editorial, "Polishing Up Protectionism," expressing the free trade philosophy, says the problem stems from the fact that the nations' resources are finite and in some way or other it has to allocate them to accomplish the greatest good for the greatest number.

If all people would renounce war and insist on living in peace, if all people would be equally as concerned for every other human as for themselves, if all people would reject greed and cupidity there is no question but that free trade would best serve humanity.

But unfortunately this is not the world we live in.

I happen to think Americans are not the world's worst people. We've been reasonably generous in rebuilding the countries torn by World War II. We've tried to help developing nations—we've shed some blood to insure freedom and self-determination for other peoples.

But the fact is that most of these objectives—goals often not reached—could not have been pursued at all if we had not been a strong nation.

There can be no doubt that our unchallenged access to energy has been one of our most important sources of strength.

About one-fifth of all the oil we use is imported. But I agree with the President: limits must be defined which will assure the adequacy of domestically produced oil and gas necessary to guarantee our national security.

Further our total strength will reflect the industry, the jobs, and the services we are capable of sustaining in the United States. America proved long ago that power is the result of brains and energy applied to natural resources.

One final thought—the competition American business is subjected to is not fair. Wages, standards of living, social responsibility (taxes) all place a most unequal burden on us. Free trade and fair trade should go hand in hand.

Sincerely,

Clifford P. Hansen,
U.S. Senate.

RON LINTON'S "TERRACIDE"

Mr. MOSS. Mr. President, if it is possible to say anything new under the sun about our environment problems, Ron Linton has done it in his new book, "Terracide," which has just been published. Even his title is original—earth murder. He has equated environmental problems with human problems—making some frightening predictions as to how pollution, and noise, and crowds, and the deterioration of our environment generally, if not controlled, could affect the quality of life in America. He has, if this is possible, "humanized smog."

Mr. Linton was the staff director of the Committee on Public Works, on which I served, during the years when the committee was writing much of the air and water pollution control legislation which is now the basis for the effort to check and reverse pollution which some of us saw then as crucial and which has now become everybody's crusade. In his chapter entitled "The Congress Acts," Mr. Linton tells the story of Federal action—and failure to act—and relates how, during the years 1963–66, Congress at last took a firm and leading role in combating environmental decay and improving the quality of life in the United States.

The final chapter of the book, "The Challenge," might well be the call to arms for the forthcoming "Earth Day" observance, April 22.

The Linton book has scope and depth, is popular in style, and some of its examples and anecdotes are new and fresh and dramatic, and should help greatly in promoting popular understanding of the immensity of our environmental crisis. I hope it will be widely read.

PLIGHT OF THE PRISONERS

Mr. GOLDWATER. Mr. President, today I wish to emphasize once again a matter which distresses me very much personally and which I have, with a number of my colleagues, attempted to do something about in the past. It is a question of public attention—publicity, if you like—for an extremely worthy cause.

I am sure I do not have to emphasize here the amount of television coverage, radio attention, and newspaper coverage which is given to the plight of almost any group of needy people—whether they be starving Biafrans in faraway Nigeria or the inhabitants of our city ghettos and our poor sections of Appalachia.

The attention given to these and similar causes by the Nation's communication media is glaringly apparent with each passing day.

I am not in any way objecting to public attention given to these situations. Let me make that very clear. However, I want to point out that I am not at all happy with the attention given to the plight of our American prisoners of war. I am speaking now primarily about the 1,300 Americans who are being held prisoners by the North Vietnamese and over whose treatment at the hands of our Communist enemy grave questions have been raised. I am also speaking of those Americans who are listed as missing in action in Vietnam and whose whereabouts and conditions are unknown.

Because I feel so strongly that more concentrated American attention should be given to the plight of these men and to the suffering and anxiety which is being borne by the families and friends of these captive and missing Americans, I

XUM

have joined with several Senators in sponsoring a special day for bringing this situation, more dramatically to the attention of the American people.

As a result of our efforts, May 1, 1970, has been designated "International Appeal for Justice Day," with ceremonies scheduled to be held at 8 p.m. in Constitution Hall.

Mr. President, some 4,000 people are expected to attend this rally. We hope to have speakers of the caliber of Actor John Wayne, who recently won an Academy Award for his acting in the picture entitled "True Grit." The American Legion and the Veterans of Foreign Wars are participating as sponsors of this occasion along with Senators and Representatives.

Our purpose is candidly one of press agentry. We want to pay tribute to American POW's for the great sacrifices they have made and are making in the cause of freedom, but even more than that, we should like to mobilize public opinion behind the objective of obtaining the release of these POW's in such an overwhelming fashion that the North Vietnamese will be bound to pay attention.

Perhaps it will not work. However, I for one would not feel that I had performed my patriotic duty as a citizen and an American grateful for the service which these men are rendering to our country if I did not make every possible attempt to lend a hand.

Mr. President, I might say that it saddens me when I see more publicity being given to persons who burn their draft cards or who go AWOL from our services to take up comfortable exile in Sweden than to those brave men who have been taken prisoners and placed at the questionable mercy of the North Vietnamese, or who are missing in action in that conflict.

XUM

THE PEOPLE TESTIFY AGAINST THE DISTRICT OF COLUMBIA CRIME BILL

Mr. ERVIN. Mr. President, on March 24, when the Senate received the House-passed District of Columbia crime bill, I denounced it in this Chamber as an affront to the Bill of Rights, to principles of wise legislation, and to the normal procedures which should govern the actions of the U.S. Congress. Among other things, I called it a garbage pail of unconstitutional and repressive legislation. I now have had the opportunity to examine the bill in greater detail, and I have found additional ill-conceived and repressive features buried away in it. I now fear that my initial description was far too charitable.

Despite the arduous nature of the task, I encourage each Senator to study and analyze this 439-page monstrosity passed by the House at the urging of the Justice Department.

Examine the hidden preventive detention provision which would imprison people without conviction or trial.

Consider the unbridled authority for "no-knock" searches and the unlimited power to bug and wiretap even the most intimate and confidential private conversations.

Let every Senator judge for himself the foolish and vindictive mandatory sentence provisions which would eliminate all judicial discretion on the sentencing process in many cases. Those provisions reach the incredible extreme of requiring life imprisonment with no parole for 20 years and no suspension or probation at all for conviction of three crimes such as purse snatching or assault.

Heed the ominous attempt to return to stale and archaic juvenile procedures of a bygone era. A hallmark of this regression is the proposed lowering of the legal standard of proof of guilt in juvenile proceedings to a level which the U.S. Supreme Court declared unconstitutional in the case of in re Winship just last week.

Bring these unjust measures from the hidden recesses of the bill and expose them to the light of day. Look candidly at the bill and see it for what it truly is—the villainous wolf of police statism dressed up in the political finery of "law and order."

Because of the legislative legerdemain practiced at the urging of the Department of Justice, the people have had no chance to speak out on the issues presented by this bill. In truth, they were flagrantly deprived of their rightful opportunity to speak out. Few realized what the Department of Justice proposed to do to our liberties until it was almost too late. I trust that the Senate will not be fooled or outmaneuvered and that we will never see liberty betrayed by sleight of hand.

I am happy to report that the people of America are now beginning to recognize this bill as a threat to freedom and to speak out against it. I have received dozens of letters opposing the bill in recent days. They demonstrate that the love of liberty is alive and well and living in the hearts of Americans all across the land.

These letters attest admirably to the people's desire for liberty and justice. They constitute an eloquent plea for the Senate District of Columbia Committee conferees and the rest of us in the Senate to stand fast against this unwise and unwarranted attack on the Constitution.

The fact that the bill is ostensibly directed at the District of Columbia has not fooled the many Americans who have written me in opposition to it. I am particularly encouraged by the sensible and perceptive comments from many fellow North Carolinians.

These Americans recognize that the liberties lost today by the citizens of this city, will be lost tomorrow by all citizens. They recognize that the experiments with our liberties conducted by the Department of Justice in Washington will tomorrow be applied throughout the entire land.

It would be a grave error for the Senate to treat lightly this attack on the Constitution, just because it is directed against one city alone. For if this bill passes in its present form, there may not be another opportunity to halt the anticonstitutional philosophy it represents.

I ask unanimous consent that the letters be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

OXFORD, N.C.

Hon. SAM J. ERVIN, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: I have been following with interest your review and examination of the Nixon D.C. Crime Bill. Please continue your efforts to exert sound and reasonable thinking upon these absurd and dangerous proposals. While I, as almost everyone, want to see crime decrease, we must never undermine the values of our basic human and individual rights.

Again, thank you for reminding us again of these important values.

Sincerely,

DAN F. FINCH.

CHAPEL HILL, N.C.,
March 25, 1970.

Hon. SAM J. ERVIN, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: Just a note to commend you for your continued vigilance against encroachment on individual rights and freedoms. Speaking out on the implications of proposed legislation is not easy, especially when the objectives are popular, and appear sound and justified in terms of "getting the job done." I refer to the various "search and seizure" bills designed to assist the police, as well as the data bank compiled by the Army on individuals participating in various civil "disturbances."

I am sure that you derive great satisfaction in representing our State so well in such matters. The issues are not simple and clear. Your services are much appreciated.

With best wishes.

Very truly yours,

EDGAR A. PARSONS.

WASHINGTON, D.C.,
March 25, 1970.

Hon. SAM J. ERVIN, Jr.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR ERVIN: Thank you for your talk on television describing the District of Columbia crime bill the way it really is. For the past few days I had sunk into the depths of despair, knowing that its passage intact with provisions like "preventive detention" and the "no-knock provision" was a strong first step toward forming a police-state in America. This despair was aggravated by the ignorance and apathy of many of my friends.

However, your talk gave me renewed courage. I know now that there must be many leaders such as you who will speak out against such a poorly disguised evil.

The House Bill, even with its unconstitutional provisions cannot help the crime situation and may make it worse.

I am enclosing a xerox copy of a letter of mine which appeared in the Washington Post and which summarizes my feeling in a few words.

Sincerely yours and thank you,

JOSEPH C. DAVIS.

ST. ANDREWS PRESBYTERIAN COLLEGE,
Laurinburg, N.C.

Hon. SAM J. ERVIN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR ERVIN: Before I moved to North Carolina, two years ago, I admired your record from afar, as an Oregonian. Now that I am a citizen of North Carolina, and I might add a very happy one, I want you to know that that admiration has increased proportionately.

Your strict constitutionalist approach to individual rights deserves the strongest support and commendation, and although I am a registered Republican, I want you to know that I heartily concur in your battle against such repressive measures as those which would allow, as you put it, "repeal of the Fourth, Fifth, Sixth and Eighth amendments to the Constitution," apparently favored by powerful members of the present Administration.

Sincerely,

Ronald H. Bayes,
Writer in Residence.

Hewlett, N.Y.,
March 29, 1970.

Hon. Sam Ervin,
Senate Office Building,
Washington, D.C.

Dear Senator Ervin: I just finished reading Tom Wicker's column in the N.Y. Times which praises you fur leading the fight against the so-called Anti-Crime bill which provides for preventive detention.

I'm a high school Social Studies Teacher who's often taught about the virtues of our Bill of Rights. I have also had to try to explain to my students why we incarcerated Nisei in concentration camps during World War II. Your fight against the "prevention detention" measure, Sen. Ervin, shows you are a true devotee of constitutional rights.

I am sending a copy of this to my Senator, Sen. Javits, hoping he joins you in the fight if he hasn't already done so.

Very truly yours,

Saul Schindler.

Western Carolina University,
Cullowhee, N.C., March 30, 1970.

Dear Senator: I have been following your argument against the administration's Washington, D.C. crime bill with interest and admiration. I approve of your stand wholeheartedly both as a constituent and as professor of American constitutional history.

I have only recently moved to North Carolina and had some serious doubts concerning my ability to find anyone I could enthusiastically support in politics. My review of your career convinces me that, in spite of some differences, you are, in fact, a politician and a man after my own heart.

Should you need any assistance I can give in your future campaigns, please call on me. In the meantime, I intend to use you as a sterling example of the good legislator in all of my classes here at the University.

Sincerely,

Victor Sapio.

P.S.—I couldn't change your mind on Carswell, could I?

Brightwaters, N.Y.,
March 30, 1970.

Senator Sam Ervin,
Senate Office Building,
Washington, D.C.

Dear Senator Ervin: Permit me to congratulate you on your vigilant stand against all the various encroachments on the Constitution and the civil liberties granted therein that have been presented to the Congress in the past few months. It is good and encouraging to see a Southern Senator in the ranks of those who have recently stood behind the Bill of Rights.

The silence of other Southern Senators betrays the long southern tradition of respect for the freedoms this nation grants to individuals. It is gratifying indeed to see that some men of the South still adhere to this tradition. I wish you every success in your fight against those who promulgate these noxious doctrines. By taking up this struggle you bring credit both to the nation and the state you represent.

Edward B. Furey, Jr.

Jackson Hill, N.C.,
March 31, 1970.

Dear Senator Ervin: Enclosed are two articles from Sunday's Greensboro Daily News—March 29.

Please continue the fight—what applies in one area will spread to another, It appears to me that there is a trend towards the right—not a healthy right—but towards a police state.

Do not give one inch—our future is in your hands.

Yours respectfully,

Charles Loftin.

[From the Greensboro (N.C.) Daily News Mar. 29, 1970]

Ervin Sees Police State Blueprint in Crime Bill

(By Larry Cheek)

Washington.—There is now before the Congress a bill which citizens of the 50 states might think irrelevant and unimportant, since it deals only (yawn) with the District of Columbia. But wait, and be warned, all of you scattered throughout this country. Your civil liberties could be in danger.

Sam Ervin, North Carolina's constitutional watchdog, is one who thinks so. Last week, after thoroughly studying the offending bill, the good senator became so enraged his howls of indignation fairly shook the capitol.

POLICE STATE BLUEPRINT

The bill in question is a 439-page omnibus crime and court reorganization package designed to bring law and order to the streets of Washington, D.C., but—and this is very important but—it is also designed as a prototype for national crime legislation.

Today, the district. Tomorrow, the nation. This apparently is the Nixon administration's goal. And the fear of Sam Ervin.

"What we have here is a blueprint for a police state," Ervin told his Senate colleagues last week. "We must stem the eagerness of aspiring politicians in the executive branch who are charged with fulfilling election promises to fight crime, and who in their zeal, seize upon unconstitutional means to gain temporary political advantages."

Ervin called the bill a "garbage pail of some of the most repressive, near-sighted intolerant, unfair and vindictive legislation that the Senate has ever been presented," and accused the Justice Department of pulling a "fast shuffle with the Bill of Rights."

The bill contains several provisions which Ervin feels are odious. Among them: broad and general wiretap authority, uncontrolled and extremely permissive authority for no-knock searches, harsh juvenile offender procedures, mandatory sentencing for offenders of up to 20 years in some instances and preventive detention.

It is particularly preventive detention and the Justice Department's legislative tactics that anger Ervin.

Originally, Justice had preventive detention introduced as a separate piece of legislation, saying that it was a proposal so important that it should be considered as an amendment to federal law, and made applicable uniformly in all federal courts.

After introduction in July, preventive detention was referred to the judiciary committees of both houses, to await hearings which were to be held after the results of an intensive study into the concept were compiled.

The purpose of the study was to gather available information on the operation of the criminal justice system and the bail reform act, to ascertain the amount of pretrial crime actually committed, to develop reliable predictive devices, if possible, upon which to base preventive detention, and to search out ways to prevent and control pretrial crime short of preventive detention.

The study, which is being conducted by the Law Enforcement Assistance Administration and the National Bureau of Standards, is to be completed March 31 . . . and that's why Ervin feels Justice is trying to slip preventive detention through swiftly, with no hearings, camouflaged in the middle of a massive, omnibus bill.

FALSE COLORS

"They're afraid to await the results of their own commissioned study," Ervin said. "They're afraid the study will refute much of the frantic rhetoric the department has issued about the need for preventive detention. That's why the preventive detention bill is hidden under false colors. Perhaps, too, that is why it travels under the nom de plume of 'Codification of Title 23' rather than announcing itself unashamedly as 'preventive detention.'"

Ervin pointed out that if Justice wishes preventive detention, "then let it keep to its original position. Let it complete its computer study, analyze the data and present the proper congressional committees with its conclusions and its position. Then let us consider this legislation carefully, deliberately and on its merits, uncluttered by 400 other pages of legislation."

There is the smell of danger about the bill, which was toughened considerably by the House after initial Senate approval. It reeks of overreaction. It seeks to protect one segment of the population by persecuting another.

You may wonder just what preventive detention is. Oversimplified, it means you can jail a man without a trial if you think he's likely to commit a crime if released on bail. Think about it.

Or what's no-knock authority, you may ask. That means your home can be invaded by police officers on the slightest of pretexts. Or wiretapping? That means police could bug lawyers talking with clients or doctors with patients.

And there's another dandy buried in the bill of great symbolic importance. If any citizen of D.C. should sue a policeman for unlawful arrest and win his suit by showing that the police officer did indeed violate the law, the innocent citizen must nevertheless pay the law-breaking policeman's attorney fees. Figure that one out.

HIDDEN THREAT

Surely, crime in the streets can be controlled without infringing upon the constitutionally guaranteed rights of any citizen. Surely, the Congress can recognize the threat of repression to any democracy.

Sen. Ervin said it best at the conclusion of his address to the Senate:

"I recognize full well that 'law and order' has become a great political issue. But, in this year of our Lord 1970, and in future election years, it behooves the members of this body to be chary of broad grants of power to those who control the machinery of federal justice. I yield to no man in my desire to deal effectively with the crime crisis we face. Yet this crisis cannot justify the passage of bills such as this."

[From the Greensboro (N.C.) Daily News, Mar. 29, 1970]

A Constitutional Affront

Senator Sam J. Ervin Jr. thinks the Justice Department is trying to pull a fast one by pushing preventive detention in the omnibus crime bill for the District of Columbia, now before the Senate, while a national version of the same thing is pending before Mr. Ervin's Constitutional Rights Subcommittee.

The senator, who is the author of the 1966 Bail Reform Act, is probably right in his suspicions, judging by the Justice Department's performance under Attorney General John Mitchell.

The District of Columbia crime bill, already passed by the House, gives judges the power to jail for up to 60 days before trial certain defendants considered dangerous. This would amend the Bail Reform Act, which was designed in part to prevent holding indigent defendants in jail for long periods while awaiting trial.

But the preventive detention clause is only one of the provisions that moved Mr. Ervin to refer to the omnibus crime bill as an "affront to the Bill of Rights." It also provides for local wiretapping authority, mandatory adult trials for 16-year-olds charged with committing violent crimes, mandatory sentences for certain crimes, and the use of "no-knock warrants by the police.

"This is a garbage pail of some of the most repressive, near-sighted, intolerant, unfair and vindictive legislation that the Senate has ever been presented," Mr. Ervin said. "This bill might better be entitled, 'A bill to repeal the fourth, fifth, sixth and eighth amendments to the Constitution.'"

Mr. Ervin is against the national crime bill now in his committee. But the district crime bill is in the hands of the Senate District Committee, some of whose members are less concerned with the Bill of Rights than Mr. Ervin is.

The senator has promised to fight the district crime bill if it gets to the Senate floor. We wish him luck. It has to be remembered, however, that the Senate passed, over Mr. Ervin's objection, the narcotics crackdown bill empowering government agents to break into and search private homes without warrants. The House is now considering that particular "no-knock" measure.

All of these bills, the district omnibus bill, the national crime bill and the narcotics bill contain provisions that directly repudiate the constitutional traditions of this country. But none is yet the law. Americans concerned with keeping their individual rights still have time to let their senators and congressmen know they expect the Senate to eliminate the obnoxious provisions of the House-passed district crime bill and the House to do the same for the Senate narcotics bill.

WASHINGTON, D.C.,
March 23, 1970.

Senator SAM ERVIN,
U.S. Senate,
Washington, D.C.

SIR: Thank you for your eloquently expressed disgust with the D.C. Omnibus Crime Bill.

I have, besides writing to some Congressmen, also written to the President of the C&P Telephone Company to disconnect my phone should that bill become law.

I hope that there are more Congressmen who feel as you do. I am appalled at intelligent people even thinking of such legislation.

Thank you again. Let's fight against the Fascist tendencies of this Administration.

Yours truly,

MISS ROSE WEINSTEIN.

THE PRESIDENT AND THE SENATE

Mr. FULBRIGHT. Mr. President, the editorial entitled "The President and the Senate," published in the Washington Post of Saturday, April 11, is extremely well written and a perceptive analysis of the significance of recent actions in the Senate. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 11, 1970]

THE PRESIDENT AND THE SENATE

Setting to one side for the time being the political implications and the divisive nature of President Nixon's outburst against the Senate, it seems appropriate now simply to express regret that the President chose to respond to the defeat of Judge Carswell's nomination with an argument that is not supported by the facts. The burden of that argument, moreover, defamed the one section of the country he was trying to please—the South.

The fact is that the nominations of Judges Haynsworth and Carswell were not rejected because the two men were Southerners or conservatives. They were rejected because a decisive number of senators—many of them members of the President's own party—believed that one of the nominees was too insensitive to ethical considerations and that the other was inadequate for the job on top of being insensitive on racial issues.

It may be true that there are some votes in the Senate against confirmation of any Southerner. In the past there have been some votes there against confirmation of any Northerner. There were, after all, 17 votes cast against the nomination of Potter Stewart in 1958—all by Southerners—and 10 votes cast against the nomination of Thurgood Marshall in 1967—all by Southerners. But the truth is that there are not enough biased Northerners, Southerners or any other kind of -ers in the Senate to deny confirmation to a fully qualified man.

A few facts ought to set the record straight. Six of the 51 votes against confirmation of Judge Carswell came from senators from Southern or border states—Virginia, Kentucky, Tennessee, Arkansas, Oklahoma and Texas. Four of the votes against confirmation of Judge Haynsworth came from these same states. Are the men who cast these votes biased against their own states? Twenty of the 43 Republicans in the Senate voted against one or the other or both of the nominations. Are almost half of the Senate Republicans biased against the South? It boggles the mind. And so, for that matter, does the proposition that Judge Carswell was a proper model of what the South has to offer. We noted with interest what the Greensboro (N.C.) Record had to say a few days ago about this nomination:

"It is reasonable, of course, that delegates from Dixie should want one of their own elevated to the Supreme Court. It is reasonable that they give weight to pride of region. But it is unreasonable, and a disservice to a proud region, that they should stand with a politicking President to chorus, G. Harrold is the best the South has to offer."

The President may be right when he said that he could not appoint "any federal appellate judge from the South who believes as I do in . . . strict construction." It just happens there aren't very many young Republicans on the federal appellate bench there. But there are other places to look in the South for Republicans who are strict constructionists. It is insulting to leave the impression that Judges Haynsworth and Carswell are the absolute cream of conservative Southern jurisprudence.

While we're at it, we would like to set the record straight on two other points. During most of the 15 years of so-called "liberal construction" about which Mr. Nixon complains, the South had two justices on the court—Black of Alabama and Clark of Texas. In one sense, it now has two since Chief Justice Burger was appointed—and confirmed by *this* Senate, one should add—from Virginia where he has lived for more than 15 years. Beyond this, however, a majority of the justices during 5 of those 15 years were selected by an administration in which Mr. Nixon was Vice President and four of the present eight justices were selected by a Republican President. It is a bit much to listen endlessly to the President's complaints about a court on which his greatest political benefactor, President Eisenhower, placed so many members.

And it is an affront to the simple facts of the matter for Mr. Nixon to complain that this Senate would never confirm a conservative, "strict constructionist" from the South; as anyone who was in the slightest touch with the Senate after the defeat of Judge Haynsworth will tell you, the disposition was powerful at that time to confirm almost any reasonably qualified candidate the President might have chosen; there was no stomach for a second fight and it developed slowly, reluctantly, and only in the face of overwhelming evidence that Judge Carswell did not meet even the most minimum standards that a conscientious senator could set. That was precisely the problem: the Attorney General and the President chose, for their own reasons, to abuse what was in fact a readiness on the part of most senators to be remarkably uncritical. They pushed their luck too far and in a way which was insulting to the Senate as well as the Supreme Court. It only adds insult to injury for them now to try to explain away their performance and their own predilections by accusing the Senate of regional prejudice.

SUPREME COURT NOMINEES NEED CLOSER STUDY

Mr. MOSS. Mr. President, the Deseret News, the evening newspaper in Salt Lake City, has long been considered a thoughtful voice of conservatism in Utah. This Pulitzer Prize-winning journal has spoken editorially in support of President Nixon many times and advocated a great many of the administration's policies. It has also objected to several positions when it thought a better road could be followed in the United States. Although I have not necessarily agreed with all of the positions taken by the paper, in nearly every instance the editorial stand of the newspaper has been a logical, objective analysis of the situation and a sincere commentary on the particular problem at hand.

The Deseret News editorial dated April 9, 1970, entitled "High Court Nominees Need Closer Study," is a sensible account of the controversy surrounding Judge G. Harrold Carswell and comes from a newspaper known to be in support of the administration's attempt to find a so-called strict constructionist for the Supreme Court. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HIGH COURT NOMINEES NEED CLOSER STUDY

With the rejection of Judge G. Harrold Carswell, Richard Nixon has become the fourth President to have the Senate refuse to confirm two of his nominees to the U.S. Supreme Court.

This unpleasantness could have been avoided if Mr. Nixon had followed through on his campaign promise to appoint men like Justices Cardozo and Oliver Wendell Holmes to the Supreme Court.

Indeed, it could have been avoided if Attorney General John Mitchell had done a better job of checking on the records of Carswell and of Judge Clement Haynsworth before him.

As it was, the Senate was presented with a nominee who in a 1948 speech pledged eternal loyalty to white supremacy . . . who played a role in turning his hometown's public golf course over to a private group to avoid integrating it . . . and who has had 59 per cent of his decisions reversed, a record that is 300 per cent higher than the national average of all federal judges.

Confronted with this record, hundreds of lawyers and law school deans, the bar associations of Philadelphia and San Francisco, and law school faculties across the nation, including the South, expressed serious misgivings about elevating Carswell to the nation's highest court.

Though Judge Carswell was found to be qualified and competent before he was confirmed a year ago to the Fifth U.S. Circuit Court of Appeals in New Orleans, a higher set of standards should be used to assess nominations to the Supreme Court.

While less able men have been appointed to the Supreme Court previously, that was a pretty weak argument for naming Judge Carswell.

Moreover, to bring a better balance to the high court, there are still plenty of judges with Carswell's "strict constructionist" views on the Constitution but without his drawbacks—though it seems harder to find them in the South than elsewhere.

As President Nixon casts about for another nominee, he should carefully weigh some of the criticisms of his selection process so as to avoid another Haynsworth or Carswell debacle.

One such criticism is that too much reponsibility for screening and evaluating candidates has been placed on one man, the Attorney General. Since Mr. Mitchell was Richard Nixon's campaign manager and is the administration's chief political strategist, this undermines the President's professed desire to keep Supreme Court nominations out of politics.

Moreover, the White House might have less trouble winning confirmation if it would consult leading senators in advance on potential Supreme Court nominees.

Certainly a wider range of advisers, inside and outside the government, would broaden the President's perspective and help him double-check the information he receives from the Justice Department on the next nominee to the Supreme Court.

ECONOMIC CONVERSION AND DIVIERSIFICATION

Mr. CRANSTON. Mr. President, the subject of economic conversion and diversification is of vital interest to me. Clearly, as we move away from our involvement in Vietnam, we must plan and prepare the economy to convert from its overwhelming military dependence to mounting a meaningful attack on the critical problems which confront us at home.

The issue is of particular importance to the State of California, which relies heavily on defense and aerospace contracts.

Recently, Mr. Henry Lacayo, president of Local 887 of the United Aerospace Workers, testified on this important topic before the California Joint Legislative Committee on Economic Conversion. Some of his comments are controversial but his remarks should be of real interest to the Senate. For this reason, I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF HENRY L. LACAYO

Mr. Chairman, Members of the Committee, my name is Henry Lacayo. I appear before you as a rank and file union member who is privileged to serve as president of a local union: Local 887, United Aerospace Workers. Our members work at all divisions of North American Rockwell Corporation in Los Angeles and Orange Counties.

Those serving on our union's Executive Board, present here today, join me in commending you for providing an official public forum—long needed in California—on the pervasive issue of economic conversion. Economic conversion has particular meaning in this state which, in fiscal 1967, had nearly 18% of the Defense Department's military prime contract awards of $10,000 or more.

In bread and butter terms, we commend you for your concern about the economic and human plight of the unemployed. While economists haggle over cold, impersonal statistics to prove or disprove the existence of a "recession," we have thousands of members on layoff . . . members who, without other employment possibilities, are experiencing a "depression." To give you the depth of the dilemma, layoffs include members with 20 years or more of credited service at North American Rockwell.

During the period from January 1964 to the end of 1969 over 16,000 workers in the bargaining unit have been laid off. In January 1964 over 29,000 were employed . . . in December of last year less than 12,500 were at work. This represents an obviously major reduction in the North American workforce and doesn't take into account those laidoff outside the bargaining unit—that is, managerial personnel. And as of today, there is no promise of an appreciable employment upswing.

We come before you not as arm chair social critics but as those who live with day-to-day realities. Therefore, we profoundly hope that what we say in behalf of Local 887 members will be accepted in this light.

The layoffs at North American Rockwell and elsewhere merit more attention than a mere entry on unemployment statistical records and charts. And certainly merit more insight than presently reflected in policy-making attitudes and decisions that unemployment is a way to ease inflation, especially at a time when high interest rates, housing shortages and population rise help to assure a continuation of inflationary pressures, not to mention Vietnam.

We at Local 887 are not economists. But we simply cannot comprehend how an abundance of unemployment coupled with a scarcity of products and services is the way to manage our national economic health. This is a defeatist approach. . . it is a damaging approach . . . it is a disastrous approach.

An America demonstrably capable of producing in quantity should stress high employment *and* abundance. In short, our choice is unemployment *and* scarcity or employment *and* abundance. Sheer common sense, if not compassion for wage earners, should dictate national choice.

Therefore, we must vigorously fault the direction the national executive leadership has chosen. We must also fault those corporations for failure to diversify more rapidly, realistically and with greater dedication.

A case in point is the recent loss of the F–15 contract by North American Rockwell. Additional layoffs followed. Should not a company have options? Does not a company plan just in case an existing government contract is cancelled? Is not a loss of a contract bid tantamount to cancellation?

While North American Rockwell is seeking and is already in some areas of commercial or civilian production, the fact of the matter is that up to now, it is not an in-depth, all-out effort that will assure a high, stable work force. This brings us to the subject of corporate responsibility about which we want to speak at a subsequent point in our testimony.

For the moment, we want to preclude any misinterpretation of our position regarding space and defense programs per se. We are on record in the Halls of Congress in an official 1967 statement, for example. We said, and I quote:

"When America's fighting forces during World War II needed a highly maneuverable, high speed, dependable fighter plane, North American Aviation and its workers responded with the venerable P–51 Mustang, one of the greatest planes of its types in the entire history of manned flight.

"And when the need during the same war became apparent for a medium sized bomber with long range capabilities, North American and its workers answered the call with the Majestic B–25 which, even today, is being used by American fighting forces in Vietnam . . ."

This 1967 statement of intent, made following the Apollo tragedy in which 3 astronauts lost their lives, also said:

"We know these are difficult times for North American with their managerial and engineering problems. And it is because of this we offer our cooperation in any way possible to help ensure the ultimate success of the Apollo Space Project. North American workers have performed in this spirit both in time of war and in time of peace, and they have done a superior job in time of war and in time of peace."

Mr. Chairman, I have quoted at some length to develop two fundamental positions which we take:

First, while we are opponents of unbridled military spending, and particularly of military waste, which costs the American taxpayer between $20 and $30 billion a year, we are not suggesting that we are opposed to military preparedness and planning for our "national security." What we are saying is that "national security" includes much more than a military definition. We are convinced that meeting human needs creates healthy, sustained economic growth. We are convinced that meeting civilian requirements assures a more stable, secure employment market. We are convinced that a civilian-oriented economy would assure aerospace workers with a greater continuity of employment. Indeed, all workers.

Second, the cooperative hand we offered to North American Rockwell when its future and reputation were on the firing line should now be met by this corporation's cooperative hand in sitting across the table with us in planning future employment possibilities. Further, it is our hope that North American and similar industrial giants that have benefited, in great measure, from public funds will participate in public discussions and decision-making efforts such as this committee offers.

Our union is officially on record in urging the "formation within the aerospace community of a labor-management committee" to help formulate civilian-oriented projects and programs. Our thinking leading up to this specific proposal is found in our policy statement called "National Priorities and National Security—A Call to Conscience and Action by Aerospace Workers." A copy is attached to our testimony which is before you. (Exhibit A) We respectfully urge your readership and particularly draw your attention to page 5 in which we offer specific suggestions as to the type of civilian work North American Rockwell is set up to handle. We have no hesitancy in saying that our members are capable of performing the task.

For more than two decades the UAW has spoken out in favor of economic conversion, of economic diversification, often being accused of "pie-in-the-sky" thinking. The discussions that are taking place in this country today are testimony to the practicality of the UAW position.

For far too long we have been lulled into a feeling of security because our Gross National Product increases yearly. While there are arguments as to whether the rate of growth is fast enough, the real focus should

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be centered on the *quality* of growth. Are we really making progress, for instance, if chemists are in the laboratories of cosmetic firms discovering a new, better tasting lipstick, rather than the medical or hospital labs? Are we really making progress when scientists devote their vast talents to chemical and biological warfare rather than disease prevention?

So, the subject of economic conversion is not new to us. After World War II the UAW recognized the need to produce for the common good . . . to produce for a growing domestic consumer demand . . . to produce for peacetime living . . . to erase from our economic life the attitude that workers are "expendable."

Permit me to offer a bit of UAW history to make this point more meaningful.

Nearly 25 years ago—on May 4, 1945—the Army and Navy Departments and the Ford Motor Company summoned thousands of workers at the Willow Run Bomber plant to a meeting on the plant grounds. The occasion was the presentation to the workers and company of the Navy-Army "E" for excellence in production. A heavy bomber had been rolling from the plant every hour for more than a year. Mr. Henry Ford II took the occasion of this celebration to inform the Willow Run workers that they were no longer needed. The plant was to be abandoned. The word he applied to the plant was "expendable."

At that time, the UAW took issue with Ford on behalf of the workers of Willow Run, including 11,000 who at that time were in the Armed Forces. UAW challenged the contention that this powerful $90 million war-time unit of destruction could now also be used as an effective peace-time producer of the goods of plenty. Specifically, the UAW documented its case by pointing to the need for more housing and for updating the railroads.

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We have come full circle. Housing needs are yet to be met. The plight of the railroads is on record. And today we find workers—and we might add, including many in management—who have contributed to both space and defense programs, but are now "expendable." Expendable at a time when technology, managerial know-how and a labor source of semi-skilled and skilled workers are available to do battle to meet domestic needs of our citizens. What a waste of human resources! What a waste of gigantic public investment that has made possible both the physical plants and profits enjoyed by aerospace and defense industries!

It is to the last point we wish to address ourselves. Long overdue is the need to acknowledge openly the myth that companies such as North American Rockwell, Lockheed, McDonnell-Douglas, etc., are *private corporations* in the traditional capitalistic meaning of the term. This just isn't so. No one has better stated the proposition than Harvard economist John Kenneth Galbraith who said in testimony last year before a joint Senate-House economic subcommittee, and we quote:

"We must, as a grownup people, abandon now the myth that the big defense contractors are something separate from the public bureaucracy. They must be recognized for what they are—a part of the public establishment."

The facts support this view. In 1968, large defense contractors were using an estimated $13.3 billion worth of already nationalized plant and equipment and in June 1969 were using $9.5 billion of public working capital in the form of progress payments on contracts, the payments depending, broadly speaking, on the need for capital, not the progress toward completion of the contract.

To state the matter in another way: "Typically, aerospace companies do not spend their own money to build plants; they lease factories constructed by the Government. . . . Much of the elaborate equipment in aerospace factories is also government-financed. . . . Defense contracts . . . provide liberal allowances is the cost of a weapons system exceeds the estimate price—and it usually does—by a substantial margin. . . . Finally, the Government finances the production line itself." These are not our words but those of the *Washington Post* reporter Bernard D. Nossiter, taken from his two award-winning reports last December.

Once we, including the corporations, become grownup enough to admit this national condition of economic life, then it logically follows that these corporations—and even smaller companies that have benefited from public spending in space and defense—have a public responsibility to perform in behalf of domestic consumer needs. Consumer needs should be defined more broadly than in products alone. It should include a consideration of environmental needs, health needs, educational needs, etc. What a breath of fresh air would blow over this nation when companies are bidding on HEW contracts, on public health contracts, on transportation contracts, and the like.

While we see some movement in the right direction, to date the net result is shallow when lined up against need. Sure, it's encouraging to read the *Los Angeles Times* headline "Aerospace Men See Peace Profits" and to see in the text of the reporter's story that "Aerospace companies also see a big future market in the applications of the systems approach and electronic capabilities, which it acquired from Government contracts, to solving urban problems. The industry believes that aerospace technology has markets in air and water pollution abatement, crime control, marine sciences and urban transportation." (January 15, 1970)

This still puts things in the future. We need to act here and now. Walter Reuther, President of our International Union, has pinpointed the hard reality that the large industrial combines will only be motivated by the pocketbook nerve. Hence his proposal, the full content of which is at your disposal, makes sense. Since this proposal has already been publicly aired, I shall not burden you with a repetition, but would urge most strongly that you give his suggestions your full and careful consideration.

We find a paradox in the aerospace/defense establishment. Undoubtedly, profit has come to space-oriented, defense-oriented firms. Yet, the data at hand shows that those companies that have diversified are making more profit on civilian goods than military.

An overview of defense spending shows that the highly specialized aerospace and electronic firms, though still important defense contractors, have found their shares of defense business declining. In fiscal 1968 the 10 firms with the largest amount of defense contracts received 29.9% of the total awards—this was down from their pre-Vietnam share of 32.2%. Interestingly, 9 of these 10 giants of the military market are aerospace and electronic firms. The 10 firms are: North American Rockwell, General Dynamics, Lockheed, General Electric, United Aircraft, McDonnell-Douglas, AT & T, Boeing, Ling-Temco-Vought and General Motors.

Rather than reciting to you a detailed account of profit data and a related explanation, we have appended to our remarks an article titled "The Myth of War Profiteering" which appeared in the December 20, 1969 issue of *The New Republic*. (Exhibit B.) However, we would like to take note of a reference to North American Rockwell. It is written and we quote " . . . Value Line Investment service in appraising North American Rockwell on July 25, 1969, notes that the company's commercial business was expected to reach 40 percent of its gross revenues in 1969, while accounting for over 50 percent of profits."

Also we wish to point out that the business-oriented magazine *Forbes* ranked the top 500 corporations in terms of revenues, assets, profits, etc. North American Rockwell was listed among the top ten war suppliers. Its rank based on total revenue was 6; however, its rank based on total profit was 94.

All of this by way of substantiating our contention that civilian business is more profitable than military. This notwithstanding, we do find an inertia on the part of corporate enterprise. Herein lies the paradox. Only public policy, democratically arrived at, can displace pockets of corporate inertia with active corporate participation in the mainstream of economic growth.

We cannot drift into peace. We must have a *delivery system* that will meet the urban crises, that will meet our 1946 national policy goal of full employment, that will halt spoilage of our environment, that will meet our educational needs in plant, teachers and curricula, that will meet the total spectrum of human needs that involve the quality of life.

It is not an easy task. But we are optimistic in believing that our advanced technology, know-how and skills in this age of electronic revolution can produce for and can serve domestic and peaceful purposes. We in the UAW, in a time of supreme national peril, were the ones who said, "yes, we auto workers can produce 500 planes a day." The auto industrialists said it couldn't be done. They were 100% wrong. We did it. There is no reason we can't reverse the coin and push as steadily and devotedly for goods and services geared to constructive, rather than destructive, purpose.

We laymen and elected officials should not be intimidated by our electronic age. We should not be intimidated by our technology. We should not be intimidated into thinking that electronic and technological advances can best be applied to tools of war or to conquer outer space. A professor of history has said that "it is recognition that technology and science are, and always have been, integral to the human adventure, and not things curiously alien from the concerns of our race."

It has been said that following the ceremonies dedicating the great telescope on Mt. Palomar, somebody remarked to an astronomer: "Modern astronomy certainly makes man look insignificant, doesn't it?" To which the astronomer replied, "But man is the astronomer!"

When Ralph Nader was here in Los Angeles under the sponsorship of our union he spoke to this point when he said we have had an "aristocratic" application of our technology, and that it is high time we applied it to the needs of working Americans.

Now bringing the issue closer to home: that of employment of our members and indeed all working men and women. What we are attempting to say is that we must view a healthy employment picture in terms of building a *democratic culture*.

While our reaching out for a democratic culture is national in scope, you and other elected officials have a singular opportunity to bring the State of California into a pace-setting role. We do not take lightly our policy position, set forth in our Joint Council's statement to which I have previously referred, that there should be a "push or state government contracts to aerospace industries to research and develop answers to environmental pollution. . . . A state contract to look into the feasibility of the automobile steam engine is a case in point." As you know, the previous administration made a start in this direction, but the impact has been a scratch on the surface of the problems. More money and more State official push is mandated.

And we can bring the issue even closer to home for members of Local 887. We have said and I quote: "We are convinced that the aerospace industry can make a meaningful long-range contribution in pre-fabricated housing field, especially in the electrical, water and air cooling systems for such homes. . . . aerospace managment and workers who can build 30 engines for Apollo 11 most certainly have the work experience and required skills to move in the direction of providing a new power source for automobiles . . . a power source that is cheap, effective and clean. And certainly a team that can 'house' astronauts can come up with a mass rapid transit vehicle to 'house' commuters, especially for those who lack job opportunities because of no serviceable public transportation."

We are attempting to say that we must view a healthy employment picture in terms of a balanced, diversified economy, recognizing that national security is an all encompassing concept. We must bring balance and reason into economic growth . . . we must bring enlightenment and imagination into our policy decisions.

Perhaps a young 17th Century French philosopher and mathematician said it all when he observed: "We do not display greatness by going to one extreme, but in touching both at once, and filling all the intervening space."

Mr. Chairman and members of the committee, we appreciate your kind attention to our remarks and again wish to commend you for holding hearings on the most vital issue of the day.

Thank you.

LAOS—NEXT STEP IN THE BIG MUDDY

Mr. EAGLETON. Mr. President, I invite attention to an excellent article on Laos, written by the Senator from California (Mr. CRANSTON) which was published in the Nation on March 30, 1970.

The article, subtitled "Next Step in the Big Muddy," lucidly sets forth the hazards of the Laos situation and the danger that the United States might be drawn into a wider war in Southeast Asia. I ask unanimous consent that Senator CRANSTON's article be printed in the RECORD.

There being no objection, the Article was ordered to be printed in the RECORD, as follows:

LAOS: NEXT STEP IN THE BIG MUDDY

(By Senator ALAN CRANSTON)

WASHINGTON.—The people spoke in 1968, and they spoke against the war in Vietnam. But now it is 1970, and American men are still fighting and dying there. Some troops have been withdrawn, but the Nixon Administration has never made it plain that it intends to get all our fighting men out of Vietnam, this year, next year, or any year. It, like the administration before it, seems either unable or unwilling to muster the courage to change our course.

Now there looms the danger of a new Vietnam in Laos. The war in Laos and the war in Vietnam are separate parts of the same conflict.

The Administration, it seems to me, is pursuing a double-risk policy that could keep American troops in Southeast Asia for years. On the one hand, there is convincing evidence that U.S. military involvement in Laos is being escalated in much the same way that we escalated in Vietnam in 1964. On the other hand, Vietnamization is beginning to look more and more like a convenient way for us to create an army of South Vietnamese mercenaries to continue a conflict that is neither in our national interests nor in those of the Vietnamese people.

The war between Communist and other factions in Laos had been sputtering along in a sleepy fashion for years, both sides taking pains to avoid each other whenever possible. Sometimes one side would win, sometimes the other; it depended on the season of the year and the zeal of the local commanders.

In recent years, however, there have been alarming changes in the situation. The United States has created a secret mercenary army of Meo tribesmen. It is commanded by Laotian officers, but its men are recruited, paid, armed, trained and advised by the CIA, and by U.S. military officers. The regular Laotian army seems to have been replaced on the battle lines by these Meo mercenaries. Thai, Nationalist Chinese and Filipino troops also are reported in Laos.

Last summer, the Meo went on the offensive and overran North Vietnamese and Pathet Lao positions on the Plain of Jars. The Meo displayed more initiative and determination than is generally seen in Laos. Predictably, the offensive alarmed the other side. A counterattack was launched and during the last few weeks, our badly extended mercenaries were pushed back. So the violence on the ground has increased, in part because of American involvement in the war.

While U.S. efforts were helping to escalate the ground war in Laos, American planes were stepping up the air war at an incredible rate. American air activity there jumped from 4,500 sorties a month when the United States was still bombing North Vietnam, to between 12,500 and 15,000 a month today. Much of the increase is our response to expanded use of the Ho Chi Minh Trail by the North Vietnamese, but American bombing missions into other parts of Laos are also significant factors.

The exact nature of the bombing is not known because, like the other aspects of our involvement in Laos, the operations are shrouded in secrecy. In almost every way, the war in Laos has been a secret war. The Administration has kept it that way because the United States signed a treaty declaring we would keep our military personnel out of Laos.

Specifically, the Geneva Accords, signed by the United States and thirteen other countries in 1962, state that "the introduction of foreign regular and irregular troops, foreign para-military formations and foreign military personnel into Laos is prohibited." The treaty defines foreign military personnel to include "members of foreign military missions, foreign military advisors, experts, instructors, consultants, technicians, observers and any other foreign military persons . . ."

In short, the United States is violating the Geneva Accords and has been violating them for many years. So the Administration has tried to keep the press at bay and to avoid testifying publicly on the real nature of our involvement in Laos.

The Communists, of course, know what we are doing. It's no military secret to them that we bomb them or that our mercenaries attack them. The Communists are violating the Geneva Accords—and won't admit it. The United States is violating the Accords—and won't admit it.

"Civilian" pilots hired by the CIA and AID fly our mercenaries and their supplies around the country, and the government covers the whole thing up as a relief operation to provide supplies for refugees. When the planes are shot down, the embassy in Vientiane simply attributes their loss to bad weather conditions. The Administration conveniently forgets how this practice distorts and perverts the whole concept of foreign assistance.

Meanwhile, our military planes blast away from the air with a considerable degree of immunity. There are those who seem really not to care if the same friendly village is hit three times—as actually happened in Laos—or if women and children in unfriendly villages are burned to death. Money for the secret army and the disguised air flights is buried in CIA and AID budgets, hidden from the people and their elected representatives.

A congenial host perpetuates this sham by piously repeating from time to time that "there are no foreign troops in Laos except North Vietnamese." Souvanna Phouma knows perfectly well that his statement is nonsense. Enterprising reporters have proved it nonsense. Senators and Representatives know it is nonsense—and are asking the Administration to set the record straight.

President Nixon has responded by issuing what he calls a precise description of American activities in Laos. He reported, among other things, that "no American stationed in Laos has ever been killed in ground combat operations." A day later, the *Los Angeles Times* disclosed that Capt. Joseph K. Bush, Jr., an American military adviser, was killed in ground combat at Muong Soui, on the western edge of the Plain of Jars, on February 11, 1969. The White House acknowledged that Captain Bush had been killed by hostile fire, and stated that the President had not been told of his death. He, like the American public, learned about it from an American press which, fortunately, has refused to be intimiated by the Administration's efforts to soften or silence its reporting of the wars in Southeast Asia.

The White House then went on to argue that Captain Bush was not killed in Laotian "ground combat operations." However, he was awarded a Silver Star posthumously, and the citation says that he killed two enemy soldiers before he fell while defending a compound at Muong Soui.

It is impossible, perhaps, to define "ground combat," there being so many ways to interpret the mission of men who, in fact, engage in ground combat. But there is a second nicety of definition in Mr. Nixon's statement that we must not gloss over. The three key words are "stationed in Laos."

I have asked the President how many men not "stationed in Laos" have been killed there. The question needs answering because I have talked with young Americans who were stationed in Vietnam and who tell me they were sent across the border into Laos. They say they were armed, and on military missions. They say they were under orders that, if captured, they were to tell the enemy that they had become lost, misread their maps, and strayed into Laos. They were to say that they thought all along that they were inside Vietnam.

One former GI tells me has was sent with others to pick up American dead in Laos and to bring them back to Vietnam. The slain would then be counted as casualties in Vietnam, not casualties in Laos.

The President's statement on Laos also sought to persuade us that most of the intervention on the ground in Laos is by North Vietnam, not by the United States. He declared that 67,000 North Vietnamese troops are in Laos, and compared this to what he declared to be a total of 1,040 Americans directly employed by the U.S. Government in Laos, or employed on contract by our government, or by government contractors, in Laos. But Mr. Nixon made no reference to our army of Meo mercenaries. They change the comparison considerably. Estimates of Meo troop strength run as high as 40,000 men. I have asked the President to divulge the maximum number of Meo tribesmen that have been on the American payroll during the Johnson administration, and during his own Administration.

There are those in the present Administration who seem determined to make another bad little war into another bad big war. But it won't be as easy to embroil the nation as deeply in Laos as it has become embroiled in Vietnam. The U.S. Senate has made it more difficult for this Administration—or any administration—to send full battalions and divisions of American troops into Laos. Congress adopted an amendment to the Armed Services Appropriations bill,

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offered by Sen. Frank Church of Idaho, stipulating that none of its funds could be used to introduce ground combat troops into Laos or Thailand without prior consent of Congress.

But even with the Senate amendment, even with the strong concern and criticism in Congress, and the accurate and determined reporting by the press, we're already knee-deep in a new Big Muddy.

Meanwhile, the old Big Muddy oozes along, sucking up lives and dollars at a steady rate. There is a great danger that the Nixon Administration still seeks victory in Vietnam; at the least, it is obviously planning to use American artillerymen, airmen and support troops to prolong the conflict.

Under Richard Nixon, Vietnamization has become just another way of paying foreign troops to fight a war the Administration wants to wage. In Laos we hire mercenaries; in Vietnam a more sophisticated method is used. The Saigon generals forcibly conscript Vietnamese boys into their army. We pay their salaries indirectly through foreign assistance; we provide their arms, equipment and training directly. Then these youngsters go out and do the dirty work for us and for the repressive dictatorship which most of them dislike and distrust. The dirty work, of course, is to kill other Vietnamese.

The President's form of Vietnamization will not end the war. It will prolong it. His form of Vietnamization does not mean that we are going to pull all our troops out. Some—including combat troops—will be in Vietnam indefinitely. A secret timetable is not a timetable at all; it is a device whereby an administration attempts to claim credit for the things it does, meanwhile hiding all that it isn't doing or could be doing faster. It is as if a railroad announced that all its trains were running on time—but refused to publish a timetable.

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President Nixon's form of Vietnamization means we shall continue to prop up the Thieu-Ky clique—as repressive and unrepresentative today as it has ever been. I would support a policy of providing a truly representative government in South Vietnam with enough assistance to match the outside assistance given to insurgents who seek its overthrow. But the sad fact is that there is no representative government in Saigon, nor any sign that one will emerge in the future. The sad fact is that, instead of moving toward peace in Vietnam, we are simply moving toward another kind of war—a war that resembles on a much larger scale the conflict in Laos.

Unlike the war in Laos, the war in Vietnam is no secret. The American people are aware of it, hate it, and want us to get out of it. After a grace period for the Nixon Administration that lasted ten months, Americans and their elected officials renewed their demands for an end to that war.

Reacting to this pressure, the Administration began the gradual withdrawal of frontline American combat troops—while our air and support troops remain the same. Fewer American lives are being lost, the number of troops in Vietnam is going down instead of up, and the immediacy of the war begins to fade from public concern.

To keep it fading, the Administration has attacked the mass media—which has reported the war to the American people as its reporters have seen it. At the same time, reporters in Laos who tried to tell the story found that they had thereby forfeited some of their rights to protection as American citizens.

On February 24, the press reported that one plane per minute was leaving the secret American-run base at Long Cheng in Laos. It also revealed that many armed Americans in civilian clothes were active in the battle then sputtering on the Plain of Jars. The plucky reporters who filed that story were arrested by Laotians. And the American ambassador in Laos promptly declared: "The American Mission has lost any interest in the press whatsoever because of what happened this afternoon."

I was under the illusion that embassies overseas were supposed to protect American citizens, not to wash their hands of them. But the secrecy of this dirty little war has probably given Ambassador Godley the illusion that he is a Roman proconsul. It's no wonder then that he speaks more like Pontius Pilate than like an American official. It is the kind of mentality that got us into the Southeast Asian quagmire in the first place.

The American press continues to report on American activities in Laos and Vietnam. But it will take more than journalism to keep Laos from becoming another Vietnam, and to keep Vietnam from turning into a giant Laos. Specific steps must be taken:

All our fighting men must be withdrawn from both countries.

The withdrawal must be on a timetable announced in advance.

If a true representative government should come to power in South Vietnam, the United States should provide enough assistance to match the outside assistance given to insurgents seeking its overthrow.

It may be more hygienic for us at home to know that our tax dollars, which pay for bombs and napalm and foreign mercenaries, are responsible for more and more of the killing in Vietnam, and American foot soldiers for less and less. I submit that to the Vietnamese girl who is raped, it makes little difference whether Americans or South Vietnamese assault her. And it makes little difference to the people of a Vietnamese or Laotian village whether the American weapons that kill them are handled by American citizens or American mercenaries. They are dead: we helped kill them. Surely that is all that counts to those who may survive.

And it is all that should count for us. No matter how you slice it, or paper it over, or patch it up, this is an unjust, immoral and unnecessary war. I am truly sorry for the people of Southeast Asia who bear the burden of it. They deserve better leadership than either side in the conflict can give them. But we cannot select their governments for them, and we cannot order their societies for them. That is their responsibility, not ours.

Our first responsibility is to peace. The Nixon policy will not bring peace—it will only bring more war and more killing. As long as we continue to support an unpopular government in Saigon and as long as we refuse to send a top-level negotiator to Paris, there will be no peace in Vietnam.

Our second responsibility is to ourselves. And we cannot begin to meet that responsibility until we get our troops all the way out of Southeast Asia. The issue is not whether Americans fight the war or Vietnamese fight the war. The issue is the war itself. The issue cannot be diffused. It will not go away.

It will haunt the dreams of a generation of Americans for years to come. We shall not be whole again until it is ended. We must at last be true to the best of our heritage, not to the worst.

THIRTIETH ANNIVERSARY OF THE KATYN FOREST MASSACRE

Mr. GURNEY. Mr. President, in April 1940, the Soviet Union cruelly and ruthlessly murdered more than 15,000 Polish officers. These young men were completely defenseless, having been captured during the Stalin-Hitler rape of Poland which began in September 1939. The site of this infamous deed is a name which still brings shudders of revulsion to free men: The mass graves were located in the Katyn Forest in eastern Poland.

Invading German armies discovered the mass graves at Katyn containing more than 4,000 corpses. The International Red Cross was summoned and investigated, fixing the blame on the Russians. The Reds made an effort to lay this vicious massacre at the feet of the German armies, but subsequent investigations, including one by Congress, leave little doubt that the Soviets were responsible. We also learned that the Russians loaded more than 11,000 bodies of these young patriots on barges, sailed them into the White Sea, and sank them by shelling them.

Mr. President, on the 30th anniversary of this melancholy event, it is well for Congress to remember this tragedy and pay tribute to the brave young men who fought and died defending Polish liberty.

When we sit down to negotiate with the Soviet Union at Vienna and elsewhere, we should remember that we are dealing with a regime which countenanced mass murder and used mass murder as an instrument of its national policy.

World War II began, as we know, in defense of Polish freedom. It ended in the subjugation of Poland. The Russian masters of Poland doubtless had an easier time setting up their puppet regime because of Katyn. Had these young, vigorous, talented, and freedom-loving officers survived the war, they doubtless would have opposed the tyranny of a Stalin puppet regime in 1945, just as they fought a Hitler-Stalin takeover of Poland in 1939.

WOMEN AND THE LAW

Mr. TYDINGS. Mr. President, equal justice under law is one of the fundamental principles on which our Nation was founded. The legal realities, unfortunately, sometimes fall short of this principle.

I am speaking of legal discrimination against women.

In a most interesting article, entitled "Women and the Law," in the March issue of the Atlantic, Diane Schulder, a New York attorney, discusses flagrant injustices in the areas of employment, civil rights, welfare law, criminal law, and abortion law.

It is time to stop treating women as second-class citizens. To all persons concerned with injustice in American society, I commend this thoughtful article. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WOMEN AND THE LAW

(By Diane Schulder)

The United States Constitution once blatantly described the black man as three fifths of a man and the Supreme Court decided that black people did not qualify as "citizens." Women in our legal history have not been treated much better. Most sex-discriminating laws have been explained as "protective" of women; women's innate inferiority has been assumed. The Supreme Court made this clear in 1908:

> . . . history discloses the fact that woman

> has always been dependent upon man . . . looking at it from the viewpoint of the effort to maintain an independent position in life, she is not upon an equality . . . she is properly placed in a class by herself.

EMPLOYMENT

Professional women have come a bit of a way since the United States Supreme Court (in *Bradwell* v. *Illinois*, 1872) upheld a state law barring women from the practice of law, stating:

> Man is, or should be, woman's protector and defender. The natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life.

But statistics on earnings still reveal appalling discrepancies between (in descending order) the salaries of white men, black men, white women, and black women. Hour- and weight-limitation laws and minimum-wage laws for women are, even today, defended by trade union representatives. But bigotry and sexism, reinforced through business, government, and trade union delinquency, are being challenged. Women's groups are demanding enforcement of Title VII of the Civil Rights Act of 1964 (as many as half the complaints to the Equal Employment Opportunity Commission in hiring discrimination are coming from women), and of the Equal Pay Act of 1965. Both pieces of legislation were hotly contested in Congress. A 1969 U.S. Court of Appeals decision in the Colgate-Palmolive case ruled that employers may not exclude women from jobs requiring the lifting of thirty-five pounds or more. (These laws have been on the books for years, although any woman can tell you that her two-year-old child generally weighs more.)

As close to our own time as 1948, the Supreme Court reaffirmed its protective approach in not allowing a woman to be a bartender unless she was "the wife or daughter of the male owner." The Court explained:

> The fact that women may now have achieved the virtues that men have long claimed as their prerogatives and now indulge in vices that men have long practiced, does not preclude the States from drawing a sharp line between the sexes, certainly in such matters as the regulation of liquor traffic. *The Constitution does not require legislatures to reflect sociological insight, or shifting social standards, any more than it requires them to keep abreast of the latest scientific standards.*

CIVIL RIGHTS

English common law provided that juries were to be composed of twelve good *men*. To the present day, the U.S. Supreme Court (contrary to its ruling regarding black people) has not ruled it unconstitutional for women to be excluded from a jury, although a recent lower federal court (in *White* v. *Crook*, 1966) has so held.

Women are not covered in the public accommodations section of the Civil Rights Act, nor does the law currently protect them from being discriminated against by schools or universities. A group of women law students at New York University Law School, as recently as 1969, had to petition their school to open the Root-Tilden scholarships, $3500 yearly stipends which had formerly been restricted to "young men who give promise of becoming outstanding lawyers." Dorms, of course, are often still segregated, and colleges pretend to be able to exercise much more authority over their women than their men students. Needless to say, women did not secure the right to vote until the Nineteenth Amendment in 1920, fifty years after it had been granted to men of any race.

MARITAL RELATIONSHIP

Under the English law of "coverture," the husband and wife were "one." And, as Justice Black said (*U.S.* v. *Yazell*, 1966), "the one is the husband." According to the doctrine of coverture, the woman lost her legal existence upon marriage. Not only did she lose her name and become known by her husband's name, but she also lost her right to sue in a court, to sign a binding contract, to manage her property. (She was treated by the courts together with children and insane people.) She had to live at the domicile of her husband, who had control of where it should be. In many areas, the laws of coverture have been wiped off the books, but their legacy in practice remains.

Alimony is looked upon as an advantage the woman has, and perhaps an unfair advantage. Some feminists do not like the idea of alimony, and some, such as Betty Friedan, suggest, instead, a form of severance pay upon divorce. Other substitute ideas are (1) payment, perhaps $75 a week, to the spouse who does the housework, (2) unemployment money for a wife and mother who gets divorced, (3) marriage insurance. Other feminists, such as Flo Kennedy, refuse to give up the concept of alimony, saying that women should not give up the little they have before they secure equality in all other ways.

WELFARE LAW

One of the most flagrant abuses in recent years has been the searching of homes to find out if a welfare mother is having a sexual relationship, and, if she is, then cutting her off welfare. Welfare investigators conduct "night raids," "bed checks," and "operation week-end" searches, sometimes at the home of a single welfare recipient, often as a mass nighttime operation. The stated purpose is to determine whether there is an unreported man in the home of a woman receiving welfare or aid to dependent children. The effect is clearly to discourage a permanent relationship for a woman with children who needs welfare.

The raids, which sometimes involve two welfare investigators blocking exits, then searching beds, children's rooms, attics, and medicine chests for evidence of a man's presence in the home, can result in denial of further welfare payments or lay a basis for charging the woman with welfare fraud.

In *King* v. *Smith*, the case in which the U.S. Supreme Court finally discredited the "substitute father" rule, a lawyer representing a welfare mother questioned a casework supervisor. It was developed that even if a woman cohabited outside the home with the same man once in two months with an intention to continue the relationship, welfare aid could be stopped. Lawyers had thought that the "man-in-the-house" rule had been laid to rest. But the case of *Lewis* v. *Stark*, under consideration by the Supreme Court, threatens to revive the rule.

CRIMINAL LAW

We see sex discrimination in the very definition of crimes. Legislation and case law still exist in some parts of the United States, permitting the "passion shooting" of a wife by a husband; the reverse, of course, is known as homicide. The U.S. Supreme Court recently considered the case of a girl imprisoned for "lascivious carriage" under a 1905 Connecticut law authorizing imprisonment of young women if they are "in manifest danger of falling into habits of vice or leading a vicious life." Laws also exist providing for longer jail sentences for the same crime. A Pennsylvania court, in *Commonwealth* v. *Daniels* (1968), has recently held such unequal sentences to be unconstitutional.

One of the areas where the criminal law operates most discriminately is prostitution. Despite the fact that a recent New York law makes the "John," or customer, guilty as well as the prostitute, the New York District Attorney's office sees fit not to prosecute the male customer but only the woman he exploits.

REPRODUCTION

In many states, dispensing birth-control information is a crime. William Baird faces five years in jail in Massachusetts for handing someone a can of contraceptive foam. Over two hundred women sued in October, 1969, to have the New York State abortion laws declared unconstitutional. The laws provide that a legal abortion may be performed only when necessary to preserve the life of the woman. In California (The *Belous* case) and in Washington, D.C. (the *Gezell* case), similar laws have been declared unconstitutional.

Women are now demanding the right to control their own bodies, and themselves to make the decision whether to bear a child. These abortion laws were passed by predominantly male legislatures in the days when women did not have the right to vote. Lawsuits can also be used as an organizing tool. The abortion law suits, in addition to being effective in the courts, have unearthed organizing potential; and people who had never before realized their common oppression are now struggling together.

DALLAS GARDEN CLUB CALLS FOR 100,000-ACRE BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, concerned conservationists in Texas and throughout the Nation are urging prompt action to preserve the great natural beauty of the Big Thicket by establishing a national park.

The Big Thicket has been aptly termed the "Biological Crossroads of North America." No other region of comparable botanical diversity exists in the United States. Alongside yucca, mesquite, and cactus grow cypress, tupelo, live-oak, and all the other trees of the Southeastern lowlands.

The Big Thicket is one of the major resting places along the gulf coast for migratory birds. It is a great natural bird sanctuary and over 300 species reside there permanently, with hundreds of others migrating through it. It is the last known habitat of the rare ivory-billed woodpecker, thought to be extinct, until some were sighted in the Big Thicket a few years ago.

The Big Thicket also has immense scientific value. Every major American university has sent representatives there to do research. Botanists, zoologists, geneticists, entomologists, taxonomists, and environmentalists all have much to lose if the Big Thicket is destroyed.

Mr. President, for all these reasons, and many more, the people of my State and the Nation are asking that the Big Thicket National Park be made a reality. I ask unanimous consent that the resolution of the Dallas Garden Club be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF DALLAS GARDEN CLUB ON THE BIG THICKET NATIONAL AREA

The Dallas Garden Club does hereby adopt the Policy Statement on The Big Thicket National Area, a copy of which is attached hereto and made a part hereof for all purposes, and urges the President of the United States, the Congress, the Department of the Interior, the U.S. Corps of Engineers (as to Dam B), and the appropriate state agencies (as to supplemental state and historic parks)

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to take appropriate action to implement this policy as soon as possible.

Mrs. MAURICE E. MOORE,
President.

POLICY STATEMENT ON BIG THICKET NATIONAL AREA

We favor a Big Thicket National Park or area which would include not only the minimum of 35,500 acres proposed in the Preliminary Report by the National Park Service study team, but also the following modifications and additions:

1. Extend the Pine Island Bayou section southward and eastward down both sides of Pine Island Bayou to its confluence with the Neches River.

2. Extend the Neches Bottom Unit to cover a strip, a maximum of three miles, but not less than four hundred feet, wide on both sides of the Neches River from Highway 1746, just below Dam B, down to the confluence of Pine Island Bayou.

3. Extend the Beaumont Unit northward to include all the area between the LNVA Canal and the Neches.

4. Incorporate a Village Creek Unit, comprising a strip up to one mile wide where feasible, and no less than 400 feet wide on each side of Big Sandy-Village Creek from the proposed Profile Unit down to the Neches confluence. Wherever residences have already been constructed, an effort should be made to reach agreement with the owners for scenic easements, limiting further development on such tracts and preserving the natural environment. Pioneer architecture within these areas should also be preserved.

5. Incorporate a squarish area of at least 20,000 acres so that larger species such as black bear, puma and red wolf may survive there. An ideal area for this purpose would be the area southeast of Saratoga, surrounded by Highways 770, 326 and 105. Although there are pipeline crossings in this area, they do not destroy the ecosystem; therefore the National Park Service should revise its standards pertaining to such incumbrances, in this case, leaving them under scenic easement rules instead of acquiring them.

6. Connect the major units with corridors at least one-half mile wide, with a hiking trail along each corridor but without new public roads cutting any forest. A portion of Menard Creek would be good for one such corridor. The entire watershed of Rush Creek would be excellent for another.

Such additions would form a connected two-looped green belt of about 100,000 acres (there are more than 3 million acres in the overall Big Thicket area) through which wildlife and people could move along a continuous circle of more than 100 miles.

We recommend that the headquarters be in or near the line of the Profile Unit.

We are absolutely opposed to any trading or cession of any National Forest areas in the formation of the Big Thicket National Park or Monument.

In addition, but not as a part of the Big Thicket National Monument, we recommend: (a) the establishment of a National Wildlife Refuge comprising the lands of the U.S. Corps of Engineers around Dam B, (b) a state historical area encompassing communities of typical pioneer dwellings, farms, etc., such as that between Beach and Theuvenins Creeks off Road 1943 in Tyler County, and (c) other state parks to supplement the national reserve.

AIR POLLUTION AND THE AUTOMOBILE

Mr. EAGLETON. Mr. President, the Progressive magazine has devoted its entire April issue to the theme "Crisis of Survival." Indeed, we have reached a point in history when our very survival as a species is threatened by a continuing deterioration of the environment.

Mr. William Steif, in an article entitled "Why the Birds Cough," discusses the automobile as an air polluter and provides pertinent data on the nature, extent, and adverse effects of auto emissions.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY THE BIRDS COUGH

(By William Steif)

On the hot, muggy evening of August 28 last year, 30,000 people, mostly young, crowded onto the Boston Common, the big center city park, to hear a rock group named the Chamber Brothers. Many came in automobiles, which they parked beneath the Common in a three-tier, 1,500-car municipal garage built a few years ago.

In all, 1,300 cars were in the garage when the show was over. Much of the audience descended into the garage and, almost simultaneously, drivers turned on their motors and headed for the three toll-booth exits.

Within minutes youngsters began staggering out of the garage on foot, gasping and choking. Others passed out in their cars. Police carried at least twenty unconscious persons out of the garage. Ambulances took twenty-five persons to two hospitals, while oxygen was given to many other young people on the grounds of the Common. Fortunately, a quick-witted city official saw what was happening and ordered the toll-takers to stop taking tolls so that the garage could be cleared swiftly. Everyone recovered soon and went home. Twenty-four hours later the incident was nearly forgotten.

Yet the near-disaster at the Boston Common is an index to how air pollution from the auto has created a crisis in the nation.

There are other indices, some almost unnoticed.

Los Angeles—"where the birds cough"—is notorious for its auto-produced smog. Indeed, wealthy Angelenos used to drive down to Palm Springs, a desert resort 110 miles away, to escape the Los Angeles smog. But last summer, for the first time, long fingers of tear-producing, yellow-gray smog appeared over Palm Springs.

Or consider the experience of the twenty-two men working the toll booths at either end of the Brooklyn Battery Tunnel—all but one in their twenties and thirties. More than half were found to have dizzy spells from a higher-than-average concentration of carbon monoxide in their lungs. Over the one-month period in which the twenty-two were studied, five of the men had blackouts.

The death rate from bronchitis and emphysema in the United States today is nine times as high as it was twenty years ago. At the present rate of increase 180,000 Americans will die of these lung ailments in 1983.

The extent to which the nation's automobiles can be blamed for its polluted air has been known for years, but only in recent months have American political leaders, from President Nixon on down, been willing to listen to their scientific advisers and point the finger directly at the manufacturers in Detroit. In his state of the Union message at the end of January, the President said: "The automobile is our worst polluter of the air. Adequate control requires further advances in engine design and fuel composition. We shall intensify our research, set increasingly strict standards, and strengthen enforcement procedures—and we shall do it now."

Senator Edmund S. Muskie, Maine Democrat, welcomed this "rhetoric of concern" and promptly offered a detailed $975 million air pollution program which he hoped Mr. Nixon would support. Another leading environmentalist, Senator Gaylord Nelson, Wisconsin Democrat, went even further and suggested that the auto's internal combustion engine should be phased out starting this year unless the auto manufacturers develop pollution-free exhausts. The Democratic leadership in both House and Senate challenged the President to increase funding greatly for clean air programs.

In California, which pioneered in smog control legislation, and in some other states, politicians are vying with one another to produce tougher proposals aimed at the internal combustion engine. And in mid-February, as part of a thirty-seven-point program to rescue the environment, President Nixon issued strict new regulations for auto exhausts in the mid-1970s, proposed encouraging development of a "virtually pollution-free" car by spending $9 million a year on research, and asked for power to phase out the lead in gasoline.

The implications of the increasing clamor have not been lost on Detroit, where a $100 billion-a-year business is at stake.

Henry Ford II, chairman of the Ford Motor Company, in December called environmental pollution "by far the most important problem" facing the auto industry in the 1970s and pledged $31 million for vehicle pollution control in 1970. Only a few weeks later, General Motors President Edward N. Cole told the Society of Automotive Engineers' convention in Detroit that an essentially pollution-free auto could be built by 1980, and added: "We must be highly aggressive in taking action and, equally important, in getting credit for our accomplishments." GM, Ford, and Chrysler each put on major anti-pollution displays for the automotive engineers.

The companies' top executives, who a few years ago scoffed publicly at California's problems (with such wisecracks as, "What Los Angeles needs is filter-tipped people"), are quite circumspect today. GM's Cole even was willing to kick an old ally, the oil business, so as to make the point that lead in gasoline is dangerous and should be removed. Once President Nixon had spoken out against leaded gasoline, GM (followed closely by Ford) swiftly passed the word that it was redesigning the engines on most of its 1971 models so that they would operate on lead-free gasoline.

To understand why Detroit is on the defensive, it is necessary to understand the automobile's role in polluting the air.

The air is ambient—that is, all encompassing. It forms an envelope around the earth to a height of nineteen or twenty miles. Four-fifths of it is in the first seven miles above earth. Man used to consider the air infinite, but it actually is finite, amounting to between five and six quadrillion tons. That amount would seem to suffice for eternity, but many scientists now worry that we are expelling so many poisons into the air so quickly that we are in danger of changing its nature—in which case, "filter-tipped people" may become a necessity.

The draft of a national emissions standards study made for Congress by the National Air Pollution Control Administration (NAPCA) last year said:

"It has been suggested by eminent scientists that the net increase of pollutants such as particulate matter and carbon dioxide in the atmosphere since the beginning of the industrial revolution has affected the weather. Since 1860, fossil fuel burning has increased the atmospheric content of carbon dioxide about fourteen per cent.

"Some scientists fear that increases in carbon dioxide will prevent the earth's heat from escaping into space, melt the polar ice caps, raise oceans as much as 400 feet, and drown many cities. Other scientists predict a cooler earth as the sunlight is blocked by increases in particulates. The results could be more rain and hail and even a possible decrease in the food supply."

Almost four-fifths of the air is nitrogen, almost one-fifth oxygen, the rest other gases and water vapor.

About thirty per cent of the oxygen inhaled by a person goes to the brain. Without it, the brain is fatally damaged within six minutes. The highly specialized tissue of human lungs—an evolution of millions of years—acts as a one-way screen, holding back the blood on one side but permitting the air's oxygen to make its way to the blood, where millions of red cells transport it to other body tissues and exchange the fresh oxygen for carbon dioxide, a waste which is conveyed back to the lungs and exhaled.

Almost everyone knows not to shut his garage doors when his auto's motor is running, but not many people know why.

The reason is that the auto's internal combustion engine emits great quantities of carbon monoxide, a poison which has an affinity for the blood's hemoglobin—the red cells transporting oxygen—about 210 times greater than oxygen. Thus, relatively small concentrations of carbon monoxide can deprive vital body functions of an oxygen supply. The result, as recent studies have confirmed, can be headaches, loss of visual acuity, decreased muscular coordination, loss of energy, blackouts, damage to the central nervous system, and reduced chance of survival from heart attacks.

Fresh air contains less than one-tenth of one part carbon monoxide for each million parts of air. The air in large American cities contains 100 times that amount of carbon monoxide. The bulk of it comes from the internal combustion engines of automobiles.

The best estimates available are that the United States puts about 188.8 million tons of pollutants into the air yearly. The "big five" in pollutants are:

Carbon monoxide, tasteless, colorless, odorless, and lethal. About ninety-four million tons a year go into U.S. air, three-quarters of that from motor vehicles.

Sulfur oxides, which in combination with the moist membranes of the lungs form sulfur acid, a poison. Some 30.4 million tons are expelled into the air yearly, two-thirds from burning coal.

Hydrocarbons, organic compounds which are vital to the photochemical process by which smog is produced. Some 25.9 million tons go into the air annually, more than half from motor vehicles.

Particulates, tiny bits of matter which become deadly irritants when combined with other pollutants. Some 21.5 million tons go into U.S. air, mostly from smokestacks.

Nitrogen oxides, another vital ingredient of smog. About seventeen million tons are expelled into the air each year, slightly less than half from vehicles.

Obviously, automobiles are the chief villains when it comes to carbon monoxide, hydrocarbons, and nitrogen oxides, though they are not wholly blameless in the other two categories. (For instance, autos spew out 200,000 tons of lead particulates annually, as a result of the almost universal practice of selling leaded gasolines to reduce engine knock.)

Even relatively low concentrations of carbon monoxide affect drivers, and peak-hour traffic jams in Los Angeles and Detroit have built up concentrations as high as 150 parts per million or even higher.

Hydrocarbons, on the other hand, seem to have little direct effect on health by themselves. High concentrations of nitrogen oxides may produce lung damage, but this is still only a tentative conclusion.

What is not tentative is the effect of "marrying" hydrocarbons and nitrogen oxides in sunlight: A whole new family of secondary products called oxidants results—irritating eyes, ears, nose, throat, and respiratory system, reducing visibility, damaging plants and materials, impairing lung function in victims of emphysema, even interfering with athletic performance of teenagers. There is also growing suspicion that oxidants have carcinogenic effects.

In Los Angeles, the smog is so bad that doctors advise 10,000 persons a year to leave the area. Eighty per cent of all metropolitan Los Angeles's air pollution is caused by automobiles. The same is true of Washington, D.C., where the number of cars per square mile is one and a half times as great as in Los Angeles.

The internal combustion engine is responsible for the smog, the carbon monoxide, and Detroit's vast business enterprises. The trouble with the internal combustion engine is that it is so popular. In the United States alone, there are ninety million autos and fifteen million trucks and buses on the highways. All but a handful use the internal combustion engine.

The engine burns its fuel within itself. Its carburetor mixes air with gasoline. The mixture is forced into combustion chambers (cylinders), where sparks explode the mixture intermittently, driving pistons. The power produced is transmitted to the wheels.

The problem is the intermittent explosion of the fuel—a process in which the fuel is never completely burned. A briefing paper prepared last August for Dr. Lee DuBridge, head of the White House Office of Science and Technology, reported: "There is strong evidence that the use of Federal standards geared to controlling the internal combustion engine will not result in the drastic inroads on the problem needed to safeguard public health. At best, the effect of present Federal standards will be to postpone in time the upward growth of pollution levels rather than to reverse the trend. . . . These controls [are] far less than adequate to cope with a problem already well out of hand. . . . There is no guarantee that the degree of control that is possible with the internal combustion engine will be adequate. . . . The problem is already beyond reasonable bounds."

Despite such warnings, it appears that the Nixon Administration, under benevolent guidance from the auto makers, is still placing its bets on modification of the internal combustion engine and its fuel. This, at least, was the gist of testimony from Assistant Secretary of Health, Education, and Welfare Creed Black to the Senate Commerce Committee last winter during a hearing on a bill introduced by Muskie and the two Democratic Senators from Washington, Warren G. Magnuson and Henry Jackson, to encourage development of a low-emission auto by permitting the Government to pay up to twenty-five per cent above normal prices if the auto proved pollution-free.

GM and Ford, with Chrysler and American Motors trailing far behind, seem to have convinced the White House, HEW, and NAPCA that the internal combustion engine can and should be salvaged. The companies are now willing to invest $80 million to $100 million a year in research, and they are now taking this research seriously.

The odd thing is that the industry has been on notice since the mid-1950s that it would have to do something. By that time Los Angeles County, plagued with smog since World War II, had forced the shutdown of 1.5 million backyard incinerators and, when that failed to clear up the smog, had prosecuted oil refineries, steel mills, and 40,000 other industrial offenders. Nothing worked, the smog got worse, and the automobile was pinpointed as the culprit.

In the late 1950s the auto industry fought California state legislation, but in 1960 the first state law finally passed, requiring only a few simple adjustments in the auto's crankcase. Gradually the state tightened up its requirements and by 1965 the industry could no longer hold off Federal legislation; the 1968 models were the first affected, and all that was required, again, was a fairly simple cutback on carbon monoxide and hydrocarbon emissions.

More stringent Federal controls have been placed on 1970 and 1971 models, and as a result carbon monoxide and hydrocarbon emissions in the 1971 models will be reduced about three quarters from the emissions of those two gases in the pre-1968 models. But the new standards laid down in mid-February 1969 for nitrogen oxides do not go into effect until the 1973 model year, though California—with its stricter controls—is demanding reductions in nitrogen oxides in the 1972 models.

Farther away, in the 1975 model year, the Nixon Administration is demanding its first reduction in emissions of particulates (to a third of the present emissions); further reduction in nitrogen oxides (to a seventh of the present emissions); further reduction in carbon monoxide (to less than half the present standard); and further reduction in hydrocarbons (to less than a quarter of the present standard). The Administration's goals reportedly call for another fifty per cent reduction of the 1975 emissions levels in all categories by 1980.

Achievement of those goals would solve the problem, but there is strong reason to doubt that the goals can be achieved with the internal combustion engine. So far, the chief anti-pollution improvements on the internal combustion engine have taken two forms: Injecting air into the still-hot mixture going out the exhaust system, thus creating more thorough combustion, or regulating the carburetor jet or nozzle that mixes gasoline with air more precisely, so that less fuel goes into the mixture.

The latter method is used on about eighty per cent of new American cars because the former method requires an air pump and is more expensive. Using these two methods—and including the 1971 model year—total air pollution from automobiles will diminish somewhat in the 1970s, but by 1980, NAPCA says, it will be on the increase again because of the growing number of autos on the highways.

The auto makers have dragged their feet for fifteen years. For example, Chrysler has done a considerable amount of research on a turbine engine but maintains a total commitment to internal combustion. One of the big companies developed a catalytic converter in 1964—a device which would go a long way toward more complete combustion of gasoline if gasoline were unleaded—but simply laid it on the shelf; no one wanted to upset a symbiotic relationship with the oil industry. As late as May 1968, Henry Ford II was telling a magazine interviewer that he preferred a cooperative "research and development" program with several oil companies in the fight against pollution.

As for tests with such non-polluting vehicles as the electric car, Ford said: "We have tremendous investments in facilities for engines, transmissions, and axles, and I can't see throwing these away just because the electric car doesn't emit fumes." And when asked what his company's greatest problem was, Ford replied, "That's easy, making more money."

Only eighteen months later, Ford's attitude seemed to have changed radically. What may have helped him along was the Federal anti-trust suit filed ten days before President Nixon took office. The suit accused four big auto companies of conspiring to retard development and use of devices to control auto-produced air pollution. Under a consent agreement, the auto makers—without admitting their guilt—said they would not obstruct development of anti-smog devices and would make available, without fees, licenses of anti-pollution inventions to firms desiring them.

Detroit's new sincerity is verbalized this way by Chrysler's research director, George J. Huebner, Jr.: "There are no holds barred [on the anti-pollution effort]. This is an all-out effort. Maybe people are waiting to see if we will fall on our face. But we are not going to. . . ."

To cut pollution Detroit can install catalytic converters, which it has ruled out because of the gasoline problem, or get a replacement for the internal combustion engine, which it refuses to do for economic reasons, or develop an exhaust manifold reactor, in which exhaust gases are mixed with air and "after-burned" in large, insulated, stainless steel manifolds at high temperatures. Such manifolds will require large amounts of fairly exotic metals, cost $200 to $300 (to be passed on to the car buyer), and require more maintenance than most drivers give their cars. But the afterburners also could represent a huge new market for the auto makers.

There are alternatives to afterburners on the internal combustion engine. One is to reform the engine by direct injection of the fuel into each cylinder, metering the gasoline precisely, eliminating the carburetor, increasing horsepower and economy—and reducing emissions. Volkswagen, Mercedes-Benz, Porsche, and Alfa-Romeo already have begun to build their engines in Europe this way, and there are hints that American manufacturers are working on the same principle.

XUM

A more radical alternative is to do away with the internal combustion engine entirely. A number of experimenters and small companies are working to perfect an external combustion or "steam" engine; others are pushing hard to make a practical and economical electric car.

The external combustion engine converts fuel energy into thermal energy of a working fluid. The engine has the singular advantage of burning its fuel much more completely than the internal combustion engine (since the burning is continuous) under lower temperatures and pressures. The quantity of carbon monoxide and hydrocarbons emitted from the steam engine is about one-twentieth of the amount emitted from an uncontrolled internal combustion engine. Steam turbines produced so far have shown variable nitrogen oxide emission rates, but most engineers believe there is no inherent barrier to the development of turbines with low nitrogen oxide emissions.

The silent steam engine does not need as much horsepower as the internal combustion engine because it does not lose as much power. Technically it is further advanced than the electric-powered car. But the steam engine has its drawbacks, too. More expensive metals and more precise tooling (for a closed system) are needed. Some believe the external combustion engine is overweight and accelerates too slowly. But possibly the biggest drawback has nothing to do with the engine itself; it is simply that the auto makers, who have the expertise and large amounts of necessary capital needed to solve the steam engine's remaining problems, also have the greatest vested interest in perpetuating the internal combustion engine.

Nevertheless, the steam engine appears to be the best of the far-out candidates to replace the internal combustion engine, and companies in California, Massachusetts, and Nevada—the last headed by retired millionaire William Lear, who made the business jet a great success—have experimental models in various stages of testing.

Another alternative—even farther out, most experts think—is the electric engine. Development of a practical battery is still highly problematical, but there is another difficulty: If the nation's automobiles converted to electricity on anything like the present scale of use, demand for power to charge the batteries would soar. That, in turn, would mean building many more coal and oil-fired utility plants—and these are among the worst American industrial polluters.

Both GM and Ford have experimented with, and are continuing to work with, electric engines, the only sure way of getting zero emissions of pollutants from autos. General Dynamics, Gulton Industriss, Allis-Chalmers, and Westinghouse have all done work in this specialty, and some smaller firms actually have marketed a few dozen electric cars. But no one is especially sanguine about ending air pollution with electric cars.

A final alternative that is beginning to look much more feasible is use of a different fuel in the internal combustion engine. Either compressed natural gas or liquefied petroleum gas can be burned easily in present motors with relatively simple and inexpensive ($200 to $300) modifications. Mileage is better; so is economy. But again, there are problems.

Though such fuels cut pollution greatly (because the fuels burn much more completely), they must be used under pressure. That means a sealed system which, if ruptured in a mere fender-bender accident, could leak, catch fire, or explode.

The vendors of natural gas and petroleum gas deny that their wares are any less safe than gasoline, and they may be right. The Federal General Services Administration is testing a dozen vehicles on natural gas in Los Angeles and several dozen more in Houston and Mississippi, and has had encouraging experiences so far. Petroleum gas has been used in the municipal fleet of Tampa, Florida, for several years and in Chicago's bus system for more than a decade with success. Indeed, more than 200,000 vehicles, mostly trucks and specialized vehicles such as fork-lifts, have operated for some years on petroleum gas.

But problems of supply and distribution make it likely that these two fuels will be confined to fleets of trucks, buses, taxis, and possibly short-run rental cars.

All of which puts the problem of our fouled ambient air on the Nixon Administration's back again. Within NAPCA only a couple of million dollars yearly have gone to research—most of the agency's $60 million-a-year budget has been spent for establishing a bureaucracy that could set up air quality standards for fifty-seven metropolitan areas and promulgate those standards. Within the Department of Transportation, less than $1 million a year has gone to research, mostly to run a couple of smog-free bus experiments.

GM says it has been spending about $45 million a year on anti-pollution research and development, and Ford has been spending $28 million.

The man most angry about the record is Senator Muskie, who pioneered the early Federal legislation. He believes the Nixon Administration's approach—setting goals for industry which seem fairly distant in time—is exactly wrong. He believes that the only way to achieve results is through "a steady tightening of standards, on a regular and frequent basis, until an emission-free vehicle comes off the assembly line." He predicts that the short-changing of research, both by the Federal executive branch and by industry, will haunt the nation in future years.

Oddly enough, the Republican Governor of California, Ronald Reagan, seems to agree with Muskie. But then, he has heard the birds cough.

TAXATION OF RELATED BUSINESS INCOME FROM CONTROLLED SUBSIDIARIES OF EXEMPT FOUNDATIONS

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Record a letter addressed to me by the chairman of the Committee on Finance, the distinguished Senator from Louisiana (Mr. Long).

There being no objection, the letter was ordered to be printed in the Record, as follows:

Hon. Harry F. Byrd, Jr.,
U.S. Senate,
Washington, D.C.

Dear Harry: This refers to your inquiry as to the action of the Conference Committee on the Tax Reform Act with respect to the taxation of related business income from controlled subsidiaries of exempt foundations, such as Colonial Williamsburg, Incorporated.

As you will recall, Section 121(b) of the Tax Reform Act of 1969, as passed by the House of Representatives, added paragraph (15) to section 512(b) of the Internal Revenue Code of 1954. That paragraph provided, without exception, that amounts of interest, annuities, royalties and rents derived from a corporation controlled by an exempt organization shall be included as an item of gross income for purposes of the tax on unrelated business taxable income.

After you pointed out the inequity of this provision in situations where the business activities of the subsidiary are related to the purposes of the exempt organization, the Senate Finance Committee added an exception to the rule of section 512(b)(15), as passed by the House. This exception provided that interest, rent, royalties and annuities received by an exempt organization from a controlled corporation would not constitute unrelated business taxable income to the extent that the business operation carried on by the controlled subsidiary corporation was "functionally related" to the purposes of the exempt organization.

In the Conference Committee, the language of this exception was changed somewhat. The final version of section 512(b)(15), as so changed, provided that interest, annuities, royalties and rent derived by an exempt organization from a controlled corporation would not constitute unrelated business taxable income to the exempt organization to the extent that the income from the operations of the controlled corporation would not constitute unrelated business taxable income if such operations were conducted directly by the exempt organization.

As you can see, the provision as finally enacted seems to retreat from the provision in the Senate bill which requires only that the activity be "functionally related" to be exempt, to a requirement that the maintenance of the facilities operated for the accommodation of the general public visiting Williamsburg not be an "unrelated" trade or business. I understand this was felt necessary because the language used in the Senate version was so broad it would have allowed an exempt organization to operate an unrelated business through a controlled corporation indirectly—an activity it could not engage in directly.

In any event, it was certainly not my understanding that the Conference Committee modification of the language of section 512(b)(15) was intended to change the substantive application of the Senate amendment as it applies to the Williamsburg problem. There was no discussion of any intention to make such a change. This is borne out by the Statement of the Managers on the Part of the House indicating that the Senate amendment made only minor and technical modifications in the House bill with respect to section 512(b)(15), and that the Conference Committee generally followed the Senate amendment.

With every good wish, I am

Sincerely,

Russell Long,
Chairman.

GOVERNMENT INTRUSION ON PRIVACY

Mr. INOUYE. Mr. President, just as has every other Senator, I, in recent weeks, have received a good deal of mail from concerned constituents relative to the intrusion on their privacy which they feel is a part of our census procedure. Despite good and sound reasons for the collection of such factual information and denials of any interest on the part of the Government in any individual's living circumstances, this feeling persists.

I wish to raise, however, how much more reprehensible the action of this administration is in fostering increasing invasions on the rights of privacy by governmental agents in a number of other areas. Where such powers are granted to political agents of the President, we approach a situation which should cause every thinking American to call for an immediate halt.

Mr. President, I believe the case is expressed with clarity and insight in a column by the noted writer, Tom Wicker, published in today's New York Times. I ask unanimous consent that the column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

In the Nation: The Real Mess in Washington

(By Tom Wicker)

Washington, April 13.—It is too bad that the Democratic and Republican national chairmen have fired away at each other as to whether Clark Mollenhoff, a White House assistant, should have the right to inspect individual income tax returns. Since Democratic Chairman L. F. O'Brien raised the question and Republican Chairman Rogers Morton responded that the Democrats were "unduly sensitive to investigation," it may indeed look as if Mr. O'Brien's party has something to hide.

But whether it does or not, that is not the reason Mr. Mollenhoff has no business with such a privilege. In fact, it would be remarkable if after eight years in power the Democrats were not in some ways vulnerable to investigation; on the other hand, until Mr. Morton charged it, few had been aware that the Democrats under Presidents Kennedy and Johnson had created the kind of "mess in Washington" that studying their tax returns might reveal.

Actually, if the shoe were on the other foot and the Democrats had taken power and started checking income tax returns, the practice would be just as reprehensible, although perhaps as rewarding. Two former Commissioners of Internal Revenue have said that Mr. Mollenhoff's access to these documents is illegal; it certainly should be, but it doesn't necessarily settle the matter if it is since no doubt he could follow the practice secretly or at least put up all sorts of legal arguments for White House privilege, immunity, special needs, etc.

The real issue is one of propriety, privacy and procedure. No politician like Clark Mollenhoff has any right to see such sensitive material because it gives him power that he has no right to exercise, over the innocent as well as the guilty. Moreover—to propound the oldest truism in the whole field of human liberty—once this sort of thing gets started, and no matter for what apparently useful reason, there is no telling where, if at all, it can be stopped.

QUESTIONABLE PRIVILEGE

Mr. Morton argued, for instance, that there was no reason to "tie the hands of authorized investigators probing officials corruption." Who made Clark Mollenhoff an "authorized investigator"? Since when has he been a member of the F.B.I. or any other authorized investigating agency? He is, rather, a political appointee to the personal staff of the President, a far different thing.

Would Mr. Morton suggest that in that political role Mr. Mollenhoff ought to have subpoena powers as, say, a Congressional committee or a special Presidential commission would have? Yet, even such groups as that have no privilege of examining income tax returns. If that privilege is to be extended to Mr. Mollenhoff, why not to Murray Chotiner or Harry Dent or anyone else on the President's staff?

The White House, of course, has replied that Mr. Mollenhoff sees tax returns only to investigate "wrongdoing by Government officials or those close to the Government." Does this mean the White House is checking the returns of its own Administration officials, as well as former officials? That ought to make for a happy ship, if so. Who checks on who Mr. Mollenhoff is checking on? And how "close to the Government" do you have to be before White House underlings run through your tax returns? Does Clark Mollenhoff decide *that*, or does the President? And even if the whole operation is as rigorously fair and as antiseptically controlled as brain surgery (which can go wrong, too), once the Nixon Administration establishes the practice, who can say how the next Administration might extend it?

But it is obviously vain to put this kind of consideration up to this Administration; if Mr. Nixon and his circle were sensitive to such matters, Mr. Mollenhoff would never have got his hands on anybody's tax return in the first place; Attorney General Mitchell would never have claimed the right to tap and bug, without a shred of court approval, anybody he suspected of threatening national security; the preventive detention of those who might commit crimes in the future would never have been proposed, nor would a whole bag of other legislation offensive to the Bill of Rights.

SECURITY SYNDROME

But among Mr. Nixon's policy-makers, the end justifies the means with a vengeance. A story in The New York Times Sunday detailed how the Administration, dismissing what one aide called "hangups about snooping," was planning greater surveillance of "extreme radicals" by more wiretapping, undercover agents, and even Federal grants through the Law Enforcement Assistance Administration to help states and cities develop such intelligence techniques for themselves.

But when we have been saved from the radicals, who will save us from the security agents?

KILL A COMMIE FOR CHRIST

Mr. FULBRIGHT. Mr. President, the Daily Texan is the student newspaper at the University of Texas, in Austin, one of the largest and most important institutions in the country. On April 7, that newspaper published an editorial entitled "Kill a Commie for Christ," and on April 10, it carried a letter to the editor from Mr. Fagan Dixon. I ask unanimous consent that both items be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Daily Texan, Apr. 7, 1970]

Kill a Commie for Christ

(By Dave Helfert)

At the "March for Victory" held in Washington on Saturday several of our less-illustrious government leaders expressed their feelings on the war in Vietnam.

"A people with the intelligence, the skills, the financial resources to place astronauts on the moon—not once but repeatedly—is surely capable of achieving military victory over a minor, backward, disorganized, fourth-rate dictatorship," said Rep. John R. Rarick, D-La.

This is such an accurate, if not diplomatic, description of the Thieu regime, it's obvious this is who he is referring to. It is the first time an official has publicly announced who the enemy in Vietnam is.

"We're going to turn it around for God," said Rev. Carl McIntire, a fundamentalist radio preacher who has remarked before that the North Vietnamese and Viet Cong are the sword of evil and the United States is the sword of righteousness.

This to our knowledge is the first campaign for God predicated by national lies and international deceit. In fact, our entire involvement in Vietnam is almost as valid as the Silver Star medal LBJ won for gallantry in action.

If this is a religious war, it sure simplifies things. It's a fight between their religion, Buddhism, Catholicism, etc. and our religion, money and power.

There's no doubt that God's on our side. My Lai? Just like in the Bible with the Pharaoh's soldiers. Gulf of Tonkin incident? Ghosts and spirits attacking us. Napalm? One of the plagues sent by God to wipe out our enemies.

So it's just another Crusade. God wants America to wipe out all the commies in the world. What could be more saintly or just for the chosen people?

[From the Daily Texan, Apr. 10, 1970]

To the Editor:

The editorial by Mr. Dave Helfert in your April 7 issue entitled, "Kill a Commie for Christ," comes painfully close to the truth. Rev. Carl McIntire, the fundamentalist minister who led the "March for Victory" in Washington April 4 was voicing accepted Christian doctrine when he said, "We are going to turn it around for God." Rev. Billy Graham has said, "There is not only a war in Vietnam, but there is a world war, a spiritual war between good and evil."

When President Johnson took the 21 Latin American ambassadors to church in San Antonio on April 3, 1967, the Right Rev. Archbishop Robert E. Lucey said in his sermon, "Such intervention (Vietnam) is not merely allowed and lawful, it is a sad and heavy obligation imposed by the mandate of love. We must defend the blessings of our Creator so that peace and freedom may survive."

President Kennedy said, "But in today's world, freedom can be lost without a shot being fired, by ballots as well as bullets. We in this country, in this generation, are by destiny, rather than choice, the watchman on the wall of freedom."

This pretty rhetoric clearly implies that ballots of a democratic government are not adequate to deal with this new evil; that men can no longer be counted on to govern themselves and that there is a higher law than the law of the nation which must be enforced by military might.

"The law of the nation" in this country is the Constitution which declares itself to be "the Supreme Law of the Land." (Const.

Art. VI, cl. 2) According to the Supreme Court, "The First Amendment mandates government neutrality between religion and non-religion."

But when a great nation like ours mistakenly follows a foreign policy based on political messianism in the longest war in our history, and loses 41,000 men, suffers 250,000 casualties and spends over $125 billion, it is painful to have George Wallace ask, "Was it all in vain?" Even though the marchers in Washington were authentic representations of President Nixon's "great silent majority," he chose to slip away to Camp David rather than stay and explain the "no win" policy in Vietnam.

Fagan Dickson,
Austin Attorney.

HOSPITAL CONSTRUCTION AND MODERNIZATION

Mr. GOODELL. Mr. President, last week the Senate passed the extension of the Hill-Burton Act. Although I could not be here to vote for the legislation, I indicated my position in favor of final passage.

I congratulate the distinguished chairman of the Labor and Public Welfare Committee, the ranking member, and the other members of the committee for their tireless efforts to report a bill which will adequately meet the needs for the hospital construction and modernization needs of this country.

One of the most significant changes in the bill is the revision in the funding formula for the allocation of Hill-Burton funds. The new formula will more effectively apportion funds where health needs are now the greatest—in our Nation's metropolitan areas.

As the Members of this body know, the Hill-Burton Act, passed in 1946, provides for the much needed construction and modernization of hospitals and health facilities. At the time it was originally enacted, a grave need for health facilities existed in poor, rural States. Many families lived hours away from lifesaving health care. These States, because of limited financial resources, were unable to provide acceptable and accessible care for the rural population.

Congress recognized the imbalance that existed between the medical needs of the richest and poorest States. A statement of legislative intent was included in the program which provided rural priority in funding. The funding formula based upon per capita income squared in lieu of any more precise measuring instrument of need, also favored the poorer States.

I believe the rural emphasis was a necessary ingredient in that legislation of 1946. Congress clearly recognized and responded to those areas where health needs were greatest.

The "squaring formula," as it is known, has balanced the number of existing medical facilities among States. In 1948, the eight wealthiest States had 3.92 beds per 1,000 population compared to a figure of 2.61 for the eight poorest States. In 1966, the figure for both was at 3.92 beds per 1,000 population. Clearly, the Hill-Burton formula has been successful in achieving its stated purpose.

Over the last 20 years, great changes have occurred in the medical needs of our country. The plain fact is that the balance has changed. Today our cities are faced with enormous problems relating to the supply and delivery of social and health services to the middle class as well as to the disadvantaged ghetto dweller. Greater and greater demands have been placed on our hospitals and health facilities in metropolitan areas.

Over the last 20 years, we have achieved a greater sophistication in statistical measuring. This knowledge has given us more effective standards and tools for measuring the medical needs of this country.

The needs have shifted to the cities and urban areas but the existing Hill-Burton program, with its rural oriented formula, has not responded to this shift. Since July 1, 1964, 68.8 percent of all Hill-Burton funded projects have been built in communities of under 50,000 while 78 percent of our population is centered in 12 major urban areas with populations well over that figure.

Specific examples of the application of the rural formula dramatize the issue.

In Soda Springs, Idaho, $800,000 of Federal aid was received to help build a new and bigger county hospital to replace an old one that was one-third full.

No Federal aid has been spent in the last 20 years to enlarge or improve New York's overcrowded and ill-equipped Harlem Hospital.

Mr. President, this is not an issue of rural State versus urban State. Nor is it a sectional or regional issue. The issue is whether we will provide the apparatus necessary to attack and meet medical needs where they arise.

The existing Hill-Burton funding formula, with the per capita income factor, has penalized large, populous States as their medical demands have increased. With the influx of people to metropolitan areas, the inequities in the law have become apparent and more severe. More people need more medical service—yet more money has not been forthcoming.

The Senate voted in favor of a revised funding formula which includes a new factor in allocation—the need for hospital construction. Twenty years ago, a statement of need in the law was not necessary; the squaring formula directed funds to the needy areas. The formula, as passed by the Senate represents an awareness of new and more accurate methods of measuring need. It will be responsive to those States that must have financial assistance to provide adequate health care to its residents.

I wrote to the distinguished chairman of the committee urging that the funding formula be revised to reflect this equality. I ask unanimous consent that the letter be printed at this point in the Record. Although the squaring factor remains in the Senate-passed formula, I was gratified that the committee agreed to a new approach.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Committee on Banking
and Currency,
Washington, D.C., June 27, 1969.

Hon. Ralph Yarborough,
Senate Committee on Labor and Public Welfare, New Senate Office Building, Washington, D.C.

Dear Senator: I regret that I was unable to testify at the recent hearings concerning the Hill-Burton Hospital construction and modernization program which were held by your Subcommittee on Health.

The State of New York is now experiencing a severe emergency in the availability of facilities for medical care, and I am very concerned with finding ways to alleviate this problem.

At the time of the passage of the original Hill-Burton legislation, a great imbalance existed between the medical needs of the richest and poorest states. In 1948 the eight wealthiest states had 3.92 beds per 1000 population compared to a figure of 2.61 for the eight poorest states. The Hill-Burton Act endeavored to change this condition and consequently, and I believe properly, contained a rural emphasis. It is significant, however, that by 1966 the figure for both groups was at 3.92 beds per 1000 population.

It is now time that we recognize the great changes which have occurred in America in the last twenty-three years and that we adjust our priorities accordingly. Our cities are immensely troubled now by poverty and turmoil and we must begin to direct our attention to their problems. It is indicative of misplaced emphasis that since July 1, 1964, we have built 68.8% of all Hill-Burton funded projects in communities of under 50,000 at a time when 78% of our population is centered in twelve major urban areas.

Two months ago in New York City, Harlem Hospital was compelled to suspend all non-emergency care and postpone all non-essential operations because of budget cuts and overcrowdedness. This hospital is a vital part of that distressed community, yet it has not received any federal aid for construction for over twenty years. A new hospital, funded solely by the state and city and originally scheduled to open five years ago, is now slated to open in the near future. This fact is in stark contrast to the existence of more than 150 hospitals built or expanded with federal aid which are standing half empty in rural areas.

I believe that we must now give urban areas equality in the allotment of federal funds. This can be accomplished by eliminating the squaring factor from the allocation formula and adopting a formula based on population, financial need and extent of the need for modernization or construction of the respective states.

Ian T. Loudon, Assistant Commissioner of Health for the Division of Hospital Review and Planning in New York, testified before your subcommittee that by 1972 New York State will need 240 additional health facilities and 502 modernized health facilities at a total cost today of around three billion dollars. Under the House passed formula, New York State will receive $17,426,689, a contribution which falls far short of meeting present needs.

We can afford to wait no longer in taking steps to alleviate the hospital crisis which has struck our cities and states. The first step is to eliminate the squaring factor from the allocation formula. I urge the adoption of such a measure in the bill reported out by your committee.

Sincerely,

Charles E. Goodell.

Mr. GOODELL. Mr. President, in 1946, the health needs of rural State demanded funding priority. In 1970, the needs have shifted where the people have shifted—to the metropolitan areas.

XUM

The Senate has responded to this need for change. It has approved a formula which recognizes the changes that have occurred in health needs and in our methods of measuring need. By placing a new emphasis on the medical needs of the States, the program will have the apparatus to begin to meet those needs.

Undersecretary John Veneman of the Department of Health, Education, and Welfare stated in hearings on the revision:

> This change will direct today's fund toward today's needs just as the original formula did for the needs of 20 years ago.

As health needs shift, so must our resources. I commend Senators for their action on the revised funding formula, and I am hopeful that it will prevail in conference. Without it, we will not be able to respond to the health care crisis that exists in our Nation today.

HEALTH MANPOWER: SCOPE OF THE PROBLEM; DR. LEONARD D. FENNINGER DELINEATES NEED

Mr. YARBOROUGH. Mr. President, the Annals of the New York Academy of Science for December 31, 1969, contain a series of papers given at a conference on education in the health-related professions held by the New York Academy of Science on March 27–29, 1969. The entire issue of the Annals should be of interest to anyone concerned with the health status of the Nation. One article, however, is of such general interest that I think it well to bring it to the attention of the Senate.

Dr. Leonard D. Fenninger, who at the time of the conference was Director of the Bureau of Health Professions, Education, and Manpower Training at the National Institutes of Health, spoke on the subject "Health Manpower: Scope of the Problem." In his talk, Dr. Fenninger touched on the special significance which health has acquired in our society. He states, for example, that "the public increasingly supports demands for systems of health care that will be responsive to the health needs of the individuals who make up our society."

Dr. Fenninger pointed out that the Nation today has a critical need for health manpower. By this he means adequate numbers of able people possessing many skills and using them in the right places. Dr. Fenninger believes that the fundamental issue facing us is the disparity between need and expectation on the one hand, and available resources on the other.

Dr. Fenninger's talk also touched on the health care delivery system, the creation of new categories of skill, new knowledge, and new technology. He then devotes the rest of his talk to the allied health professions. In this connection, he states that a critical review of the preparation of allied health workers is much needed. He called for curriculum experimentation, equivalency examinations, lateral mobility, experimentation with new teaching techniques, programs of continuing education, broadened recruitment efforts, and the distribution of health manpower. He closed by stating that the "health service needs of tomorrow must shape the education of today."

Mr. President, I share the views expresed by Dr. Fenninger. Inasmuch as the Senate will soon be considering the extension of and improvement to the Allied Health Professions Personnel Training Act of 1966, as amended, I heartily commend his talk to Senators and ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HEALTH MANPOWER: SCOPE OF THE PROBLEM

(By Leonard D. Fenninger, M.D.)

Health has acquired a special significance in our society. This is attested to by increasing expenditures for health services, by the great public and private investment in research related to the problems of health, and by the increasing public concern with both the successes and limitations of health care, as well as the maintenance of health. This concern is reflected daily in the press, in legislation, and in the extraordinary growth that is taking place in all health activities in the United States and throughout the world.

It is particularly fitting that The New York Academy of Sciences is devoting a full morning of this conference to some of the most important problems of health manpower. We have gradually come to recognize that health services, which include the care and cure of individuals who have become ill, the maintenance of health, the prevention of illness and the preservation of the environment depend ultimately on the men and women who provide the skills and services that are needed in the health and health-related fields. The public increasingly supports demands for systems of health care that will be responsive to the health needs of the individuals who make up our society.

The remarkable progress in health and medicine can be measured in terms of growth in scientific capability and in changes in social philosophy related to health. The scientific advances have been widely heralded. By comparison, the dramatic changes that are taking place in our social thought and action with respect to health have received much less notice.

There exists today a critical need for health manpower, i.e., adequate numbers of able people possessing many skills and using them in the right places. Our need for all kinds of health workers exceeds the supply and our present educational capacity. The fundamental issue facing us is the disparity between need and expectation on the one hand, and the available resources on the other. The problems inherent in this situation have become a matter of deep concern to the public as well as to those who are concerned with education and practice in the fields related to health.

The numbers of people involved in providing health services and the types of skills that they possess have increased tremendously in the last 50 years, the greatest increase taking place in the last decade. The factors which have resulted in this increase are numerous and complex. You are familiar with many of them and are aware that the shortages of skilled people in our society are not limited to the health field.

Of special significance in the greater demand for better health care is the continuing increase in our population, with its changes in geographic and age distribution. This better educated and increasingly urban population is demanding access to more and better health services. We, in turn, are increasingly concerned about the quality and availability of health services. We believe that access to care should be available to all who seek it. The extraordinary increase in medical knowledge and technology that has taken place in the last 20 years has made it impossible for the range of medical knowledge and technology to be applied except in organized settings. Only in organized settings can effective use be made of specialized skills and of special equipment.

The inevitable consequence of the expansion of medical knowledge and its application has been specialization. At the turn of the century, the practicing physician could encompass much of the medical knowledge that was available and could apply it himself to the patients who sought his care. However, this has not been possible for some time. Therefore, it becomes increasingly important to develop relationships among the many people who can be prepared and who are currently participating in the provision of health services, so that their efforts may combine to improve the health of the individuals whom they are serving. It is incumbent on all those engaged in the provision of health services to organize themselves in a coordinated manner that does not require the patient or the family to integrate the many specialists and services of which they have need. When one looks at the ways in which much of our health care is provided at present, one is often impressed with the burden that the patient carries in trying to get the services he needs. These burdens should be borne instead by the providers of the services.

Since the number of health workers needed far exceeds the national training capacity, two avenues of action are available. First, if we are to provide good care for as many people as possible today, we will have to do it with existing resources and with people who can be prepared in a short period of time, working under the leadership of those more experienced and more generally prepared. This simply means making the best possible use of the skills of existing personnel.

Secondly, we must increase our efforts in the analysis and synthesis of health service functions, in the development of more technicians and assistants who can perform effectively and safely in providing health services, and in the development of recruitment and training programs that will prepare more people for the constantly expanding field we call the allied health professions.

The more clearly recognized and longer established health professions of medicine, dentistry, and nursing have received attention for many years, and goals for educational progress and expansion of educational capacity have been fairly well defined despite the many difficulties and complex variables involved in such a definition. We have made major investments to try to reach these goals and will have to make greater investments in the future.

The significance of the other professional and technical functions essential to all types of health services has only recently begun to be recognized. These functions are just beginning to receive the general attention of educators, of medical and dental practitioners, and of the individuals who make up the public to be served. This group of occupations, which we designate as the allied health occupations, include a very broad range of endeavor for which special training or education is required.

The creation of new categories of skills has been an inevitable accompaniment of new knowledge and technology that has resulted in new problems. We find ourselves faced now with several problems: identifying these new health workers, defining their roles, determining the education required to prepare them for their tasks, and bringing together the varied settings in which education and training should take place.

When one adds to this the variety of people receiving care, the changes in the cities, the increasing concentration of the poor in the cities and in remote rural areas—all of which result in great disparities in the availability of health services—there is little wonder that feelings of confusion and dissatisfaction exist in the public and health workers alike.

In 1900, there were less than 2 people involved in medical care for every physician. In 1967, an estimated 3.4 million persons were employed in all health occupations, the ratio of health workers to physicians having reached more than 10:1. Allied health workers accounted for about 654,000, or 19%, of this total. However, in the same year, the estimated shortage of allied health manpower was nearly 200,000—110,000 in occupations related to medicine, 29,000 in occupations allied to dental health, and 60,000 in functions related to environmental health. Predictions of future shortages are difficult because of the absence of standards and data regarding adequate training of allied health personnel. However, we can anticipate that deficits will continue into 1975 at least.

The problem of definition adds to the difficulties in the occupations allied to health. The allied health professions and occupations categories are not well defined, and the definition of some of the functions within them are undergoing rapid changes. Students in the allied health professions and occupations are prepared in a wide variety of settings. There is insufficient information about the numbers of people serving in the professions related to personal health services, their distribution, their education and training, the ways in which their skills are used. In environmental health services the dearth of information is even greater, and the services related to the environment are in a state of flux.

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The origins of the health-related professions and occupations were largely in settings where care was provided—particularly in general hospitals and in health agencies. Since many programs evolved to meet a local need and because the needs were constantly undergoing change, the education and training of people entering the allied health professions and occupations have only recently become more formal. Even now there is partial agreement about education and training in only a limited number of the disciplines in the allied health professions and occupations. The Allied Health Professions Personnel Training Act of 1966, established in response to the recognition of the need for more and better trained people to provide the services to which certain members of the Nation were entitled under Medicare and Medicaid, has helped us to focus more sharply on the problems associated with education and training and the utilization of the skills of people other than physicians, dentists, and nurses. These health-related or allied health personnel are assuming an increasingly important role in providing health services.

Experience gained in the first two years since the passage of the Act has given us some information of significance about the education and training of allied health personnel, and for developing future plans. There has been increasing awareness of the necessity to develop linkages among educational, training, and service institutions and the various professional groups so that good educational programs can be offered that will attract able students and prepare them for satisfying careers. The development of schools of the allied health professions within universities and the concurrent developing interrelationships between these schools and the schools of the health professions are good examples.

The Act has accelerated awareness of the need to expand educational and training efforts, an awareness that began to develop in institutions more than a decade ago. Communities have also begun to recognize the importance of assessing their needs for health workers and of developing programs in community colleges and other institutions of higher education, as well as in institutions providing health services, to create opportunities for the education and training of people who wish to enter the health field.

We have become increasingly aware of the necessity for students to acquire sound backgrounds that will enable them to develop their careers in the allied health field. In view of the rapid changes taking place, rote training for a single task is not enough. Opportunities for further education and training for those already engaged in allied health careers must also be provided. More specifically, the Act has encouraged the recognition of the importance of the allied health professions. It has enabled junior colleges, and universities with established training programs in the eligible allied health professions to acquire additional faculty and equipment to improve the quality of the programs offered.

For several years the paucity of well-prepared teachers, supervisors and administrators in the health professions and occupations has been recognized as perhaps the most serious limiting factor in the number of well-prepared, skillful people entering the health field. The Allied Health Professions Personnel Training Act has provided limited opportunities for allied health personnel to prepare for positions as teachers, supervisors, administrators, and specialists in their disciplines. Together with a number of significant forces in educational and service institutions it has stimulated innovative thinking in the areas of curriculum development, teaching methods, and the development of new types of health presonnel to fill unmet needs.

To no one's surprise, the implementation of the Allied Health Professions Personnel Training Act also revealed a lack of information and data about allied health personnel: where they work, what they do, how they are educated, and whether their education and training prepares them for their responsibilities. The need to study and experiment in the areas of education and manpower utilization, to develop local plans to assess allied health manpower requirements, and to develop programs to meet those requirements becomes increasingly evident as the limitations of our abilities to deliver health services are revealed.

The educational system for allied health personnel has lacked a planned development. Training programs have developed slowly in response to demands for specific types of manpower to provide health services. The pressure of demands for health services and the complexities of the new technologies have given rise to a division of labor that has created a multitude of health occupations. New ones are bound to arise.

Although the entire training of many allied health workers continues to be provided in hospitals, which were the sites of the early development of the allied health occupations and which continue to be a principal source of allied manpower, formal education in an educational institution has become increasingly the pattern for the preparation of many allied health workers.

This is a particularly significant development not only because an ever increasing number of young people choose to continue their formal education beyond high school, but also because a more formal educational setting prepares people to adapt more readily to rapid changes in technology and practice. The hospital, the clinic, and other health care institutions are essential elements in the education of all people in the health professions and occupations, since clinical experience is an integral part of such education. However, the opportunities for sound education provided by junior and senior colleges and universities are essential to the development of allied health workers of high quality. This means that sound links must be built between education and service, between the school and the hospital or other health service agencies in which clinical training is given.

The emergence of the junior and the community college as a major educational resource has been particularly important for the education and training of allied health personnel. Associate degree curricula for many allied health occupations are being offered by these institutions in affiliation with hospitals and other health care facilities.

More recently schools of allied health professions have developed to provide baccalaureate and more advanced education in the allied health occupations. These are schools that offer curricula for several allied health professions, and are parts of universities. About 50 universities now have programs in various stages of development. This surge of interest and activity in the education for allied health occupations resulted in the establishment of the Association of Schools of Allied Health Professions in April 1967, to provide a forum for the development and improvement of education for the allied health professions, a significant development for the future.

Others who are participating in this conference will speak more specifically of particular programs and efforts that have been undertaken to provide the skilled and dedicated people essential to extend and improve health services. I shall, therefore, outline what I consider to be matters with which we should concern ourselves over the next few years.

A critical review of the preparation of allied health workers is much needed. Curriculum experimentation, including appropriate levels of education for the assumption of different kinds of responsibility, content and grouping of courses, settings in which the curriculum is offered, and the relationship among educational and service institutions, is essential. Educational programs for allied health personnel must be designed so that advancement from functions of a restricted technical nature to those requiring additional knowledge, skills, and greater capacities for making judgments are possible. Experimentation in curriculum design and the development of courses are essential to bridge the gaps which exist between the levels of competence required for jobs in the allied health occupational fields. Functions are changing rapidly; therefore, curricula should be developed that will be responsive to these changing functions, so that existing and future health service delivery systems may be of high quality and accessible to those who need them.

Parallel to studies and experiments necessary for curriculum development is the need for experimentation with new teaching methods that advances in educational technology have made possible. Experimentation in this area should have a significant effect on the expansion and improvement of educational opportunities for allied health personnel.

Equivalency examinations have far-reaching implications for the health occupations. Educational concepts and settings are changing from the traditional classroom-textbook-teacher situation to a perspective that recognizes the value of knowledge and skills acquired from a variety of sources. Methods need to be developed to determine whether knowledge and skills acquired in elements in the education of all people in the health professions and occupations other than formal academic settings are equivalent to the measure of satisfactory performance established in recognized educational institutions.

We have done too little in all fields of education to devise ways of recognizing that the experience of living and working often prepares people for more responsibility and a change of function. We should be concerned with the capacity of a person to perform his tasks well, to assume responsibility and to exert good judgment—not with the number of certificates or diplomas he has gained or the class hours he has put in. This is particularly important in the field related to health at a time when the demand for services exceeds the supply of those who can render them.

All health personnel need to update their knowledge and improve their skills periodically. This can be accomplished on the job to a considerable extent, if the need is recognized and the job is done in a setting that stimulates the person holding it to continue to learn. However, it is frequently necessary to provide programs for education either in separate settings or as scheduled activities during the work day in the setting in which the allied health worker is doing his job.

Recruitment efforts must be broadened and enlarged. Any significant increase in the number of allied health personnel available for employment is almost entirely dependent on planned recruitment efforts. Young people are a primary source but certainly not the only one. New and continuous incentives to attract people, including the unskilled and underprivileged, must be developed and directed to a variety of potential manpower pools. Private agencies and associations in the health professions should be encouraged to embark on effective recruiting campaigns. We should reach into all economic strata to augment the health manpower pool, design our education and training in such a way to fill in gaps which may exist in their prior education, and make the jobs for which they are preparing rewarding in every sense.

We need to examine critically our current patterns of distribution of health manpower, both in terms of regions and in terms of urban neighborhoods and suburban complexes. Will today's trends simplify or complicate tomorrow's task of meeting health needs? If the distribution trends appear undesirable, how can we influence them? No matter how many people enter the allied health occupations, no matter how good their education, if they are not distributed in such a way that those in need have access to their skills and services, we will continue to have many people who do not receive the care that they need. The question of distribution of services which people have come to expect or need for their sense of well-being and dignity—education, health, legal counsel, music and the arts, to name a few—is one of the most difficult that our country faces. There are no magical solutions, and we should not pretend there are. We should, however, be aware of the importance of more equitable distribution of these services and should strive to extend them.

We shall have to develop better methods of assessing abilities and contributions made by those who are working in the fields of health, and make full use of the skills they possess. Narrow interests of specialized groups will have to give way to the needs and expectations of the public for health care. Recognition of the fact that all health services exist because people need them, and not for the convenience of those who render them, and generosity of one group toward another are essential if we are to provide access to adequate health care for all who need it.

If these necessary changes are to be realized, faculties of the schools of health professions, those who administer institutions, organizations that provide health care, and those who practice the professions related to health will have to undergo changes in attitude and understanding. The contributions made by all those who provide services related to health will have to be recognized and respected. Responsibilities are inevitably shared. People in the health fields must, therefore, become accustomed to sharing them, with the needs of the individual to be served the determining factor in the relationships among those who render the services.

All of us who have a hand in shaping education for those who choose one of the health professions are aware that the education we provide today is perhaps the most influential factor in the shape of the health care patterns of tomorrow. The corollary is just as true: health service needs of tomorrow must shape the education of today.

SYSTEM OF COASTAL ZONE MANAGEMENT

Mr. COOPER. Mr. President, last week S. 3183 was rereferred from the Committee on Public Works to the Committee on Commerce.

I discussed this decision with the Senator from Delaware (Mr. BOGGS) and the Senator from West Virginia (Mr. RANDOLPH) and I wholeheartedly concurred. The bill which I cosponsored is an administration proposal to establish a system of coastal zone management. In view of the fact that the Committee on Commerce, Subcommittee on Oceanography, has already initiated hearings on similar legislation and the fact that the Subcommittee on Air and Water Pollution of the Committee on Public Works is deeply engaged in legislation dealing with air pollution, water pollution, and resources recovery involving, in fact, six of the seven proposals accompanying the President's environmental message, a rereferral will enable consideration of S. 3183 at the earliest possible date.

It should be noted that the Committee on Public Works and the Committee on Commerce have often worked closely on environmental matters of mutual interest. Also, since any coastal zone legislation reported by the Committee on Commerce will be referred to the Committee on Public Works, the expertise and experience of both committees will be applied to this important coastal zone legislation.

SECRETARY HICKEL ADDRESSES NEBRASKA FOUNDERS DAY

Mr. HRUSKA. Mr. President, it was my privilege to introduce the Honorable Walter J. Hickel, Secretary of the Interior, as the principal speaker at the Nebraska Republican Founders Day observance in Lincoln on April 4.

Founders Day is the occasion each spring when Nebraska Republicans get together to celebrate the founding of our State, to discuss intraparty matters, and to hear reports from our elected representatives.

Mr. Richard W. Smith, of Lincoln, the day's senior vice president, and his excellent committee organized a stimulating program, and Secretary Hickel's straightforward talk on pollution and other national problems provided an impressive climax to the day's activities.

Secretary Hickel is a native of our neighboring State of Kansas, and having lived in the rural Midwest and then Alaska, both areas which are increasingly cherished for their freedom from the air and water pollution which, more and more, infest our cities, he is listened to closely when he takes the pollution message from Washington out across our great land.

Mr. Hickel has demonstrated another great attribute which will be invaluable to our Nation's war against pollution. He has demonstrated that he is a first-class battler for causes in which he believes and, Mr. President, it is going to take a strong, persevering battler to reverse the devastating pollution trend which is engulfing us.

A proven winner of his battles, going back even to the day when as a high school boy in Claflin, Kans., he won the State Golden Gloves welterweight championship, Walter Hickel is the man to lead us to victory in this pollution battle, which is a fight we cannot afford to lose.

I ask unanimous consent that Mr. Smith's remarks, my introduction of Secretary Hickel, and Secretary Hickel's speech to the Nebraska Republican Founders Day be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

INTRODUCTION OF ROMAN L. HRUSKA BY DICK SMITH

Ladies and Gentlemen, the Republican Party in Nebraska has been successful over the years for a variety of reasons, but primarily because it has found among our citizens those very few who possess the special genius of leadership.

The function is a difficult one at best; it requires those who represent us to at once know and reflect the wishes of Nebraskans, and to help lead the nation into paths of progress and prosperity, under law.

Roman Hruska is such a man. He does not always take the road which is most fashionable at the moment, because integrity requires him to do what is right rather than what is popular. He is often in the limelight on the national scene because his special relationship with the President on Judiciary and similar matters requires him to be where the action is.

Our Senator has always commanded the respect of his colleagues for his hard work and dedication to duty, and his experience and ability has now placed him in positions of great responsibility in the Senate.

As ranking Republican on the powerful Judiciary Committee, and as a member of the influential Appropriations Committee, Roman Hruska is at the center of important activity. He is in a real sense the President's lawyer in his committee and on the floor of the Senate. The great fight for adequate defenses against organized crime and drug abuse, for example, were led by our Senior Senator. Throughout the years when the Senate has been tempted toward profligacy in its appropriations, Roman Hruska has always stood for fiscal sanity, supporting with vigor those programs that truly benefit the people and rejecting those of little merit.

But, even when the Senator is intimately engaged in matters of critical importance to the nation, he never forgets where his home and his roots are. His attitude towards his public service career is best summed up, I think, in something he said in his filing statement, which I would like to quote. On that occasion, he said:

"I view my responsibilities as being: First, to insure that the federal government serves the people of my state: and, second, to insure that national policies reflect the beliefs and attitudes of the people I represent."

Ladies and Gentlemen, it gives me the greatest pleasure to introduce to you at this time, our man of action, the Senator for Nebraska, for all Nebraska, Roman L. Hruska!

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Senator Hruska's Introduction of Secretary Hickel

Thank you, Dick, for those generous words. For the record, I am honored to be involved with the important national issues, and I look forward to being in the fight for the President's program for several years to come.

Speaking of fights, we have a real battler with us today. To paraphrase Shakespeare, some people are born fighting, some go around looking for fights, and others have fights thrust upon them. I'm not sure which of these fit Secretary Hickel, but looking over his background it seems more than just a coincidence that wherever he is some sort of a battle is going on.

The first formal record we have of this is that he was cleaning up opponents in high school boxing, down in Claflin, Kansas. Then he followed this up by winning the Kansas Golden Gloves Welterweight Championship in 1938. Later on we find him fighting for—and winning—statehood for his adopted state of Alaska.

Today we find him in the most important fight of all—the fight to save our country—and in a larger sense the whole world—from committing suicide by poisoning our air and water. We can take a great deal of comfort from the fact that Wally Hickel is in the battle. This is one fight we cannot afford to lose, and he is a proven winner!

Our guest was serving as Governor of Alaska when he was designated by President Nixon to be the 38th Secretary of the U.S. Department of the Interior. Since taking charge of the Department and its diverse national programs, Secretary Hickel has traveled widely for first-hand inspections of areas demanding attention. He has visited Micronesia, in the far Pacific, to push for political and economic development. He has gone into the coal mines in the interest of improved health and safety conditions. He traveled to the Florida Everglades to fight alligator poaching and to protest a major jetport proposed for that general area. He studied the Santa Barbara oil spill and oil developments on Alaska's North Slope, and with the past few weeks, has been down looking over the disastrous oil situation off the Louisiana coast.

He has interceded to prevent commercialization of scenic areas and is strongly advocating a multi-million dollar program for urban parks. He has promised American Indians a full share of responsibility in developing and operating their own programs and has urged early and equitable settlement of Alaska native land claims.

Under his administration, stringent policies have been placed in effect to minimize the chances of pollution from offshore gas exploration and operation. He has also promised to prosecute those who pollute the nation's waters and to safeguard the nation's fast-dwindling natural estuarine areas so vital for recreation and fishery resources.

This outstanding performance has placed Secretary Hickel in the public eye, and in the forefront of the President's wide-ranging efforts to solve the awesome problems which confront us all.

When the President introduced the Cabinet to the American people, he characterized them as remarkable generalists, and explained that in his search for Cabinet members he was looking for ". . . an extra dimension which is the difference between good leadership and superior or even great leadership."

Secretary Hickel meets the President's demanding criteria. A man of vigor, vision and vigilance, he has been a sturdy advocate for the many resources and programs for which he has responsibility, and a formidable opponent to those who would frustrate the President's forward thrust on the environmental problems of the day.

Ladies and Gentlemen, the Secretary of the Interior, the Honorable Walter J. Hickel.

Remarks of Secretary of the Interior Walter J. Hickel, Founders Day Banquet, Lincoln, Nebr., April 4, 1970

Whenever I get to Nebraska I feel I'm almost home—Northern Kansas, where I was born and raised on a farm.

Nebraska and Kansas were settled by pretty much the same kind of people, so it is no surprise that they are very much alike in most ways today, a century later.

These are people who have lived close to the land for generations.

They know that our natural resources—the soil, water, and air that make up most of our environment—are precious to human life.

So I feel at home in Nebraska as well as being closely linked to you through my responsibilities in Washington.

The Interior Department and the State of Nebraska have been in close partnership from the very earliest days, and that partnership is a healthy one today.

Two Nebraskans have served in top Interior Department positions—former Secretary Fred Seaton, and Lincoln's own Clarence A. Davis, who served both as Solicitor and later as Under Secretary.

As you well know, our Assistant Secretary for Water and Power is an outstanding Nebraskan, James R. Smith of Omaha. I rely very heavily on Jim Smith and Nebraska has every right to be proud of him and the work he is doing.

Senator Hruska, my good friend, is one of the Nixon Administration's stalwarts in the United States Congress.

The respect that he commands on both sides of the aisle, make it imperative that the people of Nebraska return him to Washington for another term this year.

In Roman Hruska and Carl Curtis, Nebraska has one of the most effective delegations in the United States Senate. Let's keep that team intact for many more years, for President Nixon and our country.

I want to talk to you today about the challenge and opportunity the environmental crisis offers to each one of you.

The issue of our decade is how to make this country a better place to live . . . to win the fight to save and improve our environment.

Talk of permanent destruction to the ecology of our earth is not the idle threat of an alarmist.

It will become fact if we don't start anticipating problems, instead of just reacting to them.

Smog is no longer a phenomenon peculiar to California.

Polluted water is no longer just a hazard on the Hudson or the Chesapeake.

Mankind is plunging headlong into an environmental emergency.

And yet, many people still refuse to face it.

It is not always easy to recognize the warning signals.

They are as subtle in some places as cancer symptoms—but they are no less deadly.

It's a terrible paradox—air and water and land—the very elements which attracted our ancestors from the east—are being threatened by our efforts to build a vigorous society.

We are beginning to realize that the best things in life are not free. If we don't pay the costs of protecting them, we shall lose them.

A spreading blanket of toxic air is encircling the globe. And scientists have found both smog and DDT in the snow layers of Antarctica.

Our rivers, the life system of the land, are becoming a death system for the oceans.

Millions of tons of pollutants and pesticides are being poured into the sea, threatening to destroy man's greatest source for future food and oxygen.

Lincoln, Nebraska, is a long way from the ocean.

But even here, we must become far more concerned about the quality of this essential element of the life system.

I hope that you will remember my warning that pollution is not just something politically popular to talk about.

It is a world wide threat of the highest magnitude.

The question before us is this: "Can we remold our mental attitudes and retool our industry fast enough to do something about it?"

I believe we can.

Many of our most outstanding scholars and respected public figures have joined the battle.

And millions of the people of this country have risen to the moment.

They are challenging the very foundations of our value system.

They are talking about the "environmental ethic"—the right of plants and animals to continue to exist in ecological balance.

These are serious questions. And I am serious about trying to answer them.

A few years ago when we talked about the environment we were usually talking about the pleasant surroundings at a beach resort.

Or we were arguing about which was more important—"heredity" or "environment."

One fundamental change has been that our concern is no longer just to preserve and protect what we have—that is no longer enough.

We need to restore what we have lost.

As President Nixon has said, we have to go beyond conservation to embrace restoration.

The President has proposed a far-reaching program to achieve this restoration.

He is providing dynamic leadership to see that our rivers and air are cleaned up . . . and the beauty of our land is protected.

Each of us has a job to do in leading the fight to assure Congress approves the President's program . . . and to assure it is carried out vigorously.

There are many opportunities to participate in this effort because the task is so great.

Let me cite just a few of them for you.

First, there is the job of educating the American people as to what lies ahead.

We are not going to clean up our environment with a few slogans.

It is going to cost money.

It is going to require that industry and business include as part of the cost of doing business the installation of the procedures, the devices, the techniques needed to eliminate or minimize pollution.

The average citizen must first learn that his actions may degrade the environment and he may be required to alter them.

Second, he must be willing to share the costs of environmental improvement.

The task of education is one in which we can all join.

Those of us in government must also recognize the challenge in developing the rules and regulations under which our anti-pollution fight is to be waged.

We need to devise fair rules for dividing the cost of our pollution effort . . . so it is fair for everyone.

We also need to do some hard thinking about the basic problem . . . that if man is to survive . . . if he is going to continually try to live a better, fuller life . . . there is no way he can avoid the increased production of waste products.

There are no simple solutions . . . we can't just stop our civilization—we can't just stop the growth of our society.

But we can control and direct our growth.

And we can develop procedures to ensure that harmful waste products are converted into harmless forms before they are discharged back into the environment.

We can learn better ways of disposing of the dirt, the smoke, and junk our society produces . . . so it does not deface our land or dirty our air or water.

And we can impose stricter and wiser rules to make sure that the products we use—our dish-water detergents, our insecticides, our food additives—are not harmful to us or to the chain of life of which we are a part.

These tasks are going to be increasingly facing public officials at every level of government.

A few weeks ago I spoke at a Republican dinner in Idaho.

I stressed that while this is not a narrow partisan issue, I am sure that the party that recognizes the environment as one of the big issues of the 1970's, and writes the best record, is going to be the party that wins the most elections.

I'll stand on that prediction. With your help, and the help of your families, friends, and neighbors, we can make sure that will be *our* Party.

It won't be easy. It will involve balancing our needs and assigning priorities.

People are asking how this Administration has succeeded with the people.

By his actions—his integrity—and his spirit, President Nixon has rallied the American people to his side. . . .

. . . He has shown that peace is not a slogan, but a goal to be reached.

He has asked for the only kind of war that is creative—instead of destructive: A war against crime.

He has sent to Congress more than a dozen pieces of legislation dealing with organized crime . . . street crime . . . pornography and narcotics.

He has limited federal spending by more than seven billion dollars.

He has shown that he understands that inflation directly hurts everyone.

And how have the people responded?

—A Gallup Poll showed a 68 percent "positive" rating for President Nixon.

He has pledged to win the war against crime—to win the victory for law.

It is up to us to help him win—by reminding our lawmakers that the best way to fight lawlessness is to enforce laws—and to have laws that are enforceable.

This is an important year for us.

President Nixon has sensed that the country is tired—sick and tired—of the old gimmick of promising the moon and delivering a pittance.

He has put our country on the right track . . . the track of solid day-to-day performance.

He has provided our people with something they have desperately wanted and needed: A sense of security . . . a confidence that our nation's problems are being met and managed soundly and wisely.

The President—with his leadership—has provided for all Republicans a great opportunity in this election year.

We can give to the President a Republican Senate and we can shift the balance in the Congress.

It won't be an easy fight.

But as I have gone about our country in the past few months I have become convinced it is a fight we can win.

We have made some amazing gains since 1964. We are just seven short of controlling the Senate and we need 31 seats to control the House.

We now have 32 Republican Governors . . . we control 20 State Legislatures.

This is a crucial decade—and 1970 may well be the crucial year, politically, of this decade.

It is going to take a lot of work, a lot of dedication.

I know the President is counting on the help of everyone of you here tonight to help him make this a Republican year—a Republican decade.

I believe this is the best way to provide the responsible leadership America so urgently needs.

With such leadership I look forward to a new age in which all the needs of our people are considered with fairness and wisdom, including the primary, vital need for an environment which ensures the health of our people, and stimulates them toward great thinking and living.

It is a privilege to be part of such a cause. I urge you all to join in.

DISTRICT OF COLUMBIA CRIME

Mr. MATHIAS. Mr. President, I wish to remind Congress of our responsibility in facing and dealing with the serious crime problem in the District of Columbia, since Congress has chosen to retain virtually exclusive governmental authority within the District.

To this end, I ask unanimous consent to have printed in the RECORD a list of crimes committed within the District yesterday as reported by the Washington Post. Whether this list grows longer or shorter depends on Congress.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

SILVER SPRING BANK ROBBED, SOUTHEAST SUSPECT, 23, HELD

A 23-year-old man was arrested in Northeast Washington yesterday morning and charged with the theft, an hour earlier, of $1,216 from a Silver Spring bank, Silver Spring police reported.

Police said a man armed with a .22-caliber revolver entered the rear door of the University National Bank, 8515 Grubb Rd., at 8:45 a.m. The gunman forced the branch manager to give him the money, then escaped from the bank in a car, police said.

The suspect, John Francis Holly, of 3221 15th Pl SE, was arrested at 10 a.m. near New York and West Virginia Avenues NE in what police describe as the get-away car.

The arresting officers said some of the money was recovered. They charged Holly with bank robbery.

Police said the same bank was robbed of $1,700 last week.

In other serious crimes reported by area police up to 6 p.m. yesterday.

ASSAULTED

Leroy Drummond, of Washington, was treated at Hadley Hospital for injuries he suffered when a man wielding a heavy chain attacked him in the 2700 block of Nichols Avenue SE about 1:30 a.m. Sunday. A man grabbed him from the rear and said, "I got you now." After striking Drummond with the chain, the assailant fled.

John Wesley Randolph, of Washington, was treated at D.C. General Hospital after he was shot by one of three men who approached him about 4:15 a.m. Sunday at the corner of 46th Street and Sheriff Road NE. When they asked Randolph if he had a cigarette or some change, he replied no and began running. One of the men then fired five shots, two of them striking Randolph.

Gola Lee Coleman, of Washington, was treated at D.C. General Hospital for a gunshot wound in the forehead. A man grabbed her by the arm about 1 a.m. in the 1900 block of West Virginia Avenue NE then fired one shot at her.

FIRES SET

A fire classified as arson was reported about 5:55 p.m. Saturday at the rear of an abandoned warehouse at 16th and Okie Streets NE. The blaze caused major damage, but no injuries, fire officials said.

ROBBED

Osley Silas, of 5812 Eads St. NE, was held up about 2:20 a.m. Sunday in front of his home by two armed men. Pointing a pistol at his head, one of the men threatened, "Give me all the money or I'll kill you." Forcing Silas to surrender his wallet and lie on the ground, the pair took his wallet and watch, struck him over the head with their guns and fled.

Alexander Frederick Williams, of Chapel Oaks, Md., an ice cream vendor, was held up about 5:30 p.m. Sunday while he was selling at the corner of 16th Street and Morris Road SE. A young man brandishing a revolver demanded, "Bring the money to me." Taking the bills from Williams, the gunman fled north on 16th Street.

William F. Reese, of Washington, was treated at Rogers Memorial Hospital for injuries he suffered when he was beaten and robbed about 12:35 p.m. Saturday near his home. A youth beat him to the ground and escaped with the money from his pocket.

Guy Bowan, of Washington, was held up about 8:40 p.m. Saturday by two youths, one concealing a gun in his pocket, who confronted him in one of the parking lots at D.C. Stadium. The pair forced Bowan to hand over his bills and change, then fled on foot.

Louise Hall, of Washington, was held up about 12:20 a.m. Sunday while she was a waiting for a bus at Stanton Road and Congress Place SE. Five boys surrounded her and one of them pointed a gun at her warning, "This is a stickup." Taking her money, the boys ran south on Stanton Road SE.

Snack bar at 925 25th St. NW was held up by two young men who approached the attendant, Hattie Garrett, as she was sitting in the storage room about 1:30 p.m. Sunday. Indicating the gun in his pocket, one of the men warned, "We won't hurt you sister. Give me the money." The other man then placed her jacket over her head and told her, "Don't move." The pair removed the money from the cash box and escaped.

Stephen Berko, of Pennsylvania, was held up about 11:15 p.m. Sunday while he was walking in the 1900 block of Columbia Road NW. Two youths approached him from behind and one of them pulled out a gun. Forcing Berko to give them his cash, the pair fled on foot.

Margaret E. Evans, of Washington, was robbed of a large amount of money shortly after noon Saturday as she was standing in front of a supermarket near her home in the 5100 block of Deane Avenue NE. Two boys grabbed her pocketbook containing the bills and personal papers, then ran behind the store

Richard Perry Ayzcue, of 1158 16th St. NE, was held up about 3:30 a.m. by a man and a woman he discovered in his home when he went downstairs to investigate some noises. One of the intruders drew a gun, forced Ayzcue to hand over his money and ran from the front door.

Cheve Marsh, of 1612 15th St. NW, was held up about 8:30 p.m. Sunday as he was getting into his car in front of his home by two men, one wielding a handgun. While the gunman held Marsh at bay, the other men removed his wallet from his pocket. Then the pair entered Marsh's car and drove east in the 1400 block of Corcoran Street.

High's Dairy Products store, 5002 1st St. NW, was held up about 9:15 p.m. Sunday by a youth who entered the store and asked for a pack of gum. The youth then drew a pistol and told the clerk to give him the cash. Taking the bills and change from the register, the gunman fled on foot.

Laura Gale, of Washington, was held up about 3:30 p.m. Saturday by a youth who confronted her in the 400 block of L Street NW. "Give me your purse or I'll kill you," demanded the youth as he placed a knife at her back. When Miss Gale began screaming, he grabbed her pocketbook containing money and papers and fled into an alley.

John Hayes and his wife Roberta, both of Washington, were held up about 8:15 p.m. Saturday by two youths who approached them from the rear as they were walking in the 1900 block of G Street NW. Pointing revolvers at the couple, the gunmen told Mrs. Hayes, "Give me your pocketbook," and

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snatched the bag from her arm. Turning to her husband, the youths said, "Hand over the money," and took his cash. Firing a shot that caused no injuries, the pair ran east on G Street.

Robert Towns, of Washington, was robbed and beaten about 1 a.m. Sunday as he got off a bus at 14th and Q Streets NW. Three young men surrounded him and one asked for a cigarette. The trio then attacked Towns, beating him on the head. They took the bills from his coat pocket and fled on foot.

East Capitol Esso station, 4525 East Capitol St. SE, was held up about 3:05 a.m. by two youths, one displaying a sawed-off shotgun, who drove into the station in a white car. "Give me the money," the gunmen told the attendant and took his change carrier.

Hill Ottoway, of 57 O St. NW, was held up in the first-floor hallway of his apartment building by a young man wielding a shiny object. The man demanded Ottoway's money, reached into his pockets and removed the change, then fled from the building.

Esso service station, 3825 Pennsylvania Ave. SE, was held up by three men who entered the station about 2:05 a.m. Pointing a handgun at the attendant, one of them ordered, "Give me all your money or I will blow your brains out." Taking the cash from his pockets, the trio drove from the station.

STABBED

Willie Faison, of Washington, was treated at Freedmen's Hospital for injuries he suffered during an attempted robbery about 6:30 p.m. Sunday. Faison was approached by two men in the 1700 block of Marion Place NW who demanded his money. When Faison told them he had none, one of the men stabbed him in shoulder.

Edward Arrington, of Washington, was treated for stab wounds in the back that he suffered when he was attacked in the 600 block of Condon Terrace SE. Five young men beat him on the head and body, stabbed him and fled.

Betty Maloy, of Washington, was cut in the eye about 2:05 p.m. Sunday during a fight with a young man brandishing a knife at 14th and Corcoran Streets NW.

STOLEN

A gold bracelet, a silver bracelet, a gold pin, two pair of pearl and gold earrings, a $500 camera, assorted women's clothing and cosmetics and several credit cards, with a total value of $935, were stolen between 3:15 and 4:15 p.m. Sunday from a car belonging to Ilmari Kintikka, of Plainfield, N.J., while it was parked in the 1400 block of K Street NW.

A total of $1,000 in cash was stolen between 2:25 and 4 p.m. Thursday from a rear bedroom at the home of Prince Williams, 633 Orleans Pl. NE, when a glass door at the rear of his home was broken.

Two sable boa skins, valued at $325, a $1,295 tip dyed sable stole, and two black and white mink coats worth $2,500 each, were stolen between 5:35 p.m. April 7 and 9:30 a.m. Friday from Erlebacher Inc., 1133 Connecticut Ave., NW.

An undetermined amount of cash was stolen between 5 p.m. Saturday and 12:50 a.m. Sunday from two cash boxes, three cigar boxes and a safe inside Drugs Inc., 801 15th St. NW, after the locks were forced from the safe and the front door.

Two television sets and a stereo console were stolen between Friday and noon Sunday from Seaton Elementary School, 10th Street and Rhode Island Avenue NW.

A ring, $45 in cash, and several bottles of liquor, with a total value of $629, were stolen between 10 a.m. and 1:30 p.m. from the home of Lucius Starr, 336 Allison St. NW. The burglars entered by breaking through a glass door and ransacked the entire house.

Hess gas station, 4909 Marlboro Pike, Coral Hills, was held up at 3:15 a.m. by two men wearing stocking masks. One of them pointed a sawed-off shotgun at the lone attendant, forced him to hand over the money, and drove from the station in a black-and-white car.

Charles Funk, of Seabrook, a driver for Thompson Dairy, was held up about 9 a.m. while he was driving his delivery truck in the 4500 block of Quarles Street NE. Two youths approached Funk and asked if he had any chocolate milk. Then one of them pulled out a gun, placed it at Funk's side and ordered, "Throw everything in the floor of the truck." Scooping up the bills, the pair fled west on 45th Street.

NEW REGULATIONS FROM INTERIOR ON GRANT CONDITIONS FOR WASTE TREATMENT PLANT CONSTRUCTION

Mr. COOPER. Mr. President, on March 29, the Secretary of the Interior issued a notice of proposed rulemaking relating to the regulations which govern approval of grants for the construction of waste treatment plants. The Secretary noted in his comments about the new rules, that President Nixon proposed that administrative actions be taken to assure that the $10 billion he suggested be spent on waste treatment plant construction be used efficiently and wisely.

The new regulations would require that grants be made only for projects which are included in first, basinwide programs of pollution abatement and second, in a metropolitan or regional plan for pollution abatement. Third, no grants could be awarded for projects which would become part of a system designed to handle industrial wastes rather than wastes of the entire community, metropolitan area or region, unless the industrial wastes are pretreated so as not to impair the efficient working of the plant and the plant will operate under an equitable system of cost recovery with industry assessed in a manner proportional to the type, load, and expense of treatment of its waste. Two additional new regulations would provide for annual inspection of new plants for the first 3 years of operation and intermittently after that time, and conformity with design requirements issued by the Commissioner of the Federal Water Pollution Control Administration.

Mr. President, I believe that this kind of energetic action by the Secretary of the Interior and the Federal Water Pollution Control Administration is admirable. It seems to me that the Secretary's proposed regulations are consistent with congressional intention that Federal resources be used in a manner to assure that the quality of our Nation's waterways is improved and new resources of pollution are not allowed to proliferate. Local consolidation of community and industrial wastes ought to secure more efficient use of Federal funds. Requirements for design and operation should result in the construction of plants which will in fact achieve the efficient treatment of wastes.

Mr. President, in order that they receive the widest possible comment I ask unanimous consent that the text of the proposed amendments to subpart B, of the regulations governing grants for construction of treatment works, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

SECRETARY HICKEL PROPOSES NEW POLLUTION CONTROL RULES IMPLEMENTING PRESIDENT NIXON'S ENVIRONMET MESSAGE

Secretary of the Interior Walter J. Hickel announced today he is implementing President Nixon's Environmental Message with proposed new water pollution controls—including cost recovery for cleanup of industrial wastes, and comprehensive river basin plans to assure efficient use of Federal funds.

"As the President pointed out, abating some of the pollution in a waterway is a waste of money if new pollution comes in to take its place and old pollution continues," Secretary Hickel said. "We have not done enough to see that the cleanup is coordinated.

"Design and operation of local plants often are inefficient. In some areas, industries are getting a free ride, and the wastes they pour into a municipal system are not treated adequately."

The proposed new rules would apply to new construction grants to help communities build new treatment plants.

In the President's message to Congress for a four-year, $10 billion program to provide modern municipal waste treatment plants in the nation, he proposed to "institute major reforms . . . by administrative action" to ensure that new Federal-aid money would be wisely invested.

Secretary Hickel is proposing new amendments to Title 18 of the Code of Federal Regulations to carry out this mandate for administrative action. Interested persons are being invited to submit comments within 45 days after the proposed new rules are published in the Federal Register.

The proposed new rules would require that:

Comprehensive river basin-wide programs for pollution abatement must be developed, and new treatment works would have to fit in with such programs, as well as with metropolitan and regional plans, to be eligible for Federal aid.

In evaluating new applications, the Commissioner of Interior's Federal Water Pollution Control Administration may demand detailed data on the entire river basin's sources of pollution, volume of discharge from each source, character of effluent, present treatment, water quality effect and other items.

No new Federal grant would be made to any system designed to treat industrial wastes only. If some industrial wastes are to be treated as part of the system's operations, industry would have to pretreat those wastes to ensure they would not interfere with efficient operation of the community system.

A system of "cost recovery" would be required if some industrial wastes are to be treated in a new plant built with federal aid. Such cost recovery by the municipality would assess the industries a share of the operating costs, and costs of amortizing the debt, in proportion to their contributions to the total cost of waste treatment.

State water pollution control agencies must inspect new federally-aided facilities for efficiency and economy at least once each year for the first three years of operation, and periodically thereafter, under standards set by FWPCA.

Design of any new federal-aid treatment plant would have to be approved in advance as economical, efficient, and effective under FWPCA requirements.

"President Nixon's message stressed that both new legislation and new administrative action would be needed to improve the quality of our waters," Secretary Hickel said. "These proposed new rules are aimed at meeting the specific goals he outlined for administrative action.

"The job ahead will be costly. We want to ensure that the Federal funds invested in the cleanup will be spent effectively and fairly," the Secretary said.

Since the construction grant aid program began in 1956, some $1.5 billion has been awarded to some 9,600 municipalities and sanitary districts to support construction of $6.6 billion in new and expanded facilities to treat wastes.

GRANTS FOR CONSTRUCTION OF TREATMENT WORKS

Notice is hereby given that the Secretary of the Interior pursuant to the authority in sec. 6, 70 Stat. 502, as amended; 33 U.S.C. 466e, proposes to amend Subpart B of Part 601 by adding five new sections to that Subpart, and by amending one of the sections in that Subpart.

The proposed amendments are intended to provide greater assurance that treatment works for which Federal financial assistance is provided under this Subpart will more effectively enhance and improve the quality of the water into which such treatment works will discharge. To achieve this greater assurance, the Commissioner proposes to require: that treatment works be included in a basin-wide plan for pollution abatement; that the treatment works be included in a metropolitan or regional plan for pollution abatement; and that the treatment works be operated in conformance with requirements relating to the treatment of industrial waste; and that such treatment works be designed and periodically inspected so as to achieve efficiency, economy, and effectiveness.

Interested persons may submit, in triplicate, written data, views or arguments in regard to the proposed regulations to the Secretary of the Interior, Washington, D.C. 20240. All relevant material received not later than 45 days after publication of this notice will be considered.

Subpart B would be amended by adding the following new sections, as follows:

SECTION 601.32—BASIN CONTROL

a) No grant shall be made unless the Commissioner determines, based on information the State, or where appropriate, the interstate agency, for the areas within their respective jurisdictions, furnishes to him pursuant to subsection (b) that a project is included in an effective basin-wide program for pollution abatement.

b) In reaching such determination, the Commissioner may require information in such manner as he prescribes concerning the total basin program, or portion thereof, as he deems adequate to evaluate the effectiveness of the project. Such information shall be furnished within one year of the date of the Commissioner's request for such information. The Commissioner may extend this period for proper cause. For this purpose, the affected river basin waters shall be deemed not to include any waters outside the state in which the project is located but shall include waters in another state if an interstate agency has jurisdiction of the additional affected basin waters.

1) Sources of pollution. An identification list of all significant waste discharges; municipal, industrial, agricultural and others.

2) Volume of discharge. The average daily volume of discharge produced by each waste discharger. Cooling water, or cooling water which is contaminated by industrial waste or sewage shall be reported separately. Storm water and run-off and mixed storm water and sewage shall be identified and reported separately.

3) Character of effluent. The major characteristics of each such waste discharge together with a measurement of their relative strength or concentrations, including but not limited to:

BOD 5	mg/1.
Color	Platinum Cobalt Scale.
Turbidity	Jackson Candle Scale.
Solids	mg/1.
Toxic Substances	
Metal Ions	mg/1.
Fluorides	mg/1.
Dissolved Substances	ppm.
Temperature	C.
pH	
Radioactivity	Cc/1.
Chlorides	mg/1.
Nutrients	mg/1.

4) Present treatment. A brief description of the type of treatment being given by each discharger, together with a statement of the degree of treatment currently being achieved.

5) Water quality effect. A brief description of the the effect of discharges and abatement practices upon the quality of the water in the basin, and the anticipated effectiveness of the proposed project in improving the quality of the water.

6) Detailed abatement program. Identify all waste discharges for which present treatment is less than required by standards, or which will degrade water quality below standards. For each such discharger so identified, furnish an abatement schedule containing the following:

i. Level of treatment to be required expressed in percentage of reduction of BOD and any other significant parameters required pursuant to applicable Federal, State and interstate laws, regulations and orders.

ii. Volume of flow for which waste treatment facilities will be designed.

iii. Estimated completion dates for preliminary plans, for final design, for construction, and for operation of waste treatment facilities.

iv. Estimated cost of design and construction if available.

c) If the proposed project is not included in an effective basin-wide program for pollution abatement, and the Commissioner determines that such project will nevertheless effectively contribute to the improvement of the quality of the water in the basin, he may waive the limitation of subsection (a). In making his determination the Commissioner may require all or a part of the information identified in subsection (b).

d) The Commissioner's discretion in determining the desirablity of any project shall not be limited by any provision of any basin-wide abatement program pursuant to this section.

SECTION 601.33—REGIONAL AND METROPOLITAN PLAN

a) A grant for a project shall not be made unless the Commissioner determines that such project is included in an effective metropolitan or regional plan developed or in the process of development, and certified by the Governor as being the official pollution abatement plan developed or in the process of development for the metropolitan area or region within which the project is proposed to be constructed.

b) In reaching such determination the Commissioner shall consider whether such plan adequately takes into account: anticipated growth of population and economic activity with reference to time and location; present and future use and value of the waters within the planning area for water supplies, propagation of fish and wildlife, recreational purposes, agricultural, industrial and other legitimate uses; adequacy of the waste collection systems in the planning area with reference to operation, maintenance and expansion of such systems; combination or integration of waste treatment facilities into a waste treatment system so as to achieve efficiency and economy of such treatment; practicality and feasibility of treating domestic and industrial waste in a combined waste treatment facility or integrated waste treatment system; need for and capacity to deal with waste from sewers which carry storm water or both storm water and sewage or other wastes; waste discharges presently in, or anticipated for the planning area; effect of the proposed waste treatment facility upon the quality of the water within the planning area with reference to other waste discharges and to applicable water quality standards.

c) If the proposed project is not included in an effective metropolitan or regional plan for pollution abatement, and the Commissioner determines that such project will nevertheless effectively contribute to the improvement of the quality of the water in the metropolitan area or region, he may waive the limitation of subsection (a). In making his determination the Commissioner may require all or a part of the information identified in subsection (a).

d) The Commissioner's discretion in determining the desirability of any project shall not be limited by any provision of any metropolitan or regional plan pursuant to this section.

SECTION 601.34—INDUSTRIAL WASTE TREATMENT

a) No grant shall be made for any project if such project is included in a waste treatment system, determined by the Commissioner to be intended to treat industrial waste, rather than the wastes of the entire community, metropolitan area, or region concerned. For purposes of this section "waste treatment system" means one or more treatment works which provide intergrated waste disposal for a community, metropolitan area or region.

b) If industrial waste is to be included in the waste treated by the proposed project, the applicant shall assure the Commissioner that such applicant will require pretreatment of industrial waste, which would if untreated be detrimental to the treatment works or its proper and efficient operation and maintenance, or will otherwise prevent the entry of such waste into the treatment plant.

c) Where industrial wastes are to be treated by the proposed project the applicant shall assure the Commissioner that it has, or will have in effect when the project will be operated, an equitable system of cost recovery. Such system of cost recovery may include user charges, connection fees or such other techniques as may be available under State and local law. Such system shall provide for an equitable assessment of costs whereby such assessments upon dischargers of industrial wastes correspond to the cost of the waste treatment, taking into account the volume and strength of the industrial, domestic, commercial wastes and all other waste discharges treated, and techniques of treatment required. Such cost recovery system shall produce revenues, in proportion to the percentage of industrial wastes, proportionately, relative to the total waste load to be treated by the project, for the operation and maintenance of the treatment works, for the amortization of the applicant's indebtedness for the cost of such treatment works, and for such additional costs as may be necessary to assure adequate waste treatment on a continuing basis. For purposes of this section "industrial waste" shall mean the waste discharges (other than domestic sewage) of industries identified in the Standard Industrial Classification Manual, Bureau of the Budget, 1967, as amended and supplemented, under the category "Division D—Manufacturing," and such other wastes as the Commissioner deems appropriate for purposes of this section.

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SECTION 601.35—INSPECTIONS

No grant shall be made for any project unless the applicant assures the Commissioner that the State Water Pollution Control Agency will inspect the treatment works not less frequently than annually for the three years after such treatment works are constructed and periodically thereafter to determine whether such treatment works are operated and maintained in an efficient, economic and effective manner, and in accordance with such requirements as the Commissioner from time to time may publish concerning methods, techniques and practices for economic, efficient and effective operation and maintenance of treatment works.

SECTION 601.36—DESIGN

No grant shall be made for any project unless the Commissioner determines that the proposed treatment works are designed so as to achieve economy, efficiency and effectiveness in improving the quality of the water into which such treatment works will discharge; and that the applicant will meet such requirements as the Commissioner may publish from time to time concerning treatment works design so as to achieve efficiency, economy and effectiveness in waste treatment.

Subpart B would be further amended by adding to subsection (c) of section 601.25 a new subparagraph (3) as follows:

(3) Such project is included in a basin-wide program for pollution control in accordance with section 601.32 of this Subpart, and such project is included in a metropolitan or regional plan for pollution abatement in accordance with section 601.33 of this Subpart.

Subpart B would be further amended by renumbering subparagraph (3) of subsection 601.25 (c) as subparagraph (4); and by changing the reference to subparagraph (3) in the proviso following such subparagraph (3) to subparagraph (4).

WALTER J. HICKEL,
Secretary of the Interior.

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TRIBUTES TO REV. RALPH E. WHITE

Mr. MATHIAS. Mr. President, with the recent death of Rev. Ralph E. White, the people of Frederick, Md., lost a real friend, leader, and counselor. In tribute to Dr. White's life and contributions to his community, fitting memorials are being established by two of the local service organizations to which he gave so much of his time, interest, and inspiration.

I ask unanimous consent to have printed in the RECORD letters to Mrs. White from the board of directors of the Monocacy Goodwill Industries and the board of Counseling Services, Inc., of Frederick, describing Dr. White's contributions to these two organizations and the memorials which they plan to establish.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

GOODWILL INDUSTRIES, INC.
Frederick, Md., December 22, 1969.

MRS. RALPH E. WHITE,
Frederick, Md.

DEAR MRS. WHITE: The Board of Directors of the Monocacy Goodwill Industries extends its deepest sympathy to you and your family upon the death of your husband, Rev. Ralph E. White.

As Chairman of our Board of Directors, he brought to our organization the inspiration and guidance which has led to the creation of an independent agency.

Rev. White loved all men—particularly the handicapped and the weak who needed a friend to hold out a supporting hand. His kindness touched many known only to himself because in his love for all men he never betrayed a confidence.

As a fitting tribute to your husband, the members of the Board of the Monocacy Goodwill desires to establish a memorial to be called.

The Rev. Ralph E. White Chapel Meeting Room in the proposed new Goodwill Building. A special fund will be raised and set aside for this purpose.

Sincerely yours,

Edward H. Henkler, Carl V. Weakley, Walter W. Kirk, Jr., Paul E. Henninger, Sr., Mrs. H. Albert Dean, Mrs. Donald C. Fish (Aux. pres.), Norman W. Todd, Rev. Gordon L. Wilson, Richard T. Hammons, J. R. Ramsbury, Jr., Melvin H. Zimmerman, W. Jerome Offutt, Jay D. Kline.

COUNSELING SERVICES, INC.,
Frederick, Md., March 3, 1970.

MRS. RALPH E. WHITE,
Frederick, Md.

DEAR MRS. WHITE: It is my privilege as a member of the Board of Directors of Counseling Services, Inc., to share with you its action taken in establishing a memorial to your late husband, our beloved and interested friend, Dr. Ralph E. White. Following are excerpts from a recommendation adopted unanimously on February 2:

"Our loss of Dr. Ralph E. White takes from our board one of the staunchest supporters that Counseling Services, Inc., has had since its inception. Throughout the first ten years of its growth, Dr. White was always faithfully involved in providing for this community a resource of counseling help which he believed many people needed.

As a Christian minister he certainly was not unmindful of what the church has to offer in counseling; as a citizen active in public affairs (government and otherwise) he saw the responsibility of government to provide service such as that given by our local Mental Health clinic. However, he saw, too, the need for a community based service that would fill in the gap between these two.

As board member, president, and sometimes as the acting counselor himself, he sought to promote this service.

Widely loved in the community, he left an influence that need not be entirely lost to us or the public, and which we as his friends and co-workers may be instrumental in continuing.

It is with all this in mind that the Board of Counseling Services, Inc., hereby establishes the Ralph E. White Memorial Library: a collection of books in the counseling field, both practical and inspirational, to be kept in the office of Counseling Services, Inc."

In publicizing this action we plan to make it known to the public that this is a memorial to which individuals or groups may contribute and one from which individuals and groups may borrow and benefit. It is our intention that books in this library will be made available to schools, Sunday School classes, church and civic organizations. We feel that this would be an ongoing living memorial.

We hope that you agree with the board that this action is definitely in keeping with Dr. White's own personality and interests.

Sincerely,

KAY YOUNG MACKLEY
(Mrs. Meredith H. Mackley),
Library Committee Chairman.

SKIN TEST IS GUIDE TO SURVIVAL IN CERTAIN FORMS OF CANCER

Mr. YARBOROUGH. Mr. President, we all know that many different researchers are making significant headway in their search for a cancer cure. But there seems to be no coordinated effort to look into all of this research to see precisely where we are in the solution to the cancer riddle and what more needs to be done to conquer this dreaded disease. The lack of answers to these questions is precisely what prompted me and 46 of my Senate colleagues to sponsor Senate Resolution 376 to study research activities to ascertain the causes of cancer and develop a cure for it.

Fortunately, we have made some progress in this area. In recent weeks I have read with much interest that the time, money, and effort devoted to the war on cancer is beginning to pay off. For instance, the prognosis is good for a cancer vaccine by 1973. And there are encouraging signs that leukemia is in retreat.

Just last week I read an article written by Lawrence K. Altman and published in the New York Times of March 24 to the effect that two research doctors at the National Cancer Institute have reported that a cancer patient's reaction to an experimental skin test correlated closely with his ability to survive some forms of malignancy. The result of such a test might well be used in conjunction with other tests to determine whether surgery is necessary to treating a cancer patient. The results of this study strengthen the supposition that an individual's immunologic protection system is very important in the control of cancer.

Mr. President, I feel certain that Mr Altman's article would be of interest to every Senator. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SKIN TEST GUIDE IN CANCER CASES—REACTION HINTS CORRELATION WITH FACTOR OF SURVIVAL

(By Lawrence K. Altman)

SAN ANTONIO, TEX., March 23.—Two National Cancer Institute research doctors reported here today that a cancer patient's reaction to an experimental skin test correlated closely with his ability to survive some forms of malignancy.

Dr. Frederick R. Eilber and Dr. Donald L. Morton presented their findings at the American Cancer Society's 12th science writers seminar.

The test, which does not diagnose cancer, is one of many that doctors are trying to develop to better understand and then control cancer.

At some future date, Dr. Eilber said in an interview, the test, pending further study, may help guide physicians' recommendations for surgery on a cancer patient. In making such therapeutic decisions, however, doctors do not rely on any single test.

Results of the skin test study, done at the Cancer Institute in Bethesda, Md., the doctors said, strengthens the supposition that an individual's immunologic protection system is "very important in the control of malignancy." This avenue of research has been of increasing interest to scientists in the last 15 years.

CUTANEOUS SENSITIVITY

Doctors have long known that skin tests can disclose a phenomenon called delayed cutaneous sensitivity. This principle, for example, is applied in the skin test often used to detect tuberculosis.

The researchers said that their study, however, represented the first time that this type of test had been done prospectively, that is before and after, a patient had surgery.

Normally, an individual responds to the injection of a foreign material, or antigen, with a protective, or immunologic, reaction. Lack of such an immunologic reaction is called anergy.

The researchers tested such anergic patients with several types of cancer. These included squamous cell carcinomas of the head, neck and cervix: skin tumors, called malignant melanomas; and bone and muscle tumors, called sarcomas.

CORRELATION WITH TEST

Such anergic patients, the researchers found, had "an extremely poor prognosis" from their cancer. The exception, for unknown reasons, were the patients with sarcomas.

The researchers had placed a measured dose of 2–4 dinitro chlorobenzene (DNCB), waited two weeks, and reapplied a smaller amount of the same chemical. Then they examined for the presence or absence of a red skin reaction.

They found that 95 per cent of normal persons used for control purposes had responded with a red reaction. Seventy of 110 cancer patients for whom surgery had been recommened, or 65 per cent, had a positive test. At surgery, 63 of these 70, or 90 per cent, remained free of detectable cancer for at least six months.

In contrast, 39 of the 40 persons who had negative skin reactions either had tumors so extensive that they were unremovable or their cancers recurred shortly thereafter.

"Whether the immunologic deficit—anergy—preceded and possibly facilitated the spread of tumor," the researchers said, "or whether the anergy is the result of the metastases [spread of cancer] is unknown."

The anergy test described at this seminar is but one of several that doctors will investigate for several years to answer such questions and to solve the riddles of cancer.

SUSAN BUSSE WINS MARYLAND'S VFW VOICE OF DEMOCRACY CONTEST

Mr. MATHIAS. Mr. President, at the annual national conference of the Veterans of Foreign Wars, recognition was given to the State winners of the VFW's 23d annual Voice of Democracy contest. Maryland was very capably represented by the State winner, Miss Susan Busse, of Bowie, who had been sponsored in the contest by VFW Post 381 of Bowie.

I extend my congratulations to Susan and all of the other young Americans who participated in this constructive contest. I ask unanimous consent to have printed in the RECORD the text of Susan's speech and an article on the contest, written by Mrs. Phyllis O'Neil, of the County News of Lanham, Md.

There being no objection, the article was ordered to be printed in the RECORD.

VFW WINNERS TOUR DISTRICT OF COLUMBIA: SUSAN "BROKE UP" WHEN NIXON SHOOK HER HAND

(By Phyllis O'Neil)

"Your attitude toward life is really what makes life", says Susan Busse, 15, of 4008 Woodrow Lane in Bowie. "I knew what it was to exercise friendliness, but I honestly didn't realize," she continued, "how important it was."

Susan and 52 other young people, one from each state, the District of Columbia and the Pacific Area, have just had an experience that will be a warm memory for them for the rest of their lives.

A sophomore at Bowie High School, Susan won the 23rd Annual Voice of Democracy contest sponsored by the Veterans of Foreign Wars last month and represented Maryland in the national contest. While representing the state, she was treated to an expense paid trip to Washington, D.C.

The five national winners were named during the 5-day Veterans of Foreign Wars Conference and although Susan wasn't one of the top victors and her trip took her only a few miles from her home town, the young Bowie lass was impressed and wouldn't have traded a minute of it.

Last week Susan met with the senators from her state, Sen. Charles McC. Mathias, R-Md., and Sen. Joseph D. Tydings, D-Md. She also "broke-up" at meeting President Richard M. Nixon.

Noting that she is a little embarrassed at the whole thing, Susan described meeting the President.

A Congressional dinner was held at the Sheraton-Park Hotel where contestants and members of the VFW Posts throughout the country had taken 1100 rooms.

The guest of honor for the dinner, which hosted a couple thousand guests, was the President and he greeted each state Voice of Democracy winner. When he got to Susan and he told her he knew where Bowie was, she recalls smiling and then crying uncontrollably. She explains that she knew she couldn't ask for the President's autograph and realized that she had asked no one to take her picture at the precise moment when he shook her hand.

"There must have been a thousand pictures snapped", she squealed, "and I forgot my camera."

A new philosophy of life has been learned through her experiences of the past few months. Susan reveals a new awareness of people and the sensitivity involved.

This dedicated young American will be going to Dallas in June, compliments of Bowie VFW Post 381 which sponsored her in the contest.

During the trip to Texas, Susan and other young people like her will meet with 50 prominent Americans in different fields.

With almost no fanfare at all, this young Bowie sophomore and the other 52 dedicated young Americans like her have gone back to their homes and their schools. For posterity is her speech which won her the right to represent the state of Maryland. The text follows:

"FREEDOM'S CHALLENGE

"Today, more than ever, the words 'Freedom's Challenge' have a significant meaning. Perhaps at no time in history has the challenge been so great!

"In America, as well as in other parts of the world, people are crying out for their own freedoms: freedom to live without discrimination, freedom to speak out, freedom to resist the draft, freedom to protest—either for or against the government—and so on.

"American citizens, in particular, are extremely concerned with their rights of freedom. We are proud that we have our freedoms, guaranteed by the Bill of Rights and enforced by the law. Both the 'dissentor' and the 'patriot' have a common ground: they each want their own freedom—the right to do as they please.

"The 'patriot' fears communism or fascism. These very words make him tense and filled with hate or fear—fear that through these forces he may lose his right of freedom.

"The 'dissenter' feels that he will lose his rights of freedom too, but perhaps his fears are not so much for communism or fascism but rather that he is losing his freedom to do as he pleases, perhaps not to fight if he desires.

"I believe that we should fear division of our own people more than the outside forces such as communism or fascism. For, if we are united, we will not fall to these forces, but we will overcome them—together.

"Part of the great division in our country today is caused by large numbers of people acting in protest, while the silent majority are apathetic. We want our rights; we value our freedoms; but, some of us are not willing to sacrifice or speak out for them.

"It is easy to condemn others—easy to say that others are doing nothing—but how about you?

"Have you ever caught yourself merely reciting the Pledge of Allegiance without thinking of what you are saying? Or have you ever checked a box in front of a candidate's name—without being well versed concerning this man's view on controversial issues—and then even dismiss the action by saying, 'One vote's not that important anyway.' This is apathy. You see, it's not only other people.

"We must overcome our apathetic feelings and replace them with enthusiasm. It is true that we have these rights of freedom now, but if we don't take the necessary precautions, we won't have them for long.

"It is our generation's responsibility to retain our national heritage—to protect it. We must meet this challenge with determination and courage—the kind that is only developed when each individual searches his own soul for answers, then shares his answers with others.

"This, in my opinion, is freedom's challenge. The challenge of uniting to cherish and protect the very freedoms we now enjoy."

ECONOMIC INACTION—PATH TO DISASTER

Mr. WILLIAMS of New Jersey. Mr. President, last week the Labor Department announced that the rate of unemployment continued to rise during March and now stands at 4.4 percent.

This is the highest level in 4½ years. The increase in unemployment during the first 4 months of this year was nearly 1 percent, the greatest quarterly increase since 1960.

These statistics, combined with other discouraging economic indicators, should stand as a clear warning that the economic path being followed by President Nixon and his advisers could lead to disaster.

Since Mr. Nixon took office the rate of unemployment has increased more than 1 percent. The total number of people unemployed has increased more than 1 million. This means that 700,000 adult men, 280,000 adult women, and 69,000 teenagers who could have found jobs when Mr. Nixon took office are now unable to find work.

Every economic signpost told us this situation was developing. Statistics for manufacturing, retail sales, and housing starts pointed toward a recession.

In February, industrial production declined for the 7th month in a row. Housing starts that month were more than 18 percent below the level of February 1969. In real figures, our gross national product declined during the last quarter of 1969. When the figures for the first quarter of this year are released, they will almost certainly show a further decline.

Some economists would then say that the country is in a recession, at least in the most technical sense of the word.

If the downward trend would stop there, if unemployment would not get any worse, then perhaps there would be no impelling cause for great alarm. But

I am afraid that, with continued inaction by the administration, this will not be the case.

The President's top economic adviser, Paul McCracken, has already predicted unemployment will increase to around 5 percent by next fall. Some observers foresee an increase to 6 percent by the end of the year.

If these predictions are allowed to come true it would be a very real and very great tragedy for thousands upon thousands of Americans. It would be a tragedy for the men who could not support their families. It would be a tragedy for working mothers who could not buy food for their children. It would be a tragedy for the teenagers who are left to idle their time away on the streets.

Adding to this concern is the fact that, while the opportunities to earn a living are decreasing, the cost of living continues to increase. Despite blithe statements about inflation having been defeated, the fact is that inflation continues to grow. Since Mr. Nixon took office the rate of increase in the cost of living has doubled, and the Consumer Price Index has gone up more than 8 percent.

The grim prospect of simultaneous recession and inflation will very shortly be a reality if Mr. Nixon continues to follow the ruinous policy of economic inaction. I urge the President to act positively to meet these problems so that thousands of Americans will not have to pay the price of his inaction.

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VA CONTACT CENTERS—THE BALTIMORE OFFICE

Mr. MATHIAS. Mr. President, this past month, President Nixon signed into law the Veterans Education and Training Assistance Amendments Act of 1970. The act recognizes the special problems faced by the young man reentering civilian life today. It begins to face the need for specialized education programs. Moreover, it seeks to expand the outreach service program of the Veterans' Administration.

But, our efforts on behalf of the veteran will fail if the returnee is not made aware of his opportunities under the law and if he is not encouraged to participate.

The recent report of the President's Committee on the Vietnam Veteran recognized both our special obligation to aid those who have served and our need to improve that assistance. Many of their recommendations were included in the recent bill. Many have been introduced in recent days.

In Baltimore, an officer in charge of the Veterans Assistance Center, a division of the VA Contact Center, has done much on his own to reach the soldier soon to be discharged. Mr. Samuel R. Maggio spent 4 months in Vietnam in an effort to stress to the GI well before his separation the services available to a veteran. The work of Mr. Maggio at his Baltimore office has been translated into a national program.

I recommend a feature article from the Evening Sun of Baltimore, Md., citing the procedures of the VA Contact Center as well as Mr. Maggio's own work.

I ask unanimous consent that the article of April 3, 1970, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"A GRATEFUL NATION WANTS TO DO ALL IT CAN": BALTIMOREAN'S EFFORTS TO AID VIETNAM VETERANS DEVELOP INTO NATIONAL ASSISTANCE PROGRAM

(By Frederick A. Judd)

Thanks to the initial efforts of a Baltimorean, a plan to help the returning Vietnam veteran has become a national program.

He is Samuel R. Maggio, officer in charge of the Veterans Assistance Center, a division of the Veterans Administration Contact Center here.

Mr. Maggio was one of two members of the Veterans Administration sent to Vietnam to speak to GI's ending tours of duty and soon to be discharged from service.

The program was an all-out effort by the United States to stress to GI's well before their time of separation from the service that, as Mr. Maggio put it, "a grateful nation wants to do what it can for the returning veteran."

Other VA agents later carried the same message to the veteran separation centers around the United States.

FOUR-MONTH ASSIGNMENT

Mr. Maggio, now back at his desk in the Federal Building, spent four months at his Vietnam assignment, often flying by helicopter or other aircraft to talk to military units.

Emphasis was put on those youths who had not gained a high school diploma because they are the ones who have the most trouble getting jobs, Mr. Maggio said.

Now there are 100 departure points and about a dozen VA representatives to give orientation talks to the forces in Vietnam.

Mr. Maggio said he talked to a total of 33,000 men in 1967. These were in groups of as few as 10 to 12 to as many as 450.

PERSONAL COUNSELING

In a visit to an evacuation hospital near Hue, Mr. Maggio talked to hundreds of servicemen as he toured the wards, giving personal counseling as well as orientation talks.

Since that time, Mr. Maggio said, the VA has talked to more than a half-million GI's in Vietnam.

Sometimes the talks were interrupted, Mr. Maggio recalled.

"One day a VA agent and a GI were sitting on stools in a native hut when the military unit in the village came under heavy attack," he said. "The concussion knocked both of them off their stools. After reseating themselves, they resumed their conversation."

Mr. Maggio recalls many amusing anecdotes.

"A top sergeant introduced me to his men like a prize-fight announcer," Mr. Maggio said. "'The sergeant, who was a real tough guy himself, said: "All right, you guys, now I want you to pay attention to this man here, Battling Sam Maggio, 155 pounds of fighting fury from the Veterans Administration in Baltimore.'

"This really brought a roar of laughter from the boys," Mr. Maggio said.

GREETED WITH PUZZLEMENT

Often Mr. Maggio's appearance was greeted with puzzlement, he recalled. "Many of them couldn't understand why I would come all the way over to Vietnam," he said.

"'What are you trying to run away from, anyway,'" one GI asked.

"'You mean you volunteered to come over to this place?'" was another question posed by a GI.

Back in the states, an all-out effort to aid the returning serviceman goes on.

"For years the Veterans Administration sat back and waited for people to come to them," Mr. Maggio said. Then during the Johnson administration, the creation of contact centers was a first step.

"On March 18, 1968, a contact center was opened here in Baltimore, 1 of only 20 at that time," Mr. Maggio said. "It was a pilot program then," he added. "Now there are more than 70 such centers."

To facilitate the new concept of going out to reach the veteran, the Defense Department arranged for the VA to get a copy of every veteran's separation document, including his home address.

A national center at Austin, Texas, gets the separation paper copies. The center then sends each veterans literature on VA benefits available as well as job opportunities.

This literature goes out along with a letter welcoming the veteran home and providing him with the address of his local VA office and telephone number.

FOLLOWUP LETTER

Three weeks later, Mr. Maggio said, the same material is sent out again, saying "glad that you're home" and again pointing out that VA help is available.

Also processed at the center in Austin and gathered for distribution to area VA contact centers are those veterans classified as "educationally disadvantaged"—servicemen who have not finished high school.

Each contact center gets a separate card listing each such serviceman in his area.

When the system first went into effect, home visits were made as soon as a card was received, Mr. Maggio said. But that approach has since been curtailed, he said.

SETS UP APPOINTMENT

Now a serviceman is sent a letter setting up an appointment time at the contact center. Two weeks later, if the appointment is not kept, a second letter offering another appointment—at the contact office, at the serviceman's home or at his place of employment—is mailed by the contact office.

Mr. Maggio and Edward D. Green, a veterans benefits specialist attached to the contacts office, also have put together their own job bank.

"We started it," Mr. Maggio said, "after many employers began calling to offer jobs to returning veterans."

Mr. Maggio cited a recent example of a job bank success story.

"A tile-laying firm called, asking for a supervisor to keep a check on several simultaneous jobs," Mr. Maggio said.

SERGEANT GETS JOB

"A few days after the firm called, a former master sergeant walked into our office. We sent him over. They were very pleased. He was hired. And since then, we've sent him 8 or 10 men. He's doing his own hiring now."

A disabled veteran who can't do his former job or who would have difficulty getting other employment is eligible for special vocational training.

The vocational counseling and training adjustment section of the VA takes care of such men, Mr. Maggio said.

Have the orientation talks in Vietman helped VA agents in their job in this country?

Mr. Maggio is convinced that the trips by VA agents to South Vietnam "do a lot of good, both for our agents and for the servicemen.

"The men serving in Vietnam are affected by and definitely benefit from the amount of attention paid to them," he said.

"In fact," Mr. Maggio added, "I plan to volunteer for another tour myself."

CABINET-LEVEL DEPARTMENT OF CONSERVATION AND THE ENVIRONMENT

Mr. CASE. Mr. President, within the next few days, the President's Advisory

Council on Executive Organization is expected to present to the President its recommendations for a major reorganization of Federal agencies dealing with the Nation's environment.

While I have no advance knowledge what the Council will recommend, it is my understanding that one of the alternatives it has seriously considered is a plan to create a new, Cabinet-level department that would have specific responsibility for protecting our environment.

This plan, as I understand it, would follow closely the proposal I put forth in introducing S. 2312, almost a year ago.

My bill has two main features:

First. It would create a new Department of Conservation and the Environment and place in it the responsibilities relating to the environment now scattered throughout the Government;

Second. It would give the new Department power to hold up, pending congressional review, any Federal or federally assisted projects which the Secretary found would adversely affect the environment, including neighborhoods or communities;

An article in the New York Times a short time ago indicated that the Council agreed with my view that creation of a department to deal specifically with problems relating to the environment would be the best approach.

The article indicated that a major drawback to this approach was felt to be that it would require congressional action whereas a transfer of existing governmental function could be accomplished more quickly through Executive action. But a mere transfer of governmental functions by Executive action could not give the new agency the vital power to delay, pending congressional review, activities potentially harmful to the environment.

In my view, the protection of our environment is too important to accept a second-best solution merely because the best approach is more difficult to accomplish. I hope the Council recommends creation of the new Department with the full power my bill would provide. I urge, further, that hearings be held on my bill in the near future so that Congress will be in a position to exercise its proper role in dealing with these problems.

Merely reorganizing our governmental struction would not, by itself, begin to meet the problems we face in connection with an environment. The Government needs strong additional authority to deal with these problems.

Under my bill, the authority of the new Department to delay activities which may adversely affect the environment would extend to any proposed, planned or ongoing projects and programs and to the expansion or renovation of construction projects already underway as well as to all new projects.

Exceptions would be made for national security activities, but in those instances the President must certify to Congress that any delay "would have an immediate and serious effect with respect to the national security."

Under the delay provision in the bill, the Secretary would have 120 days to review any potentially "offending" project. During that period he would be required to decide whether to give the project a green light, or make an adverse report to the President and the Congress.

If the Secretary made an adverse report, the project would be delayed up to an additional 120 days while Congress decided whether further action was required.

This is a strong provision, to be sure. But the environment cannot be protected by halfway measures. And the successful experience of the State of Montana with similar legislation shows how effective the provision can be.

I ask unanimous consent that a March 24 article in the New York Times, describing the results achieved in Montana, and a March 29 article from the same newspaper in regard to the activities of the Ash Council, to which I referred earlier in my remarks, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 26, 1970]

MONTANA IN ACCORD ON CONSERVATION

(By Gladwin Hill)

CHICAGO.—The state of Montana has found a way to reconcile environmental values with some of the demands for "progress," a conference here was told today.

As a result, a long-standing "cold war" between highway builders and trout stream defenders has been transformed into profitable collaboration.

Striking success, over a six-year period, in an unusual system of negotiation and arbitration was reported to the 35th annual Wildlife and Natural Resources Conference by John C. Peters of the Montana Fish and Game Department.

The system grew out of a clash in 1960 between state conservation officials and state highway engineers over alteration of river channels in the process of highway routing.

Around 2,000 such alterations had changed one-third of the mileage of some of the state's principal streams. The altered stretches produced only 20 per cent as many fish as natural channels, and the fish were undersized.

A LAW OBTAINED

After much haggling with the engineers, Mr. Peters, the department's habitat biologist, related, "it became painfully clear that they would listen but could not implement major proposals for minimizing damage."

The fish and game officials made extensive surveys to document their case, won support from citizen groups, and in 1963 went to the legislature.

They obtained a law, limited originally to a two-year trial, requiring state, county and city highway building agencies to submit engineering plans for review at least 60 days before the start of construction. The fish and game people have a month to study the plans and recommend alterations.

If the two groups cannot agree, the law calls for issues to go to a three-man arbitration panel. The original law provided for the panel to consist of one representative of each side and a neutral.

The two-year trial worked so well that although the original law had barely squeaked through the legislature, it was re-enacted in 1965 by an almost unanimous vote. The only major change was a provision that arbitration panels be appointed by the District Court.

"From 1963 to June, 1969, we reviewed 259 projects," Mr. Peters reported. "Of these, we asked for special considerations on 88 projects."

The arbitration device has never had to be invoked, but its presence in the law is considered valuable.

CHANGES PUT THROUGH

Summarizing construction changes achieved through negotiation, Mr. Peters said:

"Proposed road alignments were moved to avoid encroaching on the Madison Big Hole, Missouri and Blackfoot rivers. Meanders were designed and built in Prickly Creek, the St. Regis River and the Clark Fork River so that the channel was as long after construction as before.

"Extra bridges to preserve natural meanders were built on the Beaverhead and Missouri Rivers and are planned for the Blackfoot River.

"Brush flood plain vegetation which was removed to facilitate construction has been replaced. Channel excavation has been limited to those times of the year when trout are not spawning. An elevated alignment has been proposed and designed to preserve the St. Regis River and its scenic canyon."

Written agreements have been reached with the principal Federal construction, land and conservation agencies for similar collaboration.

THE DESIGN STAGE

Experience has enabled the colloborating state agencies in practice to improve on the law's situation. Since as much as 15 per cent of the cost of a highway project is design, the Fish and Game Department is being brought into consultation in the design stage rather than just before construction starts, with resultant economies.

Other dividends have accrued. The Highway Department sometimes can plan road embankments to serve also as dams for recreation lakes being developed by the Fish and Game Department. Tracts of land isolated by highway construction and used as sources of fill are being landscaped to fit in attractively with the state's wildfowl sanctuary program.

Our effort up to now only enables us to keep between two-thirds and three-fourths of the stream environmental problems in our management grasp," Mr. Peters observed. "To improve our ability to preserve the entire stream environment on a day-to-day basis during the construction phase of road building.

"But the myth that the Stream Preservation Law would scuttle the road-building program has vanished," he added. "The law has shown the public that a construction agency and a conservation agency can work together, given the necessary legal framework."

[From the New York Times, Mar. 30, 1970]

REVISED HANDLING OF ECOLOGY SEEN—PANEL PLANS TO URGE NIXON TO RESHUFFLE AGENCIES

(By James M. Naughton)

WASHINGTON, March 29.—A White House panel is preparing to recommend to President Nixon that he seek a major reorganization of agencies dealing with the nation's environment.

The final recommendation, of the President's Advisory Council on Executive Organization, still being drafted, will be presented to Mr. Nixon by April 15.

Officials close to the council made it clear in interviews over the last few days, however, that the panel believes the only alternatives to the present disjointed Federal approach to the environment involve large-scale reshuffling of Government agencies.

Among options the council is weighing is

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a plan to create a new, Cabinet-level department that would oversee protection of the air and water, regulation of the nation's energy and mineral resources and control of "renewable resources" such as rivers and forests. These functions are now among a variety of departments and independent agencies.

REORDERING IS ESSENTIAL

"Some type of reordering, to achieve results, is essential," said one source.

He listed the following alternatives to a new, all-encompassing "department of resources":

Reorganization of an existing department—most likely Interior—to give it a broader mandate and transfer it to functions now carried out in other departments. For example, the Interior Department supervises water pollution control agencies, but the Department of Health, Education and Welfare has jurisdiction over pollution problems.

Creation of a new independent agency that would have responsibility for enforcement activities research and administrative functions in the cabinet departments. This is similar to a proposal by Senator Edmund S. Muskie, Democrat of Maine.

Combining agencies such as the Atomic Energy Commission, Federal Power Commission and Bureau of Mines into a new independent agency that would regulate all types of energy and mineral resources.

Some combination of alternatives that would stop short of creating a new department. One difficulty the council foresees in creation of a department is the long process of Congressional action. Mr. Nixon could move more rapidly if he reshuffled departmental lines in a reorganization plan that would go into effect, unless Congress objected, within 60 days.

COUNCIL'S OBJECTIVE

The council's objective is to provide a mechanism for decision-making at some level below that of the White House. Its members consider it illogical for decisions to be laid before the President each time there is a conflict between the competing interests of conservationists and those seeking to develop natural resources.

Ideally, a department in which these interests would compete under a Cabinet officer would be, organizationally at least, the best arrangement.

But any change would have serious political ramifications. The council is said to be aware that there are dangers as well as benefits in a tightly knit organizational structure.

"If you gave a Cabinet secretary all that power and he leaned, say, toward resource development and against conservation, there would be problems," said one of the experts engaged in the council's studies.

Others suspect that President Nixon might find it politically enticing to reshape the environmental agencies around the Interior Department. That could mean that legislative action in the Senate would focus on the Interior Committee, whose chairman, Senator Henry M. Jackson, Democrat of Washington, has been less nettlesome to the Administration on pollution issues than Senator Muskie, chairman of the Air and Water Pollution Subcommittee of the Public Works Committee.

SENATE RATIFICATION OF THE PROTOCOL ON REFUGEES: AN IMPORTANT PRECEDENT FOR FURTHER U.S. ACTION ON HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, in 1948 the United Nations General Assembly unanimously adopted the Universal Declaration of Human Rights. For the first time, delegates representing the majority of the world's population agreed upon a broad definition of universal rights and freedoms. The designers of the universal declaration clearly understood that measures were sorely needed to prevent a reoccurrence of the atrocities committed against human beings in World War II.

One of the articles in the declaration applied specifically to the fights and freedoms of refugees. Article 14 stated:

> Everyone has the right to seek and to enjoy in other countries asylum from persecution.

Acting on these premises, the United Nations in 1967 opened for accession the Protocol on Refugees. This protocol enumerated the rights of refugees, providing for freedom of religion, access to courts, employment, public education, and social security.

In 1968, the U.S. Senate ratified the Protocol on Refugees. The speed with which this country ratified this measure is remarkable when we realize that the United States had accomplished more for international human rights in that 1 year than it had in the preceeding 20 years.

This notable accomplishment leads me to believe that the United States can and will exercise responsible leadership in the ratification of other Human Rights Conventions. It is my sincere hope that the Senate will display this type of moral responsibility through ratification of other Human Rights Conventions, such as those on Genocide, Women's Rights, and Forced Labor.

THE THREE SISTEPS BRIDGE

Mr. COOPER. Mr. President, I wish to speak briefly on a matter on which I have spoken several times during the last 2 years—the construction of the Interstate System of Highways in the District of Columbia. I do not need to remind Senators in detail of the controversial portions of the Federal-Aid Highway Act of 1968, written by the House of Representatives in response to a successful citizen's suit to halt construction of certain routes, the tempering of those provisions by the Senate-House conference committee, the near Presidential veto of that legislation because of those provisions, and the subsequent events since enactment of that law—planning by the government of the District of Columbia, release of rapid transit funds, demonstrations of protest at the site of the Three Sisters Bridge. This last project has become a symbol of the controversy between defenders of the current procedure required for urban highway planning and those who are critical of proper procedures, which they believe do not provide effective solutions of urban transportation problems in the District of Columbia. Too often they ignore or slight social and environmental consequences of urban highway construction.

When the government of the District proceeded to the construction phase of the Three Sisters Bridge, its action was challenged by a coalition of civic associations which maintained that the city had not complied with the provisions of title 23, the major statutory authority for Federal-aid highways, in moving to the construction of the bridge. In January the district court refused injunctive relief to the civic associations, rendered a judgment holding that the government of the District had responded to the provisions of the Federal-Aid Highway Act in a proper manner. Yesterday, the court of appeals rendered a decision reversing the decision of the lower court. It interpreted the provisions of the 1968 act as requiring that the construction of the bridge be carried out in compliance with all applicable provisions of title 23, including all planning provisions.

Mr. President, this is an important decision for the residents of the District of Columbia and all citizens of the Nation. Congress has been quite specific in its intention that citizens participate in the selection, planning, and designing of major public works and other projects and programs which have significant impact on their communities and involve substantial expenditures of public funds. I then opposed the decision reached in conference, upon substantially the same grounds found by the court. I then voted against the adoption of the Conference Report on the Highway Act of 1968 because I feared that the provisions relating to the highways of the District of Columbia represented a dangerous precedent which could be interpreted to override local self-determination and citizen participation. I am pleased with the interpretation of the court of appeals of section 23 of the 1968 act, for it seems to me that the court's interpretation is based on the one safeguard, which we were able to secure in conference, that citizen rights would be preserved through the application of the provisions of title 23 which were written to protect those rights.

Mr. President, I ask unanimous consent that the opinion of the court of appeals be printed in the Record. I recommend its reading to Senators.

There being no objection, the opinion was ordered to be printed in the Record, as follows:

[U.S. Court of Appeals for the District of Columbia Circuit, No. 23, 870]

D.C. Federation of Civic Associations, Inc. et al., Appellants, v. John A. Volpe, et al.

(Appeal from the U.S. District Court for the District of Columbia decided April 16, 1970)

Mr. Roberts B. Owen, with whom Mr. Gerald P. Norton was on the brief, for appellants.

Mr. Thomas L. McKevitt, Attorney, Department of Justice, with whom Messrs. Thomas A. Flannery, United States Attorney, Joseph M. Hannon, Assistant United States Attorney, and Edmund B. Clark, Attorney, Department of Justice, were on the brief, for federal appellees.

Mr. John R. Hess, Assistant Corporation Counsel for the District of Columbia, with whom Messrs. Charles T. Duncan, Corporation Counsel, Hubert B. Pair, Principal Assistant Corporation Counsel, and Richard W. Barton, Assistant Corporation Counsel, were on the brief, for District of Columbia appellees.

Messrs. Bruce L. Montgomery and Richard J. Wertheimer filed a statement on behalf of Sierra Club, et al., as amici curiae.

Before Bazelon, Chief Judge, and Wright and MacKinnon, Circuit Judges.

XUM

Wright, Circuit Judge: This suit concerns the interpretation of Section 23 of the Federal-Aid Highway Act of 1968.[1] In that section Congress directed the District of Columbia government and the Secretary of Transportation to construct certain of the remaining portions of the Interstate Highway System in the District. Among the projects mentioned in the Act was the Three Sisters Bridge, a proposed span across the Potomac River upstream from Key Bridge crossing from Spout Run in Virginia to the Georgetown section of Washington.

The Act became law with the signature of the President on August 23, 1968. In September of 1969 the District let the first contracts for building the Three Sisters Bridge. Taxpayers and civic associations in the District brought this suit in October of 1969 for a declaratory judgment and for injunctive relief. Appellants alleged that the Secretary of Transportation and the District government were building the Bridge in violation of several provisions of Title 23 of the United States Code.

After an expedited hearing the District Court refused to grant the injunction and granted summary judgment for appellees. The court concluded that appellants' allegations of violations of Title 23 would not be considered because "Congress intended [by enacting Section 23] that the District of Columbia commence construction on the Bridge project as soon as possible, and that no further planning or hearing requirements of title 23 need be complied with."[2] Because we do not find that Congress intended to deny the residents of the District of Columbia the protections accorded all United States citizens by Title 23, we reverse the decision of the District Court and remand the cause for hearings to determine whether there has been compliance with Title 23 in this case.

I

Section 23 of the Federal-Aid Highway Act of 1968 provides as follows:

"DISTRICT OF COLUMBIA

"SEC. 23. (a) Notwithstanding any other provision of law, or any court decision or administrative action to the contrary, the Secretary of Transportation and the government of the District of Columbia shall, in addition to those routes already under construction, construct all routes on the Interstate System within the District of Columbia as set forth in the document entitled '1968 Estimate of the Cost of Completion of the National System of Interstate and Defense Highways in the District of Columbia' submitted to Congress by the Secretary of Transportation with, and as a part of, 'The 1968 Interstate System Cost Estimate' printed as House Document Numbered 199, Ninetieth Congress. Such construction shall be undertaken as soon as possible after the date of enactment of this Act, except as otherwise provided in this section, and shall be carried out in accordance with all applicable provisions of title 23 of the United States Code.

"(b) Not later than 30 days after the date of enactment of this section the government of the District of Columbia shall commence work on the following projects:

"(1) Three Sisters Bridge, I-266 (Section B1 to B2).

"(2) Potomac River Freeway, I-266 (Section B2 to B4).

"(3) Center Leg of the Inner Loop, I-95 (Section A6 to C4), terminating at New York Avenue.

"(4) East Leg of the Inner Loop, I-295 (Section C1 to C4), terminating at Bladensburg Road.[3]

Appellees argue strenuously that Section 23 was intended to eliminate the necessity for compliance with the "pre-construction" provisions of Title 23 of the United States Code in building the Three Sisters Bridge. Specifically, appellees urge that, despite the explicit statement in Section 23 that "all applicable provisions" of Title 23 are to govern the project, the following sections of Title 23, while applicable to similar projects throughout the country, are inapplicable to the Three Sisters Bridge project[4]: (1) 23 U.S.C. § 128 (a) (Supp. IV, 1965–1968), which requires any state[5] building a federally financed road to hold public hearings as to design and location of any proposed highway or bridge, and to consider the "economic and social effects of such location, its impact on the environment, and its consistency with the goals and objectives of such urban planning as has been promulgated by the community";[6] (2) 23 U.S.C. § 134 (1964), which requires the Secretary of Transportation to withhold approval of new highway projects unless and until he has made an explicit finding that "such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section"; and (3) 23 U.S.C. § 138 (Supp. IV, 1965–1968), which requires the Secretary of Transportation to withhold approval of projects involving the use of park land "unless there is no feasible and prudent alternative to the use of such land, and * * * such program includes all possible planning to minimize harm to such park * * * resulting from such use."

If we were to accept appellees' interpretation of Section 23, we would be confronted with difficulties, possibly of constitutional magnitude. The provisions listed above are the essential safeguards which Congress has established, on a nationwide basis, to ensure that massive freeway projects are not constructed unless there has been a good faith effort on the part of the state and local planners to take community needs and resources into consideration. Congress has directed the planners to design projects consistent with growth and development patterns, to refrain from any unnecessary destruction of valuable state or local parkland, and, most importantly, to accord area residents a full and fair hearing. The Secretary of Transportation is charged with overseeing the planning and may not approve road projects, thus allowing them to be built with federal funds, until he finds that all these considerations have been properly taken into account.

The net effect of Section 23, construed as appellees insist it must be, is to divide citizens of the United States affected by road projects into two classes. One small group of citizens, the residents of the District of Columbia who will be affected by the Three Sisters Bridge, is deprived of these important rights to participate in planning the future of the community. The other class, consisting of all residents of the 50 states, still retains these federally guaranteed rights to influence all federally assisted road building. On its face, therefore, appellees' interpretation of Section 23 would result in discrimination between the District residents affected by the Bridge and all other residents of the United States affected by highway projects in their localities.

The finding of such a discrimination, however, must be only the starting point of our inquiry. In the constitutional sense, many discriminations are simply benign. The question remains whether this discrimination is based on an invidious classification between groups of citizens which rises to the level of a violation of the equal protection clause of the Constitution.[7] We find that appellees' interpretation of Section 23 would endanger its constitutionality. We reject that interpretation to save the statute.

We start our analysis by explicitly recognizing, as the Supreme Court has announced on many occasions, that it is not every legislative discrimination between similarly situated groups which is violative of equal protection guarantees.[8] The legislative branches of government, state and federal, must be given great freedom in choosing how to overcome a designated evil. The latitude given the legislature in enacting schemes of economic regulation has been especially broad.[9]

But while eschewing a close review of economic regulation, the Court has explicitly stated that it will apply "strict scrutiny,"[10] a much more searching standard of review, when "individual and personal"[11] or "fundamental"[12] rights are involved. As the Court recently explained, in economic regulation cases "the Court has merely asked whether there is any rational foundation for the discrimination, and has deferred to the wisdom of the state legislatures."[13] When fundamental and personal rights are at stake, however, the statute can only be sustained by meeting "the very heavy burden of justification."[14] In at least some of these cases the discrimination "must be shown to be *necessary* to the accomplishment of some permissible state objectives"[15] (emphasis added) if the statute is to pass constitutional muster.[16] We think that the interpretation of Section 23 which appellees urge would unnecessarily deny District residents important personal rights granted by Title 23 to citizens elsewhere in the United States.

All provisions of Title 23 discussed above were enacted primarily for the benefit of the local residents whose homes and lives may be affected by a national highway construction project. These provisions were designed to keep federally assisted highways from encroaching on local parks, from being located except in accordance with an inter-community scheme of comprehensive planning, and to make sure that state planning officials are apprised of the nature and depth of local residents' feelings about the wisdom of a particular project. The legislative history of the hearing provision as it was originally enacted 20 years ago shows that Congress was concerned lest state and federal planners, thinking only of the needs of an efficient and fast nationwide highway network, fail to consider the specific particularized needs of the local communities affected by the projects.[17] As a result Congress required each state to hold public hearing at which the affected residents could demonstrate, in an orderly, regularized procedure, the community's particular requirements which the planners ought to take into account.

This hearing requirement applied to all federally aided highways. Just recently, as part of the Federal-Aid Highway Act of 1968, Congress again explicitly broadened the scope of the required hearing.[18] The present statute,[19] as interpreted by the Secretary's regulations,[20] now requires the states to hold both location and design hearings. Furthermore, the statute requires the states to have "considered the economic and social effects of such a location, its impact on the environment, and its consistency with the goals and objectives of such urban planning as has been promulgated by the community."[21] This history shows a long-standing and ever increasing congressional concern that highway planners be directly and publicly confronted with opposing views, to ensure that the planners take close account of the objections and desires of individual citizens affected by the proposed projects during the planning process.

Given this expression of legislative intent, we cannot say that this right of citizen participation in the highway planning process is an unimportant right, easily to be discarded. Those who are concerned with and most immediately affected by federal highway projects have been accorded an opportunity to both commend and criticize planned highway construction projects, projects which are inherently disruptive of the status quo in any community. According to appellees, however, Congress, while broaden-

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Footnotes at end of article.

ing (in the Highway Act of 1968) this federally enforced right to a hearing, has at the same time deprived one small group, the citizens of the District of Columbia, of this right to be heard.

These provisions of Title 23 are the only form of direct citizen participation in decisions about the construction of massive freeways, decisions which may well have more direct impact on the lives of residents than almost any other governmental action. Public hearings are the forum ordained by Congress in which citizens, particularly the citizens of the District of Columbia, participate in highway planning decisions. The Supreme Court has made it clear in a series of cases that the right of effective participation in the political process "is the essence of a democratic society, and any restrictions on that right strike at the heart of representative government."[22] These rights, according to the Court, are "individual and personal,"[23] they touch a "sensitive and important area of human rights,"[24] and they involve the "basic civil and political rights"[25] of citizens. Any classifications which "might invade or restrain" these "fundamental rights and liberties * * * must be closely scrutinized and carefully confined."[26]

We think these Supreme Court decisions must guide our analysis of the language of Section 23. The preservation of a democratic form of government requires all concerned to protect the right of each citizen to influence the decisions made by his government. Since this case involves the right of citizens to participate in the political process as it relates to federal highway projects, we subject this statute to the same scrutiny we would apply to any legislative effort to preclude some, but not all, citizens' participation in decision making.[27]

We of course recognize that the right to participate in a highway hearing is not the exact equivalent of the right to vote on the project. However, the similarities between voting and the public hearing are strong. The purposes and the effect of a hearing may be the same as those of a vote. Both are designed to elicit the wishes of the "electorate." Furthermore, we take judicial notice of the fact that public hearings have oftentimes resulted in the abandonment or redesign of ill conceived projects.

Presumably Congress could have given citizens affected by federal highway projects the right to vote thereon.[28] Instead Congress has sought to channel the comments and criticisms of individual citizens concerning road projects into a public hearing. This formal, regularized procedure, with due notice to all concerned, subjects officials to the differing views of competing interest groups and forces them to take account of prevailing views while the project plans are still being formulated.[29] Clearly Congress would not have insisted on such a procedure unless it intended to expose the road builders closely to the direct participation of citizens in the formulation of their decisions, in accord with the theory of our democratic process. Since these road projects may irreparably affect or destroy basic rights—for example, the basic right of a citizen to live in his home—we must carefully and meticulously scrutinize any proposal which would deny to some their federally created right to influence the course of a highway in their neighborhood to determine whether this discrimination is "necessary to the accomplishment" of the congressional objective—a federally financed interstate highway system.

Appellees argue that Congress intended by enacting Section 23 to bypass the hearing process because hearings would only expose community sentiment adverse to the construction of the Bridge, and that Congress intended that the Bridge be built irrespective of the wishes of the citizens of the District of Columbia. Appellees further argue that to allow a public hearing would cause the local authorities to delay the Bridge, and that Congress meant to preclude hearings for this reason as well.

Such a reading of the statute would condemn it as unconstitutional. A legislature may not constitutionally disenfranchise a group of citizens because of their expected views: " 'Fencing out' from the franchise a sector of the population because of the way they may vote is constitutionally impermissible. '[T]he exercise of rights so vital to the maintenance of democratic institutions' * * * cannot constitutionally be obliterated because of a fear of the political views of a particular group of bona fide residents." *Carrington* v. *Rash*, 380 U.S. 89, 94 (1965).

In addition to giving closer review to classifications involving individual rights, the Court has also imposed a higher burden of justification on some forms of classification which are "constitutionally suspect"[30] or "traditionally disfavored."[31] If we were to accept appellees' reading and interpretation of Section 23, Congress would have excluded from the statutory protection only one group, a totally unrepresented and voiceless minority of citizens. Any legislative classification which singles out for invidious treatment a small group of citizens totally excluded from the political process does not meet the usual deference from this court. The usual deference which courts accord legislative and administrative judgments stems from the confidence which courts have that these judgments are just resolutions of competing interests.[32] In the *Carolene Products* case, the Supreme Court pointedly raised the question whether prejudice against discrete and insular minorities may be a special condition, which tends seriously to curtail the operation of those political processes ordinarily to be relied upon to protect minorities, and which may call for a correspondingly more searching judicial inquiry."[33]

Because the resulting classification would deprive only an already voiceless minority of its important personal right to contest disruptive highway projects enjoyed by citizens generally, we conclude that we would be hard pressed to find on this record reasons adequate to sustain the "heavy burden of justification" necessary to support the discrimination which would result from appellees' interpretation of Section 23. Appellees argue that "justification" in this case stems from Congress' desire to have the Bridge built as soon as practicable. However, if this were found to be the intent of Congress, we would have to consider whether a less burdensome alternative path to the same end might have been possible.[34] For example, Congress might have obtained speedy construction, and preserved the rights of citizen participation and comment, simply by requiring that all hearings and Title 23 determinations be concluded with reasonable promptness. Other possible "justifications" may be dredged up from the legislative history of the statute in an attempt to balance off the invidiousness of the discrimination for which appellees contend. We do not stop to search them out because we are convinced that appellees' position that Congress intended such discrimination is unsupported by the language and history of the statute.

II

Considering the statute as it was written, we do not read Section 23 as foreclosing the orderly procedures prescribed by Title 23. Appellees' primary argument to the contrary is that the statute directs "construction" of all the Interstate projects in the District. On the four projects mentioned in Section 23(b), including the Three Sisters Bridge, "work" was to commence within 30 days. Appellees attempt to draw a negative inference from Congress' assurance that "construction" was to be carried out in accordance with "all applicable provisions" of Title 23. Since, appellees argue, Congress only said that "construction" was to be in accordance with Title 23, it must have meant that all "pre-construction" provisions of Title 23 were somehow repealed as to these projects in the District of Columbia. We cannot agree. To our mind, any repeal of the provisions of Title 23 would have to be supported by more substantial evidence. Moreover, our interpretation conforms with the language of the statute read in the light of title 23 which shows that "construction" includes planning.[35] We hold that Title 23 applies to all phases of the Three Sisters Bridge project.

The authoritative legislative history supports our interpretation.[36] The Senate and House reports do not indicate that any provisions of Title 23 are not to apply.[37] (The Conference Report contains no analysis of the bill as passed.[38]) We fully recognize that it is not without risk to rely on the remarks of individual members of Congress for legislative history.[39] Nevertheless, we think it noteworthy that we have been able to find no statement during the floor debate by a proponent[40] of Section 23 indicating that any or all provisions of Title 23 were not to be applied in planning and building the Bridge. Indeed, the only discussions of the issue clearly indicate support of our interpretation from those supporting Section 23. For example, Representative Cramer, a leading proponent of Section 23, explicitly stated that the City Council could hold further hearings to determine route locations and designs, within the broad "corridors" established by Congress.[41] Senator Randolph gave his word to the Senate that Section 317 of Title 23 would be in effect for a specific project mentioned in Section 23(d) of the Act.[42] We also take note of the fact that when the bill was passed the Secretary of Transportation also interpreted Section 23 as we do today.[43] The contemporaneous construction of a statue by one charged with its enforcement is entitled to great weight from this court.[44]

Appellees have urged that it would be futile to hold hearings or to require the Secretary to make the determinations called for by the statute in light of the finality of the location and design plans which Congress is said to have prescribed for the District. Congress, however, only directed construction of the routes "as set forth" in certain cost estimates. These cost estimates by their own terms did not constitute final route placements.[45] They only located a "corridor" within which roads were proposed.[46] The preface to the cost estimates document carefully explained that the routes were laid out only for the purpose of approximating cost, and that the cost figures there presented were based on the "least costly" of "several feasible alternatives which will serve the function of the designated route."[47] Therefore, we find no indication in the record before us that, as appellees contend, a public hearing or Title 23-required action by the Secretary would serve no useful purpose.

Congress has directed that a bridge be built over the Potomac following the general configurations laid out in the cost estimates. But there are still many variations of bridge design and location (particularly in relation to the placement of the access ramps) which could be adopted and still be consistent with the congressional mandate. Given the forum of a public hearing, citizens may well be able to offer constructive alternatives to the final proposals produced by the District officials, alternatives which more effectively minimize dislocation in the historically important Georgetown area.[48] In like manner, the Secretary, when required to make the determinations called for by Title 23, may well find that other feasible routes, or a tunnel, destroy fewer acres of valuable park land.

Footnotes at end of article.

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Appellees contend that construing the statute as we do to allow flexibility to federal and District officials in formulating the final plans does violence to the "[n]otwithstanding * * *" language of the statute. We disagree. Several years ago a suit was brought by some of the plaintiffs in this action to block construction of the Three Sisters Bridge and other highway projects because the District had not complied with District and federal highway laws governing the planning and construction of the projects. This court, in *D.C. Federation of Civil Associations* v. *Airis*,[49] held that the District could not construct any future freeways without complying with the relevant provisions of the District of Columbia Code. Our decision did not prevent the District from participating in interstate construction projects. The District government was free to build the freeways simply by holding the required hearings and complying with the other provisions of the law. However, instead of moving forward with the Three Sisters Bridge, the District government apparently decided to abandon the project altogether. The City Council took no further action in relation to the Bridge; the National Capital Planning Commission disapproved of the project; and finally the Secretary of Transportation deleted the Bridge from his comprehensive maps of the Interstate System for the District.

Congress reacted to the District government's inaction on highway construction by ordering a bridge to be built [n]otwithstanding any other provision of law, or any court decision or administrative action to the contrary."[50] There can be little doubt that it was Congress' intent to countermand the District government's "administrative action" which had stopped further interstate construction. But nothing in the statute indicates that Congress intended the Bridge to be built contrary to its own laws. In essence, then, Section 23 amounts to a direction from Congress to the relevant District and federal officials to continue with the bridge and highway plans they had been formulating prior to the *Airis* decision.

We hold that Section 23 requires that both the planning and the building of the Three Sisters Bridge comply with all applicable provisions of Title 23. Since the District Court ruled otherwise, we remand the case to the District Court for an expedited evidentiary hearing to determine whether appellees have in fact complied with the provisions of Title 23.

In aid of the remand we feel it appropriate to comment on the meaning of the hearing requirement of 23 U.S.C. § 128. Of course, it will be for the District Court to determine, after hearing all the evidence, whether the six-year-old hearings alluded to in the papers before us satisfy the requirements of Title 23. However, it should be made clear that the Secretary's regulations[51] implementing Section 128 apply to this Bridge project. The basic requirement is that both a location hearing (held "before the State highway department is committed to a specific proposal") and a design hearing (held "after the route location has been approved, but before the State highway department is committed to a specific design proposal") must be scheduled.[52] The regulations make specific provision for projects like this one on which some hearings have been held before the effective date of the regulation.[53] Since the regulations apply by their terms and since in promulgating the regulations the Secretary made reasonable provisions for those projects which had been the subject of hearings before the effective date of the regulations, we see no reason not to apply these regulations to this case.[54]

Reversed and remanded for proceedings consistent with this opinion.

FOOTNOTES

[1] Pub. L. No. 90-495, 82 Stat. 827-828 (1968).

[2] *D.C. Federation of Civic Associations* v. *Volpe*, Civil Action No. 2821-69, Memorandum and Order (Jan. 12, 1970).

[3] The rest of the section reads as follows:

(c) The government of the District of Columbia and the Secretary of Transportation shall study these projects on the Interstate System set forth in "The 1968 Interstate System Cost Estimate", House Document Numbered 199, Ninetieth Congress, within the District of Columbia which are not specified in subsection (b) and shall report to Congress not later than 18 months after the date of enactment of this section their recommendations with respect to such projects including any recommended alternative routes or plans, and if no such recommendations are submitted within such 18-month period then the Secretary of Transportation and the government of the District of Columbia shall construct such routes, as soon as possible thereafter, as required by subsection (a) of this section.

(d) For the purpose of enabling the District of Columbia to have its Federal-aid highway projects approved under section 106 or 117 of title 23, United States Code, the Commissioner of the District of Columbia may, in connection with the acquisition of real property in the District of Columbia for any Federal-aid highway project, provide the payments and services described in sections 505, 506, 507, and 508 of title 23, United States Code.

(e) The Commissioner of the District of Columbia is authorized to acquire by purchase, donation, condemnation or otherwise, real property for transfer to the Secretary of the Interior in exchange or as replacement for park, parkway, and playground lands transferred to the District of Columbia for a public purpose pursuant to section 1 of the Act of May 20, 1932 (47 Stat. 161; D.C. Code, sec. 8-115) and the Commissioner is further authorized to transfer to the United States title to property so acquired.

(f) Payments are authorized to be made by the Commissioner, and received by the Secretary of the Interior, in lieu of property transferred pursuant to subsection (e) of this section. The amount of such payment shall represent the cost to the Secretary of the Interior of acquiring real property suitable for replacement of the property so transferred as agreed upon between the Commissioner and the head of said agency and shall be available for the acquiring of the replacement property.

[4] Appellants have also argued that other sections of Title 23, for example, § 317, also apply. In text we discuss only three sections for the sake of clarity. But our holding applies to all of Title 23.

[5] For purposes of Title 23, the District of Columbia is considered to be a "state." 23 U.S.C. § 101 (1964).

[6] The statute requires the states to hold "public hearings"; the regulations specify separate location and design hearing. 23 C.F.R. Part 1, Appendix A (1970). For a discussion of the applicability of these regulations to this project, *see* pp. 24-25 *infra*.

[7] *See Shapiro* v. *Thompson*, 394 U.S. 618, 641-642 (1969); *Bolling* v. *Sharpe*, 347 U.S. 497 (1954).

[8] *See, e.g., Williamson* v. *Lee Optical Co.*, 348 U.S. 483 (1955).

[9] With reference to economic legislation, the Supreme Court has said that "[a] statutory discrimination will not be set aside if any state of facts reasonably may be conceived to justify it." *McGowan* v. *Maryland*, 366 U.S. 420, 426 (1961). In overseeing economic legislation, where the ways of reaching a particular goal for the legislature are almost countless, and where close judicial examination of the means chosen by the legislature can only result in a resurgency of the second guessing of the legislature inherent in the concept of "substantive due process," the judiciary must of necessity avoid close scrutiny of these schemes lest it become only a super-legislature. *See Developments in the Law—Equal Protection*, 82 Harv. L. Rev. 1065, 1128, 1131-1132 (1969).

[10] *Skinner* v. *Oklahoma ex rel. Williamson*, 316 U.S. 535, 541 (1962).

[11] *Reynolds* v. *Sims*, 377 U.S. 533, 561 (1964).

[12] *Harper* v. *Virginia Board of Elections*, 383 U.S. 663, 667 (1966), quoting *Yick Wo* v. *Hopkins*, 118 U.S. 356, 370 (1886).

[13] *Loving* v. *Virginia*, 388 U.S. 1, 9 (1967); *see McLaughlin* v. *Florida*, 379 U.S. 184 (1964).

[14] *Loving* v. *Virginia*, *supra* Note 13, at 9. Professor Cox has written that these modern equal protection cases "appear to rest upon two largely subjective judgments * * * the relative invidiousness of the particular differentiation, * * * [and] the relative importance of the subject with respect to which equality is required." Cox, *Forward: Constitutional Adjudication and Promotion of Human Rights*, 80 Harv. L. Rev. 91, 95 (1966).

[15] *Loving* v. *Virginia*, *supra* Note 13, at 11; *see Carrington* v. *Rash*, 380 U.S. 89 (1965).

[16] A commentary has summarized the recent cases as follows: "Thus, the cases indicate that when a fundamental interest is impaired or a suspect distinction drawn, the Court will demand a convincing demonstration that the classification is well tailored to achieve the statutory objective. How well tailored the classification must be remains somewhat obscure. The state must show at least that this classification is more than just one of several reasonable ways of achieving its goal." *Developments in the Law—Equal Protection*, 82 Harv. L. Rev. 1065, 1122 (1969).

[17] *See* S. Rep. No. 2044, 81st Cong. 2d Sess. 8 (1950).

[18] *See* Federal-Aid Highway Act of 1968 § 24, Pub. L. No. 90-495, 82 Stat. 828 (1968).

[19] 23 U.S.C. § 128 (Supp. IV 1965-1968).

[20] 23 C.F.R. Part 1, Appendix A (1970).

[21] 23 U.S.C. § 128.

[22] *Reynolds* v. *Sims*, *supra* Note 11, at 555.

[23] *Id.* at 561.

[24] *Id.* at 561, quoting *Skinner* v. *Oklahoma ex rel. Williamson*, *supra* Note 10, at 536.

[25] *Reynolds* v. *Sims*, *supra* Note 11, at 562.

[26] *Harper* v. *Virginia Board of Elections*, *supra* Note 12, at 670.

[27] This close analysis is not unavailable because the rights in this case are derived only from statutes. In *Harper* v. *Virginia Board of Elections*, *supra* Note 12, the Supreme Court proceeded on the explicit assumption that the state had no constitutional duty to allow its citizens to vote, but had allowed some to vote as a matter of legislative grace. In holding such action violative of equal protection, the Court stated: "For it is enough to say that once the franchise is granted to the electorate, lines may not be drawn which are inconsistent with the Equal Protection Clause * * *." 383 U.S. at 665. It is settled law that "the state, having made [a procedural right] generally available on this issue, may not, consistent with the Equal Protection Clause of the Fourteenth Amendment, arbitrarily withhold it from some." *Baxstrom* v. *Herold*, 383 U.S. 107, 111 (1966). *See Goldberg* v. *Kelly*, —— U.S. ——, 38 U.S. L. Week, 4223 (March 23, 1970).

[28] There is, of course, no constitutional right of citizens of the United States to vote on federally supported highway projects. Nor do District citizens have a constitutional right to vote generally. *See Carliner* v. *Board of Commissioners of the District of Columbia*, D. D.C., 265 F.Supp. 736

(1967), *affirmed.* —U.S. App. D.C. —, 412 F.2d 1090 (1969). The point here is that Congress, having by statute accorded all citizens the right to participate in the determination of highway projects, may not deny District citizens alone that right without adequate justification for this discrimination. *See* Note 27, *supra.*

[29] *Compare Office of Communication of United Church of Christ* v. *F.C.C.,* 123 U.S. App.D.C. 328, 359 F.2d 994 (1966). There we allowed listeners to intervene as parties in F.C.C. hearings in order to ensure that the F.C.C. fulfilled its duty to take the public interest into account. Rights of full and active participation in the hearings were deemed essential by the court:

"We cannot believe that the Congressional mandate of public participation which the Commission says it seeks to fulfill was meant to be limited to writing letters to the Commission, to inspection of records, to the Commission's grace in considering listener claims, or to mere non-participating appearance at hearings. We cannot fail to note that the long history of complaints against WLBT beginning in 1955 had left the Commission virtually unmoved * * *. Such beneficial contribution as these Appellants, or some of them, can make must not be left to the grace of the Commission."

123 U.S. App.D.C. at 338, 359 F.2d at 1004. (Footnotes omitted.)

[30] *McLaughlin* v. *Florida, supra* Note 13, at 192, quoting *Bolling* v. *Sharpe, supra* Note 7, at 499. *See Thompson* v. *Sharpiro,* D. Conn., 270 F.Supp. 331, 337, *Affirmed,* 394 U.S. 618 (1969).

[31] *Harper* v. *Virginia Board of Elections, supra* Note 12, at 668.

[32] *Hobson* v. *Hansen,* D. D.C., 269 F. Supp. 401, 507 (1967), *affirmed sub nom. Smuck* v. *Hobson,* 132 U.S. App. D.C. 372, 408 F. 2d 175 (1969).

[33] *Carolene Products Co.* v. *United States,* 304 U.S. 144, 153 n.4 (1938).

[34] *See Carrington* v. *Rash, supra* Note 15.

[35] Expenses of "construction" include "all expenses incidental to the construction or reconstruction of a highway, including locating, surveying, and mapping * * *, [and] costs of rights of way." 23 U.S.C. § 101. Engineering costs, and the expenses of other activities, such as public hearings, which clearly take place long before what the statute defines as "actual building" (23 U.S.C. § 101), also qualify as "construction" costs. *See* 23 U.S.C. § 121(d) (1964); 23 C.F.R. Part 1, Appendix A, § 12 (1970).

[36] We find no support in that history for appellees' argument that hearings were precluded because they would take too much time. There was some talk in Congress of the need to move ahead with the project. But it does not follow, as appellees insist it does, that a congressional concern with completing the Bridge *soon* requires that certain time-consuming procedures, such as hearings, be waived, while other equally time-consuming practices also required by Title 23, such as advertising for sealed bids, are to be followed. A statute would have to be much more specific if it is to eliminate certain, but not all, "time-consuming" procedures.

[37] *See* H.R. Rep. No. 1584, 90th Cong., 2d Sess., 17–19 (1968). The Senate Report, No. 1340, 90th Cong., 2d Sess. (1968), sheds no light on § 23 because there was no similar provision in the Senate version of the bill.

[38] H.R. Rep. No. 1799, 90th Cong., 2d Sess. (1968). The "Statement of the Managers on the Part of the House" was only appended to the Conference Report. It did not represent the will of the Senate conferees and can only be said to represent the personal opinions of those who signed it. The chairman of the Senate managers, Senator Randolph, agreed that the specifics in the House Managers' Statement were "dictum" and not the "intent of the Senate." See CONGRESSIONAL RECORD, vol. 114, pt. 18, p. 24035 (remarks of Senators Mansfield and Randolph). *See also id.* at 24028 (remarks of Senator Cooper): "I was amazed when I read the report of the managers to discover what they had written out in their managers' report." But even the House Managers' Statement contains no indication that any of the provisions of Title 23 were to be inapplicable.

[39] *United States* v. *Matthews,* —— U.S. App. D.C. ——, —— n.9, 419 F. 2d 1177, 1182 n.9, (1969): "* * * [T]he isolated remark of one Congressman does not constitute any authority for the proposition that Congress as a whole intended [the particular result]."

[40] The statements of proponents are much more likely to portray an accurate representation of Congress' intent than are the views of the opponents. "[W]e have often cautioned against the danger, when interpreting a statute, of reliance upon the views of legislative opponents. In their zeal to defeat a bill, they understandably tend to overstate its reach. * * * 'It is the sponsors that we look to when the meaning of the statutory words is in doubt.' *Schwegmann Bros.* v. *Calvert Distillers Corp.,* 341 U.S. 384, 394–395 * * *." *N.L.R.B.* v. *Fruit & Vegetable Packers & Warehousemen,* 377 U.S. 58, 66 (1964).

[41] CONGRESSIONAL RECORD, vol. 114, pt. 15, p. 19923 (Mr. Cramer):

"There still can be changes in that route within the traffic corridor. At the same time there can be hearings. * * * [T]he language in the bill does not preclude hearings. As far as I am concerned, let the City Council hold hearings, let them decide which location within the traffic corridor should be finally approved pursuant to the section of the bill.

* * * * *

"The term 'routes' as used in [§ 23] * * * refers to the traffic corridors * * * and is not intended to prescribe a specific location for any of the interstate highways to be constructed."

[42] CONGRESSIONAL RECORD, vol. 114, pt. 18, p. 24003 (Mr. Randolph).

[43] *See* Transcript of News Conference of the Secretary of Transportation, August 24, 1968. *See also* Statement of President Johnson, CONGRESSIONAL RECORD, vol. 114, pt. 24, pp. 30958–30959 (Secretary of Transportation to approve projects named in § 23 only when they are "shown to be appropriate links in a comprehensive transportation plan for the District").

The incumbent Secretary has recently recommended further planning on at least one project mentioned in § 23(b). *See* Letter from Secretary of Transportation to Spiro T. Agnew and John W. McCormack, February 22, 1970, enclosure 4.

[44] *Udall* v. *Tallman,* 380 U.S. 1, 16–18 (1965). "'Particularly is this respect due when the administrative practice at stake "involves a contemporaneous construction of a statute by the men charged with setting its machinery in motion, of making the parts work efficiently and smoothly while they are untried and new."' *Power Reactor Co.* v. *Electricians,* 367 U.S. 396, 408." *Id.* at 16.

[45] In any case we would hesitate to construe § 23 as precluding *any* further planning by local officials in view of Congress' longstanding practice not to make such precise decisions. *See* H.R. Rep. No. 1584, 90th Cong., 2d Sess. 53 (1968) (additional views): A rule of the House Committee on Public Works provides "* * * it shall not be in order for any bill providing for general legislation in relation to roads to contain any provision for any specific road." *See also* S. Rep. No. 1965, 84th Cong., 2d Sess. 4 (1955) (interstate system to be locally planned; routes not to be dictated by federal government); 23 U.S.C. § 103(d)(1) (Supp. IV 1965–1968): "The routes of this System, to the greatest extent possible, shall be selected by joint action of the State highway departments of each State and the adjoining States, subject to approval by the Secretary * * *."

[46] *See* remarks of Congressman Cramer, *supra* Note 41.

[47] 1968 Estimate of the Cost of Completing the National System of Interstate and Defense Highways in the District of Columbia, Preface (1967).

[48] *Cf.* Secretary's letter, *supra* Note 43, recommending further planning and thought about a route mentioned in § 23(b) and detailed in cost estimates.

[49] 129 U.S. App. D.C. 125, 391 F. 2d 478 (1968).

[50] Presumably the "court decision" language refers to our decision in *Airis,* but the reference is mistaken since that decision was not "to the contrary."

[51] 23 C.F.R. Part 1, Appendix A (1970).

[52] *Id.* at §§ 4(a), 4(b).

[53] *Id.* at § 6(d).

[54] These regulations apply to all projects which had not received both location and design approval from the Department of Transportation before the effective date of the regulations. Appellees assert that approval of the final location of the Bridge was obtained before that date. The accuracy of that assertion will be for the District Court to determine. However, appellees concede in their briefs that there has been no design hearing on the Bridge and that approval of the final design was not obtained before the regulations became effective. The regulations provide in § 6(d)(2)(b):

"If design approval is requested within 3 years after the date of the hearing, compliance with the design hearing requirements is nevertheless required unless the division engineer finds that the hearing adequately dealt with design issues relating to major design features."

It may be that design approval was not requested before the end of the three-year period (*see* 23 C.F.R. Part 1, Appendix A, § 6(d)(2)(a)), or that, as appellees concede, the division engineer has not made the finding required by the regulation quoted above, or that even if the division engineer has made the required finding, the record will not support that finding. In any such case of noncompliance, the Bridge cannot proceed until design hearings which conform to the regulations have been held.

We have discussed the requirements of the hearing regulations with specificity because that issue has been clearly raised by the parties. We do not, however, confine the scope of the remand hearing to the question of compliance with those regulations. If the District Court finds that appellees have not complied with any provision of Title 23 (including the regulations contained in 23 C.F.R. Part 1, Appendix A), the District Court should enjoin further action on the Bridge project until appellees have complied with all such provisions.

CONCURRING OPINION OF CHIEF JUDGE, BAZELON

I join in Part II of Judge Wright's opinion. I agree that the planning provisions of Title 23 apply to the Three Sisters Bridge project, and that the case must be remanded to determine whether there has been compliance. Because that conclusion is compelled in my view by an analysis of the statutory language and the legislative history, I find it unnecessary to reach the constitutional questions, and therefore I express no opinion on the matters discussed in Part I.

The legislative history of the Federal Highway Act of 1968 reveals a fundamental conflict over the procedures to be followed in commencing work on the Three Sisters Bridge Project. Undoubtedly some legislators thought that a statute ordering immediate

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Footnotes at end of article.

construction of the Bridge would eliminate the necessity for at least some preliminary procedures.[1] Others contemplated that the statute would simply reverse the District government's inaction and compel the government to recommence work on the Bridge in compliance with the procedures of Title 23.[2] This conflict produced an ambiguous statute, compelling the court to resolve the disagreement.

The plain language of the statute directs the District of Columbia to construct the Bridge in accordance with all applicable provisions of Title 23, and to commence work on it within 30 days. If the legislators had reached agreement on the suspension of hearings and other planning procedures, they could have expressly suspended particular provisions of Title 23. We cannot read into the reference to "applicable" provisions of Title 23 a suspension of particular provisions as inapplicable, without explicit criteria for the distinction in the language of the statute itself. The Statement of the House Managers is of course entitled to respect in determining the legislative intent.[3] It cannot, however, supply the specificity necessary to make fine distinctions since no basis for those distinctions can be found in the language chosen by the legislative conferees.

Our construction of Section 23 of the Highway Act is the one adopted by the Secretary of Transportation at the time the statute was enacted. The Secretary's interpretation may well have been based in part on the failure of Congress to distinguish between applicable and inapplicable provisions with the specificity necessary for effective administration.

Finally, our interpretation is further fortified by the fact that it avoids treating District residents less favorably than all other citizens with respect to the federal highway system. The court has no occasion to consider at this time the impact of any particular Bridge location or design on the public interest. It is precisely these issues which appellants seek to ventilate. Apart from constitutional considerations, we should not lightly presume that Congress has deprived District residents of an opportunity afforded to all other citizens, at least in the absence of the clearest legislative mandate, which is lacking here.

FOOTNOTES

[1] *See, e.g.*, Statement of the Managers of the Part of the House, H.R. Rep. No. 1799, 90th Cong., 2d Sess. (1968).

[2] CONGRESSIONAL RECORD, vol. 114, pt. 18, p. 24033 (Mr. Randolph).

[3] It is not, however, entitled to the weight of a conference report, since it was not signed by a majority of the Senate conferees. *See* 79 Cong. Rec. 12237–39 (1935) (ruling by the Speaker of the House).

DISSENTING OPINION OF CIRCUIT JUDGE MACKINNON

The panel opinion, with which I cannot agree, holds in effect that Congress did not intend to direct that the Three Sisters Bridge be built until there were further hearings. It arrives at this conclusion by refusing to consider some of the most reliable indicia of legislative intent and while it asserts reliance upon the "authoritative legislative history," it only does go to a limited extent. Consideration of *all* the legislative history including the most important Statement of the House Managers in my opinion indicates that Congress clearly directed that the Three Sisters Bridge be built immediately and I do not find that such direction was improper or invalid.

I

In interpreting any statute the language of the act itself is the most important element. Next come the written reports of the Committees and Conference Managers. Here we are concerned with section 23 of the Federal Aid Highway Act of 1968, which is previously quoted in the panel opinion. This section was drafted in the congressional Conference Committee. The bill originated in the Senate but it contained no provision on highways for the District of Columbia. When the bill reached the House of Representatives it was amended to require "the construction, as soon as possible, of *all routes* in the interstate system within the District of Columbia as set forth in" the 1968 Estimate of the Cost of Completion of the National System of Interstate and Defense Highways in the District of Columbia.[1] The House of Representatives was thus the moving force with respect to the District of Columbia highway program in this bill. With the bill in this posture it was referred to a Conference Committee to consider the disagreements between the two houses including the difference on the District of Columbia highway program. In Conference, the managers for both houses agreed upon the language contained in section 23 [2] which we are interpreting in this case. It reduced somewhat the projects that were directed to proceed immediately.

The panel opinion seeks some support for its construction of section 23 from the Senate debates and attempts to make a point of the fact that only the statement of the Managers on the part of the House was appended to the Conference Report. In this way it attempts to work around the Statement of the Managers on the part of the House. It is necessary for the panel opinion to evade a confrontation with this vital document, because the decision it announces cannot be squared with the Statement of the Managers for the House where the bill originated. In thus seeking some legislative backing for its construction of section 23, it refers to the remarks of Senator Cooper,[3] but it is significant that Senator Cooper was substantially in the minority on this matter; and on the final passage of the bill in the Senate his views were rejected by the entire Senate and the bill was passed 67 to 6. Senator Cooper was one of the six who voted against the bill. It is elementary that legislative intent is not reflected by floor speeches of Senators having that relationship to a bill and to the Senate's vote thereon. It is also obvious that in such circumstances, when one tries to work around the Statement of the Managers who drafted the section and replace their views with those of one Senator who opposed the section, voted against the bill and whose views on this and other portions of the bill were voted down 67 to 6, that you hardly come up with a reliable interpretation of the section. The views of the minority of a house do not indicate the intent of the majority and the panel opinion cannot make them do so.

The Senate rules do not provide for the Managers on the part of the Senate to file statements of their views as a part of Conference Committee Reports. The House Rules do provide for their Managers filing Reports.[4] It is thus of no significance that the Senate Conferees on this highway bill did not file a statement.

In this case since section 23 of the bill largely originated in the House the Statement of the House Managers is all-important. They were the proponents of section 23 and it was agreed to along with the rest of the bill by the overwhelming majority of the Senate. At this point it is conducive to an understanding of the Senate action to refer to the significant remarks of Senator Randolph of West Virginia, the Chairman of the Senate Committee on Public Works that handled the bill. His remarks appear in the CONGRESSIONAL RECORD, vol. 114, pt. 18, p. 24030 [5] as follows:

"One of the most difficult issues before the conference was that involving the District of Columbia interstate highway program. The language of the House bill required immediate construction of those highways in the District of Columbia as contained in the 1968 cost estimate. The Senate bill had no comparable language.

"The Senate conferees approached this matter with reluctance and reservation. We did not believe that this was a matter that should be handled in a national highway act. However, in the interest of comity and with the desire to bring a bill out of conference, we proposed certain changes in the House language and in the give-and-take which ensued, the language of section 23 of the conference report was developed.

"Under the terms of this section, the District of Columbia government and the Secretary of Transportation are directed to proceed with four projects: The completion of the center leg to New York Avenue; the *construction* of the east leg; the Potomac River Freeway, and the Three Sisters Bridge. It is our belief that three of these four projects are relatively noncontroversial and can be accomplished with a minimum of disruption and dislocation to the citizens of the District of Columbia.

"The fourth project, the Three Sisters Bridge, is a matter of controversy, but it is also vital to the development of proper access to Dulles International Airport and the question of the bridge had to be answered if the State of Virginia is to be able to proceed with its development and construction of Interstate Route 66. Those who took part in the conference agreed that the Three Sisters Bridge is to be built in such a way that it will not now or in the future result in any encroachment on Glover-Archibold Park. This is a matter on which we all agree and we insist that everything be done to protect that area of the District of Columbia from any kind of highway construction. *With this understanding a majority of the Senate conferees agreed to this part of the District of Columbia highway program.*" (Emphasis added).

These remarks speak for themselves and indicate agreement with section 23. His statement that a majority of the Senate conferees have agreed to "*construction*" of the Three Sisters part of the District of Columbia highway program is most significant.

To obtain an accurate interpretation of the law as it was finally drafted it is also necessary to correct several other inaccuracies that appear in the panel opinion with respect to the Senate and House debates.

Further as to Senator Randolph, regardless as to how the panel opinion seeks to characterize the attitude of the Senate and Senator Randolph upon the statement of the House Managers on the Three Sisters Bridge, the fact is that Senator Randolph adopted the last paragraph of it (by reading it to the Senate) which refers to relinquishing the right of way through Glover Archibold Park in support of his statement that "we are not allowing it [building of a freeway through the park]." Cong. Rec. p. 24035. In so doing he also read the sentence which reads: "The *design of the bridge* does not require intrusion on the park. . . ." (Emphasis added).

Does this sound as though the "design of the bridge" was still an open question? Obviously, it was not and Senator Randolph so recognized.

The panel opinion in footnote 38 also seeks to make some use of a comment on the Senate floor that the specifics in the statement of the House Managers were "dictum" and not "the intent of the Senate." (Cong. Rec. 24035). However these remarks (Cong. Rec. 24035) were directed at the "Notwithstanding" direction of the *bill* which was allegedly carried out by the Glover Archibold provision in the statement of the House Managers.[6] I do not read the remarks of Senator Randolph as stultifying section 23 of the bill as enacted, and obviously Senators and Representatives by their individual remarks on the floor cannot au-

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thoritatively speak for the "intent" of either body contrary to the provisions that Congress enacts. What is important is not the intent of individual Senators, or even the intent of the House or Senate, but the intent of *Congress* as evidenced by the bill and the entire legislative history where that needs to be referred to. It is the intent of Congress that is prevailing. Statements of individual members of Congress cannot alter what Congress enacts.

No disclaimers by individual Senators or Representatives can affect what the two houses did collectively by adopting the bill *with* the D.C. highway provisions.

Senator Tydings also noted immediately following final approval of the bill that it requires the District Government to proceed with ". . . the *construction* of . . . the Three Sisters Bridge." (Emphasis added). (Cong. Rec. 24038)

Further, Senator Jackson stated he *understood* "the *freeway* would go under the existing C. & O. Canal." (114 Cong. Rec., Part 18, p. 24033). Such *understanding* is consistent with interpreting the legislation as recognizing that there was no question as to the *location* of that project. He was also assured by Senator Randolph that the bill would not take away from the Secretary of the Interior "an opportunity to go over the final design" of the *Potomac River Freeway* (which involved the freeway going under the C. & O. Canal). The panel opinion attempts to turn this to support additional design hearings and approval with respect to the *Three Sisters Bridge,* but it cannot be so twisted. The Potomac River Freeway project and the Three Sisters Bridge project are different projects and in different stages of planning. As the statement of the House Managers states with respect to the Potomac River Freeway and to which Senator Jackson referred (Cong. Rec. 24033): "The District of Columbia Department of Highways shall immediately upon enactment of this legislation proceed to design this entire facility . . ." (emphasis added).

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With the Potomac River Freeway Project in that stage of development it is perfectly obvious that subsequent *design* provisions of Title 23 might be applicable (according to their tenor) but that is no basis for saying that the same thing is true of the Three Sisters Bridge which had an approved design and which was considered as a separate project, not part of the Potomac River Freeway Project, and which was in a more advanced stage of planning and approvals—as the statement of the House Managers stated at page 34 of the Report. Neither Senator Jackson nor Senator Randolph in this colloquy were talking about the Three Sisters Bridge and their remarks cannot be twisted to that end. Moreover, Senator Randolph did not give his word that Title 23 "would be in effect for specific projects mentioned in Section 23(b) of the Act." See pp. 19–20 of panel opinion. His remarks were directed *solely* to Senator Jackson's inquiry as to *the Potomac River Freeway* and the power of the Secretary of Interior thereto. To the extent that the panel opinion seeks to convey the impression that Senator Randolph represented that *all* provisions of Title 23 would be applicable to *all* the projects mentioned in section 23(b), the opinion is incorrect. It also flies into the fact of the specific provision of section 23 that only the "*applicable* provisions of Title 23" would apply.

The panel opinion quotes Senator Cooper as being "amazed" at the House statement. This remark is of no significance here. His objection was to legislating on the District of Columbia highways in a national highway act, to directing the District of Columbia and the Department of Transportation in connection with "the *construction*" of the D.C. roads, and to laying down "directions almost like a construction company, how to proceed with the construction." Cong. Rec. Vol. 114, part 18, pp. 24028, 24035. He never said or inferred that the statement of the House Managers was *incorrect* in any respect but only that it was too specific and out of place in a national highway act. His objection also went to the specific directions in the *bill* as to the D.C. highway program.[7] He was apparently unfamiliar with the manner that Congress has traditionally dealt with many D.C. street and highway matters. None of this furnishes any basis to challenge the *correctness* of the statement of the House Managers. Senator Cooper was also in some error about the entire D.C. highway project and he was corrected by Senator Randolph (Cong. Rec. 24034–24035). To summarize, Senator Cooper was opposed to the bill. He was opposed to the Senate's position on the bill. His views on the bill accordingly have no persuasive weight in interpreting the bill.

Floor remarks of Congressman Cramer are also misinterpreted by the panel opinion (Cong. Rec., Part 15, p. 19923). In the House debates on the bill, Congressman Cramer said in effect that the D.C. City Council could still hold hearings as to location within the corridors of the *interstate highways* to be constructed. His remarks were directed generally to the House bill *at that time* which directed that "all routes" of the Interstate Highway System in the District be constructed—not just the four projects now contained in section 23.[8] His remarks were directed primarily at the highways. The question he was answering was a general question on highways and not a specific question on the Three Sisters Bridge. To illustrate, he was certainly not indicating that there could be hearings on the unfinished portion of the Center Leg that is under construction. His remarks were not directed to section 23 as it passed nor to the statement of the House Managers of which he was one. Neither the statement of the House Managers nor section 23 as it presently exists had then been drafted. His remarks are thus not applicable to section 23 as it now exists.

But even more significant than these views of a few Senators and Congressmen is the statement of the Managers on the part of the House with respect to the Three Sisters Bridge. This is the document that the panel opinion seeks to ignore. *It never refers to its provisions.* True legislative intent cannot be determined by consideration of only a part of the legislative history any more than it could by considering only a part of the bill. The statement of the House Managers (hereafter the statement) is contained in the Conference Report to accompany S. 3418, House of Representatives, 90th Cong., 2d Sess., Report No. 1799, p. 34. The portion thereof dealing first with the Three Sisters Bridge reads as follows:

"The House amendment contained a provision requiring that all routes on the Interstate System in the District of Columbia set forth in 'The 1968 Interstate System Cost Estimate,' House Document 199, 90th Congress, be constructed as soon as possible.

"The Senate bill contained no comparable provision.

"The proposed conference substitute requires that, notwithstanding any other provision of law, or any court decision or administrative action to the contrary, the Secretary of Transportation and the government of the District of Columbia shall, in addition to those routes already under construction, not later than 30 days after enactment, commence work on the following projects:

"1. *Three Sisters Bridge, I–266*

"In early 1966 an agreement was reached among all affected parties as to the location of the Three Sisters Bridge. Consultant engineers have completed a type-size-and-location report on the bridge.

"The specific design for the bridge was approved by the Fine Arts Commission on September 20, 1967. In writing to the Department of Highways and Traffic granting its approval, Mr. William Walton, Chairman of the Fine Arts Commission, stated in part: 'We felt your designer had performed brilliantly in creating a design for one of the most important scenic sites around the Capital. Its simplicity and its daring both are very commendable characteristics.'

"The decision of the Fine Arts Commission in this respect safeguards the aesthetic values of concern to so many and preserves the beauty and recreational characteristics of the Potomac River. The design approved by the Fine Arts Commission shall be carried out precisely as approved with respect to materials and architecture.

"The National Capital Planning Commission approved the general alinement of the bridge on September 15, 1966, and the geometrics on May 2, 1967, subject to certain reviews by the Department of Transportation. The Department of Transportation by letter to the National Capital Planning Commission in February of 1968 returned the decision to local prerogatives. The bridge location and geometrics shall therefore proceed as presented to the National Capital Planning Commission in September of 1966 and May of 1967 with no further actions required by that or any other body.

"With respect to the scheduling of construction, the Congress directs that the first substructure contracts be advertised for construction within 90 days of the enactment of this legislation.

"Immediately upon completion of construction of the bridge, the District of Columbia shall relinquish to the National Park Service the right-of-way through Glover Archbold Park that it presently holds. The design of the bridge does not require intrusion on the park and the Congress directs that no intrusion of the park take place."

If the panel opinion had also considered this language they would have noted the direction that construction of the Three Sisters Bridge begin with no further action required by the National Capital Planning Commission or any other body. The next provision of the statement is also very significant; it states:

"* * * the Congress directs that the first substructure contracts be advertised for construction within 90 days of the enactment of this legislation."

A mere reading of this directive makes it obvious that they were not in the same breath ordering that extensive hearings be held on location and design. Hearings on location and design were pre-construction requirement preliminaries which had already been satisfied as the statement observed. The statement also states that:

"In early 1966 an agreement was reached among all affected parties as to the *location* of the Three Sisters Bridge. Consultant engineers have completed a type-size-and-*location* report on the bridge." (Emphasis added).

It next states:

"The specific *design* for the bridge was approved by the Fine Arts Commission on September 20, 1967." (Emphasis added).

Does this sound as though they were directing that additional hearings be held on location and design? Obviously not. To suggest that the Conference Report in one breath directed:

"Such construction shall be undertaken as soon as possible after the date of the enactment of this Act . . . Not later than 30 days after the date of enactment of his section the government of the District of Columbia shall commence work on the following projects:

"(1) Three Sisters Bridge; I–266 (Sections B1 to B2). * * * (and from the statement, all such shall be) . . . with no further action re-

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Footnotes at end of article.

quired by that or any other body. * * * [T]he Congress directs that the first substructure contracts be advertised *for construction* within 90 days of the enactment of this legislation. (Emphasis added.)

And in the same breath directed that *new hearings* be begun on location and design, is to suggest that Congress directed an absurdity.

So it is perfectly obvious when the statement of the House Managers is read, as it must be read to truly determine the intention of Congress, that the bill clearly directs the construction of the Three Sisters Bridge with no further action required by the National Capital Planning Commission or any other body.

Some of the confusion in the panel opinion also results in my opinion from its inability to fathom section 23 which provides in part:

"Such construction shall be undertaken as soon as possible after the date of enactment of this act except as otherwise provided in this section and shall be carried out in accordance with all *applicable* provisions of Title 23 of the United States Code." (Emphasis added).

In trying to interpret this provision the panel opinion obtains some false comfort from the negative fact that they were unable to find any statement during the congressional floor debates indicating that any or all of the provisions of Title 23 were not to be applied in the planning and building of the bridge. The panel's difficulty in this respect stems from the fact that it attempts to give a wooden interpretation of section 23.

This results from its failure to come to grips with the statement. Had they done so they would have noted that the Congress intended the Title 23 provision of section 23 to be given a *flexible* application to the four projects (and the 18 month projects) depending upon the extent to which each of the projects had progressed when the act was passed. Having failed to consider the statement of the House Managers the panel opinion thus was apparently not aware of the full import of the Title 23 provision and how it would necessarily apply differently to each project.

The Title 23 provision in the law was not only applicable to the Three Sisters Bridge but it was also applicable to three other projects (and to the 19 month projects). And if the panel opinion had considered the statement with respect to all the projects it would have noted that each project was in a different stage with reference to being ready for construction and that Congress was not directing the same action with respect to each project:

1. With respect to the *Three Sisters Bridge* they were directing work within 30 days and "that the first substructure contracts be advertised for construction within 90 days of the enactment of this legislaion."

2. With respect to the *Potomac River Freeway* the direction of Congress was that "The District of Columbia Department of Highways shall immediately upon enactment of this legislation *proceed to design* this entire facility by use of consultants or otherwise, to begin no later than 60 days from the enactment of this legislation. Construction shall commence in a logical sequence as soon as designs have been prepared."

3. With respect to the *Center Leg of the Interloop* the direction in the Conference Report emanating from the Managers on the part of the House stated:

"The center leg is *already under construction*, in various stages. It shall be completed to New York Avenue, where it will terminate until plans are completed for its continuation and connection with other parts of the system to be approved at a later date."

4. With respect to the *East Leg of the Interloop*, the direction in the report was more varied. Following are some of the excerpts:

"Interchange C is in various stages of design and construction from Sixth Street SE to and including Barney Circle. It is the essential connecting link to the east leg of the inner loop, and its construction shall proceed under the current schedule until completion.

"The east leg of the inner loop, etxending from Barney Circle to Bladensburg Road as a part of Interstate Route I–295, shall proceed immediately as described herein.

"The design of the terminus at Bladensburg Road will take into account the possibility of extension of this project as a tunnel under Mount Olivet Road.

"A design consultant has already proceeded with much of the design between Barney Circle and Benning Road. The District shall direct him to resume work, with the first construction contract to be advertised within 90 days of enactment of this legislation.

With respect to the portion from Benning Road to Bladensburg Road, the District of Columbia shall immediately upon enactment of this legislation commence negotiations for a design contract, said contract to start within 60 days of enactment of this legislation. Construction on this part of the project shall commence as soon as plans have been prepared. The alinement for this portion of the route shall be as presented at a public hearing in January of 1967 and subsequently approved by the National Capital Planning Commission on February 9, 1967, and the District of Columbia Board of Commissioners on March 9, 1967.

"The plan here described already has the approval of all the agencies concerned, including the Park Service, the National Capital Planning Commission, and to the extent required, the Fine Arts Commission.

"With respect to those parts of the Interstate System included in the 1968 cost estimate and not specifically dealth with above, the government of the District of Columbia and the Secretary of Transportation are directed to study those projects and report to the Congress within 18 months from the date of enactment their recommendations with respect to such projects, including any recommended alternative routes or plans, so that the remainder of the Interstate System within the District of Columbia may be appropriately authorized."

From the foregoing it is apparent that each of these four projects were in different stages:

The Three Sisters Bridge had already been approved as to location and design.

The Potomac River Freeway had to proceed into the final stage to the right of way acquisition. The direction was to proceed to design this entire facility with construction to commence in a logical sequence as soon as designs have been prepared.

The Center Leg is already "under construction."

The East Leg still had some design problems. And the 18 months projects were an entirely different matter.

Now it is perfectly obvious from this factual situation that nobody in Congress was going to designate what provisions of Title 23 did not apply to any particular project because *all provisions applied to some of the projects.*

So Congress met the problem by stating in Title 23 section that only the "*applicable* provisions of title 23" would apply.[9] If Congress had intended all provisions to Title 23 to apply they would have said the projects were to "be carried out in accordance with . . . title 23" and thus have deleted "*all applicable provisions of.*" But by including the "all applicable provisions" phrase they have indicated that some provisions are *not* to be "applicable."[10] This is a perfectly reasonable standard and the provision that are not to be applicable are the provisions of Title 23 that do not apply in "logical sequence" to the individual projects because of the progress such projects had already made in planning, designing, approving, locating and contracting (constructing). In other words, I would not interpret Congress' action as directing that the project be backed up and that steps be taken that had already been satisfied and which the statement found had already been taken.[11] If such a flexible interpretation of the Title 23 provision is to be supplanted by a rigid interpretation that applies *all* the provisions of Title 23 to *all* the D.C. projects (as the panel opinion seeks), additional hearings could also be required on the *unfinished portion* of the Center Leg. This is one of the four projects referred to in section 23 and it is "under construction." Such would be an absurdity and hence the rigid application of *all* Title 23 provisions to *all* the projects must be rejected as unreasonable and obviously not intended.

It is likewise absurd to construe the Title 23 provision as indicating that Congress was directing location and design hearings on the Three Sisters Bridge since the "location" had been agreed to and the design had been approved. The panel opinion disregards the rule of reason in this legislation and overlooks the use of the word "applicable" in the congressional direction contained in the Title 23 provision.

The fact that Congress indicated that construction should comply with the *applicable* provisions indicated that there might be some provisions that were not applicable and I submit that the obvious conclusion from all the facts, the legislative history and the background, is that the direction to construct the Three Sisters Bridge "with no further action required by that or any other body" and the direction that the first substructure contracts be advertised for construction within 90 days of the enactment of the legislation is a clear indication that Congress was not directing that hearings be held on location and design of the Three Sisters Bridge.

The location and design provisions of Title 23 could well have some application to some of the other projects but they obviously were not intended to have any effect on the project that is already under construction (that is the Center Leg of the Interloop). And once it is recognized that the section 23 has to yield to such an interpretation with respect to the project that is "under construction" because only "applicable" provisions can apply and that it would not be a reasonable construction to require *duplication* of work, then *a fortiori*, the location and design provisions of Title 23 would not be applicable to the Three Sisters Bridge because its *location* and *design* had already been approved under procedures in effect at the time these features came up in logical sequence.

So it must be concluded, that the statement of the House Managers does not conflict with any provision of section 23, and in fact fills in the blanks of misunderstanding and misinterpretation that exist in the panel opinion. This is the usual function of such a statement which is one of the most reliable indices to legislative intent that exists in our national Congress. The House statement here is particularly important because section 23 originated in the House and it was the House Conferees that were pressing it. A person who drafts a particular provision is usually a reliable source as to what was intended by the language used.

The action directed by section 23 is well within the powers of Congress in dealing with the District of Columbia. *District of Columbia* v. *Thompson Co.*, 346 U.S. 100, 108 (1953):

"The power of Congress over the District of Columbia relates not only to 'national power' but to 'all the powers of legislation

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Footnotes at end of article.

which may be exercised by a state in dealing with its affairs.' "

To the same effect is *Atlantic Cleaners & Dyers* v. *United States,* 286 U.S. 427, 434 (1932). Congress actually has power to legislate with respect to the District of Columbia in practically the same manner that a city council legislates with respect to the streets and alleys of a city. And it frequently does so. For example, see Chapter 502, Act of August 9, 1935, relating to the Union Railroad Station in the District of Columbia. 49 Stat. 568. *See also* Chapter 354, Act of May 29, 1930 (46 Stat. 482) for the acquisition, establishment and development of the George Washington Memorial Parkway along the Potomac from Mt. Vernon and Fort Washington to the Great Falls for an example of congressional legislation dealing with local public highways.

III

For the time being I pass over any questions under those sections of Title 23 that were in effect when the *Airis* action was brought in 1966. Only one action existed at that time for alleged failure to comply with applicable statutes. Each separate statute does not create a separate cause of action. Plaintiffs here, who must be considered the same as in *Airis,* cannot split their cause of action and now bring a second action on grounds they failed to include in *Airis. Bienville Water Supply Co.* v. *Mobile,* 186 U.S. 212, 216 (1902); *U.S.* v. *California and Ore. Land Co.,* 192 U.S. 355, 358 (1904); *Baltimore, S.S. Co.* v. *Phillips,* 274 U.S. 316, 319–320 (1927); *Hatchitt* v *United States,* 158 F. 2d 754, 756 (9th Cir. 1946). The bar is not absolute, but a strong public policy exists against vexatious and multiple actions and the court would do well to ignore plaintiffs' alleged grounds for relief to the extent that they existed in November 1966 when *Airis* was filed.

There are strong reasons here to invoke this rule because the panel opinion in its decision, for the second time, is frustrating a congressional directive. Following this court's first decision in *Airis,* Congress enacted section 23 to supply the congressional directive to the projects that the court had found to be absent in the first case. So to permit the same plaintiffs, with the court's concurrence, to obstruct the second congressional directive on grounds they failed to allege in their first action, and to do so under the guise of carrying out the intent of Congress,[12] is not a result that commends itself to sound judicial administration.

This however brings us to § 128 which was amended in 1968 so as to provide that:

"Any State highway department which submits plans for a Federal-aid highway project . . . shall certify to the Secretary [of Transportation] that it has had public hearings, or has afforded the opportunity for such hearings, and has considered the economic *and social* effects of such a location, *its impact on the environment, and its consistency with the goals and objectives of such urban planning as has been promulgated by the community.*" Pub. L. 90–495, § 24, August 23, 1968, 82 STAT. 828. (Matter in italics was added by 1968 amendment.)

With respect to compliance with section 128 the Deputy Director of Public Records, Federal Highway Administration, Department of Transportation, Edgar H. Swick, by affidavit of October 16, 1969 which is substantially uncontroverted swears:

"Title 23, U.S.C. § 128 was complied with, public hearings held on the subject project on November 22, 1961 and November 24, 1964 and the District of Columbia requested approval of the project on September 21, 1966, within three years of the hearings."

The affidavit also states that prior submissions to the Federal Higway Administration by the District of Columbia government and the Metropolitan Washington Council of Governments had certified and demonstrated that "the social, economic and environmental effects of the bridge project and its consistency with goals and objectives of urban planning promulgated by the community were fully *considered.*" This indicates that section 128 as it presently exists has been substantially complied with. Obviously it does not mean that *new* hearings have been held. A mere reading indicates that *new hearings are not required by the amended section.* The amendments of 1968 only required certification that certain local and environmental factors had been "considered." So no question exists as to proper compliance with section 128. It is also significant that appellants' affidavit on the hearing question does not deny that on November 24, 1964 certain hearings were held by the Commissioners of the District of Columbia with respect to the Three Sisters Bridge project.[13] In *D.C. Federation of Civic Associations, Inc.* v. *Airis,* 129 U.S.App.D.C. 125, 127, 391 F.2d 478, 480, (1968), at note 8, the court also indicates that a hearing in which specific evidence was introduced was also conducted by the Department of Highways and Traffic of the District of Columbia, citing a story in the Washington Star appearing on February 4, 1965, section A, page 1. With the record in this state there is no basis for sending the case back for section 128 compliance hearings. Full compliance shows from the record.

IV

Provisions dealing with the preservation of parklands were added to Title 23 (Highways) by congressional amendments in 1966 and 1968. These provided that after the effective dates of the Federal-Aid Highway Act of 1968, the Secretary of Transportation shall not approve any program or project which requires the use of certain publicly owned lands, such as park land, historic sites, etc., except after compliance with certain prescribed standards. With respect to these provisions of section 138 the Swick affidavit indicates compliance with the statute by the Secretary of Transportation when he approved the Three Sisters Bridge project on August 12, 1969[14] and determined at that time that there was no prudent or feasible alternative to the use of park land, recreation areas and historic areas and that all possible planning was performed to minimize harm to these areas. In doing so the prescribed standards were complied with and the memorandum of the Secretary of Transportation recites the facts with respect thereto. This disposes of this portion of appellants' complaint.

V

The Swick affidavit thus indicates that sections 128 and 138 have been complied with. If we were to consider the other principal claims of appellants which are rejected as barred because they could have been alleged in 1966. We note they are also answered by the Swick affidavit as follows:

"Title 23 U.S.C. § 103 was complied with (for the second time after prior approval had been rescinded) when the District of Columbia City Council voted on August 9, 1969 to comply with section 23. Appellants in an affidavit and seek to lessen the effect of this action but the Council action does put the project in compliance with section 103.

"Under Title 23 U.S.C. § 134 it was determined that the Three Sisters Bridge project was based on a continuous comprehensive transportation planning process carried on cooperatively by the District of Columbia, Virginia, Maryland and the various local communities with the objective of developing long range highway plans and coordinated programs for improvement in other forms of transportation. The Metropolitan Washington Council of Governments approved the project by letter dated December 29, 1967.

"Under Title 23 U.S.C. § 317, the Department of the Interior was fully informed of the use of park land for the bridge project and concurred in its use in the District of Columbia. The land on the Virginia side on August 25, 1969 was subject to a final agreement on certain matters."

In all three of these sections of Title 23 present compliance occurred subsequent to November 1966, though the City Council had previously approved and then rescinded.

VI

What then of the location and design hearings that the panel opinion directs? The decision in this respect flies into the face of the act which directs the government of the District of Columbia to commence *work* on the Three Sisters Bridge "not later than 30 days after the date of enactment of" section 23 and the direction in the statement that "the Congress directs that the first substructure contracts [for the Three Sisters Bridge] be advertised for construction within 90 days of the enactment of" section 23.

The holding of the panel opinion in this respect directs hearings on *location* and *design* under a Policy and Procedure Memorandum that was not even promulgated until January 17, 1969 (34 F.R. 727 *et seq.*) some *five months after* Congress passed the law directing that work *begin* on the Three Sisters Bridge within 30 days and that within 90 days "substructure contracts be advertised for construction."[15] How could construction bids for a bridge be advertised if the preliminary requirements of location and design had not been determined? Is it not plain that Congress would not direct public hearings to be held that could change the location and design of a construction project they were directing be advertised for building bids?

It is true that the regulation does make provision for situations "with respect to a project on which a hearing was held . . . before the effective date of this PPM" but a reading of the PPM[16] indicates that it only relates to situations where a *hearing* was held prior to the effective date of the PPM and *no approval* of location or design was received thereafter. It does not apply to projects upon which a hearing was held[17] and approvals received in accordance with prior practices before the effective date of the PPM which was January 17, 1969. The PPM by its terms thus does not apply to the situation involving the approvals of location and design for the Three Sisters Bridge and the case should not be remanded for any hearing thereon.

To the extent that the panel opinion directs such hearings it creates a monstrous result and completely frustrates the expressed will of Congress. It arrives at that result by an incomplete consideration of the legislative history and an incorrect interpretation of floor statements. The net result is completely without any basis in the record and unjustified.

VII

What then is the meaning with respect to the Three Sisters Bridge of that provision in section 23 that directs "Such *construction* shall be undertaken as soon as possible after the date of enactment of this Act, except as otherwise provided in this section, and shall be carried out in accordance with all applicable provisions of title 23 of the United States Code.

"(b) Not later than 30 days after the date of enactment of this section the government of the District of Columbia shall commence work on the following projects:

"(1) Three Sisters Bridge, I–266 (Section B1 to B2)."

When everything is considered it seems clear that Congress was directing compliance with those provisions of title 23 "applicable"

Footnotes at end of article.

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to the "construction"[18] of the Three Sisters Bridge. This would bring into play those provisions of title 23 relating to apportionment of appropriations (section 104), letting of contracts (section 112), prevailing wages (section 113), supervision of construction (section 114), availability of apportioned sums (section 116), federal share payable (section 120), payments to states for construction (section 121), relocation of utilities (section 123), advances to states (section 124), railway-highway crossings (section 130), equal employment opportunity (section 140), small business participation (section 304), etc.

Such interpretation of the sentence would be reasonable and would not attribute to Congress an intention to require duplication of prior planning that had already been completed with respect to the Three Sisters Bridge when Congress enacted section 23. With respect to projects which were not as far advanced as the Three Sisters Bridge, they would have to comply with requirements they had not fulfilled, before the amended requirement became effective. I would thus attribute to Congress the reasonable intention of not requiring duplication of work already completed according to then existing standards. This is the real intention that Congress meant to convey when it used the words "applicable provisions of Title 23" other than directing full "compliance with Title 23."

VIII

As for the claim that plaintiffs are a "voiceless minority" in the District of Columbia who are being made the subject of invidious discrimination, it should be recognized that plaintiffs here and their lawyers are actually some of the most articulate and politically powerful individuals in America. Their success in obstructing this project now for onto four years is mute testimony that they are not "voiceless." Actually, it is commonly recognized that their close proximity to the seat of Government, the influence of a favorable local press that articulates their position and the frequency with which members of Congress, long resident in the District and its environs, tend to acquire similar local interests to those of local residents, on many issues, gives them more actual influence in Congress than citizens of states.

And, most importantly, despite incorrect statements in the panel opinion, there is no showing that they have been discriminated against here. Each interstate D.C. highway project as it progressed from planning to construction was subjected to the same procedures under Title 23 as interstate state highway projects. The same law applied to all such projects, that being the law that existed at the time the D.C. or state project passed through each successive stage. There is no showing that amendments to the Federal highway laws were made to apply *ex post facto* to highway projects that had previously passed through particular stages *before* new provisions were added. The reason for this is that legislation generally is given a prospective application.

In passing it should be noted that the numerous Fourteenth Amendment cases on equal protection are well recognized as not applying to the situation here. Also, that "unjustifiable discrimination" under those rare Fifth Amendment cases does not exist here because (a) there has not been any refusal to accord D.C. residents any right afforded state residents at the same time, and (b) even if there had been it is not the grievous loss that is "so unjustifiable as to be violative of due process." *Schneider* v. *Rusk*, 377 U.S. 163 (1964); *Bolling* v. *Sharpe*, 347 U.S. 497 (1954); *Joint Anti-Fascist Refugee Committee* v. *McGrath*, 341 U.S. 123, 168 (1951) (Frankfurter, J., concurring); *and see Shapiro* v. *Thompson*, 394 U.S. 618, 641–642 (1969). *Goldberg* v. *Kelly*, ——— U.S. ——— (March 23, 1970) applied a similar standard to rights claimed under the Fourteenth Amendment. (See slip op. 8)

I would accordingly not require location or design hearings now on the unfinished portions of the Center Leg that is under construction, nor to the Three Sisters Bridge where location and design had previously been approved. It seems that the Potomac River Freeway and the East Leg have some design problems. Where they stand on location has not been presented or studied in this case. It appears that the 18 months projects are similarly in different categories as to title 23 requirements. Each project should be considered separately, but I do not consider that the 1968 amendments to title 23 or the 1969 PPM require any project to be backed up for different consideration of planning or construction phases that it had previously passed through. I would affirm.

FOOTNOTES

[1] Congress frequently legislates in this manner by referring to official reports or documents within the cognizance of the committee or Congress.

[2] Section 23 in the final bill was altered over section 23 as originally adopted by the House of Representatives. Generally the final draft reduced the number of projects upon which immediate work was directed and provided additionally that a number of other D.C. highway projects, in varying stages of readiness, be studied and reported on within 18 months.

[3] Senator Cooper was a member of the Committee on Public Works, was a member of the Conference Committee, but refused to sign the Conference Report. His views are obviously not the views of the Senate Committee or the Senate, which recommended, adopted and passed the Conference Report and bill.

[4] Rules of the House of Representatives of of the U.S., 90th Cong. (1967), Lewis Deschler, Parliamentarian. Rule XXVIII, Conference Reports § 911:

"1. (c) And there shall accompany every such report a detailed statement sufficiently explicit to inform the House what effect such amendments or propositions will have upon the measures to which they relate."

[5] Subsequent references to Senate debates refer to the Congressional Record for this date. Vol. 114, Cong. Rec., Part 18, p. 24030, July 29, 1968.

[6] Appellants here are not at war with the direction in the statement of the House Managers that "no intrusion of" Glover Archbold Park take place. In fact, they insist upon it being carried out.

[7] Senator Cooper also refused to sign the Conference Report as one of the Managers on the part of the Senate.

[8] It also directed immediate construction of all the highway projects now placed by section 23 in the 18 month study and report.

[9] Legislative bodies frequently provide that a statute designed for one purpose apply *mutatis mutandis* to another purpose.

[10] This is the provision the panel opinion says does not exist.

[11] The concurring opinion, by conclusory statements unsupported by factual analysis, fails to find in the statement of the House Managers the "specificity" it considered necessary to establish the standard to be applied in determining which provisions of title 23 Congress intended to be not "applicable." However, the provision of the *law* directing "work" to begin within 30 days furnishes all the "specificity" any person needs to see that Congress clearly did not intend *all* the provisions of section 23 to be applied *ex post facto*. The 30-day provision also is sufficient indication of a congressional intent that regulations promulgated *five months after* passage of the law were *not* to be considered as being within the "applicable" provisions of title 23.

[12] Arrived at by refusing to consider a substantial part of the legislative record.

[13] Affidavit of Robert M. Kennan, Jr. of October 17, 1969.

[14] Swick affidavit of October 16, 1969. *And see* Memorandum of October 15, 1969 of the Secretary of Transportation reciting basis of August 12, 1969 approval, Exhibit F to Swick affidavit.

[15] From the statement of the House Managers.

[16] d. With respect to a project on which a hearing was held, or an opportunity for a hearing afforded, before the effective date of this PPM, the following requirements apply:

(1) With respect to projects which have not received location approval:

(2) With respect to those projects which have not received design approval:

Policy and Procedure Memorandum, Bureau of Public Roads, Department of Transportation, 34 F.R. No. 12, p. 729, Jan. 17, 1969.

[17] The hearing requirement could not be construed as referring to prior separate hearings on design, because they were not required, but only to such hearings as were provided for. In these, design might be one matter discussed in a general hearing. But the PPM provision on request for design approval within three years, quoted in the panel opinion in footnote 54, has no application because by the forepart of the regulation it only relates to "those projects which have *not* received design approval." The Three Sisters Bridge is not in this category because its design had been approved by the Fine Arts Commission on Sept. 20, 1967 (Swick affidavit) and there is no indication in the PPM that prior approvals are to be reconsidered or reheard.

[18] The statutory definition of "construction" in title 23 is not strictly applicable because section 23 is not a part of Title 23.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

EQUAL-TIME REQUIREMENTS FOR CANDIDATES FOR PUBLIC OFFICE

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the unfinished business which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3637) to amend section 315 of the Communications Act of 1934 with respect to equal-time requirements for candidates for public office, and for other purposes.

The Senate resumed the consideration of the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I offer an amendment for myself and the Senator from Kansas (Mr. PEARSON).

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

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At the end of the bill insert a new section as follows:

"SEC. 2. (a) Section 315 of the Communications Act of 1934 is further amended by redesignating subsection (c) as subsection (d) and by inserting before such subsection the following new subsection:

"'(c) The total of (1) the amounts expended on the electronic media by any legally qualified candidate for the Office of the President or Vice President of the United States, United States Senator or United States Representative for such office in an election other than a primary election, and (2) the amounts expended by other persons, associations, groups, or committees on behalf of such candidate on the electronic media, shall not exceed an amount equal to 7 cents multiplied by the number of votes cast for all legally qualified candidates for such offices in the last preceding such election, or $20,000, whichever is the greater: *Provided*, That where there has been no election for the office of the United States Senator in the immediate preceding two years, the limitation on the amount expended shall be 5 cents multiplied by the highest popular vote cast for any statewide office in the preceding two years, or $20,000 which ever is greater: *Provided further*, That consistent with the other needs of the community broadcast licensees shall make a reasonable amount of time available for legally qualified candidates for federal elective offices during the hours 7:30–10:30 post meridien.'"

"(b) The amendment made by this section shall be effective after thirty days following the date of enactment of this Act."

Mr. PASTORE. Mr. President, last Thursday, April 9, I announced that I intended to offer an amendment to S. 3637 which involved the ceiling on the amount legally qualified candidates for Federal elective offices could spend on the electronic media. The amendment provided that the total of first, the amounts expended on the electronic media by any legally qualified candidate for Federal elective office in an election other than a primary election, and second, the amounts expended by others on behalf of such a candidate on the electronic media shall not exceed an amount equal to 7 cents multiplied by the number of votes cast for all legally qualified candidates for such office in the last preceding election, or $20,000, whichever is greater. In the event there has been no election for the office of U.S. Senator in the immediate preceding 2 years, the limitation on the amounts expended shall be 7 cents multiplied by the highest total popular vote cast for any statewide office in the preceding 2 years, or $20,000, whichever is greater.

I have revised the amendment to include a provision that would require a broadcast licensee to make a reasonable amount of time available for legally qualified candidates for Federal elective offices during prime times consistent with the other needs of the community.

The Federal Communications Commission, by regulation, would require broadcast licensees to ascertain from an authorized spokesman of the candidate that the money expended for the time he wished to purchase would not exceed the ceiling which the bill sets out.

The program logs which the stations are now required to keep would further aid the implementation of this provision.

We all know how campaign costs have gotten completely out of hand, and how the cost of broadcasting, especially television, has climbed steadily.

Human nature being what it is, each candidate feels compelled to match or outdo his opponent in the use of radio and television. And the wealthy candidate is able to inundate his poorer opponent.

We are all keenly aware of the great potential this media has for reaching the electorate and informing them, and the contribution it has made to political campaigning. But somewhere a saturation point is reached, and further use of the media simply escalates the cost of campaigning. The electorate begins to wonder why a candidate is willing to spend hundreds of thousands of dollars, and is some cases millions, for a job that pays $42,500 a year.

While all agree that something should be done, no one has come forth with a solution that is acceptable to all. And this is understandable because the subject is so complex, and the solution, to be effective, must be very simple and clean cut.

It puts a ceiling on the amount of money a candidate or anyone on his behalf may spend on the electronic media.

Moreover, Mr. President, as a condition of receiving a license to broadcast, and of having that license reviewed as it must be at least once every 3 years, a licensee must meet the needs and interests of the community he is licensed to serve. The FCC is required under the Communications Act to find affirmatively that he has and will do so.

Considering the importance and necessity of an informed electorate in a democracy, and the ever-increasing contribution political broadcasts make to informing that electorate, it would be difficult to comprehend how the FCC could find that a licensee was serving the public interest if he failed to make a reasonable amount of time available for legally qualified candidates for the important and significant offices of President, Vice President, U.S. Senator, or U.S. Representative.

Indeed, Mr. President, the legislative history of the 1960 amendments to section 315 of the Communications Act, the Commission's administration of the act, and the Court's interpretation of it, recognize quite clearly what a licensee's obligations are in this respect.

As I said on the floor when the Senate was considering the suspension of the equal time requirements for the 1960 presidential campaign:

> The Committee was impressed by the sincere desire of the broadcasters to meet their obligation of public service in the national political arena.

And, with respect to that same legislation, the distinguished former chairman of the House Interstate and Foreign Commerce Committee, Mr. Harris, said on the floor of the House:

> I feel deeply, Mr. Speaker, that the broadcasters of this Nation who have been given the privilege of operating broadcast facilities in the public interest have a public responsibility over political institutions.

The FCC and its predecessor, the Federal Radio Commission, have, from the earliest days, taken into account whether a licensee has met his responsibilities in the field of political broadcasts.

In the 1929 Great Lakes case, the Federal Radio Commission stated:

> In a sense, a broadcasting station may be regarded as a sort of mouthpiece on the air for the community it serves over which . . . its political campaigns . . . may be broadcast.

There are other cases, such as the city of Jacksonville, in re Loyola University, and in re Petition of Homer P. Rainey, where the FCC has said that a station's failure to carry political broadcasting as a policy matter, or the placing of restrictions on the amount of time that would be available for political broadcasts, left some gap in service to the community.

More generally, the Commission's concept of its statutory authority with respect to programing as set out in its policy statement on programing—1960—states that:

> The major elements usually necessary to meet the public interests, needs, and desires of the community in which the station is located . . . have included: . . . (8) Political Broadcasts . . .

The courts too have recognized the duty imposed by the Communications Act on licenses to carry political broadcasts in order to meet their public interest obligations.

In the WDAY case, the Supreme Court said that:

> The thrust of section 315 is to facilitate political debate over radio and television. Recognizing this, the Communications Commission considers the carrying of political broadcasts a public service criterion to be considered both in license renewal proceedings, and in comparative contests for a radio or television construction permit.

More recently, in the Red Lion case, the Supreme Court referred to broadcast licensees as "proxies for the entire community, obligated to give suitable time and attention to matters of great public concern."

Certainly this broad language encompasses the obligation of licensees to make a reasonable amount of time available to candidates for Federal elective office.

Mr. President, in order to avoid any misunderstanding as to the obligation of the licensee in making time available to candidates for a Federal elective office, I have included a proviso that clearly states that, consistent with the other needs of the community, a reasonable amount of time shall be made available during the prime time hours.

Mr. President, let me make a recapitulation of what the amendment does. The amendment I have sent to the desk for myself and my distinguished colleague from Kansas (Mr. PEARSON), as distinguished from the amendment we were talking about yesterday afternoon, provides that the amount that can be spent is 7 cents multiplied by the number of votes cast for a particular candidate in a particular office. Instead of 5 cents, it was raised to 7 cents because there were some persons who felt that perhaps the 5-cent figure would not be adequate to give to the public the exposure necessary in order to understand the issues and the candidates.

In addition, there is a further modification. It requires that the broadcaster shall make available, during prime time, reasonable time for the candidates, but the allocation of that time must be consistent with the other needs of the community. In the allocation of the time, the other needs of the community—entertainment, cultural, educational, or what have you—shall be taken into consideration. In other words, we do not want the air waves during the campaign period saturated exclusively with political speeches. Of course, the broadcaster knows what the needs of his community are. For that reason, we are inserting that provision in the measure—mandating, of course, that some time must be available during prime time, but consistent with the other needs of the community.

I think that provision will meet with universal approval.

I understand the Senator from Kansas wants to ask me questions.

Mr. PEARSON. Mr. President, first I want to say that I join with the Senator from Rhode Island in his amendment. The matter of limitation was one that almost everyone agreed was necessary.

When we went into the particular limitation as to the amount that could be spent or the amount of time that could be purchased, I was among those in the committee who thought that a time limitation was a better device not only to make the possibility of seeking public office available to those of limited means, but also to make sure that when we put that limitation into effect we did not bring about a proliferation of greater spending than ever before.

As the Senator from Rhode Island said, the 5 cent per vote measurement was considered by many to be too severe.

I am in receipt of a communication that indicates in the State of Texas, for instance, it would be $125,000 under the old formula—a rather low amount for the State of Texas and an amount which other statewide candidates would exceed by a very large sum.

I am particularly grateful that the Senator incorporated in the amendment a provision that time must be made available to the candidates at the lowest unit cost.

I was, frankly, fearful, and had prepared a separate amendment on the possibility that individual stations might find it necessary to say to candidates that they just did not have time available at the lowest unit cost. The pragmatics of the situation, the business situation involved, may very well have shut out the possibility of candidates receiving time, and receiving it at the lowest unit cost.

If I could have the attention of the sponsor of the bill and the amendment, I want to go back to that part of the proposal which makes reference to the waiver of the equal-time provision of section 315 of the Communications Act of 1934. As I read the hearings and as I recall the hearings, Dr. Stanton, of CBS, and also the head of ABC, Mr. Goldenson, made reference to the point that they had in the past sought a waiver of section 315 so that they could make free time available to the candidates for President and Vice President.

I noted in the testimony of the hearings on the bill, S. 2876, that both the president of ABC and the president of CBS made specific reference to debates. I know the distinguished Senator from Rhode Island, chairman of the Subcommittee on Communications, expressed many times the feeling that this particular proposal has great freedom in it, and allows negotiation between the candidate and the broadcaster so that they can use the time as they see fit.

I know this is plowed ground, as they say in my part of the country, but I want to have it made clear for the record and nail it down again as a part of the legislative history.

Mr. PASTORE. Mr. President, will the Senator yield to me for an interruption?

Mr. PEARSON. I yield.

Mr. PASTORE. I will say to the Senator that if ABC, CBS, or NBC in 1972 insist upon a format without consultation with the candidates, and if they do not give this time to the candidates at the choosing of the candidates—and I am here—I will introduce a bill to repeal this provision. I want the record to show that declaration emphatically and categorically, just as I have said it, because that is my understanding.

There has been a tremendous amount of discussion as to whether a candidate for President of the United States should be placed in the position of being forced into a debate, without embarrassment, or with embarrassment if he did not accede to it. The business of "Here is the empty chair. Where is my opponent?"—if we are going to get into that sort of undignified format in presidential campaigns, the Senator from Rhode Island will be the first one to stand up and say, "Boys, you have had it. This is the end. You have had it."

My understanding is that they have pledged that they will give 30-minute segments—several of them—over to the candidate, and that the format will be at the choosing of the candidate.

If there is any misunderstanding about that—I want the record to show this clearly—I am saying right here and now, should there be any violation of this agreement, we will have it repealed the next time.

Mr. PEARSON. I thank the distinguished chairman. I think that is a very strong statement, and I think it spells out with particularity and with firmness precisely that concern which is on the minds of so many people.

I have not been in contact with the administration on this particular proposal, and I doubt whether we can control all the devices that candidates use. The Senator says we do not want to get into the old empty-chair gimmick. In all deference to the Senator, I doubt very seriously—he may have great influence with the networks, but I doubt how much influence we will have on the individual candidates, and what techniques they will employ.

But I do not think you can ever get down to writing restrictions to that degree. I think the Senator's statement does give all of us who are concerned about this particular part of the bill a great deal of reassurance.

I should like to direct another question to the distinguished chairman. The bill provides that the charges of any broadcasting station for any legally qualified candidate for any public office shall not exceed the lowest unit charge.

In the report—and I suppose within the Communications Act itself also—there is language that says that the FCC shall have the power to make rules and regulations to implement the purposes of this particular bill.

I understand that the lowest unit charge is something that is established by the broadcaster or by station policy. It may take in a large number of economic considerations. It is a matter, I suspect, that is a confidential sort of figure, and I am wondering—and I have an amendment prepared for that purpose—whether or not, in addition to the authority to establish rules and regulations by the FCC, the Senator from Rhode Island would think it expedient to spell out specifically that the lowest unit rate must be a figure that is furnished to the FCC to be kept confidential by the FCC except for those officers who might need to make reference to it in case some sort of controversy came up.

It seems to me this is a figure that ought to be a matter of record, even though it may change periodically.

Mr. PASTORE. I certainly would have no objection to that type of amendment. I would assume there would have to be a predicate for setting forth rules and regulations.

Stations have to keep logs, and I think they include in the logs at least some of these charges. I do not want to be held to that statement. But I would have no objection to that kind of amendment.

Mr. PEARSON. I shall furnish the Senator with a copy of the proposed amendment.

Mr. PASTORE. What the Senator is trying to do is nail down the condition that the lowest unit cost is the lowest unit cost. There will be no question about it, because it is already registered confidentially with the FCC.

Mr. PEARSON. That is the purpose of the amendment.

Mr. PASTORE. If the Senator will send it up, I will accept it.

Mr. PEARSON. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER (Mr. HOLLINGS). There is an amendment pending.

Mr. PASTORE. Mr. President, I ask unanimous consent that the pending amendment be temporarily laid aside, and that the Senate proceed to consider the amendment of the Senator from Kansas.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendment of the Senator from Kansas will be stated.

The bill clerk read the amendment, as follows:

> On page 2, line 6, after the period insert "The Commission shall require licensees to keep such records as may be necessary to carry out the provisions of this subsection. Information in such records shall be considered confidential for the purpose of section 1905 of title 18 of the United States

Code, except that such information may be disclosed to such officers or employees of the Commission as is necessary for the purpose of this subsection or when relevant in any proceeding under this Act."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kansas.

The amendment was agreed to.

Mr. PASTORE. Mr. President, I ask unanimous consent that the Senate now revert to the consideration of my amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The pending question is now the amendment of the Senator from Rhode Island.

Mr. PEARSON. Mr. President, I know that the Senator yesterday, in his prepared statement and also during the debate, dwelt upon the matter of enforcement—enforcement, specifically, of the 7 cents times the number of votes. I wonder if he would, once again, go through the existing regulations and procedures, and indicate how the enforcement of this limitation will be effective.

I put that question to him because among the reasons that some of us thought the time limitation might be a better limitation were the fact that each station was required to keep a log—these logs are available to all—and the fact that just about all dollar limitations in the election rules, regulations, and statutes heretofore imposed upon candidates have been honored more in the breach than in the observance. I am concerned about the enforcement of this particular limitation.

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Mr. PASTORE. I can make it very simple. First of all, the FCC will require that the broadcasters keep a log.

The only reason why I thought that the time limitation was impracticable was simply that, let us say, candidate A goes to station B and buys time. Then he goes to station C and buys time. Now he has got to go down to station D to buy time.

When he gets down to station D, how does station D know how much he bought from B and C, unless it gets an affidavit from the other stations that he is not exceeding his time, and that the time he is buying is within the limitation he is entitled to?

There you are; you have D, a broadcaster, almost having to act as FBI to a candidate.

My method is very simple. I govern it by the amount of money. That has been the idea right along, to govern it by the amount of money you can spend.

The amendment requires that the candidate, or anyone or any group on his behalf, cannot spend more than 7 cents multiplied by the number of votes cast in the previous election. So all the candidate has to do is look at the result of the last election, when he ran for office or anyone in his community ran for that same office, and take the number of votes that were cast for that office by all of the voters for all of the candidates for that particular office, and multiply that figure by 7. Once he has done that, he has reached the maximum figure that he can spend, the total for radio or for television.

Now the question comes down to enforcement. Let us say I, in Rhode Island, am entitled by my formula to spend $25,000. I know I can spend only $25,000, and any committee acting in my behalf knows I can spend only $25,000.

So I have to come here before I take my seat and file with the Secretary of the Senate a record of the money that was spent.

If I have spent $50,000, instead of $25,000, I can be questioned about taking my seat. I have violated the law of this land, and the Senate can rise up and say, "You have disqualified yourself from taking your seat."

That has been done before.

In the second place, there are requirements in the law that cover this very matter, and I shall read it to the Senator. It is in the Communications Act now.

Mr. PEARSON. Mr. President, will the Senator yield before he reads?

Mr. PASTORE. I yield.

Mr. PEARSON. The statement filed with the Secretary of the Senate I frankly do not recall, from my own experience. Is that statement as to individual expenses, or expenses by individuals, committees, and other persons?

Mr. PASTORE. In this particular case, I would presume that this requirement would compel the candidate to tell his committee to file what they have spent for radio and television, if he cares to take his seat. Otherwise, what are we doing? Are we merely playing marbles here?

I hope we are serious about this. I hope we are not passing this law to allow everybody to work out a subterfuge in order to defeat its purpose. What we are trying to do here is bring these expenditures within reasonable limits.

Mr. GORE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. GORE. The Senator has just mentioned a very sensitive and important angle, and that is the subterfuge. As the Senator knows, the present corrupt practices law is utterly and completely ineffective, because any candidate can encourage the creation of committees, and his friends can create committees, with or without his knowledge and consent, and raise and spend unlimited amounts of money.

Now, the Senator has offered an amendment, and I would like to ask him about this point: In view of the circumstances I have cited, is the communications law broad enough, and is it the intent of the Senator's amendment, that such subterfuge be brought within the meaning and the intent of his amendment as to limitations?

Mr. PASTORE. Positively, because otherwise we are wasting our time. This is the easiest thing to govern. This can be governed better than the time element, because all you have to do is pick up the telephone and call the Chairman of the FCC, and within a short time they can tell you how much money you spent for your campaign on radio and television.

Mr. GORE. What about for those who spent——

Mr. PASTORE. Anybody in the Senator's behalf, because it is all cataloged. The committee has to say "Friends of Pastore," "Friends of Gore." It has to say that. It is being done every day.

Mr. GORE. Suppose they do not actually use the name of the candidate. Is it still the intent of the Senator to cover expenditures in behalf of a candidacy?

Mr. PASTORE. Absolutely. If they do not use the candidate's name, they are wasting their money. For whom are they campaigning? They have to use the candidate's name.

Mr. GORE. Suppose a committee is organized in a State, not for Pastore but against Pastore, and the broadcast does not mention the name of his opponent, and they take the time to criticize Senator Pastore, to use a personal example.

Mr. PASTORE. They are doing that every day. The news media is doing that to us every day. I cannot stop that. They write editorials every day and have editorials on television every day. That is another element.

Mr. GORE. I am talking about a campaign committee organized for the purpose of bringing about the Senator's defeat, and the committee buys time to criticize his record, without mentioning the name of his opponent.

Mr. PASTORE. That comes under the fairness doctrine. That is getting into another field.

Mr. GORE. Does the Senator's amendment cover that, also?

Mr. PASTORE. The law covers the fairness doctrine. The fairness doctrine was challenged by all the networks. They went to the Supreme Court, and the Supreme Court maintained and substantiated and upheld the fairness doctrine. That is how the situation came about with respect to cigarette ads. The Senator recalls the cigarette ads that said, "If you smoke too much, you might get lung cancer." That is how that came about—the fairness doctrine. Yes, if they start that, it comes under another rule.

I should like to read sections 501 and 502, Mr. President:

[Communications Act of 1934, as amended]

Title V—Penal Provisions—Forfeitures

GENERAL PENALTY

Sec. 501. Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing, in this Act prohibited or declared to be unlawful, or who willfully or knowingly omits or fails to do any act, matter, or thing in this Act required to be done, or willfully and knowingly causes or suffers such omission or failure, shall, upon conviction thereof, be punished for such offense, for which no penalty (other than a forfeiture) is provided in this Act, by a fine of not more than $10,000 or by imprisonment for a term not exceeding one year, or both; except that any person, having been once convicted of an offense punishable under this section, who is subsequently convicted of violating any provision of this Act punishable under this section, shall be punished by a fine of not more than $10,000 or by imprisonment for a term not exceeding two years, or both.

Sec. 502. Any person who willfully and knowingly violates any rule, regulation, restriction, or condition made or imposed by the Commission under authority of this Act, or any rule, regulation, restriction, or condition made or imposed by any international radio or wire communications treaty or convention, or regulations annexed thereto, to which the United States is or may hereafter become a party, shall, in addition to any other penalties provided by law, be punshed upon conviction thereof, by a fine of not more than $500 for each and every day during which such offense occurs.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. PEARSON. Does that relate to the broadcaster?

Mr. PASTORE. That relates to anything under this act, and this amendment comes under this act, and the broadcasting industry is under this act.

Mr. PEARSON. Reverting to the point I previously sought to make, I have made inquiry and have found that the reports, under existing law and regulations of the Senate, that necessarily must be filed with the Secretary of the Senate, refer only to individual expenses. There is no requirement at all that committees of a given Senator must file anything with the Secretary of the Senate.

Mr. PASTORE. In this particular case, the rules and the regulations inaugurated by the amendment will compel the FCC to make a record of expenditure. In turn, of course, they have the way and the method and the means and power to discover the amount very easily.

I think this is as airtight as anything can be. Of course, we can begin to conjure up and imagine many outlandish situations in which someone possibly could work out some small subterfuge. After all, I do not pretend to be the man who can write the perfect law. I do not think we have ever done that.

I think this is a sensible rule. It is very simple and plain. It speaks out very clearly as to what we intend to do. We have the mandate that the FCC shall watch it. The broadcaster will have to keep a log. A coordinator can be selected by the candidate. Each broadcaster can contact him.

In my State there are three television stations, and observation is the easiest thing in the world, because the fellow who will raise the question will be your opponent. The man who will raise the question that you were on there too much and spent too much money is your opponent. He is your best detective. I think this is easy to find.

As it is today, the sky is the limit. Anybody who has the money can buy all the time he wants. All he needs to do is form a little committee, and that committee can buy $2 million or $3 million worth of time, and there is no way to stop it.

We are getting to the point where this thing is getting out of hand, and it verges on the scandalous. The time is now and the place is here to do something about it. That is my only motive. If the Senate wants to go along with it, fine. On the other hand, if the Senate wants to reject it, I have done my best. I will have to wait and try again the next time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Hollings). Without objection, it is so ordered.

RECESS UNTIL 1:45 P.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess until 1:45 o'clock p.m. today.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate (at 1 o'clock and 3 minutes p.m.) took a recess until 1:45 o'clock p.m., the same day.

On the expiration of the recess, the Senate reconvened when called to order by the Presiding Officer (Mr. Cranston).

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Cranston). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, the pending bill and the pending amendment offered by the distinguished senior Senator from Rhode Island are very important measures. For years, I have sought some reasonable limitation on campaign expenditures. Now I think that the distinguished Senator from Rhode Island has, with his amendment and this measure, suggested a very practical approach that, while it would not solve all the problems, would at least inhibit the threat to democracy, to the democratic processes, to the very principles of government of the people, by the people, for the people that is posed by the abuse of the greatest communications and educational medium that this free people has ever known.

Television ought to be an instrument of education, of information, of entertainment, of leadership. We must safeguard its use, lest its use subvert democracy and defeat the democratic processes.

I had not thought of the approach which the able and distinguished chairman of the committee has suggested. Yesterday, after listening to his eloquent speech and to the debate, as I went to my office and then home last night, I fully intended to offer an amendment this morning. I had one prepared, with 100 copies for distribution to Senators. When I came to the Chamber this morning I intended to offer my amendment. But I have been persuaded by the chairman of the committee, and by the recitation of the law which he has cited, not to offer my amendment, but rather to support his.

He has made the legislative intent clear. I endorse his interpretation of the purpose of the amendment.

Mr. President, an election ought to be a time of serious discussion, a time when ideas are brought forth and debated, not for the sound they make but for their meaning; not for their marketability but for their merit; not for their packaging but for their content. The most vital single action of a self-governing society is the election of public officials.

It is remarkable, Mr. President, upon what a comparatively small group of men and women the every efficacy of our democratic process depends. Whom do the people elect in their Federal Government? A President, a Vice President, Senators, and Representatives. Surely this is a function so important that Congress should throw every possible safeguard around the purity of the ballot. Unless the will of the people can be determined and maintained in elections, there can be no government of, by, and for the people. Unless the elective process is surrounded by effective safeguards, there can be no real assurance that the will of the electorate will emerge.

In this day of slogans, labels, image making, and mass communication, a vulgar use of television, an abuse of media time, monopolizing the time of the television that goes into the homes of the American people, is a great danger to the democratic processes.

The theory of one-man, one-vote, is deeply imbedded in our system of elections, and our society has thrown safeguards around the casting of ballots, the counting of ballots, and the secrecy of balloting. We look upon voting as one of the inalienable political rights of citizens, and through the years we have extended the right to more and more segments of the population, and stricken down laws and rules and habits which would restrict it. Voting is one of our highest privileges. It is a duty, too, of course, but a personal duty which must be decided personally and not coerced either by a system of fines against those who fail to exercise their privileges or by an undue influence from any direction, particularly an undue influence from money in excessive amounts.

But we have a long way to go in protecting the public from this undue influence, a long way to go to make our voting system as free and as unhampered and as equitable as all of us would wish it to be. The country has not thrown proper safeguards around financial influences in Federal elections; and until a way to do this is evolved, the other ills must be considered secondary.

Senator Pastore proceeds by his amendment to attack the area of greatest abuse, the area that invites the greatest abuse, the communication media, which can be so used as to mislead instead of inform, which can make candidates seem what they are not. We have but to refer to the title of a popular book, "The Selling of a President," without any uncomplimentary references to anyone, to recognize how potent advertising techniques with mass communication have now become.

Of course, these techniques are not confined—and the use of techniques of image making, of sloganeering, of sentiment manufacture, of attitudinal development—to one side. All candidates are now looking to this. But, Mr. Presi-

XUM

dent, when candidates look to it, the threat of democracy looms big.

What does a television advertising campaign cost in an average State? They are talking in terms of a million dollars for television in the average sized State. This does not take into consideration the headquarters, the printing, the newspaper advertising, the telephones, the travel of the candidates, the public address systems. From what sources does this money come? It does not come in adequate amount to some candidates. On the other hand, some have all they can spend. Now and then some spend so much that it reacts against them, fortunately.

The Corrupt Practices Act of 1925 and the Hatch Act of 1939 continue to form the basis of existing law dealing with the financial aspects of Federal elections, but these acts are wholly inadequate. Indeed, we would be just as well off with no law at all as with the Corrupt Practices Act.

There is one provision in law that I think has some wholesome effect, and that is the act that requires each Senator to file with the Secretary of the Senate a statement of the sources of earned income other than his salary—unless perchance it be a legal fee—and the amount. I think this is wholesome. I think it should also include legal fees, but that is beside the point here.

Money is the root of much political evil in our country, and the Senate has been considering ways to lessen that influence for more than two decades. I believe that this afternoon we are getting nearer to a solution of one particular threat to democracy—perhaps the single greatest one—than we ever have been, and I wish to congratulate the able chairman of the committee. We all know that he has cited here that the costs of campaigns have mushroomed and the practices of vested interests have become a threat to popular government. The influence, as I have said, of television and other expanding communications media, notably that of the advertising industry, has skyrocketed; and there is now widespread and justifiable public concern over the threat to popular government arising from the improper influence of money in elections.

The concentration of dollars poured out at election time serves to thwart the will of the American people both directly and, as I have tried to illustrate, subtly. Not many people would sell their votes directly, but the influence exerted by merchandising and image making does not come directly, and nobody is immune to it, either in the purchase of soap flakes or in the selection and election of a candidate.

Mr. PASTORE. Mr. President, will the Senator yield so that I may ask for the yeas and nays at this time?

Mr. GORE. I yield.

Mr. PASTORE. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. PASTORE. I thank the Senator.

Mr. GORE. To get at the dollar size of this problem, I served as chairman of a subcommittee a few years ago, and the subcommittee conducted an investigation. I have been a student of this matter for a long time, and I recognize fully the dangers that arise from use of money in elections.

There is something profoundly wrong about a system by which the election of a Senator in many States now costs a million dollars.

I might say, parenthetically, that such an election never cost me or my supporters as much as 10 percent of that amount. I do not know what the future will hold.

This problem is growing bigger and bigger, and the threat to the will of the people is becoming ever starker. Public confidence in government and in the integrity of the elected representatives of the people is the bedrock upon which the foundation of our system rests. Government is no more secure than public confidence in its institutions. Moreover, representative government cannot be truly representative unless the electorate has the opportunity to choose among the candidates on the basis of their qualifications, without improper influences, without undue influences which impede rather than aid a free choice.

Elections, Mr. President, are public business. Indeed, there is no aspect of the public business which more directly affects the quality of government and the public welfare than the act of election of the relatively few men and women, as I have said, upon whom this Government depends. Yet the present system of financing an election campaign makes a mockery of the free democratic processes. Money in elections, both as to source and amount, threatens to undermine public confidence in those who are elected and, thus, in the institution of government itself.

It is utterly impossible to finance a modern, mass media, statewide campaign with small $5 and $10 contributions from the rank and file of our constituents. This was once possible. It is no longer possible, if one should go the route of the image-making, mass-media advertising. The candidate who elects not to seek or accept this kind of money needed for a mass-media campaign is at a disadvantage.

Modern campaigning, with the tremendous costs of indispensable exposure on television, has vastly increased the advantage of the candidate with an adequately financed campaign.

Simply stated, money can buy an election without in any way violating our archaic election laws and without buying a single vote. The buying is more indirect and subtle.

Since election to public office is public business of the highest order, election to Federal office should be, in my opinion, publicly financed.

I have introduced a bill to provide for that, but to take effect only after each Member of this body has had an opportunity to seek reelection, or for his constituents to get an opportunity to choose under the present law.

Almost everyone agrees that something should be done. With such unanimity, it is remarkable that the law has not been changed; but it is also understandable. Perhaps it is not unlike a leaking roof that does not get fixed because when it rains, it is too wet to fix it.

Mr. PASTORE. Mr. President, will the Senator from Tennessee yield right there?

Mr. GORE. I yield.

Mr. PASTORE. The Senator has put his finger right on the problem. Everyone talks about the weather but no one does anything about it.

Mr. GORE. The able Senator is now proposing to do something about it, just before the storm breaks.

Mr. PASTORE. That is right.

Mr. GORE. This is a good time to do it. The gales will blow hard, the storms will rage, and the pocketbooks will open. Unless we establish some limit, the public will be subverted; at least the people will become disgusted with election riddles, rhymes, and jingles monopolizing the television in their living rooms.

Thus, I welcome this amendment, not as a cure-all, but as providing for a reasonable limitation on the amount of time the candidate and his supporter can purchase for television. It also protects the right of the people against having their television sets rendered to them, shall I say, obnoxious during the closing weeks of a campaign, because what they wish to listen to and see is taken off the air in order that the image-making industry can ply its trade.

Therefore, Mr. President, I shall, with enthusiasm, support the amendment of the distinguished senior Senator from Rhode Island.

Mr. President, I yield the floor.

Mr. MURPHY. Mr. President, I should like to say that I have thought a great deal about these matters, having been involved in the media myself, formerly as president and vice president of Desilu, and I know a good deal about it.

Unfortunately, I shall be forced today to oppose the amendment because of the timing.

I am presently a candidate in the great State of California in the primary election. I have opponents, one of whom, at least, has announced that he will spend an astronomical sum of money.

Thus, if I should vote for the pending amendment today, even though I have complete sympathy for it, it may be misconstrued as being a defensive tactic on my part because I would not be able to match that sum of money.

So, for that reason, while I agree with the amendment in principle, I would have to oppose it for practical reasons.

Mr. PASTORE. Would it not satisfy the Senator's conscience if he just voted "present"?

Mr. MURPHY. I thank the Senator.

Mr. PEARSON. May I interject here that the amendment does not pertain to primary elections at all.

Mr. MATHIAS. Mr. President, the Senate owes a debt of gratitude to the distinguished Senator from Rhode Island (Mr. PASTORE) for the careful attention and the thoughtful work that has been done in bringing this legislation to the floor.

We have observed inflation in many fields of American life. We see it in the

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grocery stores. We see it in higher rents, in the cost of borrowing money, and so forth. But, perhaps inflation has been nowhere more dramatic than in the necessary job of conducting the critical campaigns upon which the Government and the democratic representatives of the Republic rest. The cost of campaigns, not alone to select public officials but are supposed to illuminate the issues and help to educate the public. It is not just a question of whether an individual member is chosen to discharge certain duties for a term of years, but it is also to let those men contending for jobs discuss the public issues in a way that the entire population can be involved and engaged in the business of government.

Yet, inflation, which has hit campaigns, has, I think, confronted us with the absolute necessity for some revisions in the ways we are going about the business of conducting political campaigns.

The impact of the mass media is something about which we can argue whether it is good, bad, or indifferent. But the fact is, they are with us. We have to deal with them pragmatically and as a fact of life. In dealing with the mass media we have to consider that we have two possibilities; namely, to reduce the rates of the time the mass media are available; or to make time available.

I think that these are the choices, to limit the expenditures of money and to limit the time. But whatever choices we make, we have to do something. The pending bill may not be the ultimate that could be achieved, but it is a step in the right direction.

I think the amendment is a reasonable amendment. I shall support both the amendment and the pending bill with a great deal of fervor.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island (Mr. Pastore).

Mr. GRIFFIN. Mr. President, I shall vote against this amendment with mixed feelings. The escalating cost of television exposure in political campaigns is a serious problem. But the same point can be made as to other forms of political advertising.

To limit expenditures for television in a campaign, without imposing realistic limits on other forms of advertising, merely penalizes one industry to the advantage of others.

I believe that realistic and enforcible overall ceilings on campaign spending in particular races can, and should, be imposed. But then a candidate should be able to decide how, and through which media, he may wish to advertise.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Rhode Island. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MURPHY (when his name was called). Present.

The rollcall was concluded.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Nevada (Mr. Bible), the Senator from Idaho (Mr. Church), the Senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Montana (Mr. Mansfield), the Senator from Minnesota (Mr. McCarthy), the Senator from Wisconsin (Mr. Nelson), the Senator from West Virginia (Mr. Randolph), and the Senator from Georgia (Mr. Russell) are necessarily absent.

I further announce that the Senator from Washington (Mr. Magnuson), and the Senator from Rhode Island (Mr. Pell) are absent on official business.

I further announce that, if present and voting, the Senator from West Virginia (Mr. Randolph), and the Senator from Connecticut (Mr. Dodd) would each vote "yea."

I further announce that, if present and voting, the Senator from Minnesota (Mr. McCarthy) would vote "nay."

Mr. GRIFFITH. I announce that the Senator from Utah (Mr. Bennett) is absent on official business as observer at the meeting of the Asian Development Bank in Korea.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

If present and voting, the Senator from Utah (Mr. Bennett) and the Senator from South Dakota (Mr. Mundt) would each vote "nay."

The result was announced—yeas 50, nays 35, as follows:

[No. 130 Leg.]

YEAS—50

Allen
Bayh
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Cooper
Cranston
Eagleton
Ellender
Fulbright
Goodell
Gore
Gravel
Harris
Hart
Hartke
Holland
Hollings
Hughes
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy
Long
Mathias
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Packwood
Pastore
Pearson
Proxmire
Ribicoff
Sparkman
Spong
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NAYS—35

Aiken
Allott
Baker
Bellmon
Boggs
Brooke
Cook
Cotton
Curtis
Dole
Dominick
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hatfield
Hruska
Jordan, Idaho
McClellan
Miller
Percy
Prouty
Saxbe
Schweiker
Scott
Smith, Maine
Smith, Ill.
Stennis
Stevens
Thurmond
Tower
Young, N. Dak.

ANSWERED "PRESENT"—1

Murphy

NOT VOTING—14

Anderson
Bennett
Bible
Church
Dodd
Eastland
Magnuson
Mansfield
McCarthy
Mundt
Nelson
Pell
Randolph
Russell

So Mr. Pastore's amendment was agreed to.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SPARKMAN and Mr. INOUYE moved to lay the motion to reconsider on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the amendment of the House to the bill (S. 3690) to increase the pay of Federal employees.

EQUAL-TIME REQUIREMENTS FOR CANDIDATES FOR PUBLIC OFFICE

The Senate continued with the consideration of the bill (S. 3637) to amend section 315 of the Communications Act of 1934 with respect to equal-time requirements for candidates for public office, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. PASTORE. Mr. President, on that question, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HART. Mr. President, very briefly, let me say that I think months ago no one would have anticipated that we would reach this point with a proposal so difficult and yet so important. I rise not to delay the Senate or my colleagues on the vote, but simply to express deep admiration to the Senator from Rhode Island (Mr. Pastore), who has, along with the Senator from Kansas (Mr. Pearson), managed to bring us to this moment, a very signficant one.

Those of us who were close to this proposal from the outset never permitted ourselves to believe it was possible. It would not have been possible if it had not been for the skill and understanding of the Senator from Rhode Island, and I congratulate him.

Mr. DOMINICK. Mr. President, I had not intended to speak on this matter at all, but in view of the fact that the amendment has passed, I think there might be things that are of interest to point out.

The Senator's amendment would limit the amount that any candidate could spend in a general election, but leave it wide open for a primary; so if you wanted to, you could spend a million dollars a vote in a primary election, but in a general election you could spend only 7 cents a vote. I find that very difficult to reconcile.

The second unfortunate thing about

this bill is that it has the earmarks of a congressional price control bill.

Congress is saying that it is going to regulate broadcasting rates. Congress has refrained from regulating rates on past occasions and has left that responsibility to regulatory agencies. We are incorporating ourselves as a special committee to take advantage of lower rates so that we can afford more TV, and at the same time are saying we cannot spend in excess of a certain amount. The net result is that we are regulating the advertising field, both in radio and television by placing an advertising ceiling on candidates and at the same time we are seeking to exercise a form of price control on the broadcasters.

Though, like everyone else, I would like to see the cost of campaigning reduced, for the reasons I have stated I find myself unable to support the bill.

Mr. PASTORE. If I may respond briefly to the statement of the Senator from Colorado, first, we did not include the primary for the simple reason that the primary is not included under the Corrupt Practices Act. I think in due time that should be taken care of as well; but I believe that to attempt to include the primary now would only confuse the issue.

Mr. DOMINICK. But I am correct, am I not?

Mr. PASTORE. I quite agree that in the future, even that should be taken into account.

As to the Senator's comment on the question of rates, that is not correct at all. All we are saying here is that in no instance shall a broadcaster charge any candidate, be it for the Presidency, for the Vice-Presidency, for the Senate, for the House of Representatives, for a governorship, or for any State or local office, even on a school board, more than the lowest unit charge they make to advertisers.

There is nothing wrong with that, for the simple reason that the public is entitled to have the issues and the candidates before it. If they are going to be permitted to raise these prices indiscriminately during election time, they can do it as a means to avoid political advertising. We simply provide that they cannot charge more than the lowest unit cost they have already instituted with reference to their commercial advertising.

Mr. DOMINICK. I am correct, am I not, that there is no limitation as to what you can spend in primaries, but there is in general elections, as far as this bill is concerned?

Mr. PASTORE. That is correct.

Mr. CURTIS. Mr. President, I should like to ask the distinguished Senator from Rhode Island a question. What enforcement provisions are there for this limitation on expenditures for advertising on the electronic media?

Mr. PASTORE. Section 501 of the Communications Act of 1932. Anyone who knowingly or otherwise violates any of the provisions of the Communications Act is subject to a fine not to exceed $10,000, or imprisonment for no more than 2 years, or both.

Mr. CURTIS. In that regard, the distinguished Senator's amendment also provides that the amount expended by other persons, associations, groups, or committees on behalf of such candidate on the electronic media shall not exceed the amount designated. I ask the Senator, who is to be punished, the candidate or the group that goes over the line, or the last group to make an expenditure, or what will be the procedure?

Mr. PASTORE. Mr. President, the candidate would be foolish if he allowed anyone to act in any way that would violate the law, so that he would jeopardize his seat in the Senate.

Mr. CURTIS. I inquire further, Is the candidate responsible, then, for holding other persons, associates, groups, or committees within the limitation here?

Mr. PASTORE. He is responsible, naturally, because he has to file with the Secretary of Senate; and, furthermore, the FCC will have access to logs, and we have already agreed to an amendment whereby they will institute regulations and have the broadcasters file with them.

It is the easiest thing in the world to detect. First of all, your best policemen is your opponent; and, second, it is a simple step to pick up the telephone and call up the FCC and have them interrogate the various television stations in your locality, and find out how much has been spent. They have to have a record of it. They have to log that, under the law.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. PASTORE. After I have yielded to the Senator from Nebraska.

Mr. CURTIS. I agree very much with the objective and purpose of this bill, as amended. I do not think it would work. Over a period of years, the Subcommittee on Privileges and Elections of the Committee on Rules and Administration has heard much testimony on how to limit campaign spending. It is most difficult. I think there are some things that could be done; perhaps the shortening of the campaign period, and there are other things, but dollars limits will not work.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The PRESIDING OFFICER (Mr. EAGLETON). The Senate will be in order, so that the Senator can be heard.

Mr. CURTIS. I do not believe there is an effective way and a fair way that you can hold the candidate responsible for all the broadcasting that takes place.

Suppose a group or association buys time for some other purpose, and they invite a candidate, because he is deemed newsworthy, to take part in it. In what category would that fall?

Mr. PASTORE. That falls under the category of the fairness doctrine. It is in the law. It has been substantiated by the Supreme Court.

Mr. CURTIS. Well, there are no guidelines for it.

Mr. PASTORE. It is in the basic law. The fairness doctrine is in the basic law. It was challenged by the networks and others and taken to the Supreme Court, and the Supreme Court upheld it.

I mean, you cannot take advantage of another individual by subterfuge of that kind, under the fairness doctrine. It is all basic law: the fairness doctrine.

Mr. CURTIS. Let me ask the Senator another question. Suppose someone is angry at a candidate; perhaps it may be an incumbent.

Mr. PASTORE. You do not have to suppose that. That usually happens.

Mr. CURTIS. Yes. Suppose he says, "I do not care who is elected, but I am going to tell what I think about candidate X," and he does not utter one word in behalf of any candidate, in his entire broadcast. Does that come within the limitation for the opponent of candidate X?

Mr. PASTORE. Say that again. If he does not mention the candidate, how could it?

Mr. CURTIS. No, he does not speak a word in behalf of any candidate. He spends all his time for the purpose of broadcasting against a candidate. Does such an expenditure come within the limitation?

Mr. PASTORE. No, that would come under the fairness doctrine. The person aggrieved could apply for opportunity to reply—of course—to answer the charges.

Mr. CURTIS. Even though the person answering had already spent up to his limit?

Mr. PASTORE. Yes. That is under another category entirely. That is the fairness doctrine.

Several Senators addressed the Chair.

Mr. PASTORE. I yield first to the minority leader.

Mr. SCOTT. Mr. President, would the Senator be good enough to clarify a situation where the candidates have budgeted their allocations for television within the limitations of this act, and then some other organization, not purporting to act on behalf of either candidate, undertakes, for the education of the public, to discuss the issues, and in the course of the discussion of the issues indicates quite clearly, although perhaps impliedly, that one of the issues is the defeat of one of the candidates, or the election of the other? Would the proliferation of such television programs be covered in the purview of this bill?

Mr. PASTORE. No, that would come under the fairness doctrine. You would have extra time that you could get under the fairness-doctrine rule, because it does not come within the purview of this bill.

Mr. SCOTT. Under the fairness-doctrine rule, if such organizations, well endowed with funds, were to continue to assault a candidate, and the candidate were not well endowed with funds, the application of the fairness rule is of no use to him, since he would have to pay for the time to answer; is that not correct?

Mr. PASTORE. Well, the other party has to pay for the time as well. But that exists today. There is nothing we can do about that, really. Those are facts of life. I cannot change the pattern of America.

Mr. SCOTT. But could a candidate not be driven into the ground by simply using up so much network time and the

XUM

expenditure of so much money that the person who is defending himself would be unable to raise that amount of money to defend himself?

Mr. PASTORE. Unless there would be a backlash. Unless there would be an aftermath. We have to realize that the American public is for a fair deal, and we love the underdog. If it is a matter knocking anybody the way the Senator is talking about, an attack by some of these groups who think they are going to destroy a person and his reputation and integrity, then the American people will respond in their own fashion.

Mr. SCOTT. It is usually the advocates of the underdog who are busy trying to destroy somebody.

Mr. PASTORE. We have that today. We have organizations that are conservative and we have organizations that are liberal. That is a continuous contest. This has gone on ad nauseam. We are trying to do something about it, but we get into censorship. Newspapers will write editorials about us, broadcasters will speak editorials about us. When one is in public life, he is subject to that sort of thing. The only thing one has for his protection is the fairness doctrine.

I think that any person or any group that starts out to malign a candidate through the medium, about which the Senator has asked a hypothetical question, such person will find they cannot buy that kind of time from a reputable broadcaster, because broadcasters will not stand for it. That is the actual reason why they have not been selling the time. The networks have not been selling the time to some of these groups—so much so that when the Democratic National Committee got in touch with me at one time saying they wanted to buy some time to put their case before the public, the answer has been generally "No" up to now. They do not sell time that way, for fear they will be approached by the fringe groups and the outside groups that actually get into the pamphlets and propaganda where they malign people.

After all, that is a fact of life that I cannot change and this bill cannot change and no one can change, because they campaign under the rule of censorship.

Mr. SCOTT. The Senator does agree that the situation I have postulated could happen?

Mr. PASTORE. Absolutely. It is happening today, and will happen whether this bill is passed or not.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. MURPHY. My distinguished colleague has asked a question about an infraction of the rule with respect to expenditures and the blame falling on the candidate. My colleague stated a case in which someone wanted to buy the time, break the rule, and attack the candidate, and this would be blamed on the candidate. Suppose somebody bought the time and spoke for the candidate, in order to bring the candidate under an infraction of the rule. This is possible.

Mr. PASTORE. The question is getting a little complicated.

Mr. MURPHY. This is a complicated matter.

Mr. PASTORE. If this group is acting with the acquiescence and consent of your opponent and that would be their only motive, that time perhaps could be charged to the opponent.

Mr. MURPHY. When do you prove this—during the campaign, afterward, the Saturday night before?

Mr. PASTORE. You prove it if your opponent should win and try to take his seat in Congress. Your colleagues will stand up——

Mr. MURPHY. This is after the election is over.

Mr. PASTORE. That is correct.

Mr. MURPHY. That is a very dangerous situation.

Mr. PASTORE. Will the Senator permit me to finish my statement?

You are subject to denial of your seat if you violate the law.

Mr. MURPHY. I understand that.

Mr. PASTORE. In your particular case, if your opponent is not involved and any group speaks against your candidacy or speaks against you, you have a perfect right, over and beyond what is in this bill, to ask for time under the fairness doctrine.

Mr. MURPHY. I said suppose he speaks for me. Suppose a group comes in and they find that I have already spent the permitted 7 cents a vote, and they buy extra time, and they do not attack me. They speak for me.

Mr. PASTORE. They cannot do it.

Mr. MURPHY. Let me finish.

Suppose someone says, "Wait a minute. This fellow broke the rule." Now there is a headline that says he broke the rule; he broke the rule of the good Senator from Rhode Island which has been laid down today. Now you go into litigation—there are charges and countercharges. By the time you have any proof one way or the other, the election is over, the damage has been done, and I do not know how it can be repaired.

This is a very complicated matter. I understand the situation, and I congratulate my distinguished colleague for trying to take it on and unravel it. But I am afraid that parts of this bill could react in ways that even he has not perceived. I am sure there are possible problems that I have not perceived.

Mr. PASTORE. If we sit around long enough, we can even stir up a nightmare. The point is that in your particular case——

Mr. MURPHY. I wish the Senator would not refer to my particular case. I stated that earlier.

Mr. PASTORE. All right; in the case that the Senator has cited.

Mr. MURPHY. Yes.

Mr. PASTORE. We have already adopted an amendment here that the FCC must make rules and regulations and a broadcaster must keep a log. While all this is going on, the Senator still has it within his right to pick up the phone and have the FCC make an investigation, even while the campaign is going on.

Mr. MURPHY. I am not sure that would be possible. In a State as large as California, this would be a matter of pretty extensive bookkeeping. I doubt very much whether the FCC could provide that figure. In my 5 years' experience as a Senator, I doubt if one could get the figure in perhaps 6 months; by which time it would be way too late.

Mr. PASTORE. This is a very simple matter, written very simply, to do one thing. We are saying here that insofar as the campaign is concerned, no candidate or no group on his behalf can spend more than 7 cents multiplied by the number of votes at the last election. The reason for that is to bring this whole, scandalous thing into a good, sensible context. That is the only reason.

I suppose we could imagine many situations in which possibly this would not be a perfect law. I do not think a perfect law has ever been written. Perhaps experience will lead us out of the darkness. The fact remains that this is a simple procedure, and we ought to give it a chance to work. If this does not work, I do not know what we can do to bring these expenses into proper gage.

Mr. MURPHY. I agree with the Senator that this is a most noteworthy attempt. My concern is that this is such a complicated field, that I wonder whether it can be handled properly by such a simple approach. Generally, I am in favor of a simple approach, so that everybody can understand it. But as I consider this present problem, I see more and more possibilities of complexities being injected which disturb me greatly.

I thank my distinguished colleague for his response. I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. COOK. Mr. President, I should like to associate myself with the original remarks of the Senator from Colorado, and say that the Senator from Rhode Island said that he did not think he could change the pattern of American politics.

Mr. PASTORE. I did not say that. I said "American life." I am changing the pattern of American politics with this bill. But the idea that a man can say what he thinks and think what he likes—I cannot change that.

Mr. COOK. Does the Senator from Kentucky have the floor, Mr. President?

The PRESIDING OFFICER. He does.

Mr. COOK. Mr. President, I think we ought to call this what it really is. I think we are changing the pattern of American life, and I think we are changing the pattern of American politics; because I think we could call this an incumbent's bill. I think it is obvious when we look at the far side of the aisle to see that only three members of the opposite party voted against this amendment.

I merely want to say that I do not really think it is scandalous, as the Senator from Rhode Island said, because this merely says that you can spend on one medium only 7 cents per voter who voted in the last election. That merely means that you can go to the same contributors and be a captive of the same facilities and say, "This time you only have to give us less," or, "We will need more for pamphlets, more for automobiles, more for everything." But we can only spend so much on television.

I can only say that I honestly and truly believe that by saying that you are going to adopt an amendment, as the Senator from California said, in which your recourse is to call the Federal Communications Commission and say, "How much time has my candidate in my State used?" the election is going to be over before you find out.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. COOK. I yield.

Mr. TOWER. Would the Senator from Kentucky like to speculate on why State officeholders were not included in this particular provision? It seems to me that it should apply to Governors, attorneys general, land commissioners, and what have you.

I note a very fortuitous circumstance here, and it is that the Republicans seem to be in the incumbency in State governments throughout the country and the Democrats seem to be in incumbency in Congress. I am sure it is purely fortuitous, but I wonder whether the Senator from Kentucky would like to speculate on that.

Mr. PASTORE. I can answer that question.

Mr. COOK. I would rather have the Senator from Rhode Island answer that.

Mr. PASTORE. We considered that fact. I was for putting the whole State ticket on it, but on second thought, we wrote it in our report and thought we were getting into State's rights.

The last man in the world that would want to do that would be the Senator from Texas. We did not want to get into States rights.

Mr. TOWER. If the Senator will yield further, the Federal Government has the power to regulate communications media, so it can also regulate State offices for State use, as well as national use.

Mr. PASTORE. Not under the Corrupt Practices Act. Each State does its own. But we write in the report that we would seriously recommend the States pass comparable laws. We say that in the report.

Mr. COOK. A great deal has been said in the report that the Republican Party in the last election spent more money than did the Democratic Party on the media. I would suggest that the party out of power does not have the advantage of the political party in power and has to spend as much. But I would suggest that the report did suggest, and in debates on this floor, that 4 years ago the party in power spent twice as much money as the party out of power.

Mr. PASTORE. I said that.

Mr. COOK. I can only say that I again associate myself with the remarks of the Senator from Colorado. I could have voted for this without the amendment, but because of the terms of the amendment, I cannot vote for it.

Mr. BAKER. Mr. President, will the Senator from Kentucky yield?

Mr. COOK. I yield.

Mr. BAKER. I wonder if the Senator from Kentucky knows any other example of a situation where the Federal Congress has attempted to establish the dollar rate for any TV time for any purpose.

Mr. COOK. Under no circumstance.

Mr. BAKER. I might ask the Senator from Kentucky further if this might be the first example of a situation where the Federal Government, in this case the legislative branch, has called the networks of the local stations on the carpet and told them how they should perform in a political manner?

Mr. COOK. One of the things which disturbs me about the amendment is that it will federalize the communications system in this country, to which I have serious objection.

Mr. BAKER. I might say to my colleague from Kentucky that he knows of the criticism of the Vice President of the United States for his remarks in connection with news coverage and other matters concerning television performance. He knows that there was nothing in what the Vice President said that there should be statutory regulation, or the apportionment of time, or anything like that; is that not correct?

Mr. COOK. So much so that there were some Members of this Senate who filled up the CONGRESSIONAL RECORD with their comments criticizing the Vice President's statements.

Mr. FONG. Mr. President, will the Senator from Kentucky yield?

Mr. COOK. I yield.

Mr. FONG. As I read the amendment, it states that we can expend only $20,000 for the candidate but we can spend millions of dollars against him. Is that correct?

Mr. COOK. That is correct.

Mr. PASTORE. No.

Mr. COOK. Unless, under the fairness doctrine, the candidate can impose a restriction under the fairness doctrine.

Mr. FONG. It says here:

> The total of (1) the amounts expended on the electronic media by any legally qualified candidate for the office of President or Vice President of the United States . . .

And then it says:

> (2) the amounts expended by other persons, associations, groups, or committees on behalf of such candidate.

So it means that we are limited to a small amount in behalf of a candidate, but we can expend any amount of money against him; is that not correct?

Mr. COOK. That is really not true, because under the fairness doctrine, we can really register a complaint on this; but it would mean that the Senator from Kentucky, say, would have to have the stations monitored at Chattanooga, Tenn.; Bristol, Tenn.; Huntington and Charleston, W. Va.; Cincinnati, Ohio; Cape Girard; Evansville, Ind.; Nashville, Tenn., to see to it that someone did not go on television not in favor of a candidate but against me as a candidate, and therefore I would have to have monitored all those TV stations, or have someone designated to monitor them, so that I could file a complaint with the FCC under the fairness doctrine.

Mr. FONG. Suppose we have a situation like that in New York, where there is a conservative party candidate, there is a liberal party candidate, and there are candidates of the national parties. Suppose the liberal party does not only want their own candidate, or suppose the conservative party does not only want their own candidate, but the conservative or the liberal party may want to help a member of the Democratic Party. They could expend any amount of money attacking a member of the Republican Party, could they not?

Mr. COOK. They would not even have to spend an unlimited amount. They could spend all the money authorized under the bill, not on behalf of their own candidate but against a candidate of another party. This would operate to favor the candidate of a party that they would like to see win, if their candidate could not.

Mr. FONG. Under the bill, if they were fighting a candidate, they could expend this amount of money against him, but all groups helping a candidate could only spend up to $20,000, or 7 cents per vote, in his behalf, is that not correct?

Mr. COOK. Mr. President (Mr. BELLMON), I say to the Senator that I am not sure they could spend any amount of money, but I must say that where one would have to have a scorecard to keep account of a candidate, that would be difficult to do.

Mr. FONG. It would be very difficult to enforce.

Mr. COOK. It would.

Mr. SCOTT. Mr. President, I think it is unfortunate that the amendment is in the bill. The amendment has been added to the bill. This would be a desirable bill and as such should be passed with the greatest possible majority, but I know now that that is not going to happen, I suspect, because of the addition of this amendment which may not be workable and seems, as I see it, to be unfair to some of the potential candidates.

It seems to be an amendment which, it has been pointed out, penalizes the nonincumbent but goes further than that and limits what candidates may spend and yet permits unlimited expenditures by anyone who has it in for a candidate, unless a candidate can protect himself, as the Senator from Kentucky has said, by monitoring every station in his State and adjoining States.

I have been supporting the bill without the amendment. At the moment, I must say that I am uncertain as to what I will do, because I do not think that this amendment is one which is designed entirely in the national interest but may, perhaps, be geared toward the difficulties of certain individual candidates.

Mr. COOK. I could not agree more with the Senator. I would add that I think that, in all we have been discussing, the most damaging part of the amendment in the bill as it now is, is that it will be considered throughout the country as an incumbent's bill.

Mr. President, I yield the floor.

Mr. COTTON. Mr. President, I will not detain the Senate more than 2 or 3 minutes.

We considered the bill in executive sessions of the Committee on Commerce with some care. I want to say here and now that I think the committee is, and the Senate should be, grateful to the distinguished Senator from Rhode Island, who has for the past number of years sincerely, objectively, and honestly worked to try, in his capacity as chairman of the Communications Subcom-

XUM

mittee of the Committee on Commerce, to improve and perfect, insofar as is humanly possible, the laws relating to the use of the electronic media for political as well as other purposes.

No one on the Committee on Commerce, I can assure the Senate, would attribute to the Senator from Rhode Island any motive other than the desire for good legislation.

In the committee, however, it was the position of the Senator from New Hampshire that he could and would support the bill as it was reported to the Senate. However, he could not approve of any of the amendments that were then offered, including the amendment of the Senator from Rhode Island for a limitation. I therefore regret to say, reluctantly, that I cannot vote for final passage of the bill with this amendment included in it.

It is almost impossible to devise a control of this type that does not create more problems than it will solve.

In the first place, there was a good deal of discussion by members of the Committee on Commerce who wanted to put a limit on campaign expenditures in the field of television, as to the kind of limit, whether it should be a dollar limit, or whether it should be a time limit on the number of hours that a candidate would be allowed to purchase and use on television. There was a good reason for the considerable discussion of a limitation. The candidates of various States cannot buy television time at the same rate.

There are States like my own—and I could name some others—where one cannot secure adequate coverage unless he goes into a large city in another State and covers a whole group of States. Often, it is the only way a candidate can reach the people of his own State.

This means that candidates in such a situation have to pay much more per hour or per minute for their coverage. So when we fix a monetary limitation, we are creating a situation in itself that is unjust.

In the second place, we are just pushing the money from the television and radio media into newspaper advertising and direct mailing.

The Senator from Rhode Island said only a few minutes ago that we could depend upon reputable broadcasters to help administer the fairness doctrine and to refuse advertising by every Tom, Dick, and Harry, or by organizations such as COPE and others that have an interest in political matters.

If Congress proceeds to put a limit on the amount that candidates can spend on television and leaves them free—with the exception of some other restriction the States may impose—to spend all they want on newspaper advertising and direct mailing, then I doubt if we will find a continued enthusiasm on the part of the broadcasting stations to help us administer the fairness doctrine.

I can conceive of a situation in which an organization under the guise of educating the public can go ahead and talk about issues and then say, "Ask your candidates how they stand on these issues."

Everyone knows there is a candidate in the State who is a labor candidate and a candidate who is opposed by labor. Everyone knows perfectly well how those candidates stand on the issues.

An organization or a group could use all kinds of time and not mention a candidate's name. Of course, we get at the very root of the thing, as the Senator from Kentucky (Mr. COOK) did a moment ago in one sentence, when we say, "This is a provision for incumbents."

A person who is an incumbent and whose name is known has all the advantage of writing newsletters and other constant communication with constituents through the years. He has a tremendous advantage. When we put the same ceiling on a comparatively unknown person who does not have these advantages, it cannot be fair.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. COTTON. Mr. President, I yield to the Senator from Arizona.

Mr. FANNIN. Mr. President, I ask the Senator from New Hampshire if there is the same freedom available for purchasing television time as there would be if we were to have a differential rate. In other words, many times programs are scheduled months and months ahead. But if there is a political campaign coming up, those programs are not scheduled ahead for a great length of time. What effect does the Senator think that would have?

Mr. COTTON. Mr. President, the Senator from Arizona is talking about a feature that is covered in the bill as originally reported by the committee and is not the amendment.

The bill which the committee unanimously agreed to did provide that political candidates should be charged the lowest rate for the same type of time that is charged commercial users of the media.

Certainly, this may dampen some of the enthusiasm of stations to sell time. But, I doubt if it would have very much effect. As a matter of fact, anyone who has ever run for public office and used television as a form of political advertising knows that he has to be very, very careful that he does not push some program off the air that a lot of his people like to listen to.

The candidate who knocks off the air the climax of Gunsmoke is liable to lose more votes for the money he has spent than he gains.

My own feeling is that the bill as reported with the suspension of section 315 and with the provision to give political candidates the same rates as commercial advertisers is a fair bill.

Mr. FANNIN. Mr. President, the distinguished Senator from New Hampshire mentioned COPE. Does the Senator feel that COPE will have any advantage over any other advertisers through the provisions of this bill? They do have in so many other areas. I wonder if the same control will apply to them that applies to other organizations.

Mr. COTTON. Mr. President, I do not know how much advertising COPE does throughout the years when campaigns are not in progress. I would not think that they would have any undue advantage in the securing of time under the bill.

I would think, however, that the pending bill with the amendment which curtails the amount of time that the candidates or their committees can buy and pay for would leave a hiatus on the air which might cause the broadcasters to have more time to sell, not just to COPE, but also to other organizations—the U.S. Chamber of Commerce or any of these organizations. I mention these organizations only by way of example.

It is a situation that involves what is workable.

I think that to that extent it would give these supposedly nonpolitical organizations who are engaged in what they call educating the public more time at their disposal when we cut out the time or reduce the time that candidates can buy.

During the 24 years I have served in Congress, this problem has come up again and again, and I have come to the firm conviction that we can pass laws until the statute books are bulging with them. But, the only way that we are ever going to effectively deal with campaign expenditures is to provide—and we certainly can do this in all Federal elections—for a thorough, complete accounting at various stages during the campaign—not after the election, in order to provide an accounting by candidates for every cent they have spent in their behalf. If that is publicized, then the people will know who is contributing the money. Then, the candidate who does not have the advantage of being wealthy has the opportunity to take his case to his people and say, "My opponent has spent so many millions of dollars, and we cannot meet him dollar for dollar." It would be the most effective way to control expenditures.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. PASTORE. I agree with everything the Senator has said, but the Senator will admit that our committee had jurisdiction only over the electronic media. I hope that once the bill is passed and signed by the President, in whatever form it may come out, this will be a first step and that we cure in time all the other abuses of which the Senator speaks. I think that should be a first step.

We have achieved one thing in this bill which does not exist under the law. Today independent committees do not have to report to the Secretary of the Senate, but under this bill all groups and individuals that act in behalf of a candidate are subject to the limitations of the amendment.

If one is against this bill he should vote against it; but I think it provides a simple solution to a serious problem. I know that one can conjure up situations and examples. This group, not to mention any names, is going to talk against the candidate. If that is going on today it will go on tomorrow and it will go on after the bill is passed. I have not seen too much of that and the idea that this group is going to act as a subterfuge does not seem to be the case to me.

Mr. COTTON. I agree with the Sena-

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tor that our committee could not report a bill to handle the whole situation. It also is true that this bill affects only the electronic media. But, I do not agree with the Senator on his other statement because as far as this Senator is concerned I am not conjuring up the situation where people spend money to educate the public and thereby having an indirect political impact. We are not imagining a single thing, and I must disagree with what the Senator from Rhode Island says. We are not conjuring up anything imaginary when we say the real fact is that this amendment has to militate for the incumbent and against the person running against the incumbent.

Mr. TOWER. Mr. President, will the Senator yield at that point?

Mr. COTTON. I yield.

Mr. TOWER. Is there not a committee in the Senate that would be competent to deal with campaign practices and procedures on a comprehensive basis, to include all media?

Mr. COTTON. Yes, of course.

Mr. TOWER. Why can we not submit comprehensive legislation to that committee for consideration rather than attacking the problem piecemeal?

Mr. PASTORE. The Senator from Delaware has been attempting to do that for 15 years and has not been successful.

Mr. TOWER. Why not?

Mr. PASTORE. This is the first time we have had a successful vote on this question. I refer to the vote this afternoon. I think a part of the people who voted for that amendment were a little bit stunnned by the outcome, and this has become a prolonged discussion.

Mr. TOWER. I would suggest why it was a successful vote. I might answer why State officeholders were not included. The answer was given. It was a question of States rights; and yet the committee in the revision of section 315 (b) did not seem to be inhibited by States rights when it said "any person who is a legally qualified candidate for any public office." Let us be consistent according to the McCarthy rule for 30 minutes anyway.

Mr. COTTON. Mr. President, all the Senator from New Hampshire wishes to say in closing is I think the bill as we reported it from committee was a good bill. It did two very important things, both of which are very desirable.

I am sorry I cannot agree with my friend from Rhode Island, whom I respect greatly, and my friend from Kansas, who sits on my side of the aisle, and for whom I also have the greatest respect. I cannot agree with this amendment. I think it is a dangerous amendment. In my case, it is not a matter of pique because of the vote on the amendment. I took the same position in committee that I did not and would not support the bill with this amendment. That was my position in committee. It is my position now.

I yield the floor.

Mr. DOMINICK. Mr. President, I wish to ask several questions of the Senator from Rhode Island. Before I do that, I want to make sure the colloquy in the RECORD will reflect the facts.

Do I understand the amendment to provide an overall limitation on the amount that can be expended on electronic media by all groups working on behalf of the candidate and the candidate himself, or does each group have that amount to spend?

Mr. PASTORE. No. It is the aggregate.

Mr. DOMINICK. The aggregate. Assuming that the amendment formula allowed $30,000 to be spent on the campaign and the candidate decided he is going to spend $15,000 for spot announcements and everything else. Who has the responsibility to determine what the other groups can or cannot spend, whether it be $15,000, $20,000, $25,000, or $30,000?

Mr. PASTORE. Has the Senator from Colorado ever had a group working in his behalf yet he did not know what they were doing? Of course, it is his responsibility.

Mr. DOMINICK. I have been working in my behalf most of the time.

Mr. PASTORE. Of course, in your case maybe you have been working yourself. But if there is a committee, like Friends of Senator DOMINICK——

Mr. DOMINICK. I hope there will be some.

Mr. PASTORE. Or it might be friends of Senator PASTORE. Of course, there is consultation there. Not only that, but also a smart candidate would pick out a campaign manager in this regard to make sure that the law was lived up to. I am not trying to create a scandal here; I am trying to avoid one. I am trying to avoid an abuse; not create one.

Mr. DOMINICK. I understand the motives of the Senator. My questions are designed to clear up the record with respect to what we are talking about because the bill does not specifically say in an aggregate; nor does the bill say all amounts have to be included in this one formula by all groups.

I could foresee a situation where a Senator from an industrial State could get support from unions, from the American Medical Association, the chamber of commerce, or whomever it may be. The candidate will find himself in a position where he is going to be responsible for what various supporting groups do and be responsible under the language of the bill.

Having said that and having pointed out the inconsistencies on having a limitation on a general election but not on a primary election, and also having pointed out that this is the first time that Congress, as far as I know, has ever approved any price ceilings, on a particular form of communication except in time of emergency; I conclude that we are going far beyond the scope of anything Congress has proposed before. Additionally the bill does not put electronic communications in an all-encompassing form where we will take into account other forms of communications at the same time.

Does the Senator have any comment on that?

Mr. PASTORE. My comment is that I think the Senator has been misled. The joining word is "and." It is clear. It means in the aggregate. There is no question about that. I think this is a very simple way to police it. I do not see the difficulty that has been stated on the other side of the aisle this afternoon. I must say that the Senator from Kansas (Mr. PEARSON) and I have struggled over this matter for weeks, weeks, and weeks. We heard all parties in interest and the matter was debated for our committee in executive session.

The only reason we did not agree on this in committee is that the Senator from Kansas thought we should limit the amount of time. I thought that would be very impractical. It should be the amount of money to be spent. On that we agreed.

I had proposed an amendment which provided for the computation of 5 cents multiplied by the number of votes cast in the election. He suggested it should be higher than that. We agreed on 7 cents and we cosponsored the amendment together.

I will say to my distinguished colleagues that if it does not work out as we intended, we can always move to repeal it. But I think it would be a sad day in the history of the Senate if we swept the whole thing under the carpet at the present time simply because some people think it is going to create more problems than it cures. I cannot go along with that. If I thought that way, I would not have given 10 minutes of my time to this measure.

This bill does not mean anything to me. I do not expect to spend more than $20,000 for my campaign; I do not care who runs against me. If I cannot do it with $20,000 in my State, I do not deserve to come back.

Mr. DOMINICK. Mr. President, I have heard very little question of the motives of the Senator from Rhode Island, and I do not think any Senator even begins to question them. I think what he has been saying here is that elections are too expensive; let us cut them down.

Before I sit down, let me say that what we are doing here is taking jurisdiction of a subject which, prior to this time, has been handled by other committees in Congress. As I understand it, one of those committees is the Subcommittee on Privileges and Elections. The other committee that has considered this question in the past is the Committee on Finance. Here we remove from Commerce Committee consideration only one form of news media. Further we are dealing only with general elections, not primaries. Further yet we are setting the rates as to what can or cannot be charged by one particular form of media.

It just strikes me that this bill, with the amendment in it, has not really taken hold of the crux of the various problems involved and the bill really has not had the exploration it needs in order to avoid those enumerated problems.

As I said at the beginning, the debate has simply further convinced me that I shall vote against the bill.

Mr. DOLE. Mr. President, will the Senator from Rhode Island respond to a question

I want to ask one quick question of the chairman. Does this proposal affect the fairness doctrine at all?

Mr. PASTORE. Oh, no.

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Mr. DOLE. This is merely a limitation on what may be spent.

What concerns me, not as an incumbent, but what would concern a nonincumbent, is this: How does it affect an incumbent, who may be a committee chairman, or the ranking minority member, who appears on the "Tonight" show or "Today" show, or "Meet the Press," "CBS Morning News," and so forth, before an election? Can his opponent demand equal time of NBC, ABC, or CBS?

Mr. PASTORE. The fairness doctrine applies unless it is a news documentation. We wrote into section 315 deliberately that that type of program does not come under the spirit of section 315 on equal time. That is not purchased time. We are talking about purchased time here. That is free time. Any time any broadcaster gives me time free, my opponent is entitled to the same time.

Mr. DOLE. Does that include the "Today" show or "CBS News," "Meet the Press," and others?

Mr. PASTORE. That is a news interview program. It is the same thing the Senator would do when he walked out of here and was interviewed and talked into a little box. The Senator could have an opponent, but that would not give his opponent equal time, because he is speaking on news time.

Mr. DOLE. They are not even interviewing proponents of Carswell on the networks yet.

Mr. PASTORE. The opponents can say they should have equal time.

Mr. DOLE. But the networks are inclined to have on their programs only those with a certain point of view, and very often the nonincumbent, or even the incumbent, has the wrong viewpoint from the standpoint of the network.

Mr. PASTORE. That is the Agnew theory. Some people agree with that theory. Some people say the news is too shaded. Some say it is too one-sided. I hope we do not discuss that on the floor.

Mr. DOLE. How do we correct that?

Mr. PASTORE. I do not think we can, because, under our Constitution, every man has a right to say what he thinks. That is America.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. DOLE. I yield.

Mr. COTTON. The Senator has brought out again, in a nutshell, the difficulty of this amendment. The name of every Senator on this floor, except those who have come in by appointment very recently, is known throughout his State. Most of them have for years been sending out newsletters and other communications.

When it comes to a campaign, every Senator has a staff, and it is no longer a strict staff. It is exempted from the Hatch Act, so he can use his staff in his campaign. Every Senator has a certain allowance for trips back to his State.

I do not say they are wrong, but there are all kinds of built-in advantages for the incumbent in office.

By this amendment the Senator is building in another inequality, because the opponent, who has not acquired through the years—and much of it with the use of a frank—this name, this reputation, all these advantages, and does not have a staff at his disposal, has to start from scratch and present his case and his name. He has another handicap in addition to all the handicaps he already has.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. COTTON. The fact that this year there may be many more incumbents on one side of the aisle running for reelection than on the other side of the aisle may be the reverse in 2 years. So I am not talking about party politics. I am talking about facts. The fact is that this amendment, although intended to be most fair, has another built-in advantage for the incumbent.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DOLE. I yield to the Senator from Rhode Island.

Mr. PASTORE. The Senator makes a good point, but he must admit, too, that if we were shutting out the opponent with a very, very small amount of money, he would have a good, logical argument; but the amount we are allocating to him is rather adequate.

On the question that the incumbent is well known, we must realize that a man can be known for bad as well as good. I admit that Robert Taft would have been the nominee for President of the United States if he had not taken a position on many controversial subjects as he sat in this chair. So a Senator may have an advantage if he is a good Senator and what he has said is right; but if he is not, his exposure may work against him.

The idea that a Senator works up a good reputation by sending out newsletters depends on his sending out good letters. If he sends out a good newsletter, he makes friends. If he sends out a bad newsletter, he makes enemies. Many Senators send out newsletters.

Mr. COTTON. But even if it is a bad newsletter, it has his name and picture on it. Every time he sends out a newsletter, his name and face are before the public. It counts for something, even though some of us are very homely.

Mr. PASTORE. But it may make it easier for them to vote against you, as they come to know who you are.

Mr. DOLE. Mr. President, the point I make is that we make it more difficult for the nonincumbent, because sooner or later, incumbents might participate on the CBS morning show, or the NBC program, despite their point of view. It is unlikely, but there is a remote chance it could happen.

Mr. PASTORE. That is right.

Mr. DOLE. But for the nonincumbent, who is not a Member of this august body, it would cost him $20,000 for time equivalent to such a program.

This is another disadvantage, then, to the nonincumbent. I am not certain whether this gets into the Agnew theory. But when we are talking about equality—and that is the thrust of the amendment, then everyone should have the same right, and should not have to spend a fortune—how does a man running for office for the first time catch his opponent who has just been on the CBS morning show, "Face the Nation," "Meet the Press," or any other program since the "fairness doctrine" does not apply.

Mr. PASTORE. No one can answer that question. I can say the same thing as the majority leader, and it is likely he will be on the front page and I will be on page 32. I mean, you walk outside the door here, and whom do they ask for, to interview?

Mr. DOLE. But this proposal restricts a man who does not have the opportunity?

Mr. PASTORE. There are members of this body who have not appeared on "Meet the Press" or "Face the Nation," and I think they are just as good Senators as others who have appeared on those programs. For some reason, some have not made it. I cannot change that. That is the American way of life I am talking about. I hope the Senator does not hold me responsible for that.

Mr. DOLE. No; I do not hold the Senator responsible for that, but say it is part of the problem, and if the fairness doctrine does not apply, we further inhibit the poor opponent who can only expend $20,000 from being elected to any office.

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the Record an editorial entitled "Campaign Costs," published in the Providence Journal of Monday, April 13, 1970, and an editorial entitled "Pastore's TV Spending Bill Better," published in the Charlotte Observer of March 19, 1970.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Providence Journal, Apr. 13, 1970]

Campaign Costs

The high and rising costs of political campaigning by radio and television—particularly television—is a matter of growing concern to Americans. Sen. John O. Pastore well voiced that concern the other day when he said spending on races for Congress, the vice presidency, and the presidency "reach the point of scandalizing the American political scene." The senator's own Draconian answer to the problem, however, got little support in the Senate's Committee on Commerce.

The senator long has been involved in the use of radio and television for campaigning, particularly for the two top offices in the country. In a resolution he filed last month, he argued for relief of the "equal time" provision affecting candidates for the presidency and vice presidency. He also proposed that charges for use of any broadcasting station by any legally qualified candidate for any public office ought not to exceed the "lowest unit charge" of the station for any time period.

But Mr. Pastore went farther. He suggested quite seriously that the total amounts spent on electronic media for any legally qualified candidate for the presidency, the vice presidency, the Senate, the House, or a governorship ought to be restricted to sums not exceeding five cents for each vote cast in the last elections for such offices. Mr. Pastore wanted to control amounts spent by the candidates themselves and by other individuals and groups in their behalf.

Translated into meaningful figures, the Pastore proposal would have fixed a limit in the next national elections of about 3.7 million dollars for each of the candidates for the presidency of the two major parties. This small sum is in contrast to reported spending in 1968 of 12.6 million by President Nixon and 7.1 million by Hubert Humphrey. In

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Rhode Island less than $20,000 could be spent on electronic campaigning by candidates for the federal Senate, House, and governorship.

Mr. Pastore's attempt to peg controls at a "nickel a voter" was bold, but the Commerce Committee apparently felt that it was so tight that it never would get by the Senate on a floor vote. His two major proposals on equal time and station charges alone came out of the committee as a bill for the hopper late last month.

But the senator knows that substantial changes frequently take years to accomplish. By raising the concept of a control, he has contributed to debate that must lead in time to the imposition of regulations on campaign spending not only for the major offices he aimed at but for other offices as well at state and local levels. Uncontrolled spending more and more makes it possible to "sell" images with victory going to the man or woman with the fattest checkbook and not necessarily to the best qualified candidate.

If a "nickel a vote" is too big a step to take now, perhaps it would be possible to make a start, at least, with a somewhat higher figure. As experience in operation of the controls developed, it might be possible to win support for further cuts. Mr. Pastore may not have all the answers on the problem of campaign spending, but he has offered one that warrants serious consideration.

[From the Charlotte Observer, Mar. 11, 1970]

Pastore's TV Spending Bill Better

Sen. John Pastore has offered a legislative package that should revive congressional interest in reasonable controls on television's role in major political campaigns.

The Rhode Island senator is a powerful figure in shaping legislation in the broadcast field. The mere fact that Pastore is behind these proposals means they will get serious consideration.

More important, what Pastore proposes is a comprehensive improvement on any plan that has had a fighting chance of congressional approval up to now.

Legislation considered last year, for example, had the limited aim of providing all candidates with a minimum of television exposure. The Pastore package goes beyond that.

It would not only require discount television rates for candidates (one-fourth off) during the four weeks immediately preceding an election. It would set a limit on what a well-heeled candidate could spend for television—the equivalent of five cents for each vote cast in the last election for the office he seeks.

Pastore would also suspend the "equal time" regulation created by the Federal Communications Act. Thus the industry itself could give significant candidates coverage that has been next to impossible where splinter party nominees or fringe candidates crowded the field.

The industry will hardly be thrilled at the prospect of Congress setting discount rates or putting limits on spending for individual candidates. Yet it cannot deny either the impact of its messages or political campaigns or the problems this impact creates.

The health of the political system may depend on clear, reasonable controls beyond the discount for candidates in the last weeks before an election. A discount alone won't stop a candidate with limitless funds for TV time from dominating a television-oriented campaign. In fact, a discount alone would simply increase what he could do with his money.

Sen. Pastore isn't stigmatizing television as a source of evil in the political process. He is simply facing the fact that its role is too important to be left to chance or manipulation. He has proposed the best plan yet for keeping it in check.

Mr. PASTORE. I read the concluding paragraph of the editorial published in the Charlotte Observer:

> Sen. Pastore isn't stigmatizing television as a source of evil in the political process. He is simply facing the fact that its role is too important to be left to chance or manipulation. He has proposed the best plan yet for keeping it in check.

Mr. ALLEN. Mr. President, I believe there was general agreement with respect to the bill, S. 3637, in that it would allow a political advertiser to enjoy the same rate as is paid by commercial advertisers for the same amount of time in the same time period.

Apparently there is not the same unanimity of opinion with respect to the amendment. The amendment has been agreed to. A motion to reconsider has been laid upon the table, so that the amendment has been frozen into the bill, and the only way to reach the amendment and get back to the original bill—which I believe the Senate would quickly adopt, practically unanimously—would be to move to recommit the bill.

The bill has very little application, it occurs to me, in my own State of Alabama, because it does not seek to cover primary elections, and I point out that primary elections in the State of Alabama still have the force and effect of deciding the question in November.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. ALLEN. I yield.

Mr. TOWER. Is the Senator willing to make an exception for three of his distinguished colleagues in the House of Representatives from his State?

Mr. ALLEN. I am talking about primary elections. They do not run at large in my State.

Mr. TOWER. I understand that. They did at one time.

Mr. ALLEN. Yes. They went in with the Goldwater sweep, and I might state to the Senator from Texas that they have given general satisfaction in their respective congressional districts and throughout the State of Alabama. They are three very fine Republican Representatives.

Mr. COOK. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. COOK. Are there not a number of other States in the United States where election in the primary election is tantamount to absolute election, and the general election becomes secondary?

Mr. ALLEN. Yes; both Republican and Democratic.

Mr. TOWER. That would be true in the State of Rhode Island also; would it not?

Mr. PASTORE. Yes. That is quite a State, the State of Rhode Island.

Mr. TOWER. But as long as a Republican candidate was opposed by our present distinguished colleague, it is doubtful whether he could ever be elected.

Mr. PASTORE. The Senator's State and my State have many things in common, though his is at least twice the size of mine.

Mr. ALLEN. Mr. President, I move that the bill be recommitted, and I ask for the yeas and nays on the motion.

The yeas and nays were ordered.

Mr. GRIFFIN. Mr. President, if I may I should like to ask the distinguished chairman of the subcommittee, the sponsor of the pending amendment, a question or two.

As I understand it, under a modification of his amendment, the stations must keep records. Is there any liability on the part of the stations to try to keep track of how much is spent in behalf of a candidate, or anything of that kind? This penalty does not go to the station, as I understand; it goes to the candidate, is that correct?

Mr. PASTORE. Under the law, this becomes a part of the Communications Act of 1934, and there is a general penalty in the act itself.

Mr. GRIFFIN. I am trying to find out to whom that penalty would be applied.

Mr. PASTORE. It might be applied to the candidate, or it might be applied to the station. If a station deliberately sold more time than the candidate is eligible to buy, it would be responsible as well. But I think the primary responsibility would tend to be on the candidate. I think the candidate should always be responsible for the amount of money spent by him or anyone else in his behalf to win a seat in the Senate. I do not think we ought to begin policing the broadcasting industry; we ought to begin policing ourselves.

Mr. GRIFFIN. If others than the candidate may be held responsible; namely, the station, I think the answer to this next question, which I cannot get from the language itself, becomes very important. That is, when does the accumulation begin? When does the limit begin, at what time? I understand it does not apply to a person who is a primary candidate. The bill does not talk about 5 weeks before the election; it does not talk about any particular number of weeks or months. When do you have to start keeping track?

Mr. PASTORE. When you become a legally qualified candidate. When you become a qualified, legal candidate. It is as simple as that. I mean there is no problem there.

Mr. GRIFFIN. If you become a candidate, and your State has a provision for a primary election, but you have no primary opponent, and you can concentrate your attacks on the other party, do you start adding it up at that point?

Mr. PASTORE. Oh, no.

Mr. GRIFFIN. Or do you wait until after the primary?

Mr. PASTORE. Let me get this straight. You say you do not have a primary?

Mr. GRIFFIN. There is a provision for a primary, but you do not have a primary opponent.

Mr. PASTORE. Then you do not have a primary.

Mr. GRIFFIN. That is right.

Mr. PASTORE. If you spend any money under those circumstances, you are spending money on your campaign, if you are a legally qualified candidate for the office. If you are not a qualified candidate for the office, you subject yourself to the fairness doctrine.

Even today, if the Senator went back

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to his State and made a speech, he would subject himself to the fairness doctrine—today, if he did it now. Anyone who disagreed with him could ask for equal time.

Mr. GRIFFIN. Then during the period before a primary election, if a person were a candidate and had no primary opposition, but spent money to promote his candidacy, would he or would he not have to include it in figuring up the total amount subject to this amount, during the period of the primary?

Mr. PASTORE. And he is not yet a legally qualified candidate?

Mr. GRIFFIN. That is another question. What is a qualified candidate?

Mr. PASTORE. A candidate is qualified when either he wins the primary or is selected by a convention, either one or the other or meets the requirements of the State, In my State, we have a primary. In my State, if you do not have a primary opponent, the minute you are endorsed by your organization and you file your papers, you automatically become a legally qualified candidate. If you have to go through a primary, and win the primary, once you are declared the winner, you are a legally qualified candidate, and that is when it starts to run.

Mr. GRIFFIN. I am trying to make legislative history, so we will know what this means.

Mr. PASTORE. I understand; yes.

Mr. GRIFFIN. A person may be a declared candidate, but if he has not been selected at a convention or if he has not been designated in a primary election, he can spend money to promote his candidacy and it will not be counted in the computation of what he can spend, as I understand it.

Mr. PASTORE. The point is that you can do that now. The time does not run until you become a legally qualified candidate under your State law. The FCC has a primer entitled "Use of Broadcast Facilities by Candidates for Public Office," which contains questions and answers to these various questions.

That is the situation today, under any circumstance. It begins to run from the time one becomes a legally qualified candidate. The same applies to the opponent. Up until that time, one is subject, of course, to the fairness doctrine, as he is today. It is written in the law. I cannot overcome that.

Mr. GRIFFIN. I thank the Senator.

Mr. PASTORE. There is no way of overcoming that.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. TOWER. Mr. President, the fact is that this is not an equitable piece of legislation. It does not deal fairly with everybody who seeks public office.

The point has been made that an incumbent gets much more exposure through the mass media than nonincumbents do. The nonincumbent may have a good case to make. He may have an attractive personality; he may be responsive to the needs of his people. But if he cannot buy the time through the mass media to put himself before the public and present his case, he has no chance of unseating an opponent who perhaps deserves to be unseated.

As an incumbent, coming up for election in 2 years, I think it would be in my own selfish interest to be in favor of this measure. But I think that anybody who seeks public office ought to have the opportunity to challenge an incumbent, and he cannot successfully do so when the media is weighted so much in favor of the incumbent—not necessarily philosophically in favor of him and not advocating him, but the fact is that they cover him and give him the exposure.

I happen to be a fellow who walked out of a college classroom and got elected to the U.S. Senate. I do not think I ever could have done it had it not been for the fact that I was able to purchase all the TV time my financial resources would allow me to purchase. I think that is true of many other people far more qualified and far more attractive than I and far more intellectually suited for public service than I. I think we are denying them the chance if we enact this type of measure. I submit that it is unfair, it is inequitable, it is weighted.

Mr. PASTORE. Mr. President, let me say this to my good friend the Senator from Texas.

I did not invent all this. What we started out to do was to do something about the situation of the enormous expense of national elections. This controversy has been raging for years and years.

Finally, a nonprofit, public-spirited committee was created by the 20th century fund to study campaign costs, the chairman of which was Newton Minow. One of the members was Dean Burch, who is now Chairman of the FCC. Another member was Thomas Corcoran. They made a recommendation in which they summarized the expense of television and radio. They emphasized the cost of radio and television and what Congress should do about it. Naturally, the recommendation came particularly to me because I am chairman of the Subcommittee on Communications. I did not go out of my way to do this.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. PEARSON. All this talk about the great advantage for the incumbent really is a reversal from the original theory that caused the introduction of a measure that had some 36 cosponsors. These are statistics, and I do not know whether they are meaningful to those who are still in the Chamber.

In 1952, in the general election, in all elections in the country, we spent $3 million on television. In 1956, it went up to $6.6 milion. In 1960, it went up to $10 million. In 1964, it went up to $17.5 million. In 1968, it went up to $27 million. The cost of television for candidates in general elections from 1952 to 1968 went up 114 percent. That was not all just more political money piling in. The cost of television went up, also. From 1960 to approximately 1968, we had an increase, and I am not talking about production costs, which the Senator from Texas knows so much about because of his responsibilities in this particular field. It went up about 30 to 40 percent.

What we were trying to do was to introduce a bill that said TV had to give everybody some time within a given period of time at a reduced rate, so that the person who wanted to run against an incumbent would have an opportunity to do so.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. TOWER. Actually, the cost of everything has gone up. It is not just the cost of waging politics. Everything has gone up. We figure the inflationary factor into this.

May I say that as chairman of the Republican senatorial campaign committee, as one responsible for raising funds for political purposes. I lament the high cost of politics as much as anyone else in this body, except perhaps the Senator from Hawaii (Mr. INOUYE), who laments it as much as I do, being my counterpart.

Mr. PASTORE. But it is my guess that the Senator from Texas has done a lot better as a fundraiser than has the Senator from Hawaii.

Mr. TOWER. I have raised more money, I suppose, for the reason that there is broader public approval of the Republicans than of the Democrats. That is the only surmise I can make on that point.

Beyond this, may I note that, yes, we would like to keep the cost down. But why can we not address this whole question on a comprehensive basis, rather than taking it piecemeal, taking one form of communication and addressing it to that alone? Now money will be forced into other media. Why not address it on a comprehensive basis? The Senator from Rhode Island has said, "We have tried to, and have not gotten anywhere." Perhaps it is because addressing it on a comprehensive basis has no merit. Perhaps that is why it has not gotten anywhere. If it is a good thing and has basis, why not do it on a comprehensive basis? I submit, and it has not been contradicted successfully in this body today, that this militates against the nonincumbent candidate.

Mr. PASTORE. Mr. President, I began to explain that the 20th century fund committee to study campaign costs came to us with a recommendation, and in essence this is what they said: We recommend that the candidates for the Presidency and the Vice-Presidency pay half the bill and the other half be paid by Congress. We know what chance that has of being passed by Congress. So. we had to contend with that.

Then this amendment was introduced by Senator PEARSON and Senator HART, with 36 cosponsors, as a result of a recommendation made by the committee for an effective Congress. In that measure they had specified the number of spot announcements that one could have 5 weeks before election. They specified the discount he was supposed to receive. We heard them completely and thoroughly. The Senator from Kansas and the Senator from Michigan made a good case.

But the Senator from Rhode Island always thought it would be sort of discriminatory to institute any discounts in

XUM

the political scene without considering all the other notable enterprises that are in the public interest as well.

The reason I am saying this is to show how our subcommittee came into the picture. Our jurisdiction only went so far as these recommendations, recommendations that had to do only with radio and television, nothing more. Many Senators prodded me every time I came to the floor, saying, "When are you going to do something about that bill?" I was being prodded by Republicans and by Democrats—"When are you going to do something about the bill?"

We sat down patiently, constantly, and consistently, and we held very exhaustive hearings. As for myself, I worked on this day and night, and finally we came forth with this recommendation.

The Senator from Texas is arguing as to why we do not have a comprehensive bill. Perhaps we should have had a comprehensive bill. But this was within our jurisdiction, this was our authority and was our responsibility—and this forward step is the product we bring to the floor.

Let me conclude by saying this: This bill is neither a help nor a hindrance to me personally.

This bill in its import does not mean a row of beans to me in my situation. It makes no difference to me this afternoon whether we pass it or not. All I said from the committee was that I had a responsibility. I carried it out. I said let us go on the floor and see what they want to do. I am not trying to help incumbents, nor am I trying to hurt those outside. I am not trying to help Democrats or hurt Republicans. I have no such motive in my mind. I do not care a row of beans what the Senate does with the bill this afternoon, whether we send it back to the committee or kill it. I say, the best thing is, if we want to send it back to committee is, please stop it. Stop giving me this bothersome, burdensome responsibility—this nuisance. Just stop giving me this nuisance. Just say you do not want it. I think we have brought out a bill that makes sense. What we are trying to do is to eliminate—not create abuses. I have been told by every member of the committee that they were for the limitation. Now I am surprised to see that we are picking at this sentence and that sentence. It does not make sense. It is a simple formula. Either agree with it or disagree with it. You either want the bill or you do not want the bill. If you want to spend $18 million to run a presidential campaign, go ahead and do it. If you want the sky to be the limit, because you have the money, then do it. I do not care. If you have the idea that you will send it back to committee, it is as dead as a doornail if it goes back there. I say, let us have the courage to stand up and vote.

Mr. TOWER. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. TOWER. I should simply like to say that I did not mean to imply, in any event, that there was a personal motive on the part of the Senator from Rhode Island. I have great confidence that the Senator from Rhode Island is absolutely right when he says it makes no difference to him personally. I am confident, as chairman of the senatorial campaign committee for the Republican Party, that we cannot beat the distinguished Senator from Rhode Island in that State this fall. We are not even going to try. The Senator is home free.

Mr. PASTORE. The Senator's statement is now in the CONGRESSIONAL RECORD. It is in the CONGRESSIONAL RECORD. Do not go into the Official Reporters' room to knock it out. [Laughter.]

Mr. TOWER. I am not. We will leave it in there. It will be there.

Mr. PASTORE. Leave it right in there. [Laughter.]

Mr. TOWER. I may be many things, but I am a pragmatist, and I know this: I know that the Senator has no serious motivation here; and I know that, being the kind of performer he is, he could command a great audience on television, even on political time, when there are some of us who are not so gifted. If we can find a television station charging the same rate for politicians to appear as it charges for Gunsmoke, then I think we will find that TV stations will be loath to sell time not only to political candidates, because they will lose their audience. The Senator from Rhode Island could appear opposite Gunsmoke in Rhode Island and draw a big audience, but the Senator from Texas could not appear opposite Gunsmoke in Texas and draw a big audience. The audience would break their arms flipping the dial over to other stations.

There is something in this amendment which is unrealistic. It really does not take into consideration the realities of the mass media they are using. To me it is a totally impractical piece of legislation. I know the motivation is honest and good. At least, I think so. I am reasonably sure of it. But, in any case, it is an unrealistic piece of legislation. We are moving into an area that has not been tried. We have had no experience with it. The fact is, it still militates against the incumbent regardless of what anyone says here. The point has not been successfully made that it does not.

Mr. GURNEY. Mr. President, I agree with many of the Senators who have spoken on this bill that the authorship and sponsorship which the Senator from Rhode Island has given it is intended to be wholly fair. However, I do not agree with it, either. I am going to vote against it. I think it is a bad bill.

Much argument has been made about incumbents. I think it goes way beyond that. It assumes, for example, that every candidate for the Senate or Congress starts out even, whether in Florida, Rhode Island, or in some other State.

I do not think that a situation like that exists anywhere, any time, in any election, I do not think that two men start out even. If they did, the bill might be a good one, because it does limit expenses for television evenly for both candidates. But, in order to be a fair bill, it does mean that the two men have got to start out even.

Mr. PASTORE. If the Senator will allow me to interject there, to prove the fairness of it, is not President Nixon an incumbent?

Mr. GURNEY. Yes.

Mr. PASTORE. Are we not being fair with him?

Mr. GURNEY. But he is not up for reelection this year.

Mr. PASTORE. He will be up for reelection in 1972, though; will he not?

Mr. GURNEY. Yes; but I am speaking of 1970 and——

Mr. PASTORE. He will be up for election in 1972. That is how "unfair" we will be.

Mr. GURNEY. If I can continue my line of reasoning, I would appreciate it, because I do think it is important.

For example, there are States that traditionally vote Republican, and there are States which traditionally vote Democrat. We start with two unknown candidates presumably even. But they are not even, of course. In a Republican State, the Republican candidate would be favored. In a Democratic State, the Democratic candidate would be favored. Let us say we start with two men who are not incumbents but one had been a Governor of his State. That was true in my race in Florida in 1968. As a matter of fact, a poll was taken by the opposition, right after the primary had ended which showed, of course, that the Democratic candidate in Florida in 1968 would win by a large margin, not because he was a much better one, but he had been Governor for 6 years and had served in the Johnson administration and, on the other hand, his opponent, a Republican, had only been in Congress, so was well known in his particular congressional district but nowhere else in the State particularly. So these two candidates did not start out even, either.

However, the TV media was extremely important in this race. It was perhaps used more effectively by one candidate than the other. So here we say in the bill that when people do not start out even we will not give them a chance to use the most effective political medium today; namely, television. If he wants to use it, possibly just to make him even with the other, obviously he will not get a fair shake. Therefore, apart from the incumbent argument, this bill is unfair all around.

Mr. PASTORE. Would the Senator say that if his opponent were allowed to spend $141,689.52, he would be placed at a disadvantage in purchasing electronic time?

Mr. GURNEY. I think he should be——

Mr. PASTORE. How much time do you need?

Mr. GURNEY. He should be entitled to budget his finances any way he wants to.

Mr. PASTORE. The sky is the limit?

Mr. GURNEY. If he wants to spend much more on television, or less on newspaper advertising, he should be able to do that.

Mr. PASTORE. Then we should take the Corrupt Practices Act and include it in the safeguard?

Mr. GURNEY. All I am saying, and this is the nub of the question, is that the Senate has no right to limit the expenditure in the most effective political medium we have today. That is highly un-

XUM

fair, because no two candidates start out even. Someone always has an advantage.

Mr. COOK. I ask the Senator if, more important than the example he has given is the example of many of us in the State where the most important election is the Democratic primary, where the Republican Party is so small in numbers that we have a difficult time even in getting one candidate. The two Democratic opponents in the primaries, or three or four, can, under the terms of this bill, spend an unlimited amount of money and get all the coverage for a whole year, or 6 or 8 months, and then suddenly we have the Republican candidate who has not had the benefit of the exposure of 6 or 8 months that the Democrat candidate has and who, from that day forward, is limited to the 7 cents vote, but the Democratic candidate spends half a million dollars or $100,000, or whatever it is, during the primary, exposing himself all over the State, when the Republican candidate has gotten no exposure at all.

Mr. GURNEY. The point of the Senator from Kentucky is well made. There is no question about it. It goes to the heart of the thing that I said, that is, that no two candidates start out on an even basis. One is ahead of the other. You can use that same example of a Republican State, where the Democrats are weak, and television expenditures in the Republican primary, and both candidates get a lot of exposure. Of course, the winning incumbent, the one who wins the primary, is known around the State.

The Democratic candidate in such a State goes into the final election at a disadvantage. And the only way he can overcome it is by this means.

Mr. COOK. And the Senator has also mentioned States in which the political party is such that there is very seldom a primary.

Mr. GURNEY. The Senator is correct. That is why the bill is very unfair. I intend to vote against it.

Mr. ALLEN. Mr. President, as the junior Senator from Alabama understands the bill as reported by the committee, according to the distinguished Senator from New Hampshire (Mr. COTTON), it came out if not by a unanimous vote, then practically by a unanimous vote.

That was an original bill that had two aspects. One aspect was to do away with equal time provision with respect to the Presidential and Vice Presidential campaigns with the understanding, not written into the statute, that a certain amount of time would be made available to the major candidates for President and Vice President. On that point there seemed to be no disagreement.

The second aspect of the original bill provided for comparability as between a political advertiser and a commercial advertiser. And there did seem to be general agreement on those two aspects of the bill.

There has now been frozen into the bill by amendment a third aspect which has set an overall limit on the aggregate amount that can be spent in behalf of a candidate by any group or by the candidate himself. So, now that the motion to reconsider the vote by which the amendment was agreed to has been laid on the table, the only way to get back to the original bill with its two approved aspects is by sending it back to committee.

Far from killing the bill, it would enable the committee to vote the original bill out as it originally did. The committee did not send out the amendment as part of the bill. That was to be voted on separately because there was not agreement on it in the committee, according to the distinguished Senator from New Hampshire. So, the only way that the committee and the Senate now have to go back to the original bill with its two approved aspects would be to send the bill back to committee. That is the motion which the junior Senator from Alabama has made, not with a view of killing the bill, but with a view of going back to the bill in its original shape, a bill which would be supported and was being supported by the distinguished Senator from New Hampshire (Mr. COTTON).

Mr. TYDINGS. Mr. President, in the past decade, there has occurred a quiet, but steady erosion of the public's confidence in the integrity, honesty, and independence of our elected political representatives. This is, I believe, a large part in our present crisis of confidence of the whole American political system. There are many facets to this problem, so many that I will not even attempt to list them. But one aspect of this growing lack of trust has to do with today's inordinately high cost of political life. These costs, dominated by the expenses of political campaigns, are growing at an ever increasing rate, as those who testified in hearings documented in detail. The public is more and more aware that political success is tied to huge financial resources—and this fact widens the gulf between the represented and representative.

First, the expenses of political campaigning have tended to make elective office the exclusive preserve of the wealthy; it is difficult to understand how democracy can flourish when one small and very special group with obvious interests to preserve dominates the leadership of the Nation. And who can estimate the damage done to our system because some of our most able leaders have been denied office because of their inability to tap financial resources?

Second, high costs of campaigning have significantly raised the barriers against new political entrants. The newcomer has less exposure, less recognition, usually no public record of achievement, and little access to forums for publicity. The odds are heavily against him to begin with. On top of this, the would-be officeholder must raise hundreds of thousands or millions of dollars.

Challenge is the heart of any democratic system—only through realistic choice can an electorate exercise its will. But the fact is that effective challenge of incumbents is becoming more and more difficult because of the financial prerequisites of a campaign.

Third, the expanse of a campaign, both for challenger and incumbent, rich and poor alike, are such that all those who run for public office are becoming increasingly dependent upon large financial backing. It has always been true that a small percentage of our constituents has raised the largest percentage of the money for campaigns; 90 percent of campaign funds are given by 1 percent of the population. The inevitable influences that this situation creates whether conscious or not, are too real to deny. It is obvious that they are a threat to the functioning and confidence of our political system. In order for our representative system to work properly, every representative must ultimately be answerable to his conscience and his constituents and no other party. Because elections are key to our democracy, if they are not democratic, we cannot hope that our Government will be democratic.

The spiraling costs of political campaigns are due in large part to the increased use and increased cost of television. This is inevitable. Television is the most effective campaign tool available; there is no substitute. Television is the medium of our times. In large part television determines our view of society and of events. As far as influencing voter choice is concerned, television is "where it's at." The increased use of television by politicians is not a fad or fashion; rather it reflects the growing realization of the enormous power of television in politics.

Unfortunately this vital part of the election process is the most expensive part. But fortunately, the television airwaves are owned by the public. It is time that this public resource is used to protect the public interest by reducing the cost of election campaigns.

Reduced costs for television time will not clear the agenda of urgently needed campaign reforms, nor will it solve the problem of money and politics. But it will be a very substantial step forward in an absolutely critical area. I cannot think of a better use of the public airwaves.

We must be vigilant in the protection and preservation of our democratic system, especially in times of stress and rapid change. And the preservation of a democratic framework takes more than reverence for our democratic values, though reverent we must be. It takes more than the confidence that ultimately the people are the final arbiters of our fate, though confident we must remain. It takes more than the respect of our traditional forms of political practice, though respectful we must stay. It takes an intelligent and searching evaluation and reform of our political structure to keep it healthy, vibrant, and functioning amidst the changes of a modern world. To do less would be a failure of our public trust. Let us begin reconciling our political system and our changed world by enacting this vital reform. Therefore, I urge the Senate to pass the campaign broadcast reform bill.

Mr. YARBOROUGH. Mr. President, the bill we are considering today is of great importance to the American people. It would repeal that portion of section 315 which requires a licensee of a broadcasting station who permits any legally qualified candidate for the office of President

XUM

and Vice President of the United States to use his facilities to afford equal opportunities to all other candidates for these offices to use his facilities. This provision of section 315 was suspended during the 1960 presidential campaign, and as a result the American people had the historical opportunity of watching the Kennedy-Nixon debates. These debates did more to acquaint the average American voter with the issues in that important election than any other form of campaign literature. It was a great educational experience and should be encouraged for future elections.

S. 3637 would permanently repeal the equal opportunity provision of section 315 with regard to candidates for the office of President and Vice President. Thus, in all future presidential elections, the vehicle for public debate would be available should the candidates choose to use it. It should also be understood that by repealing this provision, Congress is not discriminating against significant third party candidates. On the contrary, the committee's report clearly states that the major networks have given their assurance that free time will be allotted on a fair basis to any significant third party candidate that might emerge in future elections.

I wish to commend the distinguished Senator from Rhode Island (Mr. PASTORE) and other distinguished members of the Committee on Commerce for their work on the bill. The measure represents another significant achievement in our efforts to involve all of our people in the political processes of this country. I urge all Senators to give the measure their full support.

XUM

Mr. KENNEDY. Mr. President, I want to commend the Senator from Rhode Island and his colleagues on the Commerce Committee, and particularly Senators HART and PEARSON, for this excellent piece of legislation. The Senator from Rhode Island has, from time to time, stirred things up in the broadcast media, as he has done with this legislative proposal, but in bringing forth this bill, he has produced one of his most significant, and, I think far-reaching proposals. His knowledge of the industry and his keen sense of the important have combined to produce this landmark of legislation, in which reference I include his pending amendment. The original legislation was introduced by the Senator from Michigan (Mr. HART), and from Kansas (Mr. PEARSON), and I was one of the many cosponsors. The bill which the Commerce Committee reported out indicates that major surgery was performed in committee and as one of the cosponsors I can say that I am pleased by the result.

As have many other Senators, I have long been interested in this subject, and with the Senator from Kansas (Mr. PEARSON), last December, I introduced for the consideration of the Senate during the tax reform debate, an amendment which would have permitted every taxpayer to deduct as an income tax credit one-half of contributions to political parties or candidates up to a credit of $25 per year. The cost to the Federal Government would have been approximately $50 to $60 million per year. This seemed to me to be a reasonable reform, although it was not accepted by the Senate. For today, however, I commend these Senators for what I hopefully regard as perhaps the first substantial step in major reform of the election process.

We have listened in the last 2 days to recitations of many statistics compiled by credible groups and associations attesting that there have been massive increases in the cost of campaigning for public office over the last few years. All of us have some personal knowledge of this problem.

In just 12 short years, for example, the campaign cost per vote for the Presidential election campaigns has risen 350 percent—from 19 cents per vote in 1956, to 67 cents per vote in 1968. Total campaign spending rose to over $200 million in 1964 to $300 million in 1968. Television broadcasting costs, more than any other factor, account for this increase. This year one of our major parties is financially in clover, while the other is deeply in debt. Not too many years ago, the picture was the reverse, although the contrast less stark. Senator PASTORE reminded us yesterday that in 1968, the Republicans overspent the Democrats in television more than 2 to 1, but that in 1964, again the reverse was true.

I was startled when I first learned that 1 percent of the American people contributes over 90 percent of all political funds in this country. We conduct campaigns, apparently, with the resources of a select few, on the hopeful assumption that the elected officials will govern for the benefit of all. Whether that theory is correct must now be questioned. And each year, Mr. President, as the cost of campaigning escalates higher, these few contributors, for whatever motivation, contribute more and more money—which must testify that they are, by and large, satisfied contributors. I am not aware of any statistics to indicate the turnover among that dynamic 1 percent who contribute 90 percent of the campaign funds, but I would speculate that the list changes only slightly from year to year. And legitimate question can, and should, be raised about whether the country's best interests are served by permitting those who wield all governmental power to be politically dependent upon so few willing hands.

How much influence can one organization buy with, say, a campaign budget of $1 million? If $300 million was spent in the 1968 elections, as is reliably reported, it can safely be assumed that many groups or allied interests have such budgets this year. One such single association could conceivably contribute $30,000 to the campaign of a candidate in each of the 34 Senate contests, and thereby, if the contributions are wisely placed, introduce in a special way, the association's cause into the offices of perhaps one-third of the U.S. Senate by 1 year's political activity alone. And the cost to the group would be just $1 million—one-third of 1 percent of what may be contributed this year to all campaigns. What dependent friends are cultivated by such help, and what immunities are broken down by such substantial campaign contributions? Although it is a rare Senate candidate who, under today's laws, does not divorce himself from the details of his campaign financing, each is aware of who his substantial financial backers are.

Many observers have expressed concern that the high cost of campaigning for public office is becoming prohibitive for all but the wealthy or those indebted to powerful special interests. The Senator from Hawaii (Mr. INOUYE) stated the problem quite concisely when he said:

> I am afraid that realities and practicalities of the election process have, to some extent, developed a new aristocracy of wealth and power.

The late President Eisenhower observed in a magazine article 2 years ago:

> We have put a dollar sign on public service, and today many capable men who would like to run for office simply can't afford to do so. Many believe that politics in our country is already a game exclusively for the affluent. This is not strictly true; yet the fact that we may be approaching that state of affairs is a sad reflection on our elective system.

Mr. President, I agree with the conclusions of Senator INOUYE and President Eisenhower, and I want to go on record as stating that I do not believe this situation to be a healthy condition for the American body politic. If elective office doors do close to men and women financially too poor, or too principled to make the sacrifice necessary to be elected, we are poorer by their loss to public service. And even more important, the people, in an open society, will not sustain a government which becomes committed to powerful special interests or institutions and thus renders itself incapable of assuring social justice and permitting change and improvement.

We are faced with a generation of young who question not just willingness to permit changes peacefully through evolutionary processes of improvement, but a generation which questions the ability of our system to respond to the needs of its constituency. Many of the young are dispirited and say that special interests are already too entrenched and our mutual involvements too complicated and self-serving, and because of this, that Congress does not have the ability to require significant change, even if Senators and Congressmen become convinced of its necessity. And if, in the end, these young are correct, and our national institutions prove incapable of self-correction, then it is a question of how long our system can withstand natural attrition.

What can we do? We can move to protect the integrity of public office, by preserving its accessibility to all. In the past, major campaign reform attempts have failed for, I suppose, a combination of reasons. To the extent that "incumbent's fear" has been to blame, I hope that Congress, as a body, will lay aside the parochial considerations of each of us. Is this an incumbent's bill? Or a challenger's bill? Arguments can be made both ways. I believe the bill will be fair to both.

This measure is, in my opinion, only the first step in a long journey, but it is movement in the right direction, and I hope that Congress will begin by enacting it into law now.

Mr. GOODELL. Mr. President. The words "campaign reform" have a very hollow ring about them, a result of too much rhetoric and too little action for too many years. It does not seem right to me that we as legislators constantly talk about the need for other people to respond to new problems, when we cannot even move forward in an area which vitally affects ourselves.

For a number of years, I have introduced in the House and Senate a meaningful campaign reform bill to strengthen our existing laws on campaign financing in Federal elections. The rationale of my bill, S. 77, is that a system of free elections in a democratic society is best served by requiring meaningful and timely public disclosure of a political candidate's sources of financial support. It gives full recognition to the right of American voters to have a true picture of candidates' campaign finances, and it backs up its disclosure requirements with an effective administrative and enforcement machinery. I regret that the Senate has not yet considered this measure because I strongly feel that the enactment of a bill of this type is long overdue.

The Senate is today considering extremely significant legislation. As an original cosponsor of S. 2876, the "Campaign Broadcast Reform Act of 1969," introduced by Senators Hart and Pearson, I am delighted that the entire Senate will have this opportunity to debate the question of what to do about the high costs of TV and radio in political campaigns. S. 3637 also contains a repeal of the equal time requirement in section 315(a) of the Communications Act of 1934 as it applies to legally qualified candidates for the office of President and Vice President. I have long been in favor of such a repeal.

Everyone knows that the political arena has shifted from the large outdoor rally to the television tube. Campaigns are by and large waged in the television and radio studios with the result that a greater number of people are better able to judge the qualifications and opinions of candidates. Radio and TV are an important means of bringing the candidate closer to the average voter. They also provide an invaluable opportunity for in-depth discussions of the issues among opposing candidates.

Nonetheless, there are negative side effects. Radio and TV are expensive, and not everyone can afford them. Their prohibitive costs have sometimes served as a barrier to the entry in campaigns of qualified individuals who cannot afford to join the race. The total costs of campaigning on television and radio are often staggering, and no one would argue that they should not be reduced.

Also, the costs are climbing at a very steep rate. The FCC has reported broadcast industry charges of $58.9 million for political broadcasting in 1968, a full 70 percent higher than the $34.6 million reported in 1964, the previous comparable election year. Television broadcasting accounted for 64.5 percent of this total. These figures represented both increased costs and increased use.

Although divided on the way to limit these costs, the Commerce Committee reached agreement on one major point: the charge to the candidate could not exceed the lowest unit charge of the station for the same time period. As the committee report pointed out, candidates are at a disadvantage in that they are not able to benefit from combinations of rates or other arrangements offered to the usual commercial time buyer. Although these practices may be used as an incentive to advertisers, broadcasters are granted licenses to operate a station in the public interest. As written in committee, S. 3637 did not specifically state the responsibility of the broadcaster to make time available at these reduced costs. In my view, additional language along these lines is necessary and desirable and I am glad it has been added.

The major question today is what kind of limitation, if any, should be imposed on a candidate's purchase or use of television or radio time. I strongly feel that any debate on this subject should not deteriorate into what a candidate is to get and whether it is enough. I fully support effective campaign expenditure reform. Any such reform, in my judgment, must fairly deal with all incumbents and challengers alike. It should also be a positive instrument which allows the public to make more rational and better choices in an election campaign.

Mr. President, I hope that we will be able to agree upon a bill which will accomplish these objectives.

Mr. PASTORE. Mr. President, if there is no further debate, I move to lay the pending motion on the table.

Mr. ALLEN. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island (Mr. Pastore) to lay on the table the motion of the Senator from Alabama (Mr. Allen) to recommit. On this question the yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. METCALF (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Indiana (Mr. Hartke). If he were present and voting, he would vote "yea." I withdraw my vote and announce that if I were at liberty to vote I would vote "nay."

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Nevada (Mr. Bible), the senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Indiana (Mr. Hartke), the Senator from Montana (Mr. Mansfield), the Senator from West Virginia (Mr. Randolph), and the Senator from Georgia (Mr. Russell) are necessarily absent.

I further announce that the Senator from Washington (Mr. Magnuson) and the Senator from Rhode Island (Mr. Pell) are absent on official business.

I further announce that, if present and voting, the Senator from Connecticut (Mr. Dodd) and the Senator from West Virginia (Mr. Randolph) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. Bennett) is absent on official business as observer at the meeting of the Asian Development Bank in Korea.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

The Senator from Arizona (Mr. Goldwater) is absent on official business.

The Senator from Illinois (Mr. Percy) is necessarily absent.

If present and voting, the Senator from Utah (Mr. Bennett), the Senator from South Dakota (Mr. Mundt), and the Senator from Illinois (Mr. Percy) would each vote "nay."

The result was announced—yeas 48, nays 37, as follows:

[No. 131 Leg.]

YEAS—48

Bayh
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cranston
Eagleton
Ellender
Fulbright
Goodell
Gore
Gravel
Harris
Hart
Holland
Hollings
Hughes
Inouye
Jackson
Jordan, N.C.
Kennedy
Long
Mathias
McGee
McGovern
McIntyre
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Proxmire
Ribicoff
Saxbe
Schweiker
Spong
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—37

Aiken
Allen
Allott
Baker
Bellmon
Boggs
Brooke
Cook
Cooper
Cotton
Curtis
Dole
Dominick
Ervin
Fannin
Fong
Griffin
Gurney
Hansen
Hatfield
Hruska
Javits
Jordan, Idaho
McCarthy
McClellan
Miller
Murphy
Prouty
Scott
Smith, Maine
Smith, Ill.
Sparkman
Stevens
Thurmond
Tower
Williams, Del.
Young, N. Dak.

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Metcalf, against.

NOT VOTING—14

Anderson
Bennett
Bible
Dodd
Eastland
Goldwater
Hartke
Magnuson
Mansfield
Mundt
Pell
Percy
Randolph
Russell

So Mr. Pastore's motion to lay Mr. Allen's motion to recommit on the table was agreed to.

Mr. PASTORE. Mr. President, I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. The yeas and nays have been ordered. The bill having been read a third time, the question is, Shall it pass? The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Nevada (Mr. Bible), the Senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Indiana (Mr. Hartke), the Senator from Montana (Mr. Mansfield), the Senator from Minnesota (Mr. McCarthy), the Senator from West Virginia (Mr. Randolph), and the Senator from Georgia (Mr. Russell) are necessarily absent.

I further announce that the Senator

from Washington (Mr. MAGNUSON) and the Senator from Rhode Island (Mr. PELL) are absent on official business.

I further announce that, if present and voting, the Senator from Connecticut (Mr. DODD), the Senator from Indiana (Mr. HARTKE), and the Senator from West Virginia (Mr. RANDOLPH) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. BENNETT) is absent on official business as observer at the meeting of the Asian Development Bank in Korea.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Arizona (Mr. GOLDWATER) is absent on official business.

The Senator from Illinois (Mr. PERCY) is necessarily absent.

If present and voting, the Senator from Utah (Mr. BENNETT), the Senator from South Dakota (Mr. MUNDT), and the Senator from Illinois (Mr. PERCY) would each vote "nay."

The result was announced—yeas 58, nays 27, as follows:

[No. 132 Leg.]

YEAS—58

Aiken
Allen
Bayh
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cooper
Cranston
Eagleton
Ellender
Ervin
Fulbright
Goodell
Gore
Gravel
Harris
Hart
Holland
Hollings
Hughes
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy
Long
Mathias
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Prouty
Proxmire
Ribicoff
Saxbe
Schweiker
Smith, Maine
Sparkman
Spong
Stennis
Stevens
Symington
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—27

Allott
Baker
Bellmon
Boggs
Brooke
Cook
Cotton
Curtis
Dole
Dominick
Fannin
Fong
Griffin
Gurney
Hansen
Hatfield
Hruska
Jordan, Idaho
McClellan
Miller
Murphy
Scott
Smith, Ill.
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—15

Anderson
Bennett
Bible
Dodd
Eastland
Goldwater
Hartke
Magnuson
Mansfield
McCarthy
Mundt
Pell
Percy
Randolph
Russell

So the bill (S. 3637) was passed, as follows:

S. 3637

An act to amend section 315 of the Communications Act of 1934 with respect to equal-time requirements for candidates for public office, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 315(a) of the Communications Act of 1934, as amended (47 U.S.C. 315(a)), is amended by striking out the colon and inserting in lieu thereof a comma and the following: "except that the foregoing requirement shall not apply to the use of a broadcasting station by legally qualified candidates for the office of President and Vice President of the United States:".

(b) Section 315(b) of that Act is amended to read as follows:

"(b) The charges made for the use of any broadcasting station by any person who is a legally qualified candidate for any public office shall not exceed the lowest unit charge of the station for the same amount of time in the same time period. The Commission shall require licensees to keep such records as may be necessary to carry out the provisions of this subsection. Information in such records shall be considered confidential for the purpose of section 1905 of title 18 of the United States Code, except that such information may be disclosed to such officers or employees of the Commission as is necessary for the purpose of this subsection or when relevant in any proceeding under this Act.'

SEC. 2. (a) Section 315 of the Communications Act of 1934 is further amended by redesignating subsection (c) as subsection (d) and by inserting before such subsection the following new subsection:

"(c) The total of (1) the amounts expended on the electronic media by any legally qualified candidate for the office of the President or Vice President of the United States, United States Senator or United States Representative for such office in an election other than a primary election, and (2) the amounts expended by other persons, associations, groups, or committees on behalf of such candidate on the electronic media, shall not exceed an amount equal to 7 cents multiplied by the number of votes cast for all legally qualified candidates for such office in the last preceding such election, or $20,000, whichever is the greater: *Provided,* That where there has been no election for the office of United States Senator in the immediate preceding two years, the limitation on the amount expended shall be 5 cents multiplied by the highest total popular vote cast for any statewide office in the preceding two years, or $20,000 whichever is greater: *Provided further,* That consistent with the other needs of the community broadcast licensees shall make a reasonable amount of time available for legally qualified candidates for Federal elective offices during the hours 7:30–10:30 post meridiem."

(b) The amendment made by this section shall be effective after thirty days following the date of enactment of this Act.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

DESIGNATION OF ADM. THOMAS H. MOORER TO BE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

Mr. STENNIS. Mr. President, I have personal satisfaction as well as satisfaction as a Member of the Senate in the selection of Adm. Thomas H. Moorer to be the new Chairman of the Joint Chiefs of Staff. His nomination may not yet be before the Senate, but it has been announced in the press, and his name has been suggested to take office, following General Wheeler, on July 2, 1970. General Wheeler has had an outstanding career in this office, and I shall speak of that later. I am delighted that this very fine naval officer, Admiral Moorer, who has been an outstanding Chief of Naval Operations—which is the same as the Chief of Staff in the Navy—is now to become Chairman of the Joint Chiefs of Staff.

He is not only a very fine naval officer and a very fine military man, but he is truly a natural leader, and a man of great commonsense, prudence, and understanding of the problems of America far beyond his special military knowledge. I am not given to praising anyone; he will have to prove his merit in this position, but I am satisfied that he will.

My joy comes from the fact that in these troublesome times for all departments of the Government, and in a troubled world, we shall have a man of his capacity, and particularly his commonsense and understanding, as the Chairman of our Joint Chiefs of Staff. He does not have a direct vote as such, but he is the liaison man and the representative, in a large way, of all the Chiefs of Staff with the President of the United States, and this officer, more than any other, is the chief military adviser to the President.

I am sure that I am not the only Senator who feels very much pleased that this highly practical man, with his fine experience, with his understanding of Congress, and, of course, with his very fine comprehensive grasp of our military programs and military problems worldwide, is now to be chief military adviser to the President of the United States, and to Congress as well.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Alabama.

Mr. SPARKMAN. Mr. President, I am very glad that the chairman of the Committee on Armed Services has made that statement. I am delighted, of course, to join with him in the fine sentiments he has expressed regarding Admiral Moorer. Of course, I take a great deal of personal pride in the fact that Admiral Moorer is from my State. I have known him and Mrs. Moorer for some time.

I have followed closely his work as Chief of Naval Operations. I think he has done a wonderfully fine job, and I know he is the kind of man who will give us the kind of leadership we need in his capacity as chief adviser to the President and to the country on military affairs.

Admiral Moorer distinguished himself during World War II, in which he performed gallantly and well, and I am pleased that we are going to have his leadership in his new capacity.

Mr. STENNIS. I thank the Senator, and I certainly share his sentiments.

DISTRICT OF COLUMBIA METROPOLITAN AREA TRANSIT ACT OF 1969

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 763, S. 1814, the District of Columbia mass transit bill.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1814) to provide for public ownership of the

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mass transit bus system operated by D.C. Transit System, Inc., to authorize interim financial assistance for the company pending public acquisition of its bus transit facilities; and for other purposes.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and insert:

SHORT TITLE

SECTION 1. This Act may be cited as "District of Columbia Metropolitan Area Transit Act of 1969".

STATEMENT OF FINDINGS AND PURPOSES

SEC. 2. The Congress finds that (1) an adequate and economically sound transportation system or systems, including bus and rail rapid transit, serving the Washington metropolitan area is essential to commerce among the several States, and among such States and the District of Columbia, and to the health, welfare, and safety of the public; (2) economies and improvement of service will result from the unification of bus transit and rail transit operations as well as from integration of bus transit facilities within the Washington metropolitan area; (3) the Washington Metropolitan Area Transit Authority is a body corporate and politic organized pursuant to interstate compact among the States of Maryland and Virginia, and the District of Columbia, with the consent of Congress, to plan, develop, finance, and cause to be operated improved transit facilities in the Washington metropolitan area transit zone; (4) an appropriate solution to the current bus transportation problem in the District of Columbia is public ownership and operation of the D.C. Transit System, Incorporated; (5) to these ends it is necessary to enact the provisions hereinafter set forth.

TITLE I

ACQUISITION OF PRIVATE BUS COMPANIES OPERATING WITHIN THE WASHINGTON METROPOLITAN AREA

SEC. 101. (a) Based on the findings set forth in section 2 of this Act, it is the view of the Congress that the Washington Metropolitan Area Transit Authority should initiate negotiations with the ownership of D.C. Transit System, Incorporated, its subsidiary, the Washington, Virginia, and Maryland Coach Company, the Alexandria, Barcroft, and Washington Transit Company, and the WMA Transit Company, for acquisition at the earliest practicable date by the Authority of all capital stock or all facilities, plant, equipment, real and personal property of such bus companies of whatever nature whether owned directly or indirectly, used or useful for mass transportation by bus of passengers within the Washington metropolitan area. Any agreement for such acquisition should provide for assumption by the Authority of the obligations of the labor contract or contracts of such bus companies. A representative of the Washington Metropolitan Area Transit Authority should participate in any labor contract negotiations undertaken prior to acquisition by the Authority of such bus companies.

(b) Pursuant to section 2(b) of the Act of July 24, 1956 (70 Stat. 598), the franchise to operate a mass transportation of passengers for hire granted to D.C. Transit System, Incorporated, by such Act is hereby canceled, effective upon the date immediately preceding the date on which the Washington Metropolitan Area Transit Authority or the District of Columbia Metropolitan Area Transit Agency established in title II of this Act acquires the transit facilities of D.C. Transit System, Incorporated, whichever shall occur earlier.

CONSENT TO COMPACT AMENDMENT

SEC. 102. (a) The Congress hereby consents to, adopts, and enacts for the District of Columbia amendments to articles I, III, XI, XII, and XVI of title III of the Washington Metropolitan Area Transit Regulation Compact, as amended, for which Congress heretofore has granted its consent (Public Law 86–794, 74 Stat. 1031, as amended by Public Law 87–767, 76 Stat. 764, and Public Law 89–774, 80 Stat. 1324), as follows:

1. Subparagraph (g) of section 1 of article I is amended to read as follows:

"(g) 'Transit services' means the transportation of persons and their packages and baggage by means of transit facilities between points within the zone including the transportation of newspapers, express, and mail between such points, and charter service which originates within the zone but does not include taxicab service or individual-ticket-sale sightseeing operations; and"

2. Subparagraph (a) of section 5 of article III is amended to read as follows:

"(a) The Authority shall be governed by a Board of six Directors consisting of two Directors for each signatory. For Virginia, the Directors shall be appointed by the Northern Virginia Transportation Commission; for the District of Columbia, by the City Council of the District of Columbia from among its members, the Commissioner, and the Assistant to the Commissioner of the District of Columbia; and for Maryland, by the Washington Suburban Transit Commission. In each instance the Director shall be appointed from among the members of the appointing body except as otherwise provided herein and shall serve for a term coincident with his term on the body by which he was appointed. A Director may be removed or suspended from office only as provided by the law of the signatory from which he was appointed. The appointing authorities shall also appoint an alternate for each Director, who may act only in the absence of the Director for whom he has been appointed an alternate, except that, in the case of the District of Columbia where only one Director and his alternate are present, such alternate may act on behalf of the absent Director. Each alternate shall serve at the pleasure of the appointing authority. In the event of a vacancy in the office of Director or alternate, it shall be filled in the same manner as an original appointment."

3. Section 51 of article XI is amended to read as follows:

"51. Any facilities and properties owned or controlled by the Authority may be operated by the Authority directly, or by others pursuant to contract or lease as the Board may determine".

4. Section 56 of article XII is amended by adding the following new paragraph:

"(e) The Authority may acquire the capital stock or the transit facilities of any private transit company and may perform transit service, including service by bus or similar motor vehicle, with transit facilities so acquired, or with transit facilities acquired pursuant to article VII, section 20. Upon acquisition of the capital stock or the transit facilities of any private transit company, the Authority shall undertake the acquisition, as soon as possible, of the capital stock or the transit facilities of each of the other private transit companies within the zone requesting such acquisition. Lack of such request, however, shall not be construed to preclude the Authority from acquiring the capital stock or the transit facilities of any such company pursuant to section 82 of article XVI."

5. Section 79 of article XVI is amended to read as follows:

"REDUCED FARES

"79. The District of Columbia, the Northern Virginia Transportation District, the Washington Suburban Transportation District, and the component governments thereof, may enter into contracts or agreements with the Authority to make equitable payments for fares lower than those established by the Authority pursuant to the provisions of article XIII hereof for any specified class or category of riders."

6. Subsection (a) of section 82 of article XVI is amended by deleting the phrase "or by a private transit company" at the end of said subsection, and by inserting in lieu thereof the following: "whenever such property cannot be acquired by negotiated purchase at a price satisfactory to the Authority".

(b) The Commissioner of the District of Columbia is authorized and directed to enter into and execute on behalf of the United States for the District of Columbia amendments, substantially as set forth above, to the compact with the States of Maryland and Virginia.

(c) The consent of Congress is granted upon the condition that, within three years from the date of enactment of this Act, sections 1, 51, 56, 79, and 82 of title III of the compact be amended substantially as set forth in this section.

(d) The consent of Congress granted herein shall be construed as applicable to each compact amendment individually and to this end the provisions of subsections (a)(1) through (a)(5) are separable.

TITLE II

INTERIM PUBLIC OWNERSHIP AND OPERATION

SEC. 201. In the event that the Commissioner of the District of Columbia and the Board of Directors of the Washington Metropolitan Area Transit Authority jointly determine it necessary or desirable to provide for public acquisition and operation of D.C. Transit System, Incorporated, including any subsidiaries thereof, prior to the time that the Washington Metropolitan Area Transit Authority is legally in a position to acquire and operate such facilities in accordance with title I of this Act, the agency herein created shall immediately organize and undertake such acquisition and acquisition of the Alexandria, Barcroft, and Washington Transit Company and the WMA Transit Company. There is hereby created, as an interim agency for such purpose, a public body corporate to be known as the District of Columbia Metropolitan Area Transit Agency, which shall be an instrumentality and agency of the government of the District of Columbia.

BOARD OF DIRECTORS

SEC. 202. The powers of the agency shall be vested in and exercised by a Board of Directors consisting of the six members of the Board of Directors of the Washington Metropolitan Area Transit Authority (hereinafter referred to as the "Board"). Each Director shall have as an alternate the same person serving as his alternate on the Board of Directors of the Washington Metropolitan Area Transit Authority. An alternate may act only in the absence of the Director whom he represents, except that in the case of the District of Columbia where only one Director and his alternate are present such alternate may act on behalf of the absent Director. The members shall not be subject to the provisions of section 7324(a)(2) of title 5, United States Code. Four of said members shall constitute a quorum. No action by the Board shall be effective unless a majority of the Board concurs therein, which majority shall include at least one Director from the District of Columbia, the State of Maryland, and the Commonwealth of Virginia. The members shall select from among their number a Chairman and Vice Chairman of the Board. The agency may delegate to one or more of its directors,

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officers, agents, or employees such powers or duties as it may deem proper. Members of the Board shall receive no salary but shall be entitled to per diem pay not to exceed $50 for each day in which they attend a meeting on business of the agency and expenses unless otherwise prohibited by law.

POWERS OF THE AGENCY

SEC. 203. The agency shall constitute a public body corporate, exercising public and essential governmental functions, and shall have—

(a) all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Act, and

(b) such other powers as are or may be authorized by appropriate authority of the United States or the District of Columbia, including, but without limitation, the power to acquire for public service all of the capital stock or facilities, real and personal property and rights of whatever nature used or useful for the mass transportation by bus of passengers of D.C. Transit System, Incorporated; its subsidiary, the Washington, Maryland, and Virginia Coach Company; Alexandria, Barcroft, and Washington Transit Company; and the WMA Transit Company, by purchase, gift, or exercise of eminent domain or otherwise, on such terms and conditions as it may deem proper, and

(c) power to operate such companies, and

(d) power to adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations for the exercise of the broad powers granted under this Act or governing the manner in which its business may be conducted, and

(e) power to borrow money for any of the purposes of this title, and

(f) power after consultation with the Washington Metropolitan Area Transit Commission to fix and revise from time to time and charge and collect fares, determine schedules, routings and conditions of service for such mass transit bus system. The determinations of the Board with respect to the fixing of fares, schedules, routes, and conditions of service shall not be subject to judicial review nor to the processes of any court. Insofar as practicable, and consistent with the provision of adequate service at reasonable fares, the fares and service shall be fixed so as to result in revenues which will pay the operating expenses and provide for repairs, maintenance, and depreciation of the transit facilities owned or controlled by the agency. The Agency shall, to the fullest extent possible, operate any transit system acquired by it as a coordinated system with private transit companies without unnecessary duplicating service.

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CONTRACT WITH THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

SEC. 204. The Agency is authorized to contract with the Washington Metropolitan Area Transit Authority for use of the Authority's facilities and services on a reimbursable basis, in connection with the acquisition, operation, and maintenance of any mass transit bus system acquired by the Agency.

PERSONNEL

SEC. 205. The Board shall establish a system of organization to fix responsibility and promote efficiency; establish such positions as may be necessary to perform the business of the Agency; define the duties of such positions; fix the rates of pay therefor; make appointments thereto; and require bonds to be given by the incumbents of such of the said positions as the Board, in its discretion, may determine, and the Board may make provisions for the payment by the Agency of the premiums for such bonds for such periods as the Board may consider desirable. The Board shall establish a personnel system independent of the Federal civil service system and the personnel systems governing employment in the municipal government of the District of Columbia.

TRANSFER OF MASS TRANSIT BUS SYSTEM OR SYSTEMS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

SEC. 206. Whenever the Washington Metropolitan Area Transit Authority determines it has the power to acquire and operate, or provide for the operation of a mass transit bus system, the District of Columbia Transit Agency shall, within sixty days after a request therefor is made by the Authority, transfer to it any mass transit bus system theretofore acquired by the Agency. Any such transfer should provide for assumption by the Authority of the labor contract or contracts of the Agency.

EMINENT DOMAIN

SEC. 207. (a) The Agency shall have the power to acquire by condemnation, whenever in its opinion it is necessary or advantageous to the Agency to do so, the capital stock of any private transit company or any real and personal property, or any interest therein, necessary or useful for the transit system, except property owned by the United States, by a State, or any political subdivision thereof, whenever such property cannot be acquired by negotiated purchase at a price satisfactory to the Agency.

(b) Proceedings for the condemnation of property in the District of Columbia shall be instituted and maintained under the Act of December 23, 1963 (77 Stat. 577, section 16–1351–1368 of the District of Columbia Code). Proceedings for the condemnation of property located elsewhere shall be instituted and maintained, if applicable, pursuant to the provisions of the Act of August 1, 1888, as amended (25 Stat. 357; 40 U.S.C. 257) and the Act of June 25, 1948 (62 Stat. 935 and 937; 28 U.S.C. 1358 and 1403) or any other applicable Act: *Provided, however,* That if there is no applicable Federal law, condemnation proceedings shall be in accordance with the provisions of the State law in which the property is located governing condemnation by the highway agency of such State. Whenever the words "real property," "realty," "land," "easement," "right-of-way," or words of similar meaning are used in any applicable Federal or State law relating to procedure, jurisdiction, and venue, they shall be deemed, for the purposes of this title, to include any personal property authorized to be acquired hereunder.

TITLE III

LABOR POLICY

SEC. 301. The rights, benefits, and other employee protective conditions and remedies of section 13(c) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1609(c)), as determined by the Secretary of Labor, shall apply to the operation by the Agency or the Authority of any mass transit facilities owned or controlled by them and to any contract or other arrangement for the operation of such transit facilities. Whenever the Agency or Authority shall operate any transit facility or enter into any contractual or other arrangements for the operation of such transit facility, the Agency or Authority shall extend to employees or affected mass transportation systems first opportunity for transfer appointment as employees of the Agency or Authority in accordance with seniority, in any nonsupervisory job in respect to such operations for which they can qualify after a reasonable training period. Such employment shall not result in any worsening of the employee's position in his former employment nor any loss of wages, hours, working conditions, seniority, fringe benefits and rights and privileges pertaining thereto.

SEC. 302. The Agency and Authority shall deal with and enter into written contracts with employees as defined in section 152 of title 29, United States Code, through accredited representatives of such employees or representatives of any labor organization authorized to act for such employees concerning wages, salaries, hours, working conditions, and pension or retirement provisions.

SEC. 303. In case of any labor dispute involving the Agency or Authority and such employees where collective bargaining does not result in agreement, the Agency or Authority shall submit such dispute to arbitration by a board composed of three persons, one appointed by the Agency or Authority, one appointed by the labor organization representing the employees, and a third member to be agreed upon by the labor organization and the Agency or Authority. The member agreed upon by the labor organization and the Agency or Authority shall act as chairman of the board. The determination of the majority of the board of arbitration, thus established shall be final and binding on all matters in dispute. If after a period of ten days from the date of the appointment of the two arbitrators representing the Agency or Authority and the labor organization, the third arbitrator has not been selected, then either arbitrator may request the Federal Mediation and Conciliation Service to furnish a list of five persons from which the third arbitrator shall be selected. The arbitrators appointed by the Agency or Authority and the labor organization, promptly after the receipt of such list, shall determine by lot the order of elimination, and thereafter each shall in that order alternately eliminate one name until only one name remains. The remaining person on the list shall be the third arbitrator. The term "labor dispute" shall be broadly construed and shall include any controversy concerning wages, salaries, hours, working conditions, or benefits including health and welfare, sick leave, insurance or pension or retirement provisions but not limited thereto, and including any controversy concerning any differences or questions that may arise between the parties including, but not limited to, the making or maintaining of collective-bargaining agreements, the term to be included in such agreements, and the interpretation or application of such collective-bargaining agreements and any grievance that may arise and questions concerning representation. Each party shall pay one-half of the expenses of such arbitration.

SEC. 304. The Agency and Authority are hereby authorized and empowered to establish and maintain a system of pensions and retirement benefits for such officers and employees of the Agency or Authority as may be designated or described by resolution of the Agency or Authority; to fix the terms of and restrictions on admission to such system and the classifications therein; to provide that persons eligible for admission in such pension system shall not be eligible for admission to, or receive any benefits from, any other pension system (except social security benefits), which is financed or funded, in whole or in part, directly or indirectly by funds paid or appropriated by the Agency or Authority to such other pension system; and to provide in connection with such pension system, a system of benefits payable to the beneficiaries and dependents of any participant in such pension system after the death of such participant (whether accidental or otherwise, whether occurring in the actual performance of duty or otherwise, or both) subject to such exceptions, conditions, restrictions and classifications as may be provided by resolution of the Agency or Authority. Such pension system shall be financed or funded by such means and in such manner as may be determined by the Agency or Authority to be economically feasible.

Unless the Agency or Authority shall otherwise determine, no officer or employee of the Agency or Authority and no beneficiary or dependent of any such officer or employee shall be eligible to receive any pension or retirement or other benefits both from or under any such pension system and from or under any pension or retirement system established by an acquired transportation system or established or provided for by or under the provisions of any collective bargaining agreement between the Agency or Authority and the representatives of its employees.

SEC. 305 Whenever the Agency or Authority acquires existing transit facilities from a public or privately owned utility either in proceeding by eminent domain or otherwise, the Agency or Authority shall assume and observe all existing labor contracts and pension obligations. When the Agency or Authority acquires an existing transportation system, all employees (except executive officers) who are necessary for the operation thereof by the Agency or Authority shall be transferred to and appointed as employees of the Agency or Authority, subject to all the rights and benefits of this title. These employees shall be given seniority credit and sick leave, vacation, insurance and pension credits in accordance with the records or labor agreements from the acquired transportation system. Members and beneficiaries of any pension or retirement system or other benefits established by the acquired transportation system shall continue to have rights, privileges, benefits, obligations and status with respect to such established system. The Agency or Authority shall assume the obligations of any transportation system acquired by it with regard to wages, salaries, hours, working conditions, sick leave, health and welfare and pension or retirement provisions for employees. It shall assume the provisions of any collective-bargaining agreement between such acquired transportation system and the representatives of its employees. The Agency or Authority and the employees, through their representatives for collective-bargaining purposes, shall take whatever action may be necessary to have pension trust funds presently under the joint control of the acquired transportation system and the participating employees through their representatives transferred to the trust fund to be established, maintained and administered jointly by the Agency or the Authority and the participating employees through their representatives. No employee of any acquired transportation system who is transferred to a position with the Agency or Authority shall by reason of such transfer be placed in any worse position with respect to workmen's compensation, pension, seniority, wages, sick leave, vacation, health, and welfare insurance or any other benefits than he enjoyed as an employee of such acquired transportation system.

TITLE IV—FINANCING

FINANCIAL ASSISTANCE

SEC. 401. (a) The Commissioner of the District of Columbia is authorized, within the limit of funds appropriated therefor, to contract with the D.C. Transit System, Incorporated, or any successor Agency or Authority, for the payment to it of such amounts as he may deem appropriate to assist in maintaining reasonable fare levels for residents of the District of Columbia, and to contract with the Authority for the payment to it of the District's share of the cost to the Authority of acquiring buses and other vehicles which may be leased to the company by the Authority.

(b) Payments made to the D.C. Transit System, Incorporated, pursuant to this section, shall be subject to the following limitations and conditions—

(1) In determining the amount of such payments the Commissioner shall seek the advice and recommendations of—

(i) the Washington Metropolitan Area Transit Commission concerning just and reasonable fares, financing of bus operations, and adequate levels of service to the public; and (ii) the Washington Metropolitan Area Transit Authority concerning the impact of such payments on the proposed rapid rail transit program and upon public ownership contemplated by section 101 of this Act.

(2) The contracts made with D.C. Transit System, Incorporated, pursuant to this section, shall include such terms and conditions with respect to the financing and operations of D.C. Transit System, Incorporated, as may be agreed to by the Commissioner of the District of Columbia, the Washington Metropolitan Area Transit Commission and D.C. Transit System, Incorporated.

(c) The Commissioner, for the government of the District of Columbia, is authorized to participate in any program which may be available under the provision of the Urban Mass Transportation Act of 1964 (78 Stat. 302).

(d) The Commissioner of the District of Columbia is authorized to purchase, either from D.C. Transit System, Incorporated, or from some other company, buses and other vehicles utilized or to be utilized by D.C. Transit System, Incorporated, in the operation of any mass transit bus system owned or controlled by it, and to lease such buses and other vehicles to D.C. Transit System, Incorporated, for an annual lease payment which may be less than the current capital cost to the company of owning such buses and other vehicles. The Commissioner is further authorized and directed to transfer ownership of such buses and other vehicles to the Washington Metropolitan Area Transit Authority at such time as the Authority may acquire the bus system or systems owned or controlled by D.C. Transit System, Incorporated, under such terms and conditions as may be agreed to by the Commissioner and the Authority.

(e) As a condition to receiving funds or other benefits under this section, D.C. Transit System, Incorporated, shall first pay its obligations to employee retirement and health and welfare programs, and shall permit the Comptroller General of the United States or the Commissioner of the District of Columbia, at their request, to have access to all books, records, and papers of the company, and to inspect any facility or any real or personal property of the company.

(f) The provisions of this section shall expire June 30, 1972.

ACCEPTANCE OF GRANTS

SEC. 402. The District of Columbia Metropolitan Area Transit Agency is authorized to receive and accept from the United States of America, any Federal instrumentality or agency thereof, the District of Columbia, or any State or political subdivision thereof, grants and contributions for or in aid of the acquisition, construction, ownership, operation, and maintenance of any mass transit bus system, and to receive and accept aid or contributions from any source of either money, property, labor, or other things of value, to be held, used, or applied only for the purposes for which such grants and contributions may be made.

TEMPORARY FINANCING OF ACQUISITION

SEC. 403. The Secretary of the Treasury upon request of the Secretary of Transportation is authorized and directed to advance on the requisition of the Commissioner of the District of Columbia out of any money in the Treasury of the United States not otherwise appropriated such sums as the said Commissioner may determine to be necessary to temporarily finance the acquisition of the mass transit bus system or systems contemplated by titles I and II of this Act, and such amounts so advanced shall be reimbursed to the Treasury out of sums contributed or appropriated pursuant to section 404 hereof.

APPROPRIATIONS AUTHORIZED

SEC. 404. There are hereby authorized to be appropriated, without fiscal year limitation, such sums as may be necessary to carry out the purposes of titles, I, II, and IV of this Act: *Provided, however,* That such sums as are appropriated hereunder shall be available only if the Secretary of Transportation determines that the Agency or Authority has agreed to undertake immediate acquisition of all private transit companies operating regularly scheduled bus transit service over fixed routes in the Washington Metropolitan Area Transit Zone.

Mr. KENNEDY. Mr. President, it is the intention of the leadership that we have the opening statement by the manager of the bill this evening. We expect that there will be no further votes today.

Mr. EAGLETON. Mr. President, S. 1814, as amended by the committee and endorsed by the District of Columbia government, has two principal purposes: to grant congressional consent to the public acquisition and operation of mass transit bus facilities in the Washington metropolitan area, and to authorize payments by the District of Columbia government to assist in maintaining reasonable bus fares for District residents.

Your committee believes that this legislation is needed both to protect the public against a sudden disruption of bus service and to facilitate long-range transportation policy in the metropolitan region.

The chronic financial crises besetting the D.C. Transit System, Inc., continually threaten to disrupt bus service in the Washington metropolitan area either through a drivers' strike or company insolvency.

Moreover, as the Metro rapid transit system moves toward reality, the need to coordinate all forms of mass transit grows more apparent. Within 6 years, five spines of the Metro system will extend into the Maryland and Virginia suburbs, requiring a massive system of feeder bus service along new routes, on new schedules matched to Metro routes and timetables, and with a fare structure integrated with the Metro fares. These great alterations in bus ridership, service, and fare structure argue most persuasively for unification of the Metro system and the regional buslines in the Washington area.

In authorizing public ownership and operation of transit facilities, however, the committee does not intend to foreclose the possibility of continued private ownership of these facilities, if a qualified buyer can be found. It is the committee's view that ample time will exist between the start of the negotiations authorized by this bill and the appropriation of funds under it for any bona fide private offer to be fully and fairly considered.

The bill also permits private operation of publicly owned companies in any case where the public interest warrants it. Your committee believes, however, that public acquisition of the bus transit systems in Washington is the only permanent, efficient, and effective answer to the mounting crisis in bus mass transit in the Washington area.

The legislation recommended by your committee was formulated in the spring of 1969 in cooperation with the Distict of Columbia government, the Bureau of the Budget, and the Washington Metropolitan Area Transit Authority to meet the continuing triple-pronged crisis in Washington metropolitan area bus transportation: rapidly escalating fares, chronic near insolvency in the dominant bus company, D.C. Transit, Inc., and continued threats of walkout by D.C. Transit, Inc., drivers over massive deficiencies by that company in its contract obligations to employee pension and health trust funds.

The legislation is not opposed by any of the bus companies in the metropolitan area included in the bill. In fact, at the request of the two other major bus companies in the area, the bill has been broadened to permit their acquisition by public agencies as well.

The stockholders of D.C. Transit, Inc., have done well with their investment. D.C. Transit, Inc., purchased the assets of the Capital Transit Co., then valued at $23.8 million, for $13,500,000, financed by an actual cash investment of $500,000. The balance was paid out of cash on hand in the purchased company at the time it was acquired and from the proceeds of the sale of certain properties owned by the purchased company, but most of the balance was financed from farebox revenues.

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Between August 1965 and 1966, stockholders' dividends on the initial $500,000 investment total $4,390,000, or an 830 percent actual paid-out return on the original equity in just 10 years. In addition to these substantial dividends, D.C. Transit, Inc., and its subsidiaries own six properties, originally acquired by D.C. Transit from Capital Transit in 1956, which, on the basis of tax assessments, appear to have a market value of about $5,900,000.

But while the stockholders have prospered, the company's financial health has declined and the interests of the riding public have been jeopardized. D.C. Transit has registered earning deficits after deductions for interest every year since 1965.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. EAGLETON. I yield.

Mr. MURPHY. I am most interested in the details that are being recounted by my distinguished colleague. Do I correctly understand that each year this company was declaring dividends and losing money at the same time?

Mr. EAGLETON. They were incurring the dividends in the period up through 1965, when they paid out the sum of $4.390 million, or, as I said, an 830 percent actual paid out return on the original equity in the 10 years. After it had been milked pretty good, the company was not in a position to pay any dividends when it started running up its deficits in 1965.

Mr. MURPHY. I was also interested in the first purchase figure that was mentioned, that a company that was worth, I think, $26 million——

Mr. EAGLETON. $23.8 million.

Mr. MURPHY. Was purchased for $13 million, and the only money that changed hands was less than a half million dollars.

Mr. EAGLETON. A half million dollars.

Mr. MURPHY. How does one manage that? That is some new type of financial ledgerdemain, I would suggest.

Mr. EAGLETON. I agree with the Senator. I fail to comprehend it, although those are the actual facts and figures. It is one of the greatest steals since the Brinks robbery.

Mr. MURPHY. Was there any evidence by someone before the committee that there was any collusion between the seller and the buyer at the expense of the traveling public?

Mr. EAGLETON. No, there was no collusion. Neither the Senator from California nor I were in Washington in 1956, but the predecessor of the current operator was Mr. Louis Wolfson; and Mr. Wolfson was running on some ill financial times himself. The company was in rather rickety operating shape. There was a great hue and cry to unload him. Bills were introduced in Congress even back then for the Federal Government or the District government to take over the transit line, and one of the bills passed one of the houses. I forget which. My notes will soon reflect.

Into this chaotic breach came Mr. O. Roy Chalk with $500,000 and picked himself up a $23.8 million company in a quasi-distress sale situation. But, again, I cannot give the Senator a very satisfactory answer as to how, under even the most pressing circumstances, one could be so fortunate as to pick up a commendable asset for such a negligible investment and then milk it dry. It has been a very interesting operation.

Mr. MURPHY. I thank my distinguished colleague.

Mr. EAGLETON. Mr. President, the financial problems of D.C. Transit came to a head in March, 1969, when its drivers, members of Local 689 of the Amalgamated Transit Union, threatened to strike to force payment of almost $2 million owed by the company under its contract obligations to the union pension and health and welfare funds. Only at the last minute was a walkout averted, when D.C. Transit, Inc., agreed to pledge certain properties of the company toward satisfaction of the obligations and to remain current in future trust fund payments.

The easing of the pension fund crisis—that is the one I am talking about, back in March of 1969—removed the immediate danger of a breakdown in District bus service, but, in the committee's judgment, the company remains in a shaky financial state, subject to a relapse at any time.

At the time of the Senate hearing in 1969, the company's total accounts payable were in excess of $3.5 million, and it was understood that several creditors had placed the company on a cash-only basis. Included in those outstanding accounts was $400,000 owed to the District Highway Department for track removal work dating back in some cases to 1966.

As this bill is being considered, the company is under an ultimatum from its drivers to make up deficiencies in its employee pension and health and welfare funds or face a possible strike vote on April 26.

I want to make clear that the committee is not reacting to this strike threat, although it is certainly a factor in the committee's overall assessment of the company's stability. The proposed legislation has been under consideration by the committee for more than 1 year, and it is the result of very careful study, negotiation, and deliberation. It is addressed not to any specific crisis of the moment but to a long-range deteriorating situation that involves significant public and Federal interests.

The compact amendments embodied in this bill have been approved by the Virginia Legislature at its most recent session. However, the Maryland Legislature has not yet acted on these proposed changes, although it is understood that a majority of the legislators from the affected counties, Prince Georges and Montgomery, support the changes.

Anticipating that a transit crisis could occur after enactment of this bill, but before the Maryland Legislature can meet next year to consider the compact changes, the committee has included in the bill provisions for a public corporation in the District of Columbia government to acquire bus companies on an interim basis before the Metro Authority is legally authorized by action of the Maryland Legislature to own and operate mass transit facilities. When this occurs, the bill provides for an automatic transfer of the transit facilities from the temporary agencies to the Metro Authority.

Mr. President, the committee believes that by permitting, but not requiring, the Metro Authority to acquire and operate mass transit facilities where the public interest warrants, the maximum possible flexibility, efficiency, and rationality can be achieved in mass transit service for the citizens of the Washington metropolitan area. The declining financial condition of bus companies in the Washington area, the constantly increasing fares, and the chronic financial crises of D.C. Transit and its subsidiary promise a bleak future for bus transit in the Washington area unless the proposed legislation is enacted.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. EAGLETON. I yield.

Mr. MURPHY. May I ask the Senator, earlier in his remarks, should the bill be passed, would it not include the possibility of another operator or several operators entering into the field and bidding for the operating rights of the transit system in Washington; is that correct?

Mr. EAGLETON. That is correct.

Mr. MURPHY. Is there anything in the bill that provides guidelines, or sets up conditions under which the bids might be received or accepted?

Mr. EAGLETON. No; because of the negotiations between the two private parties—to wit, the current owner of D.C. Transit, Inc., Mr. Chalk, and any potential buyer who might wish to purchase it. To be more specific, I do not think I am at liberty to divulge the name, but it was some time during the latter part of the calendar year of 1969 that a very knowledgeable gentleman in transit operations paid me a visit, and I think to all the other members of the District of Columbia Committee, to discuss transit problems here. He had the view of putting together a group and then entering into negotiations or "discussion," which would be a more apt term, I believe, with Mr. Chalk for the potential purchase of the D.C. Transit, Inc. The gentleman was a very fine person to my knowledge and he spent a couple of hours in my office and, as I say, presumably with other members of the District of Columbia Committee. I have not heard from him since.

Mr. MURPHY. Mr. President (Mr. HUGHES), in the event of public management or public ownership which is invested in the bill should it take over, and subsequent to that, would there be any possibility, or has there been any consideration setting up considerations under which a private party might bid later on for the management of the company?

Mr. EAGLETON. The way the bill was written, the committee put up the final condemnation process almost up to the very minute the case was submitted to a jury and the jury was out deliberating on the final award. There could be private negotiations and discussions take place between outside groups that might wish to take it over, and if that group looks promising and to have a potential to run the metropolitan transit system, the condemnation procedures could be dropped or abated at that time.

Mr. MURPHY. I thank the Senator and sincerely hope that if these procedures move forward, there will be some consideration and some way found to clean up the emissions from the exhausts of the buses here in the District.

I guess I am as sensitive to the matter of air pollution as anyone. I must say, coming to work in the morning, the buses in Washington seem to smoke it up about as badly as any I have ever seen. I would hope that somewhere along the line we consider taking up that matter, too.

Of course, as everyone knows, the matter of smog is important to my hometown of Los Angeles, but if we keep it up here and allow pollution to permeate Washington, it will be very soon as important a matter in Washington, D.C., as well. So that I hope, in some way, we can issue instructions that will be given to the new management as they look into this new aspect. I would be glad to advise them. I am getting to be a bit of an expert on the matter of smog.

Mr. EAGLETON. I thank the distinguished Senator from California for his apt observations.

Mr. President, I yield the floor.

ANNOUNCEMENT OF APPOINTMENT OF ADM. THOMAS H. MOORER TO BE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

Mr. ALLEN. Mr. President, the White House has announced today the appointment of Adm. Thomas H. Moorer, presently Chief of Naval Operations, to be Chairman of the Joint Chiefs of Staff.

Mr. President, I want to congratulate Admiral Moorer and to commend the President on this wise choice.

Admiral Moorer is a native of my own State of Alabama.

Alabama and the Nation are proud of Admiral Moorer and his brilliant naval career.

Admiral Moorer was born in south Alabama, in Lowndes County, in the small town of Mount Willing, a town of some 250 citizens. He went to preparatory school at Cloverdale High School in Montgomery, Ala., where he graduated as the valedictorian of his class, from there going on to the Naval Academy at Annapolis, and then on to his brilliant career in the Navy.

His home now is in Eufaula, Ala., where he is regarded as the chief citizen of that fine and fair city.

I do not know what Admiral Moorer's political philosophy is. Certainly I do not know whether he would be considered a strict constructionist of the Constitution. He probably never stopped to consider whether he was or not. His philosophy unquestionably is one of loyalty to the military services, loyalty to his country, and loyalty to his Commander in Chief. As Chairman of the Joint Chiefs of Staff he will render outstanding service in advising with the other Chiefs of Staff, and in advising with the President of the United States in matters of military planning and military strategy.

Mr. TYDINGS. Mr. President, will the Senator from Alabama yield?

Mr. ALLEN. I yield.

Mr. TYDINGS. I should like to take this occasion to associate myself with the remarks of the distinguished Senator from Alabama upon the announcement of the appointment of Adm. Thomas H. Moorer to be Chairman of the Joint Chiefs of Staff.

I concur in all his remarks about this splendid, career naval officer.

It was my pleasure to be present at the installation of Admiral Moorer when he became commander-in-chief of the Pacific fleet in Hawaii in 1964. I had occasion to get to know him at that time, and my admiration for him has increased over the years.

I certainly applaud the selection by the President of Admiral Moorer in these very serious times to be chairman of the Joint Chiefs of Staff. I thank the distinguished Senator for permitting me to make these remarks at this point.

Mr. ALLEN. I thank the distinguished Senator from Maryland.

Mr. SPONG. Mr. President, will the Senator from Alabama yield?

Mr. ALLEN. I yield.

Mr. SPONG. I would also like to associate myself with the remarks of the Senator from Alabama. I should like to congratulate Admiral Moorer upon his appointment and commend President Nixon for making it.

Admiral Moorer, as the Senator from Alabama has said, has had a distinguished naval career. Some of his years of naval service were spent in the Fifth Naval District, at Norfolk, Va. I know that the people of Virginia join me in congratulating him upon his appointment. The country will benefit from the fine service that he will render.

I thank the Senator from Alabama for yielding to me.

Mr. ALLEN. Mr. President, I thank the distinguished Senator from Virginia.

Paraphrasing Kipling, Admiral Moorer can walk with the world's leaders nor lose the common touch.

Certainly he is a down to earth person, level headed with his feet squarely on the ground. The talents, the abilities, the zeal, the dedication, and the determination that he brings to this new assignment will assure him of a great place in the annals of this country.

Mr. President, it has been possible to get the admiral out of Alabama, but we cannot get the Alabama out of the admiral. He does take—and we love him for it—a great interest in his home State. He considers himself to be an American first but an Alabamian second.

He takes great interest in our civic activities, our patriotic celebrations, our philanthropic activities, and, in general, is a great Alabamian, a great American.

Once again, speaking for the people of Alabama, I express our great pride and our love for Admiral Moorer and our admiration for his outstanding career.

I commend him on this additional honor that has come to him at this time.

Due to his eminent qualifications for the position of Chairman of the Joint Chiefs of Staff, I predict his early confirmation by the Senate by a unanimous vote.

ORDER FOR RECOGNITION OF SENATOR BELLMON TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that following disposition of the reading of the Journal on tomorrow, the Senator from Oklahoma (Mr. BELLMON) be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the Senator from Oklahoma (Mr. BELLMON), there be a period for the transaction of routine morning business with the usual 3 minute limitation on speeches and that at the conclusion of the period for the transaction of routine morning business, the Chair lay the unfinished business before the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO SIGN DULY ENROLLED BILLS AND TO RECEIVE MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Acting President pro tempore be authorized to sign

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duly enrolled bills during the adjournment today and that the Secretary of the Senate be authorized to receive messages from the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE RUNOFF PROVISIONS OF SENATE JOINT RESOLUTION 1 NEED MODIFICATION

Mr. TYDINGS. Mr. President, the constitutional amendment providing for the direct election of the President (S.J. Res. 1) is designed to remedy a number of specific problems found in the present electoral college system. These difficulties, when added together, have led to a questioning of the rationality and legitimacy of our method of electing Presidents and, in 1968, raised the threat of a major constitutional crisis.

By providing for a direct popular election, Senate Joint Resolution 1 eliminated the following faults of our present system:

First. The lack of legitimacy of a system in which a candidate with a plurality or majority could lose an election to a rival with an electoral majority.

Second. The alleged bias toward very big States because of the unit rule of State electors, and toward very small States because of the three-elector minimum per State.

Third. The exaggerated majority in the electoral college, as compared to popular vote totals, giving a close winner an inflated victory.

Fourth. The problem of the faithless elector.

Fifth. The unequal weight accorded to voters in different sized States.

Sixth. The general irrationality and antimajoritarian aspects of this archaic institution which are difficult to justify in reasoned debate.

Because of these major improvements in our key election provisions of the Constitution, I am a strong supporter of Senate Joint Resolution 1, and I want to congratulate Senator BAYH on the outstanding job he has done in bringing this desperately needed reform so close to final enactment.

THE THIRD-PARTY PROBLEM UNDER THE ELECTORAL COLLEGE

However, Senate Joint Resolution 1 does not eliminate the electoral college's most glaring and threatening weakness—the possibility of crisis due to a third-party candidacy. Under the electoral college, third-party candidates are generally discouraged from running for the Presidency because of the unit rule; unless a splinter party leader can receive a majority of votes in a State, he will not receive any electoral college votes. This unit rule has thus successfully discouraged ideological third parties. Regional candidates, also, are presented with significant barriers, although these barriers are only of national scope. At the regional level, candidates such as Wallace can attract State majorities and break into the electoral college; yet chances of obtaining an ultimate majority in the electoral college from such a base remain slim. The prospect of eventual failure serves to channel votes away from this type of candidate to second choice candidates because it becomes clear to the average third-party voter that his vote will be wasted if he votes for his first preference.

Yet in spite of the existing institutional barriers to third parties, the prospect of continued third- and fourth-party candidacies continues. This is a function of the "spoiler" role that a third-party candidate can play. Under our electoral college, a third-party candidate has no effect upon the election outcome unless he can deny an electoral college majority to the election winners. Because of the peculiarities of the electoral college, this is a real possibility for sectional candidates. The possibility of triggering the unknown and awkward procedures of selecting the President in the House of Representatives is enough of a threat to any regular candidate's chance of victory and to the legitimacy of the entire election process, that the third-party candidate has extraordinary bargaining leverage. A refusal to deal with the outsider can mean defeat and/or crisis for the regular party candidates and the certainty of more wholesale political bargaining in the House.

Thus under the present electoral college system, the mechanism of resorting to a House election, when the electoral college fails to produce a majority, is enough of an incentive to create meaningful third-party challenges and the threat of a constitutional crisis, in spite of the inhibiting unit rule of the States.

THE THIRD-PARTY PROBLEM UNDER THE DIRECT ELECTION PLAN

The provisions of Senate Joint Resolution 1, although otherwise laudatory, create the very same problem of an incentive for third-party candidacies. In this case the trigger device is the 40-percent plurality required for direct election. A candidate outside the two regular parties need only approach 20 percent of the popular vote in order to reach a strong bargaining position. This incentive would apply to ideological as well as to regional candidates because there is no unit rule under the direct election scheme. The 20 percent figure becomes very much in reach of splinter parties when more than one outsider is running. The prospect of two candidates, one regional and one ideological, amassing 20 percent of the vote amongst them is quite realistic in the near future of American politics.

Under the direct election plan, the opportunity for crude political bargaining and threats are as available as under the electoral college. In both, an outsider can offer to withdraw immediately preceding the election and attempt to swing his followers toward a would-be victor in return for a significant political concession. While the haunting threat of a debacle in the House does not offer itself under Senate Joint Resolution 1, the maneuvering and dealing in a runoff race of the two surviving candidates would certainly be intense as they desperately wooed the disappointed followers of the third-party candidates. If experience under the French electoral system is any guide, the runoff makes the first election a test of bargaining strength, leads to a further ideological hardening, and creates an atmosphere of shameless deals preceding the runoff. Given the fact that this kind of bargaining would take place under conditions of division and disappointment—it would be used only if no candidate has amassed 40 percent of the vote—cynical political moves might in themselves lead to a crisis of respect and legitimacy in the selection of the President.

It would appear that this incentive to use the 40-percent trigger and runoff is just as great as is the present temptation to deny an electoral college majority and go to the House. However, under Senate Joint Resolution 1, the initial restraint of the States' unit rule is absent. Thus, the direct election amendment will increase the attractiveness of third-party Presidential candidacies. If present political trends continue, Senate Joint Resolution 1 will bring a constitutional crisis closer to reality.

THE EFFECTS OF PARTY FRAGMENTATION

Presidential election systems do not cause splinter parties, they merely encourage or discourage them. It is the underlying problems and conflicts in our society which create new parties and political movements. As our Nation continues to feel the effects of both major domestic and foreign crises, it will no doubt experience greater pressure for splinter party groups. This is a function of the deep divisions in our society that have finally emerged and burst into the political area.

In part, this trend of political fragmentation reflects the increase in ideological and rigid political doctrines that threaten to drive the traditional American pragmatism and compromise into the past. No doubt the general politicization of issues in our society draws into the political fray fringe groups that previously suffered silently or remained dormant without hope of change. Perhaps the widespread frustration and malaise in the Nation plus a feeling of inability to influence the events that shape our destiny, drives concerned groups into strong political movements. Certainly there is little hope in the next few decades that the major schisms and problems that confront our society will disappear; it is more likely that our political parties will be the ones to vanish.

For many, substantial weakening of the two-party system would be a serious, if not crippling blow to the functioning of the American political process. A stable dual party structure serves many vital tasks of our democracy. Two strong parties are essential to maintain the competition for office amongst leaders that provides the honesty and innovation in American politics. Two stable parties provide the continuity of program needed to accomplish major change in a relatively slow moving political process. Most important, with only two parties, there is a need to create a

XUM

real majority or large plurality for electoral victory. This fact requires that each party provide a political program that attracts a broad spectrum of voters.

Thus in a two-party system, the parties are forced to create programs that satisfy a broad range of groups and interests. In the United States, the two major political parties have become the central institutions for moderating and resolving conflicts in our society. Our conventions, fault-ridden as they may be, and party machinery serve to mitigate and lessen the divisions of the Nation. Without these institutions, the whole burden of resolving conflict would be thrust into the legislature. Under a multiparty system dogmatic ideology would flourish and compromise disappear. Executive leadership would be difficult because there would be no institution to aggregate enough political support to form a majority President. If the example of modern European parliamentary systems is of any relevance, multiparty government means bitter conflict and governmental immobility.

Of course, ours is a society that is in desperate need of change and innovation of its policies and institutions. Many believe that the two-party system and barriers to third parties have impeded these needed reforms. However, historical precedent seems convincing that reform, if it is to be successful, is best directed within a major party. Only the major parties offer the strength of broad support and the structure of continuity that is a prerequisite for meaningful change. This is not to say, however, that the parties do not require major internal reform in order to allow change and challenge from within.

It is difficult to gather the support of large and differing groups in any party for significant change; but this is the cost of governing by consent rather than decree. The only other alternative in such a diverse society as ours is political fragmentation. And fragmentation without coercion will be stagnation.

In short, our political system desperately needs all its institutions that moderate conflict and provide for the means to change. The enactment of Senate Joint Resolution 1 would alter the Presidential elections to encourage third parties and undermine one of the key institutions of conflict resolution and change in our system. We should change our electoral system, but in a way that avoids crisis and supports our two-party structure.

TYDINGS AMENDMENT

I have a one-sentence amendment to Senate Joint Resolution 1 which replaces the run off provisions with a modified version of the electoral college if the direct election winner fails to gain 40 percent of the popular vote.

On page 2:

SEC. 3. The persons joined as candidates for President and Vice President, having the greatest number of votes shall be declared elected President and Vice President, if such number be at least 40 per centum of the total number of votes certified. If none of the persons joined as candidates for President and Vice President shall have at least 40 per centum of the total number of votes certified [a runoff election shall be held between the two pairs of persons joined as candidates for President and Vice President who received the highest number of votes certified.] *then of the two pairs of persons with the highest number of votes in the election, that pair with the highest number of votes in each State shall receive the number of votes equal to the number of Senators and Representatives from that State, and the pair with the highest number of such votes shall be elected.*

Bracketed material stricken; italicized material added.

HOW IT WORKS

The direct election system would continue unmodified in 99 percent of all Presidential elections since it is an historical rarity for the winning Presidential candidate to receive less than 40 percent of the popular vote. In that rare case when no one received 40 percent, only the two leading candidates would remain in the race, and their vote totals would be counted on a State-by-State basis. The one candidate of the two with more votes in each State would receive that State's electoral votes. Since there are only two candidates left, there must be a winner with a large number of electoral votes. Of course, no one would have received 40 percent of the votes, but the winner would have received more votes than his opponent in first, most of the large States, or second, a huge amount of medium and small States.

It should be noted that this provision in no way compromises the other remedies that Senate Joint Resolution 1 provides to the electoral college system; this amendment merely replaces one emergency contingency with another.

The whole point of the change is that the Tydings contingency, unlike the runoff in Senate Joint Resolution 1 discourages its own use. Its success will be its preventative effect. Under this plan, no third-party candidate, ideological or sectional, has a chance of winning the Presidential election, unless he can amass an electoral college majority as one of two front runners or unless he receives over 40 percent of the popular vote. More important, there is no trigger that leads to a second political contest, in the House or in a runoff. There is no incentive for the two front-runners to bargain with minor party candidates. The incentives for third-parties under this amendment to Senate Joint Resolution 1 will be similar to those of an ideological party under our present system; there is little encouragement to run unless a third-party candidate can attract more votes than one of the two leading parties. If third-party candidates come close to attracting 20 percent of the vote, the two leading candidates would merely switch to an election strategy aimed at an electoral college majority—the same strategy used today. This allows a genuine, national third-party movement such as the Bull Moose Party, to succeed.

Thus under the Tydings amendment, the loss of the unit rule in the States as a barrier to splinter parties is replaced with another support of the two-party system without the undesirable effects of the winner-take-all method except in rare cases.

THE PROBLEM OF LEGITIMACY

Some have pointed out that any use of the discredited electoral college system would raise questions of legitimacy. This does not seem to bear out analysis.

First, there is no possibility of either a faithless elector or the wholesale bargaining in the House, two of the major objections to the present electoral college.

Second, the electoral college, in spite of its faults, retains a tremendous amount of political legitimacy. Its use as an emergency provision would not seem to draw too deeply on the reservoir of legitimacy now available.

Third, this contingency—because it discourages its own use—would be employed rarely; and if it were used, it would be under conditions of division and dissent which would raise questions of legitimacy under any contingency plan. Under either the amended or unamended Senate Joint Resolution 1, the contingency provisions only operate if the leading candidate has less than 40 percent of the vote. Thus large groups in the society will already have registered dissatisfaction with both regular parties.

Under a runoff, these splinter party voters are forced to vote for second choices or register their protest by abstentions. Further, the political bargaining inherent in this situation will further add to the mood of dissatisfaction and discontent. It must be conceded that this route of choosing a candidate who is the first choice of only a minority of voters will raise at least as much dissatisfaction with the method of selection as the modified electoral college alternative.

Thus, in terms of the political legitimacy of electoral institutions, both contingencies will occur in a situation full of doubt and in themselves raise more questions. But the modified electoral college contingency is superior in two ways: First, it will resolve an unhappy election at one time, leaving no doubt and precluding a second contest liable to exacerbate questions of legitimacy; second, it will discourage its own use, thereby avoiding the problem altogether.

EAGLETON-DOLE ALTERNATIVE

The Tydings amendment accomplished much of the purpose of Eagleton-Dole Electoral Process Reform, Senate Joint Resolution 181, but without its undue complication and while preserving the direct election principle in all but extremely rare cases. The greatest amount of legitimacy for a Presidential election today stems from a popular majority—and Senate Joint Resolution 181 simply ignores this fact. The Tydings amendment recognizes it by supporting a stable two-party system and preserving direct elections; it only takes effect as does the runoff when there is no broad-based, popular support.

I hope my colleagues will give this subject thought and attention, because it is a matter of deep importance for the proper functioning of our constitutional system. I intend to do everything I can to help Senate Joint Resolution 1 pass the Senate this spring. I propose this amendment to improve what I think is a brilliant reform of our antiquated electoral college system.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 3690) to increase the pay of Federal employees; and it was signed by the Acting President pro tempore (Mr. Allen).

SENATOR SPONG AGAIN CALLS FOR EXPEDITIOUS ACTION ON THE FOUR MILE RUN PROJECT

Mr. SPONG. Mr. President, the people of the Arlandria area of northern Virginia today endured the anguish of a flood alert from Four Mile Run. It was the fourth alert since the disastrous floods of last summer. Children were evacuated from an elementary school in the area because of the flood threat, and water was in the streets. Several families in low-lying areas were removed to higher ground.

Since August 1969, I have been attempting to convey to the administration the urgency of a much-needed flood control project to protect the citizens of Arlandria and their property, but the project has not yet been submitted to Congress for authorization and appropriation action.

I have sought expeditious action on the project by means of letters to the various Federal agencies having responsibility to review and comment on such improvements. My staff has made followup telephone calls. I have asked HUD about rushing the printing of forms for flood insurance, but was told they would not be available until May 10. I inquired about the possibility of allowing persons to sign up for insurance prior to the time that forms would become available, and was told it could not be done.

I can only wonder if the administration is insensitive to the plight of the people of Arlandria. I have even appealed to the President without success. In a letter dated March 26, 1970, I requested his assistance in expediting consideration of the project by the Secretary of the Army and the Bureau of the Budget. In an acknowledgment dated April 1, 1970, Mr. William E. Timmons, an Assistant to the President, said he would be pleased to bring my letter to the President's attention at the earliest opportunity. He gave assurance that my request would be given full consideration, but I have received no further word on the project.

Mr. President, the governing bodies of the city of Alexandria and the county of Arlington have given assurance that the local funds for the flood control improvements will be provided. All we need is a little sympathetic consideration of the project by the administration.

As a member of the Public Works Committee, I have pledged to the people of the community that I would seek action at the earliest possible moment. I renew that pledge today. But Congress cannot act on the project until it has been submitted by the administration.

Mr. President, I ask unanimous consent that my correspondence with the President, and my communications to the agencies having responsibility to review and comment on the project, together with their responses, be inserted chronologically in the Record.

There being no objection, the correspondence was ordered to be printed in the Record, as follows:

August 5, 1969.

The President,
The White House,
Washington, D.C.

Recent floods in Arlandria section of Alexandria, Virginia, demonstrates urgent need for flood protection on Four Mile Run. I have urged Chief of Engineers to expedite processing of report on flood protection plan. Your assistance in speeding this report would be deeply appreciated.

Sincerely,
William B. Spong, Jr.,
U.S. Senator.

The White House,
Washington, September 2, 1969.

Hon. William B. Spong,
U.S. Senate,
Washington, D.C.

Dear Senator Spong: This is in further response to your telegram of August 5, 1969, to the President urging approval by the Corps of Engineers of a flood control project for Four Mile Run in Arlington and Alexandria, Virginia.

The Corps of Engineers has informed us that the draft of an economic feasibility survey of Four Mile Run has been completed, and that the report is now under review by the North Atlantic Division Engineer. Upon completing his review, the Division Engineer will transmit the report to Washington for departmental review and further coordination with the State of Virginia and other Federal agencies, including the Bureau of the Budget. The Corps has also informed us that there is a strong possibility that if an omnibus rivers and harbors bill is introduced in 1970, the status of the report on the Four Mile Run project, if found favorable, will be such that the Secretary of the Army will be able to make appropriate recommendations for authorization in this bill.

We are aware of the flood problem of Four Mile Run in Arlington and Alexandria, and understand your concern in this matter; however, since no flood control project has yet been authorized for Four Mile Run, we must wait for the completion and authorization of the above survey before starting construction of protective measures for this area.

With cordial regard.

Sincerely,
Eugene S. Cowen,
Special Assistant to the President.

October 14, 1969.

Hon. Walter J. Hickel,
Secretary, Department of the Interior,
Washington, D.C.

Dear Mr. Secretary: This is in reference to a proposed flood control project along Four Mile Run in the City of Alexandria and the County of Arlington, Virginia. The reports of the District and Division Engineers, U.S. Corps of Engineers, are pending before the Board of Engineers for Rivers and Harbors, and I anticipate that the Board's review will be completed in the near future.

As you know, the proposed project will then be submitted to you for comment. The purpose of this communication is to request expeditious preparation of your comments. The Arlandria area of Northern Virginia was extensively damaged by floods from Four Mile Run on two occasions last summer. The area has been inundated eight times in the past 27 years.

In order to familiarize you with the project I am enclosing a copy of a summary of the project provided by representatives of the Corps of Engineers at hearings September 17 before the Senate Subcommittee on Flood Control-Rivers and Harbors.

Any consideration you can give to this matter will be appreciated.

With kind regards.

Sincerely,
William B. Spong, Jr.,
U.S. Senator.

U.S. Department of the Interior,
Washington, D.C., October 15, 1969.

Hon. William B. Spong, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senator Spong: Secretary Hickel has asked us to acknowledge your letter of October 14, 1969, regarding a proposed flood control project along Four Mile Run in the City of Alexandria and the County of Arlington, Virginia.

The Secretary appreciates your interest and concern and a reply regarding this matter will be provided promptly.

Sincerely yours,
Mrs. Louise Bundy,
Assistant to the Secretary.

U.S. Department of the Interior,
National Park Service, National Capital Region,
Washington, D.C., November 5, 1969.

Hon. William B. Spong, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senator Spong: Secretary Hickel has asked this Office to provide you with further information relative to the proposed flood control project along Four Mile Run and comment on the position of the National Park Service which has jurisdiction over the George Washington Memorial Parkway.

This Office is familiar with the preliminary report prepared by the U.S. Corps of Engineers for this project. Their plan will require, among other things, the replacement of several bridges over Four Mile Run including the parkway bridge under the jurisdiction of this Office.

The report of the Corps of Engineers divides the responsibility for funding this project into two categories, Federal and non-Federal or local. The George Washington Memorial Parkway bridge over Four Mile Run has been classified as a non-Federal or local responsibility by the Corps of Engineers and not eligible for replacement with funds appropriated for the proposed flood control project. While the National Park Service concurs in the desirability of this project, our participation will be limited to the availability of funds.

We also recognize the need for coordination in the construction of this project and feel that this need would best be served by having as much of the development as possible handled by one Federal agency. To this end, we find it desirable that the Corps of Engineers incorporate the replacement of the Parkway bridge into their program. This would insure the continuity of construction and simplify matters since Federal funds are involved, regardless of which agency makes the request. We are prepared to urge the Corps to pursue this course.

This Office will be pleased to furnish any further information you may require on this project.

Sincerely yours,
Russell E. Dickenson,
Acting Regional Director.

December 2, 1969.

Hon. Walter J. Hickel,
Secretary, Department of the Interior,
Washington, D.C.

Dear Mr. Secretary: This is in further reference to my letter of October 14, in which I requested that action be expedited in the

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preparation of the comments of the Department of the Interior with respect to a proposed flood control project along Four Mile Run in the City of Alexandria and the County of Arlington, Virginia.

It is my understanding that your comments have not yet been submitted to the Corps of Engineers. In view of the urgent nature of the project, I wish to renew my request that the Department of the Interior do everything possible to expedite its review of this matter.

Sincerely,

WILLIAM B. SPONG, Jr.

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE, NATIONAL CAPITAL REGION,
Washington, D.C., December 17, 1969.

Hon. WILLIAM B. SPONG, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SPONG: On behalf of Secretary Hickel, I am pleased to receive your recent letter regarding the Four Mile Run Flood Control Project as proposed by the Army Corps of Engineers. In our November 5 reply to you concerning this subject, we outlined the position and recommendations regarding the implementation of our portion of the project. We have since been provided with a copy of the most recent report by the U.S. Army Corps of Engineers and find it to be a well documented statement of the problem and its solutions.

Although the reconstruction of the Mount Vernon Memorial Highway is the only portion of the project involving Department of the Interior facilities, other functions of the Department are being considered. The comments to be forwarded to the Army Corps of Engineers will, therefore, be a combined effort of the several agencies involved. These are now being finalized and will soon be forthcoming. We support the objectives of the project insofar as our interest and responsibilities are affected and you may be assured that our comments will be limited to coordination and implementation.

Your active interest in this matter is greatly appreciated.

Sincerely yours,

RUSSELL E. DICKENSON,
General Superintendent, Office of National Capital Parks.

FEBRUARY, 13, 1970.

Mr. RUSSELL E. DICKENSON,
Acting Regional Director, National Capital Region, National Park Service, Washington, D.C.

DEAR MR. DICKENSON: This is in reference to the proposed Four Mile Run flood control project in the City of Alexandria and to your letter dated November 5, 1969, (A7627–NCR RSP), in which you advised that the National Park Service has proposed that the Corps of Engineers specify as a federal cost the replacement of a bridge over the George Washington Memorial Parkway.

In the belief that the project had been forwarded to the Secretary of the Army, I requested Secretary Resor in a letter dated January 20, 1970, to transmit his report to Congress as quickly as possible. Secretary Resor's Special Assistant, Mr. Robert E. Jordan, III, responded on January 26 that all comments had not yet been received by the Chief of Engineers. Enclosed, for your convenience, is a copy of Mr. Jordan's letter.

It has since come to my attention that the project is being held up by reason of uncertainty over whether the bridge replacement should be designated as a local or federal cost. The Senate Subcommittee on Flood Control-Rivers and Harbors held hearings on the project in September 1969, and I cannot stress too strongly my desire that action be expedited. I would hope that questions involving the cost of the bridge replacement will be resolved quickly. I am writing a similar letter to the Chief of Engineers.

Sincerely,

WILLIAM B. SPONG, Jr.

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE, OFFICE OF NATIONAL CAPITAL PARKS,
Washington, D.C., March 2, 1970.

Hon. WILLIAM B. SPONG, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SPONG: In response to your recent letter regarding comments on the Four Mile Run flood control project, we are enclosing a copy of the Department of the Interior's reply to the Corps of Engineers, dated January 23, 1970.

We must apologize for what must seem an unusually long delay, however, we understand it was necessary to consolidate the input from many Departmental Bureaus in order to fully present our views.

The question of the parkway bridge classification still needs to be resolved and we hope to be hearing from the Corps regarding this in the near future.

Your efforts in expediting this matter are appreciated, and we hope to continue enjoying the benefits of your interest.

Sincerely yours,

RUSSELL E. DICKENSON,
General Superintendent.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January 23, 1970.

Lt. Gen. F. J. CLARKE,
Chief of Engineers, Department of the Army, Washington, D.C.

DEAR GENERAL CLARKE: This responds to your October 28, 1969, letter requesting the Department's review and comment on your proposed report on Fourmile Run, City of Alexandria and Arlington County, Virginia.

The proposed project would be located in an urban area where a need exists for outdoor recreation opportunities. Construction of trails along the proposed levees and development of the right bank ponding area for nature appreciation could provide such opportunities. It is recommended that the Corps of Engineers cooperate with local interests in post-authorization planning for needed outdoor recreation development and that such features be incorporated into the final design for the project to the extent practicable. It is further recommended that local interests be encouraged to consider a companion flood plain management program as a means of preserving open space and preventing future encroachment and building on the flood plain.

The George Washington Memorial Parkway is a Federal facility classified as part of the National Park System, owned and operated by the National Park Service. The report identifies funding for the project in two categories, Federal (meanings Corps of Engineers) and non-Federal (meaning local) and the Parkway bridge replacement over Fourmile Run is classified for non-Federal funding. We believe it was an oversight in formulating the project to consider the Parkway facilities as a highway bridge not eligible for flood control funding. The Parkway should be treated as a Federal facility wherein it could be eligible for appropriation for the flood control project. To this end, we recommend incorporating the parkway replacement into your Federal funding category for this project.

The plan you are recommending includes the clearing of trees and shrubs from the 25-acre ponding area on the right bank. It is contended that the preservation of the natural values of this area is worthy of further consideration and could be accomplished without reducing the flood storage capabilities of the pond. We urge that trees and shrubs not be cut from the upland portion of the ponding area to assist in maintaining fish and wildlife values. Habitat of this type, where wildlife can be observed in a near natural environment is particularly valuable near cities and urban areas.

To protect water quality during the construction period in accordance with provisions of Executive Order 11288, we recommend that contract specifications require all contractors and subcontractors to:

1. Exercise care in the relocation of any petroleum product pipelines.

2. Provide and operate sanitary facilities to adequately treat and dispose of domestic wastes in conformance with Federal and State water pollution control regulations.

3. Schedule clearing, excavation and construction operations to keep turbidity and siltation at the lowest level practicable.

We appreciate the opportunity to review and comment on this report and request further consideration to include the George Washington Memorial Parkway bridge replacement cost into your program.

Sincerely yours,

——— ———,
Secretary of the Interior.

OCTOBER 14, 1969.

Hon. CLIFFORD M. HARDIN,
Secretary, Department of Agriculture, Washington, D.C.

DEAR MR. SECRETARY: This is in reference to a proposed flood control project along Four Mile Run in the City of Alexandria and the County of Arlington, Virginia. The reports of the District and Division Engineers, U.S. Corps of Engineers, are pending before the Board of Engineers for Rivers and Harbors, and I anticipate that the Board's review will be completed in the near future.

As you know, the proposed project will then be submitted to you for comment. The purpose of this communication is to request expeditious preparation of your comments. The Arlandria area of Northern Virginia was extensively damaged by floods from Four Mile Run on two occasions last summer. The area has been inundated eight times in the past 27 years.

In order to familiarize you with the projection, I am enclosing a copy of a summary of the project provided by representatives of the Corps of Engineers at hearings September 17 before the Senate Subcommittee on Flood Control-Rivers and Harbors.

Any consideration you can give to this matter will be appreciated.

With kind regards.

Sincerely,

WILLIAM B. SPONG, Jr.

OCTOBER 14, 1969.

Hon. JOHN A. VOLPE,
Secretary, Department of Transportation, Washington, D.C.

DEAR MR. SECRETARY: This is in reference to a proposed flood control project along Four Mile Run in the City of Alexandria and the County of Arlington, Virginia. The reports of the District and Division Engineers, U.S. Corps of Engineers, are pending before the Board of Engineers for Rivers and Harbors, and I anticipate that the Board's review will be completed in the near future.

As you know, the proposed project will then be submitted to you for comment. The purpose of this communication is to request expeditious preparation of your comments. The Arlandria area of Northern Virginia was extensively damaged by floods from Four Mile Run on two occasions last summer. The area has been inundated eight times in the past 27 years.

In order to familiarize you with the project, I am enclosing a copy of a summary of the project provided by representatives of the Corps of Engineers at hearings September 17 before the Senate Subcommittee on Flood Control-Rivers and Harbors.

Any consideration you can give to this matter will be appreciated.

With kind regards.

Sincerely,

WILLIAM B. SPONG, Jr.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., November 20, 1969.
Hon. WILLIAM B. SPONG, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SPONG: This is in response to your letter of October 14, 1969 concerning an expedited review of the Corps of Engineers flood control report on Fourmile Run, City of Alexandria and Arlington County, Virginia.

As you probably know, a member of your staff, Mr. Allan Jones, and the Department's Coordinator for Water Resources have been in touch to reduce for this report the standard 90-day period for Executive Branch review of water resource projects. We received the report from the Corps of Engineers on November 3 and immediately requested the Federal Highway Administration, U.S. Coast Guard, and Federal Railroad Administration to analyze it in the light of agency responsibilities. We reviewed their findings and from them prepared our commentary which was sent to the Chief of Engineers on November 18, 1969.

I am happy to advise you that there was no Departmental objection to any of the recommendations contained in the Four Mile Run report.

Sincerely,

JAMES M. BOGGS,
Acting Secretary.

OCTOBER 14, 1969.

Hon. ROBERT H. FINCH,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: This is in reference to a proposed flood control project along Four Mile Run in the City of Alexandria and the County of Arlington, Virginia. The reports of the District and Division Engineers, U.S. Corps of Engineers, are pending before the Board of Engineers for Rivers and Harbors, and I anticipate that the Board's review will be completed in the near future.

As you know, the proposed project will then be submitted to you for comment. The purpose of this communication is to request expeditious preparation of your comments. The Arlandria area of Northern Virginia was extensively damaged by floods from Four Mile Run on two occasions last summer. The area has been inundated eight times in the past 27 years.

In order to familiarize you with the project, I am enclosing a copy of a summary of the project provided by representatives of the Corps of Engineers at hearings September 17 before the Senate Subcommitte on Flood Control-Rivers and Harbors.

Any consideration you can give to this matter will be appreciated.

With kind regards.

Sincerely,

WILLIAM B. SPONG, Jr.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., October 16, 1969.
Hon. WILLIAM B. SPONG, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SPONG: The Secretary has referred your October 14 letter regarding the proposed flood control project along Four Mile Run in the City of Alexandria and the County of Arlington, Virginia to the appropriate office.

A reply will be forwarded to you as soon as possible.

Sincerely,

JERRY W. POOLE,
Deputy Assistant Secretary for Congressional Liaison.

DECEMBER 2, 1969.

Mr. CHRIS A. HANSEN,
Assistant Surgeon General Commissioner, Environmental Control Administration, DHEW/Public Health Service, Rockville, Md.

DEAR MR. HANSEN: This is in reference to your letter dated October 30 in response to my request of Ocober 14 that action be expedited on your review of a proposed flood control project at Four Mile Run in the City of Alexandria and the County of Arlington, Virginia.

It is my understanding that your comments have not yet been submitted to the Corps of Engineers. In view of the urgent nature of the project, I wish to renew my request that you do everything possible to complete your review.

Sincerely,

WILLIAM B. SPONG, Jr.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Rockville, Md., October 30, 1969.
Hon. WILLIAM B. SPONG, Jr.
U.S. Senate,
Washington, D.C.

DEAR SENATOR SPONG: Secretary Finch has requested that I reply to your letter of October 14, 1969, concerning the proposed flood control project along Four Mile Run in the city of Alexandria and Arlington County, Virginia.

We are aware of the urgent nature of this project since flooding has caused extensive damage to the Arlandria area in recent years.

As soon as we have received the Corps of Engineers Report on this project, we will do everything possible to expedite the review.

Sincerely yours,

CHRIS A. HANSEN,
Assistant Surgeon General Commissioner.

OCTOBER 15, 1969.

Mr. ROBERT P. MAYO,
Director of the Budget,
Executive Office Building,
Washington, D.C.

DEAR MR. MAYO: This is in reference to a proposed flood control project along Four Mile Run in the City of Alexandria and the County of Arlington, Virginia. The reports of the District and Division Engineers, U.S. Corps of Engineers, are pending before the Board of Engineers for Rivers and Harbors, and I anticipate that the Board's review will be completed in the near future.

As you know, the proposed project will then be submitted to you for comment. The purpose of this communication is to request expeditious preparation of your comments. The Arlandria area of Northern Virginia was extensively damaged by floods from Four Mile Run on two occasions last summer. The area has been inundated eight times in the past 27 years.

In order to familiarize you with the project I am enclosing a copy of a summary of the project provided by representatives of the Corps of Engineers at hearings September 17 before the Senate Subcommittee on Flood Control-Rivers and Harbors.

Any consideration you can give this matter will be appreciated.

With kinds regards,

Sincerely,

WILLIAM B. SPONG, Jr.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., October 21, 1969.
Hon. WILLIAM B. SPONG, Jr.,
U.S. Senate,

DEAR SENATOR SPONG: Thank you for your letter of October 14, 1969, alerting us that the reports of the District and Division Engineers, U.S. Corps of Engineers, on the proposed Four Mile Run Flood Control Project, Virginia, are expected to be referred to this Department for review in the near future.

We appreciate your sending us a copy of a summary of the proposed project. You are assured that we will give the report on this proposed project immediate attention. Our comments will be completed and transmitted to the Secretary of the Army as quickly as the review procedure will permit.

We appreciate your interest in this report and also your interest in the water and related land resource programs carried out by this Department.

Sincerely,

ALFRED L. EDWARDS,
Deputy Assistant Secretary.

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C., October 27, 1969.
Hon. WILLIAM B. SPONG, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SPONG: Thank you for your letter and enclosure to the Director of October 15, 1969, concerning the flood control project in Alexandria.

The Board of Engineers for Rivers and Harbors reported favorably on this project on October 20. Their report now goes to the Chief of Engineers for further evaluation and for submission to the State of Virginia and other Federal agencies for views and comments. Upon receipt of the State and agency views, the Chief of Engineers will make his final recommendations to the Secretary of the Army for review and subsequent transmittal to the Bureau of the Budget for its considerations.

We appreciate knowing of your interest in this proposed project. You may be assured that we will complete our review of the survey report as soon as practicable.

Sincerely yours,

CARL H. SCHWARTZ, Jr.,
Director, Natural Resources, Programs Division.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., December 9, 1969.
Hon. WILLIAM B. SPONG, Jr.,
U.S. Senate

DEAR SENATOR SPONG: This is in reply to your letter of December 2, 1969, referring to your previous request that we expedite the review of the report by the Corps of Engineers on the Four Mile Run project in Virginia.

We are pleased to advise you that the comments of this Department were forwarded to the Secretary of the Army on November 21, 1969.

We appreciate your interest in this project.

Sincerely,

ALFRED L. EDWARDS,
Deputy Assistant Secretary.

FEBRUARY 13, 1970.

Lt. Gen. FREDERICK C. CLARKE,
Chief of Engineers,
Department of the Army,
Washington, D.C.

DEAR GENERAL CLARKE: This is in further reference to a proposed flood control project along Four Mile Run in the City of Alexandria and the County of Arlington, Virginia.

Acting on the belief that the project had been forwarded to the Secretary of the Army, I requested Secretary Resor in a letter dated January 20, 1970, to transmit his report to Congress as quickly as possible. Secretary Resor's Special Assistant, Mr. Robert E. Jordan III, responded on January 26 that all comments had not yet been received by the Chief of Engineers. Enclosed, for your convenience, is a copy of Mr. Jordan's letter.

It has since come to my attention that the project is being held up by reason of a recommendation by the National Park Service that a bridge over the George Washington

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Memorial Parkway should be designated as a federal cost. The Park Service notified me of its recommendation on November 5, 1969, but I had hoped the problem would have been resolved more quickly.

As you know, I am most anxious that the project be expedited. I had hoped, when hearings were held last September before the Senate Subcommittee on Flood Control—Rivers and Harbors, that action could be taken during Calendar 1969.

With kind regards.

Sincerely,

WILLIAM B. SPONG, Jr.

DEPARTMENT OF THE ARMY, OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D.C., March 6, 1970.

Hon. WILLIAM B. SPONG, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SPONG: This is in reply to your recent letter to Lieutenant General Frederick J. Clarke concerning the report on Four Mile Run, Virginia.

The report of the Chief of Engineers on Four Mile Run has been transmitted to the Secretary of the Army recommending the improvements substantially in accordance with the plan of the District Engineer. However, the report of the Chief of Engineers recommends that replacement of the George Washington Memorial Parkway Bridge be included as a Federal cost.

Sincerely yours,

LEONARD EDELSTEIN,
Colonel, Corps of Engineers, Assistant Director of Civil Works for Atlantic Divisions.

MARCH 26, 1970.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: This is to request your assistance in expediting consideration by the Secretary of the Army and the Bureau of the Budget of a proposed flood control project at Four Mile Run in the City of Alexandria and the County of Arlington in Northern Virginia.

I was advised in a letter dated March 6, 1970, that the report of the Chief of Engineers on the project had been forwarded to the Secretary of the Army. The report recommended flood control improvements substantially in accordance with a plan developed by the Baltimore District Engineer.

The Arlandria community of Alexandria and Arlington has been damaged on several occasions by flooding from Four Mile Run. Two serious floods occurred last summer, and residents and businessmen of the area are extremely apprehensive over the future.

The Senate Subcommittee on Flood Control-Rivers and Harbors held hearings on the project last September, and since October I have been endeavoring to induce the federal agencies involved to complete their reviews and submit their comments to the Chief of Engineers. This process was not completed until January 23, 1970.

In view of the danger of recurring floods, I hope you will give favorable consideration to my request to expedite the project, so that this much-needed improvement can be taken up by the Congress.

Sincerely,

WILLIAM B. SPONG, Jr.

THE WHITE HOUSE,
Washington, April 1, 1970.

Hon. WILLIAM B. SPONG, Jr.,
U.S. Senate,
Washington, D.C.

DEAR BILL: This will acknowledge and thank you for your letter to the President requesting that reports by the Department of Defense and the Bureau of the Budget on the proposed flood control project at Four Mile Run be expedited. We will be pleased to bring your letter to the President's attention at the earliest opportunity. You may be assured your request will be given full consideration.

With warm regard.

Sincerely,

WILLIAM E. TIMMONS,
Assistant to the President.

APRIL 10, 1970.

Hon. CHARLES E. BEATLEY, Jr.,
Mayor, City of Alexandria, Va.

DEAR CHUCK: Thank you very much for your letter requesting expeditious action on the implementation of the federal insurance program for small businesses and apartments in the Arlandria area.

My office has contacted the Federal Insurance Administration, and has been advised that it is not possible for persons to sign up for the insurance prior to the printing of the policies.

In response to our request that action be expedited on the printing, we were informed that the policies would not be available until approximately May 10.

I sincerely regret this delay. As you will recall, I requested the President to expedite action on the transmittal of the Four Mile Run project to Congress. Attached is a copy of an acknowledgment from the White House.

Frankly, the Administration does not seem to be aware of the urgent need for this project. I shall continue to press for action.

With kindest regards.

Sincerely,

WILLIAM B. SPONG, Jr.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF HARRY ANDREW BLACKMUN TO BE AN ASSOCIATE JUSTICE OF THE U.S. SUPREME COURT

Mr. HRUSKA. Mr. President, late this afternoon it was announced by the White House that Harry Andrew Blackmun will be nominated—and the nomination sent to the Senate, probably tomorrow—to be an Associate Justice of the U.S. Supreme Court.

I ask unanimous consent that the text of the news release from the White House, dated earlier today for immediate release, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HRUSKA. Mr. President, from the standpoint of his background, his philosophy, and his judicial temperament, Judge Blackmun appears to be the kind of man and the kind of judge which President Nixon has decribed is needed on the Supreme Court.

He appears to be the kind of man who will meet, and does meet, admirably, President Nixon's criteria as described last Thursday, in which he said he wanted someone who shared his legal philosophy of strict construction of the Constitution in order to help restore a balance to the court. Judge Blackmun does appear to have the kind of philosophy which will help bring about that balance.

The President's second criterion was experience on the highest Federal appeals court, and Judge Blackmun has served with distinction for the past 11 years on the eighth circuit court, in which my own State of Nebraska is represented. I know he is well regarded in that circuit.

The third consideration is that the President has gone outside the South for his nominee in order to avoid the bitter and unwarranted assaults which have been mounted against his two previous nominees.

Judge Blackmun's experience spans many years of practice at the bar and service in the educational field, in addition to his years on the bench. In all respects he appears to be a candidate who fits the President's criteria and the Nation's need.

I trust the Senate Committee on the Judiciary will give his nomination its earliest consideration.

EXHIBIT 1

HARRY ANDREW BLACKMUN, NOMINATED ASSOCIATE JUSTICE, UNITED STATES SUPREME COURT

Harry Andrew Blackmun was born in Nashville, Illinois, on November 12, 1908, the son of Corwin Manning Blackmun and Theo H. Reuter Blackmun. He moved to Saint Paul, Minnesota, in 1910 where he attended the Van Buren Grade School and the Mechanic Arts High School, graduating in the class of 1925. He enrolled that year in Harvard College, Cambridge, Massachusetts where he was elected to Phi Beta Kappa and where in 1929 he received his A.B. degree, summa cum laude in mathematics. He went on to the Harvard Law School where he received his LL.B. in 1932 and where he was a member of the group which won the Ames moot court competition.

During his school years, Judge Blackmun held a variety of miscellaneous jobs: clerking, driving launches for racing crews, tutoring, correcting math papers, and working as a janitor and as a milk driver.

From Harvard, Judge Blackmun returned to Saint Paul where he served for a year and a half as law clerk to the Honorable John B. Sanborn, United States Circuit Judge for the Court of Appeals of the Eighth Circuit.

In 1934 he became an associate in the law firm of Dorsey, Colman, Barker, Scott and Barber in Minneapolis, Minnesota. He became a junior partner in the firm in 1939 and a general partner in 1943. His specialty there was in tax law. During these same years he was also an Instructor at the Saint Paul College of Law—now the William Mitchell College of Law (1935–37)—and at the University of Minnesota Law School (1945–47).

Judge Blackmun moved to Rochester, Minnesota on October 1, 1950, where he became resident counsel for the Mayo Clinic and the Mayo Association. He served as Member of the Section of Administration for the Mayo Clinic and as Member of the Investment Committee for the Mayo Association. He was also a member and secretary from 1952–1961 of the Board of Members of the Mayo Association.

President Eisenhower appointed Judge Blackmun to the United States Court of Appeals for the Eighth Circuit in 1959, a position he assumed on November 4th of that year and which he has held since that time. During this period he has continued to live in Rochester, Minnesota.

Judge Blackmun has been active in the work of bar associations in all the communities in which he has practiced law. He is

XUM

the past chairman of the Junior Bar Section and past secretary and chairman of the Administrative Law Section of the Hennepin County Bar Association. He now serves as Chairman of the Advisory Committee on Research to the Federal Judicial Center; a member of the Advisory Committee on the Judge's Function to the American Bar Association Special Committee on Standards for the Administration of Criminal Justice; and a member of the interim Advisory Committee on Judicial Activities. Judge Blackmun has written a number of articles and has participated in a number of legal seminars. One area of special interest to him is the medicolegal field.

Judge Blackmun was a member of the Minnesota National Guard from 1927–1930, a director of the Rochester Airport Company from 1952 to 1960, and a director of the Kahler Corporation from 1958 to 1964. He has been a trustee of the William Mitchell College of Law since 1959 and a member of the Board of Trustees of Hamline University since 1964. He is also a member of the Minneapolis Club and the University Club of Rochester, Minnesota. He is a member and former President of both the Harvard Club of Minnesota and the Rotary Club of Rochester, Minnesota.

Judge Blackmun is a member of the First Methodist Church of Rochester, Minnesota and he was chairman of its Board of Trustees from 1961–64. He is director of the Rochester Methodist Hospital and a member of its Executive Committee. On the national level, he has been a member of the Board of Publication of the Methodist Church since 1960 and of its Executive Committee since 1964.

Judge Blackmun married the former Dorothy E. Clark on June 21, 1941. They have three daughters, Nancy Clark, 26; Sally Ann, 22; and Susan Manning, 20. The three girls celebrate their birthdays on July 8, July 7 and July 1, respectively. Judge Blackmun's father died on February 5, 1947. His mother still lives in Minneapolis.

PARAGRAPH 3 OF RULE VIII TO TAKE EFECT AT CONCLUSION OF SPECIAL ORDERS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that time under paragraph 3 of rule VIII, the so-called Pastore rule, not begin running on tomorrow until the conclusion of the special orders previously entered.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER. The pending business before the Senate is S. 1814, to provide for public ownership of the mass transit bus system operated by D.C. Transit System.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 39 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, April 15, 1970, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate April 14, 1970:

NATIONAL SCIENCE BOARD

The following-named persons to be members of the National Science Board, National Science Foundation, for the terms indicated:

For the remainder of the term expiring May 10, 1972: Horton Guyford Stever, of Pennsylvania, vice Clifford M. Hardin, resigned.

For a term expiring May 10, 1976:

Herbert E. Carter, of Illinois; reappointment.

Robert Alan Charpie, of Massachusetts, vice Julian R. Goldsmith, term expiring.

Lloyd Miller Cooke, of Illinois, vice William W. Hagerty, term expiring.

Robert Henry Dicke, of New Jersey, vice Mina S. Rees, term expiring.

David Murray Gates, of Missouri, vice Mary I. Bunting, term expiring.

Roger W. Heyns, of California; reappointment.

Frank Press, of Massachusetts, vice Harvey Picker, term expiring.

Frederick P. Thieme, of Colorado; reappointment.

HOUSE OF REPRESENTATIVES—*Tuesday, April 14, 1970*

The House met at 12 o'clock noon.

The Reverend Father Joseph F. Thorning, Ph. D., D.D., pastor emeritus, of St. Joseph's-on-Carrollton Manor, Md., and an honorary professor of the Catholic University of Chile, a pontifical institution, offered the following prayer:

Heavenly Father, author of light and of love, let the light of Thy countenance shine brightly upon the Speaker of this House and upon all the distinguished members of legislative bodies throughout the Western Hemisphere, including Canada.

Grant a special blessing, we beseech Thee, upon the President of the United States of America and upon the chief executives of the American Republics that their programs of partnership may be fruitful.

Almighty God, with extraordinary fervor, we implore Thy grace and favor for the safe return of our brave astronauts, whose welfare is dear to their families, their Nation, and to all the peoples of this planet.

We pray that, as a result of brotherly love and cooperation, this inter-American partnership program may bring better education, improved housing, stronger health, and nutritious food to the peoples of the Western Hemisphere.

Vouchsafe, dear Saviour, that a fair distribution of rewards to hard-working producers may help to provide justice, order, security, and peace.

At the same time, may all citizens, who cherish freedom and the blessings of representative government, show respect for the rights of their neighbors and a deep sense of responsibility to authority, essential to virtue in the home and genuine progress in national and international life.

These are among the graces and favors, for which we implore God's help, throughout this new decade of the 1970's. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

PAN AMERICAN DAY

The SPEAKER. Pursuant to House Resolution 889, this day has been designated as Pan American Day.

The Chair recognizes the gentleman from Florida, Mr. FASCELL.

Mr. FASCELL. Mr. Speaker, on the occasion of the 80th anniversary of the creation of the Pan American Union, an event which provided the foundation for the great inter-American system in existence today, I wish to offer a resolution and I ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 911

Whereas April 14, 1970, marks the eightieth anniversary of the Union of American Republics, now known as the Organization of American States;

Whereas the continued hemispheric solidarity is essential to the cause of progress and freedom for all citizens of this hemisphere; and

Whereas in unity there is real promise of accelerated progress in social and political reform and economic growth in the countries of our home hemisphere: Now, therefore, be it.

Resolved, That in honor of the founding of the Pan American Union, the House of Representatives of the United States of America extends greetings to the other Republics of the Western Hemisphere and to all citizens of those Republics, with the fervent hope that new thresholds of good will, stability, and prosperity are being crossed.

The SPEAKER. The gentleman from Florida (Mr. FASCELL) is recognized.

Mr. FASCELL. Mr. Speaker, first let me say that I am very happy to avail myself of this opportunity to note, for the benefit of my distinguished colleagues, that Father Joseph F. Thorning, who gave the invocation on Pan American Day for the 26th consecutive year, is the onetime dean of the Graduate School of Georgetown University and the first North American to have been awarded the degree, doctor of divinity, honoris causa, by the Catholic University of Chile, a pontifical institution.

Dr. Thorning, who serves today as one of the associate editors of World Affairs, was an influential leader in the ecumenical movement long before it became as popular as it is now; an active apostle in interracial harmony before the cause was widely recognized; and a worker in the cause of Western Hemisphere understanding and friendship at a time when relatively few were dedicated to the ideal.

So today, Mr. Speaker, we are indeed

very happy to have with us this distinguished gentleman who has dedicated his life to inter-American affairs and understanding; and who is affectionately and properly known as "The Padre of the Americas." I hope he will join us for many more years.

Mr. Speaker, Pan American Day is traditionally set aside as an occasion for the governments and peoples of the United States and Latin America to pay tribute to the political, cultural, economic, and juridical ties which unite our nations in the inter-American system.

It is a day when we in the United States pay tribute to the warm and continuing friendship which we share with our Latin neighbors.

It is also a day when all of us in the Congress and in Government service should pause to reflect upon our past, present, and future relationships with Latin America.

Above all, Pan American Day is for us a day of recommitment to the principles and ideals upon which the inter-American system is founded—principles embodied in the Charter of the Organization of American States and in the Charter of Punta del Este, through which the Alliance for Progress partnership came into being.

The Organization of American States was created in 1948 to provide a juridical and structural framework through which our Nation and the sovereign nations of Latin America could collaborate on all matters affecting our peoples, for the betterment of all who share this hemisphere. The OAS is dedicated to the achievement of peace, security, and prosperity for all. Its guiding principles include nonintervention, self-determination, and the exercise of representative democracy. Its structure includes organs committed to those goals as well as to the advancement of the economic, social, and cultural interests of our hemisphere.

Now 22 years old, the OAS is a continually evolving organization, striving to meet the challenging needs of its people in a fast moving world. As proof of this fact, we have to consider the new Charter of the Organization, which went into effect this past February and carries out a major overhaul of the structure of the inter-American system. The revised charter, and the management reforms effected in the OAS during the past 2 years, have breathed a new dynamism into the inter-American organization, providing it with necessary tools with which is can deal more effectively with the critical problems besetting the hemisphere, especially in the areas of economic development and social amelioration.

The Alliance for Progress is a cooperative endeavor of 22 hemisphere nations committed to assisting the Latin peoples to share more fully in the prosperity and opportunities offered by 20th century life.

In its first decade, the Alliance has provided a concrete beginning, the first solid step in the direction of progress and change, fostered by intelligent planning and a firm commitment on the part of the nations involved. Its principles and goals are inspiring dynamic and purposeful leadership throughout the region.

Yet, the problems of development in Latin America remain staggering, and time is short. Tensions and frustrations are rising to new and dangerous levels. The time is at hand for us, in concert with our Latin American partners, to embark upon a new strategy of hemisphere development. The Subcommittee on Inter-American Affairs, which I have the honor to chair, has suggested the outlines of such a strategy. Governor Rockefeller, in his sweeping report to President Nixon, has detailed many reforms and undertakings which could help to carry it out. And President Nixon, in his several speeches and communications to the members of the inter-American system, has provided further policy guidelines for the future of United States-Latin American relations. What remains now is for us and our Latin friends, to carry out these plans and programs in order to promote the ideals of Latin American development and the basic goals, aspirations, and principles which inspired the birth of the Alliance for Progress.

On this occasion, I wish to extend our best wishes to the Honorable Don Galo Plaza, who, as the distinguished Secretary General of the Organization of American States, occupies one of the most challenging and demanding positions in this hemisphere. I wish also to offer our salute to the men and women who direct, administer, and staff the instruments of hemispheric union, and to all those who, through their intense labors, have dedicated themselves to shaping a better hemisphere for all of us.

Mr. KAZEN. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I am delighted to yield to the distinguished gentleman from Texas (Mr. KAZEN), a member of the Subcommittee on Inter-American Affairs.

Mr. KAZEN. Mr. Speaker, today we join our fellow Americans throughout this Western Hemisphere, to commemorate the 80th anniversary of the Union of American Republics.

Our hemisphere is a community of nations that were forged out of a new world. Each has its customs, traditions, culture, and language, varied degrees of economic development and prosperity, as well as a history of political turmoil. Yet, we are one family of nations, joined together by a mutual resolve that in unity there is strength. We acknowledge and defend the right of self-determination and respect each other's sovereignty. All of these elements form the basis for a common understanding and a hemispheric union welded by historic bonds of true friendship.

In celebrating Pan American Day, we join the millions of fellow Americans, from the Central and South American countries, our Canadian neighbors to the north, and our own countrymen, and reaffirm the brotherhood of nations and pledge our help to each other, being ever hopeful that the future will bring better understanding, greater stability, and continued progress for the common good of all the Americas.

Let us ever be mindful of the fact that peace in the world begins in our own backyard, by being at peace with our own neighbors.

Mr. McKNEALLY. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I am happy to yield to the distinguished gentleman from New York.

Mr. McKNEALLY. Mr. Speaker, I rise in support of the resolution commemorating the 80th anniversary of the founding of our inter-American system, and I am especially pleased that Father Joseph Thorning invoked the blessing of God on these proceedings. Father Thorning is well known to me as a gentleman, a genuine intellectual, an outstanding and patriotic citizen of the United States and friend of our neighbors to the south. He has had a long career in promoting inter-American relationships and advising members of the Government of the United States on South American problems. He is held in the highest esteem in South America and has been given many decorations for his contributions to solidarity in the world of Pan America. He is known throughout our Nation's Capital for his integrity and gracious manners. I know, Mr. Speaker, that he is no stranger to this House and yet it is reassuring to hear him make the prayer for divine guidance in our work. I can say without idle flattery to him that he does us honor when he comes to this House each year on Pan American Day.

Since 1890, the United States and our Latin American neighbors have joined together in a cooperative effort toward hemispheric solidarity. This effort was conceived of and has been sustained by a spirit of true friendship. Consequently, we and our friends have continued to work at bringing about the development of a healthier and sounder relationship in which all members may grow and prosper.

The present age is a turbulent one as the masses of mankind demand a larger share in the world's goods, and they are demanding nothing more than is their due in accordance with the concepts of justice—both economic and social. The policy of the United States must be based on helping our friends wherever we can—not on reforming their characters, altering their life's patterns, challenging their institutions. Our friendship must be open and as generous as possible toward the Americas for their stability is in our own interest.

Today, we celebrate what may be termed Pan Americanism, and in so doing we celebrate with our Latin American friends our bonds of common interests, common beliefs, and a common determination to solve whatever problems threaten the existence of our inter-American system. In essence, we celebrate our agreements which by far outnumber our disagreements.

In extending my warmest felicitations to our Latin compatriots, I am certain that I express the sentiments of the people of the 27th District of New York whom I am honored to represent. Surely, we all realize that hemispheric relations are much better for every year that we celebrate Pan American Day.

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THE PADRE OF THE AMERICAS

It may be as useful as it is interesting to place on record a concise survey of the work of our friend, the Reverend Father Joseph F. Thorning, D.D., Ph. D., the U.S. honorary fellow of the Historical and Geographic Institute of Brazil. This synopsis was featured in a recent Department of History Newsletter of the Catholic University of America, a pontifical institution. The report of December 1969, Washington, D.C., reads as follows:

ALUMNI AND STUDENT NEWS

Joseph F. Thorning, Ph.D. '31, is pastor emeritus of St. Joseph's-on-Carrollton Manor, Maryland. During his long and active career, Dr. Thorning has served or is serving as associate editor of *World Affairs* (D.C.); acting chaplain of the U.S. House of Representatives on Pan American Day (for 25 consecutive years); vice president and director of the American Peace Society; founder and director of Inter-American Seminars, University of San Marcos (Peru); acting dean, Graduate School, Georgetown University; professor of social ethics and social history, Mount St. Mary's Major Seminary, Emmitsburg, Md.; official member of U.S. special diplomatic missions to the other American republics, 1951–56; special adviser to the U.S. Senatorial Delegation to the 10th Inter-American Conference, Caracas, 1954; honorary chaplain, Inter-American Defense Board. He has been awarded honorary doctorates by the Catholic University of Chile, the University of Santo Domingo, and the National University of Costa Rica. He has also been awarded the following decorations: Order of Alfonso the Wise, Spain (Grand Cross); Order of Isabella the Catholic, Spain (Grand Cross); Order of the Southern Cross, Brazil; Order of Francisco de Miranda, Venezuela; Order of the Quetzal, Guatemala; Order of Christopher Columbus, Dominican Republic; Legion of Honor and Merit, Haiti; Vasco Nunez de Balboa, Panama; Cross of Boyaca, Columbia; and Carlos Manuel de Cespedes, Cuba. His doctoral dissertation, *Religious Liberty in Transition: A Study of the Removal of Constitutional Limitations on Religious Liberty as Part of the Social Progress in the Transition Period in New England*, appeared as a book in 1931. His *Miranda, World Citizen* was published by the University of Florida Press, 1952. Other books, articles, and reviews have come from his pen.

Mr. FASCELL. Mr. Speaker, I thank the distinguished gentleman from New York for his pertinent observations.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. Mr. Speaker, I yield to the distinguished gentleman from Pennsylvania (Mr. FLOOD).

Mr. FLOOD. Mr. Speaker, I am very anxious to join with the distinguished gentleman from Florida in support of his resolution in commemoration of this Pan American Day.

When I first came to this body 25 years ago I had the honor and privilege of serving upon the Committee on Foreign Affairs of the House, then chaired by the distinguished gentleman from New York, the beloved Sol Bloom, and I served on the subcommittee, during my service on that great committee, on Inter-American Affairs.

As the gentleman from Florida knows, I was raised in northeastern Pennsylvania, and I know that I am just a plain Yankee—I am not a damn Yankee, I know down there in the South it is one word—but I had traveled extensively, before I came to the House of Representatives, in Central and South American countries, and hence I am concerned about those affairs there, and, therefore, the tenor of his resolution I embrace, indeed.

Of course, my beloved and old friend, Father Thorning, said the prayer for us here today, and I have met and known him down through these many years. I know him as an associate of the renowned magazine, World Affairs. He has been invited to give the prayer here ever since we have seen fit to commemorate the anniversary of this Pan American Day for 26 years—an extraordinary record, indeed.

Inasmuch as countries of Spanish America have a special relationship not only with the United States of America, but also to their mother countries of Spain and Portugal, it is important to note that Father Thorning on numerous occasions has emphasized the value of this aspect of understanding and friendship among the people of the old and new worlds. During the Spanish civil war, for example, Dr. Thorning served as discussion correspondent for several publications, and his reports have been confirmed by many, many of the events then and since.

I am glad, indeed, to have him be with us this morning.

Mr. FASCELL. Mr. Speaker, I thank the distinguished gentleman from Pennsylvania, who has had long experience in and a very deep knowledge of the matters concerning Latin America, and who has exhibited tremendous leadership in this House throughout the years on vital matters which affect relationships between the United States and Latin America, and I am delighted to have his contributions today.

Mr. FLOOD. The gentleman is very kind.

Mr. FASCELL. Mr. Speaker, I yield to the distinguished ranking minority member of the Committee on Foreign Affairs, the gentleman from Indiana (Mr. ADAIR).

Mr. ADAIR. Mr. Speaker, today, April 14, is Pan American Day. It is important to us because it commemorates the unity of the Americas based on the doctrine of absolute juridical equality and respect for the sovereignty of each nation.

This April 14 is the 80th anniversary of the founding of the inter-American system now called the Organization of American States. Today, the Organization of American States embraces 24 nations and 500 million Americans. Strengthened by a new charter which has just been ratified and which awaits implementation, our system today stands as proof of the soundness of our fathers' vision.

Truly we of the Western Hemisphere have much to be proud of on this anniversary. We are proud of our joint efforts and accomplishments. There are no wars between us. There is no fear of aggression from any active member of the Organization of American States. There are no arms races within the hemisphere to raise the fear of war or to subtract resources from development.

Achievements in development reflect this security. If we look at the decade since the Act of Bogotá, and if for a moment we look at accomplishments outside the shadow of remaining problems, then I think we should recognize that real progress has been made. I am confident that under President Nixon's leadership, the United States will continue to work together with our fellow members of the Organization of American States in behalf of progress throughout the Americas.

Mr. FASCELL. Mr. Speaker, I yield to the distinguished gentleman from Puerto Rico (Mr. CÓRDOVA).

Mr. CÓRDOVA. Mr. Speaker, I rise in support of the resolution. Pan American Day is an occasion which annually commemorates the unity of the American Nations in one continental community. Eighty years ago today the First International Conference of American States established the International Union of American Republics, subsequently known successively as the Pan American Union and the Organization of American States.

I believe it is proper that we join the special observance of this day, which has become, through the years, a symbol of friendship, a symbol of the understanding that should unite the peoples of the 22 American republics.

Much effort has been expended to strengthen the ties that bind us together, and we know that our Nation has sincerely tried to do its share of this neverending task, as best it has known how. Yet it has been sometimes mistaken, and perhaps more often misunderstood.

Hence it may not be amiss on this occasion for me to reiterate, in all humility, that we in Puerto Rico stand ready to serve the Nation in its efforts to foster true panamericanism, and believe that our people are specially qualified so to serve, by reason of our cultural and historical ties to Latin America.

Puerto Ricans have been able to distinguish themselves in the defense of our Nation abroad. Just a few days ago I was privileged to join a few Members of this House and of the Senate in a White House ceremony where a Puerto Rican soldier was one of 20 Americans posthumously awarded the Congressional Medal of Honor—the third such award made to a Puerto Rican soldier during the Vietnam conflict. We feel we can be even more valuable to our Nation in more peaceful methods of advancing the brotherhood of man, particularly in Latin America. We have a reservoir of good will and talent in Puerto Rico. Let us not forget it when we address ourselves to the promotion of panamericanism.

Mr. FASCELL. Mr. Speaker, I thank the distinguished gentleman from Puerto Rico and would say that his remarks are entirely pertinent to the subject we are discussing and that certainly the present administration under the able leadership of Gov. Luis A. Ferre is demonstrating what the people of Puerto Rico can make in the way of contributions not

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only in the Caribbean area but all of the Western Hemisphere.

Mr. CÓRDOVA. I thank the gentleman from Florida.

Mr. MONAGAN. Mr. Speaker, I express my support of the resolution relating to the 80th anniversary of the Union of American Republics, which is now, of course, known as the Organization of American States.

In these days of stress when the problems in the hemisphere are more acute and more complex than they ever have been before, certainly we need a healthy and viable and constructive organization of unity and economic and political cooperation.

That is what we have in the Organization of American States. It has proved its worth.

It is appropriate that we pause today to express our hopes for its continued service and growth.

Mr. Speaker, I should like also to pay my tribute to Rev. Joseph Thorning, who is with us today, who offered the invocation, and who for the 26th time since the initiation of this observance on the floor of the House has demonstrated his devotion, his support, his willingness to sacrifice personal interests to be here and express his support of this observance, his support of the unification in thought, and cooperation of the countries of the hemisphere and to ask divine blessing upon this work. It is a pleasure to have him with us.

Mr. BURKE of Massachusetts. Mr. Speaker, it is good to welcome to our midst Father Joseph F. Thorning, who, for 26 consecutive years, has given the invocation on Pan American Day in the Congress.

It may please my distinguished colleagues to know that one of Dr. Thorning's books, "Miranda: World Citizen," published by the University of Florida Press, continues to be a best seller. It is the scientific biography of Don Francisco de Miranda of Venezuela, the forerunner of Latin American freedom and independence. This volume has gone through several editions and retains its popularity among all who are concerned about inter-American understanding, amity and cooperation. One hopes that Father Thorning will continue his work for many years to come.

Mr. PEPPER. Mr. Speaker, on this Pan American Day in 1970 we pay tribute to the strong bonds of interest and affection, of common concerns and shared hopes which unite the peoples of the United States and Latin America in our special inter-American relationship.

On this occasion, we look back over eight decades of inter-American relations to the day in April 1890, when representatives of 18 hemisphere nations created the International Union of American Republics, an organization for the collection and dissemination of commercial information to enable the American nations to cooperate in commercial fields for the mutual benefit of all.

Eighty years have passed, and we have seen that tiny organization blossom into the Organization of American States, a great regional agency for inter-American cooperation in all aspects of hemisphere affairs—political, economic and social—and the Alliance for Progress, a cooperative endeavor of all American nations committed to achieving a better quality of life for the hemisphere peoples.

Founded in 1948, the Organization of American States was dedicated to strengthening the peace and security of the hemisphere, to insuring pacific settlement of inter-American dispute, to seeking practical solutions to political, juridical, and economic problems which arise, and to promoting, through cooperative action, the economic, social, and cultural development of the hemisphere. Now in its 22d year, the OAS has proved itself worthy of the faith, the hopes, and the expectations which its founders placed in it. Over the years, it has been a flexible, dynamic, and constantly evolving tool of cooperation striving always to meet hemisphere needs in a rapidly changing world.

In 1961, the American Republics forged another great tool in the inter-American system—the Alliance for Progress—"a vast cooperative effort, unparalleled in magnitude and nobility of purpose, to satisfy the basic needs of the American people for homes, work and land, health and schools." The Alliance was the first regional effort by any group of nations to promote economic and social development and to foster basic reform in prevailing institutions within a framework of democratic government and respect for social justice.

In the past 9 years many difficulties have beset us which have tried the strength of our commitments to the Alliance. But the Alliance for Progress has provided the American nations with the practical experience, the framework upon which to build, and the spirit of regional cooperation toward common goals which will enable us to more effectively challenge the evermore complex problems of the hemisphere.

On this Pan American Day, we in the Congress, the Government, and the people throughout our great Nation must pledge our firm and unending support for the inter-American system—its principles, its compacts and its institutions. We must reaffirm our sincere commitment to continue U.S. support for hemisphere development, and we must, in concert with our Latin partners, stand ready to apply all of the human, financial, and political resources necessary to fulfill our shared hopes for reform, progress, and modernization.

It is my earnest hope that the bonds of friendship, understanding, and mutual cooperation which unite our peoples today will be wisely nurtured and become ever more meaningful and vigorous—in order that every person in this hemisphere may enjoy a land of liberty and a favorable environment for the development of his personality and the realization of his just aspirations, with dignity, in peace, and in prosperity.

Mr. ANDERSON of California. Mr. Speaker, today we celebrate the 80th anniversary of the creation of the oldest international organization in existence. On April 14, 1890, the First International Conference of American States established the International Union of American Republics.

This was the first concrete step in the formation of an inter-American system of cooperation and solidarity now known as the Organization of American States. Since 1931, April 14 has been termed Pan American Day, and has been celebrated throughout the Western Hemisphere.

Through the Organization of American States, we are attempting to work out a common understanding of our common desires and goals. To accomplish this end, the Alliance for Progress was established in 1961 as a pledge of U.S. commitment to Latin American economic and social progress.

The Alliance for Progress ushered in a new era in inter-American relations—an era in which economic, political, and social development form the basis for a unique hemisphere unity. Although the Alliance has not been as successful as I had hoped, we can point to substantial gains in Latin American development which could never have been achieved without the Alliance.

This Pan American Day, 1970, is a time for us in the United States to recommit ourselves to the principles and goals of the Organization of American States and the Alliance for Progress. We must revitalize our policy and emphasize those constructive elements which foster close and healthy Latin American-United States relations.

Mr. MAILLIARD. Mr. Speaker, I rise today to join my colleagues in the commemoration of the oldest international political organization in the world, the Organization of American States, on its 80th anniversary.

Today's date, observed as Pan American Day since 1930, marks the signing of the agreement setting up a commercial information clearing house in Washington, D.C., on April 14, 1890.

By 1910, expansion of the bureau's activities led to a change of name. It then became the Pan American Union, and was installed in its majestic new headquarters near Constitution Hall and the White House.

For the next 38 years, the inter-American system grew and established many new norms of international cooperation. A search for the solutions to problems caused by two world wars resulted in a closer relationship, and in a strengthening of hemispheric solidarity and security. A reciprocal assistance treaty was signed in Rio de Janeiro in 1947 and in 1948 the OAS came into being, replacing the Pan American Union. The latter name was maintained, however, to identify the General Secretariat of the OAS.

Another 19 years elapsed. The OAS member countries, having begun to apply the inter-American mechanisms for peacekeeping and for dealing with political-juridical issues, decided that the time had come to enlarge the scope of the OAS and to widen its developmental functions. A series of amendments to the OAS Charter was ratified by 19 member countries and has been in force since February 27, 1970. These amendments to the OAS Charter reflect contemporary

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concerns, as phrased in the papal dictum: "Development is the new name for peace."

Mr. Speaker, it is the question of development which confronts the inter-American partnership with its major challenge today.

For the past 8½ years the Alliance for Progress has been the developmental cornerstone of the inter-American system. Since its inception in 1961, this developmental pact has been a prime factor in the overall increase in gross product and trade in our sister republics to the south. Nevertheless, the ambitious goals set in Punta del Este have not been achieved within the time limits determined by the framers of the charter.

Among the many goals delineated in the charter, those concerning personal income and education were the most explicit. Specifically, in terms of economic expansion, a growth rate of 2.5 percent in per capita income for Latin Americans was projected in title I. In the field of education, the charter's objectives were universal primary education and the eradication of adult illiteracy by the end of the 1969's.

However, the annual growth in gross domestic product per capita in the region reached only 1.7 percent during the 1961–68 period. And, today, in Latin America, there are more school-age children out of school than in, while adult illiteracy remains rampant.

It is easy to rationalize the shortcomings of the developmental efforts of the inter-American partnership. It has been charged that the goals of the charter were too ambitious, and that charge is largely true. Less than 9 years is too short a time to change a region from a producer of agricultural commodities and raw materials into any exporter of manufactured goods. Perhaps it is also too short a time to eradicate illiteracy and undate farm structures in 22 countries. Nevertheless, the past 8½ years ought to have been more productive in terms of economic and social progress than they were.

Therefore, apart from correcting the basic misdirections of the developmental process of the 1960's, I believe there are two areas of cooperation which are essential to future economic and social progress in the hemisphere, that is, population control and private investment.

It is now clear that the blame for the failure to achieve Alliance goals for personal income and education can largely be charged to the population explosion in Latin America. At present, experts put the region's birth rate at 3.6 percent per year. This represents the highest birth rate in the world. The current rate suggests that, in the 1970's, the increase may well be more than 100 million as compared to 70 million in the 1960's.

I am not a Malthusian alarmist, for it is my hope that modern agricultural technology and the advent of the "green revolution" will prevent mass starvation in the less developed nations. On the other hand, feeding the populations of Latin America and elsewhere in the developing world will not alone bring their standard of living up to acceptable levels. Therefore, it is incumbent upon the members of the inter-American community to get at the job of dispelling the myths which mitigate against halting the disastrous population avalanche.

The second area in need of more cooperation within the inter-American system is that of foreign private investment. In order to progress, developing countries require large inputs of modern technology and investment capital. One of the prime sources for both of these requirements is foreign private investment. While the value of private U.S. direct investment in Latin America has increased somewhat in recent years, there has been the dampening effect of expropriations of U.S. firms by the Latin American governments.

In the past, Latin American rules for foreign private investment have varied sharply from country to country and from government to government. Since it is certainly the prerogative of the host country to set the rules for foreign participation, it would be to that country's advantage to be consistent in its rules and regulations for foreign private investment. In that vein, I suggest that Latin American countries could set equivalent standards for foreign investors through the mechanism of the Inter-American Economic and Social Council or the various economic groupings such as the Latin American Free Trade Association.

It is my firm conviction that the U.S. investor can abide by very severe sets of rules and conditions as long as they remain reasonably constant. It is the fear, based on experience, of changing the rules in the middle of the game that is a primary factor discouraging foreign private investment.

Mr. Speaker, I have spoken openly and frankly about the challenges facing the hemisphere on the anniversary of the Pan American Union. For an individual representing a member nation to do otherwise would be idle. Recognizing the nature of the interdependence of the American republics, it is the duty of their members to be mindful of the problems of the partnership so that they may be solved.

More than 150 years ago, Simon Bolivar said:

> Freedom in the New World is the hope of the universe.

As the new decade begins, it is the task of the inter-American community to provide the social and economic progress on which that freedom so much depends.

Mr. CRAMER. Mr. Speaker, today, Pan American Day, serves to remind us of the principles to which this celebration is dedicated. The need to build a strong and united hemisphere, based on law and the right of self-determination, has never been more evident than it is today.

The forces of godless communism have established a toehold in our hemisphere; from hapless Cuba they are working tirelessly to divide the Americas and pave the way for further conquests.

The threat to the sovereignty of the Latin American Republics has never been more serious. The full force of the Monroe Doctrine must be brought to bear on this threat.

We must fully support the Organization of American States and its programs for economic, cultural, and political development. And I am reminded that my home State of Florida, as the "gateway of the Americas," will be playing an ever more vital role in this great cooperative enterprise.

The Americas must stand vigilant and united. And Pan American Day is a good day to rededicate ourselves to this great cause.

Mr. ROONEY of New York. Mr. Speaker, I was very pleased today to hear my good and longtime friend Rev. Father Francis Thorning deliver the devout and moving opening prayer as this House of Representatives convened. Father Thorning is known throughout this country and Latin America as the Padre of Pan America so it was doubly fitting that he be here again today. On this day in 1890 delegates to the Washington Conference of American States established what we know today as the Pan American Union. The initial conference established a uniform system of trade practices and arbitration of disputes. But much more importantly it bound together the peoples of the Western Hemisphere in a common purpose, the betterment of life for us all. The United States and her Latin American friends, through the Pan American Union and the Office of American States, seek peace and prosperity for every nation. In this we are united and, in truth, one people.

Mr. ROYBAL. Mr. Speaker, I am delighted to have the opportunity today of joining with the other Members of the House of Representatives in celebrating Pan American Day on this 80th anniversary of the founding of the inter-American system.

Serving on the House Committee on Foreign Affairs, and its Subcommittee on Inter-American Affairs, I certainly agree with the resolution before the House that "continued hemispheric solidarity is essential to the cause of progress and freedom for all citizens" of the new world, and that "in unity there is real promise of accelerated progress in social and political reform and economic growth in the countries of our home hemisphere."

We in Congress pay tribute to the historic, political, legal, economic, and cultural ties which unite the sovereign nations of the Western Hemisphere, and we honor the warm spirit of friendship which continues to exist between the people of the United States and our sister republics to the south.

We all agree there are many areas in which we need to work closer together: To promote better education, health care, and economic opportunities; in planning more frequent cultural exchanges; in the fields of transportation and communications; in applying modern techniques of industrial, commercial, and agricultural management—and the latest in scientific technology—to solve the array of problems confronting us; and in harnessing and allocating the financial, manpower, and natural resources necessary to assure a dynamic and prosperous future for our hemisphere.

With the cooperation of our citizens, and the citizens of each of the American nations, I firmly believe that in the coming years the Organization of American States will become an even more effective instrument for furthering these objectives.

And, on this occasion, we in the United States should join in reaffirming our pledge to continue to build and strengthen the OAS to enable it to accomplish that worthwhile task.

Mr. MATSUNAGA. Mr. Speaker, I am pleased to extend greetings from the citizens of this Nation's newest State to the peoples of the other Republics of the Western Hemisphere on Pan American Day. Today marks the 80th anniversary of the inter-American system, embodied in the Organization of American States, which has been the cornerstone of interaction, communication, and understanding among the peoples of the Americas.

In a resolution adopted by the House of Representatives of the Fifth Legislature of the State of Hawaii, note was taken of the special meaning and significance of Pan American Day to the citizens of Hawaii, who have enjoyed lasting contributions to the culture of Hawaii from the peoples of Latin American countries.

The resolution, offered by Representative Joseph R. Garcia, Jr., and every other member of Hawaii's House of Representatives, endorsed and encouraged the commemoration of Pan American Day and Pan American Week in Hawaii. The resolution further stated—

> In today's troubled world it is particularly important that the nations of the Western Hemisphere continue to work together toward peace and progress for all mankind.

I share the hope of the people of my State and the Members of this House that those historic ties of friendship, stability, and prosperity between all the peoples of this hemisphere will continue to grow stronger in this new decade.

The resolution extending the warm Aloha of the citizens of Hawaii to the peoples of the American Republics, adopted by the House of Representatives of the Fifth Legislature of the State of Hawaii, at its regular session of 1970, follows for the CONGRESSIONAL RECORD:

HOUSE RESOLUTION

Whereas, the peoples of North America, South America and Central America have enjoyed a long history and tradition of friendship and cooperation; and

Whereas, in today's troubled world it is particularly important that the nations of the Western Hemisphere continue to work together toward peace and progress for all mankind; and

Whereas, the Pan American Union in Washington, D.C., out of which evolved the Organization of American States, has been the cornerstone of interaction, communication and understanding among the peoples of the Americas; and

Whereas, April 14, 1970, marks the 80th anniversary of the Pan American Union; and

Whereas, in recognition of the contributions of the Pan American Union and of the necessity for peace and cooperation among its members, Richard M. Nixon, President of the United States of America, has proclaimed April 14, 1970, as PAN AMERICAN DAY, and the week of April 12 through 18, 1970, as PAN AMERICAN WEEK; and

Whereas, by proclamation of Governor John A. Burns the people of the State of Hawaii will also celebrate and commemorate Pan American Day and Pan American Week; and

Whereas, this celebration will have special meaning and significance to the citizens of our community, who have enjoyed lasting contributions to our culture from the peoples of Latin American countries; now, therefore,

Be it resolved by the House of Representatives of the Fifth Legislature of the State of Hawaii, Regular Session of 1970, that it endorse the proclamations of the President of the United States and the Governor of Hawaii and that it encourage the citizens of Hawaii to participate in the observance of Pan American Day, April 14, 1970, and Pan American Week, April 12–18, 1970; and

Be it further resolved that the House of Representatives extend the warm alohas of the citizens of this State to the peoples of the American Republics; and

Be it further resolved that duly certified copies of this Resolution be transmitted to Richard M. Nixon, President of the United States of America; to John A. Burns, Governor of the State of Hawaii; to Galo Plaza, Secretary General of the Pan American Union; to Armenia Adames de White, Consul General of Panama; to William Kenda, Honorary Consul of Mexico; to Senators Hiram L. Fong and Daniel K. Inouye and Representatives Patsy T. Mink and Spark M. Matsunaga, members of Hawaii's Congressional delegation; and to the following members of Hispania, the American Association of Teachers of Spanish and Portuguese, Hawaii Chapter: Brother Carlos Gonzales, President; Enrique Renteria, Vice-President; Norma Carr, Secretary-Treasurer; Alicia Kurth, chairman for the National Spanish examination; and Mollie Spicer, chairman for Sociedad Honoraria Hispania.

GENERAL LEAVE TO EXTEND

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days within which to extend their remarks on the pending resolution.

The SPEAKER. Is there objection, to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, I move the adoption of the resolution.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL CAN BOASTS OF 90-PERCENT INCREASE IN NONRETURNABLE GLASS BOTTLE "POLLUTION" IN NEXT 9 YEARS

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, on March 10, 1970, the National Can Corp. put out a publication entitled, "Look at National Can Look at the 1970's." In it, National Can's marketing department boasts that nonreturnable glass soft drink containers will increase 108 percent between 1970 and 1979—from 7.3 billion bottles to 15.2 billion bottles. Nonreturnable glass beer containers will increase 65 percent in the decade, from 7.2 billion bottles to 11.9 billion.

The question does not seem to occur to National Can as to how and where 27.1 billion nonreturnable glass bottles will be disposed of in a single year. This proud trumpeting of increased production of solid-waste pollutants is an arrogant demonstration of industry irresponsibility.

The awesome proposal to generate 117 billion nonreturnable soft-drink bottles and 99 billion nonreturnable beer bottles in the next 10 years threatens to bury the Nation in bottles.

Rather than planning for increased production of nonreturnable bottles, the industry and the country should be planning methods of reducing the number of such disposable containers produced today.

It is clear from National Can's March 10 report that we in Congress must give immediate consideration to a tax—a prohibitive tax—on the further production of nonreturnable bottles.

SUPREME COURT

(Mr. MIKVA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MIKVA. Mr. Speaker, for the second time in less than a year there is talk of impeaching a Supreme Court Justice and each time by a coincidence which is not so coincidental, this talk has followed a rejection by the Senate of a nominee for a vacancy on the Supreme Court. I wish that the zeal for strict constructionism that the President espouses would apply to the works of the administration's leaders in Congress. I realize the distinguished minority leader is an expert in football, but as he uses the Supreme Court with which to play that game, I think he does both the country and the Constitution a great deal of harm.

THE BALANCE-OF-PAYMENTS DEFICIT

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, a couple of years ago in this Chamber the walls were reverberating with political talk about the problems of fiscal responsibility and fiscal integrity and, of course, it will not do to recite the galloping inflation that we still have. It will not do to recite the tremendously high interest rates that we still have. It will not do to recite the unemployment rate that continues to rise and now is at its highest level in many years. But let us talk about the balance of payments for awhile, because I remember so many speeches on the balance of payments here.

A year ago, in 1968, we had a balance-of-payments surplus of $0.2 billion. But now we finished the last year, 1969, with the biggest balance-of-payments deficit we have ever had in this country. The balance-of-payments deficit was $7.06

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billion. Contrast that with 1964 of $2.8 billion; with 1965 of $1.3 billion; with 1966 of $1.4 billion; of 1967—and that was a bad year—of $3.5 billion. Contrast it, last of all, with the surplus of last year of $0.2 billion in 1968, and look at 1969 with $7.06 billion deficit.

The SPEAKER. The time of the gentleman from Florida has expired.

THE UNEMPLOYMENT RATE

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, the gentleman from Florida just made a comment that the unemployment rate was the highest now that it has been in a good many years.

Mr. GIBBONS. About 4 years.

Mr. GERALD R. FORD. You used the phrase "a good many years." Let me set the record straight on the unemployment rates beginning in 1961. In 1961, under the Democratic administration, there was an unemployment rate of 6.7 percent. Unemployment for the whole year in 1962 was 5.5 percent; the unemployment rate for 1963 was 5.7 percent; the unemployment for 1964, 5.2 percent. Finally, in 1965, with the additional commitment the United States made in Vietnam, the unemployment rate went down to 4.5 percent, which is still higher than it is at the present time.

I only say to my friend from Florida that he should look back into the pages of history and note the unemployment rate under the two previous Democratic administrations, and if he does he will not complain about unemployment now. I do not think he made those speeches that he is making now in 1961 and through 1968.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the distinguished majority leader.

Mr. ALBERT. When President Eisenhower took office in 1953, unemployment stood at 3 percent. During the first Republican recession year, 1954, unemployment rose to 5.5 percent. During the second Republican recession in 1958 unemployment reached 7.6 percent in August of that year. A third Republican recession commencing in 1960 resulted in unemployment reaching 6.7 percent in January 1961. Unemployment during the next 4 years declined and by November 1964, long before the commitment of a large amount of American manpower to Vietnam, had reached 4.9 percent.

When President Nixon took office in January 1969, unemployment stood at 3.3 percent. The latest report available, that of March of this year, shows we now have 4.4 percent unemployed. There are a million more people unemployed now than when President Nixon took office.

These figures obviously speak for themselves. Unemployment increases under the Republicans. Unemployment decreases under the Democrats.

Mr. GERALD R. FORD. The important thing is that there was a high unemployment of over 5 percent every year in the first 4 years of the period after the Eisenhower administration. The only time it went down was when we increased our military commitment in Vietnam by the sending of some 540,000 young men to fight a war some 8,000 miles away.

We as Republicans do not agree that 4.4 percent unemployment is good, and we are going to do something about it, but I hate to see individuals like the gentleman from Florida point out how bad it is now, when it was far worse under his administration.

Mr. GIBBONS. And far worse during the Eisenhower years, if I can remind the distinguished minority leader.

Mr. GERALD R. FORD. Unemployment in the 8 years of the Eisenhower administration averaged less than during the two Democratic administrations from January 1961 to January 1969 and under the Eisenhower-Republican administration America was not at war.

TRIBUTE TO APOLLO XIII ASTRONAUTS

Mr. MILLER of California. Mr. Speaker, I offer a resolution (H. Res. 912) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 912

Resolved, That the House of Representatives pays tribute to the Apollo XIII astronauts, James Lovell, John L. Swigert, Jr., and Fred W. Haise, Jr., for their courage and valor; extends its support to their families, friends, and all those involved in their mission; and urges all businesses, commercial operations, communications media, and all the people of the nation to pause at 9 o'clock p.m. today, April 14, 1970, and join in asking the help of Almighty God to assure the safe return of these astronauts.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, all Americans and people everywhere across the world are deeply concerned over what has happened to three of our astronauts far out in space. Their concern is rooted in the fact that they, through their actual participation in the Apollo program or participating in spirit by watching the previous flights to the moon on television, believe they have a share in the courage and coolness under pressure which Captain Lovell, Mr. Haise, and Mr. Swigert are demonstrating tonight. As competent as we know those three gentlemen are, I believe it is time that we plead with the higher authority to intercede with His protection against events that would be beyond the control of the astronauts.

Therefore, I ask that each Member of the House join with me and pause not for just one moment, but for many moments over the next 3 days to pray to the Almighty according to his or her beliefs for the successful and safe return of our astronauts. In these days of monumental achievements in science and technology, it is well to be reminded that it has been the spirit instilled in man by his Creator that makes clear that His Divine Providence is really the sole source of man's sustenance.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the resolution just agreed to (H. Res. 912).

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SUPREME COURT NOMINEES

(Mr. THOMPSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Georgia. Mr. Speaker, last week the Senate for the second time refused to confirm a southern strict constructionist for a position on the Supreme Court.

The junior Senator from Indiana was one of the outstanding opponents to these eminently well-qualified jurists. In fact, Judge Carswell had three times as much judicial experience as all the Supreme Court nominees in the Kennedy and Johnson administrations combined. The junior Senator from Indiana may be proud of his actions in trying to destroy the reputation and credibility of these eminent southern jurists. But I, for one, believe that the junior Senator's motive had nothing to do with the qualifications of these individuals as he states, but dealt with a personal bias which he has against white southerners.

When I appeared before his Senate subcommittee to testify on voting rights legislation, I had a distinct feeling that he was biased because of the region of the country I come from. But, leaving that aside, the Senator has gone too far when, after trying to personally destroy these two eminent jurists, he is quoted in an interview published in the Atlanta Journal Sunday as calling both Carswell and Haynsworth "three-legged dogs." I do not know what he means by "three-legged," but it is obvious that "dog" is meant to be derogatory. And he says:

> If he [Nixon] sends another three-legged dog over here and expects us to confirm him just because he's from the North, then he's dead wrong.

I take violent exception to this vilification of these two southerners by the junior Senator, but it certainly gives a good insight into the character of the accuser. The quotation, in my judgment, reveals a strong personal bias of the junior Senator which cannot be covered up by his trying to assert grounds of mediocrity or lack of qualification on behalf of the jurists, because the cold hard facts show that they were very well qualified. The junior Senator should apologize to these two men he has tried to destroy.

SUPREME COURT NOMINEES

(Mr. JACOBS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JACOBS. Mr. Speaker, with reference to the remarks made about the junior Senator from my State, I shall not make the point of order about a derogatory reference to a Member of the other body. But I must say I have the highest regard for the junior Senator from Indiana and have sufficient knowledge to tell this House that he entered upon the confirmation hearings on both of these Supreme Court nominees with an open mind. His decision in both cases was based on the evidence which I assume was the situation with the Senators of the President's party to which the gentleman from Georgia belongs. As to "three-legged dogs" that is a Hoosier idiom clearly not to be taken literally.

I would just like to point out that the President claimed a few days ago that it is impossible to get a southerner confirmed in the U.S. Senate. Yet today, as I understand it, the President has nominated for Chairman of the Joint Chiefs of Staff a man from the South. So it might just be possible that the President was not entirely serious when he suggested that he really believed that a qualified jurist from the South could not be confirmed by the other body, particularly in view of the fact that most of the Senators of the President's own party who voted against the nominee about whom he complained——

Mr. THOMPSON of Georgia. Will the gentleman yield?

Mr. JACOBS. If I might finish the sentence—have stated publicly that indeed they would vote to confirm a qualified jurist from the South. I rather think it is possible to find a jurist from any part of the country, including the South, who does not have financial difficulties so far as conflicts or apparent conflicts with his decisions are concerned. I think it is possible to find a jurist from the South who perhaps would be completely candid at his own confirmation hearing and refrain from saying that he had not looked at important legal papers for the last 12 years when, in fact, he had examined them just the night before.

Now I yield to the gentleman.

Mr. THOMPSON of Georgia. I would like to point out that the derogatory comment which I referred to was made by the gentleman, the junior Senator from Indiana, in a quote, a newspaper article.

A "three-legged dog" is in fact a derogatory remark and is uncalled for. So I appreciate the gentleman not making a point of order on that.

Second, I would like to tell the gentleman this, that the President did not say that any southerner could not be confirmed. Obviously an extreme liberal would be confirmed but not a strict constructionist from the South.

Mr. JACOBS. Is the gentleman saying that the Joint Chiefs of Staff nominee is an extreme liberal?

Mr. THOMPSON of Georgia. Therefore, the President feels it is hard to change the philosophy and the point of view of the Supreme Court without his going to another section of the country.

Mr. JACOBS. Is this admiral an extreme liberal? Will the gentleman answer that question? I did not think so.

The SPEAKER. The time of the gentleman has expired.

TAHLEQUAH BAND IN CHERRY BLOSSOM PARADE

(Mr. EDMONDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Speaker, yesterday one of the finest high school bands in the Nation, from Tahlequah, Okla., gave a concert on the steps of the Capitol which was a credit to the youth of America. This fine Tahlequah High School band, which has won many awards in competition in the Southwest, was an official representative of the State of Oklahoma as a marching band in the Cherry Blossom Festival. Its fine performance in the parade and at the Capitol reflected, in my view, tremendous credit upon our State and upon the great people of Tahlequah. Ably directed by Kyle Dameron, the band was not only spirited and impressive in its musical performance, but also equally impressive in appearance and dignity. In short, these young people from the historic Cherokee national capital were ideal ambassadors of good will from Oklahoma, and they have brightened this week in Washington.

PERMISSION FOR SUBCOMMITTEE ON PUBLIC HEALTH AND WELFARE, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PROVIDING FOR CONCURRING IN SENATE AMENDMENTS TO HOUSE AMENDMENT TO S. 3690, FEDERAL EMPLOYEES SALARY INCREASES

Mr. O'NEILL of Massachusetts. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 909 and ask for its immediate consideration.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 74]

Annunzio
Ashley
Baring
Blackburn
Boggs
Bolling
Brown, Calif.
Burton, Utah
Cabell
Clark
Clay
Crane
Culver
Dawson
de la Garza
Dellenback
Diggs
Dowdy
Feighan
Flowers
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Gallagher
Giaimo
Goldwater
Griffiths
Halpern
Hanley
Hanna
Heckler, Mass.
Johnson, Pa.
Jones, Tenn.
Karth
Kirwan
Lennon
Long, La.
Lowenstein
Lukens
McFall
Madden
Mailliard
Monagan
Moorhead
Murphy, N.Y.
O'Hara
Ottinger
Patman
Pepper
Pettis
Pike
Pollock
Powell
Rhodes
Rogers, Colo.
St Germain
Schadeberg
Scherle
Scheuer
Schneebeli
Stuckey
Symington
Taft
Teague, Calif.
Tunney
Watson
White
Wilson, Charles H.

The SPEAKER pro tempore (Mr. BOLAND). On this rollcall 362 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROVIDING FOR CONCURRING IN SENATE AMENDMENTS TO HOUSE AMENDMENT TO S. 3690, FEDERAL EMPLOYEES SALARY INCREASES

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution as follows:

H. RES. 909

Resolved, That immediately upon the adoption of this resolution the bill (S. 3690) to increase the pay of Federal employees, with the Senate amendments to the House amendment thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendments to the House amendment be, and the same are hereby, agreed to.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, I am presenting the rule, House Resolution 909, on the bill S. 3690, which came back from the Senate with three technical amendments and a fourth amendment to correct an inadvertent omission from the bill with respect to the pay raise for the judges.

When I move the previous question on the resolution, if the previous question should be defeated then of course it would make it open to amendment and discussion, but it would delay the postal pay raise much longer than we had anticipated.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. SMITH of California. Mr. Speaker, House Resolution 909 provides that S. 3690 be taken from the Speaker's table and "that the Senate amendments to the House amendment be, and the same are hereby, agreed to."

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In other words, there is just 1 hour of debate, 30 minutes under the control of the gentleman from Massachusetts (Mr. O'Neill) and 30 minutes on this side. There will not be any general debate after this period of 1 hour. We will then be voting it up or down.

So, if any Member wishes to be heard and to speak for or against the measure, I would suggest he ask me for some time out of the 30 minutes I have.

As stated by the distinguished gentleman from Massachusetts, there were four changes made in the Senate by amendment, and it was felt that in order to get this bill through and get it signed as quickly as possible, so that the second half of this so-called package can be presented—as I am informed, it cannot be presented until the first half is disposed of—this is the most feasible way in which to dispose of the matter.

The Committee on Rules time and time again has been asked to bail various situations out of difficulty, and this is one of them.

So, on the vote on House Resolution 909, if it is adopted, the Senate bill as amended by the House—and it is amended in four different places by the Senate—will be agreed to and will go to the President for immediate signature. I understand he has his pen in his hand and is ready to sign it as soon as it gets to him today. As a matter of fact, he wanted to sign it this morning.

Mr. Speaker, I urge the adoption of House Resolution 909, and reserve the balance of my time.

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Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. Jacobs).

Mr. JACOBS. Mr. Speaker, I am grateful to the gentleman from Massachusetts for yielding me this time.

Yesterday I objected to the unanimous-consent request for one reason and one reason only. That request was for the House to adopt an amendment to include congressional staff people, who do not need a pay raise in a general pay raise bill for postal and other employees who very badly do need a raise.

In extreme cases, which are quite numerous as a matter of fact, it would mean that the average pay raise for a postal worker would be about $400 a year and the pay raise for certain congressional staff employees would be $2,000 a year. In the one case the need is quite clear; in the other case the lack of need is equally clear. As a matter of fact, you might even say that in the case of a $30,000 congressional employee, he is becoming an easy rider, a very easy rider, because for $2,000 you can buy an automobile. Whether you call yourself a conservative or call yourself an idealist, you speak in terms of the taxpayers' money and you speak in terms of priorities and you speak in terms of sacrifices for your country. Here is an opportunity to get specific on the subject.

Once a Socialist, trying to sell his program, told his neighbor that socialism was Utopia and he would be willing to make whatever sacrifices were necessary to bring about socialism and a Utopian society. His neighbor said, "You mean to tell me that if you had two saddle horses, you would give me one?" He said, "Certainly." The neighbor said, "Do you mean to tell me if you had two goats, you would give me one of them?" He said, "I certainly would." The neighbor said, "Do you mean to tell me if you had two milk cows, you would give me one of them?" The Socialist said, "Now, you know I have two milk cows."

Mr. Speaker, this comes right down to where we live. I think for well-paid people to catch a ride on the very legitimate needs of certain Federal workers around the country is not right. Only last June $8,000 was added to every House Member's clerk hire, which he could use for pay raises. Under these circumstances, I believe that in order to keep faith with our rhetoric and our speeches that we should vote down the previous question and excise the Capitol Hill easy riding stowaway provision in this bill, which is intended for mailmen, and get the people, who for the most part are already doing well, off the backs of these postmen.

The gentleman from Arizona has said, I believe, that he plans legislation affecting the entire pay situation of Capitol Hill employees.

I say let us await that reform, and then if there is any case of hardship on Capitol Hill, take care of it under those circumstances.

Mr. Speaker, I express my gratitude again to the gentleman from Massachusetts for yielding to me this time.

Mr. ANDERSON of California. Mr. Speaker, will the gentleman yield?

Mr. JACOBS. I yield to the gentleman from California.

Mr. ANDERSON of California. Mr. Speaker, I would like to commend the gentleman from Indiana (Mr. Jacobs) and associate myself with his remarks.

A "no" vote on the previous question would open this resolution to amendment and further debate. As it currently stands, the resolution simply states that the House shall consider only agreeing to the Senate amendments to this innocuous bill.

I shall vote no on the previous question so that we may first, amend the resolution, and second, discuss the bill and attempt to remove its more inequitable provisions.

Mr. Speaker, I have never seen a more irresponsible proposal than the package deal which was rammed down our throats last week.

Under the guise of giving the postal employees a pay raise, we find ourselves increasing salaries of practically everyone by 6 percent.

The postal employees, who were almost forced to strike in order to bring attention to their plight, desperately need a pay raise and the House recognized this last year when we passed the Federal Pay Comparability Act. This was the bill which was labeled "inflationary" by the administration, and it would have cost approximately $600 million a year.

Now the administration does a complete about face and advocates a package that will cost $2½ billion. If $600 million is labeled "inflationary," what is $2½ billion going to do to our economy?

We were led to believe over the Easter recess that the administration was working out a compromise package with representatives of the postal employees.

I wonder if the protesting post office employee knew that the package he was advocating was really a pay raise for the upper brackets—that where the $6,176 postal employee will now receive a raise of $372, the $30,000-a-year employee will receive an additional $1,800 a year?

We were told last Thursday that we must have a closed rule—that we could not debate or amend the bill—because of a feared renewal of the strike.

And yet, here we are today—voting on the same issue. This time to concur with Senate amendments.

And, the sad part of it is—we probably will have to vote for this package whether we like it or not, if we are to get the deserving postal employees a raise.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. Gross).

Mr. GROSS. Mr. Speaker, I take this time, first of all, to ask the gentleman from Arizona (Mr. Udall) if the amendments are as he stated them yesterday, first, at line 21 on page 2 of the bill, a technical amendment. Is that the first amendment?

Mr. UDALL. Mr. Speaker, if the gentleman will yield, the gentleman is correct. That is the first amendment.

Mr. GROSS. Then, on line 10, page 3, that is one of the key amendments?

Mr. UDALL. This is the one to which the gentleman from Indiana (Mr. Jacobs) has made some reference, and toward which he has been directing his efforts.

Mr. GROSS. Without this amendment, the legislative employees would not receive an increase?

Mr. UDALL. This is arguable, but that argument can be made.

Mr. GROSS. Then, on page 5, line 19, is the third amendment?

Mr. UDALL. The gentleman is correct.

Mr. GROSS. Are there any other amendments?

Mr. UDALL. Yes. There is a technical amendment on page 3, line 16. The Senate asked to designate the officer to make adjustment for Senate employees changed from Comptroller of the Senate, which is the present language, to President pro tempore of the Senate, which is their preference.

Mr. GROSS. There is no amendment to line 18 of the bill?

Mr. UDALL. No.

Mr. GROSS. I would like to ask the gentleman why there is no amendment. Who is the finance clerk of the House of Representatives?

Mr. UDALL. If the gentleman will yield further, some question was raised about this yesterday in the colloquy that occurred, and I then inserted into the Record some legislative history with reference to this debate. To be very precise, there is no position called finance clerk of the House, as the gentleman points out. The functions to be carried out under this bill are to be handled by the Clerk of the House, who is the financial clerk of this body. I attempted to make that clear in the colloquy yesterday.

However, this terminology has been used in legislation previously, but is not very precise and probably should not have been used.

Mr. GROSS. As the gentleman knows, this bill was passed through the House Post Office and Civil Service Committee in 35 minutes, with no one having had the opportunity, other than the gentleman from Arizona and, perhaps, one or two others, of even seeing the bill before it came before the committee.

Let me ask the gentleman why this responsibility should not devolve upon the Speaker of the House rather than an unknown finance clerk. I have looked up the record, and there is no such thing as a finance clerk in the House of Representatives.

Mr. UDALL. I am to blame as the author of the bill, if there is any blame. It seems to me this is a ministerial duty. It simply requires going to the pay tables of the general schedule pay system and adjusting the base pay schedule of the House. In my opinion this is not something which the Speaker should be burdened with. This is simply an automatic equivalent pay raise.

Mr. GROSS. Here, again, is the proof of what the ramrodding of legislation will do. This bill, in my opinion, is still an unsound bill if it is proposed to live up to the letter of the law. This is the penalty for calling up a bill in the committee at 10:05 in the morning, ramming it out of committee at 10:40, bringing it before the Rules Committee at 11 o'clock, or thereabouts, and out to the floor of the House, and passing it that afternoon.

The defects that are sought to be remedied today are the products of this almost hysterical haste. The legislation ought not to have been passed last week on any such basis.

Moreover, I would like to have had the opportunity to offer an amendment to this bill. Since the administration and union leaders, in their so-called negotiations at the other end of Pennsylvania Avenue agreed that another 8-percent increase should be approved for postal employees, I see no reason why there should not have been in this bill the 6-percent increase, plus an 8-percent increase effective as of next July first instead of using the 8 percent as the club to try to drive through a corporation plan for reorganization of the Post Office Department. It was important that the pay increase bill be brought to the floor of the House under an open rule so that amendments could be offered to it. But as the Members well know, it came to the House floor under a closed rule under which we could not work our will. I protested then and I am still protesting.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GROSS. Mr. Speaker, will the gentleman yield me 2 additional minutes?

Mr. SMITH of California. Mr. Speaker, I will yield 3 additional minutes to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman from California for yielding me the additional time.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri first, and then to the gentleman from Arizona.

Mr. HALL. Mr. Speaker, I appreciate the statement of the gentleman about the poor practice of writing legislation on the floor, which is exactly what we are doing. Indeed, we are probably correcting hastily written and erroneous legislation on the floor. But I am confused.

Now, the gentleman's committee did bring this out, and as I understand the Senate amendments as explained here in the colloquy today and, indeed, I read in detail, word for word, the explanation of the amendments as the result of the colloquy yesterday on the objections of the gentleman from Indiana; but, basically, what are we doing in addition to technical correction, if we accept the Senate amendments to our own H.R. 16844? Are we making the overall applicability of section 3 therein refer back to those included in section 2? Is that a fair statement of what we gain by accepting the Senate amendments?

Mr. GROSS. Yes; that is one of the Senate amendments, and that is one of the key amendments. It is referring language in section 3 back to section 2. It has to be that way, or legislative employees are written out as far as a pay increase is concerned.

Mr. HALL. I understand that is subject to interpretation, Mr. Speaker. I respect the gentleman's opinion. But my question then remains, for whom are we increasing the pay, if we accept the Senate amendments, and if section 3 is made to cover all those in section 2?

Mr. GROSS. For legislative employees.

Mr. HALL. All legislative employees?

Mr. GROSS. I beg your pardon?

Mr. HALL. All legislative employees? All of those under the Secretary of Agriculture, all of those under the Comptroller, all of those under the Architect, all of the other three categories that were originally vamped into this pay raise in addition to postal employees, plus those exempted at generally over $36,000 per year income?

Mr. GROSS. Those are included. There are a few others. This would not apply to class act employees, or to postal workers. Unless this amendment is adopted legislative employees are out.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding. I think we simply should know what we are voting for. And probably the suggestion that we should vote down the previous question is a good one in order to perfect the legislation. I for one, am for the postal basic pay raise of 6 percent to the deserving—excluding illegal strikes, but not across the board—especially the overpaid congressional legislative employees.

Mr. GROSS. Mr. Speaker, I now yield to the gentleman from Arizona.

Mr. UDALL. Mr. Speaker, did not the gentleman—and I regret the closed rule, and I regret we did not have more time for amendments in committee. I never like to run over my friend from Iowa without at least smiling and giving the gentleman time to offer amendments—but did not the gentleman offer an amendment in committee, and have it defeated, to take out the legislative employees?

Mr. GROSS. To take out the legislative employees?

Mr. UDALL. Yes; from the pay raise?

Mr. GROSS. Yes; the gentleman certainly did.

Mr. UDALL. Was it not the gentleman's understanding in the Committee on Rules and during the debate on the House floor that the legislative employees were included?

Mr. GROSS. I did not know this defective language was in the bill, of course, when the bill was before the committee.

Mr. UDALL. The gentleman will agree——

Mr. GROSS. There was no opportunity to look at the bill.

Mr. UDALL. The gentleman will have to agree that the clear intent of what we all thought in the committee, and what we approved on the floor, was to include legislative employees.

Mr. GROSS. There is no question but what that was the intent of the committee, and the intent of the House. There is no question about that, but what I am saying is that the bill, calling for an annual expenditure of more than $2.6 billion was jammed through the House in a most unusual and irresponsible procedure.

Under the circumstances I must oppose this resolution.

Mr. SMITH of California. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. AYRES).

Mr. AYRES. Mr. Speaker, I take this time to inquire of the gentleman from Arizona regarding the bill that I introduced which was termed the postal pay equalization bill which would provide a higher pay scale for postal workers living in high-cost-of-living areas. I would like to ask the gentleman from Arizona if in his judgment—and I realize how close he is to this overall problem—whether there is any possibility of ever bringing about an equality in pay for those postal workers who reside in these high-cost-of-living areas.

Now, we know that the strike was brought on not by the rural carriers, not by those who are going to be getting big increases under this bill, because, frankly, many of them have the best jobs in the communities. The strike was brought on by those people in the high-cost-of-living areas, including my own city of Akron, who under any bill that we pass will still be much lower on any pay scale than these rural carriers.

Do we stand any chance of ever getting this equalization in pay?

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman.

Mr. UDALL. I think we stand an excellent chance this year of finally doing something in this field.

Let me make clear why we are here today. This is the first slice. This is the 6-percent across-the-board pay for everyone. The additional 8 percent is tied in to the agreement made apparently downtown which is connected with the postal reform.

XUM

I envision the day in the next 6 weeks, and I hope sooner, when this House at long last is going to have a chance to debate major postal reforms. When that debate occurs I believe the House will have a chance to act on the question that the gentleman has raised.

My personal inclination is in favor of some such action, and I have talked to many Members who believe that this ought to be done. And I honestly believe that within the next month or 6 weeks we are going to have a chance in connection with postal reform to actually vote and make a judgment on this question.

Mr. AYRES. I thank the gentleman. In my judgment we are not going to have any real harmony in the post offices in the city areas until those workers are getting compensation high enough which will give them the means and the opportunity to maintain the same standard of living as those on the same scale and the same grade in the rural areas are getting.

I appreciate the gentleman's interest and know that he will do his best.

Mr. UDALL. Mr. Speaker, will the gentleman yield further?

Mr. AYRES. I yield to the gentleman.

Mr. UDALL. There is some indication from our committee's action on the administration postal reform bill reported out last month. That bill did include a provision which would let the postal organizations bargain with management and bargain on such things as wages and fringe benefits and other things. And one of the things they could bargain for would be an area wage. I would anticipate, if that bill were to pass, that is exactly what they would do.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Illinois.

Mr. COLLIER. As I recall, in the 85th Congress, back in 1957, and in the 86th Congress in 1959, there were cost-of-living escalator postal pay bills introduced. However, at no time, if my memory serves me correctly, had there even been hearings on this type of pay structure in the Post Office and Civil Service Committee.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman.

Mr. UDALL. One of the problems has been, very frankly, the major postal unions have been completely opposed to anything of this kind. From the standpoint of their union organization, and and solidarity they have usually demanded that every letter carrier in the country get the same pay. This is the existing situation, but I think the employee organizations are beginning to see the need for going to an area wage system.

Mr. COLLIER. Who is running the committee—the postal unions—or do I misunderstand?

Mr. UDALL. No. The gentleman may have his opinion, but Congress has been making the final decisions.

Mr. COLLIER. Even that has not bothered me one way or the other.

Mr. UDALL. It has not bothered me. But the fact is that a majority of the Members of the House have not been willing to force this kind of system down the throats of the employee organization when they were strongly opposed. That is the point.

Mr. AYRES. Am I correct, may I ask the gentleman from Arizona, if my memory does not fail me, I believe President Rademacher made the suggestion that perhaps the equalization pay would be advisable.

Mr. UDALL. Recently, I believe, he has been talking about the need for an area wage. I believe he has shown real initiative and courage in a very difficult situation. He may have hurt himself among some of his union's membership, but I credit him with the vision and courage to look at this thing and to say that there may be a better way of setting postal salaries. To this point the unions have engaged in annual "collective begging" before the Congress. Mr. Rademacher wants to move and I want to move to a system where postal employees have true collective bargaining.

Mr. AYRES. I hope that these postal workers, I say to the gentleman from Arizona, who comprise a sizable number of the total work force will see the fallacy in going along with any suggestion that they not be compensated more than their fellow workers in other areas. Does the gentleman have any figures available to show what differential there is between the rural carrier in Southern Ohio and the carrier who has the same classification working in the City of Cleveland?

Mr. UDALL. Of course, now they receive identical pay. In terms of the cost-of-living, I am sure there are substantial differences in small communities in Southern Arizona and elsewhere. A man making $7,000 in a small community in Southern Arizona may be middle-class, but a man in New York with the same family and the same salary may be drawing welfare. That is the problem we have to reach.

Mr. AYRES. The difficulty in determining high cost-of-living areas is not so difficult that procedures could not be applied to postal workers the same as to other workers.

Mr. UDALL. I think we can resolve this question, and the best way to resolve it is through collective bargaining. Under the postal reform that I favor, management and the unions, instead of coming to Congress every year for "collective begging," could undertake collective bargaining. They could sit down and determine what would be fair in the high-cost-of-living areas, such as Cleveland and New York, and what would be fair in small communities.

Mr. AYRES. I suggest to the gentleman that when you do this, you will not forget Akron.

Mr. UDALL. We shan't. No red-blooded American could possibly forget Akron—or the Member who represents it.

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. MAYNE).

Mr. MAYNE. Mr. Speaker, I wish to commend the gentleman from Indiana (Mr. JACOBS) and the gentleman from Iowa (Mr. GROSS) on their very fine statements, and to join them in their opposition to the adoption of this rule. I think it has been clearly established that the postal workers in this country are indeed entitled to the 6-percent increase. But in view of the longstanding commitments of many Members of this House trying to do something tangible and effective to combat inflation, it is entirely indefensible to add more than $2 billion annually to other Federal payrolls. It is really a case of great overkill. I, therefore, urge my colleagues to vote against the previous question.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona.

Mr. UDALL. Mr. Speaker, I would like to try to clarify two things before we conclude the debate. The reason for the 6-percent across-the-board increase, which the administration has very strongly supported, is that no one wanted to be put in the position of rewarding those who struck and not rewarding the hundreds of thousands of Federal workers who did not strike. So the administration was quite insistent that this first slice, this 6 percent, this no-strings-attached pay installment be Government-wide. It would go to the postal workers who did not strike, to the classified workers, and to the people in the other branches of Government. That is the reason why we have the 6-percent increase.

I hope we understand what we shall be doing if we vote down the previous question, and I hope you understand very clearly the stake that the employee organizations and all of us have in this vote. We are not out of the woods yet. We have a tense situation. Some of the New York Members who have been home will tell you that this thing can erupt again. Congress has been making promises to act on pay for the last 18 months. All the postal workers have had is promises. This bill can be on the President's desk tonight if we vote down the previous question and adopt the resolution. However, if the previous question is beaten down and we get into offering amendments and modification, the only thing that will result is a conference. We shall have to go to conference with the Senate. The majority of the Senate and the majority of the House clearly want to put the legislative employees into this bill. You may get some votes against it, but clearly this is the intent of the committee, it is the intent of the House, and it is the intent of the Senate.

All you are going to do is to delay retroactive pay which the postal employees are counting on. You are going to cause dismay and confusion. You are going to upset a very delicate situation for nothing by going to conference and having a vote some day on whether legislative employees shall be included, when we all know now that they are going to be included. So you will have your postal employees and the major postal organizations in an extremely difficult position if you vote down the previous question. Let us understand exactly what is involved.

The SPEAKER pro tempore. The time of the gentleman from Arizona has expired.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield 2 additional minutes to the gentleman from Arizona (Mr. UDALL).

Mr. JACOBS. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Indiana.

Mr. JACOBS. Mr. Speaker, would the gentleman not agree that it would take only a very short period of time to delete the employees of the legislative branch?

Mr. UDALL. Why, of course, we could adopt an amendment this afternoon to delete them, but the Senate will not accept it, and we will have delay day after day, and we will have to go to conference, and then the Senate is not going to accept it anyway.

I share in many of the things the gentleman has said about the legislative employees. I would advise the gentleman there will probably be a general salary bill out of our Compensation Subcommittee later this year. I intend to see if this year, in that bill, we can adopt some major structural changes in pay of House employees. I am going to try to make sure that never again, when we have a general pay raise, will we have such a situation, as in this bill. I hope to provide that granting of such increases will be up to each Member in each case. I intend simply to have it so we can give each Member an amount which he can then spread to his employees just as he wishes. But we can do this later this year. I urge that you do not attempt to saddle this delicate, dangerous situation with such an arrangement.

The vote should be aye on ordering the previous question, or we will cause a very disastrous situation to occur.

Mr. JACOBS. Mr. Speaker, if the gentleman will yield further, any legislation the gentleman brings up later will not do anything about any unjust enrichment for already highly paid people that occurs from this action if we take it today.

Mr. UDALL. The gentleman is correct.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I must say to my friend, the gentleman from Arizona, that I am indeed surprised to hear him say this 6-percent increase is going to some employees who did not strike, apparently as a reward for not striking. Is Congress approving legislation based on merit, or is it to reward people for not striking?

Mr. UDALL. No, but a majority of the people of this country think the postal workers are underpaid, and I think the majority of the people of this country and of this Congress think we ought not to give a raise only to those who struck, but that any cost-of-living pay raise such as this should go across the board to every Federal employee and not just to those who left their jobs.

Mr. Speaker, I urge a vote of aye.

Mr. BURTON of Utah. Mr. Speaker, I support House Resolution 909. I hope today it will speedily be adopted by the House so that the much-needed salary raises for postal and Federal employees can be enacted without further delay and the President may have the opportunity, this very afternoon, to enact into law this legislation.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. JACOBS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count.

One hundred fifty-three Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 309, nays 65, not voting 56, as follows:

[Roll No. 75]

YEAS—309

Abbitt
Abernethy
Adams
Addabbo
Albert
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Aspinall
Ayres
Baring
Barrett
Beall, Md.
Bell, Calif.
Bevill
Biaggi
Bingham
Blanton
Blatnik
Boland
Bow
Brademas
Brasco
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Caffery
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Chappell
Chisholm
Clausen, Don H.
Clark
Clawson, Del
Clay
Cleveland
Cohelan
Colmer
Conyers
Corbett
Corman
Coughlin
Cowger
Cramer
Culver
Cunningham
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
Delaney
Dellenback
Denney
Dent
Dingell
Donohue
Dorn
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Eshleman
Evins, Tenn.
Fallon
Farbstein
Fascell
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frey
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Grover
Gubser
Haley
Hamilton
Hanley
Hansen, Idaho
Harrington
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hébert
Hechler, W. Va.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Jarman
Johnson, Calif.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
King
Kleppe
Kluczynski
Koch
Kuykendall
Kyros
Landrum
Leggett
Lloyd
Long, Md.
McCarthy
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
Macdonald, Mass.
Mahon
Mailliard
Mann
Marsh
Mathias
Matsunaga
May
Meeds
Melcher
Meskill
Mikva
Miller, Calif.
Mills
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Monagan
Montgomery
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nichols
Nix
O'Hara
Olsen
O'Neill, Mass.
Passman
Patten
Perkins
Pettis
Philbin
Pickle
Pirnie
Podell
Poff
Preyer, N.C.
Price, Ill.
Pucinski
Purcell
Quillen
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Riegle
Rivers
Roberts
Robison
Rodino
Roe
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ruppe
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Scherle
Scott
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stokes
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watts
Weicker
Whalen
Whalley
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yatron
Young
Zablocki
Zwach

NAYS—65

Anderson, Calif.
Ashbrook
Belcher
Bennett
Berry
Betts
Biester
Bray
Brinkley
Camp
Clancy
Collier
Collins
Conable
Conte
Dennis
Derwinski
Devine
Dickinson
Erlenborn
Esch
Evans, Colo.
Findley
Fish
Fisher
Flynt
Foreman
Fountain
Gross
Gude
Hagan
Hall
Hammerschmidt
Hutchinson
Jacobs
Kyl
Landgrebe
Langen
Latta
Lujan
McClory
MacGregor
Martin
Mayne
Michel
Miller, Ohio
Nelsen
Obey
O'Konski
Pelly
Pike
Poage
Price, Tex.
Pryor, Ark.
Quie
Railsback
Rarick
Reuss
Roth
Roudebush
Ruth
Schwengel
Sebelius
Yates
Zion

NOT VOTING—56

Adair
Annunzio
Ashley
Blackburn
Boggs
Bolling
Brown, Calif.
Burlison, Mo.
Burton, Utah
Cabell
Crane
Dawson
de la Garza
Diggs
Dowdy
Feighan
Flowers
Frelinghuysen
Fulton, Pa.
Gettys
Giaimo
Goldwater
Griffiths
Halpern
Hanna
Hansen, Wash.
Hays
Heckler, Mass.
Johnson, Pa.
Keith
Kirwan
Lennon
Long, La.
Lowenstein
Lukens
Madden
Moorhead
O'Neal, Ga.
Ottinger
Patman
Pepper
Pollock
Powell
Rees
Rhodes
Schadeberg
Scheuer
Schneebeli
Stephens
Stuckey
Symington
Teague, Calif.
Tunney
Watson
White
Wilson, Charles H.

So the previous question was ordered.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Frelinghuysen.
Mr. Boggs with Mr. Rhodes of Arizona.
Mr. White with Mr. Schadeberg.
Mr. Lennon with Mr. Crane.
Mr. Burlison of Missouri with Mr. Pollock.
Mr. Feighan with Mr. Keith.
Mr. Giaimo with Mr. Fulton of Pennsylvania.
Mr. Hays with Mr. Adair.
Mr. Pepper with Mr. Burton of Utah.
Mr. Patman with Mr. Schneebeli.
Mr. O'Neal of Georgia with Mr. Goldwater.
Mr. Ottinger with Mr. Halpern.
Mr. Madden with Mr. Long of Louisiana.

Mr. Charles H. Wilson with Mr. Teague of California.

Mr. Gettys with Mr. Johnson of Pennsylvania.

Mr. Hanna with Mr. Symington.

Mr. Dowdy with Mr. Kirwan.

Mr. Ashley with Mr. Lukens.

Mr. Stephens with Mr. Watson.

Mrs. Hansen of Washington with Mrs. Heckler of Massachusetts.

Mr. Cabell with Mrs. Griffiths of Michigan.

Mr. Stuckey with Mr. Blackburn.

Mr. Tunney with Mr. de la Garza.

Mr. Lowenstein with Mr. Diggs.

Mr. Brown of California with Mr. Powell.

Mr. Moorhead with Mr. Flowers.

Mr. Rees with Mr. Dawson.

Mr. BEVILL and Mr. HUNT changed their votes from "nay" to "yea."

Mr. FOREMAN and Mr. ROTH changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks in the RECORD on the resolution just passed (H. Res. 909), due to the fact that time was so limited.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

OFFICE OF EDUCATION APPROPRIATIONS, 1971

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16916) making appropriations for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate continue not to exceed 1½ hours, the time to be equally divided and controlled by the gentleman from Illinois (Mr. MICHEL) and myself.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 16916, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous consent agreement, the gentleman from Pennsylvania (Mr. FLOOD) will be recognized for 45 minutes, and the gentleman from Illinois (Mr. MICHEL) will be recognized for 45 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Chairman, my name is FLOOD. I am a Member of this House from the State of Pennsylvania. I happen to be chairman of the Appropriations Subcommittee for the Departments of Labor and Health, Education, and Welfare.

I recite these historic facts in case Members do not recall that I have been down here two, three, four, five, six times in the past year on just about this same subject.

Mr. Chairman, what we are doing today is an innovation. It is a departure from previous practice. Today, we are considering for the first time a separate appropriation bill for federally supported education programs.

Almost all of the $4.1 billion in this bill is for grants which go to schools and colleges all over the United States to support educational programs of one sort or another.

The people back home who are running these programs need to know very soon how much Federal money is going to be available, so that they can make intelligent plans for the next school year.

Let me remind the Members of what happened during the past year, or perhaps the last 14 months. It certainly was not fair to the school directors back home, to the school principals, to the school superintendents, to the school administrators, or to anyone connected with educational planning. Certainly they were not treated very well last year by the Congress or by the President, because we all became involved in a controversy about the appropriations for education—veto; shall we override the veto; what kind of compromise will we make? This went on like Tennyson's brook.

It was not fair to our people back home who are responsible for preparing the budgets and the planning of the school districts and as well was not fair to the universities and the colleges involved with the same problems.

Hence we felt, Mr. Chairman—and we think we speak for you—that under all of the circumstances it was vital and necessary that this year we bring to you a separate education bill. We can help all of these people by enacting this kind of an appropriation bill as soon as it is reasonable and possible. We feel in the committee, and insofar as the House is concerned, that that time is today. We hope and pray that in the other body they hear these shining words of wisdom I am uttering now, because you will recall that the House passed the Labor-HEW bill last year on July 31, but in the other body they passed it on December 17. We hope through these marble halls to my left that they can hear this message.

You remember the title of the great show "Something Funny Happened on the Way to the Forum." Well, last year something very funny happened, when the House passed this bill, on the way to the Senate. You know as well as I do what those things were.

To sum it all up, the bill before you today is about $300 million over the President's budget for 1971 and about the same amount over the available appropriations for the fiscal year 1970. Now, I hasten to add this, and I want you to hear this. Technically, we are about $744 million—$744 million—over the President's budget; but—and I want to be fair with you and I want to level with you, as the saying goes, about this—of that $744 million that I say we are technically over the President's budget, $425 million is for impacted area aid. For practical purposes the $425 million should not be fairly considered as an addition to the budget, because the President's budget says that he will submit that amount later as a supplemental request if legislative reforming the impacted area and program is enacted. So you leave out the $425 million for the impacted area aid, and you have something like $319 million over the President's budget.

There are quite a few places in this bill where the committee's judgment as to how to cut up this pie and as to the distribution of funds differed from the President's budget. Of course, the chief item of increase over the budget—and we think it should be, and I think you think it should be—is $160,950,000 for title I of the Elementary and Secondary Education Act.

Now, title I is the program which distributes funds to school districts where there are large numbers of children from families who have low incomes. The title I formula channels funds into those districts to improve the educational achievement of those children. This is also called "compensatory education." Hence your committee made that increase. That is for title I of the Elementary and Secondary Education Act.

Now, by the way, I wish each Member would get a copy of this committee's report because in my opinion it would help you to understand just what we are undertaking to do. We made a point, Mr. Chairman, of holding this committee report down to a irreducible minimum in wording. There are no long-winded statements by Members in here. There are no paragraphs after paragraphs about someone's pet project. There is nothing like that in here. This is as clean as a hound's tooth. You could not even strike out any of the punctuation. It is that type of a report.

If you will turn to the table on page 12 of this report, I do not believe there is a question in your mind about any line item about which you might be concerned because of your heart or because of some pressure group to which you cannot find the answer there. Now even I can understand this report and these tables. That is going pretty far. If I can understand this, there is no reason in the world why you cannot.

If you want to know how much was appropriated last year, there it is. How much do we propose this year? That figure is listed right smack alongside of the other figures. What about the President's budget? It is right there, as well. What about the cutback of 2 percent in the Senate bill upon which you gave us binding instructions? It is all there, column by column, plain as the nose on your face. It will help you if you will just look at it.

Now, Mr. Chairman, in addition to title I we have in here increases over the President's budget of $20 million for instructional equipment which we added $17 million for supplementary services and guidance, counseling, and testing. You remember well the debate last year and how hot it got on those items. The gentleman from New Jersey (Mr. JOELSON) is probably sitting up there on the State bench in New Jersey with Wigmorl on evidence in one hand and wearing his black robe and laughing to himself about what he did here last year. However, we took the hint. That is part of the reason we added these things.

There is plus $10 million for education of the handicapped. Well, now, is anyone going to be against that? No; we think you are for it and that is why we put it in there.

We have added $10,250,000 over the budget for public libraries. Now, that should warm the cockles of your heart. This is what we did. This is what you wanted last year. I think this is what you want this year.

We felt—the committee was unanimous, on both sides, that the rule of reason demanded increases of some kind—no Treasury raid—but the facts as presented to us, and our judgment as to the sentiment in Congress, and how the people back home feel, gave us the clear message that increases over the budget are in order. So we did this; we added $50.4 million for vocational education. The Committee on Appropriations added that.

Now, you surely do not want more. This is our heart's blood.

And this next item, this was done by this hard-hearted, steely-eyed, cold-blooded, Committee on Appropriations, $52.75 million for national defense student loans. We added that to the budget request. Somebody may want $100 million, somebody may want $75 million, we know that. There will be people you cannot satisfy. There is a full-funding group who want the ceiling on everything .

Supposing we in this House fully funded the authorizations for public works—ai—yi—yi. Do you know how many billions of dollars have been authorized for public works? The gross national product could not come anywhere near it.

So we think under all these circumstances that we did what you wanted done, $229 million for student loans. There are other increases, and some decreases, but all of these changes are identified in that very clear and concise report, which I want you to take hold of and take a moment to read later, if you do not read it now. I would rather you read that report than listen to me because you will get more out of reading that 10 pages, not really 10 pages, 9½ pages, and the tables. It is all there. It is there for the people back home, for your weekly newsletters, your radio broadcasts, and your TV broadcasts to your people back home. Keep that in your pocket.

Now, I suppose, the most sensitive item in this bill of course is the impacted area aid. I know what this means to 320 or 330 some Members, and I want their help this year. I want their help this year to defeat any amendments that go beyond what the committee did in putting $440 million in the bill for this program.

Now, please, this year give me a chance, give the committee a chance. We have certainly made an effort this year to recognize your views and understand your problems. The President requested no funds for impacted area aid in his budget, but the President did say that he would send up a supplemental request of $425 million if Congress passed legislation which would reform that impacted aid program. Certainly there is not a man in this House who in his heart—and I am not quoting any campaign slogans here—that just slipped out—who does not believe that this impacted aid program needs revision.

The President said that he would send this request up if this legislation was reformed to make it more rational and more equitable. And I certainly think it should be—and so does the committee. We have put $425 million in this bill plus $15 million for construction in the impacted areas, $15 million for construction has been in the bill for several years and that is separate and distinct from the $425 million.

I am authorized by the committee to say that we hope reform legislation is enacted. We know hearings have been held. But, if the legislation is not enacted, or if the $425 million is not enough to fully fund it, we are prepared to consider a supplemental appropriation bill immediately—immediately—and I promise that for the committee. What could be fairer than that?

We do that so that your school districts which depend on these funds and which really deserve them will not be hurt. We are going to see to that with you.

Now there is an additional safeguard for the schools which are educating the children who live on military bases with their parents. We have included in the bill the same language that was in the House bill for 1970, to provide that the category A children are to be funded at 90 percent of entitlement. You put that in the House bill last year in 1970 and we put it back in out of an abundance of caution.

Now there is another sacred cow if there ever was one in this bill. This is the annual appropriation for the land-grant colleges under the Bankhead-Jones Act. The President proposed to eliminate it altogether. We have put in this bill $8,080,000, two-thirds of the 1970 appropriation, with the idea that we were going to phase out this anachronism in 3 years. Now you have to go along with that.

Mr. Chairman, the Federal Government is now committed to putting substantial amounts of money into our educational system. We are committed to that. Here are two or three figures that you ought to keep in your head for use back home—we, the Federal Government, we are now providing 8 percent of the total expenditures for elementary and secondary education in this Nation. And we are putting up 25 percent—imagine that—of the total expenditures for higher education. We all know that our school system is our greatest asset. It is our best insurance for the future.

Today nearly 60 million people are full-time students. That is 30 percent of the total population of the country. We certainly cannot turn back the clock. We are in education up to our ears, and we should be, and we are going to stay that way.

Mr. Chairman, this bill gives recognition to the Federal Government's stake in our educational system without making irresponsible raids on the Treasury. We do not want to do that, and neither do you. Some people will. They just do not give a darn. They want their names in the newspapers. We think this bill is a reasonable and a responsible one.

I hope—oh, Mr. Chairman, how I hope after what we went through in the last 14 months—that the committee's recommendations will be accepted without change. There will be heroes hanging on the barricades for God, country, Yale, Princeton—I know that—to increase certain items. But we wish they would exercise just an itty-bitty restraint this year. We had a tough time last year. And "we" includes the school people—the whole educational system. Let us not invite this all over again.

You read the President's statement when he signed the elementary and secondary amendments late yesterday afternoon. He is not fooling. Of course, neither are we. What is fair is fair.

Last year's appropriation, you will remember, was not acted upon until March of this year. Terrible.

The final figure—and this should impress you if nothing else does about what your committee did in handling this bill—the bill before you today is within $150 million of the amount for the Office of Education in the bill which the President vetoed in January. It is within $150 million of the bill that the President vetoed, and his veto was sustained by the House.

So I hope we have learned something from this last year's experience and will not allow this bill to become an object of that kind of controversy between the President and the Congress again. Let us not do that this year. This is a fair bill for everybody, both the White House and Congress. If we adopt this bill, we will be all right. If we do otherwise, it will be the children and the college students who will be hurt.

Mr. MICHEL. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, it was scarcely a few weeks ago that we were haggling over the figures for the 1970 appropriations bill for the entire Department of Health, Education, and Welfare.

As our chairman has indicated, this is the first time we have broken out the education part of the bill as a separate entity hopefully to get the measure through both Houses, a conference, and signed by the President at a much earlier date, so that all our school officials

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around the country will know for sure what kind of a Federal input there will be in their budgets for the school year beginning in the fall.

The total amount appropriated in the 1970 bill for education came to $4,127,114,000, but you will recall, section 410 of that bill, provided for a 2-percent reduction from that total figure, giving us a net appropriations available figure of $3,814,154,650.

It is this latter figure that we should be using as a basis for comparing this year's bill. The budget estimates for 1971 were about half a billion dollars under this figure with no impacted aid funds included, for legislation is pending to reform that program. The President's budget does, however, single out $425 million for impacted aid, and rather than wait for a supplemental request for that amount, we have included it in our bill as being a very rock-bottom figure for this program in any event. Now, if we take this amount and add it to the President's original budget estimates, we find our bill here today $319,590,000 over the budget, and a net increase in appropriations available over 1970 of $312,959,350.

We have tried our best in this bill to set funding levels for 1971 that will make for an orderly transition or flow from those levels actually appropriated and made available in the 1970 bill just so recently enacted.

During our deliberations in the subcommittee, we gave careful attention to the President's message on education reform that was transmitted to the Congress just about the time our hearings began. The message was strong for additional research and experimentation and also in evaluating where we are; planning and setting some goals as to where we ought to be headed. We have in this bill provided considerable sums for research.

Taking the items in chronological order as they appear in the bill, the $440 million for impacted aid includes $15 million for construction, which has been the level for the last several years. The proviso in this section provides for 90 percent entitlement for category A schools and at this funding level 45 percent for category B. Were this proviso not in the legislation, both A and B would be receiving approximately 57 percent of their entitlement. As we have said in our report: If the requirements of the new law turn out to be higher than the $425 million funding level, or if the reform legislation is not enacted, our committee will give consideration to supplemental appropriation.

For elementary and secondary education, we have a very significant increase over 1970 of $194,570,100. The title I increase alone here is $160,950,000.

Mr. BOW. Mr. Chairman, I make the point of order that a quorum is not present. I believe the Members should be present to hear the explanation of this bill.

The CHAIRMAN. The Chair will count. Fifty-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 76]

Annunzio
Ashley
Baring
Blackburn
Boggs
Brown, Calif.
Burlison, Mo.
Burton, Utah
Cabell
Celler
Clark
Clay
Corbett
Dawson
de la Garza
Devine
Diggs
Dowdy
Edwards, Calif.
Feighan
Flowers
Frelinghuysen
Fulton, Pa.
Gettys
Gibbons
Goldwater
Griffiths
Halpern
Hanna
Hansen, Wash.
Harsha
Hébert
Heckler, Mass.
Johnson, Pa.
Kastenmeier
Kirwan
Kluczynski
Landrum
Lennon
Long, La.
Lowenstein
Lukens
McMillan
Madden
Mikva
Moorhead
Murphy, Ill.
Murphy, N.Y.
O'Neal, Ga.
Ottinger
Patman
Pepper
Podell
Pollock
Powell
Rees
Reuss
Rhodes
Rosenthal
Schadeberg
Schneebeli
Stephens
Stuckey
Taylor
Teague, Calif.
Teague, Tex.
Tunney
Vander Jagt
Watson
White
Wilson, Charles H.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. BOLAND) having resumed the Chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 16916, and finding itself without a quorum, he had directed the roll to be called, when 359 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the point of order of no quorum was made, the gentleman from Illinois (Mr. MICHEL) had consumed 5 minutes of the 15 minutes he had yielded himself.

The Chair recognizes the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, for title II—ESEA—which is school libraries, we have $80 million in this bill, practically doubling the $42,500,000 figure in the 1970 appropriation.

In title III—ESEA—for supplementary centers and guidance and counselling, we have added $17 million over the budget to give us an increase in appropriations over last year of $6,550,000.

In title III—NDEA—for equipment and minor remodeling, there was nothing requested in the budget estimates, but we have $20 million in this bill for that purpose, and feel that the balance between that figure and the $37,179,000 for this item in the 1970 bill can be made up from the substantial amounts that are available for this purpose in both titles I and III.

We do have a reduction in the budget figure for title VIII—ESEA—the dropout prevention program, of $7 million from the budget request of $15 million, but this will still leave us with a 60-percent increase over the 1970 funding level.

In title VII, ESEA, bilingual education, we have increased the budget and last year's spending level by $3,750,000 to a total of $25,000,000, and in the item for strengthening State departments of education, title V, ESEA, we have funded it at last year's level of $29,750,000.

Now in the item of education for the handicapped, we have a total in this bill of $105 million, $10 million over the request for this year and $20 million over last year's spending level. We make special reference in our report that none of the $10 million increase voted by our committee is to be used for fellowships, for $34 million of this total amount is already going for that purpose.

Now in the item of vocational and adult education, your committee has again increased the basic grants to the States by a big, fat, round figure of $50 million. We have increased the consumer and homemaking item by $2.5 million. The cooperative work education item is at the budget level, which is $5,750,000 more than the funding level for 1970. The research and innovation item is $5 million below the budget, but a shade better than $5 million over last year's funding level. The adult basic education item is $5 million over last year's funding level and the students with special needs is up $3 million over the budget, giving us a total of $490,446,000.

I think at this point it might be well to point out that in 1968 this appropriation totaled $280,011,455, and there have been steady increases in 1969, 1970 and this year. I think it should also be borne in mind that in the manpower development and training activity, we were spending less than $400 million in 1968 but that item in the budget for 1971 is at a level of $747,494,000.

In higher education the bill carries a total of $899,880,000, which is $51 million over the budget and approximately $49 million over the spending level for 1970, broken down as follows:

Activity	1970 amount available [1]	1971 budget estimate	1971 recommended in bill
Student assistance:			
Educational opportunity grants	$164,600,000	$185,600,000	$167,700,000
Work-study and cooperative education	154,000,000	160,000,000	160,000,000
National defense student loans	195,685,000	176,925,000	229,000,000
Insured student loans	63,900,000	145,400,000	145,400,000
Talent Search	5,000,000	5,000,000	5,000,000
Upward Bound	29,637,000	30,000,000	30,000,000
Special services in college	10,000,000	15,000,000	15,000,000
Institutional assistance:			
Aid to land-grant colleges	19,361,000	------------	8,080,000
Strengthening developing institutions	30,000,000	33,850,000	33,850,000
University community services	$9,500,000	------------	$9,500,000
Foreign language training and area studies	15,300,000	$6,000,000	6,000,000
Construction:			
Grants	71,050,000	------------	------------
Interest subsidy grants	11,750,000	21,000,000	21,000,000
State administration and planning	6,000,000	6,000,000	6,000,000
Technical services	5,417,000	5,100,000	5,100,000
College personnel development	58,813,000	57,350,000	57,350,000
Planning and evaluation	900,000	1,000,000	900,000
Total, higher education	850,913,000	848,225,000	899,880,000

[1] Reflects reductions made pursuant to sec. 410 of the 1970 Labor-HEW Appropriation Act.

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It should be pointed out that the educational opportunity grants will finance an estimated 101,800 first-year students, the same as last year, with the average grant increase from $530 to $580. The work-study and cooperative education item will support 375,000 students, the same number as last year. The NDEA student loan item has been increased substantially over the budget and over last year's funding level. The better than $52 million increase over the budget will provide loans for more than 520,000 students at an average of $650 each, as compared to some 455,000 loans last year at an average of $630.

The guaranteed loan program in this 1971 bill will make guarantees on about 1,087,000 loans, an increase of 164,000 over last year. All told, we are going to be providing financial aid to 1,937,000 students, compared with 1,707,000 in fiscal year 1970, or an increase of 230,000.

Now, in the education professions development item, we have increased over the 1970 level of $18,500,500, or a total figure of $135,800,000. The Teacher Corps comes in for an increase over last year of some $9 million, and we say in our report that we expect the increase to be used for retraining of teachers with degrees, who are really not adequately qualified. The Department tells us that they have a plan designed to retrain 66,000 such teachers.

We are told that the Teacher Corps now has 4,500 in the program, with 1,500 graduates, 80 percent of whom are continuing working in the field of education and of those, 75 percent are supposed to be working in the ghettoes.

Now, in the item of community education, we have a total of $77,636,000, which is an increase over last year's spending level of nearly $4.5 million. This provides for an increase of $5,250,000 for grants for public library services and brings this item to a total of $40,709,000. Our committee also added $5 million for construction of Public Libraries, for which there was no request, and we increased the equipment for noncommercial radio and TV stations by $2 million, for a total of $6 million. In the area of research and training, we have made some reductions from the budget request of $13 million, but we are $25 million over last year's level of spending, and while we do not earmark the amount for experimental schools, the committee expects this amount will be spent for that purpose.

In arriving at these decisions, the committee took into account the President's entire budget request related to library and reading programs and not just those items under the community education appropriation. The President's amendments to the 1971 budget added $96.5 million for books and reading projects. Together with special earmarking of funds already in the budget, this provided $100 million for the right-to-read program and $12.5 million for public library services, which the bill increases by another $5 million.

Since enactment of the public library construction authority in 1965—a total of $500 million—nearly $150 million in Federal funds and $350 million in State and local matching funds has been spent for construction and renovation in over 1,500 projects.

The 1971 budget, by contrast, has turned its attention from construction to other reading priorities—namely supplementary reading instruction under title III of the Elementary and Secondary Education Act and the purchase of school library books under title II of that same act. The President has chosen to defer the construction of additional facilities in favor of these service programs. Far from abandoning library programs, the President and the Commissioner of Education have made the right to read their educational goal for the 1970's.

The priorities have also shifted in the college library resources and librarian training programs. Instead of parceling out a small basic grant of $5,000 to nearly every college and university in the country, the President's 1971 budget would limit this assistance to institutions with special needs such as outdated collections, growing student enrollments, or financial need. Librarian training would limit expensive fellowships to the doctoral level where the need is greatest and increase institute training for librarians and paraprofessionals working in school and public libraries in poverty areas.

Let me say one further thing with respect to the student loan insurance fund. We have $18 million in the bill, an increase of more than $7 million over last year. I think it is interesting to note that 3,700,000 loans, totaling $3.2 billion will have been made through fiscal year 1971, and it will be necessary to pay nearly 25,000 claims totaling a shade better than $18 million. This represents an increase over 1970 of $1,794,000 in default payments for an additional 2,321 loans. The default rate, based on total loans made, is expected to be seven-tenths of 1 percent in 1971 as compared to nine-tenths of 1 percent in 1970.

HIGHER EDUCATION FACILITIES LOAN FUND

Our committee has approved language proposed to permit up to $10 million in loans to be made from funds appropriated in prior years. Loans would be made to small colleges which are unable to obtain private loans through the interest subsidy grant program.

The new subsidized loan program in the higher education appropriation, will be the main Federal contribution to higher education facilities construction, but the money here is to take care of liquidating old business. The Department requested authority to make new loans to the extent that funds may be made available by cancellation of old loan commitments. They expect some institutions, to which they are committed to make direct loans will convert to subsidized loans.

Finally, Mr. Chairman, I do feel section 211 should be stricken from the bill for several reasons. First, it would prevent the Federal Government and local school officials from carrying out the requirements of the Constitution—requirements which this section does not and cannot remove. What this provision does is to impose a penalty on a school district for carrying out its legal obligation to desegregate. The Department would be put in the position of having to prohibit many school districts from using Federal funds to draw up and implement desegregation plans pursuant to court order. It would thus tie the hands of the Federal Government and of local school officials in dealing with the nondiscrimination requirement of law.

In addition to preventing enforcement officials from carrying out their legal obligations, section 211 would jeopardize the substantial progress made to date in school desegregation, and make more difficult the application of uniform standards in accordance with the Constitution. Furthermore, the amendment directly contravenes the President's March 24 statement on school desegregation in which he pledges to support the recent Supreme Court decisions mandating immediate desegregation. Freedom-of-choice plans, as has been demonstrated time and again, would not be an effective method of doing this. Court decisions are unequivocal on this point.

It may well be that section 211 was added to the bill because of a misunderstanding on the part of the committee concerning HEW's Office for Civil Rights. This office does not interpret the Constitution or the law. This is the responsibility of the courts. However, once the courts have acted, it is the responsibility of HEW to help school districts comply with court decisions. Because section 211 is not consistent with court rulings on freedom-of-choice plans, it could only produce an administrative nightmare for the Department. It should be deleted.

I am also concerned about sections 209 and 210—the so-called Whitten amendments—which pertain to busing of students, although I am convinced that these amendments do not change basic law nor would they require a change in HEW's regulations. A school district which has not completed its constitutional obligation to achieve a unitary system would not be "desegregated" within the meaning of the proposed sections 209 and 210. Such a district, therefore, would be unaffected by these sections. My concern, rather, is that the enactment of these two provisions would encourage some people to believe that, in fact, there would be a change in basic law and thus give rise to much confusion. Further, it is my belief that language which pertains to the enforcement of school desegregation belongs in substantive legislation rather than in an appropriation bill. However, since these two provisions do not change basic law, I am not asking that they be deleted.

I have discussed my views on both section 211 and sections 209 and 210 with HEW Secretary Finch, and he agrees with me that section 211 should be stricken from the bill and shares my misgivings about sections 209 and 210 but agrees that they make no change in basic law.

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Mr. FLOOD. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. COHELAN).

Mr. COHELAN. Mr. Chairman, I thank the distinguished chairman for allowing me this time.

Mr. Chairman, before urging acceptance of the amendments to be proposed this afternoon increasing the funding of educational programs administered by the Office of Education, I want to express to the inimitable gentleman from Pennsylvania, the delightful and gracious chairman of the Labor-HEW Subcommittee and to our leader on the full Appropriations Committee, the distinguished and forceful gentleman from Texas, my sincere appreciation for the great improvements wrought by their labors on the budget estimates submitted by the executive council for education.

I commend them for having brought title I of the Elementary and Secondary Education Act programs up to the $1.5 billion level. I applaud the recommendation that the direct repayable loans of title II of the National Defense Education Act be increased to $229 million. The increase to $105 million for special education programs for handicapped can be usefully and economically expended as can the increase in vocational education of more than $50 million. All of these actions deserve, and in my judgment will be given, the strong and wholehearted support of the House and of the people of the Nation.

Both also deserve plaudits for having given the House an early opportunity this year to work on the pending bill. The dedicated and hardworking men and women who finance and administer the schools of every level, public and private, in classroom and library, in laboratory and shop, has stressed the importance of early and accurate funding information so that they can do a better job in the public interest of carrying on their labors. In a very real sense, early consideration of this bill is a benefit which will repay dividends of accomplishment and economy and which will increase the efficiencies of our educational operations. It is only fitting that this recognition be given to the chairmen, and their colleagues on the subcommittee whose industry, diligence and perseverance has brought H.R. 16916 to the floor at this early date in the year.

There are, however, areas in the overall bill which yet need additional strengthening. It is for this reason that I have joined with others in offering amendments increasing the funding of programs in higher education, library programs, and impacted areas.

HIGHER EDUCATION AMENDMENTS

In higher education, for example, we should not be misled about the proposal in this bill to reduce the "land-grant teaching funds" under the Bankhead-Jones bill by $4 million.

What is actually proposed is the elimination of these funds—by gradual, presumably painless steps, rather than in one fell swoop, as is proposed in the administration's budget.

The budget message states, in effect, that these funds are but a "minute" amount that supposedly would hardly be missed by the colleges and universities receiving them. Nothing could be further from the truth. The colleges and universities receiving them consistently testify that, dollar-for-dollar, they are the most valuable funds they receive—from any agency or source—from the Federal Government.

President Fred Harvey Harrington of the University of Wisconsin, for instance, has said that this program is "an essential source of funds for undergraduate teaching where even more funds are badly needed. It also serves as a model for institutional support, which is the most valuable type of government aid."

President A. P. Torrence of Tennessee State University points out that—

> Our students, for the most part, are first generation college students who enter the university with seriously deficient educational backgrounds and from families with incomes within the poverty level. While the education of this type of student is expensive, the return to society on the investment made is perhaps greater than could be realized from almost any other investment. Our need at the moment is for increased federal assistance—not less.

From Washington State University, President Glenn Terrell states that the "loss of these funds—plus the existing shortage of funds from State sources—is more than we can cope with in the face of increasing enrollments without serious and immediate erosion of the quality of our university."

President T. Marshall Hahn, Jr., of the Virginia Polytechnic Institute, states that "failure to restore these funds could signal the demise of a historic relationship with the Federal Government that has helped countless thousands of young people secure higher education and increase their contribution to our Nation and society." At VPI, loss of the funds would mean the loss of the equivalent of 13 faculty members and, through them, of more than 260 students.

Purdue University Vice President L. J. Freehafer states that the "land-grant teaching funds are—or have been in the past—continuing, flexible, predictable institutional support funds and no amount of temporary grant funds can compensate for them in promoting sound, orderly development of our institutions."

And so it goes all across the country. Many other such statements could be cited.

The proposed phaseout of the Bankhead-Jones land-grant teaching funds, in a word, endangers the soundest, most productive, and least expensive way for the Federal Government to support higher education. This should not be allowed to happen.

Mr. Chairman, I include a table setting forth the effect on the land-grant institutions if the amendment to the bill is not adopted at this point in my remarks:

RESIDENT TEACHING FUNDS FOR LAND-GRANT INSTITUTIONS

[The following is a table by States and institutions for distribution of resident teaching funds. If the proposed budgetary cut stands there would remain of these funds only $50,000 per State, and where more than 1 institution is involved, this $50,000 would be allocated in the same ratio as the total now going to the State allocated]

Land-grant institutions	Funds for instruction and facilities (Morrill-Nelson, and Bankhead-Jones funds)	House bill
All land-grant institutions	$14,500,000	
Alabama:		
Alabama Agricultural and Mechanical College	94,561	
Auburn University	183,086	−$75,883
Alaska: University of Alaska	205,376	−51,792
Arizona: University of Arizona	230,951	−60,314
Arkansas:		
Agricultural, Mechanical, and Normal College	66,125	
University of Arkansas	176,333	−64,153
California: University of California	573,580	−174,527
Colorado: Colorado State University	241,689	−63,897
Connecticut: University of Connecticut	260,260	−70,087
Delaware:		
Delaware State College	42,122	
University of Delaware	168,486	−53,536
Florida:		
Florida Agricultural and Mechanical University	102,133	
University of Florida	215,560	−89,231
Georgia:		
Fort Valley State College	83,507	
University of Georgia	210,216	−81,241
Hawaii: University of Hawaii	215,040	−55,014
Idaho: University of Idaho	215,858	−55,286
Illinois: University of Illinois	439,618	−129,873
Indiana: Purdue University	310,822	−86,941
Iowa: Iowa State University of Science and Technology	265,544	−71,848
Kansas: Kansas State University of Agriculture and Applied Science	251,783	−67,261
Kentucky:		
Kentucky State College	39,471	−74,072
University of Kentucky	232,743	
Louisiana:		
Louisiana State University and Agricultural and Mechanical College	188,920	
Southern University and Agricultural and Mechanical College	88,496	−75,805
Maine: University of Maine	223,038	−57,680
Maryland:		
Maryland State College, Division of the University of Maryland	32,844	
University of Maryland	240,856	−74,534
Massachusetts:		
Massachusetts Institute of Technology	16,666	
University of Massachusetts	305,709	−90,792
Michigan: Michigan State University	385,949	−111,983
Minnesota: University of Minnesota	281,144	−77,048
Mississippi:		
Alcorn Agricultural and Mechanical College	127,393	
Mississippi State University	124,379	−67,258
Missouri:		
Lincoln University	18,917	
University of Missouri	283,760	−84,226
Montana: Montana State College	216,038	−55,346
Nebraska: University of Nebraska	233,546	−61,182
Nevada: University of Nevada	206,781	−52,261
New Hampshire: University of New Hampshire	214,426	−54,809
New Jersey: Rutgers, The State University	344,201	−114,734
New Mexico: New Mexico State University	222,605	−57,535
New York: Cornell University	598,897	−182,966
North Carolina:		
Agricultural and Technical College of North Carolina	101,737	
State College of Agriculture and Engineering, University of North Carolina	206,557	−86,098
North Dakota: North Dakota State University	215,033	−55,011
Ohio: Ohio State University	430,710	−126,904
Oklahoma:		
Langston University	25,534	
Oklahoma State University of Agriculture and Applied Science	229,807	−68,447
Oregon: Oregon State University	242,039	−64,013
Pennsylvania: Pennsylvania State University	469,049	−139,683
Puerto Rico: University of Puerto Rico	255,846	−68,616

RESIDENT TEACHING FUNDS FOR LAND-GRANT INSTITUTIONS—Continued

[The following is a table by States and institutions for distribution of resident teaching funds. If the proposed budgetary cut stands there would remain of these funds only $50,000 per State, and where more than 1 institution is involved, this $50,000 would be allocated in the same ratio as the total now going to the State allocated]

Land-grant institutions	Funds for instruction and facilities (Morrill-Nelson, and Bankhead-Jones funds)	House bill
Rhode Island: University of Rhode Island	$220,429	−$56,810
South Carolina:		
Clemson Agricultural College	128,316	....
South Carolina State University	128,316	−68,878
South Dakota: South Dakota State College of Agriculture and Mechanic Arts	216,175	−55,392
Tennessee:		
Tennessee Agricultural and Industrial State University	51,599	....
University of Tennessee	233,187	−78,262
Texas:		
Prairie View Agricultural and Mechanical College	106,925	....
Texas Agricultural and Mechanical University	320,774	−125,929
Utah: Utah State University of Agriculture and Applied Science	221,169	−57,057
Vermont: University of Vermont and State Agricultural College	209,267	−53,089
Virginia:		
Virginia Polytechnic Institute	196,193	....
Virginia State College	98,097	−81,430
Washington: Washington State University	267,818	−72,606
West Virginia: West Virginia University	244,220	−64,740
Wisconsin: University of Wisconsin	293,929	−81,310
Wyoming: University of Wyoming	207,845	−52,615

Mr. Chairman, I also support the amendment to add $71,050,000 to the committee bill for grants for the construction of college classrooms and libraries. Actually, this amount is just peanuts, when you consider that we have more than 2,000 colleges across the Nation. We ought to be appropriating 10 times that amount. However, the amendment is realistic in view of our stringent budget situation today, and it represents a vast improvement over the zero amount recommended by the administration and our Appropriations Committee.

Mr. Chairman, all the rhetoric about opening opportunities for higher education will amount to nothing unless we provide classrooms for the students to attend. Let me cite just a few statistics to show the need for enlarging our higher education facilities. Last fall, about 7.6 million students enrolled in our colleges and universities. Next fall, according to Office of Education projections, the number will rise to 8 million. That is an increase of nearly 400,000 persons—a population larger than most State capitol cities in our Nation. And by 1971, if the projections hold true, the college population will rise to 8.4 million. This represents an increase of some 735,000 students over last fall—a figure equal to the entire population of a major city.

The administration's budget assumes that subsidized loans obtained in the private market will meet all the college's needs for enlarged facilities. But loans—regardless of the subsidy—must be repaid. A college can meet the repayments only by raising its fees for students—and thus making its education even more expensive—or by making some special appeal to its friends and alumni.

As I mentioned earlier, we should be seeking appropriations for facilities grants in an amount at least 10 times the modest $71 million we are proposing. A study by an expert task force, which was published by the Office of Education last fall, found that colleges and universities will need to make commitments for $14 billion worth of academic facilities in the next 4 years if they are to keep pace with the growing number of students and provide for rehabilitation of their obsolete plant.

But the $71 million will provide needed assistance in the most starkly urgent cases and will give some aid to colleges that simply cannot borrow at all in the private market under current conditions. For these reasons, I urge the adoption of this increase.

Mr. Chairman, I fully support the amendments to H.R. 16916 calling for funding of NDEA title VI—Language Training and Area Centers—programs at the level of $15,300,000.

I am certainly not persuaded that the need for graduates highly trained in foreign area and language studies is diminishing. The administration's proposed cutback from $15,300,000 in fiscal year 1970 to $6,000,000 in fiscal year 1971 to no funding at all thereafter, therefore, seems to me extremely shortsighted. I find this retreat particularly puzzling in light of the fact that the administration's own stock-taking study of these programs, funded through the Social Science Research Council, is as yet incomplete. The premise seems to me unassailable that these modest programs are essential in a world increasingly dependent upon international communication and intercultural sophistication.

American universities and colleges cannot sustain them on their own, despite the fact that most of their present support comes from the institutions. The small Federal investment is the critical margin necessary to sustain them. These are "leadtime" programs; they cannot be turned on and off without loss not only to the institutions but also to the national interest. As President Hitch of the University of California recently pointed out:

> Reduction in federal support would seriously undermine American institutions generally in the international area. Federal support has played a major role in strengthening the international dimension of higher education and this significant academic involvement will undoubtedly atrophy if federal support is withdrawn.

Now, and in the future, we need all the American competence we can develop in foreign areas and languages. The investment of $15,300,000 for fiscal year 1971 is little enough to forward this purpose, but it will go far toward consolidating the investment the Federal Government and our universities have already made. In my judgment, it would be folly not to capitalize on that investment.

Mr. Chairman, with respect to title VI–A of the Higher Education Act, let me present the facts:

Title VI–A was passed by Congress in 1965 to provide funds, matched by institutions of higher education, to purchase instructional equipment and materials, including instructional television. Title VI–A is the only federally assisted program for improving the quality of undergraduate classroom and laboratory instruction in all the major subject areas of the college curriculum. The program is jointly administered by State commissions and the U.S. Office of Education.

Title VI was authorized at a level of $70 million for 1968 and 1969; and during these years, Congress appropriated only $14.5 million for this program. The 1970 authorization was also at $70 million, but in that year, zero was appropriated. Furthermore, the President has requested zero in his 1971 budget for title VI.

My point is simple: Title VI of the Higher Education Act should not again go unfunded; it is a worthy program and there is a definite need for it.

Title VI is designed to assist needy schools and small departments of colleges and universities. More and more small colleges, especially community colleges are cropping up every day. Many of the small institutions simply do not have the funds to purchase materials, equip laboratories, or provide teachers with the essential tools they need to keep up with expanded subject matter. Title VI could provide these funds. And note that matching of funds by the institution of higher education is required under title VI–A. This local effort not only helps to assure prudent spending, but doubles the impact of the program.

I urge the House to support funding title VI–A at a level of $8 million. This is hardly a generous amount.

In addition to the higher education amendments just discussed, there is another amendment to H.R. 16916 appropriations for fiscal year 1971 which I would like to support. That is the amendment to be introduced by my colleague from Arkansas (Mr. PRYOR) which would raise the funds for title II of the LSCA—construction—and title II of the Higher Education Act—college library assistance and library training—to the levels of last year's appropriations before the drastic cuts made by HEW under the discretionary authority given to the executive branch by this Congress.

The construction of new public library buildings and the remodeling of outdated ones is one of the most necessary tasks in providing efficient, complete service to all our communities. New technological processes being applied to library procedures and new directions of library service designed to provide more information and recreation to more people require modern physical facilities.

The three parts under title II of HEA provide important aid to American colleges and universities of all sizes. The largest institutions benefit most from part C, the Library of Congress shared cataloging program which helps large research universities acquire and catalog foreign publications. Smaller colleges receive a much-needed boost from part A, which awards grants for the improvement of library collections, and the promotion of joint-use facilities. All types of libraries benefit from part B, which provides fellowships and stipends for training in librarianship, and grants for research in the information science field.

As more and more of our young people seek a higher education, and demand new courses, and greater depth in old ones, academic libraries find that limited financial resources make it harder for them to satisfy the needs and desires of their students and faculty. It has so often been said that the library is the heart of the university, that perhaps we are no longer as aware of the truth of that statement as we should be. The authorizations for fiscal 1971 for these HEA II programs are far in excess of what the committee has recommended, or even what my colleague's amendment proposes.

In his message to the Congress, President Nixon states that—

> No element of our national life is more worthy of our attention, our support and our concern than higher education.

I couldn't agree with him more, and I hope that my colleagues on the other side of the aisle will join me in supporting this amendment which will restore needed funds to these library programs which are such a vital ingredient of our system of education and to the well-being of our citizens.

If it were possible to appropriate the full amounts authorized for LSCA II and HEA II, it could all be used to good advantage. But because we cannot do that at this time, let us not forsake these library programs altogether—let us at least maintain the meager appropriations that were approved last year, so that our public libraries, our academic libraries and our graduate library schools do not fall even further behind in the attempt to provide the best possible service and train the best qualified library personnel.

Mr. MICHEL. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas (Mr. SHRIVER).

Mr. SHRIVER. Mr. Chairman, today, less than 6 weeks after the enactment of the fiscal 1970 Labor-HEW appropriations bill, the House is considering the fiscal 1971 education appropriations measure. I am certain that this prompt action comes as a great relief to the thousands of school administrators, school board members, and other State and local officials who have labored for years under a cloud of financial uncertainty. The primary credit for the early reporting of this education bill belongs to the leadership of our subcommittee, Mr. FLOOD and Mr. MICHEL, and to the chairman and ranking minority member of the full Appropriations Committee, Mr. MAHON and Mr. BOW. The subcommittee also benefited from excellent cooperation on the part of Secretary Finch and the Administrators of the Office of Education in bringing these hearings to an early conclusion.

The committee recommends an appropriation of $4.1 billion for the programs administered by the Office of Education. This represents an increase of $313 million over the amount available for these purposes in fiscal 1970.

Four billion dollars is a lot of money, but it does not begin to tell the story of the total education expenditures in our country this year. As is pointed out in the committee report, the higher education items in this bill represent only 20 percent of the annual Federal contributions to institutions of higher education. The Federal total is now over $5 billion per year, and to that should be added the billions of dollars spent every year for higher education by our State and local governments, individuals, foundations, and corporations.

Turning to elementary and secondary schools, during the current school year, the Federal Government will issue grants totaling about $2.5 billion. This represents only 6.6 percent of the local school budget for this year. The local school districts will pay $20.3 billion, or 52.7 percent, and State governments will pay the remaining $15.6 billion, or 40.7 percent of local school costs.

Altogether, we are now spending over $38 billion per year for elementary and secondary education, and the costs are going up every year. For that kind of expenditures, we had better make sure we are getting our money's worth.

The committee recommends an appropriation of more than $105 million for what may be the most important part of this bill: research and training. It is a sad fact that after spending billions and billions of dollars for the education of our children, we still do not know what we are doing. Our educational system has never been called on to account for these expenditures in the only meaningful way, which is to determine if each child is being reached successfully through the teaching methods being used.

In order to make this important determination, President Nixon has requested funds within this research and training program for the establishment of several experimental schools. This is a 5-year program at a total cost of $140 million. At the current rate of spending in this country for elementary and secondary education, $38 billion annually, in 5 years we will spend $190 billion. Thus, the total cost of this promising research program amounts to only seven one-hundredths of 1 percent of these education expenditures. If the experimental-schools approach even begins to come up to the expectations of its protagonists, this will have been a very wise investment indeed.

The President has also proposed a revenue-sharing plan and further studies on future means of financing our educational system. All of us have received countless letters from overburdened property taxpayers who bear most of the local-costs load for our schools, and it is a cold fact that 50 percent of the local bond issues for educational purposes were defeated last year. I hope Congress will answer the President's call to find more adequate methods to finance what we hope will be an improving system of education in the 1970's.

There are several other items in this bill which I will mention briefly. The committee recommends $135.8 million for education professions development. While it was revealed in the hearings that we are finally coming to an end of our chronic teacher shortage, there are still critical shortages in such areas as vocational education, education for handicapped children, preschool education, and counseling and guidance personnel. There are also geographical shortages in many individual urban and rural school districts. The recommended increase of $18.5 million should help to alleviate these problem areas.

This bill includes $105 million for education for the handicapped, an increase of $20 million over the 1970 figure. It was very disturbing to the committee to observe that out of 5.3 million handicapped children in our country, 3 million are still not receiving appropriate special educational services. We must do more for these children.

Finally, the bill contains $440 million for the impacted area assistance program. This item was not included in the regular budget requests sent to Congress by the President. It has been indicated that a supplemental request for this same figure would be forthcoming if Congress enacts legislation amending this program. The committee felt, however, that money for affected school districts should be included in this bill to guarantee at least partial support while the basic law is being changed.

Before I close, Mr. Chairman, I would like to call the House's attention to some information which was inserted into our hearings at my request concerning the existing Federal Government activities for environmental pollution control. While this does not relate closely to the bill we are considering today, it might be helpful to my colleagues in answering inquiries about this problem, especially as the April 22 "Earth Day" approaches.

The table which begins on page 200 of part 1 of our fiscal 1971 hearings shows that nearly $2 billion in Federal funds will be obligated in 1971 for "Programs and activities where the primary purpose is control and abatement of pollution." This represents an increase of more than $700 million over the 1970 obligations, and it is more than twice the 1969 program. We have not begun to win the fight against pollution, but we are beginning the fight.

Mrs. REID of Illinois. Mr. Chairman, as a member of the Subcommittee on Labor-HEW Appropriations, let me say first that I greatly appreciate the hard and excellent work of our chairman, the gentleman from Pennsylvania (Mr. FLOOD) and the diligence and cooperation of the ranking minority member, the gentleman from Illinois (Mr. MICHEL).

The bill before us today—H.R. 16916—carries funds totaling approximately $4.1 billion to cover all the activities directly connected with and administered by the U.S. Office of Education. It is an increase of $744.6 million over the President's budget—including the sum of $425 million for impacted aid which the administration said it would have requested later in a supplemental bill. I do feel our committee has done a commendable job in meeting its responsibility by reporting the bill to the House early in this session, although I supported the efforts to keep the proposed expenditures more in line with the President's budget recommendations.

It has been pointed out that this year for the first time the committee is reporting out a separate appropriation bill for the Office of Education in the hope that the legislation will be enacted early so that school district, State departments of education, colleges, and others who are involved in the Nation's educational system will be able to make more orderly plans for the next school year. I certainly support these efforts and urge that we not have a repeat of the recent situation when we were 8 months into the new fiscal year before the appropriation was finally approved.

Even more than in health, the President's education budget for fiscal 1971, which we considered in our subcommittee, places first priority on making the system more accessible to everyone and particularly to the poor and disadvantaged. We have included funds in H.R. 16916 for such programs as title I of the Elementary and Secondary Education Act, Commissioner Allen's "right to read" program, special programs for dropout prevention, bilingual education, education for the handicapped, assistance to developing colleges, special training programs for teachers of the handicapped, financial assistance for poor students who want to go to college, school library resources, adult and vocational education, and various other programs.

In addition, funds are included to place greater emphasis on experimentation and evaluation to learn more about the relative merits of different types of educational activities. In his recent message on education, the President stressed the importance of obtaining new measurements of learning achievement through the establishment of a National Institute of Education. In my judgment, action to determine how to produce better results from whatever funds are invested is long overdue, and I support the President's program. Other targeted research and evaluation projects have been developed for programs for preschool children and school-age children in the early grades, vocational education, dropout prevention, and experimental schools.

I believe that most of us will agree that all of these programs have very worthy goals and objectives and that the Nation's elementary and secondary schools need more money. But, I would remind you that in deciding our priorities, significant and overriding points must be weighed. Education is the Nation's largest domestic business and, like all businesses, it has been hit hard by the effects of inflation. Thus, as we see the education dollar producing fewer results because of continually rising costs, it is essential that the Congress do its part to insure a budget that at the very least will not stimulate inflation through more deficit spending. In my opinion, we should keep this in mind as we consider H.R. 16916 and vote on amendments.

Mr. FLOOD. Mr. Chairman, I yield such time as he may consume to the gentleman from Iowa (Mr. SMITH).

Mr. SMITH of Iowa. Mr. Chairman, although I do not claim the present bill contains exactly the sums that I would have recommended in each instance, I do think this is a good bill and presents a much better balanced package for the application of our natural resources to the field of education than we had last year. It is common to only hear of a very few controversial items in a bill such as this, and often some very significant and important accomplishments or changes are overlooked. I want to speak about a few things that may not necessarily be mentioned in depth.

This bill contains the financing for a program to retrain teachers which have a degree, but are really not qualified to teach. Our subcommittee has pressed for such a program for the past 2 years. We discovered that almost none of the resources under the Professions Development Act and the Teacher Corps were being used for this purpose. Last year the administrators told us that in their judgment there were 66,000 such teachers, and that they could be retrained within a 3-year period. A large share of these teachers are in southern schools and graduated from colleges from which a degree does not really provide a presumption that they are fully qualified to teach. Some of them may also be from other colleges with higher standards, but for some reason they are not qualified to be teaching what they are teaching. These teachers are committed to teaching school and the retraining of them is almost certain to result in a better qualified person who will actually teach.

This is not the case with many of the fellowships for graduate students who have never taught and, in many cases, will not teach very much if any. Retraining the teachers that are committed to teaching who have a degree but really are not qualified to teach is, in my judgment, one of the fastest ways we can upgrade the quality of education. Especially in newly desegregated schools but also to some extent in other schools in this country.

The committee granted an additional $18 million requested for the teacher training programs and specifically stated in the report that we expect "the increase to be used to the fullest extent possible for the retraining of teachers with degrees who are really not adequately qualified to teach."

There is also money in this bill to finance meetings to be held throughout the country to help to educate elementary and secondary school students and their parents concerning the facts relative to drugs. We have been doing considerable research at the National Institutes of Health on the effects of drugs on individuals both psychologically and physically. This kind of research needs to be continued but meanwhile the information we now have should be distributed and especially for the benefit of children at the junior high level and their parents. A number of good films have been made with the National Institutes of Health cooperation and other materials are available.

Under the program, a concentrated and coordinated effort would be made to distribute this information and to secure at least one individual at each school which can handle the informational programs. Each school could tailor its own program but I would assume that many of them would have a series of lectures, films, and speeches for both the children and interested parents and stating the exact facts concerning the various drugs.

The younger generation will not buy a mere statement that something is bad nor will they buy exaggeration. There is enough bad about the use of various drugs including those that are prescribed for medical reasons without manufacturing some fiction which would result in these children disbelieving the whole story advanced by the adults. I thoroughly endorse and have encouraged this approach as a meaningful way to do something now to help meet the drug problem.

Too many people would substitute hearings, speeches, and statements by people who really do not know what they are talking about instead of this kind of a hard information distribution. I feel that children are all too aware that most of the people talking so loud really do not know what they are talking about and as a result children may be more skeptical than ever of the bad effects of drugs. This is another reason why we need to move now to get hard factual information to these children and their parents even though all the answers are not yet known and I believe the program financed in this bill is a meaningful program that should be called to the attention of all the Members at this time.

One of the exciting programs is the new uses for television. It is really incredible that we have had television sets in the homes for about 20 years and yet have not even begun to fully utilize this great resource for a sort of do-it-yourself education system. Programs are now being developed which little children—including preschool children—will find so interesting that they will want to watch them on a daily basis and which will be very educational. One such program is "Sesame Street." I am convinced that many children in low-income families, who may be deprived of many of the advantages of preschool children from higher income families, may be able to close much of this gap by watching this type of television program. Through this type of television program they will learn by seeing and watching—a great many of the things that other children learn in other ways. The administration requested $4 million for this program. The committee recommended $6 million or a 50-percent increase. Although I do not think this kind of a program can be fully implemented in 1 or 2 years, I do think the program could efficiently use an even greater increase in this fiscal year and more in future years.

The committee increased the money available for programs for the handicapped. The money available last year,

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after the 2-percent reduction, totaled $85 million for the various programs. The administration this year requested $95 million and the committee is recommending $105 million. The subcommittee was convinced that the administration of this program has been good enough to warrant this kind of an increase and that it has been built over a number of years on a fairily solid foundation. Some programs can be starved to death while others have been choked to death because they have not been able to absorb as much money as has been thrown at them. The committee was convinced that this program can absorb around 25 percent more than it had last year and probably more than that in the future. However, we specifically direct that the money be used for those programs that actually result in greater benefits to the handicapped in fiscal year 1971 rather than being used for some long-term projects which may help some handicapped people indirectly at some time. There is a substantial training and fellowship program absorbing almost one-third of the funds under the heading of education for the handicapped. No doubt there is a need for training of some teachers, but we don't think the increases in this program should all be used for that purpose rather than for the deaf-blind centers, the early childhood projects, the State grant programs, the films and other services and material, and the other projects which render immediate benefits to the handicapped.

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We also provided a considerable increase in the money available to student aid. Last year new money available for NDEA loans totaled about $196 million. Repayments into the fund added another $20 million to the amount available—making a total of $216 million. The budget request was for $177 million in new money. The committee added $52 million—making a total of $229 million in new money. There will also be $105 million in repayments available and this makes a total of $334 million for the program or an increase of about 54 percent above the money available last year for the NDEA student aid program.

I strongly support the big increase in direct loans for college students that is contained in this bill. The administration wanted to rely heavily upon loans from banks but the fact is that vast numbers of deserving young men and women cannot get a loan from a bank. Many banks will only loan to those who have parents that do business with the bank or who live in the local community. Some banks have all the money tied up in these kind of loans that they feel they can make. A method of banks rediscounting this kind of paper is needed but meanwhile these men and women need loans to go to college. I challenged the administration to produce the names of some banks who make loans to students whose parents do not have an account at the bank and who do not live in the same community. I am still waiting for the list. Last year a total of $216 million was available for the direct loan program. I strongly supported and secured approval of the increase to a total of $334 million. This will finance loans for an additional 190,000 students including about 2,600 Iowans. The direct loan program is working well and is illustrated by the fact that $105 million will be repaid this year by students who previously had borrowed the money and it will now be used a second time.

Another program that should be mentioned is Vocational Education. The committee increased the budget request by $50 million for the programs listed under "Vocational education." It costs far less to provide the training needed to upgrade the skills of men and women under this program than it cost under various manpower training and other such programs. Most of the money under this program comes from local sources and courses are taken in most cases while the students are still in high school. The 1968 amendments change the emphasis in the program but did not provide enough leadtime so that local districts can fully absorb those changes in just a few months. Last year we increased the amount $70 million over the previous year and this year we are recommending another $50 million increase. Generally speaking, it was the feeling of the committee that this will fairly well finance the ability to absorb this shift in emphasis during this transition period. However, substantially more funds may be needed in the future after the schools have geared up to a substantially increased program of vocational training.

Mr. Chairman, in general, I think this is a good bill and will make a contribution to the overall education progress in this country. I strongly urge its support.

Mr. MICHEL. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. ESCH).

Mr. ESCH. Mr. Chairman, I first want to rise to commend the chairman and the ranking member of this committee for the great strides they have made in bringing out a meaningful bill, and one which I think is most helpful in carrying forth the work in the area of education.

Mr. Speaker, the amendment I offer today totals $92.22 million. It would provide an additional $3.87 million for aid to land grant colleges, $71.05 million for higher education facilities, $9.3 million for language training and area centers, and $8.0 million for matching grants for college teaching equipment and materials.

Each of these programs is, in my judgment, essential to the future of higher education. It should be noted that the amendment does not request any new spending. It merely calls for maintaining the Federal commitments we have made to these important programs over the past 2 years.

I rise to make this amendment in full recognition of the outstanding work which the Appropriations Committee has done on this difficult legislation. Under the leadership of Mr. FLOOD, Mr. MICHEL and Mr. BOW the committee has reported a bill which generally reflects the needs of education on all levels. But I believe that it is still open to improvement, and I believe it is now time for the House as a whole to work its will in placing greater emphasis on higher educational needs.

We all recognize the budget restraints which the Congress and this administration are under. We have, therefore, kept this amendment to the minimum which we believe is essential to meeting the educational needs of the Nation.

There is an urgent need for additional funds in these areas. College enrollment will have increased by 32 percent over the past 4 years by next January. The States have already approved applications for more than $580 million in urgently needed college facilities to handle these increased enrollments.

While the need has been increasing, the Federal Government has been steadily backing away from its commitments. The Federal retreat has been dramatic—$216 million in 1969, $71 million in 1970, and nothing at all in 1971. This retreat from the Federal commitment has taken place without any alternative methods of financing coming to the fore. Although an interest subsidy program has been approved, not one single grant has been made. Federal officials admit that this program will be of little or no assistance to small and private institutions—forcing them into a critical situation.

The Appropriations Committee wisely increased our funding level for support for student loan and scholarship funds—but in doing so has left America's colleges without means of constructing facilities to house and teach the students they will enroll. I submit that we must fund the higher education facilities program at at least the level we approved in 1970—$71 million.

By the same token, I do not believe we can abandon our commitment to land-grant colleges. The proposed funding levels in the committee bill would result in a cutback of more than 10 percent in the entering freshmen classes in these institutions during the next year. Our land-grant college grants have traditionally supported instruction in the natural sciences, mathematics, engineering, agriculture, and related subjects. I believe we must continue those grants.

In an era of international tension, I feel it is particularly unwise to abandon the language training and area studies program which has provided the Nation with its expertise in international relations. As we begin to reexamine our defense posture, there is a need for increasing expertise in diplomacy and understanding of other nations and peoples. We cannot afford to abandon one of the few programs providing the Nation with the expertise necessary to meet our international obligations.

Are these amounts in excess of past appropriations? Definitely not. The recommended level of appropriations for facilities construction and language and area studies are precisely those which were approved by the Congress and signed by the President for fiscal 1970. For land-grant colleges they will be at a level equal to the appropriations for fiscal 1969 and the teaching equipment is at one-half the fiscal 1969 appropriations.

Has the President not proposed new programs to replace those for construction and land-grant colleges? Yes, but the new programs are not yet underway. Not one grant has been made under the interest subsidy program while the changes in the land-grant program have not yet even been considered by the authorizing committee.

I submit that these amendments are minimal in terms of the total budget but are vital to the future of higher education. No expenditure of Federal funds is more productive than the funds we devote to education. This is not money out the window. This is the best capital investment we can make—it cannot be eaten up or blown away, but will increase the total human abilities of our society.

I urge your support.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. ESCH. I am happy to yield to the distinguished ranking member of the committee.

Mr. BOW. I wonder if the gentleman has any idea as to how many vacant rooms there are in college dormitories today.

Mr. ESCH. I yield to the gentleman.

Mr. BOW. I cannot give you the answer, but I know through a check that has been made there are some colleges where there are complete dormitories, with no one in them, that have been built by the Federal Government. Others are partially empty. I wonder how much farther we should go in building with brick and mortar if we do not know and have no information here as to how many dormitories are filled and what the need actually is, and whether there is some effort merely to build more buildings that will remain vacant.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. ESCH. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Unless I am mistaken, I will say to my respected colleague from Ohio, the bill under consideration here is not addressed to the question of dormitory money but rather to the question of funds for academic facilities under title I of the Higher Education and Facilities Act, which provides for the construction of libraries, classrooms, and laboratories.

Mr. BOW. I agree with the gentleman that the item I have referred to is in the HUD bill, but I think it is one of the examples that should be considered so that we do not go merrily along our way making large appropriations without any knowledge of what the actual need is. It is a fact that that item is in the HUD bill for dormitories, but I used that simple example because the facts are that there are dormitories without a single person in them, and I think we ought to be careful in going ahead with more construction and building up this budget until we actually have before us the need.

Mr. ESCH. I appreciate the comments of the gentleman from Ohio. I would support an investigation of empty dormitories. However that is not the area we are debating here. The point to be made here is that we do have direct request through the States of over $500 million already on hand has been built up. Added to that, now we have an increased enrollment coming up within the next 5 years of an additional 2 million students, and this committee, rightly so, is giving more and more grants, and especially loans, so more students can go to colleges.

At the same time we are failing to support our colleges by not providing that needed facility money.

This is the point in question here. If we go into an interest subsidy program, are we going to have a year's lag or are we not? If the answer is we are not going to have it, then we need to provide this very minimum level of $71 million during this next fiscal year until we can get into a transition period. It just does not make sense to encourage more young people to go to college at the same time we are not providing—not the dormitories, as emphasized by the gentleman from Ohio, but the basic facilities, the classrooms that we need for those students to get their education.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. ESCH. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Chairman, I think I should point out, in connection with what the gentleman has said, that according to administration justifications, 58 million square feet is the deficit of college facilities at the present time. I also want to point out that what we are really talking about is how we are going to finance these facilities.

Mr. ESCH. Mr. Chairman, I appreciate the comments of the gentleman from Iowa.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. ESCH. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I asked the gentleman to yield because I want to comment on a slightly different aspect of the problem of education. It does not involve a question posed to the gentleman so much as a statement which I will make at this time, because I see members of the Legislative Committee on the floor. I would like to relate these facts for the information of the members of that committee.

I recognize we have a serious situation in education. We have much to do to upgrade our educational system, and I am speaking now primarily of elementary and secondary education. We heard testimony before the Independent Offices Committee recently, when we were hearing HUD's budget request, in which it was brought out that the Model Cities Agency of the Department recently made a grant to a city for use in contracting with a private enterprise organization.

Mr. Chairman, this contract provided that the private enterprise agency would not receive any money under the contract if it failed to bring up the level of the reading ability and the knowledge of mathematics in a school in a city of the United States which I think I will not name. The report to our committee was that the results were fantastic. This private enterprise organization succeeded in so raising the level of comprehension of mathematics and the reading ability of the students in that particular school as to make it a fantastic result.

Mr. Chairman, I just wonder whether there are not some problems involved in our schools that money is not going to solve. I think that the legislative committee having jurisdiction over this subject and also the National Education Association might well interest themselves in this aspect of education.

I cite this as an example. If this can be accomplished by private enterprise, what is the matter with the public schools and why do they not improve the educational systems?

Mr. ESCH. Mr. Chairman, I appreciate the gentleman's comment. I concur that one of the responsibilities we have in this House and in the education community is to make more effective utilization of present facilities and talents. However, the point we are addressing ourselves to right now is the question as to whether we are going to provide classrooms for the youngsters in high schools today—who will be in college tomorrow.

Mr. GOLDWATER. Mr. Chairman, today the House takes up H.R. 16916, making appropriations for the Office of Education for fiscal 1971. I am in full agreement with the provisions and purposes of H.R. 16916, as reported out of the Committee on Appropriations, but wish to note that the provision of $440 million for aid to federally impacted areas constitutes only 76 percent of entitlement.

Most Members of the House have schools within their districts which receive these funds. My district will receive $3.09 million under last year's budget and this bill, would receive an additional $2.1 million if full funding were enacted. These moneys represent an important part of school budgets in the 27th Congressional District, and I would like to see some action taken to raise the entitlement from its presently low level. Such action should, of course, be accompanied by reforms in the Public Law 874 program to insure equitable distribution of these funds.

Mr. BOLAND. Mr. Chairman, this appropriations bill for the Office of Education falls far short of my expectations. Granted, the $4.1 billion sought in this legislation is a $319 million increase over the administration's budget request for fiscal 1971 and a $313 million increase over the education appropriations available the last fiscal year. But the bill is still inadequate—woefully inadequate. Let me cite just a few examples. The bill would provide only $1.5 billion of the $3.6 billion authorized for the ESEA title I program offering financial aid to school districts that must educate large numbers of poor children—a paltry 41 percent of entitlement. Funding for all ESEA programs would reach only 26 percent of entitlement, $1.9 billion out of an authorized $7.2 billion. I could cite many other examples here. Indeed, any Congressman genuinely concerned about the educational opportunities of this country's young people could enumerate scores of examples.

It is no exaggeration—in fact, it is

something of a cliché—to say that the future of the United States hinges on the education of its youth. Our educational institutions turn out the technicians, the businessmen, the doctors, the teachers, the craftsmen that have made this country's standard of life the envy of the world. To jeopardize these institutions would be to jeopardize the United States itself. The financial cutbacks sought in this legislation represent the most arrant brand of false economy.

How can we justify such piddling appropriations for the Nation's schools when we lavish scores of billions on military projects of highly dubious merit?

How can we plead "economy" to the country's youth, on the one hand and, on the other, spend billions for such profligate programs as the Safeguard ABM and agricultural subsidies?

Anything less than ample fiscal 1971 appropriations for the Office of Education threatens to breed mediocrity—or worse—in the Nation's school systems. The program offering aid to impacted school districts, for example, has been slashed by $80 million in the bill we are considering today. Thousands of school districts throughout the United States would founder in something akin to administrative and educational chaos if we countenance such an alarming cut. Faced with soaring enrollment rates and shrinking revenue sources, impacted school districts need Federal aid if they are to carry out their responsibility of educating the children of Federal employees and military personnel. We cannot cavalierly abandon our pledge to provide such aid.

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I strongly support the amendments that will be offered today to increase appropriations for Office of Education programs—programs ranging all the way way from impact aid, to library construction, to aid for land-grant colleges.

We should—indeed, we must—pass these amendments.

The strength of our school system—a system celebrated worldwide—may hinge on their passage.

Mr. BROYHILL of Virginia. Mr. Chairman, I shall support H.R. 16916 when it is finally voted on in the House today, but in the meantime I shall support any amendments which will increase the funds for federally-impacted area schools by $80 million, bringing it up to the amount these school districts received in the appropriations measure we most belatedly voted for them for the current fiscal year.

As our colleagues know, I sustained the President's veto of last year's measure, because of concern over the serious economic crisis this Nation faces, and because I felt that if we are sincere about reducing inflation we must all tighten our belts with some sacrifice on everybody's part.

However, I disagreed then, as I disagree now, with the President's order of priorities in cutting expenditures. In many areas I believe he does not go nearly far enough, and in others, such as this impact aid program, he wants to completely eliminate aid for the bulk of the children now under the program.

Our committee colleagues in the bill they presented us today are, in effect, going along with the President's position, by eliminating $80 million from the program, all at the expense of class B children, those whose parents do not live on Federal property. Under provisions of this bill, the Office of Education informs me, class A children will receive 90 percent of their entitlement while class B children will be reduced to 45 percent. Far more equitable, in my opinion, would be the approach we finally adopted for the current fiscal year, 76.5 percent of entitlement for both categories. This would not represent an increase, Mr. Chairman, nor would it make up to the school districts for their increased costs due to inflation. But it would enable them to continue to operate with approximately the same amount of Federal funding they are now receiving and would lessen the impact on the communities as a result of complete elimination of this funding in 1 year.

If we are really going to reform this program as the President and the committee suggest, we must put the affected school districts on ample notice, and we probably should arrange for its reduction on a gradual basis. Year after year, with our on-again off-again approach we have left them uncertain for many months about how much Federal money they will receive. What we should do is provide them now with the money they have every reason to expect, and then set about making any changes we decide may be necessary with ample time for them to prepare for these changes.

Again may I say that I disagree with the critics of this program, both in the administration and in Congress. They cannot seem to understand what this program is all about. They say it is a bad program because it supposedly favors the wealthy; allegations they substantiate with charts comparing grants to certain schools in high-income communities to others in low-income communities. But they do not acknowledge that regardless of these comparisons, their allegations themselves show that they do not understand the intent of the impact aid program.

The Congress, when it enacted this program, intended to partially compensate communities suffering from the impact of Federal operations in their area by absorbing some of the extra local expenses resulting from such operations on property on which no real property taxes were paid. They used the school aid formula because it could be geared into the actual expenses of the communities providing services and based on the number of federally connected children being served.

However, in spite of the clearly-defined intent of the legislation, it has been confused with general aid to education and it is this confusion which has led inevitably to the comparisons of communities on the basis of need. As I have said often before on this floor, need has nothing whatsoever to do with the program. It is the acknowledgement by Congress that it owes a debt—a real property tax, a business tax—to any community in which it operates, Refusal to continue this program without providing a substitute for it amounts to refusal of the Federal Government to pay its just obligation, its debt, to these communities.

Because of the confusion among so many about this program, I have recently sponsored legislation which spells out the Government's obligation for exactly what it is, "a payment in lieu of taxes to the communities in which the Federal Government owns real property." I have been joined in this effort by several of our colleagues, and, while the bill needs perfecting to insure that it is equitable to all federally-impacted area communities, I am hopeful that our case may be heard, favorably considered, and presented to the President as our proposal for reform of the program. However, until the program has been reformed, I must again insist that we continue to pay this obligation we assumed many years ago to those communities in which we operate.

Mr. MINISH. Mr. Chairman, I am pleased to speak in support of the amendment to increase appropriations for higher education.

Higher education did not fare as well as elementary and secondary education in the budget for the next fiscal year and yet its needs are becoming increasingly acute in the face of rising enrollments and cost binds.

In actual fact, the college or university student today pays only about three-fourths of the cost of higher education in real economic terms, according to economist Howard Bowen, former president of the University of Iowa.

The Federal Government has provided support for higher education in the form of loans to students, research support and backing for special programs. But the Federal Government has done very little to solve the critical financial problems of institutions of higher education, aside from limited instructional funds for land grant institutions on a formula basis, and substantial support for operating costs of graduate schools of public health.

There also is need today for increased support, as represented in this amendment, to help curb the spiral of student charges.

The proposed cut in appropriations for instructional programs of the land-grant colleges and universities, for example, amounts to an equivalent of some 1,200 faculty positions and at least 18,000 students just at a time when enrollments already are at record highs and students consequently are being denied admission for lack of instructors and other staff.

Reduction of these funds also would mean that the entering freshman class of these institutions would have to be cut by 10 percent, failing help from State budgets already pressed to the limit.

The requirement for this amendment to increase appropriations, which would have a profound effect on these institutions, is even more apparent.

The basic question here is whether we are to act to relieve the critical and pressing threats posed to higher education by cuts in financial support at the very time when its needs are most serious.

Our institutions of higher education

were set up to provide maximum opportunity and they are continuing to carry out this mission against mounting difficulties.

It is evident that these institutions are committed to meeting the needs of American society. There is a deep awareness within every institution of higher education of the things that need to be done to carry out the education of young men and women and to do them well if given the resources.

Mr. Chairman, I should like to wholeheartedly commend the House Appropriations Committee, its chairman, and subcommittee chairman, for having reported out this bill early into the session. This action will have the effect of helping the schools facilitate planning for the following year.

I also support the increased amount for educationally deprived children under title I of the Elementary and Secondary Education Act. Most of it will go to pay for the cost of inflation. Moreover, this program has become vitally important in concentrating Federal assistance to school districts which have large numbers of children from low-income families. Unfortunately, most of the additional moneys will go to pay for the cost of inflation.

The worthwhile program of education for the handicapped was increased $20 million over the amount made available for 1970. We understand the need for this increase when it is considered that some 3 million handicapped children are not receiving appropriate remedial educational service.

Vocational and adult education, the program we look to in remedying the problems of high unemployment rates and lack of skilled employees, received an increase of $50,400,000 over the budget request.

I am gratified that the committee has not neglected to include instructional equipment in the appropriations bill, although it has been omitted by the Budget Bureau.

It is good, too, that the committee has appropriated $80 million for school library resources.

Mr. Chairman, I support the expenditures of tax moneys for these worthy programs, knowing as I do that they are investments that will pay off handsomely in the future.

Mr. MOLLOHAN. Mr. Chairman, the House Appropriations Committee is to be congratulated for its progressive and rapid consideration of the 1971 education budget.

After the extended debate about national priorities and our commitments to education last year, it is gratifying to see that the 1971 education budget reflects the needs of today. I am particularly gratified to see that the vocational education budget has been increased significantly.

Last year, the administration requested only $3.5 million for West Virginia's vocational education program, and while we raised that request by nearly $2½ million, we were able to get less than $5 million in the final appropriation. This year, the Appropriations Committee has approved nearly half a billion dollars for vocational education, and West Virginia will receive the full $6 million the State needs.

For, nearly two-thirds of the youngsters who graduate from high school in West Virginia will not go on to college, and nearly all those who drop out from high school do not receive advance education. As a result, West Virginia must provide opportunities for a solid vocational education to most of her youngsters. In addition to this commitment, West Virginia is also under a strong obligation to upgrade the skills of her labor force as a prime condition of a full economic recovery, and these two factors, in tandem, make it imperative for that State, that education on both vocational and college levels be provided to every youngster in the State.

West Virginia will also benefit from the increases the committee has given to the elementary and secondary education budget, for it is here where the most critical need for excellent education exists for my State. Last year, the final appropriation provided West Virginia with just over $22.5 million for her elementary and secondary education program. This year, we will appropriate enough to raise that commitment to over $25 million, an increase of 5 million over the 1969 funding level.

I think, however, the committee has been somewhat deficient in its allotment for higher education. In my judgment, we need a billion-dollar commitment, and I will, because of this, support the amendment to raise that commitment. This should allow West Virginia to add more than $7 million of Federal funds to her higher education program. Last year, the State received less than $5½ million for that purpose.

On balance, the committee has done its work very well, and I am very grateful for those efforts. In West Virginia, the most important investments that can be made are in education and transportation. This appropriation will add a very real dimension to our investment in education.

Mr. OTTINGER. Mr. Chairman, I rise in support of H.R. 16916, the Office of Education appropriation bill for fiscal 1971. I wish to commend the Appropriations Committee, and particularly the gentleman from Pennsylvania (Mr. FLOOD) for the expeditious action on this measure and also for reporting out an allocation of $4.127 billion, a $7.5 million increase over the President's niggling budget request of $3.4 billion for these important programs. I am proud that Congress has once again moved into the leadership vacuum left by an administration which places a higher priority on agricultural subsidies and on highway construction than it does on the future of America's children.

The increases put into the bill by the committee over the budget estimates deserve our unanimous support. I am particularly pleased to see the $105 million for education for the handicapped, $20 million over the 1970 appropriation and $10 million above the budget request. The increases to $490 million for vocational and adult education, and to $900 million for higher education are also moves in the right direction, although I am convinced we need still further funding of the latter to meet the financial needs of the accelerating numbers of high school graduates seeking admission to college. The committee is to be applauded particularly for substantially increasing what the President recommended for national defense and insured student loans, but it was forced to admit that the funds provided will not meet the need, in the words of the report that "there will still be many deserving students who cannot obtain private loans for one reason or another." We need more affirmative action in this area.

The ESEA funds are a disappointment once again also. I regret that our commitment to the disadvantaged could not be more forcefully demonstrated than the $1.5 billion for title I, only 41 percent of the authorization. Though the $1.8 billion for all ESEA programs is 12 percent more than the President wanted to spend in 1971, it still represents only 26 percent of the amount we are authorized to allocate. Once more we are treading cautiously in an area in which we should be engaging our total resources to prevent further deterioration of our embattled, underfunded schools across the Nation. Even the full funding of elementary and secondary education programs would be only a stopgap when compared with the $5 to $7 billion annual increase needed to keep our urban schools from sliding backward.

Once again the President has regrettably called for timidity and deliberate slowdown in these vital programs, to give us time to study the effectiveness of Federal expenditures for education. And once again, I must question why only educational obligations are subjected to such penetrating scrutiny. The American people are demanding that Government set its priorities in order, and I for one fear that time is running out on us if we are to remain relevant to these changing times.

But the funding levels are not the part of this legislation clamoring loudest for reworking. That privilege is reserved for sections 209, 210, and 211, the antibusing and freedom-of-choice amendments which have become a perennial excrescence on the legitimate legislative functions of this body. These pernicious sections must be stricken from the bill. They are clearly aimed at maintaining dual school systems in the South and preventing black children from exercising their constitutional right to an equal education. Like the Governor in the schoolhouse door, we seem every year, even twice a year now, to have to dispose of these subversions of opportunity in our continuing struggle to improve the quality of life for all Americans.

Mr. Chairman, there is nothing revolutionary about busing students to school. Every day throughout the Nation some 17 to 18 million pupils arrive at their schools by bus. It is the normal course of events. Yet the supporters of these amendments claim that forced busing is a violation of the rights of individuals and a disruption of family and neighborhood patterns. Why did they not protest the forced busing of 100 percent of the students in Neshoba County, Miss., to maintain a segregated system? Why did they not attack the unconstitutionality of the busing of Negro youngsters 46½ miles one way every day from Sturges, Miss., where there has always been a white school, to Maben, Miss., and back to maintain segregation? Constructionists indeed. The simple fact, Mr. Speaker, is that counties throughout the South have for decades been guilty of forced busing of 68, 80, 90, even 100 percent of their young people to block the rights of black children to attend their neighborhood schools. The pleas about the injustice of busing ring hollow now indeed. In fact, the court-ordered busing to achieve unitary school systems in the South will actually cut down the percentages of children who will need to be transported to school.

The Commission on Civil Rights has put this matter into clear focus. It has pointed out the deviousness of the "neighborhood school" concept in a land where zoning ordinances, public housing policies, and a variety of subtle official actions maintain de facto segregation that is little different in its divisive effects from de jure segregation. The Commission rightly criticized the President's stand—read "nonposition"—on equal rights, and pointed to the pressing need for moral leadership at a time when so many of our institutions are outmoded, irrelevant, or even threatened. The Commission pointed to the schools as the one vehicle with the potential for making the American dream a reality, when it said in a recent report:

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> There simply is no other institution in the country so equipped to do the job. If the public schools fail, the social, economic, and racial divisions that now exist will grow even wider. It would be even worse, however, if the schools do not even try.

The opportunity is ours today to declare our faith in what we believe to be the highest ideals of the American vision. Let us once and for all time lay to rest the suspicions of our minorities and our disadvantaged that this is an elitist country with no concern for the development of the fullest potential of every individual. These segregationist amendments need to be buried with finality in the graveyard of discredited practices whose day is finished.

I urge my colleagues to speak with firmness and conviction for the leadership of this House in reaffirming the high road we need to travel if this Nation is ever to achieve its maximum potential.

Mr. LOWENSTEIN. Mr. Chairman, I just want to take a moment to say how much I appreciate the efforts of the distinguished gentleman from California (Mr. COHELAN) during this debate. He has, as usual, provided valuable leadership in the effort to cope intelligently and fairly with the critical problem of ending racial injustice in our educational system. We are in his debt for his leadership and persistence. However the voting goes today, men of good will will continue the fight against racial discrimination. The stakes are too high for further compromises or evasions. What a tragedy it is that it is still necessary to discuss this whole matter so very late in the history of the Republic.

Mr. GIBBONS. Mr. Chairman, I am pleased that funds are included in H.R. 16916 to further implement the cooperative education program. This program is one of the finest self-help programs involving education and jobs the Congress has authorized. Although the funds requested in H.R. 16916 are modest, there were no funds requested in the President's budget, so I am grateful for the action taken by the Appropriations Committee in recognizing the merits of cooperative education. The action taken by the committee would provide that 1 percent of the work-study funds—which total $160,000,000—can be placed on cooperative education.

The funds we are providing will not be used to pay students' salaries, for they are paid by their employer, with no Federal assistance, but the funds will be used to assist colleges, universities, and community colleges to hire the necessary professional staff to activate and expand cooperative education programs.

Of course, much more needs to be appropriated to enable the more than 700 colleges and universities who have already expressed an interest in this program, to participate in it.

I am the author of the authorizing legislation which is contained in Public Law 90–575, and I know personally of the merits of the program, having seen it in active operation ever since I have been a Member of Congress. For the past 7 years, I have had two University of South Florida political science students assisting me in my office during their cooperative education work periods. When these periods end, they are replaced by two more students with political science majors. I am benefited by their help and they have the advantage of experiencing some of the real problems of self-government.

There are now 85,000 students in cooperative education programs in 155 colleges, universities, and community colleges. They alternate study and work. They study 3 months on campus then they work 3 months in a job related to their studies. Many of these 85,000 students could not get an education today were it not for this self-help program. These students are earning in 1970 over $190,000,000 toward the cost of their higher education. In addition to providing funds for their education, they are contributing taxes to the U.S. Treasury.

The basic purpose, however, of Congress promoting cooperative education is to make higher education more relevant to the needs of today's youth and today's society. Congress rarely has the opportunity to move toward this goal.

Every thoughtful observer agrees that we need a reorganization of higher education that would mix job experience with education. Cooperative education does that. Our young people need the chance to get out of the lockstep of school and try out their career interests in meaningful jobs. And, it is job experience that can convert rebellious adolescents into mature adults.

Much of the student unrest arises from a demand by youth for educationally relevant experience—and the jobs in cooperative education programs can and do give 85,000 of our young people relevant education.

I do not know whether many Members realize that there is a great demand by business and industry for cooperative education students—a demand far greater than now supplied by educational institutions.

It is to all of our interests to see a closer union of education with business and industry. It is to the advantage of all our young people to have the means of getting into the world of work at the earliest opportunity.

It is particularly of value for disadvantaged young people to be able to mix job experience with their program of education. This increases motivation and tends to prevent their becoming "dropouts." Cooperative education can be the bridge for disadvantaged youth to pass successfully into many of the careers now denied to them.

In the past few years, educational leaders have begun to realize the great possibilities and usefulness of work-study programs.

The time has come for Congress to spend money expanding cooperative education in higher education because it is an educational program that does work. I am hopeful that the Senate will increase the funds for this program, and that in a short time, the Congress will fully implement with funds the program that has been authorized.

Mr. GILBERT. Mr. Chairman, though I am gratified about the increased funds in sections of H.R. 16916, the Education Appropriations Act passed by this House today, I remain hopeful that this body will yet get another chance to improve the bill when it returns from the Senate.

I specifically refer to the need to delete language in the bill designed to slow school desegregation, as well as the need to include additional funds for needed programs this body did not see fit to include in the bill we passed today.

I opposed the two amendments kept in the bill that are designed to legalize free-choice school plans and to prevent school busing to achieve racial balance.

I strongly supported amendments to provide an additional $9.3 million for language training centers and $4 million for library construction and services. I regret they were not approved.

Altogether, amendments costing $271 million were not allowed full consideration by the House. I am as aware as any man in this body of the need to save money wherever possible, but we are compromising this Nation's future when we pinch the educational needs of the Nation's schools.

I would remind the House that last year's education bill, passed only after great effort to improve the bill as brought to the floor, is not overflowing with money. Yet that bill contains $92 million more for college aid than the bill we passed today.

Those of us who supported the liberalizing amendments on the floor were doomed to disappointment. We now turn our hopes to the Senate and can only pray changes there will bring the bill back to the House for conference.

This bill passed the House today by voice vote, allowing Members to escape from having to go on record as to where their sympathies lie. I suggest the House rectify that indiscretion on the conference bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, section 102(b) ($20,000,000), parts B ($350,336,000), D, F $17,500,000), G ($18,500,000), and H ($5,500,000) of the Vocational Education Act of 1963, as amended (20 U.S.C. 1241–1391), the Adult Education Act of 1966 (20 U.S.C. ch. 30) ($55,000,000), and section 402 of the Elementary and Secondary Education Amendments of 1967, $490,446,000, including $20,000,000 for exemplary programs under part D of said 1963 Act of which 50 per centum shall remain available until expended and 50 per centum shall remain available through June 30, 1972.

The CHAIRMAN. For what purpose does the gentleman from Michigan (Mr. William D. Ford) rise?

POINT OF ORDER

Mr. WILLIAM D. FORD. Mr. Chairman, I make a point of order as to the language in the proviso in the paragraph entitled "School Assistance in Federally Affected Areas." The point I make goes to the language which appears on line 6, page 2, extending down through and including all of line 12. I make the point of order, it is in violation of rule XXI of the rules of the House.

The CHAIRMAN. Does the gentleman from Pennsylvania (Mr. Flood), care to be heard on the point of order?

Mr. FLOOD. Yes, Mr. Chairman, I do.

I do not like to operate this way, but I am the chairman of the subcommittee and obviously I must object, and make a point of order because the point of order comes much, much too late. We have passed that point in the bill.

The CHAIRMAN. The Chair will state that the Clerk had read past that paragraph of the so-called title I, and stopped at line 14 on page 3. The gentleman was not on his feet seeking recognition at the time the first section, down through line 12 on page 2, was read.

Mr. WILLIAM D. FORD. Mr. Chairman, the paragraphs are not being read. The bill is being read by paragraph headings. I was on my feet at the beginning of the reading. As a matter of fact, I moved from there to here as soon as the Clerk began to read. I was never off my feet from the moment he started the reading. I was trying to get to the point in the bill.

The CHAIRMAN. The Chair cannot observe the movements of the Members from place to place. The gentleman was not seeking recognition at the time when he should have been, under the rules. He should have been seeking recognition vocally, not by standing.

The Chair sustains the point of order made by the gentleman from Pennsylvania (Mr. Flood).

The Clerk will read.

The Clerk read as follows:

COMMUNITY EDUCATION

For carrying out, to the extent not otherwise provided, titles I ($35,000,000), II, III ($2,281,000) and IV ($3,428,000) of the Library Services and Construction Act (20 U.S.C. ch. 16); title II (except section 224) of the Higher Education Act of 1965 (20 U.S.C. 1021–1033, 1041), section 402 of the Elementary and Secondary Education Amendments of 1967 and part IV of title III of the Communications Act of 1934 (47 U.S.C. 390–395), $71,636,000, of which $5,000,000, to remain available through June 30, 1972, shall be for grants for public library construction under title II of the Library Services and Construction Act, and $6,000,000 shall be for educational broadcasting facilities and shall remain available until expended.

AMENDMENT OFFERED BY MR. ESCH

Mr. ESCH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Esch: Strike out lines 17 and 18 on page 3 and insert in lieu thereof the following: "titles I, III, IV (except part F), part E of title V and title VI of the Higher Education Act of 1965, as amended, title I, including section".

And, on line 2 of page 4, strike out "$899,880,000" and insert in lieu thereof "$992,100,000"

POINT OF ORDER

Mr. FLOOD. Mr. Chairman, I make a point of order against the amendment on precisely the same grounds. The Clerk has now read past page 4, line 17, "Community Education."

The gentleman was not on his feet. He did not address the Chair. The amendment is clearly out of order.

Mr. ESCH. Mr. Chairman, I was on my feet, and as soon as the Clerk read "higher education" I said, "Mr. Chairman."

Mr. Chairman, I sincerely object to the fact that I am not given recognition. I was on my feet, having recognized the experience of the previous Member.

As soon as the Clerk read "higher education," I said "Mr. Chairman" twice.

The CHAIRMAN. The Chair would like to protect the gentleman in his rights. If the gentleman did address the Chair, the Chair did not hear the gentleman at that point. The gentleman may make a unanimous-consent request that his amendment be considered although the Clerk had passed it at the time he was recognized by the Chair, and, if there is no objection, the amendment can be considered under those circumstances. Does the gentleman make such a request?

Mr. ESCH. Mr. Chairman, I ask unanimous consent that my amendment be considered.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. FLOOD. Mr. Chairman, I must protect the bill. I am pained, but I must object.

The CHAIRMAN. The Chair is constrained to uphold the point of order of the gentleman from Pennsylvania. The Chair wants to be fair, but the gentlemen in the Chamber that wish to offer their amendments must be on their feet.

Mr. ESCH. Mr. Chairman, I object to the consideration—may I have the floor for a moment to make a statement?

The CHAIRMAN. The gentleman can move to strike the last word if he wishes to give an explanation.

Mr. ESCH. I so move. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The Chair recognizes the gentleman for 5 minutes.

Mr. ESCH. Mr. Chairman, with due consideration to the chairman of the appropriations subcommittee and with due respect to the Chair and to this House, I think it is very unfortunate that when a Member was seeking recognition and was standing at the time that the section was starting to be read that due apparently to an oversight on the part of the Chair a Member of this House will not have an opportunity to present an amendment and give this House and this body an opportunity to work its will. I am especially addressing myself not only to the Chair but especially to the chairman of the committee. This committee has been most responsible in bringing forth this bill to this point. Surely the chairman will now have this House work its will. Surely he is not afraid of any amendments which might be proposed by any Members on this floor. To do otherwise is to create an atmosphere on this whole bill that would cloud the very reputation not only of the subcommittee but of the House itself. I sincerely hope that the subcommittee chairman would concur and grant us unanimous consent to present our amendments. Let it rise or fall on the merits as to who determines those merits, but not on the possible oversight of a Member by the Chair at a given time.

At a time when the reputation of the House is being questioned by many citizens throughout our land, surely the Chairman will not allow this undemocratic act to stand, merely in his own words "to protect his bill."

Mr. BRADEMAS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I had planned to and will indeed say a word about the amendment that would have been offered by the gentleman from Michigan (Mr. Esch).

I had not planned, however, to say what I am about to say, but I respectfully want to suggest, Mr. Chairman, that on matters of very great moment such as the bill before us, which affects our entire system of education, I think it is most unseemly and, I would say, indeed demeaning to the House of Representatives that Members of this body should, because of an oversight apparently of the Chair—and I say this with no disrespect for the Chair, because he knows I have great affection and indeed love and respect for him—that a Member of this body should not be afforded an opportunity to present to the Members of the House of Representatives an amendment with respect to which they were on their feet seeking recognition.

I know I do not find myself alone in hearing many criticisms voiced against the Congress of the United States and the House of Representatives as not being effective in meeting the needs of the people of our country.

We are now, I suggest most respectfully, Mr. Chairman, giving the people of the United States a good example of how the Congress of the United States ought not to operate. And I say this in strong defense of the right of my friend who is on the minority side (Mr. ESCH).

Now, it is true that I plan to support him in his amendment. But I want to say most respectfully, Mr. Chairman, that if a Member of this body with whose views I do not happen to find myself in accord on a particular amendment should find himself deprived of the right to offer his amendment by virtue of a similar oversight, I would speak out in support of his right as well.

Therefore, I would hope that the great eloquence of our friend, the gentleman from Pennsylvania (Mr. FLOOD) would be heard when I have finished talking to rise to ask unanimous consent to enable the gentleman from Michigan (Mr. ESCH) to offer his amendment and that we should not have this shameful blot, I say to my friend from Pennsylvania, on the House of Representatives.

It ought to be possible for Members of this body to have a chance to debate like rational men and women some of the important issues that affect the people of our country without this really—I reiterate—demeaning experience which has been visited upon my friend, the gentleman from Michigan (Mr. ESCH), not to speak of our other friend on the majority side, the gentleman from Michigan (Mr. WILLIAM D. FORD).

Now, Mr. Chairman, I should like to express the hope that we shall have the unanimous-consent request by the gentleman from Pennsylvania (Mr. FLOOD) and that the gentleman from Michigan (Mr. ESCH) will be able to offer his amendments and then let us vote them up or down on the merits and not handle them by this rather childish procedure to which we have been treated here in the last 5 minutes.

Now, Mr. Chairman, I want to say, if I have any time left, just a word about the substance of the amendments which the gentleman from Michigan (Mr. ESCH), proposes to offer, for it does seem to me that in two or three respects they are deserving of the support of the Members of this body. I speak first, of the increase of some $71 million in funds for construction of classrooms and libraries and laboratories for meeting the needs of our expanding post-secondary education in the United States.

Mr. Chairman, the administration has asked not one penny for these programs but, has rather told the university presidents of the country and the students of the country to go down to their friendly neighborhood banker and borrow the money. But, everyone in this body knows that is not an easy thing to do at this particular time of high interest rates.

So, Mr. Chairman, I hope the gentleman's amendment will be supported at that point just as I hope it will be supported for increased funds for title VI, the foreign language and area programs under the National Defense Education Act.

Mr. Chairman, the distinguished authority on China, probably the best known in the United States, Prof. John King Fairbanks of Harvard, said not long ago that the United States in respect of the field of Vietnamese studies is confronted with a scandalous situation.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

(By unanimous consent (at the request of Mr. FLOOD) Mr. BRADEMAS was allowed to proceed for 5 additional minutes.)

Mr. BRADEMAS. I thank my friend from Pennsylvania.

Mr. Chairman, I was addressing myself to that part of the amendment to be offered by the gentleman from Michigan (Mr. ESCH) and on which I reiterate, I hope we have soon an opportunity to vote it up or down, in which he seeks increased funding for title VI, the language and area programs funded under the NDEA Act. I was citing but one instance to indicate the need for increased funding and I was citing the fact with respect to the major foreign policy problem that our country faces—Vietnam—with respect to which country, we have a grave shortage of competent scholarly knowledge in the United States. Indeed, the United States, Mr. Chairman, does not have a single Vietnamese scholar who meets the following qualifications: holds a full professorship; has substantial standing in his discipline; has a language background in Vietnamese, French, and Chinese; has a body of published work dealing with Vietnam; and has conducted in-country field research.

Is it not ironic, Mr. Chairman, that we should be spending our treasure and our national energies and resources and our men in that far-off country, and yet be unwilling to invest a modest amount of money in order better to be able to understand the culture, the customs, the politics, the economics, and geography of Vietnam? I could cite other instances.

So, Mr. Chairman, I hope very much this part of the amendment intended to be offered by the gentleman from Michigan (Mr. ESCH) providing for a modest amount of money for title VI, foreign language and area studies, will be supported.

In addition, Mr. Chairman, I hope that that part of the amendment intended to be offered by the gentleman from Michigan (Mr. ESCH) that would be addressed to equipment to help some of our colleges and universities do a better job of teaching, especially the smaller and poorer colleges and universities of the United States would be supported, for the title VI–a grants provide incentives for matching institutional funds in an area that is often neglected by those colleges and universities whose funds are very limited. And such grants as these, as I think anyone knows who has visited their campuses will appreciate, are greatly needed to enable them to elevate the quality of their instruction.

In fiscal year 1969 less than $15 million was available under this program, but no funds at all were appropriated for it during the current fiscal year. I hope, therefore, that the proposed level of $8 million contained in the proposed amendment of the gentleman from Michigan (Mr. ESCH) will also be agreed to by the House in the event that my friend, the gentleman from Pennsylvania, who so graciously asked unanimous consent to let me continue for 5 more minutes, will be good enough to follow it with another unanimous-consent request to enable Mr. ESCH to offer his amendment. I have had the great good fortune of speaking in the district of the able and distinguished chairman of the subcommittee. I, therefore, know something of the importance of the colleges and universities in the district represented by the gentleman from Pennsylvania. I know what a champion of higher education the gentleman is. Indeed, I envy the fact that there has been a building named after the gentleman at an institution of education in his own district. I hope that the gentleman will follow that great tribute to his leadership in education by at least enabling the Members of this body to have an opportunity to express their views on the amendments to be offered by the gentleman from Michigan (Mr. ESCH) which would I think redound to the benefit of higher education all over the length and breadth of this country.

I shall now yield to the gentleman from Michigan, and then to the gentleman from Iowa.

PARLIAMENTARY INQUIRY

Mr. O'HARA. Mr. Chairman, I thank the gentleman from Indiana for yielding. I would like to address a parliamentary inquiry to the Chair, if I might.

The CHAIRMAN. Will the gentleman from Indiana yield for that purpose?

Mr. BRADEMAS. Of course, I will yield for that purpose.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. O'HARA. Mr. Chairman, I would like to inquire of the chairman on behalf of the Members who had amendments which they sought to offer earlier, but were unable to do so, if it is not possible for a substitute for the entire bill to be offered at the completion of the reading of the bill so that they could combine their amendments in that substitute if they wished to do so?

The CHAIRMAN. The Chair will state that the Chair is inclined to believe that a substitute is always in order at the proper time unless there is a portion of the rule which prohibits the substitute. And the Chair would entertain a proper amendment if offered at the proper time.

The Chair wishes to say that the Chair is most desirous of occupying this chair with dignity and with fairness to all concerned. There were other amendments that the Chair had been told would be offered, and the gentleman who came and told the Chair were not on their feet seeking recognition, nor did they address the Chair at the time, and therefore the Chair was in the position of allowing the Clerk to continue to read.

If the Members do not protect their own rights and use the rules of the House to their advantage, the Chair is not here to protect them when they do not insist on their own rights at the proper time.

The Chair says this with no degree of

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reprimand, but the Chair is the servant of the House, and the Chair will try to be fair.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman.

Mr. O'HARA. I have known the gentleman from California (Mr. Holifield) who is now presiding as Chairman for a good many years. I know that among all the Members of this body he is perhaps the one who tries the very hardest to be fair. I know there was certainly no intention on his part to be unfair. I did, however, want to clear up the point that it will be possible, that if those Members who had amendments that they are not now permitted to offer, were to combine their amendments that they will be able to offer them as a substitute upon the conclusion of the reading of the bill.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

The Chair will say further that it is not up to the Chair to instruct Members as to how and when to offer amendments. But in an attempt to be helpful to the gentleman from Michigan (Mr. Esch) the Chair did tell the gentleman that if he asked unanimous consent and if there was no objection that that was the way he could get consideration of his amendment. The gentleman did ask and there was objection and the Chair, therefore, had to rule that his amendment was not in order.

Mr. BOW. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the gentleman from Indiana (Mr. Brademas) has chided the House for the manner in which it is legislating, the manner in which these bills are being presented to us, and for not giving the Members an opportunity to be heard. I disagree. The gentleman from Pennsylvania is absolutely correct in protecting this bill. The bill already is, however one may look at it, substantially over the budget. I consider it $700 million over the budget and I believe the gentleman from Pennsylvania would consider it at least $300 million over the budget.

It seems to me the committee has done a good job in bringing this bill to us.

But these proposed additional increases place this bill in danger. I call attention to the last paragraph of the President's message of yesterday when he signed H.R. 514, the Elementary and Secondary Education Amendments of 1969. He said:

> I am signing H.R. 514 only to assure continuation of appropriations in Fiscal 1971 for important programs whose authorizations expire on June 30, 1970. Later, when the education appropriations bill comes to my desk, I will evaluate it by the criteria which I have mentioned in this statement and in my message to Congress concerning education. Is the level of funding realistic and responsible? Does it concentrate funds where they can do the most good? Does it expand our efforts to discover what works and what does not work in education? Does it satisfactorily reform programs such as aid to impacted areas and the other outmoded programs?

Let us be careful. This committee has brought in a bill with sufficient funding to do a good job in education next year. We brought it here early so that school officials can plan ahead. If we pass this bill as the committee has recommended, the school authorities will certainly have the opportunity to plan ahead. But if we go too far, we may find ourselves in the same situation we were in last year. We might not have a bill to pass on to the school authorities.

Now I, too, am concerned about what the gentleman from Indiana (Mr. Brademas) said about the Congress. I think there may be times when the Congress should be chided—but this is not one of those times.

It is appropriate to ask where these increased figures come from that are being proposed here today? What committee of the Congress has recommended these amounts. What committee of the Congress has made a study resulting in these proposed increases.

I hold in my hand the entire list of amendments to be offered today. Are they from the Committee on Education and Labor? No. Are they from the Committee on Appropriations? No. They are from the Emergency Committee for Full Funding of Education Programs, Stanley J. McFarland, chairman.

I do not recall that he is a Member of Congress. I do remember that after the last bill he said he was going to defeat 20 Members of Congress. August W. Steinhilber is also listed. I do not find him on the congressional rolls. Charles W. Lee is identified as executive secretary. He is no Member of the House of Representatives. The offices of these men are not listed as being in the Cannon, Longworth, or Rayburn Buildings. Their offices are shown as located at 300 New Jersey Avenue, in the Congressional Hotel.

This is their document I hold in my hand. This is their recommendation to the House of Representatives.

Now I do find these men listed in the Congressional Record. I find Mr. Stanley J. McFarland registered as a lobbyist for the National Education Association. Mr. Charles W. Lee is listed in the Congressional Record as a lobbyist for the Emergency Committee for Full Funding. And the Emergency Committee for Full Funding of Education Programs, which is presenting these amendments to you today, is also listed in the Record—registered the same way. I do not find Mr. Steinhilber listed anywhere.

Mr. Chairman, I include their entire letter at this point for the information of the Members:

Emergency Committee for Full
Funding of Education Programs,
Washington, D.C., April 13, 1970.

FLOOR AMENDMENTS TO H.R. 16916, OFFICE OF EDUCATION APPROPRIATIONS, FISCAL YEAR 1971

Program	Revised budget	Committee allowance	Add-On amendment	New total
Impact Aid—Public Law 874: Amendment would permit funding of Category "B" students at fiscal year 1970 level. Budget and committee funding would permit but 45 percent of entitlement for children whose parents live or work on Federal property. Fiscal year 1970 funding=$505,000,000	$425,000,000	$425,000,000	$80,000,000	$505,000,000
Subtotal impact			80,000,000	505,000,000
Higher education programs:				
Aid to land-grant colleges fiscal year 1970 funding=$12,120,000	0	8,080,000	3,870,000	[1] 11,950,000
2 and 4 year college construction HEFA title I (fiscal year 1970 funding=$71,050,000	0	0	71,050,000	71,050,000
Language training and area centers NDEA title VI (fiscal year 1970 funding=$15,300,000)	6,000,000	6,000,000	9,300,000	15,300,000
Matching grants for teaching equipment Higher Education Act, Title VI (fiscal year 1969 funding=$14,500,000)			8,000,000	8,000,000
Subtotal higher education			92,220,000	
Library programs:				
Library Services and Construction Act title II—construction (fiscal year 1970 funding before reduction=$9,185,000)		5,000,000	4,185,000	9,185,000
College library programs title II Higher Education Act:				
Pt. A. College library resources	9,900,000	9,900,000	10,934,000	20,834,000
Pt. B. Library training	3,900,000	3,900,000	2,933,000	6,833,000
Pt. C. Acquisition and cataloging Library of Congress	5,727,000	5,727,000	1,010,000	6,737,000
Subtotal Library			19,062,000	
Total add-on for 3 amendments			191,282,000	

[1] Fiscal year 1969 level.

Mr. ESCH. Mr. Chairman, will the gentleman yield?

Mr. BOW. Not at this time.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BOW. Mr. Chairman, I ask unanimous consent that I may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. ESCH. Mr. Chairman, will the gentleman yield?

Mr. BOW. Not at this time.

Mr. ESCH. Mr. Chairman, I object.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. MAHON. Mr. Chairman, I do not rise to discuss the merits of the proposed amendments, but rather to undertake to put them into the context of the fiscal problem which is facing the House of Representatives and the American people generally.

President Nixon sent down his fiscal 1971 budget on February 2. In that budget, he proposed that we spend, in fiscal 1971, all of the general revenues estimated to be collected by the Treasury in fiscal 1971—the so-called Federal funds. Not only did he recommend that we spend all of the Federal revenues, but in addition, he proposed that the Government borrow about $8.6 billion from the excess revenues in the various trust funds from the highway trust fund, revenues which are dedicated to highways; from the social security trust funds, revenues which are dedicated to social security programs; and others.

That is the situation under the so-called unified budget plan, which was inaugurated with the fiscal 1969 budget. For fiscal 1971, the President's February budget projected a tenuous surplus of $1.3 billion—a deficit of $7.3 billion in the Federal funds portion, more than offset by a surplus of $8.6 billion in the trust funds portion.

The President probably did the best he could under all the circumstances to submit a tight budget. But even doing the best he could, he still proposed that we spend all the revenues estimated to be available in Federal funds, plus about $8.6 billion to be borrowed from funds dedicated to highway, social security, and other trust fund purposes.

Mr. Chairman, that is the overall budget picture which it seems to me must be continually kept in mind as the House considers increases for various programs.

It is a matter of our getting the revenue to pay for meritorious increases. When we have the additional revenue available, or when we can reduce our defense spending as a result of satisfactory agreements with the Soviet Union and otherwise, I think all of us would like to see many of these programs accelerated. But inflation is more or less constantly eroding the buying power of the dollar. We just must realize that if we authorize and appropriate more and more funds for expenditure, we will add to inflationary pressures and the dollar is going to buy less and less and less.

So, in considering amendments to increase the bill, I just believe we ought to keep uppermost in mind that the Federal funds portion of the budget is already in the red by more than $7 billion. In view of the retroactive pay increase for Federal civilian and military personnel just voted, and in view of various other factors adverse to the budget which I will not undertake to relate, even the so-called unified budget surplus that was projected is slipping away. It will, in my judgment, vanish altogether in the current fiscal year 1970, and go into the red. The same is true of the fiscal 1971 budget.

From the standpoint of both the rich and the poor alike, the current highly volatile inflationary situation underscores the necessity to follow a higher order of restraint in approaching the fiscal business of the session.

We ought to do everything reasonably possible to strengthen the dollar. Stopping the deterioration of the dollar would be in the interest of everybody. And it would be in the interest of all who sponsor and support successful Government programs. That is my plea.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to say to begin with that I am a strong supporter of that part of the Esch amendment which deals with college facilities. We are not talking here about whether to spend more money. What we are talking about is whether to pay for it on a cash basis or on a deficit basis. The administration has proposed $560 million of construction entirely on an interest subsidy basis, with a down payment this year and other payments for 39 additional years. The total cost being probably between $600 million and $800 million. What the amendment would do is make part of the construction program on a cash basis; $71 million would be on the cash basis, and that would reduce the amount we would go in hock for.

I do not think we should be financing higher education on this basis, especially when it cost more and grants are greatly needed. Besides, it is very misleading to pass a bill that includes a large obligation to be paid in future years which is not reflected in the figures on the bill.

But having said that, I want to say a word about the chairman of our subcommittee. I do not think it is really right for him to be attacked in this way. He is in charge of the bill. He has been eminently fair. I was one of those who wanted to vote for the Esch amendment, but I think the chairman is entirely within the rules.

Members work within the rules but attempt to win support of their respective positions. It works that way. I remember last year when the gentleman from Indiana made a point of order against language I had in a bill. He did not want that to be debated. He did not think it was shameful at that time to prevent debate of certain language in the bill. He was within the rules on that. When we work within the rules, we do just that. What it amounts to is that people who live in glass houses should not throw rocks. We have rules and if a Member uses the rules to get his way, that is all right.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, first of all, with respect to the first point the gentleman made, on funds for higher education facilities, I believe that the gentleman is really saying that that part of the amendment of the gentleman from Michigan (Mr. ESCH) is more fiscally responsible than is the administration method of financing such facilities.

Mr. SMITH of Iowa. I think that is true.

Mr. BRADEMAS. Mr. Chairman, I agree with him on that; I believe the gentleman from Iowa is right.

Second, Mr. Chairman, with respect to the point the gentleman has just made, of course, I do not for a moment disagree with the gentleman that to make a point of order is a violation of the rules of the House. That was not my complaint at all, as I am sure the gentleman, on reflection, would agree. My complaint was rather that it seemed to me, sitting here as I have been for the last several hours and watching what happened, I observed what seemed to me to be an oversight that denied and deprived the gentleman from Michigan (Mr. ESCH) of an opportunity to offer his amendment.

I was certainly not voicing my objection to the right of my friend from Pennsylvania to make a point of order, which, of course, he has every right to do.

Mr. SMITH of Iowa. My point is, I do not believe, really, we should say the gentleman from Pennsylvania committed a shameful act or something like that. He was just doing what every other Member does around here. If one can make the rules work for him, he used them. The gentleman from Pennsylvania was alert. He was on his feet. He worked the rules to his advantage, and that is what he is supposed to do.

Mr. SCHEUER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from New York.

Mr. SCHEUER. I have the highest respect for my colleague from Pennsylvania. He has been eminently fair and considerate of his fellow colleagues, and I honor him for that.

He said he was objecting to the unanimous-consent request of the gentleman from Michigan (Mr. ESCH) because he had to protect the bill. I do not believe he is really protecting the bill. I do not believe he is protecting the legislative process. I do not believe he is protecting the principle of open and full debate. I do not believe he is protecting the integrity of this institution or the credibility of its Members, in an age and time when both are being subjected to searching scrutiny and questioning.

I hope deeply that we will all cease and desist further exercises in gamesmanship in throttling debate and cutting down Members, of both parties, who wish the House to hear their views in working its will.

I say this with all due honor and respect to my distinguished colleague from Pennsylvania.

AMENDMENT OFFERED BY MR. PRYOR OF ARKANSAS

Mr. PRYOR of Arkansas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PRYOR of Arkansas:

On page 4 strike out line 21 and substitute in lieu thereof the following:

"U.S. ch. 16); title II A ($20,834,000), title II B (except section 224) ($6,833,000), title II C ($6,737,000) of the Higher"

And, on line 24 after "1967" insert "($400,000)"

And, on line 25 strike out "$71,636,000" and substitute in lieu thereof "$90,698,000"

And, on line 1, page 5, strike out "$5,000,000" and substitute in lieu thereof "$9,185,000"

Mr. PRYOR of Arkansas. Mr. Chairman, it is with some reservation that I offer an amendment contrary to that of the distinguished Subcommittee on

Appropriations, and especially its splendid chairman, the gentleman from Pennsylvania (Mr. FLOOD).

The amendment I offer the Members for consideration today, in simple terms, brings the appropriations for two library programs basically in keeping with the 1970 figures as passed by the House and Senate.

My amendment would increase title II of the Library Services and Construction Act over that recommended by the subcommittee by $4,185,000.

My amendment would also increase title II of the Higher Education Act, college library assistance and library training, by $14,877,000. Both are splendid, worthwhile, and necessary programs.

Mr. Chairman, under the Library Services and Construction Act the accomplishments from 1957 through 1969 are truly remarkable. These accomplishments demonstrate how Federal and State Governments can perform together in a spirit of cooperation in an effort to provide the right to read to every American citizen, rich or poor, black or white, rural or urban.

In the 12 years of the existence of LSCA, let us examine just a few of those accomplishments: 85 million people received new or improved library services; 15 million people received public library services for the first time; 45 million books and related materials were purchased; 650 bookmobiles were placed in operation; and 3,200 persons were employed in the States to carry out the LSCA program.

In fiscal year 1969 alone, approximately a half million people had access to public library services for the first time because of the Library Services and Construction Act: 1,500 public library buildings were approved to serve 50 million people; $135 million in Federal funds for public library construction were used by States and matched with $326 million in State and local funds.

But the job is not over. We still have in America almost 16 million people who are without public library services. Our obligation is clear—and providing the opportunity for these Americans to have public libraries must be our highest priority.

There are presently 271 construction projects waiting for LSCA funding and we should at least fund to last year's level to demonstrate our faith in this outstanding program of Federal-State cooperation.

Further, Mr. Chairman, my amendment would add to the committee's proposal $14,877,000 to title II of the Higher Education Act for college library assistance and library training.

Under part A, which is used for the purchase of books, audiovisual materials, periodicals, documents, and other related library materials, my amendment would call for a total expenditure of $20,834,000. The subcommittee has recommended $9,900,000.

For part B, library training, the committee has recommended $3,900,000. My amendment would call for $6,833,000.

Part C is the program which enables the Library of Congress to catalog and make available to college libraries in 50 States all library materials currently published throughout the world which are of invaluable assistance to scholarship, and of providing and distributing cataloging and bibliographic information promptly. My amendment would increase the committee's recommendation for part C by $1,010,000 bringing the total in this category to $6,737,000.

Again, the intent of this amendment is to fund at the 1970 fiscal year level, and I urge the adoption of this amendment.

Mr. Chairman, these are not trial or experimental programs. They are programs which have year after year brought results and deserves our greatest support today.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield to me?

Mr. PRYOR of Arkansas. I am glad to yield to my good friend from Iowa.

Mr. SMITH of Iowa. I want to clear up what the gentleman is doing. He spoke of library training. The administration proposed and the subcommittee agreed that the emphasis should be on paraprofessional personnel. They have in the past had a number of fellowships. We have many people with doctors degrees whose extended and expensive training is not needed to put books on the shelves when somebody else with less training could be doing that just as well.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. PRYOR of Arkansas, at the request of Mr. SMITH of Iowa, was allowed to proceed for 5 additional minutes.)

Mr. SMITH of Iowa. Will the gentleman yield further?

Mr. PRYOR of Arkansas. I yield to the gentleman.

Mr. SMITH of Iowa. So it was proposed by the subcommittee that they be given the money to more than double that program for paraprofessionals from 1,200 to 2,590 and it was financed largely by cutting only 131 fellowships from 355 to 224. You are not opposed to this change in direction, are you?

Mr. PRYOR of Arkansas. I say to the gentleman, my good friend from Iowa, that I feel we should basically fund this program at the same level as the 1970 funding as proposed by Congress. I think this is a program which pertains to library training, and I believe this is of paramount importance and has a very high priority.

Mr. SMITH of Iowa. But you do not intend in your amendment to prevent them from going ahead, if they receive additional money, and from using it in the same way, do you?

Mr. PRYOR of Arkansas. No; it is my understanding that our amendment would not do that.

Mr. SMITH of Iowa. Then, in the first part of your amendment you have $9.9 million. There are three parts under that program.

Mr. PRYOR of Arkansas. Does the gentleman refer to the HEA, title II college library assistance?

Mr. SMITH of Iowa. Yes; 2A.

Mr. PRYOR of Arkansas. Yes.

Mr. SMITH of Iowa. Under that program, there are basic grants and supplemental grants and special grants. Basic grants go largely to universities with better libraries, but now the emphasis needed is on the supplemental and the special categories. The community college libraries and others do need special attention. The administration proposed, and we agreed, that they should put the emphasis on the latter two categories. If there is additional money in here, you are not opposed to that going also to these special and supplemental categories; are you?

Mr. PRYOR of Arkansas. No; I am not opposed to that emphasis so long as basic grants are also funded.

Mr. SMITH of Iowa. Thank you very much. I wanted to get that clear.

Mr. FLOOD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Arkansas.

Now, Mr. Chairman, I had intended to raise the points raised by the gentleman from Iowa and I see that the gentleman who introduced the amendment concurs and agrees. So, we have no quarrel about that at all.

Now, this subcommittee and the members thereof certainly are not against books. We are not against libraries. This is not the problem. As a matter of fact we have added money in this bill for them. Might I further say that the librarians have fought a very tenacious fight in the promotion of their cause. They do this very well.

Now, there is a great, great deal of money in this bill for books and for libraries, for librarians. No one loves them more than I. But there is such a thing as too much money even for librarians, under current circumstances.

We have $80 million in this bill for school libraries. We have $5 million contained in this bill for library construction. We have $9.9 million for college libraries and we have $3.5 million for librarian training. There is also $5,725,000 for aid to college libraries through the medium of the Library of Congress.

Mr. Chairman, all of us are for these things.

We have added $10,250,000 over the President's budget for public libraries. We love libraries. Is not that evident? However, enough is enough at this time under all the circumstances that prevail. Under different circumstances I am sure we would be for more. But the rule of reason must apply here.

There is $9.9 million in the budget request, and in the bill for aid to college libraries, Mr. Chairman, and this program provides for grants to higher education institutions for the purchase of books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials and all of these things.

Now in past years most of this money has been scattered with a shotgun. There were 4,000 individual grants—imagine it—which were made in 1969 and in 1970. This does not seem to have represented the best approach to the solution of the problem, so says the administration and so says the Appropriations Committee.

This year the budget proposes to make about 800 grants to colleges which have special needs because of outdated collections, growing enrollments, or financial need. These should be met with a rifle pointed on the need and not with an obsolete shotgun approach.

There is a large amount of money here for libraries, and I shall not recite it again. Under the circumstances we face with the budget, as the chairman of the full committee (Mr. MAHON) outlined, and as the ranking Republican member (Mr. BOW) made very clear, plus our experience for the last year, plus the fact that we are skating on thin ice, vis-a-vis the White House, $150 million away from a veto, judging from what happened early this year, I urge for these reasons that the amendment be defeated.

Mr. DAVIS of Georgia. Mr. Chairman, I move to strike the last three words.

Mr. Chairman, I really hate to be the one to follow my distinguished friend and my respected and admired colleague, the gentleman from Pennsylvania (Mr. FLOOD) and would have gladly preceded the gentleman and let the gentleman have the final say on this were it not for the rules of the House that prevent a nonmember of the committee being recognized in advance of a member of the committee.

But I want to say that this subject of libraries is one that is particularly dear to my heart.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Chairman, I am sorry. I knew the gentleman from Iowa (Mr. SMITH) was going to take a few minutes, and the gentleman in the well did speak to me. I simply forgot about it.

Mr. DAVIS of Georgia. That is perfectly all right.

I was going to say that I think that if we shortchange in any way the money that we expend on our libraries we are shortchanging ourselves.

Mr. Chairman, I would like to associate myself completely with the remarks of my colleague and a member of the committee, the gentleman from Arkansas (Mr. PRYOR).

Mr. Chairman, I just have a few little statistics that I would like to offer for the consideration of the Members which I think tend to back up the amendment offered by the gentleman from Arkansas.

The number of institutions of higher education in 1966 was almost 2,500. There are now almost 800 public and some 250 private junior colleges. The total has increased by 50 percent over the past 3 years. It is predicted that by 1975 there will be 500 more.

In the fall of 1969 more students enrolled as freshmen—that was 1969, mind you—in the junior and community 2-year colleges, than in the 4-year institutions in the United States.

In 1968, a total of 338 4-year colleges without graduate students had libraries of less than 50,000 volumes, the minimum recommended by the American Library Association standards for college libraries.

Now, to me this is a heartbreaking thing. It is about all our people can do in my part of the country, and I am sure in other parts, to go to a junior college—and I have been to many of them, looked through them, and examined the offering they had in the way of a library—well, it leaves much to be desired, I assure you.

I listened to a speech not many weeks ago by the president of the University of Georgia, Dr. Fred Davison, and he said that this year our university library will attain a stock of 1 million volumes—well, this 50,000 recommended is only one-twentieth of that—and he said that in 3 or more years from now we will have 2 million volumes in the university library in Georgia. He also said that is the minimum you can have in order to be able to say that you have a good library.

So that it actually becomes frightening when you consider the fact that after all the efforts expended on the part of a young person to go to a junior college he finds himself strapped down with an inadequate library.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Chairman, I would like to point out that it is $9.9 million, which may not be apparent when one first looks at the figure. It was proposed to more than double the program to help junior colleges, because last year there was allocated in the supplemental and special services $4,125,500, and it is proposed this year to use all of it under this category, so this is more than double. I am not saying that they could not use more.

Mr. DAVIS of Georgia. I grant you this is a magnificent step in the right direction. I am just not sure that it is enough. For example, this next figure that I will read is this.

In 1968, a total of 475 2-year junior or community college libraries had less than 20,000 volumes, the minimum collection recommended by the ALA, as junior college library standards.

So I wanted to put my two cents worth in and urge the support of this committee and of the House in general for the amendment offered by the gentleman from Arkansas.

Mr. MICHEL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, of course, I oppose the amendment of the gentleman from Arkansas.

The committee, in considering the President's request for library programs, has reached a fair compromise.

The bill adds funds to the public library services program and restores it to the 1970 appropriation level. The bill also adds $5 million for construction of public libraries, for which no funds had been requested. Finally, the bill increases the amount for educational broadcasting facilities because of that program's large backlog of unfunded projects. In total, the bill adds $12 million to the budget, an increase of 20 percent over the administration request.

In arriving at these decisions, the committee took into account the President's entire budget request related to library and reading programs and not just those items under the "Community Education" appropriation. The President's amendments to the 1971 budget added $96.5 million for books and reading projects. Together with special earmarking of funds already in the budget, this provided $100 million for the right-to-read program and $12.5 million for public library services, which the bill increases by another $5 million.

Since enactment of the public library construction authority in 1965—a total of $500 million—nearly $150 million in Federal funds and $350 million in State and local matching funds has been spent for construction and renovation in over 1,500 projects.

The 1971 budget, by contrast, has turned its attention from construction to other reading priorities; namely, supplementary reading instruction under title III of the Elementary and Secondary Education Act and the purchase of school library books under title II of that same act. The President has chosen to defer the construction of additional facilities in favor of these service programs. Far from abandoning library programs, the President and the Commissioner of Education have made the right to read their educational goal for the 1970's.

The priorities have also shifted in the college library resources and librarian training programs. Instead of parceling out a small basic grant of $5,000 to nearly every college and university in the country, the President's 1971 budget would limit this assistance to institutions with special needs such as outdated collections, growing student enrollments, or financial need. Librarian training would limit expensive fellowships to the doctoral level where the need is greatest and increase institute training for librarians and paraprofessionals in working in school and public libraries in poverty areas.

In keeping with the spirit of the President's message on education reform, the 1971 budget for library and reading programs represents a shift of priorities, elimination of inefficient approaches, and new directions. To view this appropriation simply in terms of more dollars for the same old programs is a disservice to the long-range interests of the library programs and the reading public.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas (Mr. PRYOR).

The amendment was rejected.

The CHAIRMAN. The clerk will read.

The Clerk read as follows:

RESEARCH AND TRAINING

For carrying out, to the extent not otherwise provided, the Cooperative Research Act (except section 4) and section 303 of the Vocational Education Amendments of 1968, $105,325,000.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE:

Page 5, line 10, strike "105,325,000" and insert in lieu thereof "$110,325,000."

XUM

Mr. QUIE. Mr. Chairman, what my amendment does is to bring up the amount of the appropriation for research and innovation for vocational education to the level that the administration requested.

If you look at the committee report on page 6, you will see a table there which indicates the amount for research and innovation last year was $14,980,000, or I should say for the present fiscal year 1970, the administration requested $25 million for 1971 and the committee reported a bill with $20 million.

I want to say at the outset I think the committee did a good job on most of the bill. They added $319 million to the total of the administration request. They made increases in areas which by and large I think are good. There are two areas where I would have done it differently. One is that I would not have provided for a cutback in the dropout prevention program, because I think that money could have been used by President Nixon in his effort to help the racially impacted school districts, that he said in his message on desegregation he wanted $500 million expended in 1971.

But the second part, I think, if we are going to reach the needs of the young people who need vocational education and training, we have to make certain we provide that vocational education and training in a way that is most effective and efficient.

Now if this was trying to convince the administration to expend some money that they did not ask for, I would not be up here offering the amendment. But this is $5 milion they felt they would like to expend for vocational education research.

The committee report indicates there will be substantial amounts available for vocational education and research and training, but I think this was in anticipation that there would be more vocational research from cooperative research. We must do more research for education and I trust that this administration did not make an extravagant request.

Therefore, Mr. Chairman, it is an amendment that is very simply understood and rather than take any more time, I will yield back the balance of my time.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment of the gentleman.

Now, this is the same story over and over again. I am beginning to sound like the proverbial broken record on this subject after so many years.

But it is the point, it is the thrust, it is the determination that the Appropriations Committee by its repute and name must present. The whole point of the appropriations process is one of balancing priorities. This administration prefers the term "realinement of priority." Very well, I embrace that. We must make a choice in the Appropriations Committee between programs when we cut up this pie of worthy projects competing for limited Federal funds.

On the question of vocational education research, sir, $20 million is included in the vocational education program for innovation, curriculum development, and research.

As a matter of fact, Mr. Chairman, there is an increase of $5 million over last year for these very things. We know their import. We have increased the amount from $15 million to $20 million. Faced with the burden that I told you we face, we cannot easily accept amendments under those circumstances.

We assure you, Mr. Chairman, that research will receive an equitable share of this increase, and I would like the administration to hear that language. We assure you of that, by all means. There is also $7 million for vocational education research in the bill under the appropriation "Research and Training." We spent considerable time in the hearings on this subject.

The States themselves may make a portion of their share of basic vocational education grant funds available for vocational research, if they wish. We have increased the amount for basic grants by $50 million over the President's budget, $50 million. I know of no reason why the States could not use a portion of this for research if they wish to. I know of no reason at all.

There is an increase of $25 million in this bill for research and training. Some of this, without any doubt or question, could be used for vocational education research. We have no objection.

Again I must repeat my conclusion. Faced with what we went through last year, knowing the situation at the White House and here on the Hill, and applying the rule of reason, realizing that we are within $150 million of a demarcation line vis-a-vis the President's veto—that is a close line—we know we are on thin ice. We think we are safe. The minority in the committee have supported this. The minority leadership on the floor has supported this, or at least has not opposed it, so I assume that they support it.

Mr. Chairman, I think those arguments are determinative, and under the circumstances I suggest that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. QUIE).

The amendment was rejected.

Mr. WILLIAM D. FORD. Mr. Chairman, I make the point of order that a quorum is not present.

Mr. Chairman, I withdraw the point of order.

Mr. FLOOD. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. FLOOD. I take this time to advise the Chair and the Committee that the postal pay raise bill is about to be presented. I understand that action will take place immediately as the Speaker has just advised us.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 16916, making appropriations for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes, had come to no resolution thereon.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to enrolled bill of the Senate of the following title:

S. 3690. An act to increase the pay of Federal employees.

OFFICE OF EDUCATION APPROPRIATIONS, 1971

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 16916) making appropriations for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 16916, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose, the Clerk had read through line 10 on page 5.

Mr. QUIE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the committee report carries some language on page 5 which I would like to have talked about in the Committee of the Whole during general debate. However, I was meeting with some of my colleagues on another education matter, and so I was not able to do it.

I note, I would say to the chairman of the subcommittee, that there is no provision for the budget estimate for 1972 of $1,339,050,000 for assistance to school districts under title I of the Elementary and Secondary Education Act. Then it goes on to say in the committee report that as long as we are able to bring up the appropriations early in the year, the committee feels it is not wise then to have forward funding.

On this point I disagree with the Committee on Appropriations.

It is my feeling that the schools of the country ought to know right now the amount of money they are going to have available next year. It is true we bring up the appropriation bill on this day, in the middle of April, and if it had gone all through the legislative process at this time, it would not be too bad for the schools. However, I would like to ask the chairman if he has any assurances from the other body about how soon they are going to take up the education appropriation and how soon we can expect this to come back to us, first, to consider a conference, and later adoption of the conference report.

Mr. FLOOD. Mr. Chairman, the gentleman has had many years' experience here on the legislative committee and many years of experience with conferences with the other body, sufficient to know that I cannot answer his question with precision.

I have an idea of what they will do, of course. They will start hearings I can tell the gentleman, this week. What that foretells, I do not know. Last year there was considerable delay. I understand, from what my spies report, that will not be the case this year, but I cannot say any more than that.

Mr. QUIE. I thought that was about all the assurance we had from the other body. We knew we were going to have education appropriations taken out of the HEW bill, because there were promises by both the chairman and ranking Republican of the House appropriation committee. With those promises we knew this committee was going to act in this kind of expeditious manner to meet the need of the schools. However, we have no assurance what the other body will do. We know what happened last year. The House passed the Labor-HEW appropriations bill last July.

The other body went home on a vacation in August. They did not do anything in September or October on the matter, and they finally passed it at the end of November. They finally waited until the 20th of January before the conference report was passed in the other body.

The schools of this country do their planning by the beginning of the calendar year. They have done their planning for this coming school year. It is already complete at this time. They ought to know this calendar year what Federal education funds are available for school year 1971–72.

If we are ever going to make certain that the education appropriations are all wisely spent, schools need to know ahead of time what funds will be available. That is why I believe the committee ought to reconsider its decision not to have forward funding.

The remainder of the appropriation bill for the Departments of Labor and Health, Education, and Welfare is still to be considered by the committee. Rather than make any fuss about it here since I do not want to slow this bill up, I will urge the chairman of the subcommittee and the subcommittee to provide forward funding in that larger bill, the Labor-HEW appropriation bill, so that the schools can know at least the amount the committee is ready to commit for fiscal year 1972.

Of course, the House Appropriations Committee will not know the additional appropriations which might be added in the 1972 appropriation bill next calendar year, when that is considered but at least this year's level could be committed for 1972.

This, I believe, we must do if the schools are going to be able to use every cent of our money wisely because they have done adequate planning.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I am glad to yield to the gentleman from Pennsylvania.

Mr. FLOOD. I am aware of the considerable experience of the gentleman in the well on the Committee on Education and Labor. I believe I mentioned this in my earlier remarks.

I assure the gentleman this will receive most serious consideration. I thought I made that clear. We understand the problem and understand the gentleman's position.

Mr. QUIE. I appreciate that. With that statement on the part of the chairman of the subcommittee I will then wait with the expectation we will see forward funding not only for title I, ESEA, but for all education matters for which the authorization bill provides forward funding.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

(On request of Mr. FLOOD, and by unanimous consent, Mr. QUIE was allowed to proceed for 1 additional minute.)

Mr. FLOOD. I am sure the gentleman did not place me in the position of making a commitment. That I cannot do.

Mr. QUIE. No.

Mr. FLOOD. I believe I made his position and mine very clear.

Mr. QUIE. It is my understanding—and let us see if the gentleman agrees—not that the gentleman has made a commitment to bring out forward funding, but that he will take this up in his subcommittee again, to see if he cannot bring out the forward funding.

Mr. FLOOD. I certainly can assure the gentleman of that.

Mr. PERKINS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am in thorough agreement with the statement made by the previous speaker, the gentleman from Minnesota, with regard to the necessity of providing forward funding.

We have spent months and months in the Committee on Education and Labor and in the Congress trying to make our education program more effective. We know from our inquiries that school administrators throughout America invariably state that the greatest obstacle in the way of more efficiently utilizing Federal funds has been untimely funding and untimely authorizations.

I certainly want to commend the Committee on Appropriations for the timeliness of this appropriation bill. I believe the committee deserves the commendation of all Members of this body and of school administrators throughout America.

Because of the work of the committee, for the first time in many years, local and State educational agencies may know the amount appropriated by the Congress before the beginning of the fiscal year for which the appropriation is intended.

Whether they will know will depend on whether the other body will also take early action on this bill so that local school districts can plan their programs more effectively.

I agree with the gentleman from Minnesota that we must have forward funding, and I hope that the Committee on Appropriations will soon provide for this. Be that as it may, our immediate task is early final passage of this appropriation bill. We should have final enactment by the end of April, so that local educational agencies will be able to plan and program their Federal funds more efficiently.

The Committee on Appropriations has certainly done a commendable job, in my opinion, in increasing certain appropriations beyond the budget request. We have been several years trying to get title I of the Elementary and Secondary Education Act off the ground. The proposed appropriations for title I in this bill is far below what is necessary. It is above last year's level and the level of the budget request, however, and as such, is a great step forward in making the effort to reach disadvantaged children more effective. It demonstrates, to my way of thinking, that there is a greater understanding of the tremendous need for additional funds from the Federal level.

May I repeat that one of the most important aspects of this legislation is the timeliness of its consideration. This great effort will be to no avail, however, if the other body does not accord this legislation as high a priority. We cannot afford to experience again the dilemma which confronted this Congress last year when we had both untimely authorizations and untimely funding.

Mr. Chairman, I am most hopeful that the other body will follow suit and act as promptly as the House Committee on Appropriations has acted this year. It will mean that local school districts will be able to take greater advantage of Federal education programs and that the funds will be spent more efficiently.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 209. No part of the funds contained in this Act may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88–352, to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

AMENDMENTS OFFERED BY MR. COHELAN

Mr. COHELAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COHELAN: On page 9, strike out section 209.

Mr. COHELAN. Mr. Chairman, I ask unanimous consent that section 209 and section 210 be considered en bloc.

The CHAIRMAN. The gentleman from California makes the unanimous-consent request that section 209 and section 210 be considered en bloc.

Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Chairman, I rise to offer an amendment to strike sections 209 and 210 from this bill. The language of these sections is somewhat different and, at first glance, exhibits new dimension to old arguments about Federal funds and racially segregated schools that stand in violation of the Constitution. But let us not be fooled, Mr. Chairman. The intent of these provisions is as dangerous as the old Whitten provisions that we have debated many, many times over in this Chamber.

At stake here is all the years of progress, effort, and the advances we have made so far in the civil rights movement. I also see this debate as a test of the viability of Supreme Court decisions, not to speak of the future of this country and the education of generations of American citizens.

We can no longer afford to deny equality of educational opportunity to certain segments of our society. I do not think I need to remind my colleagues of the dangers of such a course of action—we all are familiar with the arguments of this debate. I think we are all pretty much in agreement about a strong educational structure as a means of providing better educational opportunities for all of our citizens is the only realistic way to approach solving our tremendous social problems—poverty, hunger, unemployment, and certainly crime.

I urge my colleagues on both sides of the aisle to give particular and close attention to this debate and to the arguments elicited here today, so that they may have an exact understanding of the real object and purpose of these provisions.

The precise legal effect of sections 209 and 210 is clear. A careful reading of both provisions leads to the conclusion that they would not restrict the authority of the Federal Government to enforce the nondiscrimination requirements of the Civil Rights Act. They would not place any additional legal burdens on the Government in enforcing title VI.

For a "desegregated" school system, as provided in sections 209 and 210, must be read as a unitary school system. My understanding of the language is that a "desegregated" school system has met the constitutional requirements in this area of assuring equal opportunity.

The objection to sections 209 and 210, therefore, goes to the fact that they are calculated to deceive. The prohibition, although qualified, against busing and assignment of students is bound to confuse parents and school officials alike. The requirements of the law remain. But these sections will lead people to believe that no effective remedy to meet those requirements is imposed. It is irresponsible legislation, and I urge the House to strike these provisions.

These sections are designed to impede enforcement of title VI of the Civil Rights Act, which prohibits discrimination as to race, color, or national origin in programs receiving Federal funds. While the legal impact of the new Whitten provisions would be negligible, enactment of these provisions would make HEW's job of enforcing title VI much more difficult. These provisions would be yet another attempt to weaken the authority of HEW in the area of civil rights and would conflict with the Department's responsibility of supporting the public schools and preventing discrimination.

The real danger of this language is that it might very well further encourage recalcitrant school districts to assume a harder line in their defiance of the law. At the same time, districts who have agreed to work within the framework of the law in this instance and who have agreed to comply with desegregation orders might seriously jeopardize their position and might thus feel compelled to renege on their commitments to abolish dual school systems.

Mr. Chairman, I see these provisions and this new language as devices to confuse and complicate this issue a little more than is presently so. They represent but another effort to establish delaying tactics against compliance with the civil rights legislation, Supreme Court decisions, and antisegregation forces in this country. These provisions would provoke mass confusion by misleading school districts as to their responsibility in eliminating de jure segregation.

Desegregation as used in title IV of the Civil Rights Act has been judicially interpreted to mean desegregation in accordance with constitutional requirements. The new Whitten language which would subject title VI activities to the title IV definition of "desegregation" would have virtually no effect on the policies and enforcement activities of HEW with respect to title VI.

The language is mischievous, confusing, and poses yet another hindrance to proper enforcement of the law. These sections serve only to raise false hopes of relief for those who want out of a sticky situation, but the fact still remains that these provisions cannot alter the constitutional obligation to desegregate and to desegregate now.

This language endangers our national commitment to end unconstitutional segregation and therefore should be stricken from this bill.

I do not want to burden the Members with a lengthy discourse on the legal precedents showing how this version of the Whitten amendments will not curtail the obligations of HEW to enforce title VI of the Civil Rights Act, but I wish to reiterate that from a study of the various decisions in this area. "Desegregation" as defined in title IV of this act is coextensive with the duty imposed upon school districts by the 14th amendment and by title VI of the Civil Rights Act of 1964.

Mr. Chairman, to further illustrate the clear legal principles involved in the Whitten amendment, I am submitting for the RECORD a number of appellate and Supreme Court opinions. All of these decisions and opinions were handed down after the passage of the Civil Rights Act of 1964, and bear out the premise that HEW has properly discharged its obligations within the parameters of the act and consistent with the Constitution.

The legal history of this controversy is clear.

Sections 209, 210, and 211 must be struck, not because they can have any legal effect, but rather, because they are superfluous confusing and in the case of section 211, clearly unconstitutional.

We must force our obligations now. Unconscionable delay cannot be tolerated.

The court opinions follow:

CHARLES C. GREEN ET AL., PETITIONERS, v. COUNTY SCHOOL BOARD OF NEW KENT COUNTY, VIRGINIA, ET AL.

(391 US 430, 20 L ED D 2 716, 88. S CT 1689)
[No. 695]

Argued April 3, 1968. Decided May 27, 1968.

SUMMARY

This case presents the question whether, under all the circumstances, a county school board's adoption of a "freedom-of-choice" plan, which allows a pupil to choose his own public school, constitutes adequate compliance with the board's responsibility to achieve a system of determining admission to the public schools on a nonracial basis. The school system in question had only two schools (each a combined elementary and high school), and under the segregated system initially established and maintained, one was for white children and the other for Negro children. The United States District Court for the Eastern District of Virginia approved the "freedom-of-choice" plan. The United States Court of Appeals for the Fourth Circuit affirmed the District Court's approval of the plan, but remanded the case on other grounds. (382 F2d 326; 382 F2d 338.)

On certiorari, the United States Supreme Court vacated the judgment of the Court of Appeals insofar as it affirmed the District Court. In an opinion by BRENNAN, J., expressing the unanimous views of the court, it was held that the "freedom-of-choice" plan could not be accepted as a sufficient step to effectuate the transition to a unitary system, where, in the period of operation of the plan, not a single white child had chosen to attend the Negro school, and although a number of Negro children had enrolled in the white school, 85 percent of the Negro children in the system still attended the Negro school.

OPINION OF THE COURT

Mr. Justice Brennan delivered the opinion of the Court [391 US 431]

The question for decision is whether, under all the circumstances here, respondent School Board's adoption of a "freedom-of-choice" plan which allows a pupil to choose [391 US 432] his own public school constitutes adequate compliance with the Board's responsibility "to achieve a system of determining admission to the public schools on a non-racial basis . . . ." Brown v Board of Education, 349 US 294, 300–301, 99 L Ed 1083, 1106, 75 S Ct 753 (Brown II).

Petitioners brought this action in March 1965 seeking injunctive relief against respondent's continued maintenance of an alleged racially segregated school system. New Kent County is a rural county in Eastern Virginia. About one-half of its population of some 4,500 are Negroes. There is no residential segregation in the county; persons of both races reside throughout. The school system has only two schools, the New Kent school on the east side of the county and the George W. Watkins school on the west side. In a memorandum filed May 17, 1966, the District Court found that the "school system serves approximately 1,300 pupils, of which 740 are Negro and 550 are White. The School Board operates one white combined elementary and high school [New Kent], and one Negro combined elementary and high school [George W. Watkins]. There are no attendance zones. Each school serves the entire county." The record indicates that 21 school buses—11 serving the Watkins school and 10 serving the New Kent school—travel overlapping routes throughout the county to transport pupils to and from the two schools.

The segregated system was initially established and maintained under the compulsion of Virginia constitutional and statutory provisions mandating racial segregation in public education, Va Const, Art IX, § 140 (1902); Va Code § 22–221 (1950). These provisions were held to violate the Federal Constitution in Davis v County School Board of Prince

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Edward County, decided with Brown v Board of Education, 347 US 483, 487, 98 L Ed 873, 877, 74 S Ct 686, 38 ALR2d 1180 (Brown I). The respondent School Board continued the segregated operation of the system after the Brown [391 US 433] decisions, presumably on the authority of several statutes enacted by Virginia in resistance to those decisions. Some of these statutes were held to be unconstitutional on their face or as applied.[1] One statute, the Pupil Placement Act, Va Code § 22–232.1 et seq. (1964), not repealed until 1966, divested local boards of authority to assign children to particular schools and placed that authority in a State Pupil Placement Board. Under that Act children were each year automatically reassigned to the school previously attended unless upon their application the State Board assigned them to another school; students seeking enrollment for the first time were also assigned at the discretion of the State Board. To September, 1964, no Negro pupil had applied for admission to the New Kent school under this statute and no white pupil had applied for admission to the Watkins school.

The School Board initially sought dismissal of this suit on the ground that petitioners had failed to apply to the State Board for assignment to New Kent school. However, on August 2, 1965, five months after the suit was brought, respondent School Board, in order to remain eligible for federal financial aid, adopted a "freedom-of-choice" plan for desegregating the schools.[2] Under that plan [391 US 434], each pupil, except those entering the first and eighth grades, may annually choose between the New Kent and Watkins schools and pupils not making a choice are assigned to the school previously attended; first and eighth grade pupils must affirmatively choose a school. After the plan was filed the District Court denied petitioners' prayer for an injunction and granted respondent leave to submit an amendment to the plan with respect to employment and assignment of teachers and staff on a racially nondiscriminatory basis. The amendment was duly filed and on June 28, 1966, the District Court approved the "freedom-of-choice" plan as so amended. The Court of Appeals for the Fourth Circuit, en banc, 382 F2d 338,[3] affirmed the District Court's approval of the "freedom-of-choice" provisions of the plan but remanded the case to the District Court for entry of an order regarding faculty "[391 US 435] which is much more specific and more comprehensive" and which would incorporate in addition to a "minimal, objective time table" some of the faculty provisions of the degree entered by the Court of Appeals for the Fifth Circuit in United States v Jefferson County Board of Education, 372 F2d 836, aff'd en banc, 380 F2d 385 (1967). Judges Sobeloff and Winter concurred with the remand on the teacher issue but otherwise disagreed, expressing the view "that the District Court should be directed . . . also to set up procedures for periodically evaluating the effectiveness of the [Board's] 'freedom of choice' [plan] in the elimination of other features of a segregated school system." Bowman v County School Board of Charles City County, 382 F2d 326 at 330. We granted certiorari, 389 US 1003, 19 L Ed 2d 598, 88 S Ct 565.

The pattern of separate "white" and "Negro" schools in the New Kent County school system established under compulsion of state laws is precisely the pattern of segregation to which Brown I and Brown II were particularly addressed, and which Brown I declared unconstitutionally denied Negro school children equal protection of the laws. Racial identification of the system's schools was complete, extending not just to the composition of student bodies at the two schools but to every facet of school operations—faculty, staff, transportation, extracurricular activities and facilities. In short, the State, acting through the local school board and school officials, organized and operated a dual system, part "white" and part "Negro."

[1] It was such dual systems that 14 years ago Brown I held unconstitutional and a year later Brown II held must be abolished; school boards operating such school systems were *required* by Brown II "to effectuate a transition to a racially nondiscriminatory school system." 349 US, at 301, 99 L Ed at 1106. It is of course true that for the time immediately after Brown II the concern was with making an initial break in a long-established pattern of excluding [391 US 436] Negro children from schools attended by white children. The principal focus was on obtaining for those Negro children courageous enough to break with tradition a place in the "white" schools. See, e.g., Cooper v Aaron, 358 US 1, 3 L Ed 2d 5, 78 S Ct 1401. Under Brown II that immediate goal was only the first step, however. The transition to a unitary, non-racial system of public education was and is the ultimate end to be brought about; it was because of the "complexities arising from the transition to a system of public education freed of racial discrimination" that we provided for "all deliberate speed" in the implementation of the principles of Brown I. 349 US, at 299–301, 99 L Ed at 1105, 1106. Thus we recognized the task would necessarily involve solution of "varied local school problems." Id., at 299, 99 L Ed at 1105. In referring to the "personal interest of the plaintiffs in admission to public schools as soon as practicable on a nondiscriminatory basis," we also noted that "[t]o effectuate this interest may call for elimination of a variety of obstacles in making the transition . . . ." Id., at 300, 99 L Ed at 1106. Yet we emphasized that the constitutional rights of Negro children required school officials to bear the burden of establishing that additional time to carry out the ruling in an effective manner "is necessary in the public interest and is consistent with good faith compliance at the earliest practicable date." Ibid. We charged the district courts in their review of particular situations to "consider problems related to administration, arising from the physical condition of the school plant, the school transportation system, personnel, revision of school districts and attendance areas into compact units to achieve a system of determining admission to the public schools on a nonracial basis, and revision of local laws and regulations which may be necessary in solving the foregoing problems. They will also consider the adequacy of any plans the [391 US 437] defendants may propose to meet these problems and to effectuate a transition to a racially nondiscriminatory school system." Id., at 300–301, 99 L Ed 1106.

[2–5] It is against this background that 13 years after Brown II commanded the abolition of dual systems we must measure the effectiveness of respondent School Board's "freedom-of-choice" plan to achieve that end. The School Board contends that it has fully discharged its obligation by adopting a plan by which every student, regardless of race, may "freely" choose the school he will attend. The Board attempts to cast the issue in its broadest form by arguing that its "freedom-of-choice" plan may be faulted only by reading the Fourteenth Amendment as universally requiring "compulsory integration," a reading it insists the wording of the Amendment will not support. But that argument ignores the thrust of Brown II. In the light of the command of that case, what is involved here is the question whether the Board has achieved the "racially nondiscriminatory school system" Brown II held must be effectuated in order to remedy the established unconstitutional deficiencies of its segregated system. In the context of the state-imposed segregated pattern of long standing, the fact that in 1965 the Board opened the doors of the former "white" school to Negro children and of the "Negro" school to white children merely begins, not ends, our inquiry whether the Board has taken steps adequate to abolish its dual, segregated system. Brown II was a call for the dismantling of well-entrenched dual systems tempered by an awareness that complex and multifaceted problems would arise which would require time and flexibility for a successful resolution. School boards such as the respondent then operating state-compelled dual systems were nevertheless clearly charged with the affirmative duty to take whatever steps might be necessary to [391 US 438] convert to a unitary system in which racial discrimination would be eliminated root and branch. See Cooper v Aaron, supra, at 7, 3 L Ed. 2d at 10; Bradley v School Board, 382 US 103, 15 L Ed 2d 187, 86 S Ct 224; cf. Watson v City of Memphis, 373 US 526, 10 L Ed 2d 529, 83 S Ct 1314. The constitutional rights of Negro school children articulated in Brown I permit no less than this; and it was to this end that Brown II commanded school boards to bend their efforts.[4]

[6–8] In determining whether respondent School Board met that command by adopting its "freedom-of-choice" plan, it is relevant that this first step did not come until some 11 years after Brown I was decided and 10 years after Brown II directed the making of a "prompt and reasonable start." This deliberate perpetuation of the unconstitutional dual system can only have compounded the harm of such a system. Such delays are no longer tolerable, for "the governing constitutional principles no longer bear the imprint of newly enunciated doctrine." Watson v City of Memphis, supra, at 529, 10 L Ed 2d at 533; see Bradley v School Board, supra; Rogers v Paul, 382 US 198, 15 L Ed 2d 265, 86 S Ct 358. Moreover, a plan that at this late date fails to provide meaningful assurance of prompt and effective disestablishment of a dual system is also intolerable. "The time for mere 'deliberate speed' has run out," Griffin v County School Board, 377 US 218, 234, 12 L Ed 2d 256, 267, 84 S Ct 1226; "the context in which we must interpret and apply this language [of Brown II] to plans for desegregation has been significantly altered." [391 US 439] Goss v Board of Education, 373 US 683, 689, 10 L Ed 2d 632, 636, 83 S Ct 1405. See Calhoun v Latimer, 377 US 263, 12 L Ed 2d 288, 84 S Ct. 1235. The burden on a school board today is to come forward with a plan that promises realistically to work *now*.

[9–13] The obligation of the district courts, as it always has been, is to assess the effectiveness of a proposed plan in achieving desegregation. There is no universal answer to complex problems of desegregation; there is obviously no one plan that will do the job in every case. The matter must be assessed in light of the circumstances present and the options available in each instance. It is incumbent upon the school board to establish that its proposed plan promises meaningful and immediate progress toward disestablishing state-imposed segregation. It is incumbent upon the district court to weigh that claim in light of the facts at hand and in light of any alternatives which may be shown as feasible and more promising in their effectiveness. Where the court finds the board to be acting in good faith and the proposed plan to have real prospects for dismantling the state-imposed dual system "at the earliest practicable date," then the plan may be said to provide effective relief. Of course, the availability to the board of other more promising courses of action may indicate a lack of good faith; and at the least it places a heavy burden upon the board to explain its preference for an apparently less effective method. Moreover, whatever plan is adopted will require evaluation in practice, and the court should retain jurisdiction until it is clear that state-im-

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Footnotes at end of article.

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posed segregation has been completely removed. See Raney v Board of Education, 391 US at 449, 20 L Ed 2d at 732.

[14, 15] We do not hold that "freedom of choice" can have no place in such a plan. We do not hold that a "freedom-of-choice" plan might of itself be unconstitutional, although that argument has been urged upon us. Rather, [391 U.S. 440] all we decide today is that in desegregating a dual system a plan utilizing "freedom of choice" is not an end in itself. As Judge Sobeloff has put it,

"'Freedom of choice' is not a sacred talisman; it is only a means to a constitutionally required end—the abolition of the system of segregation and its effects. If the means prove effective, it is acceptable, but if it fails to undo segregation, other means must be used to achieve this end. The school officials have the continuing duty to take whatever action may be necessary to create a 'unitary, non-racial system.'" Bowman v. County School Board, 382 F2d 326, 333 (CA 4th Cir 1967) (concurring opinion). Accord, Kemp v. Beasley, 389 F2d 178 (CA8th Cir 1968); United States v. Jefferson County Board of Education, supra. Although the general experience under "freedom of choice" to date has been such as to indicate its ineffectiveness as a tool of desegregation,[5] there may well be instances in which it can serve as an effective device. Where it offers real promise of aiding a desegregation [391 U.S. 441] program to effectuate conversion of a state-imposed dual system to a unitary, nonracial system there might be no objection to allowing such a device to prove itself in operation. On the other hand, if there are reasonably available other ways, such for illustration as zoning, promising speedier and more effective conversion to a unitary, nonracial school system, "freedom of choice" must be held unacceptable.

[16, 17] The New Kent School Board's "freedom-of-choice" plan cannot be accepted as a sufficient step to "effectuate a transition" to a unitary system. In three years of operation not a single white child has chosen to attend Watkins school and although 115 Negro children enrolled in New Kent school in 1967 (up from 35 in 1965 and 111 in 1966) 85% of the Negro children in the system still attend the all-Negro Watkins school. In other words, the school system remains a dual system. Rather than further the dismantling of the dual system, the plan has operated simply to burden children and their parents [391 U.S. 442] with a responsibility which Brown II placed squarely on the School Board. The Board must be required to formulate a new plan and, in light of other courses which appear open to the Board, such as zoning,[6] fashion steps which promise realistically to convert promptly to a system without a "white" school and a "Negro" school, but just schools.

The judgment of the Court of Appeals is vacated insofar as it affirmed the District Court and the case is remanded to the District Court for further proceedings consistent with this opinion.

FOOTNOTES

[1] E.g., Griffin v County School Board of Prince Edward County, 377 US 218, 12 L Ed 2d 256, 84 S Ct 1226; Green v School Board of City of Roanoke, 304 F2d 118 (CA 4th Cir 1962); Adkins v School Board of City of Newport News, 148 F Supp 430 (DC ED Va.), aff'd, 246 F2d 325 (CA 4th Cir 1957); James v Almond, 170 F Supp 331 (DC ED Va 1959); Harrison v Day, 200 Va 439, 106 SE2d 636 (1959).

[2] Congress, concerned with the lack of progress in school desegregation, included provisions in the Civil Rights Act of 1964 to deal with the problem through various agencies of the Federal Government. 78 Stat 246, 252, 266, 42 USC §§ 2000c et seq., 2000d et seq., 2000h–2. In Title VI Congress declared that

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance," 42 USC § 2000d. The Department of Health, Education, and Welfare issued regulations covering racial discrimination in federally aided school systems, as directed by 42 USC § 2000d–1, and in a statement of policies, or "guidelines," the Department's Office of Education established standards according to which school systems in the process of desegregation can remain qualified for federal funds. 45 CFR §§ 80.1–80.13,, 181.1–181.76 (1967). "Freedom-of-choice" plans are among those considered acceptable, so long as in operation such a plan proves effective. 45 CFR § 181.54. The regulations provide that a school system "subject to a final order of a court of the United States for the desegregation of such school . . . system" with which the system agrees to comply is deemed to be in compliance with the statute and regulations. 45 CFR § 80.4(c). See also 45 CFR § 181.6. See generally Dunn, Title VI, the Guidelines and School Desegregation in the South, 53 Va L Rev 42 (1967); Note, 55 Geo LJ 325 (1966); Comment, 77 Yale LJ 321 (1967).

[3] This case was decided per curiam on the basis of the opinion of Bowman v County School Board of Charles City County, 382 F2d 326, decided the same day. Certiorari has not been sought for the Bowman case itself.

[5] [4] "We bear in mind that the court has not merely the power but the duty to render a decree which will so far as possible eliminate the discriminatory effects of the past as well as bar like discrimination in the future." Louisiana v United States, 380 US 145, 154, 13 L Ed 2d 709, 715, 85 S Ct 817. Compare the remedies discussed in, e.g., NLRB v Newport News Shipbuilding & Dry Dock Co., 308 US 241, 84 L Ed 219, 60 S Ct 203; United States v Crescent Amusement Co., 323 US 173, 89 L Ed 160, 65 S Ct 254; Standard Oil Co v United States, 221 US 1, 55 L Ed 619 31 S Ct 502, 34 LRA NS 834. See also Griffin v County School Board, 377 US 218, 232–234, 12 L Ed 2d 256, 265–267, 84 S Ct 1226.

[5] The views of the United States Commission on Civil Rights, which we neither adopt nor refuse to adopt, are as follows:

"Freedom of choice plans, which have tended to perpetuate racially identifiable schools in the Southern and border States, require affirmative action by both Negro and white parents and pupils before such disestablishment can be achieved. There are a number of factors which have prevented such affirmative action by substantial numbers of parents and pupils of both races:

"(a) Fear of retaliation and hostility from the white community continue to deter many Negro families from choosing formerly all-white schools;

"(b) During the past school year [1966–1967], as in the previous year, in some areas of the South, Negro families with children attending previously all-white schools under free choice plans were targets of violence, threats of violence and economic reprisal by white persons and Negro children were subjected to harassment by white classmates notwithstanding conscientious efforts by many teachers and principals to prevent such misconduct;

"(c) During the past school year, in some areas of the South public officials improperly influenced Negro families to keep their children in Negro schools and excluded Negro children attending formerly all-white schools from official functions;

"(d) Poverty deters many Negro families in the South from choosing formerly all-white schools. Some Negro parents are embarrassed to permit their children to attend such schools without suitable clothing. In some districts special fees are assessed for courses which are available only in the white schools;

"(e) Improvements in facilities and equipment . . . have been instituted in all-Negro schools in some school districts in a manner that tends to discourage Negroes from selecting white schools." Southern School Desegregation, 1966–1967, at 88 (1967). See id., at 45–69; Survey of School Desegregation in the Southern and Border States 1965–1966, at 30–44, 51–52 (U.S. Comm'n on Civil Rights 1966).

[6] "In view of the situation found in New Kent County, where there is no residential segregation, the elimination of the dual school system and the establishment of a 'unitary, non-racial system' could be readily achieved with a minimum of administrative difficulty by means of geographic zoning—simply by assigning students living in the eastern half of the county to the New Kent School and those living in the western half of the county to the Watkins School. Although a geographical formula is not universally appropriate, it is evident that here the Board, by separately busing Negro children across the entire county to the 'Negro' school, and the white children to the 'white' school, is deliberately maintaining a segregated system which would vanish with non-racial geographic zoning. The conditions in this county present a classical case for this expedient." Bowman v. County School Board, supra, n 3, at 332 (concurring opinion).

Petitioners have also suggested that the Board could consolidate the two schools, one site (e.g., Watkins) serving grades 1–7 and the other (e.g., New Kent) serving grades 8–12, this being the grade division respondent makes between elementary and secondary levels. Petitioners contend this would result in a more efficient system by eliminating costly duplication in this relatively small district while at the same time achieving immediate dismantling of the dual system.

[17] These are two suggestions the District Court should take into account upon remand, along with any other proposed alternatives and in light of considerations respecting other aspects of the school system such as the matter of faculty and staff desegregation remanded to the court by the Court of Appeals.

BIRDIE MAE DAVIS ET AL., APPELLANTS-CROSS APPELLEES, UNITED STATES OF AMERICAN ET AL., APPELLANTS-CROSS APPELLEES, *v.* BOARD OF SCHOOL COMMISSIONERS OF MOBILE COUNTY ET AL., APPELLEES-CROSS APPELLANTS

(Nos. 26886, 27491, 27260, United States Court of Appeals, Fifth Circuit, June 3, 1969; Rehearing Denied June 20, 1969)

School desegregation cases. On remand, 5 Cir., 393 F.2d 690, the United States District Court for the Southern District of Alabama, Daniel Holcombe Thomas, J., entered order formulating attendance zone lines and approved school construction plans and appeals were taken. The Court of Appeals held that where only about 6% of rural Negro school population in county chose to attend traditionally white schools and no white children had chosen to attend traditionally Negro schools, freedom of choice plan for rural schools was an impermissible desegregation plan.

Reversed and remanded with directions.

Before John R. Brown, Chief Judge, Dyer, Circuit Judge, and Hunter, District Judge.

Per Curiam:

In No. 26,886 the District Court on July 29, 1968, entered an order formulating attendance zone lines for grades 1–8 in the city portion of the Mobile School System, adopted freedom of choice in the high school system, permitted transfer from a school into which a student was zoned if the student was in a racial minority of less than five percent, and continued a freedom of choice plan in the rural areas.

In Nos. 27,260 and 27,491 the District Court

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on December 20, 1968, and March 14, 1969, approved construction plans for the Howard and Toulminville schools respectively.

We consolidated and expedited these appeals for oral argument.

It is apparent that the District Court relied wholly upon and gave literal interpretation to the directive in our decision of March 12, 1968, 5 Cir., 393 F.2d 690, that new attendance zones be drawn on a non-racial basis and ignored the unequivocal directive to make a conscious effort in locating attendance zones to desegregate and eliminate past segregation. The record shows and the statistics prove that the attendance zones formulated by the District Court are constitutionally insufficient and unacceptable, and such zones must be redrawn.

In approving a freedom of choice plan for high school students the District Court failed to follow the mandate in our opinion that no distinction was to be drawn between elementary and high school students with respect to attendance zones, and that the same principles were to govern the assignment of students to secondary as to primary schools.

[1] A provision permitting transfers from racial majority to racial minority schools is entitrely proper and should be included in a plan.

[2] The converse, transfers from racial minority to racial majority schools, permitted by the District Court, even when restricted to those instances when the racial minority is 5% or less, is erroneous. This is tantamount to an authorization to white students to resegregate and is impermissible as a means for the perpetration of segregation. Monroe v. Board of Commissioners, 1968, 391 U.S. 450, 88 S.Ct. 1700, 20 L.Ed.2d 733; Goss v. Board of Education, 1963, 373 U.S. 683, 83 S.Ct. 1405, 10 L.Ed.2d 632.

[3] The freedom of choice plan for the rural schools approved by the District Court has singularly failed. Only about 6% of the rural Negro school population in Mobile County chose to attend traditionally white schools and no white children chose to attend traditionally Negro schools. Green v. County School Board, 1968, 391 U.S. 430, 88 S.Ct. 1689, 20 L.Ed.2d 716, makes it clear that freedom of choice was an impermissible desegregation plan here.

[4] With respect to the construction of new facilities in the Howard and Toulminville sites, whether these schools should be built as presently proposed, abandoned, or the location changed will largely depend on what the student demands will be after new attendance zones are established to eliminate past segregation. Until new attendance zones are formulated in accordance with this order, the order of this court enjoining the construction of the Howard school and the Toulminville project will be continued in effect.

Actually, the formulation of appropriate decrees in the cases before the Court present few, if any, justiciable issues of constitutional import. Such issues have been largely resolved. The difficulties involved in developing a proper decree concern basically practical operational questions and matters of educational administration. H.E.W., with its staff of trained educational experts "with their day to day experience with thousands of school systems", is far better qualified to deal with such operational and administrative problems than the Courts presided over by Judges, who, as one Court has phrased it, "do not have sufficient competence—they are not educators or school administrators—to know the right questions, much less the right answers." United States v. Jefferson County Board of Education, 5th Cir. 1966, 372 F.2d 836, 855; * * *.

Whittenberg v. Greenville County School District, etc. (D.S.C. March 31, 1969), 298 F.Supp. 784, 789, 790.

The orders of the District Court are reversed and the cases are remanded to the District Court with the following instructions:

1. This case shall receive the highest priority.

2. The District Court shall forthwith request the Office of Education of the United States Department of Health, Education, and Welfare to collaborate with the Board of School Commissioners of Mobile County in the preparation of a plan to fully and affirmatively desegregate all public schools in Mobile County, urban and rural, together with comprehensive recommendations for locating and designing new schools, and expanding and consolidating existing schools to assist in eradicating past discrimination and effecting desegregation. The District Court shall further require the School Board to make available to the Office of Education or its designees all requested information relating to the operation of the school district.

3. Proceed according to an expedited time schedule for the submission, review and approval of the plan, as follows:

(a) The board shall within 30 days of this order develop, in conjunction with the experts of the Office of Health, Education, and Welfare, an acceptable plan of operation, conformable to the constitutional rights of the Negro students as we have delineated in this opinion.

(b) If such plan is agreed upon by the school board and the Office of Education within the time fixed, the Court will approve such plan, unless the plaintiffs within ten days make proper showing that the plan does not meet constitutional standards.

(c) If no such agreed plan is developed within 30 days, the Office of Education is requested to submit within 10 days its recommendation of a plan for the school district.

(d) The parties shall have ten days from the date a plan is filed with the District's Court to file objections or suggested amendments thereto.

(e) For plans as to which objections are made or amendments suggested, or which in any event the District Court will not approve without hearing, the District Court shall commence hearings beginning no later than ten days after the time for filing objections has expired.

(f) A new plan for the district effective for the beginning of the 1969–70 school term shall be completed and approved by the District Court no later than August 1, 1969.

(g) The recommendations as to new construction shall be submitted to the District Court within 120 days of this order.

Because of the urgency of formulating and approving plans to be effective for the 1969–70 school term it is ordered as follows: The mandate of this court shall issue immediately and will not be stayed pending petitions for rehearing or certiorari. This court will not extend the time for filing petitions for rehearing or briefs in support of or in opposition thereto. Any appeals from orders or decrees of the District Court on remand shall be expedited. The record on appeal shall be lodged with this court and appellants' brief filed, all within ten days of the date of the order or decree of the district court from which the appeal is taken. Appellee's brief shall be due ten days thereafter. The court will determine the time and place for oral argument if allowed.

Reversed and remanded with directions.

Hunter, District Judge (concurring):

In my judgment "nonracial zoning" coupled with a majority to minority transfer provision would best serve the interests of all the school children in metropolitan Mobile. However, this court in its opinion of March 12, 1968, added a *caveat* to its instructions that attendance zones be based on objective criteria (393 F. 2d at 694):

"* * * conscious effort should be made to move boundary lines and change feeder patterns which tend to preserve segregation."

This is the law of the case and is consistent with recent decisions of the Fifth Circuit. United States v. Greenwood Municipal Separate District, 406 F. 2d 1086 (5 Cir. Feb. 1969).

Students in the rural portion of the system have been assigned to schools on the basis of freedom of choice. In 29 consolidated cases involving factual settings very familiar, I have held that Jefferson-type freedom of choice in Louisiana School Districts "had real prospects of dismantling the dual system at the earliest practicable date" and that this was the best method available to do the job. Conley v. Lake Charles Sch. Bd., W.D.La. 1968, 293 F.Supp. 84. These cases have been reversed. Hall et al. v. St. Helena Parish School Board, Nos. 26450 and 27303, May 28, 1969. There can be no doubt that Hall, supra, requires a holding here that as now constituted, administered and operating in the Mobile Public School System, freedom of choice is not effectual.

On petition for rehearing.

Per curiam:

It is ordered that the petition for rehearing filed in the above entitled and numbered cause be and the same is hereby denied, and the motion of appellees for a stay of execution and enforcement of the judgment is denied.

Hunter, District Judge:

Under the total circumstances I would grant the petition for rehearing.

United States of America, by John Mitchell, Attorney General, Plaintiff-Appellant, Danita Hampton, by Her Mother and Next Friend, Yvonne Hampton, et al., Plaintiffs-Intervenors-Appellants, *v.* Choctaw County Board of Education et al., Defendant-Appellees

(No. 27297, United States Court of Appeals, Fifth Circuit, June 26, 1969)

School desegregation case. The United States District Court for the Southern District of Alabama, Virgil Pittman, J., denied motions for supplemental relief, and appeal was taken. The Court of Appeals, Wisdom, Circuit Judge, held that where freedom of choice plan for desegregating schools had not worked and as proposed had little chance of working, school board would be required to submit a new desegregation plan based on zoning and pairing of schools.

Reversed and remanded with directions.

See also 5 Cir., 417 F.2d 845.

Wisdom, Circuit Judge:

This school desegregation case is one of a number of recent cases[1] raising the question whether school boards should resort to zoning and pairing of schools rather than adhere to freedom of choice as prescribed in *Jefferson*.[2]

Some day in the not-far-distant future this Court should be able to say to a school board, "You have met the standards implicit in the Constitution and explicit in our judicial mandates; go about your business of educating children". In *Jefferson* we hoped to accelerate that day by establishing specific but not necessarily inflexible standards that everyone could understand. We based the model decree on three principles:

(1) School boards "have the *affirmative* duty under the Fourteenth Amendment to bring about an integrated, unitary school system in which there are no Negro schools and no white schools—just school".[3]

(2) The dual system must be liquidated "lock, stock, and barrel"—students, teachers, staff, faculties, transportation, and school activities.[4]

(3) The test is an objective one: "The only school desegregation plan that meets constitutional standards is one that works";[5] freedom of choice "is a means to an end"[6]

XUM

that must yield to other means, unless the end is attained.[7]

[1, 2] *Jefferson* rested on the assumption that school boards would realize that their duty to take affirmative action to dismantle the dual system is not discharged simply by opening the doors of white schools to Negro applicants. The board's duty is not discharged until all-Negro schools in the system are done away with and faculties are so integrated "that the pattern of teacher assignment to any particular school [is] not identifiable as tailored for a heavy concentration of either Negro or white pupils in the schools."[8] Every judge in this circuit knows that the school administrators, almost without exception, have shown good faith and diligence in permitting free transfers. For that reason in many school systems there has been substantial desegregation of white schools. But every judge in this circuit also knows that there has been *no* progress in any school district toward desegregation of Negro schools.[9] The happy day when courts retire from the business of scrutinizing schools is wholly dependent on school boards' facing up to the necessity of doing away with all-Negro schools and effectively integrating faculties. That is true, no matter whether school boards use freedom of choice, zoning, or a combination of the two plans. Meantime, if freedom of choice, now so stoutly defended by school boards, is not successful, alternatives must be adopted that give promise of working *now*.

Green v. County Board of New Kent County, Virginia, 1968, 391 U.S. 430, 441, 442, 88 S.Ct. 1689, 1696, 20 L.Ed. 2d 716, supplies content to the concept of "workability".[10]

First, the Court noted that the existence of an all-Negro school is, as a matter of law, evidence of the failure of the desegregation plan. Second, statistics indicating that 85 per cent of the Negro children still attend the all-Negro school show that "the school system remains a dual system." Third, in determining whether the Board met the "commands" in *Brown*,[11] "it is relevant that the first step did not come until some 11 years after *Brown I* and 10 years after *Brown II* directed the making of a 'prompt and reasonable start'". Fourth, the Court emphasized that the burden of dismantling the dual system was on the school boards, not the school children and their parents. When a plan is not working, the Board "must be required to formulate a new plan". Finally, the Court made two specific suggestions: zoning (where there is no residential segregation) and pairing or consolidation of schools. "These are two suggestions the District Court should take into account on remand, along with any other proposed alternatives and in light of considerations respecting other aspects of the school system such as the matter of faculty and staff desegregation remanded to the Court by the Court of Appeals."

Shortly after *Green* was decided, this Court reviewed freedom of choice plans in use in over thirty school systems. Adams v. Mathews, 5 Cir. 1968, 403 F.2d 181. We interpreted *Green* as holding that:

"If in a school district there are still all-Negro schools or only a small fraction of Negroes enrolled in white schools, or no substantial integration of faculties and school activities then, as a matter of law, the existing plan fails to meet constitutional standards as established in *Green*." 403 F.2d at 188.

I

Choctaw County is a small rural county in Alabama. Slightly more than half of the traditionally white, three traditionally Negroes. Five of its eight public schools are traditionally white, three traditionally Negro.

On August 30, 1966, twelve years after the Supreme Court decided *Brown I*, the United States filed this action to desegregate the Choctaw County public schools, September 15, 1967, the district court entered the *Jefferson* decree.

Not long after the Supreme Court decided *Green*, the United States and the interveners[12] filed motions for supplemental relief based on *Green*. These motions alleged that zoning and pairing of schools would be more likely to achieve a unitary system than a freedom of choice plan, and requested the court to order the School Board to submit a new plan consistent with *Green*. At the hearing on July 23, 1968, the Superintendent of Schools for Choctaw County testified that Negroes and whites reside in all areas of the county; that Negroes were bussed past white schools and whites bussed past Negro schools.

In its opinion order of September 3, 1968, the district court found that in the school year 1967–68 thirteen Negroes attended white schools; no white student attended the traditional Negro schools. Two of the 105 Negro teachers in the school system taught in white schools; none of the 95 white teachers taught in Negro schools.

The district court noted that there had been complaints that white students harassed Negroes attending white schools. The court also noted that at the beginning of the 1967–68 school year the Negro community staged a boycott of the schools. The court concluded that for these reasons and also because the School Board has "not been sufficiently aggressive" in implementing the plan, that the freedom of choice plan, although having 'a great potential'" in Choctaw County, "has not yet worked effectively". Nevertheless, the district court denied the motions of the United States and of the intervenors. The court said that it was "inadvisable at this time" to enter any order using the alternatives suggested in *Green:*

"In a rural system such as we have here, which has a division of 48 per cent white and 52 per cent Negro,[13] a zoning or pairing plan which might instantly abolish the dual system, would be accompanied by (1) an emotional wrench, a fact as big as life,[14] and by (2) enormous educational problems which cannot be ignored occasioned by an educational gap which exists between the races."[15]

The district court's denial of the motions for supplemental relief was "specifically conditioned upon the Choctaw County School Board meeting the following conditions now and not later than the beginning of the second semester of the 1968–69 school year, to wit:

"(1) A minimum of 10 per cent of the Negro school population attend traditional white schools in 1968–1969, and plans made now to have not less than 20 per cent in attendance the school year beginning 1969–1970.

"(2) That in all schools in the county system that a ratio of teachers of the opposite race be not less than 6 of the majority race to 1 of the minority race in a particular school."

The record does not show to what extent the School Board succeeded in meeting these conditions in the 1969–69 school year.

[3, 4] A freedom of choice plan is not per se unconstitutional.[16] Nor is a school desegregation plan based on zoning per se constitutional.[17] But it is apparent that in Choctaw County freedom of choice has not "worked" and as proposed has little chance of working:

(1) There are still all-Negro schools;

(2) There is still only token student desegration;

(3) There is no faculty desegregation.[18]

[5, 6] As a matter of law, there must be *student* desegregation *now*, not 10 per cent in 1968–69, 20 per cent in 1969–70, and so on until desegregation eventually is effected. Reiterating its previous reminders that the time for deliberate speed has run out, the Court in *Green* stated the rule that applies today (391 U.S. at 439, 88 S. Ct. at 1694):

"The burden on a school board today is to come forward with a plan that promises realistically to work, and promises realistically to work now." (Emphasis by the Court)

United States v. Bessemer, 5 Cir. 1968, 396 F. 2d 44, set a date for compliance with the requirement of adequate faculty desegregation: the first day of the 1970–71 school year. Under the plan approved by the district court, the Choctaw County School Board cannot possibly have faculty integrated by "C-Day".

II

We remand the case to the district court with the following instructions:[19]

(1) This case shall receive the highest priority.

(2) The district court shall require the School Board of Choctaw County to submit a new desegregation plan based on zoning and pairing of schools, as suggested by the Supreme Court in *Green*.[20] The district court shall enter findings of fact and conclusions of law as to the efficacy of the new plan to disestablish *now* the vestiges of the dual system. Attendance zones will be drawn to promote desegregation. The plan shall retain those viable elements of the *Jefferson* decree which are consistent with zoning; for example, the requirement that transportation facilities be desegregated. The district court shall require the School Board to make regular reports to the court to show the effectiveness of its desegregation plan.

(3) The plan shall provide for freedom of transfer when the student applies for a transfer from a school where his race is in the majority to a school where his race is in the minority.[21]

To avoid resegregation, minority-to-majority transfers should be permitted only in exceptional cases.[22]

(4) The plan shall provide for eliminating all-Negro schools by the start of the 1969–70 school term. An all-Negro school, even if desired by the students and their parents, is just as wrong constitutionally, as an all-white school desired by white students and their parents.

(5) By September 1970 in each school the pattern of teacher assignment to any particular school should not be identifiable as tailored for a heavy concentration of either Negro or white pupils in the school. As an interim objective, in each school the ratio of teachers of one race to teachers of the opposite race shall be approximately three to one by the start of the 1969–70 school term. Successful desegregation of faculties requires desegregation of principals, substitute teachers, and student teachers.

(6) The district court shall forthwith request the Office of Education of the United States Department of Health, Education and Welfare to collaborate with the School Board of Choctaw County in the preparation of a plan to desegregate fully and affirmatively all public schools in the county, with comprehensive recommendations for locating and designating new schools, and consolidating existing schools to assist in eradicating past discrimination and effecting desegregation.[23]

The district court shall further require the School Board to make available to the Office of Education or its designees all requested information relating to the operation of the school district.

(7) The time schedule for the submission, review and approval of the new plan shall be as follows:

(a) The board shall within 30 days of this order develop, in conjunction with the experts of the Office of Health, Education and Welfare, offer an acceptable plan of operation, conformable to the constitutional rights of the Negro students as we have delineated in this opinion.

Footnotes at end of article.

XUM

(b) If such plan is agreed upon by the school board and the Office of Education within the time fixed, the Court will approve such plan, unless the plaintiffs within ten days make proper showing that the plan does not meet constitutional standards.

(c) If no such agreed plan is developed within 30 days, the Office of Education is requested to submit within 10 days its recommendation of a plan for the school district.

(d) The parties shall have ten days from the date a plan is filed with the District Court to file objections or suggested amendments thereto.

(e) If the parties object to the plan or suggest amendments, the District Court shall commence hearings beginning not later than ten days after the time for filing objections has expired.

(f) A new plan for the district effective for the beginning of the 1969–70 school term shall be completed and approved by the District Court no later than August 15, 1969.

Because of the urgency of formulating and approving plans to be effective for the 1969–70 school term it is ordered as follows: The mandate of this court shall issue immediately and will not be stayed pending petitions for rehearing or certiorari. This court will not extend the time for filing petitions for rehearing or briefs in support of or in opposition thereto. Any appeals from orders or decrees of the District Court on remand shall be expedited. The record on any appeal shall be lodged with this court and appellants' brief filed, all within ten days of the date of the order or decree of the district court from which the appeal is taken. Appellee's brief shall be due ten days thereafter. The court will determine the time and place for oral argument if allowed.

III

The district court entered a *Jefferson*-type decree on September 15, 1967. The defendants perfected an appeal on September 21, 1967. On May 14, 1968, certain Negro children in Choctaw County and their parents filed a motion to intervene on their own behalf and on behalf of all other Negro children residing in the county. After a hearing, the district court, on June 21, 1968, granted the motion to intervene. The defendants then filed a petition for mandamus in this court to set aside the intervention on the ground that after an appeal of a cause, the district court no longer has jurisdiction to allow an intervention in the district court.

This court denied the petition for mandamus, but reserved to the Board the right to raise the issue in other proceedings.

[7] School desegregation plans under court order are under continuing review by district courts. In this case, as in many cases, the continuing development of the law requires the district court to retain jurisdiction of the cause even though there may be an appeal from a particular "final order". We hold that the district court properly acted within a sound judicial discretion in permitting the intervention in this case after the Board appealed from the entry of the *Jefferson* decree.

We note that in open court the attorneys for the plaintiff-intervenors waived any claim for attorneys' fees.

IV

Without giving any reasons, the district court taxed costs against the United States to reimburse the defendants for the expense resulting from an unnecessary pre-trial discovery.

On July 11, 1968, the defendants moved to take the deposition of some of the plaintiff-intervenors and certain other witnesses. The depositions were taken, as scheduled, over the objection of the plaintiff-intervenors. Counsel for the plaintiff-intervenors objected to some of the questions and instructed the witnesses not to answer.

The record is not clear as to what transpired. Counsel for the government state that they attended the depositions but did not participate in any of the examination; that government counsel represented only the United States; that counsel for the government neither instructed the witnesses to answer or not to answer the subject questions.

On July 17, 1968, the defendants moved the district court to compel pre-trial discovery relating to those matters about which the witnesses had previously refused to answer questions. The district court ordered the witnesses to answer, and the depositions were taken on August 7, 1968.

The defendants, as a basis for claiming costs and attorneys' fees against the plaintiff or its counsel, stated in their motion that the additional costs involved "* * * was the proximate result of the misconduct of counsel for the intervenors, *condoned and tactly approved by counsel* for the Department of Justice."

A judgment for costs "may be awarded to the prevailing party in any civil action brought by or against the United States * * *." 28 U.S.C. § 2412. This statute and Rule 54(d) speak in terms of the "prevailing party." Although not a party to the dispute over the depositions the United States was the original party to bring the action.

In view of the uncertain state of the record on this issue, we set aside that portion of the order taxing the costs of the depositions to the United States, subject to the right of the defendants to renew their motion to tax costs. We suggest to the district judge that he make findings of fact and conclusions of law as to the liability of the government for costs of the depositions.

The judgment in this case is reversed and remanded for further proceedings consistent with this opinion.

FOOTNOTES

[1] United States v. Jefferson County Board of Education, 5 Cir. 1969, 417 F. 2d 834 (Jefferson III); Davis v. Board of School Commissioners of Mobile County, 5 Cir. 1969, 414 F. 2d 69; Hall v. United States, 5 Cir. 1969, 417 F. 2d 801.

[2] United States v. Jefferson County Board of Education, 5 Cir. 1966, F. 2d 836 (Jefferson L), adopted on rehearing en banc, 1967, 380 F. 2d 385 (Jefferson II), cert. denied, 389 U.S. 840, 88 S. Ct. 67, 19 L. Ed. 2d 103.

[3] Jefferson II, 380 F. 2d at 389.

[4] "Relief to the class requires school boards to desegregate the school from which a transferee comes as well as the school to which he goes. It requires conversion of the dual zones into a single system. Faculties, facilities, and activities as well as student bodies must be integrated." Jefferson I, 372 F. 2d at 868. See also Jefferson II, 380 F. 2d at 389.

[5] Jefferson I, 372 F. 2d at 847.

[6] Jefferson II, 380 F. 2d at 390.

[7] "If school officials in any district should find that their district still has segregated faculties and schools or only token integration, their affirmative duty to take corrective action requires them to try an alternative to a freedom of choice plan, such as a geographic attendance plan, a combination of the two, the Princeton plan, or some other acceptable substitute, perhaps aided by an educational park. Freedom of choice is not a key that opens all doors to equal educational opportunities." Jefferson I, 372 F. 2d at 895–896.

[8] Jefferson II, 380 F. 2d at 394.

[9] In Lee v. Macon County Board of Education, M.D.Ala., 1967, 267 F. Supp. 458; 289 F. Supp. 975, involving a number of school systems in Alabama, the district court continues to accept freedom of choice, but has met the problem of the all-Negro school by requiring school boards to close certain schools, to consolidate and pair schools, and to assign a certain percentage of students to the school nearest their home.

[10] Raney v. Board of Education, 1968, 391 U.S. 443, 88 S.Ct. 1697, 20 L.Ed.2d 727 and Monroe v. Board of Commissioners, 1968, 391 U.S. 450, 88 S.Ct. 1700, 20 L.Ed.2d 733, 735 are companion cases.

[11] Brown v. Board of Education of Topeka, Shawnee County, Kansas, 1954, 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873 (Brown I); 1955, 349 U.S. 294, 75 S.Ct. 753, 99 L.Ed. 1003 (Brown II).

[12] The intervenors are Negro school children and their parents in Choctaw County.

[13] The school district in *Green* had 57 per cent Negro and 43 per cent white students. In Raney v. Board of Education of the Gould School District, 1968, 391 U.S. 443, 88 S.Ct. 1697, 20 L.Ed.2d 727, one of the companion cases to *Green*, the Negro students constituted 66 per cent of the school population.

[14] This is an impermissible consideration. As the Supreme Court said in *Brown* II, 349 U.S. at 300, 75 S.Ct., at 756, "[I]t should go without saying that the vitality of these constitutional principles cannot be allowed to yield simply because of disagreement with them". See also Monroe v. Board of Commissioners, 1968, 391 U.S. 450, 459, 88 S.Ct. 1700, 20 L.Ed.2d 733. There is no reason to believe that the emotional wrench would be greater in Choctaw County, Alabama, than in New Kent County, Virginia (Green) or in Gould, Arkansas (Raney). See footnote 13.

[15] School desegregation cannot be delayed on the ground that Negroes have lower educational levels than whites in the same grades or age groups; that therefore "compliance with the Supreme Court's decision would be detrimental" to the students. Stell v. Savannah-Chatham County Board of Education, 5 Cir. 1961, 318 F.2d 425, 333 F.2d 55; Jackson Municipal School District v. Evers, 5 Cir. 1966, 357 F.2d 653. The existing effects of past discrimination do not justify perpetuating the unconstitutional conditions which caused the present educational inequalities.

[16] See *Green*, 391 U.S. at 339, 88 S.Ct. 1689; *Jefferson III*; Adams v. Mathews, 5 Cir. 1968, 403 F.2d 181; Hall v. St. Helena Parish School Board, 5 Cir. 1969, 417 F.2d 801.

[17] See United States v. Greenwood Separate School District, 5 Cir. 1969, 406 F.2d 1086; Henry v. Clarksdale Municipal Separate School District, 5 Cir. 1969, 409 F.2d 682.

[18] Adams v. Mathews, 5 Cir. 1968, 403 F.2d 181, 188.

[19] These instructions are similar to those expressed in *Jefferson III* and Davis v. Board of School Commissioners of Mobile County, 5 Cir. 1969, 414 F.2d 69.

[20] Davis v. Board of School Commissioners of Mobile County, 5 Cir. 1968, 393 F.2d 690, 694; United States v. Greenwood Municipal Separate School District, 5 Cir. 1968, 406 F.2d 1086; Henry v. Clarksdale School District, 5 Cir. 1969, 409 F.2d 682.

[21] Adams v. Mathews, 5 Cir. 1968, 403 F.2d 181; Board of Public Instruction of Duval County v. Braxton, 5 Cir. 1968, 402 F.2d 900.

[22] Monroe v. Board of Commissioners of Jackson, Tennessee, 1968, 391 U.S. 450, 88 S.Ct. 1700, 20 L.Ed.2d 733; Goss v. Board of Education of City of Knoxville, Tenn., 1963, 373 U.S. 683, 83 S.Ct. 1405, 10 L.Ed.2d 632.

[23] "When desegregation plans do not meet minimum standards, the school authorities should ask HEW for assistance. And district courts should invite HEW to assist by giving advice on raising the levels of the plans and by helping to coordinate a school's promises with the school's performance. In view of the competent assistance HEW may furnish schools, there is a heavy burden on proponents of the argument that their schools

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cannot meet HEW standards." Jefferson I, 372 F.2d at 888 Davis v. Mobile quoted the following language from Wittenberg v. Greenville County School District, D.C.S.C.1969, 298 F. Supp. 784: "The difficulties involved in developing a proper decree concern basically practical operational questions and matters of educational administration. HEW with its staff of trained educational experts 'with their day to day experience with thousands of school systems,' is far better qualified to deal with such operational and administrative problems than the Court presided over by Judges who, as one Court has phrased it, 'do not have sufficient competence—they are not educators or school administrators—to know the right questions, much less the right answers.' "

Choctaw County Board of Education et al., Appellants, v. United States of America, Appellee

(No. 25639, United States Court of Appeals, Fifth Circuit, June 26, 1969)

School desegregation case. The United States District Court for the Southern District of Alabama, Virgil Pittman, J., entered order that school board close an all-Negro school, and appeal was taken. The Court of Appeals held that in view of fact that physical facilities, equipment, and instructional materials available at all-Negro school were inferior to the white and predominantly white elementary schools in county, it was proper to order county school board to close all-Negro school.

Affirmed with directions.

J. Edward Thornton, Mobile, Ala., for appellants, John Y. Christopher, Butler, Ala., Thornton and McGowin, Mobile, Ala., for counsel.

Vernol R. Jansen, U.S. Atty., Mobile, Ala., Kenneth L. Johnson, Gary J. Greenberg, Attys., Dept. of Justice, Washington, D.C., Jerris Leonard, Asst. Atty. Gen., David L. Norman, Deputy Asst. Atty. Gen., Merle W. Loper, Atty., Dept. of Justice, Washington, D.C., for appellee.

Before Wisdom, Circuit Judge, and Carswell and Roberts, District Judges.

Per Curiam:

The substantive issue in this case concerns the district court's order that the School Board of Choctaw County, Alabama, close the Melvin School, an all-Negro school.

I

The record supports the district court's finding that:

The physical facilities, equipment, and instructional materials available at the all-Negro Melvin School are inferior to the white and predominantly white elementary schools of Choctaw County. This school had, to wit, 81 students and three teachers in the 1966–1967 school year. On September 1, 1967, only two teachers had been employed although there were plans to secure one additional teacher in the event sufficient students enrolled, which in the judgment of the County Board, aside and apart from this decree, would justify keeping the school open. The evidence indicated that the number attending the Melvin School for the 1967–68 school year would be less than the, to wit, 81 who attended last year. In consideration of the size, the teacher personnel, and infeasibility of improving the Melvin School to the extent necessary in order for its education opportunities to be equivalent to those provided at the white or formerly white schools, the students presently enrolled at the Melvin School can be absorbed into other schools in Southern Choctaw County without creating conditions of overcrowding.

Here the school board deprived students at Melvin School of educational opportunities to be found in other schools in the district. It is evident that when such a school has only Negro students, closing the school will promote desegregation. The order therefore is "reasonably related" to "accomplishing" the objective of conversion to a unitary system—"equal educational opportunities on equal terms to all." Jefferson II, 5 Cir. 1969, 380 F.2d 385. The district court properly ordered the school closed. See Montgomery County Board of Education v. Carr, 5 Cir. 1968, 400 F.2d 1; Lee v. Macon County Board of Education, M.D.Ala. 1968, 292 F. Supp. 363; 289 F.Supp. 975, 978.

This is the easy case: Melvin School could not even have coexisted in 1896 with Plessy v. Ferguson, 163 U.S. 537, 16 S.Ct. 1138, 41 L.Ed. 256.

In Green v. County Board of Education of New Kent County, Virginia, 1968, 391 U.S. 430, 89 S.Ct. 1689, 20 L.Ed.2d 716 the Supreme Court held that the board's freedom of choice plan could not be accepted as a sufficient step to effectuate a transition. The decision was based, in part, on the existence of an all-Negro school, one of the two schools in the system. The Court pointed to the fact that not a single child had chosen to attend the Negro school in the three years the plan had been in effect; the Court made no reference to the quality of the school's facilities or faculty. This Court has said, "If in a school district there are still all-Negro schools * * * then, as a matter of law, the existing plan fails to meet constitutional standards". Adams v. Mathews, 5 Cir. 1968, 403 F.2d 181. See also Henry v. Clarksdale Municipal Separate School District, 5 Cir. 1969, 409 F.2d 682; Hall v. St. Helena Parish School Board, 5 Cir. 1969, 417 F.2d 801. See United States v. Choctaw County, 417 F.2d 838, a companion case to the instant case.

II

The appellants object to the district court's taxing costs against the Superintendent of Schools and the individual members of the School Board of Choctaw County. The character of a lawsuit, whether it is brought against persons in their official or private capacity, is determined by the nature of the pleadings. Even if there is no specific averment that the suit is against defendants only in their official capacity, that is the nature of the suit if it is clear from the allegations of the complaint. Lynn v. Clark, 254 N.C. 460, 119 S.E.2d 187 (1961); Giguere v. Rosselot, 110 Vt. 173, 3 A.2d 538 (1939); Reddy v. Johnston, 77 Idaho 402, 293 P.2d 945 (1956). Here the allegations of the complaint charge the Superintendent of Schools and the Board members only in the representative capacity, and not as individuals. Massey v. Payne, 109 W.Va. 529, 155 S.E. 658 (1930). Moreover, in open court the attorneys for the United States and the intervenors have disavowed any intention of asking that costs be taxed against the individual defendants.

The portion of the judgment below ordering Melvin School closed is affirmed. The portion of the judgment taxing costs against the defendants is affirmed, subject to the clarification that the costs shall not be taxed against the defendants in their individual capacities.

Appeal From the U.S. District Court, Northern District of Alabama

United States of America, and Doris Elaine Brown et al., Appellants, *v.* The Board of Education of the City of Bessemer et al., Appellees.

United States of America, and Dwight Armstrong et al., Appellants, *v.* Board of Education of the City of Birmingham, Jefferson County, Alabama, et al., Appellees.

United States of America and Linda Stout, by her father and next friend, Blevin Stout, Appellants, *v.* Jefferson County Board of Education et al., Appellees.

(Nos. 26582–26584, United States Court of Appeals, Fifth Circuit, July 1, 1969.)

Appeal from the United States District Court for the Northern District of Alabama at Birmingham; Seybourn H. Lynne, Judge, after prior remand, 5 Cir., 396 F.2d 44.

No. 26582:

Before Wisdom, Bell, and Godbold, Circuit Judges.

Per Curiam:

These school cases involve public school systems in Bessemer, Birmingham, and Jefferson County, Alabama. The central issue in each case is whether the court-approved plan carries out this Court's directive that interim goals be established for achieving total faculty desegregation by 1970–71. In another matter before this Court, cases involving two of these same school districts (Jefferson County and Bessemer County) were consolidated for purposes of appeal on the broad question of ordering a revision of the desegregation plan by requiring student assignments on a basis other than freedom of choice. United States v. Jefferson County (Jefferson III), 5 Cir. 1969, 417 F.2d 834.

We reverse and remand the instant cases for further consideration in light of United States v. Montgomery County Board of Education, 1969, 395 U.S. 225, 89 S.Ct. 1670, 23 L.Ed.2d 263, and in light of the following recent decisions of this Court: Jefferson III; United States v. Choctaw County Board of Education, 5 Cir. 1969, 417 F.2d 838 [June 26, 1969]; Davis v. Board of Commissioners of Mobile County, 5 Cir. 1969, 414 F.2d 69 [June 3, 1969]; Hall v. St. Helena Parish School Board, 5 Cir. 1969, 417 F.2d 801 [May 28, 1969]; Adams v. Mathews, 5 Cir. 1968, 403 F. 2d 181.

The mandate of this court shall issue immediately and will not be stayed pending petitions for rehearing or certiorari.

Godbold, Circuit Judge (specially concurring):

I concur in the result.

Bell, Circuit Judge (concurring specially):

I concur in the opinion and the result thereof except to the extent, if any, that the decisions of this court cited therein may exceed the requirements laid down by the Supreme Court in Green v. County School Board of New Kent County, Virginia, 391 U.S. 430, 88 S.Ct. 1689, 20 L.Ed.2d 716 (1968); Raney v. Board of Education of Gould, Arkansas, 391 U.S. 443, 88 S.Ct. 1697, 20 L. Ed. 2d 727 (1968); Monroe v. Board of Commissioners of City of Jackson, Tennessee, 391 U.S. 450, 88 S.Ct. 1700, 20 L.Ed.2d 733 (1968), to-wit: that dual school systems be disestablished. I am in fundamental disagreement with the approach of an appellate court stipulating the details of transition plans where couched in terms of constantly escalating interim demands. The specter of escalation, with no end in sight, retards the disestablishment process.

Congress has never acted as it could have under § 5 of the Fourteenth Amendment to set uniform standards for disestablishing dual school systems. Meanwhile, no court has defined "disestablishment". My view continues to be that school systems are entitled to know the ultimate standard. United States v. Jefferson County Board of Education, 5 Cir., 1967, 380 F.2d 385, dissenting opinion at p. 413.

United States of America, by John Mitchell, Attorney General, Plaintiff-Appellant, *v.* The Board of Education of Baldwin County, Georgia et al., Defendants-Appellees

(No. 27281, United States Court of Appeals, Fifth Circuit, July 9, 1969)

Before Wisdom and Carswell, Circuit Judges, and Roberts, District Judge.

Wisdom, Circuit Judge:

In a number of recent school desegregation cases this Court reversed the district court's orders approving a freedom of choice plan and remanded the cases with instructions that the court direct the school boards to

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submit a new plan based on zoning and pairing of schools. We suggested that the plan be formulated in the light of recent decisions of the United States Supreme Court[1] and of this Court.[2]

[1–3] A freedom of choice plan is not per se unconstitutional.[3] Indeed, it may be better fitted for certain districts than an attendance zone plan when, for example, a school district has well-marked residential racial patterns. The indispensable element of any desegregation plan, the element that makes it work, is the school board's recognition of its affirmative duty to disestablish the dual system and all its effects. As this Court has often said, that duty is not discharged simply by opening the doors of white schools to Negro applicants. The schools from which the Negroes come must be segregated as well as the schools to which they go. And in any situation the school board should choose the alternative that promotes disestablishment of the dual system and eradication of the effects of past segregated schooling. For example, the sites of new schools should be selected so as to promote desegregation.

[4, 5] In the case now before the Court we conclude, after a study of the record, that the district court correctly decided that a freedom of choice plan was more suitable than a zoning plan for Baldwin County, Georgia. We base this conclusion on the county's racial residential patterns, the locations of the schools, and the projections for 1969–70. Of course, in the administration of a freedom of choice plan, no less than in the administration of a zoning plan, effective desegregation may require the closing, consolidation, or pairing of schools.

[6] Our partial approval of the existing plan for Baldwin County is only tentative. We note that, as usual in school cases, the record is stale. The projections for the next year by comparison with this school year appear to be optimistic. That too is usual. We consider it essential, therefore, for the district court promptly to hold a hearing and to make findings of fact and draw conclusions of law as to the efficacy of the plan, as modified, to disestablish the dual system *now*.

[7] It is significant that the rate of desegregation in 9 of the 11 schools within this system under its "freedom of choice" plan only barely passes muster when compared with the teachings of *Green*. There remain within the system two schools which are all-Negro. An all-Negro school simply does not meet Constitutional standards, and, as many recent decisions of this Court have emphasized, they must be eliminated by September 1969. The Supreme Court rejected "freedom of choice" plan in *Green* because, in its words:

> "Racial identification of the system's schools was complete, extending not just to the composition of student bodies at the two schools but to every facet of school operation—faculty, staff, transportation, extracurricular activities and facilities. In short, the state * * * organized and operated a dual system, part 'white' and part 'Negro.'"

Thus, by this criteria, two of the eleven Baldwin County schools within the system remain all-Negro and there is no provision in the present plan for their desegregation by September 1969.

[8, 9] In addition to new steps the school board, with the approval of the district court, may take to dismantle the dual system, the plan must be modified so as to provide for the substance of the following requirements:

1. Compliance day for effective student desegregation is the first day of September 1969.

2. Compliance day for the elimination of all-Negro schools is the first day of September 1970. Steps which may be taken by the Board to eliminate racial identification of the present all-Negro schools, in addition to the specific requirements of faculty integration, are the establishment of vocational or other special courses of instruction, summer schools, and desegregation of staff and transportation and all types of extracurricular activities and facilities.

Footnotes at end of article.

3. Compliance day for total faculty desegregation is the first day of September 1970. By "total faculty desegregation" we mean that, as stated in *Jefferson*, "the pattern of teacher assignment to any particular school should not be identifiable as tailored for a heavy concentration of either Negro or white pupils in the school".[4] In Baldwin County the district judge found that there were about 180 white teachers to 120 Negro teachers. For the 1969–70 school year the race of at least one of every five faculty members in a school must be different from the race of the majority of the faculty members at that school.[5]

4. To avoid resegregation, the transfer of a student from a school where his race is in the minority to a school where his race is in the majority may be permitted only in exceptional cases.

5. The district court shall forthwith request the Office of Education of the United States Department of Health, Education and Welfare to collaborate with the School Board of Baldwin County in the preparation of a plan to desegregate fully and affirmatively all public schools in the county, with comprehensive recommendations for locating and designating new schools, and consolidating existing schools to assist in eradicating past discrimination and effecting desegregation. The district court shall further require the School Board to make available to the Office of Education or its designees all requested information relating to the operation of the school district.

6. The plan shall also provide for the prohibition of racial discrimination in student assignments by the School Board under its current contract with Georgia Military College.

We emphasize that these are minimal September 1969 goals. The district court with the benefit of a current record and with the assistance of counsel and the United States Department of Health, Education and Welfare may find it necessary to go beyond these minimal specific requirements. The court may well conclude on the basis of the new record and in the light of suggested alternatives that, indeed, zoning, pairing, or closing certain schools is required "to convert promptly to a system without a 'white' and a 'Negro' school, but just schools".[6]

The opinion and mandate issued July 1, 1969, are recalled. This opinion is substituted for the previous opinion. Because of the urgency of this matter the mandate will issue immediately.

Affirmed with modifications.

FOOTNOTES

[1] Green v. County Board of New Kent County, Virginia, 1968, 391 U.S. 430, 88 S.Ct. 1689, 20 L.Ed.2d 716; United States v. Montgomery County Board of Education, 1969, 395 U.S. 225, 89 S.Ct. 1670, 23 L.Ed.2d 263.

[2] United States v. Choctaw County Board of Education, 5 Cir. 1969, 417 F.2d 838 (June 26, 1969); United States v. Jefferson County, 5 Cir. 1969, 417 F.2d 834 (June 26, 1969); Davis v. Board of Commissioners of Mobile County, 5 Cir. 1969, 414 F.2d 69 (June 3, 1969); Hall v. St. Helena Parish School Board, 5 Cir. 1969, 417 F.2d 801 (May 28, 1969); Adams v. Mathews, 5 Cir. 1938, 403 F.2d 181.

[3] Green, 391 U.S. at 430, 88 S.Ct. 1689.

[4] United States v. Jefferson County Board of Education, 1967, 380 F.2d 385, 394 (Jefferson II).

[5] In Baldwin County the Department of Justice found that there are about 180 white teachers to 120 Negro teachers. In the *Montgomery* case, supra, the Supreme Court approved the district judge's order which established for the 1968–69 school year a ratio of five to one; that is, "in a school with 12 or more teachers, the race of least one out of every six faculty and staff members was required to be different from the race of the majority of the faculty and staff members at that school". At the time the ratio of white to Negro teachers in the system as a whole was three to two. That is identical with the racial composition of teachers in Baldwin County, Georgia. The Supreme Court noted that the "goals to be required for future years were not specified but were reserved for later decisions". The Supreme Court also noted that the district court's order provided that the board must move toward a goal under which "in each school the ratio of white to Negro faculty members is substantially the same as it is throughout the system". Judge Johnson ordered that the ratio of Negro to white teachers in the assignment of substitute, student, and night school teachers was to be almost immediately made substantially the same as the ratio of Negro to white teachers in each of these groups for the system as a whole.

[6] Green, 391 U.S. at 442, 88 S.Ct. at 1696; Jefferson II, 380 F.2d at 389.

SCHOOL DESEGREGATION CASES

United States of America, Plaintiff-Appellant, v. Hinds County School Board et al., Defendants-Appellees. (Civil Action No. 4075 (J)).

Buford A. Lee et al., Plaintiffs-Appellees, v. United States of America, Defendant-Appellant, v. Milton Evans, Third-Party Defendant-Appellee. (Civil Action No. 2034(H)).

United States of America, Plaintiff-Appellant, v. Kemper County School Board et al., Defendants-Appellees. (Civil Action No. 1373 (E)).

United States of America, Plaintiff-Appellant, v. North Pike County Consolidated School District et al., Defendants-Appellees. (Civil Action No. 3807(J)).

United States of America, Plaintiff-Appellant, v. Natchez Special Municipal Separate School District et al., Defendants-Appellees. (Civil Action No. 1120(W)).

United States of America, Plaintiff-Appellant, v. Marion County School District et al., Defendants-Appellees. (Civil Action No. 2178 (H)).

Joan Anderson et al., Plaintiffs-Appellants, United States of America, Plaintiff-Intervenor-Appellant, v. The Canton Municipal School District et al. and the Madison County School District et al., Defendants-Appellees. (Civil Action No. 3700(J)).

United States of America, Plaintiff-Appellant, v. South Pike County Consolidated School District et al., Defendants-Appellees. (Civil Action No. 3984(J)).

Beatrice Alexander et al., Plaintiffs-Appellants, v. Holmes County Board of Education et al., Defendants-Appellees. (Civil Action No. 3779(J)).

Roy Lee Harris et al., Plaintiffs-Appellants, v. The Yazoo County Board of Education et al., Defendants-Appellees. (Civil Action No. 1209(W)).

John Barnhardt et al., Plaintiffs-Appellants, v. Meridian Separate School District et al., Defendants-Appellees (Civil Action No. 1300(E)).

United States of America, Plaintiff-Appellant, v. Neshoba County School District et al., Defendants-Appellees. (Civil Action No. 1396(E)).

United States of America, Plaintiff-Appellant, v. Noxubee County School District et al., Defendants-Appellees. (Civil Action No. 1372(E)).

United States of America, Plaintiff-Appellant, v. Lauderdale County School District et al., Defendants-Appellees. (Civil Action No. 1367(E)).

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Dian Hudson et al., Plaintiffs-Appellants, United States of America, Plaintiff-Intervenor-Appellant, v. Leake County School Board et al., Defendants-Appellees. (Civil Action No. 3382(J)).

United States of America, Plaintiff-Appellant, v. Columbia Municipal Separate School et al., Plaintiff-Appellant. (Civil Action No. 2199(H)).

United States of America, Plaintiff-Appellant, v. Amite County School District et al., Defendants-Appellees. (Civil Action No. 3983(J)).

United States of America, Plaintiff-Appellant, v. Covington County School District et al., Defendants-Appellees. (Civil Action No. 2148(H)).

United States of America, Plaintiff-Appellant, v. Lawrence County School District et al., Defendants-Appellees. (Civil Action No. 2216(H)).

Jeremiah Blackwell, Jr., et al., Plaintiffs-Appellants, v. Issaquena County Board of Education et al., Defendants-Appellees. (Civil Action No. 1096(W)).

United States of America, Plaintiff-Appellant, v. Wilkinson County School District et al., Defendants-Appellees. (Civil Action No. 1160(W)).

Charles Killingsworth et al., Plaintiffs-Appellants, v. The Enterprise Consolidated School District and Quitman Consolidated School District, Defendants-Appellees. (Civil Action No. 1302(E)).

United States of America, Plaintiff-Appellant, v. Lincoln County School District et al., Defendants-Appellees. (Civil Action No. 4294 (J)).

United States of America, Plaintiff-Appellant, v. Philadelphia Municipal Separate School District et al., Defendants-Appellees. (Civil Action No. 1368(E)).

United States of America, Plaintiff-Appellant, v. Franklin County School District et al., Defendants-Appellees. (Civil Action No. 4256(J)).

(Nos. 28030, 28042, United States Court of Appeals, Fifth Circuit, July 3, 1969. Rehearing Denied and Rehearing En Banc Denied Oct. 9, 1969.)

School desegregation cases. The United States District Court for the Southern District of Mississippi, William Cox, Chief Judge, entered orders approving continued use by school districts of freedom of choice plan as a method for disestablishment of dual school systems, and appeals were taken. The Court of Appeals held that in view of fact that no white students had ever attended any traditionally Negro school in any of school districts and every district continued to operate and maintain its all-Negro schools, school districts would no longer be able to rely on freedom of choice plan as method for disestablishing their dual school systems, and, to eliminate dual character of these schools, alternative methods of desegregation must be employed which would include such methods as zoning and pairing.

Reversed and remanded with directions.

Before John R. Brown, Chief Judge and Thornberry and Morgan, Circuit Judges.

Per Curiam:

As questions of time present such urgency as we approach the beginning of the new school year September 1969–70, the court requested in advance of argument that the parties submit proposed opinion-orders modeled after some of our recent school desegregation cases. We have drawn freely upon these proposed opinion-orders.

These are twenty-five school desegregation cases in a consolidated appeal from an en banc decision of the U.S. District Court for the Southern District of Mississippi. These cases present a common issue: whether the District Court erred in approving the continued use by these school districts of freedom of choice plans as a method for the disestablishment of the dual school systems.

The plaintiffs' position is that the District Court erred in failing to apply the principles announced in recent decisions of the Supreme Court and of this Court.

These same school districts, along with others, were before this Court last year in Adams v. Mathews, 403 F.2d 181 (5th Cir., 1968). The cases were there remanded with instructions that the district courts determine:

(1) whether the school board's existing plan of desegregation is adequate "to convert [the dual system] to a unitary system in which racial discrimination would be eliminated root and branch" and

(2) whether the proposed changes will result in a desegregation plan that "promises realistically to work now."

403 F.2d at 188. In determining whether freedom of choice would be acceptable, the following standards were to be applied:

If in a school district there are still all-Negro schools or only a small fraction of Negroes enrolled in white schools, or no substantial integration of faculties and school activities, then, as a matter of law, the existing plan fails to meet constitutional standards as established in *Green. Ibid.*

In all pertinent respects, the facts in these cases are similar. No white students have ever attended any traditionally Negro school in any of the school districts. Every district thus continues to operate and maintain its all-Negro schools. The record compels the conclusion that to eliminate the dual character of these schools alternative methods of desegregation must be employed which would include such methods as zoning and pairing.

Not only has there been no cross-over of white students to Negro schools, but only a small fraction of Negro students have enrolled in the white schools. The highest percentage is in the Enterprise Consolidated School District, which has 16 percent of its Negro students enrolled in white schools—a degree of desegregation held to be inadequate in Green v. County School Board, 391 U.S. 430, 88 S.Ct. 1689, 20 L.Ed.2d 716 (1968). The statistics in the remaining districts range from a high of 10.6 percent in Forrest County to a low of 0.0 percent in Neshoba and Lincoln Counties. The projected enrollment statistics for the 1969–1970 school year show little improvement.[1] For the most part school activities also continue to be segregated. Although Negroes attending predominantly white schools do participate on teams of such schools in athletic contests, in none of the districts do white and all-Negro schools compete in athletics.

These facts indicate that these cases fall squarely within the decisions of the Supreme Court in *Green* and its companion cases and the decisions of this Court. See United States v. Greenwood Municipal Separate School District, 406 F. 2d 1086 (5th Cir. 1969); Henry v. Clarksdale Municipal Separate School District, 409 F. 2d 682 (5th Cir., 1969); United States v. Indianola Municipal Separate School District, 410 F. 2d 626 (5th Cir., 1969); Anthony v. Marshall County Board of Education, 409 F. 2d 1287 (5th Cir., 1969); Hall v. St. Helena Parish School Board, 417 F. 2d 801 (5th Cir., May 28, 1969); Davis v. Board of School Commissioners of Mobile County, 414 F. 2d 69 (5th Cir., June 3, 1969); United States v. Jefferson County Board of Education, 417 F. 2d 834 (5th Cir., June 26, 1969); United States v. Choctaw County Board of Education, 5 Cir. 1969, 417 F. 2d 838 (July 1, 1969); United States by John Mitchell v. Board of Education of Baldwin County, 5 Cir. 1969, 417 F. 2d 848 (July 1, 1969); United States v. Board of Education of the City of Bessemer, 5 Cir. 1969, 417 F. 2d 846 (July 1, 1969). The proper conclusion to be drawn from these facts is clear from the mandate of Adams v. Mathews, *supra:* "as a matter of law, the existing plan fails to meet constitutional standards as established in *Green.*"

We hold that these school districts will no longer be able to rely on freedom of choice as the method for disestablishing their dual school systems.

This may mean that the tasks for the courts will become more difficult. The District Court itself has stated that it "does not possess any of the training or skill or experience or facilities to operate any kind of schools; and unhesitatingly admits to its utter incompetence to exercise or exert any helpful power or authority in that area." And this Court has observed that judges "are not educators or school administrators." United States v. Jefferson County Board of Education, *supra*, 417 F. 2d at 834. Accordingly, we deem it appropriate for the Court to require these school boards to enlist the assistance of experts in education as well as desegregation; and to require the school boards to cooperate with them in the disestablishment of their dual school systems.

With respect to faculty desegregation, little progress has been made.[2] Although Natchez-Municipal Separate District has a level of 19.2% and Lawrence County a level of 10.6%, seven school districts have less than one full-time teacher per school assigned across racial lines. In the remaining systems, less than 10 percent of the full-time faculties teach in schools in which their race is in the minority. Faculties must be integrated. United States v. Montgomery County Board of Education, 393 U.S. 1116, 89 S.Ct. 989, 22 L.Ed.2d 121 (1969). Minimum standards should be established for making substantial progress toward this goal in 1969 and finishing the job by 1970. United States v. Board of Education of the City of Bessemer, 5 Cir., 1968, 396 F.2d 44; Choctaw County, supra; Baldwin County, supra.

The Court on the motion to summarily reverse or alternatively to expedite submission of the case filed by the Government and the private plaintiffs concluded that fundamental constitutional rights of many persons would be jeopardized, if not lost, if this Court routinely calendared this case for briefing and argument in the regular course. Before we could ever hear it, the opening of the school year September 1969–1970 would have gone by. With this and the total absence of any new issue even resembling a constitutional issue in this much litigated field, we therefore concluded that the appeals should be expedited. Full arguments were had and representatives from every District were heard from. In the course of these arguments, several contentions were made as to which we make these additional specific comments.

Based upon opinion surveys conducted by presumably competent sampling experts, testimony of school administrators, board members, and educational experts, the School Districts urged, and the District Court found in effect, that the failure of a single white student to attend an all-Negro school was due to the provisions of our *Jefferson* decree which in effect prohibited school authorities from influencing the exercise of choice by students or parents. We find this completely unsupported. This record affords no basis for any expectation of any substantial change were the provision modified.

Based upon similar testimony, the School Districts urged a related contention that the uncontradicted statistics showing only slight integration are not a reliable indicator of the commands of *Green.* This argument rests on the assertion that quite apart from a prior dual race school system, there would

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Footnotes at end of article

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be concentration of Negroes or white persons from what was described as "polarization." To bolster this, they pointed to school statistics in non-southern communities. Statistics are not, of course, the whole answer, but nothing is as emphatic as zero, and in the face of slight numbers and low percentages of Negroes attending white schools, and no whites attending Negro schools, we find this argument unimpressive.

In the same vein is the contention similarly based on surveys and opinion testimony of educators that on stated percentages (e.g., 20%, 30%, 70%, etc.), integration of Negroes (either from influx of Negroes into white schools or whites into Negro schools), there will be an exodus of white students up to the point of almost 100% Negro schools. This, like community response or hostility or scholastic achievement disparities, is but a repetition of contentions long since rejected in Cooper v. Aaron, 1958, 358 U.S. 1, 78 S.Ct. 1401, 3 L.Ed.2d 5; Stell v. Savannah-Chatham County Bd. of Ed., 5 Cir., 1964, 333 F.2d 55, 61; and United States v. Jefferson County Bd. of Ed., 5 Cir., 1969, 417 F.2d 834 [June 26, 1969].

The order of the District Court in each case is reversed and the cases are remanded to the District Court with the following direction:

1. These cases shall receive the highest priority.

2. The District Court shall forthwith request that educators from the Office of Education of the United States Department of Health, Education and Welfare collaborate with the defendant school boards in the preparation of plans to disestablish the dual school systems in question. The disestablishment plans shall be directed to student and faculty assignment, school bus routes if transportation is provided, all facilities, all athletic and other school activities, and all school location and construction activities. The District Court shall further require the school boards to make available to the Office of Education or its designees all requested information relating to the operation of the school system.

3. The board, in conjunction with the Office of Education, shall develop and present to the District Court before August 11, 1969, an acceptable plan of desegregation.

4. If the Office of Education and a school board agree upon a plan of desegregation, it shall be presented to the District Court on or before August 11, 1969. The court shall approve such plan for implementation commencing with the 1969 school year, unless within seven days after submission to the court any party files any objection or proposed amendment thereto alleging that the plan, or any part thereof, does not conform to constitutional standards.

5. If no agreement is reached, the Office of Education shall present its proposal to the District Court on or before August 11, 1969. The Court shall approve such plan for implementation commencing with the 1969 school year, unless within seven days a party makes proper showing that the plan or any part thereof does not conform to constitutional standards.

6. For plans to which objections are made or amendments suggested, or which in any event the District Court will not approve without a hearing, the District Court shall hold hearings within five days after the time for filing objections and proposed amendments has expired. In no event later than August 23, 1969.

7. The plans shall be completed, approved, and ordered for implementation by the District Court no later than August 27, 1969. Such a plan shall be implemented commencing with the beginning of the 1969–1970 school year.

8. Because of the urgency of formulating and approving plans to be implemented for the 1969–70 school term, it is ordered as follows: The mandate of this Court shall issue immediately and will not be stayed pending petitions for rehearing or certiorari. This Court will not extend the time for filing petitions for rehearing or briefs in support of or in opposition thereto. Any appeals from orders or decrees of the District Court on remand shall be expedited. The record on any appeal shall be lodged with this court and appellants' brief filed, all within ten days of the date of the order or decree of the district court from which the appeal is taken. Appellee's brief shall be due ten days thereafter. The court will determine the time and place for oral argument if allowed. No consideration will be given to the fact of interrupting the school year in the event further relief is indicated.

Reversed and remanded with directions.

On Petition for Rehearing en banc.

Per Curiam:

The Petition for Rehearing is denied and the Court having been polled at the request of one of the members of the Court and a majority of the Circuit Judges who are in regular active service not having voted in favor of it, (Rule 35 Federal Rules of Appellate Procedure; Local Fifth Circuit Rule 12) the Petition for Rehearing En Banc is also denied.

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1. Illustrative are the following tables, corrected to the latest available data furnished and checked by counsel, in the cases in which the Government is a party showing the racial character of the schools in each district and the enrollment by race:

RACIAL CHARACTER

District	Total number of schools	All-Negro	All-white	Predominantly white
Amite	5	2	1	2
Canton	5	3	--------	2
Columbia	4	1	--------	3
Covington	7	3	1	3
Forrest	9	1	2	6
Franklin	3	1	--------	2
Hinds	22	10	1	11
Kemper	5	2	1	2
Lauderdale	5	1	2	2
Lawrence	7	2	3	2
Leake	7	3	3	1
Lincoln	6	2	3	--------
Madison	8	4	--------	4
Marion	5	1	2	2
Meridian	19	8	--------	11
Natchez-Adams	15	7	--------	8
Neshoba	2	1	--------	1
North Pike	4	1	2	1
Noxubee	6	3	--------	3
Philadelphia	3	1	1	1
Sharkey-Issaquena	5	4	--------	1
Anguilla-Line	3	2	--------	1
South Pike	7	2	--------	5
Wilkinson	4	2	--------	2

ENROLLMENT BY RACE AND PERCENTAGE OF NEGROES IN WHITE SCHOOLS

District	Projected Enrollment 1969–70		Negroes in White Schools	
	Negro	White	Number	Percentage
Amite	2,649	1,484	63	2.4
Canton	3,440	1,352	4	.11
Columbia	912	1,553	60	6.6
Covington	1,422	1,968	89	5.1
Forrest	480	3,085	81	16.9
Franklin	1,029	1,124	38	3.7
Hinds	7,409	6,559	481	6.5
Kemper	1,896	786	11	.58
Lauderdale	1,872	3,060	26	1.4
Lawrence	1,263	1,889	32	2.5
Leake	1,586	1,950	67	4.3
Lincoln	941	1,149	5	.2
Madison	3,198	1,128	41	1.3
Marion	1,082	1,741	34	3.1
Meridian	3,974	5,805	606	15.2
Natchez-Adams	5,509	4,496	541	9.8
Neshoba	591	1,875	1	.16
North Pike	632	708	2	.31
Noxubee	3,002	829	95	3.2
Philadelphia	406	923	11	2.7
Sharkey-Issaquena	1,241	603	104	6.4
Anguilla-Line	769	207	30	3.9
South Pike	1,737	994	[1] 46	2.6
Wilkinson	2,032	689	55	2.7

1. There is a disagreement over proper accounting for some special classes which, for these purposes, we consider unimportant.

2. The latest corrected figures (see note 1 supra) are:

District	Full & part time teachers		Full time desegregating teachers		Part time desegregating teachers	
	Negro	White	Negro	White	Negro	White
Amite	95	66	0	0	0	0
Canton	120	81	3	11	1	9
Columbia	43	71	5	4	0	4
Covington	64	103	3	3	1	5
Forrest	43	122	4	3	1	2
Franklin	44	45	3	4	1	1
Hinds	295	281.9	22	0		
Kemper	68	45	0	1	0	3
Lauderdale	82	131	8	3	0	0
Lawrence	50	81	10	4	0	1
Leake	87	90	0	3	0	1
Lincoln	38	74	0	0	0	0
Madison	147	66	0	8	0	1
Marion	48	96	4	6	0	0
Meridian	180	317	8	17	4	10
Natchez-Adams	484		0	0	40	53
Neshoba	35	86	0	3	0	2
North Pike	26	30	1	2	1	2
Noxubee	135	61	6	1	0	0
Philadelphia	25	46	0	0	0	2
Sharkey-Issaquena	71	31	0	0	0	0
Anguilla-Line			0	0	0	0
South Pike	78	52.8	2	3.3	0	2
Wilkinson	97	39	0	0	0	0

HALL v. ST. HELENA PARISH SCHOOL BOARD
(Cite as 417 F.2d 801 (1968))

Lawrence Hall et al., Plaintiffs-Appellants, United States of America, Intervenor-Appellant, v. St. Helena Parish School Board et al., Defendants-Appellees. (Civil Action No. 1068).

James Williams, Jr., et al., Plaintiff-Appellants, United States of America, Intervenor-Appellant, v. Iberville Parish School

Board et al., Defendants-Appellees. (Civil Action No. 2921).

Yvonne Marie Boyd et al., Plaintiffs-Appellants, United States of America, Intervenor-Appellant, v. The Point Coupee Parish School Board et al., Defendants-Appellees. (Civil Action No. 3164).

Terry Lynn Dunn et al., Plaintiffs-Appellants, United States of America, Intervenor-Appellant, v. Livingston Parish School Board et al., Defendants-Appellees. (Civil Action No. 3197).

Donald Jerome Thomas et al., Plaintiffs-Appellants, v. West Baton Rouge Parish School Board et al., Defendants-Appellees. (Civil Action No. 3208).

Robert Carter et al., Plaintiffs-Appellants, v. West Feliciana Parish School Board et al., Defendants-Appellees. (Civil Action No. 3248).

Sharon Lynne George et al., Plaintiffs-Appellants, v. C. Walter Davis, President, East Feliciana Parish School Board et al., Defendants-Appellees. (Civil Action No. 3253).

Welton J. Charles, Jr., et al., Plaintiffs-Appellants, United States of America, Intervenor-Appellant, v. Ascension Parish School Board, and Gordon Webb, Defendants-Appellees. (Civil Action No. 3257).

Rickey Dale Conley et al., Plaintiffs-Appellants, v. Lake Charles School Board et al., Defendants-Appellees. (Civil Action No. 9981).

Ura Bernard Lemon et al., Plaintiffs-Appellants, United States of America, Intervenor-Appellant, v. Bossier Parish School Board et al., Defendants-Appellees. (Civil Action No. 10687).

Marcus Gardon et al., Plaintiffs-Appellants, v. Jefferson Davis Parish School Board et al., Defendants-Appellees. (Civil Action No. 10902).

Marcus Gordon et al., Plaintiffs-Appellants, v. Lafayette Parish School Board et al., Defendants-Appellees. (Civil Action No. 10903).

Marilyn Marie Monteilh et al., Plaintiffs-Appellants, v. St. Landry Parish School Board et al., Defendants-Appellees. (Civil Action No. 10912).

Virgie Lee Valley et al., Plaintiffs-Appellants, United States of America, Intervenor-Appellant. v. Rapides Parish School Board et al., Defendants-Appellees. (Civil Action No. 10946).

Joann Graham et al., Plaintiffs-Appellants, v. Evangeline Parish School Board et al., Defendants-Appellees. (Civil Action No. 11053).

John Robertson et al., Plaintiffs-Appellants, v. Natchitoches Parish School Board et al., Defendants-Appellees. (Civil Action No. 11054).

Beryl N. Jones et al., Plaintiffs-Appellants, United States of America, Intervenor-Appellant, v. De Soto Parish School Board et al., Defendants-Appellees. (Civil Action No. 11055).

Catherine Battise et al., Plaintiffs-Appellants, v. Acadia Parish School Board et al., Defendants-Appellees. (Civil Action No. 11125).

James H. Henderson, Jr., et al., Plaintiffs-Appellants, v. Iberia Parish School Board et al., Defendants-Appellees. (Civil Action No. 11126).

Margaret M. Johnson et al., Plaintiffs-Appellants, United States of America, Intervenor-Appellant, v. Jackson Parish School Board et al., Defendants-Appellees. (Civil Action No. 11130).

Jimmy Andrews et al., Plaintiffs-Appellants, v. City of Monroe School Board et al., Defendants-Appellees. (Civil Action No. 11297).

Yvornia Decarol Banks et al., Plaintiffs-Appellants, United States of America, Intervenor-Appellant, v. Claiborne Parish School Board et al., Defendants-Appellees. (Civil Action No. 11304).

Dorothy Marie Thomas et al., Plaintiffs-Appellants, v. St. Martin Parish School Board et al., Defendants-Appellees. (Civil Action No. 11314).

Linda Williams et al., Plaintiffs-Appellants, v. Madison Parish School Board et al., Defendants-Appellees. (Civil Action No. 11329).

Gwen Boudreaux et al., Plaintiffs-Appellants, v. St. Mary Parish School Board et al., Defendants-Appellees. (Civil Action No. 11351).

Irma J. Smith et al., Plaintiffs-Appellants, United States of America, Intervenor-Appellant, v. Concordia Parish School Board et al., Defendants-Appellees. (Civil Action No. 11577).

Vira Celestain et al., Plaintiffs-Appellants, v. Vermilion Parish School Board et al., Defendants-Appellees. (Civil Action No. 11908).

United States of America, Plaintiff-Appellant, v. Lincoln Parish School Board et al., Defendants-Appellees. (Civil Action No. 12071).

United States of America, Plaintiff-Appellant, v. Richland Parish School Board et al., Defendants-Appellees. (Civil Action No. 12169).

Jeremiah Taylor et al., Plaintiffs-Appellants, v. Ouachita Parish School Board et al., Defendants-Appellees. (Civil Action No. 12171).

United States of America, Plaintiff-Appellant, v. Bienville Parish School Board et al., Defendants-Appellees. (Civil Action No. 12177).

United States of America, Plaintiff-Appellant, v. Grant Parish School Board et al., Defendants-Appellees. (Civil Action No. 12265).

United States of America, Plaintiff-Appellant, v. De Soto Parish School Board et al., Defendants-Appellees. (Civil Action No. 12589).

United States of America, Plaintiff-Appellant, v. Avoyelles Parish School Board et al., Defendants-Appellees. (Civil Action No. 12721).

United States of America, Plaintiff-Appellant, v. East Carroll Parish School Board et al., Defendants-Appellees. (Civil Action No. 12722).

Billy Gene Moore et al., Plaintiffs-Appellants, v. Winn Parish School Board et al., Defendants-Appellees. Civil Action No. 12880).

Eric Cleveland et al., Plaintiffs-Appellants, v. Union Parish School Board et al., Defendants-Appellees. (Civil Action No. 12924).

Joyce Marie Moore et al., Plaintiffs-Appellees, v. Tangipahoa Parish School Board et al., Defendants-Appellants. (Civil Action No. 15556). Nos. 26450, 27303, 27054, 27087, 27106, 27391.

United States Court of Appeals, Fifth Circuit. May 28, 1969.

Rehearing Denied and Rehearing En Banc Denied in No. 27106. June 30, 1969.

On Motion for Clarification and Amendment in Nos. 26450, 27303, 27054, 27087, and 27106. Aug. 25, 1969.

Certiorari Denied Nov. 10, 1969. See 90 S.Ct. 218.

School desegregation cases. The United States District Court for the Eastern District of Louisiana, E. Gordon West, Chief Judge, 303 F. Supp. 1224, and the three-judge United States District Court for the Western District of Louisiana, Benjamin C. Dawkins, Jr., Richard J. Putnam, and Edwin F. Hunter, Jr., JJ., 293 F. Supp. 84, and the United States District Court for the Eastern District of Louisiana, Alvin B. Rubin, J., 298 F. Supp. 283, entered decrees, and appeals were taken. The Court of Appeals, Godbold, Circuit Judge, held that where in school districts involved in two of the appeals very few or no white students were attending formerly all-Negro schools and few of the districts had more than ten per cent of Negro children attending formerly all-white schools and many all-Negro schools still existed, existing freedom of choice plans were inadequate and cases would be remanded to district court for putting into effect new plans and where in third appeal trial judge required school board to present new plan to replace existing freedom of choice plan and held hearings and approved new plan, his decision would be affirmed.

Decision of district judge approving new plan to replace existing freedom of choice plan affirmed and all other cases reversed and remanded with instructions.

Before John R. Brown, Chief Judge, Godbold, Circuit Judge, and Cabot, District Judge.

Godbold, Circuit Judge:

We have before us appeals from three district court decrees covering thirty-six parish school systems and two city school systems, all in the state of Louisiana. These cases were submitted and argued April 21, 1969, two years after the en banc decision of this court in *Jefferson II*,[1] and eleven months after the decision of the United States Supreme Court in Green v. School Bd. of New Kent County.[2] All of the school districts involved are under the uniform decree that *Jefferson II* required for school systems in the Fifth Circuit operating under freedom of choice plans.

I. BACKGROUND

Twenty-nine of the districts are appellees in appeals from an en banc decision [3] of the District Court for the Western District of Louisiana, which declined to order modification, requested on the authority of *Green* in existing desegregation plans.[4]

Eight parishes are appellees in similar appeals from a decree of the District Court for the Eastern District of Louisiana.[5]

The Tangipahoa Parish School Board is appellant in an appeal from another decree of the Eastern District [6] directing it to change from a *Jefferson*-decree freedom of choice plan to one calling for the assignment of students "by the adoption of geographic attendance zones, or pairing of classes, or both."

[1] We begin with principles both basic and familiar to all who are concerned with the complex problem of ending the dual school system in the South. There can be no doubt of the duty of school boards to act affirmatively to abolish all vestiges of state-imposed segregation of the races in the public schools. United States v. Indianola Municipal Separate Sch. Dist., 5 Cir. 1969, 410 F.2d 626 [1969]; Henry v. Clarksdale Municipal Separate Sch. Dist., 5 Cir. 1969, 409 F.2d 682 [1969]; Adams v. Mathews, 403 F.2d 181 (5th Cir. 1968); *Jefferson II, supra*.

The respective burdens and roles of school boards and district courts are articulated in *Green* itself:

The burden on a school board today is to come forward with a plan that promises realistically to work, and promises realistically to work *now*.

The obligation of the district courts, as it always has been, is to assess the effectiveness of a proposed plan in achieving desegregation. There is no universal answer to complex problems of desegregation; there is obviously no one plan that will do the job in every case. The matter must be assessed in light of the circumstances present and the options available in each instance. It is incumbent upon the school board to establish that its proposed plan promises meaningful and immediate progress toward disestablishing state-imposed segregation. It is incumbent upon the district court to weigh that claim in light of the facts at hand and in light of any alternatives which may be shown as feasible and more promising in their effectiveness. Where the court finds the board to be acting in good faith and the proposed plan to have real prospects for dismantling the state-imposed dual system "at the earliest

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Footnotes at end of article.

practicable date," then the plan may be said to provide effective relief. Of course, the availability to the board of other more promising courses of action may indicate a lack of good faith; and at the least it places a heavy burden upon the board to explain its preference for an apparently less effective method. Moreover, whatever plan is adopted will require evaluation in practice, and the court should retain jurisdiction until it is clear that state-imposed segregation has been completely removed.

88 S.Ct. at 1694–1695, 20 L.Ed.2d at 724.

[2] If under an existent plan there are no whites, or only a small percentage of whites, attending formerly all-Negro schools, or only a small percentage of Negroes enrolled in formerly all-white schools, then the plan, as a matter of law, is not working. Henry v. Clarksdale, *supra;* Adams v. Mathews, *supra.*

[3] The good faith of a school board in acting to desegregate its schools is a necessary concomitant to the achievement of a unitary school system, but it is not itself the yardstick of effectiveness.[7]

The majority of the school boards involved in these appeals did not begin any type of desegregation of their schools prior to being ordered to do so for the 1965–1966 school year.[8] All have been operating for the 1967–68 and 1968–69 school years under *Jefferson*-decree freedom of choice plans for pupil assignment, which under numerous decisions of this circuit are required to be uniform.

All now know, judges, lawyers and school boards, that freedom of choice, *Jefferson* variety or otherwise, is not a constitutional end in itself but only a means to the constitutionally required end of the termination of the dual school system. *Green, supra; Jefferson II, supra.* Since *Green* this court explicitly has rejected freedom of choice plans that were found to be demonstrably unsuitable for effectuating transition from dual school systems to unitary nondiscriminatory systems. *See, e. g.,* Anthony v. Marshall County Bd. of Educ., 5 Cir. 1969, 409 F.2d 1287 [1969]; United States v. Greenwood Municipal Separate School Dist., 406 F. 2d 1086 (5th Cir. 1969). *See also* Graves v. Walton County Bd. of Educ., 403 F.2d 181, 189 (5th Cir. 1968); Bd. of Public Instruction of Duval County v. Braxton, 402 F.2d 900 (5th Cir. 1968).

II. THE WESTERN DISTRICT CASES

The Western District Court, sitting en banc, found that the operation of *Jefferson*-type freedom of choice in the school districts before it "has real prospects of dismantling the dual system of schools at the earliest practicable date * * *." and concluded that the best method available to eradicate the dual system of schools in these districts is freedom of choice.[9]

Appellants in the Western District cases contend that the statistical record manifestly reveals that the dual system continues and that freedom of choice has failed to produce meaningful results. They urge that the statistical record requires reversal when considered in light of *Green* and the cases in this circuit following *Green.*

The appellee school boards insist that *Green* does not foreclose the continuation of their *Jefferson*-decree freedom of choice plans. They read the statistics as revealing that progress, though in most instances statistically nominal, has been made toward the elimination of the dual system. They urge that the district court appropriately could conclude that the uniform *Jefferson*-decree freedom of choice plans under which they are operating do provide the effective relief referred to by *Green,* because, in the language of *Green,* they are operating in good faith and under plans which have real prospects for dismantling the state-imposed dual system "at the earliest practicable date." 88 S. Ct. 1689, 20 L. Ed. 2d at 724.

We turn to the facts. In the Appendix to this opinion we set out the best statistical data made available to this court for the 1967–68 and 1968–69 school years, and such data as presently is available for 1969–70 (recognizing that the latter necessarily is not complete: *see* note 2 to the Appendix.) In the current school year, 1968–69, in every one of these school districts there is at least one all-Negro school, in most districts many more than just one.

In all of the twenty-nine districts, for the current school year, only two white students exercised their freedom of choice by electing to attend all-Negro schools. To the extent data is available for the 1969–70 school year, from choice forms already exercised and reported to us since oral argument of these cases, no change of substantial consequence in this situation can be projected. *See* Appendix.

The number of Negro students attending formerly all-white schools has risen slightly since the adoption of the *Jefferson*-decree plans, but for the current school year the percentage this represents of the total Negro student population is minimal—only five of these twenty-nine systems have more than ten percent of their Negro children attending formerly all-white schools. Four parishes have less than one percent integration.

In no instance does the data made available to us for expected 1969–70 pupil assignment vary the situation existent for the current year sufficiently that compliance with constitutional standards can be projected.

We do not abdicate our judicial role to statistics. But when figures speak we must listen. It is abundantly clear that freedom of choice, as presently constituted and operating in the Western District school districts before us, does not offer the "real prospect" contemplated by *Green,* and "cannot be accepted as a sufficient step to 'effectuate a transition' to a unitary system." 391 U.S. 430, 88 S.Ct. at 1696, 20 L.Ed.2d at 726–727.

[4, 5] In addition the boards are required to examine other alternatives. The presence of other and more promising courses of action at the least may indicate lack of good faith by the board and place a heavy burden on the board to explain its preference for an apparently less effective method. *Green,* at 391 U.S. 430, 88 S.Ct. 1689, 20 L.Ed. at 724. If there are reasonably available other ways promising speedier and more effective conversion to a unitary non-racial system, freedom of choice must be held unacceptable. *Id.* 391 U.S. 430, 88 S.Ct. 1689, 20 L.Ed. at 725. Anthony v. Marshall County, *supra;* United States v. Greenwood, *supra.*

[6, 7] We reverse and remand these cases to the district court in order that a new plan may be put into effect in each school district. The obligation is upon the school boards to come forward with realistic and workable plans, and the assessment and initial review and approval or rejection of each plan is for the district court, not for this court, removed as we are from "the circumstances present and the options available in each [of twenty nine] instance[s]." Green, *supra,* 391 U.S. 430, 88 S.Ct. 1689, 1695, 20 L.Ed.2d at 724; Anthony v. Marshall County, *supra;* United States v. Greenwood, *supra;* Adams v. Mathews, *supra;* Bd. of Public Instruction of Duval County v. Braxton, *supra;* Henry v. Clarksdale, *supra.*[10] This is not to say that the district court on the scene may not, if it thinks best, require a uniform approach by all districts.[11]

There are many methods and combinations of methods available for consideration, either on a district-by-district basis or on a uniform basis if the district court so directs. Some of these are geographic zoning if it tends to disestablish the dual system, Davis v. Bd. of School Com'rs of Mobile, Ala., 393 F.2d 690 (5th Cir. 1968),[12] pairing of grades or of schools, educational clusters or parks, discontinuance of use of substandard buildings and premises, rearrangement of transportation routes, consolidation of schools, appropriate location of new construction, and majority-to-minority transfers. The resources of the Educational Resources Center for School Desegregation, at New Orleans, are available to the boards and may be utilized.[13] We set out in the margin the approach recently taken by the United States District Court for the District of South Carolina, sitting en banc in Whittenberg v. Greenville County School District, 298 F. Supp. 784 (D.C. S.C. March 31, 1969) a case concerning 22 of the 93 school districts in South Carolina.[14]

We are urged by appellants to order on a plenary basis for all these school districts that the district court must reject freedom of choice as an acceptable ingredient of any desegregation plan. Unquestionably as now constituted, administered and operating in these districts freedom of choice is not effectual. The Supreme Court in *Green* recognized the general ineffectiveness of freedom of choice.[15] But in that case, concerning only a single district having only two schools, the court declined to hold "that 'freedom of choice' can have no place in * * * a plan" that provides effective relief, and recognized that there may be instances in which freedom of choice may serve as an effective device, and remanded to the district court with directions to require the board to formulate a new plan.[16]

[8] While we have directed most of our discussion to pupil assignment, integration of faculty is of equal importance, and the boards must come forward with affirmative plans in that regard. "[T]he school board must do everything within its power to recruit and reassign teachers so as to provide for a substantial degree of faculty integration," which includes withholding of teacher contracts if necessary, United States v. Indianola, *supra;* United States v. Greenwood, *supra.* The pattern of teacher assignments to a particular school must not be identifiable as tailored for a heavy concentration of either Negro or white students. Davis v. Mobile County, *supra;* United States v. Greenwood, *supra;* United States v. Indianola, *supra.*

[9] Also a plan which will "effectuate a transition to a racially non-discriminatory school system" must include effectual provisions concerning staff, facilities, transportation and school activities—the entire school system.

III. THE EASTERN DISTRICT CASES

In the Eastern District cases the district judge concluded that freedom of choice was working well and was the best available method for the school boards to reach their constitutional obligations.

[10] Appellants and the school boards make the same contentions in these cases as were made in the Western District cases. Again, the statistical evidence makes abundantly clear that the freedom of choice plans as presently constituted, administered and operating, are failing to eradicate the dual system. *See* Appendix. For the current year not one of these districts has as many as ten percent of its Negro students enrolled in formerly all-white schools. The 1969–70 data shows that Iberville Parish has achieved ten percent, up from 9.2% for the current year. In all these districts no white student chose to attend an all-Negro school in the current year, and none has chosen an all-Negro school for 1969–70. Forty-six all-Negro schools exist in these parishes in 1968–69. As in the Western District, the partial 1969–70 data supplied to this court does not indicate any real chance of attainment of constitutional standards in 1969–70. The boards must adopt new plans.

[11] In addition, in evaluating the plans before him the district judge did not apply the standard of whether the plans are working but rather that of whether they could work. This is an erroneous standard. When testing the sufficiency of a plan that has been in operation sufficiently long to produce meaningful empirical data, that data must be considered and a determination made of

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whether the plan is effectuating a transition to a racially non-discriminatory school system. And *Green* requires the district judge to weigh the existing plan in the light both of the facts at hand and of any alternatives which may be shown as feasible and more promising. The district court must consider the alternatives.

[12] Also the district court erred in holding that segregation which continues to exist after the exercise of unfettered free choice is "de facto" segregation and as such constitutionally permissible.

These cases must be reversed and remanded under the same directions as the Western District cases.

IV. THE TANGIPAHOA PARISH CASE

[13, 14] Pursuant to *Green* the district court required the Tangipahoa School Board to present a new plan to replace the existing freedom of choice plan which on October 15, 1968 it found to be ineffective. The court conducted hearings, similar to those now mandated to be held in the Western District and for the other Eastern District cases, and approved a new plan. This court has said repeatedly what we say in this opinion, that the responsibility for structuring and administering existing and new plans for disestablishing the dual system is upon the school boards and the administrators, and the primary responsibility for assessing and reviewing the plan and adopting necessary changes is upon the district court on the scene rather than at the appellate level. In the *Tangipahoa* case the district court correctly applied this policy, after a review of the facts. We affirm its decision.

V

Moore v. Tangipahoa Parish, No. 27391, is affirmed. All other cases are reversed and remanded to the district courts with the following instructions.

(a) These cases shall receive the highest priority.

(b) No later than thirty days from the date of the mandate each school board shall submit to the district court a proposed new plan for its school district to be effective with the commencement of the 1969–70 school term. Provided, however, if the district court desires to require a uniform type of plan, or a uniform approach to the formulation of plans, or issue instructions to the boards of methods that it will or will not consider, or other appropriate instructions, it shall enter its order to that effect within ten days of the date of the mandate. If the district court enters such an order the maximum time for filing plans shall be thirty days from the date of such order.

(c) The parties shall have ten days from the date a plan is filed with the district court to file objections or suggested amendments thereto.

(d) For plans as to which objections are made or amendments suggested, or which in any event the district court will not approve without hearing, the district court shall commence hearings beginning no later than ten days after the time for filing objections has expired.

(e) New plans for all districts effective for the beginning of the 1969–70 school term shall be completed and approved by the district courts no later than July 25, 1969.

Because of the urgency of formulating and approving plans to be effective for the 1969–70 school term it is ordered as follows. The mandate of this court shall issue immediately. This court will not extend the time for filing petitions for rehearing or briefs in support of or in opposition thereto. Any appeals from orders or decrees of the district court on remand shall be expedited. Any appeal may be on the original record. The record on the original record. The record on any appeal shall be lodged with this court and appellant's brief filed, all within thirty days of the date of the order or decree of the district court from which the appeal is taken.

FOOTNOTES

[1] United States v. Jefferson County Bd. of Educ., 372 F.2d 836 (5th Cir. 1966) [hereinafter, Jefferson I] *aff'd with modifications on rehearing en banc.* 380 F.2d 385 (5th Cir.) [hereinafter, Jefferson II], *cert. denied sub nom.*, Caddo Parish Sch. Bd. v. United States, 389 U.S. 840, 88 S.Ct. 67, 19 L.Ed.2d 103 (1967).

[2] Green v. County Sch. Bd. of New Kent County, 391 U.S. 430, 88 S.Ct. 1689, 20 L. Ed. 2d 716 (1968).

[3] Conley v. Lake Charles Sch. Bd., 293 F. Supp. 84 (W.D.La.1968).

[4] By order of January 9, 1969, without opinion, this court, after a poll of its members, denied the motion of appellants in the Western District cases that those cases be heard by the court en banc. Cleveland v. Union Parish Sch. Bd., 406 F.2d 1331 (5th Cir. 1969). The dissenting opinion to that order appears in 406 F.2d at 1333.

Both the Western District and the Eastern District cases were among those consolidated on appeal in Adams v. Mathews, 403 F.2d 181 (5th Cir. 1968).

[5] 303 F.Supp. 1224 (E.D.La.1969).

[6] 298 F. Supp. 283 (E.D.La.1969).

[7] "Here the district court found that the school board acted in good faith. But good faith does not excuse a board's noncompliance with its affirmative duty to liquidate the dual system. Good faith is relevant only as a necessary ingredient of an acceptable desegregation plan." Henry v. Clarksdale Municipal Separate Sch. Dist., *supra* 409 F.2d. at 684.

[8] Twenty-two of the school boards were ordered to integrate their school systems beginning with the 1965–66 school year. Two boards commenced with the 1964–65 school year. Nine began in 1966–67, and five did not begin until the 1967–68 school year.

[9] "With every ounce of sincerity which we possess we think freedom of choice is the best plan available. We are not today going to jeopardize the success already achieved by casting aside something that is working and reach blindly into an experimental 'grab bag.' " 293 F.Supp. at 88.

[10] See the concurring opinion of Judge Rubin in *Duval County:*

"*Green* emphasizes that school officials have a continuing duty to take whatever action may be necessary to provide 'prompt and effective, disestablishment of a dual system.' If one method is ineffective, they are to try another. Hence, no single plan is or can be judicially approved as a catholicon.

"*Brown I* and all of its successors, as well as *Green, Monroe,* and *Raney,* contemplate that school plans will be prepared by local officials and school boards, not by courts. But if local officials fail to assume their responsibilities under the Constitution, district courts must continue to attempt to formulate the plans that should be prepared by school officials based on their expert knowledge, training and skill." (Citations omitted. 402 F.2d at 908.

[11] *See, e. g.,* the discussion of Whittenberg v. Greenville County School District, 298 F. Supp. 784 (D.C.S.C., March 31, 1969), at note 14 *infra*, and accompanying text

[12] But a plan which contributes toward preserving segregated schools by incorporating zones corresponding to racially separate residential patterns is unacceptable. United States v. Indianola, *supra.*

[13] At least two district judges in Louisiana have ordered the use of the facilities of this center. Tangipahoa Parish, before us on this appeal, was ordered on October 15, 1968 to produce a plan for the 1969–70 school year for unitary operation of its school system. When the school board informed the court that it was unable to find a plan better than the one in existence, the court appointed the Center to prepare a plan. A hearing has not yet been held on whether the Center's plan will be adopted.

In Harris v. St. John the Baptist Parish Sch. Bd., Civ.No. 13212 (E.DLa Apr 23, 1969), the school board, after it did not come up with a plan of its own, was ordered to consult with the Center. A hearing was set on the Center's plan. The board came in with two plans of its own. The district judge accepted one of the board's plans, which incorporated some of the Center's suggestions.

[14] The district court directed that all school districts submit to the Office of Education, HEW, their existing method of operation, along with any changes proposed by them, and to seek to develop in conjunction with HEW an acceptable plan of operation "conformable to the constitutional rights of the plaintiffs * * * and consonant in timing and method with the practical and administrative problems faced by the particular districts." If a plan is agreed upon by the school district and HEW, the South Carolina district court will approve it unless the plaintiffs show it does not meet constitutional standards. If the school district already is operating under a plan approved by HEW, it will be adopted by the court absent a showing of constitutional infirmity. If no agreed plan is developed, the court will hold a hearing and enter its decree, considering the respective proposed plans of the district, the plaintiffs, and HEW.

[15] The Supreme Court said: "[T]he general experience under 'freedom of choice' to date has been such as to indicate its ineffectiveness as a tool of desegregation." 391 U.S. 430, 88 S.Ct. 1689, 1695, 20 L.Ed. 2d at 725.

See also the opinion of District Judge Heebe in Moses v. Washington Parish School Board, 276 F.Supp. 834 at 851–852 (E.D.La, 1967):

"If this Court must pick a method of assigning students to schools within a particular school district, barring very unusual circumstances, we could imagine no method more inappropriate, more unreasonable, more needlessly wasteful in every respect, than the so-called 'free-choice' system.

"Under such a system the school board cannot know in advance how many students will choose any school in the system—it cannot even begin to estimate the number. The first principle of pupil assignment in the scheme of school administration is thus thwarted; the principle ought to be to utilize all available classrooms and schools to accommodate the most favorable number of students; instead, this aim is surrendered in order to introduce an element of 'liberty' (never before part of efficient school administration) on the part of the students in the choice of their own school. Obviously there is no constitutional 'right' for any student to attend the public school of his own choosing. But the extension of the *privilege* of choosing one's school, far from being a 'right' of the students, is not even consistent with sound school administration. Rather, the creation of such a choice only has the result of demoralizing the school system itself, and actually depriving every student of a good education.

"Under a 'free-choice' system, the school board cannot know or estimate the number of students who will want to attend any school, or the identity of those who will eventually get their choice. Consequently, the board cannot make plans for the transportation of students to schools, plan curricula, or even plan such things as lunch allotments and schedules; moreover, since in no case except by purest coincidence will an appropriate distribution of students result, and each school will have either more or less than the number it is designed to efficiently handle, many students at the end of the free-choice period have to be reassigned to schools

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other than those of their choice—this time on a strict geographical-proximity basis, see the *Jefferson County* decree, thus burdening the board, in the middle of what should be a period of firming up the system and making final adjustments, with the awesome task of determining which students will have to be transferred and which schools will receive them. Until that final task is completed, neither the board nor any of the students can be sure of which school they will be attending; and many students will in the end be denied the very 'free choice' the system is supposed to provide them." (Emphasis in original.)

[16] *See* Davis v. Mobile County, *supra*, in which this court required a zone plan for urban areas but left freedom of choice in effect in rural areas. *See also* the dissenting opinion to the denial of en banc hearing in the instant cases, 406 F.2d at 1338–1339: "I am not suggesting that freedom of choice should necessarily be abandoned in favor of zoning. * * * There is nothing necessarily unconstitutional about freedom of choice or geographic zoning or a combination of the two."

In spite of the fact that these provisions will not curtail HEW's obligation to enforce title VI, they will be used to delay and frustrate the goal of ending dual school systems in this country. It is for this reason that they must be defeated.

The CHAIRMAN. If the gentleman from California (Mr. COHELAN) will give the Chair his attention, the Chair would like to clarify the parliamentary situation.

The Clerk had concluded reading section 209. At that point the gentleman from California offered an amendment to section 209. And then under a unanimous-consent request the gentleman made a request that sections 209 and 210 be considered en bloc.

However, the Chair will state that the only amendment pending is to section 209, and therefore the Chair, knowing that the gentleman from California has a similar amendment to section 210, would ask the gentleman if the gentleman wished his amendment to section 210 to be considered when the gentleman asked for the consideration of the two sections en bloc.

In other words, did the gentleman want both amendments to be considered?

Mr. COHELAN. Mr. Chairman, I ask unanimous consent that both amendments be considered.

The CHAIRMAN. Then the Chair must direct the Clerk to read section 210 before the second amendment is in order.

The Clerk read as follows:

> SEC. 210. No part of the funds contained in this Act shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88–352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed, or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

The CHAIRMAN. Does the gentleman from California offer his amendment to section 210 and ask that both amendments be considered en bloc?

Mr. COHELAN. Mr. Chairman, I ask unanimous consent that my amendment to section 210 be read and that the amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Clerk will repeat the amendment.

The Clerk read as follows:

> Amendment offered by Mr. COHELAN: On page 9 strike out Sec. 210.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendments.

Mr. Chairman, I wish to point out at this time to the Members—and I hope you will follow me, that sections 209 and 210, of which I am the author are limitations to an appropriation bill making appropriations for the U.S. Department of Education. The Department of Education was created by the Congress. It is a creature of the Congress. Congress provided for this Department and here provides funds for its operation in furtherance of the absolute necessity for any nation to have a system for educating its people.

The fact that the Department of Education was created by the Congress for the purpose of promoting and providing education makes it not only within our right but makes it our responsibility to provide funds to implement the activities and actions in furtherance of education by that Department. Not only is that true but it makes it within our province to determine what those funds are for and what they are not for so as to keep its employees engaged in their field of education.

Now, I think the only thing in the world that should be needed by any Member of the Congress to see the need to retain these provisions and, therefore, defeat the amendment which would strike them, is to read them. I hope you will listen to me because these amendments were carefully prepared so that you will see this is not an effort to prevent desegregation of schools for all schools are now desegregated as the term was defined by Congress, in the Civil Rights Act of 1964, they are not an effort to prevent the education of our children but to promote real education. These provisions are in furtherance of education and in furtherance of peace within our schools.

Let me read these two sections which my colleague's amendment would strike. Now listen to me:

> SEC. 209. No part of the funds contained in this Act may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88–352, to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

The second provision is the same except that it provides that the Department of Education from the funds in this bill cannot withhold funds belonging to a school that is desegregated until the school comes in and offers to do these things that the first section would prohibit them from forcing. I quote:

> SEC. 210. No part of the funds contained in this Act shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88–352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed, or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

What we end up with when we take these sections up in connection with this appropriation is we say that where schools are already desegregated, as that term is defined by the Congress, that you cannot with money in this bill for education use it to force students to go from one desegregated school to another desegregated school over the protest of the parents.

Now, what could be more fair? It says that in schools that are already desegregated you cannot use money in this bill—the Department of Education cannot use money in this bill to move students around over the protests of their parents from one desegregated school to another desegregated school.

Now, I repeat again, it is as simple as can be, and it would restore and return the Department of Education to its responsibility and that is education.

It is in line with the statements that have been made recently that what we need today is to put education first, and I very carefully made it plain here that in these provisions we are not trying to strike down desegregation. We are trying, as the Congress did in its passage of the Civil Rights Act of 1964, when it said:

> Desegregation means the assignment of students to public schools and within such schools without regard to their race, color, religion or national origin, and desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance.

I hope these provisions when retained by the House and the Congress will have an influence on the Courts and by restricting activities of the Department of Education should help to have these problems solved at the local level by local people. Again all schools are already desegregated as that term is defined by the Civil Rights Act of 1964. To go further would violate or destroy the provisions of that act which say:

> Desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance.

I trust you will vote down the amendment and retain sections 209 and 210.

Mr. O'HARA. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

One hundred six Members are present, a quorum.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike the last word.

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The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. SMITH of Iowa. I merely wish to make an observation at this point. Since there are so many items in this bill, some of the Members may not realize it, but we are doing something material in this bill about the problems that are connected with segregation and desegregating the schools. These Whitten amendments, in one form or another, have been in this bill for several years and I personally feel the administration is going to do the same thing whether they are in the bill or not. I do not think they really make that much difference one way or the other in fact.

As I read them, they actually provide that the administration cannot do what they claim they are not doing anyway. But we did something of value and that will make a difference in the last 3 years and it has come to bear some fruit this year. We asked the Department how much money they are spending to reeducate or retrain some of these teachers who have a degree but they are really not qualified to teach. They were not spending hardly anything at all. So last year we directed that they come forward with a program, and this year they did come forward with a program, and the figures are clear. They say there are 66,000 of these teachers. They have degrees but they are just not qualified to teach. Some of them cannot even multiply. So we have financed the first year of a 3-year program.

The first year is funded in the bill. It will support sending 22,000 of these teachers to training schools so they will be able to teach, and so there will not be so much resistance to them teaching classes, whether they have a mixed pupil ratio or whether it is all black or all white. I think this is a meaningful way to increase the quality of education and attack this problem. It is a program that is not as flashy as some and is not as subject to embellishment but it is really important by comparison.

I just wanted to point out at this point that we are doing something that is really important and material, and in my judgment whether or not these amendments pass is not going to make much difference, but in my opinion this program we are financing will have some important results.

Mr. CONTE. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California and move to strike the last word.

Mr. Chairman, the purpose of the amendment offered by the gentleman from California (Mr. COHELAN) and me, is quite simple. It would strike the so-called Whitten provisions with which we are all familiar by this time.

I recognize that the gentleman from Mississippi (Mr. WHITTEN) has made some changes since he last made this effort. I want the legislative history to be absolutely clear on this because, in my opinion, these changes pull the teeth right out from under his provision.

Mr. WHITTEN's new language would prohibit HEW from requiring the busing of students, closing of schools, or assignment of students over the protests of their parents, with respect to schools or school systems which are desegregated as that term is defined in title IV of the Civil Rights Act of 1964.

Let us take a look at title IV. Section 401(b) of that title says "desegregation" means the assignment of students to public schools without regard to their race, color, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

What we are talking about in the Civil Rights Act is desegregation to remedy officially sanctioned segregation, not desegregation to remedy fortuitous racial isolation, or to put it another way, de jure, not de facto, segregation.

The point is clear. The Supreme Court has only held that de jure segregation is unconstitutional. Therefore, HEW must operate within this framework. This means that under existing law, HEW cannot withhold funds from a district which is desegregated under title IV.

As my colleagues can see, this is all very confusing. It is for that reason that the gentleman from California and I want these provisions struck from H.R. 16916. Things in this area are confusing enough without adding to it.

Further confusion might serve to mislead school districts as to their legal responsibility to eliminate de jure segregation. This would be intolerable today, 15 years after the Brown decision. Nothing can, nor should, alter the constitutional obligation to desegregate.

I would also not underestimate the unfortunate psychological effect the Whitten provisions could have. They would give comfort to those who do not wish to comply with the law of the land, and harden them in their views. This would be a tragedy.

I think the issue is clear. Either we enforce the Constitution or we do not. I urge my colleagues to join Mr. COHELAN and me in supporting the civil rights of all Americans by striking sections 209 and 210.

Mr. CORMAN. Mr. Chairman, I rise in support of the amendments.

Mr. Chairman, I would like to pose a question to the gentleman from Mississippi.

The situation in Los Angeles City School District is that we have been found by the State court to be de jure segregated. Thus I assume that we do not comply with desegregation under title IV as the gentleman interprets it. Would that be a correct statement?

Mr. WHITTEN. Mr. Chairman, may I say I am not too familiar with the Los Angeles situation with the exception of having read the newspaper stories, but title IV of the Civil Rights Act of 1964 as written by the Congress provides what desegregation should mean all schools would be open to student without regard to race, color, or creed. But it goes further and says that desegregation shall not mean the assignment of students based on race, creed, or color so as to correct racial imbalance.

Mr. CORMAN. So whatever action may have been taken in the Los Angeles area was not taken under title IV of the Civil Rights Act, but under some other provision, perhaps under the Constitution.

Mr. WHITTEN. May I take this occasion to point out to the gentleman, I said to start that this bill provides funds for education, and we attempt to see that the funds will go into education. What the courts attempt to do or do under other laws would not be controlled by these sections. These provisions, in my opinion mean the Department of Education would proceed with education as the Congress provided in the act creating such department.

Mr. CORMAN. The Los Angeles School District, which is the second largest in the country and which educates some 660,000 students, is $40 million in the red, but it has been ordered by a State court to integrate its schools—and I certainly think they should do that—they are morally and legally obligated to do it—but it seems to me this amendment might prohibit, using any funds from the Federal Government to carry out that order, because I believe under the gentleman's interpretation the schools would be termed desegregated under his explanation of title IV but not under the court order.

Mr. WHITTEN. Mr. Chairman, if the gentleman will yield further, I repeated and repeated and repeated the words "to force," so if the gentleman will reread the provisions he will see throughout that even though it be redundant in some instances, it prohibits the use of the money to force these things. The gentleman is forced by the courts.

Mr. CORMAN. In other words, if the court forces the desegregation, then the school district could use Federal funds to assign and bus students and close schools if necessary?

Mr. WHITTEN. Certainly it could under the very simple language of the provisions. As the gentleman will see these restrictions limit funds "to force" by the department of education.

Mr. CORMAN. I leave it to lawyers to understand what we have just said. I am not sure I understand it.

The cost of integrating the school district—and it is a cost which must be borne—is going to be tremendous. I fear that sections 209 and 210 will be interpreted by some as denying funds to school districts who may want to head off a court order by desegregating their schools.

Accepting the gentleman's analysis that once there is a court order then it would be the court forcing the integration and not HEW. What would happen to a school district which wants to avoid the court order and wants to desegregate under the case law instead of title IV?

Mr. WHITTEN. They would have the full authority to do that. I carefully put in here, about 90 times, that the funds cannot be used "to force."

If the gentleman will bear with me, his argument supports my position. He has just described the terrible situation in which the schools find themselves. It is time we clarified the situation for them. Sections 209 and 210 do clarify it. It says

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so long as the schools are run in line with desegregation as defined by the Congress in the Civil Rights Act these moneys cannot be used to force busing, to force assignment, to force transfer over the protest of parents. But they can transfer all they want. They can do all the other things if they want to. I would prohibit the use of force.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. CORMAN was allowed to proceed for 1 additional minute.)

Mr. CORMAN. Mr. Chairman, forced mixing is a bad term. Constitutional rights to equal education is a good term. But we are really talking about the same thing.

Are we in this great land going to give all American schoolchildren equal access to education? We have proved for more than 100 years we cannot do it if we isolate students because of their race, and it does not matter whether it is South or North or East or West.

I would hope we would put no impediment on the use of Federal funds to carry out that purpose.

Mr. RYAN. Mr. Chairman, once again we are faced with the Whitten and Jonas amendments. This time, they have been tacked into the Office of Education appropriations bill for fiscal year 1971. H.R. 16916. The language this time is slightly different, but the intent is the same as in those other instances when these amendments have been before the House—perpetuation of dual school systems in the South. The catch phrase these amendments invoke is "freedom of choice." No slogan, however, can refute the very denial of equal rights which they embody.

As I stated on the floor less than 2 months ago, on February 19, when we were considering H.R. 15931, the Labor-HEW appropriations bill, which contained similar amendments:

> Let no one deceive or be deceived. "Freedom of choice" is a perversion of terms—"freedom" can never be equated with the repression and injustice which "freedom of choice" actually constitutes.

This time around, the Whitten amendments are embodied in sections 209 and 210 of the bill now before us—the appropriation bill for the Office of Education. These two sections provide:

> SEC. 209. No part of the funds contained in this Act may be used to force any school or school district which is desegregated as that term is defined in Title IV of the Civil Rights Act of 1964, Public Law 88–352, to take any action to force the busing of students; to force on account of race, creed or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so designated to or from a particular school over the protest of his or her parents or parent.
>
> SEC. 210. No part of the funds contained in this Act shall be used to force any school or school district which is desegregated as the term is defined in Title IV of the Civil Rights Act of 1964, Public Law 88–352, to take any action to force the busing of students; to require the abolishment of any school so designated; or to force on account of race, creed or color the transfer to or from a particular school so designated as a condition precedent to obtaining Federal Funds otherwise available to any State, school district or school.

As usual, these provisions raise the red flag of busing, a totally spurious issue but one which is guaranteed to alarm some and which has the chance of even converting a few. The issue is not, in reality, a viable one. But in the atmosphere of these times, it is a relevant one nonetheless.

And here, I think, some mention must be made of the "atmosphere of these times." The very real possibility that these amendments may be passed by this House, as they were when we considered their predecessors in the Labor-HEW appropriation bill—which was then rectified by our colleagues in the Senate—reflects the ambivalence and even regressive attitude which the administration has expressed on civil rights. I fear greatly that the divisions which exist in this country are being exacerbated and widened by an administration which seems bent on burying, by "benign neglect" as well as by actual action, the progress in civil rights which the last 10 years have seen. This is the "atmosphere of these times."

The resignation of Leon Panetta, former head of the Office of Civil Rights in the Department of Health, Education, and Welfare, was in reality a dismissal. Mr. Panetta, an extremely intelligent, honest, and commited believer in firm enforcement of title VI of the 1964 Civil Rights Act, was forced out because of those very qualities which I have just named.

The emphasis on litigation rather than administrative enforcement by the Department of Health, Education, and Welfare—clearly the most effective means whereby to achieve school desegregation—is no accident. Litigation takes years. What is more, the onus is placed on the courts to compel desegregation, rather than on the executive. And given the reluctance of at least some Southern judges to further desegregation—a reluctance which has been all too sadly documented in the past few weeks in considering the President's most recent nominee to the Supreme Court—there is added disadvantage to such great reliance on the courts.

Nor is the administration's position on school desegregation as a policy to which it should be firmly and aggressively committed at all satisfying. The President's statement of March 25 on elementary and secondary school desegregation is, as has become the hallmark of this administration in the field of civil rights, at best ambivalent. Only last night, the Vice President spoke against colleges admitting academically "unqualified" students—a clear challenge to the aspirations of minority group members too long denied equal educational rights throughout our educational system and too long victimized by inadequate educational opportunities.

Last week the other body had the opportunity and the responsibility to repudiate the "atmosphere of these times." The other body met this responsibility by refusing to confirm the nomination of Judge G. Harrold Carswell. Today, we have the same kind of opportunity and responsibility, and we must perform no less well. This, to my mind, is the major issue before us in our consideration of the Whitten and Jonas amendments.

But, looking at these amendments in isolation—apart from their relevance to the "atmosphere of the times"—they still require rejection. The Whitten amendment sanctions "freedom of choice," compelling the Department of Health, Education, and Welfare to accept "freedom of choice" plans without regard to whether or not these plans will end dual school systems and segregation.

Yet the Supreme Court made very clear, in *Green* v. *School Board of New Kent County*, 391 U.S. 430 (1968), that "freedom of choice" plans can be sanctioned if—and only if—they effectuate "conversion of a State imposed dual system to a unitary, nonracial system." And even in such case, a "freedom of choice" plan "must be held unacceptable" when "there are reasonably available other ways, such for illustration as zoning, promising speedier and more effective conversion to a unitary, nonracial school system."

As I pointed out last February 19, the report of the U.S. Commission on Civil Rights, issued in July 1967, and entitled "Southern School Desegregation, 1966–67," makes ultimately clear the hypocrisy of "freedom of choice"—it is, pure and simple, an invitation for intimidation of blacks to prevent their exercising their freedom to choose white schools.

The Jonas amendment is equally pernicious. Embodied in section 211 of the bill, it provides:

> SEC. 211. No part of the funds provided in this Act shall be used to formulate or implement any plan which would deny to any student, because of his race or color, the right or privilege of attending any public school of his choice as selected by his parent or guardian.

Again, "freedom of choice" is being invoked. Different words, but the same evil.

An article which appeared in the March 29, 1970, edition of the Washington Post presents, in far more stark detail than I can, the nature of this evil. The article is made up of excerpts from a Justice Department brief filed with the Fifth Circuit Court of Appeals. The case in question, which the Government won, concerned Noxubee County, Miss. The court action began in 1967; the Fifth Circuit Court ruling came last summer. I commend this article to my colleagues—and especially to those who have any doubts that "freedom of choice" flies in the face of equal rights. The article follows:

[From the Washington Post, Mar 29, 1970]

HOW NEGROES "CHOOSE" SCHOOLS IN MISSISSIPPI

On June 2, 1967, in an action brought by the United States pursuant to Title IV of the Civil Rights Act of 1964, the U.S. District Court for the Southern District of Mississippi permanently enjoined the racially discriminatory operation of the Noxubee County, Miss., public schools. The order required school officials and those acting in concert with them to follow a freedom-of-choice desegregation plan and to provide a 30-day choice period during the month of July, during which parents or students could choose which school to attend.

On Sept. 11, 1967, after the acts of harassment and intimidation recounted below, the United States moved for an order to show cause why the school officials who had been named in the school desegregation action should not be held in civil contempt for violating certain sections of (a previous) decree which had prohibited them from influencing the choices of students or their parents.

At the same time the government instituted the present action by filing a complaint seeking an injunction against the sheriff of Noxubee County, a constable, a justice of the peace, the mayor of Brooksville in Noxubee County, the administrator of the county hospital, and eight other white citizens of Noxubee County—who were not school officials and had not been parties in the school desegregation suit—to restrain them from harassing, threatening, intimidating, coercing and punishing Negro citizens of Noxubee County for exercising their rights, under the Constitution and the court order, to choose to attend traditionally white schools.

Upon the motion of the government, the two cases were consolidated and tried together from Sept. 14–19, 1967. On Sept. 26, the court entered an order in the case involving the school officials. It found them in contempt in various respects pertaining to the distribution and submission of choice forms, as well as discouragement of Negroes choosing white schools and failure to take appropriate steps to protest or obtain protection for Negroes exercising the right to attend traditionally white schools. A new choice period was ordered for the approximately 80 Negro students who had withdrawn their choices of a white school.

The court entered no decision, however, with respect to the defendants in the present case—which concerned interference by individuals who were not school officials. Nine months thereafter, upon special motion by the United States, the court issued an opinion in which it held that the proof failed to sustain the allegations. A judgment dismissing the complaint and denying all relief requested against these defendants was entered on July 30, 1968.

FIRST EFFORTS BLOCKED

During July, 1967, a choice period was held pursuant to the model Jefferson decree. Approximately midway through this choice period a group of Negro parents decided to execute choice forms for their children's attendance at the traditionally white schools. Since many were reluctant to go into the courthouse to the superintendent's office to obtain school choice forms, the parents designated three men—Mastrow Oliver, Fred Turner and William Bradley—to obtain the forms at the school superintendent's office on Monday, July 19. The parents' reason for wanting to submit a large number of forms at one time "was to try to keep the pressure off two or three people."

A request for transfer forms was made pursuant to this plan, but was refused by John Barrett, the school superintendent, who said he could distribute choice forms only to individual parents who came and asked for them. The three Negroes then took forms for their own children and left the office. Having failed to obtain the forms from the superintendent, Oliver and Turner obtained a stencil of the choice form and had copies mimeographed on July 20–21. These forms were distributed by Oliver and various others to those Negro parents who had previously expressed and interest in obtaining them.

On Tuesday, July 25, Oliver carried a group of approximately 75 executed forms to Superintendent Barrett's office, where, in the superintendent's absence, his secretaries refused to accept them. They were subsequently delivered to Superintendent Barrett at his office by Turner and Riley Sproul on the following day, July 26. On the afternoon of July 31, the last day for making or changing a choice of schools, Oliver delivered his second group of 13 executed choice forms to Superintendent Barrett at the courthouse in Macon.

The news that these choices had been made became public, and lists of the names of Negro parents who had chosen white schools were circulated among the white citizens of Noxubee County. Several Negro parents received threatening visits from whites who urged or demanded that the Negroes withdraw their choices. (Some Negro parents withdrew their choices of white schools on the basis of reports that white citizens had been angered by their choices, even though they were not individually contacted by white people.) Many, if not all, of the Negroes were falsely told that other Negro parents had withdrawn their choices and that their children would be the only Negroes in the white schools.

PATTERN OF HARASSMENT

Shortly after the end of the choice period one of the Negro parents who had not withdrawn her daughter's choice was, for that reason, dismissed from her job at the county hospital, and three lawsuits were filed against Mastrow Oliver during the two days immediately following the close of the July choice period. Details of these incidents and of the roles played by the defendants are outlined below.

Howard Spann and his wife, Eugenia, both Negroes residing in Noxubee County, are the father and mother of James Spann, who had chosen in July to send three of his children to the white schools. Between Thursday, July 27, and Sunday, July 30, the two grandparents were visited at their home by the defendant Allen Lanier on three different occasions, although Lanier had never before visited the Spann home.

Lanier told Howard Spann on Thursday to get James to withdraw his choices for the white school or else there was liable to be trouble and both he and his son James might lose their jobs. Lanier returned on Friday and Howard told him that James had refused to withdraw his children. Lanier repeated his admonition. On the following Sunday morning, Lanier returned again and, finding that James still had not changed his mind, told Mrs. Spann that he had warned her and she would be sorry. James Spann's children attended traditionally white schools during the 1967–68 school year.

Allen Lanier also visited the homes of Mrs. Sally Mae Beck and Mrs. Annie Lee Jackson, who were sisters and who had chosen to send their children to the white schools. Lanier came to Mrs. Beck's house on Thursday, July 27. He had her name on a small card along with the name of Annie Jackson and one other person. At that time Mrs. Beck's husband and son were bringing the cows around the house, and Lanier remarked that she wouldn't be able to sell her cotton or her milk. He said if she decided to withdraw her daughter she should call him, and he left a card on which he wrote his telephone number. Lanier also told Mrs. Beck that her son's employer, who operated a feed mill, would not be able to sell his feed if her son continued to work for him.

The next morning Mrs. Beck called Lanier, and they went over to Mrs. Jackson's house. Lanier told Mrs. Jackson that she would have to move if Mr. Minor, a white neighbor, found out that she had chosen a white school for her children. Both sisters decided to withdraw their choices—Mrs. Beck because she thought her choice of a white school might prevent her from selling her milk and cotton and Mrs. Jackson because she was afraid of the economic harm that might befall her sister.

Nelsen Short had chosen the white schools for his four children. On Friday afternoon, July 28, defendant Vernon J. Hill, a white neighbor of Short's, came to see Short and warned him he should not have done it, and said that what he had done would just cause trouble. During this visit, Short saw Hill carrying a pistol in his back pocket. Hill told Short that he had a list of all the Negroes who had signed their children up to go to the white schools.

Hill returned on Sunday night before dark, and stayed until after nightfall. He had been drinking and from time to time the conversation became loud. On this visit, Hill's pistol was again in a position where it was visible to Short, who later related:

"Yes, sir, he had his pistol. He sat down on the porch and I stood there by the porch. When he went to pull up his breeches it fell out and he asked me was I scared and I told him, 'Yes, sir, this is what you had the last time you were over here,' and he went on and talked. He stood up and asked me, 'Is your wife home?' and I said, 'Yes, sir, my wife and children they are in the house,' and he told me, 'Tell them to get me a glass of water,' and I told my wife to give him a glass of water and my daughter she brought the water. My daughter she brought the glass of water and he took the glass of water and drank the glass of water and drank the rest of the whisky and stood far on the edge of the porch. I wasn't necessarily watching him, I just kinda stood there, and when he got it drank up and got ready to go he left his hat, and I said, 'Mr. Hill, you left your hat,' and I gave him his hat and he put it on his head and said, 'Now, you think about what I told you. Don't you forget it. It'll cause trouble and I thought I knowed you better than that,' and I said, 'Yes, sir.' "

(Vernon Hill testified that he had visited Nelson Short and did not deny that he made the statements attributed to him by Short.)

The defendant Fred Lavender is the administrator of the Noxubee General Hospital. Until Aug. 8, 1967, Mrs. Mary Frances Brown, a Negro who had chosen a white school for one of her daughters, was employed as a relief cook in the hospital kitchen. On Aug. 8 she was dismissed from her employment by the defendant Lavender.

Lavender had come to Mrs. Brown's home on Saturday afternoon, July 29. He talked about all the students who had dropped out of school and suggested, according to Mrs. Brown's testimony, that her daughter might be the only Negro in her room and that they might "put her back three years." Mrs. Brown stated that Lavender warned her that there is a "Lankley Tinsley" in the county, referring to a white man who had killed a Negro. Lavender also testified that this reference was made, but said that it was made first by Mrs. Brown and that he had not previously been aware that Lankley Tinsley had killed a Negro.

The choice period closed on July 31. Mrs. Brown did not withtdraw her choice. On Aug. 8 Lavender directed the hospital's dietitian, Mrs. Gousset, to fire Mrs. Brown. Mrs. Grousset testified that Mrs. Brown was fired because she violated the rule against kitchen employees being in patient's rooms, although there was no proof that Mrs. Brown had been in any patient's room and although other hospital employees testified that kitchen employees frequently entered the hallway areas, as Mrs. Brown had done, and had not been fired. Lavender testified that Mrs. Brown was fired for insubordination.

The executed choice forms were collected and delivered to the superintendent's office by Mastrow Oliver. When Oliver delivered the second set of executed choice forms on the afternoon of July 31 he was met at the

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superintendent's office by a crowd of 15 to 18 men standing in the hallway. Sheriff Emmett Farrar, a defendant, who was among the men in the crowd, came up to him and said that Oliver's father "always did have sense, but I see that you ain't got no damn sense." When Oliver said he was not breaking any law, the sheriff replied that he "was fixing a good way of breaking [his] own damn neck."

Another man in the crowd asked Oliver where he lived, and Sheriff Farrar replied that "more white folks know where he was living at now since this happened than ever" and then told Oliver he wanted to talk to him when Oliver had finished his business in the superintendent's office. Oliver, who had to drive to work at night on a country road, was told by the sheriff that he would not give him any protection.

Suits for the collection of debts followed immediately upon Oliver's delivery of the choice forms on July 31. A lawyer of the defendant Dinsmore, to whom Oliver owed money on an account, was waiting for Oliver when he arrived at work the same afternoon and he stated that he wanted to file suit. Three suits were filed by Dinsmore, a gin operator, for the collection of outstanding debts owed the Dinsmore gin by Mastrow Oliver and his two brothers, Tom and Hoover.

Although Dinsmore testified that these suits were filed in the normal course of business, he also testified that he has never sued any other gin patron for the collection of accounts before or since July 31, 1967.

After the choice period was closed, the suits filed and summonses served, Mastrow Oliver attempted to get his choice of the white school changed, but was unable to do so under the provisions of the decree, and his children attended the traditionally white schools in 1967–68.

CONCLUSIONS

The only reasonable conclusion that can be drawn from the evidence in this case is that the defendants sought to frighten, force or cajole the Negro parents of Noxubee County into keeping their children in the Negro schools—a pattern of student assignment condemned as unconstitutional as long ago as *Brown & Board of Education* (1954). That their purpose was to keep the Negro students in the traditionally Negro schools is admitted by the testimony of the defendants themselves.

The repeated visits of the white defendants, many of whom were in positions of superiority or economic power over the particular parents visited, necessarily had an intimidatory effect on the Negro parents. All of them testified to their fears resulting from those visits.

The results of the defendants' activities were impressive, if not totally successful. Approximately 93 Negro students had exercised a choice to attend the white schools, and approximately 75 of these choices were changed back to Negro schools during the five days between July 27 and July 31. Only 18 Negro students retained their original choices to attend the white schools.

In two of the instances where the pressure was not successful—Mrs. Mary Frances Brown and Mastrow Oliver—one of the Negro parents was fired from her job on questionable grounds about which the testimony of the defendants' own witnesses conflicts, and the other was immediately sued on one obligation on which he had three days previously made a payment pursuant to a collection agreement and on another obligation which had not been outstanding for as long a time as other debts owed by other persons to the same creditor and previously referred by him to the same peace officer for collection.

This sudden, intensive and short-term effort on the part of the defendants—whether individually or concertedly—could have been no less than a purposeful attempt to interfere with the Negroes' rights. Numerous witnesses testified to the existence of lists of Negro parents who had chosen white schools, and the names of the parents on the list produced by Hal Land, a white resident of Noxubee County, corresponds exactly with the names as signed by those parents on their original choice forms.

The protestations of the defendants that they will abide by the future order of the district court was not reason to deny injunctive relief. Likewise, the holding of the new 10-day choice period in September for those Negro parents who originally chose a formerly white school could not erase the fear and intimidation caused by the defendants' previous conduct, especially in the absence of any judicial protection from such conduct in the future.

Parents who might have chosen a white school at the end of July, 1967, but who did not do so because of the intimidatory effects of defendants' conduct were not included in that [new] 10-day choice period.

Furthermore, the intimidation arising from these defendants' actions would have an effect broader than in the area of choosing what school to attend. The racial intimidation caused by these defendants extends into the Negroes' rights to feel that they can participate freely in school activities and programs, and even into the free exercise of other rights protected by federal law—the right to vote, to buy a house, eat in a restaurant, use public facilities, obtain a job, all without discrimination based on race.

Mr. MICHEL. Mr. Chairman, I am also concerned about sections 209 and 210—the so-called Whitten amendments—which pertain to busing of students, although I am convinced that these amendments do not change basic law nor would they require a change in HEW's regulations. A school district which has not completed its constitutional obligation to achieve a unitary system would not be desegregated within the meaning of the proposed sections 209 and 210. Such a district, therefore, would be unaffected by these sections. My concern, rather, is that the enactment of these two provisions would encourage some people to believe that, in fact, there would be a change in basic law and thus give rise to much confusion. Further, it is my belief that language which pertains to the enforcement of school desegregation belongs in substantive legislation rather than in an appropriation bill. However, since these two provisions do not change basic law, I am not asking that they be deleted.

The CHAIRMAN. The question is on the two amendments to sections 209 and 210 which the committee has agreed to consider en bloc, offered by the gentleman from California (Mr. COHELAN).

The question was taken; and the chairman announced that the noes appeared to have it.

Mr. COHELAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the chairman appointed as tellers Mr. COHELAN and Mr. WHITTEN.

The committee divided, and the tellers reported that there were—ayes 63, noes 106.

So the amendments were rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 211. No part of the funds provided in this Act shall be used to formulate or implement any plan which would deny to any student, because of his race or color, the right of privilege of attending any public school of his choice as selected by his parent or guardian.

AMENDMENT OFFERED BY MR. CONTE

Mr. CONTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONTE: Strike section 211, beginning on page 9, line 25, and ending on page 10, line 4.

Mr. CONTE. Mr. Chairman, the amendment I have offered with my good friend from California (Mr. COHELAN) would strike the Jonas provision from H.R. 16916.

The Jonas provision is in clear violation of the constitutional obligation to end de jure segregation once and for all. The Senate struck this provision from the fiscal 1970 bill in February. This body approved my motion to accept the Senate action by a vote of 228 to 152.

Section 211 would establish under Federal law a universal right to freedom of choice. In so doing, it would preempt the traditional authority of State governments and of local school authorities to establish educational policy.

It would sanction freedom-of-choice plans even though they might not meet the requirements of title VI of the Civil Rights Act of 1964, or the mandate of the Supreme Court which has ruled that such plans may not be constitutionally permissible.

Section 211 would also create two contradictory standards of school desegregation—one applied by the courts and presumably the Justice Department, and the other applied by HEW. I think my colleagues can well imagine what this would do to an already confused and tense situation.

It would place an unreasonable burden upon school districts which are in the process of complying with Federal law.

These school districts would face a difficult and perplexing decision, to say the least. They just could not win. If they abided by Federal nondiscrimination provisions against freedom of choice, they would lose Federal money. If they adopted a freedom of choice plan, they would risk judicial action which might well call for another type of plan.

I believe this would be an intolerable situation, and I do not want to be a part of it.

I might note what the Secretary of Health, Education, and Welfare said when this provision was debated in the Senate. In a letter to Senator MAGNUSON, about this same provision, Secretary Finch wrote:

> It is my belief that it may well have been borne out of misunderstanding on the part of the House concerning the role and activities of the Office for Civil Rights for the Department. * * * Because Section 410 [211] does not appear to be consistent with actions of the courts, it could only produce an administrative nightmare for our Department. If we are to avoid the administrative chaos that this section would produce at all levels, (it) should be deleted from the bill.

That, I repeat, was the Secretary of Health, Education, and Welfare.

We must speak clearly to the school districts of this Nation. We must not confuse the issue and give comfort to those who would delay integration.

I urge my colleague to join Mr. COHELAN and me in our amendment to strike section 211.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I am glad to yield to my distinguished friend from New York.

Mr. REID of New York. Mr. Chairman, I commend the gentleman from Massachusetts (Mr. CONTE) for seeking to strike section 211. This provision clearly violates the constitutional obligation to eliminate de jure segregation, and clearly seeks to legalize unconstitutional freedom of choice plans. It would represent a tragic step backward and it should be deleted.

Mr. JONAS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have great respect for my beloved colleague, the gentleman from Massachusetts (Mr. CONTE), but I do not agree with his argument in this instance. I have heard a lot of arguments similar to those advanced by my friend and they all ignore the key words in this section.

This is not a freedom of choice section. It is only a partial freedom of choice section. Let me just read what the section says:

> No part of the funds provided in this Act shall be used to formulate or implement any plan which would deny to any student, because of his race or color, the right or privilege of attending any public school of his choice. . . .

Now, what is all of the argument over desegregation about? How did it start? It started with the famous case of Brown against Board of Education in which the Supreme Court held, in effect, that it is unconstitutional to assign students to particular schools because of race or color. Well, now, if that was the law laid down in Brown against Board of Education, it has been repeated in successive pronouncements by the Supreme Court in other cases, and by circuit courts.

What kind of language do the courts use? They say school boards must achieve a system of admission to the public schools on a nonracial basis. And the courts have repeatedly said that no person is to be excluded from any school on the basis of his race. That is what the Supreme Court has said the Constitution means.

Well, how does that differ from what I am saying? I am saying no student shall be denied the right to attend the school of his choice because of his race or color. He can be denied the right to attend the school of his choice because of geography, because of zones, because of countless reasons. The only reason, the only way this section says he cannot be denied the right to attend the school of his choice is because of his race or color. I submit to you that is exactly what the Supreme Court has been holding the law of the land to be since 1955. And those who would argue that there is something in this section that would give a student the right to choose to go to a school across town because there is a better gymnasium in a certain school or because one school has a better football team or some other school has a better glee club, are simply drawing red herrings across the path. The only prohibition in this section is against denying students the right to attend neighborhood schools or the schools of their choice because of their color or race.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, let us get some legislative history here.

Then if you have a town in Mississippi, say, where you have 90 percent black people and 10 percent white people, and you have some white students in the black schools and they do not want to go there, they do not have to go there; is that right? They can go to the white school?

Mr. JONAS. I say no; they may not be denied the right to attend the school of choice on account of race or color.

I am saying that HEW——

Mr. CONTE. The gentleman has answered my question.

Mr. JONAS. I am saying that HEW cannot use these funds to make up a plan which would deny to a student, because of his race or color, the right of attending the school that he wants to attend.

Mr. CONTE. The gentleman answered my question. They get their choice to do as they want, so you can get the little white boys over in the white school, and you can get the little black boys over in the black school.

Mr. JONAS. No; What I intended to say is that the school board has the right to make student assignments on any basis except race or color. I am not denying the right of the school board to make pupil assignments on any basis other than race or color. I am merely saying that HEW shall not formulate a plan which would deny a student the right to attend the school of his choice because he is black or because he is white; that race or color should not be considered, and I thought that was what the Supreme Court has been saying ever since Brown against Board of Education—make no racial distinctions between students in school assignments.

Those who oppose this section should keep the key words in mind: because of his race or color.

Mr. COHELAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Massachusetts (Mr. CONTE) to strike out the Jonas amendment, section 211 of this bill.

The Jonas amendment is an attempt once again to legalize unconstitutional freedom-of-choice plans. The language of this provision goes a dangerous step further than ever before by implying that each school district must establish freedom of choice plans as criteria for securing HEW funding.

This prerequisite borders on the absurd, as does the underlying intent of this amendment, which is a thinly disguised attempt to establish so-called freedom of choice plans as the only means to end unconstitutional segregation. The Supreme Court has previously ruled on this matter in Green against New Kent County, Va. on May 28, 1968.

On this occasion that Court stated:

> In desegregating a dual system, a plan utilizing freedom of choice is not an end in itself . . . the burden on the school board today is to come forward with a plan that promises to work realistically *now* . . . It is incumbent upon a school board to establish that its proposed plan promises meaningful and immediate progress toward de-establishing state-imposed segregation.

The Court added that if there "reasonably available other ways, such as zoning, promising speedier and more effective conversion to a unitary, nonracial school system, 'freedom of choice' must be held unacceptable."

Mr. Chairman, the Supreme Court's language is clear—freedom-of-choice plans are not constitutionally acceptable unless they prove effective in eliminating de jure segregation. When freedom-of-choice plans fail to result in desegregation, they are not acceptable to meet the requirements of title VI of the Civil Rights Act.

Mr. Chairman, freedom of choice plans have failed in the areas in question. Freedom of choice has been tried in the South from 1954, the year of the first Brown decision, to early 1968. During that 14-year period, black children attending white schools rose from practically zero percent to a very poor 14 percent, an average of about 1 percent a year. However, between the fall of 1967 and the fall of 1968, following the Green decision, the desegregation rate in the 11 Deep South States jumped by 6 percent to a total of 20 percent.

In the face of all of this we are now being asked to endorse the Jonas provision, which attempts in a most radical and relentless way to turn back the clock in civil rights progress. By implying that freedom of choice plans are the only means that can be used by school boards to end dual school systems, the Jonas language does not subject freedom of choice to constitutional requirements to end de jure segregation.

As drafted, the Jonas amendment can be interpreted to mean that no Federal funds can be obtained by school districts if they do not initiate freedom-of-choice plans. In other words, such plans become compulsory, and security of Federal funds becomes contingent upon the utilization of such plans. Aside from the fact that the whole concept is not subject to constitutional restrictions, think of the confusion that this could cause throughout the Nation, if enacted. Parents, not elected school boards, would assume authority for determining criteria for making pupil assignments.

But, Mr. Chairman, whatever the other interpretations, and I feel this provision is subject to many, the overriding consideration in my mind is that this amendment will be used to confuse, delay, and perhaps obstruct the end of unconstitutional de jure segregation.

In light of the Green decision, I submit that this amendment is unconstitutional on its face and for that reason it should be rejected. In addition, the passage of this could be interpreted to mean that freedom of choice must be an operating principle in all federally assisted school districts. Such an interpretation could undermine the jurisdiction of local school districts.

I urge my colleagues on both sides of the aisle to vote to strike the Jonas amendment.

Mr. MICHEL. Mr. Chairman, I rise in support of the amendment, and I want to make it clear that it is in support of the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

While I do not oppose and I have not taken a position in opposition to the Whitten amendments, I did so because I do not think it changes basic law, and the Secretary of Health, Education, and Welfare does not feel, frankly, that the Whitten amendments change basic law.

But now we get to section 211, and it should really be stricken from the bill for several reasons.

First, it would prevent the Federal Government and local school officials from carrying out the requirements of the Constitution—requirements which this section does not and cannot remove. What this provision does is to impose a penalty on a school district for carrying out its legal obligation to desegregate. The Department would be put in the position of having to prohibit many school districts from using Federal funds to draw up and implement desegregation plans pursuant to court order. It would thus tie the hands of the Federal Government and of local school officials in dealing with the nondiscrimination requirement of law.

In addition to preventing enforcement officials from carrying out their legal obligations, section 211 would jeopardize the substantial progress made to date in school desegregation, and make more difficult the application of uniform standards in accordance with the Constitution. Furthermore, the amendment directly contravenes the President's March 24 statement on school desegregation in which he pledges to support the recent Supreme Court decisions mandating immediate desegregation. Freedom-of-choice plans, as has been demonstrated, time and again, would not be an effective method of doing this. Court decisions are unequivocal on this point.

It may well be that section 211 was added to the bill because of a misunderstanding on the part of the committee concerning HEW's Office of Civil Rights. This office does not interpret the Constitution or the law. This is the responsibility of the courts. However, once the courts have acted, it is the responsibility of HEW to help school districts comply with court decisions. Because section 211 is not consistent with court rulings on "freedom of choice plans," it could only produce an administrative nightmare for the Department. It should be deleted.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman.

Mr. ANDERSON of Illinois. As we consider this $4.1 billion education appropriation bill today, I think we would be well advised to review the criteria which President Nixon reiterated yesterday in signing the 3-year, $26.4 billion elementary and secondary education authorization. In signing that bill with "considerable reluctance," the President posed four questions which I feel should guide us in our deliberations here today and in the future. In the President's words:

> Is the level of funding realistic and responsible? Does it concentrate funds where they can do the most good? Does it expand our efforts to discover what works and what does not work in education? Does it satisfactorily reform programs such as aid to impacted areas and the other outmoded programs?

In signing that bill yesterday, the President contended that it "authorizes spending which is both excessive and misdirected," and he warned that his signature was not to be interpreted by the Congress as a "commitment to seek or approve this unrealistic level of appropriations." I want to stress that point because I know that there are some here today who will try to convince us that the President's signature on that authorizing legislation is a mandate for a substantial increase in the appropriations bill before us today. Let me only remind them that the President has clearly rejected that interpretation and that they are openly risking another veto if they attempt to exceed responsible levels of spending. I think I should point out that the bill before us today already exceeds the administration's request by $744 million and that many of us have serious reservations about the wisdom and direction in that increase.

Let me elaborate by addressing myself to the four questions posed by the President yesterday. First, is the level of funding realistic and responsible? I am reminded of a cartoon appearing in last night's Evening Star which pictured President Nixon holding his fingers in a leaky reservoir labeled "budget surplus." I think the cartoon would have been more accurate and realistic if it had pictured an election-year-oriented Congress actually running around springing more leaks in that reservoir. It seems to me that this would highlight the paradox of those who would make inflation an election year issue while at the same time engaging in reckless and irresponsible budget-busting that can only prolong and further exacerbate the inflationary situation. I do not think anyone will deny the urgent need to reorder our national priorities, and I, for one, hope the day is not far off when we can concentrate more resources on education. But our first priority must be ending inflation and we are not going to accomplish this by pursuing a policy which got us into all this trouble in the first place; and I am referring to the policy of deficit spending. If we are really serious about combatting inflation then we must first put our own house in order by balancing the budget and returning to a policy of fiscal responsibility. Instead of running around springing more leaks in the budget surplus, we should be assisting the President in patching up those leaks.

The second, third, and fourth questions posed by the President are all interrelated: Does it concentrate funds where they can do the most good? Does it expand our efforts to discover what works and what does not work in education? Does it satisfactorily reform programs such as aid to impacted areas and the other outmoded programs? These are matters, of course, which must be dealt with by the authorizing committee, and some changes have been made in the most recent authorization.

But nothing was done, for instance, to revise the impact aid formula and this is something which the President and a great many of us in the Congress are concerned about. As you know, the President had recommended that we withhold action on appropriating the $425 million for impact aid until there has been a reform in the system. The President's budget did contemplate a supplemental for this purpose, contingent upon reform. And yet, the Appropriations Committee has chosen to ignore the President's request and include the $425 million in this appropriations. I realize that the report issued by the committee states that it "is in full sympathy with the President's objective of reforming this program," but I am wondering whether that sympathy will be sufficient to force the necessary reform if the funds have already been appropriated. I seriously doubt it, and this distresses me greatly.

Another matter which is of some concern to me is that although the committee has had no compunction about exceeding the President's education request by $744 million, it has actually cutback on his request for research funds by $13 million. I realize that the $105.3 million in this bill for research and experimentation is $25 million over the amount available last year, but the fact that it is still $13 million less than the administration's request is disturbing when you consider that this research is essential to the type of educational reform the President made a strong plea for in his message.

Finally, I question the wisdom of again attempting to attach a legislative rider to this appropriation bill. But beyond this procedural objection, I again strongly protest the language of the so-called Whitten amendment on moral and constitutional grounds. In his school desegregation message, the President again stated his intention to enforce the mandate of the Constitution.

There is no doubt in my mind that the intent of the authors of this provision runs contrary to that of the President and I will continue to support amending language which makes it clear that this is not meant to circumvent that constitutional mandate. I am convinced that if we leave the public with the impression that we are somehow at odds with the courts on the issue of school desegregation we will only be encouraging more of the type of open defiance we have witnessed in Lamar, S.C., and in Manatee County, Fla. We cannot tolerate either brand of defiance and still expect our institutions to survive. We have been sworn to uphold the Constitution and the protection it extends to all our citizens. Let us not be guilty of undermining the very system we were sworn to uphold and let us not be guilty of retreating on the very basic commitment to equal justice and opportunity for all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. Conte).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CONTE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Conte and Mr. Smith of Iowa.

The Committee divided, and the tellers reported that there were—ayes 87, noes 101.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

SUBSTITUTE AMENDMENT OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. Michel: Strike all after the enacting clause and insert:

TITLE I—OFFICE OF EDUCATION

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), $440,000,000 of which $425,000,000 shall be for the maintenance and operation of schools as authorized by said title I of the Act of September 30, 1950, as amended, and $15,000,000 which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950: *Provided,* That this appropriation shall not be available to pay local educational agencies pursuant to the provisions of any other section of said title I until payment has been made of 90 per centum of the amounts to which such agencies are entitled pursuant to section 3(a) of said title and 100 per centum of the amounts payable under section 6 of said title.

ELEMENTARY AND SECONDARY EDUCATION

For carrying out, to the extent not otherwise provided, title I–A ($1,500,000,000), title II ($80,000,000), title III ($137,393,000), title V ($29,750,000), title VII, and section 807 of the Elementary and Secondary Education Act, section 402 of the Elementary and Secondary Education Amendments of 1967, and title III–A of the National Defense Education Act of 1958 ($20,000,000), $1,808,968,000: *Provided,* That grants to State and local educational agencies under said title I–A shall not be less than grants made to such agencies in fiscal year 1968.

EDUCATION FOR THE HANDICAPPED

For carrying out, to the extent not otherwise provided, the Education of the Handicapped Act, and section 402 of the Elementary and Secondary Education Amendments of 1967, $105,000,000.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, section 102(b) ($20,000,000), parts B ($350,336,000), D, F $(17,500,000), G ($18,500,000), and H ($5,500,000) of the Vocational Education Act of 1963, as amended (20 U.S.C. 1241–1391), the Adult Education Act of 1966 (20 U.S.C. ch. 30) ($55,000,000), and section 402 of the Elementary and Secondary Education Amendments of 1967, $490,446,000, including $20,000,000 for exemplary programs under part D of said 1963 Act of which 50 per centum shall remain available until expended and 50 per centum shall remain available through June 30, 1972.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles I, III, IV (except part F), and part E of title V of the Higher Education Act of 1965, as amended, section 105(b), section 306 and title IV of the Higher Education Facilities Act of 1963, as amended, titles II, IV, and VI of the National Defense Education Act of 1958, as amended, section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), the Emergency Insured Student Loan Act of 1969, sections 402 and 411 of the Elementary and Secondary Education Amendments of 1967, and section 102(b)(6) of the Mutual Education and Cultural Exchange Act of 1961, $899,880,000, of which the following amounts shall remain available until June 30, 1972; $167,700,000 for educational opportunity grants, and amounts reallotted for grants for college work-study programs, and the following amounts shall remain available until expended: $145,400,000 for the student loan insurance programs (including $2,200,000 for computer services for the Office of Education) and $21,000,000 for annual interest payments for subsidized construction loans.

EDUCATION PROFESSIONS DEVELOPMENT

For carrying out, to the extent not otherwise provided, section 504 and parts B ($15,000,000 for subpart 2), C, D, and F of the Education Professions Development Act (title V of the Higher Education Act of 1965), and section 402 of the Elementary and Secondary Education Amendments of 1967, $135,800,000.

COMMUNITY EDUCATION

For carrying out, to the extent not otherwise provided, titles I ($35,000,000), II, III ($2,281,000) and IV ($3,428,000) of the Library Services and Construction Act (20 U.S.C. ch. 16); title II (except section 224) of the Higher Education Act of 1965 (20 U.S.C. 1021–1033, 1041), section 402 of the Elementary and Secondary Education Amendments of 1967 and part IV of title III of the Communications Act of 1934 (47 U.S.C. 390–395), $71,636,000, of which $5,000,000, to remain available through June 30, 1972, shall be for grants for public library construction under title II of the Library Services and Construction Act, and $6,000,000 shall be for educational broadcasting facilities and shall remain available until expended.

RESEARCH AND TRAINING

For carrying out, to the extent not otherwise provided the Cooperative Research Act (except section 4) and section 303 of the Vocational Education Amendments of 1968, $110,325,000.

EDUCATIONAL ACTIVITIES OVERSEAS (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Office of Education, as authorized by law, $3,000,000 to remain available until expended: *Provided,* That this appropriation shall be available, in addition to other appropriations to such office, for payments in the foregoing currencies.

SALARIES AND EXPENSES

For the necessary expenses of the Office of Education, not otherwise provided, including rental of conference rooms in the District of Columbia; $46,107,000.

STUDENT LOAN INSURANCE FUND

For the Student Loan Insurance Fund created by the Higher Education Act of 1965, $18,000,000, to remain available until expended.

HIGHER EDUCATION FACILITIES LOAN FUND

The Secretary is hereby authorized to make such expenditures, within the limits of funds available in the Higher Education Facilities Loan Fund, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 849) as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such fund: *Provided,* That loans made during the current fiscal year from the Fund shall not exceed $10,000,000 to be made from amounts available from commitments withdrawn prior to July 1, 1971, by the Commissioner of Education.

PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES

For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interests or participations in assets of the Office of Education authorized by the Department of Health, Education, and Welfare Appropriation Act, 1968, to be issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(c)), $2,952,000, to remain available until expended.

TITLE II—GENERAL PROVISIONS

Sec. 201. Appropriations contained in this Act, available for salaries and expenses, shall be available for services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18.

Sec. 202. Appropriations contained in this Act available for salaries and expenses shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

Sec. 203. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Sec. 204. No part of any appropriation contained in this Act shall be used to finance any Civil Service Interagency Board of Examiners.

Sec. 205. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution.

Sec. 206. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project.

Sec. 207. None of the funds contained in this Act shall be used for any activity the purpose of which is to require any recipient of any project grant for research, training, or demonstration made by any officer or employee of the Department of Health, Education, and Welfare to pay to the United States any portion of any interest or other income earned on payments of such grant made before July 1, 1964; nor shall any of the funds contained in this Act be used for any activity the purpose of which is to require payment to the United States of any portion of any interest or other income earned on payments made before July 1, 1964, to the American Printing House for the Blind.

SEC. 208. None of the funds contained in this Act shall be available for additional permanent Federal positions in the Washington area if the proportion of additional positions in the Washington area in relation to the total new positions is allowed to exceed the proportion existing at the close of fiscal year 1966.

SEC. 209. No part of the funds contained in this Act may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88–352, to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

SEC. 210. No part of the funds contained in this Act shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88–352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed, or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

SEC. 211. No part of the funds provided in this Act shall be used to formulate or implement any plan which would deny to any student, because of his race or color, the right or privilege of attending any public school of his choice as selected by his parent or guardian.

SEC. 212. The Secretary of Health, Education, and Welfare is authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

This Act may be cited as the "Office of Education Appropriation Act, 1971."

XUM

Mr. MICHEL (during the reading). Mr. Chairman, in the interest of time I ask unanimous consent that the substitute amendment be considered as read, since it is the exact bill which was considered with one amendment on page 5 increasing the $105 million figure to a $110 million figure in the research and training item.

Mr. O'HARA. Mr. Chairman, reserving the right to object, may I ask the Chair if I would yet be able to offer a point of order against the entire amendment if I agree to this unanimous consent request?

The CHAIRMAN. The gentleman would not thereby be precluded.

POINT OF ORDER

Mr. O'HARA. Then I make a point of order against the amendment offered by the gentleman from Illinois.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. O'HARA. Mr. Chairman, the point of order against the amendment offered by the gentleman from Illinois is that it contains legislation in an appropriation bill, to wit, the language on page 2, lines 6 to 12 is clearly legislation on an appropriation bill providing for different dispositions of funds under those sections than are provided by law. Therefore I make a point of order against the amendment offered by the gentleman from Illinois.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard further on that point of order?

Mr. MICHEL. Mr. Chairman, may I have again the section to which the gentleman makes reference?

Mr. O'HARA. Mr. Chairman, the point of order is against the proviso contained in the first paragraph under title I, Office of Education, which begins in the bill itself on line 6 on page 2 and runs through line 12, and I make the point of order that constitutes legislation on an appropriation bill.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Chairman, it is as plain as the nose on my face, and I have got a nose, that this is clearly a limitation upon the expenditure of funds. That is clearly it. I suggest the point must be overruled.

The CHAIRMAN. Does the gentleman from Michigan desire to be heard further?

Mr. O'HARA. Mr. Chairman, I would like to be heard. I would like to say first, Mr. Chairman, if the proviso to which I have referred authorizes the use on a different formula than that provided in the basic authorizing legislation, and I do not believe that the proviso is a limitation or retrenchment of appropriations which would be an expansion, the proviso is neither a limitation nor retrenchment of appropriations, because it permits payment to be made in excess of the payments authorized by the above quoted section of Public Law 81–874.

It may be helpful to the Chairman and to my colleagues in understanding the point that the reference contained in section 5(c) just quoted, that various other sections of entitlements to payments are to the so-called familiar references to categories A and B children under impacted aid.

The CHAIRMAN (Mr. HOLIFIELD). The Chair is prepared to rule. The gentleman from Michigan (Mr. O'HARA), has raised a point of order against the proviso appearing in the amendment in the nature of a substitute and referred to in the original bill as the proviso on page 2 of the bill on the ground that it constitutes legislation on an appropriation bill in violation of clause 2, rule XXI. That proviso would make appropriations in the bill unavailable for payment to local educational agencies pursuant to the provisions of any other section of title I of the act of September 30, 1950—which authorizes school assistance in federally affected areas—until payment has been made of 90 percent of entitled allotments pursuant to section 3(a) of said title I and of 100 percent of amounts payable under section 6 of that title. The gentleman from Michigan contends that such a requirement for payments of funds appropriated in this bill has the effect of changing the allotment formula in the authorizing legislation of funds for "category A students," and is therefore legislation on an appropriation bill prohibited by clause 2, rule XXI.

On June 26, 1968, during consideration of the Department of Labor and Health, Education, and Welfare appropriation bill for fiscal year 1969, the Chair—the gentleman now occupying it—sustained a point of order against an amendment prohibiting the use of funds in the bill for educationally deprived children until there was made available therefrom for certain local educational agencies an amount at least equal to that allotted in the preceding year, since that amendment would have required the Commissioner of Education to make an apportionment of appropriated funds contrary to the formula prescribed by existing law, thus imposing additional duties on that official and changing existing law.

The Chair feels that that decision is controlling in this instance. To make the appropriations authorized under certain sections of the "impacted school aid" legislation contingent upon allotment of certain percentages of entitled funds under other sections of that authorizing legislation is to impose additional duties on the official making the allotment and to change the enforcement formula in the authorizing legislation is in violation of clause 2, rule XXI.

The Chair therefore sustains the point of order.

SUBSTITUTE AMENDMENT OFFERED BY MR. O'HARA

Mr. O'HARA. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. O'HARA:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes, namely:

TITLE I—OFFICE OF EDUCATION

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), $520,000,000 of which $505,000,000 shall be for the maintenance and operation of schools as authorized by said title I of the Act of September 30, 1950, as amended, and $15,000,000 which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950:

ELEMENTARY AND SECONDARY EDUCATION

For carrying out, to the extent not otherwise provided, title I–A ($1,500,000,000), title II ($80,000,000), title III ($137,393,000), title V ($29,750,000), title VII, and section 807 of the Elementary and Secondary Education Act, section 402 of the Elementary and Secondary Education Amendments of 1967, and title III–A of the National Defense Education Act of 1958 ($20,000,000), $1,808,968,000: *Provided*, That grants to State and local educational agencies under said title I–A shall not be less than grants made to such agencies in fiscal year 1968.

EDUCATION FOR THE HANDICAPPED

For carrying out, to the extent not otherwise provided, the Education of the Handicapped Act, and section 402 of the Elementary and Secondary Education Amendments of 1967, $105,000,000.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, section 102(b) ($20,000,000), parts B ($350,336,000), D, F ($17,500,000), G ($18,500,000), and H ($5,500,000) of the Vocational Education Act of 1963, as amended (20 U.S.C. 1241–1391), the Adult Education Act of 1966 (20 U.S.C ch. 30) ($55,000,000), and section 402 of the Elementary and Secondary Education Amendments of 1967, $490,446,000, including $20,000,000 for exemplary programs under part D of said 1963 Act of which 50 per centum shall remain available until expended and 50 per centum shall remain available through June 30, 1972.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles I, III, IV (execept part F), part E of title V, and title VI of the Higher Education Act of 1965, as amended, including section 105(b), section 306 and title IV of the Higher Education Facilities Act of 1963, as amended, titles II, IV, and VI of the National Defense Education Act of 1958, as amended, section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), the Emergency Insured Student Loan Act of 1969, sections 402 and 411 of the Elementary and Secondary Education Amendments of 1967, and section 102(b)(6) of the Mutual Education and Cultural Exchange Act of 1961, $992,100,000, of which the following amounts shall remain available until June 30, 1972: $167,700,000 for educational opportunity grants, and amounts reallotted for grants for college work-study programs, and the following amounts shall remain available until expended: $145,400,000 for the student loan insurance programs (including $2,200,000 for computer services for the Office of Education) and $21,000,000 for annual interest payments for subsidized construction loans.

EDUCATION PROFESSIONS DEVELOPMENT

For carrying out, to the extent not otherwise provided, section 504 and parts B ($15,000,000 for subpart 2), C, D, and F of the Education Professions Development Act (title V of the Higher Education Act of 1965), and section 402 of the Elementary and Secondary Education Amendments of 1967, $135,800,000.

COMMUNITY EDUCATION

For carrying out, to the extent not otherwise provided, titles I ($35,000,000), II, III ($2,281,000) and IV ($3,428,000) of the Library Services and Construction Act (20 U.S.C. ch. 16); title IIA ($20,834,000), title IIB (except 224) ($6,833,000) title IIC ($6,737,000) of the Higher Education Act of 1965 (20 U.S.C. 1021–1033, 1041), section 402 of the Elementary and Secondary Education Amendments of 1967 ($400,000) and part IV of title III of the Communications Act of 1934 (47 U.S.C. 390–395), $90,698,000, of which $9,185,000, to remain available through June 30, 1972, shall be for grants for public library construction under title II of the Library Services and Construction Act, and $6,000,000 shall be for educational broadcasting facilities and shall remain available until expended.

RESEARCH AND TRAINING

For carrying out, to the extent not otherwise provided, the Cooperative Research Act (except section 4) and section 303 of the Vocational Education Amendments of 1968, $105,325,000.

EDUCATIONAL ACTIVITIES OVERSEAS (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Office of Education, as authorized by law, $3,000,000 to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such office, for payments in the foregoing currencies.

SALARIES AND EXPENSES

For the necessary expenses of the Office of Education, not otherwise provided, including rental of conference rooms in the District of Columbia; $46,107,000.

STUDENT LOAN INSURANCE FUND

For the Student Loan Insurance Fund created by the Higher Education Act of 1965, $18,000,000, to remain available until expended.

HIGHER EDUCATION FACILITIES LOAN FUND

The Secretary is hereby authorized to make such expenditures, within the limits of funds available in the Higher Education Facilities Loan Fund, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 849) as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such fund: *Provided*, That loans made during the current fiscal year from the Fund shall not exceed $10,000,000 to be made from amounts available from commitments withdrawn prior to July 1, 1971, by the Commissioner of Education.

PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES

For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interests or participations in assets of the Office of Education authorized by the Department of Health, Education, and Welfare Appropriation Act, 1968, to be issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(c)), $2,952,000, to remain available until expended.

TITLE II—GENERAL PROVISIONS

SEC. 201. Appropriations contained in this Act, available for salaries and expenses, shall be available for services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18.

SEC. 202. Appropriations contained in this Act available for salaries and expenses shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

SEC. 203. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 204. No part of any appropriation contained in this Act shall be used to finance any Civil Service Interagency Board of Examiners.

SEC. 205. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution.

SEC. 206. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project.

SEC. 207. None of the funds contained in this Act shall be used for any activity the purpose of which is to require any recipient of any project grant for research, training, or demonstration made by any officer or employee of the Department of Health, Education, and Welfare to pay to the United States any portion of any interest or other income earned on payments of such grant made before July 1, 1964; nor shall any of the funds contained in this Act be used for any activity the purpose of which is to require payment to the United States of any portion of any interest or other income earned on payments of such grant made before July 1, 1964; nor shall any of the funds contained in this Act be used for any activity the purpose of which is to require payment to the United States of any portion of any interest or other income earned on payments made before July 1, 1964, to the American Printing House for the Blind.

SEC. 208. None of the funds contained in this Act shall be available for additional permanent Federal positions in the Washington area if the proportion of additional positions in the Washington area in relation to the total new positions is allowed to exceed the proportion existing at the close of fiscal year 1966.

SEC. 209. No part of the funds contained in this Act may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88–352, to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

SEC. 210. No part of the funds contained in this Act shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88–352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed, or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

SEC. 211. No part of the funds provided in this Act shall be used to formulate or implement any plan which would deny to any student, because of his race or color, the right or privilege of attending any public school of his choice as selected by his parent or guardian.

SEC. 212. The Secretary of Health, Education, and Welfare is authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

This Act may be cited as the "Office of Education Appropriation Act, 1971".

Mr. O'HARA (during the reading). Mr. Charman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'HARA. Mr. Chairman, the amendment in the nature of a substitute which we have offered is an amendment

XUM

which adopts the bill the committee has just approved piece by piece with just four exceptions.

The first of these exceptions, Mr. Chairman, would add an additional $92 million to various higher education programs; the amendment that was discussed in the Committee of the Whole, which the gentleman from Michigan (Mr. ESCH) would have offered had he been timely in his effort to do so.

The second exception, Mr. Chairman, would add $80 million to the impacted areas program, as would have been done in the Committee of the Whole had a timely effort been made.

The third exception, Mr. Chairman, would add $19 million to the paragraph dealing with community education and library services and construction; the amendment offered by the gentleman from Arkansas (Mr. PRYOR).

The fourth exception is to delete from the bill as it came out of the committee the proviso which would be legislation on an appropriation bill and therefore improper in an amendment offered at this time. That language, of course, is the language just discussed on the point of order, on page 2.

Mr. Chairman, I am not going to attempt in the 5 minutes allotted me to give all the reasons why these various proposals are in this single substitute. The members of the committee who would have offered the original amendments, as I understand it, will explain the amendments that they have now included in this substitute and their reasons for supporting them.

XUM

Mr. Chairman, I think that will make a persuasive case, because all this amendment does is to restore some of the funds that were appropriated in past years that were not appropriated in this bill. There is not 5 cents in here, Mr. Chairman, that is over and above amounts that this Congress has previously appropriated for these same provisions. So we are not going on any new wild goose chase, any new spending sprees. We are trying to keep up, we are trying to stand still and not lose any more ground in our educational system. This is not an extravagant effort. The total added to the committee bill by this amendment is $191,282,000—less than $200 million. This is not of the magnitude of the Joelson amendment of last year. It is a rather small amendment but nevertheless a necessary one.

I might add for the benefit of my friends who are interested in the Whitten and Jonas amendments as they were carried in the committee bill that they are contained in the substitute even though I voted against them when an effort was made to strike them out of the committee bill. They are carried in the substitute because I think the committee has made its decision on those points, and furthermore, I think the changes the gentleman from Mississippi made in his amendment this time, probably make it so it can be lived with. I do not have the same strong objections to that amendment that I have had in the past, with its new language. So there is no civil rights issue in here pro or con. The substitute is the same on the Whitten and Jonas provisions as is the committee bill. The only issue, then, is the money for these three programs—for impacted area aid, for higher education, and for library programs.

Let me assure you, Mr. Chairman and members of the committee, that it is a very modest proposal and one that can be justified, amply justified, and will be justified before the debate on this amendment is concluded.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I addressed this committee some hours ago, at some length, on precisely what my friend now proposes as a substitute.

This amendment, call it what you will, sotto voce, is only this: This is the same approach, the package approach, that caused us all so much trouble—the Congress, the President, the whole educational system of the Nation—last year, month after month, month after month, until this bill was passed in March and signed.

Mr. Chairman, this amendment is $191 million in addition to the $319 million that your committee brought here, above the President's budget. Hear this. Mark this. This amendment would increase this bill $40 million above the amount for education that was in the bill which the President vetoed just a few months ago. And, it was upon that keynote that the President vetoed last year's bill. Do you not remember? Oh, I do, after 14 months. That is what this innocuous amendment does.

This would be inviting another Presidential veto.

May I point this out, Mr. Chairman, it was the proponents of this substitute who handcuffed my subcommittee in going to conference with the Senate. Had they not voted to handcuff this subcommittee, we would have come back with at least $150 million more for education. They destroyed it. They handcuffed us. Remember that? Look at the names on that rollcall. They are so quiet in supporting this today.

In addition, we just had a very unpleasant experience with a hastily drafted postal bill as a result of a clerical error—I don't know exactly what it was—punctuation, referring to the wrong section, or what; but it delayed the postal bill, a hastily contrived piece of legislation. It frustrated everyone. Now we are here today—this amendment was spawned in minutes, and we have not been able to read it all, this very mild thing, this hydra-headed creature with only four heads instead of eight—only four heads instead of Mr. JOELSON's eight. Well, how do you like your hydras? Do you like them in eights or in fours?

Mr. Chairman, this is conceived in frustration.

Mr. Chairman, I yield back the balance of my time.

Mrs. MINK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the O'Hara substitute. I hesitate to take the time of this Committee in view of the lateness of the hour and the anxiousness of Members to vote on the pending matter. But I believe it is imperative to explain the importance and significance of the amendment which has been offered by the gentleman from Michigan (Mr. O'HARA) with respect to the impact aid funds. I know that we have been over this particular program many, many times during the past 12 months.

And most recently, as a result of a veto by the President, this very House reworked the appropriation level for the impact program and set it at $505 million. We were advised at that time that with that level of funding our school districts could expect to receive only 78 percent of our entitlement. I wish to point out to this committee today that with the funds which have now been recommended by the amendment offered by the gentleman from Michigan (Mr. O'HARA) which contains the addition of $80 million, raising the impact appropriations $505 million, our school districts can expect to receive only 68 percent of our entitlement.

Now, I know that much has been said in criticism of this program, and certain school districts have been highlighted as receiving funds that they do not deserve, or which are based upon various features of the formula which are inequitable. But in presenting this case I am sure it is equally obvious to the members of this committee that there are many school districts receiving funds which they justly deserve, and in many cases—and I feel in my case in the State of Hawaii—that we are not receiving funds that we are entitled to receive. Therefore, it is patently inequitable to reduce the funding to the level of the committee bill which is below that which we approved just a few weeks ago. The committee bill provides only $425 million. A few weeks ago we authorized $505 million. This is the same amount provided in the substitute amendment offered by the gentleman from Michigan (Mr. O'HARA) which is the current level of funding, although only 68 percent of full entitlement for fiscal 1971.

I believe that the House is not interested in cutting back educational support, that it recognizes the dependence which school districts all across the country have had on this program which has been in existence for 20 years, and for 18 of those 20 years we have been able to receive nearly 100 percent of our entitlement. It was only in 1969 that it was cut back to 90 percent, and last year it was cut disastrously to 78 percent.

We realize that there is an impact reform bill now pending before the Committee on Education and Labor, and that the committee is diligently studying the various changes which need to be made in the program, and the members of this committee, as well as school superintendents, are being given a full opportunity to be heard, but it will take time, and it is my personal belief that it will not be put into effect in fiscal year 1971. Therefore to cut the program to 68-percent funding I think is about all that our school districts can be forced to endure.

I therefore urge this committee to support this substitute amendment, and provide the needed funds for this program.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to take this time to point out to the Members that the substitute amendment cuts back the 90 percent for category A to about 75 percent and many Members in this House who have large concentrations of category A children should take notice. Hawaii is one of those States that gets cut under this amendment. Over 100 districts are heavily impacted with Indian children. They are category A children and this amendment will reduce the money for many of those districts more than any $80 million increase overall will offset. So you had better take a close look at the substitute amendment and if you think you are going to get an increase by increasing it $80 million, that will depend on whether you have a substantial number of category A children in school districts in your congressional district. This cuts the payments for those where it is needed the worst.

Mr. STEED. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

I just want to take a moment to explain that if the amendment offered by the gentleman from Michigan (Mr. O'Hara) is adopted, we will have the same amount of money in the bill for next year that we have this year, but even so, the impacted schools involved get what amounts to 10 percent less than they are getting this year.

If the committee bill stands without the amendment offered by the gentleman from Michigan (Mr. O'Hara) you will get 90 percent on the A category, but all the B categories in this country will be cut so low that it will be meaningless. There will be a lot of schools that are going to get badly hurt.

I believe the least we can do is to adopt the amendment that puts $80 million back in impact aid and brings you to the level in 1971 that we now have in 1970. This is bad enough at best, but it is the least I think that we should do here today.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I want to strongly record my support of the substitute bill offered by the gentleman from Michigan, the Honorable James O'Hara.

The funds contained in the substitute bill to carry out the purposes of the Bankhead-Jones Act, for land-grant teaching institutions are vital to the interest of the University of Vermont, the State of Vermont, and the whole land-grant concept.

This has been graphically brought to my attention by the president of our State university, the Honorable Lyman S. Rowell. Faced with restricted funds at the State level, the university has already had to increase out-of-State tuition for next year by $200 and is anticipating the charge of about $150 extra on Vermont students.

For each $100,000 less in anticipated income, tuition charges must be raised on our own students about $20.

At a time when we are trying to encourage students to attend college, and at a time when the universities in our smaller States are facing critical budgetary restrictions, I believe it would be foolish to reduce funds which have been historically granted to these institutions under the Bankhead-Jones Act.

I, therefore, strongly support this amendment and urge my colleagues to vote for it.

Mr. HOGAN. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Maryland.

Mr. HOGAN. Mr. Chairman, I would like to associate myself with the remarks made by the gentlewoman from Hawaii, (Mrs. Mink).

Mr. Chairman, I rise to deplore the decrease of funds for impact aid in the bill before us, particularly for category B students whose parents work on Federal installations outside the county. While I would prefer to vote separately on an impact aid amendment, I will vote for the O'Hara package amendment which includes it.

The report on the bill before us clearly states the President's intention to utilize the impact aid funds contained in this appropriation in accordance with the provisions of his impact aid reform bill now pending before the General Education Subcommittee of the House Education and Labor Committee. The entire design and thrust of this reform legislation is to redirect these funds to category A areas, and reduce payments to other category B districts.

Prince Georges County in my district is recipient of substantial impact aid funds, deriving most of those funds from the number of students whose parents work for the Federal Government in the District of Columbia. Under the reform legislation the funds for those students would be reduced from 50 to 20 percent of entitlement. This would result in Prince Georges receiving in fiscal year 1971 approximately one-half of its entitlement for fiscal year 1970—a reduction of approximately $6 million.

Regardless of how rich or poor, no district can accept such a sudden substantial reduction of funds without creating havoc in the ongoing educational program or, as the only alternative, imposing outrageous local taxes to compensate for the loss of funds.

One point I made in my testimony before the General Education Subcommittee on this reform legislation was the need for gradual reduction of funds to any school district, such as Montgomery and Prince Georges Counties, if and when, indeed, any reductions are made. It must be remembered that school programs have been geared for 19 years to the expectation that these Federal funds would be forthcoming. Reductions in Federal funds made gradually over a period of years would permit the absorption of this loss into the school and county budget.

Charles County, Md., in my district, which is primarily rural is one of the fastest growing counties in Maryland, and requires new school facilities as well as increasing operational budgets to accommodate the increased school enrollment of nearly 10 percent annually. Including the funds received from impact aid, which are received by the school system for a very large majority of the student population, Charles County for fiscal 1970 will only receive 6 percent of its budget from Federal sources. The State's inability to assume a larger portion of the expanding educational costs has already resulted in increased local property taxes in Charles County to a $2.90 per $100 assessed valuation.

In Prince Georges County, the other county in my district, for the past several years the population has leaped by 600 new residents each week. This growth has resulted in a population of approximately 700,000 citizens with no slowdown of growth anticipated. With an enrollment in excess of 150,000, the Prince Georges school system is one of the largest in the Nation, with a current school budget of in excess of $125 million. Since 1949, approximately $240 million has been spent for new school construction alone. At the same time, the property tax rate in Prince George's County, which is the primary source of local support for public education, is $3.56 per $100 assessed valuation, the highest rate in any county in Maryland and among the highest in the Nation. A sudden drop in Prince Georges and Charles Counties allotments of Federal funds will require another steep tax increase on the already overburdened taxpayers of my district. I frankly cannot conceive of a reduction in Federal educational funds to any district at this time when increasing costs and expansion require more, not less, funds for these vital programs.

The enactment of this amendment will direct more funds to the area of the impact aid programs which is being cut severely, will result in these programs receiving a lesser reduction of funds, and in effect, will permit the gradual reduction which seems to me very important if we are to be equitable to the programs and to children themselves.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Chairman, I rise in support of the O'Hara amendment in the nature of a substitute to increase the funds for higher education programs by about $92.22 million, funds for impacted aid by $80 million, and funds for community services and library construction by $19 million.

The plain fact of the matter is that quality education cannot be provided on the cheap. Last year in New York State, 127 local school budgets were rejected by the voters, including 14 out of 33 in Westchester County. It is not that citizens do not want the best possible education for their children but that they simply cannot afford an increase in the

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property tax when inflation and other tax increases are already pressing hard on their budgets. While I am gratified that the committee has increased the funds for title I of ESEA to $1.5 billion in order to reflect higher per pupil costs, the whole picture does not offer much encouragement for harried school administrators.

The situation is equally acute on the higher education level. Many institutions, especially the large private research universities which are the gems of our higher educational system, are in especially difficult financial circumstances. Students, too, are finding it more difficult to obtain loans on the private market, even with Federal insurance.

It seems to me that to request only 59 percent of the authorized funds for NDEA loans and only 56 percent of the authorized funds for college work-study is simply not realistic. The committee has wisely increased NDEA loan funds to the $229 million level of this fiscal year. Equally, our priorities seem misplaced when the committee reduces by almost $18 million the amount the President requested for educational opportunity grants, or when the committee goes along with the President's failure to request any funds for college construction grants. In today's money market, it is just not facing facts to assume that reliance on loans will satisfy a college's or a student's financial requirements.

Thus, I am pleased to support this substitute which, among other things, seeks to add $71 million for construction grants and add $9.3 million to the $6 million requested and recommended in the bill for title VI NDEA foreign language and area training in order to bring it to the $15.3 million fiscal year 1970 appropriation level, and to add $8 million for teaching equipment (HEA title VI).

I cannot emphasize enough the importance of more funds for foreign area studies. While some of the centers offering training in specialized foreign studies are not of consistently excellent academic quality, many of them are turning out the few first-rate scholars we have in such difficult subjects as Vietnamese and Cambodian studies. The retrenchment in these programs is part of an overall shift in emphasis away from internationalism by both the Government and foundations. To go too far in this direction is, I feel, seriously wrong for the country and its future. Beyond that, reduction in funds for this program is just one of several body blows being dealt universities, and their graduate programs in particular, by the Federal Government this year. The financial situation is so critical that the Graduate School at Yale University is being forced to reduce its September 1971 admissions by about 30 percent.

Higher education of sustained quality is one of the hallmarks of any civilization, and private universities of undisputed excellence have always been a source of strength for America as a nation. Unless we provide them with more money, not less, we will place the continuation of that tradition in serious jeopardy. This amendment seeks no funds beyond what was appropriated in the current fiscal year; it is merely treading water—but that is preferable to drowning. I urge support of the substitute.

Mr. ESCH. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Michigan.

Mr. ESCH. Mr. Chairman, I would point out to the House in regard to the amendment which we have presented that the impact of this amendment will merely add facilities moneys to our colleges and universities up to the level that is in the present bill which the president signed for this fiscal year. It is adding no new funds other than what is in the present 1970 fiscal year.

Secondly, I would point out that the bill as presented from the committee adds a great deal more from the standpoint of scholarships and especially loans. If we are going to give students money then we especially have to provide facilities for them at least equal to this current year, and I hope you will support the substitute for that reason.

Mr. STAFFORD. Mr. Chairman, I yield to the gentleman from California.

Mr. CORMAN. Mr. Chairman, as I pointed out earlier when we discussed the Cohelan amendment to strike sections 209 and 210, the Los Angeles City School District is in deep fiscal trouble. In a tragic shortsighted effort to minimize the cost of education, the board sacrificed constitutional rights of minority students to equal education. The court has now ordered a change in policy which will unquestionably cost additional money. To further complicate the fiscal plight in which the school board finds itself, voters recently rejected a bond issue and tax rate increase.

This does not mean parents in Los Angeles oppose quality education for their children but rather that they demand a shift in the burden from a narrow, local tax base to a broader State and Federal tax base.

As has happened in a number of school districts and will happen in more, teacher frustration both as to adequacy of pay and adequacy of education for their students, has led them to strike.

I well remember the analogy used by the distinguished and capable chairman of the Armed Services Committee in persuading this House to undertake a vast new array of supersonic bombers and missiles estimated to cost $40 to $100 billion over the next few years. He said that he would rather carry a raincoat over his arm when the sun was shining than be without it in the event of rain.

Mr. Chairman, it is raining and hailing in the public schools of America. It is drowning many of our young people through poor education, to a life of failure or at best limited accomplishment. The modest increases provided in the O'Hara amendment would throw a lifeline to a few of these students and I sincerely hope the House accepts it.

We have been reminded by the chairman of the Appropriations Subcommittee of the adamant stand against funds for education taken by President Nixon in his successful veto of our last education appropriations bill. But I say, let us open the schoolhouse door to good schools for every American child and if the President through the exercise of his veto wants to stand in the door to block their entrance, it must be his decision not ours.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Chairman, I would like to rise in support of this amendment. I understand that it carries funding at the level for which it was funded in the past.

I would also like to stress the $71,050,000 2- and 4-year college construction grants contained in the amendment, in addition to the loan program which is being pushed. It is imperative for many colleges, particularly smaller institutions which cannot properly fund loans, to have grant moneys available to them for construction. I think it is most important to retain this type of program in the bill.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to congratulate the committee on bringing this legislation to the floor today. I am particularly pleased that the committee has provided $50 million more for vocational education than requested and $71.5 million more than last year.

The $490.5 million appropriated by the Committee for Vocational Education is the highest amount ever provided by the Federal Government and demonstrates how highly the House regards vocational education.

There are many excellent features in this bill. I have taken this time to clear up this question of impacted aid and to write some legislative history here on the floor regarding vocational education research.

First, regarding the impact aid amendment before us, the House should know that our subcommittee is now holding hearings on the President's Impact Reform Act of 1970 and we have invited all Members of the House to testify on this legislation.

Members should be apprised that if this legislation were to be approved as proposed by the President, it would drop some 2,000 school districts now receiving impact aid from the program at a saving of some $391 million annually, as the administration has suggested.

The President has asked that we act on this legislation in time for the 1971 appropriation. It would be my judgment that this legislation could not take effect in 1971 simply because if you were to drop 2,000 school districts from impact aid this year there would be tremendous chaos. We shall continue working on the President's proposal and I hope we can have a bill to offer the House very soon. Now, as regards vocational research, I want to ask the distinguished chairman of the committee, the gentleman from Pennsylvania (Mr. FLOOD) whether I am correct that the $20 million for exemplary programs included in this bill actually is to be used both for vocational education research and innovation. I want to be sure we under-

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stand what the legislative intent here is. In the report, the committee states it has allowed "$20 million for vocational education research and innovation," while the language in the actual bill says "$20 million for exemplary programs under part D of said 1963 act." I shall not offer a clarifying amendment if I have assurance from the chairman that this $20 million is to be evenly divided between funding vocational research and innovative in exemplary programs. It is my understanding the chairman has been assured by the Secretary that vocational research will be funded from this $20 million on an equitable or evenly divided basis. This is the legislative intent we are establishing here and any effort to circumvent this intent will be in violation of the act.

Research is the agency that puts input into the vocational education program. I would like to have some additional legislative history here, that the $20 million earmarked for exemplary programs will not be spent on continuing innovative programs but rather will be equitably distributed between research which produces the new programs. Let there be no mistake. We know there is a tendency to shortchange the Division of Comprehensive and Vocational Research and channel the money to innovative programs. I understand this money will be equitably divided between the two agencies. Is that correct?

Mr. FLOOD. I like the language—equitably distributed—I would accept that and without any doubt, in the discretion of the States and the agencies this could and should be done.

Mr. PUCINSKI. I thank the gentleman. I am pleased the chairman has sustained my view. We know that in recent years there has been a tendency to downgrade research. But it is actually vocational research that has developed the innovative programs. They are financed as innovative instead of as research because local governments delay taking over funding as long as possible.

If we failed to establish legislative intent here today and then permitted the $20 million to be spent only on funding innovative or exemplary programs, it would not be long before there would be no new feedback from research coming into vocational education. As author of the 1968 vocational amendments, I expect half of the $20 million will go to the Division of Comprehensive and Vocational Research so there can be a steady input of new and innovative programs into vocational education. Mr. Chairman, I shall watch with interest whether the intent of Congress will be carried out by the Department. I believe I can safely state that if the money is not equitably divided between research and innovative programs, when the authorization next comes before my subcommittee we shall strike innovation from the bill and insist all seed money flow through research.

I again want to thank the chairman, Mr. FLOOD, and his committee for such sympathetic understanding of the needs of vocational education.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Michigan (Mr. O'HARA).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. O'HARA. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. O'HARA and Mr. FLOOD.

The Committee divided, and the tellers reported that there were—ayes 103, noes 121.

So the substitute amendment was rejected.

Mr. FLOOD. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House, with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 16916) making appropriations for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. FLOOD. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MICHEL. I am, in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. MICHEL moves to recommit the bill H.R. 16916 to the Committee on Appropriations with instructions to that committee to report it back forthwith with the following amendment:
>
> Page 5, line 10, strike out "$105,325,000" and insert in lieu thereof "$110,325,000".

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed (H.R. 16916) and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO HAVE UNTIL MIDNIGHT TO FILE CERTAIN REPORTS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the committee have until midnight to file certain reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

BYELORUSSIAN-AMERICAN RESOLUTION

(Mr. ADDABBO asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. ADDABBO. Mr. Speaker, on March 22, 1970, the Byelorussian-American Association commemorated the 52d anniversary of the Declaration of Independence of Byelorussia at a rally in New York City.

At the rally the participants unanimously adopted a resolution expressing the determination of the people of Byelorussian descent throughout the world to resist Soviet oppression and strive for freedom. The national headquarters of the Byelorussian-American Association are located in Jamaica, N.Y., and I urge my colleagues to read the resolution adopted at this year's commemoration. I insert the full text of the resolution in the RECORD at this point:

BYELORUSSIAN-AMERICAN RESOLUTION

Byelorussians living in the United States and Americans of Byelorussian descent fully realize the important role and immense responsibility which they share in the struggle for promoting and maintaining the human, the social, and the national rights of the Byelorussian nation. While enjoying the civil rights guaranteed all citizens of the U.S.A., Byelorussian-Americans have made use of underlying American democratic principles to direct the attention of American society and the Government to the facts concerning the economic exploitation of Byelorussia by the central Soviet authorities as well as the systematic attempts to stifle Byelorussian national culture.

The Byelorussian people, cut off from the outside world by the barbed wires of the Soviet-Russian empire and the Communist propaganda curtain, are today deprived of their rights to be masters of their own land and lives. The key positions in Byelorussia are occupied by Moscow's stooges, party bureaucrats whose main objectives are to siphon from Byelorussia her economic wealth and by means of Russification to thwart the development of Byelorussian national culture. Imperialistic Moscow, in order to better camouflage her policy of exploitation, keeps secret from the Byelorussian people and the outside world the main indicators that reflect the real nature of Soviet Byelorussia's statehood, economy, and culture. An array of unanswered questions constantly persists.

What percentage, for example, of administrative and party positions in the Byelorussian Soviet Socialist Republic (BSSR) are occupied by Russians? Will the Soviet 1970 census indicate an answer to such a question? Probably not!

What is the balance of industrial and agricultural export versus import in the Byelorussian Republic? Have the Muscovite colonizers ever answered this question? Never!

How many books and periodicals are currently being disseminated in the BSSR in Byelorussian versus Russian? Has anyone ever received an answer to this question? No one, not ever!

How many schools in the BSSR are teaching in the Byelorussian language and how many in the Russian language? Why has the Education Ministry of the Republic shamefacedly kept mute on this score?

In spite, however, of intensive Soviet propaganda by which the Soviet Communist Party attempts to cover the gloomy reality that exists today in captive Byelorussia the effects of Byelorussia of the economic and cultural oppression of her people are widely known to the outside world. And national resistance in Byelorussia is on the rise: there have been requests from Miensk (Minsk) for greater rights for the Republic's administration; requests for an increased usage of the Byelorussian language in official life of the BSSR; drives for an increased number of national theaters, museums, books and periodicals; repeated attempts by Byelorussian intellectuals to wrest from party falsifiers the treasures of their national past. That all this has been known in Western countries, is the result of the unrelenting efforts of the Byelorussian political emigres.

To paralyze these efforts toward exposure of the Soviet regime in Byelorussia, the Government of the BSSR has been conducting among Byelorussian emigres subversive activities channeling them both through the newspaper *Voice of the Homeland* and through broadcasts of the short-wave radio station *Soviet Byelorussia*.

In order to render harmless the influence upon the Byelorussian people of news on the political activities of Byelorussian emigration, the State Security Committee of the BSSR, moreover, has increased its public attacks on Byelorussian national organizations abroad. Perhaps, the most recent proof of this are the publications of a book, *In the Light of Undeniable Facts,* by Academician Lauren Abetsedarski and a so-called "novel-lampoon" of Illa Hurski, "Foreign Bread" published in the literary magazine *Polymia.* Yet, neither the falsifier of history, Abetsedarski, nor the graphomaniac Hurski have been able to divert the attention of the Byelorussian people from the plight of their economic and cultural deprivations. Such evil is readily understood and that is why at a recent conference in Miensk in January 1970 Pilatovich, the Secretary of Ideological Matters of the Central Committee of the Communist Party of Byelorussia, warned his watchdogs that currently "one of the most common dangers lies in revival of nationalism."

We convene today as participants of the 52nd Anniversary of the proclamation of the Byelorussian Democratic Republic and solemnly decide and support the following declaration:

Byelorussians everywhere—whether living in Byelorussia, or dispersed across the expanses of the Russian empire, or settled in the countries of the Free World—have never in the past nor will ever in the future become reconciled with the oppressive Communist-Russian regime in Byelorussia. With all our might and all our means we shall continue the struggle against the enslavement of the Byelorussian nation. We shall forever strive for the restoration of genuine national sovereignty and integrity as well as for the realization of freedoms set forth by the historic Charters of the Council (Rada) of the Byelorussian Democratic Republic and by the Declaration of Human Rights of the United Nations.

Long live the Byelorussian Democratic Republic!

Long live a fighting Byelorussia!

ICAO COMMITTEE DRAFTS TREATY TO ELIMINATE SAFE HAVEN FOR "HIJACKERS"

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his marks.)

Mr. FASCELL. Mr. Speaker, I would like to call to the attention of the Members of the Congress an important forward step in the continuing effort to solve the problem of air piracy.

The legal committee of the International Civil Aviation Organization—ICAO—at a meeting held recently in Montreal, has prepared a draft of a special treaty which deals with the problem of unlawful seizure of aircraft in flight.

The draft treaty complements the Hague Convention and provides for the prosecution and severe punishment of "hijackers." Under the draft treaty, any State in which an offender is found would have the obligation to detain him, pending a decision of the authorities to prosecute him or to respond to a request for his extradition.

The ICAO also decided to convene a worldwide conference at the highest level of government to consider this treaty.

The conference, which is scheduled to convene at the Hague from December 1 to 16, will have the power to establish the proposed new treaty as an instrument of international agreement. The conference will also determine the number of ratifications which will be required to bring the treaty into force.

The time when the effectiveness of the treaty will be felt will depend upon the speed with which each country will ratify it as an international treaty commitment.

In addition, the legal committee of the ICAO has recommended a modification of the Warsaw Convention of 1929, which relates to the liability of the air carrier for the safety of its international passengers.

The Warsaw Convention provides that, unless the carrier proves that an accident resulting in death or injury to a passenger could not have been prevented by the carrier, it shall be liable up to an amount which is the equivalent of $16,600.

The legal committee has decided to recommend a modification of that agreement to provide for a new rule of liability. The new rule would make the carrier absolutely liable, regardless of whether the carrier was at fault. The only exception to the rule would be where the passenger or person claiming damages had himself caused or contributed to the accident.

Moreover, the limit of the air carrier's liability would be raised to $100,000.

Mr. Speaker, I have been deeply interested and involved in the actions being taken by the U.S. Government, the United Nations, the ICAO and other international groups to deal with the urgent problem of air piracy.

I believe that the forthcoming meeting at the Hague can be very significant from that standpoint, and I wanted to call it—and the work of ICAO's legal committee—to the attention of my colleagues.

ADM. THOMAS H. MOORER, NEW CHAIRMAN OF JOINT CHIEFS OF STAFF

(Mr. ANDREWS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANDREWS of Alabama. Mr. Speaker, I have just been informed that the President has appointed Adm. Thomas H. Moorer to be the next Chairman of the Joint Chiefs of Staff. I congratulate the President and say that in my opinion he could not have selected a finer man for that most important job. I have known Admiral Moorer all his life. He is from my district. He is my constituent, and I am as proud of him as he is of the appointment.

Admiral Moorer has been in the Navy all his life. He has made a wonderful record. He is known throughout the Navy as a sailor's admiral. I am so happy the President has seen fit to designate Admiral Moorer as the next Chairman of the Joint Chiefs of Staff, and I predict he will make one of the finest records of service that has ever been made by such officers.

President Richard M. Nixon today announced his intention to nominate Adm. Thomas H. Moorer, Chief of Naval Operations, to succeed General Earle G. Wheeler, USA, as Chairman of the Joint Chiefs of Staff, on July 2, 1970.

The President has nominated Vice Adm. Elmo R. Zumwalt, Jr., Commander, Naval Forces, Vietnam, and Chief of the Naval Advisory Group, U.S. Military Assistance Command, Vietnam, to succeed Admiral Moorer as Chief of Naval Operations.

General Wheeler, 62, a native of Washington, D.C., who has been Chairman of the Joint Chiefs of Staff since July 6, 1964, will be nominated by the President for promotion to four star rank on the retired list.

Admiral Moorer, 58, is a native of Mount Willing, Ala. He was named Chief of Naval Operations on June 3, 1967, and was reappointed by President Nixon on July 12, 1969.

Admiral Zumwalt, 49, a native of San Francisco, Calif., has been serving in Vietnam since September 1968.

The biographies of General Wheeler, Admiral Moorer, and Admiral Zumwalt follow:

BIOGRAPHY OF GEN. EARLE G. WHEELER

Earle Gilmore Wheeler was born 13 January 1908 in Washington, D.C. He served in the District of Columbia National Guard from August 1924 to July 1928 when he entered the United States Military Academy. Upon graduation in June 1932, and being commissioned a second lieutenant of Infantry, his first duty station was the 29th Infantry at Fort Benning, Georgia. Following completion of The Infantry School course in 1937, he served with the 15th Infantry in Tientsin, China, during the Sino-Japanese incident.

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In 1940, he became a mathematics instructor at West Point, and from 1941 to 1942 served with the 36th Infantry Division at Fort Sam Houston and Camp Bowie, Texas. Following graduation from the Command and General Staff College in February 1942, he commanded the Second Battalion, 141st Infantry, 36th Infantry Division, until September 1942. He then became Assistant Chief of Staff for Operations (G-3) of the 99th Infantry Division at Camp Van Dorn, Mississippi.

In 1943, he was assigned as Chief of Staff of the 63rd Infantry Division which was deployed to Europe in late 1944. The 63rd Division was committed during the Battle of the Bulge in December 1944 and was later to breach the Siegfried Line near Saarbrucken in March, 1945. The division, exploiting the breakthrough, reached Heidelberg by Easter and crossed the Danube 25 April. The Division was then pulled from the line and, with three other divisions, was readied to assault Hitler's Redoubt in the Bavarian Alps. General Wheeler was selected to lead the assault regiment. The German surrender cancelled the need for this operation.

Returning to the United States after the war, he joined the faculty of The Field Artillery School, Fort Sill, Oklahoma, in December 1945, as an instructor in combined arms.

In 1946, General Wheeler was sent to Paris, France, as Assistant Chief of Staff for Supply (G-4) of Western Base Section, serving subsequently as Acting Chief of Staff and then Deputy Chief of Staff (Operations) of the United States Constabulary in Heidelberg and Stuttgart, Germany.

Upon graduation from The National War College in July 1950, he was assigned to the Joint Intelligence Group in the Office of the Joint Chiefs of Staff.

General Wheeler was named Commanding Officer of the 351st Infantry in Trieste in 1951, and a year later as a brigadier general became Inspector of Training for Allied Forces, Southern Europe, at Naples. In 1954, he was named Assistant Chief of Staff for Plans and Operations, Allied Forces, Southern Europe.

Returning to the United States in 1955, he became Director of Plans in the Office of the Deputy Chief of Staff for Military Operations, Department of the Army, and was promoted to major general in December 1955. He became Assistant Deputy Chief of Staff for Military Operations in July 1957.

General Wheeler arrived at Fort Hood, Texas on 30 October 1968 to become Commanding General of the 2d Armored (Hell on Wheels) Division. In March 1959, he became Commanding General of the III Corps at Fort Hood, as well as the 2d Armored Division.

In April 1960, General Wheeler was named Director of the Joint Staff in the Office of the Joint Chiefs of Staff, a position he held until nominated for four-star rank and assignment on 1 March 1962 as Deputy Commander in Chief of the United States European Command.

General Wheeler returned to Washington in September 1962 and became Chief of Staff of the United States Army on 1 October 1962.

He assumed the post of Chairman of the Joint Chiefs of Staff in Washington on 6 July 1964.

PERSONAL DATA

Born: 13 January 1908, Washington, D.C.

Father: Clifton F. Wheeler (deceased).

Mother: Ida Gilmore

Married: Frances Howell, 10 June 1932, at Old Greenwich, Connecticut

Children: Gilmore S. Wheeler

Official Address. c/o The Adjutant General, Department of the Army, Washington, D.C.

EDUCATION

United States Military Academy—1932 (BS). The Infantry School (Regular Course)—1937. Command and General Staff College—1942. The National War College—1950.

CHRONOLOGICAL LIST OF PROMOTIONS

Second lieutenant, permanent, June 10, 1932.

First lieutenant, permanent, August 1, 1935.

Captain, temporary, September 9, 1940, permanent, June 10, 1942.

Major, temporary, February 1, 1942.

Lieutenant colonel, temporary, November 11, 1942.

Colonel, temporary, June 26, 1943.

Lieutenant colonel, temporary, July 1, 1947, permanent, July 1, 1948.

Colonel, temporary September 7, 1950, permanent, October 6, 1953.

Brigadier general, temporary, November 8, 1952, permanent, May 13, 1960.

Major general, temporary, December 21, 1955, permanent, June 30, 1961.

Lieutenant general, temporary, April 21, 1960.

General, temporary, March 1, 1962.

CHRONOLOGICAL LIST OF ASSIGNMENTS

29th Infantry, Fort Benning, Georgia from August 1932 to August 1936.

The Infantry School, Fort Benning, Georgia from September 1936 to May 1937.

15th Infantry, Tientsin, China, and Fort Lewis, Washington from June 1937 to July 1940.

Mathematics Instructor, US Military Academy, West Point, New York from August 1940 to June 1941.

Aide-de-Camp to Commanding General, 36th Infantry Division, Fort Sam Houston and Camp Bowie, Texas from June 1941 to December 1941.

Command and General Staff College, Fort Leavenworth, Kansas from December 1941 to February 1942.

Battalion Commander, 141st Infantry, Camp Blanding, Florida from April 1942 to September 1942.

G-3, 99th Infantry Division; Chief of Staff, 63rd Infantry Division, Camp Van Dorn, Mississippi from October 1942 to November 1944.

Chief of Staff, 63rd Infantry Division, European Campaigns from December 1944 to November 1945.

Instructor, The Field Artillery School, Fort Sill, Oklahoma from December 1945 to April 1946.

Deputy Chief of Staff, Headquarters, Western Base Section, France from May 1946 to December 1946.

G-3, Headquarters, US Constabulary, Heidelberg, Germany from January 1947 to June 1949.

Student, The National War College, Fort McNair, Washington, D.C. from August 1949 to June 1950.

Member, Joint Intelligence Group, Office of the Joint Chiefs of Staff, Washington, D.C. from July 1950 to October 1951.

Commanding Officer, 351st Infantry, Trieste from November 1951 to October 1952.

Deputy Commanding General, TRUST, Trieste from November 1952 to November 1952.

Assistant Chief of Staff for Plans and Operations, Allied Forces, Southern Europe (NATO), Naples, Italy from December 1952 to September 1955.

Director of Plans, Office of the Deputy Chief of Staff for Military Operations, Washington, D.C. from October 1955 to June 1957.

Assistant Deputy Chief of Staff for Military Operations, Washington, D.C. from July 1957 to September 1958.

Commanding General, 2d Armored Division, and Fort Hood, Texas from October 1958 to March 1959.

Commanding General, III Corps and 2d Armored Division, Fort Hood, Texas from March 1959 to March 1960.

Director, Joint Staff, Washington, D.C. from April 1960 to February 1962.

Deputy Commander in Chief, US European Command, Camp des Loges, France from March 1962 to September 1962.

Chief of Staff, US Army from October 1962 to June 1964.

Chairman, Joint Chiefs of Staff from July 1964.

CITATIONS, DECORATIONS AND HONORS

Distinguished Service Medal.

Legion of Merit.

Bronze Star Medal (Oak Leaf Cluster).

Army Commendation Medal (Oak Leaf Cluster).

Legion of Honor (Officer) (France).

Legion of Honor (Commander) (France).

Croix de Guerre with Palm (France).

Decoration of Military Merit, First Class (Mexico).

Order of Abdon Calderon, First Class (Ecuador).

Order of White Rose (Finland).

Grand Cross of the Royal Order of the Sword (Sweden).

Honorary Doctor of Laws, University of Akron.

SERVICE MEDALS

American Defense Service Medal.

American Campaign Medal.

Europe Middle East Campaign Medal.

World War II Victory Medal.

Army Occupation Medal (Germany).

National Defense Service Medal.

BADGES

Joint Chiefs of Staff Identification Badge.

General Staff Identification Badge.

Department of Defense Identification Badge.

PERSONAL BACKGROUND MATERIAL

Interests and hobbies

Fishing, Walking, Reading.

Civic activities

Boy Scouts, USO.

Religion

Protestant.

ADM. THOMAS H. MOORER, U.S. NAVY

Thomas Hinman Moorer was born in Mount Willing, Alabama, February 9, 1912, son of the late Dr. R. R. Moorer and the late Mrs. (Hulda Hill Hinson) Moorer. He was graduated from Cloverdale High School in Montgomery, Alabama, Valedictorian of the Class of 1927, and on June 10, 1929, entered the U.S. Naval Academy. As a midshipman he played football for three years. He was graduated and commissioned ensign on June 1, 1933, and through subsequent promotions attained the rank of rear admiral to date from August 1, 1958; vice admiral, to date from October 5, 1962 and admiral, to date from June 26, 1964.

After graduation in June 1933, he served six months on board the USS *Salt Lake City* as a junior officer in the gunnery department. He assisted in fitting out the USS *New Orleans* at the Navy Yard, New York, and served in that cruiser's gunnery and engineering departments from her commissioning, February 15, 1934, until detached in June 1935. During the next year he was a student at the Navy Air Station, Pensacola, Florida. After completing flight training in July 1936 he was designated a Naval Aviator.

In August 1936 he was assigned to Fighting Squadron ONE-B, based briefly on the USS *Langley* and later on the USS *Lexington*. He was transferred in July 1937 to Fighting Squadron Six, based on the USS *Enterprise*, and continued with that squadron until August 1939. He then joined Patrol Squadron Twenty-two, a unit of Fleet Air Wing Two, and later Fleet Air Wing Ten, and was with that squadron at Pearl Harbor, Territory of Hawaii, when the Japanese attacked the Fleet there on December 7, 1941. His squadron was sent to the Southwest Pacific and during the Dutch East Indies Campaign, he

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was shot down in a PBY on February 19, 1942, north of Darwin, Australia. He was rescued by a ship which was sunk by enemy action the same day.

He was also awarded the Purple Heart Medal for wounds received on February 19, 1942, and the Silver Star Medal for "extremely gallant and intrepid conduct as Pilot of a Patrol Plane during and following an attack by enemy Japanese aircraft in the vicinity of Cape Diemen, February 19, 1942 . . ." The citation continues: ". . . Although he and his co-pilot were wounded in the attack, (he) succeeded in landing his badly damaged and blazing plane. His courage and leadership during a subsequent attack upon the rescue ship and while undergoing hardships and dangers of returning the survivors to the Australian mainland were in keeping with the highest traditions of the United States Naval Service."

He is entitled to the Ribbon for, and a facsimile of the Presidential Unit Citation to Patrol Squadron Twenty-two. The citation follows: "For extraordinary heroism in action as a Unit of Patrol Wing Ten attached to Aircraft, U.S. Asiatic Fleet, operating against enemy Japanese forces in the Philippine and Netherlands East Indies Areas from January 1942 to March 3, 1942. Holding fast to their courage as the Japanese ruthlessly hunted them down the Pilots of (that squadron) doggedly maintained their patrols in defiance of hostile air and naval supremacy, scouting the enemy and fighting him boldly regardless of overwhelming odds and in spite of the crushing operational inadequacies existing during the first months of the war . . ."

Between March and June 1942, he served with Patrol Squadron One Hundred One and was awarded the Distinguished Flying Cross. The citation follows: "For extraordinary achievement and heroic conduct as commander of a patrol plane on a hazardous round-trip flight from Darwin, Australia to Beco, Island of Timor, on the afternoon and night of May 24, 1942. In an undefended, comparatively slow flying boat, Lieutenant Moorer braved an area dominated by enemy air superiority, effected a precarious landing in the open sea at dusk and took off at night in the midst of threatening swells, with a heavily loaded airplane. His superb skill and courageous determination in organizing and executing this perilous mission resulted in the delivery of urgently needed supplies to a beleaguered garrison and the evacuation of eight seriously wounded men who otherwise might have perished."

After his return to the United States in July 1942, he had temporary duty from August of that year to March of the next in the United Kingdom, as a mining observer for the Commander in Chief, U.S. Fleet. He then fitted out and assumed command of Bombing Squadron One Hundred Thirty-two, operating in Cuba and Africa from its base at Key West, Florida, Boco Chica Air Base. Detached from that command, he served as gunnery and tactical officer on the staff of Commander Air Force, Atlantic, from March 1944 to July 1945.

He was awarded the Legion of Merit: "For meritorious conduct . . . as Force Gunnery and Tactical Officer on the staff of Commander Air Force, Atlantic Fleet . . ." The citation states that he "planned and supervised the development and practical application of tactics, doctrines and training methods relating to anti-submarine warfare and gunnery; supervised many experimental and developmental projects; and coordinated information on enemy tactics and countermeasures . . . By his outstanding executive ability, Commander Moorer contributed materially to the combat effectiveness of aircraft in anti-submarine warfare . . ."

From August 1945 until May 1946, he was assigned to the Strategic Bombing Survey—Japan—of the Office of the Chief of Naval Operations, engaged in the interrogation of Japanese Officials. For two years thereafter, he served as executive officer of the Naval Aviation Ordnance Test Station, Chincoteague, Virginia. He next had duty afloat as operations officer of the USS *Midway* (July 1948-November 1949), and as operations officer on the staff of Commander Carrier Division Four, Atlantic Fleet (December 1949-July 1950).

Reporting in August 1950 to Inyokern, California, he served for a year as experimental officer of the Naval Ordnance Test Station. During the year following, he was a student at the Naval War College, Newport, Rhode Island, and in August 1953, again reported for duty on the staff of Commander Air Force, Atlantic Fleet. In May 1955 he was ordered to the Navy Department to serve as aide to the Assistant Secretary of the Navy (Air) and in July 1956 was detached to sea duty as commanding officer of USS *Salisbury Sound* (AV-13).

On July 26, 1957, his selection for the rank of Rear Admiral was approved by the President and in October, the same year, he reported as Special Assistant, Strategic Plans Division, Office of the Chief of Naval Operations, Navy Department. From January 1, 1958, until July 1959, he was Assistant Chief of Naval Operations (War Gaming Matters), after which he commanded Carrier Division SIX. He returned to the Office of the Chief of Naval Operations in November 1960 and served as Director of the Long Range Objectives Group until October 1962 when he assumed command of the SEVENTH Fleet. For his service in this assignment he was awarded the Distinguished Service Medal. In June 1964 he became Commander in Chief of the Pacific Fleet. Admiral Moorer assumed command of NATO's Allied Command, Atlantic, the U.S. unified Atlantic Command, and the U.S. Atlantic Fleet on April 30, 1965.

On June 17, 1967, he was awarded a Gold Star in lieu of a second Distinguished Service Medal: "For exceptionally meritorious service as Commander in Chief Atlantic, Commander in Chief U.S. Atlantic Fleet, Commander in Chief Western Atlantic Area, and Supreme Allied Commander Atlantic . . ." The citation states in part, "During the Dominician Republic Crisis of 1965–66, he directed military operations with utmost professionalism, judgment and diplomacy, resulting in a cease-fire, politico-military stabilization of the situation . . . and finally the orderly and peaceful withdrawal of U.S. forces . . ." The citation continues: "As Supreme Allied Commander Atlantic, Admiral Moorer foresaw the need, and initiated a major revision in NATO maritime strategy . . . his development of the concept of a standing naval force for the Allied Command Atlantic; and his assistance in establishing the Iberian Atlantic Command Headquarters resulted in major contributions to the North Atlantic Treaty Organization . . ."

On June 3, 1967, he was named by President Johnson to succeed Admiral David L. McDonald, USN, as Chief of Naval Operations, Navy Department. Admiral Moorer became the eighteenth Chief of Naval Operations on August 1, 1967.

On January 13, 1969, he was awarded a Gold Star in lieu of a Third Award of the Distinguished Service Medal "For exceptionally meritorious service as Chief of Naval Operations from August 1967 to January 1969." The citation indicates that "Admiral Moorer provided forceful and aggressive leadership . . . during a period of increasing worldwide commitments and continuous commitments and continuous combat operations against enemy forces in Southeast Asia."

He was reappointed Chief of Naval Operations by President Nixon on June 12, 1969.

In addition to the Distinguished Service Medal with two Gold Stars, Silver Star Medal, Legion of Merit, Distinguished Flying Cross, Purple Heart Medal, and the Ribbon for the Presidential Unit Citation to Patrol Squadron Twenty-two, Admiral Moorer has the American Defense Service Medal with star; American Campaign Medal; Asiatic-Pacific Campaign Medal with two stars; European-African-Middle Eastern Campaign Medal; World War II Victory Medal; Navy Occupation Service Medal, Europe and Asia Clasps; China Service Medal; National Defense Service Medal with bronze star; Armed Forces Expeditionary Medal; Vietnam Service Medal; Philippine Defense Ribbon; and the Republic of Vietnam Campaign Medal with device. In May 1964 he was awarded the Stephen Decatur Award for operational competence by the Navy League of the United States and on June 3, 1968 Admiral Moorer was awarded the Honorary Doctor of Laws Degree by Auburn University, Auburn, Alabama.

He also has been decorated by ten foreign governments: Portugal (Military Order of Aviz), Greece (Silver Star Medal, First Class), Japan (Double Rays of the Rising Sun), Republic of China (Medal of Pao-Ting) and (Medal of Cloud and Banner with Special Grand Cordon), Philippines (Legion of Honor), Brazil (Order of the Naval Merit, Grande Oficial), Chile (Fran Estrella al Merito Militar), Venezuela (Order of Naval Merit 1st Class), Republic of Korea (Order of National Security Merit, 1st Class), Netherlands (Grand Cross, Order of Oranje—Nassau with Swords).

Admiral Moorer is married to the former Carrie Ellen Foy of Eufaula, Alabama. He has four children, Thomas Randolph, Mary Ellen (Mrs. David Butcher), Richard Foy, and Robert Hill Moorer. His official residence is 402 Barbour Street, Eufaula, Alabama.

VICE ADM. ELMO R. ZUMWALT, JR., U.S. NAVY

Elmo Russell Zumwalt, Jr., was born in San Francisco, California, on November 29, 1920, son of Dr. E. R. Zumwalt and Dr. Frances Zumwalt. He attended Tulare (California) Union High School, where he was Class Valedictorian and the Rutherford Preparatory School, at Long Beach, California, before his appointment to the U.S. Naval Academy, Annapolis, Maryland, from his native state in 1939. As a Midshipman he was President of the Trident Society, Vice President of the Quarterback Society, was twice winner of the June Week Public Speaking Contest (1940, 1941), and was Company Commander in 1941 and Regimental Three Striper in 1942, and participated in intercollegiate debating. Graduated cum laude and commissioned Ensign on June 19, 1942, with the Class of 1943, he subsequently progressed to the rank of Vice Admiral, to date from October 1, 1968.

Following graduation from the Naval Academy in June 1942, he joined USS *Phelps*, and in November 1943 was detached for instruction in the Operational Training Command, Pacific, at San Francisco, California. In January 1944 he reported on board the USS *Robinson*, and for "heroic service as Evaluator in the Combat Information Center . . . (of that destroyer), in action against enemy Japanese battleships during the Battle for Leyte Gulf, October 25, 1944 . . ." he was awarded the Bronze Star Medal with Combat "V." The citation further states: "During a torpedo attack on enemy battleships, Lieutenant Zumwalt furnished information indispensable to the success of the attack. . . ."

After the cessation of hostilities in August 1945, until December 8 of that year, he commanded (as prize crew officer) HIJMS ATAKA, a 1200-ton Japanese river gunboat with two hundred officers and crew.

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In that capacity he took the first ship since the outbreak of World War II, flying the United States flag, up the Yangtze River to Shanghai. There they helped to restore order and assisted in the disarming of the Japanese.

He next served as Executive Officer of the USS *Saufley*, and in June 1946 was transferred to the USS *Zellars* as Executive Officer and Navigator. In February 1948 he was assigned to the Naval Reserve Officers Training Corps Unit of the University of North Carolina at Chapel Hill, where he remained until June 1950. That month he assumed command of the USS *Tills*, in commission in reserve status. The *Tills* was placed in full active commission at Charleston Naval Shipyard on November 21, 1950, and he continued to command her until March 1951, when he joined the USS *Wisconsin* as Navigator.

"For meritorius service as Navigator of the USS *Wisconsin* during combat operations against enemy North Korean and Chinese Communist forces in the Korean Theater from November 21, 1951 to March 30, 1952 . . ." he received a Letter of Commendation, with Ribbon and Combat "V," from the Commander Seventh Fleet. The letter continues: "As Navigator his competence and untiring diligence in assuring safe navigation of the ship enabled the commanding officer to devote the greater part of his attention to planning and gunfire operations. His performance of duty was consistently superior in bringing the ship through dangerously mined and restricted waters, frequently under adverse conditions and poor visibility. He assisted in the planning of the combat operations . . . (and) piloted the *Wisconsin* into the closest possible inshore positions in which maximum effect could be obtained by gunfire . . ."

Detached from the *Wisconsin* in July 1952, he attended the Naval War College, Newport, Rhode Island, and in June 1953 reported as Head of the Shore and Overseas Bases Section, Bureau of Naval Personnel, Navy Department, Washington, D.C. He also served as Officer and Enlisted Requirements Officer and as Action Officer on Medicare Legislation. Completing that tour of duty in September 1955, he assumed command of the destroyer USS *Arnold J. Isbell*, participating in two deployments to the Seventh Fleet. In this assignment he was commended by the Commander, Cruiser Destroyer Forces, U.S. Pacific Fleet for winning the Battle Efficiency Competition for his ship and for winning Excellence Awards in Engineering, Gunnery, ASW, and Operations. In July 1957 he returned to the Bureau of Naval Personnel for further duty. In January 1958 he was transferred to the Office of the Assistant Secretary of the Navy (Personnel and Reserve Forces), and served as Special Assistant for Naval Personnel until November 1958, then as Executive Assistant and Senior Aide until July 1959.

Ordered to the first ship built from the keel up as a guided missile ship, USS *Dewey* (CLG–14), building at the Bath (Maine) Iron Works, he assumed command of that guided missile frigate at her commissioning in December 1959, and commanded her until June 1961. During the period of this command, *Dewey* earned the Excellence Award in Engineering, Supply, Weapons, and was runner up in the Battle Efficiency Competition. He was a student at the National War College, Washington, D.C. in the 1961–1962 class year. In June 1962 he was assigned to the Office of the Assistant Secretary of Defense (International Security Affairs), Washington, D.C., where he served first as Desk Officer for France, Spain, and Portugal; second as Director of Arms Control and Contingency Planning for Cuba. From December 1963 until June 21, 1965 he served as Executive Assistant and Senior Aide to the Honorable Paul H. Nitze, Secretary of the Navy. For duty in his tour in the Offices of the Secretary of Defense and the Secretary of the Navy, he was awarded the Legion of Merit.

After his selection for the rank of Rear Admiral, he assumed command in July 1965 of Cruiser-Destroyer Flotilla Seven. "For exceptionally meritorious service . . ." in that capacity, he was awarded a Gold Star in lieu of a Second Legion of Merit. In August 1966 he became Director of the Chief of Naval Operations Systems Analysis Group, Washington, D.C., and in September 1968 became Commander Naval Forces, Vietnam and Chief of the Naval Advisory Group, U.S. Military Assistance Command, Vietnam.

In addition to the Legion of Merit with Gold Star, the Bronze Star Medal and Commendation Ribbon, each with Combat "V," Vice Admiral Zumwalt has the American Defense Service Medal, Fleet Clasp; American Campaign Medal; Asiatic-Pacific Campaign Medal with one silver star and two bronze starts (seven engagements); World War II Victory Medal; Navy Occupation Service Medal, Asia Clasp; China Service Medal; National Defense Service Medal with bronze star; Korean Service Medal; United Nations Service Medal; and the Philippine Liberation Ribbon. He also has the Korean Presidential Unit Citation Badge and the Philippine Republic Presidential Unit Citation Badge.

Vice Admiral Zumwalt's official home address is Tulare, California. He is married to the former Mouza Coutelais-du-Roche of Harbin, Manchuria, and they have two sons, Elmo R. Zumwalt, III, and James Gregory Zumwalt, and two daughters, Ann F. Zumwalt and Mouza C. Zumwalt.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from South Carolina.

Mr. RIVERS. Mr. Speaker, I do not think the gentleman can say anything with which I would agree more fully. This is a great American, a great sailorman, and he will make one of our great Chiefs of the Joint Chiefs of Staff.

I am as proud as the gentleman from Alabama to see this gentleman receive such recognition.

Mr. ANDREWS of Alabama. Mr. Speaker, I thank my friend, the gentleman from South Carolina.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. Mr. Speaker, I yield to my colleague, the gentleman from Alabama (Mr. DICKINSON).

Mr. DICKINSON. Mr. Speaker, I join in the remarks made by the gentleman from Alabama and the gentleman from South Carolina.

Admiral Moorer was born in my district and went to school in my hometown. I would like to be able to claim him, as the gentleman did, but Admiral Moorer moved to the gentleman's district. I share the pride of the gentleman from Alabama and all Alabamians that Admiral Moorer has been elevated to Chairman of the Joint Chiefs of Staff.

POSTAL PAY REALITIES FOR HIGH-WAGE AREAS

(Mr. WILLIAM D. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILLIAM D. FORD. Mr. Speaker, as I promised last week when we had before the House a bill from the Post Office and Civil Service Committee to increase the compensation of all Federal employees by 6 percent, I am today introducing a bill which will authorize and, in fact, require the Postmaster General of the United States to establish in areas, such as the major industrial high-wage areas, of the country, a wage differential to be paid in addition to the normal salary schedule. Higher wages must be established in those post offices or areas where it is determined that the salary schedule is so low, in comparison to prevailing wages in such areas, that the post office is unable to attract or retain the kind of qualified personnel that we need for the very important job of moving the ever increasing number of pieces of mail that our Post Office Department is called upon to handle.

Mr. Speaker, I invite those of my colleagues who agree with me that this is a principal reason for the work stoppage and one of the principal legitimate complaints of postal workers in many sections of the country, to join me in this legislation and support my efforts to have it passed through the Post Office and Civil Service Committee and then through this House.

During the recent postal work stoppage one of the most frequently aired grievances was the frustration of trying to live on wages, that are not only lower than comparable levels for private industry, but are also devoid of any reasonable relationship to the wages for a given geographic area or location. This grievance is born out by the statistics. The Bureau of Labor Statistics figures for spring of 1969 show that a family of four needs an annual income of $8,322 to live moderately well in nonmetropolitan areas. This same family to live moderately well in the major industrial centers needs $9,076. Given this fact no one should be surprised at the discontent of workers in industrial centers such as the Detroit Metropolitan area. In the area which I represent the postal worker lives everyday with the difficult reality that prevailing wage scales in the area put him at a severe economic disadvantage to workers in comparable jobs in private industry.

The Post Office cannot reasonably expect to retain employees under these conditions nor can they expect that qualified potential employees will apply for jobs under these conditions.

I believe that we can and should do something to remedy the present inequity. We need to streamline our postal pay policies by providing a means to deal with the very special problems encountered in the recruitment and retention of personnel in the relatively high-wage areas of the country.

In 1967, I offered an amendment to the Federal Salary Act to provide the pay flexibility needed to recruit and retain postal employees in high-wage areas. This amendment was accepted in the House but was stricken in the Senate bill and in the version finally accepted and enacted into public law.

The need for this provision is stronger than ever and I am therefore introducing a bill today to achieve a result similar to that sought by my 1967 amendment.

Hearings before the Post Office and Civil Service Committee have shown that nowhere is the postal service in more trouble than in the high-wage areas in and around our major cities and industrial centers. Those who followed the recent postal strike are well aware of these problems. News coverage focused the attention of the Nation on the panorama of economic problems faced by postal employees in areas of relatively high wages and exceptionally high living costs.

This bill would not raise anyone's pay at this particular time. Rather, it would make it incumbent upon the executive branch to make a determination as to where in this country postal pay is so out of line with wages for comparable occupations that the postal service cannot recruit or retain the people that we need.

The bill further requires that, when the President finds that the pay rates in private enterprise in areas or locations are so substantially above the rates of basic compensation for positions in the postal field service as to significantly handicap the Government's recruitment or retention of well qualified employees, the President shall establish higher minimum rates of basic compensation for the positions in those areas or locations.

Comparability is only comparability if the postal worker is making the same wages as his neighbor who has comparable duties on his job. This is a sound management principle applied in private industry and I think it is sound for the postal service.

Mr. Speaker, the bill I have introduced and have been describing here provides as follows:

H.R. 16969

A bill to amend title 39, United States Code, to provide rates of pay for postal field service employees in certain areas and locations in accordance with private enterprise pay rates in these areas to assist in recruitment and retention of postal field service employees and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That that part of the text of chapter 45 of title 39, United States Code, under the heading "SALARY STEPS AND PROMOTIONS" is amended by adding at the end thereof the following new section:

"SECTION 3561. Higher Minimum rates; Presidential authority—

"(a) When the President finds that the pay rates in private enterprise for one or more occupations in one or more areas or locations are so substantially above the rates of basic compensation of those positions of the postal field service which are unique to that service as to handicap significantly the Government's recruitment or retention of well-qualified employees for such positions, he shall establish for such positions in the areas or locations higher minimum rates of basic compensation for one or more levels and shall make corresponding increases in other step rates of the pay range for each such level.

"(b) Within the limitations of subsection (a) of this section, rates of basic compensation established under that subsection may be revised from time to time by the President.

"(c) An increase in rate of basic compensation established under that subsection is not an equivalent increase in compensation within the meaning of section 3552 of this title.

"(d) The rate of basic compensation established under this section and received by an individual immediately before a statutory increase, which becomes effective prior to, on, or after the date of enactment of the statute, in the compensation of employees in the postal field service, shall be initially adjusted, effective on the effective date of the statutory increase, under conversion rules prescribed by the President.

"(e) All actions, revisions and adjustments under this section have the force and effect of statute.

"(f) The President may authorize the Postmaster General to exercise the authority conferred on the President by this section.".

(e) The table of contents of chapter 45 of title 39, United States Code, is amended by inserting—

"3561. Higher minimum rates; Presidential authority."

immediately below—

"3560. Salary Protection.".

SEC. 2. Section 5303(a) of title 5, United States Code, is amended by inserting immediately before the semicolon at the end of subparagraph (2) thereof ", except positions in the postal field service which are unique to the service".

ARMY CORPS OF ENGINEERS TAKES "NEW LOOK" FOR CONSERVATION OF ENVIRONMENT

(Mr. GUDE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. GUDE. Mr. Speaker, in recent weeks, the Army Corps of Engineers has announced a "new look" to demonstrate its concern for the conservation of our environment. This new interest is most welcome. For years many have argued that the corps has been fixated on traditional engineering solutions to problems such as water supply, and has neglected other options with great potential for improving the quality of the environment.

The water shortage in Washington is a case in point. The corps has long championed a series of dams upstream to keep the city from running out of water. We can justify the Bloomington and Sixes Bridge and possibly several other tributary dams, but filling in the Potomac with concrete will not solve the water problem of a rapidly growing metropolitan area. These two dams plus the other five currently being considered for the tributary will only meet projected needs until 1985. The corps is finally turning its attention to the Potomac estuary as a source of water supply, and study is underway. The major hurdle to drawing upon the water in the estuary is, of course, galloping pollution. But there is no reason why this problem cannot be surmounted with the energy and expertise of the corps.

This week, during the Cherry Blossom Festival, signs went up around the Tidal basin to warn fisherman away from waters polluted by raw sewage. One of the major causes of this pollution is the overflow from storm sewers and combined sewers. One cure would be the construction of facilities to handle combined District of Columbia sewers by the "deep tunnel method," a system of large underground tunnels and pumping stations to store water in peak storm runoff and to discharge it for treatment and disposal during periods of slack runoff. A major public works project such as this seems to me to be made to order for the corps.

It is, of course, the task of the Congress to authorize public works projects and to oversee their environmental side effects, and we have not done all that we could to promote broader objectives in authorizing public works.

For this reason, I am today cosponsoring legislation introduced by Congressman REUSS, which would authorize and direct the Corps of Engineers to engage in public works for waste water purification and reuse. The bill places Congress squarely on record as supporting those projects which reflect the most favorable ratio of environmental benefits to costs.

I am confident that the corps will welcome a statement of congressional policy in this area, to back up its own efforts to join the ranks of those who want to make the 1970's the decade of the environment.

ROGERS COMMENDS POMPANO BEACH, FLA., ROTARY CLUB PROJECT FOR SERVICEMEN

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, all too often we have the tendency to think of the conflict in Vietnam in terms of nations and not in terms of the men who are defending us there.

The Pompano Beach Rotary, however, has undertaken a project to show these men returning from Vietnam that the people of Pompano Beach appreciate the sacrifice they have made.

Starting last week, the Rotary has scheduled a weeklong respite for servicemen. The club is hosting seven men a week for 4 weeks. In all, 28 men will be given the red carpet treatment.

The Rotary project, under the chairmanship of Budd W. Boyer, has planned to greet these men and in doing so, have spread their enthusiasm throughout the area.

As a result, hotels and motels have agreed to house the men, restaurants have donated all the meals, transportation has been furnished by automobile dealers, and continuous entertainment is being provided by merchants throughout Broward County.

The city of Pompano Beach, Fla., has welcomed these men and the county of Broward has officially welcomed them also.

According to Mr. Boyer, the response has not been limited to the commercial interests. Everyone who has heard of the project has offered to help in some way.

The project was originally scheduled for a 1-month period, with groups of seven men per week. But the response

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has been so great that now there is consideration being given for a twice-a-year program which would host 56 men a year.

There are many ways in which the people of America can show their appreciation to the men who have served in Vietnam. And I am sure that many service clubs around the Nation have some kind of program which is designed to give servicemen some indication of the gratitude which all Americans have for them.

But I think that the project established by the Pompano Beach Rotary is an outstanding one, and I would hope that other service clubs over the Nation would look into the possibility of establishing similar ones.

The members of the Rotary and people of Broward County have rushed to share their friendship with these men from the Jacksonville Naval Hospital. I commend them for this fine program and share with them their appreciation for these men who have served their country so well.

TRIBUTE TO REV. DR. ANNALEE STEWART OF THE WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from New York (Mr. Ryan) is recognized for 45 minutes.

Mr. RYAN. Mr. Speaker, I should like to take this opportunity to pay tribute to Rev. Dr. Annalee Stewart, who has been a dedicated and inspirational leader of the Women's International League for Peace and Freedom for more than 20 years.

Mother, minister, lecturer, and peace and freedom lobbyist, Dr. Stewart served as president of the U.S. section of the Women's International League for 4 years, from 1946 to 1950. Since that time, as most of us know, she has served as national legislative secretary for that organization. She retired on March 31, and today her friends, admirers, and associates from WILPF branches all over the Nation held a luncheon in her honor in the Nation's Capitol.

Dr. Stewart is a remarkable woman, and her career attests to that fact. She was graduated from Illinois Wesleyan University in 1921, and later did graduate work at Boston University School of Theology, Colgate-Rochester Divinity School, and Union Theological Seminary. She became one of the first women to be ordained as a minister of the Methodist Church. Dr. Stewart is the only woman in the history of Congress to have served as guest Chaplain of the House of Representatives.

In 1967 Dr. Stewart was invited by Dr. Lloyd M. Bertholf, President of her alma mater, Illinois Wesleyan University, to preach the baccalaureate sermon and receive the honorary degree of Doctor of Humanities in recognition of her work for peace, freedom and social justice.

Annalee Stewart's background in religion and education has been the foundation for many years of aiding, teaching, and counseling young people. She is well known, especially on Capitol Hill, for her efforts on behalf of the United Nations International Children's Emergency Fund, UNICEF. Having seen, in the course of 10 postwar trips to Europe, many of the suffering children aided by the United Nations fund, she was earnestly diligent in her years on Capitol Hill in reminding Members of Congress of the great good that could be done with our Government's appropriations for that cause.

I am sure that Members of the Senate who were involved will never forget one of Dr. Stewart's major lobbying triumphs. While she was legislative secretary for WILPF, she and her husband, Dr. Alexander Stewart, conducted church services in southwest Washington in a poverty-stricken neighborhood. One afternoon, Annalee Stewart invited a number of Senators to tea at the parsonage. As the story goes, when they arrived, tea was served on the kitchen windowsill. Through the window there was an appalling view of the back yards of the slums, the outdoor privies, and the human degradation in which underprivileged children lived. It is said that the Senators did not drink much tea, but they voted for the legislation Dr. Stewart was advocating.

Dr. Stewart has traveled widely, studying international conditions and meeting officials, church leaders, and educators. She attended the first nongovernmental Inter-American Congress of Women in Guatemala and is a member of the secretariat of the Federation of Inter-American Women. She attended two international congresses of the Women's International League for Peace and Freedom. She has broadcast in England and Germany, and preached in Belgium, Czechoslovakia, Finland, and Poland. In 1952, she interviewed church leaders who were going back and forth between the eastern and western zones of Germany.

In July of 1965, Mrs. Stewart was one of the two WILPF members of the interfaith team of the Clergymen's Emergency Committee for Vietnam sent to Vietnam under the sponsorship of the Fellowship of Reconciliation. There, the group spoke with United States and Vietnamese officials, soldiers, students, news correspondents, labor union officials, and supporters of North Vietnam and the NLF. She also visited Thailand, Hong Kong, Hiroshima, and Tokyo with the same team.

Dr. Annalee Stewart is an exceptional leader of an organization so worthwhile that only someone so qualified as she could truly represent it. When women from 12 countries met together at The Hague in 1915, their purpose was to organize for woman suffrage. The outbreak of the First World War, however, persuaded them to dedicate their energies to working for worldwide peace. Thus, their first meeting was concerned with the setting of principles aimed at achieving peace. President Wilson later told one of the U.S. delegation that he used some of their peace proposals as a basis for his 14 points.

The permanent organization of the Women's International League for Peace and Freedom was established at the second meeting, which took place in Zurich in 1919. Today, WILPF has members in national sections in nearly 40 countries. All of the national sections work together for world organization, functioning democratically, within the framework of law, for the peaceful settlement of international disputes and for the development of international social and economic cooperation.

Each section works, by democratic methods, with its own government for the economic and social well-being of individuals, irrespective of race and creed, and for the protection of their civil rights, as well as for universality of membership in the United Nations. Above all, the League is concerned with worldwide, total disarmament to bring about lasting peace.

The WILPF supported the League of Nations and established its headquarters in Geneva, where assistance could be provided to all the national sections of the organization and close contact maintained with international problems. When the San Francisco Conference convened for the purpose of establishing the United Nations, the League sent official observers, and in 1948 it was accorded consultative status with the Economic and Social Council. It was subsequently also given the privilege of having an official representative at UNESCO, FAO, WHO, and the ILO.

The Women's International League for Peace and Freedom deserves the most credit, perhaps, for work in the field of disarmament. The league has taken an active role in helping to bring about the progress toward arms control and disarmament which has been made in recent years.

Annalee Stewart, who worked on behalf of the WILPF for many years for the establishment of an Arms Control and Disarmament Agency, has said:

> Disarmament is not a sometime thing. It is a method for survival in the nuclear age. It requires constant political research and analysis. Universal disarmament will always remain the goal, but disarmament plans and negotiating procedures, once devised, do not remain good for all time. We all know that the missiles of today have made the missiles of yesterday obsolete. So too, new ventures into the stellar regions will necessitate the extension of international law into outer space, making aspects of today's disarmament plans obsolete. A well staffed and financed Agency is necessary to properly carry out the job of formulating disarmament policy on a continuing basis.

In addition to these fields most closely related to world peace, the WILPF has also made notable contributions in other areas. For example, it has been active in the protection of civil liberties and the rights of minorities, and has worked to alleviate poverty. In recent years Dr. Stewart has spent many months in Mississippi, Georgia, Alabama, New Orleans, and Florida, helping to develop lines of communication between the white and black communities, participating in anti-

XUM

poverty programs, and organizing WILPF branches.

Dr. Annalee Stewart's career, and the work of the Women's International League for Peace and Freedom serve as examples of the great accomplishments which can be achieved by individuals with courage, faith, strength, and determination, and by organizations made up of such individuals. Mrs. Stewart will be missed greatly in her retirement. However, I know that she will continue to contribute her extraordinary talents to the search for world peace and that her example will encourage future generations of individuals who share her noble goals and ideals.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a Nation. Canada has one commercial bank for every 2,100,000 people. Germany has one commercial bank for every 204,000 people. The United States, with its highly competitive and diverse dual banking system, has one bank for every 15,000 people.

LEGISLATION TO REQUIRE THE OPEN DATING OF PACKAGED FOODS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, last November I introduced H.R. 14816, legislation to require the final date a food can safely be kept on a grocer's shelves to appear on the label of all perishable and semiperishable foods. Last week, I released the results of two surveys conducted in the District of Columbia on food coding practices. See the CONGRESSIONAL RECORD of April 9, 1970, page 11123. One survey was done by the Consumer Action Committee of the District of Columbia Democratic Central Committee. A second one was done by my staff. The two dramatically demonstrate that current food coding practices do not prevent large amounts of out-of-date food being sold to the consumer. Such findings, unfortunately, are applicable to almost every part of the country.

Response to the legislation has been both massive and overwhelmingly in favor. Tomorrow, I intend to reintroduce the bill with cosponsors to demonstrate the significant support for the bill among the Members of the House of Representatives.

The newspaper article that first brought these conditions to my attention was a feature by Mrs. Marguerite Kelly, which appeared in the Potomac magazine section of the Washington Post last October. Because it so forcefully portrays the food coding practices of supermarket chains, I insert the article at this point in the RECORD.

The text of the article follows:

[From Potomac magazine, Oct. 19, 1969]

TAKE NOTE—"THE DAY I CRACKED THE CHICKEN CODE AT A&P"

(By Marguerite Kelly)

Our supermarkets have turned me into a super spy.

At first I was a simple spy—finding the ripest peaches (partly by sniffing but mostly sort of leaning, thumb-to-fuzz) and watermelon (the broomstraw spins full around, once) and the latest frozen limas (they're greener) which are kept handily in the bottom of the back of the bin.

In the meat department, however, it was never possible to follow my nose the way our foremothers did. Instead denouements occurred each Friday when the groceries were stored. There the plastic was stripped off the meat and occasionally some tainted hamburger made me settle for hot dogs.

I had put it all down to The Breaks until that day I cracked the chicken code.

To tell you the truth, this took more cleavage than brains.

One Friday an A&P butcher in Virginia, easily a candidate for Most Obliging Man of the Year, beamed down as he opened the one-way glass behind the meat counter, looked at my (1) bosom and (2) four packs of chicken and said, "You'll really do better with these," exchanging mine marked 2S for the only four in the case marked 5K.

Five minutes later ("You know, ma'am, there are two things we can't tell customers—what's going on sale and what the code means. I mean, I could get fired.") he said that the letter was the initial of the woman who weighed the meat. The number?

"Well, how many days a week do we work, ma'am?"

Six, of course. 1 for Monday and that means Friday (5) was fresher than Tuesday (2).

According to a spokesman for the grocery industry, every item sold in a supermarket, except perhaps the produce, has a date, in code—a short series of numbers or letters or both stamped somewhere on the package, either by the manufacturer, wholesaler or chain store. Some dates represent the last day of shelf life, called the "pull" date, and other dates represent the packaging date, which oddly enough is not called the "push" date. Any identical coding systems between chains is purely coincidental and codes change as frequently as once a month—and probably sooner, if publicized.

"We have to use codes," said one clerk. "You know how you housewives are. If we used a date you could read, you'd pick the latest one, and then grocery costs would be higher than ever."

And from one grocery spokesman who wouldn't be named: "Simple dating would cause chaos in the marketplace."

Many of the codes are unknown even to the store manager, until he receives an expiration sheet from headquarters, telling him what to pull. Other goods, generally canned, are taken off by food company representatives on their duly appointed rounds.

It is in perishable foods—the meats and eggs and cheeses and milk—that code dating draws its most flak, both from the few customers who know about it and a handful of lawmakers who have checked into supermarket practices.

To Rep. Benjamin Rosenthal, chairman of the occasional Special Inquiry on Consumer Representation of the Government Affairs Committee, codes are "CIA-mysterious. They only help the retailer. A housewife ought to know when a product was packaged and the last usable date. Does it require national legislation? I don't think so. I think much can be done on a local level."

For Washingtonians, whose City Council has lost so much power this year, Rosenthal suggested Congress might give back two things at once—"The power to stop dating by code and the power to name bridges."

In a survey of five of the eight major chains in our area, I found there are a lot of ways to skin this cat, and for some reason, they all were supposed to be for my own good.

GIANT

At the Giant, a marvelously patient dairyman said, in what turned out to be a refrain. "That's really simple," as he decoded the Dannon boysenberry yoghurt.

"Now look, 2110. If it were the first six months of the year, January to June, the code would start with 1. From July to December, they start with 2. Now this code means it's good until Aug. 11. If it were September, it would be 2111, because you would add the 2 and the 1 to get 3, for September."

He never did decipher the code for July, which seems like it should have read 2110 too, but you can worry about that next year.

Meat is frankly marked with the wrapping date of 04 at the Giant, for the fourth of the month, and eggs and refrigerator biscuits use clear expiration dates, if you turn the boxes sideways and look on the end.

"I can keep the AA eggs for 7 days, but then they start losing their AA quality. The A eggs keep for 10 days."

A. & P.

Eggs are stamped the same way at the A&P but when I moved to crabmeat I found

VA5C

8J4

"Lady, that's easy. Forget all the other numbers. Just look for

8J4

he said, spinning the can around. "That's the last day we can sell it. Aug. 4. Of course, it probably would be alright in your own home, under good refrigeration. But if I were you, I'd eat it before.

"That J? That's for the year. The J stands for 1969," he said, looking a little surprised at his customer's stupidity.

The cheese at that suburban A & P, the glutinous, processed American cheese, the kind you give to the children for lunch, had a 24 on it, which the clerk said meant the date it was packaged.

"American cheese is good for two or three weeks. You know, these numbers aren't for you, lady. Don't you worry. If anything goes bad, you just bring it back to us. A & P stands behind everything it sells," he said, looking critically at the date on another package of cheese and tucking it under his arm.

Moving onto the adjacent shelf, he picked up a package of bologna: 8126.

Again, lady, it was simple. The bologna was good until Aug. 12, he said, picking up a couple of outdated pounds of sliced bologna.

"The 6? That's just for our own information. If the plant says to pull every package of bologna with a 6 on it, we do—in case the ingredients aren't exactly right or maybe it's an ounce short. You'd be surprised how many times we get called."

He added some general advice.

"If I were you though, I'd never keep a package of lunch meat more than 3 or 4 days without freezing it," the man said, picking up two packages with broken seals and making way, arms full, to the back of the store, Employes Only.

SAFEWAY

Safeway codes are of course, different, but at the first outlet, on the outer edge of the inner city, the clerks were very helpful.

Eggs were nice and simple: 8-11 for one brand and 2-07 for another brand read out as Aug. 1 and Aug. 7 as the "pull" dates. Lucerne yoghurt was a straightforward 829 (yes, Aug. 29) pull date.

At this point, when I was confidently con-

XUM

sidering myself a master cryptologist, the blocks of Safeway's American cheddar read: AAA and BKA and other baffling three-letter collections. The Friendly Clerk said it meant it was good until Jan. 1 or Feb. 11 or maybe that was the day they wrapped it, or something.

When I got to the meat department—bologna was labelled 4294 ("lady, just add the 4 and the 4 and don't you see, it's good until the 29th"). Just a few feet away, the code for fresh meat read 110—and according to the butcher, the 0 was the code number for the wrapper. Each person in the meat department has his own code number. On Aug. 4 this meant, please don't buy the neck bones after Aug. 11, which would have meant a surprising one week away, but he may of course have been kidding.

At another outlet of Safeway the employes were more edgy about revealing the code.

Where meat was coded 082, the young man said, "That's a code. It's for employes to read. I'm not supposed to tell you."

When asked if 082 meant Aug. 8, he said, "Yes." The next package said 073 and the clerk said it was the date, presumably Aug. 7.

"By law," he said, "you can't leave it in the same package. You have to rewrap it."

A former meat wrapper for a Washington chain said, "I've seen a frozen turkey wrapped and rewrapped and rewrapped again, and a different code date on it every time."

"How long can you do that?"

"Till the manager catches you," she said.

She was formerly employed by a supermarket chain that, according to Rep. Rosenthal, pays up to 60 per cent of a meat manager's salary in bonuses—depending on how close he comes to the annual gross expected from his department. The same system applies to the produce manager, the store manager, the supervisor and all the way up to the regional vice-president.

GRAND UNION

Of the five chains shopped, Grand Union probably has fewer codes than the others,

At the Grand Union the meats and eggs have pull dates on them: AUG 6 or AUG 9, although on items like hot dogs and bologna the tickets read 3195 or 7141, which meant Aug. 19 or Aug. 14.

The clerk would not tell why the first and last digits varied for the same month.

"You have to realize lady, it's a code." They still, in August, totaled to "8" for August.

In the same section, the Parks sausage had still another code, 0805 for Aug. 5, the date it was packaged, said the company representative, and with surprising speed he was displaying it early that same morning.

Two different brands of bacon had another code: 3274 meant Sept. 7 and 7141 meant Sept. 4, because, said another clerk, "You add the first two digits and the last digit and that gives you a 9 for September."

Bulk cheese, that sharp cheddar kind you rustle up with macaroni, was marked 8K09 for the packaging date of Aug. 9 and of course, K means 1969, you dum-dum. As for 12K16 on the sliced American cheese, the clerk looked honestly perplexed.

"Of course, K for the year, but the rest of it just doesn't make sense, unless they changed the code while I was on vacation. They do that a lot," he said.

CONSUMERS CO-OP

Across five Maryland suburbs, Consumers Co-Op had dated the eggs and meats and the lunchmeats the same as at Safeway—add the first and last digit for the month, and the two inside numbers represent the date.

A nervous young clerk, speaking low and looking from left to right, said, "Everything's coded, you know. Everything's different and sometimes they put an 0 in. That's just to fool people. I'm not supposed to be telling you this. Why not? I don't know."

According to the Consumers Inquiry staff, the dairy codes are supposed to be the hardest to break, but that wasn't true.

For Thompson's Dairy, the code on their milk cartons is the same in both stores and home delivery, and "simple" to understand, said the kindly route manager just after he explained how lucky we were to have a two-day-a-week delivery instead of three.

"You have to realize, this code is just for the wholesaler, but I'll explain it to you. Today is the second, right? Now you see this 10 across the top," pointing to a hard-to-read impression, without ink, on the sealing tab.

"That means Aug. 10. Every carton I'm delivering to you today will have a 10 on it," he said flatly, picking up the next carton, which said 9, and the last one, which said 8.

The Sealtest milk at the Giant also had its code in the same place but it was a more complicated 6A07.

The dairyman explained, "The 6 just stands for something like the machine number and the A is for the time of day it was processed. The 07 means that I can't sell this milk past midnight, Aug. 7. There's a one-week limit."

Safeway's Lucerne milk has a similar marking style.

When it comes to bread, however, nobody's telling—and without an informer, a super spy becomes an amateur very quickly.

In all regular bread departments, the code was guarded closely, although chain brands generally print the day boldly on the end of the loaf.

At Grand Union, the bread in the delicatessen section, a marvelous selection of it, had a price on it and a B and yes, ma'am, B stands for Tuesday. The regular breads, however, had secret codes.

And at the Giant, a clerk who had been as confiding as a five-year old child became downright testy.

"We don't lie. That day-old cholla (Jewish eggbread) is just what it says, day-old. You can trust us, lady. That's Saturday's bread.

The bread had a white sticker marked E35 and next to it, a blue one, marked A20. It cost 20 cents to buy it, on a Monday, instead of 35 cents. A less trusting shopper might have thought the E stood for Friday.

ENVIRONMENTAL QUALITY ADMINISTRATION ACT OF 1970

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. MINISH) is recognized for 10 minutes.

Mr. MINISH. Mr. Speaker, the effort to deal with environmental pollution is uniting us as a people more than any other issue in recent memory. Unfortunately, the Federal structure is not similarly united to translate this national commitment into effective and meaningful action to battle pollution.

Presently the Federal Government's programs to control air, water and land pollution are splintered among at least six executive departments, and countless agencies, commissions, and boards. This proliferation of responsibility and authority results in built-in efficiency and inertia in the struggle against environmental pollution.

Water pollution control is within the primary jurisdiction of the Federal Water Pollution Control Administration in the Department of the Interior. However, the U.S. Corps of Engineers has authority to control industrial discharges into waters which they dredge, and the Department of Housing and Urban Development makes grants and loans for the construction of sewage systems. The Department of Health, Education, and Welfare, through the Air Pollution Control Administration, oversees the major Federal activities to control air pollution. Responsibility for pesticide control resides in the Department of Agriculture. The Bureau of Mines in the Interior Department administers some solid waste programs, and the Department of Transportation contains the Office of Noise Abatement.

In order to streamline Federal activities to improve the environment, I am today introducing the Environmental Quality Administration Act of 1970. Sponsored by Senator EDMUND MUSKIE in the Senate, this legislation would consolidate all Federal antipollution offices and programs in one independent regulatory agency whose overriding responsibility would be the protection of our environment against changes which adversely affect the quality of our life.

Specifically, the Environmental Quality Administration will be charged with identifying pollutants and their effects, developing the technical capacity to implement pollution standards, and enforcing such standards to protect the public health and welfare from both short- and long-term adverse effects of pollution. The agency will be headed by an administrator and five deputies appointed by the President with the advice and consent of the Senate. However, it will operate as a separate, self-contained, and independent force for environmental quality within the Federal Government.

Mr. Speaker, our technology has made it possible to attain the world's highest levels of agricultural and industrial production, to meet consumer demands, and to explore outer space. However, we have yet to employ this technology adequately to protect the resources of our environment. To do so requires the effective coordination and management of existing and future programs providing for the control and prevention of air and water pollution, the disposal of solid waste, and the conservation of natural resources. The Environmental Quality Administration Act will provide the means by which our determination and concern can be transformed into meaningful action and strong enforcement.

ESCAMBIA BAY JAYCEES HONOR OUTSTANDING YOUNG SOLDIER

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, I was very pleased and proud recently to have the opportunity on behalf of the Escambia Bay Jaycees to present to S. Sgt. Richard Allen Davis, Jr., of Pensacola, Fla., the club's annual Distinguished Service Award. The DSA is presented traditionally each year during January by the Jaycees to a young man "Whose dedication to service to humanity will serve as a lasting reminder and inspiration to all men of all nations." I quote Jaycees President Stanley Wilson that—

XUM

Although the DSA Award is not unique as it was begun in 1938 and is traditionally given annually to a young man in the community who is head and shoulders above the crowd, and has honored such men as Orson Welles, Howard Hughes, Richard Nixon, John F. Kennedy and Capt. Gus Grissom, it is unique in that we are giving it this year to a young man from the Pensacola area serving his community and country on the front lines in Vietnam and who is showing leadership and dedicated service qualities. We felt that this award is particularly fitting as a means of demonstrating the Jaycees' support of their country and the young men serving it in a time when elements within America are actively demonstrating their rejection of it and the principles for which it was founded.

Staff Sergeant Davis, who has served two consecutive tours in Vietnam on a volunteer basis was most recently assigned with the U.S. Army 10th Cavalry at Pleiku. This admirable young man, who joined the Army in August 1967 and has risen rapidly in the ranks, has established an outstanding military record. To date he has received the Combat Infantry Badge, Paratrooper Badge, two Army Commendation Awards, two Bronze Stars, the Air Medal, the Vietnam Campaign Medal, National Defense Service Medal and the Vietnamese Service Medal. Richard, who is just 21, is to be highly commended for his record of achievement in his military career and for his selection to receive the Escambia Bay Jaycees Distinguished Service Award.

At the same time, may I warmly congratulate the Escambia Bay Jaycees organization on the important role they are playing in the recognition and encouragement of these deserving young people. Participating in the award ceremony from the Jaycees organization were Stanley Wilson and Zearl Lancaster.

THE COAST GUARD RESERVE IS TOO VALUABLE TO BE ABOLISHED

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, to the very great surprise of most of us in the Congress, the administration has proposed to abolish the Coast Guard Reserve. Apparently this has been done without consulting the committees of Congress which have very important responsibilities in this area. From the evidence, it even appears that those in the service who are responsible for the operation and those most knowledgeable about the need for the Coast Guard Reserve also were not consulted. It is easy to make a case against the abolishment of the Coast Guard Reserve. It is in my opinion an essential element of our defense team, and it is important both in peace and in war. I strongly urge that Congress reverse the decision which has been made and that the Coast Guard Reserve be fully funded and that it be continued in operation.

It is interesting to note that the distinguished chairman of the Armed Services Subcommittee on Retirement, the Honorable F. EDWARD HÉBERT, has explored this proposal and Mr. HÉBERT has made it clear that he and his committee are convinced of the vital importance of the Coast Guard Reserve. Let me suggest that this same interest is shown by a substantial number of the members of the Defense Subcommittee of the Appropriations Committee. Both committees are fully aware of the essential nature of the work of the Coast Guard and Coast Guard Reserve.

Mr. HÉBERT and his colleagues on the Armed Services Subcommittee held a hearing on February 27, and went into this matter, with the advantage of advance knowledge and judgment in the area. In connection with the military authorization bill, Mr. HÉBERT had this to say, and it is significant:

> Unlike the bill that we considered last year, there is no request this year for the selected reserve of the Coast Guard. Frankly, I believe the elimination of the selected reserve of the Coast Guard is a violation of the reserve forces bill of rights and vitalization act of 1967, and pre-empts the authority of Congress and specifically the Armed Services committees of the Senate and House who are responsible for establishing selected reserve strengths.

The maintenance and support of our military forces, and particularly of a large and viable reserve, is insurance for national safety, and a deterrent to war. I am sure that each of us shares in the hope and prayer that we will never have to call them up. But how worthy will be the support we have given the reserves if they are in any sense fully committed to action in wartime.

Those responsible for the safety of our Nation are the men and women, in the agencies and establishments of the military services. It has always been my view that they are the ones upon whose judgment we must rely in these matters. We are fortunate that in our Nation dedicated and sacrificial citizens with skill and inspiration have always been available to defend our Nation, and they have done so successfully. Today, the leadership of our military services are the most gifted in the world.

It is important that we seek and listen to their advice in all matters affecting the national security.

Mr. HÉBERT and his committee, in considering the Coast Guard Reserve, would, of course, call in the Commandant, as they did on February 27. Let us go to the record and ascertain what Adm. Willard Smith's views are on the subject of the proposed abolishment of the Coast Guard Reserve.

I read from the record of the hearings:

> Representative HÉBERT. I again repeat: The first time that you knew that the Reserve Coast Guard was to be eliminated was when you were told it was to be eliminated as a result of these alleged studies?
>
> Admiral SMITH. Yes sir, that is correct.
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> * * * * *
>
> Representative HÉBERT. Did you propose elimination of the Reserves?
>
> Admiral SMITH. No, sir, we did not.
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> * * * * *
>
> Representative HÉBERT. But I want it firmly established that you were not consulted. Were you given an opportunity to justify the retention of a selected reserve training program of 16,590 shown to be necessary by your report? Am I to assume that this presentation was made when you first discussed this matter?
>
> Admiral SMITH. Yes sir, we did make a presentation to the Bureau of the Budget for this program.
>
> Representative HÉBERT. And you at that time justified the 16,590 reserve strength?
>
> Admiral SMITH. This is what we requested.
>
> Representative HÉBERT. That is what you requested. At no time then, in making this presentation did you indicate you wanted the reserve eliminated, or did experts ask your opinion on eliminating the reserve entirely?
>
> Admiral SMITH. No sir, not in connection with the budget presentation.
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> * * * * *
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> Representative HÉBERT. But were these steps acceptable, or were you doing them because you had to do them within the framework of the budget?
>
> Admiral SMITH. We accepted the fact that this action was going to be taken, Mr. Chairman.
>
> Representative HÉBERT. But it was not to your liking?
>
> Admiral SMITH. These were presented as problems associated with it.
>
> Representative HÉBERT. Did you like it?
>
> Admiral SMITH. No, sir.
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> Representative PIRNIE (New York). Admiral, when this figure for the selected reserve was established, you had a mission in mind, did you not?
>
> Admiral SMITH. Yes, sir; that is correct.
>
> Representative PIRNIE. Could you tell us that mission?
>
> Admiral SMITH. Mr. Pirnie, we have a number of missions under the mobilization concept. These are assigned to us by the navy, since we become part of the navy in time of war.
>
> Representative PIRNIE. What I was trying to develop was the importance of that mission, and if you can characterize its basic purposes, I think it might help further questioning.
>
> Admiral SMITH. I might say, Mr. Pirnie, that generally these are in support of Navy responsibilities in wartime situations. The largest in respect to resources—the largest task is the port security and port safety task, which accounted for about 70% of our early response reserve callup. In addition to that, we have tasks to participate in extensions generally of our peacetime missions in a wartime environment, the Merchant Marine Safety, aids to navigation, vessel patrolling and anti-submarine operations.
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> * * * * *
>
> Representative PIRNIE. Is it fair to say the selected reserve had, to a certain extent, mobilization designations with regard to mission?
>
> Admiral SMITH. Yes, sir; they have.
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> Representative PIRNIE. Isn't that the highest type of readiness?
>
> Admiral SMITH. Yes, sir. We regarded them as the highest type of readiness and the ones that would respond most promptly.
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> Representative PIRNIE. Do you feel there is any substitute for that type of capability?
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> Admiral SMITH. We feel that there will be a loss, there is no question that there will be a loss in the quick response under emergency conditions.
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> * * * * *
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> Representative DANIEL (Virginia). Admiral Smith, what specialty ratings do you require to perform your wartime port security missions?
>
> Admiral SMITH. The techniques and skills that we try to provide in our port security people have to do with capability of conducting waterside surveillance for safety purposes of our piers and terminals. All shoreside surveillance with respect to security from sabotage, security from fire to insure that the equipment is being handled properly on the docks. To establish an identification procedure so that only authorized people enter the port and terminal areas. These are

some of the principal items we are talking about.

Representative DANIEL. What other skills are required? What other specialties?

Admiral SMITH. One other one that is important under these conditions are a group of people who are able to supervise the handling of explosives, dangerous cargoes. A sizeable number of them must be qualified to operate boats. They must be versed in general law enforcement techniques, the matter of apprehending and handling of people who have to be removed from the port area.

* * * * *

Admiral SMITH. But the port security mission, since it involves the great majority of our early response reserve forces would feel the impact of this. When I say that, I say that we would not have available as an early response the number of people that we have felt it was necessary to carry out this function.

* * * * *

Representative HÉBERT. If you had not been estopped by the Bureau of the Budget, you would be sitting in the same chair, appearing before the same committee, justifying 16,590 which you consider the rock-bottom minimal to carry out your mission, isn't that correct?

Admiral SMITH. If our budget request had been approved this is the figure we would be talking about, yes, sir.

These are clearly stated and unmistakable views of the Commandant of the Coast Guard. They are based upon a lifetime career of service to his country by the Commandant, who is the leader, the chief executive, and the top-rated expert of the Coast Guard.

These views must be taken seriously by the Congress.

At the same hearing, where Admiral Smith revealed his professional convictions, the top individual who deals with Reserve affairs in the Department of Defense Secretariat also testified. I cite his testimony on this matter to make it perfectly clear that the civilian leadership as well as the military leadership in this field has differing views from that of the Bureau of the Budget on the matter of Coast Guard Reserve.

The Assistant Secretary of Defense for Manpower and Reserve, the Honorable Roger T. Kelley, testified that he was not consulted prior to the Bureau of the Budget decision to eliminate the Coast Guard Selected Reserve.

This was true even though he is the responsible individual in the Department of Defense secretariat and the Coast Guard Reserve strength, under law, is his responsibility. Here is what was said:

Representative HÉBERT. Your position as assistant secretary does take under cognizance and jurisdiction the reserve strength of the coast guard which reverts to the Department of Defense during wartime?

Assistant Secretary KELLEY. Yes to both questions. My responsibility does, and the coast guard does revert.

Representative HÉBERT. Were you brought into any conferences before the decision was made to reduce the coast guard reserve to nothing?

Assistant Secretary KELLEY. No sir; I was not.

The Assistant Chief of Naval Operations—Naval Reserve—Rear Adm. Julian T. Burke, Jr., testified before the House Armed Services Committee that "the Navy is not able to take on additional missions of the Coast Guard."

The chairman of the House Internal Security Committee, Representative RICHARD ICHORD, in a recent statement concerning the importance of the security of our industrial potential said:

> Of similar importance to our defense is the security of our merchant vessels, ports and harbors. The shipping industry is an essential to our Navy and defense transportation.

Mr. Speaker, it seems perfectly clear that the administration is proposing that the Congress take the risk of denuding the Nation's defenses in one important field, and leaving unprotected to a large degree a most important part of the physical structure of our country. We are advised that someone—it has been suggested that a single clerk was responsible—proposed in the initial preparation of the President's budget in the Bureau of the Budget simply struck out a $25 million item in order to save a little money, and that this was done without any consideration whatsoever to the recommendations of the Secretary of Defense and the Commandant of the Coast Guard.

For a fact, from testimony developed by the able chairman of the House subcommittee handling Reserve matters (Mr. HÉBERT) the critical, and what should have been the persuasive, recommendations in this matter were either not sought or were completely ignored or overridden. What kind of preparedness policy is this?

Finally, let us remember what are the wartime missions assigned to the Coast Guard, for which a mobilization readiness must be achieved at all times. These include:

First. Port security, covering the protection of ports, waterfront facilities, vessels, vital locks, bridges, and so forth, from damage or destruction due to subversion or accident; control of anchorages, and movements of vessels; regulation and control of fishing vessels; prevention of the entrance into the United States of persons or objects inimical to national security; regulation and supervision of dangerous cargo handling; screening of persons having access to the waterfront; water and land patrols.

Second. Wartime manning of additional Coast Guard and Navy vessels for duties as assigned.

Third. Expansion of search and rescue operations to support military requirements.

Fourth. Expansion of aids to navigation, icebreaking, and ocean station operations in support of wartime military requirements.

Fifth. Naval patroling operations.

Sixth. Augmentation of fleet to war manning level.

Any suggestion that one of the five Armed Forces be relieved of its necessary training and given instead tasks to perform which have no relation to these assignments is not realistic. The proposal that the Coast Guard itself be eliminated from the defense team is simply not a tenable one.

We hope and believe that upon calm and realistic appraisal of this matter that the Congress will not only reverse this decision, but will provide the necessary support and guidance to require the retention of the Coast Guard Reserve and to manage and train it to the highest degree of readiness.

FARM LEGISLATION

(Mr. SISK asked and was given permission to extend his remarks at this point in the RECORD and to include certain quotes from the chairman of the Committee on Agriculture.)

Mr. SISK. Mr. Speaker, for many months the House Committee on Agriculture has been meeting, often in night sessions with Secretary of Agriculture Clifford Hardin and his top aides, trying to reach an agreement on general farm legislation to replace the existing law which expires at the end of this year.

Chairman POAGE has diligently led these discussion sessions. He has devoted time and energy and shared his vast knowledge of agricultural problems in an earnest desire and effort to improve the lot of the American farmer. Yet, Mr. Speaker, he has been criticized by some farm organization leaders because he joined in getting subcommittee approval last week of wheat and feed grain price support legislation which those particular leaders thought was insufficient.

The chairman, Mr. Speaker, has made it abundantly clear that he too would like to get passage of legislation increasing farm price supports in line with the increased cost of items which go into production. But, he is realistic enough to know that such legislation cannot win approval of the Congress, so that, in Chairman POAGE's own words, "It is better to get a part of something than a whole of nothing."

On April 9, 1970, a statement was issued by John Scott, chairman of the steering committee of the farm coalition group, an organization of farm organizations. Referring to the livestock and grains subcommittee action, the statement singled out Chairman POAGE in particular and described the vote as a "sellout" of grain producers.

The able and dedicated chairman of the Agriculture Committee has responded vigorously and with clarity to this charge, expressing his views both in a general news release and letters to individuals. Included in the news release were these comments:

> As I see it, the major duty of the Committee on Agriculture is to secure the passage of an effective farm bill. Obviously this can only be done through cooperation. The days in which the so-called "farm bloc" was sufficiently powerful to pass any legislation it wanted have long since passed. Unfortunately, some of our farm leaders seem to be living in a dream world of long ago in which they had the votes to pass whatever they felt was best for farmers.
>
> The Democrats have a majority in the House of Representatives, but the Democratic Leadership certainly cannot prevail upon anything like a majority of the House to support farm legislation. The same situation exists on the Republican side where about the same percentage of Members oppose farm legislation without regard to its provisions.
>
> Obviously, neither the Republicans nor the Democrats can alone pass a farm bill. Neither the Agriculture Committee nor the Department of Agriculture has the power to pass legislation simply by presenting it. It is necessary to get votes from somewhere other

> than from "farm" districts. The only possibility I know of securing farm legislation is by securing the cooperation of our Committee and the Secretary of Agriculture, including the cooperation of the members of both parties.

Chairman Poage then went on to say he agreed with the Coalition that larger government payments to farmers was justified, especially in the light of such recent actions as passage of a Federal workers pay increase bill, but that he has seen no evidence a farm bill of that kind could be enacted into law.

He continued:

> With no farm programs, I think it is clear that American farmers would rapidly sink to an even less favorable economic level. In other words, desirable as the Coalition program might be as an objective, none of its advocates seem to have any vague idea of how they can secure its passage, and without passage, this program is of course no more than "pie in the sky."
>
> I think, on the other hand, that I see a real possibility of passage of a program which will maintain substantially the present income of farmers. The Secretary of Agriculture has repeatedly stated that he would support legislation which would (for at least three years) maintain approximately the present level of government assistance for our farmers.

In a letter to one friend Mr. Poage said criticism of the subcommittee action indicated a complete misunderstanding of the situation, and of the fact that individual judgments were involved and that there were honest differences of opinion.

He added:

> I realize that no one can ever prove just exactly whose judgment is best but I also know that if I have gone through a long dry summer and I am starting the winter with no feed on hand and a whole lot more stock than I can possibly carry, that I am going to be forced to sell to the man who comes along and offers me cash rather than hold on and let my stock starve while I talk about a fair price for my cattle.
>
> We are in about that position now. We are talking about $3 billion of farm income where I think it is clear that we will not get anything unless we act.
>
> Of course, we are faced with the same uncertainty which confronts the farmer who must sell his cattle. We can always hope that it will rain tomorrow or that someone will come along and pay more, but you know and I know that the time comes when you must sell. I think that we have reached that point, and we did not have to take the completely ruinous price that the Coalition publicity men have indicated.

The chairman noted that the legislation which drew the fire of the coalition guarantees for 3 years $2.77 per bushel on domestic wheat, which was parity when the administration agreed to the figure, and $1.35 per bushel on corn, which is actually 8 cents per bushel higher than the supports in the measure before the adoption of the amendments to which the coalition objected.

In conclusion, Chairman Poage said:

> I know that it is a matter of judgment as to whether or not the Administration would make any further concession—the same kind of judgment that you must exercise when you are selling your cattle. I am convinced that we have reached a point where we cannot obtain any further concession.

XUM

STATEMENT IN SUPPORT OF LIMITING IMPORTS BECAUSE OF THEIR DAMAGE TO OUR DOMESTIC INDUSTRIES

(Mr. PODELL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, the currently changing picture of world trade requires a reassessment of our foreign trade policy. American exports are declining. Imports are mounting steadily. Our favorable balance of trade, the excess of what we earn abroad compared to what we spend for foreign goods, has almost disappeared.

Imports to the United States have been increasing at such a rate as to make serious inroads in our domestic markets. Japanese, Asian, and European goods have been disrupting our industries and causing unemployment. Clearly we have reached a crossroads that demands change from past policies. The Presidential proposal to Congress considers in part the plight of some of our domestic industries, but it does not go far enough in the protection of our workers losing jobs to cheaper foreign products.

The fact that the United States is the largest market, and the major open market in the world economy, does not excuse continuing the present policy. On the contrary it makes it more relevant and timely to change it now. Hardly a week passes by without reports of difficult or unsuccessful meetings and official negotiations dealing with the problem of mounting imports in face of a relative decline in our exports. Generally, statements from all parties concerned are more self-seeking than self-evident. But there is also noticeable a change in mood and a stiffening of national positions. The seriousness of this situation is underscored by the very fact that meaningful international relations, both political and economic, must be based on a give-and-take formula. I find that we have been doing most of the giving. In fact, we have been giving so long that our trade partners have frozen in their position of taking to such an extent that they seem now to take it for granted as the natural state of affairs.

Let me be specific. Our Government's dealings with the Japanese Government on the matter of textile imports have been marked by intransigence. The high point of this was reached by the statement of the powerful Japanese Minister of International Trade and Industry who in February 1970, was quoted as saying:

> There can be no way of pushing ahead talks unless the United States accepts Japan's basic thinking.

In an unprecedented move, the United States presented to Japan in late January of this year detailed economic data to show that U.S. textile firms and apparel industries are being injured by imports. On March 10 a report from Tokyo described the curent United States-Japan export curb talks as fruitless. Seemingly a dead end has been reached. This, however, was followed by a flying visit to Washington by a high Japanese diplomat who reportedly envisaged Japanese voluntary restraints only after Japanese exports to this country exceeded a 50 percent rise over any preceding year. Is this a realistic and reasonable approach in trying to solve a problem to mutual benefit and satisfaction?

Measures that made some sense when Japan was rebuilding its war ravaged economy and trying to create industries that could stand on their own in international competition have no shred of justification now.

Of course, the problem does not lie with textiles alone, nor is it confined to Japan. Other major industrial products are affected by mounting imports, among them toys, hand bags, shoes, and electrical supplies.

Assistant Commerce Secretary Kenneth N. Davis, Jr., bluntly cautioned Western Europe and Japan that they must give fairer treatment to American exports sold in their markets and that both trading areas should not underestimate the American administration's determination to achieve an equitable solution.

Mr. Davis said:

> For the benefit of all the world's trade, it is time for Japan and Europe to respond more fairly than heretofore to 20 years of U.S. leadership in expansionist world trade policy!

But I believe our Government is not pressing the issue strongly enough. The lack of results and the seeming widening policy of restrictive practices of the various nations involved would indicate that our Government is derelict. Extended consultations and talks across the Atlantic have yielded at best accusations and counteraccusations.

For Europeans to insist on our repeal of some of our new nontariff barriers while they are about to erect new barriers discriminating against American electronic components is an unreasonable and untenable position. The recent French-German-British accord may well be considered by its members as nondiscriminatory, but it is clearly aimed at what the Electronic Industries Association estimates to be about one-third of the U.S. shipments of electronic components to Europe.

At the same time, Europeans failed to mention the severity of their barriers in agriculture which surpass any rational basis in fact. If the European Commission is publicly expressing anxieties about import restrictions pending in Congress, then they ought to publicly and privately consider the issues in terms of their merits and in line with their avowed "extremely liberal" policy toward trade, instead of contributing to the atmosphere of criticism and suspicion of intentions.

Quite contrary to many of its pronouncements, the European Community has been busy in protective action lately. The Common Market has been signing preferential trade agreements with a variety of African and Mediterranean countries. These trade pacts often violate the spirit if not the letter of the GATT principles in favor of a "hot pursuit" of narrowly defined national interest.

It is interesting to note that privately the Common Market has been saying that the basic circumstances of international trade have been altered since the industrial tariffs were reduced almost 40 percent in the Kennedy round. This is exactly the point that I have been expounding. If GATT principles within which the Kennedy round have been conducted and, so far, partly implemented are no longer viable, then it is high time for this Congress to establish new guidelines consonant with our current national interest and policy. It may well be that the Common Market does not want a division of the world in economic blocs. Nor would this, I believe, be in the interest of the United States. But we cannot sit here just watching events as they unfold.

I am not in favor of either political warfare or economic warfare, I believe that reason can prevail. But now is the time to use reason and bring our house in order. We cannot wish our problems away. We have a responsibility toward our citizens and our Nation's economy. We cannot allow the present unsettled situation to rule us or to continue unchecked. If the administration is unable to achieve its stated goal within the existing framework of international trade agreement we, in Congress, have the duty to do it here and now. The legislation that Congress should support would only assure us and our trading partners full participation of a fair share of an orderly growth of our markets. This becomes even more imperative now in face of growing direct subsidies of foreign exports undercutting our efforts to sell our goods abroad, while at the same time U.S. manufacturers are being asked by the same governments to transfer production and jobs out of the United States. We cannot allow imports or foreign government to dislocate American industries and cause factory shutdowns in Brooklyn or anywhere else in this Nation.

JOB CORPS CLOSINGS

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous material.)

Mr. RYAN. Mr. Speaker, I have read with interest the recently released "Manpower Report of the President." I was particularly concerned with that section of the report discussing Job Corps, inasmuch as I opposed the administration's closure of 59 centers last June, and I have grave doubts that events since then have served in any way to dispel the concern which prompted my opposition.

To my distress, the "Manpower Report of the President" is long on rhetoric, but the administration remains short on performance.

The report notes that "30 new, relatively small centers are planned, some with nonresident enrollees." This is the rhetoric. The performance is revealed by the subsequent statement that "three such centers were open in the latter half of 1969—in New Jersey—Camp Kilmer; Koko Head, Hawaii; and Phoenix, Ariz." This paltry total of new centers comes as no surprise to me—last January 20 I deplored the lackluster performance of the Department of Labor. But it does certainly conflict with the Secretary of Labor Schultz' assurance to Congress that at least 10 of the 30 proposed new centers would be opened by last September.

What is more, in actuality the New Jersey center merely replaces a previous, much larger center. And the Koko Head center similarly is the replacement for a former Job Corps center. So, there was really only one "new" center opened last year—in Phoenix. And that center only had 50 enrollees during 1969.

The rhetoric of the President's Manpower Report may be encouraging, but the performance gap is without doubt extremely discouraging. This administration has defaulted on the Government's obligation to the youths who formerly could look to Job Corps as a chance—perhaps even their last chance—to help themselves.

I have other problems, as well, after reading the President's report. For example, it is stated that "some 35 percent of the openings in the new centers are planned for young women, compared with 28 percent of total Job Corps openings in fiscal 1969." I commend Job Corps for seeking to raise the number of women enrollees in the program, inasmuch as the need for educational help, social adjustment, and skill training is certainly as great in the case of disadvantaged women as it is for their male counterparts. In fact, given the job discrimination levied against women throughout our society, I would venture that their need for job training to make them especially eligible for better jobs may even exceed that of the young men.

However, I believe Job Corps still to be doing too little. What is more, this 35-percent goal is difficult to reconcile with the language of the Economic Opportunity Act, which, as established by the amendments adopted in 1967, provides in section 117(b):

> The Director shall take necessary action to assure that on or before June 30, 1968, of the total number of Job Corps enrollees receiving training at least 25 percentum shall be women. The Director shall immediately take steps to achieve an enrollment ratio in training in the Job Corps consistent with (1) efficiency and economy in the operation of the program, (2) sound administrative practice, and (3) the socio-economic, educational, and training needs of the population to be served.

I can appreciate that there might be some ambiguity in the phrase "enrollment ratio of 50 percentum women." This same language is used in the conference report—Report No. 1012—to the Economic Opportunity Amendments of 1967, as well as the House report—Report No. 866. And, in all instances, the phrase is susceptible to being interpreted, I suppose, as meaning there shall be one woman for every two men—that is, a 1:2, or 50 percentum ratio. However, I think the legislative intent clearly to have been that there be equality in the number of women enrollees and men enrollees—that is, one woman for one man. Therefore, I have serious question whether the administration is comporting with the will of Congress—a will which was expressed over 2 years ago and which remains unchanged.

There is one more reference to the Manpower report of the President I wish to make before addressing the disaster which has been inflicted upon the disadvantaged, desperate youth of, most particularly, our urban ghettos and the rural South, by the closure of 59 Job Corps centers. This point goes to the statistics presented by the report, which I confess leave me extremely distressed

The report describes "the Government's two main programs of work and training for disadvantaged youth—the Neighborhood Youth Corps and the Job Corps." This is the description the administration itself ascribes to NYC and Job Corps—"the two main programs." Yet NYC has been restructured by the Labor Department to exclude youths 18 and older from its out-of-school component. This formal restructuring, which produced a reduction in enrollment and which was preceded by stopping all enrollments of youths 18 years and older in May of 1969, is reflected in the figures offered in the table presented on page 59 of the report: In January 1969, there were 45,700 youths enrolled in the neighborhood youth corps out-of-school program, whereas in January 1970, the number was down to 32,100.

Needless to say, the Job Corps enrollment figures presented by that table shows a similiar drastic decrease—from 32,900 in January 1969, down to 19,500 in January 1970. So, we have a combined total reduction for the two programs of 27,000 enrollees. Actually, the problem is even worse than this, since the figures for the first month of 1969 do not really reflect the total number of youths enrolled in these two programs at sometime during 1969. This figure, for Job Corps alone, is 53,000 youths who were enrolled at some point during the 12 months of 1969.

Yet, if these are the two main programs directed at disadvantaged youth, where then have those youths who presumably would have filled the no longer available slots in these two curtailed programs gone?

The answer to that question does not appear to me from the statistics, In fact, if anything, these statistics confirm the administration's repudiation of the Government's obligation to these youths—and to the rest of society—to aid them.

The figures for the programs operated under the Manpower Development and Training Act show that in January 1969, there were 91,600 enrollees. In January 1970, the number of MDTA trainees had dropped to 85,400, a decline of 6,200. The only programs showing any significate rise in enrollment are Job Opportunities in the Business Sector—JOBS—and the Work Incentive program—WIN. Yet, neither of these meets the needs of disadvantaged youths whose educational and skill levels require intensive upgrading. The report itself acknowledges what is well known—the serious problems of the WIN program. And the JOBS program aims at the hiring of workers by private companies, whose facilities, even

XUM

if supportive services are available, are of small avail to teenagers.

Thus, there really is no place but the severely curtailed Job Corps for youths 16 to 22 in need of the counseling, skill training, and educational tutoring which that program provides. And particularly abysmal, as well as dismal, is the story of what has befallen Job Corps. Fifty-nine centers were closed. By now, only five supposedly new centers have been opened—the three mentioned in the Manpower report as having been opened in 1969, and two more which have opened since in Portland, Oreg., and Atlanta. This minuscule number of replacements for the closed centers is totally unacceptable.

In addition, these centers are restricted in terms of enrollment. The New Jersey center, for example, is open only to New Jersey youths. Thus, whereas its predecessor had in it approximately 800 young men from New York, the "new" center excludes these youths. They must be sent to Camp Atterbury in Indiana or Camp Breckenridge in Kentucky. I find this turn of events totally incompatible with the very words of the President's Manpower Report, at page 71:

> Formal evaluation and the practical lessons of operating experience showed that, although some of the underlying premises of the Job Corps were sound, others were questionable. Extremely high dropout rates in the first 30 days following enrollment cast doubt on the wisdom of locating enrollees far from home and in isolated areas.

How much farther must a New York City youth be sent to be considered "far from home"?

XUM

As I said in my statement on the floor of the House on January 20, I have serious question whether this practice of shipping New York City youths hundreds of miles away while there is a center virtually in their backyard comports with section 106(d) of the Economic Opportunity Act and with section 103(1) of that act.

But, my quarrel is not with legalities. My quarrel is with the administration's continued repudiation of our young men and women who have grown up with all the disadvantages that poverty, urban blight, poor education, and lack of hope can inflict on them. This repudiation is unjustified. It is unwise. This week we shall be debating the administration's family assistance plan, a key component of which is work training, and yet at the same time the administration continues to deny such training to youths who desperately need—and ask for no more than—a chance. Let us give them that chance.

PCB'S—AN ENVIRONMENTAL HAZARD

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. RYAN. Mr. Speaker, recent scientific research has shown that polychlorinated biphenyls—PCB's—pose a serious danger to the environment. Polychlorinated biphenyl—PCB's—are chemical compounds manufactured in the United States by the Monsanto Co. under the trade name Aroclor. PCB's, and their residues are extremely toxic to fish, birds, animals, and humans. Until recently, little was known about PCB's, even though their use is widespread. But it is now clear that they have within them the seeds of disaster.

As PCB's are not soluble in water, they are—like DDT—very persistent in the environment. This insolubility factor makes PCB's capable of being widely distributed over the earth via air currents. Upon being ingested by animals or humans, they are soluble in fat.

To the chemical industry, PCB's are a miracle ingredient used in thousands of products from hydraulic fluid to plastic wrappings to insecticides to printing inks. To scientists in several countries who have been carrying on independent research, PCB's are a menace that has been discovered in birds, fruits, fish, conifer needles, human fat, and human milk.

These scientists tell us that like their chemical cousin—DDT—PCB's cause birds to lay eggs with shells too thin to protect the embryos they enclose. Moreover, PCB's have a deleterious effect on the reproductive capacity of animals.

PCB's not only threaten wildlife. Human beings are likewise imperiled. If PCB's come into contact with the skin, they cause chloracne, a serious skin condition. If inhaled, the result is even more dramatic and frightening: among the symptoms are nausea, rapid breathing, loss of weight, and a lowered red blood cell count. More serious results are the deterioration of the kidneys, jaundice, and atrophy of the liver. In sufficient quantities PCB's can cause death.

While dangerous quantities of PCB's are sprayed into the environment as pesticides, this insidious chemical also infects the environment through more roundabout means. It appears that PCB's are getting into the environment in many ways—through the smokestacks of manufacturing plants, through the weathering or friction wear of PCB materials, and through the burning of plastics containing PCB's.

Dr. Robert Risebrough, associate specialist at the Institute of Marine Resources, Department of Nutritional Sciences, University of California at Berkeley, has done extensive research into the problem of PCB's. In an article entitled "More Letters in the Wind" in the January–February 1970 issue of Environment, Dr. Risebrough and Virginia Brodine state:

> A thorough investigation of the physiological effects of the agricultural and industrial chlorinated hydrocarbons, including their effects on the reproductive systems of both birds and mammals, is urgent.

I have called upon the administration to mobilize all available resources to detail the extent of the threat posed by PCB's, and to take steps to eliminate that threat.

I have urged Secretary of Agriculture Hardin to take immediate action to ban the use of PCB's in pesticides. And I have urged Secretary of the Interior Hickel similarly to take immediate action, in order to assure that our fish and wildlife are not further endangered by this environmentally dangerous chemical.

In my communications with Commissioner Charles C. Edwards of the Food and Drug Administration, I have called for establishment of food tolerance levels for PCB's, and urged that a study be undertaken to determine whether PCB's should be completely banned for all uses. Also, I have urged Commissioner Edwards to require that all products containing PCB's be labeled, in order that the public may be fully apprised of their presence in the products they purchase.

I have also asked Chairman Arnold B. Elkind of the National Commission on Product Safety to employ the Commission's investigatory powers to determine the nature and extent of the threat of PCB's to the environment.

Finally, I have called upon Chairman Russell Train of the Council on Environmental Quality to coordinate the efforts of all appropriate Government agencies, so that the public may know the sources and the seriousness of the PCB hazard, and in order that steps can be taken to eliminate this hazard as soon as possible.

Insofar as the Monsanto Co., the sole manufacturer of PCB's, is concerned, I have called for its complete cooperation in these Federal actions to determine the extent of the threat posed by PCB's. I have requested it to release all of its production and sales figures for its three plants manufacturing AROCLOR. Scientists tell me that only with these figures can they intelligently gage how much of the chemical is getting into the environment.

In addition, Monsanto should immediately state, clearly and without equivocation, whether during the manufacturing process any PCB's are released into the environment, in any form; in what quantities they are released; and what control measures are in effect or are being developed. Monsanto should release to the public a complete list of the uses of PCB's so that consumers can be aware of their presence. Any manufacturer who uses PCB's should publish a list of the products containing these compounds, and such products should be labeled as containing PCB's.

The deterioriation and degradation of our environment are accelerating with a frightening speed. Any delay in instituting controls for chemical contaminants only makes the potential consequences that much more ominous. We have used up just about all the luck available in unthinkingly and uncaringly despoiling our environment and endangering life by the use of dangerous man-made products. Thalidomide, DDT, oil slicks—these are only harbingers of more and greater disasters. Wisdom and caution must begin to prevail.

SOVIET SCIENCE AND TECHNOLOGY: SOME IMPLICATIONS FOR U.S. POLICY

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, a recent issue of Orbis, a quarterly journal of world affairs contains a thoughtful and provocative article on "Soviet Science and Technology: Some Implications for U.S. Policy." The article was authored by Prof. Foy D. Kohler and Dr. Mose L. Harvey. Mr. Kohler is professor in the Center for Advanced International Studies at the University of Miami and was formerly Ambassador to the U.S.S.R. as well as Deputy Under Secretary of State for Political Affairs. Dr. Harvey is director of the center at the University of Miami and former director of Intelligence and Research for the U.S.S.R. and Eastern Europe and senior member, Policy Planning Council, Department of State.

Because of the deep consideration being given at this point to the forthcoming SALT talks between the United States and the Soviet Union, I thought that this article would prove of particular interest and help to my colleagues. I am, therefore, including in the RECORD the text of the article and commend it to my colleagues' attention:

SOVIET SCIENCE AND TECHNOLOGY: SOME IMPLICATIONS FOR U.S. POLICY

(By Foy D. Kohler and Mose L. Harvey)

Many factors have contributed to the downgrading of the Soviet threat that has marked Western appraisals of the international situation over the past several years. Certainly one of the most basic is a recurrence among opinion-makers of an old habit of discounting Soviet as against U.S. capabilities in the sphere of science and technology.

No one has gone so far as to return to the pre-Sputnik appraisal of the USSR as a technologically backward nation. Most observers appear now to agree that the Soviet Union is capable of great achievement in particular fields, especially when related to urgent military needs, through marshaling overwhelming human and material resources on a "cost-be-damned" basis. Most observers also recognize that from the standpoint of overall activity the USSR deserves ranking as a technological superpower. Nevertheless, recent comparative appraisals of the United States and the USSR differ vastly from those of a few years ago. Not only have the extreme alarms of the Sputnik era died out. The USSR is portrayed as lagging seriously behind the United States in most areas of scientific-technological endeavor. And projections show the odds more favorable to a widening than a closing of existing gaps.

American scientists and technologists who have had opportunity to visit the Soviet Union and to view at first hand—and in some cases to participate in—ongoing scientific activities in the areas of their specialties have played a leading role in the reassessment process. Since inauguration of the U.S.-Soviet exchange program in 1958, several thousand American scientists and technologists have journeyed to the USSR for periods ranging from a few days to a year or so, and have returned to relate their observations and experiences. Quite a few have made repeat trips, gaining appreciably in authoritativeness as a result.

Consistently, these American visitors have been impressed by the high qualifications and attainments of some of the individual Russian scientists with whom they have had contact. Many have also been impressed by one or another particular line of investigation they have observed. Nearly all have been strong in praise of accomplishments in certain disciplines—notably mathematics, astronomy, branches of theoretical physics, and, within narrow limits, oceanography: the Russians are acknowledged to be among the world leaders in these fields. But as a general matter, the Americans have seen the overall level of research, experimentation and application in the USSR as substantially under that of the United States, and in many instances under that of Western Europe and Japan. All branches of chemistry, experimental physics, earth sciences, meteorology, communication sciences and communication technology, all branches of the life sciences, electronics, cybernetics, reliability engineering, nuclear power, computer-controlled automation, metal alloys, metal substitutes, and even metallurgy, have repeatedly been subjected to critical evaluation. It has not been unusual for observers to speak in terms of a Soviet lag of a number of years behind the United States, as for example "ten years" in the case of chemistry, "ten or more years" for different of the life sciences, and "many, many years" for cybernetics.

Americans have been particularly influenced by the contrast between U.S. and Soviet research facilities and support resources. Almost uniformly they have dwelt upon ill-designed and poorly-housed laboratories, limited equipment, overcrowding, the absence of research tools considered standard in the United States, the lack of trained research assistants and other support personnel, the paucity of research supplies, evident continued dependence on foreign sources for many basic items of equipment, the absence of sophisticated computers and other electronic devices. They have been impressed by the up-to-dateness of some "prestige" facilities and have shown awareness that other advanced facilities were off-limits to them because of military considerations. But this has not altered the seeming consensus: that from the physical standpoint the overall Soviet situation is somewhat primitive in comparison with the United States.[1]

West Europeans, who long were preoccupied with their plight "in between" the technological colossi to the East and West, have in recent years added their voices to the deprecatory appraisals of Soviet capabilities emanating from U.S. scientists and technologists. A main contributing factor has been the failure of the USSR to hold its commanding lead in space—something many European scientists appeared not to have expected—together with evidence that it has not realized the same sort of general forward surge in science and technology in consequence of its space efforts as has the United States. The West Europeans have been especially influenced by complaints of the Russians themselves over their comparative rate of progress, and have used data of Soviet origin to construct a picture of a technological gap between the United States and the USSR comparable to that between the United States and Western Europe.

The Organization for Economic Cooperation and Development, for example, gave limited circulation in mid-1968 to a 738-page study on "Science Policy in the USSR" that showed, on the basis of Soviet sources, considerable disarray in Soviet efforts in science and technology. The Economist of February 8, 1969 used this study as point of departure for an appraisal that appears more or less typical of informed opinion throughout Western Europe:

> Looking at the Russians' achievements in space, one finds it hard to believe that one of their obsessions at home is with the technological gap between themselves and the United States, and the way to close it. The Russians are, after all, training quite a staggering number of scientists and engineers; half the students coming out of the universities are qualified as either the one or the other, making the number of young, technically qualified graduates coming out each year substantially higher than it is in the United States. . . . It is not lack of trained men that explains the gap, nor is it lack of money. The sums spent on science have been increasing annually and very rapidly. . . . The Russians have tried the brute force approach of throwing in masses of men and money on a scale approaching the American—but fail to get the results they were looking for. They are now groping for some more subtle key to technological innovation and this is having a profound effect on the whole of their economic thinking. For what the Russians appear to have found is that innovation requires first of all an attitude of mind that is not fostered by a normal Marxist economy.[2]

II

Up to a point, the change in view with regard to Soviet scientific and technological attainments represents a healthy development. Few of the false images that have been created from time to time about the Soviet Union have matched in absurdity the exaggerated notions of its overall scientific and technological prowess built up in the wake of Sputnik. Yet there is real danger that in redressing a serious imbalance in one direction we will create an equally serious imbalance in the other. This danger is all the more real since many who currently rate Soviet accomplishments and prospects as substantially below those of the United States appear not to give adequate weight either to recent adverse trends in U.S. policies and purposes or to remedial efforts in the USSR. In practical terms of U.S. national interests and needs, are we justified in the far-reaching inferences we seem to be drawing from what may be a transitory situation? Are we safe in projecting, as we appear intent on doing, a current balance sheet into the indefinite future? This question breaks down into whether we are, on the one hand, underestimating the potential of the Russians, or, on the other, overestimating our own.

III

There has long been a semblance of "roller-coasterism" in our evaluations of the Soviet Union. We tend to ignore or discount for extended periods impressive evidence of great purposefulness and intensive activity toward a given goal or goals. Then a sudden turn of events alerts our attention to what is actually going on and sheer surprise—sometimes consternation—causes an upturn in appreciation that generates its own momentum, sweeping not only up to but far beyond any realistically justified point. There follows a period of revision, born of Soviet failure to measure up to the artifically inflated expectations—or fears—and appraisals turn downward, again gathering their own momentum and passing far beyond a realistically justified point.

During the initial phases of the first Five-Year Plan, few took seriously this highly publicized effort to force the rapid transformation of the USSR into a first-class industrial power. The consensus was that the Russians were simply too backward, their system too faulty, their resources too limited to realize the goals they had set for themselves. The backdrop of such views was not the Soviet Russia actually existing in 1929, but the feudal, economically primitive Russia that had been conjured up as an aftermath of the Bolshevik takeover. Forgotten was the great industrial progress achieved during the four decades prior to the First World War, progress that had raised the onetime sprawling agricultural country to the rank of fourth among the industrialized nations of the world, with an impressive productive capacity in coal, steel, petroleum and textiles, and with a railway net second only to that in the United States. Forgotten also was the recovery that had been effected during the period of the New Economic Policy. And no one seemed to recognize the potential effectiveness of a single-minded lead-

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ership willing to go to extremes of ruthlessness to realize its purposes.

When, in 1932, the Kremlin announced the completion of the Five-Year Plan in four years and produced convincing evidence of striking successes in a number of fields, the news, in combination with the deepening Great Depression in the West, produced a shock wave. In the minds of many, Soviet Russia, for the first time, began to loom "twelve feet tall." Stalin, in reporting to his Central Committee on January 7, 1933, was consequently able to draw on a range of telling "before and after" views from the West.[3]

In subsequent years it became apparent that performance under the first Five-Year Plan had been less solid than had first appeared: Stalin himself one declared that "the picture [of plan fulfillment] is a motley one."[4] Moreover, the rate of growth tended to fall off sharply as the second Five-Year Plan was pushed in the mid-1930's. Meanwhile, the West was emerging from its depression, with Nazi Germany making especially rapid progress. These circumstances combined to produce a downward spiral in estimates regarding the USSR. By the time of the Nazi invasion in June 1941, the image of the Soviet Union had shrunk to that of an industrial pygmy, so lacking in the sinews necessary for modern war that it could have little hope of holding out more than a few weeks against German might. Thus it came as an unending surprise that the USSR was able to absorb the huge territorial and material losses and still ultimately match the Germans gun for gun, tank for tank, and plane for plane.

At the end of the war, the outside world recognized that the USSR commanded a formidable war machine, but at the same time assumed the machine was doomed to increasing obsolescence over at least a decade. War devastation and the demands for reconstruction, in combination with the paucity of industrial resources and skilled manpower, were thought to preclude successful efforts to mechanize land forces, develop a nuclear capability, shift to a jet-propelled air force, or build a modern submarine fleet. The error once again was too little allowance for what the Soviets actually had in hand, and too little regard for what could be accomplished by a ruthless dictatorship bent upon massively extending its power base irrespective of either difficulties or costs.

These were the days of great military complacency in the United States, and this despite mounting political tensions and ominous crises around the world: days of the demobilization of the armed forces, an out-of-the-hat ceiling on the U.S. defense budget, smug conviction that our nuclear arsenal with its handful of weapons was adequate to our needs, confident assertions from many sides that we had little reason to go forward and develop a hydrogen bomb. Then came another of the shock waves. It was started by the Soviet explosion of an A-bomb in August 1949[5]—five to ten years ahead of the "schedule" set in the West—and fed by evidence of the swift transition of the Soviet air force to jet basis, the unveiling in 1949–50 of a new arsenal of Soviet weapons ranging from automatic small arms to massive tanks and self-propelled rocket artillery, and indications that Moscow was concentrating major effort on the rapid development of a long-range rocket capability.

One of the consequences of this shock wave was to galvanize the United States into decisions it had hitherto been unwilling to take, paving the way for the atom bomb on a mass production basis; the green light to develop the hydrogen bomb; serious research and development on rocket missilery; and a start on new air and ground weapons systems. Other consequences, however, were of the overreaction category: Intelligence estimates began to speak of 300 Soviet divisions in place and battle-ready with the most modern arms and equipment, 30,000 combat planes, and a full fleet of snorkel submarines capable of operating off the very shores of the United States. In some circles, the USSR was conceded the capability of *simultaneously* overrunning Western Europe, the Near and Middle East, noncommunist Asia, and even the Japanese islands. An absurdly high rate of Soviet economic growth was not only accepted but projected into the indefinite future, with charts showing the gross national product of the United States equaled in the 1960's, surpassed on a per capita basis in the 1970's, and far outdistanced from the 1980's on.

Only with the death of Stalin and the beginning of startling exposures of deep flaws in the Soviet structure did alarms quiet and developments in the Soviet Union come into reasonable perspective. However, the revision process, which once again generated its own dynamics, soon brought the by then standard overcorrection. The new Soviet leadership talked freely about the plight of agriculture, the neglect of light industry and housing, and even of imbalance in the heavy industry sector. Investments had not yielded the returns they were supposed to have yielded. Labor productivity, the all-important key to progress, had mounted at rates far below the levels planned. Education had been neglected, and scientific research warped by arbitrary political decisions. *To American ears, all of this bespoke not only a Soviet system in disarray, but a Soviet system with no choice but to effect a change in direction. No longer could Soviet resources and energies be concentrated on expanding the power base. Agriculture, consumer goods, housing, satisfying the aspirations of the Russian masses—these would have to be the priority targets of the future.*

We thus admirably conditioned ourselves to be ill-prepared for Sputnik, making virtually inevitable a traumatic reaction to what should have been a predictable event. We need only have given due weight to what the Soviet Union could do and was signaling in many ways it was doing in a wide range of developmental areas.

IV

A circumstance that has influenced Americans as we first recover from the shock of Soviet accomplishments and then steadily downgrade the lasting implications of those accomplishments, is that we find it difficult to reconcile deeply entrenched notions about the Soviets with first-class competence in science and technology. We can accept the USSR as a big and formidable country, with a population capable of fortitude and great sacrifices in both war and peace, and a ruling regime given to ruthless effectiveness in manipulation of its people, unscrupulous use of political power on the international scene, and constant efforts to make propaganda and sway or intimidate the weak and unwary to its ends. *But it runs again our grain to see the USSR as a modernized great power capable of moving effectively and purposefully on the frontiers of new science and new technology.*

The A-bomb story is instructive in this connection. While some few Americans allowed the possibility that the Soviet Union might, with benefit of U.S. experiences,[6] be able to produce an A-bomb in relatively short order, the consensus of informed opinion was far more conservative. General Leslie Groves, organizer of the U.S. atomic effort, told the Senate Special Committee on Atomic Energy on November 29, 1945 that he believed another nation like the USSR could, "with complete secrecy," produce a bomb in from fifteen to twenty years, "more likely the latter. . . . It may be that instead of this being 20 years it should be 40 or 50. A good many people who know and have been in some of these countries [i.e., the Soviet Union] tell me they don't think they could ever build it. . . ." When Molotov asserted on November 6, 1947, that "the secret of the atom bomb . . . has long ago ceased to exist," he was almost universally discounted. And even when President Truman announced, on September 23, 1949, detection of a Soviet explosion, a surprisingly large number of observers refused to believe that Soviet capabilities had been greater than generally supposed: Soviet espionage and captured German experts, not Soviet science and technology, were alleged to have been the factors responsible for success.

In making such appraisals, no one seemed to give any appreciable weight to long-term, intensive Soviet interest and activity in the nuclear field. As early as the 1920's, Soviet physicists began serious research on the nucleus of the atom. By the mid 1930's research was progressing on a range of nuclear problems. Both fundamental and experimental work was under way at a number of institutes and was already producing important results as well as an increasing number of brilliant nuclear scientists, several of whom were soon to earn international reputations.

Among other things, the Soviets assumed a leading role in the development of cyclotron technology, and in the use of cyclotrons in nuclear research. The discovery of nuclear fission by the Germans Otto Hahn and F. Strassmann, in January 1939, aroused the same keen interest in the Soviet Union as in the West. Soon thereafter the USSR Academy of Sciences established a "Commission for Isotopes," and later a "Special Committee for the Problem of Uranium." After a brief interruption, the war brought a steady build-up of Soviet interest and activity. Evidently knowledgeable of what the United States was doing, the Soviets had a broad-gauged program under way by 1943, and efforts were increased to large-scale proportions by 1947.

How can disregard of this prolonged and extensive Soviet activity in the atomic field be explained, except in terms of arbitrary disparagement of basic Soviet capabilities in science and technology? Even as we stood awed by the first Sputniks, many refused to believe that anything more than a fluke was involved: the Soviets had lacked the technological capability to develop a sophisticated H-bomb and had to go for an outsized model requiring an outsized booster, which yielded the first earth satellite as a by-product. Later, the reaction was that the Soviets were engaged in easy "spectaculars," involving little more than capitalizing over and over again on their initial booster advantage to get large weights off the ground, while the United States was building highly complex machines, carrying out intricate and sophisticated experiments, and rapidly bringing space to the service of man in communications, weather observations, and the like. One can also detect strong notes of condescension in much of the current discussions of the technological gap. The tendency, it seems, is to concede that the Soviet have accomplished much, but after all "in the United States. . . ."

V

An even more serious danger is that we still have not brought ourselves to recognize the great importance the Soviet regime attaches to maximum development and full utilization of science and technology, or the overriding purposefulness with which it is concentrating human and material resources to these ends. This was one of the main reasons for our failure to foresee the speed with which the USSR would come up with a nuclear capability. Many of the estimates of Soviet prospects allowed the possibility of a bomb within a few years (usually five to seven), provided an all-out effort were made. But few saw an all-out effort as a strong likelihood, much less as the virtual certainty it was, given the known characteristics of the

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Soviet regime. In more recent years, the Soviet will to stay the course in space competition has repeatedly been discounted. Many have convinced themselves that the Kremlin is uninterested in further weapons development unless prodded into it by the United States. Currently skepticism prevails that the USSR will of its own volition leave no stone unturned in its search for an effective anti-ballistic missile capability.

What we need to keep in mind, however, is something more far-reaching than the Soviet willingness and ability to go "all out" to achieve selected goals involving advanced science and advanced technology. Soviet purposefulness extends to general preeminence—to world predominance—in the field. One of the most fundamental attributes of the Soviet regime is the ideological and practical conviction that through the forced development of science and technology the USSR can achieve world leadership. For the Soviets it is an article of faith that their system—with its total power to set priorities, allocate resources and push forward in accord with a fixed purpose and without regard to costs, profitability or other such considerations—gives them an immense advantage over other countries in the maximum utilization of science and technology. Their attitudes and policies have religiously reflected exhortations of Lenin:

> The war is inexorable; it puts the alternative with ruthless severity: either perish, or overtake and outstrip the advanced countries economically . . . perish or drive full steam ahead. That is the alternative with which history confronts us. . . . Only when the country has been electrified, when industry, agriculture, and transport have been placed on the technical basis of modern large-scale industry, only then will we be fully victorious.[7]

The very fact that the Soviets have become obsessed, as The Economist put it, with "the technological gap between themselves and the United States, and the way to close it," is indicative of the overriding priority their leadership attaches to maximizing progress. For almost a decade, they have engaged in self-criticism and searches for improvements for science and technology that are reminiscent in their intensity, frankness and sobriety of the campaign to improve agriculture in the 1950's. In the context of continued U.S.-Soviet competition on the world scene, we can properly draw reassurance from weaknesses on the science-technology front that the Soviets themselves have revealed. At the same time, however, we need to read their exposures and their thrashing about to overcome shortcomings as alarm signals, since they underscore the unrelenting purposefulness of the regime to achieve the preeminence it so badly wants and on which it is staking so much. It is important to note that, unlike the situation for agriculture, science and technology have been moved to a top place on the leadership's agenda not in response to a crisis but during a period of relatively great advancement.

VI

Bothering the Soviets most, and receiving their main attention, has been their inability to apply the scientific knowledge and technological capabilities that produced their space and other successes to the general requirements of Soviet economic development, that is, to spark a general advance on a broad national front. Leonid Brezhnev, Soviet party boss, pinpointed the matter at the Twenty-third Soviet Party Congress held in March-April 1966:

> Soviet science has won great prestige and has indisputably great accomplishments to its credit. However, mention should be made of the deficiencies that hold up its development. The gravest is its slow introduction of the results of scientific research into production. There is an unjustifiable gap between theoretical research and its technological and design development. Often, years pass before a discovery is applied in production—a fact damaging the national economy and science itself. Poor use of electronic computer techniques is one example of this.[8]

This problem is not peculiar to the USSR. Traditionally, the practical application of new knowledge lags behind its discovery. But it is particularly galling to the Soviet regime, since basic to its reason for being is the concept that "the socialist mode of production" makes possible a rationality in the adoption of new ways which is unattainable for "capitalist systems." As the Party Program formulated by the Twenty-second Party Congress held in October 1961 saw the future:

> In the current decade (1961–1970) the Soviet Union . . . will surpass the strongest and richest capitalist country, the U.S.A., in production per head of population. . . . All in all, capitalism is increasingly impeding the development of the contemporary productive forces. Mankind is entering a period of scientific and technical revolution, bound up with the conquest of nuclear energy, space exploration, the development of chemistry, automation and other major achievements of science and engineering. But the relations of production under capitalism are much too narrow for a scientific and technical revolution. Socialism alone is capable of effecting and applying its fruits in the interest of society. . . . The USSR will possess productive forces of unparalleled might; it will pass the technical level of the most developed countries and occupy first place in the world in per capita production.[9]

The Soviet leadership has had to eat crow with respect to these boastful expectations. In the use of space-generated science and technology to effect a general advance it has found itself blocked by one of the most basic features of the Soviet system: compartmentalization. All sorts of obstacles stand in the way of transferring gains in one area to other areas, and in the past this has been responsible for uneven development: While tremendous strides were being made in heavy industry, light industry moved with glacial slowness and agriculture stagnated. Development of a sophisticated capability in electronics had little evident impact on the reliability of such things as telephone systems and elevators. The genius of Soviet design engineers has been anything but paralleled by the skill of mechanics who serve automobiles, trucks and tractors. Computers guiding intercontinental ballistic missiles have had no impact on the marketplace, where abacuses hold sway.

Soviet political leaders as well as responsible scientists and technologists have seen their compartmented situation in sharp contrast to American flexibility. The U.S. space program—indeed, the gamut of the United States' major developmental programs, including those related to military needs—is being conducted not in isolation but as an integral activity within the mainstream of the American economy and all elements of the society. In carrying forward its programs, the U.S. government has worked with industry, the universities and other organizations to buy lead time by underwriting the risk of long-term development and to encourage the formation of capital, the formation of research teams, the flow of information within the constraint of secrecy requirements, and innovation in materials, processes, components, products, and analytical techniques. Taken together, these policies and arrangements constitute an institutional framework within which technology [in the United States] has burgeoned. . . . In nuclear energy, electronics, computers, aircraft, and many other fields . . . accumulation of the results of these "spin-offs" [has] effected a technological revolution for the whole world and helped to give the United States an industrial complex so great that an international conference has been called to study "the technological gap."[10]

A small but illuminating illustration of the "transfer" problem in the USSR is to be found in the experience of an American university professor who visited principal Soviet physics institutes. Although the institutes in question were concerned with research in areas of major emphasis in the USSR (controlled thermonuclear fusion and solid state materials and devices), the American noted no evidence of the use of microelectronics or integrated circuits in any of the electronic equipment in use. Some of the Russian scientists indicated to him that they "believed it was being used in the space program," but they had never seen integrated circuits incorporated in any of the electronic test equipment available to them. Such blunt evidence of the separation of the space program—the most important single area of scientific and technological research and development in the Soviet Union—from the mainstream of Soviet scientific activity took the American observer, who as a professor was intimately acquainted with every phase of the U.S. space program, by startled surprise.

Kirill Mazurov, member of the Politburo and First Deputy Chairman of the Council of Ministers of the USSR, in commemorating the Bolshevik Revolution last November, reflected Soviet concern over the greater returns the United States was realizing from its investments in research and development.

> In our days, the scientific-technological revolution is becoming the most important springboard in the struggle between the two social systems in the world arena. Everything shows that the capitalists are paying much attention to this situation. The U.S. monopolies, spending ever larger sums for scientific research, for perfecting technology, among others through enticing scientists from other capitalist countries, are trying to perpetuate the so-called "technological gap" between the economies of the socialist countries and that of the United States.[11]

Others among Soviet leaders have spoken with even greater frankness and explicitness. Peter L. Kapitsa, Director of the prestigious Institute of Physical Problems of the Soviet Academy of Sciences and long one of the most influential of academicians in the science-technology area, gave a graphic account of the harsh realities that were so disturbing to the Soviets in his report to the USSR Academy of Sciences on December 13, 1965. Kapitsa's appraisal echoed views that were being widely voiced in scientific and industrial circles throughout the Soviet Union. We believe his report worthy of close examination:

> The basic indicator of the progress of a national economy is the productivity of labor, and the increase in the productivity of labor is achieved in the main by the assimilation of new technology and the attainments of science. When the growth of the productivity of labor slackens, the reasons for this must be sought in the deficiencies of assimilating by industry the achievements of science and technology. . . .
>
> The assimilation of the achievements of science and technology by industry takes place slowly and with difficulty by us [i.e., in the Soviet Union].
>
> They [the Americans] now produce about one-third of world science. We produce one-sixth of world science, that is twice less than they. Each of the remaining countries produces less than we. Therefore in scientific production we are the second country in the world. However, if one takes into account . . . [that the numbers of American and Soviet scientists are approximately equal] then it appears that with approximately the same number of scientific workers we produce half of the scientific work which the

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Americans produce. . . . The productivity of our scientists is approximately two times lower than the productivity of the scientists of the USA.

We must quickly find a way for overcoming the lag [of Soviet science behind American science]. If in the near future we will not increase the labor productivity of our scientists, will not improve the conditions for assimilating by industry the achievements of science and technology, then the problem of catching up with America, of course, cannot be solved. If we decisively and capably utilize the great advantages our socialist system provides in organizing our science and industry, then this lag in growth will only be a temporary hitch.[12]

VII

To the need for greater effectiveness in organizing science and technology, which Kapista so heavily stressed, the Soviet leadership has been diligently addressing itself over the past decade. Back in June 1959 a Plenary Sessions of the Communist Party Central Committee took up the problem of "the poor coordination of research" and the "dispersal of forces which lowers the level of research . . . and delays its practical application," and criticized the USSR Academy of Sciences for overextending itself. The Committee approved a new Statute for the Academy which, while leaving the organizational structure largely intact, extensively redefined the scope of its responsibilities. Two years later another step was taken. Authorities had become convinced that the Academy was functioning inadequately in the industrial research area and at the same time was so dissipating its resources as to interfere with its efforts for basic problems, especially in key fields like cybernetics and biology. The Central Committee and the Council of Ministers on April 12, 1961, adopted a new decree, entitled "Measures for Improving the Coordination of Scientific Research in the Country and Activities of the USSR Academy of Sciences." The Academy's role in applied research was greatly reduced, and the industrial-oriented and specialized institutions of the Academy were transferred to industrial ministries.

Following this, steps were taken to bring under a single umbrella all scientific and research activities not associated with industrial ministers. On April 11, 1963, a government-party decree "On Measures To Improve the Activity of the USSR Academy of Sciences and the Academies of Sciences of the Union Republics" placed on the USSR Academy responsibility for "scientific leadership of research on the most important problems in the natural and social sciences carried out by the Academies of Sciences of the Union Republics, the higher educational institutions, and other scientific research institutions of the country, and coordination of work in these areas of sciences."[13] The USSR Academy's coordinating duties were extended to embrace all non-Academy institutes, and to facilitate this operation some ninety science councils and commissions were attached to it. At the same time, however, the USSR Academy was relieved of responsibility for applied research and development, and technically-oriented research institutions that still remained under its jurisdiction, as well as those of its academies at the republic level, were shifted to ministries.[14]

These several measures evidently made the administration of the rapidly expanding range of scientific activities more orderly. Nevertheless, they did not get at, and may well have accentuated, the key organizational problem: how to end "the isolation of theoretical science from life on the one hand and on the other an insufficiently high quality of experimental work," something "that is opposite to what takes place in the United States."[15] Further and more far-reaching innovations were necessary. As Council of Ministers Chairman Kosygin told the Twenty-third Party Congress in 1966: "A well-ordered system of balanced organization and stimulation of the speediest and most economical application of the results of research in production must be set up as soon as possible. The development of direct cost-accounting links between research institutes and factories will undoubtedly promote a more rapid application of results of research to production."[16]

VIII

Despite Kosygin's appeal for urgency, two years of head-knocking among vested-interest groups ensued before the Kremlin was ready to act decisively. Its action took the form of a decree—published on October 23, 1968—entitled "On Measures for Raising the Effectiveness of the Work of Scientific Organizations and Accelerating the Utilization in the National Economy of the Findings of Science and Technology."[17] Although this edict represents the most comprehensive and innovative program of reforms the Soviets have attempted in the scientific-technological sphere, it has received little attention in the West. The decree attests both to the depth of the leadership's dissatisfaction with the existing situation and to the extent of its willingness to break with precedent to dispel the sources of that dissatisfaction, including an attempted application of some American practices. The stated rationale is that—

It is necessary to improve significantly the activities of scientific organizations, to eliminate the obstacles which restrain the utilization of the achievements of science and technology in the national economy.

The general shortcoming in the work of scientific research, design, design-construction, technological organizations, and the scientific subdivisions of higher educational institutions consists of the fact that their activity is not concentrated to the necessary extent on the solution of the most important scientific-technical problems and especially questions connected with the acceleration of the tempo of growth of labor productivity.

Measures encompassed by the decree include (1) new planning procedures, (2) organizational changes, (3) financial changes, (4) incentives and sanctions for organizations and individuals, and (5) the development of "competition in the scientific-technological field and the prevention of monopolies in solving the most important scientific and technical problems." It specifically notes that the "newest achievements" of both foreign and domestic science and technology are to be drawn upon.

The new planning procedures involve the preparation of scientific-technological forecasts for a long period—ten to fifteen and more years—with regard to principal problems in the development of the national economy. These forecasts are to guide "ministries and departments, and the union republic Councils of Ministers" in developing designs for plants and production, machines and equipment. V. A. Kirillin, Deputy Premier and Chairman of the State Committee on Science and Technology, had stressed the need for such long-term forecasting in an article in the May 1968 *Economic Gazette:*

Until recently, insufficient attention was given to planning the development of science and technology in perspective, for 10–20 years ahead and in individual cases for a longer period. There is no need to speak . . . of the imperative need for the perspective working out of the development of science and technology for a long period, at least for the most important trends. This will provide the possibility for determining more correctly the general direction of the development of technology, for utilizing resources more rationally, for avoiding many costly mistakes.

Responsibility for preparation of the forecasts is allotted to the Soviet State Committee on Science and Technology, along with the State Planning Agency (Gosplan), the USSR Academy of Sciences, the State Construction Agency (Gosstroi) and interested ministries and agencies, including union-republic Councils of Ministers. In addition, the decree accords to the State Committtee for Science and Technology responsibility for preparing with the USSR Academy of Sciences and interested government agencies the list of basic trends in the development of science and technology and principal scientific-technical problems to be used in establishing the scientific-technical goals for the Five-Year Plan. These new functions for the State Committee represent a reduction in the planning responsibilities which had been accorded to the USSR Academy in 1963.

Among the organizational changes the decree introduces is the "recommendation" that the USSR economic ministries and other government agencies establish, where necessary, "composite scientific institutions fulfilling scientific-research, design-construction and technological tasks" and attach scientific-research institutes to large industrial enterprises. These provisions are similar to Kirillin's recommendations in the *Economic Gazette.*[18]

The decree's principal financial changes include an attempt to provide flexibility in allocating funds for scientific research. It permits USSR ministries and departments and the union-republic Councils of Ministers to retain "an undistributed reserve of two per cent of the total budgetary allocations" for scientific research to be used "for strengthening the most important trends in scientific-research work." The State Committee on Science and Technology is granted "the right to redistribute with the agreement of the ministries and departments the total expenditures for scientific-research work, including the wages fund." The decree also establishes a special fund at scientific-research, design-construction and technological institutes for additional capital investments and the purchase of scientific equipment and materials. The source of this fund is to be the income from contract work and intraministerial orders fulfilled by the institutes and the sale or licenses for their inventions.

In introducing a new series of incentives and sanctions for scientific-technical organizations and personnel, the decree instructs USSR and union-republic ministries and departments, and the USSR, union-republic and specialized Academies of Sciences to evaluate at least once every three years the activities of their subordinate scientific-research, design-construction and technological organizations, including the scientific subdivisions of higher educational institutions. Both the quantity and quality of the work performed by the subordinates institutions and its "general economic effect" are to be judged. In accordance with the evaluation, decisions will be taken for the further development of the institutions and "the additional material encouragement of the personnel through the centralized premium funds of the ministries and departments" Institutions and organizations that fail to fulfill their assignments will either be closed or reorganized.

Starting in 1969, the work of individual scientists, with some exceptions, will be evaluated not less than once every three years by a commission consisting of "highly qualified scientists, and representatives of Party and trade-union organizations." A *Pravda* editorial of October 24, 1968 indicated that this provision involves a check of not only the professional performance but also the "business-like and political qualities" of the scientists.

To develop competition the decree calls upon governmental agencies, the USSR and other Academies of Sciences "in necessary

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Footnotes at end of article.

instances to commission several organizations following different channels with the fulfillment of research investigations and also design-construction and technical projects." For especially important problems the competing research investigations will be permitted to continue until experimental samples are built before final choices are made between them.

The increased responsibilities for scientific research accorded to the Soviet State Committee with the implied reduction in powers of the USSR Academy, plus the incorporation into the decree of proposals identified with officials of the State Committee, suggests the possibility that Soviet bureaucrats will now dominate the scientists and have the opportunity to introduce an approach to scientific matters alien to the latter. However, the top leaders of the State Committee—Kirillin and V. A. Trapeznikov, respectively chairman and first deputy chairman—are not only administrators but are themselves scientists and academicians.

Comment on the decree leaves little doubt of the Soviet leadership's high hopes that it will, at long last, enable the USSR to make, as Breshnev said at the Twenty-third Party Congress, "increasingly effective use of the socialist mode of production." Whether these hopes will be fulfilled, or whether the Russians will again find, as *The Economist* pointed out in the February 1969 article cited above, "that innovation requires first of all an attitude of mind that is not fostered by a normal Marxist economy," remains to be seen. The critical issue is whether long-established institutional rigidities, which have ruled in the area of science and technology as in other areas in the Soviet Union, can be broken down. That they never have been before may be all important. On the other hand, the Soviet leadership displays a new awareness of the problem and a new determination to act decisively. It may also be, as some Soviet scientists are suggesting,[19] that the sheer magnitude and complexity of the requirements being generated by the rapidly accumulating new knowledge and technology in the USSR will give a weight to this reform effort that has hitherto been lacking.

IX

Meanwhile, there appears no likelihood of a let-up in the Soviet practice of pouring ever larger resources into the further development of science and technology. Soviet leaders have never stinted in the supply of money to attain preeminence in this area, even during trying times. They have not debated the matter from year to year, or even on occasions of political change. They have simply gone ahead as a matter of course. Moreover, the rate of increase of expenditures for science and technology has generally been greater than for any other area. For many years the annual growth has been as high as 14 per cent and seldom under 8 per cent. In 1965 two and one-half times as much was spent on science and technology as in 1958, and in 1967 three times as much. Allotments in 1968 totaled some nine billion rubles as against some three billion ten years earlier. Several times as much is spent on science each years as higher education.

As for the future, the leaders, despite dissatisfaction and complaint over the current productivity of their scientists, profess to remain convinced that investments in science yield greater dividends than other types of investment and evidence an intent to double the present rate of support. Writing in the *Economic Gazette* of July 1968, Trapeznikov asserted:

> A ruble invested in science and the assimilation of its results gives 1.45 rubles of growth in the national income. On the other hand, the growth of national income from the usual capital investments comprises 39 kopeks for the invested ruble. Consequently, expenditures on science and the assimilation of its results are approximately 3.5 times more effective than the usual capital investments. Since investments in science are particularly effective, it is advisable to reduce somewhat the [usual] capital investments and to give the released resources to science and the assimilation of its results. . . . In accordance with our calculations we should increase expenditures on science two times. . . .

X

However inefficient the Soviets may be in comparison with the United States in particular lines of endeavor, investments in science and technology on the scale projected by Trapeznikov can hardly fail to produce significant results, particularly since they are being coupled with new and somewhat imaginative approaches by the authorities to get the most out of the monies expended.

What of the United States on its side? What of our own prospects? U.S. investments in science and technology have, over the past decade, more than kept pace with those of the USSR. As a percentage of gross national product they have averaged about the same—somewhat above 3 per cent according to the best available estimates. This means that in terms of dollar amounts the U.S. outlay has almost doubled the Soviet. Should this situation continue, lasting U.S. preeminence would be assured, not only because of the larger base on which the United States is building, but also because of the greater productivity of American scientists and engineers.

Is it likely that the United States will be willing to maintain the current level of support on a sustained basis? Unlike the USSR, it has not accepted public responsibility for promoting research and development as a matter of deliberate policy. It has, because of peculiar circumstances, made an exception in a few selected fields—notably agriculture, waterway engineering, Bureau of Standards work, and more recently aviation, public health and nuclear energy. Otherwise, federal involvement in research and development has been in response to externally generated crises of one sort or another, and then only to take care of the crisis situation. In contrast to most other modern great powers, the United States traditionally has not even carried forward as a matter of course substantial research and development in fields related to military security. Between the two world wars, for example, U.S. expenditures for military R & D were but a fraction of those of Germany, the USSR, Britain, France and Japan.

Truly large-scale government efforts in science and technology were undertaken for the first time in World War II (during World War I we had largely depended on French and British efforts), and once the conflict was over, these dropped off precipitously. Only the sense of peril arising from developments in the Cold War, and particularly the Soviet explosion of an A-bomb, the Korean War, and indications of extensive Soviet activity in the field of rocket missilery, reversed the downward trend. It remained for Sputnik, however, to plunge the federal government into the science and technology field on a large-scale, across-the-board basis.

What has happened since Sputnik, and not our long-term stance, is the measure by which we and others appraise the future prospects of U.S. science and technology, both absolutely and in comparison with the Soviet Union. Are we safe in this? Given trends of recent years, the answer would seem to be no. As our anxieties with regard to the Soviets have calmed, resistance has built up to government programs requiring costly R & D. The McNamara years in the Pentagon evoked the concept that we have gone as far as we need to go in weaponology, that further developmental work would in fact be counterproductive because it would incite the Soviets to efforts they otherwise would forgo.

Research and development in the defense area has for some time been drying up. Beginning as early as mid-1963—and strongly stimulated by allegations that the Soviets were having no part of a "moon race"—need for a space program of the nature and scale we had adopted in 1961 has been increasingly questioned, and budgets have since been substantially under the level required to achieve the broadly-based "preeminence" we had set as our objective in space. Decisions have not been made and monies have not been provided for preparatory work necessary for a large-scale space effort after the Apollo moon-landing project is brought to a conclusion. Unless a new tack is taken, the space program—the greatest single stimulus to research and development activity in recent years—will dwindle to small proportions. Currently there is strong resistance to the varied efforts and activities that almost surely will lead somewhere, sometime to an effective defense against ballistic missiles. Most important, perhaps, the government seems increasingly unwilling to continue, at any substantial level, with one of the most revolutionary of the innovations introduced after Sputnik: direct federal support of the training of persons capable of working on and extending the frontiers of new science and new technology.

The growing inclination of the United States to turn its attention and energies inward to meet urgent social problems, together with a burgeoning neo-isolationism, seems to make unlikely a reversal of these trends, at least for the near term. The prospect, consequently, is for a sharp decline in U.S. inputs into science and technology at the precise time that the USSR will be increasing and accelerating its own.

How serious will the effect be for the United States? Some argue that technological progress in this country is little affected by federal programs, no matter how big. Yet the United States has attained a leading role in advanced science and advanced technology only as the government during and after World War II has adopted and carried forward large-scale programs. We have, of course, long led the world in ability to make use of new knowledge and technology. But except for agriculture, the new knowledge and new technology used have largely been the product of others. It is instructive to recall that during the first forty years of the Nobel prizes—that is, from 1901 through 1940—U.S. nationals, including those trained abroad, received only ten in the sciences as against thirty for Germans, nineteen for Britishers and thirteen for Frenchmen. Since 1940—during the years of major governmental programs—the U.S. total has exceeded the combined total of all of Europe, including the Soviet Union. Similarly, most of the great discoveries and developments responsible for launching the ongoing technological revolution were of European rather than U.S. origin. The United States has gained the leading role in carrying the revolution forward, but again this has been only after the inauguration of large-scale federal programs.

Federal programs have been the direct or indirect source of more than 80 per cent of total funds devoted to scientific and technological research and development in this country over the past ten years. Federal funds, direct and indirect, account for some three-fourths of the costs of graduate training and research in American universities. Is it conceivable that these funds can be substantially reduced without crippling the capabilities of the nation in science and technology?

The simple fact is that the requirements incident to marshaling, organizing and managing the resources necessary for a continuing advance in science and technology have become so vast and so complex that they can

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Footnotes at end of article.

be met only by an effort involving the whole of our society. If the United States is to remain at the forefront of an increasingly technologically-oriented world, this is one of the most basic of the many hard realities it must face. We cannot as a nation rely upon an existing level of superiority—not in view of what is going on in the Soviet Union. It is true that, by their own admissions and objective outside observations, the Soviets are behind the United States in most areas of science and technology. But it seems to us that we have not learned from experiences of the past how to make a sound and dispassionate analysis of the meaning of this for the Soviets' enduring capabilities and purposes in comparison with our own. As we ourselves achieve spectacular successes, as for example in the space program, we become inclined by the ensuing euphoria to let our efforts slip, rather than to look objectively at either long-term Soviet trends or our own long-term interests.

From this comparative study of the scientific and technological efforts of the two superpowers we have reached two fundamental conclusions: The United States still needs to learn to make and rely upon a truly objective analysis of the Soviet effort, not going from one extreme to the other; and, similarly, we must objectively establish our own national capabilities, purposes and needs. The immediate question, therefore, is whether we can today fashion a rational program in science and technology for ourselves for the future, or whether we are again to wait until some new spectacular Soviet breakthrough forces us into a crash program not of our own choosing. This leads to an even more sobering question: Can we continue indefinitely to count on being able in such situations to catch up in time?

FOOTNOTES

[1] The authors have become acquainted with the reactions of a large proportion of American scientists who have visited the Soviet Union over the past ten years. We have found that while points of emphasis vary according to individual interests and experiences, there is a striking coincidence of views among an overwhelming majority as to the overall situation. We believe Professor John Turkevich reflected a general consensus among American visitors when he wrote in *Foreign Affairs* for April 1966: "Soviet scientific accomplishments have been spotty: outstanding expliots in space; solid engineering and application of nuclear science; brilliant work in mathematics, theoretical physics and astronomy; elegant experiments in certain branches of experimental physics. But in many important areas, Soviet work is either weak or pedestrian . . . . The research base of the Soviet Union is very narrow, confined as it is to academy institutes and four or five major universities. This may be contrasted to the diversity of research institutions in the United States . . . Physical facilities for carrying out scientific investigations in the Soviet Union are barely adequate except in a small number of prestige laboratories. . . . Scientific equipment is either copied from American models or imported. The Soviet economy has not developed an instrument industry sufficiently alert to scientific discoveries, nor adequate to give logistic support to Russian scientists."

[2] *The Economist*, February 8–14, 1969, p. 64.

[3] See Joseph Stalin, *Problems of Leninism* (Moscow: Foreign Languages Publishing House, 1940), pp. 403–405.

[4] *Ibid.*, p. 363.

[5] The explosion was in August. It was detected only some time later and was first announced to the world by President Truman on September 23, 1949.

[6] Henry D. Smyth's *General Account of the Development of Methods of Using Atomic Energy for Military Purposes* (Washington: GPO, 1945) sets forth these experiences in amazingly lucid detail.

[7] From J. Stalin's *Problems of Leninism* (Moscow: Foreign Languages Publishing House, 1940), p. 232.

[8] *23rd Congress of the Communist Party of the Soviet Union* (Moscow: Novosti Press Agency Publishing House, 1966), p. 109.

[9] Herbert Ritvo, *The New Soviet Society: Final Test of the Program of the Communist Party of the Soviet Union* (New York: The New Leader, 1962), pp. 58, 114, 117.

[10] Richard B. Foster and Francis P. Hoeber, "The Technological Feedback from Defense R&D," a paper prepared for the Conference on Atlantic Technological Imbalance and Collaboration, Deauville, France, May 25–28, 1967, pp. 1 and 4.

[11] *Pravda*, November 7, 1968.

[12] Peter L. Kapitsa, *Teoriya aksperiment, Praktika* (Moscow: Znaniye, 1966), pp. 7, 13, 14. This 47-page pamphlet containing some of Kapitsa's speeches and articles extending back to 1941 shows that he had repeatedly emphasized similar points.

[13] *Pravda*, May 17, 1963.

[14] *Ibid.*

[15] Kapitsa, *op cit.*, pp. 15–16.

[16] *23rd Congress of the Communist Party of the Soviet Union, op. cit.*, p. 182.

[17] The text of the decree can be found in *Pravda*, October 23, 1968. Quotations in the analysis that follows are from this text.

[18] In that article Kirillin said "if the necessary conditions are present, it may be advisable to transfer design-construction and scientific-research organizations to the direct jurisdiction of [industrial] enterprises."

[19] See, for example, Andrei D. Sakharov, *Progress, Coexistence and Intellectual Freedom* (New York: W. W. Norton, 1968), *passim*. Views in keeping with Sakharov's have been widely noted by the authors among Soviet scientists.

OPPOSITION TO EUREKA SPRINGS, ARK., ROAD PROJECT

(Mr. BARRETT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BARRETT. Mr. Speaker, the Philadelphia congressional delegation has today sent a letter to Secretary Volpe strongly objecting to the use of Federal funds for a road project at Eureka Springs, Ark.

The true purpose of the road project is to serve a religious tourist attraction operated by a front organization of Gerald L. K. Smith, in spite of contentions to the contrary.

Copies of the letter were sent to the President and Secretary Stans, whose Department is also involved in this project, requesting their assistance in denying the use of Federal funds for this project.

We believe that this is a matter of grave concern to our colleagues and include the letter and accompanying documents be inserted at this point in the RECORD:

APRIL 14, 1970.

Hon. JOHN A. VOLPE,
Secretary, Department of Transportation,
Washington, D.C.

DEAR MR. SECRETARY: We are informed that you are reviewing the decision of the Bureau of Public Roads to provide funds for the secondary road project S–1261(1) at Eureka Springs, Arkansas.

We want to make it absolutely clear that we are unalterably opposed to the use of federal funds for this project and most strongly urge that you reverse that decision.

Use of federal funds for this project will make the federal government a partner in the promotion of hate-mongering and anti-Semitism. Federal aid programs were not designed for purposes such as these.

In urging a reversal, two significant points of law must be raised.

1. Serious Constitutional questions are raised by the nature of the tourist attraction which the road will serve.

2. The funding formula appears to violate the mandate of the Federal Aid Secondary Road Program, in that it clearly ignores the 50 percent federal, 50 percent local matching fund requirement.

We submit this additional information for your consideration. Our inquiry discloses that the Bureau of Public Roads relies almost exclusively on state and county findings for the use of federal funds under the Federal Aid Secondary Road Program, making no real determination of its own. Certainly independent considerations and findings are not only needed but imperative when the admitted basis for the project is to promote tourism in an area where the only tourist attraction is that provided by a private enterprise.

This fact is clearly set forth in the statement of January 6, 1970 by the Ozarks Regional Commission, Economic Development Administration, Department of Commerce (ORC 70–1), which contains the following:

> (4) The need for repaving is occasioned by the fact that the road is heavily traveled by visitors desiring to see the statue (Christ of the Ozarks) and play operated by the Elna M. Smith Foundation.

We presume you have a copy of that statement. While the Ozarks Regional Commission concedes the purposes of the road, it does not make any determination of the nature of the privately operated tourist attraction the road will benefit.

The fact that public funds are being used solely to benefit the operators of a religious shrine, ostensibly non-profit although some participants are obviously involved for substantial private gain suggests a serious Constitutional violation. (See enclosure No. 1, Fact Sheet on Eureka Springs, Arkansas Road Project of American Civil Liberties Union of Arkansas.) Equally alarming is an independent report that the "play" is a virulent anti-Semitic tract, the whole theme of which is that Jews are guilty of deicide. (See enclosure No. 2, letter to Secretary of Commerce Maurice H. Stans from Jordan C. Band, Chairman of the National Jewish Community Relations Council.) Centuries of prejudice, hate and bloodletting have flowed from that loathsome cant and it is hardly the appropriate business of the United States government to assist its continued propagation.

The announcement of the Ozarks Regional Commission of January 6, 1970 contains the following passage:

"The Commission stressed that none of the federal funds for the project will go to the Elna M. Smith Foundation nor be used to improve Foundation property."

We do not believe that to be the issue. In fact, it avoids the issue. The Ozarks Regional Commission in its January 6 statement clearly indicates that the principle beneficiary, if not the sole beneficiary, will be the Elna M. Smith Foundation. If a reverse test is applied, the road would not be under consideration and this argument would be purely academic. If "Christ of the Ozarks" did not stand at Eureka Springs and if the Foundation was not producing a "Passion Play" in the shadow of the statute, there would be no need for the road and no request for assistance funds from the federal government. This is plainly evident.

The second serious question raised regards the funding of this project. Your Department statement of December 3, 1969 asserts that the Bureau of Public Roads will provide 50 percent of the funds ($113,750); the Ozarks Commission, 30 percent of the funds ($68,250), and Carroll County, 20 percent ($45,000). Since the Commission's funds are federal monies, the total federal contribution is actually 80 percent. The funding arrangement violates the mandated requirement that 50 percent of the funds for all projects approved under the Federal Aid Secondary Road Program come in the form of matching local grants or appropriations. We seriously question the legality of this method of funding.

Further, your Department statement of December 3, 1969 states that the project "is for the improvement of an existing 2.5 mile public county road." The Ozarks Commission document contains a similar statement of fact. Other sources of information indicate that a portion of Route 1226 will be *rerouted* and a *new road constructed*. This is supported by observations of the American Civil Liberties Union of Arkansas (see enclosure No. 1) after an on-site inspection. This document also refutes several other so-called findings in the Ozarks Commission document.

In addition, the ACLU document indicates that the application by the Administrator of Carroll County, Arkansas to the Ozarks Regional Commission was misleading and inaccurate in several material statements.

Finally, while the Foundation carries the name of Elna M. Smith, it is apparent to all involved that her husband, Gerald L. K. Smith is the driving force behind these "sacred projects." His career as a merchant of venom need not be elaborated on by us.

We urge, in the strongest terms, that federal grant monies for the project be denied.

Respectfully yours,

WILLIAM A. BARRETT,
Member of Congress.
ROBERT N. C. NIX,
Member of Congress.
JAMES A. BYRNE,
Member of Congress.
JOSHUA EILBERG,
Member of Congress.
WILLIAM J. GREEN,
Member of Congress.

AMERICAN CIVIL LIBERTIES UNION
OF ARKANSAS,
Fayetteville, Ark., January 29, 1970.

FACT SHEET ON EUREKA SPRINGS, ARK., ROAD PROJECT

When the Ozarks Regional Commission announced approval of a grant to Carroll County, Arkansas to rebuild a road servicing the so-called "sacred projects" of the Elna M. Smith Foundation near Eureka Springs, many objections were voiced to using public money for the benefit of enterprises attributable to Gerald L. K. Smith, notorious anti-semite and hate-monger. The Ozarks Regional Commission and the Bureau of Public Roads reviewed their earlier decision, reaffirmed it, and announced release of the money early in January, 1970. On January 28, 1970, a team of three investigators for ACLU went to Eureka Springs for an on-site inspection of the proposed project and to ascertain the validity of statements previously made by officials involved in the project. Following are the conclusions of the ACLU team:

1. The statements by the Ozarks Regional Commission emphasize that the project is to rebuild and repave an existing public road. This is untrue. About half of the existing road is to be rebuilt; the remainder is to be a new road, the reason for which appears to be twofold: 1. to improve access to the statue, "Christ of the Ozarks", and, 2. to reroute traffic so that the noise of cars or trucks does not interfere with performance of the Passion Play (the present road runs right alongside and in back of the stage). Local residents stated to the investigators that last summer local policemen closed the road to through traffic during the performance of the play.

2. The road has been described as a schoolbus and mail route. In the original and supplemental grant applications made by the county judge, Arthur Carter, no reference was made to schoolbuses or mail delivery; the application is based solely on the need for improved access to the tourist facility. In fact, schoolbuses do enter the road from highway U.S. 62 and travel about ¾ of a mile to pick up children, but the buses then turn around and exit to highway 62 rather than use the road as a through route. As to mail delivery, there are approximately seven houses on the road; two of them seem abandoned; more importantly, if new road is constructed as the county judge proposes, mail delivery to three of the houses would be more difficult!

3. In the application made by county judge Carter, question number 12—"Will the facility assisted by this supplemental grant provide a direct and substantial benefit to one or more commercial or industrial establishments?" was answered NO, and question 17, "Is the proposed project designed primarily to benefit one business enterprise?" was also answered NO. The Passion Play charges admission ($2, $3, and $4), the Christ Only Art Gallery charges $1, and the statue is free, although visitors are requested to register and are solicited for donations.

Perhaps the county judge believed that the project was to benefit the entire area economically; however, the tenor of the questions is clearly to the effect of inquiring into a direct geographical benefit to an enterprise. Perhaps the county judge believed that because the Elna M. Smith Foundation is nonprofit, the proposed road could not be said to be benefitting a business enterprise; however, from the public viewpoint the Passion Play and Art Gallery are commercial enterprises. Also, the play is produced and directed by a Mr. Hyde who receives 20 percent (some say 25 percent) of the gate receipts and certainly he cannot be said to be a non-profit operation.

NATIONAL JEWISH COMMUNITY RELATIONS ADVISORY COUNCIL,
New York, N.Y., February 10, 1970.

Hon. MAURICE H. STANS,
Department of Commerce,
Commerce Building,
Washington, D.C.

MY DEAR SECRETARY STANS: It is my privilege to transmit the following statement, which has the approval and endorsement of all nine national Jewish organizations that, together with 82 Jewish councils in cities throughout the United States, comprise the constituency of the National Jewish Community Relations Advisory Council and cooperate through its processes in concerting their policies and coordinating their programs in the field of Jewish community relations.

The nine national organizations are the American Jewish Committee, American Jewish Congress, B'nai B'rith—Anti-Defamation League, Jewish Labor Committee, Jewish War Veterans of the U.S.A., National Council of Jewish Women, Union of American Hebrew Congregations, Union of Orthodox Jewish Congregations of America and United Synagogue of America.

These organizations join in urgently requesting you to reverse the decision of the Department of Commerce to authorize the expenditure of Federal funds to improve a road giving access to the "Passion Play" and other operations of the Elna M. Smith Foundation in Eureka Springs, Arkansas. We do this out of a deep sense of outrage that that decision would permit funds raised by the Federal Government through the taxation of its citizens to be used to foster attendance at a manifestation of anti-Semitic bigotry.

We have read and carefully considered the various statements on behalf of the Department of Commerce on this subject, as well as the detailed fact sheet prepared by the Ozarks Regional Commission, dated January 6, 1970. We believe that they do not address themselves to the real issues.

What is particularly disturbing is the fact that these documents treat the Passion Play as an ordinary "tourist attraction." Thus, the Ozarks Commission document describes at some length the economically depressed condition of the Eureka Springs area (which we do not question) and then argues that facilitating this project will correct that condition. However, no recognition is given to the fact that the Passion Play itself—which would unquestionably benefit—is a virulently anti-Semitic tract. No justification is given for the use of Federal funds to facilitate spreading of the virus of anti-Semitism.

The nature of the Passion Play put on by the Smith Foundation should be clearly understood. It is not a simple rendition of the narrative contained in the Christian Bible. Those who have seen the Play report that both the text and the action stress the perfidly, evil, hypocrify and cunning of the *Sanhedrin*. Herod and Pilate are portrayed as innocents and dupes, as unwilling accomplices in satisfying the blood lust of Jews. The theme of the culpability and damnation of the whole Jewish people premeates the Play. The terms "Hebrews" or "Israelites" are never used—the anti-Christs are always "the Jews." That Jews as a whole are held responsible for diecide, both then and now, is made clear and unmistakable.

A substantial part of the Ozarks Commission document is devoted to arguing that Gerald L. K. Smith will not benefit from the Foundation operation. That is obviously irrelevant. What matters is that an operation bearing Smith's unmistakable stamp of bigotry (as well as his financial support) will benefit.

The Commission document and the various letters that have been written on the subject also urge that use of Federal funds for this project is standard operating procedure, applicable wherever a road is subject to heavy use. This argument is disingenuous, to say the least. Indeed, if it were valid, there would have been no need to refer to the objective of stimulating tourism.

Some of the points made in support of this argument appear to distort the facts. For example, the Commission statement says that the road, Route 1226, "links U.S. Highway 62 with Arkansas Highway 23 (North)." The fact is that these two roads are already "linked" where they join at a point quite close to the road in question, so that the proposed paving project would at best shorten an existing route by about a mile. In other words, there is no purpose for this project other than to provide access to the Smith Foundation operations.

It is further stated by the Commission that "the project in question involves the repaving and regrading of an existing county road, Route 1226, which already serves as a school bus and mail route." In fact, only about half of the existing road is to be rebuilt and the remainder is to be a new road. The apparent purpose for the shift is to improve access to the statue, "Christ of the Ozarks," and to reroute traffic so that its noise will not interfere with performance of the "Passion Play." Furthermore, the shift in the location will make mail delivery to three of the houses on the existing road more rather than less difficult. As to school buses, the fact is that they use only about one-third of the route.

Finally, the Commission document talks in terms of "millions" of past and prospective users of this road. Our information indicates that these figures are grossly inflated.

We come back to the main point. As things now stand, the Federal Government is taking the position that a project which is intended to and in fact does foster hostility to Jews may be treated like, and given the same benefits as, ordinary tourist attractions. We believe that, on reconsideration, you will find that this is an untenable position.

Yours sincerely,
Jordan C. Band, *Chairman.*

"THE REPUBLICANS ARE COMMIN"

(Mr. OLSEN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. OLSEN. Mr. Speaker, my good friend, Neil Linstead, of Marion, Mont., has no associations and acquaintances in high financial circles. Mr. Linstead typifies the average American as much as any man. He is a hard-working man who believes in a day's work for a day's pay. However, due to circumstances beyond his control, he now finds himself unable to put that philosophy into effect. Mr. Linstead is a logger by profession. He has worked at that trade for many years. Now, however, he finds himself out of work. This state of unemployment has not come about because of any deficiencies on his part but rather by attrition caused by the present administration's tight money, high interest rate policy that has brought the housing industry to a standstill and has affected related industries.

Where are Mr. Linstead and those in his same predicament to turn? The administration adheres to a philosophy that in times of inflation a little unemployment is helpful. It is not very helpful to Neil Linstead.

Nonetheless, Mr. Linstead is not the type to despair. He is hopeful that despite the Nixon administration and its devotion to the interests of high finance he will be able to get his job back in due time. He has no illusions about this administration though. He has put his lament in lyrical form with an abundance of wit and commonsense. I insert his composition in the Record at this time.

The Republicans Are Commin

There's some gaspin' air pollution
Some ragin revolution
Depressin' depression
And a whole lotta trouble brewin' here

There's some phoney politicians
Some loco legislations
Dizzy delegations
And a whole lotta trouble brewin' here

There's some silly war's aplenty
Starvin' people many
Hope there just aint any
And a whole lotta trouble brewin' here

There's some ridiculous regulations
Some silly complications
Cheap imitations
And a whole lotta trouble brewin' here

There's some boy's dyin' steady
Kids that aint ready
Hearts that are heavy
And a whole lotta trouble brewin' here

There's some dark and wasted waters
Some contaminated rivers
Surface sewers
And a whole lotta trouble brewin' here

There's some wilderness asighin'
Rich men are buyin'
Forrests dyin'
And a whole lotta trouble brewin' here

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Langen (at the request of Mr. Gerald R. Ford), for April 15 and 16, 1970, on account of illness in the family.

Mr. Charles H. Wilson (at the request of Mr. Albert), for today, on account of official business.

Mr. Hanna (at the request of Mr. Albert), for today, on account of official business.

Mr. Patman (at the request of Mr. Albert), for today, on account of official business.

Mr. Stuckey (at the request of Mr. Albert), for today, on account of official business.

Mr. Burlison of Missouri, after 2 p.m. on April 14, 1970, on account of official business.

Mr. Pepper (at the request of Mr. Zablocki), for Tuesday, April 14, on account of official business.)

Mr. Burton of Utah (at the request of Mr. Gerald R. Ford), for April 13 and 14, on account of death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Lujan) and to revise and extend their remarks and include extraneous matter:)

Mr. Frey, for 1 hour, on Tuesday, April 21.

Mr. Weicker, for 1 hour, on Tuesday, April 21.

Mr. Miller of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. Daniel of Virginia) to revise and extend their remarks and include extraneous matter:)

Mr. Gonzalez, for 10 minutes, today.

Mr. Farbstein, for 20 minutes, today.

Mr. Minish, for 10 minutes, today.

Mr. Miller of California, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Michel to include tables and extraneous matter with his remarks made today in the Committee of the Whole on H.R. 16916.

Mr. Gray and to include extraneous matter in three instances.

Mrs. Reid of Illinois, immediately following the remarks of Mr. Shriver today in the Committee of the Whole.

Mr. Michel to extend his remarks prior to the vote on the Cohelan amendment.

Mr. Ryan to extend his remarks prior to the vote on the Cohelan amendment.

(The following Members (at the request of Mr. Lujan) and to include extraneous matter:)

Mr. Roudebush.
Mr. Cowger.
Mr. Goodling.
Mr. Grover.
Mr. Mathias.
Mr. Scherle.
Mr. Ashbrook.
Mr. Steiger of Arizona.
Mr. Hansen of Idaho.
Mr. McClory.
Mr. Duncan.
Mr. Wold in two instances.
Mr. Bow.
Mr. Horton in four instances.
Mr. Morse.
Mr. Kleppe.
Mr. Esch.
Mr. Cunningham in three instances.
Mr. Railsback.
Mr. Michel.
Mr. Hogan.

(The following Members (at the request of Mr. Daniel of Virginia) and to include extraneous matter:)

Mr. Corman.
Mr. Giaimo in 10 instances.
Mr. Culver in five instances.
Mrs. Sullivan in three instances.
Mr. Clark in seven instances.
Mr. Brademas in eight instances.
Mr. Casey.
Mr. Rodino in five instances.
Mr. Ottinger.
Mr. Rarick in three instances.
Mr. McDonald of Michigan in two instances.
Mr. Dulski in six instances.
Mr. Poage in two instances.
Mr. Koch.
Mr. Pickle.
Mr. Anderson of California.
Mr. Minish in four instances.
Mr. Edwards of California.
Mr. Rivers.
Mr. Brown of California in 10 instances.
Mr. Gonzalez in two instances.
Mrs. Hansen of Washington.
Mr. Philbin in three instances.
Mr. Hathaway.
Mr. Obey in six instances.
Mr. Eckhardt in two instances.
Mr. Alexander in two instances.
Mr. Hagan in two instances.
Mr. Mann in two instances.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that the committee did on April 13, 1970 present to the President, for his approval, bills of the House of the following titles:

H.R. 8654. To provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone; and

H.R. 15349. To amend the Railway Labor Act in order to change the number of carrier representatives and labor organization representatives on the National Railroad Adjustment Board, and for other purposes.

ADJOURNMENT

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 3 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 15, 1970 at 12 o'clock noon.

XUM

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1919. A letter from the Secretary of the Interior transmitting a report on the progress and results obtained by the United States from participating in the desalting and electric power generating project, pursuant to section 4 of Public Law 90–18; to the Committee on Interior and Insular Affairs.

1920. A letter from the Assistant Secretary of the Interior, transmitting a copy of an application for a loan under the Small Reclamation Projects Act, pursuant to section 4(c) of the act; to the Committee on Interior and Insular Affairs.

1921. A letter from the Chairman, Water Resources Council, transmitting a draft of proposed legislation to include the Secretary of Commerce and the Secretary of Housing and Urban Development as members of the Water Resources Council; to the Committee on Interior and Insular Affairs.

1922. A letter from the Acting Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend title 18, United States Code, to provide for the protection of U.S. probation officers; to the Committee on the Judiciary.

1923. A letter from the Acting Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend section 35 of the Bankruptcy Act (11 U.S.C. 63) and sections 631 and 634 of title 28, United States Code, to permit full-time referees in bankruptcy to serve as part-time U.S. magistrates and for other purposes; to the Committee on the Judiciary.

1924. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report on operation of the limitation on budget outlays for the fiscal year 1970, pursuant to the Second Supplemental Appropriations Act of 1969 (Public Law 91–47) (H. Doc. No. 91–307); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Committee on House Administration. H.R. 11628. A bill to transfer from the Architect of the Capitol to the Librarian of Congress the authority to purchase office equipment and furniture for the Library of Congress; with an amendment (Rept. No. 91–1003). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Report on phosphates in detergents and the entrophication of America's waters; (Rept. No. 91–1004). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. S. 1193. An act to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely; with amendments (Rept. No. 91–1005). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: Committee on Rules: H. Res. 916. Resolution for consideration of H.R. 16311, a bill to authorize a family assistance plan providing basic benefits to low-income families with children, to provide incentives for employment and training to improve the capacity for employment of members of such families, to achieve greater uniformity of treatment of recipients under the Federal-State public assistance programs and to otherwise improve such programs, and for other purposes; (Rept. No. 91–1006). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H.R. 16966. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. BUSH:

H.R. 16967. A bill to authorize the Secretary of Commerce to transfer surplus Liberty ships to States for use in marine life conservation and fishery programs; to the Committee on Merchant Marine and Fisheries.

By Mr. DANIELS of New Jersey (for himself, Mr. Henderson, Mr. Olsen, Mr. Udall, Mr. Nix, Mr. Hanley, Mr. Charles H. Wilson, Mr. Waldie, Mr. William D. Ford, Mr. Hamilton, Mr. Tiernan, Mr. Brasco, Mr. Purcell, Mr. Corbett, Mr. Cunningham, Mr. Button, Mr. Scott, Mr. Meskill, Mr. Lukens, and Mr. Hogan):

H.R. 16968. A bill to provide for the adjustment of the Government contribution with respect to the health benefits coverage of Federal employees and annuitants, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WILLIAM D. FORD (for himself, Mr. O'Hara, Mr. Nedzi, Mr. Dingell, Mr. Diggs, Mrs. Griffiths, and Mr. Conyers):

H.R. 16969. A bill to amend title 39, United States Code, to provide rates of pay for postal field service employees in certain areas and locations in accordance with private enterprise pay rates in these areas to assist in recruitment and retention of postal field service employees and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GOLDWATER (for himself, Mr. Don H. Clausen, Mr. Crane, and Mr. Mathias):

H.R. 16970. A bill to amend section 837 of title 18, United States Code, to strengthen the laws concening illegal use, transportation, or possession of explosives and the penalties with respect thereto, and for other purposes; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 16971. A bill to amend the Internal Revenue Code of 1954 with respect to the use of tax-free alcohol by pathological laboratories; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 16972. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MATSUNAGA:

H.R. 16973. A bill to amend section 27 of the Merchant Marine Act, 1920, to exempt, under certain conditions, from the effect of such section the transportation of merchandise between points in the State of Alaska and points in the State of Hawaii; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHNEEBELI:

H.R. 16974. A bill to amend the Internal Revenue Code of 1954 to provide for a liberalized child-care deduction as a trade or business expense; to the Committee on Ways and Means.

By Mr. STAFFORD:

H.R. 16975. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance for the aged; to the Committee on Ways and Means.

By Mr. STRATTON:

H.R. 16976. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. BARING (for himself and Mr. Johnson of California):

H.R. 16977. A bill to authorize the Secretary of the Interior to study the feasibility and desirability of a national lakeshore on Lake Tahoe in the State of Nevada, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BIAGGI:

H.R. 16978. A bill to establish a Federal Commission to investigate abuses, inequities, and misuses of funds occurring in the administration of the various Federal-State medicaid programs; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H.R. 16979. A bill to amend the Internal Revenue Code of 1954 to provide for a liberalized child-care deduction as a trade or business expense; to the Committee on Ways and Means.

By Mr. CÓRDOVA:

H.R. 16980. A bill to amend the Internal Revenue Code of 1954 to extend percentage depletion at a 15-percent rate to certain metal ores from deposits in Puerto Rico; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 16981. A bill to amend title 38 of the United States Code to require pay differentials for nurses in Veterans' Administration hospitals who perform evening, night, weekend, holiday, or overtime duty and to authorize payment for standby or on-call time, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FISHER:

H.R. 16982. A bill to amend title 10 of the United States Code to provide a more adequate survivors' annuity plan for the uniformed services; to the Committee on Armed Services.

By Mr. GUDE:

H.R. 16983. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16984. A bill to authorize and direct the Corps of Engineers to engage in public works for waste water purification and reuse; to the Committee on Public Works.

By Mr. HELSTOSKI:

H.R. 16985. A bill to provide for annual adjustments in monthly monetary benefits administered by the Veterans' Administration, according to changes in the Consumer Price Index; to the Committee on Veterans' Affairs.

By Mr. KLEPPE:

H.R. 16986. A bill to amend the Internal Revenue Code of 1954 to provide for the continuation of the investment tax credit for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. KLEPPE (for himself and Mr. Andrews of North Dakota):

H.R. 16987. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Minot extension of the Garrison diversion unit of the Missouri River Basin project in North Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McMILLAN (for himself, Mr. Dowdy, Mr. Hagan, Mr. Fuqua, Mr. Jacobs, Mr. Hungate, Mr. Cabell, Mr. Blanton, Mr. Nelsen, Mr. Harsha, Mr. Broyhill of Virginia, Mr. Winn, Mr. Hogan, Mr. Thomson of Wisconsin, and Mr. Landgrebe):

H.R. 16988. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 and the District of Columbia Teachers' Salary Act of 1955 to increase salaries, and for other purposes; to the Committee on the District of Columbia.

By Mr. MEEDS:

H.R. 16989. A bill to amend the Water Resources Planning Act (79 Stat. 244) to include provision for a national land use policy by broadening the authority of the Water Resources Council and river basin commissions and by providing financial assistance for statewide land use planning; to the Committee on Interior and Insular Affairs.

By Mr. MIKVA (for himself, Mr. Burton of California, Mr. Bingham, Mr. Bolling, Mrs. Chisholm, Mr. Conyers, Mr. Daddario, Mr. Farbstein, Mr. Koch, Mr. Morse, Mr. Pucinski, Mr. Rees, Mr. Reid of New York, and Mr. Scheuer):

H.R. 16990. A bill to prohibit the importation, manufacture, sale, purchase, transfer, receipt, or transportation of handguns, in any manner affecting interstate or foreign commerce, except for or by members of the Armed Forces, law enforcement officials, and, as authorized by the Secretary of the Treasury, licensed importer, manufacturers, dealers, and pistol clubs; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 16991. A bill to establish an independent agency to coordinate the management of programs established to protect and enhance the quality of the environment through the control and abatement of air and water pollution, solid waste contamination, and through other related activities; to the Committee on Government Operations.

By Mr. ROGERS of Florida:

H.R. 16992. A bill to amend the Internal Revenue Code of 1954 to provide that the spouse of an individual who derives unreported income from criminal activities, if such spouse had no knowledge of such activities or such income, shall not be liable for tax with respect to such income even though a joint return is filed; to the Committee on Ways and Means.

By Mr. WATTS (for himself, Mr. Burleson of Texas, Mr. Skubitz, and Mr. Hagan):

H.R. 16993. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. WINN:

H.R. 16994. A bill to amend the Internal Revenue Code of 1954 to provide for the continuation of the investment tax credit for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 16995. A bill to amend the Federal Water Pollution Control Act to ban polyphosphates in detergents and to establish standards and programs to abate and control water pollution by synthetic detergents; to the Committee on Public Works.

By Mr. CLAY:

H.J. Res. 1169. Joint resolution authorizing the President to proclaim the period of July 13 through July 19, 1970, as "National Electronics Week"; to the Committee on the Judiciary.

By Mr. CONABLE:

H.J. Res. 1170. Joint resolution authorizing the President to proclaim National Volunteer Firemen's Week from September 19, 1970, to September 26, 1970; to the Committee on the Judiciary.

By Mr. DENNEY:

H.J. Res. 1171. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MEEDS:

H. Con. Res. 571. Concurrent resolution urging the President to determine and undertake appropriate actions with respect to stopping armed attacks on aircraft and passengers engaged in international travel; to the Committee on Foreign Affairs.

By Mr. WOLFF (for himself, Mr. Delaney, Mr. Eilberg, Mr. Koch, Mr. McCarthy, and Mr. Ottinger):

H. Con. Res. 572. Concurrent resolution expressing the sense of Congress that the United States should sell Israel aircraft necessary for Israel's defense; to the Committee on Foreign Affairs.

By Mr. McCULLOCH:

H. Con. Res. 573. Concurrent resolution commemorating the 100th anniversary of the Ohio State University; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H. Res. 913. Resolution paying tribute to the valiant effort being waged by the crew of Apollo 13 to bring their spacecraft back to earth; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H. Res. 914. Resolution providing for agreeing to the Senate amendments to the bill (H.R. 4249) to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices; to the Committee on Rules.

By Mr. YOUNG:

H. Res. 915. Resolution amending Rule XV of the Rules of the House of Representatives to eliminate the requirement that in all calls of the House the doors shall be closed; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GALLAGHER:

H.R. 16996. A bill for the relief of Michael David Kurtz and the Public Health Service, Department of Health, Education, and Welfare; to the Committee on the Judiciary.

By Mr. MANN:

H.R. 16997. A bill for the relief of Colie Lance Johnson, Jr., to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 16998. A bill for the relief of Rosa Margarita Pina Gutierrez; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

353. By the SPEAKER: A memorial of the Legislature of the State of Hawaii, relative to requesting Federal assistance to care for pets of military personnel during the entry quarantine period; to the Committee on Armed Services.

354. Also, a memorial of the Legislature of the State of California, relative to proclaiming the week of April 26th through May 2d, 1970, as "National Raisin Week"; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

447. By the SPEAKER: Petition of the 22d Alabama Y.M.C.A. Youth Legislature, Enterprise, Ala., relative to forced busing of students to achieve racial balance; to the Committee on Education and Labor.

448. Also, petition of the president of the Minnesota Patent Law Association, St. Paul, Minn., relative to unpatented intellectual property rights; to the Committee on the Judiciary.

449. Also, petition of the Board of County Commissioners, St. Johns County, St. Augustine, Fla., relative to designating Cape Kennedy as the operational base for the space shuttle system; to the Committee on Science and Astronautics.

EXTENSIONS OF REMARKS

THE 19TH AHEPA CONGRESSIONAL DINNER

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. BROYHILL of Virginia. Mr. Speaker, I was privileged to be among 175 Members of the U.S. Congress to be honored by the Order of AHEPA at its 19th biennial congressional dinner on Monday, March 9. An enthusiastic crowd of more than 1,400 persons was on hand to witness the presentation of the 1970 AHEPA Socratic Award to Vice President Spiro T. Agnew that evening.

The fraternity's most successful congressional dinner was held at the Sheraton Park Hotel in Washington, D.C.

The principal speaker of the evening was Vice President Agnew. Other speakers were: AHEPA Supreme President Louis G. Manesiotis of Pittsburgh, Pa.; U.S. Senator Philip A. Hart, of Michigan; U.S. Representative Gerald R. Ford, of Michigan; the Most Reverend Archbishop Iakovos of the Greek Orthodox Church of North and South America; Daughters of Penelope Grand President Joanna Panagopoulos of Peabody, Mass.; Maids of Athena Grand President Kathryn Venturatos of New Orleans, La.; Sons of Pericles Supreme President Nicholas P. Bobis, of Chicago, Ill.; Counsellor of the Greek Embassy John Gregoriades. Chairman of the banquet was George J. Papuchis of Silver Spring, Md., and Joseph S. Bambacus, of Richmond, Va., was the toastmaster.

As I believe most Americans will be interested in the Vice President's message, I insert it in full at this point in the Record, as well as the remarks of AHEPA Supreme President Manesiotis in presenting the Socratic Award to him:

XUM

Remarks of Louis G. Manesiotis, Supreme President, Order of AHEPA—American Hellenic Educational Progressive Association

Mr. Vice President and Mrs. Agnew, Your Eminence, distinguished guests at the dias, Members of Congress, and ladies and gentlemen.

How very, very proud I am, as Supreme President of the American Hellenic Educational Progressive Association, to extend a sincere welcome to you, and on behalf of all the AHEPA's everywhere, to pay respect and homage to you, the members of the world's greatest deliberative body, the Congress of the United States of America.

We are truly honored in having so large a distinguished representation this evening; it is the largest gathering we have ever been privileged to host. This testimonial which we have been tendering for more than forty years, is but another expressed indication of the appreciation we feel for the dedicated services rendered by the Members of Congress in the cause of good government.

It is again with pride and a feeling of accomplishment that we can point to an uninterrupted period of almost two centuries that we in this country have enjoyed a single form of government, and can truly say that we surpass, in point of tenure and service even the nations of antiquity. We have succeeded where countries older and with a greater past have not been so fortunate.

America was discovered in the 15th Century, and soon became a haven for the oppressed of every nation. They came here to possess and to build upon their ruined hopes, to revive their nationalistic pride and to realize the dream of true freedom. They all applied themselves, with few exceptions, to make their dream a living reality, and today we bear witness to their devotion, their determination, their efforts, their loyalty and their zeal.

It is one of the marvels, ladies and gentlemen, of history, that here a nation of diverse points of view and religion, political aspirations, backgrounds, culture, even different languages, has succeeded in making a heterogeneous people into a homogenous society and entity.

To be a good, valuable and productive citizen, is one of AHEPA's stated aims. We AHEPA's believe that to live is to serve, to rule is to obey, to rise is to lift up the fallen, to love is to love is to be loved. And to gain the greatest good in life is to give the best. We believe that the Americanism as taught, practiced and exemplified by the great leaders of our nation, is the type of Americanism the AHEPA's should and must be, unassailable and adaptable to all the vicissitudes of time and peoples, even well into the future. And in this context, he will direct his energies, his talents, his efforts, to preserve all this, not merely for himself, or for that matter, for these United States of ours, but for the world. For posterity, yes; for eternity. As being the one truly best form of government yet devised by the mind of man, one serving the best interests of its people here or elsewhere.

Ever to preserve this truism with beauty and with honor; this in our estimation is the best way to serve our country, ourselves and the world. We Americans of Hellenic descent, native and foreign born, harbor a deep love and are true to our heritage, handed down to us undefiled over a span of twenty-five centuries, to cherish the freedom of the individual. And as exemplified here by the Founding Fathers of our fraternity; this we shall ever uphold.

Ours is to dare, that peoples everywhere are entitled to live in the true image of their birthright. It is true today that we are witnessing demonstrations, confrontations, protestations, condemnations, frustrations, remonstrations, yes—even devastations; we are showered with divinations, prognostications and finally, with proliferations. Yes, we've even learned about the generation gap, and have even learned the newly-coined phrase "the Establishment." And in this context, I am a bit puzzled; since a great part of our youth today are vociferously demonstrating against the Establishment, I hesitate to surmise what they will say or do a generation hence, when they will then be the Establishment they find so obnoxious now. What will they then substitute? How? With what?

But this evening, let us direct and address ourselves to the positive side of our ledger, the feeling of love for our institutions, yes, the very Establishment we just spoke about; exercising always tolerance and compassion in upholding that the true test of love of country is not in destroying or maligning, but in accepting the responsibility that freedom entails, carrying with it a corresponding obligation that we neither abuse this precious birthright or that, by asserting it, we trample upon the freedom and rights of others, because freedom is a costly privilege.

The AHEPA not only furthers education and broadens fellowship; it teaches respect for law and promotes good citizenship, ever mindful of the hopes and aspirations to contribute to the leadership of our country. As a matter of fact, indicative of this desire and dream of our fraternity, one of our past dedicated leaders, while addressing an AHEPA public gathering—and mind you, AHEPA was only six years old at this time—said, and I quote:

"AHEPA also is worthy of the fate which awaits her, because she cherishes in her heart the sweet longing, the tender hope and aspires to the honor of one day seeing in the White House a son of hers, one of her members who'll be proud of his Greek origin."

Ladies and gentlemen, this message was delivered in the summer of 1928, by the then-President of the Worthington Chapter of AHEPA in Baltimore, Maryland, Theodore Spiro Agnew, father of the Vice President of the United States of America.

The AHEPA, ever believing that outstanding ability and accomplishment must and should be publicly recognized, has established the Socratic Award to be awarded to a person deemed worthy. It is named after the one person who probably was the greatest dialectician, philosopher and moralist the world has ever known.

Socrates was the first exponent of the morality based on the demands of individual conscience. His long and productive life was shaped by his passion for the truth, his uncompromising morality and his belief that a life without inquiry is not worth living.

This evening, I am privileged to present this award to a most distinguished figure in American life today, the Honorable Spiro Theodore Agnew, the Vice President of the United States of America, which award is accompanied by the following scroll:

"The Order of AHEPA, 1970 Socratic Award, presented to the Honorable Spiro Theodore Agnew, Vice President of the United States, for exemplary and distinguished services and contributions to his country and fellow man; for steadfast dedication to the high principles on which our nation was founded; for dynamic defense and support of the dignity and the rights of man.

The Honorable Spiro Theodore Agnew has served devotedly his city, his county, his state and his nation. During his distinguished career he has devoted his life's work in the embodiment of the principles of the Socratic philosophy, which brought forth one great thought so novel and profound that a whole new age dawned in its light. this great thought, exemplified in the philosophy of Socrates, was that man's nature, even his mortality, is the glory of Creation and that man has a noble purpose: to live at the highest possible pitch of human performance, physically, morally and intellectually.

The Honorable Spiro Theodore Agnew has exemplified the Socratic philosophy in his courageous devotion to the tenents of democracy, in his contributions to world humanity, in his statesmanship, and in his strength of integrity.

It is with grateful appreciation and recognition that the Fraternity does herewith present to the Honorable Spiro Theodore Agnew the AHEPA Socratic Award for 1970, represented by this Scroll and the Award itself, a bronze bust of the ancient Greek philosopher Socrates."

Remarks of Spiro T. Agnew, the Vice President, United States of America

I'm deeply honored to receive this year's Socratic Award, as an AHEPAn, as a Greek-American, and above all, as an admirer, a profound admirer of the Age of Socrates, an age when the power of reasoning superseded the raw energy of protest of physical dissent.

I recall very well last year's award, because I was privileged to be here, and I note that the very distinguished recipient of that reward is no longer with us; the late Senator Everett Dirksen, to my mind, was representative of all the principles that stand forth in testimony to the Age of Socrates.

And he has left his mark on the Senate of the United States. He will not easily be forgotten, nor will his leadership be quickly erased. But he has left with us a sense of kindness, a sense of dedication, of tolerance, and understanding that will light the way for those who follow him. And I'm particularly honored to be one who follows him in receiving this very distinguished award from my brother AHEPAns.

I listened with great interest to Kathy, of the Maids, and Nick, of the Sons, as they relayed their very eloquent messages, and I was tremendously impressed, because no one can say that Greek-Americans do not lend themselves to the study of communication. And these young people were particularly good, brief, above all cogent, in their logic, in their reasoning, and dramatic in their appeal to our generation.

I remember Kathy saying "we love, although . . ." We love although; and then she went on to say that we love our country although it's involved in a war, and although there's poverty, and other things are not perfect with us. I agree with Kathy when she says that wars are not to the benefit of mankind, but I would submit that it's also possible to love our country—not because it's involved in a war, but because our country, over the years, has seen fit, at tremendous personal sacrifice, to go to the rescue of the oppressed, even if it meant the ultimate sacrifice of war.

In World War I, when we opposed the aggressors and the oppressors; in World War II, in Korea, and now in the most unpopular war, the most difficultly defined war we've ever engaged in—I love my country because it has the moral fortitude to go to the assistance of those people who are the victims of communist aggression.

And I heard Nick say, in his admonition to our generation and one that's well taken, the times are changing. Yes, the times have ever changed; a generation has never come along that has not said to its predecessors, "the times are changing; be aware that what was good enough for you is not necessarily the ultimate, that you must improve yourself, that you must seek to elevate society, and you must recognize our superior capability which, after all, came about partly because of your efforts."

Yes, Nick, I agree with you: the times are

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changing. And I also agree with you when you seek the eighteen year old vote, because that's something I've supported since I was the Governor of Maryland.

And I believe that the dissent that's come about in an irresponsible fashion is partly due to—because young people do want to actively involve themselves and have a stake in our society.

But I would issue to you, Nick, and to the young men of your generation, also a cautionary note: the times are changing, but all that is old is not bad. We of Greek descent look back and cherish our Greek heritage. There's much to look back on and much to cherish in our American heritage. All that is old should not be discarded, but we should use this as a base on which to build a new and viable society.

And then I heard our distinguished Senator from Michigan state, and I agree very much with his approval of the ideas of the men of Athens, that those ideas are what have persevered and lived over the years. And he said that when you look back into history, the ideas have lived, the men of ideas are revered and remembered, but the men of weapons are not even mentioned in the footnotes of history. And that is basically true.

But my friends, we must not forget that the men of Athens lived to think and to record those ideas because the men of weapons protected their freedom to express them.

Whenever I speak to my brother AHEPAns, I'm reminded of one of the chores my father assigned me to do when I was a boy. As you know, he was once Secretary of the Worthington Chapter Number 30 of AHEPA in Baltimore. It was my job to help fold the meeting notices and address and stuff the envelopes! Later on in my teens, when he was President and then District Governor, I would help him write his speeches.

He liked to speak of his pride in his Hellenic heritage, and of his pride and delight in being an American in a century when the great democratic principles laid down in ancient Greece were best expressed in this land of opportunity.

His speeches were never covered by television, but television hadn't been invented yet, so I can't complain about that.

Well, at least he had one critic—my mother. She was also his biggest fan. One central point that he would make in those speeches, that we worked on together, has a special relevance to what I would like to talk to you about tonight. He spoke of a spirit of community that existed within the Americans of Greek descent, and his life reflected a powerful example of that spirit. Like so many others, my father lost all he had in the Depression; he went to work hauling vegetables, starting at 3:00 AM most mornings, to restaurants and food stores in the Baltimore area.

He went into competition with the big suppliers of vegetables, who were able to offer better and faster service than he could ever offer. But he found customers; he found them because of that spirit of community. These customers were men who were willing to give up the convenience of big suppliers because in those hard times they were anxious to help a small supplier get started, to earn a living.

The men who ran the restaurants, mainly those of Greek extraction, most of them immigrants to this country, who bought those vegetables understood something about human dignity. They were not giving a man charity; they were giving a man a chance, and it was a charitable spirit that moved them to endure whatever inconvenience it cost. It was the kind of charity that never demeaned the recipient, and of course, when my father got back on his feet financially, he made sure that the help he gave others was the kind of help that enhanced rather than destroyed the man's self-respect.

And that brings me to my subject tonight. Quite frankly, I want to enlist your help in a cause, a cause central to our desire to set this nation on a new path toward greater dignity of the individual.

You may have heard recently that the House Ways and Means Committee overwhelmingly approved the Administration's Family Assistance Plan. That plan was designed by President Nixon to end the scandal that has been the welfare system in this country, and I say "scandal" advisedly. The way our welfare system encourages idleness, is a scandal. The way our welfare system actually breaks up families is a scandal. The way our welfare system robs human beings of their dignity is a scandal! Binding successive generations to a lifetime of despair.

During my years in county government, and as Governor of Maryland, I spoke out frequently for reform of the welfare system. One of the first conversations I had with the President was about the problems of the welfare system.

The President was determined to end the welfare scandal, to reform a system that failed the taxpayer, insulted the working poor and placed people on a treadmill of dependency. We called the new plan Workfare, rather than welfare, because it encourages people to work.

Now under the old system, a poor man who is working can look across the street at a family on welfare getting more for not working than he makes at his job. In bureaucratic language, the rage that he feels is described as a dis-incentive. That's a polite way to say it. In plain English, it's an open invitation for him to quit work and live on welfare.

If a man can make more for his family on welfare than he can make working, you can bet that many men will quit work, sit back and watch the soap operas on television all day.

With workfare, the dis-incentive is removed. A family with a working member will always get more than a family without a working member; work will always be rewarded. Which, let's face it, is why most of us go to work.

Under the old system, every dollar that you earned was subtracted from your welfare payments. This amounted to 100% taxation. And the social planners who dreamed this up forgot that a profit motive is a powerful thing. But under our system, you keep fifty cents of every dollar you earn as long as you're working your way out of poverty. And a welfare recipient who goes to work is better off than one who does not.

Now, it didn't take a genius to figure this out, which makes you wonder why it's never been suggested before. To put a program like this into operation, we are going to have to put a lot of people who are working poor, people who are struggling to get themselves out of poverty, on the welfare rolls. We are proposing to add to their incomes to establish the basic principle that it pays to work.

And here is where we run into opposition from some people who, quite properly, are concerned about adding to the welfare rolls, and adding to the amount of money the government spends on welfare.

When you talk about not being able to afford the initial cost of welfare reform, it reminds me of the man who refused to put water on his burning house, because his water bill was too high already.

I suppose, I'm for this welfare program; a lot of columnists, and editors, who up to this point hadn't made up their minds are going to be against it because I'm for it. As far as I'm concerned, many of them react to the sound of my voice like a mother who's harried and distracted and she hears her children in the back yard and they're talking too loud, and she rushes out and says: "Go see what Willie's doing and tell him to stop!"

Speaking of columnists, I'm trying very hard to get along with them; I want you to know that. Just yesterday I tried a new approach that seemed to work very well on one who'd been particularly nasty in his criticism of what I say. I treated him like a gentleman! I guess not many people had ever tried that on him.

Now, to put a program like this new welfare plan into operation, we're going to have to put a lot of people who are working poor on the rolls, as I said. And the addition of these working poor to the list of those who receive benefits will lay down the principle that it pays to work, that work is rewarded in America, that it's to your own self-interest to get a job. This is a principle that's intensely valuable to American society, and it's well worth the cost, all by itself.

Second, look at the people it helps. It helps the man who is not looking for a handout, but who's trying to make ends meet by himself, who just cannot quite make it. These are the proudest poor, the people who are striving, and the best American tradition. This offers a boost to the man who is already trying to climb, and we all know that there can be no investment, no better investment toward ultimate independence than self-reliance.

Thirdly, we've introduced, at long last, a work requirement, into the welfare system. Every single able-bodied adults who doesn't have pre-school children, or sick adults to care for at home, will be required to register with the Secretary of Labor for work or work-training.

Fourth, we are bolstering this family assistance plan with a whole new approach to manpower training. One that does not cost more money, but one that will deliver more jobs. For example, in cities all across the country, we are introducing a computerized job bank, a modern way of matching available jobs to men with the training to handle those jobs. And we are adding to our Day-Care centers facilities to make it possible for more welfare mothers to go to work while their children get good supervision.

And fifth, our program will surely save money in the long-run. Within the next four years, if the old system were allowed to continue, and to mushroom the way it has been, the cost to the taxpayer would be more than a billion dollars more than our Family Assistance Plan, and with none of the incentives toward work.

These are some of the sound, sensible reasons that the House Ways and Means Committee decided that our plan for wlefare reform, for workfare, if you will, was worthy of support.

So when you hear someone say "The Nixon proposal will add two million families to the welfare rolls," see it in perspective. It's the only way to stop the downhill slide toward a welfare state, by rewarding the poor who are willing to work. And when you hear the charge that it's going to cost over $4 billion, remember what the cost of the present system would be, if it were allowed to continue to balloon.

Sure, we have to pay start-up costs, to turn around costs, if we are going to get people moving off welfare rolls and onto payrolls. Why am I making the case to these people in this room? Because I know you understand, as well as anybody in this world, the spirit of community, the need to help somebody help himself, especially in the face of the permissiveness that afflicts so much of our society.

You understand the importance of building self-respect, and self-reliance, and the dignity that comes from earning a dollar.

And there's a second reason. To put it bluntly, Greeks love to talk politics, and to take part in politics; I guess we're born activists, and we know the differnce betwen an activist and an agitator. Your help now, your active support of welfare reform is urgently needed. I don't have to tell you how to mobilize your support, or how to spread the word that it is welfare reform, or handouts forever.

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In receiving your Socratic Award tonight, it is fitting to recall a point that was made by Socrates at the end of his life. As he lay dying, his last words were reported to be about a debt he owed. He wanted to make sure that a man who had given him some food would be repaid; in the same way we all have debts to repay to our fellow men, in return for the opportunity that our society has given us. To the helpless we owe sustenance, to the able-bodied we owe opportunity and training.

As we repay that debt, let us never forget what the dignity of work can do for a human being. One reason the silent majority is so silent is this: they're too busy working to make a lot of noise!

All too often today we see some young people—by no means all, but some—who take refuge in post-graduate study, not to get a better education, not to prepare themselves for productive lives, not even to evade the draft, but to avoid going to work.

We see some welfare rights organizations denounce our family assistance plans, not because it doesn't help the helpless, but because it requires able-bodied people to go to work! We see some employees arriving at work in the morning with their minds fixed on the coffee-break; we see people starting their careers with one goal in mind: early retirement. We see some union leaders promising their membership a golden era of a twenty-hour week.

I submit that people with a phobia about working are missing one of the greatest satisfactions in life. The quality of life will not be determined by how much time off we have; it's going to be determined by the quality of the work we do. Certainly, a menial job with no future, a dead-end job, would depress anyone, and direct him away from work. That is why we as a nation must open up opportunities for people to fulfill themselves to the full extent of their potential.

And that is why this Administration is guided by what you might call a work-ethic. We refuse to accept the kind of sustained unemployment that existed in the first five years of the Sixties, which many people forget ran close to an average of 6%. We refuse to accept a manpower training program that trains people for dead-end jobs, creating resentment and discontent. We refuse to accept a welfare program that penalizes the worker and tempts him to quit, and we refuse to permit some unions to ration opportunity as if it belonged to them alone. Because opportunity in America is everybody's birthright.

To the able-bodied person who says: "The world owes me a living," we say: "Mister, you're wrong!"

But to the person willing to work, who says: "This nation owes me a chance." We say "Friend, you're right!"

That's the work-ethic that guides the leaders of this country today. It does not make government the employer of last resort, providing meaningless make-work jobs. It does make government responsible for enforcing equal opportunity, for ending discrimination based on race, sex or any other unfair basis, and for managing our economic affairs in a way that permits solid growth without inflation.

We owe it to ourselves, and we owe it to our children, to reinstill this work-ethic that builds a nation and builds a man's character. This is no impossible dream; on the contrary, this is the American dream. And it's up to every one of us, in and out of government, to make certain that that dream comes true.

In utilizing our great resources to help people, we must not forget the admonition of Socrates: "A horse cannot safely be used without a bridle, or wealth without reflection."

MORE SUPPORT FOR CONSUMER LAWS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. ROSENTHAL. Mr. Speaker, there has been an encouraging and gratifying surge of support from both the public and my colleagues for the consumer protection package I recently introduced on behalf of 17 members of the Democratic Study Group's Consumer Affairs Task Force. For this reason, I am reintroducing the six bills today with the following cosponsors: Mr. ADDABBO, Mr. ANDERSON of California, Mr. BINGHAM, Mr. BRADEMAS, Mr. BRASCO, Mr. BROWN of California, Mr. CLAY, Mr. DADDARIO, Mr. DINGELL, Mr. DONOHUE, Mr. DULSKI, Mr. GAYDOS, Mr. HARRINGTON, Mr. KOCH, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. PODELL, Mr. PRICE, Mr. NIX, Mr. REES, Mr. RODINO, Mr. ROONEY of Pennsylvania, Mr. MOORHEAD, Mr. PEPPER, Mr. FARBSTEIN, Mr. MURPHY of Illinois, Mr. RYAN, Mr. THOMPSON of New Jersey, and Mr. TUNNEY.

Mr. ULLMAN is joining me in cosponsoring the Appliance Dating Act, the Drug Dating Act, the Performance Life Disclosure Act, and the Durable Products Dating Act. Mr. KASTENMEIER is cosponsoring the Drug Dating Act, the Better Labeling Act, and the Consumer Food Grading Act.

The legislation includes:

The Performance Life Disclosure Act (H.R. 16634) which would require all appliances and consumer electronic products to be labeled as to durability and performance life;

The Durable Products Dating Act (H.R. 16635) requiring certain short shelf life durable products to be prominently labeled as to the date beyond which performance life becomes diminished;

The Drug Dating Act (H.R. 16636) which would prohibit the sale of prescription and over-the-counter drugs beyond an established expiration date;

The Appliance Dating Act (H.R. 16637) which would require all appliances and consumer electronic products to be dated with the month and year of manufacture;

The Better Labeling Act (H.R. 16638) that would require processed consumer food products to be labeled with more detailed information of contents; and

The Consumer Food Grading Act (H.R. 16633) which would require the promulgation of a uniform system of retail quality grade standards for consumer food products.

With the Democratic Study Group Task Force's original endorsement, this six bill package has now 48 sponsors. The legislation would require disclosure of important point of sale information that is a vital safeguard for equitable treatment of the consumer in the marketplace.

I hope these bills will be dealt with expeditiously in the committees to which they are assigned so that the entire House can debate and act on their merits promptly.

SEVEN LONG AND DISTINGUISHED CAREERS IN JOURNALISM

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. FULTON of Tennessee. Mr. Speaker, it was recently announced that seven members of the Nashville Tennessean newspaper staff would retire this month after many years of loyal and dedicated service to that newspaper, its readership and the finest traditions of American journalism.

Among them are names which are household words for thousands of Nashvillians and middle Tennesseans who rely on the Nashville Tennessean for their morning's news and commentary.

Others among them have become well-known figures in their own right in American journalism.

Each of them has contributed, in his or her own way, to the enlightenment and entertainment of hundreds of thousands.

The accomplishments and careers of these seven Tennessean staffers was capsuled in the April 7, 1970, edition of the Nashville Tennessean in an editorial entitled "Seven Members Retiring; Their Achievements Are Legion."

Mr. Speaker, I reprint this editorial in the RECORD at this point and commend it to the attention of our colleagues:

SEVEN STAFF MEMBERS RETIRING; THEIR ACHIEVEMENTS ARE LEGION

Seven staff members of this newspaper, including some of the most widely-known figure in American journalism, are retiring this month. They were honored last night at a dinner given by the publisher in recognition of their long and devoted service to the newspaper and to the region in which they lived.

Those retiring, listed in the order of the dates on which they joined the newspaper, are the following:

Mr. Tom Little, Pulitzer prize-winning cartoonist who came to work as a school boy reporter in October, 1916.

Mr. Raymond Johnson, sports editor, who "retired" from his paper route to come inside as a copy boy in November 1918.

Mr. Joe Hatcher, political columnist, who came to work full time in November 1921, after serving as a part-time sports reporter while attending Vanderbilt University.

Miss Nellie Kenyon, reporter with numerous big stories to her credit. October 1940.

Mrs. Ruth Campbell, writer of the "Jean Bruce" column of sympathy and advice for those with personal problems, May, 1947.

Mr. Gail Winston (Bill) Churchill, vice president and executive assistant to the publisher—and former managing editor, April, 1951.

Mr. Byrd Douglas Cain, Sr., chief librarian and former publisher of his own newspaper in Old Hickory, who joined this newspaper as a copy reader in February, 1955.

The Nashville Tennessean is proud and grateful that these talented newspaper people chose to spend their entire careers in some cases—and substantial portions of their careers in others—in the service of the millions of readers who have followed their work over the last half century. Each one has given some unique and colorful thread to the intricately woven field of journalism that could not be exactly duplicated in any other place by any other person.

Mr. Little, for instance, combines a rare

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artistic sense with a keen feeling for the news—a combination which has enabled him to produce some of the most striking cartoons of the century.

Long before he became full-time cartoonist in 1938, he had already accomplished a successful news career as a reporter and city editor. Thus, when he began to draw the cartoons that have won him virtually every prize offered, he did so from a solid background of news judgment. This is a privilege which is denied to many news cartoonists.

Besides the prizes he wins, a cartoonist's success can be measured by the times he is "copied"—and Mr. Little is one of the nation's most copied cartoonists. Reprints of his work appear frequently in the nation's largest newspapers, as well as in the nationally-circulated news magazines.

Mr. Little's style—one that is recognized the instant it is spotted wherever it is printed—is one of simplicity, starkness and smashing power. He feels that unnecessary detail detracts from the purpose of a cartoon—which is to convey one idea in a forceful way.

Mr. Little has always contended that the cartoonist's mission is to go on the attack—to root out what is evil, stifling and unjust in the society—and to leave sweet moralizing to others. He shuns what Mark Twain called "milk toast" editorializing and prefers to do good by fighting the bad. He won the Pulitzer prize for a cartoon depicting a crippled boy watching others play and wondering why his parents didn't give him the polio vaccine.

Mr. Little considered it to be an attack on parents who neglected to give their children protection against crippling or death. Through his talent his newspaper was able to make a significant contribution to society.

Another retiring staff member with unique talents for the job is Sports Editor Johnson, who has an almost photographic memory of sports events of the last half century and a burning desire to be where the action is—whether the event is a football game at Dudley Field or a trotting race in New York.

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Mr. Johnson, one of the most widely-traveled sports writers in the field, is also well known in the nation and is the holder of numerous awards and honors.

Only last August he was named the 12th winner of the Jake Wade Award, named after the late sports information director of the University of North Carolina and given annually by the Sports Information Directors to the man who has contributed the most to the support of college athletics.

Mr. Johnson is also one of the founders and a former president of the Football Writers Association.

The sports editor's career has been so varied and so all-encompassing that it is difficult to point to any one interest as dominant. But the Golden Gloves boxing contest—for which he was primarily responsible in the South—were always dear to him.

But he was also active in the professional groups of amateur softball writers, the southern baseball writers, the turf writers, and many others.

Mr. Johnson has traveled hundreds of miles in the course of his duties—and no doubt much of the traveling was done at high rates of speed. But, fortunately, the sports editor seems to have suffered no ill effects and missed very few assignments.

Mr. Johnson, in rising from copy boy to become sports editor and serve in that capacity for 33 years, has achieved a remarkable career in sports journalism and one which has been equaled few times.

The name of Joe Hatcher—the "dean" of political writers in Tennessee—has long been more familiar to a large body of readers than almost any other appearing in this newspaper. His regular column, "Politics," usually appearing on the front page, has been the handbook of the close followers of the political game for many years.

Mr. Hatcher, who was the first student to be editor of both the "Commodore" and "Hustler," while at Vanderbilt, began "covering" politics for this newspaper in 1928.

Since that time his voice, especially in state politics, has been one of the most influential of all time. He played a large part in many of the political changes that have come over the imprint of his crusading spirit have been left on such buried political bodies as the poll tax, bossism and others.

One of the high points of Mr. Hatcher's career was his running battle with the political oragnization of the late Mr. E. H. Crump of Memphis. Mr. Hatcher, Mr. Little and others of this newspaper traded verbal blows with Mr. Crump for a decade or more until the 1948 election, which saw Mr. Crump's candidates beaten by Gov. Gordon Browning and the late Sen. Estes Kefauver.

Mr. Hatcher has also served as city editor and managing editor of this newspaper. But his first love has always been political writing. And after each stint in some other position he was always anxious to get back to politics.

The columnist has accumulated a huge number of friends and acquaintances during five decades of political reporting and commenting. Many of them were at a Capitol luncheon in Washington last July which was given in honor of Mr. Hatcher by Rep. Joe L. Evins of Tennessee's Fourth District. The luncheon—and the large representation of national political figures who attended—paid deserved honor to a long and productive career in the interest of furthering the fortunes of fair elections, good government and improved political standards in Tennessee.

Before coming to this newspaper, Miss Kenyon had already earned a reputation as a competent and courageous reporter, having solved a robbery in Chattanooga that led to "The Big Story" award on radio and covered the famous Scopes "Monkey Trial" in Dayton.

But since coming to Nashville in 1940, the reporter has built a reputation throughout the state for hard-hitting, accurate coverage of all types of news from uncovering a baby-selling ring to being publicly admired in the performance of her duties by Teamsters boss James R. Hoffa.

Miss Kenyon amazed other reporters by being able to pick up the telephone and get Mr. Hoffa on the line without hesitation. She has come into contact with such news makers as Al Capone, Clarence Darrow, H. L. Mencken, and Willian Jennings Bryan and—after her coverage of the Hoffa jury-tampering trial in Chattanooga—accepted an invitation to dinner at the Virginia home of the late U.S. Attorney General, Robert F. Kennedy.

Miss Kenyon, who is listed in the 1969 edition of "Who's Who of American Women," has covered the federal courthouse in recent years. But before that she covered the state capitol. In both positions she has been a tremendous credit to the role of women in journalism.

Mrs. Campbell is another staff member of unusual talent in her field, turning out a sprightly column on personal problems of a quality that is usually found only in the national syndicates.

Although she has been called the Victorian type by Newsweek Magazine, Mrs. Campbell has proven herself to be of tremendous help to many in the modern age, finding pen pals for lonesome readers, and in one case obtaining $2,400 in contributions from readers for a tubercular orphan.

A native of Michigan, Mrs. Campbell came to the newspaper well qualified by nature and education for the exacting task of giving well-reasoned advice to others.

Being the youngest of 14 children, she says, she had no choice but to develop a common sense outlook, which—along with integrity—she considers to be the firm base of her column.

Mrs. Campbell was educated at Detroit Seminary, College Savigney in Paris and Miss Wearn's School for Girls in London. She also previously wrote children's books, which helped her develop a substantial background for commenting on personal affairs of the young.

Mr. Churchill, a native of Iowa, came to this newspaper as managing editor from Life Magazine, where he had served as foreign picture editor. His expertise in the selection and display of news photographs soon led to a vastly increased utilization of this form of journalism in this newspaper.

Mr. Churchill, also a former photo editor for the Associated Press, initiated procedures and inspired enthusiasm which has assisted the photographers for this newspaper to win numerous awards in photo journalism in the last two decades.

Since becoming vice president and assistant to the publisher, Mr. Churchill has become active in the furtherance of community projects, in editing the newspaper's annual business review for this region and numerous other special sections. He has also played an important part in the success of Sigma Delta Chi, a professional journalism fraternity, serving as past president of the Nashville chapter and taking various roles in the annual Gridiron show put on by SDX.

Mr. Cain, member of a long-time Nashville newspaper family, is familiar to many readers of the newspaper through the numerous, interesting "Visitor's Corner" column he has contributed to the bottom of the editorial page.

The head librarian—through his long association with this community—is a mine of information on many historical subjects of interest to Nashvillians and Tennesseans. He has also traveled widely and written interestingly on his experiences and observations.

Among the experiences he has shared with his readers were his attendance at the Democratic national convention at Baltimore where Woodrow Wilson was nominated to the presidency—when Mr. Cain was 9. He took an active interest in Wilson's campaign and later was invited to the White House to meet the President.

Mr. Cain who is listed in "Who's Who in the South and Southeast," has long taken an active part in the affairs of his home community, Madison, and in 1955 was presented a plaque for service to the community by the Madison Chamber of Commerce.

Thus, the retiring staff members—each in his own way—have made unique contributions. Their talents and personal qualities have not only been a blessing and a pleasure to this newspaper, they have also enriched the communities and region in which they live and work.

All are to be congratulated for undertaking and carrying out constructive careers which will continue to be appreciated in Nashville and Middle Tennessee long after this day.

ENFORCEMENT PROCEEDINGS BROUGHT BY OR AT THE REQUEST OF THE BUREAU OF ENFORCEMENT, INTERSTATE COMMERCE COMMISSION

HON. CHARLES M. TEAGUE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. TEAGUE of California. Mr. Speaker, recently the Interstate Commerce

Commission was scored as being an extension of the industry it regulates.

Various tables containing statistics relating to the ICC's prosecuting activities were brought to my personal attention by a former congressional colleague, Donald L. Jackson, who is now one of 11 Commissioners at the ICC. A reading of these statistics seems to indicate a conclusion quite contrary to the "extension" indictment; namely, that the surface transportation industry is continually being monitored by an aggressive prosecution program. The Commission's enforcement program has resulted in an impressive volume of criminal fines, civil forfeiture, negotiated monetary settlements, cease-and-desist orders, and injunctions to prevent carrier damage to the public.

Mr. Speaker, I believe in light of the recent attacks on the ICC that the various tables furnished me by the Interstate Commerce Commission should be incorporated into the RECORD in order to improve our perspective on these charges. The analysis follows:

ENFORCEMENT PROCEEDINGS BROUGHT BY OR AT THE REQUEST OF THE BUREAU OF ENFORCEMENT, INTERSTATE COMMERCE COMMISSION

RAIL CASES—RECAPITULATION OF FINES AND FORFEITURES, JAN. 1, 1967–MAR. 31, 1970

	Service order violations		Violations of Interstate Commerce Act, Elkins Act, etc.		Total	
	Number	Amount	Number	Amount	Number	Amount
1967	14	$36,700	35	$642,900	49	$679,600
1968	4	5,500	41	643,312	45	648,812
1969	21	315,700	33	1,108,649	54	1,424,349
1970	7	272,125	8	149,840	15	421,965

INTERSTATE COMMERCE COMMISSION, BUREAU OF ENFORCEMENT, RAIL SECTION

(SERVICE ORDER FORFEITURES)

(I.C. Act Sec. 1(17)(a))

Case number	Carrier	Date	Amount
1967:			
ER 13-66-402	Atchison, Topeka & Santa Fe RR (court)	Jan. 27, 1967	$1,700
IR 15-66-410	Northern Pacific RR (court)	Feb. 24, 1967	3,000
ER 3-66-407	Norfolk & Western RR (court)	Mar. 27, 1967	2,800
IR 3-66-426	Reading RR (court)	May 9, 1967	500
IR 4-66-411	Baltimore & Ohio RR (court)	May 26, 1967	2,300
IR 15-66-407	Oregon Electric Ry. Co. (court)	June 27, 1967	2,500
IR 15-66-411	Southern Pacific RR (court)	do	2,200
IR 15-66-415	Union Pacific RR (court)	do	4,000
7602	Texas & Pacific RR (court)	Aug. 30, 1967	1,500
ER 15-66-402	Great Northern Ry. (court)	do	6,000
ER 6-67-402	Florida East Coast Ry. (claim)	Sept. 7, 1967	4,000
ER 2-66-408	New York Central RR (court)	Oct. 22, 1967	1,700
7763	do	Oct. 23, 1967	3,000
7592	Atlantic Coast Line RR (court)	Dec. 28, 1967	1,500
Total for 1967			36,700
1968:			
7689	Southern Ry. (court)	Jan. 30, 1968	2,600
ER 15-66-404	Union Pacific RR (court)	Feb. 9, 1968	900
7973	Southern Ry. Co. (court)	Feb. 22, 1968	800
7690	Georgia, Southern & Florida Ry. (court)	Feb. 26, 1968	1,200
Total for 1968			5,500
1969:			
ER 10-68-404	Kansas City Southern RR (claim)	Feb. 11, 1969	2,000
ER 4-68-409	Baltimore & Ohio (claim)	Apr. 30, 1969	37,500
ER 9-69-401	Chicago, Rock Island & Pacific (claim)	do	1,000
ER 10-69-403	St. Louis-San Francisco (claim)	May 9, 1969	1,800
ER 3-69-403	Penn Central RR (claim)	May 15. 1969	60,000
ER 4-69-402	Erie-Lackawanna RR (claim)	July 2, 1969	$11,000
ER 15-69-401	Northern Pacific RR (claim)	July 18, 1969	20,000
ER 6-69-405	Florida East Coast (claim)	July 23, 1969	2,000
ER 6-69-404	Seaboard Coast Line (claim)	Aug. 13, 1969	9,400
ER 3-69-405	Southern Ry (claim)	Aug. 19, 1969	12,200
ER 3-69-403	Central of Georgia (claim)	do	4,000
ER 2-69-407	Central RR of New Jersey (claim)	Aug. 26, 1969	2,400
ER 10-69-407	Atchison, Topeka & Santa Fe RR (claim)	Aug. 29, 1969	24,000
ER 2-69-408	Lehigh Valley RR (claim)	Sept. 29, 1969	6,000
ER 9-69-402	Chicago, Milwaukee, St. Paul & Pacific (claim.)	Oct. 1, 1969	14,800
ER 12-69-401	St. Louis-Southwestern RR (claim)	Oct. 14, 1969	21,000
ER 7-69-407	Louisville & Nashville RR (claim)	Oct. 20, 1969	13,400
ER 2-69-409	New York, Susquehanna & Western (claim).	Nov. 12, 1969	5,000
ER 13-69-401	Denver, Rio Grande & Western RR (claim)	Nov. 24, 1969	7,500
ER 10-69-411	Missouri Pacific RR (MoPac) (claim)	Dec. 5, 1969	50,600
ER 8-69-403	Elgin, Joliet & Eastern Ry. Co. (claim)	Dec. 31, 1969	10,100
Total for 1969			315,700
1970:			
ER 7-69-403	Gulf, Mobile & Ohio (claim)	Jan. 12, 1970	30,000
ER 12-70-401	Galveston, Houston & Henderson (claim)	Feb. 6, 1970	2,800
ER 10-69-403	Chicago & North Western (claim)	Feb. 9, 1970	49,875
ER 7-69-406	Illinois Central (claim)	do	40,000
ER 15-69-402	Southern Pacific (claim)	Feb. 12, 1970	45,250
ER 12-69-404	Texas & Pacific (claim)	Feb. 13, 1970	16,700
ER 4-69-404	Norfolk & Western RR (claim)	Mar. 13, 1970	87,500
Total (to Mar. 13, 1970 only)			272,125

FINES AND FORFEITURES ASSESSED UNDER THE INTERSTATE COMMERCE ACT, ELKINS ACT, AND RELATED STATUTES

1967:			
ER 4-66-404	Chesapeake & Ohio RR. (explosives)	Jan. 17, 1967	$1,000
ER 8-67-403	Crown Warehouse & Trans. Co. (Elkins Act).	Feb. 3, 1967	19,500
ER 8-67-404	Indiana Wholesale Food Supply (Elkins Act) concession.	do	19,500
ER 8-67-402	Norfolk & Western RR. (Elkins Act) concession.	Feb. 17, 1967	30,000
ER 4-66-416	Baltimore & Ohio RR. (explosives)	Feb. 15, 1967	500
ER 8-66-402	Southern Ry. (explosives)	Feb. 28, 1967	250
8029	Boston & Maine RR. (forfeiture) records refusal.	Mar. 1, 1967	10,000
ER 15-67-402	Northern Pacific Ry. (Elkins Act) concession.	Mar. 31, 1967	45,000
ER 15-67-403	Bethlehem Steel Co. (Elkins Act) concession.	do	45,000
7307[1]	Maurice Traverse (B. & M. RR. director) (Clayton Act and Criminal Code 660-371).	Apr. 10, 1967	25,000
8247	Pep Trucking Co. (Elkins Act) concession	do	8,000
ER 15-67-404	Northern Pacific Ry. (explosives)	Apr. 24, 1967	100
IR 2-66-407	Revlon, Inc. (Elkins Act), concession	May 5, 1967	20,000
IR 7-66-404	Illinois Central RR. (explosives)	Apr. 24, 1967	1,000
8374	Illinois Central RR. (Elkins Act), concession.	May 15, 1967	120,000
IR 7-66-409	Missouri Pacific RR. (explosives)	May 11, 1967	500
8374	Faucher Bros. (Elkins Act) (concessions-conspiracy).	May 15, 1967	2,000
8375	Star West Cartage (Elkins Act), (concessions-conspiracy).	do	2,500
8374	Fink Corp. (Elkins Act), concession	June 14, 1967	55,000
8035	Western Carloading Corp. (Elkins Act), credit-concession.	June 27, 1967	2,750
8337	Chicago & North Western Ry. (Elkins Act), concession.	June 29, 1967	$55,000
8337	Urban F. Meyers Corp. (Elkins Act), concession.	June 30, 1967	18,000
8374	Peanut Specialty Co. (Elkins Act), concession.	July 7, 1967	20,000
7977	Fort Worth & Denver Ry. Co. (Elkins Act), (credit concessions).	Aug. 21, 1967	4,000
8305	Baltimore & Eastern RR. Co. (Elkins Act) (credit concessions).	do	1,000
8305	Otis Feed Co. (Elkins Act) (credit concessions).	do	1,000
ER 4-67-403	Baltimore & Ohio RR. (unauthorized disclosure)'	Aug. 10, 1967	100
IR 2-66-407	Pennsylvania RR. (Elkins Act), concession	Oct. 6, 1967	40,000
8374	Jones Warehouse (Elkins Act), concession	Oct. 10, 1967	21,000
7655	Hudson Cushion Foam Co. (Elkins Act), concession.	Oct. 13, 1967	15,000
IR 2-65-403	Pennsylvania RR. (Elkins Act), concession	Oct. 28, 1967	8,000
ER 16-66-404	Santa Fe RR. (falsification of records)	Aug. 8, 1967	2,000
ER 8-66-404	Frank Greene Co. (Elkins Act), concession	Nov. 30, 1967	40,000
ER 3-67-402	Baltimore & Ohio RR. (violation ICC, order-claim).	Dec. 11, 1967	10,000
ER 4-66-406	New York Central RR. (falsification of records).	Dec. 15, 1967	200
Total for 1967 (other than service order violations).			642,900

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[1] This Clayton Act case was one of a pattern of several Clayton Act and misappropriation cases against Boston & Maine RR. officials which resulted in conviction also of the chairman of the board, president, and vice president in 1966. See B&M Defendant Appellants v. U.S., 361 F. 2d 31, cert. denied 87 S. Ct. 69.

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Case Number	Carrier	Date	Amount
1968:			
ER 4-67-401	Baltimore & Ohio RR. (unauthorized disclosure of shipper records).	Jan. 26, 1968	$100
IR 1-66-401	Boston & Maine RR. (credit extensions 3(2)).	do	2, 000
ER 16-67-401	Santa Fe RR. (forfeiture claim, ICC order violation).	Jan. 31, 1968	5, 000
ER 10-67-401	John W. Malloy (Elkins Act) concession	Feb. 16, 1968	1, 000
ER 2-65-404	Chesapeake Corp. (Elkins Act) concession	Mar. 1, 1968	5, 000
ER 12-67-404	Bunge Corp. (Elkins Act) credit concession.	Mar. 6, 1968	5, 000
ER 12-67-403	Illinois Central RR. (Elkins Act) concessions.	do	5, 000
ER 8-67-402	American Commercial Barge Lines (Elkins Act) concessions.	Mar. 15, 1968	5, 000
ER 8-67-408	Wesco Consolidated, Inc. (Elkins Act) concessions.	do	4, 000
ER 8-67-405	Mississippi Valley Barge Lines (Elkins Act concessions).	Mar. 21, 1968	9, 000
8014	Chicago, Great Western RR., Co. (Elkins Act, concessions).	Feb. 12, 1968	4, 000
ER 8-67-401	Union Barge Lines (Elkins Act, concessions).	Apr. 1, 1968	2, 100
ER 8-67-406	Federal Barge Lines (Elkins Act concessions).	Apr. 8, 1968	10, 000
ER 4-68-401	Chesapeake & Ohio RR. (forfeiture, claim-credit extension).	May 1, 1968	3, 000
ER 12-68-401	E. L. Bride Co. (Elkins Act, concession)	May 8, 1968	1, 000
ER 8-68-401	Dow Chemical Co. (Elkins Act, forfeiture claim).	May 13, 1968	350, 000
ER 8-68-414	Fink Corp. (Elkins Act, forfeiture claim)	May 3, 1968	10, 157
8014	Heggemeir (Elkins Act, concessions)	May 21, 1968	10, 000
7933	Delaware Trucking Co. (Elkins Act, concessions).	Apr. 11, 1968	5, 000
ER 2-68-401	Delaware & Hudson RR. (Elkins Act, forfeiture claims, credit extension).	June 6, 1968	5, 000
ER 6-67-405	International Mining & Chemical Co. (Elkins Act, concession).	June 28, 1968	10, 000
ER 6-67-404	Seaboard Coast Line RR. (Elkins Act, concession).	do	20, 000
ER 12-68-402	Tauber Oil Co. (Elkins Act, concession)	July 8, 1968	4, 000
ER 6-68-402	Florida East Coast Ry. (forfeiture, claim, credit extension).	July 25, 1968	7, 500
ER 3-68-401	Acme Freight Forwarder, Inc. (Elkins Act, concession).	do	10, 000
ER 3-68-402	Norfolk & Western Ry Co. (Elkins Act, concession).	do	10, 000
ER 7-68-402	St. Louis & Southwestern RR. (Elkins Act, concession).	Aug. 30, 1968	1, 000
ER 7-68-401	Louisville & Nashville RR. (Elkins Act, concession).	Sept. 4, 1968	6, 000
ER 6-66-405	Southern Ry. (Interstate Commerce Act, records refusal).	Sept. 16, 1968	500
ER 4-68-406	Erie-Lackawanna (unauthorized disclosure of shipper information 15(11)).	Sept. 25, 1968	100
ER 4-68-402	Acme Fast Freight (Forwarder) (Elkins Act, concessions).	Sept. 27, 1968	5, 000
ER 4-68-403	Western Maryland Ry. (Elkins Act, concessions).	do	10, 000
7355	Food Fair Stores (Elkins Act, treble forfeiture).	do	44, 355
ER 2-68-402	Lehigh Valley RR. (Elkins Act, concessions).	Oct. 25, 1968	5, 000
ER 6-68-401	Hamilton Plywood Co. (Elkins Act, concessions).	Oct. 30, 1968	3, 000
ER 8-68-403	Liberty Coach Co. (Elkins Act, concessions).	do	10, 000
ER 16-68-401	Steiber Cycle Co. (claim—Elkins Act, concessions).	Nov. 1, 1968	25, 000
ER 3-67-403	Penn Central Co. (Elkins Act, credit concessions).	Nov. 19, 1968	15, 000
ER 2-65-401	Staten Island Rapid Transit Ry., Co. (Interstate Commerce Act, order violation).	Dec. 2, 1968	3, 000
ER 3-68-407	Cosmin Corp. (claim—Elkins Act, concession).	Dec. 20, 1968	5, 000
ER 3-68-408	Rohm Haas Co. (claim—Elkins Act, concession).	Dec. 31, 1968	7, 500
Total for 1968 (other than service order cases)			643, 312
1969:			
ER 8-67-410	Perfection Gear Co. (Elkins Act concessions).	Jan 14, 1969	$7, 000
ER 8-67-409	Illinois Central RR. (Elkins Act concessions).	Jan 31, 1969	10, 000
ER 8-68-401	Chicago & North Western Ry. (claim. Credit violation).	Feb 5, 1969	10, 000
ER 13-68-401	Western Pacific RR. (Civil court case. Credit violation).	Feb 4, 1969	5, 000
ER 13-68-402	Denver, Rio Grande, Western (Civil court case. Credit violation).	do	5, 000
ER 8-68-404	Baltimore & Ohio RR. (Elkins Act concessions).	Feb. 24, 1969	3, 000
ER 8-69-402	Chicago, Burlington & Quincy RR. (Claim. Credit violation).	Apr. 2, 1969	10, 000
ER 10-69-401	Louisiana & Arkansas Ry. Co. (Claim. Credit violation).	Apr. 14, 1969	5, 000
ER 3-69-401	Reading RR. (Elkins Act concessions)	Apr. 15, 1969	6, 000
ER 4-69-401	do	do	5, 000
ER 2-69-402	Lehigh Valley RR. (Claim. Credit violation).	Apr. 23, 1969	5, 000
ER 1-68-404	Boston & Maine RR. (Elkins Act tariff violation).	Apr. 22, 1969	10, 000
ER 2-69-401	Hartford Times (Elkins Act forfeiture claim).	Apr. 30, 1969	11, 000
ER 10-69-404	St. Louis-San Francisco Ry. Co. (Claim. Credit violation).	May 8, 1969	5, 000
ER 2-68-403	Hatco (W. R. Grace Co.) (Elkins Act concessions).	May 9, 1969	7, 000
ER 6-67-403	N. C. Brinke (Elkins Act concession claim).	May 15, 1969	7, 500
ER 10-68-401	National Cellulose Co. (Elkins Act concession claim).	May 16, 1969	4, 000
ER 3-67-405	Cone Mills (Elkins Act concession claim)	May 17, 1969	3, 000
ER 6-69-402 [1]	Walley Milling Co. (Elkins Act concession)	May 28, 1969	1, 000
ER 6-69-401 [1]	Southern Railway Co. (Elkins Act concession).	May 29, 1969	1, 000
ER 3-69-402	Greisler Bros. (Elkins Act concession)	May 27, 1969	1, 000
ER 3-67-404	Southern Railway Co. (Elkins Act concession).	June 2, 1969	8, 000
6326	Schiavone Sons, Inc. (Elkins Act forfeiture case).	June 30, 1969	663, 399
ER 7-67-403	Illinois Central RR. (Elkins Act concession).	July 9, 1969	1, 000
ER 7-69-401	Frisco RR. (Elkins Act concession)	July 25, 1969	5, 000
ER 10-69-402	Allied Chemical Co. (Elkins Act concessions).	Aug. 15, 1969	5, 000
ER 10-69-409	Kansas & Missouri Ry. Co. (Claim. Credit violation).	Sept. 22, 1969	5, 000
ER 7-69-402	National Carloading Co. (Elkins Act concessions).	Nov. 14, 1969	10, 000
ER 12-68-404	Tops Shippers Association (Elkins Act concessions).	Nov. 26, 1969	12, 000
ER 12-68-405	F. A. Fineberg (Elkins Act concessions)	do	12, 000
ER 3-65-401	Penn Central RR. (civil forfeiture credit case).	Nov. 3, 1969	15, 000
ER 10-68-402	C. S. Forbes, Sr. (unlawful abandonment)	Nov. 28, 1969	750
ER 16-69-402	Ford Motor Co. (Claim. Elkins Act concession).	Dec. 19, 1969	250, 000
Total for 1969 (other than service order cases)			1, 108, 649
1970:			
ER 10-69-412	Chicago, Burlington & Quincy RR. (failure to provide service).	Jan. 9, 1970	$2, 500
ER 4-68-404	Penn Central RR. (unlawful disclosure of shipper information).	Jan. 8, 1970	250
ER 2-69-404	Erie-Lackawanna RR. (Elkins Act concessions).	Jan. 30, 1970	8, 000
ER 1-69-401	Railway Express Agency, Inc. (Elkins Act tariff violation).	Feb. 13, 1970	5, 000
ER 16-69-401	Western Pacific RR. (Elkins Act concessions).	Feb. 26, 1970	100, 000
ER 2-69-412	Penn Central RR. (claim-credit violation).	Mar. 11, 1970	10, 000
ER 6-69-409	Land Trucking Co. (claim—Elkins Act concession).	do	10, 000
ER 6-69-412	Sentinental Star Co. (claim—Elkins Act concession).	Mar. 24, 1970	14, 090
Total for 1970 to date (other than service order cases)			149, 840

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[1] On both cases bearing this note number, the court imposed fines of $15,000 but required collection of only $1,000.

	Criminal cases		Civil forfeitures		Civil injunctions, number	Cease and desist orders number
	Number	Amount	Number	Amount		
July 1, 1968-June 30, 1969 (involving fines or forfeitures of $500 or more)	117	$172, 849. 99	233	$344, 285. 48	40	17
July 1, 1969-Mar 31, 1970 (involving fines or forfeitures of $500 or more)	61	69, 600. 00	190	538, 937. 42	31	30
July 1, 1968-Mar. 31, 1970 (involving fines or forfeitures of less than $500)	70	16, 550. 00	33	8, 152. 54		

MOTOR, WATER, AND FREIGHT FORWARDER CASES—CRIMINAL FINES OF $500 OR MORE—JULY 1, 1968 TO JUNE 30, 1969

[Defendant, type of violation, date, and amount of fine]

East Coast, Unauthorized operations, 7-1-68, $2,000.

Amadel, Inc., Unauthorized operations, 7-19-68, $1,000.

C. W. Transport, Extension of credit, 7-18-68, $900.

Doyle R. Payne, Unauthorized operations, 7-5-68, $1,600.

Pacific Islands, Unauthorized operations, 7-5-68, $500.

Digby, Inc., Rate concessions, 7-1-68, $2,400.

J & L Trucking, Unauthorized operations, 7-10-68, $800.

Kreider Truck, Unauthorized operations, 7-11-68, $1,000.

Angelo J. Musto, Unauthorized operations, 7-1-68, $900.

CMR Transporations, Unauthorized operations & rate concessions, 8-2-68, $2,200.

Charles Wisotsky, Unauthorized operations, 7-1-68, $1,000.

Leiphart Trucking, Unauthorized operations, 8-13-68, $1,600.

Whittenton, Inc., Unauthorized operations, 8-12-68, $2,400.

Central Beef, Aiding and abetting, 8-12-68, $2,400.

Oliver Trucking, unauthorized operations, 8-26-68, $700.

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Dannecker Oil Co., unauthorized operations, 8–5–68, $500.

Wells Bros., unauthorized operations, 8–19–68, $2,500.

Vanways, Inc., failure to remit COD funds, etc., $500.

Ritter Trucking, unauthorized operations, 9–12–68, $1,200.

Towne & Sons, Inc., aiding and abetting, $500.

Burgmeyer Bros., granting rebates, 9–4–68, $4,000.

Portland Express, unauthorized operations, 9–10–68, $500.

Continental Tenn., granting concessions, 9–4–68, $1,000.

Halvorson Bus, unauthorized operations, 7–1–68, $800.

Lee Way Motor, delinquent COD's, 9–23–68, $700.

D & M Lumber, unauthorized operations, 9–7–68, $500.

Pyramid Mountain, aiding and abetting, 9–7–68, $300.

Jamieson Trucking, unauthorized operations, 9–20–68, $2,000.

Whittenton, Ind., unauthorized operations, 9–30–68, $1,000.

Carolina Meat, aiding and abetting, $500.

Brady's Transport, unauthorized operations, 10–8–68, $500.

Gore Freight, unauthorized operations, 9–9–68, $600.

Berkshire Fur, aiding and abetting, $1,000.

Lawrence Farms, unauthorized operations, 10–11–68, $700.

Simkins Industries, unauthorized operations, 10–10–68, $900.

Florida Burlap, aiding and abetting, $100.

Premium Beverages, $100.

Cott Bottling, $100.

Ken Wells, Inc., unauthorized operations, 10–28–68, $1,200.

Meade Transfer, failure to remit COD funds, 10–18–68, $1,000.

Motor Dispatch, unauthorized operations, 7–26–68, $400.

Snap Cartage, aiding and abetting, $400.

Motor Dispatch, unauthorized operations, 7–28–68, $500.

Austgen Express, aiding and abetting, $500.

C. F. Wright, unauthorized operations, 10–7–68, $1,650.

Santa Fe, unauthorized operations, 10–21–68, $1,500.

Gamache Trucking, unauthorized operations, 11–12–68, $2,000.

Boehmer Transportation, granting concessions, 11–4–68, $1,000.

Jacoby Transport, unauthorized operations, 11–4–68, $1,050.

Gainey Truck, unauthorized operations, 11–5–68, $500.

DeWitt & Kirkland, unauthorized operations, 11–4–68, $1,400.

Carolina Meat, aiding and abetting, $900.

Allied Van, household goods regulations, 11–8–68, $1,500.

Lang's Truck, unauthorized operations, 8–13–68, $700.

Magee Truck, unauthorized operations, 11–13–68, $3,000.

Stone's Express, unauthorized operations, 4–5–68, $1,200.

Carlesi Bros., unauthorized operations, 11–25–68, $700.

Antonio Carlesi, aiding and abetting, $700.

Major Van, household goods and regulations, 11–12–68, $800.

James V. Kelly, unauthorized operations, 10–25–68, $600.

Weinstein, aiding and abetting, $600.

Newman's Truck, unauthorized operations, 11–8–68, $800.

G. D. Bennett, unauthorized operations, 11–27–68, $900.

Andy Davidson, aiding and abetting, $900.

George A. Fetzer, criminal contempt, 11–22–68, $10,000.

Reads Van, household goods regulations, 11–26–68, $2,000.

Lehigh Marine, unauthorized operations, 11–22–68, $1,500.

Wishner, rate violations, 12–18–68, $500.

Sanders Truck, granting concessions, 12–17–68, $1,400.

Merry Bros., receiving concessions, 12–17–68, $1,400.

Merry Bros., receiving concessions, 12–17–68, $1,200.

Roberts Cartage, unauthorized operations, 11–15–68, $2,000.

Bekins, rate concessions, 12–4–68, $1,000.

H & N, unauthorized operations, 12–5–68, $300.

Halverson, aiding and abetting, 12–5–68, $450.

North West, aiding and abetting, 12–5–68, $600.

Nelson, aiding and abetting, 12–5–68, $450.

Park Cities, household goods regulations, 12–5–68, $5,000.

Roberson, aiding and abetting, 12–5–68, $5,000.

Red Line, unauthorized operations and rate concessions, 1–3–69, $1,400.

Merchants, extension of credit, 1–3–69, $700.

National Van, household goods regulations, 1–9–69, $999.99.

Eastern Motor, extension of credit, 1–20–69, $1,500.

Takin Bros., failure to remit COD funds, 1–23–69, $700.

F. L. Watson, unauthorized operations, 1–8–69, $900.

Luttrell, unauthorized operations, 1–8–69, $300.

Cattlemen, aiding and abetting, 1–8–69, $400.

Hawkins Trucking, unauthorized operations, 1–17–69, $600.

Coutu Trucking, excessive credit, 2–7–69, $1,600.

Hunnewell Truck, unauthorized operations, 1–20–69, $1,200.

Independent Nail, aiding and abetting, 1–20–69, $400.

Messier Transport, unauthorized operations, 2–3–69, $500.

Sivaco Wire, aiding and abetting, 2–3–69, $500.

A. Lague Express, unauthorized operations, 1–20–69, $500.

Sivaco Wire, aiding and abetting, 1–20–69, $500.

Budget Movers, unauthorized operations, 2–3–69, $600.

Riverside, granting concessions, 2–25–69, $800.

Ivory Storage, granting concessions and household goods regulations, 2–24–69, $1,000.

Northville Coach, unauthorized operations, 2–10–69, $4,400.

G. E. Mattox and K. W. Aldinger, failure to remit COD funds, 1–23–69, $600 and $500.

Sause Bros., unauthorized operations, 2–12–69, $400.

Puget Sound, aiding and abetting, 2–12–69, $400.

Cal's Motor, unauthorized operations, 3–18–69, $500.

R. M. Sullivan, unauthorized operations, 2–28–69, $700.

Penn Yan, granting concessions, 3–3–69, $2,000.

Fredonia Products, receiving concessions, 3–10–69, $1,600.

Hemingway Transportation, granting rebates, 3–21–69, $500.

J. H. Brown, unauthorized operations, 3–12–69, $3,000.

Tallant Transfer, extension of credit, 3–17–69, $750.

Ira E. Brown, unauthorized operations, 3–12-69, $2,250.

Aero Mayflower, Granting concessions, 3–12–69, $1,000.

Air Freight, unauthorized operations, 3–7–69, $1,000.

Security Van, household goods regulations, 3–12–69, $1,500.

Mercury Freight, extension of credit, 2–7–69, $900.

Hemingway, extension of credit, 4–22–69, $1,000.

Lieberman, contempt of court (household goods regulations), 4–24–69, 5-month jail sentence.

Catron, unauthorized operations, 4–22–69, $900.

Usher, granting concessions, 4–21–69, $1,000.

Lightning, granting concessions, 4–15–69, $1,000.

American, unauthorized operations, 4–7–69, $500.

Twin Lakes, unauthorized operations, 4–9–69, $300.

Schweiger's aiding and abetting, 4–9–69, $300.

Hannibal-Quincy, extension of credit, 4–21–69, $700.

Mission Electric, unauthorized operations, 4–27–69, $1,200.

Pelett, aiding and abetting, 4–27–69, $500.

Cecil Claxton, unauthorized operations, 5–5–69, $500.

Indiana Trucking, false documents, 5–27–69, $8,400.

Pierceton, unauthorized operations, 10–11–68, $1,750.

Petro Products, unauthorized operations, 5–13–69, $1,500.

Factor, unauthorized operations, 6–10–69, $1,800.

Ivestor, unauthorized operations, 5–27–69, $300.

Mobil Oil, aiding and abetting, 5–27–69, $300.

Gullett, unauthorized operations, 4–28–69, $600.

Master Jobbers, unauthorized operations, 6–20–69, $1,000.

North American, household goods regulations, 6–6–69, $1,000.

Wallace, unauthorized operations, 6–6–69, $900.

Schwan Enterprises, unauthorized operations, 6–6–69, $900.

C-B Truck, unauthorized operations, 6–5–69, $600.

Kale, unauthorized operations, 6–9–69, $2,500.

Welch, unauthorized operations, 5–29–69, $500.

Pattons, Inc., unauthorized operations, 6–23–69, $2,000.

Radke Transit, unauthorized operations, 6–27–69, $700.

J. & J., unauthorized operations, 6–24–69, $2,000.

JULY 1, 1969 TO MARCH 31, 1970

Johnson Motor, improper service, equipment and facilities, 8–4–69, $1,400.

Alexander, unauthorized operations, 7–11–69, $1,900.

Powell Truck, failure to remit COD funds; concessions, 7–29–69, $500.

Osceola Truck, unauthorized operations, 7–29–69, $1,000.

Best Truck, failure to remit COD's; no insurance; unauthorized operations, 8–8–69, $600.

Nelce Isham, aiding and abetting, 8–8–69, $200.

C. E. Dodson, unauthorized operations, 8–15–69, $1,600.

J. R. Wiles, unauthorized operations, 8–12–69, $500.

Scrugges Auto, unauthorized operations, 8–12–69, $500.

Schooley, Inc., rate concessions, 8–15–69, $1,000.

Gouverneur Trucking, unauthorized operations, 9–26–69, $500.

John Austin, aiding and abetting, 9–26–69, $500.

Gouverneur Iron, aiding and abetting, 9–26–69, $500.

Horvath Bros., granting concessions, 9–19–69, $1,800.

Rocco Pontino, unauthorized operations, 9–30–69, $500.

C. B. Herndon, unauthorized operations, 9–9–69, $2,250.

B. G. Bawcum, unauthorized operations; granting concessions, 9–17–69, $500.

Harold Taylor, unauthorized operations, 9–8–69, $1,000.

Van Der Aa Bros., unauthorized operations, 9–8–69, $500.

Century Charter, unauthorized operations, 9–8–69, $800.

Stevenson Trucking, unauthorized operations, 9–15–69, $700.

Tolibia Cheese, aiding and abetting, 9–15–69, $700.

All-American, granting concessions, 8–27–69, $600.

B&B Supply, criminal contempt, 9–22–69, 90-day jail sentence.

Leon's Trucking, unauthorized operations, 10–17–69, $900.

Arlington Carpet, aiding and abetting, 10–17–69, $900.

F&D Trading, unauthorized operations, 10–14–69, $1,000.

A. A. Giorgia, aiding and abetting, 10–14–69, $2,000.

Bush Motor, failure to remit COD funds, 10–8–69, $800.

Morven Freight, unauthorized operations, 10–7–69, $500.

A. K. Hodkaday, unauthorized operations, 10–29–69, $300.

Lee Bales, aiding and abetting, 10–29–69, $200.

White Bros., unauthorized operations, 10–16–69, $1,500.

Swing Transfer, unauthorized operations, 9–25–69, $1,600.

Nussbaum, aiding and abetting, 9–25–69, $1,600.

Market Produce, unauthorized operations, 10–27–69, $200.

Capitol Truck, failure to remit COD funds, 10–3–69, $1,000.

R. Kiehne, unauthorized operations, 10–9–69, $500.

Beatrice Foods, aiding and abetting, 10–9–69, $800.

J. Uhlenhopp, unauthorized operations, 10–9–69, $500.

Beatrice Foods, aiding & abetting, 10–9–69, $300.

Simpson Truck, unauthorized operations, 10–9–69, $500.

Beatrice Foods, aiding & abetting, 10–9–69, $900.

Hi-Ball, rate violations, 10–31–69, $1,000.

Biter Freight, false records, 10–31–69, $1,000.

Carthage, failure to remit COD funds, 11–18–69, $1,000.

Greene Transfer, unauthorized operations, 11–10–69, $700.

Arbet Truck, unauthorized operations, 11–10–69, $700.

Timothy Person, unauthorized operations, 11–13–69, $500.

E. M. Keller, unauthorized operations, 11–3–69, $3,500.

MacPherson, unauthorized operations, 11–12–69, $500.

Western Hauling, unauthorized operations, 11–14–69, $1,500.

Samack, Inc., criminal contempt, 11–5–69, $3,500.

Holmes, extension of credit, 12–1–69, $800.

Berkshire, failure to remit COD funds, 12–8–69, $500.

K. G. Moore, Inc., unauthorized operations, 10–15–69, $500.

Hall Trucking and John Hall Leasing, unauthorized operations, 12–1–69, $1,000.

C. H. B. Grain, unauthorized operations, 12–4–69, $500.

Stearly's, unauthorized operations, 1–19–70, $1,000.

J. H. Hoffman, Inc., granting concessions, 1–29–70, $500.

Earnhardt, unauthorized operations, 1–26–70, $900.

Charles Jerome, criminal contempt, 1–15–70, $500.

Browning Truck, unauthorized operations, 1–16–70, $2,000.

C & C, unauthorized operations, 2–10–70, $500.

Trade Winds, aiding & abetting, 2–10–70, $1,500.

Owens Freight, unauthorized operations; extension of credit, 2–2–70, $2,000.

Pasquale, unauthorized operations; compensation, 2–20–70, $1,450.

W. J. Skurupey, unauthorized operations, 12–30–69, $500.

Smith's, failing to render services, 3–6–70, $500.

Wells Bros., unauthorized operations, 10–21–69, $500.

Hodges, granting concessions, 3–30–70, $2,000.

Sequoyah, receiving concessions, 3–30–70, $1,200.

Smith, receiving concessions, 3–30–70, $800.

In addition, from July 1, 1968 to March 31, 1970, 70 other criminal cases were completed with fines of less than $500 each imposed.

Motor, Water, and Freight Forwarder Cases Forfeiture Payments of $500 or More Required Without Court Action—July 1, 1968, to June 30, 1969

[Respondent, type of violation, date, amount]

Frank Vilord, Inc., unauthorized operations, 7–25–68, $1,200.

Mobile Home, unauthorized operations, 7–19–68, $1,000.

Vincent J. Herzog, unauthorized operations, 7–19–68, $1,600.

Moore's Hauling, unauthorized operations, 7–9–68, $1,000.

Marvin Transport, unauthorized operations, 7–1–68, $500.

Carolina Meat, aiding and abetting, 7–17–68, $500.

Kimbrell, Inc., unauthorized operations, 7–1–68, $600.

Carolina Meat, aiding and abetting, 7–17–68, $200.

Parsons Trucking, unauthorized operations, 7–16–68, $2,000.

Hamm Drayage, unauthorized operations, 7–26–68, $750.

Southwestern, unauthorized operations, 7–16–68, $600.

C&S Distributors, unauthorized operations, 7–19–68, $1,000.

Facchino Lines, unauthorized operations, 7–19–68, $1,000.

Smith Transport, unauthorized operations, 8–21–68, $1,600.

Fulton-Oswego, aiding and abetting, 8–21–68, $1,000.

J. P. Lehrer, Inc. unauthorized operations, 8–2–68, $1,200.

Duggan Machinery, unauthorized operations, 8–7–68, $1,200.

Cetro Trucking Co., unauthorized operations, 7–1–68, $1,000.

Kerr Concrete, aiding and abetting, 7–1–68, $1,000.

Philip Barbera, unauthorized operations, 7–1–68, $500.

Middlesex, aiding and abetting, 8–2–68, $1,000.

Shanahan Motor, unauthorized operations, 8–22–68, $2,500.

Morgantown, unauthorized operations, 8–27–68, $1,500.

Raymond G. Koop, unauthorized operations, 8–1–68, $1,000.

Level Valley, aiding and abetting, 8–1–68, $1,000.

Auto Driveway, unauthorized operations, 8–7–68, $1,000.

Neyrinck Brothers, unauthorized operations, 8–13–68, $1,500.

Borden Chemical, aiding and abetting, 8–27–68, $1,000.

L & M Supply, unauthorized operations, 8–20–68, $500.

Adrian Blissfield, aiding and abetting, 8–20–68, $500.

Alvin R. Meadows, unauthorized operations, 8–21–68, $600.

Fiala Feed & Grain, unauthorized operations, 8–26–68, $500.

Pioneer Wholesale, unauthorized operations, 8–13–68, $600.

Osage Wholesalers, aiding and abetting, 8–13–68, $600.

Gene Adams, unauthorized operations, 9–17–68, $1,500.

Louis J. Gardella, unauthorized operations, 9–13–68, $1,000.

Minute Carriers, unauthorized operations, 9–19–68, $2,000.

Parks United, unauthorized operations, 9–20–68, $500.

Bernard Baron, Inc., unauthorized operations, 9–9–68, $1,000.

Evans Delivery, unauthorized operations, 9–23–68, $2,200.

Barry Theo Fox, unauthorized operations, 9–25–68, $500.

Bachman's Transfer, unauthorized operations, 9–24–68, $700.

Frank Molica, unauthorized operations, 7–29–68, $500.

Arch-Bilt, aiding and abetting, 9–22–68, $1,000.

Valley Transfer, unauthorized operations, 7–1–68, $2,000.

Yellow Coach, unauthorized operations, 9–3–68, $1,700.

Veshio Truck, unauthorized operations, 9–10–68, $1,500.

Domino Cartage, unauthorized operations, 9–6–68, $1,000.

Robert S. Kiesel, unauthorized operations, 9–13–68, $700.

Tater Trucking, unauthorized operations, 9–18–68, $500.

D. Q. Wise Co., aiding and abetting, 9–18–68, $500.

McPherson Bros., aiding and abetting, 9–18–68, $500.

W. J. Digby, Inc., unauthorized operations, 9–13–68, $1,500.

W. W. Rearick, unauthorized operations, 9–26–68, $1,500.

H & W Motor, unauthorized operations, 9–27–68, $1,400.

Werner Enterprises, unauthorized operations, 9–24–68, $500.

Ryan Express, unauthorized operations, 9–2–68, $1,800.

Gene Adams, unauthorized operations, 10–21–68, $2,000.

Hemingway Transp., unauthorized operations, 10–31–68, $1,000.

Barron Trucking, unauthorized operations, 10–18–63, $3,600.

Rea-D-Pack, aiding & abetting, $1,800.

James C. LaBar, unauthorized operations, 10–29–68, $6,700.

Swanee, aiding & abetting, 8–26–68, $750.

Muskin Mfg., aiding & abetting, 9–5–68, $2,000.

Luria Bros., aiding & abetting, 9–5–68, $500.

Bell Electric, aiding & abetting, 10–9–68, $600.

William Land, aiding & abetting, 10–25–68, $1,200.

Henry–Delux aiding & abetting, 10–29–68, $1,000.

Gappa's, unauthorized operations, 10–17–68, $4,800.

Kofman's, unauthorized operations, 10–24–68, $1,000.

Cavert Wire, unauthorized operations, 10–16–68, $1,000.

Plymouth Van, unauthorized operations, 10–9–68, $2,000.

W. E. Best, unauthorized operations, 10–11–68, $1,800.

XUM

John Kolak, unauthorized operations, 10–7–68, $1,500.

Solomon & Teslovich, unauthorized operations, 10–1–68, $5,500.

John Frasier, unauthorized operations, 7–17–68, $900.

Carolina Meat, aiding & abetting, 10–30–68, $100.

United Van Lines, unauthorized operations, 10–30–68, $1,600.

James Cate, unauthorized operations, 10–25–68, $500.

Texas Hot Shot, unauthorized operations, 10–2–68, $1,000.

Allied Steel, unauthorized operations, 10–2–68, $500.

Baze Trucking, unauthorized operations, 10–1–68, $1,000.

Oasis Sales, aiding and abetting, 9–26–68, $500.

Produce Transport, unauthorized operations, 11–7–68, $1,500.

Martella Motor, unauthorized operations, 11–6–68, $1,500.

Sherdel Trucking, unauthorized operations, 10–30–68, $500.

Manas-Sherdel, aiding and abetting, 11–5–68, $500.

Nyack Express, unauthorized operations, 11–5–68, $700.

Certified Moving, household goods regulations, 11–5–68, $1,000.

Frank Kondrat, unauthorized operations, 9–26–68, $1,000.

North Hill, aiding and abetting, 11–4–68, $800.

Heritage Van, unauthorized operations, 11–1–68, $1,000.

Thomas Goodfellow, unauthorized operations, 11–8–68, $600.

Ace Doran Hauling, aiding & abetting, 11–8–68, $600.

Red Line Transfer, unauthorized operations, 11–1–68, $1,500.

W. C. Ingram, unauthorized operations, 11–8–68, $800.

Samuels & Co., aiding and abetting, 10–24–68, $1,600.

Dean Van, unauthorized operations, 11–1–68, $1,500.

G. H. Eason, unauthorized operations, 11–18–68, $4.00.

Carolina Meat, Aiding & abetting, 7–17–68, $500.

Cedar Rapids, unauthorized operations, 11–12–68, $1,000.

Mullen Bros., unauthorized operations, 11–15–68, $1,000.

Reliable, unauthorized operations, 11–14–68, $1,000.

Headley's Express, unauthorized operations, 11–15–68, $1,500.

Shulman, Inc., unauthorized operations, 11–15–68, $1,000.

A–C, unauthorized operations, 10–19–68, $500.

Emery, aiding & abetting, 11–5–68, $1,000.

Aetna Van, unauthorized operations, 11–19–68, $1,800.

Frank Howell, unauthorized operations, 11–14–68, $500.

Pioneer, aiding and abetting, 11–19–68, $1,800.

Don Ward, Inc., unauthorized operations, 11–20–68, $2,000.

Snodgrass, unauthorized operations, 11–29–68, $1,000.

George Alger, unauthorized operations, 12–2–68, $500.

Domel Assoc., unauthorized operations, 12–27–68, $1,000.

Route Messenger, unauthorized operations, 12–17–68, $1,400.

Triangle, unauthorized operations, 12–4–68, $200.

American Fluorescent, aiding and abetting, 12–4–68, $1,750.

Jamerson Bros., unauthorized operations, 12–12–68, $1,200.

Shank's Garage, unauthorized operations, 12–9–68, $2,000.

Dollison, unauthorized operations, 12–6–68, $500.

Miss. Moving, unauthorized operations, 12–26–68, $1,300.

Lloyd Schoenheit, unauthorized operations, 12–23–68, $1,250.

United Buckingham, unauthorized operations, 12–13–68, $2,000.

Danny Martinez, unauthorized operations, 11–15–68, $250.

Ballentine, aiding & abetting, 11–15–68, $800.

L. E. Troutman, unauthorized operations, 12–31–68, $600.

Hurricane Steel, unauthorized operations, 12–26–68, $1,400.

Suburban Charter, unauthorized operations, 12–17–68, $750.

OKA Transfer, unauthorized operations, 12–17–68, $2,000.

Middlesex Motor, unauthorized operations, 1–6–69, $500.

Tidewater, aiding & abetting, 1–6–69, $500.

Mortell Co., aiding & abetting, 1–6–69, $1,000.

Merit Transport, unauthorized operations, 1–7–69, $1,000.

Monk's Express, unauthorized operations, 1–9–69, $1,000.

Howard Trucking, unauthorized operations, 1–7–69, $500.

Reed's Fuel, unauthorized operations, 1–6–69, $500.

C & S Trucking, unauthorized operations, 1–6–69, $750.

Red Ball, household goods regulations, 1–15–69, $1.000.

John Reginak, unauthorized operations, 1–16–69, $1,000.

Flock, unauthorized operations, 1–20–69, $2,000.

Richter, unauthorized operations, 1–23–69, $500.

Delta, aiding and abetting, 1–16–69, $500.

Smallman, unauthorized operations, 1–16–69, $300.

Delta, unauthorized operations, 1–13–69, $500.

F. Abston, aiding and abetting, 1–13–69, $300.

Tipton, unauthorized operations, 1–13–69, $500.

Lee Way, unauthorized operations, 1–17–69, $1,250.

Strickland, unauthorized operations, 2–13–69, $4,000.

Blue Streak, unauthorized operations, 2–19–69, $1,500.

Allstates, unauthorized operations, 2–5–69, $1,500.

Virginia Freight, unauthorized operations, 1–27–69, $1,200.

Scari's Delivery, unauthorized operations, 2–24–69, $1,000.

W. H. Anderson, unauthorized operations, 2–18–69, $1,000.

Carolina Meat, aiding and abetting, 2–24–69, $500.

Cleve Farm, aiding and abetting, 1–10–69, $1,000.

A. K. Mann, Jr., unauthorized operations, 1–30–69, $2,000.

Wensel's Truck, unauthorized operations, 2–3–69, $3,500.

Lee C. Cook, unauthorized operations, 2–18–69, $1,000.

Iddlings Trucking, unauthorized operations, 2–3–69, $3,000.

Nicklaus Transfer, unauthorized operations, 1–29–69, $3,000.

G. R. Beals, Inc., unauthorized operations, 2–19–69, $500.

Miles Trucking, unauthorized operations, 2–3–69, $1,000.

Dixie Hauling, unauthorized operations, 2–24–69, $1,000.

Gateway Transp., unauthorized operations, 2–19–69, $3,600.

Consolidated, unauthorized operations, 2–20–69, $500.

Saturn Express, unauthorized operations, 2–27–69, $500.

Ralph Kapke, aiding and abetting, 2–27–69, $500.

Intercity, unauthorized operations, 2–19–69, $800.

Southwest, unauthorized operations, 2–24–69, $3,500.

Crumpler, unauthorized operations, 2–7–69, $750.

American, unauthorized operations, 2–14–69, $600.

Kuner-Empson, aiding and abetting, 1–27–69, $600.

Layman, Inc., unauthorized operations, 2–20–69, $500.

Continental Van, unauthorized operations, 2–5–69, $1,000.

Milwaukee, aiding and abetting, 2–11–69, $500.

Green Transfer, unauthorized operations, 2–7–69, $1,500.

National, aiding and abetting, 2–10–69, $1,500.

Max Ker & Son, unauthorized operations, 2–3–69, $1,000.

C. Rikard, unauthorized operations, 3–4–69, $1,000.

Bison City, unauthorized operations, 3–21–69, $500.

Hillside, unauthorized operations, 2–28–69, $1,000.

Bader Bros., household goods regulations, 3–27–69, $1,600.

Don-Dee, unauthorized operations, 3–12–69, $1,000.

George Anderson, unauthorized operations, 3–6–69, $500.

Tose, Inc., unauthorized operations, 3–10–69, $1,500.

Reeder's, Inc., unauthorized operations, 3–10–69, $1,000.

Thompson Trucking, unauthorized operations, 3–10–69, $1,600.

American Holiday, unauthorized operations, 3–14–69, $1,500.

Continental, aiding and abetting, 3–14–69, $1,000.

Merchant's, unauthorized operations, 3–3–69, $1,080.

Umthun Trucking, unauthorized operations, 3–13–69, $2,000.

Ben Loper, unauthorized operations, 3–5–69, $800.

Blacker, unauthorized operations, 3–3–69, $700.

Prentice, aiding and abetting, 10–9–68, $1,000.

Lind-Mullis, unauthorized operations, 3–11–69, $500.

Scott & Son, unauthorized operations, 3–7–69, $500.

Leavitt's, unauthorized operations, 3–20–69, $600.

Sage Transpor., unauthorized operations, 3–26–69, $1,100.

D.C., unauthorized operations, 1–31–69, $500.

United, aiding and abetting, 1–31–69, $800.

Illinois, Calif., aiding and abetting, 2–28–69, $500.

King's, unauthorized operations, 3–17–69, $500.

Kirby & Kirby, unauthorized operations, 4–21–69, $1,500.

Lehrer, Inc., unauthorized operations, 4–10–69, $1,200.

Patterson, Inc., unauthorized operations, 4–10–69, $1,000.

Baker, unauthorized operations, 4–1–69, $500.

P. & M., unauthorized operations, 4–14–69, $1,200.

Gould, unauthorized operations, 4–7–69, $500.

Bast, Inc., unauthorized operations, 4–11–69, $2,200.

Mitchum, unauthorized operations, 4–9–69, $1,500.

Regis, aiding and abetting, 4–3–69, $1,000.

Point Express, unauthorized operations, 4–1–69, $3,000.

Glasrock, unauthorized operations, 10–18–68, $4,500.

Hammonds, aiding and abetting, 4–16–69, $1,500.

Blodgett, unauthorized operations, 4–21–69, $3,000.

Rich Hill, unauthorized operations, 4–14–69, $500.

Fremont, unauthorized operations, 4–24–69, $1,000.

Prescon, unauthorized operations, 4–24–69, $1,200.

McFarland, unauthorized operations, 1–27–69, $1,500.

Hall Transp., aiding & abetting, 1–27–69, $1,500.

Howard & Nedry, unauthorized operations, 4–23–69, $500.

City Van, failure to file annual reports, 3–28–69, $500.

Bob's Tow, unauthorized operations, 3–7–69, $1,700.

F & L, unauthorized operations, 4–4–69, $500.

Lyon Van Lines, household goods regulations, 4–10–69, $1,100.

Jessie's unauthorized operations, 4–16–69, $750.

Beidleman, unauthorized operations, 4–15–69, $2,000.

Hub Transp, unauthorized operations, 5–1–69, $1,000.

McBride Transp., unauthorized operations, 5–12–69, $1,000.

Otis Wright, unauthorized operations, 5–14–69, $600.

Lima Iron, aiding & abetting, 4–21–69, $600.

W. J. Maier, unauthorized operations, 5–8–69, $500.

Bundy Truck, unauthorized operations, 5–15–69, $500.

M. C. Hughes, unauthorized operations, 5–8–69, $1,000.

Bornholt Truck, unauthorized operations, 5–22–69, $1,000.

Eliason Transp., unauthorized operations, 5–2–69, $900.

Ernest A. Falen, unauthorized operations, 4–28–69, $600.

Rogovin Express, unauthorized operations, 6–5–69, $500.

Hall Cartage, unauthorized operations, 6–4–69, $1,500.

General Dispatch, unauthorized operations, 5–12–69, $150.

E & M Machinery, unauthorized operations, 6–16–69, $1,500.

Washington Aluminum, aiding & abetting, 12–30–68, $1,000.

J. W. Jones, unauthorized operations, 6–6–69, $1,000.

Tate Architectural, aiding & abetting, 5–23–69, $1,500.

Russell Transfer, unauthorized operations, 6–19–69, $1,500.

Anthony Fick, unauthorized operations, 6–24–69, $1,200.

Appomattox Trucking, unauthorized operations, 6–5–69, $2,000.

Bonney Motor, unauthorized operations, 6–13–69, $3,000.

Modern Motor, failure to file reports, 6–6–69, $2,000.

Transcon Lines, unauthorized operations, 5–2–69, $1,500.

Subler Transfer, unauthorized operations, 6–5–69, $800.

Worster Motor, unauthorized operations, 6–11–69, $1,900.

Equipment Transport, unauthorized operations, 6–19–69, $1,500.

U.S. Truck, unauthorized operations, 6–16–69, $1,500.

Otto Jurena, unauthorized operations, 6–5–69, $500.

Agricultural, unauthorized operations, 6–2–69, $7,500.

Gray Line, unauthorized operations, 6–16–69, $500.

Georgianni Transp., unauthorized operations, 6–5–69, $1,500.

Cotter Garage, unauthorized operations, 6–23–69, $500.

Jet Air Freight, unauthorized operations, 6–24–69, $2,700.

Larson Transfer, unauthorized operations, 6–24–69, $4,000.

Leroy Kirkland, unauthorized operations, 6–17–69, $500.

JULY 1, 1969 TO MARCH 31, 1970

Thruway, unauthorized operations, 7–24–69, $1,000.

Conrad Cyr, unauthorized operations, 7–31–69, $1,000.

Paul Marckesano, failure to file reports, 7–16–69, $1,000.

Meland Corp., unauthorized operations, 7–14–69, $1,000.

Millers Transport, unauthorized operations, 7–24–69, $800.

M. Bulifant, unauthorized operations, 7–28–69, $3,000.

Banbury, unauthorized operations, 7–28–69, $500.

Harrell Truck, unauthorized operations, 7–16–69, $500.

M. L. Asbury, unauthorized operations, 5–15–69, $2,000.

Producers, aiding & abetting, 7–1–69, $1,500.

Container, unauthorized operations, 7–8–69, $1,300.

Morgan Drive, unauthorized operations, 7–11–69, $2,000.

R-W Service, unauthorized operations, 7–11–69, $1,000.

Matlack, unauthorized operations, 7–16–69, $700.

Transport, aiding & abetting, 7–16–69, $700.

Vancouver, unauthorized operations, 7–22–69, $1,500.

Mairs, aiding & abetting, 7–22–69, $1,000.

Navy Trucking, unauthorized operations, 7–16–69, $1,000.

B & E, unauthorized operations, 8–22–69, $1,000.

Stamulis Bros., unauthorized operations, 8–25–69, $1,800.

Atlantic, unauthorized operations, 8–22–69, $1,000.

Pan American, household goods regulations, 8–25–69, $1,900.

Merilino Bros., unauthorized operations, 10–23–69, $100.

Wollman, Inc., aiding & abetting, 7–30–69, $1,500.

Frank Natale, unauthorized operations, 8–4–69, $500.

Standard Concrete, aiding & abetting, 3–10–69, $1,000.

Henry J. Giorgi, accounting regulations, 7–25–69, $500.

M. K. Morris, unauthorized operations, 7–29–69, $1,000.

Catlett, unauthorized operations, 8–4–69, $200.

Suzy-Bel, aiding and abetting, 7–25–69, $500.

Imperial Air, unauthorized operations, 8–12–69, $2,000.

Matthew Moving, unauthorized operations, 7–31–69, $500.

Highway Express, unauthorized operations, 8–10–69, $4,000.

Carter Bros., unauthorized operations, 8–18–69, $1,000.

A. J. Williams, unauthorized operations, 8–19–69, $500.

Mac's Produce, unauthorized operations, 6–25–69, $900.

Georgia-Pacific, aiding and abetting, 8–12–69, $1,000.

McNamara Motor, unauthorized operations, 7–8–69, $2,000.

Indiana Motor, aiding and abetting, 8–8–69, $1,000.

Gutman Truck, unauthorized operations, 8–7–69, $1,600.

Universal, aiding and abetting, 8–7–69, $1,600.

Truckway, Inc., unauthorized operations, 8–15–69, $1,600.

Kathy-O-Estates, unauthorized operations, 8–20–69, $500.

L. C. Hall's Truck, unauthorized operations, 8–8–69, $1,000.

Southern Alaska, unauthorized operations, 8–18–69, $500.

Thoen Rentals, unauthorized operations, 7–30–69, $500.

A.I.D.E., unauthorized operations, 8–25–69, $1,000.

Menke, unauthorized operations, 8–22–69, $4,000.

Tieri Transp., unauthorized operations, 9–16–69, $500.

George A. LaBagh, unauthorized operations, 8–27–69, $1,000.

North American, unauthorized operations, 8–26–69, $1,000.

Zimny's Trucking, unauthorized operations, 7–24–69, $1,000.

Davis Delaney, aiding & abetting, 9–30–69, $1,000.

Cober Transfer, unauthorized operations, 9–22–69, $2,800.

Allied Freight, unauthorized operations, 8–28–69, $1,000.

L. J. Yoder, unauthorized operations, 7–25–69, $500.

Blue & White, aiding & abetting 8–29–69, $500.

C. W. Eanes, unauthorized operations, 9–29–69, $1,500.

L. J. MacDonald, household goods regulations, 9–4–69, $2,000.

John Ralston, unauthorized operations, 9–19–69, $2,800.

Spencer Trucking, unauthorized operations, 9–8–69, $1,000.

Westvaco, aiding & abetting, 9–19–69, $1,200.

Cleveland Freight, failure to file reports, 9–18–69, $1,000.

R. L. Wright, unauthorized operations, 9–8–69, $500.

E. Nelman, aiding & abetting, 8–22–69, $1,000.

G. G. Denham, unauthorized operations, 9–4–69. $1,000.

Mallette Bros., unauthorized operations, 9–4–69, $1,000.

Centropolis, unauthorized operations, 9–2–69, $1,000.

Belger Cartage, aiding & abetting, 8–25–69, $500.

Prickett & Son, unauthorized operations, 9–9–69, $1,000.

Nye Oil Field, unauthorized operations, 7–31–69, $500.

Tom Hicks, aiding and abetting, 9–16–69, $2,500.

Burkett Trucking, unauthorized operations, 8–29–59, $2,000.

Munsey Products, aiding and abetting, 9–11–69, $2,000.

Lilac City, unauthorized operations, 9–15–69, $750.

D&O Fairchild, unauthorized operations, 9–26–69, $1,500.

Pat's Mobile, unauthorized operations, 6–6–69, $1,000.

Golden State, aiding and abetting, 9–30–69, $1,000.

Anderson Produce, unauthorized operations, 8–26–69, $2,750.

Safeway Stores, aiding and abetting, 8–26–69, $10,000.

Welch Trucking, unauthorized operations, 8–8–69, $1,000.

Allied, aiding and abetting, 8–8–69, $1,000.

J.W.M. Inc., unauthorized operations, 10–7–69, $1,000.

Transamerican, unauthorized operations, 10–20–69, $2,750.

XUM

Inter-City, unauthorized operations, 10–1–69, $500.

Republic Van, household goods regulations, 10–8–69, $4,000.

C. S. Short, unauthorized operations, 10–6–69, $1,000.

W. S. Frazier, aiding and abetting, 10–6–69, $1,700.

Pottstown, unauthorized operations, 10–3–69, $1,300.

New Enterprise, unauthorized operations, 10–3–69, $800.

Schiek Motor, failure to file reports, 9–22–69, $1,000.

Lake Shore, failure to file reports, 10–17–69, $1,000.

Kramer Produce, unauthorized operations, 10–6–69, $1,250.

H. O. Burns, unauthorized operations, 10–9–69, $200.

Southwestern, aiding and abetting 8–22–69, $500.

Budway Express, unauthorized operations, 10–3–69, $1,400.

E–Z Way, unauthorized operations, 9–15–69, $4,000.

Petrochemicals, aiding and abetting, 10–13–69, $1,500.

Westfair, unauthorized operations, 10–27–69, $1,000.

Barnett Motor, unauthorized operations, 10–27–69, $1,000.

Westfair, aiding and abetting, 10–27–69, $1,000.

Gulf Transport, unauthorized operations, 11–7–69, $1,000.

Coastal Van, unauthorized operations, 11–14–69, $1,000.

Central Fireproof, aiding and abetting, 11–14–69, $1,000.

Original Hall-Lane, unauthorized operations, 11–5–69, $1,500.

Mercer Motor, unauthorized operations, 10–9–69, $1,500.

Trip Transport, unauthorized operations, 10–30–69, $1,000.

Shaffer Trucking, unauthorized operations, 10–24–69, $4,000.

Mawson & Mawson, failing to keep records, 10–9–69, $1,500.

Frank Jock, unauthorized operations, 10–9–69, $1,800.

P.C.M., failure to file reports, 11–14–69, $1,000.

Three Bros., unauthorized operations, 10–30–69, $2,000.

W & R, unauthorized operations, 10–24–69, $500.

Eazor, accounting regulations, 11–5–69, $3,500.

Daniels Motor, accounting regulations, 11–5–69, $3,500.

Bryon, unauthorized operations, 11–17–69, $1,700.

Richter, unauthorized operations, 10–16–69, $2,000.

Petroleum, failure to file reports, 11–10–69, $700.

Mercer, unauthorized operations, 11–18–69, $5,000.

North State, unauthorized operations, 10–20–69, $600.

Towry Produce, unauthorized operations, 10–31–69, $1,000.

Clyde Rose, unauthorized operations, 11–14–69, $500.

Illinois, incorrect freight bills, 10–24–69, $1,700.

Continental, unauthorized operations, 10–23–69, $1,500.

Whitie's, incorrect freight bills, 11–3–69, $1,400.

Checkerway, incorrect freight bills, 9–17–69, $1,350.

Midland, unauthorized operations, 10–10–69, $500.

Beasley's, unauthorized operations, 10–15–69, $1,200.

Grady Thompson, unauthorized operations, 10–24–69, $750.

Burrell Thompson, unauthorized operations, 10–23–69, $750.

Hoyt Trucking, failure to file reports, 11–17–69, $500.

Canal, unauthorized operations, 12–1–69, $1,200.

Blatchley, Inc., unauthorized operations, 12–24–69, $1,000.

D. J. King, Inc., aiding & abetting, 12–15–69, $500.

Interstate, unauthorized operations, 12–15–69, $2,500.

Coastal Dist., unauthorized operations, 11–26–69, $1,000.

Rose Hill, unauthorized operations, 11–19–69, $1,000.

Quinn Wholesale, aiding & abetting, 11–18–69, $1,000.

Direct Service, unauthorized operations, 10–8–69, $1,000.

Midwest, unauthorized operations, 11–19–69, $500.

Portland Motor, unauthorized operations, 1–25–69, $1,000.

P. F. Huntley Co., unauthorized operations, 12–1–69, $500.

Jack Thrift, unauthorized operations, 11–28–69, $3,000.

Whisler Hardwood, aiding & abetting, 11–28–69, $3,000.

Also Transportation, unauthorized operations, 12–10–69, $3,000.

March Transport, aiding & abetting, 12–9–69, $3,000.

Clipper Carloading, aiding & abetting, 12–9–69, $3,000.

Hunnewell, failure to file reports, 1–6–70, $1,000.

Drake, unauthorized operations, 12–16–69, $2,000.

Warwick, unauthorized operations, 12–4–69, $500.

Northeast, unauthorized operations, 12–4–69, $500.

Dependable, unauthorized operations, 11–26–69, $1,000.

Diamond T., aiding & abetting, 12–19–69, $1,000.

Westchester, unauthorized operations, 1–2–70, $1,000.

Thomas Gerrity, household goods regulations, 12–30–69, $1,000.

Keller, unauthorized operations, 12–22–69, $2,500.

C. H. Hooker, unauthorized operations, 12–9–69, $1,200.

Victory, unauthorized operations, 12–3–69, $2,200.

Tompkins, unauthorized operations, 1–19–70, $2,000.

Ligon, unauthorized operations, 1–5–70, $1,000.

Davis, unauthorized operations, 1–7–70, $1,000.

Otis Angel, unauthorized operations, 12–17–69, $500.

Badger, improper freight bills, 12–3–69, $1,000.

Thompson, unauthorized operations, 12–12–69, $500.

Richardson, household goods regulations, 1–8–70, $1,100.

Glosier, unauthorized operations, 12–22–69, $500.

Revell, unauthorized operations, 12–11–69, $500.

Sherwood, unauthorized operations, 12–11–69, $1,700.

Davis Bros., unauthorized operations, 1–12–70, $3,500.

Hurliman, unauthorized operations, 12–18–69, $1,500.

Russell Fluhrer, unauthorized operations, 1–15–70, $3,000.

Bear Van, failure to observe tariff rates, 12–29–69, $1,000.

Base Transportation, unauthorized operations, 12–15–69, $2,000.

Insured, false freight bills, 12–18–69, $3,000.

Vickerman, aiding & abetting, 1–12–70, $3,000.

F. L. Zwicker, unauthorized operations, 1–23–70, $800.

Industrial, aiding & abetting, 1–16–70, $800.

Best Way, unauthorized operations, 2–9–70, $1,000.

J. H. Russell, failure to keep records, 1–21–70, $2,000.

Kraus Transport, unauthorized operations, 2–10–70, $1,000.

J. J. Brady, unauthorized operations, 2–10–70, $1,000.

Textile, unauthorized operations, 1–30–70, $1,500.

Air Freight, unauthorized operations, 1–26–70, $1,200.

Thruway, unauthorized operations, 1–16–70, $1,000.

Xerox, aiding and abetting, 2–4–70, $8,000.

White Bus, unauthorized operations, 1–19–70, $500.

A. E. White, unauthorized operations, 1–23–70, $1,000.

Heavlow, unauthorized operations, 1–28–70, $1,189.50.

Draper, unauthorized operations, 2–24–70, $1,500.

Ratliff, unauthorized operations, 1–28–70, $1,000.

W. C. McQuaide, unauthorized operations, 1–19–70, $500.

McFeely, unauthorized operations, 1–30–70, $1,300.

J. P. Sorice, unauthorized operations, 2–3–70, $1,000.

Youngstown, failing to keep records, 1–20–70, $500.

West Virginia, unauthorized operations, 2–17–70, $1,000.

Van Haaren, unauthorized operations, 2–18–70, $1,500.

United Storage, unauthorized operations, 10–30–69, $1,500.

Sims Motor, aiding and abetting, 2–11–70, $1,500.

H & F, unauthorized operations, 2–4–70, $1,500.

Bellm, aiding and abetting, 12–11–69, $1,500.

M & M, unauthorized operations, 1–27–70, $1,500.

J. J. Willis, unauthorized operations, 2–17–70, $500.

Dunn Bros., aiding and abetting, 11–18–69, $500.

Stewart, unauthorized operations, 11–3–69, $500.

Colony, aiding and abetting, 8–27–69, $1,000.

Robinson, unauthorized operations, 1–2–70, $500.

Atlas Truck, unauthorized operations, 2–2–70, $1,000.

Leavitt's, unauthorized operations, 12–2–69, $2,000.

Weyerhaeuser, aiding and abetting, 2–3–70, $650.

Art Knight, unauthorized operations, 1–26–70, $1,000.

Royer Trucking, unauthorized operations, 2–2–70, $750.

Paradis, unauthorized operations, 1–30–70, $1,000.

Global, household goods regulations, 2–12–70, $1,000.

Walter Holm, unauthorized operations, $1,400.

In addition, from July 1, 1968 to March 31, 1970, 33 other forfeiture claims were settled for amounts less than $500.

MOTOR, WATER, AND FREIGHT FORWARDER CASES

FORFEITURES IMPOSED FOLLOWING COURT ACTION—JULY 1, 1968 TO JUNE 30, 1969

[Defendant, type of violation, date, and forfeiture imposed]

Motor Transp., Failure to file reports, 7–15–68, $2,500.

Ray's Transport, Failure to file reports, 9–13–68, $200.

Schroder's Express, Failure to file reports, 8–27–68, $500.

East Coast, Failure to file reports, 10-1-68, $500.

Moser Trucking, Failure to file reports, 9-18-68, $500.

Twin City, Failure to file reports, 10-28-68, $500.

J. W. Burrows, Unauthorized operations, 12-12-68, $300.

Gleason Transp., Failure to file reports, 1-6-69, $600.

Nat Farinacci, Failure to file reports, 12-30-68, $1,000.

Brunton Storage, Failure to file reports, 12-24-68, $250.

Luchsinger, Unauthorized operations, 1-3-69, $750.

J. B. Honeycutt, Failure to file reports, 1-11-69, $2,000.

Collins Truck, Failure to file reports, 3-21-69, $542.80.

S. M. Burrell, Unauthorized operations, 3-20-69, $375.

Maryland Tank, Failure to file reports, 3-28-69, $10,000.

Don E. Stone, Unauthorized operations, 4-15-69, $600.

Skelly Detective, failure to file reports, 4-22-69, $400.

Mission Petroleum, unauthorized operations, 6-13-69, $1,000.

A. B. Robbins, unauthorized operations, 5-9-69, $2,537.68.

Law Motor, failure to file reports, 6-30-69, $100.

JULY 1, 1969 TO MARCH 31, 1970

American Farm Lines, unauthorized operations, 7-24-69, $74,447.92. (Costs & damages.)

Merit Transport, failure to file reports, 8-18-69, $300.

C. E. Cole, Inc., unauthorized operations, 8-4-69, $1,000.

Cudd Motor, unauthorized operations, 8-27-69, $5,000.

Lester Crain, unauthorized operations, 8-18-69, $1,250.

Jeffery Blackmon, unauthorized operations, 9-3-69, $1,400.

Main Express, unauthorized operations, 8-19-69, $100.

Flying Tiger, aiding & abetting, 8-19-69, $500.

Shippers Truck, unauthorized operations, 10-24-69, $1,500.

Boyd Trucking, unauthorized operations, 10-20-69, $7,500.

Van Haaren, aiding and abetting, 1-15-70, $600.

Dodson Heavy Haul, unauthorized operations, 1-15-70, $600.

Gale Heavy Haul, unauthorized operations, 1-15-70, $600.

Van Haaren, unauthorized operations, 1-15-70, $500.

Vydra Movers, failure to file reports, 11-4-69, $146,300. (Default.)

George Drummey, failure to file reports, 7-18-69, $500.

Civil Injunctions—July 1, 1968, to June 30, 1969

[Defendant, type of violation, date, and decree]

Sullivan Transp., failure to remit COD funds on time, 7-1-68, perm. injunc.

Georgia-Florida and J. V. Silvia, unauthorized operations, 7-8-68, perm. injunc.

Coastal Plain, unauthorized operations, 7-1-68, perm injunc.

Lieberman & Sons, no insurance, 7-25-68, perm. injunc.

Andrew Chauffeur, unlawful driveaway of automobiles, 8-22-68, perm. injunc.

International and Clifford Jones, unauthorized operations, 8-8-68, perm. injunc.

Murphy Cooperative, unauthorized operations, 8-22-68, perm. injunc.

Agri-Service, Inc., unauthorized operations, 8-20-68.

Riss & Co. and Murphy Cooperative, unauthorized operations, 8-22-68, perm. injunc.

Calvin Bus and Mobile Home, unauthorized operations, 8-21-68, perm. injunc.

Auto Driveaway and James Bohn, unauthorized operations, 8-13-68, perm. injunc.

Dominick Felicello and Middle Hope Truck, unauthorized operations, 9-9-68, perm. injunc.

Wilson Driveaway, unauthorized operations, 10-7-68, perm. injunc.

Milk Producers, unauthorized operations, 10-31-68, perm. injunc.

Bourne's, extension of credit, 11-4-68, perm. injunc.

Digby, Inc., unauthorized operations, 10-30-68, perm. injunc.

Digby, Inc., unauthorized operations; failure to remit COD funds on time, 10-15-68, perm. injunc.

James Hill, unauthorized operations, 10-20-68, perm. injunc.

Chester Jones, unauthorized operations, 10-30-68, perm. injunc.

James Funch, unauthorized operations, 10-30-68, perm. injunc.

Carl Bello, unauthorized operations, 10-30-68, perm. injunc.

Zeigler's, unauthorized operations, 1-15-69, perm. injunc.

Cedar Operating Corp. and John C. Tisi, failure to remit COD funds on time, 2-5-69, perm. injunc.

Benefield Bros., unauthorized operations, 2-26-69, perm. injunc.

Bonita Motors, insurance lack, 2-20-69, perm. injunc.

Dallas Lee Ellison, unauthorized operations, 2-17-69, perm. injunc.

Shirley Robertson Trucking, unauthorized operations, 1-21-69, perm. injunc.

C & S Trucking Co., unauthorized operations, 1-27-69, perm injunc.

Expressways & A. E. Sicilia, unauthorized operations, 3-11-69, perm injunc.

Atlantic-Pacific and E. D. Helmer, unauthorized operations, 3-21-69, perm. injunc.

Orville Hartley and Waylite Co., unauthorized operations, 4-21-69, perm injunc.

Anniston-Talladega, failure to remit COD funds on time, 4-28-69, perm injunc.

B & R Trucking, no cargo insurance, 5-3-69, perm injunc.

Falcon Freight, no cargo insurance, 5-22-69, perm injunc.

Cardinale, no cargo insurance, 5-22-69, perm injunc.

Tar Heel, Suffolk Truck and S. J. Durrance, unauthorized operations, 5-8-69, perm injunc.

Agricultural Trans., unauthorized operations, 5-27-69, perm injunc.

Uhrik, unauthorized operations, 4-25-69, perm injunc.

Bates, Inc., unauthorized operations, 6-11-69, perm injunc.

Reno-Loyalton, unauthorized operations, 5-28-69, perm injunc.

Air Transfer, unauthorized operations, 6-25-69, perm injunc.

JULY 1, 1969 TO MARCH 31, 1970

Binghamton, granting rebates, 7-28-69, perm injunc.

Harry Lindberry, Unauthorized operations, 7-23-69, perm injunc.

Kinnison Nonstock, unauthorized operations, 7-8-69, perm injunc.

Producers Interstate and Bobby Smith, unauthorized operations, 7-24-69, perm injunc.

Insured Driveaway and Keal Driveaway, failure to observe interchange regulations, 7-23-69, per injunc.

Athol Motor, no cargo insurance, 8-26-69, perm injunc.

Eastern Express, failing to observe tariff, 8-15-69, perm injunc.

Bixby Corp, unauthorized operations, 8-4-69, perm injunc.

Wm. T. Brady, unauthorized operations, 8-13-69, perm injunc.

All States, unauthorized operations, 9-10-69, perm injunc.

Albert H. Ahrens and A. A. & L, Inc., unauthorized operations, 9-25-69, perm injunc.

E-Z Transportation, unauthorized operations, 9-10-69, perm injunc.

Ranch and Farm, unauthorized operations, 10-29-69, perm injunc.

C. G. Inks & Aqua Slide, unauthorized operations, 10-16-69, perm injunc.

Travel Institute, unauthorized operations, 10-13-69, perm injunc.

Litch, Inc., no cargo insurance, 22-25-69, perm injunc.

Pelham Produce, Hixson Truck, Brady Motorfrate, and Fuller Brush, unauthorized operations, 11-19-69, perm injunc.

Mobile Home and Schult Mobile, unauthorized operations, 11-19-69, perm injunc.

Peterson Transit and Wire Products, unauthorized operations, 11-19-69, perm injunc.

Neville Transit, unauthorized operations, 11-20-69, perm injunc.

Boyd Trucking, unauthorized operations, 11-6-69, perm injunc.

Road Runner, Unauthorized operations, 11-17-69, perm injunc.

Imperida dba Polk Air Freight, unauthorized operations, 12-5-69, perm injunc.

Caruso Produce, Unauthorized operations, 11-24-69, perm injunc.

Texas Traders, et al, unauthorized operations, 11-17-69, perm injunc.

Cal-York and J. Bowman Trucking, unauthorized operations, 12-17-69, perm injunc.

Brown Moving, failure to observe insurance regulations, 1-14-70, perm injunc.

Hoffman Co., unauthorized operations, 1-12-70, perm injunc.

Interstate et al, leasing, 1-26-70, perm injunc.

Gerdin Transfer and Donald Brunn, unauthorized operations, 2-9-70, perm injunc.

Far-Go Van, operating without insurance, 3-25-70, perm injunc.

Commission Cease and Desist Orders—July 1, 1968 to June 30, 1969

[Respondents, violations, and effective date]

No. MC-C-5493, Ernest, May, Arval May, and Galen May, a partnership doing business as Ernest May Company, Hempstead Manufacturing Co., Inc., and Hempstead Lumber Sales, Inc.—Investigation of operations, unlawful operations, 7-10-68.

No. MC-F-9854, Shanahan Motor Lines, Inc.—Purchase—Eagle Transfer Co., No. MC-C-5885, Shanahan Motor Lines, Inc., Food Fair Stores, Inc. and National Chemical Laboratories of Pennsylvania, Inc.—Investigation of Operations and Practices, unlawful operations, 7-19-68.

No. MC-C-3010 (Sub-No. 1), Frank Charles Martin and Robert Earl Martin, doing business as Martin's Horse Transportation—Revocation of Certificate, failure to render service, 8-20-68.

No. MC-C-5497, Bird Trucking Company, Inc.—Investigation and Revocation of Certificate, unlawful operations, 9-5-68.

No. MC-C-5914, United Buckingham Freight Lines and Millar & Brown, Ltd.—Investigation of Operations and Practices and Revocation of Certificates, unlawful operations, 9-23-68.

No. MC-C-4451, Overland Motor Freight Company, Inc. (William E. Chambers, Receiver)—Revocation of Certificates, failure to render service and lack of insurance, 9-24-68.

No. MC-C-5443, Harry J. Mencis, doing business as Mencis Express—Revocation of Certificate, lack of insurance, 10-9-68.

No. MC-C-4706, Donald P. Paffile, doing business as Paffile Truck Lines—Investigation and Revocation of Certificates, unlawful operations, 10-18-68.

No. MC-C-4706 (Sub-No. 1), Donald P.

Paffle, doing business as Paffle Truck Lines—Investigation and Revocation of Certificates.

No. MC–C–4867, Raymond B. Long, Inc.—Investigation of Operations, unlawful operations, 12–17–68.

No. MC–C–4108, Heavy Duty Haulers, Inc.—Investigation of Operations, unlawful operations, 12–23–68.

No. MC–C–5490. Badger Coaches, Inc.—Investigation and Revocation of Certificates, unlawful operations, 3–3–69.

No. MC–C–5728, M.A.T. Lines, Inc.—Investigation and Revocation of Certificates, Re-entitled Arkansas Traveler, Inc.—Investigation and Revocation of Certificates, unlawful operations, 3–17–69.

No. MC–C–5242, Vernon O. Lawson—Revocation of Certificate, lack of insurance, 3–27–69.

No. MC–C–5875, American Red Ball Transit Co., Inc.—Investigation and Revocation of Certificates, unlawful operations, 5–5–69.

No. MC–C–5111 (Sub-No. 1), Westchester Motor Lines, Inc.—Revocation of certificate, unlawful operations, 6–1–69.

No. MC–C–5790, Ben J. Teater and Effie N. Teater, Partners, doing business as Blue Ribbon Delivery Service, Courier-Newsom Express, Inc., and Robert O'Nan, doing business as O'Nan Transportation Company—Investigation of Operations and Practices, unlawful operations, 6–6–69.

No. MC–C–6200, Elkins Transport Service, Inc.—Investigation of Operations and Revocation of Certificate, unlawful operations, 6–26–69.

JULY 1, 1969 TO MARCH 31, 1970

[Name, violation, and effective date]

No. MC–C–5881, B. Arotsky & Son's Transportation Co., Inc.—Investigation and Revocation of Certificate, unlawful operations, 7–11–69.

No. MC–C–5491, Widing Transportation Inc.—Investigation and Revocation of Certificates, unlawful operations, 7–27–69.

No. W–763, John J. Mulqueen Contract Carriers, application, failure to render service, 8–15–69.

No. MC–C–6392, National Freight, Inc.—Investigation and Revocation of Certificates, unlawful operations, 9–12–69.

No. MC–C–6273, Rupp-Southern Tier Freight Lines, Inc.—Investigation and Revocation of Certificates, unlawful operations, 9–23–69.

No. MC–C–6339, Jose S. Martinez, Rudolfo S. Martinez, Porfirio B. Martinez, and Charles Edmondson, doing business as Southwest Feed Company—Investigation of Operations and Practices, unlawful operations, 9–25–69.

No. MC–C–6388, Omaha Shag Service and Cox Bros. Hide Co., Inc.—Investigation of Operations and Practices, unlawful operations, 9–25–69.

No. MC–127302, Fox River Bus Lines, Inc., No. MC–C–4861, Fox River Bus Lines, Inc.—Investigation of Operations, unlawful operations, 10–13–69.

No. MC–C–6279, Truck Leasing, Inc. and E. G. Perry, Jr.—Investigation of Operations and Practices, unlawful operations, 10–18–69.

No. MC–C–6401, Bradley's Express, Incorporated, A. J. Elliott Motor Transportation, Inc., *Pauline Richardson, doing business as Rich's South Shore Express*, and William Alves—Investigation and Revocation of Certificates, unlawful operations, 10–24–69.

No. MC–C–6401, Bradley's Express, Incorporated, *A. J. Elliott Motor Transportation, Inc.*, Pauline Richardson, doing business as Rich's South Shore Express, and William Alves—Investigation and Revocation of Certificates, unlawful operations, 10–24–69.

No. MC–C–6162, Horace Russell, Jr., doing business as Russell Trading Company, and W. Jack Carlisle—Investigation of Operations and Practices, unlawful operations, 11–24–69.

No. MC–C–5067, Wheat Land Grain & Trucking, Inc.—Investigation of Operations, unlawful operations, 12–1–69.

No. MC–C–6403, Snar Trucking, Inc., Gifford–Hill & Company, Inc., and Longview Builders Supply Company—Investigation of Operations and Practices, unlawful operations, 12–5–69.

No. MC–C–6593, National Bus Service Inc.—Investigation and Revocation of Certificate, unlawful operations, 12–22–69.

No. MC–C–6401, Bradley's Express, Incorporated, A. J. Elliott Motor Transportation, Inc., Pauline Richardson, doing business as Rich's South Shore Express, and *William Alves*—Investigation and Revocation of Certificates, unlawful operations, 12–29–69.

No. MC–C–6228, Gaines Motor Lines, Inc.—Investigation and Revocation of Certificates, unlawful operations, 12–29–69.

No. MC–C–6225, Samuel Tischler, doing business as Tischler Motor Freight—Investigation and Revocation of Certificates, unlawful operations, 12–29–69.

No. MC–C–6402, Norwalk Truck Lines, Inc. of Delaware—Investigation and Revocation of Certificates, unlawful operations, 1–5–70.

No. MC–C– 6356, H. Goldman, Inc.—Investigation and Revocation of Certificates, unlawful operations, 1–12–70.

No. MC–C–6501, Martin Trucking Co., Inc.—Investigation and Revocation of Certificate of Registration, unlawful operations, 1–22–70.

No. FF–C–25, Piedmont Carloading Service, Incorporated, unlawful operations, 2–2–70.

No. MC–C–6235, Central Connecticut Freight Lines, Inc.—Investigation and Revocation of Certificate of Registration, unlawful operations, 2–17–70.

No. MC–C–6654, Grain Belt Transportation Company, Inc.—Investigation and Revocation of Certificate, unlawful operations, 3–14–70.

No. MC–C–6493, DeHart Motor Lines, Inc., D & D Trucking Company, and Sharpe Motor Lines, Inc.—Investigation and Revocation of Certificates, unlawful operations, 3–30–70.

No. MC–C–6665, Rapelje Grain Co. and Rush Implement Co.—Investigation of Operations, unlawful operations, 3–30–70.

No. MC–C–6160, Turpentine & Rosin Factors of Texas, Inc.—Investigation of Operations, unlawful operations, 3–30–70.

No. MC–C–5961, Fox and Ginn, Inc.—Investigation and Revocation of Certificates, unlawful operations, 4–13–70.

No. MC–C–6602, Lloyd Motor Express, Ltd.—Investigation and Revocation of Certificate of Registration, unlawful operations, 4–20–70.

No. 35161, Baggett Bulk Transport, Inc. and Universal, Atlas Cement Division of United States Steel Corporation—Investigation of Practices, providing services without tariff authorization, 5–1–70.

TWO OUTSTANDING YOUNG CITIZENS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. WOLFF. Mr. Speaker, two young Long Islanders recently displayed exceptional bravery in saving the lives of two other youngsters. These two young heroes, both boy scouts, are Joel Meyers of 245–68 62d Ave., Queens, N.Y., and Steven Yohai, 245–83 62d Ave., Douglaston, N.Y. By keeping their wits about them they were able to save the lives of an 8-year-old and an 11-year-old who had fallen through the ice.

While riding their bikes near a pond, they saw the two young victims venture out onto thin ice, despite warnings from other playmates. Both fell through the ice.

By extending a belt to one and by using a nearby ladder to rescue the other, Joel and Steven saved these youths from drowning.

Others might have panicked and left the two victims to a tragic fate. But the two heroes kept calm and displayed admirable maturity under pressure.

I congratulate these two outstanding young citizens on their heroism.

GEN. BRUCE C. CLARKE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. BROYHILL of Virginia. Mr. Speaker, my good friend and constituent, Gen. Bruce C. Clarke (retired), of Arlington, Va., was the recipient of the "American Way Award" presented by the Sertoma Club of Washington on Friday evening, April 3, at the Marriott Twin Bridges Motel in Arlington.

Mr. Edward R. Place, president emeritus, founder and charter president of the organization, has made available to me the text of his remarks concerning General Clarke's career. As I believe all who read this RECORD will be interested to know of the many outstanding achievements of this distinguished soldier and patriot, I insert Mr. Place's remarks in full at this point in the RECORD:

REMARKS OF EDWARD R. PLACE

President Thomas, Board Chairman Wilson, Awards Chairman Williams, fellow Sertomans, members of La Sertoma and guests: It is a great honor for me to participate in this presentation of Sertoma's cherished American Way Award to one of the outstanding soldiers in our Nation's history—4–star General Bruce C. Clarke, now residing in Arlington, Va.

During his Army career, which began in 1918 and lasted until he was 61, General Clarke was privileged to command more than 10 million soldiers and Marines. He spent nearly 10 years commanding troops facing the Iron and Bamboo Curtains. He has a deep conviction that the Communist and western ideologies are not compatible and can not co-exist in the same area. Now retired from active duty, General Clarke is taking advantage of every opportunity to promote patriotism and the American Way. He joined Sertomans recently to present the Freedoms Foundation prize-winning film, "Washington Crossing the Delaware," depicting the turning point of the American Revolution.

Gen. Clarke won an appointment to West Point from the New York National Guard, and was Commissioned in the Corps of Engineers. In World War II, with both the 4th and 7th Armored Divisions, he participated in some of the heaviest fighting in France and Germany, and distinguished himself in the Battle of the Bulge. He was in Korea as Commanding General of the I and X Corps, and as Commanding General, U.S. Army, Pacific. He assumed command of the 7th Army in Germany in 1956, and advanced to Commander-in-Chief, U.S. Army, Europe, and concurrently Commander of the Central Army Group of NATO. His college degrees and military decorations are numerous and well-deserved.

He visited Vietnam in 1955 as Pacific Commander, and in 1962, 1968, and 1969 with Mrs. Clarke. Their three sons have served in Vietnam during the last four years. Their youngest son recently completed his second tour.

In closing, I will quote General Clarke: "Let us all adopt a positive attitude of being for the American Way of Life, which has produced such good things for so many of us over a period of 180 years. Let us not be reluctant in taking a firm stand for Americanism and our brand of Democracy."

A PROTEST PARADE BUT NOBODY CAME

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. RARICK. Mr. Speaker, here is an item of news which we had best call to the attention of the unsuspecting voters back home before they are deliberately deluded by the leadership of the monolithic League of Women Voters.

Last February 9—RECORD, page 2983—I called to the attention of the House the nationwide campaign planned by these ladies whereby they hoped to obtain some 1,500,000 signatures calling for Congress to provide full suffrage and representation for residents of the District of Columbia. At that time I also reported that an area where some 3 percent of the registered voters are interested enough in an election to go to the polls, while the remaining 97 percent stay at home, is not particularly concerned in voting.

We in the South have been penalized and treated as "conquered provinces" on the flimsy theory that when less than half of the people vote, something is wrong. What do the leftists have to say when less than 4 percent vote?

And this less than 4 percent was for the purpose of deciding who was to get a more than $1 million melon which had already been taken from the pockets of the taxpayers of the 50 States.

Now, a parade to kick off the campaign can muster no more than 300 marchers—including schoolchildren and marchers from outside of the District of Columbia. Someone should tell our people back home that they are about to be very much misled.

I include in my remarks a pertinent newspaper clipping:

[From the Washington Post, Apr. 13, 1970]

THREE-HUNDRED DEMAND DISTRICT OF COLUMBIA VOICE IN CONGRESS

(By Ellen Hoffman)

The historic cry of "taxation without representation is tyranny" rang out from a crowd of about 300 persons in front of the District Building yesterday afternoon.

Washingtonians who claim to live in the "last colony" of the U.S. invoked the slogans and symbols of the country's early colonists in a parade on behalf of congressional representation for the capital city.

The "colonists," accompanied by some suburban sympathizers, marched from Franklin Park at 13th and K Streets NW, in the general direction of the Potomac River but they fell short of re-enacting a revolutionary tea party. The tea they carried stayed in the bags pinned to the paraders' coats and parasols. Their destination was a rally at the District Building, 14th and E Streets NW, not the harbor.

The parade consisted of marching units from the D.C. schools' cadet corps, as well as individuals and groups supporting the campaign to win congressional representation for Washington.

The League of Women Voters, which is conducting a national petition drive on behalf of congressional representation, organized yesterday's parade. "I hope this will be the last parade for congressional representation," May Rosenthal, parade chairman, told the crowd.

James P. Alexander, director of the city's office of community services, told the crowd that as a former resident of New York and California he felt that "the sudden discovery that you have no voice in national affairs is a tragic and a tough one. The sudden discovery that you pay federal taxes and you have no say about what is done with those taxes is a tragic one."

BALTIMORE SOLDIER KILLED ON SECOND VIETNAM DUTY TOUR

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. LONG of Maryland. Mr. Speaker, Pfc. Rainer L. Cole, a fine young man from Maryland, was killed recently in Vietnam. I would like to commend his courage and honor his memory by including the following article in the RECORD:

BALTIMORE SOLDIER KILLED ON SECOND VIETNAM DUTY TOUR

Pfc. Rainer L. Cole, 22, who was serving his second tour of duty in Vietnam, was killed on April 3 in hostile action, the Defense Department announced yesterday. Private Cole had lived with his parents, Mr. and Mrs. Arthur C. Cole, of Gambrills, Md., before he enlisted in the Army.

Private Cole almost never wrote of the war in his letters home, and his parents knew only that he was somewhere in the northern sector of South Vietnam when he was killed.

In his last letter, written on Easter Sunday, Private Cole reminded his mother that he had only 206 days remaining in Vietnam and that he was anxious to see his younger brother, Mark, 12.

Private Cole was born in Stuttgart, Germany, where his father was stationed with the Army until 1952.

Since then, Private Cole had lived in Gambrills. He attended the Davidsonville Elementary School and Annapolis High School.

He joined the Army in January, 1967, and received basic training at Fort Bragg, N.C.

In June, 1967, Private Cole left for Vietnam, completing his first tour of duty there in June, 1968. After brief stays at Army camps in Missouri and Colorado, Private Cole volunteered to return to Vietnam in October, 1969.

Private Cole is survived by his grandmother, Mrs. Pauline Cole, his parents, and his brother, all of Gambrills.

DECLINE IN RESEARCH AND DEVELOPMENT FUNDS

HON. BARRY GOLDWATER

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Tuesday, April 14, 1970

Mr. GOLDWATER. Mr. President, the decline in research and development funds during the McNamara tenure as Secretary of Defense was startling and dangerous. To continue to lower these funds would be to continue this danger to the future security of the United States. I am hopeful that when the final budget is approved for military spending, an adequate amount will be included for research and development so that we can travel on down the road in the efforts which have placed America ahead technologically, but which, if forgotten, will result in our becoming the holder of second place to Russia's first place.

An interesting editorial on this subject was published in the San Diego Union of Sunday, April 5. I ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the San Diego Union, Apr. 5, 1970]

RESEARCH AND DEVELOPMENT LAG: TECHNOLOGICAL EDGE PERILED

"Overall, the United States of America and the Soviet Union now have roughly the same number of full-time scientists and engineers engaged in research and development. However, if present trends persist, by the mid-1980s the Soviet Union will have a total force in these fields a third larger than ours."

These words from Dr. John S. Foster Jr., director of Defense Department research and engineering, are of grave importance to a nation accustomed to—and dependent on—global technological superiority. They are a warning that within a comparatively short time the United States may find it has lost that technological edge, and with it the basis for our security, not to speak of our prosperity.

Worse, it can well be an accelerating decline. Pure research, the abstract inquiry that often germinates into concrete and profitable results, is very much like great art, a product of leisure. A scientist pressed to come up with marketable mousetraps cannot afford to digress down byways where his genius might otherwise beckon—cannot chase the will-o'-the-wisp, even though by doing so he might find the path to a Star.

Thus, as the technologic lead we now enjoy over the rest of the world narrows, the pressure for immediately profitable mousetraps will mount. There will be less time available for the pure research that may be a decade, a generation, a century ahead of practical application. Ultimately, instead of leading, U.S. technology could falter, stop, stagnate and die for want of adequate research.

Dr. Foster is, of course, primarily concerned with science in its connection with national defense. His department and other federal agencies sponsor much of the research conducted on university campuses and in private intellectual gatherings across the nation.

Government is involved in research because it is essential to our security and because it has become hugely expensive. Dr. Robert Goddard launched mankind into space with a few dollars' worth of tubing and chemicals in a Massachusetts meadow, but today's quantum leaps in technology happen in the void between subatomic particles.

Sir Isaac Newton may have formulated the Law of Gravity around the fall of an apple, but it will be repealed someday by an unknown researcher working with a multimillion-dollar machine.

Despite its vast cost, however, research is too important to the national welfare to allow it to become solely a government province, wholly dependent on public grants, subject to partisan changes of wind. Private industry has a vested interest in new products. If a technological gap truly develops between this nation and its aggressive competitors, purely for lack of public support and private investment, private industry will be the first, obviously, to go over its edge. Our security will not be far behind.

VETERANS' ADMINISTRATION HOSPITALS

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. DUNCAN. Mr. Speaker, we have heard and read much about the quality, extent, and type of care our veterans are receiving in Veterans' Administration hospitals. False and inaccurate reports have implied that the Nixon administration has reduced the quality and level of hospital and medical care. Nothing could be further from the truth, and this apparent partisan effort to interject politics into the VA program is an injustice to our millions of war veterans.

The records will show that every program for medical care for our veterans is operating with greater efficiency, for more veterans; with more funds, and more employees than at any other time in history.

For example, the VA has today 375 more physicians on duty than was on duty on June 30, 1969.

Mr. Speaker, I insert at this point a most excellent statement by Donald E. Johnson, Administrator of the Veterans' Affairs. This statement was made before the Veterans' Affairs Committee today, April 14, 1970:

STATEMENT OF DONALD E. JOHNSON, ADMINISTRATOR OF VETERANS' AFFAIRS, BEFORE THE SUBCOMMITTEE ON HOSPITALS, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, APRIL 14, 1970

Mr. Chairman and Distinguished Members of this Subcommittee: There are three reasons why I am especially pleased to appear before you today.

First, is the stature and the prestige of the House Committee on Veterans Affairs. The House Committee on Veterans Affairs is the only full committee in Congress that is solely concerned with the welfare of America's veterans and their dependents. This same singleness of focus also apply to only one agency in the entire Federal Establishment—the Veterans Administration.

Second, the subject of these hearings—medical care for our sick and disabled veterans—certainly concerns one of VA's most important programs, a program that has warranted the continuing interest and support over the years of the American people, and Members of Congress, and Presidents all regardless of politica affiliation.

The best possible medical care for our veterans is a national—not a bipartisan—concern, and it is with full recognition of this fact that I testify before you today.

The third reason why I am happy for this opportunity to appear before you is to tell you why I have deemed it necessary in recent months to speak out in defense of the VA's medical care program.

In speaking out I have time and again made it clear that I do not question for one minute the absolute propriety and sincerity of congressional committees in investigating this or any other VA program. Indeed, they would be remiss in their legislative oversight duties if they failed to do so.

So long as I am Administrator of Veterans Affairs, the VA will have no quarrel with informed and constructive criticism. Such criticism by this committee and other responsible sources can only help us to do a better job.

There has been criticism from other sources, however, so overdrawn and tenuous as to lead the public and our veterans to fear that VA is practicing grossly inferior medicine with hospital staffs which are little concerned about their veteran-patients.

This kind of criticism serves only to alarm present and prospective patients, and to make more difficult our constant task of recruiting scarce category medical personnel.

The result has been literally hundreds of letters to Congress, to the President, and to the VA by sincere Americans honestly worried about the care our veterans are receiving.

I know I do not have to defend the work of our hospital staffs to the knowledgeable members of this committee. So, it is not to this committee—but through the committee that I want to assure the American people that their sons, husbands and fathers receiving care in VA hospitals are in capable hands. They are being served by hard working hospital staffs that are talented, and completely dedicated to providing good medical treatment.

Each month our 166 hospitals also receive hundreds of letters. These unsolicited communications from veterans and their loved ones seldom make headlines, but they do express touching and deeply felt gratitude for the good and compassionate care our hospitalized veterans have received.

The staffs at our VA hospitals include many of the outstanding specialists in the field of American medicine.

Of VA's more than 5,100 physicians, 2,217 are board certified. This means that they have taken advanced training of three to five years duration, and have successfully completed examinations to become certified specialists in their particular medical discipline.

Every one of VA's 166 hospitals is fully accredited by the Joint Commission on Hospital Accreditation. This joint commission is composed of the American Medical Association, the American Hospital Association, the American College of Physicians, and the American College of Surgeons.

VA hospitals are assisted in keeping abreast of the best in medicine by close affiliation with 79 of America's leading medical schools, and by the guidance of medical advisory groups comprised of men who are leaders in the medical community.

I believe these few facts will help dispel any notion that VA hospitals are now providing inferior medical care.

We can never, however, be satisfied with the status quo. And I want to make clear my conviction that the VA program—like other medical programs—can and must be improved. It has always been subject to improvement, and it always will be.

That is why we deeply appreciate this opportunity to discuss our problems and our progress with this committee. I know that we can count on the wise counsel, the expertise, and the support of this committee as we work in partnership to achieve the improvements we all desire.

Before our medical experts and I address ourselves in detail to the discussion items enumerated in Chairman Teague's letter of April 6, I would like to mention in brief some of the major recent developments concerning our medical program in this fiscal year, and the fiscal year to come.

On November 26, 1969, the President approved the VA appropriation for fiscal year 1970, and made available in full to the agency the more than $1.5 billion dollar record sum for medical care that had been recommended by the outgoing President and by Congress.

Since then, the President has approved, and there is now pending before Congress nearly $107 million dollars in medical care supplemental requests for the current fiscal year.

The total amount of medical care money we expect to be available in this fiscal year will exceed expenditures during fiscal year 1969 by more than $174 million, and we plan to obligate $4.7 million dollars a day in the remaining months of this fiscal year 1970.

In recent years, the VA has been providing hospital care for more sick and disabled veterans than ever before in history. You will be pleased to know that as of March 31, 1970, we had already treated nearly 693,000 hospital patients this fiscal year. This is 12,000 more patients than received care in the comparable period for fiscal year 1969, the previous high year in terms of patients treated.

On February 2, 1970, the President transmitted to Congress a VA budget request for fiscal year 1971 that included $1,702,200,000 for medical care. The amount requested for next year was more than $160 million over the initial budget request for fiscal year 1970, and exceeded by nearly $282 million the budget request for fiscal year 1969.

The most recent development, of course, came less than two weeks ago when the President approved an increase of still another $50 million for the medical program in the VA appropriation request for fiscal year 1971, and at the same time authorized me to seek from Congress $15 million more in medical and dental care funds for the remaining months of this fiscal year.

Just one week ago today I appeared in support of these two supplemental requests before the Subcommittee on Independent Offices and the Department of Housing and Urban Development of the House Committee on Appropriations, and it is my hope and belief that our requests will receive an early and favorable response.

FISCAL YEAR 1970 MEDICAL CARE BUDGET

Now, turning to Chairman Teague's letter of April 6, I would like to review the status of the 1970 Medical Care Budget.

We expect that the total amount of funds available for expenditure in fiscal year 1970 for VA medical care purposes will be $1,660,099,000. This is based on the Congressional budget authority of $1,541,599,000 provided last November; on an additional $12,000,000 in reimbursements apportioned; and, on the assumption that our pending supplemental requests totalling $106,500,000 will be approved by the Congress. This latter figure includes $91.5 million for salary increases—$74 million for Civilian Pay Act increases and $17.5 million for Wage Board increases—plus the additional $15 million recently authorized by the President to cover costs of certain medical and dental care services in the final quarter.

The $1,660,099,000 available for this fiscal year compares to medical care expenditures of $1,485,704,000 in fiscal year 1969, a difference of more than $174 million.

Our cumulative medical care obligations in the period June 30, 1969 through March 31, 1970—or the first three quarters of the fiscal year—totalled $1,231,188,000. Therefore, assuming full approval of our supplemental requests, the funds available for April, May, and June will amount to $428,911,000. Thus, in this last quarter, we are in a relatively favorable position; 25.84 percent of the total funds are available for 24.93 percent of the fiscal year's total days. This will permit a daily rate of obligations in the fourth quarter of $4,713,307 compared to $4,493,386 in the first three quarters.

In terms of direct assistance to eligible veterans, what have we accomplished and what do we expect to accomplish with our medical care funds in this fiscal year?

Through March 31, we treated 692,949 patients in VA or non-VA hospitals. This was 7,420 over the planned number for the first three quarters, and was 11,825 higher than the number treated in the comparable period in fiscal year 1969. For the period July-March, the average daily census for all types of VA inpatients stood at 117,204, only 841 below the planned figure for those three quarters.

Through March 31, cumulative outpatient medical visits reached 5,382,000. While this was 55,000 under the projected total for that date, it was 267,000 over the comparable figure for the previous fiscal year, and applications are being received at an increasing rate.

By June 30, therefore, we expect to achieve, if not exceed, our fiscal 1970 goals of 872,086 inpatients treated, and a total of 7,427,000 outpatient visits.

DENTAL CARE PROGRAM

The dental care situation for this fiscal year, and for the immediate future, requires special comment.

As you know, all Vietnam Era veterans have eligibility in the first year following separation from service for needed, service-connected dental treatment. And, as you also are aware, the rate of discharge for these veterans has increased sharply over the past year. Obviously, the VA has no control over this rate or the many factors that influence it. Yet, we have an obligation to give timely service to all eligible veterans who seek and require dental care.

The number of applications for such care pending at the start of the past few fiscal years has risen dramatically. On July 1, 1967, it was 9,219; a year later it had more than doubled to 21,355; and, at the start of this fiscal year it had again doubled and more to 49,466. Also, the number of new applications to be received in fiscal year 1970 was predicted to be 240,000—60,000 more than for fiscal year 1969—making a total workload demand in this fiscal year of nearly 290,000 cases.

Funds available for dental care at the end of February of this year would have permitted processing only 170,464 of these 290,000 cases, which indicated we would be facing a year-end backlog of over 119,000 applications pending.

Obviously, to provide individual veterans with necessary dental treatment within a reasonable period, and to keep the number of veterans awaiting treatment down to a reasonable level, greater utilization of both staff and fee basis dentists would have to be made, and at greater than anticipated cost.

President Nixon gave approval to our seeking a supplemental appropriation for the remainder of the fiscal year, to include $9.8 million to be applied to reducing the dental care workload, and we were authorized to proceed to obligate this amount in anticipation of the submission of a request for additional funds. (This new money for dental care is part of the $15 million supplemental request for fiscal 1970, referred to by the President in his April 2 statement of the Veterans Medical Care Program.)

We commenced at once to speed up dental examinations and treatments. In these final months of the fiscal year, we expect this additional funding will permit processing of 79,000 additional applications, reducing our estimated year-end backlog to a manageable 40,000 applications. It will provide for:

Completion of 50,000 additional examinations, a total of 88,600 during the last four months of this fiscal year; and

Completion of 45,000 additional treatments, a total of 72,000 during the four-month period.

A breakdown of these March-June 1970 workloads, by staff and fee cases, together with related cost data, is provided in Table No. 1 accompanying my statement.

We expect to maintain pending dental workloads in fiscal year 1971 within manageable levels. Our present estimates contemplate 50,000 applications pending at the end of fiscal year 1971. This is about 90,000 less than projected in our original 1971 budget, and this appreciable reduction is attributable to the backlog reductions we are now achieving with the additional $9.8 million. Our 1971 estimates contemplate:

Receipt of 240,000 applications;

Completion of 166,269 examinations, 119,000 staff and 47,269 "fee";

Completion of 145,959 treatment cases, 84,000 staff and 61,959 "fee";

Total "fee" costs of $15.7 million, of which $14.4 million is for treatment cases.

FISCAL YEAR 1971 MEDICAL CARE BUDGET

The VA's Medical Care Budget request for fiscal year 1971 comes to an all-time high of $1,752,200,000, exclusive of reimbursements. This amount does include the additional $50 million which the President on April 2 announced would be added to the original request.

The total figure is $104,101,000 higher than the revised appropriation request for fiscal 1970. It is expected to provide for record highs in inpatients treated and in outpatient visits; 878,880 inpatients, or 6,794 over fiscal 1970; and, 7,852,000 outpatient visits, or 427,000 over the current fiscal year. And, as indicated above, the fiscal 1971 funds should assure completion of 312,228 dental care cases during the year.

The 1971 budget requests for Medical Care purposes will also provide for:

Expansion of veterans Administration programs for education and training of health service personnel—a level of about 50,000 medical residents and other professional, paramedical and administrative personnel in health-science fields.

Activation of additional specialized medical services, such as intensive/coronary care beds, home hemodialysis units, and pulmonary emphysema units;

Reduction in the backlog of hospital equipment requirements.

MEDICAL CARE PERSONNEL

You will recall that Public Law 90-364, approved June 28, 1968, required all Executive Branch agencies and departments to lower full-time civilian employment to the June 30, 1966 level. Within five months, this law caused a loss of more than 3,000 employees in the VA's Department of Medicine and Surgery. It also prevented a normal growth projection of more than 1,800 additional employees for fiscal year 1969.

Many VA hospitals and clinics still suffer from this shock of having lost the assistance, over a short span of time, of so many needed physicians, dentists, nurses, laboratory technicians, medical technicians, medical technologists, and other important assistants. Also, to a large degree, this setback resulted in the deferment of activations of new hospitals and specialized medical programs.

The figures below show the full-time-permanent levels of the VA's medical care program as of June 30th for the fiscal years 1966 through 1969, and the levels on the last day of each month for the first three quarters of fiscal 1970:

FTP—MEDICAL CARE

June 30, 1966	121,450	Oct. 31, 1969	121,350
June 30, 1967	123,690	Nov. 30, 1969	120,449
June 30, 1968	124,215	Dec. 31, 1969	120,324
June 30, 1969	121,434	Jan. 31, 1970	120,127
July 31, 1969	121,417	Feb. 28, 1970	120,028
Aug. 31, 1969	121,062	Mar. 31, 1970[1]	120,228
Sept. 30, 1969	121,433		

Perhaps a more meaningful yardstick would be the full-time equivalent figure, which stood at 130,002 on March 31 of this year, or 1,632 higher than on June 30, 1966.

A step has been taken toward recovery from the effects of the personnel ceiling imposed on the VA by Revenue and Expenditure Control Act of 1968. In September 1969, President Nixon authorized an increase of 1,500 permanent positions in the VA's ceiling. This increased authorization was provided at a time when a total of 51,000 positions were being eliminated from nearly every other agency of the Executive Branch.

Of the 1,500 positions, over 1,200 are allocated to the VA's Department of Medicine and Surgery. Preliminary information for March 31, however, indicates that 1,836 positions in the full-time-permanent category, and 2,304 "other" positions were unfilled.

Most of these authorized positions are expected to be filled by June 30, primarily due to the additional $15 million supplemental request (mentioned in connection with the dental care program), a portion of which will be used to activate specialized medical services during the remainder of the fiscal year.

We anticipate reaching 142,780 total employment in the medical care program by June 30, which will mean average employment of 132,131 for fiscal 1970. Also, with our fiscal 1971 requests—including the additional $50 million authorized by President Nixon—we should reach a total employment of 148,648 by June 30, 1971, and average employment of 137,854 for the year—an all-time high for the medical care program. This means a boost of 5,256 in full-time permanent positions, making a total of 127,348.

RECRUITMENT AND RETENTION PROBLEMS

In a period when the entire Nation is suffering from a general lack of health manpower, increased personnel ceilings and additional funds may not solve all of the VA's medical care personnel needs overnight. We are giving consideration to a number of proposals intended to enhance our ability to recruit and retain scarce medical personnel. These include proposals to:

Establish a separate higher pay scale for physicians.

Amend Title 38, U.S. Code, Chapter 73, to provide for evening and night pay differentials, Sunday and holiday pay, especially for nurses.

Provide authority for the Administrator to set special rates of pay in excess of the statutory ranges where such action is essential to recruit and retain scarce medical personnel—permit the payment of differentials to superior qualified medical personnel.

Provide for sabbatical leave for Title 38 employees.

Authorize payment for travel and pre-employment interview costs for shortage category professionals in the competitive service.

Authorize the Administrator to determine travel and transportation costs for new appointments in the competitive service without reference to existing requirements that Civil Service Commission determine that a manpower shortage exists.

Authorize the Administrator to establish qualification standards and employ emerging "professionals" in new allied health manpower occupations such as physician's assistants without regard to Civil Service rules and to establish separate pay schedule for such positions.

Provide greater funding support for continuing professional education.

Legislation would be required to give effect to any of these proposals.

In addition to attempting to maintain a reasonably competitive recruitment and retention posture through measures such as these proposals, other efforts are required. Such efforts must include upgrading and broadening the skills of existing health workers, and the development of new types of health personnel to assure better utilization of scarce medical professionals. Thus, we are greatly concerned that the VA medical education program be maintained at the highest level possible, consistent with the primary mission of providing quality medical care for every eligible veteran.

HOSPITAL CONSTRUCTION AND MODERNIZATION PROGRAM

The 1971 budget request of $59 million for Construction of Hospital and Domiciliary Facilities is the 11th annual increment of the long-range plan to replace, relocate and modernize the VA medical facilities. Including the 1971 request, a total of $735 million will have been funded under this program. In recent years, however, the amounts appropriated for the construction and modernization program have fluctuated greatly, falling to a low of only $7.9 million for fiscal 1969.

While the $59 million for 1971 is about $10 million less than was appropriated in 1970, this is not indicative of the actual program activity levels for the two years. Funds to be obligated in fiscal 1971 represent an increase of $88.3 million over the $32.1 million to be obligated in the current year. A total of $120.4 million is estimated to be obligated in 1971—the highest level since fiscal year 1950.

The funds requested in 1971 provide:

$2.0 million for replacement and relocation hospitals, consisting of site funds for hospitals at Augusta, Georgia—600 beds; Baltimore, Maryland—450 beds; and Richmond, Virginia—700 beds;

$39.8 million for modernization and other improvement projects, of which $20.5 million is to continue projects for which design is in progress, and $19.3 million is for new projects with a total value of $39.6 million;

$8.3 million for additional research facilities;

$2.5 million for alterations to provide 800 additional nursing home beds; and

$6.3 million for planning, administration, design construction supervision and related staff activities.

The accompanying table No. 2 sets forth 1970 and 1971 obligations by project, as included in our 1971 budget. We plan some reprogramming, from a budget execution standpoint, which will result in shifts in contract awards between 1970 and 1971. The Waco, Texas project, for example, budgeted for contract award in 1971 is now tentatively planned for award in 1970.

NURSING CARE PROGRAM

Our fiscal year 1971 budget request includes $22,999,000 for purposes of the community nursing home program. If fully utilized for this program, these funds would provide for a total of 4,065 VA beneficiaries in community nursing homes in the coming fiscal year. This is an increase of $2,928,000 over the fiscal year 1970 level, and an increase of 387 in the patient census.

For VA-operated nursing bed care, the fiscal 1971 request is $36,165,000, an increase of $8,470,000 over the current year level. This will enable us to open 1,155 new nursing care beds, a 28 percent increase over the 4,000 beds used for nursing care patients during the past three fiscal years. This will provide for an average daily census of 4,889 or 1,069 more than in fiscal year 1970. It should also permit us greater flexibility in determining which patients might be more advantageously cared for in a VA nursing care bed, as compared to outplacement to a community nursing care facility.

This concludes my statement, Mr. Chairman. Before introducing the Chief Medical Director, Dr. Marc J. Musser, I would be glad to answer any questions the Subcommittee might have at this time.

VA DENTAL PROGRAM WORKLOAD ESTIMATES—MAR. 1 THROUGH JUNE 30, 1970

	Number of cases	Estimated costs	Average cost
Examination cases:			
Staff	36,000	$462,000	$12.83
Fee	52,600	1,187,000	22.57
Total	88,600	1,649,000	18.61
Treatment cases:			
Staff	18,000	1,371,000	76.17
Fee	54,000	11,213,000	207.65
Total	72,000	12,584,000	174.78
Total examinations and treatments:			
Staff	54,000	1,833,000	33.94
Fee	106,600	12,400,000	116.32
Total	160,600	14,233,000	88.63

1971 VA BUDGET—CONSTRUCTION OF HOSPITAL AND DOMICILIARY FACILITIES

[Dollars in thousands]

Major project	Obligations	
	1970	1971
Construction contracts:		
Ann Arbor, Mich., research addition		$952
Biloxi, Miss., reconstruction for hurricane damage	$2,416	
Cincinnati, Ohio, research wing	1,145	
Denver, Colo., research addition	1,390	
Durham, N.C., air conditioning		3,096
Fort Wayne, Ind., air conditioning	991	
Hampton, Va., modernization, phase IV (part A), boiler plant replacement		1,032
Hines, Ill., modernization phase II		10,074
Kansas City, Mo., research addition		1,958
Louisville, Ky., modernization and air conditioning		2,876
Madison, Wis., extend and alter surgical suite		500
Madison, Wis., research addition	792	
Muskogee, Okla., modernization and air conditioning	1,647	
New York, N.Y., research addition		1,354
Oklahoma City, Okla., research addition		1,380
Phoenix, Ariz., modernization and expansion of facilities		12,775
St. Louis, Mo., modernization and research		1,763
San Antonio, Tex., 760 bed hospital and outpatient clinic		24,250
Tuskegee, Ala., modernization and air conditioning		4,280
Waco, Tex., modernization and air conditioning		7,104
Washington, D.C., research addition		1,885
White River Junction, Vt., modernization phase III, new 204 bed building		3,709
General administration	6,371	6,339
Design and other construction contracts	17,385	35,091
Total obligations	32,137	120,418

WASHINGTON STAR REPORTER MISS JUDITH RANDAL WINS TOP WRITING PRIZE ON MEDICAL RESEARCH

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, April 14, 1970

Mr. YARBOROUGH. Mr. President, the Claude Bernard Science Journalism Awards of the National Society for Medical Research are among the top prizes given nationally in recognition of outstanding science reporting.

The top prize for 1969 for newspapers with over 100,000 circulation has been awarded to Miss Judith Randal, of the Washington Star. We who read the Washington Star regularly are well acquainted with the journalistic skill and competence of Miss Randal. It is heartening to see her win the national recognition she deserves.

Miss Randal won for two articles: "A Study in Immunity: Real Step Forward," published April 20, 1969, and "U.S. Neglects Biomedical Research," published September 4, 1969.

As chairman of the Subcommittee on Health, I have a particular interest in these articles.

Other winners of annual Claude Bernard Science Journalism Awards are Miss Jill Southworth, with the Columbia, Mo., Daily Tribune, for newspapers under 100,000 circulation, and Robert Stock, of the New York Times magazine, for magazines of general interest.

Miss Randal is to be honored at the annual National Association of Science writers meeting in Atlantic City today. I ask unanimous consent that her appropriate and informative winning article be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

A STUDY IN IMMUNITY: REAL STEP FORWARD

(By Judith Randal)

The year's most spectacular achievement in the biological sciences to date was announced in Atlantic City last Monday: the mapping of a form of gamma globulin, a complex protein molecule rich in an array of chemical warfare weapons known collectively as antibodies. Alone among the thousands of proteins in the body, antibodies have the power to make us immune.

Prof. Gerald M. Edelman's report to the Federation of American Societies for Experimental Biology was justifiably hailed as a major advance in the fight against disease, although Edelman himself was careful to emphasize that immediate practical consequences are unlikely.

Because antibodies are the key, on the one hand, to the success of vaccines and, on the other, to the rejection mechanism, scientists working in the field regard the step taken by the Rockefeller University team headed by Edelman as essential to the eventual improvement of both infection-fighting techniques and transplant surgery. It is sure to have important implications for the understanding of cancer, as well.

From a basic science standpoint, the Rockefeller group's accomplishment is doubly impressive. First, Edelman's team has deciphered the atom-by-atom structure of the largest and most complex molecule yet; second, this molecule is one of a class called immunioglobulins that is of extraordinary importance to an understanding of evolution. And inasmuch as antibodies are a product of the interactions between the inner organism and the external world, they have much to teach us about the relationships between heredity and environment.

Of the many things that distinguish man and most vertebrates from simpler animal forms, like the ameba or the jellyfish, antibodies are one of the most complex. These chemical warfare weapons, defensive in character, stave off invasion by substances that, for one reason or another, are treated by the organism as hostile—that is, not of its own making.

Not always are the "invaders" really enemies such as viruses or bacteria; or even necessarily invaders. Antibodies rush to rescue the body from whatever material is considered foreign, which is a principal reason why organ grafts are rejected and heart transplant survival rates are so low. And occasionally these defense weapons are turned suicidally against the body, as in certain disorders like multiple sclerosis and rheumatoid arthritis which many scientists believe are autoimmune—i.e. allergies to self.

Fundamentally, the defense system is intended to protect the organism against substances of extraneous origin. But foods fit this description, too, and so do many lifesaving drugs. Why are these not fought off with the same vigor the body marshals against infectious disease?

DOES NOT ALWAYS WORK

The reason seems to be that digestion and other assimilation processes denude these substances of the traits that the body considers non-self. Sometimes this safeguard does not work and the body sets up a reaction against an offensive food or medicine; these reactions are called allergies. Any substances that produces an allergy or evokes the production of antibodies for whatever reason is called an antigen.

Like other proteins, gamma globulin antibodies are composed of three-dimensional subunits called amino acids of which there are 20 kinds. These are linked by chemical bonds much as the components of construction toys are hooked together by rods. Thus, while the molecule has 19,996 atoms, they are subdivided into 1,320 amino acid groups.

In 1959, Edelman and his colleagues discovered that each gamma globulin molecule has four amino acid chains—two "heavy" and two "light" joined by chemical bonds. No two antibodies are ever exactly alike, but in general, the "heavy" chains contain about twice as many amino acids as the "light" ones. The total weight of the molecule is 150,000 times that of an atom of hydrogen—the standard against which molecules are weighted. The rough outlines of the molecule with two light chains and two heavy chains on either side and a central portion hanging down between resembles a southern senator's string tie.

XUM

Having said this, it seems that it should be relatively simple to tell what each antibody contains. The difficulty is that the body is exposed to infinite numbers of antigens and is capable of producing literally billions of different kinds of antibodies. It is therefore well nigh impossible under normal circumstances to isolate one from another in pure form. Even if an animal were raised in a germ-free environment and then injected with a highly purified antigen, the problem would not be solved because more than one kind of antibody might result.

Ironically, were it not for the existence of a particularly lethal cancer of the bone marrow called multiple myeloma and the willingness of one of its victims over the course of many months to supply Edelman with blood serum and urine for analysis, this would still be the case. Before his death last fall this California patient had donated more than half a pound of material which was sent to the laboratory by air express.

The story really began 100 years ago when Henry Bence Jones, a 19th century English physician and chemist, discovered that the urine of people with multiple myeloma was rich in a characteristic protein that while slightly different from patient to patient, was found in abundance only in conjunction with this type of cancer of the bone. Analysis of these Bence Jones proteins has since revealed that they contain two kinds of amino acid sequences; one variable from patient to patient, as a signature of his disease, and the other always the same.

Antigens, the foreign substances that evoke antibody production, come in an almost infinite variety of sizes and shapes. It therefore soon became obvious that the variable regions of the Bence Jones proteins, like those of the globulins, had been specially fitted by nature to respond with exquisite precision to some particular chemical challenge. Further experiments confirmed what Edelman had long suspected—that Bence Jones proteins and light chains of antibody molecules are one and the same.

KEY AND A LOCK

In visual terms, one can think of the invader or antigen as a key and an antibody as a lock that will cause that key to jam. A single antigen may trigger the proliferation of several kinds of antibodies, each able to latch onto a different part of the foreign substance.

Furthermore, because the antibody molecule is bilaterally symmetrical, it can grasp two antigen molecules of the same composition at a time. Once the invader enters the body, antibody production steps up to the point where a horde of antibodies can confront it and collect it into interlocking structures or clumps. These are then ushered out of the body or destroyed by clump-eating white blood cells called phagocytes.

The philosophical problem that has long puzzled scientists is the versatility of the system. How is it possible, they have wondered, for the body to deal in the course of a lifetime with antigens neither it nor its predecessors may have dealt with before. Or—to use the lock and key analogy—to have locks that will cause every sort of key to jam?

At a news conference in Atlantic City last week Edelman explained that, contrary to previous thinking on the subject, the theory now is that everyone is born with a kind of archive of antibody shapes and sizes housed in stem cells. When the need arises the reference materials—located in the bone marrow, the spleen and the lymph system—are activated and as many copies as necessary of the pertinent antibodies are made from the blueprints in the stem cells.

According to this theory, the invading antigen wanders freely in the body until it randomly encounters a lymph cell already equipped to manufacture an antibody that will mesh with some part of its structure.

Attached to this cell is some sort of chemical messenger capable of telling it that more antibodies are needed. As the cell responds the signal spreads to other lymph cells and more and more antibodies are produced and dumped into the bloodstream and lymph.

The availability of Bence Jones proteins and the certainty that they are the light chains of antibody molecules was the key to the puzzle of the gamma globulin molecule. But there remained the formidable task of figuring out the sequence of the heavy chains and of locating and identifying the nature of the chemical bonds that give the chains their loops and the molecule its characteristic three-dimensional bow-tie shape.

BILATERAL SYMMETRY

Three and a half years have gone into the project in which Edelman has been assisted by Drs. Bruce A. Cunningham and Myron J. Waxdal and graduate fellows W. Einar Gall, Paul D. Gottlieb and Urs Rutishauser. Dr. William H. Konigsberg, formerly at Rockefeller and now at Yale, also was a contributor.

The picture that emerges of the total molecule is one of bilateral symmetry and variation within a consistent theme.

Just as the light chains contain both stable and variable regions, so, it turns out do the heavy chains. In fact, when the amino acid subunits of both kinds of chains were analyzed, it could be seen that the stable portions of these components have regions that are strikingly similar to one another and that the variable portions, while not identical, resemble one another, too.

Molecular units of this kind which are, in effect, counterparts are said to be "homologues." Their existence suggests to scientists that they were, in more primitive forms of life, independent entities whose job it was to furnish the organism with some sort of barrier between them and the chemical threats of the outside world. In the course of evolution, according to this theory, these amino acid sub-units were forged by chemical bonds into the more versatile and sophisticated molecules that we know as antibodies.

If this theory is correct, it may have important implications for genetics as well as immunology. One of the fundamental rules of the science of heredity is that each kind of small protein or polypeptide is coded for by one gene in the nucleus of each cell.

There may be an exception to this rule. Because antibodies have portions that are invariant from one molecule to another and other portions that vary, it would appear that two genes may be at work instead—one to "spell out" the portions that are always the same from one antibody to another, and the other to provide the almost infinite scrambling of components that gives rise to literally billions of slight, but significant, variations.

The analysis has also pinpointed the position of the chemical bonds of sulfur atoms which bind the chains together or hold their loops in place. Without these "disulfide bonds" the molecule would lose its characteristic shape and be simply an amorphous mass.

Although final determination of the molecule's architecture must await X-ray diffraction studies and these will not be possible until a way is found to crystallize the globulin, it is already known that the chains are positioned by 16 chemical bonds. Attempts to crystallize immunoglobulins are being made at the National Institutes of Health and the University of Illinois.

Analyzing the molecule further, Edelman has found that there are six identifiable groupings with the molecule as a whole, two of which appear to give it stability and four which act as "binding sites."

The behavior of these binding sites, he says, suggests that they are formed by the amalgam of variable portions of a liquid chain with variable portions of a heavy chain to form just the "lock" that will fit the shape of, say, a measles virus or the distinctive protein of a transplanted heart.

Given the different ways in which the variable portions might combine and the diversity of their amino acid composition, an almost infinite spectrum of antibodies could result—probably many billions.

The analysis of gamma globulin was an immensely difficult task because present-day techniques for determining the sequence of the molecules's acid components can be applied to no more than 20 a time.

This limitation meant that the chains had to be broken down into segments by chemicals with an affinity for certain amino acids or groups of amino acids and the segments then sorted by size for further and more precise information.

The procedure was then repeated with the segments of each size category until, by a process of elimination, only one of many tests could account for the result.

It was as if an archaelogist, searching in an ancient ruin, had come across a chain broken into many random lengths, consisting of different numbers of links made of materials he did not recognize, had fitted these lengths together again in the unique way in which they must have been assembled by their original maker.

U.S. NEGLECTS BIOMEDICAL RESEARCH

(By Judith Randal)

The National Institutes of Health—like the National Aeronautics and Space Administration—has come to stand for a peculiarly American brand of achieving scientific advance.

Through the NIH system, committees of representative scientists from around the nation have been able to allocate federal money for research projects which they decide are worthwhile.

Yet although President Nixon has spoken of "the massive health crisis" the nation faces, biomedical research has been conspicuously absent from his concerns. Indeed, within the last week or two, NIH administrators have been told to prepare to trim their already Spartan budgets a further 20 percent, at a time when inflation is weakening purchasing power by about 10 percent a year anyway.

Part of the reason for the order is that Congress has not yet done anything definitive about NIH appropriations. It will, of course, be helpful if legislative action after Labor Day restores part of the funds.

But the real decision lies with the Bureau of the Budget, which can, in effect, nullify appropriations by simply seeing to it that money is not paid out. Since the Budget Bureau is the servant of the administration, no real relief is to be expected from that source unless Nixon and his deputies have a change of heart.

Why, then, the fall from grace of a system which in recent years has brought the nation the prestige of several Nobel prizes in physiology and medicine, a vaccine which by preventing German measles will also prevent hundreds of thousands of infants from being born with serious defects, the actual cure of one form of cancer, the groundwork that made possible organ transplants, and countless other advances which have emerged from NIH laboratories in Bethesda, Md., and from thousands of university and medical school laboratories receiving NIH financial support?

The answers are many and complex, but they seem to stem from a fundamental misunderstanding of the role of research in meeting health needs.

In a Department of Health, Education and Welfare memorandum dated Aug. 11, a tentative fiscal plan for the next five years wisely seeks to emphasize improving health services and containing their costs. But it treats research as, in effect, alien to these objectives.

Actually, research is anything but. For one thing, it can often eliminate the need for care. An example is L-dopa, the drug for Parkinson's disease which was developed with government money. Parkinson's is a disease that afflicts at least a million Americans and progressively turns most of them into bedridden invalids. Although not yet licensed for general use, L-dopa has shown so much promise that it is apparent it will restore thousands to at least a semblance of self-sufficiency. This, in turn, will ease the demand for nursing personnel and for nursing home beds, also relieving some of the pressures that drive up the costs of medical care.

Another factor apparently overlooked by the administration is the intimate relationship between research and medical education. While many medical schools have subordinated basic physician training to research, the pool of those who teach aspiring doctors is drawn from among medical school graduates who go on to specialize after earning an M.D. The preparation of those who teach in the so-called preclinical years, particularly, has in large measure been supported by NIH. Medical schools are so hard-pressed financially that they can hardly foot the bill alone.

If the administration is committed to increasing the number of doctors, one wonders why it also is limiting the number of those most likely to be willing to take on these teaching assignments which in general pay less well than community practice. Budget directives given NIH make sharper cuts for training new investigators than for the support of ongoing research—a move which will also make it difficult if not impossible to support bright young researchers with promising ideas.

This decision is reminiscent of the past policy of the American Medical Association, which deliberately held down the number of billets in medical schools for the same reason that other trade unions put ceilings on apprenticeships. The government cannot be accused of the same motivation, but it is creating a future shortage of scientific personnel at a time of population growth.

To sum up, the administration's stated determination to increase the supply of health manpower and the availability of care, particularly to the poor, is admirable. But its failure to recognize that biomedical research can help to do the job is exceedingly shortsighted.

Besides, breakthroughs on the medical front gleam every bit as brightly in the crown of national prestige as sending men to the moon.

HORTON HIGHLIGHTS SPEECH BY DONALD KIRSCH CALLING ON BUSINESS TO HELP WITH DOMESTIC PROBLEMS

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. HORTON. Mr. Speaker, I am very pleased to be able to share with my colleagues a speech by Mr. Donald Kirsch, president of Wall Street Consultants, Inc., delivered at the 17th annual alumni business conference of the graduate school of business administration, at New York University, March 21, 1970.

Mr. Kirsch is the son-in-law of my good friend, Edward Tejw, chief clerk of the city court, criminal branch in Rochester. My colleagues will recall that I have called their attention to the exemplary service of Mr. Tejw, and the fact that the community is holding a testimonial for him this Sunday.

Mr. Kirsch's fine speech contrasts the poor with the affluent in our society and draws the conclusion that we must be more creative and adventurous in solving our problems.

I was especially impressed because Mr. Kirsch neither condemns nor condones capitalism, but points out business is one of the means this country has used to become great, and in the future it is a means we can use to give every American the opportunity "to reach the edge of his own horizon—the opportunity to not only consume, but to produce."

The speech referred to, follows:

A SPEECH BY DONALD KIRSCH, PRESIDENT, WALL STREET CONSULTANTS, INC.

President Hester, Dean Taggart, Professor Kross, Ladies and Gentleman: I thank you for your kind invitation to appear here today to discuss a topic of great moment to all of us: the preservation of American capitalism at a time when it is being severely tried.

As nations are measured, we are in that season of national adolescence where we doubt our own virtues, having had them for so short a time. Yet we have condensed a civilization into our less than 200 years—an American civilization, forged from the agony and the distress of older cultures unable to adapt to change.

The compress of time which has permitted this country to so quickly exploit its national destiny has also telescoped the social conflicts inevitable in any highly mobile economic system. These pressures have created fissures in our capitalistic structure, and there are those who say, strangely I believe, that they foretell a revolution in this country. There are even some who say that revolution is not to be feared for after all it is an American invention.

We live in quixotic times. We place men on the moon, and our gross national product approaches one trillion dollars. And 30 millions of our fellow countrymen live on the undercore of poverty, pleading for the opportunity to drink from the well which so generously quenches the thirst of the majority of our people. And some of our citizens no longer plead: they simply threaten to poison the well.

There are great paradoxes in contemporary America. The hallmark of our success as a nation has been the economic mobility of our society. There are many in this audience alone who in a single generation have come from near poverty to wealth, and we are not a privileged elite.

Yet, there is hunger in our nation, denied though it might be by political leaders and invisible as it might be to those of us who have learned how to manipulate the system. The starkness of the tragedy being suffered by many of our fellow Americans is not easily impressed upon us, not because we are casual about the sufferings of others, but because they do not cross our personal paths with any frequency.

We are meeting in the afternoon today, and we have all enjoyed a pleasant lunch. For those who had the opportunity to lunch at the University, may I note that your meal cost in excess of $4.90. This may seem a capricious figure to bring before you, but I would like to point out that 10 per cent of all white families in America, 35 per cent of all black families, and 58 per cent of all blacks over the age of 65 live in poverty—as defined by the expenditure for food of $4.90 *per person, per week*. Please remember that when you next sign a luncheon bill in excess of $4.90, and recognize what it means to try to survive on that amount of money as a food allowance for 7 days.

Adam Smith's "The Wealth of Nations" was published in 1776, the year of this nation's birth. That great economic moralist first defined the essense of capitalism, and no nation has made greater use of his startling economic perceptions.

Capitalism has undeniably given to this great nation a standard of living unparalleled in this history of the world. Yet, there are today in the United States more than 160 identifiable ghettos sheltering, if that is an appropriate word, 20 million people. And beyond the ghettos we have the Appalachias—those ruined regions whose residents were mined out even before the coal shafts were depleted.

And collecting silently behind them we have more than 18 million aged building into a political force; Mexican-American coalescing into power blocks; American Indians demanding the government obey its treaty obligations.

Clearly, the life style of America is changing and not for the better. Our trillion dollar a year economy produces along with it 142 million tons of smoke and fumes each year, some 7 million junked cars, 20 million tons of waste paper, 48 billion used cans, and 50 trillion gallons of industrial garbage.

Technocracy seems to rule our lives! We speak so glibly now of ecological problems, societal restratification, social technology. And, as incredible as it seems, we forget what it means to be hungry, to have the acid eating in your stomach as you watch your children go without food; to have fear grip you so strongly that you panic at the thought that you might not make it out of the slums *into* the system; that you might raise your child only as your own replacement—and no better.

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How can a system so good be so bad? As Alice would say: "Things get curiouser and curiouser."

Can this most affluent of nations fight an Asian war, explore space, feed half the world—and forget the sufferings of those who belong to us?

It was Aristotle who first said that poverty is the parent of revolution and crime. And the militant minorities of 1970 prove the truth of this.

We proved once in our history that we could not live as two nations and fought a terrible war to hold our people together. We cannot now survive as two nations: one nation of privileged, and one nation of poor.

Our task in America today is to provide a wider corridor for our fellow citizens to move out of the ghettos into what we consider the mainstream of American life. It is not sufficient to state that 85 per cent of our citizens are above the poverty level, and that our definition of poverty would be considered luxury in India. A black child is starving today in Harlem, and *he* is our immediate concern.

Henry George once said that "Poverty is not merely deprivation; it means shame, degredation, the searing of the most sensitive parts of our moral and mental nature, as with hot irons." We tend lately to think of poverty in terms of color only, but bear in mind that while more blacks are poor, more poor are white. Our task in America today is to see to it that every American is given the opportunity to reach the edge of his own horizon—the opportunity to not only consume, but to produce.

Hear the cry of an eloquent black writer, Gordon Parks: "What I want, what I am, what you force me to be, is what you are. For I am you, staring back from a mirror of poverty and despair, of revolt and freedom. Look at me, and know that to destroy me is to destroy yourself. You are weary of long hot summers. I am tired of the long hungered winters. We are not so far apart as it might seem. There is something about both of us that goes deeper than blood or black and white. It is our common search for a better life, a better world. I march now over the same ground you once marched. I fight for the same things you still fight for. My children's needs are the same as your children's. I, too, am America. America is me. It gave me the only life I know—so I must share in its survival. Look at me. Listen to me. Try to understand my struggle. There is yet a chance for us to live in peace beneath these restless skies."

Introspection is one of the more important components in the moral fabric of any great nation. And it is incumbent upon America to listen to such a litany, and then review our system of values. We are suddenly concerning ourselves with ecology and the rapid depletion of our natural resources, but we do not address ourselves to the depletion of our single, most important natural resource—the confidence and belief of Americans that their nation is good.

We *are good*, you know. We are indeed a great and generous people. And history will treat us kindly for our relative benevolence. But it is time we narrowed our focus and became more myopic. It is time to turn our gaze homeward.

We must face the fact that the radical revolutionaries in our society are demanding proof once again of the flexibility and viability of our contemporary American society. And that is both the obligation *and* the opportunity before capitalism today. It is an opportunity to *display* the mobility which permits an American to move in one generation from poverty to wealth; it is *also* the obligation of successful American businessmen to show the minorities how it is done.

We must make capitalism more militant. We as business people who have prospered most from this great economic system must reinvest in our own nation and our own people not only with dollars, but with ideas and time. We must *sell* capitalism—the concept and the system—to our own people. We must educate them, and it will be no easy task.

Thomas Watts, an early writer on subjects of business, put it this way in an essay in 1716: "Sir, I need not observe that education is of such vast importance, it carries its own recommendation along with it. The misfortune is, that, like a stately Mistress, 'tis difficult of access."

How do we gain access? That is the question.

First we must create credibility. Do you know that the unemployment rate of black high school graduates is *greater* than that of blacks who have dropped out of school? How's that for an incentive to finish school?

I think we must encourage minority youngsters to complete their education in any way possible, and I am not above bribing them to do it. The reduction in welfare payments once they move into tax-paying status will more than repay any subsidies given to them. We ought to consider a monetary grant from the government to children of substandard income families so that they are properly clothed and fed—and motivated.

We must as businessmen help replenish the decaying American school system. There is a unique way to do it, if we are not timid about using an old fund-raising technique. Why not permit business organizations or philanthropists to donate a public school building, in return for the honor of having the facility named after someone of their choice. It works in colleges. Why not in the public school system? One can't buy an institutional advertisement or leave a personal testimony more enduring than a public school building bearing an individual's name with a plaque as a cornerstone.

We must become more adventuresome—more creative. We have to destroy the image that white America is a club, that capitalism is a mystery, that businessmen exploit, that Wall Street is venal. There is a way to do it with the young—if we can keep them in school. We've all heard of the 4–H Clubs, those enormously successful programs aimed at rural youngsters and designed to introduce them to the advantages of technological farming. How about an organization called Future Investors In America, an extracurricular school club whose aim it would be to teach youngsters how one goes into business, raises, capital, deals with bankers and customers, merges or acquires, goes public. There are some 50,000 publicly-owned corporations in America, and some 10,000 brokerage house offices, all of them vitally interested in developing new capitalists. If local publicly-owned corporations were to give an annual prize of one share of their company stock to the student whose portfolio of investments in local companies showed the best gain in a given period of time, students would have an incentive to learn about investing—in short to learn about capitalism.

And what better exposure for these students than a dialogue with businessmen who run successful companies—especially those who have developed their own companies, rather than inheriting them. All of us who regularly read the business pages of our local newspapers are constantly exposed to stories of unusual business success. Our youngsters should be as well.

Norman Cousins, the Saturday Review's noted editor, tells us that the mark of an educated man is that he understands the relationship between cause and effect, and I would add that he also understands the seamless webb—the continuity of past and present.

We must in some way dramatize the past and present contributions of business to America and to the world. One way to do it might be through the development of a new industrial museum. There are approximately 5,000 museums in the United States and, to my knowledge, only Chicago has one devoted to science and industry. One which existed in New York City in the Rockefeller Center area closed at approximately the time World War II began, and the business community apparently has not been interested enough to redevelop such an institution. Are we so little concerned with our own heritage that we cannot take the time to develop an institution to catalogue and exhibit those important business milestones which have helped make America a great nation? And if there is a need for such a place, why not consider Ellis Island—conveniently located, the entranceway to America for the great European migrations. Such a museum would take great planning to explain the more esoteric relationships of finance to manufacturing, but it could be so very helpful in explaining the American story.

There are many ways to educate young people. Perhaps in our era of modern technology, audio-visual devices provide greater access to the youthful mind. We must try new techniques to reach not only the disadvantaged young, but the intellectual youth of America who are turning away from business, not in despair, but in total disinterest. A survey of college students recently indicated that only 6 per cent were inclined towards a business career after finishing their college education.

More than five hundred years ago, the Hanseatic traders recognized the importance of instructing their sons in the ways of business, and hired tutors to explain to them the methods of commerce. Trade became their egress, and their ideology. I don't suggest that we pervert our youngsters to the pursuit of the dollar by immersing them in business, but capitalism is their heritage, and a capstone as well to *this* nation's ideology and for the most part they do not understand this. The late Scott Buchanan, an important educator and social critic, said he was most disturbed in a visit to Israel by Israeli youngsters who consistently asked why American children do not have an ideology. It might be because their parents do not fully comprehend America's ideology: peace through prosperity.

Perhaps one of the reasons why many Americans do not fully appreciate the role of capitalism is the lack of respect for business shown by many professional and academic persons in our country. This lack of regard is perhaps best described in an interesting article in the March, 1970 issue of Nation's Business, entitled "In Voting On Great Americans, Business Gets The Business." The lead begins: "If the business of America is business, as President Calvin Coolidge once said, you would never know it by visiting the Hall of Fame for great Americans at New York University." Among the 93 persons honored there, only two—Peter Cooper and George Peabody—have been businessmen, and they were chosen in the first election held in 1900.

The article poses the question as to whether greater contributions to America were made by such Hall of Fame members as military engineer Sylvanus Thayer and actress Charlotte Cushman—or Andrew Carnegie, George Eastman, and John D. Rockefeller, Sr., none of whom has been admitted. When outstanding electors for 70 years reject men of this caliber in favor of actresses and West Point Superintendents, one must wonder at the low esteem in which we hold the American businessman. And if the businessman is to be condescended to, how can one truly respect the capitalistic system from which he draws his vigor.

Clearly we must do some educating of the educators. I must tell you that I am also very much disturbed by the fact that we have in the United States so many academic economists who can cite with great proficiency all the assets and liabilities of socialism, communism, and any other economic systems. They can discuss our own capitalistic system in detail, yet in all the universities in America, there is no Chair of Capitalism—to afford the economic scholar the framework in which to study and focus on the evolving needs and nature of American capitalism. This is a serious failing in the academic community and one which, once corrected, should provide important benefits for all of America.

It is important for us to have in America an outpost which constantly surveys our own system and monitors those of other nations. Throughout the world new economic approaches are being tested with the primary motive being the broader participation of citizens in the wealth of their nation. And some of those programs might be valuable to us. One which is of particular interest at this moment is a program championed by General DeGaulle and finally introduced as official doctrine in France in August, 1967. The preamble to the first ordinance lays the philosophic groundwork by stating: "Progress, the work of all, must be a source of enrichment for all, which means that all must share in the growth of capital which produces it."

The articles of the ordinance then spell out what is now known in France as "the rule of participation," ordering all companies with more than 100 employees to institute profit-sharing programs with a waiting period of only three months for new employees. To provide an incentive for the companies, the amounts put aside for employees are tax deductible, and the company can set aside for one year an equal amount of money tax free to be used for the purchase of amortizable assets. Companies can also, with the employees permission, decide to place these funds into a regulated investment trust and thereby recirculate the capital back into the business system itself.

Similar systems are now being explored in many nations of the world, and yet in America—the home of capitalism—we rely more and more on various forms of welfare, guaranteed income, negative income tax schemes—all of which may prove fruitful. But ironically, there is little discussion about business itself being the instrument for the redistribution of wealth, as well as the creator of riches.

We have been speaking mostly of approaches to introduce the disaffected to the capitalistic society. There is also a need for capitalism to be more aggressive in *transforming* the employed members of our society into two more independent, financially stable persons. There are few new economic concepts worthy of trenchant analysis, but one which may well be worth your while is the interesting Second Income Plan conceived by Louis Kelso, author of the "Capitalist Manifesto."

Mr. Kelso suggests the following as a method for developing a broader equity ownership in American business: a corporation in need of financing borrow not directly from a bank which it must repay with after-tax dollars, but through an employee trust which it repays with pretax dollars.

The employee trust buys from the corporation at fair market value a block of common stock in the corporation, and then pledges this to the bank in return for a loan. The money received by the trust from the bank is then loaned to the parent corporation.

If the corporation uses the money productively and profits increase accordingly, a portion of the principal plus a percentage of the profits is repaid to the trust. The trust in turn uses the principal to repay the bank loan, the dividend to pay the corporation for the stock. When the bank loan is repaid, the employees through the trust have both a second income deriving from the dividends on the stock and an equity position which can become the cornerstone of a personal investment portfolio.

Mr. Kelso's radical approach to expanding the number of capitalists in America is now in use in several important companies, including a West Coast newspaper chain; a California securities firm; and a Southern steel company. It is an interesting exploration of how a more militant capitalism can possibly combat an increasingly millitant citizenry.

New investigations of refinements in American capitalism are imperative whether one accepts a particular approach or not. The need for such responsiveness becomes increasingly evident each passing day, and it is the burden and the privilege of American industry and American businessmen to provide the answers to the problems which beset us now. The willingness of our industrial leaders is obvious, as such businessmen as Charles Percy and Howard Samuels stand for important elective positions. And industrial organizations are beginning to participate more heavily in the reconstruction of our society. Bruce Gelb, President of Clairol, most eloquently stated business' reason for participating in societal change. Recently he said: "They feel deeply and seriously, and they do have a lot of motives for that feeling. They've got a motive of fear and they've got a motive of love, and they've got a motive of profit, and they've got a motive of survival as well."

That's what I would call *total* motivation.

Business must seize the opportunity to create an environment in which business can flourish. To quote Henry George again: "Capital is good: the capitalist is a helper if he is not also a monopolist. We can safely let anyone get as rich as he can if he will not despoil others in doing so." To which that great unionist, Samuel Gompers, added, "There is no more demoralizing theory than that which imputes all human evils to capitalism or any other single agency."

At last business is beginning to shoulder its responsibility in the redevelopment of the American system, and everywhere we look there are encouraging examples of this consciousness.

For example, Western Electric in an effort to resolve part of the Indian problem, developed a project with the Cherokee Indian Nation, and formed Cherokee Indian Nations, Inc., owned by the tribe. Founded to produce wafer electrical switches and other electronic gear, the plant began operation in 1969 and shows every indication of becoming a highly successful enterprise.

Goodway, Inc. in Pennsylvania has introduced a black heritage library and is actively licensing well-established black businessmen throughout the nation to participate in the development of this project—permitting the benefits for this publishing venture to flow not only to the stockholders of Goodway but to the members of the black community to whom it is being directed.

The Dayton Hudson Corporation, as part of its company philosophy states: "As corporate citizens we are obligated, individually and collectively, to dedicated participation in projects and organizations aimed at the betterment of our communities, our regions and our nation. We use 5 per cent of our annual pretax income for the improvement of the environments of which we are a part."

Many other major American organizations and individual businessmen are beginning to put their efforts and creativity into the resolution of those problems which must be answered immediately. An interesting approach is that of the National Urban League which has organized the Black Executive Exchange Program—asking successful ghetto-born black businessmen to speak at black colleges about the advantages of capitalism. In one instance, a rally at Southern University in Baton Rouge featuring Rap Brown, conflicted with a lecture by black executive Harvey Proctor of Ford Motor Company. The students attending Proctor's talk were told they would be permitted to leave the lecture to hear Rap Brown, and of the 85 in attendance, only three chose to leave—and Rap Brown by the way is an alumnus of Southern University!

So, you see, we are not selling capitalism to a completely unreceptive audience.

It is therefore doubly important that American corporations make the minorities understand how capitalism works and why it works, and the best way of doing so is by integrating the minorities into the system.

If only the point could be dramatically made to the disaffected millions in America that the net worth of America's industrial corporations approximates only $600 billion. If those who call for the dissolution of the American system were to be granted their wish, and all American industry would be liquidated, each individual in America would receive less than $3,000—and everyone would be out of work. The value of America therefore is that it is a going business—and we must keep it going.

I don't know how much of this you accept, but if you accept any of it, may I close with the prayer with which early Dutch accountants opened their books of entry: "May God our merciful Saviour vouchsafe me safe to make a profit and preserve me from all bad fortune."

Thank you for your kind invitation and your indulgence.

AMERICAN TRUCKING ASSOCIATION HONORS JOURNALISTS FOR SAFETY WRITING—JOHN H. REED, CHAIRMAN OF TRANSPORTATION SAFETY BOARD, URGES ACCELERATED SAFETY PROGRAMS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, April 14, 1970

Mr. RANDOLPH. Mr. President, April 9, the American Trucking Association held its annual awards luncheon in Washington to honor the winners of its 1969 Newspaper Safety Writing Competition.

I was privileged to participate in the presentation of awards to 10 journalists and a special plaque to a newspaper. In each case the awards were made for exceptional writing and photography that emphasized the need for constant attention to problems of highway safety. The competition is an important feature of the associations' continuing effort to reduce highway accidents and deaths.

The special plaque was presented to the Journal Messenger of Manassas, Va., as the newspaper conducting the most outstanding and effective overall highway safety campaign during 1969. The work was carried out under the direction of Ray Dilley, news editor, and Bennie Scarton, Jr., associate editor.

Individual citations in three categories were presented to:

Single story: Joan Mills, the Berkshire Eagle, Pittsfield, Mass.; Donald Smith, the Evening Star, Washington, D.C.; and Ed Wintermantel, the Pittsburgh Press, Pittsburgh, Pa.

Editorial: Larry E. O'Hara, Cecil Whig, Elkton, Md.; Alann B. Steen, Arcata

Union, Arcata, Calif.; and Barbara L. Bartley and W. L. Smith, the Clarion News, Clarion, Pa.

Series: Fred Anderson, the Miami Herald, Miami, Fla.; Stewart Davis, the Dallas Morning News, Dallas, Tex.; and Sue Ann Wood, the St. Louis Globe Democrat, St. Louis, Mo.

Judging for the competition was carried out by Ernest W. Chard, executive editor of the Portland Press Herald and Portland Evening Express in Maine; John N. Cole, editor of the Maine Times, Topsham, Maine; and David M. White, chairman of the Boston University Journalism Division.

The Hon. John H. Reed, chairman of the National Transportation Safety Board, was the principal speaker and delivered a thoughtful discussion of the need for accelerated safety programs in the next decade.

In my remarks, I endorsed his call for increased safety in all forms of transportation. I particularly underscored his concern for the dangers of highway railroad crossings, where 1,500 people die in accidents every year. This is a subject to which the Committee on Public Works will give special consideration this year.

Mr. President, Mr. Reed's remarks were very pertinent to the cause of safety. I ask unanimous consent that excerpts from them be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

SAFETY TRENDS FOR THE 1970's

(By John H. Reed)

I am both honored and pleased to be here today. This occasion, sponsored by the American Trucking Associations, presents an unequaled forum from which to spread the word to the American public on the vital need to unite behind a program to promote greater highway safety.

Today we have reached a paradox of transportation achievement; we are a nation of people on wheels, we have more than 104 million private cars, trucks, and buses on the highways; we have the largest and most modern system of highways in the world—and, at the same time, the largest highway death toll in the world. Last year, in 1969, 56,400 people were killed in traffic accidents—an all-time high.

Unfortunately, on the basis of safety information already known, this tragic number will probably increase before it decreases. However, most traffic fatality projections reveal a downturn in this tragic record by 1972 or 1973 because of increasing safety actions by State and Federal authorities. By 1980, a National Highway Safety Bureau projection indicates an annual traffic death toll of 41,000 even though there will be some 37 million more vehicles on our highways.

Congruent with our automotive production success we recognize the fact that we have a serious safety problem on our highways—a tragic and continuing problem that must be solved—the kind of problem that must be understood locally if we are to solve it nationally.

Work in transportation safety is never done—of necessity, it is a continuing process that must never end. In his State of the Union Message, President Nixon said: "As we move into the decade of the 70's, we have the greatest opportunity for progress of any people in world history." In the National Transportation Safety Board we believe that decade of progress also means initiating safety actions that will help to reduce the highway death toll, and the fatality rate in marine, railroad, pipeline, and civil aviation transportation as well.

Safety recommendations are one of the Board's most important products. The Board does not have the power to make its recommendations mandatory—nor does it desire such authority. We are the overseers of transportation safety—not an enforcement agency. Therefore, we make every effort to see to it that our safety recommendations are precise, meaningful, and reasonable so that they will be adopted voluntarily by the companies, organizations or Federal agencies to which they are addressed.

Actually, however, we do have another power; one that is set forth in the Transportation Act itself, one that is based on the right of the people to know what their government is doing—we make all our safety recommendations public.

By their very nature, safety recommendations oftentimes point out a need for changes in accepted transportation principles, designs, and operations—and proposed changes are not always welcomed with open arms. In reviewing safety of all transportation modes, under statutory authority, we must "call them as we see them," clinically and impartially. You can readily see that this function is one that might, from time to time, make us less than popular in the transportation community.

But I am encouraged by the fact that our safety recommendations, since the inception of the Board in 1967, have, for the most part, been well accepted by both industry and government agencies.

The Safety Board is now nearly three years old. In that time we have issued 105 safety recommendations in civil aviation and 184 pertaining to marine and surface transportation. Of the latter, 50 recommendations were concerned with highway safety, and were directed to the Congress, the Department of Transportation, the Federal Highway Administration, the Bureau of Public Roads, the Federal Railroad Administration, the States, to private safety organizations, and others.

The last 10 highway safety recommendations covered such different items as:

1. Methods to Increase the Safety of Shipment of Hazardous Materials.
2. Compatibility of Standards for Drivers, Vehicles, and Highways.
3. Increased Structural Strength of School Buses.
4. Safety Routing of School Buses to Avoid Grade Crossings.
5. Strengthening Fuel Tanks.
6. Improving Highway Design Standards.
7. Highway Visual Safety References.
8. Use of Seat Belts or Other Restraining Devices in Buses.
9. Improved Bus Evacuation Means and Escape Instructions.
10. Reduction of Accidents Due to Alcohol.

Any discussion relating to highway traffic hazards would be incomplete if we failed to mention that about half of all traffic fatalities involve persons under varying degrees of alcoholic intoxication. It is the largest single cause of traffic deaths in the United States.

Nevertheless, truly effective national enforcement efforts in this field are hamstrung because of the hundreds of differing laws that exist in political divisions such as State, counties, municipalities, and townships. The uniformity of regulation and law enforcement governing persons driving under the influence of alcohol that exists, for instance, in England or Canada, is nonexistent in the United States.

One of the 16 Highway Safety Program Standards developed by the National Highway Safety Bureau, deals with "Alcohol in Relation to Highway Safety." To be in compliance with this standard, each state is required to develop a program to reduce traffic accidents resulting from persons driving under the influence of alcohol and to establish specific test procedures for determining blood alcohol content. The level at which a driver may be deemed "intoxicated" shall not be set higher than 0.10 percent blood alcohol by weight.

The continuing effort to improve enforcement of these standards requires implementation of the "Implied Consent" law. This law, in effect, is an agreement between the State and the driver, made at the time the driver receives his license, that he will undergo an alcohol chemical test if ever arrested for operating a motor vehicle while under the influence of alcohol—and that if he refuses to take such a test his license will be suspended. Today, we have 46 States with such legislation on their books; only Illinois, Mississippi, Montana, Wyoming, and the District of Columbia have yet to join in this national effort.

These standards are indicative of a safety trend that, hopefully, will become a reality in the 70's. They will provide the impetus to insure uniform traffic codes and laws among all the states—similar to what now exists in the Uniform Vehicle Code. We must make the public aware of this safety need to standardize our traffic codes and laws—and, again, you newsmen are our first line of communications. It will take time and effort to achieve but hopefully "this decade of the 70's" will witness its birth, born of necessity to provide greater traffic safety for all our people.

MILITARY FUNERALS FOR VETERANS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. WOLFF. Mr. Speaker, the recent decision to limit military participation in funeral ceremonies for veterans buried in national cemeteries came as a surprise and brought forth considerable dismay.

Our veterans who have contributed so much to the Nation certainly deserve the dignity of being able to receive full military participation in funerals.

Recently, I received a document from the Veterans of Foreign Wars which I feel sums up the reasons why such an honor should be restored.

Since I do feel this matter deserves reconsideration, I would like to extend my remarks to include the VFW resolution in the RECORD, as follows:

RESOLUTION NO. 63—MILITARY FUNERALS FOR VETERANS

Whereas, in the past the Armed Forces of the United States have sent burial teams to conduct military funerals for deceased veterans; and

Whereas, as members of the Veterans of Foreign Wars of the United States, we were all in combat against the enemy on foreign shores in order to preserve and defend our country; and

Whereas, as veterans we feel that it is the obligation of the Armed Forces of the United States to honor the request for a military burial for deceased veterans; now, therefore

Be it resolved, by the 70th National Convention of the Veterans of Foreign Wars of the United States, that if a veterans organization is unable to conduct a military funeral, an Armed Forces burial detail be supplied, if requested.

XUM

TRIBUTE TO GENTLEMAN BARBER GUY LOMBARDO OF BELMONT, MASS.

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. MACDONALD of Massachusetts. Mr. Speaker, I rise today to pay tribute to a man who was, in a real sense, an institution in the Seventh Congressional District of Massachusetts. His name was Guy Lombardo—a name he shared with another celebrity—and he was one of the last of the old school of barbers. He was a professional and a gentleman at the same time, and he was known and admired by his fellow citizens in the town of Belmont and by many others throughout the Greater Boston area.

Guy Lombardo came to the United States from Italy as a teenager. He became a barber at the age of 20 and spent the next 54 years of his life in that profession, making countless friends throughout the years. When Guy Lombardo passed away last month, he left behind him a great void for all of those whose lives had been made richer by sharing his friendship.

Dave Gardner, who writes for the Belmont Herald, chose Guy Lombardo as the subject for his column "Around Town," and his tribute was joined by that of another well-known Belmont resident Maury Goldsmith. I would like to call the attention of my colleagues to these tributes to a fine individual.

The articles follow:

Gentleman Barber Guy Lombardo Dies Suddenly in His 74th Year

(By Dave Gardner)

Belmont lost one of its nicest persons, a fine gentleman and a dedicated citizen when Guy Lombardo, the barber, died suddenly on March 5 shortly after closing his shop on Trapelo Road for the day. He was in his 74th year.

Soft spoken and gentle, Guy, a professional barber of the old school, was shocked and dismayed at many of the hair styles and revolting antics of some of today's youth. And there are many who will agree with him.

A native of Italy, Guy came to the U.S. when he was 14 years old. He became a barber six years later and worked at a shop in Boston.

In 1945 he decided that traveling back and forth to Boston every day was too much so he opened his own shop in Belmont. Guy was a master of his profession and it was a pleasure to get a haircut there. No in and out of the chair in 15 minutes, he took great pains to see that everything was done just right.

In later years he cut down to working just four days a week so he could spend more time in his garden and his summer place at Manomet near White Horse Beach.

Guy recently became involved in widespread publicity regarding the publication of a song about the barber's modern day problems. As hair styles grow longer, the barbers grow poorer.

To point up the plight of the tonsorial artists, Belmont's "drug store philosopher" Maury Goldsmith of 67 Slade st. in collaboration with writer Al Maister of ASCAP composed a song published under the title of "Barber Shop Blues."

Maury tells us the song was inspired by a conversation he had with Belmont's genial senior barber, the man with the musical name, Guy Lombardo. The song was dedicated to Guy as a "gentleman, barber and artist."

Guy, who has been barbering in Belmont for more than 25 years did not play any musical instrument other than the stereo but he did enjoy music. He once told us that over the years he had many offers to wave a baton in front of bands so they could be billed as "Guy Lombardo's" orchestra.

Guy leaves his wife Josephine (Mondello), two sons Francis and Joseph, all of Belmont and a brother Carmelo in Italy. The funeral was held on Monday, March 9, from the Trapelo Funeral Home (Anthony Cincotti) with a Requiem Mass in St. Luke's Church. Burial was in the Belmont Cemetery.

A Tribute to Guy

Dear Dave: I am wondering if you can run the following lines in tribute to a fine human being who passed away on March 5. Guy Lombardo—The Barber—The Gentleman—The Artist—The friend to many. He was a great human being in so many ways:

WHEN IS A MAN A MAN?

"When he can look out over the rivers, the hills, and the far horizon with a profound sense of his own littleness in the vast scheme of things, and yet have faith, hope and courage—which is the root of every virtue. When he knows that down in his heart every man is as noble, as fine, as divine, as diabolic, and as lonely as himself, and seeks to know, to forgive and to love his fellowman.

"When he knows how to sympathize with men in their sorrow, yea, even in their sins—knowing that each man fights hard against many odds. When he has learned how to make friends, and to keep them, and above all, how to keep friends with himself.

"When he loves flowers, can hunt birds without a gun, and he feels the thrill of an old forgotten joy when he hears the laughter of a little child. When he can be happy and highminded amid the meaner drudgeries of life. When the star-crowned trees, and the glint of sunlight on flowing waters subdue him like the thought of one much loved and gone home. When no voice of distress reaches his ears in vain, and no hands seeks his aid without response. When he finds good in every faith that helps man to lay hold of divine things and sees majestic meanings in life, whatever the name of that faith may be. When he can look into a wayside puddle and see something beyond mud, and into the face of the most forlorn fellow mortal and see something beyond sin. When he knows how to pray, how to love, how to hope. When he has kept faith with himself, with his fellow man, with his God; in his hand a sword for evil, in his heart a bit of song—glad to live, but not afraid to die!"

Sincerely,

Maury Goldsmith.

THE PREVALENCE OF DRUG ABUSE

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. STEIGER of Arizona. Mr. Speaker, the necessity for more information about drug abuse so that it might be limited to the extent possible is clearly evident from the series of articles about "Gigi," an addict presently off narcotics. The scope of this problem is described in this series of articles by Mr. Paul Switzer in the Arizona Daily Sun. Northern Arizona University is displaying more vigilance now and is starting to rectify the conditions noted.

The article follows:

"Gigi" Tells of Young Life Crowded With Drug Horrors—Part 1

(By Paul Sweitzer)

(Note.—This is the first of a five-part series by Sun staff writer Paul Switzer which delves into the motivation and experiences of a Northern Arizona University coed with drugs. She is no longer a "user," but feels her story might help convince other young people of the dangers and heart-break involved in the use of drugs.)

Call her Gigi—because to reveal her true name might prove both embarrassing and dangerous.

One morning, not long ago, Gigi spotted Flagstaff Drug Abuse Information Officer Nancy Burnett in a local coffee spot, with two associates, and the next thing anyone knew the 19-year-old Northern Arizona University coed had joined the party.

"Can I talk to you?", she asked Mrs. Burnett, in a voice slightly hesitant and as she lit a cigarette with trembling hands.

Gigi's message was simple.

Beneath "this face that looks 15 years old" was a lifetime of hard living, brought on by narcotics abuse, and Gigi wants to tell her story, to anyone who might listen, in the hope she might be able to convince other young people that the "kicks" brought on by drug usage are hardly worth the hell that can follow.

Mrs. Burnett is not one to act slowly on such an offer and within an hour Gigi had joined Flagstaff's foremost opponent of drug usage in counselling a 15-year-old boy bound for the State Industrial School, at Ft. Grant, on dope charges.

But that's today and today is not that far removed from slightly more than a year ago, when Gigi probably was flying higher than the crest of Mt. Everest in her drug-induced hallucinations.

The flight began to get rough and, finally, in the 118-degree heat of a California desert town it came to a crashing end one day last summer. Gigi had a nervous breakdown, spent her summer and her parents' money in a psychotic recovery ward, and, now, is back trying to start life anew—minus drugs.

Part of that new start, as with many former addicts, is an almost compulsive necessity to try to prevent others from taking the same path.

Gigi is not pretty, but her long face does have an impertinence that makes it appealing.

She wears her reddish hair parted in the middle and in loose braids on either side of her head and she likes blue jeans and loose comfortable pullovers, with a warm jacket.

She smokes cigarettes almost incessantly and pops bubblegum, instead of some kind of pill.

She's an outspoken little girl and claims she always has been, since childhood, and some of the language she can use would make a veteran Bos'n blush.

But, after a life that has included a nervous breakdown, withdrawal from drugs, living with at least two boys, and use of almost any kind of drug or narcotic imagineable, maybe Gigi has earned the right to be frank and outspoken. She's making a new start now, but recent memories are filled with the horror of drugs for Gigi. "Kicks" then were drawing on a marijuana "roach" with a special holder.

She tells her story in English anyone can understand and it starts on June 20, 1950, when Gigi was born, the third child of a father who graduated from one of the nation's service academies and has since become a topflight electronics engineer and a mother who is a surgical histologist in pathology.

Gigi thinks her father is a genius, even though almost always had a communications problem with him.

Even today, "cleaned out" of her narcotics habits for almost six months, Gigi calls her mother the "old lady" and speaks of her scornfully.

She also has an older sister, 27, and an older brother, 24, who is an addict and who would "really freak out if he knew this happened to me, too."

Of her own beginnings in the world, Gigi says, "I was a mistake. My mother even told me that. She said I was a boo-boo."

"He Thinks He's an Orange": "Gigi" Met Mark and Marijuana at 16—Part 2

(By Paul Sweitzer)

Gigi might have been told by her mother that she was a "mistake" in terms of family planning, but that did not prevent her brilliant, highly-trained professional parents from seeing to it their youngest daughter received a good education.

She was sent to a high school in the second richest school district in her state and she earned top grades in French, English, and history and low grades in mathematics and science.

She was a member of the girls swimming team, had limited participation in student government, worked on the school newspaper, and was a member of the French Club.

She also met Mark, during her sophomore year, and "I was passionately in love with him. As passionately in love with him as anyone can be at 16."

Mark came to her school, she says, from an area that has achieved national notoriety for drug usage and "he's back there now and thinks he is an orange. If anyone touches him, he thinks he'll turn into orange juice."

Mark, a senior when Gigi met and "fell in love with" him, also came from a good family.

"His old man," Gigi says, "was a brigadier general. Boy, was that a laugh!"

Mark introduced Gigi first to marijuana and then, in a four-month period, took her to "hash," which "if you smoke enough is as bad as acid," and finally to the epitome of drug use, LSD or "acid."

It was a lilting time for both young people, until graduation and Gigi says, "I remember distinctly being stoned when he graduated and crying because he was going back home."

But Gigi wasn't a hopeless case yet, she says.

"I was getting screwed up in the head," she'll tell you today, "but I wasn't hooked."

"And after Mark left," she goes on, "I started going with a super straight guy. Of course, he isn't anymore. I gave it up until about the second semester of our senior year."

Gigi doesn't come right out and say so, but her listeners get the impression her new "super straight" boyfriend might have picked up the drug habit from her.

When Gigi did resume drug use during her senior year, she says, the pattern was the same, only she became a mixer on a super scale.

She tried everything—marijuana, "hash," and, once again, LSD.

The renewed habit continued throughout the remainder of Gigi's senior year, despite the fact there was a drug scandal in the school and the subsequent probe revealed one of the leading "hustlers," or pushers, was none other than the principal's son.

In the bittersweet humor that is now one of the chief characteristics of a prematurely cynical personality, Gigi always manages to laugh when she tells that particular story.

Then it was time for college and Northern Arizona University.

"Did you continue to use drugs here, Gigi?"

"Did I ever!" she says. "Whoop-de-doo! We're five hundred miles away from home and mommie and daddy."

"Gigi's" Account: Dorm "Pot Party" Ends in Trouble—Part 3

(By Paul Sweitzer)

Gigi had not been at Northern Arizona University very long when she found her first pot party.

"We went to Jerome," she says, "and on the way back we picked up this cat hitch-hiking. Then we all went to his apartment (in Flagstaff) and got really stoned."

Participants in the pot party—held at the Frisco Hills apartment complex—were Gigi, a girl friend, two boys.

Shortly after that, Gigi returned to LSD.

Where did she get it?

"I bought it from a good friend of mine," she says, "right in the lobby of Cowden. All neatly packaged."

Cowden Hall is one of the major women's dormitories on the NAU campus.

Gigi's "friend" is an art major and "he's still around, freaking out."

During the course of her freshman year, Gigi "dropped acid" about five times and in the meantime continued to smoke marijuana regularly.

In the meantime, she became a minor league "hustler," of sorts, picking up "grass" and "acid" for her friends and acquaintances. There was, apparently, no profit motive. It was just something done as a favor for those she knew.

But Gigi was heading for trouble.

Near her room in Cowden Hall, narcotics agents had placed an informer and on the night of Dec. 2, 1968, Gigi returned to the dormitory "higher than a kite."

She had two "lids" of marijuana and began rolling her own joints in her room. Soon, she was joined by some other girls and a party got underway.

The informer went to today's equivalent of a "house mother" and the woman broke in on the party.

Gigi blames her roommate for the trouble that followed. She says the other girl fouled the whole plan of "getting rid of the stuff" by concealing an ash tray containing some very damning evidence under one of the beds.

The rest of the marijuana—most of it by then rolled into cigarettes—had been dumped out the window, but the house mother found that ash tray.

Gigi didn't care.

"I was so stoned," she says, "I couldn't even sit up."

The house mother, naturally, reported the situation to her superiors in the university's administration and disciplinary proceedings were started through the office of Associate Dean of Students Nelle Folk.

Gigi and her friends worked up a "letter perfect" alibi for their questioning by the dean, but it might have been Gigi's outspokenness, as much as anything else, that got them into real trouble.

"I told Dean Folk to go to hell," she says, when remembering the long questioning session she went through with the University official.

Despite the alibi and despite the fact that Gigi's mother eventually arrived on the scene and threatened to bring civil action against the dean, Gigi was out of school.

On Dec. 19, 1968, University officials "gave us 24 hours to get our butts off campus."

Once again, Gigi's bittersweet humor comes into play when she recalls the actions of her "old lady" in regard to the case.

When the mother threatened to bring a lawyer into the picture, Gigi says, University officials cowed and, in order to please the woman, even offered to help Gigi enroll in Arizona State University, in Tempe.

But nothing came of that and Gigi was out of school until the beginning of the current academic year.

She passed her time working in a California desert town as "the original stoned operator" for the local office of Pacific Bell Telephone Co., and, in May 1969, she returned to Flagstaff briefly to appear before a disciplinary board to apply for readmission to NAU.

"I was stoned that day," she says, "and they didn't even realize it. They thought I was nervous."

The board acted in Gigi's favor and she was assured readmission to the University in the 1969–70 academic year, but the worst was yet to come.

She returned to the California desert town, where she had joined another circle of acid users and hustlers, and one smoggy June day, when the thermometer read 118 degrees, she "flipped."

"Trips" Lead Gigi to Hospital Terms—Part 4

(By Paul Sweitzer)

Gigi had been seeing a psychologist for some time before her final nervous breakdown and she had been checked into a hospital twice, as the "wife" of her latest boyfriend, David, for drug overdoses.

The psychologist was puzzled by her suicidal tendencies and so notified her parents.

She was continuing her old habit of smoking pot, "dropping acid," and taking both "uppers" and "downers."

She added mescaline and that, she feels, is what brought on the nervous breakdown, a long, long summer in hospital; and, finally, a return to something resembling "normal living."

She says she had been suffering a "walking nervous breakdown" for about one week before the hot, murky day when she finally "flipped."

On that day, she went to the psychologist, presented him with a bag of pills, and told him if he didn't take it away from her, she was going to overdose again.

The man believed her and took the pills and "I got hysterical and started crying."

Up to that point, Gigi says, life had been a "ball" for her.

She and a roommate had tied up with Tim, one of the "big hustlers" in the area where she worked.

Tim, she says, was a student at a nearby state college and was "working his way" through school by making "damned good acid" in the chemistry laboratory at the school.

Gigi's life had reached a point where absolutely nothing was certain. About the only thing she was "doing right," she says, was "taking my birth control pill, which was a good thing, living with both David and Tim."

The physical and psychological toll of her drug habit had taken hold of her and after she went into hysterics in her consultant's office, she awakened, momentarily, to find herself in Ward 300 of one of the best county hospitals in the state.

For days, she was under heavy tranquilization, until she persuaded the doctors to take her off that and for weeks she was in Ward 300, which was a place where assorted psychotics were treated.

"We had a real smorgasbord in that place," she recalls.

There were alcoholics, addicts, lesbians, homosexuals, and patients with outright criminal tendencies all receiving treatment in the ward.

"The alkies," she says, "all used to set down in the kitchen and talk about booze. We (the addicts) sat down in the rec room and talked about dope."

Once Gigi had shaken the dope habit and the effects of heavy tranquilization, she began a program that included her first decent diet in a "long-long time," and various forms of therapy.

"I was eating three trays a meal at all meals," she recalls now.

She also went to group therapy, "small group" therapy, recreational therapy, and occupational therapy.

At first, the heavy sedation under which her doctors insisted she live caused her to fall asleep in such places as group and occupational therapy.

Finally, on Sept. 2, after one towering temper tantrum that temporarily put her in a "violent ward" in the hospital, Gigi was released and sent back to Northern Arizona University, where she had been readmitted.

One of the conditions of her release was that she continue to see either a consulting psychologist or a psychiatrist and her parents are still paying for the treatment that made her a human being again.

The bill came to $2,500 and because of the professional status of both her father and mother, the state wouldn't cover any part of it.

Today, outspoken as ever and perhaps more so, she's back at NAU trying to regain lost ground.

She still has a low regard for the University's policies on drug use and she wants to tell anyone she can about her experiences with drugs.

She views the University administration's handling of the "narcotics problem" on the campus with complete scorn.

She likens the attitude of NAU officials to that of an ostrich, only she puts their heads in a position even more highly uncomplimentary than the sand.

"If You Want It, You Can Get It": "Gigi" Views Drug Use on Campus—Part 5

(By Paul Sweitzer)

How prevalent is narcotics use on the campus of Northern Arizona University?

Where is the stuff bought for re-sale in Flagstaff?

Who uses dope at NAU?

There are several points of view on those subjects.

Gigi, the 19-year-old former addict who now aches to tell her story to younger people so they won't fall into the same habit, has one.

The University has another, Gigi says. Ignore the whole problem.

The Flagstaff City Police, not eager to lock horns with the University on the subject, maintain silence.

But it's no problem to determine at least certain members of the department privately feel "the campus" is the major source of narcotics and narcotics problems in the city.

The Arizona Daily Sun learned recently the department has on file the names of almost 300 "users" on "the campus" and about 20 different pushers or hustlers.

Ask Gigi. Is there dope on the NAU campus?

"Sure," she says. "There always has been and there always will be, unless they do something about it."

"They" in this particular case are administrative officials of the University and Gigi has no kind words for them.

Gigi has a biased view of the entire situation, of course, and with her type of rebellious personality that can be expected. What she thinks and says may well be overstatement.

Gigi, however, is not the only case.

Flagstaff Drug Abuse Information Officer Nancy Burnett reported recently the 19-year-old coed was one of three young women, all students at the University, who came to her with almost identical stories.

The three cases came to Mrs. Burnett, voluntarily, and one of the three young women is so completely disgusted with the situation that she's ready to move off campus.

Gigi estimates "about 15 per cent" of the 9,000-member student body at NAU are "regular users" of some kind of narcotic or hallucinogen.

"And that's a conservative estimate," she emphasizes.

"The fraternities," she says, "are getting into it, at least two of them. Stroud Hall crawls with it. I was over there the other night and I could hardly stand the place."

Stroud Hall is an off-campus living facility, located immediately on the western border of the campus, operated by a private concern, and is not under the jurisdiction of NAU.

How do narcotics reach the NAU campus?

Gigi says the biggest sources of supply are "Tucson and California."

"It's sold on campus," she says. "It's sold off campus. If you want it, you can get it."

The biggest sources of supply, Gigi explains, are kept off campus, but most of the pushers are students.

In order to get a true picture of the narcotics problem at NAU, or on any other campus, Gigi says, older people must put aside their stereotyped image of the pusher, or "hustler," as he's now called.

Gigi says he's not the "sinister little man who says, 'Hey, kid, ya' wanna reefer?' anymore."

The pusher, she says, might be an innocent-appearing girl such as herself, or a good looking boy, and there's apparently little, if any, profit motive in such activity.

Students seem to have formed an "underground" on the subject, Gigi indicates, and "the word" gets around when a fresh supply—of anything—arrives in the student community.

Let's stop a moment once again.

The college "underground" is nothing new and has, in fact, existed in some form for longer than anyone can remember.

During prohibition, the big commodity was alcohol and frequently, the major item "for sale" is some kind of information—what's going on in some dean's office, the names of certain girls who might be available should a fraternity want to have an all-out stag affair, or the telephone numbers of certain girls who might be a little more free and easy with their virtue for individual pleasure and the right price than some others.

Therefore, what Gigi describes is nothing unique.

Only in this case, the underground pictured at NAU deals in a very dangerous commodity—narcotics.

Campus Security, the force of uniformed officers assigned to keep the peace at NAU, apparently do make regular checks of dormitories and there is disciplinary action on the problem that never is known to the general public.

Law enforcement on the campus is the responsibility of the Arizona Dept. of Public Safety and the "outside" agency most frequently called when assistance is needed are Coconino County Sheriffs' deputies.

City officers, under state law, have no jurisdiction on the campus.

When it was all over, Gigi was asked one final question, with relation to her own experiences with drugs.

"I take it, Gigi, you wouldn't recommend that other kids take up the stuff?"

"Oh my God! No!," she almost cried out.

POLLUTION AND CONSERVATION OF OUR NATURAL RESOURCES

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. MATHIAS. Mr. Speaker, I would like to insert in the RECORD a number of editorials dealing with pollution and the conservation of our natural resources that have appeared in the Bakersfield Californian since January 1, 1970.

This newspaper has made a great contribution to the public's awareness and understanding of this national issue.

I strongly believe that in order for us to deal effectively with pollution, the people must be fully aware of the problem. We cannot make the air, water, and land clean until every American is personally concerned and committed enough to see that our environment is made clean and livable again.

I commend the reading of these editorials to every Member of this Congress:

[From the Bakersfield Californian, Jan. 23, 1970]

Smog Kills Trees—and People!

A trip into the Sequoia National Forest or the High Sierra revitalizes the innermost being. For a few all-too brief hours the visitor to these scenic areas, if he penetrates their most remotely wild sections, seems alone in his communion with the handiwork of the Creator.

The beauty of the trees standing tall against a patchwork of cumulus in a deep blue sky is the unforgettable memory of Sequoia National Forest and the High Sierra. Yet, will this matchless arboreal beauty be around at the turn of the new century—30 years hence?

Will the soul-inspiring beauty of the Sequoia National Forest and the High Sierra one day soon be marked for death by the deadly pollution created by man?

To those who say it cannot happen here, consider the imminent death of the forest giants which once framed the mountain jewel of Lake Arrowhead. Three thousand stately Ponderosa pine and white-fir trees—all victims of smog—soon will be felled by power saws of a timber company commissioned by the United States Forest Service to remove the dying forest monarchs.

Lake Arrowhead's beautiful Ponderosa pine and white fir, which once knew only the kiss of rain and snow and breath of chill mountain breezes, have been doomed by the killing smog from automobile-exhaust and industrial-plan fumes. Lake Arrowhead, at an elevation of approximately 6,000 feet, has not been able to escape the toxic pollution rising from the Los Angeles Basin.

Smog is killing trees at Lake Arrowhead, approximately 80 miles east of Los Angeles.

An aerial survey in the San Bernardino National Forest, according to Steven L. Wert, federal forest expert with headquarters in Berkeley, revealed positive smog damage throughout the 100,000 acres inspected. Wert estimated that 1.3-million trees in the San Bernardino National Forest alone are suffering smog damage. He concluded, moreover that trees in nearby Angeles National Forest and on many private lands in the San Berardino and San Gabriel Mountains also are affected by the deadly air pollution emanating from the smoggy hell of the Los Angeles Basin.

Make no mistake about it, the scourge of smog in destruction of trees could occur in the Sequoia National Forest and the High Sierra.

Ridiculous! We think not!

Research revealed a "spotty yellowing" of needles on pine trees first was observed at Lake Arrowhead by Forest Service personnel in the early 1950s. The spotty yellowing of pine needles, categorized as "X-Disease," always seemed to be increasing each year.

Scientists in 1970—two decades later—now are blaming ozone, an ingredient of smog, as the damaging agent causing the yellow-mottled condition.

Auto-smog's ozone attacks the chlorophyll cells in tree needles. The destroyed tree cells lose their characteristic green color. As their manufacturing cells are destroyed, the trees' root systems decline and no longer function adequately—resulting in less uptake of nutrients and a shorter needle growth in subsequent years. If smog persists, the root systems further are weakened and the trees enter a period of irreversible decline.

Warning: Forest Service experts have declared such a trend is irreversible because smog is certain to be a danger for another 10 years—and, by that time, the affected trees all will be dead.

Some officials in Kern County are pooh-poohing the danger of air pollution. Yet, air pollution exists in the Golden Empire—and some polluters seem to be getting preferential treatment in open-burning of their waste materials.

Travel to the Kern portion of the Mojave Desert and observe the dirty, bluish-brown ribbons of smog that hug the desert floor.

This newspaper doesn't consider any taxpayer protesting air pollution as "some kind of nut."

If smog can kill trees, imagine what it can do destructively to the tissues of the human body!

True, pollution is an ugly word to some elected and appointed officials. Yet, it exists in Kern County—and, if not controlled and ultimately eliminated, could destroy much of the Golden Empire's environment before century's end.

The battle against pollution is everybody's business—and every taxpayer should be concerned enough to join the offensive to stamp out crippling and killing smog.

[From the Bakersfield Californian, Jan. 28, 1970]

"Pollution" of Sequoia National Forest

Sequoia National Forest last year logged 1,789,000 visitor days. (A visitor day is defined by Forest Supervisor Morrison R. James as one visitor staying 12 hours, or 12 visitors staying one hour—or any combination of these factors.)

The Bakersfield Californian wonders just how many of the visitors despoiled the natural beauty of Sequoia's eight campgrounds that are kept open for camping anytime of the year?

The increasing vandalism and wanton litter in Sequoia National Forest each year is a shocking commentary on those who visit this beautiful retreat.

Some of the visitors seem to delight in spewing garbage all over the countryside, mutilating campground facilities that are paid for with tax dollars and, in general, demonstrating a shameful disregard for this national park's natural resources.

Travel to the campgrounds along the Kern, Kings and Tule rivers and observe the damage rendered by those seeking recreation. Consider, moreover, that more than 19,000 acres of brush and timber lands were destroyed by fires in 1969 in California's national forests.

Let every Kern County taxpayer join President Nixon's announced war on pollution of our rapidly vanishing natural resources.

Relative to the ruination of Sequoia National Forest, each of us should support the United States Forest Service in its current efforts to preserve the scenic beauty of this recreational paradise.

[From the Bakersfield Californian, Feb. 23, 1970]

Man Despoils His Own Environment

As a follow-up to the incisively informative article dealing with "people pollution," written by the president of The Bakersfield Californian and appearing on a Sunday Perspective Page this month, we offer this additional editorial comment:

Man, by simply existing, unavoidably contaminates the environment. Succinctly, man consumes fuel—carbohydrates, fats, oils, proteins and other materials he chooses as food—which is converted into energy required for muscular and mental activities. Man radiates heat to the environment. Man eliminates other wastes that are radioactive. Considering only the effects of his bodily functions, man indeed is a major polluter of ground and surface waters.

One noted anthropologist recently theorized that if man didn't live on this planet, Earth would continue perhaps a billion more millenia without destructive contamination.

If man is the prime contributor to pollution, then why shouldn't he be willing to pay for its clean-up, control and eventual eradication?

Ask any man-on-the-street whether he would be willing to pay a $2 annual tax to pay for his pollution of the environment, and in nine cases out of 10 you would no doubt have either an argument or a fight on your hands.

Chances are you would get the indignant answer.

"Let government pay for it!"

Such a response, of course, is silly in its essence. Government—on any level—spends only taxpayer dollars. The taxpayer in the end picks up the tab.

Thus, any incumbent or candidate running for office in the upcoming elections who makes "pie-in-the-sky" promises to clean up the environment is a brazen hypocrite—if he doesn't inform the electorate that taxpayer dollars ultimately must pay for any program he implements.

The Bakersfield Californian poses this question to its readers:

Are you willing to pay the cost for a cleaner environment—an environment you, yourself, are polluting?

[From the Bakersfield Californian, Feb. 25, 1970]

Despoliation of California Desert

While California's legislators—on the state and national level—talk up a political storm about pollution, which one has come forth to denounce the rapid ruination of the Golden State's desert regions by visitors and vandals?

Stretching 240 miles north-south and 200 miles east-west, the California desert—blessed with sparkling air, rugged scenery and freedom from city dwellers—rapidly is becoming a scene of shameful despoliation.

Encroachments by visitors and vandals are destroying the desert's flora and fauna.

Bottle hunters leave familiar campsites in ruins.

Trees and shrubs are uprooted and transported back to the cities.

Historical mines each year are stripped of their equipment.

Desert turtles either are used for target practice or are kidnaped. The species of Desert Bighorn Sheep is threatened by extinction.

Desert hillsides have been gashed and scarred by irresponsible motorists and motorcyclists.

Abandoned autos, rubber tires and picnic debris are ugly sights across the desert landscape.

The Bakersfield Californian especially is concerned with man-made destruction of Kern County's portion of the Mojave Desert, the cooler high desert. And, we wonder why Congressman Barry Goldwater Jr. hasn't shown equal concern for the welfare of the Mojave Desert?

Our concern for preservation of the California desert transcends the professed interest of politicians in the issue of pollution. To be deplored is the veritable army of marauding, destructive motorists and motorcyclists which each week invade the desert and leave in their wake a trail of destruction. Worth reprinting is this conclusion—relative to irresponsible motorcyclists—in the publication "Cry California":

"We are rapidly approaching the desperation point. The machines are already epidemic on the public land and soon there will be almost no place free of them. The deserts will be over-run with trail bikes and motorcycles . . . We will have carried the motorized age to almost every nook and cranny of serenity left in the land. What this will do to the land itself is a prospect beyond imagining; what it may do to us is appalling."

After inventorying uses and abuses of the 11-million acres of desert in its jurisdiction, the Federal Bureau of Land Management is considering setting up patrols to guard against misuse. However, the 5-million acres of desert under state control at this point in time are vulnerable to the despoilers—with no protection.

Kern County's elected officials, state and federal lawmakers, we believe, have neglected the problem of pollution in the Mojave Desert. Travel a country mile in the mysteriously beautiful Mojave Desert and view firsthand the unsightly handiwork of its visitors. Any official or legislator who denies that such despoliation exists never has visited this once unspoiled desert paradise.

[From the Bakersfield Californian, Feb. 27, 1970]

Noise Also Is a Dangerous Pollutant

One of pollution's least publicized forms is noise.

And, it is getting noisier. In fact, more than 18-million Americans now have some degree of hearing loss as a result. What's more, an estimated two out of three working males can trace some deafness to the continuous impact of loud sounds on the job.

However, according to author James Stuart Gordon in the February Reader's Digest, noise can damage far more than just hearing. Medical research shows that noise can aggravate such diseases as asthma, heart trouble and ulcers. Noise even can interrupt sleep or turn deep slumber into a series of fitful catnaps.

The sound level of America's cities in the past 30 years has risen a thousandfold—intensified by millions of automobiles, jackhammers, air-conditioning units and other concomitants of technological civilization.

Specifically, medical researchers in the past decade discovered—after exhaustive tests to measure noise on the body's autonomic system which regulates such involuntary responses as heartbeat, temperature, digestion and respiration—that humans begin to react to noise at about 70 decibels (sound units).

At 70 decibels, for example, the arteries begin to narrow, blood pressure starts to increase and the supply of blood to the heart becomes restricted.

Other alarming effects generated by noise at this sound level are dilation of the eye pupils, drying of the mouth and tongue, loss of skin color, sudden spurts of adrenalin and excitation of the ears.

That noise is a genuine and increasing national health problem is an understatement. Besides being a destructive force against health, noise destroys peace of mind.

Thus far, all levels of government have done little to create a quieter atmosphere—preferring, it seems, to give greater priority to air and water pollution.

Nonetheless, noise is an equally dangerous pollutant, and realistic health standards should be established to curb it. Once such standards are set, they should be rigidly enforced.

[From the Bakersfield Californian, Mar. 14, 1970]

Bottles, Cans Add to Litter Heap

Among the most ugly and frequently seen pieces of litter marring the urban and suburban scenes today are throw-away bottles and cans.

Americans this year will consume soft drinks contained in 6-billion throw-away bottles and 9-billion throw-away cans. At the same time, they will drink beer provided in 6.23-billion throw-away bottles and 15.1-billion throw-away cans. In other words, the throw-away bottles and cans that will be discarded in 1970 will total 36.33 billion.

Spokesmen of the Crusade for a Cleaner Environment have suggested that by using more returnable, moneyback containers for soft drinks and beer, consumers and taxpayers could save money on the out-of-pocket cost of such drinks—plus the cost of trash collection and disposal. They estimate that Americans could save $705 million a year, if they purchased all soft drinks in returnable, money-back bottles—and an additional $800 million a year, if all beer were purchased in returnable, money-back containers. Such a total estimated savings of more than $1½-billion a year, they argue, would contribute much toward financing the program proposed by President Nixon to clean up the United States' environment.

Travel along roads, streets, highways and freeways in Kern County and observe first-hand the unsightly bottles and cans littering the landscape. Travel into the mountains or deserts, and you'll find piles of discarded cans and bottles. Visit remote wilderness areas and the same ugly bottles and cans greet you.

Throw-away bottles and cans no doubt are appealing to the lazy among us. Such containers require no redemption. Yet, the pennies saved in using returnable, money-back containers at year's end would make the effort worthwhile.

Significantly, use of returnable, money-back bottles and cans would eliminate a goodly portion of the litter which costs taxpayers many million dollars annually in clean-up bills.

[From the Bakersfield Californian, Mar. 15, 1970]

POLLUTION BATTLE WAGED IN WORDS

With the thunder of political oratory on environmental clean-up reverberating throughout California, it is interesting to note the state director of public health last week declared the Golden State seems to be ignoring solid-waste pollution problems.

Public Health Director Louis F. Saylor, in a report to the State Environmental Quality Study Council, asserted California's solid-waste pollution program "appears predicated on keeping wastes as far out of sight and smell as is necessary to keep them out of mind."

Describing present solid-waste pollution programs as fragmented, under-financed and ineffective, Saylor recommended legislation creating a program to coordinate local programs, finance research and establish minimum standards.

Reporting that some of California's finest landscapes are impaired by open-burning dumps which simultaneously add to land, water and air pollution, Saylor concluded:

"The present state solid-waste management, which directly affects our entire ecosystem, is clearly inadequate to assure the preservation of minimum acceptable levels of public health and environmental quality."

And, thus the great anti-pollution debate continues with politicians milking the environmental issue to the last drop. This year's candidates are beating loud anti-pollution drums to influence a confused electorate. When the final vote is counted this November, their many promises will fade as quickly as the din of the anti-pollution debate.

Close to home, ordinances prohibiting open-burning are laxly enforced. Some industries apparently are receiving preferential treatment. The Kern River Canyon and eastern Kern County desert areas are being shamefully ravaged by visitors—without fear of apprehension or punishment. Vandals brazenly are mutilating natural resources in the Sequoia National Forest. And in Greater Bakersfield, litterbugs are enjoying a field day.

Indeed, it will take more than words to clean up California's environment. Only an interested citizenry demanding 100 per cent performance from elected officials will be instrumental in getting the job done.

[From the Bakersfield Californian, Mar. 19, 1970]

SMOG IS KILLING TREES IN KERN COUNTY

Many conservationists are warning that smog is leaving its destructive imprint on Ponderosa, Geoffrey and sugar pines and white fir in the Sequoia National Forest. They also point out that air pollution is causing moderate damage to field crops in the San Joaquin Valley.

In this election year when political candidates are substituting environmental clean-up for motherhood in their campaigning, it is interesting to note that unhealthy Ponderosa pines under attack by smog in the Arrowhead-Crestline area of San Bernardino County were first reported in the late 1940s—and that their sickly condition was first studied in 1950.

Scientifically, trees crippled and killed by air pollution are victims of a malady, categorized as X-Disease or Chlorotic Decline or Ozone Needle Mottle.

In layman's terms, when polluted air is acted upon by sunlight, several toxic chemicals are produced—including ozone, which especially is harmful to green plants. Ozone in the atmosphere kills food-producing cells in the needles of forest trees—making them more vulnerable to subsequent smog damage. The cycle of a weakened tree's decline thus begins in a slow, progressive and irreversible process.

Besides rendering telling damage to the Sequoia National Forest's stand of timber and San Joaquin Valley crops, smog rapidly is becoming a destructive force in the fragile environment of the Mojave Desert.

We hope the Kern County Air Pollution Control District, established recently by the Board of Supervisors, is considering seriously the conspicuous encroachments of smog on the plant life in the Golden Empire.

TRIBUTE TO JAYCEES ON THEIR GOLDEN ANNIVERSARY

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. GRIFFIN. Mr. Speaker, I rise to pay tribute to the U.S. Junior Chamber of Commerce in its golden anniversary year.

For 50 years, the dedicated members of the Jaycees have provided responsible leadership in their communities, States, and in our great Nation.

In civic affairs and community development, the Jaycees are unequaled in contributing respected support for worthy causes. Jaycees embody the very concept of progress and are committed to the ideal that destinies are fashioned, not predetermined.

It gives me great pride, Mr. Speaker, to commend the junior chamber of commerce as it begins another half-century of service to mankind.

Mississippi Jaycees will hold their 35th annual State convention in Jackson during May. During the past years, they have worked incessantly in behalf of worthwhile projects. I will take the time of mentioning only one current project. Mississippi Jaycees have shipped over 7,300 pounds of medical and surgical supplies to South Vietnam under Project Concern originated by Mississippi Jaycees. Project Concern operates a 42-bed hospital and treats over 1,100 patients per month. This is an outstanding example of how Jaycees dedicate their efforts to alleviating human suffering.

GLENDA LENHART, OF OMAHA, SELECTED WINNER BY PRESIDENT'S COMMITTEE IN "ABILITY COUNTS" CONTEST

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. CUNNINGHAM. Mr. Speaker, I am indeed proud of one of my constituents, Miss Glenda Lenhart, of 3724 Laurel Avenue in Omaha.

I have been informed that Glenda was named winner of the 1970 "Ability Counts" Contest by the President's Committee on Employment of the Handicapped.

This talented young lady will receive the $1,000 Robert S. Marx Memorial Award in the contest sponsored by the President's Committee and the State Governors' Committees.

Vice President AGNEW will make the formal presentation on Thursday morning, April 23, at the annual meeting of the President's Committee in Washington.

The contest, with $2,500 in prize money donated by the Disabled American Veterans, is part of an educational program to focus national attention on the accomplishments and capabilities of the handicapped and to foster development of attitudes leading to acceptance of the handicapped in the work force.

Mr. Speaker, I know that all of my colleagues join me in congratulating Glenda Lenhart in her accomplishment and I commend to each her report which follows:

THE DISABLED VETERAN AS A MANPOWER RESOURCE IN MY COMMUNITY

(By Miss Glenda Lenhart)

And I ask: For the depths, of what use of language?
A curious boy asks an old soldier
Sitting in front of the grocery store,
"How did you lose your leg?"
And the boy wonders, while the old soldier
Dumbly, feebly lives over
The flashes of guns, the thunder of cannon,
And the long days in bed.
Their silence shall be interpreted
As we approach them.

—*"Silence," Edgar Lee Masters.*

A young man, battle weary in a foreign land, mud around his ankles and bullets above his head, often wonders, "Does anyone know I'm here?" The same young man, lying in a hospital bed between white sheets, perhaps with a limb missing, may still murmur to the nurse he will never see or the doctor he will never hear, "Does anybody know I'm *here?*"

This situation isn't fantasy. Almost fifty thousand of our brightest, healthiest, strongest men have been either partially or totally disabled in Vietnam alone; and each day, this number is increased. Out of a population of almost two hundred million in the United States, twenty-four million are handicapped, three million of which are veterans.

Since World War II, the problem of rehabilitation of veterans has grown tremendously, due to highly skilled surgical drugs to combat shock and disease. Are these disabled veterans society's parasites? No! The official emblem of the paralyzed veterans of America is a smiling young man in a wheelchair moving at high speed, his tie and the smoke from his pipe streaming out behind. The disabled veteran attends weeks of vocational training in various areas and "stands"—perhaps not on his own legs—prepared for the competitive business world. In fact, for every dollar invested in his training, the restored veteran each year returns five dollars in Federal income tax. In 1967, the handicapped Americans returned 13.9 million dollars through income tax.

The rehabilitation of a veteran requires the team approach of the physician, nurse, physical therapist, social service workers, psychologists, and the prosthetist. These services are available to all veterans through government programs, which they look upon as a means of saying "Thank you" for a job well done.

Under the vocational rehabilitation training program, the cost of the ex-serviceman's tuition, books, and supplies are paid for by the government plus a monthly subsistence allowance. During the past two years, the Veterans' Administration has attempted to contact these people even before they are released from active service.

Congress has determined that the policy of the government shall be to give each disabled veteran a ten-point preference on government aptitude tests. Certain classifications, such as elevator operators, guards, and messengers have been made exclusively available to veterans. The Post Office in Omaha hires many disabled veterans. One veteran who lost his arm in World War II is most efficient as a mail-carrier. Another man, although he has no right hand, manages to speed the mail to its destination as it arrives in Omaha. The mentally retarded are also hired by the Post Office and are top quality employees. In fact, the personnel director, E. Hornig, states, "We don't know what a disabled veteran is. Workers are workers, and those that others find 'disabled', we find 'abled'."

The thing that terrorizes most veterans is the spectre of being unemployable, of being an object of charity for all their life. My community, however, does not consider them "objects of charity." Disabled veterans and handicapped individuals can find employment at retail stores such as J. L. Brandeis and Sears and Roebuck; others are presently employed at Western Electric, Omaha National Bank, First National Bank, Omaha Public Power District, Northwestern Bell Telephone, and Northern Natural Gas, all of Omaha. However, still more employers, both in Omaha and in other communities, need to know of the outstanding assets the handicapped have to offer.

Success stories of veterans are unbelievable. Harold Russell, Chairman of the President's Committee on Employment of the Handicapped lost both arms, but uses prosthetic arms and hands with great agility. He appeared in the movies, "The Best Years of Our Lives" and "Diary of a Sergeant."

Dan operates a Bantam crane four hundred feet above street level on top of a microwave tower. The tower is being installed on the roof of the telephone company in my city. Three years ago he underwent partial amputation of his right hand.

A boy during World War II lost both his legs below the knee, but he returned to his rural home to help his father harvest an entire feed crop; he operated the tractor and binder!

Mutual Insurance Company of Omaha presented its Public Service award to Navy Lieutenant, Frank Ellis, a pilot who lost his legs through a courageous act in 1962. He suffered a broken back and severe burns; his right leg was slashed off nine inches below the knee, and his left leg was so badly mangled that it had to be removed. Since being equipped with artificial limbs, Lieutenant Ellis has made a remarkable comeback. He swims, waterskis, plays football, climbs a landing net, and aspires to become a United States astronaut.

Torpedoed on the Murmansk run, nearly frozen to death in an open boat, both legs lost below the knee, ex-Merchant Marines Michael McCormick and William Morris walked, unaided, in three weeks with artificial legs. There are sixty thousand paraplegics in the United States, ten percent of which are veterans; and thirty-nine percent of these veterans are employed.

Much work has been done to make the disabled veteran employable, but much more work must and will be done in the future. As Dwight D. Eisenhower said, "The labor force of the United States is our most precious asset. These veterans who fought on the battlefield should be permitted to continue the fight on the domestic front for the whole free world."

"When Johnny comes marching home again", he may be marching only in his heart. Johnny wants to work, he will be trained to work, and with the help of businessmen and educators in my community of Omaha, and in my community of the United States, he *will* work, for he is a resource of manpower, courage, and faith!

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Their silence shall be interpreted
As we approach them.

MAINE'S SUGAR INDUSTRY MUST BE SAVED

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. HATHAWAY. Mr. Speaker, bold measures often are required to overcome the chronic economic depression which grips certain areas of the Nation.

Aroostook County in Maine, a large agricultural area economically dependent upon the fate of its annual crop of potatoes and the price they bring in the marketplace has been and continues to be such an area of economic instability and depression.

It was for this reason that Maine's political leaders of both parties, at the national and statehouse levels, united to support an effort to give the county a second major agricultural industry and provide farmers with a second cash crop—sugarbeets.

It was for this reason, also, that the Economic Development Administration and Maine Industrial Building Authority quite properly extended loans and credit to help establish the new industry.

Maine's sugar industry is now in serious trouble, its future threatened by financial and other difficulties. The political leaders and Government agencies whose efforts helped establish it are being subjected to unreasoned criticism and, unfortunately, the critics seem bent upon sounding the death knell of a promising if troubled venture.

Was the effort to establish a sugarbeet industry in Maine a reasonable economic development effort or was it, as my distinguished colleague from Massachusetts, Mr. O'NEILL has repeatedly suggested, a venture of questionable merit?

Following an extensive examination by the General Accounting Office into Federal Government participation in establishing and financing the Maine sugar processing plant, the Comptroller General of the United States said:

> We cannot conclude, from the information that we have developed, that the Federal Government should not have participated in this project.

The project is fully justified and can, despite the unforeseen problems experienced, be made to succeed.

It must succeed in order to protect the substantial investments of the Federal Government and the State of Maine.

It must succeed in order to protect the investments of the private institutions and individuals who invested in it.

It must succeed in order that the industry's creditors, including many farmers in Maine, New York, and elsewhere, may collect what is due them.

Most importantly, it must succeed in order that the original goal may be realized—that Aroostook County, Maine, may have greater economic diversification and stability and that Maine farmers may have the opportunity to grow a second cash crop.

The Maine sugar refinery is no different than other plants—it requires a supply of raw material sufficient to meet its fiscal obligations and still operate at a profit. To assure this supply, the refinery must assure itself that growers will devote the necessary acreage to sugarbeet production. And they can do this only by having enough capital on hand to guarantee payment to growers on delivery.

Substantial efforts are now being made to raise this capital—not from Federal funds, but from private investors. In the meantime, gratuitous and unwarranted criticism, such as that offered by the gentleman from Massachusetts and others, could easily wreck those efforts, thereby assuring the firm's bankruptcy and the loss of substantial amounts of money by the various governmental and nongovernmental parties genuinely committed to the plant's future and the interests of Maine's agricultural economy.

I find it necessary to say that the reason for this illogical and unfair criticism escapes me—especially in view of the Comptroller General's renewed expression of confidence in the refinery. Therefore, let me express the sincere hope that the criticism shall end, and that it shall be replaced by a determination on all sides to cooperate in solving the real problems which beset Maine's farm industry. Only such an attitude can lead to a solution and serve the best interests of all concerned.

Maine's sugar industry is not asking the taxpayers of this country to bail it out. It wants and needs only a fair chance to work out its own survival. Let us give it that chance.

FARM NITRATE POLLUTION NO PROBLEM IN UPPER RIO GRANDE

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. POAGE. Mr. Speaker, we have seen so much evidence in recent months that our environment is becoming contaminated that it is most reassuring to learn of at least one instance where a threat of pollution did not materialize.

The location is the upper Rio Grande, and the problem stemmed from the potential contamination of this waterway by farm nitrates. Scientists in the U.S. Department of Agriculture's Agricultural Research Service conducted an intensive study of this area in cooperation with the U.S. Bureau of Reclamation and the International Boundary and Water Commission.

Results from this study, indicating no significant stream pollution from nitrogen fertilizer, are reported in an article in the April 1970 issue of Agricultural Research magazine. Because of the timely nature of this story, I am inserting it into the RECORD:

FARM NITRATES—NO MENACE TO THE RIO GRANDE

It isn't true that ol' man river "don't say nuthin." Rivers can tell a lot if the right records are kept.

Take the upper Rio Grande—it has a lot to say about the serious questions being raised concerning pollution of streams by nitrate-nitrogen (NO_3-N) leached from neighboring irrigated lands.

As part of a 30-year study of salt-balance conditions in three irrigated areas along the river, scientists obtained information about NO_3-N content over a period when nitrogen fertilizer increased from almost nothing to a high level. They found that the overall NO_3-N concentration of the river did not increase, indicating no significant stream pollution by NO_3-N from nitrogen fertilizer.

The three irrigated areas are the Rincon Valley (17,000 acres), farther downstream the Mesilla Valley (80,000 acres), and below that the El Paso Valley (52,000 acres). Water for irrigation is taken from the Rio Grande at various diversion dams. The drainage water returns to the river above the point where water is withdrawn for the next downstream irrigated area.

ARS scientists in a joint study with the U.S. Bureau of Reclamation and the International Boundary and Water Commission measured the flow and NO_3-N content of the irrigation water and of the river at Percha, Leasburg, and American Dams and at the El Paso-Hudspeth County line, which lies below all of the areas.

At each monitoring station, the river's average annual flow lessened with time while the NO_3-N concentration remained stable or decreased, except during the last 10-year period at the El Paso-Hudspeth County line. There, with a very low flow, NO_3-N increased slightly. Highest concentration of NO_3-N recorded at that spot—the highest of all the monitoring stations—was 0.68 parts per million (ppm). Health officials say that up to 10.0 ppm NO_3-N is safe in water for human consumption.

While the data on fertilizer use is sketchy, annual amounts of nitrogen fertilizer applied in the three irrigated areas climbed sharply during the 30-year period. State consumption statistics indicated increases on the order of 35- to 100-fold.

ARS soil chemist C. A. Bower and retired soil scientist L. V. Wilcox of the U.S. Salinity Laboratory at Riverside, Calif., made the study. They say that the greatly increased use of nitrogen fertilizer in the Rincon and Mesilla Valleys has not increased the NO_3-N load of the Upper Rio Grande.

As for the slight rise in NO_3-N at the El Paso-Hudspeth County line, greatly increased fertilizer use may have contributed. But most of the rise can be accounted for by the markedly decreased amount of irrigation water returning to the river as drainage water. Moreover, the drainage includes treated sewage water from the city of El Paso, and this may contribute to the increase in NO_3-N concentration. Even so, this is less than that observed for water diverted to Rincon Valley when nitrogen fertilizer use was almost nothing.

A natural source of NO_3-N or mineralizing organic nitrogen appears to explain the relatively high concentration of NO_3-N in drainage water from the Rincon Valley. Recorded levels were 2.31 ppm the frst 10 years, 2.84 ppm the second, and 1.61 ppm the last 10 years of the study. In the first 10 years when little fertilizer was used there, the NO_3-N concentration in the irrigation water showed 0.15 ppm while the drainage water was showing 2.31.

POLICE ASSISTANCE ACT OF 1970

HON. WILLIAM O. COWGER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. COWGER. Mr. Speaker, just this past week I sent out to my constituents my monthly news report from Washington. I am including this information in the RECORD in the interest of my colleagues:

REPORT FROM CONGRESS—POLICE ASSISTANCE ACT OF 1970

(By BILL COWGER)

As Chairman of a Congressional Task Force on Urban Affairs, I have been working for more than six months with various groups in drawing up H.R. 15706, known as the "Police Assistance Act of 1970". Basically my bill provides for direct Federal funding to local law enforcement agencies in the amount of half a billion dollars a year for five years with a total grant of $2.5 billion. In drafting this bill, I wanted to provide for a greater level of discretion and flexibility for local authorities in formulating ways to combat crime. As a former Mayor, I know from experience that every metropolitan police force in the country is below complement. The problems of recruitment are, in large measure, the result of low salaries and inadequate pensions. This legislation would provide Federal funds to cities and counties with a population of 50,000 or more. For instance, our own city of Louisville with a population of 400,000 would receive $3,150,000.

I recently submitted testimony before the House Judiciary Committee in support of H.R. 15705, which is a bill that I introduced as a co-sponsor to amend the Safe Streets Act of 1968. This legislation was originally introduced by Senator Vance Hartke of Indiana.

On March 10, I spoke before the National League of Cities' Congressional City Conference in Washington and received the backing of this organization for the anti-crime legislation that I have introduced. My bills have also been endorsed by the U.S. Conference of Mayors and the Fraternal Order of Police, representing a membership in excess of 120,000 police officers in 935 local lodges. These organizations are spokesmen for over 15,000 municipalities across the country. Those of us in Congress with previous municipal experience have a strong obligation to fight with all of our strength for meaningful urban legislation in the field of crime prevention.

PRESIDENTIAL VETO

I voted to override President Nixon's veto on the appropriation bill for the Departments of Labor, and Health, Education, and Welfare. The President stated that the $19.7 billion appropriation was "inflationary." After several conferences between the House, the Senate, and the President, the final bill was passed at $19.4 billion. Many months of bickering preceded final passage which resulted in approximately a 1.5% savings. Big Deal!! I felt all along that the President was "whipping the wrong horse."

LOUISVILLE CENSUS OFFICE

Lousiville was fortunate to be selected as the site of one of the major district offices for the important 1970 census. The office will be employing more than 500 temporary personnel.

The job of taking the census will begin sometime this month under the direction of Jesse P. Warders who was named director in December. His duties include organizing and supervising the office, as well as the overall direction of the census in the Louisville area.

Jesse had been the City of Louisville Sanitation Director and a former State Representative for the 41st District.

VISITORS

On March 16, thirty-five business, labor and professional leaders from Louisville visited Washington and had lunch with Republican Minority Leader Gerald Ford of Michigan. Jerry Ford briefed the group on domestic and foreign issues facing the Congress. We also heard from a spokesman from the White House and two experts from the State Department who briefed the group on the political and military situation around the world.

EIGHTEEN-YEAR-OLD VOTERS

On February 17, I spoke before the Subcommittee on Constitutional Amendments of the Senate Judiciary Committee relating the experience that we have had in Kentucky with eighteen-year-old voters. I cited the 1955 change in our constitution which was ratified by the voters of Kentucky by a two to one margin. From our experience in Kentucky, I endorsed a unified nationwide program of allowing eighteen-year-olds to vote. Congress will soon have before it the Voting Rights Act of 1965 which was amended by the Senate to allow eighteen-year-olds to vote. I have urged my colleagues in the Congress to support this legislation.

NEW TELEPHONE SERVICE

On March 20th we installed two new phone services in my Louisville District Office. The first is a message service by which we will be providing information of my Con. gressional activities, important government and other news of interest from Washington. You may call 585–5444 at any hour for my Congressional report. The messages are updated as appropriate. We also installed a night and weekend answering service which extends the hours of our District Office to twenty-four hours a day, seven days a week. You may call to leave requests for information, make statements of your opinions or problems. This is done by calling my regular District Office number, 584–4010. These messages are checked by my secretary in Louisville or by remote control by the staff in Washington.

THE POSTAL CRISIS

For the first time in history the Post Office workers have staged a wildcat walkout in several of our large cities. Our country cannot tolerate unauthorized strikes by government employees. Those who accept employment with the Federal government also accept the responsibility of serving the public interest.

I absolutely subscribed to the action taken by the President to mobilize Federal troops to break the mail jam. Negotiations will surely resolve this dispute. Incidentally, the Democratic leadership in the House and Senate never called a conference meeting on the postal bill from December 18th, 1969, until March 24th, 1970. This delay was inexcusable.

HIGH INTEREST

We are now paying the price for having overspent our Federal budget during the past ten years. During the last fiscal year of the Johnson Administration, the President submitted a budget showing a $9 billion deficit that ended up as a $25 billion deficit. The truth is that during the decade of the sixties the Federal government spent almost $50 billion more than it took in. High interest rates are caused by a shortage of money and by the fact that the Federal government must refinance its deficit before there is any money available for loans to businesses and to individuals. The Nixon Administration is trying hard to live with a budget that will show a surplus for the first time in many years.

THANK YOU

The paper and printing of this newsletter are not paid for at the expense of the government. Personal funds and contributions from friends make this newsletter possible on a monthly basis. My sincere thanks to those who have participated.

If you know of anyone who might like to receive this newsletter, ask them to complete the coupon below.

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To: CONGRESSMAN BILL COWGER,
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Washington, D.C. 20515:

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FEDERAL DOLLARS FOR SCHOLARS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. BROYHILL of Virginia. Mr. Speaker, a friend and constituent of mine, Mr. Henry Toy, Jr., of Nu-Toy, Inc., 1840 Fenwick Street NE., Washington, D.C., has recently written and published an invaluable new aid to students and their advisers, entitled "Federal Dollars for Scholars." Mr. Toy discussed fully the military obligation facing many high school graduates, including the method for deciding from which of the many options to choose and when to choose them, and he describes essential details of some 401 programs under which Federal aid is made available to students for further education and training.

"Federal Dollars for Scholars" is a product of nearly 2 years of research on the part of Mr. Toy, who is former president of the National Citizens Council for Better Schools. I consider it one of the finest and most complete references available to students, and commend it to my colleagues and all who are charged with advising our young people about their future.

A BLUEPRINT FOR REVOLUTION

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. GOODLING. Mr. Speaker, we are told by John Philpot Curran, Irish orator and judge, that "The condition upon which God hath given liberty to man is eternal vigilance."

This sage advice has particular application to the theme of an article that appeared in the March 23, 1970, issue of the Bradford Era, a newspaper published in Bradford, Pa., entitled "A Blueprint for Revolution."

As per this article, a design for the subversion and conquest of free nations by communism was fashioned by diabolical minds 51 years ago. Free nations obviously have not given serious heed to this treachery, for even a casual check on today's events shows tokens of such treachery surfacing in various areas of our national makeup.

This article should serve as a signal for us to be on guard, lest the token of evil is permitted to become a substance that smothers the flame of liberty that burns in this and other free nations.

In a sense, this article is a call to arms for all free men, so I insert it in the RECORD and commend it to the attention of my colleagues:

[From the Bradford (Pa.) Era, Mar. 23, 1970]

A BLUEPRINT FOR REVOLUTION

One of the great natural advantages which the Communist conspiracy enjoys is the belief in certain quarters—often the supposedly well-educated and astute portions of society—that no conspiracy exists.

Indeed, the entire conspirational theory of history often has been laughed at by scholars. Yet, it is surely more than coincidence that things are coming to pass in this nation which were blueprinted as far back as the second year of the Russian Revolution.

In 1919, Lenin and his murderous crew had not quite solidified their hold on Russia; yet, they were busy with plans to subvert all of Europe. The ripest target was then Germany, struggling to rise from utter prostration. In that year in Dusseldorf, agents of Allied Intelligence raided a Communist Party headquarters and obtained a number of documents.

One of them was interesting for its conciseness. It was the blueprint for the subversion and conquest of a free nation by communism. Read today, 51 years later, it is enough to raise the hair on the back of the head. This is the full text of that document, called "Communist Rules for Revolution":

A. Corrupt the young; get them away from religion. Get them interested in sex. Make them superficial; destroy their ruggedness.

B. Get control of all means of publicity, thereby:

1. Get people's minds off their government by focusing their attention on athletics, sexy books and plays and other trivialities.

2. Divide the people into hostile groups by constantly harping on controversial matters of no importance.

3. Destroy the people's faith in their natural leaders by holding the latter up to contempt, ridicule and disgrace.

4. Always preach true democracy, but seize power as fast and as ruthlessly as possible.

5. By encouraging government extravagance, destroy its credit, produce fear of inflation with rising prices and general discontent.

6. Incite unnecessary strikes in vital industries, encourage civil disorders and foster a lenient and soft attitude on the part of government toward such disorders.

7. By specious argument, cause the breakdown of the old moral virtues—honesty, sobriety, self-restraint, faith in the pledged word, ruggedness.

C. Cause the registration of all firearms on some pretext, with a view to confiscating them and leaving the population helpless.

Of course there were no motion pictures or television in those days, but the same methods apply and are made even more effective.

A little disquieting; isn't it? Anyone care to argue now about whether or not there is a conspiracy? Of course it could all be mere coincidence—say at odds of 10,000 to 1!

JOHN Q. ADAMS HONORED BY MONTCLAIR B'NAI B'RITH

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. RODINO. Mr. Speaker, the pleasure and privilege of personal contact with, John Q. Adams, a great humanitarian and gentleman, has been mine. I have known Jack not only as a dedicated public servant, but as a fine and dear friend. His selfless and untiring works on behalf of others have won him the respect of his peers and the community at large.

Jack has practiced the philosophy that there is only one race—humanity. It is indeed fitting that the B'nai B'rith Women of Montclair, N.J., has chosen to recognize his achievements by awarding him their 1970 Citizenship Award. A recent editorial in the Montclair Times pays a deserved tribute to Jack Adams.

The editorial follows:

FOR THE IMPROVEMENT OF ALL—JOHN Q. ADAMS

Few in the community have labored more vigorously to improve relationships in the community than has John Q. Adams. Therefore, it is fitting that the B'nai B'rith Women of Montclair will honor this prominent religious, ecumenical and business humanitarian on Tuesday with its 1970 Citizenship Award.

The philosophy which brought Mr. Adams this latest in a series of well-deserved awards is found in words he, himself, spoke late in 1968 during a crisis in the Montclair school system.

"We must respect each other's denominations and other traditional differences and concentrate on the principles that we all know need to be emphasized in a common curriculum, and that we agree to share our ideas and techniques."

Thus it is that on Tuesday this Catholic layman will receive from a Jewish organization an award which essentially comes by his practice of another view expressed 12 years ago.

At that time, Mr. Adams, during an interview which was one of a series of such describing the achievements of those who used religion toward working for world betterment, said:

"Men of good will believe in God and the importance of morality of all faiths."

The Times salutes John Q. Adams for the forthcoming richly-deserved citation from B'nai B'rith Women of Montclair.

JUDGE SAM V. STONE

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. PICKLE. Mr. Speaker, we are all in agreement that the best government is that government which is closest to the people. Based on that fundamental premise, it follows that some of our best government is that which is administered throughout the United States by county commissioners and county judges. These are public servants who travel the dusty byroads and country lanes in service of their constituents, their own people. Often, the elected county official goes a step beyond the official oath of office: they see that the sick receive medical help; sometimes, they even haul drinking water into remote areas; they endeavor to pave the muddy roads—and, they try each day to provide their rural areas with the same basic services that their city brothers enjoy and take for granted.

The county judge is symbolic of the American leader who provides for his people. The county judge is the man who puts the muscle and backbone into the American spirit. He is the "judge" who represents fairness, stability, and progress. Often, he is the most important link between government on the local level and the big government at the State and Federal level. And, in fulfilling this vital role, the county judge walks with dignity and respect. Always, the county judge is the keystone in the materials that make America stronger.

Like many county judges throughout the Nation, there are great ones in my district—and one of the greatest lawmakers and humanitarians is Judge Sam V. Stone, Williamson County, Tex.

It has been my personal good fortune to have had many close relationships with this distinguished judge. We are almost kinfolks. His family and mine literally live across the street from each other and we have been in his home many times. Often, we have been honored with visits from Judge and Mrs. Stone. Our family ties, although not by blood, are deep and strong. I consider this man one of the gentleman giants of our time.

Judge Stone is held in obvious high respect by his people in Williamson County—his record of public service proves it. Once he offered himself for public office in 1923, he was never defeated—except once and that was when he ran for Congress in 1937. The young man that defeated him rose through the ranks to become President of the United States, Lyndon B. Johnson. And, through the years, the former opponents have become fast friends, working hand in glove on projects for the benefit of their people.

Mr. Speaker, the Williamson County Sun, one of the best and most progressive weekly newspapers in the Nation, has done an excellent job in capturing the flavor of Judge Stone's story in print. This paper well knows the work of this distinguished judge and I include in the RECORD the article written by Runelle Baker:

[From the Williamson County Sun, Jan. 22, 1970]

SAYS "50 YEARS ENOUGH": TO LAY DOWN HIS GAVEL

(By Runelle Baker)

After serving Williamson County in political office since 1923, County Judge Sam V. Stone announced that he will retire at the end of 1970.

His keen wit, quick step and up-to-the-minute interest in everything around him belie his 80 years, but he insists that he was born in 1890.

His parents moved the Stone family to Georgetown from Wallace in Austin County in 1905 to send four sons to Southwestern University. So Sam and his three brothers attended public school here, then Southwestern University Prep School, and Sam received his BA degree from Southwestern in June of 1911. He then took a business course in Waco and came back to Georgetown to be employed as a bookkeeper and roustabout assistant manager of the Oil Mill, 10 to 12 hours a day for $65 per month.

He volunteered for service in World War I in 1917, and after six weeks he graduated a first lieutenant in the Signal Corps Aviation Section. He was sent overseas in July of 1918 as squadron commander of 150 recruits. When he was discharged in January of 1919 he returned to the Georgetown Oil Mill.

It was in 1923 that he tossed his hat into the tax collector's political ring along with five other candidates including the incumbent tax collector and the ex-tax-collector. In a run-off with the ex-tax-collector, Sam was elected Williamson County's Tax Collector.

He recalls there was 40,000 population then with $32,000,000 evaluation. There were 7100 automobile and truck registrations then. That is more people and fewer vehicles! Because now, there is 38,000 population, $43,000,000 evaluation and 16,000 automobiles and trucks. He said the commissioners court reduced the evaluation $10,000,000 in 1929 and it has gradually worked its way back up.

Also in 1923, he recalls there were only 40 miles of hard surfaced roads in the county and 35 miles of gravel roads—all other roads were solid dirt! Now the county boasts over 400 miles of hard surface and 1000 miles of gravel.

Judge Stone was not a lawyer (and it still is not a requirement) when he was elected County Judge 35 years ago, but saw that it would be of untold help to him, so in August of 1939 he received a degree in law from the University of Texas.

He pointed out that the first half of this century's 70 years there were six county judges, but he has been the only one to handle the second half.

"Oh, I handle about the same kind of cases now, but there is about ten times more business now in the County Court," the judge said, "there was very little juvenile delinquency until about 8 or 10 years ago."

Asked to what he attributed the great increase in juvenile delinquency Judge Stone said he believes it began when "progressive" teachers in California decided children should be allowed to do what they wanted to do, called "Self-expression". That is when the school drop-outs increased so rapidly—children didn't want to go to school, and parents had been taught to not force them.

"There is more and more of that each year now; of lack of authority, lack of respect, and lack of time for communication between the parents and the child. If families would sit down together for one unhurried meal a day, and have family discussions, I believe we would see an improvement," the judge declared.

A careful keeper of records, Judge Stone said he has handled 4061 Probate Cases (guardianships, wills, administrations); 5345 Criminal Court cases (such as DWI, carrying pistols, appeal cases, aggravated assaults, non-support); 988 Civil Court cases and has committed 1438 mental cases to institutions. In Juvenile Court, he has returned 800 back to their parents and since 1943 has committed 198 to reform schools.

One of his big jobs outside the courtroom is to chairman the County Commissioners Court in conducting the business of the county.

He attended President Eisenhower's Conference on Aging in Washington by special invitation.

In 1937 he beat Lyndon B. Johnson for U.S. Congress in Williamson County, but the rising young Democrat beat Judge Stone in the district. His only dabble in national politics and his only defeat. "But he's out and I'm still in!" chuckled judge.

Other "extra-curricular" activities of Judge Stone—just to name a few—include serving as civil defense director, project of the dams for 20 years, 50 years of service in American Legion, charter member of Georgetown Lions Club, charter member of Georgetown Country Club, president of the Williamson County Bar Association, chairman of the Board of Trustees and of the Board of Stewards of the First Methodist Church for many years, scoutmaster for 45 years, during which time he was presented with the seldom given Honorary Silver Beaver award, and was the first recipient of Georgetown's Most Worthy Citizen award.

He didn't do all this alone. By his side since 1931 has been the pretty little school teacher that he married—one of the Huffstuttler twins—Bernice. She is the daughter of a pioneer Williamson County family, attended school here, was a Southwestern University beauty, and many people here say she is still one of the prettiest ladies, young or older, in Georgetown today.

They live in one of the beautiful historic old two story homes on Elm Street, where they raised their two sons, Sam, Jr. who is an attorney in Austin, and Michael who is an executive vice president of Red Ball Freight Lines in Dallas. The boys have delighted Judge and Mrs. Stone with three grandsons and three granddaughters.

Plans for retirement? "Oh, I have a year to think about that. I hope I will be able to rest a while, then piddle around in the house and yard. And everybody knows how well Bernice and I enjoy traveling," the judge mused, with a familiar twinkle in his eye.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,400 American prisoners of war and their families.

How long?

XUM

HON. STEPHEN PACE

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 9, 1970

Mr. POAGE. Mr. Speaker, Stephen Pace, a former Member of this House, now rests in the soil of his beloved Georgia. But, his ideals and aspirations for his country continue to shine as bright as the stars in the sky above. His dedicated service to his country, both in the Georgia State Legislature and in the U.S. Congress, contributed much to the betterment of this Nation.

I was privileged to serve with Steve Pace on the Committee on Agriculture. He was knowledgeable and indefatigable in his efforts to improve the lot of agriculture—for he knew, with the sureness of one born and bred on a farm, that a prosperous America requires a prospering agriculture. He worked to bring electricity to the rural homes and to provide mortgage capital so that tenants and young people could buy land and become farmers. He devoted his talents to improving the marketing programs for one of the great Georgia crops—peanuts—and he was one of our outstanding leaders in cotton legislation.

This Nation owes much to Steve Pace. The consuming public may not know just how much his efforts are responsible for the abundance of wholesome nutritious food they enjoy—but it is true. The workingman in the factory may not know how much Steve Pace's efforts did to sustain the farmer as the best purchaser of the products the workingman makes and which earned him the increasing wages he has obtained—but it is true. The truckers and the railroads may not realize how much the work of Steve Pace contributed to making the farmer the greatest user of transportation—but it is true. The people who provide the investment capital that has created this great industrial Nation may not know how dependent their industry is on the work Steve Pace did to sustain agriculture as the biggest consumer of industrial products—but it is true. Steve Pace knew that everything that he did to make agriculture prosperous and a career enticing to young people, improved the lot of every citizen in this Nation. Steve Pace knew that his efforts in behalf of agriculture made the cities more prosperous, the trains run and the trucks roar, made the factories work more shifts to produce the tools and equipment agriculture buys, kept the cash registers ringing in the stores, and created more jobs for our people. Steve Pace knew that agriculture is the great and basic generator of all wealth. Steve Pace worked long hours to attain a healthy, expanding agriculture, for he knew that the economy and well-being of this Nation is dependent on how well the farmer fares.

This is a truth that shaped his life and his efforts as a great citizen and as an honored Member of this House of Representatives. There is a great lesson here for us all to remember.

This body can best honor his memory by remembering always the basic importance of agriculture. The Congress, by emulating Steve Pace, can share in the high place this gallant son of Georgia has earned in the history of our Nation. Let our guide be his ideals and lofty aspirations that shall continue to shine with the purity of the stars in the sky.

Let us go forward on the high road Steve Pace traveled as he served his constituency and his country.

KOCH QUESTIONNAIRE

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. KOCH. Mr. Speaker, in the next week I will be sending to my constituents a two-page questionnaire covering a number of topics of current interest. The responses I receive will be tabulated and the results will be published in a future newsletter.

With the thought that it might interest my colleagues, I am inserting the full text of the questionnaire in the CONGRESSIONAL RECORD:

CONGRESSMAN EDWARD I. KOCH ASKS FOR YOUR OPINION—APRIL 1970

Here is the opportunity for you to have your voice heard and to help me represent you in Washington.

During the past year, I have sent to every household in the 17th Congressional District four newsletters setting forth my positions on major issues and discussing some of the work I have done in Congress. I always have welcomed the comments prompted by these reports. Now, I would like to have your responses to some specific questions. I hope you will take the time to answer so that I will have an accurate sampling of how the 17th C.D. feels. The results will be published in a future newsletter.

Space has been given for answers by 2 persons to allow for differences of opinion in a household. Please use the appropriate column if you are single so that the tabulations can be cross-referenced by sex.

	His		Her	
	YES	NO	YES	NO
1. Do you favor the establishment of an independent public postal corporation?				
2. Do you think that each class of mail should pay its own way?				
3. Do you favor a Federal voting rights law establishing 18 as the minimum voting age?				
4. Do you favor the Government's continued subsidy for the supersonic transport's (SST) development?				
5. Do you think tax rates for single persons should be lowered so they are the same as those used by married persons?				
6. Would you favor a 6-month extension of the existing 5-percent surtax (now scheduled to expire in July) if requested by the President as an anti-inflationary measure?				
7. Do you favor the U.S. Public Health Service's providing family planning information and birth control devices to those who want them?				
8. Would you favor banning private aircraft from heavily congested airports such as Kennedy, La Guardia, and Newark, limiting the use of these airports to only commercial airlines?				
9. Would you favor a mandatory in-school testing of all junior and high school students for heroin use through urine analysis?				
10. Do you favor the Senate passed "no-knock" drug bill allowing police to break into homes without notice if there is "probable cause" that if the police announced themselves, the marihuana or hard drugs being sought would be destroyed?				
11. Would you favor a system of national health insurance for all citizens, regardless of age, including free choice of medical practitioner?				
12. Do you believe the President should approve the pending request for the sale of 25 Phantom jets and 100 Skyhawks to Israel?				
13. Would you favor requiring private pension funds to invest a percentage of their assets in mortgage financing for the construction of housing?				

Choose 1 alternative.

	His	Her
Vietnam: Do you think the United States should:		
(a) Proceed with immediate troop withdrawals while providing for the safety of U.S. troops, securing the release of American prisoners of war, and assisting any Vietnamese desiring asylum		
(b) Withdraw our troops to enclaves and have the South Vietnamese assume offensive combat responsibilities		
(c) Continue as we are now under President Nixon's schedule of withdrawals and program of Vietnamization and pacification		
(d) Escalate fighting with the objective of a military victory		
Laos: Do you think the United States should:		
(a) Commit U.S. troops to Laos		
(b) Supply Laos with arms but not U.S. personnel		
(c) Supply Laos with neither American troops nor weapons		

Please indicate how you feel Federal spending should be adjusted in the following areas:

	His			Her		
	More	Less	Same	More	Less	Same
Air and water pollution control						
Crime prevention and control						
Defense						
Education						
Foreign aid (economic)						
Foreign aid (military)						
Health						
Highways						
Housing						
Mass transit						
Open space and wildlife						
Prisons						
Rehabilitation of narcotic addicts						
Space						

What do you read regularly?

New York Times ____
Daily News ____
Wall Street Journal ____
New York Post ____

Your age group?

18 to 25 ____
26 to 40 ____
41 to 65 ____
66 or older ____

What single change would you suggest to make New York City more livable?

Your recommendations on how I can improve the job I am doing.

THE VALUE OF NONVIOLENT CIVIL DISOBEDIENCE

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. ECKHARDT. Mr. Speaker, my friend, Rolland Bradley of Houston, is not only an able lawyer but a man of philosophic bent, who feels a duty to apply his mind to matters involving the public weal. This, I think, is a duty too often neglected by our able professional men.

I insert, for the RECORD, his views on "the value of nonviolent civil disobedience," a comment on the action of the National Commission on the Causes and Prevention of Violence respecting this subject:

THE VALUE OF NON-VIOLENT CIVIL DISOBEDIENCE

The National Commission on the Causes and Prevention of Violence late in 1969 adopted its "Commission Statement on Civil Disobedience." However, including Dr. Milton S. Eisenhower as Chairman of the Commission, and Judge A. Leon Higginbotham as Vice Chairman, six of the thirteen members did not adopt Section I of the Statement. Evidently the issue between the two groups involved non-violent civil disobedience.

"Our concern with civil disobediences is not that they may involve acts of violence *per se*. Most of them do not. Rather, our concern is that erosion of the law is an inevitable consequence of widespread civil disobediences." [1]

In support of this position Norman Dorsen is quoted. However, in Section III we read in support of non-violent civil disobedience:

"Willingness to incur the wrath and punishment of government can represent the highest loyalty and respect for a democratic society. Such respect and self-sacrifice may well prevent, rather than cause, violence." [2]

Judge Higginbotham described the question as ". . . this minor skirmish over a secondary issue. . . ." [3] However, history probably will record non-violent civil disobedience as a major event in man's progress during the present 'time of trouble.'

Henry David Thoreau in New England wrote concerning and practiced this method of protest, and Leo Tolstoy advanced the idea in his day. In our own generation, Gandhi employed non-violent disobedience to free India and change its status to a member of the British Commonwealth of Nations. He insisted that his followers practice 'non-violence' and would end a demonstration if it caused violence. His work became the inspiration for non-violent civil disobedience when we witness it today. In fact, he has been described as the prophet of the atomic age.

Let us now examine the basis for Section I of the Statement, for the issue must not be dismissed as unimportant. Section I indicates a fear that the practice will inevitably effect an erosion of law. This position is based on Dorsen's statement "'. . . that violation of one law leads to violation of other laws, and eventually to a climate of lawlessness that by easy stages leads to violence.'" This is carrying an idea or panacea to its logical conclusion. For instance, if we follow the idea of personal liberty to its logical conclusion, we reach anarchism. But life does not follow theories to these extremes. Non-violent civil disobedience requires a dedication to refuse to employ violence at all costs. There must be a willingness to sacrifice one's life if necessary instead of resorting even to self-defense. There are seldom public issues of sufficient significance to cause people to join in such a protest, and there is a reason why this form of protest must remain available in our day. That reason is the power of the soverign state over the lives of its people. This power is intrenched by weapons so lethal that armed resistance is now possible. The peoples under the national governments of the respective states are in the same helpless position that the people of India experienced under the British Empire. Gandhi had no force available except his plan—and it worked because it served a great moral purpose. It is on such great moral issues that the plan must be available for the future of mankind. In fact, it will then always be available, for actually sovereignty resides ultimately in the people.

Furthermore, the claim of national sovereignty today is being carried too far for the welfare of humanity, although here sovereignty is merely carried to its logical conclusion. In South Vietnam we are allowing untold wrongs to be done and our world's being threatened with atomic warfare in the name of the sovereignty of its present government. Arthur Goldberg claims that sovereignty in the Near East must prevent the Great Powers from settling issues there before those issues threaten a world war. Today our dedication to nationalism threatens our civilization just as ancient Greece was fatally threatened by seeing absolute sovereignty in the city-state of that great civilization. Count Tolstoy saw the danger of militarism and urged pacifism as a preventative. Albert Einstein for a time held the same position, but later he abandoned that conviction. Most of us have counted on a League of Nations and now on the United Nations. But these agencies have so far failed mankind. Other attempts must be made on a responsible basis before it is too late. Let us hope and pray that it is not already too late. Mankind's ultimate means of securing the needed remedy must not be cut off by preventing the employment of non-violent civil disobedience if that remedy becomes required for the sake of humanity.

FOOTNOTES

[1] "Commission Statement on Civil Disobedience," p.1.

[2] *ibid.*, p. 11. The statement was followed by a footnote: "'In fact, some experts have argued that engaging in disciplined civil disobedience allows people to channel resentment into constructive paths, thereby reducing the propensity for engaging in antisocial behavior.' *Law and Order Reconsidered*, Chapter 2, 'Disobedience to Law,' p. 19 . . ."

[3] *ibid.*, p. 16.

SEX EDUCATION AND EARTH DAY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. RARICK. Mr. Speaker, the sex fanatics, led by the elderly libertine, Mary Calderone, in usual upside down philosophy, now seek to equate morality and decency with pollution.

Sex exhibitionist Calderone apparently feels divinely chosen to save our youth from "the pitfalls and hangups" she has experienced.

She estimates that by the time a child enters kindergarten he has been exposed to 4,000 hours of television, so rather than eliminating the pornography and perversion from television, she would prepare the children for TV by forcing upon them an even more perverted exposure in accordance with her personal hangups on sex.

And, if you do not agree with this polluted philosophy, you must be a sexual bigot. According to her it is dirty to have a clean mind.

I insert a newspaper clipping from the Washington Post of April 14 at this point:

SEX BIGOTRY LABELED A "POLLUTION"

(By B. J. Phillips)

Human sexual relationships have been historically distorted by "bigotry, fear and just plain ignorance," Dr. Mary Calderone said yesterday.

In a speech to the Woman's National Democratic Club, Dr. Calderone, executive director of Sex Information and Education Council of the United States, said, "The primary ecological system that all other systems need to serve is the relationship between a man and a woman. It, too, is subject to pollution.

"Sex education begins at the moment of birth. It is not enough to dispense a few pertinent facts. . . . Sex education includes the capacity for affection, the ability to relate deeply and crucially to other human beings," Dr. Calderone said.

"Well planned sex education" would result in "a high level of internalized moral control," Dr. Calderone said, "but many ill-informed people believe it consists solely of dealing at a genital level.

"We cannot put our children in airtight boxes concerning human sexuality," Dr. Calderone said. "We should seize the chance to make this great and significant gesture of partnership to our young by saying, 'We older ones will share with you our knowledge . . . to make it possible for you to avoid the pitfalls and hangups we have experienced.'"

Dr. Calderone criticized daytime television programming for the sexual models it presents to children.

"By the time a child enters kindergarten, he has been exposed to 4,000 hours of television," Dr. Calderone said. "The version of human sexuality that he learns from soap operas is that a man and woman can only relate to each other with anguish."

DISTRICT OF COLUMBIA CRIME BILL

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. HOGAN. Mr. Speaker, WRC–TV, channel 4, in Washington, aired an editorial on March 25 and 26 which opposed several provisions of the crime bill for the District of Columbia passed by the House of Representatives on March 19.

Their opposition is, in my opinion, founded on misinformation concerning the provisions of this legislation. In response to WRC–TV's interpretation of the preventive detention and "no-knock" provisions, I prepared a statement of clarification which was broadcast by the station on April 7 and 8.

Mr. Speaker, the importance of these provisions cannot be overemphasized, therefore, I include the WRC–TV editorial and my reply at this point in the RECORD:

XUM

WRC TV—4 Editorial

It is not surprising that the House has approved the D.C. anti-crime bill. Washington area citizens are gravely concerned with the ever increasing crime rate and the very serious situation that exists here.

But, WRC–TV believes today as it did before the bill was passed that some of its provisions are repressive, probably unconstitutional and in infringement on the rights of the individual.

This bill could perhaps give us a measure of safety, in our person, in our homes and on our streets, but the cost is too high in terms of the loss in fundamental freedoms.

We support the court reorganization provisions of the legislation as of the utmost importance in bringing about the desired goal of speedy and certain justice. Pre-trial detention is still jailing an individual without proof of guilt and without a fair trial. The "no-knock" provision is still a violation of privacy and dangerous to both the police and to the person against whom it is directed. The transfer of Lorton to the Federal government still seems like an act of retribution and derogation of the power and dignity of the District.

There are still several steps in the legislative process before the House bill can become law. A House-Senate conference must consider it and both Chambers of the Congress give final approval of it.

Hopefully, quiet, calm reasoning will prevail so that the bill to combat crime and still preserve fundamental freedoms will emerge for the benefit of all.

Reply to WRC–TV Editorial Nov. 22, by Lawrence J. Hogan

WRC–TV has misrepresented the intent of some provisions of the House-passed D.C. Crime Bill.

A recent WRC editorial has labeled the "no-knock" provision "a violation of privacy"—it is no such thing.

This provision merely clarifies existing law which already authorizes "no-knock" entries. It also contains stringent safeguards to protect innocent citizens and its constitutionality has been upheld by the U.S. Supreme Court.

WRC also questions the constitutionality of pre-trial detention. Since 1789 certain defendants have been denied their liberty because they were a danger to the community.

The problems in the District of Columbia arose as a result of the Bail Reform Act of 1966 which allowed the release of certain persons. A great deal of Washington's crime is committed by those who are awaiting trial for other offenses.

During the first six months of 1966, before enactment of the Bail Reform Act, there were 1,466 reported robberies. Three years later this figure more than tripled to over 5,000 for the first six months of 1969.

This crime legislation for the District of Columbia has been overwhelmingly approved by the House of Representatives and is now pending a Senate-House Conference. The Senate version perpetuates the overemphasis on the rights of the accused. Acceptance of the House version will, however, help to rebalance the scales of justice to give more weight to the rights of the law-abiding segment of society.

PRAYER IN SCHOOL

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. GROVER. Mr. Speaker, the fanatic aberrations of campus militants, the dependence of so many of our youths on the crutch of pot, the insistence on Spock-nurtured permissiveness, the general revolt against authority, and the nationwide malaise and discomfort over crime, taxes, and insecurity suggest to me that America needs spiritual revival. Spiritual revival or renewal will restore confidence, mutual trust, and respect for authority so necessary for a forward-moving but stable society.

What better way to start than to permit our very young to begin their school day with a recognition of respect for the highest authority.

Prayer in school seems to be lost in this daily crisis Congress. But it is not lost in the halls of our State legislatures, including the New York State Legislature.

Assemblyman Charles Jerabek, an outstanding legislator and patriot, has been leading the fight in New York in support of Senate Joint Resolution No. 6 proposing a constitutional amendment to permit participation in nondenominational prayer in public assemblage.

We hope that the determination and leadership demonstrated by Mr. Jerabek will give new spark and interest in school prayer, so necessary to finding new directions to America's traditional goals of life, liberty, and pursuit of happiness.

THE ELEMENTARY SCHOOL LIBRARY

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. OTTINGER. Mr. Speaker, I would like to call to the attention of my colleagues an article in the February 1970 Catholic School Journal, written by John F. Carroll, director of Interpac—The International Processing and Cataloging Center, Peekskill, N.Y.

The article focuses attention on three elementary school libraries in my district, and the outstanding work being done on behalf of educating all of the children in those areas—made possible through Federal school library assistance under title II of the Elementary and Secondary Education Act.

Mr. Carroll has contributed articles to the Catholic Library World, Library Journal, Collier's Encyclopedia and the Catholic Encyclopedia. I commend this article for reading to my colleagues and insert it in the Record herewith:

How It Has Been Done

(By John F. Carroll)

For upwards of twenty years, I have exhibited at and attended hundreds of meetings of the National Education Association, the American Association of School Administrators, the National Association of Secondary School Principals and the National Catholic Educational Association. There are always programs on athletics, on cafeteria techniques, community relations, student guidance and similar subjects but rarely, if ever, even a minor program devoted to the role of the printed word in education. Millions of words, hundreds of hours, and thousands of dollars are devoted to teaching machines, audio-visual approaches and educational TV. If 50 or even 25 per cent of the time and money spent on those devices and activities was devoted to the requirements and techniques for encouraging children in the middle and elementary grades to use a well-stocked library, the reading profile of our country would be far different from what it is today. Of what use is it to have sophisticated teaching aids, audio-visual apparatus, computer programming in junior and senior high schools if youngsters have never mastered the basic problem of understanding and interpreting the printed and spoken word in the primary grades?

The greatest strides in the education of children and the greatest assist libraries have had since Melvil Dewey and his associates founded the American Library Association came during the presidency of a former schoolteacher, Lyndon B. Johnson of Texas. As a result of his many years working as a classroom teacher and school administrator, President Johnson was committed to the theory: "If you can't read 'em, you can't learn 'em." It is most regrettable that the tremendous strides made in the area of school libraries during the implementation of Title II of the Elementary and Secondary Education Act may be headed for the bibliographic locker room. It is difficult to understand the thinking of the advisors around President Nixon who advocated the complete eradication of aid to school libraries.

LOCAL ACHIEVEMENTS

To come down to specifics, I would like to explore with you what has been accomplished and still is being achieved as a result of Title II in three elementary libraries or systems in the residential area around Tarrytown, N.Y.

The first ingredient for a successful school operation is a cooperative school principal and the second an intelligent and encouraging pastor or school administrator. Sister Mary Simon, principal of St. Teresa's Elementary School in North Tarrytown, prior to the enactment of the Elementary and Secondary Education Act of 1965, incorporated in the school curriculum a program whereby each class in the school had one full period of library instruction, participation and use each week. The library was open before school, during lunch hour and even one day a week during the summer months. At times there were as many as 150 children taking books out of the elementary school library on vacation days.

With the cooperation of the parish Holy Name Society, the library received initially $100 a year for acquisitions and then more organizations became aware of the school library and matched that amount until the library had approximately $800 a year for acquisitions. When Title II came on the scene, the school had a library of over 3,000 books, every one of them fully classified, cataloged and protected with a mylar jacket. Consequently the Title II allocation in the first two years was excellent. But then when the emphasis shifted over to those schools which showed the greatest need, frequently because many of them had put forth little effort on their own behalf, the Title II money for St. Teresa's was cut to the vanishing point.

For the past two years, however, the pastor, Msgr. Charles Hugo Doyle, author of *Cana Is Forever* and other books, has made available $1,000 of parish funds for the purchase of new books and supplies each year. Today the school has one of the most functional and popular elementary school libraries in Westchester County, if not in the entire New York archdiocese. Under the continuing Library Curriculum Orientated Program, each child in the school can take out one or more books each week and can even take out on overnight circulation any volume of the many encyclopedias in the collection. This practice has been in effect for the past five years and librarians assure me that they have yet to lose an encyclopedia volume or have one mutilated. It would be interesting to know if any school of library science is advocating a program of circulating reference works.

Libraries in the public elementary schools in Tarrytown prior to the advent of Title II were non-existent. For the purpose of impressing visitors from Albany, as well as keeping local citizens quiet, a room was set aside in each building into which was placed without any coordination leftovers from book fairs or miscellaneous collections of books donated to the school when people cleaned house. The local board of education seemed oblivious to the need for elementary libraries, as was proven by the fact that for ten years in succession, taxpayers appeared at school board meetings to make a strong plea for the hiring of an elementary school librarian.

STEP IN THE RIGHT DIRECTION

Thanks to the impetus given school libraries by Title II, the present chief school officer, a man aware of the values of elementary school libraries, Dr. Thomas E. Benner, Jr., hired a teacher who he encouraged to go on for her library sceince degree. After several months of evening and weekend courses in library science at Queens College, Miss Virginia Barry was put in charge of the three elementary school libraries. This is not an ideal situation, but thanks to the energy of this young woman and the superintendent's willingness to pay library aides on an hourly basis, she is able to move from school to school so that all children in the public elementary schools now have the assistance of a trained librarian in making book selections for assignments or recreational reading. The library aides take care of checking out and returning books to the shelves and following up children who forgot to bring back their books within the prescribed period. The librarian is able to teach children the purpose of a school library, explain to them how books are made and how they should be treated, introduce them to the card catalog, the Dewey decimal classification system and placement of books throughout the library, how to use large dictionaries, encyclopedias, overhead transparencies and library-related film. Because she is the first full-time librarian in an 80-year-old school system, she still has much to do, but she is confident that when reading tests are given to the present group of primary children two years hence, the results will clearly vindicate Dr. Benner's confidence in the potential contribution of the library to quality education in the Tarrytown schools.

In Briarcliff Manor, not far from the Tarrytown schools mentioned above, there is another outstanding elementary school library in St. Theresa's School. Because of poor initial planning this new elementary school was designed, approved and constructed without any provision for an elementary school library. When the present pastor was appointed, the town building supervisor would not grant a variance to allow another room to be added to the existing structure. Undaunted by this refusal, Msgr. John H. Harrington, former librarian at St. Joseph's Seminary, Dunwoodie, N.Y., and editor of McGraw-Hill's *Catholic Encyclopedia for School and Home*, refurbished and decorated the well-lighted basement of the church building and set up in it a new and fully equipped elementary school library. He bought an instant library of some 5,000 fully cataloged, classified and processed library books. Sister Xavier, S.C., the school principal, arranged a full period a week in the regular school schedule so that every child in the school has library training and time to select recreational reading or to do independent study. This again is not an ideal situation, since the library is physically separated from the school by a road, but the students are encouraged to use the library in preparation for their book reports, plays, poetry study, story-telling hour thus receiving a broad introduction to the wonderful world of books. Eight parents of children in the school operate the library on a rotating volunteer basis.

SUMMER PROGRAM

One of the side benefits of Monsignor Harrington's program was a "Sum-Fun Program" which he operated as a daily summer school for approximately six weeks. This "Sum-Fun Program" was not limited to children of the parochial school but was open to any youngster in the Ossining, Claremont and Briarcliff areas who wished to attend. Thanks to the cooperation of Operating Engineers Local 137, which contributed $14,000 to help finance the program, two rented school buses crisscrossed the territory and picked up an average of 180 to 200 children each day, brought them to school at nine in the morning and returned them to their residential areas at one in the afternoon. The school was ecumenical, interdenominational and interracial in the truest sense.

There were approximately ninety black children and ninety white children participating in a program that was regarded as a refresher for those who did not do too well during the past school year and as a "running start" for the year ahead. In addition to the usual curriculum subjects, each youngster had a period of library work each week and was encouraged to take two or more books home as part of his library training. It was rewarding to see the interest many of the children had in St. Theresa's excellent collection of black literature, history and poetry.

ESSENTIAL OR EXTRA?

Periodically newspapers in large cities will carry headlines such as READING TESTS SHOW FIFTH OF CITY'S PUPILS LAGGING BY 2 YEARS. Blame will be directed at a defeated school budget, shortage of reading machines or pacers, or the quality and turnover of teachers, but I have yet to read of a school board explaining the situation in terms of parsimonious appropriations for their inadequate school libraries. Further, if the poor rating given the children participating in the Metropolitan Reading Achievement tests in the third grade is even more pronounced when they are tested in the fifth or seventh grades, it should be clear that the reason many fall behind in social studies, arithmetic and science is simply because they cannot understand the language of their textbooks.

So while librarians are joining the pedagogical parade to purchase carrels with control boards containing a half dozen outlets to handle tape recorders, cassette players, microfilm and microfiche readers, loop and overhead projectors and communication network hookups, let them learn to use and master this equipment—but let them also remember and tell their faculties and boards that a well-written, clearly printed and attractively illustrated book in the hands of an elementary school child is still the best learning instrument and that the school librarian is basically and fundamentaly a teacher of reading.

THE SCENE OF POLLUTION

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. MORSE. Mr. Speaker, the hopes and expectations of our children are inspiring. The pleas of the young are often the most eloquent in their simplicity and directness. The following poem, which was written by a 14-year-old junior high school student, Lorraine Paquette, of Dracut, Mass., about pollution shows a concern which is sincere and urgent. It is a concern which is sincere and urgent. It is a moving appeal, and indeed we must respond to it, for it is our children who will suffer the most if we fail to take effective action to restore and protect the quality of our environment:

THE SCENE OF POLLUTION

Pollution is described as filth,
I want to see how it is built.
Flying trash here and there,
"Created Filth", is hard to bear.

This creation is awful to see,
But then It's done so easily.
The people don't care,
They did their share.

Burning buildings are part of the scene,
We need your help to prevent this scheme.
Being very careful is easy to do,
Please try and help, we beg of you.

There are deaths in families because of this,
This is very, very disastrous.
Parents are frightened "What should we do"?
Please help the town, so we may renew.

This could be cleared up in a matter of weeks,
The roads, the rivers, the lakes, and creeks,
The oceans, and bays in every sea,
Could be cleared up so easily.

We are sick of this filth,
So please help us build,
The town we once knew.
Please try and help, we beg of you.

—LORRAINE PAQUETTE.

NURSES AT OUR VA HOSPITALS OVERWORKED, UNDERPAID

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. DULSKI. Mr. Speaker, while in my district during the Easter holiday, I had an opportunity to again visit the facilities of the Veterans' Administration hospital in Buffalo, N.Y.

I met with the hospital director, Eugene E. Speer, Jr., and his staff, who discussed with me some of their problems.

A survey of VA hospitals made by the House Committee on Veterans' Affairs, of which I am a member, has shown very clearly that most all hospitals in our State are working on completely inadequate budgets if they are to provide the kind of medical service which our veterans need and deserve.

Even though the Administration has arranged to provide some additional hospital funds during the current fiscal years, the Buffalo hospital still is more than $1 million short of what it needs.

While I was at the hospital, I also met with a group of the nurses to discuss their particular problems. Their case was presented by Mrs. Irene Schwartz, R.N., chairman of the staff nurses and instructors at the hospital.

The statement by Mrs. Schwartz speaks for itself, as follows:

Remarks by Mrs. Irene Schwartz, R.N.

Mr. Dulski, I have quite a lengthy report prepared to give you, and I hope you will hear me out.

First, we wish to welcome you to the V.A., and express our deep appreciation to you for coming here today. Considering how busy you have been with the postal situation, we are doubly grateful that you could take time out to listen to a handful of nurses.

As you undoubtedly know, the V.A. hospital system is facing a medical crisis that is becoming more acute by the day. Unless steps are taken immediately to avert this crisis, many V.A. hospitals will be forced to close.

The motto of the V.A. has always been—"Care Second to None,"—now it seems more appropriate to say—"Care—little or none"—to our veterans.

We nurses, here at the Buffalo V.A., have been extremely concerned with the lack of care our veterans have been receiving, and thought that perhaps, with your help, we could try to remedy the situation to some extent.

One of the greatest drawing cards that the V.A. has had in recruiting and keeping nurses in the past, has been salaries and benefits that could not be equaled by general hospitals. This no longer holds true.

LOSING MANY QUALIFIED NURSES

We have lost so many highly qualified nurses to better paying jobs in other hospitals and other fields of nursing, that our remaining staff has been subjected to working conditions that have become intolerable.

You may not be aware of the fact that under the Department of Medicine and Surgery policy, nurses are on a 7-day week, 24-hour a day "on call". Some nurses are being told they must work a double shift because of lack of staff—which means on duty at 7:30 a.m. and off after midnight and back on duty again at 7:30 the same day.

No human being should be expected to work such hours—without overtime pay or proper rest. Other nurses are expected—no—*scheduled* to work 2 and 3 wards—taking "care" of 80 to 100 patients.

Many of these are acutely ill, who need a lot of nursing care, and are not getting it, because of lack of staff. This is a form of human bondage and exploitation of nurses that must be stopped.

NURSE TOURS ERRATIC

Nurses' time schedules are being changed without notice, and ofttimes have to work 2 and 3 different tours of duty in one week. (Again without compensation for evening or night tours of duty.)

Other nurses are being detailed to wards where they are unfamiliar with the patients, and to specialty areas—such as Intensive Care, dialysis, Recovery Room, etc., without being properly oriented or instructed in the use of the sophisticated machinery and instruments used in these areas.

When unemployed nurses from other hospitals are asked why they do not come to the V.A., their reasons vary. But most concur that they cannot tolerate rotating shifts and working conditions imposed on V.A. nurses, and there is no incentive for working evening or night tours.

The *only* time you are allowed the steady day tour is when you accept a head nurse position, and again this is the only incentive, outside of the status and extra responsibilities you get as a head nurse—As you can see, the Public image of a V.A. nurse is not a flattering one.

SUBJECTED TO ABUSE

Due to the public image, and lack of support from many nursing supervisors and administrators, V.A. nurses are being subjected to a great deal of abuse from the classified personnel (nurses aides and licensed practical nurses) they have to work with.

Some nurses have been told to their faces that they can be replaced easier than their aides and LPN's because those people are under the protection of the Civil Service Commission and can't be fired!

Besides this flagrant insolence, we have found upon investigation that there are several LPN's here making more money than the R.N. who has the responsibility of supervising these same non-professionals and all the patients in her care, and is answerable for the administration of her ward or wards.

Besides their basic salary, they receive 25% more for Sundays (average 38 out of 52 worked), time and a half for authorized overtime, double time for holidays, and a 10% differential for 6 hrs. each shift on evening and night tours. (6 p.m.–6 a.m.)

THE LEAVE SITUATION

They are on a 5-day week and receive 2 days off. Thus, on leave time, they are charged 5 days annual leave and 2 days off. A nurse gets charged the full 7 days annual leave. When days off are flanked with sick leave, the non-professionals are charged 2 days sick leave and 2 days off.

The R.N. gets charged with 4 days sick leave or as many days as she is scheduled for days off. An R.N. can be scheduled to work 8 to 10 days without a day off, while the non-professionals cannot be worked more than 6 consecutive days.

We do not begrudge these extra benefits for the non-professional, but we expect that nurses receive at least as much consideration.

We realize that nursing schedules have to be kept flexible to insure at least minimal coverage of wards, but these factors that I have just stated have created many problems of low morale, hard feelings between all factions of personnel, and extreme weariness of the nurses.

HARD PRESSED TO GIVE SAFE CARE

Evening and night tours of duty have such scanty coverage, that nurses are hard pressed to give even minimal safe care to patients. Should one or two nurses call in sick on these tours, it means doubling the wards of another nurse.

This in turn causes nurses to feel guilty, not only about the poor nursing care given to the veteran, but guilty for becoming ill themselves.

Mr. Dulski, we must try to help these nurses. Every one of them is working to the best of her capabilities, and deserves consideration not only for a job she knows is impossible to do justice to, but also by paying her a salary commensurate with her responsibility, education, and hours she has to work to take care of these veterans.

I don't believe there is a nurse here who does not give at least one hour overtime a day in trying to fulfill here duties in giving patient care.

FREE TIME TO HELP OUT

Many nurses have been known to give 2, 3, and 4 hours of free time to help out. When you multiply this by the number of nurses on duty for 24 hours, you can figure the V.A. is getting somewhere around one hundred free hours a day or more from the nurses.

We, therefore, beg you to support legislation to help remedy the financial situation of the nurses, elevate their morale, provide an incentive for recruiting and keeping nurses here, and to create an incentive for nurses to accept evening and night tours of duty, where they are sorely needed.

We must enhance the public's image of the V.A. nurse. The V.A. nurse must be given her rightful place among the professions, or there will be no V.A. nurses left to take care of our veterans who deserve and should be given care second to none.

Should you wish documentation of these facts, we will be glad to furnish them to you. Should you wish to initiate a Congressional probe into the V.A. hospital system, we would welcome it. In turn, will you help us?

NEED OVERTIME LEGISLATION

Mr. Speaker, it is clear to me that there is need for remedial legislation in order to provide proper compensation for the registered nurses—RN's—working in VA hospitals on erratic schedules.

I am today introducing legislation to provide such compensation for weekends, holidays, night duty, standby, and on-call time.

In this connection, and in addition to the statement by Mrs. Schwartz, I also have received a communication from Veronica M. Driscoll, RN, executive director of the New York State Nurses Association, who makes clear that the problem for VA nurses is not confined to Buffalo but applies statewide.

VIEW OF STATE GROUP

Her letter, in part as follows, points up the current crisis in medical care in the VA hospital system:

> It is current practice in VA hospitals to place all nurses, physicians and dentists on a twenty-four hour, seven day a week on-call status. Nurses are aware and proud of their professional responsibilities but in reality it is the registered nurse who is repeatedly called back to care for the patients.
>
> Nurses are required to work overtime, double shifts and many times three shifts in one week, without the premium pay which is common in hospitals in the private sector. There can also be no question as to whether the Nurse can physically meet the demands of the hospital. If the nurse protests she is faced with immediate dismissal and/or a poor professional reference.
>
> In light of the rapidly changing employment conditions in the health field, we feel these archaic policies place the VA hospitals in a dangerously short-staffed and non-competitive position with other hospitals. This makes it extremely difficult to recruit and retain well qualified registered nurses, especially in large metropolitan areas.
>
> We would also point out that the oft-mentioned ratio of 1.5 employees to each patient in VA hospitals is well below the recommended ratio in the private sector. This ratio includes nurses within the total group of employees.
>
> When a VA hospital has over 1,000 employees to care for 900 patients and only 80 employees are nurses, the ratio of nurses to patients drops even more drastically. In addition these 80 nurses must be available around the clock seven days a week.
>
> On evenings and nights it is not uncommon for a single nurse to be responsible for 80 to 120 patients. This nurse will have the assistance of one or two para-professionals who are limited in their scope of responsibility for making decisions and rendering the sophisticated type of care necessary in a modern hospital.
>
> These practices are causing a severe moral problem and great concern among the nurses in VA hospitals.
>
> We urge your immediate attention and the use of your good offices (on legislation and) that public hearings and testimony on this current health crisis might proceed. We recommend also that serious attention be directed to raising the ceiling on the number of nurses that may be employed and an increase in appropriations specifically allocated for professional nurses.

INTERNATIONAL DEVELOPMENT CONFERENCE

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. CULVER. Mr. Speaker, in late February it was my privilege to attend and participate in the International Development Conference held here in Washington. This gathering of experts in the field of international development and assistance provided the forum for a provocative exchange of ideas between representatives of often widely differing points of view. One of the presentations most worthy of careful attention was that delivered by Miss Barbara Ward—Lady Jackson.

She sees clearly that all of mankind is closely tied together on this little planet of ours, and that the fortunes of some countries cannot be isolated from the fortunes of the rest. She also perceives the realities of our existing economic structure, which puts the less developed countries at a severe disadvantage and makes it virtually impossible for them to keep up with the developed ones without assistance. The United States and Western Europe developed due to the availability of land and other natural resources in great quantities at a critical period. Such opportunities are no longer available today.

At a time when the Americans are losing sight of our foreign aid goals, I believe that renewed attention should be given to the wisdom and farsightedness of Miss Ward's ideas. I would like to insert in the RECORD at this point excerpts from her address on February 24, 1970:

SPEECH DELIVERED BY MISS BARBARA WARD BEFORE THE INTERNATIONAL DEVELOPMENT CONFERENCE

Mr. Parker and Mr. Campbell, friends here assembled: I think the moment we meet, just when the 70's begin, is probably an extraordinarily valuable moment, because we are obviously confronted here with something of a paradox, because you cannot turn anywhere today without being aware of the pressures upon us, pushing us in the direction, at least physically, of a single planetary economy.

Dr. Hannah has spoken most movingly of that little planet which we see from outer space and reminds us of its blueness and its light and of the fact that that tiny envelope of water and air and soil is all that the human race has to survive on.

Destroy that and the means of survival are gone. But it isn't only there that we're seeing more and more in these days the pressures towards a planetary society. I mean take one tiny thing that has happened over the last 20 years almost without anyone noticing, and that is that the United States which on the whole in the past has had a fairly small dependence upon foreign trade, not much more than about eight percent.

In the last 20 years thanks to the operations of the large international companies, something like the equivalent of a quarter of America's gross national product is now produced overseas by these corporations—$200 billion worth of goods and services are now produced by American corporations outside America.

Or take another aspect. We all know that we are engaged in an insensate arms race—insensate because on each side you have two equal establishments of scientists who, Professor Strangelove right through to General Strangelove, can think up anything they like, because out on those pure and austere frontiers of destruction you can imagine anything, and with modern technology then you can do it. And if you can do it, you know perfectly well that comrade Strangelove can do it too. So what is happening? We've gone from four times overkill, which most of us thought was a fairly decent level, we're now up to 25 times overkill. And if we go on with MIRV and whatever else is cooking on the back stove of military research, we're going to go up to 100 times overkill. This is surely an immodest use of resources.

Let us get back to four times overkill, which I think roughly costs about $20 billion, and which would give us then a margin of about $60 billion for cities and for economic assistance which I would be glad to use myself.

But remember—and this is where we come back to the planetary thing—remember that at four times overkill the difference between a first strike and a second strike is negligible because of the biosphere, this precious, precious envelope of water and air and soil.

And if we corrupt that with nuclear destruction, it doesn't much matter whether it is now you die or 10 years later from your own fallout. In other words, we are strictly engaged in our arms race in an idiocy, because there is no solution in first, second, third or fourth strike. One is enough for both sides.

DEVELOPMENT IS NOT AUTOMATIC

Now, against that background we come to the paradox that at the moment we're going through a rather slack period in our sense of international fellowship and planetary unity.

Nearly all the developed countries are suddenly deciding that their domestic problems are rather more pressing and urgent and thank you very much, we're now going to think about what we do at home.

Now, there is absolutely no harm in changing gear in one's approach to economic assistance programs, because a good many of the assumptions of the 50's and 60's are changing.

Maybe some of the presuppositions of the old aid programs ought to die. But that does not mean that we now come to rely on something much more dangerous, and that is the idea that provided the rich nations grow and provided the developed peoples look after themselves that there will be some remarkable international trickle down and the rest of the planet will be okay.

Now I do have a sense that in certain circles this idea of a self-functioning planetary economy is at the back of people's minds. You hear it now said well after all if a country is well managed and not inflationary and has a stable society and a good government and an atmosphere favorable to foreign investment, they'll get all the capital they need. Governments can then go now to the growing international bond market, and development on these sound bases will happen in any case.

The proposition I want to put to you tonight is the full and proper understanding of a development strategy is those types of interventions which are needed to make this great global system work with greater efficiency but above all with greater justice than is the case today.

And the reason for saying that this is necessary is absolutely rooted in history. In the 19th century when supposedly the world market was going in fact to work so splendidly that you could rely upon it, it only worked under maximum conditions of advantage, which I think we, who were the recipients of that advantage, have tended to forget.

In the 1840's the new industrial system was showing signs of faltering. It was the year of revolutions. It was a year when the cumulative horrors of early industrialism and the conditions in the urban societies of Europe—above all of Europe—were so crass and so pitiful—read about them in Dickens—that in fact you had a growing revolt.

Why did you get after the depression of the 1840's this tremendous boom in the 1850's and 1860's?

HISTORY OF AMERICAN DEVELOPMENT

I'll tell you why! It is because the Europeans either in Europe or else projected into North America took over the whole of the remaining temperate land supply of this planet.

And during that period the input of almost free land into this growing industrial system was on such a scale that it's hard to picture any economic assistance programs that could equal that amount of almost free capital goods. And it went to the very heart of the problem because it enabled food supplies to grow. It kept the price of food down. It kept the relationship between the manufacturing and the agricultural sector in balance. And it enabled the Atlantic world to get through to modernization in one big, glorious jump—this great leap forward, if you like, but this one stuck—and the great leap forward was in part postulated upon this tremendous input of temperate land. That was assistance. It was assistance from luck, if you like, assistance from heaven, assistance from fortune, assistance to everyone except the people who were run off their lands. And that enormous input nourished this industrial system as it grew in the 19th century.

Now the second thing which was an enormous advantage was that it was an open world. Wherever the giants, wherever these early industrial powers went, there was nothing to stop them. Britain was a great supporter of free trade, because free trade is always the doctrine of the most powerful state at the time it is most powerful. And free trade was at that time universal because nobody could stand in the way. And why? Because at that time the North Atlantic powers controlled through their colonies the entire global system.

Now we come to the next point. In this century those who develop cannot by definition enjoy these advantages because we've already got them, and therefore behind this planetary economy that we're trying to create is still the balance of power, the balance of resources and the balance of advantage which was created by 200 years of history of which about two-thirds is colonial history.

Do not compare Avis with Hertz. It is more difficult to be second. In other words, if you are not a pioneer in development, it's just that much more difficult, because although it's true that you can copy technology, that you can borrow scientific resources, that you can use the work of the pioneers, it doesn't mean to say that their clothes will fit.

And the fact that they are there that they control 80 percent of the trade, 80 percent of the investment, 90 percent of the services and 100 percent of the research means that it may be quite, quite difficult for the two-thirds coming behind to fit into this pattern.

And I think you can see perfectly specifically what the disadvantages are which were not planned by villains but happened by historical sequence. And if I may pick out one or two of the facts of being second, the fact of not being a pioneer, I would say they add up to the opposite of what happened in the 19th century when, by and large and in spite of all the horrors and difficulties, the sequences of development more or less matched.

DISADVANTAGES OF DEVELOPING COUNTRIES

What is happening now in the developing world is that the sequences of development are not matching. First of all, owing to the jump forward in science and technology in the developed world, public health came to the developing countries ahead of any other form of basic modernization.

When we were busy wiping out malaria 20 years ago, we did not foresee what it would do to the population of this world. We could not foresee until the censuses of the 1960's that in fact world population which grew by never more than about 1.8 percent, in the 19th century was now growing by 2.8 percent. This is something we did not know.

Nor did we know that the labor force which never grew by more than .5 percent a year in the 19th century was now growing by nearly 2 percent a year. Now that is a factor which comes from developing in a certain sequence in which public health comes first and therefore population goes through the roof. That's point number one.

Secondly, the cycle of trade which was established in the great free trade century, last century, was one by which the developing countries were stimulated to produce raw materials for the central market of the Atlantic world, but they were not modernized in their agricultural sectors. Their feudal relationships, peasant-landowner relationships, tribal relationships remained unbroken in the food production field. It followed, therefore, that they began developing against a background of agricultural stagnation. There was no lovely bonanza of free land to put in, because on the whole we had it.

So stagnant agriculture which enormously rapidly increasing population. Now we come to another paradox. In Europe and America the towns were pushed into existence by the pull of the manufacturing industries that were beginning to grow up in those cities. But in the developing world the cities grew first to serve Atlantic trade.

If you look around the world the litany of cities is a litany of ports. And those ports were more connected with the Atlantic world than with their own hinterlands. And that meant that you had enormous cities ahead of any kind of industrialization.

And in those ctities, on an estimate, 20 percent of the people are already underemployed. Probably for young people the percentage is nearer 30 percent. And that is because their migration has occurred because they've been pushed out of agriculture and not yet pulled into industry.

And there are many economists now who would argue that unemployment is going to be the critical problem of the 1970's and that urban unemployment in the shantytowns of the world represents human misery at its most bitter, and its most despairing and ultimately at its most violent—

And at this stage we meet another paradox where we, as it were, link in this picture into the entire world economy, and that is that these countries in creating employment for these growing millions confront by and large a technology designed by us which is abundant in its use of capital and very meager in its demand for labor.

They have massive supplies of unskilled labor and they are offered technologies which demand capital intensivity, and capital they don't have.

So you've got there the problem of an inappropriate technology and yet you could argue they cannot completely get away from those technologies if they are to enter competitively into the world market.

And the question of market brings me to the last point. Modern industry demands a scale of market at home and abroad if it is to be effective and efficient, but domestically really a depressed countryside and migrant labor in the cities do not provide massive internal markets.

And if you say they can turn and become massive exporters of manufactures, you come up against the fact that throughout the developed world we protect ourselves most carefully against those goods which they can most easily produce.

And even though we complain at home about inflation, about rising prices, we make absolutely certain that we have our own high cost goods and keep out the cheaper goods that we might buy from the developing peoples. Our entire tariff structures at this stage—again the thing of coming in behind—our tariff structures are designed to protect our industrialism against theirs.

ISOLATIONISM IS DANGEROUS

Now you may say at this stage well let's give it up and go home. If it's as bad as that, what can you do about it. And I admit that it's bad. I mean if we don't start from the idea that our planetary economy is in desperate imbalance and growing worse; we're not starting from reality.

And if we do not start from the fact that in history these kinds of imbalances are desperate and dangerous, we don't start from facts. If the urban misery of the 1840's which was relieved by massive migration to the United States still recalls to the world the year of revolutions, what's it going to cause by the end of the 1970's?

If even with that enormous world economy the nations contrive to maneuver themselves into competitive struggles and ultimately into war in 1940, what may they be doing by the 1980's.

If massive unemployment was in fact the creator of Hitler and the Nazis, what may we do when the cities have got 50 percent unemployed. No, don't let us for one moment think that this is a self-liquidating world in which the crises will go away provided to get our domestic attention fixed on our own domestic navel. It isn't going to be like that at all.

And in fact we do confront as with the 1840's a period when the maladjustments of the system are such that they are either going to be corrected or they're going to blow up.

The only—and this is the great and optimistic thing one can say is that we have some clues to what the corrections could be. And if we could only put our minds to it and get them off utter idiocies like our arms race and God knows what, if we only could concentrate on the real threats to world security and on the real dangers of our situation, we have the resources, ample resources, to deal with it.

Let us have no doubt about it, this is where the bonanza is possible because with our new technology, with our rates of growth, even with the modest, careful predictions of the President's Economic Advisors, this country alone is going to add $800 billion worth of extra goods and services before 1975.

Well, it's jolly difficult with $800 billion of extra goods and services to decide that there isn't much you can do. Unless, of course, it all goes on the next house and the next television and the third car and all that enormous paraphernalia, that gadgetry of consumption as Mr. McNamara called it last week.

So I am not saying that we'll get priorities handed to us on the plate, all I'm saying is that if we do have priorities, the kind of priorities that our society has been able over the last 100 years painfully to develop, if we do have these priorities in a planetary society, we have ample resources for dealing with them.

NEW PRIORITIES NEEDED

Now can we—and this is our task at this conference—can we decide some of these priorities? I would only plead that we keep them fairly simple, because we can't do everything at once. I would feel happy indeed if a conference of this order and magnitude would simply take four or five things from the Pearson report and say these we will do by 1980.

And the steps that I would pick out are, first of all, a simple one, a direct one. And that is the greatest single reform in our developed market economies has undoubtedly been the progressive income tax.

As Oliver Wendell Holmes once remarked, "By taxes I buy civilization." And this is still true.

Now let's face the fact in world society we have no instruments of redistribution. And this is one of the root evils of a society in which 80 percent of the resources are still owned, controlled and managed by 20 percent of the people. And that is us.

And therefore a redistributive agency is part of the essential humanity of any decent planetary order. And I don't see how we can possibly get away from that when we recognize inside our own domestic society that that principle of redistributive justice is the one upon which commonwealth is based.

Therefore, I would say that to accept one percent of gross national product as a first yardstick for the transfer of resources is not relevant in terms of whether its enough or too little, it's relevant in the terms of an international obligation by which nations enter into a solemn covenant to undertake for world society the beginnings of an international tax system.

If we cannot even take that first step, I do not believe we are seeing this planetary order as a social and as a moral community without which I doubt whether we'll survive in it.

The second series of steps recommended in the Pearson Commission are concerned with easing and opening up the possibilities of trade, whether it's more stable and higher prices for all materials, access for manufactured exports to the developed countries, arrangements by which developed nations move out of certain fields which they do more in a more costly and less efficient way and the opening up of new opportunities in this way.

If you like, this resembles the whole way in which inside domestic society we mitigate the divisions and the enormous inequalities of wealth and position by building up bargaining power which in fact enables the bargainers in any economic bargain to meet on a fairer basis and therefore to get a fairer return for their work.

It is clearly and obviously wrong that in a world society where we consume the raw materials that any advantage in technology should automatically be passed on by the operations of the market to the rich part of the world simply because the market relationships are so uneven. It's no good denying that this is the case. It is the case.

And the third element which I think is new and which we are beginning to feel our way to now is the idea of the purposeful acceptance of social goals as part of the world's daily housekeeping.

Now what I described earlier of the obstructions within developing societies which come from the fact that they are second developers that they are coming in during the late 20th century, one of the effects of these obstructions is even at quite high rates of growth, five and six percent, as Dr. Hannah has pointed out, they have been growing in the last 20 years more rapidly than we did in the 19th century, but because they're growing under these conditions of obstruction, because of that, at the base of all these societies you will find that 25 to 30 percent of the population at the poorest level, their condition is growing worse.

Now I think the third element we have to add is therefore that part of the international assistance programs of which we speak should be problem solving assistance to the cities, to populations, to modernized agriculture, to education to get to this absolutely coalescing misery at the base of society which will not be shifted by economic growth alone because economic growth even at six

XUM

and seven percent a year is not powerful enough to dynamite them out of their misery.

The econometricians are becoming totally concerned by the fact that if you cannot get enough protein to a six-month baby you could educate the daylights out of him afterwards, but it's too late because he has lost the essential ability to grow to his full humanity.

If over the next 20 years millions and millions and millions of children are going to be born with protein deficiencies, then millions and millions and millions of people are going to be a subrace in this world because we at this critical moment were not ready to accept the problem solving side of assistance which goes after these issues and says whatever else we do in a world of abundance, we're not going to have children who have been so starved of protein that they are unable to be human in the fullest sense.

Now that makes to me a new dimension of economic assistance, the acceptance of the full social content and the social implications of this mass of interlocking misery at the base of society.

In conclusion, let us remember two more things.

First—and I was enchanted to hear both Dr. Hannah and President Nixon stress this question of the multilateral agencies—let us purposefully move more of this whole development strategy into international agencies which represent the human race attempting to organize its own housekeeping. Let us go back with new vigor and new energy to hopefully reformed agencies of this kind and let us make a multi-lateral approach, a dominant approach, so that we can cease to be duchesses moving around the slums and patting people on the heads and begin to join the human race.

On the other hand, let us be behind every effort to build up the regional development banks and the regional institutions so that those who at the present moment participate so little in the power, in the decision-making, in the influence of this planet can begin to feel that their participation is valid and that their participation can when necessary be decisive.

There is still much too much of the rich knowing what to do and telling other people how to do it. And when you look at us you wonder that we've got the nerve to advise anybody about anything, I must confess.

But seriously, let us build up this international side, because this is how the human race can begin to express itself with a certain dignity of partnership and not with a sense of dependence which hangs over so many of the efforts of the 50's and the 60's.

We've not broken from this colonial inheritance yet. And I think we'll only break from it over the next 30 years if this redistributive factor is accepted and if the international system is fully developed.

But if we do that then we should be doing something more than just working in the field of international development. We shall in fact, of course, be beginning to take the vision of this small planet seriously. We shall be beginning to do the next great set of institutional innovations which the human race has to make if it is to catch up once more with its own diabolical but also magnificent technologcial virtuosity and get control back upon this vast apparatus of power wihch it has created which is now worldwide and which is under no form of rational control.

If we're going to make the planet, we can't really do what we have now, which is a body growing ever bigger and a head that is ever shrinking. That is the route of the dinosaur, and we're on it.

Now, let us get off that and begin to see that social and political innovation that institution making at the planetary level is part of the destiny of man in this last part of the 20th century. And if he cannot meet this rendezvous with destiny, then possibly we are destined not to see but to foresee a planet empty—still spinning but no longer carrying the human race.

Thank you.

WELFARE BILL IS OPPOSED

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. ASHBROOK. Mr. Speaker, the Christian Science Monitor in its April 10, 1970, issue carried an excellent article by Richard L. Strout which tells of the opposition of the U.S. Chamber of Commerce to the pending welfare bill. This bill would set up a guaranteed annual program regardless of any of the sugar coating which its sponsors use.

I call this article to the attention of the Members of this body and insert it at this point:

WATCHING WASHINGTON

(By Richard L. Strout)

WASHINGTON.—In two weeks the big U.S. Chamber of Commerce building that sits across pretty Lafayette Park from the White House will be crowded with the chamber's annual meeting, and in preparation for it the officials have unloosed an all-out attack on President Nixon's welfare program.

It's a funny business, sometimes, watching Washington. Mr. Nixon seemed to have lined up the conservatives on his side in large measure, at least he's been making hay with a lot of industrialists in his appeal for orthodox economics and a balanced budget, and for Southern white conservatives. Spiro Agnew has been bringing in the millions, we are told, in his $100-a-plate political rallies, and his appeal seems to be mostly to the right-of-center. But now comes an attack from the chamber which is a powerful political force. The attack may well radiate out from the rally here and be orchestrated from that limestone chamber headquarters on the far side of the little park.

The chamber declares that Mr. Nixon is backing a "radical and revolutionary move." The words rather please us because they are the same we have been using. Only we did not use them in a pejorative but in a descriptive sense. If the welfare plan goes through—and there is every evidence that it will pass the House, at least—the United States will not only open a new chapter but a new book.

Advocates of the Nixon program have had the stage so long that it's only fair to let critics have a chance. "Guaranteed family income . . . the road to ruin," says the big chamber advertisement in the Wall Street Journal and other papers. It goes on,

"We don't think a guaranteed family income is a constructive way of helping a fully employed father who is trying to help himself. In fact it's unfair. It would weaken his incentive. It would lock him into welfare as a way of life. A way of life he and his family would rather not have."

The chamber says the Nixon program would add "more than three million families with fully employed fathers to the welfare rolls. That adds up to over 15 million people. And that adds more than $2 billion onto the first year costs of the program."

It is known here that Mr. Nixon's conservative economic adviser, Arthur Burns, opposed the new plan. It was backed by Daniel Patrick Moynihan, the White House liberal—in residence—who, perhaps to his surprise, saw it made administration policy. Mr. Burns, now chairman of the FED, congratulates himself that at least, he helped to get compulsory work requirements included as a qualification for benefits.

The heart of the Nixon program as outlined on TV last August 8, is a minimum income to all eligible families on a national basis. The first two members of a family would get $500 each, and each additional member $300 each, or $1,600 for a family of four. Some $800 more would be available in food stamps.

Administration studies disclosed the "working poor" number millions; in other words those who have jobs but can't get above the poverty line. The plan would give full benefits to persons earning up to $720 a year, but with diminishing amounts after that and a cut-off point when total income of a family of four reaches $3,920.

Put it this way—a family of four with no earned income would get the full $1,600; a family earning $2,000 would get $960. There would be an incentive to work and earn.

Training, jobs and day care are proposed. As a condition for benefits the poor are required to accept either job training or jobs where available.

Many feel Mr. Nixon's program is so sweeping that it deserves extensive discussion. With the big U.S. Chamber leading the attack it will get it.

A BILL TO RESTORE THE INVESTMENT TAX CREDIT UP TO $15,000 FOR FARMERS AND SMALL BUSINESSMEN

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. KLEPPE. Mr. Speaker, I am today introducing a bill to restore the investment tax credit up to $15,000 for farmers and small businessmen.

When Congress passed the Tax Reform Act late last year, I expressed the fear that many small businessmen and farmers would suffer severe losses because the conference report on the Tax Reform Act did not include the Senate amendment exempting investments up to $20,000 in eligible property from the investment credit repeal.

At that time, I specifically pointed out that a strong case could be made for at least a limited tax credit on equipment purchases by farmers and small businessmen. With farm machinery prices rapidly increasing, and with farm prices remaining at generally depressed prices, the Nation's farmers and small businessmen need this incentive to maintain up-to-date, modern farming practices and equipment.

The economy of North Dakota has already been adversely affected by repeal of the investment tax credit. Many farm implement dealers reported a considerable drop in sales. Rather than purchase new and modern equipment, many farmers are forced to use obsolete and dangerous equipment. More farmers and agricultural workers are killed or injured every year in on-the-job accidents than in any other industry. Many of these tragedies could be averted with newer and safer farm equipment.

Even the modest tax incentive embodied in my legislation would encourage farmers to replace their obsolete and dangerous equipment at a much faster rate.

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THE TRUTH ABOUT BEEF SUPPLIES AND BEEF PRICES

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. HANSEN of Idaho. Mr. Speaker, there has been a lot of talk lately about the price of beef. It appears that the American cattleman is about to become the victim of another attempt to hand over more of his market to foreign producers and to deprive him of a fair return.

It is time to set the record straight. For most of the past 20 years the cattleman has been the victim of depressed prices for his product and steadily rising costs. He has been hit hard by inflation. Now that beef prices are approaching a level that will yield the producer a fair return commensurate with the investment and risks involved, we hear complaints about beef prices that ignore the economic realities facing the cattleman.

Beef prices have risen at a much slower pace than the prices of almost all other consumer items. When compared with the rise of the cost of living generally, even at today's prices, beef is a real bargain.

Talk about a beef shortage in a few years is just a smokescreen for attempts to carve up the domestic market for the benefit of importers and foreign producers and to the detriment of the American cattle industry. If the American cattleman has some continuing assurance of a decent price for his product he will supply all the beef our people need.

Mr. Speaker, the beef industry has contributed greatly to the rising standard of living in our Nation. It has been a major source of cash income for an often depressed agriculture economy. It has provided jobs and strengthened the tax base in many rural communities across the Nation.

Our beef producers are entitled to fair treatment. We owe them the right to earn a decent living. Complaints about beef prices should be examined in the light of all the relevant facts and on the basis of the entire record.

One of the best statements I have seen on this subject is by Don F. Magdanz, executive secretary-treasurer of the National Livestock Feeder Association, which I include as a part of my remarks:

THE TRUTH ABOUT BEEF SUPPLIES AND BEEF PRICES

(By Don F. Magdanz)

With all of the clamor being heard again about beef prices and what appears to be the beginning of another wholesale public attack upon the cost of the Nation's most important food item, it would seem the time has come to state a few hard, cold facts and set the record straight.

As suppliers of the fed animals from which consumers enjoy Choice beef, as well as Good and Prime, it is disgusting that whenever the cattle feeders and cattle growers realize or approach receiving prices for fed animals that allow them a decent return for effort, investment and risks incurred, some persons feel called upon to scream at the top of their lungs about the price of beef.

Sometimes this hue-and-cry comes from individual consumers or small groups of consumers. At other times, it comes from overzealous writers who apparently are trying to "whip something up".

Through United States citizens registered as foreign lobbyists, foreign nations are trying desperately to create alarm in order to get a bigger piece of the U.S. market for their clients at the expense of American citizens and taxpayers engaged in the domestic cattle industry. U.S. importers are also in on the act. Some manufacturers, who would like to expand markets for their products in the nations who want to ship us more beef, are fanning the fire.

Always the fingers are pointed at high beef prices with apparent disregard for the facts in the case.

Are beef prices high compared to other consumer items, services, wages, taxes, disposable incomes, etc.? The answer must be an emphatic, NO! And there isn't any justification for all of the allegations poured forth from a variety of sources.

BEEF IS STILL A BARGAIN

The evils of inflation have brought about price and cost increases of practically every item we might name. In the past 10 years—since 1960—many of these increases have been substantial. But the price of fed cattle, wholesale beef, and even retail beef, have not nearly kept pace with the rest of the economy.

All that cattle feeders and growers want is a fair shake. They're not getting it and, except for occasional brief periods, haven't realized a return for nearly 20 years commensurate with inflated costs and prices.

Even in mid-year 1969, when cattle prices and wholesale beef did move upward temporarily, the average price of fed steers, Choice grade, at the peak time was slightly less than in 1952—18 years ago. Prices were, for two weeks in June 1969, about 30% above the average in 1960. In less than 4 months, Choice steers were back down to only 10% above 1960. Wholesale beef prices declined similarly. Retail beef prices also came down, through not as much. But this is the fourth month of 1970. What is the situation now? It's simply this.

At today's prices, beef is still the best bargain in the food stores. The same was true last summer and fall even though prices were higher than now.

In February 1970 the average price of Choice steers at Chicago was $30.27 per cwt. It was $26.24 in 1960.[1] If Choice steer prices had gone up during the 10 year period and kept pace with the cost of consumer services (less rent), Choice steers would have brought $38.39 per cwt., a figure $8 higher than they actually were, and $4 above the highest average for Choice steers at the peak time last year.

If the average price per lb. of beef at retail had gone up as much since 1960 as these same consumer services, the average cost of beef to the consumer in February would have been $1.18 per lb. instead of the actual 97.4 cents. Sirloin steak would have been selling on the average at about $1.60 per lb. instead of $1.31 and hamburger (not to be confused with ground beef) would have cost 80 cents instead of 64.5 cents (actual figures from Bureau of Labor Statistics, January 1970).

Had Choice steer prices gone up since 1960 as much as the hourly earnings of labor (non-agricultural), Choice steers at Chicago would have sold for $39.54 per cwt. instead of $30.27. If Choice beef at retail had kept pace with these hourly earnings, the average over the nation would have been $1.22 per lb. Sirloin steak would have been selling for at least $1.65 and hamburger at about 83 cents.

In the fourth quarter of 1969 (latest figures available) per capita disposable income in the U.S. stood at $3,172.00, an increase of 63.8% from 1960. If the price of Choice steers had moved up relatively, feeders would have been getting $43.00 per cwt. The average price of Choice beef at retail would have been $1.32 per lb. Sirloin steak would have had to bring about $1.80 and hamburger around 89 cents per lb.

A comparison of prices in 1960 to those in February 1970 shows that neither Choice steers, nor Choice beef in the wholesale market, nor even the average price per lb. for Choice beef at retail, have gone up nearly as much as other foods, consumer services, hourly earnings, disposable income, etc.[2]

Choice steers rose from $26.24 per cwt. to $30.27, an increase of 15.3%, while per capita disposable income went from $1,937.00 to $3,172.00—an increase of 63.8%. The average price per cwt. of Choice beef carcasses at Chicago went from $43.98 to $46.74, an increase of 6.3%, while the average hourly earnings of non-agricultural labor went up 50.7% and average weekly earnings rose 45.2%.

The average price per lb. of Choice beef at retail went from 80.7 cents to 97.4 cents (in the highest month of 1969, the price was only $1.02½), an increase of 20.7%, while hourly earnings of labor in the manufacturing industry went up 63.0%, and the per capita expenditures for other goods and services went up 67.7%.

Meanwhile, still covering a 10-year period, 1960 to February 1970:

Average consumer price index—all items—went up 28.5%.

Average cost of all food purchased by consumers, up 29.6%.

Average cost of all consumer services rose 41.4%.

Average cost of consumer services, less rent up 46.3%.

Average hourly earnings, non-agricultural, went up 50.7%.

Average hourly earnings of labor, manufacturing, up 45.1%.

Average hourly earnings of labor, construction, up 63.0%.

Average hourly earnings of labor, retail trade, up 57.9%.

Average weekly earnings, non-agricultural labor, up 45.2%.

We wonder how anyone can defend a charge that beef prices are too high.

MORE BEEF FOR LESS

But this is not the whole story. The cattle feeding and producing industries, even though operating in a marginal or submarginal profit climate, increased beef production from 14.75 billion lbs. in 1960[3] to 20.95 billion lbs. in 1969,[4] an expansion amounting to 42%. On a per capita basis, the industry supplied each man, woman and child in the United States with 103.1 lbs. of beef in 1969. Adding 7.5 lbs. of net imports of beef per capita, the total supply per person amounted to 110.6 lbs., an increase of 30.2% from the 85.0 lbs. of beef available in 1960.

But to buy this increase of 30.2% (25.6 lbs. more per person), consumers were able to drop the percentage of disposable income spent for all food from 20.0% in 1960 to only 16.4% in 1969—3.6% less or a decline of 18%. Meanwhile, with a 63.8% increase in per capita disposable income, they spent 2.5% more of it for other goods and services.

In fact, per capita expenditures for food rose $131.00, or 33.8%, while expenditures for other goods and services went up $956.00, an increase of 67.7%.

At this point it is appropriate to explain differences in domestic production and consumption-per-capita figures since many who argue the meat price case do not differentiate. Production of beef is total dressed weight from U.S. slaughter which, in 1969, was 20.95 billion lbs. Consumption per person figures result from dividing the population into the total supply available, the latter being production plus imports less ex-

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Footnotes at end of article.

ports. In 1969 imports of beef amounted to 1.614 billion lbs. (carcass weight equivalent) and exports were 82 million lbs. The resulting total supply available for consumption amounted to 22.485 billion lbs. in 1969. Division by the population of 203.2 million persons in 1969[5] produces per capita consumption of 110.6 lbs. of which 103.1 lbs. was domestic production and 7.5 lbs. was imported beef.[6]

WE CAN'T AFFORD MORE IMPORTS

Obviously, to generate pressure for modification of the 1964 Meat Import Law, doubt is being raised that the beef supply from domestic production will be adequate to meet demand by 1975. In other words, fear is being aroused that there will be a shortage of beef by or before 1975 sending beef prices to much higher levels unless we open the doors for expanded foreign shipments. We challenge these suggestions.

We further contend that such tactics are being used to create a situation that will lower beef prices from present levels even though we have shown clearly that beef prices have not kept pace with other costs and prices and, frankly, are too low now. Suggestions (in the atmosphere of present livestock and beef price relationships) that some new commission be charged with the responsibility of determining future demand and domestic supply, and the volume of foreign meat that should be admitted under these determinations, smack heavily of a move to deliberately lower beef prices to consumers. This is true despite the language in the suggestion that proper recognition be given to a reasonable profit for the domestic beef industry.

In the face of rising costs of production, including labor, taxes, equipment, supplies, services, etc. and increased costs of slaughtering, processing, fabricating, distribution, and sales, we don't see how anyone can expect the domestic industry to furnish quality beef to consumers at lower figures per pound. Particularly is this true when consumers are demanding more services at the meat counter including extra trimming, more boning, and special treatment, and with higher disposable income more of them are wanting the more popular cuts, such as steaks and ribs.

The record will show that the domestic industry has demonstrated it will supply consumers with the quantity of beef they want and need. It is safe to say that the domestic industry will continue this supply in the future, provided consumers are willing to pay what it costs to produce, process, and distribute this supply for them.

At the same time, we suggest certain discouragement among cattle feeders and cattle growers from consumer resistance to what are still reasonable prices for beef. Should such discouragement become widespread, the industry as a whole may not supply the increases which may be necessary to completely fill the demand of consumers. It is like anything else; industry will furnish the product, but only if consumers are willing to pay the cost.

In order to meet demand in the future, it is obvious that some expansion in beef production will be necessary. There are differences in opinion on how much expansion will be required. Reserving comment on these differences until a later paragraph, let's first look at sources of increases in beef production.

WHERE DO WE GET MORE DOMESTIC BEEF?

Expansion in beef production arises from several sources. It results from increasing the number of fed cattle through a reduction in the slaughter of calves and from the reduction in slaughter of non-fed steers and heifers; and finally, from an increase in the production of more cattle (meaning more cows to produce calves).

Since 1960, calf slaughter in the United States has declined from 8,225,000 head[7] to 4,858,400 head[8] in 1969. Most, if not all, of these calves found their way to feedlots and produced about 630 lbs. of beef per head instead of about 130 lbs. of veal. It is reasonable to predict that calf slaughter will decline still further to the point where we may be slaughtering only about 2,800,000 head of calves in a given year adding some 2,000,000 head of cattle which will yield about 500 lbs. more beef per animal.

In the same year, 1960, the slaughter of non-fed steers and heifers totaled 5,664,000 head.[9] By 1969 this number had been reduced to 3,033,000.[10] Again, these cattle found their way into feedlots and each yielded about 630 lbs. of beef per head instead of about 360 lbs. considering the non-fed animals had been slaughtered at 700 lbs. It is again reasonable to predict from past experience that the number of non-fed steers and heifers in the slaughter will be reduced still further and soon amount to only 2,000,000 head per year. This would throw something over 1,000,000 head of additional cattle into feedlots and a corresponding increase in beef production would result.

In fact we can calculate an approximate amount of increased beef that will result from these two changes in slaughter. Adding 2,000,000 head of cattle to the feeding operation as a result of reduced calf slaughter with 500 lbs. more beef produced per animal above what was produced as veal, we come up with an increase of 1.0 billion lbs. of beef. Likewise, redirecting 1,000,000 head of non-fed steers and heifers into feedlots and realizing 630 lbs. of beef per head instead of 360 lbs., we come up with an additional increase of 270 million lbs. of beef.

These two sources alone, within the space of 1 or 2 years, would add 1.270 billion lbs. of domestic beef for consumers. It is reasonable that these changes will take place very soon based on the pattern in recent years. It's a foregone conclusion, though, that the slaughter of calves will probably never be reduced to zero, nor are we apt to ever feed all of the steers and heifers now produced in the United States. Some of the latter will always be slaughtered as what we call non-feds, although the number in this classification will undoubtedly decline.

As indicated, a third avenue for increased beef production is through the production of more cattle—meaning more cows to raise calves. This source of expanded production requires more time than the other two, but the process is already underway. With rather stable cow numbers on January 1, 1966, 1967, and 1968 of just a few more or less than 50,000,000 head, an increase in cows and heifers two years old and older of 330,000 head took place by January 1, 1969. On January 1, 1970, the estimated inventory of cows rose another 930,000 head to 51,308,000.[11] Increases in these two years represent the first significant change in cow numbers we have seen since about 1964 and is the basis for the previous statement that expansion in the cow herds is already underway.

The change in cow numbers from January 1, 1969 to January 1, 1970, however, was a modest 1.8%. We are not suggesting the same rate of increase of cow numbers will take place in the next three years, but a reasonable rate of 1.5% would place 53,652,000 head of cows in the inventory on January 1, 1973. Calves from these cows on hand would be reaching the market as fed beef in 1974 and 1975. Such an increase, along with the other changes in patterns which have just been reviewed, would easily be sufficient to supply the nation with an adequate amount of beef per capita, and more than is available to them today.

Cattle producers, however, will need some definite encouragement to retain additional numbers of she-stock in their herds in order to produce the increase in calves from which consumers can eventually obtain additional beef supplies. This encouragement must come from prices sufficient to compensate them for their production and will not result if wide-spread public resistance to meat prices appears whenever returns from live animals approach a favorable level.

HOW MUCH BEEF DO WE NEED?

As indicated previously, there is a difference of opinion as to how much beef will be needed by 1975. Some projections call for as much as 27 billion pounds. Others range down to 26.3 billion and still lower to 25.8 billion. Frankly, it's only reasonable to assume that 25.8 billion pounds by 1975 is a higher volume than can be sold to consumers at prices providing reasonable returns to producers. We suggest that the very maximum that can be available without seriously depressing the domestic market would be 25.3 billion pounds. In order to arrive at a possible figure five years hence, though, two projections need to be made—population and consumption per capita.

Seemingly, population projections can be made with reasonable accuracy. According to Government sources the population since 1967 has been increasing at about 1% per year. Prior to that time, over a two year period the increase was at the rate of 1.1% per annum. With the population of 203,216,000 in 1969,[12] a 1% increase per year would mean a population by 1975 of 215,690,000 persons. Under modern circumstances this projection appears far more realistic than some which would indicate 219 million people, or more, five years hence.

The volume of beef that persons will buy at prices favorable to producers presents a more speculative projection. We believe it a foregone conclusion they would not accept a rate of increase per capita anywhere near that which took place from 1960 to 1970, which actually amounted to over 25 pounds per person. In fact, an increase of per capita supplies of more than 6 pounds to 7 pounds per person would be the outside limit which could be sold at present prices, or levels more favorable. Beginning with 110.6 pounds per capita consumed in 1969, a 1% increase per year would mean 117.4 pounds per capita by 1975. Anything more than this, we contend, would be unrealistic and exceedingly dangerous to the domestic industry.

Arguments that the consumption of beef in foreign countries may be 120 pounds per person to as much as 190 pounds per person, thus indicating that the U.S. has not even begun to reach its potential, are not realistic or justified. Persons in these other countries are largely beef consumers whereas the U.S. has a wide variety of other meat products which are being consumed. In addition to 110.6 pounds of beef consumed per capita in the U.S. in 1969, the civilian population also consumed 3.4 pounds per person of veal, 3.4 pounds of lamb and mutton and 64.8 pounds of pork, for a total of 182.2 pounds of red meat per person. Over and above this they consumed 47.6 pounds of poultry and 11.0 pounds of fish for a grand total of at least 240.8 pounds of high protein food per capita.[13]

Without question, beef has become the most popular of any of these products mentioned. But we cannot ignore the fact that there is a practical limit to the amount of food which humans can consume and will pay a fair price for.

Recall now our projected population of 215,690,000 persons by 1975. Applying possible maximum per capita consumption of beef at 117.8 pounds per person, it is logical that the total supply of beef in the U.S. by 1975 should not exceed 25.322 billion pounds if the domestic industry would realize reasonable returns for its production. The quantity of additional beef that would be required from domestic production by 1975 and its sources of availability are clearly demonstrated in the calculations that follow:

Footnotes at end of article.

XUM

[In billions of pounds]

Estimated maximum permissible supply of beef in 1975	25.322
Volume of imports allowable in 1975 in same proportion to supply as in 1969 (carcass weight equivalent)	– 1.823
Net volume of beef permitted from domestic production in 1975	23.499
Domestic production in 1969	– 20.953
Additional domestic production needed by 1975 to make available 117.4 pounds of beef per person for 215,690,000	2.546
Anticipated increase in domestic production from increased slaughter of fed animals (transfer from calf slaughter and non-fed steer and heifer slaughter) (see page 8)	– 1.270
Additional domestic production needed from increased number of cattle (more cows and calves)	1,276
To produce 1.276 billion pounds of beef, additional number of head in slaughter at 630 pounds slaughter weight per head	2,025,400
Projected possible increase in number of cows by January 1, 1973; their calves would be slaughtered in 1974 and 1975 (see page 11746)	53,652,000
Cows in the inventory January 1, 1970	– 51,308,000
Possible number of additional cattle available for slaughter by 1975	2,344,000

Thus, it can be readily realized that the additional beef which may be required by 1975 is completely within the realm of possibility through increased fed cattle slaughter as a result of both reduction of calf slaughter and lower non-fed slaughter of steers and heifers, as well as from increased number of calves from a reasonable increase in beef cows.

In fact, to produce the volume of beef needed for a 1% increase in per capita consumption and a 1% annual increase in population, less than the anticipated rate of increase in beef cows which we have projected would be required. In other words, the rate of increase in beef cows could even fall short of that explained earlier and we would still have available for consumers a sufficient supply of beef. With fulfillment of all projected increases from domestic sources, there would be more reason than ever to restrict imports further.

Along with increased production of domestic beef which can be expected to occur, at least up to limits prescribed if consumers will pay for the production, it must be emphasized that foreign nations will have a share in this expanded market in accordance with the guidelines set up in the Meat Import Law of 1964. In the opinion of this Association, this is more than they are entitled to, and any fracture of the restrictions now in force can have a devastating economic effect on the domestic industry. The establishment of a consumer oriented commission with authority to project domestic production and allow for an increased volume of imports would endanger the most important segment of agriculture industry in the U.S. In our atmosphere of high costs, U.S. producers can in no way compete with the low cost production possible in most foreign countries who are supplying us with beef, and should not be expected to.

BEEF PRODUCTION IS A BUSINESS

It may be argued that some beef prices, even at fair levels, are beyond what low income families can afford to pay. This may be true, and those in the beef producing industry are sympathetic to those whose incomes are not adequate to satisfy their wants and desires.

But, the more popular cuts of beef are not the only items these people can't buy. Furthermore, there would be many less popular and less expensive cuts of meat within the financial reach of these families.

The cattle feeders and cattle producers are in business for a livelihood. To stay in business and expand their production they have to meet higher costs, higher taxes, higher wages, and higher everything. They can't stand these inflated figures if their returns are geared to what lower income people can afford to pay. They won't be able to stay in business, nor could any other industry survive in the United States under those circumstances.

FOOTNOTES

[1] See Appendix, Table I, with complete references.

[2] See Appendix, Table I, with complete references.

[3] *Livestock & Meat Situation,* Economic Research Service, USDA, November 1968, p. 26, and

[4] *Ibid,* March 1970, p. 24.

[5] *Economic Indicators,* Prepared for the Joint Economic Committee by the Council of Economic Advisers, March 1970, p. 5.

[6] *Livestock & Meat Situation,* Economic Research Service, USDA, March 1970, p. 24.

[7] *Livestock and Meat Statistics,* Economic Research Service, USDA Statistical Bulletin No. 333, August 1964, p. 64.

[8] *Livestock Slaughter,* Statistical Reporting Service, USDA, December 1969, p. 2.

[9] Calculated from total Slaughter of Cattle in 1960, Ibid., No. 7, of 25,224,000 head, less slaughter of fed marketings and slaughter of cows and bulls.

[10] Calculated from total of cattle in 1969, Ibid., No. 8, of 35,224,000 head, less slaughter of fed marketings and slaughter of cows and bulls.

[11] *Livestock and Meat Situation,* Economic Research Service, USDA, March 1970, p. 6.

[12] *Economic Indicators,* Prepared for Joint Committee by Council of Economic Advisers, March 1970, p. 5.

[13] *National Food Situation,* Economic Research Service, USDA, February 1970, p. 15.

APPENDIX—TABLE I

	Amount	Percent
Average price of choice steers, Chicago—Per Cwt:		
1960	[1] $26.24	+15.3
Feb. 1970	[2] 30.27	
Average price per cwt. choice steer beef, Chicago 600–700 lbs. wholesale:		
1960	[1] 43.98	+6.3
Feb. 1970	[3] 46.74	
Average price per lb. (cents) choice beef at retail:		
1960	[4] 80.7	+20.7
Feb. 1970	[5] 97.4	
Consumer price index, all items:		
1960	[6] 103.1	+28.5
Feb. 1970	[6] 132.5	
Average cost all food purchased by consumers:		
1960	[6] 101.4	+29.6
Feb. 1970	[6] 131.5	
Average cost all consumer services:		
1960	[6] 106.6	+41.4
Feb. 1970	[6] 150.7	
Average cost all consumer services, less rent:		
1960	[6] 107.4	+46.3
Feb. 1970	[6] 157.1	
Average hourly earnings nonagricultural:		
1960	[7] 2.09	+50.7
Feb. 1970	[7] 3.15	
Average hourly earnings manufacturing:		
1960	[8] $2.26	+45.1
February 1970	[8] 3.28	
Average hourly earnings construction:		
1960	[8] 3.08	+63.0
February 1970	[8] 5.02	
Average hourly earnings retail trade:		
1960	[8] 1.52	+57.9
February 1970	[8] 2.40	
Average weekly earnings nonagricultural:		
1960	[8] 80.67	+45.2
February 1970	[8] 117.18	
Per capita disposable income:		
1960	[9] 1,937.00	+63.8
4th quarter 1969	[10] 3,172.00	
Per capita expenditures for food:		
1960	[11] 388.00	+33.8
4th quarter 1970	[12] 519.00	
Per capita disposable income spent for food (percent):		
1960	[11] 20.0	–18.0
4th quarter 1969	[12] 16.4	
Per capita expenditures for other goods and services:		
1960	[11] 1,412.00	+67.7
4th Quarter 1969	[12] 2,368.00	
Per capita disposable income spent for other goods and services—percent:		
1960	[12] 72.9	+2.5
4th Quarter 1969	[13] 74.7	
Food consumption per capita:		
1960	[14] 100.5	+5.5
1969	[14] 106.0	
	(15)	+5.8
	(16)	+5.1
Pounds of beef consumed per capita:		
1960	[17] 85.0	+30.2
1969	[18] 110.7	

[1] Livestock and Meat Statistics, Statistical Bulletin No. 230, U.S. Department of Agriculture, June 1960, pp. 112 and 127.

[2] Livestock, Meat & Wool Market News, Weekly Summary & Statistics, U.S. Department of Agriculture, Vol. 38, No. 6, p. 130; No. 7, p. 153; No. 8, p. 177; No. 9, p. 201.

[3] Ibid., Vol. 38, No. 6, p. 138; No. 7, p. 161; No. 8, p. 185; No. 9, p. 209.

[4] Livestock and Meat Statistics, Statistical Bulletin No. 230, U.S. Department of Agriculture, June 1961, p. 132, & U.S. Department of Agriculture information not published.

[5] U.S. Department of Agriculture, Information available, but not published as of April 10, 1970.

[6] Index Economic Indicators, Council of Economic Advisers, Prepared for the Joint Economic Committee, March 1970, p. 26.

[7] Ibid., March 1970, p. 15.

[8] Ibid., December 1969, p. 5.

[9] Ibid., March 1970, p. 5.

[10] Marketing & Transportation Situation, U.S. Department of Agriculture, August 1969, p. 10.

[11] Ibid., February 1970, p. 2.

[12] Ibid., August 1969, p. 10.

[13] Ibid., February 1970, p. 2.

[14] Index National Food Situation, U.S. Department of Agriculture, Feb. 1970, p. 13.

[15] Animal products.

[16] Crop products.

[17] Livestock & Meat Situation, U.S. Department of Agriculture, November 1968, p. 26.

[18] National Food Situation, U.S. Department of Agriculture, February 1970, p. 15.

THE INFLUENCE OF SCOUTING ON AMERICAN LIFE

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. ST. ONGE. Mr. Speaker, on Friday, April 10, it was my distinct pleasure to participate in the Eagle Recognition Banquet of the Eastern Connecticut Council of Boy Scouts of America, held in Putnam, Conn. On this occasion, 27 boys were honored and were presented with plaques and certificates granting them the rank of Eagle Scout. These boys were from towns all over my district. The event was sponsored by Elks Lodge No. 574, of Putnam.

I was privileged to be the guest speaker on this auspicious occasion, and the theme of my address was "The Influence of Scouting on American Life." Because this subject may be of interest to many of our colleagues, I am inserting my speech in the RECORD. It is as follows:

THE INFLUENCE OF SCOUTING ON AMERICAN LIFE

One of the main purposes of mankind, from the beginning of civilization to the present day, has been to organize in large groups for the purpose of achieving special goals. It is not an easy business, and the number of organizations that fail in attaining their objectives far surpassed the number that succeed. Organizational discussion can easily develop into personal discord, which in turn can lead to the departure of certain members, to the distinct disadvantage of the organization. Understanding this, we are all the more appreciative whenever a group succeeds, over a long period, in working together for mutual purposes beneficial to the national interest.

Since the Boy Scouts of America were organized, they have worked so well together in a spirit of harmony, as to defy comparison with other groups similarly motivated. Equally impressive are their principles, so sound, inspiring, and acceptable as to capture the endorsement of leaders of all religious faiths, of business leaders, of labor leaders, and holders of public office of both major political parties. Through their diligent campaign to emphasize the wholesome aspects of American life, they have achieved an internal organizational unity which has won for itself a national unison of praise for their performance.

Scouting has always aimed at making the American boy "physically strong, mentally awake, and morally straight." I am certain the eagle scout trail has led all of you through healthful outdoor adventure—camping, exploring, sports, woodcraft—and given you a feeling of kinship with the pioneer and Indian scouts who led the way into the wilderness.

Scouting supplies the opportunity of combining fun with adventure. There is fun in hiking along the open trail, pack on your back, with your best friends at your side, not knowing what new adventure may await around each bend in the road. There is fun living on your own in the open, sleeping in your own tent, eating meals which you have fixed yourself. And when the day is over, there also is fun and fellowship awaiting, as you sit around the campfire, swapping stories of camping trips gone by.

But these are only some of the adventures available to the good scout. For you not only gain experience in taking care of yourself in the open, but you also learn how to be a real citizen in an American community. It is a first-class experience, in my estimation.

The Boy Scouts of America is charged by its congressional charter with the responsibility for promoting the ability of the boy as an individual. In cooperation with the home, the church, the school, and other community institutions, scouting has met its responsibilities. Scouting has been called the most exciting game ever devised for boys. But it is something more than a game. It is a program in which you—from eight years old up—can learn how to do things for yourselves, and for other people. It develops your physical fitness, skill, self-reliance, and courage and furnishes you with high ideals of service to your country. The future of our American way of life depends on how adequately you, our youth, are prepared to shoulder the responsibilities of the political, the business, and the social factors that constitute our national pattern of living.

This preparation for your capacity to become citizens is not only your responsibility as Boy Scouts, but it is also the responsibility of of the adults of this nation. History judges each generation on how it fulfills the duties of citizenship. Your four-year program will be a powerful tool in helping you understand and fulfill your duties of citizenship. Members of Congress always look with pride on the occasion when representatives of the Boy Scouts of America meet with the President of the United States at the White House to make their annual report to the Nation. We are proud that you have been accorded a charter by the Congress of the United States.

It is human nature to be ready with sincere congratulations when one feels that the recipient of praise will move on to better things and that the good deeds that have prompted the praise will increase. Your leaders, your families, and your friends are confident that you are moving on to better things, and we desire to help in every way possible.

The familiar phrase, "my good deed for the day," has become exceptionally meaningful. For the past 60 years you have been expanding this simple theme until it has become the basis of concentrated community effort and cooperation. It has developed into the idea of the "National Good Turn."

A boy, or anyone, for that matter, learns to understand the Democratic processes of government and their values through living and practicing them. May I point out to you that the fundamentals contained in your scouting program are the same fundamentals that have made America great.

Like our Founding Fathers, the Boy Scout movement is working to help build a nation which will move onward—no matter what obstacles lie ahead.

We live today in a complicated world, but there are many ways of coping with it, and the boy scouts are very good at teaching these ways. We often hear it said that the youth of today will make the world of tomorrow, but that is not all there is to it. Youth alone never has had and never will have the chance to build the world. It is truer to say that the world of tomorrow will be made by a partnership of youth and age—of young people and their parents and aunts and uncles and grandparents—and I for one am for it. I am for the bold, daring, venturesome, risk-taking spirit of youth. I am for the cautious, careful, cost-counting spirit of age. And I am for the best possible blend we can make of the two. But we must learn to eliminate the tension and the lack of understanding between the generations. There must be no tension and there must be understanding. This is necessary not only to individual happiness, but necessary to the establishment of harmony in these United States, and desperately necessary to the peace of the world.

Too often we hear of the stresses and strains between pupil and teacher, child and parent; sometimes we learn of whole segments of youth and adulthood in a church or an entire community practically squared off against each other.

The partnership of youth and age needs strengthening—there is no group more able to help than the Boy Scouts of America.

It is my belief—as I think it is yours—that in the years which lie ahead the human race must retain every shred of freedom. The world is growing too small to remain divided, into warring camps.

New horizons have appeared to many nations and to many peoples. But how fortunate for America—how fortunate for the Boy Scouts of America—that our Founding Fathers seized the opportunity to feed a new nation with a balanced diet of liberty, justice, regard for the individual, and spiritual faith.

From an infant nation, there has sprung a union of fifty States. Out of an atmosphere of freedom there has grown a system of free enterprise that has given us the power to produce and develop in a way never heard of before in all history. As we analyze the warp and woof of America's tapestry of greatness, we find that the strength of the fabric lies in the freedom of the individual.

Our youth—the citizens of tomorrow—must be impressed with these basic facts about America's past. Without these impressions, they will be unable to fulfill the goals of the future.

We can take it for granted that the boys of scouting, in their quest for fulfilling the requirements of their program, hear time and time again the phrase: the challenges to youth today are leadership and service. No matter how shop-worn these words, they are. We need more leaders—small-town leaders, big city leaders, business and professional leaders, neighborhood leaders, leaders in every phase of our advancing scientific programs. We need leaders who will help in solving our civic problems, our farm problems, our labor problems, our industrial problems, our international problems, and problems in education; we need leaders who will bring with them a strong spiritual faith in the future.

It is not uncommon to hear the remark that great men, such as Thomas Jefferson, Benjamin Franklin, Theodore Roosevelt, Woodrow Wilson and others, were born leaders. Such a remark implies that the qualities which made these men great leaders were inherited rather than built through training. Careful study of the lives of these men convinces one that they did not depend upon inheritance alone for their goals in life. George Washington and Benjamin Franklin worked out definite plans whereby they might improve themselves. Theodore Roosevelt advocated the strenuous life and was ever alert to improve himself physically and mentally; he highly approved of the Boy Scout oath and law.

The regular scouting program with its ideals, as revealed in the promise of every Cub Scout, Boy Scout, and Explorer, will continue to chart the course for future leaders. It will continue to build character and assist in the building of leadership. The den, the patrol, and, in fact, the entire organizational structure of scouting, teaches democratic action.

Democracy now faces its largest test. It has demonstrated its superiority in our land. But democracy must continually prove itself, just as you eagle scouts must meet test after test to reach your goal and to maintain and improve your rank. Democracy must continue to demonstrate at home its ability to meet new problems, because it can hope for no great following in distant lands if it fails to meet its challenges in this country.

You are fortunate to have this patricular world. Its uncertainty can become a tonic—its ugly aspects, a challenge—its dangers, an invitation to become mature citizens. It is a world for the physically and mentally fit. It is also an age ripe for some great manifestation of spiritual force—in which I hope you will share. Best of all, it is an age whose very chaos should keep your minds flexible. Like you, the world has set its face toward the future. It offers new territories of the mind for the brave to explore. Never were ideas more numerous and horizons more wide.

I have great respect for the Boy Scouts of America. I have great hope for your achievements tomorrow.

I congratulate the Eagle Scouts of this group. I honor all Scouts, especially for the spirit in which you approach your responsibilities, and I wish you well in your future endeavors.

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VICE PRESIDENT AGNEW SPEAKS ON VOCATIONAL EDUCATION TRAINING

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. MICHEL. Mr. Speaker, as the ranking Republican on the Subcommittee on Appropriations for the Departments of Labor and Health, Education, and Welfare, I have a consuming interest in the quality of education being provided at all levels of our educational system. Along with many others in public life who have a responsibility in this field, I have been deeply disturbed by the campus unrest which has plagued our colleges and universities in recent years. I have long been of the opinion that a good part of this unrest results from the anxieties and frustrations of a good many people on the campuses who really do not have the proper qualifications and motivations to complete a 4-year college curriculum and who would be happier and more productive in some other field.

For this reason I have supported an expansion of vocational education training at the high school level so that we may hopefully place these individuals in a program for which they are qualified and in which they can make a real contribution to society rather than wasting a year or two on a college campus floundering around in an effort to determine just where their real interests and abilities lie.

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Vice President AGNEW touched upon this very important and sensitive issue last night in Des Moines, Iowa, and while his audience consisted of Republicans only, his message was directed to all Americans, and especially to college and university administrators.

Once again the Vice President has revealed his refreshing quality of applying plain, old, ordinary commonsense to the process of finding solutions to some of our most perplexing problems and I hope that editorial writers all over the country will heed his admonition to read all of his speech before turning to their typewriters to comment thereon.

I insert the complete text of the Vice President's remarks in the RECORD at this point and also urge my colleagues to read what he has to say:

ADDRESS BY VICE PRESIDENT AGNEW

Five months to the day have passed since I visited Des Moines to present a few thoughts about the network news. It is a pleasure to be back—I enjoy visiting famous battlefields, especially when the outcome of the conflict was decisive and served a useful purpose.

Tonight I hope to cover more completely a subject touched upon in my Lincoln Day remarks in Chicago—the disturbing trends in administrative and admissions policies of America's colleges and universities.

With regard to the determination of curricula and the hiring and firing of college professors, I stated in Chicago that the desires of students should not be the controlling factor. However, it cannot be validly argued that students' views on these matters are of no value in making educational judgments. Students, the consumers of knowledge, are in a unique position to assess the effectiveness of educational policies. Therefore, their views should be considered and be an ingredient of final decisions by the educational establishment.

From the light of experiences in the last decade, it would seem to me that Professor Sidney Hook hit the nail on the head in his recent book, *Academic Freedom and Academic Anarchy*. He stated:

". . . there are no compensating advantages in the risks incurred when students are given the power of educational decision.

"That is why with respect to the . . . demand for student rights, we must say: 'Consultation, yes—decision, no.'"

Tonight I want to give you my views in greater particularity on the subject of college admissions, and this time I come armed with supportive quotations from distinguished administrators who are equally concerned about this problem.

The American system of colleges and universities, ladies and gentlemen, is the envy of mankind. It belongs not just to the professional educational community, but to all of us. When decisions begin to represent a definite trend that may drastically depreciate those national assets, then all of us have an interest at stake; all of us have a right to be heard—indeed, a duty to speak.

When one looks back across the history of the last decade—at the smoking ruins of a score of college buildings, at the outbreaks of illegal and violent protests and disorders on hundreds of college campuses, at the regular harassment and interruption and shouting down of speakers, at the totalitarian spirit evident among thousands of students and hundreds of faculty members, at the decline of genuine academic freedom to speak and teach and learn—that record hardly warrants a roaring vote of confidence in the academic community that presided over the disaster.

We in public life who criticize, however, should make that criticism constructive. This I intend to do. I feel as much as anyone that there should be expanded educational opportunities for deprived, but able, young people in our society. The difference is that I favor better preparing them—with additional governmental assistance—in some form of prep school rather than tossing them into a four-year college or university curriculum that they are not equipped to handle. And I do not feel that our traditional four-year institutions should lower their sights or their standards for the sole purpose of opening their doors wider.

Now, there are two methods by which unqualified students are being swept into college on the wave of the new socialism. One is called a quota system, and the other an open admissions policy. Each is implemented by lessening admission requirements. They may be equally bad.

Under a quota system, a specific percentage of the student body must consist of minority or disadvantaged students regardless of whether they can meet the existing standards for enrollment. If they do not apply, they must be recruited.

Under an open admissions policy, a college deliberately opens its doors and expands its enrollment despite the inability of many of the applicants to meet minimum standards.

There are distinguished, even brilliant, men with grave reservations about the wisdom of either of these policies. The Historian, Daniel Boorstin is one of them. Speaking in Tulsa last June, he carved his views in sentences more emphatic than my own.

"In the university all men are not equal. Those better endowed or better equipped intellectually must be preferred in admission, and preferred in recognition. . . . If we give in to the armed demands of militants to admit persons to the university because of their race, their poverty, their illiteracy, or any other non-intellectual distinctions, our universities can no longer serve all of us—or any of us."

Professor Boorstin argues his case on behalf of the integrity of the university, but there are also other arguments against racial quotas, not the least of which is that of simple justice.

For each youth unprepared for a college curriculum who is brought in under a quota system, some better prepared student is denied entrance. Admitting the obligation to compensate for past deprivation and discrimination, it just does not make sense to atone by discriminating against and depriving someone else.

Another argument against easy admissions was summed up in the testimony of Dr. Clark Kerr of the prestigious Carnegie Foundation's Commission for the Advancement of Teaching in testimony before the House Education Committee. He said:

"Some institutions have brought in students too far below the admissions standards with the result that it ended up in frustration for the student . . . It's bad policy to start someone on a path when you know he can't reach the end of the road."

Is it understandable that I wonder why the remarks of Kerr and Boorstin were greeted with respectful editorial silence by the same tribe that came looking for my scalp after Chicago?

We can see the visible results of weak and insufficiently defined educational policy in the growing militancy of increasing numbers of students who confuse social ideals with educational opportunities. John Roche, a former Special Consultant to President Johnson, a syndicated columnist and a professor at Brandeis, observed the phenomenon on his own campus. In my opinion, he analyzed it correctly. Last year he wrote as follows about the violence emanating from black student militancy.

"Sociologists and others have had a field day explaining the sources of this behavior, but I do not believe the problems at Brandies, San Francisco, Swarthmore or wherever trouble has erupted is terribly complex. We created our own difficulties the day we (and I mean the liberal academicians) decided that a college or university should double as a settlement house. Once the decision was made that Negro or 'culturally underprivileged' youngsters should be admitted to first class colleges, without the usual prerequisites, the escalation began . . .

"All this special Black admission business has, of course, been conducted with a brass band, as college and university administrators and faculties congratulate themselves on their radicalism, on their willingness to rise above white racism. In fact, what has happened in most instances that have come to my attention is sheerly cosmetic: nobody has actually worried about the anguish of the poor Negro kids who have been dumped into a competitive situation, have been thrown with inadequate preparation into water well beyond their capacity to swim."

In criticizing my views on racial quotas following my speech in Chicago, the *Cleveland Plain Dealer* said:

"In the prestigious Ivy League, the schools admitted freshman classes last September that were 10 per cent negro . . ." and it added approvingly, "This represented a huge increase in black enrollment."

But, is this a really good thing—and if ten per cent is good, would twelve or fifteen per cent be better?

President Clifford Lord of Hofstra, in a speech last December, aired his own doubts about a policy of "open admissions."

"This can be a very expensive process for the private institution, financially and academically," he noted. ". . . There is the additional and critical question of the educational desirability of mixing those who are qualified by modern standards for work in a particular institution and those who come in under an open enrollment program."

A Ford Foundation education expert, Mr. Fred Crossland, registers more than just doubts; he thinks this 10 per cent quota today is impossible to attain.

According to the Office of Education, though blacks constitute about twelve per cent of our college age population, they account for only six per cent of all high school graduates. Mr. Crossland adds that only about half of this six per cent is capable of handling a college curriculum. Where does this leave the *Plain Dealer's* ten per cent? Says Mr. Crossland:

"Given present standards, it's preposterous and statistically impossible to talk about boosting black enrollment to ten per cent even over the next five years."

What makes Mr. Crossland's unequivocal statement so timely is that just two weeks ago—after twelve days of heat from striking militant students at the University of Michigan—President Robben W. Fleming agreed to nearly all their major demands—the first of which was for a ten per cent black enrollment by 1973.

Now let me read you what a distinguished member of the Michigan faculty said about the President's action. He is Gardner Ackley, the economics professor who served as Chairman of President Johnson's Council of Economic Advisors. According to the *Ann Arbor News*, this is what Professor Ackley told a faculty meeting:

"This has been a very tragic year . . . which has seen the beginning of the destruction of this University as a center of learning . . . It is being destroyed by its own faculty and administration.

"The University's administration, he said, is unwilling or unable to resist the destroyers . . . However ridiculous or worthy the cause, it will win in proportion to the willingness of its supporters to disrupt the life of the University.

"University facilities are now available for . . . promoting any cause, no matter how obscene or revolting.

"There is no reason. There is only power."

According to the *Ann Arbor News*, Professor Ackley received a standing ovation; and there were shouts of "Bravo" from his colleagues.

The surrender at Ann Arbor is not dissimilar to the tragic surrender of Italian academic and political leadership to the demands of rebellious students two years ago for open admissions to the universities of all high school graduates.

The results have been instructive, to say the least. Measured in diplomas granted annually—the number has jumped, in just a few years, from 28,000 to 40,000—the reform is a success. But these are bargain basement diplomas—and total Italian employers advertising for college graduates are careful to specify that the degree must date back to 1967.

In a few years' time perhaps—thanks to the University of Michigan's callow retreat from reality—America will give the diplomas from Michigan the same fish eye that Italians now give diplomas from the University of Rome.

President Lord of Hofstra, who, as I stated earlier, expressed his serious reservations about mixing "open enrollment" students and academically qualified students, feels nevertheless that this might be a good policy—for institutions other than Hofstra. Is it with tongue in cheek that he said:

"It seems to me that the wholly or largely tax-supported institutions such as the State University or the City University have got to pick up this ball and carry it . . ."

One gets the distinct impression that Hofstra will not be picking up the ball and carrying it any time soon.

But the public institutions are not without impassioned defenders—like Irving Kristol—who believe it a major tragedy to impose upon quality institutions of higher learning, such as the city colleges of New York, a social burden of assimilation and uplift that they are neither designed nor equipped to shoulder.

Writing in the *Public Interest* last November, he warned:

". . . black militants are demanding that many more (and eventually all) black students who are graduated from high school be admitted automatically to the city colleges regardless of grades or aptitude, or whatever and (New York's Upper East Side and Suburban Elite) which in any case sends its youngsters out of town, thinks it is being 'constructive' when it meets this demand at least part way—i.e., when it grants to poor black youngsters a college diploma in lieu of a college education . . .

"The city colleges," continues Professor Kristol, "are one of the most valuable—perhaps the most valuable—patrimonies of New York. The Jews took them over from the WASPs and used them to great advantage; the Irish and Italians are now participating and benefitting; the Negroes and Puerto Ricans will very soon be in a position to inherit this remarkable system of higher education. But as things are going now, their inheritance will be worthless."

These institutions—the widening avenue of advancement for the young natural leaders in New York's community—are, in his words:

". . . being transformed—degraded is not too strong a term—with the approval and consent of the elite, into four-year community colleges, with all academic distinction being remorselessly extinguished."

If these quality colleges are degraded, it would be a permanent and tragic loss to the poor and middle class of New York, who cannot afford to establish their sons and daughters on the Charles River or Cayuga Lake. New York will have traded away one of the intellectual assets of the Western world for a four-year community college and a hundred thousand devalued diplomas.

The central mission of higher education is intellectual, argues Dr. Lincoln Gordon of Johns Hopkins.

To the extent universities deviate from that objective, we are devaluating a national asset that many foreign leaders believe has given America a unique advantage over the nations of the world.

I agree with Dr. Gordon. Any attempt to subordinate the great universities of this country to social goals for which they are ill-designed and ill-equipped can only result in tragic losses to both these institutions and the nation.

Perhaps the country has already marched too far under the banners of the slogan, "Every Man A College Graduate," to abandon it now. But maybe not. Perhaps there remains a "via media," a middle way, that will both preserve the integrity and quality of America's colleges—and advance the cause of minorities and the disadvantaged.

Assuredly, the first step along such a road was taken a few weeks ago by President Nixon when he called on the nation to make an historic commitment:

"No *qualified* student who wants to go to college should be barred by lack of money. That has long been a great American goal: I propose that we achieve it now."

Certainly, no young man or woman with ability and talent should be denied, by the ancient and traditional barrier of poverty, the opportunity to advance to the limits of his capacity. Not in this wealthy country in 1970. To allow that to happen is to tolerate an unnecessary individual tragedy which, when multiplied, amounts to a national tragedy.

Nor can we let talent go unnoticed. A perpetual national search should be conducted to locate within every community every child of ability and promise. When located, they should be given special attention—to advance them to limits of their potential and to prepare them for leadership in their communities and in society.

We must also recognize the needs of the unprepared and underachieving child and of those who do not begin to show promise academically until later in high school. Where necessary—and it is often critically necessary—substantial programs of compensatory education must be developed. Extra summers of study, extra years of academic preparation must be provided at public expense. For there can be no doubt that we must compensate for the deprived environment.

For these students I believe we must have more community colleges and special preparatory schools, to insure to the late-blooming, the underprepared and the underachieving student every educational opportunity.

But I make this distinction: preparatory and compensatory education do not belong in the university. Students needing special educational services— who do not meet the standards and requirements of institutions of higher education—should not be encouraged to apply—in the first instance—to such institutions.

Rather than lower the standards of higher education, we must raise the level of the student's preparation and achievement, so that he may not only one day take his place in the colleges and universities of this nation, but successfully hold that place in active, healthy competition with other students.

This, I believe, is the kind of commitment that can and must be made to balance the scales and insure full equality of educational opportunity.

But, a firm commitment to equality of opportunity must not result in the dilution of that opportunity. For colleges and universities to deliberately draw into a high academic environment students who are unqualified intellectually or whom the primary and secondary schools have conspicuously failed to prepare is to create hopes which are doomed to disappointment.

Moreover, the cluttering of our universities, already too large in many cases, through the insertion of high school level semesters for the accommodation of those unqualified for the traditional curriculum is a major cause of campus inefficiency and unrest. The number of students on college campuses has increased by 400 percent in three decades and is expected to reach nearly ten million within five years. In 1940 only two universities in the country had more than twenty thousand students; today, sixty universities can claim that dubious distinction.

Rising student enrollments have been forced to exaggerated heights by a combination of underlying social pressures. Within the awesome statistics of bigness lie the heart of the justified complaints of many college students today—complaints about absentee professors—about the plastic facelessness on campus—about the decline and disappearance of the personal teacher-student relationship—about ill-equipped graduate students teaching courses for which undergraduates have paid $60, $70, and even $80 a credit—about being matriculated, administrated, graded and graduated by computer.

I do not accept the proposition that every American boy and girl should go to a four-year college. Even now, with nearly eight million students on the campuses of this country, there are tens of thousands there who did not come for the learning experience and who are restless, purposeless, bored and rebellious.

College, at one time considered a privilege, is considered to be a right today—and is valued less because of that. Concentrations

XUM

of disoriented students create an immense potential for disorder.

The Chairman of the Sociology Department of Columbia University, Professor Amitai Etzioni, recognizes the phenomenon, deplores its inevitable and undesirable by-products—the depersonalization of the campus and the threat to academic quality because of massive enrollments—but sees no certain solution.

Writing recently in the *Wall Street Journal*, he contends that the lowering of admission standards results in the presence on campus of pressure groups with—and I quote:

"a social ideology and a political organization to further demands for easy promotion and guaranteed graduation.

"If one tries to enforce select admission or academic standards, he risks being labeled a racist, and he lays himself open to campus-wide attacks . . .

"The goal of college education for everyone is now too widely endorsed both by white middle class Americans and minorities to stop the high-schoolization of colleges simply by trying to uphold the old standards . . .

"If we can no longer keep the floodgates closed at the admissions office, it at least seems wise to channel the general flow away from four-year colleges and toward two-year extensions of high school in the junior and community colleges."

And, of course, that is what should be done.

Consistent with this philosophy, I favor the sort of procedures in high school that screen out the best students and make greater demands upon their greater talents.

In some areas, such ideas have been discarded as reactionary. But if we accept Jefferson's concept of a "natural aristocracy" among peoples—then that is as true for every race and community of man. It should be our objective to find, to nurture and to advance that natural aristocracy through the rigorous demands of intellectual competition.

To require a student of genuine ability to sit for hours in a classroom with those neither able nor prepared, and to permit him to be intellectually stalled at the level of the slowest, is a cruel waste of his God-given talents.

In Washington today there is a single black high school—Dunbar—which once trained this natural aristocracy with unrivaled success. Two decades ago, eighty per cent of its graduates went on to college, a higher percentage than any other school in the District of Columbia. That high school numbers among its graduates federal, district and appellate judges, the first black General in the American Army, and a United States Senator.

After the Supreme Court decision of 1954, however, this school under prevailing educational nostrums was allowed to become just another school in the inner city. Today, it ranks at the bottom of District of Columbia schools in the percentage of graduates going on to college.

In my opinion, Dunbar High School was sacrificed by the levelers and the ideologists on the altar of educational egalitarianism—and I cannot believe that the black people of the capital or the nation are better for the loss.

My remarks here tonight have been extended—I am sure they will also strike some of my critics as pure heresy. As soon as they come clacking off the news wires into the horrified city rooms of the East, my friends on the editorial pages will start sharpening their knives and dancing around the typewriters. I ask no favors—but make one recommendation. Read my remarks through, just once at least, before turning to the keyboard. Sometimes, that can improve the editorial.

Thank you and good night.

XUM

YEAR-ROUND SCHOOL

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. PUCINSKI. Mr. Speaker, as chairman of the General Subcommittee on Education, it has been my privilege to preside over hearings that have explored the multiple problems, and possible solutions for problems, that affect our elementary and secondary educational system in America.

We have conducted wide-ranging hearings on the needs of elementary and secondary schools for the 1970's and have solicited the views of educators, sociologists, teachers, and experts in the field of education who can give the Congress some idea of what works, and why, in education.

Among the innovations tried in several communities around the country is the year-round school. This concept makes maximum use of the school facilities, in many cases obviating the need for additional classroom construction and for overcrowding in classes at all levels. One of the communities to begin this year-round plan is Joliet, Ill. The Valley View School District, north of Joliet, will start this program in June.

Students will attend classes for 9 weeks, have a 3-week vacation, in addition to Christmas week, Easter week, and 2 weeks in the summer. Valley View's 7,000 students will be divided into four groups. With staggered sessions, there will always be a fourth of the student population on vacation.

This may take a little getting adjusted to, but with the cooperation of parents, and businesses that will be granting vacation time for family wage earners to coincide with the students' vacation time, the project should show an immediate effect.

Mr. Speaker, I congratulate the Valley View School District for its foresightedness. I am inserting in the RECORD today an article that recently appeared in the Christian Science Monitor about this new concept and how it is being utilized in other school districts, as well.

Mr. Speaker, the article follows:

YEAR-ROUND SCHOOL?

(By Merelice Kundratis)

CHICAGO.—Two nasty letters, one derogatory phone call, and 20 requests for schedule changes.

These were the only reactions from 3,000 Illinois families when they were notified of which year-round school schedule their children would attend.

It looks like fathers were able to juggle vacations with the family even under the new school schedules. Mothers welcome a change from long summer vacations with the children home.

Most of all, says a school official, taxpayers are glad their investment in school buildings is being used more days of the year.

Valley View school district north of Joliet, Ill., launches its year-round school schedule this June.

SEVERAL REASONS GIVEN

Students will still get the same amount of vacation time as now—16 weeks—but split up as follows: a three-week vacation after nine weeks of school (four times a year) plus Christmas week, Easter week, and two weeks in the summer.

There are several reasons given for rearranging and extending the school year. One of them is the taxpayer who is running smack into burgeoning enrollments and costs. Keeping school buildings open during the summer means being able to teach more children without overcrowding or new construction.

For example, in Valley View, the district's 7,000 students will be divided into four groups. With staggered sessions, there will always be a group—a fourth of the student population—on vacation. Hence more space.

Immediate savings? James R. Gove, assistant superintendent, notes that the district will gain the equivalent of two 30-room buildings now. And for every three buildings constructed in the future, the district gets the equivalent of a fourth.

FAMILY PLANS INTERRUPTED

But even a possible reining in of spiraling costs would not be enough if year-round school interrupted other family plans.

Social changes in family life, however, are what prompted one educator to say that year-round school would be natural now.

At the turn of the century, the school year was planned to avoid the family farm's planting and growing season. But summer now simply is accepted as vacation time.

Even dad's vacation is increasingly likely to be at times other than the summer. So youngsters, too, need flexibility to preserve the "family vacation."

Because of this, along with other considerations, interest in having school available all year is "growing rapidly," insists Dr. John D. McLain, chairman of Pennsylvania's task force on education and director of the national seminar on year-round education. This year's three-day seminar convened Sunday, April 5, at Harrisburg. Dr. McLain is also director of the research-learning center at Clarion State College in Clarion, Pa.

Interest may be growing. But, to date, programs have not. And that is one of the problems. School systems studying alternatives have few successful examples to follow.

Valley View's version is not the only schedule being tried.

A different and more flexible version of year-round schooling is being considered in Jefferson County which surrounds Louisville, Ky. Initial motivation, however, is similar: using school buildings more efficiently to provide for growing school enrollments.

Since 1955, the county has had to run double sessions, points out Dr. J. Oz Johnson, assistant superintendent for research. The district handles 90,000 pupils in 90 school buildings spread out over 385 square miles.

Jefferson County's plan would divide the school year into four quarters of 12 weeks each. Students would decide which quarter—summer, fall, winter, or spring—they want for vacation. Or if they want to accelerate, they can choose to attend all four quarters.

CITIZENS INVOLVED

"The only expertise we make claim for is that we have involved citizens," stresses Dr. Johnson. Because of enthusiasm of a parents' advisory committee, what started out as a proposed pilot project for a few pupils grew into a full-fledged program for the whole county.

Beginning teacher salary of $6,350 is a "pitiful amount of money for a young family man," Dr. Johnson notes. But an extended school year with a proportionate increase in annual salary could attract the "intelligent young man" to teaching.

Practical financial matters come first to most legislators and taxpayers, moans Dr.

Johnson, the educator. But Dr. Johnson, the former legislator, sympathizes. Still he is looking primarily for educational benefits.

Among them:

Stemming the degree of student failure or falling behind because of extended absence.

Developing a better curriculum. Sixty-day courses would be more likely than 180-day courses to sustain student interest. Such courses would also give teachers the opportunity to weed out dull or outdated material while the courses are being revised for the new calendar.

RESISTANCE ENCOUNTERED

There is resistance. Summer camp is important to some families. Some teachers want the long vacation.

For a year, the quarter system has existed at the secondary level in Fulton County, Georgia. And Valley View's plan has a predecessor in St. Charles, Mo., where a nine-week school, three-week vacation program has been operating a year.

These programs, possible pitfalls, and developing a national all-year school movement are on the seminar agenda in Harrisburg. Nearly all state legislatures, says Dr. McLain, have set up committees to study the year-round school.

It is Dr. McLain's conviction that the schedule change must work hand in glove with curriculum change. His ultimate aim is education individualized to suit each pupil's needs, available to fit his family's patterns of living.

The time is ripe now, Dr. McLain contends, because both certain labor and educational practices are coinciding.

For example, the steel industry has agreed to give employees a weekly vacation bonus—extra money for vacation expenses. In return, however, management reserves the right to schedule vacations throughout the year—not just in the summer.

At the same time, educators are asking how they can deal effectively with individual needs and differences—how the school system can be adjustable so as not to hold back the quick learners and still give enough close attention to those needing more time.

As an answer, Dr. McLain opts for education available all year with teachers and materials flexible enough for pupils to come and go as they need to.

TRIBUTE TO HON. LEONARD GEORGE WOLF

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 9, 1970

Mr. JOHNSON of California. Mr. Speaker, I would like to join my friends and colleagues in paying tribute to the late Honorable Leonard George Wolf.

This fine gentleman, who did so much to make this Nation and its people aware of the hunger problem throughout the world, was elected to the House of Representatives in 1958, the same year I was privileged to become a Member of this distinguished body. He proved himself a friend to all who were privileged to serve with him, and to all people throughout the world who benefited from his courageous efforts to see that no one was hungry.

His gaiety and wit brightened so many hours for so many people, but most of all it was his stature as a person that will be long remembered.

Mrs. Johnson joins me in extending deepest sympathy to his beloved wife and children.

ENVIRONMENTAL REHABILITATION AND CONSERVATION

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. PHILBIN. Mr. Speaker, there are few things more important pending in this Congress than the efforts to banish harmful, injurious and unesthetic conditions in our environment and adapting our ecology and communities to the vast changes that are taking place in American life because of population expansion, industrial growth, and the pressures of scientific innovations. These basic changes in our national posture give rise to the need for a host of new, up-to-date measures and techniques for coping with them.

Although we must not permit ourselves to be overwhelmed by the large number of problems or effective planning for many new programs, we must develop with all possible speed ultimate cooperation between the private sector and government in housing, investment, water resources, and the continuing demands for vital research and an effective battle against pollution as a top priority in our national priorities.

However, we cannot and must not ignore other essential programs such as those dealing with the quality and price of our food supplies, education across the board, urban crises, mass transportation, natural resources, fish, and wildlife, communications, adequate electrical power, public health, drugs, and medicines, social security, extensive hospital construction, medical, hospital, and nursing are, welfare, the vital humane problems of retarded children, and many other priority items.

These programs must have the continued, urgent attention of the Congress and as much funding in orderly stages, as we can muster under sound budgets to implement a broadside attack on the multitude of problems involved, which are of greatest importance to our Nation and its people as we enter the crucial 1970's.

In this struggle for improved environmental conditions and social justice, we must marshal all our resources, human, and material, and provide for our social, economic, and community welfare.

We must avoid duplication of effort, and boldly cut through the maze of unrelated, uncoordinated official and public units to bring coordination, unity and commonsense to bear on these problems with all possible haste.

Thus, the Congress and legislatures of the several States, our communities, and our respective administrative agencies may work intelligently, expeditiously, and effectively together without the repetition, duplication, wasted efforts, and delays that paralyze and stultify timely action in moving toward our goals.

I think that our great American, free enterprise economy is more powerful than ever, and it definitely must be brought into this massive national effort. Its leadership must be utilized in every way to insure utmost participation in the national program for effecting all possible changes necessary to come to grips with the many challenging domestic problems that must be tackled and solved, if we are to adjust ourselves to the jet-space age, and fully serve the needs of the Nation and our people.

I have long worked in these areas and will continue my efforts. I will be honored and pleased to cooperate with my valued and esteemed friends of the Congress, and all others working in these areas to clear the way and speed the course of these much-needed programs.

I compliment my dear, esteemed friend, our great Speaker and his great chief of staff, the distinguished gentleman from Oklahoma, the House majority leader, Mr. CARL ALBERT for pressing these imperative objectives. Let us redeploy our ranks and move ahead with all possible dispatch to attack the conditions in our environmental areas that are threatening the health, order, wholesome atmosphere, sanitation, cleanliness, beauty, and esthetic quality of our water, air, soil, green and arbor tracts of many places in our environmental heartlands.

Let us act now.

PROPOSED POSTAL RATE INCREASES

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. ST. ONGE. Mr. Speaker, I am pleased that action has finally been taken on the long overdue postal pay raise. However, I am strongly opposed to tying this to an increase in first-class postal rates. Our citizens are already subjected to spiraling costs on every side, and it is entirely unreasonable to ask them to pay 10 cents for every ounce of first-class mail which they send.

I can understand the reasoning behind the efforts to make the postal system a paying operation, but this should not be done at the expense of the nonbusiness user. If we are serious about ending the postal deficit, the first thing which should be done is to insist that so-called "junk mail" pay its own way.

At the present time, second-class mail pays about one-quarter of its costs and third-class mail pays approximately 82 percent of its costs. Business concerns are the primary users of the second- and third-class mail, while private citizens largely utilize the services of first-class postage. It is an outrage to ask that the American public accept a 67-percent increase in first-class postal rates while proposing that the charge for unsolicited advertising and magazines be increased by a ridiculous 5 percent. First-class mail is already making a profit for the Post Office Department, and yet in spite of this the overburdened taxpayer is expected to pay a higher first-class rate as well as subsidize the low postal rate enjoyed by junk mailers.

The junk mail which clutters up our mailboxes, overloads the postal facilities, and prevents the efficient delivery of important correspondence is unwanted and unnecessary. It goes unread, it adds to the already staggering burden of waste disposal, it increases the litter on our streets and highways, and it requires the destruction of millions of trees for its production.

I feel it is an insult to the people of this country to ask them to continue to subsidize this waste and daily annoyance. Nothing less than making the junk mailers pay for the mail service they receive will be a satisfactory response to our citizens. This is the only way to make our postal system pay for itself, without incurring deficits, and to continue to operate on an efficient basis.

A LEGISLATIVE PROGRAM TO COMBAT POLLUTION

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. BROWN of California. Mr. Speaker, over the last year I have devoted much time to analyzing and formulating effective approaches to meet the objective of environmental quality. I have received many letters from concerned citizens all across America, and most of them ask the same question: "What are you doing to combat pollution?"

Recently, I set down a compiled list of the legislative proposals I have introduced during the 91st Congress which deal with environmental problems.

I am now inserting the list into the RECORD, and I think the list itself shows how many important issues require legislative action. In addition, I feel that while the list is long, it is just a start, and there are many more issues which bear looking into.

The list follows:

PROPOSALS INTRODUCED DURING 91ST CONGRESS

Anti-smog bills to:

(1) set up government program to develop smogless vehicles;

(2) remove lead from fuel over a two year period;

(3) establish pollution standards for used cars;

(4) ban cars which do not meet stringent standards by 1975;

(5) toughen existing laws relating to both stationary and motor vehicle emissions;

(6) allow states to adopt stricter standards than those of federal government;

(7) utilize an excise tax based on horsepower and emissions to finance development and procurement of smogless vehicles;

(8) allow states to use federal highway funds to assist in purchases of low emission vehicles.

A cleaner ocean from bills to:

(1) insure local public hearings before offshore leases are made;

(2) halt all offshore drilling until stringent drilling standards and platform building codes are drawn up;

(3) establish protected marine sanctuaries—including one in the Santa Barbara Channel.

Assure adequate power from bills to:

(1) certify that future electric power needs will be met without damaging other aspects of the environment;

(2) create a Commission on Nuclear Safety.

Protect our shoreline by:

(1) establishing a National Commission on Coastline Development;

(2) declaring a public right to use of beach property.

Encourage optimal population growth by bills to:

(1) set up a Commission on Population;

(2) create a National Institute for Population Research;

(3) establish a nationwide series of Population Research Centers;

(4) limit personal tax exemptions to first two children in a family.

Enlarge and protect national parkland by bills which:

(1) acquire parkland and designate parks for Point Reyes and the Santa Barbara Channel Islands;

(2) protect the natural values of Mineral King, the San Joaquin Wilderness and Garner Valley;

(3) retain the Golden Eagle park entrance fee program;

(4) prevent further offshore leasing until funds from current leases are fully spent on acquiring new parklands.

Creation of strong Government policies for the environment by bills which:

(1) declare the public right to environmental quality;

(2) establish a permanent Commission on Environmental Quality;

(3) withhold government contracts from polluters;

(4) create new congressional committees to deal with environmental issues;

(5) ask for an international conference on environmental problems.

Other environmental and anti-pollution bills would:

(1) formulate a comprehesive federal-state policy for optimal land use;

(2) protect wilderness areas from ecological damage caused by adjacent development;

(3) create a sonic boom damage fund to assist persons hurt by such booms;

(4) establish an office of noise control in the Public Health Service which would set up a major noise pollution program;

(5) ban supersonic transport flights until tests show these jets are not threats to personal health;

(6) call for a major pesticides study and ban DDT and other chlorinated hydrocarbon pesticides for five years;

(7) create a new nationwide education program to increase awareness of environmental problems;

(8) set up a massive urban transit system financed by the automobile excise taxes;

(9) protect wildlife, such as the California tule elk and the Alaska seals.

FREEDOM'S CHALLENGE

HON. KENNETH J. GRAY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. GRAY. Mr. Speaker, the youth of today are the leaders of tomorrow. If the news media in this country would give as much attention to the young red-blooded Americans who are "on the right track" as they do to the troublemakers and those who do not appreciate freedom in this country, I am sure we would have more peace and tranquillity and a better country in which to live.

The Veterans of Foreign Wars of the United States sponsored a national Voice of Democracy contest and our Department of Illinois VFW had a very spirited contest among the young people of Illinois and I am pleased to announce that Dennis Di Marzio was the Illinois winner.

Under previous order granted me, I would like to have this young American's speech included in the CONGRESSIONAL RECORD. You will note it on the theme "Freedom's Challenge."

Mr. Speaker, to my way of thinking, this philosophy of our young people is what is going to keep America on a steady course. I want to congratulate young Di Marzio and my comrades who are members of the Illinois Veterans of Foreign Wars for sponsoring this contest.

The speech follows:

FREEDOM'S CHALLENGE

(By Dennis Di Marzio)

The other day when I was in a rather philosophical mood, my mind wandered way back to a day when I was in the first grade. On this particular day, the teacher went around the room and asked each one of us what we wanted to be when we grew up. There was the usual number of cowboys, firemen, and baseball players, but at least half of us shrugged our shoulders and answered, "I don't know." In high school, many students would answer, "I'm not sure." To me, this is the beauty of freedom; to have a choice, a freedom to be or not to be, to be what we want to be and not what we don't want to be. Now this does not mean that there are not limitations upon our aspirations, but it does mean that the government will not stand in our way, but that it will encourage us to pursue happiness and will aid us whenever it can. The limitations to our pursuit of happiness are within ourselves and the talents which have been granted us by a divine being.

If we become afraid to try or if we become frustrated to the point of giving up, then we have failed to meet freedom's challenge. If, however, we put our faith in ourselves and in the opportunities offered by our free country, then we are meeting freedom's challenge.

So, I believe then that I as a citizen can meet freedom's challenge by putting faith in myself and my country and by developing myself into the most productive citizen which my God given talents allow me to be.

This being the case, then how does the nation itself meet freedom's challenge? I think the answer to this question is deceptively simple. The nation can meet freedom's challenge in much the same way that the individual citizen does. It must put faith in itself and its principles and must strive to develop into the most productive nation which its God granted resources will allow it to be and just as the individual citizen must not be governed by fear, neither must the nation. It must not allow threats or predictions of failure to prevent it from taking those actions which it perceives to be right and just. In a similar way, our country like the citizens who live in it, must not give in to frustration, however great this frustration might be.

In carrying this comparison between the United States and the individual citizen a bit further, let us look at a situation which

XUM

is much too common in our modern world. A citizen is walking down the street and sees an old man being beaten and robbed by three strong assailants. The citizen would have to overcome great fear if he were to aid the old man, yet he knows that this is what should be done. If he is to meet freedom's challenge, he must not give in to fear by looking the other way and pretending he didn't see. For when this is done, no choice has been made, fear has become his dictator. In a similar fashion, our nation must base its actions not on fear, but on a sense of righteousness. A few years ago, we witnessed a poor and weak South Viet Nam being beaten and robbed of its freedom by three assailants, North Viet Nam, assisted by China and Russia. But we met freedom's challenge and we are meeting it today, because we did not look the other way; we did not give in to fear. We knew what was right and we moved to help South Viet Nam defend itself.

Today, our nation is experiencing the same pain and frustration which our citizen on the sidewalk would experience in fighting the three assailants. Our nation is suffering from a loss of blood, the blood of its young men, and it is suffering from the frustrating bruises inflicted not by the three assailants, but by some of its own citizens, and this time I use the term loosely, most of whom have allowed fear to dictate them. They would prefer to look the other way from Viet Nam, or more exactly, they want to run away from it. Fortunately, this form of opposition, frustrating as it might be, is for the most part characterized by weak fear driven individuals who hide under the guise of intellectualism.

Today, so that she might more rapidly overcome the hindrances presented by those dissenters who are unprincipled, the United States of America is making Freedom's Challenge her challenge to us, her true and loyal citizens. But this is not the first time that freedom's challenge has taken this form. She challenged us at Concord, at Gettysburg, in the fox holes in Germany, on the beach of Normandy, and on the barren hills of Korea. Now she challenges us in the swamps of Viet Nam and on the issue of righteousness versus fear. She challenges those of us who are loyal to America to stand up and express our views more energetically and more sincerely than the loudest and longest haired of these unprincipled dissenters. We have the freedom to be a strong and righteous nation which has made the most of its God given resources and we have the freedom not to be a weak and unprincipled nation whose dictator is fear. This is Freedom's Challenge.

MEETING TO DRAW ATTENTION TO POW PLIGHT

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. ROUDEBUSH. Mr. Speaker, Constitution Hall seats about 3,811 people and on May 1, I hope that we can fill the auditorium with Americans concerned about the plight of American prisoners of war and our servicemen who are missing in action.

Senator BOB DOLE of Kansas has taken the lead in arranging for an observance that evening to draw attention to the plight of our courageous men who are prisoners in North Vietnam.

At this meeting we hope to mobilize opinion for the condemnation of the world against Hanoi's inhumane treatment of our men.

In excess of 1,450 soldiers, sailors, marines and airmen are either prisoners or missing in action. We have information that at least 430 are known to be prisoners, and at least 2,600 next of kin in all 50 States are undergoing a distressing period of concern for their loved ones.

Hanoi must be convinced that this Nation will no longer tolerate the inhumane treatment of American prisoners of war.

The Geneva Convention, signed by 123 nations including North Vietnam, prohibits cruel and inhumane treatment of prisoners of war.

It is absolutely necessary that the authorities in Hanoi be held responsible for their uncivilized treatment of our men, and we must convince the other nations signatory to this Convention that they should support our position.

The evidence against Hanoi is irrefutable.

We have ample proof that the North Vietnamese have tortured our men; they refuse to provide a list of Americans held prisoner; they will not permit a neutral party to inspect the prisons; they refuse to release the sick and injured, and with few exceptions, they deny the American prisoners the right to correspond with their families.

We must not let these brave Americans and their families be forgotten. Our perseverance in these efforts must be maintained.

We must exhibit our concern for these courageous young Americans by filling Constitution Hall on May 1, 1970.

This date was selected because it is Law Day and one of the themes of Law Day is international justice. The theme of the tribute that day, May 1, will be international justice.

The event is being sponsored by a bipartisan committee of House and Senate Republicans and Democrats under the chairmanship of Senator DOLE.

It is a pleasure and privilege for me to serve on this committee. Despite differences of opinion on the war and all of its complexities, we have joined together in the common goal of paying tribute to our American prisoners of war and those missing in action.

We seek to draw attention to the plight of these men, and by doing so, we hope to obtain the identification of these prisoners; that they be provided with humanitarian treatment; the sick and wounded be released; that our prisoners of war be protected from public abuse; permit our men to communicate with their families, and that negotiations for the exchange of prisoners be initiated.

Senator DOLE and other members of the committee hope to fill Constitution Hall that evening to express concern about other Americans who have made a greater sacrifice than imaginable.

I fervently urge all Members of Congress to join this outpouring of support for our fighting men on May 1 at Constitution Hall

WALSH COLLEGE

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. BOW. Mr. Speaker, one of the most rapidly growing young colleges in the Nation is Walsh College at Canton, Ohio, my hometown. In the course of one decade it has grown from a student body of 66 and a faculty of 7 to more than 1,000 students and a faculty of 75, meanwhile establishing a reputation for distinguished scholarship.

Any such endeavor requires the cooperative effort of many people, but with Walsh College all agree that the achievement is primarily the work of Brother Thomas S. Farrell, founder of the Canton institution and its president from the beginning, who is retiring at the end of the school year.

Friends of Brother Farrell from throughout Stark County will meet April 18 to pay tribute to this achievement and to wish him well in the years ahead. I regret I cannot be present in person and I take this means to call attention to Brother Farrell and Walsh College.

Brother Farrell's career as a teacher began in the 1930's at Mt. Assumption Institute in Plattsburg, N.Y., later serving as athletic director, dean of boys, and principal of that institution. He went on to become president of La Mennais College at Alfred, Maine, from 1955 to 1958 and also to serve as a member of the board of trustees of his order, the Brothers of Christian Instruction.

Late in the 1950's the order decided that it would be wise to move La Mennais and Brother Farrell undertook to locate a new campus in the Middle West. He was impressed with what he found in Canton, and the people of Canton were enthusiastic about the prospect of a new liberal arts college. Brother Farrell also received strong encouragement from the late Most Reverend Emmet M. Walsh, bishop of the Youngstown diocese. When the decision was made to establish a new campus in Canton, the college was renamed in honor of Bishop Walsh.

Brother Farrell recalls that the bishop's "deep interest in education, his warmth, his enthusiasm, and grandeur of vision" were convincing factors in the decision to locate in the Youngstown diocese. Thereafter, he recalls, the school project had strong moral and financial support from Bishop Walsh, starting with a gift of $304,000 to build a residence hall for the teaching brothers who are students at the college.

Local people also supported the institution wholeheartedly and the campus has grown from the initial building completed in 1960 to five buildings on 115 acres. A physical education center with which I had the pleasure to be of assistance is now under construction. The college received full approval of the Ohio State Board of Education in 1962 and was granted membership in the Ohio

XUM

College Association and in the Association of College Registrars and Admissions Officers in 1965. It has as A rating for purpose of transfers and is an associate member of the Association of American Colleges.

This is a brief summary of Brother Farrell's accomplishment as an educator and a college administrator. Much more can be said of him as a man and a citizen. All who know him hold him in high regard and with affection for his personal qualities. He has been an active member of the whole community, serving with the United Fund, the Red Cross, the mental health programs, on our interracial church council and in other civic programs.

The college will remain in Canton as a memorial to his decade of hard work and dedication. Memories of his friendship and appreciation of his leadership will remain alive in the hearts of all who worked with him. We wish him well in whatever new assignment may come his way. We are grateful to him for helping to make our community a better place for all of us.

PROBLEMS IN PARADISE

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. SIKES. Mr. Speaker, Guns & Ammo, a leading publication for sportsmen, has a monthly Washington report. The April issue points to the danger of increasing efforts to take guns away from law-abiding citizens at a time when crime is escalating at fantastic rates. It must be kept in mind, as this report well shows, that Washington has had a great increase in crime despite the fact that the Washington City Council has passed control ordinances against firearms which are as drastic as any in the Nation. I am pleased to include the article in the RECORD:

PROBLEMS IN PARADISE—WASHINGTON D.C.'S "MODEL" GUN CONTROL ORDINANCE DISARMED CITIZENS—DURING A 60 PERCENT RISE IN GUN CRIMES

On a single day a few weeks ago in a large city, a junior high school student was shot to death, another in another school was wounded by a gun, and two other incidents occurred in yet two other schools. All involved some type of handgun.

The city was shocked. So, as the story spread across the country, was the nation. The shock waves could affect every sport shooter—and at a bad time.

In the aftermath, the principals of several schools in the city locked their building doors—including fire exits—to keep "outsiders" from their hallways. Armed and uniformed policemen were put on duty in a dozen schools in the city. Students were frisked for weapons and their lockers and desks searched.

This one day's startling events were only the shocking climax of many months of increasing problems with handguns in schools and skyrocketing use of guns of all types, but mostly handguns, in a city racked by a soaring crime rate.

It followed by only a few months the armed robbery of the courthouse office (manned by uniformed police) where fines and collateral for traffic and other minor offenses are collected. Some $900 was stolen under the unseeing eyes of a blindfolded judicial system. It followed by only a few weeks a move by officials in that city's courthouses to place security locks on self-service elevators stemming from a wave of complaints ranging from molestation of secretaries to theft of equipment and armed robbery.

All these events occurred roughly a year and a half after a tough gun control law went into effect in the city—a law that was supposed to be the model for cities and states across the country to emulate as the answer to armed crime.

The city?

The Nation's Capital, Washington, D.C., a city so crime-ridden that most stores close shortly after sundown, where few restaurants can pay their costs after about 7 p.m.; where cab drivers after dark are no longer required to use their overhead lights when cruising and are no longer required under penalty of loss of their license to pick up just anyone who hails them after dark, but can choose their customers.

The Nation's Capital—some say the capital of the world—is more and more a city of fear after dark because of crime, where compared to years past only a few venture out and even fewer walk more than a few steps from their car or cab to their destination.

Yet, a year ago in December each gun in the city was required to be registered and its owner licensed under severe penalties. Gun purchases were forbidden without advance police approval. Handguns were virtually outlawed by the "model law."

Crime of all types, including those committed with guns (now illegal guns) is on the rise in a city run by the national government with all the resources that a central government can muster if it wishes. Crime involving firearms is on a spectacular rise in a federally-run city with what its sponsors claim is one of the toughest gun laws in the country.

Crimes involving guns in a city supposedly with a tough gun law rose about 60 percent last year to some 2000, much of the increase the result of a runaway traffic in narcotics. Most small shopowners are now armed, and a shootout between an armed robber and a shopkeeper trying to protect himself and his business is almost a daily occurrence.

This violence in the federal city has swept into the schools with alarming results, the incidents listed above only a sample. Official figures show startling increases in homicides, forcible rapes, robberies, assaults, weapons offenses, narcotics violations and drunkenness, assaults on teachers and other crimes in the schools in the Nation's Capital.

The trend obviously is not limited to Washington. A recent study by a Senate Judiciary subcommittee shows alarming increases in 110 major school systems paralleling the Washington experience, with weapons offenses doubling.

But the problem of crime in Washington, particularly in Washington schools, has a much more serious impact on the average sport shooter because the national government—members of Congress, the White House and its staff, and the national organizations that are involved in law enforcement and particularly in the fight over new and much more restrictive gun controls—all become personally involved.

The gun control issue is not dead, despite the current Nixon Administration attitude that the country has enough national gun legislation on the books, and their realization that tougher gun laws are not necessarily the answer to the crime problem (as has proven to be the case in Washington, D.C.).

Sen. Thomas Dodd (D.-Conn.), Sen. Joseph Tydings (D.-Md.), and their fellow backers of pending legislation to require all guns to be registered and all gun owners licensed haven't given up for a moment. Both Dodd and Tydings are up for re-election this year and both have tough battles ahead. But if either or both should be beaten, other than control advocates might well rise to take their place.

This is why the rising problem with guns and crime in Washington is so important to the average shooter and why Congress' failure to move at all on any of the Nixon Administration anti-crime proposals—for the nation and specifically for Washington—is so important.

Failure to strengthen police and court systems, to improve control over dangerous criminals under the bail system, and failure to impose tough penalties for persons using guns in the commission of crimes, all keep pressure on for tougher and tougher gun control laws.

This is also why the sudden death late last December of its strong NRA Executive Vice President, Franklin L. Orth, is so important to the average sport shooter—whether a member of NRA or not.

NRA, under the guiding hand of Orth as its top staff official since 1959, has been a leader in blunting the anti-gun forces. A former Deputy Assistant Secretary of Defense, Orth was able to maintain a good balance between the angry shooter and the reality of national politics. In spite of frequent attacks on the organization by the zealous anti-gun elements, the NRA maintained a good reputation among most members of Congress and other political professionals.

At present, it appears, NRA President Woodson D. Scott, a New York attorney completing his first year of the traditional two-year incumbency, has taken over the reins. A long-time member of the 75-member Board of Directors of the organization, he succeeded Harold W. Glassen, a Lansing, Michigan, attorney, who like most of his predecessors had worked closely with Orth in attempting to form a "new image" of the NRA over the past few years when the heat for highly restrictive gun controls became scorching.

Even though Orth is gone, the 1,000,000 membership of NRA ensures its importance as a cross-section of responsible shooters in the U.S. Despite a belief that the NRA does not have as members some 14 to 19 million registered hunters who are gun enthusiasts, it will continue to serve their interests as well. As an example, NRA has, for several years, been seriously considering establishing its own wildlife and environmental experimental facility—a wildlife refuge and research center perhaps similar to some run by the government and by private organizations and companies especially interested in game wildlife. Its development has been slow, but steady, and a search for a site has been underway.

For the average shooter, this large organization continues to be important as a responsible spokesman for all of the shooting sports in the U.S.

Meanwhile, Washington forces active in the anti-gun camp will exploit the growing problems of crime in the streets and problems in the schools in the Nation's Capital to any advantage.

THE PASSING OF LEONARD WOLF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 9, 1970

Mr. McCORMACK. Mr. Speaker, I would like to join with my colleagues of the House in expressing my deep sorrow at learning of the passing of Leonard Wolf.

During his years in the House, when I had the privilege of working with him, I came to know and respect him as a man of talent, compassion, and deep concern for the less fortunate. In particular, he was dedicated to alleviating the inhuman state in which many of the world's peoples are forced to live for lack of sufficient food. This dedication was, I am sure, partially the result of his upbringing and education in the food-rich areas of the Middle West. It was also due to a genuinely outgoing personality which could not but react to those in need.

Following his service here he continued in his fight against hunger in many parts of the world and most recently contributed his energies to the Freedom From Hunger Foundation. He will be sorely missed.

Mrs. McCormack joins with me in expressing and extending to his wife and family our deep sympathy in their great loss and sorrow.

A NATIONAL PROGRAM FOR KIDNEY DISEASE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. BIAGGI. Mr. Speaker, it is always a sorrowful event when a loved one dies from a cause for which there is no known cure or an unavoidable accident occurs. However, it is even more terrible to see death occur when you know that treatment was available but could not be utilized because of the unavailability of sufficient funds to procure the required treatment.

This is often the case with fatalities arising from kidney disease, Mr. Speaker. An estimated 8,000 persons will die from this disease this year because most families and individuals cannot afford the $5,000 to $25,000 per year per individual cost of the machine, special chemicals, new blood, and training in the use of the dialysis treatment for kidney disease.

In December of last year I joined with colleagues to introduce a bill known as the National Kidney Disease Act of 1969. It would encourage cooperative arrangements in the field of kidney disease to secure for patients the latest advances in the diagnosis and treatment of kidney diseases. The lack of facilities, research and equipment for diagnosis, evaluation, treatment and prevention of this disease makes it one of our most neglected areas of health in the United States.

This bill would authorize funds for 5 years to support cooperative arrangements among medical schools, research institutions, and other institutions and agencies to develop and activate larger capacities to prevent and control kidney diseases.

The National Kidney Disease Act of 1969 would also provide support in other promising areas of research for the prevention and cure of kidney diseases by improving artificial kidneys and techniques for preserving and transplanting kidneys. As with the transplantation of other organs, the problem of rejection of the kidney by antibodies within the blood of the recipient continues to be a major factor in limiting the success of the technique.

Researchers need to be encouraged and financially assisted to reach a solution to this major obstacle to successful kidney transplantation. Also new methods for freezing and storing kidneys for later transplantation must be developed before this technique will have any significant hope for an expanded application.

At the present time approximately 1,500 patients per year receive dialysis treatment for kidney disease. As you may know, this technique involves the use of a specialized machine designed to purify the blood in those instances where the kidney fails to perform the essential function of cleansing and maintaining an appropriate balance of blood substances.

In cases of severe kidney disease, these expensive machines may be required by the patient several times each week, and sometimes each day for years on end. Although smaller, less expensive units are being developed which are easier to operate and maintain and new techniques for facilitating the exchange of blood between the body and machine are being developed, the costs and problems associated with the use of the kidney dialysis unit are still too high for a majority of the eligible patients to afford their use.

Therefore, in view of the fact that the Nation is in short supply of trained personnel to care for and treat kidney disease patients and eligible patients must often be told that they must die because they cannot afford to buy the available services for treatment of the disease, I believe that there must be support at the Federal level of funding in order to show significant and rapid progress in the treatment of this disease to give these unfortunate people a "new lease on life."

While a most admirable program of support in this area has been made through private funding, voluntary donations and legacies, it is simply inadequate to satisfactorily meet the tasks and demands involved.

Immediate action is needed by the Federal Government if we are to attack the problem of a preventable disease which costs lives needlessly because most people simply do not have the money to pay for their own care.

The lack of facilities for the diagnosis and treatment of kidney disease is another instance where we have progressed faster in our technical knowledge than in our willingness to apply this knowledge to the general public health and well being.

I believe it is time for the Congress to give immediate consideration to this legislation providing a comprehensive approach to kidney disease as one of the most pressing health problems in the United States. In a country as technologically advanced as ours, where our citizens enjoy the highest standard of health in the world today, a physician should not be forced to choose among his patients as to who shall receive the lifegiving dialysis treatments and who shall die. Hospitals should be in the position to offer these treatments to all patients who might benefit from them and die without them. Support of the National Kidney Disease Act of 1969 would help change this pathetic situation by providing facilities, personnel and treatment for those in need. More than that it would provide the machinery, money and know-how necessary to delve into the causes of this killing disease so its prevention and cure can be found.

HE TOLD THEM SO

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. JACOBS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following article from the March 25 edition of the Louisville Courier-Journal, in which my colleague, Hon. LEE H. HAMILTON, cites the need for postal reform.

Although published at the time of the postal walkout, Mr. HAMILTON's warning that the postal system needs drastic reform is no less true today.

This excellent article reads as follows:

HE TOLD THEM SO

(By James S. Tunnell)

WASHINGTON.—A year ago hardly anybody was listening. It all sounded so familiar.

"The postal system needs drastic reform . . . Employee morale is explosive . . . To avert a collapse, it's essential we. . . ."

But these were the things that U.S. Rep. Lee Hamilton was spending a considerable amount of time and care in saying. Moreover, the Indiana Democrat was pushing for bills to convert the sprawling, creaky U.S. postal system into a semi-public corporation.

Today, in the wake of the first national postal strike in U.S. history, you might expect to see Hamilton gloating.

He's not. He's worried.

He's afraid the public still doesn't see the urgency of reform. He fears it hasn't yet grasped the narrowness of its escape. He's afraid the President has struck the wrong tone in fighting a shutdown.

Some of Hamilton's fears are destined to become a part of the emerging national postal debate. For not only is the Columbus attorney a member of the House Post Office and Civil Service Committee, but—at the end of three terms—he is a pedigreed postal critic.

In an interview yesterday, Hamilton almost wearily described the plight of the U.S. postal system as an accumulation of the neglect and poor management of four decades.

Against a background of mushrooming use of the mails, Hamilton said, one sees a system in which "managers can't manage, there is too much politics, and there is a personnel system that combines most of the great evils—lack of incentive, poor pay, and no merit advancement."

"You begin to see the basic problems," Hamilton said.

But since the reforms have not been made, and since a predictable strike has come to pass, Hamilton now believes the measures needed are relatively straightforward.

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"You've simply got to get the mails flowing again," he said. "This is not an ordinary strike, but a dagger held at the economic throat of the nation."

Under present circumstances, Hamilton said, he believes President Nixon had no alternative to setting troops to the task of moving the mails. But he blamed the President for doing abrasively, and taking, he said, an accusatory tone toward the strikers.

Almost as immediate will be the need for raises for postal workers. Will there have to be a major raise? "There will—there's just no doubt about it," Hamilton said.

Beyond that, Hamilton believes, comes the need for major reform of the postal system. He believes the public "ought to be concerned" enough to push Congress toward a postal reorganization.

But he fears the sense of crisis may blow over and postal reorganization left once more to languish.

"This reorganization ought not to be oversold," he said. "Maybe we should put it negatively: 'If we don't have reform, we'll have chaos.' "

Hamilton says he favors the proposals for creating a semi-public corporation that would operate the postal system.

It's a proposal that has been endorsed by Presidents Nixon and Johnson, several postmasters general including the present one, and by two prominent partisan figures—Kentucky's former U.S. Sen. Thruston B. Morton, a Republican, and Lawrence O'Brien, the former postmaster general who now is chairman of the Democratic National Committee.

But to date no postal reorganization plan has cleared Congress, although several versions are being discussed.

MERCURY PESTICIDES RIVAL TO DDT

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. OBEY. Mr. Speaker, in the past year a great deal of information has appeared in newspapers and magazines telling of the potential danger for birds, animals, and man from DDT and other persistant pesticides. Evidence is now appearing which suggests that mercury compounds may rival DDT in their danger to animals and they appear far more harmful for humans than DDT.

Mercury seed dressings were first used in Germany in 1914 to protect the seed from fungi. Today mercury compounds are used in many areas besides agriculture, including papermaking, the prevention of mildewing in paints, the protection of wood pulp from fungi during storage, the manufacture of electrical equipment, and the manufacture of chlorine. It is also used as a catalyst in chemical manufacturing processes, especially in the manufacture of plastics.

In recent years there has been a decline in the use of mercury compounds in agriculture, in the manufacture of paper and pulp, and in the manufacture of pharmaceuticals. However, their use as catalysts, in electrical apparatus, and in commercial laboratories has increased.

Although man has known since prehistoric times that mercury is toxic to humans, we know relatively little about it, and probably less than we know about DDT. We do know, however, that the problems posed by each are similar in many ways.

Like DDT, which moves along the food chain from water, to small and then larger fish, to fish-eating birds, and eventually to our dinner tables, mercury pesticides which are used as seed dressings can move from one part of a growing plant to another, finally reaching us in harvested crops—tomatoes, apples, wheat, and others.

Like DDT, which remains in the environment many years after its initial use, mercury may remain in our environment from 10 to 100 years after it is first used.

Like DDT, mercury is passed on to the human fetus via the mothers placenta. Cases of babies born with congenital defects caused by mercury poisoning have been known, even when the mother showed no sign of the problem.

Like DDT, which is now considered to be of great potential harm to the existence of the bald eagle, the robin, and other birds and fish, mercury was cited by a scientific conference in Sweden as being directly responsible for a decrease in wild bird populations. Scientists reported that seeds treated with methylmercury are eaten by birds, who are poisoned by it, and the poisoned birds in turn poison their predators.

Like DDT, which concentrates and accumulates in the fatty tissues of fish and man, mercury can accumulate in the tissues of man and animals. Even more significant is the fact that less harmful forms of mercury can be transformed biologically into methylmercury, a highly toxic organic compound, which can accumulate in the liver, kidneys, or brain tissues of man, causing death or severe injury.

While the public has heard very little about the potential dangers from mercury compounds, several instances of mercury poisoning have attracted widespread public notice.

The first occured in Minamata, Japan, when 111 persons were killed or disabled over a 7-year period, when a plastics plant discharged into Minamata Bay large quantities of waste containing mercury. Residents of the area ate fish and shellfish caught in the contaminated waters, and 88 resulting deaths were attributed to mercury poisoning. Cats and fish-eating birds also were affected and 19 cases of congenital mercury poisoning in children born to mothers who had eaten the contaminated fish have been reported. Some of these children died before their second birthdays.

In 1965, in Niigata, Japan, a plant whose industrial waste contained mercury was closed after 26 persons were poisoned, and five died. Later study showed that a total of 120 persons had actually experienced one or more symptoms of mercury poisoning.

In September 1965, the Swedish Royal Commission on Natural Resources held a symposium on a number of facets of the mercury residue problem. It was at this conference that studies were presented which showed a direct relationship between the use of mercury pesticides and a decrease in bird populations.

Swedish scientists who had studied mercury residues in eggs later reported that methylmercury seed dressings started a chain reaction which led from seed, to plant, to fodder eaten by hens, to eggs laid by the hens and eventually to the bodies of those who consumed the eggs. Later study by the National Institute of Public Health in Sweden led to recommendations that fish from fresh and coastal waters off Sweden not be eaten more than once a week.

More recently, the hunting season on pheasants and Hungarian partridges in Alberta, Canada, was closed because the Canadian Wildlife Service found that levels of mercury in the breast muscles of these birds averaged nine times higher than the maximum level recommended for human consumption.

A California State wildlife official recently reported that pheasants in the Tule Lake area of northeastern California contain about four parts per million of mercury, about eight times higher than the levels recommended for human consumption.

In mid-February of this year, the USDA suspended certain mercury compounds for use as seed treatments when three New Mexico children were hospitalized after eating meat from a hog which had been fed seed grain treated with a mercury compound.

A few days ago, the Canadian Government restricted commercial and sports fishing in the Detroit River, Lake St. Clair, St. Clair River, and the Wagagoon River in northwestern Ontario because of mercury pollution. Michigan authorities have just taken similar action. And Gov. James Rhodes of Ohio has just ordered a halt to all commercial fishing in Lake Erie because of mercury pollution.

The U.S. Food and Drug Administration reported that mercury contamination of 1.4 parts per million has been found in fish taken from Lake St. Clair. They have said they will ban any fish from interstate commerce if it contains .5 parts per million or more of mercury.

Mr. Speaker, the use of at least some mercury pesticides poses an obvious danger to our environment—both man and animals. The wheels of Government have nudged forward to get at least some of the most toxic and harmful compounds of mercury off the market, for some uses.

Of great concern, however, is the fact that many forms of mercury can be transformed biologically into highly toxic methylmercury. We do not know quite how, or to what extent. But the problem is there, and it is a significant one. To quote directly from an article which recently appeared in Environment magazine:

> Although it is helpful to keep in mind some distinctions between inorganic and organic mercury, it is more important to remember that all forms of mercury can change in the environment and in the body, and through the action of micro-organisms in the absence of oxygen. Although the organic compound methylmercury possesses the greatest capacity for membrane permeability, and thus the greatest capacity for damaging living tissue, some other forms of mercury can change into methylmercury and thus so the same damage. All mercury compounds can cause acute and chronic poisoning, directly or indirectly, depending

on the extent of exposure and, apparently, the sensitivity of the individual.

And there are other problems in addition to those brought about by the biotransformation of one form of mercury to another. To quote again from Environment:

> The whole chain of transformations is not yet known. It may be appropriate to mention that elevated mercury concentrations have been found in waters with no known source of mercury pollution; thus, absence of direct mercury pollution is no assurance against elevated mercury contents in an aquatic system. Airborne transportation may be of significance.

Certainly a great deal more research in this area seems called for, and many questions remain to be asked. I have recently written letters to Secretary of Agriculture Clifford Hardin regarding mercury pesticides and to Dr. Charles Edwards, Commissioner of the Food and Drug Administration, the agency which sets tolerance levels for pesticide residues in food. I am including below copies of my letters to these gentlemen asking questions which I believe are pertinent to this matter. Also inserted below are several articles and press releases regarding the possible threat to our environment from mercury compounds.

The above-mentioned material follows:

APRIL 13, 1970.

Hon. CLIFFORD M. HARDIN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: In recent weeks the USDA Agricultural Research Service has taken several steps to curb the use of mercury pesticides that are labeled for use as seed treatments. In light of the fact that mercury pesticides can cause great harm to both humans and animals, I would appreciate some further information on mercury pesticides which are registered by the USDA. In particular:

(1) How many mercury compounds are now registered for use with the USDA, and for what uses are they registered?

(2) Is the USDA now conducting any research into the problems of mercury poisoning or mercury pollution?

(3) The USDA issued a press release on February 19, 1970 (576–70) in which they said they would notify pesticide manufacturers that Federal registrations are suspended for products containing cyano methylmercuriguanidine that are labeled for use as seed treatments.

(a) How many such products are involved?

(b) What is their commercial or trade name, their active mercury ingredient, their manufacturer, distributor or formulator?

(c) Are any non-methyl mercury substitutes being recommended or available to replace the products being suspended?

(4) The USDA issued press release on March 9, 1970 (764–70) in which they announced that they have notified pesticide manufacturers that federal registrations are suspended for products containing alkylmercury that are labeled for use as seed treatments.

(a) How many such products are involved?

(b) What is their commercial or grade name, their active mercury ingredients, their manufacturer, distributor or formulator?

(c) What non-alkylmercury compounds are being suggested as substitutes for seed treatment purposes?

(d) While the suspensions announced on March 9, 1960 stopped interstate shipment of alkylmercury products registered for seed treatment, the release says that "such products already in distribution will be allowed to be used, but extra cautions and warnings will be issued to guard against misusing the treated seed for feed or food purposes."

If—to quote your own release—"directions for proper use and caution statements on the product labels have failed (in the past) to prevent misuse of the treated seed as livestock feed," is there not a serious danger that the products already in distribution could cause serious damage to animals or humans if inadvertently consumed?

(e) Approximately how much alkylmercury products are already in distribution and will, therefore, be available for use?

(5) Are there presently registered with the USDA mercury compounds containing cyano methyl mercury guanidine that are used for purposes other than seed treatment that will not be affected by the suspension announced on February 19, 1970?

(6) It is my understanding that Dr. Harry Hays, Director of the USDA Pesticides Regulations Division, asked the Advisory Center on Toxicology of the National Research Council to review uses of other mercury compounds to determine if hazards to human health exist in connection with the use of mercury compounds. Has any reply been received from the NRC, and if not, when is one expected? If so, what were their findings?

(7) What, if any, foods are now being monitored by the USDA to check for mercury residues?

Thank you for your attention to these issues. All the information you can provide me in answer to these questions would be welcomed.

Sincerely yours,

DAVID R. OBEY,
Member of Congress.

APRIL 13, 1970.

Dr. CHARLES EDWARDS,
Commissioner, Food and Drug Administration, Department of Health, Education, and Welfare, Washington D.C.

DEAR DR. EDWARDS: In recent weeks the USDA has suspended the use of some mercury pesticides because of their potential danger to human health. The Canadian government has restricted commercial fishing in Lake St. Clair and the St. Clair River, and the State of Michigan has taken similar action because of mercury contamination in these waters.

Although there is a "zero tolerance" for mercury residues according to present regulations of the Food and Drug Administration, meaning that no trace of mercury may be permitted to appear in foods, it is generally recognized that some residues of mercury do appear on many crops, birds and fish.

I would like to know, therefore, what the present interpretation of "zero tolerance" is by your Department.

I noticed in recent press reports that your agency said it would not allow fish into interstate commerce if it contained 0.5 parts per million or more of mercury. Are amounts lower than this generally recognized as being safe? If so, is this true for all goods, or just fish?

I would like to know also if any checks were made by your Department for excessive mercury residue in eggs, fish or harvested food crops after evidence in certain countries showed high concentrations of mercury in these foods.

Any information which you may have regarding mercury pesticides in addition to the answers provided for the questions listed above would be most welcome.

Sincerely yours,

DAVID R. OBEY,
Member of Congress.

[News release of the U.S. Department of Agriculture, Jan. 23, 1970]

USDA REPORTS THE RETENTION OF 258 HOGS IN NEW MEXICO

The U.S. Department of Agriculture has reported the retention of 258 hogs at Roswell, N.M., when it was discovered that some of the animals might contain a mercury residue.

Officials of USDA's Consumer and Marketing Service said that 258 hogs were placed under Federal retention on Jan. 20 at the Glover Packing Co., Roswell, N.M., when New Mexico authorities reported the possibility that 24 hogs in the lot might contain the fungicide compound Parogen (Cyano (methylmercuri) Guanidine). Samples from the 258 hogs and their products were shipped to Federal laboratories in Washington, D.C., for analysis to determine which hogs, if any, contain the residue.

USDA, in cooperation with New Mexico officials, has determined that in September or October, 1969, four farmers bought or received seed treated with the mercury fungicide, which was not to be used as animal feed. One family slaughtered a hog for its own use and the family's three children are now hospitalized with mercury poisoning.

When the poisoning occurred, New Mexico officials told a second farmer not to ship his hogs for slaughter, but he did so anyway. He sold 24 hogs to the Clovis Hog Co., Clovis, N.M. The Clovis auction in turn shipped these hogs plus 224 others to the Glover plant where they were slaughtered with 10 other hogs. When New Mexico authorities traced the 24 hogs to the Glover company, they were already slaughtered and mixed with the other hogs at the plant. Not being able to determine which hogs were the 24, the Federal inspector placed all 258 under retention.

The other two farmers plus the one who shipped the 24 also sold 20 hogs through the Clovis auction on Jan. 10. Eleven were shipped to the Glover plant, and the other 9 have been accounted for elsewhere: 2 were shipped to a custom slaughterer, 7 were sold to an individual who in turn sold 2 to the Muleshoe Auction in Texas. New Mexico authorities have quarantined or retained 7 of the 9 hogs and Texas authorities have quarantined the other 2.

USDA officials are now trying to determine the exact time and date that the 11 hogs were slaughtered and packed at the Glover plant. It appears that they were slaughtered on either Jan. 13 or 14. Glover management is trying to trace all products made on those two dates for immediate callback.

Multiple shipments were also made by these three farmers between October and November, 1969. Federal authorities are trying to trace any meat products that might contain the residue by going through Glover company shipping records.

USDA regulations do not permit any mercury residue in meat or meat products. Officials said eating meat with a large mercury residue can be fatal.

[News release of the U.S. Department of Agriculture, Feb. 11, 1970]

USDA REPORTS THE RETENTION OF SEVEN BEEF CARCASSES IN OREGON

The U.S. Department of Agriculture today reported the retention of 7 beef carcasses in Portland, Ore. because they may contain mercury residue. These were all of the animals in the suspected shipment.

Officials of USDA's Consumer and Marketing Service said that the carcasses were placed under Federal retention on Feb. 6 when a Gilliam County ranch-hand reported the possibility that the 7 animals might contain a residue from eating mercury treated seeds. Samples from the carcasses were

XUM

shipped to Federal laboratories in Washington, D.C., for analysis to determine which carcasses, if any, contain the residue.

The rancher shipped the seven animals to market in Portland, on Feb. 4. The animals were slaughtered on Feb. 4 or Feb. 5. Carcasses from the 7 animals are under retention in 4 Federally inspected plants in Portland.

[News release of the U.S. Department of Agriculture, Feb. 19, 1970]

USDA Suspends Use of Certain Mercury Products for Seed Treatment

The U.S. Department of Agriculture has notified pesticide manufacturers that Federal registrations are suspended for products containing cyano methylmercuri guanidine that are labeled for use as seed treatments.

USDA's Agricultural Research Service suspended cyano methylmercuri guanidine fungicide because its continued use on seeds would constitute an imminent hazard to the public health. [Directions for proper use and caution statements on labels of the product have failed to prevent its misuse as a livestock feed.] The USDA-registered label specifically warns against use of mercury-treated seed for food or feed purposes. The pesticide may cause irreversible damage to both animals and man.

The action was taken following the hospitalization of three New Mexico children after they ate meat from a hog which had been fed seed grain treated with the now-suspended mercury compound. Subsequently, 12 of the remaining 13 hogs also fed the seed died.

"Other movements of this treated seed that found its way into livestock feed posed a potential for similar incidents." Dr. Harry W. Hays, director of the Pesticides Regulations Division, USDA–ARS, said in announcing the suspension action. "In each case, USDA and state public health officials have taken prompt action to protect the public health."

Dr. Hays also announced that ARS has asked the Advisory Center on Toxicology of the National Research Council to view uses of other organo-mercury compounds to determine if similar hazards to human health exist in connection with the use of these compounds.

[News release of the U.S. Department of Agriculture, Feb. 27, 1970]

USDA Warns Against Use of Treated Seeds for Livestock Feeds

The U.S. Department of Agriculture today called on seed dealers, farmers, and livestockmen to help prevent deaths and injury to livestock and humans by keeping pesticide-treated seeds out of livestock and poultry feeds.

USDA's Agricultural Research Service issued the appeal after suspending the registration of all fungicide products containing cyano (methylmercuri) guanidine labeled for use as seed treatments. The action followed the hospitalization of three New Mexico children after they ate pork from a hog previously fed grain treated with the compound. The fungicide can cause irreversible damage to both animals and man.

The labels on pesticides used for seed treatments—including both fungicide and insecticide treatments—carry adequate warnings against use of treated seed for food or feed purposes, according to Dr. Harry W. Hays, Director of ARS Pesticides Regulation Division. As an added protective measure, the Federal Food, Drug, and Cosmetic Act requires that certain seeds—wheat, corn, oats, rye, barley, and sorghum—treated with the more toxic pesticides must be colored as a warning against their use as feed or food. Even sweepings or tailings mixed with untreated feeds can result in death or injury to livestock and potential harm to human health.

The Federal seed act requires that pesticide-treated seeds moving in interstate commerce must be labeled to show the seed is treated, the name of the chemical used in the treatment, and a caution statement that would include a skull-and-crossbones sign and the word "poison" in the case of mercurial fungicides and similarly toxic substances. Some state seed laws contain similar requirements for treated seed sold within the state.

Seed has been treated for many years with pesticides to prevent or control various seed borne diseases of crop plants and protect seeds against soil-dwelling insect pests. Without these treatments, crop losses could be substantial.

USDA urged that these guidelines be followed to prevent treated seeds from being fed to animals: (1) Buy only the amount of treated seed needed or mix the chemical only with required amounts of seeds. (2) Place treated seeds in containers marked "poison" and fully identifiable as containing treated seeds. (3) Do not reuse bags or containers which previously held treated seeds or were used in mixing the chemical and the seeds. (4) Do not store treated seeds with feeds or in a place accessible to livestock or children. (5) Destroy unused seeds immediately to prevent their use as feeds or foods.

To destroy unused portions of treated seeds, USDA scientists recommend that the seed be buried 18 inches deep in a level, isolated place where water supplies will not be contaminated.

[News release of the U.S. Department of Agriculture, March 9, 1970]

USDA Suspends Registration of More Mercury Seed-Treatment Products

The U.S. Department of Agriculture has notified pesticide manufacturers that Federal registrations are suspended for products containing alkylmercury that are labeled for use as seed treatments because misuse of seed treated with these products poses an imminent hazard to the public health.

"We are taking this action because directions for proper use and caution statements on the product labels have failed to prevent misuse of the treated seed as livestock feed," Dr. Harry W. Hays, Director of the Pesticides Regulation Division, Agricultural Research Service, explained.

Suspension of the alkylmercury products follows similar action announced February 19 with regard to products containing cyano methylmercuri guanidine. Both actions were taken under the Federal Insecticide, Fungicide, and Rodenticide Act.

"These products, like the guanidine products, may cause irreversible damage to both man and animals if consumed," Dr. Hays said. "The USDA-registered label specifically warns against use of mercury-treated seed for food or feed purposes, but this warning is not regarded as sufficient to protect the public health on the basis of recent experience."

The suspension action stops interstate shipment of alkylmercury products registered for seed treatment. Such products already in distribution will be allowed to be used, but extra cautions and warnings will be issued to guard against misusing the treated seed for feed and food purposes. Mercury-treated seed is required to be colored as an additional safeguard.

Dr. Hays also announced that the Advisory Center on Toxicology of the National Research Council is continuing a review, requested by ARS, to determine if hazards to human health exist in connection with use of other organo-mercury compounds.

Approximately 11 manufacturers and more than 22 products are affected by the suspension of alkylmercury products. These products were registered for seed treatments on barley, beans, corn, cotton, flax, millet, milo, oats, peanuts, peas, rice, rye, safflower, sorghum, soybeans, sugar beets, tomatoes, and wheat.

There are other non-alkylmercury compounds which can be used for these seed treatment purposes. Information is being supplied to farmers through the Cooperative State Extension Services regarding these alternate treatments and their availability.

Various mercury compounds have been used as seed treatments for many years to prevent or control various seed borne disease of crop plants. Such treatments are especially effective against disease organisms that infect seed prior to germination or plants growing from seed.

[From the Outdoor News Bulletin, Nov. 21, 1969]

Mercury Contamination Prompts Hunting Season Closure

Concern about public health has caused the Alberta government to close 1969 hunting seasons on pheasants and Hungarian partridges, the Wildlife Management Institute reports. Levels of mercury in the breast muscles of the birds, say Canadian Wildlife Service biologists, averaged [nine times higher] than the maximum recommended for human food and four and one half times higher than the contamination level at which Sweden closed many commercial and sport fisheries. There, such fish as the northern pike were made dangerous for human consumption by mercury used to control fungal growths in wood pulp. Concentrations of the chemical occurred in Swedish rivers downstream from pulp mills.

Fungicides used on seed grain are believed to be the source of mercury found in Alberta game birds. Although only small amounts of mercury are added to the environment through treated seed, a problem is created because the seed is attractive to wildlife in early spring when other foods are scarce.

Like DDT, mercury is transferred and concentrated in food chains. In Sweden, mercury has caused the death of seed-eating birds and widespread loss of predaceous birds feeding on the seed eaters. Mercury and DDT apparently are involved in current hatching failures and consequent major population declines of certain western birds of prey.

Mercury concentrations in wildlife tissues are anticipated to disappear about 12 months after its use stops for seed treatment. Agriculturists debate whether mercury significantly increases grain germination rates, but at its low cost grain growers consider it nominal insurance against fungal attacks on seed grain.

[From the Conservation News, Jan. 1, 1970]

Montana's Mercury Pheasants

Many pheasants and Hungarian partridges shot in Montana during the past hunting season never graced the sportsmen's tables. Mercury level in birds was high and spirits low when the State Fish and Game Department cautioned against eating either game bird.

According to the "New York Times," Montana Fish and Game Department officials became concerned about the mercury level in upland birds after learning of high mercury content in Canadian birds. The pheasant and Hungarian partridge season in Alberta (just across the Montana border) was finally closed because of the mercury-infested birds.

Montana officials sent 20 sample bird carcasses—five from each of the state's four fish and game districts—to the University of Wisconsin Alumni Laboratories for analysis. Tests indicated mercury contents from .05 to .47 parts per million. Human tolerance is set at .05 parts per million by the World Health Organization.

The high mercury level content comes from the organic mercury fungicides used

XUM

to treat seed wheat and other grains grown throughout the state. And according to Frank Dunkle, Montana Fish and Game Director, "the agricultural extension service isn't ready to stop recommending mercury fungicides."

"I do not believe there is any danger in consuming Montana pheasants," said the State Health Department's chief officer, Dr. John S. Anderson. "By this I mean there would be no acute material toxic effect," he said. "I would beg off from the issue of chronic effects, since we do not know enough at this time."

A report released by the State Health Department stated that "if only a few game birds were consumed a year, it is unlikely that acute or long-term chronic effects will occur.

"If a man consumes a two-pound pheasant having .47 parts per million of mercury, this individual has used up his recommended intake for approximately three or four months. At the present levels of mercury, no deaths or acute effects are likely to occur."

Tests, however, were on the birds' muscle tissue and not on the liver or kidneys where the mercury concentrates. All pheasant liver-eaters were consequently cautioned to further limit the number of birds they eat.

ERIE FISHING CURBED, POISON TRACES FOUND

DETROIT, April 1.—Commercial fishing for walleyes and perch on the Canadian side of Lake Erie has been suspended by the Canadian government because of small quantities of poisonous mercury found in the fish.

The action by the Canadian department of fisheries in Ottawa followed by one week a similar ban placed on Lake St. Clair commercial fishing.

Authorities of the U.S. Food and Drug Administration, along with Michigan and Ohio officials also are testing Lake Erie walleyes for possible contamination. Persons with fish caught in the affected waters are advised by authorities to keep them in their freezers until all tests are completed.

H. A. Clark, assistant director of industrial pollution control in Ontario, said the 10 Lake Erie walleyed pike were found to contain traces of mercury and have been sent to Winnipeg for further examination.

He said he had reason to believe the mercury came from the Wyandotte Chemical Co. in suburban Wyandotte, which uses mercury in manufacturing chlorine. A company spokesman said the plant released only "very minute" portions into the water.

The mercury discharged into Lake St. Clair was blamed on a Dow Chemical Co. plant at Sarnia, Ont.

MERCURY CURBS FISHING IN ONTARIO

TORONTO, April 6.—The Ontario government today ordered the suspension of all commercial and sports fishing in the Detroit River, Lake St. Clair, St. Clair River and the Wabagoon River in northwestern Ontario because of mercury pollution.

The Minister of Lands and Forests, Rene Brunelle, in a prepared statement read to the Ontario legislature, indicated there would be no fishing on any of these waters, at least for the 1970 season.

The federal Government last week seized fish from Lake St. Clair and Lake Erie and prohibited the export of catches because fish samples showed mercury levels above 0.5 parts per million.

Mr. Brunelle said today further tests on Lake Erie fish have shown the mercury levels were not dangerous and the season there would not be closed.

Earlier government statements have indicated that the mercury pollution in the lower Great Lakes came from chemical companies using it in an industrial process.

[From the Washington Post, Apr. 7, 1970]

TAINTED FISH

DETROIT.—The U.S. Food and Drug Administration reported that mercury contamination of 1.4 parts per million has been found in eight perch taken from Lake St. Clair, but said it has not yet completed analysis of fish destined for interstate commerce.

Canada recently banned the sale of fish taken from either Lake St. Clair or Erie, Lake Erie, reporting both walleyes—called pickerel by Canadians—and perch caught in them showed a dangerous level of 1.36 parts per million (PPM) of mercury.

Neither U.S. nor Michigan authorities have yet taken action, but the FDA said it would if it found any fish entering interstate commerce containing .5 PPM or more. FDA experts said human tolerance of mercury is zero.

[From the Washington Post, Apr. 7, 1970]

POISONED FISH

DETROIT.—Fish sales in the Detroit area have dropped 40 per cent, according to a fisheries official, because of reports that mercury has been found in samples of fish taken from Lake St. Clair and Lake Erie.

But the Michigan Public Health Department said it had found no mercury contamination in Lake St. Clair and no evidence to suggest Lake Erie fishing should be curtailed.

The sale and export of perch and walleyes from Lake St. Clair were banned by the Canadian government March 24 after tests disclosed that samples taken from Canadian waters contained possibly dangerous concentrations of mercury poisonings.

Further test samplings resulted in the ban being extended to Lake Erie fish Tuesday.

[From the Washington Post, Apr. 12, 1970]

MICHIGAN FISHING BAN

LANSING, MICH.—Michigan—like the Ontario province of Canada—is moving to ban all fishing on mercury-contaminated Lake St. Clair and the St. Clair River.

Gov. William G. Milliken announced he will formally declare the lake off limits for sports fishing Monday or Tuesday, saying, "the authority is clearly there" for such action.

Milliken's action follows that of Ontario officials, who extended their prohibition to the Detroit River and included a ban against commercial fishing.

[From the Washington Post, Apr. 13, 1970]

LAKE FISHING HALT

COLUMBUS, OHIO.—Gov. James A. Rhodes ordered a halt to all commercial fishing in Lake Erie and called on Interior Secretary Walter J. Hickel for a complete investigation of mercury pollution in the lake.

The action follows a similar move Friday by Michigan Gov. William Milligan to ban commercial and sport fishing in Lake St. Clair and the St. Clair River because of mercury pollution.

THE PRICE THE CHECKER DID NOT RING

HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mrs. HANSEN of Washington. Mr. Speaker, stories are written which say more than the words which are used. The April 11 issue of the Washington Evening Star carried such a column by Winston Groom. I am including Mr. Groom's column, "The Price the Checker Didn't Ring," in the RECORD:

[From the Evening Star, Apr. 11, 1970]

THE PRICE THE CHECKER DID NOT RING

(By Winston Groom)

It was one of those biting-cold, early spring nights, with a fine rain driving down at a crazy angle to the light pole on the corner. The rain was slanting so much it drove beneath the long metal awning and spattered against the broad window panes of the bright suburban Safeway Store.

Inside the store, at the only open checkout counter, five or six loaded pushcarts were stacked up in line. Behind each cart, the shoppers stood in silent boredom, waiting their turn.

The checker, a blond man in his 20s, was totaling up a stack of groceries belonging to a Negro woman, who watched attentively as each item was rung up on the register.

It was hard to tell her age; she could have been 50, but two small children, a boy and girl, clinging to her side, inclined one to guess she was probably in her late 30s. The dusky yellow coat she wore was somehow out of place in a store most often patronized by the wealthy or upper middle-class residents of the area.

The store is in a part of town that consists mostly of renovated and restored turn-of-the-century townhouses. On the fringes of these areas are more townhouses unpained, dilapidated and waiting to be "reclaimed." They are occupied now by Negroes who have lived there since the "old section" of the city fell on hard times about 50 years ago.

The checker rang up the final bill with that obnoxious repetitive clanging sound that cash registers make before they tell you what you owe.

The bill was $24.55.

The woman looked down for a moment and fumbled in her purse, then turned to the checker and said softly, "I've got to take something back."

It was then one realized she had a Spanish accent—perhaps she was Puerto Rican. The little girl at her side gazed up at the others in line, who looked bored and confused and impatient.

The checker never flinched; he had been through this before and seemed determined to be helpful and cheery.

"How much are you short?" he asked the woman.

"It was the check," she said, ignoring his question. "It wasn't as much this time."

The checker and the woman looked over her purchases. There was a large bag of rice and about 3 pounds of cheap hamburger. There was a box of laundry soap and a long loaf of yesterday's bread which you can buy for 10¢ off the regular price.

There were some fresh greens and some toilet tissue and a quart of skim milk. There were some potatoes and weiners and a large box of oatmeal. There were several packs of Kool-aid and some peanut butter and two king-sized cans of beans.

But the checker and the woman passed automatically over these items. Their eyes sought out other goods, the ones that stood out incongruously amidst the pile of cheap and tasteless purchases.

Back went a small jar of red cherries. And back went an orange. Back went a pint of vanilla ice cream. And back went a jar of guava jelly.

Back went all the little things that were nice—the small extras that go to make a meal more pleasant—$1.45 worth of things that, in a larger sense, go to make living itself more pleasant.

She was still a dollar short. So back went the peanut butter and the weiners. That would do it, the checker said.

Standing back and watching is a difficult thing.

The checker, one hoped, would say, "Take it now and pay me later." But he was new. He wasn't sure.

There was the urge to step forward and pay the bill yourself. But that wouldn't do, you think. It would embarrass her.

Perhaps you could buy it and take it to her after she leaves. That's no good either. Charity is hard to disguise.

So you say nothing. She looks back at you and at the others and you manage a smile to try to let her know you've been caught short before too.

Then she's gone; vanished into the wet darkness; hugged closely by her two children. Home to cook the hamburger and potatoes and beans, but not to serve them with the ice cream, or the cherries or the jelly or the orange.

There is a feeling of relief now that she's out of the store. Out of sight, out of mind. Still there is that lurking guilt that makes you feel ashamed.

A man in line, about 50 maybe and well dressed, shakes his head.

"Those people never do know what they want," he said "It took 5 minutes to get that woman through."

SHORTCUT MAY DELAY REFORM

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. MOLLOHAN. Mr. Speaker, the current arguments over the right of 18-year-olds to vote have been undercut by arguments concerning the constitutionally legal procedure for achieving that right.

One side holds that Congress may legislate the question while the other says it must be a constitutional amendment with the States participating.

The Senate, obviously feeling it has the authority to lower the present voting age from 21 to 18, has already done so and attached it to the voting rights bill.

I enter into the RECORD the following editorial from the Wheeling Intelligencer which details in clear, concise language not only why the voting age should be lowered but also why a constitutional amendment is the correct path.

This article is extremely timely and I present it to you at this time:

SHORTCUT MAY DELAY REFORM

That the Senate has advanced the cause of votes for 18-year-olds by approving a hurry-up formula is extremely doubtful. This for the reason that it may jeopardize the position of a proposed constitutional amendment to this end by pushing to the fore a dubious grant by direct legislative enactment.

What the Senate did was to adopt, by a vote of 64 to 17, an amendment to the pending voting rights extension bill which would bestow the franchise in all national, state and local elections on those who had attained the age of 18.

While it has great immediate appeal among young people who would like to vote the difficulty with this instant enfranchisement gesture is that in all probability it will amount to no more than that. For one thing, it still has to pass the House. For another, the measure to which it is attached remains a controversial piece of legislation. For still another—and this is the controlling consideration—even if it is passed it almost certainly will be attacked on constitutional grounds with every prospect of success.

In the nature of things the legal machinery could hardly function before millions of young men and women under 21 had cast ballots in accordance with the new act and without state authority. The resultant confusion would be difficult to exaggerate.

In the meantime there is pending a proposed constitutional amendment, sponsored by West Virginia's Senator Randolph and 67 co-signers, that would lower the voting age nationwide in the regular way by submitting the question to state ratification.

The prime argument against lowering the voting age is that men and women are too immature at 18 to be trusted with the vote. This despite the fact that no convincing evidence exists to support 21 as the ideal mental dividing line between childhood and adulthood, while abundant evidence does exist that today's 18-year-olds are better educated and generally more aware than their parents and grandparents were at the same age.

Save in the matter of voting we no longer, for the most part, regard 18-year-olds as children. As pointed out by Senator Randolph, in 39 States both sexes can marry at that age without parental consent. In 26 States they can make wills. Eighteen-year-olds are eligible for unrestricted automobile driving licenses. They are subject to the personal income tax. They are covered in the Social Security System. In all but one State they are treated as adults in our criminal law. And, of course, at 18 a man is considered old enough to go to war.

So that there is little convincing to say against the propriety of the proposed change itself.

But there is a right and a wrong way to proceed. Amending the national Constitution would appear to be the better and quicker and undoubtedly the surer way. It would permit the States to act through the process of ratification instead of waiting for the slow procedure of initiative in the individual States, an approach that not only would consume much time but create great confusion in the meantime because of the lack of uniformity from State to State.

NATIONAL DRUG ABUSE CONFERENCE

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. RAILSBACK. Mr. Speaker, at a recent 3-day national drug abuse conference at Southern Methodist University, my good friend and colleague, CHARLES E. WIGGINS of California, served as chairman of the conference and presented an outstanding address to those present at the final luncheon.

Once again, as he has often done in his service on the Judiciary Committee and on the Select Committee on Crime, Congressman WIGGINS has distinguished himself by the character and content of his remarks. I commend to the attention of my colleagues and interested persons throughout the Nation the remarks made by Mr. WIGGINS at the SMU conference:

REMARKS BY HON. CHARLES E. WIGGINS

Thank you, Dean Galvin, for your kind and complimentary introductory remarks. I want to express my personal appreciation and that of Mr. Rowland of my staff for the many courtesies which you and Mrs. Galvin have extended to us here in Dallas.

Also, your most efficient Executive Director for the Short Course, Mr. Roy Anderson, has been most cooperative and energetic in attending to our every need here at the University. Indeed, the entire staff of the Law School and the participants in the Short Course on Drug Abuse have extended to us a warm and hospitable Texas welcome.

It is an honor to serve as the Chairman of this conference on Drug Abuse. I have profited by the experience. The association with genuine experts in the field and, indeed, the casual but important conversations that I have had with many of you, have added to my fund of knowledge concerning this important subject. I am confident that each of you has profited from similar associations. After all, our fundamental purpose here is to learn something.

Well, I have surely learned something, and let me share it with you. If you ever have the occasion to participate in a conference such as this and are asked to speak on the last day, don't make my mistake. Don't fail to reserve from the scheduled program one small facet of the subject for yourself.

Here I stand, after numerous experts have devoted three days to a most exhaustive treatment of every conceivable aspect of the drug problem, and the sponsors have suggested that I speak to you at this concluding lunch on the topic of drug abuse.

To think that I might add to the information furnished by previous lecturers leaves me flattered beyond words—which is perhaps what the sponsors had in mind—but they are out of luck. I do have a few words on the subject.

It won't take long. I can say what I have in mind in less than thirty minutes.

Before I begin in earnest, however, let me expose my meager credentials. While most of you here devoted a lifetime of research to the problem of drug abuse in America, I was concerned with other things. I am not a clinical psychiatrist, nor a pharmacologist, nor a sociologist. I am not a member of the Border Patrol, nor a District Judge. I am not even a Democrat.

My special knowledge of drugs having a greater potency than the simple aspirin began about a year ago. Last April, my distinguished colleague in the House of Representatives, Claude Pepper of Florida, proposed that the House constitute a Select Committee on Crime to investigate all aspects of crime in America. After all, we were elected to bring law and order to our land and what would better prove our dedication to the task than the appointment of a committee to study the problem. The appointment of a committee was an act of sheer political genius. Who could oppose a committee to investigate crime?

Who else? I did and was joined by a band of half a dozen or so who were either naive or politically retarded. We believed in our innocence that crime had been rather thoroughly investigated before. And perhaps if further investigation were in order, the regular Judiciary Committee might be interested in conducting it.

The Revolution passed, of course, and recognizing my special interest in the committee, Jerry Ford, my leader, asked that I serve. And serve I have for nearly a year. We have investigated crime in Washington, D.C., in Boston, in Lincoln, Nebraska, in San Francisco, in Charleston, South Carolina, in Miami, Florida, and, recently, in Baltimore. And, yes, sir, we found it. Crime does exist in America and much of it drug related.

It has been a valuable experience for me personally, whatever its value may be to the taxpayers. I have discussed this spreading stain, drug abuse, with Dr. Egeberg, the Assistant Secretary of Health, Education, and Welfare for Health and Scientific Affairs; with Dr. Yolles of the National Institute of Mental Health; Dr. Cohen of the Division of Narcotic Addiction and Drug Abuse; with Attorney General John Mitchell and his able Director of the Bureau of Narcotics and Dangerous Drugs, Jack Ingersoll; with such notorious apologists for better living through chemistry as Dr. Fort of *Playboy* fame, and Dr. Zinberg, the Harvard psychiatrist; with legitimate and illegitimate drug manufacturers; with the social smoker of marijuana and the hard-core narcotics addict. In short, service on the Select Committee on Crime—a committee which seemed to be a redundancy a year ago—has provided me with a most liberal education on the subject of drug abuse.

I have come to a few conclusions as the result of my committee work, the strongest of which complement the excellent presentations made yesterday by Mr. Russo and Dr. Laccetti of New Jersey.

Before I state those conclusions, however, I should like to comment upon one relating uniquely to this conference.

It has been apparent from the first session that there has been a friendly division of thought between those in attendance.

On the one hand, we have the not-so-silent majority of those of you who are engaged in law enforcement. You seek—and properly so—a greater allocation of State and Federal resources to do your job better.

On the other hand, we have the social scientists and medical researchers who despair of law enforcement, however efficient, ever solving the drug problem. Some of their solutions appear to enforcement personnel to be radical, if not dangerous.

In reality, this division—which has produced some sharp questioning and heated corridor discussions—is a tempest in a teapot.

Law enforcement officials should not be defensive over charges that they will never solve the drug problem. Of course, they will not. It is not their function to solve it. It is the function of enforcement to control the problem—to contain it—within tolerable bounds.

Jack Ingersoll said as much Wednesday night.

This is not a confession of weakness. It is merely a recognition of the fact that drug abuse will remain an unsolved problem so long as individuals want to use illegal chemical substances. If a person wants to "turn on," he will find a way to do so.

So long as there is a demand for illegal narcotics and drugs, someone somewhere is going to supply that demand.

Let's admit that law enforcement may discourage the use of drugs and may make them difficult and expensive to obtain, but they are not going to solve the problem.

Only the educators and the social and physical scientists can develop permanent solutions by reversing the desire in individuals to use drugs.

The two functions, of course, complement each other, for law enforcement is buying time for the educators and scientists to evolve real solutions and incidentally insuring that their ivory towers are not burned down before they do so.

With these observations out of the way, let me proceed with my principal remarks.

I have been told that a primitive test for insanity involves placing a bucket under a faucet with the tap open. The subject is given a mop. If the subject continues to mop the spilling water from the floor without turning off the spigot, there is reason to doubt his sanity.

Our objective, simply stated, is to reduce the illicit use of drugs and narcotics. We attack the problem with apparent pragmatism. The supply of dangerous substances must be controlled, the illegal traffic therein reduced by the imposition of substantial penalties, and the user rehabilitated.

In terms of the allocation of resources, the greatest effort is in apprehending and prosecuting those who traffic in drugs, the enforcement end of the business.

Maybe we should reorder our priorities. Maybe we should turn off the spigot—or at least try to do so.

Our problem begins—at the spigot, so to speak—when a person, usually very young, is induced to try a dangerous drug for the first time. If that person resists the temptation, the faucet never opens and the problems to that extent is permanently solved.

No one can disagree that emphasis should be placed upon discouraging the initial use of dangerous substances, else we are destined to participate in the endless cycle of arresting and trying to rehabilitate abusers. The idea of preventing initial use is sound, but what can we do to build backbone into a youngster who is tempted?

The quick response is more and better drug abuse education, and we are doing more than ever before.

For example, the President recently announced a major increase in funds for training teachers in the problems of drug abuse. There is pending in the Senate a bill previously passed by the House, the Drug Abuse Education Act, which authorizes grants for a wide range of drug abuse education programs.

Existing Federal agencies, the National Institute of Mental Health, for example, are involved in educational programs, as are drug companies. Smith, Kline & French, for example, publishes excellent educational materials. Although this effort is doubtless of much value, I suspect that it largely misses its mark. It is aimed at those who are sufficiently interested to read a pamphlet or have enough confidence in their teachers or the Establishment to believe what they are told. This group is probably not going to use drugs anyway.

Some despair of ever reaching those in need of drug education because Society, they say, has put them beyond reach. How often have you heard that drugs are the outlet for the disadvantaged who seek to escape their environment of poverty, racism, and despair? If this be true, we can never get a handle on the drug problem without eradicating these so-called fundamental causes. But it is not true.

No youngster puffed his first reefer because he was poor, or popped his first pill because he was hungry. Something else moved him to do so.

Nor should we accept the excuse that this generation uses drugs as an expression of rebellion and dissent against the Establishment. This is only an excuse, like the man who needs a drink to sober up in the morning. Doubtless some kids who have previously acquired a taste for marijuana or worse justify their weakness as a quasi-political act. But I cannot bring myself to believe that the first experiemnt was for the purpose of telling Richard Nixon a thing or two.

To really understand what motivates a young person to experiment with drugs, look to your own experiences. What induced you to try your first cigarette? What caused you to taste liquor for the first time?

I am sure that times have not changed all that much. I first experimented with cigarettes and liquor, for example, because I was curious. We are never going to suppress the curiosity of the young, and we should not try.

But I progressed beyond simple experimentation and began smoking cigarettes in high school on a regular basis because within my peer group on particular occasions it was the social thing to do. The social pressures—the need to belong—were irresistible to me in the case of cigarettes. And I am sure that the same social pressures are inducing thousands of young people into a drug-oriented culture which leads only downward.

Effective educational programs must recognize this and target in on a young person's apparent social need to take drugs. Present efforts are not doing so.

A current illustration of this misplaced emphasis is contained in the President's statement of March 11, 1970, concerning drug abuse education. In that message, the President announced that $700,000 was being allocated to publish a book entitled *A Federal Source Book: Answers to the Most Frequently Asked Questions About Drug Abuse.*

It is utterly naive to believe that any significant number of actual or potential abusers are going to read the book.

Simultaneously, the President announced that $50,000 was being allocated to mount an advertising campaign against drug abuse in the popular media.

The figures should be reversed.

If we have demonstrated any talent in this country, it is the ability to sell an idea or product. Everyone should know that the popular media is an infinitely more powerful device for selling the evils of drugs and narcotics to potential abusers than books and pamphlets.

I am convinced that it can be made socially unacceptable for a youngster to take drugs, if we only work at it, using effective tools. The taste and social patterns of the young have no permanency. They are as unpredictable as their clothing and hair styles. Interests change almost with the seasons. Last year, it was Vietnam. Today, it is ecology, and it is as certain as the sun will rise that next year will bring a new interest.

Who determines the course of this change? Not the young themselves, contrary to their own belief. On the whole, they are followers. It is more often than not a charismatic person who appeals to the young, usually to sell a commercial or political product.

We can enlist such charismatic leaders to sell the social unacceptability of drugs, if we only try. They have a credibility among the young that a policeman, a teacher, a politician, or even a doctor can never have.

The Presiding Judge of the Superior Court of the Commonwealth of Massachusetts, Judge Joseph Tauro, expressed this view before the Massachusetts Drug Dependency Conference last year. Some of you may recall that Judge Tauro presided over the famous marijuana trial of *Commonwealth* v. *Leis*.

He commented that drug use should be stripped of its false veneer of glamor and sophistication and given its proper identification as being attractive to persons with serious underlying problems. He suggested a campaign, which I endorse, under the banner of "You don't really need it—or do you?" A credible spokesman using the mass media should ask the questions:

"Who, in the prime of life, possessing vitality, intelligence, strength and promise, needs a mind-altering drug? Who needs to escape from reality? Who needs to live in the reverie of artificial delusions? Surely not the youngster who is confident, alert, sure of himself, vital and dynamic. Who, then? The disaffiliated, the neurotic and psychotic, the confused, the anxious, the alienated, the inadequate, the weak."

Whenever a legislator makes a suggestion concerning a problem, the immediate reaction of some is "Why is he wasting time talking about it? He's in Congress. Why isn't he doing something about the problem?"

In this case, I don't think that Federal action is necessarily in order. The Federal

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Government could, but should not, spearhead a program to develop an anti-drug bias among the young. To be credible, the Establishment should keep hands off. This type of undertaking lends itself to private exploitation. The drug industry can and should play a role, but the recording industry and the visual media have a special responsibility which they are not discharging. For a profit, they have been instrumental in molding the physical habits and life styles of millions of young persons into a pattern which incidentally, and unintentionally, I am sure, includes a drug culture. Given the support of performers who have a special credibility with the young, I am convinced that it is possible to make dangerous drugs as socially unacceptable as a crewcut.

It is worth a serious try because success, even partial success, results in a permanent solution. We could begin by such a program to close the faucet.

Perhaps you wonder why I dwell on this aspect of such a complicated and many-sided problem as drug abuse. It is because so much of our effort is merely reaction to drug abuse. We assume the abuser and then try to deny him his drug, catch him, and rehabilitate him.

I am tired of reacting. I am frustrated by our lack of success and I am pessimistic that our batting average will improve. We can't stop reacting to the problem, of course, but we can start showing greater initiative in preventing the problem from arising.

I believe that the imaginative use of America's most unique contribution to modern living—Madison Avenue advertising and salesmanship—can make serious dents in the desire of young persons to experiment initially with drugs.

We can and should try.

STATEMENT OF HUNGARIAN FREEDOM FIGHTERS FEDERATION ON THE 25TH ANNIVERSARY OF HUNGARY'S OCCUPATION BY SOVIET TROOPS

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. WOLD. Mr. Speaker, April 4, 1970, marked the 25th anniversary of the cessation of World War II activities in parts of eastern Europe, including Hungary.

This anniversary is marked by the Hungarian Freedom Fighters Federation in a statement released by its president, Dr. Andras Pogany and copresident, Istvan B. Gereben, shortly before the Freedom Fighters of America held its 7th annual Hungarian ball.

The ball was held under the honorary chairmanship of the Vice President of the United States and Mrs. Agnew.

In the anniversary statement, Dr. Pogany and Mr. Gereben write:

> On the 25th anniversary of Hungary's occupation by Soviet Troops, we Americans of Hungarian descent call for the strengthening of American ideals to follow the true Republican concepts in the tradition of the American democratic process. We call for a moral rejuvenation of the American spirit. We pray for clear vision and wisdom of our leaders.

Mr. Speaker, Americans of Hungarian descent have made many contributions to the American ideal. Many such persons are citizens of this country today because they were forced to flee Communist oppression following World War II.

The Who's Who of American notables includes many Hungarian names.

I include, Mr. Speaker, the statement of the Hungarian Freedom Fighters Federation in the RECORD with my comments:

STATEMENT OF THE HUNGARIAN FREEDOM FIGHTERS FEDERATION

Today marks the twenty-fifth anniversary of the cessation of World War II activities in Hungary. Pursued by the Soviet Army, the last German troops retreated in defeat. As the result of the Yalta Conference of February 1945 the door opened for Communist Russia not only for the domination of Eastern Europe but for a continuous threat of aggression towards the whole World. Hungary was to experience a new kind of terror: that of murder, rape, robbery, and exploitation, and the removal of thousands to remote Siberian labor camps.

The degree of oppression in Hungary has not changed since. The goals and intentions of the conquerors and their puppets are the same. The difference is in the use of more refined tactics. More subtle of infiltrating, sowing seeds of confusion, capitalizing on ignorance and no doubt gaining some measure of agreement and consent from those who have fallen prey to the calculated maneuvers, are employed. These techniques are by far more dangerous than open and brutal oppression since the victims of the effort are not necessarily aware of being taken in. In the year of the twenty-fifth anniversary of their victory the intensity of this kind of activities of the Communist rulers of Hungary are greater than ever before with all the characteristics, intellectual predation and even obvious objective of cool deception.

Hungary, together with other European nations, succumbed to an overwhelming exterior force in 1945. Several times since, up until 1947 in free elections and after that in a fierce revolution, the oppressed people openly rejected Soviet imperialism and the alien doctrines of international communism. But Communist imperialism could not have been successful had the seeds of division and moral degeneration not been present in pre-war European society and the leaders of the Allies have not fallen prey to that great master of deceit: Stalin.

The esoteric songs of fellow travelers, appeasers, compromisers and those whom Lenin so descriptively named "useful idiots," praising destruction of the very foundations of civilized society can be heard again. The moral fiber of the free nations is under attack again. Division and moral degeneration are advocated as progressive. The crime of tyranny is forgiven in the hope that tyranny will change. The respect of the United States is undermined from outside and from within. Leaders are fallen prey to the masters of deceit. The spirit of Chamberlain haunts the halls of international conferences.

The Hungarian Freedom Fighters Federation gravely concerned about the fate of Hungary and of our adopted country calls upon all peoples interested in the preservation of freedom and human rights to reexamine their souls, to follow a sensible action vis-a-vis the increasing menace of political deception. On the twenty-fifth anniversary of Hungary's occupation by Soviet troops, we Americans of Hungarian descent call for the strengthening of the American ideals, to follow the true Republican concepts in the tradition of the American democratic process. We call for a moral rejuvenation of the American spirit. We pray for clear vision and wisdom for our leaders. We are confident, that by recharging the American destiny according to the original prescription, so well designed by the Founding Fathers, America will once again command the respect of the World. And it is through this respect that we anticipate the eventual liberation of our beloved native country: Hungary.

CONSUMER PROTECTION—BANNING THE DISTRIBUTION OF UNSOLICITED CREDIT CARDS

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mrs. DWYER. Mr. Speaker, yesterday I introduced legislation—H.R. 16939—to safeguard consumers' interests by prohibiting the unsolicited distribution of credit cards and limiting the liability of consumers for the unauthorized use of credit cards.

The age of credit is upon us and plastic credit cards are its symbol. Through the extension of credit, as practiced in the American economy, sales have boomed, the national product has soared, and society has prospered. This record of economic success is welcome and deserves great praise. In no way should we seek to undermine our economic well-being. There are instances, however, where our climb to greater economic heights has produced unsatisfactory side effects. Among the most severe of these has been the misuse of credit cards.

The plastic card blizzard has hit our society with unusual fury in the last few years. As of June 1969, over $13 billion in credit was outstanding as a result of the use of credit cards. This represented 13 percent of all consumer debt. Outstanding credit from bank credit cards alone increased from $800 million in 1967 to $1.7 billion by mid-1969. Levels of credit have climbed since last year.

Over 1,000 consumer credit card plans are now in existence involving hundreds of millions of cards, millions of consumers, and hundreds of thousands of businesses. The breadth of this operation has brought with it a series of extremely difficult problems and much personal hardship. In particular, the practice in recent months of sending out millions of credit cards to individuals without their request and without adequate credit investigations has imposed heavy burdens on many persons.

The distribution of large numbers of unsolicited cards may have encouraged many people to spend unwisely or may have placed temptation in the face of numbers of persons, unfortunately, who should not have been so tempted. This has led to the misuse and overuse of credit which may have contributed to fanning the flames of inflation. It has driven some persons into bankruptcy. It has placed heavy financial burdens on many who could ill afford to assume such burdens.

Unsolicited credit cards have similarly provided a golden opportunity to the cheats and frauds to bilk merchants and the public.

It is estimated that up to 1 million credit cards are lost and over 300,000 stolen each year. Theft from the mails has become extremely serious, especially under present circumstances when large numbers of unsolicited cards are mailed out at one time. The incidence of mail fraud has soared 700 percent in 4 years. Since credit cards have become almost as negotiable as currency—few requiring any type of foolproof identification—the opportunities for fraudulent use are obvious. Annual losses under such conditions are estimated to range between $50–$150 million a year and this may be conservative. Overall credit losses to the card issuers are likewise estimated to range between 2 percent to 6 percent on the dollar. This compared to an average loss of one-quarter of 1 percent in the case of conventional consumer credit. Conditions have grown so bad in the Washington, D.C., area that two banks have discontinued credit card arrangements in the District.

The fact is, of course, that these losses are assumed primarily by consumers in the nature of higher costs passed on by merchants. This means that an additional financial burden must be imposed not merely on those who are careless or thriftless, and not merely on those who hold credit cards, but upon all consumers. Especially in the case of unsolicited credit cards which produce the greatest thefts, frauds, bad debts, and related losses, the innocent consumer who is careful or who may not even possess a credit card is burdened by the acts or misdeeds of others. This is clearly intolerable to the extent that we can provide reasonable means to prevent such an unfair imposition.

What is equally intolerable is the burden and worry we place upon those who receive unsolicited credit cards.

The mere receipt of such a card means that the recipient who does not wish the card must be troubled with the necessity of deciding how to get rid of the card. If he retains it intact, there is always the danger of its being lost and misused. If he mails it back, there is always the danger of it being lost or stolen in the mail. But, if he physically destroys it, a live account with the card issuer continues in existence with the danger that some haywire computer will mistakenly bill him in the future.

What is worse, if any of these events should come to pass—theft, loss, misbilling—the person to whom the card was sent is placed in the most unfortunate position of having to disprove his liability. From the many horror tales that have come to my attention, this is not an easy task in many instances. Innocent victims have been hounded by bill collectors, threatened with lawsuits and jail, seen their credit ratings destroyed, and witnessed their employment placed in jeopardy. The emotional drain, the loss of time, the legal expenses thereby consumed are more than mere inconveniences to those who have been caught in the credit card trap—they are nightmares.

The use of credit cards will continue to grow as our society and economy grows. In many ways this growth in use will have beneficial effects: reducing the need to carry cash; reducing the burdens on the mails; and providing instant credit checking and billing as computer networks are expanded. In predicting this growth, however, we should plan and guide the effective distribution and use of credit cards. A major step in this direction will be to enact the legislation I am introducing today.

This legislation, modeled on that now pending before the Senate: First, bans the unsolicited distribution of credit cards; second, limits an individual's liability for unauthorized use by another to $50; third, requires that credit cards contain a means whereby the holder can be properly identified; fourth, provides that a cardholder be adequately notified of his rights and liabilities; and fifth, places upon card issuers the burden of proof of establishing the liability of credit cardholders.

My original thinking was to require all credit cards—those in existence and those to be issued—to be of the solicited variety. However, upon further consideration, I have incorporated in my bill a provision which I understand Senator WILLIAMS of New Jersey plans to offer in the Senate. This would permit companies to renew existing credit cards on an unsolicited basis if such cards were originally requested by a cardholder or were actually used by the cardholders. This exception is moderate but fair in my opinion and should not detract from the clear intent and purpose of this bill.

Second, while my proposed legislation requires that credit cards are to contain a means of properly identifying cardholders—as a means of reducing unauthorized use—I recognize this will impose a burden on merchants that have cards outstanding without proper identification and are not regularly renewed. To lessen this burden, I have provided that card issuers in such cases may have up to 1 year to convert over to new cards that bear adequate identification.

Third, I have provided that together with adequate notice that must be given to cardholders of their rights and liabilities, card issuers must also detail the address and telephone number that cardholders should contact to report a loss or theft. This will assist cardholders in meeting their notice requirements, but should also make fairer the burden of proof that is to be assured by the card issuers.

Finally, in order to better safeguard innocent consumers against billing errors in instance where a credit card has never been used, a provision has been incorporated in the bill which places the burden of proof upon the card issuer to establish that an actual use occurred for which the cardholder is liable under the provisions of the legislation.

The Federal Trade Commission is to be highly commended for their recent action in imposing a ban on the distribution of unsolicited credit cards over which they have jurisdiction. It is regrettable that the Federal Reserve Board did not take the same type of initiative. The fact they have not, however, and the fact that the FTC lacks jurisdiction over common carriers and probably banks means that the legislation introduced today must be enacted in order to restore competitive equality. In addition, as indicated above, the proposed legislation provides a number of additional requirements such as limitation on liability, adequate identification and notice which should be required by legislation.

I also recognize that the House Post Office and Civil Service Committee has recently reported out a bill which would ban the mailing of credit cards that fail to meet specified requirements. The committee deserves great credit and praise for taking this action. I believe enactment of a mail ban would serve as a desirable complement to the legislation proposed by me.

But, my bill is still required. This is so because the Post Office Committee bill: First, still permits the mailing of unsolicited credit cards under certain conditions which would thereby continue the burden upon individuals who must dispose of unwanted cards or suffer the jeopardy of theft, fraud, misuse, alleged liability, threatened legal action, loss of credit ratings, and so forth; second, requires unsolicited credit cards to be sent by registered mail which could greatly inconvenience addressees who would have to go to post offices to pick up such mail pursuant to notices left at times they were not at home; third, requires that there be advertised on the envelope the fact that there is contained therein an unsolicited credit card—thereby raising the prospects of theft; fourth, permits the renewal of all outstanding unsolicited credit cards; and fifth, contains no protective provisions relating to burden of proof, identification, liability, and notice requirements.

XUM

STANDARD OF HONESTY SHOULD APPLY TO ALL

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. ALEXANDER. Mr. Speaker, recently I received a letter from a constituent which asks some very probing questions. This letter from Mr. John H. Darter of Fisher, Ark., is deserving of the attention of every Member of the Congress and of every official in our Federal Government:

> DEAR MR. ALEXANDER: I, like many others have written you often, now I shall try to put one on paper.
>
> This census form is what finally flipped me, but it is only a grain of sand compared to my main concern.
>
> Somewhere on the form it says the information I submit will be held confidential, etc., etc. This seems to indicate I am to be completely honest in my answers. Here lies the beginning of a strange relationship. I am trying, as I should be, to be honest with my government and in return I am expected to believe statements that often are half truths or in some cases bold face lies.
>
> I am attempting to be a "law abiding, taxpayer." This seems right in my sight. What I cannot understand is why I am required to be a law abiding, reasonably honest, taxpayer while agnecies of the government seem to see no reason to be honest with me.
>
> Late examples of this are Laos, the Middle East and our involvement there. Small things

also like the amount of carryover of the rice crop.

My thoughts may be disorganized, but what I am trying to say is I am deeply concerned by the fact that I can't trust certain statements coming from my own federal government. Too, I am concerned by a thought way back in my mind that keeps saying, "What the heck, criminals win and honesty is the losers way." I think I am not the only one with this feeling.

I am not talking political lines because I don't vote that way. I vote for the man, not the symbol.

Sincerely,

JOHN H. DARTER.

FISHER, ARK.

LOYALTY DAY—THE AIR FORCE SERGEANTS' ASSOCIATION REMINDS US OF A FORGOTTEN HOLIDAY

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. RIVERS. Mr. Speaker, I am indebted to the Air Force Sergeants' Association for bringing to my attention the apparent lack of recognition of the first day in May as Loyalty Day.

Loyalty Day was established in 1958, under Public Law 85-529, as a day set aside for the recognition of the heritage of American freedom.

AFSA, concerned by the wide publicity given to the Communist May Day celebrations, is completely justified in questioning the attitudes of Americans who, through apathy, seem to ignore this special day.

Loyalty Day gives us an opportunity to demonstrate our support for the democratic principles upon which our country was founded and allows us to dedicate our efforts toward the future of our Government.

It is a day when all Americans, regardless of their attitudes toward the vital issues presently facing us, can unite in gratitude for the system which allows us our differences and offers us the civilized procedures necessary to resolve them.

This can certainly be contrasted to the Communist celebrations which further demonstrate their continued oppression of their own people as well as others around the globe.

Lawyers, jurists, students and teachers, preachers and politicians, rich and poor, all manner of Americans from whatever their way of life, can take advantage of this opportunity to express their faith in our democratic system.

I see Loyalty Day as the proper time to show the world how we value our country. Nothing could have more value in the international press than a massive demonstration of our loyalty to the cherished freedoms available in this country as opposed to the vulgar display of weaponry and tyranny which is annually put forth in the Communist capitals on the same date.

Mr. Speaker, I insert the article from the April issue of the Air Force Sergeants' Association magazine after these remarks. And I urge my distinguished colleagues to read the article and call it to the attention of their constituents. AFSA deserves a great deal of credit for calling this matter to our attention.

Americans may differ, Americans have their problems, America needs improvements. Yet Americans have the greatest country in all the world and all Americans should want to demonstrate their loyalty.

The article follows:

LOYALTY DAY—A FORGOTTEN HOLIDAY

We're sure not many of our members have heard of Loyalty Day. And we're sure that all have heard of May Day—celebrated in Russia and its satellite nations as a symbol of communism and its accomplishments.

Amazingly, each year, May Day, May 1, receives much more publicity than Loyalty Day, also celebrated in the United States on May 1. May 1 to most Americans is the observance of Law Day, a just and highly publicized tribute to the lawyers and laws that govern our nation.

Historically, Loyalty Day was established July 18, 1958, by the 85th Congress. Public Law 85-529 designated the first day of May of each year as Loyalty Day. This was three years before Law Day was established by Congress as a national observance.

Public Law 85-529 states:

"Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the 1st day of May of each year is hereby designated as Loyalty Day and is to be set aside as a special day for the recognition of the heritage of American freedom; and the President of the United States is authorized and requested to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day and inviting the people of the United States to observe such day in schools and other suitable places, with appropriate ceremonies."

Approved July 18, 1958.

DWIGHT D. EISENHOWER,
President of the United States.

What has happened to Loyalty Day?

Why is it not observed like the communist world's May Day?

Why hasn't the Armed Services asked its people to observe this important date?

Is the heritage of American freedom so blase that we can brush aside this holiday?

It is ASFA's intent to use its influence to assist the Veterans' of Foreign Wars (who originally suggested Loyalty Day), and other service connected fraternal organizations to make Loyalty Day a national holiday—a day to renew our pledge of loyalty to the democratic principles of our country. And to the fundamental fact that we have a government of the people, by the people, and for the people.

It is a day we renew our pledge of loyalty to the men and women who have given their lives to preserve these democratic principles.

It is a day to renew our pledge of loyalty to the cause of freedom.

And a day to remember John Fitzgerald Kennedy's inaugural address in which he said "*. . . now the trumpet summons us again, not as a call to arms, though arms we need, not as a call to battle, though embattled we are, but a call to bear the burden of a long twilight struggle, year in and year out, rejoicing in hope, patient in tribulation, a struggle against the common enemies of man: tyranny, poverty, disease, and war itself.*"

Loyalty Day was initiated by the VFW to counter May Day celebrations of Communist nations. The intent was to make May 1 a major event on our calendar, a time for vigorous American patriotism to bloom anew along with Spring. It has never reached this statute!

AFSA called the Department of Defense and asked why the Armed Services did not celebrate Loyalty Day. They couldn't explain why, though they publish Fact Sheets and editorials on Law Day. Law, and the respect for it, is most important, but is it above loyalty to American heritage?

Loyalty and law are synonymous—without respect for your country's heritage, you have no respect for its laws. Let's combine both and make it one national holiday—Loyalty Day!

AFSA intends to bring this to the attention of Congress and would like the opinions of its members. Chapters are asked to express themselves by petition; individual members are asked to mail a postcard with their opinion to national headquarters.

It's our country; we have defended it; and will continue to do so in the future.

Display your flag May 1. Schedule chapter and base ceremonies observing loyalty to our nation. And write to AFSA headquarters with your comments on this most important issue.

DECISION FOR APOLLO 13 TO GO

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. TEAGUE of Texas. Mr. Speaker, Dr. Thomas O. Paine, Administrator of NASA, at my request, has provided a letter outlining the background and considerations in substituting backup Command Module Pilot Jack Swigert for Astronaut Thomas Mattingly. This letter points out the care taken in the decision-making for the Apollo 13 flight. I am including it in the RECORD because of its significance to the Apollo 13 mission. The letter follows:

NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION,
Washington, D.C., April 13, 1970.

Hon. OLIN E. TEAGUE,
Chairman, Subcommittee on Manned Space Flight, Committee on Science and Astronautics, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your request for a memorandum outlining the background and considerations behind our decision to proceed with the Apollo 13 mission, substituting the backup Command Module Pilot, Jack Swigert, for Ken Mattingly.

BACKGROUND

Astronaut Charles Duke, Command Module Pilot of the backup crew, was exposed to Rubella (German Measles) on March 20, a fact which became known to us on April 3 when he started showing symptoms. He felt worse on April 4, and on April 5 he developed the characteristic rash. Since the prime and backup crews had met for several hours on April 2 in close contact, there had been significant exposure to all crew members. Subsequent medical tests indicated that all other members of the prime and backup crews had sufficient immunity to Rubella except for the Command Module Pilot, Lt. Cdr. Thomas Mattingly, USN.

Blood tests and analyses were conducted and medical experts consulted at leading medical centers, including the National Institutes of Health, the Communicable Disease Center in Atlanta, Georgia, and our own clinic at the Manned Spacecraft Center, Houston. Dr. Meyers of NIH, one of the world's foremost authorities on Rubella, made a special effort to see if any level of antibodies were present in Astronaut Mattingly's blood that would indicate possible immunity. Three laboratories confirmed that Astronaut Mattingly had zero immunity to Rubella. It was estimated by our medical advisors that there was at least a 75% probability that Astronaut Mattingly would become ill within the time frame of the Apollo 13 mission, most probably during the lunar surface activities while he was alone in the Command Module in lunar orbit. The potential effects of this illness in adults could result in symptoms which would seriously compromise a crewman's capability.

Another consideration was the unknown effect that the spacecraft environment might have on the progress and severity of this illness, including psychological stress, oxygen atmosphere, and zero gravity.

During the period while our medical examinations and tests were continuing, a series of program actions were taken to allow the maximum opportunity for alternative future management actions. The Apollo 13 countdown was continued but operations which were necessary for a crew change were delayed until the last possible moment. For example, the stowage of individual crew equipment was deferred until the latest possible hour. This allowed us to determine crew physical condition, evaluate crew readiness and training, evaluate hardware readiness, and consider any other factors.

When it became increasingly obvious from additional medical tests that there was a high probability that Astronaut Mattingly would become ill during the mission, detailed evaluations were initiated to identify all potential problems and alternatives for the mission.

The alternatives available to NASA were: (a) launch with Astronaut Mattingly in the crew and risk illness and reduced mission success; (b) substitute Astronaut Swigert for Astronaut Mattingly as Command Module Pilot; and (c) delay the mission a month until Astronaut Mattingly was completely recovered and could rejoin the crew.

FACTORS CONSIDERED

Considerations relating to these alternatives included:

If Astronaut Mattingly did contract Rubella, would he be sufficiently recovered in May in time for the next launch? Would the Apollo 13 crew's ability to function well together as a team be impaired by the late substitution of a backup crew member? Did Astronaut Swigert have sufficient training on the Command Module and on his duties relating specifically to the Apollo 13 planned mission? Was there sufficient time remaining to verify the capabilities of the three astronauts together on the simulators at the Kennedy Space Center?

There never was any question that Astronaut Swigert could perform very capably as a Command Module pilot; the only question was whether he could be fully integrated into the Apollo 13 crew on such short notice.

During the same time frame that the alternatives were being considered, a review of the basic mission plan was implemented to minimize the mission specific requirements for the Command Module Pilot if the decision to change the crew were made. By Friday morning, April 10, all available information had been compiled. This data included: (a) the result of Swigert's performance with the other two Apollo 13 astronauts on the simulators; (b) the medical data indicating an increasing probability of Rubella developing in Astronaut Mattingly during the lunar orbit phase; (c) an analysis of the critical points in the flight plan plotted against the projected development of the illness in Astronaut Mattingly, and (d) the lightened specific task schedule for the Apollo 13 mission. Independent evaluations and inputs were received from individuals representing crew readiness, status of hardware, and overall program management.

DECISION

At 12 noon, on Friday, April 10, a meeting of the key people in the Manned Space Flight Program was convened at the Kennedy Space Center for a final review of all available data and decision. Participants in this meeting were: myself; Dr. George Low, Deputy Administrator, NASA; Mr. Dale Myers, Associate Administrator for Manned Space Flight; Dr. Rocco A. Petrone, Apollo Program Director; Dr. Charles Berry, Director of Medical Research, MSC; Maj. Gen. James W. Humphreys, Jr., Space Medicine Director, Office of Manned Space Flight; Mr. Donald K. Slayton, Director of Flight Crew Operations, MSC; Mr. Charles Mathews, Deputy Associate Administrator, Office of Manned Space Flight; Colonel James A. McDivitt, USAF, Apollo Program Manager, MSC; and Captain Chester M. Lee USN (Ret.), Apollo Mission Director, Office of Manned Space Flight. Mr. Julian Scheer was present as observer.

After a thorough review of all medical, mission and training facts, I asked for the independent evaluation of each individual in attendance, both in general and in his specific area of responsibility: program management, medical, hardware status or crew readiness considerations. The first question addressed was whether Astronaut Mattingly should be sent on the mission. The unanimous recommendations were to not fly Mattingly. The second question addressed was whether to fly Apollo 13 with Swigert, or to postpone the mission for one month. Independent recommendations were then received from all participants, and once again there were unanimous recommendations to launch the following day. My final decision, however, was deferred until I had met personally and privately with Captain Jim Lovell, and then with Captain Lovell and Fred Haise. They both expressed complete confidence in Swigert and recommended that we proceed with him as Command Module Pilot. After this discussion I returned to the meeting, and after requesting any further comments, I announced my decision that the Apollo 13 mission would be launched the following day. The meeting concluded at 2:30 p.m.

Sincerely,

T. O. PAINE,
Administrator.

SOUTHERN STRATEGY AND RACIAL PROGRESS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. EDWARDS of California. Mr. Speaker, two specific instances of "benign neglect" in the pursuit of racial progress have been brought to light by Los Angeles Times columnists Frank Mankiewicz and Tom Braden. They serve to illuminate, I think, the real meaning of the southern strategy. Under leave to extend my remarks in the RECORD, I submit their column from yesterday's Washington Post:

SOUTHERN STRATEGY AND RACIAL PROGRESS

(By Frank Mankiewicz and Tom Braden)

Occasionally—as in the Carswell fight or the statement of the President on school segregation—the Nixon administration's hostility to racial progress is illuminated as in a sudden flash.

But the vice of the Southern strategy is apparent in other ways. The hard fact is that even neutrality—benign neglect, as it were—is not enough to avoid going backward if the President does not lead, the "backwaters" of government will see that there is no progress. This is well illustrated in two recent unpublicized incidents.

A retreat in civil rights enforcement in George Romney's Department of Housing and Urban Development is about to break into the open in a federal court.

Moreover, it appears that Romney, whose wife Lenore is running for the Senate from Michigan, is playing an active role in Mr. Nixon's Southern strategy.

Last January, the Neighborhood Legal Assistance Program brought suit against the Charleston, S.C., Housing Authority, asking that it comply with federal law requiring desegregation. The suit was brought because Joyce Middleton, a black client, decided she wanted a two-bedroom apartment.

There is a lot of public housing in Charleston, but it is segregated and there were no two-bedroom apartments vacant in the Negro-occupied units. Miss Middleton discovered that there was no shortage of two-bedroom apartments in the white section. But the official answer from the management was, "Get yourself a rollaway bed. That's what they're for."

And so the suit was brought. In compliance with usual procedure, the Atlanta office of HUD immediately froze federal funds—about $4 million intended for new public high rise housing in Charleston. But Charleston contractors and Charleston's mayor appealed to Sen. Strom Thurmond.

Thurmond did not go to Romney directly. He went to the White House, and thus Romney got the message from a high level. Within a few weeks, the federal funds were released.

Meantime, Romney's own civil rights division had conducted an investigation and made a report bearing out the charges brought by Miss Middleton. By this time, however, Romney had already acted, and so he quashed the report.

HUD's defense will be that Charleston permits "freedom of choice" in public housing, and though its own guidelines do not permit this ruse, Romney is now considering a change in these guidelines. When this is effected, suits such as Miss Middleton's will be more difficult.

Another example is the Department of Agriculture's Extension Service, a huge bureaucracy born early in this century in order to furnish advice to farmers. It has one of the least defensible civil rights records of any department of government, and has managed to maintain that record despite occasional jabbing from the White House, notably during the Johnson administration.

Following the Civil Rights Commission report of 1965, Secretary of Agriculture Orville Freeman took steps to "integrate the extension services". Three years later, the Civil Rights Commission did a study of Alabama's extension service and found that of 112 employees in the State Extension office, eight were black, who did not receive equal salaries for equal work, though some of them had higher degrees and more experience than their white superiors. Services to farmers were also segregated, with black farmers getting about one-sixth of the services extended to whites.

During all these years, the Extension Service has been in charge of Ned D. Bailey, director of science and education in the office of the Secretary of Agriculture. On nomination by the department, Bailey will receive an award next month for "distinguished service" by the National Civil Service League.

The Nixon administration's defense of the Southern strategy is aimed at the country's notion of "balance." The argument is that we have been working too hard at civil rights or too rapidly and that we need to pause and allow time for the growth of the seeds we have planted. But this applies only to government manicured front lawn. Out in back, the jungle has been encroaching, all the time.

XUM

THE STORY OF A BEAVER COUNTY, PA., MARINE WHO DIED FOR HIS COUNTRY

HON. FRANK M. CLARK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. CLARK. Mr. Speaker, I am inserting an article which appeared in the Beaver County Times, Beaver, Pa. It is the story of a Beaver County marine who died for his country:

"IT'S OUR GENERATION'S TURN TO FIGHT"—THE STORY OF A BEAVER COUNTY MARINE WHO DIED FOR HIS COUNTRY

(By Nadine Holovach)

NOTE.—Donald James Pierce Jr., Raccoon Township, believed he was fulfilling his life's mission when he joined the Marine Corps right after high school. He asked for and got assignment in Vietnam. Since he left home in June, 1968, he wrote endlessly to friends and family about his ideals of and about life at home. Shortly after he was killed last month, his father suggested use by The Times of family letters from the young Marine, not to idealize his son, but to offer a fighting man's eye view of patriotism, God and Vietnam.

"Because freedom isn't free, each generation must take its own part to win it again.

"It's our generation's turn to fight so that we may protect, defend and give to our children the same freedoms which have been given to us."

Donald J. "Skip" Pierce Jr., the author of these words, couldn't have been older than 18 when he jotted them on yellow ruled tablet paper in an essay to explain why he volunteered for the Marine infantry and for Vietnam.

The son of Donald and Geraldine Pierce, Raccoon Township, arrived in Vietnam last July 28. On July 31 his 19th birthday, he reported to Fox Company, Second Platoon, Second Battalion, Third Marine Division. He wrote it wasn't a bad birthday present—he'd wanted the Marines.

There will be no 20th birthday observance this July 31 for Skip Pierce.

He was killed March 18 near Da Nang. His parents don't know the details of how it happened. His commanding officer's letter of explanation hasn't arrived yet, but they suspect it was a grenade or mine explosion.

Skip Pierce was the 80th Beaver Countian known killed or missing in Vietnam action.

Rev. Edward C. Heist, pastor of the First Baptist Church, Rochester, chose from the Gospel of John 15:13 this text for Skip's memorial service Thursday:

"Greater love hath no man than this, that a man lay down his life for his friends."

Rev. Heist, who's been in Rochester a short time, didn't know Skip Pierce intimately, but he has learned from congregation members the piety and patriotism of the young man he buried.

"Vietnam was almost a religious war for him," the youthful clergyman observed.

Skip Pierce carried on an extensive correspondence with family and friends from Vietnam. First Baptist Church members who sent him Christmas cards each got thank-you notes from Vietnam.

He occasionally abandoned chit-chat for essays and poetry to give release to the deep-rooted love of God and his country, and maybe, to help his family understand why he wanted to go.

"He loved people, and he was always giving things to people, especially to his sister, Sue Ann," began the recollections of his father, a math teacher in the Hopewell Memorial Junior High.

"My wife and I have never given our children many material things. They've never been hungry or unclothed, but they've had fewer material things than many children.

"Skip always insisted on earning what he got. He was in the Boy Scouts and made Life rank, but he never wanted to become an Eagle—that's the highest—although he could have. He said too many boys who made Eagle didn't deserve it. So he—his older brother, Rick, did the same thing—didn't go for the Eagle.

"Skip seemed to be a good leader, although I wasn't around him while he was in any leadership capacity. He was active in the Scouts and in the Baptist Youth Fellowship. He often took the trouble to drive to Pittsburgh for meetings, and he went to camp as a camper and a counselor."

Among the Marines attending Skip's funeral were Cpl. David Crum, New Brighton, and S. Sgt. Alan Mauk, who's married to David's sister, Judith.

S. Sgt. Mauk, who'd just arrived from Okinawa when word of Skip's death reached here, accompanied the body from Philadelphia to Beaver County.

Cpl. Crum, a thin, gangly young man who looks hardly old enough to shave, has three Purple Hearts, the Vietnam Campaign ribbon and the Combat Medal. He was wounded three times in Vietnam.

His mother is the aunt of Mrs. Don Pierce Sr.

Dave and Skip were far closer than their blood ties, so it isn't unusual that Dave came here from Quantico, Va., for the funeral.

He was a pallbearer and assigned another chore.

He turned over, on behalf of the Marine Corps, the President of the United States and the American people, the cotton U.S. Flag which had draped the coffin, to Mr. and Mrs. Pierce.

Two honor guards in dress blues lifted it from the coffin, folded it in half lengthwise, and again in half lengthwise; then they made a triangle at one end, folding it in the tri-corner shape about 13 times, end over end, until the blue field encased the stars and stripes. They gave it to Dave Crum, and he gave it to Don and Geraldine Pierce. And it was over.

About 10 months ago, Cpl. Crum was wounded for the third time in Vietnam, and the agony of Mrs. Mary Crum, his mother, distressed her grandnephew, Donald Pierce Jr. He hoped these words would comfort her:

"DEAR AUNT MARY: Sunday morning I saw you were very upset over Dave.

"Your attitudes of sorrow and anger are understandable, although I think they were wrong, and I would be willing to bet that Dave will agree with me. You are obviously fed up with the Marines, the war and hearing that once again the man you have raised from a baby has been wounded. You feel hurt because he has been hurt, and rightly so because he is your son . . .

"Dave is both a Christian and a patriot. Despite his sufferings he loves the Marines. He told me so in his letters and among his letters, I found no complaints outside of jokes about food and sleep . . .

"This is a wonderful country. It gives us our four freedoms, the most valuable of which is the sacred freedom of religion.

"I know that freedom isn't free. Perhaps both you and Dave realize this even more than I. Freedom is the only problem that, if you ignore it, it will go away. Freedom can't be inherited or passed down.

"It must be protected by the people at all generations. It is now our generation's turn to fulfill the duty. Until now, this liberty has been handed to us on a silver platter without any effort from our part.

"It is now that Dave has been shot while trying to preserve for his own future sons and daughters what his ancestors have preserved for him. I have wanted to be a Marine for over five years. Every time I look at the Iwo Jima Memorial or see a war movie, my heart jumps because I see men who have fought and died to give me a life worth living.

"His trial is over, mine hasn't yet started. I intend to go to Vietnam to have the honor of defending my country. If I should die in battle I will have died happy, for I would have died while working for a worthy cause, my God and my Country. Should that happen, or should I be wounded, don't grieve for me, because knowing that you are sad would make me sad. Likewise with Dave. He would be much happier to see his family has pride in him and pride in what he has done . . .

Love,

Your nephew,

DON (Skip)".

And, in a footnote, almost as an afterthought, he had added:

"If ever my mother becomes angry, bitter or distraught over my wellbeing while I am in battle, please share this letter with her."

On March 21, two days after the Pierces learned Donald was dead, Mrs. Crum offered this letter to her niece and family.

Now that he's grown, Rick Pierce, oldest of Don and Geraldine Pierce's four children, is slightly shorter than was his younger brother, Skip. It wasn't always like that.

When they were little, Rick could whip Skip, who was two years younger and lacking in height and weight. The younger brother found it wiser strategy to avoid riling Rick. When they outgrew the scrappy little boy stage, the brothers' relationship became warm. Lately, that warmth was growing between Skip and Mike, the youngest of the three boys, a high school senior.

Skip claimed in his letters that he and Rick often knew what the other was thinking, without speaking.

Rick reflected, "We're not flag wavers, patriotism doesn't occupy us. We're close to the church—but we don't have a family service, or a family prayer. We've been taught to love our country and that—I think God and Country came to mean so much to Skip because we have such a close family—not just immediate, but extended family."

"Skip was my kid brother. I always thought of him as my little brother . . . I wasn't really surprised when he said he'd entered the Marines. He'd talked about it, wanting to fight for his country, but then he was supposed to go to college too . . . I'd been thinking about how it would be after he got out. He'd go to college, and be an uncle to the children I'll have someday.

"War isn't something that obsessed Skip. We didn't play war much as kids. In fact, in high school, he was on the wrestling team and he always said he couldn't get mad at his opponent.

"Skip was more articulate when he was writing than when he was speaking. He—he was my little brother.

"He was sort of accident prone. Did my father tell you about the time the neighbor's dog was eating a bone, and Skip went up to it to pet it, and he had to be stitched up on his arm and the back of his head, where the dog mauled him?" reminisced Rick, a future elementary school teacher, a Geneva College junior.

Another recollection brought a smile:

"One time, when we were kids, we had been swinging on grape vines. Skip stayed around after the rest left, and he swung out, and fell on a tree stump, and broke his arm. He walked into the house, and said 'I think I broke my arm,' real calmly. He'd walked about half a mile to get here. Then he calmly told us where we could get the stuff for a splint."

It is no accident Don Pierce Jr. was in a Marine "grunt" (infantry) unit in Vietnam.

XUM

He wanted it that way. When his reluctant parents questioned his enlistment in the Corps, he wrote a letter to his mother and sent it to her care of her job, to explain his purpose.

He had a guarantee that he would be assigned to the Marines aviation branch, and used that, he wrote, to gain their consent. But all along, he planned to volunteer for combat duty in Vietnam and he felt God didn't like his deceiving his parents.

"I am still enlisting and still will volunteer for Vietnam. After I am 18, by law, my enlistment won't require your permission. However I am still asking that your consent is granted on these new conditions because I have done very little thus far against your wishes," he wrote.

"I'm not joining the Marines to get ahead or to achieve a high rank. I'm joining to serve my country. The love of my country is surpassed only by my love of God.

"By fighting in Vietnam, I feel I would be doing both a service.

"Ever since the day I was born, my freedoms and my very existence have been handed to me on a silver platter. It has been given to me only because of those that lived before I cared enough to secure it. Freedom isn't free . . ."

His vision, he said, wasn't acute enough to become a military pilot. Adequate for ordinary use, but not good enough for military piloting. Become a navigator or work on the ground crew—also safer?

He belittled such a job, at least for himself:

"This is like a kid on a football team. It's not enough to be sitting on the sidelines, watching your team out there on the field fighting it out against some rough opponents. You have to be out there too, getting kicked around like the rest of them. You have to be in there fighting, doing your share giving back a little punishment that you're getting . . . To me, being a navigator or ground crew is like being a water boy.

"This is the human quality which makes a Marine what he is: the most feared and most respected fighting force in the world.

"I'm a Marine at heart. My mind can't be changed. The roots of love for my family, my country and my God are too deep. I have both thought and prayed about this for over four years."

Mr. and Mrs. Pierce gave their consent to their persuasive son.

He joined under the 120-day delay plan. He waited around only 86 of those 120 days. It was just long enough to complete a stint as counselor at Bible camp.

The Marine Corps spent a lot of money training this remarkable young man. He'd been, of course, to boot camp and Camp Geiger, a branch of Camp LeJeune, N.C., for individual combat training, and then speciality training in the Marine Corps infantry. He was going to be in a "grunt" unit.

Then he went to Ft. Benning, Ga. for parachute training. He was in an elite group of servicemen sent to test classified equipment in the Caribbean shortly before he went to Vietnam. He was the only private first class, the lowest ranking of the test group.

He passed by opportunities to enter aviation, ship duty and to become an aide to an officer—all cushy jobs, by "grunt" unit standards.

"Each service has its merits, but for me, I'd rather be a Marine, take the hardships, and suffer a little. Maybe at times, I may get dirty, bone tired and even sometimes, disgusted and hate it all," he wrote his family in mid-July, just before arriving in Vietnam.

"But when I get back from Vietnam I'll have done a job and three years from now I can look at my discharge papers and say to myself 'I helped preserve America.' "

His older brother, Rick, recalls Skip's penchant for having things done right. "There was a right way and a wrong way, and he had to have them done in such a way. He always had to be doing something, and he'd spend a lot of time in his room, or in the garage, using the lathe and the jig saw. He used to make baseball bats—even then they had to be just so—he'd burn a trademark in them and sand them. They weren't as good as the ones you could buy—they'd even fall apart—but they were his."

After six months in Vietnam, around Feb. 27, Skip Pierce was promoted to corporal. He began talking about buying a sportscar through an international auto dealer from whom he could obtain the car inexpensively. He thought he would spend his R&R (rest and recuperation) in April in Australia or Japan.

Despite his membership in the service corps of fierce fighters and hardship, young Pierce was capable of tenderness to those at home. He gently advised his grandparents there was little they could send him for personal needs: "Here's at least the basic reason. I weigh 156 pounds, but I'm afraid there are some rather big hills here and over these hills I have to carry the 156 pounds of me, plus . . . one five-pound helmet one 12 pound flak jacket, two five-pound claymore mines; 15 one-half pound magazines (for rifles), one eight and a half pound rifle; six one and a quarter pound hand grenades; two one-pound smoke grenades, four three-pound canteens; one one and a half pound machete, one four pound poncho. That makes 70 pounds of gear."

During most of his voluminous correspondence from Vietnam, young Pierce concerned himself with personal affairs. Occasionally he talked about the war, as he did in this letter written last Dec. 6:

"Operations in this area have produced several discoveries of weapon caches, mainly consisting of NVA (North Vietnamese Army) rockets and mortar tubes, indicating a probably fair-sized planned attack by rockets and mortars on Da Nang. ("The Tet offensive is due to start in early February, but frankly, neither I nor the intelligence officers feel that the NVA has either the manpower or supplies to support any large ground offensive . . . In the last three months, Da Nang has only taken three shells.)

"To be honest, and blunt, I think I'd have to say that the majority of the men here feel that we have had the rug pulled out from under us by the American people and the American government.

"When I joined the Marine Corps, I did so because I saw a freedom worth protecting and a way of life worth defending. Before I joined I was offered an aviation guarantee but I wanted to fight for what I believed in. After boot camp, I was assigned two years sea duty. I would wear seven sets of dress blues, visit foreign ports and never see Vietnam's soil. But World War II wasn't won by Marines in dress blues . . ."

"Now I'm in the Marine infantry and my job is squad leader, infantry. I'm in charge of the lives and action of 12 men of my squad plus an attachment of a machine gun team and a rocket team. If we get hit heavy, it's my job to call in mortars and artillery and do it right.

"We've fought here and some have valiantly died. Now we're told we're leaving, leaving a job unfinished. While the people at home yell to bring us home, many men here are extending their tours of Vietnam. Even our government admits that they are no longer interested in our kill ratios or how many operations we're conducting. All they worry about is how fast they can withdraw.

"In all our nation's history, we have never lost a war. But I'm afraid that our history is about to change. You won't find our government admitting it lost and the official statement will probably say America did a good job . . .

"American people haven't helped too much either. It's gotten so bad that even the ones who yell 'win or get out' have now dropped the 'win' and are just yelling 'get out'.

". . . We've been unable to attack when attack is necessary . . .

"As far as the demonstrators and peaceniks go, I believe each man has the right to demonstrate, to say what he wants to and to take lawful action to achieve his goals . . . it's up to them to live their lives as they wish, as long as in exercising their own freedoms, they don't infringe on the freedoms of others. Let them call for peace, but let them know that there is a cost for peace. Would they be willing to pay for it? No man wants peace more than the guy who has bullets flying past his head . . ."

Before he went on active duty in 1968, young Pierce wrote an essay, "It's Our Turn Now," expressing his thoughts on the whys of Vietnam. Here are some excerpts:

"In the Revolutionary War, the American soldier was called a Minuteman. In World War I, he became a doughboy, while in World War II, the popular name was GI. Now, in Vietnam, the name of the American fighting man has been changed to that of "fool."

"So far our generation of young people has had everything handed down with little or no effort on our own part. We have more often than not taken our freedoms as something which always existed, and which will always exist."

"It's hard to justify killing in any form, but in war, you have to believe that you are not attempting to kill a man, but rather the government that man represents."

"The provoking of war is against the will of God, but a war being fought in defense of valued freedoms is not condemned by God, but rather backed by Him."

"In II Corinthians 3:17, the Bible says, 'Now the Lord is Spirit, and where the Spirit of the Lord is, there is freedom . . .' Perhaps the most important of all passages can be found in Galatians 5:1 'For freedom, Christ has set us free: stand fast therefore, and do not submit again to a yoke of slavery.'

"Some people can't understand why, and why is a question to which probably no one has a definite answer. It could just be, though, that there are some young Americans left who are willing to march into hell in hopes of giving the chance to get a little closer to Heaven."

HOME ONCE MORE

(This poem was written by Marine Donald J. Pierce Jr. and was printed for the memorial service for him Thursday.)

Back in the world some would ask us why
We'd come here to fight and possibly die.
I guess some of them have never thought
That for good reasons we came and fought.
Some of them will never know why.
That is, until they look into a villager's eye.
It's only then that they can tell
That it was for Heaven's sake we came to
Hell.
Not just for this nation did we come to fight,
But for freedom's protection and each man's
right.
It was for each man and each man's son
That it was so important to have this war
won.
It was for our wives back home and her
unborn child,
We had to stop this world from running wild.
We had to stop and fight to preserve once
more
What our ancestors had won so many times
before.
For each man here, this is what it takes,
Thirteen months and a lot of tough breaks.
It takes a lot of time, pain, and sorrow
To give this world a new tomorrow.
The war is now past its peak.
The Vietnamese language we cannot speak.
That's not important, for when we part

XUM

We know the "thanks" we'll get from deep
in their heart.
Soon, your sons will come home once more.
We hope you'll welcome us to America's shore.

PROUD OF VIETNAM SERVICEMEN

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. CASEY. Mr. Speaker, a few years ago when I had the privilege of visiting with our servicemen in Vietnam, I came away with a number of strong impressions.

The caliber of these young men, their ability and dedication, impressed me greatly. But most of all, the fact I remember most vividly was that they held a keen insight into why they were there, and what their being there meant to the future of our country and the free world.

In the ensuing months, as we all know, it became more and more popular to criticize our efforts to assist South Vietnam retain its freedom. The protesters, the street marchers, the radicals were all eagerly sought after by the news media—and little, if any, attention was paid to those young Americans so far from home who were carrying the heavy burden of responsibility for their Nation and the world.

XUM

A few days ago, I received a letter from a constituent whose son is now in Vietnam. She is proud of her son, as I am. Indeed, all America has a reason to be proud of young men like him, for they are cut of the stuff that made our country great, and will keep it so.

Because I share the great pride of my constituent, Mrs. Betty Bowman, 10904 Willowisp Drive, Houston, Tex., I asked her for permission to share with my colleagues the letter she received from her son, Airman Robert A. Fruge.

Robert Fruge is 24 years old, a graduate of the University of Houston and holds a B.S. degree in political science. I met him once during his years on the campus, where he was a leader in the Young Democrats.

America has every reason to be proud of the Bob Fruges. His letter follows:

MARCH 1, 1970.

DEAR MOTHER: ¼ finished! Nine months to go! Does it seem like I've been here for three months? There are times when every day I've been here has been a week in itself and at others like I've only been here for a couple of weeks. I don't dislike it here—I've never really disliked any place I've ever been, except for some strange reason, San Antonio. But I'm such a homebody at heart, I do dislike the way they keep me from Houston and everyone and everything I love. Another thing that living outside of America for such long stretches gives me is appreciation. Despite all the problems inherent in being a citizen of the United States—and most are just difficult responsibilities and not real problems—there is a beauty about our country. And it is not physical or created—although we have more than our share of that—it is something in the people. It is the quality of trying to do one's best, despite the adverse affects or the snipping of one's friends or enemies. Despite everything, that's why we are over here—to help! Not to create an empire or even an American peace—but to help. So many people are saying America cannot police the world—and it's true. But it is reflective of something I fear—the unwillingness to do the right thing for those we don't feel to be important. We are willing to help save Germany from Communism, but not Laos; the Dominican Republic, but not Algeria; Turkey, but not Indonesia. Where does it stop? Where is that expansiveness inherent in the Truman Doctrine—We will help *anyone, anytime, any place* who wants to be protected against Communism and Imperialism." If we admit we will not—not *cannot*—will not fulfill our promise, I fear we may have started the long decline. And I hate the thought that it might have been caused in Vietnam—something which had to be done, yet took too much time and effort. Not everything can be clean; not everything can be quick. But we cannot be neutral to the fate of nations in this world, for we are number one—and that denotes responsibilities. We cannot be neutral—period! The enemy wants *our* destruction. It wants to destroy *our* values; *our* Christian heritage; *our* concept of Government and democracy. You cannot be neutral in a fight when you are the one being hit. That is the way it is in the ring—that's the way it is in the history of nations. But whatever the doubts, we are here still—and that shows that perhaps we have retained our integrity after all. I know you always prefer me to write things about me instead of things like that—but these are the things that go around in my mind when I'm homesick. I enjoy all places—but America, I adore. My proudest boast will always be—I'm an American!"

I really am sorry about the trouble you had to go to for the record book. The one I wanted was exactly the same size as my old ones in the shelf, except it had a nicer cover. Ah well!

At my school we are surrounded by mine fields, and on Friday one of the Vietnamese students on K.P. wandered out there and blew his foot off. I saw it. It was horrible! He was thrown several feet while his foot (or parts of it) were thrown on the sidewalk behind the school. He hopped for several seconds and then collapsed. A Vietnamese MP took a plank and laid it out over the field—walked out on the plank and brought him out—his left leg a mere stump covered with blood. I suppose he was unconscious because he never made a sound.

Every morning for the past two weeks it has been cloudy, so although I've been swimming, I'm getting lighter. I don't care what they say about the rays. Yet I'm still darker than you've ever seen me, and I don't look any different when I take my clothes off. Then that white streak around my middle makes the rest of me look like mahogany.

Believe it or not I'm thinking of not going to Japan for my R & R. I'm seriously considering Sydney, Australia. Mostly because I may never have a chance to go there again.

Well, I'd better go. Much love to all.

Your son,

BOB.

From: Amn. Robert A. Fruge, AF460704806, HQ. USMACV TNG. DIR. AFLS–TSN #2, Advisory Team #62, APO San Francisco, Calif. 96243.

BEVERLY HILLS BAR JOURNAL EDITORIALIZES ABOUT SCHOOL DESEGREGATION

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. CORMAN. Mr. Speaker, a few weeks ago I inserted into the RECORD the full text of Judge Alfred Gitelson's decision in the case of Crawford against the Board of Education of the City of Los Angeles.

With the continuing interest and debate in the Nation on the course of school desegregation, I call the attention of my colleagues to a very thoughtful editorial appearing in the March issue of the Beverly Hills Bar Journal.

The text follows:

EDITOR'S BRIEF

(By I. H. Prinzmetal)

In *Brown vs. Board of Education* (1954); 347 U.S. 483, the Supreme Court held that segregation of children in public schools solely on the basis of race, even though the physical facilities and other "tangible" factors may be equal, deprive the children of the minority group of equal educational opportunities. In *Jackson vs. Pasadena City Schools* (1963) 59 Cal.2d 876, our Supreme Court stated that in view of the importance of education to society and to the individual child, the opportunity to receive the schooling furnished by the state must be made available to all on an equal basis. "So long as large numbers of Negroes live in separate areas, school authorities will be confronted with difficult problems in providing Negro children with the kind of education they are entitled to have. Residential segregation is in itself an evil which tends to frustrate the youth in the area and to cause anti-social attitudes and behavior. When such segregation exists it is not enough for a school board to refrain from discriminatory conduct. The harmful influence on the children will be reflected and intensified in the classroom if school attendance is determined on a geographic basis without corrective measures."

In *U.S. of America* v. *Jefferson County*, 38 Fed. 2d 835, Cert. denied Oct. 9, 1967, 88 Supreme Court 72, 77, it was stated "if Negroes are ever to enter the mainstream of American life as school children, they must have equal opportunities with white children."

In 1963 a group of Negro and Mexican-American minors filed an action "for and on behalf of themselves and all similarly situated pupils attending schools within the Los Angeles City School District" against the Board of Education of the City of Los Angeles, praying for a writ of mandate requiring the respondent Board to adopt and put into effect a plan of integration which would comply with constitutional requirements as interpreted by the courts. By stipulation, the case was assigned to Judge Alfred Gitelson. The case was dormant from 1963 until 1967 while the parties waited to see what steps the Board would take to implement its equal educational opportunity policies. In 1967, four years after the case was filed and thirteen years after *Brown vs. The Board of Education*, supra, attorneys for petitioners started discovery proceedings and those proceedings, together with the actual trial which consumed 70 court days, were concluded in May 1969. Judge Gitelson handed down his minute order of intended findings of fact, conclusions of law, judgment and for peremptory writ of mandate on February 11, 1970. The court's order is over 100 pages in length. It is a carefully studied and in-depth analysis of applicable case law and factual evidence presented. It ruled for the petitioners, but gave the respondent school board the opportunity to present *its own* plan for integration consistent with the constitutional rights of petitioners.

Hardly had the ink of Judge Gitelson's signature dried when the words "the Gitelson decision" replaced "Sharon Tate" in the emotional reaction of most of the media. He was denounced by radio and television commentators and many newspaper writers. Public officials jumped on the political bandwagon and, of course, the public reacted strongly to the decision. An announcement was made by the Board of Education that the decision would be appealed, even without any thoughtful consideration being given by the Board to Judge Gitelson's careful and studied efforts and, of course, before the final judgment and findings had been settled and filed. This is contrary to the action taken by the Board of Education of Pasadena. In fact, in recent months educational leaders in the southern states have accepted decisions involving integration without the kind of calamitous reaction that has occurred in Los Angeles. While our Governor has not suggested that "the hub caps of buses be stolen and tires be slashed" as was suggested by one of the southern governors, he promptly ordered the appropriate authorities in the state government to assist the Board of Education in its appeal. All this has been done without any real understanding of Judge Gitelson's decision. Personal attacks upon Judge Gitelson again delineate the courage of a judge who decides a case as his conscience directs and not with an eye to public reaction.

The purpose of this editorial is not to evaluate the decision by Judge Gitelson, since it presumably will be appealed. What is proposed here, in a very limited manner, is to mention what Judge Gitelson said and some of the things that he did not say, but which have been attributed to him. An additional point of this editorial is to refer to the great public service performed by Beverly Hills lawyers without any hope of remuneration, in the interest of the deprived minorities of our city.

Taking the last point first, how many lawyers or law firms in this country will devote over 3,000 top lawyer man hours for a cause of this type? Bayard Berman and other lawyers in the firm of Kaplan, Livingston, Goodwin, Berkowitz & Selvin so contributed. The court stated, "the right of counsel to reasonable compensation should not be restricted or inhibited by a doctrine which limits the compensation of services of counsel to causes which provide monetary recovery. The protection and preservation of the inalienable constitutional rights of any class of citizens, the enforcement of duties of government, imposed upon it by law, to its citizens, is at least as valuable, if not more so, than the recovery by litigation of money. Rights, particularly the inalienable constitutional rights, are a species of property. In a country of laws, the reaffirming, enforcement and preserving thereof, including the most sacred and invaluable of the rights, the right to life, liberty and the pursuit of happiness, to be a human being, for every person to receive the same equal protection of our laws, is one of the highest callings of Counsel; and when done in behalf of those otherwise unable to do so, the disadvantaged, justice requires, demands, that they receive reasonable compensation therefor.

"It is therefore reasonable, just, within the concepts of equity, the administration and preservation of justice, and required by the conscience of the court, that counsel be allowed reasonable compensation to be paid by Board, and through it the peoples for whose benefit the proceeding was brought and prosecuted." The court allowed all attorneys for petitioners (including others here not mentioned) the sum of $65,000.00.

Now, let us consider what the Judge did not decide. He did not decide that there must be bussing as a means of integrated education. He did not decide the percentage of whites, blacks or browns in any school. He did decide that the constitutional rights of petitioners are being sacrificed and must be protected in accordance with the Constitution of the United States, as interpreted by court decisions. He did decide that he is bound by those decisions. Had the Board of Education come up with any reasonable plan for integration, the court would not have been required to come to a decision that requires the Board of Education to come up with a Master Plan that will protect the constitutional rights of the Negroes and Mexican-American children in our public schools. What is to be decided on appeal, presumably, is the interpretation given by Judge Gitelson that there is no difference between what is de jure segregation and de facto segregation, school segregation arising from residential patterns and permitted by the state. He states (in part quoting decisions):

"The Negro children in Cleveland, Chicago, Los Angeles, Boston, New York, or any other area of the nation which the opinion classifies under *de facto* segregation, would receive little comfort from the assertion that the racial make-up of their school system does not violate their constitutional rights because they were born into a *de facto* society, while the exact same racial make-up of the school system in the 17 Southern and border states violates the constitutional rights of their counterparts, or even their blood brothers, because they were born into a *de jure* society. All children everywhere in the nation are protected by the Constitution, and treatment which violates their constitutional rights in one area of the country, also violates such constitutional rights in another area. The details of the remedy to be applied, however, may vary with local conditions. Basically, all of them must be given the same constitutional protection. Due process and equal protection will not tolerate a lower standard, and surely not a double standard. The problem is a national one.

"From an educational standpoint, to achieve greater understanding, reductions of prejudice, minimization of racial conflicts, a better and greater educational opportunity, it is sounder to integrate minority and majority children when they enter kindergarten or elementary school and give them an integrated educational experience all the way through public schools rather than keeping minority children and majority children in segregated schools until they reach junior high or senior high school. Board knew thereof." The court, in effect, found that the distinction between de facto and de jure segregation was a sham and that since at least May 1963 by and through its actual affirmative policies, customs, usages and practices, the Board has under color of right segregated, "de jure," its students by adopting policies and practices outlined in the decision which intensified segregation.

The Los Angeles Times (2/15/70) said:

"It may turn out, though, that the courts will find, as Judge Real found in Pasadena, that segregated schools are, whatever their origin, inherently and unconstitutionally discriminatory, and must be abolished forthwith.

"If so, we think it a solemn obligation of citizenship for every parent, every child, every person, to accept the constitutional judgment; no, not merely to accept it, but to labor with all the good will one can muster to make it work.

"The accceptance of the court's decision by a majority of the Pasadena School Board, after years of controversy, is an example to all of us.

"For the society we build now is not only for ourselves, but for our children; and not only for them, but for their children. Race is now, as it always has been, the great dilemma of this Republic. There are no easy answers; there are no painless answers; there are no answers that are not makeshift.

"But we, as a country, have begun, in a tentative way, to supply the answers, and we must continue through all difficulties until that day when the dilemma exists no more."

ARE THINGS REALLY IMPROVING IN THE U.S.S.R.?

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. PUCINSKI. Mr. Speaker, in a recent issue of National Review, Mr. Tibor Szamuely contributed a brilliant and most definitive study of contemporary Soviet ideology.

With each stroke of his pen, Mr. Szamuely systematically demolishes every liberal shibboleth one constantly hears concerning the Russians and their system.

While we in the West hope for miracles and attempt to judge the Soviet system by our political yardstick and values, Mr. Szamuely effectively demonstrates that a revolutionary, totalitarian regime in the U.S.S.R. has become a stable fact of life.

Indeed, Mr. Szamuely places into proper perspective the fact that the Russian system today is merely an extension of czarist times, with little hope for change.

This distinguished writer is eminently qualified to write about Soviet affairs. As National Review states:

> Mr. Szamuely's credentials as a scholar of Soviet affairs are impressive. He was born in Moscow in 1925. Twelve years later, his father was murdered during the great Stalinist purges. Mr. Szamuely served in the Red Army during WW II, later graduated from Moscow University, and taught modern history at Budapest University, where he also served as Vice Rector. Between 1950 and 1952, he spent eighteen months in Soviet prison and labor camps. Since 1964 he has lived in Britain, lecturing at Reading University and contributing regularly to such journals as Spectator and the Sunday Telegraph.

Mr. Speaker, I highly commend Mr. Szamuely's brilliant and timely article to my colleagues.

The article follows:

[From the National Review, Mar. 10, 1970]

ARE THINGS REALLY IMPROVING IN THE U.S.S.R.?

(By Tibor Szamuely)

Michel Tatu, the distinguished French expert on Soviet affairs, ended his recently published *Power in the Kremlin* with a cautious prediction concerning the future political development of the USSR: either there will be "a return to undisputed one-man rule" or "the collective will have to be broadened and eventually accept true democratization." As an experienced observer of the Soviet scene M. Tatu is well aware of the pitfalls surrounding the prophet, yet his final conclusion is unequivocal: "Whichever the solution—totalarianism under one-man rule or an extended parliamentary system, major tranformations will have to take place."

Most commentators tend, on the whole, to agree with this conclusion. Certain variations on the theme are sometimes introduced, such as the possibility of a Bonapartist military dictatorship taking over from the party. Nor should one overlook the occasional forecast of a complete collapse of the Soviet system—predicted, in at least one instance, with great precision for 1970.

Of course, all these prophecies, including even the last one, are not outside the realm of possibility. One of the beauties of studying Soviet politics is the knowledge that almost anything can happen. Yet I would rather think that, on balance, the most likely prospect for the USSR within the foreseeable future—discounting cataclysms like atomic war—is a continuation of more or less the same system ("bureaucratic equilibrium," as Trotsky would have called it) that has evolved in the last ten to twelve years, and with the unpleasant reality of which we are faced today.

The conviction that the system will *have* to change, that it is *bound* to undergo major transformations, stems from a variety of sources. One of these is the belief—deeply ingrained in the Western mentality—in the inevitability of constant change, of permanent movement: the belief in progress, in short. Another factor is our perfectly understandable reluctance to accept the awful prospect of living with a faceless, impersonal and brutal totalitarian system for as far into the future as we can see.

Finally, one must take into account the difficulty—human nature being what it is—of appreciating and assimilating a genuinely new concept which overturns hallowed traditional certitudes: In this case, the idea that totalitarianism, a revolutionary form of government invented in the twentieth century, may have become as stable and as lasting a political system as democracy, absolutism, autocracy, oriental despotism theocracy or any other long-lived type of government, past or present.

The transitional nature of the present political system of the USSR is taken for granted. "Collective leadership" cannot be sustained for long; monopolistic party control over every sphere of life conflicts with the requirements of a rapidly expanding technological society; the primitive Soviet version of Marxist-Leninist ideology has no attractions for a highly literate population; the inexorable quest for greater efficiency and material comfort cannot be successful without the growth of democracy; the USSR must evolve a more rational method of decision-making if it is to remain a superpower and the leader of a worldwide political movement; the technocrats will demand an increasing part in public affairs; the young generation—just as in the West—is becoming ever more alienated from the regime and its official ideology.

All perfectly sound, commonsensical, rational propositions. Indeed, "rational" is the key word. The Soviet regime, we are told, must become, will become, is becoming or has already become "more rational." Maybe this is so. But are we not being rather presumptuous? For we are assuming as self-evident that to be "rational" is to conform to what we in the West regard as standards of rationality. Yet people brought up within a totally different conceptual framework might well regard our "rationality" as the height of unreason. After all, Marxists (even many non-Communist ones) see capitalism as an utterly irrational system, in contrast with the socialism of the USSR, which, for all its shortcomings, is at least firmly based upon principles of rationality. So why should we expect them to move in a direction which we, but not they, happen to regard as "rational"?

Or take that other hopeful catchword: "pragmatism." Soviet leaders have now become "pragmatic"; Khrushchev was pragmatic, Kosygin is even more pragmatic. The magic word seems to serve as an antonym for "brutal" or "bloodstained." But there can be little doubt that the most "pragmatic" of Soviet leaders was Josef Stalin. Compared to him Khrushchev and Kosygin act like pedantic doctrinaires. So where does this get us?

STALINISM AND TOTALITARIANISM

Many of the reasons adduced to prove the inevitability of drastic change in the Soviet Union (some of which I have quoted above) sound wholly convincing. Applied to familiar, "rational" systems similar to our own they would be unassailable. But if we apply them to a completely different society such as that of the USSR we might at least attempt to discover whether they fit into the actual reality of that extremely peculiar to us) system.

I fear that not all students of Soviet affairs make this effort: Too much is taken for granted, too many inconvenient facts are impatiently brushed aside as ideological irrelevancies or cold war artifacts. Which is why we are constantly being taken aback by events that would have been perfectly comprehensible had we tried to view them within the framework of Soviet reality—or Soviet "rationality."

Before proceeding any further I should like to make it clear that all my remarks refer to the Soviet Union, and the Soviet Union alone. It is a gross error to speak of the "Communist world" or the "Communist countries" as something which is much of a muchness, lumping the USSR togetther with the East European satellites into a single category *sub specie aeternitatis*. This practice serves only to confuse the issues still further. In reality there is only one Communist country: the USSR (China is an entirely separate case, and is by now generally accepted as such). For good or bad, Communism came to power and evolved in Russia of its own volition, engendered by Russian problems and shaped by Russian forces. There is a *national* system. Everywhere in Eastern Europe it is an artificial system—unnatural, anti-national, upheld solely by foreign arms. Had Communism not been imposed by a conquering power it might have become viable—as may be the case in Yugoslavia and Albania (though it is too early yet for an entirely confident judgment even there). As it is, the East European countries remain simply colonies of the USSR; after 25 years Communism has not put down any roots, and the likelihood of this ever happening is exceeding remote.

To return to the USSR. It is a chastening thought, but the post-Stalin era now comprises nearly one-third of the whole period of Soviet history. This enables us to take a more detached view of the Age of Stalin, and also to see the post-Stalin era itself in perspective. How has the USSR changed in the sixteen years since Stalin's death? And what deductions concerning Russia's future development can be drawn from this experience?

The system created by Stalin during his 25-year dictatorship is commonly known as "Stalinism," or one of the varieties of the general phenomenon of totalitarianism. The concept of "totalitarianism" has been of great service to the social scientists—yet not infrequently its indiscriminate use has blurred the profound distinctions between Soviet Communism and the rest.

A comparative analysis of totalitarian systems reveals far greater differences between them than would, say, a similar study of parliamentary democracies. "Totalitarianism" is not just equivalent to "bestiality," and Hilter's system was never really totalitarian in the sense that Stalin's was—to say nothing of the puny efforts of Mussolini, Franco, Salazar, Nkrumah, Sukarno, Nasser et al. The Soviet regime is *sui generis*; it is a dictatorship—but not, like the others, a dictatorship built up around the personality of one charismatic leader.

The popular notion of the instability of dictatorship does not apply to the USSR; nor, most emphatically, does the theory that "every true totalitarianism is a one-man system" (R. Tucker). The Soviet Union is certainly a "true totalitarianism"—the only true one, in fact—yet it has had three periods of (more or less) one-man rule, and three periods of (more or less) "collective leadership." Unlike any other modern dictatorship it has surmounted innumerable internal and external crises unscathed; what is even more extra-ordinary, it has survived the deaths both of its founder and of the man who gave it its final, definitive shape. It is in a class of its own.

"Stalinism" does not mean the system of Stalin's personal dictatorship: It means the social, political and economic structure created by Stalin in the course of a total revolution, of a total transformation of society on a scale unknown to history. Using the instruments inherited from Lenin, Stalin forged a new society and a new polity capable of outliving its creator. And this it has done.

The question of "neo-Stalinism" or a "restoration of Stalinism," so anxiously debated in the West during the last year, is really irrelevant. There is nothing to restore. Stalinism was never dismantled. Since 1959 the Soviet Union has always been a Stalinist state, and even Khrushchev, for all his power (and, I believe, sincerity) was unable to escape from the Stalinist straitjacket. In the end it throttled him. To destroy Stalinism would mean to destroy the Soviet regime, and that would require a revolution on the scale of 1917.

Obviously, when one speaks of the USSR as a Stalinist state one does not mean a state run by a Stalin; Stalin is dead, and it is hardly likely that a second Stalin will appear in the near future—fortunately, men like him come only rarely. Nor is there any need for one: The job has been done, and done extremely thoroughly.

AMID TURBULENCE

"A Stalinist state" means, quite simply, a state built by Stalin and run in accordance with Stalin's principles, in Stalin's spirit, using the techniques and methods of rule perfected, if not devised, by Stalin. It would be foolish to deny that manifest changes have taken place since 1953—but they must be seen for what they are, not for what one fondly imagines them to have been.

Take "de-Stalinization." The term itself is a dangerous misnomer. Its obvious analogy is "de-Nazification"; that is what many people compare it with. Nothing could be further from the truth. De-Nazification was instituted in Germany by the victorious allies *after* the whole political and social structure of Nazism had been irrevocably destroyed. Its object was the detection and punishment of all active Nazis and the extirpation from public life, *by force*, of every vestigal remnant of Nazism. Can this process really be likened to Khrushchev's "de-Stalinization"?

Sixteen years after Stalin's death, after all the erratic zigzags of "de-Stalinization" and "re-Stalinization," after a whole generation has reached adulthood without ever having known Stalin's rule, the USSR remains unchanged in every *essential* feature, from the state wrought by Stalin in his own harsh image. The Soviet Union as we know it today was created in the decade 1929–1939, probably the most horror-packed ten years in modern history. It has changed less since 1939 than any other country in the world. Great events have transformed the shape of the globe; empires, federations, regimes, constitutions, leaders have come and gone; even such stable societies as those of Britain and the United States are altered beyond recognition. The USSR remains alone, like some gigantic rock amid the turbulent seas, defying change, impervious to innovation.

ONE VALID ACHIEVEMENT

The political, social and economic structure of Stalin's Russia has hardly altered since it emerged from the storms of the 1930s. Its institutions are intact, its ideas firmly fixed. A few landmarks have gone: The Machine-Tractor Stations, for instance, have been dissolved. What else has changed? Khrushchev's not entirely hare-brained attempts to reform the economic structure, the

XUM

party apparatus, the educational system etc. have all been revoked—any tinkering with Stalin's monolithic edifice, it was soon realized, could only lead to trouble. The idea of a new Constitution was dropped (not that one could really draw up a more democratic Constitution than the 1936 model). Some legislation has been brought up to date—but it remains Stalinist legislation. The new Model Collective Farm Statute, the new Family Law, the new Penal Code—all are pathetic in their inability to introduce the slightest significant change after 35 or forty years. Some formulations have been made more precise, but generally speaking they are, if anything, a shade more rigid than their predecessors. As for the famous "economic reform" and the sainted Liberman: One does not hear much about them nowadays, even from their most fervent boosters.

All the basic tenets of Stalinist ideology remain in full force: The retention of the State until the construction of "full Communism" and even beyond; the intensification of the class struggle; the principles of *partiinost'*, *ideinost'* and *narodnost'*; the dogmas of "socialist realism" and of culture "national in form and socialist in content"; the successful construction of socialism in one country; the wickedness of egalitarianism etc. Nothing has been retracted—the great "ideollogical innovations" of the Twentieth Congress regarding the non-inevitability of war and the peaceful transition to socialism have proved an elaborate hoax. As for "independent roads to socialism," seized upon in the West as earnest of a genuine change of heart: First Hungary and now Czechoslovakia have demonstrated the true worth of this doctrinal innovation. It has now been superseded by the newer concept of "limited sovereignty," which goes even beyond anything thought up, or at least formulated in so many words, by Stalin himself.

Needless to say, Stalin's *policies*, with two exceptions, have all been consecrated by his successors as basic (which no doubt they were) to the construction of the socialist order: The defense of the Leninist line against its Trotskyite and other "enemies," the forced collectivization of agriculture, the liquidation of the kulaks, the Soviet-Nazi Pact, the territorial aggrandizement of 1939–45, the establishment of the "People's Democracies," and so on.

Only two aspects of Stalin's policies have been condemned and partially rescinded. One is the wholesale deportation of several nationalities during the War. The remnants of these unfortunate groups—but not of the Crimean Tartars and Volga Germans—have now been "rehabilitated" and allowed to go home; their "autonomies" have been restored. But by far the most important "retreat" from Stalin has been the denunciation of his indiscriminate terror, the rehabilitation of most of his victims, the liberation of millions of concentration camp inmates. True, in the last few years the flood of gory revelations has been firmly checked; true, also, that only good Communists—in fact, only good Stalinists—have been publicly rehabilitated as "victims of the personality cult"; anti-Communists, anti-Stalinists and even plain non-Communists still remain in the nether darkness. Yet the immense practical significance of the mass releases and rehabilitations should on no account be underestimated. Millions of people were returned to life, millions of "relatives of enemies of the people" became equal members of society again—for what that was worth. No other conceivable measure of any post-Stalin government could have brought greater happiness to a greater number. It is, in the final analysis, the one genuine and valid achievement of "de-Stalinization."

"ALMOST AS GOOD"

If once this simple fact is realized, then we begin to approach an understanding of what has actually changed in the USSR since Stalin. Certainly *not* the emergence of competing "power groups" or "power structures" (these were, if anything, in greater evidence under Stalin), or the "shift in power from the party to the state apparatus" (again, the state apparatus was more influential under Stalin than after 1953), or the "de-ideologization of society" (of this more later), or the "consumer revolution" (the consumer has no more say in the economy now than at any previous time), or—most emphatically—a gradual introduction of freedom of speech, press, literature and of criticism in general. What *has* changed is the ending of indiscriminate, arbitrary, capricious terror on a mass scale.

Terror unlimited by law (since laws are changed at will) still remains a prime weapon of the Soviet regime, but its *practical application* is now limited to actual enemies of the government—or, rather, to people who have committed acts indicating their hostility. To be sure the Soviet definition of subversion is very different from ours—no non-totalitarian government would treat Andrei Sinyavsky or Pavel Litvinov or Vyacheslav Chornovil as criminal offenders—yet the fact remains that all the victims of political trials since 1953 had effectively committed *acts* classified as hostile by the Communist regime.

In other words, the striking difference between the present-day USSR and Stalin's Russia is that today if one keeps one's nose clean and one's mouth shut and does nothing, then one is guaranteed (barring a genuine misunderstanding) not to go to jail—whereas under Stalin millions of people were sent to slave labor camps literally for "doing nothing" (*ni za chto*).

This may not seem much to the Western reader, especially after the highly colored descriptions of a "liberalized," almost democratic, Russia upon which he has been fed over the past years—but it means a great deal indeed to the ordinary Russian. Moreover, to achieve this blissful security he does not even have to denounce others: Although regarded as a desirable quality, this is no longer *de rigueur*. Or, as the famous nonagenarian actress Yablochkina is said to have exclaimed soon after the Twentieth Congress: "Things are almost as good as they were before the revolution!"

"ERA OF TRANSITION"

Apart from the elimination of sheer arbitrariness, there has been a distinct improvement in living standards. This improvement has been nowhere nearly as great as that constantly forecast by starry-eyed true believers like the late Isaac Deutscher, who ten years ago predicted that by today the USSR would have surpassed West European living standards. Nor should one be taken in by the breathless accounts of with-it tourists and fellow traveling journalists. In actual fact the gap between living standards in Russia and in the advanced industrial countries is today almost certainly greater than in Czarist times.

Nevertheless, life *has* become perceptibly easier and less uncomfortable for the ordinary Soviet citizen. Food is still scarce and expensive, consumer goods still shoddy and hard to obtain, service still appalling—but there is a bit more of everything for everyone. The most tangible improvement is in the field of housing: after 25 years of practically no housing construction and of squalor beyond the imagination of a Charles Booth or a Frederick Engels, it has now become possible—with luck—for families to move into tiny tenement flats of their own, with separate bathroom and kitchen. Once again—how little this may mean to the Western reader, yet what fantastic luxury it represents for the wretched life-long inhabitants of Soviet communal flats."

To sum up: The end of arbitary, lunatic mass terror, the release of millions of innocent prisoners and the posthumous rehabilitation of other millions of dead victims of the system, on the one hand, and the overall improvement in living standards, on the other, are the genuine positive achievements of the post-1953 era. They have contributed in no small measure to the stabilization and institutionalization of the regime bequeathed by Stalin to his successors.

For there can be little doubt that the basic stability of the regime is today greater than at any time under Stalin. It has, in a sense, finally come into its own: The Bolshevik revolution has reached fruition. Often in the post-Stalin years one heard the state of affairs in the USSR described as a "transitional stage." Quite conceivably we may have had it all wrong: The future might show that it had been Stalin's dictatorship that was the "era of transition" from the early post-revolutionary chaos to the full flowering of the ordered totalitarian society that now exists in Russia.

The West, largely under the influence of the violent changes effected by Stalin (and in a much less violent or successful way by Khrushchev), has learned to think of Russia as a country in a state of constant evolution, a society in a state of permanent flux. The relative tranquility, not to say *immobilisme*, of the last five years is often seen as a temporary aberration. Oddly enough, these views are shared by Western observers from the Left and the Right alike. The first refuse to accept the final extinction of the revolutionary "socialist dynamism, the second continue to hope for an evolution toward liberation and rationality. Both may well be mistaken. There is, when we come down to it, no real reason—apart from wishful thinking—to doubt that the Soviet regime can go on existng indefinitely in its present form.

As Professor Zbigniew Brezezinski pointed out recently, Russia has evolved a self-sustaining political system in which elite direction from above is met by orthodox mass support from below. I might add that this is an ingenious, elaborate and highly sophisticated system, based upon an inbuilt mechanism of self-conservation and self-preservation. Yet the Western mind, even when it agrees with some definition similar to the above, finds it difficult to accept the stability of the system and permanency of its institutions.

THE UNWRITTEN CONSTITUTION

The reason for this is, once again, a perfectly understandable inability to break out of the accustomed conceptual framework of our own civilization. It might help if we would try to view the USSR, so to speak, "through the looking-glass." In the USSR viewed through the looking-glass one finds symmetrical counterparts of many of our own institutions—distorted beyond recognition, no doubt, yet nevertheless functioning perfectly in their own peculiar fashion.

We believe, for example, that social and political stability can exist only under a government of laws and not men. But the Soviet Union *is* governed by laws—the laws of ideology, not jurisprudence—yet laws, nonetheless, founded, like our own, upon certain basic principles, and adaptable, also like ours, to changing circumstances. Or take constitutionalism. The Stalin Constitution, of course, is a meaningless scrap of paper, but the USSR *does* have a genuine constitution—unwritten, or rather, unpublicized, yet perfectly well understood and recognized by all concerned. This real constitution contains the actual rules of Soviet political life: the rules of party management of the country, of cadre selection or *nomenklatura* and of censorship, of the organization of elections and of the passport system, of "double-think" and "thought-crime" (to use the Orwellian shorthand). Every intelligent Soviet citizen is familiar with these rules and acts in accordance with them.

The important thing about these "constitutional laws" is not that they are unpub-

XUM

lished but that they exist and are strictly adhered to, by government and subjects alike. The stability they provide may be very different from ours—but it is, nonetheless, stability.

Probably the single most important factor that has impaired our understanding of the essential stability of the Soviet system has been the theory of "the permanent purge." To say that Soviet Russia has been the land of unparalleled mass purges and show trials is to state the glaringly obvious. We all know that six of the seven members of the post-Lenin Politburo were liquidated, that three-quarters of the Central Committee elected in 1934 were shot, that only 2 percent of the delegates to the Seventeenth Congress were present at the Eighteenth and so on. Nothing like this had ever happened before, in any country, under any regime. But the sense of shock and revulsion aroused by these truly horrifying events has tended to blind us to the astonishing (and perhaps also unparalled) degree of continuity that has existed in the top Soviet leadership over the past fifty years. Since 1917 the USSR has had seven heads of state; four of them are still alive—and all members of the Central Committee (a fifth, Voroshilov, died last December). Over the same period the United States has had ten Presidents, of whom three are alive.

PERSONAL SECURITY

There have been only eight prime ministers of the USSR, five of whom are still alive (Britain has had eleven prime ministers, four of whom are alive today); seven foreign ministers (against nineteen in Britain and fourteen in the United States), of whom three are alive; ten ministers of defense (against 23 secretaries for war or defense in the United Kingdom and twenty in the United States), of whom six are still alive.

Obviously, the turnover (not to mention the mortality rate) has been higher for the heads of the secret police. Yet even here the picture is less black than one might think. Of the twelve occupiers of the hot seat, the first two died of natural causes (if we accept Menzhinsky's death as a natural one), the next five were shot, and the last five are still alive, to the best of our knowledge, with two even sitting on the Politburo.

The most striking case of continuity is that of the top job itself, the General Secretary (or First Secretary) of the CC (Central Committee): In the 47 years since its establishment it has been occupied by only three men. Whatever else these facts may indicate, they are certainly proof of a basic stability of top Soviet cadres going back to the revolution.

Since 1938–39 the Soviet Union has created a layer of top "civil servants," or ministers, whose longevity in office defies comparison with any other country. A few examples will suffice. Vasily Zotov has just retired after *32 years* as Minister of Food Industry. Close on his heels comes Pyotr Lomako and Alexander Ishkov, Ministers respectively of Non-Ferrous Metallurgy and Fisheries since 1940. Dmitry Ustinov, today a Secretary of the CC, has been overlord of the defense (a most sensitve post), under one title or another, since 1941. Boris Beshchev was appointed Minister of Transport in 1948, after four years as deputy minister. The list could be easily prolonged.

The same applies to the Soviet foreign service. How many twentieth-century diplomats have had as good a run for their money as—to mention but two—Andrei Gromyko, first appointed ambassador in 1943, or Valerian Zorin, an ambassador since 1945?

In short, I believe one is fully justified in speaking of an incredible degree of stability in the top governmental offices of the USSR. Purges come and go, rulers die or are deposed, reforms and counter-reforms are carried out—the same men remain in the same top jobs. Even the British Civil Service seems ephemeral by comparison.

But, it can be argued, these men, for all their eminence, are really glorified administrators. Far more powerful are the great territorial satraps, the *obkom* (district) and *kraikom* (regional) secretaries. And it is in these posts that upheavals and changes have been most frequent. Yet a closer examination of the facts shows that today there is a considerable security of tenure at this exalted level as well. If we take the 76 first secretaries of the *obkoms* and *kraikoms* of the RSFSR (the administration units of the National Republics being less important) we find that they have occupied their present posts for an average of seven years. Forty-six of them, or nearly two-thirds, were appointed to their posts under Khrushchev (32 before the 22nd Congress of 1961), and one amazing character has been running Tuva since 1944. In the light of these figures it is impossible to speak of the continuing instability and insecurity of leading cadres. On the contrary—and this is a factor of the utmost significance—the Soviet elite has finally achieved the personal security it so sorely lacked under Stalin. Hence its vastly increased political weight.

The main argument usually advanced as evidence of the instability of Soviet government has nothing to do with the elite as such, but concerns the absence of an ordered system of succession at the very top. This is undeniable: There are no provisions for the orderly transfer of power in either the written or unwritten "constitutions." Yet the developments of recent years have to a considerable degree vitiated the force of this argument.

THE COLLECTIVE LEADERSHIP

Khrushchev's accession, however turbulent, was very different from Stalin's. Nor did he exercise anything like the power wielded by his fearsome predecessor. By now it has been fairly well established that even this limited power steadily diminished from 1960 onwards. Khrushchev's overthrow—though in no sense "constitutional," and certainly not indicative of any "democratization" of the regime, as many Western optimists earnestly announced at the time—was executed in a perfectly orderly fashion. It was confined solely to the First Secretary and his personal entourage, and carried no repercussions or purges in its wake. Indeed, it resembled the mysterious processes by which the British Conservative Party gets rid of its failed leaders, far more than it resembled the bloodstained Byzantine intrigues customarily associated with Kremlin power struggles. It was, one might say, a system of adulthood, of confidence and of stability.

The collective leadership has now been in power for well over five years—yet it is still generally accepted in the West that it cannot survive for long, that it will either be superseded by a single dictator or else inevitably evolve toward a form of parliamentary democracy. While not excluding either possibility, it is legitimate to ask: Why should this be so? What real reasons do we have to doubt the staying power of the collective leadership?

Basically it boils down to an argument by analogy: Two collective leaderships have broken up in the past, therefore no third can ever survive. This will hardly do. Discussing the post-Khrushchev regime in terms of the post-Stalin triumvirate (or, come to that, of the post-Lenin one either) makes no more sense than discussing the period of Khrushchev's supremacy in terms of Stalin's dictatorship. In neither case are the situations comparable.

There is no historical inevitability about the breakup of a collective leadership in the USSR. One can hardly speak of an identity of views among the members of, say, the British cabinet—yet it has governed the country, for good or ill, for exactly the same period of time as the Brezhnev group. If there were no constitutional requirement of quinquennial general elections I suppose it could go on governing forever and ever. (An important difference here is that Mr. Wilson possesses more personal power vis-à-vis his colleagues, in terms of promotions, dismissals and demotions, than Mr. Brezhnev has over his—which is why the composition of the British cabinet has changed much more than that of the Politburo over the same length of time.)

PLEKHANOV'S PROPHECY

Another popular argument against collective leadership (which I have myself used in the past) is that a great country and a complex industrial society simply cannot be run in that way. It can't work. And yet the system has worked and is visibly working.

True, they are a rather inferior lot of third-rate men—but, to quote the immortal words of Count Oxtenstierna, *"An nescis quantilla prudentia regitur orbis?"* They have not been an activist government (perhaps a source of strength), but when they have had to take a tough decision, as over Czechoslovakia, they have been as ruthless and as unyielding as any previous Soviet government. And they have weathered the storm intact.

"Weathering the storm," in a broader sense, is a key phrase when explaining the Soviet system's ability to survive and to resist change. Over its fifty years of existence the regime has undergone every conceivable, and even inconceivable, test of its stability: The harshest civil war in modern history, followed shortly by forced industrialization, the collectivization of agriculture, a murderous famine and an even more murderous Great Purge—all crammed into ten years.

Then came the war, with devastation on an unheard-of scale. What other Russian regime could have survived the near-total military collapse of 1941? Afterwards—picking up the pieces, rebuilding, new cruelties, new deprivations. And throughout it all the system has stood, practically unchanged. Why should it be dismantled now, when the worst is behind it?

Many people in the West expect "inevitable" change precisely because of the easier conditions of today. It seems a remarkably weak argument. If one looks back at the history of Russia one sees that reforms of the system (as distinct from partial alleviation of certain grievances or shortcomings) have never been undertaken in times of relative peace success and plenty, but only under the traumatic effects of defeat: whether by Peter the Great, or Alexander II, or after 1905.

Try as one will, one cannot find today in Russia any real signs either of impetus for change, or of forces for change, or of reasons for change, or even of possibilities for change. The factors of stability, of permanence, of changelessness, are deep-rooted in Soviet society. Some of these I have already mentioned. There are other, perhaps even more important ones as well.

The profound innate conservatism of Russia explains a great deal about Soviet society. Speaking in 1904, forty years after the inauguration of the "era of the great reforms," and only a decade before that era was to be overwhelmed by the tidal wave of war, Russia's greatest historian, Vasily Kliuchevasky, made a profound comment on the nature and fate of all attempts at transforming his country:

"Having decided that Russia has now abandoned the old foundations of her life, society has adjusted its historical ideas according. . . . Not so long ago we thought: Why look back, when there is so much to be done, and such a bright future before us? Today we think: What is there to learn from our past, when we have broken all our ties with it, when our life has irrevocably shifted onto new foundations? But a vital point has been overlooked. Lost in admiration for the

XUM

way in which the Reform has been transmuting the Russian tradition, we have shut our eyes to the way in which the Russian tradition has been transmitting the Reform."

Nor were these foreholdings confined to "bourgeois ideologists." In 1906 Plekhanov issued a grave warning against Lenin's plans for nationalization of the land. This "would be an attempt to restore our ancient system, now undermined by the economic development of the second half of the nineteenth century . . . the system under which both the soil and the tiller of the soil were the property of the state, and which was but the Muscovite edition of the economic basis of all the great oriental depotisms."

Lenin—a trifle uneasily—pooh-poohed Plekhanov's fears. But years later, during the last agonizing months of his conscious life, he was to return with increasing anxiety to the "damned Russian past," to the centuries-old tradition of bureaucratic inertia, which was taking over the party and reshaping the revolution. Perhaps he had begun to realize—as Plekhanov had foreseen years before—that it was precisely his revolution that was resurrecting a distant past.

AND LENIN'S ACQUIESCENCE

Addressing a Party congress for the last time, Lenin drew his famous parallel between a vanquished nation imposing its culture upon the conqueror, and a defeated ruling class imposing its tradition upon the new rulers. Might it not be the case, he asked, that the Bolsheviks "had been subjugated by an alien culture? True, this might create the impression that the vanquished do possess a high culture. Nothing of the kind: their culture is miserable and trivial—but it is still higher than our own. However paltry, however miserable, it is still higher than that of our Communist functionaries." And even in his "Testament" Lenin warned: "Under no circumstances should we forget that the apparatus of state has been taken over by us essentially as it was, from the Czar and the bourgeoisie."

Not only the state tradition, one should add, but the mentality, the social attitudes, the passivity, the staying power, the resistance to change—in short, every negative feature of the traditional Russian-Muscovite system—was taken over and imbued with new life by the Bolsheviks. In the dictatorship of the Communist Party, Russia found a unique instrument for the stabilization and the perpetuation of its tradition.

Communist elitism coalesced with Russian bureaucratic despotism to form modern totalitarianism. The absolute, unlimited and undivided dictatorship of the Party, unchanged through all the vicissitudes of Soviet history, provides the basis for the stability of Soviet society. The Party is the sole source of power and leadership, the sole source of social cohesion, the sole driving force of the nation. Everything is subsumed within the Party.

TOTALITARIANISM AND TECHNOLOGY

I cannot accept the widely held notion that the Party more or less ceased to exist in the last twenty years of Stalin's rule and was only revived after 1953. It certainly did not *govern* the country—neither has it done so, in any genuine sense of the word, either before or after Stalin—but even in the Stalin era the Party was the prime instrument of government, the instrument which mobilized the country's energies and channeled them in the direction indicated from above.

Without the Party Stalin's dictatorship would have been impossible: It was through the Party that the leader's will was enforced upon the lowliest subject (the role of the secret police, however crucial, was always subsidiary to that of the Party). In this sense Soviet propaganda is right when it maintains that "the Party continued to live even under the cult of personality."

Since Stalin's death, of course, the importance of the Party, its overwhelming position of power with regard to any other social or political force, has increased immeasurably—and so has its stabilizing influence.

The majority of Western observers believe—hopefully—in an ever deepening contradiction between party supremacy and the demands of a modern industrial society. Party rule, it is thought, stifles the creative development of science and technology, retards the economy, becomes a fatal impediment to progress which will inevitably have to be eliminated.

But the nature of modern totalitarianism is still imperfectly understood, even after so many years. It has a disconcerting tendency to disprove all our most cherished assumptions. The very same *bien pensants* who await and "inevitable" liberalization are also the first to acclaim, and even exaggerate, the Soviets' gigantic achievements in industry, science, technology. Yet all these have been effected under the leadership of the Communist Party.

Granted, the Party has been a conservative force, its ideological shackles have hampered scientific progress. It has stifled controversy and imposed the authority of charlatans like Lysenko. But it was in the worst years of the *Zhdanovshchina* that Russia constructed the A-bomb and made decisive strides in rocketry. The first Russian nuclear test took the West by surprise. So did the Sputnik. Yet we have still failed to draw the obvious conclusion: Freedom of thought and speech is *not* an absolute prerequisite of great scientific achievements. Russia's developments will probably slow down, but the commonly held assumption that she will either have to introduce intellectual and political freedom or condemn herself to stagnation is, I believe, quite unrealistic.

I would reserve the argument. Not only is a totalitarian regime *not* inimical to technical and scientific progress—such a regime is *inconceivable* without the benefits of the most up-to-date technology. A totalitarian regime could not come into being or exist without our century's revolutionary inventions in the fields of transport, communications, armaments and so on. The development of technology does not weaken totalitarianism; it strengthens it.

In 1857 Herzen forecast the coming—in a totally state-dominated Russia—of an unprecedented system "of slavery and brute force upheld by every achievement of science: a Genghis Khan equipped with telegraph, steamships and railways." It has all come to pass.

The same applies to education: A totalitarian system does not fear education for all—it requires it. Totalitarianism is based on literacy. Two basic factors must be borne in mind: 1) A totalitarian system, by definition, possesses the means of controlling and directing the education it gives its subjects; 2) literacy and education are indispensable for indoctrinating the whole population, for achieving that complete politicization of life which is the hallmark of the totalitarian regime.

CONFORMITY IN THOUGHT

And ideological conformity is still as much a foundation of the regime as at any previous time—whatever we may believe about the "end of ideology" in the USSR or elsewhere. Ideology supplies the basis for the legal order and for the loyalty of the people. There can be no substitute for ideology.

This simple fact is well understood by every Soviet *apparatchik*. Western observers tend to be surprised and not a little amused when they see important and busy men, rulers of a great country's destinies, spending days and weeks in discussing the fine points of modern art or abstruse questions of literary theory, or drafting outlines of school textbooks. Yet these matters pertain to the very core of Communist government. Ideological erosion has to be prevented from setting in: Hence the interminable ideological plenums, theoretical discussions, reorganizations of political education.The pragmatism of certain Soviet politicians about which one hears so much is invariably placed within the confines of the general ideological framework.

It is fallacious to assume that as a result of "de-Stalinization" the average educated Soviet citizen has lost his faith and freed himself from the bonds of ideology. "Belief" and "disbelief" in the USSR is a complex matter. Probably nobody except a few simpletons believes, or has ever believed, the entire "Marxist-Leninist" canon. It is taken for granted that some things have to be said which are untrue; this knowing acceptance of elements of untruth in itself implies an acceptance of the basic truth. And practically everyone believes *in part*.

Thus, any intelligent Russian will know that his country's standard of living is much lower than in the West; he will probably even know that there is more freedom of speech in Britain than in the USSR. But he will almost invariably be convinced that free education, free health care, paid holidays, old-age pensions are unknown under "capitalism."

He knows that his elections are not really free—but he thinks that free elections are not very relevant to "true democracy" anyway. Far more important, he believes, is the opportunity for ordinary workers and peasants to rise to the top—an opportunity which, he is assured, can exist only under Communism. I could go on listing the elements of "real" and "pretended" ideological convictions: The point is that the Soviet mentality has by now been largely shaped in the Marxist-Leninist mould. There is far more conformity in thought than in behavior.

A CREDIBLE ALTERNATIVE?

Ideology has survived and even, in some respects, strengthened its hold over the population because it has succeeded—like the regime itself—in moving with the times, whilst preserving the essential continuity. In recent years, despite Khrushchev's attempts to revive some of the original revolutionary fervor, the nationalist elements have become even stronger; today it is no exaggeration to speak of the USSR as a racist country, with rampant antisemitism, hysterical fear of the "yellow peril" and undisguised contempt for blacks. (In fairness to Czarist Russia, this pathological racism—with the sole exception of antisemitism—was absent before 1917.)

The new nationalist-racist strain of Soviet ideology has proved far more powerful in its popular appeal than the outdated doctrine of international class-consciousness. Its effectiveness was shown last year, during the Czechoslovak crisis. The West has not yet grasped the full implications of this development; it had better do so.

The all-pervasive nature of Communist ideology is today one of the strongest guarantees of the regime's stability. The recent experience of various disaffected intellectual groups has demonstrated a tragic failure to discover any coherent countervailing philosophy. What have been the ideas put forward in the "underground" publications? A "return to Leninism"; glorification of nineteenth-century Populism; the cult of Chernyshevsky and Serno-Solovyovich; the resurrection of slavophilism. In other words, a return to pristine-pure Bolshevism or to its precursors.

The young rebels find themselves in the cul-de-sac of the legends upon which they were reared. But what else can they suggest? One could hardly expect them to preach the philosophy of *Vekhi*, the famous pre-revolutionary liberal publication, or the advantages of parliamentary democracy, so vehemently denounced by the great Russian "progressive" thinkers to whom they turn for spiritual guidance. They have nowhere to go—the Party has appropriated and defiled every

XUM

"progressive" and national idea of the past, every tradition, every popular slogan. As a KGB officer recently remarked to Pyotr Yakir, the son of a prominent general executed by Stalin: "You think that you are your father's heir? No—we are his heirs." And he was right.

There simply is no credible alternative to Communist Party rule or to Communist ideology—therefore the regime can take a more lenient attitude (by comparison with Stalin) towards the occasional non conformists. Nor is there any real danger of a popular revolt. Never in Russia's history have the masses subsisted in the state of complete lethargy, of indifference and apathy to which they have sunk today. All they want is a little peace and quiet and a slow improvement in their living conditions. The outlet for their cynicism is brutish drunkenness. They have become Orwell's "proles."

Even if this were ever to change, a successful revolt against Soviet totalitarianism is hardly conceivable. The military and psychological odds are overwhelmingly in favor of the regime. Brezhnev & Co. are a very different breed of men from the soft-hearted old imperialists of London and Paris. They have none of Mayor Daley's concern for human life. If the need were to arise they would use armed force as savagely and as immoderately as Stalin did when he quelled rebellions in the 1930s and 1940s. If a million people had to be killed they would never flinch. And the West would not know about it—or, if it knew, would not care.

STABILITY: POLITICAL AND SOCIAL

I believe, in short, that the Soviet Union has now achieved a state of political stability undreamed of in the past. There is little need for change, and even less likelihood that any will occur in the foreseeable future. It is idle to pretend otherwise.

Social stability, of course, is another matter. Soviet society is still an insecure formation. None of the basic problems have been solved. Agriculture, inequality, poverty, national oppression: all the old sources of stress remain. Given some quite exceptional circumstances—say, widespread rebellion in Eastern Europe, or four disastrous harvest failures in a row, or an unsuccessful conventional war with China—they might erupt and sweep away the system. The chances of this happening are slight, to put it mildly.

Perhaps, after fifty years of dashed hopes, the time has come for the West to stop expecting miracles.

MRS. LUCY GALIOTO HONORED BY BLOOMFIELD CHAPTER OF UNICO

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. RODINO. Mr. Speaker, Mrs. Lucy Galioto has deservedly been awarded the "Service Above Self" citation of the Bloomfield Chapter of Unico National. For her tireless efforts and devoted service, I am pleased to join in congratulating her. Below is an article which recently appeared in the Italian Tribune News which describes her many efforts:

HONORED FOR SERVICE

Mrs. Frank (Lucy) Galioto has been chosen to receive the "Service Above Self" citation from the Bloomfield Chapter of Unico National at its 16th annual benefit dinner and dance on Saturday, April 18th at the Hickory Hill Country Club in Totowa.

Mrs. Galioto was selected for "outstanding and unselfish service" to the youth and citizens of Bloomfield and of neighboring communities.

Unico President, George Malanga cited her leadership in education which dates back to 1948–1949 when she served as president of the Carteret Home and School Association. Her contribution to the field of education has also included a term of office from 1959–1960 as a member from Essex County of the White House Conference Committee on children and youth.

Mrs. Galioto was appointed to the Bloomfield Board of Education in 1960 and was reappointed in 1965. She was the first woman to serve as the president of the Board of Education in Bloomfield, her term covering the period of 1964–1969. She also served as president of the Association of Boards of Education of Essex County for a period of two years from 1967–1969.

Mrs. Galioto's other public service activities include such charitable causes as the United Fund, Red Cross, Lions Club Auxiliary, Community Chest, Public Health Nursing Service, Women's Club of Bloomfield, Columbus Hospital Women's Auxiliary and the Rosary Society of Sacred Heart Church of Bloomfield.

Her awards include Essex County Association Award for Distinguished Service to Education (March, 1966) and Testimonial of Honor from the Bloomfield Branch of American Association of University Women (March 1964).

HORTON RECOMMENDS EDITORIAL BY ANDREW WOLFE

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. HORTON. Mr. Speaker, there has been much misconception about Presidential Counselor Daniel P. Moynihan's memo on "benign neglect."

I would like to share with my colleagues a very fine editorial by Andrew D. Wolfe, editor and publisher of the five Genesee Valley Newspapers which reach approximately 100,000 people in the Greater Rochester area.

Mr. Wolfe's editorial reflects his understanding of the issue and his grasp of the human reaction of "fear of the stranger." I recommend this editorial to all my colleagues:

BENIGN WHAT?

In the beginning, forget the word "racism." It's a scare word, a trigger word, and it backhandedly promotes the idea that there are tight compartments of humankind, vitally different from one another and inevitably destined for conflict.

What we really should be talking about is "fear", more specifically what often is referred to as "fear of the stranger." An instinctive human reaction is to fear what appears to be different, even though the difference is ever so slight. And we, of course, fear the changes that the differences may suggest or cause.

Several steps along the line, and larded over with folklore, myth, and pseudoscience, fear of the stranger can express itself institutionally in a society. Rules are made which the makers hope will minimize the threat of differences and chances.

Through the last 20 years, most of the effort for equal rights for blacks has not distinguished these institutions from the fear which lay behind them. But, inevitably, the time came when legal and other steps against the institutions had run their course, and the nation came face to face with the underlying element of fear.

It seems to us that what Daniel Moynihan's controversial "benign neglect" memorandum was trying to say was this: Continued hyper-activism on the race question will tend to increase, rather than decrease inter-racial fears.

And this, of course, was what lay behind Mr. Nixon's recent perceptive and basically courageous message on race problems. The president said, in effect that the de-segregation effort of the 1950's and 1960's has reached a point of diminished returns; indeed, that it is becoming self-defeating.

Some of the adverse reaction to the Moynihan message came from the fact that "benign neglect" could be used as an excuse for do-nothingism, or reaction.

Much of this comes from social actionists and moralists with waterbug minds who simply have never looked at the problem pragmatically—and are more concerned with proving someone wrong than they are with seeking solutions.

What we must now focus on is the fear of the stranger which underlies the problem.

Bluntly, we've got to tell the hyperactivists of the past few years that their plan doesn't work; that we've got to find something better.

We must find ways of allaying the fears—the same fears which motivate the South Carolina church bomber and the Black Panther police station bomber.

More importantly, we've got to find ways of replacing fear with active reliance on one another. Instead of fearing one another. Americans of different ethnic backgrounds have got to see each other as a kind of personal resource, of being supportive of the things you and I wish to do.

White Americans must come to see black Americans, not as a threat, but as a national resource of great promise which can enrich their lives personally.

The phrase "benign neglect" may have a certain usefulness, but we'd like to see it rephrased as "benign, practical activism." And we'd like to see that activism directed at doing away with the fears which divide.

To cite a practical objective locally, why not a well-financed, candid campaign to lessen the fears which have so clouded the school situation in Rochester? Must we continue with a pattern of charge and countercharge, threat and counter-threat, boycott and counter-boycott? Has anyone of all the people involved in recent weeks spoken really bluntly about the fears on both sides—and suggested ways of eliminating them?

"Benign neglect" cannot be interpreted as benign forgetfulness, a license to sweep racial problems under the rug.

Rather it must be interpreted as a challenge to find practical and effective ways of eliminating the irrational fears on which the whole problem of race has been constructed.

STATE OF THE NATION

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1970

Mr. FOREMAN. Mr. Speaker, one sure way for a businessman to cut his sales and profits, run away customers and encourage his competitors, is for him to go around all day, every day, with a long sad face, preaching gloom, talking against his company and associates, and telling everyone "business is bad." The same goes for a community—let one group start telling everyone else how bad business is and what a sorry, deplorable economic climate they have, and sure

XUM

enough, it is bound to get just that way. And the same goes for a country—get some of the leaders bad-mouthing about how terrible things are, economically—get them to singing the blues and telling about "the recession we're in just before a big depression." And if enough of them get to saying it—they start believing it and getting others to believing it—and if you are not careful, you can have some problems—in a business, in a community, or in a country.

Strictly in a political vein, a few observers today are criticizing President Nixon's economic decisions and claiming the present unemployment level of 4.2 percent means we are in a recession. I do not like to see any man out of work—but if that 4.2 percent is a recession, then the 6.7 percent unemployment that we had with the Kennedy administration in 1961 was a recession; the 5.5 percent in 1962, we were in a recession; 5.7 percent in 1963 was a recession; and 5.2 percent unemployment with the Johnson administration in 1964 was a recession. I think, however, that any fair-minded appraiser would not have said that that period from 1961 to 1965 was a period of recession for the United States.

Admittedly, our country has recently experienced some trying problems—but we have initiated meaningful, positive action toward realistic solutions. When President Nixon assumed the reins of Government in January 1969, he took over a big spending, freewheeling, mismanaged giant that was experiencing an endless, winless war abroad—rampant, uncontrolled crime and disorder at home—runaway inflation, rising prices and interest rates—and a record national deficit from the previous administration's last year, fiscal year 1968, of $25 billion. During the 8 years from 1961 to 1969, the American manpower commitment in Vietnam had built up from 793 under the Eisenhower-Nixon administration to 549,500 under the Johnson-Humphrey administration. During these 8 years, our country was plunged into debt $58 billion in deficit spending—bringing about unbridled inflation—and prices skyrocketed because too much money was chasing too few goods.

Under the new administration, with the Nixon doctrine of Vietnamization, the war is being rapidly wound down with our troop level now below 434,000, reducing everyday and combat casualty rates are less than one-third of what they were 18 months ago. Because of the responsible economic practices initiated, we ended fiscal year 1969 with a $3 billion surplus. Economically, things have tightened up considerably—but as President Nixon said, "We had to take some bitter medicine in order to prevent serious economic sickness and/or possible eventual national bankruptcy."

We are beginning to see the administration's responsible business management principles take effect. Monetary and fiscal restraints have been applied to temper demand and moderate the wage-price spiral. It does not all happen over night, or even in a month or a few months—but President Nixon and his management strategists do know their business they know our country's business—and they are pursuing policies to preserve a strong balanced free enterprise climate for America—and they are doing this by orderly economic business management programs, rather than by initiating dictatorial government controls that would, undoubtedly, be difficult to equitably enforce.

While inflation will not end, it should diminish from the 6.3 percent of last year to less than 5 percent this year. The squeeze on the availability of credit will be relieved gradually as the Federal Reserve eases monetary policy and demand for credit moderates. Interest rates will decline significantly in bond and money markets, and slightly on home mortgages and consumer loans. The prime rate on bank loans to business, which reduced from 8½ percent to 8 percent in March, should decline to 7½ percent or less this year. The 10 percent Johnson surtax will end June 30 which will leave more spendable income in the hands of the consumer. Additionally, last month, President Nixon released $1.5 billion in construction funds previously withheld to cool the inflation rate. Special credit programs should achieve a moderate upturn in housing, which has been hit hardest by tight money. America has a reliable, experienced management team at the helm of the ship of state—and I am confident that they can, and will, chart and guide our course safely through the perilous straits to calmer seas and brighter days ahead.

TOO MANY PEOPLE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. BROWN of California. Mr. Speaker, among the names that come to mind as in the forefront of the crusade for environmental quality, Dr. Paul Ehrlich rates way at the top.

This dynamic young Stanford University professor is both an effective leader for strict environmental control and an outstanding writer.

Two of Dr. Ehrlich's articles have been included in "The Environmental Handbook," the valuable Ballantine Books compendium of materials developed as a background source for the upcoming April 22 "Earth Day."

I have worked with Paul Ehrlich and I count him among my friends. I am proud to be associated with men like Paul Ehrlich. We need more men like him.

The two articles follow:

TOO MANY PEOPLE

(By Paul R. Ehrlich—From The Population Bomb)

Americans are beginning to realize that the undeveloped countries of the world face an inevitable population-food crisis. Each year food production in undeveloped countries falls a bit further behind burgeoning population growth, and people go to bed a little bit hungrier. While they are temporary or local reversals of this trend, it now seems inevitable that it will continue to its logical conclusion: mass starvation. The rich are going to get richer, but the more numerous poor are going to get poorer. Of these poor, a minimum of three and one-half million will starve to death this year, mostly children. But this is a mere handful compared to the numbers that will be starving in a decade or so. And it is now too late to take action to save many of those people.

In a book about population there is a temptation to stun the reader with an avalanche of statistics. I'll spare you most, but not all, of that. After all, no matter how you slice it, population is a numbers game. Perhaps the best way to impress you with numbers is to tell you about the "doubling time"—the time necessary for the population to double in size.

It has been estimated that the human population of 6000 B.C. was about five million people, taking perhaps one million years to get there from two and a half million. The population did not reach 500 million until almost 8,000 years later—about 1650 A.D. This means it doubled roughly once every thousand years or so. It reached a billion people around 1850, doubling in some 200 years. It took only 80 years or so for the next doubling, as the population reached two billion around 1930. We have not completed the next doubling to four billion yet, but we now have well over three billion people. The doubling time at present seems to be about 37 years.[1] Quite a reduction in doubling times: 1,000,000 years, 1,000 years, 200 years, 80 years, 37 years. Perhaps the meaning of a doubling time of around 37 years is best brought home by a theoretical exercise. Let's examine what might happen on the absurd assumption that the population continued to double every 37 years into the indefinite future.

If growth continued at that rate for about 900 years, there would be some 60,000,000,000,000,000 people on the face of the earth. Sixty million billion people. This is about 100 persons for each square yard of the Earth's surface, land and sea. A British physicist, J. H. Fremlin,[2] guessed that such a multitude might be housed in a continuous 2,000-story building covering our entire planet. The upper 1,000 stories would contain only the apparatus for running this gigantic warren. Ducts, pipes, wires, elevator shafts, etc., would occupy about half of the space in the bottom 1,000 stories. This would leave three or four yards of floor space for each person. I will leave to your imagination the physical details of existence in this ant heap, except to point out that all would not be black. Probably each person would be limited in his travel. Perhaps he could take elevators through all 1,000 residential stories but could travel only within a circle of a few hundred yards' radius on any floor. This would permit, however, each person to choose his friends from among some ten million people! And, as Fremlin points out, entertainment on the worldwide TV should be excellent, for at any time "one could expect some ten million Shakespeares and rather more Beatles to be alive.

Could growth of the human population of the Earth continue beyond that point? Not according to Fremlin. We would have reached a "heat limit." People themselves, as well as their activities, convert other forms of energy into heat which must be dissipated. In order to permit this excess heat to radiate directly from the top of the "world building" directly into space, the atmosphere would have been pumped into flasks under the sea well before the limiting population size was reached. The precise limit would depend on the technology of the day. At a population size of one billion billion people, the temperature of the "world roof" would be kept around the melting point of iron to radiate away the human heat generated.

But, you say, surely Science (with a capital "S") will find a way for us to occupy the other planets of our solar system and eventually of other stars before we get all that crowded. Skip for a moment the virtual

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Footnotes at end of article.

certainty that those planets are uninhabitable. Forget also the insurmountable logistic problems of moving billions of people off the Earth. Fremlin has made some interesting calculations on how much time we could buy by occupying the planets of the solar system. For instance, at any given time it would take only about 50 years to populate Venus, Mercury, Mars, the moon, and the moons of Jupiter and Saturn to the same population density as Earth.[3]

What if the fantastic problems of reaching and colonizing the other planets of the solar system, such as Jupiter and Uranus, can be solved? It would take only about 200 years to fill them "Earth-full." So we could perhaps gain 250 years of time for population growth in the solar system after we had reached an absolute limit on Earth. What then? We can't ship our surplus to the stars. Professor Garret Hardin[4] of the University of California at Santa Barbara has dealt effectively with this fantasy. Using extremely optimistic assumptions, he has calculated that Americans, by cutting their standard of living down to 18% of its present level, could in *one year* set aside enough capital to finance the exportation to the stars of *one day's* increase in the population of the world.

Interstellar transport for surplus people presents an amusing prospect. Since the ships would take generations to reach most stars, the only people who could be transported would be those willing to exercise strict birth control. Population explosions on space ships would be disastrous. Thus we would have to export our responsible people, leaving the irresponsible at home on Earth to breed.

XUM

Enough of fantasy. Hopefully, you are convinced that the population will have to stop growing sooner or later and that the extremely remote possibility of expanding into outer space offers no escape from the laws of population growth. If you still want to hope for the stars, just remember that, at the current growth rate, in a few thousand years everything in the visible universe would be converted into people, and the ball of people would be expanding with the speed of light![5] Unfortunately, even 900 years is much too far in the future for those of us concerned with the population explosion. As you shall see, the next nine years will probably tell the story.

Of course, population growth is not occurring uniformly over the face of the Earth. Indeed, countries are divided rather neatly into two groups: those with rapid growth rates, and those with relatively slow growth rates. The first group, making up about two-thirds of the world population, coincides closely with what are known as the "undeveloped countries" (UDC). The UDCs are not industrialized, tend to have inefficient agriculture, very small gross national products, high illiteracy rates and related problems. That's what UDCs are technically, but a short definition of undeveloped is "starving." Most Latin American, African, and Asian countries fall into this category. The second group consists, in essence, of the "developed countries" (DCs). DCs are modern, industrial nations, such as the United States, Canada, most European countries, Israel, Russia, Japan, and Australia. Most people in these countries are adequately nourished.

Doubling times in the UDCs range around 20 to 35 years. Examples of these times (from the 1968 figures just released by the Population Reference Bureau) are Kenya, 24 years; Nigeria, 28; Turkey, 24; Indonesia, 31; Philippines, 20; Brazil, 22; Costa Rica, 20; and El Salvador, 19. Think of what it means for the population of a country to double in 25 years. In order just to keep living standards at the present inadequate level, the food available for the people must be doubled. Every structure and road must be duplicated. The amount of power must be doubled. The capacity of the transport system must be doubled. The number of trained doctors, nurses, teachers, and administrators must be doubled. This would be a fantastically difficult job in the United States—a rich country with a fine agricultural system, immense industries, and rich natural resources. Think of what it means to a country with none of these.

Remember also that in virtually all UDCs, people have gotten the word about the better life it is possible to have. They have seen colored pictures in magazines of the miracles of Western technology. They have seen automobiles and airplanes. They have seen American and European movies. Many have seen refrigerators, tractors, and even TV sets. Almost all have heard transistor radios. They *know* that a better life is possible. They have what we like to call "rising expectations." If twice as many people are to be happy, the miracle of doubling what they now have will not be enough. It will only maintain today's standard of living. There will have to be a tripling or better. Needless to say, they are not going to be happy.

Doubling times for the populations of the DCs tend to be in the 50-to-200-year range. Examples of 1968 doubling times are the United States, 63 years; Austria, 175; Denmark, 88; Norway, 88; United Kingdom, 140; Poland, 88; Russia, 63; Italy, 117; Spain, 88; and Japan, 63. These are industrialized countries that have undergone the so-called demographic transition—a transition from high to low growth rate. As industrialization progressed, children became less important to parents as extra hands to work on the farm and as support in old age. At the same time they became a financial drag—expensive to raise and educate. Presumably these are the reasons for a slowing of population growth after industrialization. They boil down to a simple fact—people just want to have fewer children.

This is not to say, however, that population is not a problem for the DCs. First of all, most of them are overpopulated. They are overpopulated by the simple criterion that they are not able to produce enough food to feed their populations. It is true that they have the money to buy food, but when food is no longer available for sale they will find the money rather indigestible. Then, too, they share with the UDCs a serious problem of population distribution. Their urban centers are getting more and more crowded relative to the countryside. This problem is not as severe as it is in the UDCs (if current trends should continue, which they cannot, Calcutta could have 66 million inhabitants in the year 2000). As you are well aware, however, urban concentrations are creating serious problems even in America. In the United States, one of the more rapidly growing DCs, we hear constantly of the headaches caused by growing population; not just garbage in our environment, but overcrowded highways, burgeoning slums, deteriorating school systems, rising crime rates, riots, and other related problems.

From the point of view of a demographer, the whole problem is quite simple. A population will continue to grow as long as the birth rate exceeds the death rate—if immigration and emigration are not occurring. It is, of course, the balance between birth rate and death rate that is critical. The birth rate is the number of births per thousand people per year in the population. The death rate is the number of deaths per thousand people per year.[6] Subtracting the death rate from the birth rate, and ignoring migration, gives the rate of increase. If the birth rate is 30 per thousand per year, and the death rate is 10 per thousand per year, then the rate of increase is 20 per thousand per year (30−10=20). Expressed as a percent (rate per hundred people), the rate of 20 per thousand becomes 2%. If the rate of increase is 2%, then the doubling time will be 35 years. Note that if you simply added 20 people per thousand per year to the population, it would take 50 years to add a second thousand people (20×50=1,000). But the doubling time is actually much less because populations grow at compound interest rates. Just as interest dollars themselves earn interest, so people added to populations produce more people. It's growing at compound interest that makes populations double so much more rapidly than seems possible. Look at the relationship between the annual percent increase (interest rate) and the doubling time of the population (time for your money to double):

Annual percent increase:	*Doubling time*
1.0	70
2.0	35
3.0	24
4.0	17

Those all are calculations—I promise. If you are interested in more details on how demographic figuring is done, you may enjoy reading Thompson and Lewis' excellent book, *Population Problems*.[7]

There are some professional optimists around who like to greet every sign of dropping birth rates with wild pronouncements about the end of the population explosion. They are a little like a person who, after a low temperature of five below zero on December 21, interprets a low of only three below zero on December 22 as a cheery sign of approaching spring. First of all, birth rates, along all demographic statistics, show short-term fluctuations caused by many factors. For instance, the birth rate depends rather heavily on the number of women at reproductive age. In the United States the current low birth rates soon will be replaced by higher rates as more post World War II "baby boom" children move into their reproductive years. In Japan, 1966, the Year of the Fire Horse, was a year of very low birth rates. There is widespread belief that girls born in the Year of the Fire Horse make poor wives, and Japanese couples try to avoid giving birth in that year because they are afraid of having daughters.

But, I repeat, it is the relationship between birth rate and the death rate that is most critical. Indonesia, Laos, and Haiti all had birth rates around 46 per thousand in 1966. Costa Rica's birth rate was 41 per thousand. Good for Costa Rica? Unfortunately, not very. Cotsa Rica's death rate was less than nine per thousand, while the other countries all had death rates above 20 per thousand. The population of Costa Rica in 1966 was doubling every 17 years, while the doubling times of Indonesia, Laos, and Haiti were all about 30 years. Ah, but, you say, it was good for Costa Rica—fewer people per thousand were dying each year. Fine for a few years perhaps, but what then? Some 50% of the people in Costa Rica are under 15 years old. As they get older, they will need more and more food in a world with less and less. In 1983 they will have twice as many mouths to feed as they had in 1966, if the 1966 trend continues. Where will the food come from? Today the death rate in Costa Rica is low in part because they have a large number of physicians in proportion to their population. How do you suppose those physicians will keep the death rate down when there's not enough food to keep people alive?

One of the most ominous facts of the current situation is that roughly 40% of the population of the undeveloped world is made up of people *under 15 years old*. As that mass of young people moves into its reproductive years during the next decade, we're going to see the greatest baby boom of all time. Those youngsters are the reason for all the ominous predictions for the year 2000. They are the gunpowder for the population explosion.

How did we get into this bind? It all hap-

Footnotes at end of article.

pened a long time ago, and the story involves the process of natural selection, the development of culture, and man's swollen head. The essence of success in evolution is reproduction. Indeed, natural selection is simply defined as differential reproduction of genetic types. That is, if people with blue eyes have more children on the average than those with brown eyes, natural selection is occurring. More genes for blue eyes will be passed on to the next generation than will genes for brown eyes. Should this continue, the population will have progressively larger and larger proportions of blue-eyed people. This differential reproduction of genetic types is the driving force of evolution; it has been driving evolution for billions of years. Whatever types produced more offspring became the common types. Virtually all populations contain very many different genetic types (for reasons that need not concern us), and some are always outreproducing others. As I said, reproduction is the key to winning the evolutionary game. Any structure, physiological process, or pattern of behavior that leads to greater reproductive success will tend to be perpetuated. The entire process by which man developed involves thousands of millenia of our ancestors being more successful breeders than their relatives. Facet number one of our bind—the urge to reproduce has been fixed in us by billions of years of evolution.

Of course through all those years of evolution, our ancestors were fighting a continual battle to keep the birth rate ahead of the death rate. That they were successful is attested to by our very existence, for, if the death rate had overtaken the birth rate for any substantial period of time, the evolutionary line leading to man would have gone extinct. Among our apelike ancestors, a few million years ago, it was still very difficult for a mother to rear her children successfully. Most of the offspring died before they reached reproductive age. The death rate was near the birth rate. Then another factor entered the picture—cultural evolution was added to biological evolution.

Culture can be loosely defined as the body of nongenetic information which people pass from generation to generation. It is the accumulated knowledge that, in the old days, was passed on entirely by word of mouth, painting, and demonstration. Several thousand years ago the written word was added to the means of cultural transmission. Today culture is passed on in these ways, and also through television, computer tapes, motion pictures, records, blueprints, and other media. Culture is all the information man possesses except for that which is stored in the chemical language of his genes.

The large size of the human brain evolved in response to the development of cultural information. A big brain is an advantage when dealing with such information. Big-brained individuals were able to deal more successfully with the culture of their group. They were thus more successful reproductively than their smaller-brained relatives. They passed on their genes for big brains to their numerous offspring. They also added to the accumulating store of cultural information, increasing slightly the premium placed on brain size in the next generation. A self-reinforcing selective trend developed—a trend toward increased brain size.[8]

But there was, quite literally, a rub. Babies had bigger and bigger heads. There were limits to how large a woman's pelvis could conveniently become. To make a long story short, the strategy of evolution was not to make a woman bell-shaped and relatively immobile, but to accept the problem of having babies who were helpless for a long period while their brains grew after birth.[9] How could the mother defend and care for her infant during its unusually long period of helplessness? She couldn't, unless papa hung around. The girls are still working on that problem, but an essential step was to get rid of the short, well-defined breeding season characteristic of most mammals. The year-round sexuality of the human female, the long period of infant dependance on the female, the evolution of the family group, all are at the roots of our present problem. They are essential ingredients in the vast social phenomenon that we call sex. Sex is not simply an act leading to the production of offspring. It is a varied and complex cultural phenomenon pentrating into all aspects of our lives—one involving our self-esteem, our choice of friends, cars, and leaders. It is tightly interwoven with our mythologies and history. Sex in man is necessary for the production of young, but it also evolved to ensure their successful rearing. Facet number two of our bind—our urge to reproduce is hopelessly entwined with most of our other urges.

Of course, in the early days the whole system did not prevent a very high mortality among the young, as well as among the older members of the group. Hunting and food-gathering is a risky business. Cavemen had to throw very impressive cave bears out of their caves before the men could move in. Witch doctors and shamans had a less than perfect record at treating wounds and curing disease. Life was short, if not sweet. Man's total population size doubtless increased slowly but steadily as human populations expanded out of the African cradle of our species.

Then about 8,000 years ago a major change occurred—the agricultural revolution. People began to give up hunting food and settled down to grow it. Suddenly some of the risk was removed from life. The chances of dying of starvation diminished greatly in some human groups. Other threats associated with the nomadic life were also reduced, perhaps balanced by new threats of disease and large-scale warfare associated with the development of cities. But the overall result was a more secure existence than before, and the human population grew more rapidly. Around 1800, when the standard of living in what are today the DCs was dramatically increasing due to industrialization, population growth really began to accelerate. The development of medical science was the straw that broke the camel's back. While lowering death rates in the DCs was due in part to other factors, there is no question that "instant death control," exported by the DCs, has been responsible for the drastic lowering of death rates in the UDCs. Medical science, with its efficient public health programs, has been able to depress the death rate with astonishing rapidity and at the same time drastically increase the birth rate; healthier people have more babies.

The power of exported death control can best be seen by an examination of the classic case of Ceylon's assault on malaria after World War II. Between 1933 and 1942 the death rate due directly to malaria was *reported* as almost two per thousand. This rate, however, represented only a portion of the malaria deaths, as many were reported as being due to "pyrexia."[10] Indeed, in 1934–1935 a malaria epidemic may have been directly responsible for fully half of the deaths on the island. In addition, malaria, which infected a large portion of the population, made people susceptible to many other diseases. It thus contributed to the death rate indirectly as well as directly.

The introduction of DDT in 1946 brought rapid control over the mosquitoes which carry malaria. As a result, the death rate on the island was halved in less than a decade. The death rate in Ceylon in 1945 was 22. It dropped 34% between 1946 and 1947 and moved down to ten in 1954. Since the sharp postwar drop it has continued to decline and now stands at eight. Although part of the drop is doubtless due to the killing of other insects which carry disease and to other public health measures, most of it can be accounted for by the control of malaria.

Victory over malaria, yellow fever, smallpox, cholera, and other infectious diseases has been responsible for similar plunges in death rates throughout most of the UDCs. In the decade 1940–1950 the death rate declined 46% in Puerto Rico, 43% in Formosa, and 23% in Jamaica. In a sample of 18 undeveloped areas the average decline in death rate between 1945 and 1950 was 24%.

It is, of course, socially very acceptable to reduce the death rate. Billions of years of evolution have given us all a powerful will to life. Intervening in the birth rate goes against our evolutionary values. During all those centuries of our evolutionary past, the individuals who had the most children passed on their genetic endowment in greater quantities than those who reproduced less. Their genes dominate our heredity today. All our biological urges are for more reproduction, and they are all too often reinforced by our culture. In brief, death control goes with the grain, birth control against it.

In summary, the world's population will continue to grow as long as the birth rate exceeds the death rate; it's as simple as that. When it stops growing or starts to shrink, it will mean that either the birth rate has gone down or the death rate has gone up or a combination of the two. Basically, then, there are only two kinds of solutions to the population problem. One is a "birth rate solution," in which we find ways to lower the birth rate. The other is a "death rate solution," in which ways to raise the death rate—war, famine, pestilence—*find us*. The problem could have been avoided by *population control*, in which mankind consciously adjusted the birth rate so that a "death rate solution" did not have to occur.

FOOTNOTES

[1] Since this was written, 1968 figures have appeared, showing that the doubling time is now 35 years.

[2] J. H. Fremin, "How many People Can the World Support?" *New Scientist,* October 29, 1964.

[3] To understand this, simply consider what would happen if we held the population constant at three billion people by exporting all the surplus people. If this were done for 37 years (the time it now takes for one doubling) we would have exported three billion people—enough to populate a twin planet of the Earth to the same density. In two doubling times (74 years) we would reach a total human population for the solar system of 12 billion people, enough to populate the Earth and three similar planets to the density found on Earth today. Since the areas of the planets and moons mentioned above are not three times that of the Earth, they can be populated to equal density in much less than two doubling times.

[4] "Interstellar Migration and the Population Problem." *Heredity* 50: 68–70, 1959.

[5] I. J. Cook, *New Scientist,* September 8, 1966.

[6] The birth rate is more precisely the total number of births in a country during a year, divided by the total population at the midpoint of the year, multiplied by 1,000. Suppose that there were 80 births in Lower Slobbovia during 1967, and that the population of Lower Slobbovia was 2,000 on July 1, 1967. Then the birth rate would be 40.

Similarly if there were 40 deaths in Lower Slobbovia during 1967, the death rate would be 20.

Then the Lower Slobbovian birth rate would be 40 per thousand, and the death rate would be 20 per thousand. For every 1,000 Lower Slobbovians alive on July 1, 1967, 40 babies were born and 20 people died. Subtracting the death rate from the birth rate gives us the rate of natural increase of Lower Slobbovia for the year 1967. That is, $40-20=20$; during 1967 the population grew at a rate of 20 people per thousand per year. Dividing that rate by ten expresses the increase as a percent (the increase per hundred per year). The increase in 1967 in Lower Slobbovia was two percent. Remember that this rate of increase ignores any movement of people into and out of Lower Slobbovia.

[7] McGraw-Hill Book Company, Inc., New York. 1965.

[8] Human brain size increased from an apelike capacity of about 500 cubic centimeters (cc) in *Australopithecus* to about 1,500 cc in modern *Homo sapiens*. Among modern men small variations in brain size do not seem to be related to significant differences in the ability to use cultural information, and there is no particular reason to believe that our brain size will continue to increase. Further evolution may occur more readily in a direction of increased efficiency rather than increased size.

[9] This is, of course, an oversimplified explanation. For more detail see Ehrlich and Holm, *The Process of Evolution*, McGraw-Hill Book Company, Inc., New York. 1963.

[10] These data and those that follow on the decline of death rates are from Kingsley Davis's "The Amazing Decline of Mortality in Underdeveloped Areas," *The American Economic Review*, Vol. 46, pp. 305-318.

MANKIND'S INALIENABLE RIGHTS

(By Paul R. Erlich—From the Population Bomb)

1. The right to limit our families.
2. The right to eat.
3. The right to eat meat.
4. The right to drink pure water.
5. The right to live uncrowded.
6. The right to avoid regimentation.
7. The right to hunt and fish.
8. The right to view natural beauty.
9. The right to breathe clean air.
10. The right to silence.
11. The right to avoid pesticide poisoning.
12. The right to be free of thermonuclear war.
13. The right to educate our children.
14. The right to have grandchildren.
15. The right to have great-grandchildren.

THE PEACE SYMBOL—FOR FREEDOM OR SLAVERY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. RARICK. Mr. Speaker, a letter from Keith Kathan, editor of Life Lines, to Margaret, a 12-year-old, follows:

A LETTER TO MARGARET

DEAR MARGARET: I have received a letter from a friend of yours who says you are a very bright 12-year-old at a Waukegan, Illinois, school. He is concerned about your interest in the Peace Symbol—and your polite refusals to discuss the matter fully.

You are perfectly right to show this great interest in peace. War has always been a nightmare to 12-year-olds. The desire for peace doesn't belong entirely to the young, as too many people believe today. The parents of this world have a great desire for peace because they have a lot of love invested in their children. Sending them off to war seems a silly way of showing that love.

But the questions you must ask yourself when you draw that Peace Symbol, or wear it, is:

What kind of peace do we want? What kind do *you* want? Is your kind of peace the kind sought by the wearers of the Aldermaston—the Peace Symbol? Do the wearers of the Aldermaston know what they want? And last, do you know all the facts concerning the leaders of the peace movement?

I'll answer those questions later, but first let's deal with the one which bothers you most:

"Why Vietnam?"

There has been a lot of hot air blown over the issue of the Vietnam war, but what is truly tragic is that much of the truth has been left out. I know you do not want to believe that, perhaps your parents don't either. I will give you some of the most pertinent facts involved in the Vietnam war.

That Vietnam war really began in 1925 when a man known as Nguyen Ai Quoc (and three other aliases) was graduated from a secret school for revolutionaries in Moscow. He had another name and that name was Ho Chi Minh, the leader of North Vietnam who died not too long ago.

I am not making this up. Ho Chi Minh was a paid agent of Soviet Russia, according to his biography written in 1965 by the U.S. Library of Congress. Ho Chi Minh was taught how to cause revolution. The Communists in Russia told everyone that Ho Chi Minh wanted independence for what was then known as Indochina, but what the Communists said was a lie. He was taught revolution not to make his land independent, but a captive nation of the Russian Communists who since 1917 have taken over one-fourth of the earth and one billion people. North Vietnam is now a part of the Russian empire and the Communists all over the world are helping the North.

Helping it to do what, you ask? The North says it wants to liberate South Vietnam. But what it will do is take the rights of the South Vietnamese to vote, to worship God if they wish, to criticize their eventual Communist rulers or to leave the country if they want to. In countries ruled by Communists, no one has the right to vote for whom he pleases, or to worship God, or to take a vacation to a foreign land. This is the "peace" of the Communists. Another way you can say it is "peace is the absence of opposition to communism."

Also, you must remember that the North Vietnamese say their soldiers have not invaded South Vietnam. Everyone knows this is a lie. North Vietnamese soldiers are also in Cambodia, Laos, Thailand and Burma.

One way of better understanding this Vietnam way is to examine what the North Vietnamese say and compare those statements with what they are doing. They say they are "patriotic nationlists" who want to free the South from bad rulers. If that is all they want, why are they killing people in Cambodia, Thailand, Laos and Burma? Are those countries ruled by bad men too? Is the whole world bad, except the Communist world?

The answer the Communists give is "Yes." But *you* know, Margaret, that only bad rulers refuse to let people vote, talk freely, take vacations or worship God.

The South Vietnamese knew all these bad things about Communists and asked the United States, Korea, Australia and other countries to help them fight the Communists. South Vietnam could never have saved itself from North Vietnam and the military arms supplied by Russia and Red China. Not by itself.

Margaret, everyone wants peace.

But what kind of peace? The kind that results in slavery for others, perhaps eventually for you?

You say "But I still think Vietnam is the wrong place." I think you may be right. Any war anywhere is bad—especially those we don't try to win. We are not trying to win in Vietnam because a lot of people who run this country think it would be bad to be victorious. I do not understand them.

If Vietnam is the wrong place to fight, where is the right place? You've heard of the "Domino Theory" which says if you don't stop conquerors in one place, you'll have to fight them again somewhere else because bullies act that way. Some people say the "Domino Theory" is wrong, but history isn't on their side. See the footnote below,* supplied by the Legislative Reference Service of the Library of Congress in 1965 in a report called "The Soviet Empire—A Study in Discrimination and Abuse of Power." You may agree, on reading it, that the "Domino Theory" is a valid theory. Nobody voted the Communists power, the Communists just took it and took it and took it. When will they stop?

The people who cry for "peace" in Vietnam are really saying that we should leave right now. Whether you know it or not, Margaret, that means that a lot of South Vietnamese will be shot because they fought the Communists. The North Vietnamese already have set up their own provisional government for the south; they also have a "blood debt list" of those who must be killed. There will be a lot of 12-year-old South Vietnamese girls whose parents will be murdered. The "bug-out" idea, then, doesn't seem to be a very good idea.

Who else is wearing the Aldermaston, Margaret? A lot of humanitarians are, I know. But so are the Students for a Democratic Society; they are also blowing up buildings and screaming about how this country must be destroyed. A lot of people have already been killed in the riots we've been having the last few years. If the people who cause these riots are so interested in peace, why are they so violent? The answer is that they are doing the same thing Ho Chi Minh did before communism took over North Vietnam. They are talking peace while making war.

Now for some interesting background on the Peace Symbol. Rudolph Koch's book, *The Book of Signs*, says that the peace symbol "is the Broken Cross of the Anti-Christ." The Pasadena, Calif., *Star News* backs this contention by saying that the broken-cross, crow foot configuration was used in the Middle Ages by rebels against the monolithic Christian or Catholic Church. This may be significant, but it is somewhat minor when put in context with its latest meanings.

The Aldermaston seems to have become a modern symbol at the 1958 Aldermaston Easter Peace Walk in England. And here, Margaret dear, is where we get down to the nitty gritty.

That walk was engineered by Lord Bertrand Russell, a socialist of the Fabian Society, a kissing cousin of the Russian Communists. The Fabians and Communists have announced one identical goal, the destruction of our government and the capitalist system—our system, your system and your parents' system which allows them to work or not to work; to worship or not worship; to go to Disneyland or stay at home; to vote or not vote.

So you see, peace isn't simple. It never was. You don't get peace by wearing a necklace or by wishing for it or by calling it something it isn't.

Those who wear that peace symbol are part of a big club of kids and grownups who haven't sought out all the facts and who will never get them from the people who really define peace as "fall down and surrender."

What kind of peace means that Margaret the young artist will draw posters for the

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* Resorting to false coalition, force and riots, the Communists took over the following countries: 1917, Russia; 1924 Mongolia; 1940, Lithuania, Latvia, Estonia; 1945, Yugoslavia; 1946, Albania and Bulgaria; 1947 Romania; 1948, Czechoslovakia and North Korea; 1949, Hungary, the China mainland and East Germany; 1950, Poland; 1954, North Vietnam; 1961, Cuba.

Russian government and inform on her parents and friends. That kind of peace means less food on the table and more people in line to buy food from the state. The kind of peace means you would be forced to share your house with two other families or more. That kind of peace means transfer of the family car to the state, along with the house your parents formerly owned but now pay rent on—to the state.

That's what the peace symbol means, Margaret, tyranny under Communist rule.

It is called peace at the price of slavery.

KEITH KATHAN,
Editor of Life Lines.

CHILDREN'S HOSPITAL IN POLAND, AMERICAN BUILT, CONTINUES TO BUILD GOOD WILL

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. PUCINSKI. Mr. Speaker, several years ago Congress, by an overwhelming majority approved construction of the American Children's Hospital in Krakow, Poland.

The Chicago Daily News through its correspondent, Mr. Donald R. Shanor, carried an article the other day which brings us up to date on what an excellent bridge of understanding between the people of Poland and the people of America this hospital provides.

I am including in the RECORD today the article by Mr. Shanor to bring our colleagues up to date on what a wise choice and sound investment we made when we invested in the care of the little children of Poland.

The Polish people know America as the great citadel of humanitarianism. This hospital does more to create good will and better understanding than all of the propaganda in the world, and I am delighted that I could have been a part in supporting this worthwhile project.

Mr. Shanor's article follows:

BOON TO CHILDREN: A TOUCH OF AMERICA IN POLAND: A HOSPITAL

(By Donald R. Shanor)

KRAKOW, POLAND.—The official name is the Pediatric Institute of the Medical Academy of Warsaw, but everyone in Krakow calls it the American Children's Hospital.

The $10.4 million hospital, crisp, modern and functional, looks a little out of place on the outskirts of medieval Krakow, and indeed it is a unique institution in a Communist country.

It began to operate a little more than four years ago through the combined efforts of a private American group, the Committee for the American Research Hospital for Children in Poland, and the U.S. and Polish governments.

The United States turned over $8.2 million of its foreign currency holdings in Poland to build the hospital, and spent an additional $2.2 million to equip it.

The committee, directed by New Jersey architect W. O. Biernacki-Poray, worked for seven years between conception and completion to get congressional and Polish government support.

U.S. Rep. Clement Zablocki (D-Wis.) played the key role in getting the project through Congress, helped by most of the other congressmen of Polish descent and many others.

The result is a 312-bed hospital, equipped with the most modern American developments in X-ray, isotope, microbiology and immunology techniques.

A hundred children a day are treated at the hospital, most as outpatients, and the total to date is more than 100,000.

But being able to treat Polish children with shiny, impressive American equipment is only part of the Children's Hospital story.

"We are here to teach, to do research, as well as to heal," said Prof. Barbara Kanska, the hospital director. Doctors and nurses undergo training in the hospital, then go to other parts of Poland. Some take courses in the United States, or spend a few weeks working in a U.S. hospital.

In the process of teaching and research, there has been a radical change in the outlook toward pediatrics in Poland.

"Traditionally, children's doctors in Poland were taught to take care of diagnosis and treatment only, without grounding in preventive medicine and social and psychological pediatrics," Dr. Kanska said.

Now, following American methods, the doctors who will be serving Polish rural and city communities learn to set up mother-and-child-health centers, to investigate conditions in the homes, to observe mental and physical development of all their patients, whether or not they are ill.

The hospital has made considerable headway in saving newborn babies with anatomical defects. It has a department for emergency infant surgery to correct malformations, such as intestinal blocks, which in almost every case had been fatal because treatment was not available.

Now an emergency reporting system in hospitals and midwife stations informs the hospital of the cases, and the babies are rushed to Krakow, sometimes in helicopters, for the surgery.

No American flag or large sign identifies the hospital, although a small plaque in the entrance hall does tell of the contribution of the committee and the American people.

Nevertheless, the American label is clearly on the project whenever it is brought up in conversations with Poles. How does the Polish Communist government feel about this?

"Once the project was accepted, there has been no difficulty at all," Dr. Kanska explained. "I think that both the American and Polish people agree that children are something international, something more important than political conflicts."

BLOOMFIELD PRESBYTERIAN CHURCH ON THE GREEN CELEBRATES FOURTH ANNIVERSARY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. RODINO. Mr. Speaker, the high principles of faith and service have been exemplified by the Presbyterian Churches of Bloomfield. The foresight which these congregations have exhibited over the years has been furthered by their decision to amalgamate their separate churches into one united witness of faith. The service to the citizens of Bloomfield and the Presbyterian Church as a whole has been advanced by this action.

Their decision to maintain the historic edifice which has graced the Broad Street Green for many years is a pleasing one to me and to the cause of historicism in general. Our Nation's foundations are based in a glorious past, no small part of which is our orientation to church. The Church on the Green stands as a visible testament to the strength of those foundations.

My warmest regards and congratulations, especially to Pastors Merle S. Irwin and E. Royden Weeks, on the fourth anniversary of the Bloomfield Presbyterian Church on the Green.

DOMESTIC CATTLE PRODUCERS CAN MEET U.S. DEMANDS

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. WOLD. Mr. Speaker, we live in an era of increasing concern by the American consumer about the quality and cost of products. This is rightly so and is only a reflection of the changed values which have spread across our society with our increased affluence.

There are several aspects of the consumerism movement, however, which concern me. In the haste to jump on the bandwagon of lower prices many people have lost their heads.

The industry that appears likely to be their next target or "whipping boy" appears to be the beef industry. We see articles in popular magazines and television reports which malign the agriculture industry, particularly the livestock industry.

There is very little knowledge or understanding behind the criticism. It is particularly galling to me, as Representative of the great beef producing State of Wyoming. Propaganda to the contrary, the American consumer in his purchase of agriculture products receives the biggest and the best bargain in the world.

The price of cattle to the primary producer, until recent upward flurries, has remained at pretty much the level of 17 years ago. At the same time costs of operating a farm or ranch have risen 115 percent.

But the cattle industry is confronted with more than words. The House Committee on Government Operations considered a bill which would have, in essence, subjected cattle producers to the same regulations as those of public utility companies. Fortunately, the measure was killed after Agriculture Secretary Hardin testified against the measure. Even though the bill be dead, however, I do not think the ideas that underlie it are dead.

In my judgment this proposal was ill-considered. It was the first step toward making the industry a public utility. It was also in direct contradiction to the free enterprise principles which have made our economy the greatest in the world.

I would make one point clear—the cattle industry is one of the few in the United States which operates without direct Government subsidies or regulations. The proposals we are hearing

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would destroy one more link of our free enterprise system for a replacement of dubious value that could destroy the domestic industry and would, in the long run, mean higher prices to the American consumer.

Contrary to the figures of a so-called "secret" report the cattle industry can supply all the demands for fresh meat present and future. The industry can do so only if it is insured a reasonable expectation of certainty in prices and costs, and supply and demand. The industry cannot survive if it is subjected to severe fluctuations in any of these areas.

The threat of a beef shortage is being used as an excuse for allowing unrestricted imports of foreign meat into the United States. To allow this would drive a great number of domestic producers out of business. In the long run this would be the surest way of driving up costs to consumers.

Two years ago the dairy industry was nearly destroyed by imports. The same thing is happening to vegetable production in the United States today. I contend neither the producer nor the consumer can afford to have the same thing happen to the cattle industry.

Breaking the U.S. producers is hardly the way to provide American consumers with the beef they demand now and in the future.

Inflation has struck every American. Despite increases in the cost of nearly everything, the average American consumer pays a lower portion of his disposable income for agriculture than ever before.

The March 1970 issue of Agriculture Situation issued by the USDA under the title, "Ten Years from Today" contains several paragraphs which clearly show conditions in the food production business. The report states that in spite of increased spending for food in this decade, food outlays will represent a smaller share of personal income after taxes even than today's 16.5 percent.

Farm production costs, on the rise as usual, could gain enough from 1969's $38.6 billion to absorb the expected 1970 increase in gross income.

The rapid rising beef production rate during the 1960's has put continuing pressure on cattle prices. Average prices to producers trended downward the first half of the decade and did not again reach the 1959 level until 1968. In contrast, prices received by farmers for all products were stable in the period of 1959–64 and in 1969 were 15 percent over 10 years earlier.

It is obvious that consumers have paid an increased price for beef in the past year. The bulk of increases in price have certainly not been enjoyed by the producer.

The strength in livestock and meat prices in the face of larger supplies is due to rising consumer incomes and unusally low unemployment rates and increases in population.

The demand will increase. Testimony before the Special Subcommittee of the Governmental Operations Committee by no less an authority than Dr. Herrell DeGraff, president of the American Meat Institute, who said that consumers will require an additional 4 million head of cattle by 1975.

The domestic industry can meet this demand if incentives for production is related to the cost of production, and if foreign competition is restrained.

The population expansion will require a cattle herd of 114 million head in this country by 1975, as compared with 110 million at present. This would be an additional 4 million head.

Our one and one-half million actual producers would need to add less than three head each to achieve this goal. Allowing supply and demand to provide the incentive for keeping pace with increasing costs of production will allow the domestic industry to meet these requirements. Outside interference and manipulation by Government, or otherwise, could destroy the balance.

There is a final point. Consumer advocates contend regulation would cut the price of beef to the consumer. I think, however, they have failed to follow their argument through.

Cattlemen have been operating at a much slimmer profit margin than they would be guaranteed if they were regulated. If you would add a 6-percent guaranteed profit margin to the interest rates prevalent today, then the consumer would really be stuck.

What has been proposed, I contend, is something nobody wants if they really understand the issue.

In conclusion, I would reiterate my conviction that the domestic cattle industry has the ability to fulfill the needs of U.S. consumers provided roadblocks are not erected by artificial controls.

This will not be the case, if Congress gives in to the cries of those who want to rigidly regulate the industry. I trust this body will not give in.

WHERE PUT THE BOOKS?

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. PUCINSKI. Mr. Speaker, the information explosion and the resulting paperwork jungle afflict Capitol Hill no less than other areas of the Nation. Daily our offices are deluged with reading material that is helpful, informative, but of such sheer volume that it is not possible to sort and save it in any retrievable form without hiring a full-time storage staff.

Our individual problems are dwarfed by our own Library of Congress which currently has more than 59 million books, publications, and assorted valuable data—and no place to store them. The Library has been forced to work under 19th century conditions for far too long. We are rapidly approaching the point where we will not be able to utilize the information in the Library because no one will know where to find the information we seek.

Mr. Speaker, a recent Chicago Tribune editorial described this lamentable situation and chided Congress for not meeting its responsibilities to itself. Surely part of our mandate for the last third of the 20th century is to make some sense out of the material we have assembled from the first two-thirds, and earlier.

Mr. Speaker, the Tribune editorial follows:

WHERE PUT THE BOOKS?

In this era of exploding publication, pity the Library of Congress, embarrassed owner of more than 59 million items and with no fit place to put them all. And books—even books well worth keeping—are still coming in with no end in sight.

Since 1958, Congress has been inconclusively talking about appropriating a measly 2.8 million dollars for final plans for a new James Madison Memorial library with two million more square feet of usable space for the Library of Congress. Not having even the plans, the library has been stashing books in warehouses and office buildings all over the country.

The Library of Congress does not, as many think, undertake to shelve every book currently published. It lets some ephemera go by. But it does have the big job of maintaining the most nearly comprehensive library in the world's most articulate country.

The job is uncontroversial, too, and as federal undertakings go not very expensive. We suggest that Congress see if within 1970 it cannot take some decisive action to enable the Library of Congress to do its current work efficiently and with dignity.

SALUTE TO EUGENE T. BURKE

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. CULVER. Mr. Speaker, on April 2, 1970, I was privileged to attend a dinner honoring one of Iowa's most active and effective citizens, Eugene T. Burke. Gene has had an outstanding career in politics, having been associated with the Democratic Party for half a century and having become recognized as a leader with a vast wealth of information on the problems facing his home town of Clinton, Iowa, his State, his country, and the world at large. I have found his counsel and judgment invaluable and am proud to call him a personal friend.

The spirit of this remarkable man and this memorable occasion in his honor were aptly captured in two articles which appeared in the Clinton Herald. I insert these articles in the RECORD at this time:

[From the Clinton (Iowa) Herald, Mar. 28, 1970]

SALUTE OF THE MONTH

(By Everett A. Streit)

Some men go about the days of their life quietly and without ostentation but as they accumulate both age and wisdom their worth to the community becomes more widely known.

To many Clintonians Eugene T. Burke is known only as an attorney who not infrequently appears before various groups to discuss early Clinton history.

Actually, however, there is much more to the story.

Gene Burke has had much wider interests than his law practice and the welfare of the Democratic party. He has devoted years of service to the betterment of Clinton through his membership on the Clinton public library board.

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He has carefully studied Clinton's needs in the world of books. Because of his own extensive reading habits he has been able to offer suggestions and recommendations about books to be placed on the library shelves. He has worked diligently through the years to help prepare the annual library budgets.

Gene has been almost equally interested in the field of education. In his usual quiet manner he has given encouragement and assistance to the improvement of Clinton's school system. Throughout the years he has been a supporter of high school athletic programs. What many do not know is that in his early days he was a star track athlete in his own right.

As far as his political career is concerned, Gene Burke was an unselfish politician. He never sought preferment at the polls and did not aspire to high office. A hard worker and a generous contributor he has been one of the principal supporters of the Clinton County Democratic organization over the last half century.

His name is almost legendary in party circles and is known nationally as well as statewide. Always a fair fighter, Gene Burke has been able to win the respect of his Republican rivals who have recognized him as an able adversary.

Far less known is Gene Burke's humanitarian side. No one knows but himself how often he has given of his legal talent and his time to assist the needy in matters of law. Often at no charge and frequently at only a token payment. He has always been willing to aid anyone regardless of color, creed or other condition.

It is a splendid thing that Gene Burke is to be given a "Recognition Day" on April 2.

I'm proud to offer this "Statute of the Month" as a further testimonial of my high regard for a truly good citizen of Clinton.

[From the Clinton (Iowa) Herald, Apr 3, 1970]

No Party Lines at Big Party—City Joins in Tribute to "Mr. Democrat"

(By Lee White)

Democrats and Republican joined Thursday night in honoring Eugene T. Burke who is known as Clinton's "Mr. Democrat."

More than 250 persons attended a dinner and program in the Moose club to give recognition to the more than half a century of Burke's devotion to the Democratic party and the Clinton community.

The affair was saddened by the unexpected death Thursday morning of John W. Carlsen, a long-time friend of Burke, who was to have been master of ceremonies. At the close of the program, benediction was given by the Rev. E. W. G. Worrall, St. John's Episcopal church pastor, who asked the group for a moment of silent prayer in honor of Carlsen.

S. J. McDonald and Mayor Edward Obermiller substituted for Carlsen as masters of ceremonies, and read some of the scores of letters and telegrams addressed to Mr. Burke.

First speaker was Rep. John C. Culver of the 2d Iowa district who said he felt it was a high personal privilege to be with Burke personally and his many friends on such an occasion.

Culver told of his first visit to Clinton in 1963 when he was a candidate for Congress after having been told to visit Burke who had been described as "the one man alone to see about the Clinton County political situation."

"I well remember that visit," said Culver. "I was struck then and still am by his dedication to our system of government and his participation in public life."

"Gene Burke is not only Mr. Democrat in Clinton but he also is Mr. Democrat in the 2nd district, in Iowa and the nation as is testified by the messages and letters which have poured in from all over the country."

"Gene Burke has become recognized as an unmatched source of information because of his wealth of knowledge concerning politics," said Culver. "He is a most highly respected member of the bar and is known for his dedicated role as a director of the Clinton public library. It is a testament to his belief in the American system to know of his many friends in the Republican party."

"Our system of government could not survive without the Gene Burkes and the George Pillers who devote their talents and energies in its behalf," Culver concluded.

Pillers, who is chairman of the Clinton County Republican central committee, was one of many Republicans who turned out to honor Burke.

Stephen M. Delaney, a member of the Great River Road commission, told of the Delaney-Burke family friendship which dates back to the early days of Clinton. After Rev. Worrall read a congratulatory message to Burke from Bishop Gordon V. Smith, Episcopal bishop of Iowa, letters and messages were read from Gov. Robert D. Ray, Sen. Harold Hughes, Chief Justice Edwin Moore of the Iowa Supreme Court, Justice Clay Le Grand, William Di, president of the American Library Assn., Mrs. Ethel L. Bealer, president of the Iowa Library Assn., and Mrs. John W. Craft, president of the Iowa Traveling Library Assn.

Charles E. Smith, representing the Clinton Labor Congress, read congratulatory messages from President Robert Napolitano and Secretary A. E. Hubbard of the Clinton congress; Hugh D. Clark, president of the Iowa Federation of Labor, and national officers of the International Ladies Garment Workers Union of over 500,000 members.

Offering congratulations as local friends were B. M. Jacobsen, District Judge M. L. Sutton, Fred Hinrichs and Lee F. White.

John Hansen, of Winterset, former 7th district congressman and member of the Iowa Highway Commission, commented that "if John Culver continues to take the advice of Gene Burke he will continue to serve the 2nd district well." Hansen said Clinton is exceptionally fortunate to have Gene Burke in its midst as also is the State of Iowa.

Acknowledgement then was made of receipt of letters and telegrams from E. C. Halbach, Clinton attorney; Everett A. Streit, Clinton Herald editor and assistant to the publisher; Edward A. McDermott, formerly of Dubuque and now practicing law in Washington, D.C. after serving in the Kennedy and Johnson administrations; Lawrence F. O'Brien, chairman of the National Democratic committee, Sen. Edward Kennedy and former Vice-President Hubert Humphrey.

Ray C. Walton, First Iowa district Democratic committeeman and candidate for Iowa attorney general, said he hoped he could measure up to the contribution to the Democratic party made by Burke.

Before Burke spoke briefly he was presented with gifts from the sponsoring committee by Mrs. Nell Kuizenga.

In opening Burke paid tribute to the memory of Leonard Wolfe, former 2nd Iowa district congressman who died last week in Madison, Wis., at the age of 44.

Burke expressed his appreciation for the recognition given him and Mrs. Burke and gave some amusing political reminiscenses after which Mayor Obermiller presented him with the original copy of a "Eugene T. Burke Recognition Day" proclamation which he had issued.

Saying that "it is only fitting that you should be honored by this community," Mayor Obermiller presented Burke with a certificate of appreciation. Citing Burke as a friend of many years, Obermiller said that he, with countless others had profited by the advice given him in the political field.

Arrangements for the dinner were made by Mrs. Kuizenga, Mrs. C. J. Claseman, Mrs. S. J. McDonald, Mrs. Alice Oltmans and Mrs. Edward Obermiller.

KATYN IN THE SPRING

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. PUCINSKI. Mr. Speaker, on Sunday, April 12, the Chicago Tribune commemorated the tragic deaths of 15,000 Polish Army officers in the forests of Katyn in 1940. These men, the core of Poland's national strength, were slaughtered by the Soviets who feared these Poles would become the mainstay of resistance to communism in Poland once World War II was over. The Soviets knew these men loved their nation, respected the truth, and believed in liberty and freedom above all else. The Soviets massacred them to prevent them from taking their rightful place as Poland's leaders after the war.

Again and again in this year of 1970 we are reminded of the old saying that, "The more things change, the more they remain the same." Thirty years have elapsed since this unspeakable murder. Yet Communist persecution, and terror, remain the chief weapons of Communist expansion.

Less than 2 years ago more than 3,000 innocent civilians living in Hue, South Vietnam's ancient capital city, were dragged from their homes by the Communists, bound with their hands behind their back, and shot through the back of their head. They were murdered and buried in mass graves in the same manner that the Poles were murdered in Katyn. The innocents who were killed were teachers, philosophers, poets, and men of law whose only crime was a respect for the truth. To the Communist mind, truth is a target, not a goal. Intelligence and the application of rational thought have no place in a dogmatic world. These men of Hue were too valuable to the cause of South Vietnamese nationhood, and so they were rounded up and massacred, just as the Polish Army officers were massacred 30 years earlier by what the world at that time foolishly believed to be an "ally of freedom"—the Soviet Union.

The link binding the men of Hue and the men of Katyn forged an unbreakable chain in the history of man's determination to exist freely and to decide freely who and what shall govern him on this earth.

Mr. Speaker, I call my colleagues' attention to this Chicago Tribune editorial today to refresh their memory of this Communist treachery and to remind them that Communist dogma and Communist tactics have not changed. The Chicago Tribune has performed a noble public service by reminding us of Katyn.

Mr. Speaker, the editorial follows:

Katyn in the Spring

Thirty years ago this spring letters suddenly ceased arriving from some 15,000 Polish army officers and intellectuals who were interned in three soviet prison camps. The prisoners had been taken in the winter of 1939–40 by the Red army, which occupied eastern Poland after the Stalin-Hitler pact had touched off World War II.

Until spring, the families of the prisoners had been receiving mail. After May 1940, there was only silence. The men seemed to have vanished.

Two years later, when the nazi armies occupied eastern Poland and western Russia, the fate of the 15,000 gradually was revealed. Some 4,258 bodies were unearthed from seven crude graves in Katyn forest, 10 miles from Smolensk. More than 10,000 others have never been found.

Germans and Russians accused each other of the Katyn massacre. But numerous investigations, including one by a congressional committee, have established beyond any question that the Poles were killed by the Russians as part of Stalin's plan to exterminate those who might become the leaders of a post-war Poland.

Today, in churches and auditoriums, Chicagoans of Polish descent and other patriots will commemorate the 30th anniversary of that butchery and extol the memory of the martyrs who fell there.

Since 1940 there have been other Katyns—in Korea, in South Viet Nam, and wherever Communists have sought to dominate a people. And always it has been the same pattern—the murder of the potential leaders of resistance. But Katyn remains the most infamous example of what happens to those who stand in the way of communist expansion.

THE CHICAGO BIELARUSIAN-AMERICANS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. PUCINSKI. Mr. Speaker, in a very inspiring ceremony marking the 52d anniversary declaration of independence of Bielarus, the Chicago Bielarusian-American Committee adopted a resolution which sets forth feelings of this significant segment of our society.

The observance was sponsored by three organizations:

Bielorusian-American Youth Organization in the State of Illinois, Mr. Nick Zyznieuski, President;

Bielorusian Folk Dancer, Mrs. Vera Romuk, Director; and the

Bielorusian — Whiteruthenian—Association in the State of Illinois, Mr. Anthony Bielenis, President.

Mr. Speaker, the resolution follows:

RESOLUTION

APRIL 5, 1970.

Whereas, the people of Bielarus (Byelorussia), one of the first victims of the Russian Communist aggression, are still being deprived by their Russian captors of all their human rights and freedoms, such as: freedom of speech, freedom of assembly, freedom of the press, freedom of association, freedom of worship, freedom of economic activity, freedom to elect one's own government, freedom to choose one's own place to live, and freedom to travel abroad, Sacredness of one's home, independence of the judiciary, and respect of their national pride and honor; and

Whereas, in the last decade and during the year 1969 in particular, the Bielarusian people have been subjected to a process of extensive and intensive Russificaton and the eradication of all Bielarusian national traits and characteristics by decreasing the number of educational facilities with the Bielarusian as the language of instruction and replacing them with Russian schools, and thereby destroying the most precious of Bielarusian national possessions; and

Whereas, the Bielarusian people have been deprived of their rights to observe their national holidays which are of great importance to them and to honor their own national heroes; but instead they are forced to glorify the enemies of their people, such as Lenin, the father of Russian Bolshevism, who was responsible for the suppression of Bielarusian independence and self-determination by the creation of the so-called Byelorussian Soviet Socialist Republic and thus making of Bielarussia a colony of Soviet Russia; the 100th anniversary of Lenin's birth the Bielarussian people were forced to observe on March 25th, the very day of their national independence; and

Whereas, in spite of these anti-Bielarusian policies of Lenin, Stalin, and present rulers of Soviet Russia that led to the annihilation of over six million Bielarusians, the thirst for freedom among the Bielarusians is at its highest now and they are hopeful that some day they will seize the opportunity again to restore their freedom and sovereignty as set forth in the Third Constitutional Act of the Proclamation of Independence of Bielarus of March 25, 1918; and

Whereas, the United States Government has shown its interest in the plight of nations and peoples enslaved by Communism by approving a resolution, designating the third week of July of each year as the Captive Nations Week, in order to give its support to the just cause and aspirations of the once free nations; be it therefore

Resolved, that the names such as Byelorussia, White Ruthenia, and White Russia, under which our country of ancestry has been known in the English language, were not the choice of the Bielarusian people and have often led, especially "Byelorussia" and "White Russia", to confusing it with Russia; and that the Americans of Bielarusian ancestry continue their efforts in promoting the name *Bielarus* as the most appropriate; and be it further

Resolved, that in order to educate our American people on the ethnic background of all of its citizens special educational centers be organized and established to study and publish books for use in schools, and that this Assembly wishes to go on record in support of the Ethnic Heritage Studies Center Bill, known as House Resolution No. 14910, as proposed by the Honorable Roman C. Pucinski and several of his colleagues in the United States House of Representatives; and be it further

Resolved, that we, Americans of Bielarusian ancestry and descent, are proud of our ethnic heritage and we will continue to be the spokesmen for justice and freedom of our Bielarusian people now held in the Russian Communist captivity until the day when they will be free to decide their own political status and to assume the name under which they will want to be known all over the world; and be it still further

Resolved, that we, Americans of Bielarusian origin and descent, again reaffirm our adherence to the American democratic principles of government and pledge our wholehearted support to our President and the Congress in their firm stand against the Communist aggression in South Viet Nam and in their efforts to achieve a lasting peace in the world, with freedom and justice.

HORTON COMMENDS EDWARD TEJW, CHIEF CLERK, CRIMINAL BRANCH, IN ROCHESTER FOR HIS EXAMPLE AND SERVICE TO THE COMMUNITY

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. HORTON. Mr. Speaker, there are some men who lead lives which are examples to all of us, and whose devoted service to the community is outstanding.

Such a man is Edward Tejw, chief clerk of the city court, criminal branch in Rochester. The community is holding a testimonial for him Sunday April 19, in honor of his 23 years of service to the court. It is also in commemoration of his parents and five brothers who were killed on that date in 1943 in the Warsaw ghetto uprising.

Ed, who is a good friend of mine, has lead a most exciting, useful, and often hazardous life. A native of Warsaw, Poland, Ed came to the United States in the early 1930's where he was associate editor for the Polish Everybody's Daily in Buffalo.

In the mid 30's, Ed returned to Europe as a foreign correspondent for the Continental News Service. He was picked up by the Nazis for his series of articles criticizing the Third Reich. He spent a harrowing 71 days in the infamous Dachau Concentration Camp.

Of this experience he says:

> The Lord was good to me.

Ed became a U.S. citizen in 1940. After the attack on Pearl Harbor, he enlisted in the U.S. Army where he served in the Intelligence Corps in the European Theater.

In April 19, 1943, his parents and five brothers were all killed in the Warsaw ghetto uprising.

This short chronology shows a little of his fine character and his endurance through the most devastating experiences. However, words certainly cannot illustrate the esteem the community feels toward him, and their appreciation for his devoted and exemplary service. As chief clerk, Edward Tejw has given a great deal of help to the people of the city of Rochester.

At the testimonial this Sunday, presiding justice of the appellate division, fourth department, Harry D. Goldman, will be the main speaker. It will also be my honor to attend. Members of bench, bar, and the community will gather also to pay honor to this humble man who has contributed greatly to his community and his country.

I am very pleased to be able to share with the House of Representatives the examples of this man's extraordinary service. I am certain, all my colleagues extend their congratulations and best wishes to him.

MRS. L. E. BALLOU—100 YEARS OLD

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. RODINO. Mr. Speaker, Mrs. L. E. Ballou, a longtime resident of Montclair, N.J., celebrated her 100th birthday recently, Mrs. Ballou attributes her perfect health and long life to a family trait and her belief in moderation of all things. I wish to extend my congratulations and best wishes for a future filled with life's blessings.

SENATE—*Wednesday, April 15, 1970*

The Senate met at 10 o'clock a.m., and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, in whose will is our peace, grant to us the assurance of Thy presence, every hour, every day, everywhere. As in past days we have shared hours of triumph with the explorers of distant planets, so now may we share their hours of agony, of prayer, of faith, and of hope.

We beseech Thee, O Lord, to give journeying mercies to the sons of this good land now voyaging through space. Grant that the skills of science may minister to faith, and faith illumine the way of science, and in the union of the two—bring safely to the haven of earth and home the intrepid explorers of distant realms.

Grant to all who strive to perfect this mission, insights beyond that which is seen. Sharpen their intellects. Reinforce their judgments. Steady and nerve their wills. Light up a pathway through untrespassed space, and by Thy providence guide them to earth and home and loved ones. Hear the prayers which arise out of the depth of the soul, but are too deep for words.

May Thy heavenly benediction be upon those who travel, those who serve them, and those who wait. And unto Thy gracious care and protection we commit them, ourselves, and our Nation. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. RUSSELL).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., April 15, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore (Mr. ALLEN) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received today, see the end of Senate proceedings.)

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, April 14, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. At this time the Chair recognizes the Senator from Oklahoma (Mr. BELLMON), in accordance with the previous order, to proceed for 15 minutes.

Mr. KENNEDY. Mr. President, will the Senator from Oklahoma yield to me briefly to make a unanimous-consent request?

Mr. BELLMON. I am happy to yield to the Senator from Massachusetts for that purpose.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRESS IN VIETNAM

Mr. BELLMON. Mr. President, in line with his policy of keeping the American public informed about developments concerning our country's involvement in Southeast Asia, President Nixon announced last week that he will make another report to be carried to the Nation by radio and television from the White House Thursday evening. It is anticipated that this report will deal with the progress being made in withdrawing American troops from Vietnam and in helping the South Vietnamese Government to assume a greater role in the conduct of the war and in the affairs of Southeast Asia.

Despite the harping and jibing of some of his critics, President Nixon's policy of Vietnamization is increasingly successful. During this administration, there has been an overall reduction in casualty rates. The number killed in action in 1969 was 9,414, compared with 14,592 in 1968. The costs of the war have been lowered. In fiscal year 1970, the costs for Southeast Asia, the bulk of which was Vietnam, totaled $23.2 billion, compared with $28.8 billion for fiscal year 1969. The Government of South Vietnam has become more stabilized, and, most important of all to the families of American servicemen, more than 100,000 troops have been brought home.

Reckless charges have been made that American participation in the war has spread into Laos and Cambodia. Such politically inspired allegations have not been substantiated. The Nixon administration has made it very clear that it does not intend to involve the United States in an expanded war in Indochina.

In light of Mr. Nixon's determined efforts for peace, it is highly regrettable that some members of the opposition party are striving hard to keep the country divided and thereby prolong the war. The statement last week by National Democratic Chairman Lawrence F. O'Brien offers strong evidence that some Democrat leaders plan to do everything they can to make Vietnam the main issue in this year's elections. They are intensifying their attack on a Republican President who has done much in 13 months to remedy a situation which their party had been unable to resolve in 6 years.

It is ironic that at the same time some politically ambitious spokesmen for the opposition party are chastising President Nixon for our posture in Vietnam, they are also trying desperately to take credit for some of the notable successes. A striking example is the land reform program.

With the assistance of our Government, President Thieu was able to obtain passage of a bill by the Vietnamese Legislature which will provide for the distribution of more than 2.25 million acres of good agricultural land to 500,000 tenant farmers on a permanent ownership basis. The program is working, it is popular, and it has strengthened both the Thieu government and the South Vietnamese citizens' will to defend the nation.

It is generally recognized that this accomplishment is a major step toward providing the necessary incentive for the Vietnamese people to achieve the internal strength and independence which is essential to building a durable nation.

It is interesting to note that the Senator from Maine (Mr. MUSKIE) who has been openly skeptical of the abilities of the Vietnamese people, has now come forth with a proposal to spend an additional $320 million for the land reform program. It is said that imitation is the sincerest form of flattery. The Nixon administration and the Thieu government have every reason to feel flattered by Mr. MUSKIE's move.

As for Mr. MUSKIE's repeated demands that a new representative to the Paris peace talks be named, this question was adequately answered by Under Secretary of State Elliott Richardson in hearings before the Senate Foreign Relations Committee last month.

Mr. President, I ask unanimous consent that an excerpt from the transcript of those hearings be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPTED FROM HEARINGS, MARCH 16, 1970

Senator SYMINGTON. . . . why don't we put somebody of the stature of Ambassador Lodge

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in Paris and really try to get on with the negotiations?

RICHARDSON. . . . we think that the prognosis for Vietnamization is quite good and to the extent that this is so, this fact in turn should, we believe, convince the other side that the opportunity to negotiate is a wasting opportunity.

By that I mean that their chances of a favorable deal from their point of view through the negotiating process are not going to be as good a month from now or a year from now as they were last month or last year. In this sense, the Vietnamization process and the negotiating process have always in this Administration seemed to be inseparably related.

Now, so far as our representation in Paris is concerned, the point essentially is that we sought by every means we can conceive of to engage the other side in serious negotiations. The U.S. part in the negotiations necessarily involves primarily the mutual withdrawal of external forces. The other major heading for negotiations is a political settlement. And here it has been our position that a political settlement can only be negotiated among the Vietnamese. The key parties in any such settlement obviously are the Government of South Vietnam and the so-called provisional revolutionary government of the Viet Cong. And so far the other side has persistently refused to permit that type of negotiation to take place.

And so we are saying in substance that we and the Government of South Vietnam stand ready to enter into serious negotiations at any time. We have made clear that no proposition that we have advanced has been advanced on a take-it-or-leave-it basis, that the only fundamental to which we adhere is that any political solution should be a political solution arrived at freely among the South Vietnamese through the process of negotiation and elections. And so in effect at this stage we are awaiting an indication of the other side's willingness to engage in serious negotiations, and, of course, at that point if it seemed desirable, we would be prepared to send another delegation head to Paris, but in the meanwhile, we made clear that Ambassador Habib has full power to negotiate. He has the full confidence of the Administration. And he is a very experienced and resourceful, fair-minded diplomatic representative.

SYMINGTON. Well, let me say I have the highest respect for Ambassador Habib, and my only point is that there has been discussion of the fact that he was not as well known nationally, and internationally as his predecessor, and that being a point that has been developed by many people in many countries, we are sincere about the idea of negotiation being an equal opportunity along with Vietnamization which for the reasons presented to you I have my doubts about, then I would think that we would want to carry out more of an appreciation of the form of the development of the situation as well as the substance.

RICHARDSON. Well, senator, all I can say, I can only really add that the point has been made primarily, and it is made often, by the spokesman for the Government of North Vietnam and the PRG in Paris, but we think this is an excuse on their part, a smoke screen, designed to mask their own unwillingness to negotiate. They have plenty of ways available to them at any time to signal their readiness to enter into serious negotiation and if at that point it became significant to substitute a new delegation head in Paris, we would certainly do it. But so far there really appears to be nothing in this point beyond the attempt by the other side to divert responsibility or attention from their own intransigence.

Mr. BELLMON. Mr. President, 1970 is an election year. It is understandable that intense partisanship will cloud the judgment of candidates and party leaders. However, 1970 is also a war year and I believe that the American people will not be kindly inclined this November toward those super partisans who jeopardize the growing opportunity for peace.

Mr. President, I yield the floor.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. At this time, in accordance with the previous order, the Senate will proceed to the transaction of routine morning business, under the 3-minute limitation.

Mr. BYRD of West Virginia. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

SETBACK FOR SEA LEVEL CANAL PLAN

Mr. THURMOND. Mr. President, the Washington Post of April 13 gave its main headline to the report of a group of science advisers appointed by the National Academy of Sciences to study the effects of a sea level canal across the Isthmus of Panama.

Although the full report of the committee is not yet available, the article relates that at meetings here on Thursday and Friday, the group of scientists concluded that digging a sea level canal by the use of nuclear explosives was dangerous and impractical. They also concluded that such a sea level canal—or indeed a sea level canal of ordinary construction—would have an unknown and disastrous effect upon the marine life in the Atlantic and Pacific oceans.

For some time now, I have been pointing out these two problems to the Senate. A canal dug by nuclear explosions would have to be done at a site far removed from the present population of Panama and would nevertheless result in extensive radioactive fallout. There are also significant geological problems relating to the unstable strata of the region, which would make nuclear excavation very risky.

No matter how such a "big ditch" is excavated, there still remains the problem that the marine species from the Pacific would be able to travel easily into the Atlantic and vice versa, with unknown consequences for the survival of these species. Many scientists have been concerned over this problem, and I have introduced several such comments in the CONGRESSIONAL RECORD in recent months.

Now we have a committee of scientists that was organized at the instigation of the proponents of a sea level canal—namely, the Atlantic Pacific Inter-Oceanic Canal Study Commission—that has concluded that the ecological effect would go far beyond merely altering the sea environment and include effects on migratory marine species, on terrestrial fauna and flora, on microorganisms, and on local, urban, and urban, and rural human populations.

The invasion of the species from one ocean to the other might result in large-scale extinction of many species. We must bear in mind that many coastal nations, particularly developing nations, rely extensively on the sea as a source of food and especially protein. The large-scale disappearance of any species in either ocean could thus have a potentially disastrous effect upon the sufficiency of food for human life.

The article also indicates that the committee "definitely" opposes using nuclear explosives. In particular the article notes that the world's tritium level would go up about 50 percent.

The resolution to this problem, according to the article, lies in the expansion of the capacity of the present lock canal with the fresh water barrier which prevents the migration of salt water species. This article in the Post concludes by asking, "Is a new multi-billion-dollar canal really necessary?" And the article points out, "Engineers' reports indicate the present canal, with improvements, could serve 60 percent more traffic."

Mr. President, I have introduced a bill for the improvement and enlargement of the present canal which would provide for the most efficient operation of the canal. This plan, embodied in S. 2228, will meet all the capacity needed during this century and beyond. It can be accomplished at a savings of billions of dollars over the construction of a new canal. It can be accomplished without negotiation of new treaties with Panama; and, finally, it can be accomplished without the environmental dangers which these distinguished scientists are pointing out in this article.

Mr. President, I ask unanimous consent that the article "A-Canal Dealt Blow" from the Washington Post of Monday, April 13, 1970, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A-CANAL DEALT BLOW

(By Victor Cohn)

The dream of a future sea-level Atlantic-Pacific canal blasted out cheaply by nuclear explosives has been dealt a severe blow—maybe a fatal one—by a group of biological advisers to the canal study commission.

The advisers have agreed in recent months that nuclear digging would create too much dangerous radioactivity, as well as other risks to nearby populations.

They also agreed Thursday and Friday in a final set of meetings at the National Academy of Sciences that no one can say yet whether a sea-level canal, even if dug by conventional explosives, is biologically safe.

This is because it could mix Atlantic and Pacific fish and other life forms, with possible large-scale extinction of many species.

The biologists think at least 10 to 15 years of intensive research are needed. For one thing, they advise annual counts of ocean populations, like fish and shrimps, just to set base lines by which to judge a new canal's long-range effects.

A set of conclusions like these is now being drawn up as the result of the meetings here of this group—the Committee on Ecological Research for the Inter-Oceanic Canal, headed by Dr. Ernst Mayr, Agassiz professor of zoology at Harvard University. The committee was named by the National Academy of Sciences at the request of the Atlantic-Pacific

Inter-Ocean Canal Study Commission, created by Congress in 1964.

The commission must tell President Nixon by Dec. 1 whether a new sea-level canal to supplement the present Panama Canal is commercially and technically a good idea; where and how it ought to be built; and how much it might cost.

Many new ships are far too large for the narrow passage of the present canal, built early in this century. Others laden with valuable cargoes are forced to delay passage for several costly days because of the traffic jam in the complex series of locks.

Some authorities believe that the saturation point of the present canal will be reached in a few years, lending urgency to studies for a new canal.

The biologists were asked only to design ecological studies of a new canal's effect, not to say how or if one should be built. Their formal report thus may be more limited in scope than their actual conclusions.

All their conclusions, however, are certain to be transmitted to the administration and to the scientific community in one way or another.

Dr. Mayr declined to reveal any of the group's formal recommendations before they are made to the science academy, then to the canal commission. But another committee member said the group "definitely"'" opposes using nuclear explosives.

Mayr conceded that: "Giving you just my own personal opinion, I think it's rather widely agreed now that using nuclear explosives is nonsensical, especially if the canal is built near any populated areas.

"It's been established just for one thing that the world's tritium level would go up by about 50 per cent." Tritium is a form of hydrogen produced by some nuclear processes.

Several canal sites have been proposed, including some in little-populated areas that cross Colombia and Nicaragua-Costa Rica. But those now most favored, it is learned, are two within 50 miles of the present canal. The other sites are far lengthier, and economical only with cheap nuclear blasting.

THREE REASONS ADVANCED

"I think there are three reasons," Mayr said, "why nuclear blasting is unwise—one, radioactive fallout; two, tritium level; three, possible seismic (earthquake-causing) effects of blasts near any populated areas."

Study of nuclear blasting has also won little recent backing from the Nixon administration, though the Atomic Energy Commission still thinks there is an excellent chance that it could prove safe and economical with more development. Sovet officials recently said they are planning some extensive nuclear digging, on the basis of what one U.S. official called "more extensive tests than ours."

The AEC did six canal excavation experiments between 1962 and 1968, setting off devices around 350 feet beneath the earth. The last blasted a crater 852 feet across and 208 deep.

"As in all cratering experiments," an AEC spokesman reports, "some radioactivity was released. But it was a comparatively small amount—most is trapped in the crater bottom or comes back in earth-rock debris thrown around the crater.

"We found you could go back to the area and work within several months. And we would expect by the time the canal is built—some years away—we would have explosives that release much less radioactivity."

The AEC is working on "cleaner" explosives at its Livermore, Calif., Lawrence Radiation Laboratory. But it also says it needs "at least" four more cratering tests before it can say whether nuclear excavation is a good idea.

NONE IN BUDGET

None is included in the AEC's fiscal 1971 budget. One was planned for this year, but was finally set aside to concentrate on the Livermore research.

"We've already told the President we can't define the feasibility of nuclear excavation," says John P. Sheffey, executive secretary of the canal commission. "But we certainly think the nuclear experiments should be completed."

The idea of U.S. nuclear blasting anywhere in Central America has found little favor in State Department halls, many diplomats see it creating only anti-American feeling, even if fallout is minuscule.

"But you can find all sorts of opinions, and no determination has been made," one official said. "No one has faced the question fully, and no one needs to for several years."

Here, some scientists disagree, though they are aware that the canal commission test incidentally, used a 35-canal being built for around 15 years. "Once projects get going and reach a certain size," one scientist said, "it's very hard to choke them off, even if many people then feel the idea is ecologically poor. Look at the SST."

The latest AEC cratering test, incidentally, used a 35-kiloton device (equal to exploding 35,000 pounds of TNT). One estimate has it that digging a canal would take 35 megatons, or the equivalent 1,000 35-kiloton bombs.

But it is the ecological consequence of the canal, no matter how it is dug that has worried the biologists most.

A National Academy of Science publication last fall credited committee members with saying that environmental effects would go "far beyond" merely altering the sea environment and its life forms, "and include effects on migratory species, on terrestrial (earth) fauna and flora, on microorganisms and on local urban and rural human populations."

This report said that: "While a few successful migrations have apparently taken place between the oceans, there has been nothing to equal the predicted inter-Oceanic migrations that would be inevitable if a sea-level canal were built. Many scientists believe the invasion of competitive marine fauna on either coast might result in large-scale extinction of many species, an irrevocable catastrophe to science and a loss to future generations of men."

The biologists have some interesting ideas about how it might be possible to prevent or minimize mixing of the oceans. These include building effective tidal gates and keeping them closed at high-tide, and building a big man-made lake in mid-canal—much like Gatun Lake, which has served the old canal as a highly effective biological barrier. Salt-water species get into the present canal despite its locks, but seldom get across this fresh-water body.

A problem here, Mayr said, is that "no one knows yet whether such a man-made lake can be built." In all, he guessed, some $20 million a year ought to be spent, starting soon, if a new canal's ecological consequences are to be estimated and, hopefully, minimized.

REPORT DUE IN WEEK

The biologists' major recommendations should be turned over to the Science Academy in another week. A more detailed report will be made to the canal commission by June 30.

A major question the commission must address is: Is a new multi-billion-dollar canal really necessary? (Cost estimates so far have ranged from $1½ billion—for a nuclear job—up to $3 billion.)

Engineers' reports indicate the present canal, with improvements, could serve 60 per cent more traffic. But it still could not handle big wide-beamed aircraft carriers and super-tankers.

One commission job, therefore, is to balance a new canal's cost and value against the cost of a large oil pipeline across the isthmus, to transfer oil between super-tankers.

The commission, headed by Robert S. Anderson, head of a New York investment firm and former secretary of the treasury, meets here every two months. There will "definitely" be a report to the President by Dec. 1, Sheffey said, despite two previous one-year delays.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from South Carolina be permitted to continue for an additional 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ILLEGALITY OF THE 14TH AMENDMENT

Mr. THURMOND. Mr. President, in yesterday's Evening Star, Mr. David Lawrence again pointed out a significant factor in the problem of North-South relations which has plagued this country for generations.

Mr. Lawrence points out that the 14th amendment was never legally adopted under the procedures prescribed by the U.S. Constitution and that the Southern States were forced to accept this amendment at bayonet point.

It is ironic that the instrument which modern so-called reformers rely on in their campaign for what they call "justice" is itself rooted in illegality and violence. It is no wonder that such an instrument is a source of division and hatred and has become a curse upon modern life, which remains to divide our people.

Mr. Lawrence concisely summarizes the black page of history surrounding the adoption of the 14th amendment. It woud be well for all my colleagues to refresh their memory concerning this travesty of justice and subversion of the Constitution.

Mr. President, I ask unanimous consent that the article entitled "Rewrite the 14th Amendment?" from the Evening Star of Monday, April 13, 1970, be printed in the Record at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Rewrite the 14th Amendment?

The South would probably swallow its grievances over the defeats of Judges Haynsworth and Carswell for seats on the Supreme Court if the majority in Congress would help correct the worst fraud in American history—the enforced "adoption" of the Fourteenth Amendment, on which numerous cases in the desegregation controversy are currently based.

Few people today know about certain undisputed facts of history which occurred just after the War Between the States ended in April 1865—that the Thirteenth Amendment, abolishing slavery, was legally ratified by state legislatures in the South as well as the North, but when the Fourteenth Amendment was proposed, it seemed to be confronted with failure. It takes three-fourths of the states to ratify. In this case, 16 out of 37 state legislatures did not vote to approve—just a little less than half. Outside the South, six states had failed to ratify, and in the South 10 had rejected it.

Congress had ousted all Southerners from their seats in the Senate and the House, and then passed a law of coercion. It provided that military rule be established in the Southern states and that none of them could be regarded as in the Union unless they "ratified" the Fourteenth Amendment.

Amnesty to former rebels had been declared in May 1865 by President Andrew Johnson because the war was over. In 1867, under penalty of continued exile, the Southern states were told specifically they must ratify the Fourteenth Amendment as the price of readmission to the Union. In one instance, a general sent down from the North presided over a state legislature.

When Secretary of State Seward in July 1868 was faced with the problem of proclaiming "ratification" of the Fourteenth Amendment, he said frankly that he wasn't authorized "to determine and decide doubtful questions as to the authenticity of the organization of state legislatures or as to the power of any state legislature to recall a previous act or resolution of ratification."

He said the amendment was valid if the original resolutions of the Ohio and New Jersey legislatures were to be deemed effective, notwithstanding subsequent rejection.

Many noted historians point out in their books that new state legislatures in the South had been elected to function in 1866 after the war, but in 1867 were put under military rule and the senators and representatives from the states were denied seats in Congress. President Johnson had vetoed the measure. It was, however, passed over his veto, and, of course, no Southerners were there to vote.

The Supreme Court of the United States 20 years later refused to rule on all these illegal procedures, claiming they were acts of the "political departments of the government." This was obviously a means of avoiding a decision on a ticklish question.

But several decades after its passage the same Fourteenth Amendment is being used by the high court to regulate the operation of the schools by the federal government, hitherto a function of the states.

Clearly there is need for the American people through their representatives in Congress to rewrite the so-called "Fourteenth Amendment" and to stipulate where state rights begin and end and where federal power may be interposed.

The people have every right to erase from the record the chapter of history after the war was over by which the states in the South were coerced—some by military power—to "ratify" an alleged amendment to the Constitution.

The facts are available in the history books. They are unquestioned. If America is to live happily as "one nation, indivisible," the mistakes of the past will have to be reexamined. It means building a new respect for law and a restoration of confidence in national concepts of the Constitution.

No longer would it be necessary to worry whether a Supreme Court justice came from the South or the North or the West or the East.

For if the Constitution hereafter defines the limits of judicial power and the functions that are beyond it, and requires adherence to the existing amending process alone as the way to obtain change, there is little likelihood of any regional resentments arising in the future.

Racism would lose its fervor because people in all sections of the country would then feel they were being treated alike by the Constitution.

ORDER OF BUSINESS

Mr. GRIFFIN. Mr. President, I intend to make a brief reference to some remarks made on yesterday by the distinguished majority whip, the Senator from Massachusetts (Mr. Kennedy). I have notified him.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will please call the roll.

The bill clerk proceeded to call the roll.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

POSSIBLE IMPEACHMENT OF MR. JUSTICE DOUGLAS

Mr. GRIFFIN. Mr. President, a news report this morning refers to a statement made yesterday by the distinguished majority whip, Senator Kennedy, indicating some criticism on his part of a speech to be made today by the distinguished minority leader of the other body, Representative Ford, relating to the possible proceedings to impeach Mr. Justice Douglas.

I do not know exactly what the majority whip said on yesterday. I have no copy of his remarks. My purpose this morning is not to be critical of the majority whip, but to take this occasion, as the whip on this side of the aisle with a leadership responsibility, to caution my colleagues in the Senate—and perhaps to advise the Nation as well—concerning the very solemn responsibility of the Senate, and of certain restraints necessarily imposed upon Senators, under the Constitution, in a situation such as this.

I can understand that it might be tempting for individual Senators to involve themselves in public discussion of the merits or demerits of the possible impeachment of a Supreme Court Justice. And yet, each Senator should realize that it would be a serious breach of his obligation under the Constitution to do so.

Under the Constitution, of course, the House of Representatives has the sole power to bring charges. In effect, as I understand its role, the House of Representatives acts in the capacity of a prosecutor and grand jury; it determines whether or not there is sufficient evidence to impeach the accused.

If the House in its wisdom should vote to impeach, then the Senate, under the Constitution, has the sole and solemn responsibility to sit as judges and jurors to hear the evidence and to determine the guilt or innocence of the accused.

The distinguished Senator from North Carolina (Mr. Ervin) on May 13, 1969, at a time when there was some speculation about possible impeachment of Mr. Justice Fortas, made an excellent and learned statement on the role of the Senate, and I shall ask that pertinent portions of his statement be reprinted at the conclusion of my remarks.

Mr. President, only one Supreme Court Justice in the history of the United States, Mr. Justice Samuel Chase, was actually impeached by the House and tried by the Senate. In that instance the Senate found him not guilty of the charges. But, a number of lower Federal court judges have been impeached by the House, found guilty by the Senate, and removed from office.

In order for the Senate to be in a position to carry out its solemn responsibility under the Constitution, Senators should be particularly aware at this time of the importance, not only of keeping an open mind but also of refraining from public statements which give the appearance of having prejudged the case against Mr. Justice Douglas. A statement in the Senate questioning the motives of House Members comes dangerously close, I suggest, to giving the appearance of prejudgment on the merits.

Accordingly, I wish to reiterate and to underscore the words of wisdom and caution expressed on an earlier occasion by the distinguished Senator from North Carolina (Mr. Ervin) who, needless to say, is a former State supreme court justice and an eminent constitutional lawyer who commands high respect in this body. I commend his advice to the Members of this body on this occasion.

Of course, I know not what the decision of the House will be with respect to the suggestion that Mr. Justice Douglas be impeached, but I do know that the Senate as a body—and each Senator as an individual—owes a solemn obligation to Mr. Justice Douglas and to the Nation to hold itself and himself in a position which will enable us to carry out our ultimate constitutional responsibility in a manner that will be objective, without prejudgment and without the appearance of prejudgment.

Following is a statement by the Senator from North Carolina (Mr. Ervin) which appeared in the Congressional Record for May 13, 1963:

Constitutional Restraints on Action Regarding Supreme Court Justices

Mr. Ervin. Mr. President, for the last 2 weeks, the Supreme Court has once again been the center of public discussion, as it has been so often in our history. There is general agreement that the situation which now exists amounts to a crisis for the Supreme Court of a seriousness rarely matched in our history. In such circumstances, the obligations placed upon each Member of Congress, on the President, and the Court itself require thoughtful consideration and a strict adherence to the Constitution.

Much is at stake. More is involved even than the reputation and integrity of the High Court. The very independence of the Court may be threatened. We must all rise above passing temptations and insure that however this matter is resolved, the damage to the Supreme Court will be minimized.

The Constitution provides that all Federal judges shall retain office during "good behavior," which means that judges have tenure for life. Excepting only resignation or retirement, there is only one method by which a Federal judge can be relieved of office—that is by impeachment according to article II, section 4.

Under the impeachment provisions, the House of Representatives must bring charges that a Federal official has committed "treason, bribery, or other high crimes and misdemeanors." The Senate has the sole power to try impeachments brought by the House, and a two-thirds vote is necessary for conviction. The responsibility placed upon the Senate is an awesome one. Only once before, in 1805, was a Supreme Court Justice brought to the well of the Senate. This was the impeachment of Justice Samuel Chase, who was charged with rendering decisions which his political opponents disliked. However, a Senate composed largely of his political enemies refused to convict Justice Chase.

The precedent established was that judges could be impeached only for violations of law, and not for their political views or for decisions they handed down while on the bench. This precedent is a foundation stone of the independence of the Supreme Court. While the Court is not and never should be immune from criticism for its decisions, it should remain safe from retribution based upon partisan politics.

The responsibility of the Senate to sit in judgment in impeachment cases imposes an obligation to act in the highest traditions of judicial propriety. In such a proceeding, each Member sits as a judge, and care must be taken not to prejudge the issue, or to appear to prejudge it by taking a public position. In spite of the recent demands for investigations and inquiries, the Senate should move cautiously in view of its ultimate constitutional responsibility. In this matter, the Senate must await the action of the other body, for the Constitution gives to the House of Representatives the initiative in these matters.

The restraints placed upon the President by the Constitution are even more strict than those placed on the Senate. The Constitution gives the President the power to appoint Supreme Court Justices with the advice and consent of the Senate. But it confers no role on the President in matters of removal. A Federal judge is immune from action by the President, and care should be taken in all cases not to establish any precedent suggesting that the President has any power or influence to discharge a member of the judiciary from office.

Restraints are also imposed on the courts themselves. Each judge is an independent officer. His authority stems directly from the Constitution. Judges are not dependent for their positions on the good will or tolerance of their brethren on the courts. It would be most unfortunate if the independence of the judiciary were weakened by making judges subject to the opinions of other members of the judiciary. Courts are ill-equipped to discipline their own members, and it would be an unfortunate development if any court or judge—even the Chief Justice—had any role in resolving questions such as the one we now face.

This serious crisis will eventually be resolved, if not by voluntary action, then by operation of constitutional procedures. In the meantime, I would hope that every public official would carefully measure his public behavior by the dictates of his conscience and by the requirements of the Constitution.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will please call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HANOI TESTS THE NIXON DOCTRINE

Mr. JAVITS. Mr. President, on this Vietnam Moratorium Day, it is essential to emphasize that Hanoi is testing President Nixon's nerves. The prime motive of increased North Vietnamese military activity in Laos and Cambodia, in my judgement, is to try to bait the United States into widening the Vietnam war into a generalized Indochina war. In refusing thus far to take the bait I feel that President Nixon has shown a wise restraint. I trust he will continue this restraint against involvement in Laos and Cambodia, that the troop withdrawals from Vietnam will continue as scheduled and that he will not be distracted by the diversionary North Vietnamese actions in Laos and Cambodia. Clearly, an expansion of the Vietnam war would be strongly opposed in Congress and by the Nation as a whole. Moreover, in strictly military terms, "victory" would likely prove to be at least as illusive in Laos and Cambodia as it has proven to be in South Vietnam.

Additionally, there is some evidence that Hanoi intends its military thrusts in Laos and Cambodia as responses to the 1969 offensive in Laos by the forces of Laotian General Vang Pao and to the more recent coup d'etat by rightist military leaders in Cambodia. Moreover, Hanoi, by strengthening its military positions and sanctuaries in Laos and Cambodia, presumably is preparing strongholds from which it can challenge Vietnamized provinces in South Vietnam after American units have been withdrawn.

In demonstrating—as it has always had the capacity to do—the inherent risks and potential failures of President Nixon's Vietnamization strategy, Hanoi has underscored the underlying policy issues facing the Nixon administration with respect to the Vietnam war. The rosy glow of optimism concerning Vietnamization has had a sobering shadow of doubt cast over it.

However, there is no way but out for the United States in Vietnam. President Nixon recognized this when he said in his recent press conference that Vietnamization is "irreversible." I believe that the President will confirm this by announcing additional U.S. troop withdrawals tomorrow night.

According to recent reports, the President's top military commanders have been emphasizing the risks in Vietnamization and have urged pause in the cycle of U.S. troop withdrawals. In my judgment, there are greater risks in following a policy of stop and go with respect to Vietnamization, especially if control of such a policy is to rest in Hanoi's hands.

The Vietnam war always has been primarily a test of will and purpose between the Communist and anti-Communist forces in Vietnam. There is no way in which the United States can substitute its will and purpose for that of the South Vietnamese Government, short of colonial occupation. This has always been the key limiting factor in our involvement there. It is the reason why military victory has eluded us despite the excellent military performance of our Armed Forces on the battlefield.

During my recent visit to Vietnam I saw evidence that a certain momentum had been achieved through Vietnamization. That momentum would be lost, perhaps irretrievably, if Hanoi succeeds in achieving a stop-go pattern of control over U.S. troop withdrawals.

We will never know what the South Vietnamese are capable of on their own until they try it on their own—and they will never know either until they try. Nor will Hanoi.

If the South Vietnamese cannot make it now, there is no reason to feel that they will ever be able to make it. I am confident that this was recognized by the Nixon administration when it decided to adopt Vietnamization as its fundamental approach. There is nothing more that we can do militarily in Vietnam which will contribute decisively to the fundamental and ultimate test of political will and purpose between Hanoi and the Saigon government.

The military situation of April 1965, when Hanoi and the Vietcong appeared on the verge of capturing Saigon by force of arms has been decisively reversed. The cost to the United States of achieving this has proven to be improvident in the extreme. Over 40,000 American lives have been sacrificed—over five times that number wounded and maimed—and well over a hundred billion dollars of treasure has been spent. A President of the United States—elected 4 years earlier by the largest plurality in history—has been forced to withdraw from office. A rampant inflation has been let loose in the United States which gravely threatens the health of our economy. And domestic tensions and violence have reached a new and more dangerous pitch.

The new situation in Cambodia brought about by the right-wing takeover presents a more significant challenge to U.S. policy than developments in Laos. Offensives and counteroffensives in Laos are an old story. But something new has happened in Cambodia.

There is a recent precedent which could provide pertinent guidelines for U.S. policy with respect to Cambodia. The ouster of Sukarno in Indonesia is analogous in many respects to the ouster of Sihanouk in Cambodia. The U.S. policy response to the post-Sukarno situation in Indonesia has been one of the major successes of postwar U.S. diplomacy.

The United States has been very restrained in its approach to the military government which ousted Sukarno. It has insisted upon maintaining Indonesia's neutrality, and it has refrained from seeking to draw Djakarta into a military alinement. Our assistance has been economic, provided through multilateral channels and aimed at sound economic regeneration. Sukarno's charismatic, flamboyant, profligate and pro-Peking era of personal rule is now a footnote in Asian history.

The similar, though perhaps more benign, era of personal rule by Sihanouk in Cambodia has left in its wake an array of problems and policy options for the United States resembling those in Indonesia in October 1965. It would be a grave blunder for the United States to rush in with offers of military assistance to the new Cambodian Government. It would be no less of a blunder for the United States to move by incremental steps into a role of military benefactor and protector of Cambodia. Fortunately, nationalism continues to be a strong, non-Communist force in Cambodia. Aside from Vietcong and North Vietnamese encroachments in sparsely populated border areas, Cambodia's severest problems are economic.

Stagnation, and even deterioration, of

the Cambodian economy in the later years of Sihanouk's rule were a prime cause of his ouster. In due course, if the Lon Nol government demonstrates a capacity for effective rule, a limited amount of economic assistance through multilateral channels might be justified. But the United States should strenuously avoid military involvement in Cambodia.

The new situation in Vietnam, Laos, and Cambodia poses a real test of nerves for the Nixon administration. The ingredients which tempted the Johnson administration to seek a military solution to the struggle in Vietnam are all present now in the broader context of Indochina as a whole. The significance and sincerity of the Nixon doctrine is at stake.

The wisdom of the Nixon doctrine—that the United States cannot substitute its will, purpose, and combat troops for those of Asian nations under attack by Communist guerrilla forces—is fully applicable to the broader situation in Indochina. Hanoi is now exercising military options it long has held in Laos and Cambodia to test President Nixon's commitment to his own doctrine. The time has come to bring to an end our military involvement in Vietnam. Nothing happening in Indochina should be permitted to alter that fundamental fact.

S. 3718—INTRODUCTION OF THE ALLIED HEALTH PROFESSIONS' TRAINING AMENDMENTS OF 1970

Mr. JAVITS. Mr. President, I introduce today on behalf of myself and Senators PROUTY, MURPHY, DOMINICK, and SAXBE—all the Republican members of the Health Subcommitee—and Senator SCOTT, the administration's bill to extend for one year the programs of assistance for training in the allied health professions, and for other purposes, entitled the "Allied Health Professions' Training Amendments of 1970."

As the author of the Veterans in Allied Health Professions and Occupations Act of 1969, S. 2753, which I introduced with Senator PROUTY last July, I am very pleased that this bill incorporates many of the programs contained in S. 2753.

The new consolidated special authority in the administration bill provides broad authority for experimentation and demonstration which will allow support of such activities as the development of new types of health manpower, new teaching methods, new or improved means of recruiting, retraining, or retention of allied health manpower—provided for by my bill.

Under broadened authority, the Department of Health, Education, and Welfare will be able to reach special groups such as the economically or culturally deprived, returning veterans with experience in the health fields, or persons reentering any of the allied health fields—provided for by my bill. I believe the bill should have a provision—as provided in S. 2753—for scholarship grants and loans to allied health personnel in training or retraining programs and should authorize eligible veterans pursuing a course of study in any one of the allied health professions to receive not only a scholarship grant but also not to be disqualified from educational benefits the veteran would otherwise have been entitled to receive.

Shortages of competent faculty in training programs at all levels constitute one of the greatest obstacles to the improvement and expansion of training programs for the allied health professions. As training programs enlarge and new programs are needed, the demand for teachers mounts. The administration bill proposes extension of the authority for advanced traineeships for preparation of teachers, supervisors, and administrators in the allied health field and broadening the eligible institutions to include not only training centers for allied health professions, but other institutions and agencies which provide such advanced training. I approve the concept of broadening eligibility and am pleased that the administration recognizes this great need—as provided in S. 2753—to explore the real possibility of finding new sources of manpower capable of performing many of the functions now carried out by highly skilled and scarce professional personnel.

There are now major unmet needs for health manpower. Indeed, the lack of allied health manpower is a most serious problem as we aspire to bring the full potential of modern medicine to all members of our society. We must expand the training and use of allied health personnel, develop new types of health personnel, recruit from many different kinds of potential health manpower pools, and increase the availability of trained allied health personnel.

The administration argues for a 1-year extension as follows:

> Other health manpower authorizations in the Department of Health, Education, and Welfare programs are due to expire June 30, 1971. In addition, the President has recently proposed, in his message of March 19 on higher education, a Career Education program starting in fiscal year 1972, which should contribute to the supply of allied health personnel. Accordingly, we believe a one-year extension of this legislation is the appropriate course at the present time. Such an extension will make the present allied health program authorizations coterminous with the other health manpower authorizations, and will permit an assessment of the potential role of the proposed Career Education program in relation to the allied health program.
>
> We are making an across-the-board assessment of health manpower programs in terms of their interrelationships and their impact on the health needs of the Nation. We consider such an assessment to be absolutely essential if we are to fulfill our responsibilities to the Nation to increase not only the number of health service personnel, but the breadth and quality of their services. Our examination will take into account the programs of other Federal agencies which are contributing to meeting health manpower needs.
>
> We shall continue our review of the allied health program as part of this overall assessment and, upon its completion, we will present to the Congress our legislative recommendations relating to all the health manpower authorities. In the interim, however, the changes we are proposing in the attached bill will enable us to move forward without delay toward the achievement of certain urgent allied health manpower objectives.

The proposed administration legislation would:

First, extend the authority for basic improvement—formula—grants for training centers for allied health professions;

Second, separate the special improvement grant authority from its present dependence on the basic improvement grant;

Third, replace the present section 792 (c) authority for special improvement grants with new broad, flexible authority for special projects for experimentation, demonstration, and institutional improvement, and consolidates the authorities of section 794 of the Public Health Service Act—developmental grants—into the new section 792(c);

Fourth, extend the authority for advanced traineeships, and broaden the eligible institutions to include other agencies, organizations, or institutions which provide such training, in addition to currently eligible training centers;

Fifth, extend the authority for construction of teaching facilities for training centers for allied health professions.

I am very hopeful that the Health Subcommittee of the Labor and Public Welfare Committee, of which I am ranking minority member, under the chairmanship of Senator RALPH YARBOROUGH, who also has introduced allied health professions legislation—which incorporates many features in the administration bill and my own bill, S. 2753—will carefully consider the pending allied health professions legislation and bring together the best legislation to meet the acute shortage of manpower in the allied health professions.

In closing, I might note that one of our greatest concerns—in helping overcome the critical manpower shortages—is the need for conducting a comprehensive study of existing laws, regulations, customs, and practices governing the licensing, certification, or other means by which individuals are determined to be qualified to practice in the allied health professions. On the basis of the information obtained from the study, and with the advice and assistance of appropriate State and local agencies, professional groups, and other appropriate groups and organizations we should recommend to States and professional groups model codes relating to the classification of the various occupations and specialties within the allied health professions, the standards which must be met by personnel qualified to engage in such occupations or specialties, and the licensing, certification, or other procedures to be employed in determining whether individuals meet such standards—provided for by my bill, S. 2753.

The ACTING PRESIDENT pro tempore (Mr. ALLEN). The bill will be received and appropriately referred.

The bill (S. 3718) to amend the Public Health Service Act to extend for 1 year the programs of assistance for training in the allied health professions, and for other purposes, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

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THE FAMILY ASSISTANCE ACT

Mr. JAVITS. Mr. President, the Senate will soon begin consideration of the administration's proposed Family Assistance Act, which has been reported favorably by the House Committee on Ways and Means.

While I generally support the administration's initiative and have cosponsored the Family Assistance Act in the Senate, I shall propose an amendment exempting mothers of school-age children and other relatives who care for such children from the work and training requirements of the bill. I shall do so because I regard such a requirement as generally undesirable as a matter of policy, unrealistic in terms of the availability of child-care facilities, and unnecessary in light of experience under existing requirements and the strong incentive provisions proposed in the administration's bill.

Mr. President, it has been established that welfare mothers want to work. In a recent study of families on welfare in New York City, it was documented that seven mothers in 10 would prefer to work and more than eight in 10 had some employment experience. We can expect even a higher degree of motivation under the admiinstration's bill. The Family Assistance Act contains incentives much stronger than those applicable under current law. Under the bill, the first $720 per year of earned income and one-half of the remainder is exempted in determining the amount of the family assistance payments. Under present AFDC programs, a State is required to disregard $360 per year of family income and only one-third of the remainder of such income.

But, for the most part, welfare mothers have been unable to participate in training or employment because of a lack of child-care facilities for their children during hours when they would be away from home.

The report of a joint review carried out by the U.S. Department of Health, Education, and Welfare, and the New York State Department of Social Services, issued last September, documented an increased interest of mothers in training and employment, but cited the long waiting lists for child-care centers. Lack of child-care facilities was indicated throughout the report as one of the prime obstacles in the path that leads away from welfare dependency. The report concluded that—

> Additional day care facilities serving school-age and pre-school children are urgently needed in neighborhoods where AFDC and other low income families live to enable these women to take advantage of WIN and other training and employment programs.

Mr. President, there is increasing awareness of the need for child-care services and the commitment of this administration to expand such services is commendable.

But we must face the fact that, even on the most ambitious of schedules, we cannot expect child-care services to become available in any significant number for millions of poor school-age children.

This is apparent when we view the problems which we will have in providing child care for preschool children. There are currently more than 3.8 million preschool children of working mothers, and child-care provision for only 600,000 of them in the entire country. Even with the administration's plan to add 450,000 slots, less than one-third of the preschool need will be met. As long as care for preschool children remains a priority, we quite clearly cannot assume that the child-care needs of millions of school-age children who would require after-school care or full care during the summer will be met if their mothers are required to work.

Mr. President, in light of these facts, it is clear that an arbitrary imposition of a work requirement will only force mothers of school-age children to choose between neglecting their children or losing their benefits under the Family Assistance Act.

The mother on welfare—like any other mother—is in the best position to determine whether her participation in employment or training will serve the interests of her family.

And I might add that no guidelines can be formulated that could adequately express for more than 3 million school-age children in poor households headed by women, the circumstances under which employment or training will be a long-term benefit rather than a long-term liability for the child, the family, and society because of neglect.

But this does not mean that we should fail to encourage such mothers to accept work and training opportunities. Accordingly, although my amendment would eliminate the work requirement for mothers of school-age children it would leave unchanged the requirement that they register for manpower services, training, and employment. By requiring registration, but not work, the mother will become aware of opportunities, but would not be forced to accept them if she determined that they would interfere with her care for the child.

Let us, then, give welfare mothers the respect to which they are entitled, and rely upon their own desires to provide for their children and upon a thoughtfully constructed incentive system, a meaningfully developed manpower and training and employment program, and expanding comprehensive child-care services to spell the differences—in time—between our new efforts to help the poor and those past efforts which have—despite similar requirements—failed to eliminate the rise in welfare dependency.

As I request cosponsorship for this amendment in the coming days, I hope that many of the Members of the Senate will join with me, whether or not they support the family assistance plan, to indicate their strong opposition to the inclusion of any such work requirement in the crucial welfare-reform legislation which will be acted upon by the Congress this year.

I ask unanimous consent that my amendment be printed at this point in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

> On page 20, line 18, insert "(except a mother or other relative of a child, under the age of sixteen, who is caring for such child)" immediately after "individual".

Mr. SCOTT. Mr. President, I am glad that the distinguished Senator from New York has made reference to the Family Assistance Act. I introduced that bill in the Senate a good many months ago. Of course, we are not in a position to take it up until the other body has acted, because it is a fiscal bill.

I am very pleased that everything seems favorably disposed in the other body; and I hope that when the bill is brought here we can persuade the Committee on Finance to hold hearings early and to act as promptly as they possibly can, because this is one of the boldest and most innovative proposals made by any administration in recent years. It is a means by which we can escape from the more onerous burdens of an undignified and often inadequately administered or unworkable system. I sincerely hope that we can do better by the beneficiaries, by the country, and by the taxpayers.

FEDERAL REVENUE SHARING

Mr. SCOTT. Mr. President, little letup is seen in future spending needs of State and local governments in this decade. The demands on local government and the rapidly rising costs of government services are severely straining local budgets. The real problem lies in an insurmountable local revenue inadequacy. Indeed we are facing a local government fiscal crisis which threatens the domestic problem solving fibre.

In apportioning revenue resources among the Federal, State, and local governments, those with the greatest problems and responsibilities for serving our citizens have historically been left with a tax system that is now hopelessly ill equipped to pay for public services and programs. The local tax system's productivity simply does not respond normally to normal economic growth. We have given local government an inherently weak tax structure with which we expect to work miracles. As a result, local governments face an unprecedented revenue gap of billions of dollars.

I know it has only been through large measures of imagination and initiative and remarkably vigorous attempts to make do that our Commonwealths' cities and counties have survived fiscally.

I cannot think of an objective more fundamental to the Nation's interests than insuring that we have strong local government. Our federal system of government has served us well. As our domestic problems grow more complex, the solutions do not lie in a single central government in Washington. The solutions lie in renewing the capacities of the other levels of government to make the most effective use of our resources to provide machinery that can respond immediately and directly to problems as they arise.

Since the strength of our local gov-

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ernments lies largely in their fiscal capability and capacity, we in Congress must contribute to improving that capability by enacting immediately a system of Federal revenue sharing with the States and localities.

Revenue sharing, simply, is a means of federalizing the Federal income tax base—sharing it directly with hard-pressed local governments.

True and meaningful help to these hard-pressed governments can come through Federal revenue sharing. We can use revenue sharing as a pressure valve to relieve fiscal imbalances among local governments and to provide an injection of fresh funds to move governments closer to the people. We can give States and localities breathing room. We can also move just a little more power out of Washington to decentralize our Government and to return power to local governments.

It is true that to a degree we already share revenue with States and localities through the categorical grant programs. I will not burden my colleagues with a recitation of the benefits or the problems this system of categorical aid has created. I will simply point out that it is not enough, nor is it, sometimes, effective.

I am not suggesting we abandon categorical aid for only through specifically directed aid can we hope to get national problems in scope. I believe the categorical aid programs are in desperate need of reform, but that is the subject of other legislation.

Categorical aid has one other disadvantage. It greatly limits the flexibility of the State or local official in his ability to use the funds received. Revenue sharing would not. No strings or restrictions would be placed on the use of shared revenues. Thus, revenue sharing complements local plans and program execution by making money available where it is more desperately needed. Too often the Congress and the Federal bureaucracy believe we possess all wisdom as to how Federal funds can best be spent locally. We do not have such wisdom. Local officials and their citizens know best what their own goals and priorities are and must be. Revenue sharing is then one of a number of tools to help them achieve these goals.

Our Governor and the leaders in cities, boroughs, and counties of our Commonwealth often and forcefully made the case to me for revenue sharing. I intend to continue to be a strong advocate on their behalf and on behalf of strong State and local government throughout the country. I believe it is time now that this Democratic Congress get on with the business of establishing Federal revenue sharing, as President Nixon has proposed, and as I have called for many times before.

THE NOMINATION OF JUDGE HARRY A. BLACKMUN TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT

Mr. JAVITS. Mr. President, on yesterday when the President announced the nomination of Judge Blackmun, I issued a statement to the press, which I shall now read:

> It is a fine thing that the President has acted so promptly in making this nomination to the Supreme Court. I will examine the qualifications of the nominee with the greatest care. I want very much to vote confirmation and I hope to be able to do so based on the nominee's record. At the same time, I regret very much that the President felt he had to draw a sectional line on this nomination, and I hope he will not do so again. There are many fine judges in the South who are qualified to sit on the nation's highest court with distinction, as many already have.

PERSONAL STATEMENT BY SENATOR SMITH OF MAINE

Mrs. SMITH of Maine. Mr. President, I rise on a point of personal privilege, and ask unanimous consent to have printed in the RECORD an exchange of correspondence between Mr. Bryce Harlow and myself.

My letter was delivered at the White House at 10:47 a.m. this morning.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, April 14, 1970.

HON. MARGARET CHASE SMITH,
U.S. Senate,
Washington, D.C.

DEAR MARGARET: Your speech asserts that none of your staff leaked the information that you would support Judge Carswell.

I of course will not contest that—couldn't if I wished to, wouldn't if I could. So I humbly confess error as directed, and contritely apologize as requested, for disseminating information that your staff disavows.

We have been friends, best I can recollect, for 23 years—since my staff days on the House Armed Services Committee. I am dismayed that such an episode as this could so badly fray a relationship that I have greatly prized.

Sincerely,

BRYCE N. HARLOW,
Counsellor to the President.

U.S. SENATE,
Washington, D.C., April 15, 1970.

MR. BRYCE N. HARLOW,
Counsellor to the President,
The White House, Washington, D.C.

DEAR MR. HARLOW: Thank you for your letter of apology and for your retraction of your televised statement about my office.

Sincerely yours,

MARGARET CHASE SMITH,
U.S. Senator.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Geisler, one of his secretaries.

POLLUTION OF THE GREAT LAKES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91–308)

The ACTING PRESIDENT pro tempore (Mr. ALLEN) laid before the Senate the following message from the President of the United States, which was referred to the Committee on Public Works:

To the Congress of the United States:

The first of the Great Lakes to be discovered by the seventeenth century French explorers was Lake Huron. So amazed were these brave men by the extent and beauty of that lake, they named it "The Sweet Sea".

Today there are enormous sections of the Great Lakes (including almost all of Lake Erie) that make such a title ironic. The by-products of modern technology and large population increases have polluted the lakes to a degree inconceivable to the world of the seventeenth century explorers.

In order to contribute to the restoration of these magnificent waters, this Administration will transmit legislation to the Congress which would stop the dumping of polluted dredged spoil into the Great Lakes. This bill would:

—Discontinue disposal of polluted dredged materials into the Great Lakes by the Corps of Engineers and private interests as soon as land disposal sites are available.

—Require the disposal of polluted dredged spoil in containment areas located at sites established by the Corps of Engineers and approved by the Secretary of the Interior.

—Require States and other non-Federal interests to provide one-half the cost of constructing containment areas and also provide needed lands and other rights.

—Require the Secretary of the Army, after one year, to suspend dredging if local interests were not making reasonable progress in attaining disposal sites.

I am directing the Secretary of the Army to make periodic reports of progress under this program to the Chairman of the Council on Environmental Quality.

This bill represents a major step forward in cleaning up the Great Lakes. On the other hand, it underlines the need to begin the task of dealing with the broader problem of dumping in the oceans.

About 48 million tons of dredgings, sludge and other materials are annually dumped off the coastlands of the United States. In the New York area alone, the amount of annual dumping would cover all of Manhattan Island to a depth of one foot in two years. Disposal problems of municipalities are becoming worse with increased population, higher per capita wastes, and limited disposal sites.

We are only beginning to find out the ecological effects of ocean dumping and current disposal technology is not adequate to handle wastes of the volume now being produced. Comprehensive new approaches are necessary if we are to manage this problem expeditiously and wisely.

I have therefore directed the Chairman of the Council on Environmental Quality to work with the Departments of the Interior, the Army, other Federal agencies, and State and local governments on a comprehensive study of ocean dumping to be submitted to me by September 1, 1970. That study will recommend further research needs and appropriate legislation and administrative actions.

Specifically, it will study the following areas:

—Effects of ocean dumping on the environment, including rates of spread and decomposition of the waste materials, effects on animal and plant life, and long-term ecological impacts.

—Adequacy of all existing legislative authorities to control ocean dumping, with recommendations for changes where needed.

—Amounts and areas of dumping of toxic wastes and their effects on the marine environment.

—Availability of suitable sites for disposal on land.

—Alternative methods of disposal such as incineration and re-use.

—Ideas such as creation of artificial islands, incineration at sea, transporting material to fill in strip mines or to create artificial mountains, and baling wastes for possible safe disposal in the oceans.

—The institutional problems in controlling ocean dumping.

Once this study is completed, we will be able to take action on the problem of ocean dumping.

The legislation being transmitted today would control dumping in the Great Lakes. We must now direct our attention to ocean dumping or we may court the same ecological damages that we have inflicted on our lands and inland waters.

RICHARD NIXON.

THE WHITE HOUSE, *April 15, 1970*.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 16916) making appropriations for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 16916) making appropriations for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. ALLEN) laid before the Senate the following letters, which were referred as indicated:

REPORT ON LIMITATIONS ON BUDGET OUTLAYS FOR FISCAL YEAR 1970

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, a report on limitations on budget outlays for the fiscal year 1970 (with an accompanying report); to the Committee on Appropriations.

REPORT OF THE OFFICE OF CIVIL DEFENSE OF THE DISTRICT OF COLUMBIA

A letter from the Commissioner, Executive Office, Government of the District of Columbia, transmitting, pursuant to law, the annual report of the Office of Civil Defense of the District of Columbia, for fiscal year 1969 (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF DESALTING AND ELECTRIC POWER GENERATING PROJECT

A letter from the Secretary of the Interior, reporting, pursuant to law, on the progress and results otbained by the United States from participating in the desalting and electric power generating project on Bolsa Island; to the Committee on Interior and Insular Affairs.

PROPOSED LEGISLATION ADDING ADDITIONAL MEMBERS TO THE WATER RESOURCES COUNCIL

A letter from the Chairman, Water Resources Council, transmitting a draft to proposed legislation to include the Secretary of Commerce and the Secretary of Housing and Urban Development as members of the Water Resources Council (with an accompanying paper); to the Committee on Interior and Insular Affairs.

APPLICATION FOR LOAN BY PIONEER WATER CO., PORTERVILLE, CALIF.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a copy of an application by the Pioneer Water Co., of Porterville, Calif., for a loan to assist in financing rehabilitation of an existing irrigation distribution system (with accompanying papers); to the Committee on Interior and Insular Affairs.

PROPOSED LEGISLATION TO PERMIT FULL-TIME REFEREES IN BANKRUPTCY TO SERVE AS PART-TIME U.S. MAGISTRATES

A letter from the Acting Director, Administrative Office of the United States Courts, transmitting a draft of proposed legislation to amend section 35 of the Bankruptcy Act (11 U.S.C. 63) and sections 631 and 634 of title 28, United States Code, to permit full-time referees in bankruptcy to serve as part-time U.S. magistrates and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

REPORT OF POSTMASTER GENERAL

A letter from the Postmaster General transmitting, pursuant to law, the report on revenue and cost analysis of the Department for fiscal year 1969 (with an accompanying report); to the Committee on Post Office and Civil Service.

PROPOSED LEGISLATION AND REPORT ON DREDGING AND WATER QUALITY PROBLEMS IN THE GREAT LAKES

A letter from the Secretary of the Army, transmitting for the information of the Senate a report on dredging and water quality problems in the Great Lakes; also a draft of proposed legislation to provide for construction of contained dredged soil disposal facilities for the Great Lakes and connecting channels, and for other purposes (with an accompanying paper and report); to the Committee on Public Works.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. ALLEN):

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on Agriculture and Forestry:

"HOUSE CONCURRENT RESOLUTION No. 1097

"A concurrent resolution memorializing the Congress of the United States to provide for study of the possibilities of ethyl alcohol production from wheat to replace tetraethyl lead now used in gasolines, and thereby materially reducing air pollution

"*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the legislature of the state of Kansas respectfully petitions the congress of the United States to provide for study of the possibilities of ethyl alcohol production from wheat to replace tetraethyl lead now used in gasolines, and thereby materialy reducing air pollution.

"*Be it further resolved:* That a duly attested copy of this resolution be immediately transmitted to the presiding officers of both houses of the United States congress, to the chairmen of the agriculture committees of both houses of congress, and to the president and executive director of the council of state governments.

"I hereby certify that the above CONCURRENT RESOLUTION originated in the HOUSE, and was adopted by that body *March 4,1970*.

"CALVIN A. STRAWIG,
"*Speaker of the House.*
"L. O. HAZEN,
"*Chief Clerk of the House.*

"Adopted by the Senate March 13, 1970.

"——— ———,
"*President of the Senate.*
"RALPH E. ZARKER,
"*Secretary of the Senate.*

"Attest:

"ELVILLE M. SHANAHAN,
"*Secretary of State.*"

A joint resolution of the Legislature of the State of California; to the Committee on the Judiciary:

"ASSEMBLY JOINT RESOLUTION No. 22

"A resolution relative to National Raisin Week

"Whereas, National Raisin Week is the nation's oldest food festival, celebrating its 61st observation from April 26th through May 2nd in 1970; and

"Whereas, The California raisin industry, the largest in the world, provides one-half of the world's supply of raisins; and

"Whereas, The great San Joaquin Valley of California, and more particularly Fresno County, is the very heart of the raisin industry; and

"Whereas, Since raisins are a wonderfully delicious and nutritious food, packed with energy and the health giving qualities of captured sunshine, it is most fitting that during this special observance week their praise be sung throughout the land, that even more people may come to know and enjoy the raisin and take pride in this unique industry; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to proclaim the week of April 26th through May 2nd, 1970, as "National Raisin Week"; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

"Adopted in Assembly March 20, 1970,
"Adopted in Senate April 3, 1970."

A joint resolution of the General Assembly of the Commonwealth of Virginia; to the Committee on the Judiciary:

"HOUSE JOINT RESOLUTION No. 81,
COMMONWEALTH OF VIRGINIA

"A resolution memorializing the Congress to submit to the States an amendment to the Constitution of the United States

"Whereas, taxes by the United States Government on the interest on evidences of indebtedness of states, their political subdivisions, and the agencies and instrumentalities thereof, impose a burden on the sovereign power of the states, and their political subdivisions, agencies and instrumentalities to borrow money for essential state and local purposes; and

"Whereas, the constantly recurring attempts of Congress and the Treasury Department of the United States to tax the interest on such evidences of indebtedness has severely damaged the ability of the states and their political subdivisions, agencies and instrumentalities to borrow money, and has substantially increased the cost of such borrowings to the detriment of the taxpayers of the states and their political subdivisions, agencies and instrumentalities; and

"Whereas, such recurring attempts to tax the interest on such evidences of indebtedness flout the Constitutional principle of reciprocal inter-governmental tax immunity first enunciated by the Supreme Court of the United States in McCulloch v. Maryland (4 Wheat 316) in the year 1819 and more specifically applied by that Court in Pollack v. Farmers' Loan & Trust Co. (157 U. S. 429) and later cases; and

"Whereas, it is advisable and in the best interest of the states to prevent future attempts to tax the interest on such evidences of indebtedness by amending the Constitution of the United States to unequivocally state the principle of reciprocal inter-governmental tax immunity in respect of taxes on the interest on such evidences of indebtedness and thereby restore investor confidence to the market for such evidences of indebtedness and, consequently, reduce the cost of borrowing by the states and their political subdivisions, agencies and instrumentalities; now, therefore, be it

"*Resolved by the House of Delegates, the Senate concurring,* That the Congress of the United States is hereby memorialized to submit to the legislatures of the states an amendment to the Constitution of the United States in the following form, which amendment is hereby ratified as an amendment to the Constitution of the United States on behalf of the State of Virginia, by this Joint Resolution, to wit:

" 'Without the consent of a state, Congress shall have no power to lay and collect any tax, direct or indirect, upon the income derived from interest paid on evidences of indebtedness of such state, or of any political subdivision, agency or instrumentality thereof, nor shall any state have power, without the consent of Congress, to lay and collect any tax, direct or indirect, upon the income derived from interest paid on obligations of the United States or of any agency or instrumentality thereof'; and be it further

"*Resolved,* That a duly attested copy of this Joint Resolution shall be immediately transmitted by the Clerk of the House of Delegates to both the President and Secretary of the Senate of the United States and to the Speaker and Clerk of the House of Representatives of the United States.

"Agreed to by the House of Delegates March 9, 1970.

"GEORGE R. RICH,
"*Clerk.*

"Agreed to by the Senate March 14, 1970.

"BEN D. LACY,
"*Clerk.*"

The petition of Richard L. Walker, of Louisville, Ky., praying for the enactment of legislation relating to economic sanctions against Rhodesia; to the Committee on Foreign Relations.

Mr. THURMOND presented a concurrent resolution adopted by the Legislature of the State of South Carolina, praying for the enactment of legislation to insure the continued operation of the U.S. Coast Guard Reserve, which was referred to the Committee on Commerce.

(For reference to the concurrent resolution, see the remarks of Mr. THURMOND when he presented the concurrent resolution, which appear under the heading "Extensions of Remarks.")

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations with an amendment:

S. 3127. A bill to provide for the exchange of governmental officials between the United States and the Union of Soviet Socialist Republics (Rept. No. 91-767).

AUTHORIZATION FOR COMMITTEE ON LABOR AND PUBLIC WELFARE TO STUDY RESEARCH ACTIVITIES CONDUCTED TO ASCERTAIN THE CAUSES AND DEVELOP CURES TO ELIMINATE CANCER—REPORT OF A COMMITTEE

Mr. YARBOROUGH. Mr. President, I am reporting favorably today, from the Committee on Labor and Public Welfare, without amendment, Senate Resolution 376, which provides for a study of the needs in cancer and recommendations for the steps to be taken in terms of legislation and programs to mount a massive attack on the disease and find its solution.

This resolution has the support of 46 of my colleagues, representing the entire Nation from New York to Hawaii and from the Canadian border to Mexico. It has the sponsorship of Members of both parties representing the whole spectrum of political philosophy.

It is no more than logical that a resolution on cancer should have this kind of support. Cancer cuts across all levels and segments of our population. It deals out death and suffering regardless of wealth, color, or creed, and to find its ultimate solution will require a concerted effort of all those who have been affected by it or who might be in the future. That means every one of us.

The National Cancer Institute was established in 1938 and we can take pride in the progress we have made in the intervening years, but the greater part of the job is still ahead of us. We must build on the progress we have made so far and we must do it on a large and broad scale.

When the National Cancer Institute was established, only one person in five who had cancer lived as long as 5 years with it. This figure has now gone up to one in three, from one in five, and it could be one in two if the knowledge involved in early diagnosis and treatment could be given to every man, woman, and child in the country. Progress in the last 25 years has been encouraging, for we have made great improvements in surgical techniques and in radiotherapy. We have also made great strides in chemotherapy and are now beginning to make discoveries in immunotherapy.

Four kinds of cancer previously considered incurable are now subject to cure by the use of chemicals alone. Other forms of previously incurable cancer are being treated with the combined use of surgery and radiotherapy and chemotherapy. The lives of children with acute leukemia have been extended with the use of chemicals and immunotherapy. We can look forward to the complete cure of patients with acute leukemia by means of chemotherapy and the added support of immunotherapy.

There has also been progress in the prevention of cancer. Medical men have moved in two important directions of research in this regard. The first concerns the relationship of viruses to cancer and the second is the role that air pollution and poisons in our environment play in producing cancer. There is no longer any question in the minds of the research man that many forms of cancer are caused by viruses. And there is hope that some forms of cancer in men may be prevented by vaccine or forms of immunotherapy. We can see that in these areas of research more work needs to be done to develop the leads that have already been uncovered. But the question is how do we go about this in an organized way? What is the body of information that we have at our disposal today and how shall we develop that knowledge and information to find the answers to the problems that have not been solved up to now?

There is no doubt that funds are necessary for the conquest of cancer, but how are those funds to be used? What are the programs to be pushed? And how are they to be balanced one against the other? This is what this resolution seeks to accomplish. It provides for bringing to the Committee on Labor and Public Welfare the men with the knowledge and the minds and imagination to tell the committee and the Senate what must be done and how we must go about doing it to eliminate cancer as a disease.

The dimensions of the problem are enormous. Today, more than one-half million Americans suffer from cancer. Many of them are in extreme pain, many have a hopeless outlook. Most of these people will die because despite all our efforts, we are able now to save only one cancer patient out of three.

In addition to the fact that more than one-half million of our present population has cancer, is the fact of that of our total population of 200 and some million, about 50 million are destined to develop cancer and two-thirds of these—about 33 million—will die of cancer unless we find the solutions for which we are looking.

The problem of cancer is a far bigger problem than the resources we have marshaled so far to combat it. If we are to conquer cancer and prevent suffering and death from striking such a large number of our people, we must move to a new and higher plateau, with greater effort, greater energy, greater manpower, and greater financial resources brought into play in proper balance. We must make the effort against cancer an urgent national goal.

This resolution proposes that the best medical minds in the country be called on to provide the best thought and the best means to proceed along these lines. It will be their responsibility to survey new concepts, research programs of promise, and clinical advances of importance; to advise and create task forces and collaborative programs of research and clinical investigation; to identify leaders and institutions suitable for the achievement of specific goals, and to inform the Congress, the States, and the people of the level of resources necessary for such scientific and medical programs.

This is what the adoption of this resolution will accomplish. It will show us the way to the conquest of the disease. It will tell us what needs to be done and how to do it. And it will tell us what the cost will be in funds and effort, and what resources we must marshal if we are to conquer the disease.

There is no more noble purpose to which this body could dedicate itself. Too many lives have been lost for too many years for us to be satisfied with inadequate use of our resources. We must use every resource we have, but we must find out how to use them. This is what this resolution is designed to accomplish, and I urge you to give it your favorable consideration.

The PRESIDING OFFICER (Mr. Long). The resolution will be referred to the Committee on Rules and Administration.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS (for himself, Mr. Prouty, Mr. Murphy, Mr. Dominick, Mr. Saxbe, and Mr. Scott):

S. 3718. A bill to amend the Public Health Service Act to extend for one year the programs of assistance for training in the allied health professions, and for other purposes; to the Committee on Labor and Public Welfare.

(The remarks of Mr. Javits when he introduced the bill appear earlier in the Record under the appropriate heading.)

By Mr. MATHIAS:

S. 3719. A bill to establish the Advisory Commission on Federal Tax Forms, and for other purposes; to the Committee on Finance.

By Mr. BAKER:

S. 3720. A bill to preserve, for purposes of study and research, nationally televised news and public interest programs; to the Committee on Rules and Administration.

(The remarks of Mr. Baker when he introduced the bill appear later in the Record under the appropriate heading.)

ADDITIONAL COSPONSOR OF A BILL

S. 3643

Mr. GRIFFIN. Mr. President, on behalf of the Senator from Pennsylvania (Mr. Scott), I ask unanimous consent that, at the next printing, the name of the Senator from Minnesota (Mr. Mondale) be added as a cosponsor of S. 3643, to provide for the issuance of a gold medal to the widow of the Reverend Dr. Martin Luther King, Jr., and the furnishing of duplicate medals in bronze to Martin Luther King, Jr., Memorial Fund at Morehouse College and the Martin Luther King, Jr., Memorial Center at Atlanta, Ga.

The PRESIDING OFFICER (Mr. Schweiker). Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF A RESOLUTION

S. RES. 376

Mr. KENNEDY. Mr. President, on behalf of the Senator from Texas (Mr. Yarborough), I ask unanimous consent that, at the next printing, the name of the Senator from Oregon (Mr. Hatfield) be added as a cosponsor of Senate Resolution 376, authorizing the Committee on Labor and Public Welfare to study research activities conducted to ascertain the causes and develop cures to eliminate cancer.

The PRESIDING OFFICER (Mr. Schweiker). Without objection, it is so ordered.

AMENDMENT OF RAILROAD RETIREMENT ACT OF 1937—AMENDMENTS

AMENDMENT NO. 583

Mr. MILLER submitted amendments, intended to be proposed by him, to the bill (H.R. 15733) to amend the Railroad Retirement Act of 1937 to provide a temporary 15 per centum increase in annuities, to change for a temporary period the method of computing interest on investments of the railroad retirement accounts, and for other purposes, which were referred to the Committee on Labor and Public Welfare and ordered to be printed.

ADDITIONAL COSPONSORS OF AMENDMENT

NO. 582

Mr. McGOVERN. Mr. President, last Friday, April 10, I introduced an amendment to provide a simplified food stamp distribtuion system which would be integrated with the President's family assistance plan. At that time 40 Senators joined with me in cosponsoring my amendment.

Inadvertently, however, the names of four cosponsoring Senators, Senators Burdick, Case, Dodd, and McIntyre, were omitted from the list which was printed in the Record. I, therefore, ask unanimous consent that the following list of cosponsors, taken from the first printing of my amendment, be included in the Record at the conclusion of my remarks.

I also ask unanimous consent that the name of the distinguished Senator from Arkansas, Senator Fulbright, be added to the list of cosponsors of my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIST OF COSPONSORS

Mr. Bayh, Mr. Brooke, Mr. Burdick, Mr. Case, Mr. Church, Mr. Cranston, Mr. Dodd, Mr. Eagleton, Mr. Goodell, Mr. Gravel, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hollings, Mr. Hughes, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Kennedy, Mr. McCarthy, Mr. McGee, Mr. McIntyre, Mr. Magnuson, Mr. Mansfield, Mr. Metcalf, Mr. Mondale, Mr. Montoya, Mr. Moss, Mr. Muskie, Mr. Nelson, Mr. Pastore, Mr. Pell, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Schweiker, Mr. Tydings, Mr. Williams of New Jersey, Mr. Yarborough and Mr. Young of Ohio.

NOTICE OF HEARING ON SUPREME COURT NOMINEE

Mr. HRUSKA. Mr. President, on behalf of the Committee on the Judiciary, and at the request of its chairman, I desire to give notice that a public hearing has been scheduled for Wednesday, April 29, 1970, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nomination:

Harry A. Blackmun, of Minnesota, to be an Associate Justice of the Supreme Court of the United States.

Any persons desiring to offer testimony in regard to this nomination shall, not later than 48 hours prior to such hearing, file in writing with the committee a request to be heard and a statement of their proposed testimony.

The hearing will be before the full committee of which Senator James O. Eastland, of Mississippi, is chairman.

ADDITIONAL STATEMENTS OF SENATORS

POSSIBILITY OF POWER SHORTAGE IN SUMMER

Mr. SPARKMAN. Mr. President, threats of power shortages and blackouts, or brownouts, this summer, due to inadequate coal supplies and generation capacity are a lot more serious than the public realizes. Except for a recent article in the Wall Street Journal not much is known about this.

But the White House, the Department of Interior, the Office of Emergency Preparedness, and other Federal agencies are quite disturbed. There has been at least one meeting on the subject at the Department of Interior and a report on it has been sent to the White House.

FEDERAL OFFICIALS JITTERY

Federal officials are jittery about the possibility of a recurrence, on a wider scale, of the blackouts of 1965 and 1967. The power failure of 1965, a massive one, knocked out electric power for up to 12 hours over an area with a population of about 30 million along the eastern seaboard and parts of Canada.

The 1967 failure struck Pennsylvania, New York, Maryland, and Delaware and affected about 13 million people.

The 1965 blackout caused considerable public alarm. However, few people in the affected areas realized how serious the consequences could have been had the failure lasted much longer than 12 hours. A private utility spokesman in New York City commented:

> All of our sewage must be pumped out by electricity. Had the blackout lasted any longer, we would have had serious health problems. The stench alone would have been enough to cause illness. Hospitals and airports fortunately were able to switch to standby emergency power, but we would have had real trouble if the failure had lasted much longer.

The effects of large-scale power shutdowns or breakdowns in urban areas can be disastrous, to say the least, for electricity is a vital part of our daily lives. It is needed for food refrigeration, telephone communication, mass transportation, the heating or air-conditioning of our homes and many other purposes, not the least of which is national defense production.

COAL SUPPLY IS INVOLVED

Coal supply and demand are at the root of the power problem we face this sum-

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mer—that and a threatened rail strike, too. But the ominous fact is that we still may face coal shortages in the coming hot months, and resultant electric power shutdowns, even if the rail strike—which would paralyze coal distribution—does not come to pass.

Ironically, we have more than enough coal in the ground, waiting to be mined, but even so demands are exceeding supplies. There are a number of reasons for this.

One is the shortage of miners. Even with automation, we will need at least 50,000 additional men to work in the mines within the next 5 years. However, finding them will be a difficult, if not next to hopeless job, according to Federal officials wrestling with the problem. Working underground has become a forbidden occupation to most young men these days. They can find better and less hazardous work elsewhere at equal or better pay.

RAIL CAR SHORTAGE

Another reason is the shortage of "hopper" rail cars to haul the coal from the mine; also, the dislocation of these cars when in use. For example, unit trains comprising a large number of hoppers have been delayed for many days at Hampton Roads, Va., waiting for export vessels. Meantime, coal awaiting shipment has piled up at some mines.

A further factor has been the much-talked-about but little-achieved switch to the more glamorous nuclear power plants, from the conventional—coal-using—steam plants. With the expected increase of nuclear electricity, railroads decreased orders for hopper cars, figuring they would be less in demand for coal hauling.

For the same reason coal companies have not been digging new mines, figuring that the need for coal would be less with the switch to nuclear power.

NUCLEAR PLANTS OFF SCHEDULE

However, the installation of nuclear powerplants is far behind schedule, due partly to poor planning by utility companies. Originally the utilities thought it would take about 2 years to install a nuclear plant, but instead it is taking as long as 7 years.

All this has seriously curtailed normal coal production. We produced about 554 million tons last year, whereas we require about 750 million tons a year to fulfill our domestic and export needs.

Foreign exports have further complicated the picture. We exported 21 million tons to Japan alone last year, a 300-percent boost in 3 years' time to that country. A Japanese trading company will pay Island Creek Coal Co. nearly double the market price for 30 million tons of U.S. coal under a $500 million deal soon to be concluded, according to the Wall Street Journal.

COAL FINANCED BY JAPAN

The coal will be produced at a new mine in Buchanan County, Va., to be financed by the Japanese.

Oddly enough, another contributing factor to the coal scarcity is the new Federal mine health and safety law, which takes effect on April 1. This is the most comprehensive—if not the best—law of its kind ever enacted by Congress, but Federal officials are frankly worried about its effect on small mining companies, which account for 12.5 percent of our total coal production.

Though these small mines all produce less than 100,000 tons of coal a year, there are about 4,000 of them throughout the Nation—or 80 percent of the total number of coal mines in the country. Therefore, their combined output is impressive and important to the economy.

SMALL MINES HAVE PROBLEMS

However, the great majority of them have money problems. They claim they do not have enough financial reserves to do what is necessary to comply with the new law, including the purchase of up-to-date equipment, the sinking of deeper shafts in mine face areas to increase ventilation, and so forth. Therefore, many of these small mining firms maintain they will be forced out of business.

Mine health advocates contend that they should close down, if they cannot maintain decent, healthful working standards. At the same time, we will have an even greater coal shortage if a considerable number of the small mines shut down. A number no doubt will be merged with larger coal companies.

One striking example of the threatened power shortage is the fact that the Tennessee Valley Authority electric power system, the largest single coal buyer in the Nation, currently has a stockpile of only 2.8 million tons, though its normal stockpile is 8 million tons. Nine plants in the TVA system have only enough coal to operate for a week or two.

LET US MOVE TO AVERT CRISIS

I strongly suggest that the White House take immediate steps to alleviate this critical situation. Obviously, we should be taking a much closer look at our resources—including coal and power—from the standpoint of current and future requirements.

The threatened coal and power crisis is patently due in part to poor planning by private industry or the Federal Government, or both, and we should move quickly to deal with the problem.

Mr. President, I ask consent that an article published in the Washington Post of March 21, 1970, be printed in the Record as a supplement to my remarks on the power shortage.

There being no objection, the article was ordered to be printed in the Record, as follows:

Power Failures in United States Feared

(By William G. Cushing)

A potential power crisis of larger dimension and lasting longer than the Northeast power blackout of 1965 could result soon if power utilities continue to experience a coal shortage, the American Public Power Association said yesterday.

Alex Radin, general manager of the APPA, made the statement in a letter sent to President Nixon at the beginning of the week, and made public yesterday.

"Current inability of electric utilities to obtain adequate supplies of coal needed to fuel existing generating facilities poses a potential power crisis of a magnitude and duration which could exceed that experienced during the 'Northeast Blackout' of 1965 and the 'PJM' failure of 1967," Radin told the President.

The PJM system includes major power companies serving the District, Maryland, Delaware, Pennsylvania and New Jersey.

Radin, whose organization represents a small part of the electric industry (it consists of 1,400 mainly municipally owned public power systems, 108 of which generate their own power) warned "there is a distinct likelihood of widespread 'brownouts' (rationing of electricity) or 'blackouts' in major areas of the United States, particularly the Midwest and the Southeast."

OUTRUNNING QUANTITIES

He told the President the demand for coal by the electric industry, which uses about 60 per cent of all coal produced, is "far outrunning quantities offered by coal companies," that bidders for coal contracts have dropped drastically, and that prices for available coal are rising at "alarming" rates.

Although utilities normally maintain a stockpile of 60 to 90 days' supply of coal, he said, some have reported decreased stockpiles and others "could be wiped out in a few days" of normal operation.

A spokesman for the National Coal Association backed up Radin's claim of a low coal supply: "There is a coal shortage," he said. "We (the nation) used more coal last year than produced.

"Although production was up in 1969—to 556 million tons—consumption amounted to 563 million tons. The difference has come out of stockpiles."

Part of the reason production has not kept up with demand, the coal association spokesman said, stems from an absence of excess capacity in the industry.

UNDERESTIMATED DEMAND

But basically, he said, the cause is that the utilities, coal's biggest customer, underestimated the demand for power and relied too heavily in its planning on the promise of nuclear power. Nuclear power plants expected to be operational now are a "couple of years late" in delivery, the coal spokesman noted.

Radin blamed several causes for the short coal supply, among them "coal company reluctance to develop new mines" in expectation of nuclear power; "underestimating of utility demand for coal;" recent "large-scale sales to foreign markets" at higher prices; labor shortages and transportation difficulties.

An Interstate Commerce Commission spokesman said he was "not aware of any problems in transporting coal . . . We haven't been receiving any recent complaints about inadequate transportation service for coal or inadequate availability of transportation."

Federal Power Commission figures also tended to back up the Radin claim. In the Southeast and the Midwest regions of the country, coal tonnage on hand and days' supply have both declined.

ADDRESS TO CONGRESS BY THE CHIEF JUSTICE ON THE STATE OF THE JUDICIARY

Mr. KENNEDY. Mr. President, last month I was pleased to have the opportunity to join the distinguished junior Senator from Indiana (Mr. BAYH) in submitting Senate Concurrent Resolution 57, inviting the Chief Justice to address a joint session of Congress. A companion resolution was introduced in the House by Representative ALLARD K. LOWENSTEIN of New York.

In the period since the resolution was submitted, new interest has been generated in the proposal. A column by Richard Wilson published recently in the Washington Evening Star, discussed the proposal favorably. Also, it appears that Chief Justice Burger himself may be receptive to such an invitation. I understand, for example, that the Chief Justice has accepted an invitation from the American Bar Association to deliver a "state of the judiciary" address to the annual meeting of the ABA in St. Louis in August.

I believe that it would be entirely appropriate for the Chief Justice to deliver future addresses of this sort to a joint session of the Senate and House of Representatives, and I hope that we can achieve early passage of Senate Concurrent Resolution 57.

Mr. President, because of the interest that has developed in this matter, I ask unanimous consent to have printed in the Record, at the conclusion of my remarks, Richard Wilson's column in the Evening Star, to which I have referred; a Washington Post article written by E. Barrett Prettyman, Jr., discussing the matter in detail; and a Washington Post editorial commenting on Mr. Prettyman's proposal. Although, as Mr. Prettyman points out, the idea for a state of the judiciary address to Congress is not new, I believe that Mr. Prettyman deserves great credit for developing it in its present form.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Washington Star, Mar. 30, 1970]

Burger Readies State of Judiciary Report

(By Richard Wilson)

The crisis in the courts is so great that Chief Justice Warren Burger has explored the idea of going before Congress with a state-of-the-judiciary message outlining broad reforms in the administration of justice.

Leaders in Congress were cool to the idea and it has temporarily been set aside, but there would be ample time later this year after the congressional elections or in the new Congress early next year for such an unusual and precedent-shattering appearance by the Chief Justice before a joint meeting of Congress.

Burger, in the meantime, will deliver in two sections on two successive days a state-of-the-judiciary report to the American Bar Association at its August meeting in St. Louis.

Burger has discussed his aims with numerous officials in the administration of justice, and they report him ready, when invited, to go before Congress to emphasize and dramatize what he believes to be the urgent needs for reform.

All this is very unusual. It leaves the legal traditionalists aghast and heavy with words about the separation of powers, the independence of Congress from the judiciary, the desired aloofness and detachment of the high court from practical affairs. But that does not disturb the chief justice and those who share his views because they believe the crisis of the courts is so great that tradition can take second place.

Anyway, there has been discussion of a state-of-the-judiciary message, something like the President's constitutional State-of-the-Union Message, since the days of Chief Justice Charles Evans Hughes.

Those who have talked to Burger say that what he is interested in is making the courts work better at a time when they are swamped with cases, procedural barriers, administrative problems and are paralyzed in the kind of adversary system which is long out of date and has been drastically revised in other advanced countries.

Revision of the adversary system—that courtroom drama in which contest and conflict take precedent over getting quickly to the question of guilt or innocence—is probably far off. But the improvement of administrative procedures can be done, and is being done, quicker than the nay-sayers ever expected.

Only a few months after Burger proposed that a new generation of court administrators be trained in advanced methods of operating the courts, the first intensive course, financed by a Ford Foundation grant, will open June 15 at the University of Denver. Five hundred aspirant court administrators have applied.

In another field, improving methods of legal education, former Labor Secretary Willard Wirtz will be named executive director of a two-year program for the American Bar Association and Law Institute.

With the help of various agencies, Burger has amassed a vast amount of material in three major fields—the trial courts, probation and parole, and the appellate courts. Those who have consulted with him report he is now drawing together this material, analyzing it, and preparing to present his recommendations to the Bar Association and Congress, if Congress desires.

The chief justice is impatient and dissatisfied with the way the judicial system works. He recognizes recent improvements but none the less he is appalled by multiple trial and appeal cases in which the accused carries on his warfare with society for 8, 9, 10 years and more.

He cites one case in which more than 60 jurors and alternates were involved in 5 trials, a dozen trial judges heard motions and presided, more than 30 lawyers participated and 50 appellate judges reviewed the case on appeals. He calculated the cost of that one case as $250,000, and added that the tragic aspect was that every judge and every juror was fully convinced of the defendant's guilt from beginning to end.

"What we must weigh in the balance," said Burger in a recent speech, "is the rationality of a system which is all contest and conflict. . . . Our system is open to the criticism that it is too much sail with too light an anchor."

This is a criticism of the hallowed adversary system, an example of which millions of TV viewers recently watched on National Education television in the documentary on the City of Denver vs. Lauren Watson. Four trial days were consumed in determining that this militant Black Panther was not guilty of resisting arrest after an alleged minor traffic infraction, a jury-finding rather damaged by Watson's post-trial statement that he should have murdered the two officers who arrested him.

However Burger presents his views to Congress on the administration of justice, whether in person or indirectly, there is ample cause for him to do so. His views would be dramatized by a personal appearance before Congress, and it is really hard to see how the independence of either Congress or the judiciary system would be harmed.

[From the Washington Post, Jan. 4, 1970]

State of Judiciary Deserves Its Own Report to Congress

(By E. Barrett Prettyman, Jr.)

(Note.—A former law clerk to three Supreme Court justices, Prettyman served in the Kennedy administration as a special assistant to the Attorney General and as a White House special assistant. He is the author of "Death and the Supreme Court," a study of capital cases, and is now a partner in a Washington law firm.)

At the Fourth Circuit Judicial Conference in 1953, the then Deputy Attorney General of the United States and our present Secretary of State, William P. Rogers, suggested that Congress consider extending an invitation to the Chief Justice of the United States to appear each year before a joint session of Congress to report on the state of the federal judiciary.

"In this way both Congress and the public would be fully informed, from year to year, about the work and the progress of the federal courts of our nation," Rogers said.

"Such a plan, I think, might materially contribute to a better understanding among the three great branches of our government."

Events since 1953 have proven the wisdom of Rogers' idea. Not only does the work of the judiciary need explaining to the country as never before, but a new and frightening set of figures on the growth of litigation in the federal courts bears witness to the need for long-range planning and congressional action. It is time that the problems of our judicial system be presented, both to Congress and to the country, at the highest level.

Entering a period of new leadership on the Supreme Court provides an appropriate occasion for innovative reforms, and the first could be for the leader of the third coordinate branch of government to address a joint session of Congress each year on the state of the judiciary in much the same fashion as the President reports on the state of the Union to the same body.

A GROWING LOAD

Anyone who imagines that the predicament faced by our federal judicial system is too narrow or unimportant to warrant an address of this kind simply is not cognizant of the expanding problems affecting a great mass of litigants in this country.

The caseload in the federal courts has reached an all-time high. New filings in the courts of appeals increased again in fiscal 1969—12.4 percent over the year before. For the first time, these appeals shoved above the 10,000 level. The pending caseload reached an all-time high of 7,849 on June 30, 1969. Both the number of appeals docketed and the number pending have more than doubled in just seven years.

Although nine additional appellate judgeships were authorized in 1968, four of these were still unfilled at the end of fiscal 1969. Thus, whereas there were 90 appeals docketed per judge in 1967, the number rose to 94 in 1968 and 106 in 1969. The heaviest increase was in habeas corpus appeals for federal prisoners, which increased 55 percent in a single year.

In 1969 the combined civil and criminal cases newly docketed in federal district courts rose to 110,778, an increase of 8.4 per cent over the year before. The cases disposed of increased but still totaled 6,846 less than the number filed, so the volume of pending cases reached a record 104,091 on June 30, 1969.

In the criminal area, Selective Service Act cases alone were up 81 per cent, the largest number since World War II.

In the area of law and order, 17,770 criminal cases pending at the end of the fiscal year included 3,521 that had been pending between six months and a year and 2,625 that had been pending between a year and two years. The total number of cases pending more than six months had increased 30 per cent in a single year (although 40 per cent of these involved fugitive defendants).

Overall, both the courts of appeals and the district courts faced an across-the-board increase in judicial business in fiscal 1969 of approximately 10 per cent.

A REALISTIC LOOK

Myriad problems stem from these extraordinary caseloads. There are too few judges, too few courtrooms, too few supporting personnel. It takes too long to prepare transcripts and records. (On a national average, it takes three months just to prepare the transcript and record for delivery to the court of appeals.)

Delays in criminal cases directly affect the fight against crime as well as the fair administration of justice, and delays in civil cases make the cost and inconvenience of litigation virtually prohibitive in many instances.

Jurors by the thousands sit for days with nothing to do. Far too few probation and parole officers are available to handle the 21,000 persons submitted for supervision each year. Problems of bail, judicial disability, the protracted case and a hundred other subjects plague our courts. It would take a book merely to list the litany of horrors inherent in the litigation and appeal of cases today.

New appointments and innovations are constantly being made, and dedicated men all over the country are striving for new and better answers. But neither the problems nor the answers are being brought into focus for the country and the Congress, and action has seldom been galvanized even in the face of emergencies.

An annual address to the Congress by the Chief Justice might well allow the country its first realistic look at the state of its judiciary, pinpoint current and long-range problems, suggest solutions as well as areas for study and motivate the Congress to effective action.

The present system of presenting these matters to Congress is both unbecoming and unproductive. Suggested changes usually emanate from a committee of the Judicial Conference of the United States. The conference, which meets in March and September of each year, is made up of the Chief Justice of the United States, the chief judge of each circuit, a district court judge elected from each circuit for a three-year term, the chief judge of the Court of Customs and Patent Appeals and the chief judge of the Court of Claims. If the committee recommendation is approved by the full conference, it is sent to the administrative office of the United States Courts. That office drafts a letter to the Vice President and the speaker of the House.

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The requests outlined in the letter are then assigned to the appropriate Senate and House committees. A great deal of federal judges' time is expended in preparing for and attending the resulting legislative hearings, and yet the testimony is seldom reported in the press unless the issue is one of high controversy.

On judicial matters, Congress needs not only direction but the impetus that comes from public scrutiny, for often the reaction of Congress to a judicial dilemma is too narrow to suit the circumstances. Thus the Senate recently passed a bill that would create 70 new district court judgeships, as well as urgently needed circuit executives and district court executives. But the bill would not supply the supporting court personnel—reporters, clerks, bailiffs, law clerks, marshals, probation officers and the rest—so essential to the proper administration of justice.

A 1969 Senate committee report noted: "Since 1959, there has been a 40 per cent increase in the number of federal district judges, but only a 9 per cent increase in the number of civil and criminal dispositions."

A NATIONAL CONCERN

Only the clout supplied by national support is likely to produce the personnel necessary to dispose of the courts' current backlog and cope with the needs of the future. The solution, I submit, would be a well-constructed, well-supported, forceful and public presentation to Congress that the country as well as congressmen could evaluate.

Nor should the Chief Justice be restricted to the needs and problems of the immediate future; he could forecast the years ahead, the decades beyond, and offer suggestions for basic changes that would help meet the needs and obviate the problems. His address could range over as broad a field as the courts encompass.

The problem of criminal sentencing, for example, would seem ripe for review. The interrelationship between state and federal judicial problems might well be probed by the Chief Justice.

These matters affect the entire country. They should properly be the concern of all of us rather than the concern merely of a committee of Congress.

An address by the Chief Justice would not, of course, eliminate the necessity for hearings or do away with the appearance of witnesses or the presentation of supporting data. But in much the same way that a prehearing conference can eliminate some issues and narrow others, an address by the Chief Justice would tend to focus everyone's attention on the priority items and provide an impetus for congressional action. It would, in short, turn the flashlight into a spotlight.

An address by the Chief Justice to Congress each year, or at the commencement of each new Congress every two years, would be proper and meaningful from a number of standpoints. It would be a dignified approach from the head of one coordinate branch of government to the branch responsible for both legislation and appropriations. It would inform the public of problems in an area now largely hidden from public view and thereupon furnish impetus for appropriate remedies. It would force the judges to face the failings of their system and to evolve new ideas for dealing with them, and then provide them with an appropriate forum for the expression of those ideas.

And it would provide an opportunity to demonstrate the extraordinary vigor and strength of our federal courts, the absolute necessity for an independent judiciary and the all-important role of the judicial branch in protecting society and human rights.

[From the Washington Post, Jan. 6, 1970]

State of the Judiciary Report

E. Barrett Prettyman Jr. has revived a useful idea for focusing national attention on the mounting problems of the federal courts. Referring to a similar suggestion by William P. Rogers, then Deputy Attorney General and now Secretary of State, Mr. Prettyman suggested in our Outlook section on Sunday that Congress invite the Chief Justice to report annually to a joint session on the state of the judiciary. His aim is to illuminate the country's problems in the pursuit of justice with a spotlight instead of a flashlight.

It is characteristic of the judiciary that its words and actions be restrained. No politicians scream in its behalf, and no one seems to organize demonstrations, violent or nonviolent, to obtain more judges or reduce the backlog of stale cases that clog most of our courts. Judges and lawyers often speak about the needs of the courts, but their admonitions are easily lost amid the clamor of many causes.

Some years ago Congress set up the Judicial Conference of the United States, with a fact-finding and statistical arm—the Administrative Office of the United States Courts—to improve the operation of the so-called weakest branch. In some respects the conference has worked well, along with the judicial councils set up in the various circuits, but it has not become the powerful mouthpiece that the judicial branch ought to have. Mr. Prettyman directed attention to the fact that 17,770 criminal cases were pending in the federal courts at the end of fiscal 1969, including more than 2,600 that were from one to two years old. The number of appeals filed in the last seven years has more than doubled; so has the number of cases pending. The need for more judges, courtrooms, prosecutors, clerks, probation officers and so forth is acute. Many observers believe that the need for more internal efficiency in handling the mounting case loads is even more urgent.

Clearly some means of alerting the country to the shabby state of justice in our overloaded courts ought to be devised. A report on the "state of the judiciary" would undoubtedly be useful, but Congress has shown no disposition to invite the chief justice to address a joint session. It may fear, not wholly without reason, that some future chief justice might abuse the privilege by venturing into political controversies or general legislative issues.

The call for action on the judicial front ought to come, moreover, from the Judicial Conference, which is widely representative of the judicial system. Of course, the chief justice is the head of the conference and its proper spokesman. But he needs the weight of the whole federal judiciary behind him when he ventures into the area of court machinery and judicial reforms.

The conference does make recommendations as to where judges are needed and other matters, and the Administrative Office produces factual reports. What is needed is a stronger and more persuasive consensus on judicial requirements. Why not an annual "State of the Judiciary" report as influential as the Joint Economic Report or the findings of a top-flight presidential commission? Without waiting for Congress to act, the Judicial Conference itself could play a much stronger role in rejuvenating and buttressing the machinery of justice.

SENATOR VANCE HARTKE: A FRIEND OF SMALL BUSINESS

Mr. McINTYRE. Mr. President, as chairman of the Small Business Subcommittee of the Banking and Currency Committee and a member of the Select Committee on Small Business, I have continually admired and benefited from the able leadership and assistance given the small business community by my friend, the distinguished senior Senator from Indiana (Mr. Hartke).

He has always been extremely sensitive to the needs of the small businessman. He has a clear understanding of the importance of small business to our national economy.

Therefore, I was pleased to note a recent column written by John Chamberlain, of Kings Features Syndicate, who generally reflects the conservative viewpoint, praising the understanding and the work of the Senator from Indiana in the area of small business. The Senator from Indiana deserves the credit given him by Mr. Chamberlain.

Mr. President, I ask unanimous consent to have printed in the Record the pertinent part of Mr. Chamberlain's column regarding the Senator's concern for small business.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Hartke Courts Small Businessman

(By John Chamberlain)

When it comes to guessing the way the cat is going to jump in an election year, Sen. Vance Hartke of Indiana is a good man to watch.

* * * * *

He hasn't said so in so many words, but it is obvious that he thinks the issues this autumn are likely to be bread-and-butter issues. Like another well-known senatorial aspirant, Hubert Humphrey in Minnesota, he is fighting it out along that line.

INDIANA BALANCED

Hartke's state of Indiana is nicely balanced between industry and agriculture. But, although you wouldn't know it in the shadow of the Gary steel mills, it is smaller industry that gives Indiana its rather comforting "older America" flavor. "We are a feeder state," says Hartke, "we make small parts for big business."

Knowing his constituency, the small farmer, the small businessman, Hartke has built himself a record in the Senate of showing concern for the enterpriser who has to struggle for credit.

When the Nixon administration decided it would be good anti-inflationary policy to scrap the tax credit of seven per cent which had been allowed to business on new plant investment and improvements, Hartke argued that it would be penny-wise and pound-foolish to change the tax credit rules.

The way to beat inflation, he said, was to expand productive capacity and to improve existing productivity. This would automatically reduce scarcity and force the manufacturer to lower his prices.

FAVORED TAX CREDIT

In the Johnson years, when the tax credit was suspended for a period, an exception was made for the 312,000 small businesses of the nation that had under $25,000 in income. Tax credits were still allowed on annual investments up to $20,000.

Hartke, along with Senator Bible of Nevada and Senator Sparkman of Alabama, fought to make a similar exemption to the Nixon repeal bill, and their amendment won by a 48–41 vote. But it was thrown out in the Senate-House Conference Committee.

Since then Hartke has taken a slightly different tack in fighting for the small enterpriser. He wants to see a reform in our depreciation policies, allowing fast write-offs for small business in particular. His refrain continues to be: "Increased production is the way to fight inflation."

The economic downturn in northern Indiana has helped Hartke "enormously," to quote a politician in a Wall Street Journal roundup. In the southern part of the state, where prosperity has never run really high, Hartke didn't need to wait on the choking of credit to make his appeal as the champion of the small man.

The American Conservative Union, in its early 1970 election prognosis, listed Indiana as a "high-priority" state for conservative attention. There is a "solid chance," said the ACU, of unseating Hartke, maybe with conservative State Treasurer John Snyder, maybe with someone else.

But this was before Nixon tight-money policies, which made no allowance for the "under-$25,000-in-income" small enterpriser, had had such a depressing effect.

The Republicans may yet rue the day when they decided to scrap the seven per cent tax credit for the little fellow. If the economic downturn continues, Hartke may have still another opportunity to say after election day, "I told you so."

HEARINGS SET ON BIG THICKET NATIONAL PARK BILL

Mr. YARBOROUGH. Mr. President, the announcement by the Senator from Nevada (Mr. BIBLE), chairman of the Parks and Recreation Subcommittee, that his subcommittee will hold hearings in Texas on June 12 and, if necessary, June 13 is great news for Texas and for conservationists and biologists everywhere. It is the first big breakthrough in my 4-year fight for the Big Thicket.

Hearings of this type are essential before any national park bill can be passed. Senator BIBLE and his subcommittee have had many demands on their time and energies. I am grateful—and all Texans should be thankful—that Senator BIBLE has now scheduled these hearings. A Senate hearing alone does not pass a park bill, but no national park bill can ever pass the Senate without a hearing first.

The Big Thicket is one of the great natural wilderness areas of our country. It covers parts of Hardin, Polk, Tyler, Liberty, and San Jacinto Counties.

Immediate action is necessary if we are to establish a 100,000-acre national park in the Big Thicket. The question is whether Congress will be able to save a part of this gem of a wilderness before all of it is destroyed forever. It is being destroyed now at the rate of 50 acres or more a day.

There were 3½ million acres in the Big Thicket when the first European explorers encountered the area. Forty years ago the Big Thicket had been reduced to 1½ million acres, and today only about 300,000 acres are left.

I believe it is more important to preserve a portion of our great national heritage, such as the Big Thicket, than it is to make money for a few at the expense of destroying entire ecological systems.

More than 300 species of rare birds are in the Big Thicket. These birds live among the thick brush and beautiful trees with many species of wildlife, some of which, such as the Texas red wolf, are in danger of becoming extinct.

Many of the trees are as rare specimens as are the birds and animals, such as the world champion eastern red cedar, black hickory, holly, silverbell, and many, many others.

We cannot afford to lose the Big Thicket, nor can we preserve only a token amount. We need at least a 100,000-acre national park so that the animals and birds will have enough wilderness area to survive and the ecological balances in the Big Thicket, with its water supply systems, can be maintained.

The hearings on my Big Thicket National Park bill will be held in Texas in June—possibly in Beaumont or in the Big Thicket itself. I believe that anyone with any interest in conservation who sees the Big Thicket will want to preserve it.

LABOR VIOLENCE IN PALM BEACH

Mr. GURNEY. Mr. President, on Monday, April 6, 1970, in Palm Beach County, Fla., a riot took place that poses squarely some important questions to the people of Florida and to the United States as well.

The incident—for the want of a better term—involved a mass-picketing demonstration that rapidly degenerated into a disturbance directly affecting the lives of thousands of citizens in West Palm Beach and in the adjacent county.

There does not seem to be any question that the massive demonstration was carefully planned. Word of the preparations had been rumored about West Palm Beach as early as the preceding Saturday afternoon.

Law enforcement authorities had also been warned. Although some precautions were taken by the authorities, when the showdown came, they could not prevent the riot. Physical assaults, destruction to property, arson, and utter disregard for the rights and welfare of others were the order of the day.

The sheriff of Palm Beach County and the State's attorney stated publicly on channel 5 television that they believed that all the building trades unions in the area were responsible for the affair. They proposed further investigation to determine whether a conspiracy existed, a conspiracy that gave rise to the violence.

Over the weekend, business agents of various unions were apparently busy notifying craftsmen that instead of going to work they should report to their union halls on Monday morning, April 6, in order to prepare for taking part in mass picketing against a project being built for the Spreen Volkswagen agency in nearby Palm Beach County.

It is interesting to note that the agency, adding a sizable extension, had been subject to picketing for 2 weeks prior. The work was being done by nonunion workmen entirely. Picketing had failed to halt deliveries and the work had been moving ahead quietly and without difficulty. Let it be noted that Florida is one of the "right-to-work" States. In our constitution, we have an amendment guaranteeing the right to work, regardless of membership or nonmembership in a labor organization. Unfortunately, we have no implementing statute that would in effect give teeth to this amendment, and I may say that a proposal is now under consideration in Tallahassee to remedy that omission.

But in the minds of the building trades leaders, there is an obvious blind spot: They apparently do not think people have the right to employment unless they first become members of their particular unions. In fact, union craftsmen in this instance were pulled off their regular jobs in the order to take part in a general demonstration thus ignoring their contractual duty to report for their regular work to the jobsite of their regular employers.

Mr. President, we can dispute the merits of a union shop or a closed shop and the right to work legislation rationally: We should not and cannot allow the advocates of compulsory unionism to employ violence and physical assaults and arson as a means of settling the dispute. Violence cannot be permitted to any party as a means of settlement to any public question.

But let me pursue the events of Monday, April 6. After assembly at the union halls, the workers in groups made their way to the Spreen Volkswagen jobsite.

As one newspaper declared:

> They came in a wave, flattening a wire fence and ripping up the steel posts to use as battering rams, flailing shiny new cars with sledgehammers and hurling Molotov cocktails.

Security at the jobsite was meaningless. Three private guards and three carloads of sheriff's men were unable to control the mob.

Over 1,500 men took part in the assault, a mob so huge that it took a task force of 300 sheriff's deputies, reinforced by West Palm Beach city and State police to restore order. Tear gas was finally used to quell the crowd.

One guard described the assault on the project as an infantry charge. The rioters used concrete blocks to destroy not only Volkswagens but the more expensive Porsches and Audis. One row of eight Porsches was overturned and burned. Many of the cars had windows and hoods smashed with concrete blocks. Sixty-one cars in all were wrecked.

Combustible fluids were ignited, roofing was ripped off, walls were stoved in with fence posts as battering rams.

The rioters used steel trusses to block off the highways, preventing thousands of persons from using their normal routes to their employment. The traffic jam also made it impossible for police reinforcements to reach the scene in time.

Damage to the property has been estimated at upward of $160,000.

Over 20 arrests have been made on the basis of photographs of the rioters—who strove to ruin any photographic records of their activities. They assaulted news photographers and smashed their cameras and destroyed a radio news cruiser.

The State's attorney and the county solicitor have joined forces along with the county sheriff's men and State police to gather evidence and to determine if a conspiracy charge should be brought.

Public reaction against the breakdown of law and order in this peaceful Florida community has been reassuring. Press editorial reaction has also been outspoken. One newspaper declared:

> Florida cannot tolerate this reversion to the 19th century in violation of its laws. The leaders of this black day of violence ought to be punished to the fullest extent of the statutes, whether or not a proper charge of conspiracy made by Sheriff William Heidtman is found to apply.

What can we make of this incredible incident? Are we here on the verge of labor anarchy, an offshoot of the new breed of anarchy which we see in so many other areas of the Nation?

I feel it is worth recalling that the unions involved in this rash conduct have been the very unions that have topped the list in obtaining wage increases all out of relation to productivity. These same unions have prevented the introduction of new methods and materials to meet the tremendous demands of the housing industry in our Nation. It is the same unions that have for years precluded the entry of minority groups into their trades by restrictions on ratios of apprentices on the jobsite. They have also restricted the work by means of featherbedding and jurisdictional disputes that have led to costly delays in construction.

It is obvious that we cannot permit repetition of this series of incidents in Palm Beach County. Law enforcement officials must be given the means to prevent such attacks and punish criminal conduct of this sort.

We must once more assert the rights that ordinary citizens have under our body of laws: to pursue their trade and go about their business freely without illegal interference from any source. We must put an end to special privileges of the building trades unions that have given these arrogant union leaders the erroneous impression that they are beyond the reach of law, and that their rights are superior to those of other citizens.

We must show that unlawful violation of the rights of citizens will be resisted and, where criminal, will be punished. There is no question that these union leaders must learn and understand that the privileges that they now enjoy will be restricted or curtailed if they pursue this line of lawless conduct.

It is no secret that for some 3 years the building trades unions have been obtaining—because of their monopoly position in various areas—wage settlements far in excess of what can be economically justified.

But in this area of labor relations as in others, the public interest must come first. Restoration of competition to the construction industry by opening opportunities to thousands of unemployed persons must occur.

In this area, the Federal Government must play a role, a role that the administration has already assumed to some degree.

We must see that construction is returned to its rightful place as an area for honorable employment for all persons capable of performing the job: whether they are black or white, union or nonunion. We must guarantee that management and employees—whether union or nonunion—enjoy the rights they are entitled to as citizens, especially the right to go about their business without fear of violence or intimidation.

TO DEEPEN OUR COMMITMENT

Mr. PROXMIRE. Mr. President, the international protection of human rights should be of paramount concern to this country.

However, U.S. participation in this area has been a great disappointment to those who are committed to guaranteeing worldwide protection of these basic rights. Where human rights is concerned, this country has failed to assert its moral leadership.

The Declaration of Independence and the Constitution proclaim human rights as a cornerstone of American freedoms. We have voted in favor of the human rights conventions in the General Assembly of the United Nations, but the Senate of the United States has failed to ratify most of them. Six U.N. conventions are pending in the Senate—Genocide, Political Rights of Women, Forced Labor, Employment Policy, Inter-American Convention on Political Rights of Women, and the Freedom of Association and Organization Conventions. Two more treaties—those on racial discrimination and marriage—have not even been submitted to the Senate.

The only action taken by the Senate in this area has been ratification of the supplementary convention on slavery in 1967 and the protocol on the status of refugees in 1968.

Our record is even more disturbing when we realize the substantial participation of the United States in drafting and securing U.N. ratification of the Universal Declaration of Human Rights, which has served as the foundation for much of the progress in this area. Mrs. Eleanor Roosevelt served as chairman of the U.N. Commission on Human Rights, which submitted the declaration to the General Assembly in 1948.

United States action on the human rights conventions is essential if the important goal of international protection of these basic freedoms is to be realized. Without American participation, this crucial effort will continue to face a major stumbling block.

Mr. President, the President's Commission for the Observance of Human Rights Year 1968 has emphasized the nature of our task in a publication entitled "To Deepen Our Commitment." An excerpt from this excellent publication summarizes the action that the United States has taken with regard to human rights, and urges prompt Senate ratification of the treaties that have not been acted upon. I ask unanimous consent that the excerpt entitled "Ratification Long Overdue" be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

RATIFICATION LONG OVERDUE

HUMAN RIGHTS CONVENTIONS PENDING BEFORE THE UNITED STATES SENATE

The Inter-American Convention on Granting of Political Rights to Women, *submitted by President Truman on January 13, 1949.*

The Convention on the Prevention and Punishment of the Crime of Genocide, *submitted by President Truman on June 16, 1949.*

The Convention of Freedom of Association and Protection of the Right to Organize, *submitted by President Truman on August 27, 1949.*

The Convention on the Abolition of Forced Labor, *submitted by President Kennedy on July 22, 1963.*

The Convention on the Political Rights of Women, *submitted by President Kennedy on July 22, 1963.*

The Convention Concerning Employment Policy, *submitted by President Johnson on June 2, 1966.*

On two recent occasions President Johnson has called for the ratification of human rights conventions. In his Proclamation of Human Rights Year, October 11, 1967, he stated:

"American ratification of these Conventions is long overdue. The principles they embody are part of our own national heritage. The rights and freedoms they proclaim are those which America has defended—and fights to defend—around the world."

In his remarks on signing the Executive Order establishing the Commission, President Johnson said:

"The Senate . . . supported our participation in international agreements that further the protection of human rights by assenting to the Supplementary Convention on Slavery on November 2, 1967 . . . It is my earnest hope that the Senate will complete the tasks before it by ratifying the remaining Human Rights Conventions."

Since the United Nations began its work

in the field of human rights, human rights conventions have been drafted in the following areas: Prevention of Discrimination; Genocide; Slavery and Forced Labor; Nationality, Statelessness, and Refugees; Freedom of Information; Freedom of Association; Employment Policy; Political Rights of Women; and Marriage. Some of these Conventions have been prepared under the auspices of the International Labor Organization and the United Nations Educational, Scientific, and Cultural Organization.

In 1966 the United Nations completed two major conventions which form with the Universal Declaration of Human Rights an "International Bill of Human Rights". These two conventions are the Covenant on Civil and Political Rights, and the Covenant on Economic, Social, and Cultural Rights. The Covenant on Civil and Political Rights is complemented by an optional protocol which provides for measures of implementation of the covenant.

There are at present six human rights conventions pending before the United States Senate. They are popularly known as the Conventions on Forced Labor, Political Rights of Women, Genocide, Freedom of Association, Employment Policy, and the Inter-American Convention on the Political Rights of Women. The United States has also signed, but not ratified, two other major Human Rights Conventions: The International Convention on the Elimination of all forms of Racial Discrimination, and the Convention on Consent to Marriage, Minimum age of Marriage and Registration of Marriages. These two Conventions have not yet been submitted to the Senate.

The Senate has held hearings on the Convention Concerning the Prevention and Punishment of the Crime of Genocide (1950) and the Convention Concerning Employment Policy (1966). In 1967 the Senate Foreign Relations Committee established a Subcommittee on the Human Rights Conventions to hold hearings on the three human rights conventions sent to the Senate in 1963 by President Kennedy—the Conventions on Slavery, Forced Labor, and the Political Rights of Women. At the hearings Ambassador Goldberg testified that this Administration "strongly supports ratification of these conventions." He also stated that "the rights we are talking about in all three of these conventions are fundamental rights guaranteed by our Constitution . . ." and that there would be no need for implementing legislation. The Foreign Relations Committee reported out the Supplementary Slavery Convention which was approved by the Senate and ratified by President Johnson, December 7, 1967.

On August 1, 1968, President Johnson transmitted to the Senate a Human Rights Convention entitled Protocol Relating to the Status of Refugees. This Protocol in effect replaces the earlier Convention relating to the Status of Refugees by incorporating the principal substantive provisions of the earlier convention. The Senate advised and consented to the ratification of the Protocol on October 4, 1968, and President Johnson subsequently submitted the United States ratification of it to the United Nations. Thus the United States today is a party to two U.N. Human Rights Conventions.

The Special Committee of Lawyers under the Chairmanship of Associate Justice of the Supreme Court, Tom C. Clark (retired), appointed a subcommittee to prepare a report on the Human Rights Conventions. The subcommittee is headed by former Attorney General William P. Rogers. Dean Clarence Clyde Ferguson and Mr. John Carey are the rapporteurs for the preparation of the report.

At its third meeting on June 11, 1968, the Commission discussed the question of the best means to achieve ratification of human rights conventions and decided to give its strong support to the President's objective by urging their ratification at the earliest possible time. The Commission stated in a resolution adopted at that time:

"These human rights conventions are an expression of principles that have guided our own citizens in the development of a progressive and enlightened government. The fact that United States Law is in accord with the provisions of these conventions does not mean that there is no necessity for this country to participate in them . . . ."

THE COLLEGE BENEFIT SYSTEM OF AMERICA

Mr. HATFIELD. Mr. President, recently I submitted a statement to the subcommittee of the House Judiciary Committee, now hearing H.R. 9010, which is the companion bill to the bill which I am cosponsoring in the Senate, S. 1290, to incorporate the College Benefit System of America. Because of my great interest in this legislation, I ask unanimous consent that my remarks to the subcommittee be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MARK O. HATFIELD

Mr. Chairman, in your hearings on H.R. 9010, which would grant a federal charter to the College Benefit System of America, I should like to record my strong support for this proposal. As you know, I am a cosponsor of the companion bill, S. 1290, which is before the Senate. I believe this legislation is necessary to protect the nationwide pension program of higher education from the fragmentation and dilution which would result from multiple state regulation and discriminatory taxation.

Legislative recognition was given to higher education's pension system by the State of Oregon. As a former educator, Dean of students of Willamette University, and later as Governor of Oregon, I enthusiastically supported that legislation. After extensive consideration, the Oregon legislature determined that it was in the public interest that higher education's pension fund not be subject to multiple regulation and taxation. I am advised that thirty other states have granted substantially similar relief. In each instance the states have properly determined that the pension program of higher education should be granted necessary relief. But what a demanding, exhausting and, unfortunately, tentative route to preserve a national resource!

For the past fifty years, higher education's pension system has admirably served two objectives which this government has long recognized as being in our national interest—first, providing for the financial welfare of our senior citizens upon their retirement, and second, strengthening our institutions of higher education. The program now provides retirement protection for over 300,000 staff members of over 2,000 educational institutions located in each of the fifty states.

It is with considerable pride that I can say that the institutions participating in this great pension system include the seven colleges and universities under the Oregon State Board of Higher Education as well as sixteen other educational institutions in Oregon, including the University of Portland, Reed College, Willamette University and the Medical Research Foundation of Oregon.

Higher education's pension program is one of the factors enabling our colleges and universities to attract and retain teachers of a quality which has made this country's system of higher education greater than any the world has ever known. Without the retirement security that this pension program provides, it is likely that many of these teachers could not have afforded to forsake the higher salaries of private industry to enter the teaching profession.

The ultimate beneficiaries of financial sacrifices by educators are the nation's youth who are attending or will attend those colleges and universities, and the nation itself which draws upon our institutions of higher learning for leadership in the public and private fields. In return for these benefits, it is only fitting that government should make it possible for the higher educational community to continue providing for its own retirement security without the burden of multiple and discriminatory taxation and regulation.

The fact that the educational world took it upon itself in 1918 to establish a cooperative contributory pension system that would meet education's pension needs on a uniform and nationwide basis is a great tribute to its initiative and foresight. Education's achievement is particularly remarkable when it is realized that its pension program predated Social Security by some twenty years. Throughout its history, education's pension program always has been regarded as a pioneer in the area of retirement security.

The purpose of the proposed legislation is simply to enable education to continue accomplishing, without impediment or restriction, what it has accomplished so admirably for over fifty years. The successful growth and development of this nationwide program has been due in part to the fact that it has been uniformly regulated by only one state and, like the great majority of public and private pension funds, has not been burdened with taxation. Unless the proposed federal charter is granted, there is now a substantial danger that this may change.

By reason of its unique structure, higher education's pension program could be exposed to regulation and taxation under the insurance laws of each of the fifty states. The result of this multistate regulation and taxation would be to discriminate against higher education's pension system and to destroy its uniform availability throughout the nation.

The great majority of the public and private pension plans are not taxed. Education's pension program should not now be singled out for taxation. The financial pressures upon our institutions of higher learning are now greater than ever as a result of increasing student enrollment and the generally increasing cost of education—combined with a disproportionately lower increase in new faculty members. Education can ill afford additional financial burdens in the form of discriminatory taxation of its pension program.

Perhaps even greater dangers are presented by the threat of multiple state regulation. The heart of education's pension program uniformity cannot exist if the pension program is subject to regulation under the insurance laws of each of the fifty states. It is inevitable that this multiple regulation will result eventually in differences in the administration and availability of the program in the various states. The mobility of teachers from an institution in one state to an institution in another state would be seriously impeded and a divisive element will be injected into our higher educational system.

Contrary to contentions made by the opponents of this legislation, this bill is not intended to infringe in any way upon the power of the states to regulate the business of insurance. What is involved here is a pension program. The tax and regulatory relief which the legislation will provide will apply only to the pension activities of the program.

Suggestions of representatives of the commercial insurance industry that this legislation will grant a preference to an insurance company is also without substance. In providing for its pension needs the educational world is not competing with the commercial insurance companies any more than the unions are competing with the insurance companies in the administration of the union pension funds. College Benefit System of America which seeks a federal charter is designed as a cooperative trust of higher education.

This is worthy and necessary legislation. I sincerely hope that the Committee will take prompt and favorable action on H.R. 9010.

DE FACTO AND DE JURE SEGREGATION

Mr. RIBICOFF. Mr. President, the Senate recently debated the need for a uniform policy of integration in this country. Therefore, the recent statement by the U.S. Commission on Civil Rights in response to the President's message on integration is timely and interesting.

I hope all who are concerned with insuring equality of educational opportunity to all our children, white and black, North and South, will take the time to read this thoughtful statement.

I ask unanimous consent that the Commission's statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE U.S. COMMISSION ON CIVIL RIGHTS

XUM

On March 24, 1970, the President issued an important civil rights statement. The President's statement is comprehensive and thoughtful. He has made clear his strong support for the constitutional principle of the 1954 Supreme Court decision in *Brown* v. *Board of Education:* "We are not backing away. The Constitutional mandate will be enforced."

The President also has given his view of the contents of that constitutional mandate. "Deliberate racial segregation of pupils by official action," the President said, "is unlawful, wherever it exists." He pointed out emphatically that "it must be eliminated 'root and branch'—and it must be eliminated at once." Further, the President stated that "segregation of teachers must be eliminated" and ordered that steps be taken to assure against discrimination in the quality of facilities or the quality of education delivered to school children within individual school districts.

As the President recognizes, however, the issues are more complex than merely ending current practices of deliberate public school segregation and discrimination, and their implications for the future of the country are far-reaching. While many of the problems are common to nearly all minority groups in all parts of the country, others frequently are unique to particular sections of the country or to particular minority groups. Problems of segregation and inadequate school facilities, for example, cut across racial or ethnic lines and exist in all regions. Black children in the rural South, however, experience educational deprivations different in kind from those of children who live in northern ghettos. By the same token, Mexican American and other Spanish-speaking children experience unique hardships when they come from homes where their first language is Spanish but enter an educational environment where only English is permitted, and as a result are shunted automatically into lower ability groups and subjected to curricular discrimination.

The President addressed himself to many of the more complex issues that have been troubling the Nation—issues such as what can be done about so-called *de facto* school segregation, what are the most effective and sensible means of enforcing school desegregation requirements, how much of a social burden can the schools reasonably be expected to bear, how important is integration to the achievement of minority group children, how effective can busing be as a means of carrying out school desegregation, how important is adherence to the neighborhood school principle, and what kinds of resources should the Federal Government make available to local communities to achieve the goal of equal educational opportunity?

These are issues of critical importance deserving of the highest level of consideration and discussion. In the course of its history, the Commission has paid continuing attention to many of these issues. We are committed to the purpose for which this Commission was created: To act as an objective, bipartisan factfinding agency and to continually apprise the President, the Congress, and the Nation of the facts as we see them. The Commission believes that the experience and information we have gathered over the years concerning the issues discussed in the President's statement provide a sound basis for analysis and comment that can contribute to their clarification and be of help to educators, other public officials, and concerned Americans generally. It is in this spirit that we speak out now.

DE JURE V. DE FACTO

The President draws a sharp distinction between *de jure* and *de facto* school desegregation, contending that under the former there is a positive duty to end it, while under the latter, "school authorities are not Constitutionally required to take any positive steps to correct the imbalance." This statement represents a strict interpretation of existing Supreme Court decisions.

It can be argued, however, that the Supreme Court's decision in *Brown* warrants a broader interpretation. For one thing, while the holding of the Supreme Court in the *Brown* case was limited to legally compelled or sanctoined segregation, the Court's concern extended as well to segregation resulting from factors other than legal compulsion. The Supreme Court quoted with approval a lower court finding that "Segregation of white and colored children in public schools has a detrimental effect upon the colored children. *The impact is greater when it has the sanction of law* . . ." (Emphasis added), and concluded: "Separate educational facilities are inherently unequal . . ."

Thus the Court expressly recognized the inherent inequality of all segregation noting only that the sanction of law gave it greater impact. In a sense, therefore, the President's sharp distinction between *de jure* and *de facto* segregation tends to blunt what many think is a crucial thrust of *Brown*.

The Commission, moreover, in the course of its investigations, has found numerous examples—North and South—which suggest that it is not adequate to describe school segregation as purely *de facto*— that in many cases, school segregation that appears to result solely from accidental housing patterns turns out, upon closer examination, to result in large part from decisions by school and other public officials.

For example, decisions on school boundary lines have been made with the purpose and effect of isolating minority group members in their own separate and unequal schools. Sites for new schools, even recently, have been strategically selected so as to assure against racially integrated student bodies. The size of schools has been determined with an eye toward maintaining racial separation. As the President recognizes conduct of this type is illegal. Instances of purposeful school segregation have been found in surprising places, in the North as well as the South. The school systems of New Rochelle, New York; South Holland, Illinois; Pasadena and Los Angeles, California; and Pontiac, Michigan, are among those which have been found by the courts to have practiced deliberate school segregation in violation of the Fourteenth Amendment. There is no doubt that there are many more instances of school segregation resulting from conscious decisions of school officials than the relative handful that have come to the attention of the courts.

It also should be understood that legally compelled or sanctioned school segregation is not a phenomenon unique to the South. In many northern and western states, the current pattern of racial separation of students is a legacy of an era when laws and policies explicitly authorized segregation by race. States such as Indiana, New Mexico and Wyoming maintained separate-but-equal laws beyond the mid 1940s. In other northern states, such as Ohio and New Jersey, cities and counties persisted in maintaining separate schools for black students well into the 1950s.

Even in those instances where school segregation is a result of housing patterns with no apparent complicity of school officials, government at all levels—local, State, or Federal—invariably is heavily implicated. Historically, racial zoning ordinances imposed by local law were a formidable factor in creating and maintaining racially exclusive neighborhoods. Although such ordinances were held unconstitutional as early as 1917, some communities continued to enforce them, even as late as the 1950s.

Judicial enforcement by State courts of racially restrictive covenants has been another important factor. Although these covenants were private agreements to exclude members of designated minority groups, the fact that they were enforceable by the courts gave them maximum effectiveness. Not until 1948 was the judicial enforcement of such covenants held unconstitutional, and not until 1953 was their enforcement by way of money damages held unlawful. Racially restrictive covenants no longer are judicially enforceable, but they still appear in deeds and the residential patterns they helped to create still persist.

Various exercises of local governmental authority, such as decisions on building permits, the location of sewer and water facilities, building inspection standards, zoning and land use requirements, and the power of eminent domain have been used to exclude minority group members from designated neighborhoods and even from entire communities.

The Federal Government, principally through its public housing and FHA mortgage insurance programs, has been all too often a willing partner in the creation and perpetuation of racially segregated neighborhoods, even to the point of insisting upon them. Until the late 1940s, for example, FHA insisted on racially restrictive covenants to insure against integrated housing developments. Until 1962 when the Executive Order on Equal Opportunity in Housing was issued, the agency continued willingly to do business with discriminatory builders and developers. The Public Housing Administration permitted its funds to be used for the creation and perpetuation of segregated housing projects well after the courts had made it clear that such practices were in violation of the Constitution. Other Federal programs, such as the highway and urban renewal programs, which involve massive displacement and relocation, also have had the effect of intensifying residential segregation.

The point we are making is that the current situation we face, in which most minority group children attend school in isolation from children of the majority group, is *not* accidental or purely *de facto*. In many cases, it has resulted in whole or in substantial part from an accumulation of governmental actions. Thus the categorical distinction between *de jure* and *de facto* segregation is not as clear-cut as it would appear. Upon closer examination, there is probably little legal substance to the concept of *de facto* school segregation. Further, in the Commission's view, the Government has a moral as well as legal responsibility to undo the segregation it has helped to create and maintain. There is no statute of limitations by which government in its many forms can be exonerated from its past misdeeds or relieved of its current obligations.

The Commission believes that the necessary course of action is to make available to the Department of Justice and the Department of Health, Education, and Welfare the resources necessary to determine on a nationwide basis those cases which appear on the surface to involve *de facto* segregation but which in reality involve *de jure* school segregation, and then to take steps to correct the situation. We note that the President, in his budget request for Fiscal Year 1971, has asked for substantial increases in resources for civil rights enforcement in both departments—56 additional positions for the Civil Rights Division of the Department of Justice and 144 additional positions for the Office of Civil Rights in the Department of Health, Education, and Welfare. It is important that the President's request be honored. It also is important that the attention of these two departments be directed specifically to the problem of apparent *de facto* segregation that may, in fact, have been consciously created and maintained *de jure*. We believe that to accept without investigation the notion of widespread fortuitous and ingenuous school segregation and to determine policy on that basis would be a serious mistake.

Further, there is a large arsenal of weapons, in the form of nondiscrimination laws and low- and moderate-income housing programs, available to combat housing segregation and remove it as a cause of school segregation. As this Commission also recently pointed out in its report on "Federal Installations and Equal Housing Opportunity," the leverage of the substantial economic benefits generated by Federal installations can be used effectively to promote housing desegregation.

Another important way to promote housing desegregation is to provide people with the economic wherewithal necessary to expand their choice of housing. The President's Family Assistance and Manpower Training proposals, as well as the Administration's endorsement of the "Philadelphia Plan," represent forward moving efforts to enable the poor, a disproportionately high number of whom are minority group members, to join the Nation's economic mainstream and expand their choice in housing and other aspects of life through adequate income and job stability.

ENFORCEMENT OF SCHOOL DESEGREGATION

The President's statement was largely silent concerning the means that will be used to bring about an end to dual school systems. Experience in the 16 years since the *Brown* decision provides many lessons on what kind of enforcement works and what kind does not. During the first ten years following *Brown*, when litigation was the sole enforcement mechanism, progress in carrying out the Supreme Court's mandate was frustratingly slow—three percent desegregation in 10 years. Since the enactment of Title VI of the Civil Rights Act of 1964, however, with its provision for administrative enforcement, progress has accelerated enormously—30 to 40 percent desegregation in the last five years. In a July 3, 1969, statement the Attorney General and the Secretary of Health, Education, and Welfare indicated that the Government was deemphasizing the use of administrative enforcement under Title VI in favor of a return to litigation. This, despite the evidence of the practical utility of Title VI as an enforcement mechanism. The fact that the President made no reference to the means to be used raises the fear that litigation will, in fact, continue to be substituted for administrative enforcement. In its September 1969 report on "Federal Enforcement of School Desegregation," the Commission characterized the Administration's reliance on litigation as "a major retreat in the struggle to achieve meaningful school desegregation." The Commission believes it is important that a clear statement of policy be made by the President to allay these fears.

The President made plain in his statement, however, two other principles which apparently will guide his Administration in carrying out the Supreme Court's mandate: local discretion and reliance on good faith of local school administrators. Again, on the basis of the experience of the past 16 years, the Commission believes that neither is adequate assurance. The progress that has been made in promoting school desegregation in the South has not often resulted from local initiative, alone, but more frequently from persistent Federal pressure, joined with local initiative. Experience also has demonstrated that results alone—and not good faith—are the only true measure of compliance with the Supreme Court's mandate.

BURDEN ON THE SCHOOLS

Another area that warrants further discussion is the suggestion that we are asking too much of our schools. The President said: "They have been expected not only to educate, but also to accomplish a social transformation." The Commission believes this is true—that much is being asked of our schools, that much always has been asked of them. The important point, however, is that they have delivered. During the great waves of immigration that brought millions of oppressed people to this land of promise, it was the schools that we relied upon to educate the children of these immigrant families and to integrate them into American society. They did not fail us then.

But they are failing today. The children of the Nation's ghettos and barrios are not receiving the quality of education afforded to more affluent majority group children, nor are they being enabled to join the Nation's social and economic mainstream. Above all, they are not being integrated into American society, but are becoming alienated from it. To be sure, the problems facing the schools may be more difficult than those they faced in earlier days when they succeeded so well. But these problems cannot be viewed as insoluble, nor can be relieve our schools of the burden, heavy as it may be, of being the chief instrument by which they will be resolved. For the schools occupy a special place in American society. As the President pointed out:

"The school stands in a unique relationship to the community, to the family, and to the individual student. It is a focal point of community life. It has a powerful impact on the future of all who attend. It is a place not only of learning, but also of living—where a child's friendships center, where he learns to measure himself against others, to share, to compete, to cooperate—and it is the one institution above all others with which the parent shares his child."

Public schools must again be asked to play their traditional role as "the balance wheel of the social machinery." It will not do to insist that we are placing too heavy a burden on the schools. It is a burden that they always have accepted and they must accept it now. It should be a national priority of the highest order to provide our schools with the necessary resources—adequate facilities, better teaching training, and the like—to bear this burden. It is for this reason that we welcome the President's allocation of one and a half billion dollars. There are urgent needs for all of this and more, plus a clear pinpointing of the precise educational priorities for school improvement throughout the country.

There simply is no other institution in the country so equipped to do the job. If the public schools fail, the social, economic, and racial divisions that now exist will grow even wider. It would be even worse, however, if the schools do not even try.

IMPORTANCE OF SCHOOL INTEGRATION

In his March 3, 1970, message on "Education Reform," the President made the following statement: "Quality is what education is all about; desegregation is vital to that quality." That statement did not represent a suggestion of a new direction in national policy, but rather, an accurate and succinct description of one of the cornerstones of established policy.

It has been settled that desegregation is fundamental to the achievement of equal educational opportunity. All three branches of the Federal Government have spoken with one firm resolve on this matter and the Nation has committed itself to achieving the goal of quality integrated education for all of our children. Studies have been made, such as the Coleman Report, the Commission's own report on "Racial Isolation in the Public Schools," and a recent study of the New York State Board of Regents, which indicate that racial, as well as social class, integration has a positive effect on the achievement of school children. These studies are useful in contributing to better understanding of the elements that make for quality education. They in no way question the fundamental policy of school desegregation. That policy is based on considerations as important as school achievement scores. School integration is necessary to create the understanding and sense of common purpose so vital to the Nation's future well-being. The key question now is not the relative merits of desegregation, but how to accomplish it.

It is true, as the President points out, that the adult community has failed to achieve for itself the kind of multiracial society that we are seeking to achieve in schools. The failure of the adult community, however, only highlights the necessity of insuring that our children receive the kind of training in integrated school environments that will equip them to thrive in the multiracial society they will enter. In fact, nowhere is integration more easily achieved than among children, who are born without prejudice and who accept other human beings for their human values, without automatic judgments based on race or color. If we delay this training until they enter the adult society, we will have been too late. It is in the schools where our children's attitudes and perceptions can be influenced to enable them to succeed where we, their parents, have failed.

BUSING

In his statement, the President raised the issue of busing and cautioned that we must proceed with the least possible disruption to our children's education. Busing has become an emotionally charged word and the issues involved have been the subject of considerable misunderstanding. Many who oppose busing do so on the basis of certain assumptions, one of which is that riding to school disrupts a child's education and causes harm. This is a serious issue which should not be argued solely in terms of assumptions or emotion. The Commission believes that facts which it has found in the course of its investigations may contribute to clarify the issue and sharpening the debate over it.

XUM

Busing is neither a new nor a unique technique, and its use is not limited to facilitating desegregation. For example, for decades, black and white children alike, in the South were bused as much as 50 miles or more each day to assure perfect racial segregation. In many cases, busing was the exclusive privilege of white children—black children often were required to walk considerable distances. No complaints then were heard from whites of any harmful effects. Nor was any concern exhibited over the damage suffered by black children through their deliberate segregation. The Supreme Court in *Brown* described vividly the nature of the harm to which Negro children were being subjected.

"To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone."

Thus the arguments that some now make about the evils of busing would appear less than ingenuous. The plain fact is that every day of every school year 18 million pupils—40 percent of the Nation's public school children—are bused to and from school, and the buses log in the aggregate more than two billion miles—nine billion passenger miles—each year. It also should be understood that the overwhelming majority of school busing has nothing to do with desegregation or achieving racial balance. The trend toward consolidation of schools, for example, particularly in rural areas, requires extensive busing. It causes no disruption to the educational routines of the children and is treated as normal and sensible.

Amid the controversy over busing, in many school systems, North and South, transportation is being used quietly and effectively as a means of bringing about desegregation. The bus rides are not long—in Berkeley, California, for example, a city of 120,000 people, the bus trip never exceeds 20 minutes—and it causes no harm. In the South, of course, the amount of busing needed to bring about desegregation frequently is considerably less than was required to maintain dual school systems. For example, at the Commission's 1968 hearing in Montgomery, Alabama, we found that black students in Selma, seeking to attend trade school, were bused some 50 miles to the nearly all-black Trenholm School in Montgomery, although the Rufus King trade school was located in Selma. Rufus King, however, was all-white.

It is a mistake to think of the problems of desegregation and the extent that busing is required to facilitate it solely in the context of the Nation's relatively few giant urban centers such as Chicago, New York, or Los Angeles. In most of our cities the techniques necessary to accomplish desegregation are relatively simple and busing creates no hardships. The experience in communities which have successfully desegregated could easily be transferred to cities of greater size.

Even in giant urban centers, progress in desegregation does not require interminable bus rides or disruption of our children's education. The President, in discussing the recent California court decision requiring desegregation of the Los Angeles school system, quoted "local leaders" as estimating that the total cost of busing will amount to 40-million dollars over the next school year. This estimate represented the contention of the defendants in that litigation. It was presented to the court for the purpose of arguing against the feasibility of desegregation in that city's school system. In fact, the court rejected this estimate as unrealistic.

In Los Angeles, as in other cities, substantial desegregation can be accomplished through relatively simple devices such as alteration of existing school attendance areas, school pairing, and the establishment of central schools. To be sure, transportation is necessary in giant urban centers as it is in smaller cities, but here too, it is false and defeatist to assume that the bus rides must be lengthy or that the education of our children will be disrupted.

In the Commission's view, the emphasis that some put on the issue of busing is misplaced. As most Americans would agree, it is the kind of education that awaits our children at the end of the bus ride that is really important.

NEIGHBORHOOD SCHOOLS

In his statement, the President emphasized the desirability of maintaining the neighborhood school principle. For several reasons, the Commission questions whether this should be one of the cornerstones upon which national educational policy rests.

For one thing, neighborhood schools do not represent the invariable principle governing school attendance that many believe. Frequently, neighborhood attendance is subordinated to other educational goals. In some cities, for example, handicapped children or academically talented students attend schools other than the one in their neighborhood.

Further, the Commission has found numerous instances of departures from neighborhood attendance policy that have had the effect of promoting racial segregation, where faithful adherence to the neighbodhood school principle would have assured integrated student bodies. In Cleveland, Ohio and San Francisco, California, for example, optional zones were created to permit white students who otherwise would have attended racially integrated schools to choose instead nearly all-white schools out of their neighborhood. Transfer plans, ostensibly instituted to relieve overcrowding, also have had the effect of promoting racial separation.

There is, in fact, a good deal of inconsistency and hypocrisy that all too often surround the lip service paid to the neighborhood school principle. Courts, as well as school officials, have had little difficulty in dismissing its importance for the purpose of maintaining segregation. In Cincinnati in 1876, for example, black chldren who had to walk four miles each way to attend a black school brought suit to enter the much nearer white school. The court refused and said: "Children cannot cluster around their schools like they do around their parish church." Several years ago, then Chief Judge Tuttle of the U.S. Court of Appeals for the Fifth Circuit, in a case involving the Mobile, Alabama, school system, made some observations on this point:

"Both in testimony and in the briefs, much is said by the appellees about the virtues of 'neighborhood schools.' Of course, in the brief of the Board of Education, the word 'neighborhood' doesn't mean what it usually means. When spoken of as a means to require Negro children to continue to attend a Negro school in the vicinity of their homes, it is spoken of as a 'neighborhood' school plan. When the plan permits a white child to leave his Negro 'neighborhood' to attend a white school in another 'neighborhood' it becomes apparent that the 'neighborhood' is something else again. As every member of this court knows, there are neighborhoods in the South and in every city of the South which contain both Negro and white people. So far as has come to the attention of this court, no board of education has yet suggested that every child be required to attend his 'neighborhood school' if the neighborhood school is a Negro school. Every Board of Education has claimed the right to assign every white child to a school other than the neighborhood school under such circumstances. And yet, when it is suggested that Negro children in Negro neighborhoods be permitted to break out of the segregated pattern of their own race in order to avoid the 'inherently unequal' education of 'separate educational facilities,' the answer too often is that the children should attend their 'neighborhood school.' So, too, there is a hollow sound to the superficially appealing statement that school areas are designed by observing safety factors, such as highways, railroads, streams, etc. No matter how many such barriers there may be, none of them is so grave as to prevent the white child whose 'area' school is Negro from crossing the barrier and enrolling in the nearest white school even though it be several intervening 'areas' away."

There also is some question whether the narrow attendance areas served by neighborhood schools truly represent the "neighborhood" as we currently understand that term. In fact, the meaning of neighborhoods has changed over the years. Recent developments in the pattern of urban life—rapid population shifts and the growing distances city residents travel for recreation, business, and shopping—have diffused traditional neighborhood patterns. They no longer are the self-contained, cohesive communities they may once have been. In short, it is doubtful that adherence to the neighborhood school principle is required by considerations of close community ties in narrow geographical areas. The schools have an opportunity, by broadening the geographical areas they serve, to expand the experience of children beyond that of the restricted confines of their narrowly defined neighborhood, and establish the school as a broader "community" or "neighborhood" in which the lives of all who attend can be enriched.

If adherence to the neighborhood school principle frequently interferes with efforts to promote desegregation, there also is some question concerning its value as a means of providing quality education. The essence of the neighborhood school is a self-contained unit serving a relatively small student population. In larger units, however, economies of scale frequently make possible the offering of a broader curriculum and the provision of new and expensive equipment that are not economically possible in schools which serve small numbers of students. Many rural areas, for example, in an effort to improve the quality of education, have abandoned the tradition of small individual school houses in favor of consolidated schools serving much larger student bodies. In short, adherence to the neighborhood school principle under current conditions not only tends to interfere with efforts at desegregation, but also has little bearing on efforts to improve the quality of education and in some cases may even thwart those efforts.

The Commission believes that ideally and ultimately, resolution of the problem of school segregation lies in residential desegregation, which will remove the emotional issue of neighborhood schools from the arena of civil rights controversy. Residential desegregation can be accomplished through laws and policies designed specifically to secure an open housing market, and administered with dedication and purpose. This does not mean, however, that efforts to desegregate the schools should await the day when neighborhood desegregation has been achieved. We cannot afford to make integrated education wholly dependent upon open housing, for to do so would be to consign at least another generation of children to education in racially isolated schools.

HELPING COMMUNITIES TO DESEGREGATE

We have spoken of communities that have recognized the problem of school segregation and have determined to eliminate it on their own. Many of these are in the South and they have complied with judicial and administrative requirements by devising imaginative and successful plans not only for achieving physical desegration but also for assuring quality education for all children.

Some of these communities are in areas commonly thought to be among the most opposed to desegregation. For example, Pass Christian and New Albany, Mississippi, both have accomplished full desegregation and have taken steps to assure that the desegregated schools are not white schools or black schools, but schools that all children can feel a part of. As measured by white and black student participation in school activities, daily attendance rates, and achievement scores, their efforts have been successful.

Other communities, particularly in the North, while they have been under no legal compulsion to accomplish desegregation, nonetheless have sought to do the job. The President has pointed out that these school officials are free to take steps beyond the constitutional minimums to diminish racial separation.

The Commission questions, however, whether this is enough, and whether the appropriate posture of the Federal Government on this important matter should be merely a passive one. Rather, we believe it is essential that resources, in the form of financial and technical assistance, be made available to assist these communities in bringing about total and successful desegregation as rapidly as possible.

We recognize, of course, that the President has made a commitment of one and one-half billion dollars over the next two years to carry out his school policies, and we applaud this step. There is need to clarify how this money will be used. The President specified two purposes: "Improving education in racially impacted areas, North and South, and for assisting school districts in meeting special problems incident to court-ordered desegregation."

It is not clear whether these two purposes are considered mutually exclusive—whether school districts *not* under court order would be eligible for assistance under this program to promote desegregation or whether the President's proposal assumes that so-called *de facto* segregation is with us to stay. If the latter, then the proposal may well have the effect of providing built-in financial incentives for the perpetuation of racial segregation in schools not under court order and transform an acceptance of the reality of *de facto* segregation into self-fulfilling prophesy. We believe again that further official clarification of this point is needed.

The President has made it clear to all that his Administration intends to carry out the Supreme Court's mandate of an immediate end to legally sanctioned dual school systems.

Much more, however, is necessary. The problems of racial isolation in the Nation's schools cannot be resolved solely through cautious adherence to a narrow construction of existing case law. The courts, in defining the constitutional requirements relating to desegregation have informed us only of our minimum mandate, not the maximum that we are permitted to do to accomplish school desegregation. In education, as in other areas of national concern, it is the responsibility of the Congress and the Executive Branch to act beyond this minimum, using the broad authority provided under the Constitution. Thus it is not sufficient to say that local school officials who have not maintained legally compelled separate systems may desegregate their schools if they choose to. The necessity of desegregation must also be urged and the resources made available to accomplish it if our Nation is to move toward the ideal of "one Nation, under God, indivisible, with liberty and justice for all." It is this word "all," with its special connotation of equal educational opportunity for all the children in America which has inspired most of our comments. We believe that here is the central concern, the true promise of what America will be in the years ahead—one Nation, indivisible, or two Nations divided.

The Commission fears that the President's statement, particularly his sharp distinction between *de jure* and *de facto* segregation, well may have the net effect, though unintentional, of signaling a major departure from the policy of moving toward integrated schools and that open society of which he spoke so well in his statement.

Last September, in its report on "Federal Enforcement of School Desegregation," the Commission pointed out:

"This is certainly no time for giving aid and comfort, even unintentionally, to the laggards while penalizing those who have made commendable efforts to follow the law, even while disagreeing with it. If anything, this is the time to say that time is running out on us as a Nation. In a word, what we need most at this juncture of our history is a great positive statement regarding this central and crucial national problem where once and for all our actions clearly would match the promises of our Constitution and Bill of Rights."

The Commission is aware that the problem of school segregation is one of enormous difficulty and complexity. Yet a realistic assessment of the scope and dimensions of the problem should not result in a resigned acceptance of its indefinite continuation or a defeatist conclusion that it is beyond our capacity to resolve. The Commission is convinced of the ability and will of the American people to respond affirmatively to a call to end the injustice that school segregation represents. This call requires a major investment of resources, the commitment of public and private officials on the Federal, State, and local level—indeed of all Americans—and above all, the continuing example of courageous moral leadership from the President of the United States.

Members of the Commission: Rev. Theodore M. Hesburgh, C.S.C., Chairman, Stephen Horn, Vice Chairman, Frankie M. Freeman, Maurice B. Mitchell, Robert S. Rankin, Manuel Ruiz, Howard A. Glickstein, Staff Director.

MISS LAURIE MICHELS, BOISE, IDAHO, WINNER OF ABILITY COUNTS CONTEST

Mr. JORDAN of Idaho. Mr. President, it was my pleasure to learn than an Idaho student, Miss Laurie Michels of 2120 Sunrise Rim, Boise, who attends Borah High School, is among the five national winners of the Ability Counts contest sponsored by the President's Committee and Governors' Committees on Employment of the Handicapped.

The contest was entered by high school juniors and seniors from public, parochial, and private schools in 46 States, the District of Columbia, and the Virgin Islands.

Miss Michels and the other contestants questioned personnel in State employment and State vocational rehabilitation offices, labor unions, and places of employment to find out about the contributions made in their communities by persons with physical disabilities. The other students who were winners in the Idaho State contest were Miss Kathie Brack, of Coeur d'Alene, Miss Deborah Whitman, of Caldwell, and Miss Jane S. Smith, of Boise.

Miss Michels' report, a tribute to the men and women who have not quit although burdened by severe handicaps, also is a tribute to the growing Idaho communities where handicapped persons are recognized as valuable additions to the work force.

It also speaks well of the dedicated persons throughout the State who have given guidance and special training to the disabled citizens—many of them young, returning veterans just starting adult life and careers—so that they are prepared for life as productive members of their communities.

We, in Idaho, are very proud of Miss Michels for her excellent essay on those fine citizens who personify the Gem State pioneering spirit: the determination to succeed no matter what the obstacle.

I look forward to meeting Miss Michels and her teacher, Mrs. Reid, while they are in Washington April 23 and 24 for the President's meeting on employment of the handicapped.

I ask unanimous consent that the entry by Miss Michels be printed in the RECORD.

There being no objection, the entry was ordered to be printed in the RECORD, as follows:

THE DISABLED VETERAN AS A MANPOWER RESOURCE IN MY COMMUNITY

Another day begins at a near-by factory in my community. Machines whirr as each man starts his day's work. One employee, Carl Winger, sits at a wooden table where he makes rubber doormats. His fingers work nimbly as he lays the rubber strips in place and then binds them together. Farther on down the room, Adam Nicholas works at a loom, weaving colorful and attractive throw rugs. On the average, he puts out twelve rugs a day.

Ed Carver, a service station attendant, carries on a lively conversation with a customer as he fills the gas tank and checks the motor. Ed's cheerfulness and dependability make him an asset to the station.

On the outskirts of town a little boy grins happily as Dr. Henry Eidemiller, a veterinarian, hands him a silky Siamese cat that he has pulled through a bad siege of distemper.

While each man has a different job, all of them have two qualities in common. First, they are all handicapped in some way. The doormat maker is blind; the weaver's legs are paralyzed; the station attendant's hand is missing; and the veterinarian's left arm is useless. Second, all are veterans.

These men represent a great number of disabled veterans who have severe handicaps, but who have gone on to conquer them and to become hard-working citizens. Overcoming their handicaps was not easy; rather it was the end-result of continuing effort and untiring attempts to bring themselves to the full workmanship abilities that all possess. The skills disabled veterans have are diversified; they are employed in jobs ranging from a piano tuner to a school teacher, a congressman to a musician, and a corporation executive to a private pilot.

Even though most veterans are, or want to become, self-supporting, money is not always the dominant objective of employment. Often it is a deep desire within the disabled veteran to feel he is contributing to his community the talents and abilities he has to offer. These men will not permit their handicaps to bring them down.

Because of their unyielding enthusiasm, often they perform at higher rates of proficiency than the non-handicapped worker. For instance, in a lumber yard a blind veteran works at a power saw, turning out numerous bundles of wooden stakes. He puts several pieces of wood through the saw at a time. Occasionally a defective piece is used; however, his quick, sensitive, and accurate fingers detect this error and toss out the faulty wood.

In some respects, a disabled veteran's handicap can turn out to be an asset. The deaf can block out distracting noises, and the fingers of the blind are much more sensitive to errors. Also, because of the positive and ambitious attitudes most disabled veterans have, they are inspiring to their more able-bodied co-workers. All in all, the working disabled veteran, whether he be a factory worker or a self-employed business man, is a great manpower resource and a good investment in my community's future and welfare.

The disabled veteran has a burning desire to succeed. He wants to reach out and to tell the world that "Ability Counts."

EQUITY DEMANDED FOR NORTHEAST'S CONSUMERS

Mr. McINTYRE. Mr. President, last week the Subcommittee on Small Business of the Banking and Currency Committee held 2 days of hearings on the critical problem of No. 2 fuel oil for the Northeastern States.

Members of the Senate and the House of Representatives testified and submitted statements in support of proposals for increased imports of No. 2 fuel oil to alleviate the tight supply situation, reduce consumer prices, and strengthen competition. Several witnesses proposed complete decontrol of No. 2 fuel oil imports; others supported the plan to provide 150,000 barrels per day of No. 2 fuel oil imports to independent deepwater terminal operators in district I, the east coast.

I should like to take a moment to put east coast needs in perspective.

Let us see what 150,000 barrels a day really means.

First, the 150,000 barrels per day of imports that have been proposed represents 1 percent of the refinery output of our Nation.

Second, there are 20 refineries—I repeat: 20 refineries—in our country that produce more than 150,000 barrels per day. Seven of them are in Texas and three in Louisiana. In other words, there are 20 refineries in this country that produce more oil—from that single refinery—than is being asked for all of the east coast.

Third, let us look at some of those individual refineries.

Standard Oil of California has a refinery at El Segundo that produces 200,000 barrels per day.

American Oil has a refinery of 300,000 barrels per day, at Whiting, Ind.

Gulf Oil has a refinery at Port Arthur, Tex., that produces 320,000 barrels per day—that is twice as much as we in the Northeast are asking for.

Mobil Oil has a refinery at Beaumont, Tex., with an output of 330,000 barrels per day and I might add that Mobil led the way with a 1-cent price increase on gasoline 2 weeks ago that is going to cost the American consumer $1 billion per year.

Texaco has a refinery at Port Arthur, producing 310,000 barrels per day.

Humble Oil has a refinery at Baton Rouge, La., producing 450,000 barrels per day. In other words, Humble Oil Co., has one refinery producing three times as much oil as is being sought for the entire east coast.

These figures speak for themselves.

They also demonstrate why we in the Northeast have been shocked and angry at the opposition of the major oil companies and oil producers to proposals for relief for our area.

We do not seek much; only a measure of equity.

But we are determined to get that equity. And we will not rest until the heating oil problem is solved.

I ask unanimous consent to have printed in the Record the testimony of Mrs. Bess Myerson Grant, the commissioner of consumer affairs for New York City, before the subcommittee.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Abolition of Quotas on the Importation of Oil Into the United States

(Testimony of Bess Myerson Grant, commissioner of consumer affairs of the City of New York, before the Subcommittee on Small Business of the Senate Banking and Currency Committee, April 6, 1970)

Mr. Chairman, I am pleased to have this opportunity to discuss what may be the single most scandalous instance of exploitation which the American consumer must face in meeting her family's basic economic needs. I refer to the policy of maintaining quotas on the importation of relatively cheap foreign oil, and thereby fixing the prices which consumers must pay at artificially high levels.

In particular, I believe that it is important at this time to call attention to the Administration's apparent decision to scuttle the Report of the President's own Task Force on Oil Import Control. This Task Force was chaired by Labor Secretary George Schultz, and composed entirely of high level appointees of President Nixon himself. The Task Force's Report was prepared on the basis of nine months careful study, and after review of ten thousand pages of written submissions, by an exceptionally distinguished staff under the direction of Professor Philip Areeda of the Harvard Law School. The Report exploded once and for all the myth that oil import quotas serve to protect our national security. It exhaustively documented the fact that the only function of the quotas is to preserve the immense private profits of oil companies and oil investors.

The Task Force's recommendations were hardly radical. Indeed, I could not myself support them except as a necessary and temporary compromise. The Report did not propose the termination of Oil's status as a special object of government largesse. It suggested merely that the Administration alter the *method* of forcing consumers to make annual welfare payments to the industry. Tariffs, rather than quotas, the report demonstrated, could reduce fuel prices for the nation's consumers without jeopardizing the standing of any oil company with Dun and Bradstreet.

But the oil industry doesn't want to substitute tariffs for quotas. Tariffs would illuminate a bit too dramatically the injustice inherent in the sheltered status of oil. Therefore, they might awaken the American people to the need for even more fundamental reform. So Oil registered its opposition. And the Administration, it seems, has reacted accordingly. President Nixon made an implicit public promise not to tamper with the oil import quota system—at least not until after the November elections.

I congratulate this Committee for its courage in holding hearings on this vital question—in the face of the overwhelming pressure that can be brought to bear by an industry with $5 billion in annual revenues at stake. Only by educating the people and giving them the facts can we who care about this issue, convert our individual concern into public concern. Only thereby can we dismantle this system of legalized larceny. Only thereby can we force government to start protecting the people, and stop playing its present role—which is something like that of a cop in a crowd who stealthily picks the pockets of individual citizens and then distributes the proceeds to those hoodlums unable to succeed at the pick-pocket game without official aid.

The scale on which this game of picking the American consumer's pocket as presently played is dazzling. Mayor Lindsay's Commission on Inflation and Economic Welfare gave a conservative estimate that the total annual cost of oil import quotas to New York City's population is $95 million. The President's Task Force stated that each individual New York City family loses nearly $100 each year in excessive payments.

In the aggregate, the oil industry extorts an incredible total of approximately $5 billion each year from consumers across the nation by means of the oil import quota system. Not only do quotas excuse it from the inconvenience of meeting more efficient and less expensive foreign competition. Quotas also shelter the industry's devious price-fixing arrangements which have been created under color of state laws in oil-producing states. Moreover, oil companies even make vast profits from the resale of those amounts of foreign oil which Interior Department regulations allow to be imported under outstanding quotas.

Nearly $1 million is made *every day* from these resale rights. Since the beginning of the oil import quota program in 1959, Standard Oil of New Jersey has gained at least $305 million in this manner; Gulf has made over $290 million; and Standard of California has taken over $265 million. Every penny of these astounding totals rightfully belongs to tens of millions of ordinary families, many of whom have literally lost as much as $1,000 in excess payments for fuel—$1,000 which they could no doubt put to very good use in coping with the ravages of inflation.

There is only one conclusion a fair-minded observer can draw from these facts. The magnates of oil—and the politicians who serve them—have said, "The consumer be damned."

What else is there to say of an Administration which struggles to see that the surtax survives, while it shies away from showing even slight concern about this sacrifice of the consuming family's financial security to a powerful industry's greed?

That constitutes my general response to the state of things with respect to oil quotas. Now, if the Committee will permit me, I would like briefly to note some more specific criticisms of the existing program, which I have developed with the assistance of the staff of the Department of Consumer Affairs and other officials of Mayor Lindsay's Administration.

Oil from Venezuela or the Middle East could be delivered to the U.S. East Coast for about $2.00 a barrel. Oil from Texas costs about $3.90 a barrel on the East Coast. For New York State, these basic figures mean that the cost of the Program this year, 1970, will be almost half a billion dollars. When New England is added in, the cost is over eight hundred million dollars in this year alone. This means that the oil quotas will cost New York and New England almost as much this year as the Federal Government is spending to fight crime in 1970. According to the Report of the President's Task Force, over the next ten years, the extra cost to the nation's consumers of continuing this program will be about 65 billion dollars.

This is a huge, hidden tax on consumers across the nation—not only on those who live in the North—though Northern consumers are most seriously affected. Northern states' economies receive no oil production taxes and they use oil for heating as well as for industry. Among the Northern states, New York and New England are most heavily taxed, because of their high consumption and great distance from the major producing areas. The Tax is compounded in the Northeast because pipelines, which offer comparatively economical oil and gas transportation, do not reach us. We must rely on U.S.-flag tankers, which increase the risk of pollution and which are approximately twice as expensive as U.S. owned ships under other flags.

A final defect in the system of import restrictions is that it achieves its goal in the most inefficient way possible, by using quotas instead of tariffs. The Task Force makes evident that either approach can yield the same U.S. price for oil. However, quotas make it impossible for small marketers to buy more than a fixed quantity from foreign sellers—an oligopoly can increase prices without worrying the foreigners might come and introduce competitive pricing into the market. Moreover, the quota encourages the state governments, as in Texas, to support prices by restricting the production of the most prolific (lowest cost) fields.

The naive might expect that a tax of this size—far higher than the annual cost of the C–5 and F–111 programs put together—would at least have a defensible reason for being.

Unfortunately, as the Task Force report makes clear, the national defense needs for the oil import program are largely a gleam in the eyes of the oil company PR men. The report points out that even the wholly unreal assumption that the U.S. and Canada receive no oil at all from any foreign country for one year, they would be able to meet all demand for oil by only moderate rationing of passenger car gasoline. The report points out that this contingency—total stoppage of all U.S. and Canadian imports of oil—is difficult to even imagine, short of nuclear war, at which point we would face problems far more serious than lack of gasoline for a Sunday drive.

As for World War II's relevance, the official history of the Petroleum Administration for War points out that rationing was imposed for two main reasons: (a) to conserve rubber tires, and (b) to give the population a sense of sacrifice. Crude oil was never in generally short supply—there were product shortages, but they were caused by lack of tanker transportation to the East Coast. In this connection, it is interesting to note the Task Force's conclusion that wartime tanker shortages, although not likely to be a problem, would actually be *worse* if the import quotas are continued than if they are entirely abandoned.

There are other inconsistencies which makes evident that the real purpose of the program is to protect the incomes of U.S. oil men. For example, oil from Canada is heavily restricted by hitherto secret agreements, even though no one seriously argues that the Canadians, who are equal partners in our air defense system, are a threat to our national security. The managers of the programs have found it possible to make even less rational distinctions: Canadian oil is allowed to come in over land, but may not be shipped over the Great Lakes nor, until this year, to Chicago.

The carefully reasoned conclusion of the Task Force, that the present system is unnecessary for national defense, has not to my knowledge been coherently challeged. I suggest that if one takes seriously the requirement of the Trade Expansion Act of 1962 that the national defense be found to be endangered before import restrictions can be levied, the present program should be considered illegal.

It seems clear, however, that outright elimination of oil quotas is not a realistic goal for this political year. Indeed, even the Cabinet Task Force's proposal that tariffs be substituted for quotas seems unlikely to occur.

Hence, I suggest a further compromise: the extension, in the present District I (which is the Atlantic States) of the present exemption of residual fuel oil to No. 2 fuel oil. As a compromise, it has several advantages. First, No. 2 oil is most widely used in the North, for home heating, and its exemption will therefore benefit the area which is hardest hit by the program. Areas further South and in the Midwest and Northwest have natural gas available, and the South has in any event less severe weather. Secondly, the exemption would not be so large a hole in the dike as to significantly reduce the present level of subsidy to the owners of oil lands. If the additional exemption has any general price effect, it would only offset the gasoline price increases currently being instituted by the industry, following the price leadership of Texaco in this case.

The third benefits of this compromise is that, unlike subsidies to only a part of the distribution chain, i.e., increased quota allocations to independent marine terminals or to Machiasport refiners, it will not simply end up in the pockets of the favored segment. This disappearance of the subsidy occurs when those who effectively set the price, usually the large, integrated oil companies, do not receive any subsidy, and therefore cannot force the price down.

The final benefit of decontrol of No. 2 fuel oil is that the number of sources of supply will be increased. Competition is aided because U.S. refiners of fuel oil will have to look over their shoulder at the price of imported oil when they set prices; this increases the size of the market which oligopolistic forces must control before prices can be artificially increased.

The present program adds to inflation, imposes an illegally discriminatory tax on consumers especially in the Northern two-thirds of the nation, and abets monopoly. At the least, we insist on decontrol of No. 2 fuel oil. By continuing oil import quotas in the face of irrefutable evidence that they serve only to fatten the profits of oil interests, the Administration has applied its special version of the Southern strategy to the cause of economic justice.

Mr. Chairman, the oil import quota system is a five billion dollar annual drain on the American economy. While billions ooze into the tax-sheltered pockets of the oil industry, the average consumer pays an extra $100 each winter to heat his home. Unfortunately, the President is stuck in the primordial politics of petroleum, and Congress is our only hope to clean up the slick.

I hope, Mr. Chairman, that you and the members of your Committee will be able to inform the public and to persuade your colleagues, so that we can begin to turn the tide of pressure and power, and to free this historic chamber of democracy from the domination of Big Oil.

TREATMENT OF PRISONERS OF WAR

Mr. DOMINICK. Mr. President, North Vietnam and the Vietcong in the south continue their cynical and barbarous policy which totally disregard both the letter and the spirit of the 1949 Geneva Convention Relative to the Treatment of Prisoners of War. That convention, which was signed by North Vietnam on June 28, 1957, provides the right of neutral inspection by the International Committee of the Red Cross and for regular mail communication between prisoners and their families. Hanoi has not made even the smallest gesture toward regular repatriation of sick and wounded prisoners despite the number of unilateral releases of sick and wounded North Vietnamese prisoners by South Vietnam. Furthermore, North Vietnam grimly refuses to give any true accounting of the number of prisoners being held. Not only does such action constitute cruel and inhuman treatment of the prisoners being held, it is sadistically cruel to the anguished families who anxiously wait to hear whether their missing serviceman father, son, or husband is dead or captured.

Since the first U.S. Army adviser was captured by the Vietcong in March 1964, the number of U.S. servicemen listed as missing in action or captured in Southeast Asia has grown to a current total of more than 1,400. About 150 of these men have been missing or captured for more than 4 years, and more than 300 of them have been missing for three and a half years, which is longer than any U.S. serviceman was held prisoner during World War II.

Mr. President, the Council of Trustees, Association of the U.S. Army, has adopted a resolution which clearly expresses the anger and outrage felt by most Americans toward North Vietnam and the Vietcong because of their cruel and inhumane treatment of American prisoners of war. I ask that this resolution be printed at this point in my remarks.

Mr. President, six Members of the Senate and six Members of the House of Representatives have joined in sponsoring a bipartisan "appeal for international justice" for American prisoners of war and our men who are missing in action in Southeast Asia. Also joining in this observance will be almost all the veterans' organizations and a great many interested individuals. The observance will be highlighted by a mass rally to be held at Constitution Hall at 8 p.m. on May 1, 1970. I hope that many Senators will join with us on that occasion to show our support for our imprisoned servicemen and our concern for their families.

Very recently, I met with a great many of the families of these men who are from Colorado, and I know that they will welcome this action to show that Americans do care about our missing servicemen, and that we will not tolerate the cruel and cynical actions by the North Vietnamese and the Vietcong toward American prisoners of war.

I ask unanimous consent that a resolution of the council of trustees, Association of the U.S. Army, be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of the Council of Trustees, Association of the U.S. Army

The actions of the Hanoi government in its treatment of prisoners of war are both shocking and disgraceful. Up to 1,400 members of our country's armed forces who are missing in action may be held prisoners under circumstances and conditions that are in grave violation of not only the Geneva Convention, but of the principles of human decency itself.

The government of North Vietnam and the

XUM

Viet Cong have subjected these honorable fighting men to barbaric and cruel treatment. There is evidence that captives have been miserably fed, provided with inadequate or no medical care, ridiculed and reviled in public, subjected to such outrages as beatings and solitary confinement, and exploited for propaganda purposes.

Hanoi has repeatedly ignored entreaties by our government for the names of men held prisoner. This calculated and cruel omission has had the effect of extending the suffering of the prisoners to their anguished relatives, many of whom do not even know if men now listed as missing in action are alive.

Despite the fact that the government of North Vietnam is a party to the Geneva Convention on the Protection of Prisoners, its leaders have made a mockery of its provisions. They have not only mistreated prisoners but flagrantly violated such primary tenets as allowing neutral inspection of prisons and permitting such basic amenities as the exchange with relatives at home of letters and packages.

Spokesmen for North Vietnam and the Viet Cong have sought to justify their despicable conduct by characterizing our troops as "criminals" while callously refusing to even acknowledge pleas for information and humane care by government officials, congressmen, the American public and the wives of missing men. Nor, apparently, has the fact that our side has treated fairly the some 30,000 North Vietnamese and Viet Cong prisoners of war influenced these cruel jailers to even partially reciprocate.

We condemn this barbaric treatment of American fighting men and their families and strongly endorse the efforts of our government and other organizations and individuals to persuade the government of North Vietnam to live up to the solemn promises it made when it became party to the Geneva Convention and to convince the Viet Cong to do likewise.

Elvis J. Stahr,
Chairman.

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PROPOSED FEASIBILITY STUDY FOR A LAKE TAHOE NATIONAL LAKESHORE

Mr. CRANSTON. Mr. President, this morning hearings were held by the Subcommittee on Parks and Recreation on S. 2208, introduced by the distinguished Senator from Nevada (Mr. Bible), which would authorize a feasibility study for a national lakeshore on the Nevada portion of the Lake Tahoe Basin.

Lake Tahoe is one of our truly spectacular national resources. Its clear, icy waters and the breathtaking beauty of the surrounding Sierra Nevada Mountains have attracted great numbers of people to enjoy the recreational facilities of the basin. During some periods in the peak summer months, over 100,000 people can be found there at the same time. This demand has resulted in increased residential and commercial development around the lakeshore. Senator Bible's bill is an attempt to preserve the undeveloped areas and I congratulate him for his foresight and his action.

While the bill would limit the study to the Nevada shore, an amendment has been suggested by the Department of the Interior which would expand the study to include the two-thirds of the Lake Tahoe shore which lies within California. This proposal has my support because I believe any feasibility study must take into consideration the potential of the entire basin. I hope the subcommittee will give every consideration to this proposal.

OPEN DUMPING IN LAKE MICHIGAN

Mr. SMITH of Illinois. Mr. President, today President Nixon has transmitted his Great Lakes disposal message, embodying a bold new commitment of Federal funds and energies to prevent open-lake dumping of polluted dredged materials. I welcome the President's message and proposals and congratulate the administration for its "new look" approach to the problems of dredged materials disposal. Those of us privileged to live along the Great Lakes are very much encouraged by this action program, which we feel is long overdue, to prevent further despoilment of a great natural, national heritage.

Mr. President, I take special pride in the President's message, because open-lake dumping in Lake Michigan has been the topic of the President's and my mutual interest for some time. It was, in fact, a principal topic of our discussion when the President traveled to Chicago in February for the historic first meeting of his Environmental Quality Council. Since then, it has been a continuing topic of study and discussion between our respective staffs. I ask unanimous consent that the text of my latest communication to the President on open-lake dumping in Lake Michigan be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., March 13, 1970.

The President,
The White House,
Washington, D.C.

Dear Mr. President: This letter has two purposes. First, I want to convey the congratulations and overwhelming support of Illinois citizens for your historic anti-pollution program. Our State, unique in its diverse geography, industry, and agriculture, and abundantly blessed with natural as well as human resources, has a life-and-death concern about pollution problems. Its citizens are drawing new hope for improvement of the quality of life in America from your firm commitment to a better environment. I am very proud to be a Senate cosponsor of all of your legislative proposals on the environment. We in Illinois pledge our continuing support for your great efforts to prevent further fouling of our air, water, and natural resources.

I am also writing to formally alert you to the concern of our citizens about the dumping of polluted, dredged materials into Lake Michigan by the Army Corps of Engineers. Some weeks ago, the Corps announced that it intends to proceed with the open-lake dumping of over 1.5 million cubic yards of dredged materials this year.

Few announcements in the history of this Administration have been as ill-timed. The Corps' statement came only days after your visit to Chicago for meetings on environmental problems and only days before you sent your program on the environment to the Congress. The people of Illinois were appalled by the announcement. Their public officials' reactions ranged from disappointment to denunciation. The Department of the Interior expressed its unreserved disapproval. But the Corps could not be budged. It defended its practice, arguing that dredging was necessary to maintain navigable waterways in and around the Lake and that open-lake dumping was the only available means of disposing of a large percentage of dredged materials.

In the constructive spirit of our meeting on environmental problems in Chicago last month, I offer the following suggestions for resolution of the deplorable impasse, between the people and the Interior Department on the one hand and the Corps of Engineers on the other, that permits the dumping to continue.

I urge you to order the immediate curtailment of all but that Lake Michigan dredging absolutely essential to the maintenance of navigable passageways for carrier vessels and to require the disposal of dredged materials by means other than open-lake dumping to the greatest extent possible.

I also urge you to send the Congress legislation that would halt the open-lake dumping of polluted dredgings for at least a five year period, while a permanent solution to the problem of dredged material disposal is worked out. Such legislation would, of course, require creation of an alternative disposal program for these materials. In my opinion, a program of this nature should include the following features:

Federal assistance to States or non-federal agencies for the acquisition of unused or unusable land, suitable for the construction and operation of dredged materials disposal facilities. Federal assistance in such acquisition could be limited to 50% of the value of the wasteland, contributed either in cash or in the transfer to the State or non-federal agency of Federal land suitable for similar use, or for other public use and benefit.

State or agency acquisition and retention of title to all disposal land and facilities, with power specifically reserved to the State or agency to plan and execute rehabilitation of the facility site, and to use or convey the facility site after its rehabilitation, without penalty or remission of proceeds to the Federal Government.

Federal-State participation in the cost of constructing and maintaining dredged material disposal facilities adequate to receive the volume of materials dredged from the Great Lakes and surrounding waterways during the life of the program. Federal participation could be limited to 50% of the costs involved in erecting, staffing, equipping, and operating the facility, and in its post-usage rehabilitation for public, recreational, or other use.

Federal transportation of federally dredged materials to the disposal facility. Transportation of all other dredged material to the disposal facility by the dredging party, public or private.

Licensing of nonpublic use of the facilities at reasonable fees. Such fees should approximate reimbursement of the Federal and State or agency costs of the nonpublic use in question. Fifty percent of the revenues collected from such licensed usage should be returned to the participating State or agency to assist in retiring its costs of acquisition, maintenance, and rehabilitation of the facility.

Federal and state or agency participation in the administration of the facility, including joint representation on any policymaking body created to guide the facility operations.

Federal operation of the facility.

I am informally advised that such a program might cost the Federal Government fifty million dollars over a five year period or ninety million dollars over a ten year period. Preservation of the Great Lakes for ourselves and our posterity would surely repay our investment many times over. I hope that the Administration will respond to this specific pollution crisis of the Great Lakes with the same commitment reflected in its general environmental program. I stand ready to render any assistance you may request in this effort.

Sincerely yours,
Ralph Tyler Smith.

Mr. SMITH of Illinois. Mr. President, that letter reflects my own strong antidumping stand and the details of antidumping legislation I proposed to the President. In some ways the President's proposals do not go as far as I had suggested, but I shall be proud to cosponsor the President's bill as a history-making first step, and hope to present some amendments of my own when the legislation is considered in committee. Mr. President, President Nixon's proposals are an implicit recognition of the principle that public works projects, no matter how desirable, must not be permitted to pollute and despoil. They further recognize the sound principle that, if Government aims to eliminate pollution, it should first guarantee that its own activities do not pollute.

The dredging of shipping channels in the Great Lakes is an important factor in the maintenance of a healthy, vital, economic climate in my own State of Illinois. Only today, in a statement prepared for delivery before the Senate Rivers and Harbors Subcommittee, I strongly endorsed the proposed Waukegan Harbor project for Lake Michigan. But my statement also reflected what I feel is a legitimate concern for the ecology of Lake Michigan. I said:

> I am particularly pleased to note that the letter of intent includes the fact that dredgings will be deposited in on-shore disposal areas rather than spilled back into Lake Michigan.

I think my statement reflected the only sound approach to pollution abatement—stop the pollution before it starts. Build into every new project, and older ones as well, positive guarantees against pollution.

I shall continue to pursue this course as future projects come along.

The people of Illinois know the value of Great Lakes commerce to the State's economy. Many of their jobs depend on the shipping and lake-related industries. Yet, they have been and again demanded the cessation of the open-lake dumping of dredged materials—not because they want to see shipping and industry come to a halt in the Great Lakes region, but because they believe that shipping and industry can continue to prosper without continuing to pollute. The people of Illinois look to their public officers to accomplish that goal of progress without pollution by strict enforcement of antipollution regulations. They expect action, not words, directed toward pollution abatement. They insist upon the creation of programs "with the teeth in them"—and the dollars in them—to do the job. They deserve nothing less.

Mr. President, I believe President Nixon's bold new commitment to progress without pollution deserves a similar commitment from each of us. And so today, I am announcing a policy that some may regard as politically naive. I believe it is one I owe my constituents, so many of whom are already engaged in action programs to fight pollution. While others seize upon the popular appeal of an antipollution campaign, mouthing platitudes and exploiting the new rhetoric of pollution, this one U.S. Senator will be taking action. I am today announcing the following commitment as junior Senator from the State of Illinois: From this day on, I shall use my office as Senator to oppose each and every new Federal public works project for the State of Illinois, if plans for those projects do not include an adequate concern for the ecological effects of their execution. In other words, I am serving notice here and now to every State and local government officer, and to every interest group, that Ralph Smith will do his best to see that no more Federal dollars are spent on new public works projects in Illinois unless those projects include completely adequate safeguards to control pollution and other detrimental ecological effects of the projects. Mr. President, this is no easy stand to take for a man who is searching for all the support he can get in an election year. I believe, however, that time—and my constituents—will prove it a sound one.

STAN PATTY ON ALASKA

Mr. STEVENS. Mr. President, in March 1966, Atlantic Richfield Co. and Humble Oil and Refining began drilling a "wildcat" well tagged Susie Unit No. 1. Susie was drilled to 13,500 feet and, in January 1967, was abandoned as a "dry hole".

Stanton Patty, staff reporter for the Seattle Times, traveled for 3 weeks over 5,600 miles in Alaska to prepare a comprehensive feature for the newspaper about Alaskan oil and its effects on the State.

Delving into Alaska's oil history, Reporter Patty captured the drama which began 3 months after explorers learned the unhappy truth about Susie No. 1. In April 1967, Patty reports:

> The drill rig was dragged north 60 miles to Prudhoe Bay and another exploratory well—Prudhoe Bay Site #1—was spudded in on April 8, 1967. Exactly a year and one week later it struck oil. This was the discovery well. . . . The rush was on.

But with the thrill of discovery came a rush of problems Alaska had not anticipated. Stanton Patty measures the high tension among Alaskans themselves. He describes the people of the terminus city of Valdez as "jubilant but jittery." "This certainly should bring new life to the town," he quotes one resident. "I think it is a good thing. The only thing that bothers me is that there are people in town now we do not know. Used to be, you knew everyone."

Patty recounts the investment of huge sums of money into Alaska—$15,000 a day just to keep a drilling rig going and each rig worth $2.75 million.

His article describes the controversy among legislators and government officials on how to handle Alaska's new economy. Patty accurately describes the drama of drilling; the community problems of Valdez, Alaska; Fairbanks, and Anchorage; the legislature sparring to plan for Alaska's economy and he correctly reads the desperate hope of Alaskans to avoid repeating America's environmental history.

Stanton Patty observed:

> Conservationists are keeping on the pressure so that Alaska can have its oil prosperity and its natural beauty, too.

At a time of environmental crisis, Americans have turned to watch the young State of Alaska cope with development of new industry on the North Slope and handle environmental protection which must accompany industrial growth.

I ask unanimous consent that several articles by Stanton Patty, reviewing both progress and problems in Alaska today, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

ACTION'S HOT IN FROZEN NORTH

(By Stanton H. Patty)

(Oil is the magic word today in Alaska, with the vast Arctic plain known as the North Slope is the focal point. Its a story involving billions of dollars in expenditures, and countless controversies. Stanton H. Patty, Times staff reporter, has spent the past three weeks on the scene—from the drilling rigs to the halls of the Legislature. He traveled more than 5,600 miles, using transportation ranging from North Slope cargo planes to trucks on the ice road to the Arctic. Here is his first report.)

Prudhoe Bay, Alaska.—The derricks of the drill rigs are like steeples against the pale winter sun.

Men, caked with ice and drilling "mud," labor in temperatures so brutal that exposed flesh freezes in a matter of seconds and metal snaps as if it had no more strength than a matchstick.

Stretching from here to the horizons is the frozen desert they call the North Slope, a tundra prairie the size of Washington State tilting gently to the Arctic Ocean.

This is Prudhoe Bay—one of the most exciting spots on the planet today.

Buried deep under the tundra are billions of barrels of oil and great bubbles of natural gas to help fuel the nation.

High-rolling oil companies paid the State of Alaska more than $900 million last September for leases on 179 tracts on the North Slope. Not all of the bidders were dealt winning hands, but overnight, Alaska suddenly in the chips.

Finding the oil—and then getting it to market—is expensive up here, many times what it would cost in what Alaskans refer to as "the smaller states."

But soon there will be a pipeline four feet in diameter reaching out from Prudhoe Bay to tidewater at Valez 800 miles away across rivers and mountain ranges.

It may be the first of several pipelines. And as the drama continues to unfold, geophysical crews may turn up other petroleum fields in Alaska to rival Prudhoe Bay.

The Prudhoe Bay story began perhaps 400 million years ago when most of the continent was covered with water. Marine animals and plants in the shallow seas died and sank to the bottom.

Over the ages, nature formed layers of sediment and converted the organic matter to oil.

There had been reports of oil seeps in the areas almost a century ago. But the treasure was elusive.

In March, 1966, Atlantic Richfield Co. and Humble Oil & Refining Co. began drilling a "wildcat" well tagged Susie Unit No. 1, Susie was drilled to 13,500 feet and in January, 1967, was abandoned as a "dry hole."

The companies almost gave up the search. However, the drill rig was dragged north 60 miles, to Prudhoe Bay, and another exploratory well—Prudhoe Bay State No. 1—was spudded in on April 8, 1967. Exactly a year and one week later it struck oil. This was the discovery well.

Then on June 25, 1968, Atlantic Richfield and Humble announced that a second well—Sag River State No. 1—just seven miles away, had found oil. This was the confirmation well.

The rush was on.

Alaska's Prudhoe Bay

(By Stanton H. Patty)

PRUDHOE BAY, ALASKA.—The sharp-edged wind and the temperature had teamed up for a cruel "chill factor" of minus-57 degrees in this men-only land. Gusts swirled puffs of snow across the bleak landscape.

A rigger from Texas, his face mask glazed with grime, said it all in one frosty breath:

"It's a helluva place for an oil field."

This is Prudhoe Bay, the birthplace of the North Slope oil boom, 390 miles north of Fairbanks.

No longer a wilderness most of the maps forgot until now.

Tall drilling rigs perforating the tundra miles deep, the comfortable Atlantic Richfield-Humble base camp with modular housing units shipped from Seattle, a busy, ice-coated airfield with its own control tower, a new refinery to produce fuel from North Slope crude for the drills and heavy vehicles, a shallow-water port on the receiving end of the Seattle summer sealift . . .

Prudhoe Bay State No. 1, the historic discovery well that started it all two years ago, is seven miles northeast of the base camp near the shore of the Beaufort Sea.

Just a few paces from the airstrip is an unimposing little building covering a bright-red assembly of pipes and valves they call a "Christmas tree" in oilfield jargon. This is the top of the confirmation well named Sag River State No. 1.

In a way, this already is a producing oilfield.

Atlantic Richfield (ARCO in the trade) is drawing 4,000 barrels of crude oil a day from Sag River State No. 1 to manufacture 1,000 barrels of diesel-like Arctic fuel in its new "topping plant" here. The residue is pumped back into the hole for another day.

The kitchen-clean refinery is so automated that just two men can operate it on a shift.

Before the $2 million plant opened in October, ARCO and Humble had to depend on fuel brought in by air or sea—at costs as high as $125 a ton. Now there is enough production from this operation to sell some to rival companies drilling in the area.

Secrecy is a big part of this business. But the best guess is that 16 or more drills are punching holes in the North Slope today.

Most are exploratory wells, with their gambling owners following up September's auction when the oil companies bid more than $900 million for state oil leases up here.

The ARCO-Humble combine has five rigs at work on the slope. Others reportedly include BP Alaska (a part of British Petroleum), Gulf, Home Oil, Mobil, Union and McCulloch.

Experts say the tempo is certain to increase soon after final approval from the Interior Department for the 800-mile-long pipeline from Prudhoe Bay to Valdez.

They talk in big figures in these parts.

It cost something like $7.5 million to drill the ARCO-Humble discovery well. The 200-man base camp and refinery here had a price tag totaling $10 million.

Each of the Rowan Drilling Co.'s rig and camp units designed to be hauled around by helicopter is priced at about $2.75 million. And it averages $15,000 a day just to keep one of those rigs running.

Ike Huval, 40, a colorful drilling engineer from Texas, has a North Slope map in his office speckled with fluorescent-red dots marking the various well sites.

"Each one of these dots represents about $3 million in spending," Huval said. "That means it already amounts to $60 or $70 million."

When you add the bids the oil companies put on the line in the state lease sale—and the fact that some are sure to be some disappointing dry holes—you are talking high finance. No wonder that some have coined the term "megabucks" to describe the stratosphere spending in the North Slope oil boom.

But the rewards will be high, too, for the lucky ones. The slope already is being termed one of the world's great oil basins. And the curtain is hardly up.

The cold wind sears your face and you ask why anyone would work under such punishing conditions.

The pay is good, that's why. Besides, oil workers are kind of a special breed accustomed to rugged living.

"A man's gotta work someplace," said L. C. Baker, 38, a driller from Oklahoma City. "It's not so bad when you get used to it."

Baker has moved his wife and six children to Anchorage, 600 miles away. He works for four weeks (12-hour shifts seven days a week), then takes off two weeks at company expense.

Survival is something they must think about constantly to stay alive in winter. Frostbite can occur in seconds.

They had chill-factor conditions of almost 100 degrees below zero the other day, but Huval's crew was able to keep working.

"Obviously, your efficiency falls off in cold weather," Huval said. "You have to stop and warm up from time to time. You have to wear gloves and heavy clothing that hinders your movements.

"Imagine having to put a nut on a bolt with mittens on and not being able to take them off."

The rules here go something like this: "No women, no booze, no guns."

Men complain about the weather and being away from their families. But Huval says this is normal.

"I'd be worried if they didn't gripe," he said. "This is how you can tell if they're OK."

Huvals rig is boring a "development well." That means the companies already know there is oil there.

The 177-foot-high rig will drill five or six directional wells from this position, chewing down and sideways by following angles and bearings as a navigator might prescribe.

The rotary drill assembly itself in the hole weighs 230,000 pounds and is 9,000 feet down in clay and shale. It takes 7½ hours or so just to hoist this much gear to the surface to change bits and get started again. That happens every 24 to 30 hours.

ARCO and Humble are taking pains to protect the ecology of the North Slope.

The drilling rigs are placed atop gravel pads five to seven feet thick as insulation for the permafrost. Even the dike-like roads are built on gravel fills. The Prudhoe Bay base camp has a sewage-treatment plant said to be as modern as any city's.

Among the visitors this day was Gerald Ganopole, an Anchorage geologist who is chairman of the Alaska chapter of the Sierra Club.

Ganopole had harsh words for exploratory crews that scarred the tundra at times, but praised what he saw at Prudhoe Bay.

"The companies that have production here are making a very sincere effort to minimize their impact," he said. "But it still takes very close regulation, which the state isn't set up to do yet.

"Oil is one industry that can be nearly compatible with the environment, unlike mining or forestry. "If properly done, you really don't have to know it is there."

Now you drive across the ice of the Beaufort Sea to another drilling site seven miles from camp. This one is different: It is an ARCO-Humble exploratory well—in search, of oil—being drilled on a confidential or "tight hole" basis.

On the shore you pass by the new camp owned by PAC, the Seattle tug and barge firm. PAC and Puget Sound Tug & Barge Co., in a joint venture called Arctic Marine Freighters, carried out the spectacular sealift from Seattle to Prudhoe Bay last summer and will be back this year.

The towering cranes that offloaded the cargo are at rest now, like frozen sculptures. Wipe the snow from the small barges that were sunk purposely to provide a pier and you uncover names such as "Lemming," "Arctic Fox" and "Ptarmigan."

Wind drifts heaps of snow across the ice trail as you approach the "wildcat" well. On the drill floor, struggling, silent men, working in rhythm, are changing a bit. Their coveralls are smeared with ice and drilling mud. The cold is bitter and biting. The sun is gone after a brief stay.

Like the man said:

"It's a helluva place for an oil field."

"Ice Highway" Gets the Job Done

(By Stanton H. Patty)

FAIRBANKS.—They call it the ice road. And some other things, too.

It begins 81 miles north of here at the old mining town of Livengood and courses north for 420 difficult miles over frozen rivers and mountain passes to Sagwon in the heart of the North Slope oil country.

"Ice Road" is something of a misnomer. What it is is a winter trail, a bulldozed path for trucks through the wilderness paved with ice, snow and ruts.

It is a slow, tortuous route—and the target of conservationists who poke fun at it as a "ditch" or "canal" after spring breakup closes the road. But the truckers, pleased with the chance to get a piece of the action in the North Slope cargo haul, say the road is doing exactly what it was designed for.

Except for lack of maintenance by the state in one 30-mile stretch (which is being corrected), they have no complaints.

Officially, this is the Walter J. Hickel Highway.

Named by Gov. Keith H. Miller for Interior Secretary Hickel, who ordered the pioneering road to the oilfields opened late in 1968 when he was Alaska's governor.

(They say there are times, especially when conservation forces are criticizing the highway, that Hickel wishes the honor had gone to someone else.)

The state built the road last winter in a crash program that cost something like $766,000. It opened in March and closed a month later, as anticipated, when the spring thaw arrived and water began flowing over the reinforced ice bridge across the Yukon River. In the meantime, the truckers managed to move 7,400 tons of freight to the Arctic in a race with the warming weather.

Conservationists weren't the only critics. There were charges that the road cost the state about double its estimate and the rest of the funds had to be diverted from highway-maintenance funds for other areas.

Governor Miller said in September that the route would not be reopened this winter. There was not enough money.

However, the trucking industry and Fairbanks itself applied pressure and in November Miller announced he was ordering a "partial" reopening, as far as Bettles. This is Beyond The Yukon River and halfway to the North Slope.

Truckers and contractors joined forces with the state to help with the job. And by January 15 the first trucks were rolling north.

The reason for the urgency: Contractors needed the ice road to move in fleets of heavy equipment for the $100 million access road north of the Yukon they will build for the giant TAPS pipeline to carry North Slope oil to market. A junction near Bettles is their staging area for the The Big Road job.

In fact, several of the contractors (at this writing still nervously awaiting a federal

XUM

permit to build the TAPS road) agreed to reopen the ice road north from Bettles to Sagwon, if the state would maintain it. The state agreed and the Legislature recently approved a supplemental appropriation of $250,000 for this work.

The Hickel Highway will disappear next month—perhaps forever.

By next winter, the TAPS road—a permanent, all-weather road—may be open all the way to Prudhoe Bay on Alaska's rooftop.

The pipeline-support road is being constructed to state-highway standards and according to Interior Department stipulations for guarding the permafrost-floored environment. Eventually, it will be turned over to the state.

That is the background.

It is 9 o'clock now on a black, chilly night in Fairbanks. Time for another truck to move out.

The driver is Pard Richards, 47, an Alaskan for 23 years and a trailblazer on the ice road. He works for Weaver Brothers, Inc., one of the major trucking firms in this area. Richards was in the first convoy to Sagwon last year, right behind the bulldozers, and piloted the first truck to Bettles this year.

Tonight's trip to the Bettles area will be his fifth in the past 12 days. The circuit takes about 48 hours.

Pard stacked cartons of "groceries" into the cab of his big Kenworth cabover tractor and started the diesel. There are no cafes or sleeping accommodations ahead—not even communications facilities.

The cargo on the trailer is a construction-camp housing unit weighing 12,000 pounds. Pard also is carrying spare parts and extra fuel to help other trucks along the way, if needed.

"A nice light load," "Hardly enough to hold us down. We should be able to go like the dickens."

It was 9:40 p.m., when the dark-green truck pulled out of the Weaver Brothers yard and turned onto the Steese Highway toward a speck called Fox. There, amid the tailing piles left by gold dredges long ago, the route branches to Livengood and the ice road.

Slender birch trees formed an aisle in the headlight beams. The moon glowed like a silver dollar. From the hill, the lights of growing Fairbanks twinkled in the distance.

"It's great country," Pard said. "I'm sure not planning to leave."

Beyond Fox, Pard maneuvered across the frozen Chatanika River. Moonlight shimmered on the ice, pointing the way.

Later, at the Tolovana River, the temperature dropped suddenly. Richards turned up the heater.

"This is always a cold spot," he said.

The time was 1:10 a.m., when Pard stopped atop a steep grade above almost deserted Livengood to wrap chains on the truck tires.

Now the Hickel Highway.

From now on, the trucker is mostly on his own. It is lonely, magnificent country. The sign warns truckers to carry survival gear.

The truck growled through the darkness, jiggling on the icy "washboard" surface of the narrow trail.

"There has been a lot of exaggeration about how much damage the road is doing to the country," Richards said. "It's a good road—and good for Alaska.

"This is creating jobs, bring cheaper fuel to flying operators in the bush and opening up a vast area everyone will be able to enjoy."

But Richards is a conservationist, too.

"I'd like to see this kept as a wildlife preserve," he said. "I'm all for conservation, but I don't understand those who oppose every development that comes along."

Pard stopped at 4:15 a.m., to loan a chain to another truck—the first he had met all night—that was limping along with a heavy bulldozer on its trailer.

An hour later he parked on the side of the ice road to catch a nap, sleeping in the driver's seat. Outside there was no sound but the north wind.

Fabled Yukon River Marks Actual Beginning of Hickel Highway

(By Stanton H. Patty)

North of the Yukon River.—It stretched out ahead at sunrise, a band of white fringed with a wall of dark spruce.

"There it is—the Yukon!" Pard Richards said.

The Yukon, that fabled path to yesterday's gold fields that summons up names like Klondike, Fortymile, Circle and Nome.

This is where the Hickel Highway, the winter truck road to the black gold of the Arctic, really becomes an "ice road." Line of stakes across the frozen Yukon form a slender corridor to the other side.

Richards guided his big Weaver Brothers truck from Fairbanks onto the river and started across cautiously.

"Ice may be unsafe, cross at your own risk," warned the sign at the entrance.

But the ice was solid. Erling Nesland, from Fairbanks and his Indian helpers had built the "ice bridge" for the Yukon crossing well.

Nesland, formerly of Kent, was on the north bank of the river this frosty morning to see how the invisible span was holding up to the heavy parade of truck traffic.

"I figure it will be good to about April 10 or so when the thaw takes it out," he said.

Strings of spruce and cottonwood logs across the river in three tiers and laced with 7,000 or so green willow poles form the bridge. Water pumped from the river and poured over the network, freezing and covering the foundation to a thickness of four feet. The river continued to freeze downward under the bridge and now there is 68 inches of ice for the trucks.

The crossing is six miles upriver from Stevens Village, where Nesland recruited his workers.

After a cup of coffee with Nesland, Pard continued north with his cargo, a camp-housing unit for one of the crews that will help build the access road for the TAPS pipeline on the North Slope.

Destination: Four Corners, a junction near the community of Bettles. Round trip from Fairbanks is 440 miles and about 48 hours.

It was an exquisite morning with bright sunshine and a powder-blue sky. Solitary game trails were pressed into fresh snow across the lakes and streams.

No sign of civilization, not even a passing truck for hours. Just Pard Richards and his truck winding and bumping through the silent white wilderness.

Yet, spaced out somewhere on the road, were more than 50 such trucks hauling construction equipment north and returning to Fairbanks for more. All are trying to beat the spring-breakup deadline that will turn the winter highway into a useless quagmire.

Past hot springs painting the trees and bushes with lacy patterns . . . a crippled truck, like a broken toy, waiting to be towed home . . . the desolate, moonscape floor of the Kanuti Flats owned by the caribou and the wolf where a jabbing wind toppled a truck . . . the steep grade into the Koyukuk Valley with the panorama of the Brooks Range far beyond to the north . . . a stop for lunch as Richards warmed cans of food on the truck's engine . . .

"Some country," Pard said appreciatively during the break.

It was 2:45 p.m. now. Pard had left Fairbanks at 9:40 last night and so far had napped only two hours or so.

The truck rumbled forward again through the valley. The sun was almost gone.

Then company—at the state's highway-maintenance camp at Fish Creek. It would be good to visit with someone and have a cup of hot coffee.

Loren Lindsoe, a maintenance man from North Pole, a town near Fairbanks, was in the mess hall. He has been home twice since November.

"Sure, I miss my family," he said. "But this is my job."

The wind was building and snow began blowing across the road as Pard passed a red sign marking the Arctic Circle. Whoever lettered the sign forgot to put one "c" in Arctic, but didn't seem important.

Snowing harder now. Visibility was dim as the truck crossed the Jim River. Then up the last hill to the junction at Four Corners where Pard was to deliver his load.

"I have a house for you," Pard told John Johnson, the Weaver Brothers ramrod here. "And now I think I'll take a sleep."

Bone-tired, Pard stretched out on a cot in Johnson's room to rest until midnight. The time was 7 p.m.

Right at midnight, Pard was up. He washed his face and headed for the mess hall. He seemed fresh and ready to start back to Fairbanks.

Other drivers, mostly newcomers from the "lower 48", were sitting around a table comparing notes and cursing the Arctic.

"Nobody back home would believe this," one said with a Texas drawl.

Outside, diesels snorted as the junction area filled with trucks. It looked like a wartime staging area. More material, more muscle, for getting that North Slope oil out of the frozen ground.

Just before 1 a.m., Pard was on his way home, toting another tractor on his long trailer.

A storm was moving snow across the trail with clouds of powder swirling in the wind. In the headlights, the snow was a blinding curtain of white tracers.

Those Daring Cargo Fliers

(By Stanton H. Patty)

Fairbanks.—The word came from the radio operator in the trailer-house office alongside the Fairbanks airport.

"Prudhoe weather is better."

The flight crew hurried through a curtain of falling snow to the Hercules transport plane, stripped in and began the litany of the pre-take-off check list.

Ahead, unless the weather suddenly turned sour again, was another cargo flight to Prudhoe Bay, a hot spot of the North Slope oil rush.

Routine—yet involving some of the most dangerous flying anywhere because of the still-primitive navigational aids on the Slope and foul weather.

The North Slope is dotted with airstrips. Inside the batter-thick overcast at any time may be coveys of light planes, big freighters like this four-engine Hercules, helicopters and a miscellany of others ranging from old C–46 transports to executive jets.

They can't see each other. There is no radar control on the Slope. Collision danger is great.

Yes, flying weather has "improved" at Prudhoe in the past few minutes.

But that still means snow, a 1,500-foot ceiling, perhaps one mile of visibility and below-zero temperatures.

All the pilot will have to "home in" on is a low-frequency radio beam at Prudhoe as he drops the "Herc" through the overcast toward the icy runway.

This is an Alaska Airlines Hercules, one of the workhorse aircraft in the incredible North Slope airlift that has hauled in everything from oil drills to fresh eggs for the oil companies.

The crew members are from the Seattle area:

Ron Clarke, pilot; Drew Roddy, co-pilot, and David Knutson, flight engineer.

Clarke, with movie-star features and grey-

XUM

ing, close-cropped hair, is the veteran. He has been with Alaska 21 years, flying the DEW Line up here as far back as 1959 and even piloting the "Hercs" in Vietnam. Roddy, a chemist who would rather fly than be chained to a laboratory job, has been flying the North Slope run for two years.

Just a few weeks ago, all three were taking one of these planes into Nigeria for Biafra-relief operations organized by the International Red Cross.

They ferried the Alaska-based "Herc" to England and then began carting trucks from there to Nigeria on shuttle runs. Interior Airways, another of the major Slope carriers, had a Hercules in Africa at the same time.

Today's cargo is 39,000 pounds of drill pipe and miscellaneous supplies.

They started the turboprop engines. The propwash blew showers of fluffy snow off the plane.

"Alaska 920—you are cleared to Prudhoe Bay," the Fairbanks towers said.

Clarke taxied to the end of the runway and called for "Max power." The Hercules gathered speed and lifted off with ease over Fairbanks.

Climbing toward the assigned altitude of 20,000 feet, the plane bored through the snow that was powdering Fairbanks into blue sky and sunshine.

Prudhoe is 380 miles ahead.

Below now, the looping, frozen outline of the Yukon River and the arrowhead peaks of the Brooks Range that divides the North Slope and the interior country.

Clarke relaxed for a few moments and talked about what he termed the "archaic" flying conditions on the Slope.

"The airways are a lot better than last year, but it's still terrifying sometimes," he said.

"There is nothing like this in the United States any more. What it amounts to is basic instrument flying in high-performance aircraft. It's no place for newcomers."

XUM

The main problem is that the Federal Aviation Administration cannot install the needed "nav-ids" at private airports—and all of the fields on the Slope now are in that category.

State of Alaska officials hope to improve things soon by taking over one of the oil-company airstrips, called Deadhorse, and turning it into a public airport.

"We are well aware of the problems," Harold Strandberg, the state's public works commissioner, said, "and we're going to get moving just as soon as we can."

One reason for speed: The North Slope airlift is certain to increase in tempo as soon as the federal permit is issued for construction of the 800-mile-long TAPS pipeline.

There was a busy counterpoint of radio chatter as the Hercules roared on toward Prudhoe Bay . . . voices from the cockpits of commercial jetliners on the polar route to Europe; other planes above the Slope.

Now the descent into Prudhoe through the blind overcast. The altimeter needles unwound swiftly.

High-tension time in "Alaska 920's" flight deck. Landing gear down. Concentration on the instruments. Teamwork. What other aircraft may be near by?

The plane broke out of the overcast low over the tundra.

Clarke's eyes were locked on the radio compass Roddy was calling out landmarks and altitudes.

"Drill rig on the right."

"There's the strobe."

The "Herc" streaked over the blinking strobe lights at the end of the 5,500-foot runaway and settled smoothly on the ice at 180 miles an hour.

It was a cold, bleak scene. Another world.

Moments later another Hercules touched down. It had been up there, somewhere, with "Alaska 920."

Quickly, an oil-company truck backed up to the "Herc's" cargo hatch and winched out the load of drilling pipe. It was snowing, hard.

Soon the plane was climbing through the "soup" again toward Fairbanks. In the bright world above the Slope it seemed to the surfing home atop the sudsy summits of the clouds.

Then the long descent into Fairbanks through canyons of sun-dappled clouds and into snow again.

"Alaska 920, you're clear to land," the tower said.

The Hercules rolled back to its parking place and opened its doors for another load.

"Still two more trips to go today," Clarke said. "Just routine."

Town That Wouldn't Die Has New Reason for Living

(By Stanton H. Patty)

Valdez, Alaska.—Six years ago Owen Meals scuffed through the sad wreckage of what had been Valdez and made a decision.

"Dammed if we're going to be run out by an earthquake," he said. "I'm staying."

Stay he did—and brought his town back to life.

Valdez had been all but destroyed in the Good Friday earthquake of March 27, 1964. At least 31 persons died when a massive submarine landslide sucked the city dock into the bay. This was twice the death toll of any other Alaskan community belted by the quake and tidal waves. Structural damage in Valdez was estimated at 90 per cent.

Families began drifting away. It looked as if Valdez was to become an instant ghost town.

But Owen Meals had a plan.

Back in gold-rush days his father, Andrew Jackson Meals, and the senior Meals' mining partner, George C. Hazelet, had staked out the site for a town on the solid bedrock of Mineral Creek four miles to the northwest.

Owen brought together the heirs and arranged to give the long-vacant property to those Valdez residents who would stay and rebuild. The state added to the site—and a new Valdez was born.

Slowly, the second Valdez began taking shape. Pioneer businesses run by men like John Kelsey, George Gilson and others gambled by rebuilding their stores and offices.

But Valdez, the historic transportation gateway to the interior, did not even have steamship service any longer. It was a city without any real economy. How long could it survive?

Meanwhile, a drama that would change Alaska's fortunes forever was unfolding at Prudhoe Bay on the North Slope, 800 miles north of little Valdez: The discovery of a great Arctic oil basin.

There had to be a way to move the billions of barrels of oil to market, perhaps a pipeline.

Quietly, the Valdez business leaders went to work.

Valdez, they told the oil companies, would be the ideal place for a pipeline terminal. The sheltered, deep-water, ice-free port was the best in Alaska.

Then they waited for the verdict.

It came last May 28, when Gov. Keith H. Miller announced that the Trans Alaska Pipeline System had selected Valdez for its tidewater terminus.

Suddenly, the quake-battered city that wouldn't die had become Alaska's Cinderella community.

Owen Mills, 78, who started building his "dream house" on a hilltop in the new city long before the TAPS announcement, smiled with satisfaction.

"I guess this will put us on the map—for good," he said.

The TAPS terminal here, with berths for five or more supertankers, looks like a sure thing now. However, the Interior Department still has not issued the permit that will enable the pipeline construction to begin.

Valdez is jubilant, but jittery.

Nobody believes it will happen, yet there is always that outside chance that the pipeline could be detoured to another Alaskan port. Or, if the permafrost problems are too severe, it could skip Alaska altogether and be built across Canada.

"It's getting so seeing is believing," a nervous waitress said.

Despite the suspense, there already is enough to see here that points to a golden future for Valdez.

The pipeline company has clearly something like 120 acres on the TAPS terminal site. This is where the oil-storage tanks will stand. Japanese ships are delivering miles of 48-inch-diameter pipe for the TAPS artery. Speculators have tied up virtually all of the available land in the city.

Chances are, TAPS-related spending will approach $200 million in the immediate area. The population will jump, almost overnight, from the present 1,200 to maybe 3,000 persons as construction workers pour into Valdez.

"The effect could be overwhelming," Mayor George Gilson said. "We are doing everything possible to be ready for it."

The TAPS terminal is at Jackson Point, on the south shore of Valdez Bay. This is directly across the bay from the new city and near the end of a mountain-rimmed fjord that has water 100 feet deep at low tide where the tankers will berth.

Sections of steel pipe for the pipeline itself began arriving here September 13. This was just three days after the North Slope oil-lease auction that presented the state with a $900 million windfall.

The pipe is off-loaded on the new city dock (which has been leased to TAPS) and is hauled to an immense storage yard near the old town. From here, much of the pipe is trucked 362 miles north to Fairbanks by way of the Richardson Highway to await installation on stretches leading from there.

Soon, they say, a fleet of 65 trucks will be involved in the Valdez pipelift. The 40-foot lengths, weighing 5 tons apiece, are carted away four sections at a time.

The scene is spectacular, with acre upon acre of pipe stacked like Paul Bunyan's cordwood on the field near the old airstrip where long-ago bush pilots such as Bob Reeve and Owen Meals used to fly. Probably 150 miles or so of pipe is piled here right now.

There is history all around.

Next door to the TAPS terminal are the remnants of Fort Liscum, a Signal Corps post built during the gold rush and closed since 1925. In its final descent, the pipeline will drop toward Valdez through Keystone Canyon, the scene of a celebrated gun battle in the early days when two factions brawled over a railroad route.

Valdez-born John T. Kelsey, manager of the Valdez Dock Co., remembers that it was greed that lost that railroad for Valdez. It went instead to rival Cordova, 50 miles away.

"We are all on guard against greed," Kelsey said. "We are determined that history will not repeat itself."

Deserted Old Valdez is a forlorn place these days. Owen Meals rarely goes back.

The wind sighs through empty streets. Pioneer Hall tips on its foundation, perhaps to tumble down in the next storm. The waterfront strip is raw and ugly, just as it was after that terrible earthquake six years ago this month that almost killed Valdez.

Meals and his wife, Nancy, would rather think about their dream house and their dreams for the new Valdez.

The future never looked better.

Little Valdez Ambitions To Be "Biggest" and Best in Alaska

(By Stanton H. Patty)

Valdez, Alaska.—Soon this may be the "largest" city in Alaska.

Ambitious Valdez is taking steps through annexation to boost its size from 11½ square miles to a grand total of 275.

No, Valez does not have delusions of grandeur.

This picturesque community will be the site of the TAPS pipeline terminal from the North Slope. To keep order, the city wants control of the terminal area and the deep-water port where the supertankers will call.

"We expect 1,200 ship arrivals and departures in the first year alone," Mayor George Gilson said. "We want to prevent chaos and to preserve the ecology and the beauty of the area. TAPS wants this, too."

The city already has created a port commission to begin advance planning. When completed, the five-pier TAPS terminal will be the largest of its kind on the Pacific Coast and one of the biggest in the world.

Gilson, 53, a native of Valdez, is one of those plucky merchants who bet on the new Valdez after the devastating 1964 earthquake. The old town was abandoned when a new site four miles away was made available through the generosity of the heirs of two pioneer families.

"About half of us made the move—the rest left," Gilson recalled. "I overbuilt tremendously, and now circumstances are bailing me out. It was a pure gamble."

Some of the things that make small-town life pleasant here will vanish when the TAPS construction begins. But Gilson and most of the others are convinced it will be for the best.

"This is an exciting thing," he said. "There are going to be many benefits like a better curriculum in the schools, more recreational facilities and things like that."

Ironically, Gilson's father the late John W. Gilson, came here in 1906 to recoup losses from another earthquake—in San Francisco. Valdez was on the trail to the gold fields then, and the senior Gilson established a mercantile business and bank that survived the Alaskan earthquake through his sons.

John T. Kelsey, 49, is another of those Valdez-born sparkplugs who helped win the TAPS decision for their town. Kelsey, a partner in the Valdez Dock Co., is chairman of the port commission and immediate past president of the Alaska State Chamber of Commerce.

"I think this is going to be great for Valdez," Kelsey said.

"This activity can give us the things we don't have that a community needs to function properly. There isn't even a drug store here now, for example."

Kelsey's was the first business to "move over" to the new townsite after the 'quake.

"Things were at a very low ebb," he said. "We all had serious reservations as to whether there would be sufficient business to make this a successful city.

"We all borrowed heavily from S. B. A. (the Small Business Administration). The rest of it was that old Alaskan spirit—guts. Now TAPS is turning the corner for us."

Kelsey is looking beyond the immediate construction boom, toward the Valdez that will remain when the terminal is in operation.

Tankers mean tugs, longshore work, machine shops and more. These, in turn, mean more permanent families and an expansion of essential community services.

There is talk of a "wrapping plant" here, in addition to the terminal, to coat the pipe sections with preservative and insulation before the pipeline is installed. That could be a useful building for a new business when the construction period ends.

And there is certain to be work to enlarge the pipeline's initial capacity. What about another pipeline some day soon for natural gas? Perhaps even a refinery and petrochemical complex?

"The future looks terrific," Kelsey predicted.

Miss Helen Long, president of the Chamber of Commerce, said there is understandable nostalgia about the changes TAPS will bring to Valdez, but believes it will be "for the general good."

"Most of the people are forward looking," she said.

The big question now is when the TAPS project will begin. Valdez is tense while waiting for the Interior Department to issue the long-delayed construction permit.

"When it does happen, we need to be on top of the situation instead of trying to catch up," Miss Long said.

"And we hope it will be private enterprise that provides the facilities for the influx of people. We feel we can accomplish more, faster, this way."

Dave Kennedy, operator of Kennedy's Air Service, talked enthusiastically about the boom ahead for remarkable Valdez as he piloted one of his helicopters over the storage yard heaped with acres of TAPS pipe shipped from Japan.

"Anything has its good and bad, but I think this is going to be good for our area," Kennedy said.

"Did you ever see anything like this? Fantastic, isn't it?"

A visitor replied that it was difficult to comprehend the magnitude of TAPS—the greatest privately financed construction project in history.

"None of us here can fully understand it either," Kennedy said. "It just staggers the imagination."

Kennedy, 49, moved here from Pennsylvania. He is another who decided to stay with Valdez after the Good Friday earthquake.

Dale Cutler, formerly of Seattle, the well-liked city manager, is doing what he can to insure tidy planning for Valdez' growth.

The population here likely will swell from today's 1,200 or so citizens to 5,000 or 6,000 during the TAPS construction. Cutler will be pleased if there is a base of 3,000 when it is all over.

"We want to hold tight, for orderly growth—rather than have a fast climb and then a fast drop," Cutler explained.

"The idea is to try to develop permanent industries, based primarily around the port and transportation. Anything else, such as petrochemicals, strictly speculation at this time, would be the cream if they happen."

In addition to the TAPS terminal and the unexcelled natural port, Cutler is talking about assets such as scenic Valdez's recreation and tourism potential, marine research, the fishing industry, and the highway to the interior.

There also is talk of extending the airport to accommodate jets. Valdez is served by two air-taxi lines now from both Anchorage and Cordova with daily service.

Bill Wyatt is another who had unshakeable faith in Valdez while aftershocks of the 1964 earthquake still were jolting this town.

In December 1966, long before oil was found on the North Slope. Wyatt went into debt and opened his new 38-unit motel, the Wyatt House. Why did he stay?

"This was my home, that's why," he says.

Then there is Owen Meals, 78, the pioneer who arranged for the new townsite so that Valdez would not die. They call him the man who saved Valdez. But he wants no praise.

The kindly, arrow-erect old-timer, who has lived here since 1903, would rather discuss the paved streets, the street lights, the striking new buildings, the gutsy people of New Valdez.

The lofty mountains around Valdez were aflame with the rays of the setting sun as Meals talked. A lone fishing boat chugged home from Prince William Sound through the jade-green waters of Valdez Arms.

Meals looked across the bay to the spot beneath the mountain slopes where the TAPS terminal will blossom before long.

"This certainly should bring new life to the town," he said. "I think it's a good thing.

"The only thing that bothers me is that there are people in town now we don't know. Used to be, you knew everyone . . .'

Politicians Argue About How To Spend

(By Stanton H. Patty)

Juneau.—The governor has his office on the third floor of the plain Capitol building on the hill. The Legislature meets on the second floor.

Between the two is a battlefield strewn with political ambitions—and a question Alaskans never had to worry about before.

What to do with $900 million?

The State they said was too poor to be a state 11 memorable years ago when Alaska's star was pinned to the Flag suddenly is flush with oil money—with more to come.

That $900 million—actually $900,041,605.34—is the amount the State of Alaska collected last September in bonus bids the oil companies paid to lease 164 tracts on the North Slope.

It was the largest such auction in petroleum-industry history and handed the elated state a cash windfall amounting to about $3,158 for each of its 285,000 residents.

Most of it is invested now in United States Treasury securities, earning the state $181,000 a day in interest. The rest is in 13 Alaska banks to help ease the shortage of loan money.

To give you an idea of how much $900 million is, the entire state budget for this fiscal year is a "mere" $155 million.

So, now, the $900 million questions:

How much should be saved? How much should be spent? For what? Who should manage the money?

Oh, there is no shortage of ideas for getting rid of the money. There have been suggestions like building a bridge to Siberia or a monorail to the Arctic.

But the deadly serious fact is that while the $900 million is a blessed bonanza, it won't solve all of Alaska's problems.

It would take several times that amount just for Alaska to catch up with other states in such things as schools, water and sewer systems, housing, hospitals and highways.

Alaska, with about one fifth of its population—the natives—residing in widely scattered villages, has the worst poverty in America. Besides, taxes and the cost of living are higher in Alaska, especially in the remote areas where families can ill afford soaring prices. The welfare burden is terrific.

Meanwhile, the news about the North Slope oil wealth has cooled Congress on programs Alaska needs. The fiction throughout the country is that "Alaska had it made." It isn't so.

Then there is the issue of the native land claims, probably the most serious question facing the state. Alaska's 55,000 Eskimos, Indians and Aleuts are seeking a fair settlement for relinquishing their aboriginal rights to millions of acres the state and various industries want.

It appears likely now that the state will have to contribute to the land-claims package before Congress will approve any settlement. The amount being discussed for state participation is at least $50 million.

Another vital question is how soon the state can count on receiving royalties and severance taxes from actual oil production on the North Slope.

Originally, it looked as if the Arctic oil would begin flowing to market in 1972. Now, however, because of possible delays in building the giant TAPS pipeline, it may be as far away as 1974. And the pipeline certainly will not be operating at full capacity in the beginning.

It is this kind of quiz game that worries Gov. Keith H. Miller and the 60 members of the Sixth Legislature as they debate the fate of the $900 million.

Now add politics.

That is a major theme in the orchestration for this year's legislative session—in its 70th day today.

Miller, who succeeded Interior Secretary Walter J. Hickel last year as governor when Hickel joined the Nixon cabinet, faces a tough campaign this year to win the office on his own. He is a Republican.

The Legislature is replete with candidates, announced and unannounced, for such offices as governor, secretary of state (lieutenant governor), United States senator and United States representative. (You really do need a program to sort out the politicians and to interpret what they say.)

In the meantime, the Legislature itself is a hybrid creature featuring combat and strange love feasts.

Democrats have the majority in the House. But, in fact, a coalition of seven dissident Democrats led by Speaker Jalmur M. Kerttula, of Palmer, and the 18 Republicans control this body. Republicans run the State Senate under the leadership of Brad Phillips, from Anchorage.

"The sinful seven," critics say of the straying Democrats who helped form the House alliance last year. The coalition members could care less about name-calling. They are confident—and they are in charge.

What about the $900 million?

Governor Miller's position is that at least $500 million of it should be placed in a permanent fund not subject to appropriation. There would be a referendum in the fall for voters to second the motion.

Under Miller's plan, the $500 million would earn interest while 5 per cent of the fund's total market value would be withdrawn each year to be spent for general purposes. The governor also would create a new Treasury Department and an investment-advisory committee to oversee the fund. Professional money managers would be hired to help "maximize" the return.

"It would be a growth fund, with a growth factor that could be 10 to 15 per cent a year," Miller said. "This would assure that not only this generation, but future generations of Alaskans, would benefit from this windfall.

Miller, a shy man who has grown increasingly sure of himself after a shaky start last year when he had to face the Legislature as a new governor with no time to prepare his own programs for the session, remains calm as the debate swells one floor below.

"They can't have it both ways," he said of the legislators.

"They can't say I'm not spending enough money and that I'm being extravagant at the same time."

Miller has proposed a $242 million budget for the next fiscal year, a jump of 57 per cent from the present year. He says it provides for the "basic needs" legislators are talking about in spending programs that would tap the $900 million.

That is a healthy increase, but it certainly is not an extravagant budget, he said.

The Legislature is not "buying" the governor's program intact. This is frustrating especially for the three cabinet members who form the State investment Committee.

"They (the legislators) are chopping our bill all to hell," one committee member said. "They want to get control of the money."

George A. Morrison, revenue commissioner and committee chairman, said the state is making about 7.56 per cent on its investments from the $900 million. That is more than $68.2 million a year in interest.

By law, the state is limited to investing its money in United States securities or depositing it with banks backing the deposits with 100 per cent collateral. But this can be changed for a higher return.

Serving with Morrison are Walter L. Kubley, commerce commissioner, and Thomas K. Downes, commissioner of administration. A few weeks ago, the investment committee made a nation-wide tour to obtain "the best thinking" of leading bankers and investment brokers.

"They said our concept is terrific," Morrison said. "They were highly enthusiastic.

"If the growth is 15 per cent and we take out 5 per cent a year from the permanent fund, the $500 million in that fund will be $1 billion in 7½ years."

But the Legislature may have other ideas.

LEGISLATURE REFUSES TO BE RUBBER STAMP

(By Stanton H. Patty)

JUNEAU.—The presence of Wally Hickel still is felt here.

Alaska's state constitution vests the governor with authority to make him perhaps the most powerful in the nation. Walter J. Hickel made use of it in vigorous, free-swinging style during his brief tenure as governor.

Now, more than a year after Hickel's departure from Alaska to become secretary of the interior, things are changing. The Legislature is flexing its muscles like never before since statehood.

That is the unspoken theme in the sizzling debate here about what to do with the $900 million from last year's North Slope oil-lease windfall.

Who is going to call the spending signals—the governor or the legislators?

"Part of this stems from the fact that Wally Hickel pushed us too hard—and we reacted to it," said Jalmur M. Kerttula, speaker of the Alaska House of Representatives.

"Wally was a very forceful man and this has been good for us. We were docile, but not any more. We are not antagonistic toward the present administration, but we are not going to be a rubber-stamp group again.

"We have been a very weak part of the check-and-balance system. From now on, there is going to be a continuous upgrading of the Legislature."

Kerttula, a Democrat from Palmer, in the Matanuska Valley, is the leader of the House coalition of seven dissident Democrats and 18 Republicans that wrested control from the Democratic majority last year. There was a fight between Kerttula and Representative Charles Sassara, of Anchorage, for the speakership. Kerttula won.

Gov. Keith H. Miller has hired topflight national firms as consultants to make recommendations for handling of the oil bonaza. The Legislature went out and hired equally competent consultants for itself.

Miller had bills introduced providing for $500 million of the oil money to be placed in permanent fund. The Legislature is writing some bills of its own.

That is the pattern.

Kertulla predicts there will be a permanent savings fund, but not through a constitutional amendment that would make it inviolate, as the governor proposes.

"This is a large state, with many needs," he said.

Rather than locking up all of the money in investments, Kertulla wants part of it used for things like a fisheries-development program and in filling urgent needs ranging from school construction to hospitals. Another possibility is a state development bank that could use some of the money for loans to spark worthy projects that could create more payrolls.

"This way," he said, "we would get the economic development and the interest both."

"I believe this will be the most productive legislative session since the first following statehood. And it will be responsible in every way."

State Representative Clem Tillion, from Halibut Cove, second-ranking Republican in the House, is pessimistic.

"The $900 million should be long-term loan capital—but it's going to be all blown away within the next years, I'm afraid," he said. "We are dipping into fairly steeply this year. Now, just normal growth will chew it up.

"Most politicians look no further than the next election. A good politician is judged by what he brings home to his district."

Some legislators are criticizing Tillion as a spendthrift. He is the prime sponsor of a bill that would grant a $250-a-month pension to oldtimers who have resided in Alaska for at least 25 years.

Tillion genuinely wants to help the pioneers (many of whom have to leave Alaska to stretch their retirement income), but says this program also is a way to "hang onto some of the $900 million so it can't be spent on all sorts of things."

"Anything left in the general fund will just disappear," he said.

Representative R. R. Borer, Cordova Republican, praised the governor's proposed budget, but struck out at what he called "Santa Claus" programs in the Legislature.

"The governor's budget funds many areas of need that have existed in the state for a long time," Borer said, "I believe he has put together an excellent package for all areas.

"It isn't all things to all people, but it is a giant stride in the right direction."

Borer said there is a tendency among some legislators "to want to cut up this pie in the sky" through big spending programs, but he believes things will work out "fairly well" in the end.

Senator Jay S. Hammond, Senate Republican majority leader from Nabnek, had this comment:

"I never knew $900 million could look so small."

The oil bonanza "will erode fast" unless this Legislature exercises considerable restraint, Hammond said. The $900 million could be pared to $250 million by 1972, just for funding programs in Miller's proposed budget—programs that will grow and be more costly, Hammond said. And if North Slope oil is not flowing in volume by 1972 (which is not likely) the state then will be low on money.

"I thought at first we were well to do, but we're not," Hammond said. "The needs are comparatively much greater."

Senator Brad Phillips, Anchorage Republican and Senate president, said "as much as possible" of the $900 million should be preserved.

"The $500 million permanent fund proposed by the governor is not adequate," he said. "I'm going to start at $900 million and they're going to have to push me off of this position."

Phillips was critical of Governor Miller, a fellow Republican, for "spending everything" from the interest being earned from investments of the $900 million in Miller's budget—and for putting forth additional programs without funding.

"The Legislature has the basic responsibility for this money," Phillips asserted, "and we're not going to abrogate it. We're not going to be a rubber stamp."

Representative Gene Guess, Anchorage Democrat and chairman of the Legislative Council, branded Miller's budget as "phony."

"He's not preserving the $900 million, as he says he is," Guess said. "It's a pretty thin veil and it's just not going to wash."

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Guess said he is "very confident" that $500 million or more will be saved for a permanent fund, but he is looking to a special monetary-policy committee which he chairs in the House, to recommend the final policy decisions. There is a similar committee in the Senate.

While bent on saving money, Guess said that the state must move on a parallel course to spend some of the oil revenue on problems that have been "waiting for years."

"It would be folly to sit here with $900 million and watch our educational system fall below par, for example," he said. "We will come up with our own programs."

Representative Bill Ray, Juneau Democrat and chairman of the House Finance Committee, is opposed to having a $500 million untouchable permanent fund.

"There is no reason why the $900 million should be inviolate," Ray declared. "We should take care of the problems of the state.

"This was an unexpected windfall. When that oil comes on stream, we are going to have money like this all the time."

Ray favors programs that will provide greater opportunities, from schools to sanitation, for natives and other "bush" residents. There also must be some revenue sharing with hard-pressed, local governments, he said.

"I just can't see the value of a permanent fund," he said. "It would be like burying your money in a tin can and walking around in the snow in tennis shoes instead of buying what you need."

State Representative Joe McGill, Dillingham Democrat and chairman of the House Resources Committee, said a portion of the oil money should be spent for resources development to create jobs.

"We can create jobs for ordinary people in Alaska, instead of just new state-government jobs," McGill said. "We should spend what is needed to put this state on its feet. It will pay off in the long run."

McGill is opposed to having the bulk of the money invested outside Alaska in spite of the higher return it may bring.

"It would be a lot better to invest it up here in a resources-development loan fund," he said. "Then it would circulate in Alaska and create jobs here.

"And a lot of money needs to be spent in upgrading the villages and the village schools."

Senator Robert H. Ziegler, Ketchikan Democrat and chairman of the Senate's special monetary committee, called the governor's budget "extravagant."

"Once you go into the principal," Ziegler said, "then it becomes a question of where do you stop and who determines the priorities.

"I'm going to fight to keep it from being invaded. I'm playing it for the long haul, for my kids and everybody else's kids.

"We've done without for 100 years. If we can do without for another three or four years (when the state should be collecting richly in oil severance taxes and royalties from North Slope production) we're home free.

"I'd like to see all of the $900 million invested in a permanent fund—and that will be my recommendation."

Senator Joe Josephson, Anchorage Democrat and a candidate for the United States Senate seat held by Republican Ted Stevens, had harsh words for Governor Miller.

"It is clear from the governor's own budget that he can't keep the $900 million intact. There is some real sleight-of-hand in that budget.

"The notion that the money is inviolate cannot be taken seriously. It's not consistent with his own spending proposals.

"There just isn't any leadership from the governor—no cohesive overview of Alaska's problems. Our constitution provided for a strong executive, but, unfortunately, it did not anticipate Keith Miller."

The Governor, meanwhile, goes on working calmly in his office one floor above the legislative chambers. If he is worried, it doesn't show.

The $900 million question is the focal point of bitter controversies to be sure. But it sure beats the way it used to be up here, when Alaskans were wondering how to find another dime.

POLLUTION'S DANGERS HAUNT FISHERMEN, CONSERVATIONISTS

(By Stanton H. Patty)

CORDOVA, Alaska.—Harold Z. Hansen is haunted by a recurring nightmare.

It goes something like this:

Supertankers laden with North Slope oil from the TAPS pipeline terminal at Valdez are moving through Prince William Sound. There is an accident. A major oil spill annihilates an entire salmon cycle. . .

It could happen—and Hansen is convinced that the state government is not taking adequate measures to prevent it.

Hansen, 60, a former Alaska legislator, is executive secretary of the Cordova District Fisheries Union. He is an outspoken and respected spokesman for his industry.

Prince William Sound is one of Alaska's most important salmon nurseries. Not to mention other resources such as the rare sea otters, clams and countless varieties of sea birds.

Gem-like Cordova on Orca Inlet depends on the fishing industry for virtually all of its livelihood. There is real concern here as the Arctic oil boom almost 1,000 miles away roars in an unstoppable crescendo that will touch every part of Alaska.

Cordova is not alone.

There are worried fishermen from Cook Inlet, where there already have been oil leaks from offshore drilling and underwater-pipeline operations, to salmon-rich Bristol Bay, where legislation may block future oil-lease sales.

The recent case in the Kodiak area is adding fuel to the controversy. Hundreds of miles of shoreline there have been smeared with globs of oily ballast dumped by unidentified tankers.

Showdowns between the two big industries are coming.

It is not that Hansen and his kind want to halt the oil developments. They want Alaska to prosper.

'But just as important as oil is protection of the environment for this important fishing industry we already have," Hansen said.

"We believe the governor (Keith H. Miller) is being evasive. He doesn't have any real plan. We have tried to get information from him, but he won't deal in specifics."

The governor disagrees. He told The Times his administration is "on top of this situation."

Miller has established an environmental division within the State Health and Welfare Department and is asking the Legislature to fund a staff of specialists for the new division.

Presently, the pollution-prevention responsibility rests with the departments of health and welfare, fish and game, and natural resources. The environmental division is to coordinate this work for all three agencies.

There also is a joint federal-state contingency plan designed to "minimize" the effects of oil spills. This plan was developed by the governor's Oil Pollution Task Force and was used in the recent Kodiak episode.

Hansen is not impressed.

"Governor Miller has not told us anything of real significance," he said. "We want to know exactly what is planned to protect this area from pollution.

"Prince William Sound is especially vulnerable. Most salmon in this area have as their spawning and development habitat that area between the low and high-tide limits. This is where the floating petroleum would be deposited.

"We have a lot at stake—renewable resources here valued at $5 to $10 million a year, just in the Sound.

"If the wind and tide conditions were such, just one of those big tankers loaded with 250,000 barrels of oil could wipe out a whole salmon cycle if it were to wreck and spill its load.

"And recent spills demonstrate that there is nothing available to deal effectively with such a disaster. Supposing we do have such an oil spill in the Sound—what then?

"I'm not only thinking of fish. I am interested in the trees, the birds and the bees—the whole thing. We have much to lose."

He also said that even if a tanker spill spared some of the salmon it still would "wreck" the economy of his area.

"The processors here would be in an uneconomic position immediately," said Hansen. "Some would have to close up and the fishermen would be more broke than they are now."

Prince William Sound supports more than 700 commercial fishing vessels, Hansen said. The count includes salmon gillnet and purseine boats and crabbers.

The union official recommends:

1. A requirement that can be enforced to ensure that tankers enter port at Valdez (and elsewhere) with ballast still aboard. The ballast then would be pumped into shore tanks at the terminal.
2. A state patrol, financed by the oil industry, to conduct surveillance of tankers while they are traveling to and from the Alaskan terminals.
3. Experienced ship pilots placed aboard the tankers to guide them in and out of the Sound. The pilots would be empowered as agents of the state environmental agency.
4. A high-level state agency, removed from the regular administrative departments, charged with protection of the environment. It should have the governor's support, but be given freedom to act and to direct the various departments in this field. The agency must be funded "relative to its importance."
5. A declaration by the state that it does assume "the fullest degree of responsibility" for guarding the environment.

"TAPS has disclaimed any responsibility for the oil transportation once it reaches the end of its pipeline," Hansen said. "So, who has the responsibility?

"There can be penalties, yes, but no fine is going to undo the damage that can be done.

"We're not saying the oil shouldn't be developed, but this pollution threat is such an important thing for today and for the people of Alaska who will come after.

"This is the last bastion of wilderness left to the United States. The South 48 hasn't been able to handle its problems. We still have a chance here."

And so it goes throughout Alaska these days . . .

Billions are being spent to develop the long-hidden North Slope oilfields while geophysical crews search for still more oil and gas basins. Communities like Fairbanks, Anchorage and Valdez are swelling with new payrolls and new problems. In Juneau, sparring legislators are trying to figure out what to do with the oil money. And conservationists are keeping on the pressure so that Alaska can have its oil prosperity and its natural beauty, too.

It is a new age in Alaska—Act I of an epic that will leave yesterday's gold rush as only a colorful preface.

JUDICIARY COMMITTEE TESTIMONY OF ALEXANDER BICKEL IN OPPOSITION TO DIRECT ELECTION

Mr. ERVIN. Mr. President, at the Judiciary Committee hearings this morning, Prof. Alexander M. Bickel, of Yale Law School, presented many sound arguments against electing our President by the direct election method.

On April 24, 1970, the Judiciary Committee will begin the consideration of proposals to reform the electoral college. Shortly thereafter, the Senate will have these matters before it. I hope that all Senators who are now leaning toward direct election will read Professor Bickel's statement before they vote on this matter. When a change of such great magnitude is before the U.S. Senate, it is certainly the wiser course of action to listen and study the remarks of those constitutional experts who are warning us of the dangers in attempting such a violent change in our method of electing the President as the direct election method.

In his statement, Professor Bickel strongly supports my proposed amendment to reform the electoral college, Senate Joint Resolution 191, which is identical with what he calls the Katzenbach proposal. He feels it is the best way to reform the electoral college without placing the presidential election machinery of this country in turmoil.

Mr. President, I ask unanimous consent to have printed in the RECORD the statement of Alexander M. Bickel before the Committee on the Judiciary on April 15, 1970.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF ALEXANDER M. BICKEL

I am most grateful for the opportunity to appear here, at the Committee's invitation, to discuss the question of reforming or abolishing the Electoral College. In my judgment, the proposal for abolition raises issues of the utmost importance to the structure of our democratic politics.

The movement to abolish the Electoral College is motivated in part by fear that the College will malfunction. We are told continually that we have been playing Russian roulette. Sooner or later, it is said, an election under the present system will end in deadlock, and then the system will let some third-party candidate be the king-maker. We may find ourselves, in such circumstances, with a weak President, beholden to his Warwick; an unrepresentative President whose legitimacy, and hence effectiveness, would be gravely impaired. And in any event, even aside from the possibility of deadlock, which is said to have been narrowly averted in 1968, the Electoral College may give us a minority President, who had fewer popular votes than the candidate he defeated by a majority of Electoral-College votes. We are told that the legitimacy of such a President would also be impaired.

These fears are greatly exaggerated. Even though it does not foreclose regional minor-party candidacies, the Electoral College, as I shall show further, constitutes a strong deterrent to minor-party candidacies in general. Chiefly for this reason, it has not failed to produce a winner since 1824. So it did even in 1876. There was a winner then; the prize was simply taken from him. As for minority Presidents, the Electoral College no doubt makes them theoretically possible. But only once in our history did it give us a minority President, and only under like circumstances could it do so again. The time it happened was in 1888, when Cleveland and Benjamin Harrison came within 100,000 popular votes of each other. We got a minority President out of the election of 1876, but as I have indicated, it wasn't the Electoral College that gave him to us. Other, more manipulative factors produced him. And 1824 was an instance, not of the emergence of a minority President from the operation of the Electoral College, but of deadlock.

Even though quite exaggerated, these fears are not groundless. But they do not justify abolishing the Electoral College. That is the point about them. They have been drummed into us relentlessly, so as to induce a vast over-reaction.

The fear of deadlock and minor-party Warwicks can be stilled simply and definitively by a perfecting amendment that would do the following: (1) Abolish the electors as physical entities and theoretical free agents, providing instead that a state's electoral vote be automatically cast for the winner of a majority or plurality of the popular vote in that state; and (2) in the event that no candidate obtains a majority of the electoral vote, have a joint session of Congress choose a President by a majority of the individual votes of the members. Such a perfecting amendment was offered by the Johnson Administration, and bears the name, colloquially, of former Attorney General Katzenbach.

Other ways of breaking a deadlock are possible, but we must remember that, by definition, there can be no fully satisfactory resolution of a deadlock. Popular election neither avoids deadlock nor resolves it more satisfactorily than would the Katzenbach amendment. It is sheer illusion, a willful suspension of disbelief, to pretend that there is no deadlock when a popular election produces a winner with under 50 percent of the total vote, and with a plurality of, perhaps, 25 or 50 or 100 thousands out of 70 million. That is deadlock, as much deadlock as when there is no absolute majority in the Electoral College. To resolve it by letting the candidate who has a 50-thousand-vote plurality win is no less arbitrary, no less unsatisfactory—in my judgment more unsatisfactory—than to have a joint session of Congress make the choice. All methods of resolving deadlock, all methods of making a choice when there is no clear popular one, are arbitrary, and all that is needed is settlement in advance on one sensible and well-understood method. That is all that is needed, and that is all that is possible.

What I have just said about deadlock applies as well to the fear that the present system may produce a minority President, as it did in 1888. Historical experience demonstrates that the system is at all likely to do so only when the margin by which the popular vote is won or lost is so narrow that the result amounts to deadlock. The remote possibility remains, to be sure, that the Electoral College will put in office a President who lost the popular vote by a meaningful margin. It is a possibility belied by all our history and by everything we understand about the workings of our politics in our own day, but it remains, in theory, a risk. If there were no other considerations in play, it might be as well not to run even this tiny, theoretical risk. But other considerations are in play. They are important, and only a rigid and doctrinaire attachment to a pure theory of majoritarianism can cause us to disregard them, as the proponents of the popular election do choose to disregard them.

The first of these very important considerations is this: The Electoral College is a safeguard of the two-party structure of our politics, a crucial factor in maintaining the dominance of two and only two major parties, which has prevailed through most of our history. The fruit of the two-party system is a politics of coalition and accommodation, stability of the regime, and governments that are centrist and moderate.

The Electoral College makes it impossible for a third-party candidate to have any sort of impact, to entertain any hopes of deadlocking the election and thus putting himself in a good bargaining and king-making position, unless he has a strong regional base. Without such a regional base, his popular vote will not register in the Electoral College. Hence all he can hope to do is spoil the election for one or the other major candidate, but on election day and after, he counts for nothing. Even 20 percent or more of the popular vote can result in no or very few electoral votes. In 1912, when the major candidates, properly speaking, were Theodore Roosevelt and Woodrow Wilson, William H. Taft had 23.3% of the popular vote, and 8 electoral votes. In 1924, Robert M. LaFollette the Elder had 16.6% of the popular vote, and he carried Wisconsin. In 1948, Governor Strom Thurmond, as he then was, had a regional base, and Henry Wallace did not. Both men got 2.4% of the popular vote, but Mr. Thurmond had 39 electoral votes—31 more than Taft in 1912, with his 23.3%—to Henry Wallace's none. This is how the Electoral College deals with minor party candidacies that aim for national support. It deters them most effectively. Popular election, on the other hand, would invite them. And it would do so without in any way deterring the regional candidacies that are possible now.

In order not to put plurality Presidents with weak mandates in office, the popular election proposal provides for a run-off in the event that no candidate achieves 40 percent of the popular vote. With or without a regional base, one strong minor-party candidate, or several weaker ones together, would stand an excellent chance of keeping anyone from getting 40 percent. Thus minor-party candidates would come into a strong bargaining position in the period between the first election and the run-off. This constitutes—not to put too fine a point on it—an open and notorious, an irresistible invitation to run.

Candidates like Eugene McCarthy or Nelson Rockefeller gave little thought in 1968 to making an independent race after they had lost the nomination, because a popular vote of even as much as 25 percent could well have left them with no electoral votes at all, and hence with many millions of dollars and endless time and energy expended in vain. But under a system of popular election, every consideration that brought forth these candidates in 1968, or that would bring forth issue-oriented candidates for the nomination at any time, would with equal and even greater force propel them into the general election.

I think it altogether probable that under a system of popular election the situation would be as follows: The run-off would be, not an occasional occurrence, but the typical event. The major party nomination would count for much less than it does now, would count, in truth, for about as much as the State Democratic Committee designation of candidates for governor and senator in New York counts this year, and might even eventually begin to count against a candidate. There would be little inducement to unity in each party at or following the conventions. Coalitions would be formed not at conventions, but during the period between the general election and the run-off. All in all, the dominant position of the two major parties would not be sustainable.

This sort of unstructured, volatile multi-party politics may look more open. So it would be—infinitely more open to demagogues, to quickcure medicine men, and to fascists of left and right. It would offer, no doubt, all kinds of opportunities for blowing off steam and for standing up uncompromisingly for this or that cause, or passionately for one or another prejudice. But people who think that our democracy would become more participatory fool themselves. Weaker, yes. More participatory in any real sense, no. While men continue to take varying positions on issues, compromise and coalition remain unavoidable. The only question is when and how coalitions are formed and compromises take place. Coalitions are now formed chiefly in the two-party conventions, which are relatively open and accessible, and can certainly be made more so. In a multi-party system, the task of building coalitions will be relegated to a handful of candidates and their managers in the period between the election and the run-off. The net result will simply be that the task will be performed less openly, and that there will be less access to the process. Governments will be weaker, less stable and less capable than our governments are now of taking clear and coherent actions. Where multi-party systems have been tried, they have been found costly in just these ways, and they have scarcely yielded the ultimate in participatory democracy or good government. Nor have they lasted.

Another major feature of the Electoral College system which is worth preserving, and worth even taking some risks to preserve, is that the system counterbalances and thus cures the inevitable under-representation of the large states in Congress, while at the some time requiring a sectional distribution of the vote that elects the President, thus making possible combinations that also give an advantage to the smaller states. This is just a long way of saying that the genius of the present system is the genius of a popular democracy organized on the federal principle. The Founders of this Republic saw, as Walter Lippmann has written, using Edmund Burke's phrase, that the constitution of a state is not a "problem of arithmetic." The Founders thought of the people, Mr. Lippmann continues, "as having many dimensions in space, in time, in weight, in quality. . . . The American founders sought to represent this many-sided people and they thought of the people's will as an equilibrium of its many elements. . . . And so in their practical arrangements they sought to make the government as nearly representative as possible of the many facets of the popular will, of the people acting as citizens of local communities, acting as citizens of regions, of states, of the nation, acting with remembrance of the past, acting as they felt at the moment, acting as they would feel after fuller consideration. . . . The founders sought to approximate a true representation of the people by providing many different ways of counting heads." (Walter Lippmann, *The Good Society*, pp. 253–54.)

Now formally, of course, the Electoral College is malapportioned in favor of the small states, because it assigns to each state as many electoral votes as that state has Congressmen and Senators, and each state has two Senators regardless of its size, and gets one Congressman even if it is a good bit smaller than any single Congressional district in a larger state. If each state's electoral vote was divided—precisely or roughly—in proportion to the popular vote cast for each candidate in each state, the malapportionment would become quite real, and would have considerable effect. But the practice for nearly a century and a half has been to cast the electoral vote of each state by the unit rule. Under these conditions, the malapportionment in favor of the small states is for the most part only apparent, not in fact real. This is so because even a small popular majority or plurality in a state gains for a candidate that state's entire electoral vote, which, in turn, means that to carry New York, or Illinois, or California, or Texas by 50,000 or even 5,000 popular votes is to win a much larger block of electoral votes than could be won by getting large popular majorities in any number of smaller states.

The system is, therefore, in effect malapportioned in favor of the large industrial states, in which party competition is vigorous, and which generally swing by small percentages of the popular vote. Not only that, but the system is in effect malapportioned in favor of cohesive interest, ethnic or racial groups within those large states, which often go nearly en bloc for a candidate, and can swing the state and its entire electoral vote. Recently, Mr. John F. Banzhaf, III, has demonstrated all this mathematically—or at least expressed it mathematically. That means, I suppose, that we may now be sure it's true, although most students of the American political system have long known it to be true anyway. This insight, at any rate, has long governed the strategy of Presidential campaigns and the decisions of the nominating conventions, and has in our day resulted generally in an orientation of the Presidency toward an urban constituency.

It overstates the matter, however, to maintain that the Presidency is thus given an invariable liberal, or even urban, political and ideological cast, or that different strategies are impossible. Other groups than those that have been dominant in the past generation may seize the balance of power in the large industrial states, use it to other ends, and orient the Presidency in a different direction than that to which we have become accustomed. The point I make is merely that the Electoral College opens up for cohesive groups in large industrial states a possibility of influence that they would not otherwise have. It holds out no guaranty that the influence will always be effective. Indeed, combinations remain conceivable which would make the malapportionment in favor of smaller states very real. Circumstances are imaginable in which small shifts of popular votes in a group of small states, combined with equally small shifts in at least one large state, could swing the election. In 1960, small shifts of popular votes, totalling no more than 11,000 in New Mexico, Hawaii and Nevada, as well as in Illinois and Missouri, could have put Mr. Nixon in office. The possibility of such a decisive role falling to a group of small states is in my judgment remote. But it exists. There is, moreover, a symbolic value in play for the small states, since the Electoral College, on its face, confirms the federal system and the equality, if only partial, of all states, large and small.

The seeming paradox, embodied in the Electoral College, of a system which offers the possibility of disproportionate influence both to cohesive groups in the large states and to the small states—this paradox should not seem strange in this chamber, for it is embodied also in the Senate itself. The at-large popular election of Senators means that in the big industrial states cohesive groups can have disproportionate influence in the election of Senators, just as under the Electoral College system they can have disproportionate influence in the election of the President. For this reason, the Senate has in recent years had a more urban and liberal orientation than the House. Yet at the same time, of course, the Senate is the place of disproportionate influence for the small states, being malapportioned in their favor in far greater measure than the Electoral College.

As is evident, I favor the Katzenbach perfecting amendment, and otherwise the retention of the Electoral College system as it has worked effectively and beneficially for a century and a half. I wish to say, however, that if put to a choice between the popular election proposal and the Federal System Plan recently suggested by Senators Eagleton and Dole (S.J. Res. 181), I would unhesitatingly favor the latter. In between, so to speak, my preference actually would be for a modification, or if you will, a reshuffling, of the Federal System Plan.

It would seem to me possible to begin by providing that the President and Vice-President shall be those candidates who have obtained both a majority or plurality of the nation-wide popular vote and a majority of the Electoral-College vote, the latter to be counted automatically by states as in the Katzenbach proposal. Such a provision would describe, of course, what has in fact happened in every election since 1888, and indeed in every honest election since 1824. But it would concede a point to those who are apprehensive about the possibility of minority Presidents.

Contingencies, possible malfunctions, would remain. If the winners of a majority or plurality of the popular vote should fail also to win a majority of the Electoral-College vote, the distributive principle of the Federal System Plan might be called into action. The winners of the nation-wide popular vote, it might be provided, as in the Federal System Plan, would be elected President and Vice-President if they also won the popular vote in states containing more than 50% of the voters in the election, or in more than 50% of the states. This formula would indicate an adequate base of support distributed over the various regions of this vast country, and in its two alternatives it would also preserve some advantage to the large industrial states, while at the same time retaining the possibility of combinations that give an advantage to the smaller states. If this formula should also fail to elect a President, I would simply have the deadlock resolved, in accordance with the Katzenbach proposal, by a joint session of Congress.

Let me conclude, however, by repeating that my first preference is the present system as perfected by the Katzenbach proposals. There is a strong and legitimate drive in the country for reform in the direction of a more participatory democracy. But reformers who want to open up the system to more participation will find that they have achieved nothing if they abolish the Electoral College. They should direct their attention and their innovative energies at the nominating conventions, at problems of campaign financing, at the federal administrative structure and the remoteness and increasing centralization of city, state and federal government, and if I may say so without giving offense, at Congress. Illusory reforms are not only pointless. They are worse than none at all, for they are calculated to defeat the very expectations they raise.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business?

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore (Mr. METCALF). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore (Mr. METCALF). Is there further morning business? If not, morning business is concluded.

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DISTRICT OF COLUMBIA METROPOLITAN AREA TRANSIT ACT OF 1969

The ACTING PRESIDENT pro tempore (Mr. METCALF). The Chair lays before the Senate the pending business which the clerk will state.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1814) to provide for public ownership of the mass transit bus system operated by D.C. Transit System, Inc., to authorize interim financial assistance for the company pending public acquisition of its bus transit facilities; and for other purposes.

The Senate resumed the consideration of the bill.

Mr. EAGLETON. Mr. President, last evening, when the bill was laid before the Senate, I made my opening statement on the general background of the bill and its necessity at this time. I send to the desk some technical amendments and ask unanimous consent that the amendments be agreed to en bloc, and that the committee substitute amendment as amended be treated as original text for the purpose of further amendments.

Mr. WILLIAMS of Delaware. Mr. President, what are the technical amendments?

The ACTING PRESIDENT pro tempore. The clerk will state the technical amendments.

The ASSISTANT LEGISLATIVE CLERK. On page 7, line 3, strike "1969," insert "1970."

On page 15, line 20, strike "Maryland," insert "Virginia."

On page 15, line 21, strike "Virginia," insert "Maryland."

On page 18, line 9, after "District of Columbia" insert "Metropolitan Area."

On page 20, line 6, strike "or," insert "of."

The ACTING PRESIDENT pro tempore (Mr. METCALF). Without objection, the amendments will be considered en bloc.

Mr. EAGLETON. May I explain the amendments?

Mr. WILLIAMS of Delaware. Yes.

Mr. EAGLETON. The Senator is reserving his right to object?

Mr. WILLIAMS of Delaware. Yes.

Mr. EAGLETON. If I can explain the amendments, in order to clear up any misapprehension the Senator may have, they are mainly typographical and printing errors. Additionally, the bill was originally considered by the District of Columbia Committee in 1969, and 1 year having elapsed, there has been some necessity for changes in dates, and so forth.

Mr. WILLIAMS of Delaware. It does not extend the authority beyond that as intended in the original bill; is that correct?

Mr. EAGLETON. That is correct.

Mr. WILLIAMS of Delaware. I thank the Senator.

The ACTING PRESIDENT pro tempore (Mr. METCALF). The question is on agreeing to the amendments en bloc.

The amendments were agreed to en bloc.

The ACTING PRESIDENT pro tempore (Mr. METCALF). The committee amendment in the nature of a substitute, as amended, is open to amendment.

Mr. WILLIAMS of Delaware. Mr. President, under the bill what are the price and the terms upon which we would buy this property?

Mr. EAGLETON. Will the Senator kindly repeat his question?

Mr. WILLIAMS of Delaware. Under the bill what would be the terms and the prices to be paid as proposed to be paid for this property?

Mr. EAGLETON. There is no specific price to be paid as proposed to be paid subject to the condemnation process, with litigation ensuing in the district court. Appraisers would be selected on both sides and the case would be tried before a jury which would render its verdict.

Mr. WILLIAMS of Delaware. I notice that it says that the purchase price would provide for an assumption by the Government of all outstanding obligations, labor-contract, or pension-fund obligations. I understand that the transit company is delinquent in its payments to the pension fund. Would that mean that we would be taking over such contingent liabilities as the pension fund, outstanding mortgages, and all other contingent liabilities of the organization?

Mr. EAGLETON. In the condemnation process, when the case has been submitted and tried before a jury, a valuation is put on the assets of the company, including its goodwill, if any, its going market value, and so forth. That figure is then offset by any liabilities, by any debts which the company owes. For instance, this company owes $400,000 to the District of Columbia for track removal which it has failed to pay. Also included would be any other liabilities or money that the company may owe the pension fund, or bus manufacturing firms, the electric company, and so forth.

Mr. WILLIAMS of Delaware. Did they file a financial statement with the committee for the last year or two? What is the financial situation of the company? How much money do they owe? My understanding is that they have practically drained the assets of the company. I wonder whether we are proposing to buy a shell.

Mr. EAGLETON. Mr. President, to answer the question of the Senator from Delaware (Mr. WILLIAMS), I should like to supply him with this information. Shortly after the time Mr. Chalk entered the picture, back some dozen years or so ago, when he acquired the company from Mr. Wolfson, his debt equity ratio was 4 to 1. At the time hearings were held in the spring of 1969, his debt equity ratio was 24 to 1. In the hearings the WMATC regulatory commission indicated the aforementioned ratio for utilities were financially hazardous.

Mr. WILLIAMS of Delaware. Financially what?

Mr. EAGLETON. Financially hazardous, which I take to mean precarious. Also in the hearings, if the Senator has a copy on his desk, pages 57 through 68, as of March 31, 1969, we list there the accounts payable of the D.C. Transit Co. which totals $3,511,856.96. They are listed item by item.

Mr. WILLIAMS of Delaware. At what page?

Mr. EAGLETON. Starting on page 57 of the hearings. I think the Senator has the report.

Mr. WILLIAMS of Delaware. These are the current liabilities?

Mr. EAGLETON. As of that date—March 31, 1969.

Mr. WILLIAMS of Delaware. Does this include contingent liabilities to the pension fund?

Mr. EAGLETON. As of the time mentioned, March 31, 1969, it did include contingent liabilities for the pension fund—as of that date.

Mr. WILLIAMS of Delaware. How much was that?

Mr. EAGLETON. It was $2.3 million. Those contingent liabilities were then paid back. The company is now into a new crisis, with new figures and new obligations to that same pension fund.

Mr. WILLIAMS of Delaware. I understand that going back to the time when Mr. Chalk took over the transit company the company had a liability to pay for taking up the streetcar tracks in the city and had provided a reserve for that purpose. As I understand it, Congress relieved the company of a substantial part of the responsibility of removing the tracks, and the company was able to pass that money out as a distribution to the stockholders. But the company still has some liability remaining as to the tracks.

Mr. EAGLETON. It is $400,000, as I understand.

Mr. WILLIAMS of Delaware. The company was required to take up the tracks, but when they were abandoned the company was relieved of that obligation.

Mr. EAGLETON. I take what the Senator has said as being accurate. Frankly I do not know of any relief granted on the track removal liability. All I know is that the company owes $400,000.

Mr. WILLIAMS of Delaware. I notice that Mr. Chalk refers to a tremendous loss of revenue from the loss of the track system. The company did not lose it. The company was liable and was relieved of that liability.

I want to make certain that we are not going to pass out a bonanza to the company, because when we speak of buying this operation I am wondering what there is to sell. Mr. Chalk has a franchise, yes; but that franchise carries with it the responsibility of serving the community. I do not think he has the financial ability now to enable the company to serve the community; therefore, the Government would be buying nothing. If he has a franchise, I think it would be well to say, "All right, use it, but serve the community without any further assistance from the Federal Government. Serve it with the money you have."

With this present high debt ratio I think it is a case of his having milked the company dry of its assets and now he wants to sell an empty shell to the Government. He is coming here on his hands and knees. I have no patience with him. He has been getting a free ride from the Government long enough. Now let him pay his way on his own transit company.

Mr. EAGLETON. I think there is some merit in what the Senator from Delaware has just observed. I invite his attention to page 42 of the hearing record.

The properties that were spun off from the D.C. Transit—listed there are properties with a fair market value of $5,978,000. Let us round it off to $6 million. That amount was siphoned out, milked out, or at least spun off from the company and otherwise disposed of or put in other companies.

I am not certain what Mr. Chalk has to sell to a private operator or what we have to condemn. There is a theory of law that the growing market value should include goodwill. "Goodwill" has some kind of price tag.

Mr. WILLIAMS of Delaware. Goodwill is based upon the earning prospects of that goodwill. And the earning prospects of that goodwill in this instance do not exist. It is operating at a loss. Therefore, it carries a negligible value, rather than a plus value.

Mr. EAGLETON. Mr. President, goodwill does not carry with it the same meaning it has with respect to people running for public office. If Mr. Chalk were to try to submit his goodwill to any purchaser, it would have a negligible value, in my opinion.

I guess there are other assets of this company. The charter probably has a value, although it is a speculative value. It is revokable by Congress. The value would also include the buses as well as other tangible assets. I assume that he has a few paper clips left. All of these facts will be gone into before the condemnation jury. Incidentally, there is a five-man jury in this jurisdiction, which is not the case in Missouri. The jury would deliberate and come back with a verdict of *x* dollars, which verdict of course is appealable by either side if it is deemed to be inappropriate.

Mr. WILLIAMS of Delaware. The goodwill item of any corporate balance sheet is usually based upon some earning factor of that company. The goodwill item with respect to this company would be zero for bookkeeping purposes. The charter could have the prospect of earnings if there were earnings potential. But the potential is for a loss. And that is the whole basis of his inability to operate. He has milked the company dry of its assets. He does not have the assets in the company that he should have. Whoever would take the charter with the obligation to provide the service would be confronted with further losses. The goodwill has a minus factor.

I want to make it clear that my questions, although they are somewhat critical, are not directed to the Senator from Missouri, the manager of the bill. Some of this is past history.

The Board here in the District which has had jurisdiction over this agency has been unnecessarily lenient, I think, in allowing him to withdraw these funds from the corporate structure, something he could not have done without their approval.

Mr. EAGLETON. Mr. President, I wholeheartedly subscribe to the statement of the Senator from Delaware.

Mr. WILLIAMS of Delaware. I think they should be subject to criticism for many of their decisions. My estimate of their business judgment is very small.

Mr. EAGLETON. Mr. President, again, I wholeheartedly subscribe to the statement of the Senator from Delaware. I think that WMATC, the regulatory commission, has been altogether too permissive insofar as the Chalk operation is concerned.

I would like to comment further on the question of value—and I think this might be of interest to the Senator from Delaware, because this has not been previously divulged. I think we have to be 100 percent candid on the floor of the U.S. Senate.

Back in 1968 there were some discussions between Mr. Chalk and WMATA, the operating agency that will in due course operate Metro. WMATA had an appraisal of the D.C. Transit made in 1968. The estimate of the worth of the company at that time was something in the neighborhood of $5 million.

We tried to find out from Mr. Chalk, when he appeared before the committee, what he thought the company was worth.

Mr. Chalk is an intriguing witness. He likes to speak, but not to answer questions. If one reads all of his testimony, one will find that he rambles and never gets to the point.

The best information I could get from him was that he thinks the company is worth something like $60 million—give or take lots of millions of dollars.

There is quite a cleavage between what WMATA thinks the company was worth in 1968 and what Mr. Chalk thinks it is worth today.

Mr. WILLIAMS of Delaware. Mr. President, if he thinks the company is worth so much today it means that his assets have increased tremendously. Perhaps we could have a rate reduction; that is, if he really believes he is making money and if he really believes he has doubled or tripled the value of the company. But he has already taken out 10 times as much in the form of dividends as his original investment, and we are now told he has tripled the value of the company.

I wonder if we should not let him continue with the operation of the company and have a rate reduction. But let us face it—this company has been milked of its assets, and it is losing money.

Mr. EAGLETON. Mr. President, in a momentary fit of pique, I would be willing to go along with that proposition. However, the people who would suffer the most would not be the Senator from Delaware, the Senator from Missouri, or Mr. Chalk.

The people who would suffer would be those who have to ride the buses by virtue of their economic status and lack of other modes of transportation. Many people have to ride public service facilities.

Quite frankly, in view of the present events, we will not have the company operating, in my humble judgment, for too much longer under the present operator.

Mr. WILLIAMS of Delaware. That is the point. And the moment the present owner stops operating under the present charter we take it over for nothing because he would have lost his charter and lost all rights to it.

We do not have to buy it. That is what I am saying. With that charter goes a responsibility. His threat that, "If you do not buy this and pay my prices I will stop operating and people will be left to walk," has no effect because once that happens we can take it over immediately; we can collect the damages on it and make him pay his bills as well. I am not concerned with that kind of threat. It is a two-way sword. If he reads his charter—and I am sure he has—he will find in that agreement that franchise is in effect during the life of the charter but only as long as he renders the services. The moment he stops rendering service to the city he forfeits all rights. He is not bluffing anyone at all. The Government does not have to buy his equipment, nor do we have to assume his obligations.

For example, in 1958 after he took over the transit company had a property within the city which they sold. The commission gave them permission to sell it. Capital Transit sold it at a net price of $1,266,605.

Mr. EAGLETON. What piece of property is the Senator referring to? Does the Senator have it identified? We have some listings in the report and hearing record by addresses. Does the Senator know what specific piece of property?

Mr. WILLIAMS of Delaware. Yes, I have it here. It was sold to the city in December 1958. The Redevelopment Land Agency bought it and paid D.C. Transit System, of which Mr. Roy Chalk was president, $1,266,605 for the property. I am sorry, but the address is not given here. I do not see it.

Mr. EAGLETON. That is sufficient. That clarifies it.

Mr. WILLIAMS of Delaware. The Redevelopment Land Agency of the District bought this property and paid this price for it.

Mr. President, I ask unanimous consent that excerpts from a report furnished by the District of Columbia Board in support of my point be printed in the Record at this point.

There being no objection, the documents were ordered to be printed in the Record, as follows:

2. In December, 1958 the Redevelopment Land Agency paid the D.C. Transit System, Inc., of which Mr. O. Roy Chalk is President, $1,266,605, not $3.5 million, for Transit System property within this site. Other property was purchased from the D.C. Transit System, Inc., at the same time, bringing the total payment to the System to $3,320,000, but this other property has no bearing on the site under discussion.

The lease to Chalk House West, Incorporated, a wholly-owned subsidiary of the D.C. Realty and Development Corporation was executed on July 6, 1962. The lease specifies an annual rental of $43,221.33 or 6% of the fee value of the land referred to under Item 4 of the enclosed statement, namely $720,355.56, and is for a term of 99 years, with certain provisions for purchase of the fee prior to termination of the lease.

Mr. WILLIAMS of Delaware. Mr. Chalk could pass this money out to the stock-

XUM

holders in the distribution. He liquidated that part of the assets, and without reducing his obligation this was apparently passed on to the stockholders.

But more interesting, apparently the Redevelopment Land Agency did not really need this property even though it had bought it, because it was rezoned and the valuation reduced to $767,000 and then it was immediately leased to Chalk House West, Inc., a wholly owned subsidiary of the D.C. Realty Development Corp., for $43,221.33 a year under a 99-year lease. He could invest the $1,266,605 received from the sale at 6 percent and get an annual income of nearly $75,000. He has his money and the use of his property on these extremely lenient terms. Why?

I say again that I am wondering if the time has not come when Mr. Chalk should start working for a living. I think it is time for him to stop riding on the backs of taxpayers. I know he is a great guy and puts on a great show, but the taxpayers are paying the bills. I want to make sure we are not here today starting a poverty program for Roy Chalk or a special relief bill for him. Personally I think we should hold up this matter and get a real look at his latest financial statement that was filed. He does have to file such statements. I think it will be found he has a zero factor in net worth and that he should pay the Government for taking it over rather than us buying it.

Mr. EAGLETON. Mr. President, once again I find myself in substantial agreement with the comments of the distinguished Senator from Delaware.

The deal to which the Senator referred as between the Land Redevelopment Agency and Mr. Chalk was, at the very least, a shoddy undertaking by a governmental agency.

Not that the Senator from Delaware needs more fuel for his engine, but there is another point that has not been made. Back in the crisis No. 1 stage, in early 1969, when this pension fund matter was brewing—as it is again today, and we will call that crisis No. 2—not only was Mr. Chalk delinquent in making his employer contribution to the fund, but also he was holding up employee contributions to the fund.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. EAGLETON. He had the use of the employees' money while he was holding it up. As the Senator from Delaware knows—and he is an expert on the money market—there is nothing greater on this earth than to have the free use of someone else's money. One cannot lose. It seems that Roy Chalk's whole experience has been the free use, as it were, of other people's things and money. Back in crisis No. 1, he even held up employees' funds. He kept their hard-earned pay. He would not even turn that over to the fund.

So, there is a good deal in what the Senator from Delaware says. But I must disagree with his penultimate conclusion. Yes, it would be nice to "sock it to" Mr. Chalk; and yes, it would be nice, all things being equal, if this company which has such questionable value could be written off as a cipher, and a different operator, public or private, could come into the picture. However, as I pointed out earlier, and as I must reiterate, it is not just Chalk against the U.S. Senate that is the issue today. It is Chalk, the operator, and it is thousands and thousands of residents of the Washington metropolitan area who, not by choice or by inclination, but by necessity, are obliged to use the D.C. Transit System to get to and from work. A prolonged shutdown of this operation would mean that these people would be the ones to suffer most. That is why I must ultimately disagree with the Senator from Delaware when he suggests that we do nothing. In my opinion—and I cannot take an oath on this because the Senator knows when you submit a case to the jury no one can guarantee what the jury will do—a trial jury would hear all these facts and matters which the Senator from Delaware and the Senator from Missouri have pointed out, and it would not put an inflated market value on the D.C. Transit Co. as a going concern.

Mr. WILLIAMS of Delaware. Mr. President, I agree completely that we cannot lose sight of the fact that those who are the passengers of the transit company are the first consideration. I would make this point. There would only be a prolonged shutdown if the District of Columbia Board which has some responsibility, or Congress, or both, would be negligent in meeting this problem head on, whenever it happened. If Mr. Chalk decided he was not going to render services we should cancel his contract and call on him to pay his obligation. Either he renders the service or he forfeits the charter.

Mr. EAGLETON. He would have the privilege of testing out the efficacy of a cancellation. His lawyer would probably advise him it would be invalid. But where would we be while this thing was going through a long and tortuous court testing? What would happen to the riding public?

Mr. WILLIAMS of Delaware. I think there are other considerations. When does this charter run out? It is not a perpetual charter, is it?

Mr. EAGLETON. It is a 20-year charter. It was issued in 1956 and runs out in 1976.

After the first 7 years of the charter, which would have been back in 1963, there was a clause which gave Congress the right to cancel without damages.

Mr. WILLIAMS of Delaware. That is correct. So we can cancel that charter without damage being paid at any time, and right now.

Mr. EAGLETON. That is the reading of the franchise. I think it would be so interpreted by a court of law. But Mr. Chalk, of course, would have the right to litigate it and take it through the appellate process. But I wonder what would happen to the company, in terms of bus riders, while all this was going on. That is what troubles me.

Mr. WILLIAMS of Delaware. We can handle that. I do not think the Government should cancel the charter unless it has cause. But if he stops service as a result of the financial situation, as he threatens he may do if we do not buy it, we would not only have a right under the charter but a cause which would be upheld in court, to take it over and provide the service.

I do not see why we have to pay a man who just does not have anything to sell us. He just does not have anything to sell but a lot of unpaid bills and heavily mortgaged equipment.

Mr. EAGLETON. I should point out that under the bill before us, S. 1814, the charter of D.C. Transit would be canceled 1 day before we acquired it. Therefore, under the theory of this bill, there is no value for the charter per se because it is canceled the day before we acquire it. He gets no value for the charter document.

Mr. WILLIAMS of Delaware. What does he sell?

Mr. EAGLETON. He sells his buses. He sells his other tangible assets and his "goodwill."

Mr. WILLIAMS of Delaware. How much does he owe on the buses? Under what terms were they bought?

Mr. EAGLETON. At the time of our hearings, about a year ago this time, he owed about $10 million to $12 million on the buses. They are with him on a consignment basis.

Mr. WILLIAMS of Delaware. He owed $10 million to $12 million on the buses?

Mr. EAGLETON. Yes.

Mr. WILLIAMS of Delaware. Assuming the Government bought this property, the Government would be assuming not only the obligation of $4 million to $5 million in current liabilities which the Senator enumerated before, but we would also assume liens on the buses. How many million dollars did the Senator say?

Mr. EAGLETON. Ten million to $12 million on the buses.

Mr. WILLIAMS of Delaware. Ten million to $12 million still owed on the buses.

I doubt very much that the buses if they were put on the market would bring $10 million to $12 million. The Senator is well aware of how fast they depreciate, particularly in the earlier years.

So what we are taking over is not an asset but an obligation. I will be frank with the Senator. I am not sure, but that if the Government is to operate this as a transit system we would not be better off canceling his contract and buying our own buses. Are we to pay $10 million to $12 million liens on these old buses to operate the system? Why take over a lot of old equipment that Chalk has not been taking care of and assume all his obligations just to bail him out so he will not have to pay the bills himself?

Mr. EAGLETON. On reexamining the hearing record, I find that I did not give the correct figures to the Senator. I am quoting Mr. Chalk in the hearing record, where he points out the money owed on the buses is $15 million to $18 million.

Mr. WILLIAMS of Delaware. Fifteen to eighteen millon dollars? That is worse

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still and emphasizes why this whole transaction needs further study.

Mr. EAGLETON. Yes.

Mr. WILLIAMS of Delaware. Then it is worse.

Mr. EAGLETON. Yes. The picture gets darker as the clock ticks on.

Mr. WILLIAMS of Delaware. What would be the value of the new buses? Based on the manner in which Mr. Chalk is meeting his other obligations chances are he is more delinquent now than he was last year when these figures were given.

Mr. EAGLETON. In glancing through the record, I cannot give the Senator, as of today, any kind of good "ballpark" estimate of the market value of the rolling stock at that time.

The rolling stock of D.C. Transit is not the most decrepit, in my opinion. One of my cities, I think, wins the dubious accolade. Kansas City, Mo., has the most horse-and-buggy operation in terms of rolling stock.

So there would perhaps be some realistic or substantial market value for the rolling stock. I do not think it would all end up as solid waste disposal.

Mr. WILLIAMS of Delaware. I do not think so, either. I agree with that. Many of the buses are modern. But the point is that with $15 million or $18 million we could buy many new modern buses. The point is that he owes on this equipment, and it is second-hand equipment. Second-hand equipment is not new equipment. I wonder if that is not a high value for that second-hand equipment.

Let us face it; assuming the second-hand equipment is worth only $10 million, if we take the operation over, we are obligated to take over the $15 million or $18 million obligation, because when we take it over we also take over the obligations; that is an immediate loss. I am wondering if the payments on the buses are not more than they are worth today.

Those are some of the contingencies that bother me. What bothers me is not whether we buy an asset for x dollars but whether we are buying a liability which can be many millions of dollars more than it is worth on the market. Is it not almost a situation where Roy Chalk should owe the Government in order to get us to assume his liabilities?

Mr. EAGLETON. In answer, let me respectfully say that one point the Senator from Delaware is overlooking in his very able presentation of the financial picture of this company is that there is some positive or plus value, in my judgment, to the going-concern value of an operation. The Senator from Delaware seems to be premising his argument on the assumption that this company would "go under" in the sense that there would be some buses sitting on parking lots, there would be some electric typewriters at the main office, there would be, hither and yon, other tangible assets. However, no buses would be running. The drivers would be dismissed. They would get employment either in other cities as drivers or in other endeavors. All the assets of the company would be dispersed.

It would be an arduous and tremendous task, be it by a private company or by a Government authority, to start from the bottom up, from the word "Go," a brandnew bus system. It is more than merely acquiring air-conditioned buses and electric typewriters. There is a going-concern value that includes trained busdrivers and other trained personnel of experience and talent, who might be scattered to the four winds if the company went defunct and stayed defunct for some period of time.

So I think it is too narrow a vision to regard this company as just an assemblage of physical things on four wheels.

Mr. WILLIAMS of Delaware. I agree with the Senator. That would be a plus factor in evaluating the assets of this company. I agree that there would be an asset value to whoever succeeded in the takeover operation. At the same time, the Senator is aware of the fact that in the marketplace the valuation that is put on the securities of any company—for example, listed and unlisted securities—does take into consideration not only the book value of the company but also the earning or loss potential of the company. The result is that if it is a profitable company with a long-range profit promise it will sell above the book value, and very properly so. On the other hand, if it is a company in a situation such as this company is in, which has a short-term lease—even the value of the 20-year charter runs out in 1976—then that plus the factor of a weak financial situation would have to be taken into consideration. The ability to stay in business only the next 6 years should also be taken into consideration as a factor in the profit or loss potential during this period.

All of those are minus factors. So in this instance, even if there were a book value it would sell below the book value.

That is true in many of our corporations today. One does not necessarily buy or sell taking the book value as representing what it is worth.

I do not think that there is much, if any, net worth here. I ask the Senator as the manager of the bill this question: Is is the intention that all of these negative factors be taken into consideration in the appraisal and that if there is no book value, he be paid nothing?

Mr. EAGLETON. I think many of the points the Senator has ably spelled out are relevant, pertinent, and evidentiary matters that can and should be presented to the five-man jury at the time this case is tried so as to determine the value of this company.

It could well be that it is worth zero, or, as the Senator has hinted, maybe Chalk owes us something to take it off his hands. But I think these are all matters that should go before the jury, and the five "good men and true" should render their judgment.

To make one other point: We were informed by the General Motors Corp. that in order to assemble a fleet of buses, both new and used, comparable to the existing Chalk fleet, would take about 5 years. That is, assuming that the company went defunct and some of the buses were sold to Kansas City, some went to Miami, and they were scattered all over the place, and we then had to start anew. It would take about 5 years to assemble a fleet, according to GMC, comparable to the Chalk fleet.

Mr. WILLIAMS of Delaware. What did GMC say they would cost new, assuming they were being bought new?

Mr. EAGLETON. I am sorry, I do not have a new-cost figure.

Mr. WILLIAMS of Delaware. We should have that, and perhaps if they are so valuable GMC would be glad to take these buses back for the $18 million still owed.

I respect General Motors as well as any other company, but it has an incentive here to build up the value, because it has $15 million or $18 million owed it on the buses, and one would not expect this company to say they are not worth that much. If the Government is to buy them we would expect General Motors to support a high valuation so that the Government would be willing to pay off the debt.

I would be interested in knowing just what the cost per bus is and how many buses he has. I think those are points of information we should have. If it were my company and I had sold these buses and somebody owed me $15 or $18 million I would want to think they were worth every bit of that money. It would be to my interest. But the buyer should make his own appraisal.

We are on the other side of this issue, and I would be interested in knowing what they actually cost in the first place. Maybe we would want to let General Motors have this bargain.

Mr. EAGLETON. I am sorry; we do not have that in our files.

But let me emphasize this: I concur in what I take to be the general thrust of the remarks of the Senator from Delaware, that insofar as evaluating the worth of this company at anywhere from zero dollars upward only those items that actually have some value whether it be buses or other things, should be what the District of Columbia government pays; plus—and I cannot state an exact dollar price tag on this—there is a value, I believe—going-concern value—insofar as these trained employees are concerned, to which I have previously alluded.

Mr. WILLIAMS of Delaware. I would go along with all but the last part of the Senator's statement. I would not concur that Roy Chalk has any asset value that he can sell to the Government regarding the rights of the employees. I recognize that factor, but I think he has forfeited whatever asset value exists as to employee relationship, and I am not willing to pay him for that. The Government could hire these men, and I expect could keep their salary scales a little more current and their pension funds a little more solvent.

We have to be sure we do not overlook that if we should buy this company we would be assuming this $15 or $18 million, or whatever it may be today, outstanding on the buses. We assume that liability. We also assume the contingent liability on the pension funds. We assume all of the many current installment

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obligations which may be outstanding on the typewriters the Senator has mentioned, or any of the other equipment.

I personally recognize that there is some merit to the suggestion before us. I think we should meet the situation as to how this transit system should be operated. But I am not willing to vote for the bill until I can see a balance sheet of the company together with the listed assets and the contingent liabilities, which is not here. I think Mr. Chalk has a responsibility to put that on the line, and I think that we, as Senators who are approving the matter, have a responsibility to look at it and see to just what extent there is anything here to sell.

I know that back home in the little business I operated my brothers and I would never sit down and decide we were going to buy *x* piece of property and state our intentions in public before we had agreed on a price. No; even if we had already decided we wanted to buy it we would say, "Let us sit down and negotiate the amount."

Under this bill we do all but fill in a blank check. I do not have respect enough for Mr. Roy Chalk to give him a blank check to fill in on the U.S. Government.

By the way, who are these five men who will make this decision?

Mr. EAGLETON. A panel drawn just as in a regular jury panel in the district court made up of veniremen. There are challenges for cause, peremptory challenges, with the regular voir dire examination, the same as with any other jury, except that in this instance it is a five-man jury rather than a 12-man jury.

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Mr. WILLIAMS of Delaware. I ask this question as one who has great respect for the jury system: Are they drawn just the same way as a regular jury for a criminal trial?

Mr. EAGLETON. A jury for the trial of a damage suit or of a criminal felony case. A cross section of the community.

Mr. WILLIAMS of Delaware. Again I emphasize my respect for the jury system. But in evaluating a company such as this we are dealing in a highly technical situation. Can the average man from the streets come in and evaluate this transaction with all of its ramifications, contingent liabilities, and so forth? That is the point I am asking. Can they, or could a couple of slick lawyers confuse them to the point where they will end up saying, "Mr. Chalk says it is worth $60 million; the Government says it is worth zero; we will split the difference and give him $30 million," when in reality we do not owe anything?

I am not saying this as any reflection on the jury system, but we are dealing with a highly complex situation here, the balance sheet of a corporaton, which almost takes an accountant to understand. Can we, with all due respect, just pull five men off the street in Washington and let them put a valuation on this and fill in this blank check for this operation?

Should we not get an evaluation established in advance and then approve it? I mean, could there not be some final approval by Congress? What would happen if we came back here with a $20 million valuation on this system when, as I understand, Mr. Chalk originally only put up a little over a half a million dollars to start with?

Mr. EAGLETON. That is all the cash he put into it.

Mr. WILLIAMS of Delaware. He put in a half a million dollars, and he has drawn out of it about $5 or $6 million annually, has he not?

Mr. EAGLETON. Something in that neighborhood, yes.

Mr. WILLIAMS of Delaware. He has milked the company and drawn out about 10 times as much as his original investment, leaving nothing but a hollow shell, and now he claims that it is worth $40 or $50 or $60 million. That is absurd.

I think we ought to have the answer as to what we are going to pay beforehand. I just wonder if we cannot handle this in a different manner than by just passing the bill and saying, "Go buy it; pull five men in off the street, split the difference with Roy Chalk, and buy it." This financial transaction goes far beyond that with me.

Mr. EAGLETON. Mr. President, if I may, I would like to point out to the Senator these matters:

In the report on this bill, starting at page 26, appendix II, is the heading "Data Relating to Financial Condition of D.C. Transit, Inc." I think the Senator will find, beginning with page 26 and continuing for an abundant number of pages thereafter, pertinent financial information that might partially, if not totally, satisfy his question in that regard.

I specifically direct the Senator's attention to page 28, table I—"12 months period ending February 28, 1969, adjusted." This table itemizes the operating revenues—passenger, school fare, subsidy, charter, and so forth—and the operating revenue deductions, and gives some indication of the cash intake and outflow of the Chalk operation during that period.

On the very important question that the Senator raises about what happens in the jury trial if the District government claims that it is worth zero or a half million dollars and Chalk claims that it is worth $60 million and the five jurymen say, "Split the difference."

The Senator from Delaware asks me, "Would we not be left holding the bag for $20 or $30 million or some figure that is outlandish?" Under existing law in the District of Columbia, if such an outlandish verdict were brought in, the Mayor of Washington may reduce the judgment within 20 days of the time it has been returned.

Further, there is a second or additional check on this. In order for the judgment to be paid, even if some people were so foolishly motivated as to want to pay such an outlandish judgment, the appropriation process of Congress comes into play. This judgment cannot be paid unless Congress at a later date—with hearings, of course, and free opportunity to debate—appropriates the specific amount of whatever that judgment might be.

I think there are two checks: The Mayor can cut the judgment, and Congress can have a further check on it through the appropriation process.

Mr. WILLIAMS of Delaware. The Senator is correct in that. But our previous experience with the District Board in holding the line has not been very satisfactory, because the boards have approved Mr. Chalk's milking this company, taking its assets out rather than holding them in the company and using them for the purpose of rendering a public service. And this is a public service operation. It was started based on a charter that was granted to the company originally on the assumption that it would agree to render a public service. The money that went into the company was accrued as a result of fares paid by the riders.

It is true that, as in a private enterprise system, the rules were that they were expected to earn and pay a reasonable rate of return on the invested capital. I would go along with that. They should be allowed to do that. On the other hand, it is not a reasonable rate of return when we consider that in the past 10 years they have approved the payment to the stockholders of approximately 10 times the original investment. That is not reasonable in any rate of return for a public authority. So they have already exceeded that. As a result they now have a company that is nearly insolvent and not earning money.

Personally, I am not going to support the argument that we just approve a bill to buy it and come back later with the price. It is true that Congress may accept or reject the court verdict. But I am not too sure that once the court condemned the property and set a valuation on it Congress would be in a position to reject it. Even so, it would be more embarrassing to do it then than now.

I think that on an operation such as this we ought to be able to reach an analysis of what we and others think is the valuation that should be placed upon it, and that cannot be done without examining the financial statements of the company, or at least the most recent one. We are operating here in a situation where there is no financial statement accompanying the proposed legislation—that is, I have not seen one yet. That is what we need if we are going to make an intelligent decision on this bill. Otherwise I am going to vote against it.

Mr. EAGLETON. First, there is further financial information with respect to the D.C. Transit, Inc., at pages 211, 212, and 213 of the hearing record.

Second, let me say that we will get for the Senator from Delaware, if he would like to have it, a copy of the 1968 appraisal to which I have made previous reference, at which time WMATA had the value of D.C. Transit in the neighborhood of $5 million.

Mr. WILLIAMS of Delaware. I would like to see that. In addition, I would like to see the balance sheets, the actual financial statement as to the assets of this company, so that we can reconcile that with the debts. I am not willing to accept the fact that we have a million-dollar company when it is really just a shell. I want to know what is to be included as the various assets. What are the obligations?

Mr. EAGLETON. His financial statements, such as they may be, are on file with WMATA, the regulatory agency. I assume he has some obligation to publish the shareholders' statement to the stockholders.

Mr. WILLIAMS of Delaware. It is something we could get without infringement of his rights to secrecy.

Would the Senator be willing to lay this bill aside until we can get those reports?

Mr. EAGLETON. We are not trying to play hide-and-seek with these reports.

Mr. WILLIAMS of Delaware. I know that.

Mr. EAGLETON. We have struggled with this matter for a considerable period of time. I know that the Senator from Delaware is an extremely gifted man on matters relating to finance, money, and so forth, and is far more expert in this area than I.

However, based on thorough consultation with the District of Columbia government, consultation with WMATA, which is an agency of some financial significance, and based on such other advice we have had, we believe the bill is in proper shape to move forward today. We are in a time of incipient crisis.

I cannot apologize, and would not attempt to apologize, for the past sins of WMATA, the overly indulgent regulatory body that permitted Mr. Chalk to milk this company and did not exercise the proper oversight. I would not apologize for it. Mr. Chalk has milked the company, as the Senator has pointed out. He has milked it, to the detriment of the riding public.

But the past is past. We cannot either undo it or rewrite it. It is done with, and it is not a very pleasant or happy past picture. But here we are today, on April 15, 11 days prior to a time when there may be a strike. I do not like operating at the trigger of a gun. But all I know is that if there is a long, protracted strike, as there was here in 1956, when Mr. Chalk's predecessor, Mr. Wolfson, was operating the company——

Mr. WILLIAMS of Delaware. Mr. Wolfson was another man that took the taxpayers in the District for a ride with the consent of the same board.

Mr. EAGLETON. But if a strike does go forward with the length and intensity of the 1956 strike, the people—I repeat, the people—will suffer. I have the notion that Mr. Chalk is an agile enough man that he usually emerges on top. Senators will be able to get to work in their private automobiles, but the people will be left holding the bag. Those who will suffer will be the long-suffering, riding public.

If we had the luxury of time on our hands, if we had the luxury of just being able to take a long, long reflective look at this matter, perhaps there is another way to approach it. But we do not have the luxury of time.

Mr. WILLIAMS of Delaware. The Senator mentioned the strike deadline. Just what is involved in that potential strike threat? Why is it coming to a head on that date and does this bill do anything to change it? What is the conflict there?

Mr. EAGLETON. There is no strike prohibition in the bill in the sense that, if it were to go to the House, and even if the House were to approve it very quickly, there is nothing in the bill that says a strike is outlawed. It shows the bus operators, the union, the locals, which have been continuously at loggerheads with Mr. Chalk about their pension fund where—as I pointed out earlier, he has not only held up his payment to their fund but also their money that goes into the same fund—that there will be a new lease on life for them with a new operating agency, that they will no longer be at the dangerous and not so tender mercies of one, O. Roy Chalk, that maybe they will get a fair shake.

Mr. WILLIAMS of Delaware. I recognize that, and I agree with the union members who are fearful of this situation and can understand the position they are taking. But what is their position? Their position is that Mr. Chalk, in violation of a court order, has not made his agreed payments to the union pension fund. If he had a contract to make these payments, he should be made to do that. I think it is time for Mr. Chalk to be reminded that the courts have authority over him; that he is not a superman. I do not believe that we in Congress have to tremble because he says, "I am not going to pay the union, and there will be a strike; so you had better buy my company."

Yet his dillydallying, his failure to pay the union, his use of their money without interest, which is a valuable factor, may very well cause him to think he will get away without having to pay the union at all. Perhaps he thinks that he will sell the transit company and that the new transit authority will take over all its obligations.

He may use this method to agitate the union members, but I say, let us call his bluff. I can understand the concern of the union members about it. They are threatening to strike, and my guess is that Mr. Chalk thinks that this will scare Congress into buying the property. He wants us to give them assurance of a Government guarantee of their pension fund in order to avoid a strike.

Mr. Chalk owes this money under a contractual obligation that he made with the union, and I understand the courts have directed him to make the payment. I think he should be held in contempt of court. If some court has enough backbone—and I think that some courts need a little backbone these days—to take the same action with Mr. Chalk as was taken with Governor Kirk in Florida, and said, "You are under a fine of $10,000 until you comply with the court order," I venture to say that we would not have a strike in the District of Columbia.

I say, let us enforce such an order with Mr. Chalk. If he is under orders to pay that money let him pay it. If there is a union walkout here because he has not paid the union funds, which I can understand, let us call Mr. Chalk to account. Let him know that he is not quite so big as the U.S. Government, even though I am sure he has a pretty good opinion of himself.

Mr. GRIFFIN. Mr. President, I associate myself with what the Senator from Delaware has been saying, particularly his comments regarding the indication by the Federal judge with respect to Governor Kirk, of Florida, that if he did not comply with the orders of the court, he would be fined so much money a day.

I find it difficult to understand why other Federal judges in other situations involving the enforcement of the laws of the United States have not used that particular approach.

I am thinking in terms of flagrant violations of the law that Federal Government employees cannot strike and that leaders or organizations of Federal employees cannot even advocate the right to strike. Since that approach was very effective with respect to Governor Kirk, it seems to me it should be used in other situations, such as the one the Senator from Delaware is referring to today.

Mr. WILLIAMS of Delaware. That method was used effectively several years ago against the United Mine Workers in a strike that was called by John L. Lewis. He was faced with a continuing accumulation of a fine of $50,000 per day, and the miners suddenly decided that they could go back to work.

I venture to say that if we had a judge handling this case with O. Roy Chalk where after he has been told to put the money in the pension fund or have a fine levied of $5,000 or $10,000 per day against his personal liability as long as he failed to comply with the court order, the money would have been there.

I do not think we have to pass a bill to buy his company in order to keep the transit system operating just because he will not comply with a court order. I am not too sure that that is not part of Mr. Chalk's plan, that he can scare Congress into buying his company, otherwise there will be a strike.

I am not criticizing the union members for their concern about this delinquency. They should be concerned. It is very important to the union that the pension fund be kept solvent. I agree with them on that, and I support them. But I say let us get the court to enforce the order. We do not have to buy his company. Maybe this bill should be held up, say until next Monday, and then get these financial reports and look them over so that we can pass a little better judgment as to what we think the company is worth. I am not trying to delay the bill unduly, but I think that something should be done toward at least examining these financial statements.

Mr. EAGLETON. Mr. President, as I have said on more than one occasion, I am in substantial agreement with many of the comments the Senator from Delaware has made with respect to the operation of this company and its questionable financial history through the years. I am not a member of the O. Roy Chalk fan club. I know that the Senator from Delaware is not a member nor is the Senator from Michigan. In fact, I

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think it is one of the smallest fan clubs in the United States. But where I disagree with the Senator from Delaware is this: Even assuming the company has been milked—and it has been; assuming the regulatory agency that had jurisdiction over its operations has been overly indulgent—and it was overly indulgent; assuming that the pension fund has been improperly handled so far as Mr. Chalk is concerned, to the detriment of the employees of the company—and it has; assuming the fact that Mr. Chalk has a grossly exaggerated opinion of what his company is worth, and what its goodwill is—which, in my judgment, is negative; assuming all of these things, it still does not take away from the fact that we are here in the Senate, on April 15, and I think the busdrivers of the company have gone about as far as they can go.

They went through this thing a year ago, when he was holding up even their own money which had been taken out of their paychecks.

Mr. WILLIAMS of Delaware. Which was a violation of the law. We need a judge who would enforce the law.

Mr. EAGLETON. Finally he came up with the employee money and even later came up with his own money. But they go through this thing with Mr. Chalk every year. I think they need some help. I think the bus riders of the District of Columbia and the metropolitan area need some help. We need to get rid of Mr. Chalk. It will be a better community without him operating this vital facility. We also have got to give time for the House of Representatives to act. This is April 15. They have to have time to give attention to the bill and, therefore, I must disagree with the ultimate suggestion of the Senator from Delaware to delay this matter further.

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The committee has had this bill before it for a year. There have been extensive hearings. I think that now is the time to press on. The question of the value of this company will certainly be thoroughly negotiated. And if no agreement is had, there will be a thorough presentation before a jury. The Mayor of the District of Columbia, if he does not like the jury verdict, does not have to go along with it. Under the law previously mentioned, the Mayor would have 20 days in which to cut the verdict.

The U.S. Congress would have a second look at it. If Congress thinks the figure is outlandishly high, it does not have to appropriate the money.

What we do today is not in any sense final or not subject to review. It is subject to review and further checks and balances down the road. There are ample checks and balances in my judgment.

Thus, I would suggest that we could go foward with this measure today.

Mr. PERCY. Mr. President, if the Senator would yield, I do not think that time is of such essence in this case that a matter of a few days could not be afforded if those few days reveal information vital to the Senate in analyzing and determining an equitable solution to the problem. Perhaps the information asked for by the Senator from Delaware is available.

I do not know the opinion of the Senator from Missouri as to what the information would reveal and how pertinent that material would be in respect to any fair appraisal, whether the request of the Senator from Delaware is unreasonable, or whether that information should not have been furnished in the first place in order for us to properly appraise this legislation.

Mr. EAGLETON. Mr. President, no request from the Senator from Delaware is ever unreasonable because he is a man that is very knowledgeable on financial matters. When he makes a request for financial information, we want to oblige him.

I repeat to the Senator from Delaware that starting on page 26 of the report there appears the following, "Appendix 2. Data Relating to Financial Condition of D.C. Transit, Inc." Thereafter in many pages we have the dollar amounts listed and they paint a financial picture of the operating revenue and other pertinent financial matters of the D.C. Transit, Inc. On page 49 is listed the appropriate rate structure.

Mr. PERCY. I have looked in vain for the very elementary financial statements that would be required, a series of balance sheets from the time of the takeover of this company until the present time, so that we could appraise and analyze what has happened to this company.

Mr. EAGLETON. They are in the record on page 211.

Mr. PERCY. I found some summaries, but I could not trace the history of the movement of all of these accounts from one year to another in detail to determine how we finally ended up with a negative net worth figure.

Mr. WILLIAMS of Delaware. We cannot trace them in the committee report. I do not say that if we had the financial statement we would not come up with the same answer.

Mr. PERCY. Mr. President, if we are going to play hide and seek on this matter, we ought at least to have some information available so that we would know where to look.

I know that I would never make a private investment on such skimpy information. And I try to spend even more prudently public funds.

Perhaps the committee itself has gone into this matter in detail. Perhaps it has analyzed all of these accounts. However, I should think that when the distinguished Senator from Delaware, on whose judgment so many Members of the Senate rely, feels that he cannot make a judgment on the basis of the available information and might therefore cast a negative vote when he does not want to impede the progress of the committee, we should be afforded a few more days' time.

I understand that the committee has been grappling with a tremendously difficult problem. But could not the request of the Senator from Delaware be met within a reasonable period of time, say, 24 or 48 hours? That would enable the Senator from Delaware and other Senators to analyze the report and form a judgment which, if it is favorable, I am certain would carry more weight than is the case at present.

Mr. WILLIAMS of Delaware. Mr. President, I am not trying to delay Senate action. I have always advocated the Senate's right to take action whether I agree with it or not. I would be willing to agree that—this being Wednesday—we could get those financial reports and they could be analyzed by the end of this week, or by Monday we could be ready to make a decision.

So far as I am personally concerned, I could give a quick yes-or-no answer on that basis. But I cannot do it on the information we now have available. As the Senator from Illinois mentions, if one were making a private investment in a company he certainly would examine all such factors. We are suggesting here an investment for the American taxpayers.

To be frank with the Senator, I thought sure that this fiancial information would have been brought before the committee and analyzed. It should have been available.

I do not criticize the committee. I do not want the Senator from Missouri to misunderstand me. I realize that something like this is rather complex, and maybe I am overly cautious, but this is a long-range transaction and a lot of money is involved.

Perhaps I am attaching undue importance to these points. But those are the points I would want to have information on before making a judgment on whether or not to invest.

Mr. EAGLETON. Mr. President, I assure the Senator from Delaware and the Senator from Illinois that we are not trying to play hide and go seek or ring around the rosy or any other games.

As far as I am concerned, I am trying to get this measure passed by the Senate. We can then let the House begin to grapple with it. Perhaps some day we can unload O. Roy Chalk.

For specific answers, I refer the Senators to the hearing record. On page 211 of the record is contained a chart of "D.C. Transit System, Inc., history of retained earnings, August 15, 1956–December 31, 1968."

On that page is listed the net operating income or loss of the D.C. Transit, Inc.

Second, we have a balance sheet and other pertinent figures as of November 30, 1969, which includes part of the fare case pending before WMATA, which is available because it is a public agency and those are public records.

Third, at the request of the Senator from Delaware last Thursday, this bill was laid over until today so that he could consider the matter further. Six days later, the Senator from Delaware requests that it be laid over for an additional 5 days.

Mr. WILLIAMS of Delaware. Mr. President, I agree with the Senator from

Missouri that it was at my request that the bill be held over to today. Frankly, I could not conceive of the bill having been reported without some of this information being before us. The balance sheet figures in the report to which the Senator refers are only extracts from the balance sheets.

Mr. EAGLETON. They are extracts from the balance sheets. The Senator is correct.

Mr. WILLIAMS of Delaware. I cannot make a considered judgment on the basis of that limited information. I cannot make a decision by just examining these extracts from the balance sheets.

For example, at no point do I see the contingent liabilities to which we referred earlier in the debate regarding the buses.

Certainly under the law Mr. Chalk has to file for his stockholders at least and every year for the Treasury Department a consolidated balance sheet with all of these answers contained on it. They have to be itemized, and that is what I would like to see.

Mr. EAGLETON. In the bill we are not trying to set a price tag on this company. All we are doing in the bill is setting up a procedure or a method of approach. If the purpose of the bill were to establish a definitive, exact price for D.C. Transit, the Senator from Delaware would be eminently correct. It would be necessary to look at balance sheets and appraisals, such as was mentioned were made in 1968 to WMATA. It would be necessary to have a wealth of data beyond the 312 pages of the hearings before us.

But we are not here today to determine what the net worth of the company is. It may be worth nothing; it may be worth a "zillion" dollars. But that is not what we are here to determine today. We are to determine what is the mechanism by which a judgment can, in due course, be made in a court of law, with appraisers having been appointed on both sides. We are not here to establish a precise dollar value. If we were, I would have no disagreement with the Senator from Delaware.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. EAGLETON. I yield to the Senator from Illinois.

Mr. PERCY. My question pertains to the 1969 operating conditions and the December 31 balance sheet. Has the distinguished Senator from Missouri that information available? It is not in the printed hearings; at least I cannot find it.

Mr. EAGLETON. There is not, either in the printed hearing record or in the report, a verbatim reproduction, per se, of the balance sheet. There are extrapolations or compilations from the balance sheet. The complete balance sheet as of November 30, 1969, is on file at the Office of WMATC, the regulatory agency.

Mr. PERCY. Is that information available for 1969?

Mr. EAGLETON. The figures for 1969 are not available because, I am told, the balance sheet has not been finally audited. But the previous balance sheet was for the 12 months ended February 28, 1969, and appears on page 28 of the committee report.

Mr. PERCY. I am simply asking whether the company is filing an income tax return as of midnight tonight. If it is, it must, therefore, be filing it on the basis of some sort of audited statement.

The company shows an operating loss for only 1 year. It has made a profit of over $1 million. It had an operating loss of $290,000 in 1968. I think it would be pertinent to whatever we do or to whatever legislative record is made during the course of the debate to know what happened in 1969.

Mr. EAGLETON. Why?

Mr. PERCY. Did this company operate in a loss or a profit position in 1969?

Mr. EAGLETON. I will answer the Senator's question by asking the Senator some questions. I ask the Senator to assume anything he wants to assume. Assume that as of the taxable year in question they operated at a gigantic profit, that they operated at no profit, or that they operated at a gigantic loss; or I ask the Senator to make any other assumption between those bizarre and ridiculous extremes. Of what relevance is that to the determniation we are to make today with respect to the mechanism by which a judgment in due course can be made in a court of law? Of what validity to that determination are these figures? What bearing would it have on whether or not this case should be tried in a court of condemnation by a five-man jury?

Mr. PERCY. We are being asked for remedial legislation because apparently the company is in a distress condition. Why is it in this distress condition and does the distress condition which was pointed out as of December 31, 1968, exist as of December 31, 1969?

I would hope information is available, and I assume that the company is filing returns tonight like any other corporation. Is it not pertinent to have that information available so we will know if a distress situation has gotten worse, whether the situation has started to turn up, or maybe that they made a profit last year? This is tremendously pertinent because this is legislation authorizing the sale or purchase of this company.

This is the chance we have to establish values as to whether we do think there is a ball-park figure as to the value, and the profit or loss of the company is a very pertinent point.

I wish to reiterate that I recognize the problem and I appreciate what the committee is trying to achieve, most of which I am in agreement with. However, I do not think the request of the Senator from Delaware is unreasonable. As a matter of fact, I am somewhat ashamed that as I quickly glanced over the material I cannot really vote on this situation until I have the latest financial figures which should be available. Maybe we could make this determination in a couple of hours. It might be possible to analyze the financial statements during the lunch hour. We would like to have a little time, but if there is an emergency I would be glad to take the lunch hour and sit down with the financial people to see if by the end of the day we could not move ahead. I do feel there is a lack of information available at this time.

Mr. WILLIAMS of Delaware. Mr. President, I concur with the Senator from Illinois. I am not as optimistic, however, as the Senator is in believing that we could sit down during the lunch hour and review these financial statements, but we could do it without undue delay.

For example, there is on this page to which reference is made the item of "Net operating income." This may or may not be net after all depreciation, but what type depreciation are they taking? Are they taking accelerated depreciation or straight line depreciation? All of these factors have to be taken into consideration. Again the report states that interest is not included in this figure. To what extent is this a net operating income or loss? What I want to see is the net income reported on tax returns. We would be interested in the net revenues, the transit fares on a day-to-day operation, but are they taking into account the depreciation charges. There are many, many unanswered questions as far as I am concerned.

I want to make clear that in asking these questions I am not in any way critical of the Senator from Missouri. He has been most frank and cooperative, and I appreciate very much the tolerant position he has taken in trying to answer these questions. They are questions that have disturbed me personally, and I would like to have them answered before we vote.

But I am going to be guided by his decision. If the Senator wishes to push this matter to a vote today I am not going to object. I will, however, make a motion to recommit until we get the information, and if that fails, I will vote against the bill. If the Senator wants a decision today I am not going to object to his getting a vote. I have never tried to block the will of the Senate just because it is different than mine. I am, however, expressing my position and why I am disturbed at this lack of adequate information. I would be reluctant to make a commitment to buy a pig in a poke.

Mr. EAGLETON. Mr. President, I thank the Senator for his kind words. I know his inquiries are based on sound motives and deep sincerity.

I briefly repeat what I said before in answer to the Senator from Delaware. There are two points. The Senator from Delaware did ask that this bill be laid over for 6 days. It was. That was ample time for inquiries to be made of any agency for any reports. Second, what we are talking about in this bill is a procedure for acquiring a total transit system of the entire area. No mention has been made of that fact, and I guess I am a little silly in bringing it up now because it may open the box further; but there are other transit companies involved in this bill, as well. There are one or two companies in Virginia, and there is one company in Maryland. We are talking about the potential acquisition of the totality of the bus transportation in the Washington metropolitan area stretching out into the suburbs of Virginia and Maryland.

I do not know whether any one of them is worth $1, 50 cents, or whatever it might be. I say it is not relevant to what we are trying to accomplish today and that is to set up the mechanism by which a judgment can be made to establish the price of acquisition. If the price is shown to be too high, Mayor Washington would not have to pay it and Congress would not have to appropriate it.

The decision here is in no way definitive of nor does it finalize what Mr. Chalk is going to receive. It only starts the process by which we can unload O. Roy Chalk, which I think would be agreed to unanimously by the Senate. At least we can give the House 11 days before the potential strike in which to take some meaningful action thereon.

Mr. WILLIAMS of Delaware. Mr. President, we are not voting on unloading Roy Chalk. If we were it would have been easy to have taken that vote quite a while ago. What I want to be sure is that in getting rid of him we do not have to pay him more than he is worth, because in my opinion he does not have anything of real value here to sell. At least I would want to see the financial statements.

Mr. President, I am not going to pursue this further. I gather that the Senator would rather push this measure to a decision here today. With that thought in mind I suggest the absence of a quorum. I will want a yea-and-nay vote on the motion to recommit the bill.

The PRESIDING OFFICER (Mr. STENNIS). The absence of a quorum has been suggested. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I move that the bill, S. 1814, be recommitted.

Mr. EAGLETON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are requested. There is not a sufficient number of Senators present.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the motion to recommit.

The yeas and nays were ordered.

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. EAGLETON. Mr. President, I am ready for a vote.

The PRESIDING OFFICER. The motion is that the bill be recommitted. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Indiana (Mr. BAYH), the Senator from Idaho (Mr. CHURCH), the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Montana (Mr. MANSFIELD), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Minnesota (Mr. MONDALE), the Senator from Maine (Mr. MUSKIE), the Senator from Wisconsin (Mr. NELSON), and the Senator from Georgia (Mr. RUSSELL) are necessarily absent.

I further announce that the Senator from Virginia (Mr. BYRD), and the Senator from Washington (Mr. MAGNUSON) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. BENNETT) is absent on official business as observer at the meeting of the Asian Development Bank in Korea.

The Senator from Arizona (Mr. GOLDWATER) is absent on official business.

The Senator from Massachusetts (Mr. BROOKE), the Senator from Kansas (Mr. DOLE), the Senator from New York (Mr. GOODELL), and the Senator from Ohio (Mr. SAXBE) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Texas (Mr. TOWER) is detained on official business.

If present and voting, the Senator from South Dakota (Mr. MUNDT), and the Senator from Texas (Mr. TOWER) would each vote "yea."

On this vote, the Senator from Utah (Mr. BENNETT) is paired with the Senator from Massachusetts (Mr. BROOKE). If present and voting, the Senator from Utah would vote "yea" and the Senator from Massachusetts would vote "nay."

The yeas and nays resulted—yeas 39, nays 39, as follows:

[No. 133 Leg.]

YEAS—39

Aiken
Allen
Allott
Baker
Boggs
Cannon
Cook
Cooper
Cotton
Curtis
Dominick
Fannin
Fong
Griffin
Gurney
Hansen
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Long
McClellan
McGee
Miller
Montoya
Murphy
Packwood
Pearson
Percy
Schweiker
Scott
Smith, Maine
Smith, Ill.
Sparkman
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—39

Bellmon
Bible
Burdick
Byrd, W. Va.
Case
Cranston
Eagleton
Ellender
Ervin
Gore
Gravel
Harris
Hart
Hartke
Hatfield
Hollings
Hughes
Inouye
Jackson
Javits
Kennedy
Mathias
McCarthy
McIntyre
Metcalf
Moss
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Spong
Stevens
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—22

Anderson
Bayh
Bennett
Brooke
Byrd, Va.
Church
Dodd
Dole
Eastland
Fulbright
Goldwater
Goodell
Magnuson
Mansfield
McGovern
Mondale
Mundt
Muskie
Nelson
Russell
Saxbe
Tower

Several Senators requested the regular order.

The PRESIDING OFFICER. The Senate will be in order. This is a close vote.

On this vote, the yeas are 39 and the nays are 39, a tie vote. The motion to recommit is rejected.

What is the pleasure of the Senate?

Mr. HOLLAND. Mr. President, I think that the vote that has just been had shows the reasonableness of the request of the Senator from Delaware that a little time be given to see if two very important objectives can be attained.

I completely approve of the first of those objectives: Let us find out whether the courts can and will exercise appropriate jurisdiction over the present owner of the public utilities that are affected by this bill, as the court should exercise that jurisdiction. I think it is important for us to know just what can be done in that connection. The amount in default on the employees' retirement fund should be paid.

Second, I thought that the Senator from Delaware was completely within his rights and on the reasonable side in requesting that a little time be given to see the recent facts, available only today, as I understand it, as to the last year's operation of this utility. Was it profitable or otherwise?

The PRESIDING OFFICER (Mr. BIBLE). The Senate will be in order.

The Senator may proceed.

Mr. HOLLAND. Mr. President, so far as the Senator from Florida is concerned, he does not even know Mr. Chalk. He holds no brief for him whatever. Some of the things the Senator from Florida has seen in the press which are attributed to Mr. Chalk, he certainly does not approve. At the same time, he does not like to be put in the position of having to vote for public ownership and operation of a utility, rather than ownership and operation by a private competitive industry, without having all the facts. The Senator from Florida would like to have the time, as already requested by the Senator from Delaware, to have those facts, and he is somewhat surprised that this bill has been called up without having facts which are so easily attainable.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield to the Senator from Mississippi.

Mr. STENNIS. I thank the Senator for yielding.

Mr. President, I have no interests in and no special knowledge of this bill. I know that Senators work hard on these matters. It is a thankless job to work on that committee. But I did hear the argument. It happened to be my time to serve as presiding officer, and I noted that very few Senators could be present to hear the argument.

As I understand, the Senator from Delaware has asked for some additional information that is very vital to this question, as did the Senator from Illinois. But most of the debate I have heard was about Mr. Chalk. I do not know Mr. Chalk. If I have ever seen him, I did not know he was the man. But I doubt that he is the real issue in this matter. In fact, I do not believe he is.

I am reminded of one of Aesop's fables, in which the beef cows decided that their enemy was the butcher, and they conspired to destroy all butchers. But the fox, who was wiser than the rest, suggested. "The butchers aren't your enemies. Your real enemy is the appetite of the people for beef steak."

I do not believe that this problem is altogether Mr. Chalk. I was once a member of the District of Columbia Committee, and we had trouble before Mr. Chalk ever got here. I believe that this involves a subsidy and would involve a rather large one.

Every Senator is entitled to all the facts he thinks he needs, and that is why I voted for the motion. I do not believe that, prosperous as this city is, we ought to get into a matter hastily that is going to call for a large subsidy. I do not believe the people of Seattle or the people of Atlanta or anyone else ought to be taxed to defray the cost of transportation in a system in Washington.

So, until we know more about this matter, I think we ought to let the Members who are vitally interested in it, who know more about finance than I do, have an opportunity to get the facts.

I urge the Senate to send this matter back for some reasonable time, not to try to kill the bill, but to get these facts before the Senate.

The PRESIDING OFFICER. The Senator from Florida has the floor.

Mr. HOLLAND. I thank the Senator from Mississippi for his comment, which is entirely along the line that the Senator from Florida was following.

I think we are entitled to more facts. I am not one of those who want to vote for public ownership and operation, as contrasted with operation by private enterprise, without having all the facts. I have on occasion voted for public ownership and operation when I thought I had all the facts and they justified such a vote.

I do know from some former experience that the public utility here has not always been treated reasonably. The Senator from Florida, at an earlier time, years ago, offered a bill for a very small subsidy for the carrying of schoolchildren by this utility, and it was turned down because of the unpopularity of the then owners of the utility. Later, a much more generous bill along the same line was passed, and that was made even more generous in recent times. So the Senate has not always been consistent in its attitude on this matter and has not always treated the local utility in a way that was reasonable.

Knowing that fact, and believing that some information is withheld which is completely necessary, the Senator from Florida, with all respect for Senators who are doing an unasked for job on the District of Columbia Committee, thinks that we should have those facts before we are asked to vote for public ownership and operation.

Mr. President, I have noticed for a good time what public ownership and operation in the great city of New York has brought on there by way of all kinds of political troubles and social troubles and other troubles. I have noticed in my own State, where we have had some public operation and some competitive private enterprise operation, that the latter has generally been the much more acceptable.

Without knowing Mr. Chalk and certainly without holding any brief for him, because I have not appreciated some of the things that have been attributed to him by the press, I would want a complete, clear record presented before I am asked to vote for public onwership and operation as contrasted with a private operation, which, apparently in every year but one, shown by the record of the committee and its report, has been a profit making operation. My own feeling has been, from some of the things I have heard, that perhaps it has been even more profitable than the figures show.

Without trying to get into that at this time, I think the Senate should have a complete picture before we vote upon this. I think to have it insisted that we vote upon it without that complete showing is a mistake from every standpoint. I simply want to make it clear why I voted for the recommittal and with a complete and open mind as to what I would do later, when we had the whole of the facts, because the time may be reached when we should have public ownership and operation, but I do not want to cross that bridge until I have all the facts. If I am forced to cross it today, I shall merely vote no, because I do not like public ownership and operation unless it is completely necessary, in the public interest, and shown to be necessary.

Mr. MURPHY. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I intended to yield the floor, but I am glad to yield to the Senator from California.

Mr. MURPHY. I thank the Senator from Florida for yielding to me. I wish to associate myself with his remarks. I think that, once again, his wisdom is obvious here. We have had very little time to study this matter. I say there is no advantage to the general welfare merely to transfer the problem to the taxpayers, even though it be a problem we do not fully understand.

I think that the Senator from Delaware, as usual, is very wise in suggesting that we have more time and more information on this subject, and I had hoped the bill would be recommitted. Now, without binding myself, I am afraid that I will be forced to vote against the bill, which might be unfortunate, but I will have to vote against the suggestion of public ownership which, as has been pointed out by my distinguished colleague from Florida, with so little information, should be a matter of the last resort. This is a matter where the problem is not really solved. The trouble is not dissipated. It is still there. We just transfer it to the taxpayers, and I think the taxpayers of this country are generally overloaded already.

I think maybe much fuller information on this entire matter would be in order, and I congratulate my distinguished colleague from Florida for stating this, and thank him for yielding this time to me.

Mr. HOLLAND. I thank my distinguished friend from California very warmly for his comments. I am perfectly willing to yield for questions, but otherwise I intend to yield the floor, and I shall do so.

Mr. EAGLETON. Mr. President, I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Does not the Senator mean on the committee amendment?

Mr. EAGLETON. On the entire bill as amended because that was already ordered, I believe.

The PRESIDING OFFICER. Amendments have been agreed to. The Chair is advised by the Parliamentarian that the question should be on the committee substitute as amended.

Mr. EAGLETON. I move adoption of the committee substitute.

The PRESIDING OFFICER. The question is on agreeing to the committee substitute as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. EAGLETON. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. Long). The question is on final passage of S. 1814.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Idaho (Mr. Church), the Senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Montana (Mr. Mansfield), the Senator from Wisconsin (Mr. Nelson), and the Senator from Georgia (Mr. Russell) are necessarily absent.

I further announce that the Senator from Virginia (Mr. Byrd) and the Senator from Washington (Mr. MAGNUSON) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON) would vote "yea."

Mr. SCOTT. I announce that the Senator from Utah (Mr. BENNETT) is absent on official business as observer at the meeting of the Asian Development Bank in Korea.

The Senator from Arizona (Mr. GOLDWATER) is absent on official business.

The Senator from Massachusetts (Mr. BROOKE), the Senator from Kansas (Mr. DOLE), the Senator from New York (Mr. GOODELL), and the Senator from Ohio (Mr. SAXBE) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Michigan (Mr. GRIFFIN) and the Senator from Texas (Mr. TOWER) are detained on official business.

If present and voting, the Senator from South Dakota (Mr. MUNDT), and the Senator from Texas (Mr. TOWER) would each vote "nay."

On this vote, the Senator from Massachusetts (Mr. BROOKE) is paired with the Senator from Utah (Mr. BENNETT). If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Utah would vote "nay."

The result was announced—yeas 48, nays 34, as follows:

[No. 134 Leg.]

YEAS—48

Allott
Bayh
Bellmon
Bible
Burdick
Cannon
Case
Cooper
Cranston
Dominick
Eagleton
Fulbright
Gore
Gravel
Harris
Hart
Hartke
Hatfield
Hollings
Hughes
Inouye
Jackson
Javits
Kennedy
Mathias
McCarthy
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Spong
Stevens
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—34

Aiken
Allen
Baker
Boggs
Byrd, W. Va.
Cook
Cotton
Curtis
Ellender
Ervin
Fannin
Fong
Gurney
Hansen
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Long
McClellan
Miller
Murphy
Packwood
Percy
Schweiker
Scott
Smith, Maine
Smith, Ill.
Sparkman
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NOT VOTING—18

Anderson
Bennett
Brooke
Byrd, Va.
Church
Dodd
Dole
Eastland
Goldwater
Goodell
Griffin
Magnuson
Mansfield
Mundt
Nelson
Russell
Saxbe
Tower

So the bill (S. 1814) was passed.

The title was amended so as to read: "A bill to provide for public ownership of the mass transit bus system operated by D.C. Transit System, Inc.; and other private bus transit companies engaged in scheduled regular route operations in the Washington metropolitan area to authorize interim financial assistance for the D.C. Transit System, Inc., pending public acquisition of its bus transit facilities; and for other purposes."

Mr. EAGLETON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KENNEDY. Mr. President, I move to lay the motion on the table.

The motion to lay on the table was agreed to.

UNSOLICITED CREDIT CARDS

Mr. KENNEDY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 733, S. 721.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 721) to safeguard the consumer by requiring greater standards of care in the issuance of unsolicited credit cards and by limiting the liability of consumers for the unauthorized use of credit cards, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to and the Senate proceeded to consider the bill which had been reported from the Committee on Banking and Currency with amendments on page 2, line 10, after the word "requested", strike out "in writing" and insert "and received"; on page 3, after line 4, strike out:

SEC. 2. Section 105 of the Truth in Lending Act (82 Stat. 146) is amended by inserting "(a)" before "The Board" and by adding at the end thereof a new subsection as follows:

"(b) The Board shall prescribe regulations governing the conditions under which card issuers may issue credit cards which the cardholder has not requested in writing. Such regulations shall prescribe minimum standards to be followed by all card issuers in checking the credit worthiness of prospective cardholders in order (1) to protect consumers against overextending themselves with credit obtained through the use of unsolicited credit cards, and (2) when the card issuer is a bank insured by the Federal Deposit Insurance Corporation, to safeguard the safety and soundness of the bank."

SEC. 3. The Truth in Lending Act (82 Stat. 146) is amended by adding after section 131 the following section:

And, in lieu thereof, insert:

SEC. 2. (a) The Truth in Lending Act (82 Stat. 146) is amended by adding after section 131 the following sections:

"§ 132. Issuance of credit cards

"No credit card shall be issued except in response to a request or application therefor. This prohibition does not apply to the renewal of any accepted credit card issued after the effective date of this section or to the renewal of any credit card issued prior to such effective date if the card issued prior to such date was issued in response to a request or application therefor. Such prohibition applies to the renewal of any other credit card the first time such card is renewed after the effective date of this section, but does not apply to any subsequent renewals thereof.

On page 4, at the beginning of line 12, strike out "132" and insert "133"; at the beginning of line 13, insert "(a)"; on page 5, line 9, after the word "such", strike out "information.", and insert "information."

"(b) In any action by a card issuer to enforce liability for the use of a credit card, the burden of proof is upon the card issuer to show that the use was authorized or, if the use was unauthorized, then the burden of proof is upon the card issuer to show that the conditions of liability for the unauthorized use of a credit card, as set forth in subsection (a), have been met.

"(c) Except as provided in this section, a cardholder incurs no liability from the unauthorized use of a credit card."

(b) The table of contents of chapter 2 of the Truth in Lending Act is amended by adding at the end thereof the following:

"132. Issuance of credit cards.
"133. Liability of holder of credit card."

And on page 6, at the beginning of line 1, change the section number from "4" to "3"; so as to make the bill read:

S. 721

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103 of the Truth in Lending Act (82 Stat. 146) is amended by redesignating subsections (j), (k), and (l) as subsections (p), (q), and (r), respectively, and by adding after subsection (i) the following:

"(j) The term 'adequate notice', as used in section 132, means a printed notice on any credit card issued to a cardholder, or on each periodic statement setting forth the account of a cardholder, which is set forth clearly and conspicuously, in accordance with regulations prescribed by the Board, so that a person against whom it is to operate could reasonably be expected to have noticed it and understood its meaning.

"(k) The term 'credit card' means any card, plate, coupon book or other credit device existing for the purpose of obtaining money, property, labor, or services on credit.

"(l) The term 'accepted credit card' means any credit card which the cardholder has requested in writing *and* received or has signed or has used, or authorized another to use, for the purpose of obtaining money, property, labor, or services on credit. A renewal credit card shall be deemed to be accepted if it is issued within one year after a prior card has been paid for or used. A new credit card issued in substitution for an accepted credit card as a result of a change in the corporate structure or ownership of a card issuer shall be deemed to be an accepted credit card.

"(m) The term 'cardholder' means any person to whom a credit card is issued or any person who has agreed with the card issuer to pay obligations arising from the issuance of a credit card to another person.

"(n) The term 'card issuer' means any person who issues a credit card.

"(o) The term 'unauthorized use', as used in section 132, means a use of a credit card by a person other than the cardholder who does not have actual, implied, or apparent authority for such use and from which the cardholder receives no benefit."

SEC. 2. (a) The Truth in Lending Act (82 Stat. 146) is amended by adding after section 131 the following sections:

"§ 132. Issuance of credit cards

"No credit card shall be issued except in response to a request or application therefor. This prohibition does not apply to the renewal of any accepted credit card issued after the effective date of this section or to the renewal of any credit card issued prior to such effective date if the card issued prior to such date was issued in response to a request or application therefor. Such prohibition applies to the renewal of any other credit card the first time such card is renewed after the effective date of this section, but does not apply to any subsequent renewals thereof.

"§ 133. Liability of holder of credit card

"(a) A cardholder shall be liable for the unauthorized use of a credit card only if the card is an accepted credit card, the liability is not in excess of fifty dollars, the card issuer gives adequate notice to the cardholder of the potential liability, the card issuer has provided a method whereby the user of the credit card can be identified as the person authorized to use it, the unauthorized use occurs before the cardholder has notified the card issuer that an unauthorized use of the credit card has occurred or may occur as the result of loss, theft, or otherwise, and the card issuer has taken such action, after being so notified by the cardholder, as is reasonably designed to advise those merchants or others with whom the credit card is likely to be used of the possibility that an unauthorized use thereof may occur. For the purposes of this section, a cardholder notifies a card issuer by taking such steps as may be reasonably required in the ordinary course of business to provide the card issuer with the pertinent information whether or not any particular officer, employee, or agent of the card issuer does in fact receive such information.

"(b) In any action by a card issuer to enforce liability for the use of a credit card, the burden of proof is upon the card issuer to show that the use was authorized or, if the use was unauthorized, then the burden of proof is upon the card issuer to show that the conditions of liability for the unauthorized use of a credit card, as set forth in subsection (a), have been met.

"(c) Except as provided in this section, a cardholder incurs no liability from the unauthorized use of a credit card."

(b) The table of contents of chapter 2 of the Truth in Lending Act is amended by adding at the end thereof the following:

"132. Issuance of credit cards.
"133. Liability of holder of credit card."

SEC. 3. The amendments to the Truth in Lending Act made by this Act shall become effective upon the expiration of six months after the enactment of this Act.

THE CREDIT CARD CRAZE

Mr. PROXMIRE. Mr. President, according to the Federal Reserve Board, at the end of February 1970, there was approximately $15 billion outstanding in so-called plastic credit. This is credit obtained by consumers from banks, stores, oil companies, and other business enterprises, the credit line usually being activated by the simple presentation of a little plastic card.

Until recently this "plastic credit" had been allowed to run rampant and the American public was flooded, literally inundated, with unwanted and unsolicited credit cards. A short time ago the Federal Trade Commission issued an order or trade regulation prohibiting the distribution of all unsolicited credit cards by retailers, oil companies, and all other creditors except common carriers and banks.

The bill now before us, Mr. President, S. 721, through an amendment to the Truth in Lending Act prohibits banks, retailers, and others from distributing unsolicited credit cards, limits the cardholder's maximum liability to $50, and places the burden of proof squarely on the card-issuing institution.

Why is this legislation so necessary? Perhaps some examples of the abuses of unsolicited credit cards are in order. There is the case of a man who applied for a credit card. The application was reviewed and rejected. Later the same man received an unsolicited credit card from the same company that had turned down his credit card application.

Another man who liked more than a moderate amount of liquor was both surprised and delighted to receive an unsolicited credit card in the mail. Like a shot he was off to the neighborhood tavern and managed over a short period to drink up on credit over $400 worth of alcohol before his distraught family realized how he was able to pay for his drunken habits.

These are but two examples of the abuses to which creditor institutions the unsolicited distribution of credit cards. There are many others. Heads of households have been less than pleased to receive credit card bills for purchases made by dependents on unsolicited credit cards sent directly to spouses and even to children.

Though unsolicited credit cards do not have to be used by the recipient, the temptation to do so is very great. And no wonder; look what one can do with a little plastic card—you can fly now, have a full vacation and pay later, get the car fixed, and finance a myriad of other personal services, stay in the finest hotels, eat in the best restaurants, enjoy top entertainment, or purchase almost any other commodity imaginable. Even things like charitable contributions can be handled by credit cards, and recently several banks announced that their credit cards could now be used to pay taxes. The plastic credit revolution is upon us in full force. The era of the plastic card economy is fast approaching.

That a credit card economy is on the horizon should be sufficient impetus to make us realize that we must eliminate the present chaos in the distribution of these cards. The bill we are considering, Mr. President, encourages creditors to adopt careful and controlled criteria for screening and selecting their credit card customers. By prohibiting the unsolicited distribution of bank credit cards, S. 721, encourages creditors to reestablish sound lending and credit rating procedures in selecting applicants for their credit cards. Careful selection of credit card applicants based on solicited applications reduces the risks of mail theft inherent in random mass mailings and lessens the possibility that the cards will fall into criminal or unauthorized hands.

Recent press reports indicate there has been an unusual amount of credit card theft and unauthorized use of credit cards in the Washington, D.C., area. Banks in Washington have stopped sending credit cards in the mail and some larger stores are complaining that credit card losses are running from 37 to 50 percent higher than a year ago. Businessmen feel most of their stolen credit problems come from cards being taken from the postal system on mass mailings.

The indiscriminate mass mailing of credit cards often puts the cards in the hands of the very consumers who can least resist the uncontrollable urge to spend money they do not have and cannot afford to lose; the prohibition of unsolicited credit cards will protect these consumers from getting too deeply into debt. To many of these people it is like rubbing Aladdin's lamp. One can rub it and almost anything that is wanted appears.

In addition to prohibiting the distribution of unsolicited credit cards, the bill limits the credit cardholder's liability to a maximum of $50 and in cases of dispute places the burden of proof on the issuing institution.

I have discussed the credit card economy in general and the fact that the consumer now has about $15 billion in plastic debt. But by far the fastest growing form of credit is the bank credit card. As of February 28, 1970, a report from the Federal Reserve Board estimates that there is $2.384 billion in outstanding credit on bank credit cards. But, though bank credit cards do not yet represent an overwhelming percentage of the outstanding consumer credit, the startling fact is that in 2½ years the banks' percentage of the credit card market more than doubled. In 1967, the banks had 7 percent of the market; in 1970 the banks' percentage of the market has risen to over 15 percent. In just 32 months—from June 30, 1967, to February 28, 1970—outstanding credit on bank credit cards rose from $800 million to $2.384 billion.

In September 1967, 197 banks had credit card plans; by December 1968, 510 banks were in the field; and as of June 1969, 699 banks offered credit cards.

Of the 300 million credit cards now thought to be in consumer hands, it has been estimated that about 100 million are bank credit cards representing about 50 million accounts. The Comptroller of the Currency's recent report indicates there are about 10.5 million active, national bank credit card accounts. This would represent over 20 million cards.

Bank losses on credit card loans in the first half of 1967 were eight times as great as losses on other consumer loans. In that period banks lost $12.5 million on credit card loans for a loss ratio of about 2 percent. On all other consumer loans in the same period bank losses ran about one-fourth of 1 percent.

In spite of such loss figures, the banks like credit cards. The reason is obvious. In addition to the approximately 5 percent discount the banks get from the business enterprise, the banks also earn up to 18 percent annual interest on the money they loan the cardholder. Moreover, the cardholder's line of credit can easily be reactivated without the effort of coming to the bank and filling out forms and the odds are favorable that the cardholder will activate his credit several times a year.

It is quite possible that banks are diverting funds into the credit card lending area that otherwise might be used to finance home loans or small business ventures. This tends both to dry up the available credit and drive up the interest rates in these areas.

For a banker, the credit card is good business because the rate of return is so great and the prospects are excellent

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that banks will continue to increase their share of the credit card market.

The reforms proposed in my bill, Mr. President, will in no way impede the development of the credit card business. The bill merely encourages creditors to refrain from adopting a shotgun approach in acquiring credit card accounts. Banks claim that in order to induce merchants to accept their card they must show a high number of credit cards in circulation; and they contend that only through unsolicited distribution of credit cards can they get the necessary volume. I question the relevance of this argument. In their overwhelming haste to get into the credit card business, banks or other creditors should not be given carte blanche authority to impose additional burdens on the consumer. I find it hard to believe a business cannot be built up by following sound and orderly procedures.

The bill before us eliminates what is known in the trade as "the negative premailer." Using this device creditors can indiscriminately compile lists of names from their own customers, from credit bureaus, from other general lists or name sources, and even from the phone book and send the unsuspecting consumer a letter saying he is one of the chosen few who will receive a credit card within a certain period unless he takes the initiative and returns a form saying he does not want it. In such a case the burden is on the consumer to either say he does not want the card or destroy the card when it arrives.

Under the terms of this bill creditors can still use any list of potential customers and mail the unknown consumers letters saying they are among the chosen few who have been selected to receive credit cards. But the consumer will have to initiate the positive act of completing an application and returning it to the bank before the bank can send him a card. This is known as the "positive premailer" because unless the consumer takes some positive action he will not receive a credit card. The burden is no longer on the consumer to act if he does not want a credit card. He can ignore the letter or throw it away without worrying about receiving an unwanted credit card.

Let us look at the effects of the elimination of unsolicited credit cards.

The general public will no longer have the burden of refusing or disposing of an unwanted credit card. And families already burdened with debt will not be tempted to spend beyond their means and incur more indebtedness.

They are almost impossible to burn. It requires quite a grip to cut them with scissors. It is a puzzle to know what to do with them. If these cards are lost, the risk is there that that person's credit rating will be ruined. All this will be eliminated if the bill is enacted into law.

The consumer will also be relieved of the psychological burden of thinking he might somehow be responsible for the fraudulent use of his unwanted card; and the risk that the consumer's credit rating could be ruined is substantially less.

Elimination of the unsolicited credit card reduces the likelihood that a family member will get a card without the knowledge of the head of the household. And the possibility of card theft from the mails and fraudulent use is considerably reduced.

I consider receipt of an unsolicited credit card an unwarranted invasion of privacy and I am pleased that S. 721 will help protect the American people in a small way at least against additional encroachment on its privacy.

A very important feature of the bill before us, Mr. President, is that it limits the cardholder's liability for the unauthorized use of a credit card to a maximum of $50. If the cardholder notifies the card issuer that an unauthorized use of his card may occur because of loss, theft, or any other reason before the fraudulent use actually occurs, the cardholder is not liable for any loss. The cardholder is not liable for any debts unless he "accepts" the card by requesting and receiving it or uses it, or authorizes another person to use it. Furthermore, unless the card issuer clearly notifies the cardholder of his potential liability and unless the card contains some means through which the user can be identified as the legitimate, authorized cardholder, the cardholder has no liability at all.

In line with the provision limiting the consumer's liability to $50 under any set of conditions, S. 721 places the burden of proof of establishing the cardholder's liability on the issuing institution. The creditor will now have to prove that the use of the card in question was, indeed, authorized, or show that all conditions for the cardholder's liability exist if the use was not authorized.

A most compelling argument for the speedy passage and enactment of this legislation is that the uncontrolled and unsolicited distribution of credit cards helps stimulate inflation at the very time we are supposedly trying to curb it. The use of credit cards encourages easier credit and helps encourage a spending psychology among those very people who can least resist the urge to buy and who can least afford to overextend themselves. This is particularly true of unsolicited credit cards which indiscriminately find their way to people who are poor credit risks and have difficulty managing their personal finances.

Dr. Pierre A. Rinfret, the eminent economist put it this way:

> The evidence is overwhelming that unsolicited cards bearing unlimited liability to the recipient have caused numerous personal tragedies. They have also involved some banks in credit management policies of doubtful soundness, to say the least. As for the techniques to be used in preventing these developments, I would support: (1) no issuance without a signed, affirmative response to a prior solicitation; (2) renewal of existing cards on identical terms; (3) zero liability to the recipient.

Testimony at the hearings indicated that unsolicited bank credit cards contributed heavily to personal bankruptcies. In a recent 6-month period, 17 percent of those filing for bankruptcy in the eastern district of Tennessee owed money on bank credit cards almost all of which were unsolicited. In many instances, the few hundred dollars of additional debt incurred through use of the unsolicited bank credit card was sufficient to force the consumer into bankruptcy. The cost of these bankruptcies was borne by other creditors as well as by the banks which issued the unsolicited credit cards that triggered the bankruptcies. In fact, the average loss of other creditors was seven times as great as the loss to the banks.

The Chief of the Bankruptcy Division of the Administrative Office of the U.S. Courts, Mr. Royal Jackson, stated at the hearings that he favored prohibiting unsolicited credit cards as one means of helping reduce the level of consumer bankruptcies.

The hearings also brought out the fact that the National Federation of Independent Business, representing 272,000 firms, polled their members and found that 4 out of 5 favored complete prohibition of unsolicited credit cards. Most of the businessmen polled believed that "credit should be granted only to those who ask for it and have demonstrated they will make good on their obligations." Many businessmen were alarmed at the magnitude of consumer credit and feared the economic consequences if there were too great an increase in uncollectable debts. The unfortunate experience of credit card losses in the Washington, D.C., area that I described earlier indicates that the worst fears of these businessmen are being substantiated in actual fact.

But the long run implications of unlimited credit card growth may be even more serious than the immediate inflationary impact, personal bankruptcies, business losses, and crime. If credit cards stimulate consumer purchases as many retailers obviously believe, then the unchecked growth of credit cards can increase the public's propensity to consume and decrease the supply of savings. This could have an especially adverse impact upon the mortgage market which depends heavily upon consumer savings as a source of mortgage credit. If we weaken our traditional habits of thrift through the continued growth of credit cards, we may not be able to finance the housing we will need over the next decade. This point was underscored by Secretary Romney in recent testimony before the House Banking Committee when he warned of a pending capital shortage and the need to curtail other areas of credit demand, such as credit cards.

Many representatives of the banking industry expressed concern that imposition of a ban on the distribution of unsolicited credit cards at this juncture would create an unfair competitive advantage for those banks with existing credit card plans. It was argued that it would be extremely difficult if not impossible for a new bank to break into the market if it could not mass mail unsolicited cards. This, bank spokesmen argued, would create a monopoly for those banks already in the field and would unfairly upset the balance of our competitive free market system.

This argument, I think, was most strenuously urged by witnesses who op-

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posed the bill in the committee. In fact, it was the one that seemed to tip the balance, at one point, in the administration's view, when they seemed to switch from opposing unsolicited distribution of credit cards to favoring it.

Though one can dispute the persuasiveness of this argument, S. 721 meets the problem squarely by requiring that the first renewals of all unsolicited credit cards after this law is enacted can only be sent out in response to a request or application. This provision does not effect subsequent renewals of the originally unsolicited card. Thus, banks who broke into the credit card market through the use of unsolicited cards can only renew these cards through solicited applications; and banks attempting to break into the credit card business will not even be placed at a theoretical disadvantage because they have to solicit applications.

Mr. President, I hope I have made it abundantly clear why I urge prompt passage of this bill, which uniquely protects the consumer while at the same time it encourages creditors to reestablish sound practices in distributing credit cards. The Truth in Lending Act itself was a milestone in consumer protection legislation and clearly helped establish consumer interests as a major congressional concern. The present bill constructively strengthens the credit card section of Truth in Lending.

And neither can we overlook the spinoff results this measure will have helping control inflation, reduce mail theft, and eliminate the credit card black market. Prompt Senate approval and enactment of this legislation is clearly in the national interest.

Mr. President, I now send to the desk three amendments to S. 721. At the proper time, I shall ask that these amendments be considered en bloc.

For the information of the Senate, the first amendment would amend the definition of a card issuer to include not only the person who issues the card, but also any agent of the issuer. This is intended to prevent any possible circumvention of the act by an issuer setting up a subsidiary or intermediary for the purpose of issuing credit cards.

In addition, the revised definition would include a merchant honoring a bank credit card insofar as the merchant was an agent of the bank in the extension of credit. Thus, the burden of proof which is required of the card issuer under section 133(b) would apply to the merchant as well as the bank, should a merchant bring suit against a consumer. I believe this amendment will strengthen the act and provide the consumer with a greater degree of protection.

The second amendment would make it clear that $50 limitation on liability would not apply if the consumer had a lesser liability under other applicable law or under this agreement with the card issuer.

A few States have passed legislation limiting the consumer's liability for the unauthorized use of credit cards. It is probable that additional State legislation will be enacted from time to time. The State of Massachusetts limits the consumer's liability to $100. The State of Illinois limits the consumer's liability to $75 in the case of a card with a signature panel and to $25 in the case of a card with no signature panel. It is possible that the States may wish to go beyond the Federal legislation and reduce the consumer's liability to less than $50. Under my amendment this would become possible without running counter to the requirements of the Federal law.

A number of card issuers also have entered into agreements with consumers to limit their liability to a specified amount. For example, one large New York bank limits the consumer's liability to $25. Under my amendment it would be clear that in such a case the consumer's liability of $25 would not be altered by the Federal legislation.

The third amendment in the group I have sent to the desk would change the effective date of the legislation. The bill as reported by committee would become effective in 6 months. Under my amendment, section 132 which prohibits the unsolicited distribution of credit cards, would become effective immediately upon enactment; and section 133, which limits the consumer's liability to $50 would become effective in 3 months following enactment.

I believe it is particularly important to reduce the period of time which creditors would have to send out unsolicited credit cards. Under the committee bill, it is possible that credit card issuers could flood the country with unsolicited credit cards during the 6-month period following the bill's enactment. Such an effort to beat the deadline might very well be reminiscent to the Oklahoma land rush. Certainly the act should not set up an incentive to creditors to mail out unsolicited credit cards in a last-ditch effort to get in under the wire.

Mr. President, I believe these three amendments will substantially strengthen the bill and make it more effective for the consumer. I recommend to the Senate that they be adopted.

Mr. President, it is my understanding that my amendments are not in order until the committee amendments have been agreed to.

The PRESIDING OFFICER (Mr. LONG). The Senator is correct.

Mr. PROXMIRE. I shall not ask for action on the amendments now.

I would like, before I yield to the Senator from New Hampshire, to compliment the distinguished Senator from New Hampshire for his leadership on this bill. Senator MCINTYRE, I think, deserves a great deal of the credit for the bill. He offered two amendments in committee which substantially strengthen the bill. As a matter of fact, it was his amendment that went to the heart of the problem by prohibiting the unsolicited distribution of credit cards and by shifting the burden of proof to the credit issuer for the misuse of credit cards.

My bill as originally drawn was not as strong a bill as it was after the Senator from New Hampshire had amended it. I was delighted and proud to support the amendments of the Senator from New Hampshire, but he took the initiative and should have credit for it. He has demonstrated that he is an effective champion of the consumer by his very constructive amendments to the bill.

Mr. McINTYRE. I thank the distinguished chairman of the subcommittee, my good friend the Senator from Wisconsin.

I wonder if the Senator would respond to a few questions that might be of further interest in the way of legislative history.

The first question is, What is the usual true annual interest rate on consumer credit cards?

Mr. PROXMIRE. Of course, it does vary, but as I understand it, the usual or the typical rate is 18 percent. That is the true annual rate, 18-percent interest. In other words, if a person does not pay up within 30 days, the rate begins to run at the 18-percent annual rate.

Mr. McINTYRE. Does this include the discount on the reimbursement to the participating merchants?

Mr. PROXMIRE. It does not, no.

Mr. McINTYRE. That would run to what?

Mr. PROXMIRE. The discount is typically 5 percent, and if all purchasers paid up within a month, that 5 percent could be multiplied by 12, and therefore would be a 60-percent rate; but, of course, there is a cost involved. It would not be a net profit to the bank, but it would be at a 60-percent rate.

Mr. McINTYRE. Does the Senator know whether any studies have been made to show whether and to what extent the enormous expansion of consumer credit cards in recent years may have contributed to the present inflationary spiral? The Senator alluded to this in his statement, but he may wish to expand on it further.

Mr. PROXMIRE. There was a lot of testimony on this point, pro and con. Some witnesses felt it was not a big factor.

I think it has contributed in several ways. For example, the amount involved in credit-card sales now is $15 billion a year, and this is high velocity credit. This is credit that turns over very rapidly.

It seems to me that when you have $15 billion more of demand, in our economy, then it undoubtedly does have a significant effect on inflation, especially when it is rising at a rapid rate. That $15 billion is the estimated level now. It has gone up rapidly. As I have pointed out, bank credit particularly has increased rapidly, and I think it has had a substantial effect.

However, I think the effect it is likely to have in the next few months or years could be a great deal more than it has had thus far, because, as I say, it is expanding very rapidly.

Mr. McINTYRE. Is there any evidence that the high return on consumer credit cards has caused banks to channel an undue proportion of their funds into this area, to the detriment of other capital needs such as housing or small business?

Mr. PROXMIRE. Yes, I think so. A number of businessmen have complained about this, as the National Federation of Businessmen has pointed out, in a poll,

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by a 4-to-1 margin. And after all, when you think about it, when you think of $15 billion forced into this area at a time when we have a tremendous shortage of funds and the supply of credit is limited, there is no question but that this is one of the factors in making less money available for housing, for example, and making that which is available available only at a higher price, thus creating higher interest rates.

Mr. McINTYRE. I thank the Senator from Wisconsin. Now, Mr. President, with the permission of the Senator, I ask unanimous consent that I may have the floor in my own right.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McINTYRE. Mr. President, I commend the Senator from Wisconsin (Mr. PROXMIRE) for his fine statement and for his excellent leadership in this field. It has been a real privilege for me to work with him on this important legislation, which I fully endorse.

Mr. President, the legislation before us today has come through a long and sometimes painful evolutionary process and its enactment is urgently needed if we are to solve the problems and cure the abuses which have arisen as a result of the tremendous and rapid growth of the credit card industry.

Under the able chairmanship of the Senator from Wisconsin, the Subcommittee on Financial Institutions began an inquiry into credit card plans in October 1968. The subcommittee's hearings indicated that there was a need for legislation in this field. Accordingly, in January 1969, the Senator from Wisconsin introduced S. 721 with myself and nine other Senators as cosponsors.

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The purpose of the legislation was twofold: First, to provide regulations for the issuance of so-called unsolicited credit cards, which had not been requested by the intended recipient, and second, to limit the liability of cardholders for unauthorized use of cards which might be lost, stolen, or otherwise go astray.

The liability provisions aroused little controversy. However, the subcommittee's hearings revealed a wide divergence of opinion on how to deal with the problem of unsolicited cards. The bill as originally proposed did not place any prohibition on the mailing of unsolicted credit cards, but merely authorized the Federal Reserve Board to issue regulations governing the conditions under which such cards could be issued, including minimum standards for checking the credit worthiness of prospective cardholders.

At one extreme, some witnesses, including those from the Federal Reserve Board and the associations representing major card issuers, took the position that no legislation was necessary. On the other hand some witnesses, representing the consumer point of view, expressed the opinion that no credit card should be issued except in response to a full-blown application. Most of the remaining witnesses, including a representative of the President's Committee on Consumer Interests, advocated some form of restriction which would prohibit completely unsolicited cards, but would not require a full application.

As a result of the hearings, I became convinced that there was need for a simpler, more direct, and more effective approach to the problem of unsolicited credit cards than the one proposed in the bill, and one which would not interfere unduly with the card issuers right to determine whom he considers credit worthy. Consequently, I offered an amendment which would prohibit the mailing of a credit card except in response to a request or application. This provision was designed to prevent the mailing of completely unsolicited cards but to permit the use of the so-called positive premailer, whereby a card issuer may send a letter offering to issue a card upon receipt of a request, without going through the complete application procedure.

I felt that this amendment was necessary for several reasons:

First. The unrestrained mailing of unsolicited credit cards appears to be inflationary in a number of respects. The widespread expansion in the availability of consumer credit brought about through use of this technique may lead to impulse buying and increased consumer debt, thereby contributing to the present inflationary spiral. In this connection it seems significant that there were sizable increases in both the total outstanding consumer debt and the outstanding balance on bank credit cards last year.

Since unsolicited credit cards may be issued with little or no checking of credit worthiness, this practice will almost certainly result in increased defaults and perhaps bankruptcies. This will in turn lead to higher rates on insurance against bad debts which will undoubtedly be passed on to the consumer in the form of higher prices.

In view of the tremendous expansion of bank credit cards through the use of unsolicited mailing, small retailers may have little choice but to become participants in such plans. However, the bank in reimbursing the retailer for merchandise purchased on such plans may discount it, by as much as 2 to 6 percent. Again, this amount will undoubtedly be passed on to the consumer in the form of higher prices.

Second. The mailing of unsolicited credit cards invites theft and fraud, and exposes consumers to unnecessary threats against their solvency and credit standing. Such cards bear a computer account number and lack only a signature to validate them. Therefore any card which is misdirected or stolen from the mail may be used by anyone gaining access to it. Since the intended recipient is unaware that the card has been sent, he has no way of protecting himself against theft and use of such cards.

Third. Most of the individual witnesses who appeared before the subcommittee regarded the mailing of unsolicited cards as an invasion of privacy because an account was established in their name which required a positive action on their part to erase.

The major argument advanced in opposition to the prohibition on unsolicited cards was that it would provide an unfair competitive advantage for those card issuers who had already gained a foothold in the business through use of the unsolicited device. In order to minimize any such advantage, the final version of the amendment extended the prohibition to first renewals of any cards which were previously issued on an unsolicited basis. The amendment was adopted by the committee in this form.

I understand that the Senator from New Jersey (Mr. WILLIAMS) intends to offer a further amendment which would exempt from the requirement to obtain a request for renewal, those credit cards which although originally unsolicited, have been accepted through use by the recipient. I have no objection to this amendment because it leaves intact the prohibition on mailing of any new unsolicited cards and would still require that a request be obtained for the renewal of any existing unsolicited cards which the recipient has not accepted through use or otherwise validated. Therefore, it does not violate the original purpose which I set out to accomplish; namely, to stop the flow of unsolicited credit cards to persons who have not asked for and may not want them.

The committee also adopted another amendment I offered, the purpose of which was to make clear that whenever there is a question of unauthorized use of a credit card the burden of proof shall be upon the card issuer rather than the cardholder. Although the bill as originally proposed limited the liability of a cardholder for unauthorized use to $50 in the case of an accepted card and zero, in the case of an unaccepted card, the cardholder still had the burden of proving that the use was in fact unauthorized. This could entail loss of time from work, legal fees, and possibly a permanent blight on one's credit record.

I understand that there are some further perfecting amendments which the committee intends to offer or accept.

Mr. President, this important legislation is long overdue. However, its rapid enactment was made even more essential by action of the Federal Trade Commission earlier this month in issuing proposed regulations concerning the mailing of unsolicited credit cards. The proposed FTC regulations contain virtually the same prohibitions and requirements as my amendment, supplemented by the proposed amendment of the Senator from New Jersey (Mr. WILLIAMS). However, there is one important exception—the FTC regulations do not apply to banks, although they have been among the heaviest users of the unsolicited mailing device. Since the FTC regulations would apply to all other credit card issuers, except banks and common carriers, failure to pass this legislation would create a very serious unfair competitive situation.

Moreover, the FTC regulations do not contain the important limitations on cardholder liability for unauthorized use of credit cards. Although these provisions have been relatively noncontroversial, they constitute an integral part of the pending legislation and their enactment is equally important as that of the prohibition on unsolicited mailings.

Mr. President, in conclusion I would like to commend again the Senator from Wisconsin (Mr. Proxmire) for taking the lead in providing protection to the consuming public in this vital area. I urge my colleagues to join in this effort by passing this important legislation.

Mr. WILLIAMS of New Jersey. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. Unless the amendment is an amendment to one of the committee amendments, no amendment is in order until we have had an opportunity to act on the committee amendments.

Mr. WILLIAMS of New Jersey. I will withhold it.

Mr. PROXMIRE. Mr. President, may we act on the committee amendments?

The PRESIDING OFFICER. The question is on agreeing to the committee amendments. The clerk will report the first committee amendment.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the committee amendments en bloc.

The amendments were agreed to.

Mr. WILLIAMS of New Jersey. Mr. President, I now offer my amendment.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

On page 2, line 13, beginning with "A" strike out all through the period in line 18.

On page 4, line 3, beginning with "This" strike out all through the period in line 11 and insert in lieu thereof the following: "This prohibition does not apply to the issuance of a credit card in renewal of, or in substitution for, an accepted credit card."

The PRESIDING OFFICER. The Senator's amendment is to amend the committee amendment which has already been agreed to, and thus would only be in order by unanimous consent. Does the Senator ask unanimous consent?

Mr. WILLIAMS of New Jersey. I do.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from New Jersey.

Mr. WILLIAMS of New Jersey. Mr. President, I offer this amendment for myself and the Senator from Alabama (Mr. Sparkman), the Senator from Utah (Mr. Bennett), the Senator from Texas (Mr. Tower), the Senator from Massachusetts (Mr. Brooke), the Senator from Illinois (Mr. Percy), the Senator from New York (Mr. Goodell), and the Senator from Oregon (Mr. Packwood).

The measure before the Senate today has a most laudable purpose—the prohibition of the issuance of unsolicited credit cards. I wish to express my greatest commendation to the Senator from Wisconsin (Mr. Proxmire) and the Senator from New Hampshire (Mr. McIntyre) for their most essential and worthy work which has led to the bill before us today. I am in full accord with the objectives of the proposed legislation, and I wholeheartedly support this consumer protection measure.

However, under this bill existing credit cardholders who have in the past affirmatively accepted their original cards either by applying for them, signing them, or using them would be required to fill out applications and make an affirmative reacceptance the first time their cards expire. In my opinion, this burdensome requirement would serve no useful purpose.

I am, therefore, offering an amendment which would permit accepted credit cards to be renewed without new applications being made.

Many credit cards are issued without expiration dates and would not be subject to the renewal provisions contained in S. 721. This would have the effect of encouraging all credit card issuers to use this type of card in order to avoid the inconvenience and confusion caused by the requirement of affirmative reapplication. The result would be the exact situation which this bill was intended to prevent—a lack of continued supervision of the credit worthiness of the cardholder. It would discourage the main method by which issuers can control the unwise use of credit cards by the consumer. The abandonment of this type of credit supervision should not be encouraged.

By adopting my amendment we can avoid the unnecessary confusion and inconvenience which S. 721 would inflict upon both the users and issuers of credit cards. As the bill is now written, an existing credit cardholder must make a specific affirmative request for renewal the first time that his charge plate expires.

We all know that most cardholders are unaware of specific expiration dates. As a matter of business practice, credit worthy consumers are routinely supplied with renewed cards when their old ones expire. These consumers have throughout the years relied on the issuer to automatically send them new cards before the expiration date. S. 721 unless amended would end this practice. Specific requests from the cardholder would be required as a matter of law.

Obviously, many cardholders through inadvertence alone would neglect to make such requests. They would, therefore, find themselves holding and attempting to use expired credit cards. The initial discovery of this predicament would probably occur the first time the consumer attempts to use his expired card; after first having ordered goods or services. The resulting embarrassment to the individual can easily be avoided without a lessing of the bill's consumer protection provisions by the adoption of my proposed amendment.

This amendment would also cover situations where an issuer, because of a change in its corporate structure or because new services are being offered, issues a substitute card for one which has been accepted and is currently outstanding. In these instances, cardholders should not be required to go through the further inconvenience of reapplication.

Clearly my amendment would not permit the issuance of unsolicited credit cards. Consumers who have not applied for cards would be fully protected. This amendment only covers those cases where the card has been requested, or where the consumer signs the card, or uses it. In these instances we should not unduly interfere with well established mutually satisfactory business relationships between card issuers and users.

Undue burdens should not be placed on the many millions of American consumers who now use credit cards. My amendment will prevent this unintended burden and I urge its adoption.

Mr. PROXMIRE. Mr. President, the Senator from New Jersey has made a persuasive and strong case for the amendment. I must say that he has also lined up support for his amendment, on both sides of the aisle. People on the committee have told me that they favor the amendment, that they think it is wise and makes sense.

Mr. President, at this point may I ask for the yeas and nays on final passage of the pending bill.

The PRESIDING OFFICER (Mr. Cranston). Is the request sufficiently seconded?

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, I have a hard time understanding the logic behind the amendment which would permit creditors to renew unsolicited accepted credit cards without a specific request from the consumer. The position taken by the committee on this issue was sound and should be outlined for the benefit of the Senate.

During the hearings on S.721, commercial banks opposed a prohibition on unsolicited credit cards. One of the chief arguments used by commercial banks was that those banks who had already sent out unsolicited credit cards would enjoy an unfair competitive advantage over those banks and other creditors who had not yet entered the credit card business. The committee attempted to remedy this problem by requiring that creditors who sent out unsolicited credit cards prior to the legislation would have to obtain the consumer's request before a renewal card could be mailed out. In this way, the firms already in the business would be required to play by the same rules applied to the firms not yet in the business.

It seems to me this provision is entirely fair and reasonable. It meets one of the principle objections raised by commercial banks themselves.

It has been argued that the automatic renewal of unsolicited credit cards is really an attempt to save the consumer the time and trouble of requesting a renewal himself. This is indeed an interesting argument. I am not aware of any consumer groups who have urged such an amendment. On the other hand, I am aware of a number of commercial banks who are eagerly supporting the amendment.

As a practical matter, compliance with the committee bill would be quite simple and would not burden the consumer with redtape. In order to solicit the acceptance of a renewal card a creditor need only include a statement on the consumer's monthly bill to the effect that the card will expire within a few months and that if the consumer desires it to be re-

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newed he could do so by merely checking a box. Thus, this amendment would merely do very little for the consumer. It would not save him time or trouble—but it would tend to preserve the competitive condition which existing credit card issuers already have.

To the extent the competitive advantage enjoyed by existing issuers is significant, the amendment would tend to insulate these creditors from effective competition. On the other hand, if there never was anything to the anticompetitive argument to begin with, then the amendment is probably innocuous. Thus, the Senate has the problem of selecting from two inconsistent and contradictory arguments advanced by commercial banks. I personally would be inclined to retain the committee language as agreed upon. Nevertheless, I recognize that a number of senior members of the committee on both sides of the aisle genuinely and sincerely feel that this amendment is proper and in the public interest. For that reason, I will agree to accept the amendment with reluctance.

Mr. McINTYRE. Originally, as I said in my statement, the principal argument against banning unsolicited credit cards arose from the fact that by doing so we would give a strong competitive advantage to those already in the business. I have indicated that, generally, I do not feel that the amendment goes to the heart of what we are trying to do in banning unsolicited cards; but I agree that I must go along with it.

However, I would like to lay to rest one point, which I believe the chairman of the subcommittee is aware of, too. If we take a bank which has sent out 12,000 unsolicited credit cards, 4,000 of which have been accepted or validated in some manner, it would mean that when the time came for renewal of the cards, under this amendment, if adopted, the holders of the 4,000 accepted or validated cards would not be required to get to the so-called premailer—the card that goes out saying, "We are delighted your credit is so good. We would like you to check off the enclosed by mailing the card indicating your desire to have a renewal of the credit card," we would eliminate that for the 4,000 I mentioned.

Mr. WILLIAMS of New Jersey. That is exactly right. The 4,000 would automatically be renewed. They have been accepted by the user.

Mr. McINTYRE. Would the Senator agree that the 8,000 not accepting the card in any way would all be subject to the——

Mr. WILLIAMS of New Jersey. Prohibition.

Mr. McINTYRE. Full impact of this bill?

Mr. WILLIAMS of New Jersey. Exactly.

Mr. McINTYRE. I invite the attention of the Senator from Wisconsin to part of the hearings we had, in which the Senator will recall that we had a very fancy envelope presented to us—a red, white, and blue envelope—which said, in large letters, "Valuable credit card enclosed." And then we found the solicitation, where it extended the invitation, "If you bring this credit card to the local gasoline station, the department store, or what have you, we will be happy to reward you with six new beautiful steak knives," for example. The Senator from Wisconsin remembers that, does he not?

Mr. PROXMIRE. I remember it very well. It had a kind of "thieves take notice" on the envelope. Anyone could steal it, knowing that there was a valuable traffic in credit cards. There is a value on credit cards of up to $200 per card. It seemed to me to be most unfortunate. I remember it very well.

Mr. McINTYRE. Mr. President, I should like to go into the definition we have in the bill where we talk about the term "accepted credit card" and define it to say, "any credit card which the card holder has requested and received or has signed or has used, or authorized another to use, for the purpose of obtaining money, property, labor, or services on credit."

Calling that to the attention of the Senator from Wisconsin, it would be my idea that with respect to the situation we have just discussed in which there was a notification that a valuable credit card is inside, and that if one takes it to his local gasoline station, he will receive six steak knives, and if the recipient were to take it down to the station and pick up the six steak knives and the card was presented for that purpose, he would not become an accepted credit-card holder under this definition. Is that the understanding of the Senator from Wisconsin?

Mr. PROXMIRE. That would be my understanding; yes.

Mr. McINTYRE. He would not be buying anything on credit.

Mr. PROXMIRE. The Senator is correct. Unless he uses it, it seems to me he would not be considered to be liable.

Mr. McINTYRE. I thank the Senator. That is my opinion, also. According to the definition on page 2 of the bill, lines 9, 10, 11, 12, and 13, unless it is for the purpose of obtaining money, property, labor, or services on credit, he would not be an accepted credit cardholder.

Mr. PERCY. Mr. President, I should like to comment on the amendment offered by the Senator from New Jersey.

The committee bill as reported required that before a renewal card could be issued to a person presently holding an accepted, unsolicited credit card, a positive request must be received from a person to whom the renewal card was to be issued. The provision was included in the committee bill to avoid an inequity. Since the bill prohibited issuance of unsolicited credit cards, in order not to strengthen the competitive advantage which is now held by firms which have already issued credit cards over those which have not yet become involved in a credit card program, it was decided that any presently outstanding unsolicited credit card could not be renewed without a positive solicitation. The positive solicitation would then be comparable to a positive solicitation by a firm just starting a credit card program.

The approach proposed by the minority but rejected by the committee would have avoided this conflict in that we would have allowed unsolicited credit cards but only under a set of conditions which would have protected consumers. We now have a difficult decision regarding renewal of presently outstanding cards. Neither alternative is completely satisfactory. I would prefer that any legislation dealing with unsolicited credit cards not penalize those who have refrained from sending unsolicited credit cards while giving advantage to those who have. If sending of unsolicited credit cards is decided by the Congress to be undesirable, it seems strange for us to increase the advantage held by those who have done the very thing we decide is improper, while making it more difficult for others, who have refrained from doing so, to enter the credit card business.

Requiring that no renewals of unsolicited credit cards could be made without a positive request by the present cardholder, could have serious effects on firms which are presently in the credit card industry. Many credit card issuers have issued unsolicited credit cards in the past during the development of their programs but presently issue credit cards only upon solicitation. Others have issued both solicited and unsolicited credit cards over a period of time, and many of these firms are unable to distinguish between those cards which were solicited and those which were unsolicited. The requirements of section 132 of the committee bill would not only disrupt the orderly renewal and increase the costs of renewing all presently outstanding unsolicited credit cards but would also disrupt the renewal and increase renewal costs of many outstanding cards which were originally solicited by the holder. I fail to see any reason why an individual who has been using a credit card over a period of time should be required to request a renewal card whether the original card was solicited or unsolicited, and I feel that most holders of such cards would be annoyed by such a procedure.

It seems to me that the use of a card indicates that a person does desire a card and could be so considered. If one follows this line of reasoning, it does not make too much sense to say that an individual who is presently using a credit card may not have it renewed and thus continue that use without sending in a separate request for a renewal.

Of the two alternatives possible under a bill which bans the sending of unsolicited credit cards, I believe that it is better not to create the problems which would arise for consumers and for present credit card programs under the committee bill as now drafted. As a followup of our minority views, an amendment was drafted to take care of this problem. The Senator from New Jersey on the committee, Mr. WILLIAMS, was also interested in such an amendment. In order to assure that this was not a partisan issue, we have joined with him in his amendment and are pleased that it is acceptable to the manager of the bill.

It should be noted that the amendment offered by Senator WILLIAMS does not allow indiscriminate renewal of all unsolicited credit cards. It allows only the renewal of cards which have been accepted by the cardholder. An accepted

XUM

card is one which has been requested and received or signed or used. In practice, a firm which has issued an unsolicited card does not know that it has been accepted unless it has been used. As I stated earlier, the fact that the card is used indicates that the holder desires that it be renewed.

The minority supports the amendment.

Mr. HATFIELD. Mr. President, I support the amendment under discussion to Senate bill 721.

Mr. President, when the report was printed on S. 721, the unsolicited credit card bill, I studied the various provisions of the bill to assess the degree of consumer protection afforded by the bill and to see the problems to the banks and retail businesses affected by the bill.

I believe the bill, as drafted and supported by the majority of the committee, imposes restrictions on banks which are not balanced by an equal or greater degree of consumer protection.

After conversations with Senator BENNETT and the minority staff of the Banking and Currency Committee, I studied the amendments which have been offered to the committee bill and those which will be offered by Senator PERCY.

Mr. President, I will support these amendments.

If the amendments pass, the bill still will contain many worthwhile measures of consumer protection. It will help stem what many see as a growing problem.

If the amendments are not accepted, the harsh restrictions, which are aimed at the banks and not the consumers, will have serious effects in financial circles while adding little to consumer protection.

Mr. President, before we act on this, we should remember and reflect on the role played in our country's development by banks as we assess the impact of these restrictions. Historically, banks in Oregon have been the source of loans to farmers, laborers, and small businessmen. Banks have provided a vital force in our State's economic growth.

The banking community also has been a source of pride to the Oregon public in other areas. If it were not for our State's banking interests, many worthwhile projects of statewide importance would have been impaired. The Oregon public has benefited from worthwhile civic activities undertaken by the banking community.

Banks in Oregon have been providing credit to the Oregon consumer public for many years. They provide expertise in complex issues of consumer credit to the public.

The effects of this bill, without any amendments, should be viewed in this light. The degree of consumer protection should be weighed against the degree of hardship on the banks.

When the bill is examined, with the amendments, the public is still protected. Nearly everyone admits that abuses have occurred in the use of credit cards. Some of this abuse can be traced to the practices of issuing unsolicited credit cards. As amended, the bill corrects these abuses.

If the amendments are not accepted, the harsh restrictions, which will do little to add elements of consumer protection will have serious effects in financial circles.

In my study of the bill and the proposed amendments, I spoke with Mr. Virgil E. Solso, president of the Oregon Bank and president of the Oregon Bankers Association. I asked him to poll his members and to notify me of sentiment through the Oregon banking community regarding S. 721 and the proposed amendments. As you might surmise, they support the amendments, and I ask unanimous consent that a telegram from Mr. Solso expressing the sentiments of Oregon bankers be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HATFIELD. I hope my colleagues who are interested in the practical effects of this bill will check on its effects in their home States. I think they will find the sentiments much as I did.

I ask unanimous consent that a letter from Mr. Robert Elfstrom, chairman of the board of directors of the Commercial Bank, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE COMMERCIAL BANK,
SALEM, OREG., *March 19, 1970.*

Hon. MARK O. HATFIELD,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR HATFIELD: In my telephone call of this morning I mentioned to you the importance of having S721 amended so that it would, (1) permit the use of negative pre-mailers and (2) permit substitute or renewal cards to be issued without application. It is the policy of our particular bank that if a card has not been used within one year's period that it would not be reissued unless requested. However, we would be in favor of also using a pre-mailer on any card that had not been used within one year.

As I pointed out in my telephone conversation this morning, this bank has just entered the charge card business within the past six months as have a number of other small banks in Oregon. I am sure you know that the two statewide banks, namely, U.S. National Bank of Oregon and the First National Bank of Oregon, have been in the charge card business for the past several years and have saturated the State of Oregon with their cards.

The bill in its present form would make it most difficult for our particular bank to compete with the existing programs of the two statewide banks and would prevent other small banks here in Oregon from ever entering the program. In fact, it would probably necessitate the withdrawal of small banks who have entered the program very recently from the credit card business. While I am speaking for our own bank, I have been assured that what I have mentioned has the support of the smaller banks here in Oregon. Your support in having the present bill amended to cover the conditions mentioned would be very much appreciated.

Sincerely yours,

R. L. ELFSTROM,
Chairman, Board of Directors.

EXHIBIT 1

PORTLAND, OREG., *April 7, 1970.*

Senator MARK O. HATFIELD,
Washington, D.C.:

As president of the Oregon Bankers Association I support your stand on the Proxmire bill, SB721, relative to the mailing of credit cards. I have talked to other bankers in the State of Oregon about the bill and the amendments which you discussed in detail with me. They agree and join in my support of your stand.

VIRGIL E. SOLSO,
President, Oregon Bank.

LAOTIAN REFUGEE SITUATION

Mr. HATFIELD. Mr. President, I would like to bring to the attention of the Senate a problem which, I believe, needs not only the attention of this body, but also the attention of the entire American public, because I do not believe there is sufficient knowledge about this matter, at least that I have read in the press or in any part of the news media, nor have I heard it brought to the attention of the Senate before.

I think it should be understood at this time that there is serious malnutrition and the lack of sufficient food faces at least 70,000 to 100,000 Laotian refugees fleeing from northern Laos. The U.S. Department of State, through the Agency for International Development, is currently without sufficient funds to transport needed foodstuffs to Laos offered by volunteer organizations. Protein deficiency and severe malnutrition is anticipated unless emergency relief supplies are provided immediately. I trust that the American public conscience will recognize the impending tragedy of this situation. We could face another Nigerian-type crisis when the facts are brought to light.

Reports of this tragic condition have been received from various volunteer agencies operating in Laos. World Vision, Inc., an interdenominational Christian missionary and relief agency, first contacted me last week with reports from their personnel in Vientiane. I have since been in contact with that group and with officials in the State Department and AID in order to verify the seriousness of the situation. AID has estimated a total of 200,000 refugees in Laos, and has confirmed the need for high protein foodstuffs. Both AID officials in Laos and the Laotian Government have underscored the need of receiving these goods. The precarious fate of thousands of Laotians should arouse our concern and disturb our conscience as a nation and as individuals.

I remind Senators that the entire population of this country in Southeast Asia is only 2,825,000 people. In other words, almost 8 percent of the total population is now in a refugee status.

AID has been supplying rice and other minimal food requirements to these refugees where possible. However, these meager supplies do not seem to be fully adequate to meet the needs of thousands of homeless and hungry Laotians. At this time it appears that AID does not have the financial reserves to furnish transportation costs to ship large amounts of liquid nutrients and foodstuffs obtained by World Vision for Laotian relief. There are available for transportation to Vientiane over 1 million cases of liquid and powdered nutrients. In addition there are large guarantees of other needed foods,

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vitamins, and medical supplies. All these items will be greatly needed during the next 2 to 3 months for these refugees and for hospitals and dispensaries in Laos. But all this is useless unless we obtain the funds to transport the supplies to Laos.

It is inconceivable to me that a government that can spend millions of dollars to destroy life in Southeast Asia would be unable to provide sufficient funds to alleviate human suffering in the same area.

Funds from AID for volunteer agencies to ship relief supplies were depleted earlier this year. World Vision recently appealed to AID for additional money to be made available because of the emergency situation. I trust that this will be possible, and I appeal to the State Department and to our Government to provide adequate funds for transporting additional supplies to this stricken area.

The turmoil in Southeast Asia continues to thoroughly disrupt the lives of those that make this area of the world their home. Our national concern must be focused upon the plight of these people, who because of increased hostile action are forced to abandon their homes and flee to safety.

I would like to point out that many of these people fled because we urged them to leave because of increased bombings we instituted in the Plain of Jars and other places that related to these people.

We have seen, repeatedly, the tragic results of human life that is subjected to gross food shortages; it is the young children that suffer first, and that suffer permanently because of protein deficiency. Those that survive face lifelong mental and physical impairment. We cannot allow this to be another such tragedy. These food supplies are desperately needed by thousands. The next 2 to 3 months will be crucial for the lives of these refugees. We must have funds now.

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In addition to urging AID to provide adequate funds, I also issue a plea to concerned citizens for their support. Public funds have always played an essential role in supporting the work of volunteer relief agencies. Now, such support is needed all the more desperately. I urge interested citizens to contact World Vision, Inc., at 919 West Huntington, Monrovia, Calif., for specific information and donations, or to contact my office personally. I shall continue to be in close contact with AID and their attempts to secure funds to transport the supplies already acquired by World Vision.

I refer also to a report printed in the April 14 edition of the New York Times and I ask unanimous consent that it be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

AID Seeking Food for Laos Refugees

Washington, April 13.—The Agency for International Development is trying to get funds to ship relief food to tens of thousands of Laotians driven from their homes by warfare.

An official of the agency said today that American reports from Laos indicated there were 200,000 refugees fleeing north and northeast Laos in the face of increased Pathet Lao and North Vietnamese activity. He said that malnutrition was widespread among the refugees, although they were not dying of starvation.

World Vision, an interdenominational church relief service, said that its personnel in Vientiane estimated there were 70,000 to 100,000 refugees from fighting around Sam Thong and Long Tieng, southwest of the Plaine des Jarres.

Dr. Larry Ward, director of the organization's overseas relief effort, said 20 per cent of those displaced might die from malnutrition in several months if they did not receive more food.

Howard Kresge, executive director of A.I.D.'s advisory committee on voluntary foreign aid, explained today that the agency has spent all of the $5-million in funds appropriated this year for the shipment of private relief goods. But he said the agency would be asking for an additional $500,000 in Federal funds and was trying to find out if there was any unexpended money to distribute to various relief organizations.

Mr. PERCY. Mr. President, I wish to commend the distinguished Senator from the great State of Oregon for his usual very careful and considered understanding and attitude toward a very great human problem.

Mr. KENNEDY. Mr. President, I want to commend the distinguished senior Senator from Oregon for bringing to the Senate's attention today the deteriorating situation among refugees in Laos.

The Senator is performing a unique service in pointing out some recent developments, which are following the earlier Vietnam pattern, in underscoring our Government's insensitivity and lack of priority to the vast human need produced by continuing conflict in all of Indochina—including Cambodia, Mr. President, where the press reports today that the bodies of hundreds of Vietnamese civilians are floating down the Mekong River in the southeast part of that country.

In the case of Laos, it is incredible that our Government finds the funds and wherewithal to mount up to 600 air sorties a day, but seems incapable of providing the meager humanitarian needs of refugees often deliberately generated by our bombing.

As chairman of the Judiciary Subcommittee on Refugees, I share the Senator's deep concern over the vast humanitarian dimensions of the mounting war in Indochina.

On March 12, I addressed a letter of inquiry to Secretary of State Rogers because of the subcommitee's concern about disturbing field reports involving refugees and civilian war casualties in Laos. Earlier this week—after inexcusable delay—I received the Department's response to my questions. In all candor, Mr. President, I do not feel the response to the questions I submitted to the Secretary are fully responsive, in light of press reports and other information available to the subcommittee.

There is, I feel, a continuing tendency on the part of this administration to underplay the seriousness of war related civilian problems in Laos, even though the movement of refugees apparently plays a very significant role in our overall strategy. There are even indications that we have deliberately set about to remove all population from Pathet Lao areas—at whatever cost, I might add. I find this and the subsequent disregard for humanitarian needs appalling for a nation such as ours.

Mr. President, to complete my remarks, I ask unanimous consent to have printed at this point in the Record a press release I issued earlier today and a sanitized version of the Department of State's answer to my letter of March 12.

There being no objection, the material was ordered to be printed in the Record, as follows:

Senator Kennedy Releases Department of State Document on War Related Civilian Problems in Laos

Senator Edward M. Kennedy, Chairman of the Judiciary Subcommittee on Refugees, said today "the problem of refugees and civilian war casualties in Laos is fast approaching a serious crisis. The situation not only symbolizes the increasing level of military activities throughout this battered country, but also a growing involvement of the U.S. in all phases of this mysterious war."

Senator Kennedy said: "Our national interest does not lie in the continuation of our involvement in this war. It does not lie in an apparently deliberate policy to generate hundreds of thousands of refugees, whom we are finding difficult to handle in terms of simple humanitarian need—let alone strategic objectives. It does not lie in tens of thousands of civilian war casualties, a situation which our government now admits is serious and getting worse. It does not lie in the further destruction of the countryside in Laos, Cambodia or Vietnam.

"Rather, it lies in the urgency of immediate efforts by our government to end the violence in Vietnam through serious political negotiations, and to reaffirm no U.S. military involvement in Cambodia or a broader involvement in Laos."

Senator Kennedy's comment was made in releasing a sanitized response to his March 12 letter to Secretary of State Rogers on war related civilian problems in Laos.

Senator Kennedy said: "the answers to the questions submitted to the Secretary are not fully responsive in light of press reports and other information available to the Subcommittee. We hope to clarify the situation in hearings within the very near future."

Highlights of Response to Questions Submitted to Secretary of State William Rogers by Senator Edward M. Kennedy, Chairman, Judiciary Subcommittee on Refugees

1. The total number of refugees, according to official statistics, is approximately 204,000. The intensified fighting in Laos since Feb. 1, 1970, accounts for fifty percent of the refugee population.

2. Population movement in Laos is now directly and, for all practical purposes, exclusively linked to the war and the movement of troops.

3. The current situation regarding civilian war casualties is judged to be "serious and getting worse."

4. Many thousands of refugees are suffering from malnutrition and other diseases caused by their displacement and compaction into resettlement areas.

5. Two major civilian evacuations have occurred since the first of the year, both attributable to intensified military activities. A third major movement is currently underway in Sam Thong and Long Tieng involving up to 80,000 persons.

6. The Royal Lao Air force is used to bomb only what appear to be significant enemy positions; they are never committed to "area"

bombing. RLAF strike policies are not controlled by Americans.

7. Americans do not make decisions to evacuate or move refugees. The U.S. decision to assist in refugee movement comes only when the Royal Lao Government requests (1) one of the five USAID Area Coordinators to assist in minor refugee movements, or (2) the U.S. Ambassador for major movements.

8. Although the refugee relief program is officially a joint program, the U.S. has assumed virtually all operational and funding responsibility.

9. A substantial increase in funding for refugee relief will be required because of recent military actions. Since 1955, only $29 million has been spent on direct refugee relief projects. This does not include health projects, totaling more than $13.5 million, the extensive commodity import program, and the USAID air support program, of which 60% has been allocated to refugees.

10. Among the refugees, there is an attitude that the central government in Vientiane is far removed from plans for their assistance and protection, but that local officials are responsive.

Civilian Victims of the War in Laos: Response to Questions Submitted to Secretary of State William Rogers by Senator Edward M. Kennedy, Chairman, Judiciary Subcommittee on Refugees, April 14, 1970

(Note.—Sections of this statement have been deleted at the request of the Department of State on the ground that such deletions are in the interests of national security.)

1a. What is the history of the refugee movement and civilian war casualties in Laos?

Shortly after the signing of the Geneva Agreements on Indo-China in 1954, Hill Tribes people began moving southward from the northernmost provinces of Laos: Phong Saly, Houa Khong, northern Luang Prabang, and Houa Phan. The greater portion of these refugees moved into Xieng Khouang Province and to the central and southern areas of Luang Prabang Province. The refugees then moving southward had to depend for the most part on meager help from relatives along the way, and Lao villages in the areas to which they had fled. The Royal Lao Government (RLG) provided what it could—also from meager resources—and some U.S. government-sponsored relief was provided through private humanitarian organizations.

In 1959, a predecessor organization of the Agency for International Development (A.I.D.) opened a refugee office in Vientiane to assist the RLG to cope with the problems and human needs of some 40,000 refugees who had fled their homes by that time. This began a series of cooperative programs between the two governments involving organization, development of procedures, and material assistance to displaced people.

There were large refugee movements in Laos in 1961–1962 as a result of the Kong Le Coup and the occupation of the Plain of Jars and certain areas of Sam Neua Province by Neutralist-Pathet Lao forces. About 70,000 people were displaced to hill areas south of the Plain of Jars and west and southwest of Sam Neua City.

With the signing of the 1962 Geneva Accords, a cease fire was arranged and the RLG found itself host to approximately 125,000 people who had moved to areas under RLG control. By this time, organization and procedures had been developed to provide relief and support to refugees. The support provided, then as now, consisted of rice, salt, blankets, mosquito nets, cooking utensils, hand tools, vegetable seeds and medicines. Often such commodities, now as then, must be flown to some of the refugee groups, because of the remoteness of where they live, and lack of security for surface transportation, where such transportation is physically possible. Rice and salt continue to go to the refugees until they can become self-sufficient. The length of time that this takes depends on the time of year that the refugees moved from their home villages. If they are at their new site before the planting season is over, that is to say about June 15, they will have their own rice supply in four or five months, but if they arrive much after that, they will have to be supplied rice for a year or more.

The level of aided refugees remained approximately static from 1964 to 1968 at about 30,000 people per year receiving assistance. In late 1967 and 1968 the number of North Vietnamese Army (NVA) units in Laos began to be increased, and since then military action in Laos has intensified. There has been a parallel rise in the displacement of people, in civilian casualties, and in civilian diseases. Refugees in Laos currently number approximately 204,000 persons.

1b. What have been the overall principal causes for this flow of people and the occurrence of civilian war casualties?

Population movement in Laos is now directly and, for all practical purposes, exclusively linked to the war and the movements of troops. When mass civilian movement takes place, it expresses a desire of the people to live in the enclaves or large areas controlled by the RLG where relief food and medical care are available, in contrast to the semi-famine known at times in the Communist-controlled zones, where there is in addition bombing and forced labor. Some of course, do not move. As a rule, however, the greater number choose to move, rather than live under the Communists. Many of these have already committed themselves to the government side in the war and fear Communist reprisals, or are involved in clan feuds that have followed the lines of the war, and which give them reason to fear strengthened power in the hands of their adversaries. Others fear the Lao and American bombing of the Communist zones. Probably the most important group of reasons for fleeing stems from the poverty and harsh social organization of the Communist "liberated zones" in wartime. Life in these areas has come to consist of compulsory long distance porterage duty, heavy rice taxes in the face of rice shortages in the villages, conscription of all able bodied men for labor or fighting, separation of families, and tight movement controls and social surveillance. For these reasons, a great part of the people of Sam Neua, Xieng Khouang and Luang Prabang Provinces gathered into the zones of protection around RLG military posts when these dotted the northern and eastern parts of Laos. As these government posts have been snuffed out in the last few years by the NVA, particularly since the autumn of 1967, those who lived around them wanted to come out to friendly territory, and have generally done so.

In propaganda on the subject of refugees the Lao Patriotic Front (LPF) maintains that the government kidnaps the refugees, and the refugee centers and resettlement areas are concentration camps and prisons. There seem, in fact, to have been only rare and isolated cases of coercion, and the LPF allegation that the government is seizing, or capturing and transporting by force the Communists' population base is not true. It appears that even attempts at coercion are not the RLG practice. Military and civilian officials, directly and by informational activities such as leaflets, do tell people that they will find food, medical care, and eventually land if they migrate, and sometimes encourage them to do so.

The recent trend has been for populations to move, rather than to stay, when the territory where they live is about to come under NVA/LPLA control, and this now seems to be general practice. In the circumstances which usually attend refugee moves, if the community considering moving and its civilian and military leaders are hesitant or in any sense divided, the choice is usually between coming out on the one hand, and, on the other hand, staying in to help keep up some degree of local armed resistance to Communist administration. Villagers do not normally want to stay and simply live under LPF/NVA control.

The Communist forces have been observed, considerably more frequently of late, to take military measures such as surrounding villages and leaving no exist, or firing on refugee foot columns, to prevent the escape of people from their influence.

In summary, the prospect of food, medical aid and land on the one hand, and corvee labor, hunger and bombing on the other, suffices to draw people spontaneously toward RLG territory. Many travel long distances unassisted on foot even under hostile fire or sniping, to reach government protection.

2a. What is the current number of refugees in Laos?

[Deleted.]

2b. What percentage of this number is attributable to the intensified military activities of recent weeks and months?

The refugee status of about 50 per cent of the current people is attributable to intensified fighting since February 1, 1970.

2c. Are other causes involved?

In earlier periods, for example in 1963 and 1966, some displacements resulted from overcrowded conditions and natural disasters such as floods, but such causes do not account for any significant part of the current refugees.

2d. Where are the refugees located today, and from where have they come?

As of mid-March, the approximately 204,000 refugees being supported by the U.S. programs in Laos were located in the following places:

(1) 45,000—located in the area north and along the western perimeter of the Plain of Jars in Xieng Khouang Province (Bouam Long, Ban San Pha Kha, Phu Cum, Muong Soui, Xieng Dat complex). These refugees came from (a) areas northeast of the Plain of Jars, (b) Ban Ban area, (c) Na Khang/Houa Muong, (d) the northwestern sector of the Plain of Jars, and (e) from the border area between southern Houa Phan and Xieng Khouang Provinces.

(2) 78,000—located in the Sam Thong/Long Tieng complex and south of it. These people came from northeastern Luang Prabang Province (Houei Tong Kho, Phou Saly, Houie Thong), the Plain of Jars and Sam Neua Province. They are now dispersing, along with other population newly taking flight, in a southwesterly direction from the towns of Sam Thong and Long Tieng, which are under Communist attack.

(3) 20,000—located in Nam Thouei in Houa Khong Province. These people have come mostly from the Muong Sing/Nam Tha area near the China border in northern Houa Khong.

(4) 5,000—located in Luang Prabang. They have come from Nam Bac in northern Luang Prabang, and southern Phong Saly Province.

(5) 2,000—located in the Nam Tan/Nam Phuy area, Central Sayaboury Province. They are from Xieng Khouang, and Muong Sai and Muong Houn in Luang Prabang Province.

(6) 16,000—located in the Vientiane Plain (Ban Keun, Ban Thalat, Thadeua). They were evacuated from the Plain of Jars in early February.

(7) 28,000—located in Paksane Town, Borikhane Province. They are from the Ban Done, San Sok, Muong Moc areas to the north and east of Paksane.

(8) 2,500—located near Savannakhet and Thakhek towns. These people are from the Ho Chi Minh Trail area.

(9) 3,500 located near Pakse. They are from the Ho Chi Minh Trail area.

(10) 1,000—located in Saravane town which is a relatively safe haven, but is completely surrounded by Communist con-

trolled territory. They are from the Ho Chi Minh Trail area, and the immediate vicinity of Saravane.

(11) 3,000—Attopeu. From the Ho Chi Minh Trail area. Like Saravane, this provincial capital is completely surrounded by hostile territory.

2e. What information has been compiled on tribal and ethnic composition of the refugees, their age span, sex, etc?

Not a great deal of information has been compiled on this subject. Up to last year most of the refugee groups were made up of the members of numerous minority tribes in Laos, e.g. Meo, Lao Theung, Khamu, Yao, Lave, and Soule. Recently both lowland and upland ethnic Lao groups have been forced from their homes along with the tribes people. The present refugee population is composed of about 40 percent Meo, 30 percent Lao Theung, 20 percent Lao, and 10 percent other persons. The groups consist mainly of old men, women, and children ten years and under, with a marked scarcity of military age men. This is the normal distribution pattern for refugees in Laos.

2f. What attitudes do the refugees have toward the Royal Laotian Government?

The present attitude of refugees toward the RLG varies appreciably between the major ethnic groups, that is to say between the Hill Tribes and the Lao.

(1) Hill Tribes: During the early 1950's and 1960's, there was a feeling of resentment toward the government. This attitude stemmed from the ethnocentric feelings characteristic of most of the peoples of Southeast Asia, as well as from the fact that few tribal groups had representation in the government. There were practically no Hill Tribes people employed as civil servants by the government. Today there are civil servants from several minority groups, and animosity has diminished. The Lao officials have made a decided effort to understand the Hill Tribes People, and have been successful in improving mutual relations.

(2) Deleted.

Among the refugees in general, there is an attitude that the central government in Vientiane is far removed from pleas for assistance and protection, but that the local RLG officials are responsive. The basic reason for this contrast is the lack of effective communication or transport links between the government in the capital and government at the village level.

3a. To what extent does the evacuation of civilian population groups, for whatever reason, contribute to the generation of refugees?

In this paper, no difference exists between the terms evacuee and refugee. All persons who leave their homes because of NVA/LPLA pressures and move, with or without government assistance, to areas where they can receive needed government aid, are considered refugees. The kind and amount of aid provided to refugees does not depend on how or why they moved from insecure areas, but rather on their needs.

3b. What have been the number and places of evacuation during the intensified military activities of recent weeks and months?

3c. What is the total population involved in these evacuations?

Two major evacuations, both attributable to intensified military activities, have been completed so far in 1970. A third major movement is currently going on. The first occurred between January 5–14 when increased enemy pressure, including interdiction of their land routes south, necessitated air evacuation of 8,115 refugees from the vicinity of Houei Tong Kho in southwestern Sam Neua Province principally to the area around the Nam Ngum Dan (7,715 persons), now under construction in Vientiane Province.

The second evacuation occurred between February 5–10, when the imminence of enemy offensive action necessitated air evacuation of 13,840 refugees from the Plain of Jars to an area in the Vientiane Plain between Ban Keun and Vientiane City.

The third movement, involving possibly up to 80,000 people, the great majority of whom already are in refugee status, is going on in the withdrawal of parts of the civilian population from Sam Thong and Long Tieng, two major Xieng Khouang sites now in an area of active fighting.

3d. What are the justifications and objectives for these evacuations?

Deleted.

3e. Who is responsible for making the initial decision on evacuation?

3f. Who is responsible for implementing the evacuations?

One, some or all of the inhabitants of a locality decide they wish to move, there are basically three levels of decision making in the conduct of evacuations, depending on (1) magnitude, (2) immediate cause, and (3) time. When danger from enemy action is sufficiently imminent, a decision is made on the spot by the lowest echelon of leadership (for example, local military commanders, and village or canton civil chiefs), and people begin to move, usually in numbers no greater than 300–1,000. Where numbers are somewhat larger, generally from 1,000 to 5,000, decisions are taken by the provincial governor, and the military commander of one of the five military regions in Laos. The greatest bulk of refugee movements fall into this category. Central government officials in Vientiane are normally not directly involved in making these decisions because of the time distance factors, but are kept informed by provincial governors. In the case of large movements where impending danger from military actions can be anticipated sufficiently in advance, the decision is made at the highest levels of government. In the case of the movement in February of refugees from the Plain of Jars to Vientiane, for example, the decision was made by the Prime Minister.

Thus, Americans do not make decisions to evacuate or move refugees. The American decision to assist in refugee movements, when requested by the RLG as described above, is made (1) by one of the five USAID Area Coordinators, in the case of minor movements, or (2) by the Ambassador with the advice of his country team, in the case of major movements. For the Plain of Jars refugees, the request for assistance was made in writing to the USAID Director by the Secretary of State for Social Welfare, and the decision for the U.S. to give such assistance was made by the Ambassador after consultation with the country team.

American assistance in evacuation, when agreed upon, normally means airlifting by one of the contract air companies, and liaison help between aircrews, local authorities and the refugees which is provided by the USAID Refugee Relief Branch officers, who in general speak Lao.

3g. What are the mechanics of evaluation?

If an area must be evacuated by air, and there remains sufficient time, provincial officials assisted by USAID assemble the evacuees by canton or village to await aircraft. When the refugees disembark at their relocation site, a census is taken which forms the basis for necessary assistance, such as rice, medical attention, innoculations, blankets, and kitchen utensils. Evacuations by foot are usually carried out through the village leaders and the local military commanders. If the destination point is several days walk, the refugees are invariably accompained by the men of their community who are members of local army units. Rice drops are made to the evacuees along their route of march. In emergency evacuations, local military commanders call for immediate help and any aircraft (RLG, USAID, USAF) that can be made available is used.

4a. Are search and destroy, "H & I" fire, free fire zones, clear and sweep, and similar concepts and tactics—all of which are associated with the history of allied military activities in South Vietnam—also used in Laos?

4b. Who is responsible for implementing these concepts and tactics?

4c. What role is played by American personnel?

The war in Laos is vastly different from the one in Vietnam and it can be misleading to draw parallels between them, except for the obvious fact that the North Vietnamese are heavily engaged in both.

ROYAL LAO GOVERNMENT MILITARY ACTIONS AND CONTROLS

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The NVA/LPLA of course value the presence of Lao civilians both as a manpower source, and possibly as a shield from attack. In spite of the most careful planning by the RLG, there is no doubt that on occassions civilians are killed by both sides when combat is engaged in areas where civilians are located. In most cases refugees have anticipated the battles and have moved out before they actually occurred. This most recently happened when civilians moved out of Sam Thong and Long Tieng.

The Royal Lao Air Force aircraft, by their very nature, are used only against known or presumed enemy positions and/or in support of Royal Lao Forces in combat. The dispersion of RLAF aircraft throughout Laos and the relatively limited ordnance they can carry mean that their use is carefully husbanded. They are never committeed to "area" bombing but only to what appear to be significant enemy positions. Civilians become involved when Pathet Loa and North Vietnamese forcibly detain villagers in an area to provide them with a shield and logistic support. RLAF strike policies are not controlled by Americans.

U.S. MILITARY ACTIONS AND CONTROLS

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U.S. airstrikes in Laos are divided into two categories. One is the interdiction effort carried on in the Loa panhandle against the Ho Chi Minh Trail. At their inception, these airstrikes did produce refugees but the rugged mountainous area of the Ho Chi Minh Trail (and for that matter much of North Laos) has always been sparsely populated.

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4d. To what extent does the application of these concepts and tactics in Laos contribute to the generation of refugees and the occurrence of civilian war casualties?

Studies of refugee attitudes undertaken by the RLG and USAID have shown that no single reason operated to cause a Lao, of whatever ethnic background, to leave his place of habitual residence and move elsewhere, and it has not proven possible to categorize refugees or casualties as having been created by any specific technique of battle. Most of the reasons for movement are directly attributable to the war and to the fact that certain areas of Laos have been fought over scores of times and have changed hands literally twice a year since 1964.

Most Lao wish to get to a place where they can raise their rice with some assurance that they will be able to harvest it. This assurance cannot be provided in areas where battles are raging. It cannot be assured when rice supplies are subject to requisitioning by North Vietnamese and LPLA forces. It cannot be assured when the Lao peasant himself is subjected to periods of forced labor by NVA/LPLA. It cannot be assured when civilians are being subjected to bombing or shelling from either side. Most Lao civilians learn very quickly that bombing necessarily follows the North Vietnamese. But they also know that life under the NVN is difficult in any event. It is therefore not surprising that the Lao move to Government areas to avoid the Vietnamese.

5a. What policy guidelines and practical instructions, on the care and protection of the civilian population, govern the military

XUM

activities of American and other personnel in Laos?

5b. Have the guidelines and instructions been implemented satisfactorily?

Instructions have been issued to American personnel in Laos in their liaison with RLG military and other officials to attempt to insure that RLG forces exercise every precaution to protect the civilian population. The same is true of air activities. These guidelines are being followed.

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A Forces Armees Royales (FAR) civic action program exists and is being intensified but its effectiveness varies from region to region depending on the interest shown by the local commander. In areas where it is pursued seriously, benefit does derive from medical treatment and other assistance provided by FAR teams.

6a. Describe the organization, content and objectives of the Laotian refugee program.

6b. What are the responsibilities, functions, number and location of American Government personnel involved in the program?

6c. Which United States Government agencies and offices do they represent?

6d. Which United States Government agency or office bears the overall responsibility for American involvement in the refugee and related programs, both in the field and in Washington?

The refugee relief program is administered under the terms of a Project Agreement between the U.S. and the RLG. This agreement provides that the basic necessities of life (e.g., food, clothing, medicine, seeds, tools) will be furnished to persons uprooted by the war and temporarily unable to care for themselves, and assists them in relocating to areas where they can become self-supporting.

While this is a joint program, the U.S. has assumed virtually all operational and funding responsibility for it. The RLG lacks trained personnel to operate such a program and simply cannot afford the expense of meeting the needs of a wartime refugee situation. With the exception of some local personnel costs, the RLG contribution consists mainly of land grants and labor.

The RLG refugee activities are conducted by the Ministry of Social Welfare whose field staff includes one northern representative located in Luang Prabang, one southern representative located in Pakse, and a lower level representative named for each province. These officials generally cooperate well with each other and with their counterpart U.S. representatives.

The A.I.D. bears overall responsibility for American relief to the refugees and related programs, both in the field and in Washington. USAID, the A.I.D. Mission in Laos, operates and administers the American component of the refugee assistance program with a staff of thirteen Americans, nine of whom are stationed in the field. The responsibilities and functions of this staff include: liaison with RLG refugee, administrative and military officials, coordination of all U.S. relief activities in their areas of responsibility; requisition and purchase of supplies; reception and distribution of food and other commodities; scheduling of air drops of food and supplies; and reporting of refugee movements.

Other USAID personnel such as Area Coordinators and Community Development workers on occasion also contribute to the refugee effort although this is not their primary responsibility.

7. Assess the attitudes and capabilities of the Royal Lao Government for the care and protection of the civilian population.

The capacity of the RLG to protect and care for its civilian population without outside aid must be judged in the light of the country's underdevelopment. By itself, the RLG would have almost no resources to deal with problems as large as those generated by a modern war of the present scale on its territory. The government's personnel, in such a case, like all its funds and equipment would have to be drawn from the population of perhaps two million persons in the RLG zone, probably 75% illiterate and with a per capita income of about 70 dollars.

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Regular officers of the Lao local administration system (the Ministry of the Interior), or the Army often have been the greatest help to refugees. They have key power of decision in many cases. (See 3e and f above.) The Governor of Xieng Khouang Province, who is also the traditional prince of his area, has exercised his functions with particular energy and distinction toward a population which has contained a high percentage of refugees. Many of the lower echelon, popularly selected RLG leaders, that is to say, the village headmen and the canton chiefs, have become refugees themselves, but by continuing to exercise leadership have kept their villages organized while in movement and relocation, and thus made a major contribution to all concerned. A refugee officer of long experience recently made the comment that he was continually amazed and impressed by the degree of social organization and coherence which the Lao government and people in Xieng Khouang Province have maintained through years of war chaos and movements of refugees involving a great proportion of the province's total population.

Certain prominent Lao political figures, particularly from the northeast, have conducted private refugee aid efforts. Although there may have been political motives in these cases, such actions were constructive and showed genuine concern. In Vientiane, an unofficial public Lao committee to help refugees and victims of the war has for several years raised funds for refugees and casualties by seeking donations of money and goods, and through social activities but this has not resulted in a major source of needed financial resources to deal with the problem.

The problem of protecting the civilian population from terrorism in Laos has fortunately never approached the intensity of this problem in South Vietnam. Although there are kidnappings, killings of local government officials, and ambushes along the route structure, the Lao in rural areas even under only nominal RLG control feel relatively secure and have been able to count on whatever government forces may be in the area to react to terrorist or larger raids.

8a. Describe the role and contribution of private voluntary agencies and other private organizations in the refugee and related programs?

Voluntary agencies and other private international organizations have been accredited for many years in Laos and are assisting the refugee cause. They contribute welfare, educational, food and medical assistance to refugees.

8b. What are the names of these private agencies and organizations?

The following agencies are accredited to the RLG: the Catholic Relief Service (CRS), the Asian Christian Service (ACS), World Vision (WV), Seventh Day Adventist (SDA), the Asia Foundation and the Oxford Family Group (OXFAM). Also working in Laos are two missionary groups of long standing: the Christian and Missionary Alliance (Protestant), and the Oblate Mission (Catholic). (Members of the International Voluntary Services, an organization under contract to A.I.D. in Laos, have participated in refugee work.)

8c. What is the number and location of their personnel?

All the above agencies are based in Vientiane but have some assigned field personnel. Their total non-local personnel are: CRS, four; ACS, nine; WV, two; SDA, none as yet; Asia Foundation, one; OXFAM, one ex-officio.

8d. What is their relationship to the United States mission in Laos and our Government generally, and to the Royal Laotian Government?

There is only one agency directly connected to the U.S. Mission—the Catholic Relief Service, in its capacity as U.S. agent for Food For Peace (PL 480) programs. This organization and each of the others has made its own working arrangements with the Royal Lao Government.

9a. What is the current situation relating to civilian war casualties?

Serious and getting worse, although we do not have meaningful figures. The number of civilian casualties (killed, missing, wounded) is unknown, as Laos has never been able to develop an operating reporting system. Canton and district records of families which have been displaced are sent to the offices of the provincial administration and may or may not be transmitted to the central government. Hospital records were kept during the past five years at Sam Thong, but these are not now available, due to the rapid evacuation of this site on March 17. As a very rough indication of the volume of casualties, partial statistics covering the calendar year of 1969 for civilians treated in USAID-supported facilities throughout Laos show 1,864 hospital admissions and 1,810 treatments in dispensaries or by combat medics. These figures are for all treatments and not limited to war-related wounds or illnesses.

They do not include treatments given in over 125 field-type dispensaries for minor wounds and illnesses, nor civilians treated in RLG facilities not run in association with USAID. The totals of such cases would amount to many more thousands of treatments and admissions. Nor do they reflect the increased mortality and illness in the civilian population which has resulted from displacement and compaction of people fleeing the contested areas. Malnutrition and various diseases are widespread.

9b. What provision is made for their treatment and care?

USAID and the RLG have developed since 1963, the Village Health Program to provide medical support to paramilitary personnel and their dependents, and refugees generated by military action. Personnel in this program are drawn from indigenous peoples, most of whom have to be taught to read and write Lao before entry into the training programs. Presently there are now 125 medical facilities of varying degrees of sophistication in support of the civilian and military population in the contested areas. Both civilians and military are treated within the same system for maximum utilization of scarce medical personnel. Presently patients flow from outlying dispensaries and from frontline RLG combat medics to receiving stations manned by more qualified medical auxiliaries who refer those cases outside their competence to base hospitals manned with the most qualified medical personnel available: Lao doctors, both military and civil, and American (USAID) medical advisors.

10a. Defined in fiscal years, what is the total United States contribution in funds and kind to the refugee and related programs since the beginning of American involvement in Laos?

10b. What is the statutory base for these contributions, and to which governmental agencies and offices have they been appropriated?

The U.S. contribution in economic assistance funds to the refugee relief project

XUM

through Fiscal Year 1970 is $29.1 million. This breaks down as follows:

Fiscal Year:	*Obligation* *($000)*
1970	[1] 3,436
1969	[2] 2,117
1968	3,433
1967	4,315
1966	4,112
1965	4,550
1964	2,277
1963	2,367
1962	1,793
1955–61	700
Total	29,100

[1] Estimate only. A substantial increase may be required due to recent military actions.

[2] Includes $545,000 Contingency Funds (CF), statutory authority for which is in Section 451(a), Foreign Assistance Act of 1961, as amended.

This funding, with the exception indicated for FY 1969, is exclusively from Supporting Assistance (SA) funds, statutory authority for which is in Sections 401 and 402, Foreign Assistance act of 1961, as amended. Both the CF and SA funds are appropriated to the A.I.D.

The foregoing figure does not include air support costs. A substantial portion of the USAID air support program in Laos is attributable to such refugee needs as air drops of foodstuffs, transport of emergency medical and housing supplies and other materials, and evacuation. Although it is not possible to attribute a precise dollar amount of these costs to refugee relief, we estimate that from fiscal years 1962–1970 about $29 million—approximately 60% of the total USAID air support costs in this period—have supported the refugee program. With the exception of a small amount of CF in the early years, this is all from SA funds.

In addition to the above contribution, the USAID Public Health Development project, which provides for medical training of selected persons and for medical treatment of persons on a countrywide basis, also contributes to refugee relief. Again, it is not possible to determine the precise dollar amount of the Public Health Project funds attributable to refugee relief, but we estimate that about 50% of the funding either directly or indirectly benefits refugees. Obligations for this project from fiscal years 1964–1969 totalled $13.5 million. Of this total, $5.3 million have been Technical Assistance funds appropriated to the A.I.D., statutory authority for which is in Sections 211 and 212, Foreign Assistance Act of 1961 as amended; $130,000 have been Contingency Funds, and $8.1 million have been Supporting Assistance funds.

The statutory authority for the U.S. in-kind contribution to refugee relief is in Title II of the Agricultural Trade Development and Assistance Act of 1954, (PL–480), as amended. Commodities are provided through a government-to-government program which began in FY 1967. This breaks down as follows:

Commodity	Fiscal year— 1967	1968	1969	[1] 1970	[1] 1971
Cornmeal (million/tons)	3,730	4,500		1,500	3,000
Bulgur wheat (million/tons)	2,030	1,040		200	500
Vegetable oil (million/tons)	150	200		35	70
Wheat soya blend (million/tons)				35	70
Cotton cloth (meters)		385,000	200,000		200,000
Cost, include transportation (thousands of dollars)	$1,193	$1,352	$112	$251	$660

[1] Estimate.

Before FY 1967 there was no direct in-kind refugee relief program on a government-to-government basis. However, most of the PL 480, Title II commodities (e.g. bulgur wheat, rolled wheat, flour blended food products) provided to Laos through the Catholic Relief Service (CRS) since 1957 has gone to refugees. From its inception in FY 1957, through FY 1970, this CRS program has provided to Laos a total of 12,527 metric tons of commodities, valued at about $3.5 million.

10c. What is the budget request for fiscal year 1971?

The proposed FY 1971 budget request for refugee relief is $3.2 million.

10d. What difficulties and problems currently exist to impede program objectives?

The greatest difficulty facing achievement of program objectives is the inability to forecast with precision the numbers of refugees and amount of funds required during any future period. It is known that refugee movements will follow from any military action initiated by either side. It is possible to predict with reasonable accuracy the extent of refugee movements that can be expected from planned RLG-initiated military actions, and the amount of funds required to care for these refugees. It is impossible, however, to predict Communist-initiated military actions sufficiently in advance for planning purposes. Hence, the Mission is constantly faced with events that call for urgent action and for funding requests that could not have been foreseen.

UNSOLICITED CREDIT CARDS

The Senate continued with the consideration of the bill (S. 721) to safeguard the consumer by requiring greater standards of care in the issuance of unsolicited credit cards and by limiting the liability of consumers for the unauthorized use of the credit cards.

The PRESIDING OFFICER. The question is on agreeing to the pending amendment offered by the Senator from New Jersey (Mr. WILLIAMS).

The amendment was agreed to.

Mr. LONG. Mr. President, I send to the desk an amendment as follows:

On page 5, line 18, after the period strike the quotation mark and add the following new section:

> It shall be unlawful to use the credit card of another without authorization. Whoever in a transaction affecting commerce uses a credit card without the authorization of the holder shall, upon conviction thereof, be punished by imprisonment for a term not to exceed one year or fined a sum not to exceed $1,000, or both."

Mr. President, I have discussed this matter with the distinguished manager of the bill. It seems to me that the fine work he has done on this measure should be accompanied by a provision making it a Federal crime to use without authority the credit card of another.

While some States have undertaken to outlaw this type transaction, I do not know whether it has been outlawed in the District of Columbia and whether it has or not we will, from time to time, have need of the use of the authority and the instrumentality of the Federal Government to punish those who without authority use credit cards of another.

This is a very small penalty suggested here of a fine not to exceed $1,000 or imprisonment for not to exceed 1 year, or both. I hope that would be adequate, but it is certainly better than nothing with regard to people who have been stealing credit cards and using them in a way that amounts to theft.

As the Senator so well pointed out, in view of the fact credit cards are becoming one of the principal means to obtain credit in buying things, obtaining services, and so forth, I would very much hope the Senator would go along with an amendment to make it unlawful under Federal law for one to use the credit card of another without authorization.

It may be this matter needs some refinement, and, if so, I hope that could be worked out in conference with the House.

Mr. PROXMIRE. I am very inclined to accept this amendment, because I think it has a great deal of merit. The Senator has made a strong case, in that the cards are distributed through the U.S. mails and cross State lines. It is impossible for the States to police this matter.

However, we have had no hearings on this question. It is a serious matter to provide criminal penalties. There is a bill pending before the Judiciary Committee on this very matter. The Department of Justice has not had an opportunity to give us its opinion on it. So I am somewhat reluctant. But, as the Senator has pointed out, if there are shortcomings in this approach, they can be considered thoroughly in conference.

I would like to yield to the Senator on the minority side (Mr. PERCY) to see what his reaction is to the amendment of the chairman of the Finance Committee, who points out, very properly, that there should be a Federal penalty for the unauthorized use of credit cards, since it is a kind of Federal instrumentality.

Mr. PERCY. Mr. President, I would like to give a quick response. I think there is a great deal to be said for the position taken by the Senator from Louisiana. I feel it could be a Federal crime, probably, is misuse a credit card in this way. My only problem is that I would have liked very much to have a reaction from the Justice Department. I would have liked to have the benefit of some testimony and hearings on it and to know more what the consequences would be and what the cost of supervision would be.

A rather major point has been raised. We have not had the benefit of being able to give it our considered judgment. It is so important an issue that I rather hesitate to give an impulsive judgment on it.

Mr. LONG. Mr. President, it seems to me it is axiomatic that if we are going to do anything in the credit card field, this should be the starting point.

Here are some credt cards that I carry in my pocket. I carry them because I have use of them. Here is a travel card. When I use it, as I do frequently, I am in commerce; and even if I am in intrastate commerce, people who travel on airlines cross States lines. The whole transaction is in interstate commerce. Half the time a reservation is made in Charlotte, through their computer process. Here is a BankAmericard. I have not used it in the city where the bank is. When one is traveling around the countryside and wishes to buy some gasoline or obtain some other service——

Mr. PROXMIRE. That is a California bank.

Mr. LONG. It was issued in California initially. I use it in interstate commerce, as most people do.

Here is a credit card issued, I assume out of New York, or it could be out of Houston, by the Humble Oil Co. Here is a Hertz credit card. It will be used most often by those landing at airports. Here is a credit card for the use of my telephone. When I use it I am placing long-distance calls.

All credit cards of this type should be protected. In many instances there are States where such a credit card is not protected. Actually, somebody should prosecute and put in jail people who steal credit cards and use them without authority. It seems to the Senator from Louisiana that this type of credit should be protected. It may be that the Justice Department does not want to bother with this matter, but as soon as we put a few of these thieves in jail, and the press gives it adequate publicity, I think the unauthorized use of credit cards will come to an end.

The Senator has very well pointed out that when someone is issued a credit card and someone else uses it without his authority, then the holder, not having used the card, has all the credit run out against him, whereas it would not have started in the first place if the thief had not used the credit card without authority. That being the case, punishment should be provided for someone who uses a credit card either under false pretenses or as a matter of outright theft.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. PERCY. I think the protective devices of the bicameral system are such that, even though we have not had hearings, the amendment will go to the House, the House can then hold hearings—and I trust the House will hold hearings on this very important point of the Senator from Louisiana—and we will have an opportunity in conference of sitting with the House Members, having had the benefit of hearings on this point that they would have had.

So with that in mind, I feel the minority would not have any objection.

Mr. PROXMIRE. Mr. President, I hope that there is not any misunderstanding here. I am not going to make a statement that will preclude the possibility of our proceeding to conference on the basis of a bill the House has already passed. If that were done, the House could not conduct hearings on this particular issue.

I shall be glad to write to the Justice Department today and have an opportunity to have the views of that department, and also to the Senator from Mississippi (Mr. EASTLAND), to have the views of the Judiciary Committee. I do not know whether they have views or not. If they do, we would like to have them, so we will be prepared, with respect to this bill, to know whether this matter is subject to hearings in the House.

Mr. LONG. Mr. President, those of us on the Finance Committee are completely accustomed to having amendments offered on a bill that goes beyond the jurisdiction of the committee.

Mr. PROXMIRE. That is why I have said what I have.

Mr. LONG. We do all we can to keep such amendments from those bills. In fact, very often, they are put on those bills in spite of our efforts. In a revenue bill, it is in order to offer any amendment except one that is a constitutional amendment.

In my judgment, there is a considerable amount of jurisdiction in the Committee on Banking and Currency, anyway, with regard to protecting the credit structure of this country. That is involved here. The Senate committee has that responsibility. This particular revision simply makes it unlawful to use a credit card without authority. I hope it will be taken to conference.

Mr. McINTYRE. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. McINTYRE. What happens if the husband and wife were having marital difficulties and the wife used her husband's credit card and he asserted that it was an unauthorized use of that card? Would the wife take the risk of going to jail?

Mr. LONG. I seriously considered that with respect to all relatives—and in conference this matter could be considered—we would not involve ourselves; that we would exclude from the provisions of the act unauthorized action by a spouse or anyone who was a direct descendant or ascendant or immediate member of a family.

We have the situation every day where a wife is supposed to exceed authorized spending. Those clashes, which occur from time to time, are looked on in the law as more of family disputes than crimes. Many times, when a husband is in a quarrel with his wife, from whom he is estranged, he is accused of kidnaping children. There often are cases in which a husband accuses a wife of taking something she is not supposed to have, or vice versa.

I would have no objection to accepting an amendment to this proposal, if the Senator wanted to prepare such an amendment; but I think the type of situation I have in mind should be outlawed.

Mr. SPARKMAN. Mr. President, will the Senator yield to me briefly so that I may present the Prime Minister of Denmark?

Mr. LONG. I yield.

VISIT TO THE SENATE BY HILMAR BAUNSGAARD, PRIME MINISTER OF DENMARK

Mr. SPARKMAN. Mr. President, we are honored today to have with us in the Senate Chamber the Prime Minister of Denmark, the Honorable Hilmar Baunsgaard. He is now in the rear of the Chamber, and I hope Senators will take the opportunity to greet him. [Applause, Senators rising.]

In this connection, I ask unanimous consent to have printed in the RECORD at this point a brief biographical sketch of the Prime Minister.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

HILMAR TORMOD BAUNSGAARD

Hilmar Baunsgaard, 50, has been Prime Minister since 1968. He served previously as spokesman for the Radical Liberal Party in Parliament.

Baunsgaard is a former businessman and Minister of Commerce. A strong proponent of foreign aid, Baunsgaard is concerned by the problem of poverty in underdeveloped countries. He supports Danish entry into the Common Market, but because of trade considerations he predicates this action on Britain's admission. He favors an increased role for NATO in encouraging East-West detente.

The Prime Minister knows the United States through business connections and visits.

Baunsgaard drinks moderately and smokes cigarettes. He is a soccer fan. He reads social novels (especially Steinbeck), and also enjoys Westerns and mysteries. Under the influence of his wife, Baunsgaard has acquired a taste for opera and ballet, and he sometimes paints in his spare time. He keeps in shape with light calisthenics and long walks. The Prime Minister speaks English. The Baunsgaards have a married daughter.

RECESS

Mr. KENNEDY. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 2 o'clock and 40 minutes p.m.) the Senate took a recess subject to the call of the Chair.

Thereupon, the Prime Minister of Denmark was greeted by Senators in the rear of the Senate Chamber.

The Senate reconvened at 2:42 o'clock p.m., on the expiration of the recess, when called to order by the Presiding Officer (Mr. CRANSTON).

UNSOLICITED CREDIT CARDS

The Senate continued with the consideration of the bill (S. 721) to safeguard the consumer by requiring greater standards of care in the issuance of unsolicited credit cards and by limiting the liability of consumers for the unauthorized use of the credit cards.

Mr. LONG. Mr. President, in view of the fact that the Senate has already agreed to the committee amendment, as in the previous instance, it would be necessary to ask unanimous consent to amend the bill at that point. I ask unanimous consent that my amendment be in order.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, have we acted on the Long amendment?

The PRESIDING OFFICER. No; the Senate has not. The question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

Mr. PERCY. Mr. President, in this session of Congress we have been taking an in-depth look at consumer protection problems.

One of the biggest problems is with unsolicited credit cards.

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These cards are flooding the mails and the mailboxes. People who do not want them are receiving them and, when these cards are misdirected, or stolen, innocent people sometimes find themselves charged with large debts in an account they did not even know they had.

Today we have before us a bill which will regulate the mailing of credit cards and limit the liability for cards that are misused.

Consumers should not have to fear liability for credit cards they did not request and do not want, and I believe this bill will allow them the freedom from that fear and provide certain other necessary consumer protection steps.

Mr. President, when this bill to regulate or prohibit the issuance of unsolicited credit cards was before our committee, the minority members of the committee developed an alternative proposal which would not prohibit the issuance of unsolicited credit cards. Some of us felt that the proper approach to the problems brought about by unsolicited credit cards was not to ban them entirely but to identify each of the problems and work out solutions to them. We felt that, through such an approach, we could provide greater protection to cardholders while retaining the right of card issuers to send out cards without prior authorization from the intended recipient.

The hearings which we had on this issue gave us an opportunity to gather information on which a reasonable solution could be based. We found no evidence that unsolicited credit cards contribute to an overextension of debt more than any other method of extending credit. We also found that unsolicited credit cards do not result in greater inflationary pressures than other methods of extending credit.

In fact, it has been my observation that credit cards are a great protective device for individuals in these days of a high incidence of street crime, by making it unnecessary for indivduals to carry as much money with them as heretofore, before the advent of credit cards.

Moreover, we found that many of the abuses which occurred during the development of credit cards in earlier years are not a common practice today. We did find, however, that some consumers found the receipt of unsolicited credit cards annoying.

Some felt that they were being encouraged to expand their debt against their will. Some credit card recipients felt they had a liability for purchases made on a card they had not accepted. In addition, some parents might incur an unwanted liability when their children who are minors received unsolicited credit cards.

We tried in the committee to work out an approach specifically designed to meet the problems, knowing that it would be a difficult task. The majority of the committee did not accept our approach. Following committee action, the Federal Trade Commission promulgated regulations prohibiting the distribution of unsolicited credit cards by business establishments under the Commission's jurisdiction. Since our approach would have allowed the issuance of unsolicited credit cards under certain conditions, a combination of our bill and the Federal Trade Commission regulations would have destroyed the comparability we were seeking to retain between all types of businesses issuing credit cards. Instead of pressing for our alternative, therefore, we decided it would be more helpful to consumers and industry to suggest improvements in the bill reported by the committee.

In our minority views, we discussed several problems in the committee bill which needed to be corrected. After the bill was reported, the committee staff continued its efforts to work out language which would be acceptable to all members of the committee. I am happy to say now that we have been able to reach an agreement which embodies amendments to correct most of the problems we discussed in our minority views.

The amendment already offered by the Senator from New Jersey and accepted by the Senate took care of one of the major problems.

The committee bill removes all liability from a cardholder for unauthorized use of the card unless the card issuer has given adequate notice to the cardholder of his potential liability. The potential liability under the bill would be a maximum of $50, which is a lower maximum than exists at the present time under most card programs. We agree that such notice should be given and are sure that card issuers will give such notice promptly, but we do not agree with the bill's requirement that it be given either on the credit card or on each periodic statement. All outstanding credit cards could not be replaced within the time allotted in the committee bill. Moreover, some accounts are inactive and a periodic statement would not be sent in the ordinary course of business. In order to make the bill more practical and workable, we drafted an amendment providing that any printed notice sent to the cardholder in which the facts are clearly and conspicuously set forth would meet the requirement of adequate notice to the cardholder. It is my understanding that the manager of the bill and other members of the committee are willing to accept this amendment.

The committee bill required that in order for cardholders to have any liability after the effective date of the bill, all cards outstanding must have a method whereby the user of the card could be identified as a person authorized to use it. We agree that new cards issued either as renewal cards or as original cards should meet the standard of a means whereby the user can be identified as the person authorized to use it. In order to avoid difficulties for cardholders as well as card users, we believe that this provision should not take effect for new cards until 90 days after the bill is enacted. The alternative which was rejected by the majority of the committee contained such a requirement. The manager of the bill, Mr. Proxmire, has offered an amendment to that effect which I believe should be supported.

As we stated in our views, I feel that all cards should have a means of identification within a reasonable period of time. The committee bill would require such a means of identification as a prerequisite for the $50 liability 6 months after enactment. The amendment offered by the bill manager would reduce that time to 90 days. We have drafted an amendment providing that all outstanding cards have a means of identification not later than 1 year after the effective date of the section or a total of 15 months after the enactment of this legislation in order for cardholders to have any liability for unauthorized use. I understand that this amendment is acceptable to the manager of the bill.

The committee bill required that a card issuer must take steps to notify those merchants and others with whom the credit card is likely to be used of the possibility that an unauthorized use thereof may occur if he has been so notified by a cardholder who has lost his card or has had it stolen. If such a procedure is not established, the cardholder would have no liability even though he did not notify the issuer that his card has been lost or stolen. We see no reason for this provision. Once the cardholder notifies the issuer that his card has been lost or stolen, he retains no liability for misuse which may occur after that notification. It does not add any protection to the consumer to require that a card issuer set up a procedure to notify all of those with whom the credit card is likely to be used.

If the issuer finds that it is to his advantage to set up such a procedure and thus reduce his own liability for misuse, he should do so, and many card issuers do have such a system. On the other hand, if he finds that the setting up of such a procedure is more expensive than the likely loss from the misuse of cards, I do not see why the Federal Government should force him to set up such a system. Since this requirement provides no additional benefit to the credit-card holder, we have drafted an amendment to delete it from the bill and understand that it is acceptable to the manager of the bill and other members of the committee.

I will send to the desk the amendments which I have thus far discussed and will ask that they be accepted en bloc as amendments to the committee amendments. In addition to the amendments which I have offered for myself and other members of the committee, and the amendment which Senator Williams has offered and in which I joined, Senator Proxmire has offered several amendments. Those offered other than the one making section 132 effective upon enactment were part of the approach proposed by the minority but rejected by the committee. I support them and am not aware of any opposition to them from other minority members. I believe that making section 133 effective 90 days after enactment of the bill will create no problem.

Making section 132, which prohibits the distribution of unsolicited credit cards, effective immediately upon the enactment of this act could create some problems for firms which have been working on an unsolicited-credit-card program but which have not yet issued the cards. It is difficult to take care of this problem, however, without creating an additional equally serious problem.

If a time period is established during which unsolicited credit cards can be issued after the enactment of the bill, it would provide an incentive for all who are interested in setting up a credit-card program to flood the country with unsolicited credit cards. We do not want such a result.

I hope that those who have expended time and effort already in setting up a credit-card program based on the issuance of unsolicited cards will be able to complete that effort before the bill is enacted even though such a completion may require a speedup in their program. I hope that no firm now considering the establishment of a credit-card system will take the risk of planning such a program on the basis of unsolicited credit cards.

On behalf of the minority, Mr. President, it is my view that the bill before us, as amended by the amendments agreed to today, is as fair and equitable a bill as we can work out at this time. On behalf of the Senator from Utah (Mr. BENNETT), the Senator from Texas (Mr. TOWER), the Senator from Massachusetts (Mr. BROOKE), the Senator from New York (Mr. GOODELL), the Senators from Oregon (Mr. PACKWOOD and Mr. HATFIELD), and myself, I send to the desk a series of amendments, which I understand are acceptable to the manager of the bill, and which I ask be considered en bloc as amendments to the committee amendment, as amended.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the amendments of the Senator from Illinois be permitted to be considered at this time, despite the fact that we have heretofore agreed to the committee amendments, and these are in part, amendments to the committee amendments.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendments will be stated.

The bill clerk read the amendments, as follows:

On page 1, beginning with line 7, strike out all through line 5 on page 2, and insert the following:

"'(j) The term "adequate notice", as used in section 133, means a printed notice to a cardholder which sets forth the pertinent facts clearly and conspicuously so that a person against whom it is to operate could reasonably be expected to have noticed it and understood its meaning. Such notice may be given to a cardholder by printing the notice on any credit card, or on each periodic statement of account, issued to the cardholder, or by any other means reasonably assuring the receipt thereof by the cardholder."

On page 4, line 17, beginning with "the card" strike out all through the comma in line 19, and insert the following: "the card issuer has provided the cardholder with a self-addressed, pre-stamped notification to be mailed by the cardholder in the event of the loss or theft of the credit card, and".

On page 4, line 2, beginning with ", and" strike out all through "occur" in line 3, on page 5.

On page 5, line 3, after the period insert the following: "Notwithstanding the foregoing, no cardholder shall be liable for the unauthorized use of any credit card which was issued on or after the effective date of this section, and, after the expiration of 12 months following such effective date, no cardholder shall be liable for the unauthorized use of any credit card regardless of the date of its issuance, unless (1) the conditions of liability specified in the preceding sentence are met, and (2) the card issuer has provided a method whereby the user of such card can be identified as the person authorized to use it."

Mr. PROXMIRE. Mr. President, I commend the Senator from Illinois and the other minority members of the Senate committee and the full committee for their cooperation in this matter. I know they have felt very strongly about the issue, and have held distinct reservations about it. I think the amendments represent substantial and constructive improvements to the bill. I have some reservations about some of the provisions but on the whole, I believe they are practical and workable and will enable the credit industry to comply more readily with the provisions of the act.

The first amendment would permit creditors to disclose to consumers their potential liability in a separate statement. Under the committee bill, this disclosure would have to be made either on the face of the card or on the monthly periodic statement. The amendment by Senator PERCY would permit a third option of disclosing the consumer's liability on a separate statement.

It is my understanding that under the language, the Federal Reserve Board would still have the authority to write rules and regulations concerning the type of notice to be provided and the manner in which it is disclosed.

I feel the consumer would be better informed if his potential liability were disclosed on the card or on the monthly periodic statement. Nevertheless, the committee bill limits the consumer's liability to $50, hence the need for periodic disclosure is considerably less than it has been in the past.

The second amendment contains a valuable new requirement that the issuer provide the consumer with a stamped, self-addressed notification form which the consumer can use to notify the company of the card's loss or theft. This should make it substantially easier for consumers to provide the card issuer with prompt notification. I believe it will benefit both the consumer and the credit card issuer.

The third amendment offered by the Senator from Illinois would delete the requirement that the card issuer take reasonable steps to notify the merchant of a loss of a card as a condition for imposing the $50 liability on the consumer. It is my understanding that virtually all creditors have some procedure for reducing the acceptance of unauthorized credit cards, hence this provision would be of little practical effect. Moreover, the bill limits the consumer's liability to $50, hence the creditor would have even more incentive to take effective action to notify merchants of a card's loss or theft in order to reduce possible losses.

The fourth amendment would give credit card issuers with outstanding credit cards an additional 12 months to provide a means of identification on the card as a condition for imposing the $50 liability on the consumer.

This is, I think, a very practical, sensible, and realistic recognition of what the credit card loser is up against, unless this bill is passed. I understand the purpose of this amendment is to permit existing cardholders to replace their outstanding cards in a reasonable and orderly manner. I think it is an excellent amendment, and I am happy to support it, as well as the others.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. I have not had an opportunity to examine these amendments submitted en bloc by the Senator from Illinois. I want to be very sure that they do not prevent the full operation of the amendment of the Senator from New Jersey (Mr. WILLIAMS), and others, under which new credit cards could be issued unsolicited to holders of outstanding credit cards. Is there anything in this amendment which would interfere with the operation of that amendment?

Mr. PROXMIRE. No. I am glad that the Senator from Florida brings that issue up, because it was obscure, I think, before. I want to reassure him that there is nothing at all in the Percy amendments which would affect in any way the operation of the amendment of the Senator from New Jersey (Mr. WILLIAMS).

Mr. HOLLAND. I thank the Senator from Wisconsin.

The PRESIDING OFFICER. The question is on agreeing to the amendments, en bloc, of the Senator from Illinois (Mr. PERCY).

The amendments were agreed to.

Mr. PROXMIRE. Mr. President, earlier today I sent to the desk three amendments, which I then described. I shall briefly reiterate what they would do.

The first amendment would amend the definition of a credit card issuer to include not only the person who issues the card, but also any agent of the issuer. This amendment was intended to prevent any possible circumvention of the act by setting up a subsidiary or intermediary for the purpose of issuing credit cards.

The second amendment would make it clear that the $50 limitation on liability would not apply if the consumer had lesser liability under any other applicable law, or there was an agreement with the card issuer.

This is because some States have a liability limit of $25 and some banks have a liability limit of $25.

The third amendment would change the effective date of the proposed legislation. The bill as reported by the committee would become effective in 6 months, and my amendment provides that section 132, which prohibits unsolicited distribution of credit cards, would become effective immediately upon enactment;

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and section 133, which limits the consumer's liability to $50, would become effective in 3 months following enactment.

The reason for the immediate effect of the proposed legislation is so that there would not be a flood of issuance of credit cards in the next 6 months. It would be an invitation for those who had not issued credit cards on an unsolicited basis before to get into the act in a hurry.

I think that these three amendments, which have been discussed in detail with the minority, are practical and desirable.

I ask unanimous consent that these amendments be considered en bloc and that they be considered without a point of order against them in spite of the fact that they amend the committee amendments which previously have been enacted upon.

The **PRESIDING OFFICER**. Is there objection? The Chair hears none and it is so ordered.

The clerk will state the amendments.

The bill clerk read as follows:

> On page 2, line 24, before the period insert the following: ", or the agent of such person with respect to such card".
>
> On page 3, line 1, strike out "132" and insert "133".
>
> On page 5, after line 16, insert the following:
>
> "'(c) Nothing in this section imposes liability upon a cardholder for the unauthorized use of a credit card in excess of his liability for such use under other applicable law or under any agreement with the card issued."
>
> On page 5, line 17, strike out "(c)" and insert "(d)".
>
> On page 6, strike out lines 1 through 3, and insert the following:
>
> "SEC. 3. The amendments to the Truth in Lending Act made by this Act become effective as follows:
>
> "(1) Section 132 of such Act takes effect upon the date of enactment of this Act.
>
> "(2) Section 133 of such Act takes effect upon the expiration of 90 days after such date of enactment."

The **PRESIDING OFFICER**. The question is on agreeing to the amendments.

The amendments were agreed to.

Mr. **BYRD** of West Virginia. Mr. President, I ask for third reading.

The **PRESIDING OFFICER**. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. **SCOTT**. Mr. President, I support the objective of S. 721, a bill to safeguard the consumer by requiring greater standards of care in the issuance of unsolicited credit cards. I believe it to be in the best public interest to do this by limiting the liability of consumers for the unauthorized use of credit cards.

We are in the midst of a credit revolution. Plastic credit—the present vogue, has taken hold and has swept across the country often leaving some very sad situations in its wake. Future reoccurrences must be dealt with today.

I have no quarrel with legitimate businesses and banks wishing to drum up some additional trade. It is in the best spirit of the free enterprise system. Nor do I quarrel with the consumers who use their credit wisely. My gripe is with the indiscriminate dispersal of tons of plastic cards showered upon unsuspecting consumers. Even worse, there are no assurances whatever that these credit cards will actually be used by the person for whom they were intended.

S. 721 is designed to curb some of the more flagrant abuses. Primarily, it will limit the consumer's liability for a lost or stolen card to not more than $50. I believe this to be reasonable.

Hearings on the bill showed that some credit card recipients felt they had a liability for purchases made on a card they had not accepted. Issuers of credit cards do not always specifically inform prospective card holders of their limited liability.

In addition, some consumers find the receipt of unsolicited credit cards annoying. There is a feeling that these cards represent an invasion of privacy. Moreover, recipients of unsolicited credit cards sometimes feel that they were being encouraged to expand their debt against their will. All in all, I believe that most of the fears will be alleviated with the passage of S. 721, and I urge its prompt enactment.

Mr. **BYRD** of West Virginia. Mr. President, Senate passage of S. 721, the unsolicited credit cards bill, will be a landmark step in the continuing effort of Congress to provide the American consumer with proper protection from unknowing financial loss. I support this worthwhile legislation.

What the bill does is to prohibit the issuance of unsolicited credit cards. Furthermore, it will limit to not more than $50, the liability a consumer will incur for lost or stolen credit cards. This legislation, which has received widespread support, will leave a firm imprint in the area of consumer protection; yet, for those who are prudent, the credit card will still be a welcome convenience. The intent of this bill is not to prohibit the use of credit cards. It merely provides for greater safeguards against misuse for both the consumer and the credit card industry.

When the Senate considered the Truth in Lending Act of 1967, I voted for its passage. I felt that it was significant and timely legislation. Today, we are considering two new sections which will broaden the purpose of the Truth-in-Lending Act, and will give many families additional protection against unexpected financial disaster.

Mr. President, I am pleased to say that the bill we are considering today is truly a victory for the consumer. Presently, existing Federal law does not impose any restrictions on the unsolicited mailing of credit cards. Once again, Congress has responded to the needs of the man-on-the-street, the middle- and low-income groups, the consuming public.

Unfortunately, "buy now and pay later" has become an integral part of our way of life. Millions of persons, as a result, buy beyond their means with credit cards. But bills do not disappear, and the happy accoutrements of the modern 20th century become the unpaid balances at the end of the month. Already over 200,000 consumers a year are forced into bankruptcy, and this number is increasing daily.

Mr. President, what the bill does is to help restore the basic concept of sound consumer credit to our economy. To have credit is to enjoy a reputation for integrity and honesty. Credit makes possible the purchase of goods pending the receipt of income; it enables people with an excess of funds to, in essence, lend the surplus to others for better utilization. A man's ability to obtain credit used to rest on the fact that he had an excellent reputation or possessed property which, under the law, could be seized if he defaulted in payment of his debts. While I am definitely for availability of credit so that more Americans can fulfill their human needs and live in comfort, I am opposed to the current irresponsible mass marketing of credit cards.

I cannot help thinking what effect the continued unchecked marketing of unsolicited credit cards would have on our economy. As John Stuart Mill wrote in 1848 in his "Principles of Political Economy":

> Credit given by dealers to unproductive consumers, is never an addition, but always a detriment, to the sources of public wealth. It makes over in temporary use, not the capital of the unproductive classes to the productive, but that of the productive to the unproductive.

Mr. President, Congress has the responsibility of maintaining a sound national economy, especially when we are confronted with rampant inflation. We must seek ways to stabilize our economy. While the use of credit, and credit cards, has long been a major factor in our economy, the introduction of mass mailings of unsolicited credit cards has had a profound and adverse influence.

According to the report of the Senate Committee on Banking and Currency which accompanied this bill, a survey by the Federal Reserve Board showed that the amount of credit outstanding on bank credit cards doubled from $800 million in December 1967, to $1.7 billion in June of 1969. In addition, the Federal Reserve Board found that many banks, which started credit card plans during the last 2 years, send their cards out on an unsolicited basis. The mass mailing of credit cards has a significant influence on the high level of interest we have today.

In June 1969, it was estimated that almost $13 billion of outstanding debt was owed by all credit-card holders. This, in itself, illustrates the fact that plastic credit, at its current growth rate, will have a tremendous economic influence on the Nation. Credit will continue to be one of the most valuable assets a man will be able to possess. But it should be earned, not given. It should be respected, not abused. The unrestricted mailing of unsolicited credit cards encourages some consumers to spend way beyond their means and to impair their credit rating. Unlimited credit-debt beyond repayment—can only bring financial ruin for

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the individual, and in the end, the country. The more we buy, the less we put into savings. The smaller the amount of available savings through lending institutions, the higher will be the rate of interest on home purchases and other essentials.

Mr. President, the bill does not take away credit cards from anyone, nor does it prohibit banks from marketing their cards in a responsible fashion. It says nothing about the 18 percent a year interest which many credit card users have to pay. Instead, the bill merely provides additional safeguards for the person who receives an unordered credit card in the mail. A new and burdensome rsponsibility has befallen him, for he must either take the time to properly destroy the card, or the time to prove his innocence should the card be used illegally.

Credit cards are here to stay, and could well be the vanguard of the end of currency. In any events safeguards must be provided. The merchant, the banker, and the consumer must all be protected. This legislation is an important step toward this goal.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Idaho (Mr. CHURCH), the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Montana (Mr. MANSFIELD), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wisconsin (Mr. NELSON), the Senator from Georgia (Mr. RUSSELL), and the Senator from Texas (Mr. YARBOROUGH) are necessarily absent.

I further announce that the Senator from Virginia (Mr. BYRD) and the Senator from Washington (Mr. MAGNUSON) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON), the Senator from Connecticut (Mr. DODD), the Senator from Montana (Mr. MANSFIELD), and the Senator from Texas (Mr. YARBOROUGH) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. BENNETT) is absent on official business as observer at the meeting of the Asian Development Bank in Korea.

The Senator from Arizona (Mr. GOLDWATER) is absent on official business.

The Senator from Massachusetts (Mr. BROOKE), the Senator from Kansas (Mr. DOLE), the Senator from New York (Mr. GOODELL), and the Senator from Ohio (Mr. SAXBE) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Maryland (Mr. MATHIAS) and the Senator from Texas (Mr. TOWER) are detained on official business.

If present and voting, the Senator from Utah (Mr. BENNETT), the Senator from Massachusetts (Mr. BROOKE), the Senator from New York (Mr. GOODELL), the Senator from South Dakota (Mr. MUNDT), and the Senator from Texas (Mr. TOWER) would each vote "yea."

The result was announced—yeas 79, nays 1, as follows:

[No. 135 Leg.]

YEAS—79

Aiken
Allen
Allott
Baker
Bayh
Bellmon
Bible
Boggs
Burdick
Byrd, W. Va.
Cannon
Case
Cook
Cooper
Cotton
Cranston
Curtis
Dominick
Eagleton
Ellender
Ervin
Fannin
Fong
Fulbright
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Murphy
Muskie
Packwood
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Schweiker
Scott
Smith, Maine
Smith, Ill.
Sparkman
Spong
Stennis
Stevens
Symington
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—1

Gore

NOT VOTING—20

Anderson
Bennett
Brooke
Byrd, Va.
Church
Dodd
Dole
Eastland
Goldwater
Goodell
Magnuson
Mansfield
Mathias
McCarthy
Mundt
Nelson
Russell
Saxbe
Tower
Yarborough

So the bill (S. 721) was passed, as follows:

S. 721

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103 of the Truth in Lending Act (82 Stat. 146) is amended by redesignating subsections (j), (k), and (l) as subsections (p), (q), and (r), respectively, and by adding after subsection (i) the following:

"(j) The term 'adequate notice', as used in section 133, means a printed notice to a cardholder which sets forth the pertinent facts clearly and conspicuously so that a person against whom it is to operate could reasonably be expected to have noticed it and understood its meaning. Such notice may be given to a cardholder by printing the notice on any credit card, or on each periodic statement of account, issued to the cardholder, or by any other means reasonably assuring the receipt thereof by the cardholder.

"(k) The term 'credit card' means any card, plate, coupon book or other credit device existing for the purpose of obtaining money, property, labor, or services on credit.

"(l) The term 'accepted credit card' means any credit card which the cardholder has requested *and received* or has signed or has used, or authorized another to use, for the purpose of obtaining money, property, labor, or services on credit.

"(m) The term 'cardholder' means any person to whom a credit card is issued or any person who has agreed with the card issuer to pay obligations arising from the issuance of a credit card to another person.

"(n) The term 'card issuer' means any person who issues a credit card, or the agent of such person with respect to such card.

"(o) The term 'unauthorized use', as used in section 133, means a use of a credit card by a person other than the cardholder who does not have actual, implied, or apparent authority for such use and from which the cardholder receives no benefit."

SEC. 2 (a) The Truth in Lending Act (82 Stat. 146) is amended by adding after section 131 the following sections:

"§ 132. Issuance of credit cards

"No credit card shall be issued except in response to a request or application therefor. This prohibition does not apply to the issuance of a credit card in renewal of, or in substitution for, an accepted credit card.

"§ 133. Liability of holder of credit card

"(a) A cardholder shall be liable for the unauthorized use of a credit card only if the card is an accepted credit card, the liability is not in excess of fifty dollars, the card issuer gives adequate notice to the cardholder of the potential liability, the card issuer has provided the cardholder with a self-addressed, prestamped notification to be mailed by the cardholder in the event of the loss or theft of the credit card, and the unauthorized use occurs before the cardholder has notified the card issuer that an unauthorized use of the credit card has occurred or may occur as the result of loss, theft, or otherwise. Notwithstanding the foregoing, no cardholder shall be liable for the unauthorized use of any credit card which was issued on or after the effective date of this section, and, after the expiration of twelve months following such effective date, no cardholder shall be liable for the unauthorized use of any credit card regardless of the date of its issuance, unless (1) the conditions of liability specified in the preceding sentence are met, and (2) the card issuer has provided a method whereby the user of such card can be identified as the person authorized to use it. For the purposes of this section, a cardholder notifies a card issuer by taking such steps as may be reasonably required in the ordinary course of business to provide the card issuer with the pertinent information whether or not any particular officer, employee, or agent of the card issuer does in fact receive such information.

"(b) In any action by a card issuer to enforce liability for the use of a credit card, the burden of proof is upon the card issuer to show that the use was authorized or, if the use was unauthorized, then the burden of proof is upon the card issuer to show that the conditions of liability for the unauthorized use of a credit card, as set forth in subsection (a), have been met.

"(c) Nothing in this section imposes liability upon a cardholder for the unauthorized use of a credit card in excess of his liability for such use under other applicable law or under any agreement with the card issuer.

"(d) Except as provided in this section, a cardholder incurs no liability from the unauthorized use of a credit card.

"§ 134. It shall be unlawful to use the credit card card of another without authorization

"Whoever, in a transaction affecting commerce, uses a credit card without the authorization of the holder shall, upon conviction thereof, be punished by imprisonment for a term not to exceed one year or fined a sum not to exceed $1,000, or both."

(b) The table of contents of chapter 2 of the Truth in Lending Act is amended by adding at the end thereof the following:

"132. Issuance of credit cards.
"133. Liability of holder of credit card."

SEC. 3. The amendments to the Truth in Lending Act made by this Act become effective as follows:

(1) Section 132 of such Act takes effect upon the date of enactment of this Act.

(2) Section 133 of such Act takes effect upon the expiration of 90 days after such date of enactment.

The title was appropriately amended.

Mr. KENNEDY. Mr. President, I move

that the vote by which the bill was passed be reconsidered.

Mr. BYRD of West Virginia. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. BYRD of West Virginia. Mr. President, I have been asked by the able senior Senator from Virginia (Mr. Byrd) to announce that, had he not been unavoidably absent today, he would have supported the Williams' amendment which permits credit card holders to renew unsolicited credit cards which have been accepted by consumers, and he would also have voted in the affirmative on final passage of the bill.

S. 3720—INTRODUCTION OF BILL TO PRESERVE, FOR PURPOSES OF STUDY AND RESEARCH, CERTAIN NEWS AND PUBLIC INTEREST PROGRAMS

Mr. BAKER. Mr. President, I rise to introduce legislation to provide that the Librarian of Congress shall obtain and preserve nationally televised evening news programs and such other nationally televised programs as the Librarian determines to be of substantial public interest. The purpose of the proposal is to insure that the national evening news programs, a unique record of the historic events of our time, will not be forever lost to the country.

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Today the Library of Congress keeps on file either copies or microfilm of every edition of all great newspapers and magazines in the country. No such record is kept on what appears nightly to 40 million Americans on the national news programs. I propose that this enormous vacuum be filled.

On August 5, 1968, Vanderbilt University in Nashville, Tenn., began compiling videotapes of the evening news telecasts of the three major television networks. In addition, the university also begin taping occasional special news programs such as the Republican and Democratic National Conventions. Vanderbilt undertook this project at the instigation of Mr. Paul Simpson, an alumnus and resident of Nashville, who became concerned because there was no permanent preservation anywhere in the country of these news telecasts, not even by the networks themselves. This project was begun after a committee appointed by distinguished university Chancellor Alexander Heard realized the widespread impact that these programs have on the American people and determined that the country was losing forever this record of the events of our time as well as a prime source for research by psychologists, sociologists, political scientists' and economists. The university believes that for a history-making and history-conscious nation the present oversight is an anachronism of considerable proportions.

In short, Vanderbilt undertook and is continuing this project because the university believes it to be in the public interest that a permanent record of this information be maintained. A primary objective of Vanderbilt is to demonstrate that a national agency could and should take over the task.

To this end, I believe that Congress should direct the Librarian of Congress to maintain an updated file of tapes of every national evening news show. Once master tapes of news telecasts are secured, the Library could produce "subject matter tapes" dealing with a particular subject during a given period of time. These subject-matter tapes would be used for purposes of study or research only and would permit, for example, a scholarly investigation of developments over a period of time with regard to the war in Vietnam or what effects television had on a third-party presidential candidate.

The cost of this program should rightly be borne by the Federal Government. The Library of Congress has prepared a cost estimate indicating that there would be an initial nonrecurring equipment cost of $250,000 and an additional annual cost of $162,100. In my judgment, the benefits of obtaining and preserving this material would be well worth this investment.

Mr. President, as I have mentioned, currently every great newspaper in America files editions with the Library of Congress. It is long past time that similar procedures are established for filing the tapes of national news—which is having an ever-increasing impact on American public opinion. It is through the medium of television that many great issues have been brought before the American people, and it is on the national news that the great debates of our time are being carried out.

For all these reasons I am hopeful that the Congress will enact this measure to direct the Librarian of Congress to undertake this project that Vanderbilt University has demonstrated to be both feasible and desirable.

I send the bill to the desk and ask that it be appropriately referred.

The PRESIDING OFFICER (Mr. Schweiker). The bill will be received and appropriately referred.

The bill (S. 3720) to preserve, for purposes of study and research, nationally televised news and public interest programs, introduced by Mr. Baker, was received, read twice by its title, and referred to the Committee on Rules and Administration.

RESOLUTION OF TENNESSEE STATE HEALTH PLANNING COUNCIL ON PRESIDENT NIXON'S ENVIRONMENTAL PROPOSALS

Mr. BAKER. Mr. President, the State health planning council was created in 1967 by act of the General Assembly of the State of Tennessee and is constituted as required under the provisions of Public Law 89-749. Its members are appointed by the Governor of Tennessee for the purpose of advising the State agency administering health planning functions. It has come to my attention that on February 16, 1970, the State health planning council passed a resolution on President Nixon's environmental proposals as envisioned in his message to the Congress of February 10. I ask unanimous consent that the text of the resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution on Amortization of Pollution Control Facilities

Whereas, the Congress, in its deliberations on the Tax Reform Act of 1969, expressly recognized that a significant portion of the burden of pollution control must be borne by private industry, with private industry being asked to make investment which is in part for the benefit of the general public; and

Whereas, in that Act Congress provided a rapid 5-year amortization deduction for certified pollution control facilities placed in service after 1968 and before 1975, in plants which were in operation before 1969; and

Whereas, it is believed that this significant, meaningful tax relief will encourage placing pollution control facilities in many existing plants in Tennessee;

Now, therefore, be it resolved by members of the Tennessee Health Planning Council, that the Congress be commended for enacting this progressive, healthful legislation; and

Be it further resolved that a copy of this Resolution be sent to the Honorable Wilbur Mills, Chairman of the House Ways and Means Committee, to the Honorable Russell Long, Chairman of the Senate Finance Committee, and to all the members of Congress from Tennessee.

RESULTS OF A POLL CONDUCTED BY REPRESENTATIVE EVINS

Mr. BAKER. Mr. President, a distinguished colleague from Tennessee, the Honorable Joe Evins, a Member of the House of Representatives from the Fourth Congressional District, recently conducted a poll on various issues in that district. The Fourth Congressional District is composed of the counties of Anderson, Campbell, Cannon, Clay, Coffee, Cumberland, DeKalb, Fentress, Grundy, Jackson, Morgan, Overton, Pickett, Putnam, Roane, Scott, Smith, Van Buren, Warren, White, and Wilson.

I ask unanimous consent that there be printed in the Congressional Record some of the results of that survey.

There being no objection, the results of the poll were ordered to be printed in the Record, as follows:

Results of Opinion Poll

Eighty percent (10,071) favored the President's plan of gradual withdrawal of American troops from South Vietnam with the South Vietnamese assuming an increasingly greater share of combat responsibility while 13 percent (1,637) were opposed and 7 percent (881) expressed no opinion.

Sixty-nine percent (8,686) were opposed to immediate withdrawal from Vietnam while 17 percent (2,140) were in favor and 14 percent (1,763) listed no opinion.

Sixty percent (7,554) were opposed to continuing the policy of high interest rates and sharp reductions in domestic programs such as aid to education, health and welfare, and rural water district programs, among others, as a means of controlling inflation while 24 percent (3,021) favored the present policy and 16 percent (2,014) gave no opinion.

Sixty-six percent (8,309) were in favor of price and wage controls in the battle against inflation with 23 percent (2,895) against and 11 percent (1,385) giving no opinion.

Seventy-seven percent (9,694) favored a system of revenue sharing of Federal funds with the states with a certain percentage of each year's Federal income being returned to the states to be distributed by the state governments to municipalities and counties with 13 percent (1,637) opposed and 10 percent (1,258) with no opinion.

Fifty-six percent (7,050) favored setting requirements to assure that revenue sharing funds would be expended for worthwhile programs and projects while 36 percent (4,532) were in favor of turning over the Federal funds to the states with no Federal standards for their use.

Forty-seven percent (5,917) were in favor of a professional volunteer army and the complete elimination of the Selective Service System with 41 percent (5,161) opposed and 12 percent (1,511) with no opinion.

Forty-four percent (5,539) were in favor of further reforms of the Selective Service System, eliminating deferments based on college enrollment and hardship situations while 43 percent (5,413) were against and 13 percent (1,637) gave no opinion.

Fifty-six percent (7,050) were opposed to changing the postal system with the operation of the Post Office taken out of the hands of the United States Post Office Department and the Congress and placed under the jurisdiction of a private corporation while 39 percent (4,910) were in favor and 5 percent (629) gave no opinion.

Eighty-nine percent (11,204) were in favor of increased Federal expenditures to control steadily increasing pollution of our environment such as air and water pollution with 9 percent (1,133) opposed and 2 percent (252) giving no opinion.

Sixty-six percent (8,309) were in favor of legislation providing for tax credits to business and industry for locating or expanding plants in rural areas and small towns while 28 percent (3,525) were opposed and 6 percent (755) gave no opinion.

Fifty-four percent (6,798) were in favor of substantial reductions in the space program while 38 percent (4,783) favored the continuation of the space program at present levels.

Eighty-five percent (10,701) were in favor of increased Federal appropriations to strengthen state and local law enforcement agencies and reduce the crime rate in the country with 10 percent (1,259) against and 5 percent (629) giving no opinion.

Seventy-two percent (9,064) were opposed to changing the welfare system with a minimum income of $1,600 guaranteed to all families at an increased cost to the Federal Government of $5 billion per year while 21 percent (2,644) favored the plan and 7 percent (881) gave no opinion.

Seventy-four percent (9,316) were in favor of automatic increases in Social Security tied to the cost of living index with 21 percent (2,644) opposed and 5 percent (629) giving no opinion.

Fifty-nine percent (7,428) were opposed to continuing the Foreign Aid program while 28 percent (3,525) were in favor and 13 percent (1,636) gave no opinion.

RECOMMITTAL OF H.R. 9477 TO THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. KENNEDY. Mr. President, on behalf of Senators JACKSON, HATFIELD, and METCALF, I ask unanimous consent that the bill (H.R. 9477) to provide for the disposition of judgment funds of the Confederated Tribes of the Umatilla Indian Reservation be recommitted to the Committee on Interior and Insular Affairs with instructions to report the bill back no later than May 1, 1970.

The PRESIDING OFFICER. Is there objection?

Mr. GRIFFIN. Mr. President, reserving the right to object——

Mr. HATFIELD. Mr. President, would it be the intention of the leadership to take this matter up as a regular matter on the calendar as quickly thereafter as possible?

Mr. KENNEDY. It would be the intention of the leadership to take it up at the earliest possible opportunity.

Mr. METCALF. Mr. President, I was prepared when this measure came up to ask for the same action, that the bill be recommitted for further hearings. I am derelict in that I did not participate in the hearings. But I would like to have further information on the bill.

I assure my friends, the Senator from Oregon and the Senator from Massachusetts, that after hearings have been held and after the presentation, whatever the committee decides to do, I will acquiesce in that action.

Mr. HARRIS. Mr. President, reserving the right to object, would the Senator state again when the committee is to report the bill back?

Mr. KENNEDY. The committee would be instructed to report the bill back no later than the 1st of May.

Mr. HARRIS. Mr. President, is there some particular reason why the bill would have to be reported back? I am very interested in the matter myself.

Mr. METCALF. Mr. President, I am not sure there should be 100 percent per capita payment in this matter of the Indian claim provision. There are provisions for industrial development, per capita development, on the Indian reservation that would go against almost 100 percent per capita payment.

I feel that some of this money should go into the development of scholarships, hospital provisions, tribal council programs, and so forth; $4 million has already been given and 100 percent per capita payments for the Umatilla Tribe.

There was an Ernst & Ernst report on an industrial development. It has not been completely considered by the committee. I would like to have it presented to the committee, in addition. But again I say that if this additional information is not adequate and is not sufficient, I will not hold up the matter further. I did not want to debate the bill at this time.

Mr. HATFIELD. Mr. President, I would like to add to the comments made by the Senator from Montana (Mr. METCALF) that, as the sponsor of the bill, a fund is provided in this bill for educational purposes. The fund is $200,000 for the benefit of the Indians.

I would further point out that the Umatilla Tribe have talked and voted on the instructions to the Subcommittee on Interior Affairs of the Committee on Interior and Insular Affairs. This was the result of their poll both on and off the reservation. The total number of votes taken favored accepting this on a per capita of about $1,500 per person.

Consequently—we will argue this in committee again—I feel that this is the will and the desire of the Indians themselves. That is the reason I sponsored the bill.

I defer to the Senator from Montana. I am happy to work out this arrangement with him. If he feels that an additional 2 or 3 weeks would be important for his supporting the bill, I am willing.

I point out that there is an item of $200,000 for the Indians, according to the Indian claims settlement that was provided.

Mr. HARRIS. Mr. President, reserving the right to object, I appreciate what has been said by the Senator from Oregon whose statement I support.

I believe the bill which has been reported does reflect clearly the views of the tribe itself and should be speedily passed. It has been delayed for too long. However, based upon what the distinguished Senator from Montana has said, it might be faster to accede to this procedure.

Consequently, I will not now object to the request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

REVISED ORGANIC ACT OF THE VIRGIN ISLANDS AMENDMENTS

Mr. KENNEDY. Mr. President, I move that the Senate proceed to the consideration of calendar No. 712, S. 1148.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1148) to amend the revised organic act of the Virgin Islands.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with an amendment in the nature of a substitute and from the Committee on Agriculture and Forestry with amendments.

The amendment of the Committee on Interior and Insular Affairs are as follows:

Strike out all after the enacting clause and insert:

"SECTION 1. The College of the Virgin Islands and the University of Guam shall after the effective date of this Act be considered land-grant colleges established for the benefit of agriculture and mechanic arts in accordance with the provisions of the Act of July 2, 1862, as amended (12 Stat, 503; 7 U.S.C. 301–305, 307, 308).

"SEC. 2. In lieu of extending to the Virgin Islands and Guam those provisions of the Act of July 2, 1862, as amended, supra, relating to donations of public land or land scrip for the endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts, there is authorized to be appropriated to both the Virgin Islands and Guam the sum of $3,000,000 each. Amounts appropriated under this section shall be held and considered to have been granted to the Virgin Islands and Guam subject to the provisions of that Act applicable to the proceeds from the sale of land or land scrip.

"SEC. 3. The Act of August 30, 1890, as amended (26 Stat. 417; 7 U.S.C. 322–326), is, further amended—

"(1) by striking the words 'and Territory' wherever they appear and substituting in lieu thereof the words ', Puerto Rico, the Virgin Islands, and Guam';

"(2) by striking the words 'and Territories' wherever they appear and substituting in lieu thereof the words ', Puerto Rico, the Virgin Islands, and Guam';

"(3) by striking the words 'or Territory' wherever they appear and substituting in lieu thereof the words ', Puerto Rico, the Virgin Islands, or Guam';

"(4) by striking the words 'or Territories' wherever they appear and substituting in lieu thereof the words ', Puerto Rico, the Virgin Islands, or Guam'; and

"(5) by striking the words 'or Territorial' where they appear.

"Sec. 4. Section 22 of the Act of June 29, 1935, as amended (49 Stat. 439; 7 U.S.C. 329), is further amended—

"(1) by striking the words 'and Puerto Rico' wherever they appear and substituting in lieu thereof the words ', Puerto Rico, the Virgin Islands, and Guam';

"(2) by striking the figure '$7,800,000' and substituting in lieu thereof the figure '$8,100,000'; and

"(3) by striking the figure '$4,320,000' and substituting in lieu thereof the figure '$4,360,000'.

"Sec. 5. The Act of March 4, 1940 (54 Stat. 39; 7 U.S.C. 331), is amended—

"(1) by striking the words 'and Territories' wherever they appear and substituting in lieu thereof the words ', Puerto Rico, the Virgin Islands, and Guam';

"(2) by striking the words 'or Territories' wherever they appear and substituting in lieu thereof the words ', Puerto Rico, the Virgin Islands, or Guam'; and

"(3) by striking the word 'State' wherever it appears in the third proviso of that Act and substituting in lieu thereof the words 'State, Puerto Rico, the Virgin Islands, or Guam'.

"Sec. 6. Section 207 of the Agricultural Marketing Act of 1946 (60 Stat. 1091; 7 U.S.C. 1626), is amended by striking the period at the end of the section and adding the following words: ', and the term "State" when used in this chapter shall include the Virgin Islands and Guam.'

"Sec. 7. Section 3 of the Act of May 8, 1914, as amended (38 Stat. 373; 7 U.S.C. 343), is further amended by redesignating subsection (b) as paragraph (1) of subsection (b) and adding a new paragraph (2) to subsection (b) to read as follows:

" '(2) There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, $100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal Government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act.'

"Sec. 8. Section 10 of the Act of May 8, 1914, as amended (supra), as added by the Act of October 5, 1962 (76 Stat. 745; 7 U.S.C. 349), is amended by striking the words 'and Puerto Rico' and inserting in lieu thereof the words ', Puerto Rico, the Virgin Islands, and Guam'.

"Sec. 9. Section 4 of the Act of October 10, 1962 (76 Stat. 806; 16 U.S.C. 582a–3), is amended by striking the period at the end of the first sentence thereof and adding the following language: ', except that for the fiscal years ending June 30, 1971, and June 30, 1972, the matching funds requirement hereof shall not be applicable to the Virgin Islands and Guam, and sums authorized for such years for the Virgin Islands and Guam may be used to pay the total cost of programs for forestry research.'

"Sec. 10. Section 8 of the Act of October 10, 1962 (76 Stat. 807; 16 U.S.C. 582a–7), is amended by striking the period at the end thereof and adding the words ', the Virgin Islands and Guam.'

"Sec. 11. Section 1 of the Act of August 11, 1955 (7 U.S.C. 361a–361i), is amended by striking the period after the second sentence and adding the words, 'Guam and Virgin Islands,' and deleting 'and' between the words 'Hawaii and Puerto Rico.'

"Sec. 12. Section 3 of the Act of August 11, 1955 (7 U.S.C. 361a–361i), is amended by redesignating subsection (b) as paragraph (1) of subsection (b) and adding a new paragraph (2) as subsection (b) to read as follows:

" '(2) There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, $100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal Government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act.'

"Sec. 13. With respect to the Virgin Islands and Guam, the enactment of this Act shall be deemed to satisfy any requirement of State consent contained in laws or provisions of law referred to in this Act."

The amendments of the Committee on Agriculture and Forestry are as follows:

On page 5, line 18, after the word "to", where it appears the second time, strike out "both the Virgin Islands and Guam the sum of $3,000,000 each", and insert "the Virgin Islands the sum of $714,000 and to Guam the sum of $1,019,000."; in line 24, after the word "land", strike out "script" and insert "scrip."; on page 6, after the word "amended", strike out "(26 Stat. 417; 7 U.S.C. 322–326), is", and insert "and the related portion of the Act of March 4, 1907 (26 Stat. 417; 34 Stat. 1281, 1282; U.S.C. 7 322–326) are"; on page 7, line 4, after the word "figure", strike out "$4,360,000" and insert "$4,324,400;" at the beginning of line 21, strike out the word "chapter" and insert "title"; on page 8, line 1, after the word "adding", strike out "a new paragraph (2), and insert "new paragraphs (2) and (3)"; in line 16, after the word "this", strike out "Act." and insert "Act.

"(3) Four per centum of the sums appropriated under paragraph (2) for each fiscal year shall be allotted to the Federal Extension Service for administrative, technical, and other services provided by the Service in carrying out the purposes of this section.";" on page 9, line 16, after the word "of", where it appears the second time, strike out "August 11, 1955" and insert "March 2, 1887, as amended"; in line 19, after the word "adding", insert "a comma and"; in the same line after the word "and", insert "the"; in line 22, after the word "of" where it appears the second time, strike out "August 11, 1955" and insert "March 2, 1887, as amended"; on page 10, line 1, after the word "adding", strike out "a new paragraph (2) as", and insert "new paragraphs (2) and (3)"; and in line 16, after the word "this", strike out the word "Act." and insert "Act.

"(3) Three per centum of the sums appropriated under paragraph (2) for each fiscal year shall be allotted to the Secretary of Agriculture for administrative, technical and other services provided by the Service in carrying out the purposes of this section."

So as to make the bill read:

S. 1148

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. The College of the Virgin Islands and the University of Guam shall after the effective date of this Act be considered land-grant colleges established for the benefit of agriculture and mechanic arts in accordance with the provisions of the Act of July 2, 1862, as amended (12 Stat. 503; 7 U.S.C. 301–305, 307, 308).

Sec. 2. In lieu of extending to the Virgin Islands and Guam those provisions of the Act of July 2, 1862, as amended, supra, relating to donations of public land or land scrip for the endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts, there is authorized to be appropriated the Virgin Islands the sum of $714,000 and to Guam the sum of $1,019,000. Amounts appropriated under this section shall be held and considered to have been granted to the Virgin Islands and Guam subject to the provisions of that Act applicable to the proceeds from the sale of land or land scrip.

Sec. 3. The Act of August 30, 1890, as amended, and the related portion of the Act of March 4, 1907 (26 Stat. 417; 34 Stat. 1281, 1282; U.S.C. 7 322–326) are further amended—

(1) by striking the words "and Territory" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, and Guam";

(2) by striking the words "and Territories" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, and Guam";

(3) by striking the words "or Territory" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, or Guam";

(4) by striking the words "or Territories" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, or Guam"; and

(5) by striking the words "or Territorial" where they appear.

Sec. 4. Section 22 of the Act of June 29, 1935, as amended (49 Stat. 439; 7 U.S.C. 329), is further amended—

(1) by striking the words "and Puerto Rico" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, and Guam";

(2) by striking the figure "$7,800,000" and substituting in lieu thereof the figure "$8,100,000"; and

(3) by striking the figure "$4,320,000" and substituting in lieu thereof the figure $4,324,400".

Sec. 5. The Act of March 4, 1940 (54 Stat. 39; 7 U.S.C. 331), is amended—

(1) by striking the words "and Territories" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, and Guam";

(2) by striking the words "or Territories" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, or Guam"; and

(3) by striking the word "State" wherever it appears in the third proviso of that Act and substituting in lieu thereof the words "State, Puerto Rico, the Virgin Islands, or Guam".

Sec. 6. Section 207 of the Agricultural Marketing Act of 1946 (60 Stat. 1091; 7 U.S.C. 1626), is amended by striking the period at the end of the section and adding the following words: ", and the term 'State' when used in this title shall include the Virgin Islands and Guam."

Sec. 7. Section 3 of the Act of May 8, 1914, as amended (38 Stat. 373; 7 U.S.C. 343), is further amended by redesignating subsection (b) as paragraph (1) of subsection (b) and adding new paragraphs (2) and (3) to subsection (b) to read as follows:

"(2) There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, $100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal Government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act.

"(3) Four per centum of the sums appropriated under paragraph (2) for each fiscal year shall be allotted to the Federal Extension Service for administrative, technical, and other services provided by the Service in carrying out the purposes of this Section."

SEC. 8. Section 10 of the Act of May 8, 1914, as amended (supra), as added by the Act of October 5, 1962 (76 Stat. 745; 7 U.S.C. 349), is amended by striking the words "and Puerto Rico" and inserting in lieu thereof the words ", Puerto Rico, the Virgin Islands, and Guam".

SEC. 9. Section 4 of the Act of October 10, 1962 (76 Stat. 806; 16 U.S.C. 582a-3), is amended by striking the period at the end of the first sentence thereof and adding the following language: ", except that for the fiscal years ending June 30, 1971, and June 30, 1972, the matching funds requirement hereof shall not be applicable to the Virgin Islands and Guam, and sums authorized for such years for the Virgin Islands and Guam may be used to pay the total cost of programs for forestry research."

SEC. 10. Section 8 of the Act of October 10, 1962 (76 Stat. 807; 16 U.S.C. 582a-7), is amended by striking the period at the end thereof and adding the words ", the Virgin Islands and Guam."

SEC. 11. Section 1 of the Act of March 2, 1887, as amended (7 U.S.C. 361a-361i), is amended by striking the period after the second sentence and adding a comma and the words, "Guam and the Virgin Islands." and deleting "and" between the words "Hawaii and Puerto Rico."

SEC. 12. Section 3 of the Act of March 2, 1887, as amended (7 U.S.C. 361a-361i), is amended by redesignating subsection (b) as paragraph (1) of subsection (b) and adding new paragraphs (2) and (3) to subsection (b) to read as follows:

"(2) There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, $100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal Government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act.

"(3) Three per centum of the sums appropriated under paragraph (2) for each fiscal year shall be allotted to the Secretary of Agriculture for administrative, technical and other services provided by the Service in carrying out the purposes of this section."

SEC. 13. With respect to the Virgin Islands and Guam, the enactment of this Act shall be deemed to satisfy any requirement of State consent contained in laws and provisions of law referred to in this Act.

Mr. MOSS. Mr. President, the territories of the Virgin Islands and Guam are the only remaining areas of the United States which do not have the advantages of a land-grant college. This bill remedies the situation, and ends a longstanding inequity.

Its passage here by the Senate today, and then, I hope, promptly by the House of Representatives, will not only give each of the colleges substantial lump-sum endowment grants, but by bestowing land-grant status on them, will make each of them eligible in the future for grants for teaching, extension work, forestry research, experiment stations, and other programs.

The endowment grant to the University of Guam would be $1,019,000, and the endowment grant to the College of the Virgin Islands would be $714,000. But upon enactment of this bill, each college would become eligible for annual grants of nearly $400,000.

A measure to give land-grant status to these two schools has been pending before the Congress for some time. I introduced a bill in the 90th Congress, but it was not considered, and so I introduced the bill again in this Congress. It was referred in each instance to the Senate Committee on Interior and Insular Affairs, on December 8, 1969, it was favorably reported to the Senate by the Interior Committee. It contained an authorization of $3 million for an endowment grant to each of the colleges. This figure was determined by the Interior Committee members to be fair in view of the fact that both colleges are isolated, and would be more likely to draw a larger number of students, per capita population, than mainland colleges, where most students have a number of colleges to choose from within reasonable distances from their homes.

The bill was pending on the calendar, awaiting action, when the chairman of the Senate Agriculture Committee (Mr. ELLENDER) asked unanimous consent that it be referred for further consideration to the Agriculture Committee. I was not on the floor when this action took place, nor was I advised.

The members of the Agriculture Committee reduced the $3 million endowment grant to $1,019,000 in the case of Guam, and $714,000 in the case of the Virgin Islands. I do not intend to make a fight here on the Senate floor today to restore the funds, because the bill has been too long delayed as it is, but I hope that the other body will restore them. I have conferred a number of times with officials of both colleges, and I am convinced that the larger endowment fund is deserved in each instance, and would be well spent.

I make this statement understanding full well that the endowment grants included in the bill as reported by the Senate Agriculture Committee have been computed in the same manner and on the same ratio basis to population as those awarded the District of Columbia and Hawaii when similar land-grant college bills for them were passed in the 90th Congress.

The important point here, today, however, is that passage of this bill will be a great step toward providing college instruction in agriculture, mechanical arts and the other disciplines in which land-grant colleges excel to the students of Guam and the Virgin Islands. In the past, students from both places seeking such specialized careers have had to apply for admission to States with land-grant colleges, and to pay out of State tuition when, and if, they could be admitted. This has been both uncertain and expensive for them, and it is time that they had the same opportunities other citizens do to get the training of their choice in their own territories.

I hope therefore, that the bill, S. 1148, will be passed today without further delay.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the committee amendments of the Committee on Agriculture and Forestry be agreed to en bloc and that the committee substitute of the Committee on Interior and Insular Affairs, as amended, be treated as original text for the purpose of further amendment.

The PRESIDING OFFICER (Mr. SCHWEIKER). Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, there is a typographical error in the amendment of the Committee on Agriculture and Forestry on page 6, line 4, of S. 1148. "U.S.C. 7" should read "7 U.S.C." and, in behalf of the committee, I send to the desk an amendment and ask that the amendment be modified accordingly.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 6, line 4 change, "U.S.C. 7" to "7 U.S.C.".

The PRESIDING OFFICER. Without objection the amendment is agreed to.

Mr. TALMADGE. Mr. President, the amendments recommended by the Committee on Agriculture and Forestry to the amendment recommended by the Committee on Interior and Insular Affairs to S. 1148 are purely of a technical nature, designed to make the bill accomplish its purpose and to provide treatment for Guam and the Virgin Islands generally on a parity with that accorded the States. The amendments are fully explained at pages 3 through 10 of the report of the Committee on Agriculture and Forestry. They are as follows:

First, the Committee on Interior and Insular Affairs recomended grants under section 2 in lieu of land in the amount of $3 million each for Guam and the Virgin Islands which, that committee said, approximated "on a ratio basis the amount provided the State of Hawaii." The correct amount on this basis is $1,019,000 for Guam and $714,000 for the Virgin Islands. The method of computing these figures is shown in footnote 3 of the table on page 17 of the report of the Committee on Agriculture and Forestry. This treatment will provide Guam and the Virgin Islands with greater annual income than most States obtain from the similar grants which have been received by them. An investment of $1,019,000 at 7 percent will furnish Guam about $70,000 per year; while an investment of $714,000 at 7 percent will furnish the Virgin Islands about $50,000 a year. If Senators will look at the table

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on pages 6 and 7 of the report of the Committee on Agriculture and Forestry, they will see in column (4) the income received in fiscal 1968 by each State from the similar grant received by it. The income accorded Guam and the Virgin Islands is far in excess of the $9,115 obtained by the State of Louisiana, and is considerably in excess of the $36,375 obtained by the State of Utah. Guam and the Virgin Islands would receive many times the $2,505 received by Delaware.

It should be obvious that these grants should be at least reduced to amounts commensurate with the similar grants accorded Hawaii and the District of Columbia, and the amendments of the Committee on Agriculture and Forestry would do this.

Second, the Committee on Interior and Insular Affairs relied on a representation of the Department of the Interior that a $40,000 increase in additional funds under the Bankhead-Jones Act for apportionment on a population basis would result in Guam and the Virgin Islands receiving an additional $20,000 each. As indicated by the letter on page 9 of the report of the Committee on Agriculture and Forestry, this representation was incorrect. All but $4,400 of the $40,000 increase would go to other States, which was not the intention of the Committee on Interior and Insular Affairs. The amendments of the Committee on Agriculture and Forestry would correct this by providing for an increase of $4,400, which is about the amount Guam and the Virgin Islands would receive on a population basis and, with an increase of the total amount to be apportioned by this amount, these grants can be made to Guam and the Virgin Islands without reducing the share of any State.

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Third, at present portions of the funds authorized for grants to States for cooperative extension work and for experiment stations are allotted to the Department of Agriculture. On the recommendation of the Department of Agriculture, the Committee on Agriculture and Forestry has proposed amendments making similar provision with respect to the funds authorized by the bill for these purposes.

The remainder of the amendments of the Committee on Agriculture and Forestry make corrections in spelling, punctuation, and the citations of acts and parts of acts.

The **PRESIDING OFFICER**. The question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER**. The Senator will state it.

Mr. ALLOTT. Mr. President, has the motion to agree to the committee amendments en bloc been agreed to?

The **PRESIDING OFFICER**. The Senator is correct. It has been agreed to, and the substitute amendment as amended has been agreed to.

Mr. MOSS. Could we have third reading?

Mr. ALLOTT. No. The Senator from Colorado is not ready for third reading.

GUAM: TAX HAVEN FOR FOREIGN CORPORATIONS

Mr. President, during the last few days of the second session of the 10th Guam Legislature, a bill was enacted authorizing the exemption of manufacturers of malted fermented beverages who manufacture such beverages in Guam from the levy of the excise tax of 2 cents per 12-ounce bottle and of the levy of the 4-percent gross receipts tax. This bill was signed into law by Governor Camacho of Guam and it became Public Law 10–115. Mr. President, I ask unanimous consent that the text of the bill, bill No. 418, of the 10th Guam Legislature, second regular session, be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

BILL NO. 418—SUBSTITUTE BILL BY COMMITTEE ON TRADE AND TOURISM

An act to amend subsection .0104 of section 19541, the first paragraph of section 19560, and section 19562 of the Government Code of Guam and to add a new subsection 3 to section 53577 of said code to exempt locally manufactured alcoholic beverages from the excise and gross receipts taxes

Be it enacted by the people of the Territory of Guam:

SECTION 1. Subsection .0104 of Section 19541 of the Government Code of Guam is hereby amended to read as follows:

".0104. *Provided,* That a manufacturer or producer, other than a manufacturer of soft drinks or of alcoholic beverages, engaging in the business of selling his products to manufacturers, wholesalers, or licensed retailers, shall not be required to pay the tax imposed in this Act for the privilege of selling such products at wholesale. Nor shall any such manufacturer or producer, other than a manufacturer of soft drinks or of alcoholic beverages, be required to pay the tax imposed in this Act for the privilege of selling products for delivery to the purchaser outside of Guam."

SEC. 2. The first paragraph of Section 19560 of the Government Code of Guam is hereby amended to read as follows:

"SEC. 19560. Excise tax on alcoholic beverages. An excise tax is imposed upon all alcoholic beverages (except alcoholic beverages manufactured in Guam) sold in Guam by manufacturers, manufacturer's agents, rectifiers, or wholesalers, or sellers of alcoholic beverages selling alcohol beverages with respect to which no tax has been paid within areas of which the Federal Government exercises jurisdiction at the following rates."

SEC. 3. Section 19562 of the Government Code of Guam is hereby amended to read as follows:

"SEC. 19562. Alcoholic beverages to which excise tax not applicable. The tax is not imposed upon any alcoholic beverage specifically mentioned in subdivision (a) to (f), inclusive, of Section 19561, nor to any alcoholic beverage manufactured in Guam."

SEC. 4. A new Subsection 3 is hereby added to Section 53577 of the Government Code of Guam to read as follows:

"(3) All taxes now levied by virtue of Subchapter B, Chapter 6, Title XX of the Government Code of Guam, known as the Gross Receipts Tax, shall be abated for a period up to ten (10) years from date of issuance of a qualifying certificate therefor, and as long as said certificate is in force and effect, provided that the gross receipts on which such tax shall be abated have been derived from the sale of alcoholic beverages manufactured in Guam by the manufacturer thereof and that such manufacturer has qualified and continues to qualify for a qualifying certificate covering such manufacturer."

SEC. 5. This Act is an urgency measure.

Mr. ALLOTT. Mr. President, in addition to these tax concessions, the Guam Economic Development Administration has also granted a forgiveness of 75 percent of income tax for 20 years and a forgiveness of 100 percent of the real property taxes for 10 years. Real property taxes in Guam are 3 percent of the assessed valuation and the assessed valuation is based at 35 percent of the appraised value.

Mr. President, this is not a large bill, as bills go, and as they come before the Senate.

The Senator from Colorado has been interested for a long time in the tax situation with respect to various U.S. territories, and particularly the Virgin Islands, Puerto Rico, and Guam.

For this reason I felt compelled to put a "hold" on this bill until such time as we could have an opportunity to discuss the situation on the floor and determine where the United States was going with relation to these territories.

Income taxes are based upon the Federal tax law. In other words, the Federal tax code is adopted for the territory of Guam, except that, all taxes collected are paid into the Guam Territorial Treasury and none are paid into the Federal Treasury. In addition, income taxes withheld from Federal and military employees in Guam are rebated to the territorial treasury, quarterly.

It is very important that this be explained and understood. This fact with respect to Federal income taxes is true also of the other two territories I have named, those other two territories being the Virgin Islands and Puerto Rico, although technically Puerto Rico is not classified as a territory any more; it is really a commonwealth.

In each of these places we give practically all of the grant privileges to the citizens of these territories that a citizen of the United States has. However, in Guam they collect—not the IRS, but their own collectors—Federal income taxes. That is true in the Virgin Islands. It is true in Puerto Rico. That money is paid into the respective treasuries of those three places. Not a penny of that money ever finds its way into the Federal Treasury to help support the grant-in-aid programs that the people in this country provide to those particular places to try to help them along economically.

In other words, we have a situation in which all of the Federal income tax raised in those areas is paid directly into those territorial treasuries. On the one hand, we tax ourselves here in the United States to give them the benefit of money and innumerable grant-in-aid programs of one kind or another. On the other hand, the taxes that they raise by way of Federal income taxes do not contribute one penny to those aid programs.

The justification for these tax concessions is to induce industry to locate in Guam. This, of course, is an appropriate interest of the government of Guam and the Guam Economic Development Authority has been authorized to grant income and real property tax concessions to other industries who are willing to locate in Guam. The difficulty is that these two new tax concessions are discriminatory in that they are not being granted to new industry generally. The San Miguel Brewery is the recipient of these tax benefits, but they are not granted to new industry generally in Guam. So it is a clear-cut case of tax preference for one company.

As Senators who have served in the Pacific know, San Miguel operates a major brewery in the Philippines. I am informed that the Guam subsidiary is presently owned by Neptunia Ltd., a Hong Kong corporation, and that substantial shareholders of Neptunia are U.S. citizens.

I am informed that San Miguel plans to construct a $3.5 million brewery facility on the strength of these tax concessions. The tax concessions will permit San Miguel to recover their capital investment in 7 to 9 years.

Just imagine being able to come in and start a new business and make a very large capital investment in that business, and being able to recapture the investment in 7 to 9 years.

With this amortization period in mind, consider the tax benefits granted, not generally to new business coming in to Guam—which we would all like to see and which would help them become self-supporting—but to this one business:

First. Forgiveness of 75 percent of income tax for 20 years;

Second. Total exemption from real property taxes for 10 years;

Third. Total exemption from the gross receipts tax for a period of 10 years, "from date of issuance of a qualifying certificate therefore, and as long as said certificate is in force and effect" in other words, until the Guam Legislature, I presume, decided to revoke the certificate.

Fourth. Total exemption from the 2 cents per 12-ounce bottle of beer excise tax, with no time limitation.

I believe that the excise tax exemption, particularly, is discriminatory against goods manufactured in the United States and marketed in Guam. It should be noted that U.S. corporations doing business in Guam are treated as foreign corporations and a 30-percent foreign corporation tax is imposed upon such U.S. corporations. So here again is a discriminatory tax made against the very citizens of the United States who, in turn, are subsidizing the territory of Guam.

Guam is a recipient of grants of funds from the U.S. Federal Government under a great variety of programs, yet none of the taxes collected in Guam go to help support the Federal Government. As an example, Guam received $6,065,235 in 1969 from a variety of grant-in-aid programs. In addition, Guam received $6,402,000 from the Federal Treasury under the Guam Rehabilitation Act.

Mr. President, I ask unanimous consent that a tabulation of the various grant-in-aid programs as found on pages 45 and 46 of the 1969 Annual Report of Guam to the Secretary of Interior be printed in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Government of Guam—General fund revenue statement fiscal year 1969 (partial)

Grants-in-aid:	
School operation and maintenance	$1,233,824
Expansion and development of expansion	24,914
Vocational education	114,605
Crippled children services	238,920
Vocational rehabilitation	95,550
Public health services	610,981
Professional personnel in the education of handicapped children	39,302
Maternal aid child health services	155,018
Public assistance	559,325
Fish and wildlife restoration	22,256
Civil defense	19,056
Elementary and secondary education	302,565
Manpower training and development program	22,348
Basic adult education	26,379
Upward Bound	45,730
Work study program	46,187
Appropriated receipts:	
MDTA—Stenographer	17,847
ESEA—Title I	28,876
ESEA—Title III	229,932
ESEA—Title VI-A	60,000
Public Law 88-452—Follow-through state technical assistance	4,927
Appropriated receipts:	
Public Law 85-926—Education of handicapped children	50,000
VEA—1963	54,000
Public Law 81-815—School Construction	903,710
HEA—1965—Title I	33,534
HEA—1965—Title III	150,000
HEA—1965—Title V, part (s)D	10,000
HEFA—Title I	21,005
NDEA—English for speakers of other languages	3,960
EOA—1964—Title II	48,374
Nurses Training Act—1964	318,179
State Technical Services Act—1965	25,000
National Foundation on the Arts and the Humanities	4,400
National Endowment for the Arts	30,909
Library Services and Construction Act—Title II	58,324
Commercial Fisheries Research and Development Act	20,500
Federal agricuture extension services	15,000
P.H.S. Act—Title VI—Hospital and medical facilities	328,942
Older Americans	73,000
Private sources	17,856
Subtotal	6,065,235
Rehabilitation Act	6,402,000
Total	12,467,235

Mr. ALLOTT. It should also be noted—and I am sure this will raise more than a few eyebrows, and I am sure it will raise a few hackles—that $8,874,476 of income tax collected from military personnel stationed in Guam was paid into the Guam Territorial Treasury by the U.S. Treasury.

They not only retained in Guam, for their own use, subject solely to the disposition of the Guam Legislature, all of the Federal income taxes which are collected there—not by IRS agents from the United States, but by their own collectors—but they also retained almost $9 million of Federal income taxes collected from the military personnel stationed by the United States in Guam.

Mr. President, the bill before us provides for the further contribution of Federal funds to Guam. It provides land-grant status to the University of Guam. Personally, I would have no objection to this except that I find it difficult to authorize further grants-in-aid to a jurisdiction which discriminates against U.S. corporations in its taxing policies. Particularly when it is the taxes of those U.S. corporations which help support the grant-in-aid program.

Mr. President, this bill was reported out of the Committee on Interior and Insular Affairs, and, as the distinguished representative of the Committee on Agriculture and Forestry has suggested, it was thereupon referred to that committee because it is a measure that would affect land-grant colleges, and land-grant colleges receive their money under the Morrill program.

I would point out that in the bill before us, we would endow two schools, the College of the Virgin Islands with the sum of $714,000, and the University of Guam with the sum of $1,019,000.

To keep the matter somewhat in perspective, I must recall, for the benefit of the Senate, that after Hawaii was admitted to statehood, she had no lands under which she could make a selection under the Morrill Act, and so Congress appropriated to Hawaii $6 million in lieu of the benefits which other land-grant colleges have obtained under the Morrill Act.

In my view the time has come for the Congress to take a long hard look at the tax arrangement which we have with the territories. This is underscored by the fact that I have been unable to secure an up-to-date copy of the Government Code of the Territory of Guam in the city of Washington. I have attempted to acquire it at both the Department of Interior and the Library of Congress and so far as I have been able to determine the latest information concerning the legislative enactments of the territorial legislature is the 1964 cumulative pocket supplement to the 1961 Revised Government Code of the Territory of Guam.

The chairman of the committee (Mr. JACKSON) has indicated that early hearings will be scheduled upon S. 3155, a bill to clarify the application of the tax on the transfer of funds to a U.S. corporation from a Guam subsidiary. I believe that it would be appropriate to conduct a thorough investigation and review of not only Guam's taxing policies, but also the provisions of the organic act under which such discriminatory taxing practices as I have discussed today are permitted to occur.

According to a tabulation in the 1969 Annual Report of Guam's Washington representative, Federal expenditures in Guam for fiscal year 1969 amounted to $174,404,028.

Mr. President, I ask unanimous consent that the tabulation appearing on page 35 of the 1969 Annual Report of Guam's Washington representative be printed in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

APPENDIX "A"—SUMMARY OF FEDERAL EXPENDITURES IN GUAM, FISCAL YEAR 1969

Department or agency	Financial assistance programs (grants, loans, etc.)	Other expenditures (salaries, direct payments, etc.)	Total Federal expenditures
Departments:			
Agriculture	$417,198	$40,000	$457,198
Commerce	3,000	163,400	166,400
Defense	18,000	143,635,000	143,653,000
Health, Education, and Welfare	6,893,563		6,893,563
Housing and Urban Development	2,359,800		2,359,800
Interior	10,024,167	293,800	10,317,967
Justice	146,345	269,329	415,674
Labor	355,200	40,000	395,200
Post Office		1,163,800	1,163,800
State			
Transportation		4,920,352	4,920,352
Treasury		9,056	9,056
Independent agencies:			
Office of Economic Opportunity	$603,749	$42,300	$646,049
National Aeronautics and Space Administration		1,600,000	1,600,000
Foundation on the Arts and the Humanities	35,309		35,309
Selective Service		55,221	55,221
Small Business Administration	95,300	68,000	163,300
U.S. Civil Service Commission		586,939	586,939
Veterans Administration		463,000	463,000
Judiciary: U.S. District Court of Guam		102,200	102,200
Total	20,951,631	153,452,397	174,404,028

Note: Itemized listings and an explanation of expenditures by program and activity appear on pp. 36 through 62.

Mr. ALLOTT. It is most difficult in my opinion, to justify the treatment of U.S. corporations as foreign corporations and on the other hand to grant discriminatory tax concessions to foreign corporations which provide no tax support for the grant-in-aid programs Guam so eagerly pursues and receives. The Senate Interior Committee should review in depth its policies with regard to the territories.

I am led to believe, Mr. President, that when we consider the bill I have just mentioned, we will go into this matter more fully.

Mr. TALMADGE. Mr. President, will the distinguished Senator from Colorado yield?

Mr. ALLOTT. I am happy to yield.

Mr. TALMADGE. I have listened with interest to the Senator's remarks, and I dare say there is some merit in the argument that he makes that the territories do escape the tax burdens that the States carry, and receive many of the benefits of statehood nevertheless.

That is a matter, in my judgment, for the determination of the appropriate committees that may have jurisdiction. The Senator has stated that the Committee on Interior and Insular Affairs would look into the matter carefully, and I can assure the Senator that, pursuant to whatever jurisdiction the Committee on Finance may have, we would be happy to consider it also.

I would point out, however, that the subject matter of the bill that is pending before the Senate does not relate to the wisdom or lack of wisdom of the taxing policies involving the territories. That is a matter, I think, that ought to be considered in separate legislation.

Mr. ALLOTT. I thank the Senator, and of course he is entirely correct.

But, on the other hand, we are appropriating an amount here which is another grant-in-aid to the Territory of Guam, and I am sure that the Senator will agree with me that there is no more appropriate place to discuss it than upon this particular bill.

Mr. TALMADGE. I agree that it is entirely appropriate for discussion at any time, but I think to try to legislate on the matter would be something that ought to be considered in the context of a bill relating to that subject, after appropriate hearings before the appropriate committee having jurisdiction.

Mr. ALLOTT. The Senator is correct; and when we get to this other matter, I think probably there may be features of it that will have to be referred to the Committee on Finance, of which the Senator is a distinguished member.

However, I feel very strongly that the discussion we have had here today is entirely appropriate. I think it is entirely related to the subject matter of this bill, and that is the reason I have brought it up today.

I think it might be interesting to read, from one of the documents I have inserted in the RECORD, the subjects of some of the grants-in-aid.

They include school operation and maintenance, expansion and development of education, vocational education, crippled children's services, vocational rehabilitation, public health services, professional personnel in the education of handicapped children, maternal aid, child health services, public assistance, fish and wildlife restoration, civil defense, elementary and secondary education, manpower training and development program, basic adult education, Upward Bound, work-study program, and from there on down, about 20 more headings. They will all appear in the RECORD, Mr. President.

The purpose of my discussion today is to make a record on this issue, because, for some reason or other, either because it has not been known or for some other reason—I think basically because these places are far away from us, and it is not generally known—no one seems to have taken a particular interest in it. I think it is time for us to take an interest, and particularly I think it is time for us to take an interest in these grant-in-aid programs in support of these places, when the people there do not pay $1 to the Federal Government of the United States in taxes. Particularly is this true when the territories discriminate against U.S. corporations which are paying the very taxes which produce these grant-in-aid programs for them, and from which they benefit so greatly.

Mr. President, I yield the floor.

Mr. MOSS. Mr. President, I think there is much merit in what the Senator from Colorado has said, but I agree with the Senator from Georgia that it is not a part of the bill which we are considering.

The policy of the U.S. Government has heretofore been set as to whether taxation should be remitted directly into the treasuries of the territories and the Commonwealth of Puerto Rico, instead of into the Treasury of the United States. We might wish to reconsider that. We might be properly concerned about some tax privileges that have been extended.

But what we are focusing on today, and what I hope we will now dispose of, is also a general policy of the United States, of providing a land-grant college system, so that the same type of vocational agricultural instruction is available in all of the States and in the territories of the United States.

We have extended it to the Commonwealth of Puerto Rico. The only areas left unassisted as I have pointed out, are the two in the bill before us today. I, therefore, hope we can pass this measure and get that part done, and then go on, at an appropriate time, to consider the issues the Senator from Colorado has raised.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1148) was passed, as follows:

S. 1148

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The College of the Virgin Islands and the University of Guam shall after the effective date of this Act be considered land-grant colleges established for the benefit of agriculture and mechanic arts in accordance with the provisions of the Act of July 2, 1862, as amended (12 Stat. 503; 7 U.S.C. 301–305, 307, 308).

SEC. 2. In lieu of extending to the Virgin Islands and Guam those provisions of the Act of July 2, 1862, as amended, supra, relating to donations of public land or land-scrip for the endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts, there is authorized to be appropriated to the Virgin Islands the sum of $714,000 and to Guam the sum of $1,019,000. Amounts appropriated under this section shall be held and considered to have been granted to the Virgin Islands and Guam subject to the provisions of that Act applicable to the proceeds from the sale of landscrip.

SEC. 3. The Act of August 30, 1890, as

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amended, and the related portion of the Act of March 4, 1907 (26 Stat. 417; 34 Stat. 1281, 1282; 7 U.S.C. 322–326) are further amended—

(1) by striking the words "and Territory" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, and Guam";

(2) by striking the words "and Territories" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, and Guam";

(3) by striking the words "or Territory" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, or Guam";

(4) by striking the words "or Territories" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, or Guam"; and

(5) by striking the words "or Territorial" where they appear.

Sec. 4. Section 22 of the Act of June 29, 1935, as amended (49 Stat. 439; 7 U.S.C. 329), is further amended—

(1) by striking the words "and Puerto Rico" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, and Guam";

(2) by striking the figure "$7,800,000" and substituting in lieu thereof the figure "$8,100,000"; and

(3) by striking the figure "$4,320,000" and substituting in lieu thereof the figure "$4,324,400".

Sec. 5. The Act of March 4, 1940 (54 Stat. 39; 7 U.S.C. 331), is amended—

(1) by striking the words "and Territories" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, or Guam"; and

(2) by striking the words "or Territories" wherever they appear and substituting in lieu thereof the words ", Puerto Rico, the Virgin Islands, or Guam"; and

(3) by striking the word "State" wherever it appears in the third proviso of that Act and substituting in lieu thereof the words "State, Puerto Rico, the Virgin Islands, or Guam".

Sec. 6. Section 207 of the Agricultural Marketing Act of 1946 (60 Stat. 1091; 7 U.S.C. 1626), is amended by striking the period at the end of the section and adding the following words: ", and the term 'State' when used in this title shall include the Virgin Islands and Guam."

Sec. 7. Section 3 of the Act of May 8, 1914, as amended (38 Stat. 373; 7 U.S.C. 343), is further amended by redesignating subsection (b) as paragraph (1) of subsection (b) and adding new paragraphs (2) and (3) to subsection (b) to read as follows:

"(2) There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, $100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal Government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act.

"(3) Four per centum of the sums appropriated under paragraph (2) for each fiscal year shall be allotted to the Federal Extension Service for administrative, technical, and other services provided by the Service in carrying out the purposes of this section."

Sec. 8. Section 10 of the Act of May 8, 1914, as amended (supra), as added by the Act of October 5, 1962 (76 Stat. 745; 7 U.S.C. 349), is amended by striking the words "and Puerto Rico" and inserting in lieu thereof the words ", Puerto Rico, the Virgin Islands, and Guam".

Sec. 9. Section 4 of the Act of October 10, 1962 (76 Stat. 806; 16 U.S.C. 582a–3), is amended by striking the period at the end of the first sentence thereof and adding the following language: ", except that for the fiscal years ending June 30, 1971, and June 30, 1972, the matching funds requirement hereof shall not be applicable to the Virgin Islands and Guam, and sums authorized for such years for the Virgin Islands and Guam may be used to pay the total cost of programs for forestry research."

Sec. 10. Section 8 of the Act of October 10, 1962 (76 Stat. 807; 16 U.S.C. 582a–7), is amended by striking the period at the end thereof and adding the words ", the Virgin Islands and Guam."

Sec. 11. Section 1 of the Act of March 2, 1887, as amended (7 U.S.C. 361a–361i) is amended by striking the period after the second sentence and adding a comma and the words, "Guam and the Virgin Islands," and deleting "and" between the words "Hawaii and Puerto Rico."

Sec. 12. Section 3 of the Act of March 2, 1887, as amended (7 U.S.C. 361a–361i), is amended by redesignating subsection (b) as paragraph (1) of subsection (b) and adding new paragraphs (2) and (3) to subsection (b) to read as follows:

"(2) There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, $100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal Government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act.

"(3) Three per centum of the sums appropriated under paragraph (2) for each fiscal year shall be allotted to the Secretary of Agriculture for administrative, technical and other services provided by the Service in carrying out the purposes of this section."

Sec. 13. With respect to the Virgin Islands and Guam, the enactment of this Act shall be deemed to satisfy any requirement of State consent contained in laws or provisions of law referred to in this Act.

Mr. TALMADGE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MOSS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The title was amended, so as to read: "A bill to constitute the College of the Virgin Islands and the University of Guam land-grant colleges, and for other purposes."

MOB JEERS AMBASSADOR HOLLAND IN SWEDEN

Mr. ALLOTT. Mr. President, on Tuesday our new Ambassador to Sweden, Dr. Jerome H. Holland, was subject to outrageous indignities from a mob in Sweden described as "antiwar demonstrators."

They shouted "Nigger! Nigger!" at Ambassador Holland as he entered the Royal Palace to present his credentials to King Gustaf VI Adolf.

Mr. President, the position of U.S. Ambassador to Sweden has been unfilled since January 1969. Perhaps we have been too swift, rather than too slow, in filling that position. It is intolerable that any American—and least of all a man of Ambassador Holland's distinction—should be subjected to such abuse.

Of course, there is no reason why those Swedes who are so inclined should not protest wars until they are absolutely content. After all, Sweden is such a peace-loving country that it could not bring itself to join in the war against the National Socialist Third Reich.

But surely it is not asking too much to suggest that protesting Swedes leave their racist epithets at home when next they take to the streets to advise the United States on how to run a moral foreign policy.

Mr. President, it is well known that some Swedes have very highly developed moral sensitivities. These Swedes are the world's foremost givers of gratuitous advice. In fact, unsolicited moralizing is that nation's No. 1 export.

But perhaps the moralizing Swedes will take time off from advising the rest of the world on how to measure up to Swedish standards. Perhaps they will take time off to follow the Biblical injunction, "Physician, heal thyself."

The Swedish Government has announced that it intends to apologize to Ambassador Holland for the indignity he suffered. We trust the Swedish Government will suggest to Swedish mobs that they reform their manners before they undertake to reform the world.

I ask unanimous consent to have printed in the Record an article published in the New York Times of today.

There being no objection the article was ordered to be printed in the Record, as follows:

War Foes Jeer New U.S. Envoy As He Enters Palace in Sweden

Stockholm, April 14.—The new United States Ambassador, Jerome H. Holland, said today that he was greeted by shouts of "Nigger! Nigger!" by Swedish antiwar demonstrators as he entered the royal palace to present his credentials to King Gustaf VI Adolf.

"I only heard this kind of thing in the most racially-biased areas of the United States before and I resent it," Mr. Holland said at a news conference. He said that he regarded the incident as "a blow below the belt."

The demonstrators waved placards outside the palace. While Mr. Holland and the King talked for an hour, the police arrived and charged four demonstrators with having created a disturbance.

More than 50 demonstrators milled around the front gates of the palace. Mr. Holland left the palace by the back door. He also left the Stockholm airport by a back exit last week to escape demonstrators on hand when he arrived.

Mr. Holland is a former All-America football player and president of Hampton Institute in Hampton, Va. He is the fourth Negro appointed by President Nixon to an ambassadorial post.

The post of United States Ambassador to Sweden had been vacant since January, 1969, when the previous envoy, William W. Heath, resigned at the time that the Nixon Administration assumed office. There have been differences between the two countries over Sweden's opposition to United States policy in Vietnam.

GOVERNMENT TO APOLOGIZE

STOCKHOLM, April 14.—The Government announced tonight that it would apologize to Ambassador Holland.

Mr. ALLOTT. Mr. President, I feel particularly strong about this matter because Ambassador Holland, a gentleman 54 years of age, is such an outstanding American. His wife, Laura, and two of his children are in Sweden with him. He has a doctor of philosophy degree from the University of Pennsylvania and probably a half dozen or more honorary degrees from other schools in the United States.

He is really a rugged man. He is really a great man. He is one of the great leaders of this country today. As president of Hampton Institute, before he took this position, he stood foremost among the educators of this country. He was twice an All-American end at Cornell.

Mr. PROXMIRE. Mr. President, will the Senator yield on that point?

Mr. ALLOTT. May I add that he is also enshrined in the Football Hall of Fame. I yield.

Mr. PROXMIRE. May I say that, when I was at Yale, I recall watching Bud Holland play as an end, and he was a great one. I have never seen a man play with more skill and devotion and ability. I was tremendously impressed by him.

Bud Holland had to operate under very difficult circumstances. In the Ivy League, at that time, he was the only Negro. He was an active athlete. He conducted himself with such dignity and such respect, and he was so impressive as a man, as a gentleman, as well as a great athlete, that I could not resist joining the Senator from Colorado in his excellent statement today in paying tribute to a man who has had a great record in the past, and is a fine Ambassador. I think President Nixon deserves a great deal of credit for making this appointment.

Mr. ALLOTT. I thank the Senator. If more Senators were in the Chamber, I am sure many others would join in the sentiments expressed so well by the Senator from Wisconsin, which I feel myself.

To conclude, Mr. President, Ambassador Holland was for 17 years a college president, at Delaware State College from 1953 to 1960, and at Hampton Institute from 1960 to 1970. I, like the distinguished Senator from Wisconsin, think that the selection of Ambassador Holland was a selection that President Nixon made of which we can all be proud.

I will go further and say this: Despite the reception Dr. Holland received in Sweden—and it must be noted that this is not from the heads of state but from the usually willy-nilly raucous mobs that seem to invade streets all over the world today—I am going to predict that before Dr. Holland leaves that post, he will have clothed it with a dignity and ability which even the Swedes themselves will praise in the most laudatory and magnificent terms. History will tell whether I am wrong or right, but I have this feeling about him. I feel that he is one of our great Americans, and I feel sure that he is going to prove it to the Swedish Government before he leaves there.

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GREAT LAKES SHOULD BE UTILIZED FOR SHIPPING MILITARY CARGO OVERSEAS

Mr. PROXMIRE. Mr. President, during the 1969 shipping season on the Great Lakes, the Defense Department conducted a test program involving the shipment of military cargo overseas. The cargo was cargo which had been produced in the Midwest, and the program involved shipping it from Midwest ports via the St. Lawrence Seaway. This was an alternative to routing cargo overland by rail to tidewater ports for transfer to oceangoing vessels. The test program was undertaken at the suggestion of the General Accounting Office, in the belief that the all-water method of routing would prove cheaper and more efficient than the two-part method of shipment.

The report was made available by the Pentagon the week before last. It concludes that—

> the DOD, because of the mix of its cargo and its lack of retrograde traffic, cannot operate controlled vessels economically in Great Lakes ports.

This conclusion is bound to be a disappointment to all those who depend on Great Lakes shipping. But it by no means implies that the test program was a failure. On the contrary, the test program is the first step—a very necessary first step—in ultimately clearing the way for cargo which is manufactured in the Midwest to use midwest ports, to use the Great Lakes and the St. Lawrence Seaway for overseas shipment.

First, as to the test program itself, a number of questions remain unresolved. For example, the report states that the program would have done better if a more efficient mix of cargo had been generated, and if more inbound—retrograde—cargo had been carried. But how could a more efficient mix of cargo be achieved? Could not ship schedules have been aranged to provide for this? And what explains the fact that the level of retrograde was only half that usually carried by military vessels? Was every effort made to provide the maximum amount of retrograde for the test, so that test results would be meaningful?

I have written to Comptroller General Staats and asked for an independent appraisal of these issues. I ask unanimous consent that my letter to the Comptroller General be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. These questions aside, the report candidly acknowledges that cost savings can be achieved by routing military cargo through Great Lakes ports:

> On the other hand, we believe that the test indicates that a commercial U.S. flag operator could improve substantially upon DoD experience by carrying additional commercial general cargo outbound and attracting inbound cargo. For example, the DoD's average outbound lift during the test was 5,929 measurement tons (MT's). Assuming other things remained equal, an average inbound payload of about 2,000 MT's would have resulted in a break-even operation. A further increase in outbound or inbound tonnage levels would result in lower costs than shipment via East and Gulf coast ports.

There is nothing surprising about this conclusion that cargo produced in the Midwest can be handled more cheaply by midwest ports. It is a well known fact that 35 percent of all military cargo originates in the Great Lakes region. When this cargo is transported overland by rail to tidewater ports, as it has in the past, this results, according to the DOD report, "in additional transportation expenses being incurred because of the additional line haul cost necessary to move the cargo to those ports."

There is a huge discrepancy between the amount of military cargo that is produced in the Midwest and the amount that is actually shipped through its ports. In 1968, for example, the year prior to the military cargo test program, a total of 2,000 measurement tons of military cargo was handled by Great Lakes ports. This is less than one-hundredth of 1 percent of the 30 million tons the Pentagon ships overseas each year. Even last year, with the test program in effect, only 68,600 tons of military cargo went through the lakes. This is still only twenty-three one-hundredths of 1 percent of all military cargo shipped overseas—a pittance by comparison to the 35 percent of cargo which the Midwest generates.

Mr. President, the answer is clear. If ships under charter to the military cannot handle this cargo economically, then we must make it possible for DOD's alternative suggestion to be implemented: shipping the midwest-manufactured military cargo on commercial vessels.

The chief advantage of commercial ships is that it would solve the retrograde problem. In the 1969 test program, only 3,410 tons of retrograde—returning cargo—were brought back, an average of 310 tons per sailing. The ships were coming back just about empty because military ships are restricted by law to carrying military cargo only. But commercial ships would not be subject to this restriction, and could carry nonmilitary cargo on the return voyage. Commercial ships could operate with a full load in both directions—military going over, mostly nonmilitary coming back—and the opportunity for achieving cost savings would improve dramatically.

Ideally, the commercial vessels should be U.S.-flag carriers. This Senator would be delighted if a U.S.-flag operator could be persuaded to serve Great Lakes ports, and we should do all in our power to encourage such service. But historically U.S.-flag carriers have not brought their ships into the Great Lakes. Foreign-flag lines carry virtually all of the export-import cargo shipped through the St. Lawrence Seaway. And there is little reason to expect this to change in the near future.

Consequently, for the near future at least, the only way that military cargo in substantial quantities can be moved through the lakes and the seaway would be to put it on foreign-flag ships. According to the GAO, to clear the way for foreign-flag ships it would be necessary to modify the Cargo Preference Act (10

U.S.C. 2631). Such a modification would provide that where American-flag shipping is not available at all, and where the cost to the Government would be lower, and where national security would not be impaired, military cargo may be placed on foreign-flag vessels for shipment overseas. To that end, I propose for the Senate's consideration the following proviso to the Cargo Preference Act:

> Provided, however, that if the President finds those vessels are not readily available at a U.S. port, or range ports, the provisions of this section shall not apply, and such supplies may be transported on foreign owned vessels at such port or range of ports if the national security will not be impaired and the total transportation cost shall be less than that applicable at another port or range of ports where vessels of the United States or belonging to the United States are readily available.

Mr. President, this amendment would in no sense be directed against the American merchant marine. American-flag carriers are perfectly free to go after this cargo, and if they do, the Cargo Preference Act will continue to assure them of freedom from foreign-flag competition. This amendment would only come into play where, as here, American-flag carriers have declined the opportunity to go after this business. In such an event, there is no reason why the Government should continue to pay the higher line-haul costs to the tidewater ports when cheaper and more efficient service is available at nearby Great Lakes ports.

Mr. President, the administration's maritime legislation is now before the Senate Commerce Committee. As chairman of the Great Lakes Conference of Senators, I have been working closely with my colleague from Michigan, the distinguished minority whip, to insure that this legislation takes into account the legitimate interests of the Great Lakes and makes specific provision for them. This amendment to the Cargo Preference Act is an outgrowth of our efforts, and the efforts of the entire Great Lakes Conference of Senators.

We are convinced that such an amendment is the only way the Great Lakes are going to achieve parity with other regions of the country in competing for this cargo. It is fair, and it would save the Government money. It deserves the support of a majority of the Senate.

EXHIBIT 1

APRIL 8, 1970.

Mr. ELMER B. STAATS,
Comptroller General, General Accounting Office, Washington, D.C.

DEAR MR. STAATS: Last week the Defense Department released a report on the military cargo shipping program that it conducted during the 1969 season in the Great Lakes. The report concludes that because excess costs were incurred, the Defense Department "cannot operate controlled vessels economically in Great Lakes Ports."

However, the report is extremely vague on just how these excess costs came about. It is unclear whether the excess costs are inherent in any program involving the use of military vessels to carry Midwest-produced military cargo via the Seaway, or whether the excess costs resulted from poor management on the part of those running the program.

To help shed some light on this, I would highly value your comments on the following questions:

How could a more efficient mix of cargo have been achieved? Shouldn't it have been possible to secure a higher proportion of general cargo, and a lower percentage of vehicles on outbound trips? Couldn't the ship schedules have been rearranged to provide for this?

Since the major blame for increased costs seems to be the lack of retrograde cargo on return trips, what explains the fact that the retrograde was only half the usual ten percent retrograde carried by military vessels? Was every effort made to provide the maximum amount of retrograde for the test? Couldn't more have been done to bring together household goods for the return voyages?

Although the report indicates that GAO worked jointly with DOD in evaluating the data, I believe an independent investigation of these issues by GAO would be most useful, and I look forward to hearing from you.

Sincerely,

WILLIAM PROXMIRE,
U.S. Senator.

Mr. GRIFFIN. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Michigan.

Mr. GRIFFIN. I want to commend the distinguished Senator from Wisconsin for a statement which is very useful in analyzing objectively the test program which was instituted in regard to military cargo. He makes some pertinent points. In his analysis of that test program and some of its shortcomings, and as chairman of the Conference of Great Lakes Senators, he has helped to focus attention upon the discriminatory policies which have been in effect and, unfortunately, continue to be in effect so far as Great Lakes shipping is concerned.

His amendment to the Cargo Preference Act deserves the careful attention of the appropriate committees of the Senate. In addition to that, as he has pointed out, I think that the legislation which seeks to implement the administration's maritime program needs amending in order to underscore the fact that we do have another seacoast in the Great Lakes. I am very much pleased that Administrator Gibson, in testifying before the Merchant Marine Subcommittee of the Commerce Committee, recently did indicate some inclination to look with favor upon such an amendment.

I am frankly disappointed that they were not in the original legislation, but I think that with the bipartisan support of the Conference of Great Lakes Senators, and the leadership which the distinguished Senator from Wisconsin is providing, we can make important improvements in that legislation. Certainly the amendment he has suggested today will be very helpful.

Mr. PROXMIRE. Mr. President, I want to thank the distinguished Senator from Michigan very, very much. His support means a great deal to this. We have no chance of getting it through except on a bipartisan basis. This is completely nonpartisan. It is an effort to help a section of the country that has been shamefully neglected.

Just think of this: We have the St. Lawrence Seaway which was constructed at great cost to the American and Canadian taxpayers. This is a seaway that would give us a fourth seacoast with a much better economic potential for operation. It lies in an area where we develop 35 percent, more than one-third, of all the products used by the Department of Defense which are shipped overseas.

Yet, less than 1 percent, in fact, less than one-third of 1 percent, has moved via the St. Lawrence Seaway, although there is no question, and no one disputes the fact that this is the cheapest and most economical way to operate.

What we are proposing is that we overcome the reason why the St. Lawrence Seaway is not used. That is because American-flag shipping has chosen to ignore the St. Lawrence Seaway and the Great Lakes. As long as they ignore it, we cannot use the St. Lawrence Seaway in the Cargo Preference Act and make it necessary to use American-flag ships. All we are saying is that the recommendation of the GAO, in the event, and only in the event American-flag ships are not available, in the event the President of the United States finds that it is the least expensive, or he finds that it is in the interest of national security, in that event, it would be properly possible to use foreign vessels.

We hope, under these circumstances, that American-flag ships will take advantage of the competitive situation to move in and take this cargo; but, if they do not, and it is fair, we should be allowed to ship this cargo in the most economical way.

TAXPAYER DESERVES RELIEF FROM COMPLICATED TAX FORMS

Mr. PROXMIRE. Mr. President, today, April 15, income tax day, the American taxpayer has a proper complaint. The tax forms are ridiculously complicated, unnecessarily complex, and frustratingly detailed. The American people can properly question the competence of those who devised such forms.

Taxpayers deserve relief from the Internal Revenue Service's complex forms.

Not only must the major form 1040 be filled out. But if a taxpayer itemizes his deductions he must fill out a second full-page form.

If he has even minor income from a small savings account in a bank or credit union, he must fill out a third full-page form.

If he sold even 10 shares of stock for a small gain or loss in 1969, he must fill out a fourth full-page form.

If he received income from a pension or annuity or in rent or royalties, a fifth full-page form is needed.

If he claimed the retired income credit, to which almost all senior citizens are entitled, a sixth full-page form must be filled out and attached to the original form 1040.

A seventh full-page form—schedule T—must be filed with the form 1040 if he uses lines 14, 16, or 17 on form 1040.

If he makes a minor mistake on any one form, it can cause him to recalculate the figures on all the forms.

At least half the taxpayers may have to fill out three or more forms.

Ironically, with all these forms, the Internal Revenue Service provides no space whatsoever to list marginal in-

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come, small amounts of income from a speech or article for which no tax is withheld.

The time has come to simplify the tax forms. The American taxpayer can scarcely have confidence that his hard-earned tax dollars are not spent wisely and efficiently when the tax forms themselves are visible advertisements of bureaucratic inefficiency.

DISTRICT OF COLUMBIA COURT REFORM AND CRIMINAL PROCEDURE ACT

Mr. HRUSKA. Mr. President, last fall the Senate adopted four separate measures related to crime in the District of Columbia:

The first bill recognized the local courts and expanded the bail agency;

The second bill established a full-fledged public defender service;

The third bill contained several important revisions in the District's criminal law and procedure; and

The fourth bill embodied a new juvenile code.

On March 19 of this year, the House passed an omnibus crime bill—the District of Columbia Court Reform and Criminal Procedure Act of 1970—which is roughly equivalent to our legislation.

With the passage by the House of this omnibus package and the reaffirmation and expansion last week of our own measures, the 91st Congress is closer than it has ever been to approving a crime bill requested by the President.

We must not falter.

Now is the time for conference and compromise. Now is the time for reasonable men from both Chambers to resolve their differences and produce legislation.

There are in these bills several significant differences between the House and the Senate. I am confident that our conferees, under the leadership of the Senator from Maryland (Mr. TYDINGS), and conferees from the other body, will represent this body with intelligence and distinction. I am confident they will settle on legislation that will satisfy the Constitution and reduce crime.

Crime legislation which satisfies the Constitution but does not reduce crime is a waste of our efforts.

Legislation which reduces crime but does not satisfy the Constitution is unacceptable in this great Republic.

There are several provisions in the House bill that are highly meritorious and to which the Senate should wholly or substantially accede. They are: one, preventive or pretrial detention; two, the "no-knock" provision, and three, electronic surveillance—wiretapping.

PRETRIAL DETENTION

Back in 1964 and 1965, I joined the distinguished Senator from North Carolina (Mr. ERVIN) and other prominent Members of this body in sponsoring legislation to reform bail procedures in the federal system. I was persuaded then, as I am now, that a person's financial status should bear no relevance in the administration of justice. I complained at a Senate hearing then that "Bail is made available, not on the basis of the innocence of the accused or the protection of society, but almost solely on the basis of financial resources. Pretrial release goes to those who can buy it."

At the same hearing, Senator ERVIN quoted, with approval, a statement by Arthur Lawton Beeley that—

> The present system . . . neither guarantees security to society nor safeguards the rights of the accused. [It is] lax with those with whom it should be stringent and stringent with those whom it should be lax.

In 1965, almost all of us were of like mind on the need for bail reform, and our collective efforts resulted in the Bail Reform Act of 1966—a law that was hailed by students of the criminal justice system as one of the most farsighted, thoughtful, and progressive legislative ventures in congressional history.

We were proud of its passage and had high hopes for its success.

Today, I commend to the Senate a provision in the House crime bill that would modify the Bail Reform Act in the District of Columbia.

I do this with some regret. No lawmaker likes to acknowledge the shortcomings of legislation for which he is in part responsible. But the evidence before us cannot be ignored. The accumulated experience under the Bail Reform Act in the District of Columbia demonstrates beyond a reasonable doubt that new reforms are urgently needed.

We knew this might come. When Congress adopted the Bail Reform Act, we recognized that future legislation might become necessary to deal with the problem of the dangerous defendant.

We were told, for example, by Ronald Goldfarb, a Washington attorney who is an expert on bail problems, that there were a significant number of cases where society must have a way to confine defendants whether or not they have the money for bail. The bail system, he said, does not protect society.

Ramsey Clark, who was then Deputy Attorney General, advised the Senate that the Department of Justice had given lengthy consideration to legislation would expressly permit preventive detention.

Although he did not personally endorse the concept, Mr. Clark described a a proposal very much like the one in the House bill as a straightforward approach—similar to the system used in most parts of the world.

It promotes candor, eliminates indirection, and abolishes money, or lack of it, as the determinant of release before trial. It specifically authorizes the courts to hold a highly dangerous defendant who has adequate funds to meet any bail imposed.

Writing in Moore's Federal Practice in 1965, the year before the Bail Reform Act was passed, Robert M. Cipes declared that—

> The formulation and expression of a public policy favoring pretrial release without pecuniary conditions, and the consequent pressure on traditional bail practices, may eventually require open consideration of preventive detention. As parole for the poor defendant increasingly becomes the rule, rather than the exception, the means of detaining the allegedly dangerous person will disappear. At the same time, the rate of recidivism of released defendants may give use to counter-reform. . . ."

Mr. President, the time for counter-reform has come. Without repudiating in the least the basic objective of the Bail Reform Act, we must meet the problem of dangerous defendant. We must devise a system of pretrial detention that protects the public as well as the accused.

The evidence is abundant why change is necessary. On the basis of crime statistics available to them, three crime commissions in the District of Columbia have asked Congress to pass legislation for pretrial detention.

In its report last December to Senator TYDINGS, the Advisory Panel on Armed Violence stated:

> There is no doubt that accused felons free on bail while awaiting trial commit a significant part of the serious crimes in this city. Judicial Council Committee studies indicate that one of every 11 defendants who is indicted and released on bail is re-indicted for another felony while awaiting trial. The police report that one out of every three armed robbery suspects released on bail is arrested for another offense before he comes to trial. . . . In [the] view of this Panel, the only immediate response is enactment of legislation to authorize pretrial detention of certain persons who pose a serious danger to the community. We endorse legislation which will authorize pretrial detention of hard-core dangerous criminals who are awaiting trial for armed crimes.

At least five grand juries have recommended pretrial detention.

No contention can be made that current proposals for pretrial custody have not been thoroughly scrutinized by Congress. Seven days of hearings were held before the Senate Constitutional Rights Subcommittee in early 1969. Two days of hearings were held before the Senate District Committee last November. A subcommittee of the House Judiciary Committee held hearings last October. And a subcommittee of the House District Committee held hearings in January.

FIRST REASON FOR AMENDING BAIL REFORM ACT

From the available evidence, there appear to be four major reasons why the Bail Reform Act should be amended.

First, an amendment would be desirable because a sizable percentage of the serious crime in the District of Columbia may be attributed to persons released before trial. Of 130 persons indicted for robbery and released before trial in fiscal 1967, 34 percent were reindicted for at least one felony committed during pretrial release. In calendar 1968, 70 percent of the 345 robbery defendants indicted and released were subsequently rearrested for a new crime.

Although we do not have comprehensive statistics of recidivism on bail by every category of offender, we have sufficient information to know that crime on bail is not insignificant. Additional statistics are not a condition precedent to corrective action because the seriousness of the problem has already been demonstrated. Moreover, the District's disorganized system for recording crime information, its low rate—17 percent—of solution for serious offenses, and the fact that many crimes are never reported all serve as barriers to a truly accurate measurement of the crime committed by persons released before trial.

Judge Tim Murphy of the District's Court of General Sessions has told the Senate:

> [A]s a practical matter, many cases come before the court in which from the outset there is not a shadow of a doubt about the defendant's guilt. Many of these cases involve dangerous persons whom the judges know to a moral certainty will repeat their criminal activity if released. Yet under the Bail Reform Act he must release these people to prey on the community. My immediate examples are the holdup man who is in on one, two, three, or four gunpoint holdup charges, and, of course, your narcotic addicts, who because of their illness must commit a crime to support a habit.

Ronald Goldfarb has testified that—

> Recidivists . . . may commit multiple crimes while out on bail, unable or unwilling to resist it. Some defendants cannot resist the impulse because of pathological weaknesses, some because they are professional criminals who do not want to resist recidivism. Some defendants have been known to commit 10 and 15 crimes while out on bail . . . This frequently happens in burglary and narcotics cases.

SECOND REASON

Second, even if the volume of crime on bail were not significant, individual instances undoubtedly arise in which noncapital defendants are an obvious menace to the public safety and should not be granted pretrial release.

At present, the Bail Reform Act mandates the pretrial release of virtually all noncapital defendants. These defendants include men charged with such serious crimes as forcible rape, arson, kidnaping, armed robbery, burglary, bank robbery, mayhem, assault with intent to kill, man slaughter, and second-degree murder. Every Member of this body knows that some of these defendants cannot be released before trial without endangering community safety.

As interpreted by the Court of Appeals, however, the Bail Reform Act does not permit the consideration of dangerousness by a trial court in any of these noncapital cases, no matter how extreme or unusual the facts may be. The court has said explicitly that "pretrial detention cannot be premised upon an assessment of danger to the public should the accused be released."

Thus, a man could be apprehended in the middle of an armed robbery—he could exchange shots with police—he could be addicted to heroin—and he could have a long record of violent crime—and he still would be entitled to pretrial release.

The distinguished Senator from Pennsylvania (Mr. SCOTT) recently observed that John Dillinger robbed at least 13 banks, three supermarkets, a mill, a drugstore, and a tavern before he was first arrested in 1933. Under the Bail Reform Act, John Dillinger would have been entitled to pretrial release following his arrest unless there were clear evidence that he would try to escape.

In 1969, Federal District Judge George L. Hart told the Senate Subcommittee on Constitutional Rights:

> If Dillinger came before you, anybody with three grains of sense knows he is dangerous.

Is there any Member of this Chamber who is unable to agree with that assessment?

Is there any Member of this Chamber who insists that the likes of John Dillinger must be given their pretrial freedom, simply because they have not yet committed a capital crime?

The compulsive rapist and sex pervert who may strike without warning at any time—the incorrigible recidivist who has been engaged in a life of crime since his early childhood—the narcotics addict who is desperately in need of money for his next fix—the hard-core tough who is inclined toward viciousness and physical violence—these are people who should be detained because no system of accelerated trials and no alternative to pretrial detention will protect the public from such men. When these defendants have been charged with a serious crime, society should have the means to effect their detention.

THIRD REASON

Third, pretrial detention is a desirable reform because it will restore integrity to the legal system. For hundred of years, defendants thought to be dangerous have been detained before trial through the simple device of setting high bond.

Even under the Bail Reform Act, which was designed to minimize the use of money bond, not every defendant has been released before trial. For example, the U.S. Attorney's Office in the District conducted a study of 557 persons indicted for robbery in 1968. As I mentioned earlier, 345 of these defendants were released—70 percent of whom were later charged with new crimes. However, 212 of the 557 defendants were not released.

There is really no doubt that some of these defendants were not released because they could not meet the money bond required by judges who considered them dangerous.

This process is unusually deceptive. The Congress learned in 1964, for example, that 28 percent of the defendants in New York City could not raise bail of $500, and 45 percent could not raise bail set at $2,000. Trial judges are shrewd enough to know that there is no point in setting bail at $50,000 for a dangerous defendant if he cannot even meet a $500 bond. The small sum of $500 can hardly be labelel "excessive bail."

But this process of detention remains dishonest and hypocritical. It is not straightforward; it is subterranean. The law should be above such subterfuge.

It was hypocrisy of this nature that prompted Ramsey Clark to say that open pretrial detention would promote candor and eliminate indirection.

In this day and age, there is no justification for public officials to engage in subterranean practices which cannot be defended in public discourse. Sham and hypocrisy weaken our institutions; they undermine public support of our government.

Open pretrial detention would not only restore integrity to the legal system, it would also afford greater protection to individual defendants, whose alleged dangerousness and deliberate detention would be subject to appellate review.

FOURTH REASON

Fourth, the Bail Reform Act should be amended because, as drafted, it grants no specific authority to revoke bail for those who have been apprehended in a new crime during pretrial release; nor does it authorize detention of those who would threaten or injure jurors or witnesses or otherwise disrupt the administration of justice. These grounds for pretrial detention are almost universally accepted as necessary and reasonable, but they are not recognized by the language of the 1965 Act.

Thus, we have the unfortunate spectacle of a court in the District of Columbia proclaiming its inherent power to detain defendants who are likely to interfere with the administration of justice, though the controlling statutory language is to the contrary. I do not question the soundness of the court's decision; but neither do I condone the necessity of simply ignoring a statutory command of the Congress.

These four reasons, plus others which might be adduced, provide ample justification for changing the law. I am convinced that the Bail Reform Act should be amended to authorize the limited pretrial custody of dangerous defendants. I think we are deluding ourselves if we seriously insist that this is not necessary.

PREVENTIVE DETENTION IS CONSTITUTIONAL

I commend pretrial detention to the Senate with the firm belief that it does no offense to the Bill of Rights. Some opponents of this proposition have claimed that it violates the Constitution. I profoundly disagree.

I approve the analysis by the Supreme Court in Carlson against Landon that—

> The bail clause was lifted with slight changes from the English Bill of Rights Act. In England that clause has never been thought to accord a right to bail in all cases, but merely to provide that bail shall not be excessive in those cases where it is proper to grant bail. When this clause was carried over into our Bill of Rights, nothing was said that indicated any different concept. The Eighth Amendment has not prevented Congress from defining the classes of cases in which bail shall be allowed in this country. Thus in criminal cases bail is not compulsory where the punishment may be death. Indeed, the very language of the Amendment fails to say all arrests must be bailable.

I agree with the holding by Federal District Judge Edward Weinfeld in a New York case that—

> Congress could, without running afoul the Eighth Amendment, provide . . . that persons accused of kidnapping, bank robbery with force and violence, or other serious noncapital crimes are not entitled to bail as a matter of right.

Opponents of pretrial detention have not discredited the merits of these statements. They have not explained how a Federal law on pretrial detention would be held unconstitutional under the eighth amendment, without thereby invalidating the laws or constitutions in such States as New York, Maine, Rhode Island, and Florida. They have not told the public what will happen under their theory if we ever wholly abolish capital punishment.

XUM

I share the opinion of the Court in *ex parte Shaw*, 209 F. 954, 955 (1913), that—

> The right to bail . . . is subject, like all other personal rights, to being influenced by considerations of public policy and public safety.

I believe that Congress enjoys the full constitutional authority to determine, within reasonable limits, when those considerations shall come into play.

NO-KNOCK PROVISION

A second provision in the House bill which is worthy of Senate support is the provision codifying the common law authority for police officers to enter a premises without knocking to announce their identity and purpose.

When Congress is legislating for the District of Columbia, no effort should be spared in providing a complete and modern code of criminal procedure, a code which sets out with precision the powers of the Government and the rights of the public.

Most of the provisions are simply codifications of existing law which bring our statute books up to date and remove outmoded provisions. All of the enlargements of authority have foundation in case law. They are reasonable. There is a pressing law enforcement need for them.

No one in this Chamber would deny that, as a general rule, police should knock and announce before entering a premises. The general rule, which is a statutory command, is not materially affected by the House bill.

What the bill does is to set out in detail the exceptions to the general rule, the situations in which exigent circumstances justify a no-knock search, so that the police and the public are fully apprised.

There are special circumstances, involving dangerous defendants, in which an announcement by the officer would be "the equivalent of an invitation to be shot." As the court observed in *People* v. *Robinson*, 75 Cal. Rptr. 395, 397 (1969), "Reasonable conduct on the part of a police officer does not require that he extend such an invitation."

Another recognized exception arises in a situation in which critical evidence is likely to be destroyed. In *Ker* v. *California*, 374 U.S. 23 (1963), the Supreme Court upheld an unannounced entry to prevent the destruction of narcotic evidence. In *People* v. *Delago*, 16 N.Y. 2d 289, 113 N.E. 2d 659 (1965), the New York Court of Appeals approved a no-knock entry to seize gambling paraphernalia which was authorized under the State's no-knock statute.

In *People* v. *Clay*, 78 Cal. Rptr. 56, 58 (1969), the court described another relevant situation:

> When Lusardi and two of the other agents approached to within five feet of the house Lusardi heard loud voices and running inside the house; someone yelling "It's the police! It's the police!" and the sound of a shot being fired. Lusardi and the agents entered the house without knocking, announcing they were police or stating their purpose.

Surely, when the occupants of a house are running about inside shouting "It's the police. It's the police," a requirement that the police must knock and announce would be a useless gesture. It would also increase the peril of the officers, and permit the destruction of evidence.

A majority of our States, in statute or in court decision, recognize situations which justify no-knock entries. My own State of Nebraska, for example, has enacted a statute that provides, in part, that a judge may issue a warrant authorizing an officer's entry without giving notice of his authority and purpose, when, upon proof under oath, he is satisfied "that the property sought may be easily or quickly destroyed or disposed of, or that danger to the life or limb of the officer or another may result, if such notice be given." Nebraska Revised Statutes, section 29–411.

U.S. Attorney Thomas Flannery has stated that—

> [T]he passage of [a no knock provision] is necessary for effective enforcement of local and federal narcotics laws. Experience has shown that the time consumed by the executing officers in announcing their authority and purpose and waiting to be refused admittance is used by the dope peddler in disposing of his narcotics down the toilet. All too often law enforcement officers, after finally entering the premises to be searched, find the drug trafficker in his bathroom gleefully watching his drugs vanish from sight. The provision . . . would also be of exceptional value in our efforts against organized gambling.

These considerations have prompted the District government and the District of Columbia Bar Association to endorse specific no-knock authority for the District of Columbia.

ELECTRONIC SURVEILLANCE

In 1968, when Congress approved the Omnibus Crime Control and Safe Streets Act, we enacted a comprehensive provision on electronic surveillance. We also authorized States and other political subdivisions to engage in wiretapping and electronic surveillance if—and only if—the States passed specific statutes which conformed to the standards established by Congress.

The Federal law specified the offenses for which a State could authorize electronic surveillance. They were murder, kidnaping, gambling, robbery, bribery, extortion, or dealing in narcotic drugs, marihuana, or other dangerous drugs, or other crimes dangerous to life, limb, or property, and punishable by imprisonment for more than 1 year.

In providing for electronic surveillance in the District of Columbia, both the Senate bill and the House bill follow the Federal standards with faithful precision, preserving the limitations and protections set out in our legislation. There are no new departures in terms of procedure. And the only significant difference between the Senate bill and the House bill is that the House bill includes several offenses which the Senate bill does not.

These offenses include arson, blackmail, burglary, destruction of property, receiving stolen property, and robbery.

I am persuaded that in certain situations these offenses may bear a critical nexus to the activities of organized crime. In these situations, society should have the means to employ electronic surveillance. Unless these offenses are included, however, that means will not be available.

As the House Committee report stated:

> Not all burglaries, robberies, larcenies or receiving of stolen property (fencing) . . . arise out of organized crime. But your committee is . . . aware that a number of these crimes clearly are the result of planning and organization by groups of individuals.

I believe the Senate should accept these additional offenses, so that law enforcement officials in the District of Columbia will have this weapon in the unusual cases when it may be needed.

CONCLUSION

These are but three of the proposals to be considered by the conference. Each, in turn, is important to insure that the police have necessary tools.

This bill provides those tools in a way designed to pass constitutional muster.

We should follow the efforts of the conference closely as it is imperative that the President's crime program be considered promptly and favorably.

THE PLIGHT OF THE AMERICAN INDIAN

Mr. HARRIS. Mr. President, we have heard much in recent months about the plight of the American Indian, and many promises of help and assistance in correcting some of the inequities of the past have been forthcoming.

Yet it has been difficult to translate this support into concrete action. In the case of the Blue Lake area in New Mexico which was unjustly taken from the Taos Indians, for example, the Federal Government has acknowledged the claim of Taos Pueblo since 1912. In 1965, the Indian Claims Commission reaffirmed this position.

Since that time, legislation has been introduced to return the Blue Lake area to its rightful owners, but no final action has been taken. Two current bills, S. 750 and H.R. 471 address themselves to this problem. Along with a number of other Members of the Senate, I feel that H.R. 471 provides a much more equitable resolution of this situation. We have explained our reasons in a letter to the Indian Affairs Subcommittee of the Committee on Interior and Insular Affairs, which is presently considering Blue Lake legislation.

Because the time is long overdue to correct this situation and to indicate our good faith in dealing with these Indian people, I believe the Blue Lake matter deserves the attention of all Members of the Senate. Therefore, I ask unanimous consent that our letter to the subcommittee be printed in the RECORD so that it is available to all.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., April 15, 1970.

Hon. GEORGE MCGOVERN,
Chairman, Indian Affairs Subcommittee, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: We are writing you to request that the Subcommittee on Indian Affairs of the Interior and Insular Affairs Committee take prompt and favorable action on H.R. 471, which would rightfully return the Blue Lake Area to the Taos Pueblo Indians.

The return of the Blue Lake Area to the Taos Pueblos has been consistently recommended by the Interior Department since 1912. H.R. 471 has twice passed the House by almost unanimous votes. The Indian Claims Commission in 1965 affirmed that the Blue Lake Area was unjustly taken from its Indian owners by Executive Order in 1906. S. 750 is inconsistent with these facts.

We agree with the Taos Indians that S. 750 is objectionable because it fails to recognize that they need and have a rightful claim to the entire 48,000 acre tract and because it fails to preserve the entire tract as a wilderness area. The Taos Pueblo Council said of S. 750:

"First, it reduces the area to be preserved as wilderness to a mere 4,600 acres. Second, within this limited wilderness the religious activities of our people would be squeezed into a tiny unprotected island of 1,600 acres to be set aside for ceremonials. Third, while the bill purports to protect by permit our rights to an additional 34,500 acres, its actual effect would be to segregate the area, strip away its sanctity, reduce our present exclusive-use rights and give the Forest Service new powers for such activities as harvesting timber. Thus the Blue Lake Area would be dismembered and over 90 percent opened to desecration. The opportunity to save an unspoiled wilderness of 48,000 acres, as provided by H.R. 471, would be forever lost."

We believe that the Taos Pueblos should not have to wait any longer for the righting of a wrong that occurred in 1906 and has been recognized by the Federal Government as a wrong since 1912.

We would appreciate it if the Subcommittee would take prompt action on this measure and bring it to the floor.

Sincerely yours,

Fred R. Harris,
Alan Cranston,
Walter F. Mondale,
Edward Kennedy,
Philip Hart,
Harold E. Hughes.

INDOCHINA

Mr. HARRIS. Mr. President, on April 2, I introduced for myself and the distinguished senior Senator from Kansas (Mr. Pearson), Senate Resolution 383, which in taking note of the danger of an expansion of hostilities in Indochina called for affirmative action by the United States to prevent such an expansion of conflict, and further stated that a comprehensive multilateral conference of all interested parties which could consider ways to obtain a true neutralization of Vietnam, Laos, and Cambodia would be the most promising approach for dealing with this grave situation.

On April 8, the names of five additional Senators were added to the list of cosponsors of this resolution. Today, I am pleased to ask unanimous consent that the names of the distinguished junior Senator from Indiana (Mr. Bayh), the distinguished junior Senator from Alaska (Mr. Gravel), and the distinguished senior Senator from Texas (Mr. Yarborough), be added as cosponsors of this resolution at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARRIS. I appreciate this additional support for Senate Resolution 383 very much, for nothing has happened since the resolution was initially introduced which would indicate either that the danger of a spread of hostilities has lessened or that the administration intends to make a diplomatic initiative which could lead to a multinational conference to deal with the situation.

Yesterday, for example, the Washington Post carried news reports of an apparently intensified campaign by Cambodians against their Vietnamese minority, about building North Vietnamese pressure in Laos which is leading to a little noticed deterioration in the Royal Laotian Government's position and about enemy shellings in Saigon. The slow and almost invisible steps by which American involvement in Laos and Cambodia may increase may have already begun, as the Post suggested in an editorial aptly titled "Bordering on Trouble" which appeared on Sunday, April 12. Today, there are reports of Cambodian Premier Lon Nol's appeal for weapons from any country which will provide them. The United States has not been directly asked as yet for this help, but some sources are reported to expect both such a request and a favorable administration response.

As Joseph Kraft has noted in a perceptive column which appeared yesterday in the Washington Post, in the face of some pressures on the one hand for slowing the rate of troop withdrawal from Vietnam and mounting support for a negotiated Indochina-wide settlement such as proposed in Senate Resolution 383 on the other, the administration holds to its dubious policy of Vietnamization.

Mr. President, I ask unanimous consent that the editorial and the column by Mr. Kraft, to which I have referred, be printed in the Record.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

Bordering on Trouble

Of the two explanations the American Embassy in Saigon offers for the presence of American military advisers with their South Vietnamese military units in Cambodia, we are unsure which is the more troubling. First, the embassy stated that advisers could cross into Cambodia, a country whose neutrality the United States has repeatedly pledged to uphold, in order to "exchange pleasantries (sic) and protocol greetings and not to carry on any substantive discussions or to make any plans or commitments." Well, an exchange of pleasantries, however laudable as an exercise in intercultural understanding, does not strike us as adequate justification for possibly pulling the United States into a wider Indochinese war. For that, of course, is the risk invited by any further erosion of the admittedly arbitrary and imperfect barrier which has so far kept most American fighting men out of Cambodia.

In a second explanation, the embassy in Saigon reported that one adviser in question, wishing to make a "friendly visit," had entered Cambodia "on his own accord." We take this to be more a formula of diplomatic art than an account of reality. Nonetheless, it is unthinkable that, on such an issue as crossing into another country and conceivably getting into the war there, American military men should lack either the instructions or the self-discipline to stay on the Vietnamese side of the border. Americans are well known as a friendly folk, and no doubt the impulse to drop into Cambodia and press flesh with the nice people there at times wells up strong. A little friendliness, though, can be a troublesome thing.

The reasons for super-caution should be plain to anyone who scans the military communiques coming out of Phnom Penh. In brief, the new Cambodian government, having decided to press hard publicly on the Vietcong instead of continuing Prince Sihanouk's policy of diplomatically razzle-dazzling them, finds it has bitten off more than it can chew. That government's authority is said to be evaporating in key regions near South Vietnam, and its army is fulfilling much of its earlier promise of ineffectiveness. It is unsettling enough that General Lon Nol, the new No. 1, may be about to embarrass the United States with a direct appeal to bail him out. It is worse, for being unnecessary, that the United States might get more deeply involved because of an incident arising out of a military adviser who had crossed over to Cambodia to "exchange pleasantries."

Is it really necessary in 1970 to have to point all this out?

Vietnam Peace May Require New Pressure From Public

Storm signals are flying on Vietnam again. But the top figures in the administration are convinced they are on the right track.

So they are forgoing chances to develop the alternate track of negotiating out. And peace will probably require yet another agony of public collision in this country.

This time even the numbers foreshadow some of the dangers. According to the Gallup Poll, public approval for the President's Vietnam policies has been steadily dropping since January. Those in favor are now below 50 per cent. While no one can pretend to read the exact meaning of this dwindling approval, it signifies at the very least that there is a limit to American patience with the continuing war.

But other sets of numbers show no reason to believe that the war will soon be slackening. The enemy has finally adjusted to the spoiling tactics of the American commander, Gen. Creighton Abrams. As a result, the Communists are increasing the pace of their activities. Last week, for example, they killed 754 South Vietnamese soldiers—the highest loss by the Saigon regime since the spring of 1963.

But at the same time, the Communists have learned to cut their own losses. The enemy killed-in-action figure was estimated at 14,000 monthly for 1968, and 12,000 monthly for last year. In the first quarter of this year, the figure was running at an annual rate of 9,000 monthly and still coming down.

No one can be exactly sure of the meaning of these numbers. But it looks as though the other side has settled to a strategy that features keeping up the pressure at a minimum loss for a long, long time. And that impression is reinforced by enemy actions in Laos and against the anti-Communist regime that recently ousted Prince Norodom Sihanouk in Cambodia. These enemy actions have brought a sounding of alarms in many quarters. President Nguyen Van Thieu of South Vietnam has called for a slowdown in the withdrawal of American troops, and a more vigorous assault against the Communist forces in Vietnam. His views are plainly shared by some of the American military in Washington, and not a few of the soldiers and civilians in Saigon.

An almost opposite course has been advocated by certain civilian officials in the State Department and Pentagon. They have pushed for new moves to get the Paris peace talks off dead center. Using the outburst of fighting in Laos and Cambodia as a peg, they have called for revival of the Geneva Conference covering all of Indochina.

XUM

But these pressures have made almost no dent on the administration. Rather they have surfaced for a day or two as news stories, and then disappeared. For at the highest levels the administration is more and more tending to a fixed view.

In this view the right policy is the steady passing of military burdens from American to South Vietnamese troops—Vietnamization. The theory is that the American public will sit still for this policy as long as there is a continued movement of Americans out of Vietnam. The other side, it is argued, will see the withdrawal as serious, and eventually negotiate with Washington on favorable terms—rather than waiting to have to make a deal with Saigon.

The fighting in Laos and Cambodia, by over-extending Hanoi, will only put more pressure on the Communists to come to terms.

In short, the Nixon administration is on the verge of being hooked by its own prescription. In the process it is losing the chance to move toward negotiations. And those who feel clearly that the American interest lies in an across-the-board diplomatic settlement are more and more obliged to move in the one way that makes a dent—through public pressure.

Mr. **KENNEDY**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **KENNEDY**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. **KENNEDY**. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 11 a.m. tomorrow.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR BAKER TOMORROW

Mr. **KENNEDY**. Mr. President, I ask unanimous consent that immediately following the disposition of the reading of the Journal tomorrow the Senator from Tennessee (Mr. BAKER) be recognized for not to exceed 15 minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR YOUNG OF OHIO TOMORROW

Mr. **KENNEDY**. Mr. President, I ask unanimous consent that, at the conclusion of the remarks of the Senator from Tennessee (Mr. BAKER) tomorrow, the distinguished Senator from Ohio (Mr. YOUNG) be recognized for not to exceed 20 minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. **KENNEDY**. Mr. President, I ask unanimous consent that, at the conclusion of the remarks of the Senator from Ohio (Mr. YOUNG) tomorrow there be a period for the transaction of routine morning business with speeches therein limited to 3 minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ARMS CONTROL AND DISARMAMENT ACT AMENDMENTS—ORDER FOR PENDING BUSINESS TOMORROW

Mr. **KENNEDY**. Mr. President, I ask unanimous consent that tomorrow at the conclusion of the period for the transaction of routine morning business Calendar 770, S. 3544, the Arms Control and Disarmament Act Amendments, be made the pending business.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

THE GREAT LAKES DISPOSAL BILL

Mr. **GRIFFIN**. Mr. President, today the President sent up a very important message on waste disposal, proposing legislation to be known as the Great Lakes disposal bill.

I ask unanimous consent to have printed in the RECORD at this point a fact sheet concerning the President's message.

There being no objection, the fact sheet was ordered to be printed in the RECORD, as follows:

FACT SHEET—PRESIDENT'S MESSAGE ON WASTE DISPOSAL

I. PROPOSED LEGISLATION

The Great Lakes Disposal Bill would:

1. Discontinue open water disposal of polluted dredge spoil from authorized Federal navigation projects and all other sources in the Great Lakes and their connecting channels as soon as disposal sites are available. The Secretary of the Interior, in consultation with the Governors, will determine the areas where dredge spoil is polluted.

2. Authorize the Secretary of the Army to construct, operate, and maintain contained disposal facilities for a period not to exceed ten years. Before establishing such facilities, the Secretary of the Army must consider the views of the Secretary of the Interior on the effect of the proposed facility on water quality and other environmental values.

3. Require States or other non-Federal interests to provide needed lands, easements and rights-of-way and one-half the cost of constructing containment areas.

4. Require the Secretary of the Army to suspend or terminate dredging or prohibit dredging by Federal licensees and permittees if he determines, one year after enactment of this Act, that the non-Federal interests have not taken reasonable steps toward providing funds and land, or land rights.

5. Permit Federal licensees or permittees to use the containment areas for disposing dredged spoil by paying a fee equal to the cost of providing the facility. One-half of this fee would be returned to the local interests.

6. Authorize the Corps of Engineers to extend to all navigable and allied waters a program of research, study, and experimentation related to dredge spoil.

II. THE PROPOSED PROGRAM

1. The proposed program is based on a comprehensive study by the Department of the Army on the effects on the Great Lakes of depositing dredge spoil. This study was conducted in cooperation with the Department of the Interior, including the Federal Water Pollution Control Administration, other Federal agencies, several universities, and technical consulting companies. An eminent group of consultants interpeted the results of this study by concluding that deposition of polluted dredged spoil in the Great Lakes is "presumptively undesirable," and that in the long run the ecology of the Great Lakes would be affected adversely.

2. The study included an investigation of many alternative methods of spoil disposal including treatment in sewage plants, aeration, burning, and deposition on upland and in contained areas along shore. Of these, the best alternative for an interim period of about 10 years is the deposition of the polluted material in contained areas along the shore.

3. First priority under the program will be given to the 35 most polluted harbors.

4. The construction of facilities in these 35 harbors will cost $70 million: $35 million Federal and $35 million State and local costs. Cost of operation and maintenance will be increased $5 million annually due to the added handling cost of the dredged spoil.

III. THE OCEAN DUMPING PROBLEM

1. A study performed by the Department of Health, Education and Welfare indicates ocean disposal of solid wastes during 1968 as follows:

(a) Atlantic Coast—24 million tons.
(b) Gulf Coast—16 million tons.
(c) Pacific Coast—8 million tons.

2. Attention has recently been directed to the dumping of sewage sludge, cellar dirt, dredged mud and chemicals in the New York Bay area. The results of an intensive study of determine the effects on the ecology of this area will not be completed until early next year. An interim study indicates this dumping has had an adverse effect on bottom marine life in this area, although its impact has not been fully evaluated.

3. Current disposal methods and technology are not adequate to deal with wastes of this volume immediately. There are an ever decreasing number of appropriate sites for land-fill disposal. Current incineration practices are costly and create air pollution problems. There have been jurisdictional problems in transporting wastes to inland sites. Other technologies and alternatives, such as composting, creation of artificial islands, transporting material to fill in strip mines or to create artificial reefs, baling of wastes, and incineration at sea have not been sufficiently developed and tested.

4. A study will be conducted under the direction of the Chairman of the Council on Environmental Quality to recommend:

Further research needs;

Legislative changes, if necessary;

A comprehensive approach to the problem of ocean dumping, including an evaluation of all the proposed and other alternatives.

Mr. **GRIFFIN**. Mr. President, the largest concentration of fresh water in the world are the five lakes known as the Great Lakes. They are a vitally-important resource to the economy and well-being of mid-America, as well as providing a fourth seacoast for the Nation. Even the great State of Michigan draws its name from the Indian words Michigamma, meaning "large lake."

Unfortunately, however, for too many years there has been little thought given to preserving these natural reservoirs of sparkling blue water. Man's pollution has vitually destroyed Lake Erie, has caused considerable change in the quality of the water and ecology in lower Lake Michigan and is threatening to do serious harm to the other lakes: Huron, Ontario, and Superior.

As a Senator from a State which has more than 38,000 square miles of Great

Lakes' water in its domain, I am particularly cognizant of the abuses which have been heaped on our lakes—or should I say poured into.

Although several other States border on at least one of the lakes, the people of Michigan tend to regard the Great Lakes as their own and are deeply troubled by the damage being done to them.

For that reason, Mr. President, I strongly support the legislation which President Nixon will soon propose to eliminate the dumping of polluted material dredged from navigation channels and harbor areas into open areas of the lakes. This has long been a source of irritation to those of us who have sought to preserve the beauty of the Great Lakes and to maintain the precious supply of fresh water.

Although the President's message also speaks of the problems of dumping polluted material in the ocean and promises legislation in the near future to deal with it, his message today is limited to the Great Lakes.

According to a study done by the Department of the Army, the Corps of Engineers each year dredges 10.8 million cubic yards of material from channels and harbors and dumps into open areas of the lakes. In addition, private companies and other non-Federal sources dredge and dump some 2 million cubic yards annually.

A large portion of this nearly 13 million cubic yards of dredge contains untreated wastes pumped into rivers and harbors by industrial and municipal users.

The administration's plan for disposing of the contaminated dredge material behind diked containment areas is a good interim solution for the present lack of waste treatment facilities. The President recognizes the immediate need for establishing dumping areas adjacent to, but completely separate from, the Great Lakes, not only to remove existing pollutants but to provide a temporary solution to the dumping of additional untreated wastes into the water while treatment facilities are being constructed.

In the President's message to Congress on the Environment earlier this year, he proposed a $10-billion plan to build the necessary municipal waste treatment plants to remove pollutants before waste materials are deposited in the Nation's rivers and harbors, including those adjoining the Great Lakes.

Passage of this proposal and the enactment of the legislation the President will send to Congress shortly to eliminate dumping of dredged materials will contribute materially to the restoration of these great bodies of water.

I applaud the President for moving so forthrightly in this particular area, as he has indicated by his message today. I look forward to helping to obtain prompt action on this important legislation. I ask unanimous consent that a copy of the President's message and a fact sheet on the proposed legislation be included at the end of my remarks.

ORDER OF THE PRESIDENT PRO TEMPORE IMPLEMENTING THE PROVISIONS OF THE FEDERAL EMPLOYEES SALARY ACT OF 1970

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that an order of the President pro tempore implementing the provisions of the Federal Employees Salary Act of 1970 be printed in the RECORD.

There being no objection, the order was ordered to be printed in the RECORD, as follows:

ORDER

U.S. SENATE,
OFFICE OF THE PRESIDENT PRO TEMPORE.

By virtue of the authority vested in me by section 3(a) of the Federal Employees Salary Act of 1970, it is hereby—

Ordered, That (a) except as otherwise provided in this Order and subject to section 5 of such Act, (1) effective January 1, 1970, the annual rate of gross compensation of each officer or employee whose compensation is disbursed by the Secretary of the Senate shall be increased by 6 percent, and (2) as so increased, shall be adjusted, effective the first day of the first month commencing after the date of this Order, to the nearest multiple of $232. As used in this section, the term "officer" does not include a Senator.

(b) Except as otherwise provided in this Order, in any case in which the rate of compensation of any officer, employee, or position, or class of officers, employees, or positions, the compensation for which is disbursed by the Secretary of the Senate, or any minimum or maximum rate with respect to such officer, employee, position, or class is referred to in or provided by statute, Senate resolution, or Order of the President pro tempore of June 16, 1969, such statutory provision, resolution, or Order shall be deemed to refer to the rate which an officer or employee subject to the provisions of subsection (a) receiving such rate immediately prior to the effective date of the increase provided by such subsection would be entitled (without regard to such statutory provision, resolution, or Order) to receive on and after such date.

(c) The annual rate of gross compensation of each employee in the office of a Senator shall be adjusted, effective on the first day of the first month commencing after the date of this Order, to the lowest multiple of $232 which is not lower than the rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if, within 15 days after the date on which this Order is signed, the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. No employee whose rate of compensation is adjusted under this subsection shall receive an increase under subsection (a) for any period prior to the effective date of such adjustment during which such employee was employed in the office of the Senator by whom he is employed on the first day of the first month commencing after the date of this Order. No increase shall be paid to any person under subsection (a) for any period prior to the first day of the first month commencing after the date of this Order during which such person was employed in the office of a Senator (other than the Senator by whom he is employed on such day) unless, within 15 days after the date on which this Order is signed, such Senator notifies the disbursing office of the Senate in writing that he wishes such employee to receive such additional compensation for such period. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased, such notice shall be deemed to have been given. An increase under this subsection in the compensation of an employee in the office of a Senator for any period prior to the first day of the first month commencing after the date of this Order shall be made without regard to the clerk hire allowance of such Senator.

(d) The limitation on gross rate per hour per person provided by applicable law on the date of this Order, with respect to the folding of speeches and pamphlets for the Senate is hereby increased, effective on such date, by 6 percent. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

(e) The provisions of subsection (a) shall not apply to employees whose compensation is subject to the limitation of subsection (d); or to employees referred to in the last proviso in the second paragraph under the heading "SENATE" in the Second Deficiency Appropriation Act, 1948. No officer or employee whose compensation is disbursed by the Secretary of the Senate shall have his compensation increased, as a result of this Order, to a rate in excess of the rate of the basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

SEC. 2. The table contained in section 105 (d) (1) of the Legislative Branch Appropriation Act, 1968, as amended, shall be deemed, on and after the first day of the first month commencing after the date of this Order, to read as follows:

"$279,096 if the population of his State is less than 3,000,000;

"$295,336 if such population is 3,000,000 but less than 4,000,000;

"$309,256 if such population is 4,000,000 but less than 5,000,000;

"$322,016 if such population is 5,000,000 but less than 7,000,000;

"$335,936 if such population is 7,000,000 but less than 9,000,000;

"$352,176 if such population is 9,000,000 but less than 10,000,000;

"$368,416 if such population is 10,000,000 but less than 11,000,000;

"$384,656 if such population is 11,000,000 but less than 12,000,000;

"$400,896 if such population is 12,000,000 but less than 13,000,000;

"$417,136 if such population is 13,000,000 but less than 15,000,000;

"$433,376 if such population is 15,000,000 but less than 17,000,000;

"$450,776 if such population is 17,000,000 or more.".

SEC. 3. (a) The figure "$219" appearing in section 105(a)) (1) of the Legislative Branch Appropriation Act, 1968, as amended (as increased by the Orders of the President protempore of June 12, 1968, and June 16, 1969), shall be deemed, on and after the first day of the first month commencing after the date of this Order, to refer to the figure "$232".

(b) The figures "$1,095", "$7,446", "$12,921", $13,140", "$17,301", "$17,520", "$19,053", "$19,272", "$23,652", "$23,689", "$30,003", and "$31,317", appearing in section 105 of such Act (as increased by such Orders) shall be deemed, on and after the first day of the first month comencing after the date of this Order, to refer to the figures "$1,160", "$7,888", "$13,688", "$13,920", "$18,328", "$18,560", "$20,184", "$20,416", "$25,056", "$30,392", "$31,784", and "$33,176", respectively.

(c) the figure "$657", appearing in the first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended as increased by such Orders), shall be deemed, on and after the first day of the first month commencing after the date of this order, to refer to the figure "$696".

(d) The figure "$7,287" contained in section 5533(c)(1)(A) of title 5, United States Code (as increased by such Orders insofar as such section relates to individuals whose pay is disbursed by the Secretary of the Senate), shall be deemed, on and after the first day of the first month commencing after the date of this Order, insofar as such section relates to such individuals, to refer to the figure "$7,724".

RICHARD B. RUSSELL,
President pro tempore.

APRIL 15, 1970.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 25 minutes p.m.) the Senate adjourned until tomorrow, Thursday, April 16, 1970, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate April 15, 1970:

SUPREME COURT OF THE UNITED STATES

Harry A. Blackmun, of Minnesota, to be an Associate Justice of the Supreme Court of the United States vice Abe Fortas, resigned.

JOINT CHIEFS OF STAFF

Adm. Thomas H. Moorer, U.S. Navy, for appointment as Chairman of the Joint Chiefs of Staff for a term of 2 years, pursuant to title 10, United States Code, section 142.

Having designated Adm. Thomas H. Moorer, U.S. Navy, for duties of great importance and responsibility commensurate with the grade of admiral within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of admiral while so serving.

U.S. NAVY

Vice Adm. Elmo R. Zumwalt, Jr., U.S. Navy, for appointment as Chief of Naval Operations in the Department of the Navy, with the rank of admiral while so serving, pursuant to title 10, United States Code, section 5081.

HOUSE OF REPRESENTATIVES—*Wednesday, April 15, 1970*

The House met at 12 o'clock noon.

The Reverend Raymond E. Neff, Methodist minister, North Platte, Nebr., offered the following prayer:

I will lift up my eyes unto the hills. From whence does my help come? My help comes from the Lord, who made heaven and earth.—Psalms 121: 1–2.

Almighty God, we ask that divine guidance be given the Members of this legislative body as they carry the responsibilities of their high office.

In times like these we would remember the words of the Psalmist: "My help comes from the Lord, who made heaven and earth." We do indeed pray for Thy help in these difficult days.

We thank Thee for the freedoms we possess today, made possible by the struggle of our forefathers. Help us to guard our heritage well that we may pass it on to others.

Bless our land with Thy favor and, O God, speed the day when the nations of this world will settle their differences around a council table rather than on a field of battle.

In closing, we would remember our brave astronauts in outer space. Just now as we are thinking of them and praying for them, may Thy peace rest upon them. Grant them a safe return to earth.

This we ask in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On April 10, 1970:

H.R. 13448. An act to authorize the exchange, upon terms fully protecting the public interest, of the lands and buildings now constituting the U.S. Public Health Service Hospital at New Orleans, La., for lands upon which a new U.S. Public Health Service Hospital at New Orleans, La., may be located.

H.R. 14289. An act to permit El Paso and Hudspeth Counties, Tex., to be placed in the mountain standard time zone.

On April 13, 1970:

H.R. 514. An act to extend programs of assistance for elementary and secondary education, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2846. An act to assist the States in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originating in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes; and

S. 3637. An act to amend section 315 of the Communications Act of 1934 with respect to equal-time requirements for candidates for public office, and for other purposes.

GUEST CHAPLAIN—REV. RAYMOND E. NEFF

(Mr. MARTIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MARTIN. Mr. Speaker, it is a distinct honor and privilege for me to have Rev. Raymond E. Neff, retired Methodist minister, who is a valued constituent of mine from North Platte, Nebr., give the opening prayer today.

Reverend Neff has faithfully served for many years as a beloved minister to many congregations, primarily in New Jersey. With retirement, he returned to North Platte, Nebr., the former home of Mrs. Neff.

Reverend Neff is not only an outstanding minister of the Gospel, but in addition he has always been an outstanding citizen and community leader wherever he has resided.

He is a close friend of Dr. Latch, and they have worked closely together over the years.

It is a real privilege for me to have Reverend Neff with us today.

PEACE CORPS AD

(Mr. CONABLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONABLE. Mr. Speaker, an advertisement appeared in the Washington Post this morning, signed by 52 Peace Corps volunteers serving in Jamaica, asking the President to withdraw all foreign troops from Vietnam. I do not want to go into the merits of this position, which are not spelled out in any detail in the advertisement. My reaction to this ad was one of concern lest the Peace Corps volunteers serving this country abroad are mistaking their role in representation of this country. On checking with Joseph Blatchford, Director of the Peace Corps, however, I find that he was aware of the pendency of this advertisement, and that he had, in fact, encouraged this outlet in preference to similar activities in the host country which might create confusion and embarrassment for our country abroad.

Viewed in this light, I wish to compliment the Director of the Peace Corps, not only on his sensitivity to the concerns of highly motivated young people serving our country in this volunteer capacity, but also his sensitivity to the possible problems which heedless enthusiasm could cause in a host country. For those in this body who might be critical of this manifestation from Peace Corps volunteers, I would like to add that if Members of Congress can make such strong public statements on American Southeast Asian policy as have characterized this body over the past 4 years, there should be no reason why Peace Corps members should not be able to follow a similar course, so long as their purpose is to instruct and affect American public opinion and not to create confusion abroad about American policy.

THE IMMEDIATE DANGER OF DEFOLIATION PROGRAM

(Mr. McCARTHY asked and was given permission to address the House for 1

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minute, and to revise and extend his remarks.)

Mr. McCARTHY. Mr. Speaker, last year during my investigation into the U.S. chemical and biological warfare program, I became concerned about the defoliation program that the United States is carrying on in Vietnam. This concern was narrowed to one particular defoliant, 2,4,5-T, when I learned that tests conducted out here in Bethesda, Md., at the Bionetics Laboratories, pointed out that this defoliant is teratogenic—it produces birth defects in test animals.

Reports followed from Vietnam about deformed children being born in defoliated areas, and even disturbing reports from within the United States where this defoliant was being used.

I urged on a number of occasions that this defoliant be banned from use because of the danger. I was immensely pleased then today to learn that the administration, having corroborated the tests by the Bionetics Laboratories that this defoliant is teratogenic, is banning the defoliant in the United States starting immediately.

I also understand that the Department of Defense is at any minute announcing a ban on this defoliant in Vietnam.

BOLD APPROACH SUGGESTED IN POPULATION CONTROL

(Mr. KUYKENDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KUYKENDALL. Mr. Speaker, a story in yesterday's Washington Post notes that a student organization at Montgomery College is promoting a pledge among students that "if they marry they will produce only two children and if they remain single, they will limit their offspring to one."

The pledge is to be sought as a part of the Earth Day promotion to alert mankind to the dangers to earth's environment, including transportation.

As one who is well past 30, the new magic age when knowledge and wisdom is supposed to vanish, may I suggest to these young folks that if they would limit offspring of single people to none, then married folks who are willing to involve themselves in the responsibility of maintaining family life could have one more.

In any event I object to the formula of two children for married people and one for unmarried. I happen to be a third child and if that formula applied, it would have left me with a very limited choice, either not to be born at all or to be illegitimate.

NOMINEES TO SUPREME COURT

(Mr. HUNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HUNT. Mr. Speaker, some of the leftwingers, and the professional liberals who opposed the President's last two nominees to the Supreme Court, Judges Clement Haynsworth and G. Harrold Carswell, are now seeking to place the blame elsewhere.

The man they have picked as their scapegoat is Attorney General John Mitchell.

They are passing the word that the Attorney General let down the President by not picking ethical or competent men. This is nonsense, Mr. Speaker, and they know it.

They said Judge Haynsworth was unfit because to them he had given the appearance of impropriety. What they meant was that they smeared him then asked people to believe the smears.

They said Judge Carswell was mediocre and thereby indicted themselves because they had approved him unanimously three times before for appointment, first as a U.S. attorney and then twice as a Federal judge.

So having served as accuser, judge, and jury against these two gentlemen and having found them guilty, they now try to convince people that the man really to blame is the Attorney General. And they have called on him to resign.

Yes, Mr. Speaker, they have decided they can have their cake and eat it, too. They can reject Judges Haynsworth and Carswell and get John Mitchell's scalp in the bargain.

Mr. Speaker, they have misjudged their men. Neither Richard Nixon nor John Mitchell knuckles under to pressure; which is more than I can say for some of those who seek their scalps. I ventured to forecast that both the Attorney General and the President will be here long after the voters have turned out those who seek to destroy them.

POLLUTION OF GREAT LAKES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–308)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on Public Works and ordered to be printed.

To the Congress of the United States:

The first of the Great Lakes to be discovered by the seventeenth century French explorers was Lake Huron. So amazed were these brave men by the extent and beauty of that lake, they named it "The Sweet Sea".

Today there are enormous sections of the Great Lakes (including almost all of Lake Erie) that make such a title ironic. The by-products of modern technology and large population increases have polluted the lakes to a degree inconceivable to the world of the seventeenth century explorers.

In order to contribute to the restoration of these magnificent waters, this Administration will transmit legislation to the Congress which would stop the dumping of polluted dredged spoil into the Great Lakes. This bill would:

—Discontinue disposal of polluted dredged materials into the Great Lakes by the Corps of Engineers and private interests as soon as land disposal sites are available.

—Require the disposal of polluted dredged spoil in containment areas located at sites established by the Corps of Engineers and approved by the Secretary of the Interior.

—Require States and other non-Federal interests to provide one-half the cost of constructing containment areas and also provide needed lands and other rights.

—Require the Secretary of the Army, after one year, to suspend dredging if local interests were not making reasonable progress in attaining disposal sites.

I am directing the Secretary of the Army to make periodic reports of progress under this program to the Chairman of the Council on Environmental Quality.

This bill represents a major step forward in cleaning up the Great Lakes. On the other hand, it underlines the need to begin the task of dealing with the broader problem of dumping in the oceans.

About 48 million tons of dredgings, sludge and other materials are annually dumped off the coastlands of the United States. In the New York area alone, the amount of annual dumping would cover all of Manhattan Island to a depth of one foot in two years. Disposal problems of municipalities are becoming worse with increased population, higher per capita wastes, and limited disposal sites.

We are only beginning to find out the ecological effects of ocean dumping and current disposal technology is not adequate to handle wastes of the volume now being produced. Comprehensive new approaches are necessary if we are to manage this problem expeditiously and wisely.

I have therefore directed the Chairman of the Council on Environmental Quality to work with the Departments of the Interior, the Army, other Federal agencies, and State and local governments on a comprehensive study of ocean dumping to be submitted to me by September 1, 1970. That study will recommend further research needs and appropriate legislation and administrative actions.

Specifically, it will study the following areas:

—Effects of ocean dumping on the environment, including rates of spread and decomposition of the waste materials, effects on animal and plant life, and long-term ecological impacts.

—Adequacy of all existing legislative authorities to control ocean dumping, with recommendations for changes where needed.

—Amounts and areas of dumping of toxic wastes and their effects on the marine environment.

—Availability of suitable sites for disposal on land.

—Alternative methods of disposal such as incineration and re-use.

—Ideas such as creation of artificial islands, incineration at sea, transporting material to fill in strip mines or to create artificial mountains, and bailing wastes for possible safe disposal in the oceans.

—The institutional problems in controlling ocean dumping.

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Once this study is completed, we will be able to take action on the problem of ocean dumping.

The legislation being transmitted today would control dumping in the Great Lakes. We must now direct our attention to ocean dumping or we may court the same ecological damages that we have inflicted on our lands and inland waters.

RICHARD NIXON.

THE WHITE HOUSE, *April 15, 1970.*

THE PRESIDENT'S MESSAGE ON GREAT LAKES DISPOSAL

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. GERALD R. FORD. Mr. Speaker, the President's message on Great Lakes disposal is another example of the tremendous leadership President Nixon is displaying in the effort to restore our environment.

For years I have urged a halt to the dumping of polluted dredged material back into the Great Lakes. I introduced legislation last year aimed at accomplishing that objective.

I am, therefore, greatly pleased that the President has thrown his support behind my efforts to stop this practice, which flies in the face of commonsense.

It it were at all feasible, I would favor a ban on dumping any dredged material back into the Great Lakes, whether such material was adjudged to be polluted or not. But of course finding adequate areas for land disposal of the dredgings is always a problem.

The administration bill to stop the dumping of polluted dredge spoil into the Great Lakes is most welcome. The Federal Government should be setting an example for the States, localities, and private industry in our effort to restore and preserve our environment.

The question of polluted dredgings goes deeper, of course, than finding a place to dump spoil. We should go behind that problem and prevent the entry of polluted soil into the lakes. Until the day arrives when we have accomplished that goal, however, it is vital that dumping of polluted spoil back into the lakes be stopped.

At the same time, we certainly need a study of ocean dumping as outlined by the President in his message to the Congress. I am glad to see that the President has ordered such a study made.

Mr. MINSHALL. Mr. Speaker, I am extremely pleased that the President has sent a message to the Congress today calling for legislation to stop the dumping of polluted dredged spoil into the Great Lakes. In doing, so he specifically pointed to the fact that almost all of Lake Erie has been polluted because of the "byproducts of modern technology and large population increases—to a degree inconceivable to the 17th-century explorers" who were so amazed by the vast beauty of these great natural resources.

In the 90th Congress and again on the opening day, January 3, 1969, of this Congress I have introduced legislation which would discontinue disposal of polluted dredged materials into the Great Lakes by the Army Corps of Engineers or other Federal agencies. I am gratified to note that the President's proposal not only is a forceful endorsement of the intent of my H.R. 1231, but lays down firm requirements for general disposal of polluted dredged spoil and strict enforcement regulations.

This is a giant stride forward toward saving not only Lake Erie but all of the Great Lakes and I shall immediately associate myself with the President's request by cosponsoring his Great Lakes disposal bill. I urge every Member of this Congress who shares my concern over our environment to join with me.

GENERAL LEAVE TO EXTEND

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks immediately following the message of the President today.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PRIVILEGES OF THE HOUSE

Mr. BELCHER. Mr. Speaker, I rise to a question of the privileges of the House.

Mr. Speaker, I have been subpenaed to appear before the District Court of the Fourth Judicial District of the State of Oklahoma at Enid, Okla., on April 28, 1970, at 9:00 a.m. to testify in the criminal case of the State of Oklahoma against Jessie Block.

Under the precedents of the House, I am unable to comply with this subpena without the consent of the House, the privileges of the House being involved.

I, therefore, submit the matter for the consideration of this body.

The SPEAKER. The Clerk will report the certificate and subpena.

The Clerk read as follows:

[In the District Court of the fourth judicial district of the State of Oklahoma, in Garfield County, No. 1654]

THE STATE OF OKLAHOMA, PLAINTIFF, *v.* JESSIE BLOCK, DEFENDENT

CERTIFICATE AND SUBPOENA

The State of Oklahoma to the Honorable Page Belcher, city of Washington, District of Columbia, Greetings:

You are hereby commanded to appear before the District Court at Enid in Garfield County, State of Oklahoma, on the 28th day of April, 1970, at 9:00 o'clock A.M., then ana there to testify as a witness in behalf of the State of Oklahoma in a criminal case pending in said Court at an Evidentiary Hearing wherein the State of Oklahoma is Plaintiff and Jessie Block is Defendent and remain from day to day and from term to term until discharged by due course of law.

Witness my hand this 7th day of April, 1970.

Attest:

ELOISE S. DEVINNEY,
Court Clerk.
J. RUSSELL SWANSON,
District Judge.

Service of the above and foregoing Certificate and Subpoena.

ACKNOWLEDGEMENT OF SERVICE

Receipt is hereby acknowledged of Service of the above and foregoing Certificate and Subpoena this — day of April, 1970.

Mr. ALBERT. Mr. Speaker, I offer a resolution.

The Clerk read the resolution as follows:

H. RES. 917

Whereas Representative Page Belcher, a Member of this House, has been served with a subpena to appear as a witness before the District Court at Enid in Garfield County, State of Oklahoma at 9:00 a.m., on the 28th day of April, 1970, to testify as a witness in the case The State of Oklahoma against Jessie Block; and

Whereas by the privileges of this House no Member is authorized to appear and testify, but by order of the House: Therefore be it

Resolved, That Representative Page Belcher is authorized to appear in response to the subpena of the District Court of the Fourth Judicial District of the State of Oklahoma, in Garfield County; and be it further

Resolved, That as a respectful answer to the subpena a copy of these resolutions be submitted to the said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FAMILY ASSISTANCE ACT OF 1970

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 916 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 916

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16311) to authorize a family assistance plan providing basic benefits to low-income families with children, to provide incentives for employment and training to improve the capacity for employment of members of such families, to achieve greater uniformity of treatment of recipients under the Federal-State public assistance programs and to otherwise improve such programs, and for other purposes, and any point of order against said bill pursuant to clause 3, Rule XIII, is hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed six hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH), pending which I yield myself 7 minutes.

Mr. Speaker, this begins the consideration of one of the most important pieces of legislation which this House will consider during the 91st Congress, because it very specifically represents what I believe to be the breaking of new ground in the field of social legislation, particularly as it pertains to welfare and to those who fall in the category of the poor.

Mr. Speaker, House Resolution 916 provides a closed rule with 6 hours of general debate for consideration of H.R. 16311, to authorize a family assistance plan providing basic benefits to low income families with children, to provide incentives for employment and training to improve the capacity for employment of members of such families, to achieve greater uniformity of treatment of recipients under the Federal-State public assistance programs, and to otherwise improve such programs, and for other purposes. The resolution also waives any point of order against the bill pursuant to clause 3, rule XIII—which, of course, is the Ramseyer rule.

The bill, H.R. 16311, is designed to amend the Social Security Act to provide incentives for employment and training of certain members of needy families, to improve the adult assistance programs and to improve the public assistance programs.

Assistance for more than 2 million families who make up the "working poor" is included in this legislation with the idea of helping them achieve self-sufficiency rather than dependency upon welfare in the future. Training and work opportunities are provided as incentives to millions of families who would otherwise be locked into the welfare system for generations and the Federal Government, under this legislation, would make a contribution toward relieving the financial burden of welfare payments by State governments.

So, Mr. Speaker, there are two main objectives of H.R. 16311. The first is to encourage every dependent family in America to stay together, free from the economic pressures which might split them apart. Second, the bill is intended to convert the existing programs, which in too many situations have encouraged dependency, to an integrated program which will encourage people to become independent and self-supporting through incentives to take training and enter employment.

The Committee on Ways and Means, which reported this legislation, testified that this measure would make major improvements and reforms in the provisions of the Social Security Act relating to the programs which aid needy families with children, including coverage of the working poor; the programs which aid the aged, blind, and disabled; and the programs which provide manpower services, training, employment, and child care to welfare recipients.

It is estimated that in the first year of operation, it will cost the Federal Government $4 billion-plus above the costs required by the various welfare programs now in existence.

In fiscal year 1972 the cost is estimated to be something over $12 billion in addition to what the States will spend.

Mr. Speaker, this is a very controversial and complicated piece of legislation which some claim will change the philosophy of our family assistance program, but it is a bill which has been endorsed by the overwhelming majority of the members of one of the greatest committees in the House. So on that basis, Mr. Speaker, I urge the adoption of the resolution in order that the Committee on Ways and Means may be permitted to debate this issue and to explain the details of the bill.

Mr. GROSS. Mr. Speaker, will the gentleman from California yield?

Mr. SISK. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

I have the usual question: What valid reason is there for bringing this bill before the House under a completely closed rule?

Mr. SISK. I believe the fairest answer I can give my friend from Iowa is that I have no basic argument to make to justify it.

This was a request by the Committee on Ways and Means. I would not assume it was unanimously agreed to by the members of the Committee on Ways and Means, but at least it was a request from the very distinguished chairman of that committee, the gentleman from Arkansas (Mr. Mills), and the distinguished ranking minority member, the gentleman from Wisconsin (Mr. Byrnes), for a closed rule.

Of course, it does deal with a very complex and complicated issue.

I might say, there was a difference of opinion in the Committee on Rules. I found myself in the situation where I felt compelled to vote for a closed rule on this bill.

I am not in a position today to attempt to defend that vote to any great extent, because, I might say to my good friend, in spite of my great respect—and there is no Member of the House I have greater respect for than the gentleman from Arkansas, who I see is now on his feet—I have reservations about this bill, and strong reservations. In fact, to be honest about it, if I had to vote right now I would vote against the passage of this bill.

I am for the rule. I am here supporting the rule. I am supporting the right of the committee to debate the issue. I am terribly concerned about the implications in this bill. I do believe the distinguished members of the committee are entitled to discuss the issues before the House and to debate the merits and the demerits, because there are two sides to the issue. Then we can vote it up or down.

I might say to my good friend, that is not necessarily an answer to his question, but that is the best I can give him at the moment.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Arkansas for any comment he might wish to make.

Mr. MILLS. On the question raised by my friend from Iowa, it is my information that this bill would be subject to amendment, without the closed rule, not just for the many titles which are involved in the bill itself—and that is a great number—but even for other titles of the Social Security Act.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield further to the gentleman from Iowa.

Mr. GROSS. The gentleman does not even talk in terms of a modified closed rule to limit it to the subject matter of the bill, to the titles or sections or anything else.

Is it just simply fashionable? Is it a fashion that cannot be broken? Even mini skirts, apparently, are going to change; they are going to get longer. Even fashions do change.

Is it just fashionable that the Ways and Means Committee comes in with every bill under a closed rule, or almost every bill? Is it because of fashion, or what?

Mr. SISK. Seriously, let me say to my good friend from Iowa, I believe it is a rather complicated bill. There was serious consideration given to a modified rule. It was a proposal made, for a modified rule; that is, a rule which would make in order certain amendments.

The problem we were confronted with, as an example, was that the gentleman from Florida was desirous of offering an amendment having to do with food stamps, and the gentleman from Georgia and the gentleman from Texas (Mr. Burleson) were interested in making in order a bill which they have which eliminates the so-called guaranteed annual income provision and the working poor.

There were some other proposals. It came down to this situation. Frankly, I can tell my friend from Iowa my position is, if you are going to open it up for one individual or one group to offer amendments, then it is unfair to deny the opportunity to others. So really our decision was finally made that, all right, if you are going to come down here with a wide open rule or a closed rule, then you should make it that for everyone. Generally, Mr. Mills and Mr. Byrnes and others who discussed it made it pretty evident that in all fairness, for good procedure, we had probably better stick with the closed rule, and that was the decision that was made. Maybe it was a bad judgment, but, at any rate, that was our decision in the committee.

Mr. GROSS. I do not care to pursue this very much further, because obviously, or it seems to me obviously, nothing is going to be done about it and the rule will be adopted, although I think it ought to be defeated and this bill opened up to amendment on the part of Members. The House ought to have an opportunity to work its will on it. The point is we might as well adopt the rule and vote on the bill, because I think we are all reasonably well acquainted with the contents of it. Why waste 6 hours of time debating something that you cannot amend or do anything with? The gentleman from California himself says that as of now he thought he would be prepared to vote against the bill. I feel the same way about it. I do not see much point in wasting 6 hours of time, if it can be called wasted, in listening to it.

The **SPEAKER**. The time of the gentleman has again expired.

Mr. **SISK**. Mr. Speaker, I yield myself 2 additional minutes.

Let me say quickly that this is a very complex proposition. There are various philosophies involved. There are some innovative things in this bill. I am concerned about possible precedents and the direction in which we are going. I question as to whether or not there has been a case made for work incentives in this bill. I think the facts and arguments and discussions were brought before the Committee on Rules which raised the question as to whether there was work incentive in it. It is my understanding that Mr. MILLS, Mr. BYRNES, and I are concerned about getting a work incentive that will cause people to want to work and go out and improve their economic conditions and support their families. I am concerned that there is not sufficient incentive in this bill to do that. I want to listen, and I hope and urge Members to stay on the floor during the 6 hours of debate, because I think it could be very beneficial. There will be people here raising very important questions on this matter. If I could be convinced that the work incentive is in here to the extent that I know in all sincerity my friend, Mr. MILLS, feels it is in it, then I will support the bill, but I do have grave reservations about it and about the implications and philosophy of having a guaranteed national wage. I have always opposed it, because I think it contrary to our whole philosophy and to the private enterprise system in this country. That is why I am getting a lot of mail against, and I am sure that other Members are, also. It will be a very controversial issue as we go down the road in this discussion of this bill between now and the time when something may be done in connection with enacting a law.

Mr. **LATTA**. Mr. Speaker, will the gentleman yield?

Mr. **SISK**. I yield to the gentleman from Ohio.

Mr. **LATTA**. As a member of the Committee on Rules, I do not think we should leave the impression stand here that the Committee on Rules was powerless to write a rule that would take care of the objection raised by the gentleman from Arkansas (Mr. MILLS). We could certainly have written a rule that would have permitted the gentleman from Georgia (Mr. LANDRUM) to offer his bill and also one that would have permitted the gentleman from Florida to offer his substitute on the food stamp plan without putting the rest of the bill with the entire social security system in jeopardy. I want that on the RECORD so we do not leave that impression here.

Mr. **SISK**. Let me say to my good friend from Ohio that I agree with him. There is no question we could have written such a rule as I indicated to my good friend from Iowa. It was a matter of judgment on the part of the Committee on Rules, and the majority of the committee. It was not a unanimous vote by any means.

The **SPEAKER**. The time of the gentleman from California has again expired.

Mr. **SISK**. Mr. Speaker, I yield myself 3 additional minutes.

Mr. **HALL**. Mr. Speaker, will the gentleman yield?

Mr. **SISK**. I yield to the gentleman from Missouri.

Mr. **HALL**. Mr. Speaker, I appreciate the gentleman yielding. I have only one question for the purpose of information only. Do I understand from House Resolution 916 as written only points of order pursuant to the Ramseyer rule are waived?

Mr. **SISK**. The gentleman is exactly correct. We waived it only on that point.

Mr. **HALL**. Mr. Speaker, if the gentleman will yield further, then we will be able, is it fair for me to assume, to make other points of order within other rules of procedures of this House which would stand on their own merits if presented against the bill?

Mr. **SISK**. The gentleman states it exactly as I understand it.

Mr. **GONZALEZ**. Mr. Speaker, will the gentleman yield?

Mr. **SISK**. I shall be glad to yield to the gentleman from Texas.

Mr. **GONZALEZ**. I thank the gentleman from California for yielding.

This is coming up under a closed rule; is that correct?

Mr. **SISK**. That is correct.

Mr. **GONZALEZ**. That is, no one who belongs to this House who is not a member of the Ways and Means Committee or for that matter the Rules Committee will have a chance to really offer anything meaningful in the way of amendments or modifications to the bill as put forth by the committee?

Mr. **SISK**. The gentleman speaks the facts as I understand them.

Mr. **GONZALEZ**. Will the gentleman explain to me why?

Mr. **SISK**. I would rather permit the gentleman from Arkansas and the gentleman from Wisconsin (Mr. BYRNES) to explain that. This was a request by the Committee on Ways and Means, and the Committee on Rules, after considerable discussion and after several other proposals had been offered, finally voted, in its wisdom, to grant a 6-hour closed rule. It might not have been the proper thing to do, but that is what was done.

Mr. **GONZALEZ**. Mr. Speaker, if the gentleman will yield further, I do not mean to put the gentleman as an individual on the spot. This is a very pertinent question. I think every conscientious Member of the House asks himself is there a special attribute that surrounds the Ways and Means Committee, since I am sure other committees would like to get closed rules?

Mr. **SISK**. No. Let me say, generally I do not think that is true. The facts are that the subject matter with which the Committee on Ways and Means deals covers taxes and social security which are extremely complicated matters. This does not mean that every Member of the House cannot be knowledgeable. But the facts are that it does deal with matters of balance where a minor amendment or what appeared to be a minor amendment in connection with either social security payments or tax law could throw the whole program out of balance. I think it has been generally considered a very difficult situation to attempt to amend or change tax laws or social security laws. These are, of course, the primary subjects with which the Committee on Ways and Means deals. They are not covered by this blanket rule.

Let me say that legislation coming from the Committee on Ways and Means is privileged legislation and I am sure my friend from Texas knows that they do not need a rule in order to bring a bill to the floor of the House for consideration. They can bring a bill to the floor any time they are ready, whether the Rules Committee looks at it or not because it is privileged. But the point is that they come to us for a closed rule.

Mr. **MILLS**. Mr. Speaker, will the gentleman yield?

Mr. **SISK**. I yield to the gentleman from Arkansas.

Mr. **MILLS**. Mr. Speaker, there are 478 pages in the compilation of the social security laws alone. I do not know but what there are, perhaps, 3,000 or 4,000 social security bills that are pending before the Ways and Means Committee, all of which might be in order under an open rule. There are broad references to this Internal Revenue Code within the Social Security Act itself that could or could not open up the entire Revenue Code.

The purpose of the Committee on Ways and Means in asking for a closed rule, historically on tax matters and social security matters, is to as best we can provide for an orderly procedure for the consideration of the legislation presented before the House. That is the only reason.

The gentleman from California remembers that in the other body they operate without a closed rule.

And I mean to tell you they operate. The last Social Security Act contained better than 500 amendments to the social security bill, and every one of them cost a devil of a lot more than we had in the House-passed bill, and it was the responsibility of the House conferees to take the brunt of the criticism to get those amendments out in the conference.

Mr. **SMITH** of California. Mr. Speaker, I yield myself 12 minutes.

Mr. **DENT**. Mr. Speaker, will the gentleman yield to me to clarify a point of jurisdiction?

Mr. **SMITH** of California. I yield to the gentleman from Pennsylvania for a question.

Mr. **DENT**. Mr. Speaker, under this rule could the right be denied to a committee if it feels that its jurisdiction has been usurped by the conditions of this bill?

For instance, let me read:

> This bill will contain a new program for manpower training employment services to be administered by the Secretary of Labor through the State employment offices.

Am I right or wrong in that—that that is strictly the jurisdiction of the Committee on Labor?

Mr. **SMITH** of California. We will get into some discussion on that, I am certain, in the general debate, but I am not

XUM

going to yield all of my time on this rule. We have 6 hours to discuss this whole matter.

Mr. DENT. Mr. Speaker, I thank the gentleman for yielding.

Mr. SMITH of California. Mr. Speaker, House Resolution 916, the resolution on the rule, provides for 6 hours of debate with a closed rule except for committee amendments, and waives points of order so far as the Ramseyer rule is concerned. No one except members of the Committee on Ways and Means—and I would assume that to mean the chairman himself, and probably with the agreement of the ranking minority member—could or would offer an amendment.

It means that none of us who are not on the Committee on Ways and Means, including those of us on the Committee on Rules, can do so. We are apparently not capable of having sufficient information or ability to offer amendments or suggestions to this new program.

The rule was requested by the distinguished chairman, by the distinguished ranking minority member, by the administration and by HEW. There was concern as to the fact that it might open up the entire subject.

Accordingly, the majority of us on the Committee on Rules voted for a closed rule.

One of the arguments was that if the rule is open, or if a special rule is made to open up the so-called guaranteed annual income payments, that they would probably be increased on the floor of the House. One Member testified before the Committee on Rules that he would like to have the rule open so that the amount could be increased, and one individual who was a visitor in the committee the first day during the entire day's session—and who was on television that night—stated that she thought it was a good program, but she thought it was not enough—that they want $5,500 a year to any needy family.

So apparently there is some feeling to increase the amount over and above the $1,600 for a family of four. I believe that after the bill is passed it will start growing a year from then, and from then on the sky will be the limit.

As to the bill itself, according to what the report states, the purpose of H.R. 16311 is to repeal the current jumble of federally assisted welfare programs, and to replace them with a unified program of aid to the Nation's poor.

This new program will provide financial assistance based upon a formula to be applied nationwide.

Also included is a program of work training for those who require it, and child care, day-care centers to enable mothers to work.

Since 1960 the number of recipients within the welfare system has increased from 2.4 million to about 6.7 million and minor children make up most of this increase.

In this same period costs of the program have tripled to about $7.8 billion.

The Department of Health, Education, and Welfare estimates that the costs could double in the next 5 years under the present system.

This bill restructures that entire system. It places increased stress on work-training programs and the development of child day-care centers. It requires all of the adult recipients to register at employment centers and accept suitable work; and sets a nationwide scale of assistance payments to all eligible families.

Each family with children whose income is less than the family benefit level—computed at $500 each for the first two members of the family and $300 for each additional member—would be eligible to receive a payment. To qualify to receive such assistance, members of the family must meet the registration for work or training requirements. The amount of payment each family receives will be based on the difference between the family benefit level and the amount of income earned by the family. For example, the family of four with no income would be eligible to receive $1,600—$500 plus $500 plus $300 plus $300.

Every needy family in the Nation would be eligible to receive assistance, but a family with $1,500 or more in resources, excluding its home and household goods and personal effects, would not be eligible for any assistance. Certain types of income would be excluded in determining the total Federal benefit level. Excludible income includes:

First, the first $720 per year of each adult member of the family, plus one-half of the remainder.

Second, food stamps and other public or private charity, including veterans' pensions.

Third, all earnings of a child in school.

Each family member would be required to register for employment or work training with a public employment office. Exceptions to this rule are children under 21 who are in school, those who are ill or disabled, a mother with a child under the age of 6, one who is caring for an ill family member, or whose husband is registered under the program.

Any individual who refuses to register or to accept vocational rehabilitation will not be counted in determining the amount of the family benefit.

The several States will have to supplement the family assistance payments up to the level of their aid for dependent children programs or the poverty level—whichever is lower—in order to be eligible for Federal funds under medicaid and other welfare programs. States will not, however, have to supplement Federal payments to the working poor.

An appeals procedure is provided. Any person who disagrees with any decision relating to his eligibility for, or the amounts of his family assistance payments may obtain a hearing. Any final determination can be reviewed in the local district court, where factual determinations previously made by the Secretary of Health, Education, and Welfare would be conclusive.

The bill terminates the present work incentive program and creates a new one operated by the Secretary of Labor. Training would be provided all registrants who need it. Concurrently, State welfare agencies would be required to provide health and other benfits to facilitate the participation of individuals in the training program. Federal appropriations are authorized to cover up to 90 percent of the costs of the new training program with the State responsible for the remaining 10 percent. If a State fails to provide its 10 percent, Federal assistance to other welfare programs within such State would be reduced by the amount of the State's deficit. Each person in the training program will receive an allowance of $30 per month for incidental and travel expenses. Funds to cover such costs as transportation and other costs directly connected with the training program can also be paid out by the Secretary of Labor.

Day-care centers for minor children are to be provided. The Secretary of Health, Education, and Welfare is authorized to make grants covering up to 100 percent of the costs to public and private nonprofit agencies to assure that such assistance is provided for all training program participants who require it.

The present separate assistance programs for the aged, blind, needy, and disabled are eliminated. In their place, a new combined Federal-State unified program is instituted to cover the same groups of people. Following federally set definitions and qualifications, the State will be required to provide a payment sufficient to bring an individual's total income up to at least $110 per month. No restrictions such as residency or citizenship requirements could be instituted. The Federal Government would pay 90 percent of the first $65 of the average monthly payment, and 25 percent of the remainder, up to the limits set by the Secretary of Health, Education, and Welfare. Fifty percent of all State administrative costs would also be paid by the Government.

The effective date is July 1, 1971, with special provisions for States with statutes which prevent them from complying by that date.

The cost of the bill to the Federal Government in its first year of operation is approximately $4.4 billion above the costs required by the present welfare programs. The total Federal outlay in fiscal 1972, the first year of the new program, is estimated to be approximately $12.2 billion with the States expending another $5.5 billion. The cost of the bill is about the same as that proposed by President Nixon. The major change is that the reported bill treats the States differently, and in so doing will reduce the overall State expenditures by some $567,600,000. This results from a change in State matching supplemental payments which help States with higher benefit levels, and the increased minimum income standards which require States with low support levels to increase their fiscal effort.

Mr. Speaker, the gentleman from Texas (Mr. BURLESON), introduced H.R. 16600 on March 23 as a substitute. The Rules Committee did not make that bill in order as a substitute, so the provisions of that bill will not be before the House. It contains much of the language of the present bill, with the exception of certain guaranteed income payments.

It seems to me the idea that is presented in H.R. 16311 has been around

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here for a number of years. It has been dusted off a little bit and some frosting put on it. It has been introduced as a welfare program. If it had been introduced by the last administration in the form it is in, many Republican Members would have opposed it very bitterly.

Almost everyone agrees that we need some welfare reform, that the present system is not working. But is this welfare reform? I believe it was introduced originally as welfare reform, but I do not think it turned out to be a welfare reform program. In my opinion, it is more of a welfare expansion program.

It has been estimated that the bill would add approximately 15 million people to the welfare rolls of the United States. The California State Department of Social Welfare has not been able to estimate the cost to the State of the welfare program.

Now, some of the problems: I refer you to pages 21 and 22 of the bill, where the conditions are set forth and the exceptions are set forth, and I particularly refer to the question of what is suitable employment. The person has to take suitable employment. What is suitable employment? Who is going to determine what suitable employment is?

Suppose an individual is trained and he is told to take a job 1 mile away. There is no transportation, public or private. He must travel 1 mile each way. He says:

> I can't walk that far. I can only walk two miles a day, one mile to work and one mile back.

Would that be suitable employment? And after training, would he then go back on the welfare program? I do not know, and there is no language in the bill that will help definitely to determine that question.

Suppose a person does not like the job to which he is sent. In some plants employees cannot smoke. In plants manufacturing aircraft they have 15-minute breaks twice a day so that employees can go outside to certain areas where they can smoke. Suppose an individual does not like the job. He stays out 22 minutes. His foreman or supervisor says, "Where have you been?" He says, "I took a little extra time."

Suppose he does not like the work and throws a monkey wrench in the machinery and breaks it.

How long are the employers going to have to keep these people there if they do not like the job and think it is not suitable? It seems to me that we must have more definite, more specific language as to what suitable employment is going to be and who is going to enforce it and what we do if the individual who is trained will not take the employment. We have to have more specific language in this bill to tell us what we will do if this employment is not considered suitable.

Take domestics. In my area we cannot get domestic workers. I have some families where the father and mother both are working, one where they have three children, one of whom is semi-handicapped. They cannot get anybody to take the job. The State employment agency does not have anybody. No private employment agencies have. We have tried to get a woman in from Mexico who was willing to come up here. They cannot get certification from the Labor Department. They always place an "x" in the box that says there are plenty of available people. People apparently do not want to be domestic workers.

Are we going to train them for that? Will that be considered suitable employment, if they do not want that employment?

Take the engineers. Some have lost their jobs because of the shortage of contracts. They want jobs but there are not any. What do we do about those people? It seems to me we have to have some jobs available for these engineers who are out of work now.

I have talked to brokerage firms in New York, I talked to the heads of two of them yesterday. They told me that at the present time they are just barely able to keep their heads above water. They said, "Allen, why don't you solve a crisis in Washington?" I said, "What crisis do you have in mind?" They said, "Well, solve Vietnam or something, because we cannot keep going as we are."

I think the administration is trying to solve Vietnam, but it is not as easy as that.

I have two plants in my area, two corporation which a year or two ago sent in proposals saying that they were willing to train 200 people. This is not on-the-job training. They will have facilities, counselors, and teachers and all that is necessary to determine what work the people can do. They guaranteed they would train 200 people per year and guaranteed them jobs if the Government would simply pay half the cost of the expenses. I could not get a nickle downtown in the last administration or in this one. Yet the two corporations were perfectly willing to spend their own money to do that.

I think we have some problems from that standpoint, and I thought those two fine companies would have interesting pilot programs. They were interested in doing it.

I was talking to some executives the last time I was home, in a plant which is a subsidiary in my district, and they said they are scared to death because there are so many imports coming in they do not know how they can keep going unless conditions get better.

Now, what about the professional poor? There are a million or a million and a half of them. We will not let them starve. We do not believe in that. So if they will not work and they take the program and they register once, what are we then going to do about that?

I only mention these things because it seems to me the bill ought to be more clear. The proponents claim this will create incentives to work and keep families together. I certainly hope so, but I doubt it very much. None of us has a crystal ball. We cannot look into the future. They say, "Let us try the program." But we must keep in mind that we have other programs which are spending money in education, in clean air, water pollution, environmental control, veteran problems, Vietnam, and on and on. This program is going to cost more and more money.

Will we have to increase the debt before June 30? Will we have to have an extension of the surtax? People feel now that they are being taxed to death. If we keep on, they are liable to say, "Throw all the rascals out in Washington and replace the whole Congress."

This starts a Federal means test for the first time. I do not know whether that is good or bad. The facts will be placed into a computer. The answer comes out that the father does not make enough money to support his children. Do we then tell the children that your father is not capable of supporting them? Is that for the good of the children?

It starts a guaranteed income program. I am all for a guaranteed work program, but I am opposed to a guaranteed income program. There will be statements made by Member after Member that we now have a guaranteed annual income which was written into the law some years ago. From a practical standpoint, that may be true with the State programs and the social welfare, and so forth, and maybe there is a certain amount that certain families actually will receive.

But this is the first time to my knowledge that we will actually write into the Federal law that we will guarantee a family a certain amount of money per year depending upon that family. I believe the U.S. Treasury is liable to be opened wide for the first time in our history to pay people a certain amount of money.

I believe that this bill needs more study. I am all for improving the program, as everybody is, but I would hope that the committee would give consideration to further studying this program, to figuring out what suitable work is and who is going to decide it, what it is going to cost, and then come in here, and perhaps have a little better legislation than we will have under a strictly closed rule, if this bill reaches that point.

So far as I am concerned, I intend to vote against the bill in its present form.

Mr. Speaker, I reserve the remainder of my time.

Mr. SISK. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. ROSTENKOWSKI).

Mr. ROSTENKOWSKI. Mr. Speaker, on March 11, I joined with my colleagues on the Committee on Ways and Means in reporting H.R. 16311. This bill symbolizes a great step forward in providing a basic level of financial assistance throughout the Nation to needy families with children. In addition, the bill is intended to convert the existing public assistance program from one which results in people remaining in dependency to one which will encourage people to become independent and self-supporting through incentives to take training and enter employment.

Since 1960, the number of recipients receiving aid under AFDC programs has increased from 2.4 million to about 6.7 million. Moreover, the proportion of children receiving assistance has been rapidly increasing—from 30 children per 1,000 in 1955 to about 60 children per 1,000 in 1970. In addition the costs of these programs have more than tripled during the last 10 years—to about $4 billion at present. Estimates made by the Department of Health, Education, and Welfare indicate these costs could more than double again during the next 5 years unless action is taken now to deal with the underlying causes of this crushing increase in both costs and numbers of recipients.

It is clear that the type of welfare legislation that has been enacted in recent years has not been very effective in dealing with the massive problems that are plaguing the welfare programs. It is equally clear that a new direction must be taken to handle these problems.

As reported by the Committee on Ways and Means, H.R. 16311 represents just such a new direction for family assistance. It is designed to carry out the committee's intent to reduce dependence on assistance and restore more families to employment and self-reliance. It is my firm belief that this will gradually reverse the present trend of spiraling cost and increasing dependence upon welfare.

Basically, the family assistance plan provides that each family with children under 18—or under 21 if attending school—whose nonexcludable income is less than $500 per year for each of the first two family members and $300 per year for each additional family member, and whose resources—other than those excluded—the home, household goods, personal effects, and so forth, are less than $1,500 would be eligible to receive a family assistance benefit.

Unlike present law, the family assistance plan contained in the bill includes needy families where the father is in the home and fully employed. The bill provides a uniform earnings exemption which is equally applicable to families with male and female heads and well as those who are fully and partially employed.

For purposes of Federal benefits under the family assistance plan, the first $60 a month in earnings would be disregarded plus one-half of the remainder. A family of four would therefore be able to receive some benefits under the program until its income reaches $3,920.

Under the program, a family without other income will receive $500 per year for each of the first two family members, plus $300 per year for each additional family member. These payment rates establish a Federal income maintenance floor which in most States will be increased by required State supplementation for all families except the working poor. The bill provides that each State that was making AFDC payments higher than the new family assistance benefit, would be required to maintain the levels of payments in effect as of January 1, 1970, or, if it is lower, a level corresponding to the poverty level as defined in the bill.

In order to assist the States in making supplementary payments, H.R. 16311 provides that the Federal Government generally would pay a State 30 percent of the amount expended by the State in making such payments each fiscal year, not including any supplementary payments made to the working poor. However, there would be no Federal payment for that part of the supplementary payment which exceeds the difference between the applicable poverty level and the sum of the family assistance payment and any income of the family not disregarded in computing the supplementary payments.

H.R. 16311 also provides much needed assistance to the States in meeting the costs of their public assistance programs. Under present law, in Illinois the costs of family programs of assistance were $158.1 million in 1968. The Federal Government bore $78.9 million of this cost, and the State paid $79.2 million. Under H.R. 16311, for 1968, these total costs would have been $173.6 million. The Federal Government's share would have been $127.4 million and the State's share, $46.2 million. Thus, H.R. 16311 would provide a total increase in assistance to families in Illinois of $15.5 million while decreasing the costs of the program to the State by $33 million.

I am also pleased that the Committee on Ways and Means included in H.R. 16311 significant improvements in the programs which assist the aged, blind, and disabled. The bill provides for combining the present categories for assistance to these groups into one combined adult assistance program and for uniform requirements for all States for eligibility factors such as the level and type of resources allowed and degree of disability or blindness.

More importantly, under H.R. 16311, States must assure that each aged, blind, or disabled adult will receive assistance sufficient to bring his total income up to $110 a month. In addition, incentives are provided for the States to enter into agreements for Federal administration of the combined program and a simplified Federal matching formula which will result in generally more favorable Federal participation in the cost of the payments. For instance, in my home State of Illinois, the difference between existing law and H.R. 16311 for the year 1968 would result in a savings of $6.7 million for Illinois and an increase in expenditures by the Federal Government of $11.5 million. The increase in payments of assistance under the adult categories in Illinois would be $4.8 million.

In summary, Mr. Chairman, I would like to state my strong support of this bill and urge the House to take prompt action on its approval. Overall, the bill will provide equitable treatment of working poor families; reduction in financial incentives for family breakup; reduction of variations in payment levels among the States through the introduction of a Federal floor for family assistance payments; establishment of a strengthened manpower training program; and improvements in the level of help and effectiveness of the adult assistance programs.

Mr. SISK. Mr. Speaker, I yield 10 minutes to the distinguished gentleman from Georgia (Mr. LANDRUM).

Mr. LANDRUM. Mr. Speaker, I find myself today in a most awkward position, yet awkward as it is I am not uncomfortable.

It is awkward for me to find myself in opposition to the distinguished chairman of my committee, and one of the most distinguished men of the Congress.

It is likewise awkward to find myself opposing the distinguished minority member of the Committee on Ways and Means, the gentleman from Wisconsin (Mr. BYRNES).

But, as I said, it is not uncomfortable. If such an incongruity as that statement implies appears to be impossible of acceptance, then allow me to ask the Members to study carefully during the next 6 hours of debate and discussion on this floor the incongruities in this piece of legislation, and what I just said will seem as compatible as a newly married couple.

In reflecting upon the provisions of this legislation and what I see in it for the future of this country, if the legislation becomes law, there comes to my mind the opening lines of Charles Dickens' "Tale of Two Cities." I hope the Members will indulge me if I recall those opening lines.

> It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of light, it was the season of darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to heaven, we were all going direct the other way—in short, the period was so far like the present period, that some of its noisiest authorities insisted on its being received, for good or for evil, in the superlative degree of comparison only.

Now, in this bill we have some of the very best things. No Member of this House, and certainly no member of the Committee on Ways and Means who heard the testimony, can disagree with the fact that we need reform in all of our welfare programs and in our welfare legislation. But, in its entirety the bill is not really reform but revolutionary change that ought to be subjected to amendments which this rule precludes.

And, when you study carefully the innovations in this bill to bring about that reform, I think we must, of necessity, come to the conclusion that some of the worst things ever proposed to this Congress are contained in it, and one of them is a guaranteed annual income.

Make no mistake about it, ladies and gentlemen—make no mistake about it—you vote this legislation into law and you go down the road of no return, because you have guaranteed an income out of public funds to people employed and to people unemployed. To me that is not the age of wisdom; that is the age of foolishness; that is the age of recklessness.

To think that I must confront such a proposition with my responsibility as a Member of this body and report to my constituents that I am foreclosed from offering an amendment in the House of Representatives to give this body a

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chance to vote on it, I have to say, as Dickens said, "This is the age of despair." That is because I cannot offer an amendment here under this rule to take out this objectionable feature of the guaranteed income. I have to swallow it if I want to vote for the improvements that are in this bill for aid to dependent children, for the aged, for the blind, and for the unfortunate of this country. So I despair to have to come here today and admit to myself that we are foreclosed by the leadership of this House and the leadership of this committee by the demand for a closed rule.

Incidentally, I was not a part of that request for a closed rule. I voiced my objections to it, as the chairman will recall, when the request was made in the committee.

The leadership of this House says, bring this on under a closed rule. Now, what is wrong with any Representative in this House facing up to an amendment that affects the course of welfare legislation of this country and changes the fundamental structure of our Nation more than any other single piece of legislation in the 18 years that I have been a Member of Congress?

What does a guaranteed income promise? Let us take two workingmen, two wage earners, working side by side, with equal skills, drawing the same identical wage. We will just use $2 an hour as an example. One, being rather prolific himself and perhaps having a prolific mate, has a large family, let us say five or six. And the other, not being so inclined or so constructed, has probably one or two. Yet, the one with the large family will draw from the Federal Government, just like the employees of the Federal Government, a check every month to supplement his income to bring him up to the level of income the Government says a family of his size should have. And, mind you, it will come from the wages of the man working alongside him simply because the man working alongside him chose to have a family of smaller proportions and does not receive from his Government a subsidy payment. But he pays his tax.

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You cannot deny that, gentlemen. The leadership of this House cannot deny it, if they have studied this bill. My distinguished friends in the Committee of Ways and Means with their great capacity as legislators and as statesmen cannot deny it because they know it is here.

Moreover, Mr. Speaker, I cannot offer an amendment designed to stop provisions in the bill which will add literally hundreds of thousands of employees to the employment rolls of the Department of Health, Education, and Welfare. Why?

Mr. Speaker, we now have about 2 million people on the welfare rolls as I understand it—perhaps, a little less—but we are with this bill about to add 15 million as a minimum estimate, but as a maximum estimate in my judgment between 25 million and 30 million. And to administer the law for all these new welfare recipients literally thousands of new employees will be required. We are going to be saying in law as the distinguished gentleman from California said awhile ago, "Listen, fellow, your daddy is working; your daddy has got five children; you have got four brothers and sisters; your daddy has got a wife and there are seven in your family." In other words, he is working and he is making $6,120. To my way of thinking that fellow has a pretty substantial pride in his family relationship and in his accomplishments. He is not going to be able to furnish each one of those children two pairs of shoes all the time, the best cuts of meat all the time, two suits and he is not going to ride in Cadillacs, even though it might be a "welfare Cadillac." But his children have pride in the fact that their father is making them a living. Yet, we are coming in here on page 28 of this bill and saying to that man because he makes less than $6,120 and has that many children, he is in poverty. And, we are saying to those children, "Your daddy is in poverty. Your Government is going to keep you up."

Mr. Speaker, by doing this we will destroy the motivation of that child, we will destroy the incentive of that man to improve his skill. Further, we are proposing a statute, that does something we have never done before by telling a workingman—not a loafing man—telling a man working that because you make less than so much you are in poverty and the Government is going to take public money and pay you a subsidy.

That will require great sums of money. New revenue must be found. Surtaxes will be added and increased—not reduced or eliminated as now planned. Budget deficits will grow—not decline and all because we take the tragic step proposed in this bill of guaranteeing to a man—whether or not he works—annual income equal to a figure the Government decides he should have.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. SISK. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. LANDRUM. Mr. Speaker, this bill puts the benefits in this order: Cash, food, and work. So long as we keep the priorities in that order, gentlemen, we are going to be faced with the welfare recipient saying, "No; I am not going to work because I have already got that cash and I have also got my food."

Now, if you turn it around the other way and put work first and cash last, then we will get along the road that seems to me more American.

Mr. Speaker, I am perfectly willing to tax every man and woman in this country for what is necessary to take care of the aged and to take care of the unfortunates and to take care of those who cannot take care of themselves. But I am unwilling to levy a single copper of tax in America to take care of any person who simply will not work. And, that is exactly what you are doing with this bill.

Mr. Speaker, if I had the opportunity to amend it, I would take that out and vote for the other, but not having that chance to, I must say to my distinguished chairman and my distinguished friend from Wisconsin and my friends in the House, despite my concern for the training programs that are provided for in this bill, as well as other fine programs, I will have to oppose this bill because in my view we are going down the road of no return.

Mr. SMITH of California. Mr. Speaker, I yield briefly to the gentleman from Indiana (Mr. LANDGREBE).

Mr. LANDGREBE. Mr. Speaker, there has been no discussion at all on how the Supreme Court's March 23 ruling on welfare is going to affect this program.

Briefly stated, the High Court ruled that it is unconstitutional for States and cities to stop welfare payments until they give recipients a chance to defend their rights to the benefits.

The Court ruled that a welfare recipient is entitled to a hearing before his payments are cut off and the hearing must include these four features:

First. The needy person must be heard in person. A written statement on his behalf is no longer good enough.

Second. The recipient must be allowed the opportunity to confront and to question any witnesses who say that he is ineligible.

Third. If the recipient wishes, he may have a lawyer at the hearing but this is not required.

Fourth. The official deciding eligibility must write out the reasons why he made his decision and cite evidence he relied upon.

Now, what does this ruling have to do with FAP The answer is: No one is sure.

We do know that under the family assistance program, a person receiving payments has his allotment scaled down as he makes more money. As for the so-called working poor, the same is true with a definite cutoff point at a certain level beyond which no more FAP money is given the recipient. What the Supreme Court ruling has at least made a possibility is that FAP recipients can now demand a full evidentiary hearing if the Government either cuts off or scales down their welfare payment.

Chief Justice Warren Burger alluded to this possibility in his dissent in the case when he said:

> Aside from the administrative morass which today's decision could well create, the Court should also be cognizant of the legal precedent it may be setting. The majority holding raises intriguing possibilities concerning the right to a hearing at other stages in the welfare process which effect the total sum of assistance, even though the action taken might fall short of complete termination. For example, does the Court's holding embrace welfare reductions or the denial of increases as opposed to terminations, or decision concerning initial applications or requests of special assistance. The Court supplies to distinguishable considerations and leaves these crucial questions unanswered.

In a footnote to his dissent, Chief Justice Burger noted that Los Angeles County alone employs 12,500 welfare workers to process grants to 500,000 people under various welfare programs. He said:

> The record does not reveal how many more employees will be required to give this newly discovered "due process" to every welfare recipient whose payments are terminated for fraud or other factors of ineligibility or those whose initial applications are denied.

But the outlook is not good.

Ohio State Welfare Director Denver White says the Court ruling is, quote, "terrible."

> It is going to cause a taxpayers revolt. Now we must have more scrutiny of anyone applying for welfare. Last month, we closed 3,000 cases . . . now we would have to have hearings on all of these . . . and that's 36,000 cases a year.

The New York Post the day after the Court ruling, reported that because of it New York State welfare officials may face the possibility of a huge administrative logjam because up until now they have given welfare recipients only a chance to reply in writing to contest their payment termination.

An additional danger of this Court ruling is that it will give welfare rights militants such as George Wiley, head of the National Welfare Rights Organization, a powerful new legal tool to combat and harass Government efforts to enforce welfare work requirements.

With FAP adding some 15 million additional individuals to the welfare rolls, the opportunity will now be greatly enhanced for militant welfare organizers to bog down the system by simply demanding hearings on every welfare termination, reduction, or denied application.

And there should be no doubt as to the way these groups feel about welfare work requirements. George Wiley was quoted recently in the Philadelphia Inquirer as saying:

> We're going to fight against forcing people to work in order to get welfare. We're prepared to beat it in the streets. We're prepared to refuse to take jobs that are given us.

The goal of the welfare militants, Mr. Chairman, has always been to break down the present welfare system and substitute in its place a guaranteed annual income. As long ago as June of 1966, Joseph Loftus reported in the New York Times:

> Activists who are impatient with the Johnson antipoverty campaign are firing up a campaign of their own. The objective, simply stated, is a guaranteed, Federally financed annual income. The strategy of the activists is to demand welfare payments for all who qualify . . . to . . . double the welfare rolls, and impel the politicians to accept a guaranteed income as a solution.

In short, the latest Supreme Court ruling on welfare coupled with the family assistance program, could open a Pandora's box of hundreds of thousands of frivolously requested welfare hearings which, in turn, could lead to a complete and total breakdown of the present welfare system.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Speaker, I rise in support of the rule that would make in order the Family Assistance Act of 1970.

Most of the time thus far consumed under the rule has been spent I think in attacking the provisions of this legislation. I was not privileged to be a Member of this body back in 1935 when we adopted social security legislation. I feel quite sure that many of the fears and trepidations that assailed the Members of Congress at that time about the wisdom of embarking on so sweeping and far-reaching and novel a program as that, that many of those same doubts exist in this Chamber today.

Yet, I want to say that I think this afternoon of that night when I listened to the President of the United States in August of 1968 when he unveiled his idea of a new federalism, something that would refurbish and restore new strength and vigor to the institutions of this country.

At that time he spoke of the keystone in that arch as the reform of the welfare program. And those of you who believe in the federal system, if you want to nourish and reinvigorate the roots of federalism in this country, cannot ignore the problem that we face with respect to the welfare system in our country today.

I am not going to discuss the substantive details of that legislation. Let me in this time pay tribute to the distinguished chairman and the distinguished ranking minority member, the gentleman from Wisconsin (Mr. BYRNES) who for three days sat patiently before the Committee on Rules and gave us ample evidence of their complete expertise in this area. And I would hope our time this afternoon and tomorrow will not be wasted in 6 hours of debate in listening to those gentlemen and the rationale that they give you in support of this program. But I would suggest that if we really want to do something to reform this program we have to take a close look at this program, because really what it is is synergistic—I think that is the word—in its effect: That is, the sum total of this legislation, the impact that it can have on this country, is much greater than simply the sum total of the various parts.

That is precisely why the Committee on Rules gave a closed rule; not merely because of precedent, because there is ample precedent to do that, not simply because of the complexity of the legislation with which we deal, although it is complex, but because I think we ought to take the bit between our teeth and vote this bill up or down one way or another.

If we accept the premise that I do, that it can lead to real reform in this country, to the basic institutions in our country, then we ought to be proud to cast our vote for this legislation.

With respect to what my distinguished friend and colleague, the gentleman from Georgia (Mr. LANDRUM) has said, "We are going to be levying a tax, we are going to load the already overburdened taxpayer of this country still more, and tax him for those who simply will not work." Well, if I can understand the very clear and concise English with which the chairman and the ranking minority Member spoke, that is just not so; because if a man wants to qualify for this program, under this legislation he is going to be registered, he is going to be willing to work, he is going to be willing to take training, and he is going to be willing to do all of those things to qualify for a single penny, and I would submit we are not taxing——

Mr. LANDRUM. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. Mr. Speaker, I will yield to the gentleman if I have time.

Let me suggest in the very few minutes remaining that I have that it would be utterly illusory this afternoon to assume that our job is done when we pass this legislation.

I would again salute the members of the Committee on Ways and Means for their complete candor in discussing this legislation with us when they said they could not give us any guarantee that it is going to work perfectly. I would indeed suppose that we will have to come back many times with amendments to this legislation perhaps in the light of experience and in the light of what we are able to do under this bill, and provide more training slots, make it easier for people to get the kind of training that will qualify them for the job market.

But it is a beginning. It is more than just a small beginning. It is a very large step in the direction that we want to go.

I talked to the Illinois director of public aid the other day when he was in Washington, and he said that next year in his State they are going to spend $856 million just on public aid, an increase of $186 million in 1 year alone. And he said more than half of the 18 percent increase in the public assistance rolls of Illinois, more than half of the people who were going to be added to those rolls, are going to be fathers who have deserted their families. And if there is one thing——

The SPEAKER. The time of the gentleman has expired.

Mr. ANDERSON of Illinois. Mr. Speaker, can the gentleman yield me additional time?

Mr. SMITH of California. Mr. Speaker I yield 30 additional seconds to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, if there is one thing that impresses me about this bill it is the fact that the basic thrust is to try to hold that family together, to keep the father from deserting his wife and children, and to preserve the very basic unit of American society.

For that reason alone—for that reason alone I think we will make history, and the right kind of history, if we adopt this legislation today.

I strongly feel that the administration's plan is the only sound and viable alternative to the colossal welfare mess which now exists. I do not think there is anyone in this Chamber who would defend the existing welfare system; there is general agreement among people of all po-

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litical and ideological persuasions that it has been an enormous failure and that it is in drastic need of a complete overhaul.

The merit of a welfare system can be determined by the extent to which it helps those who are unable to help themselves and promotes eventual self-reliance and independence among those who are able to help themselves. Existing welfare schemes have failed the recipient on both counts: they have failed to adequately meet the needs of the permanently dependent and have also failed to elevate the potentially independent. In the decade of the sixties welfare costs doubled and the welfare rolls have swollen from 5.8 million to 10 million people. If nothing is done to change the present aid to dependent children program—AFDC—it is estimated that by 1975 its total cost will soar from today's $4.3 billion to $12 billion, and the poor will be just as entrenched and dependent as ever before, only in greater numbers. This can hardly be termed genuine and effective welfare; it is institutionalized poverty. President Nixon described this monumental mess best in his August 11, 1969, welfare message:

> The present welfare system has failed us—it has fostered family breakup, has provided very little help in many States and has even deepened dependency by all-too-often making it more attractive to go on welfare than to go to work.

The bill before us today provides for a comprehensive reform of the welfare system and goes to the very heart of the glaring deficiencies and failures of present programs. President Nixon has characterized the family assistance plan as, "a new approach that will make it more attractive to go to work than to go on welfare, and will establish a nationwide minimum payment to dependent families with children." Again, to quote the President:

> This would be total welfare reform—the transformation of a system frozen in failure and frustration into a system that would work and would encourage people to work.

Let me explain briefly how the family assistance plan would work and how it would encourage people to work. The family assistance plan would replace AFDC programs and would establish a basic income for all parents who cannot adequately support their families. For example, the Federal payment to a family of four with no more than $720 annual income would be $1,600. FAP payments would be uniform throughout the Nation and thus eliminate the gross disparities and inequities which exist in different States under present programs. As a family's income increases, it would continue to receive Federal income supplements in reduced amounts until the family has climbed above the poverty line. For example, that same family of four with an annual income of $2,000 would receive a supplementary payment of $960.

Another provision in FAP would require States having AFDC payment levels—as of January, 1970—which are higher than family assistance levels to supplement the family assistance level up to that level or the poverty level, whichever is lower, in order to continue eligibility under medicaid and other welfare programs. Federal matching funds for the State supplement would be available at a rate of 30 percent, except for the working poor. The State would not be required to supplement payments to the working poor.

For example, in my own State of Illinois, current AFDC payments to a family of four—one parent and three children—are $3,228. Under the FAP formula, a family of four with $2,000 annual income would receive a $960 Federal supplement and a $1,415 State supplement provided that the family is classified as nonworking poor, that is, a family in which no member worked over 30 hours a week. The total supplemented income of that family would be $4,375 per year.

So, to those who claim that the $1,600 Federal floor is too low a minimum benefit, I would like to point out that welfare recipients in 42 of our 50 States will also be receiving these State supplementary payments; and, in addition, families will also be eligible for Federal food stamps. So, our family of four having no income would not only receive a $1,600 annual Federal payment, and in most cases a State supplement, but $864 per year in food stamps as well.

Now let me move on to what I consider to be the real heart of this welfare reform proposal, the work requirements and the work incentives. As I pointed out previously, under the present welfare system, there is little or no incentive for a welfare family to become a workfare family. In my own State of Illinois a survey has demonstrated that while a large percentage of the mothers on welfare would like to work and would much prefer to work, they are disinclined to do so because they are getting a much better deal financially on welfare than they would in taking a job and thereby forfeiting welfare benefits.

The family assistance plan contains a requirement to register for work and strong incentives to accept training and employment. If a person fails to register for work, he will not receive the benefits; and if he refuses a suitable job or training, his benefits will be canceled. Only carefully defined groups would be exempted from the registration requirement. I know that some critics of FAP claim that the work incentive approach will not work and they cite the WIN program as an example. I think it is important at this point to say why certain WIN programs were less than successful, and to show how the FAP approach will avoid these pitfalls. Under the WIN program, a great deal of discretionary power was put in the hands of State social workers to define who was appropriate for referral to manpower training programs and employment. In the words of Jerome M. Rosow, the Assistant Secretary of Labor for policy:

> Many state welfare agencies circumvented the intent of the law by refusing to refer clients to the manpower program, or referred such small numbers as to seriously hamper training efforts to reduce the welfare rolls.

Because of the wide latitude in discretionary powers left to State welfare agencies, we find great disparities in the percentage of AFDC adults deemed appropriate for referral from State to State. In our two largest States, for example, New York and California, this point is borne out. In New York, where there were 703,000 potentially eligible people on AFDC, only 6.9 percent were deemed appropriate for referral. In California, on the other hand, where there were 200,000 potentially eligible people on AFDC, 35.8 percent were deemed appropriate for referral. And looking at one of our smaller States, Nebraska, where there were 52 potentially eligible people on AFDC, 100 percent were deemed appropriate for referral to manpower training.

The family assistance plan would strengthen the work requirement now in effect under WIN by completely eliminating these wide discretionary powers of referral. Instead, a new Federal agency would determine who is to register, and the guidelines on exemption would be explicit rather than discretionary and would be strictly enforced. Once a person has registered with the Employment Service, an individual employability plan would be worked out specifying what steps are necessary to insure permanent attachment to the labor force. And a team of specialists would be responsible for the follow-through on that plan. Job placement would be followed by the necessary coaching designed to prevent a high rate of job dropouts.

As I mentioned earlier, the family assistance plan couples work requirements with work incentives. The strongest work incentives, of course, are the natural market benefits which accrue to a wage earner. But there are other incentives built into the plan. These include the following:

First, there would be no reduction in benefits for the first $720 in earnings. This is double the present earning disregards.

Second, States would be required under Federal law to disregard earnings in computing benefits. The present system operating in 23 States for unemployed fathers still taxes 100 percent of income. Under FAP the incentive to work would not be choked off by this procedure since fathers would receive the same treatment on retention of earnings as mothers now on welfare.

Third, two new factors would increase the incentive to enter training programs. First, the amount of extra training bonus has been raised; and secondly, the manpower agency would reimburse trainees for the cost of attending training programs, such as transportation, clothes, and supplies.

Fourth, the family assistance plan provides for child care which will make

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training and employment possible for a large number of mothers. An additional 450,000 child care opportunities would be available in the first year.

And finally, the family assistance plan provides for additional training slots for welfare recipients—an additional 250,000 slots in the first year.

Let me turn now to a controversial feature of the family assistance plan, the inclusion of the working poor. I realize that there are some who object to this on the grounds that we would be adding another 10 million people to the welfare rolls. And yet, it is my firm conviction that the inclusion of the working poor is the real key to the success of FAP. Let me quote from a question answer sheet issued jointly by the Departments of Labor and Health, Education, and Welfare:

> By providing help for the first time to fathers who work full time but for poverty wages, we reverse the present policy of penalizing work and rewarding non-work. No longer will a man have to quit his job or leave his family in order for his family to receive assistance. Rather, we offer a boost to the man who is already trying to climb toward ultimate independence and self-reliance.

Mr. Speaker, earlier I pointed out that one of the two criteria of an effective and successful welfare program is the extent to which we help those who are able to help themselves climb out of poverty. By assisting the working poor we would be rewarding rather than penalizing work and providing a ladder to enable the working poor to climb out of poverty.

I totally reject the argument that including the working poor under family assistance will create a new and permanent breed of welfare recipient. To quote again from Jerome M. Rosow:

> One fact to bear in mind about the working poor is that they are not likely to become long-term recipients of assistance payments. Because of rising wage scales due to increased productivity, about 200,000 of the working poor rise above the poverty line every year. Upgrading efforts on the part of the manpower agency will increase this movement to self-sufficiency.

Finally, in connection with the workfare approach, let me address myself to what some critics call the myth of employability among the welfare population. These critics contend that very few welfare recipients are either capable or willing to take employment. Allow me to explode that myth by citing a recent study done by the Department of Labor in collaboration with the Urban Institute. That study concludes that, of those adults who would be covered by the Family Assistance Plan, 3.2 million or 47 percent of the adults covered could be made employable. The study goes on to point out that of the 1.4 million male family heads classified as employable, only an estimated 30,000 have done no work at all during a 12-month period. And even among the female family heads, some 60 percent have work experience during part of the year. In the words of Jerome Rosow:

> The employment goals of the Family Assistance Plan are neither unreasonable or unobtainable.

To make these work goals a complete success, it is obvious that we must rely heavily on the private sector to play its part. There is already substantial evidence that the private sector is willing and able to play such a social role. The JOBS program of the National Alliance of Businessmen is one such example of the way in which business and government can work together to satisfy manpower needs. We will soon be considering the administration's Comprehensive Manpower Training Act which is aimed at consolidating and improving Federal training programs and eventually turning them over to States and localities. I am proud to be a cosponsor of the Comprehensive Headstart Child Development Act of 1970 which would further expand child care opportunities which are so important to the working mother. All these programs and services will certainly complement what we are trying to accomplish under the family assistance plan which is a transition and transformation from welfare to workfare.

Mr. Speaker, I submit that if we do not come to grips with this problem now by adopting this comprehensive reform of our welfare system, the next time around we may be so helplessly and hopelessly bogged down in this welfare mire that we will be unable to take even one step in the direction of reform, and we will be guilty of assigning millions of Americans to a permanent state of poverty and dependency.

Mr. SMITH of California. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, let me say that I am opposed to a closed rule on this bill. I voted against a closed rule in the Committee on Rules and there were several other members on our committee who voted likewise, and for a modified open rule. I favor a modified open rule. I think it is pretty well known that the very able chairman of our committee favored a modified rule so that the gentleman from Georgia (Mr. LANDRUM) might have had the opportunity to submit his bill as a substitute. I do not think Members of this House should be precluded from amending such an important piece of legislation. They would have no opportunity to do so under a closed rule and would have only one vote—for or against the bill as reported by the Ways and Means Committee.

By voting for a modified open rule, we would not be opening up the complete Social Security Act for amendment as has been suggested.

I happen to believe that Members of this House should have the same opportunity to amend this bill as Members of the Senate will have when the matter is considered on the Senate floor. They will not be debating this bill under a closed rule and we should not be doing so in the House.

Mr. Speaker, there is a way left which will give us an opportunity to amend it on the floor. Vote down the previous question and then the issue will be opened up giving us an opportunity to amend this bill. I would urge that this be done.

Let me say, we have heard a lot on our side of the aisle that this is an administrative bill. Let me say, I do not take a back seat to anyone in my support of the President of the United States. I am one of those who supported him long before Miami, and I will support him long after this bill passes.

Let me say, this guaranteed income idea was not conceived in this administration. It has been kicked around by the ADA for many years. The only real difference being that they want to start at a much higher figure.

Back in 1966, if you please, a Presidential commission under President Johnson recommended a $3,000 guaranteed annual income. It got exactly nowhere.

So what do we have here today? We have a guaranteed annual income being presented to us under a different name—the family assistance plan. You are going to have to register for work and for training. This is a joke when one reads the section dealing with employment and then looks at the past record on retraining.

It was pointed out before the Committee on Rules, that it had only 81,000 in training or retraining last year—a mere drop in the ocean of need, if you please.

Let us not kid ourselves. Let us not kid the American people that Government is going to train or retrain the millions of people who will come under this program. Also, let us not kid ourselves or the American people that you are going to get these people all working under the terms of this bill because you have seven—mark this—seven escape hatches on page 21 and page 22.

If you will turn with me to page 21, let me read them to you. They do not have to go to work unless it is suitable employment. Look for a minute at this matter of suitability, on line 21 of page 21:

> In determining whether any employment is suitable for an individual for purposes of subsection (a) and part C, the Secretary of Labor shall consider—
>
> (1) The degree of risk to such individual's health and safety.
>
> (2) His physical fitness for the work.
>
> (3) His prior training and experience.
>
> (4) His prior earnings.
>
> (5) The length of his unemployment.
>
> (6) His realistic prospects for obtaining work based on his potential and the availability of training opportunities.
>
> (7) The distance of the available work from his residence.

If that is not enough—let us look at subsection (2), if you please, which says:

> In no event shall any employment be considered suitable for an individual—
>
> "(A) if the position offered is vacant due directly to a strike, lockout, or other labor dispute;
>
> "(B) if the wages, hours, or other terms or conditions of the work offered are contrary to or less than those prescribed by Federal, State, or local law or are substantially less favorable to the individual than those prevailing for similar work in the locality; or

XUM

> "(C) if, as a condition of being employed, the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

And I stress "company union"—it says nothing about joining an international union. Why require a person to join an international union as a matter of law? What about our right-to-work States, if you please? What does this language do to those States? Why, if a man in a bona fide way is referred for work in a plant having an international union and says, "I haven't ever joined a union. It is against my conscience," should he be precluded from benefits by such language?

The **SPEAKER**. The time of the gentleman from Ohio has expired.

Mr. **SISK**. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. **LATTA**. I appreciate my friends yielding me this time.

Let me say there are many provisions in this bill which will require more than 6 hours debate time to explain. We have heard about the goodies in this bill for the benefit of those not working. We have not heard anything about the burdens the taxpayers of this Nation—the little people the gentleman from Georgia talked about—are going to have to carry to pay the cost of such a program. We have not heard—nor will we hear at present—anything about the taxes which will have to be collected to support the 15 million additional people this bill will put on welfare.

We have a lot of proud people, hardworking people, in the Fifth Congressional District of Ohio who will never—never ask for a dime under this bill, but are earning less than $6,000 a year, with the requisite number of children placing them in the poverty classification under this bill. Nevertheless, these individuals will have to dig deeper into their pockets to pay this bill.

In conclusion, let me say that as I listened to the testimony before the Rules Committee and heard all about the goodies in this bill and what the Government ought to do I could not help but be reminded of a statement by the late President John F. Kennedy:

> Ask not what your country can do for you, but what you can do for your country.

I fear not only what this bill could do to the country but what it could do to the incentive of a great many people to better their economic status in life on their own initiative and through their own labors.

Mr. **SMITH** of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana (Mr. Dennis) the remainder of my time.

Mr. **SISK**. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. **DENNIS**. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the rule. I do it reluctantly, but I do it because I believe with the poet that "to sit in silence when you should protest makes cowards out of men," and this is such an occasion. We are being asked here today, Mr. Speaker, to adopt one of the most far-reaching measures we have ever been asked to adopt in this House. It is a measure which provides a direct subsidy out of the Federal Treasury for every poor family in the Nation. It is a measure which extends Federal relief for the first time to the working poor. It is a measure which abolishes and abandons the philosophy of welfare as an emergency relief, and enshrines it as a fundamental American right.

It is a measure which starts welfare reform by doubling the welfare rolls, and it is a measure which, to a large extent, if not completely, adopts the principle of the guaranteed annual income.

Now, I am not prepared to adopt a measure as sweeping as this without a lot more public consideration and debate than it has yet had, and I am not prepared to do it without a fair opportunity to debate it and amend it in this body. We are being asked to adopt a measure of this sweeping and fundamental character under a closed rule, with no possibility of being usefully heard or of changing a single thing on the floor. In my short time here I have conceived a great affection for this body and its Members and its procedures; but I tell you, we like to say we are the greatest deliberative body in the world, but when we come to consider a measure of this kind without any meaningful deliberation and without any opportunity to engage in debate which will lead to any significant action, we do not deserve the name of a deliberative body. To treat us like this is to denigrate the office of U.S. Representative. The procedure offends me.

It makes a rubberstamp out of Representatives. What are we here for if we cannot usefully debate a measure of this magnitude and consider it on its merits, but just have to take it as it is and vote it up or down?

I submit to the Members, in all good humor, that to take up a measure of this character and of this importance under a closed rule is practically to treat the Members of this honorable body as the idiot children of the whole political process. I do not think we ought to do it. I think we ought to debate this here with some chance to take some action if we want to.

Maybe—maybe if we did that, somebody could persuade me that this measure was entitled to my support. They cannot do it under this procedure. I intend to vote no. I hope Members will vote down the rule.

Mr. **SCHADEBERG**. Mr. Speaker, I am totally opposed to a closed rule on H.R. 16311, the Family Assistance Act of 1970. It is my firm opinion that any legislation as far reaching as this bill is, if passed or rejected, must reflect the will of the majority of the Members of the House and not merely the majority of one of its constituted committees.

Unless the House of Representatives is given the opportunity to clarify certain language in the bill; unless we can be assured that there are no other alternatives to correcting the overwhelming inconsistencies and failures of the present welfare system than this massive program which would add 15 million Americans to the present welfare load; and unless we have the opportunity to make constructive amendments that could prevent this Nation from galloping down the road to a guaranteed annual income, I cannot either in conscience, or in the best interests of my hard working, tax paying constituents, vote for the final passage of the legislation.

Mr. Speaker, I was a cosponsor of the original family assistance legislation. On two separate occasions I requested the assistance of my entire constituency in corresponding with me on the matter of welfare reform. I received several hundred informative letters. I made special efforts to meet with groups and organizations, both private and government, in order to give them the opportunity to make recommendations which would strengthen the bill and work out problem areas in welfare programs.

I corresponded and met with members of the Wisconsin Legislature in order to find out how various proposals would affect the State's programs and the State's financial obligations. I have been looking forward to the opportunity when I, as a Member of the House of Representatives, could represent these views in open debate on welfare reform legislation.

The closed rule on the Family Assistance Act of 1970 will preclude me from adequately representing the many people I have contacted, whose expressions have been made on the assumption that they could be brought to the House to be incorporated into Federal legislation. Instead of an open rule, under which I, and other Members of the House not on the Ways and Means Committee, could express the will of the people of the Nation, who will be required to pay for and comply with welfare reform proposals, the closed rule insures that the will of a majority of a committee must either be accepted or rejected.

Mr. Speaker, I cannot see the wisdom or the justice in denying the entire membership of the House of Representatives the privilege of improving this bill. When this legislation comes before the other body of Congress, its Members will be permitted to work their will. This will leave us with only two alternatives when the conference report comes before us for consideration: First, to accept the Senate version of a bill we in the House were not permitted to improve; and second, to vote against any possible improvement of a welfare system we all know is in need of correction.

If the House accepts a closed rule, I will be forced to vote against the passage of the bill. My constituents, who have expressed overwhelming support for responsible welfare reform, have in the past received my assurances that I would work for reform. I regret to say that the irresponsibility of a closed rule precludes me from doing just that. The entire membership of the House of Representatives will have been denied the constitutional obligation of contributing our will and that of the people who have elected us to legislate in the most responsible manner possible.

Mr. **CLEVELAND**. Mr. Speaker, I intend to vote against the rule under which the House will consider H.R. 16311. My principle reason for this is because the rule is a closed rule, and no amendments whatsoever can be offered from the floor.

Those of us who are on record as opposed to proposals for a guaranteed an-

XUM

nual income will not be afforded any opportunity to consider and debate amendments which would remove provisions which essentially enact guaranteed income provisions in this bill.

For a long time, Mr. Speaker, I have concerned myself with congressional reform. It is regrettable that this body, which we sometimes refer to as the greatest deliberative body in the world, has been so reluctant to bring its procedures up to date. It seems to me that this is a good example as to why our procedures are in serious need of reform.

This legislative proposal has been heralded as a welfare reform measure. It seems incongruous that legislation thus heralded would be considered by the House under a closed rule which makes it impossible to offer amendments, to consider amendments, to debate amendments, or to vote on amendments. It is true that welfare needs reform. It is even more true that the House needs reform.

Mr. **RANDALL**. Mr. Speaker, I intend to oppose the adoption of the resolution which would provide a closed rule with 6 hours of debate to consider the Family Assistance Act of 1970.

In nearly every instance I support the rule which sets the time and terms of debate for bills to be considered on the floor of the House. The reason is, I believe every Member should have the opportunity for open and adequate debate. However, it should be clearly recalled nearly all of the rules or resolutions which are presented for our approval or rejection by the Committee on Rules are what we call open rules under which the opportunity exists to offer multiple amendments which in many instances make good legislation after amendment out of poor or bad legislation as we first receive it on the floor of the House.

A closed rule such as we are asked to accept today denies Members an opportunity to offer amendments. Even to refer to such a rule as closed is too respectful and is being overgenerous. Such a rule should be labeled according to its true description and referred to as a gag rule. Because that is exactly what it is. Unfortunately, it seems that we Members of the House have visited against us these kind of gag rules only at the request of the Committee on Ways and Means.

For some reasons the members of this distinguished committee invariably insist upon the procedure of a closed rule. Now, I have great confidence in the Committee on Ways and Means but I know of no reason that the other Members of this body must accept in total or reject in total the legislative judgment of the 25 members that make up that committee. I know I speak like many Members of this House who regularly vote against a closed rule as an expression that they do not intend to abdicate to the members of the Committee on Ways and Means our responsibility to legislate for the people of the congressional district which each of us represent.

Is it necessary to recall that should the Family Assistance Act pass the House, which I sincerely hope does not happen, and the bill goes to the other body of the Congress, Members of that body will have carte blanche to make any changes to the amending process which the persuasion of the Member offering the amendment can accomplish.

Who on our side of the Congress can fail to recall the monstrosities the other body have sent back to us as a result of floor amendments from the north side of the Capitol on tax legislation on which we in the House were gagged, muzzled, and muted in the matter of amendments?

Oh, I suppose there could be some slight justification argued in behalf of a closed rule in purely tax matters, particularly those which are intended to raise revenue but that is not the case in this instance. This is a welfare bill and has entirely to do with the expenditure of revenue. There is no reason for a closed rule. Those who support such a gag rule in effect are voting to limit to 6 percent of the total membership of this House, which is the percentage of the membership on the Committee on Ways and Means bears to the total membership, the rights and responsibilities to legislate on a matter that will affect in one way or another all the people we represent.

Mr. **ASHBROOK**. Mr. Speaker, how appropriate that on the day when millions of Americans are paying their income taxes, we are being asked to consider enactment of a costly welfare program that virtually precludes any relief for them in the foreseeable future. To pay for the benefits proposed in the Family Assistance Act the surtax will have to be extended or some other special tax enacted. The coincidence is ironic indeed.

We are being asked today to consider approving a revolutionary welfare and income maintenance plan which proposes to build a multibillion-dollar superstructure on a shaky foundation that cannot be expected to withstand the inevitable pressures that will assail it from every side.

The Family Assistance Act of 1970 is underpinned in large measure by the following four weak and unproven premises: First, that the welfare mess would be improved by federalizing it and setting a national income floor; second, that the administration's plan will provide a financial incentive to encourage welfare recipients to work; third, that there is a strong work requirement which will be enforced; and, fourth, that although the costs of welfare will be much higher in the beginning of the program the plan will cost less later, that is, we will add 11 or 12 million more to the welfare rolls now and they will work themselves off.

CAN THE FEDERAL GOVERNMENT DO IT BETTER?

The assumption that the Federal Government can do a better job than the States in bringing order to our chaotic welfare system is completely unconvincing. In fact, experience with program after program emanating from Washington shows that the desk-bound bureaucrats here have a very myopic view indeed of local needs and desires.

Massive Federal aid to education programs encumbered by Health, Education, and Welfare dictation in the form of "guidelines" have not improved our school system nor given the promised help to disadvantaged children. Instead, as the Federal largesse increases, so does the redtape and inefficiency.

More important, HEW has shown an inclination in the past to thwart the expressed will of Congress. For example, the intent of Congress to prohibit busing and the setting of racial quotas for employment and in fraternity and sorority membership was spelled out in the Civil Rights Act of 1964. Nevertheless, despite assurances that none of these would occur and the language in the legislation, the bureaucrats flouted the law of the land enacted by the people's representatives. The busing situation and the imposition of the Philadelphia Plan are but two examples of how the bureaucrats rewrite our clear intentions to fit their social pipedreams.

Proponents of federalizing welfare point to the variations in State welfare payments as an inequity needing correction. These variations, however, generally reflect the prevailing income and living standards in each State. Differences, therefore, in welfare payments for dependent children in different areas of the country do not necessarily involve unequal support. Rather, a uniform minimum national income would create more serious problems than any it might solve. A standard high enough for greater New York City would be excessive in the rural South, and one that is low enough for the South would not meet basic needs in New York.

Moreover, the really acute expansion of welfare rolls has been in the main limited to California and New York, in which 36.1 percent of total welfare recipients live. Would it not make more sense to initially direct reform at the two States which account for more than one-third of the total national welfare load? New York, which in many ways represents a microcosm of the Nation, has for many years provided assistance to the working poor under a general assistance program. The New York system is similar to administration's proposal. What have we learned from the New York experience? The city's caseload rose by 160 percent between 1961 and 1967, and the number of father desertions increased by 335 percent. I have seen no data to indicate that what has happened in New York cannot be prevented from happening all over the country if the family assistance plan is implemented.

State responsibility is traditional to the American federal system and is the best way to insure that welfare provisions reflect local needs and concerns. As I pointed out in my remarks of March 4, it is strange indeed that a Republican President would propose a costly Federal takeover of what has historically been a State and private responsibility.

Moreover, the shift to a federally determined and federally financed income floor lays a red carpet at the feet of the welfare activists and expansionists as they seek to influence the President and Congress. Obviously, they can realize their goals much easier this way than

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by attempting to influence 50 different Governors and State legislatures.

I do not believe any reasons that can withstand careful scrutiny have been advanced to support the proposed federalization of welfare. This legislation provides that a new agency would be established in the Department of Health, Education, and Welfare to administer the family assistance plan. Sprawling HEW already has enough far-flung programs under its aegis; it hardly needs another agency at a time when proposals are being made to separate its disparate functions into two departments.

Furthermore, it is pertinent to note in the Ways and Means Committee Report on page 31 after a discussion of some of the problems engendered by lack of cooperation among State agencies in implementing the WIN program, the following language:

> Moreover, the problem of competing bureaucracies has not been restricted to the State level. Secretary of Labor Shultz stated in his testimony before the committee:
>
> Unfortunately, our two Departments [Labor and HEW] have not always worked together as smoothly as they should. The study made by the Legislative Reference Service of the enactment of WIN establishes this fact. There have been gaps in communication, and a history of competition for running the work training program.
>
> The Committee strongly supports Secretary Shultz's position that Health, Education, and Welfare and Labor should work with the maximum of coordination in the administration of family assistance. *This is essesntial to the effective operation of the proposed program.* [Emphasis supplied]

So we find that effective operation of the plan is premised merely on the hope that there will be inter-agency cooperation despite a history of friction. The two Federal Departments charged with the responsibility of administering the new welfare programs have not worked well together in the past but somehow they will work together well in the future.

WILL IT PAY TO WORK?

When the President first unveiled his plan—perhaps more accurately the product of Patrick Moynihan and other liberal advisers—he said:

> I propose a new approach that will make it more attractive to go to work than to go on welfare.

I assumed, perhaps naively, that the architects of this proposal had at least performed some basic arithmetic calculations before selling this plan to the President and the Ways and Means Committee as the cure-all for the alarming expansion of welfare rolls. It seems, unfortunately, I may have given credit where was none was due.

The "new approach" is little more than a rehash of the notably unsuccessful work incentive—WIN—program, and the comparison tables for Ohio, I include with my remarks below clearly show that the family assistance program will make it more attractive to remain on welfare rather to go to work in most cases.

The figures in the two tables which follow tell the story better than words. We have compared the net benefits which families of four, five, six, and seven would receive in Ohio where no member of the family is working with the net benefits of similar families with wage earners at increasingly higher levels of income, from $50 to $110 per week.

Table A is based on medicaid benefits for welfare families calculated to be worth $710. This figure was furnished by the Department of Health, Education, and Welfare and obviously represents a potential benefit based on circumstances and not a cash benefit in all cases. We have figured work expenses at $720, which is the national standard set by the Family Assistance Act and also the upper limit of what it costs to work in Ohio, taking into account transportation, lunches, social security, and other taxes, and so forth. This figure was also furnished by HEW.

These data show that a welfare family of four could receive in net benefits $3,722. On the other hand, a family of the same size with a wage earner making $80 each week or $4,160 per year would, after deducting work expenses, be left with $3,440, or $282 less than the welfare family. This is so because the working poor families are not eligible for medicaid and no State supplementation of their incomes is required. Furthermore, at this level of earnings, this family is not eligible for food stamps in Ohio.

I did not pull these figures out of the air. They were obtained from HEW, the Department of Agriculture, and the Ways and Means Committee. I would point out, however, that they have been revised several times by those who supplied them, which indicates the difficulty in obtaining reliable data. Assuming, therefore, that we have finally obtained reliable data, can anyone question that welfare, at least in the case cited, is more attractive than work? Rather than encouraging work, this inequity would provide a strong disincentive to go to work, or put otherwise, a strong incentive to remain on welfare.

Table A, which compares net benefits of welfare families with those with a wage earner making from $50 to $110 a week follows:

TABLE A.—COMPARISON OF NET BENEFITS IN OHIO UNDER H.R. 16311,[1] FAMILY ASSISTANCE ACT OF 1970

Family size	Benefits	Welfare family	Working poor family (earnings)							
			None	$2,600	$3,120	$3,640	$4,160	$4,680	$5,200	$5,720
4	FAP	1,600	1,600	660	400	140				
	Food stamps	696	864	412	364	316				
	State supplement[2]	716								
	Medicaid[3]	710								
	Less work expenses[4]			−720	−720	−720	−720	−720	−720	−720
	Total	3,722	2,464	2,952	3,164	3,376	3,440	3,960	4,480	5,000
	Differential		−1,258	−770	−558	−346	−282	+238	+758	+1,278
5	FAP	1,900	1,900	960	700	440	180			
	Food stamps	768	1,008	504	504	456	408			
	State supplement[2]	704								
	Medicaid[3]	710								
	Less work expenses[4]			−720	−720	−720	−720	−720	−720	−720
	Total	4,082	2,908	3,344	3,604	3,816	4,028	3,960	4,480	5,000
	Differential		−1,174	−738	−478	−266	−54	−122	+398	−918
6	FAP	2,000	2,200	1,260	1,000	740	480	220		
	Food stamps	888	1,104	672	624	576	576	532		
	State supplement[2]	704								
	Medicaid[3]	710								
	Less work expenses[4]			−720	−720	−720	−720	−720	−720	−720
	Total	4,502	3,304	3,812	4,024	4,236	4,496	4,712	4,480	5,000
	Differential		−1,198	−690	−478	−266	−6	+210	−22	+498
7	FAP	2,500	2,500	1,560	1,300	1,040	780	520	10	
	Food stamps	936	1,224	744	696	648	600	604	604	
	State supplement[2]	752								
	Medicaid[3]	710								
	Less work expenses[4]			−720	−720	−720	−720	−720	−720	−720
	Total	4,898	3,724	4,184	4,396	4,608	4,820	5,084	5,094	5,000
	Differential		−1,174	−714	−502	−290	−78	+186	+196	+102

[1] Source of data: Department of Health, Education, and Welfare, Department of Agriculture.

[2] No State supplement for working poor in Ohio under present law or requirement under H.R. 16311.

[3] No medicaid for working poor in Ohio under present law or requirement under H.R. 16311.

[4] Expenses attributable to work including taxes.

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Table B is based on a more modest calculation for medicaid benefits—$400 per year—and work expenses of $600. This figure is midway between the stated range of work-related expenses in Ohio, which run between a low of $480 to a high of $720. In this table, therefore, we endeavor to give the benefit of the doubt to those who claim it will be more profitable to work.

Again taking the same two mythical families of four—one family subsisting on welfare, the other with a wage earner grossing $4,160 each year, we can still find no strong financial incentive to work. The working-poor family will net $148 more annually than the idle family. Can it realistically be supposed that many individuals would be encouraged to work 40 hours a week for a net gain of 7 cents per hour?

Again, I believe the figures speak for themselves and I insert table B:

TABLE B—COMPARISON OF NET BENEFITS IN OHIO UNDER H.R. 16311[1] FAMILY ASSISTANCE ACT OF 1970

Family size	Benefits	Welfare family	Working poor family (earnings)								
			None	$2,600	$3,120	$3,640	$4,160	$4,680	$5,200	$5,720
4	FAP	1,600	1,600	660	400	140				
	Food Stamps	696	864	412	364	316				
	State Supplement[2]	716								
	Medicaid[3]	400								
	Less Work Expenses[4]			−600	−600	−600	−600	−600	−600	−600
	Total	3,412	2,464	3,072	3,284	3,496	3,560	4,080	4,600	5,120
	Differential		−948	−340	−128	+84	+148	+668	+1,188	+1,708
5	FAP	1,900	1,900	960	700	440	180			
	Food stamps	768	1,008	504	504	456	408			
	State supplement[2]	704								
	Medicaid[3]	400								
	Less work expenses[4]			−600	−600	−600	−600	−600	−600	−600
	Total	3,772	2,908	3,464	3,724	3,936	4,148	4,080	4,600	5,120
	Differential		−864	−308	−48	+164	+376	+308	+828	+1,348
6	FAP	2,200	2,200	1,260	1,000	740	480	220		
	Food stamps	888	1,104	672	624	576	576	532		
	State supplement[2]	704								
	Medicaid[3]	400								
	Less work expenses[4]			−600	−600	−600	−600	−600	−600	−600
	Total	4,192	3,304	3,932	4,144	4,356	4,616	4,382	4,600	5,120
	Differential		−888	−260	−48	+164	+424	+640	+408	+1,928
7	FAP	2,500	2,500	1,560	1,300	1,040	780	520	10	
	Food stamps	936	1,224	744	696	648	600	604	604	
	State supplement[2]	752								
	Medicaid[3]	400								
	Less work expenses[4]			−600	−600	−600	−600	−600	−600	−600
	Total	4,588	3,724	4,304	4,516	4,728	4,940	5,204	5,214	5,120
	Differential		−864	−284	−72	+140	+352	+616	+626	+532

[1] Source of data: Department of Health, Education, and Welfare.

[2] No State supplement for working poor in Ohio under present law or requirement under H.R. 16311.

[3] No medicaid for working poor in Ohio under present law or requirement under H.R. 16311.

[4] Expenses attributable to work including taxes.

HOW DO YOU MAKE "WORKFARE" WORK?

The initial lack of widespread opposition to the President's welfare proposals can be traced in large measure to the mesmerizing effect of the work "work" on the hard-working, taxpaying Americans who were on the threshold of rebelling after years of working not only to support themselves and their families, but as well the families of those who, in many cases, chose not to work. What music to their ears. At last the chorus of more and more free handouts would be stilled and we would again be marching to our forefathers' theme: "A day's pay for a day's work."

Unfortunately, the presence of an illusory work requirement—certainly not the promised strong work requirement—has raised false hopes in the minds of the beleaguered taxpayers. There is no evidence that such a requirement would or could be administered effectively.

The committee states it has strengthened the work and training provisions "building upon the groundwork that has been laid in putting the existing work-incentive program into operation." This is a pretty flimsy foundation for the major thrust of the proposal—getting people to work—which is, according to the administration, the distinguishing feature between a guaranteed income and the proposed legislation. It is flimsy because the performance of the WIN program has failed to live up to expectations. Even the distinguished chairman of the committee has stated:

> I have been greatly disappointed with the performance so far of the 1967 amendments, even though there is a requirement for training.

The WIN program has not worked in Ohio and the story is the same around the country, with some few exceptions. We are assured that six major corrections have been made in the WIN program. Yet none of these corrections are based on criticisms made in the official evaluation of the program required by the Congress for the simple reason that this report is not due until July 1, 1970.

So the "workfare" provisions in the bill are patterned after a program that has been unofficially found to be largely ineffective, a program whose efficacy has not been officially evaluated. Would it not make more sense to wait for the official report before forging ahead on an extravagant new program before all the facts are in?

Loopholes to avoid the work "requirement" abound. The work offered must be "suitable" and only refusals based on "good cause" will be acceptable. The Secretary of Labor in issuing guidelines "shall consider the degree of risk to such individual's health and safety, his physical fitness for the work, his prior training and experience, his prior earnings, the length of his unemployment, his realistic prospects for obtaining work based on his potential and the availability of training opportunities, and the distance of the available work from his residence."

Is it not realistic to expect that many individuals can avoid work on the basis of one of these many "outs"? HEW Secretary Robert Finch has informed me that "interpretation of the terms 'good cause' and 'suitability' will be made by employment service personnel, who are trained to make such interpretations, rather than by social workers, who are not." The subjective nature of the Labor Department guidelines will of necessity then be further broadened by interpretation by employment service personnel in offices all over the country, each with his own notion of what is "suitable" work for each registrant, what constitutes "good cause" for refusing to work, and so forth.

One further illustration of how the work requirement is held together by baling wire, a wing and a prayer. The committee report states on page 7 that—

> The training and services would be similar

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> to those currently provided under the WIN program, including special work projects for the performance of work in the public interest through contracts with governmental agencies and nonprofit organizations.

But on page 33 we read that—

> The Committee is also distressed that the special work project provision in WIN has only been implemented in a meaningful way in one State, despite the fact that the law required their implementation in *all* States. [their italics] The bill *renews* and emphasizes the special work projects and eliminates the complex financing arrangements which the Department of Labor declares has inhibited their growth. [emphasis supplied—It hasn't worked but we're going to keep on doing it.] Your committee fully expects wide implementation of special work projects [and apparently a lot of other miracles]. Your committee also believes that these projects may be of critical importance to the training and placement of welfare recipients if employment rates fall below existing levels.

Which brings to mind another loophole in the allegedly strong work requirement, for which we are prepared by the following sentence in the committee report:

> The committee recognizes that in development of employability plans, there are factors over which the Secretary [of Labor] has no control, such as the condition of the labor market. With unemployment on the rise, the implications of this statement should be obvious. As George Wiley, head of the National Welfare Rights Organization, put it, "Somebody has got to be unemployed."

Also of interest is language in the Committee report stating that it is "not intended" that "these programs should provide assistance which would be supportive of firms or industries which have high rates of turnover of labor because of low wages, seasonality or other factors." Are all the registrants going to start out in the executive suite?

Even if we were to assume that the work requirement could be enforced, we should not fail to notice the reaction of the welfare militants, as expressed by their leader George Wiley:

> We're going to fight against forcing people to work in order to get welfare. We're prepared to beat it in the streets. We're prepared to refuse to take the jobs that are given to us.

PAY MORE NOW, LESS LATER?

The estimated cost of the H.R. 16311 for fiscal year 1972 above current expenditures is based on what it would have cost the Federal Government to operate the program in calendar year 1968. We are advised that HEW was not able to furnish cost information for fiscal year 1972.

The Vice President has said the plan will have "startup" costs, which will be an investment of tax dollars to have money later as the plan begins to work. Those of us who are convinced the plan will not work are more interested in "endup" costs which no one, even with the aid of computers, would hazard a guess at. All we really have to go on is our experience with the reliability of estimates of the cost of previously enacted Federal programs. It would be difficult indeed to find a program, weapons systems or what have you that did not exceed the estimates given to the Congress. Particularly here, where data has been so difficult to obtain, does a huge margin for error and underestimation exist.

Beneficiaries of the program will not readily give up the Federal and State cash benefits, as well as benefits in the form of food stamps and medicaid. To our way of thinking it may be demoralizing to remain forever on the Federal dole, but there is no doubt that such status can become habit forming to some. The vision of millions working themselves off the welfare rolls and onto payrolls is exactly that—a vision. Anyone who would expect the costs of the program to decrease in the coming years is idealistic and not realistic.

Even if failure of the program became apparent and the costs staggering, as I predict they will, we will all undoubtedly be saddled with paying for it as long as we live.

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent that all Members desiring to speak on the rule may have the opportunity to extend their remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SISK. Mr. Speaker, I urge adoption of the resolution.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 205, nays 183, not voting 42, as follows:

[Roll No. 77]

YEAS—205

Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Barrett
Beall, Md.
Betts
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Bow
Brasco
Broomfield
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Mass.
Burton, Calif.
Bush
Byrne, Pa.
Byrnes, Wis.
Carey
Carter
Cederberg
Celler
Chamberlain
Chisholm
Clay
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Corman
Coughlin
Cowger
Culver
Cunningham
Daniels, N.J.
Davis, Wis.
Dingell
Donohue
Dorn
Dulski
Dwyer
Eckhardt
Edwards, Calif.
Eilberg
Erlenborn
Esch
Fallon
Farbstein
Fascell
Findley
Fish
Flood
Foley
Ford, Gerald R.
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Gaydos
Giaimo
Gibbons
Gilbert
Gray
Green, Pa.
Griffiths
Gubser
Gude
Halpern
Hammerschmidt
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Holifield
Hosmer
Howard
Johnson, Calif.
Jones, Ala.
Karth
Kastenmeier
Keith
Kluczynski
Koch
Kuykendall
Kyros
Leggett
Lloyd
McCarthy
McClory
McCulloch
McDade
McFall
Macdonald, Mass.
Madden
Mathias
Matsunaga
Mayne
Meeds
Melcher
Meskill
Miller, Ohio
Mills
Minish
Mink
Monagan
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neill, Mass.
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pirnie
Podell
Pollock
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Quie
Railsback
Rees
Reid, N.Y.
Reifel
Reuss
Rhodes
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ruppe
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schwengel
Sebelius
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Stokes
Thompson, N.J.
Tiernan
Udall
Van Deerlin
Vanik
Vigorito
Watts
Weicker
Whalen
Widnall
Wilson, Bob
Wilson, Charles H.
Wyatt
Yates
Zablocki

NAYS—183

Abernethy
Adair
Alexander
Andrews, Ala.
Ashbrook
Baring
Belcher
Bennett
Berry
Bevill
Biaggi
Blackburn
Blanton
Brademas
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Mich.
Broyhill, N.C.
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Button
Caffery
Camp
Casey
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collins
Colmer
Cramer
Crane
Daniel, Va.
Davis, Ga.
Delaney
Denney
Dennis
Dent
Derwinski
Devine
Dickinson
Dowdy
Downing
Duncan
Edmondson
Edwards, Ala.
Edwards, La.
Eshleman
Evans, Colo.
Evins, Tenn.
Fisher
Flowers
Flynt
Foreman
Fountain
Frey
Fuqua
Galifianakis
Gettys
Goldwater
Gonzalez
Goodling
Green, Oreg.
Griffin
Gross
Grover
Hagan
Haley
Hall
Hamilton
Hanley
Hays
Hébert
Henderson
Hicks
Hogan
Horton
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Pa.
Jonas
Jones, N.C.
Jones, Tenn.
Kazen
King
Kleppe
Kyl
Landgrebe
Landrum
Latta
Long, La.
Long, Md.
Lujan
McCloskey
McClure
McDonald, Mich.
McEwen
McKneally
Mahon
Mann
Marsh
Martin
Michel
Minshall
Mizell
Montgomery
Myers
Nelsen
Nichols
O'Neal, Ga.
Passman
Pickle
Pike
Poage
Poff
Price, Tex.
Purcell
Quillen
Randall
Rarick
Reid, Ill.
Rivers
Roberts
Roe
Rogers, Fla.
Roth
Roudebush
Ruth
Sandman
Satterfield
Schadeberg
Scherle
Scott
Shipley
Shriver
Sikes
Skubitz
Smith, Calif.
Snyder
Stephens
Stratton
Stubblefield
Sullivan
Symington
Talcott
Taylor
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Ullman
Vander Jagt
Waggonner
Waldie
Wampler
Watkins
Watson
Whalley
Whitehurst
Whitten
Wiggins
Williams
Winn
Wold
Wolff
Wright
Wydler
Wylie
Wyman
Yatron
Young
Zion
Zwach

NOT VOTING—42

Abbitt
Anderson,
 Tenn.
Bell, Calif.
Brown, Calif.
Burton, Utah
Cabell
Daddario
Dawson
de la Garza
Dellenback
Diggs
Feighan
Ford,
 William D.
Fulton, Pa.
Hanna
Heckler, Mass.
Kee
Kirwan
Langen
Lennon
Lowenstein
Lukens
McMillan
MacGregor
Mailliard
May
Mikva
Miller, Calif.
Mize
Mollohan
Moorhead
Ottinger
Patman
Powell
Riegle
Schneebeli
Steiger, Wis.
Stuckey
Taft
Teague, Calif.
Tunney
White

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Daddario for, with Mr. White against.
Mr. Feighan for, with Mr. Lennon against.
Mr. Mikva for, with Mr. Cabell against.
Mr. Ottinger for, with Mr. McMillan against.
Mr. Hanna for, with Mr. Stuckey against.
Mr. Miller of California for, with Mr. Abbitt against.

Until further notice:

Mr. Moorhead with Mr. Bell of California.
Mr. Brown of California with Mrs. Heckler of Massachusetts.
Mr. Anderson of Tennessee with Mr. Mize.
Mr. Patman with Mr. Riegle.
Mr. William D. Ford with Mr. Dellenback.
Mr. Kirwan with Mr. Teague of California.
Mr. Lowenstein with Mr. Diggs.
Mr. Kee with Mr. Powell.
Mr. Mollohan with Mailliard.
Mr. Langen with Mrs. May.
Mr. Tunney with Mr. MacGregor.
Mr. Burton of Utah with Mr. Taft.
Mr. Schneebeli with Mr. Lukens.
Mr. Fulton of Pennsylvania with Mr. Steiger of Wisconsin.

Mr. STRATTON and Mrs. GREEN of Oregon changed their votes from "yea" to "nay."

Mr. MADDEN and Mr. FINDLEY changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16311) to authorize a family assistance plan providing basic benefits to low-income families with children, to provide incentives for employment and training to improve the capacity for employment of members of such families, to achieve greater uniformity of treatment of recipients under the Federal-State public assistance programs and to otherwise improve such programs, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 16311, with Mr. DINGELL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas (Mr. MILLS) will be recognized for 3 hours, and the gentleman from Wisconsin (Mr. BYRNES) will be recognized for 3 hours.

The Chair recognizes the gentleman from Arkansas.

Mr. MILLS. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, H.R. 16311 is one of the most important bills this Congress will consider.

I recognize there is probably a great deal of feeling about the bill outside of the Congress.

I also believe there is a great deal of misunderstanding about the bill outside of the Congress. One organization, for example, took a position opposed to the bill 2 weeks before the committee reported it, not knowing, of course, what amendments had been adopted in the committee or what the language was, and then evidently expects Members to follow its recommendations on that kind of a basis. It is beyond me how they can do so.

Mr. Chairman, let me talk first about our committee consideration of the matter, the present situation, and what we are trying to do.

The committee conducted 4 weeks of hearings on social security legislation, principally in the area of welfare reform, last October and November. Commencing on January 19, the day Congress reconvened, the committee met regularly in executive session over a period of 7 full weeks in drawing up this legislation, and in studying the administration and the operation of the programs providing cash assistance for the needy, and the existing work-training and day-care programs for AFDC recipients. During its deliberations, the committee had the benefit of hearing from a number of State and local officials engaged in running our welfare and training programs and others who have studied particular areas of those programs. Through this process, we gained many valuable insights into the problems that exist and what should be done to correct them.

Mr. Chairman, this bill is essentially patterned after the bill presented by the administration but with some major changes, tightening, sharpening and improving many of the specific provisions. The committee also added some provisions of its own. Some of these changes are very important, as I will delineate later.

At the present time we have categories of assistance known as the old-age assistance program, the program for aid to families with dependent children and unemployed fathers, the disability program, and the program for the blind.

The program of old-age assistance, the program for the disabled, and the program for the blind have not in recent years presented any serious problems to the Ways and Means Committee or to the Congress. The number of people on the old-age assistance program has declined. It could have been expected it would be reduced as more and more of our people became eligible for social security benefits.

The program we added, allowing a social security cash payment to those who had become disabled and who had a work record, has naturally reduced the number who would be eligible for and want the welfare program known as the disability program, or the program for the blind.

Also it is significant to note that in the case of a widow whose husband has died and left her with minor children, the numbers who go on AFDC from that category do not rise, because of the survivorship benefits of the social security program.

The number of children in male-headed families has not risen over the years, and has remained essentially static for some 25 years, in fact.

Mr. Chairman, the program that has risen most, however, of all of these programs is that part of AFDC that has to do with children in female-headed families, where the father for some reason is absent from the home or, as a matter of fact, where there has never been a marriage with respect to that home.

Now let me talk to you a little bit about the runaway growth in case loads and costs under AFDC. In 1935 the original act was passed. By 1950 there was a total cost in the program of some $500 million. In 1969, for the fiscal year, which is the last year I have figures on, the number of families—and this is families—who were on AFDC has risen to 1.7 million and the total cost of providing for this program was approximately $4.5 billion. The cost of that program has doubled in 3 years. Think of that. If you project down the road this present cost on the basis of the way it has been rising in recent years, by the year 1975 it will be well over $8 billion, and some people within the Department think it could be as much as $12 billion.

The proportion of children in this country dependent on welfare has doubled over the last 15 years. Today, six children in every 100 are on AFDC, and the rate is still increasing. In some States the rate is almost double the national rate.

Now, that is the existing program we have. The level of spending is not determined by the Federal Government; it is determined by the State governments. Under existing law, we match the State of New York or any other State not less than 50 percent of the cost of this program regardless of where they fix the level. If you want an example of an open-ended proposition where we are completely helpless to put any restraints, controls, or limitations on it or make any improvements to it, it is in this present program.

Mr. Chairman, this program worries me greatly insofar as the cost is concerned, but there is another matter of concern to me. The AFDC program encourages family breakup. Do not think for 1 minute that it has not made a contribution to many, many fathers leaving their families in order that the family could eat and have clothing to wear. Yes. Take my word for it. The present AFDC program puts a premium and an incentive on the breakup of a home.

Yet, the Federal Government and the taxpayers in your State are paying the amounts provided under these various State formulas whether they pay the

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same amount in that particular State or not. There is one State that pays in the range from zero to $49 a month for a family of four under AFDC.

Mr. Chairman, there are two States that pay as much as $250 to $299. Some of these States actually pay a family of four on AFDC, which is not, of course, subject to any tax, more money than a man working at a job can make at the minimum wage, working practically full time, all year long.

Not only is there this incentive to break up the family, this incentive in many States now for the person who is working to quit his job and go on AFDC—and do not think for a minute that does not happen. The Director of the program in the city of New York said that women quit jobs at department stores as salesladies and went immediately on welfare because they had minor children and could receive more than they could earn while engaged in that type of employment in the city of New York.

But, what else does the present program do? The present AFDC program is a tremendous disincentive for anyone to work. I shall try to give you some facts about this situation.

Many of you feel like there ought to be a reform, but when a reform comes down the road there are questions about it. Did you know that there was not one solitary substantive alternative offered in the Committee on Ways and Means during the course of the public hearings and in the executive sessions—and we were in executive sessions for days and weeks on end on this program—nothing of substance was offered by anyone in substitution for this program which President Nixon hopes to breathe life into. His administration has tried to breathe some life into this welfare program we now have.

Mr. Chairman, the Members of the House know I have not been satisfied with the present program. We passed amendments in 1962 in the direction of trying to provide some inducement for people on welfare to get off it. Why? Because, as I said before, 60 out of every 1,000 of our child population nationwide are on welfare. Ask anyone that is on it if that is a preferable way to raise a child. In a home where there are no work habits, in a home where there is hardly enough to eat, in a home where there are not enough clothes to wear and not enough to pay the rent. You will find there is very little incentive on the part of that parent to see to it, even though the State law may require it, that that child even goes to grade school.

Mr. Chairman, in 1967 we tried again and we provided an incentive. We put the mandate on the States to see to it that these unfortunate people who had no training or who had no jobs would be given an opportunity for such training if they were qualified to absorb the training and then be given a job in keeping with that training. Some of the States did a fair job. The State of California has done one of the best jobs of all States. The State of New York did not even start its program in a substantial way until a very few months ago. Whereas California has referred about 30 percent of the people on AFDC for training, New York has referred less than 7 percent. Why? Because certain people did not think it appropriate for any of these people to be assigned.

Why do I feel so strongly about this? After a woman gets her youngest child to the age of 18 and she is on welfare, what is left for her? In most States she may be 45 years of age at that time. She has no training. Of course, she knows how to sweep the house, but she has no industrial training nor anything to commend her for a job and no work habits. She is past the age where people want to employ a person for the first time. I think that is one of the greatest tragedies that perhaps exists on the domestic scene in the United States today—that we have not tried to do something to help that person to help herself, to learn some occupation before it becomes time for her to lose all opportunity for work and for training.

So what happens? She has to move into the home of one of her daughters who has minor children, and who is on welfare. This is why it is that in some States where a welfare program was initiated before the Federal program was enacted that you have as many as four generations, one after the other, four generations on welfare. Since the adoption of the welfare program in many States there is a percentage—yes, it is small, but a disturbing percentage to me even if it is one or two people—that represent the third generation on welfare.

So we thought it was high time in 1962 and in 1967 to try to do something about this because of the disincentive to work, because of the fact that it was conducive to the breaking up of homes, because of the States' variation in payments, because of the overall rising cost of this program.

Now, if there is a man or woman Member of this House on the floor today who is satisfied with the present operation of the welfare program in his or her State, I would be glad to yield so that they can tell me why it is so good, and why it is so perfect.

No, you cannot say it is, and I know it. Thus should we not repeal it? Should we not repeal it? That is what we are doing in this bill. We are repealing the welfare program as it has been known up to now. The 1st of July, 1971, there will no longer be a program of AFDC, there will no longer be a program of old-age assistance, or aid to the blind, or aid to the disabled.

What have we done? We have repealed three programs applicable to adults, and we have placed them under one program, and we apply the same formula of Federal assistance across the board in all three categories. And what are we doing? We are saying in the case of these adult programs under this bill that we in Congress think that the bare minimum of income that a man 65 years of age or older, who has no other income, needs to subsist on, is $110 a month. And we say to the States, every one of them, by July 1, 1971, you are going to pay those people who are 65 years of age and older, enough so that their total income will reach $110 a month and the same for the blind and the disabled.

We say we will pay 90 percent out of the Federal Treasury of the first $65 of the average payments to needy adults, and then we will pay 25 percent of that which remains above the $65—up to a limit set by the Secretary of Health, Education, and Welfare.

We are placing a limitation on our participation, but we are also placing a floor for the first time in Federal legislation to see to it that these people, these unfortunates referred to in the course of the debate on the rule, have enough to live on.

All right; that covers the adult part of the program, but it is a major part, in my opinion, of this bill, the care of these unfortunate aged, blind, and disabled individuals.

What do we do with the AFDC program? We repeal it completely, and we drastically change the approach and the concept. Why? Because many of the States found it impossible to even agree to the mandate of the Federal law on occasion, or even to avail themselves of opportunity to try to help these unfortunate people when we gave them that opportunity in 1962.

The 1st of July 1971, there will be a new Federal program replacing the States program known as AFDC.

This new Federal program will be called the family assistance plan.

Yes, we established Federal standards of eligibility—we changed it from top to bottom, because the Federal Government will pay the first $1,600 of benefits under that program, in all of the States, in cases of a family of four, provided they do the same thing.

What do they have to do under present law? They go to the welfare office and sign up. The Supreme Court says that if a man and his wife and children—because in my State we have not taken care of the unemployed fathers—if he cannot find a job in Arkansas, he can go to California where they have the unemployed father program and can apply for benefits the first day he lands in California. An individual can go from any State where benefits are low to a State where the benefits are higher.

You talk about a drain on the State treasuries? I do not know of any greater drain that we can experience on the domestic scene than the migration of people under the present program to those States that have been more generous with these unfortunate citizens.

There is another group—the so-called working poor. This is perhaps the bone of contention in this whole bill. I had serious doubts about covering them in the beginning. As I said publicly, the administration's new approach to family assistance was good in every respect in my mind except the fact that it might add 10 million or so people to the 10 million people already on welfare and that it would cost an additional $4.4 billion a year to do it.

But I became convinced that this was the right thing to do. Let me tell you how I reached that conclusion.

Where do the people who go on AFDC

come from in the first place? Do they come from good-paying jobs that enable them to own a home or to live in a very fine apartment in your cities or in your rural areas? Where do they come from? They come from this group of people that we have grown accustomed to calling the working poor. As fast as we have been able, under the present WIN program, adopted in 1967, to train people presently on AFDC, there have been two and three and four or more families added to the rolls in these States for every one that we have taken off.

So, that looks to me like you are making progress—retrogressively. We are making progress, but going backward at the same time in reducing the cost and reducing the numbers on the rolls.

Back in 1967, I had many, many letters from all over the United States. I had letters from New York City and from Chicago and from the bigger cities and from the rural areas. They were so pleased that the Congress then was moving in the direction of trying to provide some work incentive to try to get people who are on relief back to jobs.

These women, whose husbands had divorced them or deserted them, and who described themselves by race and all in their letters to me, described their situations. They were living in an apartment house. They were working and had four children. But another woman who lived on the same floor around the corner from them had four children and they were on welfare and did not work.

In essence they were saying to me: "I think it is asking too much of me to work to support my children and pay my taxes—and some of my taxes go to keep up this lady and her children when she was further along in school when she quit than I was—and when she is just as able to work as I am."

It is getting pretty bad when a person points out the difference in status between neighbor and neighbor.

You can call this bill anything you want to, if you do not want to vote for changing the present system. I can make a good argument against the bill if I wanted to do so, because I used to debate and all of us who did had to be able to debate both sides of the question. I could make a better argument against this bill than any argument I have yet heard made by any of you, I believe, because the thoughts I heard expressed went through my mind, too, to debate against it. I think I could do it. Certainly I could make a plausible argument against it.

Those of you who say that you are never going to vote for a guaranteed annual income, let me talk to you a minute. I have said the same thing, and I will say the same thing, and when I vote for this bill I am not voting for a guaranteed annual income. What I am voting for is an amount, call it whatever you want to—subsidy, relief, income, whatever you want to call it—I am voting for a supplement to the income of the individual who is working and not making enough to supply his family with the ordinary needs of life, but who is not now on welfare. Why? Because I tell him, "I will do that for you, Mister, if you will go down to your nearest Employment Security Offices" and we have them in every county of the United States, in every State of the United States—"go down there, sign up for work, and see first, whether they can find a job that pays you more. If they do not, let them counsel with you. Go through their diagnosis. Let them prescribe a course of training for you that they think you have the ability to absorb, that will enlarge your capacities and make it possible for you to earn more money."

But, second, I will pay this supplement and get this man to the employment office because I am convinced that within that man's lifetime, if something is not done, he will be one of the additional millions that will be added to the AFDC program.

Oh, you say, "They will not accept it in my district."

I want to talk to my southern friends. I said this in the Rules Committee. Who are the working poor? What are they like? Over 50 percent of the working poor families covered under the bill live in the South; only 12 percent live in the Northeast. A high proportion of such families live in rural areas and on small farms. Seventy percent of them are white; 30 percent are nonwhite.

I have said to chambers of commerce and every group I could talk to in my own congressional district and in my own State that I am willing to pay any reasonable amount to help anyone in that position, to help him to improve so that he can better help his family.

What do I think about most in this whole affair? I think about the sad plight of many of these children. They have had nothing to do with the ability of their father and mother to earn, or the willingness of their father or mother to take a job. They have had nothing to do with that. They have had nothing whatsoever to do with whether the father has left home in order that they might go on welfare. But they are the ones who suffer in the long run.

Malnutrition and lack of medical attention from conception to 6 years of age, doctors tell me, can reduce a normally born child to the same mental condition as that of a child who was born with an injured brain.

What is the future for such children as these? Nothing but more AFDC.

Members can say what they want to about the definitions of suitable work. I could find 101 things in this bill I could fuss about if I wanted to. I have never told this House that any piece of legislation I have ever supported which comes from the Ways and Means Committee was perfect. But do not be misled. The term "suitable work" is mentioned in the unemployment compensation laws. That is one thing. We do not require a carpenter who goes to the employment security officer in our State, in Members' States or in mine, to get his unemployment check to lay aside his carpentry and take a job as a common laborer. No; that is not suitable employment within the definition of that act.

What does suitable employment mean here in this bill? Let me tell Members. It means employment that is suitable to that particular man's capabilities and his training, along with some other obvious things like the state of his health.

There is talk about all these ways we have left the door open for people to get out of the requirements to take work or training under the program. Well, Members can say a mother with children under 6 years of age ought to go to work. The committee did not. We felt that during those years before the child goes to school, the mother should not be required to take training, but when that child goes to school, then she will take training and she will take training knowing that the child of hers is receiving just as good care or better care during the time she is absent from it that day, in a day-care center.

We are going to arrange for this care with the schools, we are going to arrange it with private organizations, with nonprofit organizations. We are going to get the very best of day care possible for these children.

This lady with a child under 6 can, if she wants to, volunteer for training. Do Members know that in the State of California they have had more people with children under 6, volunteer for training than they have had with any other group of citizens?

So do not tell me these people do not want training. Do not tell me these people do not want a lifting hand to help them lift themselves up out of their economic circumstances.

Yes, we have a few people that do not work as hard as others. I have known doctors and lawyers and businessmen, who I could say did not work as hard as others in their profession. There are people in my district that do not think I work as hard, for example, as the gentleman from Virginia, DICK POFF, or the gentleman from Kentucky (Mr. PERKINS), whom I see here in front of me. Oh, yes, they get critical of us sometimes because they do not think we work as hard as another or the same hours as others, even though we get an equal amount of pay. Of course, many people do not know I have earned a great deal of overtime since I have been in Congress for which I do not get paid—and I know other Members have.

But, as I say, do not characterize these people generally as being lazy or shiftless or without motivation or desire. Most of them are without training. That is why they are where they are. So it is important, I think, that we pass this legislation and repeal what we have and start over anew.

If there had been any better way to do it than the way President Nixon gave us, we would have adopted it, but no suggestions came from within the committee or from the general public either about how to deal with it. This is largely the President's plan.

During its deliberations, the principal efforts of the Committee on Ways and Means were in the direction of strengthening the provisions of the legislation to assure the establishment of an effective work and training program, building upon the groundwork that has been laid in putting the existing work incentive program into operation. It is the clear intention of the committee, based upon

XUM

assurances given by the Secretary of Health, Education, and Welfare and the Secretary of Labor, that the work and training program will provide a method of guaranteeing that all adult members of families receiving assistance under the family assistance plan will receive all available training and employment services and other supportive services, including child care, necessary to assist them in obtaining employment and ultimately attaining self-support.

I cannot emphasize too strongly that all adult family assistance recipients, except for those specifically exempted by the bill, must register for training or employment. Contrary to the administration's proposal, under the committee bill this requirement applies to the working poor as well as to those who are unemployed or working part time. This is an essential difference and a material improvement in the bill. Under this modification, the employment status of many of the working poor parents will be improved and upgraded.

I would like to emphasize in the strongest possible terms, Mr. Chairman, that the Commitee on Ways and Means and its staff intends to monitor, constantly and closely, the operation of the work and training provisions of this legislation. We are relying heavily upon these provisions to take substantial numbers of families off of welfare or substantially reduce their dependency.

We placed reliance upon the provisions of the 1967 amendments establishing the work incentive program and were disappointed with the records of achievements in many of the States. I think we have at least gained much useful experience under the WIN program which we will benefit from in putting the work and training provisions of this bill into operation. For instance, we have learned that it is necessary to have a mandatory registration provision, requiring all those adult recipients who are not specifically excluded under the bill to register. We will no longer tolerate the situation in some States where the philosophical inclinations of social workers and administrators have replaced the basic intent of Congress.

I believe that the present WIN operations can be very easily adapted to the provisions of this bill, and I fully expect early and encouraging results. I also expect that the Committee on Ways and Means will be kept informed as to the progress that is made in the work and training program. The nature and extent of the information the committee has received concerning the WIN program has not been sufficient for it to do the oversight job it deems necessary, and the committee expects that an improvement in the WIN information systems will be forthcoming.

Mr. Chairman, another significant contribution of the committee in developing the legislation was the addition of a provision holding parents who abandon their families responsible for Federal assistance received by their families. This provision was added to the bill to act as a brake upon parental desertion and births out of wedlock, two of the most significant problems that plague the present AFDC program. This new approach plus greater emphasis by the Federal Government and the States in implementing the determination of paternity, the location of absent parents, and the enforcement of support provisions of the 1967 Social Security Amendments should have some effect in reducing the growth of the assistance rolls.

I think it well to remind that we did enact such provisions that were approved just a little over 2 years ago on January 2, 1968. In a sense, this legislation is building upon the welfare reforms we started at that time. These provisions have just recently been put into operation in most States and their effects are just starting to be felt. The committee discussed their operation with representatives of the Department of Health, Education, and Welfare in executive session and received assurances that they will be vigorously applied in the future. As I said with respect to the work and training provisions a moment ago, I repeat with respect to these provisions that the committee will be looking closely at their operation and expects to be kept fully informed concerning them.

The greatest loss of resources that we have in the United States, that we have had throughout our history in the United States, is the loss of that individual trained to the maximum of his ability.

I would hope that the House would pass this bill, finding it, as I am sure the Members will as they study it, far preferable to the provisions of existing law.

I have said very frankly I cannot give anyone any guarantee as to what is going to happen under it. I thought in 1962 there would be more people put to work when we gave the States the responsibility to administer the work-training program. I thought in 1967 there would be more put to work when we told the States certain recipients had to participate, but the States did not find enough of them suitable for training and work. That is why, under the bill before us, they have lost the opportunity to be copartners with us in this enterprise.

My friends from the South, I would urge you above anybody else in this House to be for this legislation. It will do more, in my opinion, for the Southern States than any proposition I have ever had the privilege of supporting or being for on the floor of the House. Think of it: 50 percent of the total number of all of these poor working families are in our several Southern States.

SUMMARY OF PROVISIONS OF H.R. 16311

Mr. Chairman, let me now briefly describe the principal provisions of the bill, including those which I have already mentioned.

This bill is introduced on behalf of myself and the gentleman from Wisconsin at the direction of the committee. I want to take occasion, Mr. Chairman, to express my appreciation for the attendance, cooperation, and assistance given us in the committee by every member of the committee, on both sides, in the development of the provisions of the bill.

This bill makes amendments in those programs of the Social Security Act that provide for cash public assistance payments to needy individuals and families. Specifically it provides major amendments in the public assistance programs under titles I, IV, X, XIV, and XVI of the Social Security Act; most significantly, in the program of aid to families with dependent children.

The bill consists, as Members can see from reading it, of four titles. Title I revises and improves the assistance program for needy families—part A of title IV of the Social Security Act, or "AFDC." This part of the bill replaces the existing AFDC program with the basic Federal family assistance plan for all needy families, including the working poor, and a program for State supplemental payments. This title includes new and expanded work incentives and requirements and an expanded and improved program for child care and supporting services. It also includes provisions under which the States could agree to have direct Federal administration of all of the cash assistance programs.

Title II provides for a minimum payment level of $110 a month for each recipient under the federally assisted adult public assistance program; a new Federal matching formula with respect to adult assistance which is more favorable to the States; and other improvements in the public assistance programs for the aged, blind, and disabled, consolidating titles I, X, and XIV in a revised title XVI.

Titles III and VI contain miscellaneous and conforming provisions and certain general provisions.

FAMILY ASSISTANCE

The bill would make basic reforms in the program which furnishes assistance to needy families with children by providing:

First, a new basic Federal family assistance plan, with federally assisted State supplementation, for poor families with children in place of the present program of aid to families with dependent children, but including for the first time coverage of poor families regardless of the work status of the father. The States would not be required to supplement payments to the working poor;

Second, requirements that, as a prerequisite to receipt of benefits, every adult in the assisted families—except those who are specifically exempted, such as mothers with preschool children or persons who are ill or of advanced age but including adults already working—must register at the employment office for work or training or sign up for vocational rehabilitation if handicapped;

Third, uniform, nationwide eligibility requirements and payment procedures, both for the basic Federal family assistance plan and the State supplementary payments; and

Fourth, new provisions holding deserting parents responsible for Federal payments made to their families under the family assistance or State supplementary plans.

WORK AND TRAINING

The bill improves the program of employment and training services and of

XUM

other services—including child care—needed by recipients who are registered at employment offices by providing:

First, a new program of manpower, training, and employment services to be administered by the Secretary of Labor through the State employment offices;

Second, a Federal program of full-cost grants and contracts for child care services to enable mothers who are required to register for training and employment—as well as those who register on a voluntary basis—to participate in work or training;

Third, a new system of providing services to support training or employment through agreements between the Federal Government and the States; and

Fourth, a more equitable, uniform, and effective system of incentive allowances and reimbursement of work expenses.

ADULT ASSISTANCE

The bill would substantially improve the effectiveness of the adult assistance programs under the Social Security Act by providing:

First, that the States assure that each aged, blind, or disabled adult will receive assistance sufficient to bring his total income up to $110 a month; and

Second, a simplified Federal matching formula which will result in generally more favorable Federal participation in the cost of payments.

I think we all would agree, Mr. Chairman, that the adult public assistance recipients—the old, the halt, and the blind—are most deserving of any additional help we can give them.

MISCELLANEOUS PROVISIONS

The bill also contains a number of miscellaneous and conforming amendments that are necessary in order for the family assistance plan to work in smoothly with the provisions of present law. While there are certain references to the medicaid program and to the parts of the law dealing with services for needy families, the committee is not making any substantive amendments to these programs at this time.

OTHER SOCIAL SECURITY LEGISLATION PENDING BEFORE THE COMMITTEE

The committee is currently considering additional amendments to the Social Security Act relating to the medicare and medicaid programs and we expect to consider amendments to the social security cash benefits program soon. And, the Department of Health, Education, and Welfare has indicated that it hopes to soon forward proposals relating to the social services provisions of the Social Security Act for our consideration. The bill before us today relates essentially only to cash welfare payments—it is not directed to issues relating to services for welfare recipients.

Some of you may recall that last winter, when we were considering the 15-percent social security cash benefit increase that was enacted in December, I indicated that we hoped to have additional amendments to the social security cash benefits program ready for consideration by the House by the end of March of this year. However, as I have said before, when we reconvened this January, it was the Department's wish—as expressed by Under Secretary John G. Veneman—that we first consider the welfare reform proposals. And, as I have indicated, our work on the welfare reform proposals has been very time consuming.

COST AND FISCAL IMPACT

Mr. Chairman, the American people want to be certain, and should be able to be certain, that when, of necessity, money is spent for assistance payments, it is spent in such a way as to promote the public interest, and the public well-being of our people. While this bill does entail substantial increases in Federal expenditures for welfare payments in the short run, I think we have built into the bill, for the long run, provisions that will mean that we can begin to hold the line in the future. For example, the Department of Health, Education, and Welfare estimates that over the period 1971–75, Federal payment costs under present law would increase by about 62 percent, whereas under H.R. 16311 they are expected to increase by only about 15 percent. This data is set forth in table IX on page 53 of the committee report, which I insert at this point in the RECORD:

TABLE IX.—POTENTIAL FEDERAL COSTS UNDER COMMITTEE BILL COMPARED TO EXISTING LEGISLATION, 1971–75[1]

[In billions of dollars]

	1971	1972	1973	1974	1975
Committee bill:					
Payments to families with children	3.8	3.8	3.7	3.6	3.5
30 percent matching of State supplementals	.8	.9	1.0	1.2	1.3
Subtotal	4.6	4.7	4.7	4.8	4.8
Federal share of adult category cost	2.7	2.9	3.2	3.4	3.6
Total	7.3	7.6	7.9	8.2	8.4
Existing legislation:					
Federal share of AFDC	2.5	2.9	3.4	3.9	4.5
Federal share of adult categories	2.0	2.3	2.5	2.7	2.8
Total	4.5	5.2	5.9	6.6	7.3

[1] Assumes that, with constant benefit levels, family assistance gross payment decline slightly. Other cost items are assumed to increase at the same rate as they have during the last 3 years (see discussion in text above).

The new welfare proposal does ease the costs of welfare to most of the States, shifting a greater burden to the Federal Government. Overall, according to estimates of the Department of Health, Education, and Welfare, the bill developed by the committee shows slightly greater fiscal relief to the States than the bill that was originally introduced by the President. In general, the effect of the committee changes in the administration bill is to give more savings to those States which have been making greater fiscal effort in their welfare programs.

It is estimated that the combined impact of the family assistance plan and the program for adults will be a net reduction in State expenditures for cash assistance in all but about nine States. With regard to the States whose expenditures would be increased, there is a special saving provision in the bill which provides that, for the first 2 fiscal years under the program, the Federal Government will meet any additional State costs that result from the enactment of the family assistance plan or the proposed new title XVI for the needy aged, blind and disabled.

CONCLUSION

Mr. Chairman, this bill deals with a most controversial subject. It will not please everybody; it would be impossible to do so. Some will say that by providing benefits to working poor families, we would be starting down the road to a guaranteed income program. I do not agree, because the bill also requires the employable adults in these poor families—working or otherwise—to register for training or employment services, thus bringing them under a program that will assist them in improving their skills and increasing their income. My understanding of a guaranteed income system is one that gives an individual a choice of not working and settling at a certain income and living standard, the standard that is guaranteed. This the bill certainly does not do. It offers no such choice. It says to the employable adult members of assisted families: "You must accept suitable employment or training or lose your welfare payment, and if need be have the payments to your family made to someone outside the family." There is a great difference between this legislation and a guaranteed annual income.

It cannot be expected that this welfare reform proposal can solve all of our country's grievous social problems. But there is reason to think that it will be a highly significant step forward. It is designed to promote individual integrity and efforts toward self-help. It is designed to help to stabilize poor families. These are important goals, and if we start to attain them, we will have made a valuable contribution toward improving the lives of the needy people of this country.

The CHAIRMAN. The time yielded by the gentleman from Arkansas has again expired.

Mr. MILLS. Mr. Chairman, I yield myself 5 additional minutes for the purpose of answering questions.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield for one question?

Mr. MILLS. I yield to the gentleman from Ohio (Mr. ASHBROOK).

Mr. ASHBROOK. There will be many questions raised later in the debate, but there is one point which I believe would help to clarify this at this time.

First I should like to thank the gentlemen from the Ways and Means Committee, speaking as a person not in favor of this bill, for I would say the committee has been 100 percent helpful in providing information to me which I hope I can use to help in this debate to shed light on the subject.

I note that the gentleman in his remarks mentioned the situation under the present law where a family on welfare could get more than a family working full time at the minimum wage or near minimum wage, referred to.

I am sure the gentleman would not want to leave the impression this early in the debate that this bill would completely alleviate that situation.

Mr. MILLS. It may not in some States.

Mr. ASHBROOK. It would narrow the situation, rather than bring about a situation where there would be an absolute work incentive in every case.

Mr. MILLS. It would not cover all cases.

The gentleman very kindly gave me a copy of his figures. What he is doing in his figures is including many things that are not within this bill.

There is a reference to medicaid. The medicaid program may be available both under the welfare program and for the working poor, depending entirely on the State law.

The food stamp program may or may not be utilized by these people. It is not utilized by all of them. If it were it would cost several more billion a year, someone told me, and we do not appropriate anything like that amount for it now.

What I am talking about is what the individuals have in cash as a result of being on welfare, working and receiving this supplemental payment under the family benefit program.

XUM

Mr. ASHBROOK. On that point, will the gentleman not agree, regardless of whether he has another set of figures or what the case might be, nonetheless, even if this bill were to be fully implemented it would not totally alleviate the situation he referred to, where there is in some cases the ability to get as much or more when one is on welfare, as against when working. The gentleman told me they worked to narrow the disincentive.

Mr. MILLS. There is no question about the total.

Mr. ASHBROOK. Even if the bill passes, it could not be said we had alleviated the situation, where there would not be a situation where a nonworking welfare family would receive more.

Mr. MILLS. That is true. We are only helping them up to the poverty level, and it is my recollection that at least one State has a line of assistance under AFDC which is quite a bit above the poverty level and some of the other States have payments, depending on the size of the family in those States, that would be above the poverty level. So we are not going to help the States under this with levels above the poverty level. We help them up to that poverty level.

Mr. ASHBROOK. I thank the gentleman.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Missouri.

Mr. ICHORD. I want to thank the distinguished gentleman from Arkansas for his usually excellent presentation.

First of all, I want to state that I do not think there has ever been a bill in the Congress in the 10 years that I have been here that I have personally had more difficulty on in making up my mind as to how to vote.

I have two questions of the gentleman from Arkansas.

You mentioned the fact that the AFDC program had doubled in cost during the last 2 years previous.

Mr. MILLS. Three years, I say.

Mr. ICHORD. There are now 1.7 million families drawing AFDC.

Mr. MILLS. That is approximately 10 million individuals all together on all welfare programs.

Mr. ICHORD. The gentleman did not break that 1.7 million families down into those where the father, the male, had left the home for some reason or where there had been no marriage in the family. Would the gentleman advise me as to what part of this 1.7 million families fall in that latter category?

Mr. MILLS. About 75 percent where the father is not in the home. About 75 percent of the total number are in that category and about 25 percent in the remaining part.

Mr. ICHORD. One more question I would like to have the gentleman answer. The gentleman in his presentation has only spoken as to income requirements. Are there any asset requirements for eligibility under this?

Mr. MILLS. Oh, yes. We have asset requirements.

Mr. ICHORD. What are those?

Mr. MILLS. We disregard assets up to $1,500. A home or personal effects do not count against the $1,500 limitation. That is done in many States, anyway, under present law.

Mr. ICHORD. You mean the home would be exempt and not counted as part of the $1,500?

Mr. MILLS. That is right.

Mr. ICHORD. I thank the gentleman.

Mr. MILLS. I now yield to the gentleman from Pennsylvania.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MILLS. Mr. Chairman, I yield myself 2 additional minutes.

I yield to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I want the gentleman to understand my vote on the previous question does not indicate my final vote on the legislation one way or another. I voted in that instance because I would have liked to have seen an open rule in that we are studying the minimum wage laws. We are faced with the problem of creating a new base for that. However, under the minimum wage law and all of the major union contracts that I have seen there is no such thing as a family consideration for the payment of wages or income based on the number of children in the family and the number of dependents. The only program that was anywhere near like this program that I knew about was when we were studying the national levels of income with low rates. We found in France that they have a program whereby all employers paid into a fund but all paid the same wage. However, for each child over and above two in that family they had a common pool which would pay back into the family or to the head of the family enough money to give them an income, such as we are doing here. If a person has two children or four children, he would have a guaranteed minimum income under this law of $3,900.

Mr. MILLS. No. He would not have that much.

Mr. DENT. I am not talking about relief. I understand this better than some of my colleagues who have been condemning my vote on this. It gives a guaranted minimum income for relief——

Mr. MILLS. That is right.

Mr. DENT. But it does not increase the relief payment one cent. It might help the treasury of a State that does not have a higher payment.

Mr. MILLS. That is right.

Mr. DENT. Mr. Chairman, if the gentleman will yield further, what will happen is that those who are not working now under the present minimum wage law, if they worked 52 weeks a year and every eligible work day in that calendar year which they could work, if they have a family of 4, 6, 8, or 10, they can earn $3,338 total income under this bill. But we are saying that we have recognized that to be too small and I want you to know that I think it is too small at this time.

Mr. MILLS. It is the level to which one refers as the poverty level.

Mr. DENT. Mr. Chairman, if the gentleman will yield further, I want it clearly understood that we are now studying the minimum wage and we have to take a completely new view of it because in our consideration of the minimum wage we had to take into consideration the basic income and what would be the poverty level. Since these guidelines are in here we will have to establish the minimum wage on the same basis as the guidelines of a dependent child in the family, or else——

Mr. MILLS. What we are trying to do, if I may interject, to state the facts of the bill—what we are trying to do is to take care of a whole lot of people that do not even get your present-day minimum wage.

Mr. DENT. I understand that, I will say to the gentleman from Arkansas, but I want to explain clearly that if we do not do that, if we establish a minimum wage for a family of four on the basis of what you have established it here—and that is as high as you could probably go without creating a great deal of opposition at this time—if that same person happens to have four children will he be subsidized from the Government through the employer who is only paying the minimum wage?

What I want to do is to provide language in here with a percentage base over the poverty level rather than a per child dependent figure. Under that procedure, I think there would be an incentive for a worker who is working at the present minimum because he will not be able under any minimum wage law to keep from working for an employer if he has 10 chilren and working at a minimum wage.

Mr. MILLS. We provide for training here, as the gentleman knows, but we still must have a program under any concept of relief which is based upon the size of the family and the needs of the family. We maintain that concept here.

Mr. DENT. I understand that and I compliment you, because something must be done about it. But what do I do about the minimum wage? What do I establish for a family of 4, 6, 8, or 10? What do we pay out of the Treasury? That is what I want to know.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. MILLS, Mr. Chairman, I yield myself 2 additonal minutes.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Texas.

Mr. MAHON. As the gentleman knows I have great admiration and respect for the ability of the gentleman from Arkansas and for his dedication.

Mr. MILLS. I know it is not my argumentative ability, and, as the gentleman knows, I have the greatest respect for him, and especially so when the gentleman and I are together on these matters.

Mr. MAHON. The thing that concerns me, and I believe many others, is that at times we pass legislation incurring additional expenditures without adequately considering whether or not the revenues are available.

Mr. MILLS. I am glad the gentleman brings that up.

Mr. MAHON. I would like to take a moment, if I may, to pursue this further. As the gentleman knows, under the administrative budget which was in use prior to fiscal year 1969, the budget for the current fiscal year would be in the red by the estimated sum of about $8 billion.

We have just voted for a pay increase for Federal civilian and military employees, and so forth. Many are very much interested in more money for education and more money with which to fight pollution. I, personally, cannot see how we can carry out these programs without raising additional revenue.

My question is this: Does the gentleman see any way that we can finance these programs without raising additional revenue? It is easy to get spending bills through but it is hard to get revenue-raising bills through, as the gentleman knows better than I.

I wish the gentleman would explain whether or not he thinks that the pending bill is going to cause additional spending, and cost additional revenue? And in view of the whole environment, the whole atmosphere, the trend of the times, is it inevitable that we will have to raise taxes, and probably early?

Mr. MILLS. Let me answer the gentleman this way. First of all, this does not affect the upcoming fiscal situation for fiscal year 1971 except to the extent that some day-care centers may be established, which are already provided for under existing law, to help care for the children of the mothers who will avail themselves of the WIN training programs which were established in 1967.

None of this goes into effect, none of it, in this proposed program, none of it, even the enlarged payments to the elderly, until July 1, 1971. That is the first day that any part of this can go into effect.

There are two reasons for this. First of all, all of the States will have to amend their laws in order to comply with the new adult assistance program; and, second, we are trying to do even better than the President himself was doing by not imposing any of those costs upon what I thought was already a very tight budget situation for the 1971 fiscal year. He did actually budget expense for some of this to go into effect in fiscal year 1971, but the committee decided we would let no part of it go into effect until 1971. And we have been criticized in some quarters because of that.

But to me this whole thing of Federal spending is a question of priorities, as I know the gentleman knows.

I will tell you one thing: I think some of these problems we have at home, and some of the trends that we have at home that can be corrected and improved by some new program that may cost some additional amount in the immediate future, must be related in importance to some of the programs that we perhaps have had on the books for many, many years. We have to determine whether or not those programs which have eaten deeply into the Treasury, are worthwhile programs, or whether there is something new we should adopt.

If we took the position that the budget was so tight because of all of our old programs that we could never do anything new, we would never solve any problems that might be on the horizon.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MILLS. Mr. Chairman, I yield myself 2 additional minutes.

Mr. MAHON. Mr. Chairman, will the gentleman yield further?

Mr. MILLS. Let me carry on just briefly, because I have not answered the gentleman fully.

You must also compare this new program, and what is capable of being done under it through proper attention and proper administration, with what will occur under existing programs, which, as I said, some people within the Department of Health, Education, and Welfare predicted for aid to families with dependent children and other elements of cash welfare, that it will cost around $12 billion just 4 fiscal years from now.

This new program altogether will be a material amount of money. It will cost somewhere in the neighborhood of $8 billion by fiscal year 1975, all added together. But I think the program under present law, contrary to some tables that we have in the report, even will cost us at least $4 billion more by fiscal 1975 because recipients will not be taken off and put to work under the existing law, and they will be under this program.

Mr. MAHON. Let us assume that this has very little impact in fiscal 1971——

Mr. MILLS. It does not have any.

Mr. MAHON. But there are many other programs not related to this.

Mr. MILLS. I am not in favor of delaying or stopping this program because the gentleman's committee may want to add $1 billion to something else. I might vote against that $1 billion amendment. I think this program is entitled to a very high priority, just as I think the education of our children enjoys a very high priority.

Mr. MAHON. Can we do the things that we are going to want to do without providing additional revenue?

Mr. MILLS. We are not providing for one penny of cost over the program that the President submitted to us.

The President mentioned this program as the first matter of legislation when he appeared here and gave us his state of the Union message. Welfare reform was the first thing he wanted done.

To me welfare is one of the most important domestic issues that faces us. If we can ever get out of Vietnam—if we ever get out of that problem we must avoid what the Department of Defense was able to do when we found with respect to the 1970 budget that we could cut back the dollar cost of Vietnam by $3½ billion. Who got it? You know who got it under the President's budget—both Presidents' budgets. What the Congress made available—the President did not spend it all—we gave right back to the Department of Defense for other purposes. I will say, I am not going to argue on priority here. But I do not know but what this has about as much priority as the solution of some of the things for which we spend the taxpayer's dollars today. I am not talking about defense, but I am talking about some domestic programs.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Georgia.

Mr. LANDRUM. Mr. Chairman, the gentleman, in response to a question propounded by the gentleman from Texas (Mr. MAHON) has not, in my judgment, answered categorically what ought to be stated here. It seems to me, the answer ought to be, "Yes, we are going to have to raise more money."

Mr. MILLS. No; I am not going to say that. If it becomes necessary, I will say I will be out on the House floor supporting it.

Mr. LANDRUM. Will the gentleman permit me to say one sentence further?

Mr. MILLS. Go ahead.

Mr. LANDRUM. Immediately following the disclosures last summer by President Nixon on television of his welfare reform proposal, there came on the screen a panel of folks in this field of welfare and among them was former Secretary of Health, Education, and Welfare, Mr. Wilbur Cohen, and Mr. Moynihan of the White House—and Mr. Moynihan said, as I recall it, as we had all during our committee sessions, that this bill would cost no more than $4½ billion or $5 billion additional money.

Mr. Cohen, who supports this program and who is a part of its genesis——

Mr. MILLS. No, no.

Mr. LANDRUM. I am not talking about the bill—I am talking about the program and I am talking about the philosophy of it.

Mr. MILLS. Oh, yes.

Mr. LANDRUM. He is a part of its genesis and we know that. We may as well admit that he is a brilliant man in his field. He said, "No, not $4½ billion or $5 billion, but it is much closer to $14 billion or $15 billion." I am talking of the fiscal year 1971, I am talking about this program that is on the way and there is not going to be any revision of the surtax.

Mr. MILLS. My friend, the gentleman from Georgia, has I think been misled by a lot of statements made by a lot of people. If Wilbur Cohen said that, he does not know what he is talking about. He does not know what he is talking about in some of these programs with respect to the costs—and he is a great friend of mine. Just do not be misled by that—do not be misled, I mean, by following just everything that Wilbur says. I just never could follow everything he said. But you ask him if he would not go further with this program and I will guarantee that he will say—yes. Maybe what he wanted was a program which cost $14 or $15 billion.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. I am one of those who is seeking guidance on this. I have not made up my mind one way or another.

Mr. MILLS. Before the gentleman asks me his question, would you not admit that the greatest loss of resources that we have is the idleness of these people?

Mr. LONG of Maryland. I agree with that, sir. That has a bearing on my question. The gentleman has indicated that one of the reasons why this bill might not cost us much as present programs, as many people think, is because there are incentives here to put people to work in other programs. It has been my understanding, and I have not made a study of this, but only heard of cases, that there has been a pilot program on the question of whether these guaranteed annual income programs would give people the incentive to work. My understanding is they have been generally inconclusive and do not show anything much in one way or another.

I wonder if the gentleman would throw some light on that?

Mr. MILLS. You do not want ever to draw a conclusion from an experiment like this conducted over, say, a year's time or some such limited period. A man conducting it will want you to give him 2 or 3 years to report on experiences under it. But the experience so far in connection with the New Jersey-Pennsylvania project, which is the one to which the gentleman is referring—and there is one about to begin in North Carolina if it has not already started—is that it indicates that their final report will indicate the success of that experiment. They have had success in different income levels up to date. But they could go on in the next month and something could reverse it. So far they have had no reversals.

Let me read just exactly what they say in the report. These are the preliminary results of the New Jersey experiment.

> We believe that these preliminary data suggest that fears that a family assistance program would result in extreme, unusual, or unanticipated responses are unfounded. There is no evidence that work effort declined among those receiving income support payments. On the contrary, there is an indication that the work effort of participants receiving payments increased relative to the work effort of those not receiving payments.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Obviously, the key to the success or failure of this program are the child care centers.

Mr. MILLS. Yes, I would agree to that, plus the attention you give to training.

Mr. PUCINSKI. The question I have, Mr. Chairman, because obviously the largest number of recipients under these programs are mothers with small children, is this: Is there an override in this legislation where a federally financed day care center which fails to meet local zoning codes or building codes can operate? One of the problems across the country, one reason why the program has been a failure, is that churches want to participate——

Mr. MILLS. There is no question but what churches and schools can have day-care centers. They have them. They can operate day-care centers. Schools can operate day-care centers. As I said earlier, nonprofit organizations can set them up. They can be set up by any group.

The Secretary has the authority to see to it that they are operated under sound health and safety rules.

Mr. PUCINSKI. If they fail to meet a local building code——

Mr. MILLS. If they do not meet a local building code you do not think the Secretary would qualify them, do you? If they cannot meet the present State standards, he will not talk to them. But if the State does not have any standards, then, of course, he can make up his own mind whether the program is operated in a healthy and safe manner.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Ohio.

Mr. VANIK. I appreciate the gentleman's thorough explanation of the bill, and I support the bill. I would like to inquire whether a fully trained unemployed worker covered by unemployment benefits with three dependents, who exercised his unemployment compensation benefits for prolonged unemployment, for better than a year, whether such a person would be permitted to participate in the program without disposing of his equity in his home or his equity in his automobile.

Mr. MILLS. He would. That is also true in the States that disregard the ownership of a home and take care of the family with an unemployed father. The gentleman knows about 50 percent of them do that now.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from New York.

Mr. CAREY. I wish to commend the gentleman in the well, the Chairman, for the way in which he has exonerated my reasoning and rationale on the old bill, the 1967 amendments that you brought forth. At that time I had a colloquy with the distinguished chairman and I predicted that with the rate of increase of beneficiaries coming on the rolls in New York City, the cost of the program would triple. I wish I had not been so accurate.

Mr. MILLS. I wish it had merely tripled. It is more than that.

Mr. CAREY. We could foresee that.

Mr. MILLS. We did not offer enough incentive, I guess, for the city to refer welfare recipients to work and training programs.

Mr. CAREY. Let me indicate why I think we are on the right track on this bill.

Mr. MILLS. Mr. Chairman, I yield to the gentleman from New York.

Mr. CAREY. Mr. Chairman, aside from the experiment the chairman referred to, in New York City, acting on our own initiative, faced with an increase of 20,000 new cases a month coming on the rolls, we undertook some experiments in allowing the workers to keep certain income from the welfare benefit, coupled with an incentive to work, and the requirement to take upgrading training. We found the flow of cases to the welfare rolls was beginning to decrease from 20,000 to 7,000 a month. We have seen movement off the rolls for the first time.

So much of what the gentleman is describing has been experimented with favorably in New York City. Therefore I think it deserves a chance.

Mr. MILLS. Mr. Chairman, let us see where we would be if we decided not to pass this legislation in the House, and I will leave it in the hands of Members and to their good judgment. We will be without any change in the present welfare system, because the committee and those on the outside, in looking at this whole matter, have been unable to come up with any other changes that we could make that would offer any hope of curtailing the rising costs of some of these programs. This is all we could think of.

We could not possibly get back to the floor any time this year with something new unless somebody who has not talked about it in the past would come forward with something new.

I think we ought to give them a chance to have this program. I think it can work. As I said to those in the administration, I hope they will give it the amount of attention required. They must see to it that the employment offices give to it the amount of attention needed in counseling these people and in diagnosing them and in training them and in offering them a job.

But, as we told the departments, let us not train these people for employment that does not exist. Let us not train them for jobs that have disappeared. Let us take the business community into this and let us find out what jobs within an

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area are going begging—and they are going begging, my friends. Let us find out what they are. Let us train people for these jobs. The worst thing we can do from the point of view of the morale of these people is to spend 6 months training them only to have them find, when they walk up and down the streets, that nobody will employ them. Let us not have that happen. If we do not let it happen, then the program can succeed.

The CHAIRMAN. The Chairman advises the gentleman from Arkansas he has consumed 58 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 15 minutes. Mr. Chairman, I know of no more complex or serious problem, among the numerous problems that require solution, than the problem of dealing with our present Federal-State-local welfare program.

If we could find the perfect solution by waving a magic wand to insure that no families with children remain below the poverty level, we would all feel much happier. But that is not the situation we face. Instead, we have the existing program of aid to families with dependent children—AFDC—that was designed to assist families with children who have been deprived of parental support by death, incapacity, or continued absence from the home and who do not have sufficient income or resources to keep body and soul together, to provide food, clothing, and shelter. But we know that this AFDC program is a mess, is a can of worms.

This program is out of hand. It is accomplishing little while experiencing dramatic increases in the number of recipients and the costs incurred by the Federal, States, and local governments.

I would repeat what the chairman has said. I do not believe there is a single individual in this House who would defend the continuation of the program as it is now constituted. I do dot believe there is a soul who would defend the status quo.

Those who oppose this bill certainly are not doing so on the theory that what we have is sound, that we need not be concerned about the present program, that we should not adopt this legislation because what we have is appropriate, also let us recognize that we are going to be able to find questions and to be concerned about any new approach. I was concerned from the beginning. I am still concerned about the need to make this program work.

But my first concern prescinds from my knowledge that the present system will not work, because it does not reflect the philosophy that people should be transferred from the welfare rolls to the employment rolls and that individual efforts to achieve self-sufficiency should be a prerequisite to assistance.

What is the underlying philosophy of the present AFDC program? It is simply a guaranteed annual income. The States simply establish need levels for various family sizes and pay each family a cash payment equal to all or part of its needs. These payments, which today range from a low of $828 to a high of $4,164 annually for a family of four, are made with little or no regard for the efforts of the adult family members to achieve self-sufficiency through work or training.

This, Mr. Chairman, is a guaranteed annual income. The amount of the guarantee varies from State to State in accordance with the standards they have established. Let me give you some examples to illustrate the level of the present income we are guaranteeing. A family of four presently receives a guaranteed annual income of $2,220 in Alaska, $2,124 in Arizona, $2,292 in Colorado, $3,684 in Massachusetts, $3,468 in Minnesota, and $2,376 in my own State of Wisconsin.

We have all of the States listed, and this is available to the Members. That is the level of guaranteed income that we now have. If the Family Assistance Act simply extended the guaranteed annual income to more people, we would not be making any progress at all, and I would be unalterably opposed to the bill. Instead we are converting the present guaranteed annual income our welfare program provides to a system that condition assistance on individual efforts to work and take training.

This is an entirely different proposal from the one recommended by the commission that Mr. LANDRUM referred to. He was the gentleman who said that a commission under the last administration made a proposal that was the genesis of this bill. Were there any conditions imposed on the cash assistance provided under that proposal. Absolutely not. There was no condition that able-bodied adults had to take training or go to work. The basic concept involved a guaranteed income whereby the Government would make up the difference between the families income and their needs over a given period of time.

Our program is fundamentally different from both that proposal and existing law. Under this program we are no longer going to have a guaranteed annual income. Under this bill, society's assistance will be conditioned on the head of a family doing everything to help himself and his family that he is capable of doing. He must take training; get a job, and go to work.

If we are going to be honest with ourselves and with the public, we should stop talking about this bill making a radical change by introducing a guaranteed annual income. People who favor a guaranteed annual income may think the work requirements in this bill are a step backwards, and we have heard this position argued. The work and training requirements, which form the backbone of this legislation, are the big difference.

Let me say to you if this bill were only for the purpose of paying more money to more people, I would be up here opposing it with as much sincerity as I come here to support it today. But that is not the philosophy of this bill. The philosophy of this bill is to get people off the treadmill of welfare—dependency upon a government check—and enable them to become self-sufficient participants in the American economic system.

Nearly everyone from whom I have heard during our consideration of this bill has agreed that we should put the emphasis on work. I agree 100 percent.

Mr. Chairman, one of the opponents of this legislation, in a speech before this House, uttered words that I would adopt as my own. He said:

> It is essential that we recognize that occupational rehabilitation is the only corrective mutually beneficial solution to the problem of able-bodied, needy American adults with a work potential, and the conclusion is that only a program leading to a job and self sufficiency can succeed in reducing the welfare burden.

Mr. Chairman, that is the objective of this bill. That is where this legislation differs from the programs we have today.

Mr. Chairman, let me review with the Members some of my reasoning in becoming convinced that the present system is unworkable. The present system simply keeps people on the welfare treadmill, receiving welfare checks into the second and third generations. In my opinion it is the worst thing in the world for a child to grow up in a household where no one gets up and goes to work in the morning, but just goes down to a welfare office and picks up a check once a week. That is the poorest example you can establish. The best individual and family therapy in the world for these children is to imbue them with the American philosophy that there is a correlation between individual effort and economic well-being.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 10 additional minutes.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 10 additional minutes.

Mr. BYRNES of Wisconsin. Mr. Chairman, I became convinced that the concept of work is a fundamental ingredient in welfare reform. The present system rewards idleness and penalizes work.

If you are in a nonworking poor family, if you do not work, if you do not have a job, you are eligible for assistance in these States—about half of them—that cover the unemployed parent.

But if the family head is working, then the family is not eligible for benefits in any jurisdiction, even though the family income is below the needs standard established for welfare in the State.

How can you encourage unemployed people, to whom you are paying assistance, to go to work if you are going to penalize them by making them ineligible for assistance when they do go to work? If you want to move people from the nonworking poor into employment, you have to provide them with assistance or your attempts will be futile.

The present program keeps an individual and his family welfare as long as they are unemployed. But if they get up in the morning, go through the extra expense of working and come home tired at night, they are no longer eligible for assistance. They are no longer nonworking poor individuals, they are earning something, and the present law says we are not going to take care of them.

Now that issue—providing coverage

for the working poor—is the fundamental issue before us today.

This is the group of additional individuals we will be providing assistance to—some 19 million who would be under the new program as against 7 million individuals who are covered through the aid to families with dependent children program. This added group is fundamentally what we call the working poor.

Failing to cover the working poor results in two inherent defects of the present system. The first defect is the incentive for family break-up, the father leaving the home, if he was the breadwinner there, because his family would be economically better off if he deserted them and qualified them for assistance as an AFDC family. The second defect is the disincentive to work for those intact families where the father is unemployed—the problem I discussed earlier.

Let me just ask why a poor family with minor children should be ineligible for any assistance just because there is a man in the house who is working? Why should that automatically make a family ineligible for any assistance, even though their income is less than the need standard the State has established for AFDC families, to enable them to keep body and soul together.

Why should work make you ineligible for assistance in meeting your needs? We cannot give an answer to that. No one can give an answer to that.

That is why we covered the working poor. That is why I became convinced of the need to cover this group—to discourage family disintegration, to foster family stability, and to encourage work.

Let me take a simple illustrative case, using figures from a conservative and moderate State, the State of Wisconsin. The figures in States like New Jersey would provide a more compelling cure, because their welfare payments are higher, but I am selecting a moderate State to illustrate my point.

Take a family in the State of Wisconsin, with the male in the home working at $1.50 an hour. He has a wife and three children. His gross income at $1.50 an hour on a monthly basis is $260. If you deduct from these earnings his work expenses—such as transportation costs, social security tax, and special clothes that he has to have, all of which are estimated by the Department of Labor to be about $60 a month—he will have a net income of $200 a month for himself, his wife, and his three children. He is not eligible for any assistance under the aid to families with dependent children program.

But the AFDC family consisting of a mother and three children would get $189 a month from welfare under the Wisconsin program of aid to families with dependent children. This is practically as much as the family with the employed male gets in net income at the end of the month. Yet, the family with the mother and three children, receiving $189, has one less mouth to feed, one less person to shelter, and one less person to clothe. Economically, they are better off?

The family with the employed male would be ahead economically, if the father left and qualified them for AFDC. This is the family breakup incentive the present program provides. There is an economic inducement for the father to leave. Certainly this is not the only reason for family breakups, but we are on unsound ground to continue a program which provides an economic incentive to the breadwinner to leave home, creating a fatherless household with no one working.

If we take the case of an individual with a wife and three children who is working at below the minimum wage—and there are between 6 and 7 million individuals working full time at below the minimum wage in this country—the incentive for family breakup is even greater. A man earning $1.25 per hour would have gross monthly wages of $215, and an economic income, after deducting work expenses, of $155 a month. He is not eligible for assistance because we do not cover the working poor. In this particular case the family is $48 better off if he leaves home, and there is still one mouth less to feed, one person less to clothe, and one person less to shelter. Can we continue a program that has these kinds of results? I do not think we can.

Let me give you some figures as to what an individual must earn in various States in order for his family of four to be as well off as a family of four on welfare.

In Illinois he must be earning $1.85 an hour for his family of four to be better off than a family of four on welfare. In Massachusetts, it is $2.16; Michigan, $1.95. In Wisconsin, as I indicated, it is $1.50. This is the encouragement we provide today for family disintegration. And these are the disincentives we provide for work. We must cover the working poor if we are going to avoid this.

Let me give you another case in my own State, and this could occur in about half of the States. Consider that intact family, which we have already discussed, with the father earning, after work expenses, $200 a month. The family is not eligible for assistance because the father is working. Then consider another family of four, with the father unemployed. Yet because he is not working, he becomes eligible immediately for a family benefit, in the State of Wisconsin, of $220. In this case it put $20 into his pocket to be unemployed.

Where is the incentive to work when we penalize work in a simple case like this? As I said, you can make cases in some States with higher welfare standards that involve a greater disincentive to work.

Does this system make sense? Of course not. What do we have to do? I think we have to adopt the underlying philosophy of this bill. We have to cover the working poor.

Additionally, we have to provide incentive to the individual to work. We do that in this bill in two ways. First, we let him keep the first $720 he earns annually—or $60 per month—without suffering a diminution in benefits in order to cover his work expenses.

Second, we let the man keep 50 cents out of every additional dollar he earns, reducing his assistance by only 50 percent of his earnings up to the break-even point—$3,920 for a family of four receiving a basic benefit of $1,600. This provides encouragement for him to get a job and go to work, and to continue working and improving himself.

Mr. DENNIS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Indiana.

Mr. DENNIS. Mr. Chairman, this is a little bit technical business, which the gentleman knows more about than I do, so I hope the gentleman bears with me. But the work incentive is one of the very important things in this bill.

Mr. BYRNES of Wisconsin. In my judgment, it is very important.

Mr. DENNIS. All right. That comes basically from the idea that after this first $720, the man is allowed to keep 50 percent of whatever additional he may earn? Is that correct?

Mr. BYRNES of Wisconsin. That is correct. Yes, a 50-percent income disregard is provided.

Mr. DENNIS. Is it correct, according to the people in this field, that we have to have the rate that low at least, that we cannot take away from him much more than 50 percent and retain any substantial incentive?

Mr. BYRNES of Wisconsin. Let me be honest with the gentleman. I do not know that we can say with any certainty that there is anything magic about the 50 percent.

Mr. DENNIS. At any rate, the gentleman will agree with that?

Mr. BYRNES of Wisconsin. There are those who contend, as we have heard the gentleman from Ohio (Mr. ASHBROOK), that the income disregard is too low, that we do not provide enough incentive, particularly when we calculate the disregard under cases that will involve State supplementation. If the limitation in the value of food stamps with increased income is included, the disregard is somewhat smaller, or conversely, the "marginal rate" is somewhat higher.

Mr. DENNIS. But at any rate, if we take away more than half of what he earns in addition, this reduces his incentive to work. We have to agree on that.

Mr. BYRNES of Wisconsin. Yes, or it increases his incentive to become unemployed, if he is working.

Mr. DENNIS. Yes. This is the technical part, but is it not a fact that under the provisions of the bill where the allotment for food stamps and so forth is affected and is reduced by the amount he is allowed to keep, that as a matter of fact, although we talk about 50 percent, we are keeping him from retaining substantially more than that?

Mr. BYRNES of Wisconsin. That is why I responded that there are those who suggest that the total incentive may be insufficient. But the incentives provided in the disregard included in this bill are an improvement over existing law, so that the bill cannot be challenged because we have not gone far enough in taking care of the working poor.

Mr. DENNIS. Mr. Chairman, will the gentleman yield further?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Indiana.

Mr. DENNIS. Mr. Chairman, is it true

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that actually the rate gets up in the seventies and above rather than in the fifties when we calculate the food stamp allowance?

Mr. BYRNES of Wisconsin. There are cases where that will be true, but again we cannot generalize because in the first place food stamps are not available in all areas. For instance, I have many counties in my congressional district that do not have food stamps. I do not know if or when they will have them, but not every area has food stamps. We cannot fault this legislation because of provisions that are in the Food Stamp Act.

Mr. DENNIS. But we have to consider everything together to find out what we are talking about taking away from the man and what our taxes come to.

Mr. BYRNES of Wisconsin. I will agree there are cases where the marginal rate is above 70 percent, but for most income levels it is substantially below that. We must compare that with the greater disincentives found in present law.

Mr. DENNIS. But the gentleman is more than doubling the welfare rolls, to begin with. His hope of a future reduction—that is all it can be now, a hope—depends on this incentive. I am suggesting to the gentleman, if the incentive is in fact much less than we generally contend, the hope decreases materially.

I believe it is fair to point out that certain knowledgeable people, such as Professor Friedman, testified to that effect before the committee.

Mr. BYRNES of Wisconsin. Professor Friedman did feel that we were taking away too much of the individual's earnings that we had not made the disregard high enough when we included food stamps and other factors.

What is done by this is to fault the bill on the basis that we are not spending more money than is proposed under this bill, that we are not enlarging it beyond what the bill calls for, that we are not doing more for the working poor than what we have done in this bill. But some individuals are contending we should not even cover the working poor. We must do this, it seems to me, if we are to get rid of the underlying concept of the present program and implement the philosophy that people should go to work.

That is the only argument I can make in favor of the incentive we have here, that it is much more than we have today.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Illinois.

Mr. McCLORY. I thank the gentleman for yielding.

I want to compliment the gentleman on this very clear statement and the description of this legislation. I agree generally with the philosophy in the bill.

There is one question I have. In connection with the inducements to secure employment and to receive training for employment I question the provision with regard to the exemption of women who have children under 6 years of age. I wonder whether it is not possible that a woman might continue to have children one after another so that she would have one or more children under 6 years of age for an extended period of time, and thus defeat this inducement we are trying to develop through this legislation.

Mr. BYRNES of Wisconsin. I doubt that we will find many people who will think they can come out ahead at the end of the year on a basis of a $300 bonus, if that is what one wants to call it, for an additional child.

We have had a lot of correspondence recently saying that a $600 deduction in the income tax was not enough to take care of the cost of a child and that we were not making the proper allowance. So in the last tax bill we did try to move in the direction of an improvement in that situation.

I do not believe we will find that anyone is going to look at it as an economic incentive to have more children to get the amount of the allowance we provide in this bill for each individual child.

The CHAIRMAN. The time yielded by the gentleman from Wisconsin has expired.

The Chair advises the gentleman from Wisconsin that he has consumed 40 minutes.

Mr. MILLS. Mr. Chairman, I hope before he concludes the gentleman will allude to one matter in the bill I did not refer to; that is, these special works projects we have included in the bill for the purpose of seeing that people who do not find jobs in regular employment may have the opportunity to get work in those projects.

The CHAIRMAN. Does the gentleman from Arkansas yield time to the gentleman from Wisconsin?

Mr. MILLS. I will yield time to the gentleman, Mr. Chairman.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 additional minutes.

The CHAIRMAN. The gentleman from Wisconsin is recognized for an additional 5 minutes.

Mr. BYRNES of Wisconsin. I dwelt on the work incentives because this is tied in to the fact that you cannot just deal with the problem of the nonworking poor. If you are going to move in the direction of getting people to work, to become self-sufficient, you cannot then turn your back on them as soon as they become working poor. That is why we have this incentive and this encouragement to work built into the bill.

Let me point out another important provision in this bill that is not in present law. Under present law we require the States to refer "appropriate individuals" to the employment service for work training and work. Who makes that determinations? The social worker, the welfare worker. What has been the result? It has varied all over the lot between States, but in too many cases the social worker has decided that it was not appropriate, for a mother with children to work. Not only have they said, I would say to my good friend from Illinois, that it is not appropriate for a woman with preschool children to work, but they say it is not appropriate for any woman with children to work.

We do not use the word "appropriate" in this bill to determine who shall be referred for work and training. We say everyone shall be required to register and take training and work, with a few exceptions specifically written into the law—such as mothers with children under 6 and the disabled. But even in the case of the disabled we require them to register with the rehabilitation agency to see if their disability can be corrected.

We encourage mothers of preschool children to volunteer and provide them with child care. We direct the employment service and the Department of Labor to train these people and to give them equal opportunities even though their participation is voluntary.

By spelling out the exceptions in the statute we do not leave to the discretion of some welfare worker whether an individual should be referred to work and training. The emphasis in this bill is on employment, so we charge the employment service with this responsibility under carefully specified conditions. The responsibility is with our principal manpower and employment agency—right where it belongs.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. CLEVELAND. I thank the gentleman for yielding. I have some questions concerning this legislation. I have been told the only pilot project which has been conducted for precisely this type of program for workers on welfare is one in New Jersey. I understand it was carried on under the auspices of the Office of Economic Opportunity. I was further informed it was based on an enrollment of 80 to 90 families and that only 1 year of the project was considered, and it had another 2 years to go. Is that rather sketchy information correct?

Mr. BYRNES of Wisconsin. Not entirely. I do not recognize the figures you refer to as being those associated with that study. We can make available to the gentleman the conclusions of this study, because we did call in the group that conducted the study, and they are developing further information now.

But this study was not concerned with welfare cases. It had to do with the person who is currently working, and whether a supplement to these families would discourage them from working and improving themselves. Their conclusion was that there was an incentive to work even though there was some assistance being given to this individual.

Mr. CLEVELAND. Am I right that this was a New Jersey study under the auspices of the Office of Economic Opportunity?

Mr. BYRNES of Wisconsin. The Office of Economic Opportunity participated in it and the overall contract was under their auspices.

Mr. CLEVELAND. Mr. Chairman, if the gentleman will yield further, am I correctly advised that the study has not been fully completed?

Mr. BYRNES of Wisconsin. Oh, no, it has not been fully completed, but it has gone to the point that they were able to draw conclusions.

Mr. COLLIER. Mr. Chairman, will the gentleman yield to me at that point?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Illinois.

Mr. COLLIER. I would like to add

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something to that. The idea of providing incentive and encouraging people to work is not new. This is not a new program. For years out in my State where general welfare assistance and welfare programs were conducted by the various township supervisors and administrators of general assistance, this was a common practice. I happened to have served in that capacity for 4 years in a township. It was not unusual at all to help a lower income family by getting them either a part-time job or by getting them training, whether it was to work in a local gas station or what not. It worked, I can tell you that. It worked in more than one town. This is not a new concept. It is just as basic as apple pie.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield further,

Mr. BYRNES of Wisconsin. Yes, I yield further to the gentleman.

Mr. CLEVELAND. I do not wish to get into a debate on this precise point. But I have had experiences with the earning limitation on social security. I know about that and I hope to goodness that the members of the Committee on Ways and Means know that many people when they get up to the earnings limitation, they stop work even if they could still get $1 out of every $2 earned after that limitation.

Another question; what would be the chance of a college student who is married and, perhaps, has one or two children, with no earnings income or no assets? Would he or would he not qualify as one of the families under this program?

Mr. BYRNES of Wisconsin. The individual, if my memory serves me correctly, and correct me if I am wrong here—would probably be eligible on the basis that he was the head of a household taking training.

Mr. CLEVELAND. And this would be so regardless of whether his father was a millionaire or not? In other words, do you go into the family background to see if there is sufficient income to take care of this particular situation? Do you stop right there with the new young family itself?

Mr. BYRNES of Wisconsin. We do not impose a father's responsibility for an adult child. But we do have a minor child provision. In fact, there is a new provision in this bill. To the degree that that the Federal Government is paying family assistance to any child or the wife of an individual, he now has a financial liability to the Federal Government for the amount that has been paid by the Federal Government to support his family. I assume this is an independent household with, perhaps, a child. We would look into that individual's resources.

Mr. CLEVELAND. I am talking about the family case where the college student is married and has a couple of children and maybe is in postgraduate school because his family has been able to arrange for him to continue education, start a family, and stay out of the draft by providing postgraduate training. There he sits as an independent family. I am wondering whether he is entitled to these benefits or not.

Mr. BYRNES of Wisconsin. The question is, are the resources of this parent available to this child. If they are, then this child will not be eligible.

Mr. MILLS. Mr. Chairman, would the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the distinguished Chairman.

Mr. MILLS. Mr. Chairman, on the point raised by the gentleman from New Hampshire (Mr. CLEVELAND), first of all I would say to the gentleman from Wisconsin (Mr. BYRNES), that we must bear in mind that the individual was required to make himself available through the employment office, to call there for a job. Of course, he most likely would not be in need of any training, and if they found a job for him he would have to take that job. If he could not earn enough to bring his income up to the standard he might get some supplementation but in that particular case I do not think there is any real possibility that he would be eligible for benefits.

Mr. BYRNES of Wisconsin. I do not think a graduate student would be covered, but the individual who is still an undergraduate might be, because he might be considered in training.

Mr. CLEVELAND. And would it be true for a technical or vocational school or how about college or an engineering school?

Mr. BYRNES of Wisconsin. If it is considered to be part of the appropriate training for this individual.

Mr. MILLS. That is right.

Mr. BYRNES of Wisconsin. For work.

Mr. CLEVELAND. That is why people want to go to college, and why we want everybody to go to college, to get an education and prepare for work.

Another question; how about a couple on social security, and they adopt a grandchild or even have had a child? Would they be eligible for relief under this?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, in reply to the gentleman from New Hampshire, I think that they could be.

Mr. CLEVELAND. My reading of the bill, which I admit is somewhat cursory, leads me to believe they might be, because if the person were in need and had a dependent in the family under 21 years of age, and that would be the adopted person or child I am referring to, they would be eligible.

Mr. BYRNES of Wisconsin. I think the gentleman is correct. Of course, their social security income would reduce their family assistance benefit dollar for dollar, as there is no income disregard applicable to unearned income. The registration and work requirements would also be applicable to this individual unless he was unable to engage in work by reason of his advanced age.

Mr. MILLS. Mr. Chairman, if the gentleman will yield further, even though a person may be in training he cannot prescribe his own type of training and then run down to the welfare office, and say "I am in training, so send me a check." He must undertake that course of training prescribed by the employment office. The employment office must say to the fellow that as part of the training we think appropriate for him he is going to the vocational school. If he does not go, then he would not be eligible.

Mr. CLEVELAND. Continuing the suggestion that the chairman has given us, if we take this young married person, if he has two children and a wife, and he goes down to the employment office, and if he tells the employment office "I might be able to go to college if I can get a little help for the family," are you telling me the employment office would not approve that, as going into training?

Mr. MILLS. I do not know what they would do because it is not intended to supply money for those in school. Let us get that point clear. But it might be that the employment office would decide that in order to train a person who is already on AFDC that it would be necessary for them to at least complete another year of school, but this program is not intended to apply to people going to college, whatsoever.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman says this has no application to a person to go to college?

Mr. MILLS. That is right.

Mr. GROSS. No application whatever to the person under this program?

Mr. MILLS. They are not available for full-time work in the first place.

Mr. GIBBONS. Mr. Chairman, will the gentleman yield?

My BYRNES of Wisconsin. I yield to the gentleman from Florida.

Mr. GIBBONS. Mr. Chairman, I would like to point out in regard to the question raised by the gentleman from New Hampshire that you just cannot do it under this program, there is not enough money in this whole project. We are talking about 80 cents a day to feed a child. You are not going to be able to feed one for that price unless you are willing to do something else to earn income. And we are only talking about for adults a little more than that per day, so there is just not enough money in the whole program to do the kind of things the gentleman is pointing out even if it were legally possible.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Ohio.

Mr. LATTA. To me, the gentleman's argument on this bill is based on the fact that you are attempting to keep the father in the home and keep the family together so that he does not have to absent himself from the family in order for them to get some relief. Is that not one of the purposes of the bill?

Mr. BYRNES of Wisconsin. That is one of the problems encouraged by the present law and this bill attempts to correct it.

Mr. LATTA. Let me give you a hypothetical situation under this bill and see whether or not by splitting up a family of a husband and wife and four children, the way this bill is now written, you would not come up with more money.

Take a family of a husband, wife, and four children. Under the terms of this bill, they would get $2,200. It would be easy to figure under the composition of a family as set forth on page 11 and 12. If you are really looking out for dollars and cents, which you are trying to get away from through the present system, under the provision of this bill the father could take two children and the mother could take two children and each set up a home and so get $2,600 as opposed to $2,200.

Mr. BYRNES of Wisconsin. As a matter of economics, if you get down to the precise figures there are additional costs in setting up a completely separate household rather than staying in one household. I do not think you have a very good case when you consider the additional cost they are going to incur.

Mr. LATTA. That is the same argument, however, that the gentleman is using and that the proponents of this bill are using against the present welfare system, where the husband would stay away from his home State or go to another place to live and go where he could get more money. But now you are saying you cannot use those same arguments against this situation. I would suggest to the gentleman to clear up the language of this bill and prevent this situation from happening when it goes to conference.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. MILLS. The gentleman from Ohio in the Committee on Rules raised the question about the language of the bill.

As I said in my opening remarks, I am certainly not going to contend that every word in this bill is perfect. But I do not see, if we made even one mistake or two in the bill, that that is any excuse for killing the whole theory of the redirection of this program.

Actually, I do not think we have made all these mistakes. But, if we have, this legislation will be amended just as all other legislation is amended.

In the instance that the gentleman mentions where the father is in the household, he would have to register for work and employment. Whereas now both the father and the mother would have to do that.

Mr. BYRNES of Wisconsin. Additionally, the father would have a liability to Uncle Sam for the amount of Federal funds paid to his wife and child as a result of the father leaving them. I doubt that he would find this would be a very advantageous situation.

Mr. LATTA. Is the gentleman inferring that there is no liability now?

Mr. BYRNES of Wisconsin. There is no Federal liability.

Mr. LATTA. I know that. But how about State liability?

Mr. BYRNES of Wisconsin. There is to the extent the State enforces it. But now we make it a Federal responsibility. We do this to make sure that there is proper enforcement and also to assist in the problem that occurs when a father absents himself from the State and it becomes difficult for the local authorities to trace him into another State. This is new under this legislation—the imposition of the Federal responsibility.

Mr. LATTA. If the gentleman will yield for just one further question—as has been pointed out by the gentleman from Arkansas and the gentleman from Wisconsin, that this not only requires the husband to go out and seek employment but also puts the responsibility on the mother in the case where she has children above the age of 6.

Mr. BYRNES of Wisconsin. Right.

Mr. LATTA. As I pointed out before the Committee on Rules, as the gentleman remembers, I am very much opposed to this because I think a mother's place is in the home when they have children 6 and 7 years of age.

Mr. BYRNES of Wisconsin. Well, you differ with the gentleman from Illinois who is criticising the bill because we do not make the mother with children under 6 register. That shows the difficulty we have in trying to reach a happy medium.

Mr. LATTA. My friend, the gentleman from Illinois, does not cast my vote nor does he think for me.

Mr. BYRNES of Wisconsin. I know that.

Mr. LATTA. But I am stressing the fact, and I am hoping your great committee, when you get this matter into conference will give a little thought about keeping the mother in the home, as well as the father.

Mr. BYRNES of Wisconsin. I think it is most important to respond to that. First, if there are no children under 6 it means that the children are in school during the daytime. The mother in this case does not have to be there during the daytime to take care of these children. Why should she not be at work.

Second, it seems to me the greatest therapy for these kids is to have them see somebody get up in the morning and go to work and not just grow up in a family that has had to rely on a welfare check. So as far as my particular viewpoint is concerned, I see nothing wrong at all in requiring mothers with children who are over 6 years old to register to take training and to take work. That is why I disagree with the gentleman.

I must yield the floor at this time.

Mr. Chairman, I yield to the gentleman from Virginia (Mr. BROYHILL) such time as he may require.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in support of H.R. 16311 because I believe it is a move in the right direction.

If there appears to be a suggestion of some hesitancy in my voice, there is. But the engulfing welfare mess we are now in has convinced us all that the present welfare system has failed. While I do not have the confidence that the family assistance plan will lead us quickly from our dilemma, it is a new approach, a new hope, that can lead those caught in welfare and the poverty cycle to the greener pasture of self-sufficiency and off welfare rolls onto tax rolls.

For those who are concerned, as I am, about guaranteed annual wage, the family assistance plan is not that. It adds to the current "guaranteed income," if you will, of present welfare handouts, the condition that qualified ablebodied members register—take training—and get to work or improve themselves for a better job. By contrast, the Heineman Commission report contains no such condition to its income maintenance payments.

I am convinced that too long we have heard the voice of the social theorists overpersuading poverty level persons that they have a right to welfare, that the almighty Government owes them a living whether they work or not. I am against force that destroys human dignity as much as the social theorists. But studies now bear me out that this coddling attitude has been wrong all along. If we listen to the mothers on welfare and to the majority in the poverty cycle, they want to work, if they can have some help on child-care needs and training.

Even in this bill, mothers with children under age 6 are exempt from the registration requirement, though such persons may voluntarily register and enter a training program, utilizing day-care assistance.

How many of us know families in the middle income, and even affluent group, who have working parents, with children under age 6 at home or in special facilities? Why must we continue to force a coddling attitude on those on welfare, when they prefer to respond to opportunity. A survey in New York City among welfare mothers showed that six out of 10, who had children under age 6, said they would prefer to work if they had child-care help.

We need to get rid of the overkill approach to welfare. Even in the family assistance plan there is this lurking element in the day-care plan. Federal funds will provide 100 percent of the rehabilitation and renovation of the proposed day-care centers. The emphasis in meeting the day-care needs appears to be directed toward elaborate centers with specially qualified professional persons.

But it does not require a genius to take care of a child. One study showed that retarded children reared by women with IQ of less than 80, became productive workers, while a controlled group of similar retarded children left behind in the care of an institution never became productive in their lifetime.

Without denying the value and need of such day-care centers, it is my apprehension that the emphasis of the administrative professionals is to go heavy in this direction. This is despite the fact a majority of welfare and working mothers would prefer to make their own child-care arrangements, either with a relative or neighbor, rather than transport their child to a more distant elaborate center. The working families who live in your neighborhood and my neighborhood do not have a day-care supervisor for their children with a master's degree.

What the poverty families want is not overkill. They are not demanding a Cadillac, but they could use a compact. They

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want basic help, opportunity for training for a job that exists after taking that opportunity, and some financial help with day care while taking that training and working.

I also am concerned that disappointment may set in when it is realized that the task of providing training for jobs that exist cannot be met overnight for all those for whom this program is intended to serve. We are taking a big bite that will take us longer than we think to digest.

But I do like the more positive approach to this program. It has been shown that rising economy itself reduces gradually the number of persons in the poverty levels of income, yet our welfare rolls have increased with this burgeoning economy.

I am glad that this plan recognizes the working poor—the folks who have been wearing the white hats. It is time that we give a helping hand to those who have not shirked in their effort to break out of the poverty cycle, despite the present incentive to join their more affluent neighbors on welfare.

It is a program designed to help families stay together.

It establishes Federal standards to reduce the flow of welfare-oriented families to the urban areas.

It seeks to do something about holding deserting fathers—and mothers—financially responsible for their families.

It raises the level of adult assistance for the aged, blind, and disabled to $110 a month.

It brings a measure of financial relief to the States.

And, importantly, it places a lid on the ceilingless Federal payments that have been growing by leaps and bounds for aid to families of dependent children.

Mr. Chairman, I recommend the bill.

Mr. MILLS. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. GILBERT).

Mr. GILBERT. Mr. Chairman, I rise in full and complete support of the Family Assistance Act of 1970. As a member of the Committee on Ways and Means who helped formulate the bill before us today, I commend my chairman (Mr. MILLS), as well as the ranking minority member (Mr. BYRNES). I believe the bill as it is before us today represents a substantial improvement in the proposal submitted by President Nixon to Congress last year.

The bill offers a meaningful step forward toward easing the burdens of welfare in this Nation, not only for those who desperately need assistance but for those citizens who must pay the bill.

I commend the committee particularly for important improvements in categories relating to assistance for the aged, the ill, the handicapped, and the blind.

Mr. Chairman, none of us are ever completely satisfied with a bill when it leaves the committee, and this bill, no matter how revolutionary, is no exception. I, among others, strongly urged the committee to raise the minimum levels per family. I believe the proposed allotments now in the bill of $500 for the first two members of a family and $300 for each additional member, are simply not adequate to provide a satisfactory base.

I would hope that once this program is implemented, it will become clear to the administration that minimum levels must be raised in the next fiscal budget. Nevertheless, I view the bill in its present form as an important first step that must be taken and I am hopeful that a majority of the House will so agree.

This bill is, of course, as controversial as any that will come before this body this year. But let me discuss briefly just several of the provisions in the bill that, to me, make its passage essential.

The bill will extend family assistance coverage from 7 million persons to 20 million Americans. And in the critical area of programs for the aged, the blind, and the handicapped, coverage will be extended from 3 million to 4 million persons.

And for the first time, our social welfare program will encourage, rather than discourage, a male head of household to remain in the home and help provide needed balance to his family.

For the first time, welfare is recognized as a national rather than a local problem. This bill will not only ease the overwhelming financial burden on local governments, it will at last put an end to the need for the heartbreaking migration of untrained rural citizens to our Nation's cities.

Mr. Chairman, my own city of New York has long carried out the most liberal of family assistance programs. And as the costs grew ever more awesome, attempts were made periodically to "weed out" the so-called welfare cheats. But, even though there have been some spectacular exceptions, the general conclusions of these investigations proved simply that a great many people had valid cause to be on welfare rolls.

The inescapable fact is that a great many of our citizens do need assistance if they are to survive. I believe it is the responsibility of Government to offer that assistance until such time as they can be helped to become self-supporting citizens once again.

If I may, Mr. Chairman, let me close with these simple thoughts. Our Nation is one of wealth and abundance. In less than 200 years we have fashioned the most progressive, forward-looking Nation ever to exist. We believe devoutly in fundamental freedoms, in justice, equality, and opportunity. We have shared our riches with many nations; indeed, we have often been more generous abroad than we have at home. Let us now use part of our resources to help our own people. I believe it is an investment this Nation will look back on with pride, for after all, it is an investment in our own future.

Mr. MILLS. Mr. Chairman, I yield 15 minutes to the gentleman from Oregon (Mr. ULLMAN).

Mr. ULLMAN. Mr. Chairman, it grieves me to find myself in opposition to my chairman and my friend from Wisconsin. The chairman was reminiscing to me the other day about the two greatest mistakes he made since he was in the Congress, and I would say to the chairman that, compared to what you are doing today, those others will fade into insignificance.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the distinguished chairman.

Mr. MILLS. I have been praying the Lord that he will deliver me from all of these many mistakes I have made.

Mr. ULLMAN. I am hopeful, too, Mr. Chairman.

The chairman very eloquently pointed out the deficiencies of the present welfare system, and I think most of us would concur. But I would say you do not have to adopt this remedy to cure the deficiencies that he pointed out. For example, the problem of the family breakup. All it would take would be a simple Federal standard requiring unemployed fathers to be covered in all States. Obviously that would cure that problem.

With respect to the problem of the WIN program referrals, all we would have to require here is the Federal standard making it mandatory to refer whomever we saw fit to the employment agencies. But at any rate, the big problem we have here today is trying to understand a complex piece of legislation. I hope this Committee will not, just because there are deficiencies in the present program, go headlong into a new program that is so totally untried and so full of pitfalls that I will attempt to outline very briefly here today.

Mr. Chairman, today we are considering one of the most far-reaching pieces of legislation to come before Congress in recent years.

Passage of this welfare reform bill would mark a turning point in American social and economic history. The Federal Government would embrace the philosophy that American citizens are entitled to a guaranteed annual income. It is true that we limit that guarantee to those with limited assets, those with families and those who register at the employment office. But within those limitations the taxpayers of the Nation will be charged with permanent income maintenance for all.

Because I disagree with this basic concept as well as many specific provisions of the bill, I oppose its passage. I am not, however, an opponent of welfare reform. In my judgment, it is possible to devise an effective Federal program that will bring meaningful help to the poor. It is not, however, possible through this bill. I have great compassion for the poor. I believe that we can eliminate poverty and that should be one objective.

The action of this bill is to dispense cash. There is a great deal of talk about work incentives. But the bill offers little that is new in the employment area except the basic proposition that everybody on welfare who is eligible to work must register to work. Once registered, the poor will face most of the same frustrations and disillusionments they now encounter under the present welfare-work system. Few improvements would be in-

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stituted. The significant difference is that 3 million more heads of families would be registered for the course in frustration and disillusionment.

The administration indicates that it will provide for an increase in funding for job training and child care in the first full year of the family assistance program. But the increase is not enough to overcome the inadequacies of the existing programs, much less enough to meet the demands of a greatly expanded new program.

Mr. Chairman, we have before us a bill with imposing consequences and serious deficiencies. It deserves the full understanding and careful consideration of the Congress before action is taken.

We cannot afford to say simply: "Anything is better than the present system." The stakes are too high.

I will vote for a straight recommittal of the bill. The committee can produce a bill that is responsive to the need, yet preserves the integrity of the system.

I would like to take a few minutes now to describe some of the questions that this bill has raised in my mind during the 6 months it has been before the committee. In my judgment, these questions still need to be answered.

Before us is a complex bill that overnight would nearly triple the size of the Nation's welfare rolls to 25 million and double the Federal cost of welfare to more than $8 billion a year.

The cost of the family assistance program is to be met by open-ended appropriation of the Congress from general tax revenues. The administration says the first-year cost of the new program to the Federal Government will be an added $4.4 billion. The committee proposes legislation that on top of total coverage of the Federal floor, would commit the Federal Government to pay 30 percent of the supplemental costs of the States, up to the limits of the poverty level.

This, of course, is only a beginning. An extra $4 billion for Federal floor benefits in the early 1970's will easily become an extra $8 billion by the late 1970's. A 30-percent share in supplemental payments will undoubtedly be increased to 60 percent or higher within a few years. Congress will face annual pressure until the total cost of the welfare system is assumed by the Federal Government. This bill goes a long way toward federalizing the cost of the welfare system. The few steps remaining after its passage would merely be a matter of time.

The bill places a Federal floor under the adult categories in the system—the aged, the blind, and the disabled. Here there is no controversy. The increases in benefits that will result from the new floor are necessary to help those locked into a fixed income to meet the erosions of inflation on their benefit dollar. The system will continue to be operated in a conventional manner by the States.

Beneficiaries in these adult categories comprise less than 30 percent of the total number of persons receiving welfare checks. Their number has remained relatively level in recent years.

In the other major welfare category, family assistance, families are strictly defined. A minimum family requires two persons, an adult and a child under 18 or if he is a student, under 21. Single persons and couples without children are not eligible under the bill. This provision, incidentally, strikes me as one of the bill's most glaring anomalies. How can one accept the principle of guaranteed income for families and refuse to do it for single persons and couples?

Aid to families, of course, is the source of our mushrooming welfare costs, with the number of persons enrolled under the existing program having nearly tripled in the past decade. Later I will discuss how this total cost will mushroom in the future. But cost alone is not a sufficient reason for opposition.

What does this program do? First and, of course, the most important significant thing that it does, and the thing that has most of the Members of the Congress greatly concerned, within certain limitations it does prescribe for the first time in the history of this country a guaranteed family income program. I am going to cover that in a bit of detail later on. But we have never had this kind of family guaranteed income program under any circumstances in this country before.

Second—and I think this is very important—the United States under this program does directly assume the full responsibility for the welfare program, for determination of basic eligibility for all family welfare recipients.

That goes to the determination of income, to the determination of assets. The U.S. Government will administer the means test to the family status, and any other requirements under the program.

In assuming this responsibility the United States will be charged with the responsibility for that welfare determination, the determination of eligibility, as well as making the payments. These welfare payments across the land in every community and in every State will be paid directly out of the Federal Treasury. This includes all the 1.7 million families now on the AFDC program as well as this broad new designation that we call the working poor. So this bill would add 2.9 million new families—and that amounts to 15 million new people—to the welfare rolls in this country on a 100 percent Federal basis.

I was horrified in the committee in listening to the witnesses from the administration tell us how this program will work. I want to say it is an administrative monstrosity, that it does not eliminate any of the bureaucracy, but it just adds another layer. This, I think, is tremendously significant. I had hoped, personally, that when we had a proposal to reform welfare, we would use that opportunity to clean up the mess of bureaucracy we have operating in this whole area of poverty.

The Family Assistance Act moves toward nationalization of the welfare system, but it does not simplify the administration of the system.

A new Federal agency will have to be established in the Department of Health, Education, and Welfare to administer the family assistance plan. A whole new bureaucracy would be born.

The payment program would operate essentially on a declaration basis. The prospective beneficiary would declare his basis for eligibility under the uniform standards, and once approved and registered in the employment office, he would begin to receive a benefit check. The declaration system is already in use at some New York City welfare centers, replacing personal interviews and investigation as the basis for eligibility. It is viewed by many welfare experts as a major step in the shift from a work-oriented welfare system to an income maintenance system.

Spot checking of a sampling of initial declarations is planned to insure accurate reporting of income. This is clearly an inadequate safeguard against abuse of the system.

The Federal Government will have its hands full coping with the high turnover of families in need, and the fluctuation of income in the poverty level. Under the existing program, in 1968 some 8 million separate persons received welfare checks, even though the average monthly number of recipients in that year was only 5.7 million. Determining the amount of the monthly check for the working poor will be extremely difficult. As one expert witness told the committee during hearings:

> There is a very large amount of up and down in the income of people in these lower income levels, and in percentage terms it is immense. Fifty percent, 60% variations are not at all uncommon.

There will be critical administrative problems under the work registration requirements of the bill, too. The Secretary of Labor has the full responsibility under the bill to develop programs for manpower services, training, and employment, and is expected to utilize State employment services in many cases to implement these programs. According to the Secretary of Labor's own description before the committee, his Department would work on a joint basis with State and local agencies to develop manpower and employability plans for recipients. The Secretary would get guidelines for these plans, but actual implementation, in his words, would go "office by office." The failure of State agencies to use imaginative, innovative approaches in placing welfare beneficiaries in training programs is a major source of concern about the existing system.

The food stamp program, which is billed as an integral part of FAP's attack on poverty, will in fact remain very much outside FAP for administrative purposes, continuing under the direction of the Department of Agriculture. The committee recognizes the inefficiency and potential ineffectiveness of this division of the poverty program.

Thus, we will keep much of the bureaucratic mess we have. On top of it we will add a new layer of Federal bureaucracy operating both in Washington and in hundreds of American cities.

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Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from Ohio.

Mr. LATTA. Mr. Chairman, the gentleman had some testimony before his committee on the administration of this program. I just wonder if the gentleman had any testimony on how much it will cost to administer this program.

Mr. ULLMAN. It would be a guess, whatever we said. The administration had some figures as to what it would cost, but they are not based upon anything in the world of reality at all. If we are talking about proper administration, if we are talking about a real determination of assets and not just opening up the Federal Treasury to everybody who fills out a form, then the administration costs would be completely beyond anything that has been proposed by the administration.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, I think the gentleman is making a fine statement. My major concern about this whole procedure is this. The first time the matter came before the Congress which would try to enforce making a person work before she or he could get welfare, I am convinced this body would turn its back on the philosophy of this program and say we just cannot force a person to go to work to get welfare, and we would be right back where we were except we will have the guaranteed annual wage on top of this program.

Mr. ULLMAN. I think the gentleman is absolutely right.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Chairman, do I understand from my friend, the gentleman from Iowa, that he is disappointed because the bill requires these people to take training, to go to work?

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, what I am saying is with the social system in the United States and with the court system working as it is in the United States, no one is going to force anyone in the final analysis to go to work, no matter how lofty or honorable a goal it would be.

Mr. MILLS. The gentleman assures us that is not the case, that there are 3,200,000 of these people who either possess training or are capable of training and after training go to work. Would the gentleman like to see them working?

Mr. KYL. Mr. Chairman, if the gentleman will yield further, I would ask the gentleman from Arkansas this question: Did not this Congress a few years ago adopt a policy which would have forced the ADC mothers, for instance, to go to work?

Mr. MILLS. No, we did not. We put the onus on the States to see to it that they had training.

The States decided that none of them were "appropriate for training." They got out of it in practically every State.

Now we are taking over the program, and we will have Federal employees making that decision under the Secretary of Health, Education, and Welfare. The Secretary of Health, Education, and Welfare must assume the responsibility if the program is not administered properly.

Mr. ULLMAN. Mr. Chairman, let me proceed with an analysis very quickly of this work requirement. In my judgment this is the most overrated provision in this whole bill.

The administration has sold the family assistance plan on the proposition that its program will achieve this goal. The fanfare for "workfare" raises the expectations of hundreds of thousands of Americans that new and better jobs will develop under FAP. But the program neither lays the foundation for these jobs nor provides adequate funding for training and child care to make working feasible.

This is the problem. It takes money to train people. There is not that kind of money in the President's budget, to even break the surface of the overall problem.

I have a chart here indicating 1969, 1970, 1971, and 1972, indicating what the funding provisions in the bill are, and at the break what the problem is. We are not even beginning to cope with the problem of training these people. It is an extremely expensive proposition.

When we say we are going to refer them to the Employment Bureau, the employment agencies will have a hard time just handling the paperwork of registering them. Insofar as the training and work placement are concerned, I see nothing in the bill that would implement those programs.

The key work program for welfare beneficiaries now is the work incentive program—WIN. Authorized in 1967 by Congress, WIN got off to a slow start but has gained momentum steadily in the recent months. Although there are many defects in the program, WIN has its strong supporters. The director of California's WIN program, Aaron Levin, who is a veteran administrator of four succeeding Federal manpower programs, told the committee that WIN is "to me the most heart warming, the most comprehensive, the most flexible program I have ever seen for training and employment of welfare recipients."

Levin observed that WIN brings together the three major systems required for a successful program—education, labor and welfare. It is tailored at the State and local level to meet the special needs of local and regional problems. It employs a unique team approach to solving individual cases, including coaching by other welfare beneficiaries already enrolled in the program.

An important deficiency in WIN has been the lack of adequate funding for the program.

In fiscal 1969, Federal outlays for WIN totals only $33 million to cover 81,000 slots. Budgets for fiscal 1970 and 1971 call for sizable increases but not nearly enough to meet demand in many areas. For example, New York City has 9,600 training slots in fiscal 1970. But officials told the committee that the need is for 48,000 slots.

Nothing like this kind of a quantum jump is planned under FAP. WIN is to be repealed by FAP, and replaced apparently by a program much like it. The administration plans in the first full year to open up 150,000 new training slots and to provide training to upgrade skills of 75,000 of the 3 million newly registered working poor at a total cost of $210 million. The scope of the proposed program is clearly inadequate.

There are, in fact, a long list of problems with FAP that must be solved if work incentives are to be anything but hollow rhetoric. These include:

First. Transportation. A marked shift in the makeup of the welfare population will occur under FAP from urban to rural, largely because of the addition of the working poor. Most of the working poor live in nonurban areas.

Among the existing welfare population, 73 percent live in urban areas, 27 percent in nonurban areas. According to one study presented before the committee, the FAP population will break down almost 50–50 between urban and nonurban. Among the nonurban FAP population, 75 percent will live in towns of less than 2,500 population.

Besides making job training programs more uneconomical, the shift in the welfare population toward nonurban areas presents a transportation problem. Lack of adequate transportation is already a serious concern under existing programs. In rural areas, enrollees in the WIN program are stranded miles from program centers without cars or access to public transportation facilities.

FAP's nonsolution is a cruel one. Persons living in rural areas where private or public transportation opportunities are not available will be required to register for FAP, but will not be required to participate in the program. These people will not be considered priority cases under FAP. Government public transportation services will receive low-priority attention, Labor Department officials admit.

Special works projects: This current program could be one of the most fruitful in finding jobs in the public sector when they are not available in private industry. The program would employ welfare recipients through Federal, State, and local public and nonprofit agencies, offering particular usefulness in times of high unemployment in the private sector.

Adequate financial incentives to participate in this program have not been forthcoming, and public agencies have virtually ignored the program. Only about 765 slots have been activated, with 750 in one State, West Virginia. Funding is running below $1 million a year.

The committee calls for a renewed emphasis on this program in its report, and expresses the hope that there will henceforth be "wide implementation of special work projects."

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But it should be noted that the administration's original bill barely mentioned special projects, and no estimates of future funding are available. In my judgment, there are no grounds for optimism that this important vehicle for expanding employment opportunities for welfare workers will be utilized any more effectively than it has been in the past.

CHILD CARE

A critical area if any new welfare program is to succeed is child care. FAP would expand the federally aided day-care program by adding 450,000 more children. This is an important step forward.

But more can and should be done in child care. Among the adult family welfare population, there are 750,000 women with recent full- or part-time work experience. This Labor Department statistic suggests the need for at least a further doubling of day-care slots and funding beyond the FAP proposal.

The FAP annual unit costs allocated per child of $1,600 for full-time day care and $400 for part-time care fall below the "acceptable" level of child care as defined by experts before the committee. These unit costs are only marginally above the minimum level of care, where the health and safety of the child are the primary concerns, and little attention can be given to developmental needs. Many experts in this field observe that the disadvantages to children of a minimum level of care far outweigh the advantages of having mothers work.

Token funds of $24 million would be authorized in the first full year for renovation and remodeling of child-care centers. No money is earmarked for construction of new day-care facilities. This is considered a serious shortcoming under the present program, and will obviously prove more serious under a greatly expanded program.

Beyond these specific problems, there are broad defects in the job provisions of FAP. A basic fault of this entire exercise in so-called fundamental welfare reform is the administration's failure to attempt some streamlining of the myriad number of Federal programs now operating, and daily overlapping, in the manpower development area.

The Department of Labor presented an exhibit to the committee that showed there are 24 federally assisted manpower training and support programs now operating—some under the Labor Department, others under HEW, Defense, Commerce, and HUD.

Critics of this bureaucratic nightmare who appeared before the committee spoke of "unproductive competition among manpower programs," and "redundant calls to personnel managers," to mention only a couple of comments.

The provisions of the FAP program aimed at consolidation amount to fine tuning, not major adjustment. In my judgment, most of the 24 programs should be consolidated under a single welfare-experienced agency.

Another major problem area that FAP does not solve is where the new and improved jobs will be found at the end of the training programs.

A study by the Auerbach Corp. of Philadelphia presented to the committee stressed that "much more needs to be known about the actual availability" of jobs related to Federal manpower programs. The study recommended that a job analysis, on a site-by-site basis, should be made with particular emphasis on the relative potential of the public and private sectors of the economy to supply jobs.

A manpower program for the poor has to be developed around the existing market, not merely assumptions that jobs will be available at the end of the training program. The size of local welfare manpower programs is presently determined by the size of the welfare population. As the Auerbach study rightfully points out;

> It would make some sense to let the project size be governed by actual job availability.

The study adds:

> Labor market analysis would also ensure that training programs were suitable for existing jobs.

There is no hint that FAP will correct these errors. There is only every indication that the program will carry the Nation further into the mire by a massive expansion of the work-registration rolls without any knowledge of the possibilities for placement in new or improved jobs.

We have had some talk about the penalties, that if one does not work he will lose his welfare payment. What is the situation? If the family head refuses to work the only penalty here that we impose upon him is a loss of $300 a year in the amount of the payment. His wife would then get $500 and the first child would get $500, and it would be $300 for each child beyond that. So the only penalty we are imposing for refusing to work is $300 a year.

I have a chart here I will show in a moment which indicates the magnitude of what we are talking about in terms of Federal assistance.

Let us look very briefly at how this guaranteed income program works. I want to point out, this is something new. We have never had it under any guise as a program in this country.

I believe the best way to illustrate how it would work is to show the Members a table. I am sorry you are not able to read the numbers. I will insert it in the RECORD for your study. This is the kind of table that will obviously be available to every so-called working-poor family in this country. All one has to do is to get a copy of it.

SCHEDULE OF ANNUAL FEDERAL BENEFITS UNDER FAP

Annual earned income	0	1	2	3	4	5	6	7	8	9	10
$9,000											
$8,500											$110
$8,000										$60	360
$7,500									$10	310	610
$7,000									260	560	860
$6,500								$210	510	810	1,110
$6,000							$160	460	760	1,060	1,360
$5,500						$110	410	710	1,010	1,310	1,610
$5,000					$60	360	660	960	1,260	1,560	1,860
$4,500				$10	310	610	910	1,210	1,510	1,810	2,110
$4,000				260	560	860	1,160	1,460	1,760	2,060	2,360
$3,500			$210	510	810	1,110	1,410	1,710	2,010	2,310	2,610
$3,000		$160	460	760	1,060	1,360	1,660	1,960	2,260	2,560	2,860
$2,500		410	710	1,010	1,310	1,610	1,910	2,210	2,510	2,810	3,110
$2,000		660	960	1,260	1,560	1,860	2,160	2,460	2,760	3,060	3,360
$1,500		910	1,210	1,510	1,810	2,110	2,410	2,710	3,010	3,310	3,610
$1,000		1,160	1,460	1,760	2,060	2,360	2,660	2,960	3,260	3,560	3,860
$720		1,300	1,600	1,900	2,200	2,500	2,800	3,100	3,400	3,700	4,000
$500		1,300	1,600	1,900	2,200	2,500	2,800	3,100	3,400	3,700	4,000
		1,300	1,600	1,900	2,200	2,500	2,800	3,100	3,400	3,700	4,000

Number of children

Let us take a couple of examples. First let us go down to the $720 level. Anyone in the country could earn $720 and still get 100 percent of family assistance payments under this program. So a family of two would get $1,300 and a family of three $1,600, and on up to a family of 10, which would get $4,000 under this program, assuming all they earned was $720. But where it gets more complicated is the 2.9 million new families of working poor that we are putting under the program. We assume a lot of them have never been on welfare. But suppose they are making $2,500 a year and have a family of six children. You go up the column and you find the Federal Government then would start paying them $1,910 every year. They would start getting a check for that amount the next month. If you will take a larger family, you could go up to $5,000 in income. Take a family of nine children. The Federal Government would pay them $1,560 every year. They would start getting that check the next month. Of course, this assumes the means test will be passed, which is $1,500 in assets. Remember, though, that the home is exempt and whatever assets are required to hold down a job. Presumably an automobile that would be used to travel back and forth to the job would be also exempt.

The CHAIRMAN. The time of the gentleman has expired.

Mrs. GRIFFITHS. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. ULLMAN. Insofar as the State supplements are concerned, we are going to pay up to the poverty level 30 percent of all of the costs of State supplementation on top of this all-Federal program. Adding it up, this program opens up the Treasury of the United States in a way that it has never been opened up before in our history. An individual fills out a form and says "I have $1,500 of assets and I have so much income." He fills it out and sends the form in to Washington. It presumably runs through a computer to see if the man has reported his income correctly or not. Then this table is consulted to determine how much he is eligible for. Then the check goes out. Every 100 persons or some such figure will be spot checked. However, I want to remind you that it is terribly expensive in a program like this to check. There is not sufficient money here for any kind of adequate check on the payments. Remember we are talking about 2.9 million new family heads that will begin receiving checks from the Federal Government on top of the existing 1.7 million welfare recipients already receiving checks from the State.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. Yes. I yield to the gentleman.

Mr. HUNGATE. The report mentioned reform in here. Is there any place that this would reduce the number of those on welfare? Is there any contention by the gentleman to that effect?

Mr. ULLMAN. Of course this would not reduce it. This would add 2.9 million families. And the people who talk about an incentive to get off of welfare are just talking about pie in the sky. Everybody who is a realist knows that it will not happen. If you look at this kind of a table, there is nothing in there to induce anybody to get off of it, in my judgment.

Mr. HUNGATE. On that issue of reform, is there any place that you can reduce the cost of the welfare programs to the Government?

Mr. ULLMAN. In this program?

Mr. HUNGATE. Yes.

Mr. ULLMAN. No. This would add on top of all the welfare costs we have today well over $4 billion, but I think it would be far beyond that by the time the program gets into operation.

Let me go on very quickly.

Let us look at the integrity of social security. For years we have had a basic principle that you do not mix welfare and social security.

The CHAIRMAN. The time of the gentleman from Oregon has again expired.

Mrs. GRIFFITHS. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. ULLMAN. But, under this program we are putting the Social Security Administration into the welfare business.

Further, and contrary to what has been said, it will not stop desertions or reunite families. The statistics are very clear. Many States that do include unemployed fathers like New York have a much higher rate of desertion than States that do not include them. You cannot find a correlation between the two.

The work requirement is a delusion. There is not any question about it. You would have to give the poor $2 billion that you have for the working poor and put it all into work training and child care to even make a dent in the problem of taking care of the people already on welfare, let alone these 2.9 million new families that we are adding to the welfare rolls.

Now, Mr. Chairman, there are all kinds of loose ends in this program. The first thing that I think Members are beginning to feel already is the pressure to increase the $1,600 base.

These pressures are going to grow by leaps and bounds. There is no anchor in this program. We have got a movable feast of figures. There is no rationale. Once we pass this bill, then I think all the stops are out, and we are on our way, and in place of a $5 billion program, this is going to wind up a $20 billion program.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Mr. Chairman, I do not want to interrupt the train of thought of the gentleman, but I understand the gentleman says that this is going to be administered as part of the Social Security Old-Age and Survivors Insurance Act, or Social Security Administration, as we think of it in those terms.

Mr. ULLMAN. I said by the Social Security Administration. The Social Security Administration will administer the act.

Mr. BYRNES of Wisconsin. But I think the gentleman should recognize that the committee made it clear that is exactly what we do not want done. If the gentleman will turn to page 27 of the report, he will see where we say:

> It is the intent of your committee that a new agency would be established in the Department of Health, Education, and Welfare to administer the family assistance plan.

We also say—and I will not read the whole paragraph, but we also say:

> For example, while the administration of the family assistance plan would be completely separate and distinct from the social insurance programs, the committee would expect that the computer equipment and other capabilities of the Social Security Administration would be utilized in the administration of the family assistance plan to the extent it is economical and efficient to do so.

So we make it very clear it is not going to be administered by the Social Security Administration.

Mr. ULLMAN. I will say to the gentleman——

Mr. BYRNES of Wisconsin. If the gentleman will yield further, I say that, as I think the gentleman remembers, that I, too, had that concern if you would intermingle this plan with the administration of the old-age and survivors insurance system by the Social Security Administration, and that it would be inadvisable. And it was the result of those concerns that I had, and others had, that we put this language specifically into the report.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ULLMAN. Mr. Chairman, I wonder if I may have 2 additional minutes to respond?

Mr. MILLS. Mr. Chairman, I yield 3 additional minutes to the gentleman from Oregon.

Mr. ULLMAN. Mr. Chairman, I thank the gentleman for the additional time.

Mr. Chairman, all I can say is this: Time after time in our hearings, and in our executive sessions, Mr. Ball, the Administrator of the Social Security Administration, indicated that in some instances this would be handled in the social security offices, and others it would not. Be that as it may, then what you are saying is that we are going to have a completely new welfare office in every community across this land.

Now, on top of everything else, on top of all the bureaucratic mess, we have these new welfare offices all across the land.

Mr. Chairman, let me summarize:

First. The bill does not achieve fundamental reform. Reform should be built on the solid foundation of experience, and should be backed by clearly defined principles understood by all. In my judgment, the bill is deceptive in nature and clearly understood by very few. The heart of welfare reform should be human rehabilitation. There is little of that in this bill.

Second. The bill does not provide a sound work incentive program. It raises the expectations of the poor for jobs through a universal work registration requirement, and then dashes them by grossly underfinancing the programs needed to make the jobs possible.

Third. The bill means more bureaucracy, not less. It gives sweeping authority to the Secretaries of Health, Education, and Welfare and of Labor to direct the new program, but provides little guidance for administrative reform. The mess of the existing system will be compounded under the new program.

Fourth. The bill establishes the basis for a guaranteed annual income through a negative tax formula. It would permanently consign more than 10 percent of our national population to welfare handouts.

The expansion of the Federal welfare rolls to include 3 million families classified as the "working poor" is a risky experiment based on an untried formula. We know next to nothing about the effects of guaranteeing the annual income of low-wage earners. The administration has trumpeted results of tests it has conducted in this area as evidence that the effect is positive, and that the desire to work is not destroyed by supplemental cash handouts.

While there are some encouraging aspects to these tests, it would be a grave mistake to use them as any kind of precedent for this legislation. The evidence so far is at best fragmentary. The OEO project in New Jersey involves a few hundred families and has been underway for only about a year. The director of this project, Harold Watts, told the committee earlier this year that his team has so far achieved "very incomplete and preliminary findings about low-income work behavior." He uses completely different criteria and the program is overburdened with administrative costs.

He also told the committee that the $64 question remains unanswered: Will cash handouts motivate low-income

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workers to increase their skills and make it on their own after the payments end? Much more research is needed on matters of this magnitude.

In my judgment, there is a strong possibility that the grand design for the working poor under FAP may go badly awry, and in fact result in a disincentive rather than an incentive to work. Cash handouts from the Federal Government to raise their earned incomes could replace the desire to earn additional wages. Tax-free Federal benefits and access to food stamps could in many cases provide a strong incentive for remaining in the low-income group and on the welfare rolls.

Without question, there is need for real reform of our welfare system. We need to make a real effort to streamline and consolidate the administrative network that operates the national welfare system. When we have cut down the bureaucracy, we could hope to apply successfully uniform standards for welfare eligibility and uniform procedures for dispensing benefits.

Above all, we need to expand greatly our federally aided programs aimed at employing welfare workers. These include the work incentive program, the special projects program for employment in the public sector, the JOBS program coordinated with the business community, and child care. We need to launch an organized effort to ensure that jobs for the trained welfare beneficiary will be available when he is ready to go to work.

The extra billions to be spent on welfare should go in this direction, not toward larger and larger cash payments for millions of Americans. This bill would pretend to go both ways at the same time. This is impossible. If work is to be emphasized, we cannot also underwrite a broad system of cash payments. If we accept the cash payment approach as proposed by this bill, then we have begun to move away irrevocably from work incentives to solve our poverty problems. A choice of this magnitude should not be made lightly.

I would say in conclusion that this bill should be recommitted. This bill will not eliminate poverty. It is only going to institutionalize it, and it is going to lead to unending problems year after year for every Member of this body.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman.

Mr. MATSUNAGA. Mr. Chairman, as a member of the Rules Committee, I was privileged to listen to the pros and cons on the bill (H.R. 16311) to authorize a family assistance program providing basic benefits to low-income families with children, to an extensive degree.

I voted to grant a rule to permit the consideration of this measure by the full House. I will vote again for the passage of H.R. 16311 because I believe that in theory it is a step in the right direction. I am especially pleased to note the inclusion of an incentive program designed to encourage those now on the welfare rolls to seek employment, and where not trained for employment to be prepared for employment under a proposed training program. However, as I observed during the Rules Committee hearings, I doubt very much that the program as outlined in the pending bill will succeed. I say this because the administration appears to be headed in the opposite direction where the unemployment situation is concerned.

On the one hand, the administration is proposing that those now on relief be trained for jobs to become self-sustaining. On the other hand, the administration appears bent on increasing the unemployment rate to as much as 5.5 percent in its effort to stem the tide of inflation. In the view of many economists, with whom I agree, the administration is acting on a mistaken theory. How can the administration hope to place newly trained workers into jobs when it is doing nothing to create jobs into which they can be placed. Instead, the administration, by its economic policy, is now eliminating jobs and increasing the unemployment roll to such an extent that those previously employed will be competing with the newly trained former welfare recipients for the limited number of jobs available, if any.

Mr. Chairman, unless the President reverses his present position, in the realization that his policy of stemming inflation through increased unemployment is a failure, and unless the President awakens to the fact that inflation is not a necessary complement to full employment, his so-called workfare program embodied in the pending bill can never be successfully launched. I repeat, Mr. Chairman, H.R. 16311 is a step in the right direction in theory, but in practice the program which it proposes will fail miserably unless the President's policy on unemployment is altered. In voting for this measure, I will do so in the fervent hope that the President will take immediate action to alter his policy to insure the success of this program.

Mr. BETTS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I hesitate to follow my chairman and my ranking minority leader. After the very brilliant and comprehensive statements they have made in support of this bill, I feel that anything I may say will be anticlimax. I certainly want to associate myself with their remarks.

Mr. Chairman, to me some of the problems we have had in trying to resolve this issue is the same we have had with respect to any number of bills. In other words, the complaints I get are, "I am for welfare reform, except—." It is the same situation we had on the tax reform bill—"I am for tax reform—except—." It is the same we have when it comes to economy in government—"I am for economy in government, except so long as it does not affect me."

I want to repeat what the chairman said. I sat throughout all of the hearings, and I attended a majority of the executive sessions. I failed to hear anybody present any other welfare reform measure then. The only testimony we had in our committee, so far as I am able to recall—and I am willing to be corrected if I am wrong—were statements either for the bill or against the bill and nothing constructive, so far as any substitute program is concerned.

So that makes the problem of the Committee on Ways and Means just a little bit difficult.

This is a complicated and comprehensive bill. I do not want to appear to be oversimplifying it, but my only purpose is to make a few brief observations and sort of pinpoint some of the answers to the objections that we have received along the lines the chairman and the minority leader have expressed on the floor.

The first objection we hear is that it is a guaranteed income. Let me say in response to that that it is no more a guaranteed income than present welfare programs which are simply Federal contributions to State programs, for welfare payments on the basis of poverty levels or payment levels or some other assurance that people on welfare are going to get definite relief.

Now the classic definition of guaranteed income is an income which assures income regardless of work or need or earnings. This present formula of $1,600 is exactly the opposite. In my opinion, it is a ceiling instead of an assurance of a minimum. It places a ceiling up to which the Federal Government is going to contribute, taking into consideration all the other factors of work and of earnings and need. So really, and I think the chairman made this very plain as well as the minority leader, that in no sense of the word so far as the classic definition is concerned is this a guaranteed income.

Second, there is the complaint about costs. This is in a sense repetition, but I think it is worth it and it is in the report if you have read it.

In the last 10 years the number of people on the payroll as recipients under the present welfare programs has increased from 2.4 million persons to 6 million persons—in 10 years.

Also, the cost of the present welfare program in the last 5 years has tripled to $4 billion. The plain fact is simply this: If you want to continue a program such as that, a good way to do it is to vote against this bill, because that would be assurance that you are going to continue a program which has been tripling its expenses every 4 years.

The main thrust of this bill is grafted to an attempt to reduce these costs. Some of you may have read in the last few days, or at least a couple of weeks—I think it came to the office of every Member—a statement from the National Association of Manufacturers, which is certainly not regarded as a liberal organization, analyzing, I think in a friendly way, the possibility of reduction of costs in this welfare proposal. It says, simply stated, that in spite of the fact that there will certainly be an increase in the cost of this program immediately, that it had the potential of ultimate reduction in cost.

I was very much interested and almost intrigued by a statement which appeared in the February issue of the New England

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Letter, which is put out by the First National Bank of Boston, and which I assume also is certainly not a liberal organization. I wish to quote from it:

> The goal of employment rather than dependency is widely acclaimed, as is the prospect that welfare families would stay put rather than flock to the states and cities with the most generous payments. The present system is so hated by recipient and taxpayer alike that the estimated cost of an added $4 billion per year is less of a hurdle even at this time of budget stringency. As the plan moves into Congressional debate much sniping can be expected, and such adjuncts or alternatives as family allowances and a negative income tax or promise of a small guaranteed income will receive attention. Liberals and conservatives will find it difficult to oppose these improvements in a welfare system which has become increasingly out of step with reality.

The third objection is the one of adding the working poor. I think the figure usually given is 12 million without taking into consideration the fact that these are simply temporary additions until the program gets underway, after which the whole philosophy, the whole purpose, the whole main thrust is to remove people from the welfare programs and reduce the cost.

I took it upon myself last Monday to take the floor and to address myself to the opposition, which I think was pretty widespread, and all Members of Congress were well aware of it, of the U.S. Chamber of Commerce to this bill. I pointed out in a 1-minute speech last Monday that the chamber of commerce last fall had taken a poll of its members and 86 percent of them had responded in favor of this bill, citing the work incentive program as the reason for their support. I said I did that on Monday so, in fairness, the chamber of commerce could reply before the bill was brought up for debate. And they did, in a letter to me dated April 14, which I have permission to put into the RECORD at the end of my remarks.

But I want to read this one paragraph from this letter, which I think is important from the point of view of the House Members considering who is and who is not in opposition to this bill and how much.

> The National Chamber supports welfare reform and believes that some parts of the House bill are progressive. Our objection is directed only at the part of the bill that commits taxpayers to begin guaranteeing an income to families with fully employed fathers. Once this concept is established, we can visualize it would not be long before one-third or more of the National population would be receiving income supplements, at a cost of $20 billion or more annually.

As I read this letter from an organization which was widely reputed to have been in opposition to this bill. But, and I repeat, it says that its opposition is limited to the concept of the guaranteed income as it applies only to the working father or to the working poor.

The concept of the working poor, as has been well explained by the chairman and by the ranking minority member, is part of the main thrust of this bill.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield the gentleman from Ohio 10 additional minutes.

Mr. BETTS. Mr. Chairman, the bulk of all the complaints I have received over the years to welfare programs is that too many people under the present programs are allowed to work and receive welfare at the same time. It is this current exclusion of the working poor families which makes it possible for the working people to be better off by getting welfare than by working. The very thing this bill does, is to remove this objection.

The third objection is, of course, the work incentive, and there seems to have been a great deal of comment about a New Jersey plan and about this work incentives program is a complete failure. As I sat in the committee and listened to all these people testify, as far as I know nobody spoke against the program. They did explain—and I can be corrected if I am wrong—that there are many aspects that could be improved.

That is the main thrust of their testimony, but nobody as I can recall has said that the WIN program is a failure.

Let me call the attention of Members, to a statement made by the Ohio Governor, James A. Rhodes, not long ago, and I am reading now from a clipping which appeared in a newspaper circulated widely in Ohio.

> Governor James A. Rhodes last week praised the 20 counties which are making use of the Work Incentive Program to help get individuals in jobs and families off welfare rolls.
>
> The Governor said that from Jan. 1, 1969, through Jan. 25, 1970, these counties have placed 892 enrollees of the Work Incentive (WIN) Program in meaningful employment and that welfare rolls have been reduced as a result by a total of 4,480 persons.
>
> This has resulted in a monthly savings of $247,643 in welfare payments, he noted.

I mention this, not only because it comes from my State but also because it is pretty concrete proof that if this WIN program is given an opportunity to work, it will.

As I said, I do not want to oversimplify the issues here, but I simply want to try to pinpoint some of the answers to the objections to the bill.

In conclusion I want to point out this to the Members of the House. The President of the United States and two executive departments, the Department of Health, Education, and Welfare and the Department of Labor, have spent hours and months trying to come up with some solution to the age-old complaints about the present welfare programs. This is their answer. The Ways and Means Committee has spent hours and days and weeks of deliberations and has, with refining amendments, approved this proposal overwhelmingly.

On the basis of this tremendous amount of work, honest and conscientious effort to answer the objections which have been made to the present welfare program over the years, I do not hesitate to ask the House to support this bill.

Mr. Chairman, at this point I insert the letter I referred to earlier from the Chamber of Commerce dated April 14, 1970:

CHAMBER OF COMMERCE OF THE UNITED STATES,
Washington, D.C., April 14, 1970.

Hon. JACKSON E. BETTS,
House of Representatives,
Washington, D.C.

DEAR MR. BETTS: I was sorry to learn, from your statement in the Congressional Record of April 13, that you apparently have some trouble reconciling the National Chamber's current opposition to H.R. 16311 with the results of the informal poll conducted last fall at our Urban Action Forums in 15 cities, which seemed to show support for the President's welfare reform proposal.

Actually, the poll did not deal with the welfare issue as it stands today.

The poll, taken of our members and others in attendance at the meetings, showed 86.5% in favor of "welfare reforms" promised by the Administration. But at that time, the Administration's program was not recognized as something that would guarantee an income for many families with fully employed fathers.

Of the 2,163 persons polled, 47% said that what they wanted most was "to require welfare recipients who can do so, to take work or take training." Another 31% said they wanted most "to make taxpayers out of many welfare recipients." Clearly, majority opinion in the poll was for substituting workfare for welfare, where possible.

But when the legislation came along, it provided for welfare expansion, not reform, by tripling the number of persons on welfare. It would add to the welfare rolls some 3 million more families (15 million persons), all headed by fathers already working full time.

This provision had been thoroughly camouflaged in earlier discussions of the program, and no wonder, because it's the entry wedge for the guaranteed annual income. It extends the guarantee, as a starter, to families with fully employed fathers. If any head of such a family refused to work, or to take a better paying job if he was already working, his share ($300 a year) would be deducted from the family welfare allotment, but the rest of the family allotment is guaranteed, with nothing required and no questions asked about how the money is spent.

Once a program like that got started, where would it end? Even at the outset, large families with incomes of more than $7,000 would qualify for this new federal relief. The average worker's pay is $6,000. A family with seven children, earning $6,000 would get $460 a year in tax-free welfare. Businessmen polled last fall had no hint that anything like this was in the works.

Our position relative to the pending welfare issue was developed only after long and careful consideration. It was recommended by a Special Committee on Welfare Programs and Income Maintenance, made up of 14 distinguished top business executives who studied the welfare problem for more than a year. Our Board of Directors, whose 64 members come from all types of business in all parts of the country, formulated our policy, based on the committee's recommendations, in February, 1969. Our Board received a progress report in November, 1969 and reaffirmed our position in February, 1970.

The National Chamber Federation comprises 2,700 local, state and regional chambers and American chambers abroad, 1,100 trade and professional associations and 37,000 business firms and individuals.

It should be no surprise that the Chamber opposes the concept of a guaranteed income. We believe this is in accord with public sentiment. A Gallup Poll in 1968 revealed 58% opposed, 36% in favor, and 6% with no opinion.

The National Chamber supports welfare reform and believes that some parts of the

House bill are progressive. Our objection is directed only at the part of the bill that commits taxpayers to begin guaranteeing an income to families with fully employed fathers. Once this concept is established, we visualize it would not be long before one-third or more of the National population would be receiving income supplements, at a cost of $20 billion or more annually.

Considering the potential impact of this legislation on taxpayers, it does seem appropriate that the bill come before the House on April 15 or thereabouts.

I would appreciate your placing this letter in the Congressional Record, as our answer to your statement.

Cordially,

HILTON DAVIS,
General Manager, Legislative Action.

Mr. BUSH. Mr. Chairman, will the gentleman yield?

Mr. BETTS. I yield to the gentleman.

Mr. BUSH. Mr. Chairman, in my view the family assistance bill reported out of the Ways and Means Committee is a meaningful breakthrough in welfare legislation. It addresses itself to the ethical and financial realities of work in America today. The heritage of this country emphasizes the importance, fulfillment, and goodness of work. Yet we find ourselves today with a system of welfare under which people are better off manipulating the system and getting onto welfare than in working at a low wage job.

One of the most common complaints I hear from people back home is "How can people be out of work when the want ads are full of jobs?" They are disturbed that people take welfare when they could be working and they have a right to be disturbed. It is their tax dollars that are supporting the welfare program.

It is time we did something to help the man who is working for a living, trying to educate his children and trying to feed them as costs rise out of sight. The Ways and Means Committee kept this problem in mind and tried to find a better way of taking care of those who cannot help themselves while at the same time building work incentives into the program for those who are unemployed or now hold low-paying jobs and may be thinking of "going to welfare."

In designing an effective welfare program we cannot ignore the movement between the working poor and welfare status for there is a positive statistical correlation here. In Texas, for example, a man with a family of four is entitled to a welfare payment equal to $179 per month. For a nonwelfare family of four to do as well, the head of the household must earn the equivalent to $221 per month and this adds up to an hourly wage of $1.25. In Michigan it comes out to $1.94 per hour; in Massachusetts, $2.16; and in New York, $2.23. Why should a man or woman take a job for anything less? Yet most do. And this is one of the wonderful things about this country—people would rather work than not work.

Yet, we are endangering this important national characteristic by perpetuating a system that actually encourages people not to work. We have encouraged individuals who expect the Government to take care of them. The incentives in the present program that encourage this should be changed and I think this bill can do the job—I think it should be tried. It provides positive incentives by requiring those who accept welfare to register for work or work training; by permitting those who work to keep substantial portions of their earned income; and by expanding job training and day-care opportunities.

There are those who feel that this program is too expensive and I, for one, believe they have a valid point. But the alternative—the present Federal-State-local welfare system is even more expensive. If we do nothing, the costs of the program will be $12 billion by 1975 and we will have spawned a new generation of welfare recipients and broken homes.

There are others who feel that the program will only provide the framework for an even more expensive welfare system—one that in the future would provide a $5,500 guaranteed annual income for everyone. If this were a characteristic of this program, it would not have my support, the support of the Ways and Means Committee or the support of President Nixon. The family assistance plan, reported by the committee, is oriented toward work and is aimed only at families—these are not characteristics of a guaranteed annual income plan. Further, the present Federal-State welfare system comes a great deal closer to being a guaranteed annual income as it encourages idleness by making it more profitable to be on welfare than to work and provides no method by which the States may limit the number of individuals added to the rolls.

I must confess that I have one major worry about the program and that is that the work incentive provisions will not be enforced. In order to be successful, it is essential that the program be administered as visualized by the Ways and Means Committee; namely, if an individual does not work, he will not receive funds. Enforcement is essential; if the work requirement is not enforced it could simply lead to another boondoggle.

In conclusion, Mr. Chairman, we need to reform the welfare system, build work incentives into it, help with job training, provide day-care centers and job placement and, in short, permit families to work their way off welfare. The family assistance plan can do this.

The handout approach has failed. The existing system strips a man of his dignity. Let us reform the welfare system with work incentives—not crush it further by more giveaways.

Mr. MORTON. Mr. Chairman, will the gentleman yield?

Mr. BETTS. I yield to the gentleman.

Mr. MORTON. Mr. Chairman, President Nixon has submitted to the Congress several innovative proposals which provide a needed new direction toward what he calls the "new federalism."

This Family Assistance Act of 1970 is a major piece of legislation which I believe will help achieve that objective. It is a bold move to effect a more significant coordination of effort between the Federal, State, and local governments. With the Federal Government providing the uniform floor for eligibility and payment requirements and absorbing the necessary increased costs, we are moving toward an equitable and efficient reform of our troubled welfare system.

In his message to the Congress proposing the transformation of welfare into "workfare," a new work-rewarding system, the President stressed that the effect of his plan would be:

> For the first time, all dependent families with children in America, regardless of where they live, would be assured of minimum standard payments based upon uniform and single eligibility standards.
>
> For the first time, the more than two million families who make up the "working poor" would be helped toward self-sufficiency and away from future welfare dependency.
>
> For the first time, training and work opportunity with effective incentives would be given millions of families who would otherwise be locked into a welfare system for generations.
>
> For the first time, the Federal Government would make a strong contribution toward relieving the financial burden of welfare payments from State governments.
>
> For the first time, every dependent family in America would be encouraged to stay together, free from economic pressure to split apart.

The bill before us, H.R. 16311, would bring about those effects.

Mr. Chairman, President Nixon stated in his message proposing a comprehensive Manpower Training Act, which I hope will soon be coming before us for enactment, that such a manpower program "is a good example of a new direction in making federalism work." I feel that the same applies to the pending Family Assistance Act of 1970.

The President stated further in his manpower program message:

> We can relate substantial Federal-State manpower efforts to other efforts, in welfare reform, tax sharing and economic opportunity, marshaling the resources of the departments and agencies involved to accomplish a broad mission.

I quote that statement to emphasize that aid to and greater cooperation with the cost-beleaguered States is one of the foremost needs which the Federal Government must meet. In attacking the social ills of the day, the new federalism is going to the root causes of poverty.

The Family Assistance Act of 1970 will tackle one of the most troublesome problems confronting our State and local governments. Those governments are crying for financial relief, and the needy people of the Nation are struggling against the ever-increasing cost of living. They will all be helped—the State and local governments and the dependent Americans—by enactment of this bill. They and the country's taxpayers will be helped further toward improvement in our economic climate when President Nixon's manpower and tax sharing programs are translated into law.

Let us, therefore, Mr. Chairman, take that first big step, make that start-up cost investment in a better America for all, by the expeditious passage of H.R. 16311.

The CHAIRMAN. The Chair advises that the minority side has consumed 1 hour and 43 minutes and the majority side has consumed 1 hour and 33 minutes.

Mr. MILLS. Mr. Chairman, I yield 7 minutes to the gentleman from Ohio (Mr. VANIK), a member of the committee. The gentleman is our last speaker for the day on this side.

Mr. VANIK. Mr. Chairman, the Family Assistance Act of 1970 which we are considering today is an imperfect bill, designed to deal with circumstances and conditions which have developed in our imperfect society. The proposal is unique in that it draws support from these forces which seek to restrain welfare expenditures as well as from those who are determined to improve the life of those who are unemployed, underemployed, and on welfare.

In any event, the legislation moves toward the federalization of welfare, establishing minimum standards of family support without geographical discrimination and provide a uniform system of review of work eligibility of the unemployed.

Insofar as the Federal contribution toward welfare will be increased, it constitutes a revenue sharing with the States.

There has been and there will continue to be extensive discussion as to the cost of the family assistance program. It is difficult to estimate costs when economic conditions make it so difficult to forecast the extent of unemployment and the resulting need for family assistance or the potential need for adjusting family assistance allocations to meet the escalating cost of living.

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The chart on additional costs of this program submitted by the Department of Health, Education, and Welfare and set forth in the committee report on page 53, is incredibly naive and unrealistic. Although the table assumes a 4-percent growth, no provision is made for the increase in the cost of living or the effect of increased eligibility resulting from further and mounting unemployment which lurks in the wings. These estimates are optimistic beyond reason.

We must relate the family assistance program to the fearful contingency of increased unemployment which appears to be designed in our economic structure.

I cannot share the feeling of security which prevails on the present condition of the unemployment compensation fund and its capacity to face up to a difficult economic challenge.

At the present time, there are 50.9 million workers covered under State unemployment compensation laws. The wages of these workers in 1968 totaled $331,562,437,000. Can we assume that 3.5 percent of the total wages of 1 year is a sufficient reserve? This reserve is sufficient for only the mildest of attacks of unemployment.

For each of the almost 51 million workers in the insured work force of the United States, there is about $262 in the unemployment insurance fund. Six percent unemployment of insured workers would cost the unemployment insurance fund $6 to $7 billion per year. Two years of 6 percent unemployment of insured workers, a rate which prevailed in 1958, would completely deplete the unemployment insurance fund. It certainly would not carry us through anything more than a mild recession.

What we must realize in considering the Family Assistance Act is that it may be extensively used to back up and reinforce the unemployment compensation program which is rapidly becoming unresponsive to its avowed purpose of income support for the unemployed.

The family assistance program may very well constitute a huge dip into general Treasury funds to assume an obligation we thought would be undertaken by employers under the Unemployment Compensation Act. In a great measure, the burden of responsibility for income maintenance for the trained but unemployed worker will shift from the employer to the general taxpayer. We must understand what we are about.

If a fully trained insured worker with three dependents is unemployed in Ohio for 1 year, he receives $61 per week for 26 weeks or $1,586. In Florida, such a worker would receive a maximum of $40 per week for 26 weeks, or a total of $1,040, while in New York State such a worker would receive $65 per week for 26 weeks or a total of $1,690. All of these situations are entitled to supplementation under the family assistance program—at an open-end cost. Do we really intend to use the family assistance program as a substitute for a meaningful unemployment compensation program which provides income maintenance for a trained insured worker during a period of prolonged unemployment?

As presently constituted the unemployment compensation program is a most inadequate law—designed only for the best of times. It is incapable of performing as an income maintenance system during conditions of growing and persistent unemployment. The needs of the unemployment compensation system should not be dependent upon the family assistance program.

During our discussions on this proposal, we also studied the comparative effect of family assistance under this program with family assistance for military dependents under prevailing military wage scales.

It appears that a family of four sustained by a member of the armed services in the lower three grades is compelled to exist on resources below poverty levels and below what we provide under this bill. Today, almost 150,000 military dependents live below the income levels provided under this bill. It is incredible that our Nation should conscript a citizen and then order his family to live on public welfare—but such is the case for many. To meet this problem, we must insure an adequate increase in dependency allowances for military dependents, particularly in the lower grades.

The recent postal employees strike in New York demonstrated the error of income levels which make no allowance for cost-of-living differentials. The same problem is built into this legislation and I hope that our oversight will be corrected by the other body. It is readily apparent that the income maintenance needs are certainly higher in my community and other high-cost urban areas than they are in rural or small-town communities.

In full knowledge of the great shortcomings and uncertainties which are present in this proposal, I give it my support because it improves what we have, it moves in the right direction and represents an effort to meet the challenge.

Mr. BURKE of Florida. Mr. Chairman, I join with those that feel that no American family should go hungry and that no child should suffer—certainly, that every individual should have the opportunity to gain self respect and family security—are facts that I certainly do not contest. However, I am worried about the new concept of welfare that we consider today. I endorse its intent to train and put the unemployed into the field of employable and productive jobholders, but, I fear that if this legislation passes we will create instead a new class of welfare recipients. While the President's laudable proposals to bring order to the present chaotic conglomerate of welfare programs are commendable and desperately needed, the prospect of 12 million Americans becoming new members of the growing welfare state appalls me.

We have seen welfare grow into a professional and practical way of life, for some and to become intermeshed as a part of our Nation's economy and social character. When it was begun in the depression days of the 1930's under the New Deal, it was considered only a stopgap, and President Roosevelt himself then admitted that the Nation "must and shall quit this business of relief"—and, he further added:

> To dole out relief in this way is to administer a narcotic, a subtle destroyer of the human spirit.

His advice was not followed and hence we have what is today called the welfare mess.

President Nixon properly proposes that we reverse the direction of the welfare system. His proposals to establish training programs through work incentives and a means to credit higher education are a commendable step in the right direction. But a further step in this direction and one that I believe would have a more practical result without additional cost to the taxpayer is the proposal—H.R. 2067—known as the Human Investment Act that I introduced and which would give a tax credit to business firms for inplant training of workers.

I do not believe that the bill before us—H.R. 16311—which, under the rule, we are asked to consider without opportunity to offer amendments, achieves the goals that are needed today or even that President Nixon has set. Instead it seems inevitable that the number of those added to the roles of the profitably unemployed—those who seek a reason not to work will increase even more with the years than it has in the past.

In this day of inflation and ever increasing taxes we are faced with the fact that this bill before us will increase the Federal budget some $5 billion or more.

The proposed Federal contribution to family assistance in the first year is expected to cost $3.8 billion plus $386 million which is allocated for day care. In addition, we may add to this the extra costs of job training and increased benefits to the blind, aged, and disabled who cannot work. But the important factors are that we can envision in the next 3 to 4 years a proposed increase of 12 million plus new welfare recipients at possible skyrocketing future costs. An outpouring of more and more money from the pockets of the active hard-working wage earners of the country bring questions from them.

My State of Florida is today faced with a severe test of its ability to absorb an ever growing population and further State participation in today's welfare programs. We must accept the recent Supreme Court ruling that residence requirements no longer apply when applying for welfare benefits. The number of needy who could move into Florida because of our natural attractions may mount an alarming rate. It would greatly affect and imperil Florida's overall economy and strain its present tax structure beyond limits.

I feel the biggest factor we must consider in this legislation is that the proposal begins for all practical purposes the creation of a "minimum income" for all Americans. Expanded socialism, if you please. It does so through establishment of full benefits for a family of four at a $1,600 level and it even increases this schedule despite 50 percent earnings retention provisions to $3,920 for the same family. It is inevitable that in the years that will follow these limits might be the target of some demagog or ambitious politician who, through such socialistic measures, could attempt to control and run from Washington the lives of every man, woman, and child in America.

In this program for the benefit of poverty families with dependent children there also lurks the insidious and dangerous creation of another powerful voting political bloc—that of those on the relief roles—a bloc that could easily number into the millions. Indeed, it has already begun with the formation of the National Welfare Rights Organization, whose first demand is elimination of all requirements for a work-training program, increase of proposed benefits, and raising of the poverty level determination. In these days, such requests could lead to more marches, disruptions, disorder, and division within our country.

I hope this Congress can, and I expect it will, move quickly to help those families which are truly needy and deserving who require the assistance of both the State and Federal Governments. But I suggest that my colleagues in the Congress will recognize that self-help, job training, education, and above all pride of the family are the important factors required in America today. Poverty must not be accepted with pride. It must be overcome with compassion and understanding without creating the ogre of a national welfare state.

Mr. Chairman, I wish that I could support the President by voting for this legislation but unfortunately I cannot. I do not believe that this legislation is anything more than an extension of socialism in our country. Even if it is, as some would like us to believe, better than our present welfare system, it is, at the most, a poor substitute. I hope it will work if it becomes law, but as for me I cannot support it, because I do not think it is the answer that America needs. We need a full review of the entire welfare program with the intent to help the needy—including the American workingman who will be called upon to pay the bill.

Mr. MINISH. Mr. Chairman, I rise in qualified support of H.R. 16311, the Family Assistance Act of 1970. While the legislation contains many shortcomings and inadequacies, which I will deal with, it does represent a worthwhile attempt to reorder the Nation's antiquated methods of assistance for her less fortunate citizens.

As a Representative from one of the Nation's most highly urbanized and densely populated areas, I have been greatly concerned by the growing welfare crisis and its adverse impact upon both welfare recipients and overburdened taxpayers. My home county in New Jersey, Essex, contains less than one-seventh of the population of the State, yet its welfare expenditures represent over one-third of the statewide cost. More than a quarter of a million persons now receive AFDC assistance in New Jersey—83,900 in Essex County alone. The county's welfare budget has grown from $3 million in 1958 to more than $17 million presently. It is clear the Federal Government must provide more assistance to those areas of the country, like Essex County, N.J., which are straining their resources and their taxpayers to deal with a problem which is actually national in character.

Recognizing that welfare is a national problem and that substantial relief must be granted to those parts of the Nation which have assumed a disproportionate share of the welfare burden, I introduced H.R. 11374 on May 15, 1969. This legislation would go much further than the family assistance plan to improve the lot of the average taxpayer and the family on welfare. Under my measure, AFDC would become a wholly Federal program administered by local agencies under federally prescribed terms and conditions including national minimum standards with the cost being fully borne by the Federal Government. The bill accepts the national character of the welfare problem and faces the fact that its challenge can be met most effectively and justly by the Federal Government.

The legislation before us today establishes a new Federal program to replace the aid for dependent children program. The family assistance plan would apply to all low-income persons with children and provides a $1,600 allowance for a family of four with no other income. The full allowance would go to persons earning up to $720 per year, with subsequent benefits cut by 50 cents for each dollar earned. Therefore, the beneficiaries will always find themselves with a higher income through employment. In contrast, the present welfare system allows for the deduction of earnings from benefits—a 100-percent tax.

While it is true that this bill will eliminate the inequity of very low benefits in some States and end the State-by-State variations in eligibility rules, H.R. 16311 will provide little real relief to the urban areas of our Nation so overburdened by spiraling welfare costs. A minimum floor of $1,600 for a family of four is barely enough to cover the food budget of a poor family, and certainly not enough to cover even half the amount presently paid such a family by an urban State like New Jersey.

In order to prevent a cutback from existing levels of assistance, the bill provides that States offering benefits in excess of the family assistance plan in January 1970 must supplement the Federal plan to the January figure or to the poverty level, whichever is lower. The Ways and Means Committee has made a significant improvement over the administration proposal in this section. Under the administration bill only 10 percent of the supplemental costs to the States would be paid for by Federal assistance. The committee has increased this supplemental payment to 30 percent. However, if the hard-pressed urban centers are to experience real relief from welfare costs, the Federal Government eventually assumes 100 percent of welfare costs.

Another area of concern to me in the Family Assistance Act involves the work and training requirements under section 447 and 448. I strongly believe that a wholesome home life must not be sacrificed and I am pleased the committee has included some safeguards in this area. A mother of a child under the age of 6 is not required to register for training or employment. Additionally an exclusion is provided for the mother or other female caretaker of a child if there is an adult male related to the child in the home who does register. The Secretary of Health, Education, and Welfare will be required to provide adequate and convenient day care for children of mothers who are undergoing work training or have been employed.

Unfortunately, the work and training provisions contain no specific minimum standards regarding the kinds of jobs or the levels of wages which are to be offered and accepted by FAP beneficiaries. The plan should be strengthened in this area by the formulation of explicit Federal standards governing work referral and wages.

In conclusion, I support the Family Assistance Act. If enacted, it will set national eligibility standards for benefits, help keep intact the families receiving aid, provide assistance for the working poor, encourage initiative by allowing a recipient to keep a portion of his earnings, and provide for the first time a floor, albeit modest, under family income.

The legislation comes to the House floor under the traditional closed rule

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for such bills and cannot be amended by this body. Hopefully the Senate will give careful consideration to the points I have raised and act to improve and strengthen the family assistance plan.

Mr. O'NEILL of Massachusetts. Mr. Chairman, I think it is of special significance that the executive heads of three major religious organizations have jointly endorsed and urged enactment of H.R. 16311, the Family Assistance Act of 1970.

The statement was signed by the Most Reverend Joseph Bernadin, general secretary of the U.S. Catholic Conference; Rabbi Henry Siegman, executive vice president of the Synagogue Council of America, and Dr. H. R. Edwin Espy, general secretary of the National Council of Churches—Protestant and Eastern Orthodox. They said, in part:

> In introducing the Family Assistance Plan last August, the President termed the present welfare system a "colossal failure."
>
> The present system—if indeed it can be called a system at all—disrupts families, often fails to provide minimal subsistence, demeans the recipients, reaches less than half of those in need, fosters dependence and is geographically inequitable.
>
> Furthermore, under present cost-sharing principles, it is straining the resources of many localities and states.
>
> The House bill would move toward correcting some of these failures. It would set national eligibility standards, aid families while still intact, extend help for the first time to the working poor, encourage initiative, establish a minimum Federal floor under family income and provide some fiscal relief to states and localities.
>
> These are important steps toward making the system more responsive to human needs and more equitable. Furthermore, the requirement that able-bodied heads of households register for and accept jobs or job training should help shatter the myth that the aspirations and ambitions of the welfare recipients somehow differ from those of the rest of society.

Mr. GOLDWATER. Mr. Chairman, after hearing so many varied comments regarding the proposed family assistance plan—FAP—H.R. 16311, I would like to urge my colleagues to recommit the bill to committee.

I urge this action because I feel that there are many unanswered questions about the FAP. Some of these questions have been raised in a comprehensive report entiled "Time for Change," a study done by the California counties welfare modernization task force. Speaking of the FAP, the report states:

> It is impossible to determine the net fiscal effect on either the state or the counties of California. The Federal Department of Health, Education and Welfare has estimated that California would have realized a net savings of $107 million, based on 1968 cost and caseload data. Discussion with HEW officials indicates that in making these estimates they did not consider earned income exemptions, work and training expense allowances, or administrative costs. Hence, we believe that the figure is questionable.

I would like, at this time, to summarize some of the other questions raised in the report and say that I do not necessarily agree or disagree with some of the implications of the criticisms, but merely offer them as proof that there are many unanswered questions about the FAP.

The report charges that one of the "most serious deficiencies" in the FAP is the continuation of State programs to supplement Federal payments. The requirement of a State supplemental program continues the inequities which now exist in the present AFDC program.

> If a major reason for establishing a federal plan of family assistance is the wide unpopularity of the present AFDC program and its inquities—

Says the report—

> There is no justification for making it mandatory to continue the program under a different name.

The report further states that the problems of operating a supplemental assistance program would be "an administrative nightmare."

Cost: The disadvantages are that no one knows what the new FAP will cost or what the cost of the State supplemental program will be. For the State to contract with the Federal Government means a loss of State and local control of a program involving a great deal of money. It continues the inequities of the difference in payment levels between States.

The working poor: Although the working poor are included in the Federal program, they are not included in the supplemental program. These families are also excluded from medical benefits. For the marginal worker this means a chaotic economic situation in which he variously qualifies for and loses supplemental benefits and medical care.

> There would be a strong incentive to seek the security of being unemployed or only partially employed—

Says the report.

Work incentives: The report notes that the FAP requires registration for employment as a requisite for receiving assistance, but that this is nothing new. California and several other States have had such a requirement for years. Under the FAP, there is also a penalty loss of benefits equal to the benefits of only one person. The report says:

> We now have this and it has proven less effective as a device for controlling behavior and attitudes than the former policy of termination of total assistance to the family.

California is not the only State with serious reservations about the FAP. A random telephone check by my office has revealed that there are several others who also feel that there are many unanswered questions.

Mr. Morris Priebatch, chief of administration and planning for the Mississippi State Department of Public Welfare, feels that the FAP definitely is a large step toward a guaranteed income. He also feels that the estimates of how many working poor will qualify under the new program have been greatly underestimated. He told my office:

> There are a lot of unanswered questions about this program. I think the total costs are going to be a lot higher than the estimates.

New York's Deputy Commissioner of Public Welfare, George W. Chesbro, addressing himself to the work training aspects of the FAP, said that of the total 1,300,000 people on welfare in New York, only 6 percent, or 82,000 are employable. Of these 82,000, he said 42,000 are now employed. The other 40,000 are employable, he noted, but are unskilled and could only work at low-paying jobs. Jobs which, I might add, would most likely not be deemed "suitable" under the provisions of the FAP.

Harold Strode, director of social welfare for the State of Nebraska, summed up his feeling about the FAP with a simple—

> We don't know if the state can afford it.

Strode said that he strongly supported the concept of a pilot program on the FAP before national implementation. He advised:

> We should look at what happened to Medicare.

As for the idea of getting people off welfare rolls and onto payrolls, Strode said that in Nebraska, only four-tenths of 1 percent of welfare recipients are trainable for new jobs.

Texas commissioner of social welfare, Burton Hackney, was very outspoken in his criticism of the FAP:

> We were told the FAP could save Texas $73 million, but our figures now indicate that it would cost the state an additional $18 million . . . we are not going to kid ourselves about opening up the welfare rolls to other categories. Nobody knows the effect the adding of the working poor will have on the size of the welfare rolls. It is going to cost. The most expensive cost of the welfare is medical care. Who is going to pay for this additional cost? There are a lot of unanswered questions?

Denver White, director of social welfare for the State of Ohio, also had his doubts about the FAP:

> It's too difficult to determine what the effect adding the working poor to the welfare rolls will have. Our real concern is how to evaluate the costs of putting these people on welfare.

On work incentives and how the WIN program has worked in Ohio, White said:

> We can't brag about our success. It did not take off as well as it could have, even though we had some success.

Again the medical care issue was raised when White said:

> When other states put the medically indigent on the government programs . . . many problems were caused because of unsound financing. Our concern is that this does not happen under the FAP.

Assistant to the director of public welfare in Missouri, John Pletz, voiced similar criticisms and raised similar questions; reservations about who administers the program, how medical care figures in the FAP and what happens to social services programs.

Thus, it is clear from the survey by my office of various State welfare officials, that while they may differ as to

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how the problem of welfare should be handled, they are all in agreement that they simply do not know enough about the FAP at this point.

It is because of these reasons that I urge my colleagues to recommit the family assistance plan, H.R. 16311, to committee.

Mr. BOLAND. Mr. Chairman, the welfare system in the United States verges on chaos.

It is a bewildering patchwork of laws—laws that vary region by region, State by State, community by community.

Welfare payments in some areas—the tidelands of Mississippi, for example, or the mountain country of West Virginia—are so heartbreakingly small that poor families live with hunger every day of their lives.

In other areas—New York City comes to mind as a striking example—payments have steadily risen to astonishingly high levels.

Yet these very same payments, in terms of actual benefits to the poor, still lag far behind what most people would consider even a minimum standard of living. But, to the rural poor, both white and black, such payments appear enormous.

They are virtually streaming into our northern cities in a futile search for a better way of life. Their hopes, of course, are dashed at once.

They exchange a country shack for a ghetto slum, a diet of dried rice and beans for one of packaged rice and canned beans.

The migration from the countryside to the city has helped turn our inner cities into teeming slums. It has helped breed the crime, the dope addiction, the street rebellions now making headlines throughout the United States.

Another problem in our welfare system—perhaps the greatest problem of all—is its tendency to discourage work.

Even the most piddling earned income disqualifies most people from receiving welfare payments. As a result, many of the poor shun jobs.

Why, a young man might ask, should I wash dishes for $60 a week when I can get $55 for doing nothing?

The Congress can show him why today.

The bill now before us promises to clear away most of the problems now hampering our welfare system.

First, the bill would set national minimum standards for welfare payments—standards that would give all welfare recipients a comparable living standard and stop the migration into our cities.

Second, the bill would encourage work by allowing poor families a sliding scale of welfare benefits as their earned income increases or decreases. It would always pay—and pay relatively well—to have a job.

Third, the bill would literally compel people on welfare to take jobs or job training.

This legislation is much more than just another welfare bill.

It is a work bill, and it is high time the Congress passed it.

Mr. ANDERSON of Illinois. Mr. Chairman, although we have now considered the family assistance plan, I think it is important that we clear up one matter which generated some confusion in this Chamber at the time we were discussing this important legislation. There are some who believe that the American business community is solidly united in opposition to the administration's proposal. This is far from the truth. While one important business organization has expressed its opposition to FAP, many others have enthusiastically urged its adoption. Those supporting the family assistance plan include the National Association of Manufacturers, the Council for Economic Development, a group of 80 top corporate leaders, the New England Council, and the National Federation of Independent Business—all of which are highly reputable and widely representative business groups.

One of these, the National Federation of Independent Business, which has "the largest individual membership of any business organization in the United States," has been conducting a continuing survey of its membership monthly since January of this year. The most recent report, from the month of March, shows that support for the plan has deviated little in the past 4 months, and that 60 percent of the respondents favor the plan, 29 percent oppose it, and 11 percent hold no opinion.

At this point in the RECORD I include a recent release of the federation along with a copy of its questionnaire and a table giving a State-by-State breakdown on the results of the survey. I also include an article from the April 6, 1970, Washington Post, indicating the extent of business support for the family assistance plan. The items follow:

BUSINESS SUPPORT FOR FAP

On a national basis, support for the Administration's welfare reform program by independent businessmen, that would give a minimum basic family income, appears to be holding firm.

The computer analysis of the 25,304 returns for the first quarter to the continuous survey of the National Federation of Independent Business shows 60 percent in favor, with 29 percent opposed and 11 percent holding no opinion. The vote in favor by months was: 61 percent in January, down to 59 percent in February and up to 60 percent in March.

But a further analysis of the results on a regional basis reflects considerable shifting of businessmen's opinion in both directions.

In the New England States where only 61 percent were found in January to be in favor, in March this jumped to 66 percent. In the East South Central states where in January only 48 percent were in support, this increased in March to 58 percent.

In the East North Central states and the South Atlantic states the support for the Administration's proposal holds steady at 64 percent, but in other areas an erosion of earlier support is indicated.

In the Middle Atlantic states where 73 percent were in favor in January, it dropped to 68 percent in March, in the Mountain States it dropped from 64 to 52 percent and in the Pacific States from 63 to 60 percent. In the West South Central states where a majority have never been in favor, the percentage dropped from 45 to 40 percent in March.

Although the continuous field survey of the National Federation usually results in around 25 percent of the respondents writing in their additional comments. The additional comments on the welfare subject appear to be in much heavier volume, indicating a high degree of feeling on the subject. Typical comments in favor of the Administration's proposal follow:

A California oil distributor with nine employees says, ". . . keep up efforts to make welfare programs more efficient and less costly over the long run."

The proprietor of a Southern California repair shop says, "I feel $3,920 (obviously referring to the earnings a family could have before welfare payments would be cut off) is not enough for a family of four. $5,000 would be more like it."

A Minnesota realtor says, "Welfare is something I think very important. However, I am fed up with the present system that allows able-bodied people to sit on their hind ends. Let's get a program to train these people to support themselves."

A Michigan sales agency with four employees says, "The welfare program has become a way of life for too many people and reform is greatly needed."

A Wisconsin water service operator with six employees says, "In my opinion please help the welfare people, but stop giving it to them. Training is a wonderful thing, but they can do unskilled jobs."

A Tennessee garage owner says, "Welfare is one of the most abused programs we have. We have tried to get some of the big strong young fellows to work too many times. They have refused because their families were getting welfare and food stamps."

A California insurance agent says, "Welfare costs are out of reason and can only go higher unless we do something to make it worthwhile for people to get off welfare."

Those opposed to the Administration's plan are equally as expressive of their viewpoint.

The owner of a Wisconsin photographic studio expresses a viewpoint of many who write in with the following: "People who draw welfare should not be permitted to vote."

A California dry cleaner with seven employees goes even further in this direction writing, "It seems to me that all the politicians are worrying about is votes from welfare recipients. Some of these families have had their hands out for two or three generations and couldn't hold a job if they had one. I cannot see a minimum basic annual income to able-bodied families."

An Ohio beverage distributor with three employees says, "I would not allow any kind of benefit for people able to work . . . not even food stamps, and even though I have relatives in another state on relief, I feel very strongly about this."

A dairy operator in Kentucky with twelve employees comments, "I am opposed to assistance of any type to either single people or married couples. This includes food stamps, unless they are too old or severely handicapped."

A South Dakota retailer says, "Welfare and relief should be for the aged and only those unable to work, none of which should be money but purchase orders with a very strict fine of $5,000 for the first offense of anyone accepting a trade of groceries for liquor."

A Missouri contractor says, "We are opposed to all give-away programs to persons who are able to work."

Whether respondents are for, or against, the Administration's program, there appears to be no reluctance to make their viewpoints known.

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WELFARE REFORM

Practically everybody agrees that present programs to give financial aid to families with dependent children have not worked. Therefore the Administration is urging Congress to adopt some new proposals which chiefly would:

1. Initially double the cost, and provide help to twice the people, but . . .

2. Eventually encourage those able to work to take employment and get off relief.

3. Set a national family subsistence minimum, but provide that no State may pay less than it does at present.

Now here are some of the features of this program. How do you feel about them?

(a) Require all able-bodied recipients of welfare payments to accept training opportunities or jobs when offered, or give up the right to welfare payments for themselves.

— For
— Against
— No Opinion

(b) Assure a minimum basic annual income for all families who cannot adequately support themselves, provided that the parents register for, and accept, employment or job training when offered. (Adults in these families would be encouraged to work by allowing them to keep, without losing benefits, the first $60 monthly earned, and as private earnings increase surrender one dollar in welfare for each two dollars earned, with cutoff of government assistance for a family of four at $3,920 earnings).

— For
— Against
— No Opinion

(c) Assure a minimum monthly income of $90 for the aged, blind and disabled.

— For
— Against
— No Opinion

(d) Provide no payments at all to unemployed single adults who are not handicapped or aged, or to married couples without children, but allow them up to $300 in food stamps per person per year.

— For
— Against
— No Opinion

		Welfare reform proposals											
		Work-training requirement			Minimum basic annual income—AFDC			Minimum basic income aged, blind, disabled			No income assurance, but food stamps—Single persons, childless couples		
State	Number of respondents	For (percent)	Against (percent)	No opinion (percent)	For (percent)	Against (percent)	No opinion (percent)	For (percent)	Against (percent)	No opinion (percent)	For (percent)	Against (percent)	No opinion (percent)
Maine	206	98		1	76	13	11	67	10	23	70	13	17
New Hampshire	120	99		1	78	19	3	86	3	11	30	55	15
Vermont	102	99		1	45	50	5	92	1	7	17	79	4
Massachusetts	186	98	1	1	61	36	3	94	3	3	66	29	5
Rhode Island	64	100			86	11	3	95		5	86	11	3
Connecticut	137	96	1	4	45	47	8	80	10	9	36	58	6
Total New England	1,445	98	1	1	63	32	5	88	5	7	58	34	8
New York	1,167	97	1	2	73	17	9	89	3	7	70	21	9
New Jersey	413	97	3		65	32	2	90	7	3	64	29	7
Pennsylvania	901	95		5	64	25	11	85	5	10	55	32	12
Total Middle Atlantic	2,483	96	1	3	68	23	9	88	4	8	64	26	10
Ohio	913	97		2	78	14	8	89	4	6	69	20	11
Indiana	1,081	99		1	67	29	4	90	6	4	42	53	5
Illinois	542	96	1	3	51	37	12	83	6	11	52	36	12
Michigan	1,064	93	3	2	64	23	13	84	7	8	66	24	10
Wisconsin	836	98	1	1	59	31	10	88	6	6	71	21	8
Total East North Central	4,436	96	1	2	65	26	9	87	6	7	60	31	9
Minnesota	755	96	1	3	68	24	8	89	4	7	77	15	7
Iowa	588	96	1	3	68	19	13	86	6	7	62	25	13
Missouri	545	94	2	4	63	24	12	85	4	11	46	30	24
North Dakota	250	99	1		77	14	9	94	3	4	65	23	12
South Dakota	102	99	1		53	36	11	86	2	12	61	34	5
Nebraska	640	97	1	2	55	37	7	90	4	5	65	25	10
Kansas	356	96	1	3	61	21	18	84	4	12	39	34	26
Total West North Central	3,236	96	1	3	64	25	11	88	4	8	61	25	14
Delaware	8	75	13	13	75	13	13	63		38	63	13	25
Maryland	104	100			63	32	6	88	3	9	56	33	12
Washington, D.C.	3	100			100			100			67	33	
Virginia	376	97	1	2	43	44	13	85	5	10	44	41	16
West Virginia	96	96	2	2	75	10	15	93	2	5	56	28	16
North Carolina	439	97	1	2	50	44	5	91	4	5	45	50	5
South Carolina	277	99		1	66	26	9	94	4	3	71	24	5
Georgia	391	96	1	4	66	21	13	91	4	5	62	29	9
Florida	722	99		1	78	16	5	90	5	5	64	30	7
Total, South Atlantic	2,416	98	1	2	64	28	8	90	4	6	57	34	9
Kentucky	21	90	5	5	67	24	10	86		14	67	24	10
Tennessee	556	99	1	1	44	50	6	91	5	4	43	47	10
Alabama	404	97		3	78	13	9	94	2	3	67	27	6
Mississippi	320	99		1	41	56	3	91	5	3	50	46	4
Total, East South Central	1,301	98		2	54	40	7	92	4	4	52	40	7
Arkansas	213	98		2	18	76	6	93	5	2	72	23	5
Louisiana	359	85	2	13	55	24	21	77	6	18	47	32	21
Oklahoma	708	94	1	6	54	28	19	80	6	14	53	24	23
Texas	2,647	92		8	38	49	13	78	10	13	42	47	11
Total West South Central	3,927	92	1	8	41	44	14	79	8	13	46	40	14
Montana	185	97	1	2	58	34	8	88	8	5	68	22	10
Idaho	314	98		2	63	30	7	85	6	9	31	60	9
Wyoming	77	91	1	8	51	36	13	84	5	10	57	31	12
Colorado	659	99			64	31	5	94	2	4	83	12	4
New Mexico	305	96	3	1	72	19	9	93	5	2	71	24	5
Arizona	276	29		71	26	2	71	24	1	75	26	2	72
Utah	115	97		3	55	34	11	91	4	4	77	17	6
Nevada													
Total Mountain	1,931	88	1	11	58	25	16	81	4	15	62	22	16
Washington	692	97	1	2	78	13	10	89	4	6	77	14	9
Oregon	288	95	1	4	62	26	12	89	3	8	69	25	7
California	3,104	89	1	9	58	26	16	80	6	14	58	26	17
Alaska													
Hawaii	47	91		9	23	45	32	64	9	28	66	15	19
Total Pacific	4,131	91	1	8	61	24	15	82	5	13	62	24	15
National total	25,304	94	1	5	60	29	11	85	5	9	58	30	12

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[From the Washington Post, Apr. 6, 1970]

BUSINESSMEN SPLIT ON WELFARE PLAN

(By Vincent J. Burke)

Several national organizations of businessmen are lining up to support President Nixon's proposal to extend federal money to "working poor" families with children.

Because of the wide backing it has gained in the business community and the belated, grudging endorsement it got from the AFL-CIO, the administration's $4.5-billion welfare reform bill seems certain to pass the House by a lopsided margin.

It will be called up for House action this week or next under a procedure barring floor amendments. Senate hearings are expected to start late this month.

One business group lobbying against the President's family assistance program is the U.S. Chamber of Commerce.

[Another business organization, the Council of State Chambers of Commerce, also released a report yesterday in which it said the President's plan would add more than 10 million people to public assistance rolls and almost triple the cost to the federal government.]

Here are the positions of other business groups:

The National Association of Manufacturers has sent letters to all House members urging them to vote for the President's bill.

The Council for Economic Development, a business-dominated research group, will announce Tuesday that its lengthy study of welfare had led it to endorse basic principles of the administration plan.

A group of 80 of the nation's top corporate leaders recently signed a joint statement calling for House passage of the family assistance program.

The National Federation of Independent Business, Inc., has been conducting a postcard poll of its members on Mr. Nixon's plan. So far 25,304 have answered and the line-up is 60 per cent in favor, 28 per cent opposed and 12 per cent no opinion.

The New England Council, a group organized to foster the region's economic development, in a form letter urged all House members from New England to vote in favor of the legislation.

The President's plan would put a federal floor under the income of all families with children and would provide supplementary cash to families whose heads are working at low-paid jobs.

The national Chamber of Commerce, which claims to be "the principal spokesman for the American business community," is adamantly opposed to extending federal welfare to any family with a father working full time, no matter how low the wages.

Mr. HORTON. Mr. Chairman, a bureaucratic monstrosity has been allowed to go unchecked for more than a third of a century. Last week, many of us took the opportunity to change it.

I am referring to our welfare system which has threatened to bankrupt local and State governments as well as the Federal Government. Not only is the cost outrageous, the welfare program has failed. It produces third and fourth generation welfare recipients; it makes it more profitable for a man not to work; and it encourages a man to desert his family.

The President has approached welfare in a very constructive and practical manner, and I was pleased to cosponsor his proposals and vote for the Family Assistance Act of 1970, H.R. 16311. This act will provide for the working poor, revenue sharing with States and localities, effective job training, and day-care centers for children of working mothers.

These new proposals offer a ray of hope for those caught in the cycle of unemployment and welfare. The welfare plan sets work requirements for able recipients. At the same time, it offers incentives to work because it allows recipients to take home a large share of what they can earn without cutting off much needed family assistance payments.

The Family Assistance Act will provide a family of four with an annual federally supplied income of $1,600: $500 for the first two family members and $300 for each additional member.

This is a small sum for a family of four to live on, but at least it is a start in meeting our obligations, and it will be supplemented by the States.

A working head of a household could retain the first $720 of his earnings and 50 percent of his income above that amount. Assistance would not be cut off until his income reached $3,920.

The thrust of this legislation is that it will help the working poor. It will help those who are trying to provide for their families by themselves, but cannot quite make ends meet. It offers independence and self-reliance to such men and women.

Under the present system, a man can see other families getting more on welfare than he is getting by working. The man-in-the-house rule now encourages the man to leave the home, because then his family can receive more welfare money. It discourages work, because every dollar that a man makes is taken from his welfare payments—or he is disqualified altogether if he takes a job.

To be eligible for family assistance, the head of the family must register for work or job training. This excludes mothers of preschool age children and mothers in a household where the father is registered. Each person on a training program would receive an allowance of $30 a month.

Another aspect of this bill which I have been advocating for some time, is child day-care centers. It provides that the Secretary of Health, Education, and Welfare make grants to public and private agencies for the establishment of day-care centers.

The need for these day-care centers is becoming more apparent. There are 12 million children whose mothers now work outside the home. The present day-care facilities can accommodate 1 million children.

Many mothers who are presently on welfare would be more than willing to go to work if they were assured their children would receive sound, healthful care along with educational and social development programs.

In addition, the bill discourages desertion of families. A father who abandons his family will be liable to the Federal Government for the benefits his family receives under family assistance.

It is obvious that our present program has failed. We are pouring more and more money into welfare, and receiving no returns. It took 25 years, from 1935 to 1960, for the aid to dependent children program to reach the billion dollar mark. In only 7 years, the program was costing an additional billion. In 1968, the cost rose by another half billion dollars.

The cost that New York State is paying in welfare is inordinate. Since 1935, the cost for State and county governments has increased tenfold.

The bill we are considering today would alleviate much of the strain on the local governments. The Family Assistance Act calls for the Federal Government to assume a large share of State welfare payments. The Federal Government would reimburse the States for a flat 30 percent of their payments.

I was pleased to support this plan. It will give each man an opportunity to fulfill his potential, it will return the dignity of work, and it will restore self-esteem to the recipient. People who are taken off the dole line will realize a respect for themselves and their ability to make their own way.

Mr. MILLS. Mr. Chairman, would the Chair be kind enough to advise at this point as to the time remaining for both sides in general debate?

The CHAIRMAN. The majority has remaining 1 hour and 25 minutes. There is remaining 1 hour and 48 minutes for the minority.

Mr. MILLS. Together that is as much as 3 hours or more.

The CHAIRMAN. The Chair advises the gentleman from Arkansas that there is a total of 3 hours and 15 minutes remaining.

Mr. MILLS. Mr. Chairman, in view of that fact, it is quite evident to me that we will not be able to complete all general debate and have a vote on the bill on final passage as early tomorrow afternoon as I had hoped to be the case. I had told many Members that I was hopeful we could have the vote by not later than 2 o'clock. However, it now looks as if it might be later than that. We do not intend to use any further time this afternoon.

Mr. Chairman, in view of these circumstances, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT), having assumed the chair, Mr. DINGELL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 16311) to authorize a family assistance plan providing basic benefits to low-income families with children, to provide incentives for employment and training to improve the capacity for employment of members of such families, to achieve greater uniformity of treatment of recipients under the Federal-State public assistance programs and to otherwise improve such programs, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 days within which to extend their remarks in the body of the RECORD on the bill which we have had under consideration today, H.R. 16311.

The SPEAKER pro tempore (Mr.

PRICE of Illinois). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

REQUEST AS TO THE HOUR OF MEETING ON TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask the distinguished majority leader if this means that H.R. 16516, the authorization bill for 1971 for the National Aeronautics and Space Administration has been deprogramed?

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. HALL. I will be glad to yield to the gentleman from Oklahoma.

Mr. ALBERT. We have discussed this matter with the distinguished chairman of the committee and I have discussed it with the leadership on both sides. It has not been deprogramed, but there is some question about whether this matter should be taken up this week or not.

Mr. HALL. Mr. Speaker, further reserving the right to object, I will ask the distinguished majority leader whether or not H.R. 14385 has been removed from the program? After all I have heard here today I believe anything could happen in this House. As I understand it, this is to subsidize the transportation of departmental employees from their old place of business or residence to a new one near or in Rockville, Md., and back, on a daily commuter basis. Is this still on the program?

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Mr. ALBERT. Mr. Speaker, if the gentleman will yield further, I have discussed this matter with the distinguished chairman of the Committee on Interstate and Foreign Commerce and I believe it is his desire and the desire of the members of his committee that if this matter is not reached, as I am sure it will not be, early this week, they would prefer it to go over.

Mr. HALL. Then, it is the plan to meet early in order to complete the bill currently under consideration and let the "Tuesday-to-Thursday" boys have the rest of the week off?

Mr. ALBERT. Let all the Members have the rest of the week off

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALL. Yes, Mr. Speaker, if we are going to force this issue, there will be. I am still reserving the right to object.

I happen to know that many committees, including that of the occupant of the Chair, are scheduled for important markup meetings tomorrow, and I am not sure how we can continue to get the work of the House done if we fly into the face of the committees that have set meetings. And it seems fairly inconsistent to me to let committees meet during debate, because they allegedly have witnesses from across the Nation on the one hand; and then come in early and interrupt meetings of committees on the other, so that the Tuesday-to-Thursday club can adjourn early on Thursday afternoon.

Mr. ALBERT. I cannot answer for the gentleman's committee. I would like to say this: that we had understood that the vote would come early on this bill. We have had a very productive week. There have been three appropriation bills, and one of the major bills in the welfare area for many years.

Mr. HALL. Mr. Speaker, that depends on the individual's definition of "production."

Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

REAL ISSUE IN AIR SLOWDOWN

(Mr. MOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MOSS. Mr. Speaker, now that it appears that a picture of comparative calm is beginning to emerge in the air traffic controllers "sick-out," it might be very beneficial to the Members of the House to read an account which I found most interesting in setting forth some of the issues which provoked the air controllers to take the action which they felt necessary to dramatize the adverse situations under which they were forced to perform their duties.

From the April 13 issue of U.S. News and World Report, I insert two headlined articles, one containing a background summary and the other, excerpts from the Corson committee report. I urge my colleagues to read these two articles:

REAL ISSUE IN AIR SLOWDOWN

(NOTE.—Latest "sick-out" by air traffic controllers throws a spotlight on the issue that worries the public most: Is the U.S. air-transport system overloaded? What is being done to assure that planes fly safely—and on time—in the 1970s?)

The third work slowdown by air-traffic controllers in 20 months wrecked Easter vacation plans for tens of thousands of families, dealt hard-pressed airlines a heavy financial blow, and caused many to wonder about the future of U.S. air service.

Federal officials charged the 1970 slowdown was strictly a power play by the leaders of the Professional Air Traffic Controllers Organization.

PATCO's alleged goal was recognition as the bargaining agent for most controllers. It is one of six labor groups to which air-traffic personnel belong.

Members of PATCO who took part in the slowdown—about 1,800 at the peak of absenteeism—countercharged that they were only protesting bad working conditions, including some that can compromise the safety of air travelers.

Airlines, caught in the middle, cut back schedules to maintain safety standards as long as the slowdown lasted. They also made plans to sue PATCO for financial damages resulting from the mass "sick call," a device employed by controllers because they are forbidden by law to strike outright.

Not only countless travelers, but businesses, colleges, hospitals, government agencies and other institutions depending on freight and mail by air shared in the costs of the slowdown and the ensuing frustrations.

On April 2, a federal court announced an agreement had been reached between the PATCO leaders and the Government aimed at ending the work dispute. As late as April 3, however, much of the nation's airline system still was in slow motion, with flight cutbacks especially severe in the Northeastern quarter of the country.

MISTAKES IN THE 1960'S

Roots of today's troubles, aviation experts agree, go back to the early 1960s. At that time, the Federal Aviation Administration and the airlines grossly underestimated the coming boom in air travel.

The FAA thought it was overstaffed with controllers and let their numbers dwindle for nearly five years. It even closed its academy for the training of new controllers in Oklahoma City.

Equipment-improvement programs were allowed to lag. Management policies were not being adjusted to growing problems.

In the summer of 1968, the first blowup came when members of PATCO engaged in a work slowdown by following to the letter all FAA rules in directing aircraft. That was a warning that the controllers were unhappy—and increasingly organized.

In June, 1969, came the first "sickout," bringing air traffic almost to a halt in some of the busiest airports.

The current stoppage was triggered by a dispute with PATCO, when FAA ordered the transfer of three controllers from the Baton Rouge, La., airport to other facilities.

PATCO charged it was an antiunion move, since all three were PATCO members. FAA said it was a move to improve service, following pilots' complaints.

The crisis in 1969 led to appointment of a special investigating committee headed by John J. Corson, a prominent air-traffic expert.

The Corson committee made its report to Secretary of Transportation John A. Volpe last January 29, and voiced a clear warning of more turmoil. The report contained this statement:

"FAA cannot now command the full support of many members of the work force in its terminals and [route control] centers.

"Indeed, members of this committee have never previously observed a situation in which there is as much mutual resentment and antagonism between management and its employes."

Some of the complaints of air-traffic workers, and deficiencies in the airways system, are described in excerpts from the Corson committee report that are given on page 26.

Pay is not one of the controllers' major complaints. They are paid from $15,000 to $20,000 a year. Their main financial demand is said to concern a retirement plan geared more closely to an occupation where a man "burns out" after about 20 years.

"GREAT STRESS"

More basic is the reaction to a growing workload, and persistent understaffing, especially at the "route-control centers" which direct aircraft as they approach and depart from big cities.

There are 21 of these centers. Almost half of all air controllers work at them. The Corson committee found most of the discontent was in these installations, and it was here that most absenteeism occurred in the slowdown that began March 25.

Scores of individual controllers told the Corson committee of tension, anxiety and exhaustion. The committee summed up the mental state of many staffing the control centers as follows:

"There is compelling evidence that many controllers work for varying periods of time under great stress. They are confronted with the necessity of making successive decisions carrying life and death consequences within very short time frames. . . . The job, unlike most, requires constant standards of perfection, and even when traffic conditions are not particularly demanding, the controller in many facilities is anticipating a deluge which will tax his capacity to perform in a thoughtful and safe fashion."

WHEN FATIGUE HITS

A reminder of what can happen came on March 26, when the National Transportation Safety Board made public a letter by its chairman, John H. Reed, to Federal Aviation Administrator John H. Shaffer.

The board had just investigated an accident at Salt Lake City last December 3, where a small plane was caught in the turbulence of a large airliner. No one was killed, but the little plane crashed.

The Safety Board concluded the air controller had permitted the small plane to fly too close to the airliner, while both craft were making landings by instruments in bad weather.

Chairman Reed wrote that the error apparently was due to fatigue. The air controller was suffering from a cold, and had returned to work after a period of only 10 hours off duty, including five hours of sleep.

MANPOWER SHORTAGES AHEAD

As early as 1967, the FAA had reversed itself and started trying to build up its controller staff. The FAA Academy in Oklahoma now is running double shifts.

In fact, one current problem is that airport towers and control centers are cluttered with almost 5,000 academy graduates who are getting the three to four years of on-the-job training which is required to qualify them as journeyman controllers.

The Corson committee estimated that FAA needs 4,200 more people—mostly controllers—by this coming June to meet demands of rising traffic and to replace men who leave their jobs. The committee predicted, however, that no more than 3,000 can be added by that time.

This indicates no lessening of understaffing problems can be expected in the immediate future.

EQUIPMENT GAPS

Aggravating the situation are equipment gaps that will be overcome slowly, too.

Much of the present radio and radar gear is obsolete and inadequate. There is not enough of it, in some places.

FAA Administrator Shaffer predicts that Congress will soon pass the Aviation Facilities Expansion Act, providing about 2.5 billion dollars for improved hardware for the airways system. But, even with more funds, officials say, it will be several years before all the needed equipment can be installed. The best help that controllers will get any time soon will be new devices for the automated control of aircraft, employing computers.

These devices are being installed in the route-control centers and in the busiest airport towers. But the race between expanded facilities and increasing traffic will go on.

Between 1970 and 1973, traffic controlled by airport towers is expected to rise 30 per cent. At route centers, the increase is expected to be at least 20 per cent. That is about double FAA's earlier estimates.

FOR AIR CONTROLLERS

Aircraft Directed by Route-Control Centers: 1963—10.6 million; 1969—21.6 million—An increase of 104 per cent.

MORE PLANES TO WATCH

Traffic Controllers on the Job at Route-Control Centers: 1963—6,520; 1969—8,556—An increase of 31 per cent.

RESULT

With traffic doubled in six years, and less than a one-third rise in the number of controllers: higher work loads, more tension, increasing restiveness among those manning radars and other guidance aids at route centers. AND, by 1973: Another 20 per cent increase in planes under control by the route centers is forecast.

THE INADEQUACY OF IMPORTED MEAT INSPECTION

(Mr. MELCHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MELCHER. Mr. Speaker, the other day, the Meat Importers Council, which is engaged in lobbying, sent around to Members of this body the first in a series of supposedly educational articles about imported meats. This very first article was intended to show that meat shipped into the United States is flawlessly wholesome and sanitary.

If the degree of sanitary inspection of foreign meat imports is pertinent to current legislative problems—and it is, for there is a clamor to increase imported meat quotas—then the Members of Congress need a considerably more detailed knowledge of imported meat sanitation inspection than the glamour story the meat importers have presented.

As a veterinarian, I have a basic interest in our meat supply and insight into meat inspection procedures. I have been looking into them as time has permitted.

We are extremely finicky about who touches meat in our domestic plans, and our sanitary inspection assures its wholesomeness here in the United States. We have high standards in the U.S. plants that consumers can rely on to provide the best in quality and wholesomeness.

In the Nation, we have 7,050 inspectors on the Federal payroll to keep a constant eye on 1,062 plants which slaughter and/or process either meat animals or poultry. That does not include State inspectors.

The 7,050 includes 945 full-time veterinarians and 5,327 full-time "food inspectors," plus 124 veterinarians and 654 food inspectors who work intermittently, or part time. The full-time total is 6,272.

These inspectors examine every animal for health before slaughter and every carcass after slaughter which goes through a federally inspected packing plant. If the carcass meat is boned and cut for hamburger and manufacturing uses, it gets "on line" inspection of the pieces as they go into lots to be ground or flaked for use.

It is another story, however, on the imported meat side.

We import one billion, six hundred million pounds of meat per year from over 1,100 foreign licensed plants around the world authorized to sell in the United States. Most of this meat is frozen, boned-out meat, which ends up in the meat counters of the country as hamburger, bologna, weiners, or cold cuts. To inspect all of this for sanitation and wholesomeness there are 25 to 30 full-time U.S. inspectors plus part-time inspection from others, as needed, to make up to the equivalent of 75 full-time inspectors.

We rely for sanitation inspection in the foreign plants on the foreign countries. To check on them we have 15 veterinarians, known as "foreign review officers," who keep an eye on about 1,100 packing plants around the world approved to ship meat to the United States. There are more foreign plants approved than are federally inspected in this country. Those plants are all supposed to have pre-mortem and post-mortem inspection equal to ours in the United States. They are supposed to be equally sanitary.

Until a few years ago the requirement was that their inspection be substantially up to ours; now it is supposed to be equal, and we have 15 men who try to visit each of the 1,100 foreign plants at least once a year to see that they maintain standards equal to ours, 365 days a year and 366 on leap year. A few of the bigger plants get more than one visit a year, possibly two or three or even four, but I am told that because the task is such an enormous one for so few "foreign review officers," that sometimes some plants do not get visited every year. These men, by necessity, spend much of their time flying the globe from Washington to foreign lands and then traveling to the plants for their rare visits.

This force is totally inadequate to do much more than inspect the character of the plants—the architectural and engineering features, equipment and procedural arrangements, get a fleeting pre-mortem glimpse of a few live animals in holding pens, and an equally fleeting glance at some tiny fraction of the post-mortem product—far less than 1 percent, for if they stayed at the plant a whole day and watched all the meat come off the line that day it would be only about one-third of 1 percent of annual production. These 15 foreign review officers are spread so thin that their function is one of a visiting dignitary rather than the nuts and bolts of inspection for compliance with sanitary regulations.

We are dependent on the inspectors of the exporting nations for the pre-mortem and post-mortem inspections and on line examinations of meat produced there and sold several weeks later in this country.

But the proof of the pudding is in the eating and we shall now review the imported meat after several weeks on board ship after it reaches the United States.

Our next glimpse of the meat is on the docks here or at interior processing plants, and again it is just a glimpse. The one billion, six hundred million pounds of imported meat, processed, fresh, canned, cooked or frozen, inspected by the 75 inspectors is done in the United States on a random sampling basis, a tiny fraction of samples from each lot drawn at random from each shipment, that allows some minor, major, and critical defects to "get by."

Let me say that infectious disease for man or animal brought into the United States by these imports has not, to my knowledge, occurred. As a veterinarian I observe that the safeguards of the inspection system and cooking has eliminated, until now, introduction of transmissible disease. This is an area where constant review is necessary and I find on preliminary investigation that there may be need for tightening up inspec-

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tion regulations to avoid any possible introduction of disease.

But as to wholesomeness, there is no doubt in my mind that our system of inspecting the imported meat on the docks or at interior plants is an incomplete job based on a haphazard system that does not assure the American consumer wholesomeness on which he can rely.

My confidence in the inspection system is shaken because very little—less than 1 percent of the imported meat is actually inspected by U.S. inspectors and the standards themselves are set to tolerate one minor defect in each 30 pounds, one major defect per 400 pounds, and one critical defect per 3,000 pounds of the imported meat that is actually inspected.

What are some of the defects?

To mention a few—some of the more distasteful are blood clots of various sizes, ingesta or stomach contents, feces, fecal material or in a simpler term—manure. How do you like that in your hamburger?

In varying amounts these defects are acceptable and the lots of imported meat are cleared for entry into our country for processing and for sale in the meat counters and labeled "Inspected and passed by the U.S. Department of Agriculture."

The procedure by steps is as follows:

When a refrigerated boatload of imported meat arrives at a dock in the United States, stevedores unload the cargo on the dock and it is sorted into lots, or consignments to U.S. purchasers.

If it is manufacturing meat—to go into hamburger, weiners, sausage or processed products, it is frozen into 50 pound blocks. If it is meat cuts, it is frozen in boxes of irregular total weight.

When the lots, lifted out of the hold of the ship on pallets, are sorted in the outdoor temperatures of the dock into lots, our inspector makes a random selection of boxes—considerably less than 1 percent of all the meat from which samples are to be thawed and inspected. Some pallets have to be dismantled to get at a box in the center. There is pressure, of course, in most instances, to get the job done quickly and the meat on into refrigerated storage before it starts to thaw.

As soon as the random samples have been selected, they are marked and sent by truck to the inspection station, other cartons are stamped "passed" and put in refrigerated railroad cars, trucks, or occasionally in warehouses to be held until the inspection procedures have been completed. Pressure continues of course to get the meat moving. If a consignment fails to pass inspection, and about 1¼ percent of fresh frozen meat does fail, it has to be reassembled and shipped back out of the United States, no one knows where except the shippers.

When the random samples reach the inspection station, generally within a half mile of the dock, it is on a truck with a driver supplied by the importer, and not always locked. Samples of meat are then taken out of the random selection of boxes. If it is a box of meat cuts, it is one of the four or five cuts usually in a box. If it is a 50 pound block of manufacturing meat, a four-inch slice, or two 2-inch slices comprising about 24 percent of the block are sawed out with a band saw.

These samples are then put in plastic bags, immersed in 125° circulating water, and thawed out. Once thawed they are further sliced and inspected for defects as representative samples of the whole consignment or shipment. The final inspection is on a very small fraction—less than 1 percent of the meat entering the United States.

I offer for the record, to appear at the end of my remarks, the Department of Agriculture's form CP–450 which outlines the various sampling plans for Boneless Manufacturing Meats Other Than Pork, which includes beef and mutton.

This is a table which indicates how many samples are to be drawn from various sizes of lots, how many pounds are to be examined in a first step inspection, and then a second step examination if it fails to pass the first test, and how many major or critical defects make the lot acceptable or cause its rejection.

In lots over 8,000 pounds, two steps are provided in the inspection process. If a first group of samples contain too many defects to pass inspection, but not enough for rejection, then a second group of samples is inspected.

In a lot of 24,000 to 59,999 pounds, 15 samples weighing 180 pounds are inspected in the first step. Six defects are acceptable, but 12 disqualify it. If the number of defects found by the inspector in this first step exceed the six acceptable but are less than the 12 which cause rejection, then another 180 pounds is inspected. This time there is no "in-between." If there are 18 or less defects it is accepted. If there is one more than 18, it is rejected. In the 1,332 pounds of samples inspected in the two steps on a lot of 500,000 to less than 1 million pounds, 45 defects are acceptable and 46 cause rejection.

There is a differentiation as to minor, major and critical defects. One critical defect found in 804 pounds of samples from a lot of up to 500,000 pounds causes rejection. Over 500,000 pounds, one critical defect found in 1,332 pounds is acceptable but 2 rejects. In a lot over 1 million pounds, two critical defects in 2,640 pounds of sample are accepted but three rejects. The mathematicians say this amounts to the tolerances I have stated: 1 minor defect to 30 pounds, 1 major defect in 400 pounds, and one critical defect in 3,000 pounds.

What are the minor, major and critical defects?

I offer for the record at the end of these remarks the official table on them. Briefly, blood clots, bruises, bone fragments, extraneous material, hair, wool, or hide, stains and some other defects can classify as minor, major, or critical, depending on their extent.

Ingesta—stomach contents—covering less than a ½-inch diameter is a major defect and ingesta covering an area more than ½ inch in diameter is critical.

Fecal material—manure—in any amount is a critical defect and the tolerance is 1 such defect in 3,000 pounds discovered in shipment lots of 500,000 pounds or more. Are we to believe that manure in the hamburger or bologna is all right as long as it is well mixed in big batches of meat?

Pathological lesions are critical defects—1 in 3,000 pounds, but may be downgraded to major defects—1 in 400 pounds—if they are not likely to affect the usability of the product for its intended purpose.

If any lesions, ingesta or fecal matter were found in or on a carcass or piece of meat in our on line inspection in the United States, the meat would be rejected and either reprocessed to be wholesome or removed from any food use.

I have reviewed in this discussion only the sampling plan for boneless meats other than pork, which means beef, lamb and mutton. Somewhat larger samples are required in the case of fresh cuts, because less surface is susceptible to inspection.

What are the results of this type of inspection of meats supposedly exported to us out of 1,100 foreign plants with inspection supposedly "equal" to ours—plants checked out about once a year by one of our 15 foreign review officers?

On these standards, in fiscal year 1969, we rejected 17,058,250 pounds of imported meat—a little less than 1 percent of beef offered and more than 9 percent of lamb and mutton sent to the United States. The total passed for entry was 1,057,583,305 pounds.

It is difficult for me to believe that foreign inspection is truly equal to our inspection, when meat reaches our shores with many of the defects observed in meat both rejected and passed by our inspectors.

I have examined the hand-written records of each individual rejection—which have only recently been tabulated so that the total rejections could be subtracted from shipments passed under import quotas—and defects which had to exist and be visible when the meat left foreign shores appear on every page of the records.

Sometimes cysts and pathological conditions are only exposed when a sample is sliced—they could get by on line inspection of every carcass and cut in a slaughter plant because they are within the meat. Carton damage and spoilage can occur en route on the ship.

But hair, insects, ingesta, manure, slaughter floor dirt and some other defects were neither invisible when shipped nor acquired on the boat on the way across the ocean. In my judgment meat that required even 1 percent of rejections for wholesomeness under the considerably less-than-perfect inspection procedures we have for imported meats could not have had the sort of inspection it should have been given when it was slaughtered and packed.

In the most commonly sized lot of meat, which is the 24,000 to 59,999 pound lots, less than one-half of 1 percent of the meat is actually inspected by U.S. inspectors—in a million-pound lot, less than three one-thousandths. No computer expert can convince me that this sort of sampling guarantees that every pound runs less than one minor defect per 30 pounds, one major defect per 400 pounds or one glob of manure per 3,000 pounds.

If a poker player happens to get three of a kind in the first five cards he draws at an evening of poker, it certainly does not mean he is going to draw three of a kind every hand.

The random sample is scant and not adequate to protect consumers.

Secondly, the conditions under which the sampling and the inspection is conducted are not conducive to the careful work. There is nearly always an urgency to rush through the job, a pressure to get it done.

The meat cannot be left out in the sun on the dock, and it can rarely be moved into a refrigerated warehouse for holding—after the samples are selected at random much of it goes into railraod cars and trucks, waiting on the inspectors to be allowed to roll out.

At a few ports refrigerated holding storage is available, but at most places storage charges must be paid for 30 days minimum.

At Charleston, S.C., where more than 2 days of free storage is made available by the port authority, I believe that I discovered from the manual record of rejections that they ran comparatively high there—and officials confirmed it.

This is certainly circumstantial evidence that if the import inspections were made in the absence of great time pressure rejections would rise quite perceptibly.

The trucking of the random-selected samples from the dock to inspection station in a vehicle with a driver supplied by the importer can be questioned. The cartons are marked, and I am told that the vehicles could be locked and sealed during this time, the samples move between the inspector on the docks to the inspector at the station. But this is apparently not the general practice.

Hanky-panky with the samples would be dangerous business, and is unlikely, but meat inspection, like Caesar's wife, should be completely beyond suspicion.

Finally, I am not at all satisfied with the procedures by which we assure equal inspection abroad; the more I study the results of inspections of the imported meat the more I feel we should add a good many men to the pitifully small staff of 15 foreign review officers who are now charged with assuring that 1,100 packing plants in Australia, New Zealand, Central America, Mexico, Ireland, and other lands maintain day-to-day, online inspections up to our U.S. standards.

And if we devoted more than the equivalent of 75 part-time inspectors to inspect the 1,600 million pounds of meat which are imported into the United States in a year—which is again a totally inadequate force, in my opinion—I have no doubt there would be much more reason to worry about the inadequacy of our foreign review force.

We are playing roulette with imported meat inspection—perhaps not Russian roulette, which can be fatal—but certainly roulette with every aspect of wholesomeness, from manure on up, to down.

This is absolutely not the fault of the U.S. inspectors; I am sure that they are doing the very best job they can. We have given them only a handful of chips and told them to clean out all the roulette tables, dice, poker, and faro games in Reno, Las Vegas, and on the Riviera.

At home, we have 7,000 people to watch 1,050 plants.

Abroad, we have 15 people to watch more than 1,100 plants, plus 75 at ports to catch what they miss.

At home, we currently forbid even the cutting and packaging of meat for a farmer-producer by little community locker plants or butcher shops in the retail business although the establishments are visited and viewed regularly by the people to who meat is sold to be cooked and put on the table. I think this is being excessively stringent on the domestic side.

But, with most slaughtered meat abroad, we pay random selection roulette—and you do not take much time picking your number; we have got to get this cargo of meat moving along before it thaws out and spoils, or before we have to pay out a lot of demurrage which eats up our profits to the railroad or the trucking company.

It is not a perfect system, and you can make mine domestic meat.

Rather than more imports, I suggest we had better get adequate inspection of what is already coming into this country.

SAMPLING PLANS FOR BONELESS MANUFACTURING MEATS OTHER THAN PORK

Lot size (pounds)	Plan No.	Step No.	Number of sample units	Pounds examined	Accept and reject criteria					
					Major		Critical		Total	
					Accept	Reject	Accept	Reject	Accept	Reject
1,000 or less	[1] 5		3	36	0	1	0	1	1	2
8,000 or less	10		6	72	0	1	0	1	5	6
8,000 to but not including 24,000	15	1	9	108	0	2	0	1	4	8
		2	3	36						
Total			12	144	1	2	0	1	8	9
24,000 to but not including 60,000	20	1	15	180	0	3	0	1	6	12
		2	15	180						
Total			30	360	2	3	0	1	18	19
60,000 to but not including 240,000	25	1	22	264	0	4	0	1	9	16
		2	25	300						
Total			47	564	3	4	0	1	26	27
240,000 to but not including 500,000	30	1	27	324	0	4	0	1	10	19
		2	40	480						
Total			67	804	4	5	0	1	35	36
500,000 to but not including 1,000,000	[2] 35	1	33	396	0	5	0	2	12	21
		2	56	672						1
Total			89	1,068	5	6	1	2	45	46
500,000 to but not including 1,000,000	[2] 40	1	40	480	0	6	0	2	15	25
		2	71	852						
Total			111	1,332	6	7	1	2	56	57
1,000,000 and over	[2] 45	1	72	864	3	7	0	2	32	41
		2	48	576						
Total			120	1,440	6	7	1	2	60	61
1,000,000 and over	[2] 50	1	120	1,440	4	9	0	3	41	63
		2	100	1,200						
Total			220	2,640	11	12	2	3	105	106

[1] To be used only upon request of plant management or import broker.

[2] Alternate plan for the applicable lot size for reinspection of rejected lots and for lots.

TABLE I.—DESCRIPTION OF DEFECTS

	Defect code	Defect class
Blood clots: 1½ to 6 inches greatest dimension.	100	Minor.
Blood clots: More than 6 inches in greatest dimension, or numerous (over 5) minor blood clots in one sample unit (do not score as minor defects also) that do not seriously affect the usability of the product.	101	Major.
Blood clots: 1 or more occurring in such number or size as to seriously affect the usability of the product.	102	Critical.
Bruises: Less than 2½ inches in greatest diameter and less than 1 inch deep.	100	Minor.
Bruises: More than 2½ inches in greatest diameter or more than 1 inch deep, or numerous (over 5) minor bruises in one sample unit (do not score as minor defects also) that do not seriously affect the usability of the product.	101	Major.
Bruises: 1 or more occurring in such number or size as to seriously affect the usability of the product.	102	Critical.
Bone fragments: Less than 1½ inches in greatest diameter. Exclude the following: (1) Thin bone scrapings less than 1/32 inches thick by ⅛ inch wide by 3 inches long attached to muscle tissue; (2) thin flexible bone slivers, either attached to or detached from muscle tissue less than ¼ inch wide and ¾ inch long; (3) thin bone fragments or chips either attached to or detached from muscle tissue that crumble easily and are less than ¾ inch in greatest diameter.	150	Minor.
Bone slivers (from rib): Less than 3 inches long and less than ¼ inch in greatest diameter and flexible, or a cartilage or bone chip from a rib end more than ¾ inch in greatest dimension that is thin and crumbles easily, and that may or may not have attached muscle tissue.	150	Do.
Bone fragments: 1½ inches or more in greatest dimension, or numerous (over 5) minor fragments in 1 sample unit (do not score as minor defects also) that do not seriously affect the usability of the product.	151	Major.

	Defect code	Defect class
Bone fragments: 1 or more occurring in such number or size as to seriously affect the usability of the product.	152	Critical.
Detached cartilage, ligaments: 1 inch or more long and free of muscle tissue. (Also see bone slivers (from rib) code 150.)	200	Minor.
Detached cartilage, ligaments: Numerous (over 5) minor defects in 1 sample unit (do not score as minor defects also) that do not seriously affect the usability of the product.	201	Major.
Detached cartilage, ligaments: Defects occurring in such number as to seriously affect the usability of the product.	202	Critical.
Ingesta: Covering an area ½ inch or less in greatest dimension.	251	Major.
Ingesta: Covering an area more than ½ inch in greatest dimension.	252	Critical.
Fecal material: Any amount	252	Do.
Harmful extraneous material: Any organic or inorganic substance that could singly or in aggregate cause minor bodily irritation or discomfort (e.g., chemicals that may cause mild reaction, hard objects that are not likely to cut or bruise, etc.).	301	Major.
Harmful extraneous material: Any organic or inorganic substance that could singly or in aggregate cause injury or illness (e.g., poisonous or toxic chemicals, sharp pieces of metal, glass, hard plastic, etc.).	302	Critical.
Harmless extraneous material: Paper or plastic wrap 7 square inches or less, specks of rail dust or similar material covering area between ⅛ to ½ inch in greatest diameter, single wild oats and other grass beards not associated with inflammatory conditions.	350	Minor.
Harmless extraneous material: Such as blunt piece of wood 1 inch or more long, paper or plastic over 7 square inches, specks of rail dust or similar material covering an area with a greatest diameter exceeding ½ inch. Numerous (over 5) minor defects in a sample unit that do not seriously affect the usability of the product.	351	Major.
Harmless extraneous material: Large insect and insects associated with insanitation or any other material that occurs in such number or size as to seriously affect the usability of the product.	352	Critical.
Hair, wool, or hide: Hide with or without attached hair or wool less than ½ inch in greatest diameter, 1 cluster of hair or 1 to 5 single strands of hair or wool equals a defect. When a second step is necessary, total the number of hairs or wool from steps 1 and 2 to determine the number of hair defects.	400	Minor.
Hair, wool, or hide: Hide with or without attached wool ½ inch or more in greatest diameter, numerous (over 25) single strands of hair in 1 sample unit (do not score as minor also), numerous (over 5) clusters of hair in 1 sample unit (do not score as minor also), provided none of the above seriously affects the usability of the product.	401	Major.
Hair, wool, or hide: Hair, wool or hide that occurs in such amount as to seriously affect the usability of the product.	402	Critical.
Off condition	452	Do.
Pathological lesions: May be classified as major defects when they individually or in aggregate do not seriously affect, or are likely to seriously affect the usability of the product for its intended purpose. Examples of this are singly occurring deep seated encapsulated abscesses or parasitic cysts in frozen meat and such conditions as tissue degenerations and scar tissue. All proposals to downgrade pathological lesions from critical to major defects are to be referred to PFID for decision.	501	Major.
Pathological lesions: Any lesion unless excepted as noted under code 501.	502	Critical.
Stains, discolored areas: Covering an area ½ to 1½ inches in greatest diameter.	600	Minor.
Stains, discolored areas: Covering an area more than 1½ inches in greatest diameter, or numerous (over 5) minor stains in one sample unit (do not score as minor defects also) that do not seriously affect the usability of the product.	601	Major.
Stains, discolored areas: Minor or major areas occurring in such number as to seriously affect the usability of the product	602	Critical.
Other: A defect that individually or in aggregate affects the appearance of the product but is not likely to affect its usability	800	Minor.
Other: A defect that individually or in aggregate materially affects the usability of the product	801	Major.
Other: A defect that individually or in aggregate seriously affects the appearance or usability of the product	802	Critical.

RESIGNATION OF LEAA ADMINISTRATOR CHARLES H. ROGOVIN

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASCELL. Mr. Speaker, the resignation of Charles H. Rogovin as Administrator of the Law Enforcement Assistance Administration is an event of deep significance to the Federal Government's anticrime efforts.

First, the Law Enforcement Assistance Administration and the Department of Justice lose an extremely capable and articulate exponent of an enlightened approach to problems in the criminal justice system. In his short tenure as Administrator of LEAA, Mr. Rogovin accomplished much toward establishing LEAA as a credible partner of State and local governments in the fight against crime.

Mr. Rogovin's loss to the Justice Department and to LEAA is quite significant for another important reason. He brought to LEAA a 10-year experience in the criminal justice field including service as Assistant Director of the President's Commission on Law Enforcement and the Administration of Justice. Mr. Rogovin led the Commission's Organized Crime Task Force in 1967, whose report serves as a clear warning of the threats posed by organized crime to our democratic institutions.

Mr. Rogovin also served as Assistant Attorney General for the State of Massachusetts, leading the organized crime section during a 2-year period from 1967 to 1969.

The House Government Operations Subcommittee on Legal and Monetary Affairs, which I chair, in its study of the Federal effort against organized crime, has too frequently and sadly discovered that Federal executives with an awareness of the dangers posed by organized crime and a willingness to activate their agencies against it are in short supply. Mr. Rogovin is one of the select few with such attributes.

For this reason and because most of our States are sorely in need of guidance in this area, I am dismayed by the resignation of Mr. Rogovin and by the conditions which brought it about.

At this juncture, one must ask what those conditions were and what must be done to prevent them from recurring. A mission as important as that which the Congress has given to LEAA cannot afford to be burdened with an administrative structure which impedes the flow of policy and the efficiency of management. In all candor, the Congress is partly to blame for its drafting of title I of the Omnibus Crime Control and Safe Streets Act of 1968. While assigning a higher grade and salary to the Administrator as compared with those assigned to the two Associate Administrators of LEAA, Congress did not specifically clarify that the Administrator should have the sole administrative responsibility. The effect apparently was to allow the act to be construed to require unanimity of the Administrator and the two Associate Administrators in all policy and administrative matters—a pure "troika" structure.

However, the Congress need not have been the only source of remedies for these problems. Insofar as the Attorney General has powers which are not reposed in LEAA, he could have used them to clearly establish that the Administrator was the operational head of LEAA. The Attorney General could have insisted that the prestige of his office stands behind the Administrator on operational matters. In summary, by the powers vested in his office, the Attorney General could have obviated the conditions which are now hampering the efficient operation of LEAA. His failure to do so is indeed unfortunate. The Attorney General's lack of action has caused a setback to the Nation's crime fight and to State and local confidence in the Federal Government's ability to assist in this field.

In the final analysis it is the public, as the ultimate beneficiary of the funds dispensed by LEAA, which suffers from the conditions I have stated. I hope the Attorney General will immediately implement corrective action and communicate to the Congress those actions he takes.

The Legal and Monetary Affairs Subcommittee is very much concerned with the problems now hampering the operations of LEAA.

ADM. THOMAS MOORER, CHAIRMAN OF JOINT CHIEFS OF STAFF

(Mr. NICHOLS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. NICHOLS. Mr. Speaker, it was with a great deal of pride and pleasure that I learned yesterday that Adm. Thomas Moorer has been appointed Chairman of the Joint Chiefs of Staff. This distinguished military officer is a native of my State of Alabama and has served his Nation continuously and with honor since graduating from the Naval Academy in 1933. For the past two and a half years, he has been Chief of Naval Operations, and it is only fitting that he should be elevated to our Nation's top military post.

I know that I speak for all Alabamians and all Americans when I congratulate Admiral Moorer and wish him well in the very difficult job he is about to assume.

Mr. Speaker, I insert in the RECORD at this point a biography of Admiral Moorer which lists his accomplishments during his military career:

ADM. THOMAS H. MOORER, U.S. NAVY

Thomas Hinman Moorer was born in Mount Willing, Alabama, February 9, 1912, son of

XUM

the late Dr. R. R. Moorer and the late Mrs. (Hulda Hill Hinson) Moorer. He was graduated from Cloverdale High School in Montgomery, Alabama, Valedictorian of the Class of 1927, and on June 10, 1929, entered the U.S. Naval Academy. As a midshipman he played football for three years. He was graduated and commissioned ensign on June 1, 1933, and through subsequent promotions attained the rank of rear admiral to date from August 1, 1958; vice admiral, to date from October 5, 1962 and admiral, to date from June 26, 1964.

After graduation in June 1933, he served six months on board the U.S.S. *Salt Lake City* as a junior officer in the gunnery department. He assisted in fitting out the U.S.S. *New Orleans* at the Navy Yard, New York, and served in that cruiser's gunnery and engineering departments from her commissioning, February 15, 1934, until detached in June 1935. During the next year he was a student at the Naval Air Station, Pensacola, Florida. After completing flight training in July 1936 he was designated a Naval Aviator.

In August 1936 he was assigned to Fighting Squadron One-B, based briefly on the U.S.S. *Langley* and later on the U.S.S. *Lexington*. He was transferred in July 1937 to Fighting Squadron Six, based on the U.S.S. *Enterprise*, and continued duty with that squadron until August 1939. He then joined Patrol Squadron Twenty-Two, a unit of Fleet Air Wing Two, and later Fleet Air Wing Ten, and was with that squadron at Pearl Harbor, Territory of Hawaii, when the Japanese attacked the Fleet there on December 7, 1941. His squadron was sent to the Southwest Pacific and during the Dutch East Indies Campaign, he was shot down in a PBY on February 19, 1942, north of Darwin, Australia. He was rescued by a ship which was sunk by enemy action the same day.

He was also awarded the Purple Heart Medal for wounds received on February 19, 1942, and the Silver Star Medal for "extremely gallant and intrepid conduct as Pilot of a Patrol Plane during and following an attack by enemy Japanese aircraft in the vicinity of Cape Diemen, February 19, 1942. . ." The citation continues: ". . . Although he and his co-pilot were wounded in the attack, (he) succeeded in landing his badly damaged and blazing plane. His courage and leadership during a subsequent attack upon the rescue ship and while undergoing hardships and dangers of returning the survivors to the Australian mainland were in keeping with the highest traditions of the United States Naval Service."

He is entitled to the Ribbon for, and a facsimile of the Presidential Unit Citation to Patrol Squadron Twenty-Two. The citation follows: "For extraordinary heroism in action as a Unit of Patrol Wing Ten attached to Aircraft, U.S. Asiatic Fleet, operating against enemy Japanese forces in the Philippine and Netherlands East Indies Areas from January 1942 to March 3, 1942. Holding fast to their courage as the Japanese ruthlessly hunted them down the Pilots of (that squadron) doggedly maintained their patrols in defiance of hostile air and naval supremacy, scouting the enemy and fighting him boldly regardless of overwhelming odds and in spite of the crushing operational inadequacies existing during the first months of the war . . ."

Between March and June 1942, he served with Patrol Squadron One Hundred One and was awarded the Distinguished Flying Cross. The citation follows: "For extraordinary achievement and heroic conduct as commander of a patrol plane on a hazardous round-trip flight from Darwin, Australia to Beco, Island of Timor, on the afternoon and night of May 24, 1942. In an undefended, comparatively slow flying boat, Lieutenant Moorer braved an area dominated by enemy air superiority, effected a precarious landing in the open sea at dusk and took off at night in the midst of threatening swells, with a heavily loaded airplane. His superb skill and courageous determination in organizing and executing this perilous mission resulted in the delivery of urgently needed supplies to a beleaguered garrison and the evacuation of eight seriously wounded men who otherwise might have perished."

After his return to the United States in July 1942, he had temporary duty from August of that year to March of the next in the United Kingdom, as a mining observer for the Commander in Chief, U.S. Fleet. He then fitted out and assumed command of Bombing Squadron One Hundred Thirty-Two, operating in Cuba and Africa from its base at Key West, Florida, Boca Chica Air Base. Detached from that command, he served as gunnery and tactical officer on the staff of Commander Air Force, Atlantic, from March 1944 to July 1945.

He was awarded the Legion of Merit: "For meritorious conduct . . . as Force Gunnery and Tactical Officer on the staff of Commander Air Force, Atlantic Fleet . . ." The citation states that he "planned and supervised the development and practical application of tactics, doctrines and training methods relating to anti-submarine warfare and gunnery; supervised many experimental and developmental projects; and coordinated information on enemy tactics and countermeasures . . . By his outstanding executive ability, Commander Moorer contributed materially to the combat effectiveness of aircraft in anti-submarine warfare . . ."

From August 1945 until May 1946, he was assigned to the Strategic Bombing Survey—Japan—of the Office of the Chief of Naval Operations, engaged in the interrogation of Japanese Officials. For two years thereafter, he served as executive officer of the Naval Aviation Ordnance Test Station, Chincoteague, Virginia. He next had duty afloat as operations officer of the U.S.S. *Midway* (July 1948–November 1949), and as operations officer on the staff of Commander Carrier Division Four, Atlantic Fleet (December 1949–July 1950).

Reporting in August 1950 to Inyokern, California, he served for a year as experimental officer of the Naval Ordnance Test Station. During the year following, he was a student at the Naval War College, Newport, Rhode Island, and in August 1953, again reported for duty on the staff of Commander Air Force, Atlantic Fleet. In May 1955 he was ordered to the Navy Department to serve as aide to the Assistant Secretary of the Navy (Air) and in July 1956 was detached to sea duty as commanding officer of U.S.S. *Salisbury Sound* (AV-13).

On July 26, 1957 his selection for the rank of Rear Admiral was approved by the President and in October, the same year, he reported as Special Assistant, Strategic Plans Division, Office of the Chief of Naval Operations, Navy Department. From January 1, 1958 until July 1959, he was Assistant Chief of Naval Operations (War Gaming Matters), after which he commanded Carrier Division SIX. He returned to the Office of the Chief of Naval Operations in November 1960 and served as Director of the Long Range Objectives Group until October 1962 when he assumed command of the Seventh Fleet. For his service in this assignment he was awarded the Distinguished Service Medal. In June 1964 he became Commander in Chief of the Pacific Fleet. Admiral Moorer assumed command of NATO's Allied Command, Atlantic, the U.S. unified Atlantic Command, and the U.S. Atlantic Fleet on April 30, 1965.

On June 17, 1967, he was awarded a Gold Star in lieu of a second Distinguished Service Medal: "For exceptionally meritorious service as Commander in Chief Atlantic, Commander in Chief U.S. Atlantic Fleet, Commander in Chief Western Atlantic Area, and Supreme Allied Commander Atlantic . . ." The citation states in part, "During the Dominican Republic Crisis of 1965–66, he directed military operations with utmost professionalism, judgment and diplomacy, resulting in a cease-fire, politico-military stabilization of the situation . . . and finally the orderly and peaceful withdrawal of U.S. forces . . ." The citation continues: "As Supreme Allied Commander Atlantic, Admiral Moorer foresaw the need, and initiated a major revision in NATO maritime strategy . . . his development of the concept of a standing naval force for the Allied Command Atlantic; and his assistance in establishing the Iberian Atlantic Command Headquarters resulted in major contributions to the North Atlantic Treaty Organization . . ."

On June 3, 1967, he was named by President Johnson to succeed Admiral David L. McDonald, USN, as Chief of Naval Operations, Navy Department. Admiral Moorer became the eighteenth Chief of Naval Operations on August 1, 1967.

On January 13, 1969, he was awarded a Gold Star in lieu of a Third Award of the Distinguished Service Medal "For exceptionally meritorious service as Chief of Naval Operations from August 1967 to January 1969." The citation indicates that "Admiral Moorer provided forceful and aggressive leadership . . . during a period of increasing worldwide commitments and continuous combat operations against enemy forces in Southeast Asia."

He was reappointed Chief of Naval Operations by President Nixon on June 12, 1969.

In addition to the Distinguished Service Medal with two Gold Stars, Silver Star Medal, Legion of Merit, Distinguished Flying Cross, Purple Heart Medal, and the Ribbon for the Presidential Unit Citation to Patrol Squadron Twenty-Two, Admiral Moorer has the American Defense Service Medal with star; American Campaign Medal; Asiatic-Pacific Campaign Medal with two stars; European-African-Middle Eastern Campaign Medal; World War II Victory Medal; Navy Occupation Service Medal, Europe and Asia Clasps; China Service Medal; National Defense Service Medal with bronze star; Armed Forces Expeditionary Medal; Vietnam Service Medal; Philippine Defense Ribbon; and the Republic of Vietnam Campaign Medal with device. In May 1964 he was awarded the Stephen Decatur Award for operational competence by the Navy League of the United States and on June 3, 1968 Admiral Moorer was awarded the Honorary Doctor of Laws Degree by Auburn University, Auburn, Alabama.

He also has been decorated by ten foreign governments: Portugal (Military Order of Aviz), Greece (Silver Star Medal, First Class), Japan (Double Rays of the Rising Sun), Republic of China (Medal of Pao-Ting) and (Medal of Cloud and Banner with Special Grand Cordon), Philippines (Legion of Honor), Brazil (Order of the Naval Merit, Grande Oficial), Chile (Gran Estrella al Merito Militar), Venezuela (Order of Naval Merit 1st Class), Republic of Korea (Order of National Security Merit, 1st Class), Netherlands (Grand Cross, Order of Oranje-Nassau with Swords).

Admiral Moorer is married to the former Carrie Ellen Foy of Eufaula, Alabama. He has four children, Thomas Randolph, Mary Ellen (Mrs. David Butcher), Richard Foy, and Robert Hill Moorer. His official residence is 402 Barbour Street, Eufaula, Alabama.

CHIEF JUSTICE SHOULD DELIVER SPEECH ON THE STATE OF THE JUDICIARY TO JOINT SESSION OF CONGRESS

(Mr. SCHWENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

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Mr. SCHWENGEL. Mr. Speaker, on the 22d of November in 1800 the President of the United States, making the first speech at the Capitol, said:

> I cannot omit once more to recommend to your serious consideration the judiciary system of the United States. No suggestion is more interesting than this to the public happiness, and to none can those improvements which may have been suggested by experience, be more beneficially applied.

So spoke John Adams when the Capitol was moved to Washington.

In response to this and in response to the suggestion by the present Chief Justice of the Supreme Court I am today, along with several colleagues, Mr. GROSS, Mr. KYL, Mr. MAYNE, and Mr. TAFT, introducing a resolution to call for a joint session of Congress and invite the Chief Justice to come here and speak to us on the state of the judiciary.

Mr. Speaker, the courts of this Nation face a crisis. The dockets of our urban courts, both Federal and State, are crowded and the backlog grows.

The problem may be spreading to other areas, especially as population growth continues. Trials long delayed present a serious problem of harm to criminal defendants and to the public, as well as to all sides in civil litigation. And the courts are under a concerted attack from the radical left which apparently intends by disruptive tactics to bring them to a halt.

Public confidence has been weakened because of recent disclosures, which have reached to members of the highest court in the land.

Extraordinary times require that we be bold in seeking resolution of these problems. But today I recommend to the House not a bold innovative reform, not a far-reaching solution, not a precedent shattering proposal. All that must await study which is going forward today—in the American bar associations, in State and local bar groups, in judicial conferences.

What I propose is quite limited, but it is a first step from which we can all form to march forward to solutions. At the pinnacle of the American legal system stands the Chief Justice of the United States. It is not only his responsibility to lead our High Court in its decisionmaking, but also he is really administrative head of our Federal courts and leader of the Judicial Conference. His perspective is that ranging over the entire system—the strong points and the soft. His experience and reflections and perspective would provide noteworthy examples for the States struggling with the same problems as are the Federal courts.

And yet we make inadequate use of the Chief Justice's nonjudicial, essentially administrative expertise. Congress annually receives the report of the Judicial Conference which contains useful basic information and statistical data. Although it is printed as a House document I am sure it goes largely unnoticed in the mountain of paperwork issued by Congress.

We need to increase the visibility of the Chief Justice and the thoughts of the Judicial Conference. We must increase public awareness of the necessities. We must educate ourselves and the public, because without the awareness and the education we may well not make the expenditures and the legislative revisions which will be required.

The proposal, then, is a simple one. We are all familiar with the President's state of the Union message. Why not a state of the judiciary message by the Chief Justice? He could inform us of the problems and suggest solutions. He could open a dialog between Congress and the administrative side of the courts. Budgetary problems could be explained forthrightly. The thinking of the Judicial Conference on matters like staffing, facilities, selection, retirement, and other matters could be presented. The question of revising the jurisdiction of the Federal courts, perhaps along the lines of the recent American Law Institute proposals, could be discussed frankly and clearly.

The point, Mr. Speaker, is that there are innumerable subjects about which the Chief Justice could speak which would in no way get us into problems of separation of powers. The Chief Justice would not discuss or allude to litigation or to matters solely within the prerogatives of the Federal courts. The things I have in mind relate to those matters on which the Congress does and must legislate in any event. Both Houses have passed bills increasing the number of judges. In a recent Congress we abolished the commissioner system in the Federal district courts and created a system of magistrates. Congress has delegated rulemaking powers but reserved the right to alter rules by statute. A member of the Court, as well as administrative personnel, regularly appears before the appropriations committees with regard to the budget of the judiciary.

In addition, it is general knowledge that Chief Justice Taft was the moving spirit behind the Judiciary Act of 1925 which allowed the Supreme Court to regulate its caseload through its certiorari jurisdiction. Taft was also active in other matters affecting the Federal judiciary.

Thus, I believe it would be wholly proper and appropriate for the Chief Justice to appear before us to set out the problems and needs of the Federal judiciary. After all, the principle of separation of powers is not that each branch of our Government is tightly shut off from the others; it is that they deal at arms length with each other. There are many areas of mutual accommodation. While Congress is the source of the revenues without which the courts cannot function and while Congress must make the statutory changes to enable the courts to keep abreast of the times, it is incumbent that we be fully and completely informed of the thinking of the judges and judicial administrators.

That is all I propose. I think we would be well advised to adopt the proposal.

THE PRESIDENT'S SUPREME COURT APPOINTMENT

(Mr. QUILLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. QUILLEN. Mr. Speaker, yesterday the President went to Minnesota to find a new Associate Justice of the Supreme Court.

And the appearances are that he made an excellent choice.

In fact, I would say that from most respects Judge Blackmun is qualified to serve on the Supreme Court as were Judge Haynsworth and Judge Carswell. Much to my regret, he is not a southerner.

Because he is not a southerner, I expect that he will be quickly confirmed.

Mr. Speaker, that brings me to my point, which is the same as the President's—no southerner, it appears, can be appointed to the Supreme Court so long as the composition of the Senate remains unchanged.

There is a southern bias in the Senate. It is evident, it is obvious. Northern liberal Senators are deliberately doing what they accuse others of: they are polarizing and separating the Nation along regional and geographic lines. They are defying and thwarting the President's efforts to bring this country together. Mr. Speaker, I wish to go on record that as one Member of the Congress from the South, I personally resent this narrow northern attitude and will do whatever I can to fight it.

Perhaps after November, or when Justice Douglas is impeached, it will be possible for a southerner to be nominated and confirmed to the Supreme Court. It is about time.

STRATEGIC ARMS LIMITATION TALKS

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ROTH. Mr. Speaker, tomorrow at Vienna, Austria, the United States and the Union of Soviet Socialist Republics will open talks which could result in the most critical negotiations on arms and other matters ever undertaken and it is my belief that this body—representative of all Americans—should note the beginning of these talks with a resolution of support and of hope that they result in understanding which will benefit the cause of national security and world peace.

The resolution which I am introducing at this time does express the unreserved support of this body for the strategic arms limitation talks.

The Government of the United States enters these discussions with representatives of the Soviet Union with serious purpose.

We cannot accurately predict what these talks might fully achieve; they may, in fact, end without any success.

We know success does not arise from weakness and that peace does not come through wishing for it.

We recognize these talks are likely to be long and complicated. In my mind, however, the constructive atmosphere of the initial talks in Helsinki is a good sign for the future; I am certain my colleagues share my hope that the same atmosphere and down-to-earth negotiations continue in Vienna.

Our hopes are that in the future the wealth of nations—of all nations—can be transferred safely and without fear from the building of arms. It is with that intent and with the hope that the beginning in Vienna is a moment in history which sets a course for good for the centuries, that I offer this resolution and urge its support by all Members:

H. Res. 919

A resolution expressing the support of the House of Representatives with respect to the strategic arms limitation talks, and for other purposes

Whereas the preparations for the Strategic Arms Limitation Talks have involved the most intensive study of strategic arms problems ever made by the Government of the United States of America or any other government;

Whereas the Government of the United States of America and the Government of the Union of Soviet Socialist Republics open talks on April 16, 1970, which could result in agreement to limit arms and other matters: Now, therefore, be it

Resolved, That the House of Representatives hereby expresses its unreserved support for the talks which begin April 16, 1970, on the limitations of strategic arms between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics.

Be it further resolved, That it is the sense of the House of Representatives that—

(1) prompt negotiations between the Governments of the United States of America and of the Union of Soviet Socialist Republics to seek agreed limitations of both offensive and defensive strategic weapons should be urgently pursued; and

(2) the President should in such negotiations propose to the Government of the Union of Soviet Socialist Republics an immediate suspension by the United States and by the Union of Soviet Socialist Republics of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or such other measures of observation and inspection as may be appropriate.

CONDUCT OF ASSOCIATE JUSTICE DOUGLAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. GERALD R. FORD) is recognized for 60 minutes.

CALL OF THE HOUSE

Mr. HOWARD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 78]

Abbitt
Anderson, Tenn.
Ashbrook
Ayres
Baring
Barrett
Bolling
Bow
Broomfield
Brown, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Cabell
Carey
Celler
Chisholm
Clancy
Clark
Clay
Culver
Daddario
Davis, Wis.
Dawson
de la Garza
Dellenback
Dent
Diggs
Dingell
Edwards, Calif.
Erlenborn
Esch
Evins, Tenn.
Fallon
Feighan
Findley
Fulton, Pa.
Garmatz
Giaimo
Gross
Gubser
Hanna
Hansen, Idaho
Harsha
Hawkins
Hébert
Heckler, Mass.
Holifield
Hungate
Jarman
Jonas
Karth
Kee
Kirwan
Kuykendall
Langen
Lennon
Lowenstein
Lukens
McCarthy
McMillan
Martin
Meskill
Michel
Mikva
Miller, Calif.
Mize
Mollohan
Moorhead
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
Ottinger
Patman
Pepper
Poff
Powell
Price, Tex.
Quie
Riegle
Roberts
Rooney, N.Y.
Rooney, Pa.
Rosenthal
St Germain
Satterfield
Scheuer
Schneebeli
Shipley
Sikes
Skubitz
Slack
Smith, N.Y.
Springer
Stuckey
Sullivan
Taft
Teague, Calif.
Teague, Tex.
Tunney
Vigorito
White
Whitten

The SPEAKER pro tempore. On this rollcall 325 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONDUCT OF ASSOCIATE JUSTICE DOUGLAS

The SPEAKER pro tempore. The gentleman from Michigan (Mr. GERALD R. FORD) is recognized for 60 minutes.

Mr. GERALD R. FORD. Mr. Speaker, last May 8 I joined with the gentleman from Ohio (Mr. TAFT) in introducing H.R. 11109, a bill requiring financial disclosure by members of the Federal judiciary. This was amid the allegations swirling around Mr. Justice Fortas. Before and since, other Members of this body have proposed legislation of similar intent. To the best of my knowledge, all of them lie dormant in the Committee on the Judiciary where they were referred.

On March 19 the U.S. Judicial Conference announced the adoption of new ethical standards on outside earnings and conflict of interest. They were described as somewhat watered down from the strict proposals of former Chief Justice Warren at the time of the Fortas affair. In any event, they are not binding upon the Supreme Court.

Neither are the 36-year-old Canons of Judicial Ethics of the American Bar Association, among which are these:

Canon 4. *Avoidance of Impropriety.* A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach.

Canon 24. *Inconsistent Obligations.* A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official function.

Canon 31. *Private Law Practice.* In many states the practice of law by one holding judicial position is forbidden . . . If forbidden to practice law, he should refrain from accepting *any* professional employment while in office.

Following the public disclosure last year of the extrajudicial activities and moonlighting employment of Justices Fortas and Douglas, which resulted in the resignation from the Supreme Bench of Mr. Justice Fortas but not of Mr. Justice Douglas, I received literally hundreds of inquiries and protests from concerned citizens and colleagues.

In response to this evident interest I quietly undertook a study of both the law of impeachment and the facts about the behavior of Mr. Justice Douglas. I assured inquirers that I would make my findings known at the appropriate time. That preliminary report is now ready.

Let me say by way of preface that I am a lawyer, admitted to the bar of the U.S. Supreme Court. I have the most profound respect for the U.S. Supreme Court. I would never advocate action against a member of that Court because of his political philosophy or the legal opinions which he contributes to the decisions of the Court. Mr. Justice Douglas has been criticized for his liberal opinions and because he granted stays of execution to the convicted spies, the Rosenbergs, who stole the atomic bomb for the Soviet Union. Probably I would disagree, were I on the bench, with most of Mr. Justice Douglas' views, such as his defense of the filthy film, "I Am Curious (Yellow)." But a judge's right to his legal views, assuming they are not improperly influenced or corrupted, is fundamental to our system of justice.

I should say also that I have no personal feeling toward Mr. Justice Douglas. His private life, to the degree that it does not bring the Supreme Court into disrepute, is his own business. One does not need to be an ardent admirer of any judge or justice, or an advocate of his life style, to acknowledge his right to be elevated to or remain on the bench.

We have heard a great deal of discussion recently about the qualifications which a person should be required to possess to be elevated to the U.S. Supreme Court. There has not been sufficient consideration given, in my judgment, to the qualifications which a person should possess to remain upon the U.S. Supreme Court.

For, contrary to a widespread misconception, Federal judges and the Justices of the Supreme Court are not appointed for life. The Founding Fathers would have been the last to make such a mistake; the American Revolution was waged against an hereditary monarchy in which the King always had a life term and, as English history bloodily demonstrated, could only be removed from office by the headsman's ax or the assassin's dagger.

No, the Constitution does not guarantee a lifetime of power and authority to any public official. The terms of Members of the House are fixed at 2 years; of the President and Vice President at 4; of U.S. Senators at 6. Members of the Federal judiciary hold their offices only "during good behaviour."

Let me read the first section of article III of the Constitution in full:

The judicial power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices *during good*

> *Behaviour*, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

The clause dealing with the compensation of Federal judges, which incidentally we raised last year to $60,000 for Associate Justices of the Supreme Court, suggests that their "continuance in office" is indeed limited. The provision that it may not be decreased prevents the legislative or executive branches from unduly influencing the judiciary by cutting judges' pay, and suggests that even in those bygone days the income of jurists was a highly sensitive matter.

To me the Constitution is perfectly clear about the tenure, or term of office, of all Federal judges—it is "during good behaviour." It is implicit in this that when behaviour ceases to be good, the right to hold judicial office ceases also. Thus, we come quickly to the central question: What constitutes "good behaviour" or, conversely, ungood or disqualifying behaviour?

The words employed by the Framers of the Constitution were, as the proceedings of the Convention detail, chosen with exceedingly great care and precision. Note, for example, the word "behaviour." It relates to action, not merely to thoughts or opinions; further, it refers not to a single act but to a pattern or continuing sequence of action. We cannot and should not remove a Federal judge for the legal views he holds—this would be as contemptible as to exclude him from serving on the Supreme Court for his ideology or past decisions. Nor should we remove him for a minor or isolated mistake—this does not constitute behaviour in the common meaning.

What we should scrutinize in sitting Judges is their continuing pattern of action, their behaviour. The Constitution does not demand that it be "exemplary" or "perfect." But it does have to be "good."

Naturally, there must be orderly procedure for determining whether or not a Federal judge's behaviour is good. The courts, arbiters in most such questions of judgment, cannot judge themselves. So the Founding Fathers vested this ultimate power where the ultimate sovereignty of our system is most directly reflected—in the Congress, in the elected Representatives of the people and of the States.

In this seldom-used procedure, called impeachment, the legislative branch exercises both executive and judicial functions. The roles of the two bodies differ dramatically. The House serves as prosecutor and grand jury; the Senate serves as judge and trial jury.

Article I of the Constitution has this to say about the impeachment process:

> The House of Representatives—shall have the sole power of Impeachment.
>
> The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two-thirds of the Members present.

Article II, dealing with the executive branch, states in section 4:

> The President, Vice President, and all civil Officers of the United States, shall be removed from office on impeachment for, and conviction of, Treason, Bribery or other high crimes and misdemeanors.

This has been the most controversial of the constitutional references to the impeachment process. No consensus exists as to whether, in the case of Federal judges, impeachment must depend upon conviction of one of the two specified crimes of treason or bribery or be within the nebulous category of "other high crimes and misdemeanors." There are pages upon pages of learned argument whether the adjective "high" modifies "misdemeanors" as well as "crimes," and over what, indeed, constitutes a "high misdemeanor."

In my view, one of the specific or general offenses cited in article II is required for removal of the indirectly elected President and Vice President and all appointed civil officers of the executive branch of the Federal Government, whatever their terms of office. But in the case of members of the judicial branch, Federal judges and Justices, I believe an additional and much stricter requirement is imposed by article II, namely, "good behaviour."

Finally, and this is a most significant provision, article I of the Constitution specifies:

> Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

In other words, impeachment resembles a regular criminal indictment and trial but it is not the same thing. It relates solely to the accused's right to hold civil office; not to the many other rights which are his as a citizen and which protect him in a court of law. By pointedly voiding any immunity an accused might claim under the double jeopardy principle, the framers of the Constitution clearly established that impeachment is a unique political device; designed explicitly to dislodge from public office those who are patently unfit for it, but cannot otherwise be promptly removed.

The distinction between impeachment and ordinary criminal prosecution is again evident when impeachment is made the sole exception to the guarantee of article III, section 3, that trial of all crimes shall be by jury—perhaps the most fundamental of all constitutional protections.

We must continually remember that the writers of our Constitution did their work with the experience of the British Crown and Parliament freshly in mind. There is so much that resembles the British system in our Constitution that we sometimes overlook the even sharper differences—one of the sharpest is our divergent view on impeachment.

In Great Britain the House of Lords sits as the court of highest appeal in the land, and upon accusation by Commons the Lords can try, convict, and punish any impeached subject—private person or official—with any lawful penalty for his crime—including death.

Our Constitution, on the contrary, provides only the relatively mild penalties of removal from office, and disqualification for future office—the worst punishment the U.S. Senate can mete out is both removal and disqualification.

Moreover, to make sure impeachment would not be frivolously attempted or easily abused, and further to protect officeholders against political reprisal, the Constitution requires a two-thirds vote of the Senate to convict.

With this brief review of the law, of the constitutional background for impeachment, I have endeavored to correct two common misconceptions: first, that Federal judges are appointed for life and, second, that they can be removed only by being convicted, with all ordinary protections and presumptions of innocence to which an accused is entitled, of violating the law.

This is not the case. Federal judges can be and have been impeached for improper personal habits such as chronic intoxication on the bench, and one of the charges brought against President Andrew Johnson was that he delivered "intemperate, inflammatory, and scandalous harangues."

I have studied the principal impeachment actions that have been initiated over the years and frankly, there are too few cases to make very good law. About the only thing the authorities can agree upon in recent history, though it was hotly argued up to President Johnson's impeachment and the trial of Judge Swayne, is that an offense need not be indictable to be impeachable. In other words, something less than a criminal act or criminal dereliction of duty may nevertheless be sufficient grounds for impeachment and removal from public office.

What, then, is an impeachable offense?

The only honest answer is that an impeachable offense is whatever a majority of the House of Representatives considers to be at a given moment in history; conviction results from whatever offense or offenses two-thirds of the other body considers to be sufficiently serious to require removal of the accused from office. Again, the historical context and political climate are important; there are few fixed principles among the handful of precedents.

I think it is fair to come to one conclusion, however, from our history of impeachments: a higher standard is expected of Federal judges than of any other "civil officers" of the United States.

The President and Vice President, and all persons holding office at the pleasure of the President, can be thrown out of office by the voters at least every 4 years. To remove them in midterm—it has been tried only twice and never done—would indeed require crimes of the magnitude of treason and bribery. Other elective officials, such as Members of the Congress, are so vulnerable to public displeasure that their removal by the complicated impeachment route has not even been tried since 1798. But nine Federal judges, including one Associate Justice of the Supreme Court, have been impeached by this House and tried by the Senate; four were acquitted; four convicted and removed from office; and one

XUM

resigned during trial and the impeachment was dismissed.

In the most recent impeachment trial conducted by the other body, that of U.S. Judge Halsted L. Ritter of the southern district of Florida who was removed in 1936, the point of judicial behavior was paramount, since the criminal charges were admittedly thin. This case was in the context of F. D. R.'s effort to pack the Supreme Court with Justices more to his liking; Judge Ritter was a transplanted conservative Colorado Republican appointed to the Federal bench in solidly Democratic Florida by President Coolidge. He was convicted by a coalition of liberal Republicans, New Deal Democrats, and Farmer-Labor and Progressive Party Senators in what might be called the northwestern strategy of that era. Nevertheless, the arguments were persuasive:

In a joint statement, Senators Borah, La Follette, Frazier, and Shipstead said:

> We therefore did not, in passing upon the facts presented to us in the matter of the impeachment proceedings against Judge Halsted L. Ritter, seek to satisfy ourselves as to whether technically a crime or crimes had been committed, or as to whether the acts charged and proved disclosed criminal intent or corrupt motive; we sought only to ascertain from these facts whether his conduct had been such as to amount to misbehavior, misconduct—as to whether he had conducted himself in a way that was calculated to undermine public confidence in the courts and to create a sense of scandal.
>
> There are a great many things which one must readily admit would be wholly unbecoming, wholly intolerable, in the conduct of a judge, and yet these things might not amount to a crime.

Senator Elbert Thomas of Utah, citing the Jeffersonian and colonial antecedents of the impeachment process, bluntly declared:

> Tenure during good behavior . . . is in no sense a guaranty of a life job, and misbehavior in the ordinary, dictionary sense of the term will cause it to be cut short on the vote, under special oath, of two-thirds of the Senate, if charges are first brought by the House of Representatives. . . . To assume that good behavior means anything but good behavior would be to cast a reflection upon the ability of the fathers to express themselves in understandable language.

But the best summary, in my opinion, was that of Senator William G. McAdoo of California, son-in-law of Woodrow Wilson and his Secretary of the Treasury:

> I approach this subject from the standpoint of the general conduct of this judge while on the bench, as portrayed by the various counts in the impeachment and the evidence submitted in the trial. The picture thus presented is, to my mind, that of a man who is so lacking in any proper conception of professional ethics and those high standards of judicial character and conduct as to constitute misbehavior in its most serious aspects, and to render him unfit to hold a judicial office . . .
>
> Good behavior, as it is used in the Constitution, exacts of a judge the highest standards of public and private rectitude. No judge can besmirch the robes he wears by relaxing these standards, by compromising them through conduct which brings reproach upon himself personally, or upon the great office he holds. No more sacred trust is committed to the bench of the United States than to keep shining with undimmed effulgence the brightest jewel in the crown of democracy—justice.
>
> However disagreeable the duty may be to those of us who constitute this great body in determining the guilt of those who are entrusted under the Constitution with the high responsibilities of judicial office, we must be as exacting in our conception of the obligations of a judicial officer as Mr. Justice Cardozo defined them when he said, in connection with fiduciaries, that they should be held "to something stricter than the morals of the market-place. *Not honesty alone, but the punctilio of an honor the most sensitive, is then the standard of behavior.*" (Meinhard v. Solmon, 249 N.Y. 458.)

Let us now objectively examine certain aspects of the behavior of Mr. Justice Douglas, and let us ask ourselves in the words of Mr. Justice Cardozo, whether they represent "not honesty alone, but the punctilio of an honor the most sensitive."

Ralph Ginzburg is editor and publisher of a number of magazines not commonly found on the family coffee table. For sending what was held to be an obscene edition of one of them, Eros, through the U.S. mails, Mr. Ginzburg was convicted and sentenced to 5 years' imprisonment in 1963.

His conviction was appealed and, in 1966, was affirmed by the U.S. Supreme Court in a close 5-to-4 decision. Mr. Justice Douglas dissented. His dissent favored Mr. Ginzburg and the publication, Eros.

During the 1964 presidential campaign, another Ginzburg magazine, Fact, published an issue entitled "The Unconscious of a Conservative: A Special Issue on the Mind of BARRY GOLDWATER."

The thrust of the two main articles in Ginzburg's magazine was that Senator GOLDWATER, the Republican nominee for President of the United States, had a severely paranoid personality and was psychologically unfit to be President. This was supported by a fraction of replies to an alleged poll which the magazine had mailed to some 12,000 psychiatrists—hardly a scientific diagnosis, but a potent political hatchet job.

Naturally, Senator GOLDWATER promptly sued Mr. Ginzburg and Fact magazine for libel. A Federal court jury in New York granted the Senator a total of $75,000 in punitive damages from Ginzburg and Fact magazine. Fact shortly was to be incorporated into another Ginzburg publication, Avant Garde. The U.S. court of appeals sustained this libel award. It held that under the New York Times against Sullivan decision a public figure could be libelled if the publication was made with actual malice; that is, if the publisher knew it was false or acted with reckless disregard of whether it was false or not.

So once again Ralph Ginzburg appealed to the Supreme Court which, in due course, upheld the lower courts' judgment in favor of Senator GOLDWATER and declined to review the case.

However, Mr. Justice Douglas again dissented on the side of Mr. Ginzburg, along with Mr. Justice Black. Although the Court's majority did not elaborate on its ruling, the dissenting minority decision was based on the theory that the constitutional guarantees of free speech and free press are absolute.

This decision was handed down January 26, 1970.

Yet, while the Ginzburg-Goldwater suit was pending in the Federal courts, clearly headed for the highest court in the land, Mr. Justice Douglas appeared as the author of an article in Avant Garde, the successor to Fact in the Ginzburg stable of magazines, and reportedly accepted payment from Ginzburg for it.

Mr. FRASER. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. May I conclude, and then I will be delighted to yield.

Mr. FRASER. Just on this one point and I shall be very brief.

Mr. GERALD R. FORD. I am sorry. I would like to finish and then I will be glad to yield.

Mr. FRASER. Just on a factual basis.

Mr. Speaker, I make the point of order that a quorum is not present.

Mr. GERALD R. FORD. If the gentleman will give me a minute or two——

The SPEAKER pro tempore (Mr. PRICE of Illinois). The gentleman declines to yield.

CALL OF THE HOUSE

Mr. FRASER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count.

One hundred fifty-three Members are present, not a quorum.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

Mr. FRASER. Mr. Speaker, I would not like to put the House to a call——

Mr. RHODES. Regular order, Mr. Speaker.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 79]

Abbitt
Addabbo
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Aspinall
Ayres
Baring
Barrett
Beall, Md.
Belcher
Betts
Bingham
Blackburn
Bolling
Bow
Brooks
Broomfield
Brown, Calif.
Burleson, Tex.
Burton, Utah
Button
Byrne, Pa.
Cabell
Chisholm
Clancy
Clark
Clay
Conyers
Corbett
Daddario
Dawson
de la Garza
Delaney
Dellenback
Dent
Diggs
Dowdy
Dwyer
Edwards, Calif.
Eilberg
Erlenborn
Esch
Evins, Tenn.
Fallon
Feighan
Findley
Flood
Ford, William D.
Fulton, Pa.
Fulton, Tenn.
Garmatz
Gaydos
Gibbons
Green, Pa.
Griffiths
Gross
Gubser
Gude
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Hawkins
Hays
Hébert
Heckler, Mass.
Holifield
Johnson, Pa.
Karth
Kee
King
Kirwan
Kleppe
Kuykendall
Kyl
Langen
Leggett
Lennon
Lloyd
Lowenstein
Lukens
McCarthy
McClure
McCulloch
McFall
McMillan
Martin
Melcher
Meskill
Mikva
Miller, Calif.
Mills

Minshall
Mize
Mollohan
Monagan
Moorhead
Morgan
Morton
Moss
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
Ottinger
Patman
Pelly
Pepper
Pickle
Poff
Pollock
Powell
Price, Tex.
Pryor, Ark.
Quie
Quillen
Reuss
Riegle
Roberts
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
St Germain
Scheuer
Schneebeli
Shipley
Shriver
Smith, N.Y.
Springer
Steed
Stuckey
Sullivan
Taft
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Tunney
Udall
Vander Jagt
Watts
White
Whitten
Wright
Yates
Zwach

The SPEAKER pro tempore (Mr. PRICE of Illinois). On this rollcall 281 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. FRASER. Mr. Speaker, reserving the right to object to that unanimous-consent request, and I shall not object, I simply wanted to take this moment to explain to the House that the speaker in the well had changed the text——

Mr. GERALD R. FORD. Mr. Speaker, is this out of my time?

The SPEAKER pro tempore. The gentleman reserved the right to object to the unanimous-consent request.

Mr. FRASER. The speaker in the well had changed the text of his statement from that handed out to the press earlier, the earlier version having charged Justice Douglas with having accepted a fee for an article in a magazine at the time that that person had a case pending in the Supreme Court. In fact, that was a false allegation, and I would assume that the speaker would after 2 years of study have known it was false, but apparently between that time and the time he spoke on the floor he learned it was false and modified his statement. My only purpose in asking him to yield was so that the press would be clear that in fact he had changed that very serious allegation since it was brought.

Mr. Speaker, I withdraw my reservation of objection.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. GERALD R. FORD) is recognized.

CONDUCT OF ASSOCIATE JUSTICE DOUGLAS

Mr. GERALD R. FORD. Mr. Speaker, the March 1969 issue of Avant Garde, on its title page, shows Ralph Ginzburg as editor stating under oath that it incorporates the former magazine Fact.

The table of contents lists on page 16 an article titled "Appeal of Folk Singing: A Landmark Opinion" by Justice William O. Douglas. Even his judicial title, conferred on only eight other Americans, is brazenly exploited.

Justice Douglas' contribution immediately follows one provocatively entitled "The Decline and Fall of the Female Breast." There are two other titles in the table of contents so vulgarly playing on double meaning that I will not repeat them aloud.

Ralph Ginzburg's magazine Avant Garde paid the Associate Justice of the U.S. Supreme Court the sum of $350 for his article on folk singing. The article itself is not pornographic, although it praises the lusty, lurid, and risque along with the social protest of leftwing folk singers. It is a matter of editorial judgment whether it was worth the $350. Ginzburg claims he paid Justice Douglas for writing it. I would think, however, that a byline clear across the page reading "By William O. Douglas, Associate Justice, U.S. Supreme Court" and a full page picture would be worth something to a publisher and a magazine with two appeals pending in the U.S. courts.

However, Mr. Justice Douglas did not disqualify himself from taking part in the Goldwater against Ginzburg libel appeal. Had the decision been a close 5-to-4 split, as was the earlier one, Ginzburg might have won with Douglas' vote.

Actually, neither the quantity of the sum that changed hands nor the position taken by the Court's majority or the size of the majority makes a bit of difference in the gross impropriety involved.

Title 28, United States Code, section 455 states as follows:

> Any justice or judge of the United States should disqualify himself in any case in which he has a substantial interest, has been of counsel, is or has been a material witness, or is so related to *or connected with any party* or his attorney as to render it improper, in his opinion, for him to sit on the trial, appeal or other proceeding therein.

Let me ask each one of you: Is this what the Constitution means by "good behavior"? Should such a person sit on our Supreme Court?

Writing signed articles for notorious publications of a convicted pornographer is bad enough. Taking money from them is worse. Declining to disqualify one's self in this case is inexcusable.

But this is only the beginning of the insolence by which Mr. Justice Douglas has evidently decided to sully the high standards of his profession and defy the conventions and convictions of decent Americans.

Recently, there has appeared on the stands a little black book with the autograph, "William O. Douglas," scrawled on the cover in red. Its title is "Points of Rebellion" and its thesis is that violence may be justified and perhaps only revolutionary overthrow of "the establishment" can save the country.

The kindest thing I can say about this 97-page tome is that it is quick reading. Had it been written by a militant sophomore, as it easily could, it would of course have never found a prestige publisher like Random House. It is a fuzzy harangue evidently intended to give historic legitimacy to the militant hippie-yippie movement and to bear testimony that a 71-year-old Justice of the Supreme Court is one in spirit with them.

Now, it is perfectly clear to me that the first amendment protects the right of Mr. Justice Douglas and his publishers to write and print this drivel if they please.

Mr. Justice Douglas is constitutionally and otherwise entitled to believe, though it is difficult to understand how a grown man can, that "a black silence of fear possesses the Nation," and that "every conference room in Government buildings is assumed to be bugged."

One wonders how this enthusiastic traveler inside the Iron Curtain is able to warn seriously against alleged Washington hotel rooms equipped with two-way mirrors and microphones, or accuse the "powers that be" of echoing Adolf Hilter. Frankly, this is nonsense, but certainly not the only nonsense being printed nowadays.

But I wonder if it can be deemed "good behavior" in the constitutional sense for such a distorted diatribe against the Government of the United States to be published, indeed publicly autographed and promoted, by an Associate Justice of the Supreme Court.

There are, as the book says, two ways by which the grievances of citizens can be redressed. One is lawful procedure and one is violent protest, riot, and revolution. Should a judge who sits at the pinnacle of the orderly system of justice give sympathetic encouragement, on the side, to impressionable young students and hard-core fanatics who espouse the militant method? I think not.

In other words, I concede that William O. Douglas has a right to write and publish what he pleases; but I suggest that for Associate Justice Douglas to put his name to such an inflammatory volume as "Points of Rebellion"—at a critical time in our history when peace and order is what we need—is less than judicial good behavior. It is more serious than simply "a summation of conventional liberal poppycock," as one columnist wrote.

Whatever Mr. Justice Douglas may have meant by his justification of anti-establishment activism, violent defiance of police and public authorities, and even the revolutionary restructuring of American society—does he not suppose that these confrontations and those accused of unlawfully taking part in them will not come soon before the Supreme Court? By his own book, the Court surely will have to rule on many such cases.

I ask you, will Mr. Justice Douglas then disqualify himself because of a bias previously expressed, and published for profit? Will he step aside as did a liberal jurist of the utmost personal integrity, Chief Justice Warren, whenever any remote chance of conflict of interest arose? Not if we may judge by Mr. Justice Douglas' action in the Ginzburg appeals, he will not.

When I first encountered the facts of Mr. Justice Douglas' involvement with pornographic publications and espousal of hippie-yippie style revolution, I was inclined to dismiss his fractious behavior as the first sign of senility. But I believe I underestimated the Justice.

In case there are any "square" Americans who were too stupid to get the message Mr. Justice Douglas was trying to tell us, he has now removed all possible misunderstanding.

Here is the April 1970 current edition of a magazine innocently entitled "Evergreen."

Perhaps the name has some secret

XUM

erotic significance, because otherwise it may be the only clean word in this publication. I am simply unable to describe the prurient advertisements, the perverted suggestions, the downright filthy illustrations and the shocking and execrable four-letter language it employs.

Alongside of Evergreen the old Avant Garde is a family publication.

Just for a sample, here is an article by Tom Hayden of the "Chicago 5." It is titled "Repression and Rebellion." It possibly is somewhat more temperate than the published views of Mr. Justice Douglas, but no matter.

Next we come to a 7-page rotogravure section of 13 half-page photographs. It starts off with a relatively unobjectionable arty nude. But the rest of the dozen poses are hard-core pornography of the kind the U.S. Supreme Court's recent decisions now permit to be sold to your children and mine on almost every newsstand. There are nude models of both sexes in poses that are perhaps more shocking than the postcards that used to be sold only in the back alleys of Paris and Panama City, Panama.

Immediately following the most explicit of these photographs, on pages 40 and 41, we find a full-page caricature of the President of the United States, made to look like Britain's King George III and waiting, presumably, for the second American Revolution to begin on Boston Common, or is it Berkeley?

This cartoon, while not very respectful toward Mr. Nixon, is no worse than we see almost daily in a local newspaper and all alone might be legitimate political parody. But it is there to illustrate an article on the opposite page titled much like Tom Hayden's "Redress and Revolution."

This article is authored "by the venerable Supreme Court Justice," William O. Douglas. It consists of the most extreme excerpts from this book, given a somewhat more seditious title. And it states plainly in the margin:

> Copyright 1970 by William O. Douglas . . . Reprinted by permission.

Now you may be able to tell me that it is permissible for someone to write such stuff, and this being a free country I agree. You may tell me that nude couples cavorting in photographs are art, and that morals are a matter of opinion, and that such stuff is lawful to publish and send through the U.S. mails at a postage rate subsidized by the taxpayers. I disagree, but maybe I am old fashioned.

But you cannot tell me that an Associate Justice of the United States is compelled to give his permission to reprint his name and his title and his writings in a pornographic magazine with a portfolio of obscene photographs on one side of it and a literary admonition to get a gun and start shooting at the first white face you see on the other. You cannot tell me that an Associate Justice of the U.S. Supreme Court could not have prevented the publication of his writings in such a place if he wanted to, especially after widespread criticism of his earlier contributions to less objectionable magazines.

No; Mr. Justice Douglas has been telling us something and this time he wanted to make it perfectly clear. His blunt message to the American people and their Representatives in the Congress of the United States is that he does not give a tinker's damn what we think of him and his behavior on the Bench. He believes he sits there by some divine right and that he can do and say anything he pleases without being questioned and with complete immunity.

Does he really believe this? Whatever else one may say, Mr. Justice Douglas does know the Constitution, and he knows the law of impeachment. Would it not, I ask you, be much more reasonable to suppose that Mr. Justice Douglas is trying to shock and outrage us—but for his own reasons?

Suppose his critics concentrate on his outrageous opinions, expressed off the Bench, in books and magazines that share, with their more reputable cousins, the constitutional protections of free speech and free press. Suppose his impeachment is predicated on these grounds alone—will not the accusers of Mr. Justice Douglas be instantly branded, as we already are in his new book—as the modern Adolf Hitlers, the bookburners, the defoliators of the tree of liberty?

Let us not be caught in a trap. There is a prima facie case against Mr. Justice Douglas that is—in my judgment—far more grave. There is prima facie evidence that he was for nearly a decade the well-paid moonlighter for an organization whose ties to the international gambling fraternity never have been sufficiently explored.

Are these longstanding connections, personal, professional, and profitable, the skeleton in the closet which Mr. Justice Douglas would like to divert us from looking into? What would bring an Associate Justice of the Supreme Court into any sort of relationship with some of the most unsavory and notorious elements of American society? What, after some of this became public knowledge, holds him still in truculent defiance bordering upon the irrational?

For example, there is the curious and profitable relationship which Mr. Justice Douglas enjoyed, for nigh onto a decade, with Mr. Albert Parvin and a mysterious entity known as the Parvin Foundation.

Albert Parvin was born in Chicago around the turn of the century, but little is known of his life until he turns up as president and 30-percent owner of Hotel Flamingo, Inc., which operated the hotel and gambling casino in Las Vegas, Nev. It was first opened by Bugsy Siegel in 1946, a year before he was murdered.

Bugsy's contract for decorations and furnishings of the Flamingo was with Albert Parvin & Co. Between Siegel and Parvin there were three other heads, or titular heads, of the Flamingo. After the gangland rubout of Siegel in Los Angeles, Sanford Adler—who was a partner with Albert Parvin in another gambling establishment, El Rancho, took over. He subsequently fled to Mexico to escape income tax charges and the Flamingo passed into the hands of one Gus Greenbaum.

Greenbaum one day had a sudden urge to go to Cuba and was later murdered. Next Albert Parvin teamed up with William Israel Alderman—known as Ice Pick Willie—to head the Flamingo. But Alderman soon was off to the Riviera and Parvin took over.

On May 12, 1960, Parvin signed a contract with Meyer Lansky, one of the country's top gangsters, paying Lansky what was purportedly a finder's fee of $200,000 in the sale of the Flamingo. The agreement stipulated that payment would be made to Lansky in quarterly installments of $6,250 starting in 1961. If kept, final payment of the $200,000 would have been in October 1968.

Parvin and the other owners sold the Flamingo for a reported $10,500,000 to a group including Florida hotelmen Morris Lansburgh, Samuel Cohen, and Daniel Lifter. His attorney in the deal was Edward Levinson, who has been associated with Parvin in a number of enterprises. The Nevada Gaming Commission approved the sale on June 1, 1960.

In November of 1960, Parvin set up the Albert Parvin Foundation. Accounts vary as to whether it was funded with Flamingo Hotel stock or with a first mortgage on the Flamingo taken under the terms of the sale. At any rate the foundation was incorporated in New York and Mr. Justice Douglas assisted in setting it up, according to Parvin. If the Justice did indeed draft the articles of incorporation, it was in patent violation of title 28, section 454, United States Code, which states that "any justice or judge appointed under the authority of the United States who engages in the practice of law is guilty of a high misdemeanor."

Please note that this offense is specifically stated in the Federal statute to be a high misdemeanor, making it conform to one of the constitutional grounds for impeachment. There is additional evidence that Mr. Justice Douglas later, while still on salary, gave legal advice to the Albert Parvin Foundation on dealing with an Internal Revenue investigation.

The ostensible purpose of the Parvin Foundation was declared to be educating the developing leadership in Latin America. This had not previously been a known concern of Parvin or his Las Vegas associates, but Cuba, where some of them had business connections, was then in the throes of Castro's Communist revolution.

In 1961 Mr. Justice Douglas was named a life member of the Parvin Foundation's board, elected president and voted a salary of $12,000 per year plus expenses. There is some conflict in testimony as to how long Douglas drew his pay, but he did not put a stop to it until last May—1969—in the wake of public revelations that forced the resignation of Mr. Justice Fortas.

The Parvin Foundation in 1961 undertook publication of Mr. Justice Douglas' book, "America's Challenge," with costs borne by the foundation but royalties going to the author.

XUM

In April 1962 the Parvin Foundation applied for tax-exempt status. And thereafter some very interesting things happened.

On October 22, 1962, Bobby Baker turned up in Las Vegas for a 3-day stay. His hotel bill was paid by Ed Levinson, Parvin's associate and sometime attorney. On Baker's registration card a hotel employee had noted—"is with Douglas."

Bobby was then, of course, majority secretary of the Senate and widely regarded as the right hand of the then Vice President of the United States. So it is unclear whether the note meant literally that Mr. Justice Douglas was also visiting Las Vegas at that time or whether it meant only to identify Baker as a Douglas associate.

In December 1962, I have learned, Bobby Baker met with Juan Bosch, soon to be President of the Dominican Republic, in New York City.

In January 1963 the Albert Parvin Foundation decided to drop all its Latin American projects and to concentrate on the Dominican Republic. Douglas described President-elect Bosch as an old friend.

On February 26, 1963, however, we find Bobby Baker and Ed Levinson together again—this time on the other side of the continent in Florida—buying round-trip tickets on the same plane for the Dominican Republic.

Since the Parvin Foundation was set up to develop leadership in Latin America, Trujillo had been toppled from power in a bloody uprising, and Juan Bosch was about to be inaugurated as the new, liberal President. Officially representing the United States at the ceremonies February 27 were the Vice President and Mrs. Johnson. But their Air Force plane was loaded with such celebrities as Senator and Mrs. Humphrey, two Assistant Secretaries of State, Mr. and Mrs. Valenti, and Mrs. Elizabeth Carpenter. Bobby Baker and Eddie Levinson went commercial.

Also on hand in Santo Domingo to celebrate Bosch's taking up the reins of power were Mr. Albert Parvin, President of the Parvin-Dohrmann Co., and the President of the Albert Parvin Foundation, Mr. Justice William O. Douglas of the U.S. Supreme Court.

Again there is conflicting testimony as to the reason for Mr. Justice Douglas' presence in the Dominican Republic at this juncture, along with Parvin, Levinson, and Bobby Baker. Obviously he was not there as an official representative of the United States, as he was not in the Vice President's party.

One story is that the Parvin Foundation was offering to finance an educational television project for the Dominican Republic. Another is that Mr. Justice Douglas was there to advise President Bosch on writing a new Constitution for the Dominican Republic.

There is little about the reasons behind the presence of a singularly large contingent of known gambling figures and Mafia types in Santo Domingo, however. With the change of political regimes the rich gambling concessions of the Dominican Republic were up for grabs. These were generally not owned and operated by the hotels, but were granted to concessionaires by the government—specifically by the President. It was one of the country's most lucrative sources of revenue as well as private corruption. This brought such known gambling figures as Parvin and Levinson, Angelo Bruno and John Simone, Joseph Sicarelli, Eugene Pozo, Santa Trafficante Jr., Louis Levinson, Leslie Earl Kruse, and Sam Giancanno to the island in the spring of 1963.

Bobby Baker, in addition to serving as go-between for his Las Vegas friends such as Ed Levinson, was personally interested in concessions for vending machines of his Serv-U Corp., then represented by Washington attorney Abe Fortas. Baker has described Levinson as a former partner.

Mrs. Fortas, also an attorney, was subsequently to be retained as tax counsel by the Parvin Foundation. Her fee is not exactly known but that year the foundation spent $16,058 for professional services.

There are reports that Douglas met with Bosch and other officials of the new government in February or early March of 1963, and also that he met with Bobby Baker and with Albert Parvin. In April 1963, Baker and Ed Levinson returned to the Dominican Republic and in that same month the Albert Parvin Foundation was granted its tax-exempt status by the Internal Revenue Service.

In June, I believe it was June 20, Bobby Baker and Ed Levinson traveled to New York where Baker introduced Levinson to Mr. John Gates of the Intercontinental Hotel Corp. Mr. Gates has testified that Levinson was interested in the casino concession in the Ambassador—El Embajador—Hotel in Santo Domingo. My information is that Baker and Levinson made at least one more trip to the Dominican Republic about this time but that, despite all this influence peddling, the gambling franchise was not granted to the Parvin-Levinson-Lansky interests after all.

In August, President Bosch awarded the concession to Cliff Jones, former Lieutenant Governor of Nevada who, incidentally, also was an associate of Bobby Baker.

When this happened, the further interest of the Albert Parvin Foundation in the Dominican Republic abruptly ceased. I am told that some of the educational television equipment already delivered was simply abandoned in its original crates.

On September 25, 1963, President Bosch was ousted and all deals were off. He was later to lead a comeback effort with Communist support which resulted in President Johnson's dispatch of U.S. Marines to the Dominican Republic.

Meanwhile, through the Parvin-Dohrmann Co. which he had acquired, Albert Parvin bought the Fremont Hotel in Las Vegas in 1966 from Edward Levinson and Edward Torres, for some $16 million. In 1968, Parvin-Dohrmann acquired the Aladdin Hotel and casino in the same Nevada city, and in 1969 was denied permission by Nevada to buy the Riviera Hotel and took over operation of the Stardust Hotel. This brought an investigation which led to the suspension of trading in Parvin-Dohrmann stock by the SEC, which led further to the company's employment of Nathan Voloshen. But in the interim Albert Parvin is said to have been bought out of the company and to have retired to concentrate on his foundation, from which Mr. Justice Douglas had been driven to resign by relentless publicity.

On May 12, 1969, Mr. Justice Douglas reportedly wrote a letter to Albert Parvin in which he discussed the pending action by the Internal Revenue Service to revoke the foundation's tax-exempt status as a "manufactured case" designed to pressure him off the Supreme Court. In this letter, as its contents were paraphrased by the New York Times, Mr. Justice Douglas apparently offered legal advice to Mr. Parvin as to how to avoid future difficulties with the Internal Revenue Service, and this whole episode demands further examination under oath by a committee with subpena powers.

When things got too hot on the Supreme Court for Justices accepting large sums of money from private foundations for ill-defined services, Mr. Justice Douglas finally gave up his open ties with the Albert Parvin Foundation. Although resigning as its president and giving up his $12,000-a-year salary, Mr. Justice Douglas moved immediately into closer connection with the leftish Center for the Study of Democratic Institutions.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

CONDUCT OF ASSOCIATE JUSTICE DOUGLAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. WYMAN) is recognized for 60 minutes.

Mr. BURTON of California. Mr. Speaker, I ask unanimous consent to address the House for 30 seconds as a result of the remarks of the gentleman from Michigan having been concluded or, alternatively, if the gentleman from Michigan still has the floor, I would appreciate his yielding to me.

Mr. WYMAN. Not at this point. I will yield to the gentleman later.

At this point, Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

Mr. BURTON of California. Reserving the right to object——

The SPEAKER pro tempore. The gentleman from California reserves the right to object.

Mr. WYMAN. To object to what, Mr. Speaker?

Mr. WAGGONNER. A point of order. To what does the gentleman from California reserve the right to object? The Chair recognized the gentleman under a previous order.

The SPEAKER pro tempore. The gentleman from California——

XUM

Mr. BURTON of California. I am reserving my right to object to the unanimous-consent request.

The SPEAKER pro tempore. The Chair will state the matter.

The gentleman from California reserved the right to object to the unanimous-consent request of the gentleman from New Hampshire to revise and extend his remarks and include extraneous matter.

Is there objection to the request?

Mr. BURTON of California. Further reserving the right to object, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from California reserves the right to object.

Mr. BURTON of California. Mr. Speaker, in reserving the right to object, I would like to note that few members in the history of the Supreme Court have matched the outstanding judicial record of Justice Douglas.

Mr. WYMAN. Mr. Speaker, I withdraw my unanimous-consent request.

The SPEAKER pro tempore. The gentleman withdraws his request.

The gentleman from New Hampshire is recognized.

Mr. WYMAN. Mr. Speaker, prior to yielding to the gentleman from Michigan (Mr. GERALD R. FORD) for the purpose of enabling him to finish his remarks, I would like to advise the gentleman from California that in due course during the time I have I will yield to the gentleman for the purpose for which he seeks recognition but not at this time.

Mr. BURTON of California. I am sure the gentleman is aware that I waited without interruption for the gentleman from Michigan to complete his statement.

Mr. HALL. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. WYMAN. Yes. I yield.

Mr. HALL. I would like to know whether this time comes out of the previous unanimous-consent agreement and allocation of the time of the gentleman from New Hampshire?

The SPEAKER pro tempore. The gentleman still has 1 hour available.

Mr. HALL. I thank the Speaker.

The SPEAKER pro tempore. The gentleman from New Hampshire is recognized.

Mr. WYMAN. Mr. Speaker, I yield to the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Although resigning as its president and giving up his $12,000 a year salary, Mr. Justice Douglas moved immediately into closer connection with the leftish "Center for the Study of Democratic Institutions."

Mr. HAYS. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. The gentleman from New Hampshire has the floor.

Mr. HAYS. I asked the gentleman if he will yield.

Mr. WYMAN. No.

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count.

Mr. HAYS. Mr. Speaker, I withdraw my point of order.

The SPEAKER pro tempore. The point of order in withdrawn.

The gentleman from New Hampshire has yielded to the gentleman from Michigan.

Mr. GERALD R. FORD. I thank the gentleman from Ohio for taking the action that he did.

The center is located in Santa Barbara, Calif., and is run by Dr. Robert M. Hutchins, former head of the University of Chicago.

A longtime "consultant" and member of the board of directors of the center, Mr. Justice Douglas was elevated last December to the post of chairman of the executive committee. It should be noted that the Santa Barbara Center was a beneficiary of Parvin Foundation funds during the same period that Mr. Justice Douglas was receiving $1,000 a month salary from it and mobster Meyer Lansky was drawing down installment payments of $25,000 a year. In addition to Douglas, there are several others who serve on both the Parvin Foundation and Center for Democratic Studies boards, so the break was not a very sharp one.

The gentleman from New Hampshire (Mr. WYMAN) has investigated Mr. Justice Douglas' connections with the center and discovered that the Associate Justice has been receiving money from it, both during the time he was being paid by Parvin and even larger sums since.

The distinguished gentleman, who served as attorney general of his State and chairman of the American Bar Association's committee on jurisprudence before coming to the House, will detail his findings later. But one activity of the center requires inclusion here because it provides some explanation for Mr. Justice Douglas' curious obsession with the current wave of violent youthful rebellion.

In 1965 the Santa Barbara Center, which is tax exempt and ostensibly serves as a scholarly retreat, sponsored and financed the National Conference for New Politics which was, in effect, the birth of the New Left as a political movement. Two years later, in August 1967, the Center was the site of a very significant conference of militant student leaders. Here plans were laid for the violent campus disruptions of the past few years, and the students were exhorted by at least one member of the center's staff to sabotage American society, block defense work by universities, immobilize computerized record systems and discredit the ROTC.

This session at Mr. Justice Douglas' second moonlighting base was thus the birthplace for the very excesses which he applauds in his latest book in these words:

> Where grievances pile high and most of the elected spokesmen represent the Establishment, violence may be the only effective response.

Mr. Speaker, we are the elected spokesmen upon whom the Associate Justice of the Supreme Court is attempting to place the blame for violent rebellion in this country. What he means by representing the establishment I do not know, except that he and his young hothead revolutionaries regard it as evil. I know very well who I represent, however, and if the patriotic and law-abiding and hard-working and God-fearing people of America are the establishment, I am proud to represent such an establishment.

Perhaps it is appropriate to examine at this point who Mr. Justice Douglas represents. On the basis of the facts available to me, and presented here, Mr. Justice Douglas appears to represent Mr. Albert Parvin and his silent partners of the international gambling fraternity, Mr. Ralph Ginzburg, and his friends of the pornographic publishing trade, Dr. Robert Hutchins and his intellectual incubators for the New Left and the SDS, and others of the same ilk. Mr. Justice Douglas does not find himself in this company suddenly or accidentally or unknowingly; he has been working at it for years, profiting from it for years, and flaunting it in the faces of decent Americans for years.

There have been many questions put to me in recent days. Let me unequivocally answer the most important of them for the record now.

Mr. HAYS. Mr. Speaker, will the gentleman yield at that point?

Mr. GERALD R. FORD. I have only about 2 more minutes to go.

Mr. HAYS. I want to ask a pertinent question right about what you are talking about.

Mr. GERALD R. FORD. I will be glad to answer pertinent questions about that, or all the other things, at a subsequent time, as soon as I have finished. I would be most grateful if the gentleman will wait a few minutes until I conclude.

Mr. CLEVELAND. I will yield to the gentleman from Ohio as soon as the gentleman from Michigan finishes.

Mr. GERALD R. FORD. I promise the gentleman I will be glad to yield to him.

Mr. HAYS. I will wait.

Mr. GERALD R. FORD. Mr. Speaker, is this action on my part in response to, or retaliation for, the rejection by the other body of two nominees for the Supreme Court, Judge Haynsworth and Judge Carswell. In a narrow sense, no. The judicial misbehavior which I believe Mr. Justice Douglas to be guilty of began long before anybody thought about elevating Judges Haynsworth and Carswell.

But in a larger sense, I do not think there can be two standards for membership on the Supreme Court, one for Mr. Justice Fortas, another for Mr. Justice Douglas.

What is the ethical or moral distinction, I ask those arbiters of high principle who have studied such matters, between the Parvin Foundation, Parvin-Dohrmann's troubles with the SEC, and Parvin's $12,000-a-year retainer to Associate Justice Douglas—on the one hand—and the Wolfson Family Foundation, Louis Wolfson's troubles with the SEC and Wolfson's $20,000-a-year retainer to Associate Justice Fortas? Why, the cast

XUM

of characters in these two cases is virtually interchangeable.

Albert Parvin was named a coconspirator but not a defendant in the unregistered stock case that sent Louis Wolfson to prison. Albert Parvin was again under investigation in the stock manipulation action against Parvin-Dohrmann. This generation has largely forgotten that William O. Douglas first rose to national prominence as Chairman of the Securities and Exchange Commission. His former law pupil at Yale and fellow New Dealer in those days was one Abe Fortas, and they remained the closest friends on and off the Supreme Court. Mrs. Fortas was retained by the Parvin Foundation in its tax difficulties. Abe Fortas was retained by Bobby Baker until he withdrew from the case because of his close ties with the White House.

I will state that there is some difference between the two situations. There is no evidence that Louis Wolfson had notorious underworld associations in his financial enterprises. And more important, Mr. Justice Fortas had enough respect for the so-called establishment and the personal decency to resign when his behavior brought reproach upon the U.S. Supreme Court. Whatever he may have done privately, Mr. Justice Fortas did not consistently take public positions that damaged and endangered the fabric of law and government.

Another question I have been asked is whether I, and others in this House, want to set ourselves up as censors of books and magazines. This is, of course, a stock liberal needle which will continue to be inserted at every opportunity no matter how often it is plainly answered in the negative. But as the "censor" was an ancient Roman office, the supervisor of public morals, let me substitute, if I might, another Roman office, the tribune. It was the tribune who represented and spoke up for the people. This is our role in the impeachment of unfit judges and other Federal officials. We have not made ourselves censors; the Constitution makes us tribunes.

A third question I am asked is whether the step we are taking will not diminish public confidence in the Supreme Court. That is the easiest to answer. Public confidence in the U.S. Supreme Court diminishes every day that Mr. Justice Douglas remains on it.

Finally, I have been asked, and I have asked myself, whether or not I should stand here and impeach Mr. Justice Douglas on my own constitutional responsibility. I believe, on the basis of my own investigation and the facts I have set before you, that he is unfit and should be removed. I would vote to impeach him right now.

But we are dealing here with a solemn constitutional duty. Only the House has this power; only here can the people obtain redress from the misbehavior of appointed judges. I would not try to impose my judgment in such a matter upon any other Member; each one should examine his own conscience after the full facts have been spread before him.

I cannot see how, on the prima facie case I have made, it is possible to object to a prompt but thoroughgoing investigation of Mr. Justice Douglas' behavior. I believe that investigation, giving both the Associate Justice and his accusers the right to answer under oath, should be as nonpartisan as possible and should interfere as little as possible with the regular legislative business of the House. For that reason I shall support, but not actively sponsor, the creation of a select committee to recommend whether probable causes does lie, as I believe it does, for the impeachment and removal of Mr. Justice Douglas.

Once more, I remind you of Mr. Justice Cardozo's guidelines for any judge:

> Not honest alone, but the punctilio of an honor the most sensitive, is then the standard of behavior.

Why should the American people demand such a high standard of their judiciary? Because justice is the foundation of our free society. There has never been a better answer than that of Daniel Webster, who said:

> There is no happiness, there is no liberty, there is no enjoyment of life, unless a man can say when he rises in the morning, I shall be subject to the decision of no unwise judge today.

Mr. JACOBS. Mr. Speaker, will the gentleman yield to me at this time?

Mr. WYMAN. The gentleman from Michigan (Mr. FORD) does not have the floor. I have the floor, and I am under commitment to yield to the gentleman from Ohio.

Mr. GERALD R. FORD. I am subject to the rules of the House, and I will be glad to answer any questions if the gentleman from New Hampshire will yield for that purpose.

Mr. HAYS. Mr. Speaker, I have not been here for this whole discussion. I had an engagement down at the State Department with the Secretary of State, and other people, including members of the NATO Standing Committee.

However, I have been briefed a little about this, and I heard the latter part of it. I am curious about a couple of things. One is that I thought I was fairly well read and that I got around about as much as anybody, and that I have fairly catholic tastes. But until tonight I never heard of this Evergreen magazine. Is it giving the Republican Party anything for the advertisement it is getting tonight?

Mr. GERALD R. FORD. May I respond to the gentleman, Mr. Speaker?

Mr. WYMAN. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. I never heard of the magazine before it was brought to my attention 3 or 4 days ago. It is a magazine entitled "Evergreen," and underneath the title on the front page of the issue that I hold it says, "Evergreen Review No. 77, April, 1970, one dollar."

Mr. HAYS. I have another question for the gentleman:

I have observed, and I did not make a point of order about it, although I guess it is against the rules, that a number of people on the Republican side were looking at this magazine during the gentleman's speech. Is it available only to Republicans—or can some of us Democrats get it?

Mr. WYMAN. I will respond to the gentleman by saying it is available on the newsstands, and several times in the last few days Members have sent their assistants out, and they have been able to purchase it. Regrettably, this involves a certain measure of advertisement, and it cannot be avoided.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from California.

Mr. BURTON of California. Few members in the history of the Supreme Court can match the consistently outstanding judicial record of Justice William O. Douglas in his defense, preservation, and strengthening of the constitutional rights and liberties of the American people.

I suspect that Justice Douglas would be among the first to defend our Michigan colleague's right to make his remarks. As for me, I want to be among the first to decry this attack on one of the most outstanding jurists in American judicial history.

Mr. WYMAN. Mr. Speaker, I yield to the gentleman from Louisiana (Mr. WAGGONNER).

Mr. WAGGONNER. I thank the gentleman for yielding. The statement of the distinguished minority leader is to be commended. It is beyond reproach.

Mr. Speaker on July 18, 1966, almost 4 years ago, I introduced House Resolution 920, calling for a complete investigation into the moral character of Justice William O. Douglas. It was patently clear to me at that time that this man was totally lacking either the moral or ethical probity to occupy a seat on this Nation's highest court.

Regretfully, too few Members of this body would join me in seeking passage of my bill. I am happy to cosponsor with a number of others, a new resolution seeking that same end. I welcome their support and I urge that every Member now turn his full attention to this subject.

You have heard the gentleman from Michigan, Mr. Ford. The events he has recounted, the statements and the postures which he has ascribed to Justice Douglas must appall you as they did me. They must, regardless of your party or demographic background, convince you that there is substantial cause to doubt the integrity, the morality and/or the competence of Justice Douglas.

The conflicts of interest in which Justice Douglas has been and apparently still is involved are nothing short of scandalous. His association, wittingly and for profit, with notorious elements of the gambling world, high priests of pornography, and with the radical left element are too numerous to pass over lightly or pass over at all.

The arm-in-arm posture Justice Douglas strikes with pornographer Ginzburg, underworld figure Lansky, and radical Hutchins demeans the high position he holds and certainly calls into question the propriety of his past and present actions.

My cosponsorship of this resolution stems from a single emotion, my outrage that Justice Douglas has not had the

XUM

decency to resign from the Court so that he could undertake this activity as a private citizen, rather than drag the robes of the Court through the mud.

Were he in retirement, removed from any position of responsibility, his intellectual infirmity and his moral slippages could be overlooked, even pitied. But this man occupies one of the highest positions of honor this Nation has to offer. In it, he sits in judgment daily on the lives, veritably, of both individuals and the populace as a whole. His least whim, his most casual aberration can suddenly, for all intents, become the law of the land. Certainly it comes within the ambit of our responsibilities here in the House to protect the people from the wavering judgment of a man to whom no certain morality can be ascribed; in whom no undoubtable trust reposed.

I will not take your time to reiterate the evidence which Mr. FORD has presented so thoroughly. It is sufficient to say that a reasonable doubt has been created as to the integrity of Justice Douglas. The select committee will have ample opportunity to pursue the subject in depth and either exonerate or indict.

The House must not sidestep its responsibility to, at least, examine into these grave charges of misbehavior and conflict of interest. To do so would make us derelict in our obligation to the people we represent. The people deserve the facts and I, for one, am willing to see that they get them.

The appointment of this select committee must be undertaken.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. I thank the gentleman for yielding.

I, too, would like to associate myself with the remarks of the distinguished gentleman from Michigan (Mr. FORD) and also to associate myself with the remarks of the gentleman from New Hampshire (Mr. WYMAN). The gentleman from Michigan has outlined quite convincingly the need for this Congress to take steps to conduct a full and impartial investigation into the affairs and actions of Associate Justice William O. Douglas.

We have been lulled into the totally unwarranted belief that once a man is appointed to the U.S. Supreme Court he is there for life. We seem to have taken this for granted no matter how repugnant the actions of a sitting Justice may be to the people of America. This has resulted in our operating under a double standard.

In effect, we have one standard of conduct for men nominated for duty on the High Court and another for those already sitting on the hallowed Bench. If we allow this to continue, we will be abdicating our constitutional responsibilities to insure that only men and women of the highest caliber are allowed to continue to sit on the U.S. Supreme Court once confirmed.

It would be redundant at this time for me to dwell on the questionable activities of Associate Justice Douglas such as his association with a so-called foundation that was connected with gambling interests in Las Vegas. But I would like to mention his public utterances and printed words that have condoned and even called for violence in America. These words and utterances so closely parallel the thin line between free speech and sedition and treason that it makes it hard to tell the difference. For this reason, the investigating committee is needed.

In a time when we have law-abiding citizens clamoring for law and order in America, it is totally wrong in my opinion to have an Associate Justice of the Supreme Court encouraging just the opposite. I just cannot condone Mr. Douglas openly taking the side of violent protesters. Protesters whose fate he will be asked to rule on in future Court decisions.

I think it quite appropriate that we discuss this matter on April 15—the day people throughout America are digging deep into their pockets to come up with the money to support our Government for another year. Especially since part of this money will go to pay the salary of Mr. Douglas to the tune of $60,000, plus other fringe benefits.

I say if Mr. Douglas wishes to condone, encourage, or participate in violent protests against his mythical establishment, then let him do it as a private citizen and not as an Associate Justice of the U.S. Supreme Court. I feel it is morally, legally, and constitutionally wrong for the people of America to subsidize this man's questionable activities against their will and to provide him a forum to espouse his seemingly farout beliefs.

I do not take lightly my responsibilities as a Congressman and my call for preliminary proceedings leading to impeachment. I would hope Associate Justice Douglas would be man enough to resign without the people of America having to suffer through a prolonged and ugly investigation.

Mr. JACOBS. Mr. Speaker, will the gentleman yield for a three-sentence statement?

Mr. WYMAN. I yield to the gentleman from Indiana.

Mr. JACOBS. Mr. Speaker, the gentleman from Michigan has stated publicly that he favors impeachment of Justice Douglas.

He, therefore, has a duty to this House and this country to file a resolution of impeachment.

Since he refuses to do so and since he raises grave questions, the answers to which I do not know, but every American is entitled to know, I introduce at this time the resolution of impeachment in order that a proper and dignified inquiry into this matter might be held.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The gentleman from New Hampshire has the floor.

Mr. WYMAN. I did not yield for that purpose.

The SPEAKER pro tempore. The gentleman from Indiana has introduced a resolution.

Mr. WYMAN. Mr. Speaker, I have some remarks I want to make on my own here but at this time I would like to make it very clear to all who are here and all who may be interested in this very serious problem that what the gentleman from Indiana has just proposed is precisely what we have been working on and do not believe is fair to the Justice of the Supreme Court.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I will in just a moment. We think there should be an investigation under oath to determine just how many of these allegations are so, and that it should be attended by witnesses who give their evidence under oath with the penalty of perjury. On this I am sure all my colleagues agree with me. That is the reason for the resolution which I will take a little time out of this special order to explain which would create a special committee of three Republicans and three Democrats to be appointed by the Speaker.

I yield to the gentleman from Ohio.

Mr. HAYS. Is the distinguished gentleman a member of the bar?

Mr. WYMAN. I am a member of the bar.

Mr. HAYS. I am not, but I think I understand how the Constitution expects impeachments to be held. Is not the House itself supposed to be the jury?

Mr. WYMAN. No——

Mr. HAYS. Let me put it this way: The grand jury that brings in an indictment.

Mr. WYMAN. No; the House is the body that impeaches, and its position in relation to impeachment is analogous to that of a grand jury in a criminal proceeding.

Mr. HAYS. The Constitution does not say anything about that grand jury, which in this case is the House, setting up a committee so that you can get a lot of publicity and try the case in the newspapers before the House has the case. I do not know how I shall vote on this at the moment, but I will tell you one thing. I will not be a party to any devious means of trying this case in the newspapers of the United States. We have too many cases tried there already.

Mr. WYMAN. I could not agree with the gentleman more, but I want this question to be decided by as close to a bipartisan nonpartisan group as can be. It is extremely important to realize, as the gentleman from Ohio will if he will read it—that this is not a resolution of impeachment. It is rather a resolution for an investigation to determine whether there should be an impeachment.

Mr. HAYS. I understand exactly what it is. It is a resolution to put it into the press where there can be a headline a day and where it can be dragged out as long as desired.

Mr. WYMAN. In case the gentleman should be at all interested, I happen to be a sponsor and probably will be the chief sponsor of these resolutions, but I will not serve on the committee. I have not the time. I am on the Defense Appropriations Committee, and I have already let our minority leader know I cannot serve on the committee. I am not interested in headlines, but I am interested in some of the extrajudicial activities of this sitting Justice on the Supreme Court. I think it merits investigation. In this I cannot help think the

XUM

gentleman from Ohio, whether he is a lawyer or not, will concur.

Mr. HAYS. It seems to me the gentleman's outrage is compounded in direct ratio to the number of nominees that have been turned down recently.

Mr. WYMAN. That has nothing to do with it either, as far as I am concerned. I do not speak for anyone else. I would have been for this investigation into the conduct and statements of the sitting Justice whether Judge Carswell had been confirmed or rejected, and, prior to him, Judge Haynsworth.

As a matter of fact, I was one of those who did not think this should be deferred until these matters were resolved, because I cannot see a connection between the two. I would be one of the first to investigate any judge on the Supreme Court, whatever his philosophy or viewpoint or persuasion, if he took such actions and made such statements as the sitting Justice Douglas has done.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Virginia.

Mr. SCOTT. Mr. Speaker, for the information of Members, I would like to say I have 1 hour directly following the gentleman in the well. I will take only from 10 to 15 minutes and I will be glad to yield time, either to the gentleman in the well or to people on both sides of the aisle, if the gentleman in the well might be permitted to make his statement.

Mr. ECKHARDT. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Texas very briefly. I would like to finish my remarks in the time I have, and in any time remaining I will be glad to yield further.

Mr. ECKHARDT. Mr. Speaker, I believe the gentleman from New Hampshire is a very able constitutional lawyer. I feel sure he is. Does the gentleman not recognize the Constitution covers this matter in two aspects, one in its division of powers provision and, two, in its provisions with respect to impeachment, and by so covering the matter it precludes another approach to a review by one body of Government over another body. Does the gentleman not recognize that only the process of impeachment may be instituted in this body properly as a means of reviewing the activities of a sitting judge?

Mr. WYMAN. I thought that is what we were trying to do—to find out whether or not to impeach after learning more of the facts. Then, if the House wishes by majority vote to impeach the sitting Justice, that can be done.

Mr. ECKHARDT. Mr. Speaker, if the gentleman will yield further, it is precisely that process that is provided in the Constitution by the institution of impeachment in this House.

Mr. WYMAN. And that is precisely what the resolution I will refer to in a moment is designed to accomplish, but in a much more responsible manner, I submit to the gentleman, than by merely rising at this state of affairs and saying, "I impeach the Justice."

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Washington.

Mr. FOLEY. Mr. Speaker, I wonder if the gentleman could advise us—and I do not want to anticipate his speech—but just briefly whether the gentleman will advise us of the purpose of the special select committee, whether it would be to hear allegations and other evidence alleged against Justice Douglas and make a positive recommendation to the House as to whether or not impeachment proceedings should proceed. Is that correct?

Mr. WYMAN. That is precisely what it is designed to do. And may I say, since the gentleman has brought it up, that the special subcommittee in its work would not be confined to the leads or to whatever is listed in the whereas clauses in the resolution. It can go into anything that is relevant that it wishes to in the 90-day period that is required.

Mr. FOLEY. Another question, if the gentleman will permit. The gentleman mentioned a moment ago the select committee would consist of six Members appointed by the Speaker, three from the majority side and three from the minority side.

Mr. WYMAN. That is right.

Mr. FOLEY. The gentleman is, I am sure, aware of the rule of the House that when such select committees are appointed, the Speaker will appoint the minority Members on the recommendation of the minority leader. I wonder if the gentleman would address himself to the question, whether, if this committee is to be appointed, it would be appropriate for the distinguished minority leader, who has stated on the floor his conviction that impeachment should lie at this time without further evidence, whether it should be appropriate for him to nominate half those Members who would hear the evidence and report to the House.

Mr. WYMAN. I have the utmost confidence in the able minority leader's integrity and in his nomination of persons to the Speaker for consideration in regard to appointment to the special committee who are not out "to get" Justice Douglas but who are solely out to ascertain the facts and from them to make recommendations to this body.

Furthermore, so far as the gentleman's observation is concerned, I consider it a bit of a reflection upon the character of the membership of this House, to suggest that there are Members within our membership who are persons who would take on this special committee and go out to do a "hatchet job." I just do not think so. It may be there are some who would. I would not. I am sure the gentleman would not.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Ohio.

Mr. HAYS. Is the gentleman who is standing in the well saying—I have heard a lot of oratory in my time here about the wisdom of the Founding Fathers, who wrote the Constitution, and strangely enough I get a little criticism from the New Left because I subscribe to some of that—that the Founding Fathers, the people who wrote the Constitution, who set up the separation of powers and who set up the impeachment procedure are all wrong, and we are so much brighter that we ought not really come to grips with this in a constitutional way but we ought to set up a committee to tell us whether or not we ought to come to grips with this in a constitutional way? That is about what the gentleman is saying.

Mr. WYMAN. Not at all. The House has several options in this situation. Any Member has those options. Any Member can rise at any time and say, "I impeach," and then list the charges and demand a vote; and there will be a vote.

The House itself, before it acts to impeach, always investigates. It can investigate through its Judiciary Committee, or it can investigate through a special committee.

In the circumstances of this rather unique situation, where not since, I believe, 1836, or some time long ago, has a Justice of the Supreme Court been sought to be impeached, we believe that a special committee, as would be set up in this resolution, is the proper course. There is nothing irregular or extraordinary or unusual about it.

Mr. HAYS. The last time I recall any operation like this, rather remotely resembling this, was when the late Carroll Reece, as the price of his vote on a tax bill, got the House to agree that he could have a committee to investigate foundations. It was not 50–50; it was 3 to 2; and I was the ranking Member on the minority side. It was a very unprejudiced investigation, believe you me. All of the staff and all of the witnesses were preparing documents to prove that Rockefeller and Ford were Communists, and that they set up a foundation to be run by Communists.

I guess my finest hour around here was when I got their chief witness to read three paragraphs which I submitted to him, and asked him if he would care to characterize this literature without knowing who wrote it. He took it hook, line, and sinker. I won a few bets in the Press Gallery, from those who said it would not work. I apprised them of my intention ahead of time.

He read the three paragraphs and he said, "Oh, that is as communistic literature as I have ever read."

I said, "Would you care to know who the author was?"

He said he guessed he would.

I said, "It just happened to be Pope Pius."

That ended this unbiased, unprejudiced investigation.

It seems to me the gentleman is in the position right now of being out of date, because, as I understand it, a bill of impeachment has already been filed, and that lets the House come to grips with it, without any select committee, which may or may not be stacked.

Mr. WYMAN. If it is stacked it can only be stacked because of the decision of a higher authority than mine.

As I told the gentleman before, I do not believe it will be stacked.

So far as the parliamentary situation

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is concerned, the resolution will be offered tomorrow to set up the special or select committee, and it will have an alternative for the House. The House will have an alternative either to vote to set up a select committee or to vote up or down an impeachment. I cannot stop that.

I just believe, from what the gentleman from Michigan said and from what appears in the form of general circulation in this House and from what we read in the newspapers and magazines and editorials, that there is enough to warrant an investigation.

It is an investigation, as I have said. It is not designed to impeach unless it finds facts warranting this. It is an investigation to ask Justice Douglas what, as a Justice of the Supreme Court, is he doing bringing the Court into disrepute and attacking the Government as well?

Mr. HAYS. Do you think there is enough evidence for impeachment?

Mr. WYMAN. I would vote to impeach now on nothing more than statements in his book, "Points of Rebellion," and the fact that the Justice has sought deliberately to pour gasoline on the fires of civil unrest in this country at this time of domestic distress and all from the vantage point of the Supreme Court. I would, but recognizedly others would not. They want more evidence and there is ample indication that it is available.

Mr. HAYS. Then, why do you want to appoint a committee?

Mr. WYMAN. Because the will of this House is shown by 435 Members and not just the gentleman from New Hampshire.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield ?

Mr. WYMAN. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I think that the distinguished minority leader made a very, very strong and convincing case of the reprehensible conduct of the jurist, particularly when we consider that just in the last few weeks the other body has decided that men sitting on the Supreme Court must have extraordinary ability. Surely anyone who permits the use of his name and his material for a magazine that has been presented here does not reflect that kind of extraordinary ability. But I am troubled not at the question as to whether or not the jurist's conduct is reprehensible. That, I think, has been sufficiently made out here, and the gentleman made a very valid probable case of probable cause. But I am troubled by the whole procedure that the gentleman is suggesting. Where in the law or in the Constitution is there a provision to proceed in the manner in which the gentleman is proposing? The Constitution itself does say that if the House of Representatives feels that a Justice's conduct is such that it is subject to impeachment, then the House shall sit as the judge for establishing probable cause and not a commission. I seriously wonder and I am going to ask the gentleman to tell me, is there some other place we can look to find an answer as to whether or not this House can delegate its responsibility——

Mr. WYMAN. Yes.

Mr. PUCINSKI. To six other men?

Mr. WYMAN. Yes. It does not delegate its responsibility for one moment. There are precedents available. The House virtually always acts through committees. We have a Parliamentarian, and the gentleman knows that if this is assigned to the Committee on Rules, we will have hearings there and there will be an opportunity to determine the question.

Mr. PUCINSKI. Will the gentleman yield for another question?

Mr. WYMAN. Yes, but that is all. I yield.

Mr. PUCINSKI. Would it be in order—and I do not know whether it would be—to ask as a parliamentary point of information, and I do not know whether or not our Parliamentarian is the person to ask this question, that is, as to whether or not the procedure suggested by the gentleman to delegate the responsibility of the House to a committee is proper and within the bounds of the Constitution.

The SPEAKER pro tempore. That is a matter for the House to determine under the rules.

Mr. PUCINSKI. The Rules Committee will make that decision.

Mr. WYMAN. That is what I think I just said to the gentleman.

Mr. CAREY. Mr. Speaker, will the gentleman yield for one moment?

Mr. WYMAN. I yield to the gentleman.

Mr. CAREY. I could not help but note for the record that it was just at this time, on this day, April 15, 1865, when a great President of the Republican Party, Abraham Lincoln, passed from this earth as a result of an assassin's bullet. That was the same time as tonight, April 15, 1865. He passed away then. Subsequently the chapter of history was written in which an impeachment was brought against a sitting President, according to the traditions and rules and practices and customs of the House before a duly constituted committee of the House. If it is such a grave proceeding that you contemplate here, why is it prudent to talk about a six-man committee when we have a sitting committee of great stature in the House which is constituted to handle an impeachment procedure?

Mr. WYMAN. Yes, I know. But its chairman already has indicated he looks with disfavor on the whole question.

Mr. CAREY. The gentleman who preceded you in the well indicated he would vote for impeachment.

Mr. WYMAN. Yes.

Mr. CAREY. What is the proper committee? A committee of four or of seven?

Mr. WYMAN. The gentleman is very familiar with the rules of the House and the powers of committee chairmen. The place to have it out before the House is first to decide it is in the Committee on Rules. Let them sit and vote it up or down and then refer it to a special committee of whatever number they wish. We will make the proposal.

If you will, I must finish now. I have only 26 minutes left, and I must complete my own remarks.

Mr. McEWEN. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I would like to get my own remarks in the RECORD, but I will yield to the gentleman.

Mr. McEWEN. Very briefly, I was surprised, Mr. Speaker, that the gentleman from Illinois raised the question of precedent as to such a select committee, because those of us who served in the 90th Congress recall the question of a Member-elect whose qualifications to sit here were challenged and in that case the House referred the matter to a select committee.

The Constitution does not say anything about a select committee, a standing committee, or anything else. It simply says that this body is the sole judge of the elections, returns and the qualifications of its Members. There was nothing inconsistent with that constitutional edict when we referred that matter to that committee to make a study and report to this House.

Mr. WYMAN. I thank the gentleman for that contribution, and I decline to yield further at this time.

Mr. Speaker, I want to discuss at this time some of the facts in this matter which I know will be to a certain extent repetitive but which I hope are not redundant.

The situation before the House is that a resolution has been prepared and will be introduced tomorrow for myself, Mr. SCOTT, Mr. WAGGONNER, Mr. SIKES, and many cosponsors, calling for an investigation of the activities of a Justice of the Supreme Court of the United States.

It is not a resolution of impeachment. It is a resolution that calls for the establishment of a committee that happens to be composed of six members, three from each side of the aisle, to determine what should be done, and to bring in its report as to whether Justice William O. Douglas, on the basis of the committee findings, should or should not be impeached.

Mr. Speaker, with reference to what has been said, briefly, I would call the attention of my colleagues to the fact that at that time the will of the House will be worked on the recommendations of the committee. This process is not going to destroy the Supreme Court. Some of the more hostile recent editorials have suggested that a subcommittee investigation of these rather serious charges will destroy or undermine the Supreme Court of the United States. As a matter of fact, the contrary is true. If we did not do anything about such conduct it would go further and it would destroy confidence in the judiciary, because the activities of Justice Douglas are continuing to bring the Supreme Court into disrepute.

Now, this is serious business, but it is basic to anyone's understanding of the problem to realize that the Justice has brought it upon himself. In fact, to use a commonplace manner of speaking, he has been asking for it for many years.

Last year, 1969, in May, the Chicago Tribune said about this subject, and I quote from a lead editorial:

> Whatever the ABA committee decides, if Douglas does not resign the House Judiciary Committee should initiate impeachment proceedings. As the House charged and the Senate decided by a two-thirds vote in the case of Judge Halsted L. Ritter, in 1936, Justice Douglas' actions have tended "to bring his court into scandal and disrepute."

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Of course, everyone is familiar with the fact that the ABA referred to is the American Bar Association.

And, on the same matter last year the New York Times in a lead editorial on May 24, said:

> Anyone who serves on the Federal bench surrenders the right to engage in the arena of public controversy or in the business world. This self-denying ordinance had long been taken for granted, but in the light of recent disclosures an explicit code of conduct for the judiciary may be useful.

Also, in the Washington Evening Star in the same month the Star said in a lead editorial entitled, "The Douglas Letter" and addressed to Albert Parvin to which the gentleman from Michigan made reference:

> This is too serious a matter to be hushed up or dropped. The fitness of Justice Douglas to stay on the Court is very much in question. If there is reason to think there is more to it than has yet appeared, the Department of Justice should take possession of all documents and correspondence bearing on the relationship between the justice on the one hand and the foundation and Parvin on the other. This would make it possible to get to the bottom of the matter, which most certainly should be done.

Mr. Speaker, I think our select committee, whomever may serve on it, with adequate staff and counsel, can get to the bottom of the matter within the prescribed 90 days.

But, Mr. Speaker, I can remember—I think it was 20 years ago, or thereabouts—when Justice William O. Douglas, after a mountain-climbing expedition in the Himalayas, returned and publicaly advocated the U.S. recognition of Communist China, which was regarded as a dangerous nation at that time. Many Americans, including myself, wondered why a Justice of the Supreme Court would make public statements concerning matters relating to the responsibility and the province of the executive branch and the Senate of the United States.

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Since then Justice William O. Douglas has engaged himself in one matter after another that are not the proper function and role of a Justice of the Supreme Court.

I believe it is important to observe at this point that it would not make any difference whether a Justice so conducts himself has a personal philosophy oriented to the right or the left. It is immaterial to me what Justice Douglas' personal views are. He has a right to his views. But he has no right as a sitting judge to publicly declare these views when they refer to matters in controversy likely to come into controversy before the Court particularly in a manner calculated to rile up the people and encourage further resort to violence when violence is already rampant in America.

The situation facing this House at this hour is one of a Justice of the Supreme Court who has brazenly flaunted virtually every ethical standard applicable to the judiciary or orderly society.

Now, in the first place, historically as well as conceptionally, judges are judges.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I cannot yield until I finish.

From the ancient days of Greece and Rome through to the development of English common law, judges must live in a world apart. They must remain detached, objective, for they have the power to sentence to death or to imprisonment, or the power to make economic judgments that are the equivalent of actual life and death for citizens. They simply do not have and must not have the latitude to speak out on current issues that are available to a private citizen. If they want to speak out, if they are so deeply motivated as to feel that they must declare themselves as advocates of a cause, whatever that cause may be, then they should get off the court to be in a position to do this. And, of course, this is what Justice Douglas should do.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I told the gentleman before, Mr. Speaker, I do not want to yield until I finish my remarks.

Mr. HAYS. Mr. Speaker, I have a very good question that affects me personally, and I also would like to go home.

Mr. WYMAN. If it affects the gentleman personally, I yield to the gentleman.

Mr. HAYS. Well, I have been filled in a little bit since I have been here about some of the discussion, and as I get the story—and if I am incorrect the gentleman can tell me so—that this magazine that they have over there, that Justice Douglas wrote an article for it, and there happens to be some nude pictures in it, but there was no relation between the article and the nude pictures; is that correct?

Mr. WYMAN. I do not know.

Mr. HAYS. The gentleman has not read the magazine?

Mr. WYMAN. I have looked at the magazine, and I presume the committee would want to investigate whether the Justice saw the format in which the article attributed to him appears before it was released to the press—a format that directly attacks the office of President of the United States.

Mr. HAYS. I ask the gentleman was there any connection between the article that he wrote and nude women, or was it something else?

Mr. WYMAN. The article had to do with the need to resort to violence, if necessary, if peaceable dissent proved ineffective in changing and restructuring the Government of the United States.

Mr. HAYS. My question to the gentleman was as to whether there was any connection between the article and the licentious pictures?

Mr. WYMAN. None whatsover, other than juxtaposition.

Mr. HAYS. The question I have asked is because I have just written an article for a magazine, not this one, defending congressional travel, as a matter of fact, and pointing out that on a lot of the occasions that the Congressmen do a great deal of work.

I have no control over this magazine. Maybe I can still stop it. They have not paid me yet. But what I want to know is if they put a picture of a nude woman next to my article about travel, am I going to be removed from this body because of it?

Mr. WYMAN. Of course not.

Mr. HAYS. All of the arguments I have heard of in the newspapers, and what I have been filled in on here show that most of the attention apparently to this particular magazine, which I never heard of until tonight nor ever saw in my life, had to do with lascivious pictures and his article, which I assume somehow are connected.

Mr. WYMAN. That may be where most of the attention came in the press, and it may be where a lot of talk has been directed. But so far as I am concerned, it is irrelevant.

Mr. HAYS. You said you had not read the article or had looked at the pictures. Is that true of everybody over there?

Mr. WYMAN. No; I have not said I never read the article or looked at the pictures. Certainly I looked at the pictures. They are one of the reasons these magazines sell—and the gentleman recognizes that. But what concerns me, and one of the reasons I believe that an investigation is warranted, is because what the Justice wrote in the article about violence to alter the Government of the United States, of which the gentleman is a member.

Mr. HAYS. Has anybody read the article—or is everybody over there who has a magazine just looking at the pictures?

Mr. WYMAN. The article is in a series of excerpts from the book "Points of Rebellion"—that is what the article is. For your information, it has come to me in the rumor stage and I say the rumor stage because I have not talked to the Justice—that Justice Douglas says he did not know anything about the Evergreen magazine or the article appearing in it. That rumor may be fact or it may not, but it certainly is one of the things I would assume that a committee acting for this House would look into and report upon.

I think the Justice would be in a position where as a private citizen he can write all the books and memoirs and make all the statements about how broad the first amendment liberties should be that he wants or how justified violence may be to restructure the Government of the United States—that he wants to. That is, as a private citizen. Unfortunately the Justice has not only repetitively ignored that basic requirement of detachment, but he has done so in the most provocative ways and settings imaginable.

I think when a sitting Justice of the Supreme Court writes that the President of the United States and the Government of the United States is George III of England who denied religious freedom to people and who was guilty of taxation without representation and from whom our forefathers came to America to establish a government of freedom and justice for our citizens and when he suggests that that revolution which is glorious in our tradition may be the trigger for a revolution which would also be glorious to change the Government of the United States by violence—

a government which he says plainly is no longer responsive to the people of the United States through this House or through the other body, I think this is one concrete illustration of the inestimable and incalculable amount of harm that is being done to the very structure of our society by this Justice.

I know there are many Members of this body who feel that words alone are not something on the basis of which the House should impeach. But there is a great deal more, to which the gentleman from Michigan has made reference, that warrants investigation.

I question whether you may give legal advice when you are on the Court. You are not supposed to. I question whether you may sit in judgment on somebody with whom you have financial connections. You are not supposed to. But the problem here is very clear, that unless this body acts, there is no other place in the world that can act to deal with this kind of situation, because under the Constitution, to which the gentleman from Ohio and other people made reference here, this is the only body in the world that can impeach a judge of the Supreme Court of the United States or can even investigate to determine whether or not there should be impeachment.

And there is no question, my friends, that this is warranted at this particular juncture in the activities of this particular Justice.

I have made reference at this point almost exclusively to the writings and statements of Justice Douglas, but I think it is fair to ask these questions.

Is it good behavior for a judge of the Supreme Court to take pay on the side from corporate entities with tax exemptions provided that they do it right—and give them legal advice as to how to set up and operate so as to continue with their tax-exempt status? Of course not.

Is it good behavior for a Justice of the Supreme Court to take an annual salary of thousands of dollars from a corporate entity heavily involved in and related to gambling and known criminals? Of course not.

Is it good behavior for a Justice of the Supreme Court to serve as a director and officer of a political action group that finances, edits, and distributes directly or indirectly extremely controversial and provocative speeches and statements relating to violence and unrest in America at a time when America, from communities in the gentleman's State to communities of my State and the big cities are having problems in how to make the streets safe for orderly and law-abiding members of society to walk upon?

In this connection the president of the Center for the Study of Democratic Institutions at Santa Barbara, Calif., advised me in writing last month that Justice William O. Douglas has been a member of the board of directors of the Fund for the Republic, directing the center, since 1962, and that the board meets twice yearly to determine the general policies of the center. He also advised me the Justice is chairman of the executive committee of the board, and he has been paid nearly $7,000 in "honoraria" since 1962 in the following amounts and years: 1962, $900; 1963, $800; 1965, $1,000; 1966, $1,000; 1968, $1,100; 1969, $2,000.

The situation here, without belaboring the point—and my time has almost run out—clearly, I believe, warrant a nonpartisan, bipartisan select committee of three Republicans and three Democrats that has a lot of questions to ask and a lot of facts to ascertain, and I think it is wholly irrelevant as to whether anybody serving on the committee is going to get any publicity or make any headlines or anything else, because what is really at stake here is the people's right to an independent and nonpartisan judiciary. The people of America have a right that their Justices on the Supreme Court shall remain judicial, shall remain judges, and shall not become advocates for causes or against causes to come before the Court. They have the right that their judges should keep out of conflicting financial dealings that, at the very least, tend to impair their objectivity as judges.

And they have the right that this House of Representatives should insist that the judges not flagrantly violate the American Bar Association's Canons of Judicial Ethics. Not only in this their right, the people's right, but as the people's Representatives, this is our obligation. It is our obligation, on the basis of the charges that have been made here, to look into this and to make a report and to determine whether or not the Justice should be removed.

I do not at this point use the word "impeachment" because many people do not quite understand. "Impeach" sounds like a very bad word. I suppose in a sense it is. It might be akin to the resolutions of censure that have been used in the other body. But actually all "impeach" means is a process of removal. The question before us is whether the Justice has so conducted himself that, in the judgment of a majority of the Members of this House, he should be removed, and if we think that is the case, we should draw up the charges and send them over to the other body.

I hope that those Members who have not had time to do so will take the time to review the resolution for investigation and become cosponsors if they are so inclined.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Ohio.

Mr. HAYS. You say "impeach" means to remove. I understood that "impeach" means to bring an indictment, and it is left to the Senate to decide whether he should be removed. Am I wrong?

Mr. WYMAN. No; the gentleman is correct. I was referring to public acceptation of the word. "Impeach" means to charge. The removal, if it is done at all, will be done in the other body by a two-thirds vote. This body makes the charge and sends it over to the other body.

Mr. HAYS. It sounded like you were saying that "impeachment" meant removal.

Mr. WYMAN. I understand the gentleman's confusion, and I regret it should have been caused.

I yield to the gentleman from New York (Mr. HORTON).

Mr. HORTON. Mr. Speaker, we are living in an era when the institutions of government in America and the people who man them are undergoing the severest tests in history. Not only are we, in government, being tested for our adequacy of response and imaginativeness in the face of massive public problems, we are being tested against the justifiably severe standards the framers of this democracy laid down for those on whose shoulders fall the privileges and duties of public office and public responsibility.

A public and a press which are increasingly well informed and aware of the seriousness of the problems which face us are demanding far stricter adherence to the standards of conduct and integrity which should bind every officeholder. This healthy trend is applied to the Congress, the executive, and to the Federal judiciary, as well as to State and local officials.

As one who has supported the establishment of a Committee on Standards of Official Conduct in the House—and has urged that its powers be broadened—I also can support responsible and cautious moves to probe standards of Federal judicial conduct and behavior.

The distinguished minority leader is today proposing that a special investigatory committee be appointed to probe allegations that an Associate Justice of the U.S. Supreme Court, Justice William O. Douglas, has not met the standards of "good behavior" imposed by the language of article III of the U.S. Constitution.

The appointment of this committee is requested as an exercise of the constitutional power of the House of Representatives to act as grand jury and prosecutor in impeachment proceedings—in which the Senate acts as trial judge and jury.

I have reviewed several accounts of the allegations against Justice Douglas. I make absolutely no conclusions as to their validity, or as to whether if they are factual, they are sufficient to support an impeachment proceeding. I do believe that the question of integrity of Federal judges, and particularly Supreme Court Justices is a vital one for our society, and I believe that no harm could be done if a proper, thorough, and responsible review of qualifications for judicial office, and standards of judicial conduct were held.

If a committee, as suggested by the gentleman from Michigan, were appointed for the purpose of reviewing the facts surrounding serious allegations made against this Justice, or any other Justices, I feel the existence of such a committee, whatever the outcome of its probe, would be a beneficial one for public confidence in the judicial branch of Government.

In the recent past, one Associate Justice of the Supreme Court resigned after allegations attacking his integrity were made, despite the fact that no real investigation was held, and no firm standards were ever laid down to guide judicial conduct. His resignation probably had

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the beneficial effect of protecting the Court from sharing any cloak of wrongdoing worn by the Justice.

But we cannot continue to let mere public exposure in the press, and its accompanying emotionalism, serve as judge and jury in assessing the conduct of public officials. Some responsible moves within Government must be made to set and enforce standards. There can be no better way to accomplish this than to look to the provisions of the Constitution itself for policing the conduct of Federal judges and officials.

Unlike the President, Vice President, a Senator or Congressman, a Federal judge cannot be removed or recalled by the people through periodic elections. A judge serves "during good behavior" subject only to his death, resignation, or impeachment through constitutional proceedings in the Congress.

The mere beginning of an investigation that may lead to impeachment does not impute guilt to any party. A Supreme Court Justice, like any accused person, is innocent in this land until found guilty—in this case by a two-thirds vote of the U.S. Senate.

As a lawyer and a public servant, I believe that a priceless ingredient for any judge is integrity. The process and institutions of justice will stand or fall according to the integrity of its judges and justices. Not only is judicial integrity a matter of legitimate public concern, just as the integrity of Congressmen and Senators is a legitimate concern, judicial integrity is essential to public confidence in our system of government and its ability to protect the rights of individuals under the Constitution.

Thus, I believe the advent of serious allegations against any Federal judge should give rise to a proper investigation by a committee of the House convened for the purpose of carrying out such an investigation. In supporting the proposal that a committee be convened to look into the particulars of this case, let me make these principles very clear:

First. I do not believe that any man's fitness to serve as a judge, legislator, or public official should be determined by his personal philosophies or political views, however novel, as long as he is shown to be upholding the Constitution of the people he serves.

Second. I do not believe that any man's fitness to serve should be determined by his personal habits, values or moral principles, however unpopular or novel, except where his personal behavior clearly is destructive of the judicial body or structure on which he serves.

Third. I do not believe that under any pretense, a body of public opinion or public officials who share a common political philosophy, should seek to condemn or impeach an official of different philosophy where the real ground of disagreement or impeachment is philosophical and not related to the integrity of that individual to serve.

I believe that a responsible committee to investigate the conduct alleged can be convened without allowing itself to engage in any form of political or philosophical "witch hunt," and without seeking in any way to "retaliate" for political reasons against the failure of the Senate to confirm two of the President's nominees for the Supreme Court.

It must be possible for a reasonable probe of judicial conduct to be held by this House without reference to the Senate's action on Judge Haynsworth and Judge Carswell, and without reference to whether or not the Members of this House agree or disagree with Justice Douglas' views on free speech and obscenity, or with his expressions of social philosophy.

The challenge is simply this: Can we objectively weigh the integrity and impartiality of a man's official behavior against the high standards which the public and the Constitution demand for service in high Federal office? If we can, there is hope that respect—from all segments of the political spectrum—can be regained and maintained for our institutions of government. If we cannot, then our standards will be judged by sensational public exposés, with no recourse to either individual rights or constitutional procedures.

I have enough faith in our system and our institutions to believe that our National Legislature is sufficiently capable and responsible to deal fairly and squarely with this problem.

In light of this belief, I intend to sponsor a House resolution authorizing the appointment of the investigating committee. My resolution will make no allegations or recitations as to any evidence or changes that have been made regarding Justice Douglas' conduct.

By adopting a resolution free of any conclusions of fact, I believe the House can form a committee which would conduct its probe from a strictly objective beginning.

Mr. CORMAN. Mr. Speaker, my curiosity was aroused by the minority leader (Mr. Gerald R. Ford) concerning an article written by Justice Douglas in Evergreen magazine.

Mr. Ford's detailed description of the magazine in which the article appeared, his reading of the table of contents, or that portion which his sensitivities permitted him to read, his graphic description of certain pictures in the magazine not connected with the Justice's article, gave me no clue as to the content of the article. Having no interest in the pictures described by Mr. Ford, but feeling that the article itself was relevant to our discussion, I asked the Library of Congress to provide me a copy, expurgated of the irrelevant, extraneous, allegedly lewd, and lascivious surrounding material.

I submit the article for the Record, believing that it speaks for itself, and may cast a new light on the presentation of the minority leader, Mr. Gerald R. Ford:

REDRESS AND REVOLUTION

(By William O. Douglas)

I remember an alpine meadow in Wyoming where willows lined clear, cold brook. Moose browsed the willow. Beaver came and made a dam which in time created a lovely pond which produced eastern brook trout up to five pounds. A cattle baron said the sagebrush was killing the grass. So the Forest Service sprayed the entire area. It killed the sagebrush and the willow too. The moose disappeared and so did the beaver. In time the dam washed out and the pond was drained. Ten years later some of the willow was still killed out; the beaver never returned; nor did the moose.

Why should a thing of beauty that hundreds of people enjoy be destroyed to line the pockets of one cattle baron?

The agency decision that destroys the environment may be the cutting of a virgin stand of timber or the construction of a road up a wilderness valley. Hundreds of actions of this kind take place every year; and it is the unusual case on which the public is heard.

In 1961–1962, the Forest Service made plans to build a road up the beautiful Minam River in Oregon, one of the few roadless valleys in the state. It is choice wilderness—delicate in structure, sparse in timber, and filled with game. We who knew the Minam pleaded against the road. The excuse was cutting timber—a poor excuse because of the thin stand. The real reason was road-building on which the lumber company would make a million dollars. The road would be permanent, bringing automobiles in by the thousands and making a shambles of the Minam.

We spoke to Senator Wayne Morse about the problem and he called over Orville Freeman, Secretary of Agriculture, the agency that supervises the Forest Service. Morse pounded the table and demanded a public hearing. One was reluctantly given. Dozens of people appeared on the designated day in La Grande, Oregon, not a blessed one speaking in favor of the plan. Public opposition was so great that the plan was suffocated.

Why should not the public be heard whenever an agency decides to take action that will or may despoil the environment?

The design of a highway, as well as its location, may be ruinous to economic, esthetic, scenic, recreational, or health interests.

By highway design and construction, the Bureau of Public Roads has ruined fifty trout streams in the Pacific Northwest. Gravel and rocks have been dumped in the streams, making the water too fast for trout or salmon. Rivers have been dredged, with the result that they have become sterile sluiceways.

Why should not the public be allowed to speak before damage of that character is done?

Racial problems often are the key to a freeway crisis. In Washington, D.C., the pressure from the Establishment was so great on the planners that the natural corridor for the freeway was abandoned and the freeway laid out so it would roar through the black community. That experience was not unique. Many urban areas have felt the same discrimination. The blacks—having no voice in the decision—rise up in protest, some reacting violently.

Why should not all people—blacks as well as whites—be allowed to appear by right, before a tribunal that is impartial and not a stooge for the powerful Highway Lobby, to air their complaints and state their views?

Why should any special interest be allowed to relocate a freeway merely to serve its private purposes?

The Highway Lobby makes the Bureau of Public Roads almost king. In 1968, when Alan Boyd proposed hearing procedures before federally supported highways were either *located* or *designed*, public hearings on the proposed regulations were held. Every one of our fifty governors appeared or sent word *opposing* the regulations. Why? Because the national Highway Lobby and the state highway departments have such a close working partnership that nothing should be done to disrupt it. That means that they think that individuals should have no voice in planning. Yet the location of a highway may: (a) ruin a park, as those in Washington, D.C. know from the repeated threats to Glover Archbold Park; (b) ruin the scenic values of a

XUM

river; (c) needlessly divide a unitary suburban area into separate entities; (d) ruin a trout stream (as some fifty highways have done in the Pacific Northwest); (e) have an ugly racial overtone, as when a freeway is diverted by the Bureau from a white area and sent roaring through the middle of a black section.

The values at stake are both esthetic and spiritual, social and economic; and they bear heavily on human dignity and responsibility. Is a faceless bureaucrat to tell us what is beautiful? Whether a particular type of highway is more socially desirable than the country's best trout stream? Whether a particularly described highway is more desirable than a wilderness park? Whether the blacks should be sent scurrying so that the whites can live in peace and quiet? Where do the blacks go but into more crowded neighboring slums, as there are no suburban slums yet created?

Offshore leasing of oil lands has become another explosive issue. Offshore oil wells may result in leakages that ruin a vast stretch of beaches, as recently happened at Santa Barbara. Conservationists, if heard, could have built a strong case against the permits. Without any hearings, Secretary of the Interior Udall was allowed to do the bidding of the oil companies and knuckle under to the pressure of President Johnson to start more money coming into the federal treasury to wage war in Vietnam. The result was that the beaches of Santa Barbara were ruined by one man's *ipse dixit*.

The tragedies that are happening to our environment as a result of agency actions are too numerous to list. They reach into every state and mount in intensity as our resources diminish.

People march and protest but they are not heard.

As a result, Congressman Richard L. Ottinger of New York has recently proposed that a National Council on the Environment be created and granted power to stay impending agency action that may despoil the natural resources and to carry the controversy into the courts or before Congress, if necessary.

Violence has no constitutional sanction; and every government from the beginning has moved against it.

But where grievances pile high and most of the elected spokesmen represent the Establishment, violence may be the only effective response.

In some parts of the world the choice is between peaceful revolution and violent revolution to get rid of an unbearable yoke—either religious, military, or economic—on the backs of people. The Melville account from Guatemala is in point. (Thomas R. Melville and Arthur Melville are two Maryknoll Fathers and Marian P. Bradford was a nun who later married Thomas.)

These three worked primarily among the Indians who make up about 56 percent of the population of Guatemala. They saw the status quo, solidly aligned against the Indians, being financed by our Alliance For Progress and endowed with secret intelligence service to ferret out all "social disturbers." Between 1966 and 1967, they saw more than 2800 intellectuals, students, labor leaders, and peasants assassinated by right-wing groups because they were trying to combat the ills of Guatemalan society. Men trying to organize unions were shot, as were men trying to form cooperatives. The Melvilles helped the Indians get a truck to transport lime from the hills to the processing plant, an operation historically performed by Indians who carried one-hundred-pound packs on their backs. A truck would increase the production of the Indians and help raise their standard of living. But the powers-that-be ran this truck off the road into a deep canyon and did everything else possible to defeat this slight change in the habits of the Indians.

And so the Indians faced the issue of whether the use of violence in self-defense was justified. The simple question they asked their priests was whether they would go to hell if they used violence.

The Melvilles said:

"Having come to the conclusion that the actual state of violence, composed of the malnutrition, ignorance, sickness and hunger of the vast majority of the Guatemalan population, is the direct result of a capitalistic system that makes the defenseless Indian compete against the powerful and well-armed landowner, my brother and I decided not to be silent accomplices of the mass murder that this system generates.

We began teaching the Indians that no one will defend their rights if they do not defend them themselves. If the government and oligarchy are using arms to maintain them in their position of misery, then they have the obligation to take up arms and defend their God-given right to be men."

Their final conclusion was: "Our response to the present situation is not because we have read either Marx or Lenin, but because we have read the New Testament."

That is also what Dom Helder Camara, Archbishop of Recife, Brazil, was telling the world in 1969. "My vocation," he said, "is to argue, argue, argue for moral pressure upon the lords." The "lords" are the "slave-masters"—the Establishment in Brazil and the United States, now dedicated to crushing any move toward violent upheaval. Though violence is not open to Archbishop Camara, he said, "I respect the option for violence."

Guatemala and Brazil are token feudal situations characteristic of the whole world. They represent a status quo that must be abolished.

We of the United States are not in that category. But the risk of violence is a continuing one in our own society, because the oncoming generation has two deep-seated convictions:

First: The welfare program works in reverse by syphoning off billions of dollars to the rich and leaving millions of people hungry and other millions feeling the sting of discrimination.

Second: The special interests that control government use its powers to favor themselves and to perpetuate regimes of oppression, exploitation, and discrimination against the many.

There are only two choices: a police state in which all dissent is suppressed or rigidly controlled; or a society where law is responsive to human needs.

If society is to be responsive to human needs, a vast restructuring of our laws is essential.

Realization of this need means adults must awaken to the urgency of the young people's unrest—in other words, there must be created an adult unrest against the inequities and injustices in the present system. If the government is in jeopardy, it is not because we are unable to cope with revolutionary situations. Jeopardy means that either the leaders or the people do not realize they have all the tools required to make the revolution come true. The tools and the opportunity exist. Only the moral imagination is missing.

If the budget of the Pentagon were reduced from $80 billion to $20 billion, it would still be over twice as large as that of any other agency of government. Starting with vast reductions in its budget, we must make the Pentagon totally subordinate in our lives.

The poor and disadvantaged must have lawyers to represent them in the normal civil problems that now haunt them. Laws must be revised so as to eliminate their present bias against the poor. Neighborhood credit unions would be vastly superior to the finance companies with their record of anguished garnishments.

Hearings must be made available so that the important decisions of federal agencies may be exposed to public criticism before they are put into effect.

The food program must be drastically revised so that its primary purpose is to feed the hungry rather than to make the corporate farmer rich.

A public sector for employment must be created that extends to meaningful and valuable work. It must include many arts and crafts, the theater, industries, training of psychiatric and social workers, and specialists in the whole gamut of human interest.

The universities should be completely freed from CIA and from Pentagon control, through grants of money or otherwise. Faculties and students should have the basic controls so that the university will be a revolutionary force that helps shape the restructuring of society. A university should not be an adjunct of business, nor of the military, nor of government. Its curriculum should teach change, not the status quo. Then the dialogue between the people and the powers-that-be can start; and it may possibly keep us all from being victims of the corporate state.

The constitutional battle of the blacks has been won, but equality of opportunity has, in practice, not yet been achieved. There are many, many steps still necessary. The secret is continuous progress.

Whatever the problem, those who see no escape are hopeless, embittered. A minimum necessity is measurable change.

George III was the symbol against which our Founders made a revolution now considered bright and glorious. George III had not crossed the seas to fasten a foreign yoke on us. George III and his dynasty had established and nurtured us and all that he did was by no means oppressive. But a vast restructuring of laws and institutions was necessary if the people were to be content. That restructuring was not forthcoming and there was revolution.

We must realize that today's Establishment is the new George III. Whether it will continue to adhere to his tactics, we do not know. If it does, the redress, honored in tradition, is also revolution.

Poets and authors have told us that our society has been surfeited with goods, that our people are mostly well-fed, that marketing and advertising devices have put into our hands all manner and form of gadgets to meet any whim, but that we are unhappy and not free.

The young generation sees this more clearly than their parents do. The youngsters who rise up in protest have not formulated a program for action. Few want to destroy the system. The aim of most of them is to regain the freedom of choice that their ancestors lost—to be free, to be masters of their destiny.

We know by now that technology can be toxic as well as tonic. We know by now that if we make technology the predestined force in our lives, man will walk to the measure of its demands. We know how leveling that influence can be, how easy it is to computerize man and make him a servile thing in a vast industrial complex.

This means we must subject the machine—technology—to control and cease despoiling the earth and filling people with goodies merely to make money. The search of the young today is more specific than the ancient search for the Holy Grail. The search of the youth today is for ways and means to make the machine—and the vast bureaucracy of the corporation state and government that runs that machine—the servant of man.

That is the revolution that is coming.

That revolution—now that the people hold the residual powers of government—need not be a repetition of 1776. It could be a revolution in the nature of an explosive political regeneration. It depends on how wise the Establishment is. If, with its stock-

XUM

pile of arms, it resolves to suppress the dissenters, America will face, I fear, an awful ordeal.

REGARDING PROPOSED CONGRESSIONAL INVESTIGATION OF JUSTICE WILLIAM O. DOUGLAS

Mr. EDWARDS of California. Mr. Speaker, I and 40 of my colleagues submit for the RECORD the following observations on the present attack in this House against Justice William O. Douglas:

THE ATTACK ON JUSTICE DOUGLAS

We consider the proposed action an attack on the integrity and the independence of the United States Supreme Court. It is obviously triggered by the defeat of Judges Carswell and Haynsworth. Is it not curious that this attack on the Court comes within a few days after the President's verbal assault on the Senate of the United States?

The political and social opinions of our colleagues sponsoring this bill are different from those of Mr. Justice Douglas in the major areas of civil rights, civil liberties and the rights of the poor and the young. We must suggest therefore that the issues are broader than indicated by the sponsors.

Lastly, in this action there are implications of unconstitutionality. In its prohibition of bills of attainder, our Constitution requires that trials must be held by the Judiciary.

The procedures under this bill are in violation of our traditions. The proper course would have been a bill of impeachment, assigned to the Committee on the Judiciary, who are the lawyers for the House of Representatives, dedicated to due process.

Jonathan B. Bingham, Frank J. Brasco, George E. Brown, Jr., Phillip Burton, Emanuel Celler, Shirley Chisholm, William (Bill) Clay, Jeffery Cohelan, John Conyers, Jr., Bob Eckhardt, Don Edwards, Leonard Farbstein, Donald M. Fraser, Michael J. Harrington, Augustus F. Hawkins, Henry Helstoski, Chet Holifield, Robert W. Kastenmeier, Edward I. Koch, Robert L. Leggett, Allard K. Lowenstein.

John J. McFall, Abner J. Mikva, Patsy T. Mink, John E. Moss, Robert N. C. Nix, James G. O'Hara, Thomas P. O'Neill, Jr., Richard L. Ottinger, Bertram L. Podell, Thomas M. Rees, Henry S. Reuss, Benjamin S. Rosenthal, Edward R. Roybal, William F. Ryan, William L. St. Onge, James H. Scheuer, Louis Stokes, Frank Thompson, Jr., Jerome R. Waldie, Charles H. Wilson.

Mr. RARICK. Mr. Speaker, Supreme Court Justice William O. Douglas has glowing support in some quarters for his book "Points of Rebellion" published by Random House.

The organ of the Communist Party, "People's World" for Saturday, March 14, 1970, at page 7 carries an editorial of high praise for the use freedom to destroy freedom.

Yet even the editorial writer concedes that Douglas has gone too far. For he concludes, "His days are numbered."

The People's World editorial follows:

JUSTICE DOUGLAS: "POINTS OF REBELLION"

(By Sam Gold)

SAN FRANCISCO.—It weighs about four ounces, but it carries real weight—as an indictment of U.S. monopoly capitalism.

It's the new little 97 page paperback by Supreme Court Justice William O. Douglas, titled "Points of Rebellion." It also effectively demonstrates why conservatives want him impeached. It isn't every judge who holds the system in contempt.

Listen: "Man (in U.S.) has come to realize that if he is to have material 'success,' he must honor the folklore of the corporation state . . . and walk to the measure of its thinking. The interests of the corporation state are to convert all the riches of the earth into dollars."

Looking at our educational structure, he declares, "Throughout the country the climate within our public schools has been against the full flowering of First Amendment traditions.

"The university is chiefly a handmaiden of the state or of industry or, worse yet, of the military-industrial complex. . . . The university becomes a collection of technicians in a service station . . . technocrats for the technological society. Then all voices become a chorus supporting the status quo . . . The result is a form of goose stepping . . . An ominous trend is the increasing FBI activity on present day college and university campuses."

The judge warns of "the growing rightist tendencies in the nation that demand conformity—or else."

On the role of U.S. militarism, Douglas states: "The Pentagon has a fantastic budget that enables it to dream of putting down much needed revolutions . . . in benighted countries.

"Where is the force that will restrain the Pentagon? . . . We the people are relentlessly pushed in the direction that the Pentagon desires."

On our economic condition, Douglas says, "We brag about our present unemployment. But this is due to Vietnam. Without Vietnam we would have 15% or more unemployment . . . The upside down welfare state helps the rich get richer and the poor, poorer. Railroads, airlines, shipping, these are all subsidized; and those companies' doors are not kicked down by the police at night."

As a long-time conservationist, he too is concerned about the ecology: "At the present rate of the use of oxygen in the air, it may not be long before there is not enough for people to breathe. The percentage of carbon dioxide in some areas is dangerously high," and points the finger at the main culprit—"What natural law gives the Establishment the right to ruin the rivers, the lakes . . . even the air?"

But beyond all these problems, says the Judge, "there is another, more basic problem: that political action today is most difficult. The major parties are controlled by the Establishment and the result is a form of political bankruptcy. The truth is that a vast bureaucracy now runs the country."

"Today's Establishment," says he, "is the new George III. Whether it will continue to adhere to his tactics, we do not know. If it does the redress, honored in tradition, is also revolution."

And here comes the judge with his summation: Revolution is coming . . . "that revolution—now that the people hold the residual powers of government—need not be a repetition of 1776. It could be a revolution in the nature of an explosive political regeneration. It depends on how wise the Establishment is. If, with its stockpile of arms, it resolves to suppress the dissenters, America will face, I fear, an awful ordeal."

Methinks this judge is grown too wise for the Establishment, which he has studied for so long. It is obvious he sees the handwriting on the wall, and the shadow of fascism.

His days are numbered, and he's giving us the signal.

GENERAL LEAVE TO EXTEND

Mr. WYMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the matter under discussion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

The SPEAKER pro tempore. The time of the gentleman in the well, the gentleman from New Hampshire, has expired.

FEDERAL LEGISLATION NEEDED TO PROTECT OUR PORTS OF ENTRY

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, on three prior occasions, I have brought to the attention of this House the fact that organized crime is increasing its infiltration of the major ports of entry in this country. The New York waterfront and the John F. Kennedy International Airport are wide open to organized crime, corruption, and pilferage. The New York-New Jersey Waterfront Commission which has jurisdiction over the New York Harbor has utterly failed in coping with crime on the waterfront. The Attorney General recently stated that millions of dollars in cargo are being stolen every year from John F. Kennedy International Airport.

Today, it is reported that both Governors Rockefeller and Cahill have submitted bills to the legislatures of both New York and New Jersey expanding the powers of the waterfront commission giving it jurisdiction over the airports in the New York metropolitan area. I find it incredible that additional responsibilities be given to an agency which has already shown itself unable to fulfill its present responsibilities.

Eugene Rossides, Assistant Secretary of the Treasury, announced earlier this year that the Nixon administration was preparing legislation which would deal with these problems of corruption, organized crime, and pilferage at our ports of entry. I am surprised and disappointed that the legislation has not yet been submitted. Whether or not the New York and New Jersey Legislatures grant the waterfront commission new jurisdiction at the airports, the growing national problem of crime and cargo theft at our ports of entry requires Federal action.

With the thought it would be of interest to our colleagues, I am annexing newspaper reports which deal with this most important subject:

[From the New York Daily News, Apr. 15, 1970]

ASSAIL DOCK GUARDS AT HEARING

(By Alex Michelini)

The Port of New York was portrayed yesterday as a wide open haven for crooks and cutthroats, aided by aging, sometimes corrupt pier guards and abetted by shippers who practically give thieves a "license to steal" by refusing to prosecute.

In graphic detail, a parade of witnesses told the Waterfront Commission, at hearings in Newark on pier security, how millions of dollars in cargo are pilfered off the New York and New Jersey docks.

Henry Dogan, assistant counsel to the commission, said that over a five-year period more pier guards were arrested for stealing cargo than outsiders.

XUM

CLIMATE FOR THEFT

"The whole system of security has been undermined by a climate conductive to theft," he declared.

The hearings are providing a backdrop for legislation introduced in Albany yesterday to place the security responsibility of the docks and three metropolitan airports under the jurisdiction of a new agency, the Airport and Waterfront Commission of New York and New Jersey. It would enlist professionally trained policemen to handle the job of the 1,554 watchmen now hired by the shipping industry to guard the piers.

An undercover agent, testifying behind a screen to preserve his anonymity, told of roaming the Jersey docks for two years disguised as a Bowery bum and seeing gambling going on in front of pier guards. Only twice was he ever question by guards, he added.

Another undercover agent infiltrated a stolen cargo ring and made buys totaling $278,000.

John Hoffman, a special agent for the commission, said some guards collaborated with thieves, either for personal gains or out of fear of reprisal. One guard, he said, was so deeply indebted to a loan shark that he helped commit a crime, "putting up his life as collateral."

FAILURE TO ACT

Hoffman testified that shippers often refused to press charges. He singled out one pier superintendent who allegedly condoned a little thievery by a particularly hard-working gang of longshoremen as a reward for good work.

[From the New York Daily News, Apr. 15, 1970]

NEW YORK AND NEW JERSEY BILLS MAP CRACKDOWN ON AIRPORT CRIME

(By Richard Mathieu)

ALBANY, April 14.—Gov. Rockefeller and Gov. Cahill submitted identical legislation today in New York and New Jersey to expand the powers of the Waterfront Commission to fight organized crime and air cargo thefts at airports in the New York metropolitan area.

The press secretary to Gov. Rockefeller, Ronald Maiorana, said: "The governor expressed admiration for the reporting team at the Daily News for helping focus public attention on the continuing crime problem at the metropolitan airports."

The legislation proposes creation of a new bistate compact to expand the jurisdiction of the commission to include the airports. It also would provide regulatory and security powers for policing of the air terminals. Persons handling and having access to air cargo at the airports, including truckers, would be licensed.

Air freight security areas would be designated by the commission. Only authorized persons would have access to the areas.

PROPOSES NAME CHANGE

Membership in the commission would be expanded from two to four and the terms of the commissioners increased to four years. The name of the commission would be changed to the Waterfront and Airport Commission of New York and New Jersey.

In a statement announcing the legislation, Rockefeller praised Sen. John H. Hughes (R-Syracuse), chairman of the New York State Joint Legislative Committee on Crime, for spotlighting at public hearings the organized crime flourishing at airports.

Rockefeller cited Sen. John Marchi (R-S.I.) and Assemblyman Dominick DiCarlo (R-Brooklyn) for "focusing public attention on the problems threatening the air freight industry." Hughes, Marchi and DiCarlo sponsored the bill in New York.

APPROVAL IS EXPECTED

Swift approval of the measure by both state legislatures is expected.

The commission could suspend or revoke a license if a person failed to comply with rules. Also, in addition to penalties in the penal code, any false testimony or strong-arm tactics which interferred with commission activities could be punished by fines up to $1,000 and one year in jail.

Fees levied on the air freight trucking industry and license fees of up to $100 per person would pay for the operation. Persons with past criminal records and unions with such persons as officers would be barred, in certain instances, from getting licenses.

[From the New York Times, Apr. 13, 1970]

WATERFRONT THEFTS AND PILFERAGE FOSTER INFLATION

(By Werner Bamberger)

Inflation is being aggravated by thefts and pilferage on the nation's docks.

As a result of increasing losses on import and export shipments moving in waterborne trade, prices are being raised by merchants, thus passing on to the customer the additional costs attributable to thievery.

The kind of "loot" made attractive to dock thieves by rising prices is green coffee.

The coffee trade here is becoming concerned with the rising volume of 132-pound bags of green coffee that disappear from piers. With the recent increase of 25 per cent in the price of green (unroasted) coffee, a truckload may have a wholesale value of $20,000.

The National Coffee Association and the Green Coffee Association of New York City have appointed special committees to investigate what they contend are increasing instances of short deliveries at piers.

Using large sealed containers has helped to cut pilferage to some extent, but, according to one waterfront investigator here, "instead of taking a couple of bottles of whiskey they now take the whole container."

However, for stealing stuff by the box, it takes more organization.

"The pattern of thefts on the waterfront," according to Carl E. McDowell, executive vice president of the American Institute of Marine Underwriters, "has indicated that container loads are not stolen unless the thieves have sound knowledge of the commodity or product, and have means for an immediate disposal of the stolen goods."

TIED TO WORKERS

He added that crimes of this nature cannot occur without the cooperation of pier guards, longshoremen, checkers, laborers and truck drivers.

One of the problems associated with dock pilferage, according to Richard Maxwell, chairman of the transportation committee for the American Importers Association, is "it's accepted by all on the docks."

And, according to Gregory W. Halpin, deputy director of the Maryland Port Authority, "pilferage is something of a fringe benefit to some longshoremen."

Officials of the longshoremen's union say that everything in their power is being done to keep pilferage to a minimum and that, in some instances, a longshoreman can lose his job for the theft of a 10-cent item.

Yet, by and large, importers are hesitant to report their losses.

"There are two primary reasons," Mr. Maxwell said, "why you don't get backing from importers. They fear retaliation from dock workers and an increase in their insurance premiums and the risk of being dropped as an account by an insurance company if losses are continually reported."

LOSSES RISE

This failure to report losses makes its difficult, observers say, to determine the exact amount lost annually through pilferage and theft.

The insurance Institute estimated that in 1968 theft and pilferage in international commerce cost United States industry $59-million. Losses have been rising steadily since.

Maritime industry officials feel that the $59-million figure represents only the value of goods actually reported as stolen—a small portion of the actual losses.

One reason why dock theft and pilferage are growing appears to be inadequate policing of the waterfronts.

In cities with waterfronts, investigating teams of law-enforcement agencies are often spread thin. In the port of New York, for instance, 36 Waterfront Commission investigators covers 700 miles of waterfront.

"There is frustratingly little the insurer can do to prevent theft and pilferage," Mr. McDowell said. He noted that actual crime prevention was the responsibility of others.

[From the New York Times Magazine, Apr. 12, 1970]

THE JACKALS AT J. F. K.

Sprawled around the perimeter of John F. Kennedy International Airport is a cluster of drab cargo sheds that house a hoard so rich it would have made the ancient traders of Damascus drool in their shaggy beards. Here is the crossroads of the modern caravans of the air—the largest air-cargo terminal in the world. Day and night, the huge planes disgorge their wealth. Fortunes in cash. Jewels. Costly imported watches. Furs. Wearing apparel of all descriptions. Wigs worth hundreds of dollars apiece. Precious metals the average man has never heard of. Goldfish and fresh fruit from Florida. Even monkeys. It is all gathered here under the grimy sheds that line a macadam road rimming the outskirts of Kennedy—a massive and often chaotic clutter of unimaginable treasure.

Last year, cargo valued at $9,559,000,000 (22 per cent more than in 1968) funneled through the cargo terminals of J.F.K.—and some millions of dollars' worth of it found its way into the greedy paws of the American underworld. New York Port Authority figures show there were 545 reported cases of theft (including 38 hijackings on roads outside the airport) with losses totaling $3,387,317. And this, all sources agree, is a minimal figure; for in air cargo, as in a lot of other forms of transportation, many thefts go unreported. The implications, after all, are damaging to the image of a well-run business.

This head-in-the-sand attitude toward conditions at J.F.K. and many another air-cargo terminal (testimony before a Senate committee last year suggested that conditions elsewhere are as bad, if not worse) received a rude jolt in February, when Attorney General John N. Mitchell declared in a speech that operations at one of the nation's major airports had been virtually taken over by organized crime. The airport's freight industry, the Attorney General said, was "trapped between a racketeer-dominated trade union on the one hand and a racketeer trade association on the other." Though he did not name the airport, he did not have to; every one in the industry knew that he was singling out J.F.K.

There was anger and indignation on the part of many airline executives, but among those who knew the real situation at J.F.K. there was a frank acknowledgement that Mitchell's statement had hit very close to the mark. "It is not all the airlines' fault," says one investigator who is in close daily contact with the situation. "They are in the position of a man who spreads out a feast in the jungle, and the jackals come at him from all directions."

To tour the J.F.K. cargo area is to become instantly aware of the multiple opportunities that offer themselves to the jackals. Freighting goods by air has grown more than 20 per cent a year; as recently as 1966, J.F.K. was handling cargo valued at $5.5-billion—$4-billion less than in 1969. This phenomenal growth of air-cargo traffic has overwhelmed ground facilities, and there is sim-

XUM

ply no adequate room in the limited confines of the airport for the expansion the load requires. Vehicles of all sizes and descriptions thunder past the loading ramps: station wagons, small panel trucks, Hertz and U-Haul trucks, tractor-trailer rigs belonging to a bewildering variety of trucking and freight-forwarding companies. "By the very nature of the business," says the investigator who likened the thieves to jackals, "all kinds of people come and go through the area and have access to the feast."

The limited space in many terminals often conspires to place tempting items within reach of grasping hands. When thousands of pounds of miscellaneous cargo deluge one area, there is often literally no place to put it. The floors behind the cargo bays become a chaos of stacked parcels. Sometimes the glut becomes so great that packages are left in the open, at the edges of loading platforms or on the ground. The overload in some terminals has led to the erection of a series of outside shelters, inverted-U canvas "tents" erected on wooden platforms in which cargo containers are deposited to await sorting and transshipment. Supposedly, these exposed hutches are always under the watchful eyes of airport guards, but there are not enough guards and their duties are manifold; it is not unusual to find a row of these "tents" standing in lonely isolation, without a watchman in sight.

Such conditions provide the opportunity for theft, and the American underworld has the brains and muscle to take advantage of it. The role of the underworld in the colossal thefts at Kennedy airport is twofold. The factor stressed by Attorney General Mitchell involves racketeers' infiltration and domination of personnel—on the one hand, of the trucking association representing carriers doing business at the airport, on the other, of the Brotherhood of Teamsters local to which the hired hands in trucking literally must belong. The other factor, so far generally unrecognized but at least as important as the first, involves what Eliot Lumbard, former crime consultant to Governor Nelson A. Rockefeller, calls "the second front"—an intricate underworld chain of distribution that disposes of stolen goods on national and international markets.

XUM

"Many people make an absolute equation between organized crime and official corruption," Lumbard explains. "I don't. That used to be much more true than it is today. A reflection of the power of organized crime today is that it operates in many areas without any corruption. They don't need corruption anymore.

"There has been too little attention paid to this, but there is plenty of evidence to indicate that the underworld chain of distribution is so well organized that it can dispose of anything—literally, *anything*—that is stolen. It is not a case anymore of trying to spot cargoes of exceptional value, like furs or jewels. Sure, these are prime targets, but it really doesn't matter that much anymore. *Any* cargo that is seized can be quickly and easily fenced, then funneled into the chain of distribution until it is disposed of in discount houses or in the most legitimate outlets here and abroad. A helluva lot of American business is involved in this."

This chain of distribution becomes especially significant in assessing cargo thefts at J.F.K. Many investigators tend to the belief that, though the underworld probably masterminds the most serious heists, a lot of the thievery is relatively unorganized. "This is lower-echelon, freelance activity," one says. "The guys involved in many of the actual thefts are pretty much on their own; the mob itself doesn't direct their activities, it just reaps the benefits of their labors after the goods are stolen."

A few specific examples illustrate the point. Attorney General Mitchell cited the theft from a cargo terminal of a large shipment of antibiotics that was sold by the Mafia on the European black market. This was a big-money deal. At the other extreme is a case involving a far less valuable cargo.

Robert H. Macomber, now a staff adviser for the Airport Security Council, was involved some years ago, when he was an investigator for the Insurance Company of North America, in a case that might be labeled the Mystery of the Vanishing Gloves. An importer had had a large shipment of fancy doeskin gloves flown into Kennedy, where they had vanished. Some weeks later, Macomber got a frantic call from the importer "Do you know what's happened?" he screamed. "There's a salesman out on the West Coast peddling my gloves!"

"Are you sure they're your gloves?" Macomber wanted to know. The importer was positive.

An investigation showed that the stolen gloves had been flown from Kennedy to Tijuana, Mexico, where they were sold as legitimate merchandise—but at a reduced price, of course—to a West Coast jobber. The jobber had sold them to one of the largest department stores in San Diego, which was happy to offer its customers such a remarkable bargain.

The vanishing gloves show how important the underworld's chain of distribution is to the free enterprisers who feast on the treasures disgorged at J.F.K. But the domination of racketeering elements over both employers and employees is just as important. After an exhaustive study in 1967, the State Commission of Investigation wrote:

"With control of the dominant union and the truckmen's association at J.F.K. in the hands of the criminal elements, it could reasonably have been anticipated that the air-freight industry would soon find itself caught between the hammer and the anvil."

Despite this public exposure of racket infiltration and its cost, nothing much has changed in the last two years. "The situation has not improved and has probably worsened since our 1967 hearings," says the commission chairman, Paul Curran. "Neither the union nor the trucking association has done much to put its house in order."

The union involved is Local 295 of the Teamsters, the survivor of a number of earlier racket unions. The behind-the-scenes powers in these unions included the notorious John (Johnny Dio) Dioguardi and Anthony (Tony Ducks) Corallo (recently convicted with former Tammany leader Carmine DeSapio for bribing a city official), both *capos* in the Mafia family ruled by the late Thomas (Three-Finger Brown) Luchese. Associated with Dio and Corallo in these early union locals, according to the McClellan Committee's findings in 1958, were men who were to be named by the State Investigation Commission 10 years later as powers in Local 295—such men as Joseph Curcio, Harry Davidoff, John McNamara and Milton Holt.

In the mid-nineteen-fifties, McNamara was known as Jimmy Hoffa's "man to see" and the power in Joint Council 16 of the Brotherhood of Teamsters in New York. It was he, according to the crime commission, who founded Local 295, transferring members of other locals into it. The union members themselves had nothing to say about it; the word came down from the top, and overnight they found themselves members of Local 295. "Local 295's charter gave it exclusive jurisdiction over, and the power to organize, the air-freight trucking industry in the New York metropolitan area," the State Investigation Commission reported.

Though McNamara was ostensibly the head of Local 295, the real power in the union, according to the S.I.C., soon came to be Harry Davidoff, its secretary-treasurer. "Davidoff," the commission said, "has a criminal record dating back to 1933, including convictions for burglary, conspiracy to extort and gambling, and arrests for felonious assault (knife), possession of a gun, grand larceny, extortion and vagrancy. Early in his criminal career he was linked by law-enforcement sources with Murder, Inc."

Even between 1960 and 1966, when McNamara was still active, Davidoff reportedly boasted: "Don't bother going to John; I'm running the show."

The 1967 investigation by the S.I.C. showed that Davidoff, for "running the show," received $24,190 in salary and expenses in 1965. Since the 1967 investigation, Davidoff, who is still the power in Local 295, has prospered mightily. Reports filed with the U.S. Department of Labor showed that he was paid $46,111 in 1968, and these reports do not indicate, the department acknowledges, what other benefits he may have received in such items as hotel bills and traveling expenses paid by the union.

On the employer level, racket influences are equally pervasive. The trade group, the Metropolitan Import Truckmen's Association, chartered in 1958 to represent companies doing business at the piers in New York harbor. With the phenomenal growth of air cargo, however, it soon turned its attention to Kennedy airport—and soon attracted the attention of the crime syndicate. Between 1962 and 1967, the state investigators found, the spokesmen and leaders of the association "changed from the professional truckman to the professional racketeer." The symbol of this change was John (Gentleman John) Masiello, recently convicted of bribing Post Office officials who supervise mail trucking contracts in New York. Masiello—described by Federal authorities as a member of the Genovese Mafia family and an important loan shark—became a "consultant" for the truckmen's association, which was seeking the best possible labor contract with Local 295.

As soon as Masiello wormed himself into the truckers' group, he loaded the payroll with "trouble shooters," all men who had long records of arrests and convictions for such offenses as gambling, bookmaking and larceny. Masiello faded out of the picture in 1965 after the S.I.C. turned a spotlight on his loan-sharking activities; but before he departed he named his successor—Anthony Di Lorenzo, described by authorities as an important member of the Genovese Mafia family. He has a record of arrests and convictions for auto theft and felonious assault dating back to 1944.

"By 1965," the crime commission said, "the take-over of M.I.T.A. was virtually complete. Persons with criminal records monopolized the payroll."

Since underworld powers then controlled both the employers' association and the union whose members the truckers had to hire, it was a case of racketeers dealing with racketeers to the exclusion of everyone else. The major airlines, which had attempted in 1941 to set up their own ground-support services under an organization known as Air Cargo, Inc., were caught in the "hammer-and-anvil" squeeze. As a major Air-Cargo executive testified: "We were told that each of the airlines would become a house account of a specific trucking company and that no one else competitively would attempt to take that away from the other trucking company . . ." This meant in effect, that racketeers were telling the largest airline companies in the world who could truck their cargoes; and the airlines felt that they were helpless to do anything about it because one man, Harry Davidoff, had acquired such power that he could "not only tie up the air-freight industry but close down the whole airport" by throwing picket lines around it.

What happened if a trucking company that was not part of the racket combine attempted to haul freight at Kennedy was demonstrated when an independent trucker known as Direct Airport Service, Inc., began to pick up and deliver cargoes in Nassau and Suffolk Counties. Davidoff, witnesses have testified, told the trucker's airline customers, "Stop using Direct or I will take you out." A work stoppage was called to bar the delivery of shipments to Direct, and when National and Northwest Airlines, dissatisfied with their assigned truckers and anxious to break the racket combine, attempted to use Direct, even more sinister things began to happen.

On Aug. 21, 1967, Direct discovered that 38 tires on trucks it had parked at J.F.K. had been slashed and ruined. On another occasion, one of Direct's trucks, rolling along the heavily traveled Long Island Expressway, went out of control when its rear wheels came off. An investigation showed that the lugs on the wheels had been loosened. A few days later, the same thing happened to another Direct truck, which slewed around and plunged out of control to the right shoulder of the road—miraculously, without causing a pile-up or injuring anyone. It became obvious that even the largest airlines, whatever their wishes, could not use Direct.

Despite these disclosures by the State Investigation Commission in 1967, there is no evidence that basic reforms have been undertaken by either the truckers' association or the union. Frank E. Fitzsimmons, who succeeded the imprisoned Jimmy Hoffa as president of the Teamsters, asked the S.I.C. for a transcript of its hearings; the transcript was sent, but nothing happened. Davidoff waxed more powerful than ever in the union, and Di Lorenzo—though he is at liberty under bail pending a 10-year prison sentence for his part in transporting $1-million in stolen I.B.M. stocks across state lines—is believed by the authorities to retain power in the trucking association.

There has been one other ominous development. The old, racket-ridden truckmen's association has become the National Association for Air Freight, Inc., and it has launched a drive to organize all the major airports of the nation under the same kind of control that has been imposed on J.F.K. Branch offices have been set up in a number of cities, and a letter signed by Harold J. Gibbons, a Teamster vice president and chairman of its airlines division, has advised locals in airport cities that efforts are being made to negotiate one master contract. Attached to the letter was a three-page list of the companies and airports that would be affected by the proposed contract.

In the light of this attempt to gain a national stranglehold on the air-cargo industry, the experience at Kennedy becomes doubly significant—and the experience is that thievery becomes a way of life.

Many racket-connected employes in the airlines' own cargo terminals engaged in the wholesale pilfering of goods spilling from broken shipping cartons or in the snatching of entire packages that could conveniently be "mislaid" and lost in the clutter. And there were far more rewarding capers. In case after case, the evidence of collusion was unmistakable; there could be no doubt that insiders were tipping off the waiting jackals to the details of high-value consignments.

The perfection of this inside knowledge was demonstrated in a diamond theft that was timed almost to the second. At 2:50 A.M. on Oct. 25, 1967, a supervisor at one of the air-cargo terminals turned over to a cargo agent two boxes of diamonds. Red squares on the tops of the boxes indicated the high value of their contents, and the boxes were placed face down in the delivery truck to hide the telltale squares, with other packages piled up on top and around them. The truckman drove one-quarter mile to the U.S. Customs area in a fenced-off and restricted section of the field. He parked his truck at 2:55 A.M. and went inside to deliver some papers to Customs. When he came out five minutes later, he noticed that the packages had been strewn about the floor of his truck—and the two boxes of diamonds were missing. Someone, in the five minutes he had been absent, had made off with gems worth $50,295.

With such thefts mounting and the investigation commission's disclosures bringing demands that the Waterfront Commission take over security at J.F.K., the 43 lines using the airport moved in the spring of 1968 to set up their own policing system. The Airport Security Council was formed, and Mario Noto, a veteran of 27 years with the U.S. Immigration and Naturalization Service, was brought in as the director.

A dark, wiry man who operates at high intensity, Noto found an almost impossible situation. "The amount of thefts, pilferage and losses at J.F.K. was staggering," he acknowledges. Even more staggering was the fact that there were no reliable statistics to show just how serious the situation really was. Many losses were never reported by the airlines. One major-airline spokesman acknowledged frankly: "No one is going to talk to you about cargo thefts. It is bad for the image." (It should be noted that this attitude is not unique with the airlines. Railroads, too, sometimes camouflage the record by assigning losses to subsidiary shipping concerns so that they never appear on the accounts of the railroads themselves.) Not even insurance-company reports gave any true indication of the extent of losses at the airport. For one thing, the liability of the carriers is limited by law—to 50 cents a pound for goods air-freighted within the United States and $7.48 a pound for international shipments; for another, many shippers, anxious to avoid astronomical increases in insurance rates, preferred to let their losses go unreported, simply passing the costs along in higher charges to the consumer.

Airline employment practices were chaotic. An employee of one line, fired for incompetence or some minor hand-in-the-till infraction, could simply stroll across the terminal and find himself a job with another line, his past unrecorded and unchecked. There was no single agency to coordinate either personnel or cargo-theft information. The New York Port Authority, the city police, the F.B.I., the Queens County District Attorney, all played separate roles, coordinating their activities only when a special case required it.

Noto set out to change all this. He pressed the airlines to make full reports on losses, telling them: "You have to know what the situation really is if you are going to find out what to do about it." He sought closer liaison and a full exchange of information with investigative agencies, and he set up a personnel-checking system to keep track of the backgrounds of persons the airlines were hiring.

"This is *not* a blacklist," Noto emphasizes. "We keep no blacklist. But we do photograph and screen employes. Whatever information we obtain is passed along to the airline that is considering hiring a man. It is then up to the line to do whatever it wants about it, but at least it has all the available information."

An applicant who passes the screening test is given a badge containing his photograph, his name and the name of the airline hiring him. In less than two years of operation, the Airport Security Council has badged more than 14,000 personnel, 92.6 per cent of those working in the cargo areas, Noto says. He is now attempting to persuade truckers and others involved in cargo handling to use the same screening and badging procedures. "So far, 62.5 per cent of such personnel have also been badged," Noto says. "If we can get this kind of security check on everyone, it will close the net and limit the possibilities of the kind of collusion that has shown up so often in the past."

Noto is pressing this "closing the net" strategy on several other fronts. One gaping hole in the net that is now in the process of being repaired involves the handling of overseas shipments that have to pass through Customs. An investigator explains:

"Complete documents for every entry have to be turned over to Customs first. There they are processed and given to the brokers to whom the cargo is consigned. In Building 80 there previously existed a very loose system. The processed documents would be sorted and placed in square bins like those in a sorting rack in a post office. The rack was wide open to everyone. A runner for a broker could come in, pick up the papers in his broker's bin, and then—if no one was looking—snatch the documents in an adjacent bin. Once he's done this, he's in business.

"Police authorities feel that a lot of these runners are addicts. They are the long-haired, bearded, bell-bottom, beads and no-soap types, and many investigators feel they've been swiping whatever papers are within reach to satisfy $50-a-day habits."

The value of even minimum security is perhaps best illustrated by a plot that misfired. A large shipment of watches arrived from overseas and was placed in a locked and secure "in-bond" room of an air carrier. But, mysteriously, all the invoices and Customs-clearing papers disappeared. On Sunday, a relatively slack day, a man drove up to the delivery bay in a station wagon. He had all the papers in perfect order. Evidently the scheme had been to catch weekend personnel asleep, but the airline had established rigid procedures for the release of shipments, so the cargo handler said: "You'll have to wait a minute. I'll have to see the manager about this." When he came back to the platform a few minutes later, the caller, apparently realizing that he could not afford investigation, had disappeared.

Customs is tighening security by installing combination locks on its brokers' bins and requiring that messengers calling to pick up clearance papers present proper credentials. In addition, many airlines are upgrading security procedures for their "in-bond" rooms, limiting access to just two or three of their top cargo personnel.

Other security measures are being undertaken. In the past, it was common to find a clutter of incoming cargo dumped at the very edges of the loading bays, where it would sit, perhaps for hours, waiting to be sorted and handled. In the meantime, any enterprising trucker had all kinds of opportunity.

"There was one fellow," an investigator says, "who had a good thing going for a long time. He would back his truck up to the dock and sit there waiting for a delivery. He might have some packages already on the floor of his truck from a previous pickup. While he was waiting for his shipment to be processed, he would loaf around the platform and just accidentally kick a few extra packages into his truck. He was such a familiar figure around the terminal that no one paid much attention to him, and the way it worked out was that the more he stole, the less suspicion he aroused."

Noto's Airport Security Council is trying to close this gap in the net. Airlines are urged to push cargo back from the edges of their loading docks, and two yellow lines are painted across the floor at the forward end of each dock. Only airline employes are allowed beyond those yellow lines; a large sign warns: "STOP. NO PERSON SHALL CROSS YELLOW LINE into cargo area without permission of airline management."

The security council is also offering a $1,000 reward to anyone who gives information leading to the arrest and conviction of a person who has "committed or attempted robbery, burglary or theft of air cargo or property" in the area's airports. Several $200 and $300 rewards have been paid for less conclusive, but valuable, information offered

XUM

to the council since this system went into effect in November, 1968, and Noto feels that the rewards act as a powerful deterrent, placing potential thieves in constant jeopardy.

Other devices being installed at Kennedy include closed-circuit TV cameras to keep a watchful eye on the exposed cargo platforms and cameras that will photograph simultaneously both the person accepting delivery of cargo and the paper he is signing.

Despite such precautions, major thefts continue at Kennedy. It is not alone among big American airports in that regard, however, and many other cargo terminals are doing far less about the threat than J.F.K.

The Senate Small Business Committee studied the problem in hearings last spring and summer. Testimony showed that Logan International Airport in Boston, the eighth-busiest cargo terminal in the world, was wide open to pilferage and theft. Capt. Robert E. Hertzog of the Massachusetts State Police, who has jurisdiction over the airport, testified that only 12 cases of theft had been reported at Logan in 1968 and only six in the first half of 1969. He concluded that "for some unknown reason, airline companies and freight forwarders are not reporting their losses to our office." The captain said he knew that the situation was far more serious than the statistics suggested.

He testified that some of the guards employed by one airline had "serious criminal records." Security procedures were virtually nonexistent, he declared, and "airline companies . . . have no conception of what is being taken from them." To demonstrate the seriousness of the situation, he said, he sent some detectives disguised as truckmen, to the airport and filmed them in action, "stealing cartons of freight, driving away a truck loaded with freight." The film, Captain Hertzog testified was shown to airline representatives; but a year later his detectives repeated their experiment, successfully using "the same chain of operations."

Gerard Ditesheim, president of the American Watch Association, testifying that thefts of watches from national and international air shipments since January, 1967, amounted to at least $2.5-million, said one importer considered shifting his business away from Kennedy to escape the thieves. But when he checked with his insurance company, he was advised, Ditesheim testified, to continue taking his chances at Kennedy "because other international airports were as bad or worse."

In this perspective, racket-ridden as Kennedy has been, its outlook for the future is probably far brighter than this survey of its past indicates. Noto is doubtless right when he argues that a large part of the increase in theft figures for 1969 is attributable to two factors: far more complete reporting by the airlines under his prodding, and the inevitable increase in losses that must be expected with the 22 per cent jump in the value of air cargoes. There is no question that, thought the racket situation at Kennedy still exists, some of Noto's protective procedures are slowly and inexorably "tightening the net."

"I have a strong conviction," Noto says, "that what we have been able to do in New York has been effective. I truly believe that the security measures we have developed and implemented here, if they are put into effect in other major airports around the world, could bring about an effective deterrence of large-scale thefts."

If that should happen, the underworld might lose a valuable supply base, and the jackals might have to find new wilds in which to feast.

CONDUCT OF SUPREME COURT JUSTICE WILLIAM O. DOUGLAS

(Mr. SIKES asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, on today the distinguished gentleman from Michigan (Mr. Gerald R. Ford), the minority leader, will take the floor to discuss the fitness for office of Supreme Court Justice William O. Douglas. This is not an idle gesture; it is a meaningful effort backed by careful study on the part of qualified staff members. These studies have extended over a period of several weeks. Closely associated with Mr. Ford are Mr. Wyman of New Hampshire and Mr. Waggonner of Louisiana, both distinguished and responsible leaders in the House.

The immediate objective is the establishment of a Select Committee of the House to conduct a full investigation for the purpose of determining whether or not Mr. Douglas has indeed committed high crimes and misdemeanors, as that phrase appears in the Constitution, and whether he has failed as an incumbent to be of the good behavior on which his commission is conditioned by the Constitution. This is a careful and deliberate attempt to bring forth the true facts.

I can state that a substantial majority of the Florida delegation in Congress will support the resolution for an investigatory committee. Appearing as cosponsors in addition to myself will be Congressmen Bennett, Haley, Rogers, Fuqua, Chappell, Cramer, and Burke, representing eight of the 12 House Members from the State of Florida.

A step of this magnitude requires and should have serious and careful thought. Each of us has so acted. We believe that the statements, the writings, and the actions of Mr. Douglas indicate a prejudiced and nonjudicial attitude not in keeping with the requirements of judicial decorum which is required particularly of the members of the U.S. Supreme Court. By his conduct on and off the bench, it is our belief that Mr. Douglas has undermined the integrity of the Highest Court in America and has helped to bring public confidence in that Court as an institution to the lowest level it has held in our history. Very disturbing are publications by Mr. Douglas in which he appears to endorse revolution and thus has fanned the fires of unrest, uncertainty, and rebellion in the United States. In this connection, it is not to the credit of Mr. Douglas that some of his more controversial statements have appeared in pornographic magazines.

A great deal of attention has been focused in recent months on the qualifications of those nominated for the Court, but very little has been said about the qualifications of those already on the Court. One is as important as the other, and the Congress has as great a responsibility in one area as it does in the other. Consequently, it is felt that the public will welcome an action which demonstrates a determination also to help insure high levels of conduct among those now members of the Federal courts. The Constitution provides that Justices of the Supreme Court hold office only "during good behavior." There is and has been for years very serious question of the good behavior of Mr. Douglas. A full and proper investigation by a Select Committee will provide facts which are solely needed in his case.

ON LOWERING THE VOTING AGE

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, recent proposals to lower the voting age to 18 have been receiving much interest. Much of the discussion has been in terms of slogans, and the whole subject receives more rhetoric than serious thought or reflection. With the antics of a tiny minority of radical students in mind, the impulse has been to reject all proposals to lower the voting age.

I am long on record as favoring lowering the voting age to 18, but by State action. The vast majority of our young people are responsible, well educated, and quite ready to exercise the right to vote. Granting the franchise would serve to encourage their activity into legitimate, constructive channels, and would give them a voice in the formation of the government which is taxing and drafting many of them.

A consequence of not lowering the voting age seems to be that young people who are interested and involved in public issues tend to become frustrated, thus providing a ready audience for the small number of radical disrupters who are always looking for a confrontation. A lower voting age would open to young people a healthy opportunity to participate in the central art of our democracy—elections.

Four States permit voting under the ages of 21 at the present time, and I have been informed that the results have fully vindicated the practice. This is good, practical evidence in support of my position.

One of the most thoughtful essays I have seen on the subject was written by Robert E. Gahringer, one of my constituents, and a professor of philosophy at St. Anselm's College in Manchester, N.H. As a professor for over 15 years at several colleges, Dr. Gahringer has had ample opportunity to observe a great variety of students, and reflect on the implications of this issue.

His conclusion differs from mine. But because it is a thoughtful, articulate discussion of a number of factors involved in the proposal, it is both interesting and useful. Dr. Gahringer explores the elements which go into deciding the optimum age for getting the right to vote, and makes a persuasive argument that 18 is no better, or even worse than, 21.

ON LOWERING THE VOTING AGE

(By Robert E. Gahringer, Ph. D.)

In the last days of his administration, President Johnson recommended to Congress an amendment to the Constitution establishing a uniform national voting age of eighteen years. His arguments for the proposal are by no means unfamiliar. Citizens of eighteen, nineteen and twenty years of age, he asserted, are restrained from the exercise of their right to vote by age limitations set in medieval times and uncoordinated

XUM

with present facts. They are at these ages judged fit for military service, regarded by the law as responsible in many respects, and are commonly called to take on social responsibilities. They are more mature and better informed than preceding generations. Moreover, the nation would benefit by their youth enthusiasms and fresh outlooks. These points which President Johnson considered "beyond dispute" and conclusive support for the recommended change, are common in current discussions of the issue.

Since the issue is of the utmost importance, we ought to consider carefully how sound these and other commonly-offered arguments are, and whether the facts employed in them are rightly interpreted. But before we begin it would be well to consider the structure of the basic issue, which President Johnson misconstrued in treating the proposed amendment as analogous to the Fifteenth and Nineteenth, in which race, creed and sex are eliminated as qualifications for voting; and in asserting that "we should now extend the right to vote to more than ten million citizens unjustly denied the right."

Plainly, the issue is not in any sense *whether* a citizen will be allowed to vote, but *when* he will be allowed to vote. The franchise is not being denied, as President Johnson suggested. This is not one of "the unconscionable techniques of studied discrimination." The franchise is only being delayed, as it must be if we are not to allow mere children to vote. The issue is not whether a right should be granted, or even whether it should be delayed, but only how long its exercise should be delayed.

Not only is this not a movement to extend suffrage, it is not even a proposal to revise the manner in which the qualifications for voting are determined. Nothing like property ownership or education is being proposed or rejected. The correlation between age and competence is not being challenged. It is not denied that competence is at stake or that early life the required competence is lacking. All that is involved is the question whether we ought to establish a new point on an old scale for determining the eligibility of voters. We are asked to make a new estimation of the age at which a person will be able to assert through a vote what it is that voting is designed to express. It is this point—and this point only—that it is at issue; and it is plainly an empirical matter. What is not so apparent is that the nature of this competence is not an empirical matter, at least not in the same sense. And it is this that we will eventually have to consider in detail. But before we do that we should reveiw and examine the common arguments.

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The first argument one usualy hears concerning lowering the voting age rests on the fact that young men are draftable into the services before their twenty-first birthday. "Old enough to fight is old enough to vote." The argument is, however, ambiguous. Basically, it would appear to assert the right of one required to bear arms to have some say in the policies and leadership directing his use of arms and requiring of him the risk of his life. Such a principle would seem entirely consonant with the democratic ideal. There is, however, no clear consensus on it. President Eisenhower (who, incidentally, endorsed the proposed amendment) refused to vote as a military man on the ground that it was wrong for him to have any part in the decisions of those whose orders he would be bound to obey. Presumably it was inconsistent with the chain of command. But quite apart from this, even if the principle is allowed, at best it establishes that men on active duty should be accorded the privilege of voting regardless of age. It holds nothing for those in the services.

The other interpretation of the "old enough to fight is old enough to vote" argument takes the fact of military service as evidence of maturity. But this argument may be specious for several reasons. *First,* some may argue that the average eighteen year old is in fact not mature enough for the army, but is taken for it only when we have no alternative. And even if some eighteen year olds are mature enough, most would agree that at least as many are not. *Second,* it may be argued that what makes a good soldier is not so much maturity as its absence. Eighteen year olds make better soldiers than twenty-six year olds because they are more inclined to follow orders unquestioningly, have less resistance to training in violence, are less concerned about responsibilities to civilians at home, and are more easily led to take unusual risks in action. An older man is much less concerned to demonstrate his virility and more critical of those who ask him to take unusual risks. Thus if acceptability to the army proves maturity, it would seem to indicate decreasing maturity with age.[1] *Third,* if we do allow that the eighteen year old is mature from the point of view of his competence for military service, we will have to ask whether the maturity established by military service is the maturity relevant to voting. This question requires us to distinguish the several kinds of maturity.

Most obvious among these is *physical* maturity. And on this we will have to concede that eighteen year olds of the present generation are not only more mature than eighteen year olds centuries ago when the age standard was set, but that they are more mature than eighteen year olds of the preceding generation. For some inexplicable reason, the human animal matures earlier today, as indicated by the earlier development of the various sexual functions. But this is of no significance for voting.

Another kind of maturity is associated with *the range of experience.* And here again the present generation appears to be ahead of its predecessors. Young people today participate earlier in sexual relations and with greater variety than preceding generations. Experimentation with drugs is more common. Liberalized and extended media of communication allow a greater range of vicarious experience. But this by itself is hardly the maturity required for voting. It is not, however, insignificant; but the significance would appear to be negative: for the increased range and abundance of experience commonly delays the stabilization of interests and values.

It is the maturity that is associated with the stabilization of interests and values, and the correlated *stabilization of personality and character,* that is most clearly relevant to voting. But here each succeeding generation appears to mature later than its predecessors. As our civilization has advanced, the length of the period of emotional immaturity has been extended rather than shortened. We keep our children in school longer, they become financially independent later, they delay longer establishing themselves in the social and economic roles that will constitute the pattern of the greater part of their lives. Indeed, emotional maturity comes so late and is so much hampered by the ideal of perpetual immaturity that there are occasions when one wonders whether it will come at all. Thus the argument from maturity seems rather to prove the wrong thing: that if we are to alter the age criterion for voting, we should consider a later rather than an earlier age.

There remains what might be called *intellectual maturity.* It is this that is supposedly established when reference is made to the superior knowledge of the world and its problems that our young people have today, as distinguished from preceding generations. The point is made that with the almost universal education of the young through high school, the increasing number of college students, the increased interest in social and political problems in high school and college, and the increased availability of news and documentary material through the mass media, the present generation of young people is far more informed about social and political affairs than any preceding it. The eighteen year old of today is often as conversant with these matters as the equivalent twenty-one year old of several generations ago. It is, of course, difficult to establish comparisons in these matters. But we need not dispute the basic point; there are difficulties enough in it to spoil its value for the argument.

The difficulty which is most evident is that no matter how many facts the high school and early college student knows, they constitute something more like misinformation than information where there is no ability to interpret them adequately. As one who has taught philosophy for fifteen years, I never cease to be impressed by the number of facts that some undergraduates can cite in defense of a social cause. I could not come near it. But I am equally impressed—and depressed—by the almost universal inability to interpret such facts in any really adequate way. They are, often at the insistance of teachers, simply pressed into the most ingenious of interpretive frameworks. As such, the information, for all its detail, constitutes a very inaccurate, if not unreal, picture of the actual state of affairs, made doubly misleading by unawareness of the limitations in understanding and interpretation involved. Unfortunately, much of the information learned is by its nature very abstract (statistics are invariably so); and the compounding of such information (e.g., statistics) produces an illusion of concreteness that is difficult for the undergraduate, let alone the highschool student, to recognize and avoid.

A second difficulty is that it cannot help but be the case that the highschool student will be presented with highly selected lists of facts. Teachers have no choice but to simplify—indeed over-simplify—complex information for presentation; and it cannot help but be the case that political and social views will serve as principles of selection. Even with a will to present all sides equally, it is usually impossible to find equally competent and accessible advocates of all sides; and some positions are bound to be intrinsically more difficult to understand and less immediately appealing than others. Popular publications fail badly enough in these presentations; but the high school teacher is in a worse position. He must not only limit his presentation to the superficial and obvious, but he must keep it exciting enough to hold the attention of a class. And this by itself precludes presentation of the more difficult views. One need only talk to any high school student about his courses having political or social bearing to discover the consequences. There will always be claims of objectivity, but seldom evidences of it. Unfortunately, the high school student lacks that connection with the world that would give him a basis for criticizing claims to objectivity as well as for understanding the difficult. If he rejects his teacher's claimed objectivity, he does so only as he accepts someone else's.

(Generally speaking, where teachers have strong and attractive personalities and are interested in their students, they determine, or at least influence, the political and social

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[1] Something similar can be said concerning Peace Corps and Vista work as evidence of maturity. Young people are specially suited for this work not because they are mature, but because their innocence and immaturity make them attractive ambassadors of good will and dedicated workers among the deprived. If maturity is involved at all, it is as the outcome of the experience rather than as the condition for it.

XUM

views of those whom they teach. The movement of radical students (who are often attractive persons, and are always interested and interesting) into teaching at all levels thus raises a frightening spectre. For to give political power to every person of eighteen or over is to increase the political power of the S. D. S. and similar organizations with programs for infiltrating the teaching profession. In view of the extreme political and social views that younger faculty are today teaching, this is plainly not a matter of an advantage of liberals over conservatives, but of the political efficacy of advocates of anarchism, violence and revolution.)

A final and telling point against the argument from intellectual maturity is the fact that it is natural for the young to view social problems in abstractly moralistic terms, as contests of "good buys" and "bad guys". This is a mode of thought natural to the young, who tend to see social problems in terms of their own lives; and it is intensified by the television entertainments that constitute much of their early education. It is not by accident that they have appropriated the novels of Tolkien and Salinger, and that they tend to identify themselves with whatever and whomever they take to be symbols of the unspoiled and innocent (of connections with the establishment). It is accordingly not surprising that some young people simply identified evil with President Johnson and now identify it with Vice President Agnew, if not with every politician and institution.

This view is, of course, not restricted to the young; but it is characteristic of the young. For they do not have the advantages of the established, working relations with the world by which it might be transcended. They lack the involvements that would enable them to see that no one in public life is simply good or simply evil, that power will always be founded in objective issues, and that issues will always in some degree serve private purposes.

These, then, are the main arguments for altering the age qualifications for voting. They all propose to establish the fact of competence at an earlier age than most of the States presently recognize; and none, in my estimate, succeed. There remains, however, another kind of argument. This is the pragmatic argument that permitting young people to vote will help them mature politically by giving them a role in political processes. Thus President Johnson spoke of "preparing . . . young people for constructive citizenship," and President Nixon has spoken similarly.

One might immediately object that voting is much too serious and central to a free society to be used as an educational device, however effective it might be. Or he might simply question whether we could hope to produce the political consciousness the nation needs by the device of permitting citizens to vote before they are likely to recognize the need to do so. In any case, the educative process ought not to be destructive of essential elements in this consciousness. But the recommended device may be destructive of the attitude of valuing the right to vote, without which there are insufficient motives for exercising or protecting the right, or for refraining from such abuses as the sale of one's vote. For the individual who values voting regards it as a privilege as well as a right. And it is unlikely that anyone will regard it as a privilege if he is given the vote before it is wanted or sought. A boy who is simply sent on to college as a matter of course after high school may not value college as much as one who has had to wait for it or has had to make an effort to achieve it. A man who merely falls into a job will value it less than one who has passed through a period when he looked forward to it. And so it is with voting. The right to vote is not something a man aspires to by nature; and the respect for the right as a privilege is not an instinctual or natural response to the possession of the right. To bestow the right to vote before it is really wanted—as it would be for almost all eighteen year olds—would degrade it to a degree for which other advantages would not compensate.

The sense of responsibility in voting and the awareness of one's limitations are equally essential to democratic government. A democracy cannot function well where its citizens suppose themselves sufficiently informed on everything and without a due regard for the possible validity of the views with which they disagree. Yet these are, unfortunately, infrequent virtues among adolescents today. Surely whatever brings the wildly aspiring teenager to the self-knowledge of his own political immaturity will not injure him. Significantly, when an eighteen year old has achieved some consciousness of himself—a rare thing in itself—he is generally first to have doubts about his competence as a voter.[2] Such a sense of limitation ought not to be discouraged by denying its correctness.

II

Unfortunately, any argument concerning the age at which a person will most likely become competent to vote rests upon assumptions concerning the function of voting in a democratic nation. It is thus important for the argument to show what this function is, what it is that a citizen should be doing when he votes.

As one would expect, there is more than one function. (1) Most generally, voting brings citizens into political activity. And as the act of voting is in part an assenting to the outcome, voting also provides an occasion for the reaffirming of the basic principle of majority rule. If nothing whatever were decided by voting, these functions would still make voting an essential institution. And so it is regarded in many nations that we do not consider free or democratic, although they so regard themselves.

(2) A more practical function of voting is as a decision procedure for delegating authority to administrators, representatives and judges.

(3) Voting can also serve as a decision procedure on issues and lines of action. Pure instances occur in the New England town meeting, referenda and votes on constitutional amendments; but most commonly, voting functions in this manner indirectly, when we vote for candidates committed to particular positions on current issues.

(4) Voting to delegate authority functions as a device for keeping government responsible to citizens.

(5) Voting functions to give status to divergent views. It is essential to the life of a democracy that there be an opposition of ideas and ideals; and voting if the medium of this opposition.

(6) But behind these functions there is a deeper function. We vote to decide among candidates and issues, and in that enforce responsibility as well as establish a variety of views; but we do this because we are concerned with something essential to ourselves and to our social life. There are several views of what this is.

(a) The most commonly held is that as our basic concern in establishing political institutions is the satisfaction of our various desires, voting determines what the majority desire and by the principle of majority rule binds government to satisfying these. It is assumed that in time any normal desire stands to define a majority, and that the citizen, having desires, is bound to find himself with the majority in some of them.

But this view has serious defects. Men may be quite mistaken concerning their real desires. A man who believes he desires money may only desire to be admired. Or worse, men may not know what they even apparently desire. Many people simply cannot make up their minds. And there is the often-noticed instability of desires. What satisfies today may pall tomorrow. Moreover, what is desired is often in effect destructive of social or political order or individuality. "Give them what they want" may easily be the formula for social or moral degeneration. But most ominous is the fact that desires can be created and exploited. Democratic voting in these cases may only be the instrument of totalitarian control. The tyrant may first appear as demogogue—or as the practitioner of such sciences as B. F. Skinner assumes in *Walden Two*. Finally, if voting serves to express desires, it may well be superfluous. For in a capitalist society in which business is governed by the principle that the greater profit is to be got from giving people what they want, business may well serve to fill desires better than government. What is good for General Motors may be good for most of us.

It may, of course, be held that there is no question about our real desires: we all desire happiness or pleasure; and thus the function of voting will be to determine the consensus of opinion as to the best means to it. But this view not only suffers the earlier defects, but it has the further defect that we can be very mistaken as to means, which are partly technical considerations. What the parents believe essential to happiness may be lothesome to the child. Voting to determine means may not only not produce the intended happiness or pleasure, but may produce misery or pain.

For these reasons, voting seems poorly interpreted as a device to facilitate the optimum satisfaction of desires. And yet, it appears, this is the most commonly expressed view of it.

(b) Another way of looking at voting is as an expression of some basic common will, something that constitutes an historically evolving general outlook basic to social consciousness, self and community. This is what is in mind when people speak of "The American Ideal, or "the New England conscience", or "the Texan way of doing things". But some will doubt that such exists, or that if it exists it is simple and consistent, or that however conceived it needs voting for its determination and expression, it being expressed in all actions and decisions. And some will dismiss the view as vague and obscure.

(c) While at first sight it appears that voting compels governments to conform to majority ideals or to satisfy majority desires, to a more incisive view voting provides something necessary for the development of the institutions we need to realize our own ideals and satisfy our own desires. For as the state underwrites and, where necessary, provides the institutions we need to act effectively in our own interests, it requires some compelling, authoritative indication of where development is needed; and it needs a consensus of common-sense estimations of char-

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[2] Andrew Hacker, writing in the New York Times Magazine (July 7, 1968), observes that if given the vote most young people will not vote, and that if they do vote they will as likely vote conservative as liberal. The suggestion is that the reason for not voting is a lack of interest. It would be unfortunate if it were not in at least some cases an appropriate sense of incompetence. But this, if it occurs, means that those who do vote will be the less self-critical, who are generally associated with political extremes, both of the right and the left. We can be sure that all members of the Students for a Democratic Society and the John Birch Society will vote and encourage others of like mind to vote. We cannot be sure about others.

XUM

acter and competence for delegating authority for the design and administration of these institutions. The adequacy of institutions has to be judged at the point at which they are demanded and used; and the competence of those charged with responsibility for institutions has to be determined as one is able to judge character and conversance with the problems, interests and ideals of those whom institutions serve. Thus we vote to express the demands made with respect to the institutions on which we depend for the fulfillment of wills and desires, indeed for the very wills and desires themselves. This concern for the institutional conditions of action and being is the substance of *political will*. One without such a will cannot be politically competent.

These points are well borne out in fact. Particular referenda are typically concerned with such things as bond issues and ordinances implementing institutional changes; and elections are always elections of individuals to public offices charged with responsibility for particular institutions. Thus we vote for the building of a new school as we judge it necessary for educating the children of a community; and we vote for a member of a school board as we judge him more capable than his opponent to deal with the issues encountered in the running of a school system. It is not a question of our desires in either case, at least not directly, but of the institutions involved. Again, in national elections we vote for a president or representatives not because we know what they will do for us—we do not really know that—but because we believe they understand our institutional needs and, we trust, have sound judgment in matters bearing on the functioning of institutions. In any presidential election a prime consideration is always whether a candidate can unify the nation, work with Congress and deal with other heads of state. One who puts other considerations ahead of these basic requirements seems not to be thinking concretely. Plainly we in fact vote less to select among promises and proposals than to express demands we come to make as we work in and through the institutions which serve our particular existences and our special purposes.

Fact also bears out the observation concerning the conditions of competence. We do not commonly regard children as competent to vote because their wills are neither really their own nor politically significant. They do not really have wills with respect to the political. They are not participants in the institutions of social life in the full sense.[8] The founders of our nation believed strongly in property qualifications because such served as fair indicators of the involvement that generates political will. And they did not contemplate extending the vote to women because they believed them involved in essential institutions only as a child is involved in his school or with businesses. Literacy is regarded as essential for voting not so much because of its connection with information as that its absence cuts a man off from genuinely participatory roles in institutions. Men who cannot read cannot easily take care of their own affairs. The extension of the franchise to Negroes has been slow in the South because race there has served as a fair indicator of the abilty to participate in institutions as more than mere benefactor or servant. Property, sex and race have now been excluded as qualifications for voting because they no longer serve to distinguish involvement in institutions from its absence. But the literacy requirement has been attacked only because it has been abused by Southern politicians.

Thus voting in fact serves as an essential instrument for the realization of institutions, and is in fact so viewed. Democracies are in this way distinguished from merely socialist or citizen-oriented governments. And the voting characteristic of a functioning democracy requires voters possessing developed political wills. Democracy will not work in a community of peasants or primitives. And the adulteration of the vote with the desires and abstract ideals of citizens who are not yet fully committed participants in the main institutions of actual social and economic life cannot but hinder democratic processes.

These points have been made and labored because they bear immediately on the nature of the intelligence requisite for effective participation in democratic processes. What kind of intelligence is this?

Surely it is not the intelligence associated wth the retention of complex information or facility in abstract reasoning. It is not the intelligence measured by "I.Q." tests. The voter is not required to deal with the complex, for which we need specialists. His opinion is not sought on the intricacies of funding the national debt, international affairs or the management of the post office. Indeed, this "intellectual" intelligence often stands in the way of political insight: professors and scientists of recognized ability in their fields often show surprising naivete on political issues. The abstract thinking characteristic of intellectual pursuits when turned to the polictical, which it looks upon as an object for analysis, is likely to be shallow and unrealistic and inclined to go off in extreme directions—right or left. The type of thinking distinctive of political intelligence is, by contrast, not abstract.

The type of thinking that is required for intelligent voting is the type of thinking that anyone does when he thinks *in terms of* (not merely *about*) the institutions that enable him to act as an individual. This is less a matter of ascertaining means and ends than of recognizing structural demands, defects or deficiencies in an order or organization. We do not vote as to whether we should be in Vietnam; we vote for candidates who are aware of the implications of our presence there and in Asia, or, from another perspective, who are aware of the problems involved in maintaining the balance of power among nations. This kind of thinking cannot be taught. It simply develops as one is involved in the institutions of social and economic life.

It would seem, then, that the argument that modern high school students know more about social and political matters, even if true, establishes nothing concerning their ability to do the kind of thinking that qualifies a voter for the task he is called upon to perform, to provide that judgment that the free society depends upon him to provide. Hence it offers nothing in support of the suggested change.

There are no sure tests for the ability to think intelligently in political affairs. The best we can do is to accept as evidence for it that a man has participated in those aspects of actual living in which political and social intelligence develop. A man who owns property, earns his own living, has a family, shares in civic projects and responsibilities, etc., thinks in a way quite different from a schoolboy, who merely thinks about the institutions of the practical life and does not think himself as realized in them. He may, of course, think in this manner with respect to his club, his friends, his family or his school; but this is insufficient to the social and economic issues of a civil election.

It seems safe to say, then, that the intelligence desirable in a voter cannot be expected to develop any earlier than the age when a person becomes involved in some appreciable degree in the activities involving institutions we enter into political life to maintain. There is no reason to believe that for the average citizen this comes about any earlier than it ever did at any other time. Twenty-one years is, if anything, a low estimate. So far, at least, no one has advanced an adequate argument that it is not.

ONE BILLION DOLLARS A YEAR FOR CANCER RESEARCH

(Mr. MINSHALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MINSHALL. Mr. Speaker, I am today introducing a resolution which would call for a 10-year program involving a minimum $10 billion in Federal funds for the national cancer research program. My resolution would guarantee an appropriation of not less than $1 billion yearly, with $250,000 of the first $2 billion to be used to construct five new cancer research centers across the Nation.

Cancer is an enemy killing more than 300,000 Americans yearly. This dreaded disease is no respecter of age or person. Its scourage has touched the life of every American, if not personally, then through his loved ones or friends.

We talk about priorities and goals for our Nation, yet we have only a little more than $200 million budgeted for the war on cancer this year. Nearly 900 citizens of all ages, races, and walks of life are dying of cancer daily; an additional million Americans now are under treatment for the disease.

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[8] This is a difficult point. A child goes to school and buys from the local merchants. To this extent he participates in the institutions of education and business; and his opinion is significant when he complains that his courses are too dull or too easy or that the stores do not stock the merchandise he wishes to purchase. But there is something external or abstract in both the participation and the opinions. He merely receives what the school offers; he merely uses the local stores. When he complains concerning his class, he has no thought concerning the larger purposes the institutions must serve or the conditions for serving them. He does not take into account the necessity of dealing with a variety of interests at a variety of levels, of securing adequate teachers, putting together schedules, financing, or the relevance of the institution to his later life. He does not consider the function of public schools in distinction from private schools. Similarly with his complaints concerning the businesses from which he buys: the whole economic context is lacking. By contrast, when an adult complains concerning the quality of his child's education, he may have in mind the range of possibilities, or at least they will be relevant to his judgment if brought to his attention; his complaint will be founded on his perception of the educational needs of his child in later life. Similarly, when he complains concerning the quality of merchandise at a store he does so with some understanding of the problems of the store keeper and of the relation of his particular interests to those of others the store must also serve. It is childish to complain that a garage does not service one's automobile fast enough merely because one wants it, but adult to complain that it takes longer than it should because of an indifference to customer priorities or a misuse of facilities, and to press that complaint because one realizes that he cannot do his work when his automobile is tied up. Similarly, the complaint against taxes by itself is merely childish, unless there is some grasp of the economics of supplying the services taxes pay for and some conception of which services are essential.

XUM

I call this a national crisis, deserving and long overdue for an all-out drive to discover the cause, prevention, and cure of this devastating killer.

The full text of my resolution follows:

Whereas cancer takes the lives of more than 300,000 Americans each year; and

Whereas the death rate from cancer is steadily increasing as our population grows; and

Whereas more than 1,000,000 Americans are currently under treatment for cancer; and

Whereas it is clearly in the interest of all mankind that this disease be prevented, controlled, and cured; and

Whereas prominent authorities have indicated that cancer can be cured and controlled if the necessary funds are made available, and

Whereas current appropriations are not adequate to accomplish this task; and

Whereas it is both necessary and desirable that a national commitment be immediately undertaken to achieve a cure and control for cancer: It is hereby

Resolved, That it is the sense of Representatives that no less than $1,000,000,000 be appropriated annually over the next 10 fiscal years for the National Cancer Research Program; and,

Be it further resolved, That no less than $250,000,000 of this appropriation be used to construct five new cancer research institutes in the United States during the first two years of the new appropriations.

M. JOSEPH MATAN RETIRES AS CHIEF COUNSEL OF THE LEGAL AND MONETARY AFFAIRS SUBCOMMITTEE

XUM

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, since January 1963 it has been my privilege to serve as chairman of the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations. The 7 years since have been exciting and rewarding ones. The subcommittee has conducted numerous studies into agencies within its jurisdiction. Each study has been aimed at making it easier for a citizen to deal with his Government and at insuring that the taxpayer's dollar is spent with the greatest possible care.

The studies are too numerous to list. Nevertheless, whatever good may have been accomplished is largely the result of the hard work of one man, M. Joseph Matan, the subcommittee's counsel. Because Joseph Matan is retiring I would like to take just a few moments to pay tribute to this exceptional gentleman whom I am proud to call my friend.

Joe, as he is known to his many friends, began his career in the public service in 1935 when he became associate attorney in the Maryland Assistant Attorney General's Office. During that same year Joe married his charming and lovely wife Anne Marie Caulfield. Since then Joe and Anne have become the justly proud parents of six children: Joseph, Grace, Thomas, James, Mary, and Anne.

In 1936, Joe became a Special Assistant to the U.S. Attorney General, in the Criminal Division of the Justice Department. In 1944, Joe joined the Navy and served with distinction until 1946 when he returned to private practice in Washington.

In 1961, Joe came to Capitol Hill as counsel to the Subcommittee on Foreign Operations and Monetary Affairs of the House Committee on Government Operations. In 1963, when I became chairman of the Legal and Monetary Affairs Subcommittee, I asked Joe to become the Legal and Monetary Affairs Subcommittee's counsel and staff administrator.

As subcommittee counsel, Joe presided over many studies—some of the most significant of which were: Crimes Against Banking Institutions; Coin Shortage, Part 1; Coin Shortage, Part 2; Search and Rescue Operations for U.S. Private Pilots Missing in Foreign Areas; Federal Effort Against Organized Crime: Report of Agency Operations; Customs Control Over Petroleum Imports; and Marketing of Federal Obligations—Participation Certificates.

Mr. Speaker, while I have touched briefly on Joe's fine family, and some of his many achievements as a public servant no tribute would be complete without mentioning Joe's passion for the game of tennis. With all his new leisure time to practice and further develop his already great skill I certainly do not envy his opponent.

Mr. Speaker, in 15 years on Capitol Hill I have come to learn that the men and women who staff the offices of the Congress are, almost without exception, people of extraordinary intelligence, loyalty, and integrity. These are qualities which distinguish any person but Joe Matan stands out even in such distinguished company. His retirement will be a great loss to the subcommittee, to the Congress, and especially to the people of this Nation for whom he has worked so diligently over the years.

LUIS A. FERRE, GOVERNOR OF PUERTO RICO

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, yesterday in Miami under the auspices of the Greater Miami Chamber of Commerce, there was a great assembly to commemorate the 18th anniversary of the Pan American Union. A large audience of the leaders of the Greater Miami area gathered to commemorate this occasion which means so much to the Greater Miami area and to Florida as well as to our country.

The distinguished speaker who rose to the occasion with wisdom and eloquence was the Honorable Luis A. Ferre, Governor of Puerto Rico. Governor Ferre's address not only emphasized the magnificent significance of the Pan American Union, but laid down out of his great knowledge and experience a declaration of principles to be followed by the United States and the nations of this hemisphere in progressing the great cause which command our common interest and concern.

I can assure you, Mr. Speaker, that all who read Governor Ferre's able address will have a better understanding of Pan Americanism and the role that our country should play in our hemisphere in the years ahead. Therefore, I insert Governor Ferre's address in the Record following my remarks:

PAN AMERICAN DAY

(By Gov. Luis A. Ferré)

Mr. Chairman, honored guests, ladies, and gentlemen: It is a distinct pleasure for me, as a Puerto Rican, to be speaking to you here in Miami today, Pan American Day. Ferré, I find, is a name not unknown to you here. And Miami of course, is the gateway to Latin America, including Puerto Rico. There are over 200 flights a week between Miami and San Juan, not to mention the rest of Latin America.

Puerto Rico is a good vantage point from which to view Inter-American relations. Puerto Rico, itself, is inter-American—a link betwen the Americas. The island lies about half-way between the two continents. We are both Latin American and North American in our traditions. We have a Spanish culture and American citizenship, and we speak both Spanish and English. In Puerto Rico, we like to think that we have the best of both worlds.

What is the nature of the inter-American system that we commemorate today? Who are its members? What holds it together? And how did it get started in the first place?

The inter-American system is a complex network of treaties, conferences and organizations which join the people of the Americas in common purposes. It includes mutual defense agreements like the Rio Treaty of 1947, international conferences of many kinds, and elaborate structures, such as the Organization of American States. The OAS has 24 members. All independent nations in the Western Hemisphere except Canada and Guyana belong to the OAS.

The inter-American system is bound together as a result of its geographical isolation from the rest of the world, a general rejection of authoritarian institutions of the Old World and a choice of republican forms of government, and a common fear of aggression from powers outside this hemisphere.

On the other hand, divisive forces have been at work: political rivalries among the states, disputes as to their national boundaries, long distances and inadequate transportation, absence of a common language and culture, and the overwhelming power and influence of one member, the United States.

Simon Bolivar, the great liberator of most of South America, is generally regarded as the father of Pan-Americanism. In his time, great areas of South and Central America were united. Present-day Venezuela, Colombia, Panama and Ecuador were then one nation—Gran Colombia. In Central America, the present-day states of Costa Rica, Guatemala, Honduras, El Salvador and Nicaragua were a unified republic. Bolivar invited all nations of the Western Hemisphere to attend a congress in Panama in 1826. Gran Colombia, Central America, Mexico and Peru attended. The United States was invited and sent two delegates. One fell ill and died enroute. The other arrived after the congress had adjourned. Relations of the United States with the republics to the south did not begin auspiciously.

The Congress of Panamá is known for its ambitious Treaty of Union, League and Perpetual Confederation. Only one of the signatory states ever ratified it, but the principle of collective security embodied in the Panamá treaty was later incorporated into the Rio Pact of 1947, which forms the basis for collective defense of the hemisphere today.

In the mid-nineteenth century, there were three more Spanish-American conferences, but they were poorly attended and, with but one exception, a consular convention, their acts were not ratified.

In 1881, on the initiative of then U.S. Secretary of State, James G. Blaine, the United States invited the Governments of Latin America to participate in a conference to be held in Washington. Because of changes in government following the assassination of President Garfield and the unfavorable international situation in South America, the invitation was subsequently withdrawn. Interest in the idea, however, persisted. A number of bills were introduced into the United States Congress to authorize the President to convoke a congress of American republics in the interest of peace, commerce and mutual prosperity.

As a result, the First International Conference of American States was convened in Washington, D.C. Blaine was again Secretary of State at that time, and he presided over the meeting, which was held in 1889–1890. The conference established the International Union of the American Republics, with a secretariat, the Commercial Bureau of the American Republics. This step was taken eighty years ago today, on April 14, 1890, an anniversary now celebrated as Pan American Day throughout the Hemisphere.

Starting with this modest measure for commercial cooperation, Pan Americanism spread to the fields of health, cultural cooperation, child welfare, law, science and finally, political consultation and collective self-defense. In 1948, the Organization of American States was established to give an institutional framework to all these activities.

The road of inter-American cooperation did not always run smoothly. The Monroe Doctrine and Theodore Roosevelt's Big Stick Policy raised suspicions of U.S. intervention, which did take place on numerous occasions. The Latins considered U.S. trade policies discriminatory and in some cases expropriated the property of U.S. businesses in Latin America. In the period 1945 to 1960 the United States neglected Latin America in favor of Europe, and inter-American cooperation in favor of cooperation through the United Nations.

But there were also a number of bright spots along the way, notably President Franklin D. Roosevelt's Good Neighbor Policy and the Hull Reciprocal Trade Agreements of the 1930's which greatly benefited Latin America. During the Second World War, all Latin American Nations except Argentina cooperated with the United States against the Axis Powers, and at the height of the Cuban missile crisis, all Latin American nations supported the United States in its policy to effect their removal.

There are few problems between the United States and Latin America that cannot be solved by better communication, increased understanding, good will and cultural empathy. In the case of the United States, this means respect for the national identity and national dignity of people in Latin America. It means recognition of the plus factors in the Latin American environment, for example, the generally harmonious racial relations and the generally close family ties among Latins. Even the siesta is worthy of respect. It may not increase Latin American productivity (except productivity of children) but then, too, Latins are less prone to heart attacks, ulcers and suicide. In Puerto Rico, where medical facilities are inferior to those in the United States, life expectancy is longer than in the United States.

Latin American wants are reasonable. They wish to be treated as equals and respected as nations. They require U.S. assistance but would like to be freed of restraints that require them to purchase only in the United States. Furthermore, they seek a lowering of U.S. trade barriers so that they can sell their products in the United States. Since the United States balance of trade with Latin America is favorable, this would not appear to be an unreasonable demand. And the Latin Americans would like a bit more understanding from the United States of the peculiar aspects of their culture and less so-called American leadership and more equalitarian cooperation.

A rational U.S. policy toward Latin America for the 1970's would incorporate at least five features.

First, U.S. policy must promote the expansion of communications and understanding between the Americas. Through travel, conferences, language instruction, development of media, cultural exchanges and dozens of other ways, the people of the hemisphere must be brought closer together. Unless there is a basic compatibility among the people of the Americas, there can be no basis for enduring, long-range cooperation. It would be desirable, for example, for all Latin Americans to learn English, as we are doing in Puerto Rico, and for more Americans to study Spanish. To this end, the federal government might appropriate some funds to those school systems in the various states that adopted Spanish as a second language. Such a gesture would have very beneficial effect in Latin America. We could also offer to supply English teaching personnel to Latin American republics which might wish an exchange program.

I think that both Governor Rockefeller, in his report to the President, and President Nixon, in his speech of October 31, did not allot sufficient attention to the problem of promoting understanding among people of this hemisphere. However, I have noted that recently adopted amendments to the OAS Charter give greater prominence to cultural affairs by giving the Inter-American Cultural Council greater autonomy.

Second, we must make clear that dealing with undemocratic regimes does not mean their endorsement. It is often necessary, for reasons of diplomatic propriety, to carry on relations with existing regimes, whether we like them or not. Nonrecognition has often been regarded as interference in internal affairs. But relations with undemocratic regimes should be formally correct and no more.

Third, we must give Latin American nations more opportunity to sell their products in the United States. I know that the mood of the country is protectionist at the moment, but such policies are self-defeating. President Nixon has promised to seek a world-wide system of tariff preference for manufacturers and semimanufacturers from all developing countries. If this cannot be achieved in a reasonable time, he has said he will consider alternative actions to assure that nations in the Americas have preferential access to the U.S. market.

A fourth *must* in our policies toward Latin America is less emphasis on owning land and property in the area and more emphasis on "selling" our capital and know-how. Latin Americans are rightly resentful when U.S. businesses acquire large land holdings for exploitation of natural resources or cheap labor. We should, instead, make loans and technical knowledge available to these nations for economic and social development. Capital and know-how cannot be expropriated but can nevertheless reap a good return on one's investment, in addition to good-will.

I spoke to President Nixon about this when I saw him last September. I told him that this was the policy that the Soviets were following around the world with considerable success. I don't know if my words had any impact but I take comfort from the following words from his report to Congress on foreign policy last February:

"Foreign investments are the most exposed targets of frustration, irrational politics, misguided nationalism. Their potential for mutual benefits will only be realized through mutual perception and tact. The nations of this hemisphere must work out arrangements which can attract the needed technical and financial resources of foreign investment. For their part, investors must recognize the national sensitivities and political needs of the 1970's. There is no more delicate task than finding new modes which permit the flow of needed investment capital without a challenge to national pride and prerogative."

In 1961, in a speech before the U.S. Inter-American Council of Commerce and Production, I advanced the idea of a Pan-American Code to accelerate the flow of capital to Latin America. I think it is as valid today as it was then. The Code incorporated 12 principal features:

(1) Regional common markets in which tariffs and other trade barriers are gradually reduced as wage rates are increased to equalize wage levels.

(2) A Pan American Loan Fund to finance economic development and to guarantee private foreign investment in the various member countries against unlawful and willful expropriation or against inconvertibility or devaluation of currencies, with the conditions that such new investments would permit at least 40% participation by local interests.

Such a fund also could be used to stabilize commodity prices within certain limits, and bring about the establishment of buffer stocks. It also could dispose of excess production to satisfy needs in critical world areas.

(3) Regional minimum wages to be attained within a fixed period of time, say ten years.

(4) A minimum Standard of Social Protection establishing the rights of unionization and collective bargaining; workmen's compensation, etc.

(5) A progressive income tax, the foundation of an equitable tax system and policy, should be established in all countries.

(6) Basic standards on contributions and expenditures for public education, sanitation and health.

(7) A system for financing housing, based on FHA concepts.

(8) Creation of added Pan American Cultural Centers in the various nations.

(9) More constant exchange of teachers between Latin America and the United States.

(10) Limitation of military budgets to a maximum percentage of each national budget.

(11) Continuous visits of Latin American workers and labor leaders to United States industrial plants and farms. This is an effort private industry may well want to finance itself.

(12) Art exchanges between the nations.

Finally, another plank in our Latin American policy, correctly expounded by the President in his recent speeches on Latin America, is that of increased emphasis on multilateral programs and organizations. Decisions taken regarding Latin America should be decisions in which the Latin American nations participate as equals. They will be joint Latin America decisions and policies rather than U.S.-imposed decisions and policies. Thus, they will arouse less resentment and hopefully a more enthusiastic response.

I believe that Puerto Rico can play a vital role in promoting our nation's policies in Latin America. We have an inexhaustible pool of bilingual personnel. We have most of the technical, scientific and managerial skills that the other Latin Americans need. We ourselves, in Puerto Rico, are a living example of what cooperation between Latin Americans and North Americans can bring about. Starting from a very low base, we now have the highest per capita income, highest gross national product, highest literacy rate and highest standard of living of any areas in Latin America. I have offered the resources

XUM

of Puerto Rico to our Federal Government. I have offered Puerto Rico as a site for inter-American conferences and seminars. I have offered our people to the U.S. Foreign Service and to our foreign aid program. I hope that our Government will take advantage of our cultural affinity to the people of Latin America, and thus, our ability to communicate with them effectively.

Under Presidents Kennedy and Johnson, a Puerto Rican was U.S. Ambassador to Caracas and later head of the Alliance for Progress, and another Puerto Rican was Deputy Assistant Secretary of State for Inter American Affairs and later Special Assistant to the Secretary General of the Organization of American States. At present, there is no Puerto Rican in a comparable position dealing with Latin America.

One step which I am taking immediately to increase inter-American understanding is the creation in Puerto Rico of a North-South Center to bring technical and scientific personnel, managerial personnel, educators and others from both North and South America to Puerto Rico for technical and scientific training and contacts. We feel we have the ideal bi-lingual, bi-cultural setting for such a Center. Puerto Rico, I am convinced, can serve as a bridge to bring our Latin American and North American brethren together before it is too late.

We are actively seeking support for this Center from all quarters—foundations, governments, corporations, private citizens, organizations, and wherever else interest may lie. We feel we have an important contribution to make to our nation's foreign policy through this Center, and as concerned Americans, we are pushing ahead with its establishment.

I feel we must begin to concentrate our foreign policy energies and resources in this hemisphere. There is little we can do in Asia and Africa to change the situation. But Latin America and Europe, which have so much in common with the United States, are our natural allies. Europe and Latin America are our last lines of defense. We can be effective here, in our own backyard, if we will but concentrate more of our energies on Latin American problems and opportunities.

Latin America has always held a special relationship to the United States because of its proximity, our common Western heritage and our common desire to live in this hemisphere in freedom. This special relationship resulted in the Good Neighborhood Policy, the reciprocal trade agreements, the Rio Treaty, the Bogotá Pact, the Caracas Resolution, the Alliance for Progress and many other programs for inter-American security and progress. It has resulted in a proposal to create an Under Secretary of State in the U.S. Department of State with the responsibility of coordinating U.S. policy toward Latin America.

I think, too, that the United States must learn to take criticism from Latin America in stride. The United States will always be an inviting target for attack because of her size and power. Because of her disproportionate wealth and affluence, she will be envied and even disliked. It will always be good politics for the irresponsible demagogue to tug at Uncle Sam's beard. The United Kingdom experienced the same phenomenon at the height of its power. If we cannot be liked then we must strive at least to be respected.

In concluding these remarks on Pan American Day and the Inter-American system, I think it is fitting to return to the memory of the father of Pan Americanism and to his famous "Jamaican Letter" of September 6, 1815. In this letter, Simón Bolivar writes more eloquently than I could ever speak.

I quote:

"How beautiful it would be if the Isthmus of Panamá could be for us what the Isthmus of Corinth was for the Greeks! Would to God that some day we may have the good fortune to convene here an august assembly of representatives of republics, kingdoms and empires to deliberate upon the high interest of peace and war with the nations of the other three-quarters of the globe. This type of organization may come to pass in some happier period of our generation."

MAYOR RICHARD GORDON HATCHER AND CITY COUNCIL OF GARY, IND., ON THE VIETNAM WAR

(Mr. MADDEN asked and was given permission to extend his remarks in the body of the RECORD and to include a resolution by the City Council of Gary, Ind.)

Mr. MADDEN. Mr. Speaker, when I was home this weekend I was visited by a delegation of citizens from my congressional district who presented a resolution adopted by the City Council of Gary, Ind. The import of the resolution was urging the President and the Congress to exert every effort to bring the war in Vietnam to an immediate end.

The news media of my area, and I might say the Nation, have more or less "played down" in their columns that in a very short time this conflict and vast expenditure of the American taxpayers' money in Southeast Asia has been going on an increasing degree each year for almost 10 years.

They fail to remind the public that the Southeast Asia Treaty, which indirectly led us into our present involvement, was signed in 1954 during the Eisenhower period by the then Secretary of State, John Foster Dulles.

I do not need to repeat the step-by-step progress of our Nation being enmeshed gradually in the Asian mainland troubles until American boys were sent into a shooting war in numbers up to almost one-half million and to date have suffered approximately 41,274 casualties. The unfortunate situation is that over the recent years the people of South Vietnam, who we are trying to protect, have been unable to establish a stable government over any reasonable period of time and have not contributed to the kind of cooperation with our fighting forces that will assure any foreseeable victory.

President Nixon, during his campaign in the fall of 1968, on several occasions assured the American people of a rapid termination of the South Vietnam controversy. He reiterated this statement when he assumed office. Today, the situation in that area at present seems to include the adjoining countries of Laos and Cambodia, which will further complicate our involvement over additional territory on the continent of Asia.

It took the French Government almost 15 years to realize they were in a fathomless war to which they could see no end, and withdraw.

I, and many other citizens of the Nation, endorse President Nixon's statement of a year and 4 months ago when he assured a rapid termination of the conflict and withdrawal of troops. The situation has not changed over this period of time and, according to a recent poll, almost 80 percent of the American people have signified their desire for the return of our boys from Vietnam and surrounding territories.

Generals Thieu and Ky and the South Vietnamese Government should immediately arrange to accept and support an interim coalition government of all factions within the borders of South Vietnam and establish a unified government for their future freedom. Negotiation should also be immediately set up for the release of all American prisoners now being held by the Hanoi Government.

Over the years our Nation has sent billions of dollars into the Southeast Asia war. This has caused unreasonable sacrifices by the American people who are almost unanimous in their desire to spend this money for our many problems here at home. Education, hospital, and school construction, welfare and health needs, housing, highways, and so forth, are some of the primary and immediate needs of millions of folks living in urban areas throughout our Nation.

Mr. Speaker, I ask unanimous consent to include with my remarks the resolution of the City Council of Gary, Ind., and also a message from Mayor Richard Gordon Hatcher to the Common Council, City of Gary, Ind., on the war in Southeast Asia:

RESOLUTION OF THE CITY COUNCIL OF GARY, IND., ON THE NEED TO BRING AN IMMEDIATE END TO U.S. MILITARY INVOLVEMENT IN SOUTHEAST ASIA

Whereas: Our military involvement in Vietnam and elsewhere in South-East Asia, despite some scaling down of the war there, continues to take a heavy toll in death and destruction on both sides, with the consequent further erosion of our country's position abroad and increased dissension at home; and

Whereas: The immense sums being expended there and elsewhere for carrying on these military operations are so desperately needed here at home, the plight of the city of Gary being but one example of the cost of that war—the schools closed; the welfare system near collapse, health and medical services hard to come by for many in need; whole areas of the city lying in waste and decay—these and other examples might be brought forward almost without end.

Whereas: The Congress has before it proposals that would bring an end to the conflict in keeping with our stated objectives of assuring the people of South Vietnam the right of self-determination.

Be it resolved: That the Council of the City of Gary herewith petitions the President and the Congress to adopt those measures that will ensure an immediate end to our involvement in the war in Vietnam and the withdrawal of *all* our military forces not only from that area, but from Laos and Thailand as well; and

Be it further resolved: That with those steps taken a re-appraisal be made of national priorities to the end that all our people can once again go forward, re-united, in pursuit of those goals set before us over the years by the men and women who carried forward the vision of what this country might become; and

Be it further resolved: That copies of this resolution be sent to the President, and to Senators Vance Hartke and Birch Bayh, and to Representative Ray Madden, and to the Mayor of Gary and the Governor of Indiana.

OFFICE OF THE MAYOR,
Gary, Ind.

To: The Common Council, City of Gary, Indiana.
From: Mayor Richard Gordon Hatcher.
Date: April 7, 1970.
Re: Pending Resolution 70–11.

I am most gratified that the Common Council of the City of Gary has addressed itself, via resolution to our Nation's growing involvement in the war in Southeast Asia. The recent news from Laos and Cambodia indicates that, rather than keeping to its promise and disengaging our forces rapidly from Vietnam, our Nation has become involved in warfare in two more countries on the southeast Asian landmass. It therefore behooves all citizens, and all bodies representing our citizens, to speak out in opposition to a policy in southeast Asia which has proved disastrous since its inception.

My interest in supporting the resolution before the council is threefold. First, participation in the war in Vietnam, and now in Laos and perhaps in Cambodia, is in and of itself immoral and harmful. The American people have, time and time again, shown that they want an end to our involvement in this conflict. They have shown that they believe, as they ought to believe, that the affairs of Vietnamese, or Laotions or Cambodians, ought to be managed by them, without the interference of America's armed might.

Secondly, I am concerned because the war has been used as an excuse which has kept a desperately needed larger portion of our national wealth from being used for the solutions of problems faced by Americans at home, problems of the city, of poor people, of environmental pollution, etc. An end to our involvement in the wars of southeast Asia will at least remove the excuse which is now so handy, that we must fund the war on Asian peoples before we fund the war on poverty, on slums, on unemployment, on miseducation and on pollution. The war must end then, and end at once, so that at least the possibility will exist for funding these vital programs.

Thirdly, I am concerned because the heaviest burden of the war is being borne by poor people. The sons of the middle and upper classes can often find ways around service in Vietnam in far greater numbers than can the sons of the poor. Therefore, our army in Vietnam is disproportionately made up of black people and of poor whites and the poor people of Latin American background. The income tax surcharge, a percentage of taxes already payed, rests most heavily on poorer people, who can least spare any additional money, especially for unproductive purposes, from their already inflation-stretched budgets. Thus, the poor bear the weight of this war in three ways—more of their sons die in the war than of any other segment of the population; their problems as city dwellers are neglected; they must pay for the war out of the funds they cannot afford.

For these reasons, I am fully in concurrence with the city council's resolution on ". . . the need to bring an immediate end to United States military involvement in southeast Asia". I congratulate Mrs. Mitchell, who caused the presentation of this resolution to the council. I urge council passage of the resolution.

RICHARD GORDON HATCHER,
Mayor.

EDUCATIONAL TELEVISION

(Mr. TIERNAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TIERNAN. Mr. Speaker, it has been over 3 years since the Carnegie Commission published its report on educational television. That report proposed a plan that would free the Corporation for Public Broadcasting from the annual Government budgeting and appropriation procedures, by providing for long-range financing through a manufacturer's excise tax on television sets. It is now a year since Prof. Dick Netzer's report "Long-Range Financing of Public Broadcasting" was published. Yet, today the Corporation for Public Broadcasting and the Chairman of the FCC came before the House Subcommittee on Communications in support of another stopgap piece of legislation.

I am surprised that there is such general agreement on the thought that the Corporation should not be subject to the yearly ordeal of trying to cajole Congress into giving a paltry sum of money to finance its work, yet that there is so little action. Congressmen, Senators, FCC Commissioners, the administration, and a host of private concerns have voiced support for the idea of long-term financing. Most agree that the Corporation should not be subject to the political pressures that year-to-year financing causes. Yet we continue to procrastinate on the formulation of such plans.

America has been derelict in its duty to its people. The Government will continue to bear the weight of this criticism as long as it choses to relegate educational television to a position of infirmity due to inadequate financing. We love to think of Americans as the best educated people on the face of the earth, yet we fail to utilize the most potent instructional tool in our educational arsenal to its full potential. U.S. Federal budget outlays for education in 1970 are estimated at $10.1 billion yet the CPB is lucky to get $20 million. Why should we expect full quality instructional broadcasting when we allocate such a meager sum.

The Carnegie and Netzer studies on educational TV have proposed a number of long-range financing plans. I think it is time that we in Congress call on the expertise of the FCC and the Corporation for Public Broadcasting to report to us on the feasibility of these proposals, so that next year we will have legislation before us dealing with this problem.

Sesame Street has shown that TV can be highly instructional yet interesting. We must now show that America is prepared to plan intelligently for the educational needs of today's citizens. We need to try new teaching methods, imaginative technological experiments and a host of other innovations to cope with today's problems.

It is time that each of us stops passing the buck to another Government agency on this issue. We in Congress will pass the needed legislation if only the experts at the CPB, FCC, and HEW will present us with the most viable alternatives. I am today offering to the Congress a concurrent resolution, which calls on these groups to formulate reports and send them to us by October of this year. Each of these groups is charged with dealing with educational TV—here is their opportunity to bring forth the expertise they have.

The 1960's witnessed the advance of educational TV as a broadcasting entity—the 1970's have the potential of seeing it put in a position of major influence and prominence. There should be no partisanship on this issue for we all have been a bit negligent. Let us now resolve to begin the new decade on a positive step.

ARMY TREATMENT OF KENNETH WAYNE PHILLIPS

(Mr. TIERNAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TIERNAN. Mr. Speaker, I would like to call the attention of my colleagues to a matter which I feel is a blatant example of the frustrations the bureaucracy, which in this case is the Army, is perpetrating on our young people.

A young constituent of mine, feeling it was his duty to serve our country, enlisted in the Army for 3 years in October of 1966, fully aware of the responsibilities such an act entailed and expecting to be discharged in October 1969. Approximately 9 months later he was caught in a whirlpool from which he has not been able to escape.

In April of 1967, Kenneth Wayne Phillips, was ordered to Fort Dix, N.J., for shipment to Germany, an assignment he willingly accepted. While preparing to go overseas, he was told that his records had been lost and he should go to this home address on record and wait for further notification. In the pursuing months and years, Mr. Phillips made numerous efforts to contact the Army. At one point, he drove to Fort Dix, but was told he did not belong there and was not even allowed to spend the night on the base.

For 2 years Mr. Phillips coped with military inefficiency, callousness, and a basic disregard for justice. For 2 years Mr. Phillips was technically employed by the U.S. Army, but received no pay, and was unable to assume another job. Finally, in June of 1969, exactly 2 years after he was sent home, he was ordered to Fort Devens, Mass., where unbeliev. able as it may sound, he was charged with being on excessive leave and it was recommended that he be retained in the Army until January 1972.

In February of 1970, I became involved in this case. On the 13th of that month I sent a telegram to 1st Army Headquarters requesting further consideration. In following through on this request, I kept getting reports that the records had been misplaced or misfiled and I began to feel to a small degree the frustration of Mr. Phillips. It is now, 2 months since I started my investigation. Today, I was informed that Mr. Phillips' papers were sent from Fort Benjamin Harrison to the Bureau of Separation and Retirement on March 31. They have still not been received in Washington. If

XUM

this was an isolated incident, it might be accepted, but it has become the rule rather than the exception. Gentlemen, these papers have been "lost" at Fort Meade, at Fort Benjamin Harrison, and now at the Bureau of Separation.

I contend that Mr. Phillips' contract with the Army expired in October of 1969. Yet, he is still in the Army and has been told he will have to serve until 1972 to make up the time lost—time lost through no fault of his own.

I have just received the following letter from Fort Devens. This is absurd and it cannot be allowed to continue.

APRIL 10, 1970.

Hon. ROBERT O. TIERNAN,
House of Representatives,
Washington, D.C.

DEAR MR. TIERNAN: This is in further reply to your inquiry in behalf of Private Kenneth W. Phillips, a member of the 382nd Personnel Services Company, Fort Devens.

In view of the length of time since our last correspondence, we felt it was necessary to advise you that we have not received a determination from the Department of the Army. Please be assured that as soon as a determination is made you will be promptly advised.

Sincerely,

W. F. BLEILER, Jr.,
Major, AGC, Adjutant General.

CONGRATULATIONS TO PRIZE-WINNING EDITORIAL ON HIGHWAY SAFETY FROM THE CLARION, PA., NEWS

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, it is with a great deal of pride that I bring to your attention an editorial entitled "Will Improve This Road 19??" from the Clarion, Pa., News. The editorial, though depicting a grim and senseless tragedy, won the third-place award in the American Trucking Association's annual newspaper competition for highway safety writing.

The authors of the editorial are Miss B. L. Bartley and Mr. W. L. Smith, present and former editors of the Clarion News which is published in my congressional district.

Each year the ATA sponsors a nationwide competition to recognize newspaper writers who have made outstanding contributions to highway safety. An appropriate ceremony was held here in Washington on April 9 at which time Miss Bartley and Mr. Smith were presented with a $300 check, certificates, and commemorative plaques.

It is strange, sad, and true, that Americans evidence an almost total "unconcern" with the daily carnage on our highways. Traffic "accidents" are something that happen to "the other guy." The grim statistics prove otherwise but who is listening?

Thanks to the efforts of the ATA and courageous writers like Bartley and Smith, the public is being made aware of the necessity for highway planning and construction to cut down on the kinds of tragedies reported in the editorial. Thanks to the organization's recognition of newspaper writers, the program to make the public aware of highway hazards is receiving the kind of press treatment it deserves. No one likes to write about tragedy but those that must deserve the accolades granted by the ATA.

Having driven Clarion's "murderous road" more times than I like to admit, I know from personal experience what Bartley and Smith are writing about. They end their editorial with the plaintive cry, "how many more must die before somebody actually does something" to improve the road?

Such a question is valid for too many of our roads—and not just in Pennsylvania. The public has been warned; the highway department has been warned; the next step is up to you and I—in every State—as citizen road users.

The prize-winning editorial is reproduced below:

WILL IMPROVE THIS ROAD 19??

For reasons presently unknown—and probably never to be known with certainty—a car left Route 322 at the end of the Route 322 bridge on Monday afternoon, rolled over and plunged into 18 feet of water.

But the elderly man and woman who drowned on Monday afternoon, on the 54th anniversary of their marriage, did not die because of brake-failure or recklessness, but because of deadly grades, the dogleg curves and the narrow bridge decks which are the built-in hazards of the state's "horse-and-buggy" bridges across the Clarion here. Monday's deaths were the latest in a long, grim list.

Thus, the death-car's driver had undoubtedly traveled Clarion's murderous River Hills many times, had certainly crossed the too-narrow bridge many times, had perforce twisted around the dog-leg approaches many times. The elderly couple who died on Monday are well-known to many Clarion people, had often patronized Clarion business-places; their home was only 25 miles away.

They died on Monday—just as tragically, just as needlessly, as if they had never before seen our built-in death-traps at the river.

As has happened here so many times before, the community was shocked. The chilling words, "There's a car in the river at the 322 bridge!" always trigger a familiar chain-reaction here. People hearing the news called their homes to make sure of loved ones' whereabouts and safety; volunteer firemen dropped their workaday tasks and sped to the riverbank; several policemen and citizens risked their lives on the river, in its dark depths or on its precipitous bank—to recover two cold, lifeless bodies.

Several people heard an aged woman's shrill, pathetic, hopeless cry for help as the car rolled into the water and sank; the bubbles and oil and the mud came slowly up; a sheared-off strip of chrome-plated metal shone from the thicket from which the rolling car had catapulted off the bank.

Frank and Teresa Regina, 78 and 74, thus suddenly became two more highway-accident statistics. The News charges that their sudden projection into the horde of Pennsylvania's traffic dead was peculiarly unnecessary.

Frank Regina—who was almost certainly driving the car—was driving in a known, familiar situation when his car's brakes failed; he apparently thought he saw a way out of the dilemma, took a desperate chance, steered straight across traffic emerging from a busy, "blind" bridge on his right, bounced straight down a rough, narrow lane. He and his wife were to live only a few seconds longer, because here his luck ran out, the car became unmanageable, it rolled over, the river's water closed over it.

Had the Route 322 bridge's approaches been safer, more suited to today's cars and traffic, wider, straighter, less fraught with old, built-in danger—then this latest victim would have steered his free-rolling car easily out onto a wide and level bridge and would have stopped—alive.

We've now had three vehicle-caused drownings here within four months and four days; and preceding these latest deaths, there have been scores of other, all-too-similar ones. Of the three most-recent fatalities, all were needless, in that none was caused by irresponsible or reckless driving, and in that the old, built-in hazards of the inadequate bridges were primary factors.

There are many, many places within the Commonwealth where the tragic statistics grow much faster than they do at our deadly bridges, it's true. The accident statisticians in Harrisburg can point to notorious stretches of roadway in Pennsylvania which cost more lives in a month than will our bridges and their dogleg curves in a term of years.

But, let's face it; we kill our share, and most of them needlessly since the old, basic factor in all these deaths could be corrected—with the expenditure of some money.

As we drive in Pennsylvania, we all see those Highway Department signs which tell us about our "highway dollars at work" and which say, in others places, "Will improve this road in 1970."

How many more needless death-statistics must we compile, here on our doorstep, before some of those highway dollars do some essential, life-saving work for us?

How many more must die before somebody actually does something?

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DELLENBACK (at the request of Mr. GERALD R. FORD) on account of illness—hospitalized in Bethesda Naval Hospital.

Mr. PATMAN (at the request of Mr. BOGGS) for today on account of official business.

Mr. HANNA (at the request of Mr. SISK) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. SCOTT for 1 hour, today.

(The following Members (at the request of Mr. BURKE of Florida) to revise and extend their remarks and include extraneous material:)

Mr. CONTE for 20 minutes, April 16.

Mr. ESCH for 5 minutes, today.

Mr. MILLER of Ohio for 5 minutes, today.

Mr. HOGAN for 10 minutes, today.

(The following Members (at the request of Mr. ALEXANDER) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ for 10 minutes, today.

Mr. FARBSTEIN for 20 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BETTS, and to include extraneous

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material in the Committee of the Whole today on H.R. 16311.

Mr. Byrnes of Wisconsin during general debate on H.R. 16311, to include extraneous material, charts and other tabular matter.

Mr. Landrum to revise and extend his remarks made on House Resolution 916.

Members speaking in general debate on H.R. 16311 (at the request of Mr. Mills) to revise and extend their remarks and include tables, charts, and other extraneous matter.

(The following Members (at the request of Mr. Burke of Florida) and to include extraneous matter:)

Mr. Duncan.
Mr. Wyman.
Mr. Rhodes in five instances.
Mr. Bush.
Mr. Findley in two instances.
Mr. Winn.
Mr. McClory.
Mr. Myers.
Mr. Davis of Wisconsin.
Mr. Hansen of Idaho.
Mr. Derwinski in two instances.
Mr. Reid of New York.
Mr. Scherle.
Mr. Robison.
Mr. Ayres.
Mr. Bob Wilson in two instances.
Mr. Nelsen in three instances.

(The following Members (at the request of Mr. Alexander) and to include extraneous material:)

Mr. Pepper.
Mr. Jacobs.
Mr. Rooney of Pennsylvania.
Mr. McCarthy in three instances.
Mrs. Griffiths in two instances.
Mr. Gonzalez in two instances.
Mr. Kluczynski in two instances.
Mr. Fountain in three instances.
Mr. Burke of Massachusetts in two instances.
Mr. Patman in two instances.
Mr. Yatron in two instances.
Mr. Daniel of Virginia in three instances.
Mr. Marsh.
Mr. Hawkins in three instances.
Mr. Baring in two instances.
Mr. Albert.
Mr. Matsunaga.
Mr. O'Neill of Massachusetts.
Mr. Alexander.
Mr. Ryan in three instances.
Mr. Edwards of California.
Mr. Friedel in two instances.
Mr. Dingell.
Mr. Vanik in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2846. An act to assist the States in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originating in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 3637. An act to amend section 315 of the Communications Act of 1934 with respect to equal-time requirements for candidates for public office, and for other purposes; to the Committee on Interstate and Foreign Commerce.

MOTION TO ADJOURN OFFERED BY MR. HAYS

Mr. HAYS. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio.

The question was taken, and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HAYS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

Mr. Justice Douglas has been on the Bench for a great many years, and he can wait for one more night. I have not had my dinner.

The SPEAKER pro tempore. The Chair will count.

Mr. HAYS. Mr. Speaker, I am willing to withhold my motion if the gentleman wants to ask permission to insert his remarks, but obviously all these speeches were written by the same author, and I do not think we ought to have to sit here and listen to them.

Mr. SCOTT. Mr. Speaker, if the gentleman will yield, my remarks will not take more than 10 minutes.

Mr. HAYS. I have been hearing that for a long time now.

Mr. WYMAN. Mr. Speaker, I rise to a point of special privilege.

The SPEAKER pro tempore. There is a motion pending.

Mr. HAYS. Mr. Speaker, I insist on the point of order.

The SPEAKER pro tempore. The gentleman from Ohio insists on the point of order.

Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 81, nays 75, not voting 274, as follows:

[Roll No. 80]

YEAS—81

Adair
Albert
Ayres
Bell, Calif.
Berry
Brasco
Brinkley
Burke, Mass.
Bush
Clausen,
  Don H.
Collins
Colmer
Cunningham
Davis, Wis.
Dennis
Derwinski
Devine
Downing
Dulski
Evans, Colo.
Fish
Ford, Gerald R.
Friedel
Gonzalez
Gray
Green, Oreg.
Grover
Haley
Hays
Henderson
Hungate
Hunt
Jacobs
Jones, Ala.
Jones, Tenn.
Kazen
McClory
McEwen
Mahon
Mann
Matsunaga
Mayne
Michel
Miller, Ohio
Minish
Nelsen
O'Hara
O'Konski
O'Neal, Ga.
Patten
Perkins
Philbin
Pickle
Pirnie
Poage
Podell
Pollock
Price, Ill.
Pucinski
Randall
Reid, Ill.
Reifel
Rogers, Colo.
Rostenkowski
Roth
Roudebush
Ruth
Scherle
Scott
Skubitz
Staggers
Stanton
Stratton
Taylor
Vanik
Watkins
Whitehurst
Winn
Wold
Wydler
Zwach

NAYS—75

Addabbo
Anderson,
  Calif.
Belcher
Bennett
Bray
Brotzman
Brown, Ohio
Burlison, Mo.
Caffery
Camp
Chamberlain
Chappell
Clawson, Del
Cleveland
Corman
Culver
Daniels, N.J.
Dickinson
Duncan
Eckhardt
Flowers
Flynt
Foley
Ford,
  William D.
Foreman
Fountain
Frey
Gallagher
Gilbert
Griffin
Hagan
Hall
Hammer-
  schmidt
Harrington
Hastings
Hechler, W. Va.
Helstoski
Hogan
Horton
Hosmer
Johnson, Calif.
Jonas
Jones, N.C.
Koch
Landgrebe
Lloyd
McCarthy
Mink
Minshall
Mizell
Myers
Natcher
Obey
Rarick
Roybal
Ryan
St. Onge
Saylor
Schadeberg
Slack
Smith, Iowa
Snyder
Steiger, Wis.
Stephens
Stokes
Stubblefield
Symington
Thompson, Ga.
Wampler
Watson
Wiggins
Wyatt
Wylie
Wyman
Zion

NOT VOTING—274

Abbitt
Abernethy
Adams
Alexander
Anderson, Ill.
Anderson,
  Tenn.
Andrews, Ala.
Andrews,
  N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Aspinall
Baring
Barrett
Beall, Md.
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Carey
Carter
Casey
Cederberg
Celler
Chisholm
Clancy
Clark
Clay
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Coughlin
Cowger
Cramer
Crane
Daddario
Daniel, Va.
Davis, Ga.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Diggs
Dingell
Donohue
Dorn
Dowdy
Dwyer
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Fraser
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Goodling
Green, Pa.
Griffiths
Gross
Gubser
Gude
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hathaway
Hawkins
Hébert
Heckler, Mass.
Hicks
Holifield
Howard
Hull
Hutchinson
Ichord
Jarman
Johnson, Pa.
Karth
Kastenmeier
Kee
Keith
King
Kirwan
Kleppe
Kluczynski
Kuykendall
Kyl
Kyros
Landrum
Langen
Latta
Leggett
Lennon
Long, La.
Long, Md.
Lowenstein
Lujan
Lukens
McCloskey
McClure
McCulloch
McDade
McDonald,
  Mich.
McFall
McKneally
McMillan
Macdonald,
  Mass.
MacGregor
Madden
Mailliard
Marsh
Martin
Mathias
May
Meeds
Melcher
Meskill
Mikva
Miller, Calif.
Mills
Mize
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nichols
Nix
Olsen
O'Neill, Mass.
Ottinger
Passman
Patman
Pelly
Pepper
Pettis
Pike
Poff
Powell
Preyer, N.C.
Price, Tex.
Pryor, Ark.
Purcell
Quie
Quillen
Railsback
Rees
Reid, N.Y.
Reuss
Rhodes
Riegle
Rivers
Roberts
Robison
Rodino
Roe
Rogers, Fla.
Rooney, N.Y.

Rooney, Pa.
Rosenthal
Ruppe
St Germain
Sandman
Satterfield
Scheuer
Schneebeli
Schwengel
Sebelius
Shipley
Shriver
Sikes
Sisk
Smith, Calif.
Smith, N.Y.
Springer
Stafford
Steed
Steiger, Ariz.
Stuckey
Sullivan
Taft
Talcott
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vigorito
Waggonner
Waldie
Watts
Weicker
Whalen
Whalley
White
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Yates
Yatron
Young
Zablocki

So the motion was agreed to.

Messrs. SCOTT, GERALD R. FORD, ALBERT, POAGE, RANDALL, MANN, PICKLE, FRIEDEL, O'HARA, ROSTENKOWSKI, PATTEN, DULSKI, MAHON, PHILBIN, PERKINS, TAYLOR, RUTH, PRICE of Illinois, WYDLER, GROVER, PIRNIE, Mrs. REID of Illinois, and Messrs. WHITEHURST, POLLOCK, DENNIS, DAVIS of Wisconsin, MICHEL, ROTH, STANTON, EVANS of Colorado, JONES of Tennessee, GRAY, STAGGERS, NELSEN, WINN, BUSH, JACOBS, Mrs. GREEN of Oregon, and Messrs. REIFEL, ZWACH, KAZEN, McEWEN, DON H. CLAUSEN, VANIK, BURKE of Massachusetts, and O'NEAL of Georgia changed their votes from "nay" to "yea."

PARLIAMENTARY INQUIRY

Mr. THOMPSON of Georgia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. THOMPSON of Georgia. Mr. Speaker, if there is no quorum present, and there is a negative vote, what is the action of the Chair?

The SPEAKER pro tempore. The Chair will state that the action of the Chair is to wait until a quorum appears.

Mr. THOMPSON of Georgia. If no quorum appears, then what?

The SPEAKER pro tempore. The Chair will state that if a quorum does not appear, then the House operates under the automatic rule that they would bring the Members in.

Mr. THOMPSON of Georgia. Is a motion in order to go out and arrest the Members and bring them in?

The SPEAKER pro tempore. Under the rule, the Sergeant at Arms would bring the Members in.

Mr. THOMPSON of Georgia. Thank you, Mr. Speaker.

Messrs. CUNNINGHAM, MILLER of Ohio, ROUDEBUSH, HALEY, BERRY, BELL of California, SKUBITZ, O'KONSKI, DERWINSKI, WOLD, COLLINS, PUCINSKI, and ROGERS of Colorado changed their votes from "nay" to "yea."

Mr. KOCH changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

ADJOURNMENT

Accordingly (at 9 o'clock and 51 minutes p.m.) the House adjourned until tomorrow, Thursday, April 16, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1925. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a revised report correcting the report transmitted April 14, 1970, on the operation of the limitation on 1970 outlays, pursuant to section 401 of the Second Supplemental Appropriation, 1969 (Public Law 91–47) (H. Doc. No. 91–310); to the Committee on Appropriations and ordered to be printed.

1926. A letter from the Comptroller General of the United States, transmitting a report on the results of the examination of financial statements of the Tennessee Valley Authority for fiscal year 1969, pursuant to 31 U.S.C. 841 (H. Doc. No. 91–309); to the Committee on Government Operations and ordered to be printed.

1927. A letter from the Attorney General, transmitting his annual report for fiscal year 1969; to the Committee on the Judiciary.

1928. A letter from the Postmaster General, transmitting a copy of the revenue and cost analysis report for fiscal year 1969, pursuant to 39 U.S.C. 2331; to the Committee on Post Office and Civil Service.

1929. A letter from the Secretary of the Treasury, transmitting an explanation of legislative proposals for accelerated payment of gift and estate taxes; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 16999. A bill to amend the Internal Revenue Code of 1954 to provide for an income tax deduction for additions to reserves for estimated air and water pollution control expenses; to the Committee on Ways and Means.

H.R. 17000. A bill to amend the Internal Revenue Code of 1954 to allow an income tax deduction for depreciation on capital expenditures incurred in connecting residential sewer lines to municipal sewer systems; to the Committee on Ways and Means.

By Mr. BEVILL:

H.R. 17001. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. BIESTER (for himself and Mr. Steiger of Wisconsin):

H.R. 17002. A bill to amend the Federal Credit Union Act to assist in meeting the savings and credit needs of low-income persons; to the Committee on Banking and Currency.

By Mr. COLLIER:

H.R. 17003. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. DAVIS of Georgia:

H.R. 17004. A bill to exclude from gross income the first $750 of interest received on deposits in thrift institutions; to the Committee on Ways and Means.

By Mr. FARBSTEIN (for himself, Mr. Moss, Mr. Eckhardt, Mr. Murphy of New York, Mr. Rooney of Pennsylvania, Mr. Ottinger, Mr. Tiernan, Mr. Addabbo, Mr. Anderson of California, Mr. Bingham, Mr. Boland, Mr. Brasco, Mr. Broomfield, Mr. Brown of California, Mr. Button, Mr. Byrne of Pennsylvania, Mrs. Chisholm, Mr. Clay, Mr. Corman, Mr. Daddario, Mr. Edwards of California, Mr. William D. Ford, Mr. Frey, Mr. Fulton of Pennsylvania, and Mr. Gallagher):

H.R. 17005. A bill to amend the Fair Packaging and Labeling Act to require a packaged perishable food to bear a label specifying the date after which it is not to be sold for consumption as food; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN (for himself, Mr. Moss, Mr. Halpern, Mr. Harrington, Mr. Hathaway, Mr. Helstoski, Mr. Horton, Mr. Jacobs, Mr. Koch, Mr. Lowenstein, Mr. Matsunaga, Mr. Mikva, Mr. Miller of California, Mr. Moorhead, Mr. Olsen, Mr. O'Neill of Massachusetts, Mr. Pepper, Mr. Pike, Mr. Podell, Mr. Powell, Mr. Rees, Mr. Reuss, Mr. Rodino, Mr. Roe, and Mr. Ryan):

H.R. 17006. A bill to amend the Fair Packaging and Labeling Act to require a packaged perishable food to bear a label specifying the date after which it is not to be sold for consumption as food; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN (for himself, Mr. Moss, Mr. St. Onge, Mr. Scheuer, Mr. Tunney, Mr. Udall, Mr. Charles H. Wilson, and Mr. Yates):

H.R. 17007. A bill to amend the Fair Packaging and Labeling Act to require a packaged perishable food to bear a label specifying the date after which it is not to be sold for consumption as food; to the Committee on Interstate and Foreign Commerce.

By Mr. FINDLEY:

H.R. 17008. A bill to amend the Internal Revenue Code of 1954 to provide for the continuation of the investment tax credit for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. FISH:

H.R. 17009. A bill to amend title 38 of the United States Code to increase the rates and income limitations relating to payment of pension and parents' dependency and indemnity compensation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FULTON of Tennessee:

H.R. 17010. A bill to preserve, for purposes of study and research, nationally televised news and public interest programs; to the Committee on House Administration.

By Mr. GARMATZ (for himself, Mr. Clark, Mr. Lennon, Mr. Keith, and Mr. Grover):

H.R. 17011. A bill to require load lines on U.S. vessels engaged in foreign voyages and foreign vessels within the jurisdiction of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GETTYS:

H.R. 17012. A bill to exclude from gross income the first $750 of interest received on deposits in thrift institutions; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.R. 17013. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. HANNA (for himself and Mr. Van Deerlin):

H.R. 17014. A bill to create marine sanctuaries from leasing pursuant to the Outer

Continental Shelf Lands Act in areas off the coast of California adjacent to State-owned submerged lands when such State suspends leasing of such submerged lands for mineral purposes; to the Committee on Interior and Insular Affairs.

By Mr. HENDERSON (for himself, Mr. Lennon, Mr. Taylor, Mr. Galifianakis, and Mr. Jones of North Carolina):

H.R. 17015. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. JARMAN:

H.R. 17016. A bill to amend the Federal Hazardous Substances Act to provide for child-resistant packaging to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting any hazardous substance, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. QUILLEN:

H.R. 17017. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. RIVERS:

H.R. 17018. A bill to authorize the long-term chartering of ships by the Secretary of the Navy, and for other purposes; to the Committee on Armed Services.

By Mr. ROSTENKOWSKI:

H.R. 17019. A bill to amend the Public Health Service Act, the Federal Food, Drug and Cosmetic Act, the Community Mental Health Centers Act, and other acts to establish a comprehensive program to deal with narcotic addiction and drug abuse, to provide for control of marihuana, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROUDEBUSH:

H.R. 17020. A bill to amend title 39, United States Code, to provide for the mailing at no cost to the sender of first-class letter mail containing Federal income tax returns and certain related matter; to the Committee on Post Office and Civil Service.

By Mr. ST. ONGE (for himself and Mr. Davis of Georgia, Mr. Gallagher, Mr. Hall, Mr. Murphy of Illinois):

H.R. 17021. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHADEBERG:

H.R. 17022. A bill to retain May 30 as Memorial Day and November 11 as Veterans Day; to the Committee on the Judiciary.

By Mr. DULSKI:

H.R. 17023. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. ESHLEMAN:

H.R. 17024. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. FARBSTEIN (for himself, Mr. Moss, and Mr. Hawkins):

H.R. 17025. A bill to amend the Fair Packaging and Labeling Act to require a packaged perishable food to bear a label specifying the date after which it is not to be sold for consumption as food; to the Committee on Interstate and Foreign Commerce.

By Mr. FUQUA (for himself, Mr. Nelsen, and Mr. Abernethy):

H.R. 17026. A bill to amend the District of Columbia Cooperative Association Act; to the Committee on the District of Columbia.

By Mr. GREEN of Pennsylvania:

H.R. 17027. A bill to provide Federal financial assistance to help cities and communities of the United States develop and carry out intensive local programs to detect and treat incidents of lead-based paint poisoning; to the Committee on Interstate and Foreign Commerce.

By Mr. HOGAN:

H.R. 17028. A bill to authorize voluntary withholding of Maryland and Virginia income taxes in the case of officers and employees of the Architect of the Capitol; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 17029. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 17030. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 17031. A bill to provide for a study of the extent and enforcement of State laws and regulations governing the operation of youth camps; to the Committee on Education and Labor.

By Mr. ST. ONGE (for himself, Mr. Button, Mrs. Chisholm, Mr. Cowger, Mr. Daddario, Mr. Diggs, Mr. Edwards of California, Mr. Esch, Mr. Goldwater, Mr. Hamilton, Mrs. Heckler of Massachusetts, Mr. Helstoski, Mr. Hicks, Mr. Howard, Mr. Hungate, Mr. Koch, Mr. Long of Louisiana, Mr. MacGregor, Mr. McKneally, Mr. Mikva, Mr. Mollohan, Mr. Moorhead, Mr. Murphy of New York, Mr. Nix, and Mr. Perkins):

H.R. 17032. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. ST. ONGE (for himself, Mr. Brown of California, Mr. Dulski, Mr. Powell, Mr. Roe, Mr. St Germain, Mr. Waldie, and Mr. Widnall):

H.R. 17033. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 17034. A bill to amend the Fair Packaging and Labeling Act to require a packaged perishable food to bear a label specifying the date after which it is not to be sold for consumption; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALLEY:

H.R. 17035. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

H.R. 17036. A bill to extend to all unmarried individuals the full tax benefits of income now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. BROWN of Ohio (for himself, Mr. Halpern, Mr. Hastings, Mr. Lukens, and Mr. Watson):

H.J. Res. 1172. Joint resolution proposing an amendment to the Constitution of the United States, with respect to the appointment of judges of the Supreme Court; to the Committee on the Judiciary.

By Mr. HANLEY:

H.J. Res. 1173. Joint resolution authorizing the President to proclaim National Volunteer Firemen's Week from September 19, 1970, to September 26, 1970; to the Committee on the Judiciary.

By Mr. SCHWENGEL (for himself, Mr. Mayne, Mr. Kyl, Mr. Gross, and Mr. Taft):

H. Con. Res. 574. Concurrent resolution providing that the Chief Justice of the United States be invited to address a joint session of Congress on the state of the judiciary; to the Committee on Rules.

By Mr. MINSHALL:

H. Res. 918. Resolution to provide an annual appropriation for cancer research; to the Committee on Interstate and Foreign Commerce.

By Mr. ROTH (for himself and Mr. Adair):

H. Res. 919. Resolution expressing the support of the House of Representatives with respect to the Strategic Arms Limitation Talks, and for other purposes; to the Committee on Foreign Affairs.

By Mr. JACOBS:

H. Res. 920. Resolution impeaching William O. Douglas, Associate Justice of the Supreme Court of the United States, of high crimes and misdemeanors in office; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DANIEL of Virginia:

H.R. 17037. A bill to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of the estate of the late R. Gordon Finney, Jr.; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 17038. A bill for the relief of Laurence E. Peterson; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 17039. A bill for the relief of Alberto Gutierrez-Silva; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 17040. A bill for the relief of Constantin Polycandriotis, his wife, Helene Polycandriotis, and their two sons, Peter and Dimitros Polycandriotis; to the Committee on the Judiciary.

By Mr. McCULLOCH:

H. Con. Res. 575. Concurrent resolution that the Congress sends congratulations and greetings to Ohio Northern University on the occasion of the 100th anniversary of its founding and extends the hope of the people of the United States that Ohio Northern University will continue to grow and prosper in centuries yet to come; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

355. By the SPEAKER: A memorial of the Legislature of the State of Kansas, relative to rescinding its actions memorializing Congress to call conventions for the purpose of proposing amendments to the Constitution of the United States; to the Committee on the Judiciary.

356. Also, a memorial of the Legislature of the State of California, relative to recognition of Mexican-Americans in the census; to the Committee on Post Office and Civil Service.

PETITIONS, ETC.

Under clause 1 of rule XXII,

450. The SPEAKER presented a petition of the Florida Board of Regents, State University System of Florida, Tallahassee, Fla., relative to designating Cape Kennedy as the operational base of the space shuttle system, which was referred to the Committee on Science and Astronautics.

XUM

EXTENSIONS OF REMARKS

MR. DICK POPE, FOUNDER OF CYPRESS GARDENS

HON. EDWARD J. GURNEY

OF FLORIDA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 15, 1970

Mr. GURNEY. Mr. President, I wish to note the 70th birthday of one of Florida's great boosters, Mr. Dick Pope, founder of Cypress Gardens.

For nearly a third of a century, Dick Pope has devoted his time, energy, and keen imagination to the growth of the State of Florida and to his own creation, Cypress Gardens.

Cypress Gardens is located in the heart of Florida 50 miles from Tampa and Orlando. When Pope first conceived his now famous gardens, the area was little more than swamp, with an old abandoned yacht club bordering on Lake Eloise.

Pope took this swamp and created a horticultural masterpiece. The gardens are now visited by over a million and a half people yearly.

Dick Pope was born in Des Moines, Iowa, on April 19, 1900. He moved to Florida with his family in his boyhood.

In 1932, he founded Florida Cypress Gardens and opened the first attraction to the public in 1936. In 1938, he added an electric boat ride through the Gardens' winding canals, and in 1947 began four daily water ski shows.

He and Julie have two children, Dick Jr., president of Cypress Gardens, and Adrienne Watkins.

Pope has been vice chairman of the Florida Development Commission and chairman of its tourism committee. He also is currently chairman of the tourism committee for the Florida Council of 100, a director of the Florida Travel Council, and president of the Orange Blossom Trail Association.

He was chairman of the tourism committee of the Florida State Chamber of Commerce from 1960–64, chairman of the Florida Advertising Commission, and first organized the Florida Attractions Association, which is devoted to maintaining quality attractions throughout the State.

In addition to these officers, Pope was appointed president of the Florida World's Fair Authority in 1964 and 1965, was named a vice president for life of the American Water Ski Association.

Pope has received countless awards from Governors, chambers of commerce, advertising associations, national travel councils, cities, counties, realtors, motel and hotel associations, a university, the American Cancer Society, and the USO, for his outstanding contribution to each.

I congratulate Dick Pope on the occasion of his 70th birthday and wish him continued good health. He has brought great credit to Florida and deserves the thanks of the State.

BASIC MINING LAW PROVIDES MAXIMUM BENEFIT FOR THE GENERAL PUBLIC

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. BARING. Mr. Speaker, the following article on the mining laws of the United States is worthy of the attention of my congressional colleagues as this is a massive industry which is so vital to our national defense.

The Public Land Law Review Commission, of which I am a member, is deeply engrossed in studying and improving the current mining laws for the betterment of the Nation and the American people.

Congress will, at a later date, review the recommendations of the Public Land Law Review Commission sometime after the Commission makes its report to the President this summer. I feel that my colleagues who are not directly affected in their respective House and Senate committees, or their home districts and States, by mining laws, should take the time to read the article entitled "Basic Mining Law Provides Maximum Benefit for the General Public." The article is written by three of my good friends, who are actively engaged in the mining industry, Robert G. Dywer of Salt Lake City, Utah; William J. Forman of Reno, Nev. and C. Robert Cox of Reno, Nev. The article was first printed in the April 1970, edition of the Natural Resources Section Journal of the American Bar Association.

The article follows:

BASIC MINING LAW PROVIDES MAXIMUM BENEFIT FOR THE GENERAL PUBLIC

(By William J. Forman, Robert G. Dwyer, and C. Robert Cox)

INTRODUCTION

On June 30, 1970, the Public Land Law Review Commission will report to the President and the Congress on its recommendations and suggested changes of the Public Land Laws of the United States. The mining laws and mineral leasing laws are a part of the Public Land Laws and their revision will greatly affect the mining industry of the United States. The purpose of this paper is to present the advantages of maintaining the present basic mining law in order to obtain the maximum benefit for the general public.

I. An American institution

The mining laws were founded by our ancestors and are a part of our American heritage. Through wars, prosperity, depression and national growth the mining laws have allowed the mineral industry to expand and grow to meet the demands for metals for world consumption. How can the mineral industry, operating under laws developed by a young and inexperienced nation, keep pace with the rocket age of today? The answer is simple. This system is based on the philosophy of "free enterprise"—the foundation of our American way of life. It is a giant step from the days of the burro and prospector to the days of the landing on the moon by the astronauts, yet the mineral industry of this great nation has met this challenge and provided this nation with all the minerals and metals vital to its survival. The basic mining laws also met and answered this challenge and have allowed the industry to go forward at a fantastic pace.

II. Brief history of mining law

Beginning with the Act of July 26, 1866, the government of the United States adopted a policy that all the mineral lands of the public domain should be free and open to exploration and occupation, that rights which had been acquired in these lands under a system of local rules, with the apparent acquiescence and sanctions of the government, should be recognized and confirmed, that titles to at least certain classes of mineral deposits or lands containing them might be ultimately obtained. Following the enactment of the 1866 Act, the Congress passed the 1870 Act relating to placers. Thereafter, on May 10, 1872, by an Act "To promote the development of mining resources of the United States", Congress reaffirmed the policy of the government as to the exploration, development and purchase of its mineral lands by its citizens, or those who had declared their intention to become such. Since 1872 this policy of the government has continued generally. There have been some departures such as the Leasing Act of 1920 but in the main, so far as hard minerals are concerned, the principles adopted by Congress in 1866 have continued to the present time.

The underlying theory of these acts was that one who discovered a buried and unknown mineral deposit in the public domain should have as a reward for discovery of this resource of our nation the right to acquire for a nominal price title to the mineral deposit, together with the right to use so much of the surface as might be needed for mining and related purposes.

III. General criticisms of 1872 Mining Act

There have been many criticisms of the 1872 Mining Act and its workings, but generally the critics have focused their attention on the Act's abuses and technical difficulties and the resulting effect on the management of the public domain by the Bureau of Land Management. Nevertheless, the principal purpose of the Act—to build up a vigorous domestic mining industry which would produce the minerals to supply the needs of the American people—has been accomplished by the practical operation of the basic mining law.

With the advent of the creation and studies being made by the Public Land Law Review Commission there has been certain agitation by a number of groups to repeal the national mining law and to substitute a system of leasing in its place.

In January of 1969, the Department of the Interior, under the direction of Stewart L. Udall, Secretary of the Interior, filed a brochure with the Public Land Law Review Commission entitled: "The Mining Law—An Antique in Need of Repeal". This was followed, shortly before Mr. Udall went out of office, with a letter directed to the Commission in which Mr. Udall reaffirmed his previous views and took the position that the mining laws operate as an outright giveaway of vital national resources and stated that after eight years in office he had come to this conclusion that the most important piece of unfinished business on the Nation's natural resource agenda was the complete replacement of the mining law of 1872, and that this law had become the—

"* * * major obstacle to the wise conservation and effective management of the natural resources of our public lands. * * * Many other problems in the administration of the public land laws are rooted in the mining law. * * * Put simply, this obsolete and outdated statute inhibits the best kind of multiple-use management. It operates as an outright giveaway of vital national resources. At the same time it harms the American mining industry. It not only fails to meet the needs of today's mining industry; it retards the industry's development. By its lack of security of tenure during the pre-discovery period, the mining law inhibits the use of highly sophisticated but expensive modern exploration techniques to probe for deep, hidden deposits. Its discovery requirement militates against the maintenance of rights in low-grade deposits as reserves for future development."

He offers as a solution the complete repeal of the 1872 Act and the substitution of a leasing act which he proposes to the Commission.

When Walter J. Hickel succeeded Stewart L. Udall as Secretary of the Interior, following the change of administration, the Department made a distinct about-face on the question of the leasing versus location. In a letter to the Public Land Law Review Commission, Secretary Hickel stated that the Mining Act of 1872 has had some abuses and that there is, undoubtedly, a need for a modification and updating. He further stated, in part, that:

"However, it is not the villain that it is so frequently portrayed. Perhaps the most important function this law performs is the stimulation of individual incentive to seek out and develop valuable minerals which are essential to the continued growth and prosperity of this nation."

He has further taken the position that answers to the valid objections to the law can be met and he is satisfied that we can devise a workable revision of the mining law of 1872 without sacrificing the best qualities of the old law and stifling needed exploration and development while still insuring appropriate consideration for necessary conservation and multiple-use management. Included in his letter are suggestions for changes which retain the basic principles of the mining law of 1872.

Certain other groups such as the wildlife groups, sportsmen's groups and other groups, seeking to use the public domain for their particular activity, have filed recommendations with the Public Land Law Review Commission. In general, these groups have favored a leasing system. Insofar as these groups are concerned, it would appear that most of them have as their object not so much the regulation of the mining industry but to prevent the public domain's being used for mining purposes instead of for their particular recreational object. This attitude overlooks the fact that the public domain belongs to all of the people of the country and not to one particular group. It has its importance for recreational uses but to restrict the use of the public domain for mining to promote the interests of the bird watchers and sportsmen falls far short of accomplishing the greatest good for the greatest number of people of our country, and overlooks the great economic benefit to the country as a whole of a viable mining industry. In a recent study conducted in the State of Utah relating to "Mined-Land Reclamation", it was determined that only two-hundredths of one per cent of the state's entire surface was disturbed by mining. The amount of the public domain which is used for actual working mines is such a minute portion of the 700 million acres included within its boundaries that there exists plenty of land for carrying on the activities of these groups outside of the mineral lands intended to be worked under the 1872 Act.

IV. Suggested changes and answers to specific objections to the 1872 Mining Act

(a) *Surface Rights:* One of the principal criticisms of the mining law is that it has been abused and land has been acquired thereunder for purposes other than mining. The brochure filed by the Interior Department under Secretary Udall argues that the mining laws have been abused and have been used to obtain land for summer resorts, subdivisions, blocking access, "hold-ups", timber and urban development. The instances in which these abuses have taken place are as a whole relatively scarce. Such infrequent abuses are not a good argument for the repeal of the mining laws.

The American Mining Congress points out that unpatented claims located after 1955 are prohibited to be used for any purpose other than prospecting, mining or processing operations and uses reasonably incident thereto; and that the United States has the right on these claims to dispose of the vegetative resources and to manage other surface resources except mineral deposits subject to location under the mining laws of the United States. This clearly, insofar as unpatented mining claims are concerned, limits the right of a locator to abuse the privilege of locating mining claims and confines him to the purposes for which the mining laws were enacted. While this does not provide for the continuation of such restrictions after patent, it is suggested by the American Mining Congress that it would be appropriate as a condition of transfer of fee title to the surface to require payment of the fair market value thereof by the patentee. This would eliminate the basis for complaints that mineralized ground has been sought under the mining laws not for the development of minerals but rather to gain access to the surface resources. The suggestion further follows that the patentee would have the right to use the surface and surface resources for mining and related activities and the government would continue to own the surface and to manage the resources unless at the time of the issuance of the patent or within five years after its issuance the patentee elected to acquire full title by paying the fair market value for the surface. By such an amendment Congress would remove any incentive for one to locate a mining claim other than for purposes of mining.

(b) *Uniformity and Location of Claims.* The mining laws have been criticized for the difficulty of finding anything of record from which one can definitely ascertain their location and also for the uncertainties that are created by the distinction between placer and lode claims. Most all interested parties agree that if a new type of claim is created which abolishes the distinction between lode and placer claims and requires the new location to be made according to legal subdivision and a record thereof made in the particular county where the claim is situated, this would go far, insofar as future claims are concerned, to answer these objections.

(c) *Extralateral Rights.* Complaints have also been made that the mining laws and the allowance of extralateral rights have provided uncertainty as to exactly what an owner had in the way of rights where the vein departs from his own land. The American Mining Congress in its statement to the Public Land Law Review Commission advocated the abolition of extralateral rights and the creation of a new type of claim located so that the rights of the locator would be bounded by vertical lines downward through the boundaries of his claim.

(d) *Abandoned Claims.* Complaint has been made by the Department of the Interior of the cost to the government of clearing the public domain of abandoned mining claims. As to existing claims, this problem will continue to exist in the absence of further legislation. But as to future claims, if the proposals concerning the location of new claims by legal subdivisions is adopted, a definite determination of future claims should not be troublesome. The American Mining Congress has suggested an amendment to the mining law that should go a long way toward clearing the government's title to abandoned claims. It recommends the amendment of the mining laws to provide that a mining claim is conclusively presumed abandoned if some notice or other instrument is not filed in the appropriate county office by or on behalf of the owners of the mining claim at least once every three years. This conclusive presumption would make a contest to clear the record unnecessary.

(e) Exploration Claims and Discovery: It has been suggested that the statutory prerequisite of "discovery" prior to locating a claim has made the tenure of the prospective locator uncertain. In the present state of the search for minerals by the most advanced techniques the criticism has some merit. Most of the valuable surface exposed minerals have probably already been discovered. However, concealed deposits of unknown but possibly great proportion remain to be explored and utilized. The exploratory claim proposed by the American Mining Congress would provide that one searching for mineral deposits might locate exploration claims on the public domain which may be 160 acres or less. It would not require a mineral discovery for location. However, these claims would preempt the ground from location of regular mining claims or subsequent exploration claims. Such claims could be held for a maximum period of five years, provided that during the first three years at least $10 for each acre so claimed would be required to be expended on exploration and at least an additional $20 to be spent in the remaining two years for each acre so claimed. Verified reports would be required, giving the work performed, and filed with the appropriate county office. If a mineral discovery was made, a conventional mining claim could be located and thereafter a survey of the claim should be recorded in the county recording office so that the location on the ground might be definitely identified.

Discovery of a valuable mineral deposit is required for a valid mining location. In the article entitled: "The Prudent Man's Changing View of Discovery Under the Mining Laws of the United States", which appears in the Natural Resources Lawyer, Volume 11, number 2, page 109, (May, 1969), it is advocated that the prudent man test be again adopted as the basis for a valid discovery as opposed to the marketability test. This article states, in part, as follows:

"However, to clarify the confusion resulting from the Coleman case, it is suggested that consideration be given by the mining industry to a study of possible legislative enactments to guide the courts in upholding the 'prudent man' test as originally set forth in *Castle* v. *Womble* as the rule of discovery under the mining laws of the United States."

(f) *Assessment Work and Discovery Pits:* There have been complaints regarding the various ways in which states require discovery pits and assessment work to be performed. Consideration should be given to the adoption of uniform requirements, substituting drilling, geological, geophysical, geochemical, mapping and surveying work instead of the old requirements of the early state laws.

V. Leasing versus basic mining act

The best way to demonstrate why the leasing system is not desirable for hard minerals is to compare it with the Basic Mining Act.

Basic mining act

1. Controlled by "free enterprise", which has proven successful in making the United States a world leader.

2. Encourages individual initiative, research and private property rights.

3. Undergone the tests of time, including court litigation, national growth and expansion, wars, prosperity, depressions and has met the challenge of the rocket age.

4. Under the present mining law any individual can locate a claim and most of the major mining operations in this country are the result of individuals locating claims and receiving a reward for their efforts.

5. Development of low-grade deposits has proven successful under present mining act. The "free enterprise" system, competition and the fact that any individual can go on the public lands and locate a mining claim, all contribute to the success of the mineral industry, which is dependent on the basic mining laws.

Lease system

1. Controlled by the government and the Department of the Interior, which constitutes an impediment to natural resource discovery and development by private enterprise.

2. Encourage larger government, more rules and regulations, destroys private ownership and indirectly increases taxes.

3. Untried and not proven by the solid lessons of history.

4. Limited by competitive bidding which would tend to eliminate the small prospector entirely.

5. Costs of lease system would make the development of low-grade ore deposits prohibitive because of initial increased costs due to competitive bidding.

Although the above comparison focuses only on the major advantages of the basic mining law over leasing, it must be reiterated that any disadvantages and abuses of the 1872 Mining Act can be cured by amendment to the existing laws. In such a situation, it would seem to be the height of folly to scrap a system that has so successfully built up the mining industry and the economy of the country for over 100 years and substitute therefor a system that does not give much promise of successfully and dynamically carrying on the industry as to future exploration. A system of leasing will effectively eliminate the small operator, increase the costs of exploration, reduce the incentive for investment and open up an area of possibly endless litigation. As a result, future exploration and in turn resource development will be curtailed by the leasing system. For example, as late as 1954 Congress acknowledged that governmental leasing had proved detrimental to the atomic energy program, and the reservation was deleted to make those materials subject to location under the mining laws.

The discovery of new mineral deposits and the exploitation of them is vital to keep up the production of such minerals. It is only by reason of the new technological progress made in recent years in the methods of discovery and in methods of mineral treatment that production figures have been able to keep up and even exceed previous records. Each year it becomes more difficult to find new discoveries of minerals that will supplant the exhaustion of properties operated in the previous years. It must, therefore, be concluded that at a time when our nation's resource demands are at a peak in terms of economic and defense needs, we cannot afford to abolish a proven system which can be corrected by suggested legislative changes and substitute in its place a system which promises reduced resource development at increased governmental costs.

VI. Federal, State, and local economic benefits

In the parting letter of Secretary Udall he criticized the mining law of 1872 as an outright giveaway of vital national resources. Mineral resources have no economic significance to the country nor do they develop taxable wealth so long as they are locked up in the public domain. It is only when they have been discovered, developed and mined that they become a source of taxable wealth in the economy of the nation. The government of the United States, as well as the local governmental bodies, have a large stake in the mining industry. When mineral deposits are mined, the government partakes of the fruits of such mining by its income tax law and other tax laws. Likewise, the local and state authorities through the taxation of plants, sales taxes, severance taxes or proceeds of mines taxes (which most states have) become partners in the profits of the industry without risk or the expenditure of their moneys. The industry must take the risks and the chances of loss. Once the new source of wealth is mined, all government subdivisions of the place where the deposit is located become the beneficiaries of the risked capital invested by the industry. This is a far cry from being a giveaway plan.

The 1969 figures for the mining industry in the western states show a production, excluding oil and gas, of products worth approximately 3½ billion dollars. Any curtailment of this production is bound to affect the economic condition of the states where mining takes place. It will affect the local and state taxes that can be levied, as well as income taxes of the federal government. It affects employment levels in the various mining companies and it is bound to have a very deleterious effect on the economy of those western states which have a large stake in the mining industry. Thus, the mining industry has and will continue to pay its own way under the basic mining laws. In so doing, it is an integral part of federal, state and local economies.

VII. Conclusion

In a recent brochure of the Nevada Bureau of Mines entitled: "Nevada's No. 1 Basic Industry", in commenting on the significance of mining, it was stated:

"The importance of the mineral industry to the national and State economy as well as to man's everyday life is not always apparent unless one stops to ask himself where he would be without it—without iron and steel, oil and gas, coal, building materials . . . *The very strength of a nation can be measured in the production and use of its mineral products.*

"For every child born in the United States, years of research and applied technology are required to provide him with the tons of ore, pounds of metal, and barrels of oil he will use in his lifetime. It is an unremitting cycle.

"Significance of the mineral industry may be gauged by these facts:

"On a national level:

"Nearly one-half of the national industrial labor force is employed in metal-working industries.

"About one-half of the value of output of all manufacturing activities in the U.S. is from metal-working industries.

"More than one-half of all railroad freight traffic in the United States is made up of raw mineral materials.

"On State level:

"Total impact of the mineral industry on the economy of Nevada is $450,000,000 a year.

"Among Nevada's basic industries, mining is three times greater than agriculture, its nearest competitor.

"Approximately 80 percent of all rail freight revenues originating in Nevada comes from the mineral industry."

The impact of the mineral industry on the economy of the other western states could be similarly compared.

In an article written in 1967 by Edward H. Peplow, Jr., entitled: "Land Lessons From the Past", and published in "Pay Dirt", an Arizona publication, the author states, in part, as follows:

"Thus I submit to you that the Mining Law of 1872—no matter what faults it may be found to have in other areas—had one magnificent asset which must not be discarded under any circumstances. Over the years it has fostered the operation of the free enterprise system. It has engendered intensive research; it has promoted expansion of existing properties; and it has fostered *conservation* in the truest sense of the term—the orderly, efficient and profitable development of the natural resources of the United States for the benefit of every American."

The mining industry has been represented before the Public Land Law Review Commission by the American Mining Congress as its spokesman. In the brochure filed with the Commission, they consider their most important recommendation is that the provisions of the mining laws be retained which allow the acquisition of title to mineral deposits by mining location and patent.

The Public Land Law Review Commission has had excellent studies made of the matters here involved and it is hoped that their recommendations, which are to be made in June of this year, if adopted, will be of such a nature that the mining industry can continue as a vital industry on the domestic scene and that its future will be as bright as its past.

ARTICLE BY HENRY J. TAYLOR ON TV VIOLENCE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 15, 1970

Mr. THURMOND. Mr. President, much has been said lately about the news media slanting the news through the editorial selection and the emphasis which certain topics are given through repetition and prime placement.

Although the TV networks in particular have sharply denied such activity, a fine example of this bias was recently analyzed by the nationally known columnist, Henry J. Taylor, a former U.S. Ambassador and distinguished journalist.

In a column which was published on the editorial page of the State newspaper in Columbia, S.C., Mr. Taylor points out that the networks, by preaching violence and destruction, are inviting the radicals and terrorists to ply their dangerous trade. Mr. Taylor points out that through the great exposure given to riot inciters such as Abbie Hoffman, Stokely Carmichael, Dan Watts, and others, the networks are actually giving lessons in terrorism to the young. Mr. Taylor says:

> Surely every internal and external enemy we have knows the advantages of destroying the country's faith in itself from within.

The kind of program material which

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the TV networks are presenting is doing exactly this.

Speaking of CBS President Robert D. Wood, Mr. Taylor asks:

> How can CBS's Wood and the other moguls conceivably pretend that millions listening throughout their young lives to the presented Abbie Hoffmans and constantly viewing violence are not influenced toward violence and crime?

Mr. Taylor is asking the right questions, and the networks have yet to give satisfactory answers.

Mr. President, I ask unanimous consent that Mr. Taylor's article, entitled "TV Gives Exposure to Radicals," published in the State newspaper of Tuesday, April 7, 1970, be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the State, Apr. 7, 1970]

TV GIVES EXPOSURE TO RADICALS—MEDIUM OFTEN MAKES INFAMOUS MEN FAMOUS

(By Henry J. Taylor)

Convicted Chicago 7 riot inciter Abbie Hoffman is doing just fine, thanks to TV. Preaching violence and destruction, the networks, of course, invite him on again and again.

While the pseudo-sanctimonious CBS, NBC and ABC moguls dignify the Abbie Hoffmans and the networks' Neanderthal standards as a whole, Fox TV film executive Alan Silverbach recently let the truth out of the TV bag.

Said Silverbach: "There's a tremendous viewer reaction to violence, rape or murder. Everybody wants to look over everybody else's shoulder. It has viewer-appeal and, you know, we want the largest number of eyeballs per dollar."

CBS–TV network President Robert D. Wood revealed a little complication, however, when offering Hoffman on the Merv Griffin show. Hoffman committed a very photogenic piece of illegal desecration by wearing a shirt made from an American flag.

CBS let Hoffman do this, and taped the show. But the CBS Legal Department put a bug in Wood's ear. The lawyers told him state courts had ruled such desecration a suable crime, as if, in fact, CBS shouldn't have known that Hoffman himself was arrested in Washington in 1968 for this same act of wearing the shirt to a House Un-American Activities Committee session.

Wood announced that Hoffman's shirt would be electronically blanked out—but not Hoffman.

TV has made nearly all these infamous men. Surely, TV made famous infamous Stokely Carmichael. And TV unbashedly is reaching anywhere to put their vicious propaganda on the air. How come TV reached all the way to Dar es Salaam, Africa, to put on the air the venomous spleen of Carmichael? Did you see the hour-long interview with fugitive Eldridge Cleaver in Algiers? Why?

Newsworthy? My eye! Anybody, literally anybody—some anonymous destroyer who is certainly not newsworthy at all—can achieve a nationwide news spot just so long as he is condemning the United States, our institutions, a judge in some court, a university or the forces of law and order.

Or if the networks can possibly find protesters fighting in our streets you can be sure the TV cameras will seek them out. They'll concentrate on policemen swinging clubs and usually omit the provocations. You can predict the camera fade-out before you see it: bleeding people being dragged away.

Surely, every internal and external enemy we have knows the advantages of destroying a country's faith in itself from within. They're as old as the Trojan horse. Don't the great networks, getting a free ride on the public's airwaves, have any responsibility at all?

The other night I was on a two-hour TV discussion program with New York Negro leader Dan Watts, the editor of The Liberator newspaper. Detailing how country-destroyers operate, he observed: "Who doesn't know that youth is always and everywhere their No. 1 target?"

TV is the third parent in your home. How on earth can conscientious parents face its dreadful competition? We pay immense sums to educate our children. Yet millions of the same youth spend more time at the feet of the TV set than they spend in school. And the villainy they are taught on the TV they are practicing.

Do you know exactly how to take over a school or systematically incite a street riot? Do you know exactly how to make an explosive cocktail or homemade fire bomb or grenade? Watch CBS, NBC or ABC. Our youth are given daily lessons in criminal actions—watching TV, the most powerful medium any civilization ever had.

How can CBS's Wood and the other moguls conceivably pretend that millions listening throughout their young lives to the presented Abbie Hoffmans and constantly viewing violence are not influenced toward violence and crime?

The TV mayhem has grown so immense that one national association dedicated to better broadcasting estimates that before the average child reaches 15 he or she witnesses some 12,000 TV murders and deaths. In one week alone, in just one city, it found that the TV stations showed nearly 800 acts of violence.

With the TV networks in there pitching day and night, we are the victims in an attack so obviously systematized, uniform and relentless that its purpose is clearly the destruction of the United States.

FARMERS WANT A CHANGE IN PROGRAM DIRECTION

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. FINDLEY. Mr. Speaker, almost all farmers in the 20th District of Illinois seem to favor major changes in farm programs. More farmers favor a gradual change to a program of cropland retirement and market-based prices with special aids to small farmers than any other alternative now under consideration by the Congress. That is the result of a survey I have recently taken of the farmers in my district.

A total of 2,042 replies were received in a boxholder type mail-in survey, which asked farmer opinion of new farm program choices and their choice for a payment limitation. It also asked questions relating to pesticide control; use of Government tariffs and quotas to keep foreign farm goods from U.S. markets; trade with Eastern Europe and Communist China; the incidence of rural poor; full-time Federal assistance for Future Farmers of America programs; and the volume of livestock disease losses during the past 2 years.

I am pleased with the large number of farmers who favor a new approach in Federal farm programs—an approach I feel is long overdue to help bring about a healthy, profitable agriculture with prices of farm goods based more on the conditions of the marketplace and less dependency by farmers on Government program payments.

A total of 723 or 35.4 percent of the respondents selected a 5-year transition program to phase-in a massive long-term cropland retirement program replacing gradually the present commodity programs. With this program, crop loans would be based on market prices and special aids would be available for farmers grossing under $5,000 a year to help them gain the necessary skills for off-farm employment if they choose to participate. This plan, which I have introduced as H.R. 9009, has since been cosponsored by a bipartisan group in both the House and Senate now totaling 45 and is endorsed by the American Farm Bureau Federation.

Just 4.3 percent, or 89 responses, favored continuing the present program, but 671, or 32.8 percent, favored continuing the present program with adding a limit on the total Government payments a farmer could receive each year.

The recently disclosed USDA plan of an acreage set-aside program, permitting farmers greater freedom to plant nondiverted cropland, received just 6.1 percent, or 126 favorable responses.

The coalition program of increased Government program payments and price supports, coupled with acreage bases and diversion requirements, was favored by 510 respondents, or 24.4 percent.

An overwhelming number of farmers favor establishing a limit on farm program payments at $20,000 per farm per year with a limitation plan of $5,000 per crop annually being the second choice. A total of 834 farmers favored the $20,000 annual limit; 382 favored $5,000 per crop; 282 favored $10,000 per crop; and 246 favored a graduated limit with a maximum payment of $110,000 per crop for each of a maximum of three crops.

Some farmers selected more than one choice of programs and payment limits which results in totals of more than 2,042—which was the number of replies received—and 100 percent. Analysis of the survey results is based on the choices indicated on the 2,042 survey forms completed and returned.

This is the first survey I have taken of farmers alone in my district, and I am gratified with the cooperation received. The results of this survey should be very helpful to congressional leadership, especially at this juncture when basic decisions are being made in the Agriculture Committee of the House of Representatives.

Each person responding gave details of his farming operation. A complete breakdown of the choices of the respondents, by size of farming operation, as well as the survey question and an-

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swer selections, is included as a part of my remarks:

SURVEY TOTALS

1. Here are the principal proposals now before Congress on new farm legislation.

	Number	Percent
Please check the one you like best:		
(a) 5-year transition program: Simultaneously phase-in massive cropland diversion (voluntary, 5- to 10-year contracts) replacing present commodity programs; establish crop loans (based on market prices) for orderly marketing and special aids (to gain off-farm income) to farmers who gross under $5,000 a year	723	35.4
(b) Continue present programs without change	89	4.3
(c) Continue present programs but add a limit on the total Government payments a farmer can receive each year	671	32.8
(d) Retain Government payments and land-diversion provisions at present levels but permit farmer greater freedom to plant nondiverted cropland; establish $110,000-per-crop limit on individual payments	126	6.1
(e) Raise Government payments and supports high enough to guarantee 90 percent of parity ($1.58 bushel) for corn, 100 percent ($2.79 bushel) for domestic wheat, 75 percent ($2.80 bushel) for soybeans, with acreage bases and diversion requirements for each commodity, similar to present programs	510	24.4

If an annual limit is established on Government payments, what level do you prefer? (382) $5,000 per crop; (282) $10,000 per crop; (834) $20,000 per farm; (246) Graduated limit, with top of $110,000 per farm.

	Yes	No
2. Should use of DDT, 2,4,5–T and 2,4–D be prohibited?	693	1,107
3. Should the Government use quotas, high tariffs to keep out agricultural products from foreign countries?	1,245	587
4. Should the Government permit cash sales of farm products to Eastern Europe and Communist China?	1,124	736
5. Are there poor families in your community which should receive more assistance than they are getting?	442	1,285
6. Should the Federal Government re-establish full-time staff support for Future Farmers of America?	885	837
7. Have you or your neighbors suffered serious livestock disease losses during the past 2 years? (If so, give details)	567	1,282

OPINIONS BY SIZE OF FARM

	Under 100 acres 219 (10.7 percent)		100 to 199 acres 331 (16.2 percent)		200 to 399 acres 543 (26.6 percent)		400 and over 619 (30.3 percent)		Not classified 97 (4.8 percent)		Nonfarmers 227 (11.1 percent)	
	Favored	Percent	Favored	Percent	Favored	Percent	Favored	Percent	Favored	Percent	Favored	Percent
1. (a) 5-year transition program as embodied in H.R. 9009 sponsored by Representative Findley and others	80	36.5	108	32.3	192	35.3	219	35.3	37	38.1	97	42.7
(b) Continue present programs without change	5	2.3	23	6.9	22	4.0	29	4.6	2	2.0	7	3.0
(c) Continue present programs and add a payment limit	87	39.7	112	33.8	194	35.7	165	26.6	39	40.2	84	37.0
(d) Set-aside plan for greater freedom of planting on nondiverted cropland and $110,000 payment limit per crop	12	5.9	19	5.7	31	5.7	38	6.1	9	9.2	17	7.4
(e) Raise payments and price supports with acreage bases and diversion requirements for each crop	39	17.8	104	31.4	148	27.2	165	26.6	14	16.5	40	17.6
$5,000 per crop	63	28.7	56	16.9	101	18.6	57	9.2	15	15.4	60	26.4
$10,000 per crop	24	10.9	51	15.4	99	18.2	72	11.6	12	12.3	24	10.5
$20,000 per farm	84	38.3	118	35.6	235	43.2	289	46.4	34	35.0	67	29.5
Graduated limit w/$110,000 per farm limit	12	5.4	35	10.5	56	10.3	112	18.0	9	9.2	22	9.6

	Under 100 acres		100 to 199 acres		200 to 399 acres		400 and over		Not classified		Nonfarmers	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
2. Should use of DDT, 2,4,5–T and 2,4–D be prohibited?	129	64	130	161	152	326	110	454	36	43	136	65
3. Should the government use quotas, high tariffs to keep out agricultural products from foreign countries?	131	63	215	84	351	135	367	199	57	25	128	85
4. Should the government permit cash sales of farm products to Eastern Europe and Communist China?	124	78	177	123	310	194	370	211	50	36	111	94
5. Are there poor families in your community which should receive more assistance than they are getting?	68	112	72	198	97	374	117	432	19	61	69	106
6. Should the federal government re-establish fulltime staff support for Future Farmers of America?	95	90	115	156	244	214	312	229	41	42	78	106
7. Have you or your neighbors suffered serious livestock disease losses during the past two yrs?	29	163	85	221	173	339	228	364	19	57	33	138
TGE	14		59		115		137		10		20	
Cholera	1		6		10		15					

WEST VIRGINIA TO OPEN NEW PIPESTEM STATE PARK—CONSISTS OF 4,000 ACRES OF SCENIC TERRAIN—OFFERS WIDE RECREATIONAL ACTIVITIES AS PART OF 61,000 ACRES OF STATE PARKS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 15, 1970

Mr. RANDOLPH. Mr. President, West Virginia, the land of beauty, emphasizes tourism. Four of the Nation's five largest metropolitan centers and 55 percent of the country's population are within 500 miles of our State's borders.

West Virginia has opened a new 4,000-acre park, Pipestem State Park, near Hinton. This brings to nearly 61,000 acres the land occupied by our 23 useful State parks.

Pipestem, the newest addition to this recreational complex, offers one of the finest settings in the Southeast. Together with Twin Falls, Hawks Nest, and Canaan Valley State Parks, Pipestem is part of West Virginia's $13 million park expansion program.

Ed Johnson, the able editor of Wonderful West Virginia, published by the West Virginia Department of Natural Resources, recently wrote an article on Pipestem for newspapers throughout the State.

Mr. President, I ask unanimous consent that Mr. Johnson's story, which appeared on March 15 in the Herald-Advertiser, Huntington, W. Va., be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PIPESTEM

(By Ed Johnson)

With 4,000 acres of scenic Mountaineerland, threaded by the twisting 1,200-foot deep canyon in Summers and Mercer Counties, imaginative architects who planned touristluring facilities to fit the terrain—and sweetened by an investment of $13 million—you have Pipestem State Park, which makes its debut this year.

If this great recreational complex—unquestionably one of the finest in the East—did not have the complete "come-on," it is only 10 miles from huge Bluestone Lake, famous for fine fishing, water sports, and complemented by popular Bluestone State Park.

By mid-summer, Pipestem is expected to throw open its gates and say welcome to West Virginians and the nation.

Pipestem, along with Twin Falls, Hawks Nest and Canaan Valley State Parks, is a part of West Virginia's multimillion dollar park expansion program.

The colorful name Pipestem is no misnomer: I remember when I literally came in on the ground floor. Architects, our own engineers, feasibility experts and surveyors were crawling over the landscape. Troy Gatrell, now park superintendent, took me down to Pipestem Creek, cut a limb from a bush which is said to have been used by Indians and early settlers as pipestems for their stone and clay pipes. The generous and round pith in the limbs make them well suited for pipes.

Ahead of everything are its golf courses, often called the backbone of convention draws, with two seasons of play behind them. A championship 18-hole and a par-3 course. On both courses, the golf course architect skillfully used the terrain and man-made lakes, valleys and trees as natural hazards. White sand bunkers complete the layout.

Lush and long tees for the professional and the novice have been carefully cultivated by two years of professional care. There are no steep holes for the short-of-breath to climb, yet every hole is a challenge. On the par-3 course, the 10,000 square-foot greens are believed to be the largest for a par-3 in the world. One thing for sure, there are no more beautiful courses in the world, including the best of Florida, Nassau, and Pebble Beach. Green fees are moderate.

Golf course clubhouses are admittedly plush . . . well-manicured, practice driving tees, putting greens. Perhaps the most distracting hazard around the courses is the incredible scenery, making it hard keeping your eyes on the ball.

Heart of Pipestem is its stately 113-room main lodge. Sitting at the brink of Bluestone Canyon, the picture-window views of scenic panoramas are breathtaking. The native stone and concrete structure has two dining rooms, meeting rooms, shops, indoor swimming pool, and sauna baths.

Other facilities of the big park complex include 24 year-round recreation cottages, most of which have two bedrooms and tent and trailer sites with comfort stations.

An intriguing addition to the park complex, expected to be in operation next year, is the Mountain Creek Lodge, a 30-room structure located at the bottom of Bluestone canyon. Access to this facility will be by aerial tramway which will sweep 3,600 feet to the bottom. Contracts have been let for the construction of the 10-car tramway. Upon completion of this river lodge, horseback riding will be available in this secluded area along with fishing in the Bluestone River, famous for smallmouth bass.

A prime attraction of the park's recreation area is an Olympic-size swimming pool with regulation diving boards. To complete year-round recreation use, an iceskating rink is available to winter sport enthusiasts.

Other features of Pipestem include a 500-seat Amphitheater, Visitor's Center, country store, craft center, championship archery range, riding stables, 16-acre fishing lake, and an observation tower.

The average elevation of Pipestem is 2,500 feet, and with 4,000 acres there are interesting woodland trails and countless scenic views.

The park's facilities can comfortably accommodate a convention of 400. Look for Pipestem State Park, with its complete features and scenic beauty, to become one of the popular playgrounds of the East—and so handy to West Virginians.

OKLAHOMA'S PROUDEST RESOURCE: ITS PEOPLE

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. ALBERT. Mr. Speaker, the Honorable Dewey Bartlett, Governor of Oklahoma, has designated April as "Speak Up for Oklahoma" month. One of my young constituents, Miss Cathy Dennis, 200 North 6th, Comanche, Okla., who is 17 years of age, has done this so well in an essay she wrote recently that I would like to share it with my colleagues in the House of Representatives. I include Miss Dennis' essay at this point in the RECORD:

OKLAHOMA'S PROUDEST RESOURCE: ITS PEOPLE

(By Cathy Dennis)

RED PEOPLE, "Work conquers all"
Will Rogers, Mistletoe—
These are images of Oklahoma.
A state rich in
Oil, minerals,
Soil, industry—
Yet the greatest of the riches Oklahoma claims is
PEOPLE.
Great, small,
Famous, humble,
Oklahoma has great people.
Why out of
Wealth, industry,
Resources, scenic beauty
Does Oklahoma choose her people as her pride?
Because people cannot be
Bought, sold,
Designed, manufactured,
To suit the blueprint of men.
A state's people may be known as
Rich, smart,
Extremist, conservative,
But our people have the greatest title of all:
"Friendly!"
Throughout the nation we are called
Hicks, Okies.
Squares, Clods,
But if that's what the people of Oklahoma really are—
Then those names are titles fit for royalty; because only a friendly state is a state with good people!
Highways can be built, buildings can be designed,
money can be obtained, businesses can prosper, but people are what they are.
What good are
Highways, buildings,
Businesses, riches,
without people who live, really live—
Not just pretending to live while at the same time hiding behind
Social masks, political fronts,
Business faces, false smiles.
A state of people afraid to
Laugh, feel,
Cry, live,
is a cold state that can claim only material things.
Oklahoma's people do
Live, laugh,
Feel, cry,
because Oklahoma people are real people
Many people from many places agree that
Friendliness, hospitality,
Humbleness, Sincerity,
are easily found in our state,
not only in word—but in action.
Oklahomans will open to another
their homes as well as
their hearts.
Common people, aristocrats,
Ranchers, businessmen,
are able to live harmoniously with
their fellowman.
Oklahoma's history shows examples of our success stories;
common people becoming national
Mickey Mantle, Jim Webb,
Roger Miller, Patti Page,
Steve Owens, Don Grieve,
Jim Thorpe, Tom Stafford,
Carl Albert, Henry Bellmon,
Dale Robertson, Jane Jayroe,
Bud Wilkerson, Gordon Cooper.
Even though all states have people who become great.
Oklahoma has an excess of great people who never become famous.
Though some of Oklahoma's people may not always know proper etiquette, how to order foreign food, who to "brown nose", when to give up, this does not make them less
Proud, competent,
Modern, intelligent,
for a wise man knows that friendly people who really care, are worth more than gold as a resource.
Though all Oklahomans are not perfect.
Oklahoma can claim a stable people.
Hardworking, visionary,
Capable, determined.
The average Oklahoman is God-fearing, and honest.
These people want to do the right thing—not try to pick the edges of "right" until it has raveled and can be:
Pulled, questioned,
Changed, distorted,
until harmful wrongs become accepted as modern progress.
Our ideas of right and wrong have changed very little in proportion to many people's modern thinking.
Oklahoma has a history of good people.
Our pioneers gave us a proud heritage. They
Traveled far, worked hard,
Increased in patience, never gave up.
The Indians before them also add to the proud heritage of Oklahoma's people.
Today, many Oklahoma people have much the same spirit of the pioneers.
Get acquainted with your neighbor.
Make friends, lend a hand,
Seriously be concerned.
The pioneers of Oklahoma developed
Strength of character, love of life,
Concern for good, determination to progress.
which was in turn passed on to and instilled in the Oklahomans of today.
They developed a sense of being concerned, getting involved, not too busy to help out.
Today, even though they are busy, many Oklahomans take time to
Lend a hand,
Help others help themselves.
Material possessions, public esteem,
social cliques, financial position
are not as important to most Oklahomans,
as are the basic good things life has to offer.
Being a fairly young state, Oklahomans have few past ideas that are detrimental influences.
We have few
Old traditions, unwritten laws,
Eighteenth century social conflicts,
Inborn prejudices,
therefore, the people are more able to think clearly for themselves, rather than have the past decide their attitudes and actions.
and sets about unassumingly to
Encourage, support
Assist, contribute
to those things which protect the rights of any citizen of our country.
Air pollution is not a problem to the average Oklahoman,
Literally, emotionally,
Visually, psychologically,
Just as our air is clear, so are our minds, free to
Function unpolluted, fresh,
Uncluttered, clear.
Oklahoma—a great state with great people.
A friendly type of people, a sincere type of people,
A straightforward type of people, a good kind of people.
Oklahoma should remain cognizant of her proud resource, people, because the people are the state, and the people are the greatest to be found.

CONCURRENT RESOLUTION PASSED BY SOUTH CAROLINA LEGISLATURE TO RETAIN U.S. COAST GUARD SELECTED RESERVE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 15, 1970

Mr. THURMOND. Mr. President, it has come to my attention that the Bureau of the Budget has eliminated funds in the fiscal year 1971 budget to maintain the U.S. Coast Guard Selected Reserve. This unprecedented proposal violates the Reserve Forces Bill of Rights and Vitalization Act. It strikes a drastic blow to our national security.

Mr. President, I have expressed my concern and disapproval of this action to the Director of the Budget, to the Secretary of Transportation, and to the Commandant of the Coast Guard. I regret to advise my distinguished colleagues that the responses to my inquiries are less than satisfactory.

The Selected Coast Guard Reserve consists of all the wartime mobilization billets which had been set by the Congress at 17,500 personnel for fiscal year 1970. To carry out its assigned wartime missions the Coast Guard must be able to mobilize sufficient numbers of trained personnel within the first 30 days of mobilization. The elimination of this capability can only result in a serious threat to our national defense.

Mr. President, it is significant to note that the Coast Guard Commandant reported to the Senate Appropriations Committee on September 30, 1969, that this Selected Reserve force was required. Apparently, 4 months later the Commandant was instructed to change his mind.

There are many defense experts who are opposed to this unrealistic action. This proposal summarily discontinues this vital national security reserve force before the Congress has had an opportunity to act. In my opinion, this preemptive action which has had a disintegrating effect on our Coast Guard Reserve usurps the authority of the Congress. I strongly recommend the funds be restored.

It is reassuring to note that the Legislature of South Carolina has recognized this serious risk and opposes the proposed action. The Senate and the House of Representatives of South Carolina have passed a concurrent resolution calling upon the U.S. Congress to "ensure the continued operation of the U.S. Coast Guard Reserve." I concur with this resolution.

Mr. President, I ask unanimous consent that the concurrent resolution passed by the South Carolina Legislature to retain the U.S. Coast Guard Selected Reserve be referred to the appropriate committee, and I ask unanimous consent that the concurrent resolution be printed in the Extensions of Remarks.

The ACTING PRESIDENT pro tempore. Without objection, the concurrent resolution will be referred to the Committee on Armed Services; and, without objection, the concurrent resolution will be printed in the Extensions of Remarks.

The concurrent resolution passed by the South Carolina Legislature ordered to be printed in the RECORD, is as follows:

CONCURRENT RESOLUTION OF THE SOUTH CAROLINA LEGISLATURE

A concurrent resolution to memorialize Congress to enact suitable legislation to ensure that the U.S. Coast Guard Reserve shall continue in operation

Whereas, there is at this time every indication that the United States Coast Guard Reserve shall in the near future be discontinued; and

Whereas, the Coast Guard Reserve has contributed greatly to the military preparedness and the protection of the coastal areas of this country; and

Whereas, in the event of an emergency or national disaster it would still add greatly to the protection of our coastal areas. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That Congress be memorialized to enact without delay suitable legislation which shall ensure the continued operation of the United States Coast Guard Reserve.

Be it further resolved that copies of this resolution be forwarded to the President of the United States, to each United States Senator from South Carolina, each member of the House of Representatives of Congress from South Carolina, the Senate of the United States and the House of Representatives of the United States.

SCHOOLS: BICKEL'S "NEW PATERNALISM" MASKS A NATIONAL RETREAT

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. HAWKINS. Mr. Speaker, those concerned with equality and education will be interested in the following paper written by a white southerner, Charles Morgan, director, southern region of American Civil Liberties Union.

His remarks analyze an article written by Yale Prof. Alexander M. Bickel and published in a recent issue of the New Republic concerning approaches to Federal school desegregation cases and the weakness of this administration's commitment to the right of every child to an integrated quality education.

The article follows:

SCHOOLS: BICKEL'S "NEW PATERNALISM" MASKS A NATIONAL RETREAT

Professor Alexander M. Bickel's article is The Article of national retreat: a convenient, if gossamer, cover under which bona fide racists, black and white, and the merely mistaken men of South and North might respectably gather prior to an all-out and undistinguished attack on desegregation.

The Article cited no new facts nor were new facts even assumed; the few factual statements made were for the most part wrong and at best half-right. The professor thought today as he thought and wrote yesterday; but in an altered national context. The Article was more than a scholarly dissertion.

THE ARTICLE WAS A TRIGGER

Professor Bickel may not have understood the use to which his thesis would be put. He does not seem to understand much about the South. The South is not a land of cultural pluralism. The South may be a microcosm of the country and it does have internal variances, but its characteristics are not those of New York or Chicago or Los Angeles or San Francisco. There is and has been no large Southern population of Catholics, Jews, Italians, Irishmen, Puerto Ricans, or voluntary black immigrants. The South is an area of simple racial dualism. But the Article seeks application of a national racial solution, and an ineffective non-working solution at that, to areas that are essentially different.

The South had slavery by law. The South had segregation, *apartheid*, by law. This is why the South has been treated differently by the Supreme Court. The South is different. That is why it should be treated differently. That is why the Northern "solution"—if that be what *de facto* segregation is—will not work in the South. Not, if it were uniformly applied across the land, would it result in much other than at best the ultimate disfranchisement and at worst the dispatch of the nation's black population.

A graduate of New York's City College, and the Harvard Law School, Professor Alexander M. Bickel was the ideal man to write The Article and the *New Republic* the perfect place for it to appear. He is well known in "liberal" circles, is not a bigot, teaches at the Yale Law School, and has been consistently critical of the Warren Court's major rulings (for school desegregation and one-man-one-vote state legislatures).

Criticism of the Warren Court seems a necessary ingredient of demonstrable scholarship among some law professors who feel that if they are not brighter than the court—which is, of course, the true teacher as well as maker of constitutional law—then they are either not bright enough to teach or, alternatively, to be appointed to the court if fortuitously asked.

BLESSING TO SEGREGATIONISTS

To white segregationist Southerners The Article was a blessing. That it was primarily extracted from a series of lectures delivered at the Harvard Law School and published as *The Supreme Court and the Idea of Progress* and that Mr. Bickel's primary life concern often seems to be analysis of the scope of the power of the Supreme Court mattered little. For if a Yale professor writing in the *New Republic* questioned the limit of that power, so did the white South, and if he coincidentally believed in racial justice and they did not then that was all the better for him and them.

White Southern politicians, although caricatured and stereotyped by many non-southern liberals, have learned to deal with educated Northerners on the basis of the Compromise of 1877. They simply struggle along for years losing battle after battle, fighting as guerrillas until they finally but very politely win. As they turn America away from its stated goals they mind their manners, as did even Ross R. Barnett, who felt compelled to say when turning James H. Meredith away from the University of Mississippi, "I do so politely."

Coupled with this sense of politeness—the brightest of them deplore ax handles, tactically at least, and assaults on children—there is the certain knowledge that Northerners have their own mythology. This they recognize and manipulate.

PERPETUATING MYTHS

For example: Mythologically, the article assumes that the legislative (which Southern-controlled committee of Congress?), executive (which agency?) and judicial (which Southern federal district judges?) branches of government for years favored a policy of school desegregation. The article argues that integration (as though we had tried it and consequently someone knew) "creates as many problems as it purports to solve."

XUM

The professor (of legal history, who teaches a course on public schools) mentions only one of the "many problems": the moving of whites to the suburbs.

Both the professor and his Connecticut senator, Abraham Ribicoff, place some reliance on the premise that "everybody seeks in the schools some sense of social, economic, cultural group identity." This premise is, of course, a product of Northern big-city Americans and white minority ethnic-group thinking. Relying on "cultural pluralism," as Stokely Carmichael did in proposing Black Power and citing Jewish Power and Irish Power as their models, is a common failure of many of those who deal with the South on the basis of non-Southern experience. They forget that in the South there was no melting pot and there is little pluralism of any kind, be it ethnic or religious. Racial problems are as different from those included in the Bickel-Ribicoff experience as the Negro's heritage of illiteracy is different from the Jewish immigrant's literate, if foreign-language, heritage. There can be little parallel between the urban experience of white ethnic Americans and the experience of American blacks. Although Hitler required armbands to identify the Jews, blacks have a sure knowledge that their armbands are worn on their faces.

A POLITICAL TOOL

Professor Bickel frets over "the tipping point of resegregation" and "what the Nixon Administration has been trying to tell us." What President Nixon has been trying to tell us is simply: "White folks, vote Republican; we can do it better than Wallace can—and we can do it more politely." The "tipping point of resegregation" occurs when members of the professor's and my race are in a minority.

Since the professor does not approve of one-man-one-vote reapportionment cases he does not propose (or even acknowledge) that school district lines, like county and electoral district lines, are merely creatures of the state and some day may be ignored by courts seeking to integrate urban and suburban school populations.

Rationally and wrongly the article adopts the sweetly reasonable approach of the new paternalism. It notes that "leading ("leading" what? who? where? why?) elements in urban communities" would not accept "large-scale efforts at integration." (What Northern liberal even thought of giving "leading white elements" in Southern communities a choice?) The white and New Paternalism seems to implicitly assume that blacks because of skin color have good sense. As white Southern housewives relied on their maids the New Paternalists rely only upon "militant" blacks. The new paternalism refuses to grant blacks an equal right with whites to be damned fools and to be told they are damned fools.

The new paternalist calls for the upgrading of slums and slum schools as though that goal were somehow shown to be attainable either by our history or our present inclination . . .

The article says "no one is certain that it (massive integration) is worth the cost" as though "no one" were "certain" when, in fact, some are quite certain that it is worth almost any cost. Strangely, although "the cost" of upgrading slum schools is incalculable, the professor does not even consider the question of whether or not white taxpayers will pay that cost.

The professor does not believe or does not understand the simple lesson of history culminating in *Brown v. Board of Education:* In this country racially separate schools simply cannot be equal. To put this in more common terms:

"White folks ain't going to pay for schools where white children don't go."

"Kids learn more from kids than they do from teachers;" and

"White folks have the money and the government and the police and the troops and there is no way for black folks to get the money for all-black schools from white folks."

The Article and the book from which it was drawn became simultaneously available. In *The Supreme Court and the Idea of Progress* the professor, who like many well educated and rational men is dedicated to the "restraints of reason," rationalizes reason into every event. For example, he somehow finds that the presidential "election of 1960 was a vote of ratification of the court's holding in *Brown v. Board of Education* as then understood." But that is not quite the way those who lived in the South and worked in the 1960 campaign recall it. Sen. John F. Kennedy's then problem nationally was to cut the black vote away from Mr. Nixon. This was accomplished by, among other acts, a telephone call from his brother Robert to a DeKalb County, Georgia, judge seeking the release of the Rev. Martin Luther King, Jr. from jail.

The white South voted for a Democratic Catholic it believed not committed to civil rights against a Republican Protestant it believed favored *Brown!* That the white South was wrong about both men does little to restore confidence in Professor Bickel's approach to fact and opinion. Indeed, the Professor's presumed national ratification of *Brown* "as then understood" resulted in the receipt of 15 electoral votes by Virginia's late apostle of "massive resistance" Sen. Harry F. Byrd—and he, Sen. Byrd, didn't even make a speech.

FACTS WON'T GO AWAY

The book also contends that "(w)hat the *Brown* opinion ultimately envisioned seems for the moment unobtainable and is becoming unwanted" (again, professor, by whom? and, even if so, so what? and didn't we stop asking what was wanted when Orval Faubus said "no"?). Continuing, the book says that "little is known to support the assumption of *Brown v. Board of Education* that a segregated education hurts the Negro child." Nothing supports "the assumption of *Brown v. Board of Education*" other than the reasoning and evidence of the pre-*Brown v. Board of Education* teacher pay, graduate and law school, and undergraduate school decisions, including *Sweatt v. Painter* (the Texas Law School case) and more obviously the millions of uneducated black men and women in the North's urban ghettoes, two-thirds of whom were born *and reared* below the Mason and Dixon Line.

As a legal historian dedicated to "the restraints of reason," the professor needs, as Mr. Justice Holmes put it, "education in the obvious more than investigation of the obscure."

RACISM ENCOURAGED

There are, of course, other assumptions that may soon be made rather than "the assumption of *Brown v. Board of Education.*" The primary assumption waiting in the wings is that the Negro child is inferior to white children and that this inferiority is genetic. That might be a shocking assumption to Mr. Bickel but, unfortunately, it is an assumption to which some "rational" scientists will no doubt devote their "rational minds." As in other times of rising racism, these opinions will be based upon "research" and accepted by many.

In his Harvard Law School lectures (the book) the professor unemotionally referred to "crowds" outside the Ocean Hill-Brownsville decentralized experimental school district and "crowds" outside the schools of Little Rock. That paragraph was lifted from the book and included word for word in the article. But there was one change. In the article—as may be the case in a more formally and legally segregated America—the "crowds" have become "*mobs.*"

Tragically, the professor follows his mentor, Mr. Justice Frankfurter whom he served as law clerk in his desire that the Supreme Court not declare promises it cannot keep and then fall back from them. As he puts it in the book, "the Court . . . is not a place for the half-loaf that is better than none."

SOME WILLING EXPLOITERS

The tragedy is that the article was more damaging to the prestige of law, as opposed to the original desegregation order and to the judiciary, than the collected speeches of George Corley Wallace, including those in which he referred to federal judges as "dirty, carpet-baggin', scallywaggin', integration', bald-faced, race mixin' liars." The article provided "learned" liberal justification for the withdrawal of federal desegregation pressures and primary support for, at most, "the half a loaf which is better than none."

Within a week after the article appeared, it began to receive the praise it deserved. *Human Events,* the organ of right-wing Republicanism, said it was "of particular interest to supporters of the anti-busing amendment." The professor was a "Northern liberal," said *Human Events,* and the article "buttressed (Stennis' and his fellow Southerners') anti-busing arguments." "According to Stennis and Co.," *Human Events* continued, this is all the South is really asking—and this "Southern formula" was not from George Wallace, but Yale University and the liberal *New Republic.*"

There followed a gaggle of columnists and others: Stewart Alsop, who based his *Newsweek* views in part on those of "leading Negroes" Ben Holman, Dan Watts, and Julius Hobson (to *Newsweek* it was merely "Requiem for a Liberal Dream?"); Vermont Royster of the *Wall Street Journal,* "Forced Integration: Suffer the Little Children"; and Roscoe and Geoffrey Drummond, "Emphasis on Quality Education."

By Feb. 14, 1970, the President who had remained aloof (allowing Spiro T. Agnew to enter the risky field of racial politics) openly joined the "separate but quality" chorus.

THE STRUGGLE MUST GO ON

On Feb. 21, 1970, *Human Events* returned to the article, noting that ". . . Bickel appears to lean toward a position that would end legal segregation but permit *de facto* segregation, even in the South." The article contained "guidelines," said *Human Events* which "some quarters" "suggested" that the President propose in order to meet the school crisis and the threat of Mr. Wallace.

February, 1970, was to have been the month of final compliance with *Brown v. Board of Education.* But by Feb. 28, 1970, Connecticut's (and the professor's) Sen. Ribicoff had become so deeply involved in the article's aftermath that to an Atlanta *Constitution* reporter "parts" of his "rhetoric" "had the ring of a Southern politician's oratory."

Our most effective voices have been stilled by assassins' bullets. We are in a minority not merely in the South but in the nation. Friends from the more easy and glamorous days of risk—a day or a week or a month or a march in the South—left us long ago and now, partly in frustration at their own inability to effect change, partly in rebellion against the system (a system rejected by too many and in large measure never tried) have become advocates of old solutions.

The enemy is no longer the racism of the statehouse. The opponents are now those who occupy the White House and in tragicomedy enter a field of politics in which they, too, are destined to lose if simply because they lack the hatred required to effect a successful Southern strategy. (To white South-

XUM

ern segregationists they will soon seem but "an effete corps of impudent snobs.")

But most of us, white and black alike, who joined in the 1950s and 1960s will stick it out. We know that men have warred for thousands of years over questions of religion. And we know that race, unlike religion, can be seen. We know that separation means defeat. We have seen those separated from our society. We know that the old have moved from the county poor house to the urban nursing home or the central state hospital; the alcoholic failures to their Bowery, or off the streets to the city jail; the mentally ill to asylums now known as mental hospitals; lawbreakers to jails and prisons; non-conformist juveniles to reform schools; Indians to reservations; Japanese Americans to detention camps; and Negroes to urban ghettoes. In each instance we term the confinement that which it is not. We offer minimum service, get the offensive person out of sight, and give a dole that salves our conscience but that binds the outcast to the benefit.

But we shall not surrender merely because there is a new President on the block, an old idea in town, a new slavery in the wings, a new generation of despair.

We will win not because of rationality. For what was there rational in a young Negro ministers' hopeless boycott of a bus company? What was rational in students ordering a cup of coffee in a five and dime store? What chance was there in the streets of Birmingham? What rationality was there in those raised clubs at Selma's Edmund Pettus Bridge? We will win simply because we must.

ECONOMIC HEALTH OF INDEPENDENT DRUGGISTS

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Wednesday, April 15, 1970

Mr. McGEE. Mr. President, for some years, we in Congress have been disturbed by the growth of practices which threaten the economic health of the Nation's independent druggists. These practices include the dispensing of drugs by physicians and the development of a financial interest in drug operators on the part of some physicians.

Recently, the Senator from Utah (Mr. Moss), chairman of the Subcommittee for Consumers, addressed the convention of the National Association of Retail Druggists, held in Washington, and discussed these practices along with issues affecting both merchants and consumers. I believe that Senators will be interested in the remarks of Chairman Moss. I ask unanimous consent that they be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CONSUMERISM AND ITS IMPLICATION FOR THE RETAIL DRUGGISTS

(Speech of Senator FRANK E. MOSS)

Good afternoon, I am happy to meet with you at this luncheon meeting. The invitation extended to me by your officers to address this Conference on National Legislation and Public Affairs is appreciated. I hope that you are having an enjoyable conference and that I can add something that is of both interest and worth to you.

I understand that your association represents the owners of some 40,000 retail drug stores. I suppose your members can be classified as both professionals and as small businessmen. You are certainly an integral part of the health profession and yet you are faced with the problems of the small businessman in a world of innovation and technological change. It is most appropriate that you are meeting in Washington to discuss national legislation and public affairs and to analyze its implications for your organization and its individual members.

In considering these matters I would remind you that the health of your own businesses depends in large measure upon how well you serve your customers—how well you look after both their health needs and are considerate of their economic well-being. In this age of computers and mass merchandising the rights of consumers have all too often being disregarded. In the past, consumers have been the silent majority, but this is no longer true. Today the consumer movement is front and center. Consumers are stirring. They are insisting upon their rights in the marketplace. Historians will refer to the 1960's not only as the space age and the age of the computer, but will also label it as the age in which the consumer finally came into his own.

A new term—"consumerism" has taken root, and it has evolved into a marketing ethic that can no longer be disregarded by businessmen. Consumers in their dealing with the business community seek a secure physical environment for themselves and their families and just economic treatment in the marketplace. As independent retail druggists, you should be aware of these tremendous forces and be in a position to capitalize upon them. In fact your business success depends upon it.

The modern consumer movement was launched on March 15, 1962, when President John F. Kennedy delivered a special consumer message to Congress. In that message he reminded Congress that consumers are our largest economic group, accounting for two-thirds of all spending; and yet consumers are the least organized of any economic group.

To fulfill this "consumer obligation" the President proclaimed four basic rights for consumers: The right to safety, the right to be informed, the right to choose, and the right to be heard.

Last November in his special consumer message President Nixon said that, "Consumerism is a healthy development that is here to stay."

It should be clear to everyone that "consumerism" is not a partisan issue. It is not an issue that will fade away and die. It is a vital issue with which all businessmen must be concerned. I do not feel that "consumerism" is a cause for alarm by honest businessmen doing a good job. Its impact will be primarily upon unscrupulous businessmen and I would think that honest business will welcome relief from having to compete with their unscrupulous counterparts.

For the past eight years, Congress has been passing legislation that may be considered the Magna Charta of consumer rights. Let me review briefly some of the laws which we have passed. The consumer's right to *safety* has been fostered through such laws as the National Motor Vehicle and Traffic Safety Act of 1966, the Child Protection Act of 1966, the Toy Safety Act of 1969, the Natural Gas Pipeline Safety Act, the Radiation Control for Health and Safety Act, the Flammable Fabrics Act, the Clean Meat Act, the Clean Poultry Act, and now comes the Clean Fish Act.

The consumer's right to *information* has been legislatively protected by the passage of the Cigarette Labeling Act, the Fair Packaging and Labeling Act of 1966, and the Truth-in-Lending Act of 1968.

Legislative proposals fostering the consumer's right to *choose* and the consumer's *right to be heard* were proposed in the 1960's, but those legislative proposals did not reach maturity. Therefore, as I see it, consumerism in the 1970's while continuing to protect the consumer's right to safety and the right to be informed, will focus upon the consumer's right to choose and his right to be heard. The way in which these rights are guaranteed will depend upon the way the business community responds to some extent to the phenomena of consumerism during the 70's.

Now let me give you some idea of what may happen on the legislative front in those areas of most concern to you.

The Senate Consumer Subcommittee has a tight schedule of hearings for this second session of the 91st Congress. We jumped the gun by resuming oversight hearings on the Fair Labeling and Packaging Act on January 16, three days before the new session convened, and we have had seven days of hearings on this and other measures since that time. We intend to continue this pace all during the spring and summer, which should allow us to resolve a number of consumer problems this session.

The introduction of the Fair Packaging and Labeling Act states that "informed consumers are essential to the fair and efficient operation of the free market system." I subscribe to that premise, and I will do what I can to insure that the implementation of the Fair Packaging and Labeling Act, does in fact help create informed consumers.

The 1966 law did make several advances. It required that standards be set for "small", "medium", and "large" packages; that "servings" standards be set; that "cents off" and other labeling claims be bona fide; and that vital ingredient data be put on labels.

Our hearings are focusing on the way in which this truth-in-packaging act assists the consumers in comparing prices or his right to know.

American consumers are becoming increasingly anxious to find the best buy, not only because they have become better educated, but because with inflation they are in no humor to lose a few more pennies out of their shrinking dollar because of any Houdini labeling or packaging tactics. I hope that as businessmen you are sympathetic with the consumer's plight in this regard, although I am sure that you have your own problems. Your customers are faced with boxes and bottles which continue to shrink as prices go up and up. Consider their mental calculations as they try to figure out which of the several brands is cheapest and which size is the best buy.

Consumers are entitled to be able to make meaningful price comparison while shopping. American consumers are, therefore, asking for fewer sizes of standard weight or measure in packages or containers so that they can more easily compare prices. To the extent that they are successful merchants should be helped by not being forced to stock so many different sizes.

In this connection, I would like to mention two proposals that are being seriously promoted by consumer groups. One, is for the adoption of the metric system to replace the English system, and the other is for unit pricing. These two proposals are interelated and tend to support one another.

In today's marketplace, with its fractional ounces and multiple unit pricing, it almost takes a mathematical genius, equipped with a computer to determine the best buy. Unit pricing would go a long ways in simplifying this problem for the consumer. It would require retailers to inform customers in a meaningful way about how much they are paying for the common unit of measure of a given item.

Several experiments are currently being conducted on the best method to make this information available to shoppers. Unfortunately, little empirical information is

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available on the costs vs. the benefits involved. Cornell University is currently conducting a study that should develop figures that will be helpful in our legislative efforts. However, let me encourage you as an association to take the lead in making unit price information available to your customers.

While I am on this topic, I would like to point out that the adoption of the metric system with its base 10 would simplify the computations involved. Our children learn the metric system in school, but are seldom called upon to use it in the real world. While there would be problems associated with its adoption, they are not insurmountable. In fact, the United States is the only major country in the world not making the change.

Another bill that may also affect most of you is the consumer products guaranty bill—the so-called and widely proclaimed warranty bill. This legislation, introduced by Senator Magnuson and myself, would end the warranty game with its built-in obsolescence and expensive repair rackets where the 25¢ part is free, but the labor to replace the free part may cost $30.00.

The bill would require the maker of a performance guarantee to repair or replace within a reasonable time and without charge malfunctioning parts. The maker could not require the consumer at his own expense to bring his refrigerator across town or mail his toaster to the other coast. The maker must pick it up and deliver it himself. Further, it would require no magic words in order to create a guaranty. A promise, description, or demonstration of a product's performance by a vendor that induces a consumer to purchase it is sufficient to create a guaranty of that performance. Finally, it would no longer permit the giving of an express, but limited guarantee to be a vehicle for cutting of a consumer's legally granted right to rely on *implied* guaranties.

Under the provisions of the bill a manufacturer or retailer cannot side-step his apparent obligations by riddling the guaranty with page after page of fine print exclusions. The bill would require everyone who guaranties consumer products to play by the same rules—by imposing minimum guaranty standards—companies would have to compete with each other by lengthening guaranty periods, not by adding a few fine print exclusions or imposing several more burdens.

Now I should make it clear that Senator Magnuson and I are not requiring a manufacturer to give a performance guaranty. All we say is that a guaranty, if given, ought to mean something, and that it should mean what you and I expect "guarantee" to mean.

This guaranty bill is designed to protect the consumer's right to information and also his right to choose. The bill is drafted in such a way that disclosure of warranty and guaranty becomes possible. This augments the consumer's right to choose, while allowing him to discern which products are the most reliable. He also has the ability to compare the costs of that reliability for the first time because the warranty game is being played under standard rules.

Another topic that I would like to touch upon is the issue of ineffective drugs. In recent hearings before the consumer subcommittee there was testimony concerning the medical hazards and the economic costs associated with the administration of unsafe and ineffective drugs.

The statutory authority for current policies and practices in the Federal control of interstate commerce in drugs resides principally in the Food, Drug and Cosmetic Act of 1938. This act requires the manufacturer of a new drug to submit to the food and drug administration a new drug application containing information on the composition, quality, labeling, and directions for the administration of the drug together with evidence of safety under the recommended conditions of use.

In 1962 Congress amended the 1938 act. It strengthened the controls on quality, labeling and safety, and added a new requirement; that the new-drug application should also present substantial evidence of the effectiveness of the drug for the cited indications for its use.

Although the provision on effectiveness related primarily to new drugs, the commissioner of the Food and Drug Administration decided that it should also be applied retroactively to all drugs that had been marketed between 1938–1962. Some 7,000 drug formulations were in this status, and of these, it was estimated that about 4,000, involving some 300 distinct chemical entities, were still on the active market.

The responsibility for evaluating these drugs was contracted out in 1966 to the Division of Medical Sciences of the National Academy of Sciences-National Research Council.

Ten thousand claims for some 2,824 drugs were studied and evaluated by the academy panels during the 2-year period. Drugs marketed prior to 1938 were not subject to the review. Because many of these drugs have a number of different dosage forms and sizes, the number of actual drug preparations studied was nearer to 4,000. Most are prescription items, but about 15 percent are sold over the counter.

The Academy submitted recommendations to FDA on individual drug products starting in October 1967 and the final report was issued last year. According to these reports, 7 percent of the drugs studied were ineffective.

Testimony before the subcommittee indicated that most of the drugs found to be ineffective are still on the market. In response to my inquiry to the FDA, they wrote that they had initiated actions to remove about 200 of the drugs from the market. However, most of them are still on the market, pending the outcome of litigation or administrative hearings instigated by drug manufacturers.

I was told that little information had been made available to doctors concerning those drugs which were judged ineffective. I, therefore, wrote each doctor and hospital in Utah and told them that while I didn't have the expertise to evaluate the Academy's findings I did want to call the study to their attention. I also sent them a list of the ineffective drugs. I have a number of these lists available and also a reprint from the FDA papers discussing the study. If any of you would like this material, you may come up after the luncheon and get a copy.

The Poison Prevention Packaging Act, now pending before the subcommittee, might also be of professional interest to you. This bill, S. 2162, would authorize the Secretary of Health, Education, and Welfare to set standards for child resistance containers and to require their use for hazardous household products that are frequently ingested by children under six years of age. You are aware of the tragedy this bill is intended to halt—small children are notoriously curious and indiscriminate. They put things in their mouths; innocently sample new substances. Statistics in this area are not firm; but, they suggest that each year up to 2 million children in this country swallow some substance that is poisonous to them and upwards of a million require emergency medical treatment. Three hundred twenty-five children died from accidental poisoning in 1967—the last year for which complete mortality data are available. Many children are terribly injured—handicapped for life—inflicting great cost and suffering on their families.

Child-resistance containers offer a straightforward remedy to this problem—by definition they are containers that children cannot open.

Our investigation into this legislation has shown it to be a promising approach. Early models of child-resistant containers have reduced ingestion by about 90% in two large scale tests. Many more innovative designs have appeared during our investigation. And, very interestingly, the cost of child-resistant containers is low—presently available safety closures would increase the cost only ½¢ to 1¢ per closure.

The poison prevention packaging act is evidence that Congress is learning the lesson of safety—a lesson that is intrinsic to your profession. Child-resistant containers offer very significant protection to children. Their major cost appears to be the cost of showing the public how to use them. Complaints are to be expected at first to be sure. But, again relying on the large scale study at Madigan General Hospital in Tacoma, Washington, after a few months of dispensing child-resistant containers, the pharmacy experienced only a few complaints per thousand. The ½ to 1¢ cost appears to be a small price to pay.

Now let me turn to the subject of S. 1575. I am sure that most, if not all, of you recognize this as the Regulation of Trade in Drugs Act which I join with Senators Hart and Magnuson in sponsoring and which we introduced in March of last year.

As you know, of course, many of us in the Congress are greatly disturbed by the growth of a number of practices across the country which could seriously threaten the economic future of community pharmacy in America. The public, and I think some legislators, forget from time to time that the pharmaceutical services which we almost take for granted would disappear as we now know them, if the small business aspects of independent pharmacy are overlooked. Unless the climate for the pursuit of small business is preserved, comprehensive pharmaceutical and other services which the local drugstore brings to the community may indeed become a thing of the past.

America's druggists have never feared competition which is fair and just and which tests the service, interests, management skills and economic ability of the owners and operators of community drug stores.

I am concerned, however, about the growing practice of physician-dispensing and the development on the part of some physicians, of a pecuniary interest in pharmaceutical operations. I know that this is also of serious concern to you.

For some five years now, congressional examination has shown that an increasing number of physicians, despite codes of ethics, seek to increase their personal income position by entering into arrangements, of one sort or another, to make money by selling pharmaceuticals. No one, of course, seeks to deny another of honorable gain, but where serious questions of conflicting interests arise, we must consider barring certain kinds of practices. Physicians enjoy a unique trust in that they select both the quantity and kind of drugs which patients must have. These decisions should, it seems to me, be made solely on the basis of what is best for the patient. The patient, in turn, must also be free to select where and from whom his drug needs are to be satisfied.

But some physicians have used their privileged prescribing position to either influence where purchases are made, or have acted to gain financially from such transactions. For example, some doctors have purchased small companies or repackaging operations. Others have established pharmacies and directed their patients to them. Still, others have encouraged special arrangements with pharmacies in exchange for certain considerations. These practices are not in the interests of the public, nor in the interests of community pharmacy.

The regulation of trade in drugs act, S. 1575, would correct these abuses by prohibiting physicians from benefiting financially from the dispensing of drugs and devices

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and would bar certain forms of ownership and lease arrangements which appear to give rise to questions of conflict of interest. Physicians could purchase, just as anyone can, stock issued to the investing public by drug companies or other operations, but they would be barred from making private agreements which lead to practices that abuse the public trust.

The legislation recognizes that there are circumstances when physician-dispensing is a valid practice, such as in the case of an emergency, in single-dose units, or where other community pharmaceutical services are not available to the patient. Occasional dispensing would also be allowed under the legislation. But the doctor-merchant should not be permitted to continue. I might also add that the bill establishes a clear-cut federal policy toward physician-dispensing in the case of federally-aided programs. Federal financing participation would not be authorized to underwrite the costs of dispensing of drugs and devices which were provided under any of the conditions specified in the bill.

The bill, I believe, represents an important step in correcting the abuses which have been uncovered in recent years in the area. It also sets the tone for the future by separating the responsibilities of doctors and pharmacists in providing for the drug needs of patients. Let me assure you that we are doing all we can to guarantee that this legislation gets a fair reading in the Congress. The continued support of the National Association of Retail Druggists and other pharmaceutical organizations is vitally needed, however, if we are to overcome the inertia which has thus far prevented this and similar legislation from enactment. I urge each of you, therefore, to redouble your efforts to help us get problems of this kind before each member of both houses of Congress.

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Let me assure you that I and others in the Senate are most anxious to receive your continued counsel on these matters. We will also welcome your suggestions on how we can better provide American consumers with a secure physical environment for themselves and their families and just economic treatment in the marketplace.

Thank you.

HORTON COSPONSORS LEGISLATION IN HONOR OF DR. MARTIN LUTHER KING

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. HORTON. Mr. Speaker, the Reverend Dr. Martin Luther King, Jr., was an individual who believed that justice for all men could be realized under the law in the United States. It was this belief that compelled him to combat racism, bigotry, prejudice, and hate throughout the United States using nonviolent protest.

It is in his memory that prior to our Easter recess, my distinguished colleague and cosponsor, Mrs. HECKLER of Massachusetts, introduced H.R. 16685, a bill to "provide for the issuance of a gold medal" in the honor of one of the greatest men of our time, the Reverend Dr. Martin Luther King, Jr.

I believe that it is fitting that a gold medal be cast in honor of this great American. This medal would be designed and cast with the assistance of the close associates of the late Dr. King. The finished gold medal would be presented to Dr. King's widow, Mrs. Coretta King, by the President. Mrs. King will be the recipient of a medal cast "in recognition of the outstanding services of the Reverend Dr. Martin Luther King, Jr., to the cause of individual rights and the equality of men."

Two organizations dedicated to the continuation of Dr. King's work, the Martin Luther King, Jr., Memorial Fund at Morehouse College and the Martin Luther King, Jr., Memorial Center of Atlanta will be given bronze medals identical to the gold medal. The organizations will use the medals in their efforts to further the civil rights of the minorities of this Nation.

Dr. King was a man who made great personal sacrifice for the democratic ideals in which he believed. Many times he put his life on the line in sincere commitment to the rights and privileges that had been denied to his people. He had a dream of a truly open and free society which was not divided between white and black.

His nonviolent protests drew attention from the Government and the Nation to the intolerable circumstances that existed for his people in America. Nonviolence has produced significant progress in the securing of civil rights for the minorities of this Nation.

I am pleased to have the privilege to cosponsor this bill which would provide for these small yet significant memorials to this man and his work.

CHIEF JUSTICE BURGER: STREAMLINE THE COURTS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 15, 1970

Mr. THURMOND. Mr. President, I note with great pleasure that our Nation's most distinguished jurist, Chief Justice Warren E. Burger, is acutely aware of the many problems facing our judicial system. Not only is he aware of these problems, but also he plans to take steps to abate them. At the same time, he is continuing to administer the highest quality of justice possible while insuring constitutional protection for all of our citizens.

Our Chief Justice should be applauded for confronting and recognizing these problems and taking affirmative steps to solve them. I wish also to comment on the recent Supreme Court decision which emphatically states that our courts will no longer have to tolerate the contemptuous, disruptive, and discourteous actions of those who attempt to make a mockery of our judicial system.

The tremendous caseload with which our courts are faced today is clogging the wheels of justice, and unless something is done to renovate and remodel our judicial system these wheels will cease to turn. The primary factors causing criticism of our courts are the increasing crime rate and the many technical rules that provide criminals with delaying tactics. In my judgment this situation is directly attributable to the previous Warren court. In a recent editorial which appeared in the State newspaper on Tuesday, April 7, 1970, one particular case is cited as exemplary of how multiple trials and appeals waste time and money, and often thwart justice. This one case involved five trials, approximately 60 jurors, and more than 50 appellate judges at a cost of more than $250,000. This tragic waste is emphasized by the fact that after the first trial there was no doubt in the minds of any of the 50 judges that the defendant was guilty as charged. I am confident that under the leadership of our new Chief Justice, significant changes will be made and the courts will be restored to the position of respect they must enjoy to properly carry out their duties.

These procedural and administrative problems which have hobbled our Federal courts are similarly adversely affecting the quality of justice in our State courts. The old way of doing things no longer meets today's problems. However, with strong and dynamic leadership at the top of our judicial system, we can expect great progress in all the courts throughout the land.

Mr. President, I ask unanimous consent that the article, entitled "Chief Justice Burger: Streamline the Courts," be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Columbia (S.C.) State, Apr. 7, 1970]

CHIEF JUSTICE BURGER: STREAMLINE THE COURTS

The word from Washington is that Chief Justice Warren E. Burger, who looks better with every passing day, is so disturbed over the plight of the courts that he wants to go before Congress with a precedent-setting "state of the judiciary" address.

The Chief Justice, we gather, wants to use this dramatic method to, among other things, take some of the drama out of the courtroom. That is to say he wants to revise the hallowed adversary system which actor-lawyers like F. Lee Bailey often use to stage judicial theatricals—sometimes to the detriment of truth and justice.

The adversary system is deeply imbedded in American jurisprudence. Other countries have abandoned it, in whole or in part, but any attempt to do so here would undoubtedly run into withering fire from the traditionalists.

Be that as it may, Chief Justice Burger appears to be ready for the fight. In a recent address, he said, "What we must weigh in the balance is the rationality of a system which is all conflict and contest . . . Our system is open to the criticism that it is too much sail with too light an anchor."

But the adversary system is only one thing in the judicial system that disturbs the Chief Justice. It strains under the modern case load; it is hobbled by procedural and administrative problems. In short it rather desperately needs a thorough modernization program.

Washington Columnist Richard Wilson reports on one case that disturbs the Chief Justice and illustrates how multiple trial and appeal cases waste time and money while often thwarting justice:

"He (Burger) cites one case in which more than 60 jurors and alternates were involved in five trials, a dozen trial judges heard motions and presided, more than 30 lawyers participated and 50 appellate judges reviewed the case on appeals. He calculated the cost of the trial at $250,000, and added that the tragic aspect was that every judge and every juror was fully convinced of the defendant's guilt from beginning to end."

Of course, what is true of the federal courts is also true of many state and county court systems. A number of Richland County lawyers, for example, are distressed over the local habit of creating new courts of limited jurisdiction (divorce, juvenile, etc.) instead of adding judges as needed to the county court.

Clearly a great deal of thinking and study is needed on the whole court structure. Already some interesting things are happening. At the suggestion of Chief Justice Burger, professional court administrators will be trained in advanced methods of operating the courts. Strides are being made in legal education. The Chief Justice is said to be amassing materials from which to draw recommendations in three important areas—trial courts, probation and parole procedures, and appellate courts.

Each proposed change in the system will likely be opposed in some quarters. But the leisurely old ways are no longer sufficient to meet the present-day demand, and any progressive proposal that does not trample on basic constitutional rights deserves a full hearing by the bar, the judiciary and the legislative bodies.

And if the Chief Justice thinks it wise to shatter tradition by going before Congress to dramatize his case, we see no valid reason why he should not be allowed to do so.

MARYLAND HOMEBUILDERS URGE FUNDING FOR LOW INCOME HOUSING

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. FRIEDEL. Mr. Speaker, one of the Nation's most pressing needs, I believe, is the shortage of adequate and decent low income housing. My great city of Baltimore, like many other major metropolitan areas, has a critical shortage and is valiantly in the forefront of the fight to reverse this sad trend. This effort, I am pleased to note, has recently been aided by the Home Builders Association of Maryland.

Mr. Samuel M. Trivas, president of the Home Builders Association of Maryland, recently wrote to the Honorable George Romney, Secretary of Housing and Urban Development, pointing out in some detail the critical needs of the large metropolitan area served by the Baltimore insuring office of the Federal Housing Administration. Mr. Trivas also forwarded to the Secretary the resolution of the association calling for increased funding to meet the vital need of the area.

Mr. Speaker, I endorse this resolution wholeheartedly and include Mr. Trivas' letter to Secretary Romney and the attached resolution of the Home Builders Association of Maryland at this point in the REOCRD.

HOME BUILDERS ASSOCIATION OF MARYLAND,
Baltimore, Md., March 18, 1970.

Hon. GEORGE ROMNEY,
Secretary of Housing and Urban Development, Washington, D.C.

DEAR SECRETARY ROMNEY: As President of the Home Builders Association of Maryland, I wish to bring to your attention the very serious housing crisis which we face here in Maryland and to apprise you of the effect reduced FHA funds for our area have had in the Housing Industry, served by the Baltimore Insuring Office of the Federal Housing Administration.

A study conducted by the Association's FHA Committee shows that according to the 1960 census data and information compiled by the Cooperative Extension Service of the School of Agriculture of University of Maryland, there now exists in the 19 political subdivisions served by the Baltimore Insuring Office, a total of 149,271 substandard dwellings which include deteriorating and dilapidated housing. This Association was alarmed to learn that these substandard units represent almost 21% of the total units (711,122) now in existence in these geographical areas.

As you know, the Baltimore Insuring Office administers FHA programs in Baltimore City and 18 counties of the State (Montgomery, Prince Georges, Calvert, Charles and St. Marys counties come under the jurisdiction of the Washington, D.C., Insuring Office of the FHA.)

It is our firm belief that the plight of housing in Maryland is, in large measure, attributable to the relatively low level of funds allocated by HUD to the Baltimore Insuring Office. According to the Washington office of HUD, since 1968, when the first subsidies were allocated for the section #236 program, and until the time of this writing, the Baltimore office of FHA has received $2,256,155 in funds. The FHA office has committed these monies to a total of 18 projects which represent a combination of (1), (2), (3), and (4) bedroom apartments.

During this same 18 month period, HUD further reiterated, the Washington D.C. Insuring Office received allocation of funds totalling $3,988,834 or 76.7% more monies than their companion office in Baltimore.

Our present situation is as follows:

As of March 1, 1970, there is filed in the Baltimore office 19 project requests for a total of 2881 units. These projects have been processed but FHA cannot and will not issue favorable feasibility reports until HUD allocates additional funds of $2,896,100.

Needless to say, a greater allocation is required for a lesser number of units because of the fact that the maximum allowable FHA insurance rate was raised from 7½% to 8½% on January 5.

Our Association has adopted the enclosed resolution which strongly recommends that the Baltimore Insuring Office of the Federal Housing Administration be granted an adequate amount of subsidy funds. We urge you, at this time, to take the measures necessary to see that the office in Baltimore—the seventh largest city in the United States—is given funds it so vitally needs and to which, by virtue of its size and long history of under-funding, it is entitled.

Yours truly,

SAMUEL M. TRIVAS,
President, Home Builders Association of Maryland.

RESOLUTION—LOW-INCOME HOUSING SUBSIDY FUNDING, HOME BUILDERS ASSOCIATION OF MARYLAND

Whereas, United States Government statistics indicate that we need 600,000 new low income housing units annually; and

Whereas, Congress has authorized funds for 300,000 low income housing units, and actually provided subsidy funds for only 100,000 units—one sixth of the lowest estimate of need; and

Whereas, The State of Maryland has an acute need for the immediate construction of thousands of said low income housing units; and

Whereas, the Baltimore Insuring office of the Federal Housing Administration received an allocation of subsidy funds that resulted in an enormous backlog of unfunded Section 236 project loan applications; and

Whereas, The Home Builders Association of Maryland recognizes the housing crisis and are prepared to deal with it, if provided the necessary tools including adequate subsidy funds for FHA sections 235 and 236 loans.

Therefore, be it resolved that the Home Builders Association of Maryland hereby strongly recommends that the Baltimore Insuring office of the Federal Housing Administration be granted an adequate amount of subsidy funds.

Be it further resolved that cognizant of the acute need for housing, as well as extensive time required to plan and design projects that offer decent life styles for our citizens, we urge that said funding be continued.

This resolution affirmed and passed by the Board of Directors, the Home Builders Association of Maryland, February 1970.

SAMUEL M. TRIVAS,
President, Home Builders Association of Maryland.

Attest:

ROBERT J. BROWN,
Executive Vice President.

CITIZEN INVOLVEMENT IN ADMINISTRATIVE PROCEEDINGS

HON. EDWARD M. KENNEDY

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Wednesday, April 15, 1970

Mr. KENNEDY. Mr. President, in the year that I have chaired the Subcommittee on Administrative Practice and Procedure, I have consistently been interested in exploring various aspects of citizen involvement in agency decisionmaking and amenability of agency procedures to participation by the public. Having concluded that agencies themselves afford insufficient protection of the public interest without the participation of independent, aggressive advocates, I introduced last month a bill (S. 3434) to provide for the establishment of a Public Counsel Corp. This bill has been referred to the Administrative Practice Subcommittee, and we expect to begin hearings this spring.

Public interest groups have recently involved themselves more and more in agency practice. An example is a group of law students under the name of Students Opposing Unfair Practices—SOUP, who recently appeared before the Federal Trade Commission to argue for intervention in a consent settlement proceeding. SOUP argues that the Commission's order in a deceptive practice case does not adequately protect the public interest. In its brief before the Commission, filed last month, SOUP suggests alternative approaches to fashioning the consent order in issue. Regardless of the Commission's ultimate determination of the validity of the substance of the complaint, I believe this brief serves as a good example of the ideas and insights citizens can bring to agency decisionmaking. I ask unanimous consent that excerpts of the brief be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION—TO THE SECRETARY OF THE COMMISSION

In the matter of Campbell Soup Co., a corporation, and Batten, Barton, Durstine & Osborn, Inc., a corporation.

File No. 692 3061, brief for Soup, Inc., requesting the Commission to withdraw its proposed consent order, March 20, 1970.

PART 1—BACKGROUND

I. Statement of Facts.—Campbell Soup Company ("Campbell") is the nation's leading marketeer of liquid soup to the consuming public. Campbell's extensive advertising utilizes virtually all media; its advertising agency is Batten, Barton, Durstine & Osborn, Inc. ("BBD&O"). Over a number of years Campbell and BBD&O have promoted Campbell's soups through an advertising program which utilizes a picture of a bowl of soup in a ready-to-eat situation. Apparently prepared in accordance with the dilution directions on the can, the soup appears to be chock-full of solid ingredients. In reality, however, a can of Campbell's soup prepared in accordance with the instructions on the can does not look like the bowl of soup in the Campbell's advertising. It is not brimming over with solid ingredients. The difference in appearance results from the practice of Campbell and BBD&O of "mocking up" the bowl of soup pictured in the advertising by placing clear marbles in the bottom of the bowl. Thus, the solid ingredients are forced to the surface, conveying the false impression that the soup contains much more solids than it actually does.

After learning about this practice the Federal Trade Commission (the "Commission") issued a proposed complaint charging the advertising as being false, misleading and deceptive because it did not disclose the use of marbles. On September 19, 1969, the Commission then provisionally accepted a consent order with Campbell and BBD&O and directed that it be placed on the public record for thirty days, until October 20, 1969, to permit interested members of the public to file comments or views concerning the adequacy of the order. Within that thirty day period, Students Opposing Unfair Practice, Inc. ("SOUP") filed five motions with the Commission concerning the adequacy of the order. * * *

PART 2—THE ORDER AS WRITTEN IS INADEQUATE TO PROTECT THE PUBLIC INTEREST

I. The Public Is Not Adequately Informed by This Order.—In order to protect the public interest from "unfair methods of competition in commerce and unfair or deceptive acts or practices in commerce," § 5(a) (6) of the Act, the Commission is required by § 5(b) to issue a complaint, hold a hearing, and issue an order to the respondent to "cease and desist" from using such methods of competition or such acts or practices if found to be engaging in them. Since § 12 of the Act specifically defines false advertising which induces or is likely to induce the purchase of foods, drugs or cosmetics as an unfair or deceptive act or practice, it appears that Congress intended the Commission to assume a greater responsibility in preventing acts or practices of this type—the type of deception involved here.

Assuming for the moment that the respondent will comply with the order, the Commission in addition must inform the public of the particular advertisement that the order is designed to stop and why the advertisement is considered false. Such information is necessary for two reasons: First, the public is not able to ascertain on their own whether a particular advertisement correctly informs them as to the true nature of a product. Given the pursuasive influence of mass advertising, discussed *infra.* at Part 6, the consumer must be made aware of the misconceptions he has as to a particular product so as to reverse advertising's impact on future purchases. Such a requirement was recognized by the Court of Appeals for the Tenth Circuit in *Kennan v. FTC* when the Court said that the public "[i]s entitled to know the facts . . . and make his own choice with respect to purchasing. . . ." 265 F. 2d 246 at 248 (1959). And by the Court of Appeals for the Second Circuit in *FTC v. Sterling Drug* when the Court said:

"The central purpose of the [Wheeler-Lea Act] is in effect to abolish the rule of *caveat emptor* which traditionally defined the rights and responsibilities in the world of commerce. That rule can no longer be relied upon as a means of rewarding fraud and deception [citation omitted], and has been replaced by a rule which gives to the consumer the right to rely upon representations of facts as truth. [citation omitted] 317 F. 2d 669 at 674 (1963)."

Second, given the limited investigative staff that the Commission has, the Commission must inform the public of specific advertisements found to be deceptive so that the public can inform the Commission of continued violations of the order and similar deceptions by other advertisers. FTC Rules § 2.2 specifically permits any individual, partnership, corporation, association, or organization to request the Commission to institute investigations in any matter over which the Commission has jurisdiction. Such feedback is necessary if the Commission intends its orders to effectively deter future violations, discussed *infra,* by insuring that the Commission will have notice of them.

How then has the Commission attempted to fulfill this responsibility to inform the public about particular false advertisements? The Commission periodically issues press releases briefly describing the nature of the false advertisement and the content of the order. It then relies on the Washington press corps and the wire services to inform the public in newspaper articles.

Such an approach is unrealistic in terms of fulfilling the informative obligation for two reasons. First, there is no guarantee that the release will be extensively printed. Relying on the editors of the relatively few[1] newspapers who receive the releases to consider them newsworthy enough to print and then relying on the wire services to pick up such information and pass it along to a sufficient number of other newspapers who will also print it is a rather imprecise manner of informing the public. Second, even if extensively printed, there is no guarantee that such information will be adequate or will reach those members of the public actually deceived by the false advertisement. The newspapers who receive and print the press releases, summarize their contents. This creates the possibility that the articles will not state enough specific information about the particular deception or in what media the advertisement may be found. Even if quite detailed, such information may never reach the deceived consumer. As discussed in Part 6, *infra.,* they probably didn't perceive the false advertisement in a newspaper. (81 percent of Campbell's advertising is in magazines and television commercials.) It is improper then to expect such a medium to convey the correct information and adequately place the public on their guard.

II. Proposed Respondents Are Not Adequately Deterred by This Order.—The immediate effect that a "cease and desist" order is designed to have is stopping the respondent from further engaging in false advertising. To accomplish this effect, the Commission is authorized in § 5(1) to seek civil penalties of up to $5,000 per day for continued violation of an order.

Assuming that the maximum fine would be a sufficient amount to deter the use of such advertising in the future, the threat of such a fine is no longer effective in assuring that the practice will be stopped. FTC Rules § 3.61 normally requires the respondent to file a compliance report with the Commission within 60 days after service of the order. However, review of compliance reports is continuing to fall behind because of insufficient manpower and outdated methods. Eleven attorneys in the Bureau of Deceptive Practices' Compliance Division are assigned to reviewing the reports submitted and investigating complaints from the public alleging violations.[2] No systematic check is undertaken after the report is approved. Such a hit-or-miss program can hardly be expected to be effective.

In addition, even if the respondent is found to have been violating an outstanding order, few penalties are sought for noncompliance.[3] The most glaring example of the Commission's unwillingness to impose the civil penalties available for continued violation of an order is provided by the Geritol case—*J. B. Williams Co.* v. *FTC,* 381 F.2d 844 (C.A. 6 1967). In March 1969, almost 10 years after the initial investigation, the Commission still refused to seek civil enforcement after finding that certain commercials continued to violate the order. Knowing that if found to be violating an order, the respondent will be permitted to file a new compliance report is hardly going to encourage initial compliance.

III. Other Businesses are Not Adequately Deterred by This Order.—In order for the public to be adequately protected, the effect of the Commission's order must be not only to stop the proposed respondent from falsely advertising, but also to deter other businesses presently engaged in similar practices or considering such practices for future use. The Commission has neither the funds nor the manpower to detect and investigate all false advertising practices posing a threat to the public at a given time. Not only is detection limited almost exclusively to monitoring commercial advertising on national television, but there is a serious question whether the personnel available are being properly deployed.[4] In the absence of increased revenue or reordered priorities, the Commission must rely on the threat of the sanctions made available by the issuance of the order plus vigorous enforcement of such sanctions in order to dissuade most businesses from considering such practices.

The present order fails to provide such a deterrent for two reasons. First, it does not provide any retroactive sanctions for initially engaging in false advertising. Any business presently engaged in deceptive advertising or considering it for future use knows that even if the Commission discovers such a practice, no sanction has been imposed in the past for engaging in the practice to begin with—no matter how flagrant and intentional the practice. We are aware of no case in which the Commission has sought a temporary injunction or the criminal penalties available under §§ 13, 14 of the Act. The Commission can only seek civil penalties under § 5(1) for continued violations of an outstanding final order. Thus, the present order would give any business engaging in such advertising the "first bite for free."

Second, as previously discussed in II, the Commission rarely seeks penalties for noncompliance. Little deterrent effect then can be expected when the Commission is as re-

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luctant as it has been in the past to enforce the laws available for violations of its orders.

PART 3—AN ORDER WHICH REQUIRES AN AFFIRMATIVE DISCLOSURE OF PAST DECEPTIONS IN THE RESPONDENTS' CURRENT ADVERTISEMENTS WILL ADEQUATELY PROTECT THE PUBLIC INTEREST

I. General Description of Affirmative Disclosure.—The affirmative disclosure provision requested would be a statement within the Commission's order requiring the respondent who has falsely advertised to affirmatively state that it has used a specific method of advertising in the past which the Commission charges as or has been found to be misleading. As discussed in Part 4 *infra.*, the specific phrasing and the types of advertisements in which the disclosure must be included depend upon the seriousness of the deception and whether the order results from a consent order proceeding or a formal adjudication. The provision would also stipulate that the disclosure must be included in current advertisements for a period of time equal to the time in which the deceptive advertisements were publicized and be conspiciously displayed.

Such an order will fully protect the public interest by informing the public about past deceptions, deterring Campbell from future deceptions and deterring other businesses from engaging in similar deceptions in their advertisements.

II. An Order Requiring Affirmative Disclosure of Past Deceptions Will Adequately Inform the Public.—As was shown in Part 2, I, *supra.*, the Commission's present order includes no provision to directly inform the public of the deception that has been perpetrated upon them by the respondents' past advertisements. The Commission seeks to fulfill its informative responsibility to the public by issuing press releases describing the Commission's action against the respondents. Such an agreement is ineffective because there is no guarantee that the information within the release will be extensively printed and, if extensively printed, that such information will be adequate or will reach the members of the public affected by the respondents' practices. Therefore, the Commission can no longer rely on such a tenuous device to insure that the public is correctly informed as to the true nature of the specific product purchased.

Our proposal for an affirmative disclosure provision within the Commission's order would effectively fulfill this obligation by informing the public that their impression of the amount of garnish in Campbell's soups resulted from the use of "doctored" advertisements and that in reality it does not contain this amount. Such information would enable the public to consider what their actual purchase of Campbell's soup is based upon—past deceptive advertisements or satisfaction with the soup itself. This "direct information" provided by the "sinning" company in its own future advertisements is the only reasonable means of counteracting the probable effect that past deceptive advertising has had on their purchases, both then and in the future. See Part 6, *infra.*

III. An Order Requiring Affirmative Disclosure of Past Deceptions Will Adequately Deter Respondents from Future Deceptions.—The present threat of civil penalties for future violations of an outstanding order has been shown in Part 2, II, *supra.*, to be ineffective in deterring such violations. The respondent knows that there is little risk of being found by the Commission to have violated an outstanding order because of the lack of periodic compliance checks by the Commission and the small amount of the public aware of the order. In addition, even if found to have violated the order, the possibility exists that the respondent will be given an additional opportunity to comply without any penalties being assessed or extensive publicity released.

On the other hand, the issuance of an order containing an affirmative disclosure requirement would exert immediate pressure on Campbell not to re-engage in such activities. Not only would more members of the public be aware of the first deception—hence more able to report future violations—but any additional publicity requirement as to other deceptions would risk a drop in future sales. The public might lose faith in Campbell's advertising if continually made aware of repeated deceptions. And for a company like Campbell who relies so heavily on mass advertising to sell its products, the risks of continuous announcements of false advertising in these advertisements would create strong pressure to eliminate such practices.

IV. An Order Requiring Affirmative Disclosure of Past Deceptions Will Adequately Deter .Other Businesses from Deceptively Advertising.—As was shown in Part 2, III, *supra.*, the present order has no effect on any other business. Should other business also be found deceptively advertising by the Commission, they likewise would not be penalized for the initial deception. Knowing that the order will not contain any retroactive sanctions, they probably will not be very careful in determining the line between deception and non-deception. Given the fact that the Commission does not have the manpower or funds to stop all deceptive advertising on a case-by-case approach, it is imperative that the mere threat of being caught engaging in such practices serves as an effective deterrent not to do so.

Affirmative disclosure provides such a threat. No longer would a business receive the traditional warning by the Commission not to engage in false advertising again. Engaging in such a practice risks being discovered by the Commission and required by it to affirmatively disclose this practice to the public in future advertisements. The resulting publicity rather than the wrist-slapping by the Commission acts as the deterrent not to engage in the initial deception. A company, when in doubt about a proposed method of advertising, could request the Commission under FTC Rules § 1.1 for an advisory opinion as to whether such advertising technique is considered deceptive.

PART 5—THE COMMISSION HAS THE AUTHORITY UNDER SEC. 5 OF THE FEDERAL TRADE COMMISSION ACT TO REQUIRE AFFIRMATIVE DISCLOSURE OF PAST DECEPTIONS IN PROPOSED RESPONDENTS' PRESENT ADVERTISEMENTS

I. Congress Intentionally Gave the Commission Wide Discretion in its Choice of an Appropriate Order.—In § 5(a) (6) of the Act, 15 U.S.C. § 45(a) (6), Congress empowered the Commission to prevent violations of the Act. That section, in relevant part, states: "The Commission is hereby empowered and directed to prevent persons, partnerships, or corporations . . . from using unfair methods of competition in commerce and unfair or deceptive acts or practices in commerce." The primary method for accomplishing this goal is through the issuance of cease and desist orders, § 5(b) of the Act, 15 U.S.C. § 45(b), and agreements containing consent orders to cease and desist, FTC Rules §§ 2.31–2.34.[5]

Congress intentionally did not define either the types of practices which violate § 5 or the specific clauses an order could contain. While we are concerned in this case only with the permissible clauses to be included in the order, there seem to be at least two reasons why Congress did not define either the scope of the order or the scope of § 5 violations. The first reason is that Congress was creating the Federal Trade Commission to be an expert body in deceptive practices, and therefore the Commission would be in a better position than Congress to determine what acts were illegal and what orders would appropriately stop violations. The second reason that Congress avoided defining more explicitly in the Act, was to leave the Commission enough latitude to adapt to changing times. Any attempt to catagorize would have a stifling influence on the Commission. Congress may have clearly realized that the effectiveness of the Commission was directly related to the Commission's ability to respond to the circumstances of the marketplace. As the methods and techniques of fraud and deception changed, the Commission must have the power to redirect its energies *without* the time-consuming process of additional express Congressional direction. The effect that this should have on the Commission was eloquently stated by Commissioner Mary Gardiner Jones:

"Agencies should be encouraged constantly to re-examine and re-interpret their overall enabling statutes and their overall functions in the light of new conditions and demands emerging in their areas of resonsibility. . . . The administrative agency has a genuine potential for creative action. [We should] devise means to insure that it exercises this potential to the fullest extent possible." Jones, "The Role of Administrative Agencies as Instruments of Social Reform," 19 *Admin. L. Rev.* 279, 300–01 (1967).

The legislative history of the Act, therefore, indicates Congress' clear intent to provide the Commission with the freedom to be relevant to the times. *See e.g.*, S. Rept. No. 597, 63d Cong. 2d Sess. 13 (1914).

The courts have consistently emphasized that the Commission has wide discretion in its choice of an order. The following language from *Jacob Siegal Co.* v. *FTC*, 327 U.S. 608, 611–613 (1946) has been extensively cited:

"The Commission has wide discretion in its choice of a remedy deemed adequate to cope with the unlawful practices [disclosed]. . . The Commission is the expert body to determine what remedy is necessary to eliminate the unfair or deceptive trade practices which have been disclosed. It has wide latitude for judgment and . . . [the test is what order] would in the judgment of the Commission be adequate."

Very recently, the Supreme Court said in *FTC v. Colgate-Palmolive Co.*, 380 U.S. 374, 390 (1965):

"It has been repeatedly held that the Commission has wide discretion in determining the type of order that is necessary to cope with the unfair practices found . . . and that Congress has placed the primary responsibility for fashioning orders upon the Commission."

* * * * *

It is, of course, true that the Commission may not exceed the authority delegated to it in the Act. This principle is firmly established in the common law, and was explicitly stated in the Administrative Procedure Act.[6] But since the Commission's authority was purposefully made flexible and open-ended in the choice of an appropriate order, it is not likely to be presumed that any specific order exceeded or abused that authority. The courts have continually permitted the Commission to effectively use its expertise in framing orders to effectuate the purposes of the Act.

In the following discussion of the scope of the Commision's authority in framing orders, we will use the consent order and the cease and desist order interchangeably. It seems clear that the Commission may include any clause in a consent order which it is authorized to include in a cease and desist order.[7]

II. The Commission has the Authority to Execute Any Order which has a "Reasonable Relation" to the Unlawful Practices Found to Exist.—The traditional test for determining the permissible scope of administrative orders is that the court need only find a "reasonable relation" between the violation proved or alleged and the terms of the resultant order. The "reasonable relation" test was

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originally applied to FTC orders in *Jacob Siegal Co. v. FTC*, 327 U.S. 608 (1946). The Supreme Court articulated the test as follows, 327 U.S. at 612–13:

"The Commission is the expert body to determine what remedy is necessary to eliminate the unfair or deceptive trade practices which have been disclosed. It has wide latitude for judgment and the courts will not interfere except where the remedy selected has *no reasonable relation to the unlawful practices found to exist*." (emphasis added)

The Supreme Court emphasized in *Jacob Siegal, supra*, that "the test" centered on what order "would *in the judgment of the Commission* be adequate," 327 U.S. at 613 (emphasis added).

The Supreme Court has continually upheld the "reasonable relation" test as the appropriate test to determine the permissible scope of FTC orders. *FTC v. Cement Institute*, 333 U.S. 683, 726 (1946); *FTC v. Ruberoid Co.*, 343 U.S. 470, 473 (1952); *FTC v. Colgate-Palmolive Co.*, 380 U.S. 374 (1965).

III. An Order Requiring Affirmative Disclosure of Past Deceptions has a "Reasonable Relation" to Campbell's Alleged Deceptions.—It is important to distinguish two functions of Campbell's allegedly deceptive advertisements. One function is to motivate the *immediate* purchase of soup. The other function is to convey and inculcate in the viewer the impression that the soup contains a great amount of solid ingredients and is therefore an extremely nourishing and nutritious product. While these two functions are closely interrelated and the ultimate effect of both is to motivate purchasing, there is an important difference between the two. To counteract the first function (immediate purchase), the sole action the Commission need take is to effectively stop the deception. We do not dispute that the consent order as presently written adequately serves this purpose, if properly effectuated.

However, we do dispute that the consent order as presently written adequately counteracts the second function—the impression that Campbell's soup contains the amount of garnish portrayed in the deceptive advertisements. Through continued exposure to the allegedly deceptive advertisements, many consumers have been "brainwashed" with a mental picture of the amount of solid ingredients in a can of Campbell's soup. Stopping the use of these advertisements does nothing, in and of itself, to dispel this mental conception, which continues to motivate purchases even after the specific deceptive advertisements have been removed from the marketplace. The only practical and effective way for the Commission to inform the great majority of consumers who have this erroneous (perhaps subliminal) impression of the merits of Campbell's soup is for the Commission to require Campbell to themselves inform the consumer that their impressions resulted from "doctored" advertisements. This then is the "reasonable relation" between the continuing wrong to the consumer and the deceptive advertisements.

As a practical limitation on the scope of the remedy requested, an order requiring affirmative disclosure of past deceptions would only be appropriated, needed, and within the Commission's authority when the allegedly deceptive advertisements are used for both functions discussed above. Many advertisements seek only to motivate immediate purchase. For example, the "once only" advertisements to purchase a specific record album which is not available in record stores, serves only the first function. For these "limited purchase" advertisements, no affirmative disclosure of past deceptions is feasible or necessary to protect the public interest. The product is no longer being sold and the deception no longer "exists." But Campbell's advertisements are still today deceiving the public.

IV. The Commission has Traditionally Required Various Types of Affirmative Action by Respondents.—It is too late in the day to suggest that the Commission is limited to prohibiting the specific deceptive practice found to exist or that the Commission is limited to a merely negative order.[8]

The Commission has continually used orders requiring various types of affirmative action, and these orders have been held valid by the courts. As the Supreme Court stated in *Colgate-Palmolive*, 380 U.S. at 394: "The Commission is not limited to prohibiting the illegal practice in the precise form in which it is found to have existed in the past. . . . Having been caught violating the Act, respondents 'must expect some fencing in'."

It is important to note that the consent order the Commission has executed with the proposed respondents in this case already contains a number of affirmative obligations, and is not limited to merely prohibitions.

Such obligations include: (1) the filing of one or more compliance reports.[9] Agreement at paragraph 8. (2) the distribution of a copy of the order to each of their operating divisions. Order at 5. and (3) notification to the Commission of any proposed change in the corporation which may affect compliance obligations. Order at 5.

The Commission has required other types of affirmative action to remedy § 5 violations. Recently, the Commission ordered compulsory licensing of a patent upon a reasonable royalty basis as a remedy for § 5 violations; and the Court of Appeals for the Sixth Circuit upheld the order. *Charles Pfizer & Co.* v. *FTC*, F.2d 574 (CA 6 1968), *cert. denied*, 37 U.S.L.W. 3354.[10]

The Commission is also beginning to use restitution as an appropriate remedy. *See Curtis Publishing Co.*, trade Reg. Rep. ¶18, 798 (FTC June 12, 1969).[11]

To this date, however, the Commission has not utilized the type of affirmative action we have specifically requested. Historically, the Commission has (perhaps subconsciously) been separating § 5 violations into two categories, and proceeding against each type in a different manner. The first type of § 5 violations concerns deceptive statements about the inherent nature of the product (its limitations or potential dangers), and here the Commission has often required affirmative disclosure of the limitation or potential harm. Examples of these types of affirmative disclosure orders include: (1) warning statements in advertisements for drug products which are potentially harmful or toxic,[12] (2) warning statements in all cigarette advertisements that smoking may cause death from cancer or other diseases,[13] (3) statements in certain preparations for the treatment of baldness that the preparations are only effective for a very limited number of cases,[14] and (4) statements in Geritol advertisements that Geritol will be effective in a very limited number of cases.[15] All these orders have been upheld by the courts. The principle derived from them is: when the product advertised has potential dangers or is of only limited use, the advertisement must affirmatively disclose this fact.

The other type of § 5 violation concerns the nature of the advertisement itself, as distinct from the nature of the product. Traditionally, if the advertisement itself is deceptive, all the Commission has required is an end to that and similar deceptions. *FTC v. Colgate-Palmolive Co.*, 380 U.S. 374 (1965); The *Papercraft Corp.*, D. 8489 (Dec. 24, 1963). In *Papercraft*, the Commission ordered a gift wrapping manufacturer to cease and desist from:

"(1) Packaging rolls of gift wrapping paper in oversized boxes or other containers so as to create the appearance or impression that the width or other dimensions or quality of the gift wrapping paper contained in the box or container is appreciably greater than is the fact . . ."

A mere stopping or "correcting" of the allegedly deceptive advertisement is not enough to dispel the deception engendered by Campbell's advertisements: The deception is a *continuing* one. Therefore, the same principle should be applied in this case in the cases in which affirmative disclosure of product dangers or limitations was required. In those cases the courts continualy reaffirmed the need for affirmative disclosure to prevent deception. In *Keele Hair & Scalp Specialists, Inc.* v. *FTC*, 275 F. 2d 18, 23 (CA 5 1960), the Court said: "cease and desist orders compeling affirmative disclosure are enforced by the courts when they are necessary to prevent deception." In *Ward Laboratories, Inc.* v.s *FTC*, 276 F. 2d 952 (CA 2 1960) the Court said:

"Thus, it is obvious here why some affirmative statement is necessary to dispel an otherwise misleading statement. . . . The power of the FTC to require affirmative disclosure where necesary to prevent deception has long been recognized."

Since Campbell's deceptions will continue until counteracted by affirmative disclosure, the Commission has the authority to require affirmative disclosure. It is "necessary to prevent deception." The objective of informing the consumer of the true nature of drugs, cigarettes, hair products, and Geritol is equally applicable in the case at bar. We believe the Commission has the authority to require respondents to inform the public about the true nature of Campbell's soups.[16]

V. To Effectuate the Ultimate Goal of the FTC Act, Protection of the Public from Deceptive Advertisements, the Commission May Require the Affirmative Disclosure We Suggest.—Besides the authority discussed in IV, *supra*, to require affirmative disclosure of past deception, there is the authority based upon the ultimate purposes of the Act. Traditional analysis of the scope of Commission orders isolates two relevant interests, the respondent and the Commission itself. From respondent's point of view, a strong order wil be an effective deterrent but may place him at an unfair competitive disadvantage. A weak order will act as no deterrent. From the Commission's point of view, a weak order encourages continued illegality by the respondent. A strong order encourages compliance with the law.

But the primary purpose of the Act (and especially the Wheeler-Lea Amendment) is *not* to protect the respondent from unfair treatment or to insure the efficient functioning of the Commission, but to protect the consumer from deception.[17] The consumer seeks protection from deceptive advertisements, and this includes both deceptions by respondents and deceptions by non-respondents. From the consumers' point of view, a weak order encourages respondents and every other business to break the law; a strong order encourages compliance by everyone. If a company knows that if caught violating § 5 a weak sanction will be imposed, it will not be very careful about approaching the line between deception and non-deception. If, on the other hand, a company expects that if caught it will have to tell about this deception in the future, it will naturally be a great deal less willing to take a chance. From the consumers' point of view, advertising practices are to some extent the product of the degree of apprehension at being "caught" by the Commission. Since the Commission does not have the manpower or funds to stop all deceptions within its jurisdiction on a case by case method, the Commission must be able to use the threat of being "caught" as a deterrent in-and-of-itself.

It seems quite natural to assume that the available arsenal of the Commission's powers effects business behavior. We request the Commission to add another "weapon" to this

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arsenal for use in appropriate situations. We are not requesting that Campbell be punished or made an example of. We request that the clause be included to deter Campbell in the future, inform the public, and to deter others.

The power of the Commission is purely regulatory and not punitive, *United Corp.* v. *FTC*, 110 F.2d 473 (CA 4 1940), and the purpose of the Commission is protection of the public not punishment of the wrongdoer, *Gimbel Bros.* v. *FTC*, 116 F.2d 578 (CA 2 1941). The remedy must be such as not to punish for past transgressions, but as a means of preventing illegal practices in the future. *Nitesk Industries, Inc.* v. *FTC*, 278 F.2d 337 (CA 7), *cert. denied*, 364 U.S. 883 (1960).

Requiring proposed respondents to affirmatively disclose past deceptions is the only way the Commission can adequately protect the public from the continuing deception, is the only effective way of regulating advertising, and is the only effective way of preventing illegal practices in the future. The Commission therefore has the authority to require it.

PART 6—THE COMMISSION HAS THE OBLIGATION TO INCLUDE OUR CLAUSE IN ORDER TO PREVENT THE PUBLIC'S CONTINUING RELIANCE ON THE DECEPTIVE AD

I. Advertising's Avowed Purpose is to Persuade the Public to Buy the Product.—Two officials of the Federal Trade Commission Bureau of Deceptive Practices have stated unequivocally that "the avowed purpose of advertising . . . is not informative, but persuasive, playing up on the emotions and desires of the consumer."[18]

Advertising has become so important that in 1966, the nation's advertisers spent $16.8 billion to influence the consumers' purchasing decision.[19] The full impact of this figure is realized in the knowledge that the total expenditures of the nation's 25 largest cities exceeded the investment in advertising by only $2.9 billion.[20]

In 1968, Campbell Soup Company ranked 28th in total advertising expenditures, investing $34,330,126 in television, radio, magazine, and newspaper communications to the public.[21]

***II. Advertising is able to Move People to Action Because it Reaches a Level Deeper than Rational Understanding.*—The Association of National Advertisers has stated the goal of advertising to be delivery of a sales message which stimulates the buyer to act on that message. The Association envisions this goal to comprise two stages: conveying information on the advantage or benefit which makes the product outstanding; and creating a state of mind conducive to purchase.[22]**

***III. Advertisers Seek to Create a Loyal and Automatic Corps of Customers Displaying "Brand Recognition."*—The specific strategy of advertisers consists of creating "customer loyalty."[23] This strategy requires that the consumer be educated, by comprehensive and repetitive communications, to create a compelling image of the product to which he automatically responds.[24] The Supreme Court recognized this as early as 1942. In *Mishawaka Rubber & Woolen Mfg. Co. v. S. S. Kresge Co.*, 316 U.S. 203, 205 (1942), the court said that the object of much modern advertising is "to impregnate the atmosphere of the market with the drawing power of a congenial symbol."**

In *Smith* v. *Chanel, Inc.*, 402 F.2d 562 (CA 9 1968), the Ninth Circuit explicitly recognized the difference between advertisements which "communicate information as to quality or price" and advertisements which seek to create a "conditioned reflex." *Id.* at 567. The Court then said that "to the extent that conditional reflex advertising succeeds," the product "is endowed with sales appeal independent of the quality or price of the product to which it is attached; economically irrational elements are introduced into consumer choices," and the product "is insulated from the normal pressures of price and quality competition. In consequence the competitive system fails to perform its function of allocating available resources efficiently." 402 F.2d at 567.

* * * * *

B. The advertisement seeks secondly to create brand loyalty.

* * * * *

1. Brand loyalty must be built on emotional and psychological factors.

Generally, products do not greatly differ from brand to brand, so that it is difficult to make a decision on rational grounds. The time required to investigate rational criteria—e.g. price or quality—generally discourages true thought about everyday items, which are "not worth the trouble." Studies on gasoline, for instance, show that consumers do not know how to differentiate between gasoline except in the words of advertisements.[25] Consumers cannot define however, the terms they are using (e.g. "high-octane"); the real ground for preference seems to be colors of the gas station, good experience with servicemen, etc. Yet even such unglamorous products as flour produce high customer loyalty—73.2% of flour customers show undivided loyalty to primarily one brand.[26]

Advertisers take their cue from these studies, and gear their campaigns accordingly. Businessmen study in detail the traits of the consumer with whom they must deal, with increasing emphasis upon psychological and sociological traits.

* * * * *

2. Brand awareness is created by recall and associations.

Studies have shown that the purpose of the advertiser is to make the consumer learn and retain the association between the two elements of an advertisement—the product and the brand name.[27] This paired-associate learning involves two stages: response (or free-recall) learning and associative learning. Thus, the learner is first taught the individual items themselves (product awareness as discussed *supra*); he then acquires free association between the pairs so that given one of the items (e.g. product), he can freely recall (by association) the other—i.e. brand.

This learning system may be put in perspective by the Watts and McGuire study showing a "light-bulb" effect regarding recall of message topic (i.e. once it's "switched on", it stays on), and a "doorbell" effect regarding recall of side and arguments, (must keep your finger on the bell to keep it ringing).[28] This means that what is "recalled" by the consumer in Kanungo's model is *not the attributes* of the product, but simply the *existence* of the product—i.e. the subject.

3. Associations are elicited by meaningful and pleasant images.

Gerhold and McGuire assert that even more important than the distraction quality of pictures (discussed above as useful in learning) is the pleasantness of the symbols depicted.[29] Thus, food advertisements are represented as luscious and "mouth-watering" (though not too complicated); or a picture of mother and child represents the happy home. These images are then recalled in the buying situation (true to Kanungo's model) when confronted with the product **on the shelf.[30]**

Another important aspect of image is the exent to which the brand is associated with the meaning of the product that it represents.[31] Newman, a Harvard Business School professor, cites coffee as an example—coffee is associated with warmth, sociality, and hospitality, and a meaningful image will utilize this association. A more relevant example is soup—which Vance Packard asserts to connote warmth, protection, and the womb.[32] A soup company which conveys the image of affection, protection, and motherhood would present a compelling and meaningful image not likely to be forgotten.

4. Associations are elicited by depiction of situations into which the viewer can project himself.

Advertisers want the viewer to identify himself with the image of brand "character"; this gives added incentive to choose one brand over another because of close associations which the consumer feels to the product. * * *

An obvious example of this is found in cigarette advertising. Tests have shown that when blindfolded, smokers are unable to identify their preferred brand.[33] Yet most smokers maintain intense loyalty to one particular brand. Cigarette advertisers have capitalized on this by playing on the consumer's self-image. Marlboro's are for rugged and masculine outdoor men; Salem's should be smoked by the youthful; Viceroy's are for the middle-aged with a youthful bent.

* * * * *

5. Associations are elicited most successfully in "unstructured" advertisements.

Kregman's study on thought provocations of various styles of advertisements, *supra*, indicate that the more unstructured the ad (in relation to the product discussed), the more connections the viewer makes with the setting and the individual's own life and desires. The most unstructured ads were also found to elicit by far the most thoughts expressing desire for the products. This data suggests that consumer associations of a product with an image are far more persuasive than rational appeals to product superiority. It is emotional identification which motivates choice.

6. Associations are extended to other products in the brand line.

The success of image appeal is emphasized by Joseph Fry's findings that customers prefer not just one product, but all similar products in a brand line. Brand name, in other words, acts as a medium through which consumers generalize loyalties from one category of products to another.[34] A consumer who has associated "bread" with Pepperidge Farm will therefore also prefer Pepperidge Farm cookies. Thus brand image has important repercussions for the *whole* brand line, not just the specific product with which the consumer has identified himself.

7. Advertisements impress their message and image by constant repetition.

Martineau has asserted that repetition by itself leads to forcing the brand name into the mind of the consumer.[35] His view was substantiated by Berg's study on the effect of repeated exposure to advertising (*supra*). Krugman also has discussed the effect of repetition, (i.e. continuous relearning, in moving some of the information into the long-term memory system (i.e. the unconscious)).

The important question remains as to *what* is being repeated: is it the product qualities, the brand name, or the image? For many companies, the focus seems to be on the brand name and image; Campbell, for instance, presents a different product (i.e. a different kind of soup) in each ad. The significance of this focus is highlighted by Weiss' theory that repetition (increased familiarity) increases brand awareness, but not product awareness. This means that once the consumer has been substantially exposed to advertising, his evaluation of product superiority becomes less and less important. Unless product qualities are re-emphasized for the consumer, he will tend less and less to give them their due weight in his decision processes. His choice will become more unconscious and more automatic.

C. The mass media is admirably suited to exploitation of the consumer's mind.

Footnotes at end of article.

National magazines and national television are especially suitable for advertiser's creation of loyal and automatic customers. They are perfect instruments for a dual attack on human learning processes: through distraction and lowered resistance: and through bridging experiences with the consumer.

1. Low involvement learning is effected by unstructured pictures and commercial television.

Martineau, in his advice to advertisers, asserts that while "copy" is an assault on the beliefs of the consumer and thus meets considerable hostility, *pictures* do not have such built-in resistance.[36] "Copy", Krugman reported, is similar to learning nonsense, and thus does not stimulate great interest or motivation. Pictures, on the other hand, are more relaxing, especially when pleasurable to sight.

Krugman demonstrated the interest stimulated by picture ads in magazines by measuring pupil dilation of subjects viewing the pictures. He found that as long as the picture remained novel (for most people, the first three times of viewing), the stimulation was great; and that stimulation was greater for unstructured pictures than for pointed ads.[37] Many advertisers realize the value of "non-obvious" pictures; an especially successful example has been the advertising of Hathaway shirts, which often has no copy at all. People, then, enjoy looking at pictures, and enjoy most the pictures which depict more than the product advanced. To this extent, they are being distracted from the message, and let down their resistance to the assault.

Commercial television, Krugman asserts, is also a distracting or low-involvement teacher. This is especially dangerous because most people regard television as a reliable source of information.[38] Furthermore, many psychologists maintain that television drugs its viewers into a state of passivity, so that everything is accepted unquestionably (at least temporarily).[39] Krugman aptly underlines the implications of television for advertisers:

> I have tried to say that the public lets down its guard to the repetitive commercial use of the television and that it easily changes its ways of perceiving products and brands without up to then changing verbalized attitudes. This adds up, I think, to an understandable success story for advertising's use of the television media. Furthermore, this success seems to be based on a left-handed kind of public trust that sees no great importance in the matter.[40]

* * * * *

2. High-involvement learning is effected by scenes with which the viewer consciously identifies.

At some point, of course, the advertiser must deliver the message that it is his product that is being pushed. The consumer may also wish to make his decision before the catalytic purchase point. This requires that the consumer be consciously (though not necessarily rationally) persuaded to buy the brand in question.

High-involvement or conscious learning is more likely to be retained by the learner if the learner is motivated or aroused by some aspect of the product (see C.1. *supra*). He is most able to be aroused if the ad depicts a situation with which the viewer can identify. Often, this is an image of what the consumer idealized (i.e. what his *needs* dictate) but close enough to reality so that the situation does not appear absurd. The discrepancy between the picture and the viewer's life is the uncertainty aroused; the solution to this discrepancy is to buy the product. Thus, a housewife may become the ideal and loved wife by serving her busand a delicious meal; a husband may become "more of a man" by smoking Marlboro cigarettes.

In short, the consumer will buy the brands displaying images with which he identifies.

Colored pictures, and especially television, provide the perfect means for conveying the desired situation. Associative recall is immeasurably advanced.

D. Advertising has successfully created automatic consumers.

Advertising has been admirably successful in attaining its goal of loyal and automatic purchasers. The full horror of this success was revealed by Ruthrauff and Ryan, a New York ad agency which employed a prominent hypnotist to penetrate mental blockages to the subconscious to discover why consumers do or do not buy certain products. One subject under hypnosis was questioned as to why he preferred and always purchased a certain make of car. This man—under hypnosis—repeated *word for word* an ad which he had read *more than twenty years earlier* which he had particularly liked![41]

1. Advertising has created impulse buying.

DuPont Company ascertained fifteen years ago that most purchases are made on impulse.[42] They pointed out that less than one out of five purchases carry a complete shopping list but still manage to fill up their carts. The new philosophy, quipped DuPont, is "I want it." Thus, *seven out of ten* purchases are impulsive.

Krugman gave a scientific explanation to this finding in his thesis that the purchase situation is a catalyst allowing unconscious beliefs and attitudes to motivate the purchase, although the attitude change may not yet be consciously verbalized. Furthermore, the accumulated attitudes and beliefs about a brand are extended to other products in the brand line, so that an impulse to buy Del Monte's pineapples may give rise to a similar impulse to buy Del Monte's waxed beans. The "impulse" is simply a message from the unconscious, prepared by the advertising's "latent learning" strategy and stimulated by the actual sight of the product.

2. Advertising has created hypnotic buying.

Impulsive purchases may simply be part of the entranced state which characterizes shoppers, in a self-service retail store. James Vicary, a motivational analyst, wished to ascertain why there had been an increase in impulsive buying in supermarkets. Using hidden cameras to photograph eyeblinks as the woman shopped, he discovered that eyeblinks fell to a very subnormal fourteen blinks per minute (normal is 32 blinks per minute) which he described as a hypnotic trance, the first stage of hypnosis.[43] * * * though many passed within eighteen inches of it. Vicary found that at the check-out camera, the eyeblink rate began rising until at the ring of the cash register and the clerk's request for money.

IV. Campbell Soup Company Has Impressed Its Message Deep Into the Minds of the Public.

Campbell Soup Company, investing $44,000,000 in advertising in both 1967 and 1968, increased in its 1968 sales by $50,587,000 and its earnings by $8,296,000.[44] * * * At any rate, Campbell clearly realized the value of communicating with the public. The means by which it communicated were the very tactics by which deep and unconscious memory is effected.

A. Food Advertising is especially conducive to associative appeal.

* * * * *

Women assert that their job comprises four main spheres of activity: Being a wife; raising the children; feeding the family; and general housekeeping. When asked to complete the sentence, "My family most appreciates me when . . .", 90% of the answers had to do with cooking.[45] Cooking gives the woman self-importance; it permits her role to be recognized; and provides her with the love and affection which she needs.

It is obvious that appeals to a woman's self-image of protector and mother will stimulate tremendous identification and association. All food products to that extent have a great advantage in reaching the woman.

B. Campbell's Soup Ads exploit the housewife's emotional needs.

Campbell, ranking 28th in advertising expenditures for 1968, (33rd in terms of a percentage of sales) allocated $8,017,953 to magazines, nearly $20,000,000 to television, and $2,234,273 to newspapers.[46] Its magazine patronage—23.4% of its total expenditures, centered on such magazines as *Ladies Home Journal, Good Housekeeping, Look, Life, Saturday Evening Post,* and *Parents.* * * * Three of these magazines are exclusively devoted to women; the other three are read primarily by women.

Spot (25% of expenditures) and network (32.8%) television commercials were allocated in 1968 over 22 prime time evening programs, 15 daytime and 16 children's shows. * * * 60% of its ads were presented to children or women exclusively (who alone would watch daytime T.V. shows.)

Thus, Campbell appeals first to women (through magazines and daytime shows); next women and their families (family magazines and family shows); and finally to the children. The wisdom of Campbell's allocation should be appreciated in view of the fact that favorable disposition towards the featured programs of the media predisposes the viewer to its ads.[47]

1. Campbell's soup ads ensure that the brand is associated with the product.

Campbell has utilized to the fullest extent associative-learning techniques. The connotations of soup—protection, affection, and the womb—have already been discussed. Soup ads are thus inherently emotive. This image is further enhanced by bowls of soup on the kitchen table, and a hungry family—the husband and the children—smiling happily. This scene appeals directly—and effectively—to the woman's needs. It allows her to identify herself as the successful mother and wife performing her most appreciated role—feeding her family. It arouses uncertainty (as to her performance), and solves this uncertainty by recommending Campbell's soup as the solution. Arousal-solution thus enhances the learning of the message. Finally, it appeals to woman's primary motivation—the desire to feel important and appreciated. The smiling faces of the Campbell's family will motivate the woman to find this self-importance for herself.

Thus, the woman completely learns the Campbell's message: soup means self-fulfillment; and self-fulfillment is derived from serving Campbell's soup (because Campbell's "image" is the happy family).

2. Campbell's soup ads ensure that the message (the product) is impressed in the memory.

Women, according to Fransesco Nicosia, (a behavioral scientist) are especially prone to learning from pictures rather than from copy.[48] Campbell exploits this proclivity by using distracting pictures, and by symbolizing the message within the picture rather than writing it. Thus, resistance to the message is broken, and the information enters the woman's memory. As described *supra*. by Krugman, eventually the information enters the subconscious, where it becomes a motivating force in crisis (purchase) situations.

Besides the fact that Campbell's scenes are highly filled with identification, they are also fairly unstructured. That is, very rarely is the bowl of soup so emphasized as to overpower the rest of the scene. Often, the family—e.g., the children or the husband—are as important to the ad as the bowl of soup. The family scene is pleasant, and permits the woman to contemplate the better side of family life. While she is meditating, Campbell's central message—the superiority of its product—is learned without resistance and without consciousness. The woman learns that Campbell's soups are superior to other soups because of the numerous vegetables (or beans or dumplings) which it contains. By serving soup with such rich garnish, the

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Footnotes at end of article.

XUM

woman is truly performing well: not only is she feeding her family, she is feeding them soup (with all of its rich connotations); not only is she feeding the soup, she is feeding them the richest and most nutritious brand.

Thus, women are consciously persuaded to choose Campbell's Soup to attain the image of the appreciated efficient important provider; and they are subconsciously persuaded that Campbell's is a superior brand, though this knowledge may not be realized until after the purchase is made. Campbell's Soup Ads have accomplished a prodigious feat in mass persuasion, as verified by increasing sales and earnings.

V. The Order Is Insufficient Competition for Advertising Conditioning Strategy.—Successful advertising implants brand loyalty in the minds of the customers; as this brand loyalty becomes embedded in the subconscious, normal decision processes accede to automatic choice. When the message has been thoroughly learned, the justification for the message—product superiority—becomes decreasingly important to the consumer. Indeed, his awareness of the product has been essentially displaced by awareness—and devotion—to the brand on an unconscious (mesmerized) and emotional (associative) level.

Mesmerization of the public is substantially aided by the two direct concerns of FTC orders: deceptive claims; and communication on a huge scale. Psychologists have found that the more exaggerated the claim (within the limits of acceptability), the more the public will be persuaded to accept that claim. Campbell exploited the benefits of exaggeration in its deceptive practice, depicting its soups with an exaggerated amount of garnish. That this deception did in fact persuade its viewers is attested by its increased sales and earnings in the time period involved. The deception is not corrected by the fact that Campbell has now discontinued its practice, because the public has learned the ads too well to notice that hundreds of vegetables no longer float in the soup bowls.

Campbell Soup Company concentrates on the media best suited for mass indoctrination: magazines with especially high readership; and television (although the FTC made no finding that Campbell used deceptive techniques in its television commercials, even a casual viewing of the ads obviate the fact that *some* deception was used). It is difficult to estimate the number of persons exposed to the advertising, but a *minimum* of 30,000,000 people is evident. Even assuming that all of the newspapers and magazines who are notified of FTC orders convey this information to the public (an assumption which is far from warranted), millions of loyal Campbell customers would remain ignorant of the order. For those persons who do know of the order, their comprehension is hardly greater; for reading an announcement in a newspaper (that Campbell signed a consent order for settlement purposes only) involves a learning substantially different—and *shallower*—from associative and unconscious learning.

The Order, then, is completely inadequate to reach the deceived; but more important, to reach the levels of the mind in which the deception is immersed.

VI. Affirmative Disclosure Is Required to Overcome the Conditioning Effects of Advertising.—The Federal Trade Commission is charged with protection of the public interest. The public interest requires more than mere cessation of a deceptive practice; it requires that the harm perpetrated by the deceptive practice be undone. This constitutes the informative function of the Commission.

The Commission can not properly perform its informative function unless it notifies the persons exposed to the deceptive practice. * * * It is highly unlikely that *Life, Look, Ladies Home Journal,* or *Good Housekeeping* has ever publicized Commission orders. It is certain that television has never done so. * * *

It is essential that the Commission convey its finding to the persons exposed to Campbell's advertisements. This is particularly necessary in view of the penetration of brand awareness in the memory of the public. The public must be first *aroused* to stimulate its cognitive processes; some notice must be conspicuous in the ad to attract public attention. This is the only way to assure that the information is conveyed to the unconscious in which Campbell's deception is embedded. It is also the only assurance that consumer identification with Campbell's *image* be restrained (to the extent of the deception).

Thus, affirmative disclosure in every advertisement which Campbell submits—in magazines and on television—will reach the same persons who have been deceived. Further, it will attract the notice of those persons—and allow them to convey the information to the deep recesses of the mind * * * This alone will assure that the public be able to exercise a rational decision on the qualities of Campbell's soups.

Wherefore, we respectfully request that the Commission withdraw its provisional acceptance of the proposed consent order and attempt to negotiate a consent agreement containing a clause requiring an affirmative disclosure in addition to the provisions included in the present agreement.

Respectfully submitted,
CYNTHIA EDGAR,
AARON HANDLEMAN,
PETER HARWOOD MEYERS,
JOHN J. SIMKANICH,
IRAN VANCE WHITE, Jr.

FOOTNOTES

[1] 928 according to the Commission's Information Office.

[2] *The Report of the ABA Commission to Study the Federal Trade Commission* (Sept. 15, 1969), p. 44.

[3] Total Civil Penalties for the period July 1964 to July 1968 of $416,530 were imposed in only 16 cases; Cox, Fellmeth and Shulz, *"The Nader Report" on the Federal Trade Commission,* Appendix 9, p. 224.

[4] *The Report of the ABA Commission to Study the Federal Trade Commission* (Sept. 15, 1969), pp. 40–45.

[5] Other enforcement methods authorized by the Act include the use, where appropriate, of injunctions and criminal and civil sanctions. *See* FTC Act §§ 13–14, 15 U.S.C. §§ 13–14.

[6] § 9 of the APA, 5 U.S.C. § 558 * * *.

[7] The Commission has treated both types of orders similarly. * * *

[8] *See* Auerbach, "The Federal Trade Commission: Internal Organization and Procedure," 48 *Minn. L. Rev.* 383, 511–13 (1964).

[9] One writer has pointed out that compliance reports clearly have affirmative consequences: "* * *." Auerbach, "The Federal Trade Commission: Internal Organization and Procedure," 48 *Minn. L. Rev.* 383, 512–13 (1964).

[10] *See* Rushefsky, "FTC § 5 Powers and the *Pfizer-Cyanamid* Imbroglio: Where Do We Go From Here," or "You Ain't Seen Nothing Yet," 18 *Cath. L. Rev.* 335 (1969).

[11] That restitution is a remedy which the Commission is empowered to prescribe is suggested by at least two writers. Wade & Ramenshire, "Restitution for Defrauded Consumers: Making the Remedy Effective Through Suit by Governmental Agency," 37 *Geo. Wash. L. Rev.* 1031, 1058 (July 1969).

[12] *Consolidated Royal Chemical Corp.* v. *FTC,* 191 F. 2d 896 (CA 7 1951); *Aronberg* v. *FTC,* 132 F. 2d 165 (CA 7 1942).

[13] 30 Fed. Reg. 9484 (July 25, 1965), vacated by the Federal Cigarettte Labeling and Advertising Act, 15 U.S.C. §§ 1332–39.

[14] *Ward Laboratories, Inc.* v. *FTC,* 276 F. 2d 952 (CA 2 1960); *Keele Hair & Scalp Specialists, Inc.* v. *FTC,* 275 F. 2d 18 (CA 5 1960); *Wybrant System Products Corp.* v. *FTC,* 266 F. 2d 571 (CA 2 1959).

[15] *J. B. Williams Co.* v. *FTC,* 381 F. 2d 884 (1967).

[16] One writer has argued that since the court in modifying the Commission's order may require the sanction we suggest, the Commission may also require it: "* * *." Auerbach, "The Federal Trade Commission: Internal Organization and Procedure," 48 *Minn. L. Rev.* 383, 511–12 (1964).

[17] *See e.g., FTC* v. *Colgate-Palmolive Co.,* 380 U.S. 375, 384 (1965).

[18] Charlton & Lawcett, "The FTC and False Advertising," 17 Kansas L. Review 599 (1969), p. 617.

[19] *Statistical Abstract of the U.S.* (1968) at 1782.

[20] *Ibid.*

[21] "Advertising Age," Vol. 4, no. 34, Aug. 25, 1969, at 41.

[22] Association of National Advertisers, *Defining Advertising Goals,* at 53.

[23] Galbraith, *New Industrial State,* at 205.

[24] *Ibid.*, at 206.

[25] Martineau, *op. cit.*, at 37.

[26] Social Research, Inc., for Chicago Tribune, *A Study of Motivations Relating to Soaps and Chemical Detergents,* at 4.

[27] Rabindra Kanungo, "Brand awareness: Differential Roles of Fittingness and Meaningfulness of Brand Names", *Journal of Applied Psychology,* 1969 vol. 53, No. 2, at 140–146.

[28] Watts and McGuire, 1964, in Gerhold and McGuire, *op cit.*, at 86.

[29] *Ibid*, at 85.

[30] Martineau, *op cit.*, at 14.

[31] Newman, *Motivation Research and Marketing Management*, 1957, at 60.

[32] Vance Packard, *The Hidden Persuaders,* 1957, at 58.

[33] Martineau, *op. cit.*, at 50.

[34] Joseph Fry, "Family Branding and Consumer Brand Choice," *Journal of Marketing Research,* 1967, vol 4 (3), 237–247.

[35] Martineau, *op. cit.* at 9.

[36] *Ibid,* at 6.

[37] Krugman, "Processes Underlying Exposure to Advertising," *op. cit.*, at 250.

[38] Marshall McLuhan, *The Medium is the Message,* New York, 1967.

[39] Paul Lazerfield and Robert Merton, "Mass Communication, Popular Taste, and Organized Social Action," *Mass Communication,* ed. Wilbur Schaamon, 1960.

[40] Krugman, "The Impact of T.V. Advertising," *supra.*, at 354.

[41] Packard, *op. cit.*, at 34.

[42] *Ibid.*, at 90.

[43] *Ibid.*, at 91–92.

[44] "Advertising Age," Volume 4, No. 34, Aug. 25, 1969, at 74.

[45] Social Research, *op. cit.* at 23.

[46] *Advertising Age*, 40 (26) at 42.

[47] Krugman, "Processes Underlying Exposure to Advertising," *op. cit.* (57) at 249.

[48] Francesco Nicosia, *Consumer Decision Processes in the Behavioral Sciences,* 1966, at 165.

WHERE THE TAX DOLLARS GO

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. REID of New York. Mr. Speaker, I include in the RECORD today a chart calculating the application of the local tax dollar in the town of Mamaroneck, N.Y., including the villages of Larchmont, Mamaroneck, and part of Rye Neck.

The chart was prepared several weeks ago for a town meeting set up by interested residents with a view toward investigating our priorities. The meeting, cochaired by two area residents, Mrs. Linda Davidoff and Mr. William Reynolds, was moderated by Dr. James G. Emerson, Jr., and featured the noted physicist and author, Dr. Ralph E. Lapp, as its principal speaker. Others participating included State Senator Anthony B. Gioffre, Assemblyman Joseph Pisani, Mrs. Christine K. Helwig, the supervisor of the town of Mamaroneck, Mayor Leo Goldsmith of Larchmont, Mayor Arthur Phillips of Mamaroneck, county legislator Thomas F. Keane, Jr., representatives from the school boards, and village trustees.

The figures speak for themselves to show not only that a majority of Federal income taxes go to the military, but also that a substantial portion of local taxes go for military procurement and operations. In my view, considering our needs at home for decent education and housing opportunities, for pollution control, and for health research and care, these dollars must be redirected away from military hardware and toward the needs of our citizens. We need to aid the war—Vietnam. We need new priorities backed by major resources.

The material follows:

I. HOW MUCH DO LOCAL RESIDENTS PAY OUT IN TAXES?

Larchmont Village tax	[1] $1,299,000
Mamaroneck Village tax	[1] 1,977,000
Mamaroneck town tax	[2] 4,527,000
Rye Neck tax to town of Rye	[3] 566,000
Mamaroneck school tax	[4] 8,020,000
Rye Neck school tax	[4] 1,598,000
Total local taxes	17,987,000

CALCULATION OF 1970 FEDERAL PERSONAL INCOME TAX, MAMARONECK TOWN AND RYE NECK

Place	Population [6]	1959 median family included [7]	Percent of 105 Zip code median included [8]	Per capita tax [9]	Total tax [10]
105 Zip code area [5]	565,000	8,427	100.0	$910	$514,150,000
Larchmont Village	6,900	11,915	141.4	1,287	8,880,000
Mamaroneck Village in Mamaroneck tax	12,500	7,327	86.9	791	9,888,000
Mamaroneck Village in Rye tax (Rye-Neck)	8,000	8,127	96.4	877	7,016,000
Mamaroneck Town outside villages	13,000	12,883	152.9	1,390	18,070,000
Total Federal personal income tax	40,400			1,085	43,854,000
Total New York State personal income taxes paid by local residents at 10 percent of Federal personal income taxes					4,385,000

ALL TAXES PAID BY LOCAL RESIDENTS (GRAND TOTAL)

Local	$17,987,000
State	4,385,000
Federal	43,854,000
Total	66,226,000

II. WHERE DOES THE LOCAL TAX DOLLAR GO?

$$\text{School tax share of local taxes } \frac{9,924,000}{66,226,000} = 15 \text{ percent}$$

Military share of local taxes:

54 percent of Federal personal income tax paid by local residents.[11]

54 percent times $43,854,000=$23,681,000.

$$\text{Military share of local taxes} = \frac{23,681,000}{66,226,000} = 39 \text{ percent}$$

$$\text{Vietnam share of local taxes}^{12} = \frac{8,770,000}{66,226,000} = 13 \text{ percent}$$

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[1] 1969, from village hall figures.

[2] 1969, from town hall figures. Includes collection of county and certain State taxes for Larchmont and Mamaroneck Villages except for the Rye Neck area of Mamaroneck Village

[3] 1969, from town hall figures. Includes county and locally collected State taxes.

[4] 1969, from School Board figures.

[5] 105 Zip Code Area includes all of Westchester except for White Plains, Yonkers, and New Rochelle.

[6] Extrapolated from special census conducted in 1965. Assumed arithmetic population increase between 1965 and 1970 equal to actual increase between 1960 and 1965. U.S. Census Bureau Series P-28, No. 1420, June 22, 1966.

[7] U.S. Censuses of Population and Housing, 1960, Census Tracts, New York, N.Y., pt. 2. Medians for places specified above computed from totals from component Census Tracts.

[8] Calculated from col. 2.

[9] Total Federal personal income tax paid for year 1966 in 105 ZIP code area—$343,000,000, from Internal Revenue Service, 1966 Statistics of Income, Supplemental, ZIP Code Area Data. Yields $607 per capita of 1970 population. Figure for 1970 assumed to be 50 percent larger, equal to Budget Bureau estimated increase in personal income tax collections between Fiscal 1967 and Fiscal 1971. Per capita tax for specified places computed by applying col. 3 to $910, on assumption that per capita Federal income tax is proportional to family income.

[10] Col. 1 times col. 4.

[11] Military share of National Government expenditures (1969). (Source: joint Treasury Department and Budget Bureau releases, July 28, 1969):

	Amount (millions)	Ratios (percent)
Total outlays	$184,769	
Less Social Security Act Trust Funds	−36,692	
Total	148,077	100
War related outlays:		
Defense Department	77,893	
Military assistance	783	
Estimated 50 percent AEC total	1,225	
Total (present)	79,901	54
Veterans' Administration	7,670	
Interest on public debt	16,613	
Total (past)	24,283	16
Grand total	104,184	70
All other outlays	43,893	30

[12] See above, Vietnam spending in 1969 equal 20 percent of total Federal budget.

Note: Special support of Vietnam operations is included in the foregoing figures, largely in Defense Department. The amount is $29,100,000,000.

THE CONQUEST OF DISEASE

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. PATTEN. Mr. Speaker, the conquest of heart disease, cancer, and stroke should be made a national goal.

Over 1 million Americans are expected to die of these three diseases this year and millions more who are now alive and in good health will eventually die because of cancer, heart disease, and stroke. The toll is not only shocking—it is a national disgrace. A nation as wealthy and as ingenious as America could conquer these three great killers, but lacks the necessary commitment and the right priority.

I am convinced that if America has the resources and scientific genius to reach the moon, it could also concentrate its efforts and funds on a goal even more important—prolonging and improving human life.

To enhance the conquering of the three diseases, I helped sponsor legislation in 1965 that expanded and intensified the battle against heart disease and stroke. Recently, I also was one of the sponsors of a bill that not only extended the program, but calls for improvement. It also supports comprehensive planning of public health services and development, and promotes research and demonstrations relating to health-care delivery.

According to the World Health Organization, American males have a life expectancy of 66.8 years at birth—26th in the United Nations' longevity table. Females have an expectancy of 73.7 years—with a world rank of 12th. One of the main reasons for this tragic disparity is the heavy toll of cancer, heart disease, and stroke. This can be rectified with a massive attack against the three diseases.

Mr. Speaker, America is the wealthiest nation in the world, but is it the wisest when we allow three diseases to kill 1.3 million of our people a year?

GREAT AMERICAN POLITICAL SPEECHES

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. ALEXANDER. Mr. Speaker, I recently received a letter from the vice president of a New York publishing company. On the assumption that similar letters have gone to many of my colleagues, I include the letter as well as my reply in the RECORD:

POPULAR LIBRARY, INC.,
New York, N.Y., April 6, 1970.

Hon. BILL ALEXANDER,
Longworth House Office Building,
Washington, D.C.

SIR: For the forthcoming political campaign, we plan to prepare and publish an important paperback book anthology entitled "Great American Political Speeches." The book will contain significant addresses (of approximately 10 Senators and/or Representatives) made either in Congress or in public. Brief biographical sketches will be included and photographs of participants will be printed on the cover.

"Great American Political Speeches" will be published in conventional paperback book format, with 160 pages and a three color cover. The cover price will be 95 cents and Popular Library will distribute the books nationally.

You may want to be included in this timely book, to use copies in your public relations and re-election activities. If so, your only commitment would be to purchase a minimum of 10,000 copies at a price of 36 cents each (a total of $3600). Half would be paid on agreement and the remainder on completion of the book. It will take approximately four months to complete the project.

Since time is short and participation must necessarily be limited, we would appreciate learning from you, as soon as possible, if you would like to be included in this volume.

May we hear from you soon?

Very truly yours,

IRVING SETTEL,
Vice President.

(P.S.—We are a major paperback publisher and have published many political biographies including books on Truman, Eisenhower, Kennedy, Nixon and others.)

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 13, 1970.

Mr. IRVING SETTEL,
Vice President, Popular Library, Inc.,
New York, N.Y.

DEAR MR. SETTEL: Your letter of April 6 letting me know of your plan to publish a book entitled Great American Political Speeches is hereby acknowledged. Let me say immediately at the outset that not only am I not interested in your proposal, but that your presumption that I might fall for this gimmick is an affront to my intelligence.

It had always been my impression that legitimate authors were paid for their published works. Under your topsy-turvy system, however, you are asking the members of Congress to pay you for the privilege of having a speech published in your book. The implication is clear that you have little regard for the integrity of the members of Congress.

Your proposal runs directly contrary to all of the moves approved in recent years by the Congress to protect against fraudulent representation to the consumers. The Congress has clearly established itself on the side of truth in dealings between manufacturers, producers, and the consumer. And yet, you would sell space in your book while trying to convince the consumer that the speeches were selected on the basis of merit rather than a commitment to purchase 10,000 copies of your book for $3,600, a price that is clearly going to leave you a considerable profit.

I resent the tone of your letter, and the people that I represent have no use for such tactics.

BILL ALEXANDER,
Congressman from Arkansas
(First District).

TRIBUTE TO SOUTH CAROLINA WIVES OF POW'S

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 15, 1970

Mr. THURMOND. Mr. President, a number of wives of prisoners of war are residing in Sumter, S.C. These courageous ladies are enduring great anxiety for their loved ones held prisoners by Hanoi. Their pain and worry are beyond measure because of Hanoi's inhumane treatment of their husbands.

Mr. President, these wives and their husbands must not be forgotten. Our Nation must find a solution to this tragic problem. World pressure must be maintained against Hanoi to comply with the Geneva Convention in the humane treatment of our men. President Nixon, Congress, the American people, and the press must be relentless in negotiating an exchange of prisoners of war.

Six of these dauntless wives in South Carolina have expressed their views of Hanoi's inhumane treatment of their men. They have formed a group to keep before the public those "forgotten men" of the war in Asia. In spite of the stress and the hardship these wives and the families are undergoing, they reflect the real spirit and determination of America.

Mr. President, I was very much impressed and deeply moved by their anguish and their wives on the POW problem. The State newspaper of Columbia, S.C., has published an excellent, full-page article about the feelings of six of these distressed ladies in the Sumter area. Their husbands' names are:

Maj. William H. Means.
Maj. Robert A. Stubberfield.
Maj. Marvin Lindsey.
Lt. Col. Bobby Ray Bagley.
Maj. Kenneth A. Stonebraker.
Lt. Col. Albert E. Runyan.

Mr. President, I have written letters to the wives of these six brave men and to others. I have assured them of my continued efforts. I call upon Senators to exert every possible effort in behalf of the Americans held prisoners.

I am confident Mrs. Runyan spoke for these wives and their husbands when she said:

> At first, we were deathly afraid of the press. We felt that it might harm our husbands if we were to speak out. Now we know that it is best that we do express our opinions. The North Vietnamese have demonstrated that they are aware of world opinion.

Mr. President, I ask unanimous consent that the article and my letters to the six wives be printed in the Extensions of Remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Columbia (S.C.) State, Oct. 19, 1969]

CAUSE FOR ANGUISH: THEIR MISSING MEN—MORATORIUM HELPED HANOI, NOT US, POW'S WIVES FEEL

"Our flags were flying high during the moratorium," said the wife of an Air Force pilot missing over North Vietnam, Mrs. Robert A. Stubberfield, whose husband, Maj. Stubberfield, was shot down over enemy territory in 1965, expressed the feelings of many women who wait for Hanoi to release word of their loved ones.

"I believe," she said, "that those who supported the moratorium are really hurting our country more than helping it."

Another wife, Mrs. Marvin Lindsey, whose husband was lost in the same way—and in the same year—as Maj. Stubberfield, expressed a similar reaction to the moratorium. "I believe that all the demonstrations are doing nothing but helping Hanoi," she said.

"Many of those people involved, because they don't like war in general, don't realize just how much they are hurting the morale of the men over there," she went on, then added thoughtfully, "and they simply couldn't understand how much it will hurt those men who are POWs or they wouldn't do it."

"I hate war too," she continued emphatically, "but I realize how this sort of protest can harm our position in Southeast Asia. If those who took part in the moratorium would just spend five minutes writing Hanoi and requesting humane treatment of POWs, it could really serve a good purpose."

These wives have also been following with interest the journey of other women to Paris in order to request information about the fate of their husbands. "I'd go in a minute," said Mrs. Lindsey, "if it would do any good, but we have had no reason to think that it would accomplish any purpose."

"In fact," she continued, "I heard just recently that the North Vietnamese have told these women Hanoi cannot help them. They even said that the wives should go back to the United States and protest the war if they want their husbands. I simply will not stand for that sort of thing. I will never take part in any demonstration against the U.S. government."

Eight of these wives, who hold similar views and live with their children in Sumter, have formed a group to keep before the public those "forgotten men" of the war in Asia.

"We're leading with our hearts—hearts that are broken," are the feelings of these women as articulated by Mrs. Albert E. Runyan, a member of the closely-knit group who still do not know if they are wives—or widows.

"We're not affiliated with any sort of political or military group," said Mrs. Runyan recently at an afternoon gathering of the wives. Mrs. Runyan's husband was lost in 1966. She discovered that he was a POW when she opened a national magazine and saw a picture of him being supported by a fellow prisoner.

"That's right," put in Mrs. Bobby Ray Bagley, whose husband, Lt. Col. Bagley was lost over enemy territory in 1967. No word has yet come of his fate. "We are just afraid," she went on, "that what happened in Korea will happen again. There were over 380 POWs who were simply never seen again after the fighting stopped."

These women have recently combined their efforts to keep before the American public the inhumane treatment of POWs as well as the refusal of the North Vietnamese to disclose the names of those who are still alive.

"At first," recalled Mrs. Runyan, "we were deathly afraid of the press. We felt

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that it might harm our husbands if we were to speak out. Now we know that it is best that we do express our opinions. The North Vietnamese have demonstrated that they are aware of world opinion.

"I think," she continued, "That as long as they think that American opinion is divided on the war, they will show little interest in honoring humane treatment of prisoners. We have to let them know that this treatment cannot be condoned by any individual anywhere—and it is this fact that we hope to get across."

In September, a small group of these women went to Washington and visited the House of Representatives session, during which a resolution was presented condemning the treatment of POWs. They also met with two of the three prisoners who had been, for reasons unknown even to themselves, released by the North Vietnamese on August 5.

"Lt. (Robert) Frishman (USN) told us that as long as the men could hear the bombs exploding around the camp, their morale was high," and Mrs. Bagley, "When the bombing stopped, their spirits sank.

"There is," she continued, "talk of a cease fire. The North Vietnamese were supposed to reciprocate when the bombing halted, but I can't see that it has done any good."

"We all had an idea," interjected Mrs. Stubberfield, "that they were being mistreated, but after talking with the released men, now we know for sure."

In spite of all their anguish of uncertainty, though, the women are firm in their support of the U.S. involvement in the war. Mrs. William H. Means put it this way—"We should be there, but we shouldn't keep going like we are. We can't just pull out, though. There are too many who have given too much for that to happen."

Maj. Means was lost over North Vietnam in the summer of 1966. His wife has since received word that he may be among the prisoners being held. "It was this June that I was informed," she recalled in an even voice. "I was told that a prisoner who was released thinks he saw him in one of the camps."

Although Mrs. Means had, before her husband's disappearance, considered the possibility that he might be killed, she had not, she continued, thought in terms of his being captured. "It just didn't occur to me that this might happen," she said. "Before he left, neither of us talked about it. Even now, my thoughts fluctuate. It's not so much whether or not he's alive—it's whether or not he will live to be released."

"When my husband was called for Vietnam," said Mrs. Bagley, "he said, 'Now I'll be doing my duty.' We talked about the situation and I still believe we ought to be there. It is heartbreaking, though, when we see no progress."

Mrs. Stubberfield holds similar views, too. "We have," she explained, "definite involvement. My husband believed it and I do, too. He always felt that we had to stop it there or it would spread. He wants," she added after a pause, "our children to grow up free."

Although the women have been able to speak out publicly for only a short while, they admit that long before then they were actively engaged in trying to obtain information privately. "Two years ago," recalled Mrs. Bagley, "I was in North Carolina. I picked up a paper and read that the former ambassador from South Viet Nam to Hanoi was to be speaking at Lake Junaluska.

"I called him immediately and reached one of his aides. I told him who I was and why I was calling. I was hoping that he might have time to talk with me," she went on. "I was told that he would receive the message and be in touch with me. Sure enough, I got a call. Mr. (Van Tran) Chaung invited me next morning."

Mr. Bagley drove to the lake and was warmly received by the former ambassador. "I asked him if there was any way for him to find out about my husband," she said. "He assured me that everything possible was being done and that for him to contact any of his former associates in the North would place their lives in danger. He was very kind to me and I'll always be grateful for his consideration."

In addition to addressing various clubs and groups, the women have also written a letter to each of the 50 governors of the U.S. asking for help in beginning a letter-writing campaign, it says in part:

"As a concerned American and Governor of your State, we urge you to make your people aware of this great need, through news conferences, newspaper articles, and television telecasts, urging them to write. We also encourage all churches and national clubs to make this a project.

"They should be urged to write letters asking, in the name of humanity, that:

"1. All injured prisoners be released as quickly as possible.

"2. The names of all prisoners be published.

"3. Prisoners be allowed to exchange mail with their families.

"4. Prisoners receive proper diet and medical care.

"5. Impartial inspections be made immediately of prisoner facilities.

"Letters should be brief and to the point. They should not be abusive. Airmail postage is 25 cents for a letter under one-half ounce. Address the envelope to: Office of the President, Democratic Republic of Vietnam, Hanoi, North Vietnam (via Hong Kong)."

In addition, these wives have begun distributing bumper stickers that carry the message "Bring Them Back! P.O.W.s and M.I.A.s" and the women hope they will serve as a reminder to Americans of the need for remembering both the prisoners and the men who are listed as missing in action.

For these women, it has been a matter of years, since they last saw their husbands. If and when they do return, they will be different men—older men who have endured a suffering that is almost beyond comprehension. "We have had to be both mother and father to our children," explained Mrs. Bagley, "and if our men return, we may still have to be the strong one in the family. Many of them will need special care and the recovery process will be a long one.

"It won't be," she added sadly, "like they've returned from a mission and we can go off for a little vacation. They will meet their children and these are much older children than the ones they left behind."

Mrs. Kenneth Stonebraker, who is a relatively recent member of the group, emphatically added, "We have to try to get these men back. Even if mine isn't among them, I want to help the others." Her husband, Maj. Stonebraker, was shot down in 1968.

"At first," she recalled, "I just didn't want to say anything to anybody. Now I see that what we're doing is the best way. I guess if it goes on much longer, I'll even want my own TV show to keep people from forgetting these men!"

Besides the wives, there are the children who have lived in the limbo of not knowing whether or not they still have a father. Some cannot remember him—they were too young when he left. There are the Runyans—Damon (16), Tricia (14), Coreen (10), and Scott (5); the Means—Tommy (8) and Ricky (13); the Stubberfields—Debbie (17), Linda (16) and Robert (5); the Lindseys—Cathy (17), Ricky (16) and Michael (15); the Stonebrakers—Cindy (5) and Jeff (2); and there is a 13-year-old Vickey Bagley.

"I think," said Mrs. Runyan, "that in many ways our children are possibly more patriotic than others. They realize every day what their fathers have sacrificed and how much they believed in what they were doing."

On the other hand, these children know the heartache of growing up without a father. "Several nights ago," said Mrs. Stubberfield, "my daughter asked me how she is going to be able to enjoy receiving her high school diploma if I am there alone in the audience. This should be a happy time for her—but it won't be unless he gets here."

"It's a hard thing for the children," put in Mrs. Runyan. "It hurts not to know. Not long ago I was driving Cindy (Lindsey) and my Scott to kindergarten. Scott was going on and on about his daddy and what he was going to do and things like that. I heard Cindy say, 'But we don't have a daddy.' Scott put his arm around her and said 'That's all right, Cindy, I'll be your daddy.' I cried all the rest of the way to the school."

These families, though, in the midst of all their daily heartaches, live with one constant ever-present fear; When the war comes to a stop, will they even then see their loved ones again? They are doing all they can to make sure that they will.

As Mrs. Bagley said, "We've got to convince the public that they are the only ones who can help. The army can't do it, the air force can't do it, the marines can't do it, the White House can't do it. Who's left, then? Just us—just the wives. We're the only ones who can."

NOVEMBER 4, 1969.

Mrs. ROBERT A. STUBBERFIELD,
Sumter, S.C.

DEAR MRS. STUBBERFIELD: Your statement and your picture in *The State* newspaper were very impressive. I just wanted you to know that I support the views you expressed. My heart goes out to you and the others who have waited so long.

You and your friends, whose husbands are prisoners of Hanoi, are displaying great courage and loyalty. You have my sincere admiration and respect.

Please be assured I will continue to exert every effort in behalf of your husband and others held prisoner. I am hopeful that U.S. and world opinion condemning North Vietnam for their inhumane treatment of our men will bring Hanoi to their senses.

For your information, I am attaching a copy of an extract from the Congressional Record containing my remarks and the article from the *Reader's Digest*. Also, enclosed is an extract of a recent speech I made in the Senate on the Vietnam war. If there is anything I can do for you or the others, please let me know.

With kindest regards and best wishes to you, Debbie, Linda and Robert,

Sincerely,

STROM THURMOND.

NOVEMBER 4, 1969.

Mrs. KENNETH A. STONEBRAKER,
Sumter, S.C.

DEAR MRS. STONEBRAKER: It is loyalty and fortitude, such as yours and the other wives waiting for the return of their husbands who are held prisoners that has made America strong in times of crisis. I was very much impressed by the expressions in the STATE newspaper made about the war by you and the other wives who are courageously waiting in the Sumter area.

Please be assured I will continue my efforts "to try to get these men back," as you said. Our nation must take every possible measure to do this and to insure humane treatment while they are held prisoner. I sincerely hope that your husband and the others are alive and well.

Enclosed is an extract of the Congressional Record which contains my remarks on the recent Reader's Digest article. Also, I am enclosing a copy of another speech I made in the Senate on the war.

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I hope that you, Cindy, and Jeff are doing fine. If there is anything I can do for you or the other families, please let me know.

With kindest regards and best wishes,

Sincerely,

STROM THURMOND.

NOVEMBER 4, 1969.

Mrs. BOBBY RAY BAGLEY,
Sumter, S.C.

DEAR MRS. BAGLEY: It was an inspiration to see your picture and read your views and the others in *The State newspaper*. You and the others, whose husbands are prisoners of war, deserve the maximum effort of our nation to secure the release of our men.

I was very much impressed by the page display about you and the other wives who are being so brave. As you probably know, I have spoken out many times on the floor of the Senate and in public addresses in behalf of our servicemen held prisoners by the Communists. Hanoi's inhumane treatment of our men must have the condemnation of the world. I will continue my efforts at every opportunity.

I am attaching a copy of an extract from the *Congressional Record* containing a recent speech I made in the Senate in behalf of the prisoners of war. I thought you might like to have it and my views on the *Reader's Digest* article. Also, enclosed is a copy of another recent speech I made in the Senate on the war. If there is anything I can do for you or the others, please let me know.

With kindest regards and best wishes to you and Vickey,

Sincerely,

STROM THURMOND.

NOVEMBER 4, 1969.

Mrs. ALBERT E. RUNYAN,
Sumter, S.C.

DEAR MRS. RUNYAN: I know you must be very poud of your son, Scott. It was a very touching story you related to *The State* newspaper about Scott telling Cindy Lindsey that he would be her daddy while her father was a prisoner of North Vietnam.

It was with considerable emotion that I read about you and the other wives who are bravely waiting for word of their husbands. You and your friends deserve the praise and admiration of a grateful nation. I wish all those who demonstrate for the moratorium could witness your courage and loyalty.

Enclosed is an extract from a recent *Congressional Record* which reflects my views. I thought the article in the *Reader's Digest* was a very fine one. Also, I am enclosing a copy of a recent speech I made in the Senate on the war. If there is anything I can do for you or the others, please let me know.

Please extend my best wishes to Damon, Tricia, Correen and Scott.

With kindest regards,

Sincerely,

STROM THURMOND.

NOVEMBER 4, 1969.

Mrs. WILLIAM H. MEANS,
Sumter, S.C.

DEAR MRS. MEANS: Your view, "We should be there," reflects my feelings, the President's and millions of freedom loving Americans. I salute you and the other wives who are not bitter in spite of the great suffering you and your husbands who are prisoners of war are experiencing.

The page article in the *State* newspapers which expressed the views of six of the wives waiting in the Sumter area for the return of their husbands was most impressive. I wish all those who demonstrate for the Moratorium could see the page from the *State*. The pictures and the thoughts expressed both reflect the real Americans. Our nation and our President are proud of you.

Enclosed is an extract from the CONGRESSIONAL RECORD which contains my remarks about the very fine *Reader's Digest* article and the prisoner of war problem. I am also enclosing a copy of another recent speech I made in the Senate about the war. If there is anything I can do for you or the others, please let me know.

I hope that you and Tommy and Ricky are doing nicely. I know it must be very difficult for you and the children.

With kindest regards,

Sincerely,

STROM THURMOND.

NOVEMBER 4, 1960.

Mrs. MARVIN LINDSEY,
Sumter, S.C.

DEAR MRS. LINDSEY: It was with sincere compassion that I read the *State* newspaper about the wives waiting in the Sumter area for their husbands who are prisoners of North Vietnam. You deserve our nation's praise and respect for your stamina and courage.

You and Mrs. Stubberfield have been waiting for a long time. I admire your spirit and your view of the Moratorium. It takes real American determination to face such realities under such anxiety.

Please be assured I will continue to exert every effort to secure humane treatment of our men and their release. I will continue to press for the five points made in the newspaper article as I have in the past many times in the Senate.

Enclosed is an extract of the *Congressional Record* which contains my remarks about the excellent *Reader's Digest* plan to bring worldwide pressure on the Communists. Also, I am attaching a copy of a recent speech I made in the Senate about the war. If I can do anything for you or the others, please let me know.

With best wishes to you, Cathy, Rickey and Michael,

Sincerely,

STROM THURMOND.

STUDENTS SUPPORTING POLLUTION FIGHT

HON. GLENN R. DAVIS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. DAVIS of Wisconsin. Mr. Speaker, previously, a great deal of man's history has centered about his struggle to conquer nature and hence make himself more comfortable. Now man is becoming concerned with repairing the damage done to nature by that very struggle.

Many byproducts of the conveniences making us more comfortable than our ancestors were, now threaten to turn back the clock. Pollution threatens the delicate balance of nature. We face an uncomfortable future, worse than the past, if our air and water are unclean, if our soil is worn out, if other animals and the plants are destroyed, and if the planet's beauty vanishes forever.

Pollution is everyone's business—everyone's from unborn babies to great-grandparents.

In the Ninth Wisconsin Congressional District, two young girls wrote a letter to President Nixon, expressing their awareness of the pollution problem. The sixth graders, Lynn Koch and Roberta Buck, are from room 17, Woodside School, 13780 Hope Street, Brookfield, Wis. A copy of their letter was forwarded to me by their teacher, Miss Mary Kling.

The check referred to in the letter of these two concerned young ladies was forwarded to the President.

The letter follows:

WOODSIDE SCHOOL,
Brookfield, Wis., March 18, 1970.

President RICHARD NIXON,
Washington, D.C.

DEAR PRESIDENT NIXON: We are two clean American kids who feel strongly about the pollution problem in the United States because it is we who will be growing up in this dirty, polluted world.

Because we feel so strongly, we started a program at our school. We put up posters all over the school, sent around the petitions that are enclosed, gave a lecture about pollution to each class, and collected $57.82.

We think that this goes to show that the younger generation cares about their country and tries to do their share. Please use this money to help get rid of air pollution.

Sincerely,

ROBERTA BUCK,
LYNN KOCH,
(*Sixth Grade Students*).

THE POSTAL PAY RAISE AND THE FEDERAL PAYROLL

HON. DAVID W. DENNIS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. DENNIS. Mr. Speaker, I am of the opinion that a 6-percent pay raise for postal employees is in order at this time and I accordingly voted for that increase when it came before the House on April 9, 1970. I regret that it apparently took an illegal strike, or a threat of strike, to produce this result, which cannot be regarded as a good precedent—but the result was just, and, because of various difficulties and disagreements, it was a just result which was overdue.

I am not of the opinion that, because a raise is due to postal workers, we must, or should, at this time extend a similar raise to other and, often, higher paid, Federal workers, including our own House employees, at a cost which has been estimated at some $2 billion annually.

Because of this feeling I regretted that the pay increase bill originally came in under a closed rule, which permitted no amendments; and now that my colleague from Indiana, Mr. JACOBS, has afforded us an opportunity to open up the bill to amendment by voting down the previous question on a resolution to agree to Senate amendments, the effect of which amendments is to make certain that all these other and nonpostal employees are included in the bill, I am glad to take that opportunity and to cast my vote accordingly.

Only in this manner could we have an opportunity to proceed to amend the bill—as it should be amended—to remove all pay increases except those for the postal workers; and in this manner we could, as we should, do justice both to the postal worker and to the harrassed American taxpayer, who so often seems to be the congressional forgotten man.

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BIBLIOGRAPHIES ON ECOLOGY, POLLUTION CONTROL, AND ENVIRONMENTAL DETERIORATION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. DINGELL. Mr. Speaker, the Bureau of Library Services of the Michigan State Department of Education has prepared a series of annotated bibliographies of information on the subjects of ecology, pollution control, and environmental deterioration.

The growing concern about the quality of our environment has stimulated a substantial number of requests to my office, and I am sure that the same is true of other Members, for information on the matters covered by the bibliographies noted above. In view of this, I include these excellent bibliographies at this point in the RECORD:

ENVIRONMENTAL QUALITY

VOLUME 1, MARCH 1970

No. 1

A select list of paperback books and government documents on environmental quality. Useful in supplementing school collections and starting small home libraries.

Battan, Louis J. *Unclean sky; a meteorologist looks at air pollution*. Garden City, N.Y.: Anchor Books, 1966. Examines relationships between air pollution and weather. Sources and sizes of pollutant particles, detection, collection and techniques for improvement are included.

Borgstrom, Georg. *The hungry planet*; the modern world at the edge of famine. New York: Macmillan, 1965. A major dilemma of modern man: the promise of too many people and the threat of too little food. Written with originality, imagination and a minimum of technical jargon.

Brown, Harrison S. *The next hundred years*. New York: Viking, 1957. Science and technology have the capability of averting tragedy in the years that lie ahead. Does man have the determination?

Carson, Rachel. *The sense of wonder*. New York: Harper & Row, 1965. A delightful book for the adult who wishes to introduce a child to the world of nature. Attractive color illustrations.

Carson, Rachel. *Silent spring*. Boston: Houghton Mifflin, 1962. A powerful indictment of the indiscriminate use of chemical insecticides. May do for pollutants what Sinclair's *The Jungle* did for the Pure Food and Drug Act.

Coker, Robert E. *Streams, lakes, ponds*. New York: Harper & Row, 1954. A survey of inland waters and the life they contain. Authoritative.

Commoner, Barry. *Science and survival*. New York: Viking, 1966. A distinguished biologist accuses science and technology of endangering the existence of all forms of life. Clearly written, modest in tone and well documented.

Curtis, Richard. *Perils of the peaceful atom:* the myth of safe nuclear power plants. New York: Doubleday, 1969. A new and largely uncharted environmental problem—thermal pollution.

Dasmann, Raymond F. *The destruction of California*. New York: Macmillan, 1965. How a beautiful region is being debauched by its own people. An indictment of commercial greed and public apathy.

DeBell, Garnett. *The environmental handbook*. New York: Ballantine Books, 1970. Focuses on major problems of our deteriorating environment. Prepared for the first national teach-in and written with the urgency born of realization time is running out.

Douglas, William O. *A wilderness bill of rights*. Boston: Little, Brown, 1965. An eloquent statement on the need for wilderness preservation. Outlines proposal for comprehensive program.

Dubos, Rene. *So human an animal*. New York: Scribner, 1970. Is man being dehumanized by his surroundings? One of the world's foremost biologists offers thought-provoking conclusions. Pulitzer Prize awarded 1969.

Economic Research Services. *Open space: its use and preservation*. Wash., D.C.: U.S. Government Printing Office, 1968. Results of a study on the management of open space in the United States.

Ehrlich, Paul R. *The population bomb*. New York: Ballantine Books, 1969. The magnitude and immediacy of the world population problem has been underestimated. A stimulus for discussion and social and political action.

Ewald, William, ed. *Environment and change: the next fifty years*. Bloomington: Indiana University Press, 1968. Commentaries by distinguished American, English and Continental authorities. Commissioned by American Institute of Planners.

Ewald, William, ed. *Environment and policy: the next fifty years*. Bloomington: Indiana University Press, 1968. Recent information on a wide variety of social planning and policy problems. Prepared by specialists in government, planning, conservation, medicine, transportation and education.

Goldman, Marshall I., ed. *Controlling pollution;* the economics for a cleaner America. Englewood Cliffs, N.J.: Prentice-Hall, 1967. A good summary written in a lively style. Especially interesting are the chapters on Pittsburg, Lake Erie and the Ohio River.

Gordon, Mitchell. *Sick cities*. New York: Macmillan, 1965. In 1980, over 90% of all Americans will live in urban areas. This phenomenally rapid growth has left in its wake critical problems which endanger the health, safety and human spirit of all urban dwellers.

Headley, Joseph C. *The pesticide problem*: an economic approach to public policy. Baltimore: John Hopkins Press, 1967. A clear, concise study of the economics involved in the use of pesticides.

Kormondy, Edward. *Concepts of ecology*. New York: Prentice-Hall, 1969.

Izaak Walton League of America. *Citizens guide to action for clean water*. Glenview, Ill.: Izaak Walton League of America. How citizens can assist in achieving the purpose of the Water Quality Act of 1965.

Laas, William. *The water in your life*. New York: Popular Library, 1967. The technological advances of our civilization are causing new water problems. The importance of water and our need for quality water are growing rapidly.

League of Women Voters of the United States. *The big water fight;* trials and triumphs. Brattleboro, Vermont: S. Greene Press, 1966. Summary of what has been achieved plus current programs. Offers guidelines for further citizen involvement.

Leinwand, Gerald, ed. *Air and water pollution*. New York: Washington Square Press, 1969. Many scientists have been concerned for years, but the general public has remained essentially apathetic.

Leopold, Aldo. *A sand county almanac*. New York: Oxford University Press, 1949. A rare addition to the library of anyone who appreciates wise and beautiful writing about nature.

Marquis, Ralph W., ed. *Environmental improvement*. Wash., D.C.: Graduate School, U.S. Dept. of Agriculture, 1966. Lectures by Senator Muskie, Rene Dubos, John Barker, John Middleton and other leaders in the field.

Marx, Wesley. *The frail ocean*. New York: Coward-McCann, 1967. The message is short and clear—man is rapidly destroying the ocean!

Mitchell, John C. *Ecotactics:* The Sierra Club handbook for environmental activists. New York: Pocket Books, 1970. Introduction by Ralph Nader.

National Academy of Science, Committee on Resources. *Resources and man*. San Francisco: National Research Council, W. H. Freeman, 1969.

A national policy for the environment. A special report to the Committee on Interior and Insular Affairs, U.S. Senate, July 11, 1968. (Request from Committee Chairman, U.S. Senate, Washington, D.C. 20510.)

National Tuberculosis and Respiratory Disease Association. *Air pollution primer*. New York: National Tuberculosis and Respiratory Disease Association, 1969.

Odum, Eugene. *Ecology*. New York: Holt, 1963.

Osborn, Fairfield. *Our plundered planet*. Boston: Little, Brown, 1948. The squandering of earth's natural wealth threatens a slow, sure ruin to the land and the men who live on it. A fascinating popular exposition on ecology.

Paddock, William. *Famine—1975!* America's decision: who will survive? Boston: Little, Brown, 1967. "Within a few years, the world will pass from the atomic age to the age of food. The time for planning is now. Recommended only for mature readers who are prepared to face the grim facts of the age of food." Journal of the American Medical Association.

President's Council on Recreation and Natural Beauty. *From sea to shining sea:* a report on the natural environment. Wash., D.C.: U.S. Gov't Printing Office, 1968. A broad view of our natural resources and what is being done to preserve them. Excellent illustrations. Extensive bibliography including names of organizations on state, regional, and national levels.

President's Science Advisory Committee, Environmental Pollution Panel. *Restoring the quality of our environment*. Wash., D.C.: U.S. Government Printing Office, 1965.

Reinow, Robert. *Moment in the sun:* the deteriorating quality of the American environment. New York: Dial Press and Ballantine, 1967. A moving, impassioned book about how Americans are slowly destroying the soil, water and atmosphere of our country.

Rudd, Robert L. *Pesticides and the living landscape*. Madison, Wisconsin: University of Wisconsin Press, 1964. Introduction to the benefits and hazards of pesticides. Authoritative and fair to all points of view.

Shepard, Paul, ed. *The subversive science;* essays toward an ecology of man. Boston: Houghton Mifflin, 1969. A broad perspective on man and his environment by noted scientist writers. Examines man's relationship to nature in the past and the present, plus thoughts on the future.

Shurcliff, William A. *S/S/T and sonic boom handbook*. New York: Ballantine Books, 1970. Sonic booms are sudden, loud and startling shockwaves disturbing to people and damaging to property. They are caused by a new generation of planes flying faster than sound.

Udall, Stewart L. *The quiet crisis*. New York: Holt, Rinehart and Winston, 1963. A splendid outline of the land and its people—balanced, vigorous and critical.

U.S. Department of Agriculture. *Soil, water and suburbia*. Wash., D.C.: U.S. Gov't Printing Office, 1967. Soil conservation and water resources management in urban area. One of the few recent publications in the field.

U.S. Department of Health, Education and Welfare. *The struggle for clean water*. Wash., D.C.: Public Health Service, No. 958, U.S. Gov't Printing Office, 1962. An introduction to water pollution as a problem in health, conservation and water resource management.

U.S. Department of the Interior. *It's your world . . . the grassroots conservation story.* Wash., D.C.: U.S. Gov't Printing Office, 1969. New national attitudes towards our environment are necessary for human survival.

U.S. Department of the Interior. *Surface mining and our environment.* Wash., D.C.: U.S. Gov't Printing Office, 1967. "The history of mankind is replete with civilizations which have tried to wrest from the land whatever was desired without regard to consequence."

United Nations Report. *Chemical and biological weapons and the effects of their possible use.* New York: Ballantine Books, 1970. A special foreword by Nobel Prize winner, Prof. George Wald, Department of Biology, Harvard University.

Warshofsky, Fred. *Poisons in the air.* New York: Pocket Books, 1966. Poisons that are making the cities of America unlivable for many people. Describes episodes when death lurked in the air and victims succumbed to pollution.

Whalen, Richard. *A city destroying itself.* New York: Thomas Crowell (Apollo ed.), 1965. How New York City is destroying itself by congestion, foul air and impure water. A call to action!

A RECENT ADDITION

A comprehensive set of recommendations for a quieter city.

New York City Task Force on Noise Control. *Toward a quieter city.* New York: N.Y. Board of Trade, 295 Fifth Ave., New York, N.Y. 10016, 1970. $1.75 per copy. ". . . there seems to be no escape for City residents and workers from daily acoustical assaults on the senses.

"The economic health of the City suffers as well. New York based businesses find that the noisy environment hampers work and inhibits employee recruitment. This contributes to their movement to the quiet of the suburbs.

"Firmly convinced that noise is not an intractable problem that it can be brought under adequate control, the Task Force set these objectives for its study:

1. To define the problem.
2. To identify the chief sources of noise in the City.
3. To investigate the various means and resources by which noise may be reduced.
4. To establish acoustical criteria, taking into consideration the needs and requirements of the City, for its present and future residents."

No. 2

Only within the past decade have scientists, legislators and the public come to recognize pollution as a serious hazard to health and a costly economic burden meriting national attention. It damages our property, affronts our senses and lessens our enjoyment of life. Because our rising standard of living results in a greater consumption per person of energy and goods, pollution increases faster than population.

Environmental improvement

Borgstrom, Georg. *The hungry planet; the modern world at the edge of famine.* New York: Macmillan, 1965. A provocative report on the coming world's food crisis. Man's major dilemma: the promise of too many people and the threat of too little food. Written with originality, imagination and a minimum of technical jargon.

Bregman, Jacob I. *The pollution paradox.* New York: Books, 1966. 191 p. A well-researched study of pollution and the dangers to our total environment. Suggests goals for government, industry and civic groups, and includes lists of state and local pollution control organizations which can be of assistance.

Brown, Harrison S. *The next hundred years.* New York: Viking, 1957. Science and technology have the capability of averting tragedy in the years that lie ahead. Does man have the determination?

Campbell, Thomas H., ed. *Water resources management and public policy.* Seattle: University of Washington Press, 1968. 253 p. Informative materials on technical, scientific and policy issues relevant to the management of water resources. Programs are discussed, including a report on Seattle's successful Metro pollution-abatement program.

Carr, Donald E. *The breath of life.* New York: Norton, 1965. 175 p. Only a revolution in the design of automobile engines, development of an electric car or a mass transportation system can save our cities. Appraises and summarizes.

Carson, Rachel. *The sense of wonder.* New York: Harper & Row, 1965. A delightful book for adults who wish to introdce a child to the world of nature.

Cooper, Erwin. *Aqueduct empire; a guide to water in California, its turbulent history and its management today.* Glendale, Calif.: A. H. Clark Co., 1968. 439 p. A comprehensive survey of water use in the Golden State. Examines projects of the past and the present, current problems and future demands.

Cunningham, Floyd F. *1001 questions answered about water resources.* New York: Dodd, Mead, 1967. 258 p. Basic information on water and water supply for the general reader. Origin, nature and properties. Control, commercial uses and local and regional problems.

Curtis, Richard. *Perils of the peaceful atom: the myth of safe nuclear power plants.* New York: Doubleday, 1969. "Far and away the most comprehensive and sensible statement ever made about the hazards and limitations of atomic power. This book will have to be answered soberly and persuasively." David Lilienthal, Former Chairman, Atomic Energy Commission.

Dasmann, Raymond F. *The destruction of California.* New York: Macmillan, 1965. 247 p. How a beautiful region is being debauched by its own people. An indictment of commercial greed and public apathy.

Ehrlich, Paul R. *The population bomb.* New York: Ballantine Books, 1969. 191 p. The magnitude and immediacy of the world population problem has been underestimated. A stimulus for discussion and social and political action.

Graham, Frank, Jr. *Disaster by default: politics and water pollution.* Philadelphia: Lippincott, 1966. 256 p. Public apathy, private cynicism and ineffective legislation have allowed the problem to develop, accelerate and reach present proportions.

Headley, Joseph C., and J. N. Lewis. *The pesticide problem: an economic approach to public policy.* Baltimore: Johns Hopkins Press, 1967. 141 p. A clear and concise study of the economics involved in the use of pesticides.

Helfman, Elizabeth S. *Rivers and watersheds in America's future.* New York: D. McKay Co., 1965. 244 p. Survey of the use and abuse of our rivers. Focuses on current problems and the effects of development.

Herber, Lewis. *Crisis in our cities.* Englewood Cliffs, N.J.: Prentice-Hall, 1965. 239 p. Significant and well-documented study of hazards to health in modern urban America. Focuses primarily on air and water pollution, and physical and emotional stress.

League of Women Voters of the United States. *The big water fight; trials and triumphs.* Battleboro, Vermont: S. Greene Press, 1966. 246 p. Gives a detailed summary of what has been achieved plus current programs. Offers guidelines for further citizen involvement.

Leopold, Aldo. *A sand county almanac.* New York: Oxford University Press, 1966 edition. A rare addition to the library of anyone who appreciates wise and beautiful writing about nature.

Marine, Gene. *America the raped.* New York: Simon & Schuster, 1969. An angry book reflecting a single-minded determination to dam, drain, dredge and remodel nature in the image of the slide rule. A muckracking tour through the deteriorating landscape of modern America.

Marx, Wesley. *The frail ocean.* New York: Coward-McCann, 1967. 248 p. The message is short and clear—man is rapidly destroying the ocean!

Moss, Frank E. *The water crisis.* New York: Praeger, 1967. 305 p. The "politics of water". A behind-the-scene view from the Junior Senator from Utah. Calls for realistic planning at all levels of government and a national water policy.

Scorer, Richard S. *Air pollution.* Oxford, N.Y.: Pergamon Press, 1968. 151 p. An informative study by a British scientist on the transport and diffusion of pollution in the atmosphere.

Still, Henry. *The dirty animal.* New York: Hawthorn Books, 1967. 298 p. Vivid description of land, water and air pollution with special emphasis on problems caused by the automobile.

Udall, Stewart L. *The quiet crisis.* New York: Holt, Rinehart and Winston, 1963. 209 p. A splendid outline of the land and its people—balanced, vigorous, succinct. Recalls the men and groups who fought for preservation of our natural resources as well as the attitudes and profit-making policies which led to the present crisis.

Wolozin, Harold, ed. *The economics of air pollution.* New York: W. W. Norton, 1966. 318 p. Contributions by authorities in the fields of health and economics. Considers costs, pollution control, and related factors in the misuse of air.

Environmental pollution

American Public Works Association. Institute for Solid Wastes. *Municipal refuse disposal.* 2d ed. Chicago: Public Administration Service, 1966. 528 p. Useful information for local, state and federal officials involved in refuse disposal. Analyzes current procedures with pertinent geographic and seasonal information.

Bronson, William. *How to kill a golden state.* Garden City, N.Y.: Doubleday, 1968. 224 p. How men carelessly, thoughtlessly or ruthlessly are destroying the air, the water, the land and the forests of the once golden state of California. Over 300 photographs. Easily read and understood.

Callison, Charles H., ed. *America's natural resources.* Rev. printing. New York: Ronald Press Co., 1967. 220 p. Background information essential to an understanding of today's conservation problems. Chapters on major natural resources—soils, water, grasslands, forests, wildlife, fish, parks and wilderness.

Carr, Donald E. *Death of the sweet waters.* New York: Norton, 1966. 257 p. An accurate and reasonable survey of the water situation. Includes information on modern water uses and engineering, legal aspects, water famine, floods, irrigation and agriculture.

Carson, Rachel. *Silent spring.* Boston: Houghton Mifflin, 1962. An indictment of the indiscriminate use of insecticides. May do for pollutants what Sinclair's *The Jungle* did for the Pure Food and Drug Act.

Carvajal, Joan. *Conservation education—a selected bibliography.* Danvill, Illinois: Interstate Printers, 1968. 100 p. Excellent bibliography; classified, annotated, indexed.

Clepper, Henry E., ed. *Origins of American Conservation.* New York: Ronald Press, 1966. 193 p. Account of the historical foundations and development of programs within the conservation movement. Contributions by authorities in major field.

Commoner, Barry. *Science and survival.* New York: Viking, 1966. A distinguished biologist accuses science and technology of endangering all forms of life. Perceptive, clearly written and well documented.

Douglas, William O. *A wilderness bill of rights.* Boston: Little, Brown, 1965. 192 p. Eloquent statement on the need for wilderness preservation. Outlines proposals for a comprehensive program.

Dubos, Rene. *So human an animal.* New York: Scribner, 1969. Is man being dehumanized by his surroundings? One of the world's foremost biologists offers thought-provoking conclusions. Pulitzer Prize—1969.

Ewald, William R., ed. *Environment and policy; the next fifty years.* Bloomington: Indiana University Press, 1968. 459 p. Recent information on a wide variety of social planning and policy problems. Prepared by specialists in government, planning, conservation, medicine, transportation, and education.

———. *Environment for man; the next fifty years.* Bloomington: Indiana University Press, 1967. 308 p. City planning makes possible an optimum environment for urban society. A panoramic view by recognized authorities in the field.

Farb, Peter. *Ecology.* New York: Time Inc., 1963. Man versus nature. Is nature losing? Sets a high standard in popular science writing. Well chosen illustrations.

Gordon, Mitchell. *Sick cities.* New York: Macmillan, 1965. Over 90% of all Americans will live in urban areas in 1980. The quality of life in our overcrowed and underfinanced cities is reaching crisis proportions.

Graham, Frank, Jr. *Since silent spring.* Boston: Houghton Mifflin, 1970. The disastrous effects of the careless use of pesticides, now widely recognized. This newer work examines the controversy that followed Miss Carson's book and how attitudes have altered since its publication.

Highsmith, Richard M. *Conservation in the United States.* 2d. ed. Chicago: Rand McNally, 1969. The character and extent of the nation's resources in the past and the present, plus a survey of modern conservation practices.

XUM

Landsberg, Hans H. *Natural resources for U.S. growth; a look ahead to the year 2000.* Baltimore: Johns Hopkins Press, 1964. 260 p. The adequacy of natural resources in the U.S. during the remainder of the century.

Marine Biological Association of the United Kingdom. Laboratory, Plymouth. *"Torrey Canyon" pollution and marine life.* London: Cambridge University Press, 1968. 196 p. For ten days, in March, 1967, the Torrey Canyon leaked 117,000 tons of oil into the sea. Pollution on this scale was unprecedented. Of interest to all who value the preservation of seashores and coastal waters.

Murphy, Earl F. *Governing nature.* Chicago: Quadrangle Books, 1967. A thoughtful and factual book dealing primarily with the renewable resources of air, water and land and the responsibilities we face in the restoration of natural conditions.

Natural resources: quality and quantity. Edited by S. V. Ciriacy-Wantrup. Berkeley: University of California Press, 1967. 217 p. Examines seven specific resource issues as well as current concepts in research, administration and conservation philosophy.

Novick, Sheldon. *The careless atom.* New York: Houghton, 1969. Lucid explanation of atomic energy and the threat of uncontrolled radioactive pollution. Written for the layman.

Osborn, Fairfield. *Our plundered planet.* Boston: Little, Brown, 1948. The squandering of the natural wealth of earth threatens slow, sure ruin of the land and the men who live on it. A skillful exposition of ecology.

Paddock, William. *Famine—1975!* America's decision: who will survive? Boston: Little, Brown, 1967. "Within a few years, the world will pass from the atomic age to the age of food. The time for planning is now. Recommended only for the mature readers who are prepared to face the grim facts of the age of food." Journal of the American Medical Association.

Resources for the Future, Inc. *Resources in America's future; patterns of requirements and availabilities, 1960–2000.* Baltimore: Johns Hopkins Press, 1963. 1017 p. Predictions are based upon careful examination of the demand for key materials, adequacy of the resource base, and requirements for the future. Comprehensive.

Roueche, Berton. *What's left; reports on a diminishing America.* Boston: Little, Brown, 1969. 210 p. Engaging prose descriptions of the author's visits to eight unspoiled areas of the United States. Skillfully imparts something of the hard reality of what we are losing.

Shepard, Paul, ed. *The subversive science, essays toward an ecology of man.* Boston: Houghton, Mifflin, 1969. 453, p. A broad perspective on man and his environment by noted scientist writers. Examines man's relationship to nature in the past and the present, plus thoughts on the future.

Smith, Frank E. *The politics of conservation.* New York: Pantheon Books, 1966. 338 p. A history of United States resource development and decision-making in conservation. Valuable background material on the national park system.

Smith, Guy H., ed. *Conservation of natural resources.* 3d ed. New York: J. Wiley, 1965. 533 p. An instructive appraisal of land and water resources, their uses and preservation. Contributions by 19 authors provide a balanced presentation.

Stewart, George R. *Not so rich as you think.* Boston: Houghton Mifflin, 1968. The hidden price we pay for our affluent society. Illustrations by Robert Osborn.

Taylor, Gordon R. *Biological time bomb.* Cleveland: World, 1968. "An important book. I know of no other like it." Nobel Prize winner Albert Szent Gyorgo, M.D.

U.S. Department of Health, Education, and Welfare (Public Health Service). *Free films on air pollution.* Washington: Government Printing Office, 1969.

U.S. Federal Council for Science and Technology. *Noise—sound without value.* Washington: Government Printing Office, 1968. Noise—intrudes on privacy, shatters serenity and can inflict pain.

Vosburgh, John R. *Living with your land; a guide to conservation for the city's fringe.* Bloomfield Hills, Michigan: Cranbrook Institute of Science, 1968. 149 p. Of special interest to suburbanites. A variety of practical information on soil, water and plant life for those who enjoy and wish to preserve the natural values of their land.

Wise, William. *Killer smoq; the world's worst air pollution disaster.* Chicago: Rand McNallv, 1968. London's deadly smog (December 1952), a day-by-day journalistic account. Forecasts potential tragedy in American cities.

Forthcoming Books to be Published During the Spring of 1970:

Bernarde, Melvin A. *Our precarious habitat.* Norton. $6.95. (March)

Dorst, Jean. *Before nature dies.* Houghton Mifflin. $8.95. (June)

Jaffee, Joyce. *Conservation: maintaining the natural balance.* Doubleday. $6.95. (April)

Linton, Ron. *Terracide—America's destruction of her living environment.* Little, Brown. $7.95. (April)

Michelson, Max. *The environmental revolution.* McGraw-Hill. $10.00. (May)

Moynihan, Daniel, ed. *Towards a national urban policy.* New York: Basic.

Nader Summer Study Group Report. *Dry water.* Viking. $5.95.

Reid, Keith. *Nature's network.* Doubleday. $6.95. (April)

Reveille, Roger, ed. *America's changing environment.* Houghton Mifflin. $6.95. (April)

Roosevelt, Nicholas. *Conservation: now or never.* Dodd, Mead. $5.95. (March)

Zurhorst, Charles. *The conservation fraud.* Cowles. $4.95. (March)

New York Times. *Crisis of the environment.* Five filmstrips with records, text, manuals. New York Times, N.Y., 10036. $97.50. (April)

MICHIGAN

No. 3

Selected periodical articles and federal and State documents on the general subject of environmental quality in Michigan.

"Air pollution—a Michigan problem?" Bernard B. Bloomfield, Chief, Air Pollution Control Section, Michigan Department of Public Health, 8 p. *Free* from Michigan Department of Health, 3500 North Logan St., Lansing, Michigan 48900.

"Anti-pollution forces sharpen their attack." *Michigan Business.* Vol. 1, Nov. 9, 1968, p. 10.

Batts, H. Lewis, Jr. "Food for thought. How much environment pollution can human beings tolerate?" *Michigan Riparian.* Vol. 4, Winter 1968, p. 6–7.

Castro, Manuel. "Air pollution . . . a growing problem." *Michigan Health.* Vol. 55, Fall 1967, p. 2–7.

Chiappetta, J. "Great Lakes, great mess." *Audubon.* Vol. 70, May 1968, p. 30–45.

Chicago Tribune. *Save our lake; a Chicago Tribune campaign to end pollution of Lake Michigan.* Chicago, 1968, 44 p.

"Coho die-off research shows the deadly DDT." *North Woods Call.* Vol. 15, March 13, 1968, p. 1, 8.

"Commission takes stand against hard pesticides." *Michigan State Employees Association News.* Vol. 17, Dec. 1, 1967, p. 3.

Copeland, William R. "Joint legislative committee to study water resources problems." *Michigan Municipal Review.* Vol. 39, June 1966, p. 148–149.

Courter, Paul. "Who puts DDT in our streams?" *Michigan Farmer.* Vol. 249, March 6, 1968, p. 20–21.

"DDT banned for mosquito control." *Michigan Out-of-Doors.* Vol. 19, May 1968, p. 3, 7.

"DDT killing fish." *Michigan Out-of-Doors.* Vol. 19, April 1968, p. 3.

Douglas, William O. "Their glory is in danger." *Holiday.* Vol. 43, May 1968, p. 65.

"Dying Lake Michigan." *Newsweek.* Vol. 20, Nov. 13, 1967, p. 110A.

Eddy, Gerald E. "Clean water on the way." *Michigan Conservation.* Vol. 35, May-June 1966, p. 2–7.

———. "Water and our future." *Michigan Conservation.* Vol. 35, Nov.-Dec. 1966, p. 22–25.

"Food chain carries death, destruction through natural resources." *North Woods Call.* Vol. 15, April 10, 1968, p. 6.

"Four states approve pesticide compact." *Michigan Conservation.* Vol. 37, July-Aug. 1968, p. 8–9.

Great Lakes Basin Commission. *Annual report, fiscal year ending June 30, 1969.* n.p., 1969, 29 p.

Great Lakes Basin Commission *and* National Council on Marine Resources and Engineering Development. Committee on Multiple Use of the Costal Zone. *Great Lakes Institutoins;* a survey of institutions concerned with the water and related resources in the Great Lakes Basin. n.p., 1969, 58 p.

Hargitt, Mark J. "Clean water for Michigan." *Michigan Municipal Review.* Vol. 44, April 1968, p. 84–85.

"How to murder (or rescue) a lake." *Audubon.* Vol. 70, May-June 1968, p. 6.

"How to store or destroy unused hard pesticides." *Michigan Conservation.* Vol. 37, May-June 1968, p. 10.

Humphreys, C. R., ed. *Grand Traverse Bay; East Bay vs. West Bay water quality.* (Papers prepared by students in Resource Development 420 and 824, Michigan State University, 1968–1969) East Lansing: Michigan State University, 1969, 117 p.

———. *Michigan pesticides-1969.* (Reproductions of miscellaneous newspaper clippings) East Lansing: Michigan State University, 1969, 26 p.

———. *Michigan's water problems.* (Papers prepared by students in Resource Development 824, Michigan State University, spring term 1967) East Lansing: Michigan State University, 1967, 268, 83 p.

———. *Parameters of water quality.* (Papers prepared by students in Resource Development 824, Michigan State University, spring term 1965) East Lansing: Michigan State University, 1967, 474 p.

"I J C holds meetings on pollution of Great Lakes connecting channels." (Press release #44, Feb. 25, 1969) includes text of report. *Dept. of State Bulletin.* Vol. 60, March 17, 1969, p. 234–235.

"Important pesticide fight grows." *North Woods Call.* Vol. 15, April 10, 1968, p. 5.

"Lake Erie: test case in water pollution battle." *U.S. News.* Vol. 61, July 4, 1966, p. 12.

Lake Erie Clean-Up Committee. *Papers on water pollution of Lake Erie and Detroit River.* (Mimeographed, xeroxed and typescript pages, at Michigan State Library) 1962.

League of Women Voters, *Lake Erie—requiem or reprieve?* A study of Lake Erie problems by League of Women Voters, Lake Erie Basin Committee. n.p., 1966, 50 p., bibliography p. 48.

Little, Gene, "The pollution revolution." *Michigan Challenge.* Vol. 7, Jan. 1967, p. 13, 244.

"MSU rules out DDT." *Michigan Out-of-Doors.* Vol. 19, April 1968, p. 12.

MacMullan, Ralph A. "The case against hard pesticides." *Michigan Conservation.* Vol. 37, Jan.-Feb. 1968, p. 2–8.

———. "Clean water and quality recreation." *Michigan Conservation.* Vol. 37, Sept.-Oct. 1968, p. 2–7.

———. "Common enemy—united front." *Michigan Conservation.* Vol. 37, May-June 1968, p. 2–5.

———. "Here's how to kill pests without harming wildlife." *Michigan Out-of-Doors.* Vol. 19, July 1968, p. 17.

"MacMullan warns of pesticide dangers." *North Woods Call.* Vol. 15, Feb. 14, 1968, p. 5.

Matlick, Dayton. "What's behind a label." part one. *Michigan Farmer.* Vol. 249, May 18, 1968, p. 4–6. part two. *Michigan Farmer.* Vol. 250, July 6, 1968, p. 8–10, 29.

Michigan. Advisory Council for Environmental Quality. *Annual report (to the Governor) on findings and recommendations.* 1969, Lansing: the Council, 1969. v.p.

Michigan. Department of Conservation. *Clean water—1968.* (Six pamphlets in folder) Lansing: the Department, 1968. v.p.

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MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,400 American prisoners of war and their families.

How long?

SELECTIONS FROM THE "ENVIRONMENTAL HANDBOOK"—VI

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. BROWN of California. Mr. Speaker, over the past weeks I have been inserting in the RECORD selected articles from the valuable "Environmental Handbook"—a Ballantine Books publication edited by Garrett De Bell.

Today, I shall conclude these insertions with some recommendations on possible avenues of action that can be taken to attain environmental quality. In addition, I am including the bibliography Mr. De Bell accumulated in preparing this book.

A week from today is "Earth Day." While the "Handbook" was specifically designed as a brief introduction to issues which will be rising on April 22, I think the book goes much farther and it gave me much insight into problems and action.

The articles follow:

ON HOW TO BE A CONSTRUCTIVE NUISANCE

(By Harrison Wellford, with assistance from James Turner and John Esposito)

Governments have been experimenting with solutions to environmental pollution for a long time. In the city of London in the fourteenth century men were put to death for violating a royal ordinance against the burning of coal in furnaces. In medieval Europe, in the American West of the nineteenth century, and in parts of India today, it has been a capital crime to foul local streams. In this country, it is safe to say that public sanctions against polluters are now somewhat less severe. In 1969 a Union Oil blowout covered the Santa Barbara Channel with three million gallons of oil and threatened an ecological disaster for the area. The blowout began in January; by June limited drilling in the channel resumed under authority of Walter J. Hickel, Secretary of Interior.

In July of 1969 this announcement was frequently heard on radio and TV in California: "The children of Los Angeles are not allowed to run, skip, or jump inside or outside on smog alert days by order of the Los Angeles Board of Education and the County Medical Association." These children were forced to observe this unique "rainy day" because photochemical smog, 85 percent of which is caused by automobile exhausts, had reached a critical level in the area.

Throughout 1969, the Department of Justice in Washington held a secret hearing to discuss with industry lawyers its charge that automobile manufacturers had conspired to stifle the introduction of smog-control devices on automobiles. On September 11, the department announced that it had entered into a consent decree, allowing the companies to escape federal sanctions by promising that they would not conspire any more. We have it on the best authority that no executions are expected in either case. Surely there are not many areas where governmental response to a technological peril reached its acme in the fourteenth century.

The failure of government and the intransigence of industry has made protection of the environment a cause where public concern about an impending crisis is matched only by public despair about what an individual can do to stop it. This feeling of helplessness carries with it the threat that, like the commuter on his daily freeway crawl, we will become indifferent through acclimatization, with pure water and clean air passing from the collective memory like a dream. Because Ralph Nader has a reputation as a man who gets things done in Washington, many people expect that he has some secret formula which can put an end to governmental paralysis and public helplessness in the environmental field. Nader has played a leading role in bringing new legislation for the protection of citizens from unsafe automobiles, exploding pipelines, impure meat and poultry, and gaseous coal mines, but there is nothing mystical or magic about his success. His pursuit of the public interest is a game everyone can play.

We shall summarize the chief characteristics of Nader's approach and then suggest some ways in which they can be applied to environmental problems.

WINNING CREDIBILITY THROUGH ACCURACY

First if you speak out for reform, you must remain free of special interests with axes to grind. Offers of support must be scrutinized to be sure there are no hidden ties. There must be no holds barred on the search for information or the use of it, even if personal financial sacrifice is required.

Second, you must do the tedious and unglamorous research which ensures that your reports are marked with the highest accuracy in the smallest details. Especially in technical areas, where established experts are quick to impute emotionalism to unestablished critics, all charges must be supported by a mountain of sifted evidence.

Third, you must amass the technical skills appropriate to the issue. Whether the problem is pesticides, auto safety, rural poverty, or air pollution, the vital issues are complex and technical. They demand the interdisciplinary expertise of doctors, lawyers, economists, scientists, engineers, and other people with special skills. Working together on task forces, such groups escape the narrow channels of graduate training and make sure that all sides of a problem are covered. The reign of the expert on environmental issues is one of the major defenses of polluters. The interdisciplinary task force concept gives credibility to research and allows the group to talk back to the expert in his own language.

IDENTIFYING THE EQUITIES

There are basic human rights at stake in environmental issues as well as social wrongs. The silent violence of pollution is an offense to moral values. Specifying the equities, the right and wrong of an issue, provides a yardstick for assessing blame and enforcing accountability of public and private officials.

Fuzzy judgments about the shared responsibility of government officials, the polluters and private citizens are simply inaccurate and encourage compromises which stultify reform. There is no natural law which gives companies the right to pollute. They assumed it and they should now bear the major burden of cleaning up after themselves. Moreover, insistence on the human rights at stake in the war on pollution helps bureaucrats get off the fence. The typical administrator sees himself as a man in the middle, an arbitrator between two competing interests. There is little incentive for him to seek out an abstract public interest on his own.

EMPIRICAL RESEARCH TO ISOLATE THE PRESSURE POINTS

The vital point of leverage in a policy arena is rarely apparent at first glance. It might be a government official or an en-

XUM

tire agency; it might be a "recognized expert"; it might be a corporation president. Finding the point or points against which to apply pressure requires hard empirical research. Without this kind of effort, internal agency or corporate decisions which determine policy for millions will remain unrecorded history. Never has there been a greater gap between library research using printed documents and empirical research inside a decision-making body. The facts of vital decisions rest in the memories of participants, in interoffice memos which are never made public, in meetings at which no transcript is taken, and in telephone calls which go unrecorded. If one is investigating a public agency, it is essential to insist that one interview personnel all the way down the hierarchial chain. Exposure to the fresh air of citizenship has been known to make some bureaucrats hysterical, but it is the only way to break through the public relations curtain so carefully drawn by the top administrators.

We are convinced that the vital points of leverage in a policy area cannot be discovered at distance sitting in a library. For example, which public official has the greatest day-to-day impact on pesticide policy? Do we look for him in the Science Advisory Council in the White House? In the pesticide branch of the Food and Drug Administration? In the Pesticide Regulation Division of the Department of Agriculture? In the Fish and Wildlife Service of the Department of Interior? Or in some obscure congressional subcommittee? Even examining agency regulations setting jurisdictions is little help. There is an interdepartmental agreement which on its face gives the Food and Drug Administration, the Public Health Service, the Pesticide Regulation Division, and the Fish and Wildlife Service a shared role in seeing that pesticides are safe for people and their environment as well as effective in use. Only empirical observations of the agencies at work would reveal that Dr. Harry Hays, director of the Pesticide Regulation Division of USDA, routinely registers proposed pesticides over the objections of the Public Health Service and Fish and Wildlife Service. He has regarded the interdepartmental agreement as a dead letter. Still further research would reveal that none of the manifold agencies involved with pesticides feels directly responsible for testing proposed pesticides for long range effects, in order to prevent the introduction of new ecological time-bombs such as DDT and 245-T. For pesticides, PRD is the point of leverage on which environmental activists should focus. As a general principle, it is futile to rail against unpleasant outcomes if one will not take the effort to master the details of the policy process which yielded the outcome. You will always end up hitting the wrong target.

THE PROPER NAME APPROACH

A study of pollution which does not name the polluters and the public officials in their sway is destined for the archives before it has been read. While weakness in institutional structure may ultimately be the culprit, the temperament and values of individual personalities in the institutional slots have immediate impact on policy. Failure to hold individuals accountable allows them to substitute corporate irresponsibility for individual consciences. For example, Dr. Hays of the Pesticide Regulation Division of USDA must be made to realize that he will lose his comfortable obscurity if he continues to neglect evidence of environmental hazards in registering new pesticides. For the purpose of getting information from recalcitrant officials, the prospect of seeing their name in print and their actions exposed is more threatening than any law. How many environmental activists know the names of the chief polluters in their community: who is the head of the local plastics factory or public utility? On the national level, how many know the names of the men who run General Motors, U.S. Steel, or Union Oil? If pollution control is to come in time, the names of these men will have to become words not to be heard on the lips of children.

GETTING THE FACTS

On environmental problems, where there are so many *ex cathedra* claims to inside knowledge by putative experts, good information is absolutely essential. Environmental activists need reliable facts not only to inform themselves about where the problems are, but also to free public officials from specious information which convinces them that the problems do not exist. In challenging American intervention in the Vietnamese War, student critics were rebuked by their elders with the assertion that the American government must have secret information which justified its action. In the new war against environmental pollution, students now criticizing the nonintervention of government are hushed by new claims of inside information, this time coming from scientists on industry payrolls, government officials with Ph.D.'s, and cost accountants adept at demonstrating (with appropriate graphs and charts) that pollution is an acceptable cost. The insiders were wrong on Vietnam and they should not go unchallenged on environmental issues. Charles Frankel, in a recent memoir on his service in the State Department, tells it like it is. "I used to imagine," he states, "when the government took actions I found inexplicable, that it had information I didn't have. But after I had served in the government for some months, I found that the issue was more complex: often the government does know something that people on the outside don't, but it's something that isn't so."

Pollution is a crime compounded of ignorance and avarice. Ignorance exists at the very top where men in high places daily make decisions about weapons, pesticides, and pollution tolerances with only a vague idea, if any, of their ecological implications. In his memoirs, the English Prime Minister Clement Attlee admitted that he concurred in President Truman's decision to drop the bomb without knowing anything about fallout or the genetic effects of an atomic explosion, even though the genetic effects of radiation were well known in the scientific community (and H. J. Muller had won a Nobel Prize for demonstrating war as far back as 1927). To paraphrase Clemenceau, war on pollution is too serious a matter to be left to the experts, whether they are prime ministers, presidents, or the head of PRD.

Environmental activists must get information, not only to arm themselves, but to disarm the experts. Like every act in the environmental field, however, this is easier said than done. After a summer spent investigating federal agencies we concluded that the "relationship between free access to information and responsible government is very direct. All of the agencies we have studied enjoy large discretionary power over the programs they administer. Under the agency's legal structure, they can go one way or another; they can delay action, decide what portions of the law to enforce or not to enforce, and even adamantly refuse to carry out programs mandated by Congress. These agencies are more agencies of discretion than of law . . ." (Quoted from ***The People's Right to Know: A Status Report on the Responsiveness of Some Federal Agencies to the People's Right to Know about Their Government,*** by Ralph Nader, Gary Sellers, Reuben Robertson, John Esposito, Harrison Wellford, James Turner, and Robert Fellmeth, published in the ***Congressional Record,*** September 3, 1969.) When the public doesn't have free and rapid access to information, the individual official exercising discretion often becomes progressively more attached to special interests. The reason is not far to seek. As Dean Landis pointed out in his ***Report on the Regulatory Agencies to the President-elect in 1960,*** "it is the daily machine-gun like impact on both agency and its staff of industry representation that makes for industry orientation on the part of many honest and capable members as well as staffs." If local and federal agencies are not to become simply service stations for pollution lobbyists, there must be countervailing pressure from environmental activists. The latent reformers in the agency must be given bargaining power with which to resist.

Unfortunately very little is yet known about the openness of pollution control agencies to public inquiry. At the federal level, citizens can invoke the Freedom of Information Act; but it has been our experience that this law, designed to provide citizens with tools for disclosure, has been regressively forged into a shield against access. Even after daily approaches with carefully reasoned requests, the Pesticide Regulation Division and the Federal Water Pollution Control Administration frequently denied us information, in blatant violation of the letter and spirit of the act. One can imagine the chances of a citizen writing in from Kansas or Oregon.

Examples of agency intransigence on access to information in the environmental field abound. Our water pollution study group asked the Defense Department for information about oil dumping. The Department of Defense has denied us access to information on the quantity of oil being pumped from the bilges of naval ships on the grounds that this data would be available only in a report containing operational data relative to military characteristics, which would therefore have to be classified. The Defense Department made no claim that the specific information requested was itself classified or in any way exempt from the Freedom of Information Act. The Defense Department is a past master of the "contamination technique"—take several doses of unclassified material that may prove embarrassing and mix them with other doses of classified information and, lo and behold, the sum is entirely classified. Civilian agencies have been quick to adopt this method.

The Federal Water Pollution Control Administration (FWPCA) has denied access to copies of research proposals that have been made to the agency but not yet accepted. The study group wanted this information in order to assess the research priorities at the agency, to determine whether there was any unfair preference by FWPCA and to see what reasons were given for turning proposals down. Frequently, information was denied on the ground that the information still had not been verified or was in incomplete form. The FWPCA gave the latter as its reason for refusing permission to a student, after a ten-day delay, to see reports on the status of water pollution abatement programs at twenty federal installations.

This request for the status reports was made after FWPCA had denied more detailed information about the entire problem on the ground that this general data would give the researcher a "warped impression." At another time the same researcher was told that release of information would endanger Interior's relationship with the Department of Defense (DOD) "because DOD is finicky about releasing figures on total sewage." Presumably, if an enemy had that information he could rush to his abacus and calculate the manpower strength of a military base on the basis of its sewage. In any case, the FWPCA considers sewage from domestic military bases a national security matter. Perhaps it

XUM

is coincidentally a national pollution matter that is the basis of the agency's reluctance.

More primitive responses come forth as an agency loses its last ready props for rationalizing the withholding of information. Relevant materials on pesticides in the Department of Agriculture disappeared, on the action of a high official, after students began researching them with permission at the Pesticides Regulation Library. The same materials had been routinely used by lobbyists for the pesticide industry before the students arrived on the scene.

We have tested these discretionary denials through negotiations with key agency officials, through talks with congressmen and reporters who take an interest in information policy, and through lawsuits in the federal courts. Generally the Freedom of Information Act has not been used by citizens to secure relief in the courts. Up to March, 1969, only three suits involving a clear claim by the public to information had been filed since the act became law on July 4, 1967. We now have six suits pending under the act. If they are successful, we hope to widen the scope of public access and set valuable precedents for groups who follow us into the federal agencies.

What advice do we have for environmental activists preparing to joust with public officials on information issues? First, remember that the citizen's right to know about his government is a frontier area of the law. Frequently public officials have a very vague idea of what the law allows them to do, but their motto, especially in the area of water pollution, is "when in doubt, deny." The only way citizens can check these discretionary denials is to challenge them in the courts. Often only the threat of a lawsuit will suffice.

Beware especially of denials based on assertions by public officials that trade secrets of private polluters are at stake. In the environmental field, the trade secret exemption, unless refined in the courts, is infinitely elastic in the hands of officialdom. A typical case recently occurred in South Carolina. A German chemical company, constructing a massive plastics and dyestuffs complex near Hilton Head, asked local conservation groups to accept on faith their claims that pollution would be controlled. To tell more, they said, would infringe on industry trade secrets. The state water pollution control authority concurred. With the ecological threat of pollution mounting daily, the courts may now be ready to balance the equities on the side of the public interest. Only challenges will tell.

Unfortunately, at the state and local levels, there is no Freedom of Information Act to invoke. Nevertheless there are several weapons you should employ. First, make "the citizen's right to know" a local issue, wrapping your rhetoric in the flag if necessary. Second, make clear to the resisting public official that you are in the anti-pollution movement for the long haul. This denies the bureaucrat his greatest defense—his ability to delay until his adversary gives up from exhaustion. Third, insist on interviewing public officials up and down the chain of command. Nothing is more unsettling to an administrator than the persistent anxiety that some unknown faceless subordinate is letting his conscience overcome his discretion.

AVOIDING THE AVENGING ANGEL SYNDROME

When national neglect of a vital issue stirs emotion, as environmental problems inevitably do, it is tempting to mount a high horse of moral indignation and approach all public officials with a "throw the rascals out" attitude. To do so is to squander opportunities for tapping the reservoirs of latent idealism which may exist in the agency. Many bureaucrats are secretly resentful at the compromises they feel forced to make. If not alienated at the outset, the prospect of outside support will give them strength to resist industry pressures. An ally, not an enemy, may result. No agency has a really solid front. There are always chinks in the mortar. It just takes time to find them.

OFFERING CONSTRUCTIVE ALTERNATIVES

It is absolutely fundamental that if one criticizes an official for falling from grace, one ought to give him an opportunity to climb back. For example, it is pointless to call the director of the Pesticide Regulation Division to task because the Pentagon uses 245–T in Vietnam and deformed babies result. One must propose reasonable alternatives which are within the power of the official to implement. This keeps him from passing the buck, the occupational disease of all bureaucrats.

It is now time to make specific suggestions as to where environmental activists should focus their energies in the coming months. First let us consider the regulation of pesticides. The true federal government agencies most intimately involved with pesticide control are the Agricultural Research Service (of which the pesticide regulation division is a branch), and the Food and Drug Administration. Neither has even begun to do a creditable job in the field of pesticide control, though their legal mandate from Congress is clear and has been for years. In reports by the General Accounting Office and through investigation by Congressional committee, PRD and its director, Harry Hays, have now come under heavy attack. The Comptroller General of the United States in a September 10, 1968, report to Congress said that the pesticide regulation program of the Department of Agriculture was a virtual failure. These critical reports conclude that PRD is more concerned with protecting the chemical industry from the hazards of regulation than in protecting our health and environment from hazardous chemicals. If there is to be significant reform of pesticide regulation attention should be focused on the following areas:

ACCIDENT REPORTING

The first step in keeping pesticides from injuring people is finding out what pesticides are dangerous and for what reasons. PRD cannot take this step because it makes only a half-hearted effort to compile accident reports on pesticides in use. An effective accident report would include environmental accidents, such as fish kills and the deaths of bald eagles and Perigrine falcons.

EVALUATION OF THE SAFETY OF PROPOSED PESTICIDES

PRD's failure to insure the safety of marketed pesticides is primarily a failure of concept as far as the environment is concerned. PRD has an artificially narrow view of what factors constitute a pesticide hazard. Traditionally, it has focused on the immediate dangers to those people who come into contact with the pesticide. The long term dangers to the environment and wildlife from residual pesticides have been neglected. Long term impact on human beings through mutagenic carcinogenic and teratogenic effects have been referred to FDA or are ignored altogether.

OVER-RELIANCE ON TEST DATA SUBMITTED BY INDUSTRY

At no point in the process of registering a proposed pesticide does PRD do any testing of its own. It accepts at face value data submitted by the manufacturer as to the safety and effectiveness of its products. As one PRD staffer recently told us, "the manufacturer runs the tests he wants to run, selects the results which are more favorable to him, and sends them to us. Rarely, if ever will PRD ask him to submit additional data." Ecologists are disturbed that industry tests the pesticide only for severely toxic effects on man and animals, ignoring the broader ecological consequences.

The Food and Drug Administration performance has been as ineffective as that of agriculture. FDA performs three functions in the pesticide field. First, it advises the Agriculture Department on the safety of pesticides being registered for use. Second, it sets tolerances for the use of registered pesticides; and third, it monitors the food supply to determine whether the tolerances are exceeded. It has failed in all three areas.

The FDA's advisory program on pesticide safety has not succeeded primarily because PRD has refused to cooperate. The FDA program for setting tolerances is caught in the middle of a scientific debate about excluding certain pesticides completely from food. The Mrak Commission on pesticides, which has presented a relatively conservative report on the control of pesticides to the Secretary of HEW argues that in some places, "carcinogenic response increases with increasing dose levels of the carcinogen." This view, which led to the recommendation that small amounts of cancer causing chemicals be permitted in the food supply, has been challenged by eminent scientists both inside and outside government. Such deep scientific controversy over so serious a problem can only make the consumer uneasy and ask for errors on the side of safety.

The FDA monitoring program is not only ineffective, but is scientifically controversial. The program has concluded that the amounts of pesticides in the American diet remain at safe levels. The methods used to reach this conclusion have been vigorously attacked by one FDA science advisor, who states that many widely used pesticides are left out of the testing altogether. The scientific insensitivity and regulatory failure of the FDA programs designed to ensure safe pesticide use, plus the total breakdown of standards in the Agriculture Department's pesticide registration program, explain how the silent spring is coming about and demonstrate that the public's reaction against pesticides has important basis.

In the face of all this criticism there are now superficial signs that remedial action has been taken. In the pesticide area, the Department of Health, Education and Welfare has established an interim team to implement recommendations designed to ensure that only beneficial uses of pesticides are approved. The chairman of that team is Dr. Emil Mrak, Chancellor Emeritus of the University of California at Davis, and Dr. William J. Darby, head of the Division of Nutrition, School of Medicine at Vanderbilt University. We urge participants in the Environmental Teach-In who are concerned about pesticides and anxious to influence the industrialists who produce them to focus their attention on the Mrak-Darby temporary committee. It is important to study the background of Drs. Mrak and Darby in order to learn who they are likely to go to for advice, where they will seek support for their decisions, and the nature of the biases they may entertain. It may be important to know that Dr. Mrak took no action when members of his commission asked that the financial interests of all commission members be filed for review with the commission staff. This request was prompted by the belief of some commission subcommittee members that arguments were inspired not by science, but by thoughts of financial gain.

Dr. Darby is chairman of the food protection committee of the National Academy of Sciences. Dr. Darby is on very close terms with what is called the industry committee of the industry liaison panel of the food protection committee. Recently his committee has been attacked for ignoring data linking cyclamates to deleterious effects on chromosomes. With these backgrounds Drs. Mrak and Darby may need a push from the concerned public if they are to be effective in clearing the environment of offensive pesticides.

XUM

In the fields of air and water pollution we strongly suggest that environmental activists experiment in a variety of forms to escalate the pressure for change. Using the methods which we have described, they should subject administrative agencies involved in pollution control to the most thorough scrutiny and monitoring.

There are also a number of additional roads which may open new fronts in the war on pollution. First, consider the courts. One of the country's leading environmental trial lawyers, Victor J. Yannacon recently said, "every piece of enlightened social legislation that has come down in the past fifty or sixty years has been preceded by a history of litigation in which lawyers around the country have focused forcibly the attention of the legislature on the inadequacies of the existing legislation." (*Christian Science Monitor*, October 2, 1969). The courts provide an arena in which industry lobbyists and indifferent bureaucrats are least able to exert their powers of dead center inertia. Because of this, the judicial approach to environmental issues may lead to immediate and surprisingly large-scale pollution abatement.

The class action is the most effective technique for demonstrating, by strength of sheer numbers, that the weight of the equities is on the side of environmental safety. A recent federal court decision held that the necessary "aggrieved parties" required by a class action may be environmental health groups such as conservation groups. Such groups may now become the vanguard for widespread courtroom attacks against environmental pollution. Some of the legal possibilities in this area are:

1. Product liability suits against automobile manufacturers—a manufacturer has a responsibility for injury resulting from the use of his product. This is a duty which extends to all persons who the maker should reasonably have expected to be endangered by its use. In the case of automobiles, that class of persons includes everyone who breathes the tons of carbon monoxide, hydrocarbons, oxides of nitrogen, lead and asbestos spewed out of automobiles annually. The medical evidence to develop cause-effect relationships is mounting. (For instance in a single year, doctors advised 10,000 people to move out of the Los Angeles area because of the smog problem.) Furthermore, there is mounting evidence that to put it as charitably as possible, the auto makers have not done all they could have to reduce the deadly emissions from their product.

2. Stockholders suits—stockholders could sue directors on the theory that the directors have breached a fiduciary duty to the corporation by using corporate profits in a manner which violates public policy. However, the pocketbook approach—namely that the corporation's failure to purchase and install pollution equipment may subject the company to large damage suits and possibly large fines—may have more force with the courts.

3. Actions against public officials—many public agencies with responsibility for pollution control are guilty of blatant nonfeasance. The failures, either negligent or an outright violation of the law, are not difficult to uncover. In this area, investigation at any level will produce instances of statutory violations when unprosecuted—because of the whim or laziness of an official, or because of the political power of the scofflaws, or because of their superior access to agency personnel. When simple disclosure of a misdeed brings no reform, a taxpayer suit is eminently available and, on the basis of past experiences, highly effective.

4. Nuisance, trespass, and negligence suits on polluters. These are the common law's rudimentary attempts to redress identifiable injuries caused by the external diseconomies of profit-seeking ventures. A more widespread use of these legal theories may prevent corporations from engaging in the calculus revealed in the statement of one Reynolds Metals Company executive that "it is cheaper to pay claims that it is to control fluorides."

In addition to pressure on the agencies and lawsuits, we urge activists to experiment with direct action: the pressure can be kept up on both government and industry by the use of dramatic devices designed to focus on responsible individuals. The following random list indicates a few of the techniques already being employed.

1. Polluter of the week award to local industry presidents.

2. Picketing of automobile manufacturers, as was done with GM in New York.

3. Returning food wrappings and empty cans to supermarkets.

4. Handing out leaflets in traffic jams saying. "Don't you feel stupid sitting here?"

5. Raising questions and offering resolutions at stockholder meetings regarding corporate policies on environmental questions.

6. Regular training of spotlights on smokestacks belching noxious fumes in the darkness of night.

7. Persuading citizens to sign thousands of petitions for intervention at public utility rates hearings.

One recent example of this approach is the advertisement sponsored by the Campaign Against Environmental Violence in Chicago (see Appendix).

These are only a minute portion of the possibilities for direct action. As the Environmental Movement gains momentum, activists will develop many more effective techniques for dramatizing the crisis. They need be limited only by their imagination and their sense of outrage.

SUGGESTIONS TOWARD AN ECOLOGICAL PLATFORM

(By Keith Murray)

POPULATION

Stabilizing the U.S. population should be declared a national policy. Immediate steps should be taken to:

1. Legalize voluntary abortion and sterilization and provide these services free.

2. Remove all restrictions on the provisions of birth control information and devices; provide these services free to all, including minors.

3. Make sex education available, stressing birth control practices and the need to stabilize the population.

4. Launch a government-sponsored campaign for population control in the media comparable to the present antismoking campaign.

5. Offer annual bonuses for couples remaining childless and eliminate tax deductions for more than two children.

Control of world population growth is simply a matter of survival of the human race. Federal priorities must be made to reflect this fact. We propose:

1. Massive federal aid to supply birth control information, planning and materials to all countries that will accept it.

2. Foreign aid only to countries with major programs to curb population growth.

3. Increased research on birth control methods and on attitudes toward limiting births.

GROWTH

The runaway U.S. growth economy must be stabilized to halt the destruction of the world resource base before we choke in the waste products of our affluence. There should be a thorough reassessment and reversal of unlimited economic growth as a national goal. The first and most crucial step is a guaranteed annual income, to break the compulsory link between jobs and income that has been a principal stimulus to growthsmanship.

LAND USE

An entirely new framework of land-use policies is required. It must embody a land ethic that fulfills human needs and preserves natural values. Elements should be:

1. Massive use of revolving land purchase funds by government entities to (a) purchase and resell key lands with development rights retained and (b) purchase and hold for scenic, recreation or open-space purposes or to compel rational development. Employ these methods on a large scale to preserve prime agricultural lands.

2. Create ocean shoreline development commissions to plan and control development so as to preserve natural values and provide public access.

3. Drastically curb tax loopholes that favor land speculation and quick-buck development, such as favored capital gains treatment and fast depreciation schedules.

4. Institute state zoning of certain categories of land such as flood plains, shorelines, earthquake hazard zones, designated open-space lands and prime agricultural lands.

5. Rebuff the drive to relax cutting restrictions in national forests and to extend logging to wilderness-value lands; defeat National Timber Supply Act H.R. 12025; strengthen forest practices laws to protect forest lands from degradation.

Regional and basin-wide development programs should be created, funded by low-interest federal loans that would be available only to carry out an entire, comprehensive plan. Each program would include responsibility for land and water conservation, water supply, waste disposal, urban planning, agricultural aid, new cities, model cities, open space, pollution control. Existing programs would continue to function within this structure wherever possible.

OTHER

We propose the creation of a survival corps—payment of a living income to individuals who will devote full time to projects for population control, preserving the environment and environmental education of the public.

We favor massive investment in environmental and ecological education—with emphasis on creating purposeful generalists equipped to understand and solve the problems before us.

RESOURCES AND WASTE

Ways must be found to curb the U.S. appetite for goods, and to create pathways for recycling waste materials into reuse that would eliminate the "dump" as we know it. We propose:

1. A severance tax on all mineral extractions (Metcalf bill).

2. A combination of tax incentives, prohibitions and public education, designed to promote reclamation of salvageable materials; reuse of containers; reduction in the quantity of nondegradable materials (such as plastics and aluminum) loosened on the environment; large-scale composting of organic wastes.

POLLUTION

Industrial polluters should be required to pay effluent charges equivalent to the cost to society of polluting the environment.

Diverters of water for any purpose should be charged a fee for returning waste water of lower quality than when it was diverted.

There should be provision for payment of triple damages for pollution that violates laws and established standards of environmental quality.

The human race is being employed as an experimental population for unleashing new chemicals or massive technological undertakings. We call for:

1. Creation of a new federal center for testing the safety and efficacy of drugs, pesticides and food additives, and assessing their impact on the environment. This center

XUM

should be absolutely protected from the political and industrial pressures that now characterize such evaluations.

2. An absolute moratorium on large-scale technological escapades such as Project Sanguine and a sea-level Panama Canal until controls are devised and their potential hazards and prospective benefits are measured objectively.

3. A total ban on the use of persistent pesticides, especially DDT, in the U.S., and immediate steps to phase out their use worldwide; a crash program to substitute acceptable methods for control of malaria and other serious diseases.

4. Replacement of the present laissez-faire methods of promoting pesticide and herbicide use by objective and professional practices, with emphasis on integrated control.

5. Intensified research on integrated and biological control and environmental management of pests.

TRANSPORTATION

The cycle of ever increasing reliance on the automobile must be broken. Mobility should be recognized as a public right, and integrated means for long and short distance travel that do not pollute, eat up land or kill people must be widely available. Immediate steps should be:

1. Outlaw the sale of reciprocating internal combustion engines by 1975.

2. Massively shift gas taxes and other sources of revenue for freeways to urban and interurban mass transit, rational bus systems, and free or low-cost shuttle transport.

3. Progressively tax higher automobile weights and engine displacements according to a sharply rising scale.

The proposed supersonic transport plane would be wasteful, uneconomic, and would create intolerable sonic booms. No further federal funds should be appropriated for its development. United States airlines should be forbidden to use SSTs on any route; no SST from any nation should be permitted over U.S. airspace.

AGRICULTURE

Many urban and agricultural ills can be traced to the expansion of vast corporate farms which drive people off the land, destroy soil productivity and promote excessive use of harmful chemicals. We call for policies to reverse this trend and reject its false pretenses of efficiency.

1. There should be rigorous enforcement of the federal 160-acre limitation whereby an owner who contracts for the heavily subsidized water from a federal project must sell his holdings in excess of 160 acres (320 for a family). The federal government should be enabled to purchase and resell the excess lands on terms that will permit family farmers to return to the soil.

2. There should be a $10,000 limit on subsidies to any one farm owner.

3. Unless the heavily subsidized western reclamatic program returns to its aims of benefiting the many instead of the few, it should promptly be terminated.

4. The approach to agricultural subsidies should be overhauled so that they promote desirable land-use practices and curb the long-term harmful effects of factories-in-the-field.

WATER

Plans to transfer water from one basin to another should be drastically curtailed. Water should be priced according to its true value—to make waste costly and to force industry to employ conservation and recirculation methods.

Fully employ the alternatives of reclaiming water, converting seawater, reducing evaporation, and purchasing excessive agricultural water rights such as in Imperial Valley.

The California Water Plan should be halted, with no peripheral canal and no dams on north coast rivers. Comparable schemes elsewhere, such as in Texas, should be opposed.

POWER

Power can be generated only at serious cost to the environment—radiation hazard, thermal or air pollution, despoiling of rivers, or depletion of fossil fuels. The present goal of unrestricted increase of power consumption should be reversed. Advertising and promotion to increase consumption of electricity should be forbidden. Electricity should be supplied at moderate cost for normal household needs, but additional increments should rise sharply in price. A larger share of electricity should be publicly distributed to re-establish the yardstick principle and curb profiteering by private utilities: Utility users' counsels should be established at all government levels to argue the public's case for fair rates and environment protection before regulatory commissioners (Metcalf bill). A high-level review body should be created to evaluate the location of steam generating plants.

FOUR "CHANGES"

POPULATION

The condition

Position. Man is but a part of the fabric of life—dependent on the whole fabric for his very existence. As the most highly developed tool-using animal, he must recognize that the unknown evolutionary destinies of other life forms are to be respected, and act as gentle steward of the earth's community of being.

Situation. There are now too many human beings, and the problem is growing rapidly worse. It is potentially disastrous not only for the human race but for most other life forms.

Goal. The goal would be half of the present world population, or less.

Action

Social/political: First, a massive effort to convince the governments and leaders of the world that the problem is severe. And that all talk about raising food-production—well intentioned as it is—simply puts off the only real solution: reduce population. Demand immediate participation by all countries in programs to legalize abortion, encourage vasectomy, and sterilization (provided by free clinics)—free insertion of intrauterine loops—try to correct traditional cultural attitudes that tend to force women into childbearing—remove income tax deductions for more than two children above a specified income level, and scale it so that lower income families are forced to be careful too—or pay families to limit their number. Take a vigorous stand against the policy of the right-wing in the Catholic hierarchy and any other institutions that exercise an irresponsible social force in regard to this question; oppose and correct simple-minded boosterism that equates population growth with continuing prosperity. Work ceaselessly to have all political questions be seen in the light of this prime problem.

The community: Explore other social structures and marriage forms, such as group marriage and polyandrous marriage, which provide family life but may produce less children. Share the pleasure of raising children widely so that all need not directly reproduce to enter into this basic human experience. We must hope that no one woman would give birth to more than one child, during this period of crisis. Adopt children. Let reverence for life and reverence for the feminine mean also a reverence for other species, and future human lives, most of which are threatened.

Our own heads: "I am a child of all life, and all living beings are my brothers and sisters, my children and grandchildren. And there is a child within me waiting to be brought to birth, the baby of a new and wiser self." Love, lovemaking, a man and woman together, seen as the vehicle of mutual realization, where the creation of new selves and a new world of being is as important as reproducing our kind.

II. POLLUTION

The condition

Position: Pollution is of two types. One sort results from an excess of some fairly ordinary substance—smoke, or solid waste—which cannot be absorbed or transmuted rapidly enough to offset its introduction into the environment, thus causing changes the great cycle is not prepared for. (All organisms have wastes and byproducts, and these are indeed part of the total biosphere: energy is passed along the line and refracted in various ways, "the rainbow body." This is cycling, not pollution.) The other sort is powerful modern chemicals and poisons, products of recent technology, which the biosphere is totally unprepared for. Such is DDT and similar chlorinated hydrocarbons—nuclear testing fallout and nuclear waste—poison gas, germ and virus storage and leakage by the military, and chemicals which are put into food, whose long-range effects on human beings have not been properly tested.

Situation: The human race in the last century has allowed its production and scattering of wastes, byproducts, and various chemicals to become excessive. Pollution is directly harming life on the planet: which is to say, ruining the environment for humanity itself. We are fouling our air and water, and living in noise and filth that no "animal" would tolerate, while advertising and politicians try to tell us "we've never had it so good." The dependence of the modern governments on this kind of untruth leads to shameful mind-pollution: mass media and most school education.

Goal: Clean air, clean clear-running rivers, the presence of pelican and osprey and gray whale in our lives; salmon and trout in our streams; unmuddied language and good dreams.

Action

Social/political: Effective international legislation banning DDT and related poisons—with no fooling around. The collusion of certain scientists with the pesticide industry and agri-business in trying to block this legislation must be brought out in the open. Strong penalties for water and air pollution by industries—"Pollution is somebody's profit." Phase out the internal combustion engine and fossil fuel use in general—more research into nonpolluting energy sources; solar energy; the tides. No more kidding the public about atomic waste disposal: it's impossible to do it safely, and nuclear-power generated electricity cannot be seriously planned for as it stands now. Stop all germ and chemical warfare research and experimentation; work toward a hopefully safe disposal of the present staggering and stupid stockpiles of H-bombs, cobalt gunk, germ and poison tanks and cans. Laws and sanctions against wasteful use of paper etc. which adds to the solid waste of cities—develop methods of recycling solid urban waste. Recycling should be the basic principle behind all waste-disposal thinking. Thus, all bottles should be reusable; old cans should make more cans; old newspapers back into newsprint again. Stronger controls and research on chemicals in foods. A shift toward a more varied and sensitive type of agriculture (more small scale and subsistence farming) would eliminate much of the call for blanket use of pesticides.

The community: DDT and such: don't use them: Air pollution: use less cars. Cars pollute the air, and one or two people riding lonely in a huge car is an insult to intelligence and the earth. Share rides, legalize hitchhiking, and build hitch-hiker waiting stations along the highways. Also—a step

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toward the new world—walk more; look for the best routes through beautiful countryside for long-distance walking trips: San Francisco to Los Angeles down the coast range, for example. Learn how to use your own manure as fertilizer if you're in the country—as the Far East has done for centuries. There's a way, and it's safe. Solid waste: boycott bulky wasteful Sunday papers which use up trees. It's all just advertising anyway, which is artificially inducing more mindless consumption. Refuse paper bags at the store. Organize park and street clean-up festivals. Don't work in any way for or with an industry which pollutes, and don't be drafted into the military. Don't waste. (A monk and an old master were once walking in the mountains. They noticed a little hut upstream. The monk said, "A wise hermit must live there"—the master said, "That's no wise hermit, you see that lettuce leaf floating down the stream, he's a waster." Just then an old man came running down the hill with his beard flying and caught the floating lettuce leaf.) Carry your own jug to the winery and have it filled from the barrel.

Our own heads: Part of the trouble with talking about DDT is that the use of it is not just a practical device, it's almost an establishment religion. There is something in western culture that wants to totally wipe out creepy-crawlies, and feels repugnance for toadstools and snakes. This is fear of one's own deepest natural inner-self wilderness areas, and the answer is, relax. Relax around bugs, snakes, and your own hairy dreams. Again, farmers can and should share their crop with a certain percentage of buglife as "paying their dues"—Thoreau says "How then can the harvest fail? Shall I not rejoice also at the abundance of the weeds whose seeds are the granary of the birds? It matters little comparatively whether the fields fill the farmer's barns. The true husbandman will cease from anxiety, as the squirrels manifest no concern whether the woods will bear chestnuts this year or not, and finish his labor with every day, relinquish all claim to the produce of his fields, and sacrificing in his mind not only his first but his last fruits also." In the realm of thought, inner experience, consciousness, as in the outward realm of interconnection, there is a difference between balanced cycle, and the excess which cannot be handled. When the balance is right, the mind recycles from highest illuminations to the stillness of dreamless sleep; the alchemical "transmutation."

III. CONSUMPTION

The condition

Position: Everything that lives eats food, and is food in turn. This complicated animal, man, rests on a vast and delicate pyramid of energy-transformations. To grossly use more than you need to destroy, is biologically unsound. Most of the production and consumption of modern societies is not necessary or conducive to spiritual and cultural growth, let alone survival; and is behind much greed and envy, age-old causes of social and international discord.

Situation: Man's careless use of "resources" and his total dependence on certain substances such as fossil fuels, (which are being exhausted, slowly but certainly) are having harmful effects on all the other members of the life-network. The complexity of modern technology renders whole populations vulnerable to the deadly consequences of the loss of any one key resource. Instead of independence we have over-dependence on life-giving substances such as water, which we squander. Many species of animals and birds have become extinct in the service of fashion fads—or fertilizer—or industrial oil—the soil is being used up; in fact mankind has become a locust-like blight on the planet that will leave a bare cupboard for its own children—all the while in a kind of addict's dream of affluence, comfort, eternal progress—using the great achievements of science to produce software and swill.

Goal: Balance, harmony, humility, growth which is a mutual growth with redwood and quail (would you want your child to grow up without ever hearing a wild bird?)—to be a good member of the great community of loving creatures. True affluence is not *needing* anything.

ACTION

Social/political: It must be demonstrated ceaselessly that a continually "growing economy" is no longer healthy, but a cancer. And that the criminal waste which is allowed in the name of competition—especially that ultimate in wasteful needless competition, hot wars and cold wars with "communism" (or "capitalism")—must be halted totally with ferocious energy and decision. Economics must be seen as a small subbranch of ecology, and production/distribution/consumption handled by companies or unions with the same elegance and spareness one sees in nature. Soil banks; open space; phase out logging in most areas. "Lightweight dome and honeycomb structures in line with the architectural principles of nature." "We shouldn't use wood for housing because trees are too important." Protection for all predators and varmits, "Support your right to arm bears." Damn the International Whaling Commission which is selling out the last of our precious, wise whales! Absolutely no further development of roads and concessions in national parks and wilderness areas; build auto campgrounds in the least desirable areas. Plan consumer boycotts in response to dishonest and unnecessary products. Radical co-ops. Politically, blast both "Communist" and "Capitalist" myths of progress, and all crude notions of conquering or controlling nature.

The community: Sharing and creating. The inherent aptness of communal life—where large tools are owned jointly and used efficiently. The power of renunciation: If enough Americans refused to buy a new car for one given year it would permanently alter the American economy. Recycling clothes and equipment. Support handicrafts—gardening, home skills, midwifery, herbs—all the things that can make us independent, beautiful and whole. Learn to break the habit of unnecessary possessions—a monkey on everybody's back—but avoid a self-abnegating anti-joyous self-righteousness. Simplicity is light, carefree, neat, and loving—not a self-punishing ascetic trip. (The great Chinese poet Tu Fu said "The ideas of a poet should be noble and simple.") Don't shoot a deer if you don't know how to use all the meat and preserve that which you can't eat, to tan the hide and use the leather—use it all, with gratitude, right down to the sinew and hooves. Simplicity and mindfulness in diet is a starting point for many people.

Our own heads: It is hard to even begin to gauge how much a complication of possessions, the notions of "my and mine," stand between us and a true, clear, liberated way of seeing the world. To live lightly on the earth, to be aware and alive, to be free of egotism, to be in contact with plants and animals, starts with simple concrete acts. The inner principle is the insight that we are interdependent energy-fields of great potential wisdom and compassion—expressed in each person as a superb mind, a handsome and complex body, and the almost magical capacity of language. To these potentials and capacities, "owning things" can add nothing of authenticity. "Clad in the sky, with the earth for a pillow."

IV. TRANSFORMATION

The condition

Position: Everyone is the result of four forces—the conditions of this known-universe (matter/energy forms, and ceaseless change); the biology of his species; his individual genetic heritage; and the culture he's born into. Within this web of forces there are certain spaces and loops which allow total freedom and illumination. The gradual exploration of some of these spaces is "evolution" and, for human cultures, what "history" could be. We have it within our deepest powers not only to change our "selves" but to change our culture. If a man is to remain on earth he must transform the five-millenia long urbanizing civilization tradition into a new ecologically-sensitive harmony-oriented wild-minded scientific/spiritual culture. "Wildness is the state of complete awareness. That's why we need it."

Situation: civilization, which has made us so successful a species, has overshot itself and now threatens us with its inertia. There is some evidence that civilized life isn't good for the human gene pool. To achieve the changes we must change the very foundations of our society and our minds.

Goals: nothing short of total transformation will do much good. What we envision is a planet on which the human population lives harmoniously and dynamically by employing a sophisticated and unobtrusive technology in a world environment which is "left natural." Specific points in this vision:

A healthy and spare population of all races, much less in number than today.

Cultural and individual pluralism, unified by a type of world tribal council. Division by natural and cultural boundaries rather than arbitrary political boundaries.

A technology of communication, education, and quiet transportation, land-use being sensitive to the properties of each region. Allowing, thus, the bison to return to much of the high plains. Careful but intensive agriculture in the great alluvial valleys; deserts left wild for those who would trot in them. Computer technicians who run the plant part of the year and walk along with the Elk in their migrations during the rest.

A basic cultural outlook and social organization that inhibits power and property-seeking while encouraging exploration and challenge in things like music, meditation, mathematics, mountaineering, magic and all other ways of authentic being-in-the-world. Women totally free and equal. A new kind of family—responsible, but more festive and relaxed—is implicit.

Action

Social/political: It seems evident that there are throughout the world certain social and religious forces which have worked through history toward an ecologically and culturally enlightened state of affairs. Let these be encouraged: Gnostics, hip Marxists, Teilhard de Chardin Catholics, Druids, Taoists, Biologists, Witches, Yogins, Bhikkus, Quakers, Sufis, Tibetans, Zens, Shamans, Bushmen, American Indians, Polynesians, Anarchists, Alchemists . . . the list is long. All primitive cultures, all communal and ashram movements. Since it doesn't seem practical or even desirable to think that direct bloody force will achieve much, it would be best to consider this a continuing "revolution of consciousness" which will be won not by guns but by seizing the key images, myths, archetypes, eschatologies, and ectasies so that life won't seem worth living unless one's on the tranforming energy's side. By taking over "science and technology" and releasing its real possibilities and powers in the service of this planet—which, after all, produced us and it.

Our community: New schools, new classes, walking in the woods and cleaning up the streets. Find psychological techniques for creating an awareness of "self" which includes the social and natural environment. "Consideration of what specific language forms—symbolic systems—and social institutions constitute obstacles to ecological awareness." Without falling into a facile interpretation of McLuhan, we can hope to use the media. Let no one be ignorant of the facts of biology and related disciplines; bring up our children as part of the wild-life. Some communities can establish themselves in backwater rural areas and flourish—others maintain themselves in urban centers, and the two types work together—a two-way flow of experience, people, money, and home-grown vegetables. Ultimately cities will exist only as joyous tribal gatherings and fairs, to dissolve after a few weeks. Investigating new life-styles is our work, as is the exploration of Ways to explore our inner realms—with the known dangers of crashing that go with such. We should work with political-minded people where it helps, hoping to enlarge their vision, and with people of all varieties of politics or thought at whatever point they become aware of environmental urgencies. Master the archaic and the primitive as models of basic nature-related cultures—as well as the most imaginative extensions of science—and build a community where these two vectors cross.

Our own heads: is where it starts. Knowing that we are the first human beings in history to have all of man's culture and previous experience available to our study, are being free enough of the weight of traditional cultures to seek out a larger identity.—The first members of a civilized society since the early neolithic to wish to look clearly into the eyes of the wild and see our selfhood, our family, there. We have these advantages to set off the obvious disadvantages of being as screwed up as we are—which gives us a fair chance to penetrate into some of the riddles of ourselves and the universe, and to go beyond the idea of "man's survival" or "the survival of the biosphere" and to draw our strength from the realization that at the heart of things is some kind of serene and ecstatic process which is actually beyond qualities and certainly beyond birth-and-death. "No need to survive!" "In the fires that destroy the universe at the end of the kalpa, what survives?"—"The iron tree blooms in the void!"

Knowing that nothing need be done, is where we begin to move from.

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OUR CREAKY COURTS

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. OBEY. Mr. Speaker, people are becoming increasingly aware that one of the toughest problems we face in trying to reduce crime is the jam-up in our criminal courts.

The New York Times analyzed this problem in an April 7 article headed, "The Creaky Courts: Overhaul Needed To End Delays," and just the day before had printed some relevant statistics and observations.

A New York police official said in the earlier article that "we should examine the total system of justice and decide if we are willing to pay the price to make it work." The statistics bear out his feeling that the criminal justice system is losing ground all along the line:

Between 1961 and 1968, the number of reported serious crimes rose by 115 percent while arrests increased by only 53 percent. The total number of policemen rose even less—30 percent—and the ratio of police to the population remained the same.

Statistics, though, are tricky—besides which many of those arrested for robbery plead guilty to and are punished for lesser offenses, such as assault, petty theft or other misdemeanors.

The earlier article continued:

> This appears to be the source of the most serious lag in bringing criminals to justice in most communities. Court backlogs have grown so huge and trial delays so long that prosecutors are under intense pressure to reduce charges in order to persuade suspects to plead guilty and avoid time-consuming trials.

Undue length of time from arrest to punishment weakens the administration of justice. As a Chicago prosecutor remarked:

> Two years between a crime and punishment doesn't impress the tough kids we see these days.

Mr. Speaker, I commend the "creaky courts" article to my colleagues:

[From the New York Times, Apr. 7, 1970]

THE CREAKY COURTS: OVERHAUL NEEDED TO END DELAYS

(By Lesley Oelsner)

The courts in the metropolitan area, as nearly everyone connected with them readily admits, are overcrowded, understaffed and months behind in their work.

"If everyone who came here wanted a trial, there'd be no way to give them one," Assistant Administrative Judge Vincent A. Massi of the Criminal Court said a few days ago. His remark was in line with an assessment by George J. Beldock, then Presiding Justice of the Appellate Division, Second Department, of the State Supreme Court, who said a few days before his death on March 15 that the courts were "in a state of crisis."

What the crisis means is that the public may be hurt by a slowed-down system of criminal justice, in which it can take 12 months to put a felon into jail, and that defendants, too, may be hurt.

JUDGE ASKS REPORT

This was pointed up last Wednesday when Chief Judge Edward J. Lumbard of the United States Court of Appeals ordered state courts, district attorneys and city officials to tell him how many people have been held in jail for more than three months awaiting trial. Judge Lumbard explained:

"The delay in the trial of criminal cases, where defendants are held in jail awaiting trial in the courts of many of the counties of New York, raises serious questions of the violation of constitutional rights."

These rights include not only the Sixth Amendment guarantee of a speedy trial but also the Eighth Amendment protection against cruel and unusual punishment.

And yesterday Harold A. Stevens, Presiding Justice of the First Department, announced that 11 blue-ribbon committees had been formed in an effort to devise new solutions for the burdened courts of Bronx and Manhattan. The "level of functioning" of the courts, he said simply, has to be improved.

So while Governor Rockefeller ponders whom to select to replace Justice Beldock—a post temporarily filled by Senior Associate Justice Marcus G. Christ—many court observers are hoping he will appoint a man eager to apply new ideas and management concepts to the sprawling court structure. So serious are the courts' administrative problems, in fact, that these people aren't even discussing the judicial merits of potential candidates.

"What they ought to do is find someone with a really solid background as an administrator," said Harry Subin, a New York University law professor who has made extensive studies of the administration of urban courts. "Then they should give him an adequate staff, so he could do the job right."

The new Presiding Justice must direct an appellate court that hears 2,000 appeals and 4,000 motions a year, and must also administer the 311 judges and myriad courtrooms of 10 counties—Brooklyn, Queens, Richmond, Nassau, Suffolk, Westchester, Putnam, Dutchess, Orange and Rockland.

With the Presiding Justices of the three other departments, and the Chief Judge of the State Court of Appeals, he must set policies and regulations for the statewide court structure. And he must administer—with the Presiding Justice of the First Department, whose territory is Manhattan and the Bronx—the Criminal, Family and Civil Courts of New York City.

And nearly everywhere in this domain, elements of the "crisis" that Justice Beldock noted can be seen.

In Nassau County, in February, judges postponed "indefinitely" the trials of all defendants free on bail in order to take up cases of defendants who were in jail awaiting trial; some had been in jail for two years.

In Brooklyn's dilapidated Criminal Court, some sessions are held in judges' robing rooms, where, before the sessions begin, guards look in the closets for defendants who may have escaped.

In the Bronx, because there is no air-conditioning in the Criminal Court, windows are left open in the summer—even though the elevated trains next door are so noisy that, as one judge said, "you can't hear yourself, much less the defendant; its impossible to try a case."

And Kings County District Attorney Burton B. Roberts says he accepts pleas to reduced charges often simply because the courts are too crowded to hold trials.

A number of judges and lawyers have also pointed out problems common to most, if not all, the courts: judges so harried they often spend whole days doing no more than adjourning the cases on the day's calendars; correction facilities so overcrowded that some judges say they hesitate to sentence the people they convict; serious charges are dismissed because witnesses, after going to court a few times only to hear the case adjourned, have stopped appearing.

The pressures are so great on all concerned that one day recently Criminal Court Judge Milton Shalleck, after arraigning scores of people at an average speed of 2 minutes 2½ seconds per defendant, finally blurted out: "There is no justice here. I'm not dispensing justice."

SYSTEM WITHOUT DESIGN

"Nobody designed the system," says Lester Goodchild, administrator of the city's Criminal Court. "It just grew like this, and now you have to get it in balance."

Though few would disagree with Mr. Goodchild—nearly everyone involved with the courts has his own favorite horror story to substantiate the assessment of a "crisis" situation—there is some disagreement as to the causes and the solutions.

Some feel that the problems of the courts could be solved simply by adding judges. Others, such as Edward Dudley, Administrative Judge of the Criminal Court, say the real problem is one of space: Judge Dudley says he simply does not have enough courtrooms in which to schedule trials and hearings.

But increasingly those who work in the courts—the judges, the lawyers, the employes of the Vera Institute who conduct experimental reform projects—believe, that adding judges, courtrooms and stenographers is not, of itself, enough. For even if there were more facilities and personnel, some structural problems would still exist.

There would still be the problem of one judge sending cases to another judge's courtroom without knowing whether the latter had time to hear the cases. There would still be the problem of getting all the necessary parties to a case to appear on the same day.

But both of these problems could be solved, observers say, by the creation of a master calendar control system, in which a central office would schedule cases and, before fixing a definite date, get in touch with all the parties.

AN ENTIRE PROCESS INVOLVED

Another problem that would continue to exist would be the massive influx into the courts of criminal cases with no real merit. At present there are assistant district attorneys in the complaint rooms of the Manhattan and Bronx Criminal Courts branches to screen complaints and determine which are insufficient to be sent through the court process. Last August alone (the most recent

XUM

figures available), 1,648 cases were disposed of in this way.

But in the other boroughs, there are no assistant district attorneys in the complaint rooms, and as a result, such cases may be on the already overweighted calendars for months before being dismissed.

Judges and administrators point out still another problem that must be faced before the courts can be made to function the way they should: the inter-relationship between the police, the courts, the probation officers and the correction facilities.

"It's such a manifold problem that you can't really pinpoint one area," says Sheldon Amster, administrative assistant to the Presiding Justice of the Second Department. "Each one hinges on the other; it's like a chain reaction."

Thus when more police are added to the force, the experts say, more personnel and facilities must be added to each subsequent step of the criminal justice system. Unfortunately this does not always happen, and as a result, as Mr. Goodchild notes, "the cop who brings in a defendant and thinks the court will do something with him is kidding himself."

So to many observers, the job to be done by the next Presiding Justice of the Second Department includes many things besides listening to appeals from lower courts. Most of all he should set up some administrative reports—not only within his courts, but also, in cooperation with officials from the Police and Corrections Departments, in the criminal justice system as a whole.

Otherwise, court specialists warn, he will face far more of a crisis than the one George Beldlock described four weeks ago.

"MY OWN PENNSYLVANIA"

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. YATRON. Mr. Speaker, one of my constituents, Walter S. Farquhar, has written a poem which has been proposed for adoption as the official poem of the Commonwealth of Pennsylvania.

Mr. Farquhar, a well-known, widely respected, and much loved journalist, is now 82 years old and a patient in the Pottsville, Pa., Hospital. In my judgment, "My Own Pennsylvania" merits designation as our State's official poem, for it relates to all areas of our State and chronicles Pennsylvania's prominent role in our fight for national independence.

I commend Walter Farquhar's excellent poem to my colleagues and my fellow Americans, and I insert it in the RECORD at this point:

MY OWN PENNSYLVANIA

(By Walter S. Farquhar)

There's a land which is verdant and fragrant,
  Where the rivers are sparkling and clear,
And the brooks gleam in gold, white and silver,
  With evergreen borders, all year.

From the heights of the broad Alleghenies,
  Looking westward toward old Fort Duquesne,
Mark the waters of green Pennsylvania,
  As they temper the dusts of the plain.

In the old Appalachian Highlands,
  Where pine trees and hemlock abound,
And the foothills are clustered in laurel
  And bright rhododendron is found.

Let me live in the land of the Lehigh,
  Where the farmlands are fertile and green,
And the blossoms of flowering fruit trees
  Are mingled with dogwood's white sheen.

I'll abide by the side of the Schuylkill,
  At the foot of conglomerate heights,
Where the air bears the scent of the woodlands,
  And fragrant arbutus delights.

All's serene on the gentle green mountains,
  And the lakes where the pond lily grows,
I'll be true to the blue Susquehanna
  And the dales where the Delaware flows.

In a land which was founded on justice,
  Where the brave Declaration was signed,
And the words of the great Constitution
  Lived on to enlighten mankind.

In the bleak Valley Forge desolation,
  When spring flowers peeped up from the snow,
As they symbolized stars of the Union,
  The now-mighty nation we know.

And first to defend that great nation,
  Were men from the old Keystone state.
And the Gettysburg stand saved the Union,
  As well as demdcracy's fate.

I'll enthrone in my own Pennsylvania,
  In the sweet-scented land of my birth:
In the beautiful, wonderful woodlands;
  The softest and fairest on earth.

SENATOR BYRD SPEAKS

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. DANIEL of Virginia. Mr. Speaker, in keeping with the sound doctrine upon which the Commonwealth of Virginia has grown to its present state of greatness, as well as with the wisdom associated with his name, Senator BYRD of Virginia continues to articulate such doctrine to the people of the Commonwealth.

Here, for inclusion in the RECORD, are a few timely observations which he has recently made:

FIGHTING POVERTY

NORFOLK.—Senator Byrd called for an overhaul of the nation's welfare system in a speech to the Salvation Army here.

During the last 25 years, with unparalleled prosperity in the United States, welfare rolls have grown by 500 per cent, he said, adding that the existing system provides no work incentive and is self-perpetuating. A new approach is needed, he said.

The Senator opposed a guaranteed income plan: "I cannot endorse a proposal to turn over taxpayers' money to able-bodied people who are unwilling to work."

REVERSE FLOW

RICHMOND.—Increased centralization of power in Washington makes government less responsive to the people, Senator Byrd said at a meeting of the Regents Club of the Daughters of the American Revolution.

"Instead of an endless flow of edicts from Washington to the people, we should have a flow of ideas from the people to Washington.

"Perhaps that would correct some of the unbalanced views that prevail in the nation's capital," he said.

SALT TALKS

NORFOLK.—Senator Byrd voiced support for the Strategic Arms Limitation Talks (SALT) but warned against over-optimism about their results.

He spoke to the Brotherhood Citation Dinner of the National Conference of Christians and Jews. Byrd serves on a special Senate subcommittee assigned to monitor the SALT talks.

He cautioned that the Russian attitude toward the SALT talks was "not encouraging."

"We live in a world of terrifying change," Byrd said.

"In a more innocent age, silos held the fodder of life; today, silos hold the warheads of annihilation."

HOUSING PROBLEMS

ARLINGTON.—A decline in the prime interest rate from 8½ per cent to about 7½ per cent was predicted by Senator Byrd in a speech here to the Home Builders Association of Suburban Virginia.

He said he based his estimate on "soundings among expert Virginians in the banking, business and academic communities."

But Byrd's survey also indicated that there is no immediate prospect of relief from the shortage of mortgage funds. Many now feel a secondary mortgage fund source, financed in part by the government, may be essential, he said.

"I think it is vital that our young people have the opportunity to purchase homes," he declared.

"If we are to begin to move toward our housing goals," he said, "we must get inflation under control and bring interest rates down to a more reasonable level."

A MODEL FOR JUVENILE CORRECTIONS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. PEPPER. Mr. Speaker, today I had the distinct pleasure to meet with a young man from my State of Florida who struck me as a model of what progressive juvenile corrections can accomplish.

This young man, 16-year-old Rick Gibson, from Pensacola, was sent to Marianna's Training School for Boys 8 months ago for ungovernable behavior. Today, he is a purposeful young man with an impressive vision of his future. On Monday, Rick appeared on NBC's Today show to tell the Nation about the success Florida has achieved using guided group interaction programs. This technique stresses freewheeling discussions of an individual's attitude and outlook by his peers.

And I am proud to note that Rick was considered sufficiently trustworthy to be allowed to travel to New York and back to Florida, with a stop here today, on his own, without an escort. This is dynamic proof of the success of the program and the faith the school officials have in this fine young man.

When Rick came to my office today, he was accompanied by Howard James, a Pulitzer Prize winning reporter for the

XUM

Christian Science Monitor, who has surveyed juvenile correction institutions across the Nation for a series of articles in that fine newspaper. Mr. James told me that Florida was the first State in the Nation to employ group interaction programs throughout its juvenile correctional system. I warmly agree with Mr. James that Florida's group interaction program can serve as a model for the Nation.

This program is giving the young people involved a new outlook and hope for the future. This is evident from the reduction in the rate of runaways from the Marianna facility from 168 for the 3 months of 1969 to only 23 for the first 3 months of 1970.

It seems clear to me, Mr. Speaker, that we in Congress have an obligation to support with Federal funds this kind of innovative and effective program.

Much of the credit for Florida's new approach to juvenile corrections goes to Dr. James Bax, director of the Department of Health and Rehabilitative Services, and to Mr. Jack Blanton, bureau chief for training schools.

Dr. Bax appeared with Mr. O. J. Keller, director of Florida's Division of Youth Services, before our Crime Committee last December in Miami. Both men impressed the committee with their knowledge and farsightedness in the field of juvenile corrections.

AIR AND NOISE POLLUTION PROBLEM

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. O'NEILL of Massachusetts. Mr. Speaker, the East Boston area is presently faced with a serious air and noise pollution problem. In view of this, I have today written to the Honorable John Volpe, Secretary of Transportation, requesting that he declare a moratorium on Logan Airport construction of additional runways. My letter to Secretary Volpe follows:

CONGRESS OF THE UNITED STATES,
House of Representatives,
Washington, D.C., April 15, 1970.

Hon. JOHN A. VOLPE,
Secretary, Department of Transportation,
Washington, D.C.

DEAR MR. SECRETARY: I am writing to you regarding the text of an article which appeared in the Wall Street Journal on April 7, 1970. In this article, your stand on road construction was made quite clear, "freeways that adversely affect our environment cannot be built". I believe this policy is forward looking and long overdue. I am happy to say that I agree with you 100%.

I would also like to lend my support to a decision you made regarding the use of Federal funds for additional runways at John F. Kennedy International Airport. In a Department of Transportation news release dated March 13, 1970, you made clear that you would not approve construction projects until results of an environmental study by the National Academy of Sciences were available. I feel that it is of great consequence that the Department of Transportation has given the highest priority to environmental factors before it gives its approval for the use of any Federal funds for transportation projects. To this policy I give my full support.

As you may know, Mr. Secretary, the Massachusetts Airport Authority is now in the International Airport. Among other things, this plan includes full development of runway 15L–33R together with parallel and connecting taxiways. To do this it will be necessary to construct a stone dike for drainage, with the area eventually being filled. Also contemplated is the full development of Bird Island Flats air cargo and support facilities. This includes inner and outer taxiways, aircraft aprons and roadways, extension of runways 4L and 9L with connecting taxiways and STOL runway 15–33. The construction plans further include multi-level roadway systems and auto parking facilities.

There are also proposed construction plans for a third tunnel in East Boston. This will add to the problems of pollution, both air and noise, with which East Boston is now overburdened.

It is my understanding that an environmental study concerning the Airport is now being done by the firm of Bolt, Beranek and Newman. To date, the City of Boston and the State of Massachusetts have not received the results of this report. I do not know if this report contains an analysis of the possible ecological effects of further construction at Logan Airport. We do know that the intended construction will affect parts of Winthrop Cemetery Road and cut through some of the Salt Flats. Until this report has been completed, I ask you to declare a moratorium on the airport construction of additional runways. You embraced this policy with regard to Kennedy International Airport, and you have shown your concern for environmental priorities in your decision relative to highway construction. I feel that in the long run your decision to stop construction will have a greater benefit to Boston and to Massachusetts and might possibly save us from making a very large mistake.

Thank you for your courtesy in this and in all past matters.

With every good wish,
Sincerely,
THOMAS P. O'NEILL, JR.,
Member of Congress.

PARIS, TEX.—OR PARIS, U.S.A.?

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. PATMAN. Mr. Speaker, the city of Paris, Tex., might with justification be referred to as Paris, U.S.A., since it is in fact the largest city of that name in the United States and in my opinion it has a greater future, relatively speaking than Paris, France—give us a decade or so for further development, with an eye on the wonderful potential offered by Pat Mayse Reservoir and its abundance of good clear mineral-free water.

Some years ago the Babcock & Wilcox people who are famous for their fine manufactured products saw fit to establish a plant in Paris, a decision which has benefited both the community and the corporation for almost two decades of progress and growth. It is my privilege to record at this point a tribute to Paris and its many outstanding citizens from the January–February issue of the Babcock & Wilcox publication, Generator. More and more of America's astute industrial management teams are finding that towns like Paris, Tex., offer the best corporate and employee living available anywhere in the world today. My sincere congratulations to this most successful partnership. The article follows:

PARIS, TEX.

"Paris and B&W have grown together."

This was how Dr. B. M. Felty, mayor, described the long relationship that Babcock & Wilcox and the Texas town have had. "The people of B&W have been wonderful—as neighbors, as civic leaders, and as partners in making our city a better place to live."

In its 134 years, Paris, Tex., has attracted 35 major businesses. These concerns have brought their people and ideas into the community, and have grown with it.

The first permanent settlement in Lamar County was made in 1824 when John Emberson and his family settled along the Red River. Twelve years later, another settlement was made by Clairborne Chisum on the site that is now known as Paris.

George Wright is credited with establishing and naming the town, although it was a Frenchman in his employ who urged Mr. Wright to name the village in honor of his beloved Paris, France. So, halfway around the world from its namesake, is Paris, Tex., located on a ridge between the Red River and Sulphur River in a fertile area crisscrossed by creeks and streams that drain and irrigate the countryside.

The town progressed rather slowly during the first 20 years of its existence. At the beginning of the Civil War there were barely 700 people living in Paris, but the coming of the railroad marked a new era for the town, which has grown steadily since.

Although two disastrous fires, one in 1877 and one in 1916, destroyed much of the city, the citizens built back each time with their own funds and their own determination. "Smile," suggested as a slogan for the city by Henry P. Mayer, president of the chamber of commerce in 1916, was adopted by the businessmen when the embers of the conflagration were still smoldering. "Smile" has rebult Paris into "The City Beautiful." The new churches, two new hospitals and a splendid Italian fountain are praised by all who see Paris for the first time. Today the city is known as the "North Star of Texas," and has a population of 25,280.

During the industrial build-up of the fifties, B&W became the second industry to locate in Paris, and is the second largest there. The Power Generation division Paris works employs about 600 people, and is located in Northwest Paris on a 105-acre site.

One reason B&W chose Paris as the site of its manufacturing facility was the Red River Valley's ready supply of competent labor. Most of the original employees were engaged in farming or ranching and it was not unusual for them to dispose of their customary chores before and after work at B&W.

The Paris works' boiler components are exported to about 65 foreign countries. For this reason employees there say, "Boilers the world over bear the mark of Paris craftsmanship."

People make a town what it is and Paris is no exception. Paris has produced a number of well-known men. It is the home of Raymond Berry who established many National Football League records as a split-end for the Baltimore Colts. His father taught and coached many Paris works employees when they attended Paris High School.

XUM

Another famous Parisian is Senator A. M. Aikin. He is known throughout the state as "The dean of Texas schools," having earned this title for his efforts to upgrade the educational standards of the state. The most famous of his achievements are the Gilmer-Aikin Bills of 1949 giving teachers in the state their first salary increase.

Another well-known Paris resident is Ed Reed. His cartoons, entitled "Off the Record," appear in many newspapers across the country.

From a recreational standpoint, too, Paris has much to offer. Paris residents may enjoy concerts, museums, and libraries, of which there are four. There are five public parks with picnic and play areas; swimming pools; two golf courses; three lakes and four theaters.

A favorite activity of B&W people is the rodeo sponsored by the Babcock & Wilcox Employees Association. This is only natural since about 40 per cent of the employees live on ranches. Trophies are given for the first three places in cow riding, junior cow riding, calf roping, barrel racing, wild-cow milking, cutting horse riding, and steer wrestling events. The rodeo is usually held in conjunction with B&W's annual picnic.

B&W employees have very strong feelings about the town they work in. Bill Scarboro, works accountant, says, "Paris is a community on the move. The town is friendly and a good place to raise a family in." Jerry Coleman, works manager, says, "Paris is blessed with the natural resources of fertile soil and a good climate to support the agricultural segment of its economy, as well as having an abundant labor and water supply to support industrial growth." He agrees that Parisians are among the friendliest and most hospitable people to be found anywhere.

Robert L. Douglas and Charles F. Patterson, both of the drum and header shop, say Paris offers young people a good atmosphere to grow up in, and ample recreational activities.

Paris employees not only exhibit pride in their work, but also demonstrate pride in the Paris community. Many employees hold responsible positions in the town. David M. Griffin, personnel supervisor, is past director of the Paris chamber of commerce, past president of the Jaycees and former vice president of the Paris chapter of the Red Cross. He is also involved in the Boy Scouts and the United Fund. Spencer L. Abbett, a foreman in the section shop, is on the board of trustees of the Paris Independent schools and is also a board member of the Paris Humane Society. E. J. Shelby, foreman in the drum and header shop, is the deacon of the First Bapist Church in nearby Deport, Tex., and Jerry D. Coleman is on the advisory board at St. Joseph's Hospital and the board of directors of the United Fund.

With all this going for it, Paris cannot help but be a good place to live and work.

IN FAVOR OF PAY RAISE

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 9, 1970

Mr. WHITE. Mr. Speaker, I was unable to be present at the time the vote was taken in the House on H.R. 16844, the postal and Federal employees pay raise measure. However, had I been able to be present, I would have voted in favor of the bill on final passage and against recommittal.

EARTH DAY, A TIME TO OVERCOME INTERNATIONAL POLLUTION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. RARICK. Mr. Speaker, interestingly, Lenin's 100th birthday this April 22 has been selected as Earth Day. A celebration allegedly promoted under the nobility of purpose of a mass crusade to combat pollution.

It may be accidental that some of the "Earth Day" people are overheard calling for "the destruction of the decadent capitalistic system." It may even be accidental if some of the speakers at the pollution rallies depart from their script to comment on Lenin's birthday and suggest the solution to modern man's problems can only be through a people's proletariat dictatorship.

But will anyone remind the emotionally charged youth that Lenin and his "establishment" are the greatest pollutor of man? Will any of the speakers remind the innocent and misled of Lenin's indelible record of exploitation, repression, and deceit?

Earth Day could truly prove to be the great day of a new era in improving man's environment. Earth Day could become the rallying cause to those enslaved millions behind the iron curtain to also join in combatting pollution; the pollution of freemen—international communism.

A most interesting commentary on the internal unrest in the Soviet appears in the April 20 issue of the U.S. News & World Report. The article follows:

CAN LENIN'S COMMUNISM SURVIVE?—RUSSIA AT CROSSROADS

Soviet Russia stands today—in this Lenin centennial year—at a critical point in its history. Its goals are far from fulfillment and it is groping for new solutions to internal problems.

April 22 marks the 100th anniversary of the birth of Vladimir Ilich Ulyanov, universally known as Lenin; creator of the Communist Party of the Soviet Union and founder of the world's first Communist state.

It is decreed as a day of celebration and proclamation of the achievements of the Communist system—political, social and economic.

But expert Western observers say that the realities of life in the Soviet Union offer little cause for celebration and make a mockery of the ideas preached by Lenin—the dictatorship of the proletariat, a classless society, and the U.S.S.R. as a universal model to guide revolutionaries around the world toward development of their backward countries.

Where they failed. The record shows this: Russia's standard of living is one of the lowest among industrialized countries. The Soviet Union ranks 21st in per capita gross national products—the same position the country held 50 years ago.

Collectivization of agriculture has resulted in one of the world's most inefficient farming systems—dramatized this past winter by acute shortages of meat and even flour.

Instead of the dictatorship of the proletariat, a dictatorship of a small group of aging Communist Party bosses, backed by a vast army of bureaucrats, rules the country.

In contrast with the classless society promised by Lenin, Russia now has a society shot through with class privileges and discrimination in favor of the ruling few.

Something went wrong. The 1960s, by the Communist timetable, were to have been a golden decade for Russia, an era in which the nation would move into undisputed world leadership because of expected technological advances and economic gains. But something went wrong.

The decade that opened with Yuri Gagarin—a Russian—as the first man in space, ended with Neil Armstrong—an American—setting foot on the moon.

The decade that opened with Soviet hopes of overtaking the U.S. in production ended with Russia's economy falling further behind in growth.

Today, the Russian economy bears a striking resemblance in its basic patterns to that of the underdeveloped regions of Latin America. According to latest figures, 45 per cent of Russia's people are on the farms, compared with 48 per cent in Latin America. Some 27 per cent are in service industries, compared with 32 per cent in Latin America. And 28 per cent of the Russians are in industrial production, compared with 20 per cent of Latin Americans.

In some ways, of course, Russia is highly advanced. American military men have the greatest respect for its modern missiles, its jets, its submarines.

Even so, as the '70s open, many of Russia's scientists, intellectuals and others of the elite are recognizing that the bright promise with which the last decade began has not been fulfilled. There is much soul-searching.

These men tell each other that changes must be made. There are bottlenecks that must be broken before Russia can be steered off the road to stagnation and onto the road to broad progress.

For Soviets: a puzzle. The question is: How? Or, as Lenin said: "What is to be done?"

The problems confronting any proposal for basic change in Russia are as complex as the Russians themselves. They are not one people—as Communist theory would have it—but a number of different peoples, with different traditions, different racial strains, different ways of life, different values.

Take the Ukraine. With a population of 46 million, energetic and enterprising, steeped in proud traditions, possessed of rich resources, the Ukraine might have moved to a place as an important nation-state of Europe. Instead, it forms an integral part of the Soviet Union.

In the Ukraine, as in other Soviet republics—among the Estonians, Lithuanians, Uzbeks, Azerbaijanians, Georgians and on through the ethnic potpourri—internal problems are intensifying. For the Kremlin, the long-range implications are disturbing.

That is just one of the worries faced by the Soviet leadership. On pages that follow, categories of concern for the men who rule a troubled Russia in Lenin's centennial year are brought under analysis.

MINORITIES: OPPRESSION AND RESENTMENT

Ethnic Russians—Great Russians—dominate the Soviet Union today just as they did in the days of the Russian Empire, in the two centuries before Lenin installed his Communist system in 1917.

The Great Russians not only make up the bulk of the population in the European part of the country, but fan out in ribbons and pockets of population clear across to Siberia and the shores of the Bering Sea.

Peoples of the 14 non-Russian republics are minorities and treated as minorities—even though they now outnumber ethnic Russians. As a result, they chafe—and manifest signs of nationalism, one of which is resistance to "Russification."

Roots of rebellion. In the Ukraine, rebellion against Russian domination simmers close to the surface. For instance, at Lvov

University, Ukrainian youths have refused to use the Russian language in the classroom.

In recent crackdowns by Soviet police on Ukrainian nationalists, hundreds of intellectuals were subjected to rigorous investigations, mostly for such "offenses" as possessing non-Soviet books about the history of the Ukraine, or writing essays glorifying the Ukrainian past. After secret trials, a number were sentenced to confinement in labor camps.

In the Moldavian Republic, which borders on Rumania, a high Soviet official warned that nationalism was "very much alive" and demanded "increased vigilance" toward tourists because, he said, they could encourage nationalistic feelings.

Wholesale oppression. Anti-Russian feelings still run strong among the Baltic peoples of Lithuania, Estonia and Latvia, which were forcibly incorporated into the Soviet Union in 1940 and subjected to severe oppression by Stalin. The presence of Russians is resented and there is widespread reluctance to use the Russian language.

During World War II, Stalin deported some 250,000 Tatars from their Crimean homeland to Central Asia. An estimated 100,000 died during the forced exodus.

Under the present Soviet leadership, Tatars keep petitioning, agitating and demonstrating for permission to return to the Crimea. The Kremlin has not only rejected these pleas, but has thrown hundreds of Tatars into jail on charges of anti-Soviet activity.

Thousands of Tatars who managed to make their way to the Crimea were ruthlessly turned back after finding that Tatar village names and all other traces of Tatar culture had been eliminated.

Harassment of Jews. Soviet oppression of minorities extends in a particularly stringent way to people of the Jewish faith.

Western analysts say that the Kremlin's profound distrust of the 3 million Jews in the Soviet Union stems mainly from fear that their religious and national sentiments may cause them to put Israel ahead of their Soviet homeland, and from the suspicion that the high intellectual caliber of many Jews encourages them to question established authority.

Soviet Jews are not permitted to emigrate to Israel. They are compelled to toe publicly the Kremlin's official, anti-Israeli line. Any expression of sympathy for Israel risks persecution for "Zionism."

Jews are severely handicapped in any attempt to assert their religious identity. There are no Jewish schools, clubs or libraries. There are no Jewish newspapers and only one Jewish magazine, which publishes such Soviet propaganda as the assertion in a recent article that "Zionism operated on the same fascist thesis in whose name the Nazis threw 3 million Jews into the flames of destruction."

Moscow, with a population of 300,000 Jews, has only two synagogues. The Kremlin carved out the much-heralded "Jewish Autonomous Region" of Birobidzhan in the Far East, but Birobidzhan has only 15,000 Jews among 175,000 Russians. The official language is Russian. Jewish cultural life is virtually nonexistent. There is only one synagogue—and it has no rabbi.

An anti-Semitic work entitled "Judaism and Zionism," by Trofim Kichko, was published recently in the Soviet Union, and the author received a "certificate of honor."

"Liquidation" fears. The plight of Soviet Jews was described in a letter published in 1969 by a group of U.S. Congressmen—a letter which they said had been smuggled out of the Soviet Union by the Jewish Youth Committee of Russia. A passage from the letter:

"The Soviet Government's entire attitude toward Jews is built from beginning to end upon the aim to liquidate our people, to dissolve it in the huge mass, to destroy it."

Experts on Russia say that Soviet policies toward national minorities—relegating them to secondary roles and frequently mistreating them—derive from the Kremlin's fear that nationalistic aspirations of the minorities could disintegrate the multinational empire inherited from Czarist days and thereby break up the power base of Soviet Communism.

Though a concerted rebellion of the minorities against Russian rule is not in the cards, the problems arising from ethnic and geographic differences are growing in scope.

Many Western analysts believe that Russia's armed crackdown on Czechoslovakia was ordered to prevent "Czechoslovak nationalism from spreading not only to other states of Eastern Europe but to the Soviet republics.

Compared with the restless minorities in the Soviet Union, Western authorities on Russia say, U.S. people, even with their serious racial problems, seem almost homogeneous.

MASS DISCONTENT: A RISING WAVE

Criticism of repression, of the ruling regime, of Communist ideology is still under tight rein—but has risen to a point which would have been unthinkable in the Stalin era and which surpasses anything seen in Khrushchev's days.

Discontent is not confined to intellectuals. Army and Navy officers, students, workers show signs of ferment.

Underground publications are being circulated to increasing numbers of people.

One, called "Chronicle of Current Events," has been appearing regularly on a bimonthly basis since April, 1968. It lists cases of infringement of civil rights of individuals, groups, national minorities. Underground organizations are springing up.

Seventeen intellectuals arrested in Leningrad in 1968 were accused of forming an "All-Russian Social-Christian Union for the Liberation of the People." The charge against a group of Soviet naval officers arrested recently was that they founded a "Union for the Struggle for Political Rights." Several senior officers of the Baltic submarine fleet have been imprisoned on a charge that they founded an underground organization.

Former Maj. Gen. Pyotr Grigorenko's political dissent led to his confinement in a psychiatric institution. Former Maj. Gen. Genrikh Altunyan was sentenced to three years in prison after he protested to the United Nations against Soviet injustices.

A protest movement involving scientists in the department of mathematical linguistics at Akademgorodok, the showcase "science city" near Novosibirsk, caused the Government to shut down the department. In the city of Gorki, five university students were expelled and drafted into the Army and four faculty members were fired—all for dissident political activity.

In Kiev, 600 workers signed a petition to the Communist Party's Central Committee, protesting inadequate housing. The next day, at a meeting in a factory, speakers for management were spat upon.

The growing militancy of dissidents was expressed in a memorandum circulated by a group of Estonian technologists, who asserted:

"We ask our Government for reforms. We are ready to keep asking for some time and to wait. But ultimately we shall demand and act. And then it will be necessary to deploy tank divisions—not in Prague and Bratislava, but in Moscow and Leningrad."

Yearning for freedom. What the dissidents are protesting, in most cases, is the lack of freedom to speak, publish and assemble freely.

The Government cracks down not only by sending offenders to prison, labor camps or insane asylums, but by economic penalties.

For instance, Alexander Solzhenitzyn, regarded by many as Russia's foremost writer, has suffered years of harassment and his works have been unpublished in the Soviet Union since 1962. Why? His books—"One Day in the Life of Ivan Denisovich," "Cancer Ward" and "First Circle"—deal with political persecution. Last November, Solzhenitzyn was expelled from the Soviet Writers Union, which means that he is, in effect, blacklisted.

Most Western observers believe that the Soviet leadership can readily repress intellectual dissenters. More worrisome to the Kremlin, it is said, is the increasing ideological dissent among scientists.

An outstanding example of this discontent is a recent manifesto issued by the prominent nuclear physicist, Andrei Sakharov, challenging the right of the Communist Party to continue to enforce ideological orthodoxy.

Lenin believed that his revolution would end all revolutions. But some Russia-watchers in the West are convinced that now evident are the first stirrings of a new revolution—directed against the system which Lenin bequeathed.

"BROTHERHOOD": SUBJUGATION, HOSTILITY

Lenin dreamed of a "brotherhood" of Communism—a great international community of socialist states, led by the Soviet Union. Today's reality finds Russia in comparative isolation. At no time since World War II have the Soviets had so few friends around the world.

Communist China is an enemy in the East. Some experts believe that only a "balance of terror"—China's fear of Russia's nuclear weapons and Russia's fear of China's masses—prevents outbreak of full-scale war.

Communist countries of Eastern Europe are held in subjugation as Soviet satellites—kept in line only by the threat of armed intervention. In many other countries, nonruling Communist parties have repudiated Moscow's leadership.

"Enemies on all sides." Observers in the West point to this paradox: As the Soviet Union has grown stronger militarily over the past decade, it has become weaker politically. An author who fled Russia last year reports:

"The more intelligent people in Russia realize that Soviet policy has produced a situation in which Russia seems to have enemies on all sides and very few friends."

Some examples of what has happened to Lenin's dream of "brotherhood":

When East German workers rebelled against their Communist Government in 1953, Russian troops marched in and crushed the revolt.

When the workers of Hungary rebelled against their Red leadership and its subservience to Moscow in 1956, Russian troops drowned the rebellion in blood.

When the Communist Government of Czechoslovakia attempted to take an independent course in 1968, the Soviet Army intervened.

Russian troops are stationed in Czechoslovakia, Poland, Hungary and East Germany. Soviet relations with Yugoslavia and Rumania are strained. Albania is an avowed enemy of Russia.

Goals still distant. Some in the West argue that Lenin, who understood the use of power, would have approved Russia's use of military force in Eastern Europe. It is argued, too, that Lenin would have been gratified by such moves as establishment of Soviet naval power in the Mediterranean and Soviet support of Cuba, a Communist state 90 miles from the U.S.

But the fact remains that after 50 years, Soviet Communism stands a long way from achievement of Lenin's global goals. To people in many countries, Soviet expansionist drives have looked very much like Czarist imperialism—and Communist "brotherhood" seems to be not a fulfillable dream but a shattered myth.

ECONOMIC WOES: SCARCITY AND SQUEEZE

Lenin prophesied that Communism would mean abundance for all. Instead, the average

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Soviet citizen suffers today from an inadequate diet, shabby and overcrowded housing and a general shortage of consumer goods.

A later prophet, Nikita Khrushchev, predicted that by 1970 the Soviet Union would have passed the U.S. in total industrial production and would have the world's highest standard of living.

No such claims are being made by the present Soviet leaders. There is frank admission, in fact, that a serious slowdown in economic growth occurred in 1969, necessitating tighter state control over planning, tougher austerity measures and stricter work discipline.

Goods are priced sky-high in relation to average earnings. To earn the price of a pair of shoes, for example, a Russian must work 49 hours; an American, 4.5 hours.

Road to stagnation. If economic stagnation is to be averted in the Soviet Union, Western experts say, reforms are imperative—reforms that would depart from Lenin's theory of rigid control from the top and give plant managers greater authority.

But reform moves were abandoned because—analysts conclude—if implemented logically they would undermine the authority of the Communist Party and the powers of its army of bureaucrats.

This, it is said, points up the basic dilemma facing the Communist leadership as it strives to preserve the theories propounded by Lenin, and at the same time attempts to promote modern industrialization.

Rather than jeopardize the role of the Communist Party by introducing effective reforms—including some form of price mechanism and market economy—the Soviet leaders appear to have chosen stagnation.

The effects of the economic ills—at a time when so much is being made of the Lenin centennial celebration—confront the Communist rulers with serious worries. They find it more and more difficult to defend the Communist Party's claim to a unique, scientific understanding of the laws of social and economic development.

SOVIET FUTURE: END OF AN ERA?

In Europe, as well as in the U.S., many knowledgeable authorities say that the main question is this:

Can the present Communist system survive much longer in the Soviet Union? Answers suggested by experts vary. But there is agreement that the system based on Lenin's ideology is in dire trouble.

Michel Tatu, French specialist in Soviet political affairs, contends that "the Soviet regime in its present form is, by all the evidence, doomed in advance, and what we are currently witnessing is the end of one era much more than the beginning of a new one."

Wolfgang Leonhard, a leading West German analyst, says:

"The Soviet Union stands on the threshold of entry into a modern industrial society. The existing power structure in the U.S.S.R. is in no way suited to the new conditions and tasks. First and foremost, the development of Soviet society urgently requires a change in the economic system. . . . This means not simply surmounting the terrorist components of the system, but renouncing the all-embracing dictatorship of the party apparatus altogether."

"Tottering regime"? Andrei Amalrik, Russian historian who was arrested in 1965 and exiled to Siberia, believes that the regime is "tottering toward death." He foresees war with China between 1980 and 1985, with this result:

"The bureaucratic regime, which will be unable by its habitual half-measures simultaneously to wage a war, solve the economic difficulties and suppress or satisfy public discontent, will retreat further and further into itself, lose control over the country and even contact with reality. A heavy defeat at the front or some major outburst of discontent in the capital—strikes or an armed clash—will suffice for the regime to collapse."

Others see the possibility of the rise of another Stalin. Anatoli Kuznetsov, a Soviet writer who defected last year while visiting London, paints this grim picture:

"An explosion—that is to say, a nationwide revolt capable of overthrowing the present regime—is impossible. The machinery of repression is too powerful for that. Nor can I see much hope for gradual democratization of the regime, because there is no real political life at all in the Soviet Union in the Western sense of the term. But there is the very real possibility of a new reign of terror, such as we knew under Stalin and such as the Russian people have known so many times in their history."

Where Lenin failed. American and European authorities point to the failures of Lenin's precepts and visions.

Lenin's vision was a "dictatorship of the proletariat." The reality is a dictatorship of the party elite.

Lenin dreamed of a "withering away" of state control. But the Soviet state exercises rigid control, enforced by police and bureaucrats.

Lenin's "classless society" never materialized. The ruling class is sharply set off from the rest—even in the educational structure. It is far more difficult for a worker's son to get an education than it is in many nations of the West.

At a time of adulation for Lenin, there is growing evidence that the masses no longer believe in the dream of a "Communist paradise." Workers and farmers, intellectuals and technicians show resentment of inequality, oppression, shortages, stifling controls over all aspects of life.

"This discontent," Amalrik writes, "now is beginning to manifest itself more and more loudly, and, in addition, many are beginning to wonder: who, in fact, is to blame?"

And Kuznetsov says that in Russia today Communism, as an ideology, "only provokes ironic and sad smiles."

The posters in Russia proclaim: "Lenin lives." But his dreams, it seems, are dead.

THE MARINE CORPS—A GREAT BRANCH OF THE SERVICE

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. SIKES. Mr. Speaker, the Commandant of Marines, Gen. Leonard F. Chapman Jr., on March 28 issued a statement to general officers and commanding officers of the Marine Corps which was entitled: "Professionalism."

It is a splendid document, and it points to the fact that 5 years have passed since the first Marines landed at Danang in Vietnam to initiate the longest and in many ways the toughest war in Marine Corps history. It contains a startling statement that more than 690,000 Americans have worn the Marine Corps uniform thus far during this war, and that only 600,000 did so during World War II.

Of course it is obvious that the Marine Corps record in Vietnam is a proud one. Because of the importance and the dedication of this branch of the service, I include General Chapman's statement in the CONGRESSIONAL RECORD:

From: Commandant of the Marine Corps.
To: All General Officers and all Commanding Officers.
Subject: Professionalism.

1. Five years have passed since the 9th Marine Expeditionary Brigade landed in Danang and initiated the longest, and, in many ways, the toughest war in Marine Corps history. While diminishing in intensity, the end of this war is not yet in sight and many more months of dedicated priority effort will be required of our Corps there. More than 690,000 Americans have so far worn the Marine Corps uniform during this war and many more will; only 600,000 wore our uniform in World War II. Our record in Vietnam is one in which Marines of every age can be justly proud. It is a record made even more remarkable by the fact that a sizable number of Americans have not supported the war nor the men who fight it.

2. Now that our forces in Vietnam are diminishing under the President's program of Vietnamization, it is time to take stock and reflect on why we have done as well as we have under the most difficult circumstances we have ever experienced.

3. In my view, a principal ingredient to our success was the professionalism of the Marines who were on the rolls when the war started. That professionalism was made up of many things, but it was grounded in the belief that high standards in performance and discipline are vital to battlefield success—high standards not just in military proficiency and physical fitness, but in military appearance, in military courtesy, and in the cleanliness and squared-away appearance of the area where we live, work, and train, all a reflection of individual and group discipline. The true professional is aware that these standards are not ends in themselves, that in fact, they are the means by which we breed pride, and that pride, in turn, builds the kind of discipline that is essential to victory in combat with minimum casualties.

4. Because of the professionalism we had in 1965, Marines were ready—ready not only to deploy and move into combat, but ready to take on greatly increased individual responsibilities. Most privates became noncommissioned officers; many noncommissioned officers became officers; and many officers were rapidly promoted to higher grades. Under the leadership of those pre-Vietnam Marines, hundreds of thousands of young Americans entered the Corps and performed magnificently.

5. Now that the size of the Marine Corps is returning toward pre-Vietnam levels, it is our individual responsibility once again to insure that the professionalism of a smaller Corps can, if called upon, sustain us in whatever emergency the future may hold. In the austere years ahead, we, more than ever, need that fully combat-ready Marine force—high quality, high-spirited, professional, tough, lean, and highly disciplined.

6. It is our objective to achieve these goals during 1970, the critical year of transition, through the unrelenting personal efforts of all our officers and NCO's. We must reach this objective in addition to fighting our remaining units in Vietnam. Our principal actions, designed to tighten up and square away for the future peacetime Corps will be:

a. To enlist or commission in the Marine Corps only those who meet the highest standards.

b. To retain, to the fullest extent possible, only those who, by their performance, have demonstrated capability and dedication to the superior standards expected of them, and to separate from the Corps those who have not.

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c. To pursue only those essential functions contributing directly to making the Corps a superbly effective, ready, *fighting* outfit.

d. To insure that the training given to each member of the Corps is designed not only for his professional development, but, more important, for the overall effectiveness of the Corps.

e. To assign to officers and NCO's challenging, demanding duties of ever-increasing responsibilities to further their development and increase their potential for leadership in any future crisis.

f. To evaluate objectively and professionally the performance of officer and enlisted personnel to insure that high standards are being met; to deal promptly and decisively with any deviations from these high standards.

g. To insure that each new Marine understands that with his uniform goes an esprit de corps based on pride in his Country, his Corps, his unit, and himself.

h. To bend every effort toward the improvement of living conditions of our Marines and their families, and to emphasize the importance of our responsibility to our Marine families wherever they may be.

7. Our success will be determined by the individual effort of each officer and NCO, and, in particular, of each commanding officer. We must renew our awareness of each Marine's importance, his performance, his conduct, his loyalty to our Corps and to our Country, his physical fitness, his appearance. Whenever degradations in any of these are observed, prompt and effective corrective action must be taken. The example set by officers and NCO's in their performance of duty, dedication, devotion to their Marines, conduct, military bearing, physical readiness, and appearance must be above reproach. We must be continually aware of the true readiness of our men and the condition of our equipment. Only in this way can we hope to maintain the dedication to our longstanding commitment to superior professionalism.

8. For the reasons I have mentioned I am requesting each of you to help me, each of you to dedicate yourself to this task, so that by the end of 1970 our Corps will continue to be, in the words of the 13th Commandant, General Lejeune, ". . . all that is highest in military efficiency and soldierly virtue." I know our Marines can and will meet this challenge.

9. All officers and NCO's are to be informed of the contents of this letter and the spirit in which it is written.

L. F. CHAPMAN, Jr.

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SALUTE TO SEA WORLD

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. BOB WILSON. Mr. Speaker, the city of San Diego looks out on the wide expanse of the beautiful Pacific Ocean and San Diegans are deeply involved in all aspects of ocean research and development. We are very proud of Sea World, which features some of the finest ocean actors and exhibitions in the world. In addition, Sea World has been very active in all fields of ocean research. I am pleased to share with my House colleagues the city of San Diego's proclamation declaring "Salute to Sea World Weekend" in honor of Sea World's sixth anniversary.

PROCLAMATION OF THE CITY OF SAN DIEGO

Whereas, Sea World in the City of San Diego will celebrate the beginning of its seventh year as one of the West's most famous visitor attractions on March 21, 1970; and

Whereas, in its past six years of operation, Sea World has given the opportunity to thousands of young San Diegans in jobs and business and therefore helped foster these young people in their pursuance of higher education and helped introduce them to business in the American economy; and

Whereas, Sea World has effectively combined an active research study of marine mammology and aquaria with a superb family oriented concept of shows, exhibits, and scenic rides and has entertained more than seven million residents of California and visitors to San Diego; and

Whereas, Sea World has maintained a quality of performance, appeal, and operating excellance that is a credit to our city and with all its entertaining value; Sea World has also published its findings resulting from marine study for the benefit and contribution to the science of oceanography;

Now, therefore, I, Frank Curran, the Twenty-eighth Mayor of the City of San Diego, do hereby proclaim the weekend of March 21 and 22 to be a "Salute to Sea World Weekend" in and for the City of San Diego and do urge our citizens of all ages to recognize this important sixth anniversary.

In witness whereof, I have hereunto set my Hand, this Twentieth Day of March, Nineteen Hundred and Seventy, and have caused the Seal to be affixed hereto:

FRANK CURRAN,
Mayor.

APOLLO 13

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. MILLER of California. Mr. Speaker, the editorial that appeared in the Washington Post today, and which I include for the RECORD, synthesizes the thoughts and feelings many Americans share with regard to the crew of Apollo 13. For me, the personal involvement of Americans and people everywhere is expressed most pointedly in the editorial when it says:

> Since all of us shared the moments of triumph with the astronauts, we must share with them the moments of crisis, moments that they are accepting calmly and bravely, as a matter of probabilities and possibilities.

I urge every Member to reflect upon the thoughts that have been so eloquently expressed in the following editorial:

APOLLO 13: "—TO STAY ALIVE AND ON COURSE"

Until 10 o'clock Monday night, most of us had watched the space program with a complacency born of repeated success. The memory of the early disaster at Cape Kennedy and the constant reminders from the men of Apollo of the risks involved in each flight had been answered by the string of magnificent performances by craft and crew alike. Even the bolt of lightning that jarred the early minutes of Apollo 12 seemed more a demonstration of the invincibility of our spacecraft than a reminder of impending peril. Then came "a pretty large bang," from a meteorite, or an explosion, or whatever, and suddenly we remember that three men are a long, long way from home, their lives suspended on the slimmest kind of thread. The warnings, the talk of risk and of danger, came flooding back.

Those who are in the Apollo program—the engineers, the planners, the astronauts themselves—have measured those risks many times. They knew something could go wrong anytime, anywhere. They hoped that when it did the men in the craft or the men in mission control could find a way to avoid disaster. But they had faced up to the possibility that a solution might not be found, that men might be stranded in space, that men might die—swiftly in a ball of fire or slowly as oxygen ran out. Now the rest of us must face up to these things. The risks the spacemen run are no greater, probably much less, than those we ask men to run daily in Vietnam. But they are merely more public—and more exotic. Since all of us shared the moments of triumph with the astronauts, we must share with them the moments of crisis, moments that they are accepting, calmly and gravely, as a matter of probabilities and possibilities.

What happened out there Monday night is far from the worst situation that the men of Apollo could have encountered, with a difference of a day or so. The same mishap, occurring while two men were on the surface of the moon, would have meant almost certain death, and so would have the same event, occurring during the trip home after the lunar lander had been jettisoned. Nevertheless, the situation is still touch and go. The moon landing craft, now the temporary haven for the astronauts, was not designed for that job. One slight flaw in its equipment might snap the thread on which life depends. Similarly, one slight crack in the heat shield induced by whatever went wrong Monday night could turn that small capsule into an oven as it plunges through the atmosphere at re-entry.

Thus the line between crisis and tragedy is still very thin. But it has always been so in the world in which explorers live. One slight miscalculation, one mechanical error, one unforeseen interference by nature, one human mistake and Columbus might not have discovered America, Lindbergh might not have flown the Atlantic, Hillary might not have made it up Mt. Everest. Mr. Lindbergh wrote of this in describing his epic flight:

"Looking ahead at the unbroken horizon and limitless expanse of water, I'm struck by my arrogance in attempting such a flight. I'm giving up a continent, and heading out to sea in the most fragile vehicle ever devised by man. Why should I be so certain that a swinging compass needle will lead me to land and safety? Why have I been so sure that I can hold the nose of the Spirit of St. Louis on an unmarked point on that uniform horizon and find Nova Scotia, and Newfoundland, and Ireland, and finally an infinitesimal spot on the earth's surface called Le Bourget?"

Lindbergh gave up a continent, as the astronauts gave up a planet, because he had measured the risks and found them reasonable, for all the possibility of disaster lurking around the corner—it does so every day for men and nations. So if we are going to applaud the glories, we must confront the dangers along the way. All we can do now, as that unlikely looking craft limps back from the moon, is to hope that the men who ride in it and the men in Houston who guide it can find what Lindbergh found.

"Somewhere in an unknown recess of my mind," he wrote, "I've discovered that my ability rises and falls with the essential problems that confront me. What I *can* do depends largely on what I *have* to do to stay alive and on course."

SHOE IMPORTS CONTINUE TO FLOOD U.S. MARKET

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. BURKE of Massachusetts. Mr. Speaker, I call to the attention of the Members of the House of Representatives various news items that appeared in recent editions of the Brockton Daily Enterprise describing the shoe import crisis and the grave problems facing shoe workers and manufacturers:

[From the Brockton Daily Enterprise, Mar. 28, 1970]

SHOE IMPORTS CONTINUE TO FLOOD U.S. MARKET

BOSTON.—Shoe imports continue to flood the American market in record numbers at lower prices while domestic production lags, figures released by the American Footwear Manufacturers Association show.

Statistics reveal that 24.6 million pairs of shoes were imported into the U.S. in January an increase of 37 per cent over the figure for the average month last year.

Leather and vinyl imports or about 22 million pairs represented about half of the estimated domestic production of 44 million pairs for the month.

And while these shoes are flooding the market, the price at which they can be bought is decreasing. The report dated March 13 states that the "January, 1970, price (F.O.B.) per pair is $1.90 or 13.6 per cent less than the $2.20 per pair figure of 1969."

Of all the domestic types of shoes, women's footwear was the hardest hit in the past decade. In 1968–69 alone, domestic production of women's shoes decreased the most, by 17 per cent.

About the only type of domestic footwear to show an increase in production was slippers. Production in 1969 increased by 3.4 per cent while imports decreased by 38 per cent. Showing no increase or decline were men's, youth and boys', misses', children's, infants' and babies', and athletic shoes.

[From the Brockton Daily Enterprise, Mar. 31, 1970]

ELIZABETH WHELAN PREPARES STUDY ON SHOE INDUSTRY

When the League of Women Voters of Brockton holds its open public meeting on the shoe industry in Brockton, "Crisis in the Shoe Industry—Some Solutions," next Tuesday night at the First Parish Congregational Church on Pleasant St., mimeographed sheets of background material will be available to the audience.

The background material was compiled by Miss Elizabeth Whelan, foreign economic policy chairman of the Brockton League.

She is a graduate of Bridgewater State College, and has a master's degree from Boston University. She taught in the Keith school, in the Goddard Junior High School, and in the history dept. of Brockton High, where she taught "Problems of Democracy."

In December and February when the Brockton League held its Foreign Economic Policy study-discussion meetings under Miss Whelan's direction, the plight of the shoe industry under stress from the increased competition from imports came into focus, and the league decided to hold a public meeting where those affected in the shoe industry could find answers to their questions and some possible solutions to the problem.

Miss Whelan is very familiar with the shoe industry. Her father, the late Daniel E. Whelan, was a shoeworker. He worked in the Brockton Cooperative, then London Shoe and the M. A. Packard Co. He was an officer in the Boot and Shoe Workers Union, and traveled for it as a national organizer. Miss Whelan worked summers at the C. A. Eaton Co. Her sister Louise worked at Walk-Over and another sister, Mary, worked at Thompson Brothers during summers. Both Louise and Mary also became teachers, and are both members of the Brockton League.

Co-chairman of next Tuesday's open meeting with Miss Whelan is Mrs. Margaret Tuck. Speakers will be Joseph Corcoran, president of Jones and Vining, James DeRosa, vice president of the United Shoe Workers of America, and Mr. Carroll P. Sheehan, Commissioner of the Massachusetts Dept. of Commerce and Development.

[From the Brockton Daily Enterprise, Apr. 6, 1970]

"SHOE CRISES" SPEAKERS LISTED

For the public meeting on the "Crisis in the Shoe Industry" on Tuesday at 8 P.M. in the Community Room of the First Parish Congregational Church on Pleasant St., the League of Women voters is presenting an impressive group of speakers, authorities in different areas of the industry.

Mrs. John B. Stanbury, chairman on Foreign Economic Policy of the State League, will moderate the panel consisting of Carroll P. Sheehan, Commissioner of Commerce and Development of the Commonwealth; Joseph Corcoran, president of Jones and Vining C.; James DeRosa, vice president of the United Shoe Workers of America; Kenneth H. Johnson, Brotherhood of Shoe and Allied Craftsmen; Mark L. Feeney, Jr., New England Footwear Assn.

Either William or Richard Tarlow will speak from their successful experience, and the Manufacturers Assn. will be represented by Executive Secretary Walter Spicer.

Following the formal remarks the meeting will be opened for audience participation. Copies will be available for distribution of a report prepared by Miss Elizabeth Whelan, retired Brockton High School teacher of U.S. History, economics and problems of democracy, who has completed research from documents and research recently reported to the Federal Govenment and private agencies.

Her field of concentration for her masters degree was in the field of the shoe industry particularly in connection with the development of the labor unions, as her father was one of the pioneers in the organization of the shoe workers. Since her retirement from teaching she has continued her interest and concern about one of our major industries and has been a most valuable leader in the league's studies of foreign commerce and its impact on the national as well as the local level.

Mrs. Philip Tuck has been cochairman. Mrs. John J. Svagzdys, president of the Brockton League, will welcome the guests.

[From the Brockton Daily Enterprise, Apr. 8, 1970]

SHOE INDUSTRY CRISIS CITED

(By Joe Krowski)

"A $2.50 per hour wage against 20 cents per hour is the root of the shoe problem," asserted Carroll P. Sheehan, Commissioner of Commerce and Development for the Commonwealth in a seminar Tuesday night discussing the "Crisis in the Shoe Industry."

In a seminar sponsored by the League of Women Voters held at the First Paris Congregational Church, Sheehan along with Joseph Corcoran, president of Jones and Vining Co., Kenneth H. Johnson, Brotherhood of Shoe and Allied Craftsmen; and Mark L. Feeney, Jr., New England Footwear Assn. and moderator Mrs. John B. Stanbury chairman on Foreign Economic Policy of the State League, discussed the problems facing the declining shoe industry on the local as well as national level.

Sheehan in the opening statement outlined the point of view the state takes regarding the shoeworker. He said it is the comparitively high wage the American worker receives in contrast with the low wage scales around the world that is creating problems in pricing American shoes. The average American shoe worker who is hard working and 52-years-old, and makes between $150 and $155 per week, is now faced with foreign imports and the fact of obsolescence because American factories have not modernized. The State is then forced to retrain the unemployed worker who cannot compete with foreign wages.

Sheehan finds no fault with buying foreign trade but the markup is excessive due to the inability of American retailers to find redress for defective items of foreign manufacture. This, he believes, is losing the advantage of cheap labor and in effect "exporting American jobs."

The unifying theme of the seminar was the agreement among members of the panel that the solution to the problem lies with the Federal Government and it is now beyond the scope of the state government to handle this crisis.

It was Sheehan's observation that the national government was responsible for the growth of industrial giants around the world that began in 1946 and is still continuing." We are guided by the same policies but have failed to examine them in the light of present problems and my cry is please look at this in the light of today's problems," he continued, "because this goes beyond the shoe industry." Sheehan summed up with an admonition for the national government to "protect the home industries or otherwise we will turn into a nation of users who don't produce because we can't."

Joseph Corcoran quoted a letter from an indignant consumer who felt her consumer group of the "over 30" age bracket was being neglected by the domestic shoe manufacturers who catered to the younger buyers with stylish but uncomfortable footwear. He conceded an element of truth to her complaint and explained the difficulties in marketing shoes in this country.

Corcoran narrowed the problem into three categories which included the current tight money policies, the uncertainty of women's styles and the importing of low-cost foreign shoes.

In addressing the problem of marketing he stated that, "the American Footwear Industry, the Public Relations Department of the shoe industry, has a budget of less than $150,000 a year. Ridiculous when you realize that their job is to present to the news media moves in the shoe industry." "Let's get out and tell the consumer why he should buy our products," was part of his answer to the problem of foreign shoe consumption in the United States.

He concluded with a laudatory appraisal of American shoe workers but he also noted that being the highest paid shoe workers in the world they are also the lowest paid of American industry.

Corcoran cited the Constitution's declaration that "Congress shall have the power to regulate commerce," and in order to save the sinking shoe industry "should take back its power over commerce."

Kenneth Johnson of the Brotherhood of Shoe and Allied Craftsmen recalled some disheartening events in the shoe industry within the past two years that affected local workers. In stressing the "impact" of foreign trade on Brockton shoe factories he noted that over the past two years the city has seen the closing of the Dartmouth Shoe Co., the Knapp Shoe Co., the Howard Foster Co., and, most surprisingly, the Victory Shoe.

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Johnson called it "shocking" that one of the most modern shoe companies in America should fold. Each company was the victim of the competition of foreign trades in the shoe industry, according to Johnson.

Among some statistics that Johnson made available were projected losses of workers in the industry by 1975, and a conservative estimate of losses to Brockton shoe workers.

By 1975 we will lose an estimated 180,000 shoe workers out of a total of 250,000, and at present the conservative estimate of losses in earnings to Brockton shoe workers is $2,000,000 and approximately $3,000,000 worth of shoes not being shipped out of Brockton, noted Johnson.

The shoe workers union in Brockton has been working hand in hand with management to solve the problem of job security for the local shoe workers and securing the fate of the shoe industry in America. Because of the Foreign trade situation as it exists "no shoe worker can safely be sure of his job," stated Johnson and if quotas are needed this is what the union intends to seek.

In the approach to the problem of free trade it was made clear by the members of the panel that the national unions have reappraised their stand in this area because of the overall threat to all the unions by the cheaper European and Asian labor.

Mark L. Feeney reiterated the problems that beset the industry and revealed that in 1969, 29 factories had been closed with the resultant loss of jobs to over 4,000 people.

Feeney feels that the qualitative aspects of the American shoe industry, such as service ability and a quality product, should be exploited. But he felt that government protection was needed to stem the tide of foreign shoe imports.

Although the whole range of shoe interests and opinions was represented, from the public relations vehicle, the New England Footwear Assn. to labor and management, the mainstream of thought centered around the belief that the final answer rests with the federal government in Washington.

PREDATOR CONTROL PROGRAM DESCRIBED IN WASHINGTON POST ARTICLE IS PROVEN FALSE AND MISLEADING

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. FISHER. Mr. Speaker, the Washington Post on February 13 featured an article by a staff writer, Haynes Johnson, with this headline: "Poison Ravages Desert's Life Cycle." The article contains statements about Compound 1080, used to control depredations by coyotes that kill and maim sheep, lambs, and even young calves.

The coyote population has increased substantially the past few years, and sheep and cattle producers have suffered increased losses from this predator. In fact, coyote activity has helped to discourage sheep production and has contributed to a reduction in the sheep population in recent years.

Livestock producers have no interest in exterminating coyotes that operate in areas where livestock are not being produced. When these predators destroy domestic animals the producers must, of course, defend themselves. The only way to do this is to destroy the predators, or at least reduce their numbers. Otherwise the economic loss becomes unbearable.

After reading the story in the Washington Post I requested an analysis of the article by the Bureau of Sport Fisheries and Wildlife of the Department of the Interior. In response I have received a communication of this nature from John S. Gottschalk, Director of that agency. The letter is factual and enlightening. It follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., April 7, 1970.

Hon. O. C. FISHER,
House of Representatives,
Washington, D.C.

DEAR MR. FISHER: This is in further response to your telephone inquiry about the article in the *Washington Post* of February 13 regarding one of our programs in Arizona.

The article dealt generally with the subject of predator control. Its prinicpal focus was on Compound 1080, a lethal toxicant used in control of certain predators, mainly coyotes. The article's alarming tone raised serious questions about the impact of this chemical on man, on the environment, and particularly on wildlife resources. The implication was that the Federal Government, through the Bureau of Sport Fisheries and Wildlife and its Division of Wildlife Services, is conducting an irresponsible and indiscriminate killing program, using a dangerous chemical in a most hazardous manner, and that the program is conducted by incompetent personnel.

These implications are incorrect. The Bureau is not conducting an indiscriminate program in Arizona or in any other State. Compound 1080 is not being used irresponsibly, nor does it pose a threat to the environment. The program is administered and supervised by a professionally trained work force.

The Congress has directed that the Interior Department control certain species of wildlife to protect agriculture, horiticulture, forestry, animal husbandry, and other such pursuits (Act of March 2, 1931; 46 Stat. 1468; 7 U.S.C. 426–426b). Under that Congressional directive, a program of animal damage control is conducted by the Bureau of Sport Fisheries and Wildlife, in accordance with an Interior Department policy which recognizes the intrinsic value of all wildlife species and the need to manage wildlife for all of the people. The policy contains a philosophy for controlling wildlife depredations in a responsible manner with consideration for the viability of the overall ecology.

Compound 1080 is a chemical toxicant used by the Bureau in controlling coyote numbers. It is highly lethal in small amounts to canids such as coyotes—less so to other animals. For coyote control, it is used in meat baits placed in late fall and picked up in early spring. Each placement is made at the request and approval of the landowner or land-managing agency, followed by a determination of need by the Bureau. All sites are clearly marked.

Compound 1080 is one of the most carefully studied toxicants in use today. Originally discovered in the mid-1800's, it was studied and developed internationally by the Public Health Service, the University of Chicago, the British Commonwealth Scientific Sanitary Bureau, and others. Bureau use began in 1944. In 25 years of use, it has not been responsible for the elimination of a single species, nor the reduction of any nontarget populations. Quite obviously, eradication of coyote populations has not occurred in areas where it is used.

The *Washington Post* article contains a number of gross inaccuracies, one of which deserves clarification. The article stated:

"A study report submitted to the then Interior Secretary Stewart Udall in 1964 recommended against the use of 1080 poison."

Precisely the opposite is true. The reference is to a study submitted in 1964 to the Secretary of the Interior by the "Leopold Committee," consisting of Dr. A. Starker Leopold, Chairman and distinguished wildlife biologist of the University of California; Dr. Ira N. Gabrielson, then President of the Wildlife Management Institute; Mr. Thomas L. Kimball, Executive Director of the National Wildlife Federation; Dr. Clarence Cottam, Director, Welder Wildlife Foundation; and Dr. Stanley A. Cain, Ecologist with the University of Michigan. This blue-ribbon Committee reviewed carefully the use of 1080 and pointed out problems which result from violations of regulations. Nevertheless, it concluded:

"However, if regulations for the placement and treatment of 1080 stations are strictly followed, we agree . . . that it is perhaps the most efficient and one of the least damaging methods of coyote control in open lands of the western United States."

Following through on the findings of the Leopold Committee, regulations on the use of Compound 1080 have been tightened. The policy and regulations are being strictly enforced.

The Bureau is carrying out a responsible program, directed by law. We shall carry out this and other programs in a professional manner.

Sincerely yours,
JOHN S. GOTTSCHALK,
Director.

MIDLAND GLASS HONORED FOR ANTIPOLLUTION DRIVE

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. MYERS. Mr. Speaker, it was my honor last weekend to observe firsthand the commitment of a major industry in the Seventh Congressional District of Indiana to this Nation's antipollution campaign.

The occasion was the kickoff of the antilitter recycling program of the Midland Glass Co., of Terre Haute, Ind. Public response was overwhelming with more than 1,500 persons delivering 72,261 glass bottles which will be melted and reused in the manufacturing of new bottles.

People of all age groups participated in the cleanup drive which Midland initiated in response to President Nixon's state of the Union appeal to improve the natural quality of the American environment and to concentrate research efforts to develop systems that will result in recycling of packaging materials.

Most impressive to me was the number of young people who took part in this drive to attack that segment of solid waste disposal which relates to the tons of litter we find along our highways, streets, and public areas. If we can impress this generation with the fact that individuals are major offenders in the Nation's pollution problem, then I believe we are on the road to solving this problem.

The pollution of our environment is a matter of national concern and the Federal Government has an obligation to set and enforce the highest standards of

XUM

pollution control. At the same time, the States, communities, industry, and each citizen must play a role in pollution control.

Midland Glass has voluntarily initiated a program which would become mandatory for all industry under legislation I have proposed, H.R. 16110. I hope other industries will follow Midland's lead in this effort to make America a better place in which to live.

An explanation of the Midland Glass Co., Inc., program and the results of the first antilitter campaign are outlined in the following statement prepared by Mr. H. J. Keefe, manager of the Terre Haute plant of Midland Glass:

Terre Haute.—Midland Glass Company yesterday announced a program to recycle the type of glass used in convenience packaging of beer and soft drinks.

William Ware, Midland Glass Company's director of Government Industry relations, said the recycle program is his company's immediate response to President Nixon's recent State of the Union appeal to improve the natural quality of the American environment and to concentrate research efforts to develop systems that will result in the recycling of packaging materials.

Mr. Ware said that "glass, besides being one of the oldest of packaging materials, is also ideally suited to recycling".

The glass will be recycled by reducing beer and soft drink bottles to crushed glass, known as cullet, and remelted in the glass furnaces as a raw material.

The Midland Glass Anti-Litter Recycling Program is designed to attach that segment of solid waste disposal which relates to the highway and the community outdoors.

Mr. Ware, citing research of "Keep America Beautiful, Inc.", said that highway litter is made up of 59 per cent paper, 16 per cent metal cans, 6 per cent plastic, and 6 per cent glass containers.

It was also pointed out that every American is capable of producing between three quarters of a ton to one ton of solid waste per year, and this figure is increasing at a steady rate.

The Midland Glass Recycling Program offers one practical method to control and balance the influence of glass in waste while restoring a natural resource of glass as a modern packaging material.

People will be able to bring in beer and soft drink bottles of the non-returnable convenience type for reclamation. Midland will pay one half cent for the small size bottles, up to and including 16 ounce capacity, and one cent for the family size bottles, ranging in capacity from 17 ounces thru 32 ounces.

In addition to receiving cash payment for bottles delivered to the Midland plants, persons coming to the Collection Center will also have an opportunity to win a Sweepstake Prize and a Grand Prize for the greatest value of glass bottles brought to the Center on each Clean-up Day.

The first clean up day brought over 1,500 people of Midland's parking lot. Lads and lassies from 6 to 60 brought their bottles in for reclamation. Midland paid one half cent for containers up to sixteen ounces and one cent for each container of seventeen ounces or larger. The total number of bottles purchased from the public was 72,216 which was more than twice the expectations of Midland officials.

Everyone that participated was eligible for prizes. The Grand Prize, which was a $50.00 Savings Bond, went to the Terre Haute Boys Club. The youths from this organization brought in over 7,100 bottles.

Two additional $50.00 Savings Bonds went to Mary Tuttle and Rachael Ballard. A boys bicycle went to Harold Kelley of Terre Haute. This lad personally brought in 4,112 bottles. A girls bicycle went to Mary Hillman of Terre Haute who brought her bottles to the plant in a little red wagon. She made several trips throughout the day.

Midland Glass wants to express their thanks and gratitude to all the youth, fraternal, civic and religious groups and individuals that contributed their time and efforts to make this a very successful event.

Since the program was accepted so well by the Community, another clean-up day has been scheduled for May 16, 1970. Midland hopes that other manufacturers will get on the band wagon and set up similar recycling programs in order that we can make this a cleaner and better America.

"Many charities and civic organizations may well find this program to be an excellent method for raising funds", he said.

When the program has proved successful and is operating smoothly, Midland Glass plans to extend the Cliffwood & Terre Haute concept to its other plant at Shakopee, Minn.

"While convenience glass containers account for a minor part of the total environmental quality problem, we at Midland Glass feel that if our industry can contribute in developing systems to recycle convenience glass packaging, other industries will be encouraged to join this effort for a cleaner, better America".

MINNESOTA SOYBEAN GROWERS GET GOVERNMENT BACKING

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. NELSEN. Mr. Speaker, my good friend, Clarence D. Palmby, Assistant Secretary of Agriculture, recently gave a most interesting speech in Mankato, Minn., on the changing soybean situation. The occasion was Minnesota Soybean Growers Day.

In his talk, Mr. Palmby stressed the continued intention of our Government to obtain the total removal of the import levy being charged by Japan on our soybeans. In fact, our Government has already been successful in persuading the Japanese to remove half this restrictive levy, effective within a few weeks.

Also pleasing to those of us concerned for the future market of this important U.S. crop was Mr. Palmby's renewed pledge, on behalf of the Government, to defend the right of U.S. soybean growers to sell in the Common Market nations of Europe without trade barriers.

I insert Mr. Palmby's entire speech at this point in the Congressional Record:

We Keep Changing

Perhaps the ultimate measure of a Minnesotan's devotion to home is the degree of his eagerness to return here in February. At least, that is what some of my Washington friends think. It may be true that only a native of the upper Midwest can fully appreciate the place of winter in the harmony of things. A poet has said that winter is the mother of spring, and when spring follows a Minnesota winter you can be sure it is really official.

I am delighted to be here. It is a personal pleasure for me to have a part in Minnesota Soybean Growers Day.

Not only is this my home county, it is a part of the Congressional District of Ancher Nelsen—a good friend of agriculture and all of us.

You particularly do me honor by affording me the opportunity to talk about soybeans, a crop that contributes much to the better life for many around the world.

Choice foods which in one way or another are derived from soybean products are almost endless in number. Because of this, I wish to exercise a great amount of latitude in talking about several things which I choose to entitle "We keep changing".

Consider for a moment the oil derived from the soybean. Compare consumption trends with competing fats and oils.

Over the past 10 years, one of the things that impresses is the decline in the use of animal fats, and the general rise in the use of vegetable oils, particularly soybean oil.

The consumption of butter in the United States continues to decline. The per capita consumption dropped from around 7.5 pounds in 1960 to 5.5 pounds in 1969. There was a dramatic drop in total lard consumption—from 11.1 pounds per capita to 8.5 pounds per capita. There has been a modest rise in consumption of edible tallow in the past decade (from 1.8 to 2.6) but not nearly enough to offset the total decline in total use of animal fats.

The production of butter, lard and edible tallow in this country totaled 4.4 billion pounds in 1960. By 1969, output had fallen to 3.6 billion pounds. Thus there was about a billion pounds less annually of butter, lard and edible tallow available for consumption at the end of the decade.

The total per capita consumption of edible vegetable oil and animal fats in the United States in 1969 totaled 51.6 pounds as compared to 45.3 pounds in 1960. Interestingly, the per capita consumption of animal fats decreased to 16.6 pounds in 1969 as compared to 20.4 pounds in 1960, while the vegetable oil per capita intake totaled 37.2 pounds in 1969 as compared to 28.5 pounds in 1960. Soybean oil accounts for 28.4 pounds of the vegetable oil portion last year as compared to 18.8 lbs. in 1960.

Total production of edible vegetable oil rose from 6.6 billion pounds in 1960 to 9.0 billion pounds in 1969. So while animal fat production was down nearly a billion pounds, vegetable oil production was up nearly 2.5 billion pounds.

Various factors figured in these changes.

Cottonseed oil production declined with the drop in cotton production of recent years. At the beginning of the 1960's cotton production was running at 14.3 million bales. In 1969, the crop was 10.1 million.

The drop in lard production is related to the higher quality of meat-type hogs being produced. If you look at USDA grading standards for hogs today, you find that today's U.S. No. 3 slaughter hog is quite close in appearance to what we thought of 20 years ago as the top of the market. No. 1 and 2 hogs are of a much leaner type.

The drop in butter production is related to the long-term trend toward the substitution of margarine on the family table.

So it is plain that we are in a period of change in the use of fats and oils—as in other parts of the agriculture and food economy. *We keep changing.*

There is an overall increase in the use of fats and oils. And an increasing share of this market has gone to vegetable oils. I suspect that the general increase in the use of these products is in part a reflection of the changing eating habits of Americans—changes in the time, the place, and the frequency of eating.

We know that the use of "snack-type" foods has gone up sharply. A Department of Agriculture study a few years ago showed a definite rise in this kind of consumption. This seems to be related in part to the rising

XUM

percentage of young people in the population. From my observation, I would suspect that additional factors are television and professional football. We no longer eat three times a day; eating seems to be a continuous process, especially on week-ends.

A similar phenomenon is the growth of the so-called "fast-food" enterprises. This is the volume hamburger stand, the chicken carryout, the roast beef sandwich vendor, and a whole range of enterprises now being promoted by entertainment personalities and sports heroes.

Between 1968 and 1969, total restaurant business went up 2.8 percent—not a startling figure. But restaurant chains—and many of these are in the fast-food category—increased their dollar sales by 18.7 perecnt in one year. *We keep changing.*

Now let's turn to soybean meal.

It is plain that Americans are eating much more meat and poultry than was the case a few years ago. And what's more, consumers are paying less for these choice food items each passing month on a trend basis in relation to other consumer goods. This is quite a tribute to the American farmer—whether consumers realize it or not. And I am afraid they do not realize it.

Between 1960 and 1969, per capita consumption of red meat in this country rose from 161 pounds to 182 pounds with a rise in beef consumption that was most striking. Beef consumption per person went up from 85 pounds per capita to 110 pounds.

The consumption of poultry also went up in a spectacular way—from 35 pounds in 1960 to 48 pounds in 1969—a rise of one-third. Thus the combined consumption of meat and poultry went up from 196 pounds to 230 pounds *per person* in nine years. The average American is eating a higher quality protein diet than ever before, by far. *We keep changing.*

The steady upgrading of diets in America promises continued growth in opportunity for farmers who produce feedstuffs and animal products. To Americans, good living means meat and milk, poultry and eggs, and a rising population with rising living standards means opportunity for this sector of agriculture. Good living also seems to mean more snacks—more carryout foods.

The same influences are at work around the world. We could cite trends in Japan, in Korea, in Taiwan that add up to growing markets for feed ingredients and vegetable oils—soybeans to you! Western Europe continues to expand per capita use of animal products, although the European Community shows a disturbing tendency towards rationing high protein foods via the price technique. But this is another speech.

Our country is blessed with abundance beyond man's imagination. Of all our abundance, however, in the eyes of understanding farmers around the world, the most envied is our huge volume of soybean meal for poultry and swine rations.

Broiler producers in Rumania, Czechoslovakia, Russia, Korea and in an almost endless list of countries all over the world would like to be able to incorporate exactly the right amount of high quality soybean meal in feed formulas—the correct amount to make possible the maximum of broiler meat per ton of feed.

What then is the soybean situation midway in the 1969–70 marketing year?

The situation can readily be summarized.

United States soybean producers will receive a record level of dollars for the 1969 crop.

The CCC loan rate was lowered 12.3%—from $2.50 per bushed for #2 beans in 1968 to $2.25 for #1 for 1969.

Prices received (national average) or to be received by farmers will be down 3 to 4% from $2.42 per bushel in 1968 to $2.32 or better.

Total disappearance will be up about 18% from 946 million bushels in 1968 to over 1,100 million in 1969.

Total dollars received up 13% from $2.3 billion to $2.6.

We disappeared 87% of the 1968 crop last year. We should disappear right at 100% of the record 1969 crop this marketing year. How can this happen?

Exports of soybeans will be up 55 to 70 million bushels this marketing year—a record annual increase.

Soybean meal exports seem to be increasing at the rate of about 15% this year.

Domestic crushing is, of course, moving at an all-time high.

The availability of soybeans in the United States has been a blessing to the growing poultry and swine industry around the world. Without the availability of soybean meal the poultry and swine industry simply could not expand in the manner in which it has.

The lessened competition in the world market from Russian sunflower seed and oil has naturally contributed to the strength in the world oil market.

To an outside observer, it would seem that the pressure from within Russian for more oil in the diet of its people may be a major factor in what is taking place in the lack of availability of sun oil for world commerce.

The present healthy movement in soybeans and soybean products dare not allow the United States to relax in keeping trade channels open around the world.

Japan will be encouraged to do away with the import levy on our soybeans. Half of this levy is now scheduled to be removed on April 1. Particularly, in the light of trade balances between the two countries, Japan will be urged to remove the balance of the levy—and at an early date.

While the EEC has recognized our right to supply soybeans duty-free to the Community, we dare not relax in our determination to have this right respected in the future. Soybeans have enjoyed a growth market situation in Europe not unlike small European cars have enjoyed a growing market in the United States.

Crushing margins have been attractive to soybean processors in the U.S. during this marketing year. Returns to swine producers are also quite satisfactory and have been for several months. This is the American system.

Great forces are at work in our Nation influencing the buying habits of housewives. We are experiencing a greater recognition and increased expenditure aimed at the lower income groups in our Nation. These programs are felt in the market place.

The programs and the expenditures offer opportunities to those involved in the food industry—and you are all involved in that industry.

Profits or operating margins attract capital. You may be sure that soybean processing capacity in this Nation will expand. Plant equipment will also be made more efficient. Likewise, we shall see more capital investment flow into commercial hog production. I mention these two because each industry in its own way is of great interest to soybean producers. Soybean crushers like swine producers have a habit (after experiencing favorable returns) of over-expanding and tightening their margins.

It should always be remembered that the capacity to produce—the capacity to process—is determined by the level of capital investment flowing into production machinery.

The prosperity of your soybean industry is affected by the situation prvailing in many other industries. Your industry is affected by world events; your industry is affected by the ability of all of us to influence and help shape events and economic trends in the world. This is why it is good that you consider the broad policy questions influencing your business. It is also why I am pleased to have been with you today.

LEAD POISONING IN CHILDREN

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. RYAN. Mr. Speaker, recently the public has become aware of a disease which has been plaguing young children in the urban ghettos at an epidemic rate.

This environmental illness is lead poisoning. It affects children between the ages of 1 and 6 who eat chips and pieces of paint which falls from the walls and ceilings in slum housing.

Symptoms of the disease are so similar to a virus or flu that often a child is not taken to a doctor until the disease has reached serious proportions. When it gets to this stage, lead poisoning can result in mental retardation, epilepsy, cerebral palsy, brain damage, and even death.

I have introduced three bills aimed at combating this needless childhood disease. This legislation has been reintroduced several times to include some 20 cosponsors. Senator Edward Kennedy has introduced similar legislation in the Senate with 19 cosponsors.

H.R. 9191—H.R. 13256 and H.R. 14736 with cosponsors—establishes a fund in the Department of Health, Education, and Welfare from which the Secretary can make grants to local governments to develop programs to identify and treat individuals afflicted with lead poisoning.

H.R. 9192—H.R. 13254 and H.R. 14735 with cosponsors—authorizes the Secretary of Housing and Urban Development to make grants to local governments to develop programs designed to detect the presence of lead-based paints and requires that owners and landlords remove it from interior walls and surfaces.

H.R. 11699—H.R. 13255 and 14734 with cosponsors—requires that a local government submit to the Secretary of Housing and Urban Development an effective plan for eliminating the causes of lead-based paint poisoning as a condition of receiving any Federal funds for housing code enforcement or rehabilitation. It also requires that the plans be enforced.

I am inserting in the Congressional Record an article by Miss Martha Fisher, which appeared in the February issue of the Journal of Housing. Entitled "Lead Poisoning in Children," it traces the problem of lead poisoning and the attempts to prevent and combat the disease.

I urge my colleagues to read this article. We have the power to do something about this disease. We have the means, the present pending legislation, to do something about the disease.

We must all support this attempt to stop this needless, environmental hazard.

The article referred to, follows:

Lead Poisoning in Children

(By Miss Martha Fisher)

So began a report prepared by Baltimore health officials in 1952. Eighteen years later, delegates protesting policy statements at NAHRO's 1969 national conference raised the question: "Where does NAHRO stand on the lead poisoning epidemic that is crippling the children of America's slums—the slums our programs have failed to eliminate, the slums our programs sometimes help to create?" (see 1969 JOURNAL No. 10, page 530).

Statistics that measure the incidence of lead poisoning and back up the "epidemic" charges are difficult to obtain and are generally estimates projected from the inadequate quantity of factual data now available. This lack of statistics does not reflect a mere lack of records but many years of undiagnosed, untreated lead-poisoned children, almost all of whom have been residents of deteriorated housing painted long ago with lead-based paint. During these many years, even though lead poisoning is considered a completely preventable disease, little public attention has been given to these poisoned children or to the hazards of the environments in which they live.

Then, in March 1969, a conference was held at Rockefeller University in New York City for the purpose of exploring the problem of lead poisoning. This conference, sponsored by the New York Scientists' Committee for Public Information and several other groups of local scientists and health officials, and attended by health officials from various parts of the country, appears to represent the first anti-lead effort to receive widespread national recognition. It was, of course, preceded by several local experiences in fighting lead poisoning and by a number of private and locally sponsored studies aimed at finding answers to the numerous questions that surround the lead issue. Especially in the last three years, neighborhood groups and professionals in a number of cities have become increasingly active in working for public support of programs for lead elimination or health care for lead poisoned children. But few of these efforts appear to have spurred any general awareness or interest in the "silent epidemic" of lead poisoning . . . until the New York conference last spring.

In the months following that conference, the amount of attention that has been focused on the lead poisoning issue has brought it recognition as a national problem requiring the country's immediate efforts. "There are" in the words of the conference report, "social, economic, legal, and technological barriers to eliminating the hazard, but as the Conference Chairman, Dr. Rene DuBois, said in summary: "The problem is so well defined, so neatly packaged, with both causes and cures known, that if we don't eliminate this social crime, our society deserves all the disasters that have been forecast for it."

While Dr. DuBois' words were harsh, they are not out of line with the sentiments of many who are involved in the campaign to eliminate lead poisoning. In the eyes of most of these critics, lead poisoning is the result of neglect, which, regardless of past explanations, they find inexcusable. It is recognized that further medical and technical research is needed for the development of improved means of fighting the anti-lead battle; yet, it is also recognized that, in spite of their several drawbacks, there are methods now available that have been proven effective. Most critics argue for the immediate implementation of these methods.

Housing Problem: Above all, spokesmen for anti-lead groups have emphasized that lead poisoning is a *housing* problem and that the disease will continue until the slum conditions that produce it have been eliminated. The disease begins within deteriorated buildings where painted surfaces have chipped and peeled. Small children who live in such poorly maintained houses and who suffer from "pica"—a craving for non-food substances, said to be common among young children—become attracted to the loose paint, which is often sweetly flavored with lead acetate.

Most manufacturers stopped distributing interior paints with more than 1 percent lead content about 20 years ago and the walls and woodwork of most older houses, whatever their condition, have several layers of lead-free paint overlaying old lead-based paints. But, once these many layers are chipped or begin to peel, the lead-free coverings provide no protection to the pica child.

Dr. J. Julian Chisolm, Jr. of Johns Hopkins University estimates that ingestion of two or three paint chips a day, over a three-month period, would put enough of the old lead-based paint into a child's system to cause a severe illness, which could result in death or permanent mental retardation. Of the children who accumulate enough lead to cause severe symptoms—normally convulsions and sometimes coma—25 to 50 percent eventually recover. The remaining 50 to 75 percent suffer severe brain damage or die from the poisoning.

Recently, the statistics concerning the number of poisoned children whose lives are lost has declined with the use of new treatments, which displace lead in the blood with calcium and free the lead to be excreted. These treatments, however, cannot repair any brain damage that may have occurred before the child was seen by a doctor. A citizens' committee in New York City has circulated a poster depicting a child's coffin. "Johnny is lucky," the poster says. "He died."

Many children who have consumed dangerous quantities of lead never become convulsive and are, therefore, never diagnosed and never treated. Preliminary symptoms of lead poisoning—stomach cramps, vomiting, irritability—so closely resemble milder and more familiar childhood diseases they are often ignored or improperly diagnosed. At present, there is no evidence to determine whether these milder cases of poisoning may also result in brain damage, though of milder and less easily detectable extent. If such *is* the case, then the level of learning achievement in schools in heavily leaded neighborhoods, and the quality of the society in which children from these neighborhoods, once grown, attempt to participate, may be severely reduced.

A few cities have initiated anti-lead programs in an attempt to halt this "social crime" but, until recently, all such programs have concentrated only on the environmental aspects or only on the medical aspect of this two-sided problem. "No city," according to Glenn Paulson, co-chairman of the New York Scientists' Committee for Public Information, "has made an adequate response."

Baltimore Has Had Program Since 1935: Baltimore's program, the oldest in the country, is generally described as one of environmental treatment. In 1935, the city's bureau of laboratories began offering free blood lead determinations to physicians and hospitals to insure proper diagnosis in lead poisoning cases. Since that time, regulations have been adopted forbidding the use of heavily leaded paint (above 1 percent lead content) in interiors. Massive educational programs have been undertaken to alert both parents and physicians of the sources and symptoms of lead poisoning. For the last 20 years, a full-time nurse has been employed by the health department to visit the homes of children known to suffer from abnormal lead ingestion and to gather samples of paint and plaster to be tested for lead content. Whenever these samples are found to contain a dangerous amount of lead, the landlord is required, under the city housing code, which prohibits the existence of any health hazard, to strip or cover all painted surfaces within reach of a child. The recommended procedure is to cover all wall surfaces with wallboard to a height of 4 feet and to scrape and repaint above that height. Woodwork, including window sills, must be burned or sanded until all old paint has been removed and is then repainted.

An awareness of the lead hazard and a policy of removing lead from the environment has, over a period of years, put Baltimore far ahead of most cities in reducing the incidence of lead poisoning. But critics of Baltimore's efforts believe the city should do more than it has under the present program. A few observers have argued for more stringent enforcement of almost every facet of the program, including a change in the covering procedure to require complete covering or removal of lead-based paint from all wall and ceiling surfaces. Most critics, however, indicate satisfaction with the city's environmental treatment efforts but propose the addition of a mass medical program to search out and treat all children in high-risk areas who may be suffering from undetected elevated blood lead levels.

Chicago Started Program in 1966: Chicago began such a program in August of 1966 and, in spite of the fact that the number of reported poisoning cases increased as more testing was done, the city's health department was able to report that the number of deaths attributable to lead poisoning has declined steadily from 14 in 1967 to 10 in 1968 and to one in 1969. While a number of cities have resisted pressure to inaugurate large-scale screening programs on the basis that present testing methods are inadequate, Chicago has used several of the tests that are available and reports satisfaction with an atomic absorption testing unit, which yields lead-level determinations from blood samples. The Chicago health department now has two of these units, each of which can test up to 1000 blood samples per week, though the difficulties involved in collecting blood samples do not allow the department to utilize the testing units to full capacity. Lead-level tests from urine samples, which are easier to collect, are generally considered less accurate and a test to determine lead levels from snippets of hair has not yet been perfected.

In addition to its child screening program, Chicago has moved gradually—but not slowly—toward the implementation of an environmental treatment program. In January 1969, a lead paint ordinance came into effect enabling the buildings commissioner to require an owner to remove or cover any paint with more than 1 percent lead content. To effectively enforce the new ordinance, code enforcement officials were carefully informed of the significant hazards peeling paint presented. At the same time, the city's health department made a thorough study of the techniques and equipment used in its laboratories for determining lead content in paint and plaster samples. The wet chemical process previously employed was found to be unnecessarily slow and the decision was made to employ a third atomic absorption testing unit to test these samples.

As in Baltimore, the health department in Chicago has combined an intensive educational campaign with its medical and environmental programs and so far the Chicago program has produced encouraging results. A major factor in the success of the Chicago program, according to Assistant Health Commissioner Edward King, has been the willingness of various city agencies to cooperate in building an effective program for the elimination of the lead poisoning threat.

Several other cities have made a variety of attempts at establishing anti-lead campaigns but, even as in Baltimore and Chicago, these programs have encountered many barriers and many critics.

New Haven Takes Action in 1968: In the spring of 1968, the New Haven city council passed a lead paint ordinance prohibiting conditions of peeling lead-based paint and the city's enforcement agencies promised their full support to make the elimination of lead poisoning a first priority program. Power to enforce the city's housing code, however, is split between the redevelopment agency's division of neighborhood improvements, which inspects houses in renewal areas, and the New Haven health department, which has jurisdiction in all other areas. Re-

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ports from various sources indicate that the need for coordination between the efforts of these two agencies and among other groups in the city has presented a stumbling block to the development of an operable program. In addition, the city's critical housing shortage has been a severe impediment to the successful enforcement of the lead-free housing requirement. As in many cities, officials fear that an order to undertake the expense of lead-covering or lead-removal will drive landlords to abandon their properties and that, once the tenants are removed from a building, vandalism will put the property in a condition that is beyond repair. Further, in spite of efforts to move with strength against the lead poisoning problem, city employees report that there is not enough money for the job. Last December, the health department received more than $15,000 in city emergency funds to conduct a mass screening test on inner city children. The funds have enabled the health department to hire additional staff, including eight part-time neighborhood workers, who travel from door to door talking to mothers about lead poisoning and the screening programs. But there is still no money for educational campaigning—an element of the programs in Baltimore and Chicago that officials in those cities have considered vital to their success—and the emergency funds for salaries to New Haven neighborhood workers will last only until June 1970.

Rochester Starts 1969 Pilot Project: In Rochester, New York, cooperation between a number of local agencies is the basis of a pilot anti-lead project initiated last November. The program relies on community aides working out of neighborhood centers for the identification of potential lead poisoning victims. Questionnaires completed by these aides during neighborhood canvassing indicate those residences in which both lead paint and small children have been found. This information is referred to the health department, which arranges lead tests and treatment, if necessary, for the jeopardized children, and to the buildings department, which inspects the properties to verify the existence of chipping lead paint or white lead putty. Housing inspectors in Rochester perform paint analysis tests on location, using a solution of sodium sulfate. If the existence of peeling lead paint is confirmed by the housing inspector, the landlord is notified and is allowed three to five days to correct the hazardous situation. In a case of non-compliance by a landlord, the buildings department arranges to have a painting crew, maintained by the local poverty agency, perform the repair work ordered for the residence.

Rochester's regulation prohibiting peeling lead paint and white lead putty was established in March 1969 as an administrative directive clarifying a general code provision requiring clean, hazard-free ceilings, walls, and floors. As with the New Haven lead paint ordinance, the Rochester directive requires only repainting with lead-free paint after peeling surfaces have been properly prepared.

What To Do? Many lead poisoning experts question the advisability of repainting as a means of eliminating the lead source of a pica child. Obviously, sanding or burning woodwork surfaces until all old paint has been removed and paneling with wallboard or another hard material entails a much greater expense than merely covering the hazardous lead with a new coat of lead-free paint. For most cities, presented with an already critical shortage of housing, the fear that landlords will abandon their properties rather than undertake the expensive lead removal projects makes repainting an attractive alternative. But, the probability that poor maintenance will eventually result in the re-exposure of the same leaded surfaces diminishes that attraction. In addition, representatives of several agencies hold that for the child with a severe case of pica, or for those known as "chewers," repainting may forestall lead ingestion for only a very short time. These children may chip the new paint or chew through it at a window sill or doorway and soon arrive at their original lead source. Almost everyone agrees that there is a great need for an improved technique for covering or removing the old lead paint; the point of disagreement is over the choice between those imperfect techniques now available.

New York: In New York, as in New Haven and most other cities, a lack of adequate funding has severely restricted the ability of the health department and other agencies to conduct comprehensive anti-lead programs. Critics of New York's health department, however, have accused that agency of compounding its ineffectiveness by combining an unresponsive attitude with its financial limitations. A sum of money for the anti-lead program announced in May 1969 did not become available until last November. A gift from private industry to the health department of 200 test kits for lead content in urine samples were said to have, in essence, been forced upon the department and then were given away to a neighborhood group most insistent on their use. An offer from the New York housing authority to provide relocation housing for families of poisoned children was seemingly ignored by the health department, though the authority submitted more than 200 requests for verification for lead poisoning cases. Recent reports from New York, however, indicate that there is a current attempt at reorganization of the anti-lead campaign; that at least 15 new staff members have been hired or are now actively being sought to work on the program; and that the department is putting forth its full effort in an attempt to acquire sufficient funds to conduct a uniquely adequate program.

Growing Efforts to Meeting Problems: The growing interest in the prevention and cure of lead poisoning has sparked action in many other cities. *Minneapolis* and *St. Paul* have new lead paint ordinances. The city council in *St. Louis* is currently considering anti-lead legislation and studies are being made to determine the extent of lead poisoning in that city. In the *District of Columbia*, the mayor has been presented with a memorandum outlining proposed changes to the city's housing regulations that would enable the city to require paint removal from leaded houses where a child is suspected of lead ingestion. In addition, the D.C. health department is working with the local poverty agency and several hospitals with the hope of establishing a pilot volunteer-based screening project. Statistics obtained through this project would be used to demonstrate need in an application for funding to conduct a larger scale program.

Congressional Action: On Capitol Hill, Congressman William Ryan (D), New York, and Senator Edward Kennedy (D), Massachusetts, sponsored a breakfast last fall in conjunction with the New York Scientists' Committee for Public Information to review information on lead poisoning in urban areas. Since that time, three bills, introduced by Representative Ryan have been supported by 19 other Congressmen. Two of these bills would provide federal funds for local programs to detect and treat lead poisoning and to eliminate lead paint from old houses. The third would prohibit the granting of federal rehabilitation funds to any city without an anti-lead campaign. In the Senate, a bill introduced by Senator Kennedy, incorporating proposals of the first two bills drafted by Congressman Ryan, has the backing of 19 Senators.

To Sum Up: Lead poisoning in children is not a new problem—nor a simple one. Programs of medical treatment can only be stopgap measures unless they are accompanied by extensive lead-removal efforts. In many cities, lead-removal programs cannot be conducted effectively under the vague provisions of existing housing and health codes, which frequently prohibit hazardous conditions but do not specifically forbid the existence of peeling lead paint. Money is needed for local programs and for research to develop improved techniques of detection and treatment of poisoned children and leaded environments. And, of course, new housing is also needed.

Twelve years ago the JOURNAL reprinted an article, "Death for Children Lurks in Walls of Old and Run-Down Housing," from the April 1957 issue of *Today's Health*, a publication of the American Medical Association (see 1958 JOURNAL, page 59). The author, Paul J. White, M.D., then Assistant Professor of Clinical Pediatrics, Washington University School of Medicine and Director of the Department of Pediatrics of the Homer G. Phillips Hospital, St. Louis, recalled a number of families in St. Louis who had moved from residence to residence in an attempt to protect their children from lead poisoning, only to find more and more peeling paint and chipped plaster. Dr. White predicted at that time that lead paint would follow these families until enough low-cost housing could be provided to accommodate them. "Until many more housing projects can eliminate the dangers of old houses," he said, "adequate corps of inspectors are urgently needed. . . . The ordinance on housing standards should prevent future slums." By mid-January 1970, the St. Louis city council had not yet passed an ordinance to combat conditions of peeling lead paint. In other cities, the legislative, the medical, and the housing needs required to combat the silent epidemic have been ignored over a similarly long period.

NEW LEAD TESTING DEVICE DEMONSTRATED

A new X-ray machine, designed to detect the presence of lead paint on interior walls, was demonstrated in New York on February 14. When placed against the wall of an upper West Side apartment in which two small children had contracted lead poisoning last fall, the machine registered the presence of 36 percent lead within a single layer of paint. According to New York City's deputy health commissioner, Frederick R. Kent, who was present at the demonstration, the city has agreed to buy 40 of the new machines for approximately $4500 each.

The X-ray machine was developed by Dr. Theodore J. Kneip and Dr. Gerard R. Laurer of New York University Medical Center at a cost of $50,000. Its main advantage will be its ability to yield an instant lead analysis. The lead detection process previously used by the New York health department required as much as five days to complete and could only be performed in a laboratory.

The new machine, however, may also have drawbacks. According to an official of the Department of Health, Education, and Welfare in Washington, D.C., some limitations on its use are anticipated because of the problem of radiation exposure to inspectors conducting lead-determination tests. In addition, the two parts of the machine used in the New York demonstration come to a total of almost 40 pounds. More compact machines, however, are now being produced by Canberra Instruments, a Connecticut concern.

DISTRICT OF COLUMBIA COALITION ON NATIONAL PRIORITIES AND LOCAL NEEDS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. JACOBS. Mr. Speaker, I recently had the privilege with 19 other Mem-

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bers of Congress, of attending an informal hearing on the needs of the District of Columbia sponsored by the D.C. Coalition on National Priorities and Local Needs. Under the able cochairmanship of former District of Columbia City Council Chairman John Hechinger and the Rev. Channing Phillips, this hearing explored in depth the relationship of the needs of the District of Columbia to our current national priorities. Those called to testify by the coalition spoke for a wide variety of unmet needs in the District of Columbia, including housing, air pollution control, education, health care, and crime control.

It is particularly appropriate that the transcript of the coalition's hearings appear in the CONGRESSIONAL RECORD at this time in view of two proposals before the House Committee on the District of Columbia, on which I serve. These proposals would provide for a nonvoting delegate for the District and establish a Charter Commission to explore the question of home rule for the District. While the catalog of unmet needs in the District is mammoth, the one theme that persisted through the coalition's hearings was the desire of the citizens of the District to confront and devise solutions for their own problems. More than anything else the record of the coalition's hearings stands as an indictment of the Congress of the United States for its failure to provide redress for the grievances of the 1 million U.S. citizens who reside in the District.

As a member of the House Committee on the District of Columbia, I was keenly impressed by the quality of the testimony at the coalition's hearing. I might point out, Mr. Speaker, that in the period I have served on the District Committee none of those who testified before the coalition hearing appeared before our committee. If we are to be charged with overseeing the affairs of the District, it seems to me that at the least we must listen to voices such as those raised at the coalition hearing. I, therefore, commend to the attention of all Members of Congress the transcript of the hearing:

D.C. COALITION ON NATIONAL PRIORITIES AND LOCAL NEEDS

Hearing, December 12, 1969, Room 2175, Rayburn Building.

COCHAIRMEN

Hon. John W. Hechinger, former Chairman District of Columbia City Council.

Rev. Channing Phillips, Democratic National Committeeman for the District of Columbia.

WITNESSES

Mr. Robert Benson, Assistant to the President, the Urban Coalition.

Dr. Martin Shargel, President, House Staff Organization, District of Columbia General Hospital.

Mr. Julius Hobson, Member, District of Columbia Board of Education.

Rev. David Eaton, Vice-chairman, Mayor's Economic Development Committee.

Mr. John Delaplain, Economist, Mayor's Economic Development Committee.

Mr. Bruce Terris, Chairman, District of Columbia Democrtaic Central Committee.

Rev. Walter Fauntroy, Director, Model Inner Cities Community Organization.

Mr. John Winder, Executive Director, Metropolitan Washington Coalition for Clean Air.

Dr. George Wiley, Director, National Welfare Rights Organization.

Mr. Ricky Lyons, Student, Western High School.

Mr. Monty Freeman, Student, Western High School.

MEMBERS OF CONGRESS

Presiding: Rep. Donald Fraser of Minnesota.

Rep. Brock Adams of Washington.
Rep. Jonathan Bingham of New York.
Rep. Edward Boland of Massachusetts.
Rep. Phillip Burton of California.
Rep. James Corman of California.
Rep. William Hathaway of Maine.
Senator Harold Hughes of Iowa.
Rep. Andrew Jacobs of Indiana.
Senator Edward Kennedy of Massachusetts.
Rep. Edward Koch of New York.
Rep. Peter Kyros of Maine.
Rep. Allard Lowenstein of New York.
Senator Walter Mondale of Minnesota.
Rep. Robert Nix of Pennsylvania.
Rep. Richard Ottinger of New York.
Rep. Henry Reuss of Wisconsin.
Rep. William Ryan of New York.
Rep. Robert Tiernan of Rhode Island.
Rep. Jerome Waldie of California.

COORDINATOR

Rick Merrill.

TRANSCRIPT

Mr. HECHINGER. We certainly appreciate the attention that you have given our call to appear before you as the D.C. Coalition on National Priorities and Local Needs. Knowing you as friends of the District of Columbia, we will try to bring to you this morning what we see as the relationship of national military spending to our local needs.

Since the beginning of 1969, the concept of reordering of national priorities has made considerable headway in the United States. Propelled initially by the campaign against the ABM here in Congress, the drive for a reordering of priorities has amassed new support in Congress and among voluntary organizations. The views of these organized groups are beginning to be reflected in the general public. The Gallup Poll, for example, estimated in August that 52% of the American people believe the government spends too much on the military.

Yet, the United States—which has long possessed the military power to destroy the societies of any combination of potential enemies—continues to spend about $80 billion a year on the military. Despite the first serious effort by Congress since World War II to review and reduce defense expenditures, the largest single slice by far continues to go for the military establishment rather than to meet human needs. The concept of reordered priorities may have growing support but it does not yet have the political muscle to overcome formidable resistance. The military-industrial complex and a public which is largely satisfied with the status quo combine to create serious resistance to change. The need now is to develop throughout the country a broadened base of political support for the concept of reordered priorities. Until this broadening takes place, the forces of change will not prevail. That is the purpose of this meeting and the others that will follow sponsored by the Coalition on National Priorities and Military Policy.

The report of the Douglas Commission on National Urban Problems is the definitive work that spells out with precision the needs of all of our cities. And for those who deal with urban problems, it is the Bible—an exhaustive compilation of what the urban crisis is and what is needed to confront the decadence that will surely destroy us.

Yet with all the documentation in this report, the recently completed report of the Commission on the Causes and Prevention of Violence, and countless other governmental and private studies, this nation is allocating so large a part of its resources to the national defense that we are unable to sustain the high promise of our civilization.

Social justice, which should be the primary duty of a nation to its people, has become secondary to the spiraling arms race. Air pollution that fouls our atmosphere and muck coursing the river banks of the Potomac, and even our land—tarred over at a rate of 36 square miles per single mile of highway—are held hostage to unnecessary new weapons systems. We seem to produce nothing in greater volume than garbage.

Worcester, Massachusetts was able to defeat the installation of an ABM site, but we in voteless Washington are going to have to live and love the ABM. Do you know that there is more being spent for this doubtful weapon than for aid to education of any sort?

In my term as Chairman of the City Council, what most depressed me was the extraordinary capacity of Congress and the local establishment to allow a black ghetto with rat infested slums, decayed housing, and abominable overcrowding to exist within ten blocks of the White House.

Further, the District of Columbia leads the nation with the highest infant mortality rate, except for Mississippi. Washington has the unfortunate distinction of being the city with the highest gonorrhea infection rate in the United States. Out of every four families one will have an income below the poverty level. We have the second highest syphillis rate. Out of every five children receiving welfare assistance, two are illegitimate. Of children in the 9th grade here in the nation's capitol, only one out of three will graduate from high school. Out of 185 school buildings in the District, one third were constructed before World War I—a situation, I must say, that was not helped by our friend Senator Proxmire cutting $30 million out of this year's school construction request. And I could go on and on and on.

Can we effectively deal with these problems? The answer must be no, not without a massive infusion of money taken out of the military spending sector. We must ask if there will be a reordering of our national priorities if the war in Vietnam should cease. Daniel Patrick Moynihan says, "there will be no monies, of the size that will be significant." Dr. Moynihan is correct only if one assumes continued public apathy and Congressional acquiescence to the demands of the military. The force with which we make our claim will determine the amount of monies allocated to our needs.

That is why we are here today and simultaneously in 40 other cities throughout the nation. Let us have this Town Meeting be a strong voice leaving no doubt in the minds of Congress, hopefully, and the Executive that the American city must be saved. For unless it is, as John Gardner said, and I quote, "We are not only in trouble as a nation, we are in trouble as a species. Man is in trouble, and if you are not filled with foreboding, you don't understand your time."

As you know, Congressman Fraser, I am co-chairing this meeting with the Rev. Channing Phillips, and I would like to ask if Rev. Phillips would call the first witness, I welcome the presence of and appreciate that Congressman Boland, Congressman Corman, Congressman Jacobs, and Congressman Kyros thank you so much all of you for coming here, and we hope that at such times as you wish to address questions to either Channing Phillips or myself that you will interrupt either the speaker or the proceedings.

Representative FRASER. I'd like to ask if copies of your statements will be available—it would be most helpful if we could have copies of the statements.

Reverend PHILLIPS. May I just add my feelings to those of Mr. Hechinger and so as not to delay any further call the first witness. The first witness that we are hearing from is Mr. Robert Benson, formerly the Special Assistant to the Comptroller, Department of Defense and currently the Assistant to John Gardner, of the Urban Coalition. Mr. Benson is a graduate of the Harvard Business School and he has authored numerous articles on military and defense spending.

Mr. **BENSON**. Thank you very much, Reverend Phillips. Members of Congress, ladies and gentlemen, today we gather to discuss local needs and national priorities—to examine the relative merits of competing demands on limited and precious national resources. If this nation's priorities today made sense, there would be no need for such a session. America's priorities today are not sensible. Out fetish for physical security against outside threats is excessive; our regard for the quality of life and the provision of human opportunity is undernourished.

But we have all frequently heard and employed such general rhetoric during the past year. What I find particularly encouraging about these hearings is that by moving away from rhetoric to a specific enumeration of untended local ills, we force a measure of accountability on the Congress and the President. As long as we talk solely in general terms, our pleas are easily ignored. When men as knowledgeable as John Hechinger, Walter Fauntroy, and Channing Phillips lay out the problems of the District in highly concrete fashion and we compare the merits of spending money to remedy these problems against the wasteful way much Federal spending is currently being squandered, our case becomes much harder to ignore.

As a citizen of the District of Columbia, I am aware of many problems of inadequate social services and physical decay, but I today leave their exposition to my better informed co-speakers. I do know one thing however: unlike some communities, Washington has no lack of ideas for solutions or will on the part of local leadership to face up to these problems. Our need is for more dollars.

That comment brings me to my own role here today. I have been asked to discuss the broad fiscal parameters surrounding the backlog of urban and environmental needs faced by the nation, with particular reference to responsibilities for securing funds through reduction of defense spending.

I will turn to defense in a moment, but I would be remiss in not commenting first on tax policy. The most spectacular move toward reordering of priorities in the past year has emanated from Congress—and it is not encouraging. The House has passed a tax bill that would provide billions of dollars in tax cuts over the next few years, and the Senate is greatly expanding that impact. What started out as a well-intentioned effort to correct serious inequities in our tax structure is developing into a monster which promises to reduce federal revenues at just the time when they are urgently needed to solve domestic problems. John Gardner said it well: "Extra dollars in the consumer's pocket won't buy him an adequate police force or good schools or clean air and water. Handing money back to the private sector is a formula for making us—as individuals—richer and richer in filthier and filthier communities, more and more sated with consumer goods in an unlivable environment—Croesus on a garbage heap."

It is absurd for the fattest, richest nation on earth to assert that it can't afford to cope with the problems that are tearing at its vitals. We can't indulge in such hypocrisy and continue to respect ourselves. We must tax ourselves to deal with what ails us.

At the same time we should move with all possible energy to reorder national priorities on the expenditure side. There are many points at which money might be saved, if anyone has the political courage to do it. Farm price and income supports run to $4 billion a year. Highways cost us $4 billion a year. The Bureau of Reclamation and the Corps of Engineers spend about $2 billion a year. And there is now talk of doubling the maritime subsidy to a billion dollars a year. One could list many other examples of expenditures that at the very least deserve searching reappraisal in the light of desperately important priorities of the moment.

But the part of the budget that most urgently calls for continuing scrutiny is the defense budget. Of the $184 billion the government is paying out annually, some $80 billion go for defense purposes. Thanks to vigorous public discussion, the Department of Defense has worked to reduce that figure and is now thinking in terms of $71 to $73 billion for the 1971 budget. But unless very strong public pressure continues, the demands of the military will be re-asserted.

Ten months ago the Council of Economic Advisors predicted that the end of United States involvement in Vietnam would bring a "peace dividend" of $22 billion. On August 25, Daniel Moynihan reported rather wistfully that the expected peace and growth dividends "turned out to be evanescent like the morning clouds around San Clemente"—there no longer would be any peace dividend. Which prediction is correct? Is the peace dividend fact or fiction?

Either of these alternatives could prove correct. Which course is ultimately pursued depends purely on national will and purpose. That choice will affect significantly the quality of life and general welfare in the United States over the next decade. I want to see that choice made in the direction of maximizing national security—and I assert strenuously that national security will be maximized by creating a $22 billion peace dividend, thereby implicitly cutting defense spending from the $80 billion level requested this year by the Nixon Administration down to $58 billion.

To get a feel for these choices and competing demands on limited funds, let's make the perhaps rash assumption that all U.S. troops will be withdrawn from Vietnam by June, 1971 and examine the 1972 budget. I might point out that since Administration review of the 1971 budget is now virtually complete, 1972 is the first budget we still have an opportunity to substantially affect.

In 1972, Federal Government revenues will be about $220 billion. What demands will be placed on that sum? To begin with, I prudently suggest the need for about a $5 billion surplus to help combat the continued inflation which is one of my assumptions and to leave sufficient money available for investment in housing and other private needs. Rises in population and prices will increase the cost of the 1970 package of domestic programs to $127 billion by 1972. That is the price of theoretically not losing further ground in addressing our domestic ills. The key question then becomes how much of the remaining $88 billion will be sucked up by defense and how much allocated to new domestic ventures.

If the Administration is allowed to have its way, the prospects become alarming. I have carefully tried to sift through the rhetoric of Secretary Laird and other Defense Department spokesmen, and until the last two months they consistently claimed defense spending of about $79 billion would be required in FY 1972 even assuming our complete disengagement from Vietnam. If a full volunteer army concept were adopted and implemented, the cost would rise to about $85 billion.

This would leave only $3 billion for new domestic ventures—not even enough for the new income maintenance program already announced by President Nixon.

How can a so-called "post-war" defense budget of $85 billion be possible when pre-Vietnam defense budgets totalled only $50 billion? To begin with, inflation means that the same forces we procured for $50 billion in 1965 would cost $67 billion in 1972. Add on military modernization requests; new programs like the Advanced Manned Strategic Bomber, a super-hardened missile, super-silent submarines, and others; and continue programmed acquisition of the multitude of new aircraft, tanks, and ships approved this year—you are up to $79 billion. The volunteer army takes you the rest of the way.

This explains how the military can talk about an $85 billion 1972 defense budget. It does not begin to justify it. Such an explanation begs the question of whether these new weapons systems are really required to meet expected threats to our national security. It also fails to address the issue of whether all the forces procured in the prewar package still make sense. We have a great tendency to focus solely on the new programs; the old programs are never requisitioned to determine whether their purpose still pertains in a changed political and technological environment. Neither, with the exception of the excellent report issued last week by the House Appropriations Committee, has the Congress or the public looked hard at management inefficiencies in the defense sector.

It is not my purpose here to offer a detailed examination of the sinew and the fat in the current or projected defense budgets. I have treated this subject at some length in recent articles in *Fortune* and *the Washington Monthly*. It is probably sufficient simply to suggest a few examples and to restate my basic conclusions which are that most of the expected modernization and performance increase requests—about $9 billion worth—are unjustifiable; that at least $10 billion worth of outmoded, no longer relevant defense forces could be safely excised from those we procured prior to Vietnam; and that $3 billion could be saved by improved management efficiency on manpower and procurement.

Let me pinpoint my concerns with a few illustrative questions in each of these three areas. First, with regard to modernization and performance increase requests:

Because helicopters have proved valuable in fighting guerilla war in certain kinds of Vietnamese terrain, does it make sense to spend a billion dollars equiping all 18 Army divisions—even those prepared to fight on the open terrain of Central Europe—with a full complement of helicopters on top of their regular equipment?

Why build hundreds of F-14 and F-15 fighter aircraft at $10-15 million per copy, involving complex electronics gear like that which hasn't worked reliably in recently purchased hardware, when we have as an alternative a simple, uncluttered $3 million per copy fighter model which promises better performance?

After the B-70 experience showed us strategic bombers were an anachronism in a missile age, why repeat that folly by launching a potentially $15-20 billion AMSA program?

Why build nuclear carriers, destroyers, and frigates at nearly twice the cost of conventionally powered ships when the only advantages are very minor increases in cruising speed and range of the fleet?

Switching over to outmoded, no longer relevant defense forces, consider these queries:

Does it make sense to maintain and modernize a 15 attack aircraft carrier fleet at annual operating cost alone of over $3 billion a year—more carriers than all the rest of the nations in the world, friend and foe, possess—when the conventional war at sea scenario is no longer plausible in today's nuclear age?

How rational is it to maintain a fleet of 6 ASW carriers and to build a new multi-billion dollar airplane to put on them when performance studies show that the cheaper, land-based P-3 airplane now being phased in does a more effective job?

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Is it still equitable for the United States to bear the cost of 310,000 troops stationed in Europe long after economic prosperity has been restored to our Western European allies?

Finally, looking at the kind of management efficiency issues the House Appropriations Committee has begun to take action on, reflect on the following:

Even allowing for inflation and technical complexity, might there not be something wrong with a procurement system in which we are told that $19.9 billion cost growth was experienced over a $74 billion baseline plan—an overall increase of 26%—in 35 major systems now being procured?

Is it really necessary to spend $2 billion annually just moving men between assignments when this means in practice that the typical soldier receives a changed station assignment nearly once a year?

Clearly many of the practices and forces pointed out in these observations do not make sense. Substantial cuts can be made in the defense budget without adversely affecting our real security against external attack. Based on my work experience at the Department of Defense and my perception of the United States position in world affairs, I can state unequivocably that I would feel quite secure with a 1972 defense budget of $58 billion. Such a budget would mean that $30 billion would be available for new domestic programs.

I want to stress that a $58 billion defense budget would not smack of unilateral disarmament, as Congressman Ford might be wont to charge, nor would it lock us into rusting old equipment. There would be room in such a budget for continuing research, development, and equipment modernization. The 1964 budget of $54 billion, for example, included $22 billion for research, development, and procurement. Cutbacks I propose would eliminate fat and outmoded programs, not cut into the relevant sinew.

Thus we have an envelope of from $3 billion to $30 billion for new domestic ventures in 1972, depending on the kind of military budget we permit. For the principle alone of stemming further drift toward a national security state, it is worth struggling to push the post-war defense budget as close as possible to the $58 billion mark. The case is made even more compelling, though, by an examination of the diversity and scope of new domestic demands on available funds.

The President's postwar planning committee provides a good initial shopping list. First they point to a $6 billion gap between amounts currently authorized and funded for social programs already making important contributions. Two-thirds of this gap is in low-income housing, elementary and secondary education, and higher education.

On top of these, the committee offers a long list of new efforts—totalling about $40 billion in potential 1972 spending—either totally new programs or major expansions of current domestic ventures. These do not represent far our dreaming. The list was compiled from a review of recommendations by task forces in the fields of education, health, manpower, social insurance, welfare, urban development, crime prevention, pollution control, natural resource development, transportation, space technology, and science. Some examples from the list:

$1.0 billion to establish 350 additional comprehensive neighborhood health care centers.

$1.8 billion to provide 500,000 additional public service jobs for the disadvantaged;

$2.5 billion to double federal aid to elementary and secondary education.

These are *not* extraordinary amounts. No further monies are provided, for example, for necessary expanded housing subsidy programs. The total funds earmarked for nutrition are $1.0 billion; yet the Senate has already approved a bill calling for a $1.5 billion expansion of the food stamp program alone. The Carnegie Commission on Higher Education would have us spending more like an additional $7.7 billion rather than the President's Committee's $3.0 billion on Federal aid to higher education. Specifically excluded from the committee's list is the much discussed idea of a comprehensive income maintenance plan, which at moderate levels likely would cost $15–20 billion annually.

Altogether, I calculate that these new or expanded domestic program ideas would cost $60 billion annually. I expect that no two of us here could agree on precisely which of these ventures are most critically needed. Clearly the country and the District of Columbia could progress without all of them being implemented by 1972. I honestly believe though that the alternative of doing nothing to address this vast catalog of unmet domestic needs would pose a much greater threat to our national security than paring down the defense budget to the levels I advocate. I trust that the point is sufficiently clear that domestic needs are so vast that it makes a vital difference where in the $3 billion to $30 billion range the so-called "peace and growth dividend" falls. This is the choice all of us must work to influence.

Mr. HECHINGER. Thank you, Mr. Benson.

Representative FRASER. Another Member has just joined us, Congressman Bill Hathaway from Maine.

Representative BOLAND. What was your experience in the Department of Defense?

Mr. BENSON. I worked in the Office of the Comptroller, helping to prepare the budget, and certainly had an overview of the budget.

Representative FRASER. I think it is important to add that you are one of those who is speaking out and helping to educate many of us and contributing to a public dialog on this question, and that your work really helped us deal with some of these questions last year.

Mr. BENSON. Let me point out that despite the fact that votes were lost in the House and Senate on attempts to cut back on specific defense systems this year, and a lot of people were caused anguish as a result, in fact, I am convinced that it was the climate that was created in the Congress by people such as yourselves speaking out this year which indirectly has led the Appropriations Committee to come up with the strongest bill they have brought forward in recent years, and which has led the Defense Department and the Administration itself to go ahead and make cuts and plan for a lower budget this coming year.

It is very clear to me that had that kind of tone not been set we would not be having the cuts which we are seeing materialize at this point in time. That action was most important.

Representative FRASER. Congressman Jerry Waldie from California has joined us.

Mr. HECHINGER. Congressman Fraser, last night I was with Dr. Keyserling and he seemed to take the attitude whereas one could find the Vietnam war unconscionable and military spending high and the domestic needs great, that they were two separate issues, and that it was wrong, historically, economically, and morally, these were his strong terms, of trying to tie the two together. He said that there was no question that health conditions of the District were at a low ebb and that the educational system was as abominable but this all existed before the Vietnam war, and therefore it was incorrect to tie them together. I just bring this up at this time because it seemed in his mind that a bad foreign policy or a bad move in a military direction had nothing to do with domestic problems. I don't know whether he is noted for his guns and butter approach, but I would like to throw that out as a question to you and the Congressman as to whether let's say we are on the right track in regard to saying that the two—domestic and military are tied so closely together that one relates to the other.

Representative NIX. What is your view on that?

Mr. HECHINGER. My view, very definitely, Congressman Nix, is that they are intimately tied together, not only in terms of money, but sort of in terms of time that a person in the Congress and the President himself has to devote to the needs of the nation. For example, there is a book out just recently, called *Let Them Eat Promises*, by Nick Kotz and it quotes President Johnson saying that he had to allow the food program to go by the board in order to get his revenue bill through—his revenue bill to support defense expenditures. I think that very definitely the whole mood of the country up to now has been to close their eyes to military spending and as a result there has been a diminution of interest and expenditure in the local area—in the domestic area.

Reverend PHILLIPS. At this time I believe Rev. Fauntroy was scheduled to speak on the crisis of the inner city. In his absence perhaps I could share with you in an unprepared fashion some of the experiences of the inner city that relate to the Vietnam war.

It was noted at the last Moratorium that few black people were participating in the Moratorium itself with their presence downtown, and we had frequent calls wondering why they were not participating. I think we ought to state for the record that lack of participation in no sense indicated a lack of sensitivity to what is going on in Vietnam.

I believe, however, that black people have been demonstrating and marching for so long that they have lost faith in that particular method for effecting change. I believe that black people are in such despair and have such acute needs that they can ill afford the kind of time that is required for demonstrations. So it is not a question of the lack of sensitivity or support for the movement to end the war in Vietnam, but the fact that a different set of priorities constrains them.

We are all aware there is a very definite tie between what is going on in Vietnam and what's going on in our inner city or what is not going on. I personally do not believe that the one is the result of the other as has often been suggested. We have heard testimony to the effect that $30 billion could be released if the war is ended and pumped into the domestic scene. I personally believe that both what happens in our inner city and what does not happen, the war, racism, and pollution—are but symptoms of much more basic problems, problems which we are going to have to face up to sooner or later. In fact, we are really talking about an economic system, an exploitive economic system, that is not sufficiently restrained, that invites these kinds of things and creates them as side products. As long as we continue to let our economic system be such that profits dictate priorities, indeed we will have racism because we will need somebody to exploit—preferably a nigger. We need somebody we can identify so we can exploit them. Not only here, but we need the same thing abroad as we seek to control raw materials and markets. As long as we do this and create the obvious economic imbalance domestically and internationally, then indeed we have to keep military expenditures up because we are begging for the inevitable revolution which seems to be the only effective tool we have for redistributing wealth. So indeed, as long as we do not redistribute wealth, we invite war. And without that kind of threat then no creditable leader could have ever hoodwinked us into paying for the ABM trinket. We believe that we can secure ourselves through military might, but history says something to the contrary. The fact that we are not doing in the inner city what we should be doing

XUM

in terms of expending the sums on housing and for education and for welfare and for food, simply means that the monies are being spent elsewhere and that that spending is being dictated by profits.

I recall *The Washington Post* publishing the results of a survey about a year ago in which they had interviewed the heads of the major corporations who are benefiting from defense contracts. The one question they asked—the most basic question—was simply were they prepared to turn the competencies of their corporations to the rebuilding of our cities once the Vietnam War was ended. Tragically to a man the answer was No, they were not prepared to do that. Instead they were looking forward to expanded and increased profits from the military budget both in terms of procurement and research. I suggest that it is a tragedy that the major part of our society—the business sector—for all its competencies still has its priorities being dictated by profit rather than by human need.

So we don't get excited about emphasis on any war in Vietnam. We know that the best security for any nation is to present to the world the fact that a nation can indeed treat people equitably and fairly and meet the needs of its people, as well as helping its neighbors. The inner city seems to be secondary, but it's central because in that inner city lies a positive approach for ending the war. If we were dealing with human needs indeed we would not have the money to spend for the military nor would there be a need to do so.

Mr. **Hechinger**. Thank you, Rev. Phillips. You know the other day someone pointed out that the military industrial complex has an element which is often overlooked and that is, Channing, the people themselves. For example, whenever there is a military base to be closed in a Congressman's district as our Navy Yard in Washington, D.C. the greatest pressure is from the people in the community who demand the continuation of the base to maintain their own economic base rather than concern themselves with what we are talking about today. How do you answer that?

Reverend **Phillips**. I think we have to recognize that we are dealing with a different understanding of man. I don't want to get philosophical in this kind of discussion, but in fact we no longer treat man as being the kind of power-seeking, selfish, corrupt person that he can be. What we are suggesting is that certainly people seek power and they will use it to their own benefit. The only way to curb that presumably is to recognize that tendency as being quite intrinsic in man and to legislate around it.

I would like to move ahead. One of our witnesses has come in, Dr. Martin Shargel, who is President of the House Staff Organization at D.C. General Hospital. I'm sure most of you gentlemen have been aware, either by press or otherwise, of the fight to get additional funds for D.C. General.

Dr. Shargel can speak from that background about the health care crisis here in the District.

Representative **Fraser**. Dr. Shargel, can I suggest that you begin by giving us some background about yourself?

Dr. **Shargel**. Yes, my name is Martin Shargel, I'm a physician, I'm a fellow in internal medicine, specifically pulmonary diseases at D.C. General Hospital, Georgetown Medical Division. My background is I'm 31, married with 3 children, and I am from Baltimore and was educated there and Richmond, Va. I probably will seek private practice and an affiliation with an academic institution in the next year or so.

Today I am here to talk about death . . . not body counts or casualty figures and not abstract statistics, but death just as frightening, just as hideous and painful. And I see this death not occasionally, but every single day and in people whose pain of lonliness, hopelessness and despair is far greater than the physical pain of their disease. The price Americans have to pay for these diseases is enormous. This price is not in terms of dollars and cents, that's easily measured; but what is immeasurable is the price in unnecessary and largely preventable and potentially curable suffering and death. Now I am not speaking only of the urban ghetto or of the squalid rural areas but of America collectively, because of what we could have done but failed to do in the area of health care. Each one of us, regardless of annual income, is indeed medically indigent, and our country is deprived of the usefulness and productivity of those citizens who are struck down by illness whose diseases long ago could have and should have been defined and made treatable and perhaps cured. The man who works hard and paid his taxes and who contributed his whole being as a citizen finds that when he is stricken down by arthritis, adequate care, what we know should have been made available to him, is often not even existent in his community. This man and his family have indeed paid the price as physical, emotional, social, and financial cripples. Where did this man go wrong? Why did his community, for whom he worked so hard, abandon him in his illness. The awful truth is that there are so many people spending his tax money who are so obsessed with war that they ignore the very individuals who elected them in the first place.

It is indeed a nightmarish twist that for some in power patriotism is napalm, bombs, mines, poison and little flag decals for windowshields. Yet the more noble patriotism is concern for the health of his country. It is taking the resources of which we have so much and using them for making our citizens healthier and happier. We spend billions to kill and to kill again, but to sustain life, to better our lives, we can't keep our own children from dying of diphtheria. We begrudgingly spend but a tiny fraction of those billions. Is this behavior some sort of a curse or an absurd joke? Must we continue to work for death not life? Or are we that depraved that our nation is going to commit suicide because it's ignored our health situation for so long? How much longer will our back-breaking tax money be spent on murderous missiles instead of hospital beds, nurses, medical schools, drugs, and research facilities? With all the fantastic wealth of this country, D.C. General could not buy penicillin this year.

The American mortality rate for newborn infants is a shame in the eyes of the rest of the world. Yet we go on with bullets and blood and talk about honor in Vietnam. What could be more honorable and what could be more manly than to admit the futility of war and to redirect our energies to more beautiful tasks.

Now I would like to pose a very real question. How many of us here are willing to die of a disease for which there may be a cure except that we have chosen not to pay much attention to it? Would the leaders of our country like to be told as they lie in the agony of death: "I'm sory, sir, but we used that research money for poisonous gases. You'll just have to die." This in fact is what has been happening for many years. This is not a fantasy. This is real and its valid, and it continues. How many people in this room would deny that if the same energy used to develop a rocket to the moon or a nuclear submarine were used to find a cure for cancer, we would have little quarrel with cancer.

The American people are starting to resent their government for having betrayed their trust. We have a preamble which said "for the people"—not for ignoring or killing people—but for the people. If our love for doing battle has made us lose sight of our love for life and health and the pursuit of happiness then we have retreated to caveman status, and we are wasting all our time today.

Representative **Fraser**. Doctor, could you say a few words about the immediate problem at D.C. General Hospital?

Dr. **Shargel**. The problem at D.C. General Hospital, as I see it, is one of gross understaffing and underfinancing, and the fact that although in the last several years our finances and appropriations have risen geometrically, so too has the patient load risen even more geometrically and with a sharper curve, so that the increases in annual finances simply cannot keep up with the increases in the enormous burden of patient care. And we are little by little drowning. We do run out of penicillin. This is not pie in the sky, we are not asking for fantastic new drugs, we actually run out of penicillin. We run out of insullin. We run out of everything. As of a month ago out of 685 drug items stocked at the pharmacy we were out of a hundred of them. That's sick. The hospital is sick.

Representative **Burton**. Is that due to the problem of dollars?

Dr. **Shargel**. Just to dollars.

Representative **Burton**. Just to dollars—not to administration.

Dr. **Shargel**. I am not sure of all the workings of the administration. That is not my enterprise, but I do know that when I go to the pharmacy and ask for a particular drug, they tell me that they have already spent it and that they can't reorder it.

Representative **Burton**. What about the understaffing? Where is the greatest problem with respect to understaffing?

Dr. **Shargel**. Well sir, you actually asked two questions. The first one about administration and the fact that I am here publicizing the needs for D.C. General are very valid. Our bosses won't publicize it though they admit privately the need to us. So in that view there is something terribly wrong in that the Health Department won't make public what they know are severe defects within that Department, perhaps for fear of criticism of themselves and perhaps the threat of the security of their own position. But nonetheless whenever we go to them and say this needs fixing, they say yes it does, but we won't ask. With regard to understaffing, the least crucial area is in physicians. We have enough doctors in General, or almost enough to do the job, if we had the ancillary personnel, the paramedical personnel, to give us adequate support. For instance, there are plenty of doctors who can order X-rays, but we don't have the X-ray technicians to take the X-rays. Similarly, the doctors can take care of a relatively large volume of patients in the wards, but the nurses are so sparse they can't get around to give them the medications that we order. And this goes on down the line to the housekeeping system, the laundry, the kitchen, and all of the other skilled and non-skilled labor forces within the hospital. They can't support the growing patient load despite the fact that the doctors can do that.

Representative **Burton**. Has there been any improvement since the publicity?

Dr. **Shargel**. There has been absolutely no substantive improvement since the beginning of this publicity.

Mr. **Hechinger**. May I ask, Doctor, in conjunction with Congressman Burton's question in the area of diseases whose effects and cures are known, how is it possible, as I quoted in my statement, that the District of Columbia has the second highest rate of infant mortality and the highest rate of gonorrhea and syphillis—why has Washington with this vast expenditure been unable to contain these diseases?

Dr. SHARGEL. That is an excellent question, and without being facetious, that's exactly what we keep asking the Health Department. We asked them to find out why. We asked them to do something about it. We as physicians honestly cannot be expected to be accountants and administrators and public health workers and the jack of all trades. We would like to be given the wherewithall to do our job, and we know from our work in the hospital that we can't get around to see all the patients very often, that we don't have the right medicine, that we don't have enough help, that patients are not being cared for in other hospitals and are being dumped to us via ambulance and dying on the way. And so although I can't answer your question specifically, all I ask is that somebody competent look into it, and tell us why.

Reverend PHILLIPS. May we thank the witness, Dr. Shargel, for coming, and if there are no more questions, we ought to move ahead because we have more witnesses here.

Moving ahead, first let me welcome Congressman Burton from California and Congressman Waldie from California who have been added to our panel. The next witness to take the chair is Julius Hobson, who is an authority on the District of Columbia School Board. Historically that's the past tense.

Mr. HOBSON. Thank you very much, I am a lame duck member of the District of Columbia School Board, and I am glad to have an opportunity to talk about education as a first priority or one of the priorities of the District of Columbia. At the moment though I would rather pause and pay homage to what is my personal priority, and my first priority today is to concern myself with what's happening to the Panthers and try to join them in the District of Columbia.

But I'm here to talk about education. We are functioning within the framework of a system called public education, which I call really "programed retardation," which through time has been consigning our children, both Black and White, in the District of Columbia to the social and economic junkheap. The data proves this. The United States Congress in a report from the House Committee on Education and Labor condemned the public schools in 1966. Judge J. Skelly Wright condemned the schools in 1967; and the dropout rate, the increasing absentee rate, and the disruption in the public schools condemns them today, while the school administration and the Board of Education try to function within the framework of something called business as usual. I have a statement here which I would like to read which I think goes to the heart of what is now a pressing problem in public education.

First, I would like to say that I have received about seven or eight recent telegrams from teachers who are crying out—who are actually afraid for their own lives. The school environment is unsafe for teachers and students. And I have sought up through time to really ignore this issue of safety, saying that the process of education was bad, and that therefore if we concentrated on educating the children, the whole question of disruption and lack of faith in public education would go away. But I think it has reached the point in time where it can no longer be ignored, and I don't think any sane man now who is watching public education in this community can say that we don't have an immediate safety crisis in addition to the equally urgent continuing problem of meeting the educational needs of the District's children.

Representative FRASER. Could we take a moment to distribute copies of your statement. I'd like to welcome Congressman Adams of Washington who has just joined us.

Mr. HOBSON. During the last few weeks news stories have highlighted violence in the D.C. public schools. Increasing disrespect, hostility, physical threats and destruction is a reality. However, unlike city officials and some educators, I cannot advocate punishing young people—graduating at the rate of over 5,000 a year—for being unable to function in our society. It seems far more reasonable and right to jail city fathers, School Board Members and school administrators who failed to support the abolition of inequity in public education, the tract system, and special privilege.

The Chairman of the City Council, Mr. Gilbert Hahn, during his long years as a resident of the District never offered to lend his prestige, money or support to helping students read, learn to count or secure sufficient books and resources to find a positive role in society. Now he, and men like him, are offering to help control "violence" in the schools when they failed to indicate any prior interest in the welfare of students. What is the point in locking the barn door after the horse has been stolen? We are too late with too little.

Thousands of students have been destroyed or pushed out by the ruinous educational practices of the District. These students are returning to the only real place they know to vent their hostility and frustrations—the schools. Many of them are still school age—but are "push-outs," "drop-outs," or part of the nearly one-third daily "absentee count"—an indication of the growing malaise of the system.

The "answer" to the problem is not Hahn's City Council oppressiveness like wall-to-wall police at School Board meetings nor is it the Superintendent's suggestion (without plan) of community cooperation. The crisis will not be averted until the following first steps have been taken. Unless these actions are immediately initiated, I can only predict an educational holocaust, a rebellion by the young against the existing inequities and incarceration characterized by increasing student strikes and destruction. Any "answer" is two-fold—"long-range" and "short-range."

Short-range requirements.—The District should identify emergency funds. Now you notice I said identify funds because when I come to Congress to testify before a Congressional committee about public school expenditures, my statement is very short. "Don't give them more money to do more of what they are doing."

I can take any line item in the budget of the D.C. Public Schools and destroy it with the very facts upon which it is supposed to be based. No one in the District of Columbia School Administration or on the Board of Education can logically or accurately justify the amount of money spent for public education in the District of Columbia.

I like to blame Congress for anything and everything that is wrong in the District of Columbia, but, I must point out, that in this case the Congress has been very generous to the public schools in terms of money, in fact, too generous. There's never been a cost-analysis study; there's never been an independent audit; there's never been a proper justification for a single line item in the budget of the District of Columbia Public Schools since I have been on the Board of Education.

I have concerned myself with education as an avocation for the last 15 years and I am thoroughly familiar with the inadequacy and downright dishonesty of the present budgetary system. I have broken it down—line by line—gathered the data, studied the data, and presented the data to show specific examples of where it will not hold up. The latest example was my examination of the tuition grant program, where we have thousands of dollars being spent for tuition grants for children going to private schools at public expense. When I studied these budget "lines" I found that the school administration did not know how many children were in special schools, they didn't know what the special schools were designed to do, and they were spending a total of $678,000 a year on 302 children in such schools. Some of these schools we know were not designed to deal with children, identified by the D.C. Public Schools as having emotional difficulties.

This was just one line item in the most recent budget and one example. So I am not in favor of asking Congress for any more money for anything, because I think what is wrong with the D.C. Public Schools includes a need for the effective and equitable management of existing funds—without appropriating new funds to be funneled through the same dishonest and mismanaged system.

The District should identify emergency funds to:

1. Work with the United States Employment Service in D.C. to establish a special counseling and employment service at each high school. Young people not enrolled at the school should be directed to special counselors. Rather than slamming doors repeatedly in the face of the jobless youth, high school employment and counseling offices should offer continuing services and direction to drop-outs and graduates (similar to college placement offices). Former students should be welcome and assisted with job information, enrollment in city youth programs, and help with special health or welfare needs.

2. Select, train and employ a Hall Patrol Official in every high school, junior high school and designated elementary schools. This person should be employed full-time by the school system to patrol the halls—providing directions and assistance to students (with hall passes) and adults. Young people not enrolled in the school should be directed for help to the special counseling office. Individuals selected for hall patrol duties should reside in the neighborhood and relate to young people—they might be retired from other jobs. They should not be armed or uniformed.

3. Force the Justice Department to design an intensive program to combat the illegal drug traffic raging in the city schools rather than concentrating their resources on the persecution of political dissenters. Neither the community nor the local police alone can deal with the highly organized interstate and international aspects of drug traffic.

Now let me just pause here to say that I tried five months ago to find out what was happening in the D.C. Public Schools in terms of drugs. I could take you on any high school campus at 12:00 in the day and you could buy any drug you want. I tried to find out about the sale of drugs by talking to students, I learned little.

In fact, the only time that I have really been warned off a project in the District of Columbia was by anonymous calls suggesting that I "leave drugs alone." I have backed away from investigating drugs because it's a highly organized billion dollar operation. It seems to me that if the Federal Bureau of Investigation can't deal with the illegal sale of drugs to minors, I certainly can't. I consider it a very dangerous practice for any citizen of the District of Columbia to concern himself too closely with the question of drugs on the campus. And if you think this is not a problem, then join me any day at 12:00 noon and knock on any junior or senior high school door, and I assure you that you can easily locate some kind of drug. It is hard for me to believe that the United

XUM

States Department of Justice is both unaware of the drug traffic and of steps that could be taken to eliminate the sale of drugs now rampant in the school system in the Nation's Capital.

Let me return briefly to the last portion of my written presentation.

Long-range requirements.—1. As I have emphasized during my year on the Board, *drastic* educational reforms are urgent. To relieve crowding and other problems, the District should immediately investigate and develop plans to convert to a year-round educational system similar to the Atlantic Plan. Work-study employment programs should be scheduled on a year-round basis rather than forced during the summer months.

2. Any young person under the age of 21 should be encouraged to complete his high school education at public expense at evening schools sponsored by the Board of Education. Vocational education must be expanded to all schools rather than crowded into special schools.

Retraining teachers, redistributing decision making, equalizing books and resources, streamlining the budget, and improving administrative techniques are needed to avert an educational disaster. However, as long as "special privilege" *remains* the *modus operandi* of the school administration, then tragedy cannot be avoided. Special privilege and unequal treatment have brought us to the brink of disaster and will push us over unless we shift our attitudes and priorities.

I am very much alarmed by the business as usual attitude of the Board of Education. If you know about the history of the development of boards of education then you know that the people who sat on them in their early history were businessmen or anybody, economically independent, who had the time and could donate a couple of hours a month to Board Meetings. The superintendent ran the schools. The schools were small, and the objective was to educate the college-bound and not worry too much about the rest. But around 1960 people started to demand that we educate everybody. Thus, this same crew that was designed to float the Mayflower one day found itself on the deck of the Queen Mary. In other words, the nature of education has changed drastically, but the nature of the Board of Education remains the same.

In the District we have a 150 million dollar corporation with about 18,000 employees, 200 buildings and nearly 150,000 children, and yet lay school board members who know nothing about education, little about children and less about management are trying to run this plant two nights a month from 7:30 until 11:00 p.m. Inherent in this kind of structure and organization is the kind of failure which we are getting. It is a full-time job to even understand one aspect of education such as curriculum planning for example. It is a full-time job to deal with the question of just retiring obsolete books. It's more than a full-time job just to deal with the budget. I submit to you that this Board of Education functioning within its present framework could not succeed—even if it were composed of eleven Stokely Carmichaels.

What I am saying is that the failure is inherent in the nature of the School Board and the archaic school administration. The entrenched administration has become little more than a bureaucracy designed to maintain itself. Arthur D. Little stated in a study on the difficulty of representing disadvantaged clientele by school boards, "School Boards are handled by snowing them with information which is so voluminous as to be unintelligible." This has certainly been the case in the District.

Our schools are destroying our children, and any society which destroys its young cannot survive. We are not preparing our young people to function in an industrialized society. We aren't even preparing them to be functional anywhere. We are destroying hope in the young and they are walking the streets by the thousands. And those of us who speak adamantly about it are charged with sprouting rhetoric, causing disunity and with having no substance.

Middle class educators are disdaining America's traditional institutions such as the United States Court of Appeals; the Congress of the United States, and the Constitution itself. If we do not uphold the United States Constitution and the Courts, if we allow the Board of Education, the city fathers, and the people in high places to flaunt the law and to violate the rights of the poor with immunity—as the Board of Education is doing in connection with Judge Wright's decision and with federal legislation—then it follows that the children are going to be disruptive, disrespectful, and distrustful of adults who talk about law and order. We should require the middle class to abide by the law just as we insist that the poor abide by the law. The Board of Education should be put in jail for its crimes against our children, as surely as any robber of any bank is put in jail for his crime.

I am now engaged in a set of studies of the entire spectrum of quantitative education which I hope to publish soon dealing with many of the line items in the D.C. School Budget. I hope that the study will cause the Congress of the United States to call the D.C. educators on the carpet and to ask them to explain new and continuing needs for federal funds.

Some of the Congressmen from my home State, Alabama, down South, are probably saddled with psychological problems of racism. These Congressmen, however, cannot be underestimated when it comes to their knowledge of the budgetary process. School Board members should make intelligent testimony which would offset racist considerations by Congressmen regarding public education in the Nation's Capital.

Thus the crisis in education is a crisis born out of maladministration and coupled with an ignorant Board of Education prevented by design from the possibility of understanding the problems, let alone finding the solutions. Thank you.

Representative KYROS. The other day I went out to Woodrow Wilson High School with which I assume you are familiar, and I spent the morning there and I was impressed by your statement about outsiders in the schools. Teachers told me that they were spending between 50 and 60 percent of their time on security because of outsiders who walk through the hallways and disrupt classes. So I commend some of your suggestions, but how are we going to put them into effect without turning the whole school system over to the police force. You say for example we ought to have individuals selected for hall patrol duty. I know in Maine we don't have this kind of problem. What I want to know is how we can attain adequate security in our schools without turning them into a kind of armed camp.

Mr. HOBSON. Well in the first place I believe in a positive approach to these young people. I went the other day to Armstrong School and talked with these young men we call "outsiders," who are returning to schools. I got a response because I approached them in a kind of positive way, showing no hostility. Neither did I approach them in an authoritarian way. I approached them rather as one human being to another. I can envision sensitive hall guards who are really there to help young people rather than to arrest them. That is why I said in my paper, *no guns* and *no uniforms*. There maybe individual problems which arise in the public schools which require police action. For example, if a man comes into a school brandishing a .45—that's beyond the responsibility of a hall guard. I think that policemen should only be called in temporary emergency situations where people are using weapons against individuals in schools.

The attitude toward students must change in public education. In fact, education is the only industry in the United States, or in the history of mankind that I know of, which holds the consumer responsible for the quality of its product. We say to the child you can't learn because you're Black or because you're poor, or because you don't know who your daddy is, and we really don't charge the teachers with teaching. We have all kinds of excuses. I think our attitudes toward our children have to change.

I know they can change because I came from probably the most backward school system in the country, Birmingham, Alabama in the 30's and there teachers had us thinking that we could all be President of the United States, that we were the sunrise the world was waiting for. Nobody got to the 8th grade without learning how to read. The teachers had completed—on an average—less than two years in college. They didn't have all the machines, automatic devices, counselors, urbanologists and sociologists like we have working the D.C. public schools. I think it was the human attitudes of the people in those backward schools which convinced us all that we could learn.

There may be some immediate problems which call for the law but there are surely some long-range problems which call for setting up services for these "outsiders"—young men and women—who we have failed, members of the Board of Education, the school administrators, the teachers and all those individuals charged with educating children.

Representative KYROS. What would you put into effect next Monday at Wilson High School so that teachers wouldn't be spending all their time on security so that students could walk around the halls safely, and go out to athletic contests without being attacked. What would you do specifically?

Mr. HOBSON. Well, specifically, Monday I would appoint a full time hall patrol official that I spoke of earlier. I would try to select people who are known in the community—people who would relate to the so-called outsiders coming in, as well as present students. I would call an assembly of principals and teachers and talk to them about how to be human beings and deal with children. I would talk about students' rights, teachers' rights, and the rights of the administration and the Constitution of the United States, which I have been talking about ever since I've been on the Board of Education. I would talk about how we've got to respect each other. There's a lack of respect and concern for children in the public schools and the children know it.

As to the outsiders, as I've said before, if a person comes to school with a gun the only thing I know to do is to call the cops, but the normal problems which don't involve illegal weapons should be handled by school authorities. You see, the school administration is very busy hiring new layers of deputy and duplicate Superintendents when they already have so many. Sometimes I think that the best thing that could happen would be to get these professional educators away from the children, and appoint some community people to deal with the problem.

We do not need another study by some expert proposing another long-range plan for another project funded by a gullible Congress of the United States—which seems to freely give money hand over foot to any sociologist who can write up a set of jargon which ends in everything except improvement in education.

Representative KYROS. Well, I am not sure that I agree with your last comment. What do you do about the morale of the teachers, how do you solve this problem?

Mr. HOBSON. I believe in rights for teachers' just like I believe in rights for children.

However, it appears that current methods of teaching do not lend themselves to successful education. Children get a lot of information these days, and I think a teacher's job has really changed into a coaching job. Children sometimes know more about what is going on than the teachers. Rather than standing up before a group of children imparting "facts", maybe we should spend more time coaching them in how to interpret and utilize facts in their daily lives.

I teach a class myself at the American University, many of the students in the class know more than I do, thus we learn from each other while using the community as a laboratory to investigate social problems. Everybody is challenged and it's not a weekly test situation. I think this is one method which could be tried in our public schools.

Dealing effectively with our problems in education is going to require more courage on the part of the School Board, the Congress and the District Building. We now have a Board of Education with little power, a Board that does not use the power which it has, a Board frightened by some of the men in Congress and some of the people in the District Building. Congress of course could remedy this lack of power to deal with problems in education by having home rule in this city.

Representative FRASER. Congressman Ben Rosenthal of New York has joined us, and Congressman Robert Tiernan of Rhode Island.

Representative ADAMS. We on the House District Committee are in a worse position than you are, in terms of having specific information about what should be done. In other words we have simply fought the battle of money—give a little more money because our children go to these schools. What I want to know is whether you think we should take the school system—not the administration, I think I agree with you about the administration, about what goes on now—should we take the school system and break it into either wards or individual high schools and their feeders, their elementary school, and have it run by the local community, maintaining overall financial support, because individual schools could not maintain themselves financially.

Mr. HOBSON. Well, some people call that community control, some people call it community involvement. Our position is that it is in the Democratic tradition, at least on paper, to move the question of government closer to the people. The school system has become so large, impersonal and cumbersome until the central administration seems to be failing in trying to run it.

Representative ADAMS. You say that as a question of administration, as a member of the School Board, you can't possibly know what's going on.

Mr. HOBSON. Under the present system you can't possibly know, as a member of the School Board, whether Board policies are being implemented by the school administration or not. I think if you decentralized and gave the people community control or increased community involvement, it would probably improve education for the children, but there has to be some standardization in terms of curriculum and resources.

May I give you an example of why School Board members cannot know what is going on. I received a chart from the D.C. Public Schools based on a tabulation which I gave them asking for informfation on all special projects[1] in public education funded from all sources. This chart shows that we are spending millions of dollars a year on special projects. There are 130 of these experimental projects now funded in the public schools—more than 30 special reading projects—and not a single one of those projects has been meaningfully evaluated. Does it surprise you to know projects funded by the Congress of the United States in the regular budget as well as under the various Federal titles are frequently *never* evaluated? Do you know that reading scores in the schools where we have special reading projects are declining? Even when we pay as much as $25,000 a year per Project Director! This is the kind of waste we have in public education.

One hundred and thirty unevaluated experiments using primarily Federal funds but also spending foundation funds and regular budget funds! Until you can get some independent evaluation, until you can get some valid information from the public school administration as to the effectiveness of these programs, a Board member can't possibly make any kind of intelligent decision on budgetary items. We don't even know which projects to expand and which to drop.

No, ladies and gentlemen, School Board members cannot get information on what's happening in public education in D.C., and Congress should stop all funding of special projects and demand some accounting from D.C. school administrators, then we can begin to make the decisions which will contribute to the education of all our children.

Representative ADAMS. What you are going to do will make it difficult for people like me and Congressman Fraser who try to get money for education in the District. We have people in Congress who say we don't want to spend money for education.

Mr. HOBSON. I know, and I don't intend to make it difficult for you, but we would prefer home rule to manage our own affairs.

Representative FRASER. I'd like to welcome three additions to our panel, Senators Edward Kennedy of Massachusetts, Harold Hughes of Iowa, and Walter Mondale of Minnesota.

Representative BURTON. What you are saying, Mr. Hobson, is that Congressmen would make darn poor Washington City Councilmen.

Mr. HECHINGER. It also doesn't say very much for those who are City Councilmen in the City Council. We have a full witness list here, Congressman Fraser, and I would like next to introduce the Vice-Chairman of the Mayor's Economic Development Committee, Rev. David Eaton, the Minister of All Souls Unitarian Church and also recently Dean at the Federal City College, and he will testify in partnership with John Delaplain, Economist with the Mayor's Committee on Economic Development. If you gentlemen will both come uo here we will get your chairs.

Reverend EATON. Mr. Chairman, Members of Congress, and guests, the nuts and bolts of this testimony will be handled by Mr. Delaplain, who is an economist and has a much more systematic presentation on some of the priorities you want. His testimony is based on over a year and a half's work with the Mayor's Economic Development Committee.

I would like to take this time to put local priorities in some type of national picture without getting into areas, which have been otherwise confused, I think, conceptually. I think the highest priority which this country faces is one that we have ignored for many years, and that is to rid our institutions of racism. Time and time again we seem to have a type of, I call it, a mentality of expiation, a theological term that means to relieve oneself of one's sins by going through a certain ritual, and the ritual that this country goes through historically is that of commissions investigating, writing reports, and filing them. That ritual seems to make everybody feel better, because through the written word, which has become the sacred document of the report, we say all the things which need to be said. People use rhetoric and say amen to it, and then we file it in some archive and very little action comes out of it. I'm not just talking about the Kerner Report in particular, but all the reports from the time that *The American Dilemma* was written way back in 1943 or 1944.

I purposely did not use the term white racism, because I think it can be better defined analytically as institutional racism. I say that because whites and non-whites in this country are the victims of institutional racism. Until the Congress of the United States and other legislative bodies begins to move courageously, I don't think it is going to be handled by any single administration. You probably know in the history of world politics that when administration becomes stronger than legislation, that you have the encroachment of tyranny and totalitarianism. This we see happening very gradually in this country where the administrative arm of government, both local and national, becomes that forceful body of implementation and legislation does not really play its watchdog role so that the intent of the legislation is in fact carried through.

If we are to rid our country in a reasonable period of time of institutional racism I don't think we can leave it in the hands of any single administration. I think Congress is going to have to write forceful legislation and interpret that legislation to the administration and appoint the various types of committees and task forces to see that the spirit of that legislation is in fact implemented.

There are many ways of doing this. I am not speaking in terms of a nebulous concept. I'm speaking in terms of a very practical situation. In terms of national priorities, if we begin to set up the type of Task Force made up of persons in the behavioral sciences, both white and non-white, who have come to basic agreement on many things that can be done in relationship with people, in terms of changing social attitudes and remotivation.

But interesting enough, we have put more money, this is where you get into your priority category, we have put a disproportionate amount of money in research and technology and the implementation of the data obtained from technology, and a very small percentage of the national resource have been put into research and implementation in the area of behavioral science. I was privy to the report of the NIH a few months ago and it was utterly ridiculous to see the very small percent of the amount of money allocated by the Federal Government for research in the behavioral sciences. I am including anthropology all the way across to psychology and so forth. All together you would count about six or seven disciplines. When we reach the point that it becomes a high priority that this country is seriously concerned with how people can better communicate, where the country is seriously concerned with how people can get along better in various types of groups, then I think we can find the resources because we do have the capabilities now of really making inroads in this area.

I'll just give you one example. From anthropology and other studies we learn that basically the Pueblo Indian is taught that the eyes are windows to the soul, and that the eyes are sacred. And because this is true never have a conversation with a man and look him directly in the eye. The Greek child from his culture is taught also that the eyes are the windows to the soul, and that the eyes are sacred, therefore always look a person in the eye when you are having a conversation.

Now what do you do when you get a Pueblo Indian and a Greek in a room to have a conversation? You look like you are going through a bout. However, there is a common denominator even though you have two different cultures. Both have accepted the premise that the eyes are sacred and that they are windows to the soul. If both know that they appreciate this fact, at least conversation can better take place. It's this type of sharing of knowledge that is already in some of the behavioral sciences. I took a way-out one like anthropology to show how it can be relevant. Sociology and psychology, for example, show us as Mr. Hobson was saying earlier, that is you can't treat a system like education in a vacuum. From my experience of having been born and raised in Washington, D.C. and having come from the District school system, I would say what we find happening in the schools cannot be resolved without looking into the housing problem, the employment problem, and the police-community relations problem. And of those three problems oddly enough I think in terms of the D.C. public schools that the police-community relations problems is the most serious problem because of so-called delinquency in the schools. Young people in this city have absolutely so confidence in the police department because people living in the communities have no say so whatsoever about policies in the Washington Police Department. We don't even have any say-so whether or not policemen live in the District of Columbia or not. And as you probably know the majority of policemen on the force are white, and the majority of the policemen on the force do not live in Washington, D.C.

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[1] For the purposes of the report "special projects" included *all* programs not funded/conducted on a city-wide basis: If a program did not include all schools in the same category (i.e. Junior High Schools), the program was listed in the report. Programs involving one or more schools (i.e. model schools) but not extended throughout the school system were listed.

The highest priority that I see locally, and this is I hope more than rhetoric, is the fact that persons in the District of Columbia cannot do anything about their condition. We are a disinfranchised people. To be very candid, psychologically I have no country. I happen to just have been born in this country, but because of my exprience of denial of any meaningful participation over my own destiny politically in this city, how can I as a person born in the United States of America really feel as if he is a citizen, when I am denied all opportunity of participating in my own political destiny.

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Without going through the fine speeches that many others have made, I think the highest single priority in Washington, D.C. which we came into contact with time and time again in the Mayor's Economic Development Committee was the realistic ability of individuals to feel that they can participate in their own destiny. This was through the Mayor's Economic Development report without a doubt. The report happened to have been put together in spite of this not because of it. I think the report is a good document in areas ranging from transportation to employment to housing to medical services and other things that these gentlemen may have heard. But most important the ability of the citizens of Washington, D.C. to be represented in the halls of Congress and to elect their own city government and to have a major role in determining fiscal policy and expenditures by elected officials. Until that happens I don't think that you can rely upon persons in the community to involve individuals in making the type of decisions that are the right decisions for a healthy state of affairs in the District of Columbia.

Representative FRASER. We have with us now Congressman William Ryan, Richard Ottinger, and Edward Koch, all of New York.

Representative JACOBS. In looking over the witness list, I see that no young people or students have been asked to testify, and I see a number of students here in this room, and I just wondered if they might get togther and agree upon a spokesman who could then testify before us. Would that be agreeable to everyone?

Reverend PHILLIPS. I am sure that we can arrange that. It might be useful before we question Mr. Eaton to hear from Mr. John Delaplain, also of the Mayor's Committee on Economic Development.

Mr. DELAPLAIN. Mr. Chairman, members of Congress, and guests, I would like to briefly try to relate three things: the fiscal problems of the District; the poverty problem of the District; and the opportunities. Too frequently in D.C. we view these in a single objective manner with isolated planning for each one. We do have a crisis on the fiscal side, we have a crisis in education and health, and these are poverty related. I might say on the fiscal side the rather curious thing is that we in Washington live in probably the fastest-growing urban area in the United States. Of the 20 largest urban areas the growth of income is higher in the Washington metropolitan area that in any of the others. It is also true for income in Washington by place of work, but by place of residence we have what I would classify as essentially utter stagnation. We tried to study this in some depth by taking the Social Security 1% sample data which are available and you can break this out by income group by black and white, by sector of work, by age. We find for example in D.C. that we have about 120,000 black people who work in the city in the private sector and make less than $3000 income. This is not family income; this is individual income.

Representative FRASER. We might point out that while the Washington Metropolitan area may be one of the fastest growing in the country, within the District of Columbia itself we have utter stagnation in terms of income of the people who live here.

Mr. DELAPLAIN. Yes, but I was also saying in terms of D.C. itself in terms of place of work we have one of the fastest growing areas, also in the country. By place of residence we have this stagnation.

I think the problems of D.C. in all the areas we talk about here largely stem from the fact that we have about a 75% black population, and this population does not get very high income. I am speaking primarily about the private sector because the incomes there are much lower than they are in the public sector. And I am speaking about the 120,000 we estimate from the Social Security data, which is a rigorous 1% sample. This is a pretty high figure but this includes those that work. It does not include the unemployed or those on welfare.

When you look at the tax base data for the City we find essentially a stagnation in the tax base, which is very much wedded to the problem of income and city residence and again black city residents. You can also see this from the income breakdown by sector of work in the 200 or so sectors we studied, the very low levels that the blacks were able to get, so that discrimination in employment is a very real problem as is discrimination in housing in the suburbs.

On the fiscal problem side, the problem started to escalate in the City about 1965, when we started to meet more of our basic needs of education, health, and welfare. We have had a constant rise of about 16% per year in all of these basic sectors in the cost of government in D.C. in welfare, in education, in housing, and crime. These are the major sectors and major costs. We have a growth of the tax base itself, of some where around 2% per year, in constant dollars it is a little higher than 3½%, in current dollars, but in other words you have a very slow growth of the tax base of the city and a very rapid rise in the cost of government. The fiscal gap can be calculated in a number of ways. I estimate that it has grown from 1965 from about $100,000,000 a year to about $300,000,000 a year in 1970, and I estimate about $1.2 billion a year if these trends continue by 1978.

Representative FRASER. What do you mean by "fiscal gap?"

Mr. DELAPLAIN. Well, that's in effect the amount that has to be made up by Congress, by the Federal Government. The difference between what comes in in terms of revenue and what goes out in terms of expenditures, without counting the Federal contributions or any of the Federal loans or grants.

Since costs are rising at this rate, the tax base is rising at this rate, we are raising our tax rates, we are sort of hitting the bottom of the barrel getting a little bit more in each one of these taxes, and we are also helping to drive businesses out and losing economic opportunities through our tax policies.

Representative BURTON. Excuse me, is that an annual amount in the aid figures?

Mr. DELAPLAIN. Annual amount. Going from 100 in 1965 to 300 in 1970 to about 1.2 billion by 1978, which is a pretty large figure.

Part of the costs of the government, particularly in health—we heard some witnesses on the health and education problems—are in large part poverty related. These costs are going to have to continue. We are not doing an adequate job in any of these sectors. Our welfare standards are not high in this City. I am suggesting that these problems are basically poverty related.

Without going into depth about each of the problems that we have studied, I would like to conclude by saying that we are not in this City taking advantage of the opportunities that exist. We are not doing as good a job as we should be in using the various Federal programs. This is in part I think as David Eaton has suggested because we do not have much control of our own planning in this City. Much of the planning is done by the Federal agencies, the National Capitol Park and Planning Commission, the D.C. Manpower Administration, the Redevelopment Agency, the Housing Authority, and of course, the basic government agencies themselves. We have traditionally carried out sort of a single objective approach to our planning. We have not even attacked what I claim are the basic problems which are these poverty-related problems. We are not doing a very good job getting our residents into jobs with upward mobility. We are doing essentially no upgrading training programs. We aren't doing all that we should be in getting residents into our own City government jobs, which we do have complete control over.

There are many opportunities, as we try to point out in the Mayor's Economic Development Committee First-year Action Program, that need to be exploited. These are opportunities that are going to help raise the incomes of our city residents; they're going to help raise the tax base of this City. We're going to try to be using idle land because we've found that urban renewal is a very expensive process. We have idle land such as the Anacostia Air Base. We have a lot of idle land along the Anacostia River. We have a problem that in certain parts of the City we can raise our building heights to create more opportunity for income. We had one possibility pointed out where we could even set up an industrial park in the area of railroad track intersections where we showed that the government could afford to borrow the money for this land at private interest rates of 8%, and could give the land away to private sectors and still generate three times as much revenue in terms of property tax, income tax, and sales tax as the interest would be on the cost of that land. There are many opportunities like this that do exist in the City. Each one of these we tried to cost out in terms of what was the benefit to City resident incomes and the benefit to the City tax base. I suggest that these opportunities represent the real solution to the fiscal problems of the City. If we keep raising each one of our taxes a few percent at a time, we can keep going through this sort of a no-win game with Congress we come up with each year in trying to get approval for additional revenues, but we are faced with I think some problems of rather large size in scale. We need to try, I think, to transfer some of these problems that are related back to the Federal Government by such avenues as the Family Assistance Plan, for example, would be one excellent kind of approach. There are shortcomings in the plan but that sort of thing would help relieve the District Government of some of its basic problems.

The figures that I quoted earlier I testified before the Subcommittee on Fiscal Affairs of the Senate and those figures on the income of the black city residents and white city residents and broken down by age are available. Thank you.

Representative FRASER. Would the Family Assistance Plan, which the Administration has recommended, in fact relieve any of the tax burdens of the District, relieve monetary pressures on the District? Have you looked at that carefully?

Mr. DELAPLAIN. Well, O.K., the main beneficiaries of the Family Assistance Plan would be the working poor and not those now on welfare.

Representative FRASER. Yes, in Minnesota, for example, while I like the idea of the Family Assistance Plan, it will not help any of our state fiscal problems at all.

Representative BURTON. That's not possible. Under the Family Assistance Plan where you have payments of $375 a year, the maximum matching is $22 a month per person in the AFDC caseload so they have increased the Federal contribution significantly in the Family Assistance Plan.

Mr. DELAPLAIN. Well the question is whether the contribution of the District would be reduced.

Representative FRASER. It reduces the burden on the states.

Representative BURTON. It increases the Federal contribution on the order of I would suspect 30%.

Mr. DELAPLAIN. Well, I think I would like to correct my statement, too. I think there will be some improvement because the state contribution would decline to a range of 50% to 90% of present levels. Furthermore there are a number of families not on welfare in the District that will be helped by this that should really be classed as welfare families too.

Representative FRASER. The only reason I raise the question, I like the idea of the Family Assistance Plan, but as it now stands it does not offer the total federalization of welfare programs that is necessary.

Reverend PHILLIPS. May I interrupt a moment. I understand that there is a good possibility that you gentlemen will be getting a quorum call at 12:15 or 12:30, and just on the outside chance that it might be the military budget we wouldn't want you to miss that call; I wonder if we could, since our purpose is to put before you the immense proportions of these problems and not to solve them, I wonder if we could move to the witnesses before we run out of time.

Mr. HECHINGER. The next witness will be Mr. Bruce Terris, Chairman of the D.C. Democratic Central Committee.

Mr. TERRIS. Thank you. I must say it is wonderful to find so many Congressmen who are interested enough in the District's problems to be here today.

Representative FRASER. Congressman Lowenstein of New York has just joined us.

Mr. TERRIS. Some of us who live in the District, need reassurance that there are some Congressmen who care about the District after the rather bad beating that we have taken on Capitol Hill this year—the blackmail on the freeways and the slashing of the revenue bill and the budget, the likely passage of repressive crime legislation, and the very little progress that has been made on self-government. Perhaps those of you in the House might do your best to resist further crime legislation, such as the Administration has proposed.

Although my topic is housing I would like to start by mentioning the connection between the topic of this meeting and self-government. Although self-government doesn't require money to implement, emphasis by this country on the war in Vietnam and on military spending have in fact been some of the critical factors which prevent us from attaining self-government. And the reason I think that is true is because the time and the energy of the President, the Congress, and even the proponents of self-government is so largely spent on preoccupation with the war and with military spending both for and against, that issues, even important issues like self-government in the District, have largely had to take second place. As an example, when I called my friends, the couple of friends that I have in the Administration, about the subject of self-government during the last few months, the reason that they give me for not putting more fight into getting self-government passed by the House is generally to point to a issue like ABM or the war surtax, which from their point of view take higher priority. So I think we are in the position that even self-government which doesn't require money is very deeply affected by the topic of this meeting.

On the subject of housing I doubt that we need to go through at any great length the crisis that exists in the District of Columbia concerning housing. The City Council made a report this past summer on housing. I believe it's the 15th report in the last half dozen or so years by government or prestigeous private bodies on the housing crisis in the District of Columbia. The City Council's report, like just about every one of those other 14 reports, fails to deal with the problem. The report of the City Council says there is a crisis. It recommends a number of extremely important steps—to allow rent strikes, to license landlords, to do other things that would take the edge off the exploitation of the poor. But it does not deal with the central problem; it deals rather with the symptom of it. And the central problem is, of course, the enormous shortage of housing for the poor and near-poor which exists in the District of Columbia.

And it is no surprise that the City Council doesn't deal with this problem or that the 14 other reports don't either, because nobody knows how to deal with it. We know we can increase the rights of tenants relatively easily, we don't know how to get the vast sums of money which are needed to build housing.

Briefly, we have 300,000 people in the District of Columbia who live in inadequate housing—almost 40% of the people of the District. Half of them live in dilapidated housing or overcrowded housing; the other half pay an exorbitant amount of rent, more than 25% of their incomes. The Mayor's Committee estimates that we need 100,000 new units and 50,000 rehabilitated units to meet the problem of dilapidation and overcrowding. In other words, we are short 150,000 units, as of today, of decent housing. Now that doesn't even get into the problem of the rents that are too high. We have an absolute shortage of 150,000 decent units.

In addition, over the next decade we are going to need 50,000 more units to take care of increases in the population of the District. So we need 200,000 units—150,000 new units and 50,000 rehabilitated units. If we are going to meet this problem in 10 years, we need to build 15,000 units a year and rehabilitate 5,000 units a year.

What are we doing to meet this problem of building and rehabilitating 15 to 20,000 units a year? I think it is fair to say that we are losing ground. More units are being destroyed than are being built, particularly more units for the poor and the near-poor. At the moment we have a little over 10,000 units of publicly assisted housing, mostly public housing, some under various other Federal programs. We are building a little bit more than a 1000 units a year of publicly assisted housing. At the same time have we had an enormous drop off in housing starts in the private sector from 8500 in 1965 to 1300 in 1968 and it will probably be lower this year. In other words we had a drop of housing starts of 85%. So there is little new housing being built for the more affluent to move into so the poor can then move into the housing that the affluent left.

Meanwhile, during all this in which we have done almost nothing to build new housing, we have been destroying housing for highways—destruction which unfortunately is going to increase over the next few years—and we are destroying houses for various commercial purposes and for high rise apartments.

Now what's the hope for the future? Last year you gentlemen passed a very-much ballyhooed 1968 housing act. While the provisions look extremely good on paper, in fact, that program was drastically underfunded. The rent supplement program virtually doesn't exist at all. I don't think there are a 100 units of rent supplement in the District of Columbia. The National Capitol Housing Authority, as I am sure you know, is virtually bankrupt. It does not even have the funds to provide decent housing for its own tenants. It is now in the process of increasing rents, which means that the poor will not be able to even afford public housing. The various other Federal assistance programs that help non-profit groups are underfunded, and proposals to FHA are backed up in the local FHA Office because of lack of money. Meanwhile, interest rates are increasing and housing starts are dropping.

I think it is fair to say that there is no way to fill the housing needs of the District of Columbia over the next ten years without massive amounts of Federal money. There is no money in the District budget. The District now spends no money for housing, and, since it has its own revenue crisis, it probably is not going to be able to find large amounts of money for housing. The Mayor's Committee on Economic Development estimates that we need 165 million dollars, which is probably a very low estimate, over the next decade to subsidize housing for the poor and near-poor. That money is going to have to come, if it comes at all, from the Federal Government.

Eight years ago a couple of us started to rehabilitate some housing in the middle of the second precinct in the District of Columbia—in the middle of the Shaw area. After we had done this with private funds and with our own hands for a few years, we decided at the rate we were going we were never going to make any substantial impact on the housing problem. We decided that what we ought to be doing is turning to Federal financing, because of the slowness with which we were proceeding. I've now reached the point of wondering whether in fact, depending on federal programs isn't even slower than doing it ourselves.

I would like to conclude by saying that I think the subject which is before you today, the question of national priorities, is the identical subject as whether we are going to meet our housing problem in the District. At the moment we have no program. Not even a plan for meeting this problem. We wring our hands in the District of Columbia and say this is our number one crisis, but we do nothing about it. And we are going to do nothing about it unless somehow we from the Defense budget millions and millions of dollars for the District of Columbia and probably tens of billions of dollars in total to meet the housing crisis in this city and other cities across this whole country. Thank you.

Reverend PHILLIPS. As time is getting short, may we hold all questions until we conclude hearing the witnesses.

Mr. HECHINGER. The next witness will be Reverend Walter Fauntroy, the former Vice Chairman of the D.C. City Council, currently deputy director of the Model Inner Cities Community Organization, and pastor of the New Bethel Baptist Church. My friend Walter Fauntroy.

Reverend FAUNTROY. Thank you, Mr. Hechinger, Mr. Chairman, and members of the Committee. I want to express my appreciation to you for this opportunity to testify at this hearing.

Representative FRASER. May I just make the comment that I have been on the District Committee for five years, and we have never had this kind of information or these kinds of witnesses presented to us.

Reverend FAUNTROY. Thank you so much, Mr. Chairman. I think it's rather trite to say that we live today in revolutionary times when people are in ferment in our cities across this country and around the world, but it may not be so trite to say that revolution has to do, as I define it, with the ownerships and control of land. It has to do with freedom from exploitation on that land, and the hallmark of revolution is not so much violence and guns and fighting violently but effective change; that is the essence of revolution. And in this sense America is the home of revolution in our time because we in this country, knowing that we were being exploited, on land that was owned by absentee landlords organized ourselves and fought to free ourselves from the kind of exploitation for which people are grappling now around the world, particularly poor and black people. And the only thing about the situation in our city here and across the nation that differs from 1776 is the fact that we cannot afford in our time violent revolution. It is not a viable solution to the kinds of changes that need to be made.

So I say to quote the late President John F. Kennedy: "Those who make nonviolent revolution impossible make violent revolution inevitable." It is in that context that I want to discuss our needs in the inner city for breaking out of the urban crisis. I wonder if you would allow me to digress a minute to refer to what seems to me a glaring example of the failure of Congress to understand the needs of this country for nonviolent revolution—the despicable vote of the House yesterday on that Voting Rights Bill. That was a bill which was fought for nonviolently without burning, without looting, without violence.

People bought that bill with their nonviolent demonstrations in an effort to effect nonviolent revolution, which is what voting is. It is the means by which we change without violence, and for this Congress and this Administration to point the nation backwards beyond 1965 and repeat the action of a hundred years ago, when Rutherford B. Hayes came to power and made a deal with the emerging southern Bourbons to pull the troops out to permit the violent suppression of a nonviolent means of change which is the vote, we witness that here as a result of this action by the Congress by the House yesterday we are in trouble and the words of John F. Kennedy will again arise to haunt us: "Those who make nonviolent revolution impossible make violent revolution inevitable."

Having said that, I want to say about our local situation here that the tragedy of our priorities operating to make nonviolent revolution impossible is no more clearly seen than in the situation here in the inner city and in the ghetto. And what is required to bring about needed change is revolution:—the change of ownership and control of land, and freedom from exploitation of those who live on the land in the inner city. The people of the inner city, the people about whom we are concerned, are as much on a plantation, as much in a colony as were the thirteen colonies in 1776 in that the land on which they live is owned by outsiders and is used to exploit them.

The fact is that, for example, in the inner city area in which we are working to reclaim land to affect what we are calling nonviolent land reform, 70% of the land is owned by outsiders. We know of many slum lords who reap 100% profit on their investments in providing housing to their renters, so that many of the people who have rented that land for 30 and 40 years have paid for it three and four times and still can be given a 30-day notice and put off the land just as we could have been put off the land by the power of the British in 1775 prior to a revolution which changed the ownership and control of that land. We in the inner city in short are trying to affect nonviolent change, and I believe that we have within the American system, within the already approved programs of the country, the tools to do it. What we lack is the commitment on the part of he people generally and the commitment of money in particular to do these things.

Let me just outline briefly what we are attempting to do and how, unless the nation orients its priorities toward this kind of land reform, we will not deal with the problems of the inner city. We are engaged in an effort through citizen planning to arrive at the acquisition of land. This kind of program requires a massive input of public funds. We are about to break ground tomorrow on a 109-unit apartment, a development on land which a year ago was owned by outsiders who would not have freed that land for development. But by the grace of God and through our work the Lincoln Westmoreland Housing Corporation, the Lincoln Church, the church of which Mr. Phillips is pastor, has been successful in providing on that formerly plantation land housing for the people in the community at a rate that they can afford to pay.

This cannot go on in sufficient quantity either in this city or any city in the nation if the Congress and the people do not review and reset their priorities. As a final case in point let me cite the fact that this Congress passed in 1968 a Housing Act which stated as its goal the provision of 26 million units of housing in the next ten years.

Congress authorized only enough money to provide half that amount for this year's quota and appropriated only a quater of that amount. The amount, for example, provided for 2351 housing could be absorbed for the whole nation right in Shaw. Until and unless we in this country reorder our priorities so that 70 cents of every dollar that is taken for taxes is not put into military uses, until we can instead of spending $3 billion in HUD spend $30 billion, we are not really going to affect nonviolent revolution, because revolutionary change must come and in conclusion again if we do not make this kind of nonviolent revolution possible we will make violent change inevitable.

Reverend PHILLIPS. Thank you very much Mr. Fauntroy. In moving ahead to our next witness and reserving questions to the end, Mr. John S. Winder, who is Executive Director of the Metropolitan Washington Coalition for Clean Air, will talk on the question of pollution in the District, which is also related to the question of national priorities.

Mr. WINDER. Mr. Chairman, thank you for the opportunity to speak to you. If I may, I'd like to read from a prepared statement which expresses what I believe is the major crisis not only in D.C. but in the entire country. Environmental pollution, traditionally ignored and excused in the name of progress, is a luxury we can no longer afford. Even the most rigorous opponents of pollution control who demand conclusive evidence of harmful effects of pollution can no longer be permitted to refuse controls. Facts and figures and dirty pictures of our air and water are plentiful.

A tragically accurate analogy can be drawn which compares the growing opposition to our military-industrial complex—opposition in large part to the needles war casualties around the globe. Analogously a far less known but equally tragic fact is that environmental pollution can kill. Those familiar with the air pollution literature, for example, will recognize the frequently cited cases of 62 deaths in Belgium's Meuse Valley in 1930, 4,00 deaths in London in 1952, as well as others which show that sudden high concentrations of air pollution can also kill.

In addition to the damage to health, air and other forms of environmental pollution continue to erode our property and plant life throughout this planet. The damage in this country from air pollution alone amounts to an annual cost in millions of dollars. As a result, many see the need for the development of a national priority environmental ethic in this society. This need, for example, was apparent to those who attended a public hearing on automobile air pollution recently conducted in New York City by a group of 21 United States Congressmen.

One of the organizers of this hearing, Representative Farbstein, stated: "It is obvious that two of the big four auto companies would rather continue polluting the air and endangering human lives than admit their failure to give more serious consideration to the public safety than profit." Although I support the development of this new environmental ethic, such a radical change in attitude will not occur overnight. For those who continue to refuse to consider the public interest, the fact that the economic cost of pollution control is rapidly becoming exceeded by the mere loss of profits caused by the failure to protect our environment must be stressed.

Environmental education bills and legislation to establish a Cabinet-level department of the environment are now pending before this Congress. And earlier this year the President established an Environmental Quality Council. Even beyond this Mr. Nixon recently announced that his coming State of the Union address will include as the dominant domestic theme an Administration pledge to promote environmental quality.

At least on paper this Administration is beginning to read the handwriting in our polluted air and waters. It is up to all of us, however, to participate in the effort to make these promises a reality. It would seem to follow that national priorities would begin at home, that is in our nation's capital. In respect to air pollution, however, not to mention the Potomac River and other environmental insults, this is indeed not the case. For example, last year automobile exhaust emissions contributed over 350,000 tons of carbon monoxide in this metropolitan area air.

As the concentration of automobiles in the District of Columbia, over 2600 per square mile, is higher than in any other city in the United States—it is higher than Los Angeles—there is no questioning the fact that automobile exhaust is by far the largest single source of air pollution in this area. Nonetheless, the oil-highway-auto-real estate lobbies continue to dominate inspite of conclusive evidence of environmental damage.

Only last week the National Academy of Sciences released a report which concluded that carbon monoxide in the air is a growing menace to the nation's health and should be a subject of special scrutiny by the nation's health experts. We must ask why neither the U.S. Congress nor the appointed government

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for the District of Columbia has ordered a public hearing to consider the air pollution and other environmental effects of the proposed D.C. freeway system.

Upon whose shoulders rest this challenge to survival? The President of the United States recently announced that he will speak to the nation's governors next February on how to challenge young Americans to move forward on the whole subject of the quality of life in America, including the environment. To the President and to those who are not considered young Americans I would reply that we must not forget to challenge the polluters.

For the most part this nation's youth is far ahead in terms of awareness of the environmental garbage we have been bequeathed by our predecessors. They are acutely aware of the air, water, noise and other types of pollutants that have been created by those now in positions of power in our nation's corporations, and in local, state, and federal councils of governments. Young Americans have already accepted the challenge of the prevention of environmental catastrophe. They are planning a national environmental teach-in for April 22, 1970, a massive educational and involvement-oriented program which some have chosen to call "End-Day"—Environment Near Death.

In addition, students and young people are establishing countless conservation organizations and environmental law groups, such as the Greater Washington Alliance to Stop Pollution, Inc., known as GASP, to inform citizens about the causes and effects of pollution, and more importantly to seek and implement methods to prevent further environmental deterioration. The environmental activists present to this country as well as to the rest of the world the truly constructive alternative, an action program, and the only viable solution—a clean, healthy environment, an environment which their predecessors were able to enjoy but which these predecessors have ruthlessly exploited and destroyed.

We must all become environmental activists if we are to avoid what some experts have predicted with frightening certainty an eco-tastrophe. Mr. Chairman, I would like to close my remarks by sharing with you a letter I received in this morning's mail from a young Washingtonian. "I am a fourth-grade student who is very unhappy with the air and water around me. I would like to know what clean air is really like. Does it have a smell? There is a wonderful river that flows right through our city. Why can't I swim in it? I know that our air and water pollution problems cannot be fixed very quickly, but it seems nobody is even trying to clean things up. I would like to know that by the time I am grown up these things will be changed and made better." Mr. Chairman, I would appreciate it if the Congress and the D.C. government would help me answer this letter.

Mr. HECHINGER. Thank you Mr. Winder. The next-to-last witness will be Dr. George Wiley, and then I'll ask the students, who formed together as you requested, Congressman Jacobs, to be the closing witnesses. Dr. George Wiley, who is the Executive Director of the National Welfare Rights Organization, has brought the welfare plight to the forefront of the nation in terms of its priorities.

Dr. WILEY. I will be very brief this morning. It is clear that the war in Vietnam and our overbearing emphasis on an aggressive military posture in the world is a priority on death and destruction which is totally degrading to any society that calls itself a democracy. In addition, there are pressing problems here at home that require expenditure of literally billions of dollars that are presently being plowed into these wasteful and destructive efforts. We in the National Welfare Rights Organization have said that the priority of this country should be a priority on life, a priority on promoting those things, environment, housing, health, the ability to get the food and the basic necessities of life, so that all the people in this country can live.

We have a situation where more than one quarter of the population in this country does not have an adequate basic income to meet the needs of food, clothing, and shelter. The U.S. Department of Labor Bureau of Labor Statistics has estimated that it takes about $5500 a year for a family of four to have these basic necessities of life. In the District of Columbia the welfare payments for aid to families to dependent children are approximately $2300 a year. $2300 as opposed to $5500 which is defined as enough to meet the basic necessities. In addition, I would like to cite the fact that recently the White House conference on food, nutrition, and health adopted two priority goals which I would like to just read to you:

Number one: That there is a national emergency in hunger in the United States, and I quote, there is a hunger and malnutrition emergency in this country today and therefore the President must immediately declare that a national hunger emergency exists and under existing authority must now free funds and implement existing programs to feed the hungry Americans this winter.

Number two: Guaranteed adequate income. The overriding need to alleviate hunger and malnutrition is a minimum guaranteed adequate cash income with a floor of $5500 annually for a family of four. I submit to you gentlemen that those two problems and those two issues are fundamental issues here in the District of Columbia and that the failure of the President to respond to his White House conference in declaring a national emergency is a reflection of his continued commitment to spending billions of dollars on a military posture and on a war in Vietnam.

Secondly, on the issue of guaranteeing an adequate cash income, he actually went before the nation a few nights ago and directly attacked this proposal as something that could not even be considered. I submit to you that if we are going to do something about the starvation that exists here in the District of Columbia, that a major federal effort is necessary, an effort that changes the priorities from spending $82 billion on defense priorities, from spending $41 billion on a highway program that pollutes the air and that destroys housing in the inner city, a priority that spends $6 billion on farm subsidies to farmers not to grow crops, a priority of $30 to $50 billion on a war in Vietnam when those moneys could be used to promote life here at home.

Reverend PHILLIPS. The two closing witnesses are the young people that Congressman Jacobs suggested testify, and I thank Congressman Jacobs for his suggestion. Their names are Monty Freeman and Ricky Lyon, both students at Western High School. The one in the long hair is Ricky Lyon and the other is Monty Freeman.

Mr. LYON. Thank you, Reverend Phillips. Mr. Chairman and distinguished congressmen. My name is Ricky Lyon. I am a student at Western High School, and on my right is Monty Freeman, also a student at Western. Monty and I could never know how bad the education is in our city because we really haven't experienced education that others have. Congressman Jacobs and Congressman Fraser have seen examples of this. They have been to the high schools in our city. The students are glad they have come. Yet we cannot get members of our own school board to do the same. We cannot even get members of the school administration to deal with their own schools. One of the congressmen referred to the situation at Wilson High School, that students at Wilson were afraid. Students at other schools have been afraid for years now in Washington. Students at other schools have been begging for an education for many years now. The administration in our schools has done a very unsatisfactory job. They appropriated hundreds of thousands of dollars for reports and more reports and more reports. Yet when the results of those reports were in, they did absolutely nothing. This has to change. The community must control; I don't care what you call it, community control, anything. The community, the people that live around the school, should control the school. Also a student should not have to attend a school eight miles away from his home when he has one right around the corner.

Mr. FREEMAN. Thank you, Ricky. Mr. Chairman, distinguished gentlemen, Congressmen, ladies and gentlemen. I want to thank you for the opportunity to discuss with you the problems which exist in the District of Columbia educational system and throughout the country and to try to understand the change needed in America's national priorities. This afternoon I want to deal with education, the area in which I am most affected. It has been pointed out by Mr. Hobson some of the conditions under which some of the District of Columbia students live. I am speaking here today not as a representative of the students of the District of Columbia but for myself and for my friends.

I have been doing a little research in the area of education and have reached some general conclusions. There have been enough surveys and studies of District of Columbia education. I am sure that many of you are aware of the Passoff Report written in 1967 by Columbia College in New York. In there they listed many suggestions and conclusions yet very little has been done in the area which the Report suggested. *More Effective Schools*, a report given by the Washington Teachers Union of the District of Columbia schools, was an effective report dealing with the issues involved in District of Columbia education. Very little has been done about it. There have been many congressional reports, reports from committees, dealing with the District of Columbia education. Little has been accomplished.

The funds have been allocated by Congress through the federal payment plan to direct subsidies to the District of Columbia education. But the effect of those programs in session now has not been tested. Very few surveys have been conducted on the effectiveness of the programs which are instituted in the D.C. high schools or all through the educational system. This I feel is very important, for if we are spending money than we should know where the money is going, those programs which are most effective to be continued, and those programs which we are spending money for which are not being used to cut off the money, because it's ridiculous to spend more money and more money for programs which are not effective.

I will talk to you about some of my own personal experiences. In my algebra class I did not receive my book for a month and a half, the textbook. For about three weeks in November the District of Columbia students had no transportation to and from school. Finally, through going to the Congress, going up to the House of Representatives, talking to some congressmen, we were finally able to get the funds, we were finally able to have the funds allocated so that we can get bus transportation. There are many other instances which I personally experienced that others here in the room have experienced and I won't even deal with those. But there is a definite problem somewhere along the line in the school system is not being able to handle the needs of the students. It is not in the Congress. The Congress allocates

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the money. The problem lies in the administration of the school system. Thank you.

Mr. Lyons. Thank you. I cannot repeat loudly enough the words of Reverend Fauntroy that nonviolent revolution can only wait a certain amount of time, and that if people are forced to a certain degree even nonviolent people can turn to violence. This is not necessary. This is not fair to us. We should not be driven to this point. The one thing we want is an education and the right to learn. And I really don't think this is asking that much. I would like to invite the congressmen to come to our schools. We want you to come, we beg you to come. We want you to see the conditions, and although we realize that you want to help us and you are helping us, it does lie with our administration and we hope that they will do something about this also.

Now, in conclusion, I would like to say that as far as non-school priorities are concerned there is one thing that we students want, and I think this is something that every conscientious citizen of Washington and the United States wants. And that is home rule now. (Applause) We must govern ourselves. We need this right and it is only fair that we may govern ourselves. So it is up to you; that's not up to the school administration. Home rule is up to you men up there, and I beg you, please give us that right. Thank you very much.

Reverend Phillips. We would like now to entertain questions.

Representative Fraser. We are going to have a quorum call shortly. Let's take the next ten minutes for questions from the Members, and at the end of that time, when the Members have to leave, perhaps we can have some discussion from the citizens of the District who have come to this town meeting. Would any member of the panel like to address a question or a comment to any of the preceeding witnesses?

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Mr. Hechinger. Mr. Chairman, may I just make this comment. You spoke very kindly about the fact that this kind of testimony in all your years on the District Committee has never been so well presented. I think for our part I would like to note that never in any hearing on District affairs have I seen such a great turnout of interest of the Congress—18 Representatives and 3 Senators—great concern is reflected in this, and it is very much appreciated, I can assure you.

Representative Tiernan. I would like to point out that on the vote on Voting Rights yesterday, I think that to a man the Members in this room voted against the substitute. I would like to add to the observation made by my colleague Mr. Boland that all of this testimony today is directed to the wrong Members of Congress, and we hope the press does cover this and maybe why, Mr. Hechinger, that is why this type of testimony has not been presented to the District Committee.

Representative Reuss. Mr. Chairman, has there been testimony about Federal City College and specifically about the cutoff on expansion into a four year college?

Mr. Hechinger. No it was not, Congressman Reuss. Not specifically today.

Representative Reuss. It might well be that the Nation's Capitol has the first land-grant university in the country, and yet according to the action just taken, in the District budget by the Congress the Federal City College forbidden to expand into a four year college. It is in effect a two year college now. Are you familiar with that?

Mr. Hechinger. Well, we have the former Dean of the Federal City College, now the Minister of All Soul's Unitarian Church, Rev. David Eaton, who testified as the Vice Chairman of the Mayor's Economic Development Committee, who would be capable of answering that.

Reverend Eaton. The history of Federal City College, as you probably know, is a very interesting history. I call it intellectual arrogance and hypocrisy that a very good man was appointed President who knew nothing about the inner city whatsoever and a Vice President who was born and raised in a rural area of Maine who was a Negro who had never worked out his own identity problem—I am being very candid—were put in primary responsibility of charting the course of a predominantly, 97.8%, black institution in an area that is predicted at this point to be approximately 76% black. Not only did they make some serious mistakes but the whole process of what I was speaking of earlier of institutional racism could easily be seen.

Now some of the points that the press has picked up about the trials and tribulations of the Federal City College were misinterpretations of what was actually happening. I can say without a doubt, having been the dean of student services and working very closely with student groups most of my life, that I have never run into a more responsible and responsive student body and leadership than I have at Federal City College, and that includes the University of Southern California, Boston University, Howard University, Morgan, and other schools where I have worked at one time or another.

I will say categorically, and if I had enough time would document it systematically, that the things that are happening to Federal City College, are direct results of institutional racism. The inability of people in key decision-making positions to understand the facts and dynamics of what's happening in that predominantly black institution where the majority of the students are either from poverty backgrounds or working full-time in government. One-half of the students at Federal City College in fact hold jobs and are trying to get a full four-year education as they go through school.

The other 50% are students who would never see higher education if it were not for Federal City College. If we had more time today, I would elaborate further that one of the nation's highest priorities using systems that have already been established has to be the systematic eradication of white racism which I prefer to call institutional racism because we have two victims, both the white and non-white communities. This is why we are talking about Vietnam.

We can see the results of institutional racism in our foreign policy. We have interceded in the domestic affairs of every non-white nation that's had a problem, from the Congo to Cuba to the Dominican Republic to Vietnam. And our institutional racism, because it teaches white superiority, has not led us to South Africa, Rhodesia, Mozambique, or Greece and we didn't go into Czechoslovakia or Hungary. This country cannot afford this phenomenon, and this is what Federal City College is the victim of.

Representative Adams. I would like to point out that for some period of time we have been trying to figure out how to break through our enemies and the problem that we have is that they do not receive this form of information—I don't know whether it would affect them if they did—I am hopeful, however, that the Charter Commission and the non-voting delegate that are now before the District Committee will move out before this session of Congress.

Reverend Phillips. Gentlemen, if I may close this hearing today. Like the many others being held across the country it is an effort to share with those in positions of influence and power like yourselves, the deep and anxious concerns of American citizens over the immoral choices we are making as a country, by design on the one hand in Vietnam, and by default on the other hand on the domestic scene. We believe that the count of the war dead cannot be reckoned in Vietnam alone but must also include the deaths occasioned by such things as racial friction in this country, premature deaths resulting from too little money spent on medical research and health facilities, the countless deaths from malnutrition and hunger, from pollution and slums. Perhaps most tragic is the pervasive death of hope, hope that must be reborn if America is to survive.

We have heard testimony as it relates to Washington, D.C. But we believe that Washington is a microcosm of America. Even as we have listened to this testimony, we could not help but wonder whether we are still only touching the surface, dealing with the symptoms of a basic illness—I've alluded to it before—an economic system that permits profits to dictate priorities.

I personally believe that our economic system of the wealth concentrated in the hands of the few is on a collision course with our political system of power in the hands of the many. It seems to me that we are in real danger of altering our political system to protect that wealth in the hands of a few rather than altering our economic system to preserve our democracy. As has been said, there is an inexorable movement toward remedy, toward justice, toward a humane society. The hope is that such a transition, revolution in fact, can be made with as little violence as possible. If we had representation, or even a non-voting delegate, to Congress, we would be petitioning him and the Congress through him.

If we had self-government, we could better handle those priorities even while respecting Federal interests. In lieu of those basic American political tools, we have addressed you honorable gentlemen. We express our appreciation for your presence, for your patient listening. We plead not only for national redirection but also for the hasty Americanization of Washington, D.C. If Vietnamization is good for Vietnamese, Americanization must be good for Washington. Thank you.

MORMON CHURCH HELPS INDIANS UP THE LADDER

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. HANSEN of Idaho. Mr. Speaker, there is a growing awareness, both in and out of Government, of the injustices suffered by the American Indians during the past century or more.

This is not the time to attempt to catalog the grievances which these people have against a system which has denied them the minimum opportunities. The responsibility for the treatment accorded our original Americans must be widely shared.

Nor, is this the time to make extravagant promises that all of the injustices will be corrected overnight. It is wrong for us to raise hopes and to promise beyond our capacity to perform.

However, caution is not, as some charge, a euphemism for inaction. There are many things which Congress can do, and I trust will do, to broaden the social, educational, and economic opportunities available to the American Indians. This we shall do because it is right.

Fortunately, however, not all Americans have been oblivious to these wrongs. Since 1954, the Church of Jesus Christ of Latter-Day Saints—Mormon—has conducted an Indian student placement program, to place young Indian students from various reservations in the homes of Mormon families. These students become a part of the family, and they attend church and school with the other children. This experience has enabled many young Indians to return to their homes on the reservation better equipped to aid their people. My brother and his wife took an Indian boy into their home under this program. This provided an enriching experience for the Indian boy, as well as for all members of the family.

I would like to call to the attention of the Members of the House an article by Sandra Lundquist in a recent issue of the Intermountain Observer. This well written story documents the effect of this program on the life of one small Indian child, one of 3,100 participants in the program last year. This little Indian girl has been living in the home of Ray and Faye Andrus, with whom I am well acquainted. I was especially heartened by this story, as I earnestly believe that their type of voluntary, Christian concern for their fellow man is a most powerful force. Mr. Speaker, I enthusiastically commend this program to the attention of my colleagues and the American people:

[From the Intermountain Observer, Jan. 3, 1970]

MORMON CHURCH HELPS INDIANS UP THE LADDER; THOUSANDS OF YOUTHS FROM THE RESERVATIONS ARE LEARNING THE WAYS OF MIDDLE CLASS AMERICANS

(By Sandra Lundquist)

The six Andrus children tumbled excitedly from the car, calling to their parents to hurry.

"Oh boy, I can't wait! Just think, a real Indian!"

"Yes, but don't forget, I get her in my room first."

"Gee, I wonder what she will be like. Maybe she wears moccasins and blankets and things."

Ray and Faye Andrus wondered too, wondered what they had let themselves in for. Suppose she did wear moccasins, blankets, and things. Would their own children accept her? What about the children at school? Their hearts beating faster, they pushed open the door bearing the inscription, "The Church of Jesus Christ of Latter-Day Saints Indian Student Placement Bureau." Inside they found a crowd of other families on the same errand.

"Oh, yes, Mr. Andrus," said the girl at the desk, "Your student is down the hall, first door on your left."

They found her there, sitting on the edge of her chair, a small wild bird poised for flight. Her beautiful 8-year-old eyes were dark with fright, her straight, shining black hair belying her fair Irish name, Colleen. Her dress and shoes were very new. Faye's eyes softened as she held out her hand.

"Colleen, we've come to take you home."

Since that day, Colleen has completed her third school year while living in the Andrus home. The children in the small rural school just north of Idaho Falls accept her as part of the Andrus family, which indeed she is. Summers she spends with her own family on their Montana reservation.

Colleen Birdsbill and her foster family are participants in a quiet revolution taking place in the West today. There are no sit-ins, riots or headlines to mark its progress. The revolutionaries are solid, respectable couples with young families and a real desire to help people in need. Their cause is the plight of the poverty-stricken American Indian. Their weapon is love. Patience and hearts, homes and pocketbooks stretch to encompass a stranger's child.

WHY ANOTHER CHILD

How did these couples, many with large families of their own, come to invite an Indian youth to share their board and room? Lynn Welker, caseworker for the program, has lived among the Indian people in New Mexico and Canada. He says in effect:

"Hundreds of Indian children belonging to the Church of Jesus Christ of Latter-Day Saints, or Mormon, as it is sometimes called, live on reservations ranging from New Mexico to Canada. Living conditions are generally poor, values distorted. The family home may be a tin shack or a mud hut. Alcoholism is rampant, undermining ambition and tearing at the fabric of family life. Because the land is of such poor quality generally, the people are scattered over a wide area, making education sketchy and difficult. Boarding schools are usually the answer, with children living in dorms in an institution atmosphere, without benefit of either mother or father."

As one lovely young girl, a former placement student and now a freshman in college, says simply, "There's no opportunity for us on the reservation. We have to leave in order to get an education, to be somebody."

The Indian of old developed a set of societal values in harmony with his simple life. The land, though beautiful, could not support large numbers of people and survival was based on migration. The role of the woman has not changed much—she still keeps house, tends children, feeds the family, perhaps herds the sheep or cattle. However, the role of the father has changed drastically. Gone is his responsibility to fight to protect his family, hunt, fish and raise corn.

No longer does he plan with the other men in the tribe for religious and political occasions. Today, these functions are performed for the Indians by non-Indian specialists in ways they do not understand. Gone, too, is the fierce pride of the once-mighty red man. When asked if she knew any Indian words, one student said carelessly, "Sure. How." She possessed neither the security of a white American background nor a sense of the rich heritage of her noble people. Her knowledge of Indian language was limited to that of any other 8-year-old movie-goer.

The children are caught in a world which today is neither white nor Indian. It is a world where the values and rules of conduct are beyond the knowledge or experience of their parents. They are faced with a choice of aimless welfare or a bewildering and frightening struggle in an alien society.

In 1954 the "Mormon" Church organized the Indian Student Placement Program to combat this problem of its Indian members. The objective of the program, as stated by the Church Indian Committee, is "to provide educational, spiritual, social and cultural opportunities in non-Indian community life for Indian children. It is felt that through the example of selected Latter-Day Saints families these Indian youth will be motivated to use their experiences now and later for the benefit of themselves and their people. These experiences could provide a springboard to positions of great leadership for some students; others will become stronger and more adequate parents to their own children. In any case, these experiences can provide the strong moral and intellectual values needed throughout his life.

DEVELOP LEADERS

The program exists mainly for the leadership development of the Indian children. Although the children benefit materially from the program, the long-term educational goals are aimed at the general development of Indian people for generations unborn.

All students between the ages of 8 and 17 who are members of the church may apply. In 1969, 3,100 were accepted. Applications are carefully screened to pick students with the greatest potential. Grades must be at least a "C" and students must show signs of enough past educational achievement to enable them to compete in a non-Indian school. Applicant must be in good health and comparatively free from emotional difficulties. Children with problems at home have greater problems living with foster families and cannot take full advantage of the leadership opportunities. And, perhaps most important of all, the student must have a great desire to participate and better himself. Billy, a fourth grader, tells of his decision:

"When they asked me if I wanted to go away from the reservation to school I had to think about it for a long time. I didn't want to go away or leave my family but I really wanted to go to a good school. I miss my family but I like school and I'm glad I decided to come."

Foster families who want to help are also carefully screened. After applying, the family's Bishop, or pastor, must state that this family is active and upholds and observes the standards of the church. If accepted, the whole family receives instruction in Indian ways and customs, the background of their student, the rules and the program and the law concerning foster care. Everything possible is done to prepare the student and family for each other. A student is not usually placed in a family where his age or sex would place him in competition with the oldest child in the family, the youngest, or an only son or daughter.

Then comes the big day! Children board buses to various reception centers where each is given a thorough medical examination. Each boy's hair is cut by volunteer barbers, and the students are examined by volunteer doctors, dentists, and nurses. Friendly church members help them freshen up and feed them and then their families arrive to pick them up. They are off on their great adventure.

New parents are then responsible for the care, teaching, training and all expenses of their new member. Although they receive absolutely no money for the care of the student, families and homes must comply strictly with state laws governing foster homes. Then, adjustment becomes the order of the day.

Gone are the carefree days on the reservation. Now Colleen faces piano lessons, homework, and her share of the family chores. She finds she simply cannot wear her Sunday shoes to school, no, not even once. She discovers that foster fathers spank Indian kids too. One 11-year-old boy saw right away that truth is preferred to tall tales, and money on your new brother's bureau is not "lost."

High school students discover it is no snap to maintain a "C" average in a new school. Parents notice Indian teen-agers can be as exasperating as their own. One girl finds she cannot sleep on a soft bed and secretly sneaks a blanket on the floor after everyone is asleep. Everyone finds Indian communication and white communications are not always on the same plane. Many children are confronted by an allowance for the first time and have trouble understanding the purpose and use of the slippery stuff. A somewhat in-

XUM

secure boy of 11 discovers, to his horror, that his foster parents are going on a short trip and leaving him with all the old insecurities to face again under the care of a nice but new "relative."

And always there is the homesickness. Occasionally natural parents are able to pay a visit, although this is not encouraged too often the first year. The situation opens problems of two sets of parents and two sets of loyalties. After Colleen's mother visited, Colleen was broken-hearted to see her go. Faye tucked her in bed, kissed her and told her they loved her, and left her to cry it out of her system. Faye finds that it takes about two months to recapture the skills and habits lost by a summer spent on the reservation.

Colleen's parents admit that it is very hard to see their children grow up away from them, they have two in the program now, but the environment on the reservation and the difference in the children when they return home makes the sacrifice worthwhile. There is no doubt that it takes a great deal of effort on the part of natural parents, foster families, and students to make the program work.

Of course, as in any program as ambitious as this, there are individuals who just can't stand the uprooting and return home. However, the number who return is very low. Almost all families concerned feel the great importance of the program and try diligently to make it a success. The caseworker is a monthly visitor and can be called on in any crisis.

Soon most Indian children make their own friends and are able to argue for their rights as fiercely as any other child in the family. Ted Wright, principal of the high school in Rigby, father of nine, and foster parent of an Indian girl says the cultural and social advantages may be as great as the education. There are five Indian students attending his school. Right from the first they seem to have been accepted. Some fit right in and become popular, others keep more to themselves, as with any other group of high school students. Because of her athletic ability, one student was chosen to assist in teaching a class in girl's basketball.

If grades slip too badly and school becomes too hard, the student may have to be returned home. One family became quite concerned over this possibility until one day a math paper came home with this note from the teacher:

"100%, Hurrah! See what Alfred can do!"

FIRST EAGLES

Many students are receiving their Eagle Scout awards, often the first ones in their tribe to reach this goal. Whenever possible, students are urged to go on to college. Brigham Young University maintains a ward, or parish, fully staffed by Indian students for the benefit of any who desire companionship with others of their race.

Some go on two year missions for the church when they reach the age of 19 or 20, carrying the message of the Mormon church to their own people.

Perhaps the best yardstick by which to measure the success of the program is found in the many students invited to return year after year to the same homes.

The advantages seem to be all in the student's favor, but what of the foster parents? Why do they invite a student into their homes? Faye Andrus says simply:

"Because the church asks us to and we want to help. Besides, we benefit too. How many children have the privilege of growing up with children of another race in their home? This teaches us all patience and tolerance. We've come to love Colleen as much as any of our own."

Is Colleen coming back again next year? "Of course!" says Faye, as surprised as if you had asked her if they planned to go on raising their own six children or the seventh one on the way.

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CONGRESSMAN WILLIAM A. STEIGER DELIVERS LECTURE ON OCCUPATIONAL HEALTH AND SAFETY ISSUES

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. AYRES. Mr. Speaker, one of the finest young men whom I have had occasion to meet is the Honorable WILLIAM A. STEIGER of Wisconsin. He has devoted a great deal of time to the committee on which he serves, the House Education and Labor Committee. And, equally important, he had found time to inform himself thoroughly on the many and complex issues relating to the work of this committee.

At this time, Mr. Speaker, I would like to include in the RECORD the entire text of the 1970 C. O. Sappington memorial lecture delivered today by Congressman STEIGER at the American Industrial Health Conference in Chicago on the timely subject of occupational health and safety issues:

OCCUPATIONAL HEALTH AND SAFETY

(By Congressman WILLIAM A. STEIGER)

I appreciate very much your invitation to be here today.

As an organization dedicated to the examination, evaluation and improvement of the occupational health programs of business and industrial organizations, you have seen the growth of an important and specialized area of medicine.

We have, I believe, reached the end of an era in which the emphasis was on "pocketbook" or *quantitative* issues. Such things as minimum wage, unemployment insurance, social security and the like were the power struggles of the past. They are still important, but we are moving more rapidly toward *qualitative* issues—those which relate to the quality of the society and environment in which we live.

Health and safety are very much a part of the quality of our lives.

You have heard these statistics before, but they bear repeating.

In the last 25 years more than 400 thousand Americans were killed by industrial accidents and disease. Almost 50 million workers suffered disabling injuries on the job.

In 1968, there were 14,300 fatalities and 2.2 million injuries.

On-the-job injuries not only reflect an incalculable toll in pain and suffering, they cost workers billions of dollars in lost wages and deprive industry of billions of dollars in production.

There are some who correctly point to the failure of business to do its job. But it is not one sided. If we condemn some businesses for their past neglect in this area, we must also recognize that employees' organizations share some of the blame. Far too often unions have used their bargaining power for higher wages in hazardous occupations rather than for better safety techniques.

The United Auto Workers maintain a Safety Department while the AFL–CIO has none.

When members of the International Association of Machinists voted to rank the issues of the '70's, they placed on-the-job safety ninth—behind pensions, cleaner air and water and law and order.

As one witness suggested at our hearings—on the scale of priorities, safety comes right after the coffee break!

But the emphasis on safety is beginning to change, and you are all part of industrial organizations which have demonstrated leadership and involvement and have made a significant contribution to this change.

Quality is becoming the watchword throughout our society.

The Association for Supervision and Curriculum Development predicts that the major focus of school curriculum in the 1970's is going to be a critical examination of the quality of life and society in the United States.

Ralph Nader's "Raiders" in their recently released report on the Food and Drug Administration departed from the focus of their previous reports on government regulatory agencies and addressed themselves to the broader questions of total quality of American life. The report concludes:

"Regulatory agencies, congressional bodies, courts, corporate entities, universities—none have been successful in insuring the highest quality of life possible for the most number of people. All have fallen far short of their professed goals."

More and more Americans are beginning to examine the whole environment and its effect on their lives. Thus, we are confronted with a whole new type of medicine dealing with environmental health.

When we consider that the work life expectancy for an American male is 42 years, then we realize how important the workplace is to his environmental health.

If we are agreed that we will increasingly be focusing our attention on the quality of life, the question then becomes how do we achieve this goal. Our research for answers is likely to be more complex and more challenging, than increasing the minimum wage from $1.60 to $2.00 per hour, and no less controversial.

In recent years Congress has enacted a number of safety and health measures—The Longshoremen and Harbor Workers Safety Act, the Metallic and Non-Metallic Mines Safety Act, the Coal Mine Safety Act, the Construction Safety Act and the Gas Pipeline Safety Act.

The Education and Labor Committee is now working on Occupational Health and Safety legislation designed to cover under federal supervision most of the workers throughout the United States.

I seriously question, however, whether the Committee has come up with an approach that will effectively improve the quality of safety and health in the nation's workplaces.

The Committee bill is based on the old "nuts and bolts" concept of safety. It is not sufficiently "future minded." And it does not provide for standards—creation by a top body of independent professionals.

The bill contains an enforcement procedure that allows a single department of the government to be the legislator, inspector, prosecutor, jury and judge of what constitutes good workplace health and safety practices.

Rather than relying on a set of clearly established standards with which all employers must comply, the bill combines specific standards with a generalized standard that can be either meaningless or confusing or both.

The bill establishes a standard-setting mechanism which in effect gives priority to industries where standards already exist. Workers in industries now covered by poor standards or not covered at all would be victims of the cumbersome procedures for setting interim and then permanent standards.

The enforcement procedure tends to make occupational health and safety a public relations battleground. It encourages confrontation rather than cooperation between employers, employees, unions and government safety personnel.

The bill contains provisions which would involve safety legislation in internal plant labor management relations. Good safety practices could thus become a hostage to the small time power maneuvering that often marks relations between plant labor and management representatives.

You can see that I am disturbed by the provisions of this bill, H.R. 16785. We are all for safety, but clearly there are differences in how best to reach the goal of a safe and healthful work place for more Americans.

While great strides have been made in occupational safety and health, our knowledge of effective safety programs is limited. There is much we don't know about such things as: how best to motivate people to work, act and think safety; what are the most effective safety training methods for foremen, for rank and file employees, for salesmen on the road and for scientists working in laboratories—immersed in theory and likely to forget about such mundane things as regular hours or hazards to themselves and others; at what point do hundreds of chemical contaminants, singly or in combination, become hazards to health; how do we develop an early warning system that lets us know that a particularly susceptible individual may be in danger of losing his hearing, or endangering his lungs or eyes before his health is irreversibly damaged. There is a long list of questions which only research can answer. Federal law can provide for such research.

There is a great and growing shortage of professionals, subprofessionals and skills needed to make safety and health programs operative. Federal funds and facilities, especially in the Department of Health, Education and Welfare can help to fill the need.

The various state governments can do far more than they have already done in the promotion of occupational safety and development and enforcement of safety and health codes. The Federal Government can do much to help finance and encourage such state action.

One of the most crucial aspects of successful occupational health and safety legislation is the establishment of an independent Board to set health and safety standards.

The problems to be dealt with are not political. They are not primarily economic. They do not deal with issues where there are deep differences concerning policy.

To the contrary, these problems are technical. They vary from industry to industry and in some instances from region to region. The appointment of an independent standard setting Board of experts in the field will insure a continuity of effort and direction regardless of the Administration in power.

The Board was endorsed throughout our hearings by leading safety and health organizations.

It is the superior approach for many reasons:

1. Competence: It is obvious that five men of the highest calibre, appointed by the President, could bring to the promulgation of standards far more ability than the bureaucratic approach of an Assistant Secretary of any department of government.

2. Breadth: Five men of varying backgrounds and experience—management and labor, safety professionals, environmental health specialists, behavioral scientists, men from medicine, physics and chemistry—could bring a far greater breadth of outlook than any appointee having primary responsibility to a political party or a particular administration. The view of five professionals would assure that this important subject gets the attention it deserves.

3. Objectivity: A five-man board with a major commitment to standard promulgation can be far more objective than any bureau or section head whose primary response has to be based on day to day pressures and multiple extraneous considerations.

4. Inter-agency Cooperation: cooperation with other government departments, so essential where many departments and agencies are involved, can best be effectuated by an independent board, rather than a single old-line government department, especially in view of existing rivalries between the various departments, competing with each other for men, money and programs.

5. Applicability: The standards developed by an independent board, after public hearings, are likely to be much more widely applicable to the hundreds of thousands of establishments of all kinds that are to be affected, than would a regulation coming from a narrowly focused staff in an established federal department which in most cases has its own supporters and detractors.

6. Separation of Powers: An independent board would insure that there would be separation of powers between those developing the standards and those required to carry on the inspection of business establishments. Legislating the standards would be separated from the administering of the standards—a highly desirable and widely recognized objective in most governmental activities.

7. Precedents: There are many sound precedents in prior congressional action for the establishment of a separate board where the subject is important, complex and in need of professional expertise. One need only recall the Atomic Energy Commission; the Federal Mediation and Conciliation Service; the Equal Employment Opportunity Commission; and the Tennessee Valley Authority. If the job is sufficiently important, Congress has in the past created an independent agency to deal with it. I happen to think that occupational safety and health is that important.

Despite the obvious merits of the Safety Standards Board, it has been attacked for a variety of reasons. In my opinion, the real reasons it was attacked are (1) the majority party in Congress does not wish to adopt a provision proposed by the present administration; and (2) some elements of organized labor prefer to have all authority concentrated in the Department of Labor—the department it regards as "its own"—rather than any independent board. As a result, the debate has often strayed from the merits into the realm of partisan politics.

While I have stressed the Board, let me make it clear that there are other factors which I believe are essential.

Yesterday, when the full Education and Labor Committee met on this legislation, I offered a substitute for the Committee bill. My substitute provides for the establishment of an independent standard setting Board and judicial enforcement. It emphasizes cooperation rather than confrontation. It encourages the states to play a constructive role. It insures due process at every step for all concerned.

It was not accepted by the Committee.

In my opinion, those who support the Committee bill have erred in thinking that the Secretary and his Department of Labor can singlehandedly achieve safe and healthful working conditions throughout the country.

A law by itself cannot provide safe and healthful working conditions. It takes good standards, enforcement, administration, and most of all it takes the cooperation of all levels of government, industry, labor and professional organizations like your own.

I think Howard Pyle, President of the National Safety Council, stated the situation accurately in his testimony before our Committee. "Unfortunately," he said, "no single action or series of actions on the part of the Congress will eliminate the occupational safety problem . . . With all due respect to the desirable effects that the promulgation and enforcement of standards can have on the Nation's occupational safety and health performance, we must recognize that the successes that have been achieved so far are largely the result of dissemination of safety information, the implementation of proven countermeasures, and education and training of employers and employees.

"Optimal occupational safety programing goes far beyond compliance with a set of standards. The promulgation and enforcement of standards will be very helpful in moving the laggards from inadequate safety to some safety, but not to optimal safety."

While I do not believe that the ideal occupational health and safety conditions can be reached solely by federal control or supervision, I think the federal government can make a contribution. What I have worked for is legislation that recognizes this contribution but recognizes the limitations as well.

The federal government can have a significant impact in your own area of industrial health. Both the Committee bill and my substitute proposal contain similar provisions in this area.

The substitute directs the Secretary of Health, Education and Welfare to undertake research, demonstration projects and experiments to improve occupational health and explore new problems in the field. It requires that within two years the Secretary must submit to Congress a comprehensive study and evaluation of occupational health problems.

The substitute authorizes the Secretary of Labor to develop and maintain a broadly-based, effective program of collection, compilation and analysis of occupational safety and health statistics.

Programs are established to provide employers and employees with information on safety and health, and essential training programs are created to provide adequate personnel to carry out the provisions of the law.

Each year, as you know, approximately 600 new substances come on the market and new manufacturing processes are introduced. The substitute bill requires the Board to issue an emergency temporary standard if it determines that exposure to a substance would result in grave danger to the employee. The Board then immediately begins developing a permanent standard to cover this substance, but the emergency situation is covered.

As I say, the Substitute and the Committee bill are in substantial agreement on the federal role with regard to industrial health.

The legislation in toto, coupled with other recently enacted measures, will have a significant impact on business and industry throughout the nation.

The Public Health Service estimates that only 15 million of the 80 million workers in the country today are employed by industries which offer the protection of health and preventive services.

Obviously, there are many, many companies and industries that do not have the kind of competence and professional talent you represent. These businesses will be faced with a very heavy burden.

Each of you will, I hope, review the provisions of both the Committee's Occupational Health and Safety bill and the Substitute proposal with great care. You are the professional who will have to implement the legislation at the local level. It is extremely important that you determine which provisions will best accomplish our goals, and that you communicate your opinion to your Congressional representatives.

In addition, I hope each of you will carry from this meeting the sure knowledge that soon your businesses and industries will be dealing with new legislation with enforcement powers.

I urge you to go to work at once. Analyze the legislation. Communicate your opinions. Carefully review your company's own health program. You realize, I'm sure, that it is not enough to simply administer physical exams and treat employees after accidents occur. You must examine the whole occupational environment and prepare an action plan for your company. With advance planning you can be ready to contribute your ideas to the standard-setting process. You can insure

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that when permanent standards are set, your plant possesses an equal or even advanced level of safety, thus greatly easing the transition for your company and giving advanced protection to its employees.

I also challenge you to come to grips with the demands that the new emphasis on the quality of life will make on the occupational health profession and the medical profession as a whole.

It is widely estimated that we are approximately 50,000 doctors short of what the nation could readily use right now.

Certainly an increasing emphasis on on-the-job safety and health, preventive family medicine, medical care for the elderly, to name a few, will put a further strain on the supply of medical doctors and nurses.

To meet the demand we will need to make the most efficient use possible of existing medical manpower. This includes revising state and federal laws to help eliminate legal entanglements and barriers; streamlining recordkeeping and reporting; encouraging regional medical planning and cooperation of personnel. For the future we must consider redesigning some of our medical curricula; encouraging greater training and use of paramedical personnel; redefining job descriptions to make greater use of para-professionals.

The next few years will see a veritable explosion in all aspects of medicine and health.

We must realize that problems relating to industrial health and the quality of our environment will not be easily solved. They are subject to much emotionalism at the very time that rational thought is required. If we are to avoid oversimplification and creating more problems than we can solve, we are going to have to look to you and your organization for leadership and guidance. You must decide if you will accept the challenge and how you will meet it.

I hope you will say "YES." "YES" to working on these problems in your own company. "YES" to working on these problems on an industry-wide basis. "YES" to working with your state and federal agencies and Congress. If you accept your responsibility as professionals in the medical field to create a concern for environmental quality and health, we can achieve for all workers a better, safer and more healthful life.

"VENCEREMOS BRIGADE" CONFUSED YOUTH

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. BIAGGI. Mr. Speaker, I would like to bring to the attention of my colleagues certain events, involving a group of young Americans, that are not in the best interest of this country.

At a time in history when this country is in a state of extensive soul searching, when American blood is being shed on foreign soil, when hunger and poverty prevail in the midst of affluency, and when cities and towns are suffering from the ravages of decay and indifference, we must question why hundreds of sons and daughters of Americans have decided to abdicate their domestic responsibilities and assist the economy of an avowed enemy of our society.

In the past several months, almost 1,000 young U.S. citizens have virtually turned their backs on the internal problems of our country by surreptitiously traveling to Cuba to assist in the harvesting of the sugarcane crop there. These alleged revolutionists, mostly young and well-fed members of an organization branding itself "the Venceremos Brigade," could have expended their stored-up energies to further the recovery of America to a nation of stability, growth, and self-confidence. It appears that this kind of commitment has lost its attraction and excitement for these adventurists who have failed to establish, in their own minds, a proper ordering of social priorities.

Americans who are giving their blood in the cause of freedom abroad, as well as those of us who are laboring in the interest of our fellow citizens at home, are fully justified in questioning the purpose and intent of this group. While some may tolerantly understand the ways of confused young minds, others might not hesitate to express contempt for the actions taken by the Venceremos Brigade. Therefore, in recognition of the many Americans sacrificing their lives abroad, and in behalf of the many dedicated and hard-working citizens committed to the betterment of life in our country, I urge the members of the Venceremos Brigade to reexamine their consciences and address themselves to the programs of this Nation and the promotion of world freedom.

THE STUDENT IN THE UNIVERSITY AND SOCIETY OF TODAY, NO. 6

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. McCLORY. Mr. Speaker, for those who are keeping a complete file of remarks in the CONGRESSIONAL RECORD under the heading of "The Student in the University and Society of Today," I call attention to the heading "Inter-Parliamentary Union Acts on Student Unrest" in the RECORD of April 7, page 10650, under which is found the text of the resolution on student unrest adopted by the Educational, Scientific, and Cultural Committee of the Inter-Parliamentary Union at the annual spring meeting of the union held this year in Monaco.

Today I want to call attention to an article entitled "Campus Conflict and Professorial Egos" by John P. Spiegel, director of the Lemberg Center for the Study of Violence at Brandeis University and professor of social psychiatry at the Florence Heller Graduate School for Advanced Studies in Social Welfare, in the October 1969 issue of Transaction, a magazine of the social sciences.

Professor Spiegel's essay is directed to the examination of a now-predictable pattern of events leading to campus polarization and to ego mechanisms which he feels may predetermine lines of cleavage in student/university confrontations. The article is particularly welcome for its analysis of ego mechanisms of the faculty, a subject which seems to have received relatively little attention in the literature of campus disturbances.

I include as part of my remarks today three stories in recent issues of the Washington Post. Eric Wentworth's article of April 12 reports on growing incidents of protest in the United States. Stories in the March 29 Post comment on student riot situations in Italy and France.

The materials follow:

CAMPUS CONFLICT AND PROFESSIONAL EGOS

(By John P. Spiegel)

Eric Hoffer: Take (former Columbia president) Grayson Kirk. Here they got into his room. They burglarized his files. They smoked his cigars. They used his shaving kit. Grayson Kirk didn't forget himself . . . I think it would have been a wonderful thing if Grayson Kirk got mad, grabbed a gun and went out there and gunned them down. I think maybe he would have gotten killed, maybe he would have killed two of them when they were jumping up, but I think he would have saved Columbia.

The eagerness of the world's best-known stevedore to have a college president kill a couple of students (and himself die in the act) may seem somewhat impulsive, as well as a dubious way of saving a university. But the irritable hostility of Mr. Hoffer's outburst is shared by more sophisticated observers of campus disorders as well. To take only two examples—those of men who happen to use my own perspective, that of psychoanalysis—consider Lewis Feuer's *The Conflict of Generations: The Character and Significance of Student Movements* and Bruno Bettelheim's testimony before the McClellan Committee's hearings on riots and civil and criminal disorders.

In his review of student movements over the past two hundred years, Feuer attributes to them a basically destructive impact, except for those infrequent occasions when their goals are taken over by the adult world. According to Feuer, the mainly undesirable effects of student revolts are a logical outcome of the students' unconscious, irrational motivations: oedipal rivalry and hostility toward their fathers, castration fears that stimulate overcompensatory aggression, homosexual longings that stimulate overcompensatory masculinity and (as the final result of all these pathological processes) a "de-authorization" of the parents.

In a similar tone, though with a different list of pathologies, Bettelheim testified in the Senate hearings that student rebel leaders were paranoid characters whose followers were adolescents who had been deprived of emotional warmth and gratification by their parents, and who were looking for an object on which to project their rage, as well as for a cause of sufficient intensity to generate the warmth of group relatedness that they had missed since earliest childhood. For Bettelheim, these grievances, left over from childhood, are much more important than the actual issues that student rebels say they are protesting about.

Feuer and Bettelheim, it seems to me, have fallen into two kinds of error. First, they find the "causes" of militant student movement almost entirely within the neurotic motivations of its individual participants, even though to the neutral observer it is very difficult to distinguish cause and effect in matters of "neurosis." It is at least possible that the dissidents' behavior is a normal response to disturbed external conditions. Will Menninger put the problem well in discussing his World War II psychiatric work:

> During the war, we had frequent occasions to contrast the psychiatrists' job in civilian life with his job in combat. In civilian life he attempted to understand and treat the abnormal reactions of persons to normal situations. In military life he attempted to understand the normal reactions to an abnormal situation. One might seriously ques-

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tion if our world condition does not now place many of us in a continuously abnormal situation to which we are having normal reactions, even though these by all previous standards are pathological. To such a turbulent world, one might legitimately ask, what is normal reaction? We are still unable to answer Menninger's question, I think, and this in itself should give us pause before too ready a labelling of persons or movements as "pathological."

Feuer's and Bettelheim's second error arises from their exclusive focus on just one party in what is, after all, a highly complex set of interactions. It simply isn't reasonable to raise questions about the irrational, unconscious motivations of students without also probing the behavior of faculties and administration in a similar vein. Such a procedure not only reveals, embarrassingly one would have thought, the blind spots of the observers; it also prejudges the question of where the pathology lies. When groups find themselves in conflict, it is difficult enough to determine which group is right or wrong, much less which of the groups is pathologically motivated and which is "healthy."

The processes of group formation and intergroup hostility make up the context of this article, and my aim here is to examine the functional and dysfunctional effects of the group conflicts occurring in the course of campus disorders without deploring, condemning or praising them. Reactions of this latter sort are inevitable and should certainly not be dismissed, but there is much to be said for the more neutral examination of how aggressive behavior is elicited in response to group interaction.

My colleagues and I at the Lemberg Center for the Study of Violence have had the opportunity to observe this process at work on the campuses of several American universities, and we have been repeatedly impressed with the speed and intensity with which hostility and aggression are released among all parties within the university. Retrospectively, what one sees at first is a dramatic and kaleidoscopic series of events: disruptive polarization, the sudden use of physical force, threats of more serious violence, warnings of punishment, cries of outrage, abuses of language and gaudy exhibitions of contempt, insult and calumny.

It would be easy to ascribe such sudden releases of inhibitions and repressed impulses to contagion—effect being notably infectious when exhibited at high levels of intensity.

Contagion, although undoubtedly part of the phenomenon, is too global an explanation. In addition, it affords one no leverage on the behavior aside from the usual admonitions to "Keep cool." Instead of postulating some random release of hostile energies automatically triggered by the illegal acts of rebellious students, I would argue that the suddenly appearing and often protracted antagonism and bitterness, which we have seen on so many campuses, breaks out along predetermined lines of cleavage in accordance with certain ego mechanisms that are largely outside the awareness of the participants. The argument does not ignore social and political issues; on the contrary my intention is to examine the interplay between these factors in the dispute and the psychological ones.

Since our observations were drawn from participating in or observing the process of angry polarization within groups rather than under clinical or standard research situations, we must be cautious about any formulations of unconscious motivations. But the existence of unconscious factors at work in campus disorders is supported by two easily observable aspects of the response of those concerned in the conflict: (1) the irrationality, often bordering on the bizarre, displayed by persons whose usual behavior toward each other was characterized by reasonable good humor, even in disagreement; and (2) the forgetting, denial or discounting of the irrational behavior once the crisis had passed.

In describing campus polarization, I shall treat it as a crisis occurring in four stages, each characterized by a sequence of actions and reactions. There is a risk of overgeneralization or unwarranted stereotyping in such an approach, but whether or not the four stages to be described really fit all situations is not so important as the advantage gained through imposing some clarity and order on the dynamics of the arousal, escalation and decline of group hostilities.

THE COMING OF HOSTILITIES

The premonitory phase is characterized by slowly mounting resentment within a number of students whom I will call, for the sake of generalization, the "aggrieved" group. Their anger is aroused by the failure of the administration of the school to respond rapidly enough, or at all, to their expressed desire for change within the institution. The desired changes vary from school to school, but in general they revolve around the administrative policy with respect to three substantive issues: (1) the quality of education for black and white students, including reforms of the curriculum; (2) policies related to the conduct of war in Vietnam and the involvement of the university with military research and training; and (3) the rights of students to have a part in the determination of the institutional policy of all sorts.

In the minds of the aggrieved group there is no question of the legitimacy of the desired changes. Within the student body as a whole, however, there is a spectrum of opinion ranging from active support through apathy to opposition. For this reason, the first administrative response to the proposals of the aggrieved group is likely to be perfunctory. Meetings between representatives of the aggrieved students and the administration, if they occur at all, are viewed by the administration mainly as opportunities for the students to express their feelings in hope that this will satisfy them. No real change is expected or envisioned by the authorities.

After a certain lapse of time without progress or change, the aggrieved students begin increasingly to see themselves in an adversary role vis-a-vis the administration. The current of the times asserts itself in the thinking of the aggrieved group, sometimes aided by visits from activist student groups at other institutions. Ideas originally defined as suggestions or proposals become talked about as "demands," and with this hardening and growing spirit of militancy within the aggrieved group come changes both within the general student body and within the administration. An increasing number of students identify themselves with the goals of the aggrieved students, though not necessarily with their activism, mainly because they share the others' resentment at the failure of the administration to consider requests for change with the proper seriousness. A large portion of the student body, in other words, feels vicariously slighted.

Representatives of the administration are usually aware of the changing attitudes of the students, but they tend to misinterpret them in the light of their own stake in avoiding rapid or abrupt change. Since the goals of change are still not taken seriously, administrators discount or dismiss the entire effort through a process of labelling designed to split the student body. Leaders of the aggrieved group are called "radicals," "anarchists" and a variety of other names. In private conversation they are often identified as spoiled, pampered products of well-to-do permissive parents or as disturbed youngsters in need of psychiatric attention. Their followers among the more moderate students are regarded as well-intentioned and essentially fair-minded romantic dupes. The labelling reflects the growth on both sides of the mistrust and disrespect whose unconscious origins I shall examine later in this paper.

Toward the end of the premonitory phase some subtle cleavages within the administration begin to appear, though they are still papered over with politeness. Some members of the administrative group, usually from the social science department's faculty or from the counseling services, adopt a sympathetic, liberal attitude toward the changes requested by the students. They then urge, to the distress of others, that the college president, the deans, the school superintendent, or whoever stands for "officialdom," modify the rigid policy. These persons have usually been in face-to-face contact with some of the dissident students and perceive themselves as "honest brokers," presenting the students' case with intense sincerity and urgency. As a result of the advocate role of the "sympathizers," the spokesmen for the administration now shift their tactics to some degree. Representatives of the aggrieved group are seen and listened to more attentively. Some of their demands are accepted as potentially legitimate and the administrators promise to channel them through the bureaucratic machinery.

The crisis process is at this point in a paradoxical state. A temporary relaxation occurs because the aggrieved group of students believes it is finally making progress, while the administrators think they have finally defused a potential disruption. Actually, this is the calm before the storm. On both sides, the inevitable disappointment of unrealistically raised hopes is a guarantee of disaster. On the administrative side, the "channeling" procedure, at its best a clumsy matter, tends to get stalled because of uncertainties and disagreements about the best way of solving the problem or about whether it should be solved at all, in the students' view, the delays, mixed messages about what is taking place and the intimations of implacable rigidity behind a surface disguise of acceptance, all add up to a dead end: no possibility of progress.

INITIAL DISORDER

At this point, the crisis process moves toward the second phase: the initial disorder. Disillusioned, convinced that they have been deceived and that only the force of a dramatic act of protest can alter the situation in their favor, the aggrieved group begins to plan some form of disruption. At the same time, they elaborate and firm up previously (though tentatively) held hostile beliefs about the character and motives of the administration and of the social system it represents. The resulting ideological creed—for example, that the administration is authoritarian, bigoted and hypocritical and that the social system is racist, oppressive and resistant to change—thereupon is used to overcome moral scruples about the legal and ethical justification of the disruption being planned. (In saying this, I am not passing any judgment on the validity or lack of validity of the system of beliefs but merely describing a continuing process.)

So far all is prologue. The actual disorder that initiates the opening of the second phase may begin with a series of small demonstrations or with a major act such as seizing and holding a building. The students usually display contradictory moods that nevertheless fit together. They are excited and aggressive, even abusive, but fairly well disciplined; exhibitionistic; but secretive; happy because they are finally taking action, but fearful of what it may lead to; defiant and uncommunicative, yet letting it be known that they would accept communication. An aura of unity and determination expressed in publicly stated "non-negotiable demands" masks privately felt uncertainties and divisions of opinion. Despite these divisions, the aggrieved group is, at that moment, unified through the sharing of non-violating behavior; they are all in the same boat.

XUM

The usual administrative response is shock. Under the impression that the new policy of bureaucratic openness to complaints has mollified the dissident students and reassured the moderates, the administration is unprepared for serious trouble. Still, some action must be taken, if only to relieve frustration and anger. Unfortunately, the administrators are faced simultaneously with two types of decisions, neither of which is easy to make: what to do about the "non-negotiable demands" and how to deal with the disruption. Faced with this threat, the administrators have only a limited number of clear-cut options. They can:

Accept all the demands and ignore the norm-violating behavior. This capitulation by the administration promptly resolves the current situation. It is the least common solution.

Ignore the demands and throw out the offenders with the help of the police and other law enforcement agencies. Although this approach has been used, it brings about so many additional problems, particularly strong support for the militants by the moderates, that many administrators are reluctant to use it.

Ignore the norm-violating behavior while offering to negotiate the demands. Since this technique can easily be seen by the students as a "put-on" (with punishment to follow later) and since, from the side of the administration, it does not meet the challenge of illegal threat by the students, it is likely to result in a protracted stalemate. Nevertheless, it has been used.

Meet threat with threat by promising disciplinary procedures and punishments for the future while avoiding a confrontation and ignoring the demands, in the hope that the students will tire of their unproductive behavior and abandon it. Since they often do, this method can succeed.

Ignore both the norm-violating behavior and the demands by doing nothing and saying nothing. This produces an unsettling ambiguity and frustration for the students and gives the administration freedom to pursue any policy of punishment or non-punishment or to sanction, negotiate or deny any part of the demands, once the students abandon their norm-violating behavior. Any administration choosing this ambiguous policy must be certain of support from its various constituencies—faculty, trustees (or school committees), alumni and the general public—who will probably not at all understand what the administration is doing. Because of the exacting conditions for its successful execution, this policy is seldom used.

Clear-cut as these policies may be, there is too much confusion and emotionalism and too little prior experience within the administration to permit the implementation of any one of them; also there are too many audiences to be taken into account. Instead, a new struggle takes place around three, more intuitively developed positions: (1) a desire to support the goals of the aggrieved students while minimizing any loss of face to the institution for what may be interpreted as surrender. This position is usually termed "the soft line" advocated by the "doves." (2) A desire to defeat and punish the students while minimizing any loss of face to the institution for what may be interpreted as callousness or cruelty. This position is called "the hard line" advocated by the "hawks." (3) A middle ground, or temporizing position, which attempts to placate both the hawks and the doves in part and, again in part, to satisfy the demands of the students—a balancing process which requires the greatest diplomacy.

Since it takes some time for these positions to become crystallized, the administration is, for the time being, forced to delay action while contenting itself with ritualistic statements for public consumption, usually condemning the students' methods while expressing cautious sympathy for some of their goals.

MOUNTING POLARIZATION

The atmosphere now becomes increasingly acrimonious and conspiratorial; it is characterized by ad hoc committees, sudden summonses to meetings, secret emissaries mediating between rival factions, rumors and counterrumors, student manifestos and the ever-present television crews and newspaper reporters on the lookout for interesting stories.

Polarizations grow by wild leaps into increasingly extreme positions. For the hawks any attempts to negotiate with the students *before* those "troublemakers" yield to punishment is anathema—a betrayal of everything the school as an intellectual establishment stands for. It is the end of reasoned inquiry, the death of scholarly detachment, the beginning of the politicalization of the school and thus the *finis* of academic freedom and dispassionate search for "the truth." For them, no decisions should be taken under threat of force. Nevertheless, they hold over the doves and the "temporizers" the threat of dire predictions. With thundering fervor, they foresee a general doom and schedule deadlines for specific catastrophes. Since, as they say, it is impossible to appease the students' hunger for violence and revolution, they guarantee that should their policy lose out, another building will be seized, then another and another; next, the students will be running the institution, and in a year it will have collapsed altogether. To buttress the argument, analogies are summoned from all corners of history, with special emphasis on the Nazi and Communist movements.

In addition to such fulminations, the hawks can scarcely conceal their contempt for the doves—those "bleeding hearts," those "masochists" who, perhaps unconsciously, are out to wreck the institution. On their side, the doves show a mild but persistent abhorrence of the wrath and, in their eyes, "sadism" of the hawks. Privately they tend to believe, for the moment at least, that most of the hawks are "paranoid personalities." In meetings and public discussions, however, they try to appeal to the hawk sense of reality by portraying in detail the way the aggrieved students have experienced the institution: its irrelevance, its arbitrary rules and regulations and its unresponsiveness to student needs and especially to the need for shared communication. Such attempts at explanation are nevertheless perceived and dismissed by the hawks both as attacks upon the virtue of the academy and as apologies for deviant behavior.

Being men of the middle, the temporizers are not much persuaded by the logic of either the hawks or the doves. More realistic than the hawks about the actual extent of political influence present at the outset in the affairs of their institution, they are not so afraid of the loss of an already restricted academic freedom. Unlike the doves, they are worried by rapid social change of any sort, with its turbulence, its constant overhauling of administrative and appointment procedures, and its threat of loss of support from conservatives in the outside community. Moreover, they are drawn to the hawk position by a shared sense of indignation, though it is based on a different calculation. The temporizers have been impressed by the "liberalization" of American life in recent decades, the partial transformation of habitual "racist," "antistudent" or indifferent attitudes. Accordingly, they feel offended by the ingratitude of the aggrieved students, who in their view are "biting the hand that feeds them." This feeling is not shared by the hawks, who firmly believe that too much attention has been given the students to begin with; nor by the doves, who feel that the students have had too little attention. The function of this sense of betrayal, then, is to diminish the willingness of the temporizers to listen sympathetically to the students in the course of any negotiations—an effect in line anyway with their policy of delay. The sense of betrayal is shared by many persons in the general public who ask, with genuine annoyance and bewilderment, "What do those students want anyway?"

The polarization of the third phase is painful for most participants. Old friends find themselves unable to converse; people who have scarcely met fall into shouting matches; alliances hurriedly set up come crashing down, often undermined by gossipers. Meetings based on *Robert's Rules of Order* turn into travesties of rational discussion. Peacemakers by the dozen offer their own special formula for solving everything. No decision seems well considered or objectively arrived at. The temptation to avoid or withdraw from the struggle is very strong.

RESOLUTION

Despite the appearance of chaos, the group process is actually moving toward resolution, the fourth phase of the crisis. The manner in which the crisis is resolved varies so much from institution to institution that no general description can be offered. The resolution can be either doveish, hawkish or in line with the middle ground of the temporizers. But no matter which method resolves the crisis, there is likely to be some effort made to establish negotiations with the dissident students. The students, of course, do not acknowledge that such an event is occurring, since their demands are "non-negotiable." Similarly, the administration must officially discount the process because they have usually stated publicly that no negotiation can take place under the condition of violence or threat. Accordingly, the contacts must be given another name, such as "explorations" or "clarification of demands."

There is no space to examine this process or to discuss the conflicts within the aggrieved group of students which it generates. Suffice it to say that if efforts actually are made to end the struggle, severe dissension occurs within the student group about how much or how little to settle for. Hardliners, often women adept at shaming the men, remind the group that *none* of the demands are negotiable. Moderates, arguing for a policy of realism, urge settling for what they regard as the administration's best possible offer. Extreme activists suggest escalating the disorder, while those with less taste for prolonged struggle indicate a reluctance to go on much longer. The hardening of attitudes within the student group about what policy to pursue is a process that Freud brilliantly described as "the narcissism of small differences."

An important aspect of the negotiations is the degree to which administration and student representatives at negotiating sessions miscommunicate. Identical words and expressions mean different things to the two parties. To the extent that this is the case, such sessions really *are* more for the sake of clarification than negotiation. In part, misunderstanding occurs because of the gap in values, beliefs and experience separating the two groups. In part, the failure of communications is due to the novelty of such occasions and the absence of any traditional or agreed-upon style of conduct for the procedures, such as characterize labor bargaining sessions. But in large part, the communication failures are also the product of unconscious psychological processes, which will be discussed in a moment.

AFTERMATH

The fifth phase of the crisis process, the aftermath, is, formally, not a part of the crisis itself. However, there are only two related aspects of the aftermath that are relevant to our purposes. The first is "the Rashomon effect." Interviewers from the media and committees reviewing the event are usually surprised by the conflicting narrations of supposedly the same incident obtained from different persons. Certainly this is not a new finding in the history of psychology. The surprise occurs because the discrepancies are so blatant and the witnesses so credible. The second matter has to do, not with inconsistencies in what people remember, but with what they "forget." To be sure, with so much happening from hour to hour, no one can witness, much less recall the whole spectrum of events. What stands out, however, is the inability of people to remember things that they themselves have said and done and that others retain vividly in mind.

For example, after a particularly frustrating faculty meeting during the height of one campus crisis, a junior faculty member, who was a dove, engaged a senior colleague in the same department in a corridor conversation. The younger man was attempting to defend the legitimacy of the students' occupation of a campus building by drawing an analogy to the labor movement, especially its early phases when strikes, picketing and sit-ins were still matters of great controversy. During the faculty meeting, the senior professor had vigorously attacked the seizure of the building, warning of the fatal consequences to the university if it were allowed to continue. During the corridor conversation, he repeated these arguments and, with some annoyance, denied the merits of the labor analogy. When the junior colleague continued to press his argument, the hawk grew red with rage, advised the younger man not to address him by his first name, told him he didn't know what he was talking about, and then abruptly turned and left. After the crisis had died down, this incident was mentioned to the older man. He had no memory of it, denied that it had ever occurred and showed mild irritation at the suggestion that he could have behaved in such a fashion.

A similar blank wall was encountered at another university by a journalist attempting to interview a high-level administrative officer about the events of the campus crisis. The interview had started in a jovial, friendly atmosphere and continued for some time in this vein. Through others the journalist had learned that the president had made vacillating statements on the subject of disciplining the activist students, at times threatening severe punishment, at other times suggesting that only mild procedures would be used if the students left the building they were occupying. When the journalist brought this up, without revealing his sources, the atmosphere suddenly cooled. The uncertainty was interpreted by the official as "weakness" and was denied, to the surprise of the journalist who thought there must have been good reasons on both sides of the ticklish question of punishment versus amnesty. When he pursued the point, he was accused of being hostile to the university and oversympathetic to the line being adopted by the radical students. The interview terminated on a note of restrained tension.

EGO MECHANISMS

We have now come to the point where we can ask: what is it about the crisis that accounts for the forgetting, the exaggerations and the distorted, hostile interpersonal relations in which the participants become involved?

Let us begin with the dissident students who provide the apparent stimulus for the crisis. Since they constitute a group—an aggrieved group—we must examine the identifications that hold the group together and apart from the usual student groups. Obviously an extensive transformation of both the object and the nature of identification has taken place. There is among most students generally positive orientation toward scholarship, research and teaching; this is one factor in the ever-increasing number of undergraduates applying for graduate training. And in the past, at any rate, students have been able to overlook the paternalistic behavior of their mentors, sorting out in their own minds and discriminating between the best and worst aspects of university life. On this basis, they accept their student leaders as substitutes, junior partners or intermediate figures in a ladder of positive images pointing toward the administration and toward their own futures. Now comes a gradual but traumatic disillusionment with the administration, deep suspicion of its good faith and essential benevolence, and bitterness over the failure of their petitions for the relief of grievances. Hence the previously positive side of the identification process is put to severe strain. The constraint of rules and regulations—obeyed mainly to please—becomes increasingly burdensome.

At this point it might be well to recall Freud's original remarks on the role of identification in the process of group formation. "Identification," he wrote in *Group Psychology and the Analysis of the Ego*, "is ambivalent from the very first; it can turn into an expression of tenderness as easily as into a wish for someone's removal." Then, in the first of the two essays included in *Thoughts for the Times on War and Death*, he wrote of the effects upon the intellectual community of the eruption of World War I in particularly apposite terms: "The war in which we had refused to believe broke out, and it brought—disillusionment. . . . The individual citizen can with horror convince himself in this war of what would occasionally cross his mind in peacetime—that the state has forbidden to the individual the practice of wrongdoing, not because it desires to abolish it, but because it desires to monopolize it, like salt and tobacco."

This sentiment is identical with the reactions of dissident students today to the Vietnamese war. And it seems plausible to assume that the hostile attitude toward the authority of the state and toward all who cooperate with it, including the universities, follows upon disillusionment. As a result, all authorities are seen along the model of the oppressive state. Although this perception is magnified by the newly-formed negative identifications, it is also realistic, at least to the degree that the uses of authority in schools, colleges and universities are highly anomalous for students. A school shares the incompatible features of a jail, a hospital, a retail outlet and a club. Like an inmate in a jail, the student can be put on probation or punished in other ways for infractions of rules. Like a patient in a hospital, it will do him little good to complain about the service and he must follow orders. But, like a customer, he can shop around for consumer products, hoping to accumulate a serviceable education. Finally, as a club member, he can be granted or denied admission or expelled following admission, and he is expected to contribute to and take pride in the elite status of his membership. The movement for student power can be understood as an attempt to rationalize or to eliminate some of these harassing incompatibilities.

With the, in part, realistic perception of the administration as "the oppressor," the student's ego is suddenly assailed with anxiety from three sides. From the environment, the ego must face the real possibility of punishment for the loss of respect toward authorities. From the id there is the possibility of being overwhelmed with rage, including the resurrection of long-repressed oedipal hostilities. And from the superego, there still remains the possibility of guilt. The loss of positive identification is not as deep or thoroughgoing as it may seem at first glance. In fact, the negative side of the identification is like a thin protective armor that requires constant reinforcement. Therefore, guilt feelings must be perpetually warded off.

Under these circumstances, the ego must be protected. Two defenses are available for this purpose, and, tied together, they prove fairly serviceable. The first is identification with the aggressor—or, as one could say in this instance, with the oppressor. Anxiety is dispelled in the fashion described by Anna Freud, not through a general identification but through an imitation of the aggressor's behavior as perceived by the victim. Are the authorities insensitive, unresponsive, willing to use force (punishments) to get their way? Yes. Then so are the students, and not only toward administrative leaders, but also toward competing leaders within their group. Is the aggressor frustrating and evasive? The list could be extended, but point is clear.

But since their behavior is defensive rather than a spontaneous release of instinctual energy, it is rarely satisfying to the students, and it contains other unadaptive features. It tends to be ritualized—that is, automatically evoked in the presence of any member of the administration. Reality testing is reduced, and, as a result, the students tend to misjudge clues of receptivity and change in their opponents. Opportunities for successfully pressing their advantage are frequently lost on this account.

Because of the novelty of the defense, it is always in danger of breaking down. Another defense is then brought to the rescue: the principle of negative justice. Each member of the aggrieved group must be known to the others as equally deserving the retributions of the oppressor, lest group solidarity weaken. Thus each must provoke in the same way or to the same degree. To maintain such conduct in the face of the positive feelings being warded off—to say nothing of longstanding habits—is difficult. To be on the safe side, the aggrieved group needs to keep away from frequent contacts with the administration and to be sure that, if contacts are made, at least three members are together, watching each other and helping each other to continue to display the requisite degree of distance, coolness and unfriendliness.

In *The Strawberry Statement: Notes of a College Revolutionary*, James Kunen, who participated in the Columbia uprising, cites some amusing examples of the ambiguity of student attitudes. Kunen had made an appointment to interview Dean Herbert Deane of Columbia, a confrontation which he looked forward to with considerable malevolence and relish. Herbert Deane had provided Kunen with the title of his book. In April of 1967, a year before the uprising, Deane had made the comment, "A university is definitely not a democratic institution. When decisions begin to be made democratically around here, I will not be here any longer. Whether students vote 'yes' or 'no' on an issue is like telling me they like strawberries." After a long, friendly and candid conversation with this paragon of academic paternalism in July 1968, Kunen wrote in his diary, "God, what am I going to do? I *liked* Dean Deane."

Despite their defensiveness in the presence of administrators and the sometimes bizarre behavior evoked by the identification with the aggressors, the students generally display warm relations toward each other. The libidinal component which has been detached from authority figures is now directed toward the group as a whole. The resulting increase in available affectionate energy and the closeness of interpersonal relations produces a rise in group morale. Throughout much of the crisis the students' ability to display wit, humor and intellectual activity reaches unusual heights. The occasion becomes memorable in their eyes—and even in the eyes of some outside observers—because of the exuberant and often creative energies it releases. And because of some of the comic scenes acted out by all sides.

In *The Strawberry Statement*, for example, James Kunen described an incident which occurred when the Columbia students arrested in the April 29 bust were taken to the 24th precinct to be booked. " 'Up against the wall,' we are told. I can't get over how they really use the term. We turn and lean on the wall with our hands high, because that's what we've seen in the movies. We are told to can that ——— and sit down." The police, it turned out, merely wanted the students to sit on the chairs alongside the walls.

THE FACULTY ANALYZED

The doves within the administration are among those favorably impressed by a novel, creative aspect of student activity. Nonetheless, the doves are also under the influence of an unconscious defensive process: a variant of what Anna Freud has called "altruistic surrender." In their face-off with the hawks they are not asking for anything for themselves, as are the hawks and the students. Their motives are purely altruistic in that they want to see the students obtain a "fair shake" from the administration. For this reason they undertake, at great cost of energy and possible risk of their security, a strenuous defense of the students' cause. The unconscious motive for this position, however, is envy of the students' aggressiveness. They would like to have the role of the young students for themselves, defying the established authorities, bringing them to heel and reaping the rewards of victory in the manner of David over Goliath. The oedipal background of such an identification with the challengers is, again, a part of the constellation of motives; but in the foreground is the problem of an envy too productive of guilt to be directly acknowledged. Accordingly, to back the challengers, to take the risks without reaping the gains, to offer themselves up to the wrath of the hawks as sacrificial lambs—all these behaviors neutralize the claims of the superego.

Although the voice of the doves exerts a strong influence on the outcome of the crisis, it generates severe antagonisms. Its defensive quality is perceived by both students and hawks. Students feel that doves are defending them for the wrong reasons—that is for their own, narcissistic (or "liberal") reasons, not because of a realistic understanding of the students' position. Hawks, on the other hand, immediately perceive that behind the even-tempered and apparently reasonable arguments of the doves there exists an intense desire to humble them.

This sensitivity on the part of the hawks, which to the doveish mind looks so paranoid, is based upon a strong narcissistic defense. They are usually men who are climbed up the academic ladder from humble origins. They have obtained positions of some power and influence through hard work and the sacrifice of many pleasures, exemplifying in the process the individualistic, achievement values of American culture. Not only have pleasures been postponed, but in addition, such men have had to endure narcissistic wounds and humiliations in the struggle to rise from inferiority to relative superiority. At last, they are in a position to enjoy their hard-won privileges—that is, to have power over others, to make the decisions they have accepted from others on their way up. Moreover, in their view, they have been fairer in their own exercise of power than have their predecessors. Now, just at this moment, they suddenly find themselves challenged. They are being asked to share their power with the young, with student usurpers lacking all self-discipline and completely callow about the difficulties of obtaining power and the responsibilities of exercising it. To add insult to injury, any objection, however mild, to what they see as obvious insanity is immediately labeled evil, fascist or simply authoritarian.

Under these circumstances, with pride so largely secured by their careers and in the prerogatives of their status, the demands and behavior of the dissident students represent direct assaults upon the hawks' self-esteem. It is as if they were being forced to return to their humble origins. The narcissistic defense then enlarges the ego by identifying its fate with that of the institution, or even with the country as a whole. If they are to be destroyed, then so is the school and the nation. This position is, after all, not so irrational as it may seem. For the attack upon the hawks is an attack upon the structure of power and the hierarchical values of superiority and inferiority concealed behind the individualism that is supposedly the hallmark of Western culture.

So far as the temporizers are concerned, their unconscious motives are more varied and more difficult to discern. Some are merely timid and cautious—that is, defending against anxiety through watchfulness and delay of action. Others are really emotionally uninvolved in the struggle, defending themselves through isolation. Still others are convinced that compromise and a Hegelian synthesis of opposites are the only effective methods of conflict resolution, techniques that always require time. Because their motives are obscure or undefined, temporizers are apt to be made into scapegoats for the frustrations felt by all. Their delaying tactics and shilly-shallying policies are seen as the reason that the crisis remains so long unresolved.

THE ISSUES

This review of the ego mechanisms and defenses elicited by the crisis is not very satisfactory. It is far from a complete inventory of unconscious ego mechanisms and it leaves too many problems unresolved. It produces the impression that no group comes off very well in the struggle. If there are no very obvious villains, neither are there any heroes. Moreover, it places me in an awkward position, since I have not aligned myself with any group. Can the investigator of such situations really remain above the fray, analyzing everyone's motives except his own? Especially if the investigator is also an academic?

It would be impossible for me to continue studying situations of violent conflict if I were not able to wear a mask of assumed detachment, as Freud put it, while identifying myself, for the time being, with any and all positions. This is essentially no different from the analyst's stance in the varied clinical situations he encounters.

However, I do have a position and it would be unnecessary and unwise to conceal it. I am convinced of the necessity of political and social change if our society is to survive. In my view, what needs to be changed is the pyramidal structuring of power in our bureaucracies, and in our communities—a stratification that arranges persons and groups in positions of inferiority and superiority. Such a change, I believe, cannot be brought about without a simultaneous change in values such that individualistic achievement can no longer be used to disguise or dilute the destructive impact of authoritarianism and elitism in a self-advertised democracy.

Given the assumption that no institutions are selftransforming, I do not believe that such changes can come about without a militant struggle in which there will be some violence. What we can concern ourselves with, then, is the effort to keep violence, like pain and psychological suffering, at as low a level as possible. The reason, in my view, that the defensive aggression and anxiety in the crisis just described are so prominent is that all concerned have been brought up to believe in the democratic disguise of authoritarian structure. In the process of trying to free themselves from this illusion or to defend it, all parties to the struggle, even the students, reveal how deeply they are implicated in it. If this is so, then the unresolved issues, both psychological and social, stem from a single source. This is what we do not yet know how to accomplish the needed changes. We know only that we are locked in a struggle in the course of which the solutions will probably emerge. But it may be of some help if all of us, psychoanalysts, historians, social and political scientists and philosophers, work together to define the characteristics, the goals and the solutions to this struggle.

[From the Washington Post, Apr. 12, 1970]

Campus Protests Show No Sign of Declining

(By Eric Wentworth)

Contrary to official expectations, there have been at least as many campus protests this year as last.

Upheavals struck campuses from Quinnipiac College in Connecticut to the University of Arizona.

The first weeks of spring have brought a seasonal upsurge in rallies, demands and vandalism. Some of last year's prime battlegrounds are already back in the news: Cornell, Harvard and Columbia, for example.

But tallies by two research teams show the volume of protest actions was surprisingly heavy even before the current post-vacation outbreaks.

Alexander W. Astin, research chief for the American Council on Education, reports one or more incidents at 155 of 195 campuses that his team surveyed from last September through February.

Astin's figures include 175 protests against the college or university itself on 84 of these campuses, plus 260 protests involving the Vietnam Moratorium, antipollution, the "Chicago Seven" trial or other off campus issues on a total of 141.

The Chicago-based Urban Research Corp. reports its latest boxscore shows at least one protest on more than 90 campuses from Jan. 15 to April 1, or just as many as during the same period last year.

Neither group has kept tabs on the suspicious fires in ROTC offices and other campus vandalism that could not be linked directly to student demonstrations. But Astin reports that his September-February survey shows demonstrations leading to property damage in 14 cases, physical violence in 18 and one or more arrests in 24.

These figures together give the lie to the cautious optimism for a quiet year voiced by certain Nixon administration officials before classes began last fall. They also belie the assumption that campuses by and large have been relatively calm so far this year.

One reason for this assumption may be a tendency among newspapers, magazines and broadcasters to give campus protests less exposure, especially with high school uprisings vying for the limelight.

A well-placed source confides that some of the same university administrators who last year complained that press and television were giving campus protests too much attention now mutter about "suppression" of such news.

From the academic authorities' standpoint, one benefit of less public attention has been the virtual silencing of last year's congressional outcry for anti-protest laws.

But. Rep. William A. Steiger (R-Wis.) warns that campus unrest is "a dormanant issue, not a dead issue" on Capitol Hill. "The issue will comeback sure as shooting," he adds, if a new wave of demonstrations this spring stirs public opinion just as Congress is at work on a major new higher-education bill.

Astin and Urban Research's president John Naisbitt, among others, fear just such a wave is on its way. "I think everything points to that," Naisbitt says.

A new round of anti-war protests this coming week could offer the occasion for

XUM

major demonstrations on or near some campuses.

The Boston area may be one trouble spot. Harvard radicals harassed a committee of prominent visitors at that university's Center for International Affairs this past Thursday, and have talked of a building occupation this spring.

At Massachusetts Institute of Technology which saw repeated demonstrations earlier this academic year, one highly placed source familiar with student moods reports "a calm that is even more worrisome." It reflects, he explains, a deep sense of frustration.

Many causes that student protestors have been espousing have a familiar ring.

Of the 175 anti-institution protests Astin reports from September through February, 62 were "war-related" against such targets as ROTC, research for the Pentagon, and recruiting by the military services for defense contractors such as General Electric Co. (A GE official reports company recruiters this year visited 400 campuses, and encountered protests on about 30—most of them orderly.)

Another 42 incidents, according to Astin's survey, involved black students' demands for black studies programs, more black faculty members, admission of more black students, and the like. At Yale, blacks blocked a showing of "Tarzan the Ape Man" in March calling the film "racist."

In the West, athletic ties with Brigham Young University touched off protests at several major universities, including Arizona, New Mexico, Washington and Wyoming because of the Mormon Church's ban on admitting blacks to priesthood.

The Mormon university responded in late March with a full-page newspaper ad asserting the belief that "all men are brothers" and suggesting "the time will come" when blacks can become priests.

The other 71 anti-institution protests in Astin's tally mostly involved familiar issues of university governance (a greater student voice in policy-making), campus social rules, course requirements, tuition increases and the hiring or firing of professors.

Locally, 87 were arrested at the University of Maryland last month after a building occupation to protest the philosophy department's denial of tenure to two assistant professors.

This past week, 181 students at predominantly-black Maryland State College on the Eastern Shore were arrested after demonstrations demanding an audience with President John Williams to discuss grievances.

Preserving the environment has become a lively issue among thousands of college students as well as adults, with a wide array of demonstrations planned for "Earth Day" on April 22. By and large, however, blacks and white radicals have tended to steer clear of this movement or try to divert it to their own concerns.

"Most of the blacks and chicanos see it as a cop-out," Naisbitt observes. He refers to an incident at San Jose State College in California, where students gained nationwide attention in February by burying a new automobile to protest smog. Less noticed was a counter-protest by 75 blacks and chicanos, who according to Urban Research carried signs reading "Don't Bury the Car" and "Ecology Is Not the Issue."

Many of the protests so far this year have come on campuses already battle-scarred from previous confrontations from the mammoth Universities of Michigan and Wisconsin to tiny Voorhees College in Denmark, S.C.

But Urban Research, in a closer look at protests on 65 campuses from mid-January through early March, found roughly half occurred at previously tranquil institutions.

Like the urban riots that spread from Los Angeles, Newark and Detroit to smaller cities, campus protests have been cropping up at obscure private colleges, two-year community colleges and even seminaries (fifty-two students at St. Thomas the Apostle Major Seminary in the state of Washington, according to Urban Research, called for a boycott to protest suspension of one student because of "scandalous" publicity when he visited a tavern to recruit entertainers for a rock show at the state reformatory).

Quinnipiac College in Connecticut, an independent school with roughly 2,000 students near New Haven, is another example of this trend.

At previously quiet Quinnipiac, a college spokesman related, students staged a one-day round-the-clock sit-in in the campus library last month while leaders negotiated a list of 16 demands with college trustees and administrators. As many as 267 slept in the library during the non-disruptive demonstration.

The students left voluntarily after resolving a number of issues, which generally concerned such matters as voting seats on the board of trustees, curriculum reform, and tuition rates.

Meanwhile, the National Student Association has been extending legal advice to restless students on such diverse campuses as Emmanuel College in Boston, Augustana College in Rock Island, Ill., Calvin College in Grand Rapids, Mich., and Fisk University in Nashville, Tenn.

One prominent educator, a veteran of campus uprisings, believes protests will be a fact of life in American higher education for many years to come. He compares it to the labor movement: People warned of a revolution at first, but have learned to live with recurring strikes.

[From the Washington Post, Mar. 29, 1970]

STUDENT RIOTS IN ITALY AND FRANCE STILL A THREAT AFTER 2 YEARS; ROME IS CALM, REFORMS IGNORED

(By Claire Sterling)

ROME.—One of the sadder non-events in these five weeks of search for a new Italian government has been the students' silence.

Only once has the Student Movement tried to attract political attention: the best it could do was a dispirited parade of 1,500 followers through downtown Rome.

This, then, is what remains of the big student insurrection that hit Italy two years ago well before the one in France and longer-lasting.

Spasms of violence are still reported here and there, mostly provoked by neo-fascists trying to smoke the students out. But, by and large, the *contestatori* who occupied 23 of the country's 28 universities for months on end have given up or gone elsewhere, and a student body with worse grievances than almost any in Western Europe is more or less back where it started.

There was never much in the way of practical negotiation on these grievances while the insurrection lasted. Those who spoke for the Student Movement claimed to have lost interest in an educational system serving as an "ideological alibi for a criminal capitalist society."

DESTROY, NOT IMPROVE

They wanted to destroy it, not improve it. Still, they did bully the country's "paleo-politicians" into moving a little faster on university reform, if only by the ferocity of their assault.

In the five years preceding the insurrection, a Parliamentary Committee managed to approve no more than five of 38 articles in a proposed reform bill. In the two years since, it has gotten up to 30 out of 60. But even at this stately pace, final passage would probably take another two years. An already desperate situation can hardly improve in the meanwhile.

The trouble, put briefly, is that Italy's educational currency has been debased as its economy has expanded.

ENROLLMENT TRIPLED

Built for a small, privileged caste in a 19th-century semi-agricultural society, the universities here cannot remotely meet the needs of what is now the world's 7th ranking industrial nation. They had held up fairly well until the late 1950s, turning out a highly-educated elite representing well under five per cent of the college-aged. But then came the economic miracle, an educational stampede.

In barely more than a decade, enrollment nearly tripled in universities unable to so much as seat these students, still less instruct them.

Rome University alone has 94,000 students, classrooms for 12,000 and lodgings for 300.

Its Faculty of Letters has nearly 10,000 students and seats for 1,564. Its Science Faculty has 8,558 enrolled and laboratory posts for 987. Its Faculty of Architecture lives in such cramped quarters that students race to school at six in the morning if they want a seat for a lecture at nine.

The space shortage is only one small part of the problems. A quarter of a century after Mussolini's fall, Italian universities are still regulated by a law he promulgated in 1933.

Much of the curriculum dates back to World War I, and quite a few professors give the impression of having been around still longer. Thick with intellectual mold, secure in their lifetime tenure, jealous of their status and practically unlimited powers, these "barons of the lecture-hall" run a tight closed shop, inaccessible for the most part to younger men and livelier minds.

ONLY 3,500 PROFESSORS

For a student body going on half a million, Italy has only 3,500 full professors. Most are profitably occupied elsewhere, few show up regularly to lecture, and those who do rarely depart from texts they wrote themselves 20 or 30 years ago—expensive texts, which are required reading.

Accordingly, most enrolled students would not know their professors if they saw them. Nine out of ten never set foot in the university except to take exams.

A great many stay home in the provinces throughout the academic year, coming in to school only at exam time. Except for highly technical scientific subjects, practically all the exams necessary for a degree are based exclusively on printed material in standard textbooks and lecture notes written by professors (which happen to yield them permanent royalties).

Attendance in class is not required, even as a theoretical pedagogic principle. And the idea of relying on a professor for intellectual stimulation and academic guidance provokes a certain hilarity in Italian student circles.

Many became deeply interested, during the insurrection here, in American-style seminars and classroom debate. Caught in the Italian system's inelastic confines, however, the most they could do was tinker with such theories in "counter-courses" devoted mostly to the Vietnam war, capitalist debility and the evils of neo-colonialism.

Where academic work and degrees are concerned, the overwhelming majority simply cram for exams at home by studying standard texts on their own, or pooling their money to hire a professional crammer.

The academic results were about what you might expect, until recently. With 400,000 students enrolled in 1967 compared to well under 200,000 in 1947, the number actually getting degrees was the same old 28,000—mostly offspring of the same old small and privileged caste.

THINGS ARE CHANGING

Things have certainly changed since the student uprising of 1967–68, but hardly for the better.

Frightened by the depth and breadth of student defiance, and too weak to get at the causes, the center-left government took the cheapest way out: it simply offered bargain-basement diplomas.

University doors were opened still wider, to anybody completing high school. The choice of courses became optional (especially the harder ones). Examinations were either abolished, or given to one student representing a sizable group, or simplified to high-school level, or cancelled in effect by permitting students to challenge, and reject. the results.

Numerically, the effect has been striking. Within two years, the number of diplomas issued yearly has risen from 28,000 to 40,000. What they are worth, however, may be judged from the facts that most ads offering jobs to university graduates nowadays carefully specify that degrees must date back to 1967, at least.

SHODDY DEGREES

It is a shoddy prize, and practically the only one, for a student movement that very nearly brought the Establishment to its knees. Here and there, one may find modest improvements—an occasional seminar, more communication between students and teachers, some relief from strangling academic rigidity.

But the same professorial oligarchy still rules, the lectures are still left largely to "assistants" fresh out of school, the classrooms and labs are still lacking, the courses of study still better suited to the first half of our century than the last. What with student enrollment growing 8 per cent yearly, and instant-diplomas now within reach, the Italian university as a center of research and learning may soon become a thing of the past.

Looking back, some student movement leaders begin to regret their lost chances. At the height of the occupation, they might have extracted solid reforms from a terrified Establishment, but they refused even to discuss that.

Exalted by the extraordinary response on campus they had thought they could rouse the whole workingclass to revolution.

In a sense they did: The surge of workers' militancy during Italy's "hot autumn" last year, was undoubtedly inspired by the previous year's student revolt. Once the workers got on the move, though, they wanted no part of the dilettante student revolutionaries getting under their feet—and told them so quite brusquely.

Now, in the universities, it is too late. Two years of strikes and occupations, street fights and riot, wall newspapers, Mao's thoughts, and interminable assemblies, Bach, Marcuse, and stale ham sandwiches, have left the students bored and listless.

They have not become a lasting political threat, as the Establishment had feared. A recent public opinion poll has shown that the majority of students would either cast a blank ballot today, or vote for one of the governing center-left parties. And the Communist Youth Federation here, far from fattening on the student mutiny, has dropped in membership from nearly half a million to an all-time low of 80,000.

Naturally, as student apathy increases, the sense of urgency in political circles declines. Very little breath has been wasted on university reform, during these five weeks of negotiation for a new cabinet. One wonders how much may be expended before 1980, when a student body of half a million will have become a million.

Perhaps, by then, students may at last hit upon the only truly superlative weapon of protest which their colleagues have overlooked so far: They might merely show up for class, all of them, at the same time.

[From the Washington Post, Mar. 29, 1970]

POLICE WENT WILD ON PARIS CAMPUS

(By Bruno Frappat)

PARIS—"They've brought the Latin Quarter barricades of May, 1968, right to our own doorsteps," said one of the many spectators jostling for a better view of the action on March 3 from the small rise across the railway tracks a few hundred yards from Nanterre's law and letters faculties.

The onlookers were mostly residents of the Paris suburb and students who had prudently evacuated the campus before battle broke out.

Under a clear sky the faculty buildings were shrouded in a blue, tear gas haze. The popping of gas grenades and the general clamor were punctuated by the occasional student cry of "cops off the campus," and the chanted slogan born in 1968: "It's only a start, on with the struggle!"

The students were having a relatively easy time hitting the police, ranged in compact groups, with a hail of stones and chair legs. The police shielded their heads but were unable to avoid objects ricocheting off the ground, and most of the injured suffered leg wounds.

The students were keeping a close eye on the trajectories of gas grenades repeatedly fired at them. As soon as one landed it was immediately flung back into the police lines.

BUILDINGS EMPTIED

Little by little the two buildings finally emptied. The demonstrators, then reduced to 300 to 400, reformed on the lawn. Abandoning their makeshift weapons, they headed for the university cafeteria where other students who had taken no part in the rioting were already busy—eating.

At that point the police, who had not made a move for several minutes, charged after the students, who retreated hastily into the cafeteria. To force them out the police broke the windows and tossed in tear gas grenades.

Gasping for air, the students rushed out into the open, where scores of enraged policemen, their nerves at breaking point from hours of waiting and the tension of the battle, bludgeoned them with nightsticks. turning furiously on those who had fallen. It was here that a number of students were seriously injured.

POLICE RAMPAGE

There was panic inside the cafeteria, where all the lights went out. The diners abandoned their meal and fled in disorder. Outside they witnessed the amazing spectacle of the gendarmes intervening to protect the students from the wild wrath of the local police.

Frustrated at being unable to continue the assault, the police, ignoring their officers, vented their anger on cars parked around the campus. No automobile within their reach escaped damage: they broke windows with their nightsticks, slashed tires, and dented car bodies. An ambulance arriving to evacuate the injured students, many of whom lay unconscious, were greeted with the policemen's chant of "Hearse, hearse."

Allowed out one by one by the gendarmes the students were hesitant to leave the campus. Some who decided to brave it had to elbow their way through groups of policemen at the exit. Savagely the police seized their books and papers and trampled them furiously.

By 9 p.m. there was no one left in the cafeteria. A few students still confronted the policemen near the dormitories, but there were no more incidents.

A PRIZE-WINNING EDITORIAL

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mrs. GREEN of Oregon. Mr. Speaker, the new orthodoxies of the "mod generation" are disquieting not only in themselves, but also in their own lack of substance. The "mod generation" is not composed of those only under 21. But the minority—a very vocal, active minority of the "mod" age attempts to mold a structure for revolution that has no substance. It calls for freedom—freedom in sex, freedom in dress, freedom to be obscene in speech and offensive in action. This is done by a campaign of such extravagance that it ranges from the sublime to the horrible. Its purpose is said to be revolution, but its aim seems to be merely titillation.

A distinguished commentator in my home city of Portland, Oreg., has taken exception to this, and in an editorial he gave on Law Day in 1969, he eloquently presented his views. This editorial, which was presented on KXL radio in Portland, brought to John Salisbury, director of news and special projects at KXL, the principal award for 1969 in the editorial category for Law Day observances. The award is given by the Freedom Foundation at Valley Forge. I insert his prize-winning editorial at this point in the CONGRESSIONAL RECORD:

RADIO EDITORIAL BY JOHN SALISBURY

This is Law Day. It is also Loyalty Day.

Tune me out and turn me off, if you so desire, because I'm going to talk about law—and about loyalty.

It won't hurt much, because I've already been tuned out and turned off by the bullies, brigands and braggarts who have decided law is no longer necessary in America, and who scoff at the very concept of loyalty.

I'm tuned out and turned off by young people in their smart pants and dirty beards who believe, somehow, they've been gifted by a God they claim is dead with some kind of omniscience which gives them sole mandate to cure the world's ills and to rule it by their own laws.

I'm tuned out and turned off by the black militants who believe guns leveled at the wrongs of bigotry will win the rights of equality.

I'm tuned out and turned off by the burners of draft cards and the tramplers of flags who denounce in cowardice the names of the brave who fall in battle—the young men who didn't choose to be there but went anyway, and fought their hearts out and sometimes died believing that if their country was wrong, it went wrong trying to do right.

I'm tuned out and turned off by the far right which suspects everyone else of being disloyal—and by the new left which believes in overthrowing our government, preferring anarchy even above communism.

I'm tuned out and turned off by boys who look like girls and girls who look like ladies of the night—and by members of my generation who think long hair, sideburns and beards really open the lines of communication to their kids.

I'm tuned out and turned off by men who've lost respect for women, and women who've lost respect for themselves—and by the new sophistication which makes it permissible to tell dirty jokes in mixed company.

And I'm absolutely turned off by Polish jokes—or any others which poke unwarranted fun at race, nationality or faith.

I'm tuned out and turned off by educators who can find no way to defend their institutions except by allowing the rabble to take them over—and by professors who prefer the rabble to self-respect.

I'm tuned out and turned off by men of God doing the Devil's work because they're no longer certain where, why or how God works.

I'm tuned out and turned off by the pornographers who use liberty as a cloak for license, proclaiming their right to peddle filth as freedom of the press.

I'm tuned out and turned off by dope pushers destroying a generation of youth while proclaiming marijuana should be legalized and a trip on LSD the only way to fly.

These are some of the things which turn me off.

And what turns me on?

Whites and blacks working together to make things better for everybody.

Kids who organize decency rallies.

Students who go to school to get an education, and educators who educate.

Preachers who identify with God, and are humbled by Him.

Authors who write good books.

Clean-cut boys and pretty girls.

And people to whom law, loyalty, justice and patriotism are not dirty words—people like the great majority of Americans, young, old and middle-aged, who care and will do something about it, like tuning in and turning on to what's right with America, using it as the inspiration for overcoming what's wrong with America.

People who pledge not anarchy—but allegiance!

EDUCATIONAL BROADCASTING

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. ROONEY of Pennsylvania. Mr. Speaker, for the last 2 days the Communications and Power Subcommittee of the House Interstate and Foreign Commerce Committee has been holding hearings that would provide for the further funding of the Corporation for Public Broadcasting. One of my constituents, Mr. Sheldon Siegel, who is executive vice president of MLVT-TV in Bethlehem, Pa., and vice president for Instructional Television for the Eastern Educational Television Network, gave noteworthy testimony to that subcommittee.

I include in the RECORD the following letter written by Mr. Siegel and printed in TV Guide. I believe it gives a very clear picture of the great strides now being made in educational broadcasting:

CLASSROOM TELEVISION

As vice president for Instructional Television for the Eastern Educational Television Network, and the general manager of an educational-public-television station, I would like to assure Mr. Doan that classroom televison is not a national disaster everywhere. The instructional televison service offered by the nearly 30 stations of the EETN is vibrant, vital, and utilized by more in-school classrooms now than at any previous period in our 10-year history. We know we have some problems, but we're a long way from a disaster area.

PAN-AMERICAN DAY—A DAY FOR REFLECTION

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. ROSENTHAL. Mr. Speaker, I am proud to cosponsor a House resolution extending greetings to the other republics of this hemisphere on Pan-American Day.

Latin America is an area with an illustrous and proud history whose ancient civilizations were far advanced long before the voyage of Columbus. Thus, the people of the Central States, most of whom are comparatively new to this hemisphere, should be grateful for this opportunity to celebrate the long association this country has maintained with our neighbors to the south.

Pan-American Day should be more than a day of celebration, however. It should also be a day of reflection—a day to consider the present state of affairs in Latin America and the nature of this country's policies toward the nations of that region.

Although the countries of Latin America exhibit great diversity, no one can ignore the stark reality of the social and economic conditions of the area as a whole:

Half of the area's population is undernourished.

More than one-third of the population is illiterate.

A mere 2 percent of the people own nearly 70 percent of the continent's wealth.

In an area where, for most countries, agriculture is still the chief means of earning a living, 10 percent of the landowners possess 90 percent of the land.

Yearly per capita is low, ranging from $75 in Haiti to $895 in Venezuela. When this low per capita income is coupled with rapid inflation, development is hampered by a shortage of savings and capital for investment.

Foreign exchange required for development is in chronic short supply. The area has an unfavorable balance of trade with three of its four major industrialized trade partners, including the United States.

The export earnings of many countries are dependent upon the sale of one or two primary commodities. The world price of these commodities is subject to wide fluctuations depending upon the particular year's harvest and the competition of synthetics. The consequent fluctuation in foreign exchange earnings makes planning for development difficult.

The countries in the region are heavily in debt to countries outside the area and to international organizations. The cost of servicing this debt doubled between 1961 and 1968.

Obviously, these conditions pose dramatic challenges to the countries of Latin America. If social justice is to be achieved, if the area is not to suffer the horrors of civil war and chaos, these governments must respond quickly and effectively to the legitimate aspirations of their people.

In recent years Latin America has experienced an increase in the number of military governments—a form of government which history has shown to be one of the most unresponsive and least amenable to change. Between 1962 and 1969, 10 of Latin America's 24 governments were toppled by military coups. Nearly half of the region's 276 million people, including three of the continent's four largest countries are governed by military regimes.

While some of these coups were directed against de facto governments, a large proportion were diverted against constitutional governments. While historically these military coups have been for the purpose of maintaining the status quo rather than for the purpose of reform, in recent years younger military leaders in some countries have become forces for reform also.

Mr. Speaker, the 1970's promise to be a decade of ferment and change both in Latin America and in our own country. We must take care that our Latin American policy reflects these changes and that we avoid both paternalism and neoisolationism:

Pan-American Day is an appropriate time, therefore, for reflection and to raise some questions concerning our economic and military assistance programs.

Do our programs serve merely to express a self-righteous generosity or as payments for quiescence rather than as a means to protect our own interests by promoting progress and development?

Do our programs place excessive emphasis upon stability to the detriment of social justice?

Do our programs emphasize stability because we fear Communist subversion or because we wish to protect at all costs the $12 billion which U.S. citizens have invested in the area?

Is development hampered by the fact that the governments of Latin America devote an average of 13 percent of their budgets to the military and if so, is the United States encouraging this expenditure unnecessarily?

Mr. Speaker, these are only some of the important and difficult questions which must be answered. I earnestly hope that Pan-American Day will serve as the beginning of a period of reflection and introspection leading to new and creative policies for Latin America.

NATIONAL LIBRARY WEEK

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, this is National Library Week.

President Nixon in paying tribute to our Nation's libraries has noted the important role they have to play if we are to achieve our goal of the Right to Read for every American.

The text of the President's message follows:

XUM

THE WHITE HOUSE,
Washington, D.C., April 4, 1970.

This year National Library Week has a new dimension of significance for all Americans.

We have established a great national goal for this decade: that the Right to Read shall become a reality for all our people. And we have determined that by the end of the 1970s no child shall leave school without the skill and desire necessary to read to the full limits of his capability.

Libraries and librarians have a particularly vital part to play in the Right to Read campaign. They can offer personal guidance directing children, adolescents and grown men and women to choose from the vast array of books available those which best match their interests and abilities. And they can put young people on a path of knowledge that will delight and inspire them throughout their lives.

National Library Week is a fitting time to dedicate the vast resources of our libraries to the successful realization of our Right to Read goal. It is a time for all Americans to pledge their wholehearted support to our libraries. Working together we can hasten the day when every American will share in a right that is fundamental not only to the progress of our democratic society, but to the happiness and self-fulfillment of its citizens.

RICHARD NIXON.

HOUSE RESOLUTION 909

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. BRINKLEY. Mr. Speaker, I was pleased to support House Resolution 909, with final passage coming today. Our postal employees, our civil service employees, and the members of our Armed Forces can now expect a retroactive raise in pay which I believe is fully justified; namely, a straight across-the-board increase of 6 percent. In my opinion, this is a good investment from the standpoint of the Government. Good business demands good employees; good employees command good wages; good wages require good business, completing the circle.

We must attract and retain the very highest quality of employees to serve in the Federal establishment. We have done this in our area, as evidenced by the degree of productivity; this in spite of a 21-month wide comparability gap between Government and private industry salaries. The passage of this legislation will narrow that gap.

Incidentally, the number of personnel as measured against production criteria refutes the very idea of regional wages. One nationwide standard must remain applicable, because for the postmen in Columbus, Ga., and for the postmen in Denver, Colo., the mail pouch weighs precisely the same as it does for the postmen in New York.

Certainly, the same pay should be paid for the same work wherever it is performed in this country. It costs just as much to buy an automobile or a television set, if not more, in Warner Robins, Ga., as it does in Detroit, Mich.

SMALL AIR CARRIERS FACING PROBLEMS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. DERWINSKI. Mr. Speaker, at a time when the jumbo jets and the supersonic transports promise to revolutionize air travel around the world and bring its farthest corners within reach of travelers, smaller air carriers at home and abroad are facing a variety of problems.

Sheikh Najib Alamuddin of Beirut, Lebanon, chairman of Middle East Airlines, the largest private enterprise in the Arab world, has become a spokesman for smaller foreign airlines.

The article by Sheikh Najib is an objective one, which also expresses the responsible attitude that private business interests in many Arab lands demonstrate. The turmoil in the Middle East should not obscure the areas of communication and understanding that can be maintained in other than the political arena.

I especially emphasize, Mr. Speaker, that the business community in Lebanon has demonstrated effective leadership in economic circles and that the leaders of that nation have stoutly maintained pro-Western economic and governmental policies.

For two reasons, one to acquaint Members with the problems of smaller airlines abroad, the other to acquaint Members with strong, substantial leaders in the Arab business community, I insert an article which Sheikh Najib prepared for a recent issue of Air Transport World:

SMALL AIRLINES: POOL RESOURCES OR PERISH

(By Sheikh Najib Alamuddin)

At the present rate of growth, the demand for air travel doubles every five years. The introduction of SSTs and Jumbo Jtes, coupled with the continued growth, will not change this situation appreciably between now and the 1980's.

In a forecast made by the Lockheed Aircraft Corp., the number of passenger-miles in the non-communist world was estimated to go up from 123.5 billion in 1965 to 390 billion in 1975 and to 900 billion in 1985. Douglas Aircraft Co. estimated that an average of 340 new jet passenger aircraft will be required per year between 1967 and 1976. The value of these aircraft will be $2.05 billion per year.

It is needless to stress the effects of these requirements on the international financial system which already suffers from the lack of sufficient liquidity. In addition to the above, about 350 all-cargo aircraft would be required by 1970 and 850 aircraft by 1975. By 1980 the number of all-cargo aircraft could go up to 2200.

The bulk of air traffic is now concentrated in North America and Western Europe. Increasing per capita incomes and decreases in fares could increase the demand for air travel in developing countries in Asia, Africa and South America; but this will not change the present patterns of air traffic significantly. In fact, by 1995, about two thirds of the non-communist world's Gross National Product will be produced in North America and Western Europe.

The most pressing need of smaller airlines is that for sufficient funds to keep pace with the rapid technological progress. Through pressure from the aircraft manufacturers and from the giant airlines, the industry has been forced to go into supersonics at a relatively early stage. On the other hand, big jet aircraft of 250–350 seats will go into service soon. Smaller airlines, who want to maintain their position in the market, have to reequip in the early 1970's and this puts a tremendous strain on their finances.

The raising of funds in the international markets is becoming more and more difficult, and the rates of interest are continuously going up. Down payments for aircraft vary now between 10 and 20% and interest rates are around 8% to 9%. With the increased demand for financing, interest rates are likely to go still higher.

On the other hand, the development of the air transport industry makes it imperative to have more knowledgeable managers in the fields of economics, sociology, politics and marketing. Furthermore, crews will have to be of a higher educational caliber. Training programs will become more complex and mechanization will be inevitable. All of this will increase the strain on the airlines' financing and will raise problems of recruitment, especially in developing countries where technical know-how is relatively scarce.

The additional requirements of modern air transport create an urgent need for airlines of all sizes to pool their resources and coordinate their activities. Obviously, this need is much more pressing in the case of smaller airlines. Despite this fact, however, smaller airlines in developing countries have been less active in this field; and apart from Air Afrique, very little success has been achieved.

The Arab airlines are now trying to enter into some kind of regional cooperation and have created an Organization of Arab Air Carriers (AACO). These attempts are still at an early stage, but Arab airlines have come to recognize the need for pooling their resources and have set up a number of specialized committees for this purpose. Moreover, a preliminary project has been drawn up for creating a special Arab fund for financing the equipment requirements of Arab carriers.

One pertinent question in this respect is whether airline groupings are more successful if done on a regional basis or on the basis of similarity in size and outlook. The pooling of resources is definitely easier among airlines situated in the same area. However, a joint operation requires, above all, similarity of outlook on the part of the operators and compatibility of political and economic policies on the part of the governments concerned.

AVOID SENSITIVE AREAS

As a first step, cooperation could start in new fields of activity where vested interests play a smaller role. This can be done immediately. The experience so acquired would then be extended to other fields. If smaller airlines do not treat this problem with sufficient urgency, the progress of the air transport industry will be definitely hampered. Such an unfortunate development, if allowed to take place, will affect the world economy which is dependent to a large extent on the existence of rapid and efficient systems of transportation in all parts of the world.

There is a limited number of giant airlines in the world today plus a multitude of smaller airlines. The giant airlines are studying possibilities of mergers in order to create still bigger giants; and the medium-sized airlines are considering projects for regional groupings in order to meet the competition of the giants. On the other hand, the smaller airlines of the developing countries have done very little towards the pooling of their resources. If the present trend continues, the gap between the giants and the smaller airlines will become even wider.

This problem is similar in many respects to that of the gap between the industrialized countries and the developing nations of the world, which gap is getting wider and wider every year. The advanced and richer countries have at least realized that the growth and the stability of the world economy depend on the rapid development of the less developed countries of Asia, Africa and South America, and have been trying to help these countries achieve a faster rate of economic growth.

The giant airlines of the industrialized countries have a similar responsibility towards the smaller airlines in developing countries. Over 80% of the air traffic of the non-communist world is now generated by the USA and Western Europe. In order to survive and grow, the larger airlines should realize this fact and stop trying to exclude the smaller airlines from the international air traffic market.

The development of world air transport between now and the 1980's depends to a large extent on the acceptance of this fact by the giants who should help the smaller airlines in their efforts for pooling resources and capturing a bigger share of the international air traffic market. If this is not done the governments of the smaller airlines will resort to stronger protective measures in order to safeguard the existence of their national carriers.

AN AIRLINE A MUST

Air transport is very vital for developing economics which need fast and efficient communications with the outside world. This can only be ensured by having a strong national or regional airline. In addition, air transport has strategic and prestige value for most countries. Consequently, governments cannot allow their airlines to collapse in the face of competition from the giants. The easiest way for them is to resort to protective measures.

The trend towards protection is already under way and the forms of restriction are becoming more and more varied. Predetermination of capacity gains more and more acceptance every day and is gradually replacing the Bermuda principle as the basis for international air policy. Moreover, restrictions on fifth freedom rights are becoming more and more stringent. In several cases, restrictions imposed on third and fourth capacity are leading to restrictions on fifth freedom rights.

Unless the governments of the developing countries feel that their airlines are being helped rather than strangled, more and more restrictions will be introduced between now and the 1980's. This will put world air transport in a strait jacket and will hamper its development. Such a development is obviously undesirable. Equally undesirable is the alternative of allowing the smaller airlines to go out of existence. A strong national or regional air transport industry is an essential tool of economic development as it provides the fastest and most efficient link with the outside world.

Furthermore, air transport is often essential for bringing complementary economics together through rapid and efficient communications. The breakdown of this system could be disastrous for the world economy and, in turn, for air travel which depends largely on the continued growth of incomes in all countries. Such a development will be very harmful to everybody including the giant airlines which carry the bulk of international air traffic.

The collapse of the smaller airlines, if allowed to take place, would harm the giants in another and more direct way. The smaller airlines operate a good deal of regional routes which the giants are not able to serve. This aspect would be accentuated with the introduction of SSTs in the early 1970's. Any disruption of the regional routes would therefore affect traffic on the international routes. On the other hand, the smaller airlines cannot survive by operating regional routes only and should therefore be allowed a fair share of the traffic on international routes.

NO. 1 NEED: EQUIPMENT

The most urgent requirement of smaller airlines is for equipment. New types of bigger jets are soon coming on the market. The first Boeing 747s are expected to go into operation by 1971. In addition, the Concorde will be put in commercial use by 1973. The introduction of these new types will definitely affect the pattern of fares and consequently of travel on international routes. The SSTs will most probably cater for business travel while the conventional jets will transport the tourists at lower fares. In order to remain in existence, the smaller airlines have to serve both markets and, consequently, would be forced to acquire new equipment.

The price of the Concorde is around $20 million with spares and related equipment, that of the American SST about $45 million and the Boeing 747 about $25 million. In addition to the price of acquisition, expensive training programs have to be carried out. Few small airlines can afford such sums.

The obvious solution is for the smaller airlines to pool their resources and group themselves in larger units capable of meeting these requirements. The giants can help in this respect by encouraging such grouping and by giving them technical assistance. The experience acquired by the giants in the field of pooling and regional cooperation could be of considerable use to the smaller airlines.

On the other hand, the international financial institutions could help by providing funds at reasonable terms. The fare structure should not be geared towards meeting the needs of the giants only but should allow the smaller airlines to operate economically. Every possible effort should be expanded in order to give more prestige and usefulness to IATA and to give the smaller airlines a feeling of greater effectiveness and responsiveness to their needs.

There is already a trend towards fixing fares and rates through government action and unless the IATA structure is modified and strengthened, this trend will become even stronger. A breakdown in the operations of IATA through a mass of government orders must be avoided by all means. Some form of voluntary capacity control should be instituted by agreement among all airlines; otherwise, we might find ourselves straddled with a large number of aircraft that cannot be economically utilized. This will put a particularly heavy burden on the smaller airlines, and as most airlines are financed by public funds, governments of developing countries will consequently have less funds available for the development of their airports and their navigational facilities, which development is required by the introduction of new and more sophisticated types of aircraft.

Tourism has become an important source of income for many countries but in particular for several developing countries and their airlines. This type of traffic is directional from the richer countries to the poorer ones. Unfortunately, this is also the first line of defense in the armory of developed countries that face balance of payments difficulties. Such action does more harm to the developing countries and their airlines than it helps the balance of payments of the richer countries.

The development of air transport between now and the 1980's will depend to a large extent on the development of the world economy and the way temporary balance of payments difficulties are faced. It is hoped that air transport will continue to develop in a world of expanding peace-time economies and that by 1980 there will be fewer but stronger airlines.

APOLLO 13: "TO STAY ALIVE AND ON COURSE"

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. TEAGUE of Texas. Mr. Speaker, as we follow the course of events in the flight of Apollo 13 it is well to remember that the exploration of space, as with any other exploration, not only holds challenges but dangers. The editorial today in the Washington Post does much to place the Apollo 13 flight in perspective. I commend the reading of this editorial to my colleagues:

APOLLO 13: "TO STAY ALIVE AND ON COURSE"

Until 10 o'clock Monday night, most of us had watched the space program with a complacency born of repeated success. The memory of the early disaster at Cape Kennedy and the constant reminders from the men of Apollo of the risks involved in each flight had been answered by the string of magnificent performances by craft and crew alike. Even the bolt of lightning that jarred the early minutes of Apollo 12 seemed more a demonstration of the invincibility of our spacecraft than a reminder of impending peril. Then came "a pretty large bang," from a meteorite, or an explosion, or whatever, and suddenly we remember that three men are a long, long way from home, their lives suspended on the slimmest kind of thread. The warnings, the talk of risk and of danger, came flooding back.

Those who are in the Apollo program—the engineers, the planners, the astronauts themselves—have measured those risks many times. They knew something could go wrong anytime, anywhere. They hoped that when it did the men in the craft or the men in mission control could find a way to avoid disaster. But they had faced up to the possibility that a solution might not be found, that men might be stranded in space, that men might die—swiftly in a ball of fire or slowly as oxygen ran out. Now the rest of us must face up to these things. The risks the spacemen run are no greater, probably much less, than those we ask men to run daily in Vietnam. But they are merely more public—and more exotic. Since all of us shared the moments of triumph with the astronauts, we must share with them the moments of crisis, moments that they are accepting, calmly and bravely, as a matter of probabilities and possibilities.

What happened out there Monday night is far from the worst situation that the men of Apollo could have encountered, with a difference of a day or so. The same mishap, occurring while two men were on the surface of the moon, would have meant almost certain death, and so would have the same event, occurring during the trip home after the lunar lander had been jettisoned. Nevertheless, the situation is still touch and go. The moon landing craft, now the temporary haven for the astronauts, was not designed for that job. One slight flaw in its equipment might snap the thread on which life depends. Similarly, one slight crack in the heat shield

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induced by whatever went wrong Monday night could turn that small capsule into an oven as it plunges through the atmosphere at re-entry.

Thus the line between crisis and tragedy is still very thin. But it has always been so in the world in which explorers live. One slight miscalculation, one mechanical error, one unforseen interference by nature, one human mistake and Columbus might not have discovered America, Lindbergh might not have flown the Atlantic, Hillary might not have made it up Mt. Everest. Mr. Lindbergh wrote of this in describing his epic flight:

"Looking ahead at the unbroken horizon and limitless expanse of water, I'm struck by my arrogance in attempting such a flight. I'm giving up a continent, and heading out to sea in the most fragile vehicle ever devised by man. Why should I be so certain that a swinging compass needle will lead me to land and safety? Why have I been so sure that I can hold the nose of the Spirit of St. Louis on an unmarked point on that uniform horizon and find Nova Scotia, and Newfoundland, and Ireland, and finally an infinitesimal spot on the earth's surface called Le Bourget?"

Lindbergh gave up a continent, as the astronauts gave up a planet, because he had measured the risks and found them reasonable, for all the possibility of disaster lurking around the corner—it does so every day for men and nations. So if we are going to applaud the glories, we must confront the dangers along the way. All we can do now, as that unlikely looking craft limps back from the moon, is to hope that the men who ride in it and the men in Houston who guide it can find what Lindbergh found.

"Somewhere in an unknown recess of my mind," he wrote, "I've discovered that my ability rises and falls with the essential problems that confront me. What I *can* do depends largely on what I *have* to do to stay alive and on course."

PAN-AMERICAN DAY

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. MORSE. Mr. Speaker, I am indeed pleased for this opportunity to extend our greetings to the peoples of the other republics of the Western Hemisphere on the 80th anniversary of the Union of American Republics, now known as the Organization of American States. I share the hope of other Members of this House that all Americans—in the United States and in the Latin American countries—will achieve new levels of good will and prosperity.

Traditionally, Pan-American Day is an occasion for us in North America to renew our commitment to unity and cooperation among the American states and to look to the political, economic, and cultural ties which unite our nations. At the same time, however, it is appropriate for us in the Congress to examine the nature of our relationships with our Latin American neighbors and to make a critical and sympathetic analysis of where we are and where we want to go and what policies will be most appropriate for the future.

In this evaluation, it is important that we call upon our Latin American partners for their advice as to how we can improve our communications and our policies. In the last year, much has been said about listening and learning in order to formulate a more informed policy toward Latin America. That is a practice that must not be abandoned. We must continue to listen—and to learn from our partners in the OAS and the Alliance for Progress—if we are to correct the imbalance which has existed in which it is primarily U.S. policymakers who have described the framework for inter-American cooperation.

I am convinced, Mr. Speaker, that by changing our approach to Latin American affairs of years past—by listening rather than lecturing—we have a chance to find the developmental mystique which has eluded the Alliance for Progress. As we are continuing to learn from our domestic experience, pride, confidence, and self-reliance have more to do with development than the nature or even the quantum of external economic assistance.

As we celebrate the 80th anniversary of the creation of the inter-American system, let us pledge ourselves to an effort to find the most positive policy, with the greatest significance for long-term development in Latin America, and let us further pledge to find it in cooperation and consultation with the nations of Latin America.

LEONARD WOLF

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 9, 1970

Mr. MONAGAN. Mr. Speaker, the death of our former colleague, Leonard Wolf, came as a great shock to me and I welcome the opportunity to join my colleagues in mourning his passage and paying tribute to him.

Leonard Wolf was a Member of the 86th Congress and he and I came to Washington for the first time in 1959 as a result of our election to that Congress.

He was vigorous and forceful and he lost no time in making his presence felt among the Members of that Congress. He was effective in representing the people of his district and of his State and he left a permanent memory among those who served with him.

After he left the Congress he went to work in the food-for-peace program and I had the privilege of meeting him in Rio de Janeiro and I learned that he was putting his energy and imagination into the task of helping the Brazilian people to achieve a growth in nutrition that would help provide a basis for the future growth of the country itself.

Although it is pointless to muse about the designs of Providence, it is difficult not to feel that Leonard Wolf was too young to die. One could not help but believe that much constructive work remained for him to do.

At any rate, those of us who were his friends and colleagues and fellow Members of the 86th Club regret deeply that we shall no longer meet him from time to time and be revived by his enthusiasm and good humor. He contributed much to his fellow man during his life and we shall not forget him. His widow and family have my deepest sympathy and my hope that they will find great consolation in recalling the life of this good man.

DISPOSAL OF POLLUTED DREDGINGS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. VANIK. Mr. Speaker, the President's action today in directing a halt in the dumping in the Great Lakes by the U.S. Corps of Engineers is of course a welcome decision. Since the first Water Pollution Conference in Cleveland in 1965, I have been urging the Corps of Engineers to end the practices of dumping polluted dredged materials into the Great Lakes.

At first the Corps of Engineers was reluctant to alter or modify its dumping policies, which had the effect of spreading pollution as the pollutants gradually dissolved. Action was deferred until a study was conducted by the FWPCA to determine if the dumping practices indeed contributed to the pollution problem. In due course, such a study confirmed what we already knew. The material was indeed a substantial contributor to the pollution problem. In 1967, the administration ordered the construction of a confined area adjacent to the Burke Lakefront Airport. Later the following year, the diked area came into operation at the Burke Lakefront Airport. Last summer, the industries owning wharfage rights on the Cuyahoga River agreed to contribute for such utilization of dumping rights they would require to accommodate that portion of dredging which occurred outside of navigational channels and within wharfage areas.

The presently constructed diked areas which cost over $2 million to construct will be filled by the end of next year. If the President intends to stand by his laudable order, it will be necessary to appropriate adequate funds to construct a diked area which will be large enough to accommodate dredgings for a considerable period of time. Such an area will cost $5 million for Cleveland alone.

When the President's 1971 budget was submitted to the Congress early this year, I discovered that there was no budget request for the construction of adequate diked areas to receive dredged materials.

I am happy that the President implemented his order on Great Lakes dumping—by providing a suitable plan with adequate funding to meet the problem.

Following is a history of my efforts to eliminate the Federal Government as a polluter:

In a Cleveland water pollution conference in May of 1965, I charged that the Army Engineers were helping to foul Lake Erie while other federal agencies, such as the Public Health Service, were spending millions to investigate the source of lake pollution. "When these materials, including un-dissolved pollutants, are dumped, the contamination spreads throughout the lake."

Col. R. Wilson Neff, district engineer in Buffalo replied: "If we didn't dredge the material, it would get into the lake anyway. We're just moving it out faster."

Further correspondence followed:

1. Letter to Congressman Vanik from Jackson Graham, Major General, USA, Director of Civil Works, Corps of Engineers, July 2, 1965:

"It is recognized that the disposition of dredged material outside the breakwater affects localized sedimentation rates but there is no evidence that these operations have been detrimental to shore installations or beaches. Any pollutants from the rivers and harbors which may be deposited in the lake by the dredging operation would normally be carried out by natural current action. While the dredging and disposal operation may accelerate this transport, it does not add anything to the pollution problem."

2. Letter from Congressman Vanik to Jackson Graham, July 13, 1965:

"I do not agree with your determination that this disposition of dredged material is not detrimental to the water quality of Lake Erie. There is no doubt that your methods of dredging and disposal accelerate the transport of polluted material into Lake Erie.

"I cannot understand how the United States Corps of Engineers can refuse to deposit dredged material behind a retaining bulkhead on the basis of increased cost. At this very moment, dredgings at East Chicago, Ind., harbor is being pumped behind bulkheads under circumstances where the United States Steel Corporation holds an option to buy such developed lands."

3. Letter of Congressman Vanik to Mr. Murray Stein, Chief, Enforcement Branch, Division of Water Supply and Pollution Control, Department of Health, Education, and Welfare, July 21, 1965:

"It seems to me that the Federal Corps of Engineers should be made a party to the Cleveland Conference on the Pollution of Lake Erie since the Corps unquestionably contributes to Lake Erie pollution by the dumping of contaminated dredged material into the Lake Erie basin. If greater dredging expense would be involved in reducing pollution, it is well worth the price."

4. Letter of James M. Quigley, Commissioner, Department of the Interior, to Major Gen. Graham, July 29, 1966:

"It should be noted further that the enforcement conference of last August concluded that the deposit of dredgings in the lake is harmful to water quality and beneficial water uses. In the face of this and in the light of the requirements of Executive Order 11288, it would appear that the question of cost benefits . . ."

5. Letter from Congressman Vanik to General W. F. Cassidy, Chief, Corps of Engineers, August 15, 1966:

"In my judgment, the concentration of polluted materials in the dredged deposits are so great that they may warrant their eventual removal from the lake, at some future date, if the water quality of Lake Erie is to be restored to acceptable standards. Under these circumstances, the federal government is adding immeasurably to a pollution problem which is already indefensible."

6. From a "Joint Public Statement by Departments of the Interior and Army Regarding Dredging on the Great Lakes." March 1, 1967:

"Means must be found to keep the waterways open. Doing so involves dredging of polluted material. The Corps is therefore studying alternate procedures for the disposal of the polluted dredging resulting from these industrial and municipal wastes.

"The two agencies agree that joint effort is required for the development of acceptable alternative disposal means with the ultimate objective of providing leadership in the nationwide effort to improve water quality through prevention, control and abatement of water pollution by federal water resources projects."

7. News Release of Corps, Buffalo District, May 8, 1968:

Comments of Interim Report to develop the most economical methods for management of the pollution problem that may result from dredging operations.

"This Interim Report prepared by a Board of Consultants engaged by the Corps . . . recommends the continuation and pursuit of the sampling and testing program on a more comprehensive scale."

8. Finally, two statements from a Joint Corps of Engineers-Federal Water Pollution Control Administration progress report on dredging procedures on the Great Lakes released just this January 6:

"The Corps of Engineers and the Federal Water Pollution Control Administration today reported significant progress on their joint efforts to reduce or eliminate pollution on the waters of the Great Lakes incidental to the maintenance of essential depths in harbors and channels by government and private interests."

"Both agencies recognize that polluted harbor sediments which reach the open lake can have cumulative detrimental effects upon the water quality of the lakes, and that it is in the national interest to develop a cooperative Federal-State-Local program of dredge spoil management which will minimize these effects."

WHAT DO WOMEN WANT?

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mrs. GRIFFITHS. Mr. Speaker, in view of today's efforts on behalf of women and in view of the many questions asked by both men and women as to what they can do to help the cause of women, Mrs. Catherine East, executive secretary of the Citizens' Advisory Council on the Status of Women, in a speech made last year supplied a good many answers. It is an excellent speech and I would like to insert it in the CONGRESSIONAL RECORD for everyone to read:

WHAT DO WOMEN WANT?

Does this topic sound a bit selfish and grasping to you—unfeminine perhaps? We have been brought up to believe that the "feminine" woman is unselfish, thinking always of others, never herself, kind, gracious, sympathetic, and cooperative—in other words, tractable. Most of us, when we want something, have to justify our desire on the basis of the benefit it will be to a member of our family, our community, our church or other organization, or to our country.

A better world for women will undoubtedly be a better world for men and children, but our first hurdle is the need to recognize openly and honestly that we want a fairer, squarer deal for ourselves, our daughters, and our granddaughters—simply because we are human beings, entitled to the same rights, respect, and dignity accorded other human beings.

There is nothing wrong and nothing unfeminine in openly seeking to be considered fully human. Whether we work for pay or as volunteers, we want our intelligence, our competence, and our views respected by our husbands and the other men and women in our social, business, or civic circles. In a recent poll, the Ladies' Home Journal found that many women feel that their husbands treat them as "not too bright" children. All of us I'm sure know exactly what this means—we have all been treated this way by some men, if not by our husbands.

VOLUNTEER ACTIVITY REQUIRES HIGH MANAGERIAL SKILL

In addition, and more specifically, we want to serve on commissions and committees in considering the problems of today and those planning for the future. We want equal protection of the laws, legal and economic recognition of the contribuitons of women to the family, equal opportunity in employment, and we want a realistic respect for achievements as volunteers. Leadership ability and managerial skill of a very high order are required in many volunteer posts. It takes greater leadership and managerial skills to get a job done through volunteers than through paid employees, and volunteer groups throughout this country have some very high achievements to their credit. This type of experience should not only command respect, but it should be considered as qualifying experience when a woman is applying for paid management and administrative jobs. The Federal Government's *policy* is to give such credit.

How can we achieve our goals? Although there are some things we can do as individuals, most of our progress will be made through organizations, which is a point that does not need belaboring with this group. It would be nonproductive for example, in most work situations for a woman to talk about sex discrimination in general, let alone suggest that she herself was being discriminated against. Organizations could however, call on the leading employers in a city to inquire about the firm's policies and to furnish facts to counteract myths. A committee or organization representatives could develop, with the teachers' organization, questions to ask the local school board to bring out the extent of discrimination against women teachers in filling supervisory and administrative posts. The school board could also be asked about the differences in vocational training opportunities for boys and girls and differences in athletic programs for girls and boys.

In fact, there are so many changes needed in so many areas that almost any organization from the PTA to religious groups, has the possibility of being a vehicle for making this a better world for women.

EFFECT OF DISCRIMINATION IN POOR FAMILIES

Giving the poor girl and woman a better break is one of the most urgent areas of concern for two reasons:

First, the woman in the poor family, whether she is the head of the family, the working wife, or a wife not in the labor force, is a very important factor in determining the future of our cities, and indeed of our nation.

Secondly, in general the inequities are greatest at the lowest socio-economic levels. The discriminations in employment are harsher, and companionship with men, either husband or fellow workers, is much less common. The isolation of the poor woman and girl is difficult for those of us reared in the middle-class to comprehend.

Almost two thirds of all adults in poverty are women—11.2 million women and 6.9 million men. Almost one-third of all the families in poverty are headed by women, and one-third of all the children in poverty are being reared in women-headed families, and these are not all Negro families. As a matter of fact, there were in 1967 a little over one million families in poverty headed by white women and less than three quarters of a million families headed by non-white women. There were 820,000 families in poverty headed by non-white men and about two and three quarters million such families headed by white men.

WHITE WOMEN EARN LESS THAN NON-WHITE MEN

One of the reasons such a disproportionate number of the families in poverty are headed by women in the lower earnings of women. The median earnings, that is the *average* earnings, of white men employed year-round full-time in 1966 was a little over $7,000; non-white men earned $4,500; white women $4,100; and non-white women a little less than $3,000 per year. In other words, half the non-white women employed year-round full-time earned less than $3,000 and half the white women earned $4,100 or less.

Both non-white women and white women who have finished high school earn less than white men with *less than* 8 years of education and less than non-white men with *just* 8 years of education.

In addition to *earning less*, the unemployment rates of women are higher than those of men, and the unemployment rates of teenage girls are much higher than those of teenage boys—among both whites and non-whites. As a matter of fact, the number of unemployed adult non-white women is greater than the number of unemployed non-white men and the number of unemployed white men and women is the same—815,000.

POVERTY PROGRAMS IGNORE WOMEN AND GIRLS

In spite of these facts, many of our public and private programs to alleviate the problems almost ignore women and girls. In Washington, for example, there are boys' clubs but no comparable clubs for girls.

The importance of attention to our pre-teen and teenage girls cannot be overemphasized. Illegitimacy is on the increase. While there has been little research on the causes of illegitimacy, psychological opinion is that greater opportunity for development of skills, strong interests, and self-esteem by pre-teen and teenage girls will undoubtedly help. This opinion is in line with my observations of girls. I have never known a girl with a strong interest in some activity, such as dramatics, art, or sports, and an opportunity to pursue that interest, to have an illegitimate baby or even to marry prior to finishing high school. Girls with strong interests don't get boy crazy.

Another problem, primarily of the poor, is the conditions in women's jails and prisons. In most communities there are very inadequate training programs for girls, providing little choice and training for only the most menial of occupations. The only study on adolescent delinquent girls, by Dr. Gisele Konopka of the University of Minneota, found inadequate training opportunities a major problem.

PRISON SENTENCES LONGER FOR WOMEN THAN FOR MEN

Organizations in every state should examine the laws relating to length of prison sentences for men and women. Pennsylvania and Connecticut laws requiring or permitting longer sentences for women than for men for the same offense came to light in 1968 and were declared unconstitutional. In Connecticut, 26 women who had served longer than the maximum sentence for men for the same offense were released from the reformatory. In Pennsylvania as a result of review of sentences of about 200 women, most were released. Both of these cases were made possible by poverty program funds for legal aid. There had been no public outcry in either of these states by the bar associations or by the judges who certainly knew of the differences.

Strange as it seems to us, there are many responsible men in the legal profession and in the legislatures who believe that women should have longer sentences than men or are willing to countenance such laws. Of the seven judges in the Superior Court of Pennsylvania, the Court below the Supreme Court, only one felt the law was unconstitutional. Six judges thought that the differences between men and women justified a law requiring longer sentences for women than for men. Fortunately the State Supreme Court ruled otherwise.

Within a week after the Pennsylvania law was declared unconstitutional by the Pennsylvania Supreme Court a new law, still discriminating against women but conforming with the letter of the decision, passed the legislature without publicity. A bill that would have brought the women's law in line with the laws providing for sentencing of men was under consideration by the committee. The Attorney General of Connecticut *appealed* the decision of the Federal District Court that the Connecticut law was unconstitutional, and withdrew his appeal only after a number of organizations indicated intent to file amicus briefs, as suggested by Senator Neuberger, who was then chairman of the Citizens' Advisory Council on the Status of Women.

MARITAL PROPERTY LAWS OFTEN LEAVE WOMEN NOTHING

There are many other areas where concerted action by organizations is needed. The Task Force on Family Law and Policy of the Citizens' Advisory Council on the Status of Women found need for drastic revision of the marital property laws. The contribution of women to the family and protection of their rights at divorce or death is very inadequately recognized in our state laws. In many states, through clever use of trusts a husband can leave his wife practically nothing. In some states he is required to leave her only the income from ⅓ of the real estate. Copies of the press release summarizing these and other recommendations of our task forces are available from the Citizens' Advisory Council on the Status of Women, Labor Department, Washington, D.C. 20210.

GIRLS DENIED EDUCATIONAL OPPORTUNITY

There are many other areas needing attention. Girls are not admitted to many colleges and to most graduate schools under the same standards as boys. Counseling of girls in our secondary schools and colleges is frequently uninformed and unintelligent with no recognition of the need to encourage girls to pursue their talents even if it leads to a traditionally male occupation. Over 60% of our elementary schools and 96% of our high schools now have men principals.

NEWSPAPERS VIOLATE LAW ON HELP WANTED ADS

Our newspapers are generally unwilling to comply with the advertising provisions of Title VII of the Civil Rights Act of 1964. Even though the law clearly requires abandonment of separate columns in help wanted advertising, the Equal Employment Opportunity Commission initially permitted employers to advertise in separate columns. It was not until after extended activity by women's organizations and Congresswoman Martha Griffiths, and a legal suit brought by the National Organization for Women, that the EEOC ruled that separate columns could not be used. A ruling such as this with respect to race had been issued at the first opportunity after the law became effective in 1965. It is just as illegal for employers to advertise in separate columns by sex as to advertise in separate columns by race, but most newspapers have made it difficult for employers to comply by continuing separate columns. The Oakland, California Tribune; the Baton Rouge State Times, and the Lafayette, Indiana Courier Journal have begun using a single column, and there may be others.

Many of the leading newspapers of this country have had editorials on this subject, ignoring the existence of the law and of the comparable interpretation with respect to race, and ridiculing the Equal Employment Opportunity Commission ruling as bureaucratic bumbling. They claim that separate columns are more convenient for the readers and for the advertisers. This claim is made in spite of the fact that in any large daily newspaper there will be ads for many occupations in more than one column—by different employers. For example in the morning Post, there were ads for clerk and clerk-typist in all three columns—by different employers. For management-trainees there are 19 ads in the male column—one for a high school graduate in the male and female, and none in the female. Surely it is more convenient for a person looking for a job as a clerk-typist, for example to look under "c" in one column than to look under "c" in two or three columns. It is surely more convenient for an employer who wants to hire the best qualified persons without regard to sex to advertise in one column rather than in two or three. In fact, the only person benefitted by the present arrangement is the employer who wants to discourage women (or men) from applying for certain jobs.

The Citizens' Advisory Council on the Status of Women recommended to the Equal Employment Opportunity Commission in 1965 that they issue guidelines requiring abandonment of dual columns. The Interdepartmental Committee on the Status of Women, endorsed this recommendation. The persons making up these groups are highly responsible private citizens and Cabinet level public officials who were appointed by the President and who have had considerable experience with problems relating to the status of women. The recommendation of these groups is also ignored by the newspapers in their editorials.

WOMEN SHOULD BE APPOINTED TO GOVERNMENTAL STUDY GROUPS

In order to make headway in the areas we have discussed there are several prerequisites—several overarching considerations. First we must insist on public and private discussion *with men* on the role of men and women in our society and the changes we want.

We do not know why men in positions of power in our society believe that women should have longer prison sentences than men—perhaps there is some valid reason. We should have some public debate on it. We do not know why men feel it is important to give attention to the needs of deprived boys but not to the needs of deprived girls—perhaps there is some valid reason. We do not understand the real reason that newspaper publishers do not want to desegregate their ads; the reasons they give do not hold water. We do not know why public and private officials do not include women on bodies set up to study problems of the cities, problems of poverty, and changes in law, so that issues relating to the changing role of women can be brought out into the open and discussed. Isn't it astonishing that the State committees set up to study changes in abortion laws frequently include no women? My own state, Virginia, has two women out of 13 members. The men on the commission are legislators, doctors, lawyers, and ministers, but there are no women from these professions. New York state also had only two women on its committee.

The means of bringing about such a dialogue with men are not clear. Because human beings are resistant to change and resistant to facing problems, we may have to find some dramatic way of forcing men *and women* to consider these problems. Many women, as well as men, do not want to face up to issues. Some fear ridicule. After all, sex

XUM

is still a laughing matter in the United States, even discrimination because of sex.

NEED TO KEEP INFORMED ON WHAT'S HAPPENING

Another problem is very closely related. We must find some way for interested men and women to keep informed of what is going on. Our newspapers and magazines carry very little news of the kind we need in order to act in a timely fashion. In newspapers, such news as there is is largely in the women's pages not read by men. The Pennsylvania and Connecticut prison sentence cases received little publicity in these states and none outside, except through a newsletter of the Citizens' Advisory Council on the Status of Women. The decisions in these cases are important to women throughout the country since they are a small advance in, and furnish precedents for, extending the protection of the 14th amendment to women.

PRESS DID NOT TELL ABOUT WEEKS V. SOUTHERN BELL DECISION

Several very important Federal Court decisions interpreting Title VII of the Civil Rights Act have gone almost unnoticed in the press. In the most important, the Fifth Circuit Court of Appeals held in *Weeks* v. *Southern Bell* that "in order to rely on the bona fide occupational qualification exception, an employer has the burden of proving that he had reasonable cause to believe, that is, a factual basis for believing, that all or substantially all women would be unable to perform safely and efficiently the duties of the job involved." The employer had claimed as a defense that the job required lifting of more than 30 pounds.

Another of the objections of Southern Bell to promoting Mrs. Weeks to switchman was that she would be subject to late hour call-outs. The Judge said "It does seem that switchmen are occasionally subject to late hour call-outs. Of course the record also reveals that other women employees are subject to call after midnight in emergencies. Moreover, Title VII rejects just this type of romantic paternalism as unduly Victorian and instead vests individual women with the power to decide whether or not to take on unromantic tasks. Men have always had the right to determine whether the incremental increase in remuneration for strenuous, dangerous, obnoxious, boring or unromantic tasks is worth the candle. The promise of Title VII is that women are now to be on equal footing. We cannot conclude that by including the bona fide occupational qualification exception Congress intended to renege on that promise."

We are particularly pleased with this decision because it came from the Fifth Circuit Court of Appeals—a circuit whose decisions are seldom overruled by the Supreme Court.

In two Federal district court decisions in California and Oregon, the courts followed the same line of reasoning and held state hours laws and weightlifting regulations superseded by Title VII. The California case has been appealed to the Ninth Circuit, and I haven't heard about the Oregon case, where the appeal time is not yet up.

All of these cases are of great importance to women, to men, to unions, and to employers and worthy of note in the newspapers.

NEED INFORMATION MEDIA ON STATUS OF WOMEN

The facts about the economic status of women—earnings, unemployment, women in poverty, are important but little known, even to women; the facts about the marital property laws are not known to one woman in a thousand. Do you know as a wife where you would stand under the law as to property rights if your husband should die suddenly without a will? We have no way of finding out about pending state or Federal legislation affecting women. As in the Pennsylvania sentencing law, much of the legislation directly applying to women is proposed and passed without publicity.

In California, Marian Ash is publishing a newsletter designed to keep California women informed about bills of interest, the voting records of the members of the legislature on such bills, and other items of interest to women. We need a letter like this in every state, and we need a Federal letter of this sort. I would give the highest urgency among the needs to be met to the need for news since we cannot take action until we know what is going on that affects our lives.

APPRECIATION TO MEN

We must also make it a point to show appreciation to the men who are so unselfishly interested and dedicated in correcting inequities. Some are serving on the boards of women's organizations, some are writing law review articles and amicus briefs, some are professors, some are acting as counsel in court cases, and some are Congressmen and State Legislators. We must not overlook or take for granted the many men, including husbands, who have given us a helping hand and encouragement in politics, in education, in business and in volunteer activities, knowing they may be ridiculed or their motives questioned. Most of us have known one or more such men and regard them with special fondness. We are confident their number will increase.

I hope this is not too discouraging—there is so much to be done. I have not even mentioned continuing education, household employment, or day care, which are so very important. I understand that the chief bottleneck in day care is lack of Federal funds for construction of facilities. Some women's groups are active now in seeking Federal legislation for grants for this purpose.

MASCULINISTS AND FEMINISTS

On the encouraging side, there has been great progress in the last 5 years. The women's pages of some of our newspapers have been doing a good job of informing women. We have had a few decisions in the courts extending equal protection of the laws to women, in addition to the prison sentence laws mentioned. New organizations are forming, made up of highly competent women and men leaders, dedicated to improving the status of women and girls. The established organizations are becoming more active—and let us not be afraid to be active in the pursuit of human rights. Most men have been unabashedly "masculinists" since Adam; we shall have to be unabashedly "feminists," working with the protective mantle of our organizations, until we all become full members of the human race.

ONE CHRISTIAN'S VIEW

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. NELSEN. Mr. Speaker, sometimes Americans are inclined to overlook the very human side of the enormous struggle occurring in South Vietnam, and to lose sight of the great moral principles which motivate those who work so earnestly in behalf of the beleagured South Vietnamese people.

As an indication of the moral faith that sustains those who serve in Vietnam, I am pleased to insert in the RECORD today a particularly perceptive letter written by the Most Rev. Paul L. Seitz, bishop of Kontum, Republic of South Vietnam. This letter was received by one of my constituents, Mrs. N. J. Schroepfer of New Ulm, Minn., who very kindly passed it along to me as food for thought. I insert the letter at this point in my remarks:

FEBRUARY 21, 1970.

MY DEAR FRIEND MRS. SCHROEPFER: Our present hope is for peace in Vietnam—but what kind of peace? That of Poland, Hungary, that of Prague last year? That of tomorrow in Biafra? It could be that kind of peace for us.

Nevertheless we hate the war which for 29 years has never ceased here. My first word is therefore a pressing appeal to you to pray with us for the only peace worthy of the name, peace with justice and respect of human beings.

War or peace our work goes on—God willing.

Throughout the world some priests are questioning their vocations while some chase from study group to seminar seeking for—what Lord, for You? Our mission priests here in the midst of the battle are like the three children in the fiery furnace: they pray, they sing, as though the fire were not burning—as though it were the dew.

For them no problems. Having a clear faith, abandoning themselves to God they have a free spirit and clear heart. They are working in humanly impossible conditions but they know from experience that "God is the Master of the impossible". Hundreds of refugees, injured and sick are asking for our help and protection daily. They are never refused whatever we can give.

Our joy, in the small part we play in the building of the Kingdom, is increased and reinforced by your generous help, Mrs. Schroepfer. We are not alone in our desire to be of service, you are with us. Your gift makes it possible for us to bring relief to the suffering—the sick and homeless, the frightened and hungry children who come, trustingly, to us.

God bless you for your continued support which He will reward a thousandfold.

Sincerely yours in Christ,

PAUL L. SEITZ,
Bishop of Kontum.

SWEDISH RACISM OR ANTI-AMERICANISM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. RARICK. Mr. Speaker, few would have anticipated an angry white mob harrassing the new U.S. Ambassador Jerome H. Holland at Stockholm.

Are we now to understand that the land of Myrdal and Lie is only tolerant and understanding of Negroes so long as they are in the United States—and are not in Sweden?

Ambassador Holland was overly diplomatic in discounting the demonstration as an attack on his race rather than on his country.

But, the attack by a Swedish mob on our Nation's Ambassador must be considered anti-American just as was Palme's parade with the Ambassador of North Vietnam in support of U.S. defeat in Vietnam.

Or perhaps these anti-American in-

XUM

sults were merely the subtle expression of "Crown Prince" Palme's disapproval to the selection of a Negro as ambassador to Sweden.

I include a little publicized account of the Stockholm incident in my remarks:

[From the Washington Post, Apr. 15, 1970]

INSULTS IN SWEDEN

STOCKHOLM.—Hecklers shouted "nigger go home" as Jerome H. Holland, the new U.S. ambassador to Sweden, rode through the streets of Stockholm to present his credentials to King Gustaf VI.

Four persons were seized by police after crowds shouted racial and anti-American insults at Holland. Security precautions were the most stringent ever accorded a new ambassador for his ritual trip to the palace.

"I had not heard this word for many years, except in the most racist areas of the United States," Holland said. "'Nigger' hit completely below the belt, as these were not really anti-American demonstrations but an attack on my race."

BRINGING OUR YOUNG PEOPLE INTO THE POLITICAL PROCESS

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. RYAN. The American Jewish Committee is the oldest human relations agency in the country. Its work throughout the years has consistently been of merit. The committee's board of governors has recently approved the recommendation of its domestic affairs committee to endorse the vote for 18-year-olds.

In addition, the board of governors has approved a comprehensive program for maximum and more meaningful participation in the electoral process by all citizens. As the committee's statement observes, in 1968 voting participation in the presidential election was only 61 percent—one of the lowest rates among democratic nations.

The committee has prepared a proposal, which it has submitted to the Bicentennial Commission, to implement a program of citizen involvement and participation in the election process. I commend this proposal to my colleagues, and urge their support for the goal which the committee sets—100,000,000 voters in the presidential election of 1976.

What is more, I most strongly endorse those recommendations which the proposal makes to achieve this goal.

First, the committee calls for eliminating "every ruse to disenfranchise the minority citizens."

Second, the committee urges the 18-year-old vote, correctly concluding that "the very presentation of our democratic way of life may depend on the success we have in bringing our young people into the political process—not only in that final act of voting, but in the full range of political action."

Third, the committee urges the abolition of State residency requirements debarring voters from participation in presidential elections.

Fourth, the committee urges steps to facilitate voter participation, such as the elimination of illiteracy.

Fifth, the committee urges State and local governments, educational institutions, and the political parties to embark upon these efforts. In particular, I would urge my colleagues to carefully consider the committee's recommendations for our political parties.

The proposal follows:

A PROGRAM PROPOSAL FOR THE BICENTENNIAL COMMISSION: 100 MILLION VOTERS BY 1976

The American Jewish Committee agrees with President Nixon that the 200th anniversary of the birth of our nation should be taken as an opportunity to make a dedicated effort to fulfill those national aspirations yet unattained. Recognizing the importance of the electoral process as the cornerstone of American democracy, we urge that one central goal of the Bicentennial be greater participation in the political process, with special emphasis on the fullest possible exercise of the right to vote.

The AJC urges the Bicentennial Commission to initiate at once a program involving both public and private efforts to best realize the objective of full electoral participation. *As a symbol of this goal, we propose that we seek to involve at least 100 million voters in the Presidential election of 1976.*

In 1968, seventy-three million citizens voted their choice for President and Vice President, but there were an additional 47 million Americans old enough to vote who did not vote. This voting participation rate of 61 percent is substantially below that of most democratic nations.

We seek to increase the number of American voters, but we must seek more than an increase in numbers. There must be also an increased involvement in every phase of the political process if we desire an increased confidence in our political system.

One of the great guiding themes of our democracy is that government "derives its just powers from the consent of the governed." There is no greater single manifestation of that consent than the vote. Yet, the tragic fact is that in the 1968 Presidential election only 3 out of 5 eligible Americans registered their consent, or lack thereof, to the programs enunciated by candidates for the highest office in the land. More than one-half of the nonvoters in the 1968 Presidential election, moreover, reported that they were simply *not interested* in voting. At a time when the decisions of our government vitally affect all our people, the sense of alienation, disaffection or apathy that such non-participation conveys is a tragic commentary on our times. Quite simply, people who vote feel that they have a stake in and a sense of connection to the government. People who don't vote are saying that they as individuals do not count or, what is worse, that the democratic institutions do not count. Much greater efforts must be made, therefore, to persuade these nonparticipants that an individual's vote does count, and, at the same time, that it can be made more effective and meaningful.

The national participation rate of 61 percent is bad enough; the rate for state and local, including Congressional, elections is even worse. In most local elections less than half of the potential votes is cast. Every town county, and city must be brought into this national effort to increase and deepen voter participation.

Not all of the voting gap is due to indifference, of course. Obstacles to voting, whether due to racial discrimination, residency requirements, or other factors, must finally be completely eliminated.

THE 100 MILLION GOAL

As a dramatic symbol of our concerns, and as an ambitious yet realistic undertaking, we recommend that at least 100,000,000 voters in the elections of 1976 be declared as a Bicentennial goal. The goal is clearly attainable:

If the present participation rate of 61 percent continues until 1976, about 8 or 9 million additional voters would participate that year as a result of population growth alone; if the 18-year-old vote is operative that year (a goal which AJC enthusiastically supports), this would add about another 5 or 6 million voters.

These two developments alone would increase the total vote to about 87 or 88 million.

Increasing the participation rate to about 70 percent from the present 61 percent would add another 13 or 14 million voters in 1976—thus reaching the 100 million goal. As the following will indicate, this should be possible if a concerted drive is conducted over the next six years.

Of the 47 million Americans who failed to vote in 1968:

About 8 million were actually registered but failed to vote;

About 8 million more were unable to register under state eligibility requirements, of whom 5 million were eliminated because of state residency rules;

About 31 million either did not even try to register to vote or were prevented from so doing, for one reason or another.

If 11 million of these 47 million had voted in 1968, the participation rate that year would have been 70%. Surely, this should have been possible.

RECOMMENDATIONS

We recommend that a broad array of programs, involving all the major groups in American society—government at every level, the educational system, the political parties, business, labor, the wide range of civic and social organizations, the media—be developed to:

1. Increase the number of people involved in the electoral process;

2. Encourage participation by a greater number of people in the larger political process, i.e., party primaries, caucuses and conventions; campaigning; voter-registration drives.

3. Enhance the quality of voter participation through a program of education in the essential processes of democracy and the great documents on which they are founded.

CLOSING THE MINORITY VOTING GAP

Due primarily to the 1965 Voting Rights Act—but due also to greater voter consciousness and confidence in the electoral process—the Sixties saw an increase of over 1½ million Negro voters in the South. The significance of this trend is clearly evident in the fact that the number of black elected officials in the 11 Southern states rose from 70 in 1965 to more than 500 in 1968. In turn, this pattern has further increased interest in the electoral process and even higher registrations can be expected in the years ahead.

But the voting participation rate for Negroes, for Puerto Ricans, for Indians, for Spanish-speaking Americans remains substantially below that of the general populace. Renewal of the Voting Rights Act for another five years (and with the addition of a national ban on literacy tests) should provide the basis for continued gains in minority voting patterns. But rigorous enforcement by the Federal government must be pursued if the full effect of the law is to be realized.

Federal law alone, however, will not produce the level of black and other minority voting needed to close the gap. Every ruse to disenfranchise the minority citizen (de jure or de facto) must be eliminated: redistricting, use of at-large elections, obstacles to becoming candidates or delegates, rigged nominating and related procedures, lack of adequate polling facilities—to say nothing of

XUM

continued use of harassment and intimidation to discourage registration or voting.

YOUTH—A SPECIAL CHALLENGE

The American Jewish Committee is pleased to note that the likelihood of lowering the voting age to 18 has been greatly increased as a result of the Senate's action in adding this provision to the Voting Rights Act. If the House should refuse to go along—and it is our hope that it will go along—then the Congress should proceed immediately to initiate the Constitutional amendment process toward the same end.

Whatever else might be said about today's youth, it is more informed and more involved in the major issues of our times than any preceding generation. But it is not sufficiently involved politically. It therefore too often looks for and adopts extra-political and extra-legal ways to correct the social ills which it perceives. The very preservation of our democratic way of life may depend on the success we have in bringing our young people into the political process—not only in that final act of voting, but in the full range of political action.

While we work toward a lowering of the voting age, it is important to cite the fact that the youngest group of those now eligible to vote actually have the *lowest* participation rate. In 1968, the 21–24 age group had only half the participation rate as those in their middle-age. This regrettable fact, instead of being used as an argument *against* lowering the voting age, reminds us rather that making the vote possible is only one-half the job facing us; we must make the vote seem relevant and significant.

RESIDENCY OBSTACLES

In the 1968 Presidential election, about 5 million otherwise eligible voters were barred from voting because of state residency requirements. In this mobile society of ours, over 20 percent of all Americans move every year. It is therefore only right that new state residents be allowed to vote in a Presidential election, regardless of the length of time they have resided in the new state.

Similarly, in state and local elections there should be the least possible restrictions on the right to vote because of residency.

FACILITATING VOTER PARTICIPATION

More important even than elimination of literacy tests is the elimination of illiteracy itself if full and meaningful participation is to be achieved. While there are of course other vital reasons for the total eradication of illiteracy in America—and this might well be a major Bicentennial program itself—greater political sophistication and discrimination requires the ability to read, to understand, to communicate.

Both government and the private sector should develop improved programs to foster better understanding of the rights and duties of citizenship and the significance of voting. Better use should be made of programs of adult education, literacy and community action which are administered, at the Federal level, by HEW, the Departments of Labor and Agriculture, and the Office of Economic Opportunity. At the State and local levels, there are innumerable activities that could appropriately add or extend citizenship education. There is almost no limit to what more could be done by the hundreds of national private organizations—religious, women's, veterans', student and youth, fraternal, etc.

The proposal for a National Election Holiday should be given careful consideration and, if found feasible, enacted in time for the election of 1976. Further study should be encouraged on most appropriate hours for registration and/or voting, location of voting facilities, greater use of absentee ballots, and every other aspect of the electoral process which could affect the level of participation. Both the business and the labor communities should examine what more they could do to increase participation.

CHALLENGE TO STATE AND LOCAL GOVERNMENTS

The Bicentennial Commission should urge every state and local jurisdiction to become part of this program. If the 100,000,000 goal is to succeed, every county in the nation should set a goal for itself—not only one for 1976, but interim goals for every year till then. Governors should charge each state Bicentennial Commission with particular responsibility for this program. As indicated above, political participation rates in many states and localities is shockingly low.

AND TO EDUCATIONAL INSTITUTIONS

The role of education in expanding and improving the electoral process is self-evident. From the grade schools through graduate work, there is an urgent need for improved curricula, for better materials, for easier access to people and information. Efforts should be made to involve the students actively in some aspect of the political process, as well as in the classroom.

THE POLITICAL PARTIES HAVE MAJOR RESPONSIBILITY

After all is said and done, of course, the prime responsibility in a free society must be that of the political instrument itself. Government can and should eliminate barriers. But it cannot force participation. We do not seek to achieve the 99% participation rates of totalitarian regimes—at the cost of our freedom. The parties in a democratic society, moreover, must not be authoritarian or totalitarian themselves.

Each of our parties should be encouraged, during this Bicentennial period, to make an active effort to encourage young people, new voters, Blacks and other minorities, and all other groups that have hitherto remained pretty much outside of the political process, to participate in party activities, from the precinct level to the national committee level.

If each potential voter is to take that crucial step of voting on Election Day, he must not be permitted to feel that the final choices available to him were decreed by a handful of individuals, that his views and preferences had not been solicited, that the real issues of the day had not been truly involved in the selection of candidates.

Each party must examine its entire structure and its operations—to make sure that they are fully responsive to the needs and the desire of the citizens who support that party.

CONCLUSION

As the nation's oldest human relations agency, the American Jewish Committee is deeply committed to the democratic system. We are disturbed by evidences of alarming numbers of people who have abandoned faith in the ability of that system to provide justice and progress and security. Their disaffection, their alienation, their apathy is too frequently reflected in their failure to participate in the political process, especially in exercising their right to vote.

We urge the Bicentennial Commission to set as one of the goals in its general plan "to fulfill those national aspirations yet unattained" the fullest possible participation by all Americans in the political process which our Founding Fathers so carefully designed, including the power to effect changes in that process itself.

As a symbol of that greater participation, we have proposed the goal of 100,000,000 voters in the Presidential election of 1976. With such increase in numbers, moreover, we hope that at every step in the political process there will be greater and deeper involvement by more Americans. These goals will be achieved only if government at all levels, our private institutions, the media, and our educational institutions all play an active role. We are confident that, in such an effort, all of these institutions will indeed do their part. They should be challenged to do so.

GREEK PRIME MINISTER ANNOUNCES FURTHER STEPS TOWARD FULL IMPLEMENTATION OF THE CONSTITUTION

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. SIKES. Mr. Speaker, through the courtesy of His Excellency Basil Vitsaxis, the Ambassador from Greece, I have a copy of an announcement by the Greek Prime Minister toward further important steps on the full implementation of the Constitution. I submit it for reprinting in the CONGRESSIONAL RECORD:

At a press conference given today in Athens, the Greek Prime Minister, Mr. George Papadopoulos, announced that further steps are being taken towards the full implementation of the Constitution.

Thus:

I. *As of today, Article 10 of the Constitution, until now suspended in accordance with Article 138 of the same, is brought into full effect.*

This article reads as follows:

"1. With the exception of persons caught in the act of committing an offence, no one shall be arrested or imprisoned without a judicial warrant stating the reasons, which must be served at the time of arrest or remand in custody pending trial.

"2. The person caught in the act or held on a warrant of arrest, is brought before the competent examining magistrate not later than 24 hours from the time of the arrest, and if the arrest is made beyond the seat of the examining magistrate, then within the time absolutely necessary for his conveyance before said magistrate. Within three days of the time of presentation, the examining magistrate is obliged to either release the person arrested or issue a warrant for his imprisonment. This delay can be extended by two more days at the request of the person arrested in the event of force majeure which must be attested forthwith by a decision of the competent judicial council.

"3. Should both the aforementioned delays expire without any action, every jailer or other officer, whether civil or military, in charge of the arrested person, must release him forthwith. The violator of the above provisions, shall be punished for illegal confinement and shall be obliged to make good all damages sustained by the injured party and, in addition, to give satisfaction to said party by such a sum of money as provided by law.

"4. The maximum term of custody pending trial provided by law cannot exceed one year for criminal charges and/or six months for misdemeanour charges. In completely exceptional cases these maximum time limits can be further extended by six and three months respectively, by virtue of a decision of the competent judicial council.

"5. The law defines the conditions under which, through judicial decision, the State indemnifies those injustly imprisoned or convicted."

Elaborating, the Prime Minister stated that this measure taken, will also be applied with regard to persons already detained; consequently they will be either brought to trial or released.

II. As of today, the content of Articles 12, 111 and 112 of the Constitution, suspended as such, by virtue of Article 138 of the same, is in practice being put into effect, as of now, by administrative act.

The above Articles of the Constitution concern the right of Greek citizens to be tried by judges assigned to them by the law and the sphere of competence of both the courts-martial and the civil courts.

By the measures taken, the competence of courts martial is substantially limited and, as a matter of fact, restricted only to crimes against national security, public order and peace as well as to cases covered expressly by the provisions of Article 52 of the Press law (concerning the rekindling of past political turmoil).

All other offences whatsoever will, as of today, be dealt with by the ordinary civil courts.

III. In essence, the new steps taken by the Government towards the full implementation of the Constitution leave out, for the time being only the provisions of the Constitution concerning the organization of political parties and general and municipal elections.

It is to be noted that these Articles cannot be put into effect unless an institutional law, as provided for by the Constitution, is enacted.

With regard to the above institutional laws in general (there are others, too, pertaining to various matters), the Prime Minister stated that the necessary preparatory work is already very much advanced and that the Cabinet is considering these bills, at the pace of three per month. He further stated, that *the publication of all of these laws in the Official Gazette, with no exception whatsoever, will be completed before the end of this year.*

IV. The content of Article 14, Paragraphs 1 to 3, of the Constitution suspended as such by virtue of Article 138 of the same is in practice being *put into effect as of now.* This is done by administrative act. Paragraphs 1 to 3 of Article 14 read as follows:

"1. Everyone may express orally, in writing, in print or in any other way his thoughts with due adherence to the laws of the State.

"2. The press is free and discharges a public function involving rights and duties, as well as responsibility for the accuracy of its contents.

"3. Censorship and every other preventive measure is prohibited."

V. A new advisory body was set up, composed of representatives of a cross section of the nation as well as of various professions. Its task is to advise the Government in general and, more particularly, to contribute to the public debate on the above Bills.

VI. The Prime Minister further, informed the press conference that until May 1969 there were about 1,900 detainees. (These persons were detained, as well known, in accordance with laws *enacted by Greek Parliament in the past*).

By virtue of a *new* procedure which was recently introduced by the present Government, *in favor of the detainees,* their files were put under judicial review. As a result of this new procedure *365 persons have since been freed.*

Some 350 more will be released within the next ten days. This will reduce the total number to about 1,200.

VII. Finally, the Prime Minister stated that the Government is proceeding according to plan and *will bring about the complete and full restoration of constitutional order in the land.*

WILSON HIGH SCHOOL MARCHING UNIT DESIGNATED "BAND OF HONOR"

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. YATRON. I am pleased to announce that the Wilson High School Marching Unit of West Lawn, Pa., has been designated as the "Band of Honor" for the 12th annual International Festival, to be held May 1–3 in Toledo, Ohio.

The International Festival defines its purpose as "more than a collection of performances, exhibits and activities. It is a symbol—a symbol of 'International Brotherhood' which is the key to world peace. It is a 'bridge of understanding' to our next-door neighbors and to our neighbors around the world. The International Festival presents and defines the statement, 'I am proud to be an American.' "

I am very pleased that this fine musical organization has been named the Band of Honor and will represent the United States at this 35-nation festival.

Under the able baton of Mr. Frank J. Ferraro and Mr. Randy R. Roy, the Wilson High School Marching Unit has gained the reputation of being one of the Nations finest high school bands. Its more than 100 trophies and awards will attest to its remarkable success in band competition. Its honors include the AAA national championship here in Washington and the coveted title of "Highest Honors Band" at the Indianapolis 500 Festival. In 1967 it was selected to represent Berks County in the inauguration parade for the Governor of Pennsylvania.

Mr. Speaker, I am very proud of the Wilson High School Marching Unit and I am confident that these fine young men and women will ably represent our country at the upcoming International Festival in Toledo.

THE SOUTHERNERS' STRATEGY

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. HAWKINS. Mr. Speaker, M. Hayes Mizell, director of the South Carolina community relations program of the American Friends Service Committee, has written a paper which addresses itself to the southern strategy and the current integration policies of the Nixon administration.

Mr. Mizell, a white southerner deeply involved in the struggle for equal opportunity and justice, was educated in the public schools of Mississippi, Alabama, and South Carolina. His article is an unusually perceptive one and reflects the genuine concern many of us have as to the earnestness of this administration's commitment to integrated quality education.

The article follows:

THE SOUTHERNERS' STRATEGY

(By M. Hayes Mizell)

Thirty years ago W. J. Cash analyzed the character and culture of our region in his classic work, The Mind of the South. Writing of the North's failure to "make over the South in prevailing American image and to sweep it into the main current of the nation," Cash observed that "far from having reconstructed the Southern mind in the large and in its essential character, it was this Yankee's fate to have strengthened it almost beyond reckoning, and to have made it one of the most solidly established, one of the least reconstructible ever developed."

Subsequent attempts at reconstruction by the North have met with similar frustrations, for while each succeeding effort has tended to nudge the South away from its archaic social attitudes and violent past, it has left much of the South's essential character unchanged. The Southerners' perception of the North—not a geographical place but a mentality that might be found in the Northeast, the Midwest, the West; a mentality produced by detachment from involvement in the Southern experience—this perception has not been appreciably altered in the years since the middle period of this nation's history. This perception of the North has revealed that for the past century the South has been the regional object of the nation's guilt and self anger generated by a history of racism. Just as black people have been in a position to observe the hypocrisy of allegedly superior white morality because the white man underestimated the intelligence and character of blacks, so has the South been privy to the hypocrisy of Northern racial attitudes because the North has been quick to cling to stereotypes of white Southerners as inhuman and immoral in matters of race.

Because the South has historically been the national "mud-sill" the Southerners' current strategy on school desegregation is all the more baffling to the Yankee mind. What the Southerners are now doing is forsaking the stereotype behavior and rhetoric in favor of a more sophisticated and subtle approach which does not challenge but rather exploits the hypocrisy of the North.

SOUTH USING THE NORTH

The Southerners' strategy is multiple rather than singular. It consists of a series of feints and razzle dazzle maneuvers that are the last resources available to a region that has virtually exhausted what once seemed to be an endless reserve of legal innovations designed to thwart compliance with the law of the land. But in the final analysis these shadowy strategic maneuvers may prove to be more productive than the substantive attempts to preserve segregation by law. For now the South is no longer depending solely on its own resources to build the bulwark against Constitutional mandates, it is soliciting and encouraging the Yankee mentality to come to its aid. This is the logical extension of the strategy pioneered by George Wallace in his Northern tour of 1964 and which reached near fruition in 1968. The strategy is dependent upon the retreat and ambivalence of a national administration which gained power with the assistance of the South, and it likewise relies upon the confused majority of Americans for whom mortality has removed Ho Chi Minh as the adversary but who now see yellow school buses as the real enemy. The strategy is also predicated on an understanding that the so called "Southern strategy" of the Nixon administration is not really the product of shrewd Yankee manipulation of the South, but rather it is the result of the nouveau Dixiecrats having craftily made the administration and the party dependent upon the South. Here again, the servant has become the master.

STENNIS AMENDMENT

The most prominent cornerstone of the Southerners' strategy has been the Stennis amendment which provides that it shall be the policy of the United States for the school desegregation law and guidelines established by the 1964 Civil Rights Act and by the 1966 Elementary and Secondary Education Act amendments to "be applied uniformly to all regions of the United States in dealing with conditions of segregation by race, whether *de jure* or *de facto* in the schools of the local educational agencies of any state without regard to origin or cause of such segregation."

XUM

The Stennis amendment's power is perhaps more psychological than real but it is the kind of warfare in which the South is particularly adept. With the assistance of Senator Ribicoff—who correctly defined the hypocrisy of the North but in the process became an unwitting liberal accomplice to the Southerners' strategy based on a more cynical reading of the country's reluctance to turn away from hypocrisy—the Southerners have found new comrades in the struggle against the federal leviathan.

Though we can only speculate as to what the real impact of the Stennis amendment will be on school desegregation its intent is clearly to establish freedom of choice as a national policy and to maintain the *status quo* in the schools of the South. It would seem that for most districts this amendment alone would not be sufficient to thwart compliance with HEW's requirements, but of course the problem is that this amendment has set off a chain of events so that it is not a single force but a piece of the larger picture of retrenchment by this administration.

Advocates of the Stennis amendment assert that all the South wants is "equality of treatment," a phrase that has become the new sacred talisman of Southern politicians and editorialists replacing the more tattered and discredited "all deliberate speed." The Southerners' strategy is to plead for "reasonable" and "fair" treatment and to depart from the kind of openly racist rhetoric which has historically been associated with the South. Here, for example, is a sample of the new rhetoric, carefully couched in the same kind of pious wordmanship that gave us our current president:

"We have integrated our state, and we are proud of it, not just because it is the law, but because it is the American way. We recognized long ago that segregation was dead forever, that integration is the law of the land. We have implemented that belief not only in our public schools and in our systems of higher education but throughout every aspect of life in our state."

That, of course, is Louisiana's Governor McKeithen speaking through a full page ad in The New York Times and other Northern newspapers. He goes on to assert that, "We believe in civil rights," and concludes with the plea that "All we ask is equal treatment under the law; all we expect is full partnership in this great Union of ours." The intent behind such language is only slightly removed from that used by the citizens of Lamar, South Carolina, just two weeks prior to the tragic incidents of March 3. It recognizes that it is no longer fashionable for Southerners to admit that they are racists.

This rhetoric is gaining new allies for the Southerners. The allies want, just as the South wants, to make freedom of choice a national policy in a nation where both freedom and choice have been anachronisms for so many of our people.

DESIGN FOR CONFUSION

Another key component of the Stennis amendment is the effort to blur the distinction between *de jure* and *de facto* segregation. The Southerners have chosen an opportune moment to initiate such a strategy. As the urban South has begun to be confronted with the possibility of having to achieve meaningful integration the Southerners have seized upon the complexities of such a task to point out that there is really no difference between such situations in the North and South. This strategy has been strengthened by a convenient nexus with the frustration and disillusionment of citizens of the urban North who have fought for integration but have failed to find any help in the courts because of the *de facto-de jure* distinction.

But in the South at least there can be no question that the segregated school systems of urban areas *are* deliberate rather than fortuitous and that they *are* the result of state action. The South is clearly trying to evade its Constitutional obligations by calling attention to the Supreme Court's failure to deal with the problems of *de facto* segregation. By saying that the Court has not done its job and that urban segregation in the North and the South are essentially the same, the South removes the focus of attention from its failure to comply with the law and places the burden for the lack of progress on the Court.

A similar part of the strategy is for the Southerners to gain wide dissemination of their definition of what the Court has said. Southern congresmen are able to utilize the public forum which is constantly available to them to redefine or to distort the meaning of the law. Such a forum is obviously not available to the Courts and they must rely on the opportunities provided by individual cases to explain and to clarify. Even then, the Court makes the news for only a day while the politicians can make it every day. The Southerners have been nit-picking at the language of the courts for nearly two decades, interpreting judicial dictums in their own way, and causing public misunderstanding and confusion so as to make the implementation of the court's orders more difficult. Congressman Albert Watson used these tactics in Lamar just a week before the tragic incident. The nation witnessed the result.

Because the Southerners believe that the Court has not detailed what constitutes a unitary school system they declare that they don't know what is required of a school district. Yet, I believe that if the Court provides a detailed roadmap for achieving a unitary system the South will be the first to cry that the Court has overstepped the boundaries of judicial propriety. The South knows full well the Constitutional requirements for disestablishing a dual school system and the plea for a satisfactory definition of a unitary system is nothing more than a spurious issue designed to produce more evasion and delay.

LEGISLATIVE MANEUVERS

Another part of the Southerners' strategy has taken the form of a kind of neo-interposition. Missing is some of the strident rhetoric of the late fifties but the purpose of the laws is much the same. The laws are designed to do one of three things: (1) They will have little effect at the state level but they buttress the "equality of treatment" argument, (2) They provide some districts with a convenient excuse to seek delay for another year, and (3) They undercut those districts which might be moving towards establishing a unitary system.

The most popular approach towards shoring up the "equality of treatment" argument is for a state legislature to adopt almost verbatim the New York State law which provides that:

"No student shall be assigned or compelled to attend any school on account of race, creed, color or national origin, or for the purpose of achieving equality of attendance or increased attendance or reduced attendance at any school, of persons of one or more particular races, creeds, colors, or national origins."

The ploy is to adopt New York's law and then declare, as Governor McKeithen has done in his full page ads, "That is the law in New York; it is now also the law of Louisiana. We ask no special treatment; we demand no concessions. But we do seek, and expect to be treated as any other state in the nation."

Louisiana and Alabama passed the law in special legislative sessions and South Carolina, Georgia, and Mississippi passed it in regular session. The Georgia assistant attorney general said that the law means transferring students or teachers to achieve integration is illegal as is the busing of students, the pairing of schools, and the changing of school districts or zones for the same purpose. However, a federal district court judge has ruled that the Georgia law is unconstitutional. But in Mobile, Alabama, the school board delayed implementing a U.S. District Court desegregation order on the grounds that the Alabama law makes it illegal to force any student to attend any school against his wishes or against the wishes of his parents or guardians. As the school board attorney said, "There may be some question as to the constitutionality of that law, but in my view, until it has been challenged and tested and declared unconstitutional, it is valid—it is the law." This is a posture reminiscent of massive resistance and it is one which draws on the lethargy of the judicial process to seek further delay.

Tennessee and North Carolina have passed anti-busing laws which deny the use of state school buses for desegregation plans which will achieve a racial balance. Governor McKeithen has suggested that in the May session of the legislature he will veto any legislation that allocates funds to school districts where busing is being used to achieve racial balance. While we hear a lot about local control of education in the South some legislatures and state political leaders are obviously taking steps to prevent local districts from utilizing busing for desegregation even though the districts themselves might have determined that this method is the most appropriate for establishing a unitary system.

CO-OPTING ADMINISTATIVE MACHINERY

As always the Southerners' strategy is to master and then manipulate the administrative machinery for the enforcement of the law. Soon after the creation of HEW's Office of Civil Rights the southern politicians and school officials figured out the weakness of that office's administrative enforcement procedure, and the advent of the Nixon administration made those procedures more vulnerable to political influence. In Columbia, South Carolina, the school district has been involved in the HEW compliance procedure for nearly three years and during that time it has continued to operate under a freedom of choice plan. Now the school district is appealing its case directly to Secretary Finch who has been counseled in this instance by Senator Strom Thurmond and Representative Albert Watson. Finch has said that, "I am sure that an appropriate settlement can be developed in the near future." The school district is proceeding to implement its freedom of choice plan for yet another year in anticipation that Finch will either overrule the HEW Reviewing Authority's decision against the school district or that he will negotiate a plan with the district that will require only nominal adjustments in the freedom of choice procedure.

HELP FOR THE SOUTHERN STRATEGY

Finally, the Southerners' strategy is being facilitated by those blacks who are quick to cite the need for "bi-racialism" and who point out that integration has become "the end instead of the means." While I do not believe that such a coalition is intentional, the effect is nevertheless to give hope and credibility to all of the purveyors of resistance whose calls for "fair treatment" and so-called "rational" approaches are rooted in the humus of racism and beliefs in black inferiority.

Perhaps we would do well to remember that white control comes in many colors and to reflect on those districts in the South which are run by whites but which have nevertheless offered neither quality education nor meaningful control for the mass of their white constituents.

So in spite of the cries that we "get back to education," the Southern strategists understand that when we abandon the struggle to fulfill the obligations of the law we will have merely participated in the erosion of Constitutional guarantees. We will have stripped the statute books and the judicial precedents of a body of law that has been laboriously developed over the past fifteen years. In truth, we *won't* return to the business of education because we have never seriously been about that business. The Southerners understand these things. They also understand that the verbal gymnastics of highly placed lieutenants and the forthcoming "clarifications" by the mediocre commander are only deceptions which seek to avoid embarrassment rather than to promote justice.

Isolated and alone the Southerners' strategy cannot succeed, but what brings us here today is the specter that the Southerners are no longer alone. This administration has seen to that.

INVESTMENT TAX PROPOSAL

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. FINDLEY. Mr. Speaker, today I am introducing a bill to restore the investment tax credit of up to $20,000 annually for farmers and other small businessmen for equipment acquired after December 31, 1969. It seems to me that April 15, the income tax deadline, is an especially appropriate day for introduction of this bill. The investment tax credit is not and cannot be construed to be a subsidy. Rather it is an economic shot in the arm which will stimulate economic activity in an area where it is particularly needed—the rural sections of our country. Farmers, and their business counterparts in the rural community, especially in the cash grain areas of our Nation, badly needed this kind of assistance.

The life blood of our Nation and the solution to a major problem in our cities lies in a healthy, vibrant, and prosperous rural American economy. Many of the problems of the cities can be traced to farmers and other businessmen in rural communities forced to move to the larger cities to seek employment.

When Congress passed the Tax Reform Act a year ago I was concerned that many farmers and the small businessmen who serve them would suffer severe losses because the act, as approved, did not include the Senate amendment in exempting investments of up to $20,000 in eligible property from the investment credit repeal.

The bill I introduce today provides opportunity for farmers to improve and modernize their equipment to meet the challenges of an ever-changing and more competitive agricultural economy. One of the best ways to maintain and improve the quality of life in the country is to give farmers a chance to improve their equipment, thereby making the necessary long hours of hard work on the farm more appealing to the farmer and his family.

As farmers reduce their purchases of machinery and equipment, which they have done in sizable proportions this year, many small town businesses will be forced to close their doors. This situation can compound itself resulting in unemployment in the rural sections of the Nation, placing an even greater strain on the larger cities as these families are forced to move to areas of greater potential employment.

Those of us representing districts which have a large number of rural and small town residents are concerned about the life of those people and the life of the communities. Those of you who represent metropolitan districts should be equally concerned as you seek solutions to growing pressures in your districts which come, in part, from living condition problems and low-profit situations in our small towns and on the farm.

UNEMPLOYMENT

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. BURKE of Massachusetts. Mr. Speaker, I should like to bring to the attention of the Members of the U.S. House of Representatives an article that appeared in the Boston Sunday Globe, entitled "Unemployment Now Nixon's No. 1 Problem." Also I think it quite timely to include for the RECORD at this time, an editorial that appeared in the Tuesday morning Boston Globe, "Much Unemployment Is Hidden." This editorial comments on the legislation—H.R. 11620—filed by my distinguished colleague from the State of Michigan, the Honorable JAMES G. O'HARA.

UNEMPLOYMENT NOW NIXON'S NO. 1 PROBLEM

(By Thomas Oliphant)

Now that the Nixon Administration and the Federal Reserve System have joined forces to push the unemployment rate from 3.3 percent of the labor force in January of 1969 to 4.4 percent last month, the question arises—what are they going to do about it?

The answer is that they are going to do all they can, for all the obvious reasons, the most obvious of which is that this Fall's Congressional elections are only seven months away.

Unfortunately, the weapons known to be in the government's arsenal are likely to be anything but effective, for three main reasons.

First of all, genuine concern within the administration about the downturn in the economy generally and the rise in unemployment in particular, has come very late in the game.

Given the lag of at least six months between a change in monetary policy and the actual impact of the change on the economy, the effects of the Federal Reserve's extremely tight policies during all of 1969 and perhaps as much as the first two months of 1970 are apt to be with us until well into the Summer.

Secondly, any actions to spur economic activity—such as a partial lifting of the freeze on Federally aided construction projects or a less restrictive Federal Reserve policy—are almost certain to be both tentative and minor, given the fact that inflation has shown little sign of abating.

Finally, the Nixon administration continues, as its two predecessors did, to make the fundamental error of viewing unemployment and its more complicated companion, underemployment, as essentially transitional problems that can be solved by marshalling the resources of the allegedly all-powerful "private sector" and by making the present hodge-podge of bureaucratic arrangements, called manpower programs, more rational.

The simple truth is that unemployment and underemployment have been major problems in this country since the mid-1950s. The only "progress" in combating it came between 1965 and 1969 as a direct result of the huge increase in the Defense Department's budget as a whole and in spending for the Vietnam War in particular.

In fact, the reduction in the unemployment rate during this period was accompanied by an inflation so severe that the average weekly earnings of manufacturing workers after taxes and higher prices actually declined in real terms.

"The essence of the matter," Dr. Charles C. Killingsworth, a manpower economist at Michigan State University, told a House subcommittee last month, 'is that we never really solved our chronic problem of excessive unemployment, which was painfully apparent in the late 1950s and the first half of the 1960s.

"We simply masked part of it, temporarily deferred another part, and ignored the rest of it. The mask is now slipping, and the deferment is beginning to run out, and the ignored aspect of unemployment has worsened."

This mask that Dr. Killingsworth speaks about is chiefly reflected in the excessive attention paid to the "Official" unemployment rate.

"On the one hand," notes Rep. William A. Steiger (R-Wis.), who is the author of one of three manpower bills now being considered by the Congress, "That figure includes well trained workers who suffer unemployment only briefly, as well as secondary workers in families with good income.

"On the other hand, it excludes those who are under-employed and need training to raise their earnings above the poverty level."

A much better index is something the Labor Department calls "sub-employment", which includes those who have been without a job for more than 15 weeks and those who earn less than $300 for a full year's work.

In 1966, the last time the agency looked at this problem, 9.1 million persons, or roughly 10 percent of the labor force, were classified as sub-employed. What's more, a survey of 10 urban ghettoes revealed a rate of 34 percent.

Looked at another way, a government manpower task force recently estimated that there are about 11 million poor people in the country for whom better jobs would be a possible solution to their lack of money. Some 7 million of them, however, were judged to be without the education or skills necessary to compete in today's job market.

These numbers stand in sharp contrast to the one million persons, not all of them disadvantaged, who have participated in Labor Department programs under the Manpower Development and Training Act since 1962.

Even if you add those who have been helped by the government-industry program to hire the hard core unemployed, or the project to train welfare recipients for jobs, the figure would not rise by more than 500.000.

Meanwhile, more and more people enter the labor force each year. By 1980, the total is expected to hit 100 million as against about 85 million today, with some 40 million young people entering the job market during the decade.

In the face of these immense problems, the administration's actions since the unemployment rate went over four percent in February seem puny.

So far, the President has freed about $1.5 billion in frozen Federal construction funds to be spent over the next 15 months, induced his friend, Dr. Arthur F. Burns, to lead a modest retreat on the monetary front, and demonstrated somewhat less concern over a balanced budget for fiscal 1971 in his handling of such matters as the pay raise for government workers.

These actions are scarcely likely to stem the rise in the official unemployment rate, and they most certainly will have no helpful effects on the problems of the poor.

For the disadvantaged, Mr. Nixon urges that several manpower programs be consolidated and turned over to the states and cities in the interest of efficiency, and continues to rely on the JOBS program to get industry to hire the hard core unemployed in the face of sluggish business conditions.

MUCH UNEMPLOYMENT IS HIDDEN

Globe staffer Thomas Oliphant has disclosed in Sunday's Globe that current figures showing 4.4 percent of unemployment in the midst of a still uncontrolled inflation do not half tell the story.

Mr. Oliphant makes the point that not since 1966 has the Labor Department counted subemployed whose total earnings are less than $300 a year. With them counted in, the correct number of unemployed is 9.1 million or roughly 10 percent of the labor force nationally, 34 percent in the ghettoes.

Mr. Nixon's answer to this has been to unfreeze about $1.5 billion in Federal construction funds to be spent over the next 15 months and to induce the Federal Reserve Board to make a modest retreat on the monetary front. But these moves so far have been as ineffective as has been his urging that cities and states, already strapped, get the Federal government off the hook by financing their own job training programs, without regard to the jobs that are not there. He also relies on business and industry (what he invariably refers to as "the private sector") to take up the slack by hiring the hardcore unemployed when business and industry are themselves going through a sluggish period.

So what then? Mr. Oliphant has noted that a workable bill (H.R. 11620), sponsored by Rep. James G. O'Hara (D-Mich.) and cosponsored by 18 others including Rep. James A. Burke (D-Mass.) is now under consideration by the House Committee on Education and Labor. It would not only train the unskilled but provide jobs for them after they had been trained, jobs that need doing—hospital help below the level of doctor, for example, school help below the level of teacher, other help below the level of expert. It would establish as government policy the right of every man to a job paying a living wage, ensuring the circulation of dollars and assuring "the optimum use of our most valuable natural resource, the hands and brains of the American people."

The administration could do worse than to get behind this bill. The billions wasted in Vietnam would more than finance it. And Philip Stern, in Monday's Globe, has shown how another $20 billion at least could be picked up by closing still gaping holes in the internal revenue law. But however it were financed, its cost would be negligible compared to the possible ruin of American cities which widespread dissatisfaction of millions of Americans invites.

PREJUDICE AGAINST WOMEN

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mrs. GRIFFITHS. Mr. Speaker, one of America's best known and certainly wittiest economist, Mr. Paul A. Samuelson, wrote on the subject of prejudice against women—certainly, not a laughing matter. The article which appeared in the March 23, 1970, issue of Newsweek follows:

PAUL A. SAMUELSON ON PREJUDICE

As Mayor La Guardia once said after a gaffe, "When I make a mistake it's a beaut." I know what he meant. In the course of a recent interview for The New York Times I made some derogatory remarks about the caliber of students at Sweet Briar.

If I sinned, I have been made to pay for it. My mail has been full of denunciatory letters from female liberationists who are under no vow to be ladylike. What hurts more though are the well-merited reproaches from Sweet Briar, which happens to have a strong offering in economics and rightly resents being characterized as a frivolous finishing school.

I wish I could say that I was misquoted. But even though I was woefully ignorant about Sweet Briar and used its name as a surrogate for any girl's school, that did not keep me from opening my big mouth and slurring its good name.

So *mea culpa*. There is nought to do but make humble apology, both to the institution in particular and to the feminine sex in general.

IN JOCO NON VERITAS

The incident, however, has set me to pondering. Freud claimed that much is revealed by the jests we make, and I must ask myself why, in an unguarded moment, I found myself expressing a stereotype concerning the implied inferiority of women. Since I am an economist, that naturally raises the question of why women have an economic status so unfavorable relative to that of men.

That they do have such an inferior status there can be no doubt. On the occasion that my wife's class at Radcliffe celebrated its 25th anniversary, I was able to examine the range of their incomes and to compare them with the distribution of the same class at Harvard. Although I am an experienced man of the world, I must confess to shock when I saw the cold numbers before me. The top women's salaries literally ended about where the bottom men's began.

I know you will say that many college women become wives and mothers. That you must not compare part-time earnings with those from full-time work. That one must allow for the fact that many women return to the labor market after a hiatus of many years spent in the home, and that their loss of momentum explains their pauper-like wages.

But I reply that these explanations will not wash. A class at Radcliffe has long been, if anything, even more select in such qualities as IQ and erudition than the contemporaneous class at Harvard. And many Radcliffe graduates have pursued full-time careers. Why then do *they* turn out to have the incomes of librarians and of teachers rather than the incomes of corporation lawyers, NEWSWEEK editors, and machine-tool salesmen?

Confronted with these undoubted facts, a defender of the status quo will say, "Women get less because they are worth less." In its usual formulation this becomes little more than a tautology, deserving of the same reply that Hemingway gave to F. Scott Fitzgerald's remark, "The rich are different from us." "Yes," said Hemingway, "they have more money." (And exactly this reply is warranted to the assertion that the poor are different; experiments with the negative income tax in New Jersey show that the poor differ primarily in the fact that they are under the Biblical curse of poverty, and in not much else.)

Somebody has written an essay with the fascinating title: "The Student as Nigger." It makes the point that students are men with boys' incomes, who are expected to remove their hats and shuffle their feet in the presence of their superiors (if not their betters).

A woman would understand that essay. How many of them have climbed the executive ladder up to the rung marked assistant vice president only to be barred, Moses-like, from the Promised Land?

REDEMPTION

Tokenism has begun to rear is head. One or two blacks or females or French-Canadians look good on the organization chart. But do not knock it. Tokenism is the tribute that bigotry pays to conscience. If you feign a virtue, you may end up having it.

But I digress to philosophy from my task as an economist. What would be the effects of wiping out, or say for the sake of the argument, halving the earnings and productivity differentials between men and women?

Will the extra affluence of women have to come at the expense of the surplus value earned by men? Economics suggests that the removal of discriminations will pay its own way, adding to GNP about what it costs.

PUSHERS OF WORSE THAN "POT"

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. NELSEN. Mr. Speaker, Alan C. McIntosh, former publisher of the Rock County Star-Herald, has a reputation as one of America's finest rural journalists. One of his editorials, "A Tired American Gets Angry," not only won a Freedom Foundation Award, it went on to become one of the most widely reprinted editorials of our time.

In his present capacity of contributing editor of the Star-Herald in Luverne, Minn., Mr. McIntosh continues to provide a depth and insight for his readers that is, indeed, rare. I am pleased to insert in the CONGRESSIONAL RECORD one of Mr. McIntosh's most recent commentaries, which appeared in the April 2 issue of the Star-Herald:

PUSHERS OF WORSE THAN JUST "POT"

We hear a lot of talk about "pushers" and how the penalties for marijuana users should be lightened and toughened on those who peddle insidious drugs.

There are pushers . . . and pushers . . . and not all of them are peddling "pot" and hard drugs. There are "pushers" who are peddling propaganda whose ultimate end is the destruction of America.

To take over and destroy America certain things have to be done. Among them are:

1. Destroy the family as the cornerstone of America.
2. Destroy the church and all it stands for.
3. Destroy law and order for 200 million Americans . . . the thin blue line of law that stands between us and anarchy.

The "pushers" for the enemies of America have done their insidious work far too well.

We have "pushers" peddling filth and pornography at us on a round-the-clock basis. . . in our so-called contemporary "literature" . . . from the moving picture screen, the stage, in mores and morals. The idea is being constantly "pushed" at our young people that man's chief aim in life is personal, instant pleasure and gratification of all hungers.

The pushers preach that decency in the traditional sense of the word is old hat . . . and only for 90-year-old squares in rest homes . . . that "normalcy" is suspect and perversion is normal.

Too many churches have become arsenals, not just for the bombs and weapons of the Black Panthers or the Blackstone Rangers, but for strange ideologies.

We have pushers preaching strange gospels . . . among them the freakish propaganda that it is heroic to rebel . . . that it is noble to rebel against one's parents.

We hear less and less about a man called Jesus and more and more about strange concepts of religion.

We have too many pushers who prattle a pseudoscientific jargon as they tinker with that most delicate mystery in all the universe—the human mind . . . something far too precious to be ministered to by the amateur or the Saturday dilettante. Sensitivity is not the property of the young nor was it invented in the last decade.

We have pushers who have constantly preached the idea to us that this younger generation is the "smartest ever" . . . that the stinking body-odored mop-haired brigade with their non-negotiable demands really are Sir Galahads in disguise.

There's no reason for our generation to have an inferiority complex and hide our heads in shame. Ours is the generation that licked polio and is on the verge of a breakthrough on cancer. Ours is the generation that went to the moon . . . and it wasn't done by the devotees of that weird belief that there is virtue in a "pass-fail" system of measuring scholastic achievement.

Ours is the generation that made America the most affluent country in the world . . . the nation that has dared to open its gates to hundreds of thousands fleeing tyranny and seeking opportunity . . . and still does. This is the generation that dared to desegregate its schools . . . the nation that is presiding over the greatest social and economic revolution in world history.

If we must plead guilty to something then we oldsters should hang our heads and plead guilty to over-loving our children . . . of listening to those like John Dewey and his ilk and we gave them over-permissiveness. We let the pushers in the pulpits and the classrooms "con" us into believing that discipline was strictly for the birds.

The pushers did sell us a bill of goods and we are now reaping the whirlwind of mediocrity . . . the evil dividends of the "Dick-Jane" era of textbook pseudo learning.

This is not the smartest generation ever . . . if you believe in the findings of Prof. Sir Cyril Burt, who reveals how shabby our achievements have been.

Our responsibility now is not to continue our past mistakes . . . the younger generation may not be any smarter . . . our responsibility today is to come up with an education system that doesn't make our youth any dumber.

There are a lot of "pushers" in America today . . . and not all of them are pushing drugs . . . they are peddling doctrines far more deadly . . . ideologies that threaten the survival of a great nation.

U.S. IMAGE DESCRIBED AS VARYING

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. BOB WILSON. Mr. Speaker, last week, former Director of the U.S. Information Agency Leonard H. Marks, delivered a significant talk to the World Affairs Council in San Diego, emphasizing the importance of communication between the United States and Communist China.

Mr. Marks stressed that our country establish lines of communication with the 800 million inhabitants on the Chinese mainland, and outlined a program for this effort.

As a former Director of the U.S. Information Agency and as an expert in the field of communications for more than 20 years, Mr. Marks speaks with great knowledge and experience.

The World Affairs Council, which sponsored this presentation, is composed of leading citizens of San Diego, many of whom have had extensive experience in world affairs, particularly in military activities. This organization is performing a vital task in bringing to San Diego important speakers familiar with the current scene. Among other speakers during the current session have been William Foster, former Director of the U.S. Disarmament Agency, and several ambassadors from foreign countries. The next meeting will feature Under Secretary of State Alex U. Johnson.

A summary of Mr. Marks' remarks was included in the San Diego Union on March 25, 1970, a copy of which I include in the RECORD:

U.S. IMAGE DESCRIBED AS VARYING

(By Eston McMahon)

Leonard H. Marks, former director of the United States Information Agency, said last night that there is no such thing as an American image throughout the world.

Marks was the guest speaker at a dinner meeting of the San Diego World Affairs Council in the Mission Room of the Bahia Hotel, Mission Bay.

Instead of the image, he said, "It's a question rather of what people think of the United States in a particular country at a particular time."

Elaborating on what the people of other nations think of the United States, Marks said:

"For example, when we landed men on the moon we had an image—justifiably—of a country great in scientific achievement and capable of carrying out the most difficult task ever assigned to man.

"When we have riots in our major cities, when we have a breakdown of law and order, our image is quite different. The United States, or any other country, can be judged by what it does instead of what it says."

CITIZENS AS AMBASSADORS

Then the speaker told his 150 listeners that every U.S. citizen becomes an ambassador when he travels abroad or deals with visitors from foreign countries.

Marks stressed the importance of communication between nations:

"With telephone, telegraph, radio, television, it is more vital than ever before that we communicate with those that share this world with us. When people know each other, they find they share common characteristics."

Marks said individuals of the different nations are concerned principally that they have enough food, shelter, productive employment and an opportunity to raise children to carry on the heritage of their parents.

Again referring to communication, Marks said that Communist China, with 800 million people and centuries old culture, has no communication with the other nations of the world.

Marks said that when he was chief of the USIA in 1968, he made an effort to communicate with Communist China before the November elections. He said he invited Chinese journalists to come to the United States to observe democratic process in action.

"I offered to enable them to visit any part of the country they desired and to ask questions freely and report through the Voice of America to the rest of the world what they had learned," Marks said.

REBUFFED BY PEKING

Then he added:

"In response, Radio Peking called me a tool of decadent capitalism and ignored the offer. It takes two to communicate."

The speaker was introduced by Col. Irving Salomon, president of the council.

When Marks was director of the USIA, his special assistant was Howard Chernoff of San Diego. Chernoff is now commissioner general of the United States exhibits at Expo '70 in Osaka, Japan.

HOUSE OF REPRESENTATIVES—*Thursday, April 16, 1970*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

He who is faithful with little is also faithful with much.—Luke 16: 10.

Eternal God, we pray for our Nation set today amid the perplexities of a changing order and face to face with great, new tasks. We remember with pride how our leaders in times past arose to the occasion defending our liberties and preserving our unity. We recall with love the influence of dedicated spirits who devoted themselves to the welfare of our people.

Now we come to Thee in this challenging day praying that we may have courage to meet our tasks with clarity of purpose, strength to carry our responsibilities with high honor and faith to serve our people with fine fidelity.

God bless America. Let Your healing, cleansing, and strengthening power move in our hearts as a nation and bring us together who belong together, who need each other, who can help each other and who would enjoy each other.

Bless our astronauts. Grant unto them the peace of Thy presence, unto their families the strength of Thy spirit and unto us all the assurance that Thou art with us as they safely return to earth. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

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S. 721. An act to safeguard the consumer by prohibiting the unsolicited distribution of credit cards and limiting the liability of consumers for the unauthorized use of credit cards, and for other purposes;

S. 1148. An act to constitute the College of the Virgin Islands and the University of Guam land-grant colleges, and for other purposes; and

S. 1814. An act to provide for public ownership of the mass transit bus system operated by D.C. Transit System, Inc., and other private bus transit companies engaged in scheduled regular route operations in the Washington Metropolitan area to authorize interim financial assistance for the D.C. Transit System, Inc. pending public acquisition of its bus transit facilities; and for other purposes.

DUMPING IN GREAT LAKES

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, the administration's proposal to halt the dumping of dredged materials in the Great Lakes by the Army Corps of Engineers constitutes a sham effort to solve the pollution problem. The administration's plan undertakes to charge hard-pressed local governments with 50 percent of the cost of building diked areas to receive the dredged fill.

Since 1899, the Federal Government has assumed the full cost of building and maintaining the Nation's system of navigable waterways—including the building of dams, locks, and the dredging of navigational channels. The disposal of dredged material which we now find to be overladen with pollutants is an expense directly related to the maintenance of navigable channels.

The President's proposal appears to reverse and backslide from a 70-year policy of the Federal Government relating to the construction and maintenance of shipping channels in navigable waters.

The silt-retention program proposed by the administration would cost at least $35 million in Federal funds and a minimum of $35 million in local funds. The cost of the Cleveland Harbor project alone would exceed $11.5 million. Although this is a 10-year program, most of the costs would have to be incurred immediately in order to provide adequate diked areas which will be needed the year after next. The dikes in the Cleveland area constructed with Federal funding as a pilot project will be filled next year. How can Cleveland be expected to face up to a $5.75 million expenditure to meet an unexpected and unprecedented demand for local participation?

The administration's proposal completely ignores the desperate financial plight of local governments. It provides little hope of solving a critical pollution problem which is destroying the valuable natural resources of the Great Lakes, and Lake Erie in particular.

I am preparing legislation to restore the Federal Government's responsibility in this matter. The local governments are incapable of shouldering 50 percent of the cost of this needed program. The impossible cost-matching program proposed by the administration constitutes an artful dodge of Federal responsibility.

A MEMORIAL TO ROBERT F. KENNEDY

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, Robert Francis Kennedy, born in Boston, Mass., ran in New York in 1964 for his first public office after having served with distinction as U.S. Attorney General. I remember that campaign very well. He was attacked by his opponents as a carpetbagger. Those New Yorkers, and I take pride in saying that I was one of them, who believed in him supported his campaign because we saw in him a passion and devotion to right wrongs and be the champion for the oppressed. He represented New York with great dedication. He will always be remembered as a distinguished son of New York and missed by Americans throughout the country.

While the Bedford Stuyvesant Restoration Corp. will be a living memory and continuing expression of his work, we do not have in New York City a major monument in the name of Robert Francis Kennedy. I believe that the newest Federal office building at 26 Federal Plaza would be a very appropriate building to bear his name. It is a handsome building standing in Foley Square directly across from the Federal Courthouse.

While no physical marking is ever needed to maintain the memory of a great man, it still is appropriate to give his name to such a facility as we have done for other great men of this country. I hope that this bill, which I am introducing today, will receive bipartisan sponsorship as did the legislation creating a suitable gravesite for his interment in the Arlington National Cemetery.

PRAYERS ARE NEEDED FOR ALL AMERICANS WHOSE LIVES ARE THREATENED IN THE SERVICE OF THEIR COUNTRY

(Mr. HORTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORTON. Mr. Speaker, three American men left on a dangerous mission last Saturday. They were well trained, dedicated Americans who knew the dangers they had to face. They were also Americans with families who prayed for their safe return.

These three Americans—Sp4c. Valentine B. Gomez of Dallas, Tex.; Pfc. Ronnie L. Johnson of Meeker, Okla.; and Sp4c. Clifford L. Tarbell of Bombay, N.Y.—never returned from their mission. They were killed in combat action in Vietnam.

Three other Americans—Jim Lovell, Fred Haise, and John Swigert—also left on a dangerous mission Saturday. Right now they are fighting for their lives in the hostile atmosphere of outer space. These astronauts have the prayers of the people of the United States as well as the prayers of people across the world. These prayers are seeking the safe return of our astronauts tomorrow.

Let us not limit our prayers to the safe return of the three astronauts. We should—every day—offer prayers for the safe return home of all Americans who are risking their lives in hostile atmospheres in the service of our country. Let us pray for a very swift end to the tragic war in Southeast Asia. Let us pray that no more American lives are lost in foreign wars.

CONDUCT OF JUSTICE DOUGLAS

(Mr. WYMAN asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. WYMAN. Mr. Speaker, for myself and approximately 100 cosponsors, I am at this time introducing a House resolution to establish a select committee of three Republicans and three Democrats to investigate certain complaints of misdemeanors and lack of good behavior by Justice William O. Douglas, and to report back to the House within 90 days.

I most respectfully urge the chairman of the Rules Committee to which I hope this resolution will be referred, to schedule it for hearing at the earliest possible moment.

Many Members of this body are outraged at the public writings and statements of this sitting member of the Supreme Court that at the very least condone, if not encourage, rebellion and even revolution against the U.S. Government by force and violence. What happened in Boston last night is a good case in point. Others are concerned by charges of financial interests in conflict with both statute and bar restrictions.

This matter should be investigated under oath and subject to penalties of perjury, and a recommendation submitted to this House as to whether or not Justice William O. Douglas should be impeached. Every day that his disruptive conduct is allowed to continue to pass unchallenged brings both the Court and this House into disrepute, for this is the only body in the world having the responsibility for impeachment in these circumstances.

ATTORNEY GENERAL JOHN MITCHELL

(Mr. KING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KING. Mr. Speaker, at a time when our values are under attack and crime and fear of crime threaten to dominate our lives, it is a blessing to have for our chief Federal law officer a man of the courage and dedication of John Mitchell. He has brought back to the Office of Attorney General the image of the crusader—the knight in shining armor who will drive away the forces of evil. He has a true grasp of problems which law enforcement faces and has taken positive action to confront those who would make a mockery of our very way of life. He has reminded us that society too has some rights and that we need not, and should not, be dominated and coerced by the vocal an militant minority who would destroy our country and its traditions.

Under Attorney General Mitchell the term "law and order" takes on meaning. Respect for our police and for the vital task they perform is returning. He cannot solve the crime problem overnight, but we can see progress.

President Nixon justifiably places great faith and trust in his Attorney General. The President selected a man of strong will and great capacity. The confidence which the President has continually expressed in his choice for this key office has been well placed. John Mitchell is a topnotch leader and man.

IMPEACHMENT OF JUSTICE DOUGLAS

(Mr. JACOBS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. JACOBS. Mr. Speaker, it was reported in the press this morning that I am an admirer of Justice William O. Douglas. Let the RECORD show that I have neither admiration nor contempt for the man; I have never met him. My motive for introducing the resolution of impeachment is as clear as my statement of last evening.

> The gentleman from Michigan has stated publicly that he favors impeachment of Justice Douglas.
>
> He, therefore, has a duty to this House and this country to file a Resolution of Impeachment.
>
> Since he refuses to do so and since he raises grave questions, the answers to which I do not know, but every American is entitled to know, I introduce at this time the Resolution of Impeachment in order that a proper and dignified inquiry into this matter might be held.

In other words, as a member of the Committee on the Judiciary I shall enter with an open mind the investigation which I insist upon and presume will be held by that committee.

MINIMUM INCOME FOR EVERY FAMILY

(Mr. FRIEDEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FRIEDEL. Mr. Speaker, while I am not happy about the funding levels involved in H.R. 16311, I do intend to vote for it. It seems to me that despite its financial failings the present bill does represent a significant improvement over the old aid-to-dependent-children program. I endorse wholeheartedly the concept involved in this new program of attempting to keep the family unit stable.

The financial assistance level of this program is inadequate. A family of four people just can't live on $1,600 per year or approximately $134 a month. Such a mere subsistence level may be an improvement in certain areas of the country but in our urban areas it is just not enough. I would be much happier with the legislation if these levels could be raised; however, I recognize this will not be possible.

In conclusion, Mr. Speaker, the new program is not everything we wanted but for the first time in our history, we will have established a Federal minimum-income floor, and built into the system new work and training programs. These steps will give our people on welfare needed incentives and opportunities.

It is truly a significant beginning in the right direction. The idea of a minimum income for every family in the richest Nation in the world has been talked about for over 30 years. By our action today it will move ever closer to becoming a reality.

REQUEST FOR PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALL. Mr. Speaker, I reserve the right to object to the unanimous consent request as propounded by the majority leader in order to ask him if this is consistent with the denied unanimous consent request last evening, to meet early today, for consideration of this important welfare plan legislation. Is it not important that Members be on the floor for its consideration and, if so, why do we have such a request?

Mr. ALBERT. The request is made, I will say to the gentleman, at the request of the Committee on Banking and Currency. It has been cleared, according to the information given to me, and I never make these requests unless they have been cleared, by the ranking minority Member, the gentleman from New Jersey (Mr. WIDNALL) and I understand, by the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD). It relates to the bill, H.R. 16891, to authorize U.S. participation in increases in the resources of certain international financial institutions, to provide for an annual audit of the Exchange Stabilization Fund by the General Accounting Office, and for other purposes.

It is my understanding that the committee is anxious to proceed with this matter.

Mr. HALL. Mr. Speaker, I do understand the majority leader's position and I understand that there has been clearance with both sides, or else he would not be handling it himself. But I also understand that you cannot have it both ways. We cannot come in early and expedite the business of the full House and have other committees sitting. I think it is much more important that we stabilize the economy of our own country by individual Members' attention to consideration to the bill we have before us as another social experiment, rather than be considering the lending of money to other countries.

Mr. Speaker, I object.

The SPEAKER. Objection is heard.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 81]

Ashbrook
Ashley
Baring
Bell, Calif.
Blatnik
Brown, Calif.
Broyhill, Va.
Cabell
Celler
Clark
Clay
Culver
Dawson
de la Garza
Dellenback
Diggs
Erlenborn
Esch
Feighan
Fulton, Pa.
Gallagher
Gettys
Gray
Gubser
Hanna
Hébert
Heckler, Mass.
Holifield
Kirwan
Langen
Leggett
Lennon
Long, La.
Lowenstein
Lukens
McCarthy
McMillan
Mikva
Mollohan
Murphy, N.Y.
O'Hara
Ottinger
Patman
Pollock
Powell
Quie
Railsback
Scheuer
Schneebeli
Teague, Calif.
Teague, Tex.
Tunney
White
Wyatt
Wyman

The SPEAKER. On this rollcall 375 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PRINTING OF COMPENDIUM ENTITLED "ECONOMIC DEVELOPMENTS IN COUNTRIES OF EASTERN EUROPE"

Mr. BOGGS. Mr. Speaker, I offer a resolution (H. Res. 921) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 921

Resolved, That there shall be printed concurrently with the original committee print, one thousand additional copies of a compendium entitled "Economic Developments in Countries of Eastern Europe" for use of the Joint Economic Committee.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 11102, PUBLIC HEALTH SERVICE ACT

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11102) to amend the provisions of the Public Health Service Act relating to the construction and modernization of hospitals

XUM

and other medical facilities by providing separate authorizations of appropriations for new construction and for modernization of facilities, authorizing Federal guarantees of loans for such construction and modernization and Federal payment of part of the interest thereon, authorizing grants for modernization of emergency rooms of general hospitals, and extending and making other improvements in the program authorized by these provisions, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia. The Chair hears none, and appoints the following conferees: Messrs. Staggers, Jarman, Rogers of Florida, Springer, and Nelsen.

CONDUCT OF ASSOCIATE JUSTICE DOUGLAS

(Mr. QUILLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. QUILLEN. Mr. Speaker, during the last several days much has been written and said by the news media concerning the effort underway to impeach Supreme Court Justice William O. Douglas.

Quite frankly, Mr. Speaker, I favor these efforts.

In fact, I am of the opinion that the charges of misconduct against Douglas are serious enough on their face to warrant immediate impeachment proceedings against him in the House.

I am cosponsoring the resolution introduced today which authorizes a congressional investigation of Douglas' conduct. I certainly favor such an investigation although I am not absolutely sure it is necessary as a preliminary step before impeachment proceedings.

We must not have men with Douglas' reputation serving on the highest court of last resort in this country. I certainly agree with the resolution that Douglas has "willfully and deliberately" undermined public confidence in the Court as an institution.

PERMISSION FOR SPECIAL INVESTIGATING COMMITTEE OF COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Special Investigating Committee of the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate this afternoon.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

H.R. 16311—THE NEW WELFARE PROGRAM

(Mr. FOREMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FOREMAN. Mr. Speaker, I have some very serious reservations about H.R. 16311, the guaranteed annual wage welfare program. Admittedly, the present welfare program is costly and inequitable—however, I believe this bill would move us in the wrong direction because it will probably add several million more persons to the welfare rolls, more social workers, more Federal control, bureaucracy, and dependence at an estimated additional annual taxpayer cost of $4 billion or more than we are now spending. Our objective should be to seek a reduction, not an increase, of overloaded welfare rolls. We should work to reduce the cost and control of government by the enactment of programs that encourage individual work, incentive, and responsibility—not reward nonproductivity and irresponsibility. We need to work toward more jobs and permanent job security rather than permanent relief.

Welfare was originally designed as a method to aid people who were sick, disabled, or temporarily in need—however, it has gradually come to be regarded as a means of bringing about a more nearly equal distribution of income—and this is a most serious threat to individual initiative and excellence. This new program violates the basic principles of individual incentive, responsibility, and free enterprise that have built this great country.

This country has always been a work-, property-, and incentive-oriented society—and it should continue to be. Most Americans who work for their living have little sympathy for the concept that every man should be guaranteed an income by the Government regardless of whether he can or will work. A Federal Government guaranteed annual income will destroy self-reliance, individual responsibility, self-respect, and the incentive to work. Therefore, in good conscience, I cannot support or vote for this program that I sincerely believe can eventually destroy the moral fiber of the United States of America.

FAMILY ASSISTANCE ACT OF 1970

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 16311) to authorize a family assistance plan providing basic benefits to low-income families with children, to provide incentives for employment and training to improve the capacity for employment of members of such families, to achieve greater uniformity of treatment of recipients under the Federal-State public assistance programs and to otherwise improve such programs, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 16311, with Mr. Dingell in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Arkansas (Mr. Mills) had 1 hour and 25 minutes remaining, and the gentleman from Wisconsin (Mr. Byrnes) had 1 hour and 48 minutes remaining.

The Chair recognizes the gentleman from Arkansas (Mr. Mills).

Mr. MILLS. Mr. Chairman, I am pleased to yield 10 minutes to the distinguished gentlewoman from Michigan (Mrs. Griffiths), a member of the committee.

Mrs. GRIFFITHS. Mr. Chairman, I rise in support of the President's bill on welfare.

I feel that it is an amendment that is long overdue. I would like for you to look at it for just a moment from a different view than others have taken.

At the present time, one of the heaviest burdens that rests upon your State or your city has been placed there by the Federal Government—and it is the burden of welfare. This is the thing that is destroying most of America's cities. As that tax burden on property becomes heavier and heavier to pay these welfare costs, more and more people move out of the city and more businesses move out. If there were no other reason for voting for this bill, the proper reason for voting for it is that welfare should not rest upon the property in cities or in States, but it should be paid for by the Federal Government out of the General Treasury of the United States.

This is the burden of every person, not merely the burden of those who live in a specific area. The Federal Government is in the best position to pay and the Federal Government should pay.

I will admit that under this bill they will not pay the full bill, but I am sure the day will come when this burden will be taken off the taxpayers in the various States as a State tax and placed where it properly belongs.

I would like to tell you some of the things that I think are wrong with the bill and that I think should be corrected and I am sure will be corrected.

In the first place, this bill pays only if you have a child. I think that is a mistake. I think that the poor, the single poor and the married childless poor should be paid also. I think it is an error to pay only if there is a child. But I am sure this problem will be taken up in later Congresses and corrected. I think additionally it is a mistake to say that a woman can stay at home as long as she has a child under 6. I do not believe the society gives her a choice. I think the social workers make that choice, and I think this was proved in the WIN program in New York City, where they found that few women were able to go out and work, and at the end of the year I believe they had trained 106 women. I think the social workers make that choice. I think most of these women want to work and they can work and they are anxious to do so. But they have to be given an opportunity to work.

I would like to explain also another amendment that I offered to this bill which was not accepted. I hope that amendment will be placed in the bill over in the Senate. I feel that a teenage girl who becomes pregnant should be required to continue in school after the birth of the child, or should be given further training.

I would like to explain to you that in New Haven, Conn., a survey was made of 100 girls who had left school because of pregnancies. At the end of 5 years, 387 children had been born to those 100 girls. That is almost a baby per year. In New York they then selected 100 girls who were pregnant. They gave them all kinds of assistance. They gave them additional training, and at the end of 2 years only 11 children had been born. There is no person in our society on whom a greater burden is going to be placed than the teenage girl who bears a child, and we are money ahead if we aid her to support herself and her child.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER assumed the chair.

The SPEAKER. The Chair will receive a message.

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

The SPEAKER. The Committee will resume its sitting.

FAMILY ASSISTANCE ACT OF 1970

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose informally to receive the message, the gentlewoman from Michigan had the floor. The gentlewoman will proceed.

Mrs. GRIFFITHS. I would like to point out again that while I do not believe this bill is perfect, a good start has been made. In every State in this Union there will be some saving to the local taxpayers. But this is the only possible remedy that local taxpayers can ever look forward to as saving their homes literally from condemnation to take over this welfare burden.

In the State of Massachusetts alone the welfare burden is the equivalent of 25 percent of the State budget. I repeat to each Member that this burden did not come from Massachusetts. It is not exclusively their fault that these people are on welfare. Some of them came from other States. They came there of course looking for work. But in my opinion welfare is a national responsibility. It is not the burden of a locality, and this is not the way it should be handled.

I congratulate the President. I feel he has offered a good first step. I urge every person to vote for this bill before his own community is destroyed.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I have listened with interest to the gentlewoman from Michigan. I certainly agree with her that the tax burdens of the States and local communities are onerous, but I do not agree with her premise that the Federal Government is in better shape to solve all the problems of the States and local subdivisions of government. I cannot recall when the the Federal Government last had a balanced budget. It has been running deficits as high as $20 billion a year, piling up the Federal debt until it now approaches $385 billion. No, I cannot subscribe to the theory that the Federal Government is in better shape to take care of the problems of the entire body politic, including the entire welfare system of this country.

I regret the gentleman from Arkansas (Mr. MILLS), the sponsor of this bill, is not here because I wanted to address a question or two to him.

In the first place, I am getting all kinds of figures as to the real cost of this bill. Some say it is $4,400,000,000 more than is already on welfare. I wonder if the gentleman from Wisconsin could help me with this. I have talked with other Ways and Means Committee members and they have given me other figures, running to much higher totals than $4½ billion. I would appreciate it if the gentleman could tell us what this bill would cost in addition to what we are now spending for welfare.

I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Mr. Chairman, if the gentleman will refer to the committee report, on page 53, he will see that we included a table projecting Federal costs for the first year of operation. For that year, 1971, the basic payments of $1,600 per family, plus the 30 percent matching of State supplements, would total $4.6 billion.

Existing legislation—that is, the Federal share of AFDC—would call for a cost that year of $2.5 billion. So the additional cost, as far as that aspect of the program is concerned, is the difference between $4.6 and $2.5 billion, or $2.1 billion. That is the difference between 1971 costs of the AFDC program—aid to families with dependent children—and the cost that would be incurred under the family assistance program.

If we are dealing in dollars and cents, the cost difference involving that part of the program on which we have had most debate is this difference between $4.6 billion and $2.5 billion.

The gentleman may get confused—and it is understandable—on the overall cost of the bill, because in addition to the family assistance changes, we are changing the cost of what we call the adult assistance category; that is, our assistance to the aged, to the blind, and to the disabled.

Under the new bill, the Federal share of adult assistance will be $2.7 billion. That cost today is $2 billion. So there will be an increase of $700 million in that category.

If we combine the costs of those two facets of the bill—the one which is more controversial and the one which apparently is not so controversial—the total cost under the legislation will be $7.3 billion.

The total cost of the present legislation, projected on a full year basis, is $4.5 billion. So there will be an increase of $2.8 billion for the first year under the new bill.

Mr. GROSS. Then the figure which someone gave yesterday——

Mr. BYRNES of Wisconsin. That figure I mentioned is the cash outlay. I should add that there will be training, day care, and administrative costs, which could account for another $900 million. So the total comes to $3.7 billion, so far as the basic change in cost under this bill is concerned.

I also should call the gentleman's attention—so that he has a proper perspective on this situation—to the projections of the costs of the current program, and of the proposed legislation beyond 1971. Those figures are also shown in the table on page 53, and it is noteworthy that by 1975, according to these projections, the cost difference between this bill and the current program would drop from $2.8 billion to $1.1 billion. And much of this added sum would be recaptured, hopefully, as more and more welfare recipients turn from welfare rolls to payrolls.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield briefly to the gentleman from Pennsylvania.

Mr. WILLIAMS. I should like to say that the total additional cost of the so-called family assistance plan is beyond calculation at this time, because there is going to be a new department set up in HEW to handle the administration of this plan. Today, no one knows how many people are going to be needed to staff that new department.

In addition to that, this bill provides for the recovery of any money fraudulently collected from the Government. In my opinion this is going to mean almost a doubling of the size of our present Justice Department.

Mr. GROSS. Does the gentleman have a total figure for that?

Mr. WILLIAMS. No. In spite of my efforts to get some concrete figures on the amount of personnel which will be necessary to administer this law, I have been unable to get any figures.

Mr. GROSS. I thank both the gentlemen for their remarks. The gentleman from Pennsylvania points up the utter uncertainty as to cost.

Mr. COLMER. Mr. Chairman, will the gentleman yield to me on that particular subject?

Mr. GROSS. I am always pleased to yield to my friend, the gentleman from Mississippi.

Mr. COLMER. I asked the gentleman to yield not because I have any expertise on the matter, or any accurate figures. I tried to listen to the testimony of the various advocates as well as the opponents of this proposal before the Com-

XUM

mittee on Rules. I can safely say that there was no testimony which placed the additional cost of this program over the present program at less than $4.5 billion. Some of the estimates ran much higher.

There was a general consensus that the minimum was $4.5 billion and that it was almost impossible to get any accurate figures.

Mr. GROSS. I thank the distinguished chairman of the Rules Committee for that contribution, because that is the minimal figure which was given here yesterday. Yet, others say the add-on cost of this bill may well be above $6 billion. I am just trying to get some kind of firm answer and again I am disappointed that the chairman of the Ways and Means Committee is absent. As the sponsor of this socialistic legislation, he should be able to provide specific cost figures as well as inform the House where the revenue is to be obtained to meet the spending of additional billions.

Now, the chairman of the committee (Mr. MILLS) has been widely quoted in the newspapers as saying that if the base of $1,600 is increased in the other body he will divorce himself from support of the bill. I wish he had remained on the floor so that I might ascertain whether this is correct.

I address a question to the gentleman from Wisconsin (Mr. BYRNES) as to whether he is going to go to the other body, if this bill passes, and agree to an increase in the base figure of $1,600.

Mr. BYRNES of Wisconsin. Will the gentleman yield?

Mr. GROSS. Yes. I gladly yield to the gentleman.

Mr. BYRNES of Wisconsin. The chairman of the committee and I agreed, not only between ourselves, but publicly through an announcement before the Rules Committee that we were holding—and that we would hold—to the ceiling of $1,600. We said that was our limit, and that if the other body saw fit to go beyond that, they would face the same situation they faced on a few other occasions: We would just refuse to go to conference and there would be no legislation. I have not changed my opinion on that, and I believe I am at liberty to say that I am not advised by the chairman that he has changed his opinion. I am sure, if he had, he would have let me know.

Mr. GROSS. I am glad to have the answer from the ranking minority member of the committee, but I well recall what happened when the bill, extending certain excise taxes, was sent to the Senate. It was understood then, and without qualification, that members of the House Ways and Means Committee would not permit the Senate to write tax legislation by inserting in the excise bill a 10-percent surtax. As Members of the House well know the Senate initiated that surtax legislation and the House conferees accepted it. But even at $1,600, the door to guaranteed annual income and full blown socialism has been opened.

Mr. Chairman, passage of this legislation will put a premium on the production of more illegitimate children and encourage indolence on the part of those who have no desire to work. And the added billions of cost will mean either higher taxes or more borrowing, more debt, deficit, and inflation.

I cannot support this legislation in its present form even though I agree that reorganization of welfare is overdue. Neither President Nixon nor the Ways and Means Committee had to go to this length to attain the result of reorganization and coordination.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. FULTON of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. BURLESON).

Mr. BURLESON of Texas. Mr. Chairman, there have been some very able speeches made on this subject today and yesterday. Our able and distinguished chairman of the Ways and Means Committee and the ranking minority member, the gentleman from Wisconsin (Mr. BYRNES) were very convincing in presenting the case for the measure before us.

This whole proposal is convincing in theory. It sounds so good on the surface. But I remember in 1962 and in 1967 what happened. As a matter of fact, looking at child welfare, it started in 1935. This is no new program. However, in 1962 and 1967 the able chairman of the Committee on Ways and Means and the gentleman from Wisconsin, the ranking minority member, just like the vast majority of you, sold me on it and I voted for it on the proposition that "You are going to take people off of the welfare rolls and put them on the payrolls."

And here we are again today with the same slogans and cliches. You know, incidentally there is a remarkable thing about this whole business. If this had been proposed during the Kennedy administration or the Johnson administration, there would have been holes in the top of this ceiling right over here on the Republican side of the aisle. You know that as well as I do.

Now, several have inquired as to the cost of this program. Why, I say to you, there is nobody who can tell you the cost of it. We are going to be back in here before too long to ask you to raise the debt limit, and if we have any integrity in the Federal Government, we are going to be back here asking you to raise taxes. And people just got through paying them last night. There is no one who can tell you what this program is ultimately going to cost as a matter of fact there is no clear estimate of what the additional cost will be for the first year.

They talk about training. Why we have a training program on every corner in all the Federal programs already in effect. Here is a list of them.

I think there are nine or 10 training and retraining programs, and now it is proposed to create one bigger than any of them. Here they are. There are six pages of training programs under manpower training programs which come out of the Committee on Education and Labor and those programs which come out of the Committee on Interstate and Foreign Commerce as well as the Committee on Ways and Means. There is no use of my reading them, but look at them and you will find all sorts of other such programs. In addition, this bill provides for the creation of another WPA and any other make-work programs which the Federal Government may devise.

Now, Mr. Chairman, we say we are going to train people to get off the welfare rolls and onto the payroll. How good it sounds. However, do not be misled. We are going down the road of no return. This is just a start. Have you seen Federal programs of this kind shrink?

Talk about a guaranteed annual income? I heard my good friend, the gentleman from Wisconsin (Mr. BYRNES), say yesterday that we already have one. But, at least, there is some judgment exercised on the part of welfare workers and others who carry on the present program—they have some judgment and discretion as to who goes on it, but this program puts people on welfare automatically. About all they have to do is consent. The Supreme Court just a few days ago ruled that once on welfare a recipient cannot be removed until and unless a Federal court rules on the question.

Mr. Chairman, a family of four has been used in the report on this bill and as an example in most of this debate. There are many families in this country who have more than two children. There are many families of seven, eight, nine, and 10 who will qualify under this program. Face it—you know and I know that these size families are likely to be those who are more likely to qualify.

The wage earner in that family would be having to make almost $8,000 a year, or else it would be more beneficial if they went on this program. Where is the incentive in these conditions?

Mr. Chairman, great emphasis has been placed on training and retraining under the provisions of this proposal. Under this program a man can say, "I will go to work if it is a job located at a distance of not more than 1 mile, but if it is 2 miles, that is too far."

There is no definition of "suitable" employment. You cannot tell what it means. One thing we could do, however, is to send this bill back to the Committee on Ways and Means. Everyone seemingly agrees that the present program is a failure. This being the case, surely our committee will be willing to take action toward corrections.

The present program has been referred to as a "mess," and that I can agree with. I am just thankful, but it is of little consolation to me, that I have not been a part of it. I have not been a part of the Great Society's relief programs. Therefore, I am free to say about this one that it will be a mess, too. So, we are going to cut off our nose to cure our sinus. That is about what it amounts to. We are going to put one failure on top of another.

With reference to the motion to recommit this bill, it will probably contain language to change a word or two, but to be reported back "forthwith," will be meaningless.

Mr. Chairman, it is not going to make any difference whether we have a motion

XUM

to recommit. It will be pretty tough to vote against this bill because it has increased the adult benefits and with that I agree. Inflation, for which the Federal is largely responsible, in my judgment, is causing hardship on people in this category.

Mr. Chairman, I propose, if the situation permits, to offer a motion at the appropriate time to strike the enacting clause and give to the members of the committee a straight vote on this measure. I believe if such a motion is adopted the Ways and Means Committee can bring you something much better than what is offered to you today.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 3 minutes to the gentleman from Alabama (Mr. DICKINSON).

Mr. DICKINSON. Mr. Chairman, I thank the gentleman from Wisconsin for yielding. If I may have the gentleman's attention I would like to propound a question to the gentleman, if it has not been answered already in the brief time I was away from the floor. If I may have the attention of either the ranking minority member on my side or the proponents of the legislation on the other side, as I understand it, at least, this is designed to keep families together and to keep the husband at home where he can live up to his responsibilities.

But, is there anything contained in this bill that would keep a family from splitting up, whether it be done by official act such as a divorce decree or by separation and the husband leaves taking with him two of the children and leaving three of them with his wife. Will they both become eligible if both of them set up two different units or households and receive payment for these two separate households?

Would this be possible under this bill, or is there a prohibition against that?

Mr. BYRNES of Wisconsin. Mr. Chairman, if the gentleman will yield, we do not prohibit this as such. But if they establish two homes they will have more expense than the amount of additional assistance they would receive under the provisions of this bill.

Let me also call the attention of the gentleman to the fact that there is an entirely new concept written into this bill which is not in the current law concerning the financial responsibility of the father to support their families. He can not avoid this financial responsibility by moving into a separate household or out of the State. Under this law there is a responsibility of this father to the Federal Government. The Federal Government says any money that we pay out under this program for the benefit of your children or your wife is a charge that we have against you. We can collect this directly or we can withhold funds to you at any time by the Federal Government to recoup what we have paid out on behalf of your children and wife.

We do not say that poor people have to live under the same roof, but we do say to the fathers that you cannot avoid your financial responsibility to your family by failing to do so. We do not rely on the law as it is today, I would say to the gentleman from Alabama, to enforce through a local agency the father's obligation to support. This now becomes a Federal matter, a Federal responsibility, and a responsibility of the parent to the Federal Government.

Mr. DICKINSON. I would like to say—and I thank the gentleman for his answer, and I hope that it will work, because if it does it will certainly be refreshing. But after over 8 years as a judge of the domestic relations court and juvenile court, and based on my personal experience, it is my opinion that you may well have a family split and a claim of part of the children both ways. There is no provision to keep checking on these people to see that they, after they have established this basis of living separately, do not move back into the same house, stay under the same roof, sleep in the same bed as husband and wife—because they do not have to be divorced—and how do we police this? How do we guard against it, and what makes it certain that it will not come about under the provisions of this bill?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 1 additional minute to the gentleman from Alabama. I do so for the purpose of asking the gentleman from his experience if he has not found that one of the real problems that we have had is the lack of enforcement of responsibility on the parents toward the support of their children?

Mr. DICKINSON. Absolutely.

Mr. BYRNES of Wisconsin. And does not the gentleman think that we have made a good step forward where we impose a subrogation, in the sense that the Federal Government is able to go against this individual for any funds that Uncle Sam has paid out in his regard?

Mr. DICKINSON. I would say to the gentleman that I think it is fine in theory, but it just is not workable under the Uniform Reciprocal Support Act.

Mr. BYRNES of Wisconsin. That is why we made it a Federal offense, because the Reciprocal State Act, as the gentleman well knows, depends on one State getting the permission of another State, whereas in this case a Federal agent moves in, and there is no need of getting permission from a State.

Mr. DICKINSON. Who is the Federal agent who is going to move in? That is what I do not understand as to how this can be enforceable. Do we have a cadre, a police group that goes around enforcing this, or does each agency have so many enforcers and investigators?

Mr. BYRNES of Wisconsin. The Federal Government will put the responsibility, as far as turning over these cases is concerned, up to the proper prosecutors, which would be Federal, and to the Secretary of Health, Education, and Welfare, which has paid out the money. Say you have some money that you paid out. You paid it out in behalf of Mr. Jones for his children. You find Mr. Jones and prosecute him.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 1 additional minute to the gentleman from Alabama.

Mr. Chairman, let me also call the attention of the gentleman from Alabama to this case of splitting up. If the family wants to live together, then there is a responsibility on the part of the father to register. We do not insist that they both register.

Now, there are some critics who say that both the husband and wife should be required to register. That is not required in this particular case, where the two are living together. But once they separate, once they start two different households, then both the male living over in one household has to register, and the woman living in the other household has to register. And they must do more than register—they have to take jobs, so they will both go to work under this circumstance, and maybe we would save money in the long run if we had both people working.

Mr. DICKINSON. I thank the gentleman for his explanation.

Just let me say, I have heard the previous speaker in the well, the gentleman from Texas, and I wish I had said what he said because to me he summed it up very aptly and very ably. I believe in everything he said and I subscribe to his statement.

I talked with my welfare director at home and he says that this present plan will cost the State $9 million more than it is presently having to pay.

According to my director, if we are forced to match what will be available in 1971 we will be forced to spend $9 million more to match the Federal portion. Whether this is so or not, I do not know, but I do know this—no one knows exactly what it is going to cost. It is another layer on top of a layer, and I hope everyone who votes for this bill will vote for it with the firm conviction and in the sure knowledge that you are going to have to vote a tax increase to pay for this. If you are not willing to vote for a tax increase, then do not vote for this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FULTON of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I voted against the rule.

Last night I tried to read what I could on this legislation and I made a decision that is not one I normally make. But this being the kind of legislation—and I want to vote for some kind of legislation dealing with problems in this important area, I decided that if there is a vote that will send it back to the committee meaningfully so that we can have an opportunity to look at it, I am going to vote for that motion.

Failing in that, then I am going to vote for the bill on final passage in the hope that I will get another look at it and will get an opportunity to present my views to the Senate.

First of all, the view that I take of this is that it steps into an area that I am not so sure the Committee on Ways and Means has the expertise to discuss and present to the House, without some consideration being given to what they are doing.

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There are in America today about 13 million Americans who are not covered by the minimum wage law. Automatically—and I studied this all night, I am as positive about this as I am of the fact that I am standing up here—automatically will be put under annual wages, outside of a single person, one not without a family. You are actually covering 13 million Americans at a rate of yearly minimum wages—I mean a rate of minimum pay wage that is above anything that we even try to put through this Congress or intended to try to put through this year for a worker to receive.

A worker in the $3,000 class which is roughly the minimum wage in America today, and the highest payment under the family allowance for a worker in the family of four group. If he has no children at all or just has a wife or it is the case of a wife with a child, they would receive—that wife with a child—would receive $160 above the minimum wage.

However, carrying that through—the four examples that I personally got this morning from the four girls who clean offices—the smallest family in that group was six and the largest was nine. In a family of nine, in addition to that girl's pay, it would amount to an added $2,560 of $5,260 total pay.

How can I, as chairman of the Committee on Minimum Wage, attempt to come before this Congress with any kind of sensible and reasonable minimum wage bill, not considering a man working full time under a positive pay plan, without considering his family?

You are now at this time, at this stage of our history, and I want it clearly understood, I hope you know what you are doing, and it may be the right thing to do. I have the greatest faith in and I have the greatest friendship for the chairman of this committee. I know he would not deliberately upset every union contract in the country and yet he may well do this if a large number of workers are added to the work force under this act.

The rate of pay under the union contracts is based upon the classification of a job and not upon the number of members in the family.

If you are basing it upon the number of members in a family, you find yourself in a position where men working alongside each other, doing exactly the same classification of job, will be earning the same set rate of pay, because that is the classification of that job under either union contract or individual job placement.

But if the employee happens to have a large family, he will receive more money for the work he performs. The only difference is that it will not cost the producer any more money. We shall now start again on the never-ending road of subsidy of the production of goods in this country. Every farm helper in America will receive a minimum pay under this bill greater than we have ever been able to give them.

It took 30 years—and during some 18 of those years I have been at the forefront of the battle—to cover every worker in America under new wage laws. We had to go to the far extreme of taking the largest farms on a limited number of days of work to pass the most minimal pay of $1 an hour, reaching to $1.25 in 1971, February 1. But this automatically changes it, and the only area that your Committee on General Labor can function in dealing with the minimum wage will be in that area of income for an individual or a man and wife living together. It is only in that area. This bill is based upon the premise that more manpower training is going to create more jobs. Let me tell all of you right now that what most of us do not understand is that the greater bulk of the number of persons on permanent relief in this country are unemployable persons. Studies reveal, if you will look into the matter, that the average work year in America encompasses 210 days of work. Persons today with large enough a family who are making as much as $2.40 an hour will find themselves drawing a supplement.

Do you know that the average wage, under contract, of textile workers in America is $2.40 an hour? Do you know that the average wage of the clothing workers and garment workers is only 25 to 50 cents above the minimum wage? You will be establishing for the first time in the history of our Nation a new base for the payment of labor, and I remind you of the warning given many years ago that when you get into this type of legislation, keep in mind that the minimum becomes the maximum. The maximum becomes the minimum.

I just came back from Mexico. I went down there to spend 2 days on my own to look into the Proneff Territory. Fifty thousand jobs had moved over into that territory in 2 years and 7 months. There were no training programs, and every one of those industries will tell you that in the United States, if they do not have manpower training programs, they have no jobs for these people. In Mexico they take raw labor and put them to work. They have moved across the necessary production machinery, the same production machinery we have in the United States, into the Proneff Territory of Mexico, where they are paying $3 a day in the same classified jobs in electronics paying over $3 in the United States. I want you to look long at this bill, because the error of the 1970's is going to be the critical error in our lifetimes. The critical decade in our lifetimes will be the 1970's when the question will be decided as to whether we survive as a free-enterprise system or not. Unless I am miserably mistaken, what we are doing is to establish the base for the deterioration of the kind of free labor and free-enterprise system in which labor and management have bargained together. We are subsidizing industry the same as we subsidize agriculture. We have never been able to get out from under that, and we will never be able to get out from under this load, because if any person who has just been given a job can get $3,000 as a minimum wage and $2,600 as a Government subsidy, the employer does not pay the subsidy.

I tell you that when you are working alongside a man, doing exactly the same job he is doing and he receives only $3,000, and you receive $5,600 he does not want to know or care how many children you have. He has been brought up in an economy where you get paid for what you do, not for how many children you have. What is the use of talking about easier abortion laws; what is the use of talking about pills? What is the use of talking about cutting down the birth rate when we are introducing a program that would increase the birth rate? I do not know where to go. I do not know where to turn. Do I vote against poverty people or do I vote aye and hope for a chance to correct the inequities in the Senate.

This I do know: I am a troubled Member of this Congress this day. We have not had a chance to offer amendments because of the closed rule.

There is not any sound reason for this, because we are not going to remove people from welfare, because in this country today we still have millions of persons who are not earning this money. We have close to 13 million Americans we have tried since 1938 to put under the minimum wage law.

In the last instance, when the bill came before me, we had reached $1.60 an hour, but we had to reach it in a 3-year stretch—and in a 4-year stretch for some classifications. Why did we move in the area of minimum wages on classifications? Because we followed the historical lines of a free enterprise society, and we paid for the job that is done. We did not pay for the number of children people had. If this becomes the concept, we will find, as sure as we are in this room today in this great Congress of ours, that the minimum will become the maximum.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio (Mr. DEVINE).

Mr. DEVINE. Mr. Chairman, I rise with some reluctance today on this legislation.

Of course, I am not a member of the Ways and Means Committee. However, I do feel rather strongly about this bill that apparently is classified as an administration bill. I think when the ultimate vote comes, there will be a cross section and quite a change in the thinking of a number of our colleagues, and I do not think we will find any particular coalition supporting or opposing the legislation.

When this originally was proposed a number of months ago, I visited administration offices to try to analyze just exactly what was coming off. I bow to no one in my support of our President. I think he is a great man doing a great job, but I do not consider myself a rubber stamp.

In analyzing this program as it was originally introduced—and I would stress the word "originally"—it was pointed out, first, that our current welfare programs across this Nation are in a shambles, in chaos, they are in a terrible situation, and they should be eliminated. I would agree 100 percent.

It was pointed out further that the so-called Nixon welfare program, that has had its name changed two or three times, changed to family assistance program and changed to workfare, or changed to anything to get away from the label of the guaranteed annual income, I would say no matter how we slice it, it is still that, guaranteed annual income.

The proposal is this, that it would not be another layer on our ADC, it would not be another layer on the food stamp program, that it would substitute for these. It would get rid of the ADC program and all problems connected with it, and the food stamp program also would be phased out.

It contained at that time work incentive provisions. I do not think there is anybody who opposes work incentive provisions. If we talk to the people across the country, if we feel their pulse, we will find the American people across this country are perfectly willing to help and assist those unable—and I underline unable—to help themselves, but there is a growing reluctance by the American people, the American taxpayer to be forced to support those unwilling to help themselves.

I look at the Members on both sides of the aisle and find that we talk about work incentives. What work incentive did Members have to get where they are and do what they were doing before they came to Congress? Most of us had the incentive that we like to eat, and most of us had the incentive that we wanted to support and educate and take care of our families to the best of our ability. That is sufficient incentive.

But the work incentives in this bill, when we get into "suitable" employment, create much concern among those of us who have misgivings about much that is in this bill.

After this matter was heard before the Committee on Ways and Means—and there were long hearings, though most of them were on social security, I admit—what happened? No longer does this substitute for the program. It does not substitute for the aid to dependent children. It does not substitute for the food stamp program. It is another layer upon them.

The sponsors of the bill say this: "Well, admittedly this will add from 12 million to perhaps 15 million additional people to the welfare rolls, but looking down the road 5 or 10 or 15 years this will be cheaper than the current welfare reform programs."

Assuming that this is correct—I doubt it very seriously, but assuming that this is correct—most of us will not be here to gain the benefits of this cheaper welfare program, because that far on down, if this welfare list goes up 12 to 15 million people higher than it is today, there will be between 12 and 15 percent of the people of the United States on welfare.

Is that not a great endorsement for this program?

It seems to me we are adopting a philosophy which is completely contrary and foreign to the basic American philosophy of the free enterprise system of rewarding incentive.

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Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. DEVINE. I would prefer not to yield at this time, but I yield.

Mr. HAYS. I want to get the question in now about the cost. Does the gentleman have any figures on the cost? I cannot get anybody to tell me that.

Mr. DEVINE. I would say to the gentleman from Ohio, so far as the cost is concerned, the estimated cost I have seen for the first year, trying to make a study of this program, is an additional $4.4 billion for the first year.

Mr. HAYS. I wonder if they are as far wrong on that as they were on medicare, on which they just estimated the cost exactly at 30 percent of what the real cost was. If that should be true, the $4 billion would be more like $14 billion, would it not?

Mr. DEVINE. It certainly would. I agree with the gentleman. I have the same misgivings about the estimated cost on this program. It probably would be much higher than anticipated.

Mr. HAYS. I thank the gentleman. That is the first time I have been able to get anybody to tell me what they are thinking about on the cost.

Mr. DEVINE. I would hope that the members of the Committee on Ways and Means, who have made a deep study of this, would come up with some accurate figures.

Another gentleman from Ohio, Mr. ASHBROOK, worked with the minority counsel of the Ways and Means Committee in an effort to come up with a legitimate and good faith cost on this. He gave an example of a family of four with a certain income, a certain amount of money each week. They worked at great length and were unable to come up with a figure that they could agree upon.

In talking about work incentives, I would invite attention to an article which appeared March 21, 1970, in the Scripps-Howard newspaper, talking about the work-incentive program. This particular release, under the name of Robert J. Havel, out of the Plain Dealer Bureau, Cleveland, with a Washington dateline, says:

> The U.S. Department of Labor considers Ohio's work-incentive program for welfare recipients a flop and is unlikely to provide any money for the program in fiscal 1971.
>
> This is the same program, conducted in 20 Ohio counties, which Gov. James A. Rhodes recently praised as helping to get people off the welfare rolls and onto payrolls.
>
> The national program, referred to as WIN, is designed primarily to train welfare mothers for such jobs as nurse's aides and clerks.

It goes on further:

> This is basically the same program as President Nixon's "work fare" in his new welfare plan, on which the House will act soon.

That is what we are talking about today.

Mr. BETTS. Mr. Chairman, will the gentleman yield?

Mr. DEVINE. I am happy to yield to the gentleman from Ohio.

Mr. BETTS. I should like to make one comment to the gentleman. He is one of my close friends. I do not like to contradict him, but I just want to make sure the statement he read is compared with the statement I read yesterday quoting Governor Rhodes, in which he praised the program in Ohio. He stated how many had been taken off the rolls, and that the WIN program had reduced the expense of welfare in Ohio over $200,000 a month.

I just wonder whether that is not as important a consideration as the statement of some Federal official as to how he looks at it.

Mr. DEVINE. What is important is I am merely quoting an article which appeared in the Cleveland Plain Dealer.

One of the things which concerns me further is the auction game we are getting into with this legislation. I do not know whether they call it a ceiling or a floor, but they are talking about a floor of $1,600. In the next election year it will be $2,000 or $2,500. Already some are talking about $5,000. Each year they will bid higher and higher. Where will it end, and will it get everybody on here?

The senior Senator from New York spoke in the other body yesterday. I would invite the attention of our colleagues to the RECORD for April 15, published today, page 11790, in which he says:

> I shall propose an amendment exempting mothers of school-age children and other relatives who care for such children from the work and training requirements of the bill.

Then in another part he says:

> As I request cosponsorship for this amendment in the coming days, I hope that many of the Members of the Senate will join with me, whether or not they support the family assistance plan, to indicate their strong opposition to the inclusion of any such work requirement in the crucial welfare-reform legislation which will be acted upon by the Congress this year.

So if and when this matter leaves here and goes to the other body, I do not believe you will recognize it. The floor will become the ceiling and the ceiling will become the floor, and the $1,600 figure will be in the area of $5,000 or $6,000. We will be in a category where I am reminded of the old farmer when he was talking about helping people. He said, "You know, if everybody climbs in the wagon, who is going to pull it?" If we get over 10 or 12 percent of the population on welfare, do you think the rest of us will be able to pick up the load? It is a dangerous step and I think the House ought to defeat this legislation. I am opposed to it, and will vote against it, and I am convinced the Nation will regret the day this philosophy was adopted, if the House does indeed, pass this unworkable legislation.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FULTON of Tennessee. Mr. Chairman, I yield 5 minutes to a member of the committee, the gentleman from California (Mr. CORMAN).

Mr. CORMAN. Mr. Chairman, I rise in support of H.R. 16311, the Family Assistance Act.

Our chairman, the gentleman from Arkansas (Mr. MILLS), has explained in great detail the reforms which this bill will bring about. I would like to underline three which are of particular importance.

First, it is the work incentive provision. This bill will require recipients who have the ability to work to register for training and employment as a condition to receiving benefits. I would not overstate the importance of this provision because I am convinced that almost every American wants to work, and the mandatory nature of this provision is not going to significantly change that situation.

Another incentive has to do with that portion of one's earned income which a recipient will be permitted to keep. Under the present program, a mother who goes to work may be in danger of losing her assistance payment. While at work, she has the additional disadvantage of not knowing how her children are faring without her. The reform bill will assure that her children are being cared for while she is at work, and will permit her to keep a reasonable share of her earnings, in addition to her assistance payment.

The second and certainly the most important part of this bill, as far as the State of California is concerned, is that a substantial increase in the share of welfare costs will be borne by the Federal Government. For California, this will amount to about $200 million in the first full year of the implementation of the act, assuming that the State will take advantage of the Federal Government's offer to administer the program. It would then be possible for the State government to assume the balance of California's welfare costs, thereby completely relieving the counties in the State of this financial burden.

Such a step would permit welfare costs to be shifted to the broader State and Federal tax base, leaving the local tax base free to bear the cost of educational and other municipal requirements.

The third important reform is the establishment of a Federal minimum payment. Let us take a look at this Federal minimum. Is it really dangerously high? For a family of four without income, the minimum is $2,400 a year; $1,600 in cash and $800 in food stamps. Now, it just happens that I support a family of four and it also happens that my take-home pay is approximately $2,400 a month. I assume each of us is generally in that same category. If you would like to know the adequacy of this minimum payment, take next month's paycheck home to your wife and tell her she must support your family on it for a year. I believe she will convince you that it is not excessive.

I have been surprised to hear some of my colleagues worry about the willingness of Americans to work if we remove the incentive of hunger. I cannot accept the proposition that a man works only if and when he is hungry. The fact of the matter is that the state of hunger undoubtedly diminishes one's mental and physical capacity to work. I believe that Americans are inspired to seek work for many more reasons than just the need of food. I think that we have come a long way from that rather primitive notion of why people work.

Finally, a number of Members have been critical of the Ways and Means Committee because we cannot tell the exact amount of the cost of this program. I would have to say to you that if you can tell me how many people in the Nation will be unemployed in the next year, and the next, and the next, then I can give you a reasonably accurate figure as to the cost of this program. For instance, if we have full employment—if everyone who has the ability has the opportunity for a job—then the cost of the program will be relatively low. And, we will then be taking care only of the aged, the blind, the physically disabled, and orphaned children whose parents are dead or in prison or for some other reason are not capable of taking care of them. But, if the present trend continues and unemployment increases and we find millions of Americans willing and eager to work but unable to find jobs, then the cost of this program will be substantial.

We do not report to you that this bill will solve the Nation's economic ills. We do say that it will, in a modest way, provide some decent living standard for those who because of economic circumstances find themselves in dire straits.

Let us look at the alternatives. What happened after 1929? Americans, unable to work, stood in soup lines. Children begged or stole for food. Families were made homeless because they were unable to continue payments on their homes or were unable to pay rent. This country is not going back to those conditions and practices.

There are lots of things that need to be done in this country. We need more and better schools; more and better medical care. We need to end pollution of our streams and air. Programs such as these—and many more like them—create jobs, and jobs cut down the cost of welfare.

But, we are not authorizing such programs in this bill. All we are saying in this bill is that if there are jobs, then needy people who qualify under the bill's provisions, must be trained for jobs and required to take them. If they have the physical and mental ability to do that, then out of the generosity of the American people, they will be given enough to keep body and soul together. If jobs are not available, neither will they have to starve or steal.

I urge my colleagues to support H.R. 16311.

Mr. KAZEN. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman.

Mr. KAZEN. I agree with some of the things which the gentleman from California has said.

Mr. CORMAN. I hope the gentleman, then, will support the bill.

Mr. KAZEN. However, the point is, with reference to this bill, that it is not going to create jobs. I come from an area where there is a great degree of unemployment. The gentleman talks about a 4- or 5-percent unemployment rate. I have an 11-percent unemployment rate in some parts of my district. The reason for that is the fact that there are no jobs available. We have trained people for all kinds of work under the various programs that now exist but when all of the training was over, they did not have a job at which to work.

What in the world are we going to do with that problem?

Mr. CORMAN. There is provision in this bill for public works projects where we can federally fund certain projects in areas such as one which the gentleman has described, on the condition that the program in that area will enable some of these people to become ultimately employed in the private sector. It is in a sense a small WPA. True, it is only a short term answer, but again we cannot take care of all the economic ills of the Nation in any welfare assistance bill. This must be taken care of under the private enterprise system and other fiscal decisions which we must make.

Mr. KAZEN. Mr. Chairman, if the gentleman will yield further, the thing that worries at least this gentleman is the fact that here we are discussing guaranteeing a minimum annual income while I think what we ought to direct ourselves to is a more pressing need—that of guaranteeing a job for those able to work before we guarantee any income minimums.

Mr. CORMAN. I will say to the gentleman that there is a legitimate case which can be made for the Federal Government becoming an employer of last resort. However, I have some misgivings about that, but if unemployment continues to rise, we may find it necessary.

Mr. BETTS. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois (Mr. COLLIER).

Mr. COLLIER. Mr. Chairman, over the past two decades, I can think of no single domestic program in this country which has been more consistently or bitterly criticized than the welfare system.

The criticism of our welfare system has come from a spectrum ranging from the man on the street to the legislative and executive leaders in the country.

The present system has been called deplorable, unfair, parasitic, and intolerable.

I have never refuted these criticisms because they properly describe the present welfare system, which is unfair and is deplorable and is intolerable. In fact, the present system breeds irresponsibility that feeds on itself.

I have also heard many of the ardent critics of the present welfare system say, "We ought to help people who are willing to help themselves," and I have heard them say, "We ought to help people help themselves." And I wholeheartedly agree.

But in listening to these same critics attack the legislation before us today, I find them strangely inconsistent.

I had hoped that there would be strong support to get rid of the present welfare system and replace it with one that conforms to the lipservice reform over the years.

Yet I do not find a single item of legislation introduced by those who have attacked the present program and are making a career out of criticizing the one which is proposed in this legislation.

If the present welfare system is so deplorable and if the proposed legislation is unacceptable, it is only logical to ask why those who find themselves in this position have not done something about offering a constructive alternative.

Yet throughout the hearings on this bill, no one came forward with anything that resembled a replacement in the broad sense for the present obsolete program.

The attacks I have heard on the proposed legislation have not been directed to the concept or the principle of this legislation, but rather to fear based on conjecture that it will not be administered in accoradnce with our legislative intent. Well, now, let me tell you that no program, no matter how carefully devised, will be any more effective than the manner in which it is administered. This is certainly obvious under any conditions.

And I have heard such arguments against this bill in the last 2 days as would provide the attitudes of the courts as a reason to oppose this legislation. And, of course, I have been around here long enough to know that when arguments based on conjecture rather than fact fail to satisfy the need for any type of reform, you can always fall back on the "foot in the door" or the "camel's nose under the tent" approach—and this has not been overlooked by the opponents—yet I think we must understand that these cliches of foreboding really fail to address themselves to the real issue.

It is all right to agree that we have a problem—but when we do it seems to me that we ought to agree that there should be some solution.

I see no need at this point in the debate to belabor the excellent presentations of Chairman MILLS and the ranking minority member of the committee, JOHN BYRNES. But I would like to summarize my own position as concisely as my remaining time permits.

We can no longer accept and condone a welfare system that has failed miserably, a welfare system that has fostered disintegration of the family unit. We can no longer accept and condone a system which frequently makes it more attractive to go on the welfare rolls than to work. We can no longer tolerate a welfare system that is a failure and one which grows worse each day.

I am convinced that if there is any solution to the growing welfare problem in this country, and if there is any hope for helping the people in the lowest economic strata of our society, it lies in the approach embraced in this legislation. To suggest it does not is to suggest there is no hope. To suggest that those who are economically depressed fall into a singular category of people who are not and do not want to help themselves is to again say we must continue the present system in the hopeless fashion of increasing welfare costs year after year.

Well, I am neither naive nor am I a do-gooder. While I offer no one an insurance policy on the success of this program, I sincerely believe that on a long term basis it will cost the people of this country a great deal less in both dollars and human resources.

And permit me to remind every Member of this House, including those who are opposed to this bill, that we are providing a structure upon which improvements can be made through the process of revision and amendment. If it is necessary to provide more stringent enforcement of the work provisions, it is the responsibility of Congress to do so. And I happen to think the Congress will do so if we are able to integrate the work and training provisions with the welfare payments and correct the gross inequities in the existing program.

I urge every Member of this House to give welfare reform a chance. To do anything less is to accept the present program, with all of its present shortcomings, and its inevitable social doom.

Mr. FULTON of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. SCHEUER).

Mr. SCHEUER. Mr. Chairman, I would like to praise the chairman of the Committee on Ways and Means for his admirable leadership in preparing the forward-looking bill indeed, the precedent-shattering bill we are considering today—and for the excellent committee report on that bill.

In the report the committee regretted that many manpower programs in the past "often emphasized work at the expense of meaningful training that would lead to the family leaving the public assistance rolls."

Of course, that is a major goal of this bill—to enable people to acquire the education and job training to become employed, financially independent, and self-supporting.

Section 431 (c) (2) of H.R. 16311, evidently a suggestion how to rectify those mistakes, mentions the following services for the trainees in manpower training and employment programs: "counseling, testing, coaching, program orientation, institutional and on-the-job training, work experience, upgrading, job development, job placement and followup services required to assist in securing and retaining employment and opportunities for advancement."

Mr. Chairman, am I right in understanding these sections as endorsements of efforts to contribute to the broader adoption of new methods of structuring jobs and of providing career-ladder opportunities?

Mr. MILLS. Upgrading the skills of the working poor is an important part of the proposal, and it is a very important part.

Mr. SCHEUER. I thank the distinguished chairman.

Mr. Chairman, section 433 of H.R. 16311 states that the Secretary of Labor should try to "further the establishment of an integrated and comprehensive manpower training program involving all sectors of the economy and all levels of government" and to "make maximum use of existing manpower related programs and agencies."

Mr. Chairman, will the jobs encompassed under these programs include those designed to improve the social and economic conditions of the community by upgrading the quality of the public services in health, education, welfare, and public safety?

Mr. MILLS. Yes; I might say to the gentleman, if they are a part of an established training program.

Mr. SCHEUER. Mr. Chairman, the committee report for H.R. 16311 states:

> By requiring that the prime grantees demonstrate a capacity to work effectively with the manpower agency, the Committee believes that a greater degree of coordination of manpower and child care services can be achieved than has been the case in previous programs.

Would this improved coordination of manpower and child care services include the use of the children's parents as aides and for some of them—in time and after the proper training—as professionals at the child care centers?

Mr. MILLS. Yes; it is so intended.

Mr. SCHEUER. The distinguished chairman of the Ways and Means Committee, in my view, is to be congratulated for encouraging relief recipients to become economically independent. Recently the Washington Post had an article on the city welfare department's decision to cut off the welfare of an unwed welfare mother in her last semester of high school.

I assume that the distinguished chairman would favor helping a relief recipient to complete high school since, demonstrably, such education and high school degree is so necessary to help her get a good job and thus achieve financial independence for herself and her children. Would that be a fair statement of the intent of the House?

Mr. MILLS. The answer would depend upon the individual case. As I said earlier, this bill is not intended to support students primarily, but if a person is close to completing her education, it could be determined by the Employment Security Office that completing education is appropriate training.

Mr. SCHEUER. I very much appreciate the chairman's answer. I appreciate his candor in answering all of these questions. I wish to express my admiration for the great job the committee has done during untold months of hearings and in producing a bill and a committee report that in many respects is one of the most far-reaching, imaginative, and creative pieces of legislation we have considered in many years.

Mr. BETTS. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Chairman, the proposed Family Assistance Act of 1970—H.R. 16311—would prove a dreadful hoax on the American people.

This so-called "family assistance program" would immediately add a minimum of $4.4 billion to Federal welfare costs, and would place additional millions of people on welfare rolls. The only welfare program that FAP would phase out would be aid to families with dependent children, on which the Federal Government now spends $2.1 billion per year.

Past experience has proved that whenever a new welfare program is created for the purpose of solving a problem, that problem is only accentuated and its cost escalated. Be assured that FAP will be no exception.

The Federal share of FAP for each family would be based on an annual $500, each, for the first two members of a family, plus $300 for each additional family member with the States required to supplement the massive Federal payment.

Obviously, it would only be a matter of time until FAP-guaranteed payments would be increased in response to well-established pressures by self-seeking officials, liberal social theorists, and hard core professional welfarists.

A major FAP weakness would be in the fact that eight types of income would be excluded from consideration before FAP payments would be determined. Since each family's payments would have to be determined individually in accordance with income earned, a virtual army of investigators and accountants would be needed for this operation alone.

FAP would require recipients to register for suitable training or employment. But FAP would conveniently exclude five classes of people from that same registration. Further, it would provide no spelling out the definition of precisely what "suitable" training or employment would really be. Nor would FAP spell out any procedure that might be applied to those who accept jobs but purposefully fail to perform properly in order to be fired and return to welfare.

FAP would provide for recovery of any funds fraudulently collected from the Federal Government, with enforcement resting with the Department of Justice. However, with the tens of thousands of fathers who have deserted their families, and with thousands of unenforced court orders already out on fathers in behalf of dependent children, it would require a doubling of the size of the Justice Department just to enforce FAP's recovery of fraudulent collection provision.

FAP would provide that a new agency be established within the Department of Health, Education, and Welfare to administer FAP's provisions. This new agency would have to employ thousands of people and, in short order, could, in fact, easily result in doubling the present size of HEW, itself.

An abundant history makes it perfectly obvious that this so-called family assistance program would prove to be nothing more than just another gigantic giveaway which would further reward the indolent and the malcontent. This would be accomplished at the expense of those who work and support their families despite the evermore oppressive odds of high taxes borne, in great part, of too many "something for nothing" schemes.

I have also heard in this Chamber this afternoon that the State of Massachusetts is using approximately 25 percent of its budget for welfare purposes and that States and other localities need help. Let me tell the Members something. We can go from one section of this country to another, and we would have to look hard to find any State in as poor financial condition as our Federal Government.

Next year alone we are going to have to refinance over $100 billion in Federal obligations that are going to mature, and we are not prepared to pay off one penny of that $100 billion in Federal obligations that are going to mature during fiscal year 1971, which starts July 1, 1970. We are going to be fortunate to be able to refinance this $100 billion in maturing obligations at interest rates as low as 8 percent.

We have reached a point where every 3 years and 8 months we have to refinance our entire national debt, and if we have to refinance our entire national debt of over $360 billion at 8 percent, that is going to be a $30 billion a year annual payment on interest alone.

This will mean on welfare and interest on the national debt we are going to be spending far more than 25 percent of our budget, so as it turns out the States are in much, much better condition than our Federal Government.

Relief of human misery, easement of the pains of recovery, and assurance of equitable opportunity fall in one category—but to elevate and lock in professional welfarism as a part of the so-called American way of life falls into quite another category which the people of this Nation simply could not afford and would not long knowingly tolerate.

Mr. BETTS. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan (Mr. CHAMBERLAIN).

Mr. CHAMBERLAIN. Mr. Chairman, I rise in support of H.R. 16311, a bill providing comprehensive changes in our Federal, State, and local welfare program. Everyone who has studied the present program agrees on one salient fact: that it is deficient in almost every respect.

Our present program has grown dramatically in recent years, both in terms of the individuals covered and total dollar costs. Between 1961 and 1970, the number of families and individual recipients more than doubled—to a total of 1.8 million families and 7 million individuals. During this same period total costs have nearly doubled to the present total of $4.2 billion.

This runaway pattern is expected to continue into the future unless fundamental reforms are made, with the number of recipients nearly doubling again by 1975 and the total costs more than doubling. The immense burden that this program imposes on taxpayers at all levels of government demands that we address ourselves to this chaotic situation rather than turning our heads to look the other way and hope the problem will go away.

The present program discourages work and self-sufficiency by providing a "guaranteed annual income" to individuals who qualify for welfare virtually without regard to their own efforts. In many cases individuals are financially better off on welfare than they are working. By discriminating against the working poor, the present program not only encourages idleness but provides a strong incentive for family disintegration. Only by leaving home can a working poor father qualify his family for benefits under the aid to families with dependent children program.

The bill before the House today will go a long way toward correcting these defects. Instead of an incentive for idleness, the bill will insure that individuals will always be better off if they are working. Rather than providing a "guaranteed annual income" regardless of an individual's efforts, assistance will be contingent on an individual making every effort to become self-sufficient through work, training, and employment. The incentive for family breakup under present law will be substantially diminished and in many cases eliminated by proving coverage for the working poor.

The emphasis in this new program is to help people care for themselves by developing their potential. This will, of course, cost additional money in the first few years, but it must be remembered that this is a long-range program and given time it is our hope that it will be less expensive—both in human and in dollar costs.

I would like to take this occasion to point out that the bill does create one very serious inequity for working people who will not receive benefits under this bill that, in my opinion, we cannot ignore. One of the reforms in this bill provides day care for small children in order to enable adults who would normally care for them to receive training and employment so that they may become self-sufficient. The Department of Health, Education, and Welfare intends to request $386 million for child care purposes for the first full year of operation. It is estimated that this will provide care for 300,000 school age children at an estimated cost of $400 per child, and for 150,000 preschool children at an estimated cost of $1,600 per child. These day care provisions of the bill are essential to enable individuals to move from the welfare rolls to the employment rolls, and I support them.

However, as we face up to the actual costs of child care we find that the amounts involved are much more generous than the deductions we now allow under the Internal Revenue Code for nonwelfare taxpayers who have to pay for child care themselves in order to be available to work. The Internal Revenue Code provides a child care deduction of $600 where one child is involved, and $900 where two children are involved. In addition, under the law this allowance is reduced by $1 for every dollar that the parents' income exceeds $6,000. This means that the child care deduction is eliminated when income reaches $6,600 in the case of one child and $6,900 in the case of two children.

Thus, in New Jersey, under the new bill, a welfare mother with two preschool children and one school age child, would be entitled to child care benefits approximating $3,600, as long as her income from earnings and public assistance does not exceed $6,547—the Secretary has discretion to continue paying child care expenses at even higher income levels for a period of time. Yet a working couple with three children of similar age earning $6,457 would be entitled to a child care deduction of only $343. Assuming the couple is in the 15 percent income tax bracket, this deduc-

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tion would provide a net benefit of only $51.45. And if the couple should increase their income to $6,900, they would not be entitled to any deduction.

Mr. Chairman, we cannot ask the working couple to pay taxes to support not only public assistance recipients, but to provide them with child care allowances far in excess of the meager income tax deduction taxpayers are allowed. This is wrong. Current allowable deductions for child care are unrealistic. Equity requires that the child care deduction in our income tax law be liberalized to provide benefits commensurate with the current cost of child care.

In order to accomplish this, I have joined in introducing legislation that would increase the deduction for child care expenses to $1,200 in the case of one child, and to $2,400 where two or more children are involved. The legislation would also repeal the provisions of present law that phase out the deduction when the taxpayer's income exceeds $6,000. This would recognize that child care expenses that are incurred to enable a taxpayer to work, are expenses sufficiently related to the taxpayer's job to justify deduction as a business expense.

In my judgment this is a matter of high priority. In the bill we are considering today we are trying to provide incentives and opportunities for people to get off the welfare roles. In doing so we should not ignore the effort of those who have managed by one means or another to take care of themselves. We should not create or condone a dual cost approach to child care by recognizing the actual cost of this service for welfare recipients and something less than the actual cost for those who have had the initiative to get a job to help take care of themselves. How in good conscience, I ask, can we deny these working parents a realistic deduction and then use their tax money, in part, to give a benefit unavailable to them to others?

The Committee on Ways and Means is aware of this gross inequity, and I feel the members are disposed to see that it is corrected. It is my hope that our chairman will make certain that this matter receives early consideration to the end that remedial legislation may be enacted.

Mr. Chairman, I am sure that the matter which I have just discussed is not the only problem area that will be discovered as this reform measure is implemented. I well realize that the family assistance plan is not without its critics for I, too, have reservations. However, as we have worked on this bill—week after week—month after month—I have been impressed with the fact that no one seems to have a better plan to suggest. Nor have I heard anyone offer any strong defense of the present system. While I am well aware that we cannot solve our complex welfare problems by any legislative magic, I am satisfied that society's greatest hope lies in a new philosophical approach to our aggravated welfare problems . . . one which encourages work and neither stifles nor destroys individual initiative. It is for this reason, and with this hope, that I support H.R. 16311.

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Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. CHAMBERLAIN. I am glad to yield to the gentleman from Pennsylvania.

Mr. WILLIAMS. I would like to call to the attention of the distinguished gentleman from Michigan that in more than half of the States the father does not have to leave the household in order for the family to receive aid under the program of aid to dependent children.

However, I do want to agree with the point which has been made by the gentleman that the AFDC program is a totally insufficient program. It is inadequate and doing nothing but accentuate the problem.

Mr. CHAMBERLAIN. I believe everyone agrees with the gentleman's statement.

Mr. WILLIAMS. I would like to say to the gentleman from Michigan and to the gentleman from Illinois (Mr. COLLIER) and anyone else who is interested that I have worked on a substitute plan which I think I have fairly well refined now which would phase out AFDC over a period of time and which would produce much, much better results, while this phasing out is being accomplished.

I would welcome the opportunity to talk to the gentleman in his office at any time about this alternate plan.

Mr. CHAMBERLAIN. I would say to my colleague that I am pleased to hear this. I feel it is unfortunate that we have not had the benefit of his suggestions at an earlier date in order that they could have been considered by the committee as this matter has been under review. I think anyone who has any constructive suggestion to help us out of the mess we are in right now should come forward. We would be glad to hear from anyone who has a better plan.

Mr. WILLIAMS. Reserve your decision because you may not agree with my plan.

Mr. BETTS. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Chairman, we are all agreed that the present ADC program is a mess and that it is now, or soon will be, completely out of hand. It must be replaced. The administration has proposed the bill now before us as a new approach—workfare instead of welfare, it is called. Many of us have great reservations about this particular approach, but some have been able to resolve those doubts in favor of the legislation, while others, and I am one of those, have found the doubts so great that in good conscience we cannot support it. I propose to state briefly, Mr. Chairman, those questions about the bill which have persuaded me that, much as a new approach to welfare is needed, this is not the answer. Indeed, Mr. Chairman, I doubt that the situation will be one whit improved but rather worsened by the enactment of this legislation.

The ADC program will be abolished by this bill, and that is all to the good, and a family assistance program instituted in its place. But the new program of family assistance does not change much the ADC program as it applies to fatherless homes. So long as there is a child under 6—and there most usually is a child under 6 in those homes—the mother need not register for employment or take work training in order to obtain the Federal benefit, and the State in which the family is living is required to supplement the Federal program up to the level of payments that family now receives from ADC. As to that family, therefore, the ADC program continues, in everything but name. And, Mr. Chairman, the vast majority of present ADC cases fall within the category of a family without a man in the house. To all intents and purposes, the proposal in this bill carries forward the present ADC program without change. Under the present program an ADC mother is encouraged to take work training and better her lot in life thereby—on a voluntary basis. This bill carries the same approach.

As to those cases where there is a man in the house, the bill requires him to register with the employment service, receive their counsel, take their training program, and accept a job they find for him. But the proferred employment must be suitable work. Now that term, "suitable work," has acquired a meaning in the law. It is a term well understood in unemployment compensation systems. It means that an unemployed individual need not take a job beneath his skills, but only such employment as he has regularly had in the past. It is argued that in the case of the newly trained individual without work experience this unemployment compensation meaning of suitable work will not apply. I anticipate that it will mean that if a man is trained for a particular skill, no other type of employment will be deemed suitable for him, even though there may be no need for such employment in his community. I expect that the term "suitable work" will have the same narrowing meaning in the requirement for employment within the family assistance program as it has had in unemployment compensation.

But if a newly trained individual is put to work within the scope of his new training, there is no compulsion upon him to do his best to keep the job. Suppose he quits, or is fired for cause. What then? Will his eligibility under the family assistance program continue?

And even if he refuses to work, the only economic penalty upon him is a loss of $300 in family assistance benefit to his family unit. Benefits to the other members of his family continue, and if he leaves home, his wife and children can comply with the ADC requirements, with their family benefits supplemented by State grants up to the level now provided.

I doubt this family assistance plan has enough economic inducement within it to achieve that goal of keeping families together.

Mr. Chairman, the legislation we now consider is intended to meet the problem, made infinitely worse by recent Supreme Court decisions outlining residency requirements for welfare assistance, which results from a variation of benefits among the States. Some, like

Michigan, have become a magnet to those people because of the generosity of their welfare payments. Some way must be found to level off the benefit structures between the States and to discourage the inmigration of welfare cases into some States where the benefits are generous—but so is the cost of living in those States high. The requirement in this bill that those States must supplement the Federal payments on ADC cases to their present levels means the inmigration of such cases will likely continue.

A fundamental change in this new approach is to embrace the working poor into the welfare system. I had hoped the solution to our welfare problems would be programs to reduce the dependence of people on welfare. This bill increases that dependence. True, it purports to contain inducements sufficient to persuade large numbers of people to lift themselves out of that dependence. The ambitious will be so encouraged. But for many if not most, I suspect they will not feel sure enough of themselves to want to completely separate themselves from the security of tax free welfare income, and the welfare system as we know it—but greatly expanded in costs and in numbers—will continue.

Much as I concur, Mr. Chairman, in the need for a complete change in our welfare system, I do not believe this legislation will accomplish it. This bill is not the answer we seek. I wish I knew the answer. I believe we must look further for it.

Mr. BETTS. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio (Mr. ASHBROOK).

Mr. PRICE of Texas. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Texas.

Mr. PRICE of Texas. Mr. Chairman, I rise to announce that I cannot in good conscience support the proposed Family Assistance Act of 1970.

My opposition is based on three factors: The sentiment of the voters in the 18th District of Texas, my belief that welfare reform has been turned into a political football, and my deep-seated reservations about the act itself. I would like to discuss each of these factors in turn.

The opposition of the voters in the 18th Congressional District of Texas, to the proposed Family Assistance Act is overwhelming. The message has come to me through attitudinal surveys, congressional correspondence, and numerous discussions I have had on the issue with constituents. The message is loud and clear—vote "no" on the proposed welfare reforms. I agree with this message; in addition, as the Representative of the 18th District, I feel bound by the elected expression of the voters' views on this issue.

I also believe that the welfare reforms proposed by the President have been turned into a political football, and that the issue will be used in an attempt to discredit the President's good faith effort to reform the national welfare system. By way of explanation, in the normal case, the President proposes legislation to Congress. The legislation is then introduced and referred to an appropriate committee where substantial rewriting and redrafting is affected. The reason for this is clear. It is not possible for the President to anticipate in advance what each particular committee member must have in a bill before he can support it. Consequently, the President is forced to propose legislation to Congress which presents his programs in such a manner that an appropriate committee can have the opportunity to modify it to suit its preference; hopefully, without killing the President's basic proposals in the process.

This was not the case, however, with the proposed welfare reforms. The majority on the House Ways and Means Committee approved the bill almost as it was written by the President. They then went before the Rules Committee in an effort to insure that the bill would be debated under a rule not allowing for the submission of corrective amendments from the House floor.

This is most unusual. A President's proposals usually do not receive such uniform approval from a House committee. This is especially true when the President belongs to a different political party than does the majority of committee members. The majority Members are normally too jealous of their legislative prerogatives and too partisan to bend without challenge to the Presidential will.

The President's comprehensive tax reform program is an excellent example of the tendency to which I am referring. The President submitted his proposals to Congress last year, and by the time the House Ways and Means Committee got through rewriting the proposals, their original form was hardly recognizable.

I can think of one good reason why the President's welfare reform proposals were so uniformly approved by the Ways and Means Committee. The legitimate cause of welfare reform has become fatally involved with partisan politics, and liberal members of the majority party want to fabricate a campaign issue for the November elections. They have to make up campaign issues because the President by his actions has not handed them any. He is trying in the best fashion he knows how, to lead the country into a productive and peaceful decade. The other party knows this; but more importantly, the American people know it also. That is why the issue is being fabricated. It is a lame attempt to discredit the President. I will have no part of it.

In making his proposals to Congress, President Nixon made a good faith effort to interest Congress in addressing itself to the cancerous problem of welfare; unfortunately, House liberals seem more interested in partisan politics than meaningful reform.

Finally, I have some strong reservations about the merits of the Family Assistance Act as it is presently written. I think the present welfare system is cancerous because it benefits neither the welfare recipient, the taxpayer who supports the program, nor society in general which must continue to strive for progress despite the continued drag caused by the sizeable number of individuals who would rather take a Federal relief check than a job.

Our present welfare system has made it more profitable for some people to loaf than to work. In addition to the individual and family problems this directly creates, think for a minute what it does to the incentives of an individual who works a full work week and earns for his labors only a few dollars more than does the wastrel on relief.

This is just a bare bones description of the negative effects of the present system, effects we have heard more fully described in other speeches here in the House Chamber yesterday and today. For this reason, I will not dwell on the negative parts of the welfare system at any greater lengths, but will turn to a brief explanation of why I do not think the proposed Family Assistance Act solves the Nation's welfare problem.

The act proposes that the Federal Government finance minimum annual welfare payments of $500 for each of the first two members of a family and $300 for each additional member. This means that a family of four, the statistical average American family, would be entitled to $1,600. This amount would be supplemented by State payments so that no family would receive less under the act than it presently receives. Add to this the fact that welfare recipients will be able to obtain $16 worth of federally financed food stamps for every $10 they spend on the stamps, and it works out to an additional $800 or so in welfare benefits. We are really, then talking about $2,400 in guaranteed benefits for a family of four, which is nothing more, nothing less than a guaranteed annual income. Calling it an income maintenance floor does not change anything but the name by which it is referred to.

I am unalterably opposed to a guaranteed annual income system. I believe it would wreck our incentive system of production, the system that coupled with the free enterprise system, has brought the United States to the productive heights it has achieved today. People just would not work, if they could get paid for not working. This is not a blanket indictment, however, for some people would work anyway. But if people get something for nothing, it generally would erode their will to work and contribute to society.

Another objection I have to the proposed bill is that it would add about 15 million new individuals to the welfare rolls. In my mind, this would not solve our welfare problem, it would just increase it.

I also object to the $4.4 billion that the program will cost, and this is just for the first year of its operation. I do not believe that this program would be exempt from the bureaucratic pressures that accompany all other Federal efforts, pressures that turn small Federal programs into gigantic ones, and minimal Federal expenditures into excessive and wasteful ones. This is the very nature of the bureaucratic process. And this is one chief reason why I believe the Government should keep its activities to the bare irreducible minimum.

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Moreover, I do not think that the Federal Government should even consider spending $4.4 billion on a new welfare program when this Nation is locked in a titanic struggle with inflation. Particularly when $2.1 billion will be allocated just to cover the welfare costs of the 15 million new welfare recipients that will be added by the act.

Finally, while public assistance certainly should be given the sick, the blind, the disabled, and the needy young, I do not think that public assistance should be given to the working poor. By including them and restructuring the welfare system along the lines of a guaranteed income approach, welfare is made more comfortable and respectable rather than less so. It gives it more of the color of an "inalienable right" rather than the true color of "temporary maintenance" as was originally envisioned by the architects of welfare.

I would think my colleagues could profit well by harking to the words of the father of the New Deal, President Franklin D. Roosevelt. He said in 1935:

> The Federal Government must and shall quit this business of relief—continued dependence upon relief induces a spiritual and moral disintegration, fundamentally destructive to the national fiber. To dole out relief in this way is to administer a narcotic, a subtle destroyer of the human spirit.

Mr. Chairman, I believe that the Family Assistant Act, despite all its rhetoric of workfare and job incentives, is basically a program giving people "something for nothing." In my view, this is the least effective way to help people help themselves.

Mr. ASHBROOK. Mr. Chairman, I am not going to take time in outlining what I feel are some of the problems involved in this legislation and some of the shortcomings but, rather, to raise some specific questions. My basic objections have already been summarized in the RECORD.

Having worked with this for better than a month in trying to reduce the written legislation into actual dollars-and-cents figures, I can guarantee you it is a very, very difficult thing to do. It is going to be contingent upon many different interpretations in the various States and in HEW.

Mr. Chairman, I think one of the basic weaknesses I see in the program is the argument that bringing the program to the Federal level will automatically straighten out all of the problems in the States. I think most of us find that argument just a little bit hollow. We are never completely sure that HEW intends to carry out even the stated intention of the Congress, let alone straighten out the problem.

However, Mr. Chairman, I would like to raise several specific questions and I would ask the able chairman of the Committee on Ways and Means, the gentleman from Arkansas (Mr. MILLS), for the purpose of legislative history several questions.

On page 33 of the committee report there is language which I think will be most difficult to interpret. In the middle of the page it says:

> It is not intended by your committee that these programs should provide assistance which would be supportive of firms or industries which have high rates of turnover of labor because of low wages, seasonality or other factors.

I would ask the able chairman whether or not he has some concern in the administration of this program, and the regulations that will carry it out, whether or not this in effect would not in the future likely remove the tendency for employment security offices to refer potential workers in so-called work incentive programs to what might be called marginal industries. These would include hotels, motels, laundries and restaurants which traditionally have been low-wage industries. Does the gentleman see any danger in putting language such as this in the bill? Would its effect be to make it unlikely to refer people to such low-income industries?

Mr. MILLS. If the gentleman will yield, yes, I would not deny that there is some problem. What we are trying to do in the report, as I am sure the gentleman in the well knows, is to give some clarity or better guideline to the Department of Labor in the establishment of regulations as to the feeling of the committee, at least, about these matters.

We do not want these people to be working in just seasonal jobs if we can find for them annual jobs. We do not want to put them into all of these low-paying jobs, because we think some of them as a result of training, particularly those that have as much as a high school education, can be trained for better paying jobs.

Mr. ASHBROOK. But will the gentleman agree that while it is the legislative intent to encourage getting these people the best jobs possible——

Mr. MILLS. That is right.

Mr. ASHBROOK. That it could very well give some future bureaucrat from the Department of HEW or Labor the option of saying "Wait, we are not going to send these people to the lower paying industries such as restaurants, laundries, motels, and hotels"?

Mr. MILLS. No. That is not intended.

Mr. ASHBROOK. Because these are, in the language of the committee, low-wage industries?

Mr. MILLS. No.

Mr. ASHBROOK. Everybody knows they are low-wage industries, but they might possibly form the only jobs available to them.

Mr. MILLS. If they were full-time jobs they might conform.

Mr. ASHBROOK. So it is not the intention of the committee to rule out what might be called future employment in the low-wage industries?

Mr. MILLS. We are not overlooking the fact that some people may be assigned to low-wage jobs, and they may not be all assigned to a full-time annual job in the very beginning.

Some of them may have to take some seasonal jobs to begin with, but we hope the bulk of them will not.

Mr. BYRNES of Wisconsin. I think since we might be trying to make a little legislative history, I think first of all we do not rule out any job.

Mr. MILLS. No. No; we do not.

Mr. BYRNES of Wisconsin. It is not our intention to exclude any jobs because the whole thrust and purpose of this bill is to get people into a posture to help themselves. We want to make the job basically compatible for that individual, but there is nothing in the bill that says they can hold out for a high skilled job when there is a lower skilled opportunity available right now.

Mr. MILLS. That is correct.

Mr. ASHBROOK. I think the gentleman is correct. I certainly agree with the concept and the desire, it is obvious that everybody would like to be in high paid employment, but I think some of us have fears that in the social climate in which we live, and possibly because of bureaucratic regulations, there is a strong likelihood that people will not be referred to jobs of this type simply because they are at the lower rung of the economic ladder.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman.

Mr. BYRNES of Wisconsin. That is one of the reasons we went into detail on some of these criteria. We wanted to make sure that the Secretary could substitute his own subjective judgment for the intent of the committee and the Congress.

If this person had very little work experience or no work experience, then of course he is going to have to take a lower paying job. He is going to have to take a lower job consistent with his background. In other words, we do not rule out any jobs. He has to recognize that while maybe the job that is open is not a particularly desirable job, the person who has not had that work or experience, can fill that job and acquire work experience and discipline that will enable himself to qualify for a better job in the future.

Mr. ASHBROOK. I think the gentleman is certainly optimistic in his outlook. Having had a little more experience with HEW guidelines and Department of Labor guidelines, I would have to observe somewhat facetiously—I am afraid not as facetiously as it might seem—that I will sit back and wait for the very first person who is denied his family assistance because he refused to accept one of these lower rung jobs. If that time comes, I will frankly tell you that you are right and I am wrong—but I am not going to hold my breath until that happens, I will tell the gentleman.

Mr. BYRNES of Wisconsin. Let me say for the record that there is an additional aspect of this that we had better recognize and that the Secretary of Labor should recognize—and I think he does. The entire work incentive program has two purposes. One is the betterment of the individual. But also there will be reduction in the cost of the program that will enable us to keep it within bounds when individuals work. We cannot continue the present program because it does not encourage people to go to work at all. That is why the costs are running up as much as they are. The Secretary has a definite obligation under this bill, not only as to the welfare of these individuals, but also to the Treasury of the United States to see that these people get to work.

Mr. ASHBROOK. I thank the gentleman for that, and I appreciate the gentleman making that legislative history.

I have one last question which I would direct to the distinguished chairman or the ranking minority member.

Again, consider one of the premises that I happen to believe is a little weak in argument—although I think what the gentleman from Arkansas and the gentleman from Wisconsin are saying is accurate in concept.

Most of us worry about how it is going to work out in its actual implementation. One of the things I think is fairly weak in its premise is adding anywhere from 11 to 13 million on what might be called the welfare rolls on the theory that the program will work and they will work themselves off the welfare rolls. Another faulty premise is that the program in the long run will cost less.

I would like to ask one specific question as to whether or not either the gentleman from Arkansas or the gentleman from Wisconsin, either one, do not have some misgivings on these premises.

Does the gentleman honestly feel that over a reasonable period of time these people, the 11 or 12 million people being added, will in fact work themselves off the rolls?

I think it is clear that there is not a strong work incentive in this legislation. Anybody who has any doubt can look at pages 11875–11876 of the RECORD of yesterday. If there is not a strong built-in work incentive, can we honestly build such a superstructure on the theory that they will work themselves off the rolls and the coverage of this bill over a period of time?

Will the gentleman respond to that?

Mr. MILLS. Yes; I will be glad to.

No one, may I say to the gentleman, on the Committee on Ways and Means or anywhere in the Government can tell you with any degree of precision that we will work all of these people into better paying jobs or will work them all off of welfare.

There are two reasons, in my opinion, why we are justified in offering the working poor this incentive to take training. Those we are talking of largely are full-time employees which means they are working 40 hours or more than 30 hours a week. They apparently are not making enough to provide the income for their family sufficiently to provide them with these basic necessities of life.

There is the danger first that they may find out that their welfare program, in the State of Ohio or the State of New York or elsewhere, will pay them more money and give them more take-home pay than they can make while earning on a job.

If that is the threat, why do we not offer them this supplemental income while they are working full time in return for their taking training? In theory, it is good. I have said all the way through the success of the program depends entirely, in my opinion, on the attention that is given these individuals on an individual basis by the employment security agencies of all of our States, but I would not want to tell you that, I could assure you. I do not believe anybody would say that. But this is legislatively an improvement, I think, in every way.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MILLS. Mr. Chairman, I yield to the gentleman from Louisiana (Mr. WAGGONNER) such time as he desires.

Mr. WAGGONNER. Mr. Chairman, my August 1966 newsletter was titled, "Full Scale Socialism for All Advocated in Advisory Council Recommendation." The opening lines of that newsletter were these:

> In a 148-page report the like of which no Socialist dreamer ever dared propose seriously before, a Committee of "Great Society" planners has recommended to the Secretary of Health, Education and Welfare that a program should be undertaken immediately to provide every man, woman and child in the United States a guaranteed annual income.

In August of 1966, this was only a recommendation to the Johnson administration. Less than 4 years later, today, we find this is a proposal by the Nixon administration. This dream of every Socialist of having the Government guarantee him an income is wrapped up in the bill we are now considering.

As was to be expected, the minute this guaranteed annual income feature was unveiled last year, the bandwagon started to roll. The predictable gaggle of liberals, leftists, and radicals were, at first, astounded that a supposedly conservative Republican administration was proposing national welfarism in a greater magnitude than even the most liberal Democrat in the history of the Nation. They regained their composure quickly, if not their intelligence, and began an outpouring of statements, position papers and conferences calling for increases that stagger the imagination and would empty the pocketbooks of the working public. No sum, it seems, is too much to take from the pockets of the taxpayers and dole out to those unwilling to work. I used the word "unwilling" only after making a careful choice among many words, because anyone willing to work today, except for the lame, the halt and the blind, can find a job by simply picking up a newspaper and reading the begging help wanted ads.

The proposal before us calls for a cash donation of $1,600 per year to every family of four in the United States whose income is under that figure, or whatever it takes to reach that sum plus an additional $860 in food stamps, for a total of $2,460, all of which is, of course, tax free. And it must be remembered that this is only the beginning. Each year, the demand from the welfare receivers and their liberal representatives in and out of the Congress will be irresistible. The figures will climb with the regularity of the sun in the sky.

This was made crystal clear by Mr. R. E. Patricelli, Deputy Assistant Secretary of Health, Education, and Welfare, when he addressed a meeting of Catholic Charities of the Archdiocese of New York late last year. He said:

> When the budgetary situation improves, we might look toward increases in the federal base payment.

He also stated that the program "should be made universal," meaning that childless couples and single persons should also be included in the future.

No one believes more than I that the present welfare system needs a massive overhaul. I agree with the President when he says it is a failure. It has robbed a significant portion of the population of their will or interest in providing for themselves; it has made them wards of the state. But what is needed is not an overhaul which more than doubles the number now on the rolls as this proposal would—not an overhaul which adds another $4½ billion to the already staggering burden of welfare costs as this proposal would.

In the past 10 years, the number of people receiving some form of relief assistance has increased 52 percent and the cost of these programs has advanced 211 percent. All of this in only 10 years. It is now estimated that the Federal, State, and local costs exceed $72 billion per year.

And, needless to add, each of these $72 billion comes out of the pocket of the taxpayers who work for their livelihood.

Third- and fourth-generation families are now appearing on the welfare rolls, demanding higher and higher payments and less and less supervision of what they use the money for or whether or not they are even eligible for the payments. Welfare is, many now claim, their "constitutional right," an attitude which has been upheld more than once recently by various courts. The traditional concept of welfare as temporary assistance for those who are in need because of reasons beyond their control, no longer exists.

In an effort to soft-pedal the full, socialist impact of this proposal, the Nixon administration is attempting to sell it as a "work fare" proposal. If it were this, it would be more acceptable, but an examination of the facts reveals that the work requirements are almost nonexistent and those that do exist are unenforceable.

There are presently 9,600,000 persons now on welfare. Of these, exactly half are children; 1,500,000 are their mothers; 2,000,000 are aged; 728,000 are disabled; and 80,000 are blind. All of these would be exempt from work under exemptions provided by the Nixon proposal. This leaves 500,000—or one-nineteenth—who would be eligible for work. But, even then, there is another catch. These 500,000 would be required to accept only those jobs which are, in the opinion of the Secretary of Labor, "suitable." Would he, some future Secretary or some liberal adviser or employment security official consider a job as a dishwasher "suitable"? Or as a janitor, a lawncutter, maid, busboy, window cleaner or any of the other such manual labor jobs which the unemployed says are "demeaning"? I frankly doubt it.

This program, like many Federal programs, is offered up as the total answer to all the problems of the poor. Yet I cannot help but recall that, a few short years ago, the so-called poverty program was sold to the Congress and the people as being the one sure way of ending poverty and welfare in this Nation forever. Countless billions of wasted dollars later, the program is in a shambles, having done little for the poor but a great deal for the manipulators of the poor and the leeches who feed off the misery of others. Other impractical, visionary programs have likewise failed to live up to their publicity.

This proposal, in the jubilant words of liberal-leftist James Reston, "proposes more welfare, more people on public assistance than has any other President in the history of the Republic." It goes far beyond the socialist's dream of providing for each according to his needs. This proposal provides where there is no need and does not require that need even be demonstrated.

There is a need in this country for a welfare program, honestly administered, to assist the needy who are needy for no fault of their own, for the aged, the lame, the halt, and the blind. This kind of program I have supported and will always support. There is a need also for a program of temporary assistance for the willing and able-bodied who cannot find jobs; a program that requires some form of public work in the interim to pay for their support by the public. But, in this time of unparalleled prosperity, of jobs crying for workers, of opportunities for all regardless of race, sex, creed, or color, there is no justification for turning this Nation into a socialist welfare state. What's wrong with a guaranteed annual income? Nothing, if you believe in socialism. Everything, if, like me, you believe in democracy and the free enterprise system.

A number of items have appeared in the press since this proposal was first unveiled that I would like to include here at the end of my remarks because it is vital to me that the record show that there was no doubt but that this Congress knew the road it was taking this country down when it enacted this legislation. It would be convenient, in years to come, for those who are going to vote for this bill to say they had no idea that it would develop into what it will be before many years go by. I want to close that escape route so that every man who votes for this proposal will have to admit that the facts were on the table but he chose to ignore them. These are the items I have in mind.

From the February 24, 1970, issue of National Review:

The Nixon Plan: Compounding the Welfare Mess

(By Henry Hazlitt)

Ironically, the professional staff of the House Ways and Means Committee, a group controlled by the Democrats, has criticized the Republican Nixon welfare program chiefly from a conservative point of view.

The staff analysis asserts that, by extending welfare to working families, "the government, in a sense, would be telling a working father that he is officially not capable of supporting his family at what the government believes is the necessary level. One possible reaction of some fathers may be to let the government take over the job of completing supporting his family." Another criticism is that when he looks at how the plan applies to his family, a father "may soon realize that the only way for him to increase his income is to have a larger family. . . ." A third criticism is that some families might buy goods to reduce their cash assets, "a color TV, for example." A fourth is that "government supplements to the wages of the working poor could create a subsidized pool of cheap labor to employers."

This report, however, no doubt inspired by Committee Chairman Wilbur D. Mills, by no means assures that the Democratic Congress will flatly reject the Nixon plan. More likely it will put together a welfare package that the Democrats can call their own, and outbid even the Nixon plan in total cost.

Because the President's proposal, which he first put forward on television on August 8, was couched entirely in the rhetoric of conservatism, many conservatives were misled, and it was weeks before the plan received effective criticism. By far the best analysis is the 23-page study put out by the American Conservative Union. Among the points it makes are these:

The new plan makes it more comfortable to be on welfare, both by eliminating any means test and by increasing benefits for many welfare clients while decreasing benefits for none.

Mr. Nixon proposes that the federal level be $1,600 for a family of four with no outside income. A family of ten would be eligible to receive an income of $3,400 a year from the Federal Government, with any state allowance in addition.

One great danger in federalizing welfare is the new opportunity it provides for manipulation by organized groups. Welfarists will be able to concentrate all their pressures directly on Washington. This very tactic has often been employed to force increases in Social Security benefits and minimum wage laws. Already the AFL–CIO and other pressure groups are attacking President Nixon's recommendation of $1,600 maximum annual payment to a family of four as totally inadequate. They demand no less than a full $3,500, the minimum federal poverty level income.

The program will more than double the number of welfare recipients, adding twelve million more to the nearly ten million already on the rolls.

It will cause an initial increase of $5 billion in the federal budget, and perhaps double that.

It was put forward as a "workfare" program. "Everyone," said Mr. Nixon, "who accepts benefits must accept work or training, provided suitable jobs are available. . . . The only exceptions would be those unable to work and mothers of pre-school children." But the ACU points out that after we deduct the blind, the disabled, the aged, the children and the mothers of pre-school children from the 9.6 million people now receiving aid, only about 500,000 or 5 percent, would be required to accept work or receive job training under the Nixon plan. Whether the work requirement could be enforced even for these is more than doubtful. Already the professional welfare advocates are charging that any work requirement would amount to "involuntary servitude."

The Administration itself has greatly expanded the program since it was announced. White House aides said at first that the Family Security plan would at least eliminate food stamps. A few months later they announced that food stamps would not only remain, but that the annual appropriation for them would be doubled. This means that each family of four would not receive a federally guaranteed annual income of $1,600 (not counting state payments) but an additional food stamp allotment bringing the total federally paid income to $2,380.

The Nixon plan is in fact a "guaranteed annual income." The President himself said on December 8: "All of us want the poor to have a minimum floor [under their income], and that floor to be as high as possible." In other words, a person who will not work has a "right" to live permanently off the earnings of another man who can and does.

To these cogent criticisms I would like to add one point that has been generally neglected. Mr. Nixon deplores the wide state-by-state variations in relief payments. He claims as an outstanding merit of his plan that it would provide, if not uniformity, at least a "basic national minimum payment" everywhere. But this overlooks the wide divergencies in prevailing income and living standards among the states. The 1960 census showed that the median money income of families in Connecticut was 138 per cent greater than of families in Mississippi—or inversely, that the median income of Mississippi families was only 42 per cent of that of Connecticut families, with other states diverging within this range.

This means that even a uniform minimum national income guarantee that might do relatively minor harm in California or the Northeast would be so high compared with prevailing earned incomes in the Deep South as to tempt a third or more of the population to quit their jobs and climb aboard the welfare wagon, or to draw supplemental handouts. This could put a tremendous strain on precisely the state budgets that could least afford it.

A uniform minimum national welfare handout, in a nation with divergencies of up to 138 per cent in median earned family incomes among the states, would create far more serious problems than any it might solve.

From the report, "Solution or Socialism," prepared by the American Conservative Union:

In Conclusion

In any evaluation of the Nixon welfare proposals, conservatives must look beneath the rhetoric, to which they are eager to respond, and seek out the substantive purpose. Viewed in this light, the Nixon welfare reform can be seen simply as a program which will *more than double the welfare rolls,* and add 12 million new recipients of Federal welfare payments to the nearly 10 million already on the rolls.

The program will cause an initial increase of $5 billion in the Federal budget, half of which will go to direct payments to welfare families, old and new. This is a quantum jump in the number of welfare clients and in Federal spending on welfare.

Though conservatives were almost alone a few years ago as critics of the welfare system, today everyone—conservatives, liberals, radicals—can agree with President Nixon that "nowhere has the failure of government been more tragically apparent than in its efforts to aid the poor, and especially in the system of public welfare." When one gets down to the philosophy behind this statement the conservative differs markedly from the present day liberal or radical.

President Nixon is proposing not only to expand welfare, but also to establish it on a more legitimate footing by calling it "family assistance", eliminating the means test, and administering it through the Social Se-

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curity Administration. Only the inclusion of a work requirement saves Nixon from advocating the complete liberal package—welfare as a right of any American.

The Nixon program, despite its doubtless sincere intentions, will in the long run greatly exacerbate the "welfare mess" for three basic reasons:

(1) It makes welfare more comfortable when it should be made less comfortable.

(2) By moving toward a guaranteed income, it makes welfare more respectable, more of a "right" when it should be made less respectable, less of a "right."

(3) It drastically increases the number of recipients, thus risking corrupting 12 million more American citizens, when desperate efforts ought to be made to decrease the number of persons receiving unearned checks from government.

In a 1935 message to Congress, President Franklin D. Roosevelt said: "The Federal government must and shall quit this business of relief—continued dependence upon relief induces a spiritual and moral disintegration, fundamentally destructive to the national fibre. To dole out relief in this way is to administer a narcotic, a subtle destroyer of the human spirit."

While subsequent history showed that FDR's fears were well-founded, few recall that even he had begun his "New Deal" with the good intention of getting the government out of the "business of relief." Today, few would doubt that President Nixon's intentions are the same—to get people off welfare.

Yet there is truth in a statement made by Secretary of Housing and Urban Development George Romney. In discussions about the welfare program with President Nixon, the Secretary recalls that he told the President, "You shouldn't just hand people things . . . the least effective way to help people is just to give them something." Whether this proposition is true or false is perhaps the most important question that the Congress will have to decide in acting on President Nixon's welfare proposals in 1970.

From the September 2 issue of the National Review Bulletin:

AT HOME

(By M. Stanton Evans)

Will the "new federalism" proclaimed by President Nixon in the field of social welfare cure the Nation's relief problems or make them worse?

The Nixon program starts from a commendable awareness that the present welfare system has failed, and it is apparent the President and his advisers have given a good deal of thought to the various components of that failure. In particular, they have focused closely on those aspects of the existing system which draw people out of the work force rather than into it, and break up families as a condition of relief payments.

Whether the affirmative part of the Nixon presentation will overcome these deficiencies, however, is another question. Although the stated intention is to transfer as many people as possible from the welfare rolls to positions of employment, the net effect of the "new federalism" as outlined by the President and his subordinates could easily be the reverse. As the Administration spokesmen acknowledge, everything depends on the effectiveness of various "work incentives" to be built into the program.

In its opening phases, the Nixon plan runs clearly counter to the "less relief" idea, since it would cause an estimated doubling of the number of people receiving assistance (from ten million to 22.4 million) and would almost double the cost (another $4 billion a year or so on top of the existing $5 billion). It is this development which causes liberal James Reston to rejoice that Nixon "proposes more welfare more people on public assistance . . . than any other President in the history of the republic."

The Nixon planners argue that the increase is only a short-term matter, that the upward relief cycle will be broken by the "work incentives." The success of the program therefore rests entirely on these provisions, which include stepladder payments whereby a portion of relief funds will be continued even if earned income is received, day-care centers to tend the children of welfare mothers who seek employment, and a requirement that able-bodied relief recipients accept offers of work or training, or else lose their benefits.

Examination of the data made available so far suggests these incentives may not be enough to overcome the contrary push of increased payments and broadened coverage. Once guaranteed payments of $1,600 a year for a family of four are voted by Congress, the pressures for increasing the floor levels will be enormous.

It is indicative, in fact, that major criticisms of the Nixon proposal from the liberal sector have centered on the charge that payment levels are not high enough—that the plan doesn't do anything financially for relief recipients in big-city areas who are already getting as much as or more than the "floor" Nixon is urging. Given the power and persistence of the spending lobbies in many localities, it is probable that a drive will be launched in the larger states to add the federal guarantee money to high-level state benefits, rather than substituting the federal funds for them.

This would create a fat schedule of benefits running strongly counter to the work incentive idea. Recipients who can get all or most of the existing payments in certain big-city states, *plus* some portion of the federal money, would have less reason to seek employment, not more. Such an arrangement would, of course, also maintain the discrepancy between state payment levels which the program is supposed to eliminate. As explained by Nixon spokesmen in recent press briefings, there would be nothing to prevent this from occurring. The official prospectus simply says "no state . . . is required to spend more than 90%" of its existing outlay in the covered categories.

Add to these considerations the fact that "family assistance" does not affect the existence of countless other welfare provisions apart from aid to dependent children, the aged, the blind and the disabled. The Nixon guarantee, rather than becoming a complete welfare substitute as envisioned by Prof. Milton Friedman, would be laid on top of a system containing countless subsidies and restrictions which serve to discourage employment. The documented effects of the minimum wage is pushing marginal workers out of jobs, and the obvious counterincentive of high unemployment payments, suggest the nature of this difficulty.

Granted that the stepladder provisions for aid to the working poor would eliminate at least one positive incentive to idleness, the absence of negative incentives against idleness would be even more noticeable than it is today. This potential problem is accentuated by the fact that. under the Nixon program, there will be only perfunctory efforts to guard against fraud. Eligibility will be determined by a simple declaration from the relief recipient, confirmed by occasional spot checks.

Finally, there is the question of the "work requirement" provision which would deny assistance to anyone who did not accept a job or training. Will Congress actually vote a tough requirement to this effect? And if it does, who is going to make the hard-nosed and possibly unjust decision that a given individual and his family be thrown out into the cold for refusing offered opportunities?

In short, the Nixon program would make it virtually certain that the number of people receiving relief payments in the relevant categories would be more than doubled. But whether it would subsequently succeed in moving these recipients into the active work force seems very uncertain indeed.

From the January 31, 1970, issue of Human Events:

FOOT-IN-THE-DOOR WELFARE PLAN

Just days before President Nixon was touting his No. 1 legislative priority—welfare reform—in his State of the Union message, a key Administration official revealed to a pro-welfare group in New York the truly revolutionary nature of the program. Moreover, this same official indicated it would not only be extremely costly to the taxpayer, but that its passage would probably be the first step toward an even greater outpouring of lavish welfare benefits—an outpouring that the Nixon Administration appears to actually welcome.

Though this official didn't exactly say so, the thrust of his remarks suggests the Nixon package is designed to clear the way for a complete federal takeover of welfare and the start of a guaranteed annual income for every person that falls below the upward spiraling "poverty line."

Speaking to a meeting of the Catholic Charities of the Archdiocese of New York, Robert E. Patricelli, deputy assistant secretary of health, education and welfare and the Administration's chief lobbyist for the measure, frankly acknowledged the mammoth size of the "reform" package.

."The total cost in *new* federal dollars of the proposal," he stated—and some think vastly understated—"is $4.4 billion per year, and the coverage under the Family Assistance portion of the program will be some 25 million people—up from the present 10 million recipients [emphasis ours]."

While the common conception is that the federal government will provide only $1,600 yearly to a family of four, Patricelli pointed out that to "that $1,600 base must also be added the expanded food stamp subsidies which the President has proposed and which the Administration has already moved to implement as much as possible by administrative action. Under that program, a family of four receiving $1,600 in Family Assistance benefits would also receive about $860 in food stamp subsidies for a total package of $2,460 in federal income maintenance payments" And all this, of course, is to be supplemented by state payments.

Yet, suggested Patricelli, this was just the beginning. "First and quite properly," he remarked, "our critics point out that the Family Assistance Plan is not universal in its coverage. It does not provide federal assistance to non-aged childless couples or single persons. But that omission in the plan traces not to any disagreement in principle with the need to cover such persons, but rather to the need to accommodate to what we hope will be short-term budgetary limitations.

"Within the $4.4 billion available, we chose to place our emphasis upon families with children, but there is no disagreement in principle that the system should be made universal when resources permit."

Second, said Patricelli, "critics point out that $1,600 for a family of four is far from adequate. That, too, is certainly the case and we have never suggested that the Family Assistance Plan provides a guaranteed *adequate* income. It does, however, when combined with food stamps, provide over two-thirds of the amount up to the poverty line. . . . Again, when and if the budgetary situation improves, we might look toward increases in the federal base payment."

Thus, even before the legislation is launched, Administration spokesmen are

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selling the program to welfare pressure groups—those that can effectively lobby Congress—by stressing that the Nixon welfare package is just a foot-in-the-door proposal.

Contrary to initial impressions conveyed by the Nixon Administration, furthermore, the new welfare program is a giant leap away from the President's concept of a "New Federalism" that would return powers to the states. Patricelli himself thinks the welfare system "should ultimately be fully administered by the federal government and financed wholly or in major part by that level of government." Financial "incentives" in the Nixon proposal, in fact, would help "persuade" the state governments to turn over their own welfare programs to the federal Social Security Administration.

"This would be," said Patricelli, "to my knowledge, an unprecedented arrangement in federal-state relations—an upstream delegation by the states to the federal government for the administration of a wholly state-financed program."

Nor does this exhaust the astonishing aspects of this proposal. A central feature of the President's initiative that had a certain appeal to the public was the "workfare" formula requiring all able-bodied welfare recipients (excepting mothers of pre-school children) to accept either training or suitable jobs so they could work themselves off welfare.

Yet this ingredient is far less revolutionary than originally believed, for a similar "workfare" formula is continued in the current welfare program, the Aid to Families with Dependent Children (AFDC).

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Under 1967 amendments to the Social Security Act, mothers in the AFDC program were to seek work training. The legislation provides that an attempt be made to find jobs for those who are employable and that those in need of training be trained and given $30 a month as incentive payment. Those who refuse to accept work or undertake training are to lose their welfare benefits. The legislation also provides 80 per cent federal matching funds for the cost of the work training program and day-care centers for pre-school children of mothers in training or on jobs.

Despite these supposed "workfare" provisions, however, the number of persons on AFDC has increased substantially and the federal contribution has soared more than $500 million. Patricelli himself told *Human Events* that these provisions "hadn't worked as well as anybody wanted them to work. . . ."

The Administration proposal, nevertheless, is deliberately designed to weaken the existing workfare formula. Many people, says Patricelli, have criticized the inclusion in the Nixon welfare plan of the "work requirement which they feel is regressive and punitive." In fact, says Patricelli, "President Nixon's work requirement does represent a significant liberalization of the similar requirement found in the present law, for it does exempt women with children under six from its operation, and it does require that jobs provided be 'suitable' under guidelines to be established by the secretary of labor."

As Patricelli suggests, then, the Nixon "workfare" proposal, under the guidance of a secretary of labor and a juggling of the word "suitable," will actually make it less compelling for a welfare recipient to take a job and more easy for him to take welfare than the current law provides—even though the current law has also failed to prevent the mushrooming of welfare rolls.

In short, President Nixon appears intent on fastening upon the nation and his party one of the costliest welfare programs ever devised. Thus, *Human Events* readers are advised to write their congressmen and tell them they are opposed to this "welfare reform" package. Do the Republicans, it should be asked, wish to be known as the "welfare" party, the party that added 15 million people to the relief rolls?

From the March 24, 1970, issue of National Review:

DEEPER AND DEEPER STILL

President Nixon's "Family Assistance Plan" has something for almost everyone: more money for those on welfare, larger welfare rolls and higher taxes for the nation, and trouble for the Republican Party. Little wonder that the liberals of the House Democratic Study Group have lined up behind the bill; little wonder that Democrat Wilbur Mills has suddenly decided that it is a fine thing, eminently deserving of his services as floor manager now that it has been approved by his Ways and Means Committee.

Time was when the Nixon welfare plan had, or seemed to have, something for conservatives as well. When the plan was unveiled last August, conservatives welcomed it—because it was Richard Nixon's and because it seemed to be a giant step toward dismantling the existing Charles Addams welfare edifice and replacing it with something sane, realistic and workable. But it soon became apparent that after all, all that was contemplated was the adding of yet another wing—and that (in liberal Hugh Scott's phrase) the conservatives were getting the rhetoric while the liberals got the action.

Conservatives were soon reminded of one of their own first principles: That government programs tend inevitably to grow in size and cost. On August 8, Nixon stated clearly that "for dependent families there will be an orderly substitution of food stamps by the new direct monetary payments." By August 19, a member of the Presidential staff with a vested interest in the continuation of the food stamp program was saying "both [food stamps *and* income supplements] are essential and will continue together for some time." Came the autumn, and food stamps were officially back in; came the 1971 budget, and the Administration was asking that the appropriation for them be doubled. Similarly, Nixon began by calling for a minimum $65 monthly payment to the blind, aged and disabled. When the bill embodying his welfare plan was drawn up, the minimum was found to have jumped to $90. By the time the bill cleared Ways and Means, the figure was $110.

Indeed, when stripped of rhetoric about "workfare" and "family assistance," the Nixon welfare plan emerges as an extension of the present non-system. Where ten million people now receive $5 billion annually in federal welfare payments, 25 million will receive at least $10 billion. And no one, liberal or conservative, will seriously contend that those antes will not be upped considerably in years to come. "Work incentives"? When the aged, the disabled and mothers of preschool children are subtracted from the ten million now on relief, about 500,000 able-bodied unemployed are left; work incentive and training programs aimed at those 500,000 have so far resulted in a mere handful working themselves off the relief rolls. Helping the "working poor" (fifteen million of whom will receive government checks if the Nixon plan becomes law)? But many poor people who have hitherto managed to support themselves will decide, once the checks start coming in, to let the government carry the whole load. Most important, the principle will have been established once and for all that welfare is a way of life, a permanent condition, rather than a temporary leg-up.

And so Democrats will support the welfare bill—liberal Democrats, because it continues, on an enlarged basis, the system they love so well; all Democrats, because Nixon's welfare plan can only damage his standing with the job-holding, taxpaying majority that elected him. So far, most Republicans are lining up obediently, because the bill is a Republican President's. National Review regretfully joins others in the conservative mainstream in urging the defeat of this welfare scheme—on grounds that its passage will be a victory that neither the President nor the nation can afford.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa (Mr. SCHERLE).

Mr. SCHERLE. Mr. Chairman, I favored an open rule on H.R. 16311 because I believe there are simply too many unanswered questions surrounding the Family Assistance Act of 1970.

My primary concern about the legislation is its workability. President Nixon last February told the National Governors Conference here in Washington that the family assistance program, and I quote here "has never been tried, not tried on a national basis. I cannot guarantee that the new family assistance program will work," he told the Governors.

As a matter of fact, a check by my office with the Department of Labor has revealed that there will be no pilot program on the family assistance program until August of this year when the entire State of Vermont will be used as a FAP guinea pig. In other words, Mr. Chairman, the passage of this sweeping welfare reform message was asked of Congress 1 year before a pilot study of the program was instituted to see if it would work. Thus, in effect, we are asked to hop aboard a plane which has never been flight-tested.

There has been a work incentive pilot program conducted in New Jersey to study the effect of Federal supplements on the so-called working poor. But this study did not address itself to the key question; that is, how many of those people receiving Federal payments in the New Jersey project ultimately worked themselves entirely off the welfare roll. I asked OEO, "Who paid for the study?" and was told that the data had not been computed and anyway it was "irrelevant."

Another note on work incentives. The White House recently sent out a booklet entitled "The Family Assistance Plan: Questions and Answers." In this publication, it was stated that FAP remedies the present WIN—work incentive—program in six ways. It then went on to enumerate the ways. I am a bit puzzled as to how anyone at this point knows what improvements to make on the present WIN program since an official government evaluation of the 1967 work incentive program is not due until July 1 of this year. Thus it seems that any program built upon a new, improved WIN program is on very shaky ground since we do not yet fully understand the inadequacies of the program which is being improved.

Two other areas which I believe require much more debate are the cost and the coverage of this program.

While we have been most solemnly assured that the "startup" costs of this program will be $4.4 billion, the record is replete with Government programs whose costs have skyrocketed out of sight. A few examples:

Medicare. A headline in the April 3, 1970, Wall Street Journal tells us: "Hospitals To Get Higher Payments Under Medicare." The story says that under heavy pressure from hospitals, the Social Security Administration has decided to liberalize its payments to hospitals and nursing homes to the tune of an extra $60 million for fiscal 1970.

If you will recall, in 1965 it was estimated that medicare's hospital insurance for the elderly would cost $3.1 billion in 1970. Latest estimates now that 1970 is here stand at about $5.8 billion. In 1946, old-age and survivors pensions under social security were forecast at $5 billion for 1970. Actual costs will be about $27 billion.

The Federal highway system. A Library of Congress study has shown that the first estimates of this program were reported in 1948 to be $11.3 billion. In 1956, when the means of financing the system were changed, the total cost was $37.6 billion. In 1968, the estimated total cost of the system was put at $56.5 billion. At the present time revised estimates for the total cost are being prepared once again.

The way welfare costs tend to grow has been written about most interestingly by Harvard professor of government, Edward C. Banfield, in a recent article in the publication the Public Interest. Professor Banfield noted:

> Those who decide about the funding of a welfare system naturally base their decisions on estimates of the number of persons who will be eligible and will apply for benefits under its terms. Characteristically they underestimate these numbers seriously. They fail to realize that the substantial increase of benefits may induce many people to take steps—often simple ones that do not constitute "chiseling" by any stretch of the imagination—to reduce their incomes enough to make themselves eligible. They tend to assume that the percentage of eligibles actually applying will be no greater in the future than in the past. As a result of these errors, the demand for welfare frequently exceeds the amount of funds available and a "crisis" exists. Obviously the "crisis" could eventually be met by increasing appropriations if benefit levels were not allowed to rise further. In practice, however, they are allowed to rise, perhaps at an even faster rate than appropriations, and so the "crisis" grows.

One need not belabor the point here. We are all familiar with the propensity of Government programs to grow.

Now, how many people will be added to the welfare rolls by FAP? Again there are doubts.

U.S. News & World Report, in an article on the family assistance program, quotes the White House estimate at 12.4 million—in addition to the 10.1 million now on the rolls—but says "other Government agencies have sharply different sets of figures."

Indeed, in a speech to a Catholic charity group in New York City, one of the brain trust behind the family assistance program indicated that the plan should be expanded as soon as the budget would allow.

Responding to criticism that FAP was not universal enough in its coverage, Assistant Secretary of Health, Education, and Welfare Robert Patricelli said, and I quote:

> Omission in the plan traces not to any disagreement in principle with the need to cover such persons (non-aged childless couples and single persons), but rather to the need to accommodate what we hope will be short-term budgetary limitations. . . . [T]here is no disagreement that the system should be made universal when resources permit.

Mr. Patricelli, in that same speech, also stated that when and if the budgetary situation improves, quote:

> We might look toward increases in the Federal base payment.

How much more universality is planned when the budgetary condition improves? How much will the base payment be increased? At this point, we do not know. But it should be investigated.

Another vital question on which we must have an unequivocal answer is: Does the family assistance program constitute a guaranteed annual income? Again, to quote from the White House pamphlet, we are told that it does not. But there are disturbing indications that it is at least a large step in that direction.

In a speech to the National Jewish Welfare Board, the spiritual mentor behind FAP, Dr. Daniel P. Moynihan, described the family assistance program, and I quote:

> Simply put, it is a proposal to place a floor under the income of every American family. Whether the family is working or not. United or not. Deserving or not.

The press has also described the program as a guaranteed annual income.

Knight newspaper reporter James K. Batten, in a story about FAP in the Buffalo Evening News, wrote:

> We seem to be on the brink of a guaranteed income for all families.

How could it happen under a Republican President? Batten explained:

> The main reason seems to be this: A President like Richard Nixon, whose conservative credentials are in good order, is able to bring off a radical reform more easily than a liberal President like Mr. Johnson. Conservative critics would have shrieked that Mr. Johnson, always a suspect liberal, had finally gone off the deep end with a wild, left-wing scheme guaranteeing handouts to everybody. But nobody can accuse Mr. Nixon of being a wild-eyed radical.

Syndicated columnist Roscoe Drummond, writing in the Christian Science Monitor, called FAP, quote, "a significant stride toward a guaranteed annual income."

The Chicago Tribune, which originally spoke favorably of the family assistance program, editorialized on March 30, quote:

> The "work incentive" element of President Nixon's welfare reform proposal was introduced as a sugar coating for the guaranteed annual income pill.

Another aspect of FAP which I think should be more fully discussed, Mr. Chairman, is how eligibility will be determined. As I understand it, spot checks will be conducted of recipients on a random basis much like the IRS checks taxpayers. I do not believe this is sufficient. Examples of high rates of welfare ineligibility abound:

A recent statewide audit of the California AFDC rolls revealed an ineligibility rate of some 15 percent, representing a loss of $59 million a year.

A 1969 GAO check of AFDC rolls in New York City showed 10.7 percent of the families ineligible and 34.1 percent receiving overpayments. The combination of these two amounted to about a $74 million loss yearly just in the city.

Mr. Chairman, there is currently a controversial little ditty making the rounds entitled "Welfare Cadillac." One of the verses goes something like this:

> But things are still gonna get better, at least that's what I understand.
>
> They tell me this new President has put in a whole new poverty plan.

Well, I for one, do not share the optimism of the songwriter that this whole new poverty plan is going to make things better. And it is for this reason that I again urge that the family assistance program be debated more fully and brought to the floor of the House of Representatives under an open rule.

WORKFARE OR WELFARE?

Practically no one has a kind word to say about the current welfare system. It is costly and complicated to administer demeaning to its recipients, and often ineffectual to help them.

President Nixon's decision to attempt a complete overhaul of the system was therefore greeted with approval in most quarters. Many people evinced considerable enthusiasm for the basic aims of the proposed reforms. The administration hopes: First, to eliminate much of the bureaucratic redtape connected with a multitude of separate assistance programs, replacing them with a single income payment, and second, to provide at the same time an incentive for the heads of welfare families to work. These are undeniably admirable goals. But the mechanics of their implementation raise some serious questions about their effectiveness.

The core of the administration's plan is the replacement of the aid to families of dependent children—AFDC—program by a single annual grant to each family: $500 for each adult and $300 for every child, or $1,600 for a family of four. With a total of 6.6 million recipients receiving $3.5 billion, the present AFDC program accounts for fully two-thirds of the national welfare case load. It is also the fastest growing of all welfare programs.

The rest of the President's proposals are intended to insure the effectiveness of the first. Day-care centers for children and training programs for adults are designed to make it possible for welfare mothers to work. All able-bodied welfare recipients, except the mothers of preschool children, will be required to accept suitable employment, if available, as a condition for receiving financial aid. A cash bonus of $30 a month for enrolling in training programs furnishes an added incentive.

On the surface this sounds like a package with something for everybody: A guaranteed minimum income to please the liberals, and a simplified administration plus a work incentive plan to placate the conservatives. Upon closer examination, however, it appears that there are many pitfalls in the new arrangement.

The House Ways and Means Commit-

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tee approved the bill and sent it to the House floor as a complete package; that is, not subject to amendment. Several changes were made in the bill in committee, but they do not substantially alter the proposals. They do tend, however, to increase the Federal share of the financial burden.

The main thrust of the reform program remains centered around a guaranteed minimum income or benefit floor of $1,600 for a family of four, supplemented by Federal food stamps and State grants. Marginal earnings would not disqualify the members of the family for relief. They would remain eligible for welfare payments on a gradually decreasing scale until their income exceeded the poverty line—$3,500 annually for a family of four. Thus the head of a welfare family would have an incentive to work even while on welfare.

This plan contains a number of hidden drawbacks. First, it would greatly expand the welfare rolls, from approximately 11 to about 22 million. This would amount to 11 percent of the country's total population. Included under the new plan for the first time are working poor; that is, all those families whose income is less than $3,500 a year.

Then, too, the guaranteed minimum income is not intended to exclude other forms of assistance, but only to provide a floor for them. The Federal food stamp program will be continued. A family of four, for example, would receive an additional $750 worth of stamps, bringing their income up to about $2,350 a year. The States are also encouraged by means of a revenue-sharing program to supplement the minimum payment.

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The administration estimates that the cost of its reform will be $4.4 billion in the first year. One economist believes it could rise as high as $10 billion. Many Members of Congress fear that it will exceed the official estimate by at least $1 billion, if not more.

There is considerable concern in some quarters that the centralization of the welfare function under the Social Security Administration could result in more complicated bureaucracy, not less, despite the proposed simplification of investigatory procedures. All that will be required of a welfare applicant under the new system is an income statement. Followup investigations will be conducted as spot checks only. In itself, this provision could cost the taxpayer considerably in unauthorized welfare payments.

The work incentive portion of the plan raises questions, too. It has not been demonstrated to most people's satisfaction that the incentives are sufficiently strong to induce those who would not otherwise work to seek employment. Presumably the heads of working poor families are already earning as much as they can. Under the Nixon plan, a wage earner is allowed to keep a portion of every dollar he earns over $750 until his income passes the poverty line.

Further, since most of the people now on welfare are either young children, their mothers, or the old or disabled, the work requirement would actually apply to a mere fraction of the welfare rolls, some 500,000 recipients. It these applicants refuse to accept suitable employment, they would forfeit their portion of the allotment only. That is their dependents would still be entitled to their payment. Thus the hypothetical family of four could receive $1,100 plus their food stamps even if the father refused to work.

The definition of suitable employment, moreover, is anyone's guess. It is not clear whether the administration means "employment for which the applicant is qualified," or whether more subjective leeway is to be allowed in the definition and the applicant is to decide for himself what constitutes a suitable job.

In view of the problems and ambiguities inherent in the present proposals, it is doubtful whether such reforms would really improve the welfare mess. It is much more likely that they would only add to the confusion. I am therefore writing to Secretary of Health, Education, and Welfare, Robert H. Finch, to ask him to clarify the administration's position. Unless he can give some assurance that these problems will be solved, I cannot support this bill.

Mr. MILLS. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I associate myself with the remarks of the gentleman from Arkansas, the distinguished chairman of the committee yesterday. It seems to me that was one of the most enlightening descriptions of this proposal which I have seen anywhere.

Mr. Chairman, the present welfare system is in drastic need of overhaul, and the legislation proposed by the President and reported by the Ways and Means Committee would be an improvement over present law.

Nonetheless, I have some misgivings about what we are being asked to erect in its place. For one thing, it will cost considerably more than the President has estimated, in my judgment.

For another, the family assistance plan looks more like a cash-food-work program than a work-food-cash program, and for that reason none of us should be overly optimistic about it.

This proposal has been touted in some quarters as a workfare plan, but that is a misnomer. It is actually a guaranteed cash income plan, and I am concerned about its adequacy as a means of identifying and providing jobs.

The family assistance plan requires a head of household to take a job or enlist in a job-training program, provided a suitable one is available. This is a work incentive notion, and the Office of Economic Opportunity claims it has evidence that work incentives do what theory contends they will.

If the President really believes this evidence confirms his approach as the right one, then I will support him in it.

I believe we may need a greater emphasis on job training and job opportunities. There are several manpower development proposals in the House—among them, a bill I am cosponsoring with the gentleman from Michigan (Mr. O'HARA).

Our welfare system is in great need of overhaul, and I will certainly not stand in the way of efforts to improve it. For that reason I will support the President's proposal. It is an improvement over present law, and I congratulate the President and the members of the Ways and Means Committee for taking the first step toward welfare reform.

But after it passes, I would hope that the President will back legislation to beef up this country's manpower development program. I regard welfare reform as a two-step process.

The first is a better and soundly administered welfare system, and the second is a strong and much improved manpower training program. We need both if we are to effectively reduce our welfare rolls.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Mississippi, the chairman of the Rules Committee (Mr. COLMER).

Mr. COLMER. Mr. Chairman, I thank the gentleman from Arkansas for yielding me this time, which I chose rather than to use time I could have had under the rule. I am grateful, I repeat, to the gracious gentlemen of the Ways and Means Committee for yielding me this time.

Mr. Chairman, I wish I had the capability, I wish I had whatever it requires—I should say maybe the ability of the able gentleman from Arkansas, for whom I have the greatest admiration—to express my feelings about this proposal we have here today.

Unquestionably it is the most controversial, it is the most important, it is the most complex and disturbing piece of legislation that I have had occasion to consider possibly in my whole career here as a Member of this body.

I am very much disturbed about this bill. I am very much disturbed about the threat that it poses to our system of government, to our way of life.

I am more disturbed about this when I realize that my able friend from Arkansas is one of the chief proponents of this bill, as well as my friend the President of the United States, for whom I also have a very high regard and much respect. When these two gentlemen advocate this type of legislation it does not necessarily mean that I am casting any reflections or aspersions on either of them, and certainly that is not the purpose of my remarks.

But here we have one of the greatest innovations that has ever been proposed in the domestic affairs of this Government of ours. What we do here is to propose that we are going to guarantee—and nobody can deny that—to every working man, a man who is willing to work, a guaranteed income, under conditions of family life such as the figures that are used of a family of man and wife and two children, which the able chairman and most of the Members of the committee have placed at $1,600 a year.

One member of the distinguished Ways and Means Committee says that

that is an error. He says that it is $2,600. I do not know who is right, but the principle is there regardless of the amount.

Now, as disturbed as I am about the threat that this philosophy of legislation poses to our country, I recognize, and other Members have to recognize, that this is just the beginning. We have seen these programs enacted here by the Congress with popular political appeal time after time on a modest level, and yet we have never seen one of them repealed, nor have we ever seen one maintained at that level. They are always accelerated. The demands are ever greater and greater, and the Congress succumbs to them.

Now, this utopian proposal is made at a time when the administration is talking about a surplus in the budget. It must be obvious to all who observe the additional costs of this and other programs, old and new, that we will not have a surplus nor a balanced budget but, on the contrary, we will again put the Government's budget in the red. Again, Mr. Chairman, one member of the Ways and Means Committee, who voted against the bill in committee, estimates that 43 percent of the budget now is for welfare as against 34 percent for national defense, even with the Vietnam war going on. All of this adds up to more and more inflation when the greatest problem confronting our people is inflation. No one can successfully contend that to the contrary.

I say that this thing, like all of the others that have been established, will grow, just as the fictional Topsy grew on schedule.

Now, what is the cost of it? Well, that has been discussed here today as it was yesterday. Frankly, I do not know what the cost is. I might add that frankly I do not believe anybody else knows what the cost is going to be, not even the proponents of the bill, because everyone who has discussed this matter in my presence, either on the Committee on Rules or on the floor of this House, has said that it was difficult to estimate and an estimate was the only way you could arrive at a figure. The best and the lowest estimate that has been made is $4.5 billion additional cost—and if I am not correct about this, I would like to be corrected—over the present program for the fiscal year that this goes into effect. This will be a minimum of $4.5 billion. There are estimates of up to $10 billion over the present cost of this program. Again I want to emphasize that this is but the beginning.

Mr. Chairman, this is a political body. Thank God it comes up for reelection every 2 years. I am talking about the House. I have never subscribed to the theory that the House of Representatives should have more than 2 years, because I think, as the Founding Fathers thought, that the people should have an opportunity every 2 years, if I may use an expression of my own, to turn the rascals out.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield to my good friend from Iowa.

Mr. GROSS. First, I want to commend the gentleman from Mississippi for his splendid remarks. The gentleman never ceases to warn the House of the financial peril that is facing this country. Yesterday the chairman of the Committee on Ways and Means, Mr. MILLS, was asked the question, "Where are you going to get the money to pay for these additional billions of costs of this legislation? Do you propose to raise taxes?" The gentleman from Arkansas (Mr. MILLS), said that he did not propose to sponsor a bill increasing taxes. Now, where is the money to come from to finance this vastly expanded program, and when is it expected we return to some financial sanity in this Government, either by stopping the expansion of programs or abandoning some of the programs already in existence? It cannot be both ways.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLS. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. COLMER. I thank my friend, the able chairman, for this additional time.

Let me say to my friend from Iowa and to any and all others who might be interested that there is an old trite saying that we still are operating under a system where the people have to support the Government and the Government cannot support the people.

Mr. Chairman, there is only one way for the Government to get money with which to pay for these appealing programs and that is through taxes.

Now, we are confronted here with a national debt greater than all the rest of the free world put together. We will be faced before the final gavel is sounded here in this Congress with a request to increase that national debt limitation. We have scheduled a repeal of the surtax. The gentleman from Iowa and most of the others who give thought to this subject know that if we continue with these programs, even with this program, that we are not only going to have a surplus as the administration hopes, but we are going to be in the red again and we are going to have to retain all of the present taxes and probably add more.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I would be happy to yield to my friend, but my time is rather limited. Would the gentleman make his question brief?

Mr. COLLIER. I shall do so.

What will the present program cost 10 years from now? Does anyone know? I do not know.

Mr. COLMER. I am not an expert in this field. I would prefer that the gentleman ask someone on the Ways and Means Committee that question.

Now, Mr. Chairman, the whole thrust and the objective of this bill is placed in the pious hope that this bill is going to put people to work and take them off welfare. Well, that is a nice thought and I think everyone of us would subscribe to that 100 percent. But I challenge that that will be done under this bill.

I do not have time to go into that, but there are entirely too many loopholes in this thing as to how you are going to make it work and get off welfare. Are you going to train a man for a job that does not exist, for instance?

Are you going to train a man for a job that is in another area? Is the Government going to take these people and remove them from Colorado to New York or some other State? It just simply is not going to work. The best that you can say for it is that there is a great gray area in there where it is impractical for it to work.

Now, let me say that with deference to all and disrespect for none.

I tried my best in my limited way and capacity as chairman of the Rules Committee, No. 1, to see that hearings were continued there for a reasonable time so that the people, the Congress particularly, would have an opportunity to know what was in this bill other than the present and appealing slogan of taking people off the dole and putting them on the payroll.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. MILLS. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. COLMER. I thank the distinguished chairman of the Committee on Ways and Means and I appreciate the very gracious action of the chairman.

Mr. Chairman, I confess that I have used my best efforts to see that our committee had unusually extensive and thorough hearings on this bill which I regard as containing many inequities and impracticalities. I feel that we have succeeded at least to a degree. I think the public, and particularly this House, have benefited from those hearings. At the risk of seemingly being guilty of self-serving statements, I would like to add that I used my best efforts to bring this bill out under a modified closed rule, realizing that an open rule under present circumstances was unobtainable. I wanted to see a rule that would make it in order for the House to pass its will and use its discretion as to whether this guaranteed income phase of the bill should remain therein or be stricken out. Unfortunately, under the precedents of this House in the matter of closed versus open rules, plus the activities of the leadership on both sides of the aisle, as well as the able chairman of the Ways and Means Committee, and his opposite member, the ranking minority member, my efforts proved fruitless.

I have always maintained since I have had the privilege of being a member of the Rules Committee that the Members of this body are as capable of legislating as the Members on the north wing of this Capitol who legislate in a free atmosphere and without gag rules. Unfortunately, the efforts of those who share my views in this parliamentary procedure were unable to overcome this combined opposition to which I have just referred and, as this bill is being considered under a closed rule which not only denies an amendment that would strike this provision but denies any and all other amendments that any of the elected Members of this House might desire to offer other than amendments from the Ways and Means Committee. I think it is important here to note that the vote on the adoption of the rule, in spite of the fact that no organized effort was made against it, was very close—204 for and 183 against. Certainly this is indicative of the feeling of the membership of this House on this type of a gag rule. Again, are we in the House admitting that we are not as capable of legislating as the Members of the other House, the Senate? In fact, are we not implying that we are second-class legislators?

I used my best efforts to try to bring you out a rule here that would make in order the consideration of a bill that would give you all of the benefits that are in this bill, but would strike out this impractical provision that you have here which is the beginning, if not the end, of a guaranteed income for all of our citizens.

But who am I, when arraigned against the powers that be, the leadership on both sides, not to mention the persuasiveness of the able gentleman from Arkansas and the able gentleman from Wisconsin? So we failed.

And it is interesting to note that a majority of the Committee on Rules voted against this rule yesterday on the floor. I impugn the motives of no one. And I say, looking back, had I known that the House was as cognizant of what was involved in this bill yesterday, as I think I know now, we might have defeated this rule.

So what are we left here with? Under this closed rule whereby we indicate that we are second-class legislators, that we are not capable of legislating, we are second-class to the other body which can legislate in a free atmosphere. We are left now with two options, the option that the minority has over here to recommit and the option to defeat the bill on final passage.

Mr. DINGELL. The time of the gentleman has again expired.

Mr. MILLS. Mr. Chairman, I yield 2 additional minutes to the gentleman from Mississippi.

Mr. COLMER. Mr. Chairman, again I thank the gentleman.

So we are left with these options.

Now, I understand that a motion will be made by the minority—and the powers that be of course on the minority side will see that the most advantageous motion to recommit from their viewpoint will be made. I am assuming, rather than running the risk of permitting somebody over here on this side of the aisle to offer a motion to recommit with instructions, that they will exercise their prerogative which, under the Rules of the House, the minority justly has.

So you will have an opportunity, then, to recommit the bill which frankly, I think, would be better than just voting it down. Let it go back to this distinguished Committee on Ways and Means and have them give further consideration to it and come up with something that would be more palatable to get us out of the admitted mess that we are in in this welfare program.

Now, Mr. Chairman, I cannot impose upon the few faithful here, and upon my gracious friend. But just let me wind up where I started.

I am worried—I am concerned about the future of this Republic and the future of the enterprise system that we enjoy, the liberties that we enjoy, and their perpetuation for future generations.

I wonder how many of you recall the letter that Lord McCauley wrote to his friend Henry S. Randall some 113 years ago in which he said that he had studied our American system of government and he was sorry to say that it could not prevail; that it was all sail and no anchor; that the day would come—and this is in substance what he said and not a verbatim quote—that the day would come when the demands of the people upon their elected Representatives would be so great that they could not be met and the whole American dream would collapse.

Mr. Chairman, I think this bill should be recommitted.

Mr. CONABLE. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Chairman, I am under no illusion that anything I say here today is likely to sway the course or to affect the result of this debate; nor do I claim any expertise in the welfare field; but this is a landmark piece of legislation, I have to vote upon it, and I feel impelled to say a few words which express my feelings and my doubts and reservations on this matter, and which set forth my point of view.

This is a bill for welfare reform which commences by more than doubling the number of persons on the welfare rolls; certainly a somewhat anomalous situation. The argument is that, in the end, the number on these rolls will be decreased, by reason of the incentives built into the measure, which are designed to encourage recipients to become employed and to support themselves.

Whether this will, in fact, prove to be the case has to remain, in the nature of things, within the realm of speculation; while the immediate increase in number of recipients, in dollar costs, and in the necessity of taxation to meet these costs, is a palpable and present fact.

At this point two queries at least cross my mind: Why do we not make further efforts than we yet have at the use of incentives for self-removal from welfare programs in respect to those already on the welfare rolls, before we add millions to their number? And why do we not undertake and, for some reasonable and significant number of years, observe, evaluate, and, where we can, improve, a true pilot program in one or two localities, before we undertake this sweeping and costly experiment on a national basis?

All are agreed, I think, that the heart of the matter, the justification for this legislation, is the so-called workfare provisions of the bill. It is these provisions which are designed to encourage and to bring about voluntary self-removal from the welfare rolls; and it is on the effectiveness of these provisions, in practice, that the claimed virtues of this legislation must depend.

These workfare provisions, in turn, have two aspects. One is the work requirement; the other is the work incentive. A basic query here is, how efficient and how effective are this work requirement and this work incentive likely to be?

The work requirement is, basically, that, in order to qualify for the family assistance payment, a man must register and must accept, if it is available, suitable employment in which he is able to engage. If he refuses, without good cause, to accept such employment his assistance payment is forfeited—and, under the bill as drawn, this amounts to a loss of $300 per year. Aside from the fact that the penalty hardly seems to be a very large one, I think that I can foresee all kinds of trouble with the word "suitable"—particularly when it is further statutorily defined, in part, as it is, by reference to a man's past training and experience. I raise the question why the word "suitable"—at least as presently defined—should be retained in this legislation, if there is truly a desire to provide a strong work requirement. I do not believe that it is too much to require—or that it is hardhearted or reactionary to require—that, if an able-bodied man is to be subsidized by the American taxpayer, he should be required, as a condition precedent to receiving that subsidization, to accept any employment in which he is physically able to engage—and, if the word "suitable" is to be retained, that it should be defined as meaning and including any type of employment in which the recipient is, physically, reasonably able to engage. To do less, it seems to me, emasculates this work requirement provision.

The work incentive provision in this bill is, basically, that a welfare recipient shall be able to keep for himself half of what he earns; that is, that his welfare benefits shall be reduced by only 50 cents for each $1 he earns for himself. However, as was brought out in my colloquy with the gentleman from Wisconsin (Mr. BYRNES) yesterday, when all factors are considered, such as the effect on food stamp eligibility of the provisions of this legislation and other factors, the actual percentage of earnings which a recipient is able to keep without a decrease of his benefits is, in many cases, not 50 percent but more like 40 or 30 percent or below; or, putting it in more technical language, the so-called marginal tax rate goes up to 60 and 70 percent, or more. Thus the incentive which we hear about is, in fact in this legislation, substantially watered down and decreased.

When one considers, in addition, that many of those on welfare are minor children, the aged, and the ill, and that many others are the mothers of preschool children to whom the work-fare provisions and requirements do not apply, one cannot but wonder how effective these incentive-to-work provisions can prove to be in practice.

Again I say that we start out by more than doubling the welfare rolls, while the efficacy of the provisions relied on to, in time, offset this fact are certainly subject to debate and doubt.

The social implications of public subsidy to the working poor—including sta-

XUM

tutorily defined "poverty" and widespread use of public day-care centers for the rearing of children, and other factors—which I have not attempted to discuss—are also clearly open to very serious question.

It has been said that our present welfare system is a mess. It has also been said that, up to date, no satisfactory alternative for the plan proposed in H.R. 16311 has been suggested.

All this may be so, but these are scarcely arguments for the adoption, at this time, of this particular measure regardless of its own merits or its lack thereof. The real question before us is whether this bill will do the job.

We may well, indeed, need to pause, to wait, to study the problem, and to seek further.

What we do know is that, with the adoption of this bill, we place millions more of our fellow Americans on the public dole; and, say what you will, we guarantee these Americans a stipend from the Public Treasury. What we emphatically do not know is how, or whether, we will ever get them off the dole again; or how, or to what extent, this bill will operate to do so.

I fear we may well wind up with a bad situation merely magnified.

I believe that we may well be dashing off too hastily down a road which leads we know not where; and along which it may prove difficult or impossible ever to return, should the need arise.

Mr. MILLS. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR. Mr. Chairman, we all recognize the need for reform in welfare legislation. The work-training provisions of the bill are proper and have my support. But why not apply these work-training regulations to the 10 million people already on welfare rolls and see how successful we are in removing them from welfare rolls to payrolls as the first step. If the work-training programs operate successfully with these people, we could then consider bringing additional millions under a welfare program which is working effectively. The welfare structure needs housecleaning and tightening, but not expanding.

My objection to this bill is that it clearly puts cash payments from the Government first. It consigns some 15 million additional American citizens to welfare handouts. It would increase the cost of welfare for the first year by about $4.5 billion and probably cost $14 or $15 billion per year in a few years.

When we pass this law, we are going down the road of no return by guaranteeing a minimum income to people who are employed and people who are not employed. With each session of Congress, the demands will be for more and more. The tendency of welfare rolls is to go up—never down. When we adopt this bill, we will more than double the number receiving welfare checks from the Government. This will probably prove to be the most inflationary legislation considered since I became a Member of Congress.

Government spending is a question of priorities. Today, the Nixon administration is reducing the money to operate veterans hospitals, providing fewer Hill-Burton funds for badly needed local and regional hospitals, has recommended no money for the agricultural conservation program, has not provided enough funds to open the national forest campgrounds this spring as in the past, has approved less money than Congress recommended for education; yet it recommends this costly guaranteed income program which, in my opinion, should have a lower priority for Federal spending than any of the items mentioned above.

At present, welfare recipients receive guidance from a trained counselor. Many people need this guidance as much as they need money, but under this proposal in many cases the guidance would be gone and checks would just be mailed out from Washington.

This bill would encourage large families to be supported at public expense at a time when we need to work toward population control and family planning.

I favor working toward guaranteed employment, rather than a guaranteed income. The best way to end poverty is to go all out in providing all workers with needed skills and provide enough good jobs to go around. I cannot help but believe that welfare payments in many cases stifle the initiative and the pride of the recipients and perpetuate their poverty by destroying their get-up-and-go and their ambition.

We all favor providing adequately for the disabled and for those who are unable to provide for themselves, but for able-bodied people, I favor a route which encourages training and employment.

We are telling a workingman who is now supporting himself and his family with pride, that he is in poverty, that the Government is going to support his family and guarantee him a minimum family income. Such would destroy his self-respect and initiative. To obtain true economic independence, the initiative and the pride of the poor must not be stifled. Changing the name of a program does not change the fact that it is unwise to encourage our citizens to depend upon the Government for the support of their families.

Mr. MILLS. Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Chairman, income maintenance is an idea whose time has come. Two years ago when I introduced in the Congress the first bill to provide for a guaranteed annual income, the idea was accepted in academic circles and by theorists, but it was dismissed by so-called pragmatists as politically impractical. Today the idea is respectable, and I think the administration deserves credit for making it respectable. Today it is endorsed by both political parties on the floor of this House through the action of the distinguished chairman of the Committee on Ways and Means (Mr. MILLS) and the distinguished ranking minority member of the committee (Mr. BYRNES) in reporting out H.R. 16311—the Family Assistance Act of 1970—which establishes a guaranteed annual income for at least a portion of the people in this country who desperately and deservedly need this income, and who are looking to us to responsibly meet that need.

I believe the Ways and Means Committee and all the members who supported this in the committee deserve credit for bringing it to the floor and making it possible for the Congress to face up to the failure of the present welfare system and to begin to lay the groundwork for an adequate guaranteed annual income.

Despite the efforts of the Ways and Means Committee, I believe there are a number of deficiencies in this bill to which I would like to address myself. I regret that, because of the parliamentary situation, there is not an opportunity to offer amendments to improve this bill. I testified on April 14 before the Rules Committee in favor of a rule which would make it possible to offer specific amendments to improve because it can be decidedly improved, although it is a step in the right direction, a first step, but one which it is essential this Congress take.

Let us recognize to begin with that a guaranteed annual income is not a privilege. It should be a right to which every American is entitled. No country as affluent as ours can allow any citizen or his family not to have an adequate diet, not to have adequate housing, not to have adequate health services and not to have adequate educational opportunity—in short, not to be able to have a life with dignity.

While there may be differences as to the mechanics of implementing an income maintenance system, there should be no dispute as to its need. There can be no dispute that poverty in the midst of this affluent country is insufferable and unconscionable.

Certainly, an improvement over both the administration bill and the bill reported out of the Ways and Means Committee would be the Income Maintenance Act which I first introduced in the 90th Congress, and which I reintroduced in revised form in the 91st Congress as H.R. 14773. It is this bill on which I testified before the Ways and Means Committee last November 13. Obviously, H.R. 14773 was not adopted by the Ways and Means Committee.

Accepting the concept of income maintenance, and establishing the mechanics for implementing that concept are two far different things. We do well to embrace the concept; but at the same time we are being presented with a plan for its implementation which is seriously flawed. It is these flaws which I want to address, so that they will be clearly perceived, and so that we will be clear as to what improvements must be made after this bill is passed.

Let us look at some of the areas where H.R. 16311 is deficient. Some of the deficiencies were in the original administration bill (H.R. 14173). Some are new.

First, I think it is essential that the benefit levels provided for in H.R. 16311 be raised. Under this bill, the basic allow-

XUM

ance payable to a family of four with no other income is $1,600 annually. This amount is totally inadequate. Even given the fact that some States will provide supplementary benefits, there can be no acceptance of a $1,600 level for a family of four without accepting as well that this would be a failure to provide meaningful help to the poor. That this is, in fact, the case is demonstrated by the statistics showing that only in 8 States will families experience a rise in assistance levels.

While the benefit levels for the aged, blind, and disabled have been improved by H.R. 16311, the levels for families remain the same as in the administration bill. And the figures prepared by the Department of Health, Education, and Welfare show how few families are adequately aided under these benefit levels.[1] Only 301,000 families will rise above the poverty line; 2,708,000 families will remain below it. In addition, 2,082,000 families whose incomes now fall between the poverty line and the low-income line will remain there. Only 77,000 families will rise above the income line. The administration's estimates further reveal that of 9,556,000 children now below the poverty line, 8,416,000 will remain there under the presently proposed benefit levels. And of the 6,946,000 children whose families' incomes now fall between the poverty line and the low-income line, only 341,000 will rise above it; 6,605,000 will not.

Yet, according to the Bureau of Labor Statistics, it costs a family of four living on a lower budget $6,771 a year in New York City. Nationally, the National Welfare Rights Organization is calling for a $5,500 level. And according to the Gallup poll of January 25, 1970—

> The average American believes a family of four needs a minimum of $120 per week ($6,240 per year) to make ends meet.

In brief, the benefit levels for the family assistance plan proposed by H.R. 16311 are totally inadequate. In addition, while the committee is to be commended for raising benefits for the aged, blind and disabled, the increases are not sufficient to provide a decent income.

Second, H.R. 16311 should be modified to cover single adults and childless couples. At present, the bill only applies to families with children. Yet, the need of families, without children, and single adults, is no less dire.

Third, a higher percentage of the costs for state supplementary benefits should be borne by the Federal Government. The Ways and Means Committee bill provides for 30 percent Federal matching funds. At the least, the matching provision should be raised to 50 percent and, instead of matching State supplemental payments only up to the poverty line, the matching provision should apply to those State payments made in excess of the poverty line, as well.

What is more, the matching provision should not in any way penalize the poor. As H.R. 16311 was reported out, it abolished the provision in the administration proposal permitting disregard of one-half unearned income. The money—$600 million—thereby saved was offset by the added expenditures incurred in providing for matching Federal funds. The consequence is to take money from the poor. While the aim of alleviating the burden borne by the States is commendable, it cannot justify denying the poor.

Actually, the solution is to provide for full federalization of income maintenance. Under the present scheme, States which already have made the effort to meet their obligations to their disadvantaged citizens by providing relatively better AFDC benefits, such as New York, are penalized. Their burden is lightened by 30 percent Federal matching, but the remaining load of 70 percent is an onerous one.

It is clear that Federal matching, if it is to really aid those States which most need Federal moneys because they are most responsibly meeting their obligations, must be far greater than the 30 percent provided in H.R. 16311.

Fourth, the matching provision for State supplementary benefits should be expanded to apply to those benefits paid to the working poor. Section 453 of H.R. 16311 precludes Federal sharing in the cost of these benefits. This limitation is unjustifiable for several reasons. For one thing, one of the objectives of the Family Assistance Act is to do away with the distinction between the working and the nonworking poor. This objective stems from the penalization which has been imposed upon the working poor by virtue of their being ineligible for welfare benefits in most States. This bill institutionalizes the distinction, rather than obliterating it.

In addition, once again those progressive States which have implemented welfare programs for the working poor—such as New York—even though they received no Federal assistance for such programs, are penalized. They still will not be receiving any Federal funds for these programs.

Fifth, the Federal Government should assume 100 percent of the costs of the programs for the aged, disabled, and blind.

Again, as I said earlier, only the Federal Government has the resources to assume this burden. The States simply are not financially able to readily meet the welfare needs of their citizens. Full federalization, not only of the programs for the aged, disabled, and blind, but of the entire income maintenance program, is urgently needed. Provision should be made for a 3- to 5-year phasing-in transition to this end.

Sixth, the coercive work requirement embodied in H.R. 16311 is undesirable. Philosophically, it is objectionable; forced work is alien to individual choice and freedom. Pragmatically, the fact is that there really are very few persons who would work, but who do not. The coercive work requirement is a misguided approach to a problem which really lies in the failure of the economy to provide places for these potential workers, and the failure of government—Federal, State, and local—to provide adequate job training to enable these people to develop skills which will make them attractive to employers.

Seventh, the work requirement for mothers with school age children is especially egregious. Again, this is a philosophically objectionable requirement. No mother should be required to substitute day care custodians for her care and love. We certainly would not conceive of requiring that of mothers with adequate incomes, and there can be no justification for penalizing mothers who have the misfortune—a misfortune thrust upon them, not chosen—to suffer inadequate incomes.

H.R. 16311 is even discriminatory as between recipient mothers. Those who have a husband receiving benefits are not required to take suitable employment. Those who have the misfortune of being without a husband are subjected to this requirement.

Moreover, practicality instructs us that such a provision cannot work; mothers who object simply will not comply with this requirement that they take suitable employment. Mitchell Ginsberg, administrator of New York City's Human Resources Administration, clearly attested to this fact in his speech before the National League of Cities Conference on March 10, 1970.

Finally, this coercive work requirement levied against mothers with school age children is unnecessary. Most mothers do, in fact, seek work, if there are jobs for them and day care facilities for their youngsters. The April, 1970 issue of Nation's Business, certainly not a noted liberal magazine, states in an article entitled, "The Great Welfare Debate:"

> Survey after survey has shown that most welfare mothers prefer to work but have been thwarted by the welfare bureaucracy, lack of training opportunities, lack of day care centers for children and lack of knowledge about job opportunities. (p. 60).

It is obvious from the deficiencies which are incorporated in H.R. 16311 that passage of this bill—which at least does achieve the commendable end of making a guaranteed annual income a reality—is only the beginning. Many provisions will have to be amended; many improvements will have to be made.

Because of this, I want to briefly detail the bill which I introduced, H.R. 14173, the Income Maintenance Act. By way of preface I would point to what I consider three of the most important differences between it and the Ways and Means Committee bill. First, the Income Maintenance Act provides for significantly higher benefits than does H.R. 16311—benefits for a family of four with no outside income reach $3,228 by the fifth year. Second, the Income Maintenance Act includes within its coverage married couples without children, and single adults. Third, the act contains no work requirement.

Now, I want to outline more extensively various aspects of the Income Maintenance Act.

First. Eligibility. The Income Maintenance Act, H.R. 14773, provides that all individuals and families are covered, with the exception of unmarried children under age 18 who are not members of an eligible family. This contrasts with H.R. 16311, which limits benefit eligibility under the family assistance plan to families with children.

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[1] Selected Characteristics of Families Eligible for the Family Assistance Plan: 1971 Projections, Department of Health, Education, and Welfare, February 2, 1970.

Second. Benefits. The Income Maintenance Act provides for increasing payments over a period of 4 years. In the first year, a family of four with no other income would receive an annual benefit amount of $2,004. This breaks down to a monthly rate of $50 for the family head and $39 for each dependent—which includes the spouse. The maximum family benefit for families of seven or more persons is $284 monthly, or $3,408 annually.

By the fifth year, the maximum level of benefits would be reached. The benefits for a family of four would be $3,228. The maximum family benefit, for families of seven or more persons, would be $5,472.

An additional factor in this equation is cost of living adjustments. Benefits are adjusted to reflect variations in living costs, including regional housing cost differentials.

Third. Reduction of benefits. The Income Maintenance Act which I introduced provides for a sliding scale of reduced benefits, so that as outside earned income increases the percentage decrease in benefits rises. The purpose is a simple one. If there is a large reduction in benefits following upon a comparatively small amount of earned income, there will be a substantial work disincentive.

Thus, for the first and second years of the act's existence, earned income in an amount equal to one-fourth of the maximum benefit will cause benefits to be reduced by an amount equal to 25 percent of that income. Earned income in excess of one-fourth of the maximum benefit will cause benefits to be reduced by 50 percent of the income. For the third year of the act's existence, and thereafter, the same 25 percent tax, so to speak, will apply. Similarly, the 50 percent reduction will apply, but will be limited to earned income in excess of one-fourth of the maximum benefit but less than 1½ times the maximum benefit. All earned income above that will cause benefits to be reduced by 75 percent of the amount of the income.

In other words, there is a three-step tax, so to speak—25 percent, 50 percent, and 75 percent, applied to different proportions of earned income.

The way this works in dollar amounts is demonstrated by looking at the breakeven point: that is, the point at which outside income reduces the income maintenance benefits to zero. For a four-member family, for example, outside earned income in the first year of the Income Maintenance Act amounting to $4,259 would reduce benefits to zero. But the fifth year, when benefit payments reach their maximum, and the 75 percent reduction has come into effect, a four-member family would have to have outside income of $6,186 before reaching zero benefit payments.

Fourth. Coordination with present welfare. The assumption of my bill is that in States which now have higher average AFDC benefits than the base benefits provided by H.R. 14773, the State and Federal governments would make up the difference according to the present AFDC formula. Therefore, the present welfare recipient in those States would never be worse off than he is now. And, of course, where welfare benefits are below the standards of H.R. 14773, the recipients would be considerably better off.

Where the Federal income maintenance benefit is supplemented, my bill provides for State maintenance of present effort. The standards of need and the percentage of need provided are not to be reduced.

Fifth. Supplemental State programs. Under the Income Maintenance Act States may establish supplemental income maintenance programs patterned after the Federal program. Fifty percent of State expenditures under such a program would be reimbursed by the Federal Government. As a condition of such Federal payment, however, eligibility under the State programs would have to be extended to all persons eligible under the Federal program.

Sixth. Work requirements. The Income Maintenance Act has no work requirement. Beneficiaries on a voluntary basis may request referral for participation in a work incentive program. Individuals actually participating in such programs would receive an additional allowance of $30 per month. Obviously, this is one of the chief differences from the Ways and Means Committee bill—H.R. 16311—which has a coercive work requirement, whose objectionable features I have already detailed.

Seventh. Assets. As for treatment of assets, under H.R. 14773, the Income Maintenance Act, there is no limitation on the amount of assets a family can own. While income would be imputed to each family on the basis of its assets, at a rate of 5 percent of their value, no income would be imputed on the basis of the family's personal effects, tools, home, household goods, or automobile except to the extent that the total value of such assets exceeds $30,000.

Eighth. Administration. As for administration, the Income Maintenance Act establishes a newly created Bureau of Income Maintenance within the Treasury Department. Investigations—other than routine examination of applications—would be limited to no more than 5 percent of the number of applicants, randomly selected except where there existed probable cause to doubt eligibility. Appeal rights would include the right to a hearing and also judicial review in cases where the results of a hearing were disputed. Overpayments could be recovered by withholding from future benefits or by direct recovery from the assets of the overpaid individual. However, no more than 50 percent of the overpayment could be recouped by recovery from assets unless the overpayment had been obtained by fraud.

I have devoted this time to outlining the bill which I introduced 2 years ago, not to complain about the fact that the rule under which this debate is being conducted precludes my offering an amendment so that the House may consider its merits, but because I believe H.R. 16311 to be deficient in many respects, and I want to make clear that alternatives and improvements are possible.

Those who reject the concept of a guaranteed annual income will certainly find no merit in either the bill I introduced, the administration bill, or in the bill reported out of the Ways and Means Committee. But to those who intend to support H.R. 16311, I urge diligent consideration of the improvements which must be made.

By accepting the concept of income maintenance, the administration has defined poverty and welfare as national problems which require national solutions. The Federal Government should move as rapidly as possible to assume the full costs of public assistance through an income maintenance program with an adequate level of benefits.

Of course—and this must be clearly understood—income maintenance is not the final answer. We must deploy a multi-faceted strategy to break the cycle of poverty. That strategy must include job creation and training; it must include expanded programs in education, health, and social services. Above all, this strategy to defeat poverty must be based on a firm, unremitting commitment to assure every American a life of dignity.

The CHAIRMAN. The Chair advises the Committee that the time remaining to the gentleman from Wisconsin (Mr. BYRNES) is 32 minutes, and the time remaining to the gentleman from Arkansas (Mr. MILLS) is 24 minutes.

Mr. MILLS. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. BINGHAM).

Mr. BINGHAM. Mr. Chairman, it has been clear for some time that this Nation's approach to the task of providing a living income for all Americans who cannot reasonably be expected to earn one on their own has been in trouble. Both the recipients of income assistance, and the taxpayers who pay the bill, have grown deeply dissatisfied. It is, therefore, most encouraging that the House finally has before it legislation that offers a major overhaul of our entire welfare system. This may well be the most important bill to come before the 91st Congress.

I was among the first Members of Congress to introduce legislation to provide a living income for all Americans. The National Living Income Act, which I introduced last August along with Mr. CONYERS, Mr. WHALEN, and Mr. RYAN, was designed to solve the glaring weaknesses in our current welfare system which many of us in Congress, and citizens across the country, have long criticized. It was designed to improve both the adequacy of the income provided to the poor, and the conditions under which assistance is made available. It raised the minimum income for a family of four to $3,200. It greatly increased the Federal contribution for welfare, which has become such an impossible financial burden for areas like New York City where more is now spent on welfare than on education. It would have established more uniform national welfare stand-

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ards making the program more equitable for recipients and removing the temptation for the poor to migrate to already overcrowded urban areas in the North.

The welfare reform program originally proposed by the President offered many of the same improvements proposed in the national living income program, including the concept of assistance for the working poor, but fell short on others. It excluded, for example, the childless poor, and it proposed work requirements that have already proved impossible to enforce and questionable in value. It failed to make provision for regional variation in benefits to reflect regional cost-of-living differences, and the basic benefits were most inadequate—only $1,600 minimum for a family of four.

The modified version of the President's plan reported out by the Ways and Means Committee and now before the House would effect many of the changes in the welfare system I have long urged and which were essential ingredients of the National Living Income Act. In many respects, it is a great improvement over the President's proposal, for which I want to commend and thank the distinguished and very able chairman of the Ways and Means Committee, as well as the members of that committee. On the whole, this legislation offers a considerable improvement over existing approaches to income assistance, and I urge my colleagues to vote for it.

However, Mr. Chairman, we cannot afford to make the mistake of deluding ourselves by thinking that this bill makes all the improvements in our welfare programs that need to be made. On the contrary it contains many of the weaknesses contained in President Nixon's program. For example, the so-called family assistance program ignores the childless poor—giving disadvantaged young couples an incentive to have children to qualify for welfare when they cannot afford children—and this at a time when we ought to be doing everything we can to hold down our population.

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Most importantly, however, the income level assured by this legislation is far from adequate. It will assure increased benefits in only eight States, and only a fraction of the families who qualify for assistance will be raised above the poverty level. Adding the $864 worth of food which a welfare family of four could receive, along with the minimum $1,600 in income which this bill provides, means that a family of four is assured of only $2,464 under this legislation—not including the States' contributions. But the Federal Government's poverty level for a family of four is currently set at $3,720—an average figure that does not account for the higher costs-of-living in urban areas. The low budget needed by a family of four living in an urban area, as determined by the Bureau of Labor Statistics, is $5,500.

A guarantee of $5,500 for a family of four as a goal for our welfare programs is viewed in many quarters as unrealistic—a radical demand not to be taken seriously. In my judgment, such a view is a tragically mistaken one. Not only have a number of welfare groups, including most prominently the National Welfare Rights Organization, made a strong case for a $5,500 basic welfare benefit, but such a large and representative distinguished group as the White House Conference on Food, Nutrition, and Health, called together by the White House to advise the President on problems of hunger and poverty in America, adopted a final action resolution calling for a $5,500 annual income floor.

Mr. Chairman, so that the Members of the House may be reminded of the specific recommendations of the White House Conference on Food, Nutrition, and Health with regard to income levels in relation to this legislation, I have earlier asked unanimous consent to include the "Task Force Action Statement" adopted by the Conference in the RECORD following my remarks.

This bill comes before us under a closed rule, with no amendments permitted. This is a procedure which I deplore. How can the poor people of this country be expected to understand that Members of this House have no chance to vote for example, for an increase in the benefits provided?

I was opposed to the form of the resolution—or rule—bringing the bill before us and would have supported amendments to permit the bill to be opened up for amendment. But by vote of the House in closing off debate on the rule, no amendments to it could be considered either. Mr. Chairman, these practices are seen by the general public as undemocratic; they demean the House. It is time they were changed. It is time the Members of the House were treated as intelligent adults, capable of voting amendments to a bill up or down on the merits, instead of being told they must accept or reject the bill exactly as it emerged from committee.

I hope that the needed improvements in the bill, including a major increase in the minimum income, will be made in the Senate and that the House conferees will look favorably on such amendments. I know that many of my colleagues share these sentiments.

TASK FORCE ACTION STATEMENT

INTRODUCTION

In opening the White House Conference on Food, Nutrition and Health, President Nixon said: "This meeting sets the seal of urgency on the national commitment to put an end to hunger and malnutrition due to poverty in America." We who have come here are already firmly dedicated to that goal. The President said: "Our job is to get resources to people in need, and then to let them run their own lives." He did not provide any new or meaningful program by which this can be accomplished. Obviously, he wanted us to do this, and intended that we should do so. To paraphrase the President we "not only accept the responsibility (we) claim the responsibility." Therefore, the combined task forces on Voluntary Action by Women, Consumers, Religious Organizations, Community Organizations, Health Organizations, Faculty and Students, and Organized Labor,[1] present the following action priority program:

I. *A national emergency:* There is a hunger and malnutrition emergency in this country today. Therefore the President must immediately declare that a national hunger emergency exists, and under existing authority must now free funds and implement programs to feed all hungry Americans this winter.

II. *Guaranteed adequate income:* The overriding remedy for hunger and malnutrition is a minimum guaranteed adequate cash income with a floor or $5500 annually (for a family of four). The government must also guarantee a meaningful job with a living wage to those who can work, elevation of wages and benefits to those presently underemployed, the "adequate income" to those unable to work or find employment, and maximization of the purchasing power of the food dollar for all.

III. *Interim food programs:* As interim measures only, present food programs must be reformed and expanded immediately in order to assure truly adequate benefits and participation by all who need them in all parts of the country.

IV. *Universal school food programs:* A national free lunch and breakfast program must be made immediately available to all children, through secondary school and regardless of income, that will provide at least ⅔ of the minimal requirements of the Recommended Dietary Allowance, while respecting cultural food preferences.

V. *Running the programs:* All administrative responsibilities for all hunger relief and nutrition programs must be shifted from the U.S. Dept. of Agriculture to the U.S. Dept. of Health, Education and Welfare, with corresponding shifts in Congressional committee responsibilities. The recipients of these programs must have responsibility for local administration of the programs under standards determined at the Federal level.

To put these priorities into action requires the following:

This nation today faces a national hunger and malnutrition emergency. This emergency situation requires emergency action.

While we initiate long-term programs to eliminate hunger in America, action must be taken immediately to deliver food now to the millions of Americans whose chronic malnutrition the nation can no longer tolerate. Only within the context of adequate food now can a program of nutrition education for all Americans have meaning.

We therefore call on the President to adopt immediately the following emergency program to feed hungry people this winter:

(a) Invoke Section 11 of the Disaster Relief Act of 1969 and like statutes in order to supply free food stamps to meet the needs of hungry people.

(b) Instruct the Secretary of Agriculture to immediately revise food stamp price schedules of less than $100 per month (based on a family of four) and at a maximum cost of 20% of income.

(c) Instruct the United States Department of Agriculture to implement directly a food program in every county and town in the United States within the next three months using all available funds, including the customs receipt funds (Section 32 funds).

(d) Actively support immediate passage and funding of the following essential legislation.

1. The Senate-passed Food Stamp Reform Bill (S. 2547).

2. A School Lunch Program Reform which consists of the Talmadge school lunch bill, the McGovern amendments and the Javits proposals.

3. The Economic Opportunity Act, particularly its section on emergency hunger relief (Section 401, Title X), and without the Green-Quie type state control amendments which will in effect destroy OEO.

(e) Instruct the Department of Agriculture to immediately require that all schools receiving Federal financial and commodity assistance for their lunch and breakfast programs provide free meals to all children whose families are receiving any type of public assistance.

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[1] The AFL-CIO endorsed the policy statement in principle with no opposition on certain specifics. The Alliance for Labor Action (ALA), including the United Auto Workers, the International Brotherhood of Teamsters, and the International Chemical Workers Union, endorses this statement as written.

Because each of these actions is either already authorized or embodied in pending legislation, action to meet this emergency can be taken within the next month.

II. GUARANTEED ADEQUATE INCOME

To implement this number one remedy to hunger and malnutrition, the following program is imperative:

(a) The adequate cash income presently at $5500 annually for a family of four sets a floor. It should automatically follow the cost of living as defined by the Low Standard Budget of the Bureau of Labor Statistics.

(b) Establishment of government careers in nutrition and allied health professions, in connection with other private and public efforts to solve simultaneously social problems and unemployment problems. These suggestions alone should provide two million new jobs.

(c) Grants to encourage and support broadly based organizations of low income citizens in local ownership and operation of such services as food production and distribution.

(d) Establishment of housing factories on the order of the automotive industry to serve the dual function of provision of low-cost housing and the provision of jobs at desirable wages. This involves creation of 750,000 to 1 million new jobs to produce 3–4 million housing units.

(e) Extension to all working people of the right to bargain collectively for wages, hours, and working conditions, including the right to strike or boycott when necessary.

(f) Extension of unemployment insurance coverage to working groups presently excluded, such coverage to be on the same terms and conditions as provided for other workers now covered.

(g) Improvement of the scope of Social Security laws with a 50% raise this year, so that the program provides a reasonable return on investment.

(k) Reform of certain pricing, packaging, promotion and other food industry policies and practices which add unnecessarily to the cost of food. This cost inflation is unfair to every consumer and particularly disastrous to the poor. We need:

1. Price reduction through mandatory limitation of promotional and advertising expenditure and other means suggested in the Food Marketing Commission Report.
2. Mandatory price marking and posting which facilitates and simplifies price comparison.
3. Effective inspection and regulation to insure availability of safe nutritious food at fair prices and conditions of sale.
4. Mandatory processing, packaging, and labeling requirements to identify and preserve nutrient content and assure accurate and honest promotion.
5. Encouragement of retail distribution systems which take special account of the needs of the poor.

(l) Establishment of a national prepaid health insurance program and new methods for the delivery of health care and extension of existing health programs to all states. The Medicaid Bill should be fully implemented by 1971.

The task forces feel that it is especially important to note that many of the above programs can be self-supporting and/or income-producing, and none will require appropriations higher than a fraction of the cost of the space program. Together they should create substantial new tax revenue (4 million jobs should produce an average increase of $5 billion a year in taxes), substantial increase in income through increased buying power, and a saving of $7 billion of funds misspent under the present public assistance programs.

III. INTERIM FAMILY FOOD PROGRAMS

None of the existing family food programs—food stamps, commodity distribution, emergency food and medical services—provides an adequate diet or permits the participation of all who have need. Major reforms and expansions are necessary to make sure that all people in need have access to an adequate diet until an adequate income becomes a reality.

As an interim measure only, the food stamp program must be altered so that it can become the primary vehicle for providing an adequate diet to those in need in all parts of the United States and its territories, and on Indian reservations. Free food stamps to those whose income is less than $100 a month (for a family of four), modification of the price schedule so that no recipient must pay more than 20% of his income for food stamps, national eligibility standards, self-certification, a coupon issuance to all recipients equal to the Low Cost Food Plan of the Department of Agriculture, a several-food expansion of the program—all are necessary to make the food stamp programs adequate. The commodity distribution program should no longer serve as a means of surplus disposal but should provide direct food aid adequate to a nutritious diet wherever necessary, fully respecting the ethnic and cultural preference of the recipients, Hunger programs of the Office of Economic Opportunity should also be expanded to supplement the above.

We must do the following:

(a) The President should support, and the House quickly approve, the Senate-passed food stamp bill. The program should be fully funded and fully implemented in all parts of the United States and its territories, including Indian reservations, before the end of this fiscal year.

(b) The Economic Opportunity Act Amendments of 1969, particularly the new section on emergency hunger relief (Title 4, Section 401—Title X), should be quickly approved and fully funded by the Congress, without crippling amendments subjecting part or all of the programs to state and local government control.

(c) The Federal Government should immediately initiate food programs in the 321 counties still without them.

IV. UNIVERSAL SCHOOL FOOD PROGRAM

There must be established a national child feeding program which will make available at least ⅔ of the Recommended Dietary Allowance. This is to be accomplished by implementing a free lunch and breakfast program for all pre-school elementary and secondary school children.

To assure maximum participation in the program, the following steps should be taken:

(a) Nutritious food selected shall be consistent with the cultural preferences of the children to be fed.

(b) Funds shall be provided to enable schools, child care centers, and other participating groups lacking adequate facilities for food preparation, to obtain such facilities or to devise ways to provide meals by other means.

(c) Community groups shall be eligible to operate child feeding programs.

(d) Local poor residents must be trained for careers in nutritional planning and food preparation for employment in the program.

(e) Food provided at the schools shall be available at the choice of the children and their parents.

V. RUNNING THE PROGRAMS

There is a conflict of interest established in the U.S. Department of Agriculture in its dual role—primarily the advocate for the producers of food, and secondarily the distributor of food to the needy. Therefore, all programs relating to the provision of food, food services, food stamps, commodity distribution and nutrition services should be removed from the administrative jurisdiction of the U.S. Department of Agriculture and be established in the Department of Health, Education and Welfare, whose primary concerns are the needs and well-being of the people these programs were created to assist. Within that department, the provisions of food services of all kinds should be tied as closely as possible to the provision of overall comprehensive health care. We call on the President to use his Executive authority to initiate these changes.

To provide maximum coordination, Congressional responsibilities for both funding and programming should be reassigned to coincide with the above administrative changes.

The provisions of food services has too often been thwarted by lack of responsiveness at the state and local governmental levels. The poor should run their own programs. Maximum dignified participation by recipients is insured by transferring organizational and operational responsibilities to duly constituted, broad based, local community organizations of the recipients themselves. Certification, review and auditing must be done entirely at the Federal level to circumvent parochial political implications and to insure the protection of individual rights of those presently living in hunger and despair.

From all corners of this nation we have come together out of a deep concern to end hunger in America now. We feel a heavy sense of obligation to follow through on our commitment and on the commitments of this Conference. We brought with us the diversity that is the American people and we believe there is need for on-going active participation of all people in implementing the recommendations of this Conference.

Therefore, we call upon the organizers of this Conference to provide an effective continuing mechanism by which all of us who have this concern can contribute vigorous continuing leadership to ensure that this Conference produces action. Today is a beginning, not an end, of our commitment to end hunger in America.

And the appropriate beginning is conference-wide adoption of the 5 points:

1. A National Emergency.
2. Guaranteed Adequate Income.
3. Interim Food Programs.
4. Universal School Food Program.
5. Running the Programs.

Mr. SCHEUER. Mr. Chairman, I am impressed with the important questions raised by my two colleagues from New York (Mr. BINGHAM and Mr. RYAN) and earlier today by my colleague from Pennsylvania (Mr. DENT). Important substantive issues have been raised pointing out directions in which the bill should be clarified or improved. I regret—along with many of my colleagues—that this bill—excellent as it is, and credit as it is to the distinguished Ways and Means Committee—came to the floor under a closed rule—and, therefore, cannot effectively be clarified or improved on the floor. I intend to vote aye on a motion to recommit so that the ambiguities and imperfections can be cured and the bill returned to the floor in improved form. If the motion to recommit fails I shall, of course, vote for the bill, for, with its shortcomings, it is nevertheless a great step forward in comprehensive welfare reform.

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I know many of my colleagues join me in the hope and intent that the Senate will act on some of the testimony and other expert opinion on the bill—expressed during the months of hearings—and will clarify or improve the bill where the need has been established, and that the House conferees will approach such clarifications or improvements in a constructive and open-minded fashion.

Mr. CONABLE. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. WHALEN).

Mr. WHALEN. Mr. Chairman, I rise in support of H.R. 16311.

During the past 200 years the United States has developed the greatest standard of living the world has ever seen. Despite this fact there are today 25 million Americans who do not enjoy the fruits of this great standard of living.

How to assist these less-fortunate Americans represents one of the great domestic issues confronting our country today.

The Social Security Administration has developed what it calls a poverty index. According to this index, in 1959, 22 percent of all Americans lived below the poverty income line. Due to the great productivity of our economic system, by 1968 this figure had been reduced to 13 percent of all Americans. Despite this great improvement there are still two very disturbing factors that are present in these statistics. First, while the statistics indicate that approximately 3 million nonwhite Americans got out of the poverty bracket, nevertheless, today 34 percent of all nonwhite Americans live in what we call the poverty category, according to the social security poverty index.

Second, in the 9-year period between 1959 and 1968 there has been absolutely no change in the number of Americans who are members of families headed by females.

It is these two groups and combination of groups that represent what we might call our hard-core poor. It is to these two groups that our welfare programs at the Federal, State, and local levels have been directed.

We have heard from previous speakers that these programs have simply not worked. The costs have mushroomed. Yet the hard-core poor have not been dislodged. The reasons are many for the failure of our welfare programs to work. You already have heard a number of them mentioned. Let me cite what I consider to be the two most important.

First, current welfare benefits do not always go to those who are in need. Let me give you a couple of illustrations. A very noted economist, Eli Ginsburg mentioned a couple of years ago that only about 1 out of 10 poor Americans receives any benefit from our Federal poverty programs. Another well-known economist, Dr. James Tobin, delineated a series of Federal, State, and local welfare and social insurance programs and he made the comment that less than half of the poor in America receive any benefits from these programs.

Second, our current welfare programs provide the wrong incentives. For example, when a person on welfare accepts a part-time or seasonal job, his welfare benefits are reduced by an amount corresponding to the additional income he receives.

Mr. Chairman, it is evident, therefore, that our current programs are simply not working and we must have a new approach. I suggest to you, Mr. Chairman and members of the committee, we do have a new approach in the family assistance program which we are considering today. This approach, in my opinion, overcomes the weaknesses that are present in the current Federal, State, and local welfare programs.

For example, the benefits under FAP will go directly to the needy because they will be based upon income. Second, FAP will provide a positive work incentive, whereas under present programs we have negative incentives.

I think it was the late President Kennedy in his inaugural address in January 1961 who repopularized an old Chinese proverb:

> A journey of a thousand miles begins with the first step.

I think we are taking today a significant first step if we adopt the family assistance program.

As the previous speaker, the gentleman from New York (Mr. BINGHAM) indicated, there are some Members who feel that there should be broader coverage and that the benefit level should be greater than that which is proposed in H.R. 16311.

As a matter of fact, I joined the gentleman from New York (Mr. BINGHAM) and the gentleman from Michigan (Mr. CONYERS) in presenting such a bill. But I think at the present time, due to the present Federal budget strictures, it is not very practicable to think in terms of broadening coverage right now.

Therefore, I would like to suggest to those of you who believe as I do that ultimately the program should be broadened, that the benefit level should be increased, that we are today indeed taking a significant first step. We are changing direction, we have come up with an innovative program. It is for this reason that I intend to vote affirmatively for H.R. 16311 and I would urge my colleagues to do likewise.

Mr. MILLS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. BURTON).

Mr. BURTON of California. Initially, Mr. Chairman, I would like to record my support for the pending legislation and my commendation to the administration for demonstrating understanding to come forth with this proposal.

For those of our colleagues who are concerned that this proposal is too rich for their blood, I might note that a $1,600 annual base for a family of four hardly compares favorably with the Bureau of Labor Statistics findings that it takes some $5,500 a year for a family of four in the major urban areas of the country to live at some minimal level.

I must also state that I think the administration bill was somewhat preferable in the family plan than that which the committee reported, and I make specific reference to the fact that in the administration proposal the unearned income was permitted to be disregarded by 50 percent; the committee deleted this benefit to the poor which had the effect, lamentably, of taking some $600 million or $700 million per year out of their pockets.

However, with reference to the adult program the Nixon administration provided literally no assistance to the elderly, the blind, and the disabled in this country. It merely increased the Federal matching which wag going to result—essentially—in savings to the States. In this regard I think the committee is to be highly commended for their significant changes in the adult category by providing some minimum assurance of income for our aged, blind and disabled people.

And, finally, Mr. Chairman, I would like to note this: A number of my colleagues on the Democratic side of the aisle have privately noted that if the bill does not work, Republicans are going to have to take the full blame. Well, I happen to feel that that is just so much nonsense.

I am not sure this bill is going to work perfectly and I do not think the administration has said that. But anyone who knows anything about this field knows that our current program not only does not work and the costs of that program are skyrocketing. For those who are going to oppose this bill, I think the only way one can interpret that vote is that they are on record as supporting this current mess that we have and these skyrocketing costs under the current program will be theirs to defend and not mine. I am going to support the legislation.

I ask Chairman MILLS, it is my understanding that under present law and under this bill, the food stamp bonus will be disregarded in figuring the amount of adult assistance payments. Is that right?

Mr. MILLS. Yes.

Mr. BURTON of California. Under present law and regulations, home produce used by the household for its own consumption is disregarded as income or as a resource for adult public assistance recipients. This bill would permit this to continue, would it not?

Mr. MILLS. Yes.

Mr. BURTON of California. It is my understanding that under the adult assistance programs a scholarship of the type which would be disregarded under the family assistance provisions of the bill would also be disregarded as part of the rehabilitative services disregarded under the adult provisions, which apply in particular to the disabled and the blind. Is that right?

Mr. MILLS. Yes.

Mr. BURTON of California. It is my understanding that it is the intention of this bill that the authority of the Secretary to set the 25-percent Federal matching ceiling in the adult categories would not be invoked at a lower level of average payment, including full Federal participation, than the highest levels of average payment now made by the States under current State programs for the aged, blind, and disabled. Is that your understanding also?

Mr. MILLS. Yes.

Mr. BURTON of California. It is my understanding that the minimum payment to adults provided in section 1603

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(b) shall be in the form of a cash payment which when added to an individual's other income, not disregarded under other provisions in the bill, will be at least $110 a month. That term would not include any amounts provided for medical care, except, of course, in the case of an institutionalized person. Is that right?

Mr. MILLS. Yes.

Mr. BURTON of California. If a State chooses Federal administration of the adult assistance categories, then the Federal Government would administer the program in accordance with requirements of Federal law whether or not the State plan was in full compliance with Federal law?

Mr. MILLS. Yes.

Mr. BURTON of California. Mr. Chairman, enactment of H.R. 16311, the Family Assistance Act of 1970, is a sound first step in reform of our public assistance structure. It provides benefits that are far below any objective gage of poverty and will provide only marginal assistance to all too many of our neediest citizens. Thirty Members of the House have joined me in signing the following statement in support of significantly higher income guarantees than those provided in H.R. 16311:

> We believe all Americans are entitled to an adequate income from wages, welfare, or both. Surveys by the U.S. Department of Labor demonstrate that an urban family of four spends $5500 a year merely to live at a low level with an adequate diet. The Gallup Poll of January 25, 1970, says that the average American believes a family of four needs $120 a week ($6240 a year) to get along. Therefore:
>
> 1. A real welfare reform must be based on the amount of money that a family *needs*.
>
> The U.S. Bureau of Labor Statistics regularly compiles such data that reflects what people actually must spend to obtain decent food, clothing, and shelter.
>
> We support the implementation of the Department of Labor's determination of need. H.R. 16311 does not use such an objective standard of need as already determined by government agencies.
>
> 2. We criticize, as inadequate, the income level in the H.R. 16311 Family Assistance Plan (FAP). At worst, it provides only $7.70 a week for each person in a poor family of 4 ($1600/yr.); at best, a ceiling of $17.90/wk. per person (3720 FAP ceiling for 4). This Poverty Line is based on the Agriculture Department's Economy Food Plan which, according to the Department, "is not a reasonable measure of basic money needs for a good diet" and allows a person to survive with adequate nutrition "for short emergency periods of time and only under very special circumstances." Furthermore, there is no provision in H.R. 16311 for automatic cost-of-living increases; yet the latest Labor Department statistics show the cost-of-living is increasing the rate of 6.2% a year.
>
> While, as members of the House of Representatives, most of us intend to vote for H.R. 16311 as a sound step toward the elimination of poverty, we nevertheless retain these serious reservations about the inadequacy of the Family Assistance Plan.
>
> Representatives BURTON of California, BINGHAM, BROWN of California, CHISHOLM, CLAY, CONYERS, DIGGS, EDWARDS, of California, FARBSTEIN, FRASER, FRIEDEL, HARRINGTON, HAWKINS, HELSTOSKI, KOCH, LOWENSTEIN, MATSUNAGA, MIKVA, MOORHEAD, NIX, OLSEN, OTTINGER, REUSS, ROSENTHAL, ROYBAL, RYAN, ST GERMAIN, SCHEUER, STOKES, TUNNEY, and CHARLES WILSON of California.

Mr. Chairman, since the beginning of this Congress I have served as the chairman of the Democratic Study Group's Task Force on Health and Welfare. Before the Committee on Ways and Means reported the bill we will vote on today, the task force submitted its recommendations both to the committee and to the Democratic Study Group's membership. A number of our recommendations have been incorporated into the bill, and as a result the bill has been measurably strengthened. I submit for the RECORD now these recommendations so that all Members may familiarize themselves with them. We will be working in the months ahead to further strengthen the bill along the lines the task force has recommended so that the final product will, while remaining within the administration's fiscal and programmatic guidelines, insure that every Federal dollar spent contributes to the welfare of recipients.

In addition I submit for the RECORD the Democratic Study Group's Fact Sheet entitled "Proposed Welfare Reforms." This analysis was coordinated and developed by our brilliant and hard working staff member, Rick Merrill. In my view this document provides an extremely useful summary of the bill and analysis of its key provisions and points of controversy.

The material follows:

Report and Recommendations on President Nixon's Welfare Reform Proposals

The DSG Task Force on Health and Welfare herewith submits its report and recommendations regarding President Nixon's welfare proposals to the DSG membership. The report has also been forwarded to all Democratic members of the House Committee on Ways and Means and the Senate Finance Committee and to appropriate Government agencies and officials.

The Task Force, at the request of the DSG leadership, has been studying this issue since last October, when H.R. 14173, the Administration's welfare reform bill, was introduced in the House. The Task Force held a number of meetings and briefings on the subject. Special separate sessions were held with Mr. Ben Heineman, Chairman of President Johnson's Commission on Income Maintenance, former HEW Secretary Wilbur Cohen, and an Administration briefing team headed by Presidential Counselor Daniel Moynihan and HEW Under Secretary John Veneman.

The Nixon welfare proposals contain a number of commendable initiatives, particularly with respect to coverage for all families with children and Federal participation in setting standards. The Task Force recommends approval of the Nixon Family Assistance Plan as a sound step toward the elimination of poverty. However the Administration Plan should be strengthened in a number of key areas, and benefits under adult assistance programs broadened. Specific Task Force recommendations for improvement of the Nixon proposals follow:

FAMILY ASSISTANCE PLAN RECOMMENDATIONS

1. Labor standard safeguards contained in the Nixon Plan should be clarified, including definitions of wage levels and conditions under which job offers will be considered suitable.

2. Any work provisions for mothers should in all instances place the interests of the child or children first.

3. The Nixon Plan should contain a commitment to full federalization of family assistance, with benefit levels raised to the poverty level in equal stages within a specific time period.

4. Only net earned income, after deducting the expenses of seeking, obtaining, or holding employment—to the extent permitted by current law—should be considered in the reduction of the family assistance grant.

5. Food stamps should be provided automatically to all family assistance beneficiaries in amounts for which they are eligible.

6. States should be required to meet budgeted unmet needs in their family assistance programs, at the risk of loss of other Federal funds.

7. Assurance should be provided that no family receives a reduction in its grant (Federal and state) from what it is currently receiving.

CHILDLESS PERSONS

The Task Force does not recommend at this time the inclusion of childless persons, other than those eligible for assistance under aged, blind, and disabled programs, until and unless the unemployment rate reaches 6%.

In the event a 6% rate of unemployment is reached, the Task Force recommends that the benefit level for the then eligible childless persons be set at the family assistance rate.

AGED, BLIND, AND DISABLED PROGRAM RECOMMENDATIONS

The Task Force recommends approval of the Administration proposals, with the following additions:

1. Increase to $150 per month (from the $90 proposed) the guaranteed income floor for the Nation's aged, blind, and disabled.
2. Provide for a cost-of-living escalator clause in the minimum monthly guarantee.
3. Reduce the age eligibility from the present 65 years to age 60 for men and age 55 for women.
4. Increase earnings permitted to $100 per month for the aged and the same amount for the blind and disabled with an earning incentive to the later two groups of 50% in addition to the $100 disregard.
5. Require the states to fully meet any budgeted—but unmet—needs of aged, blind, and disabled recipients.
6. Assurance should be provided that no individual receives reduction in his benefit (Federal and state) from what he is currently receiving.
7. The provision of current law permitting the disregard of $7.50 per month of outside income should be made mandatory, and the current temporary $4.00 social security disregard should be made permanent, with a comparable increase for those not receiving social security benefits.
8. Food stamps should be provided automatically to all aged, blind, and disabled beneficiaries in amounts for which they are eligible.

FEDERAL ADMINISTRATION AND FUNDING RECOMMENDATIONS

The Task Force recommends that the administration of programs for the aged, blind, and disabled be assumed by the Federal government on January 1, 1971.

Program costs should be entirely borne by the Federal Government on January 1, 1971, except that:

For the calendar year 1972 the states shall pay the full amount they expended for the fiscal year ending June 20, 1970.

For the calendar year 1977 the states shall pay 66⅔% of the amount they expended for the fiscal year ending June 30, 1970.

For the calendar year 1973 the states shall pay 33⅓% of the amount they expended for the fiscal year ending June 30, 1970.

As of January 1, 1974, the full costs and administration of programs for the aged, blind, and disabled should be borne by the Federal Government.

Proposed Welfare Reforms

This DSG Fact Sheet deals with H.R. 16311, which contains President Nixon's basic

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recommendations for reform of public assistance programs. The bill establishes a new Family Assistance Plan (FAP) with Federal eligibility standards and benefit provisions for families with children. The bill also provides Federal eligibility standards and minimums for aid to the aged, blind, and disabled.

The Ways and Means Committee reported the bill (H. Rept. 91-904) on March 11 by a vote of 21-3. The Rules Committee is expected to grant a closed rule on Tuesday, April 7. Floor consideration will begin Wednesday, April 8, subject to a rule being granted.

SECTION ONE

Background

Current public assistance programs comprise two major components—aid to families with dependent children (AFDC), and adult assistance programs for the aged, the blind, and the disabled. Both components are administered by the States or by localities with State supervision, with widely varying eligibility standards, benefit levels, and work referral requirements. For a family of four AFDC benefits range from an average of $44 per month in Mississippi to $264 per month in New Jersey. Adult public assistance benefits range from an average of $40 per month for the aged in Mississippi to $160 per month for the blind in California. About 1.7 million families containing 6.7 individuals receive AFDC. Another 3 million individuals receive assistance under programs for the aged, the blind, and the disabled.

Concern over public assistance programs has focused primarily on AFDC due to the rising rate of families applying for such assistance. The last attempt at Federal regulation of AFDC was the 1967 Amendments to the Social Security Act, which provided:

An AFDC "freeze," never implemented and repealed in June 1969, on the number of eligible children in a given state receiving AFDC due to absence of a parent from the home.

Mandatory referral of "appropriate" AFDC recipients for work training projects, with wide latitude for state administrators to define "appropriate" under Federal-state guidelines.

Work incentives providing for exclusion of first $30 per month earned plus one-third of the remainder, after deduction of the expenses of working.

AFDC rolls, however, continued to rise and a number of Federal agencies began to systematically analyze the public assistance population. President Johnson appointed a Commission on Income Maintenance Programs which undertook an in-depth study of poverty in the United States. Welfare specialists generally began to question traditional assumptions about public assistance beneficiaries. Most importantly, welfare began to be viewed in the overall context of poverty in the United States.

As a result of these various studies, new information about welfare recipients and the poor generally came to light:

Income at the government-defined poverty level for a family of four allowed about $100 per year for items other than basic necessities, such as medical care, furniture, and school supplies.

The food budget for an average welfare family was discovered to be $1 per day per person—too low for a nutritionally adequate diet, according to the Department of Agriculture.

In a total public assistance population of about 10 million persons, only 50,000, or 1 in 200, were found to be able-bodied employable males.

On the basis of such findings and mounting public pressure from overburdened State administrations, taxpayers, and welfare recipients themselves, the Nixon Administration in August of 1969 announced its Family Assistance Plan (FAP) for welfare reform, along with recommendations for consolidation and a basic Federal minimum payment in the aged, blind, and disabled programs.

The President's proposals generally received widespread public support. On March 11, 1970, after extensive hearings, the Committee on Ways and Means reported H.R. 16311 containing the key elements of the President's proposals for Federal benefit minimums and eligibility standards for family assistance and for programs for the aged, blind, and disabled.

Summary

H.R. 16311 terminates Federal participation in AFDC programs and instead establishes a Federal floor of $1600 per year for a family of four with no other income. Work incentive earned income exclusions permit a family of four to earn up to $3920 before losing their Federal supplement completely. FAP provides Federal eligibility standards that would include families headed by an unemployed male in the home and, for the first time, families headed by a full time employed person.

The bill requires States to maintain programs to supplement FAP up to their January 1970 level of payment or the poverty level, whichever is lower. States receive 30% in Federal matching funds for these supplementary programs. States would receive no Federal funds for programs to assist the working poor.

The bill provides tight Federal requirements for registration and referral for job training and employment programs to be developed by the Department of Labor. Mothers of preschool children need not register, but the bill requires all others, including the working poor, to register for job training. The bill authorizes new job training programs and child care facilities for these new registrants.

For the aged, blind, and disabled, H.R. 16311 consolidates existing Federal-State programs and sets Federal eligibility standards and income exclusion provisions. The bill provides a minimum payment of $110 per month for all aged, blind, and disabled eligibles who have no other income.

The bill will extend coverage under family assistance from about 7 million to about 20 million persons and extend coverage to adults under aged, blind, and disabled programs from 3 million to about 4 million persons. HEW and the Bureau of the Budget estimate that the bill will add $4.4 BILLION to current welfare costs, including $600 million for expanded work training and day care programs.

Summary of key differences between administration proposal and H.R. 16311

The Committee bill drops the provision in the Administration proposal permitting disregard of unearned income, thereby removing an estimated $600 million in direct Federal assistance to families with children. The Committee bill adds an estimated $300 million in savings to the States in the FAP portion of the bill and an estimated $100 million in aged, blind, and disabled benefits.

With regard to work registration and training requirements, the Committee bill contains the following new features:

Protective labor standard safeguards although the exact wage level at which beneficiaries must take jobs is not clear.

A definition of job "suitability" derived from that in use under state unemployment compensation laws.

A requirement that the working poor register for job training in addition to those without full time jobs.

Increased emphasis on special work projects where employment on the regular economy is not available, and Federal financing arrangements for on-the-job training.

The Committee bill also provides full Federal funding for day care programs as opposed to 90% Federal matching under the Administration proposal.

The Committee bill provides for full Federal assumption of administrative costs where States opt to have the Federal Government make direct payments to beneficiaries in both FAP and the adult assistance programs. The Administration proposal provided for only 50% Federal assumption of administrative costs.

In the aged, blind, and disabled adult categories the Committee bill raises the Federal minimum to $110 per month from the $90 per month in the Administration bill for individuals with no other income. The new Federal minimum combined with the earned income exclusions in the Committee bill will add to the incomes of aged, blind, and disabled public assistance recipients and broaden coverage of these programs.

SECTION TWO. BASIC PROVISIONS OF H.R. 16311

Title I. The family assistance plan

FAP Benefits and Eligibility

The bill provides an annual Federal family assistance benefit of $500 for each of the first two family members and $300 for each additional family member. The benefit is reduced by the amount of the family's income over and above the following:

The first $720 per year of the total of earned income of all family members, plus one-half the remainder.

Irregularly received amounts of earned and unearned income up to $30 per quarter of each type, determined in accordance with criteria prescribed by HEW.

Earnings of a child if in school and the tuition part of scholarships and fellowships.

The training allowance for those in training and earnings used to pay for child care.

Food stamps and other public or private charity, and produce grown and used at home.

Families with more than $1500 in resources, other than the home, household goods, personal effects, and property essential to the family's self-support would not be eligible for the program.

A family is defined as two or more people living together, at least one of whom is a dependent child under 18 (21 if a full-time student). A parent who is temporarily absent due to employment or military service would be considered living in the place of residence. Persons receiving aid to the aged, blind, or disabled are not considered family members. Military families would be considered eligible.

Each member of a family found eligible would be required to register for employment or training with their State employment service, except for the following:

Those unable to work because of illness, incapacity, or age, and children under 16 (21 if in school).

Mothers of children under 6 and mothers in cases where the father registers.

Persons caring for an ill member of the household.

The bill requires child care for those in training or employment and vocational rehabilitation for those unable to work due to incapacity, and permits voluntary registration of those exempted. The working poor would also be required to register.

Persons refusing to register or refusing manpower training or employment without good cause would not be taken into account (but their income would be counted) in determining the family benefit. In determining suitability for employment, a person's fitness potential, and prior training and experience would be taken into consideration. Individuals could not be required to take jobs "if the wages, hours, or other terms or considerations of the work are contrary to or less than those prescribed by Federal, state, or local law."

State Supplementation of FAP

States whose payments under the old AFDC program are above the FAP level would be required to supplement the FAP benefit

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up to that level or to the poverty level, whichever is lower. The poverty level is defined in terms of family size as follows:

Family Size:	*Basic Amount*
1	$1,920
2	2,460
3	2,940
4	3,720
5	4,440
6	4,980
7	6,120

This level would be adjusted annually to reflect changed living costs. Thirty percent in Federal matching funds would be available for this supplementation. The Federal Government would pay 50% of the administrative costs of State supplementary programs.

States would have to supplement the benefits of all those currently eligible and all of those newly eligible under the FAP standards, except the working poor. All States would be required to supplement the benefits of families where the father is unemployed or where a child is between 18 and 21 and in school, both now at State opinion.

In computing benefits the States would be required to follow the rules for FAP, except in the case of the work incentive earned income exclusion. The complicated new earned income formula for the State supplement,[1] when combined with the FAP work incentive exclusion, would have roughly the same impact as the current disregard (all working expenses plus $30 per month plus one-third of earnings above this amount.)

Administration of FAP

The bill provides three possible administrative arrangements:

Federal administration of both the FAP and the State supplementary program, in which case the Federal government would pay all the administrative costs of both programs.

State administration of both the FAP and the State supplementary program.

Federal administration of the FAP and State administration of the State supplementary program.

In the latter two cases the Federal Government would pay the costs of administering the FAP and the Federal Government and the State would equally divide the costs of administering the State supplementary program.

The bill also contains a provision under which deserting parents would incur an obligation to the Federal Government for the amount of Federal payments to their families under FAP. Other provisions authorize $20 million for research and demonstration projects to improve FAP and technical assistance to the States.

Service Programs

Individuals registered under FAP would be provided an "employability plan" and services and training similar to those provided under the current work incentive (WIN) program. Existing manpower training programs would be utilized where possible and State welfare departments would be required to provide health care and other services to enable an individual to participate. Each individual participating in a training program would receive $30 per month and allowances to cover transportation and other associated training costs. The Federal Government would pay 90% of the costs of such training programs.

The bill authorizes grants up to 100% to public or private agencies for day care programs for children of manpower training participants. For school-age children, group or institutional care would be provided through local educational agencies whenever possible. Fees for child care could be charged on the basis of a family's ability to pay.

The bill authorizes 90% Federal matching grants for services supporting manpower training programs. HEW will make further recommendations for social services in the near future.

Title II.—Aid to the aged, blind, and disabled (AABD)

AABD State Plan Requirements

The bill would repeal current Federal provisions for separate programs for the aged (OAA), blind (AB), and permanent and totally disabled (APTD) and establish a new combined Federal-State program (AABD) with a monthly benefit minimum of $110 for aged, blind, and disabled persons with no other income. The bill provides for uniform Federal definitions for blindness and disability.

Existing Federal administrative requirements for State plans are retained in the bill, as are regulations designed to protect the rights of recipients. The bill also specifically excludes State plans which contain residency requirements, an age requirement over 65, or citizenship requirements which deny benefits to United States citizens or lawfully admitted aliens continuously in residence for 5 years preceding application.

AABD ELIGIBILITY AND INCOME DISREGARDS

In determining need for aid under AABD programs, States are required to exclude the home, household goods, and personal effects of an individual, and other resources up to $1500. States must also not impose responsibility on relatives unless the beneficiary is the relative's spouse, or a child who is under 21, blind, or disabled.

Income disregards are as follows:

For the blind and disabled, the first $85 per month of earned income plus one-half the remainder, mandatory on the States.

For the aged, the first $60 per month of earned income plus one-half the remainder, optional with the States.

$7.50 per month of earned or unearned income before disregard of any of the above, optional with the States.

The bill also makes permanent a temporary provision in the 1969 Social Security Amendments requiring the States to pass along to AABD recipients a $4 per month social security disregard.

AABD FEDERAL MATCHING PROVISIONS AND ADMINISTRATION

The Federal Government would pay 90% of the first $65 of the average payment made to AABD beneficaries and one-fourth of the remainder, up to a limit set by HEW. The bill provides for optional direct payment to recipients by the Federal Government, in which case all administrative costs would be borne by the Federal Government.

State plans providing certain rehabilitative services prescribed by HEW for AABD recipients would qualify for 75% Federal matching for such services and 50% of the remainder of administrative costs. The Federal Government in any event would pay 50% of administrative costs of AABD programs.

SECTION THREE. COMPARATIVE ANALYSIS OF KEY PROVISIONS

President Nixon's welfare reform proposals raise a number of basic issues. Alternative proposals have come from a number of sources, including President Johnson's Commission on Income Maintenance Programs, Senator Fred Harris, a number of private organizations, and the Ways and Means Committee. Following is an analysis of Administration, Ways and Means Committee, and alternative proposals in key areas.

Benefit levels

The basic FAP benefit ($1600 per year for a family of four with no other income) is recommended in the Committee bill. This basic benefit is supplemented both in the Administration proposal and the Committee bill by exclusion of the value of food stamps ($864 for a family of four with the basic FAP income of $1600). This $2464 total compares with the basic benefits of $2487 recommended by the Harris bill and $2,400 recommended by the Commission of Income Maintenance. The Harris and Commission bills, however, also provide for automatic escalation to the poverty level in a specific period of time. A number of organizations recommend a basic benefit at the poverty level this year, currently set at $3720. The National Welfare Rights Organization recommends $5500, the Lower Standard Budget set by the Bureau of Labor Statistics for a family of four in an urban area.

The Administration contends that cost factors make any higher Federal guarantee impossible at this time and points out that State supplementary programs will add signficantly to the Federal minimum. HEW estimates that the recommended $1600 basic FAP benefits will add $2.6 billion to current Federal welfare costs, and that adding $100 to the basic $1600 annual family of four benefit would cost the Federal Government $500 million.

Coverage

The Committee bill and the Administration proposal both limit payments to families (defining family as a group of two, one of whom must be a child), and make no provision for childless couples or single persons. Both extend present coverage to families headed by full-time employed males (the working poor) and families where the father is unemployed and at home. The Committee bill also makes provision for an estimated 12,000 eligible military families, excluded in the Administration proposal.

Alternative proposals recommend universal coverage with specific exclusions for obviously undeserving cases. The Administration points out that FAP will cover 20 million persons in 1971, compared to the 6.7 million currently on AFDC rolls, and that universal coverage would add 4.5 million beneficiaries and costs of $1 billion to the program.

Income exclusions

Both the Committee bill and the Administration proposal contain a basic work incentive earned income exclusion of the first $720 per year plus one-half the remainder. The Administration proposal, however, contained an additional disregard of one-half of unearned income (such as veteran's benefits, social security, and railroad retirement), which the Committee dropped, thereby reducing total benefits by $600 million.

The Committee bill sets the amounts of irregular earned and unearned income allowable at $30 per quarter for each type, left to the determination of HEW in the Administration proposal. Setting an amount may make this disregard more or less automatic, thereby in effect increasing the initial disregard from $720 to $960 per year and raising the breakeven point from $3920 to $4160.

The Harris bill excludes the first $900 per year of earned income, plus one-half the next $1800, plus one-fourth of the remainder. The bill also defines earned income as net income after deduction of the expenses of earning such income. These exclusion provisions would allow a family of four to earn up to $6300 and remain eligible.

Work registration requirements

Both the Administration proposal and the Committee bill contain strict new provisions requiring FAP beneficiaries to register for work training and employment. The Administration proposal, however, contained

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[1] The States would have to exclude the first $720 per year plus (1) one-third of the remainder up to twice the unreduced FAP benefit ($3200 for a family of four), plus (2) one-fifth of any earnings above that amount.

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virtually no labor standard safeguards and left the definition of job "suitability" to the Department of Labor.

The Committee bill includes labor standard safeguards designed to insure that individuals are not placed in unsuitable or excessively low paying jobs, and that they are not forced to cross picket lines or join company unions. The bill contains a new requirement for mandatory registration of the working poor, doubling the total number of registrants from 1.5 to 3 million. The bill also reduces the mandatory registration age for non-students from 18 to 16.

Alternative proposals, including the Harris bill, contain liberalized work training requirements. The Harris bill permits persons to refuse work training in cases where suitable jobs are unavailable and excludes mothers of school-age children from registration and training requirements.

State supplementation

Since the Federal floor provided in both the Administration proposal and the Committee bill is below the level of payment in all but eight States, State supplementation programs are necessary to insure that beneficiaries do not receive less than they are receiving now. The Committee bill and the Administration proposal contain equivalent formulas for determining benefits, but the Committee bill formula for Federal participation (30% Federal matching) generally provides greater relief than the Administration proposal to States currently making greater effort. The Committee bill would result in an additional estimated cost to the Federal Government of $300 million. The provision for direct Federal matching funds also provides greater Federal leverage to insure State supplementation.

The Committee bill contains a provision not in the Administration proposal that sets the poverty level ($3720 for a family of four) as the maximum level to which benefits may be supplemented with Federal matching, thereby affecting the two States (New York and New Jersey) with benefit levels over $3720. The Committee bill also contains a provision absent from the Administration proposal permitting HEW to provide for individual cases that under FAP would receive less than they are receiving now.

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Alternative proposals, including the Harris bill, recommend complete Federal financing of public assistance and therefore make no provision for State supplements. Such proposals include the working poor and therefore avoid work disincentives created by excluding the working poor from State supplementary programs, as in the case in the Administration proposal and the Committee bill. Providing Federal matching for State supplements to the working poor would add to Federal and State costs of the bill.

Administration

The Committee bill encourages Federal administration by providing for full assumption of administrative costs in cases where States choose to have the Federal Government make the basic FAP and State supplementary payment directly to the beneficiary. The Administration proposal provided for Federal assumption of only half of the costs of administering the State supplements in such cases. The Committee bill provides the same incentive for Federal administration of AABD programs while the Administration proposal recommended only a 50% Federal contribution.

The Committee bill contains a new provision for liability to the Federal Government for FAP benefits in cases of deserting parents during their period of absence. The Committee in its report indicates that spouses of deserting parents are expected to cooperate fully with authorities in tracking down miscreants under pain of loss of their benefits.

Alternative proposals, including the Harris bill, recommend complete Federalization of public assistance and therefore contain no provision for joint Federal-State administrative arrangements. Punitive administrative provisions are also not included in any alternative proposals.

Food stamps

Both the Administration proposal and the Committee bill permit food stamps for FAP beneficiaries. The Committee in its report noted the desirability of providing beneficiaries higher cash payments only, but said it could not devise a program to accomplish this end within Administration cost guidelines.

Alternative proposals, including the Harris bill, recommend abolishing food stamp assistance in favor of a higher basic income supplement. Rep. Gibbons of the Committee in additional views recommends an immediate integrated cash-benefit program, both to eliminate the inequities of the food stamp program and to save substantial administrative costs.

Manpower training and employment programs

The 1967 Amendments to the Social Security Act provided for a work incentive program (WIN) administered by the Department of Labor rather than HEW through state welfare administrations. The program fell below Congressional expectations because of Department of Labor and HEW slowness in promulgating guidelines, varying State interpretations of the guidelines for referral, inability of States to develop effective training programs, and inadequate provision for child care services.

Both the Committee bill and the Administration proposal abolish the old WIN program and establish in its place a new Federal program with tight referral provisions to eliminate differing interpretations of referral requirements. Both also contain specific guidelines for Federal-State cooperation and coordination with existing programs. Both authorize about $600 million for expanded job training and day care facilities.

In order to insure adequate day care facilities, the Committee bill provides for complete Federal financing for day care programs, as opposed to 90% Federal matching in the Administration proposal. The Committee bill also contains increased emphasis on special work projects where employment in the regular economy is not available, and on-the-job training with new financing provisions under the Department of Labor.

Alternative proposals recognize the necessity of providing work training opportunities for family assistance beneficiaries but stress the need to provide meaningful employment, with the Federal government the employer of last resort.

Costs

Both the Administration proposal and the Committee bill are estimated by HEW and the Bureau of the Budget to add $4.4 BILLION to current public assistance expenditures in the first full year of operation. Both provide about $600 million for job training and day care and $300 million for administration in appropriation estimates.

Estimates of costs are based on 1968 data and are predicated on 100% participation in the programs. Estimates for administrative costs were made before Committee provision for full Federal financing. Following are the breakdowns for the Administration proposal and the Committee bill:

The Administration proposal would have provided an additional $3 BILLION in payments to families, reduced by elimination of the unearned income disregard to $2.6 BILLION in the Committee bill.

The Administration proposal would have provided $100 million in relief to the States (the 50%-90% formula), raised under the new 30% Federal matching formula to $400 million.

The Administration proposal would have provided an additional $400 million for the aged, blind, and disabled, raised to $500 million due to the increase in the Federal minimum from $90 per month to $110 per month.

Alternative proposals are estimated to add from $7 billion (Harris bill) to $30 billion (National Welfare Rights Organization) to public assistance costs in the first full year of operation.

AABD minimum benefits

The Administration proposal contained a Federal minimum of $90 per month for aged, blind, and disabled persons with no other income. The Committee raised this minimum to $110 per month. The Committee bill also contains a new formula for Federal participation that makes it impossible for States to avoid a contribution, as they could have under the Administration formula.[3]

Alternative proposals recommend raising the Federal family assistance minimum to a level that would adequately cover present AABD recipients and permit abolition of current AABD programs in favor of a single Federal program for the needy.

AABD income disregards and eligibility requirements

For the blind the Administration proposal and the Committee bill both contain a mandatory disregard of the first $85 per month of earned income plus one-half the remainder. In the State option disregards for the aged and disabled, the Administration allowed the first $20 per month of earned income plus one-half the remainder up to $80 per month (current law). The Committee bill extends to the disabled the same earnings disregard accorded the blind and permits states to disregard the first $60 per month plus one-half the remainder for the aged.

The Committee bill contains a provision allowing a State option disregard of $7.50 per month of earned or unearned income, and a mandatory $4 per month disregard for Social Security recipients. The Committee bill also drops a provision in the Administration proposal that expressly prohibited States from imposing property liens against aged, blind, or disabled individuals on account of benefits paid them.

SECTION FOUR. FAP (H.R. 16311) POINTS OF CONTROVERSY

The family assistance plan as proposed in H.R. 16311 has raised a number of points of controversy—both in terms of general approach and in terms of certain features. Following are arguments for and against the basic plan and arguments for and against specific provisions.

Basic plan

Proponents of FAP contend that the plan makes significant improvements in the current family assistance structure. They make the following points in its favor:

FAP establishes Federal standards of eligibility that will eliminate inequitable treatment of recipients.

FAP extends coverage to families headed by an unemployed father and to the working poor, currently in effect in only certain States.

FAP contains incentives to encourage States to opt for Federal administration of all public assistance programs.

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[3] Under the Administration formula the Federal Government provided all of the first $50, half the next $15, and one-fourth the remainder (average Federal payment with a $90 minimum: $57.50). The Committee formula is 90% of the first $65 and one-fourth the remainder (average Federal payment with a $110 minimum: $58.50).

By establishing a Federal income floor, FAP will reduce State and regional differences in the level of benefits paid.

While the Federal guarantee of $1600 per year for a family of four with no other income is too low, adoption of the program will generate a constituency to press for higher benefits, as was the case with Social Security.

Some critics of FAP believe the plan does not go far enough. They make the following points:

The Federal guarantee of $1600 per year for a family of four with no other income is far too low, and the bill makes no provision for even gradual raising of benefits to the poverty level or for increases based on the rise in the cost of living.

FAP excludes childless couples and single individuals from coverage, denying benefits to millions of needy people.

FAP perpetuates the current Federal-State administrative tangle and contains no provision for even gradual Federal assumption of all public assistance payments.

Other critics of FAP believe the plan goes too far. They make the following arguments:

By extending coverage to unemployed fathers and the working poor, FAP will add between 10 and 15 million people to the welfare rolls and put us on the road to a guaranteed income.

Provisions for Federalization will only create a massive permanent Federal welfare bureaucracy.

FAP attempts too much with insufficient funds; available resources should instead be allocated to existing programs, particularly job training and child care, rather than initiating a new program.

Specific provisions

Work Registration Requirements

Pro: Work registration requirements will provide an additional tool in getting people off welfare rolls and onto employment rolls. Since 11 million mothers of children under 18 are now working, welfare mothers should not receive special treatment. Requiring the working poor to register will permit upgrading of skills and allow the Department of Labor to develop a more adequate data base from which to analyse poverty.

Con: Registration requirements only perpetuate the myth that most welfare recipients are shiftless chiselers. Requiring mothers of children over six to register is potentially harmful to the development of the children; mothers should be allowed to determine the extent to which their presence is needed in the home. The requirement that the working poor register will swamp State unemployment services. The bill in addition establishes no priorities for referral of registrants for job training. The working poor (including the members of the Armed Forces), mothers of children *under* six volunteering for training, and unemployed fathers will all get the same treatment.

Work Incentives

Pro: By permitting people to hold full-time jobs while still receiving family assistance the bill significantly reduces the incentive to quit work and go on welfare. The Federal uniform initial work incentive exclusion of $720 per month plus one-half the remainder allows individuals to keep enough earnings to make work worthwhile and supercedes with a greater incentive varying amounts allowed under existing law.

Con: The so-called initial $720 plus one-half the remainder work incentive in the bill in fact excludes only that amount of money needed to meet the costs of employment, already provided for in the 1967 Amendments. The much-advertised 50% marginal tax rate is deceptive, because when one takes other public assistance income such as food stamps and State supplements into account and deducts expenses such as State and local taxes, as much as 90% of each dollar over $720 is deducted, thereby eliminating the financial work incentives in the bill.

Work Training and Child Care Programs

Pro: Work training and employment programs are essential to provide individuals with the ability to obtain adequately paying employment and get off welfare. Since successful work training programs depend in large measure on adequate day care facilities, the Committee bill provides full Federal financing for day care, which will spur development of day care facilities by the States and localities.

Con: Emphasis on work training programs diverts attention from the real problem—the lack of meaningful employment at an adequate wage in many areas of the country. Training people for non-existent jobs will only crowd an already tight job market. Work training programs in any event depend on adequate child care facilities, obstructed not by lack of Federal money but by State and local inability to develop quality programs.

Need Determination and Disregards

Pro: The new Federal need determination and disregard provisions will save State administrative costs and insure that recipients are treated equally in all jurisdictions. Disregards are necessary to keep costs of the program down and still provide for those in greatest need by providing for the wide variety of personal circumstances in which beneficiaries find themselves.

Con: The need determination and disregard provisions of the bill will prove almost impossible to administer and will require an immense new Federal bureaucracy. Such provisions should be eliminated in favor of an income guarantee for all Americans. Specific inequities in the bill include:

Discrimination against those of college-age receiving room-and-board scholarships, because of a provision for disregard of tuition only.

Incentive for families to spend their limited savings or life-insurance on additional household goods to qualify for benefits.

Unemployment Definition

Both supporters and critics agree that one of the major shortcomings of the bill is its reliance on the current definition of unemployment as working less than 30 hours a week. As long as the working poor are excluded from Federally assisted State supplementary programs, the current definition creates a work disincentive for many working poor. Individuals in States with a level of payment over $2100 can receive additional income (and, in some States, qualify for Medicaid) if they can come close to their present income by working 30 hours a week instead of full-time.

One remedy would be to define unemployment as working 20 hours a week or less, thus making it difficult for a person to earn near his present income and still qualify as unemployed. Alternatively, State supplements could be extended to the working poor, but this proposal would add to Federal and State costs of the bill.

APPENDIX I. HOW TO DETERMINE A FAMILY SUPPLEMENT

The amount of assistance a family could receive under H.R. 16311 will vary depending upon many factors, including the number of persons in the family, the family's income, and the State in which the family resides. To determine the family's total supplement for all but eight states[3] one must first determine the amount of the Federal supplement and then the amount of the State supplement.

Federal supplement

Determining the Federal supplement is a three-step process:

1. Subtract $720 from total family earnings;
2. Divide this amount by two; and
3. Subtract this figure from the basic FAP benefit ($500 for each of the first two plus $300 for each additional family member).

Thus a family of four with total earnings of $2,000 (and no disregardable income[4]) would receive a Federal supplement of $960, as follows:

1. $2000 (earnings) minus $720 equals $1280.
2. $1280 divided by 2 equals $640.
3. $1600 (basic FAP) minus $640 equals $960 Federal supplement.

State supplement[5]

Determining the State supplement is also a three step process:[6]

1. Find the difference between the following amounts: Earnings minus $720; one-third of earnings minus $720 (up to $3,200);
2. Add the family's Federal supplement to this amount;
3. Subtract this figure from the State's current level of payment (determined from table on reverse side).

Thus our family of four with $2,000 in earned income (and no disregards) if it lived in Illinois (level of payment: $3,228) would receive a State supplement of $1,415, as follows:

1. $1,280 minus $427 equals $853.
2. $853 plus $960 (Fed. supplement) equals $1,813.
3. $3,228 (payment level) minus $1,813 equals $1,415, State supplement.

Total supplement

Thus the total supplement for an Illinois family of four earning $2,000 a year would be $2,375, bringing the family's total income to $4,375, as follows:

Earnings	$2,000
Federal supplement	960
State supplement	1,415
Total supplemented income[7]	4,375

AFDC annualized levels of payment for a family of four (our adult plus three children) with no other income—based on latest HEW information

Alabama	$972
Alaska	2,220
Arizona	2,124
Arkansas	1,140
California	2,652
Colorado	2,292
Connecticut	3,524
Delaware	1,788
District of Columbia	2,928
Florida	1,608
Georgia	1,596
Hawaii	3,108
Idaho	2,880
Illinois	3,228

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[3] Because they currently pay less than the basic FAP benefit, the Federal supplement would be the total benefit in Alabama, Arkansas, Georgia, Louisiana, Mississippi, Missouri, South Carolina, Tennessee.

[4] Such dollar-for-dollar disregardable income would include training allowances, earnings of a child in school, the value of food stamps, and irregular or infrequent amounts up to $30 a quarter for each type.

[5] In order to be eligible for any state supplement, our sample family would have to earn $2,000 with no member working over 30 hours a week if the family lived in a State with no program for the working poor.

[6] An additional provision, applicable to families with an income past the FAP break-even point ($3,920) but still eligible for state supplements, provides for exclusion of one-fifth of remaining income.

[7] Provided our family did not live in one of the few States that impose a maximum, if the maximum were below this amount.

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Indiana	1,800
Iowa	2,928
Kansas	2,844
Kentucky	1,956
Louisiana	1,248
Maine	2,508
Maryland	2,196
Massachusetts	3,684
Michigan	3,156
Minnesota	3,468
Mississippi	828
Missouri	1,560
Montana	2,436
Nebraska	2,400
Nevada	1,724
New Hampshire	3,084
New Jersey	4,164
New York	3,756
New Mexico	2,196
North Carolina	1,608
North Dakota	3,132
Ohio	2,316
Oklahoma	2,220
Oregon	2,628
Pennsylvania	3,312
Rhode Island	2,664
South Carolina	1,140
South Dakota	3,084
Tennessee	1,548
Texas	2,148
Utah	2,328
Vermont	3,192
Virginia	2,856
Washington	3,648
West Virginia	1,656
Wisconsin	2,376
Wyoming	2,700

APPENDIX II. A WELFARE GLOSSARY

AABD—Aid to the Aged, Blind and Disabled, the new assistance program for the aged, blind, and disabled persons. It combines three separate Federal-State programs for aid to the aged (OAA), aid to the blind (AB), and the aid to the permanent and totally disabled (APTD).

AFDC—Aid to Families with Dependent Children (formerly ADC), the currently operating Federal-State program for assisting families with dependent children.

Breakeven Point—That level of earned income at which the amount of public assistance available a beneficiary is reduced to zero. This point also denotes the coverage of the program.

Determination of Need—Features of a bill that outline eligibility for assistance, such as permissible assets, relative responsibility requirements, and age or disability definitions.

Disregards—Income that need not be counted in determining the benefit level of an individual receiving public assistance.

Earned Income—As used in H.R. 16311, all remuneration for services performed as an employee and net earnings from self-employment.

Minimum—The lowest amount of total income, set by law, that an individual on public assistance must receive. The minimum is therefore the combination of assistance payments and other income which is not disregarded.

Unearned Income—As used in H.R. 16311, all income that is not earned, including annuities, pensions, social security, workmen's compensation, unemployment benefits, railroad retirement, disability insurance, prizes, life insurance proceeds, gifts, rents, dividends, interest, royalties, alimony payments, and inheritances.

Work Disincentives—Provisions that reward an individual with additional benefits or do not significantly reduce benefits if he works less or quits his job altogether.

Work Incentives—Provisions for allowing an individual to retain that percentage of his earned income that, when combined with his benefit, will produce sufficient additional income to encourage the beneficiary to work.

Mr. CONABLE. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. Ruth).

Mr. RUTH. Mr. Chairman, for several weeks I have been telling my constituents that I would like to hear the debate before making up my mind on this issue, and there are several points that I would like to mention.

First, for a bill of this magnitude I am disappointed that the proponents are not talking about the merits of the bill to the extent that they are saying: It is better than what we have.

Second, if a pilot program has been conducted in two States for about a year, it seems we should either have more definite evidence or wait until we have more evidence as to its effectiveness.

Third, it seems if this were a business enterprise the chairman would be saying "We have a failure on our hands. We are going to change a few formulas, include more people, refinance it, and try it some more."

Fourth, I hate to see the campaigns of the future become based on the amount of the guaranteed income promised by the candidates.

Fifth, I hope we do not vote for work incentives which turn out to be just the opposite. We should be less concerned with what we hope this bill would do, and more concerned with what the bill will actually do.

The CHAIRMAN. The Chair will advise the Members that the gentleman from Wisconsin (Mr. Byrnes) has 24 minutes remaining, and the gentleman from Arkansas (Mr. Mills) has 20 minutes remaining.

Mr. CONABLE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New Hampshire (Mr. Cleveland).

Mr. CLEVELAND. Mr. Chairman, I have taken this time to inquire further from the gentleman from Arkansas and the gentleman from Wisconsin concerning details of this bill. One of the questions I would like to ask of the gentleman from Arkansas, who is on the floor, is that I am concerned about the rural poor. The President stated in his state of the Union message that we probably should do what we can to redress the outmigration problem caused by people leaving the rural areas and piling up in the cities where they often create so many problems.

So, addressing ourselves to the provisions of this bill as they pertain to working poor families, I know that at least in my State some of the unemployment compensation offices are scattered. I wondered if the committee has studied the problem of how somebody would go, say, 40 or 50 or 60 miles to register for the provisions of this legislation.

Then another question comes up. If, after he has registered and under the provisions of this act he is going to be required to take training, if he comes from a small rural town, is it going to be possible to set up a training program in that small town?

I wonder if the chairman would respond to those questions?

Mr. MILLS. If the gentleman will yield, yes; I have the same degree of concern, I might say, that the gentleman has in this very problem. Like the gentleman, I have a lot of these areas that are small communities in my district. I would call the attention of the gentleman to the fact that there are these employment services or security offices scattered all over with at least one in the counties. That is the case in my own State.

Mr. CLEVELAND. Yes, but we have some pretty large counties.

Mr. MILLS. I understand that. There would be no payment to an individual from any agency of the Government, unless the welfare department of the State would do it, to provide the transportation into the office to register. He would have to do that.

But if he is assigned to a training program, then it is possible for the employment security office to make available to him the cost of transportation to and from his training, if that is necessary, to make it possible for him to take a course in training.

This is not necessarily a matter of training 50 people at the same time, you understand, which might be training in automotive mechanics or something like that. This is directed more toward individualized training.

Mr. CLEVELAND. However, the fact is that some of these training programs could not possibly be set up in the rural areas and that they would have to travel.

Mr. MILLS. In my own area, I can envision a situation where three counties might be included for the purposes of one training center. But the employment security office would have to make available to the individual such transportation as necessary to enable him to carry out their instructions to attend a course of training. They would have to do that.

Mr. CLEVELAND. I thank the gentleman.

Mr. Chairman, I would comment simply by saying that I do not think this can be considered as encouraging people to stay in the rural areas. I think it is, if anything, going to give an incentive to move into or toward urban areas where they can travel a short distance to apply and travel a short distance to their training program, and where inevitably the recommended job will be located.

Mr. MILLS. I have just the opposite view on it because I know in my area the tendency now is for many of our people who have been on the farms all their life, when adversity comes along and they find they are not making the living on the farm that they want to, to go to the city. I think that here we have some degree of opportunity to train these people in the rural areas for employment. It may be in a town where they get that employment or within the city. But they could take their training while they are at home, and at least they do not have to go into the city to get that.

Mr. CLEVELAND. I have another question that I would like to ask, if the chairman would be so kind.

Is there any provision in this bill which deals with the question as to whether people who register under the provisions of this act—whether their names

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will be made public under our public information laws?

Mr. MILLS. There is a special regulation within the Department of Health, Education, and Welfare dealing with these matters prohibiting, say, a newspaper from going to an office and getting a full list of these names. The names of these people will be made available to prospective employers; that is, to people who have a right to know who they are.

Mr. CLEVELAND. To a certain extent, they will be published?

Mr. MILLS. Yes; to that extent.

Mr. CLEVELAND. Thank you.

Mr. Chairman, I regret that there is no more time to explore a number of other questions which I have about this program, and which I have not heard satisfactorily answered in this debate.

A significant point is that the proposed bill will more than double the number of persons who will be registered at the State employment security offices. Though Congress may get around to increasing the appropriation to provide for this, I personally tend to doubt it. Will we be prepared for the deluge of applicants which will descend upon the employment security offices?

A second aspect of this bill which I question is that social security recipients who qualify for family assistance payments will have to register with employment security for a job, and will have their FAP reduced by the amount of their social security payments. Yet if these same people want to help themselves instead of relying on the dole, they run into a $1,680 earnings limit. They are discouraged from working, and encouraged to subsist on their Government check. Is this not a basic contradiction?

The whole area of cost estimates for this proposal deserves thorough questioning. The data on which the cost guesses are made are based on a 1966-67 study which was updated to 1968, and now projected to 1971 and beyond. This is quite unrealistic.

Hard figures on which we will be able to base our estimates will soon be available, in the form of that long 1970 census which we all filled out recently. It is tragic to have to misuse bad statistics when good ones will soon be available.

Given our experience with medicare and medicaid, where the actual cost has far outrun earlier predictions, should we not be candid and admit that the actual cost will be much higher? I might add that it is interesting that some of the same people who are outraged by military cost overruns are now willing to accept low estimates of the cost of the family assistance plan in order to promote acceptance.

I also question very seriously estimates of proponents that the FAP, which will double the number of people on the rolls, will by 1975 be costing only a little more than existing programs would if we did not change them. In order to determine the anticipated cost of existing programs, if unchanged, it is assumed that both caseload and costs will continue to increase at the same rate as over the past 3 years. AFDC benefit schedules are adjusted upward yearly to compensate for cost of living increases, and the projected costs assume that this would continue. But, the estimates for the family assistance plan assume that until 1975 there will be no increase in the $1,600 level of benefits.

Can we honestly say that we are not going to give periodic increases to compensate for inflation, just as we do in all other programs? Yet if we do, the FAP will be much more expensive than even the existing program.

Not only are the cost projections suspect, but the Legislative Reference Service tells me that there is reason to believe that the recent rapid growth in the caseload of AFDC is leveling out. Yet the figures cited project that the rate of increase will be the same as that of the last three years. This,too, should be clarified.

Mr. Speaker, by no means am I opposed to giving to those truly in need and my record amply proves that. However, I raise these questions because I doubt whether the proposed reforms are any better than the existing situation which apparently we all deplore. About the only thing that is certain about the family assistance plan is that it will immediately add at least 10 to 15 million people to the welfare rolls.

About the lowest estimate of its cost put forth is approximately $5 billion. For this same amount, we could adopt the Prouty proposals to give all social security recipients adequate retirement income—$1,800 for one person, $2,400 for two people—as well as eliminate the anti-incentive earnings limit on social security for all people over 65. This certainly seems a better place to put our dollars, if we want to put them where they would do some real good at no additional administrative cost.

Mr. MILLS. Mr. Chairman, I yield to the gentleman from Louisiana (Mr. BOGGS) 5 minutes.

Mr. BOGGS. Mr. Chairman, we are coming to the end of this debate which, in my judgment, has been a most significant and enlightening one in attempting to show to the Members of the House the pressing need for welfare reform in our country.

As all of you know, this bill came to the floor after many weeks of intensive hearings and after many weeks of executive sessions in the Committee on Ways and Means, with only three of the 25 members on the committee against it.

I venture to say that more than a majority of the members on the Committee on Ways and Means at the beginning of the hearings approached the proposals with considerable misgivings. But after examining alternatives, and after looking hard, carefully, and critically at the existing welfare programs and how they have worked over the past 30 years—after that very intensive study and very intensive debate, the committee came, as I said, almost to a unanimous conclusion that this was the proper and right thing to do.

There is almost universal agreement among those concerned with our present welfare system that that system, particularly with respect to the program for needy families with children, has failed. This bill is being proposed to remedy this situation by an approach that recognizes that we can no longer attempt to patch up what is basically an unsound structure.

The present AFDC program is characterized by incentives to family breakup and by the inequitable exclusion from assistance of poor families in which the father is employed. The time has come to replace this program with an entirely new program—the family assistance plan. Under this plan, for the first time, on a nationwide basis, families with unemployed fathers would be able to receive benefits; at present, AFDC benefits are available to such families in some States but not in others. Also, working poor families would be provided assistance, for the first time, on a nationwide basis.

It is time we recognized that it is bad social policy to have families in like situations treated differently because of the employment status of the family head—a policy that has all too often made it more attractive to go on welfare than to go to work. The exclusion of families in which the father is working has acted as an incentive for fathers to become unemployed or leave home in order to qualify their families for assistance. H.R. 16311 would do much to correct these inequities.

Another inequity to which this bill addresses itself, and in my opinion successfully, is the wide variation in payment levels and conditions of eligibility among the present State programs. Under this bill, all dependent families with children in America, regardless of where they live, would be assured of a Federal minimum standard of income—$1,600 for a family of four—based upon uniform eligibility standards. Moreover, families will be able to keep a fair share of their earnings. The first $720 of earnings a year will be completely disregarded, and above this amount, benefits will be reduced by only $1 for every $2 of earnings. This treatment of earned income would provide a strong incentive both to take employment and to increase one's earnings. A family with a working member will always be better off than a family without a working member. This provision gives recognition in the case of the welfare recipient of a fact of life so fundamental and so obvious that the rest of us have always taken it for granted—simply that if a person would be better off working than not working, he will work. To illustrate the effect of this provision, it would be possible, for a family of four to receive some benefits under the program until its income reached $3,920. As the family's income increases over the basic $720 of exempted income, its benefit payment would, of course, be reduced.

In addition to the obvious advantage to the recipient of uniform eligibility standards is the fact that such standards allow for uniform administrative mechanisms, so that we could take advantage of the economies of scale that are possible with an automated and nationally administered system.

Another important reform provided under the bill is the requirement that every able-bodied adult member of a

XUM

family—except mothers who have preschool-age children or others specifically exempted such as those with a disabled family member to care for—register for work or training. There is no other single provision in this bill that is more fundamental to the success of our efforts to transform welfare into workfare than these provisions for work and training.

Another important change this bill would make in the present welfare system relates to the programs which provide aid to our citizens who are in financial need due to old age or due to blindness or other crippling disabilities. It is important that we not allow the urgent need to reform the program of aid to families with dependent children to overshadow our concern for and commitment to our older citizens. I have been greatly concerned about the inadequacy and unevennness of assistance payments now being made to recipients of aid under the adult categories.

I am pleased that this bill would take constructive and very much needed steps to revise and improve the substance and operation of these adult programs. In particular, the bill would require that States assure that each aged, blind, and disabled adult will receive assistance sufficient to bring his total income up to at least $110 a month. This measure should be of great help to our older needy citizens who are finding it increasingly difficult under the inflationary conditions that prevail today to live on their present fixed inadequate incomes.

I am also glad to see that the bill would provide more uniform requirements under the adult programs for such eligibility factors as the level and type of resources allowed and the degree of disability and blindness required to qualify for assistance. In addition, the bill would liberalize the earnings exemptions under these programs. The earnings exemption for recipients of old-age assistance, which is optional with the States, would be made consistent with that under the family assistance program—the first $60 a month plus one-half of the remainder. The exemption for the severely disabled would be made consistent with that which has been in effect for some years for the blind—a mandatory exemption of the first $85 a month plus one-half of the remainder. I believe this latter provision should go a long way toward providing real encouragement to the severely disabled to accept rehabilitation services and employment within their capacities.

I am also pleased that under this bill, the Federal Government will make a strong contribution toward relieving the financial burden of the States. In order to assist the States in making supplementary payments, the bill provides that the Federal Government would pay 30 percent of a State's supplementary payment costs up to the poverty level. This represents an important improvement over the original proposal under which States were assured a savings of 10 to 50 percent of their costs in the federally assisted public assistance programs.

The inclusion of the new provision under which the Federal Government will pay 30 percent of a State's supplementary payment costs should go a long way toward providing relief for the financially overburdened States and in a way which would, in general, help States which have been making greater fiscal effort in their welfare programs to achieve more savings than they would have under the original proposal. Moreover, the provisions of the reported bill provide additional financial assistance to States that increase their supplementary payment levels up to the poverty index level, whereas the original version of the administration bill would have acted as a disincentive upon the States to keep their payments in line with increased living costs.

In voting for this bill we are recognizing that the vast majority of Americans do not want to be on welfare. They want to have the opportunity to earn decent livelihoods without the constant knock on the door by the social worker, the person who checks on them and makes their lives miserable, degrading, and embarrassing. In addition, the administration of the present program by the States is frightfully expensive.

This bill does not come here only with the recommendation of the members of the Ways and Means Committee. It comes here with the active support of the President and his Department of Health, Education, and Welfare. It has been suggested and supported by important segments of both political parties, both the Democrats and Republicans. It has today the active support of the business community. It has only recently been thoroughly examined by a most representative Presidential commission, which gave its full and entire approval to the proposals of the committee.

Obviously, Mr. Chairman, the bill is not the answer to all our problems, but it is certainly a step in the right direction. It is a step that states that we shall rely upon the ability of men and women to earn their own way. In this society where the gross national product approaches a trillion dollars, the idea that we will have continuing poverty is one that our Nation quite properly rejects.

This bill is a step in that direction. I congratulate the members of my committee for the tremendous amount of time and effort which they have given to the bill. It comes here not alone but as part of a reform package of many parts. We are now conducting intensive hearings into social security generally and into medicare and medicaid. Hopefully, by the end of this session, we shall have legislated constructively in the field of welfare, in field of family assistance, in the reform and extension and modernization of social security, and a similar reform and modification of medicare and medicaid. It is part of an overall package designed to realistically approach these problems of welfare and social security, and I hope that the committee will be sustained by a substantial majority of the House of Representatives.

Mr. CONABLE. Mr. Chairman, I yield myself 8 minutes.

Mr. Chairman, and my colleagues, one thing that we have proven in the past 2 days of debate has been that Alexander Pope knew what he was talking about when he said in one of his famous couplets:

> All looks yellow to the jaundiced eye.

I do not blame my colleagues for being a little jaundiced about this whole subject of welfare. It has been a very visible part of our social structure. It has been subject to a great deal of criticism because it has not been working. We are not so much trapped in a semantic sense as embarrassed by the emotional surcharge that the word has acquired over the years of misdirection of our welfare program.

And when we hear, as our leaders have explained that we are adding several million people to the welfare rolls, that means something to us that frightens us instinctively, because when we think of the welfare rolls we think of people who are not working but who are participating in the largess of the taxpayers, the productive elements of our society.

When we talk about adding people to the welfare rolls in this bill, we are not describing welfare in the traditional sense. Of the millions that are added, many are going to be added only in a peripheral sense. They are going to be people who will receive only a modest amount. They are people who are already working and who are ineligible for welfare now, because they are working. In short, under the bill they are going to be receiving supplements, not traditional welfare.

This is the only way in fact that we can design a bill that will make it worthwhile for people to work. I do not know about my colleagues, but I will tell Members that one of the toughest letters I have to answer is the letter which comes from a man who says that he works very hard, he has been working all his lifetime, and he has never been able to participate in the affluence of America. The fellow across the street from him, his wife and children are on welfare, and he is making more money than the man who works. Therefore, he asks, why should he continue to work when it is costing him money?

We have talked a great deal about incentives, and those who have been viewing this bill with a jaundiced eye have said the incentive program built into this bill is not going to work. In fact, they say we are just adding millions to the welfare rolls and increasing dependency rather than reducing it.

Mr. Chairman, this country has paid more than lipservice to the incentive system for 300 years. The incentive system has served this country well, although only 90 percent of our populace has been participating in an incentive system. The bottom 10 percent has had a disincentive to work. In fact, they have been criticized by members of their own families on occasion for refusing to go on welfare, because it was economically advantageous for them to do so.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. CONABLE. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I was a little curious about this incentive, and I am sincere about it. If a man, say, with two children is eligible for a supple-

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ment under this bill, and across the street there is a man with 10 children, and he is also eligible, will the man with 10 children—as I understand it, he will—receive more supplements than the fellow with two?

Mr. CONABLE. That is correct.

Mr. HAYS. Then the question arises in my mind, is this an incentive to work or an incentive to have more children?

Mr. CONABLE. Let me say I do not think many people would consider $300 a year adequate incentive to generate another hungry mouth to feed. I question whether the generation of children is usually a matter of economic incentive. We have to deal with the families as they are, and nobody would want to give any family the incentive to dispose of children.

Mr. HAYS. I understand that, but there are people—for instance, there is a fellow in my hometown who has been on welfare all his life, and he has had 11 children and raised all of them on welfare, and they are raising their children on welfare. They are exactly the type, if they can get $300 for more children, who would have more if they could. There are no racial overtones in this, because the fellow happens to be a Caucasian.

Mr. CONABLE. The gentleman from Ohio is falling into the very same trap I have been talking about. He is talking about the welfare system as it is now, and that has, in fact, put many people in the situation where the only way they could improve their economic circumstances was to have more children. The fact is that this bill provides a new work incentive instead of a children-producing incentive in the sense the gentleman is talking about.

Mr. HAYS. I hope it does, but it seems to me that it provides both.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. CONABLE. I yield to the gentleman from Arkansas, the chairman of the committee.

Mr. MILLS. Mr. Chairman, I would like to call to the attention of my friend, the gentleman from Ohio (Mr. Hays), the fact that in this bill there is more incentive to work, bearing in mind that the person who was mentioned by the gentleman from Ohio will not continue on this program to get one penny for himself until he goes to the employment office and registers for work and/or training. He must do that before he can even get one cent.

Mr. HAYS. He will have a doctor's certificate to say that he is not able to work.

Mr. MILLS. Then he is not able to work.

Mr. HAYS. He is able, but he will get a certificate from his doctor stating he is not able.

Mr. MILLS. If the gentleman will yield further, the local office of the agency in the gentleman's hometown where the person applies for benefits or is referred for training and work will have their own doctors and they can examine that gentleman.

Mr. CONABLE. Mr. Chairman, the critics of this plan have attacked.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. CONABLE. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I just wanted to assure my colleague, the gentleman from Ohio, that when he pointed out the case of the man the gentleman knew in his hometown, whom he knew all his life, and who was raising his kids, the gentleman suspected, to stay on welfare, when I started to rise it was not because I suspected that constituent to be of one particular race or the other.

I want to assure the gentleman of that. I am glad he explained who this person was.

I have some disagreement, not on the question of the ethnic background of that one single person mentioned. I am sorry he is in the gentleman's town and is a constituent.

I was questioning the premise of whether or not we are going to let one person like that stop this kind of a program. I believe there are probably some people like that in every Member's district, but I am not prepared at this time to say that this very minimal bill should not go through.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. CONABLE. I yield very briefly to the gentleman from Ohio.

Mr. HAYS. I can say to the gentleman, this is not the only case like that I know of. I could cite many of them. I cited this one because it is an extreme case and because I know it better than others.

Mr. CONABLE. I hope the gentleman will give the incentive system an opportunity to work by acknowledging the obvious economic advantage this bill gives to those who go to work or continue to work.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. MILLS. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. CONABLE. Mr. Chairman, I should like to address myself briefly to the issue of the suitability of the job offered the welfare recipient.

The point that must be made and cannot be made frequently enough is that the suitability is not going to be determined by the recipient himself or by a traditionally minded welfare worker. The issue of suitability is going to be determined by the Labor Department.

Frankly, we have to be tough on this issue because of the very type of welfare recipient the gentleman from Ohio was referring to. I believe the American people, the American taxpayers, except no less.

On this issue of suitability, it has been within our intent to limit it to the determination of the Labor Department from the word "go."

I realize there is a good deal of misgiving about this, and I hope it can be cleared up not only through our discussion of legislative intent but also in other ways.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman from New York yields back 1 minute.

The Chair will advise that the gentleman from Wisconsin has 10 minutes remaining and the gentleman from Arkansas has 15 minutes remaining.

Mr. MILLS. Mr. Chairman, may I suggest that the minute yielded back be yielded to the gentleman from Wisconsin. I consumed at least 1 minute of the gentleman's time.

The CHAIRMAN. The Chair will do that by unanimous consent.

The time remaining is 11 minutes to the gentleman from Wisconsin and 14 minutes to the gentleman from Arkansas.

Mr. BYRNES of Wisconsin. Mr. Chairman, may I ask the gentleman whether he has any other speakers, other than possibly himself?

Mr. MILLS. That is all.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. Collier).

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. Collier) for 5 minutes.

Mr. ROBISON. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I am delighted to yield to the gentleman from New York.

Mr. ROBISON. Mr. Chairman, in the months of debate and discussion which have preceded our formal consideration of the administration's family assistance plan, I have been impressed with the overwhelming fact that no one seems prepared to defend our present system of welfare. Good men may argue about the advisability of the new program before us, but everyone seems to agree that the system we have developed, in patchquilt form, over the past 35 years is not fulfilling its purpose or achieving its stated objectives. The difficulties with the past program—both conceptual and logistical—are well known to all of us, and need not be detailed again. But, in retrospect, I am surprised at how long we have tolerated a social services system which actually encourages men to leave their families—so that their children, legitimate or not, would be eligible for increased welfare assistance. I am surprised that we have accepted, as a fact of our federal system, the wide diversity among States in the amounts given to families—who, after all, are as destitute in one State as in another. I am surprised that we have been so complacent about a system which provided such an incomplete incentive to work. I am surprised that we have not before seen the overriding need for widespread availability of daycare centers and training programs to be directly coordinated with any national program of assistance.

And it is with this backdrop, and with this appreciation of our basic problems with what has evolved in the past, that I am especially hopeful about the family assistance plan which we now consider. As a Republican who holds the belief that his party can well be the vehicle for peaceful and orderly progress, I am proud of President Nixon's leadership in providing what he has rightly called, "an income strategy to deal with our most pressing domestic problem."

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This "strategy" is carried out under the family assistance plan in several ways. The working poor with children are incorporated into the social services system by having their earnings supplemented if their income is below the poverty level, so as to guarantee that they will always be making more money by working than they would by staying home. All adult recipients, who are not disabled, are required to register for work or job opportunity training, unless the individual is a mother of a child 6 years or younger. A Federal floor is established which will serve to narrow the gap among the various States in welfare payments. In addition, these specific components of the program are coordinated with a greater emphasis on providing day-care centers in the proximity of the affected families and on providing training opportunities for those without the skills necessary to procure dignified and worthwhile employment.

By a combination of these provisions, and together with food-stamp assistance, the early effect of this plan will be to lift some 7,000,000 low-income people above the official poverty level of $3,400 yearly for a family of four.

But it is not my purpose to scrutinize the details of the program itself. Instead, I wish to comment briefly on the manner in which this piece of legislation was developed and presented, because I believe that we can all learn something from it. This is one of the most fundamental and significant domestic reforms which has been considered in my 13 years in the Congress. Yet we do not herald in this program with slogans which go far beyond this one bill's promise; we do not guarantee to the American people that this bill alone will still the turmoil in this Nation; we do not insure that poverty will hereafter disappear or that the program will meet everyone's need in every way. Rather, from the President on down, effective action has been quietly taken without the unnecessary bravado which, in the past, has so often come back to haunt us.

The President often has been criticized for not being sensitive to the needs of the ghetto dwellers, the rural poor, the blacks, the Chicanos, the Indians, and so forth. And, in truth, he has not made some of the ringing, sweeping statements popularized by some of our recent Presidents. But here in this bill, as is the case in such areas as revenue-sharing, educational loans, executive reorganization, and reordering of budgetary priorities, Mr. Nixon has said less but done more than his detractors seem to want to admit.

The word "meaningful" has become milked dry by so many people for so many purposes that I hesitate to use it at all anymore. But if the word continues to have any vitality at all, it does so in describing legislation such as this, for the Family Assistance Act of 1970 is truly meaningful—as an indication of this administration's concern for the disenfranchised of our society; as a reform of the outdated, inequitable, chaotic welfare system we currently tolerate; and as a method by which we can better serve, and train, and educate families in need. This is a responsible and responsive piece of innovative legislation. I salute the President for initiating it, and I salute the leaders of both parties here in the House for their expeditious and careful study of it. The adoption of this measure, coming as it does so early in 1970, might well portend this shall be the decade of hope and real accomplishment; as contrasted to the 1960's, which became, sorrowfully enough, the decade of disillusionment and unfulfilled promises.

Mr. COLLIER. Mr. Chairman, all throughout the debate and discussion of this bill for the past 2 days it has become apparent that many Members of this House would firmly support the bill, believe in the fundamental concept and principle it embraces, but understandably have some reservation about the use of the word "suitable" in determining acceptance of employment by the welfare applicant.

They indeed have some reservation—and again understandably so—about the definition, which they contend is ambiguous and perhaps might be a loophole in terms of making the program work in accordance with the intent of the committee and the legislation itself.

Therefore, I intend at the proper time to offer a recommittal motion. I shall do so as a firm supporter of welfare reform legislation. The motion in sum and substance would remove the word "suitable" as a part of the language of the bill, as well as the definition. In order to do this we would strike section 448(b)(1) of the present bill but would make certain that the labor standards as they appear in section 448(B)(2) would be preserved.

I trust in offering this recommittal motion that this will eliminate what I think is the prime objection of many Members of the House who otherwise will support this bill.

Mr. GROSS. Mr. Chairman, will the gentleman yield to me?

Mr. COLLIER. I yield to the gentleman from Iowa.

Mr. GROSS. That sounds to me a good deal like gimmickry. Why not a motion to recommit striking out the guaranteed annual income?

Mr. COLLIER. I cannot be responsible for what the gentleman from Iowa construes this amendment to be. If he thinks it is gimmickry, the fact is that he is wrong.

Mr. COLMER. Mr. Chairman, will the gentleman yield to me?

Mr. COLLIER. I yield to the gentleman from Mississippi.

Mr. COLMER. I appreciate the gentleman's graciousness in yielding to me. I do so for the purpose of asking the question that now that those in charge of this legislation have denied the Committee of the Whole here any right to amend the bill is it the purpose of the minority to insure that there cannot be a vote on this particular matter with this minor amendment here which would not give us a clear vote on that issue?

Mr. COLLIER. The gentleman from Mississippi has been in this House much longer than I have been. He is a distinguished legislator and parliamentarian. He knows full well that this procedure is entirely in order and is certainly in keeping with what I construe to be the proper and normal process of dealing with legislation in this body.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield to me?

Mr. COLLIER. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Of course, this is done under the rule. The rule provides that one motion to recommit shall be in order, and it is generally conceded in the normal concept that a motion to recommit will be with instructions. There is no variation here at all.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from Ohio.

Mr. HAYS. I may say the gentleman stated when he began that he is a firm supporter of the bill, but he will offer a motion to recommit. Does that come in the rules?

Mr. COLLIER. It will make me a much firmer supporter with the motion to recommit adopted.

Mr. COLMER. Mr. Chairman, will the gentleman yield further?

Mr. COLLIER. I yield to the gentleman from Mississippi.

Mr. COLMER. Yes. In reply to the statement of the gentleman from Wisconsin and the gentleman from Illinois himself, yes, it is in order, but it is the purpose of this minimum amendment—and I do not want to use the word "gimmick"—to be a way of preventing an outright vote on the matter.

Mr. COLLIER. I would have to disagree. On the other hand, I would construe it to be a method to provide the means by which Members who want to support this and who believe in the concept and principle can do so by a clarification of the provision of the bill which has caused them difficulty.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I am happy to yield to the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLS. Mr. Chairman, I yield such time as he may use to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Chairman, I rise at this time because we believe our task is larger. Over the course of this debate no one has quarreled with the fact that the present system of welfare payments needs revision. We now will consider changes in that system when we vote on House Resolution 16311, the Family Assistance Act of 1970. This bill, embodying President Nixon's welfare reform package, is purported to be a progressive and drastically different approach to meeting the crisis of poverty in America. We appreciate the significance of the proposal and the progress that would be made in reforming the present welfare system. However, if we vote for this measure it will be while fully recognizing that it falls far short of what is needed.

The basic annual Federal allowance proposed for a family of four is grossly inadequate. This Federal payment will raise assistance levels in only eight States. Of all those who would receive payments under the plan, the Department of Health, Education, and Welfare reports that the incomes of only 301,000

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families would be effectively raised above the poverty level. Is this really fighting poverty? Furthermore, nowhere in the Family Assistance Act is there a provision that would even raise gradually the payment levels to the poverty level, much less to a minimum adequate level.

We believe our commitment must be larger and more immediate. As a necessary first step we advocate that Congress set an adequate level of income for every American as a goal to be attained in the near future. Only in this way can the Government have a standard by which to realistically measure the problem and our progress toward its resolution. An adequate living income is required to guarantee the basic right of every human being—the right to life—a necessary precondition to all other constitutional, civil, and human rights. A major shortcoming of the President's categorical assistance plan is that it departs little from the social theories behind present welfare programs. We believe, on the other hand, that the Government of the richest nation on earth must insure a living income for every American as a basic right. Only such a restructuring of the basic premises of public assistance will yield a program that will meet the real needs of the poor and achieve the goals desired by Congress.

We do not believe that mandatory training and work requirements are the way to develop self-supporting independence in assistance recipients. To break the cycle of poverty, we must not only encourage meaningful employment but foster human dignity as well. The Family Assistance Act, which substitutes coercion in place of work incentives, will inevitably prove counter-productive. We believe mothers should be free to decide for themselves whether or not to leave their children and take a job or enter job training. Even so, to require job training that will lead to meaningful employment is one thing, but if there is no job guarantee at the end of the line it is another cruel hoax designed to placate critics of payments to the poor. Although House Resolution 16311 has been called a viable "workfare" plan, there has been no program for full employment instituted or even envisioned by the Federal Government. We believe the Government should supplement its public assistance programs with public service employment.

The immense and tragic proportions of poverty in America necessitates that we in Congress recognize the problem in its full dimension. We believe that our efforts now must be greater, our will more manifest, if ever we are to conquer it. The challenge we must accept is providing the strength and direction to create for each American adequate conditions in which to live and develop and so to become a fully contributing member of our society. The Family Assistance Act of 1970 does not meet this challenge.

The following Members have joined me as signators of this statement:

BROCK ADAMS, JOSEPH P. ADDABBO, GEORGE E. BROWN, JR., PHILLIP BURTON, SHIRLEY CHISHOLM, WILLIAM L. CLAY, DON EDWARDS, and LEONARD FARBSTEIN. DONALD M. FRASER, MICHAEL HARRINGTON, HENRY HELSTOSKI, WILLIAM S. MOORHEAD, ADAM C. POWELL, MELVIN PRICE, BENJAMIN S. ROSENTHAL, and WILLIAM F. RYAN.

Mr. MILLS. Mr. Chairman, I have only one further speaker on this side.

Mr. BYRNES of Wisconsin. Mr. Chairman, this is my final speaker. I yield 5 minutes to the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD).

The CHAIRMAN. The Chair advises the gentleman from Wisconsin he has 6 minutes remaining.

Mr. BYRNES of Wisconsin. I will give him all 6 at one time.

Mr. GERALD R. FORD. Mr. Chairman, I spoke at length yesterday and I am very grateful for the consideration given to me on that occasion by the Members of the House. I do not intend to take comparable time on this occasion.

However, let me say that I feel it my obligation to indicate my full support for this legislation. I honestly believe that the House has a unique opportunity today to make a major and long-overdue reform in our welfare system.

Seldom, in my 21 years in the House have I seen an atmosphere exist where you could find the high degree of unanimity from those on the left of the political spectrum and those on the right of the political spectrum who all agree on the need for change which means in this case that the existing welfare system needs to be totally abandoned.

I have yet to find a person in this body or a person in any one of the many places where I have spoken who defends the existing welfare system, not one person to my knowledge has risen to speak up on behalf of the present welfare program.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Chairman, I pride myself in agreeing with what the gentleman from Michigan is now saying. I know there are problems with the present system. The bill before us today may not be perfect, but an overwhelming number of those members who serve on the committee that has had the responsibility for this matter have reported it out and have recommended it to the House as being better than the existing system.

Mr. Chairman, I associate myself with the remarks of the distinguished minority leader is making at this time.

Mr. GERALD R. FORD. I appreciate the observation and endorsement stated by the gentleman from Oklahoma, the distinguished majority leader.

Mr. Chairman, as I was saying, we in this Congress today have a unique opportunity. We have near unanimity. Those on the extreme on the left and those on the extreme on the right all agree that we cannot defend the existing system. The existing system has been in existence for several decades, probably three, but it has been developed by patchwork. The net result has been that our everlasting tinkering has brought us a colossus that has to be scratched and when you scratch something, you have to begin with a totally new program. That was the condition faced by the new President when he took office 15 months ago. As a consequence, the President has recommended to the Congress a brand new approach to the problem of welfare.

I was honored, among many, to introduce that bill. I think that legislation is sound and constructive. It will open new paths to better solutions to the problems we want to solve.

I am delighted that the distinguished chairman of this committee has seen fit to recommend wholeheartedly this legislation.

I have talked to the President of the United States on a number of occasions about this legislation. As a matter of fact, I talked to him today about it. The President of the United States urged me to urge all of you as Republicans, particularly, to vote for this legislation. I hope that we can have on our side an overwhelming vote on behalf of the legislation.

I think it is unique that there is such strong bipartisan support for this far-reaching legislation. All of us can take credit for opening new doors to the solution of the difficult problem of welfare in America.

I simply want to state, Mr. Chairman, that if we pass this bill with the motion to recommit, I think the legislation will probably represent one of the finest legislative proposals that has come to the floor of the House during my term of service. It is my further opinion that we can all take credit for trying to solve the problem for the future which has been unsolvable up to date.

I urge as strongly as I can that all Members support the motion to recommit. It improves the legislation. And when that motion to recommit is approved, as I hope it will be, I trust that on our side of the aisle we will do everything we can, by our individual vote, to support the basic legislation recommended by the President so that we can do the kind of a job that is needed and necessary for the problem of welfare in America.

Mr. MOORHEAD. Mr. Chairman, I rise to express disappointment in the Family Assistance Act of 1970, because it falls so far short of meeting the true needs of the people.

We have waited a long time for meaningful change in our welfare system, and it is a delusion to think that the President's welfare package even comes close to meeting the problem.

At a time when billions are being spent in our military budget, in heavy subsidies to special interest groups, when the President is asking for more money for a supersonic transport, I am appalled at the scant heed paid to the realistic needs of the poor. We do have the resources to meet the social challenges in this country; it is tragic to realize that our priorities are so misplaced.

As this bill comes to us under a closed rule, permitting no amendments, those of us who have serious reservations about

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the bill—and yet do not want to totally reject its limited structural improvements—simply must take this opportunity to speak out.

I have therefore endorsed the statements of my colleagues, the gentleman from Michigan (Mr. CONYERS), and the gentleman from California (Mr. BURTON) who have also asked for a larger commitment to meet this challenge, and I would ask that my colleagues here and in the Senate seriously consider the recommendations of the National Welfare Rights Organization, and those of the Committee for Economic Development, and work toward a bill that will be a more realistic response to the problem, and that will offer true reform to the people commensurate with their dignity and self-determination.

Mr. Chairman, permit me to mention some of the recommendations of the National Welfare Rights Organization which merit our consideration:

The concept of guaranteed income based on "need." They have requested a "floor" of $5,500 a year, which is the figure determined by the U.S. Bureau of Labor Statistics as the amount really needed for a family of four "just to get by." And with this, provisions for an automatic cost-of-living increase.

The request that jobs should be guaranteed first, so that job training will lead to meaningful employment and that public assistance programs be supplemented with public service employment.

The suggestion of an "emergency fund" for special needs, and a "startup" grant for those just being enrolled.

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Further recommendations of the Committee for Economic Development, the research policy arm of the Urban Action Council, headed by former Secretary of Health, Education, and Welfare John Gardner endorse these principles and also recommend:

A phased takeover of State and local welfare costs during the next 5 years by the Federal Government.

The inclusion of the poor working single person and working childless couple who are not covered in this legislation.

A Federal program to assist in the construction of day care centers and to support fully the programs of day care centers enabling more mothers to work.

Mr. Chairman, because the bill does not touch on these provisions is why I say the Nixon package is a delusion and a disappointment. The only reason to support it is to create a vehicle to which true reform can be attached.

I include at this point in the RECORD for the urgent consideration of my colleagues a summary of the proposals of the National Welfare Rights Organization. These are proposals which this Congress should enact:

NATIONAL WELFARE RIGHTS ORGANIZATION PROPOSALS FOR AN ADEQUATE INCOME

The National Welfare Rights Organization is a nationwide grassroots organization of welfare recipients and other poor people. It has 350 affiliates in 48 states and more than 150 cities. NWRO is launching a nationwide campaign for an *adequate income* for every American citizen. NWRO is challenging the country to change its priorities from an emphasis on death and destruction to an emphasis on life and peace. We believe that every man, woman, and child has the right to live. We call upon our country to begin subsidizing life!

We believe a minimum adequate income for a family of four is $5500. This figure is derived from data collected in surveys conducted by the Bureau of Labor Statistics of the U.S. Department of Labor, which show how much families of four actually spend to live at a lower standard. We call upon the Federal Government to guarantee every American this minimum income.

Our plan includes the following features:

The income should be automatically adjusted for variations in size of family, costs of living in various parts of the country, and changes in cost-of-living and median family income as they occur.

Eligibility should be based solely on need, and should be based on a person's declaration of what his needs are, with spot checks as is done under our income tax system.

The system should provide a work incentive by permitting recipients to keep ⅓ of their earnings.

Recipients should be entitled to a fair hearing prior to the termination or reduction of benefits. The hearing should take place within fifteen (15) days of the application for appeal. Special grants should be provided for recipients to obtain lawyers or other advocates.

The regulations pertaining to rights and entitlements under this system should be public information. Simplified versions should be distributed to every recipient and potential recipient.

Persons eligible for these benefits should be entitled to *free medical care, legal services*, and *day care* facilities of a high quality in the neighborhoods where they live.

Other services to the recipients should be on a completely voluntary basis, administered by agencies separate from those administering the guaranteed income payments. Example of these are: family planning, homemaker services, family counseling, child welfare, etc.

Special grants should be available to take care of all emergency or unusual situations. These would include grants for clothing and furniture to bring the recipient's household up to minimum standards of health and decency at the time they come under the program. Replacement costs would be provided in case of fire, flood, or substantial change in circumstance.

A recipient should have the right to choose between a flat grant or an itemized assessment of his needs, taking into account actual cost of housing, transportation, clothing, and other special requirements he might have. This would be similar to the income tax system where an individual may either itemize his deductions or take a standard deduction, depending on which method of benefits suits him more.

TABLE I.—NWRO PROPOSED ADEQUATE INCOME DETAILED BUDGET FOR FAMILY OF FOUR

Category	Cost per— Year	Cost per— Month	Cost per— Week
FOOD			
This allowance is a total of the BLS moderate budget cost for food-at-home ($1,999/yr., $166/mo., $38/wk.) and the BLS lower standard for food-away from home ($238/yr., $18 mo., $5/wk.) The latter includes stacks, school lunches, etc.	$2,237	$186	$43
HOUSING			
These costs represent the BLS lower standard's costs, updated to spring 1969 levels. They are meant to cover all supplies and furnishings for the home and its operations including telephone and postage. Rental costs ($1,108 yr., $92/mo.) include all items like gas, elec., and water.	1,402	117	27
CLOTHING AND PERSONAL CARE			
The items in this budget, shampoo and yard goods as well as clothing and clothing care are unchanged from the BLS lower standard. The cost has simply been updated to spring 1969 levels.	$784	$65	$15
MEDICAL CARE			
Dental, eye care, and nonprescription drugs are included here. BLS consideration of doctor and hospital care has been omitted, as explained in the text. There is no provision for appliances and supplies.	312	26	6
Transportation Includes schoolbus rides and all other use of public transportation by noncar owners.	484	40	9
Other Reading, recreation, and education comprise about ⅓ of this category. There is no provision, according to the BLS study for club membership dues, hobby expenses or the acquisition of musical instruments.	322	27	6
Total	5,541	462	106

WHERE THE BUDGET COMES FROM

Table 1 outlines the adequate income proposal. It is based on the Bureau of Labor Statistics "Lower Living Standard Budget". This is the Labor Department's "lower standard for the maintenance of health and social well being, the nurture of children and participation in community activities."

We reject the income level in the Nixon Family Assistance Plan. At worst it allows a family of four $1600 a year. At best it would continue the present inadequate welfare system. The ceiling of benefits would be at the Poverty Line, now $3720 a year for a family of four.

The poverty line is based on the U.S. Department of Agriculture's Economy Food Plan which, according to the Agriculture Department, "is *not* a reasonable measure of basic money needs for a *good* diet." USDA points out that "the public assistance agency that recognizes the limitations of its clientele and is interested in their nutritional well-being will recommend a money allowance for food considerably higher than the cost level of the Economy Plan."

Under the Nixon Plan, states will have no incentive to raise grants above this level. The Economy Food plan used in the poverty line and the Nixon bill allows a person to survive, according to the Department of Agriculture, with adequate nutrition "for short emergency periods of time and only under very special circumstances."

The so-called "low income poverty line" is based on the USDA's "low-cost food plan." It sets an income of approximately $4650 a year for a family of four. Government surveys show, however, that only one fourth (¼) of the families with food budgets equivalent to the low-cost food plan actually have nutritionally adequate diets.

The NWRO adequate income budget, therefore, uses the USDA "moderate food plan" which would insure the average family an adequate diet. NWRO contends that providing adequate income is the only sure way to combatting hunger in America.

The adjusted budget excludes the basic costs of hospital and doctors care since it is assumed that free medical care would be available through national health insurance or Medicaid or some other program. It should also be noted that this budget includes no money for cigarettes (regarded by BLS as a health hazard), non-prescription drugs or medical supplies, out-of-town travel, long-distance telephone calls, dry cleaning, or use of a laundromat.

TABLE II.—1969 MINIMUM ADEQUACY BUDGET COMPARISON OF MAJOR CITIES[1]

City	Index	Adjusted Bureau of Labor Statistics budget
United States:		
Urban average	100	$5,541
Metropolitan	101	5,596
Nonmetropolitan	94	5,209
Atlanta, Ga	96	5,300
Austin, Tex	90	5,000
Baltimore, Md	98	5,400
Boston, Mass	105	5,800
Cincinnati, Ohio, Ky., Ind	96	5,300
Chicago, Ill., Ind	103	5,700
Cleveland, Ohio	100	5,500
Dallas, Tex	96	5,300
Detroit, Mich	100	5,500
Honolulu, Hawaii	120	6,600
Kansas City, Mo., Ky	101	5,600
Los Angeles, Long Beach, Calif	107	5,900
New York City, N.Y., N.J	101	5,600
Orlando, Fla	93	5,200
Philadelphia, Pa., N.J	99	5,400
St. Louis, Mo., Ill	101	5,600
San Francisco, Oakland, Calif	110	6,100
Seattle, Everett, Wash	111	6,200
Washington, D.C., Md., Va	103	5,700

[1] Computed from the Bureau of Labor Statistics lower standard budget, as described in the text.

The budget is based on statistical averages and is subject to 10% per variations depending on the locality. The range runs from $5209 in most non-metropolitan areas to $6649 for Honolulu. The budget for several cities are estimated in Table 2.

The NWRO budget has been updated to Spring 1969 prices. Inflation has caused a 9.4% increase in the cost of living since BLS computed the cost of living in 1967.

The importance of continued recognition of special needs and of providing alternate ways of meeting needs, either through the adequate income (flat grant) or through individual consideration (computations), is important for two reasons:

1. BLS assumed in establishing the budget that the family had been established for fifteen (15) years and had an accumulated stock of clothing and furniture. The budget was intended only to cover replacements. This assumption does not apply to the average family in poverty. This is why we are asking for special grants for wardrobe and furnishings to bring persons up to minimum standards for health and decency.

2. The budget is based on statistical averaging formulas which do not necessarily apply to real people or real situations. For example, an individual family of four may or may not be able to obtain adequate housing in good condition at the $92 a month rent that the budget allows, even if that happens to be the average for the city in which he lives.

Similar arguments can be applied to transportation costs, where the transportation quantity for school children in the BLS budget was less than the number of days in the school year! This is because it was an average amount children who rode to school and those who walked. It can be assumed that some families would be over in one category and under in another. These statistical differences may not always average out in any given family. If a family has greater need in a number of categories, they should have the option of itemizing their family budget, and applying for a grant that meets the actual needs that they have.

Table 3 gives the minimum adequacy budget for various family sizes.

TABLE III.—MINIMUM ADEQUATE BUDGET—ADJUSTED BUREAU OF LABOR STATISTICS BUDGET[1] BY FAMILY SIZE

Family size	Budget		
	Year	Month	Week
1	$2,000	$167	$38
2	3,500	292	67
3	4,500	375	87
4	5,500	458	106
5	6,500	542	125

[1] Family of four budget computed from the Bureau of Labor Statistics lower standard budget and as described in the text. Budgets for other family sizes are designed to provide adequate income and prevent families from breaking up.

Note: $1,000 per year for each additional family member' Under the NWRO work incentive a family of four will receive benefits up to $10,000 if it receives earned income.

HUNGER

The elimination of hunger in the United States requires that every citizen be assured an adequate income. Poor people know better than anyone else that the hodge-podge of programs set up by the Department of Agriculture are welfare programs for farmers and the food processing and distribution industry. They are not designed to serve the needs of poor people. Welfare programs which exclude people for reasons other than need and which do not provide adequate income are a basic source of hunger and malnutrition.

The Nixon Plan claims that the food stamp program will add about $800 to recipients annual budgets but only about 38% of welfare recipients currently receive stamps according to an Agriculture Department Report dated January 1970. Recipients cannot afford to participate in the program because the stamps are not free. In the winter this means a recipient has to postpone buying warm clothing of paying a heating bill in order to buy food stamps. While the program is "voluntary" recipients are frequently made to feel obliged to buy food stamps.

The surplus commodity program cannot provide enough of the right kind of food and is operated so cumbersomely that recipients must queue up at a specified time and place or lose their food until the following month.

Both these programs brand recipients as poor people giving them bits of colored paper or marked items that single them out from other people. The best food program is money.

The solution to the problem of hunger and malnutrition is for every citizen to be guaranteed an adequate income to meet his basic food and other needs. Therefore, the money directed toward giving bonuses in food stamps could better be redirected toward providing a more adequate basic income for poor people.

WELFARE REFORM

Much has been said and written about the inadequacies of our present welfare system. Much has been said about the inadequacies of the President's so-called welfare reform. As we press toward an adequate income much can be done to improve the welfare system and the Nixon Plan NOW!

1. Adequate income goals: The bill should set an adequate income goal based upon the NWRO $5500 standard.

COMPARISON OF FOOD BUDGETS—FAMILY OF 4—JUNE 1969

	Per year	Per month	Per week	Budget based on this food plan	Annual budget for plan
USDA moderate food plan	$2,288	$191	$44	BLS moderate standard budget.	$7,813
				NWRO minimum adequacy budget.	5,500
USDA low cost food plan	1,778	148	34	BLS lower standard budget	5,285
				Social Security Administration low-income line.	4,650
USDA economy food plan	1,300	108	25	Social Security Administration poverty line.	3,720
				Nixon family assistance plan	1,600
Food Stamp program	1,272	106	24	Food stamp recipients	
AFDC allowance for food	820	68	16	AFDC average State budget	2,460

2. Higher Federal income floors: The bill should provide a federally guaranteed income floor closer to the $5500 standard. Food stamp allotments could be converted toward raising the cash floor.

3. Time table to reach adequate income: The bill should provide a time table for reaching the adequate standard at the earliest possible date.

4. Emergency grants: The bill should provide for emergency grants to take care of special or unusual situations that poor people have because of the conditions they are forced to live in.

5. Cost of living adjustments: The bill should require annual cost of living adjustments for all federal or federally regulated assistance programs. It should prohibit states form eliminating special grant programs when this would have the effect of circumventing cost of living adjustments. State supplements must be based on state payment levels which reflect required cost of living adjustments as mandated by Section 402(a)(23) of the 1967 amendments.

6. Broadened coverage: Coverage should be extended to *all* persons (including single persons, childless couples and elderly persons) whose requirements fall below the benefit level.

7. Simple Federal administration: The bill should provide direct, unitified federal administration for all programs including aged, disabled and blind.

8. No forced work for mothers: All mothers must be exempted from requirements to accept work or training programs. The right to day care and the mother as judge of adequate day care should also be made clear.

9. Job standards: Work requirements for men must be regulated by strict national standards including minimum wage protection and fair labor standards at least equivalent to those used in unemployment insurance. First priority for jobs and training should be given to all those who volunteer.

10. Rights of recipients: Recipients must be given a clear explanation of their rights under the program. Recipient organizations must be recognized as parties in legal action and be given copies of all regulations and procedures issued under the Act.

Mr. BENNETT. Mr. Chairman, it has been repeatedly said here that today's existing welfare program is heavily criticized. This is true. But most of the criticism is that the present program is too expensive; and further that it benefits people who will not work, who are able to work.

On the first point, not even the most ardent supporters here have suggested that the legislation will cost less than the present program. The official report on the bill indicates, at page 43, that the cost will be at least $4.4 billion more than the present program, on an annual basis. Authorities have suggested that the increase in costs is probably nearer $10 billion a year; and one has suggested a figure of $14 billion additional each year. Even the most ardent friends of the bill admit that its passage will require increased Federal income taxes.

On the second point of criticism of the present welfare program, the prospect of the legislation before us is not all bright, nor all gloom. On the bright side, it will not require a man to leave his family to get welfare benefits; and that should provide a beneficial thrust toward holding families together. Yet, it has been acknowledged repeatedly in this debate that there is also a thrust in the opposite direction, by this legislation toward splitting families because of the permission under this legislation for a family to split itself in two and then draw full benefits as two separate families. To this extent the bill would provide a financial incentive for families to split. The legislation would also seem to give a financial incentive for a single man of low income to marry and beget children for this would provide him a Federal check not otherwise available, whether he was ever employed before or after establishing a family.

The greatest weakness of this legislation is that it tends to equate job training with job placement. There is nothing in the bill that would require anyone to work in fact; and it certainly cannot be termed a job producing type of legislation. H.R. 112, introduced by me on January 3, 1969, and referred to the Ways and Means Committee would produce the type of jobs that are needed among poor people today. It would provide a tax incentive for employers, hire persons among the hard-core unemployed. I have introduced another bill which seems to me to offer better answers than the legislation before us today, and at a much smaller cost. I refer to H.R. 13081, introduced on July 24, 1969, and referred to the Committee on Ways and Means.

I appeared before that committee on October 21, 1969, and in my testimony for that bill I summarized as follows:

> Finally, H.R. 13081 would encourage employment among the needy and provide job opportunities. Most people would prefer doing constructive work to being on relief and my bill helps in two ways. First, it provides that any individual receiving welfare assistance, financed in part with Federal funds under the Social Security Act shall not, because of earned income, have his welfare payments reduced by a greater percentage than $1 reduction for every $2 earned. Secondly, the bill authorizes the Secretary of Labor to create a register of individuals who have not been successful in finding employment. City and State governments and Federal departments and agencies would have the right to petition the Secretary of Labor for manpower from this pool. The Federal Government would in each case pay the minimum hourly wage for the work done.

It has been several times said here by members of the committee that Congressmen have not come forth with better suggestions than the bill before us. I think I have done so; and I think such remarks coming from the committee are not very persuasive in view of their request and attainment of a rule which precluded even the tiniest of amendments.

Mr. BEVILL. Mr. Chairman, I have followed the debate of the past 2 days on H.R. 16311, The Family Assistance Act of 1970, with great interest. The distinguished chairman of the Ways and Means Committee has, as usual, developed some very strong arguments in favor of this legislation.

I agree with the Members who have argued for reforms in our present welfare system. Without question, there must be change. But while this bill offers a number of highly desirable changes, I have some very serious reservations about the guaranteed income provision.

I am concerned that the institution of a guaranteed income may open the floodgates to revolutionary innovations which could all but break the back of the already overburdened American taxpayer.

It is my understanding, Mr. Chairman, that this legislation would add at least 15 million new people to the welfare rolls, at a cost of at least $4½ billion a year.

This is at the beginning. The program is sure to grow and cost more.

While I favor the overall thrust of the bill, namely to provide benefits to families in need in a manner that will encourage employment and family stability, I question whether H.R. 16311 will accomplish this.

Independence and self-sufficiency have long been the hallmark of the American family. Guaranteed handouts from the Government can only undermine the motivation of young people who are reared under these conditions.

I agree with my distinguished colleague from Georgia, (Mr. LANDRUM) that this bill puts the benefits in this order: Cash, food, and work.

What we need to do is turn this around and put work first and cash last.

Mr. Chairman, I cannot, in good conscience, vote to levy additional taxes on the American taxpayer in order to guarantee an income to any person who simply will not work. And I am afraid that is what would happen if we passed this bill in its present form.

I submit, Mr. Chairman, that this bill is too far reaching, too revolutionary, and must be modified. I would like to see some of the provisions become law. But I favor striking out the guaranteed income provision.

In my judgment, what this country needs most at this time is a reduction in spending and an intensive effort by the administration to lower interest rates.

Mr. HANSEN of Idaho. Mr. Chairman, I rise to call the attention of my colleagues to the child care provisions of the Family Assistance Act of 1970. There is a growing awareness of the need to provide child care services as a means of encouraging mothers of small children who can and want to work to move from the welfare rolls into productive employment. There is also a growing recognition of the value of providing a wholesome atmosphere to stimulate the child's physical, emotional, and intellectual growth and development.

The Select Education Subcommittee under the chairmanship of the gentleman from Indiana (Mr. BRADEMAS) has concluded lengthy public hearings on child development legislation. I am confident that we will soon report a bill that will be the product of an effective bipartisan commitment to provide services that are truly responsive to the needs of children in the preschool years. This will be landmark legislation in every sense of the word. The services to children provided in this bill will supplement and complement the services provided in the Family Assistance Act.

Mr. Chairman, in order to answer some questions the Members of the House may have concerning the operation of this part of the bill before us, I include as a part of my remarks a series of questions and answers furnished to me at my request by the Office of Child Development of the Department of Health, Education, and Welfare:

Questions and Answers on the Child Care Provisions of the Family Assistance Act of 1970

1. Question: What are child care services?

Answer: Child care services include the funding of care for the child in his own home, in a family day care program, or in a group day care program. It includes care both for preschool children and for school-age children during the summer, on school holidays and before and after regular school hours. HEW would propose to limit such care to children under the age of 15 except in special circumstances when an older child requires protective care (i.e., mentally retarded children, or handicapped children). There would be no minimum age limit. The length of program for a child will depend on the needs of the parent—it may be only a few hours a day or as long as 10 to 12 hours a day—it may be provided during night time hours as well as during the day. Child care services aim to provide activities that contribute toward the intellectual, physical, social and emotional growth and development of the child.

2. Question: Who is eligible to receive child care services?

Answer: Child care services may be provided for the following families:

(a) Those which have registered for employment or training under the provisions of Part D of Title IV as added by the Family Assistance Act.

(b) Those which are receiving supplementary financial payments from a state pursuant to Part E of Title IV as added by the Family Assitance Act.

(c) Those which had formerly received benefits under Part D or Part E.

(d) Those with an adult family member referred pursuant to Section 447(d) of the Act to participate in vocational rehabilitation.

(e) Those which are receiving AFDC payments prior to the date when Part D becomes effective for a state.

In each case, the family is eligible only if the purpose for providing child care is to better enable an adult family member to engage in training, to take employment, to continue employment or to participate in vocational rehabilitation. HEW would intend to permit continued child care for short periods of time if the parent is ill, seasonally unemployed, temporarily layed off, or unemployed but actively looking for work. The Secretary is authorized to limit the length of time which an individual may continue to receive child care after they are no longer eligible for benefits under Part D or Part E.

3. Question: Who may receive funds for child care?

Answer: Funds may be provided either in the form of direct grants or contracts to any state or local public agency or non-profit private agency or organization, (only contracts may be arranged with a private-for-profit agency or organization) or through grants to any public or non-profit private agency which is designated by the appropriate elected or appointed official or officials in the area. A capacity to work effectively with the manpower agency is required. HEW would propose to establish criteria for use in determining the competence of organizations to carry out a child care program. Equal consideration would be given to all types of agencies as operators of child care service programs. HEW *would* give preference as to prime grantees to those organizations which either were themselves or were a part of coordinated efforts to deliver day care and preschool services (for example, the Community Coordinated Child Care—4-C—Program). This preference follows the philosophy of the statutory provisions found in Title V–B of the Economic Opportunity Act which mandates the Secretary and the Director of the Office of Economic Opportunity to establish mechanisms for coordination at the local level. On the other hand, the absence of a coordinating mechanism would not be a bar to funding public or private agencies.

Grants could be made to employers, labor unions or combinations thereof. HEW would consider them as eligible grantees but would not give them preference over other public and private agencies.

Child care funds could not be given directly to individuals. It would, however, be possible to give grants or contracts to an intermediary organization which would provide an intake and referral service to parents assisting them in selecting among the many existing child care services in a community. In such cases the intermediary organization would then provide child care through the issuance of a voucher to, or the making of payments on behalf of the parents, to the service provider.

4. Question: What may be funded as a part of child care services?

Funds may be provided to carry out a program of daily activities, to provide transportation, to provide food for use in the program, to provide necessary supplies and materials, and to provide for medical and dental examinations and for referral and follow through with health care agencies. Treatment costs may be funded in the absence of other funds to provide for remedial health care and where it is determined that the absence of such care will adversely affect the ability of the child to participate in the program. Funds may be provided for all personnel costs and for the training of personnel. Funds may be provided for administrative costs necessary for operation of the program. Funds are also available for alterations to buildings, remodeling and for renovation. Funds are available for rent. Funds are NOT available for new construction.

HEW would plan to apply the standards developed under Title V–B of the Economic Opportunity Act (Federal Interagency Day Care Requirements) to the funding of programs under the Family Assistance Act. This is consistent with the requirements of Title V–B of the Economic Opportunity Act that standards be as uniform as possible among day care program.

5. Question: What proportion of total cost will HEW pay?

Answer: The Federal Government will pay up to 100 percent of the total cost of child care programs.

6. Question: Are families required to pay a portion of the cost of day care?

Answer: The law authorizes the Secretary to require families to pay for part or all of the costs of services in such amounts as may be reasonable in light of the family's ability. HEW would propose that no fees be charged when the individual is in a training status or in his first three months of employment. A sliding scale of payments would be developed for those individuals who have entered into employment. This sliding scale would take into account the relationship between income and family size. It would permit recognition of special factors such as unusual medical expenses which make it difficult for a family to pay for day care. The costs which the family pays itself are excluded from their income in calculating their eligibility for assistance under the Family Assistance Program.

7. Question: What role will the state government play in the administration of the program?

Answer: State agencies may be the grantee for child care funds in those situations where they are in the best position to provide for child care services. HEW will require that all child care programs meet the licensing requirements of the states. HEW will contract with state agencies to provide technical assistance to grantees to help the latter to meet licensing regulations. HEW would also propose to use state agencies under technical assistance contracts to assist grantees to improve their programs.

8. Question: Will funds be available for training and technical assistance?

Answer: There will be funds available for training and technical assistance. These funds may be provided in the form of grants to any public or private (including for-profit) agency or organization. HEW would propose to use training funds for all categories of personnel involved in the provision of child care services; for career development in the case of nonprofessionals, and for graduate level training in the case of those individuals who have supervisory or leadership potential. HEW will also propose to use these funds for the training of evaluation and research personnel.

9. Question: Are funds available for research or demonstrations?

Answer: Funds are available for research and demonstration projects to public and private (including for-profit) agencies or organizations. HEW would propose to coordinate research and demonstration funding under this authorization with research and demonstration funds available under the Head Start program, Section 426 of the Social Security Act and other Federal authorizations administered by the Department.

10. Question: When a family is required to pay a portion or all of the cost of child care, may such cost be deducted from earned income?

Answer: The Secretary may prescribe regulations which permit a family to deduct all or part of such costs from earned income. HEW would propose that the full cost of such care be deductible provided that the costs do not exceed those which the Federal Government would finance under the Federal Interagency Day Care Requirements.

11. Question: How will grants be made?

Answer: Agencies designated as applicants for child care grants will file an application with the appropriate HEW Regional Office of Child Development. Where a community has established coordination mechanisms, priority will be given to those applications for operation of child care service programs which have the approval of the coordinating organization. Where no coordinating agency exists, grants will be made on the basis of the quality and cost of the program proposed by each applicant.

12. Question: What do the words "renovation" and "remodeling" mean?

Answer: The legislation gives no definition of these terms. HEW would propose to give them a very broad interpretation, but would exclude purchase of land or construction of a new building. Minor additions to a building which did not involve an increase of more than 20 percent in the size of the building would be included in the definition of renovation and remodeling. Remodeling and renovation funds would be available for both family and group day care facilities.

13. Question: How much money is available for child care services?

Answer: The law authorizes appropriation of such funds as are necessary to carry out the purposes of the Act. It also requires that the Secretary shall make provision for the furnishing of child care services for so long as he deems appropriate to persons who, pursuant to registration under Section 447, are participating in manpower services, training or employment. Funds are expected to be available in sufficient amounts to ensure that child care services are available to eligible recipients.

14. Question: May the Secretary of Labor provide day care services?

Answer: The Secretary of Labor has authority to provide child care services in support of manpower and training programs under his jurisdiction. However, he must obtain the concurrence of HEW with regard to policies to be used in administering such child care programs. HEW would recommend that the Secretary of Labor provide child care service only in exceptional circumstances and that, in such cases, the Federal Interagency Day Care Requirements be fully applicable.

15. Question: What will happen to day care provided under the Work Incentive Program?

Answer: The Work Incentive Program will be repealed at the time the new Family Assistance Program becomes effective. During the interim period, day care may be provided under the Family Assistance Act in lieu of day care provided under the WIN program. The time at which this transition will be made will depend upon the availability of appropriations.

16. Question: What will happen to day care funded under Parts A and B of Title IV of the Social Security Act?

Answer: States may continue to fund day care programs under Parts A and B of Title IV subject to the policies and regulations presently in effect. It will usually be financially advantageous, of course, to provide such care under the Family Assistance Act rather than Title IV. There are, however, individuals who may not be eligible for services under the Family Assistance Act but who would qualify under the provisions of Title IV. This would be particularly true in the case of potential recipients.

Mr. FISHER. Mr. Chairman, I am opposed to the pending bill. It is being projected as a welfare reform measure, but in reality it would place 3 million additional families on welfare. A total of 15 million would, in one fell swoop, be added to the relief rolls.

The claim is made that such beneficiaries would be expected to apply for work, take job training if necessary, and accept suitable employment. But that requirement is so riddled with loopholes that in my judgment it is rather meaningless.

A highly objectionable provision would guarantee an annual income in the amount of $1,600, along with $800 per year in food stamps, for families of four.

Let us recognize this fact: Once this concept of a guaranteed annual income is given congressional approval, it will become a part of our welfare way of life. There will be no turning back. The pressures will be on to constantly increase the $1,600 base guarantee. Already the Americans for Democratic Action—ADA—is demanding $5,500, and so are the professional welfare organizations.

Now, what about the added cost, and where is the money coming from? Proponents estimate that initially the cost will increase by $4.4 billion, which is admittedly conservative. We must be prepared for two or three times that amount—in addition to what welfare is now costing. Does this mean an increase in taxes to the tune of an additional $5 billion or $10 billion per year? If not, then what about the inflation that will result from deficit financing?

Mr. Chairman, this administration bill should be defeated. Let us help the deserving but let us deny any welfare to those who are able bodied and refuse to work when employment is available.

Mr. McCLOSKEY. Mr. Chairman, I have voted for H.R. 16311 today, the Family Assistance Act, but with some reservations, and with a particular regret that the closed rule did not permit us to offer floor amendments.

The most persuasive argument for this bill is that it provides an incentive for people to get off the welfare rolls and out of poverty.

I think the bill, however, also includes an indirect incentive to remain in poverty, that being its provision that the impoverished family will be allocated an additional $300 per year for every child they bear.

It has been recognized that high birth rates among the poor are not merely a result of poverty; they are also a cause of poverty. Reports by the Census Bureau and other organizations indicate that poor families have a disproportionate number of children relative to the resources at their disposal for raising and educating those children in a manner which would increase their chance for moving out of poverty. Additional children can cause a nonpoor family to drop below the poverty level.

It thus seems inappropriate in this bill to pay an additional $300 per year for each child an already impoverished family may have. It would be hard to concede this is anything but an incentive to continue bearing more children at a time when the impact of our population explosion is pushing us into both high expenditures and urgent concern for slowing if not halting population growth.

It was only a month ago that the President signed into law the population commission bill, directing a study of appropriate methods of achieving proper population levels.

Had an open rule been granted it was my intention to offer a general amendment to H.R. 16311 limiting the number of children to be included as family members to those children born before December 31, 1971, and to no more than two such children born thereafter. Such amendment would read as follows:

> Certain Additional Children Ineligible
>
> (f) Notwithstanding any other provision of this part or part E, no more than two children who are natural children of either or both of the parents in the family and who were born after January 1, 1972, shall be included as members of the family for purposes of determining the family's benefits under Section 442(a) or the amounts of such benefits under Section 442(b).

In my judgment, Mr. Chairman, it is essential that the U.S. Government make a firm declaration of national policy that family sizes will have to be voluntarily limited if we are to preserve our environmental quality.

With the dawning realization that unlimited population growth can destroy both the environment and quality of life on this planet, it seems of doubtful wisdom to pass any law at this stage in history which includes encouragement for large families. It may be that after the new population commission has studied the problem, it will recommend that American population can increase 1 or 2 percent per year without endangering our national goals and way of life. If so, we may then have the luxury of returning to government laissez-faire with respect to family size. Recognizing, however, that the children born today or which will be borne under the encouragement of the bill before us, will have the same inalienable rights to life, liberty, equal protection of the law and the pursuit of happiness that we do, it seems worthwhile to suggest a moratorium until we have more knowledge on the question as to how many people can survive comfortably on this earth.

I appreciate that my remarks do not affect the passage of this bill under the closed rule, but would like to record my position at this point in the RECORD in the hope that it will furnish a basis for further reflection by the Congress on this point in the months ahead.

Mr. DENNEY. Mr. Chairman, H.R. 16311, the proposed Family Assistance Act of 1970, is significant because it proposes—for the first time in the history of this country—that the Federal Government guarantee an income to American families, regardless of their productive abilities or inclinations. In addition to substituting the family assistance program for the present AFDC program, this proposal would make substantial changes in three other existing Federal-State programs—aid to the aged, aid to the blind, and aid to the permanently disabled. These three programs would be combined into a single adult assistance program.

The Ways and Means Committee report on H.R. 16311, indicates that if the family assistance plan had been in effect in calendar 1968, the Federal costs of benefits payments would have been $3 billion greater than the cost of the existing AFDC program. Even though H.R. 16311 would still require large expenditures of State funds, the bill would leave very little State or local control over welfare programs.

Americans long ago accepted the idea of helping those who truly need help and cannot help themselves. But, we have not as yet ever endorsed the idea that the Government should pay welfare to those already working. Once this principle is established in law, the only distinction between those who pay taxes and those who claim them is some arbitrary, Government decreed income level. And as this level is raised, proportionally fewer and fewer people will be paying higher taxes to support more and more welfare recipients. It is argued that a nationwide Federal minimum will eliminate the present differentials in AFDC payments and curb the incentive to migrate to those States which provide larger payments. In my opinion, the proposed Federal minimum will not eliminate these differentials, but the objective is unsound anyway because available studies show that the growth in AFDC in certain States was not caused by a large migration of people just to get on welfare. So, contrary to popular belief, the facts show that better welfare benefits have not caused migration and, therefore, this is not a valid basis for creating a Federal minimum standard.

Even granting the merits of the proposal, the Federal budget is not in shape to accommodate the cost of this new legislation. And it is seriously questioned whether the budgets of future years will be able to meet the rising costs of this welfare expansion program. The proposed budget for 1971 is extremely tight. It appears to me that unless we are willing to tolerate another wave of inflationary deficit spending, some additional taxation will be inevitable.

The objectives of the provisions relating to those unable to support themselves through their own efforts—the aged, the blind, and the completely disabled—are reasonable and sound. Meeting their needs is a responsibility of all—and financing the costs should be shared by all taxpayers through the Federal, State, and local government.

A constructive approach would be to pass legislation that will help those who need it most. There is justification for improving welfare aid for the aged, the blind, and disabled, and the families with dependent children, where the father is either unemployed or absent. And also for providing occupational rehabilitation for those who are able to benefit from it. Congress could accomplish this by eliminating that part of H.R. 16311 which authorizes a guaranteed income for families with working fathers. That would direct help where the help is needed.

Mr. TUNNEY. Mr. Chairman, it is indeed a tragedy that in this country of affluence that there still exist in our midst over 45 million persons living below or near poverty conditions. Yet it is a greater tragedy that the legislatures in our Nation have not been able to produce an adequate welfare program that can deal constructively with the problems of our poor.

It is obviously that the existing welfare program has failed miserably in its intended goal of reducing the numbers on welfare rolls and putting such recipients successfully back into the labor force. The participation rate in AFDC is rapidly increasing, and if costs rise at the present rate they will have doubled by 1975. This is indicated by the fact that in the last 15 years the number of children receiving assistance has increased 100 percent—from 30 per thousand in the population to 60 per thousand.

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The AFDC has also failed in its basic system of paying bonuses to families that break apart. The existing program principally aids female-headed families with no provisions to assist families headed by fathers working full time for substandard wages.

There are also in this program unjustifiable inequities among various States and regions in our country. Reflective of this is the huge discrepancy between the lowest funding for a female-headed family of four—being $45 per month—and the highest benefits—$263 per month.

Another failure of the present system is seen in its built-in incentives to encourage a person to actually quit work. One of its major requirements is that the family have no working male head. In light of the rapid growth of participation rate and cost, encouragement of family breakup, State inequities, and the negative approach toward work, I feel there is an immediate necessity for the passage of this welfare reform bill.

Although there are definite and severe inadequacies in the proposal I find it a necessary and progressive move toward a workable solution to present welfare problems.

The proposed major accomplishments of the family assistance plan would blend strong work requirements with firm work incentive. It would treat the female head of the family on an equal footing with the male. Furthermore, there would be established a national minimum payment combined with national eligibility standards as well as major fiscal relief for the States. Of prime importance to the bill is the planned major expansion in job training and child care facilities for the working poor. Additionally, the bill proposes an increased national minimum payment to the aged, blind, and disabled.

The family, under this program, would receive assistance benefits in the form of Federal payments. This would include all families with children having an earning ceiling of $3,920, for a family of four, and most importantly this would include the working poor. To facilitate the Federal funding there would be established nationwide uniform eligibility standards. Most able-bodied adults would be required to participate in work registration or lose benefits. The family with no earnings would receive $500 for each of the first two members and $300 for each additional member thereafter. The family earning an income would have no reductions of benefits for their first $720 and 50 cents off benefits for each additional dollar earned. This would be an improvement over the present system, as it would include more working heads of families in need who could possibly become self-sufficient.

The States would be required to supplement Federal assistance benefits up to the AFDC payment levels, or poverty level—whichever would be lower. There is no supplementation of the working poor required, and Federal matching would provide for 30 percent of the State payments up to the poverty level. Under the current system there exists a huge burden on the States and this reform proposal encourages a more fully federalized system of funding which lifts some of the burden from the States, who are so often unable to provide adequate benefits.

Of prime importance in this bill is the increased attention given to the aged, blind, and disabled. The bill proposes to require the States to assure a minimum income of $110 per person each month. In addition there would be Federal matching of 90 percent of the first $65 of the average benefits, and 25 percent of amounts above that. Because these proposals would be combined with national eligibility standards as well as resources ceilings and earnings incentives, I feel such assistance to this particular group of recipients is extremely necessary, although still not adequate.

The family assistance program offers certain work incentives which in itself is not a new principle. This program, however, extends the principle and makes it more effective. There would not only be a $30 minimum monthly training incentive, but also a $60 monthly cost-of-work disregard. Training for decent, acceptable jobs with a 50-percent retention of earnings is certainly a broader incentive plan than we are currently experiencing. Certain training expenses as well as transportation costs that would be reimbursed plus supportive services to encourage continued employment seem to me additional feasible incentives to participate in the work training program. Most importantly, however, the mother would be given a greater opportunity for successful employment by the establishment of quality day-care centers. This last proposal opens up a grand potential in the poverty struggle; and it is in this area that I feel the family assistance plan is not sufficiently developed.

There are specified work requirements that function with the incentive program. Training—with mandatory registration of recipients at a local employment office—and employment are compulsory for benefits, and there is required a referral of family assistance recipients with physical or mental disabilities for vocational rehabilitation.

Such are the major propositions of the family assistance plan. Recognition of the fundamental problem areas is adequate and I support any efforts in such a basic direction. I wish to emphasize, however, that this plan should be only the beginning of a massive awakening to our welfare programs and treatment of the poor. I agree that the Federal Government should provide minimum income standards for those unable to work. Similarily, able-bodied adults—of which 80,000 males are currently on the welfare rolls—should be given remedial education, training, and jobs. It must be remembered that mere funding does not guarantee wise application of dollars by the recipient. Mandatory training and work requirements are not the sole channel through which incentive will develop; the job, income, and living conditions of the breadwinner and family must also foster human dignity. For this reason, I wish to express my serious concern over the stifling effect of the inadequate income offered to the recipient, the lack of an effective job placement program, and the undeveloped potential of the day-care center program.

The U.S. Bureau of Labor Statistics has not employed an objective standard of determining the genuine need for a family's minimum expenditures on decent food, clothing, and shelter. The Department of Labor, however, has offered $5,500 a year as a standard income needed for a family of four. Interestingly enough, American citizens have responded to nationwide poll questions establishing a minimum need at $6,240. It seems ludicrous that the family assistance program should construct a minimum level of $1,600 for the same family, and a ceiling of only $3,720. Thus, a four-member family receiving the highest assistance benefits would barely creep over the official poverty line of $3,552 per year. The program should also contain a provision for automatic cost-of-living increases, now rated at 6.2 percent each year. If a family is to help itself up the social and economic ladder, it certainly must be able to afford decent living conditions. I feel there must definitely and as immediately as possible be additional legislation furthering this goal of placing each American family above the poverty line.

Second, if a job training program is offered it is totally unrealistic to assume it a function of the work-incentive principle unless participants can be guaranteed a decent job at the conclusion of his training. What kind of incentive can there be in a program that could possibly force a person to do menial labor at substandard wages? And what measure of assurance is there regarding continued employment if the worker cannot even find meaningful satisfaction in his labor? Inclusion of the working poor is a revolutionary step in our welfare efforts, but success in raising the self-sufficiency and independence of the worker will not be achieved unless more adequate job placement programs are developed.

Third, I would like to suggest extended and varied use of the day-care programs. Six billion dollars—accommodating only about 500,000 children—has been sanctioned for such centers but truly effective utilization of them requires more funding and attention.

Quality day-care services are extremely important not only to the success of the working parent, but to the future development and growth of the children who have so unwittingly landed in a poverty striken home. A child should be able to remain in his own home and neighborhood. Effective and successful physical, emotional, social, and intellectual growth of the young child in the day-care center requires participation in and by the community.

These centers could provide not only health and educational programs for children, but they could become a focus of community participation and interests. Adult education and consumer information could be offered. Recreational potentials of such facilities are enormous as well as important and necessary to the poor community. Centers such as this could become a place of community concern, as local attitudes can aid in fighting our poverty crisis in this country.

The present AFDC program keeps assistance below the minimum necessary for a humane level of existence. There are so many persons desperately in need who are currently being excluded from help. The nature of the current system repeatedly implies that the recipients are lazy. The welfare worker must combine both his investigative and service functions which further alleviates the poor. The family assistance program could begin to ease these tensions, and pave the way to a newer economic and social orientation toward an old problem. The proposed Federal assistance and standards are a beginning, but I feel the need for more extended and conclusive programs is extremely critical if we are to genuinely help our poor citizens.

Mr. CRANE. Mr. Chairman, I cannot support the bill before the House in its current form. I cannot support it because, while I favor legislation to reform our welfare system, I do not believe that this bill would represent any significant progress toward that end.

This bill has been presented to us as an effort not only to reform and simplify the existing hodgepodge of welfare and assistance programs, but to provide an incentive to get people off of welfare. The objective is a noble one, but we have little assurance that it would be accomplished. Indeed, there is substantial reason to believe that it could have just the opposite effect: that persons who have always been among the "working poor" would find it to their economic advantage to stop working and depend on welfare altogether.

Mr. Chairman, last November Prof. Milton Friedman, the distinguished University of Chicago economist on whose proposal for a "negative income tax" this legislation is based, testified before the Committee on Ways and Means. While expressing his general approval of the concept of the bill, he drew the committee's attention to what he considered to be several serious flaws—and those flaws have not been corrected. I am not in total agreement with Professor Friedman, for reasons which I shall discuss shortly, but I nevertheless believe he made some important points in his statement to the committee, and I include that testimony in the RECORD at this point in my remarks:

STATEMENT OF DR. MILTON FRIEDMAN, PROFESSOR, DEPARTMENT OF ECONOMICS, UNIVERSITY OF CHICAGO

Dr. FRIEDMAN. Thank you, Mr. Chairman. I am glad to be here.

The CHAIRMAN. Mr. Burke, just a moment. I am a little bit out of place here.

Dr. Friedman, I want the committee to know that I have known you and know of you for many, many years, dating back to the time when I served with a great deal of pleasure on the Joint Economic Committee during the 1950's. I want to personally welcome you to the committee.

Dr. FRIEDMAN. Thank you very much, Mr. Mills. It is a pleasure to testify before this committee. My connections with it go back very much farther, to 1941, when I was an employee of the Division of Tax Research of the U.S. Treasury Department.

The CHAIRMAN. I know that.

Dr. FREIDMAN. I strongly endorse the basic principles embodied in President Nixon's proposal for reforming our welfare system: the provision of a strong work incentive; the equal treatment of equals; eligibility requirements based on the objective criterion of income; the separation of financial assistance from other social services. These are principles that I have long supported and long urged. The President's proposal does not go as far as I would like to go in replacing the present welfare system by a system incorporating these principles, but it is a major and welcome step in that direction.

The proposed reform has the potential of greatly improving the social and economic conditions of lower income families in the United States, while at the same time reducing the burden imposed on the taxpayer to help the disadvantaged. But these high hopes will be realized only if Congress can avoid a number of pitfalls in translating the principles into practice.

In my testimony, I wish to direct the committee's attention to three problems that require careful treatment if the principles are to be made effective. Unless this is done, there is real danger that actions taken on the details of the plan will have the effect of completely undermining its effectiveness and of converting it from a major step forward to a major step backward. These problems are raised by a number of specific features of the imaginative and thoughtful proposal that is before you.

The problems are—and here I summarize the three problems and then I am going to return mostly to discuss the first of these. The problems are:

(1) Keeping the marginal tax rate low enough to provide a real work incentive. This is by all odds the most important issue.

The basic marginal rate is stated to be 50 percent. However, social security and other taxes, and the method of handling State supplements and of integrating food stamps with welfare payments, threaten to raise the effective marginal rate to well above 50 percent, and in some cases to more than 100 percent.

(2) Assuring equal treatment to equals. Persons in similar circumstances who are at the same income level should be treated the same whether or not they are currently receiving welfare payments. The present proposals do not achieve this objective.

(3) Providing administrative arrangements that will best lend themselves to further improvement and development of the welfare system. In my opinion, this would be achieved far better by having the Internal Revenue Bureau administer the negative income tax features of the plan along with the positive income tax than by assigning administration to HEW.

I. RETAINING A WORK INCENTIVE

In my opinion, the most important need in welfare reform is to provide a strong incentive for persons receiving governmental assistance to become self-supporting. The President's proposal does so by two key provisions: first, disregarding the first $720 of earned income in computing benefits; second, disregarding half of the remaining earned income. As you are well aware, this is precisely equivalent to a tax schedule with marginal rates of zero at first and then of 50 percent.

For the class of persons involved, 50 percent is a very high rate. Yet, given the present low exemptions under the positive income tax, which requires that the payment of benefits be ended at a moderate income level, it is hard to construct a feasible scheme with a much lower rate. In my own proposals for a negative income tax, I have reluctantly recommended a 50-percent rate, viewing it as the highest that would give families a strong enough incentive to work themselves off relief.

The addition of an initial zero bracket seems to me an excellent idea. It provides maximum incentive where that incentive is most needed—to make the transition from no employment to some employment—and yet raises the breakeven point only modestly.

The two-step schedule of zero and then 50 percent is therefore an excellent compromise, and I support it fully. The problem is that, when additional features of the proposed plan, plus other features of current law, plus the proposals about food stamps, are taken into account, the final schedule is not a two-step schedule and the final rates are often far higher than zero and 50 percent.

This is clear from the figures in the accompanying table. I hope you gentlemen have this table, which is the last page of this prepared statement, because I would like to refer to it in explaining the further comments.

In constructing this table, I have described the proposal in tax terms, which seems the terms which would be most familiar to you gentlemen on this committee as well as the most effective way to present it.

(This description is different from the way I have usually described such plans. I have usually described them as involving an exemption and a schedule of rates for various brackets of negative taxable income (income minus exemptions). That description has the great advantage that it makes clear the relation between such plans and the positive income tax. For the present purpose, however, it has the disadvantage that both the exemptions and the rates are altered as additional items are taken into account. That is why I have used the equivalent alternative description embodied in the table.)

The way I have done it is to treat the benefit received by any family as the difference between two items: first, a basic benefit; second, a tax imposed on all income other than the benefit at graduated rates but with no exemptions. The excess of the basic benefit over the tax is the net amount the family receives (or the excess of the tax over the basic benefit the net amount it pays).

To keep matters simple, I have considered only a family of four with two adults and two dependents, and I have assumed that any income other than the basic benefit is earned income.

The first part of the table, part A, is for the 20 States in which the family assistance program would replace completely the present AFDC program. In these States, the basic benefit—the amount that would be received by a family with no other income—consists of two parts: (1) A family assistance payment of $1,600; (2) Food stamps worth $720—or a total of $2,320. This would also be the net benefit received if the family had no other income.

(In calculating the food stamp allowance, I have followed the President's proposal, which, as I understand it, would provide a maximum of $1,200, this amount to be reduced by 30 percent of total income, including any family assistance benefit. A family that received the $1,600 family assistance benefit only would therefore be entitled to $1,200 less 30 percent of $1,600 or $1,200 less $480, which equals $720.)

If the family earns up to $720 of income, its family assistance benefit is not affected, so the marginal tax rate, because of the family assistance plan, is zero. That is shown in the right-hand part of that first part of the table. The first column gives the income bracket, and the second the marginal rate for that bracket.

However, its food stamp allotment is reduced by 30 percent of its additional income, as I understand the proposal on food stamps that has been made, so the marginal tax rate because of food stamps is 30 percent. In addition, it will have to pay 4.8 percent for OASI and nothing for Federal income tax, so, going across the table, the total marginal tax rate on that first bracket is 34.8 percent, combining the food stamps plus the social security.

The next bracket runs to $3,000, the point at which the Federal income tax, under current law, becomes effective. Your committee has, of course, voted to change this provision of current law, but in view of the uncertainty about the precise nature of the final tax reform legislation, I have thought it best to stick to the present law, including the expiration of the surtax.

In this bracket, that is, the bracket between $720 and $3,000, the family assistance benefit is reduced by 50 percent for each additional dollar earned, so the marginal tax rate because of the family assistance program is 50 percent. The food stamp rate drops to 15 percent from 30 percent because the food stamp allowance is reduced only on account of the extra 50 cents of each dollar of earnings that is retained by the family. The other items are the same as before, so the total marginal rate is 69.8 percent.

At $3,000, the Federal income tax applies, making the total marginal rate 83.8 percent. At $3,920, the family-assistance benefit has been reduced to zero, so this item drops out, reducing the total marginal rate to 48.8 percent. At $4,000, the food-stamp allowance has been reduced to zero, so this item drops out leaving only social security taxes plus Federal income tax, which combined equal just under 20 percent.

For the crucial range from $720 to $3,920, these are extremely high rates—as high as or higher than the top rate under our positive income tax. In addition, under present law, families on welfare may keep up to $30 a week plus one-third of the balance of outside earnings without a reduction in benefits, so the effective rate for them for earned incomes between $360 a year and $3,000 is 66⅔ percent plus the social security rate, or a total of 71.5 percent, and for earned incomes above $3,000, when they become subject to Federal income tax, 85.5 percent.

The marginal rates implicit in the family assistance program are only trivially lower than the rates in current law, except only for earned incomes between $360 and $720 a year. Yet we are all cruelly aware that current rates do not provide an adequate incentive for families to work their way off welfare.

Moreover, the rates in part A of the table are the most favorable. They are for the States in which the family assistance program will completely supersede AFDC. For all the other States, the marginal rates are still higher.

The exact rates vary from State to State, depending on the maximum benefit now payable. In section B of the table, I have calculated the rate for a sample State that has a current maximum benefit of $3,400 a year for a family of four. I believe that this is roughly the maximum in New York and may be in others as well. In any event, it will serve to give approximate upper limits.

For such a State, the basic benefit has three parts, listed in the lefthand part of the table: (1) the family assistance basic benefit of $1,600; (2) the additional State supplement of $1,800; and (3) a food stamp allowance of $180 ($1,200 minus 30 percent of $3,400)—or a total of $3,580.

Under the proposal, the State is not permitted to reduce its supplementary payment on account of the first $720 of earned income. It is permitted to reduce its supplementary payment by up to 16⅔ percent of the next $3,200 of earned income and by up to 80 percent of still higher earned income.

I have assumed that the sample State applies these maximums. This explains the marginal rates in the column for the State supplement, which is the only additional column in the bottom half of the table compared to the top.

For this State, the food stamp allowance drops out at $600, reducing the total marginal rate from 34.8 percent to 4.8 percent. The rate then jumps at $720 to 71.5 percent, and at $3,000 to 85.5 percent. These are precisely the same marginal rates as under present law. Above $3,920, the rates are still more extreme, even exceeding 100 percent for a bracket just over $500 wide, and then declining to 20.8 percent.

And even this is not the whole story. I have completely neglected city and State taxes on earnings or income, which, in those cities and States where they exist, raise the marginal rates still higher.

These are clearly not very desirable tax rate schedules. They are irregular, declining and rising in a pattern that it is hard to justify on rational grounds. More important, for most of the range of incomes they are far too high to acheive the objectives of the President's proposal. In no State do they provide much more incentive than does the present law for recipients of welfare to work their way out of welfare. In some States, they provide decidedly less incentive than the present law.

Persuaded as I am of the merits of the President's general approach, I am convinced that it would be a tragic mistake to enact it in the form embodied in these tables. These high marginal races are, I am sure, inadvertent—the unexpected combined result or a series of separate decisions. In looking at them as a whole, this committee can enormously improve the present proposals by insisting that no combined marginal tax rate should exceed 50 percent.

The proposals that the committee has already made for reforming the positive income tax will help reduce the marginal rates. But this change, important as it is, will not bring them anywhere close to 50 percent for much of the income range.

The other measures that seem most promising are: (1) Reconsideration of the food stamp allowance proposal; (2) alternatively, revising the family assistance basic grant and tax schedule so that, when combined with food stamps, they provide the basic grant and tax schedule now proposed for the family assistance program alone; (3) not permitting States to reduce their supplement for the first $3,920 of earned income, and then permitting them to reduce their supplement by not more than 50 percent of earned income in excess of $3,920.

II. EQUAL TREATMENT OF EQUALS

Under the present proposal, if Jane and Mary work side-by-side in a factory, receive the same low wages, have the same size family, and are in similar circumstances in still other respects, they may still receive different net benefits. They will do so if Jane was formerly a member of a family on AFDC while Mary was employed and received no welfare payments, and if they are in a State that now provides benefits higher than the family assistance benefits. In that case, the State is required to continue to supplement the income of Jane but not of Mary.

Similarly, as I interpret the proposed law, Jane and Mary may have differential access to manpower and training programs and to child care services. If the earned income of both is high enough to reduce the family assistance net benefit to zero, but low enough to entitle Jane, who was formerly on AFDC (to supplementary State benefits), then Jane will also have access to the other programs, while Mary will not.

This is highly inequitable. It is also perverse in its effect on incentives. It encourages the working poor to quit working and to qualify for welfare in order to get the additional benefits. Equals should be treated equally.

III. ADMINISTRATION OF THE PROGRAM

I believe that our ultimate goal should be a complete integration of assistance to low-income families with collection of taxes from higher income families. All persons should be treated alike. All should be required to file the same or equivalent tax returns. If the income as calculated turns out to be below the exemptions provided by law, the taxpayer will be entitled to receive a payment, a negative income tax. If the income as calculated turns out to be above the exemptions, the taxpayer will pay a tax.

This will end the present demeaning division of our population into two classes—people on welfare and the rest of us. It will end the present demeaning eligibility requirements for assistance. It will subject all to the same criterion of ability to pay—a reasonably objective measure of level of income. It will also improve greatly the administration of both the positive and negative tax by requiring essentially universal filing and thereby reducing the opportunities for avoidance and evasion of tax. Finally, it will be politically healthy, because no additional benefits could be legislated without simultaneously altering the tax structure, and conversely.

This goal is thoroughly feasible in the not too distant future. The main obstacle at the moment is simply the different definitions of income employed for the positive income tax and the proposed negative income tax and the limited scope of the family assistance program.

The goal will become far less feasible, however, if the administration of the new program is assigned to the Department of Health, Education, and Welfare instead of to the Internal Revenue Service. That will assure the growth of two largely distinct administrative hierarchies, two sets of detailed regulations and rulings, and two sets of political vested interests.

In addition to keeping open the feasibility of an integrated income tax structure, there are other advantages in administration by the Internal Revenue Service, notably the contribution that would be made to the prompt and efficient collection of positive income taxes now avoided or evaded.

And I might add to my written testimony one minor example that I should have included. We now deduct tax at source through Internal Revenue withholding. The right way to provide an income supplement to people who are working but have incomes below the exemption level is to add to their paychecks in exactly the same process, which illustrates one way in which combining the two would render the administration of both efficient.

In deciding this issue of where the administration should be placed, I urge the committee to look not merely to the present but also to the future.

Thank you very much.

Mr. Burke. Thank you, Professor Friedman. Are there any questions?

Mr. Byrnes. Mr. Chairman?

The Chairman. Mr. Byrnes.

Mr. Byrnes. I was intrigued with your last statement about administration of income supplements. I think we do have serious problems. I have some great concern about using the Social Security Administration with the old age and survivors insurance system rather than having the administration of supplements stand separately. But I am intrigued with your statement that you

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would provide the benefits under the negative income tax through the paycheck.

Dr. FRIEDMAN. Yes. You see, that is the appropriate way to do it for those people who are receiving benefits, what the proposal calls "the working poor."

Mr. BYRNES. I wonder where do we come out when we start making the employer——

Dr. FRIEDMAN. We now do it. We now do it for the subtraction from the paycheck.

Mr. BYRNES. Well, we do in part, but then we also provide for a recapitulation at the end. You would be taking out money that the employer has an obligation, in a sense, to pay to the employee in an employer-employee relationship. Now you would bring in an employer relationship to the Federal Government in terms of the money.

Dr. FRIEDMAN. Representative Byrnes, I would also in administering this program have an annual recapitulation for those who receive as well as those who pay. I would treat both groups alike. You must do that in any event because you will be operating the family assistance program on the basis of advance estimates and you need a reconciliation in order to compare what happens after the event with what was planned.

So the same worker, for example, might in some weeks be receiving a supplement to his pay and in other weeks having his income tax subtracted, because the same worker might one week have a wage that was so low that if he continued on that level for the year, he would be——

Mr. BYRNES. We have so much trouble today, though, Professor, in my judgment, with respect to the refund recapitulation with such a higher percentage having refunds. Would we get into a morass of problems here as we add this factor into the——

Dr. FRIEDMAN. This reduces that problem, Mr. Byrnes, because now one of the reasons you have refunds is precisely that if a person who is employed falls below the level at which taxes should be subtracted from his pay, nothing is subtracted and nothing is added. And as a result he accumulates a benefit which later on provides him with a refund.

By treating him throughout the year symmetrically on both sides of the exemption, the problem of refunds, I believe, would in the main be reduced and not made worse.

In both cases, it seems to me, the employer would be acting as an agent of the Federal Government. He is now acting as an agent of the Federal Government in subtracting the withholding taxes. He would also be acting as an agent of the Federal Government in supplementing the wages by whatever provision was made for such supplementation.

In both cases the employee would have to provide once a year a form reconciling what was deducted or added during the year with what he was entitled to and with his other sources of income. And it is precisely this possibility of combining these different parts of our structure that seems to me a major argument in favor of having this administered by the Internal Revenue Service rather than linking it with social security.

Mr. BYRNES. Of course, what we have done—and I think probably quite intentionally—is to have a system that in many cases overwithholds as a collection device.

Do you suggest that as far as the negative payments are concerned, you would underpay for the same basic reason, so that at the end of the year you would be more inclined to be paying the family some additional funds rather than having to require them to pay back some funds that they had already received?

Dr. FRIEDMAN. Under our present withholding we do have a great many refunds because of overcollection, but we also have a great many people who underpay and have to pay subsequently, because with the best will in the world it is impossible to collect from all accurately. I would expect that doing the best job you could, you would find that in paying out the negative taxes just as in collecting the positive taxes, you would have a considerable number of people who would have to pay additional sums, but also a considerable number who would receive refund.

Clearly, if I were setting this up, I might try to veer us a little bit in the direction of underpayment but not much, because the contemporary cost to the people of being underpaid, it seems to me, would be rather important.

Mr. BYRNES. You address your whole paper here to the dollar-and-cents aspects.

Dr. FRIEDMAN. Right.

Mr. BYRNES. And, of course, that can't be underestimated in its importance, but to me one of the major thrusts of equal significance and importance, and which in some respects may be even more important in the long run, is the thrust of the administration proposal placing the emphasis on job training, bringing job opportunities together with the individual.

And I wonder whether the emphasis you put here doesn't almost ignore that aspect.

Dr. FRIEDMAN. I believe not.

Mr. BYRNES. Or do you think it can be ignored?

Dr. FRIEDMAN. Oh, no, I don't.

Mr. BYRNES. What is your attitude in that area?

Dr. FRIEDMAN. I don't believe it can be ignored. But I believe that those aspects of the proposal will not be effective unless the people involved have a very strong incentive to take advantage of the opportunities that are open.

Mr. BYRNES. That is your 50 percent?

Dr. FRIEDMAN. Right. It seems to me you have two problems. One is to have opportunities available. The second problem is to make the people themselves who are involved have a strong incentive to take advantage of those opportunities.

No civil servant bureaucrat is going to be able, with the best intentions in the world, to pick out which people should get the training, which people should have the opportunities, and force them to do it. That has to come from the individual himself.

One of the most effective ways to have it come from the individual is to give him as great an incentive as possible to take advantage of the opportunities available. We are, it seems to me, asking a good deal of a very impoverished person, a person of a very low income level, if we say to him, "You go take a job and work, leave your home and incur the extra expenses of going back and forth. But, of course, you are only going to get back 30 cents for every extra dollar you earn, or at a higher level you are only going to get back 16 cents for every dollar you earn."

It seems to me that unless we can say to people, "You will get back half of what you earn, anyway, at least," it is going to be very hard to provide them with the kind of incentive that you and I would like them to have to take advantage of the opportunities available.

I may say on one other point that is suggested by your comment, one of the major reasons why I would like to see this handled evenhandedly, and particularly the withholding arrangement, is for nonmonetary reasons. If the program is handled by HEW as proposed, those people who receive a payment are in a wholly different category from those who don't. They have to go and make special application at a different office. They are going to get a separate check somewhere else.

Particularly for the working people who are receiving a supplement, if you can integrate the whole thing, everybody in that factory working in the plant is on the same basis. There aren't two classes of citizens. Everybody gets his paycheck at the end of the week. Some of the people who have had high pay have a little deducted. Others who have had low pay have a little added. And a person may shift from one category to another from month to month. From the point of view of morale and of not making people feel that they are somehow pariahs and making them participate in the activity of the economy, it seems to me that is a very great advantage.

Mr. BYRNES. Your paper and your comments are most intriguing and most interesting. Thank you very much.

Mr. BURKE. Are there any further questions?

Mr. Corman?

Mr. CORMAN. Thank you, Mr. Chairman.

Dr. Friedman, would you agree that we really can't consider a negative income tax until we get to the point where we tax all sources of wealth? We get ourselves in this dilemma where people may have a rather substantial number of dollars at their disposal and yet they aren't subject to the income tax.

What would we do with them when we talk about the negative income tax?

Dr. FRIEDMAN. This is what was intended in the comment I made here when I said that the chief barrier at the moment is simply the different definitions of income employed for the positive income tax and the negative income tax. As an ultimate ideal I agree thoroughly with what you say. I would myself like to see a far more far-reaching reform of the entire positive and negative income tax structure so that all incomes would be treated alike.

But I believe we want to be very careful not to let the best destroy the good. I think we are now faced with a situation in which we have a chance to improve the system as a whole substantially by introducing the principle of a negative income tax but with a different definition of "income" than that which is used for the positive income tax. That is a step forward.

Let's not refrain from taking it because there is a still bigger step that you and I would like to take as the opportunity offers.

Mr. CORMAN. Another question I have concerns the supplement to the paycheck. In the long run what effect is that going to have on the willingness of employers to pay living wages out of their own pockets.

Dr. FRIEDMAN. It will have no effect, sir, because the willingness of employers to pay what they have to pay does not derive from their social conscience. It does not derive from their concept of a living pay. It derives from competition. It derives from the fact that unless they pay as much as other employers pay, they are not going to get anybody to work for them.

So there is no reason that I can see why from the side of the employer he will be affected in any significant way by the fact that in part he is serving as an agent of the Federal Government.

Let me put it to you, if I may, another way. If his administering this for the Federal Government would affect him, then his knowledge that the individual is getting a supplementary check from the social security board or somebody else would have the same effect, and I think that it would be very hard on economic grounds to see any reason why that should have any measurable effect on the wages. Not that he wouldn't be willing to pay more. Any employer is willing to pay an indefinite amount if he can afford to do so. But he can't afford to pay more than the market requires him to pay to attract the labor, and he can't afford to pay less, because if he pays less, he doesn't get any workers. If he pays more, he is going to go out of business.

Mr. Corman. Yes, sir, but my concern is of the marginal worker, the person who doesn't have great skill, and there is competition for those jobs. It presents a dilemma. You don't want the man to live on less than a reasonable amount of money.

On the other hand, I would think that this employer might say, "I can pay you at the poverty level. The Government is going to subsidize a portion of it, and I will pay you the rest, and you take the job."

I think I would be concerned with whom we are really subsidizing with supplementary payments. It seems to me we have to hedge those with some protection for the other taxpayers, to require minimum wages or something of that sort. It seems to me we just compound the problem if we tell the employer, "You don't want to pay him any wages. We will supplement it, and you put it on the paycheck. And the employee is going to go home with enough dollars to keep body and soul together, even though it isn't going to cost you very much of it."

You really don't think that is a problem?

Dr. Friedman. On the contrary, I believe, sir, that it is really rather the other way around.

One of the reasons we have unduly high unemployment among the so-called "marginal" and "skilled" workers is because of the effect of the minimum wage rate, the legal minimum wage rate, which arises because of a confusion between a wage rate and income. It has always been a mystery to me how a teenage boy is better off being unemployed at $1.60 an hour than being employed at $1.40 an hour. And yet the effect of the minimum wage rate has been to render unemployed, people whose economic productivity does not equal the minimum wage rate.

What the well meaning proponents of the minimum wage rate have wanted to do is to provide some kind of a minimum income, not a minimum wage rate, which is of no negative income tax program is precisely value unless employment is available, on that rate. In fact, the effect of this kind of a that it serves the real function which the well meaning proponents of minimum wage rates have mistakenly believed that they could serve by minimum wage rates. It serves that real function of enabling people to earn what they can in the market, whatever their skill, and improve their skills through on-the-job training, while at the same time, through supplementing their income, you maintain a minimum level of take-home pay, which is available for them to purchase goods and services.

The fear that the employer would somehow be in a position to take advantage of this is a very understandable and natural fear. But I believe it does not correspond to the facts of the marketplace.

With respect to the group of workers we are now speaking of, there are, in general in most market areas in the country, a considerable number of potential employers. Those potential employers are in competition with one another, and they have no effective leeway to pay people less, simply because they are getting some supplement from somewhere else.

Mr. Burke. Mr. Gibbons?

Mr. Gibbons. Dr. Friedman, I am intrigued by your testimony. I never had an opportunity to read much of your material except what has appeared in the newspapers, and you have thrown some new light on it here today.

You are suggesting that perhaps a way that this could be worked, your negative income, is by adding through a private business employer an additional amount of money, just as we now deduct an additional amount of money from the paycheck for the Internal Revenue. I would assume, following that on through, that eventually, the employer would have to get the money from somebody. He would get the money from the Government the same way he now pays the money to the Government. He would just submit a statement saying that, in effect, "I have so many people who are employed, and they have this kind of a social background. Therefore, I am entitled to money back."

This is a silly situation, but I could envision an employer perhaps going to employees and saying, "Maybe you better go home and have a few more kids. You don't want to work any harder, but I can get more money for what you are now doing."

Dr. Friedman. No, sir.

Mr. Gibbons. You don't think it will work that way?

Dr. Friedman. No, it doesn't work that way now with the positive income tax. He doesn't say to the employees, "Why don't you go home so I don't have to pay over to the Government as much in withholding tax." The actual way it would work is that each employer would be withholding from most of his employees. The number of employees whose wages he would be supplementing would be relatively small. Given the kind of tax rates you have been thinking of, he would hand into the Internal Revenue a net payment. He would pay over. He would say, "This is the amount of money I have collected on your behalf. This is the amount of money I have paid out on your behalf. The difference is the amount I pay over to you."

Mr. Gibbons. Wouldn't your program really encourage the employer to discriminate and to hire the poor and the disadvantaged and the large family person, as opposed to a single person, perhaps?

Dr. Friedman. Not at all. His wage cost is exactly the same regardless of the family status. His personal wage cost that enters into business calculations is not affected by the family status of the person, just as now the fact that he has to deduct more from the pay of a man with a small family, of a single person, than of a man with a large family does not lead him now to prefer the man with the large family. His wage cost is a wage rate he pays for the job to the man whom he employs.

Then in addition to that, he now serves as an agent of the Internal Revenue in withholding at source from that man's pay the taxes that are due to the Federal Government in the same way he would serve as an agent of the Federal Government or the Internal Revenue in paying over an additional sum to which the man was entitled.

Mr. Gibbons. Let me give you an illustration.

Suppose you have a man working on an assembly line and maybe he is making $2 an hour, and he is operating a machine or something like that. That would be pretty minimum pay. He turns out x number of products an hour, which result in an economic benefit to his employer, so much.

If that man were poor—of course, he would be poor at $2 an hour—but if that man were poor, let's say, then his employer would, in effect, get a refund from the Federal Government, which he would in turn pay to that man.

Dr. Friedman. That is right.

Mr. Gibbons. Yet he would still be paying $2 an hour, wouldn't he?

Dr. Friedman. That is right.

Mr. Gibbons. And maybe the man would then be taking home $2.25 an hour, or $2.50 an hour. It looks like to me that there would be a great encouragement in your system to hire the poor first.

Dr. Friedman. No.

Mr. Gibbons. I wish you would draw me a picture of it. I don't want to take up the committee's time.

Dr. Friedman. Let me give you this.

Here right now an employer hires people at $2 an hour, some of whom, for all he knows, have extra income and some of whom don't. Does that affect which ones he hires? Or does he pay those who have extra income outside less money than he pays those who don't?

Right now suppose you adopted the proposal as suggested by the President. Then the employer would know. He would know perfectly well that John Jones is getting an additional check from somebody because of the fact that he has six children and has a lower income than the income he would have to have in order not to receive a grant, so he knows what he is getting.

Employers are not fools. They know perfectly well what the other arrangements are, and so changing the bookkeeping by having somebody a block down the street hand the man the check, instead of combining it with the payroll operation of the firm itself, doesn't change the facts.

Mr. Gibbons. I regret to say most of us live by forms. Have you ever gone so far in your thinking as to figure out what the new form 1040 would look like under your proposal?

Dr. Friedman. Yes.

Mr. Gibbons. Do you have that?

Dr. Friedman. I don't have that with me, but I have in earlier cases when I have worked on this drawn up forms 1040 to handle the negative income tax.

Mr. Gibbons. I wonder if you could just supply one, so we could put it in the record at this point.

Mr. Chairman, would that be all right?

Dr. Friedman. I will see if I can get one.

"Unfortunately, I was unable to locate in time the forms I had drawn up earlier and time did not permit my writing out new ones in full. However, for form 1040, only changes that would be necessary would be (a) to add several lines in computation of tax parallel to those now used in computation of positive tax, e.g.:

"'(1) If deductions and exemptions exceed reported taxable income, enter excess here.

"'(2) See Tax Table—for payment to which you are entitled.

"'(3) Enter advance payments received during year.

"'(4) Enter any taxes withheld during year.

"'(5) If (2) and (4) is greater than (3), enter excess here. This is amount you will receive.

"'(6) If (3) is greater than (2) and (4), enter excess here. Remit this amount with tax return.'

"(b) To allow in b only of return of items of income on deductions treated differently for positive and negative income tax."

Mr. Gibbons. At least mail me one, anyway.

Dr. Friedman. Sure.

Mr. Gibbons. And I would like to see what the form looks like that the employer would furnish the Internal Revenue Service to claim the additional compensation.

Those are all the questions I have, Mr. Chairman.

Mr. Burke. Thank you. We thank you very much, Professor Friedman, for your appearance here today and your testimony.

I can assure you the entire membership of the committee and the committee staff will study your statement very carefully and also your chart.

Thank you.

Dr. Friedman. Thank you.

(The chart referred to follows:)

MARGINAL TAX RATES IMPLICIT IN WELFARE PROPOSAL

[Family of 4 (2 adults, 2 dependents); all income earned (other than welfare grants and food stamps); city and State income taxes neglected]

A. 20 STATES WHICH NOW PAY BENEFITS LESS THAN PROPOSED FAMILY ASSISTANCE BENEFITS

	Tax schedule							
	Marginal tax rate (percent)					Basic benefit		
Income bracket[1]	Family assistance	Food stamps	Social security[2]	Federal income tax[3]	Total	Family assistance	Food stamps	Total
0 to $720	0	30	4.8	0	34.8	$1,600	$720	$2,320
$720 to $3,000	50	15	4.8	0	69.8			
$3,000 to $3,920	50	15	4.8	14	83.8			
$3,920 to $4,000		30	4.8	14	48.8			
$4,000 to $5,000			4.8	15	19.8			

B. SAMPLE STATE WITH CURRENT MAXIMUM BENEFIT OF $3,400 A YEAR (NEW YORK STATE)

	Tax schedule										
	Marginal tax rate (percent)						Basic benefit			
Income bracket[1]	Family assistance	State supplement	Food stamps	Social security[2]	Federal income tax[3]	Total	Family assistance	State supplement	Food stamps	Total
$0 to $600	0	0	30	4.8	0	34.8	$1,600	$1,800	$180	$3,580
$600 to $720	0	0		4.8	0	4.8				
$720 to $3,000	50	16.7		4.8	0	71.5				
$3,000 to $3,920	50	16.7		4.8	14	85.5				
$3,920 to $4,000		[4] 80.0		4.8	14	98.8				
$4,000 to $5,000		[4] 80.0		4.8	15	99.8				
$5,000 to $5,503		[4] 80.0		4.8	16	100.8				
$5,503 to $6,000				4.8	16	20.8				

[1] Income excludes basic grant and is all assumed to be earned income.

[2] Employee's tax under OASI.

[3] Present law, excluding surtax.

[4] Maximum permitted under proposal.

Professor Friedman objects to this bill on the following basis:

First, that when the value of food stamps and State supplementary benefits is figured in, the marginal tax rate on the earned income of the working poor is far higher than the apparent 50 percent—that, indeed, it may actually come to more than 100 percent, thus providing a serious disincentive to accept employment rather than the incentive that this program is designed to create;

Second, that families in similar economic situations should be treated equally, and that this is not the case under the provisions of the bill as it now stands, either in the regulations relating to State supplemental benefits or in the advantages it may give persons who do not work over those who do. Thus, the act does not require states to pay supplemental benefits to the working poor—which means that two men could be working at similar jobs and earning the same wages, but one would receive the state supplemental by virtue of the fact that he had been unemployed, but the other would not. This is a clear incentive for the working men to "arrange" unemployment category status in order to qualify for the extra benefit; and

Third, that the arrangements proposed to administer the provisions of this bill are cumbersome and costly, and that it could actually be administered far more efficiently through the system already in existence for payroll deductions and income tax payments.

Let me conclude this section of my remarks by noting that Professor Friedman—the father of the negative income tax—stated in a public meeting last Saturday, April 11, 1970, in Chicago that:

> If I were a Member of Congress, I would vote against H.R. 16311, as it is presently written.

As I have indicated, however, I am not totally in agreement with Professor Friedman. One of the main objections that I have to the pending bill, that he does not share, is the inclusion of the working poor in the Nation's welfare population. I must object to this on several counts: First, its cost; second, its bureaucratic implications; and third, its moral and psychological implications.

My first objection is to the enormous financial burden that this extension of the concept of welfare will impose upon the American people. It is estimated that the cost of increasing the number of welfare recipients from the present 10 million to about 22 million under the pending bill will be $4.4 billion in the first full year, and that it will increase substantially thereafter. In 1 year we will add 12 million new persons to the welfare rolls—most of them the very people who have struggled for years to avoid subjecting themselves to that very indignity.

The second point is that the present bill would add a whole new bureaucracy under the Social Security Administration of the Department of Health, Education, and Welfare. As Professor Friedman so aptly pointed out in his testimony to the Committee on Ways and Means, the wrong administrators could use this new program to expand their own offices and staffs. It should also be noted that one of the ways in which our present welfare system is most in need of reform is in the bureaucracy that has grown up to administer it. We should not now be looking for ways to expand that bureaucracy or give it a new lease on life.

My third objection to the pending legislation as it affects the working poor is probably the most serious of all. Heretofore, we have always believed that work was the proper way for a family to support itself in our society. As a people, we have realized our obligations when it came to particular hardship cases, such as the disabled and the aged; but in general the work ethic has been an integral part of our whole national fabric and, I believe, vital to our national success.

In the past, welfare programs have sought to encourage those who are unemployed to seek employment. They have been, at least in theory, temporary or emergency measures. To be on welfare and to receive a Government handout has had a definite social stigma attached to it. And this is as it should be, if we are to encourage individuals, capable of doing so, to stand on their own two feet. Now, however, we are seeing this longstanding principle demolished. In recent years we have witnessed a new class of permanent welfare recipients come into being and produce a second and third generation of welfare families. And today we have before us a proposal that will even further institutionalize this new and tragic welfare class, this time under the aegis of the Federal Government.

I believe such a system will be truly demoralizing for those citizens who have long been too proud to accept a dole from the Government. Those who claim that the proposed legislation will provide incentives to the nonworking poor to get jobs, apparently have not looked at the other side of the coin—that it will also provide a disincentive for the working poor to stay employed.

NEW FEDERALISM

Mr. Chairman, the President has consistently expressed his belief that we should be returning to a reinvigorated federalism in our Nation's domestic affairs.

I support this viewpoint and heartily concur that we must redress the imbalance that currently exists in our State-Federal relations. We must enable the States to determine the priority of their own programs, so that dictation by the faceless Federal bureaucracy is not determining the lives of individuals in the Arlington Heights', Keokuk's, and Springfield's of the Nation.

The pending bill would move us in the wrong direction—it would move us toward more Federal control, and away from State determination of their own future programs.

It seems to me that this point has been completely overlooked by those who support the pending bill.

SUMMARY

To summarize, then, I oppose this bill because I do not believe that it takes into account the dangers involved in establishing a "guaranteed income" for American families. I am opposed to its enactment because it does not, in my opinion, provide any genuine incentives to work for anyone not now employed, but rather that it does the contrary. I further oppose this bill because it treats the working poor and the nonworking poor unequally, and to the disadvantage of the working poor. I oppose it because it would bring into being a new and extensive Federal administrative bureaucracy, including the social workers needed to police the system, at a time when we are supposedly trying to reduce the size of government. Finally, I oppose it because it represents one more step toward the centralization of government rather than decentralized federalism.

Mr. REID of New York. Mr. Chairman, I rise today in strong support of H.R. 16311, the family assistance plan.

The occasions are all too rare that I find myself honestly excited about innovative and original legislation on this floor, but today I think that we have before us a truly creative proposal which lightens not only my spirits, but also the spirits of poor people all over the country, who for too long have lived with a morass of residency requirements and broken, fatherless families.

So it is not for reasons of congressional courtesy that I now commend the President and the Committee on Ways and Means, who have respectively introduced a good bill, and made a good bill better, and together worked to propose what may well be the most constructive and original initiative I have seen over the past several years.

This is a positive program. It is a program which keeps families together rather than splitting them up; which induces economic independence rather than humiliating subservience; which provides day-care centers and manpower training programs; and which makes of what was once a stifling and even counterproductive system an open and productive one.

It is a program through which a recipient can see the light at the end of the tunnel. Where all too often the life cycle of an AFDC recipient was from dependency to stagnation, now it can be one of independence and dignity.

The precedents that this bill sets are invaluable—first of all, it has been recognized that family security is the responsibility of the Federal Government, and no matter how important States' rights are, it is basically wrong for a family in Mississippi to get $39 a month while a family in New Jersey gets $263 a month. Poverty happens to be national in scope and in origin—it should indeed be national in solution, and the concepts of national minimus and a Federal income floor are progressive steps in this direction. Second, been certified as deserving of Federal assistance; and third, it is the responsibility of the Federal Government to help people who want to work but cannot, by providing day-care centers and job training facilities.

This is not to say that I think that the program, as outlined in this document before me, is perfect. I come from a State which has served its poor relatively well; benefit levels in New York are presently the second highest in the Nation. Yet, this new plan threatens to substitute new inequities for the old. For instance, although New York State bears 15 percent of the national welfare caseload, under this plan it will get only about 6 percent of the funds. And New York City, which alone bears 10 percent of the national caseload, will get only 1 percent of the funds—a mere $40 million out of more than $4.4 billion in the program.

It is indeed unfortunate that the formula as presently stated in the bill appears to penalize New York and the wealthier States which have been progressive enough to institute decent benefit levels. To remedy this and to guard against this possible new inequity, I therefore would urge that the formula be changed and, as the National Governors' Conference has recommended and as both Governor Rockefeller and Mayor Lindsay have recommended, that within 3 to 5 years the Federal Government assume all benefit costs and all administrative costs. Federal matching funds should be provided for costs above the $1,600 floor, and they should be increased annually so that within 5 years all costs would be federalized.

I am concerned also about the eligibility requirement which precludes childless couples and single persons from receiving assistance under this plan. To deny benefits to people because they are unmarried, though they may be just as poor, just as destitute, as the families around them, is discriminatory. And to penalize a couple who chooses not to bear children, though they too may be jobless and homeless, is unjust and unreasonable. In New York State, for example, there are at least 93,000 poor people who would fall into these categories but who are excluded from benefits under this bill. I would strongly urge, therefore, that the eligibility definitions be reconsidered to provide assistance based on need, not on numbers.

Second, I believe that the concept of, let alone the funds for, day-care facilities, should be broadened to be more than a welfare benefit. Families in a middle-income bracket who desire or need day care for their children should have this opportunity, and could pay for the services according to their ability. Although I will of course support the day-care authorizations in this bill for the poor, in New York State alone we need 300,000 to 400,000 day-care places, so I warn against limiting our horizons in this area. I urge broadening both the concept and the funds to include quality educational care as well as custodial care, and funds for construction as well as renovation of facilities.

Third, although I applaud the manpower training program and the work incentives, statistics differ as to the number of persons actually able to work, let alone the availability of jobs for them. It is important that the training be related to the local employment market, and that a decent job will be available upon completion of the training.

Finally, I am not at all sure that a mother with school-age children should be required to work, as she is in this bill. If she is, then the State is in fact dictating that her child must be cared for by a day-care center rather than by herself. Possibly it is old fashioned of me to suggest this, but I am inclined to believe that to involuntarily deny a woman the option of caring for her own child is wrong. I am under no circumstances saying that "a woman's place is in the home," but I am saying that she should be given the free choice of working or staying at home, as she would in a nonassistance family.

I submit these reservations basically as a cautionary note that this bill in and of itself may not end all poverty, and as a reminder that we must remain open to suggestions. Despite these reservations, however, I consider this legislation a monumental breakthrough. And although I will continue to urge that the Federal Government take a still larger portion of the responsibility by broadening eligibility, authorizing greater day care funds and employment responsibilities, and reconsidering the mandatory work provision for mothers, I continue to believe that this legislation represents a vital and historic step toward lifting the poor from dependency to dignity.

Mr. ABBITT. Mr. Chairman, I rise in opposition to H.R. 16311, the Family Assistance Act.

This bill pretends to be a reform of the present welfare system when actually it opens a Pandora's box which will greatly increase the total cost of welfare in every county and city in the United States. In my opinion, the bill now before us, if adopted, will be a major step toward a Federal dole system.

This is a matter of much importance, and I believe that the so-called reforms which are now being considered may in fact be the most encompassing domestic legislation to come before the Congress since the adoption of the Social Security Act in the 1930's. This greatly concerns me and I am afraid that in our haste to reform the present system, we may in fact be creating far greater problems than now exist.

There is no question that the present system needs reforming to some extent. We have tolerated too long certain features of the present law which tend to benefit those who are not interested in working, but feel that they were entitled to support from the Government. On the other hand, there are certain aspects of the present laws which tend to penalize needy families simply because of the bureaucratic structure which does not take into account personal circumstances in individual cases. I also feel that the pres-

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ent system does not provide for adequate investigation and followup in some welfare cases.

However, I believe that the reform proposals now before us do very little, if anything, to change this situation. In fact, the bill incorporates most of the bad features of the present welfare system and makes provision for no improvement in the administrative tangle that makes the existing program so ineffective. This simply adds a new Federal layer on top of a system that is already buried in bureaucracy. The Family Assistance Act has all of the features which tend to foster indolence and encourage reliance on the Government. In addition, by establishing national standards, it undercuts the established patterns of welfare systems in many States.

The thing that concerns me most is that the Department of Health, Education, and Welfare is using unfairly the claim that the present aid for dependent children program encourages the breakup of families. The truth of the matter is that HEW is simply using this as a facade to get approval of a guaranteed annual income and once the door is open there is no telling what the eventual ramifications and cost will be.

According to my understanding, the statistics being used by HEW in support of the family assistance program were obtained in a survey of only 18,000 homes. This compares with approximately 50 million homes in the country and such a sampling would be only thirty-six one-hundredths of 1 percent of the total. It is incredible that Congress should be called upon to act on the basis of the meager information which has been presented to us in this instance.

I have looked over the figures supplied by HEW and frankly am at a loss to understand exactly how they have arrived at certain statistics. It is indicated on the one hand that there are now 1.7 million families receiving AFDC funds on a regular basis. This involves approximately 7 million persons. Under the proposed family assistance plan, the total would be increased to 3.9 million homes—including the 1.7 million under AFDC—and a total of 20 million persons. Still other figures which have been circulated show that the possible total to be covered by the program would include not 3.9 million homes but 5.2 million which would up the total number of persons to 26 million, so nobody knows exactly what the statistical situation is.

Enactment of the family assistance plan will eventually cost incalculable sums which must be made up some place. The guaranteed income is, of course, subject to rising living costs, so that it is a foregone conclusion that once the principle of guaranteed income is established, increases will surely follow. I am opposed to the guaranteed income as such but also realize that the figure provided in this bill is low enough so that if the law is passed, there will be an immediate clamor to raise the level.

I am diametrically opposed to trying to solve problems by creating new levels of Government bureaucracy with the idea that they may be able to grope toward workable solutions. We have had far too much of this and HEW is perhaps the most significant example in the Government of the inadvisability and inefficiency of such attacks on problems.

It is obvious to those who have taken the time to study the family assistance proposal that reform of existing programs is secondary to the objective of establishing a guaranteed income. I am opposed to this and feel that the vast majority of our people are against it. HEW is merely trying to camouflage its real purposes by putting forth the idea that this will encourage families to stay together. I do not believe that any action by the Government per se can be called the primary reason for the breakup of families. This bill would add to the Government welfare rolls vast millions of people and establish the precedent that the Government will guarantee to them a basic income. No one in authority seems to be able to give any idea as to how many people will be involved, how much the cost will be, how many more administrative personnel will be required, or where the road will eventually lead.

For this reason, I feel that it is a mistake to go into a program of this kind without more painstaking study by Congress. Past experience has shown that we cannot rely too much on the statistical information provided by HEW and we need only the recent experience with medicare to cause us to pause and raise questions as to where this all will lead.

It seems to me that we have gone far afield in this country as to our understanding of the role of the Government in relation to its citizens. The Government was never established to take care of the people but to simply provide a climate wherein its citizens may have the freedom to make a living and go about their daily pursuits without governmental interference. We have traveled already too far down the road toward socialism and the establishment of a dole system would be the final major step toward the completion of the socialistic pattern. Obviously there are many good features to the welfare program and the present bill makes improvements in aid to the blind and other handicapped persons, child care and certain incentives toward manpower training, and so forth. I am afraid, however, that taken on balance the bill before us would create more problems than it would solve and will establish patterns which will be difficult to reverse once it is obvious that they are wrong.

One of the main failings of the Federal Government is that we too often think of solving problems in terms of creating bureaucracy and making Federal aid available. In the instance of public welfare my feeling is that too much money has been spent to accomplish too little good and that along the way we have contributed to the establishment of a pattern whereby many individuals tend to rely on public support rather than to recognize their own responsibilities. I see nothing in the present bill which would reverse that trend but, in fact, feel that it is likely to be accelerated under its terms.

Mr. HANLEY. Mr. Chairman, we have before us today one of the most far-reaching pieces of legislation to be debated in the 91st Congress, the family assistance plan. I am pleased that we are moving in this direction, but I am concerned at the procedure under which the bill is proceeding. While I am in general agreement with the concepts contained in the bill, I was hopeful that the measure could have been presented to us under an open rule permitting amendments. It was for this reason that I voted against the closed rule yesterday. I intend to vote for the bill on final passage while at the same time expressing the hope and the belief that the Senate will refine certain of the provisions with which I am not in wholehearted agreement.

For a moment now, I would like to discuss a few of the more important features of the bill.

The President proposes a floor of $1,600 income for a family of four, paid entirely by the Federal Government. Additional payments to families with no income at all would be made by those States where current benefit levels exceed $1,600. For families where a member is working, the first $720 per year earned income will not be counted against the $1,600 floor. In addition, only one dollar of each two earned over the $720 will be taken from the floor payment. For the family of four, when earned income reaches $4,000, the Federal payment would no longer be paid.

I am pleased with this provision because it will represent a substantial improvement in the lives of the poor and the indigent in some States, but I do not believe that the inherent disparity in benefits among the States will slow or alter the trend toward uprooting and migration. I am pleased that the eligibility features for the family assistance plan will apply nationwide, and I hope that the bill is amended in the Senate to close even more the gap which exists in benefits among the States.

I regret that the President's program does not contain a new proposal to strengthen the hand of the welfare agency in obtaining support payments from deserting fathers, but two provisions should help to cut down on desertions: Removal of the "man in the house" rule and imposition on the deserting parent or spouse of a financial obligation equal to the amount of Federal assistance paid to his or her family as a result of the abandonment. This first provision is a humane and stabilizing feature because we are removing the incentive which exists for a father to desert his family when he is unable to provide for them and when his mere presence is a stumbling block to the family's receipt of public assistance. It replaces the incentive to desert with an incentive to find work or accept job training. The second provision moves in the direction of insuring that the Government is not picking up the tab for someone who is capable of picking it up himself.

One of the more negligent points in the bill before us, and one which I am sure the Senate will attempt to revise in its consideration, is the fact that the leg-

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islation does not move in the direction of providing relief for State and local taxpayers by assuming a greater Federal share of the costs of the program in the more progressive States like New York. The Nixon program requires the States to supplement the income of welfare families in the amount which exceeds the basic $1,600 up to the level of welfare paid in that State at the beginning of 1970. Unfortunately, the bill provides that the Federal Government will pay only 30 percent of the cost of these supplementary payments, and no Federal assistance will be available where the State makes a supplemental payment to the working poor. In my judgment, this provision of the Nixon program offers New Yorkers no relief to speak of from the burden of welfare. The bill has to be amended in the Senate to provide for a much larger share of the supplemental benefits and aid should be available for the working poor.

Mr. Chairman, my remarks today, of necessity, could not cover all of the features in this complex bill, owing to the time element. I am going to vote for the bill because, on balance, it is a good one. I did, however, want to take this opportunity to address the attention of my colleagues to some of the more obvious deficiencies in the measure and at the same time urge our colleagues over in the Senate to seriously consider amendatory language.

Mr. OTTINGER. Mr. Chairman, I rise in support of H.R. 16311, the Family Assistance Act of 1970. While I believe that this bill should have been brought to the floor under an open rule to allow us to offer much-needed amendments, the measure is a step in the right direction of reform of our drastically ineffective, inequitable, and misdirected welfare system. I have been advocating welfare reform since early in my congressional career, and I am gratified that we at last have a vehicle to enable us to carry forward the necessary struggle to eliminate hunger and poverty in the United States.

Our existing welfare system should have been discarded long ago. It places recipients in the awful position of having to refuse employment that would reduce their meager income from public assistance. It encourages dependency and creates generational cycles on relief rolls. It breaks up families in areas where "man in the house" rules have restricted eligibility. And it encourages the poor to flock to overcrowded cities where welfare payments are higher. When a family of four receives $44 a month in Mississippi and could be eligible for $264 a month in New Jersey, who could resist the impulse to emigrate?

It is heartening to witness the public support for overhaul of public assistance. Significant elements of the business community, the Presidential commission on income maintenance, key figures in the administration, public-service agencies such as the Urban Coalition, the National Welfare Rights Organization, and many, many more have lent their backing to this effort, and while the Family Assistance Act falls short of what needs to be done, it deserves our support because it will incorporate many desirable principles into the Nation's public assistance programs.

I specifically endorse the bill's emphasis on jobs and job training for all able-bodied welfare recipients who have no small children to care for; the establishment of minimum Federal standards for eligibility and expanded Federal financing and administration; complete Federal funding of day-care centers for working mothers; a floor on income for the very poor; assistance to the working poor whose income falls well below the poverty level; and a minimum guaranteed payment for aged, blind, and disabled individuals who have no other income. These initiatives embody much-needed principles if we are to break the pervasiveness of poverty which so debases the moral posture of a Nation with a gross national product nearing $1 trillion a year.

I was, however, among those who requested an open rule on this legislation to give all Members of this body a full opportunity to add still further innovations and increases needed to make this truly a welfare reform bill.

While the Family Assistance Act does provide for greater Federal involvement, it will still allow for variations in the amounts of assistance paid by different States and will, therefore, not completely discourage the migration of the poor to cities like New York where public welfare burdens distort the entire municipal budget. Equity demands full Federal funding and administration of public assistance, and we will not have a truly workable and adequate system until this basic step is taken.

Further, the principle of an income floor is a major breakthrough and a long overdue reform. But how any family of four in the United States can live with dignity on $1,600 eludes me completely. Instead of testing the water with our toe, we ought to act on our realization that even the official poverty borderline of $3,720 is not adequate in most sections of the country to maintain a decent standard of living. In New York $5,500 would be a more reasonable and realistic minimum, and we should not blanch at such a positive move toward social justice. For those who cry that we are establishing a new welfare population, we have many alternatives to prevent such an occurrence. It is my conviction that all men want the satisfaction and dignity of self-supporting employment, and by expanding the job-training provisions of this program, and also creating jobs if we must, we can bring this principle into operation. Thus the income floor will be but a springboard to a higher goal.

The Family Assistance Act does not penalize the working individual for earning minimal outside income, but the disregard amounts to only $720, beyond which 50 to 67 percent of earnings would be deducted from the person's income. Surely there is no equity in levying this steep a tax on family heads trying to support dependents on $2,320 a year, and a built-in disincentive to seek further work will be embodied in the program. This is the same fault in existing welfare rules, and by not deleting these penalties at low-income levels, we will once again encourage the search for hidden income and other subterfuges plaguing the relief system today. One of the most interesting proposals I have seen on the work-incentive problem has been developed and advanced by a distinguished and successful New York businessman, Mr. Leonard M. Greene, who has devoted considerable time and effort to removing the stigma of poverty from our national life. Mr. Greene's admirable plan is labeled "fair share," and in the belief that Congress should give full and fair consideration to this solution, I append Mr. Greene's position to my remarks. We simply must remove all government barriers and penalties on the working poor in the form of excessive taxation of meager earnings, and fair share deals eloquently with a remedy for this practice.

Mr. Chairman, I am also perplexed that H.R. 16311 excludes childless couples and single people from public assistance. This is a major shortcoming of the bill and belies the reform label. A poor person is a poor person, and by passage of this legislation we shall have failed to help untold numbers of the disadvantaged, while at the same time we will place a premium on family size at a time when we should rather be discouraging the accelerating growth of our population. There can be no justification for penalizing people for not bearing children.

Furthermore, while stress has been placed on the work-incentive provisions of this bill, let us not lose sight of the fact that over 90 percent of present welfare recipients are aged, blind, disabled, dependent children, and mothers caring for preschool children. With national unemployment zooming to 4.4 per cent, we need to be mindful of the limitations and not imply that we will force mothers to work. Certainly no able-bodied person should be allowed to refuse decent employment, and this bill includes safeguards to prevent exploitation of the employable poor, but we need to beware of allowing punitive action to intrude on our legitimate effort to ensure a life of dignity, with adequate housing and nutrition, for every American. The needs of children must be kept uppermost in mind as we attempt to uplift those in need of help.

In addition to raising family support levels, Mr. Chairman, we must increase the guarantee for the blind, disabled, the aged, from the proposed $110 to at least $150 a month. The staggering rise in the cost of living is a burden on most, but none more so than those on fixed incomes and unable to work. Age eligibility should be reduced to 60 for men and 55 for women, and cost-of-living clauses seem only fair. Cost-of-living increases are coming to be the recognized necessities in all wage determinations, Mr. Chairman, and we should include them in the overall provisions of the public assistance program.

Mr. Chairman, we have today an opportunity to begin—and it is only a beginning—to strike out in new directions in our society. We have among us 15 million malnourished, 30 million poor, and 77 million deprived people. We have the worst welfare system of all the developed nations of the world. Ten countries have lower infant mortality rates, and 15 have higher literacy rates than the United States. National pride and human decency impel us to move boldly to eradicate the flaws in our social fabric. We must compete not only in armaments and technology and trade, but in the far more fundamental reforms which will improve the quality of the lives of all of our people. Instead of taking one small step as men, let us take that giant leap for mankind.

The article referred to follows:

Fair Share—A Full Incentive Plan To Replace Welfare

(By Leonard M. Greene)

THE PROBLEM

Recently, the widowed mother of five children living in Westchester County, New York, on funds provided by our present welfare system was delighted when her eldest daughter came home and announced proudly that she had obtained a job at the checkout counter of a supermarket.

The family's joy was short-lived. It quickly discovered that with a wage earner in the home, welfare payments were reduced. When simple costs such as lunches and bus fares were subtracted from the total, the family had less money to live on than it had had before. To be of real help at home, the disappointed youngster was forced to resign. The unhappy episode is a tragic example of how "second generation" welfare cases are created and how abysmally another "Noble Experiment" in America has failed because of a lack of imaginative planning.

WELFARE REFORM

In his current proposals for welfare reform, President Nixon has taken note of this "incentive pitfall." Reactions of leaders in various fields to his suggested improvements range from high to extremely faint praise. Certainly, almost any change from the utter chaos of the present system which sees welfare rolls zooming upward during years of national prosperity is welcome. A "step in the right direction" thus far has been the favored summation.

But is a step enough? I, for one, and a lot of other people with me, do not think so. For example, the new "welfare reform" still contains the same fatal flaw that doomed the original high-minded concept of help for the poor—it does not provide the vital *full incentive* that inspires a person to lift himself up and improve his lot in life.

Under the new plan, the basic Federal benefit for a family of four would be $1,600 per year; $500 for each of the first two family members and $300 per member thereafter. So far, so good. But here comes our old pitfall beneath a fresh camouflage. According to the official "Welfare Reform Fact Sheet" issued by the United States Government, "Benefits would be reduced by 50 per cent as earnings increase above $720 per year."

A 50-PERCENT TAX FOR THE POOR

In other words, a welfare recipient who labored to make $61 a month would immediately leap into a 50 per cent tax bracket! Figuratively, he would be rubbing elbows with highly-successful doctors, lawyers and business executives. Undoubtedly, his elbows would be considerably more frayed but he would be in that relatively exclusive company nonetheless.

His *incentive* to earn that extra dollar must evaporate by 50 percent according to the "law" of human nature. This "law" has not yet been repealed despite the hopeful administration declaration, "With such incentives, most recipients who can work will want to work. This is part of the American character."

It is also part of the "American character" to expect to be fully rewarded for one's efforts.

That is why I propose a *complete new plan* that we have named "Fair Share" which abolishes welfare altogether, wipes out the enormous bureaucratic machine that administers it, and, most important, gives every American citizen that spiritual spark, that incentive drive which says, "I can do better, and my efforts will be fully rewarded."

ABOLISH WELFARE

How can this be done? Remember that the welfare problem in this country is immense and the situation is growing more explosive daily. Bold, drastic measures reminiscent of the early days of the New Deal that met the Great Depression head-on must be taken. *Abolishing welfare* sounds as outrageous as closing the banks did then. But that courageous strategy worked and we who believe in "Fair Share" are confident that this equally forceful and daring plan also will succeed where any halfway measure, any patchwork stopgap is doomed before it starts.

FAIR SHARE

Briefly, this is how the "Fair Share" plan can replace welfare, providing the poor with the necessities of life while at the same time opening wide the door of opportunity and inviting them to better their standard of living.

Poor or not, every citizen (and that includes President Nixon, the butcher, the baker and you and me) would receive a *taxable* allowance. For example, Congress might set this figure at $900 for an adult and $400 for a child. This would give a family of four an annual "Fair Share" income of $2,600.

Disbursement of these "Fair Share" funds would be handled by and combined with our existing internal revenue service system.

A 100-PERCENT ENCOURAGEMENT TO WORK

Our present welfare system offers the recipient 100 per cent discouragement against working. The proposed "welfare reform" still offers 50 per cent work discouragement. In my opinion, that remains fatally high and it will not produce the miracle we need to solve our problem. "Fair Share" offers, instead, 100 per cent *encouragement* to take a job, and that is the kind of booster power we must have if we are ever to get this American society-saving missile off the pad.

Let's look at a table that shows how much better off a family of four would be under "Fair Share" than it would be under the reform proposal with its 50 per cent work discouragement.

Earned income	Welfare reform	Fair share
0	1,600	2,600
720	2,320	3,320
1,000	2,460	3,600
1,500	2,710	4,100
2,000	2,960	4,600
2,500	3,210	5,100
3,000	3,460	5,600
3,500	3,710	6,100
3,920	3,920	5,520

The recipient of reformed welfare who somehow fought his way to an annual income of $3,920 despite the 50 per cent benefit deduction on everything he made over $720 would at that point have $3,930 in his pocket. He would have been dragging a 50 per cent ball and chain ever since he passed the $720 mark and now would be receiving no benefits at all for his tremendous effort.

But consider a recipient who adds his "Fair Share" of $2,600 to earnings of $3,920 to support his family of four. He has $6,520. Assume he takes the ordinary 10 per cent deduction plus $2,400 for members of his family and pays a surcharge of 20 per cent as all taxpayers would be required to do to finance the program. At present rates, he would return to the government $635.47 in taxes and still have $5,884.53 in his pocket.

He would have had *full incentive* to climb the ladder of earning power because as he climbed, his spendable income would have risen with him rung by rung.

REDUCE TAXES FOR MOST

It will not be until the higher brackets are reached that the "Fair Share" allowance is canceled out by increasing income taxes.

Those with low income receive the greatest benefit which goes hand in hand with incentive to earn.

And because "Fair Share" both gives and it takes—it gives in allowance and takes in taxes—it will pay for itself; these taxes plus *the money saved by scrapping the bureaucratic anti-poverty programs* that cost an estimated $50 billion a year would balance the "Fair Share" payments.

Admittedly, because of the 20 per cent income tax surcharge on present rates needed to get "Fair Share" started, persons in the highest brackets would at first pay more than they are paying now. But eventually they too, would benefit as America recovered its economic health and more of the people would be in a position to contribute taxes and the tax rates could be lowered.

CHECK INFLATION

Millions of persons now on welfare will instead be encouraged to seek jobs. They would begin to fit again into society, to perform services, to manufacture articles for sale. The Gross National Product could rise dramatically to a point where the value of the dollar would no longer be attacked by the threat of inflation.

Gone forever into the limbo of unhappy economic experiments would be the cost of welfare workers who are misusing their talents to examine shoes, poke mattresses and scan cupboards to determine if a person is entitled to relief. Gone with them would be the ghettos born of the rush to be where the handout is biggest.

"Fair Share" protects every American citizen from destitution simply because he *is* an American citizen. He would be able to hold his head high, to put his heart, his mind, and his hands to the business of earning a better living.

Mr. ROUDEBUSH. Mr. Chairman, we have before the House today welfare reform legislation which aims to revamp the chaotic welfare system in the Nation.

I certainly concur that there is ample need for improvement in our welfare program which has grown like Topsy and has placed a very heavy tax burden on our citizens.

All Americans share the concern and sympathy for the less fortunate in our society, but at the same time it is difficult for our productive and hard-working citizens to accept a system that seems to actually encourage indolence and dependence on assistance even though employment and the ability to work is available.

We are all willing to assist those who by physical disability or by economical circumstances cannot find work. But a new plan that will, according to some estimates, nearly double the number of persons receiving welfare does not appear to offer reform, but instead seems to be an expansion of an already ponderous and expensive program.

Therefore, rather than further compound the problems of the present program, it is my intention to oppose this legislation.

I do not think the Federal Government should be the encourager and multiplier of the welfare "way of life" in this Nation.

Our citizens will never turn away from those honestly and sincerely in need of assistance, but to tax our productive citizenry exorbitantly to prolong and expand an already misused program, is not good legislation.

Mr. ANNUNZIO. Mr. Chairman, many of us have long looked forward to the opportunity to contribute toward the passage of basic welfare reform legislation. Therefore, I would like to commend those who have paved the way for today's vote on H.R. 16311, which will make very important structural changes in our present welfare system.

In particular, I want to call attention to the contribution of the Honorable WILBUR MILLS, whose role as chairman of the Committee on Ways and Means was crucial to the development of the proposal which is now before us. The committee, under the leadership of Mr. MILLS, worked both quickly and successfully in studying the proposal made by the administration and making amendments to strengthen it. The chairman is to be commended for his very constructive leadership for welfare reform.

The bill before us is a good one. It does not please everyone, but surely we must recognize that welfare legislation never will please everyone, whatever it contains. It does, however, go very far in the direction of rationalizing our present irrational system. It also introduces a much-needed element of equity into determining eligibility for—and the amount of—welfare assistance which families throughout the country are entitled to receive.

I have been concerned about the growing crisis in welfare for some time. In August 1967, Cook County began a growth in the number of recipients of aid to families with dependent children which was unprecedented, and which has not yet begun to slow. The number of families receiving AFDC in Cook County increased nearly 20 percent in the last year. Overall, the county now includes about 380,000 individuals who are receiving some kind of cash welfare assistance. We now have slightly more than two-thirds of all the welfare recipients in the entire State of Illinois.

What is distressing about all this is not only the numbers, but the human misery behind the numbers. A substantial number of those now on welfare, both those new to Chicago and old-time residents, might never have had to ask for assistance, or might have worked their way off by now, if we had a system which helped them at the time and in the way that they needed it.

We know that our public welfare system, although created to promote the general welfare, has in some ways undermined it. It has—too often—provided too little assistance for those in desperate need. It has—too often—promoted inequities both for welfare recipients and for taxpayers. And, finally, it has failed to provide assistance and incentives designed to promote family stability and independence.

H.R. 16311, the Family Assistance Act, is not a cure-all for the problems of poverty in this country. However, it constitutes a major departure from previous policy, and moves very definitely in the direction of providing a national floor for welfare payments, removing the discrimination against families in which the father is present and working, and toward uniformity in eligibility requirements.

The bill would provide at least $1,600 a year for a needy family of four, regardless of where in the United States it lived. This basic payment would be supplemented in several ways, depending on the family's circumstances. The working poor, who would be eligible for assistance for the first time, would, of course, supplement the payment through their earnings. Other families would, in all except a few States, be eligible for State supplementary payments. And all poor families would be eligible for food stamps to add to their cash income.

In addition to providing a minimum standard of assistance payments, the proposal contains very promising provisions for work incentives. The provision for disregarding certain earned income should give recipients strong economic incentive to maximize their incomes through employment.

I believe the manpower training features of the bill will also be of immeasurable value to those who need an opportunity to improve their employment potential. In Cook County we have had extensive programs for training recipients of AFDC in the past, but our efforts should be manifestly more effective under this new legislation. The bill makes possible a mobilization of all kinds of services to assist individuals in training for and finding jobs, and we know from experience that it is this kind of comprehensive approach which welfare recipients often need.

Perhaps the most valuable of the supportive services which the bill provides is for expanded child care services. Many people fail to realize that a large number of mothers on welfare are already working, but are haunted by the constant worry that their children are not being properly cared for. Many more mothers want to work, but have refrained from seeking employment because they could not arrange for appropriate child care.

The Family Assistance Act would assure that all mothers which participate in employment or training under the family assistance plan would have appropriate child care. It is estimated that 450,000 child care openings would be provided under the bill, including 150,000 for quality preschool care and 300,000 for afterschool care.

The bill would also provide a greatly improved program of assistance for the aged, blind, and disabled. These people, who are the most disadvantaged of all in our society, would be assured a minimum welfare standard of $110 for each individual, or $220 for a couple. This standard, which was increased substantially by the Ways and Means Committee above the administration's proposal, will make it possible for many more Americans to live with some measure of decency and dignity.

Another major improvement in the bill is the strengthened role of the Federal Government in the administration of welfare assistance. The Federal payments for family assistance recipients would be made by a new Federal agency which could draw upon other Federal resources to assist it in making eligibility and payment determinations. For example, the vast record and computer resources of the Social Security Administration could be used to check earnings statements for purposes of family assistance.

By having the plan administered by the Federal Government, we can end the very wide discrepancies which have existed in the past in welfare determinations by the States. We can introduce a much needed uniformity, and a greater assurance that poor families will be treated in a dignified and fair way.

The Ways and Means Committee also improved the likelihood of having Federal administration of the State supplementary payments and of the adult programs by providing 100 percent Federal funding for the costs of administration in those States which make agreements with the Federal Government for Federal administration. This is another step toward equity and rationality in public welfare.

Mr. Chairman, the Members of the House of Representatives, Republicans and Democrats alike, cannot lose the opportunity now before us to legislate basic welfare reform. We have castigated the present system for years. We know its failings and weaknesses. We know that we cannot in good conscience let it grow and fester, and further contribute to our social problems.

H.R. 16311 offers a new and promising alternative. It does, as I have already outlined, accomplish some very important reforms: First, it eliminates discrimination against working poor families; second, it offers incentives to training and employment; third, it establishes Federal standards and requirements to promote equity among the States; and fourth, it provides new Federal machinery to improve welfare administration.

I believe this bill, as reported by the Committee on Ways and Means, constitutes the kind of reform we have long been seeking. I strongly support its passage.

Mr. LLOYD. Mr. Chairman, our present welfare system is not succeeding and needs change. This is a generally accepted judgment and is supported by a margin of more than 6 to 1 by those citizens in my district who have responded to my inquiry. The question before us now is whether the costly changes proposed by the legislation before us constitute the proper solution. Actually, no one can say. Each of us must be guided by what seems to us to be the best evidence and by our own conscience in the matter as influenced by our individual search.

For our free system with expanding opportunity to survive, it is necessary that it be responsibly bulwarked by proper recognition of and aid to those who, through misfortune or circumstances generally beyond their control, are living or raising families under conditions of exceptional poverty and wretchedness.

Our present welfare system is failing and getting worse. Particularly is this

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true in the case of families with growing children where the head of the family is either unemployable or failing to be charged with clear responsibility to go to work. Cost of our present system is about $4.2 billion annually. The cost of this system which is generally acknowledged to be failing in important ways is projected to rise to $12 billion annually in the next 5 years, according to the Departments of Labor and Health, Education, and Welfare. This Congress is faced with the challenge to act to acknowledge this failure of the present welfare system and to adopt a system which has prospects for success rather than the certainty of continued failure. It is time we stopped going downhill and that we find a path that goes up the hill, and we must run the risk, in my opinion, that the uphill path will be a costly and difficult one. But at least we will have the satisfaction of trying to fight our way up rather than continuing the easier road down.

This decision to decide on what I consider to be the upward leading path has not been an easy one for me or perhaps most of us, because the difficulties of this course are plain to see and we cannot even be sure such a course actually is an upward one. I am under no illusions. This plan, too, may end in failure. The Nixon administration has, however, conducted exhaustive research and has recommended this course without reservation. The greatly respected Ways and Means Committee of this House has conducted its own inquiries in depth and urgently recommends this course to us. We have ample testimony and ample evidence from qualified witnesses that this alternative upon which we vote today will in actual fact result in substantial transition to work where idleness now exists.

In making this difficult decision, I have been most mindful of an experience I had during the recent Easter recess. In answer to an inquiry in March of my constituents regarding their feelings on this issue, I received a letter from a citizen of middle to modest income, living in a clean and unpretentious neighborhood in which he stated that he and his wife had worked hard at unskilled and skilled labor for the past 23 years. He said that he was not able to give his children everything they perhaps needed, but that as a result of his work and that of his wife, they were getting along and paying their bills without having much of anything to save except the payment on their mortgage. But they were living in dignity and passing this pride down to their family. He said it was his view and that of his associates and neighbors in similar circumstances that it was unfair to them to add to their tax burdens in order to make increased welfare payments to those who were not willing to make similar efforts to work and to take care of themselves.

It was a very impressive letter to me and I wrote in reply asking that I might meet and talk to him during the recess. While home in my district, he invited me to his home one night, and there I gathered with his neighbors and friends. I am a Republican. This was a Democratic neighborhood. I did not ask them their politics, but I assume they were predominantly Democratic, since those are the clear figures of the district. They were not concerned with politics, however. In this room full of neighbors and friends, they were all devoted to taking care of their own needs. All hard, honest workers on modest income, and every one of these good citizens, without rancor and with good will, told me they believed an increase in welfare payments would increase the desire of many of their neighbors to remain or go on welfare, and add unfairly to the burden of those self-reliant citizens who desired to work and to raise their children in an atmosphere of work and dignity.

Memory of that evening has remained strongly with me making it even more difficult to reach the decision to vote for this bill. I can only say to them that my decision is based on the fact that I believe we have more chance of putting these idle people to work under this bill before us today which demands registration for work and willingness to work at suitable employment as a condition to receiving public welfare.

As to the charge by others that this represents a "guaranteed annual income," my reply is that in my view this legislation represents a conditional payment, conditioned upon willingness to work. As to a guarantee to those unable to work and unable to take care of themselves, we already have this type of guaranteed payment in every one of the 50 States, and by this bill we are merely acknowledging that conditions of poverty and wretchedness exist and we are raising our priorities in relation to aid and encouragement to this unfortunate segment of our society, and as I stated at the beginning, we cannot expect a healthy capitalistic, free system to survive if we do not establish this bulwark against actual misery.

The most expensive part of this legislation is the addition of the working poor to the welfare rolls. To the annual minimum guaranteed payment of $1,600 per year to a family of four—$500 for each parent, $300 for each child—we are adding the right to work and earn money up to $720 per year. Beyond that, 50 cents of each welfare dollar is deducted for each $1 earned, and the complete transition from welfare to self-reliance is reached at $3,920. This is not a perfect formula, but to allow the recipient to retain more than 50 cents would add improperly to costs of the program, and to require him to deduct more from his welfare would discourage him from working. I am not satisfied with this formula, but I know none better and we will have to learn from experience in order to make needed corrections.

To allow and to encourage the welfare recipient to work to supplement his income seems only civilized to me and we must face the initial cost of carrying the welfare recipient in order to promote him to self sufficiency.

There is widespread impression among many of my friends that the welfare rolls are filled with lazy persons who would not work. There are some, but the proved percentage is very low. Of all those on welfare, the figure for these individuals in my State, for example, is 6.7 percent. For those "lazy persons who would not work," this legislation has an answer, which is "work, or else." This applies to females who are heads of families and whose children are above 6 years of age. Our present welfare program contains no such ultimatum.

In conclusion, our present system is an economic and social disaster. If it continues unchanged, it can only lead to higher costs, more broken homes, and hopeless numbers of otherwise employable people living off Government welfare. The family assistance plan offers an alternative—an alternative which I believe I should support as Congressman from my Second Utah District, not because it offers a sure solution, but because it offers what my personal research and instincts lead me to believe is a better way, with reasonable hope of less cost in the long run than the present program, and with reasonable hope that there will result greater proportionate employment and less proportionate dependence on Government.

Mr. BRADEMAS. Mr. Chairman, I take this minute to read the text of the following letter to me dated March 16, 1970, from the distinguished former Secretary of Health, Education, and Welfare, the Honorable Wilbur J. Cohen, now dean of the School of Education at the University of Michigan and a recognized authority on welfare programs.

As sponsor of H.R. 13520, the Comprehensive Preschool Education and Child Day Care Act, which is now under consideration in the Committee on Education and Labor, I asked Mr. Cohen to comment on the relationship between that bill and the day care provisions of the bill under consideration today, H.R. 16311, the Family Assistance Act of 1970.

Here is Mr. Cohen's letter:

THE UNIVERSITY OF MICHIGAN,
SCHOOL OF EDUCATION,
Ann Arbor, Mich., March 16, 1970.

Representative JOHN BRADEMAS,
House of Representatives,
Washington, D.C.

DEAR JOHN: This is in further reference to your request for my views on the relationship of your bill, the Comprehensive Preschool Education and Child Day Care Act" (HR 13520) to the Family Assistance Act of 1970 (HR 16311).

I have studied both bills very carefully and I find that the provisions of your child development bill are in no way in conflict with the Family Assistance legislation. In fact, your legislation is supplementary to the day care provisions of the Family Assistance program. As I see it, the child development provisions in your bill would provide the financial authorization for services to persons not on the family assistance rolls, and provide the basis for an educational and learning component which is so important.

The regulations of the Department of HEW which I approved during my tenure and which are still in effect provide for a mechanism to coordinate any and all day care and preschool programs, thus assuring that there will be effective cooperation among programs for those children on the family assistance program and those who are not.

I strongly favor the provision of your bill encouraging parent involvement (section 6(d) (9) (5)). I hope this feature will be implemented in the Family Assistance program.

I strongly support the objectives of your proposal. If there is anything else I can do please let me know.

Sincerely,

WILBUR J. COHEN, *Dean.*

Mr. Chairman, I am glad to say that the distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas (Mr. MILLS) has read Mr. Cohen's letter and has advised me that he agrees with the interpretation in this letter on the relationship between the two bills.

Mr. ICHORD. Mr. Chairman, like every other Member in this Chamber, I am highly discontented with the operations of the present welfare program. During this debate, several Members have characterized the present program as a "mess." With that characterization, I wholeheartedly agree. The present program has had the effect of destroying the will to work on the part of many welfare recipients. We need a new program—a new direction.

I believe that this legislation is an earnest effort on the part of the majority of the members of the Committee on Ways and Means to combine a "carrot and stick" approach to get welfare recipients who are able to work off the "welfare rolls" and on the "payrolls." There are many provisions in the legislation which would lead me to vote for the same. The establishment of a nationwide floor is definitely desirable. The "carrot" is provided in the form of incentives to work. The "stick" is present in the form of requirements on the part of certain recipients to either work or train to work. However, when I examine the specific provisions of the bill, I must conclude that the "stick" has not been fashioned sufficiently strong to reach the objectives so meritoriously sought. In fact, the "stick" in at least one instance is used to encourage the welfare recipient to have more children in order to stay on welfare. The distinguished chairman of the committee has stated that 75 percent of 1,700,000 aid to dependent children families now receiving welfare are families where there has not been a marriage. This bill, I fear, rather than alleviate the present situation will operate to make matters worse. Why? Because of the provision exempting the mother of children under 6 years of age from having to work or training for work. Under the present program, the only possible incentive for the mother to have another child is the additional money she would receive for the child. I doubt that the small amount of additional money she would receive would operate as an incentive. But, under this legislation, if the mother does not have another child she is required to work or train for work. This, in my opinion, is using the stick to induce the mother to have further children. Rather than improve the situation, I believe we are burning down the house to destroy the rats. With the closed rule under which we are considering this bill, there is no opportunity to correct this most ill-advised provision. I must, therefore, cast my vote in opposition and I hope that the Senate in its consideration of the measure will fully appraise the ramifications of this exemption.

Mr. ROTH. Mr. Chairman, I am certain there is general agreement in this Congress that the present welfare system is badly in need of revision. In my judgment, however, it is of primary importance that we look before we leap.

Certainly, the President's proposal of the Family Assistance Act of 1970 is new and imaginative, and may indeed be what is needed to find our way out of the present welfare mess. I heartily commend the President for his efforts. Indeed, we are told that this legislation will get people off of welfare and put them to work. We are told that it will eliminate the seemingly paradoxical "incentives" of the present program, which seem to encourage the breakup of families, to penalize industriousness, and to create dissension by arbitrarily providing assistance to some of the needy while denying it to others.

If these benefits will be realized by the passage of H.R. 16311, then it will truly be a landmark piece of legislation. But I would ask this particular question: How do we know? A small number of similar but limited programs have been tested, but much of the data from these experiments is inconclusive. I suggest that a full-fledged pilot program should be instituted so that the family assistance plan can be adequately tested and studied for at least a year, in one or more States with major cities, before we commit ourselves to a program that might create a welfare mess greater than that with which we are now confronted.

Many questions must be answered, and in my judgment the answers will be available only after we put the family assistance plan into existence on a smaller scale and examine the results. To what extent might the Family Assistance Act undermine the work motivation of the millions of new recipients—the working poor—who will be added to the welfare rolls? Does this bill's implicit tax rate on other income really offer the best work incentive for the least cost? Will the employment and training programs in H.R. 16311 really be effective in moving people off the welfare rolls, or will they, like the similar provisions in present law, prove to be little more than expensive window dressing? As a practical matter, will the mandatory work provisions be effective, or will recipients who are so inclined be able to evade them? Will this bill help to heal whatever animosity there may now be between welfare recipients and the working poor, who are ineligible for welfare? Or is it possible that any such animosity will be deepened when both groups are eligible for welfare but the working poor are excluded from State supplemental payments and from the benefits of the medicaid program?

Indeed, will a guaranteed annual income actually promote work? What requirements will be necessary to clarify the term "suitable" employment? In this time of financial stress, do we have the resources to fund the program adequately? Are adequate provisions available to account for the different standards of living in urban and rural areas? And, perhaps most important, what will this legislation cost the Government in 5 years, or 10, or 20? I raise this last question because of our unpleasant experience with the skyrocketing costs of the medicare program. According to the Bureau of the Budget, the cost to the Federal Government of "providing or financing medical services" has increased an estimated 1,000 percent since 1966, accounting for approximately 15 percent of the entire increased Federal expenditure since that time.

The immediate cost of this program also concerns me. It is estimated that during the first full year of operation, the family assistance plan will cost the Federal Government an additional $4 billion, above and beyond the current Federal expenditure of $4.2 billion annually. An additional $4 billion of spending by the Federal Government in what still might be an overheated economy will not help ease our financial crisis. It is estimated that under the current welfare system costs will rise to $8.8 billion by 1975, double the present outlay, and I think we need to be very certain that a program of "workfare" will lift people off the welfare rolls to avoid the possibility that this program, too, might cost twice as much in 5 years.

Let me stress exactly what my thoughts are. Perhaps the Family Assistance Act is workable and practical, and it certainly is innovative. To take such a giant step—at least in its present form—demands in my judgment much more documentation and many more facts than we now have at hand. I suggest, therefore, that this Congress give careful consideration to the idea of instituting a fully funded and legally authorized pilot program before we take off, since I am certain none of my colleagues would want to take a ride in an airplane that had not yet been flight tested. If such a program is instituted, and if the basic concepts of the Family Assistant Act prove workable, then this proposal can safely be made a permanent replacement for the present welfare system.

I would like to add one further thought. As yesterday's vote indicated, a number of my colleagues and I deeply regret that consideration of this legislation is limited by a closed rule. Such a rule prohibited not only possible amendment of the legislation to improve specific sections but also denied us the possibility to propose immediately what I believe to be a needed pilot program.

Mr. TAFT. Mr. Chairman, I want to express strong support for H.R. 16311, the Family Assistance Act of 1970. As a welfare board member, as chairman of the Hamilton County Council of Social Agencies, as a State legislator, and as a Member of Congress, I have had personal contact with the hardships to people and the problems of society crowded or aggravated by the deficiencies of our existing welfare programs.

This measure proposes a broad frontal attack to correct family disruption, disincentive to work, inadequate levels, welfare-motivated desertion and migration, and a lack of adequate training and day care facilities. It may develop some problems on its own. Any comprehensive measure of this sort would be almost certain to do so, but it is, at least, a courageous assault on monumental existing difficulties, and represents an honest attempt to adapt our institutions to meet realistically present-day needs and challenges. The alternative is to stand by and watch family relationships deteriorate further, the relief cycle of generation to generation to continue, and the burden on our States, and metropolitan areas mount.

Much has been said already about the bill's provisions, I would just like to add emphasis that the approach of this legislation may well have the effect of stemming the flow to the cities of those in need of help and opportunity. It would do this by enabling our working and our nonworking poor of the nonurban areas to maintain a minimum standard of living where they are and thus to encourage the development of such areas commercially and as labor plentiful areas.

Mr. FUQUA. Mr. Chairman, the debate here today has contained much comment that we are revising our present welfare program. Well, there is no question that our present welfare program is in need of drastic revision, but this is not the answer.

What we are actually doing here is an entirely new concept which will add millions to the welfare rolls at a cost of billions of additional dollars to the American taxpayer.

I believe with many other Members of the Congress that the priorities of this legislation are wrong. They are: cash first, food second and work or productive lives third. I believe that there should be a reversal of these priorities, that our thrust should be to help people lead productive lives and secondly to provide food for the needy, and cash third.

Little has been said about the fact that an estimated 12 million persons could be added to the welfare rolls and the Federal cost of the program increased by as much as $5.5 billion.

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The American people have simply not been told the facts about this proposal.

We need emphasis on job training so that those who are able to work can do so and not be relegated to the welfare rolls.

A guaranteed annual income would not serve as an incentive for an American to make a contribution to our society. Many will find that it is more advantageous to sit idly by while they receive a monthly dole from the Federal Treasury, making no effort to lead productive lives.

This is more of the something for nothing philosophy. The American people are going to be shocked when they understand the additional costs which they must pay through their taxes for this program.

Another thing that disturbs me is that once we start with this type of program, the only way it will go is for an increase in expenditures. And we are either going to raise taxes to support such a program or else suffer more deficit spending.

We need to improve our welfare program. We need to be concerned about the plight of the blind, the physically handicapped, the helpless child, and all of the other unfortunates of our society.

At the same time we have an obligation to make every effort to allow and encourage every citizen who can make a contribution to do so. This program, if adopted, will prove to be an expensive mistake and I hope that the Members of the Congress will vote against its passage and begin immediately to revise our present welfare laws to eliminate some of the inequities to truly serve the plight of the needy and those who will have to pay the costs of any such program.

Mr. MURPHY of New York. Mr. Chairman, for more than a generation, welfare programs throughout the Nation have grown in size and cost, but accomplished precious little in reclaiming human resources, providing dignified assistance to those genuinely in need, and providing a ladder out of poverty for millions of Americans. Indeed, these systems have been counterproductive—they have served to lock people into poverty and despair, rather than lift them out.

No single piece of legislation in the past 25 years has been as critical to the problem of welfare as the bill we are considering today, the Family Assistance Act of 1970. I strongly support this bill, and I extend my congratulations and compliments to Chairman MILLS and the members of the Committee on Ways and Means for bringing this vitally needed legislation before us.

I have long favored a greater Federal assumption of responsibility and participation in welfare programs because I believe that the Federal Government is the only instrumentality capable of tackling the problem on a national basis. The lesson of a generation is that no other solution will work, because poverty knows no regional, sectional, or other jurisdictional boundaries. It is truly a national problem, requiring a national solution.

Over the years, the large urban areas of America have borne the brunt of the national problem without having the national resources needed to provide effective and productive welfare assistance. Our cities can no longer be expected to shoulder this burden alone.

In my district in New York there is wide-ranging support for this bill—among those who must receive welfare, and among those who do not. All recognize that the existing situation is intolerable and should be changed. They recognize that only under the Federal plan will the welfare system fill the needs of those who it is intended to serve, and distribute the burden evenly throughout the Nation.

This legislation establishes a family assistance plan with Federal eligibility standards and benefits for families with children, and also provides standards and minimums for aid to the aged, the blind, and the infirm. National standardization will stop the drift of poor into the already intolerable ghettos of the cities, and give hope to those who subsist on welfare.

It is important to note that this new approach to welfare contains strong requirements for Federal work-registration and referral-for-employment procedures. The bill authorizes a new work-incentive program, and provides for additional day-care facilities. These important provisions will insure that those on welfare who are capable of working will work. There will be no more opportunity for those who have used the present system incorrectly to live on the system without a genuine effort to find and hold employment.

Support for this legislation has come from many quarters. The AFL–CIO supports the bill, and notes that it contains important labor standard safeguards. The American Labor Alliance, the National Association of Manufacturers, the National Association of Senior Citizens, and the Urban Coalition are on record in support of the national assumption of the welfare burden, and of the Family Assistance Act of 1970.

A major point of controversy in consideration of the bill has been the question of adequacy of income levels authorized by the bill. Some have argued that the guaranteed minimums are too low; an equally sincere number of people have argued for lower minimums. It is my belief that the levels contained in this bill are adequate for the initiation of the program. Of course, it is impossible to project with 100-percent accuracy how well these levels will work. However, the Congress is certainly free to adjust these levels as the future warrants—up or down—and the program should be permitted to operate for a time on the levels established by the bill.

The family assistance plan is a vitally needed first step toward the elimination of poverty and despair in America. It will give new hope to those on welfare—hope for a brighter future, filled with dignity and promise. It will also herald new hope for those in our society who support welfare, but understandably demand that the money and energy spent truly work for the elimination of poverty. The burden on these Americans will be eased, and the future of those on welfare brightened. I strongly support this legislation, and heartily commend it to my colleagues.

Mr. DERWINSKI. Mr. Chairman, we have had thorough debate these past 2 days on the merits of this legislation and I believe that the debate was consistently objective.

It is obvious that there is legitimate doubt as to the workability of the program, as well as legitimate concern over the cost and ineffectiveness of existing programs.

I was impressed by the argument that the existing welfare programs could and, therefore, were not being effectively administered and the proposal before us was at least a practical alternative.

After carefully reviewing the figures presented in the committee report and interpretation of the figures that many critics of the bill have produced, I am convinced that instead of replacing the welfare program, we are adding a new dimension to the welfare burden. Therefore, I will cast my vote against the measure, emphasizing that the questions raised by many Members have not been effectively answered.

May I also direct the attention of the Members to the possibility that the Senate will make drastic revisions of this plan, adding new costs, and administrative complications to it and the House conferees will be hard pressed to maintain the House position against the other body in the conference.

I am afraid the bill as drawn will substantially increase the tax burden of the residents of Illinois and other States, due to the great number of people that will be added to the welfare rolls. In turn, incentives to work will not produce the results needed to remove people from the rolls.

The bill does not contain enough emphasis on incentives for people to remove themselves from assistance rolls and, therefore, we are not solving the welfare problem through this measure but unfortunately compounding it. Therefore, for these and other reasons I will reluctantly cast my vote against the measure.

Mr. HALPERN. Mr. Chairman, the decade of the 1960's brought many of our social problems to the forefront, but none of them have struck our minds and our consciences more forceably than those involving our system of public welfare. We have become ever more aware that our present system has not provided the kind of support and incentives which poor families in this country need.

It is gratifying, therefore, that positive action toward welfare reform has been initiated by the administration and is being considered by the Congress. I believe that the Family Assistance Act, which we have before us today, will create a genuinely constructive welfare system. Its major purpose is to strengthen families, and by so doing it will strengthen our entire social structure.

Our present program of aid to families with dependent children, which is the public assistance program designed to assist families with children, has a number of basic flaws. First and foremost, it does not, in some States, provide even a a subsistence level of welfare payments. It is, therefore, creating an ever-growing future welfare population through its failure to sustain the present one. Seriously deprived children, as we know, all too often grow into deprived adults who cannot hold their own in today's world.

Second, although it provides money, it does not provide additional kinds of encouragement and help to families in need. It has not helped adults prepare for and find employment, it has discouraged them. It has not helped people build their own secure futures, but has encouraged them to fall back on the security of a welfare payment. It also has embodied strong incentives for family breakup.

In short, what should have been a constructive program, has in fact been destructive. The many billions of dollars which we have invested in welfare have brought a bitter return.

H.R. 16311 represents a turning point in our efforts. It establishes the goal of encouraging stable and self-sufficient families, and provides the machinery to achieve this goal.

Perhaps the most important, and certainly the most controversial aspect of the proposal is for cash assistance to the working poor. The family assistance plan would cover some 20 million people, instead of the 6.7 million who are now receiving AFDC. This is an impossible hurdle for some. The very idea of helping so many millions of individuals is abhorrent to those who believe the only proper goal of a welfare program is to eliminate itself.

And yet, the President has stated, and as the Committee on Ways and Means has agreed, coverage of the working poor is a necessary investment in the future. By helping poor families in which the father is employed we are not simply providing them with needed cash assistance for the moment, we are helping those families retain their viability, and we are reducing the incentive for fathers to leave their families in order to qualify them for welfare.

We all recognize that one of our major causes of poverty and of many of our social ills is the broken family. One of the greatest contributions which we can make to the public welfare is to help families stay together. This bill would help them. And if the cost is great, I believe it is nonetheless a cost we must accept. It is, in any case, a far lower cost to society than the alternative of allowing the problems of our existing system to continue to grow.

The proposal also contains incentives for all families on welfare to undertake manpower training and to become employed. Much has been learned from the experience of the work incentive program in the last 2 years, and the new manpower provisions represent an improvement over existing law.

The bill would require all adults, with certain specified exceptions, to register with the employment service. This procedure would eliminate the current problem of irregular and uncertain referrals from the welfare agencies to the employment service.

The bill would also require the employment service to provide vital services to each individual who registers. An employability plan would have to be drawn up for each person, and a whole range of rehabilitative resources would be drawn upon in order to help the welfare recipient to be trained for and to find a suitable job.

Individuals who enter training will receive a training allowance. Perhaps even more important, mothers who require day care services for their children in order to participate in work or training will be provided them. The bill makes possible a major expansion of day-care resources by authorizing the Secretary of Health, Education, and Welfare to pay for up to 100 percent of the cost of necessary day-care projects.

Studies of the present work incentive program have shown that one of the major impediments of welfare recipients to entering or retaining employment is the lack of adequate child-care facilities. This bill would work toward eliminating this impediment, and at the same time provide the kind of quality child-care services which many disadvantaged children need. The bill envisages preschool child-care programs which will include educational, medical, nutritional, and social services. In this way, too, it will reduce the likelihood of rearing a new generation of welfare recipients.

The bill moves toward a greater federalization of welfare, and I believe that welfare recipients throughout the United States will benefit from this. A new Federal payment floor is established, and welfare recipients who live in the States which now pay amounts below that floor will benefit very obviously by being eligible for a higher cash payment. But needy families everywhere will benefit from Federal administration of family assistance payments and from the new Federal standards for eligibility. The family assistance plan will introduce greater equity, uniformity, and dignity into the treatment of welfare recipients.

The States will benefit, also. They can, if they choose, elect to have the Federal Government administer the entire welfare program for them, retaining only the obligation of providing supportive services to welfare recipients who are in training, and of contributing their share of the cash assistance payments.

Hopefully, then the proposal will help to equalize the current welfare burden among the States, at the same time that it contributes toward greater equity for welfare receipients.

Although I have concentrated my remarks on the provisions of the bill which relate to families, because as we all recognize that it is the heart of the welfare problem, I am also in strong support of the provisions which relate to the old, the blind, and the disabled. The new Federal minimum standard of need will be of very great assistance to this group of needy individuals. A payment of $220 for a couple, which is provided by the bill, will enable many to move out of poverty. This is surely the least which we can do for them. The new liberalized provisions relating to earnings exemptions will be of great help to those who are in a position to undertake employment, and will also encourage them to do so.

By combining the three existing adult programs into one single program and providing for Federal eligibility requirements, we will be promoting greater equity and uniformity for this group, just as we will be for recipients of family assistance.

Mr. Chairman, this bill has strong merits. Probably every Member of the House has some point, major or minor, with which he disagrees and would like to change. But the administration has worked long and hard over the bill. The Committee on Ways and Means has spent months in public hearings and in executive session refining the proposal. And we have now a well thought-out package of true welfare reform.

There will, in the future, be improvements which we will want to make. But I am satisfied that the bill moves in the proper direction. Levels of assistance will certainly have to be reconsidered in the future, as the administration has testified will be necessary. But the family assistance plan can stand now as a solid social program which will benefit both the needy and the general public. I urge my colleagues to join with me in voting for H.R. 16311.

Mr. MONAGAN. Mr. Chairman, I am supporting H.R. 16311, the Family Assistance Act of 1970.

The President has urged the passage of this bill as a means of reducing welfare loads and his request and assurance are entitled to great consideration.

Although there are many debatable points about this legislation, there are two principal considerations which impel me to support it. One is the fact that the proposed method of providing for poor families may bring about the elimination of the scandalous defects in the aid to the dependent children program. Certainly the present system has proved to be a disaster and I agree that we must embrace any reasonable alternative.

The serious shortcomings of the welfare system in its present form are obvious. In operation the system fosters family breakups, it encourages benefit recipients to stay on welfare by failing to have workable incentives and provisions for becoming employed, and it has failed to slow the steady movement of needy families from State to State in search of higher welfare payments. In short, the present welfare system is unworkable; it definitely must be changed in the direction of encouraging employment and family stability. No one can guarantee, of course, that this will work but I am convinced that we must try this method. It is significant, I think, that no one has offered any alternative.

The second important point is the provision in this bill for a reduction of variations in payment levels among the States through the introduction of a Federal floor for family assistance payments. This provision should help to eliminate the flow of people to the most generous States, such as Connecticut, where payment levels have been markedly higher. This is an objective which I have advocated for a long period of time and it would have a marked effect upon the increasing welfare rolls in the State of Connecticut.

In the first session of the 91st Congress I introduced legislation to require the establishment of nationally uniform minimum standards and eligibility requirements for public assistance, and I am gratified to see that my proposal is included in the provisions of this bill. The uniform eligibility requirements coupled with standardized welfare payments will help correct inequities in the present system which have resulted in my own State of Connecticut spending a staggering 30 percent of the State's gross general fund expenditures for gross welfare expenditures in 1968–69.

One of the most significant innovations of this proposal is to require that, as a prerequisite to receipt of benefits, every adult in assisted families register at an employment office for work or training or sign up for vocational rehabilitation. Although work incentives were put into Federal public asistance programs by major legislation in 1962 and again in 1967, the incentives have not been effective and there is a continuing need to tighten provisions tying the receipt of benefits to a firm commitment to work.

It is the children, our future citizens, who are my concern. In them lies the hope of tomorrow. If we can contribute to greater stability in the family and eliminate the financial encouragement for fatherless families, I believe that we are taking a major step in the right direction, and I am convinced that this plan should have an opportunity to be tested.

Mr. **STOKES**. Mr. Chairman, that evening last August when President Nixon announced his proposed welfare reform plan, a national radio network asked me to perform one of those "instant analyses" which later became so unpopular with the administration. My very first comment on the President's suggestions was that parts of the proposal should be recognized as meaningful and progressive, while others should be exposed as mere continuations of the atavistic mentality which created the current welfare problems in the first place. Eight months and innumerable contentions later, I find that my view has changed very little.

There is no question that the President deserves credit for opening up the issue of welfare reform and for a number of the specific recommendations in his bill. The minimum Federal payment guarantee, the inclusion of the working poor in the programs, and the nationalization of eligibility standards are all desperately needed changes in the present AFDC system.

The House Ways and Means Committee should likewise be complimented for several improvements they fashioned in the original proposal. I was especially pleased that the base payment for aid to the aged, blind, and disabled was increased by over 20 percent. The added incentives which should result in Federal administration of the entire family assistance program was also a very necessary betterment, as was the elimination of 10 percent local matching requirements for day-care centers.

Collectively, these suggestions mark a significant forward thrust in the Federal Government's attitude concerning its responsibilities to the poor of this Nation, and for that reason I shall vote for H.R. 16311. Nevertheless, my colleagues should thoroughly understand that this bill falls far short of reaching what those responsibilities ought to be, and that all of us in this Chamber who have worked so long for an adequate welfare system will not be satisfied until they are.

My primary objection to H.R. 16311 concerns the payment provisions, which are inferior even to those in the President's original bill. It is disgraceful, for instance, that the eight Southern States that have done the very worst job of providing for their needy citizens are rewarded in this legislation by allowing them to terminate all State payments.

Mr. Chairman, we have all been presented with documented proof that Americans are starving to death in these States—that children are often forced to eat clay to quiet their empty stomachs. How then can we justifiably turn around and tell those very State governments primarily responsible for creating these intolerable conditions that they need no longer contribute anything to their eradication? Surely no one rationally believes that a welfare mother in Atlanta, Birmingham, New Orleans, or St. Louis can raise her child on the 82 cents a day from the Federal minimum. At least the President's bill required these States to continue 50 percent of their former paltry share. I thought that provision was inadequate—the current one is unconscionable.

Of course, meager though it is, at least AFDC recipients in those eight Southern and border States will receive some increase in their monthly checks—which is more than can be said for recipients in Ohio or any of the other 41 States. If both Houses of Congress would pass H.R. 16311 and the President sign it today, these people would get the same unacceptable pittance tomorrow that they received yesterday. A rather unbelievable result from a bill heralded as a great humanitarian measure.

Moreover, the problems with the bill only begin with the amounts. The working requirements, while somewhat clearer after the committee's action, are still an administrative nightmare. The $30 per month allowable income is barely enough to cover the cost of going to and from the job. The welfare mother with school-aged children is deprived of raising them—the most blatant form of discrimination against the poor. There is no provision for cost-of-living increases. And perhaps most pernicious of all, the whole scheme seems to still be premised on the attitude that the recipient is basically a lazy, booze-guzzling ne'er-do-well—an attitude proved totally fallacious long ago to all who cared to listen.

So, Mr. Chairman, I shall vote for the bill. However, neither I nor a number of my colleagues who believe that poverty should not exist in the richest country in the history of this planet will walk from the floor in any state of euphoria. But we promise you that we will be back.

Mrs. **SULLIVAN**. Mr. Chairman, apparently a lot of votes are going to be cast for or against this very controversial piece of legislation, the so-called family assistance plan, or FAP, on the basis of hunch, or hope, or of sympathy for the poor or prejudice against the poor, or because of confidence in the judgment and wisdom of the President and Mr. Moynihan, or because of lack of such confidence. Any of these motivations may perhaps be defensible ones for casting a vote for or against this bill but they are not nearly as good reasons as listening to the full debate and trying to make an independent judgment. And, unfortunately, many of the deeply thought-out and well-reasoned arguments on this bill over the last 2 days have been made to a nearly empty House.

NEW DIRECTION OR DISASTROUS MISTAKE?

This is tragic. There is very little other legislation we will consider in this Congress of potentially more far-reaching significance. This bill challenges us to decide if we are on the threshold of a brilliant new direction in solving some of our most serious social problems, or on the verge of an economically and socially disastrous mistake of incalculable consequence.

I have been in attendance throughout the entire debate on this bill, hoping to find solid evidence that a far-reaching bill so strongly urged upon us by the President and so strongly supported by the Committee on Ways and Means, which includes Members who enjoy the highest degree of respect and esteem among all Members of the House, is one which I could support. I have found no such evidence.

I know from long exposure to the bitter problems in a major city that our welfare program, initiated in the early days of the New Deal to meet what were then well-understood family crisis situations—a program little changed since then except in details—is completely out of date in terms of today's problems. If this family assistance plan had been a part of the original Social Security Act of 1935, it would have made a great deal of sense. In those days, the concept of public asistance was new and people who needed welfare assistance could not wait to find the jobs which would get them off welfare. Most of them would have leaped enthusiastically to take advantage of the opportunity to learn new skills, and would have welcomed supplemental benefits while in job training and then when starting to work, benefits which would have speeded the economic rehabilitation of most of the families then eligible for the kind of help now called for in this bill.

WORK INCENTIVE PROGRAMS ALREADY ENACTED

We made repeated attempts during the Kennedy and Johnson administrations to establish programs to achieve what this bill is now intended by its sponsors to do—that is, to encourage people on public assistance to take training and gradually become self-supporting. The chairman of the Committee on Ways and Means (Mr. MILLS), who played an enormous role in the passage of those programs, referred to them yesterday. The States, he said, have not accepted their responsibilities to make those programs work as intended, and so the results have been disappointing.

Therefore, this bill would place almost the entire burden of responsibility—administrative and financial—on the Federal Government, getting rid of the case-by-case investigation of eligibility and letting people just file a form saying they are eligible and immediately receiving checks from the Government to bring their income up to specified levels.

In view of the degree of welfare cheating which is already regarded by the public as being so widespread as to be absolutely shameful and indefensible, I wonder what public reaction would be to a plan of this nature—where you could just rate yourself as eligible, whether you are or not, and hope the computer will never catch up with you. Catching the cheats is not insurmountable if you have enough computers and enough people to check the computers, but in a democracy even the best-intentioned law cannot survive if there is public conviction that it is being widely abused by chiselers at the expense of the moderate-income taxpayer who has just noted once again this week, with shock and dismay, how high a percentage of his pay is going to Uncle Sam.

PUBLIC UNDERSTANDING AND ACCEPTANCE ARE ESSENTIAL

This is one of the reasons I am so much against turning the food stamp program into a free handout, giving the stamps to people to buy enough food to eat well without having to pay anything for them. It is not the cost of the stamps which disurbs me. We can afford, out of our tremendous abundance of food in this country to help every American to eat a proper, nutritious diet. What worries me about giving the stamps out free is the implication that the Government has the obligation to give every poor family all the food it needs without any cost to it whatsoever, so that the money that family would normally spend for food could be spent for other things.

Once that principle were established, the moderate income family, which struggles to pay its bills and struggles to afford a decent diet, would so resent the idea of other families receiving absolutely free more food than the self-supporting family can afford to buy that such resentment would destroy the basis of public support for any kind of food stamp program.

I feel that this so-called family assistance plan invites a similar reaction—not envy for someone who is needy getting a little help or even a lot of help; rather it is the likelihood of indignation by the taxpaying family that its taxes are being used to subsidize someone who abuses the program.

Most people will gladly pay taxes at personal sacrifice to help children break the welfare cycle. But they insist that any such program be tightly administered to weed out adult chiselers who use the welfare payments for their own indulgence rather than for the children for whom the money is intended. And this is why the aid to dependent children program is in such bad public repute. If I thought this bill would solve the problems, I would not hesitate for a second to endorse it wholeheartedly.

MAIN NEED IS FOR ADEQUATE DAY CARE CENTERS

But throughout the long hours of debate on this bill, I have not been able to see or learn how this bill would solve our real welfare problems. All it would do, it seems to me, would be to give the impression the problems were in some way being solved, as if an income of $31 a week—which is what this bill would assure a family of four, including their own earnings—would unify broken homes, prevent deserting, encourage job training, and so on.

I do not know what the figure would have to be to serve as incentive enough to accomplish those objectives; no one in the debate has ventured to give such a figure. We all know that if the figure were set high enough to really achieve these goals, the sums needed to carry out the program could never be appropriated.

Probably the main key to getting more welfare mothers motivated into taking job training and getting off welfare is to provide adequate—and I mean adequate—day-care centers for their children. This bill does not do that. It nibbles at the problem. I would gladly vote to spend all the money the bill authorizes to be spent for the supplementary benefits if it were used instead to build and operate the kind of day-care center one can find, for instance, in the center of downtown Singapore, but hardly anywhere in the United States. We had such centers during World War II, and mothers gratefully left their young children there each day to take jobs where their skills and hands were needed. If we can do it in a war, we can certainly do it in the achievement of the social objectives of this bill—knowing that we would be cutting right to the heart of this whole issue.

I have never pretended, even to myself, that everyone else is wrong and I alone am right because I know that could not happen in the Congress or anywhere else. But I have deep reservations about this bill after hearing the entire debate—reservations so deep about the eventual direction or cost of this program, compared to its anticipated results, that I have reluctantly decided I must vote against it.

The fact that it would cost so much to do so little, and the fact that the cost of doing what would have to be done if the concept of the bill were really to solve anything would be so prohibitive, fortify my conclusion.

DEFEAT OF BILL COULD RESULT IN BETTER PROGRAM

My whole record in the Congress has been directed toward helping all of our people, and particularly our very low income people, to enjoy a better standard of living. I have often been criticized and even attacked for my efforts in behalf of social welfare legislation, and I have been willing to stand on my record because I think we all prosper in this country only as every American has a decent opportunity to advance himself economically. If I thought this bill would solve any of our serious welfare problems, I would be delighted to vote for it.

Perhaps other Members have more wisdom, more knowledge of this issue, more confidence in the draftsmanship of this program, and do not suffer the same doubts I feel so strongly. I recall that a lot of Members of Congress could not see the good in the social security bill in 1935, and made a partisan issue of it, and voted against it, and of course were wrong. On a measure like this bill, one can imagine that a "no" vote, for whatever reason, might stand forever as a monument to one's lack of foresight. Thus, with so many Members ready to accept this bill, I feel somewhat lonely in taking a negative position, but I think the Members here know that I do not cast my vote lightly on any issue or without feeling in my heart that my vote is the right one. On that prayerful basis, I will vote "nay."

On the unlikely possibility that it might be defeated here, or is recommitted, I am sure the Committee on Ways and Means could give us a bill its members were convinced could do what they know this bill can never accomplish in achieving a real, thorough, reform of our whole welfare program.

Mr. DONOHUE. Mr. Chairman, as we approach a determination on the meas-

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ure before us, H.R. 16311, I think we should be mindful of two basic facts.

First, experts of all political persuasions agree that the present welfare system is a tragic failure.

Second, it is the Federal Government's responsibility to try to establish a workable system; one that will restore human dignity to those caught in the welfare trap; one that eases the plight of the taxpayer by moving persons, by work incentives and requirements, from welfare rolls to payrolls; one that preserves, rather than attacks, the basic family structure.

The present program of aid to families with dependent children—AFDC—actually discourages recipients from accepting jobs. In almost all States, allotments are reduced customarily by the amount of family earnings, so that the effect is to put a 100-percent tax on earnings. Even more disturbing, a family with the father employed full time is ineligible for benefits, no matter how small his income or how large his family. This situation inevitably encourages the worker to quit his job to increase his family's income.

Under the measure before us a family's payment will be reduced by only half of total earnings. The principle will be firmly established that a family with earned income from a job will be better off as a result of that job.

As you know, Mr. Chairman, an experiment conducted in New Jersey over the last 3 years confirms the tendency of incentives to encourage people to work themselves out of poverty. An early report on the experiment concluded that—

> The work effort of participants receiving payments increased relative to the work effort of those not receiving payments.

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Let us realize further that in most States the present AFDC program creates a financial incentive for the breakup of family units. Since families with a male head of household are cut off from any AFDC benefits, a father, by deserting his wife and children, can entitle them to public assistance. How can we hope to survive as an individual nation, Mr. Chairman, and as the leader of the civilized world, if we encourage by Government policy the disintegration of the basic unit of society, the family?

The bill before us would eliminate this family instability incentive, and encourage the father to stay and seek employment.

Also, Mr. Chairman, the wide variation in State levels of public assistance permitted under the present welfare system has placed an unfair burden on those States attempting to shoulder the responsibility for their needy and deprived.

With the family assistance program providing a nationwide set of benefits and eligibility standards, these inequities will be eased, and every State system will be relieved to some extent, with an overall reduction of almost $600 million.

There are many other features of this bill, of course, designed to insure that it accomplishes its goal of moving persons from welfare rolls to payrolls. Able-bodied adults will be required to register for work or work training, unless caring for preschool children or sick adults. Day-care facilities will be expanded, to make it possible for welfare mothers to work while their children get adequate supervision. A nationwide, computerized job bank is to be set up, and manpower programs will be bolstered.

Mr. Chairman, this is in no sense a partisan matter. President Nixon's basic proposals are contained in H.R. 16311, along with significant revisions voted by the distinguished House Ways and Means Committee. The bill is supported by groups as diverse as the AFL-CIO and the National Association of Manufacturers. The family assistance plan is designed and intended to offer to the poor not a handout, but rather a hand-up.

Let us extend that encouraging hand in conscientious effort to project wholesome, farsighted reform into an admittedly antiquated welfare system while we remain ever watchful and ready to promptly repair any unexpected weaknesses or even initiate repeal review of the whole program if administration and congressional anticipations are not quickly fulfilled.

Mr. COHELAN. Mr. Chairman, I rise in support of H.R. 16311. I do so, however, with mixed emotions.

This bill provides for a Federal assistance payment of $1,600 for a family of four with no other income. This basic benefit is increased by the exclusion of the value of food stamps from the definition of earned income so that it is possible to have Federal assistance for a family of four at the level of $2,464.

In addition to this Federal assistance there are provisions for a State supplemental assistance, of which the Federal Government could pay up to 30 percent. These supplemental payments are to be maintained payments at January 1970 AFDC levels or up to the poverty level, which ever is lower. Under the provisions of the bill the Secretary of Health, Education, and Welfare would be required to annually update the property levels to reflect the increased cost of living. This bill also consolidates the assistance for the blind, disabled, and aged.

The coverage under this bill will increase those assisted from 7 million to 20 million under family assistance plan—FAP—and from 3 to 4 million under the blind, disabled, and aged. The total Federal-State cost is estimated to be increased by an additional $4.4 billion for FAP including $500 million for blind, disabled and aged and $600 million for job training features and day-care centers.

In analyzing this bill, I share the concern of a number of my colleagues that the $1,600 Federal minimum is inadequate to cover even the barest necessities of food, clothing, and shelter for our less-fortunate citizens. Although this will be increased by the State supplement, I would like to see a cost-of-living feature in the direct Federal contribution. Since this bill comes to the floor under a closed rule, we cannot amend the bill, but I think that the final version should include a higher Federal base and the cost-of-living feature in the Federal contribution so that our poorer citizens are not left out in the cold by fluctuations in our economy.

The coverage of this bill is commendable but in some areas falls short. The bill quite correctly extends coverage to the poverty-level families headed by full-time employed males—working poor—and families where the father is unemployed and at home. This hopefully will curb the trend in the dissolution of the family structure of the poor.

This bill also requires FAP beneficiaries to register for work training and employment. Those specifically exempt are: the aged, disabled, and ill; mothers caring for children under 6 years of age; mothers in cases where father register; citizens caring for ill members of the household; or citizens under 16 or under 21 and in school. All others are required to register. Under the bill, the Secretary of Health, Education, and Welfare is required to provide for child-care centers for working mothers and those in job training. These centers can be funded 100 percent by the Federal Government.

The House Ways and Means Committee has to be congratulated because of its improvements over the administration's work-requirement proposals, but I still have serious reservations about the required registration of mothers for job training and job referrals. In addition, I am concerned that there will not be enough high quality day-care centers or job training programs even though they are carefully delineated in the bill. Also, I am not convinced that the food stamp program feature of the family assistance plan should not be replaced by a cash equivalent.

Yet, the bill represents a step ahead of the crumbling AFDC structure it replaces. The AFDC has, as some Members point out, institutionalized poverty. The projected cost of AFDC this year is $4.3 billion, and HEW projects the cost to exceed $12 billion by 1975. This new family assistance program attempts to redress some glaring weaknesses of the present structure:

It establishes Federal standards to eliminate inequitable treatment but the $1,600 Federal minimum seems painfully inadequate;

It extends coverage to families headed by an unemployed father and extends coverage to the working poor;

It will reduce State and regional differences although some States will still have reductions;

It establishes Federal standards and minimums for the Nation's aged, blind, and disabled; and

It attempts through stronger Federal participation to extend job training and job placement.

All of these new directions should be subject to the most rigorous testing and analyses to correct difficulties that arise.

This new family assistance plan is not a panacea for ending poverty but I do feel that it offers an increased opportunity for many of our less-fortunate citizens to break out of the poverty cycle. The existing welfare structure has not been effective, I think the family assistance plan represents a prudent first step in correcting some of its deficiencies.

Mr. RANDALL. Mr. Chairman, I am against the passage of H.R. 16311, labeled "the Family Assistance Act of 1970."

There are so many good and valid reasons to oppose the passage of this bill that it becomes a problem to enumerate such reasons in their relative importance or to decide which deserves the greater emphasis. It will take too much time to provide detailed statistics to prove the danger of this bill. But all of these backup figures can be fully documented and substantiated.

This welfare package is a 100-page bill with an accompanying report of 85 pages. It will entail a first annual Federal cost of $4.4 billion in three categories. By 1975, it is estimated the annual cost will have increased to $7.3 billion.

Under the provisions of this bill a family which consists of the parents and two children will be assigned a family benefit level of $1,600 per year. If their income falls below this amount, supplements will be paid to elevate their income to the $1,600 level. So far as I have been able to find out, this is the first time in the history of our country the Federal Government has agreed by law to provide a guaranteed annual income to its citizens.

In my opinion, this is a wrong turn for our country to take at this time. Regardless of the magnitude of the figures that are involved, under the provisions of this bill, there is a philosophy which is closely akin to a pure socialistic philosophy.

In the present law administered by the States it is true there is aid or welfare for the aged, the badly disabled and the blind. This is true welfare. On the other hand, to pay able-bodied people to do nothing is a shame. Such people who can sit at home and be guaranteed a fixed amount of income may very well soon lose their own self-respect. As much as I deplore the depression conditions which necessitated WPA at least this was a true work program for the able-bodied. With all of the jobs that go begging in our country today, people ought to work and should not be encouraged to stay home in idleness.

Of course we are all mindful of the words that have been used to make this act saleable. It is argued that "workfare" should replace the word "welfare." Yet, careful study of those portions of the bill which require each member of the family to register for employment or training, will reveal there is a long list of exceptions, exclusions as well as a long list of exemptions. One member suggested that the bill took at least three pages of print to provide all the loopholes for those who want to receive welfare but do no work.

One of the worst things about this entire welfare package is that the guaranteed annual income amounts to a kind of foot in the door that could very well be open ended. True, we have established a definite figure for this current year but I have reason to believe that those who vote for this measure today will have opponents campaigning against them who will be promising an increase in guaranteed annual income if they are elected. Each of those who support this bill today should pause long enough to ask themselves the question, Will they be for larger payments next year? And the next year? And the following year?

If we pass this bill today we, in effect, establish a policy that the Federal Government will reward those who will choose to take advantage of every exclusion, exception, and exemption under the beautiful description of workfare. This beginning of a national guaranteed income, instead of proving any kind of an incentive, could well be described as a disincentive to improve earnings or occupational capacities, and a disincentive for recipients to improve their lot in life.

Today, we hear so much about revenue sharing with the States and the desirability of decentralization toward greater State responsibility. Has anyone taken the time to consider what this bill will do to such concepts? It should be recalled that benefits payable under title II of this measure spell out that there must be a State supplement in order to receive Federal funds. The very natural question to follow is how well can the already impoverished States afford these additional demands on their treasuries for welfare funds?

In passing, it should be noted that if the present program is repealed a new Federal program is substituted under which the States are forbidden to impose restrictions such as duration of residence requirements and the prohibition of payments to aliens. Then this means that the recipients in low-benefit States will flock to States where higher benefits are paid with the result of further overcrowding of the already teeming cities in those States where higher paying State programs are in effect.

I hope I am making it clear that I am not opposed to all of the provisions of this bill. I am unalterably opposed to that part which commences or begins for the first time a revolutionary guaranteed income plan. Because of the gag rule under which all the Members of this House are muted, muzzled, and have had their voices stilled to offer any amendments, there is no way to eliminate this most objectionable provision, unless the minority is fair enough to offer a motion to recommit or else hope for the defeat of the bill or final passage.

Nearly all of the Members of the House are for welfare reform, but most of us are also against welfare expansion. If the figures which have been made available to me are correct, this bill will provide for tripling the number of persons on welfare. It would add about 3 million more families, or 15 million more persons. These figures have been rather carefully concealed in most of the discussions. It is little wonder that they have, because therein lies the entry wedge for the guaranteed annual income.

The present measure extends the guarantee to families with fully employed fathers. I recognize that the proponents will counter such a statement by saying that if the head of a family refuses to work or take a better paying job he will lose his welfare. That is true. But what really happens is that his share—$300 per year—will be deducted from the family welfare allotment and the rest of the family allotment will continue to be guaranteed with nothing required and no questions asked about the expenditure of the remainder of the money.

One of the best criteria of the weakness of the so-called workfare section of the bill is that it is the subject of criticism by conservatives because they believe there are too many loopholes and at the same time is the target of criticism by the liberals because there are not enough loopholes. Both groups thus seem to admit that it will take a costly, cumbersome bureaucracy which will grow to supervise the assignment of job opportunities and the training of millions of people if such provisions are to be really and truly enforced. The bill deserves a lot more consideration by the Committee on Ways and Means and should be restudied in detail if we expect to reform our welfare programs rather than the vast expansion of these programs.

Search as carefully and as frequently as you choose and you will find nowhere in this bill any provisions to finance it. Even if all the surplus anticipated by the present administration in this current year's budget materializes, there would not be enough money to pay for the benefits of H.R. 16311. No matter how hard an effort is made to conceal the fact, if this bill is passed, this same Committee on Ways and Means will have to propose a tax increase to pay for this handout. Does this Committee on Ways and Means expect to extend the surtax, with increased rates back to 10 percent, in order to finance what has been so cleverly called the Family Assistance Act?

Does the Committee on Ways and Means intend to raise the payroll tax provisions? Do they propose a social security payroll tax increase, doubled in order to provide family assistance benefits? These are questions which no one has answered during this debate and so far as I know, no one has made an attempt to answer.

I had hoped I could be granted a few minutes out of the 6 hours of debate to propound some questions to those three members on the Committee on Ways and Means who were opposed to this bill. Even with 6 hours, like any other Members, I was denied by the floor managers of this bill even a few minutes to interrogate some of the members of the committee. The questions I would have asked would have been to explain how the distinguished members of this most distinguished committee proposed to finance the cost of H.R. 16311. I would have also asked the proponent members of the committee who wrote this measure, to try to explain that if the present program is a failure how do they expect to resuscitate it by spending $4 billion more on a program that is quite similar, but differing only in the machinery for paying out money for nonproductiveness and adding about 15 million people to the welfare rolls as H.R. 16311 will do?

To recapitulate, our principal objection is directed to that part of the bill which begins guaranteeing incomes to families with employed fathers. Once we

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start this it could well be that it will not be too long before one-third or more of our national population will be receiving income supplements at a cost of $20 billion more annually. The bill offers no improvement in the present administrative tangle that causes the present welfare program to be so ineffective. As those three members of the committee who joined in dissenting views put it "for all the rhetoric about work incentives the bill merely puts cash payments first."

We commenced consideration of this bill on April 15 which is the day on which everyone in America must file their income tax returns for 1969. It is significant that we conclude debate 1 day later giving all of our taxpayers an additional day to think of the potential impact that this legislation will have upon them in future years.

The truth is that the provisions of H.R. 16311 providing for a guaranteed income is a dangerous snowball that can grow and grow to where it can saddle future generations of taxpayers with an unbearable burden.

Mr. RARICK. Mr. Chairman, our forefathers who carved this civilization out of a wilderness did so without any expectation of a guaranteed income or livelihood. As free men they sought individual liberty under God.

Immigrants from foreign lands who have come to our country to become Americans were not induced by the promise of a guaranteed dole—most sought escape from tyranny, and a chance for a better life through freedom.

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I care not what name it bears, any measure of law which would take from the worker and give to the nonproducer—who is not ill or handicapped—is recognized by the people as a guaranteed income plan—legalized theft. It is an accursed philosophy which will demoralize every worker.

Have we not tormented and politically exploited the poor long enough? Must they be blamed further? For, ironically, the motivating force behind this sinister plan flows stronger from the wealthy—the successful and upper income groups of our society—than from the misfortunate poor who do not understand who benefits from controlled economics.

Who gains from distribution-of-the-wealth programs? In four generations of rehabilitative welfare, many of the same families remain on welfare while the rich, the manipulators of the program, have become richer.

Few among us would have ever feared that a controlled Socialist plan such as guaranteed income would be the announced goal and program of a Republican President. Had this proposal arisen under a Democratic President, one doubts it could have received such a bipartisan support?

The positive thinkers urge us to look at the good side of the plan—to ignore the evil—while the progressives say give the plan a chance to see what will happen.

I say neither time nor experience is needed to know a scheme born of upside down fantasy. Socialism but begets socialism.

In our lifetime we have seen empire building by a central government under both national parties exert more and more power and control over our lives and institutions, and, as always, through the inducement of our moneys.

Federal funds are but followed with Federal control. Witness the downfall of State authority, local government, industries, public schools, labor unions, and now this latest attack on the basic unit of our society—our families.

This bill is a menace to the family—with its expected guidelines and the ever-present threat of a removal of funds for noncompliance with some bureaucrat's ideological dictates.

Today's bill places a ceiling of $1,600 a year for coverage. Who will guarantee that next year the ante will not be $10,000 or $20,000?

We have all witnessed socialism with its foot-in-the-door advance. It survives only on growth and requires expansion to bring more and more people under its nefarious umbrella.

If H.R. 16311 passes this body and becomes law, we are participating in the creation of a new feudal system in the United States, in which case we are attending the funeral of the American traditions of our fathers—work, pride, thrift and individuality.

The class war will then have officially been instituted.

I would never cast my people's one vote for such an un-American measure.

Mrs. REID of Illinois. Mr. Chairman, as I have listened to the debate on this proposed Family Assistance Act of 1970 and have studied the extensive hearings of our Committee on Ways and Means, it is clear that the Congress, the administration, and the States all agree that welfare reform is one of the crucial problems facing our Nation today. While I personally question some of the provisions of H.R. 16311, I do feel the President is to be commended for the attention he has given to this difficult and perplexing situation.

Certainly almost everyone in this Chamber will concede that the most critical of the present programs—aid to families with dependent children, AFDC—is headed toward social and financial disaster. There is every reason to question both its structure and philosophy, and as I compare our present program with the reform proposal before us today, it seems to me that there is a significant difference. We have noted that AFDC has already proved to be extremely costly; and instead of rescuing people from poverty, it has all too often perpetuated and encouraged what might be called a welfare way of life. Since 1961, we are told, the numbers of both families and individuals receiving AFDC more than doubled, and costs more than tripled. If this program were continued unchanged, not only would costs double again but recipients would increase in number by 80 percent within the next 5 years. To me, this is an alarming commentary, and there is no question in my mind that we must delay no longer in coming to grips with the problem.

As a Member of Congress, a taxpayer, and a mother, I have deep concern not only for quality and equality in our welfare system but the increasing cost of this assistance as well. It is my privilege to serve on the Committee on Appropriations, and I need not remind each of you that it is far easier for Congress to pass a spending program than a revenue bill to pay for it. Not only must we consider the initial cost of any new welfare program, we must likewise look to the future and weigh what we do today against spending priorities in the next decade. Admittedly, this proposal would be more costly initially—but it is estimated that over the next 4 years these excess costs would drop and much hopefully would be recaptured as more and more people leave welfare rolls to become gainfully employed and productive citizens. As in other States, we can expect that total welfare expenditures in Illinois will increase due to costs of the larger Federal expenditures by some $20.3 million. I am told, however, that this would be offset by a cost savings of $39.7 million which Illinois would receive under the adult and family programs. These figures are based on welfare program statistics for 1968, the last year for which such information is available. Since our State already has a program covering the working poor, expenditures in Illinois would be further reduced since under this bill the Federal Government would assume a significant part of the cost. I think we can expect as well that the provision in this legislation reducing the disparity between welfare payments among the several States will curtail migration to Illinois and other States which presently pay higher welfare benefits and thus serve to lower our own costs in Illinois.

I have listened to arguments prominently heard that this legislation will establish the framework for a guaranteed annual income. I have always been opposed to such a concept and still am. The present welfare system not only provides a guaranteed annual income but, furthermore, recipients of the current plan are guaranteed this income regardless of their own efforts. Under the President's plan, however, needy families would be aided only if able-bodied members of those families signed up for work. Training and rehabilitation programs would be established to help anyone who might need them in order to qualify for employment—and I find this provision very realistic and necessary.

We need in our welfare programs more requirements to encourage self-help and reward work. The present programs all too often discourage gainful employment and even penalize those who might otherwise seek it. It is my understanding that a recommittal motion is to be offered which will eliminate the ambiguous definition of "suitable" as related to available employment for any welfare applicant, and I expect to support this change as it will tighten the workfare provision by requiring welfare applicants to register for and accept employment not according to their particular personal preference but as prescribed by this amended legislation.

I do feel this new program could go a long way toward eliminating the welfare way of life and thus prove in the last analysis to be less expensive for taxpayers in general. I do not feel the Government should allow people to abdicate their responsibilities for supporting themselves or their families. Under this bill, too, benefits are limited to families with children, which is not true under guaranteed income schemes.

Another meritorious feature of this bill is that instead of encouraging family disintegration and merely maintaining people in limbo, the Act would try to hold the family together—to keep fathers from deserting wives and children so the family could obtain higher welfare payments—promote family stability—and preserve this basic unit of American society.

Just as I find much to applaud in the President's proposal, as a member of the Committee on Appropriations I do have honest reservations and questions. Consequently, I did not support the resolution calling for a closed rule when it was considered by the House yesterday because I had hoped that the legislation could have been considered under a rule which would have permitted greater discussion of alternatives and amendments. But because I do recognize the urgent need for meaningful welfare reform, and since I do feel that the administration has taken a commendable interest in revising the present ineffective programs for the first time, I will support H.R. 16311. I would hope that clarifications and reassurances could be added by the Senate and that some of the features which I consider objectionable resolved by a conference committee. Certainly the time for both welfare reform and taxpayer relief is long overdue, and I see the long-range possibility of achieving both in this legislation.

Mr. LEGGETT. Mr. Chairman, I rise in support of the Family Assistance Act, H.R. 16311. It will not give us the solution to the problems of poverty; far from it. But it is a step in the right direction and a considerable improvement over the present system.

First, it provides financial incentive to work. Some people work primarily because they enjoy their jobs, others because of the satisfaction of substantive achievement and financial independence. But most people—particularly those in lower paying positions, which tend to be more routine and less satisfying—work because they like to have money.

For many years, there was no incentive to work until one got clearly above the welfare level, because all income was deducted from one's welfare payments, yielding a net of zero. The FAP will allow a family of four to get the full benefit of all it earns up to $720 per year, and half of earnings between $720 and $3,920.

I have heard objections to giving assistance money to people who are working. But the alternative is to make it economically unsound for the poor to work. It is as simple as that.

A second virtue of the Family Assistance Act is its pump-priming effect, which will be particularly important in areas which presently have lower welfare scales. It is relatively easy to make money if one begins with a lot of money, but it is quite difficult if one begins with nothing. By picking people up out of the gutter, raising their expectations, giving them a taste of a better world, and letting them see that they can get a lot more of it by working hard, we will be taking a significant step toward turning our present welfare cases into productive citizens.

A third virtue is the elimination of the degrading aspects of the present welfare system. It is bad enough when in many black urban families the wife can find work as a domestic while the husband cannot find work at all. But to force the husband to leave his family for their own economic welfare is to destroy the self-esteem of that man and the entire family. And when one adds to this the prejudiced and unsympathetic attitude of many welfare workers, the midnight raids to search for a man in the house, and so forth—this is intolerable.

I have heard it said that we should make poverty as miserable as possible so that welfare clients will get up and work. The vast bulk of the poor come from poor parents and poor grandparents. Their problem is not that they do not want to better their lot; it is that they do not know how and, most importantly, they are so sunk in despair that they do not believe they can. They need to be built up, not beaten down further.

On the matter of the compulsory work and training programs, if this bill increases the availability of free job training, I am all for it. And I do not share the objections of the welfare rights organizations to the work requirement. The bill provides that no individual can be forced to work for less than the Federal, State, or local minimum wage, or for less than the locally prevailing wage for similar work. He cannot be used as a strikebreaker. He cannot be assigned to dangerous work, work for which he is untrained or physically unfit, or which requires unreasonable travel from his home.

Mr. Chairman, I have never subscribed to the theory that the poor are poor because they are too lazy to work. Very few people enjoy thinking of themselves as parasites, and fewer still are happy with the miserable standard of living afforded by welfare payments—and let us not forget that the FAP standard, while an improvement over their present, will still be austere in the extreme. Nevertheless, the fact remains that many of our present welfare clients were raised in welfare families and have had little or no experience with earning a living; they just do not accept that it can be done, and will be afraid to try. For these people, the work and training requirements may be the greatest blessing of all, by giving them both carrot and stick motivations to change their life styles.

In addition, the bill will provide day care centers for young children so that their mothers can accept work. Surveys have shown that a large proportion of these women are eager to work and will be grateful for the opportunity to do so.

In conclusion, Mr. Chairman, in my view the Family Assistance Act constitutes a restructuring of our poverty assistance programs that we should have had years ago. We are at least beginning to think of helping people out of the gutter instead of just making the gutter a little more comfortable.

The bill is a beginning rather than an end, and there is a good chance it eventually will have to be altered considerably in light of the experience we will get in the next few years.

The incremental cost of the entire program—which is to say, the amount of additional money that will be transferred from well-to-do Americans to poor Americans, who will spend almost all of it and pump it back into the economy with full multiplier—will be about $4.5 billion in fiscal year 1971. We can afford it a lot better than we can afford to do without it.

Mr. PELLY. Mr. Chairman, as I reported to the House in January, the 22,300 responses to my questionnaire indicated that 65 percent of my constituents favored replacing the existing welfare system with President Nixon's family assistance plan. The results of the poll showed 8 percent opposed and 26 percent undecided. I can understand that many did not fully understand this proposal to provide basic benefits to low-income families with children and at the same time to provide incentives for job training and employment of members of such families.

Frankly, I do not know of anyone familiar with the existing welfare system who does not favor reform of the present welfare system for aid to families with dependent children which presently is headed toward social and financial disaster. Especially it has failed in that it has produced third and fourth generation welfare recipients and made it more advantageous for men not to work as well as for heads of households to desert their families.

When the House Committee on Ways and Means reported H.R. 16311, a bill to carry out the President's welfare reform, some serious questions as to its cost and effectiveness were raised. Some people said it would not solve but rather would multiply weaknesses of our system. Others said the bill would improve the welfare program in many respects and it would lift a huge and unbearable burden from the States.

The new Nixon Family Assistance Act of 1970 will provide assistance for the working poor, job training for the unemployed and day-care centers for children of working mothers. At the same time, it offers incentives to work by allowing welfare recipients to take home a substantial share of what they earn without loss of family assistance payments.

Critics say the guaranteed family income concept is wrong. This refers to the provision whereby, for example, a family of four will receive an annual federally supplied income of $1,600; $500 for the first two family members and $300 for each of the additional members.

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A working head of a household could retain the first $720 of his earnings and 50 percent of his income above that amount. Assistance would not be cut off until the family income reached $3,920.

Meanwhile, under the present system, a man can see other families getting more on welfare than he gets by working. This discourages work.

Under the new proposal to be eligible for family assistance, the head of the family must register for work and job training. This does not include mothers of preschool children or in a household when the father is registered. The person on job training would receive a $30 a month allowance. Then, there would be child day-care centers to serve working mothers. There are 12 million children whose mothers now work outside the home while present facilities can accommodate only 1 million children. And, another feature is that a father who abandons his family will be liable for the benefits to his family.

This Family Assistance Act, as I indicated, would call for the Federal Government to assume a flat 30 percent share of State welfare costs.

In the House, measures like this are considered under closed rules and elimination of a part of the bill by amendment such as that which guarantees minimum income to families with working fathers, was not permissible.

Mr. Chairman, under these circumstances, in its consideration in my own case, I weighed the good against the bad in the bill as against the existing program and voted in favor. The cost is $3.7 billion. The way the cost of the existing welfare system has been increasing, I cannot believe that the new plan is not an improvement in the long run, both in cost and in effectiveness.

But, while it is a gamble, something had to be done, so as I said, I supported the bill and it may well prove to be a very successful and significant piece of legislation.

The Chamber of Commerce of the United States has indicated the plan may create a permanent class of people who will offer their votes to the highest bidder. Of course, that is not new; the old plan had that fault. I hope and believe the new one will encourage people to take jobs and become productive citizens and that the direction of the country changes from welfare to what has been called a "workfare" program.

Mrs. CHISHOLM. Mr. Chairman, the time has come to reemphasize and elaborate my feelings on the proposed social security and welfare reforms as consideration of this bill is imminent in Congress.

As I have said, among many others who support my thoughts, $1,600 per year for a family of four with no other income is far too inadequate to take care of even the most basic needs of housing, clothing, and food. Forty-three States already pay more than that; recipients in only eight or 10 States, mainly southern ones, would see an increase in benefits.

Not only is the $1,600 allowance inadequate in Mr. Nixon's family assistance plan, but also it hedges on involuntary servitude with its compulsory work qualification. It makes the assumption that welfare recipients do not want to work. "Families on Welfare in New York City," a report released by the Research Department of the City University of New York and authored by Lawrence Podell, states that seven out of 10 welfare mothers indicate that if they had suitable employment or training, they would work; furthermore, two out of three indicated that they had definite plans to work in the future.

Of course, there are additional problems concerning working mothers. The Nixon proposal would provide some $828 per child per year for day-care facilities which is $172 less than the minimum estimate of $1,000 per child advanced by some authorities. My experience as a day-school administrator would lead me to believe that $1,000 would provide skeletal type care and facilities. The major problems facing our welfare families now, and even with the reforms put forth by the Nixon administration, are dual in nature: First, the burden is on the family to make up the difference for a good day-care program for their children; second, the work-training programs and employment for women are dependent upon adequate day-care facilities. In black families, 24 percent of them are headed by women, and it is incumbent upon us to provide good day-care facilities so these women can work and be assured that their children are being well taken care of. This is vital to these people and to us as a nation. We must also remember that these programs will only be as successful as the ability of the State and locales to develop quality programs.

Following the job-training programs is the problem of job placement. Will there be enough jobs in the market to accommodate this growing labor force? Will the job training lead toward viable positions in the labor market at adequate wages with opportunity for mobility? Mr. Nixon speaks of creating 150,000 jobs; however, in March 1970 the unemployment rate climbed to 4.6 percent. Over 3½ million people are unemployed and those that enter training programs, what type of meaningful employment will there be for them?

New York State alone could use over 300,000 jobs for its present welfare recipients. The scope of the need is far greater than the administration's plan can presently satisfy.

The food stamp program must also be examined in evaluating the proposed reforms. Originally, the administration proposed to extend the program; then the President's welfare reforms were to do away with it entirely; now administration officials are again proposing that it be retained.

The current figure concerning a recipient family of four is $480 to purchase stamps which could be redeemed for $1,200 in food. This $1,200 is the "chosen" figure because the USDA considers this as the minimum for an adequate diet. The proposal does not consider two obvious factors: First, food money is the only flexible item in the recipients' budget—when other needs arise, the food budget is the first to get cut—and, second, food as a budget item assessed by Government figures would be 30 percent of the $1,600 minimum. In regard to this point, Senator McGovern has stated that the average family of four spends only 17 percent of their yearly income on food. Basically, we are asking the recipient to spend 13 percent more of his yearly income for food than the average family of four, because we are guaranteeing such an impossibly low assistance of $1,600 a year at the outset.

This, of course, raises the question of what is an adequate income. The U.S. Department of Labor sees $6,207 as the yearly income to maintain a low, but "acceptable" standard of living for a family of four in an urban area. In New York City, the figure is held to be $6,201, slightly lower. The typical recipient family of four receives only $3,756 in New York City; and there are regulations that prevent the family from making more money, such as, moneys that the family makes in gainful employment will be subtracted from the welfare assistance. Therefore, the family is strapped. To rise above the $3,756 without it being a very substantial gain, is not of any benefit to the family. The present Nixon proposal results in forcing the poor in New York City into low-paying, dead-end jobs—something is wrong. This is just the exact opposite of the intention of Mr. Nixon's plan.

The administration's proposals have received criticism from Dr. George Wiley of the National Welfare Rights Organization to George Meany of the AFL–CIO and the basic criticism is that the proposals do not go far enough.

The same criticism is applicable to the administration's manpower proposals. Changes in our manpower policies are especially crucial because the success of the family assistance plan hinges upon the availability of good jobs. I stress the point of good jobs because if we help a person to become employed at a job which earns them, say, $2,934—the average income for a black woman in the United States—we really have not "solved" any problems.

The minimum wage of $2 per hour results in a yearly income of $4,160 which is only $404 above the current welfare average of $3,756 per year in New York City. What we need are not just minimum-wage, entry-level jobs, but also jobs which offer upward mobility.

Rather than encourage this kind of approach, the administration has, in fact, discouraged it. For example, they have called for a reduction in the new careers expenditures of nearly $1,000 per trainee, a move which as Senator Mondale pointed out would definitely transform it from an upward mobility and developmental program to a lower level job slot.

The administration has also cut back and restricted a number of other manpower programs. The Neighborhood Youth Corps program has not only had funds cut back, but also the Labor Department has restricted eligibility to 16- and 17-year-olds, and has announced a reduction in stipend.

The 120 Job Corps serving 33,000 people were closed down and have been replaced with only five mini job centers, serving some 850 people.

XUM

Most serious of all of the administration's proposals is their plan to turn over the operation of all manpower programs to the State employment agencies, where in the past programs have been embedded in bureaucracy and resistance to change.

As I pointed out in my manpower testimony before the House and Senate Committee:

> We should remember that the whole reason manpower programs came into existence in the first place is that the State Employment agencies were not doing their jobs. It seems ludicrous to me to reward them for their failure just because it fits into someone's philosophical scheme of decentralization.

We are not going to solve the problems with band-aids. If we do not provide enough money and the right mechanism for our programs, they are predestined to fail.

Programs can only be viable when the people with their frustrations and needs are given top priority in the formulation of those programs. If Congress can take the liberty to grant themselves a raise to $42,500 a year and at the same time claim that a family of four can live on $1,600 a year, then it is time for deep evaluation of what we are trying to accomplish with our programs.

Mr. BYRNES of Wisconsin. Mr. Chairman, we have no further requests for time.

Mr. MILLS. Mr. Chairman, I have no further requests for time. I had some time to reserve for myself, but I yield back the balance of my time.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment. No amendments are in order to the bill except amendments offered by direction of the Committee on Ways and Means.

Are there any committee amendments?

Mr. MILLS. Mr. Chairman, there are no committee amendments.

PARLIAMENTARY INQUIRY

Mr. BURLESON of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. BURLESON of Texas. Mr. Chairman, I have a preferential motion. Is it in order to offer a preferential motion at this time?

The CHAIRMAN. Will the gentleman advise the Chair what sort of preferential motion he has in mind?

Mr. BURLESON of Texas. To strike the enacting clause.

The CHAIRMAN. The Chair will advise the gentleman from Texas that that motion is not in order unless amendments are in order, and are offered. There being no committee amendments, that motion will not be in order at this time.

Mr. BURLESON of Texas. Mr. Chairman, may I inquire, if there are no committee amendments to be offered, if the bill is perfected?

The CHAIRMAN. The Chair will advise the gentleman from Texas that the chairman of the Committee on Ways and Means, the gentleman from Arkansas (Mr. MILLS), has just advised the Chair that there are no committee amendments. That being so, the motion is not in order at this time.

Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DINGELL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 16311) to authorize a family assistance plan providing basic benefits to low-income families with children, to provide incentives for employment and training to improve the capacity for employment of members of such families, to achieve greater uniformity of treatment of recipients under the Federal-State public assistance programs and to otherwise improve such programs, and for other purposes, pursuant to House Resolution 916, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

PARLIAMENTARY INQUIRY

Mr. BURLESON of Texas. Mr. Speaker a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. BURLESON of Texas. Mr. Speaker I have a preferential motion which was not permitted to be made in the Committee of the Whole. The preferential motion is to strike the enacting clause. Is it in order in the House at this time?

The SPEAKER. Due to the fact that the previous question has been ordered on the bill to final passage, the motion is not in order at this time.

MOTION TO RECOMMIT OFFERED BY MR. COLLIER

Mr. COLLIER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. COLLIER. In its present form I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

PARLIAMENTARY INQUIRY

Mr. LANDRUM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. LANDRUM. Mr. Speaker, is it not true under the rules of the House that the motion to recommit should go to one who is unqualifiedly opposed to the bill?

The SPEAKER. The Chair will state that a Member who states that he is opposed to the bill in its present form qualifies.

Mr. LANDRUM. Mr. Speaker, is that not a modification of the rule that a Member in order to qualify must be opposed to the bill?

The SPEAKER. The gentleman from Illinois (Mr. COLLIER) qualifies because he has stated he is in opposition to the bill in its present form, which is the bill now before the House.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. GROSS. Mr. Speaker, the gentleman from Illinois has repeatedly stated, as recently as a few minutes ago, that he firmly supports the bill.

Mr. COLLIER. Mr. Speaker, I said I firmly support the principle and the concept of the bill. That is what I said, but I am opposed to the bill in its present form.

The SPEAKER. The gentleman from Illinois has stated that he is opposed to the bill in its present form. Therefore, the gentleman, with that statement, and upon his responsibility, qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. COLLIER moves to recommit the bill (H.R. 16311) to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendments:
>
> Page 21, line 1, strike out "suitable".
>
> Page 21, lines 2 and 3, strike out "suitable".
>
> Strike out line 21 on page 21 and all that follows down through line 17 on page 22, and insert in lieu thereof the following:
>
> "(b) No family shall be denied benefits under this part, or have its benefits under this part reduced, because an individual who is (or would, but for subsection (a), be) a member of such family refuses work under any of the following conditions:
>
> "(1) if the position offered is vacant due directly to a strike, lockout, or other labor dispute;
>
> "(2) if the wages, hours, or other terms or conditions of the work offered are contrary to or less than those prescribed by Federal, State, or local law or are substantially less favorable to the individual than those prevailing for similar work in the locality;
>
> "(3) if, as a condition of being employed, the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization; or
>
> "(4) if the individual has the demonstrated capacity, through other available training or employment opportunities, of securing work that would better enable him to achieve self-sufficiency."

Mr. MILLS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker being in doubt, the House divided, and there were—ayes 69, noes 60.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 248, nays 149, not voting 33, as follows:

XUM

[Roll No. 82]

YEAS—248

Abbitt
Adair
Albert
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Arends
Ayres
Beall, Md.
Belcher
Bell, Calif.
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Blanton
Blatnik
Boland
Bow
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burlison, Mo.
Burton, Utah
Bush
Byrnes, Wis.
Camp
Carter
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Collier
Collins
Conable
Conte
Corbett
Corman
Coughlin
Cowger
Cramer
Crane
Cunningham
Daddario
Daniel, Va.
Davis, Wis.
Delaney
Dellenback
Denney
Dent
Derwinski
Dickinson
Dowdy
Downing
Edmondson
Edwards, Ala.
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Findley
Fish
Fisher
Flowers
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Frey
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Giaimo
Goldwater
Goodling
Griffin
Griffiths
Gubser
Halpern
Hamilton
Hammerschmidt
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hastings
Hechler, W. Va.
Hogan
Horton
Hosmer
Howard
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Tenn.
Kee
Keith
King
Kleppe
Kuykendall
Langen
Lloyd
Long, Md.
Lujan
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
Macdonald, Mass.
MacGregor
Mahon
Mailliard
Mann
Marsh
Mathias
May
Mayne
Melcher
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minshall
Mize
Mizell
Monagan
Morse
Morton
Mosher
Moss
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
O'Konski
Pelly
Pepper
Pettis
Pike
Pirnie
Poage
Poff
Preyer, N.C.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reifel
Rhodes
Riegle
Robison
Roe
Rogers, Colo.
Rogers, Fla.
Rostenkowski
Roth
Roudebush
Ruppe
Ruth
St. Onge
Sandman
Saylor
Schadeberg
Schwengel
Scott
Sebelius
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taft
Talcott
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Udall
Van Deerlin
Vander Jagt
Waldie
Wampler
Watkins
Watson
Watts
Weicker
Whalen
Whalley
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wolff
Wright
Wyatt
Wydler
Wyman
Yatron
Zion
Zwach

NAYS—149

Abernethy
Adams
Addabbo
Anderson, Calif.
Andrews, Ala.
Annunzio
Ashbrook
Ashley
Aspinall
Baring
Barrett
Bingham
Blackburn
Boggs
Bolling
Brademas
Brasco
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burton, Calif.
Button
Byrne, Pa.
Caffery
Carey
Casey
Celler
Chappell
Chisholm
Clark
Clawson, Del
Clay
Cleveland
Cohelan
Colmer
Conyers
Daniels, N.J.
Davis, Ga.
de la Garza
Dennis
Devine
Dingell
Donohue
Dorn
Dulski
Duncan
Dwyer
Eckhardt
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Farbstein
Fascell
Flood
Flynt
Foley
Ford, William D.
Fraser
Friedel
Gallagher
Gaydos
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Gross
Hagan
Haley
Hall
Hanley
Harrington
Hathaway
Hawkins
Hays
Hébert
Helstoski
Henderson
Hicks
Holifield
Hull
Jacobs
Johnson, Calif.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kluczynski
Koch
Kyl
Kyros
Landgrebe
Landrum
Latta
Leggett
Lowenstein
Martin
Matsunaga
Meeds
Minish
Mink
Montgomery
Moorhead
Morgan
Murphy, Ill.
Nedzi
Nix
Obey
O'Hara
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patten
Perkins
Philbin
Pickle
Podell
Powell
Price, Ill.
Rarick
Rees
Reid, N.Y.
Reuss
Roberts
Rodino
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roybal
Ryan
St Germain
Satterfield
Scherle
Scheuer
Stephens
Stokes
Taylor
Thompson, N.J.
Tiernan
Ullman
Vanik
Vigorito
Waggonner
Wilson, Charles H.
Yates
Young
Zablocki

NOT VOTING—33

Brown, Calif.
Broyhill, Va.
Cabell
Culver
Dawson
Diggs
Erlenborn
Feighan
Fulton, Pa.
Gettys
Gibbons
Grover
Gude
Hanna
Heckler, Mass.
Kirwan
Lennon
Long, La.
Lukens
McCarthy
McMillan
Madden
Mikva
Mollohan
Ottinger
Patman
Pollock
Rivers
Schneebeli
Teague, Calif.
Tunney
White
Wylie

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

Mr. White with Mr. Teague of California.

Mr. Cabell with Mr. Erlenborn.

Mr. Mikva with Mr. Fulton of Pennsylvania.

Mr. Ottinger with Mr. Gude.

Mr. Feighan with Mr. Pollock.

Mr. Gettys with Mr. Grover.

Mr. Gibbons with Mr. Broyhill of Virginia.

Mr. Hanna with Mr. Diggs.

Mr. Long of Louisiana with Mr. Schneebeli.

Mr. Patman with Mr. Wylie.

Mr. Rivers with Mr. Lukens.

Mr. Tunney with Mr. Kirwan.

Mr. McMillan with Mrs. Heckler of Massachusetts.

Mr. Culver with Mr. McCarthy.

Mr. Mollohan with Mr. Brown of California.

Mr. PERKINS changed his vote from "yea" to "nay."

Messrs. WRIGHT, STAGGERS, GUBSER, CLANCY, SCHADEBERG, and McFALL changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. HAYS. Mr. Speaker, I have a preferential motion.

The SPEAKER. Will the gentleman state his motion?

Mr. HAYS. I move that the enacting clause be stricken out.

The SPEAKER. The Chair will state that that motion is not in order. The Chair passed on it awhile ago. That motion is not in order.

Mr. MILLS. Mr. Speaker, in accordance with the instructions of the House in the motion to recommit, I report back the bill with an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment:

Page 21, line 1, strike out "suitable".

Page 21, lines 2 and 3, strike out "suitable".

Strike out line 21 on page 21 and all that follows down through line 17 on page 22, and insert in lieu thereof the following:

"(b) No family shall be denied benefits under this part, or have its benefits under this part reduced, because an individual who is (or would, but for subsection (a), be) a member of such family refuses work under any of the following conditions:

"(1) if the position offered is vacant due directly to a strike, lockout, or other labor dispute;

"(2) if the wages, hours, or other terms or conditions of the work offered are contrary to or less than those prescribed by Federal, State, or local law or are substantially less favorable to the individual than those prevailing for similar work in the locality;

"(3) if, as a condition of being employed, the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization; or

"(4) if the individual has the demonstrated capacity, through other available training or employment opportunities, of securing work that would better enable him to achieve self-sufficiency."

Mr. MILLS. Mr. Speaker, I move the previous question on the amendment.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

H.R. 16311

An act to authorize a family assistance plan providing basic benefits to low-income families with children, to provide incentives for employment and training to improve the capacity for employment of members of such families, to achieve greater uniformity of treatment of recipients under the Federal-State public assistance programs and to otherwise improve such programs, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, with the following table of contents, may be cited as the "Family Assistance Act of 1970".

TABLE OF CONTENTS

TITLE I—FAMILY ASSISTANCE PLAN

Sec. 101. Establishment of family assistance plan.

"PART D—FAMILY ASSISTANCE PLAN

"Sec. 441. Appropriations.
"Sec. 442. Eligibility for and amount of family assistance benefits.
  "(a) Eligibility.
  "(b) Amount.
  "(c) Period for determination of benefits.
  "(d) Special limits on gross income.
  "(e) Puerto Rico, the Virgin Islands, and Guam.
"Sec. 443. Income.
  "(a) Meaning of income.
  "(b) Exclusions from income.
"Sec. 444. Resources.
  "(a) Exclusions from resources.
  "(b) Disposition of resources.

"Sec. 445. Meaning of family and child.
  "(a) Composition of family.
  "(b) Definition of child.
  "(c) Determination of family relationships.
  "(d) Income and resources of noncontributing adult.
  "(e) Recipients of aid to the aged, blind, and disabled ineligible.
"Sec. 446. Payments and procedures.
  "(a) Payments of benefits.
  "(b) Overpayments and underpayments.
  "(c) Hearings and review.
  "(d) Procedures; prohibition of assignments.
  "(e) Applications and furnishing of information by families.
  "(f) Furnishing of information by other agencies.
"Sec. 447. Registration and referral of family members for manpower services, training, and employment.
"Sec. 448. Denial of benefits in case of refusal of manpower services, training, or employment.
"Sec. 449. Transfer of funds for on-the-job training programs.

"PART E—STATE SUPPLEMENTATION OF FAMILY ASSISTANCE BENEFITS

"Sec. 451. Payments under titles IV, V, XVI, and XIX conditioned on supplementation.
"Sec. 452. Eligibility for and amount of supplementary payments.
"Sec. 453. Payments to States.
"Sec. 454. Failure by State to comply with agreement.

"PART F—ADMINISTRATION

"Sec. 461. Agreements with States.
"Sec. 462. Penalties for fraud.
"Sec. 463. Report, evaluation, research and demonstrations, and training and technical assistance.
"Sec. 464. Obligation of deserting parents.
"Sec. 465. Treatment of family assistance benefits as income for food stamp purposes."
Sec. 102. Manpower services, training, employment, and child care programs.

"PART C—MANPOWER SERVICES, TRAINING, EMPLOYMENT, AND CHILD CARE PROGRAMS FOR RECIPIENTS OF FAMILY ASSISTANCE BENEFITS OR SUPPLEMENTARY PAYMENTS

"Sec. 430. Purpose.
"Sec. 431. Operation of manpower services, training, and employment programs.
"Sec. 432. Allowances for individuals undergoing training.
"Sec. 433. Utilization of other programs.
"Sec. 434. Rules and regulations.
"Sec. 435. Appropriations; non-Federal share.
"Sec. 436. Child care.
"Sec. 437. Supportive services.
"Sec. 438. Advance funding.
"Sec. 439. Evaluation and research; reports to Congress."
Sec. 103. Conforming amendments relating to assistance for needy families with children.
Sec. 104. Changes in headings.

TITLE II—AID TO THE AGED, BLIND, AND DISABLED

Sec. 201. Grants to States for aid to the aged, blind, and disabled.

"TITLE XVI—GRANTS TO STATES FOR AID TO THE AGED, BLIND, AND DISABLED

"Sec. 1601. Appropriations.
"Sec. 1602. State plans for financial assistance and services to the aged, blind, and disabled.
"Sec. 1603. Determination of need.
"Sec. 1604. Payments to States for aid to the aged, blind, and disabled.
"Sec. 1605. Alternate provision for direct Federal payments to individuals.
"Sec. 1606. Overpayments and underpayments.
"Sec. 1607. Operation of State plans.
"Sec. 1608. Payments to States for services and administration.
"Sec. 1609. Computation of payments to States.
"Sec. 1610. Definition."
Sec. 202. Repeal of titles I, X, and XIV of of the Social Security Act.
Sec. 203. Additional disregarding of income of OASDI recipients in determining need for aid to the aged, blind, and disabled.
Sec. 204. Transition provision relating to overpayments and underpayments.
Sec. 205. Transition provision relating to definitions of blindness and disability.

TITLE III—MISCELLANEOUS CONFORMING AMENDMENTS

Sec. 301. Amendment to section 228(d).
Sec. 302. Amendments to title XI.
Sec. 303. Amendments to title XVIII.
Sec. 304. Amendments to title XIX.

TITLE IV—GENERAL

Sec. 401. Effective date.
Sec. 402. Saving provision.
Sec. 403. Special provisions for Puerto Rico, the Virgin Islands, and Guam.
Sec. 404. Meaning of Secretary and fiscal year.

TITLE I—FAMILY ASSISTANCE PLAN

ESTABLISHMENT OF FAMILY ASSISTANCE PLAN

SEC. 101. Title IV of the Social Security Act (42 U.S.C. 601 et seq.) is amended by adding after part C the following new parts:

"PART D—FAMILY ASSISTANCE PLAN

"APPROPRIATIONS

"SEC. 441. For the purpose of providing a basic level of financial assistance throughout the Nation to needy families with children, in a manner which will strengthen family life, encourage work training and self-support, and enhance personal dignity, there is authorized to be appropriated for each fiscal year a sum sufficient to carry out this part.

"ELIGIBILITY FOR AND AMOUNT OF FAMILY ASSISTANCE BENEFITS

"Eligibility

"SEC. 442. (a) Each family (as defined in section 445)—

"(1) whose income, other than income excluded pursuant to section 443(b), is less than—

"(A) $500 per year for each of the first two members of the family, plus

"(B) $300 per year for each additional member, and

"(2) whose resources, other than resources excluded pursuant to section 444, are less than $1,500, shall, in accordance with and subject to the other provisions of this title, be paid a family assistance benefit.

"Amount

"(b) The family assistance benefit for a family shall be payable at the rate of—

"(1) $500 per year for each of the first two members of the family, plus

"(2) $300 per year for each additional member, reduced by the amount of income, not excluded pursuant to section 443(b), of the members of the family.

"Period for Determination of Benefits

"(c)(1) A family's eligibility for and its amount of family assistance benefits shall be determined for each quarter of a calendar year. Such determination shall be made on the basis of the Secretary's estimate of the family's income for such quarter, after taking into account income for a preceding period and any modifications in income which are likely to occur on the basis of changes in conditions or circumstances. Eligibility for and the amount of benefits of a family for any quarter shall be redetermined at such time or times as may be provided by the Secretary, such redetermination to be effective prospectively.

"(2) The Secretary shall by regulation prescribe the cases in which and extent to which the amount of a family assistance benefit for any quarter shall be reduced by reason of the time elapsing since the beginning of such quarter and before the date of filing of the application for the benefit.

"(3) The Secretary may, in accordance with regulations, prescribe the cases in which and the extent to which income received in one period (or expense incurred in one period in earning income) shall, for purposes of determining eligibility for and amount of family assistance benefits, be considered as received (or incurred) in another period or periods.

"Special Limits on Gross Income

"(d) The Secretary may, in accordance with regulations, prescribe the circumstances under which the gross income from a trade or business (including farming) will be considered sufficiently large to make such family ineligible for such benefits.

"Puerto Rico, the Virgin Islands, and Guam

"(e) For special provisions applicable to Puerto Rico, the Virgin Islands, and Guam, see section 1108(e).

"INCOME

"Meaning of Income

"SEC. 443. (a) For purposes of this part, income means both earned income and unearned income; and—

"(1) earned income means only—

"(A) remuneration for services performed as an employee (as defined in section 210 (j)), other than remuneration to which section 209 (b), (c), (d), (f), or (k), or section 211, would apply; and

"(B) net earnings from self-employment, as defined in section 211 (without the application of the second and third sentences following clause (C) of subsection (a)(9)), including earnings for services described in paragraphs (4), (5), and (6) of subsection (c); and

"(2) unearned income means all other income including—

"(A) any payments received as an annuity, pension, retirement, or disability benefit, including veteran's or workmen's compensation and old-age, survivors, and disability insurance, railroad retirement, and unemployment benefits;

"(B) prizes and awards;

"(C) the proceeds of any life insurance policy;

"(D) gifts (cash or otherwise), support and alimony payments, and inheritances; and

"(E) rents, dividends, interest, and royalties.

"Exclusions From Income

"(b) In determining the income of a family there shall be excluded—

"(1) subject to limitations (as to amount or otherwise) prescribed by the Secretary, the earned income of each child in the family who is, as determined by the Secretary under regulations, a student regularly attending a school, college, or university, or a course of vocational or technical training designed to prepare him for gainful employment;

"(2)(A) the total unearned income of all members of a family in a calendar quarter which, as determined in accordance with criteria prescribed by the Secretary, is received too infrequently or irregularly to be included, if such income so received does not exceed $30 in such quarter, and (B) the total earned income of all members of a family in a calendar quarter which, as determined in accordance with such criteria, is received too infrequently or irregularly to be included, if such income so received does not exceed $30 in such quarter;

"(3) an amount of earned income of a member of the family equal to all, or such part (and according to such schedule) as the Secretary may prescribe, of the cost incurred by such member for child care which the Secretary deems necessary to securing or continuing in manpower training, vocational rehabilitation, employment, or self-employment;

"(4) the first $720 per year (or proportionately smaller amounts for shorter periods) of the total of earned income (not excluded by the preceding paragraphs of this subsection) of all members of the family plus one-half of the remainder thereof;

"(5) food stamps or any other assistance (except veterans' pensions) which is based on need and furnished by any State or political subdivision of a State or any Federal agency, or by any private charitable agency or organization (as determined by the Secretary);

"(6) allowances under section 432(a);

"(7) any portion of a scholarship or fellowship received for use in paying the cost of tuition and fees at any educational (including technical or vocational education) institution; and

"(8) home produce of a member of the family utilized by the household for its own consumption.

"RESOURCES

"Exclusions from resources

"SEC. 444. (a) In determining the resources of a family there shall be excluded—

"(1) the home, household goods, and personal effects; and

"(2) other property which, as determined in accordance with and subject to limitations in regulations of the Secretary, is so essential to the family's means of self-support as to warrant its exclusion.

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"DISPOSITION OF RESOURCES

"(b) The Secretary shall prescribe regulations applicable to the period or periods of time within which, and the manner in which, various kinds of property must be disposed of in order not to be included in determining a family's eligibility for family assistance benefits. Any portion of the family's benefits paid for any such period shall be conditioned upon such disposal; and any benefits so paid shall (at the time of the disposal) be considered over-payments to the extent they would not have been paid had the disposal occurred at the beginning of the period for which such benefits were paid.

"MEANING OF FAMILY AND CHILD

"Composition of Family

"SEC. 445. (a) Two or more individuals—

"(1) who are related by blood, marriage, or adoption,

"(2) who are living in a place of residence maintained by one or more of them as his or their own home,

"(3) who are residents of the United States, and

"(4) at least one of whom is a child who (A) is not married to another of such individuals and (B) is in the care of or dependent upon another of such individuals,

shall be regarded as a family for purposes of this part and parts A, C, and E. A parent (of a child living in a place of residence referred to in paragraph (2)), or a spouse of such a parent, who is determined by the Secretary to be temporarily absent from such place of residence for the purpose of engaging in or seeking employment or self-employment (including military service) shall nevertheless be considered (for purposes of paragraph (2)) to be living in such place of residence.

"Definition of Child

"(b) For purposes of this part and parts C and E, the term 'child' means an individual who is (1) under the age of eighteen, or (2) under the age of twenty-one and (as determined by the Secretary under regulations) a student regularly attending a school, college, or university, or a course of vocational or technical training designed to prepare him for gainful employment.

"Determination of Family Relationships

"(c) In determining whether an individual is related to another individual by blood, marriage, or adoption, appropriate State law shall be applied.

"Income and Resources of Noncontributing Adult

"(d) For purposes of determining eligibility for and the amount of family assistance benefits for any family there shall be excluded the income and resources of any individual, other than a parent of a child (or a spouse of a parent), which, as determined in accordance with criteria prescribed by the Secretary, is not available to other members of the family; and for such purposes such individual—

"(1) in the case of a child, shall be regarded as a member of the family for purposes of determining the family's eligibility for such benefits but not for purposes of determining the amount of such benefits, and

"(2) in any other case, shall not be considered a member of the family for any purpose.

"Recipients of Aid to the Aged, Blind, and Disabled Ineligible

"(e) If an individual is receiving aid to the aged, blind, and disabled under a State plan approved under title XVI, or if his needs are taken into account in determining the need of another person receiving such aid, then, for the period for which such aid is received, such individual shall not be regarded as a member of a family for purposes of determining the amount of the family assistance benefits of the family.

"PAYMENTS AND PROCEDURES

"Payments of Benefits

"SEC. 446. (a) (1) Family assistance benefits shall be paid at such time or times and in such installments as the Secretary determines will best effectuate the purposes of this title.

"(2) Payment of the family assistance benefit of any family may be made to any one or more members of the family, or, if the Secretary deems it appropriate, to any person, other than a member of such family, who is interested in or concerned with the welfare of the family.

"(3) The Secretary may by regulation establish ranges of incomes within which a single amount of family assistance benefit shall apply.

"Overpayments and Underpayments

"(b) Whenever the Secretary finds that more or less than the correct amount of family assistance benefits has been paid with respect to any family, proper adjustment or recovery shall, subject to the succeeding provisions of this subsection, be made by appropriate adjustments in future payments to the family or by recovery from or payment to any one or more of the individuals who are or were members thereof. The Secretary shall make such provision as he finds appropriate in the case of payment of more than the correct amount of benefits with respect to a family with a view to avoiding penalizing members of the family who were without fault in connection with the overpayment, if adjustment or recovery on account of such overpayment in such case would defeat the purposes of this part, or be against equity or good conscience, or (because of the small amount involved) impede efficient or effective administration of this part.

"Hearings and Review

"(c) (1) The Secretary shall provide reasonable notice and opportunity for a hearing to any individual who is or claims to be a member of a family and is in disagreement with any determination under this part with respect to eligibility of the family for family assistance benefits, the number of members of the family, or the amount of the benefits, if such individual requests a hearing on the matter in disagreement within thirty days after notice of such determination is received. Until a determination is made on the basis of such hearing or upon disposition of the matter through default, withdrawal of the request by the individual, or revision of the initial determination by the Secretary, any amounts which are payable (or would be payable but for the matter in disagreement) to any individual who has been determined to be a member of such family shall continue to be paid; but any amounts so paid for periods prior to such determination or disposition shall be considered overpayments to the extent they would not have been paid had such determination or disposition occurred at the same time as the Secretary's initial determination on the matter in disagreement.

"(2) Determination on the basis of such hearing shall be made within ninety days after the individual requests the hearing as provided in paragraph (1).

"(3) The final determination of the Secretary after a hearing under paragraph (1) shall be subject to judicial review as provided in section 205(g) to the same extent as the Secretary's final determinations under section 205; except that the determination of the Secretary after such hearing as to any fact shall be final and conclusive and not subject to review by any court.

"Procedures; Prohibition of Assignments

"(d) The provisions of sections 206 and 207 and subsections (a), (d), (e), and (f) of section 205 shall apply with respect to this part to the same extent as they apply in the case of title II:

"Applications and Furnishing of Information by Families

"(e) (1) The Secretary shall prescribe regulations applicable to families or members thereof with respect to the filing of applications, the furnishing of other data and material, and the reporting of events and changes in circumstances, as may be necessary to determine eligibility for and amount of family assistance benefits.

"(2) In order to encourage prompt reporting of events and changes in circumstances relevant to eligibility for or amount of family assistance benefits, and more accurate estimates of expected income or expenses by members of families for purposes of such eligibility and amount of benefits, the Secretary may prescribe the cases in which and the extent to which—

"(A) failure to so report or delay in so reporting, or

"(B) inaccuracy of information which is furnished by the members and on which the estimates of income or expenses for such purposes are based,

will result in treatment as overpayments of all or any portion of payments of such benefits for the period involved.

"Furnishing of Information by Other Agencies

"(f) The head of any Federal agency shall provide such information as the Secretary needs for purposes of determining eligibility for or amount of family assistance benefits, or verifying other information with respect thereto.

"REGISTRATION AND REFERRAL OF FAMILY MEMBERS FOR MANPOWER SERVICES TRAINING, AND EMPLOYMENT

"SEC. 447. (a) Every individual who is a member of a family which is found to be eligible for family assistance benefits, other than a member to whom the Secretary finds paragraph (1), (2), (3), (4), or (5) of subsection (b) applies, shall register for manpower services, training, and employment with the local public employment office of the State as provided by regulations of the Secretary of Labor. If and for so long as any such individual is found by the Secretary of Health, Education, and Welfare to have failed to so register, he shall not be regarded as a member of a family but his income which would otherwise be counted under this part as income of a family shall be so counted; except that if such individual is the only member of the family other than a child, such individual shall be regarded as a member for purposes of determination of the family's eligibility for family assistance benefits, but not (except for counting his income) for purposes of determination of the amount of such benefits. No part of the family assistance benefits of any such family may be paid to such individual during the period for which the preceding sentence is applicable to him; and the Secretary may, if he deems it appropriate, provide for payment of such benefits during such period to any person, other than a member of such family, who is interested in or concerned with the welfare of the family.

"(b) An individual shall not be required to register pursuant to subsection (a) if the Secretary determines that such individual is—

"(1) unable to engage in work or training by reason of illness, incapacity, or advanced age;

"(2) a mother or other relative of a child under the age of six who is caring for such child;

"(3) the mother or other female caretaker of a child, if the father or another adult male relative is in the home and not excluded by paragraph (1), (2), (4), or (5) of this subsection (unless the second sentence of subsection (a), or section 448(a), is applicable to him);

"(4) a child who is under the age of sixteen or meets the requirements of section 445(b)(2); or

"(5) one whose presence in the home on a substantially continuous basis is required because of the illness or incapacity of another member of the household.

An individual who would, but for the preceding sentence, be required to register pursuant to subsection (a), may, if he wishes, register as provided in such subsection.

"(c) The Secretary shall make provision for the furnishing of child care services in such cases and for so long as he deems appropriate in the case of (1) individuals registered pursuant to subsection (a) who are, pursuant to such registration, participating in manpower services, training, or employment, and (2) individuals referred pursuant to subsection (d) who are, pursuant to such referral, participating in vocational rehabilitation.

"(d) In the case of any member of a family receiving family assistance benefits who is not required to register pursuant to subsection (a) because of such member's incapacity, the Secretary shall make provision for referral of such member to the appropriate State agency administering or supervising the administration of the State plan for vocational rehabilitation services approved under the Vocational Rehabilitation Act, and (except in such cases involving permanent incapacity as the Secretary may determine) for a review not less often than quarterly of such member's incapacity and his need for and utilization of the rehabilitation services made available to him under such plan. If and for so long as such member is found by the Secretary to have refused without good cause to accept rehabilitation services available to him under such plan, he shall be treated as an individual to whom subsection (a) is applicable by reason of refusal to accept or participate in employment or training.

"DENIAL OF BENEFITS IN CASE OF REFUSAL OF MANPOWER SERVICES, TRAINING, OR EMPLOYMENT

"SEC. 448. (a) For purposes of determining eligibility for and amount of family assistance benefits under this part, an individual who has registered as required under section 447(a) shall not be regarded as a member of a family, but his income which would otherwise be counted as income of the family under this part shall be so counted, if and for so long as he has been found by the Secretary of Labor, after reasonable notice and opportunity for hearing (which shall be held in the same manner and subject to the same conditions as a hearing under section 446(c)(1) and (2)), to have refused without good cause to participate or continue to participate in manpower services, training, or employment, or to have refused without good cause to accept employment in which he is able to engage which is offered through the public employment offices of the State, or is otherwise offered by an employer if the offer of such employer is determined by the Secretary of Labor, after notification by such employer or otherwise, to be a bona fide offer of employment; except that if such individual is the only member of the family other than a child, such individual shall be regarded as a member of the family for purposes of determination of the family's eligibility for benefits, but not (except for counting his income) for the purposes of determination of the amount of its benefits. No part of the family assistance benefits of any such family may be paid to such individual during the period for which the preceding sentence is applicable to him; and the Secretary may, if he deems it appropriate, provide for payment of such benefits during such period to any person, other than a member of such family, who is interested in or concerned with the welfare of the family.

"(b) No family shall be denied benefits under this part, or have its benefits under this part reduced, because an individual who is (or would, but for subsection (a), be) a member of such family refuses to work under any of the following conditions:

"(1) if the position offered is vacant due directly to a strike, lockout, or other labor dispute;

"(2) if the wages, hours, or other terms or conditions of the work offered are contrary to or less than those prescribed by Federal, State, or local law or are substantially less favorable to the individual than those prevailing for similar work in the locality;

"(3) if, as a condition of being employed, the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization; or

"(4) if the individual has the demonstrated capacity, through other available training or employment opportunities, of securing work that would better enable him to achieve self-sufficiency."

"TRANSFER OF FUNDS FOR ON-THE-JOB TRAINING PROGRAMS

"SEC. 449. The Secretary shall, pursuant to and to the extent provided by agreement with the Secretary of Labor, pay to the Secretary of Labor amounts which he estimates would be paid as family assistance benefits under this part to individuals participating in public or private employer compensated on-the-job training under a program of the Secretary of Labor if they were not participating in such training. Such amounts shall be available to pay the costs of such programs.

PART E—STATE SUPPLEMENTATION OF FAMILY ASSISTANCE BENEFITS

"PAYMENTS UNDER TITLES IV, V, XVI, AND XIX CONDITIONED ON SUPPLEMENTATION

"SEC. 451. In order for a State to be eligible for payments pursuant to title V, XVI, or XIX, or part A or B of this title, with respect to expenditures for any quarter beginning on or after the date this part becomes effective with respect to such State, it must have in effect an agreement with the Secretary under which it will make supplementary payments, as provided in this part, to any family other than a family in which both parents of the child or children are present, neither parent is incapacitated, and the male parent is not unemployed.

"ELIGIBILITY FOR AND AMOUNT OF SUPPLEMENTARY PAYMENTS

"SEC. 452. (a) Eligibility for and amount of supplementary payments under the agreement with any State under this part shall, subject to the succeeding provisions of this section, be determined by application of the provisions of, and rules and regulations under, sections 442(a)(2), (c), and (d), 443(a), 444, 445, 446 (to the extent the Secretary deems appropriate), 447, and 448, and by application of the standard for determining need under the plan of such State as in effect for January 1970 (which standard complies with the requirements for approval under part A as in effect for such month) or, if lower, a standard equal to the applicable poverty level determined pursuant to section 453(c) and in effect at the time of such payments, or such higher standard of need as the State may apply, with the resulting amount reduced by the family assistance benefit payable under part D and further reduced by any other income (earned or unearned) not excluded under section 443(b) (except paragraph (4) thereof) or under subsection (b) of this section; but in making such determination the State may impose limitations on the amount of aid paid to the extent that such limitations (in combination with other provisions of the plan) are no more stringent in result than those imposed under the plan of such State as in effect for such month. In the case of any State which provides for meeting less than 100 per centum of its standard of need or provides for considering less than 100 per centum of requirements in determining need, the Secretary shall prescribe by regulation the method or methods for achieving as nearly as possible the results provided for under the foregoing provisions of this subsection.

"(b) For purposes of determining eligibility for and amount of supplementary payments to a family for any period pursuant to an agreement under this part, in the case of earned income to which paragraph (4) of section 443(b) applies, there shall be disregarded $720 per year (or proportionately smaller amounts for shorter periods), plus—

(1) one-third of the portion of the remainder of earnings which does not exceed twice the amount of the family assistance benefits that would be payable to the family if it had no income, plus

(2) one-fifth (or more if the Secretary by regulation so prescribes) of the balance of the earnings.

For special provisions applicable to Puerto Rico, the Virgin Islands, and Guam, see section 1108(e).

"(c) The agreement with a State under this part shall—

"(1) provide that it shall be in effect in all political subdivisions of the State;

"(2) provide for the establishment or des-

XUM

ignation of a single State agency to carry out or supervise the carrying out of the agreement in the State;

"(3) provide for granting an opportunity for a fair hearing before the State agency carrying out the agreement to any individual whose claim for supplementary payments is denied or is not acted upon with reasonable promptness;

"(4) provide (A) such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Secretary to be necessary for the proper and efficient operation of the agreement in the State, and (B) for the training and effective use of paid subprofessional staff, with particular emphasis on the full- or part-time employment of recipients of supplementary payments and other persons of low income, as community services aides, in carrying out the agreement and for the use of nonpaid or partially paid volunteers in a social service volunteer program in providing services to applicants for and recipients of supplementary payments and in assisting any advisory committees established by the State agency:

"(5) provide that the State agency carrying out the agreement will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports;

"(6) provide safeguards which restrict the use or disclosure of information concerning applicants for and recipients of supplementary payments to purposes directly connected with the administration of this title; and

"(7) provide that all individuals wishing to make application for supplementary payments shall have opportunity to do so, and that supplementary payments shall be furnished with reasonable promptness to all eligible individuals.

"PAYMENTS TO STATES

"SEC. 453. (a) (1) The Secretary shall pay to any State which has in effect an agreement under this part, for each fiscal year, an amount equal to 30 per centum of the total amount expended during such year pursuant to its agreement as supplementary payments to families other than families in which both parents of the child or children are present, neither parent is incapacitated, and the male parent is not employed, not counting so much of the supplementary payment made to any family as exceeds the amount by which (with respect to the period involved)—

"(A) the family assistance benefit payable to such family under part D, plus any income of such family (earned or unearned) not disregarded in determining the amount of such supplementary payment, is less than

"(B) the applicable poverty level as promulgated and in effect under subsection (c).

"(2) The Secretary shall also pay to each such State an amount equal to 50 per centum of its administrative costs found necessary by the Secretary for carrying out its agreement.

"(b) Payments under subsection (a) shall be made at such time or times, in advance or by way of reimbursement, and in such installments as the Secretary may determine; and shall be made on such conditions as may be necessary to assure the carrying out of the purposes of this title.

"(c) (1) For purposes of this part, the 'poverty level' for a family group of any given size shall be the amount shown for a family group of such size in the following table, adjusted as provided in paragraph (2):

"Family size:	*Basic amount*
One	$1,920
Two	2,460
Three	2,940
Four	3,720
Five	4,440
Six	4,980
Seven or more	6,120

"(2) Between July 1 and September 30 of each year, beginning with 1970, the Secretary (A) shall adjust the amount shown for each size of family group in the table in paragraph (1) by increasing such amount by the percentage by which the average level of the price index for the months in the calendar quarter beginning April 1 of such year exceeds the average level of the price index for months in 1969, and (B) shall thereupon promulgate the amounts so adjusted as the poverty levels for family groups of various sizes which shall be conclusive for purposes of this part for the fiscal year beginning July 1 next succeeding such promulgation.

"(3) As used in this subsection, the term 'price index' means the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.

"FAILURE BY STATE TO COMPLY WITH ARGEEMENT

"SEC. 454. If the Secretary, after reasonable notice and opportunity for hearing to a State with which he has an agreement under this part, finds that such State is failing to comply therewith, he shall withhold all, or such portion as he deems appropriate, of the payments to which such State is otherwise entitled under this part or part A or B of this title or under title V, XVI, or XIX; but the amounts so withheld from payments under such part A or B or under title V, XVI, or XIX shall be deemed to have been paid to the State under such part or title. Such withholding shall be effected at such time or times and in such installments as the Secretary may deem appropriate.

"PART F—ADMINISTRATION

"AGREEMENTS WITH STATES

"SEC. 461. (a) The Secretary may enter into an agreement with any State under which the Secretary will make, on behalf of the State, the supplementary payments provided for under part E, or will perform such other functions of the State in connection with such payments as may be agreed upon, or both. In any such case, the agreement shall also (1) provide for payment by the State to the Secretary of an amount equal to the supplementary payments the State would otherwise make pursuant to part E, less any payments which would be made to the State under section 453(a), and (2) at the request of the State, provide for joint audit of payments under the agreement.

"(b) The Secretary may also enter into an agreement with any State under which such State will make, on behalf of the Secretary, the family assistance benefit payments provided for under part D with respect to all or specified families in the State who are eligible for such benefits or will perform such other functions in connection with the administration of part D as may be agreed upon. The cost of carrying out any such agreement shall be paid to the State by the Secretary in advance or by way of reimbursement and in such installments as may be agreed upon.

"PENALTIES FOR FRAUD

"SEC. 462. The provisions of section 208, other than paragraph (a), shall apply with respect to benefits under part D and allowances under part C, of this title, to the same extent as they apply to payments under title II.

"REPORT, EVALUATION, RESEARCH AND DEMONSTRATIONS, AND TRAINING AND TECHNICAL ASSISTANCE

"SEC. 463. (a) The Secretary shall make an annual report to the President and the Congress on the operation and administration of parts D and E, including an evaluation thereof in carrying out the purposes of such parts and recommendations with respect thereto. The Secretary is authorized to conduct evaluations directly or by grants or contracts of the programs authorized by such parts.

"(b) The Secretary is authorized to conduct, directly or by grants or contracts, research into or demonstrations of ways of better providing financial assistance to needy persons or of better carrying out the purposes of part D, and in so doing to waive any requirements or limitations in such part with respect to eligibility for or amount of family assistance benefits for such family, members of families, or groups thereof as he deems appropriate.

"(c) The Secretary is authorized to provide such technical assistance to States, and to provide, directly or through grants or contracts, for such training of personnel of States, as he deems appropriate to assist them in more efficiently and effectively carrying out their agreements under this part and part E.

"(d) In addition to funds otherwise available therefor, such portion of any appropriation to carry out part D or E as the Secretary may determine, but not in excess of $20,000,000 in any fiscal year, shall be available to him to carry out this section.

"OBLIGATION OF DESERTING PARENTS

"SEC. 464. In any case where an individual has deserted or abandoned his spouse or his child or children and such spouse or any such child (during the period of such desertion or abandonment) is a member of a family receiving family assistance benefits under part D or supplementary payments under part E, such individual shall be obligated to the United States in an amount equal to—

"(1) the total amount of the family assistance benefits paid to such family during such period with respect to such spouse and child or children, plus the amount paid by the Secretary under section 453 on account of the supplementary payments made to such family during such period with respect to such spouse and child or children, reduced by

"(2) any amount actually paid by such individual to or for the support and maintenance of such spouse and child or children during such period, if and to the extent that such amount is excluded in determining the amount of such family assistance benefits; except that in any case where an order for the support and maintenance of such spouse or any such child has been issued by a court of competent jurisdiction, the obligation of such individual under this subsection (with respect to such spouse or child) for any period shall not exceed the amount specified in such order less any amount actually paid by such individual (to or for the support and maintenance of such spouse or child) during such period. The amount due the United States under such obligation shall be collected (to the extent that the claim of the United States therefor is not otherwise satisfied), in such manner as may be specified by the Secretary, from any amounts otherwise due him or becoming due him at any time from any officer or agency of the United States or under any Federal program. Amounts collected under the preceding sentence shall be deposited in the Treasury as miscellaneous receipts.

"TREATMENT OF FAMILY ASSISTANCE BENEFITS AS INCOME FOR FOOD STAMP PURPOSES

"SEC. 465. Family assistance benefits paid under this title shall be taken into consideration for the purpose of determining the entitlement of any household to purchase food stamps, and the cost thereof, under the food stamp program conducted under the Food Stamp Act of 1964."

MANPOWER SERVICES, TRAINING, EMPLOYMENT, CHILD CARE, AND SUPPORTIVE SERVICES PROGRAMS

SEC. 102. Part C of title IV of the Social Security Act (42 U.S.C. 630 et seq.) is amended to read as follows:

"PART C—MANPOWER SERVICES, TRAINING, EMPLOYMENT, CHILD CARE AND SUPPORTIVE SERVICES PROGRAMS FOR RECIPIENTS OF FAMILY ASSISTANCE BENEFITS OR SUPPLEMENTARY PAYMENTS

"PURPOSE

"SEC. 430. The purpose of this part is to authorize provision, for individuals who are members of a family receiving benefits under part D or supplementary payments pursuant to part E, of manpower services, training, employment, child care, and related supportive services necessary to train such individuals, prepare them for employment, and otherwise assist them in securing and retaining regular employment and having the opportunity for advancement in employment, to the end that needy families with children will be restored to self-supporting, independent, and useful roles in their communities.

"OPERATION OF MANPOWER SERVICES, TRAINING, AND EMPLOYMENT PROGRAMS

"SEC. 431. (a) The Secretary of Labor shall, for each person registered pursuant to part D, in accordance with priorities prescribed by him, develop or assure the development of an employability plan describing the manpower services, training, and employment which the Secretary of Labor determines each person needs in order to enable him to become self-supporting and secure and retain employment and opportunities for advancement.

"(b) The Secretary of Labor shall, in accordance with the provisions of this part, establish and assure the provision of manpower services, training, and employment programs in each State for persons registered pursuant to part D or receiving supplementary payments pursuant to part E.

"(c) The Secretary of Labor shall, through such programs, provide or assure the provision of manpower services, training, and employment and opportunities necessary to prepare such persons for and place them in regular employment, including—

"(1) any of such services, training, employment, and opportunities which the Secretary of Labor is authorized to provide under any other Act;

"(2) counseling, testing, coaching, program orientation, institutional and on-the-job training, work experience, upgrading, job development, job placement, and follow up services required to assist in securing and retaining employment and opportunities for advancement;

"(3) relocation assistance (including grants, loans, and the furnishing of such services as will aid an involuntarily unemployed individual who desires to relocate to do so in an area where there is assurance of regular suitable employment, offered through the public employment offices of the State in such area, which will lead to the earning of income sufficient to make such individual and his family ineligible for benefits under part D and supplementary payments under part E); and

"(4) specal work projects.

"(d)(1) For purposes of subsection (c)(4), a 'special work project' is a project (meeting the requirements of this subsection) which consists of the performance of work in the public interest through grants to or contracts with public or nonprofit private agencies or organizations.

"(2) No wage rates provided under any special work project shall be lower than the applicable minimum wage for the particular work concerned.

"(3) Before entering into any special work project under a program established as provided in subsection (b), the Secretary of Labor shall have reasonable assurances that—

"(A) appropriate standards for the health, safety, and other conditions applicable to the performance of work and training on such projects are established and will be maintained,

"(B) such project will not result in the displacement of employed workers,

"(C) with respect to such project the conditions of work, training, education, and employment are reasonable in the light of such factors as the type of work, geographical region, and proficiency of the participant,

"(D) appropriate workmen's compensation protection is provided to all participants, and

"(E) such project will improve the employability of the participants.

"(4) With respect to individuals who are participants in special work projects under programs established as provided in subsection (b), the Secretary of Labor shall periodically (at least once every six months) review the employment record of each such individual while on the special work project and on the basis of such record and such other information as he may acquire determine whether it would be feasible to place such individual in regular employment or in on-the-job, institutional, or other training.

"ALLOWANCES FOR INDIVIDUALS UNDERGOING TRAINING

"SEC. 432. (a)(1) The Secretary of Labor shall pay to each individual who is a member of a family and is participating in manpower training under this part an incentive allowance of $30 per month. If one or more members of a family are receiving training for which training allowances are payable under section 203 of the Manpower Development and Training Act and meet the other reqirements under such section (except subsection (l)(1) thereof) for the receipt of allowances which would be in excess of the sum of the family assistance benefit under part D and supplementary payments pursuant to part E payable with respect to such month to the family, the total of the incentive allowances per month under this section for such members shall be equal to the greater of (1) the amount of such excess or, if lower, the amount of the excess of the training allowances which would be payable under such section 203 as in effect on March 1, 1970, over the sum of such family assistance benefit and such supplementary payments, and (2) $30 for each such member.

"(2) The Secretary of Labor shall, in accordance with regulations, also pay, to any member of a family participating in manpower training under this part, allowances for transportation and other costs to him which are necessary to and directly related to his participation in training.

"(3) The Secretary of Labor shall by regulation provide for such smaller allowances under this subsection as he deems appropriate for individuals in Puerto Rico, the Virgin Islands, and Guam.

"(b) Allowances under this section shall be in lieu of allowances provided for participants in manpower training programs under any other Act.

"(c) Subsection (a) shall not apply to any member of a family who is participating in a program of the Secretary of Labor providing public or private employer compensated on-the-job training.

"UTILIZATION OF OTHER PROGRAMS

"SEC. 433. In providing the manpower training and employment services and opportunities required by this part the Secretary of Labor, to the maximum extent feasible, shall assure that such services and opportunities are provided in such manner, through such means, and using all authority available to him under any other Act (and subject to all duties and responsibilities thereunder) as will further the establishment of an integrated and comprehensive manpower training program involving all sectors of the economy and all levels of government and as will make maximum use of existing manpower and manpower related programs and agencies. To such end the Secretary of Labor may use the funds appropriated to him under this part to provide the programs required by this part through such other Act, to the same extent and under the same conditions as if appropriated under such other Act and in making use of the programs of other Federal, State, or local agencies, public or private, the Secretary may reimburse such agencies for services rendered to persons under this part to the extent such services and opportunities are not otherwise available on a nonreimbursable basis.

"RULES AND REGULATIONS

"SEC. 434. The Secretary of Labor may issue such rules and regulations as he finds necessary to carry out his responsibilities under this part.

"APPROPRIATIONS; NONFEDERAL SHARE

"SEC. 435. (a) There is authorized to be appropriated to the Secretary of Labor for each fiscal year a sum sufficient for carrying out the purposes of this part (other than sections 436 and 437), including payment of not to exceed 90 per centum of the cost of manpower services, training, and employment and opportunities provided for individuals registered pursuant to section 447. The Secretary of Labor shall establish criteria to achieve an equitable apportionment among the States of Federal expenditures for carrying out the programs authorized by section 431. In developing these criteria the Secretary of Labor shall consider the number of registrations under section 447 and other relevant factors.

"(b) If a non-Federal contribution of 10 per centum of the cost specified in subsection (a) is not made in any State (as required by section 402(a)(13)), the Secretary of Health, Education, and Welfare may withhold any action under section 404 on account thereof and if he does so he shall instead, after reasonable notice and opportunity for hearing to the appropriate State agency or agencies, withhold any payments to be made to the State under sections 403(a), 453, 1604, and 1903(a) until the amount so withheld (including any amounts contributed by the State pursuant to the requirement in section 402(a)(13)) equals 10 per centum of such costs. Such withholding shall remain in effect until such time as the Secretary of Labor has assurances from the State that such 10 per centum will be contributed as required by section 402(a)(13). Amounts so withheld shall be deemed to have been paid to the State under such sections and shall be paid by the Secretary of Health, Education, and Welfare to the Secretary of Labor.

"CHILD CARE

"SEC. 436. (a)(1) For the purpose of assuring that individuals receiving benefits under part D or supplementary payments pursuant to part E will not be prevented from participating in training or employment by the unavailability of appropriate child care, there are authorized to be appropriated for each fiscal year such sums as may be necessary to enable the Secretary of Health, Education, and Welfare to make grants to any public or nonprofit private agency or organization, and contracts with any public or private agency or organization, for part or all of the cost of projects for the provision of child care, including necessary transportation and alteration, remodeling, and renovation of facilities, which may be necessary or appropriate in order to better enable an individual who has been registered pursuant to part D or is receiving supplementary payments pursuant to part E to undertake or continue manpower training or employment under this part, or to enable an individual who has been referred pursuant to section 447(d) to participate in vocational rehabilitation, or to enable a member of a family which is or has been (within such period of time as the Secretary may prescribe) eligible for benefits under such part D or payments pursuant to such part E to undertake or continue manpower training or employment under this part; or, with respect to the period prior to the date when part D becomes effective for a State, to better enable an individual who is receiving aid to families with dependent children, or whose needs are taken into account in determining the need of any one claiming or receiving such aid, to participate in manpower training or employment.

"(2) Such grants or contracts for the provision of child care in any area may be made directly, or through grants to any public or nonprofit private agency which is designated by the appropriate elected or appointed official or officials in such area and which demonstrates a capacity to work effectively with the manpower agency in such area (including provision for the stationing of personnel with the manpower team in appropriate cases). To the extent appropriate, such care for children attending school which is provided on a group or institutional basis shall be provided through arrangements with the appropriate local educational agency.

"(3) Such projects shall provide for various types of child care needed in the light of the different circumstances and needs of the children involved.

"(b) Such sums shall also be available to enable the Secretary of Health, Education, and Welfare to make grants to any public or nonprofit private agency or organization, and contracts with any public or private agency or organization, for evaluation, training of personnel, technical assistance, or research or demonstration projects to determine more effective methods of providing any such care.

"(c) The Secretary of Health, Education, and Welfare may provide, in any case in which a family is able to pay for part or all of the cost of child care provided under a project assisted under this section, for payment by the family of such fees for the care as may be reasonable in the light of such ability.

"SUPPORTIVE SERVICES

"SEC. 437. (a) No payments shall be made to any State under title V, XVI, or XIX, or part A or B of this title, with respect to expenditures for any calendar quarter beginning on or after the date part D becomes effective with respect to such State, unless it has in effect an agreement with the Secretary of Health, Education, and Welfare under which it will provide health, vocational rehabilitation, counseling, social, and other supportive services which the Secretary under regulations determines to be necessary to permit an individual who has been registered pursuant to part D or is receiving supplementary payments pursuant to part E to undertake or continue manpower training and employment under this part.

"(b) Services under such an agreement shall be provided in close cooperation with manpower training and employment services provided under this part.

"(e) The Secretary of Health, Education, and Welfare shall from time to time, in such installments and on such conditions as he deems appropriate, pay to any State with which he has an agreement pursuant to subsection (a) up to 90 per centum of the cost of such State of carrying out such agreement. There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out this section.

"ADVANCE FUNDING

"SEC. 438. (a) For the purpose of affording adequate notice of funding available under this part, appropriations for grants, contracts, or other payments with respect to individuals registered pursuant to section 447 are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation.

"(b) In order to effect a transition to the advance funding method of timing appropriation action, subsection (a) shall apply notwithstanding that its initial application will result in enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

"EVALUATION AND RESEARCH; REPORTS TO CONGRESS

"SEC. 439. (a)(1) The Secretary shall (jointly with the Secretary of Health, Education, and Welfare) provide for the continuing evaluation of the manpower training and employment programs provided under this part, including their effectiveness in achieving stated goals and their impact on other related programs. The Secretary may conduct research regarding, and demonstrations of, ways to improve the effectiveness of the manpower training and employment programs so provided and may also conduct demonstrations of improved training techniques for upgrading the skills of the working poor. The Secretary may, for these purposes, contract for independent evaluations of and research regarding such programs or individual projects under such programs, and establish a data collection, processing, and retrieval system.

"(2) There are authorized to be appropriated such sums, not exceeding $15,000,000 for any fiscal year, as may be necessary to carry out paragraph (1).

"(b) On or before September 1 following each fiscal year in which part D is effective with respect to any State—

"(1) the Secretary shall report to the Congress on the manpower training and employment programs provided under this part in such fiscal year, and

"(2) the Secretary of Health, Education, and Welfare shall report to the Congress on the child care and supportive services provided under this part in such fiscal year."

CONFORMING AMENDMENTS RELATING TO ASSISTANCE FOR NEEDY FAMILIES WITH CHILDREN

SEC. 103. (a) Section 401 of the Social Security Act (42 U.S.C. 601) is amended—

(1) by striking out "financial assistance and" in the first sentence; and

(2) by striking out "aid and" in the second sentence.

(b)(1) Subsection (a) of section 402 of such Act (42 U.S.C. 602) is amended—

(A) by striking out "aid and" in the matter preceding clause (1);

(B) by inserting, before "provide" at the beginning of clause (1), "except to the extent permitted by the Secretary,";

(C) by striking out clause (4);

(D) (i) by striking out "recipients and other persons" in clause (5) (B) and inserting in lieu thereof "persons", and

(ii) by striking out "providing services to applicants and recipients" in such clause and inserting in lieu thereof "providing services under the plan";

(E) by striking out clauses (7) and (8);

(F) by striking out "aid to families with dependent children" in clause (9) and inserting in lieu thereof "the plan";

(G) by striking out clauses (10), (11), and (12);

(H) (i) by striking out "section 406(d)" in clause (14) and inserting in lieu thereof "section 405(c)",

(ii) by striking out "for each child and relative who receives aid to families with dependent children, and each appropriate individual (living in the same home as a relative and child receiving such aid whose needs are taken into account in making the determination under clause (7))" in such clause and inserting in lieu thereof "for each member of a family receiving assistance to needy families with children, each appropriate individual (living in the same home as such family) whose needs would be taken into acount in determining the need of any such member under the State plan (approved under this part) as in effect prior to the enactment of part D, and each individual who would have been eligible to receive aid to families with dependent children under such plan", and

(iii) by striking out "such child, relative, and individual" each place it appears in such clause and inserting in lieu thereof "such member or individual";

(I) by striking out clause (15) and inserting in lieu thereof the following: "(15) (A) provide for the development of a program, for appropriate members of such families and such other individuals, for preventing or reducing the incidence of births out of wedlock and otherwise strengthening family life, and for implementing such program by assuring that in all appropriate cases family planning services are offered to them, but acceptance of family planning services provided under the plan shall be voluntary on the part of such members and individuals and shall not be a prerequisite to eligibility for or the receipt of any other service under the plan; and (B) to the extent that services provided under this clause or clause (8) are furnished by the staff of the State agency or the local agency administering the State plan in each of the political subdivisions of the State, for the establishment of a single organizational unit in such State or local agency, as the case may be, responsible for the furnishing of such services;"

(J) by striking out "aid" in clause (16) and inserting in lieu thereof "assistance to needy families with children";

(K) (i) by striking out "aid to families with dependent children" in clause (17) (A) (i) and inserting in lieu thereof "assistance to needy families with children",

(ii) by striking out "aid" in clause (17) (A) (ii) and inserting in lieu thereof "assistance", and

(iii) by striking out "and" at the end of clause (i), and adding after clause (ii) the following new clause:

"(iii) in the case of any parent (of a child referred to in clause (ii)) receiving such assistance who has been deserted or abandoned by his or her spouse, to secure support for such parent from such spouse (or from any other person legally liable for such support), utilizing any reciprocal arrangements adopted with other States to obtain or enforce court orders for support, and";

(L) by striking out "clause (17)(A)" in clause (18) and inserting in lieu thereof "clause (11)(A)";

(M) by striking out clause (19) and inserting in lieu thereof the following: "(19) provide for arrangements to assure that there will be made a non-Federal contribution to the cost of manpower services, training, and employment and opportunities provided for individuals registered pursuant to section 447, in cash or kind, equal to 10 per centum of such cost;";

(N) by striking out "aid to families with dependent children in the form of foster care in accordance with section 408" in clause (20) and inserting in lieu thereof "payments for foster care in accordance with section 406";

(O)(i) by striking out "of each parent of a dependent child or children with respect to whom aid is being provided under the State plan" in clause (21)(A) and inserting in lieu thereof "of each person who is the parent of a child or children with respect to whom assistance to needy families with children or foster care is being provided or is the spouse of the parent of such a child or children",

(ii) by striking out "such child or children" in clause (21)(A)(i) and inserting in lieu thereof "such child or children or such parent",

(iii) by striking out "such parent" each place it appears in clause (21)(B) and inserting in lieu thereof "such person", and

(iv) by striking out "section 410;" in clause (21)(C) and inserting in lieu thereof "section 408; and";

(P)(i) by striking out "a parent" each place it appears in clause (22) and inserting in lieu thereof "a person",

(ii) by striking out "a child or children of such parent" each place it appears in such clause and inserting in lieu thereof "the spouse or a child or children of such person",

(iii) by striking out "against such parent" in such clause and inserting in lieu thereof "against such person", and

(iv) by striking out "aid is being provided under the plan of such other State" each place it appears in such clause and inserting in lieu thereof "assistance to needy families with children or foster care payments are being provided in such other State"; and

(Q) by striking out "; and (23)" and all that follows and inserting in lieu thereof a period.

(2) Clauses (5), (6), (9), (13), (14), (15), (16), (17), (18), (19), (20), (21), and (22) of section 402(a) of such Act, as amended by paragraph (1) of this subsection, are redesignated as clauses (4) through (16), respectively.

(c) Section 402(b) of such Act is amended to read as follows:

"(b) The Secretary shall approve any plan which fulfills the conditions specified in subsection (a), except that he shall not approve any plan which imposes, as a condition of eligibility for services under it, any residence requirement which denies services or foster care payments with respect to any individual residing in the State."

(d) Section 402 of such Act is further amended by striking out subsection (c).

(e)(1) Subsection (a) of section 403 of such Act (42 U.S.C. 603) is amended—

(A) by striking out "aid and services" and inserting in lieu thereof "services" in the matter preceding paragraph (1);

(B) by striking out paragraph (1) and inserting in lieu thereof the following:

"(1) an amount equal to the sum of the following proportions of the total amounts expended during such quarter as payments for foster care in accordance with section 406—

"(A) five-sixths of such expenditures, not counting so much of any expenditures with respect to any month as exceeds the product of $18 multiplied by the number of children receiving such foster care in such month; plus

"(B) the Federal percentage of the amount by which such expenditures exceed the maximum which may be counted under subparagraph (A), not counting so much of any expenditures with respect to any month as exceeds the product of $100 multiplied by the number of children receiving such foster care for such month;";

(C) by striking out paragraph (2);

(D)(i) by striking out "in the case of any State," in the matter preceding subparagraph (A) in paragraph (3),

(ii) by striking out "or relative who is receiving aid under the plan, or to any other individual (living in the same home as such relative and child) whose needs are taken into account in making the determination under clause (7) of such section" in clause (i) of subparagraph (A) of such paragraph and inserting in lieu thereof "receiving foster care or any member of a family receiving assistance to needy families with children or to any other individual (living in the same home as such family) whose needs would be taken into account in determining the need of any such member under the State plan approved under this part as in effect prior to the enactment of part D",

(iii) by striking out "child or relative who is applying for aid to families with dependent children or" in clause (ii) of subparagraph (A) of such paragraph and inserting in lieu thereof "member of a family",

(iv) by striking out "likely to become an applicant for or recipient of such aid" in clause (ii) of subparagraph (A) of such paragraph and inserting in lieu thereof "likely to become eligible to receive such assistance", and

(v) by striking out "(14) and (15)" each place it appears in subparagraph (A) of such paragraph and inserting in lieu thereof "(8) and (9)";

(E) by striking out all that follows "permitted" in the last sentence of such paragraph and inserting in lieu thereof "by the Secretary; and";

(F) by striking out "in the case of any State," in the matter preceding subparagraph (A) in paragraph (5);

(G) by striking out "section 406(e)" each place it appears in paragraph (5) and inserting in lieu thereof "section 405(d)"; and

(H) by striking out the sentences following paragraph (5).

(2) Paragraphs (3) and (5) of section 403(a) of such Act, as amended by paragraph (1) of this subsection, are redesignated as paragraphs (2) and (3), respectively.

(f) Section 403(b) of such Act is amended—

(1) by striking out "(B) records showing the number of dependent children in the State, and (C)" in paragraph (1) and inserting in lieu thereof "and (B)"; and

(2) by striking out "(A)" in paragraph (2), and by striking out ", and (B)" and all that follows in such paragraph and inserting in lieu thereof a period.

(g) Section 404 of such Act (42 U.S.C. 604) is amended—

(1) by striking out "(a) In the case of any State plan for aid and services" and inserting in lieu thereof "In the case of any State plan for services"; and

(2) by striking out subsection (b).

(h) Section 405 of such Act (42 U.S.C. 605) is repealed.

(i) Section 406 of such Act (42 U.S.C. 606) is redesignated as section 405, and as so redesignated is amended—

(1) by striking out subsections (a) and (b) and inserting in lieu thereof the following:

"(a) The term 'child' means a child as defined in section 445(b).

"(b) The term 'needy families with children' means families who are receiving family assistance benefits under part D and who (1) are receiving supplementary payments under part E, or (2) would be eligible to receive aid to families with dependent children, under a State plan (approved under this part) as in effect prior to the enactment of part D, if the State plan had continued in effect and if it included assistance to dependent children of unemployed fathers pursuant to section 407 as it was in effect prior to such enactment; and 'assistance to needy families with children' means family assistance benefits under such part D, paid to such families.";

(2) by striking out subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively;

(3)(A) by striking out "living with any of the relatives specified in subsection (a)(1) in a place of residence maintained by one or more of such relatives as his or their own home" in paragraph (1) of subsection (d) as so redesignated and inserting in lieu thereof "a member of a family (as defined in section 445(a))", and

(B) by striking out "because such child or relative refused" and inserting in lieu thereof "because such child or another member of such family refused".

(j) Section 407 of such Act (42 U.S.C. 607) is repealed.

(k) Section 408 of such Act (42 U.S.C. 608) is redesignated as section 406, and as so redesignated is amended—

(1) by striking out everything (including the heading) which precedes paragraph (1) of subsection (b) and inserting in lieu thereof the following:

"FOSTER CARE

"SEC. 406. For purposes of this part—

"(a) 'foster care' shall include only foster care which is provided in behalf of a child (1) who would, except for his removal from the home of a family as a result of a judicial determination to the effect that continuation therein would be contrary to his welfare, be a member of such family receiving assistance to needy families with children, (2) whose placement and care are the responsibility of (A) the State or local agency administering the State plan approved under section 402, or (B) any other public agency with whom the State agency administering or supervising the administration of such State plan has made an agreement which is still in effect and which includes provision for assuring development of a plan, satisfactory to such State agency, for such child as provided in paragraph (e)(1) and such other provisions as may be necessary to assure accomplishment of the objectives of the State plan approved under section 402, (3) who has been placed in a foster family home or child-care institution as a result of such determination, and (4) who (A) received assistance to needy families with children in or for the month in which court proceedings leading to such determination were initiated, or (B) would have received such assistance to needy families with children in or for such month if application had been made therefor, or (C) in the case of a child who had been a member of a family (as defined in section 445(a)) within six months prior to the month in which such proceedings were initiated, would have received such assistance in or for such month if in such month he had been a member of (and removed from the home of) such a family and application had been made therefor;

"(b) 'foster care' shall, however, include the care described in paragraph (a) only if it is provided—";

(2)(A) by striking out "'aid to families with dependent children'" in subsection (b)(2) and inserting in lieu thereof "foster care",

(B) by striking out "such foster care" in such subsection and inserting in lieu thereof "foster care", and

(C) by striking out the period at the end of such subsection and inserting in lieu thereof "; and";

(3) by striking out subsection (c) and redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively;

(4) by striking out "paragraph (f)(2)" and "section 403(a)(3)" in subsection (c) (as so redesignated) and inserting in lieu thereof "paragraph (e)(2)" and "section 403(a)(2)" respectively;

(5) by striking out "aid" in subsection (d) (as so redesignated) and inserting in lieu thereof "services";

(6) by striking out "relative specified in section 406(a)" in subsection (e)(1) (as so redesignated) and inserting in lieu thereof "family (as defined in section 445(a))"; and

(7) by striking out "522" and "part 3 of

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title V" in subsection (e)(2) (as so redesignated) and inserting in lieu thereof "422" and "part B of this title", respectively.

(l)(1) Section 409 of such Act (42 U.S.C. 609) is repealed.

(m) Section 410 of such Act (42 U.S.C. 610) is redesignated as section 407; and subsection (a) of such section (as so redesignated) is amended by striking out "section 402(a)(21)" and inserting in lieu thereof "section 402(a)(15)".

(n)(1) Section 422(a)(1)(A) of such Act is amended by striking out "section 402(a)(15)" and inserting in lieu thereof "section 402(a)(9)".

(2) Section 422(a)(1)(B) of such Act is amended by striking out "provided for dependent children" and inserting in lieu thereof "provided with respect to needy families with children".

(o) References in any law, regulation, State plan, or other document to any provision of part A of title IV of the Social Security Act which is redesignated by this section shall (from and after the effective date of the amendments made by this Act) be considered to be references to such provision as so redesignated.

CHANGES IN HEADINGS

SEC. 104. (a) The heading of title IV of the Social Security Act (42 U.S.C. 601, et seq.) is amended to read as follows:

"TITLE IV—FAMILY ASSISTANCE BENEFITS, STATE SUPPLEMENTARY PAYMENTS, WORK INCENTIVE PROGRAMS, AND GRANTS TO STATES FOR FAMILY AND CHILD WELFARE SERVICES".

(b) The heading of part A of such title IV is amended to read as follows:

"PART A—SERVICES TO NEEDY FAMILIES WITH CHILDREN".

TITLE II—AID TO THE AGED, BLIND, AND DISABLED

GRANTS TO STATES FOR AID TO THE AGED, BLIND, AND DISABLED

SEC. 201. Title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) is amended to read as follows:

"TITLE XVI—GRANTS TO STATES FOR AID TO THE AGED, BLIND AND DISABLED

"APPROPRIATIONS

"SEC. 1601. For the purpose of enabling each State to furnish financial assistance to needy individuals who are sixty-five years of age or over, blind, or disabled and for the purpose of encouraging each State to furnish rehabilitation and other services to help such individuals attain or retain capability for self-support or self-care, there are authorized to be appropriated for each fiscal year sums sufficient to carry out these purposes. The sums made available under this section shall be used for making payments to States having State plans approved under section 1602.

"STATE PLANS FOR FINANCIAL ASSISTANCE AND SERVICES TO THE AGED, BLIND, AND DISABLED

"SEC. 1602. (a) A State plan for aid to the aged, blind, and disabled must—

"(1) provide for the establishment or designation of a single State agency to administer or supervise the administration of the State plan;

"(2) provide such methods of administration as are found by the Secretary to be necessary for the proper and efficient operation of the plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (but the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of individuals employed in accordance with such methods);

"(3) provide for the training and effective use of social service personnel in the administration of the plan, for the furnishing of technical assistance to units of State government and of political subdivisions which are furnishing financial assistance or services to the aged, blind, and disabled, and for the development through research or demonstration projects of new or improved methods of furnishing assistance or services to the aged, blind, and disabled;

"(4) provide for the training and effective use of paid subprofessional staff (with particular emphasis on the full-time or part-time employment of recipients and other persons of low income as community service aides) in the administration of the plan and for the use of non-paid or partially paid volunteers in a social service volunteer program in providing services to applicants and recipients and in assisting any advisory committees established by the State agency;

"(5) provide that all individuals wishing to make application for aid under the plan shall have opportunity to do so and that such aid shall be furnished with reasonable promptness with respect to all eligible individuals;

"(6) provide for the use of a simplified statement, conforming to standards prescribed by the Secretary, to establish eligibility, and for adequate and effective methods of verification of eligibility of applicants and recipients through the use, in accordance with regulations prescribed by the Secretary, of sampling and other scientific techniques;

"(7) provide that, except to the extent permitted by the Secretary with respect to services, the State plan shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them;

"(8) provide for financial participation by the State;

"(9) provide that, in determining whether an individual is blind, there shall be an examination by a physician skilled in the diseases of the eye or by an optometrist, whichever the individual may select;

"(10) provide for granting an opportunity for a fair hearing before the State agency to any individual whose claim for aid under the plan is denied or is not acted upon with reasonable promptness;

"(11) provide for periodic evaluation of the operations of the State plan, not less often than annually, in accordance with standards prescribed by the Secretary, and the furnishing of annual reports of such evaluations to the Secretary together with any necessary modifications of the State plan resulting from such evaluations;

"(12) provide that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports;

"(13) provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of the plan;

"(14) provide, if the plan includes aid to or on behalf of individuals in private or public institutions, for the establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards for such institutions;

"(15) provide a description of the services which the State makes available to applicants for or recipients of aid under the plan to help them attain self-support or self-care, including a description of the steps taken to assure, in the provision of such services, maximum utilization of all available services that are similar or related; and

"(16) assure that, in administering the State plan and providing services thereunder, the State will observe priorities established by the Secretary and comply with such performance standards as the Secretary may, from time to time, establish.

Notwithstanding, paragraph (1), if on January 1, 1962, and on the date on which a State submits (or submitted) its plan for approval under this title, the State agency which administered or supervised the administration of the plan of such State approved under title X was different from the State agency which administered or supervised the administration of the plan of such State approved under title I and the State agency which administered or supervised the administration of the plan of such State approved under title XIV, then the State agency which administered or supervised the administration of such plan approved under title X may be designated to administer or supervise the administration of the portion of the State plan for the aged, blind, and disabled which relates to blind individuals and a separate State agency may be established or designated to administer or supervise the administration of the rest of such plan; and in such case the part of the plan which each such agency administers, or the administration of which each such agency supervises, shall be regarded as a separate plan for purposes of this title.

"(b) The Secretary shall approve any plan which fulfills the conditions specified in subsection (a) and in section 1603, except that he shall not approve any plan which imposes, as a condition of eligibility for aid under the plan—

"(1) an age requirement of more than sixty-five years;

"(2) any residency requirement which excludes any individual who resides in the State;

"(3) any citizenship requirement which excludes any citizen of the United States, or any alien lawfully admitted for permanent residence who has resided in the United States continuously during the five years immediately preceding his application for such aid;

"(4) any disability or age requirement which excludes any person under a severe disability, as determined in accordance with criteria prescribed by the Secretary, who are eighteen years of age or older, or

"(5) any blindness or age requirement which excludes any persons who are blind as determined in accordance with criteria prescribed by the Secretary.

In the case of any State to which the provisions of section 344 of the Social Security Act Amendments of 1950 were applicable on January 1, 1962, and to which the sentence of section 1002(b) following paragraph (2) thereof is applicable on the date on which its State plan was or is submitted for approval under this title, the Secretary shall approve the plan of such State for aid to the aged, blind, and disabled for purposes of this title, even though it does not meet the requirements of section 1603(a), if it meets all other requirements of this title for an approved plan for aid to the aged, blind, and disabled; but payments to the State under this title shall be made, in the case of any such plan, only with respect to expenditures thereunder which would be included as expenditures for the purposes of this title under a plan approved under this section without regard to the provisions of this sentence.

"DETERMINATION OF NEED

"SEC. 1603. (a) A State plan must provide that, in determining the need for aid under the plan, the State agency shall take into consideration any other income or resources of the individual claiming such aid as well as any expenses reasonably attributable to the earning of any such income; except that, in making such determination with respect to any individual—

"(1) the State agency shall not consider as resources (A) the home, household goods, and personal effects of the individual, (B)

XUM

other personal or real property, the total value of which does not exceed $1,500, or (C) other property which, as determined in accordance with and subject to limitations in regulations of the Secretary, is so essential to the family's means of self-support as to warrant its exclusion, but shall apply the provisions of section 442(d) and regulations thereunder;

"(2) the State agency may not consider the financial responsibility of any individual for any applicant or recipient unless the applicant or recipient is the individual's spouse, or the individual's child who is under the age of twenty-one or is blind or severely disabled;

"(3) if such individual is blind, the State agency (A) shall disregard the first $85 per month of earned income plus one-half of earned income in excess of $85 per month, and (B) shall, for a period not in excess of twelve months, and may, for a period not in excess of thirty-six months, disregard such additional amounts of other income and resources, in the case of any such individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan;

"(4) if such individual is not blind but is severely disabled, the State agency (A) shall disregard the first $85 per month of earned income plus one-half of earned income in excess of $85 per month, and (B) shall, for a period not in excess of twelve months, and may, for a period not in excess of thirty-six months, disregard such additional amounts of other income and resources, in the case of any such individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of the plan, but only with respect to the part or parts of such period during substantially all of which he is undergoing vocational rehabilitation;

"(5) if such individual has attained age sixty-five and is neither blind nor severely disabled, the State agency may disregard not more than the first $60 per month of earned income plus one-half of the remainder thereof; and

"(6) the State agency may, before disregarding any amounts under the preceding paragraphs of this subsection, disregard not more than $7.50 of any income.

For requirement of additional disregarding of income of OASDI recipients in determining need for aid under the plan, see section 1007 of the Social Security Amendments of 1969.

"(b) A State plan must also provide that—

"(1) each eligible individual, other than one who is a patient in a medical institution or is receiving institutional services in an intermediate care facility to which section 1121 applies, shall receive financial assistance in such amount as, when added to his income which is not disregarded pursuant to subsection (a), will provide a minimum of $110 per month;

"(2) the standard of need applied for determining eligibility for and amount of aid to the aged, blind, and disabled shall not be lower than (A) the standard applied for this purpose under the State plan (approved under this title) as in effect on the date of enactment of part D of title IV of this Act, or (B) if there was no such plan in effect for such State on such date, the standard of need which was applicable under—

"(i) the State plan which was in effect on such date and was approved under title I, in the case of any individual who is sixty-five years of age or older,

"(ii) the State plan in effect on such date and approved under title X, in the case of an individual who is blind, or

"(iii) the State plan in effect on such date and approved under title XIV, in the case of an individual who is severely disabled,

except that if two or more of clauses (i), (ii), and (iii) are applicable to an individual, the standard of need applied with respect to such individual may not be lower than the higher (or highest) of the standards under the applicable plans, and except that if none of such clauses is applicable to an individual, the standard of need applied with respect to such individual may not be lower than the higher (or highest) of the standards under the State plans approved under titles I, X, and XIV which were in effect on such date; and

"(3) no aid will be furnished to any individual under the State plan for any period with respect to which he is considered a member of a family receiving family assistance benefits under part D of title IV or supplementary payments pursuant to part E thereof, or training allowances under part C thereof, for purposes of determining the amount of such benefits, payments, or allowances (but this paragraph shall not apply to any individual, otherwise considered a member of such a family, if he elects in such manner and form as the Secretary may prescribe not to be considered a member of such a family).

"(c) For special provisions applicable to Puerto Rico, the Virgin Islands, and Guam, see section 1108(e).

"PAYMENTS TO STATES FOR AID TO THE AGED, BLIND, AND DISABLED

"SEC. 1604. From the sums appropriated therefor, the Secretary shall pay to each State which has a plan approved under this title, for each calendar quarter, an amount equal to the sum of the following proportions of the total amounts expended during each month of such quarter as aid to the aged, blind, and disabled under the State plan—

"(1) 90 per centum of such expenditures, not counting so much of any expenditures as exceeds the product of $65 multiplied by the total number of recipients of such aid for such month; plus

"(2) 25 per centum of the amount by which such expenditures exceed the maximum which may be counted under paragraph (1), not counting so much of any expenditures with respect to such month as exceeds the product of the amount which, as determined by the Secretary, is the maximum permissible level of assistance per person in which the Federal Government will participate financially, multiplied by the total number of recipients of such aid for such month.

In the case of any individual in Puerto Rico, the Virgin Islands, or Guam, the maximum permissible level of assistance under paragraph (2) may be lower than in the case of individuals in the other States. For other special provisions applicable to Puerto Rico, the Virgin Islands, and Guam, see section 1108(e).

"ALTERNATE PROVISION FOR DIRECT FEDERAL PAYMENTS TO INDIVIDUALS

"SEC. 1605. The Secretary may enter into an agreement with a State under which he will, on behalf of the State, pay aid to the aged, blind, and disabled directly to individuals in the State under the State's plan approved under this title and perform such other functions of the State in connection with such payments as may be agreed upon. In such case payments shall not be made as provided in section 1604 and the agreement shall also provide for payment to the Secretary by the State of its share of such aid (adjusted to reflect the State's share of any overpayments recovered under section 1606).

"OVERPAYMENTS AND UNDERPAYMENTS

"SEC. 1606. Whenever the Secretary finds that more or less than the correct amount of payment has been made to any person as a direct Federal payment pursuant to section 1605, proper adjustment or recovery shall, subject to the succeeding provisions of this section, be made by appropriate adjustments in future payments of the overpaid individual or by recovery from him or his estate or payment to him. The Secretary shall make such provision as he finds appropriate in the case of payment of more than the correct amount of benefits with a view to avoiding penalizing individuals who were without fault in connection with the overpayment, if adjustment or recovery on account of such overpayment in such case would defeat the purposes of this title, or be against equity or good conscience, or (because of the small amount involved) impede efficient or effective administration.

"OPERATION OF STATE PLANS

"SEC. 1607. If the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of the State plan approved under this title, finds—

"(1) that the plan no longer complies with the provisions of sections 1602 and 1603; or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provision; the Secretary shall notify such State agency that all, or such portion as he deems appropriate, of any further payments will not be made to the State or individuals within the State under this title (or, in his discretion, that payments will be limited to categories under or parts of the State plan not affected by such failure), until the Secretary is satisfied that there will no longer be any such failure to comply. Until he is so satisfied he shall make no such further payments to the State or individuals in the State under this title (or shall limit payments to categories under or parts of the State plan not affected by such failure).

"PAYMENTS TO STATES FOR SERVICES AND ADMINISTRATION

"SEC. 1608. (a) If the State plan of a State approved under section 1602 provides that the State agency will make available to applicants for or recipients of aid to the aged, blind, and disabled under the State plan at least those services to help them attain or retain capability for self-support or self-care which are prescribed by the Secretary, such State shall qualify for payments for services under subsection (b) of this section.

"(b) In the case of any State whose State plan approved under section 1602 meets the requirements of subsection (a), the Secretary shall pay to the State from the sums appropriated therefor an amount equal to the sum of the following proportions of the total amounts expended during each quarter, as found necessary by the Secretary for the proper and efficient administration of the State plan—

"(1) 75 per centum of so much of such expenditures as are for—

"(A) services which are prescribed pursuant to subsection (a) and are provided (in accordance with subsection (c)) to applicants for or recipients of aid under the plan to help them attain or retain capability for self-support or self-care, or

"(B) other services, specified by the Secretary as likely to prevent or reduce dependency, so provided to the applicants for or recipients of aid, or

"(C) any of the services prescribed pursuant to the subsection (a), and any of the services specified in subparagraph (B) of this paragraph, which the Secretary may specify as appropriate for individuals who, within such period or periods as the Secretary may prescribe, have been or are likely to become applicants for or recipients of aid under the plan, if such services are requested by the individuals and are provided to them in accordance with subsection (c), or

"(D) the training of personnel employed or preparing for employment by the State agency or by the local agency administering the plan in the political subdivision; plus

"(2) one-half of so much of such expenditures (not included under paragraph (1)) as are for services provided (in accordance with subsection (c)) to applicants for or

XUM

recipients of aid under the plan, and to individuals requesting such services who (within such period or periods as the Secretary may prescribe) have been or are likely to become applicants for or recipients of such aid; plus

"(3) one-half of the remainder of such expenditures.

"(c) The services referred to in paragraphs (1) and (2) of subsection (b) shall, except to the extent specified by the Secretary, include only—

"(1) services provided by the staff of the State agency, or the local agency administering the State plan in the political subdivision (but no funds authorized under this title shall be available for services defined as vocational rehabilitation services under the Vocational Rehabilitation Act (A) which are available to individuals in need of them under programs for their rehabilitation carried on under a State plan approved under that Act, or (B) which the State agency or agencies administering or supervising the administration of the State plan approved under that Act are able and willing to provide if reimbursed for the cost thereof pursuant to agreement under paragraph (2), if provided by such staff), and

"(2) subject to limitations prescribed by the Secretary, services which in the judgment of the State agency cannot be as economically or as effectively provided by the staff of that State or local agency and are not otherwise reasonably available to individuals in need of them, and which are provided, pursuant to agreement with the State agency, by the State health authority or the State agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services approved under the Vocational Rehabilitation Act or by any other State agency which the Secretary may determine to be appropriate (whether provided by its staff or by contract with public (local) or nonprofit private agencies).

Services described in clause (B) of paragraph (1) may be provided only pursuant to agreement with the State agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services approved under the Vocational Rehabilitation Act.

"(d) The portion of the amount expended for administration of the State plan to which paragraph (1) of subsection (b) applies and the portion thereof to which paragraphs (2) and (3) of subsection (b) apply shall be determined in accordance with such methods and procedures as may be permitted by the Secretary.

"(e) In the case of any State whose plan approved under section 1602 does not meet the requirements of subsection (a) of this section, there shall be paid to the State, in lieu of the amount provided for under subsection (b), an amount equal to one-half the total of the sums expended during each quarter as found necessary by the Secretary for the proper and efficient administration of the State plan, including services referred to in subsections (b) and (c) and provided in accordance with the provisions of those subsections.

"(f) In the case of any State whose State plan included a provision meeting the requirements of subsection (a), but with respect to which the Secretary finds, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of the plan, that—

"(1) the provision no longer complies with the requirements of subsection (a), or

"(2) in the administration of the plan there is a failure to comply substantially with such provision,

the Secretary shall notify the State agency that all, or such portion as he deems appropriate, of any further payments will not be made to the State under subsection (b) until he is satisfied that there will no longer be any such failure to comply. Until the Secretary is so satisfied, no such further payments with respect to the administration of and services under the State plan shall be made, but, instead, such payments shall be made, subject to the other provisions of this title, under subsection (e).

"COMPUTATION OF PAYMENTS TO STATES

"SEC. 1609. (a)(1) Prior to the beginning of each quarter, the Secretary shall estimate the amount to which a State will be entitled under sections 1604 and 1608 for that quarter, such estimates to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in that quarter in accordance with the provisions of sections 1604 and 1608, and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in that quarter, and, if such amount is less than the State's proportionate share of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, and (B) such other investigation as the Secretary may find necessary.

"(2) The Secretary shall then pay in such installments as he may determine, the amount so estimated, reduced or increased to the extent of any overpayment or underpayment which the Secretary determines was made under this section to the State for any prior quarter and with respect to which adjustment has not already been made under this subsection.

"(b) The pro rata share to which the United States is equitably entitled, as determined by the Secretary, of the net amount recovered during any quarter by a State or political subdivision thereof with respect to aid furnished under the State plan, but excluding any amount of such aid recovered from the estate of a deceased recipient which is not in excess of the amount expended by the State or any political subdivision thereof for the funeral expenses of the deceased, shall be considered an overpayment to be adjusted under subsection (a)(2).

"(c) Upon the making of any estimate by the Secretary under this section, any appropriations available for payments under this title shall be deemed obligated.

"DEFINITION

"SEC. 1610. For purposes of this title, the term 'aid to the aged, blind, and disabled' means money payments to needy individuals who are 65 years of age or older, are blind, or are severely disabled, but such term does not include—

"(1) any such payments to any individual who is an inmate of a public institution (except as a patient in a medical institution); or

"(2) any such payments to any individual who has not attained 65 years of age and who is a patient in an institution for tuberculosis or mental diseases.

Such term also includes payments which are not included within the meaning of such term under the preceding sentence, but which would be so included except that they are made on behalf of such a needy individual to another individual who (as determined in accordance with standards prescribed by the Secretary) is interested in or concerned with the welfare of such needy individual, but only with respect to a State whose State plan approved under section 1602 includes provision for—

"(A) determination by the State agency that the needy individual has, by reason of his physical or mental condition, such inability to manage funds that making payments to him would be contrary to his welfare and, therefore, it is necessary to provide such aid through payments described in this sentence;

"(B) making such payments only in cases in which the payment will, under the rules otherwise applicable under the State plan for determining need and the amount of aid to the aged, blind, and disabled to be paid (and in conjunction with other income and resources), meet all the need of the individuals with respect to whom such payments are made;

"(C) undertaking and continuing special efforts to protect the welfare of such individuals and to improve, to the extent possible, his capacity for self-care and to manage funds;

"(D) periodic review by the State agency of the determination under clause (A) to ascertain whether conditions justifying such determination still exist, with provision for termination of the payments if they do not and for seeking judicial appointment of a guardian, or other legal representative, as described in section 1111, if and when it appears that such action will best serve the interests of the needy individual; and

"(E) opportunity for a fair hearing before the State agency on the determination referred to in clause (A) for any individual with respect to whom it is made.

Whether an individual is blind or severely disabled shall be determined for purposes of this title in accordance with criteria prescribed by the Secretary."

REPEAL OF TITLES I, X, AND XIV OF THE SOCIAL SECURITY ACT

SEC. 202. Titles I, X, and XIV of the Social Security Act (42 U.S.C. 301 et seq., 1201 et seq., and 1351 et seq.) are hereby repealed.

ADDITIONAL DISREGARDING OF INCOME OF OASDI RECIPIENTS IN DETERMINING NEED FOR AID TO THE AGED, BLIND, AND DISABLED

SEC. 203. Section 1007 of the Social Security Amendments of 1969 is amended by striikng out "and before July 1970".

TRANSITION PROVISION RELATING TO OVERPAYMENTS AND UNDERPAYMENTS

SEC. 204. In the case of any State which has a State plan approved under title I, X, XIV, or XVI of the Social Security Act as in effect prior to the enactment of this section, any overpayment or underpayment which the Secretary determines was made to such State under section 3, 1003, 1403, or 1603 of such Act with respect to a period before the approval of a plan under title XVI as amended by this Act, and with respect to which adjustment has not already been made under subsection (b) of such section 3, 1003, 1403, or 1603, shall, for purposes of section 1609(a) of such Act as herein amended, be considered an overpayment or underpayment (as the case may be) made under title XVI of such Act as herein amended.

TRANSITION PROVISION RELATING TO DEFINITIONS OF BLINDNESS AND DISABILITY

SEC. 205. In the case of any State which has in operation a plan of aid to the blind under title X, aid to the permanently and totally disabled under title XIV, or aid to the aged, blind, or disabled under title XVI, of the Social Security Act as in effect prior to the enactment of this Act, the State plan of such State submitted under title XVI of such Act as amended by this Act shall not be denied approval thereunder, with respect to the period ending with the first July 1 which follows the close of the first regular session of the legislature of such State which begins after the enactment of this Act, by reason of its failure to include therein a test of disability or blindness different from that included in the State's plan (approved under such title X, XIV, or XVI of such Act) as in effect on the date of the enactment of this Act.

TITLE III—MISCELLANEOUS CONFORMING AMENDMENTS

AMENDMENT OF SECTION 228(D)

SEC. 301. Section 228(d)(1) of the Social Security Act is amended by striking out "I, X, XIV, or", and by striking out "part A" and inserting in lieu thereof "receives payments

XUM

with respect to such month pursuant to part D or E".

AMENDMENTS TO TITLE XI

SEC. 302. Title XI of the Social Security Act is amended—

(1) by striking out "I,", "X,", and "XIV," in section 1101(a)(1);

(2) by striking out "I, X, XIV," in section 1106(c)(1)(A);

(3)(A) by striking out "I, X, XIV, and XVI" in section 1108(a) and inserting in lieu thereof "XVI", and

(B) by striking out "section 402(a)(19)" in section 1108(b) and inserting in lieu thereof "part A of title IV";

(4) by striking out the text of section 1109 and inserting in lieu thereof the following:

"SEC. 1109. Any amount which is disregarded (or set aside for future needs) in determining the eligibility for and amount of aid or assistance for any individual under a State plan approved under title XVI or XIX, or eligibility for and amount of payments pursuant to part D or E of title IV, shall not be taken into consideration in determining the eligibility for and amount of such aid, assistance, or payments for any other individual under such other State plan or such part D or E.";

(5)(A) by striking out "I, X, XIV, and" in section 1111, and

(B) by striking out "part A" in such section and inserting in lieu thereof "parts D and E";

(6)(A) by striking out "I, X, XIV," in the matter preceding clause (a) in section 1115, and by striking out "part A" in such matter and inserting in lieu thereof "parts A and E",

(B) by striking out "of section 2, 402, 1002, 1402," in clause (a) of such section and inserting in lieu thereof "of or pursuant to section 402, 452,", and

(C) by striking out "3, 403, 1003, 1403, 1603," in clause (b) of such section and inserting in lieu thereof "403, 453, 1604, 1608,";

(7)(A) by striking out "I, X, XIV," in subsections (a)(1), (b), and (d) of section 1116, and

(B) by striking out "4, 404, 1004, 1404, 1604," in subsection (a)(3) of such section and inserting in lieu thereof "404, 1607, 1608,";

(8) by repealing section 1118;

(9)(A) by striking out "I, X, XIV," in section 1119,

(B) by striking out "part A" in such section and inserting in lieu thereof "services under a State plan approved under part A", and

(C) by striking out "3(a), 403(a), 1003(a), 1403(a), or 1603(a)" in such section and inserting in lieu thereof "403(a) or 1604"; and

(10)(A) by striking out "a plan for old-age assistance, approved under title I, a plan for aid to the blind, approved under title X, a plan for aid to the permanently and totally disabled, approved under title XIV, or a plan for aid to the aged, blind, or disabled" in section 1121(a) and inserting in lieu thereof "a plan for aid to the aged, blind, and disabled", and

(B) by inserting "(other than a public nonmedical facility)" in such section after "intermediate care facilities" the first time it appears.

AMENDMENTS TO TITLE XVIII

SEC. 303. Title XVIII of the Social Security Act is amended—

(1)(A) by striking out "title I or" in section 1843(b)(1),

(B) by striking out "all of the plans" in section 1843(b)(2) and inserting in lieu thereof "the plan," and

(C) by striking out "titles I, X, XIV, and XVI, and part A" in section 1843(b)(2) and inserting in lieu thereof "title XVI and under part E";

(2)(A) by striking out "title I, X, XIV, or XVI or part A" in section 1843(f) both times it appears and inserting in lieu thereof "title XVI and under part E"; and

(B) by striking out "title I, XVI, or XIX" in such section and inserting in lieu thereof "title XVI or XIX"; and

(3) by striking out "I, XVI" in section 1863 and inserting in lieu thereof "XVI".

AMENDMENTS TO TITLE XIX

SEC. 304. Title XIX of the Social Security Act is amended—

(1) by striking out "families with dependent children" and "permanently and totally" in clause (1) of the first sentence of section 1901 and inserting in lieu thereof "needy families with children" and "severely", respectively;

(2) by striking out "I or" in section 1902(a)(5);

(3)(A) by striking out everything in section 1902(a)(10) which precedes clause (A) and inserting in lieu thereof the following:

"(10) provide for making medical assistance available to all individuals receiving assistance to needy families with children as defined in section 405(b), receiving payments under an agreement pursuant to part E of title IV, or receiving aid to the aged, blind, and disabled under a State plan approved under title XVI; and—", and

(B) by inserting "or payments under such part E" after "such plan" each time it appears in clauses (A) and (B) of such section;

(4) by striking out section 1902(a)(13)(B) and inserting in lieu thereof the following:

"(B) in the case of individuals receiving assistance to needy families with children as defined in section 405(b), receiving payments under an agreement pursuant to part E of title IV, or receiving aid to the aged, blind, and disabled under a State plan approved under title XVI, for the inclusion of at least the care and services listed in clauses (1) through (5) of section 1905(a), and";

(5) by striking out "aid or assistance under State plans approved under titles I, X, XIV, XVI, and part A of title IV," in section 1902(a)(14)(A) and inserting in lieu thereof "assistance to needy families with children as defined in section 405(b), receiving payments under an agreement pursuant to part E of title IV, or receiving aid to the aged, blind, and disabled under a State plan approved under title XVI,";

(6)(A) by striking out "aid or assistance under the State's plan approved under title I, X, XIV, or XVI, or part A of title IV," in so much of section 1902(a)(17) as precedes clause (A) and inserting in lieu thereof "assistance to needy families with children as defined in section 405(b), payments under an agreement pursuant to part E of title IV, or aid under a State plan approved under title XVI,",

(B) by striking out "aid or assistance in the form of money payments under a State plan approved under title I, X, XIV, or XVI, or part A of title IV" in clause (B) of such section and inserting in lieu thereof "assistance to needy families with children as defined in section 405(b), payments under an agreement pursuant to part E of title IV, or aid to the aged, blind, and disabled under a State plan approved under title XVI", and

(C) by striking out "aid or assistance under such plan" in such clause (B) and inserting in lieu thereof "assistance, aid, or payments";

(7) by striking out "section 3(a)(4)(A)(i) and (ii) or section 1603(a)(4)(A)(i) and (ii)" in section 1902(a)(20)(C) and inserting in lieu thereof "section 1608(b)(1)(A) and (B)";

(8) by striking out "title X (or title XVI, insofar as it relates to the blind) was different from the State agency which administered or supervised the administration of the State plan approved under title I (or title XVI, insofar as it relates to the aged), the State agency which administered or supervised the administration of such plan approved under title X (or title XVI, insofar as it relates to the blind)" in the last sentence of section 1902(a) and inserting in lieu thereof "title XVI, insofar as it relates to the blind, was different from the agency which administered or supervised the administration of such plan insofar as it relates to the aged, the agency which administered or supervised the administration of the plan insofar as it relates to the blind";

(9) by striking out "section 406(a)" in section 1902(b)(2) and inserting in lieu thereof "section 405(b)";

(10) by striking out "I, X, XIV, or XVI, or part A" in section 1902(c) and inserting in lieu thereof "XVI or under an agreement under part E";

(11) by striking out "I, X, XIV, or XVI, or part A" in section 1903(a)(1) and inserting in lieu thereof "XVI or under an agreement under part E";

(12) by repealing section 1903(c);

(13) by striking out "highest amount which would ordinarily be paid to a family of the same size without any income or resources in the form of money payments, under the plan of the State approved under part A of title IV of this Act" in section 1903(f)(1)(B)(i) and inserting in lieu thereof "highest total amount which would ordinarily be paid under parts D and E of title IV to a family of the same size without income or resources, eligible in that State for money payments under part E of title IV of this Act";

(14)(A) by striking out "the 'highest amount which would ordinarily be paid' to such family under the State's plan approved under part A of title IV of this Act" in section 1903(f)(3) and inserting in lieu thereof "the 'highest total amount which would ordinarily be paid' to such family", and

(B) by striking out "section 408" in such section and inserting in lieu thereof "section 406";

(15) by striking out "I, X, XIV, or XVI, of part A" in section 1903(f)(4)(A) and inserting in lieu thereof "XVI or under an agreement under part E"; and

(16)(A) by striking out "aid or assistance under the State's plan approved under title I, X, XIV, or XVI, or part A of title VI, who are—" in the matter preceding clause (i) in section 1905(a) and inserting in lieu thereof "payments under part E of title IV or aid under a State plan approved under title XVI, who are—",

(B) by striking out clause (ii) of such section and inserting in lieu thereof the following:

"(ii) receiving assistance to needy families with children as defined in section 405(b), or payments pursuant to an agreement under part E of title IV,",

(C) by striking out clause (v) of such section and inserting in lieu thereof the following:

"(iv) severely disabled as defined by the Secretary in accordance with section 1602(b)(4)," and

(D) by striking out "or assistance" and "I, X, XIV, or" in clause (vi), and in the second sentence of such section.

TITLE IV—GENERAL

EFFECTIVE DATE

SEC. 401. The amendments and repeals made by this Act shall become effective, and section 9 of the Act of April 19, 1950 (25 U.S.C. 639), is repealed effective, on July 1, 1971; except that —

(1) in the case of any State a statute of which (on July 1, 1971) prevents it from making the supplementary payments provided for in part E of title IV of the Social Security Act, as amended by this Act, and the legislature of which does not meet in a regular session which closes after the enactment of this Act and on or before July 1, 1971, the amendments and repeals made

XUM

by this Act, and such repeal, shall become effective with respect to individuals in such State on the first July 1 which follows the close of the first regular session of the legislature of such State which closes after July 1, 1971, or (if earlier than such first July 1 after July 1, 1971) on the first day of the first calendar quarter following the date on which the State certifies it is no longer so prevented from making such payments; and

(2) in the case of any State a statute of which (on July 1, 1971) prevents it from complying with the requirements of section 1602 of the Social Security Act, as amended by this Act, and the legislature of which does not meet in a regular session which closes after the enactment of this Act and on or before July 1, 1971, the amendments made by title II of this Act shall become effective on the first July 1 which follows the close of the first regular session of the legislature of such State which closes after July 1, 1971, or (subject to paragraph (1) of this section) on the earlier date on which such State submits a plan meeting the requirements of such section 1602;

and except that section 436 of the Social Security Act, as amended by this Act, shall be effective upon the enactment of this Act.

SAVING PROVISION

SEC. 402. (a) The Secretary shall pay to any State which has a State plan approved under title XVI of the Social Security Act, as amended by this Act, and has in effect an agreement under part E of title IV of such Act, for each quarter beginning after June 30, 1971, and prior to July 1, 1973, in addition to the amount payable to such State under such title and such agreement, an amount equal to the excess of—

(1) (A) 70 per centum of the total of those payments for such quarter pursuant to such agreements which are required under sections 451 and 452 of the Social Security Act (as amended by this Act), plus (B) the non-Federal share of expenditures for such quarter required under title XVI of the Social Security Act (as amended by this Act) as aid to the aged, blind, and disabled (as defined in subsection (b)(1) of this section), over

(2) the non-Federal share of expenditures which would have been made during such quarter as aid or assistance under the plans of the State approved under titles I, IV (part (A)), X, XVI had they continued in effect (as defined in subsection (b)(2) of this section).

(b) For purposes of subsection (a)—

(1) the non-Federal share of expenditures for any quarter required under title XVI of the Social Security Act, referred to in clause (B) of subsection (a)(1), means the difference between (A) the total of the expenditures for such quarter under the plan approved under such title as aid to the aged, blind, and disabled which would have been included as aid to the aged, blind, or disabled under the plan approved under such title as in effect for June 1971 plus so much of the rest of such expenditures as is required (as determined by the Secretary) by reason of the amendments to such title made by this Act, and (B) the total amounts determined under section 1604 of the Social Security Act for such State with respect to such expenditures for such quarter; and

(2) the non-Federal share of expenditures which would have been made during any quarter under approved State plans, referred to in subsection (a)(2), means the difference between (A) the total of the expenditures which would have been made as aid or assistance (excluding emergency assistance specified in section 406(e)(1)(A) of the Social Security Act and foster care under section 408 thereof) for such quarter under the plans of such State approved under title I, IV (part A), X, XIV, and XVI of such Act and in effect in the month prior to the enactment of this Act if they had continued in effect during such quarter and if they had included (if they did not already do so) payments to dependent children of unemployed fathers authorized by section 407 of the Social Security Act (as in effect on the date of the enactment of this Act), and (B) the total of the amounts which would have been determined under sections 3, 403, 1003, 1403, and 1603, or under section 1118, of the Social Security Act for such State with respect to such expenditures for such quarter.

SPECIAL PROVISIONS FOR PUERTO RICO, THE VIRGIN ISLANDS, AND GUAM

SEC. 403. Section 1108 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(e)(1) In applying the provisions of sections 442(a) and (b), 443(b)(2), 1603(a)(1) and (b)(1), and 1604(1) with respect to Puerto Rico, the Virgin Islands, or Guam, the amounts to be used shall (instead of the $500, $300, and $1,500 in such section 442(a), the $500 and $300 in such section 442(b), the $30 in clauses (A) and (B) of such section 443(b)(2), the $1,500 in such section 1603(a)(1), the $110 in such section 1603(b)(1), and the $65 in section 1604(1)) bear the same ratio to such $500, $300, $1,500, $500, $300, $30, $1,500, $110, and $65 as the per capita incomes of Puerto Rico, the Virgin Islands, and Guam, respectively, bear to the per capita income of that one of the fifty States which has the lowest per capita income; except that in no case may the amounts so used exceed such $500, $300, $1,500, $500, $300, $30, $1,500, $110, and $65.

"(2)(A) The amounts to be used under such sections in Puerto Rico, the Virgin Islands, and Guam shall be promulgated by the Secretary between July 1 and September 30 of each even-numbered year, on the basis of the average per capita income of each State and of the United States for the most recent calendar year for which satisfactory data are available from the Department of Commerce. Such promulgation shall be effective for each of the two fiscal years in the period beginning July 1 next succeeding such promulgation.

"(B) The term 'United States', for purposes of subparagraph (A) only means the fifty States and the District of Columbia.

"(3) If the amounts which would otherwise be promulgated for any fiscal year for any of the three States referred to in paragraph (1) would be lower than the amounts promulgated for such State for the immediately preceding period, the amounts for such fiscal year shall be increased to the extent of the difference; and the amounts so increased shall be the amounts promulgated for such year."

MEANING OF SECRETARY AND FISCAL YEAR

SEC. 404. As used in this Act and in the amendments made by this Act, the term "Secretary" means, unless the context otherwise requires, the Secretary of Health, Education, and Welfare; and the term "fiscal year" means a period beginning with any July 1 and ending with the close of the following June 30.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MILLS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 243, nays 155, not voting 32, as follows:

[Roll No. 83]

YEAS—243

Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ayres
Barrett
Beall, Md.
Bell, Calif.
Berry
Betts
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Brock
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Carey
Carter
Cederberg
Celler
Chamberlain
Clausen, Don H.
Clay
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Corman
Coughlin
Cowger
Culver
Cunningham
Daddario
Daniels, N.J.
Davis, Wis.
de la Garza
Dellenback
Dent
Dingell
Donohue
Dulski
Dwyer
Eckhardt
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Fallon
Farbstein
Fascell
Findley
Fish
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Galifianakis
Gallagher
Garmatz
Gaydos
Giaimo
Gilbert
Gonzalez
Gray
Green, Pa.
Gubser
Gude
Halpern
Hamilton
Hanley
Hansen, Idaho
Hansen, Wash.
Harrington
Harvey
Hastings
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Jacobs
Johnson, Calif.
Karth
Kastenmeier
Kee
Keith
Kluczynski
Koch
Kuykendall
Kyros
Langen
Leggett
Lloyd
Lowenstein
Lujan
McCarthy
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McFall
Macdonald, Mass.
MacGregor
Mailliard
Matsunaga
May
Mayne
Meeds
Melcher
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neill, Mass.
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pirnie
Podell
Poff
Powell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Quie
Railsback
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes
Riegle
Robison
Rodino
Roe
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ruppe
Ryan
St Germain
St. Onge
Sandman
Saylor
Scheuer
Schwengel
Sisk
Skubitz
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stokes
Stratton
Symington
Taft
Talcott
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Wampler
Weicker
Whalen
Whitehurst
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Wolff
Wydler
Yates
Zablocki
Zwach

NAYS—155

Abbitt
Abernethy
Adair
Alexander
Anderson, Tenn.
Andrews, Ala.
Ashbrook
Aspinall
Baring
Belcher
Bennett
Bevill
Biaggi
Blackburn
Blanton
Bray
Brinkley
Brooks
Broyhill, N.C.
Buchanan
Burke, Fla.
Burleson, Tex.
Caffery
Camp
Casey
Chappell
Chisholm
Clancy
Clark
Clawson, Del
Cleveland
Collins
Colmer
Cramer
Crane
Daniel, Va.
Davis, Ga.
Delaney
Denney
Dennis
Derwinski
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan
Edmondson
Edwards, Ala.
Edwards, La.
Eshleman
Evins, Tenn.
Fisher
Flowers
Flynt
Foreman
Fountain
Frey
Fuqua
Goldwater
Goodling
Green, Oreg.
Griffin
Gross
Hagan
Haley
Hall
Hammerschmidt
Harsha
Hays
Hébert
Henderson
Hull
Hungate
Hunt
Hutchinson

XUM

Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Kazen
King
Kleppe
Kyl
Landgrebe
Landrum
Latta
Long, Md.
McClure
McEwen
McKneally
Mahon
Mann
Marsh
Martin
Mathias
Michel
Minshall
Mize
Mizell
Montgomery
Myers
Nichols
O'Neal, Ga.
Passman
Pickle
Pike
Poage
Price, Tex.
Purcell
Quillen
Randall
Rarick
Roberts
Rogers, Fla.
Roth
Roudebush
Ruth
Satterfield
Schadeberg
Scherle
Scott
Sebelius
Shipley
Shriver
Sikes
Slack
Smith, Calif.
Snyder
Steiger, Ariz.
Stephens
Stubblefield
Stuckey
Sullivan
Taylor
Teague, Tex.
Thompson, Ga.
Ullman
Waggonner
Watkins
Watson
Watts
Whalley
Whitten
Williams
Winn
Wold
Wright
Wyman
Yatron
Young
Zion

NOT VOTING—32

Broyhill, Va.
Cabell
Dawson
Diggs
Erlenborn
Feighan
Fulton, Pa.
Gettys
Gibbons
Griffiths
Grover
Hanna
Heckler, Mass.
Kirwan
Lennon
Long, La.
Lukens
McMillan
Madden
Mikva
Mollohan
Ottinger
Patman
Pollock
Reifel
Rivers
Schneebeli
Teague, Calif.
Tunney
White
Wyatt
Wylie

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. White for, with Mr. Lennon against.

Mr. Madden for, with Mr. Grover against.

Mr. Mikva for, with Mr. Long of Louisiana against.

Mr. Broyhill of Virginia for, with Mr. McMillan against.

Mr. Hanna for, with Mr. Rivers against.

Mr. Schneebeli for, with Mr. Gettys against.

Until further notice:

Mr. Feighan with Mr. Erlenborn.

Mr. Ottinger with Mr. Dawson.

Mr. Mollohan with Mr. Fulton of Pennsylvania.

Mr. Cabell with Mr. Lukens.

Mr. Tunney with Mrs. Heckler of Massachusetts.

Mrs. Griffiths with Mr. Pollock.

Mr. Kirwan with Mr. Diggs.

Mr. Gibbons with Mr. Reifel.

Mr. Patman with Mr. Teague of California.

Mr. Wyatt with Mr. Wylie.

Mr. MILLER of Ohio changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM FOR THE WEEK OF APRIL 20, 1970

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority whip the program for the remainder of the week, if any, and the schedule for next.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, in response to the request of the distinguished minority leader, it is my intention to ask that when the House adjourns today, that it adjourn to meet on Monday next. In fact, I now so request. I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

Mr. GROSS. Mr. Speaker, I suggest that the gentleman withhold that request until we hear the program.

Mr. BOGGS. I shall be happy to do so. The program is as follows:

On Monday we will have the Consent Calendar.

There are six suspensions, as follows:

H.R. 10666. To establish a National Commission on Libraries and Information Science;

H.R. 780. To authorize the Merlin Division Rogue River Basin project, Oregon;

H.R. 9854. To authorize the East Greenacres unit, Rathdrum Prairie project, Idaho;

H. R. 4172. To authorize additional assistance for the Ice Age National Scientific Reserve, Wis.

H.J. Res. 1069. Extend the authority for the erection of a memorial to Mary McLeod Bethune; and

S. 1968. To authorize the removal of the Francis Asbury statue.

Tuesday and Wednesday are religious holidays. There is no program, although the Private Calendar will be called on Tuesday.

Thursday and the balance of the week we have the following:

H.R. 16516. National Aeronautics and Space Administration Authorization Act, 1971, with an open rule and 2 hours of debate; and

H.R. 14385. To provide authority for subsidized transportation for Public Health Service employees to Rockville, Md., with an open rule and 1 hour of debate.

Conference reports may be brought up at any time.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. On the basis of that program, I would think that perhaps we ought to give consideration to turning back some of our paycheck.

Mr. BOGGS. The gentleman is at liberty to do so.

ADJOURNMENT OVER TO MONDAY, APRIL 20, 1970

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today that it adjourn to meet on Monday next.

The SPEAKER pro tempore (Mr. PRICE of Illinois). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

THE POST OFFICE DEPARTMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–313)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on Post Office and Civil Service and ordered to be printed:

To the Congress of the United States:

My message of April 3 outlined the preliminary agreement that the Government reached with its postal employees after the end of the recent postal work stoppage.

In that agreement, the Post Office Department and the postal employee organizations affiliated with the AFL–CIO undertook to negotiate and jointly sponsor a postal reorganization and pay bill to be recommended to the Congress as a measure that could ultimately lead to a cure of the problems that have been festering for years in the postal system.

The negotiations went forward in an atmosphere of good will and good faith on both sides, and they have now culminated in agreement on a legislative proposal that would:

—Convert the Post Office Department into an independent establishment in the Executive Branch of the Government, freed from direct political pressures and endowed with the means of building a truly superior mail service.

—Provide a framework within which postal employees in all parts of the country can bargain collectively with postal management over pay and working conditions.

—Increase the pay of postal employees by 8%, over and above the Government-wide increase of 6%, and shorten the time required to reach the top pay step for most postal jobs.

I support the proposed legislation that has been agreed to in the negotiations between the Post Office Department and the postal unions, and in transmitting it to the Congress I urge that it be given prompt and favorable consideration.

The Secretary of Treasury is sending to the Congress shortly the detailed legislative proposals necessary to accelerate the collection of estate and gift taxes which will pay for the 6% government-wide pay raise.

I. THE UNITED STATES POSTAL SERVICE

The negotiators quickly agreed that the structure of the Nation's Postal Establishment should be one that would permit the postal system to operate on an independent, self-contained basis. This means that for the first time in generations, the Post Office would be run by people whose authority would be commensurate with their responsibilities; it means that the Post Office would carry its own burden and not be a burden to the taxpayer; and it means that the Post Office would serve the public interest of all Americans and not the political interest of any individual or group of individuals.

Fourteen months ago, I pledged that this Administration would do its best to end the system of political patronage that has plagued the Post Office for the better part of the past two centuries. We have kept that promise. Looking to the future, however, I believe that only basic changes in the system can provide permanent insurance against a rebirth of partisan politics in the Post Office.

The proposed legislation that the

postal negotiators have agreed upon, and that I now endorse, would build a permanent firewall between postal affairs and political patronage.

I propose that the Post Office Department be reorganized as an independent establishment known as "The United States Postal Service." The new establishment would be organized in a way designed to make it at least as free from partisan political pressure as are such presently existing independent establishments as the Board of Governors of the Federal Reserve System, the Securities and Exchange Commission, and the National Aeronautics and Space Administration.

The Postmaster General would no longer be a member of the Cabinet, under this proposal, and the Postal Service would be insulated from direct control by the President, the Bureau of the Budget and the Congress.

Instead of being appointed directly by the President, the Postmaster General would be selected by nine public members of a bipartisan Commission on Postal Costs and Revenues. These nine Commissioners—not more than five of whom could be from the same political party—would serve nine-year statutory terms, under appointment by the President with the advice and consent of the Senate. The Postmaster General, who would hold office at the pleasure of the Commissioners, would be vested with full authority to manage the day-to-day operations of the Postal Service.

XUM

The legislation would provide the new Postal Service with the means of achieving:

—Continuity of top management, with the tenure of the Postmaster General based on performance and not on politics.

—Appropriate control over postal rates, with a Postal Rate Board holding full and fair hearings on rate changes proposed by the Postmaster General, and with either House of Congress being empowered to veto proposed rate changes by a two-thirds vote.

—A self-supporting postal system.

—A workable method of raising necessary funds by borrowing from the Treasury Department or from the general public.

—Collective bargaining over wages, hours and, in general, all working conditions that are subject to collective bargaining in the private sector.

A proposal for massive reorganization of a Government organization as important as the Post Office Department should, obviously, receive careful study before it is adopted. Fortunately, the question of postal reform has been receiving intensive scrutiny, both in Congress and in the country at large, ever since my basic postal reform proposal was sent to the Congress last May. During that time the need for fundamental reform of the postal system has come to be almost universally recognized, and I suggest that further delay in starting on the road toward postal excellence would be indefensible.

II. POSTAL EMPLOYEE-MANAGEMENT RELATIONS

The negotiators have agreed that there should be a statutory framework for collective bargaining in the postal establishment resembling that of private industry.

The people of this nation cannot and will not submit to the coercion of strikes by employees of the Federal Government. Since strikes by employees of the new Postal Service must be prohibited, a workable alternative to strikes must be provided—an absolutely impartial means of resolving differences between postal management and postal employees without the public being subjected to interruptions in the postal service. That is what the proposed legislation agreed upon by the postal negotiators provides.

I propose that the new United States Postal Service be empowered to engage in collective bargaining with recognized employee organizations over wages, hours, and working conditions generally, with negotiating impasses being finally resolved, if necessary, by binding arbitration.

Determination of national collective bargaining units, recognition of collective bargaining representatives and adjudication of unfair labor practice charges would be handled by the National Labor Relations Board under procedures similar to those that have long been followed in the private sector.

In addition to wages and hours, matters that are subject to collective bargaining would include such things as grievance procedures, final and binding arbitration of disputes, seniority rights, holidays and vacations, life insurance, medical insurance, training and promotion procedures. Employee benefits enjoyed today would be carried forward, and, in the case of rank and file postal employees, any change in such benefits would be subject to the collective bargaining process.

Negotiations over new labor agreements would be expected to begin ninety days before the expiration of existing agreements. There would be a statutory guarantee of final and binding third party arbitration to resolve negotiating impasses after a ninety day cooling-off period, during which time an outside fact-finding panel would try to assist the parties in reaching agreement. Opportunities for mediation and conciliation would also be provided.

All postal employees would retain their full benefits under the Civil Service retirement system and under the existing Federal workmen's compensation laws. The provisions of the Veterans Preference Act would apply, as would the provisions of Title VI of the Civil Rights Act of 1964. The labor standards provisions to which Government contracts generally are made subject would be applicable to contracts entered into by the new Postal Service to the same extent as elsewhere in the Government.

Finally, the right of every postal employee to petition Congress would be expressly preserved by statute.

III. POSTAL PAY

In many parts of the country—particularly in our great urban areas—the pay of postal employees has lagged seriously behind the pay received for comparable work by employees in private industry. The general 6% increase has alleviated that problem for most employees of the Federal Government, but it fails to take into account two important considerations that are unique to the Postal Service:

—The need to offset the limited opportunities for job advancement that most postal workers have traditionally faced.

—The need to allow postal workers to share the benefits of the increases in efficiency and productivity that should be attainable under a properly reorganized postal system.

These factors played an important part in the thinking of the postal negotiators during their discussions on the pay question.

I propose an additional pay increase of 8% for postal employees, effective immediately upon enactment of the reorganization law, with prompt collective bargaining over pay schedules under which the time required for rank and file postal employees to reach the top pay step in their respective labor grades would be compressed to not more than eight years.

IV. POSTAL RATES

As the new Postal Service will be self-contained, so should it be self-supporting; as it will be non-profit, so should it be non-loss.

If the pay increases that the postal negotiators have agreed to recommend are put into effect promptly, and if postal rates were to remain where they are today, postal expenditures would exceed postal income in 1971 by approximately two and one-half billion dollars.

A postal deficit of this magnitude would be indefensible at any time; during a period when inflation is threatening the economic well-being of every American family, such a deficit would be totally irresponsible.

Less than 2 weeks ago I proposed a plan for raising first, second, and third class postage rates to a level that would bring postal income fully into balance with anticipated postal expenditures. This plan included a proposal for increasing the price of the first class stamp to ten cents. Understandably, the proposed increase met with limited enthusiasm, and I am not insensitive to the widespread concern that this proposal evoked. Nevertheless, the need for the additional revenue exists, and the proposal highlighted the true cost to the user of our mail service.

In the course of negotiations, the parties considered an alternative proposal that would provide a transitional rate policy designed to cushion the immediate effect of the application of the principle of pay-as-you-go on the users of the mail. The alternative approach, to be incorporated in the reorganization bill, would require the general taxpayer to pay 10% of the total cost of the new postal service in the first year. The percentage of taxpayer support would decline each year until the end of 1977, when the mails would be completely self-supporting except for continuing appropriations to reimburse the Postal Service for revenue lost on mail carried for non-profit organizations and other groups entitled by law to use the mail free or at specially reduced rates.

Though the goal would be delayed, acceptance of the principle of a true pay-as-you-go postal service—even in stages—is a fundamental breakthrough.

I would prefer an immediate end to general subsidization of the taxpayer; but, since the principles of pay-as-you-go and postal reform are of basic importance, I am ready to accept this gradual but steady approach to that goal.

I would also prefer the method of raising most of the needed new revenues from the business organizations that are the principal users of first class mail. Again, however, I consider the principles of pay-as-you-go and postal reform to be overriding, and I am willing to make adjustments in my original proposals so as to raise more revenues from other classes of mail.

In the interest of making realistic progress toward the objective of bringing postal expenditures into balance with postal revenues, I now propose to

- *—Increase the price of the first class stamp by one-third, from six cents to eight cents.*
- *—Keep the price of the air mail stamp at ten cents.*
- *—Increase the average second class postage rate by one-half.*
- *—Increase third class bulk and single piece rates by one-third (the same percentage increase as first class).*

These rate increases would generate additional revenues of more than $1.5 billion—enough, with the temporary 10% contribution by the Federal taxpayer, to put the new, independent United States Postal Service on the road to a sound, pay-as-you-go operation.

V. TOWARD POSTAL EXCELLENCE

Mail users, postal employees and the nation as a whole have gone through a long ordeal in reaching the threshold of basic postal reform—but we have come a long way.

The Congress is now presented with an opportunity to pass legislation that will bring a new measure of fairness to postal employees, a new efficiency to the system itself, and long overdue equity to the taxpayer.

Neither better pay nor better organization will, in and of itself, guarantee better mail service.

Laws do not move the mail, nor do dollars. What moves the mail is people—people who have the will to excel, the will to do their work to the very best of their ability.

The United States is fortunate to have such people in its postal system today. As the Postmaster General has urged, these people must be retained; in the years ahead, more like them must be recruited. This legislation would represent an important step toward that end.

Enactment of the legislation that I now propose would give our postal employees the means to attain a goal they have never before had the means of attaining—the goal of building, in America, the best postal system in the world.

That is a goal worth striving for. With this postal reform legislation, it is a goal that can be achieved. I hope the Congress will lose no time in enacting the laws that are needed to let our postal people get on with the job.

RICHARD NIXON.

THE WHITE HOUSE, *April 16, 1970.*

POSTAL REFORM

(Mr. DULSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DULSKI. Mr. Speaker, I am introducing today the new compromise postal reform measure made public earlier by the White House. I feel it is essential that the proposal be available for study and consideration by every Member.

I intend to begin brief public hearings next Wednesday, April 22, with the Postmaster General as the first witness.

Mr. Speaker, the postal reform compromise submitted to the Congress today is a long stride in the right direction of achieving my quest for realistic postal reform.

The bill runs 157 pages and I have had a chance only to glance at the details. However, it seems to cover most of the fundamental policy issues which I outlined in my own postal reform bill, H.R. 4, a year ago last January.

As chairman of the House Committee on Post Office and Civil Service, I intend to expedite consideration of this revised proposal as requested by the President.

With the full cooperation of the members of my committee, we can deal promptly with this complex matter on which we have had extensive hearings and executive sessions. However, it is vital that we move responsibly and not with undue haste.

I am particularly pleased that the plan proposes to keep the postal service as an agency of the Government, rather than converting it into a public corporation.

My urgent desire is to accomplish practical and functional postal reform at the earliest possible time.

PRESIDENT'S MESSAGE ON POSTAL REFORM

(Mr. CUNNINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CUNNINGHAM. Mr. Speaker, I have read the President's message on postal reform and the salary bill. The bill itself is a very lengthy document, but, in my opinion and in the opinion of many Members, it is one of the most outstanding agreements that has even been negotiated between the Government and the seven exclusive postal unions.

The bill was introduced today by at least 20 Members, but I want the Members to know that the bill does not embody the postal rate increases mentioned in the message. The postal rate bill will be introduced shortly as a separate piece of legislation.

But I do want to compliment the President and the Postmaster General and the seven exclusive postal unions for this outstanding document and agreement.

I hope we will have speedy action on this legislation in the House. I was delighted to hear the chairman of our Post Office and Civil Service Committee this afternoon, when we had a briefing on this matter, say that he was anxious to expedite this at the earliest possible opportunity, so that we could have true postal reform, improvement in the working conditions for the employees and the additional increase of 8 percent in wages as well as the compression of postal workers' in-grade salary increases very soon. This latter provision provides that instead of starting at a beginning salary in level 4 and taking 21 years to reach the top, the compression will provide that the postal workers will start at the beginning salary and reach the top in 8 years.

I compliment all those involved, including the union leaders, the Postmaster General and his assistants, and the President of the United States.

FINANCIAL DISCLOSURE—THE CASE FOR A MORE COMPREHENSIVE LAW ON THE REPORTING OF INCOME AND ASSETS BY MEMBERS OF THE HOUSE OF REPRESENTATIVES

(Mr. UDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. UDALL. Mr. Speaker, during the 90th Congress I cosponsored and helped obtain passage of the resolutions which created the House Committee on Standards of Official Conduct. I applaud the work of this committee and especially the fine performance of its chairman, the distinguished gentleman from Illinois (Mr. PRICE). The time now approaches when we Members are required to file with the committee the second annual financial disclosure report. In connection with the filing of my report I wish to make some additional disclosures which are not required and to record my own observations and recommendations on this general subject.

We hear much cynical comment these days about our political institutions, the corrupt nature of "the establishment" and the like. These observations disturb me. After all, our democracy rests, in the final analysis, on the confidence which the average citizen has in the judgment, the character, the fairness, and the honesty of those who make, enforce, and interpret the laws of the land. As far as legislators are concerned, I am convinced that maintenance of that confidence is possible only through meaningful, regular, and rather complete disclosure of the financial interests of those who serve in the Congress—their total income, all of their business ties, and the like.

Passage of House Resolution 1099, 2 years ago, was a landmark, meaningful step. It was a significant beginning in the effort to maintain or, in the eyes of some Americans, restore public confidence in this institution which is at the very center of our political system. In addition, the Committee on Standards of Official Conduct has recently reported House Resolution 796, which would amend the financial disclosure rule by

XUM

providing for the disclosing of the sources of honorariums of $300 or more and the identifying of creditors to whom $10,000 or more was owed for 90 days or longer without the pledge of specific security.

These changes are welcome, but they do not go far enough. My colleague, CHARLES BENNETT, of Florida, has proposed a broadening of the disclosure rule to include all income and all assets and liabilities of Members and employees. I believe such an extension is needed.

In the meantime, there is something which those of us who support complete disclosure can do to assist in the effort. Even before House rule XLIV was passed, many in the House voluntarily made disclosures of their financial affairs, and I think this experience and example played an important role in the action taken by the House in 1968. I have made such disclosures on two occasions myself. On April 10, 1963—CONGRESSIONAL RECORD, volume 109, part 5, page 6199, I made a general disclosure of my financial position. Again in the CONGRESSIONAL RECORD, volume 113, part 1, page 77, I brought my record of holdings and outside activities up to date. One of the advantages of periodic and continuing disclosure of this kind is that it permits the public to compare a Member's holdings and financial position at different points in his career and to make a judgment as to whether he has advanced his personal fortune while serving the public.

Today, I am once again making public an updated statement of my assets and business interests, as well as a description of the kinds of outside income I had during 1969. I might add that this information will provide little comfort to my creditors or prospective heirs, for the sad fact is that my net worth today is about the same as it was the day I began my service here. But it may do something to assure my constituents that one whose salary is paid by the public has devoted most of his time to the public's business and not his own.

My disclosure may serve another purpose as well. The disclosure sheet I am filing with the Committee on Standards of Official Conduct is in two parts, A and B. Part A of my report—the only part which can be seen by the public—is highly misleading. One reading it could discover only one minor fact about my private interests and dealings; namely, that I own stock exceeding $5,000 in value in Catalina Savings & Loan Association of Tucson, Ariz. That's all.

A reading of my financial statement below will reveal how inadequate is the present disclosure rule. The actual value of my Catalina Savings stock is not $5,000; it is $32,000. And, as far as the public is concerned, it could just as easily be $50,000 or $5,000,000. I should add that the proposed amendments incorporated in House Resolution 796, desirable as they are, also can lead to a confused picture. The specific dollar amount of an honorarium or of a debt qualifying for inclusion in part A will remain a mystery to the public; it need only be disclosed in the sealed portion—part B—of the report. And I submit, for example, that a debt of $1,000,000 can carry with it a greater potential for conflict of interest than one of $10,000.

None of my other holdings or outside income need be reported because they are either below $5,000 in value or fail to qualify under the limitations set forth in the rule. In order to show the shortcomings of the present rule I will insert part A of my official statement along with my complete disclosure below, and readers may decide for themselves whether the impression left by part A is essentially the same as that left by its unabridged counterpart. Nothing in my judgment could provide a stronger argument for a more complete disclosure rule.

As I have said on previous occasions, it is not a particularly pleasant thing to bare one's private finances to public view. I do it, however, because I believe the people I represent are entitled to know of any conflicts of interest which may exist with respect to my duties as their Congressman. It is a great honor to serve in the parliament of the world's greatest nation and I cheerfully bear this additional burden.

While I am making this disclosure, I think I should refer also to one other matter. That is the thorny, difficult, and perplexing problem of skyrocketing campaign costs, something which all of us who seek public office have to contend with. In the last two elections most of my campaign funds have been raised by a testimonial dinner sponsored by a committee of my friends in Arizona. A third such function was held in January of this year. I regret the need for these rituals and have written and spoken on this subject on many occasions. For some concrete proposals on what might be done to improve this situation I refer my colleagues to an article which I wrote appearing in the CONGRESSIONAL RECORD, volume 113, part 21, page 28968.

The funds from each of the testimonial dinners held in my behalf are placed in the control of a committee which makes disbursements from time to time, either for transfer to a campaign account or for payment of noncampaign expenses such as the printing of newsletters and the recording and filming of radio and television reports to my constituents. None of the funds are ever made available for my personal use, and none are under my direct control. My colleagues may be interested in earlier remarks I made regarding my policy in dealing with this difficult problem. They will be found in the CONGRESSIONAL RECORD, volume 114, part 10, page 12711. Funds from my 1970 dinner will be handled in the same manner, and once again I have asked the dinner committee to make its record of disbursements available to responsible members of the press. This is an unusual step, I know, but one which I take in the interest of full and complete public disclosure.

Part A of my official statement of financial interests and associations follows. I will also insert my own complete statement for comparison:

STATEMENT OF FINANCIAL INTERESTS AND ASSOCIATIONS AS OF DATE OF FILING AND CERTAIN INCOME FOR CALENDAR YEAR 1969, U.S. HOUSE OF REPRESENTATIVES

(Member's name: Morris K. Udall, 2nd District, Arizona.)

Part A: (See instructions and text of House Rule XLIV on reverse side).

The interest of a spouse or any other party, if constructively controlled by the person reporting, shall be considered to be the same as the interest of the person reporting.

1. List the name, instrument of ownership, and any position of management held in any business entity doing a substantial business with the Federal Government or subject to Federal regulatory agencies in which the ownership is in excess of $5,000 fair market value as of the date of filing, or from which income of $1,000 or more was derived during the preceding calendar year. Do not list any time or demand deposit in a financial institution or any debt instrument having a fixed yield unless it is convertible to an equity instrument.

Business Entity: Catalina Savings and Loan Association.

Instrument of Ownership: Stock Certificates.

Position of Management: None.

2. List the name, address and type of practice of any professional organization in which the person reporting, or his spouse, is an officer, director, or partner, or serves in any advisory capacity, from which income of $1,000 or more was derived during the preceding calendar year.

None.

3. List the source of each of the following items received during the preceding calendar year:

(a) Any income from a single source for services rendered (other than from the U.S. Government) exceeding $5,000 and not reported in section 2 above.

None.

(b) Any capital gain from a single source exceeding $5,000, other than from the sale of a residence occupied by the person reporting. (As reportable to IRS.)

None.

(c) Reimbursement for expenditures (other than from the U.S. Government) exceeding $1,000 in each instance.

None.

Date of filing: April 15, 1970.

Signature of Declarer:

MORRIS K. UDALL.

Campaign moneys are not to be taken into account in this report.

DISCLOSURE STATEMENT OF REPRESENTATIVE MORRIS K. UDALL

(All information is as of April 1, 1970, except as otherwise stated.)

My profession is the law. However, I withdrew from my law firm in 1961 and have not been a member of my law firm or actively practiced since coming to Congress. In the late 1950s I helped organize and served for some time as an officer and director of Catalina Savings and Loan Association and the Bank of Tucson (now the Great Western Bank), both of Tucson, Arizona. While I still retain stock interests in both of these institutions, in the amounts indicated below, I no longer serve them in any capacity. I hold minor stock interests in two other Arizona financial institutions—Security Savings and Loan Association, and the United Bank of Arizona. With these exceptions I hold no financial interest, directorship or office in any corporation or business which may be subject to Federal regulation or which may have contractual dealings with the Federal government.

XUM

During 1969 my congressional salary represented more than 80 per cent of my income. The remainder came from royalties on my law book (West Publishing Company, $400), three author's fees (principally from the Reader's Digest, $1,250), dividends, capital gains and interest on the investments listed below (about $800), and a few other small and miscellaneous items. During 1969 I received about a dozen honoraria totaling perhaps $4,500 for various speeches and addresses. The honoraria varied from as little as $50 to two of $1,000. They covered appearances at colleges including Yale, Harvard, Washington State University, Williams College and Edinboro State College, at public forums such as the Sunday Evening Forum in Tucson, and at public events such as a dinner of the Ft. Wayne Press Club and meetings of business and trade organizations.

I hold stock in various companies as follows. Each is listed with the approximate current value of the stock I hold:

Great Western Bank	$1,100
Catalina Savings & Loan Association	32,000
Security Savings & Loan Association	1,100
Phoenix Gems, Inc	150
Modern Pioneers Insurance Co	250
United Bank of Arizona	750
Tucson Gas & Electric Co	1,800
Fidelity Trend Fund	1,200
Massachusetts Investment Growth Fund	1,500
Cessna Aircraft Co	800
Total	40,650

In addition, I have a residual, partial interest from my old law firm of some shares in Sovereign Resources, Inc. My interest may be worth perhaps $4,000.

In the field of real estate, my wife and I own a home in McLean, Virginia, purchased in 1968. It has an approximate value of $50,000 and is subject to a mortgage with the Washington and Lee Savings and Loan Association of about $37,000. I own a one-fourth interest in an unimproved 100-acre tract near Front Royal, Virginia; my equity is worth perhaps $5,000. During the 1950s I invested in eight parcels of vacant, unimproved land in and near Tucson. One piece I own outright, and in the others I have fractional interests with former law partners and certain relatives. Some tracts have mortgages against them, others are clear. With my sister I own 40 unimproved acres in Apache County, Arizona. My total equity in all of these lands at present prices would run about $70,000.

My wife and I own a 1965 Mustang and a 1967 Ford, together with miscellaneous personal property and home furnishings having a total value of perhaps $8,000. I own a 1966 Piper Cherokee airplane which is worth about $12,000 and has a mortgage against it of approximately $3,000. In addition to these items I have cash, savings accounts and the like worth perhaps $12,000.

I carry several life insurance policies, including a $10,000 National Service Life Insurance policy and the $45,000 group life policy available to Members of Congress. Cash surrender values on my insurance policies would not exceed $5,500. I participate in the Civil Service Retirement System as it applies to Members and have paid in the regular contributions so that my account now totals approximately $19,000.

My wife owns 200 shares of Plastics Development, Inc., worth perhaps $400, and has savings, personal property and assets valued at something under $10,000.

I hereby declare that the foregoing is a full and complete summary of my income, assets and financial position as of April 1, 1970.

TECHNOLOGY

(Mr. DADDARIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DADDARIO. Mr. Speaker, probably the greatest single force for both good and evil which is abroad in the land today is technology. In large part the destiny of the human race depends on what use we choose to make of science and its handmaiden, technology. This is not just an isolated opinion. It is shared by an overwhelming majority of the most thoughtful and best educated people in this Nation.

The problem does not lie in the intrinsic nature of technology, however. Never was the old adage more applicable: "nothing is ever good or bad, but thinking makes it so." Technology is simply the ability to apply knowledge. Its worth depends on how men handle it.

There is scarcely a major existing ill which cannot in some manner be traced to technological application—nor is there one whose solution does not lie, at least in part, with better managed and better used technology.

The most glaring example at the moment is environment. But the effects and uses of technology go far beyond environment. They apply also to the great economic, social, moral, legal, and political issues of our time. Until we learn really to understand technology—how and when to apply it; how and when not to apply it—we shall never overcome the many, complex difficulties that beset us.

Money and good intentions alone will never do the job. That is like trying to complete a triangle with only 2 points from which to work. There has to be a third; the third is improved scientific research—physical and social—and the proper application of its results.

Mr. Speaker, it is for these reasons that the gentleman from Ohio (Mr. MOSHER), and I are today introducing a bill entitled "The Technology Assessment Act of 1970."

The sole purpose of this bill is to equip the Congress with a new office—a new legislative arm, if you will—whose chief responsibility will be to aid the Congress in dealing rapidly with the myriad technological issues approaching it, to help solve the problems they bring and seize the opportunities they offer.

The Subcommittee on Science, Research, and Development, which I chair, and on which the gentleman from Ohio is a ranking member, has been working on the concept of technology assessment for 5 years. We view this bill as being among the most important long-range pieces of legislation to be introduced in modern times—believing, as we do, that it is essential to provide the Congress with a new and continuing capability for evaluating technology and its uses.

At this juncture let me elaborate briefly on what we mean by technology assessment. In somewhat oversimplified terms it may be defined as follows: Technology assessment is the evaluation of the impact of existing, new and developing technologies upon society—physically, socially, economically, and politically; it undertakes to assess both the desirable and undesirable consequences of such technology and to establish cause and effect relationships where possible. In other words, technology assessment is designed to give us better mechanisms for anticipating short- and long-range potentials of technology—good and bad.

We suggest, Mr. Speaker, that it is high time the Congress look inward upon itself and evaluate its present ability to achieve information and communicate with the real world in real time. Not in 170 years since the Library of Congress was founded has the Congress created a significant new entity to help provide it with up-to-date information—other than the fiscal data provided by GAO—and no basic innovations toward this purpose have been made in the Library since the founding of the Legislative Reference Service in 1915.

That is more than half a century ago. Our current need for better information and the ability to apply it well and expeditiously in these crucial years is critical.

Mr. Speaker, this bill is the first point of culmination since our subcommittee began work on the assessment concept in 1965.

From that time a great deal of effort has been expended on behalf of technology assessment. Our own subcommittee has discussed and debated the idea with all sorts of people in all parts of the country. We have held seminars with the social scientists and blue-sky thinkers. Three major contracted studies on technology assessment have been completed and a fourth is in progress.

One of these, done in the Library of Congress, reviewed the history of congressional handling of technological matters and showed conclusively the need for improved assessment mechanisms. A second, done by the National Academy of Sciences, investigated the concept itself and suggested means for getting the job underway. A third, done by the National Academy of Engineering, experimented with assessment methods on three different subjects.

The fourth, which will be ready in June, is being undertaken for us by the young National Academy of Public Administration. It is attempting to identify specific administrative methods and organizational groups through which much more thorough and advanced assessments might be made in the executive branch of the Government.

Meanwhile, our subcommittee, last November and December, held the first set of full-dress hearings on technology assessment—with emphasis on the legislative function. These must be classified as among the best and most productive hearings within my experience. They have led directly to the drafting of the legislation we are introducing today.

And, at this point, Mr. Speaker, let me pay special tribute to the gentleman from Ohio (Mr. MOSHER), whose perception and constancy have been indispensable to the progress which has been made in this field.

Mr. Speaker, I should like to describe briefly the nature of the Technology Assessment Act of 1970.

Section 1 stipulates the title of the act.

Section 2 sets forth the rationale for the bill, describing the major contemporary issues as they relate to technology and enunciating the need of the Congress for new informational mechanisms

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to help in the evaluation of the impact of current and future technology.

Section 3 establishes an Office of Technology Assessment within and responsible to the legislative branch of the Government. The office is to consist of a technology assessment board which formulates policy and a director to carry out such policies and administer operations of the office. Fundamental duties of the office will be as follows:

First. Identify existing or probable impacts of technology or technological programs;

Second. Where possible establish cause and effect relationships;

Third. Determine alternative technological methods of implementing specific programs;

Fourth. Determine alternative programs for achieving requisite goals;

Fifth. Make estimates and comparisons of the impacts of alternative methods and programs;

Sixth. Present findings of completed analyses to the appropriate legislative authorities;

Seventh. Identify areas where additional research or data collection are required to provide adequate support for the assessments and estimates mentioned; and

Eighth. Undertake such additional associated tasks as the appropriate authorities may direct.

Assessments may be inaugurated by the chairman of any congressional committee, the board or the director.

Provision is made for the utilization of special ad hoc groups outside the Govment to make assessments.

Section 4 describes the nature of the board which will be composed of 13 members as follows: two Senators, two Representatives, the Comptroller General, the Director of the Legislative Reference Service of the Library of Congress, and seven members from the public appointed by the President.

The board will elect its own chairman and vice chairman from among the seven public members and will meet not less than twice each year. It will also meet at the call of the chair or upon the petition of five or more board members.

Section 5 establishes the directorship of the Office of Technology Assessment. The Director is to be appointed by the board to serve a term of 6 years at a pay level equal to level 2 in the executive branch. The Director is authorized to choose his own deputy with the approval of the board.

Section 6 enumerates the specific authority of the office which is necessary to carry out the provisions of the act, including the promulgation of rules and regulations, the use of contracts, hiring of personnel, and so forth.

The office itself is prohibited from operating any laboratories, pilot plants or test facilities.

The office is given power to act and sit at such places as may be necessary and is provided the powers of subpena. Safeguards are included to protect privileged or proprietary data.

Section 7 provides for special utilization of the Legislative Reference Service of the Library of Congress in gathering information and in maintaining monitoring systems to indicate important areas requiring technology assessment. Authority is given to the librarian to set up such new divisions or units within LRS as may be necessary to help the Office of Technology Assessment in its functions.

Section 8 provides for specific coordination and liaison with the National Science Foundation, this being the only executive agency which presently has active programs designed to do research into technology assessment techniques. It also amends the National Science Foundation Act of 1950 to permit the foundation to undertake special activities on behalf of the Office of Technology Assessment upon the request of its director.

Section 9 provides for an annual report to be submitted to the Congress.

Section 10 gives to the General Accounting Office the obligation and duties of providing financing and administrative services to the Office of Technology Assessment. The section also stipulates that reimbursement shall be made for these services to the General Accounting Office in accordance with such agreements as may be reached between the Comptroller General and the Technology Assessment Board.

Section 11 authorizes $5 million for the initial establishment of the Office of Technology Assessment for the fiscal year ending June 30, 1971, and thereafter such sums as may be necessary.

In conclusion, it is important to understand that the Office of Technology Assessment would not itself be a large operational unit. But it would know how and where to go to get assessments done; it could put together ad hoc task forces for this purpose, and it would have money to pay for them. Equally important—the results of any assessment would simply be an added informational input to aid in the legislative process. It would in no way supplant the hearing procedure or the adversary proceeding, nor would it come in terms of fixed recommendations to the Congress.

CONDUCT OF JUSTICE DOUGLAS

(Mr. SCOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SCOTT. Mr. Speaker, as mentioned by the gentleman from New Hampshire, a bipartisan group of approximately 100 Members is today filing a resolution to establish a select committee to investigate recent activities of Mr. Justice William O. Douglas and to recommend to the House whether or not he should be impeached. The sponsors are diversified by geography, philosophy, and party affiliation.

This resolution is based, in part, upon news accounts of improper behavior by Justice Douglas. The Library of Congress sent me a compilation of recent criticism of his activities by the news media and a staff member prepared a digest of the articles. The digest is inserted at this point:

Criticisms of Justice Douglas

Chicago Tribune, August 25, 1969.—Douglas accepted $12,765 per year for seven years as President of the Parvin Foundation, which received most of its income from Las Vegas gambling operations. He contributed to a magazine specializing in pornography. Since January 1, 1968 he has received $4000 on a $500 per diem basis from the Center for the Study of Democratic Institutions, a part of the Fund for the Republic. The fund and center "dabble" in revolutionary politics.

Chicago Tribune, July 23, 1969.—Douglas received $4,104 in 1962 and 1963 from the Center for the Study of Democratic Institutions. He also wrote an article for a magazine published by Ralph Ginzberg, a pornography trade figure.

Newsweek, June 9, 1970.—Douglas got $350 for writing an article on folk-singing for Ginzberg's magazine Avant-Garde. Ginzberg was convicted in 1963 on obscenity charges.

San Francisco Examiner and Chronicle, June 1, 1969.—In 1953 Douglas issued a stay of execution for Julius and Ethel Rosenberg who had been condemned to death for passing atomic secrets to Russians. A resolution of impeachment was filed in the House, but the furor died down. In 1966 Congressmen denounced his marrying his fourth wife who was 23.

Washington Star, June 17, 1969.—Douglas wrote four articles for Playboy Magazine in 18 months. The first was on invasions of privacy, the second on water pollution, the third on civil liberties, and the fourth on dam-building sins of the Corps of Engineers. He would not say what he was paid.

Washington Post, May 29, 1969.—Senator Paul Fannin of Arizona criticized Douglas for the article he wrote for Avant-Garde. The article was entitled "The Appeal of Folk-Singing: A Landmark Opinion". Douglas was paid $350 for the article. Ginzberg was convicted in 1963 on obscenity charges and got 5 years. In 1966 the Supreme Court upheld the conviction 5–4, and Douglas was one of the dissenters.

Washington Post, May 28, 1969.—Representative Celler critized Douglas for his letter to Albert Parvin, head of the Parvin Foundation. The letter was drafted May 12, 1969 and dealt with the Internal Revenue Service's investigation of Parvin Foundation activities. The IRS investigation concerned in part "self-dealing" transactions between the foundation and its founder Albert Parvin. Parvin had not reported a sale of foundation stock on a 1962 tax return. In fact, he did not report the sale until 1967.

New York Times, May 27, 1969.—Editorial —Douglas' work on the Court is not the issue, but his unjudicial behavior in associating with persons of questionable background is.

New York Times, May 26, 1969.—Douglas said that the IRS investigation of the Parvin Foundation is a "manufactured case" intended to force him to leave the bench. Douglas resigned from the foundation because the work load was too heavy. Parvin's files contained a series of allegations by revenue service field agents who questioned more than 12 transactions involving Mr. Parvin's investment of foundation funds.

Washington Post, May 27, 1969.—Editorial —Douglas' statement that the IRS investigation of the foundation was a "manufactured case" to "get me off the court" shows Douglas' bias against the IRS and should disqualify him from judging cases involving the IRS.

Evening Star, May 27, 1969.—Douglas headed the Parvin Foundation during the time the IRS is investigating. Douglas said that he "knew very little" about the foundations tax troubles.

Washington Post, May 24, 1969.—The Parvin Foundation for many years received the bulk of its income from a mortgage on a

Las Vegas gambling casino, the Hotel Flamingo. Douglas first indicated that he was considering quitting the foundation on October 31, 1966, but did not do so until May of 1969.

Chicago Tribune, May 22, 1969.—The Center for the Study of Democratic Institutions, which Douglas received money from, has been the second highest recipient of funds from the Parvin Foundation. The Democratic Center was the incubator of the National Conference for New Politics, which held a five-day debauch and did more than $10,000 worth of damage to the Palmer House Hotel in September 1967. The center is tax-exempt.

New York Times, May 22, 1969.—Douglas received $500 a day fee when he participated in seminars sponsored by the Democratic Center. The Parvin Foundation contributed $70,000 to the center from 1965–1967.

Chicago Tribune, May 22, 1969.—Senator John J. Williams of Delaware asked the American Bar Association whether or not Douglas' relationship with the Parvin Foundation violates the A.B.A.'s canons of judicial ethics. In 1967 Douglas was the only foundation official to receive pay. He directed the foundation's philanthropic activities. Douglas received $85,000 total from the foundation.

Washington Daily, May 19, 1969.—Between 1962 and 1968 Douglas was paid $72,000 by the Parvin Foundation for advice on how to spend about $450,000 in charitable contributions. The foundation's activity since Douglas was appointed as its chairman centers on his project to stimulate understanding of Western culture in Latin America's underdeveloped nations by granting fellowships to young scholars from "emerging nations".

New York Times, May 25, 1969.—His marriages:

1923 to Mildred Ridde—had two children, 1953 divorced.

1954 to Mercedes Hester Davidson. Divorced 1963.

1963 to Joan Martin. Divorced 1966.

1966 to Cathleen Hefferman who was 23.

Human Events, July 20, 1968.—Douglas wrote "The Unhappy State of the Nation" for The Center Magazine, published by the Democratic Center.

Washington Post, December 10, 1966.—Douglas' third wife was 23 when they married and the marriage lasted only 30 months. His fourth wife was a former cocktail waitress.

New York Times, October 17, 1966.—Albert Parvin purchased the Fremont Hotel and Casino in Las Vegas in the spring of 1966 for $11 million. In 1954 he paid $9 million for the Flamingo Hotel and Casino in Las Vegas and also has minor interest in three other casinos there.

U.S. News & World Report, October 31, 1966.—During 1966 six separate resolutions were introduced calling for an investigation of Douglas' character. The money that Douglas received from the Parvin Foundation is to cover his traveling expenses on visits he made for the foundation; however, Douglas submits no itemized account of his expenses.

New York Times, July 16, 1966.—Douglas, 67, married on July 15, 1966 23-year old Cathleen Hefferman, a college senior. He had known her for a year.

Washington Post, July 17, 1966.—Douglas and his fourth wife may take a trip to Red China. They were invited to Peking, and Douglas has requested permission to visit from the State Department.

New York Times, December 16, 1965.—Mrs. Joan M. Douglas, his third wife, filed for divorce on grounds of alleged cruelty and personal indignity. His second wife divorced him in 1963 and said that he had told her repeatedly that he no longer cared. He met his third wife at Allegheny College where she was a 21-year old senior.

New York Times, June 4, 1963.—Douglas advocates the admission of Red China to the United Nations and has called the "intrigues" by the Pentagon and CIA as threats to American freedom. He is called an extreme individualist.

Washington Post, April 12, 1963.—His second wife filed for divorce but did not state the grounds. They were married in December 1954, 17 months after Douglas was divorced by his first wife. His first wife said that Douglas left her abandoned and alone while he worked and traveled around the world.

Washington Post, August 1, 1963.—Douglas' second wife won an uncontested divorce on the grounds of cruelty.

Washington Post, August 6, 1963.—On August 5, 1963 Douglas married Joan Martin, his third wife. He met her in 1961 at Allegheny College where she was writing a paper on him.

Washington Post, December 15, 1954.—On December 14, 1954, Douglas married Miss Mercedes Hester, his literary research assistant. Miss Hester was 37. Douglas was divorced 17 months previously by his first wife who charged desertion. The divorce was uncontested.

Washington Post, December 1962.—Douglas wrote a pamphlet, Freedom of the Mind, in which he criticized the secrecy of the CIA. He also questioned the wisdom of suppressing sex in literature.

The American Mercury, August 1956.—The August 1956 issue of American Mercury Magazine also listed cases it considered to have subversive questions and Justice Douglas' votes are as follows:

1943—Schneiderman case. Voted to overrule government cancellation of citizenship of Schneiderman, a Communist Party functionary.

1945—Bridges case. Voted to set aside deportation order against Harry Bridges, Communist trade-union leader.

1946—Lovett case. Voted that Congressional rider barring federal salary to Robert M. Lovett and two other conspicuous fellow-travelers was an unconstitutional bill of attainder.

1948—Marzani case. Dissented from Court decision upholding conviction for perjury of Carl Aldo Marzani, Communist Party member and State Department employee.

1948—Josephson case. Dissented from Court decision refusing to grant certiorari to case of Leon Josephson, convicted by lower courts of contempt in refusing to answer questions about his Communist activities to a Congressional committee.

1951—Bailey case. Voted to reverse decision of lower courts upholding the discharge from the Department of Labor under the Truman Loyalty Order of Dorothy Bailey, whose record showed membership in one or more Communist fronts.

1951—Joint Anti-Fascist Refugee Committee case. Voted to overturn decision of lower courts barring the removal of the JAFRC from the Attorney General's subversive list.

1951—Carlson vs. Landon case. Dissented from Court decision upholding the McCarran-Walter Immigration Act in the Carlson case.

1951—Smith Act case. Dissented from Court decision upholding constitutionality of the Smith Act. Upon this decision hinged the fate of the 11 Communist leaders in the famous Foley Square trial.

1952—Medina case. Dissented from Court decision upholding the contempt conviction of the Communist lawyers in the Foley Square case.

Having read his book "Points of Rebellion" twice, I quoted a number of controversial portions in a series of 1 minute talks before the House last month. The major portions of these comments are inserted at this point for your convenience:

Justice Douglas' Book "Points of Rebellion"

Mr. Scott. Mr. Speaker, there are a number of reasons for us to question the fitness of Mr. Justice Douglas to continue to sit on the Supreme Court and perhaps we should question him on all of these. However, at this time I would like to review the first third of his book "Points of Rebellion" and mention a few excerpts from it.

The book starts out with a reference to the constitutional protection which surrounds a citizen's belief and states how wonderful it is to live in a land where even a riot may be tolerated.

The author then goes on as follows:

He gives a discussion of the alleged historic practice of police in breaking up gathering of minority groups out of favor with the Establishment and charging them with "disorderly conduct" and "breach of the peace";

He states that lawful assembly often boils over into unlawful conduct because of people's emotions and irrational behavior, but blames this in part on the police arm of the Establishment saying:

"A speaker who resists arrest is acting as a free man. The police do not have *carte blanche* to interfere with his freedom."

A reference to national insecurity in international relations:

"We have become virtually paranoid. The world is filled with dangerous people. Every trouble maker across the globe is a communist."

He indicates:

"Domestic issues also have aroused people as seldom before. The release of the Blacks from the residual institutions of slavery has filled many white communities with fear."

A discussion of the corporation state and its desire "to convert all the riches of the earth into dollars" and "to produce climates of conformity that make any competing idea practically un-American."

He speaks of dilution of free speech:

"Although the First Amendment says that Congress shall make "no law" abridging freedom of speech and press, this has been construed to mean that Congress may make "some laws" that abridge that freedom."

He states:

"Our colleges and universities reflect primarily the interests of the Establishment and the status quo. Heavy infiltration of CIA funds has stilled critical thought in some areas. The use of Pentagon funds for classified research has developed enclaves within our universities for favored professors, excluding research participation by students."

He asserts:

"The university—symbol of the Establishment—is used to having its way in a community. Its pressure is commonly applied to Black areas; as it needs to expand, Black tenements provide an easy target."

He makes references to "goose stepping and the installation of conformity as king" and a statement that, "Our search for the ideological stray, through loyalty and security hearings, has vastly accelerated our trend to conformity.";

A recitation of various questions asked and the allegation that—

"Thousands lost their jobs because of these trivia. Others were suspended and turned into the outer darkness because of their membership in organizations deemed "subversive."

He is concerned with—

"An ominous trend is the increasing FBI activity on present-day college and university campuses. They put under complete surveillance a member or leader of the Students for a Democratic Society group—SDS—monitoring every minute of months of his life.

He charges:

"Big Brother in the form of an increasingly powerful government and in an increasingly powerful private sector will pile the records

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high with reasons why privacy should give way to national security, to law and order, to efficiency of operations, the scientific advancement, and the like.

He states:

"Electronic surveillance, as well as old-fashioned wire tapping, has brought Big Brother closer to everyone and has produced a like leveling effect."

He specifically charges:

"The FBI and the CIA are the most notorious offenders, but lesser lights also participate: Every phone in every federal or state agency is suspect. Every conference room in government buildings is assumed to be bugged. Every Embassy phone is an open transmitter."

And he philosophically states:

"As a person of worth and creativity, as a being with an infinite potential, he retreats and battles the forces that make him inhuman. The dissent we witness is a reaffirmation of faith in man; it is a protest against living under rules and prejudices and attitudes that produce the extremes of wealth and poverty and that makes us dedicated to the destruction of people through arms, bombs, and gases, and that prepare us to think alike and be submissive objects for the regime of the computer."

The second section of the book to be reviewed tomorrow is entitled "The Legions of Dissent." The book grows in intensity and builds up at the end to a justification for revolt if the Government fails to submit to the dissenters.

Is this man competent to sit on the Supreme Court? Is he worth $60,000 per year as a Government employee? Should he be impeached? These are questions the Congress should face.

Mr. Speaker, the second section of "Points of Rebellion" by Mr. Justice Douglas is not long. It commences with various criticisms of our conduct of foreign affairs and concludes with the statement the author credits to Adolf Hitler: "We need law and order." Sandwiched between are these "patriotic" observations:

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"Our youth rebelled violently when Mr. Johnson used his long arm to try to get colleges to discipline the dissenters and when he turned the Selective Service System into a vindictive weapon for use against the protestors. . . .

"But we know that preparedness and the armament race inevitably lead to war. Thus it ever has been and ever will be. Armaments are no more of a deterrent to war than the death sentence is to murder. . . .

"The Pentagon has a fantastic budget that enables it to dream of putting down the much-needed revolutions which will arise in Peru, in the Phillippines, and in other benighted countries. . . .

"The mass media—essentially the voice of the Establishment—much of the time reflects the mood of the Pentagon and the causes which the military-industrial complex espouses. So, we the people are relentlessly pushed in the direction that the Pentagon desires. . . .

"Police practices are anti-Negro.

"Employment practices are anti-Negro.

"Housing allocation is anti-Negro.

"Education is anti-Negro. . . .

"For the poor, the interest rates have been known to rise to 1000 per cent a year. . . .

"Yet another major source of disaffection among our youth stems from the reckless way in which the Establishment has despoiled the earth. The matter was put by a 16-year-old boy who asked his father, 'Why did you let me be born?'

"Youthful dissenters are not experts in these matters. But when they see all the wonders of nature being ruined, they ask, 'What natural law gives the Establishment the right to ruin the rivers, the lakes, the ocean, the beaches, and even the air' . . .

"There are 'colonies' within the United States. West Virginia is in a sense a microcosm of such a colony. It is partially owned and effectively controlled by coal, power, and railroad companies, which in turn are controlled by vast financial interests of the East and Middle West. The state legislature answers to the beck and call of those interests. . . .

"Political action that will recast the balance will take years.. . . .

"The truth is that a vast bureaucracy now runs the country, irrespective of what party is in power. The decision to spray sagebrush or mesquite trees in order to increase the production of grass and make a cattle baron richer is that of a faceless person in some federal agency. Those who prefer horned owls or coyotes do not even have a chance to be heard. . . .

"The truth is that a vast restructuring of our society is needed if remedies are to become available to the average person. Without that restructuring the good will that holds society together will be slowly dissipated.

"It is that sense of futility which permeates the present series of protests and dissents. Where there is a persistent sense of futility, there is violence; and that is where we are today.

"The use of violence is deep in our history. . . .

"We are witnessing, I think, a new American phenomenon. The two parties have become almost indistinguishable; and each is controlled by the Establishment. The modern day dissenters and protesters are functioning as the loyal opposition functions in England. . . ."

These statements made by a private citizen would not attract a great deal of attention but, when made by a sitting Justice of our Supreme Court, one wonders whether the author, because of age or other infirmity, has become so hostile to existing American institutions as to prevent him from impartially deciding issues coming before our Highest Court.

Monday, the remaining section of the book will be reviewed. It is entitled "A Start Toward Reconstructing Our Society." However, this is more than a book review. The book contains the thoughts of a man sworn to uphold our laws, paid by our Government at the highest executive level, and a member of the Highest Tribunal that interprets the law of the land. Can he perform the functions of his office? His voluntary retirement would resolve the issue.

Let me complete the review by quoting some of the text of the section entitled "A Start Toward Reconstructing Our Society."

These are direct quotations:

"Our militarism threatens to become more and more the dominant force in our lives. This is an inflammatory issue; and dissent on it will not be stilled.

"If history is a guide, the powers-that-be will not respond until there are great crises, for those in power are blind devotees to private enterprise. They accept that degree of socialism implicit in the vast subsidies to the military-industrial complex, but not that type of socialism which maintains public projects for the disemployed and the unemployed alike.

"The specter of hunger that stalks the land is likely to ignite people to violent protest.

"In one year Texas producers, who constitute 0.2 per cent of the Texas population, received 250 million dollars in subsidies, while the Texas poor who constitute 28.8 per cent of the Texas population, received 7 million dollars in food assistance.

"The local agencies also determine what families are "eligible" for food stamps. Their word is the law, for there are no procedures and no agency or surveillance to make sure that people are not made "ineligible" because of race, creed or ideological views. Retailers who may receive food stamps and turn them into the local bank for cash have prescribed remedies if they are discriminated against. But the faceless, voiceless poor have no such recourse.

"The person who must pick those allowed to eat on the limited budget is the principal. The result is that some hungry children go without lunches—80.8 per cent in Virginia, 70.4 per cent in West Virginia, 73.5 per cent in Pennsylvania and 86.8 per cent in Maryland. Overall, the national figures show that at least two out of three needy children do not receive school lunches.

"The use of violence as an instrument of persuasion is therefore inviting and seems to the discontented to be the only effective protest.

"Racial problems often are the key to a freeway crisis. In Washington, D.C., the pressure from the Establishment was so great on the planners that the natural corridor for the freeway was abandoned and the freeway laid out so it would roar through the black community. That experience is not unique. Many urban areas have felt the same discrimination. The Blacks—having no voice in the decision—rise up in protest, some reacting violently.

"Why should any special interest be allowed to relocate a freeway merely to serve its private purposes?

"People march, and protest but they are not heard.

"In some parts of the world the choice is between peaceful revolution and violent revolution to get rid of an unbearable yoke on the backs of people, either religious, military, or economic.

"The welfare program works in reverse by siphoning off billions of dollars to the rich and leaving millions of people hungry and other millions feeling the sting of discrimination.

"The special interests that control government use its powers to favor themselves and to perpetuate regimes of oppression, exploitation, and discrimination against the many.

"If society is to be responsive to human needs, a vast restructuring of our laws is essential.

"The universities should be completely freed from CIA and from Pentagon control, through grants of money or otherwise. Faculties and students should have the basic controls so that the university will be a revolutionary force that helps shape the restructuring of society. A university should not be an adjunct of business, nor of the military, nor of government. Its curriculum should teach change, not the status quo. Then, the dialogue between the people and the powers-that-be can start; and it may possibly keep us all from being victims of the corporate state.

"George III was the symbol against which our Founders made a revolution now considered bright and glorious. George III had not crossed the seas to fasten a foreign yoke on us. George III and his dynasty had established and nurtured us and all that he did was by no means oppressive. But a vast restructuring of laws and institutions was necessary if the people were to be content. That restructuring was not forthcoming and there was revolution.

"We must realize that today's Establishment is the new George III. Whether it will continue to adhere to his tactics, we do not know. If it does, the redress, honored in tradition, is also revolution.

"That revolution—now that the people hold the residual powers of government—need not be a repetition of 1776. I could be a revolution in the nature of an explosive political regeneration. It depends on how wise the Establishment is. If, with its stockpile of arms, it resolves to suppress the dissenters America will face, I fear, an awful ordeal."

Justic Douglas appears to champion everything that is wrong with the Government.

> In my opinion his obsession with criticizing the Government and the free enterprise system renders him incapable of impartially deciding issues coming before the Supreme Court. When the statements in this book are coupled with his other activities and conflicts of interest. It seems to me that we have an obligation to remove him as a Justice of the Supreme Court.
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> Such a serious course should be carefully charted and I woud prefer to join with others in taking the necessary action. However, after further study of procedure and his activities, I expect to institute impeachment individually or in conjunction with others.

These items and the statements made last night in special orders could be a starting point for a select committee to determine whether Mr. Justice Douglas should be impeached. In my opinion, they make a prima facie case. However, he should be given an opportunity to be heard and the committee afforded an opportunity to delve deeper into his activities. The House has a responsibility which I hope will be met.

CONDUCT OF JUSTICE DOUGLAS

(Mr. FISH asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FISH. Mr. Speaker, I join Mr. FRANK HORTON of New York in sponsoring a House Resolution to authorize the creation of a select committee of six to thoroughly investigate whether sufficient evidence exists to indicate Justice William Orville Douglas has committed high crimes and misdemeanors or has, while incumbent, failed to be of good behavior as required of a Justice under our Constitution.

I am joining in this resolution for the creation of a select committee which would be evenly balanced between members of the majority and minority as a precedence exists for such action by Congress. A similar committee was established by the House in the case of Mr. ADAM CLAYTON POWELL.

The need for the establishment of this select committee as called for in the House Resolution is clear. Strong enough allegations have been made against Mr. Justice Douglas before the Congress to activate our responsibility to thoroughly investigate the substance of these charges to determine whether they are firmly enough based in fact to warrant impeachment proceedings by the Congress.

Such action is necessary, as unlike an elected official, in the recall of whom the people are sovereign, a Justice of the Supreme Court serves "during good behavior" subject only to his death, resignation, or impeachment through constitutional proceedings in the Congress. I wish to stress, Mr. Speaker, that the mere creation of such a select committee, or the start of its investigation of charges that may eventually lead to a recommendation of impeachment, does not indicate presumption of guilt. A Supreme Court Justice, like any other citizen of our land must be considered innocent unless proven guilty beyond a reasonable doubt.

But a failure by the Congress to thoroughly investigate the serious allegations that have been laid before us concerning the alleged conduct of Mr. Justice Douglas, could, I believe, be considered by the people as a failure on the part of the Congress to fulfill our duty under the Constitution.

Therefore, I strongly urge, Mr. Speaker, the creation of such a select committee to investigate all allegations and to report their findings to Congress within 90 days of the designation of its membership. To do less we would fail in our duty under the Constitution, to the people of this country, and to Mr. Justice Douglas.

CONGRATULATIONS TO THE 4-H MOVEMENT

(Mr. ADAIR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADAIR. Mr. Speaker, with the approach of the 40th Annual National 4-H Club Conference here in Washington April 19–24, I think it is timely to observe that one of the finest international education and development programs for America and for the world is conducted by the 4-H Clubs, under general supervision of the Cooperative Extension Service. This work has been expanding quietly but effectively for more than 20 years. Toward the end of World War II, the 4-H members and leaders adopted a post-war expansion program with one of their guideposts built around the theme: "Serving as Citizens in Maintaining World Peace."

Their beginning activities in the foreign affairs field included a two-way 4-H member and leader exchange called the International Farm Youth Exchange Program—IFYE. Since 1948, more than 4,500 young people between the ages of 20 and 30 have lived in 72 countries around the world and have worked with youth programs to promote understanding and development. More than 40,000 host families have been involved directly. Almost all of the modest funds for this self-help effort have come from the private sector—much of it from the 4-H members themselves.

Today, with nearly four million 4-H youth actively engaged in the learn-by-doing programs of 95,000 local clubs, their expanded efforts are a bright spot in the international picture.

Purdue University, which sponsors 4-H Club programs in the State of Indiana, has supplied some facts about the growth and scope of the 4-H movement, which are very impressive. For example, in the Fourth Congressional District in Indiana, 8,973 4-H members were enrolled in our nine counties last year, 1969:

Allen	2, 445
Adams	765
De Kalb	690
Huntington	1, 103
LaGrange	596
Noble	921
Steuben	529
Wells	891
Whitley	1, 033

These members are counseled and helped with their educational projects and activities by volunteer leaders who give many hours of time with no salary or reimbursement.

More than 250 hard-working 4-H'ers will be coming here to Washington for the 4-H Conference, April 19–24. We look forward to receiving them here in the Congress while they learn about the processes of our democracy as part of their citizenship education program. On April 20, these 4-H delegates will break ground for a much needed addition to their National 4-H Club Center at 7100 Connecticut Avenue NW. Mrs. Nixon and J. C. Penney, as honorary cochairmen of the National 4-H Advisory Council, plan to attend. This training center was established with only private support in 1951. It was formally opened as a training center in June 1959 by then President Dwight D. Eisenhower.

A new and worthy innovation for 4-H'ers is labeled the "Youth Development Project." It operates somewhat like the Peace Corps program, but with important differences.

First. It is conducted by rural-minded and agriculturally trained personnel. Accordingly, these young leaders, who work in rural areas of developing nations, are quickly accepted and can quickly become effective. Cooperation is made easier and more productive by direct sponsorship and rapport which exists between the 4-H and extension organizations in the United States and the rural youth programs of the cooperating country.

Second. Important "feedback" or exchange of cultural and economic information and understanding is arranged in the United States through the vast educational programs of the 4-H clubs as part of the nationwide system of State land-grant universities and the U.S. Department of Agriculture. In this feature, the 4-H International Farm Youth Exchange Program—IFYE—has enjoyed unique and successful experiences for more than 20 years.

Third. The cost-benefit ratio is favorable. Because recruitment of leaders and participants stem directly from the learn-by-doing program of 4-H, its recruitment costs are almost nil. Volunteers step forward in ample numbers and with excellent talent for this work. Orientation and preparation costs are minimal because the major need is only for language training. Knowledge of agricultural science and rural culture is already present in these advanced farm-reared former 4-H members.

Fourth. A subtle relationship with agriculturally related industry and with U.S. aid programs give opportunity for bonus benefits at lowest possible cost. However, supervision and policy direction are in the hands of professionals who have only educational aims and objectives.

The self-help philosophy and the widespread citizen participation built into the 4-H international program is one of its most worthy features.

I urge the Members of the House to join me in congratulating the 4-H movement upon its accomplishments in serving youth at home and abroad.

ESTABLISHING A NATIONAL COLLEGE OF ECOLOGY AND ENVIRONMENTAL STUDIES

(Mr. WHITEHURST asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WHITEHURST. Mr. Speaker, I have joined with 21 of my colleagues in introducing House Resolution 16847, which establishes a National College of Ecological and Environmental Studies.

Students participating in this nonpolitical youth forum will be selected by the National Science Foundation. The college will provide a channel of communication for mature, bright students to discuss and help solve the growing problems associated with the environment and ecology.

Computations of scientists reveal that if present growth rates continue, the world's population will have doubled by the year 2000 from 3.5 to 7.2 billion persons. And by the year 2070, 100 years from now, the population would be 20 to 30 billion.

It has been estimated that to restore a polluted body of water such as Lake Michigan to its purity of 1945 would require $40 billion and 50 years time. This is provided all pollution was stopped now. Obviously, growth rates such as those predicted will not allow a complete halt. The Nation is entering a viscious cycle, moving to decrease pollution while a larger population demands more and more services. It is apparent that innovative and forthright action must be taken. I believe the needed ideas to deal with pollution could come from an intellectual environment, as provided at the National College forums. Students fully educated by scientific and industrial experts could make a significant contribution in pollution abatement.

An article written by Peter A. Gunter, of North Texas State University, published in the Spring edition of The Living Wilderness reveals dramatically the impending problem before us. I share it with my Colleagues at this point in the RECORD:

> Long before the sheer need for space outstrips the capacity of the earth to continue to support additional life, world population will outrun food supplies. Demographers agree almost unanimously on the following grim timeable: by 1975 widespread famines will begin in India; these will spread by 1990 to include all of India, Pakistan, China, the Near East, and Africa. By the year 2000, or conceivably sooner, South and Central America will exist under famine conditions. Nor is this, when you come to think of it, very surprising. In Costa Rica the population doubles every seventeen years, in El Salvador every nineteen years—and so on. Meanwhile world food supplies can scarcely double in one hundred years. By the year 2000, *thirty years from now*, the entire world, with the exception of Western Europe, North America, and Australia, will be in famine.
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> It does not take a genius to predict the results of this crisis. Ecologically, man's already pressing demands on his environment will be redoubled, while the means of preventing and repairing environmental decay become increasingly unavailable. Politically, it is very difficult to see how the world can avoid near-chaos, as governments rise, fall, and rise again in vain attempts to placate starving masses, and the poor nations of the earth mass hungrily together against the rich.

If correct action is not taken soon we may not be able to enter another century enjoying the services and benefits we now have. We must change our entire approach to our environment.

I urge the Committee on Science and Astronautics to quickly consider House Resolution 16847.

Mr. Speaker, several bills have been introduced to this session of Congress dealing with the pollution problem. I have introduced and cosponsored five bills covering five different areas; administration, legislation, enforcement, education, and research.

House Resolution 15969, the Pollution Abatement Act of 1970, creates a National Environment Control Commission which would consolidate pollution control programs presently widely scattered throughout the Federal Government, and provides an organized, business-like approach to combating pollution.

House Resolution 14701 gives the Federal Government immediate injunctive relief in any situation where danger of water pollution exists. The various departments of Government need the enforcement tool this bill provides. The bill was introduced in direct response to the recent James River sewage situation.

House Resolution 715 would create a Standing Committee on the Environment in the House of Representatives. All pollution bills would go to this legislative committee, except tax credit bills.

House Resolution 15288 is an educational bill directing the Office of Education in the Department of Health, Education, and Welfare to provide funds for training and education in pollution abatement.

House Resolution 16847 establishes the National College of Ecological and Environmental Studies. The bill would affect educational and research efforts.

The current alarm over environmental degradation has reached beyond the college campuses to Government and industry, and there has been a quickening of the conscience. The earth is, at best, a fragile life support system, and mankind, for the first time in all history, has the capacity to destroy it and himself. A real change in his approach to the environment and long-cherished economic assumptions is called for.

WE SHOULD SUPPORT ATTORNEY GENERAL MITCHELL, NOT CRITICS

(Mr. DEVINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DEVINE. Mr. Speaker, last week a liberal majority in the other body dealt a deadly blow to President Nixon's second nomination to fill the seat on the Supreme Court vacated by Abe Fortas. This week I noted with interest that Life magazine and other liberal publications are calling for the resignation of the Attorney General. What an interesting combination—liberal legislators and liberal publishers—attempting to deny to the conservative voters who chose this administration their voice in the Government.

Rather than have Mr. Mitchell resign, I hope he stays around for many years to insure that the conservative majority in this Nation shall have a voice in the high councils of our Government. On the big domestic issues of our day—crime and civil rights—this Attorney General has been the strong and courageous spokesman for the reasonable, constructive, and balanced approach.

In the area of crime he has changed the existing policy which was to guard the rights of the criminal more than the rights of society. He has proposed sweeping new legislation—which even now languishes in these halls—to get criminals off of our streets, provide more money for law enforcement officers, rid our mails of obscene materials, keep crooks from holding union office, toughen our laws with regard to drug traffickers and bomb throwers, revamp the District of Columbia court system, and a whole host of new, creative, and—let us say it—tough laws to make this Nation again safe from criminal elements. This is the kind of leadership we need. This is the kind of leadership our citizens are calling for. This is the kind of leadership that I am proud to support.

In the civil rights area the Attorney General has not turned aside from the rights of minority groups. He has continued wise policies of the past, while discarding those which were more spectacular than wise. He has initiated and supported new policies to obtain for all of our citizens the full measure of their civil rights. However, he has at the same time been mindful of the rights of the majority while safeguarding those of the minority. This balance has too often been lacking in the past and I welcome it in a man of his high position at the present time.

In short, let us give the Attorney General our support rather than our criticism. Let us call for him to remain as Attorney General rather than call for his resignation. He is one of the best this Government has to offer.

CRIME

(Mr. CEDERBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CEDERBERG. Mr. Speaker, President Nixon committed his administration to stemming the flow of crime in America. He warned us that the fight would be long and difficult, and I think that events have proved that the warning was justified.

Under our federal system, the principal responsibility for the administration of law enforcement and criminal justice rests with the State and local governments, not with the Federal Government. This is as it should be. We do not want to have a Federal police force.

But the Federal Government nevertheless has an important role to play in the fight against crime, and it is clear that the Nixon administration has given the role new vitality.

One of the most important steps the President took last year was to appoint John N. Mitchell as his Attorney General of the United States. For this new Federal role requires leadership, and Mr.

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Mitchell has made it clear in the last 15 months that he is the chief law enforcement officer of the United States.

From a monumental organized crime and narcotics program to needed reform of the Federal Corrections System, from the massive Federal effort to make the streets of the National Capital safe for its citizens, to new methods devised to deal with the problem of rampant pornography, Attorney General Mitchell has exercised firm and wise leadership.

But it is in the area of Federal assistance to the States and cities in attacking street crime that the administration's star will rise or fall. And from all appearances thus far, the first full year of that program envisages a bright future for it.

From its original budget of $63 million in fiscal year 1969, the law enforcement assistance administration is now operating, under Mr. Mitchell's guidance, with $268 million in funds, and with measurable results. Each of the States has for the first time planned its law enforcement activities on a coordinated statewide basis, and in every State improvement projects are underway.

The status and the salaries of policemen are being enhanced. They are receiving training on an unprecedented scale. They are getting more and better equipment to perform their vital tasks. And research and development in law enforcement—a serious lack in our resources against crime—has received a real shot in the arm.

Although the most recent FBI statistics show that the "rate of increase" of serious crime is decreasing, this is not enough. Attorney General Mitchell's continued leadership, I am confident, will bring about dramatic results which will soon become apparent to every citizen. Then our debt to him will be immeasurable.

BANKERS BECOMING ALARMED ABOUT VIETNAM INVOLVEMENT

(Mr. MADDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MADDEN. Mr. Speaker, during my recent visits to my congressional district I have noticed a startling change of public sentiment concerning the U.S. involvement in Southeast Asia. This criticism is coming from all segments of our economy—business, industry, labor, leaders in education, and so forth. A year and 4 months ago President Nixon made the statement that he was going to terminate the war rapidly by making gradual troop withdrawals. Many have been disappointed that the troop withdrawal process has been nothing more than nominal, and also that there have been occasional announcements of troop replacements in the Vietnam area. In recent months the news media has been devoting considerable time to our activities in Cambodia and Laos. The American public has been further alarmed that our Asian involvement may last long into the future.

Mr. Speaker, I wish to submit with my statement a newspaper article in this morning's Washington Post giving excerpts by the chairman of the board of the Nation's largest bank, Mr. Louis B. Lundborg, in his testimony before the Senate Foreign Relations Committee:

[From the Washington Post, Apr. 16, 1970]

BANKER DENIES VIETNAM WAR BRINGS PROFIT

(By Frank C. Porter)

The board chairman of the country's largest bank branded U.S. involvement in Vietnam "a tragic national mistake" yesterday.

In addition to dividing and confusing Americans, it has distorted the economy and hurt business profits, Louis B. Lundborg of the Bank of America told the Senate Foreign Relations Committee.

It was one of the strongest attacks to date on U.S. policy in Southeast Asia by a major figure of the corporate community.

Lundborg said the United States has reached the point of diminishing returns from defense-related technology and that research and development expenditures may actually be reducing the rate of economic growth.

He was leadoff witness of month-long hearings by the committee into what Chairman J. W. Fulbright (D-Ark.) called "the impact of the war on the everyday lives and attitudes of the American people."

As spokesman for the Bank of America, Lundborg confined his testimony to the war's economic effects.

But later he made a second statement as a private citizen in which he said this country's self-appointed role as unilateral policeman for the world "is morally indefensible and practically unsustainable."

"Because I have had no reason to doubt the good faith of the withdrawal plans announced by the President, I might have continued to remain silent," Lundborg explained. "But when I read 12 days ago that the President is under pressure to expand our military role in Asia, it seemed to me that the time had come to speak up and speak out and to say our meddling has gone far enough."

In his earlier testimony, Lundborg sought to refute "reckless and often deliberately malicious charges that the U.S. business community has supported the Vietnam war in an effort to reap huge profits."

Despite "the protestations of the New Left to the contrary," he said, "the fact is that an end to the war would be good, not bad, for American businesses."

During the four years before Vietnam escalation, corporate profits after taxes rose 71 per cent, Lundborg said, but from 1966 through 1969 they only increased 9.2 per cent.

He conceded that statistics are inadequate to make a conclusive case about deteriorating profits.

But "we do have more than adequate data to demonstrate that the escalation of the war in Vietnam has seriously distorted the American economy, has inflamed inflationary pressures, has drained resources that are desperately needed to overcome serious domestic problems confronting our country and has dampened the rate of growth in profits on both a before and after tax basis," he said.

PORNOGRAPHY AND OBSCENITY A MAJOR PROBLEM

(Mr. SCHADEBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHADEBERG. Mr. Speaker, I would like to direct your attention to the efforts of a young man who works diligently for one of various phases of the Presidential Commission on Pornography and Obscenity.

This young man, an associate at Boston University's Law School, was referred to in remarks made before this body last week. I do not believe that I fairly represented his efforts and the cooperation which this young man expressed to me and my staff in my continuing efforts to bring attention to this shocking problem.

My consideration in mentioning his study at all was to point out what I have been stating for some time on this floor, that this is a problem which must be considered by the House of Representatives and indeed, the entire Congress. It is a problem much larger than one young man from one university, assigned a section or parcel of an educational study. The complete understanding of crime's involvement within the pornography enterprise area is so mammoth, so involved, and so entangled, that only the combined investigative powers of the U.S. Congress can begin to unravel its myriad of involvement.

I have been asking this House for the better part of this session to take some action on my resolution to bring this area under special investigation. This effort has met with the cold shoulder of discouragement from the Justice Department and the White House, among others, all because of the dependency of those agencies upon the alleged power of this so-called Presidential Commission.

My purpose in making reference to the study being conducted by this young man was to point out the misdirection the Commission is taking. By stating my opposition to the human experimentation which the Commission has made, and by stating that an important part of the problem has not received sufficient funding and attention, the congressional mandate of assisting us in halting the spread of pornographic literature has not been met.

The young man I referred to in my remarks is doing as commendable a job as is possible with the severe limitation which has been imposed upon him. His study has not received adequate funding and he is forced, because of his lack of investigation tools, to seek secondhand information, on a rather part-time basis.

I still feel as I did about the work of the Commission and I feel strongly about the fact that the Commission is not carrying out its mandate, but I would like to state that many involved in this study are working hard to bring to the people of this country a realistic picture of the problem which we face in this area.

LIMITING TEXTILE IMPORTS

(Mr. TAYLOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAYLOR. Mr. Speaker, for the past 14 months, we in the Congress have waited patiently while the administration attempted to negotiate agreements controlling imports of textile articles into

XUM

the United States. Those of us who have a major textile and apparel payroll in our districts have long felt the need for decisive action to bring textile imports under some sort of reasonable control. We have held back moving on legislation in the hope that voluntary agreements could be negotiated.

It now appears that the attempts to negotiate agreements have met with failure and any further efforts in this regard would be futile.

I, therefore, am joining with a number of my colleagues in sponsoring legislation which will provide a framework within which this long-festering textile import problem can be eliminated.

We cannot afford to wait any longer while the exporting nations use every device possible to stall for time and build up a bigger and bigger base of operations in this country at the expense of our own textile workers. Textile imports in 1969 reached a record high of 3.6 billion square yards. Commerce Department officials report this week that imports in January and February of this year are far ahead of the comparable period of last year. It just goes on and on.

This may bring great joy in Tokyo or Seoul or Taipei but it gives us little to cheer about in Rutherfordton, N.C. The Bureau of Labor Statistics has just announced that textile and apparel employment declined by 18,000 between February and March. This type of job loss can no longer be tolerated.

The impact of this decline in employment is felt, particularly, in my home State of North Carolina, where one out of every two manufacturing jobs is in textiles.

In January of this year, the Winston-Salem Journal reported that 1,500 textile workers in that area lost their jobs. Late in December, a Uniroyal, Inc., plant in Gastonia announced it would close its doors, putting 160 employees out of work. In March, American & Efird Mills announced the closing of its Tait plant in Lincolnton, N.C., with 160 workers laid off and the J. P. Stevens Co. recently closed two mills in South Carolina and one in Tuxedo, N.C., for a week, affecting 2,000 employees.

These are just a few examples of how mills are being closed and workweeks being shortened because of low-wage imports.

During the same week that our Labor Department announced a decline of 18,000 textile and apparel jobs in this country, Japan, the largest textile exporter to this country, announced that her exports of knitted cloth to the United States doubled in 1969 over 1968.

We see example after example of how Japan and the other low-wage countries are expanding their production facilities and increasing shipments while American mills are cutting back. There can be little enthusiasm to invest in research and new facilities when low-wage imports are permitted to take an increasing share of our textile market.

Mr. Speaker, we have been most patient and tolerant with the exporting nations, but we must now act to safeguard the future of our own major job-producing industries.

The legislation I am sponsoring will accomplish that in a fair and reasonable way. It will permit foreign nations to sell a reasonable amount of their textile products in this country, but it also will prevent them from completely disrupting our market and employment as they have been doing.

My bill will establish a limit on textile imports in 1970 at the very high average years of 1967 and 1968. In subsequent years, the level will be adjusted up or down depending upon whether the domestic market increases or decreases.

What could be more reasonable?

This bill is a fair-share-fair-trade bill. And, most importantly, it will rebuild the confidence of the textile industry. It will be the key to new plants, modernized plants and expanding payrolls in our great textile State.

ATTORNEY GENERAL JOHN N. MITCHELL

(Mr. CONABLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CONABLE. Mr. Speaker, we Americans are privileged in that our citizens may express their opinions regarding the way Government officials are doing their jobs. Too often these days this privilege, so rare among nations of this world, is abused by people who place partisan interests above the truth.

A case in point is the recent criticism of Attorney General John N. Mitchell, a man whose accomplishments in office are plainly in evidence for those who would care to examine the record rather than indulging in thoughtless or partisan condemnation.

While his leadership as Attorney General has been evident in many areas, nowhere is there a clearer illustration of John Mitchell's merit than in the new and effective steps being taken against drug abuse by the Department of Justice. Stepped-up cooperative foreign efforts have resulted in greater seizures of dangerous substances overseas than ever before. Similar success has been achieved in our ports of entry and borders. But seizures alone are not enough, and in recognition of this the Attorney General has set up mobile strike forces which enable the skillful agents of his Bureau of Narcotics and Dangerous Drugs to provide assistance to local law enforcement in major drug traffic areas. He has aimed his program where it will do the most good, leaving local problems to local law enforcement officers who are now receiving drug abuse training by his Department at the rate of some 22,000 per year. He has encouraged needed legislative reform in the drug control area by submitting the proposed controlled Dangerous Substances Act, which hopefully we will shortly enact into law. Through his Law Enforcement Assistance Administration, he has assisted in establishing several State and metropolitan narcotic and dangerous drug units to deal with this problem more effectively at the local level.

These are but some of the Attorney General's achievements in just one of his many critical areas of responsibility. His approach to law enforcement has been rational, innovative, and effective. I know that I speak for a clear majority of Americans when I express my gratitude to Mr. Mitchell for his tireless and dedicated work.

CRIME IN THE DISTRICT OF COLUMBIA

(Mr. HUNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HUNT. Mr. Speaker, the people of the District of Columbia owe Attorney General John Mitchell a vote of thanks for rolling up his sleeves and tackling the job of alleviating the problem of crime in the District of Columbia, a problem which has long been neglected. It has been apparent for many years that the criminal justice system in the District of Columbia is disintegrating. There has been a lot of talk about this problem over the years, but it took John Mitchell to really do something about it.

Within 6 months after John Mitchell assumed office, the Department of Justice had developed a comprehensive legislative package dealing with many aspects of the District's criminal justice system. This package will give the District a truly local court system, with more judges and improved administration. This improved court system should result in expediting trials of criminal offenders. The court reorganization will also result in removing all local matters from the Federal courts located in the District of Columbia, thus permitting it to concentrate on Federal matters and reduce its backlog.

The legislative package also contained a measure which would permit consideration of danger in setting release conditions and would permit the judge to order detention of a defendant charged with certain offenses for whom the judge finds no conditions of release can be set which will adequately protect the community. Under this legislation, the number of crimes committed by persons released on bail should be substantially reduced. Passage of this legislation and the court reorganization legislation should provide speedier justice and substantially reduce the crime rate.

Other improvements in the criminal justice system are called for in the legislation. The District of Columbia Bail Agency would be authorized to supervise pretrial releases to assure that they do not violate their conditions of release, thus keeping down the rate of commission of crime by persons on pretrial release. The District of Columbia Legal Aid Agency would be expanded to a full-fledged Public Defender Service which could defend up to 60 percent of eligible defendants and assist private attorneys in preparing the defense of the other eligible defendants. The juvenile procedure code would be completely revised to indicate in detail the rights of a juvenile offender and the court procedures applicable to him. The juvenile procedure code would no longer make juvenile procedures applicable to certain juveniles charged with certain serious felonies who would, under the legislation, be tried in adult court.

John Mitchell deserves a great deal of credit for taking this action on the District of Columbia crime problem after so many years of inaction during previous administrations.

PRESIDENT ACTS TO HALT DUMPING IN THE GREAT LAKES BY U.S. CORPS OF ENGINEERS

(Mr. KLUCZYNSKI asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. KLUCZYNSKI. Mr. Speaker, the President's action yesterday in directing a halt in the dumping in the Great Lakes by the U.S. Corps of Engineers is, of course, a welcome decision. The editorial today in the Chicago Tribune is an excellent one and I commend the reading of this editorial to my colleagues:

OUTLAWING DUMPING IN THE LAKES

When President Nixon was in Chicago to discuss pollution problems several weeks ago he emphasized that the federal government can't expect to be a pollution watchdog and a major polluter at the same time. Now Mr. Nixon has backed his words with action in asking Congress to outlaw dumping of polluted dredgings into the Great Lakes, starting with the 35 most polluted harbors. One of the most persistent polluters of the lakes has been the army corps of engineers, which for a century has been fouling the waters with dredgings that include silt, grease, oil, and other forms of harmful industrial contaminants.

The bureau of the budget has already instructed the army engineers to stop using the lakes as a dumping ground. The President wants Congress to enact a law to make the prohibition permanent. Land disposal sites would have to be found. Under the President's plan the states and other nonfederal interests would pay half the cost of building containment areas and also provide land and other rights.

This is no more than fair, inasmuch as dredging operations by the corps have constituted a federal subsidy to states, cities, and private industries which benefit from the clearing of harbors and navigable streams. Construction of facilities in the 35 most polluted harbors is estimated to cost 70 million dollars, of which the federal government would pay half.

Mr. Nixon also ordered a special study, to be completed by Sept. 1, on dumping dredgings, sludge, and other materials into the oceans. The oceans offer no more satisfactory dumping grounds than the lakes, as is illustrated by the President's estimate that in the New York area alone the amount of annual dredgings would cover all of Manhattan to a depth of one foot in two years.

There is no reason for Congress to haggle over the President's request for legislation in this matter. It's an obvious step that should have been taken long ago.

IT IS TIME TO OVERHAUL FARM SUBSIDIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. CONTE) is recognized for 20 minutes.

Mr. CONTE. Mr. Speaker, on March 26 I expressed my disappointment that Agriculture Secretary Clifford M. Hardin has given no indication that he is prepared to put an end to the scandalous farm program giveaways of recent years. I again call attention to what I said at that time, that the list of 8,413 so-called farmers who received checks of $25,000 or more from the 1969 farm subsidy program actually includes many nonfarm corporations such as Standard Oil, Reynolds Aluminum, a number of banks, several State prisons, and even State governments.

I had the names and addresses of the entire list inserted in the CONGRESSIONAL RECORD, No. 46, part II, Tuesday, March 24, 1970, page 9129. Clearly many of these large payments go to corporations and large landowners. Yet these farm subsidy programs are defended as needed to protect hard pressed family farmers. How far they have been diverted from their original purpose.

I want to announce today, Mr. Speaker, that my staff has made a further study of recent trends in large farm subsidy payments, and I am shocked by what they found. The number of corporations and individuals receiving $25,000 or more in farm subsidy payments has increased by some 60 percent since 1966. The increase in 1969 over 1968 alone was 30 percent.

The number of corporations and individuals receiving farm subsidy checks in excess of $25,000, 1966 to 1969, is as follows:

1966	5,306
1967	6,536
1968	6,500
1969	8,413

In the face of this dramatic evidence that this runaway program has become more and more costly, it is simply unjustifiable that Agriculture Secretary Hardin has now pledged to maintain payments essentially at 1970 levels for another 3 years.

Over 80 percent of these corporations and individuals receiving large payments receive most of their subsidy from the cotton program. Six of the eight corporations who received checks in excess of $1 million in 1969 obtained most of their subsidies under the cotton program, the other two were sugar producers. Nine of the 14 who received checks of $500,000 to $999,999 obtained most of their subsidy from the cotton program, four from the sugar program, and one—State of Montana—mostly from wheat.

Sugar legislation expires next year. When it comes up for renewal I plan to offer a subsidy limitation comparable to the one which we finally enact later this year for cotton, feed grains, and wheat.

Returning to these latter programs, I call your attention to the further increase in cotton and wheat payments this year. According to estimates by the Department of Agriculture, wheat producers who received $856 million in subsidy payments in 1969 are scheduled to receive $900 million in 1970. Cotton producers who received $822 million last year are scheduled to receive $902 million this year.

Since 1966, cotton and wheat subsidies have increased as follows:

Year	Program payments	
	Cotton	Wheat
1966	$773,000,000	$679,000,000
1967	932,000,000	731,000,000
1968	787,000,000	747,000,000
1969	822,000,000	856,000,000
1970 (estimate)	902,000,000	900,000,000

When the Agricultural Act of 1965 was passed we were told cotton producers must be paid subsidies for diverting a part of their cotton lands so that accumulated Government surpluses of cotton could be liquidated. These Government surpluses were liquidated 2 years ago, and now we are told subsidy payments must be increased to assure the production of adequate supplies of cotton for domestic mills and for export.

Although total cotton subsidies are about the same as total wheat subsidies, in percentage terms cotton producers have received much larger subsidies than the producers of other major crops.

Government payments as a percentage of the value of the crop produced, 1966–70, for the cotton, wheat, and feed grains programs, are as follows:

Year	Government payments as percent of value of crop		
	Cotton	Wheat	Feed grains
1966	77	32	19
1967	98	34	13
1968	65	38	21
1969	76	48	24
1970 (estimate)	71	54	22

These figures mean, taking 1969 cotton as an example, that for every $100 a planter received on the sale of his cotton, he also collected an additional $76 in subsidy payments. When you consider how many times these figures are multiplied in the case of the millionaire farmers, this is damning evidence of the crying need to overhaul this runaway program.

Farm program payments, including sugar, wool, and conservation payments, are expected to equal or set a new record in the 1970 crop year totaling about $3.7 billion. In spite of the fact that subsidies are now at record levels and an increasing share of them are going to large corporations rather than farm families, as I have already indicated, Secretary Hardin has informed Members of Congress that the administration is willing to commit itself to a continuation of cotton, feed grain, and wheat payments at 1970 levels for another 3 years. And he proposes that any corporation or individual may receive payments up to $110,000 under each of the three programs, in addition to any subsidies they may receive under the wool, sugar, and conservation programs.

Mr. Speaker, I do not pose as an expert on farm problems. The farmers in my congressional district get very little benefit from these farm subsidies and

XUM

I became concerned about them only when I learned of the large payments being made to nonfarming corporations, banks, and State prisons in the name of protecting family farmers' incomes.

But the more I learn about them the more concerned I become about this waste of Government funds. I was especially concerned to learn that 62 percent of the cotton program payments, totaling $787 million in 1968, went to fewer than 35,000 (7.6 percent) of the 449,000 producers and landlords who received cotton program payments. These 35,000 largest producers received checks of $5,000 to $3 million while the other 414,000 producers received checks averaging about $700 each. Half the cotton producers received checks of less than $700 each.

I also was concerned to learn that these subsidies to cotton and wheat growers, fully half of which go to the very large farmers, now exceed 50 percent of the value of the crops they produce.

I fully recognize, Mr. Speaker, that there is no infallible rule for determining an equitable level of farm program payments. But I ask, must we continue to subsidize cotton and wheat production on very large as well as small farms in the United States, at up to twice the world price level? Should we continue to do this, even though Government funds are urgently needed for other rural programs, and consumers are clamoring about high meat prices? Why not shift some of these funds to rural housing and some of this acreage to forage crops and meat production?

In my opinion, the American people will not stand for another 3 years of these programs which include payments of up to $4 million to a single corporation at a time when the family's weekly meat bill is setting new records.

Mr. Speaker, earlier this week I announced in a letter to my colleagues who supported me so strongly the past 2 years that this year I intend to offer an amendment to the 1970 farm bill limiting payments to individual producers to $10,000 per crop. Because this amendment will be different in form than the straight $20,000 limit on total payments which has twice passed the House, I took some time to explain my new proposal in that letter.

For the benefit of those who opposed my earlier efforts or who have not voted on this question, I include a copy of that letter at the close of my remarks. I also include a table indicating the very small numbers of farmers who will be affected by my proposal in each State.

Before closing, Mr. Speaker, I want to remind my colleagues that the farm bill will be reaching the floor soon. I welcome this, not only because of the need to take action on farm legislation, but also because we will finally be able to take action on new food stamp legislation which has unnecessarily been tied to the farm bill.

The apparent impetus for this sudden burst of energy on the part of the House Agriculture Committee is Secretary Hardin's recent promise to maintain current payment levels for the next 3 years.

Whatever the reason for its imminent arrival, however, I am confident we will give this legislation the reception it deserves. We must once again make clear that this body will no longer support a farm program that permits giant corporate farmers to rake in millions, while little is done to assist the small- and middle-sized farmers who truly need our help.

The letter referred to follows:

CONGRESS OF THE UNITED STATES,
Washington, D.C., April 14, 1970.

DEAR COLLEAGUE: A year ago I was proud to have your support when my amendment limiting total farm subsidy payments to $20,000 per producer passed the House by a vote of 224 to 142. The amendment's 82-vote margin reflected the growing popular demand for eliminating the scandal of these huge payments; my similar amendment in 1968 passed by a margin of 70 votes.

While those efforts failed to persuade the Senate, I intend to renew my fight for this needed reform when the farm bill comes up for consideration soon—possibly as early as next week—and once again I hope to have your support.

In addition to soliciting your continued support, I want to advise you that I have decided to offer a more comprehensive amendment this year. It would limit payments to individual producers of cotton, wheat and feed grains to $10,000 per crop, and, at the same time, make certain other changes to assure that this limitation can be administered in the most effective fashion.

There are two principal reasons why I have decided to take this different approach.

First, in contrast to my past amendment limiting total payments to $20,000 which would have saved $200,000,000, this limit of $10,000 per crop will save between $250,000,000 and $300,000,000.

Secondly, agricultural experts at the Department of Agriculture and elsewhere have advised that a separate limitation on payments for each crop is preferable to a simple limitation on total payments for all crops. It would greatly simplify administration and, at the same time, simplify planning for those farmers who plant more than one of the three subsidized crops.

Recently, in testimony before the Senate Agriculture Committee on March 23, 1970, Secretary Hardin himself said that to make the limitation "administratively feasible," it should be "applied crop by crop instead of producer by producer. Some farmers produce several supported crops; if the limitation were applied to the farmer instead of to each of his respective crops we would have very great difficulty in knowing how the wheat program and how the cotton program should be administered on a particular farm, while staying within the total limitation."

The details of my new proposal were explained in my testimony before the House Agriculture Committee on July 21, 1969. I inserted this testimony in the CONGRESSIONAL RECORD, volume 115, part 15, page 20190, and I hope you will take the time to give it your consideration. The only change in my position between then and now is that I have since decided not to press for a $5,000 *per crop* limit which I advocated earlier. While I am still assured that this lower ceiling level is feasible, I have been persuaded that the $10,000 *per crop* limitation is more realistic.

Finally, I want to stress that my proposal would have no effect on the small- and medium-size farmer who really deserve and need federal assistance. Nationwide, less than one percent of all farmers would be affected by this amendment. A $10,000 payment limitation would affect about 3.4 percent of the cotton producers, 0.6 percent of the wheat producers and 0.4 percent of the feed grain producers.

I thank you for your patience with this lengthy letter. I hope you will agree that this new, more comprehensive approach is preferable to a simple limit on total payments. When the farm bill reaches the floor, once again, I hope we can work together.

With my best wishes, I am

Cordially yours,

SILVIO O. CONTE,
Member of Congress.

PRODUCERS RECEIVING $10,000 OR MORE FROM SPECIFIED PROGRAMS, 1968

State	3 programs	Cotton	Feed grain	Wheat
Alabama	744	723	21	
Arizona	846	802	38	6
Arkansas	1,576	1,571		5
California	1,670	1,564	31	75
Colorado	431		107	324
Delaware	4		4	
Florida	31	14	17	
Georgia	656	555	100	1
Idaho	310			310
Illinois	577	1	570	6
Indiana	371		369	2
Iowa	760		759	1
Kansas	837		222	615
Kentucky	49	6	42	1
Louisiana	687	682	4	1
Maryland	11		11	
Michigan	42		40	2
Minnesota	217		191	26
Mississippi	2,209	2,202	5	2
Missouri	588	231	352	5
Montana	799		3	796
Nebraska	587		509	78
Nevada	15	11		4
New Jersey	3		3	
New Mexico	521	224	221	76
New York	8		7	1
North Carolina	215	163	52	
North Dakota	334		4	330
Ohio	133		129	4
Oklahoma	381	144	18	219
Oregon	304		1	303
Pennsylvania	16		16	
South Carolina	539	519	20	
South Dakota	141		57	84
Tennessee	357	341	16	
Texas	7,315	5,342	1,411	562
Utah	39			39
Virginia	15	2	13	
Washington	967		3	964
Wisconsin	62		62	
Wyoming	19			19
U.S. total	25,386	15,097	5,428	4,861

THE DAY THAT LINCOLN DIED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. Michel) is recognized for 15 minutes.

Mr. MICHEL. Mr. Speaker, I had intended to make these remarks on yesterday but was foreclosed from doing so because of a lack of a quorum in the waning hours of the session.

In any event, yesterday marked the 105th anniversary of the death of my home State's most famous son and a man that I, along with many others, consider to be our greatest President, Abraham Lincoln.

Volumes and volumes have been written about his early life, the years of his Presidency, and the events leading up to his tragic death but not much is known about the owner of the home in which President Lincoln died.

Mr. Svend Petersen has written an interesting article providing some significant facts about Mr. William Petersen, owner of the home which has become a popular tourist attraction in Washington and I insert the article in the Record at this point:

The Day That Lincoln Died

(By Svend Petersen)

With your wife away on a visit, what would be your reaction if about ninety unexpected callers entered your home after ten o'clock in the evening and many of them remained all night? That was the experience of William Petersen, a long-time resident of Washington, on an eventful spring evening over a century ago.

Probably only a small fraction of the thousands who visit our nation's capital are aware of the existence of the Petersen House at 516 Tenth Street in downtown Washington. This three-story brick building lacks the impressive size and architectural splendor of the points of interest that attract most tourists.

It was to this house that Abraham Lincoln was carried on the night of April 14, 1865, after he had been shot by John Wilkes Booth. It was then numbered 453. The story of the assassination has been told countless times by many writers, but almost nothing has been written about the man who played host to the Great Emancipator on that terrible Good Friday evening.

Wilhelm Petersen was born in Hanover August 16, 1816, and was therefore a subject of George III who was also King of England. Early in 1841 Petersen, his wife Anna, and 141 other passengers sailed from Bremen on the *Europa*. They landed at Baltimore June 23d. Shortly thereafter Petersen set up a tailoring establishment in Washington.

On June 4, 1844, the tailor, who had anglicized his first name, went to the District of Columbia Circuit Court, where he declared on oath that it was "his intention to become a citizen of the United States of America and to renounce and abjure all allegiance and fidelity to every foreign Prince, Potentate, State, and Sovereignty whatsoever, and particularly to the King of Hanover." Ernest Augustus had become ruler of the Teutonic monarchy when Victoria ascended the English throne, as a woman could not reign over Hanover.

Henry Munck, an American citizen, accompanied Petersen to the Circuit Court November 30, 1846, and swore that he was well acquainted with him, that he had resided within the United States for at least five years without having been outside the country during that time, and that he had lived for at least the past year in Washington. Munck further deposed "that during the whole of that time, he has behaved as a man of good moral character attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same." Petersen then became an American citizen.

The census of 1860 lists seven Petersen children, all of whom were born in Washington: William F., sixteen, Louise A., thirteen, Ferdinand, eleven, Pauline, eight, Charles W., five, Anne, two, and Julia, three months. The two youngest died February 8, 1863.

As the Petersens did not need all the space in their house, they rented out rooms. The lodgers at the time of the assassination included William T. Clark, Thomas Proctor, Hiram S. Safford, and Henry and Julius Ulke. The first three were stationed at the War Department, while the Ulkes, who were brothers, were portrait-painters and photographers.

The room occupied by Clark was the one in which Lincoln died. It had previously been rented by John Matthews, an actor whom Booth had tried unsuccessfully to enlist in the conspiracy. Booth wrote a letter to the editor of the Washington *National Intelligencer*, in which he tried to justify the mad deed he was about to commit, and asked Matthews to deliver it on Saturday.

Matthews, who was ignorant of the missive's contents, opened the envelope as soon as he heard that Booth had shot Lincoln and read the inclosure. Fearing that he would be implicated in the plot, he burned the letter. According to one writer, Matthews was still living at the Petersen house and it was there that he destroyed the incriminating evidence.

William J. Ferguson, another actor and a chum of one of the Petersen boys, used to deliver acting parts to Matthews and other thespians while Matthews occupied the room later taken by Clark. In his book about the assassination Ferguson said, "On the occasion of one of these visits I saw John Wilkes Booth lying and smoking a pipe on the same bed in which Mr. Lincoln died."

On the night of April 14, 1865, Mrs. Petersen was in Baltimore on a visit. When the men who were carrying the unconscious Lincoln across Tenth Street from Ford's Theatre asked, "Where shall we take him?" Petersen was standing on the front steps of his house, holding a lighted candle. He motioned for the bearers to enter, while he himself rushed into the house, shouting, "The President is coming!"

The dying Lincoln was placed on Willie Clark's bed and the tiny room was soon filled with physicians, politicians, and others who had been attracted by the excitement. The Ulkes made night-long trips up and down the basement stairs, refilling bottles with hot water; the bottles were laid along Lincoln's limbs in the hope of relaxing their rigor.

During the nine hours that the President lay dying, a multitude invaded the house. There were at least eighty-seven visitors. They included the President's wife, his oldest son, at least nine physicians, six of the seven Cabinet members, the Vice President, the Chief Justice, the Speaker of the House of Representatives, several Senators, sundry other politicians, numerous soldiers from privates to generals, members of the cast of "Our American Cousin," and many others.

Albert Berghaus, an artist for Frank Leslie's Illustrated Newspaper, sketched the death-scene, being assisted by the Ulkes and Clark; the latter remembered the positions of those who stood around the dying President. The Ulkes and Clark joined Peterson, Proctor, and Safford in attesting Berghaus' artistic accuracy:

"We, the undersigned, inmates of No. 453 10th street, Washington, D.C., the house in which President Abraham Lincoln died, and being present at the time of his death, do hereby certify that the sketches taken by Mr. Albert Berghaus, artist for Leslie's Illustrated Newspaper, are correct."

Leslie's included a few kind words for the tailor's rooming-house:

"We think it right to name here that Mr. Petersen's house, in which the President died, is one of the most respectable houses in Washington, and not a tenement house, as stated by some papers.

"Our artist, Mr. Berghaus, . . . wishes us to state that the house in which the President died is one of the highest of its class in Washington."

William Petersen died June 18, 1871. His wife passed away the following October 18th; both are buried in Prospect Hill Cemetery, at North Capitol Avenue and W Street, in Washington.

According to the 1850 census, the value of the house which the tailor had built the previous year was $3,000. Ten years later it was $5,000 and in 1870 it was $8,000. By the time the five surviving Petersen children sold the house on November 25, 1878, the price had dropped to $4,500. The United States government purchased the building in 1896.

ATTORNEY GENERAL MITCHELL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. Poff) is recognized for 15 minutes.

Mr. POFF. Mr. Speaker, Attorney General Mitchell has just released his annual report for 1969. I commend to all of my colleagues this documented record of solid achievement by the Justice Department in its first year under the new Attorney General.

The introduction to the report is a statement by the Attorney General setting forth his views on the role of the Department, and properly complimenting the people at Justice for their assistance and cooperation in the year's work. I think that the statement is also worthy of our attention, and I, therefore, include it in the Record at this point:

Introduction

This year of transition posed special challenges to the Department of Justice and the Attorney General. Imaginative new programs were initiated in response to pressing needs of the nation. At the same time, the Department improved and expanded existing services provided under the broad range of responsibilities of its divisions, bureaus and offices.

As the primary federal agency obligated to protect the legal rights of individuals and of society, the activities of the Justice Department provide a basic stability to the fabric of American life based on the protections offered by the Constitution, congressional statutes and administrative regulations.

I am proud of the record of the Department of Justice in this difficult year. New appointees have taken up their responsibilities with enthusiasm and energy, and career employees have responded with dedication and loyalty to new policies.

Perhaps at no time in recent history has the Department of Justice faced so many pressing and complex challenges. Because the demands on our resources are so great the Department has selected three major priorities:

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1. The war against crime—street crime, organized crime, narcotics crimes, pornography and crime in the District of Columbia.

2. Civil Rights—the assurances that all of our citizens regardless of race will have the opportunity to enjoy American prosperity: to be well-educated, to have full access to satisfying job opportunities, to live in a home of their choosing and to freely exercise their political rights.

3. Economic rights—to assure that our citizens are able to purchase the best goods and services at the most reasonable prices by strictly enforcing laws which encourage competition and by drafting a new program for consumer protection.

As the following report reveals, every Division and Bureau has made its unique contributions to a year of accomplishment in which everyone in the Department can take pride. This review of the year does not attempt to catalogue the thousands of criminal and civil cases in which the Department's attorneys have participated, nor to list in detail the hundreds of actions involving administrative personnel. It does, instead, summarize and highlight the major accomplishments typical of the year just past and most illustrative of the continuing work of the people of Justice.

Some of the record of the last year deserves special attention. For example:

Organized crime has begun to feel the heavy impact of concerted action by special organized crime units in major cities operating under the coordinated control of Criminal Division attorneys ably assisted by experienced prosecutors and investigators from a number of Federal agencies.

New legislation has gone to the Congress offering imaginative, workable new approaches to criminal investigation, bail reform, equal justice and the special problems of the District of Columbia.

The Antitrust Division has embarked on promising efforts in assuring protection of the public in the growing field of conglomerate type business organizations, while assuring the businessman of prompt decision and clear-cut guidelines as to acceptable practice.

The Land and Natural Resources Division has established significant precedents in protection of the public interest in environmental pollution and undersea resources.

The Bureau of Narcotics and Dangerous Drugs has put a variety of new domestic and international pressures on traffic in drugs of all types both into and within the United States with particular emphasis on protection of young people from its ravages.

The Civil Rights Division has been instrumental in making the biggest inroads in any single year or imbalance of opportunity not only in education but equally in housing and job opportunities.

The Law Enforcement Assistance Administration became a functioning reality, with $236 million budgeted to the 50 states to permit them to plan and carry out programs which each has developed to meet its own particular needs.

The Bureau of Prisons has vastly improved its rehabilitative services to adult and youthful offenders, with education, training and service to the inmate being returned to society receiving increasing emphasis.

The Civil Division has handled a record caseload, in an increasingly complex atmosphere of responsibility for serving Federal agencies with distinction and marked success.

The Administrative Division serviced the significant burden of the transition between Administrations, changes in personnel and institution of new programs while at the same time carrying out important internal management reform resulting in measurable economies.

The Immigration and Naturalization Service extended speedier, simplified port-of-entry service to hundreds of thousands of travelers while at the same time efficiently handling a steady flow of immigrants in all categories from throughout the world.

And the Federal Bureau of Investigation again added to its unique record as the nation's most effective law enforcement agency, making particularly important contributions to assisting and improving the work of state and local police forces.

But this year cannot really be measured on a balance sheet in the Department. It can be judged best in its response to the role allocated by the President of the United States—to assure the administration of justice in all its aspects in a balanced fashion, equal for all and equally accessible to all. This last has been a year of clarification of purpose and intensification of priority; a year of assessment of role and a year of careful allocation of resources.

The traditions of the Department of Justice represent some of the finest in the history of Government and of the Law. Over the decades, this Department has provided the stable thread of judicious continuity that has been the firmest underpinning of the American system. In the transitional year just past, the Department has renewed that tradition and refreshed that philosophy.

Certainly the combination of outstanding new appointees and experienced professionals now functioning smoothly together in every Division and Bureau well represents that tradition at its finest. Those of us who joined the Department in the last year have forged a working relationship with the career staff second to none in the Government. Across the whole spectrum of its responsibilities the Department is acutely, professionally responsive to the law, its enforcement and its administration.

Personally, I take great pride in the people of the Department of Justice and look forward to working with them in the years to come in creative growth of the protections afforded all Americans by the cumulative development of Federal statutes. It is the Department of Justice which has the responsibility for insuring that enforcement of one segment of the law, in behalf of one group or individual, does not deny the protection of other rights and statutes to still other groups; it is this Department which emphasizes the basic stability of society and its institutions in a changing nation and world.

That challenge, I am confident, we have met in the last year and will continue to face confidently in the future.

JOHN N. MITCHELL,
Attorney General.

The report spells out in detail the many advances made in pursuance of Mr. Mitchell's aim of rededicating the Department to the concept of being a law enforcement agency for the protection of citizens' rights. Prominent among them were:

A revitalized and greatly expanded war on organized crime and narcotics crimes. This included the deployment of more personnel in major metropolitan areas, record budgetary requests and requests for new laws.

A major offensive against street crime with a $268 million appropriation for the Law Enforcement Assistance Administration. Most of this money will go to State and local governments for the improvement of police and the administration of justice systems.

An aggressive economic policy to protect the consumer. This included new action against illegal economic concentration and an imaginative proposed consumer protection act.

A successful policy of civil rights enforcement. This included more desegregation of schools than occurred in any previous fiscal year and an increase in cases filed in housing and other areas.

Mr. Speaker, the record made by the Department of Justice in a transitional year under a new administration is of course a tribute to the whole Department but it is primarily a tribute to the leadership abilities of the Attorney General. John Mitchell deserves our applause, as well as our support for his future efforts.

ATTORNEY GENERAL MITCHELL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. RHODES) is recognized for 5 minutes.

Mr. RHODES. Mr. Speaker, when Attorney General Mitchell took the reins of the Department of Justice in January 1969, he established three priority areas for the Department: the protection of society from street criminals and organized criminals, the protection of minority rights, and the protection of free competition.

In his quiet but forceful manner, he has led the Department to significant advancements in all three areas. But I think that if there is one area in which he will go down in history as a champion of the people, it will be as the leader of the administration's fight against organized crime.

President Nixon told us a year ago in his message on organized crime:

> For two decades now, since the Attorney General's Conference on Organized Crime in 1950, the Federal effort has strongly increased. Many of the nation's most notorious racketeers have been imprisoned or deported and many local organized crime business operations have been eliminated. But these successes have not substantially impeded the growth and power of organized criminal syndicates. Not a single one of the 24 Cosa Nostra families has been destroyed. They are more firmly entrenched and more secure than ever before.

The President directed Mr. Mitchell to mount a massive and coordinated attack upon organized crime across the Nation.

The recently publicized indictment by a Federal grand jury of the head of one of the Cosa Nostra families provides a clue to some of the accomplishments in the last year:

The establishment of 13 permanent Federal racketeering field offices in major organized crime areas of the country, uniting professional investigators and attorneys from the Department of Justice, the FBI, the Internal Revenue Service, the Secret Service, the Bureau of Customs, the Bureau of Narcotics and Dangerous Drugs, and the postal service, in a coordinated effort in those areas;

For the first time in history, the Federal Government sponsored training conferences on organized crime, bringing together police, prosecutors, judges, and criminal justice planners from 35 States;

The installation of a prototype computerized intelligence system to house detailed information on the membership and concentration of organized crime nationally;

Assistance on a massive scale to State and local efforts to combat the menace of organized crime; and

The initiation of research projects on organized crime by the Department's National Institute of Law Enforcement and Criminal Justice.

Positive results of the new efforts are beginning to surface. Thanks to the full use of the electronic surveillance techniques authorized by the Omnibus Crime Control and Safe Streets Act, one of the largest bookmaking rings on the east coast, handling an estimated $60 million a year in wagers, was broken. Fifteen members of the ring were arrested by the FBI and are awaiting trial.

The heads of six Cosa Nostra families, including the one I mentioned before, plus a number of their lieutenants and henchmen, are now awaiting trial on Federal charges. More than 900 other hoodlum, gambling, and vice figures are also awaiting trial.

This is but the beginning of the fight against organized crime. With Mr. Mitchell on the job, I am confident that the results in the years ahead are going to be striking. He deserves the support of each of us.

ATTORNEY GENERAL JOHN NEWTON MITCHELL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. KYL) is recognized for 5 minutes.

Mr. KYL. Mr. Speaker, I rise today to make a few remarks concerning the Attorney General of the United States, the Honorable John Newton Mitchell.

This week's edition of Life magazine contains an editorial which calls for the resignation of the Attorney General following the defeat of this administration's second Supreme Court nominee. I would like to express strong disagreement with the position of the magazine. What this Nation needs is not the resignation of this dedicated man, but the appointment of a dozen like him to positions of responsibility.

In just a little over a year the Attorney General has turned the Department of Justice and the law-enforcement activities of the Government around. No longer are we coddling criminals and going overboard to protect the rights of individuals while the rights of society in general are trampled underfoot. No longer are we permitting the civil rights of a few to undermine the civil rights of the many. The Attorney General is seeing that a fair and evenhanded policy is applied to all of our citizens, one not outweighing the other—law-abiding citizen and criminal, white parent and black student. Mr. Mitchell is looking out for all our citizens, not just a few.

Nowhere is the evenhandedness of this Attorney General more apparent than in the field of antitrust law enforcement. From my observations of the Department of Justice since January 1969, I discern four broad policies at work in the field of antitrust law in this administration. First, an attempt to preserve a competitive market structure and to prevent markets and the economy in general from being subjected to undue economic leverage. Second, a drive against anticompetitive business practices wherever they may exist. Third, a campaign to persuade regulatory agencies throughout the Government that competition should be allowed to operate as a regulator. And finally, the pursuit of the idea that the antitrust laws can be used as a significant weapon in the fight against organized crime.

These policies in the antitrust field I think clearly exhibit the chief characteristic of this Attorney General and the Department of Justice under his leadership: a willingness to use every tool available; a willingness to try new ideas and approaches to make our laws serve the legitimate interests of the most people. Mr. Mitchell and his antitrust chief, Richard McLaren, have taken a fresh look at the antitrust problems facing our economy and have set out to use our existing laws to solve these problems. This is just one example of the creative innovative leadership now at the Department of Justice. Equally exciting new programs are underway throughout the Department.

Be it in the field of crime, or civil rights, or economic policy, or any other, John Mitchell has not shrunk from the hard tasks, has not shilly-shallied on the hard decisions which confront him. He has come down hard on lawbreakers of every stripe or region in his attempt, which I applaud, to make this truly a Nation of laws. It is my hope that the Attorney General will be around for many years to come.

STATE TAX WITHHOLDING FOR CAPITOL EMPLOYEES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 10 minutes.

Mr. HOGAN. Mr. Speaker, yesterday I introduced a bill which authorizes the Architect of the Capitol to enter into agreements with the States of Maryland and Virginia to withhold State income taxes from the pay of those employees under his jurisdiction who voluntarily agree to such action. This will cover employees of the Office of the Architect of the Capitol in all buildings and facilities, employees of the Senate and House Restaurants, and employees of the U.S. Botanic Garden, which is operated by the Architect of the Capitol as "Acting Director."

At the present time, no such tax can be withheld because the Architect of the Capitol lacks the legislative authority to do so. At the same time, however, the payroll systems of the Architect's Office and the Botanic Garden are equipped to permit such deductions to be made without requiring any additional equipment or changes in existing payroll procedures. Inasmuch as the Architect already has the authority and currently withholds such tax for the residents of the District of Columbia, an extension of this convenience to residents of Maryland and Virginia is only fair and reasonable.

In a letter to Chairman WILBUR MILLS of the Ways and Means Committee, J. George Stewart, Architect of the Capitol, pointed out:

> Approximately 2,000 employees work under my jurisdiction in these facilities, of which about 875 reside in Maryland or Virginia.

He also stated that enactment of legislation offering these employees the opportunity of having their State income taxes withheld at the source "would be of great benefit to them and to the two States involved," and thereafter recommended the enactment of legislation authorizing this deduction of tax.

In the last few weeks, I have received approximately 200 letters and phone calls from employees of the Architect of the Capitol who have requested me to take action to accomplish the enactment of legislation to permit these payroll deductions which, as they state, "is the best and most convenient way to assure the State of its money and to ease the budget of a working man." I am forwarding these letters to Chairman MILLS with my request for prompt consideration. If enacted into law soon, with the Architect being in a position to immediately institute such deductions, this action will permit the withholding of tax on a substantial portion of the employees' income for calendar year 1970.

With the filing of our State taxes for 1970 still fresh in our memories, I feel sure every Member here will sympathize with what I am trying to do. It is also my intention to investigate the similar situation which exists with regard to employees under the Clerk of the House and the Members and officers under the jurisdiction of the Sergeant at Arms.

If I find that corrective legislation is necessary, I will introduce a bill to achieve that end.

ACP FUNDS NEEDED IN UTAH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. BURTON) is recognized for 15 minutes.

Mr. BURTON of Utah. Mr. Speaker, I have received numerous letters in recent weeks regarding the lack of funding in the 1971 agricultural budget for the Agricultural Conservation Program. This beneficial, low-cost program is very popular in Utah and throughout the country, and I believe the $185 to $200 million expended for it each year is money well spent.

In Utah, 5,147 farms participated in the 1969 ACP and carried out 36 different kinds of conservation practices which treated or directly served about 564,000 acres of cropland, pasture, and woodland. Farmers and the ACP invested close to $2.4 million in their equal partnership in this public-benefit effort last year.

Major ACP practices carried out in the United States and Utah included: 9.5 million acres of enduring cover for soil or watershed protection or needed land-use adjustment, with extensive antipollution benefits. Utah: 35,000 acres.

There are 4 million acres directly served by 45,000 water storage reservoirs which control erosion, bring about desirable land use adjustments, conserve scarce irrigation water, or enhance fish and wildlife habitat—which also provide widespread and improved outdoor recreational opportunities for farm and local nonfarm people. Utah: 44,000 acres served; 175 water storage reservoirs.

There are 4.2 million acres served in a similar way by other water developments such as springs, wells, pipelines, and other small structures. Utah: 37,500 acres served.

There are 0.8 million acres served by standard and diversion terraces which control erosion, manage water safely, and otherwise stabilize land and reduce pollution of streams. Utah: 2,700 acres served.

There are 1.9 million acres of competitive shrubs controlled on range or pasture which permit growth of adequate cover for erosion control and to conserve water. Utah: 15,000 acres treated.

The ACP emphasizes permanent-type, or enduring, conservation measures. In 1969, 87 percent of the program's cost-sharing funds were used for these practices and 13 percent for "temporary" practices. In Utah 100 percent went for enduring type practices.

In 1970, several new pollution abatement practices which produce important off-farm benefits—cleaner water, air, and soil, where agriculture-related pollutants; for example, sediment, chemicals, animal wastes, and dusts are involved. These were added on the basis of new congressional authority and have been approved in over two-thirds of the States—including Utah—with most others expected to be represented before the end of the 1970 program.

The special emergency conservation measures part of the ACP is conducted with specially appropriated cost-sharing funds to deal with problems caused on farmlands by natural disasters. In 1969 these measures treated or directly served about a million acres which had been damaged by floods, hurricanes, tornados, or other natural disasters in 201 counties of 30 States, including Utah.

The ACP provides special assistance in several other types of conservation project areas organized by local people. For example, it helps farmers in small watershed and resource conservation and development project areas feel in a position to commit themselves to carrying out needed farm and project area conservation plans and then helps them get the needed treatment on the land.

In Utah, 505 farms in 15 Public Law 566 watersheds in 14 counties received $173,000 of ACP cost-share funds in 1969. An additional 902 farms in 19 special ACP projects in 13 counties received $240,000. And 556 farms in the two counties of the Box Elder R.C. & D. project received $192,000 of such aid—a total of over $600,000.

The current interagency inventory of soil and water conservation needs shows for the United States:

[In millions of acres]

	Land in farms needing conservation treatment	Currently adequately treated	Total acreage
Cropland	277	161	438
Pasture and range	342	140	483
Woodland	285	178	463
Other land	16	40	56
Total	920	520	1,440

Sixty-four percent currently needs treatment.

Thirty-six percent is currently adequately treated—will need to continue this adequate treatment or suffer deterioration.

The current interagency inventory of soil and water conservation needs shows for Utah:

[In millions of acres]

	Land in farms needing conservation treatment	Currently adequately treated	Total acreage
Cropland	1.5	0.6	2.1
Pasture and range	7.3	1.7	9.0
Woodland	.7	3.9	4.6
Other land	.3	.7	1.0
Total	9.8	6.9	16.7

Fifty-nine percent currently needs treatment.

Forty-one percent is currently adequately treated—will need to continue this adequate treatment or suffer deterioration.

Other data follows:

UTAH.—SUMMARY OF THE 1969 AGRICULTURAL CONSERVATION PROGRAM, SECTION 1, PARTICIPATION AND PAYMENTS

Item	Unit	Regular ACP	Naval stores program	FCM F-4	Total regular, ASCP and ECM
Participating farms	Number	5,147		61	5,147
Farms participating at least once during 1965–69	do	12,260			12,260
Cost-shares	Dollar	1,207,282		42,251	1,249,533
Small cost-share increase	do	23,435			23,435
Amount transferred to SCS	do	53,750		4,800	58,550
Amount transferred to other agencies	do				
Amount used or to be used for program services	do				
Total gross assistance	do	1,284,467		47,051	1,331,518
Average per farm	do	250		771	259
Participating low-income farmers [1]	Number	50			50
Cost-shares for low-income farmers [1]	Dollar	15,149			15,149
Pooling agreements:					
Counties	Number	27		1	28
Agreements	do	199		1	200
Farms	do	3,333		61	3,394
Cost-shares	Dollar	444,114		42,251	486,365

[1] Those farmers who established eligibility for increased rates of cost-sharing under the special provision for low-income farmers.

UTAH—SUMMARY OF THE 1969 AGRICULTURAL CONSERVATION PROGRAM, SECTION 2, CONSERVATION PRACTICES, REGULAR

Practice name	Practice number	Number of counties	Number of farms	Unit	Extent	Cost-shares	Percent of State total	Average rate per unit
Permanent cover in orchards or vineyards	A-1	1	2	Acre	9	36	(1)	4.00
Permanent cover	A-2	24	240	do	5,753	26,465	2.19	4.60
Increased acreages of rotation cover	A-3	1	1	do	30	141	.01	4.70
Field stripcropping	A-6	1	2	do	284	569	.05	2.00
Trees or shrubs to prevent erosion	A-8	1	1	do	1	6	(1)	6.00
	A-8			Acres served	7			.86
Improvement of cover on rangeland	B-2	23	186	Acre	28,897	52,575	4.35	1.82
Control of competitive shrubs on range or pasture	B-3	23	100	do	15,139	31,017	2.57	2.05
Wells for livestock water	B-5	11	22	Number	18	9,255	.77	514.17
	B-5			Acres served	3,773			2.45
Springs or seeps for livestock water	B-6	11	29	Number	42	9,228	.76	219.71
	B-6			Acres served	11,434			.81
Reservoirs for agricultural uses	B-7	22	171	Number	163	115,458	9.56	708.33
	B-7			Acres served	42,676			2.71
Pipelines or other livestock water facilities	B-8	17	40	do	22,247	11,982	.99	.54
Constructing permanent fences	B-9	29	397	do	119,078	101,200	8.38	.85
Timber stand improvement	B-10	1	1	Acre	1	25	(1)	25.00
Constructing stock trails	B-11	3	8	Acres served	3,520	1,580	.13	.45
Noxious weed control	B-12	8	41	Acre	528	2,111	.17	4.00
	B-12			Acres served	4,902			.43

UTAH—SUMMARY OF THE 1969 AGRICULTURAL CONSERVATION PROGRAM SECTION 2, CONSERVATION PRACTICES, REGULAR—Continued

Practice name	Practice number	Number of counties	Number of farms	Unit	Extent	Cost-shares	Percent of State total	Average rate per unit
Permanent sod waterways	C-1	1	1	Acre	2	100	.01	50.00
	C-1			Acres served	160			.63
Permanent cover on dams and other problem areas	C-2	2	5	Acre	2	89	.01	44.50
	C-2			Acres served	419			.21
Terraces	C-4	1	19	do	2,089	13,705	1.14	6.56
Diversion terraces, ditches, or dikes	C-5	4	10	do	630	2,129	.18	3.38
Erosion control dams storage type	C-6	2	5	Number	9	2,413	.20	268.11
	C-6			Acres served	1,460			1.65
Erosion control dams other	C-6	4	7	Number	18	3,175	.26	176.39
	C-6			Acres served	1,342			2.37
Mechanical protection of inlets or outlets	C-7	8	112	Number	21	8,450	.70	402.38
	C-7			Acres served	7,112			1.19
Streambank or shore protection	C-8	10	86	do	2,379	18,837	1.56	7.92
Permanent open drainage	C-9	8	25	do	1,631	4,469	.37	2.74
Underground drainage	C-10	12	121	do	2,067	50,292	4.17	24.33
Installing or reorganizing irrigation systems	C-12	29	1,911	do	171,288	268,133	22.21	1.57
Land leveling	C-13	24	408	Acre	6,105	113,227	9.38	18.55
Irrigation ditch lining	C-15	20	1,690	Acres served	97,619	336,973	27.93	3.45
Spreader ditches or dikes	C-16	3	3	do	921	1,006	.08	1.09
Stubble mulching	E-1	1	11	Acre	1,012	556	.05	.55
County conservation practices	F-2	5	26	Acres served	6,885	11.494	.95	1.67
Practices to meet new conservation problems	F-3	2	17	do	2,047	7,659	.63	3.74
Wildlife food plots or habitat	G-1	1	1	Acre	2	292	.02	146.00
	G-1			Acres served	2			146.00
Shallow water areas for wildlife	G-2	1	1	Number	4	1,000	.08	250.00
	G-2			Acres served	500			2.00
Wildlife ponds	G-3	3	3	Number	3	1,635	.14	545.00
	G-3			Acres served	56			29.20
Total, regular		29				1,207,282	100.00	

[1] 0.005 percent or less.

UTAH—CONSERVATION PRACTICES, EMERGENCY CONSERVATION MEASURES

Practice name	Practice number	Number of counties	Number of farms	Unit	Extent	Cost-shares	Percent of State total	Average rate per unit
Emergency conservation measures	F-4	1	61	Acres served	440	42,251	100.00	96.03

LEGISLATION TO REQUIRE THE OPEN DATING OF PACKAGED FOODS—II

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 30 minutes.

Mr. FARBSTEIN. Mr. Speaker, on Wednesday, Congressman JOHN E. MOSS and 53 other Members of this body joined with me in sponsoring legislation to require the last date a food can safely be kept on a grocer's shelves to appear on the label of all perishable and semiperishable foods. I first introduced this legislation on November 17 of last year.

This support follows release last week by me of two surveys of District of Columbia supermarket code dating practices, which uncovered large amounts of out-of-date food being sold. I believe the same situation exists throughout the country. Surveys conducted in Chicago have demonstrated this to be the case in that city. Other surveys are planned for New York and other cities in the near future.

The two District of Columbia surveys found that while the greatest food abuses were in stores located in low-income areas, large amounts of stale food were being sold in middle-income-area stores as well. In one store, over $300 worth of stale food, including 3-month-old bologna, was uncovered. The surveys were conducted by my staff and the Consumer Action Committee of the District of Columbia Democratic Central Committee.

Most foods sold today carry a coded date stamped by the manufacturer, wholesaler, or retailer. Consumers frequently wonder why it is that the item they buy one week may last several days, while the same item purchased another time may be stale before it is even taken out of the shopping bag. This is explained by the code on the package, which is not meant for the consumer.

Open dating gives consumers personal policing power over the sale of staple food by their local supermarkets. It does not require government action, which is susceptible to funding cuts or industry pressure. Nor does it require court intervention, which is often expensive and time consuming. It is self-enforcing.

At the same time, it must be pointed out that the sale of a food product before a date stamped on the label is no guarantee that the food will be fresh. Shelf lives are based on proper treatment of the food item and the maintenance of a particular temperature and humidity. It would remain the responsibility of the manufacturer, wholesaler and retailer to insure that the consumer was not purchasing unfit food, irrespective of the age of the product.

The bill would apply to foods, canned or packaged by the producer, wholesaler, or retail store. The Secretary of Health, Education, and Welfare would be authorized to determine how long a food could safely be kept on the shelf before it began to deteriorate.

Several municipalities now require dating of certain kinds of food, especially milk and bread. New York, for example, requires the dating of dairy products. Federal law and regulations require the dating of certain drugs and durable items.

I have found a surprising amount of support for open dating, not only from the consumer, but from the small food store operator. He gets the blame for selling stale food, but frequently does not know the manufacturer's codes, and thus has no control over food freshness. Like the consumer, he would like to know what the codes mean.

The text of the bill and a list of sponsors follow:

H.R. 17005

A bill to amend the Fair Packaging and Labeling Act to require a packaged perishable food to bear a label specifying the date after which it is not to be sold for consumption as food

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (1) of subsection (a) of section 4 of the Fair Packaging and Labeling Act (15 U.S.C. 1453) is amended by inserting "(A)" immediately after "label" and by inserting before the semicolon the following: ", and (B) if the commodity is a perishable food, stating that it is not to be sold after a clearly specified date for consumption as food.

(b) Section 5 of such Act (15 U.S.C. 1454) is amended by adding at the end thereof the following new subsection:

"(f) For purposes of section 4(a)(1)(B) of this Act, the Secretary of Health, Education, and Welfare, in consultation with the Secretary of Agriculture, shall by regulation prescribe the manner in which the last day for the sale of a perishable food shall be determined."

(c) Section 10 of such Act (15 U.S.C. 1459) is amended—

(1) by striking out "meat or meat product, poultry or poultry product, or" in subparagraph (1) of paragraph (a);

(2) by adding after subparagraph (5) of paragraph (a) the following new sentence: "Such term includes meat or meat products or poultry or poultry products only to the extent necessary to implement the requirements of section 4(a)(1)(B)."; and

(3) by adding at the end the following new paragraph:

"(g) The term 'perishable food' means meat, poultry, fish, dairy products, eggs, fruit, vegetables, bread, coffee, and any other food that the Secretary of Health, Education, and Welfare designates as perishable."

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SEC. 2. The amendments made by the first section of this Act shall take effect on the ninetieth day following the date of its enactment.

HOUSE SPONSORS

Leonard Farbstein, Democrat, of New York.
John E. Moss, Democrat, of California.
Bob Eckhardt, Democrat, of Texas.
John Murphy, Democrat, of New York.
Fred Rooney, Democrat, of Pennsylvania.
Richard Ottinger, Democrat, of New York.
Robert O. Tiernan, Democrat, of Rhode Island.
Joseph P. Addabbo, Democrat, of New York.
Glenn Anderson, Democrat, of California.
Jonathan B. Bingham, Democrat, of New York.
Edward P. Boland, Democrat, of Massachusetts.
Frank J. Brasco, Democrat, of New York.
William S. Broomfield, Republican, of Michigan.
George E. Brown, Jr., Democrat, of California.
Phillip Burton, Democrat, of California.
Daniel E. Button, Republican, of New York.
James A. Byrne, Democrat, of Pennsylvania.
Shirley Chisholm, Democrat, of New York.
William Clay, Democrat, of Missouri.
James C. Corman, Democrat, of California.
Emilio Q. Daddario, Democrat, of Connecticut.
Don Edwards, Democrat, of California.
Louis Frey, Jr., Republican, of Florida.
William D. Ford, Democrat, of Michigan.
James G. Fulton, Republican, of Pennsylvania.
Cornelius E. Gallagher, Democrat, of New Jersey.
Seymour Halpern, Republican, of New York.
Michael Harrington, Democrat, of Massachusetts.
William D. Hathaway, Democrat, of Maine.
Augustus F. Hawkins, Democrat, of California.
Henry Helstoski, Democrat, of New Jersey.
Frank Horton, Republican, of New York.
Andrew Jacobs, Jr., Democrat, of Indiana.
Edward I. Koch, Democrat, of New York.
Allard K. Lowenstein, Democrat, of New York.
Spark K. Matsunaga, Democrat, of Hawaii.
Abner J. Mikva, Democrat, of Illinois.
George P. Miller, Democrat, of California.
William S. Moorhead, Democrat, of Pennsylvania.
Arnold Olsen, Democrat, of Montana.
Thomas P. O'Neill, Democrat, of Massachusetts.
Bertram L. Podell, Democrat, of New York.
Adam C. Powell, Democrat, of New York.
Claude Pepper, Democrat, of Florida.
Otis Pike, Democrat, of New York.
Thomas M. Rees, Democrat, of California.
Henry S. Reuss, Democrat, of Wisconsin.
Peter W. Rodino, Democrat, of New Jersey.
Robert A. Roe, Democrat, of New Jersey.
William L. St. Onge, Democrat, of Connecticut.
James Scheuer, Democrat, of New York.
John V. Tunney, Democrat, of California.
Morris K. Udall, Democrat, of Arizona.
Charles Wilson, Democrat, of California.
Sidney R. Yates, Democrat, of Illinois.

CONDUCT OF ASSOCIATE JUSTICE WILLIAM O. DOUGLAS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. ABBITT) is recognized for 10 minutes.

Mr. ABBITT. Mr. Speaker, I have joined today in sponsorship of the resolution providing for appointment of a select committee of six Members of the House to investigate and determine whether Associate Justice William O. Douglas of the U.S. Supreme Court should be brought up for impeachment.

The introduction of this resolution is the culmination of a long period of careful consideration by those who have participated in its preparation. Many of us have felt for some time that very serious questions needed to be answered and have waited patiently in the hopes that some degree of resolution of these issues could be achieved apart from filing impeachment charges. Our hopes and optimism in this regard have been unfulfilled and, if anything, the situation appears to have been aggravated in recent months by activities which are borne out in the resolution.

In the beginning it should be made crystal clear that the action taken by the more than 100 Members of the House today is fully authorized and supported by the Constitution which provides in article II, section 4, that Justices of the Supreme Court shall be removed from office on impeachment for high crimes and misdemeanors and further provides in article VI that Justices of the Court shall be bound by "oath or affirmation to support this Constitution."

The actions and activities of Justice Douglas during his long tenure on the Court are far too expansive and encompassing to be cataloged here. Suffice it to say that he, perhaps more than any other Federal official, has on frequent occasions in published writings, speeches, lectures, and statements declared a personal position which increasingly places his opinion in direct conflict with accepted public policy. Incompatibility on this point could by the broadest interpretation be covered as freedom of speech. However, for one in a position of Supreme Court Justice, it is totally inappropriate and grossly improper for public pronouncements and positions to be take on matters pending before the Court.

Not only do such statements and public advocacy on controversial issues undermine public confidence in the Court but serve to create part of a growing confusion and frustration in the country at large.

It is ironical that at the same time that liberal elements in the country have been castigating recent appointees to the Supreme Court and causing irreparable harm to their personal reputations, many of the same so-called liberals come immediately to the defense of persons of liberal persuasion no matter how great have been their transgressions. It should be made clear, however, that the action taken today is not in any way a retaliation or a reaction to that which has gone on before. Consideration of this action has been in progress for many months and in my opinion is long overdue.

The Justice's publication on February 19 of the book entitled "Points of Rebellion" has brought to bear in a crystal clear way the crux of this whole issue. The views which he expresses are his own and he is perhaps entitled to an expression of these views regardless of their unorthodox character. It would seem to be totally inconsistent with the ethics of the office which he holds to participate in activities of this kind.

I have had much to say over the years about the degeneracy of the United States Supreme Court in the opinion of the vast majority of the people of this country. No longer is it the lofty tribunal it once was. It has become an object of great criticism and ridicule on the part of many people. It seems inconsistent that a standard of strictness should be applied to new appointees on the one hand and the activities of incumbent judges be completely ignored on the other.

The impropriety of this Justice's actions in so many instances is so overwhelming that I feel a select committee should be appointed and should investigate to the fullest degree the charges set forth in the resolution as well as others which have been brought to the attention of this House today and on previous occasions. No man in America has had a greater impact upon the changes in our mores, attitudes and administration of justice than has Justice Douglas and in all fairness to him and the public he serves, this question should be clarified, crystallized, and resolved now once and for all.

THE MORATORIUM, THE WAR, AND CONGRESSIONAL RESPONSIBILITY

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from New York (Mr. RYAN) is recognized for 10 minutes.

Mr. RYAN. Mr. Speaker, yesterday, in over 200 towns and cities, Vietnam moratorium committee activities were being conducted by people from every walk of life. In addition, yesterday marked the end of the 3-day fast against the war which began this past Sunday evening.

The April 15 Moratorium Day brought focus on three aspects of the war: It has raised taxes; it has created the inflation which is robbing the poor, the elderly living on fixed retirement incomes, and virtually everyone else as well; and it prevents—in fact it is the object example—of the misplaced national priorities which dominate this administration.

I commend the work of the moratorium committee.

All too tragically, I fear that despite its efforts, prospects for peace soon are still very dim. This country has settled into a stultifying numbness—deploring the war, but watching with resignation the continued contortions of the administration in trying to convince us that there is light at the end of the tunnel.

Yet today the Defense Department reported 141 Americans killed last week—the highest toll in over 6 months. This is the result of the Vietnamization policy which the administration touts as the solution. It is, to say the very least, ironic that virtually the same number of men died in 1969, the first year of Vietnamization, as died in 1967, a year of escalation.

Back in the beginning, way before the death count had marched past 41,000, the United States was going to be an adviser, training the South Vietnamese army, which would take care of the rest.

Somehow, we wound up with over 500,000 American advisers in South Vietnam. Except by then they were no longer advisers; they were combat troops.

President Nixon started a course called "Vietnamization." The President, in his "State of the World" statement of Febuary 18, 1970, told us that Vietnamization "has two principal components"—the strengthening of the South Vietnamese forces and extension of the pacification program in South Vietnam. And he went on to say:

> In strengthening the capability of the government and people of South Vietnam to defend themselves, we provide Hanoi with authentic incentive to negotiate seriously now.

I confess that I do not follow this line of reasoning. If 500,000 American troops did not provide such an incentive to North Vietnam, I do not see how a reduction in American forces by token withdrawals and a purported turning over of the war to the South Vietnamese is now going to be particularly persuasive to the North Vietnamese and the NLF. This is pure pipedream, so far as I am concerned. What is more, it is a pipedream we have already engaged in. That is how we got into Vietnam in the first place—by making the South Vietnamese proxy warriors, and then taking over when they failed. What is to happen when the South Vietnamese once again are facing imminent defeat? Is the administration prepared to see its investment in Vietnamization go down the drain?

The point I am making is that until this administration decides that we do not belong in Vietnam; until it decides that the fate of that country must be decided solely by the peoples of that land; until this administration bites the bullet, to use a phrase which fits well with its military image, we are doomed to an unending war. We are doomed, and the innocent peasants of Vietnam are doomed.

So Vietnamization is no answer—it is really just a diversion. And we know enough of disappointment and despair by now to know that hard truths remain hard, no matter how prettily they are wrapped up in rhetoric.

Let us talk rather about some statistics. Let us get the real picture. The death count of American soldiers in Vietnam stands now at more than 41,000 killed in combat. We do not know the number of innocent Vietnamese civilians who have died. These poor people, concerned with the simple and fulfilling routines of tilling their land and caring for their families, are beyond the reach of even our statistic-happy Defense Department. Or perhaps they were beyond its concern.

The number of wounded U.S. servicemen is far greater—more than 270,000. Apart from the immediate pain and agony these soldiers have suffered, there is the poignant fact that 12.4 percent of the wounded thus far have received 100 percent disability ratings. These men are a monument of our Army's logistical and medical skills—81 percent of those wounded are surviving in this war, as compared to 74 percent in Korea and 71 percent in World War II. We have the helicoptors to get them to hospitals, and we have the medical aid to treat them. But we cannot replace the legs and arms with new legs and arms of flesh and blood.

These men who have died and who have been wounded deserve our gratitude and our honor. Theirs is a sacrifice for which the Nation must be indebted. But to render them our gratitude and honor is not to glorify the war; it should confirm our determination to achieve peace.

The damage is not only being endured and inflicted 10,000 miles away. The very social fabric of our Nation is being sacrificed at a cost no statistics can capture. Discontent is rife. Dissent is stifled. Inflation is galloping and it is the poor who have so little, and the aged, whose incomes are fixed, who are bearing its burden most heavily.

Billions of dollars urgently needed for our domestic needs are being diverted to the war in Vietnam. Fiscal year 1970 spending by the Defense Department exceeded $69 billion. By comparison, only $29.7 was spent by the Federal Government on aid to the poor. And of this $29.7 billion, a full $10 billion was for fixed social security benefits. A chart explaining the breakdown of these funds has been prepared by the Committee for Economic Development, comprised of distinguished members of the business and academic communities, and shows the following allocations:

Aid to the poor in Federal programs[1]

[In billions of dollars]	1970 (fiscal)
Social security	10.0
Welfare:	
Public assistance	3.9
Family assistance plan	
Nutrition:	
Food stamps	.6
Child nutrition	.5
Health:	
Medicare	2.4
Medicaid	2.1
OEO programs	.1
Employment:	
Manpower development	1.0
Unemployment insurance	.6
Employment service	.2
Work incentives	.1
Education and youth:	
Disadvantaged children	1.1
Educational opportunity grants	.1
Other	.5
OEO programs	.5
Housing:	
Public housing and rent supplements	.3
Model cities and other	.2
Other:	
Veterans' Administration	3.0
Other HEW programs	1.3
Other agencies	.5
Other OEO programs	.5
Indian affairs	.1
Rural poverty	.1
Total	29.7

[1] The poverty threshold used in calculating this table is $3,400 annual income or less for a family of 4.

Sources: U.S. Bureau of the Budget and Office of Economic Opportunity.

The Headstart program offers just one example of the misplaced priorities guiding this administration. It is asking for only $326 million for this program—a decrease of $7 million in funding—rather than enormously expanding Headstart. At the same time, the administration is requesting $71.8 billion for defense in its 1971 budget.

And all this—the deaths, the maimings, the disruption of our society, the shortchanging of our domestic needs—is the price paid for a war which has never been declared by Congress. Not that any of these disasters would be more bearable if they had the official sanction of Congress. But, if the legislative branch had undertaken to exercise its responsibilities, this war might never have been. And if it would act now to stop all funding for Vietnam, the war might be ended now.

A brilliant article by Merlo J. Pusey in today's Washington Post should direct every Member's attention to this failure of congressional responsibility, this default to executive dictate. As Mr. Pusey says:

> Presidential wars are completely incompatible with our constitutional system. The only type of war that is at all acceptable as an instrument of national policy is limited war specifically authorized by Congress.
>
> If Congress were one-tenth as conscientious in preventing abuse of the war power in its area of responsibility as the courts have been in theirs, slaughter on the battlefield without any process of law would not now be the national dilemma it has become.

The article follows:

[From the Washington Post, Apr. 16, 1970]

DEFINITION OF WARS CREATES A PARADOX

(By Merlo J. Pusey)

When is a war not a war? The United States Court of Military Appeals decided the other day that the war in Vietnam is not a war for the purposes of Article 2(10) of the Uniform Code of Military Justice. But only two years ago the same court said in a different type of case that the conflict in Vietnam did constitute a "time of war" within the meaning of Article 43(a) of the military code.

If laymen are left in a state of confusion by this judicial tendency to wear different glasses in looking at the same word, it is in line with the general fogginess of our concept of war. In common usage, the word means many different things to different people, and there seems to be precious little effort at clarification. Could this be one reason why we seem to get into wars, or what are customarily called wars, so easily?

In its most recent opinion the Court of Military Appeals concluded that we are not in war now because no war has been declared by Congress. It coolly ignored the fact that 41,000 Americans have met violent death on the battlefields of Vietnam and that the conflict in that country has cost $108 billion. What, then, determines whether a major exercise in human slaughter constitutes war?

The legal complexities of the subject are the more baffling because the courts have said that some rather minor skirmishes in our history do constitute war. Back in the days of President John Adams the Supreme Court said in very positive terms that the congressionally authorized hostilities with France on the high seas were limited war. Later the Supreme Court said that acts of general hostility by Indians and the dispatch of troops to subdue them constituted a state of war. For certain purposes the Boxer Uprising in China was a time of war. So was the undeclared Korean war which some preferred to call only a police action despite its heavy toll in men and money for three years.

It is difficult to escape the conclusion that the courts allow their definitions of war to be colored by their sympathy or lack of sympathy for the statutory provisions they are called upon to interpret. In the current

Raymond G. Averette case the Court of Military Appeals was trying to keep in harmony with a series of decisions handed down by the Supreme Court in recent years sharply limiting the jurisdiction of military courts over civilians accompanying our armed forces abroad. Judges Darden and Ferguson concluded from this trend and the traditional high regard of the American constitutional system for civil rights that they should apply "a strict and literal construction of the phrase "in time of war.'"

The result was to free Averette of his court-martial conviction of attempting to steal 36,000 government-owned batteries in Vietnam. It is difficult to quarrel with this reasoning as applied in the individual case. Judge Darden's explanation is impressive.

"We emphasize our awareness that the fighting in Vietnam qualifies as war as that word is generally used and understood. By almost any standard of comparison—the number of persons involved, the level of casualties, the ferocity of the combat, the extent of the suffering, and the impact on our nation, the Vietnamese armed conflict is a major military action. But such a recognition should not serve as a shortcut for a formal declaration of war, at least in the sensitive area of subjecting civilians to military jurisdiction."

The judiciary is saying that if Congress wishes to have civilians accompanying our armed forces abroad tried in military courts in time of war, it will have to authorize the war with a clear-cut declaration. So we are confronted by a shocking paradox. A declaration of war is not necessary to compel a man to enter the armed forces and forfeit his life in many cases but it is necessary to take away a camp-follower's right to a civilian trial.

One must remember, of course, that the courts have not said that it is constitutional to conduct major wars in distant lands without authorization from Congress. Enforcement of this aspect of the Constitution has been left to Congress, and in recent decades Congress has fallen on its face every time the President has rushed American forces into costly military ventures without specific authorization.

Actually, there are several different types of war, and it would be a fatal blunder to assume that our military forces could not fight in any circumstances without a formal declaration of war. The President always has authority to repel a sudden armed attack, but this does not give him authority to go on from there and fight a major war. If continued military action seems essential, he needs specific authority from Congress, and this was the practice generally followed until the current century. The Senate Foreign Relations Committee is now trying to re-establish this principle, but it still has a long way to go.

The choice should not be between full-scale wars declared by Congress and presidential wars in which Congress does nothing more than applaud from the sidelines and dish out the money. All-out declared war may be completely obsolete because of the probability that it would lead to nuclear destruction. Presidential wars are completely incompatible with our constitutional system. The only type of war that is at all acceptable as an instrument of national policy is limited war specifically authorized by Congress.

If Congress were one-tenth as conscientious in preventing abuse of the war power in its area of responsibility as the courts have been in theirs, slaughter on the battlefield without any process of law would not now be the national dilemma it has become.

SEDITIOUS SPEECH

(Mr. WYMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WYMAN. Mr. Speaker, today's Washington Post reports in a story by a William Chapman that in New York City yesterday, Attorney William Kunstler told a crowd of assembled people:

> You must resist, and resistance means everything short of revolution—and if resistance doesn't work, revolt.

This is seditious utterance. You cannot slice the plain meaning of words thin enough to avoid the plain inference that such speech is incitement to revolution.

This man should be disbarred. He should also be prosecuted under existing statutes. Where are the enforcement officers in such circumstances? What is the bar association doing about this sort of conduct?

At the very minimum no individual should be permitted to remain in good standing as a member of the bar who incites to violence and revolt—particularly in the atmosphere that exists in this country today largely as a result of the cumulative incitements of such as Kunstler. Such conduct is in demonstrable violation of his oath as a member of the bar and an officer of the court.

NATIONAL FHA WEEK

(Mr. BEVILL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BEVILL. Mr. Speaker, this week Alabama's 26,000 Future Homemakers of America join more than 600,000 other members throughout the United States in celebrating the 25th anniversary of this fine organization.

We in Alabama are proud of our FHA members, who continue to strengthen the bonds within the family, and between the family and the community.

The following article outlines the progress of Future Homemakers of America and some of the activities planned for its 25th anniversary year:

NATIONAL FHA WEEK

Alabama's 26,000 Future Homemakers of America join with more than 600,000 other members throughout the United States this week in the Kick Off of the 25th Anniversary Year. Emphasis will be given to projects and programs highlighting the 25 years of pride, purpose, and progress of Future Homemakers of America.

Ruth Stovall, State FHA adviser, points out that several million young people have been challenged by the unlimited opportunities offered through membership in Future Homemakers of America over the 25 years since its establishment as a national organization for home economics students in junior and senior high schools. She says that on this silver anniversary of this large youth organization, chapters are highlighting the twenty-five years of sterling opportunities provided through FHA for self-improvement, leadership, citizenship, community service, development of homemaking and consumer skills and preparation for a career. She says further "that Future Homemakers are proud to be a part of a national organization of 604,000 teenagers concerned with people, families, and communities."

National FHA President Luck Hendrix, a high school senior from Metter, Georgia, explains that National FHA Week provides members everywhere the opportunity to demonstrate that youth does care about improving life both now and in the future. "We know that the future is youth's challenge and that we must work for it diligently and creatively. We want all citizens of our communities to share with us the concerns of youth so that through meaningful communication we can promote understanding and strengthen our relationships.

The 26,000 members of the Future Homemakers of Alabama, like Future Homemakers of other states, elect their state and local officers, plan their meeting, develop their program of work, and plan their activities and projects.

Projects at the state and local level are carried out through the application of the National Program of Work to local situations. The 1969–73 Program of Work incorporates two objectives: To strengthen bonds within the family and between the family and the community; and to help youth comprehend the problems of society and contribute to their solutions. These objectives reflect the generosity and seriousness of FHA members, who are eager to grow in understanding and to contribute what they learn to those around them.

NATIONAL LIBRARY WEEK

(Mr. BEVILL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BEVILL. Mr. Speaker, the week of April 12–18 has been set aside as National Library Week. The purpose of National Library Week is to create a broader awareness of the need for a better read, better informed America, and to encourage the habit of reading and library use.

I feel this is an admirable goal and I am happy to join the citizens of the United States in paying tribute to our librarians.

I am inserting an editorial from the Sand Mountain Reporter in my Congressional district, which explains the purpose of National Library Week:

NATIONAL LIBRARY WEEK

The week of April 12–18 this year is set aside as National Library Week. During this time the peculiarly human characteristic that accounts for all of man's accomplishment is to be commemorated—the ability to store the sum total knowledge and build new knowledge upon it.

Our libraries preserve the written word that records faithfully all that the wisest and most gifted among us have learned of the arts, of literature, of science and technology, of life, the world and the universe around us. In great libraries the record of civilization is being kept—in movies, in the sound of stereo tapes, on microfilm.

The purpose of National Library Week is to create broader awareness of the need for a better-read, better-informed America and to encourage the habit of reading and library use.

Libraries have been the cornerstone of civilization throughout recorded history. They were never more so than now. Knowledge, especially in scientific fields, expands at a fantastic rate and an education can truly never be completed but must constantly be sought throughout a lifetime of learning.

Libraries remain a primary tool of learning. During National Library Week, let us strengthen the habit of using them often and well.

NATIONAL VOLUNTEER FIREMEN'S WEEK

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I am very pleased to announce that 53 of our colleagues are cosponsoring legislation today which would authorize the President to proclaim "National Volunteer Firemen's Week" from September 19, 1970, to September 26, 1970.

The bills I am introducing today are companion bills to House Joint Resolution 1154, which I introduced on April 6, and House Joint Resolutions 1166 and 1167, introduced April 9, 1970.

Those joining in honoring the Nation's volunteer firemen include: Congressman J. Glenn Beall, Jr., of Maryland, Daniel E. Button of New York, Elford A. Cederberg of Michigan, Don H. Clausen of California, John Dellenback of Oregon, William L. Dickinson of Alabama, Jack H. McDonald of Michigan, Thomas J. Meskill of Connecticut, Robert H. Mollohan of West Virginia, John E. Moss of California, Thomas P. O'Neill, Jr., of Massachusetts, Robert A. Roe of New Jersey, Earl B. Ruth of North Carolina, Robert L. F. Sikes of Florida, Harley O. Staggers of West Virginia, Frank Thompson, Jr., of New Jersey, Robert O. Tiernan of Rhode Island, William B. Widnall of New Jersey, Chalmers P. Wylie of Ohio, and Louis C. Wyman of New Hampshire.

Other cosponsors are Congressmen Mark Andrews of North Dakota, Tim Lee Carter of Kentucky, Silvio O. Conte of Massachusetts, Emilio Q. Daddario of Connecticut, Edward J. Derwinski of Illinois, George H. Fallon of Maryland, Kenneth J. Gray of Illinois, James R. Grover, Jr. of New York, Harold T. Johnson of California, Walter E. Jones of Alabama, Carleton J. King of New York, Dan Kuykendall of Tennessee, Martin B. McKneally of New York, Clarence E. Miller of Ohio, George P. Miller of California, Richard L. Ottinger and Otis G. Pike of New York, Ray Roberts of Texas, David E. Satterfield of Virginia, and Fred Schwengel of Iowa.

The third bill I am introducing today contains the names of Congressmen Lawrence Burton of Utah, James C. Cleveland of New Hampshire, Seymour Halpern of New York, David N. Henderson of North Carolina, James J. Howard of New Jersey, James R. Mann of South Carolina, James H. Quillen of Tennessee, Philip E. Ruppe of Michigan, Joseph S. Kubitz and Keith G. Sebelius of Kansas, Sam Steiger of Arizona, Robert Taft, Jr., of Ohio, and Richard C. White of Texas.

I should also mention that Congressman J. J. Pickle, of Texas, joined me in House Joint Resolution 1167.

Mr. Speaker, as of this date, a total of 91 Members of the House have joined in the drive to honor the Nation's volunteer firemen.

TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. The United States is the world's largest producer of phosphate rock. In 1967, the United States produced 36,079,000 metric tons of phosphate rock. This was over twice as much as produced by the U.S.S.R., the second leading nation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Mollohan (at the request of Mr. Boggs) for today, on account of official business.

Mr. Gettys (at the request of Mr. Boggs), for today, on account of official business.

Mr. Patman (at the request of Mr. Boggs), for today, on account of official business.

Mr. Hanna (at the request of Mr. Roybal), for today, on account of official business.

Mr. Dingell for April 20 through April 27, 1970, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Alexander) to revise and extend their remarks and include extraneous matter:)

Mr. Farbstein, for 30 minutes, today.

Mr. Gonzalez, for 10 minutes, today.

Mr. Abbitt, for 10 minutes, today.

Mr. Ryan, for 10 minutes, today.

Mr. Corman, for 60 minutes, on April 30.

Mr. Corman, for 60 minutes, on May 1.

(The following Members (at the request of Mr. Collins) to revise and extend their remarks and include extraneous matter:)

Mr. Michel, for 15 minutes, today.

Mr. Poff, for 15 minutes, today.

Mr. Rhodes, for 5 minutes, today.

Mr. Kyl, for 5 minutes, today.

Mr. Hogan, for 10 minutes, today.

Mr. Burton of Utah, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Bingham to revise and extend remarks during general debate today and include extraneous matter.

Mr. Moorhead to revise and extend his remarks in Committee of the Whole House today and to include extraneous matter.

Mr. Mills and to include a press release in regard to prospective hearings on trade matters.

Mr. Scheuer (at the request of Mr. Bingham) to extend his remarks following those of Mr. Bingham, today, in the Committee of the Whole on H.R. 16311.

Mr. Bevill, to insert his remarks immediately preceding the Committee rising.

Mr. Crane and to include extraneous matter with remarks made during debate on H.R. 16311.

(The following Members (at the request of Mr. Collins) and to include extraneous matter:)

Mr. Derwinski in two instances.

Mr. Quillen in four instances.

Mr. Poff.

Mr. Mize.

Mr. Price of Texas in three instances.

Mr. Frelinghuysen.

Mr. Pelly.

Mr. Byrnes of Wisconsin.

Mr. Hosmer in two instances.

Mr. McClure.

Mr. McClory.

Mr. Brown of Ohio.

Mr. Wylie.

Mr. Goodling in two instances.

Mr. Morton.

Mr. Gude.

Mr. Scherle in two instances.

Mr. Bob Wilson in three instances.

Mr. Foreman in two instances.

Mrs. Reid of Illinois.

Mr. Langen.

Mr. Hunt.

Mr. Denney.

Mr. Springer in two instances.

Mr. McCloskey.

Mr. Wyman.

Mr. Hansen of Idaho.

Mr. Reid of New York in two instances.

Mr. Anderson of Illinois.

Mr. Taft.

Mr. Lujan in two instances.

Mr. Steiger of Wisconsin.

(The following Members (at the request of Mr. Alexander) and to include extraneous matter:)

Mr. Sikes in five instances.

Mr. Farbstein in six instances.

Mr. Gonzalez in two instances.

Mr. Lowenstein in five instances.

Mr. Clay in six instances.

Mr. Rogers of Colorado.

Mr. Rivers in two instances.

Mr. Rarick in three instances.

Mr. Gallagher.

Mr. Pucinski in six instances.

Mr. Boggs in two instances.

Mr. Ashley.

Mr. Burke of Massachusetts in two instances.

Mr. Dent in two instances.

Mr. Mann in five instances.

Mr. Donohue in two instances.

Mr. Brinkley.

Mr. Rooney of New York in three instances.

Mr. Edwards of California in two instances.

Mr. Moorhead.

Mr. Fountain in two instances.

Mr. Fascell.

Mr. Hagan in two instances.

Mrs. Green of Oregon in five instances.

Mr. Thompson of New Jersey.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1148. An act to constitute the College of the Virgin Islands and the University of Guam land-grant colleges, and for other purposes; to the Committee on Agriculture.

S. 1814. An act to provide for public ownership of the mass transit bus system oper-

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ated by D.C. Transit System, Inc., and other private bus transit companies engaged in scheduled regular route operations in the Washington metropolitan area to authorize interim financial assistance for the D.C. Transit System, Inc., pending public acquisition of its bus transit facilities, and for other purposes; to the Committee on the District of Columbia.

ADJOURNMENT

Mr. ALEXANDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 49 minutes p.m.), under its previous order, the House adjourned until Monday, April 20, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1930. A letter from the Chairman of the Public Service Commission of the District of Columbia, transmitting a draft of proposed legislation to amend section 8 of the act approved March 4, 1913 (37 Stat. 974), as amended, to standardize procedures for the testing of utility meters; to add a penalty provision in order to enable certification under section 5(a) of the Natural Gas Pipeline Safety Act of 1968, and to authorize cooperative action with State and Federal regulatory bodies on matters of joint interest; to the Committee on the District of Columbia.

1931. A letter from the Secretary of the Army, transmitting a copy of the Corps of Engineers report entitled "Dredging and Water Quality Problems in the Great Lakes" and a draft of proposed legislation to provide for construction of contained dredged spoil disposal facilities for the Great Lakes and connecting channels, and for other purposes; to the Committee on Public Works.

1932. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to eliminate the duty now applicable to natural rubber containing fillers, extenders, pigments, or rubber-processing chemicals; to the Committee on Ways and Means.

1933. A communication from the President of the United States, transmitting a proposed supplemental appropriation for fiscal year 1970 for the Veterans' Administration (H. Doc. No. 91-311); to the Committee on Appropriations and ordered to be printed.

1934. A communication from the President of the United States, transmitting an amendment to the requests for appropriations transmitted in the budget for the fiscal year 1971 for the Veterans' Administration (H. Doc. No. 91-312); to the Committee on Appropriations and ordered to be printed.

1935. A letter from the Assistant Administrator for Program and Policy, Agency for International Development, Department of State, transmitting a quarterly report on the programing and obligation of contingency funds for the second quarter of fiscal year 1970, pursuant to section 451(b) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1936. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance; to the Committee on Interstate and Foreign Commerce.

1937. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to revise and improve the laws relating to the documentation of seamen; to the Committee on Merchant Marine and Fisheries.

1938. A letter from the Postmaster General, transmitting drafts of proposed legislation to adjust the postal revenues and to improve and modernize the postal service, to reorganize the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HÉBERT: Committee on Armed Services. H.R. 350. A bill to amend section 39-201 of the District of Columbia Code; with amendments (Rept. 91-1007). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEALL of Maryland:

H.R. 17041. A bill for the relief of the city of Frederick, Md.; to the Committee on the Judiciary.

By Mr. BRINKLEY:

H.R. 17042. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 17043. A bill to amend the Internal Revenue Code of 1954 to limit the conditions and basis of disclosure of income tax returns; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.R. 17044. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 17045. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. DADDARIO (for himself and Mr. Mosher):

H.R. 17046. A bill to establish an Office of Technology Assessment for the Congress as an aid in the identification and consideration of existing and probable impacts of technological application; to amend the National Science Foundation Act of 1950; and for other purposes; to the Committee on Science and Astronautics.

By Mr. EDWARDS of California (for himself, Mr. Burton of California, Mr. Cohelan, Mr. Gubser, Mr. Leggett, Mr. McCloskey, Mr. Moss, and Mr. Waldie):

H.R. 17047. A bill to provide for the establishment of the San Francisco Bay National Wildlife Refuge; to the Committee on Merchant Marine and Fisheries.

By Mr. FULTON of Tennessee:

H.R. 17048. A bill to provide for a training program for organized crime prosecutors, an annual conference of Federal, State, and local officials in the field of organized crime, an annual report by the Attorney General on organized crime, and for other purposes; to the Committee on the Judiciary.

H.R. 17049. A bill to improve law enforcement in urban areas by making available funds to improve the effectiveness of police services; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 17050. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 17051. A bill to provide for the development of a uniform system of quality grades for consumer food products; to the Committee on Agriculture.

H.R. 17052. A bill to require that durable consumer products be labeled as to durability and performance life; to the Committee on Interstate and Foreign Commerce.

H.R. 17053. A bill to require that certain short shelf-life durable products be prominently labeled as to the date beyond which performance life becomes diminished; to the Committee on Interstate and Foreign Commerce.

H.R. 17054. A bill to require that certain durable products be prominently labeled as to date of manufacture, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 17055. A bill to require that certain processed or packaged consumer products be labeled with certain information, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 17056. A bill to require that certain drugs and pharmaceuticals be prominently labeled as to the date beyond which potency or efficacy becomes diminished; to the Committee on Interstate and Foreign Commerce.

By Mr. JARMAN:

H.R. 17057. A bill to provide for special packaging to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting household substances, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KOCH (for himself, Mr. Roe, and Mr. Tunney):

H.R. 17058. A bill to provide for the establishment of a Commission on Marihuana; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 17059. A bill to provide that the Federal office building at 26 Federal Plaza, New York, N.Y., shall be named the "Robert Francis Kennedy Federal Office Building" in memory of the late Robert F. Kennedy, Attorney General from 1961 to 1964 and a Member of the U.S. Senate from the State of New York from 1965 to 1968; to the Committee on Public Works.

By Mr. LANGEN:

H.R. 17060. A bill to amend the Social Security Act to extend to Indians of all tribes, under all of the existing public assistance programs, the special additional Federal matching payments presently provided only for certain specified tribes under certain specified programs; to the Committee on Ways and Means.

By Mr. PIRNIE:

H.R. 17061. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. RIVERS:

H.R. 17062. A bill to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

By Mr. STUBBLEFIELD:

H.R. 17063. A bill to amend the Truth in Lending Act to eliminate the inclusion of agricultural credit; to the Committee on Banking and Currency.

H.R. 17064. A bill to authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate, and administer programs authorized by this act, for the reclamation, acquisition, and conservation of lands and water adversely affected by coal mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BOB WILSON:

H.R. 17065. A bill to establish a roll of honor for American inventors, and for other purposes; to the Committee on the Judiciary.

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By Mr. ALEXANDER:

H.R. 17066. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. ASPINALL (for himself, Mr. Rogers of Colorado, Mr. Evans of Colorado, and Mr. Brotzman):

H.R. 17067. A bill to authorize the construction, operation, and maintenance of the closed basin division, San Luis Valley project, Colo., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CORMAN:

H.R. 17068. A bill to amend the Tariff Schedules of the United States to provide for a partial exemption from duty for certain transportation vehicles manufactured or produced in the United States with the use of foreign components imported under temporary importation bond; to the Committee on Ways and Means.

H.R. 17069. A bill to amend title XVIII of the Social Security Act to authorize payment under the program of health insurance for the aged for services furnished an individual by a home maintenance worker (in such individual's home) as part of a home health services plan; to the Committee on Ways and Means.

By Mr. DULSKI (for himself, Mr. Corbett, Mr. Udall, and Mr. Derwinski):

H.R. 17070. A bill to improve and modernize the Postal Service, to reorganize the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CUNNINGHAM (for himself, Mr. Gerald R. Ford, and Mr. Button):

H.R. 17071. A bill to improve and modernize the postal service, to reorganize the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LUKENS:

H.R. 17072. A bill to improve and modernize the postal service, to reorganize the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HARRINGTON:

H.R. 17073. A bill to authorize U.S. participation in increases in the resources of certain international financial institutions, to provide for an annual audit of the exchange stabilization fund by the General Accounting Office, and for other purposes; to the Committee on Banking and Currency.

By Mr. NIX:

H.R. 17074. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 17075. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mrs. SULLIVAN:

H.R. 17076. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. THOMSON of Wisconsin:

H.R. 17077. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. ADAMS:

H.R. 17078. A bill to provide for the application of the prohibitions contained in the Sherman Act to the business of organized professional baseball; to the Committee on the Judiciary.

By Mr. ANDERSON of Tennessee:

H.R. 17079. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 17080. A bill to amend section 35 of the Bankruptcy Act (11 U.S.C. 63) and sections 631 and 634 of title 28, United States Code, to permit full-time referees in bankruptcy to serve as part-time U.S. magistrates and for other purposes; to the Committee on the Judiciary.

H.R. 17081. A bill to amend title 18, United States Code, to provide for the protection of U.S. probation officers; to the Committee on the Judiciary.

By Mr. CUNNINGHAM (for himself, Mr. Anderson of Illinois, Mr. Hamilton, Mr. McClure, Mr. Don H. Clausen, Mr. Hogan, Mr. Andrews, of Alabama, Mr. Meskill, Mr. Cederberg, Mr. Conte, and Mr. Lukens):

H.R. 17082. A bill to improve and modernize the postal service, to reorganize the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN (for himself, Mr. Moss, and Mr. Gilbert):

H.R. 17083. A bill to amend the Fair Packaging and Labeling Act to require a packaged perishable food to bear a label specifying the date after which it is not to be sold for consumption as food; to the Committee on Interstate and Foreign Commerce.

By Mr. HAGAN:

H.R. 17084. A bill to provide certain medical and surgical services to officers and members of the Fire Department of the District of Columbia and of police forces in the District of Columbia retired under the Policemen and Firemen's Retirement and Disability Act for total disabilities; to the Committee on the District of Columbia.

By Mr. HANSEN of Idaho (for himself and Mr. McClure):

H.R. 17085. A bill to amend title II of the Social Security Act to include Idaho among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mr. HARVEY:

H.R. 17086. A bill to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LUJAN:

H.R. 17087. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. McCLURE:

H.R. 17088. A bill to amend the Social Security Act to extend assistance under the maternal and child health and crippled children's services program to the Trust Territory of the Pacific Islands; to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 17089. A bill to prohibit the sale and shipment of certain economic poisons, and for other reasons; to the Committee on Agriculture.

H.R. 17090. A bill to amend the Clean Air Act so as to extend its duration, provide for national standards of ambient air quality, expedite enforcement of air pollution control standards, authorize regulation of fuels and fuel additives, provide for improved controls over motor vehicle emissions, establish standards applicable to dangerous emissions from stationary sources, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 17091. A bill to amend chapter 1 (Federal-Aid Highways) of title 23, United States Code, as amended, to establish local highway planning review commissions to consider conservation problems in connection with the construction of federally aided highways; to the Committee on Public Works.

By Mr. STUBBLEFIELD:

H.R. 17092. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. YATRON:

H.R. 17093. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. BUSH:

H.J. Res. 1174. Joint Resolution declaring the first Tuesday after the first Monday of November in each even-numbered year to be a legal public holiday; to the Committee on the Judiciary.

By Mr. SAYLOR (for himself, Mr. Andrews of North Dakota, Mr. Carter, Mr. Conte, Mr. Daddario, Mr. Derwinski, Mr. Fallon, Mr. Gray, Mr. Grover, Mr. Johnson of California, Mr. Jones of Alabama, Mr. King, Mr. Kuykendall, Mr. McKneally, Mr. Miller of Ohio, Mr. Miller of California, Mr. Ottinger, Mr. Pike, Mr. Roberts, Mr. Satterfield, and Mr. Schwengel):

H.J. Res. 1175. Joint Resolution authorizing the President to proclaim National Volunteer Firemen's Week from September 19, 1970, to September 26, 1970; to the Committee on the Judiciary.

By Mr. SAYLOR (for himself, Mr. Beall of Maryland, Mr. Button, Mr. Cederberg, Mr. Don H. Clausen, Mr. Dellenback, Mr. Dickinson, Mr. McDonald of Michigan, Mr. Meskill, Mr. Mollohan, Mr. Moss, Mr. O'Neill of Massachusetts, Mr. Roe, Mr. Ruth, Mr. Sikes, Mr. Staggers, Mr. Thompson of New Jersey, Mr. Tiernan, Mr. Widnall, Mr. Wylie, and Mr. Wyman).

H.J. Res. 1176. Joint Resolution authorizing the President to proclaim National Volunteer Firemen's Week from September 19, 1970, to September 26, 1970; to the Committee on the Judiciary.

By Mr. SAYLOR (for himself, Mr. Burton of Utah, Mr. Cleveland, Mr. Halpern, Mr. Henderson, Mr. Howard, Mr. Mann, Mr. Quillen, Mr. Ruppe, Mr. Skubitz, Mr. Sebelius, Mr. Steiger of Arizona, Mr. Taft, and Mr. White):

H.J. Res. 1177. Joint resolution authorizing the President to proclaim National Volunteer Firemen's Week from September 19, 1970, to September 26, 1970; to the Committee on the Judiciary.

By Mr. Bob Wilson (for himself and Mr. Brademas):

H.J. Res. 1178. Joint resolution authorizing the President to proclaim the month of May 1970 as "Project Concern Month"; to the Committee on the Judiciary.

By Mr. TIERNAN:

H. Con. Res. 576. Concurrent resolution expressing the sense of Congress that the Federal Communications Commission, the Corporation for Public Broadcasting, and the Department of Health, Education, and Welfare should immediately undertake to each separately study the question of long-term funding for the Corporation for Public Broadcasting and report to the Congress by October 1, 1970; to the Committee on Interstate and Foreign Commerce.

By Mr. WYMAN (for himself, Mr. Scott, Mr. Waggonner, Mr. Sikes, Mr. Scherle, Mr. Hébert, Mr. Flynt, Mr. Burton of Utah, Mr. Haley, Mr. Del Clawson, Mr. Andrews of Alabama, Mr. Berry, Mr. Abbitt, Mr. Michel, Mr. Abernethy, Mr. Bow, Mr. Henderson, Mr. Williams, Mr. Downing, Mr. Pollock, Mr. Ichord, Mr. Smith of California, Mr. Hall, Mr. Brinkley, and Mr. Schadeberg):

H. Res. 922. Resolution creating a select committee to conduct an investigation of certain activities of William Orville Douglas, Associate Justice of the U.S. Supreme Court, to determine whether impeachment proceed-

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ings are warranted; to the Committee on Rules.

By Mr. WYMAN (for himself, Mr. Scott, Mr. Waggonner, Mr. Sikes, Mr. Gubser, Mr. Lennon, Mr. King, Mr. Jones of Alabama, Mr. Clancy, Mr. Slack, Mr. Myers, Mr. Passman, Mr. O'Konski, Mr. Landrum, Mr. Mizell, Mr. Rogers of Florida, Mr. Quillen, Mr. Whitten, Mr. Wold, Mr. Davis of Georgia, Mr. Devine, Mr. Clark, Mr. Snyder, Mr. Fuqua, and Mr. Watkins):

H. Res. 923. Resolution creating a select committee to conduct an investigation of certain activities of William Orville Douglas, Associate Justice of the U.S. Supreme Court, to determine whether impeachment proceedings are warranted; to the Committee on Rules.

By Mr. WYMAN (for himself, Mr. Scott, Mr. Waggonner, Mr. Sikes, Mr. Minshall, Mr. Long of Louisiana, Mr. Ruth, Mr. Hagan, Mr. Winn, Mr. O'Neal of Georgia, Mr. Brock, Mr. Jarman, Mr. Crane, Mr. Zion, Mr. Rarick, Mr. Ashbrook, Mr. Flowers, Mr. Camp, Mr. Chappell, Mr. Taylor, Mr. Thompson of Georgia, Mr. Montgomery, Mr. Bray, Mr. Daniel of Virginia, and Mr. Eshleman):

H. Res. 924. Resolution creating a select committee to conduct an investigation of certain activities of William Orville Douglas, Associate Justice of the U.S. Supreme Court, to determine whether impeachment proceedings are warranted; to the Committee on Rules.

By Mr. WYMAN (for himself, Mr. Scott, Mr. Waggonner, Mr. Sikes, Mr. Hosmer, Mr. Edwards of Louisiana, Mr. Hunt, Mr. Gray, Mr. Blackburn, Mr. Nichols, Mr. Foreman, Mr. Griffin, Mr. Cramer, Mr. Jones of North Carolina, Mr. Dickinson, Mr. Caffery, Mr. Kuykendall, Mr. Bevill, Mr. Lukens, Mr. Stuckey, Mr. Landgrebe, Mr. Edwards of Alabama, Mr. Gross, Mr. Buchanan, and Mr. Harsha):

H. Res. 925. Resolution creating a select committee to conduct an investigation of certain activities of William Orville Douglas, Associate Justice of the U.S. Supreme Court, to determine whether impeachment proceedings are warranted; to the Committee on Rules.

By Mr. WYMAN (for himself, Mr. Scott, Mr. Waggonner, Mr. Sikes, Mr. Steiger of Arizona, Mr. Sebelius, Mr. Gettys, Mr. Roudebush, Mr. Burleson of Texas, Mr. Fisher, Mr. Dowdy, Mr. Roberts, Mr. Dorn, Mr. Fountain, Mr. Casey, Mr. Rivers, Mr. Satterfield, Mr. Hull, Mr. Kee, Mr. Long of Maryland, Mr. Watson, and Mr. Cunningham):

H. Res. 926. Resolution creating a select committee to conduct an investigation of certain activities of William Orville Douglas, Associate Justice of the U.S. Supreme Court, to determine whether impeachment proceedings are warranted; to the Committee on Rules.

By Mr. BENNETT:

H. Res. 927. Resolution to establish a select committee of the House of Representatives to investigate the question of whether Supreme Court Justice William O. Douglas may have been guilty of conduct constituting grounds for impeachment; to the Committee on Rules.

By Mr. HORTON (for himself, Mr. Weicker, and Mr. Fish):

H. Res. 928. Resolution creating a select committee to investigate the official conduct of William O. Douglas, and for other purposes; to the Committee on Rules.

By Mr. POAGE:

H. Res. 929. Resolution printing as a House document a history of the Committee on Agriculture; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GUBSER:

H.R. 17094. A bill for the relief of the Royal Canadian Legion Pipe Band of San Jose, Calif.; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 17095. A bill for the relief of Dr. Eduardo Fernandez-Dominguez; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

357. By the SPEAKER: A memorial of the Legislature of the State of Alaska, relating to social security payments to all social security recipients living in Alaska; to the Committee on Ways and Means.

358. By Mr. PRICE of Illinois: A memorial of the 76th General Assembly, State of Illinois, in support of the Family Assistance Act and other welfare reform actions; to the Committee on Ways and Means.

SENATE—*Thursday, April 16, 1970*

The Senate met at 11 o'clock a.m. and was called to order by Hon. Quentin N. Burdick, a Senator from the State of North Dakota.

The Chaplain, the Rev. Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, as we turn from the noise and hurry of the world without we open our hearts to Thy quiet presence and renew our vows to serve Thee with our whole mind and soul and strength. Help us this new day to meet its joys with gratitude, its difficulties with fortitude, and its duties with fidelity. Keep our goals clear, our hearts pure, our spirits brave, our energies dedicated to Thy service. Amid the tumult and pressures of our times give us an inner calm which undergirds and strengthens all our labors. Bring us to the end of the day unstained, unashamed, and at peace with Thee and with one another.

In the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. Russell).

The assistant legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., April 16, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. Quentin N. Burdick, a Senator from the State of North Dakota, to perform the duties of the Chair during my absence.

Richard B. Russell,
President Pro Tempore.

Mr. BURDICK thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, April 15, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR MANSFIELD

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be allowed to speak for 10 minutes, following the remarks of the distinguished Senator from Ohio (Mr. Young).

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

STRIKES BY GOVERNMENT EMPLOYEES—INDEFINITE POSTPONEMENT OF SENATE RESOLUTION 373

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 739, Senate Resolution 373, concerning strikes by Government employes, be indefinitely postponed. This is done with the concurrence of the distinguished Senator from Delaware (Mr. Williams), author of the resolution.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of my remarks today, there be a period for the transaction of routine morning business with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SUSPENSION OF GERMANENESS RULE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that time under the Pastore Germaneness Rule not start running today until the conclusion of all special orders heretofore entered.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Chair recognizes the distinguished Senator from Tennessee (Mr. Baker) for 15 minutes.

FEDERAL REVENUE SHARING

Mr. BAKER. Mr. President, this morning, a significant news conference was held by representatives of State and local governments calling upon Congress to enact Federal revenue sharing. I cannot overstate my strong support for the views expressed by this group.

Yesterday there was issued from the office of the Republican leader, the distinguished Senator from Pennsylvania (Mr. SCOTT), a news release regarding Federal revenue sharing, calling upon Congress to act promptly. I commend the Senator from Pennsylvania for his statement in this respect and strongly share his views and convictions as well.

Mr. President, the news conference was convened by the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties, the National Governors Conference, and the National Legislative Conference. Representatives of these groups in attendance included Colorado Gov. John Love; Philadelphia Mayor James Tate; Cleveland Mayor Carl Stokes; Utah State Senator Hughes Brockbank; Illinois State Representative John Conolly; Shelby, Ala., County Judge Conrad Fowler; Kent County, Mich., Supervisor John Brewer; and Newcastle, Del., County Executive William Conner.

The unified theme expressed by these representatives was that this Congress must enact Federal revenue sharing and must enact it now. Governor Love stated that State and local governments must have revenue-sharing legislation reported out of committee in time for congressional action prior to September adjournment.

Mayor Stokes said that—

> The inflexibility of the local government tax system is leading the cities to financial starvation. Some are even approaching bankruptcy. . . . It's a matter of priorities and we're persuaded that the problems of the states and general local government must be number one.

Mr. President, revenue sharing was endorsed in 1968 by both presidential candidates and by both political platforms. Over 100 different revenue-sharing bills were introduced during the 90th Congress, and almost this number have already been submitted during the current session. House Speaker JOHN McCORMACK has said that revenue sharing is inevitable.

In August 1969, President Nixon submitted to the Congress a Presidential message calling for enactment of this concept in fulfillment of the commitment made by him during his campaign. On September 23 I introduced the administration's legislation and was joined in cosponsorship by 33 other Senators. A companion measure with a comparable number of cosponsors was introduced in the House. For the past 6 months the respective committees of the two Houses of Congress have failed to act in spite of the overwhelming support for this measure and in spite of the increasingly urgent financial problems confronting our State and local governments.

The press conference this morning was a clear statement of this urgency. I call upon the Committee on Finance to respond to this plea and to take up this legislative proposal.

Mr. HANSEN. Mr. President, will the Senator from Tennessee yield?

Mr. BAKER. I am happy to yield to the Senator from Wyoming.

Mr. HANSEN. My distinguished colleague from Tennessee and I came to the Congress at the same time. I began my service in the Senate after having completed a 4-year term as Governor of Wyoming. I think, based upon my experience in that office, that I am qualified to make some observations on the merit I find in Federal revenue sharing. This bill was cosponsored by me and 31 or 32 other Senators, when it was introduced by the Senator from Tennessee (Mr. BAKER).

Unfortunately, the great difficulty with so many Federal programs is that people do not concern themselves with priorities that would reflect doing those things which are most important. All too often, groups at all levels of government are reflective of what will yield to them the greatest number of Federal dollars in the way of a cost-sharing program, instead of trying to fix attention upon the job that needs most to be done.

I have seen that demonstrated time after time. If the Federal Government's share varies among several programs, one with 25 percent participation, one with 33⅓ percent participation, and another with 50 percent participation, it is not surprising, human nature being what it is, to find that many times, for reasons that cannot be explained except on the basis of how to get the most Federal dollars, those who are given the authority to make a determination and to apply for Federal help will go for those programs that will return the greatest number of Federal dollars in relation to the number of local dollars that have to be contributed.

The unfortunate result of this situation is that we find ourselves not spending tax dollars in trying to do those jobs which most need to be done and which are of greatest importance. Rather, we find that community endeavor is reflected in trying to see how it can get the biggest handout from someone else.

There is real merit in the Senator's proposal. It would help to correct the problem I have described.

The argument that is presented against this case at the present moment is not that the program is without merit but, rather, that there is no slack in the Federal budget which would accommodate revenue sharing. If that were to reflect the considered judgment of Congress, I think it would be a sad mistake. There are so many Federal programs today that it is possible to go through them and pick out items from which a certain part of the revenue will go into Federal grants-in-aid programs. Some of that money can be returned to the States, not with the explicit instruction that it must be used precisely for those efforts, because that would tie the same redtape onto those programs that we now deplore, but rather under a revenue-sharing program that gives enough latitude and sufficient opportunity to local tax-spending authorities to permit a selectivity on their part which I would hope would result in spending the money where needed.

While the problems of the States are similar, no two States have exactly the same problems.

I find great merit in the proposal of my good friend the distinguished Senator from Tennessee.

I hope that Congress will give serious consideration to cutting back on some of the programs we have and putting into a tax revenue-sharing proposal sufficient moneys to implement the plan that has been endorsed by the administration. It is a start. It is a start in the right direction. I think it would then be up to the several States to demonstrate their ability wisely to use these funds. I believe they will live up to this responsibility.

Some people have charged that the States cannot be depended upon to determine the priorities because the States are rurally dominated. That charge no longer has validity. I know of no State whose legislature does not represent an apportionment that is clearly acceptable to the judiciary of this country.

If the State of Wyoming or the State of Tennessee in the eyes of some has a legislature that is rurally oriented, all I can say is that under the concept of one-man, one-vote, that legislature reflects the true character of the State and represents the people of that State.

I know of no other way of making a move in the direction of insuring a workable identity of the problems that must be met and can best be met at the local level than to give the local authority the right to spend tax dollars to solve those problems which in its judgment are most critical.

I heartily endorse the proposal of the distinguished Senator from Tennessee. I hope that the Senate will approve it.

Mr. BAKER. Mr. President, I thank my colleague, the Senator from Wyoming. I particularly appreciate his remarks since he is a former Governor of Wyoming and a member of what I call the Governors union in this body since so many Senators were formerly Governors of their respective States.

That brings to my mind an item that is significant. At the outset when the concept of revenue sharing first came in issue one argument which was made against it was that it was going to be impossible to apply because of the conflicting desires between Governors on the one hand and the National Association of Counties and the mayors of cities on the other hand. It was said that it was too impracticable.

I am happy to say now that the accommodation reached by these three divergent groups combines in support for the administration proposal.

I think if these groups of people at three levels—city, county, and State—can get together, certainly the Senate committee can have hearings on it and the Senate can act upon it.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. GURNEY. Mr. President, I commend the junior Senator from Tennessee

XUM

for bringing the revenue-sharing plan to the attention of the Senate again.

I support his arguments and the Nixon new federalism revenue-sharing concept wholeheartedly.

As a House Member, long before I became a Senator, I introduced, along with many others in the House of Representatives, revenue-sharing bills.

The idea is not new. It has, of course, been developed for some time now.

It seems to me that the case has long been made that State and local governments have run out of revenues and need help from the Federal Government and need to share in the one big tax source—the Federal income tax.

The former Governor of Wyoming, now distinguished Senator from Wyoming (Mr. HANSEN), has brought to our attention his experience as Governor.

My political experience prior to coming to Congress was as a mayor and also as an attorney for another local government. So, I have some knowledge of the problems in city government. I can certainly say that I do not suppose there is a local government today that does not find itself strapped for funds, and not only strapped for funds, but also run out of sources of additional funds. About every additional tax source has already been tapped to the hilt by local, State, and county or Federal Government.

So that case has been made. They have run out of funds. They do need help.

It seems to me, too, that the notion of turning to Washington for all solutions, as we have done now for a period of three decades, or perhaps 3½ decades, needs reexamination and adjustment.

I do not think that any Member of Congress, either in this body or in the other body, has not recognized the fact that most of the great national problems we have tackled in Congress have not been resolved, and that big government solutions from Washington have fallen far short of being the answer. We need local solutions, also. People who serve at levels of local government—city, county, and State—are often best able to handle matters because they recognize them more readily and they know where emphasis should be placed rather than we here in Washington.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Tennessee be permitted to continue for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GURNEY. It seemed to me that the time has come when we need to probe this matter of revenue sharing and see if we can tackle these problems better and find more substantial answers by working in partnership with local government. That is another compelling reason for this revenue sharing.

I again commend the Senator from Tennessee for bringing this matter to the attention of the Senate. Revenue sharing does deserve bipartisan support. It has had such support for a number of years.

I would say it is an idea whose time has come. And I would be hopeful that the U.S. Senate leadership on both sides of the aisle would proceed this year to hold hearings on the bill and get it underway and make a start on this crucial matter this year.

Mr. BAKER. Mr. President, I thank my colleague, the Senator from Florida.

At the risk of being unseemingly facetious, may I point out that both our national parties included revenue sharing in their national platforms adopted at their conventions in Miami and Chicago.

If a platform is going to be anything other than something to run on, it is time that we get about implementing some proposals.

I can think of nothing better than recommending that the Senate adopt a plan at this time that has been recommended by our national parties.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. BAKER. I yield to the distinguished Senator from Arizona.

Mr. FANNIN. Mr. President, I thank the distinguished Senator from Tennessee and I commend him for the statement he made this morning and for the work he has been doing on this very important subject.

The proposal has the support of the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties, the National Governors Conference, and the National Legislative Conference, so we have very widespread support for a program that is vital to this Nation so we can have a viable State-Federal Government relationship.

I hope that the Senate will act favorably and promptly on S. 2948. Under this proposal, States and local governments can establish their own programs and solve their own unique problems. I have always felt that strong State and local governments are essential to this country's welfare. The enactment of this bill will recognize the important role which the States should play in our government. Moreover, this bill would help to decentralize decisionmaking. Mr. President, during the last several years, there has been an increasing concentration of authority in the Federal Government and a corresponding decrease in the power of the State and local governments. This is not a healthy trend and this proposal will be an initial step in counteracting this movement.

Mr. President, both the previous administration and this administration have endorsed revenue sharing. Both party platforms endorsed this principle. Many bills have been introduced during the last two Congresses. It is high time that we have some action on these proposals so as to relieve the pressure on State and local governments.

I feel we are making excellent progress and due to the dedication of the Senator from Tennessee this program is going forward. I commend the Senator from Tennessee for the steps he has taken.

Mr. BAKER. Mr. President, I thank the distinguished Senator from Arizona for his important and significant contribution to this colloquy.

I conclude by stating that I feel the great majority of the people in this country want a change in the nature of the partnership of government. This is the first meaningful step available to us and I urge its immediate consideration.

I yield the floor.

Mr. SCOTT subsequently said: Mr. President, as the distinguished Senator from Tennessee (Mr. BAKER) pointed out to this body earlier today, five national organizations representing the States, the cities, and the county organizations of this Nation held a joint news conference today on the subject of Federal revenue sharing. I am cosponsor of the administration's legislation along with the Senator from Tennessee, who is the chief sponsor.

I agree with the mayor of Philadelphia, Mayor Tate, when he expressed his dissatisfaction this morning that no action has been taken by Congress to implement this vitally needed program.

I spoke yesterday on this subject, in the same vein. I believe it is time that Congress get on with the business of establishing Federal revenue sharing.

I commend these groups—the National Governors' Conference, the National Association of Counties, the National League of Cities, the U.S. Conference of Mayors, and the National Legislative Conference—for uniting together so impressively and publicly calling for overdue action by Congress.

We have waited too long to act. The legislation has been pending in this body since last September in the form recommended by the President and endorsed by all of these groups.

Mr. President, this body must recognize the severe fiscal plight of our local governments and the duty we have as partners in the Federal system. The innovative revenue-sharing proposal before us is a modest, but desperately needed way to assist our State and local partners to attack our Nation's domestic ills. I believe we should heed the urgency of the plea today by Governors, State legislators, mayors, and county officials.

Again, I agree with Mayor Tate when he says, as he did this morning:

> If Congress fails to live up to the President's commitment of federal revenue sharing, that failure will force the issue into every congressional campaign in the country this fall.

I can only add to that by saying that it will not be a Republican President or the Republican Party in both Houses which will have failed to live up to that commitment.

Mr. SMITH of Illinois subsequently said: Mr. President, I wholeheartedly concur in the remarks and the challenge to action just issued by my distinguished friend and colleague from Tennessee, Senator BAKER. President Nixon's revenue-sharing proposals are a pledge of rededication to the basic American tradition of government close to the people. Their adoption would be a giant first step in revitalizing the States in their proper role in the Federal system. The revenue-sharing proposals cannot help but have a salutary effect upon the strength and vitality of government at

XUM

the State and local level. They will encourage the development of new leadership and new resources for problem solving at the level where that leadership and those resources can do the most good. As a long-time participant in the operation of State government, and as a firm believer in the necessity of a viable partnership between State and Federal Government, I am delighted to associate myself with the remarks of the distinguished Senator from Tennessee and to join him in challenging the leadership on the other side of the aisle to give the President's proposals priority attention.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Pursuant to the previous order, the Senator from Ohio is recognized for 20 minutes.

S. 3722—INTRODUCTION OF A BILL RELATING TO DISPOSAL OF SURPLUS WEAPONS

PENTAGON MUST NOT HAVE POWER TO GIVE AWAY SURPLUS ARMS

Mr. YOUNG of Ohio. Mr. President, the time is long past to end the Pentagon's practice of giving surplus arms to foreign governments without the consent of Congress.

I am today introducing legislation that would require officials of the Pentagon to make complete and prior disclosure of all proposed disposals of surplus weapons. This bill would empower the Senate Foreign Relations Committee and the House Foreign Affairs Committee to approve all disposals of surplus U.S. military equipment.

Since 1952, surplus military equipment originally costing $3.4 billion has been given away through the Pentagon's disposal program. Through the surplus disposal program, Pentagon officials have been secretly subsidizing at least two tyrannical dictatorships without any advance information given to Congress nor any authorization sought nor secured.

We have given tremendous quantities of military and naval equipment to that boastful and corrupt old warlord, Chiang Kai-shek, dictator of Taiwan. Last year Pentagon officials gave Nationalist China $157 million worth of fighter planes, cargo planes, destroyers, antiaircraft missiles, tanks, and rifles from its arsenal of weapons. This gift was not authorized by any act of Congress. It would have probably remained a well-kept Pentagon secret except for the fact that the distinguished Representative from Massachusetts, Mr. CONTE, did some effective research and raised important questions at a closed door hearing of a House Appropriations subcommittee.

The Pentagon has also furnished a vast amount of surplus arms to Greece, where a clique of Fascist colonels in Athens overthrew the constitutional government in a midnight coup, now rule by brutal decree and torture in the former cradle of democracy. In fact, a recent edition of the Athens daily, Estia, a state-controlled newspaper, referred to the Pentagon as one of the "real friends of modern Greece." This works against the best interests of the United States because in the end these dictators will be ousted. Then the people will remember whose guns and tanks were used to help oppress them.

Officials of the Defense Department never announced publicly or informed Congress of the transfer of the weapons to Nationalist China or Greece.

The fact is that at present the disposal of surplus arms abroad through sale or gift by Pentagon officials needs no congressional authorization and requires no congressional limitation. The only requirement is that Defense Department officials report surplus arms transactions annually when they come before congressional committees for their annual appropriations.

This, of course, permits the Pentagon bureaucrats and military leaders the privilege of reporting their surplus weapons dealing in an ex post facto fashion, following the disposal of surplus weapons. Also, frequently disclosure is concealed under misleading Pentagonese gobbledegook such as "Excess and Long Supply Stocks," as was done last year and revealed or translated only recently.

Mr. President, the Pentagon through the surplus disposal loophole is thus being allowed to thwart the will of Congress to curb arms shipments to certain countries. In fact, while Congress in the last year has been striving to reduce our foreign military giveaway program, Pentagon officials have simultaneously embarked on a program to supplement arms aid through the surplus disposal scheme. For example, our direct military assistance to Chiang Kai-shek has been cut by Congress from $117 million in fiscal 1968 to $25 million in the current fiscal year.

The Pentagon's gift of surplus weapons flagrantly violated the congressional intent of cutting military assistance to Chiang Kei-shek. In fact, it will increase U.S. military aid to Nationalist China to $182 million, more than seven times the $25 million that Congress intended.

Officials of the Department of Defense have thus circumvented the will of Congress to cut military aid to Taiwan through their policy of military assistance from the Pentagon stockpile of surplus weapons.

Mr. President, the Congress of the United States must not allow its will to be thwarted by a swaggering military establishment. Congress, not the bureaucrats and generals in the Pentagon, must control our military aid program.

State Department officials, to whom the Pentagon is also supposed to report its surplus dealings, have expressed objections to recent giveaways. It is apparent that those in power in the Department of Defense believe they can with impunity sell or give arms to any nation. Here is one more example of the attempt by the military establishment to influence foreign policy disregarding Congress. Someone should inform the generals of our Joint Chiefs of Staff that the Constitution provides that in our Nation civilian authority must always be supreme over the military.

Mr. President, I fear that Pentagon officials, through their surplus arms programs, will continue to give away military and naval material to various ruling governments of their choice without authority from the Congress. We cannot take the chance of permitting the same military leaders who led us into the Vietnam quagmire secretly arming foreign governments and sponsoring wars around the world from the corridors of power in the Pentagon. Taxpayers of our Nation have paid for all those arms, naval vessels, and equipment. We in the Congress have a duty we must assert.

In 1968 Congress enacted legislation requiring Pentagon officials to obtain congressional authorization for credit sales, and Congress put an annual ceiling on the amount of authorized military sales.

We should now enact legislation plugging the loophole that allows Pentagon officials to dispense indirect military assistance. We must prohibit the secret and unsupervised disposal of U.S. military equipment by officials of the Department of Defense.

Surplus arms disposal, like military sales, should be brought under congressional control. Until this is achieved, the military will be able to circumvent congressional intent by dipping into the treasure chest of surplus weapons and countering congressional cuts in military aid.

Congress must reassert its control over the disposition of surplus military weapons and put a halt to the free-wheeling, autonomous foreign military-aid program of the Pentagon.

According to a recent study by the Foreign Relations Committee, approximately $10 billion worth of weapons will probably be declared surplus by the Pentagon if and when we withdraw our forces from the immoral, unpopular, undeclared war we have been waging in Vietnam.

In addition, the NATO strike force to which the United States is the major contributor, recently phased out 7,000 tanks and 1,200 airplanes which are now surplus equipment. We must take immediate steps to bring the disposal of those surplus weapons under congressional control.

Mr. President, the role of Congress has already been seriously diminished in the past decade with regard to its power to declare war. Indiscriminate warmaking by Presidential prerogative rather than by congressional declaration is the unhappy reality of the present day. We have already gone too far in allowing the President to usurp Congress constitutional warmaking powers and unhinge our traditional checks and balances system.

We cannot continue to allow the Pentagon to act as an independent power countering congressional will through its stockpile program. The Pentagon's disposal of surplus arms, like direct military grant assistance and military sales, must be harnessed and brought under congressional control.

Mr. President, I ask unanimous consent that at the first printing of the bill the names of the distinguished Senators from Wisconsin (Mr. PROXMIRE), Minnesota (Mr. MCCARTHY), New Jersey (Mr. WILLIAMS), California (Mr. CRANS-

XUM

ton), South Dakota (Mr. McGovern), Iowa (Mr. Hughes), Tennessee (Mr. Gore), and West Virginia (Mr. Randolph), be included as cosponsors of the bill.

I send the bill to the desk and ask that it be appropriately referred.

The ACTING PRESIDENT pro tempore (Mr. Burdick). Without objection, the cosponsors will be added as requested.

The bill will be received and appropriately referred.

The bill (S. 3722) to amend the Foreign Assistance Act of 1961 to require prior approval for delivery of excess defense articles to a foreign country, introduced by Mr. Young of Ohio (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Foreign Relations.

WE AMERICANS MAINTAIN THIEU-KY DICTATORSHIP IN POWER

Mr. YOUNG of Ohio. Mr. President, recently General Thieu, president of the militarist Saigon regime, announced in a political speech he made directed to the Members of the National Assembly of South Vietnam that from now on he intended to govern by decree. General Thieu and Air Marshal Ky were the two leaders of 10 generals who in a midnight coup overthrew the civilian government of South Vietnam. Of the 10 generals, nine, including Thieu and Ky, were born in North Vietnam. Nine of the 10 generals, including both Thieu and Ky, had fought on the side of the French against their own fellow countrymen who were aspiring to national liberation. Their hopes to help the French reestablish their Indo-Chinese colonial empire came to an end when Dienbienphu was overrun May 7, 1954, by the forces of Ho Chi Minh seeking liberation from the French of the countries now known as Cambodia, Laos, Thailand, and North and South Vietnam.

The Geneva agreement specifically stated that the division of Vietnam at the 17th parallel into North Vietnam and South Vietnam was a temporary demarcation line and was not to be regarded as a national boundary and that a promised presidential election throughout all Vietnam was to be held in 1956. This election was called off by President Diem who was installed as President in Saigon by our Central Intelligence Agency. It was evident that Ho Chi Minh had the backing and support of 80 percent of all the people of both South and North Vietnam. President Eisenhower so stated in his memoirs. Diem called off this election and then the forces of the North Liberation Front, or Vietcong, took the field continuing the war for liberation which they had fought against the French colonial oppressors.

General Thieu recently instructed Tran Thieu Khiem, his Prime Minister, to compel the national assembly of South Vietnam to sanction his authority to govern by decree. The claim made by General Thieu and his Prime Minister is that the Thieu-Ky regime requires the power to govern by decree due to the current uncertainty and possible sudden change in economic, political and military conditions in South Vietnam. This demand on the part of President Thieu to govern by decree follows a recent violent demonstration against the Thieu-Ky regime in Saigon on the part of hundreds of permanently disabled South Vietnamese war veterans protesting against corruption evident in Saigon and the failure of the Thieu-Ky militarist regime to provide any land reform for the people of South Vietnam and to relieve them from the corruption of absentee landlords who have been favored all along while wounded war veterans have been neglected.

Communist regimes the world over govern by decree. Fascists likewise. Some 40 years ago Adolf Hitler gave similar reasons when he assumed dictatorial power and created the infamous Third Reich. Incidentally, not long ago Ky stated he regarded Adolf as a great hero.

Mr. President, when I was in Vietnam, interviewing the flamboyant Ky, he was very proud of the decoration he displayed, which the French had given him for fighting against his own people.

At present a fully disabled South Vietnam war veteran with a wife and six children receives the paltry sum of $15 a month in compensation for his crippling war wounds and permanent disability. In contrast to these Vietnamese veterans who with their families slowly starve on their meager monthly allotments, Vice President Ky and many generals and officials of the Thieu-Ky regime live the rich life stashing away in unlisted Swiss and Hong Kong bank accounts huge sums of money they corruptly acquired. Madam Thieu recently purchased a beautiful and expensive villa in Switzerland, apparently in preparation for the day when the Vietnamese people oust her husband from office.

The people of South Vietnam have courageously demonstrated their opposition to the corrupt policies of the Saigon militarist regime. It is evident that it lacks support of all except a small minority of the people of South Vietnam. Recently, a crowd of crippled former soldiers protested outside the Presidential Palace and the National Assembly building demanding better treatment from the Government. Thieu responded by calling out the police, the key instrument of repression of his regime, who then launched a tear gas attack to disperse the crippled veterans.

The veterans' demonstrations also exposed the Thieu regime's repression of Saigon's fledging news media. Three Saigon newspapers dared to support the disabled veterans' campaign for more benefits and criticized the police for overreacting to the demonstrations. Police, under government orders, then proceeded to seize all copies of the three papers. The Thieu government justified this under "the national press law," an oppressive edict which allows the Thieu regime to suppress any "subversive and inflammatory" articles appearing in the South Vietnamese press.

Last fall Thieu decided that austerity taxes were urgently needed but doubted they would be passed by the National Assembly so he simply imposed them by decree. Even though a few courageous legislators dared to oppose the will of this bush-league Hitler, the President's tax decree was enacted.

Mr. President, it is a tragic irony that more than 50,000 of our men have laid down their lives and more than 270,000 have been wounded in an immoral, undeclared war, to maintain in power that corrupt Thieu-Ky regime.

Vietnam is of no importance whatever to the defense of the United States, yet last week 141 of our finest young men were killed over there, and the casualties continue on a huge scale in the escalation of our fighting in Vietnam and now in Cambodia and Laos.

Thieu's plan to rule by decree strips away any pretensions of legitimacy which he has attempted to create. He has revealed himself for what he really is, a parasitic dictator totally dependent on continued American support to sustain his precarious position. Historians will record our continued support of the Thieu regime as one of the saddest and most shameful chapters in the history of our Republic.

ARMS CONTROL

Mr. FANNIN. Mr. President, the question of arms control is being considered on two fronts today. The Senate is debating the budget request for the Arms Control and Disarmament Agency.

In Vienna, representatives of the United States and the Soviet Union are continuing arms control discussions.

The Soviet Union has shown itself responsive in a time of crisis for the astronauts on the Apollo 13 mission, by offering assistance. While not bearing on the crucial question of arms control, it is a hopeful sign on a level important to the people of this country today. We appreciate it and I would like them to know it.

Columnist Joseph Kraft, with whom I am not often in agreement, has an interesting column on the general outlines of the American proposal to be made in Vienna.

I ask unanimous consent to have printed in the Record at this point the article by Joseph Kraft to which I have referred, entitled "United States in Vienna: Nonpassive," published in the Baltimore Sun of April 16, 1970.

There being no objection, the article was ordered to be printed in the Record, as follows:

UNITED STATES IN VIENNA: NONPASSIVE

(By Joseph Kraft)

WASHINGTON.—As an offset to the disappointment of Apollo 13 there comes nicely to hand the opening of the Big Two arms-control talks in what could be a meeting as historic as the other Congress of Vienna.

For contrary to what has been widely reported, the United States is ready to serve up a comprehensive and outgoing proposition for the Vienna talks. And without even knowing the Russian position, the feeling in Washington is that an agreement to moderate the arms race may at last be in the works.

The American position for the outset of the talks was generally figured to be a stance dependent upon a lead from the Russians. But those of us who made that

XUM

assessment based it on a misreading of the bureaucratic in-fighting that preceded the formulation of the final terms.

It is true that Gerard C. Smith—the head of the arms-control agency and chief of the delegation in Vienna—wanted to offer a proposal for mutual suspension of new developments in defensive and offensive strategic weapons. That would in effect, have meant a cutoff on the ABM, or anti-ballistic missile, in the defense field, and the MIRV, or multiple independently targetable reentry vehicle, in the matter of offensive weapons.

It is also true that these proposals were vigorously opposed by the military. The armed services came out strongly for continuing MIRV development on the grounds that it was needed as a penetration device against Soviet Defenses which might be suddenly improved through clandestine upgrading of antiaircraft weapons into antimissile weapons. They also argued ABM deployment was necessary to defend land-based missiles against a knockout first strike by Russia's blockbuster—the SS-9.

These military views were not modified by the Defense Secretary, Melvin Laird, nor seriously opposed by the State Department. Neither were they overruled by the White House—which explains why so many of us concluded any American proposal in the Vienna talks would have to wait on a lead from the Soviet Union.

But at the very end of the long internal bicker in Washington, there happened something unexpected. The White House, while not sustaining the arms-control agency against the Pentagon, did develop a way around the confrontation.

The details of the proposal that emerged are still closely held.

But the guiding principle is not in doubt. The guiding principle is to move toward a phasing out of land-based missiles in favor of missiles fired from submarines. Agreed limits would be placed on the number of submarines, and then the problems posed by ABM and MIRV would tend to wither away.

The ABM has been pushed in this country chiefly as a defense of the land-based missiles. So as these missiles were phased out, ABM development would be leveled off. In effect, there would be a trade of limited ABM development by this country against limited ABM development by Russia.

As to MIRV, development would go forward. But it would not present the overwhelming problem of giving each side untold numbers of missiles the other side could not count. For submarines can be tracked. Each side's pearls, so to speak, would be in a limited number of oysters. And each side would know exactly how many oysters were available to the other side.

Before presenting the practical details of their proposal, the American negotiators will want to have some sense of how the Russians are thinking so there will certainly be some preliminary sparring at the Vienna talks.

But there is no doubt that the Nixon administration is now prepared to make an offer. The White House no longer acts as though the strategic-arms talks were just something handed on by the Johnson administration.

How the Russians will react to the more positive American attitude remains in doubt here. The latest remarks of Leonid Brezhnev are regarded favorably—if only because they imply that Russia, like this country, has numerous internal problems that could usefully absorb resources spent on armaments. But Washington does fear that the arms-control talks might become a political football in the leadership struggle now felt to be going on in the Kremlin.

Still, even there the implication is positive. For the implication is that the prospects are now so good that it will take some untoward disturbance from the outside to get in the way of agreement.

NIXON ADMINSTRATION TACKLES POLLUTION PROBLEMS REALISTICALLY

Mr. GURNEY. Mr. President, with Earth Day being commemorated next week, a great deal of attention is being focused on what is wrong with the way we are trying to live with our environment. The whole gamut of problems dealing with air and water pollution, waste disposal and the proper use of our natural resources has attracted and is holding national interest to a far greater degree than ever before in our history.

In this light, I would like to call the attention of my colleagues to several very important developments in this field undertaken by the Nixon administration.

The President yesterday asked Congress for authority for the Government to clean up the Great Lakes and prevent their further pollution.

The President has ordered a comprehensive study of the problems and possible solutions to them involved in ocean pollution.

The Department of Agriculture has ordered an end to the use of 2,4,5-T—a weed killer.

Mr. President, all three of these actions are likely to stir up opposition from people who will be affected by them. That is understandable since these changes will mean economic problems for each of the groups.

In the past the Government has been loathe to undertake such actions simply because of the amount of opposition they were likely to create. It is significant that the Nixon administration is moving this swiftly and this courageously into an area where, before, the Government refused to act.

The President is asking for stronger legislation to clean up the Great Lakes. His request places the burden of responsibility now squarely on the Congress. It will be up to us to provide him with the kind of tools needed to undo the damage done by years of ignorance and neglect.

The President is to be commended for these actions.

FOREIGN CORRESPONDENT WRITES THAT EUROPEANS ASK, "WHY ARE AMERICANS PROTESTING? THEY DON'T KNOW HOW LUCKY THEY ARE"

Mr. GURNEY. Mr. President, my attention has been called to an excellent article in the Times-Picayune, New Orleans, by Foreign Correspondent Thomas B. Ross.

Mr. Ross writes from Paris that his—

> Enduring impression of a year's reporting in Western and Eastern Europe is how much more there is to protest about here and how much less protesting is done.

He added:

> On a recent tour of Eastern Europe, I found the intellectuals in utter despair of Marxist economics and elitist politics and astonished they should be the vogue in certain sectors of the U.S. protest movement.

Mr. Ross quotes Leopold Tyrmand, a Polish intellectual now living in London:

> American institutions, which (in the U.S.) are taken for granted like oxygen, are the subject of our wildest dreams in Eastern Europe. I have a certain pity for the Americans because they do not know how to cherish what they have and what others know they have.

Mr. President, I ask unanimous consent to have printed in the Record at this point the article to which I have referred, entitled "Unrest in United States Astonishes Foreigners Much Worse Off," written by Thomas B. Ross, and published in the New Orleans Times-Picayune of April 11, 1970.

There being no objection, the article was ordered to be printed in the Record, as follows:

Unrest in U.S. Astonishes Foreigners Much Worse Off

(By Thomas B. Ross)

Paris.—The enduring impression of a year's reporting in Western and Eastern Europe is how much more there is to protest about here and how much less protesting is done.

By official United States definition, half the people of Western Europe and more than three-fourths of those in Eastern Europe are "poor" and "hungry." (Elsewhere, of course, virtually everyone falls in that category.)

The American Negro, one of the most disprivileged members of U.S. society, has a higher average income than the citizen of Britain, one of the most economically privileged members of the human community.

Despite the discrimination the black has suffered and continues to suffer in the U.S., he would have fared even worse here. Europe operates under the unspoken segregationist assumption that people who are different, by language, nationality, religion and color, cannot live amicably together.

"If Paris were half German," a French journalist remarked in astonishment after a tour of U.S. cities, "there would be blood in the streets every day."

OLD WORLD RECORD POOR

France had the best racial record of any of the colonial powers, but conditions at home leave much to be desired. The Algerian and African slums of Paris are unspeakable, much worse than the black U.S. ghetto.

In Britain, the question of "color" may become the critical issue in the forthcoming parliamentary election, even though less than 3 per cent of the population is of African or Asian extraction.

The German performance on race hardly needs to be cited. And even after the Jewish holocaust of World War II, anti-Semitism remains a potent political force in Eastern Europe. The Soviet Union requires Jews to carry special identity cards and refuses to allow them to emigrate to Israel.

In Poland, after the Arab-Israeli war of 1967, the Communist regime sought to contrive an entire political policy out of anti-Zionism, even though the Jewish population already had declined from a prewar level of 3 million to fewer than 25,000.

In the Middle East, a variant of racial antagonism lies at the root of the conflict over Israel, even though Jew and Arab are of the same Semitic stock.

The Moslem world, contrary to the sentimental notions of some U.S. blacks, also harbors a strong prejudice against blacks. Though it is not considered a politic subject for public conversation, black American rad-

XUM

icals in Algeria grumble privately and bitterly about prejudice there.

Africa, too, has its version of the problem in the tribal hatred that produced the bloodbath in Biafra.

In Asia, the Chinese hold themselves racially superior to occidentals as well as to their neighbors. The feeling is sometimes reciprocated, as in Indonesia and Malaysia, with wholesale slaughter. The Japanese cling tenaciously to their racial separateness to the point of ostracizing the illegitimate occupation-children of both black and white American soldiers.

Even Sweden, which has gained a reputation for racial tolerance largely through unremitting criticism of the American scene, is not without blemish. The local press is sprinkled with slighting allusions to the swarthy southern Europeans imported into its labor-short market.

Black deserters from the U.S. Army quickly discover a wall of Aryan consciousness just beyond the official welcome mat. A reporter for a Stockholm paper recently decided to test the racial climate. Disguised as a Negro, he tried repeatedly—and without success—to obtain a hotel room in the city.

Confronted by widespread evidence of prejudice, a reporter finds it hard to accept the popular notion that racism is a uniquely American phenomenon. To the contrary, he is led to the conclusion that the evil has deep, tenacious and universal roots in the human psyche, and that the U.S. is remarkable, less for its inadequacies than for being the only society to attempt a just resolution of the problem.

A close look at the law enforcement practices in other countries produces a different perspective on charges of police brutality in the U.S.

Recently a mildly heated political debate among students spilled out onto the sidewalk in front of a cafe on the Left Bank.

Soon a squad of gendarmes, without so much as a warning to disperse, proceeded to beat the students over the heads with rubber truncheons. The youths were then packed into a police van and driven off, undoubtedly to be locked up for the weekend without charge, without lawyer and without legal recourse.

Under France's Napoleonic Code and a stern set of laws laid down at the time of the riots in 1968, the police here have extraordinary freedom. Except in Britain and Scandinavia, that is true throughout Western Europe. In Spain, police controls are considerably more rigorous, and in Eastern Europe they are so severe that any public display of dissent is unthinkable.

U.S. SYSTEM "BEST SO FAR"

"American institutions, which (in the U.S.) are taken for granted like oxygen," commented Leopold Tyrmand, the expatriate Polish essayist, "are the subject of our wildest dreams in Eastern Europe. I have a certain pity for the Americans because they do not know how to cherish what they have and what others know they have."

On a recent tour of Eastern Europe, I found the intellectuals in utter despair of Marxist economics and elitist politics and astonished they should be the vogue in certain sectors of the U.S. protest movement.

"Utopian programs," a Czech professor remarked, "do not take account of the corruptibility in all of us. Revolutionary idealism quickly gives way to power, lust and greed. But when all the countervailing institutions, have been destroyed—private property, the church, parliamentary democracy, a free press—there is no way to challenge the corrupted idealists. There is no second chance for protest."

Late last month as I sat in a bus edging its way through a checkpoint in the Berlin Wall, I recalled Winston Churchill's remark that democracy is the worst form of government except for every other that has been tried.

Perhaps, I reflected, I would feel differently when I had been back in the States for a while. But at that moment, emerging from the gloom of Eastern Europe, I could not help thinking that the American society was better than the others that had been tried and that it deserved more than violent words or deeds.

THE SITUATION IN CAMBODIA

Mr. MANSFIELD. Mr. President, on yesterday, the press carried reports of an urgent request for military aid from the government which is now in control in the Cambodian capital of Phnom Penh. This request comes hardly as a surprise. What is surprising is the rapidity with which it follows the military coup against Prince Sihanouk.

In the circumstances, it would be desirable to sort out what we know about the Cambodian situation and what we do not know. What was for a decade and a half the only oasis of peace in Indochina has been turned into a bloody battlefield in the space of 1 month. The spreading conflict already involves a civil war between the Cambodians who remain loyal to Prince Sihanouk and those who follow the military government which overthrew him. The conflict already involves deep incursions into Cambodia by North Vietnamese and South Vietnamese, an extension of the battlefields which had been previously avoided throughout the Vietnamese war. The conflict already involves the potential of an ugly genocide by government-stimulated mob action against the several hundred thousand Vietnamese civilians—for the most part farmers, fishermen, and tradesmen who come from both North and South Vietnam and who have lived for decades in reasonable peace in Cambodia.

In short, the Pandora's box which was held shut by the leadership and diplomacy of Prince Sihanouk is now wide open. For years, Cambodia was in the eye of the Indochinese hurricane; now it is swept up in the full fury of a racial, ideological, and militarist storm.

It is scarcely a month since the successor government claimed authority over Cambodia and this government is already in deep trouble. Its urgent appeal for aid is a broadside which has gone to Communist governments and non-Communist governments—apparently, to anybody who will give support. It comes from a government whose earliest acts include a declaration of martial law and a suspension of personal liberties in a country which did not have martial law and which previously had provided a greater degree of personal freedom than most countries in Southeast Asia.

While the appeal for aid is directed to the world in general, it is reasonable to assume that it is aimed primarily at this country. Where else would urgent aid of any consequence come from in this situation if not from this Nation directly or through nations in the area which are supplied by us?

Some may find it difficult to resist an appeal for aid to this country from any source. Some may find the present military government more to their liking than its predecessor and, hence, more "worthy" of aid. Some may ask whether this Southeast Asian country will topple under the domino theory if we do not respond to the appeal for aid. Some may note that it is just some arms-aid that is being sought, not American forces.

If these observations sound familiar, it is because they are the siren's songs which have beckoned us time and again even deeper into the morass of Southeast Asia. If there is ever a time to resist them it is when they are just beginning to become audible.

The fact is that we do not know anything of the character or competence of the government in Phnom Penh which has issued this appeal for aid. We do not know how far its authority extends outside the capital or beyond the main roads. We do not know what acceptability it may have among the Cambodian people. We do not know what will emerge in the end in the way of a Cambodian government from the present upheaval.

We do know, or ought to know, on the basis of experience that even with a massive infusion of American equipment we are likely to have minimal constructive effect on that upheaval and we will open the door to another destructive impact on our own national interests. We do know, too, or we should know at this late date—after Vietnam, after Laos—that each deepening of our involvement in Indochina began with an input of well-meaning aid.

President Nixon has made a wise start in pointing the national course away from our participation in the tragic war in Indochina. It is to be hoped that there will be no deviation from that course. The way to get out is not to go further in—in any way, shape, or form. The road out of Vietnam for this nation does not lead by way of arms-supply or any other involvement in this new extension of the Indochinese tragedy into Cambodia.

THE FLIGHT OF APOLLO 13

Mr. HANSEN. Mr. President, on behalf of the distinguished Senator from South Carolina (Mr. Thurmond), I ask unanimous consent that a statement he had prepared yesterday be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Thurmond

Mr. President, for years a very small, but determined band of malcontents have strived to have all references to the Diety eliminated from our day-to-day lives. They have met with some success; notably, a refusal by the Supreme Court to allow prayer in the schools. This dubious "victory" has apparently spurred these people on to even greater and more patently absurd demands. Witness, for example, their insistence that "In God We Trust" be removed from our coins, or their attempts to enjoin our astronauts from praying in space.

Mr. President, I dare say that our astronauts are praying in space now, and millions

XUM

of people all over the world are praying for them and their families in this time of peril and uncertainty. This shows once again that, regardless of attempts on the part of a small minority to lessen the influence of religion on the direction of this country, in times of stress Americans turn to their heritage of faith and belief in God.

Mr. President, I am sure the militant atheists who begrudge the rights of others to participate in their religion were as distressed as I was pleased to note that both houses of Congress unanimously approved a resolution urging all Americans to pause in their daily schedule to pray for our courageous astronauts. No doubt we will hear a loud squawk from their direction; but I am most gratified that we have shown that the legislative branch of this government, at least, is still cognizant of the value Americans place on their religious heritage.

TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Pursuant to the previous order, the Senate will proceed to the transaction of routine morning business.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McINTYRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YOUNG of Ohio). Without objection, it is so ordered.

S. 3723—INTRODUCTION OF A BILL TO PROTECT THE AMERICAN SHOE AND TEXTILE INDUSTRIES

Mr. McINTYRE. Mr. President, I am introducing, for appropriate reference, a bill to provide for restrictions on the importation of leather footwear, textile articles made of cotton, wool, and manmade fibers, as well as articles made of blends of these and other textile fibers.

There can be no denial that the American textile and shoe industry had been severely injured by the increasing influx of foreign-made goods. As foreign firms gain a greater and greater hold on this segment of our economy, more and more American workers are losing their livelihood as their employers' businesses fail.

The plight of the footwear industry, for example, has been talked about, but not acted upon. The statistics which tell the story of the rise of imports and the decline of domestic production are now familiar. In 1969 foreign-made footwear took over 25 percent of our domestic market. Compared with 1968, imports jumped 20 million pairs last year while domestic production declined 52.3 million pairs. Some of these pairs could have and would have been made in some of the 59 shoe plants which were closed in the United States in 1969.

How long must we wait? The time has come to put a reasonable limitation on these imports. I feel that this bill does just that—it allows competition from abroad, but does not allow it to predominate.

The bill I am introducing, which has been introduced in the House by the distinguished chairman of the House Ways and Means Committee, Mr. MILLS, of Arkansas, would set the years 1967–68 as the base period for imports. It would reduce shoe imports from over 200 million pairs a year to approximately 150 million pairs a year.

Imports of manmade fibers would be cut nearly in half. Protection would be given to the domestic wool and cotton industries by providing a shield against future rises in imports.

In future years, as domestic consumption of shoes and textiles increases the American producers of these products will continue to be protected. They will get a fair share of the increased American consumption and foreign imports will continue to be limited.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a copy of this bill.

The PRESIDING OFFICER (Mr. YOUNG of Ohio). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2723) to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes, introduced by Mr. MCINTYRE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 3723

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 101. The Congress finds that the markets for textile articles and articles of leather footwear in the United States have been disrupted by the large volume and increased amounts of such articles of foreign origin entered, or withdrawn from warehouse, for consumption in recent years.

The long-term cotton textile arrangement entered into by the United States and other nations in 1961 is not adequate to prevent disruption of markets for textile articles in the United States because the arrangement is limited to cotton textile articles whereas advances in textile technology and marketing practices have made textile articles of cotton, wool, and manmade fibers, as well as articles of blends of these and other textile fibers, competitively interdependent. The continuing high and increasingly disruptive level of imports of wool textiles, and the large and rapidly growing volume of imports of textile articles of manmade fibers, and of blends of these fibers with other fibers have increased the extent and severity of the disruption of markets for textile articles in the United States far beyond that which the President has been able or empowered to remedy under the long-term cotton textile arrangement or its enabling legislation.

The Congress also finds the rapidly increasing penetration of United States footwear markets by imported shoes to be a specific cause of footwear plant closing in the United States. This increase has been relentless for more than ten years. No change in this alarming trend is now foreseen.

As a result, the increasing disruption of the Nation's textile and footwear markets has injured workers in the domestic textile and leather industry through underployment and unemployment. The standard of living of the Nation's textile and leather footwear workers, and the economic well-being of their communities is being threatened by the ineffectiveness of present laws and international arrangements to regulate imports of textile and leather footwear articles in a manner consistent with continued participation of domestic producers of such articles in the growth of the textile and leather footwear markets of the United States on a reasonable and economically sound basis.

SEC. 102. It is the policy and purpose of this Act to provide for the regulation of commerce in textile articles and in articles of leather footwear among the several States and with foreign nations so as to foster the maintenance and expansion of economically strong textile and footwear industries in the United States and to avoid the disruption of markets for textile and leather footwear articles in the United States. This regulation shall be accomplished by the imposition of quantities limitations, by categories, on imports of all textile articles and on imports of all articles of leather footwear in accordance with the provisions of section 103 of this Act, or by agreement with other governments or instrumentalities providing separately for limiting imports, by categories, of all textile articles or all articles of leather footwear, or both from such nations or instrumentalities into the United States in accordance with the provisions of section 104 of this Act.

SEC. 103. Except as provided in section 104, the total quantity of each category of textile articles and articles of leather footwear orginating in any country which may be entered, or withdrawn from warehouse, for consumption during the calendar year beginning January 1, 1970, shall be limited to the average annual quantity of such category originating in such country which was entered, or withdrawn from warehouse, for consumption during the two calendar years, 1967–1968. Beginning with the calendar year 1971 the total quantity of each such category originating in any country which may be entered, or withdrawn from warehouse, for consumption during that calendar year and during each succeeding calendar year shall be increased or decreased by an amount proportionate to the increase or decease in domestic consumption of that category durin the preceding calendar year as compared with the average domestic consumption thereof during the two calendar years immediately preceding such calendar year as determined by the Secretary of Commerce.

SEC. 104. The President is authorized to enter into international arrangements or agreements with foreign governments or instrumentalities separately regulating, by category, the quantities of all textile articles of leather footwear, or both, originating in such nations or instrumentalities which may be entered, or withdrawn from warehouse, for consumption. The provisions of each such arrangement or agreement entered into hereunder shall substantially carry out and implement the declared purposes and findings of this Act and assure the avoidance of disruption of the markets for textile articles and articles of leather footwear in the United States. The President shall make such arrangements or agreements effective by proclamation and is authorized to issue regulations necessary to carry out the terms thereof. The total quantity of each category of textile articles or articles of leather footwear which may be entered, or withdrawn from warehouse, for consumption from any country which has entered into such an arrangement or agreement hereunder covering that category shall not be subject to the provisions of section 103 while such agreement is in force and effect. Nothing herein shall affect the authority provided under section 22 of the Agricultural Adjustment Act of 1933, as amended.

SEC. 105. The quantitative import limitations on textile articles of cotton heretofore established by the United States pursuant to

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the long-term cotton textile arrangement or pursuant to bilateral agreements heretofore entered into by the United States as provided in such arrangment shall supersede the provisions of this Act until the expiration of the arrangement.

SEC. 106. For the purpose of this Act—

(a) The term "textile articles" includes top, yarn, fabric apparel, household and industrial textile products, cordage products, manmade staple fiber, filaments, and filament yarns, and all other textile manufactures, whether spun, woven, knit, felted, bonded, laminated, or otherwise manufactured of cotton, wool, manmade fiber, or silk, or of any combination or blend thereof, or in combination with other fibers (a) or substance(s) including animal hairs or furs. The term "textile articles," for the purposes of this Act, shall not include natural fiber in its unprocessed state such as raw cotton, raw wool, raw silk, or raw jute; spun yarns or silk, wholly of noncontinuous silk fibers, not colored; or any article which is now entitled to entry free of duty.

(b) The term "leather footwear" includes those articles of leather and of vinyl specified in items 700.05 through 700.45, inclusive, item 700.55, and items 700.66 through 700.85, inclusive of the Tariff Schedules of the United States. Annotated.

(c) The term "category" means a subdivision of textile articles, or of articles of leather footwear, as the case may be, as determined by the Secretary of Commerce for the purposes of this Act, using as a guide the five-digit and seven-digit item numbers applicable to such articles in the Tariff Schedules of the United States, Annotated (1969), as published by the United States Tariff Commission, or as subsequently amended, modified, or revised.

(d) The term "textile industry" means all establishments in the United States engaged in the production of textile articles.

(e) The term "foowear industry" means all establishments in the United States engaged in the production of leather footwear.

TITLE II—ADJUSTMENT OF IMPORTS AND ADJUSTMENT ASSISTANCE FOR FIRMS AND WORKERS

SEC. 201. The Congress finds that the assistance which it intended be available to domestic industries, firms, and groups of workers caused or threatened with serious injury by increased imports has, in the administration of title III of the Trade Expansion Act of 1962, been denied virtually all applicants. The Congress intends, and finds it in the national interest, that the forms of assistance specified in such Act be promptly and readily available for any industry, firm, or group of workers caused or threatened with serious injury due in any substantial degree to increased imports even though other economic factors are found in equal or greater degree to contribute to such actual or threatened injury It is the purpose of this title to provide for a reform of the administration of title III of the Trade Expansion Act of 1962 to this end.

SEC. 202. (a) Section 301 of the Trade Expansion Act of 1962 (19 U.S.C. 1901) is amended as follows:

(1) Subsection (b)(1) is amended by striking out "as a result in major part of concessions granted under trade agreements,".

(2) Subsection (b)(3) is amended by striking out "the major factor in causing, or threatening to cause, such injury" and inserting in lieu thereof "a substantial cause of serious injury, or the threat thereof".

(3) Subsection (c)(1) is amended by striking out ", as a result in major part of concessions granted under trade agreements,".

(4) Subsection (c)(2) is amended by striking out ", as a result in major part of concessions granted under trade agreements,".

(5) Subsection (c)(3) is amended by striking out "the major factor in causing, or threatening to cause, such injury or unemployment or underemployment" and inserting in lieu thereof "a substantial cause of such injury or unemployment or underemployment, or the threat thereof."

(b) Section 302 of the Trade Expansion Act of 1962 (19 U.S.C. 1902) is amended as follows:

(1) Subsection (b)(1) is amended by striking out "(which the Tariff Commission has determined to result from concessions granted under trade agreements) have caused serious injury or threat thereof" and inserting in lieu thereof "have been a substantial cause of serious injury, or the threat thereof,".

(2) Subsection (b)(2) is amended by striking out "(which the Tariff Commission has determined to result from concessions granted under trade agreements) have caused or threatened to cause unemployment or underemployment" and inserting in lieu thereof "have been a substantial cause of unemployment or underemployment, or the threat thereof,".

(c) Section 351 of the Trade Expansion Act of 1962 (19 U.S.C. 1981) is amended as follows:

(1) Subsection (a)(1) is amended by striking out "causing or threatening to cause serious injury" and inserting in lieu thereof "increased imports of which have been found by the Commission to be a substantial cause of serious injury, or the threat thereof,".

(2) Subsection (a)(4) is repealed.

(3) Subsection (c)(1) is amended by striking out clause (B) in its entirety, and deleting "—(A)" in the body of the subsection and ", and" following the word "interest", and inserting a period after "interest".

(4) Subsection (c)(1) is further amended by striking out "(1)".

(5) Subsection (c)(2) is repealed.

(6) Subsection (d)(3) is repealed.

(7) Subsection (d)(4) is redesignated (d)(3), and subsection (d)(5) is redesignated (d)(4).

(d) Section 352 of the Trade Expansion Act of 1962 (19 U.S.C. 1982) is amended by striking out in subsection (a) "causing or threatening to cause serious injury" and inserting in lieu thereof "increased imports of which have been found by the Commission to be a substantial cause of serious injury, or the threat thereof,".

(e) Section 405 of the Trade Expansion Act of 1962 (19 U.S.C. 1806) is amended by adding a new subsection (7) as follows:

"(7) For the purposes of section 301(b)(I) of the Trade Expansion Act of 1962 (19 U.S.C. 1901(b)(1)), as amended by this Act, the term 'domestic industry' means the aggregate of those firms or appropriate subdivisions thereof which produce the like or directly competitive article. Where the article is produced in a distinct part or section of an establishment, whether or not the firm has one or more establishments, such part or section shall be considered an appropriate subdivision."

SEC. 203. (a) For the limited purpose of providing the President with authority to enter into such trade agreements as he may find to be appropriate in carrying out existing trade agreement obligations which he finds applicable as an incident to actions taken by him pursuant to section 351 of the Trade Expansion Act of 1962 (19 U.S.C. 1981), section 201(a)(1) of that Act (19 U.S.C. 1821(a)(1)) is amended by striking out "July 1, 1967" and inserting in lieu thereof "July 1, 1973".

(b) The limitations set forth in section 201(b) of the Trade Expansion Act of 1962 (19 U.S.C. 1821(b)) shall be applicable, without exception other than as provided in section 254 of that Act (19 U.S.C. 1884)), to proclamations issued pursuant to the authority granted under subsection (a).

SEC. 204. Any investigation by the Tariff Commission under section 301 of the Trade Expansion Act of 1962 (19 U.S.C. 1901) for tariff adjustment under section 351 of that Act (19 U.S.C. 1981) or for a limitation of imports under orderly marketing agreements pursuant to section 352 of that Act (19 U.S.C. 1982) which is in progress on the date of the enactment of this Act shall be continued under said sections 301, 351, and 352, as amended by this Act, as if the petition had been filed originally under the provisions of such amended section. For the purpose of section 301(f) of the Trade Expansion Act of 1962 (19 U.S.C. 1901(f)), such petition shall be treated as having been filed on the date of the enactment of this Act.

THE NOMINATION OF JUDGE HARRY A. BLACKMUN TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT

Mr. CRANSTON. Mr. President, I rise to refute, statistically, the President's charge of last week that the U.S. Senate "as presently constituted" would not confirm a southerner to the Supreme Court.

Let me say at the outset that I am withholding judgment on President Nixon's nomination of a northerner, Judge Harry A. Blackmun, of Minnesota, to the Supreme Court. He seems to be very well qualified, but I await the committee hearings before I determine how I shall vote on his nomination. Even if Judge Blackmun's nomination is confirmed, however, the issue raised by the President about nominees from the South is by no means dead. There will be other vacancies; there will be other nominations.

A qualified nominee from the South would be overwhelmingly confirmed, with 80 Senators now on record as willing to put a southerner on the Supreme Court of the United States. The sense of the Senate resolution which I introduced last Friday, stating, in effect, that the Senate would approve a qualified southerner, now bears the names of 27 original sponsors, more than a quarter of the Senate, including my own name. All of those whom I have invited to join in cosponsoring this resolution opposed both Clement Haynsworth and G. Harrold Carswell. I have not yet sought sponsors from the remainder of the Senate. The sponsors of the resolution include Republicans as well as Democrats. They come from the North, the South, the East, and the West.

I base the total figure of 80 Senators who would vote to confirm the nomination of a southerner by taking into account 53 Senators who have already done so. Thirty-seven Senators voted to confirm both Judge Haynsworth and Judge Carswell. Sixteen others voted for one or the other. Those 53 added to the 27 on my resolution constitute 80 Senators who have demonstrated their willingness to put a southerner on the Court, notwithstanding intemperate remarks and unthinking innuendos from the White House.

Of the other 18 Senators who voted against both Judge Carswell and Judge Haynsworth but are not cosponsoring my resolution, I am certain that each of them would gladly approve a qualified southerner. I have not yet managed to talk to a few of them. Some I did reach, who did not choose to follow me as cosponsors, thought my resolution was too defensive; some thought it was too offensive; some had other reasons for not joining in cosponsing the resolution.

Mr. President, I ask unanimous consent that, at the next printing, the names of the following Senators be added as cosponsors of the resolution:

Senators BURDICK, EAGLETON, GOODELL, GORE, HARRIS, HART, HARTKE, INOUYE, MCGEE, MCGOVERN, METCALF, MONDALE, MONTOYA, MOSS, PASTORE, PELL, RIBICOFF, TYDINGS, WILLIAMS of New Jersey, YARBOROUGH, and YOUNG of Ohio.

The PRESIDING OFFICER (Mr. YOUNG of Ohio). Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. YOUNG of Ohio). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE HOSTILE DEMONSTRATIONS AGAINST OUR AMBASSADOR TO SWEDEN

Mr. BYRD of Virginia. Mr. President, news reports from Stockholm today indicate that the U.S. Ambassador to Sweden, Jerome H. Holland, has been the object of hostile demonstrations.

Anti-American slogans and racial epithets, "Ambassador Holland is a Negro," were used by the demonstrators. The Swedish Government was obliged to impose stringent security precautions as Ambassador Holland rode through the streets of Stockholm to present his credentials to King Gustav.

This is the second demonstration against Ambassador Holland in Sweden. The first occurred when he arrived in that country to take up his post.

I deeply deplore these incidents.

I strongly supported the nomination of Dr. Holland to his present position. He served with distinction for years as president of Hampton Institute in Virginia and has the respect of those who associated with him during that time. I believe he has the capacity to render excellent service to his country as Ambassador to Sweden.

It is well known that Sweden opposes the policy of the United States in Vietnam, and that it has provided sanctuary for a number of deserters from the Armed Forces of the United States. The climate in Stockholm is not friendly to the United States.

This, however, is no excuse for demonstrations against an able and dedicated man—particularly demonstrations in which he is insulted because of his race.

I hope that these incidents can be brought to an end. It will be difficult for Dr. Holland to render the fine service of which he is capable unless these disgraceful outbursts are halted.

ORDER OF BUSINESS

Mr. BYRD of Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BYRD of Virginia). Without objection, it is so ordered.

REPORT FROM AMERICANS IN WEST GERMANY

Mr. YOUNG of Ohio. Mr. President, in recent days I have received two very important and very informative letters from Americans now in West Germany. A lady whose husband is in our Armed Forces wrote me and stated that there are probably 360,000 American troops stationed in Germany, but this does not count the number of men whose families are there also or those men whose families remain there while they serve a tour of duty in Korea or Vietnam. Both constitute a huge expense to the Government in housing, schools, PX, and commissary facilities as well as medical and dental services. Just recently in this area was held a groundbreaking ceremony for a new ASA facility which will bring in an additional estimated 9,000 Americans.

This lady, who is in West Germany, reports that these men are doing not one blessed thing. Once every 6 months they go to Northern Bavaria on maneuvers. They undergo training procedures in the area periodically to maintain a state of combat readiness. The wives and children have nothing to do, and in the past several weeks the Munich schools for American youngsters, dependents of American servicemen, were closed on numerous occasions due to bomb threats. These threats, she stated, were made by dependent children who did not want to be there, and believed they would be sent home if apprehended.

A great deal of ill-will has been created by inconsiderate Americans there, according to this lady, most of whom know little or nothing of the German language and customs.

No useful purpose is being served by the use of American forces in Europe. On the contrary, much harm is being done in the way of people-to-people international relationships. We are tired of seeing our tax dollars being wasted by the frivolities of the Defense Department.

This lady added that she and her husband are both residents of Ohio and that they are solidly behind my views that all of the officers and men of our Armed Forces should be returned home from Europe this year except for a mere token force of officers and men in Belgium simply to show the flag.

Then, a high-ranking noncommissioned officer now in West Germany expressed his wholehearted agreement with me that all of our GI's should be withdrawn from West Germany this year. His statement was crystal clear and most informative. He wrote that there is no reason whatever for the United States to continue supporting the Government of West Germany economically and militarily. West Germany is a prosperous nation, one of the most prosperous in the entire world, and should bear the cost of German defense. If a poll were conducted of American servicemen in Europe, he was positive the majority would be of the same opinion that all of our Armed Forces, except a mere token force, should be withdrawn from West Germany this year. This, notwithstanding the fact, that the new assignments for many of these career officers and some enlisted men would be far less attractive.

He also stated for the past 3 years, he has been stationed in West Germany and has noticed communities of new homes, built by the Germans, mushroom all over the land. Also very noticeable is that every German family in the rural areas and smaller cities now own an automobile or two; new cars, not old ones. Years ago it was common to see people riding bicycles and walking but that is now a thing of the past; the foot and bike paths are almost deserted as only a few people still utilize them, he wrote.

Then he added that it seems very odd Americans are still stationed here for defense purposes, after a quarter century of peace, while the German youth wander around enjoying civilian life in their homeland which is prospering as never before. Our young American boys are taken from their homes and sent to Germany, housed in overcrowded dormitories, stationed far from places of entertainment unless they can afford a car, to protect a nation that has enough money and manpower for its own defense; yet drafts but a very few of its young men and for 18 months.

Mr. YOUNG of Ohio. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YOUNG of Ohio). Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. BURDICK) laid before the Senate the following letters, which were referred as indicated:

REPORT ON REAPPORTIONMENT OF AN APPROPRIATION

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Justice for "Fees and expenses of witnesses" for the fiscal year 1970, had been reapportioned on a basis which indicates the need for a supplemental estimate of appropriation; to the Committee on Appropriations.

REVISED REPORT ON OPERATION OF THE LIMITATION ON 1970 OUTLAYS

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, a revised report on operation of the limitation on 1970 outlays (with an accompanying report); to the Committee on Appropriations.

PROPOSED EXTENSION OF PROVISIONS OF TITLE XIII OF THE FEDERAL AVIATION ACT OF 1958, AS AMENDED, RELATING TO WAR RISK INSURANCE

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to extend the provisions of title XIII of the Federal Aviation Act of 1958, as amended, relating to war risk insurance (with an accompanying paper); to the Committee on Commerce.

PROPOSED ELIMITATION OF DUTY NOW APPLICABLE TO CERTAIN RUBBER

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to eliminate the duty now applicable to natural rubber containing fillers, extenders, pigments, or rubber-processing chemicals (with accompanying papers); to the Committee on Finance.

ACCELERATING THE COLLECTION OF ESTATE AND GIFT TAXES

A letter from the Secretary of the Treasury, transmitting for the consideration by the Congress an explanation of the Department's legislative proposals for accelerated payment of gift and estate taxes (with an accompanying paper); to the Committee on Finance.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of financial statements of the Tennessee Valley Authority for fiscal year 1969, dated April 15, 1970 (with an accompanying report); to the Committee on Government Operations.

REPORT OF THE ATTORNEY GENERAL

A letter from the Attorney General of the United States, transmitting, pursuant to law, a report for fiscal year 1969 (with an accompanying report); to the Committee on the Judiciary.

PROPOSED LEGISLATION PROVIDING PROTECTION OF UNITED STATES PROBATION OFFICERS

A letter from the Acting Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend section 1114 of title 18, United States Code to provide for the protection of United States probation officers (with an accompanying paper); to the Committee on the Judiciary.

REPORT OF THE AMERICAN WAR MOTHERS

A report of the American War Mothers, transmitted, pursuant to law, for the period October 1, 1967 to October 1, 1969; to the Committee on the Judiciary.

PROPOSED POSTAL REORGANIZATION AND SALARY ADJUSTMENT ACT OF 1970

A letter from the Postmaster General, transmitting a draft of proposed legislation to adjust the postal revenues and for other purposes; also a draft of proposed legislation to improve and modernize the postal service, to reorganize the Post Office Department, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITION

The ACTING PRESIDENT pro tempore (Mr. BURDICK) laid before the Senate a resolution of the Legislature of the State of California, which was referred to the Committee on Post Office and Civil Service, as follows:

HOUSE RESOLUTION NO. 45

RELATIVE TO RECOGNITION OF MEXICAN-AMERICANS

Whereas, The 1970 United States Decennial Census is about to take place; and

Whereas, The Mexican-American citizens constitute the largest racial minority in the United States; and

Whereas, The census question on race does not include the designation "Mexican-American" or Spanish, or any Latin derivation, but does list the designations of White, Negro or Black, Japanese, Chinese, Hawaiian, Puerto Rican, and others; and

Whereas, The census forms are already printed in Spanish to be used in the State of New York, Commonwealth of Puerto Rico, and other territories, and, therefore, the states such as California, and the Southwest areas of the United States, and other communities with large Spanish speaking populations, could use these forms without excessive additional cost; and

Whereas, Large numbers of persons of Mexican-American ancestry and Spanish speaking people will not be accounted for properly unless the Census Bureau hires people at all levels, including the management level, who are bilingual in English and Spanish; and

Whereas, There are many such qualified persons ready and available; and

Whereas, An accurate count of the populace is vital to the political and economic life of our country and our state, and this requisite necessarily includes an accurate count of all segments of our society; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members respectfully request the President and the Census Bureau of the United States to take the following affirmative steps:

(1) To print additional census questionnaires in the Spanish language and the use of such forms in the areas of California, the Southwest United States, and other geographic areas of the United States where there are substantial numbers of Spanish speaking people.

(2) To hire persons at all levels of the Census Bureau, including the management level, who are bilingual in English and Spanish and to seek the aid of Spanish speaking organizations to fill these positions.

(3) Since it is impossible because of time to reprint the questionnaires, but to avoid obvious confusion, instructions should be given in the Spanish language to Mexican-Americans to answer the question of race as "other" and to fill in the blank as "Mexican-American."

(4) That the additional designation of Mexican-American should be programmed into the computer so that an accurate count may be made of the Mexican-American population; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Census Bureau of the United States.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. TOWER. Mr. President, as in executive session, from the Committee on Armed Services I report favorably the nominations of five general officers in the Air Force. I ask that these names be placed on the Executive Calendar.

The PRESIDING OFFICER (Mr. EAGLETON). Without objection, it is so ordered.

The nominations, ordered placed on the Executive Calendar, are as follows:

Lt. Gen. Thomas S. Moorman (major general, Regular Air Force), U.S. Air Force; and Lt. Gen. Kenneth E. Pletcher (major general, Regular Air Force Medical), U.S. Air Force; to be placed on the retired list, in the grade of lieutenants general;

Maj. Gen. Alonzo A. Towner, Regular Air Force Medical, for appointment as surgeon general of the Air Force, in the grade of lieutenant general;

Brig. Gen. I. G. Brown, Arkansas Air National Guard, for appointment as a Reserve commissioned officer in the U.S. Air Force, to be major general; and

Col. John J. Pesch, Maine Air National Guard, for appointment as a Reserve commissioned officer in the U.S. Air Force, to be brigadier general.

Mr. TOWER. Mr. President, in addition, I report favorably 951 appointments in the Army in the grade of lieutenant colonel and below; 1,388 appointments in the Air Force in the grade of lieutenant colonel and below; and the appointment of one colonel and one major in the Marine Corps. Since these names have already been printed in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Charles A. Krebs, Jr., for appointment in the Regular Army of the United States;

Chester A. Hanson, Jr., and sundry other persons, for appointment in the Regular Army of the United States;

John C. Abbott, and sundry other cadets, graduating class of 1970, U.S. Military Academy, for appointment in the Regular Army of the United States;

Lawrence M. Johnson, and Eric F. Trupp, for reappointment to the active list of the Regular Air Force;

James H. Breihan, and sundry other Air Force officers, for appointment in the Regular Air Force;

Joseph S. Accetta, Jr., and sundry other distinguished graduates of the Air Force Officer Training School, for appointment in the Regular Air Force;

William F. Nugent, for reappointment to the active duty list of the Regular Air Force, in the grade of lieutenant colonel, from the temporary disability retired list;

Guiseppe M. C. Alfieri, and sundry other Air Force officers for appointment in the Regular Air Force;

Thomas G. Abbey, and sundry other cadets, U.S. Air Force Academy, for appointment in the Regular Air Force;

Thomas W. Anthony, and sundry other cadets, U.S. Military Academy, for appointment in the Regular Air Force;

Subject to medical qualification and subject to designation as distinguished graduates, Roger L. Aldrich, and sundry other students of the Air Force Reserve Officer Training Corps, for appointment in the Regular Air Force;

Richard E. Bolz, and sundry other distinguished graduates of the Air Force Officer Training School, for appointment in the Regular Air Force;

John A. Buzenas, and Herman D. Scott, for appointment in the Regular Air Force;

Lt. Col. Robert W. Lamb, for appointment as permanent professor, U.S. Air Force Academy;

Lt. Col. Albert F. Schoepper, U.S. Marine Corps, for appointment to the grade of colonel; and

Capt. Dale L. Harpham, U.S. Marine Corps, for appointment to the grade of major.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. HANSEN:

S. 3721. A bill to amend the Water Resources Research Act of 1964, to increase the authorization for water resources research and institutes, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG of Ohio (for himself, Mr. Proxmire, Mr. McCarthy, Mr. Williams of New Jersey, Mr. Cranston, Mr. McGovern, Mr. Hughes, Mr. Gore, and Mr. Randolph):

S. 3722. A bill to amend the Foreign Assistance Act of 1961 to require prior approval for delivery of excess defense articles to a foreign country; to the Committee on Foreign Relations.

(The remarks of Mr. Young of Ohio when he introduced the bill appear earlier in the Record under the appropriate heading.)

By Mr. McINTYRE:

S. 3723. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Finance.

(The remarks of Mr. McIntyre when he introduced the bill appear earlier in the Record under the appropriate heading.)

By Mr. McGEE:

S. 3724. A bill to amend the Internal Revenue Code with respect to ammunition recordkeeping requirements; to the Committee on Finance.

(The remarks of Mr. McGee when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. MAGNUSON (for himself, Mr. Jackson, Mr. Curtis, Mr. Goodell, Mr. Young of Ohio, and Mr. Stevens):

S. 3725. A bill to provide for the application of the prohibitions contained in the Sherman Act to the business of organized professional baseball; to the Committee on the Judiciary.

(The remarks of Mr. Magnuson when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. ALLOTT (for himself and Mr. Dominick):

S. 3726. A bill to authorize the construction, operation, and maintenance of the closed basin division, San Luis Valley project, Colorado, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JORDAN of Idaho (for himself and Mr. Church):

S. 3727. A bill to amend title II of the Social Security Act to include Idaho among the States which may obtain social-security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Finance.

(The remarks of Mr. Jordan of Idaho when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. JACKSON (for himself and Mr. Allott) (by request):

S. 3728. A bill to amend the act of September 19, 1964 (78 Stat. 986), as amended (43 U.S.C. 1411–18) and the act of September 19, 1964 (78 Stat. 988), as amended (43 U.S.C. 1421–27); to the Committee on Interior and Insular Affairs.

(The remarks of Mr. Jackson when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. MAGNUSON (by request):

S. 3729. A bill to authorize an additional Assistant Secretary of Commerce; and

S. 3730. A bill to extend for 1 year the act of September 30, 1965, as amended by the act of July 24, 1968, relating to high-speed ground transportation, and for other purposes; to the Committee on Commerce.

S. 3731. A bill to amend section 1114 of title 18 of the United States Code to make the killing, assaulting, or intimidating of any officer or employee of the Federal Communications Commission performing investigative, inspection, or law-enforcement functions a Federal criminal offense; to the Committee on the Judiciary.

(The remarks of Mr. Magnuson when he introduced the bills appear later in the Record under the appropriate headings.)

By Mr. MONDALE:

S. 3732. A bill for the relief of Giovanni Incoronatto; and

S. 3733. A bill for the relief of Bernard Claude Mignot; to the Committee on the Judiciary.

By Mr. STEVENS:

S. 3734. A bill relating to the appointment of U.S. marshals; to the Committee on the Judiciary.

S. 3735. A bill providing for the minimum classification of U.S. deputy marshals under chapter 51 of titlc 5, United States Code; to the Committee on Post Office and Civil Service.

By Mr. SCHWEIKER:

S. 3736. A bill for the relief of Ritva Rauhala; to the Committee on the Judiciary.

By Mr. BAKER:

S. 3737. A bill to exempt from certain deep-draft safety statutes passenger vessels operating solely on the inland rivers and waterways; to the Committee on Commerce.

(The remarks of Mr. Baker when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. JACKSON:

S. 3738. A bill to provide for the relief of Rogelio Candanoza-Leza; to the Committee on the Judiciary.

S. 3724—INTRODUCTION OF A BILL TO AMEND THE GUN CONTROL ACT OF 1968

Mr. McGEE. Mr. President, I introduce, for appropriate reference, a bill to eliminate the burdensome, time consuming and costly recordkeeping requirements adopted by the Internal Revenue Service as they apply to the purchase of ammunition under the Gun Control Act of 1968. My amendment would simply eliminate these requirements as they apply only to .22 caliber rimfire ammunition.

Last year, as you know, Congress passed an amendment which eliminated shotgun and rifle ammunition from the requirements of the act. I and many of my colleagues were disappointed when that bill was amended to exclude .22 caliber rimfire ammunition.

The most common type of .22 caliber ammunition costs only approximately $1 for a small box of 50 cartridges. Each time a sale of a box of these shells is made, the licensed dealer must obtain from the purchaser and record several items of information in a permanent record. This process naturally adds substantial costs to the retail businessman's operation and indirectly adds substantially to the price of ammunition, which, in most cases, is being purchased by bona fide sportsmen for lawful purposes. I am advised that since passage of the Gun Control Act the price of ammunition has continued to increase. So far this year price increases were announced for January and April. Another price increase is anticipated in June. This, in my opinion, is unfair and punitive in that the persons really affected so adversely are law-abiding citizens who pursue shooting as a hobby or a form of recreation.

The regulations also hamper training programs which have been established for safety purposes by our high schools, universities, and private shooting clubs. These programs are important especially to our youth who are learning to use this ammunition with a reasonable degree of safety. Certainly .22 caliber ammunition is by far the most popular and economical type used for these purposes.

The Internal Revenue Service, pursuant to the requirements of 1968 Gun Control Act, has issued and established regulations pertaining to the sale of ammunition which still apply to .22 caliber rimfire ammunition. In order to illustrate the cumbersome procedure which is required to purchase a box or .22 shells, I would like to state the material parts of section 178.125, Code of Federal Regulations, which appear in subsections (a), (c), and (d):

(a) Each licensed dealer shall maintain records of all ammunition he receives for the purposes of sale or distribution. Such record may consist of invoices or other commercial records which shall be filed in an orderly manner separate from other commercial records he maintains, and be readily available for inspection. Such record shall (1) show the name of the manufacturer and the transferor, and the type, caliber or gauge, and quantity of the ammunition acquired in the transaction, and the date of such acquisition, and (2) be retained on the licensed premises of the dealer for a period of not less than two years following the date of the acquisition.

(c) The sale or other disposition of ammunition, or of an ammunition curio or relic, shall, except as provided in paragraph (d) of this section, be recorded in a bound record at the time such transaction is made. The bound record entry shall show (1) the date of the transaction, (2) the name of the manufacturer, the caliber, gauge or type of component, and the quantity of the ammunition transferred, (3) the name, address, and date of birth of the purchaser (transferee), and (4) the method used by the licensee to establish the identity of the purchaser (transferee). The bound record shall be maintained in chronological order by date of sale or disposition of the ammunition, and shall be retained on the licensed premises of the licensee for a period of not less than two years following the date of the sale or disposition of the ammunition recorded therein. The format required for the bound record is as follows:

"Date	Manufacturer	Caliber, gage, or type of component	Quantity	Name	Address	Date of birth	Mode of identification—driver's license (X), other (specify)"

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> (d) When a commercial record is made at the time of sale or other disposition of ammunition, or of an ammunition curio or relic, and such record contains all information required by the bound record prescribed by paragraph (c) of this section, the licensed dealer or licensed collector transferring the ammunition, or ammunition curio or relic, may, for a period not exceeding 7 days following the date of such transfer, delay making the required entry into such bound record: *Provided,* That the commercial record pertaining to the transfer is; (1) maintained by the licensed dealer or licensed collector separate from other commercial documents maintained by such licensee, and (2) is readily available for inspection on the licensed premises until such time as the required entry into the bound record is made.

This bill would simply exclude .22 caliber ammunition from the requirement of these regulations. It is important to note, however, that persons engaged in the business of selling ammunition are required to be licensed and they must meet their responsibilities which are otherwise required under the 1968 act. My bill would not otherwise change these requirements. A licensed dealer would still be required to meet the responsibility not selling ammunition of any kind to a person who they know or have reasonable cause to believe is a felon, under indictment for a crime punishable by imprisonment for a period exceeding 1 year, a fugitive from justice, an unlawful user of drugs, mentally incompetent or under 18 years of age. Also, all types of handguns still come within the restrictions of the 1968 Gun Control Act. With these safeguards, I believe it is reasonable to adopt the amendment which I propose today.

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Mr. President, as you recall, the recordkeeping provisions of the Gun Control Act were eliminated for rifle and shotgun ammunition last year through the adoption of an amendment which I cosponsored. This bill which I am introducing today is another step toward perfecting the Gun Control Act by removing from it some of the provisions which have their most serious impact on legitimate shooters who wish only to pursue legitimate hobbies or sports. Two years of experience under the Gun Control Act have demonstrated that these control measures have the sole effect of imposing troublesome requirements on sportsmen and other law-abiding citizens but have no effect on criminals and do not seriously deter crime.

For these reasons, I opposed the 1968 Gun Control Act. Instead, I support measures which directly deter crime, such as laws which would impose mandatory additional penalties and prison terms for offenses committed while possessing or using firearms. By removing these burdensome recordkeeping requirements as they apply to .22 caliber rimfire ammunition, we would not weaken the drive against crime but we would remove unnecessary inconvenience for law-abiding citizens.

The ACTING PRESIDENT pro tempore (Mr. BURDICK). The bill will be received and appropriately referred.

The bill (S. 3724) to amend the Internal Revenue Code with respect to ammunition recordkeeping requirements, introduced by Mr. MCGEE, was received, read twice by its title, and referred to the Committee on Finance.

S. 3725—INTRODUCTION OF A BILL REMOVING BASEBALL'S ANTITRUST EXEMPTION

Mr. MAGNUSON. Mr. President, I introduce for appropriate reference, for myself and Senators JACKSON, CURTIS, GOODELL, YOUNG of Ohio, and STEVENS, a bill to remove the antitrust exemption that baseball presently enjoys because of the decision of the Supreme Court in *Federal Baseball Club of Baltimore* v. *National League of Professional Baseball.* (295 U.S. 200).

The reason for introduction of this measure, results from a desire to accomplish two things: To compel baseball to operate subject to the antitrust laws, and to remove the judicially imposed advantage that baseball presently has over similar team sports—football, basketball, and hockey—which are not now exempt from the antitrust laws.

It seems apparent that the nature of baseball has changed dramatically in the many years since organized baseball received antitrust exemption. It is our feeling that all aspects of baseball—including radio and television contracts, concessions, player-management relations, and all other relevant factors—should be reviewed in order to determine the wisdom of continuing to exempt baseball from the antitrust laws.

The recent series of events leading to the transfer of the Seattle franchise to Milwaukee for a profit of at least $1 million is the most recent and probably most striking example of the necessity for congressional review of the status of baseball. While this legislation is after the fact so far as transfer of the Seattle franchise is concerned, we are hopeful we can save other communities the agony suffered by Seattle.

The American League, in moving the Seattle Pilots franchise, alleges that the community did not support the team. The facts are that Seattle outdrew four other major league franchises—Cleveland, Chicago White Sox, Philadelphia, and San Diego—outgrossed in dollars even more, had one of the highest paying radio contracts in the game, and had a $40 million covered stadium approved by more than 60 percent of the King County voters which was proceeding on schedule.

A nonprofit community ownership structure not unlike that of Green Bay was proposed, that would be headed by the chairman of the Nation's third largest hotel chain. It had the enthusiastic support of the public government and civic leadership of Seattle, and full financing was assured. The league rejected this proposal as unbusinesslike.

Baseball ownership realized a seven-figure profit at the expense of the Seattle community. It would appear that this and other actions of major league baseball at long last deserve an inquiry by Congress.

In order for Senators to clearly focus on the issues raised by this bill, I will refer briefly to the past judicial and legislative history out of which baseball has maintained its favored position.

THE COURTS

In 1922, the Supreme Court ruled that organized baseball was not subject to the antitrust laws. *Federal Baseball Club of Baltimore* v. *National League of Professional Baseball Clubs* (259 U.S. 200). The Court found that the "business" of baseball was not "trade or commerce in the commonly accepted use of those words." In baseball, the Court reasoned, the interstate aspects were only incidental. Justice Holmes, writing for the Court, said "personal effort, not related to production, is not a subject of commerce." The Court was later to change this concept of interstate commerce, but not as applied to baseball.

In the Federal baseball case the court had under review a decision of a court of appeals overruling a judgment of the trial court which awarded treble damages amounting to $240,000 to the plaintiff (269 Fed. 681 (D.C. Cir., 1920)).

The complaint alleged that the provision in the contracts of the players with the member teams of the leagues in organized baseball forbade them to contract with another club and prevented the Baltimore enterprise from acquiring their services. This contract provision is called the reserve clause. The court of appeals discussed the purpose of the reserve clause and its effects upon the plaintiff. It found that the reserve clause was necessary to preserve competition among the teams on the playing field and that the defendants had done no more than that in this case. The court concluded that the interstate movement of the Baltimore club had not been affected by the use of the reserve clause and that any effect it might have had was incidental.

Some 30 years later the Supreme Court upheld its ruling in Federal baseball when deciding *Toolson* v. *New York Yankees, Inc.* (346 U.S. 356 (1953)). In reaffirming its decision the Court stated:

> Congress has had the (*Federal Baseball*) ruling under consideration but has not seen fit to bring such business under these (antitrust) laws by legislation.

The Court continued:

> Without reexamination of the underlying issues, the judgments below are affirmed on the basis of *Federal Baseball* * * * so far as that decision determines that Congress had no intention of including the business of baseball within the scope of the Federal antitrust laws.

In 1957, the Supreme Court was to limit the scope of its decisions in Federal Baseball and Toolson. In deciding *Radovich* v. *National Football League* (352 U.S. 445), the Court ruled that professional football was subject to the antitrust laws.

In the previous year, the U.S. Court of Appeals in deciding Radovich had distinguished the Supreme Court's decisions in Toolson and International Boxing and found that professional football was a team sport and, therefore, would be exempt from the antitrust laws while boxing, an individual sport, was not comparable (231 F. 2d 620 (oth. Cir. 1956)).

The Supreme Court stated that it was limiting the rule established in Federal Baseball and Toolson to organized baseball and that—

As long as the Congress continues to acquiesce we should adhere to—but not extend—the interpretation of the act made in those cases.

The Court, realizing that its decision might result in discriminations between sports that operated substantially the same as baseball, specifically stated that the solution to the problem rested with the Congress:

> If this ruling is unrealistic, inconsistent, or illogical, it is sufficient to answer, aside from the distinctions between the businesses, that were we considering the question of baseball for the first time upon a clean slate we would have no doubts. But *Federal Baseball* held the business of baseball outside the scope of the act. No other business claiming the coverage of those cases has such an adjudication. We, therefore, conclude that the orderly way to eliminate error or discrimination, if any there be, is by legislation and not by court decisions. Congressional processes are more accommodative, affording the whole industry hearings and an opportunity to assist in the formulation of new legislation. The resulting product is, therefore, more likely to protect the industry and the public alike. The whole scope of congressional action would be known long in advance and effective dates for the legislation could be set in the future without the injustices of retroactivity and surprise which might follow court action. Of course, the doctrine of *Toolson* and *Federal Baseball* must yield to any congressional action and continues only at its sufferance.

Thus, the Court firmly rejected the suggestion that it extend the baseball decisions to other sports. Instead, the Court made it clear that any exemption for the organized professional team sports of football, basketball, and hockey must come from the Congress.

THE CONGRESS

The Congress has shown awareness of the problems created by the various decisions of the Supreme Court affecting organized professional sports and has given consideration to their antitrust aspects for 14 years. In that time a large number of bills have been introduced dealing with the status of professional team sports under the antitrust laws. Some of these bills sought to remedy the anomaly under which baseball was held to be outside the antitrust laws while other professional sports were declared within those laws.

In almost every session since 1951, bills have been introduced dealing with professional sports. The Courts have clearly deferred to Congress to resolve the issue—if it wishes. As of this date, numerous hearings have been held, reports have been written and witnesses have testified, but Congress has never resolved the key issue: should baseball be given a favored status over all other professional sports? We believe the answer should clearly be: No.

The PRESIDING OFFICER (Mr. Eagleton). The bill will be received and appropriately referred.

The bill (S. 3725) to provide for the application of the prohibitions contained in the Sherman Act to the business of organized professional baseball introduced by Mr. Magnuson (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 3727—INTRODUCTION OF A BILL TO ADD IDAHO TO THE LIST OF STATES WHICH MAY, UNDER STATE AGREEMENT, OBTAIN SOCIAL SECURITY FOR STATE AND LOCAL POLICEMEN AND FIREMEN

Mr. JORDAN of Idaho. Mr. President, for myself and my colleague (Senator Church), I introduce, for appropriate reference, a bill to add Idaho to the list of States which may, under State agreement, obtain social security for State and local policemen and firemen.

Gov. Don Samuelson has informed me that all public employees in Idaho, with the exception of paid firemen and policemen in Boise, Pocatello, and Idaho Falls, are currently participating in social security. He has requested this legislation so that the State agreement may be amended and referendums conducted in the three cities involved on the question of average of these excluded employees.

The PRESIDING OFFICER (Mr. Saxbe). The bill will be received and appropriately referred.

The bill (S. 3727) to amend title II of the Social Security Act to include Idaho among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen, introduced by Mr. Jordan of Idaho (for himself and Mr. Church), was received, read twice by its title, and referred to the Committee on Finance.

S. 3728—INTRODUCTION OF A BILL TO EXTEND THE LIFE OF THE CLASSIFICATION AND MULTIPLE USE ACT AND THE PUBLIC LAND SALE ACT

Mr. JACKSON. Mr. President, I introduce, by request, on behalf of the ranking minority member of the Senate Interior and Insular Affairs Committee (Mr. Allott) and myself, a bill to extend through the life of the 92d Congress or until December 31, 1972, the Classification and Multiple Use Act and the Public Land Sale Act, both of which were enacted into law in 1964.

This proposal is recommended and submitted by the Department of the Interior and I ask unanimous consent that the Executive communication accompanying the draft bill be printed in the Congressional Record at this point in my remarks.

The PRESIDING OFFICER (Mr. Eagleton). The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 3728) to amend the act of September 19, 1964 (78 Stat. 986), as amended (43 U.S.C. 1411–18) and the act of September 19, 1964 (78 Stat. 988), as amended (43 U.S.C. 1421–27), introduced by Mr. Jackson (for himself and Mr. Allott), by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter, presented by Mr. Jackson, is as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., March 26, 1970.

Hon. Spiro T. Agnew,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft bill "To amend the Act of September 19, 1964 (78 Stat. 986), as amended (43 U.S.C. §§ 1411–18), and the Act of September 19, 1964 (78 Stat. 988), as amended (43 U.S.C. 1421–27)." We recommend that the proposed bill be referred to the appropriate committee, and we recommend that it be enacted.

In 1964, Congress enacted a trio of laws with far-reaching implications for the future of the public lands of the United States. These are the Public Land Law Review Commission Act (78 Stat. 989); the Classification and Multiple Use Act (78 Stat. 986); and the Public Land Sale Act (78 Stat. 988). The Congress passed these laws because of the inadequacy of the public land laws in light of modern demands and uses. This is particularly true of the laws relating to the public lands administered by the Secretary of the Interior through the Bureau of Land Management. The three acts were designed to meet the short and long term needs for modern public land programs.

The PLLRC Act directs the Commission to review the laws, regulations, policies, and practices dealing with public lands; to determine the present and probable future demands on the lands; and to make recommendations for necessary modifications in laws and policies to the President and the Congress. These recommendations are due by June 30, 1970. The Commission Act states that the basic policy for public lands is that they be "(a) retained and managed, or (b) disposed of, all in a manner to provide the maximum benefits for the general public."

The other two 1964 acts were enacted to meet the short-range needs for the public lands managed by the BLM "pending the implementation of recommendations to be made by the Public Land Law Review Commission." The Classification and Multiple Use (C&MU) Act directed the Secretary of the Interior to develop regulations containing criteria to be used in determining which of the public lands administered by the BLM should be disposed of and which should be retained, at least for the time being for multiple use management.

Events since enactment of this landmark legislation have emphasized the wisdom of concern for the future of the Federal lands and their resources. It has become crystal clear that if future generations are to enjoy a quality environment, the present generation must modify its present attitudes and approaches to natural resources, open space, and the integrity of the environment. Heedless exploitation of resources and headlong modification of ecological relationships, it is now recognized, have taken place. Much needs to be done to correct errors and to redirect activities. An important part of this new effort is management of the Federal landed estate for the "maximum benefit of the general public".

The importance of the Federal estate stems from several factors. It is an important source of both renewable resources and mineral products. One-third of the area of the United States, it constitutes the primary open-space asset for the millions of Americans of the present and the future. Even excluding Alaska, the Federal estate constitutes almost 25% of the total land area in the other 49 states. Also, much of the public

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lands are desert, tundra, or other delicate environments, least able to withstand the impacts of modern technology and large numbers of people.

Sixty percent of this estate is managed by the Bureau of Land Management under programs and principles which began with enactment of the Taylor Grazing Act in 1934. Since that time, land inventories and classifications have been the basis for land decisions and have been essential to BLM public land activities.

All public lands administered by the BLM outside of Alaska have been withdrawn from disposal under the public land laws by inclusion in a grazing district pursuant to section 1 of the Taylor Grazing Act or by Executive Orders 6910 of November 26, 1934, as amended, or 6964 of February 5, 1935, as amended. Section 7 of the Taylor Grazing Act gives the Secretary of the Interior discretionary authority to classify these lands for disposal under the various public land disposal laws. For the first 25 years following enactment of the Taylor Grazing Act, disposal activities were piecemeal. In the 1950's, concerted efforts failed to keep up with the increasing flood of applications. A large backlog of applications accumulated.

In the late 1950's and early 1960's, the Department took various steps to eliminate this backlog, to organize its land classification activities and to design a system to permit the public business to proceed in an orderly and constructive way. The Classification and Multiple Use Act helped make this system more effective.

For example, it contains specific authority for classification for retention for multiple use management. Prior to that, BLM dealt in the negative side of disposal classification authority—unsuitability for disposal. The more positive concept with definite alternatives between disposal and retention forms a firmer basis for public discussion and comment. The actual classifications which result provide a means of positive accomplishment which helps generate and sustain interest in public lands. The classifications also tend to eliminate blanket objections to individual disposals (from public agencies and private groups alike) since the groups know that once their interests are recognized, they will be recorded in the formal classifications.

The Act also provides for segregation of lands. Classifications with segregative features prevent the filing of unapprovable applications which is important especially as to those types of cases which are particularly susceptible of unethical promotions. However, even where classifications do not call for segregation, completed classifications tend to discourage unallowable applications, for the prospective applicant realizes that public values may be involved. The prior system left the unfortunate general impression that all the public lands were readily available when, in fact, they, of course, have not been. The specific features of the Classification and Multiple Use Act were used to strengthen the classification system which had been developed.

The Act has its own special importance in Alaska where planning for development has been seriously handicapped by the lack of general classification authority. (The State of Alaska has enacted full classification authority for administration of its own public lands.) The Taylor Grazing Act does not apply to public lands in Alaska.

The Classification and Multiple Use Act directs the Secretary to manage those lands classified for retention in Federal ownership under principles of multiple use and sustained yield. This directive is a reaffirmation by Congress of the management authorities set out in the Taylor Grazing Act, and other laws relating to management and care of the public lands. The Department's regulations provide that:

"Pending classification authorized by the Classification and Multiple Use Act (78 Stat. 986; 43 U.S.C. 1411–18) or other available authority, all lands administered by the Secretary through the Bureau of Land Management will continue to be administered for multiple use and sustained yield of the several products and services obtainable therefrom."

The Public Land Sale Act provided temporary authority for the sale of public lands "required for the orderly growth and development of a community or chiefly valuable or residential, commercial, agricultural (exclusive of lands chiefly valuable for grazing and raising forage crops), industrial, or public use or development."

The authority to classify for sale or multiple use management was to expire on June 30, 1969. The Act of December 18, 1967 (81 Stat. 660) extended the deadline for the Public Land Law Review Commission report from December 31, 1968, to June 30, 1970, and extended the authority granted by the Classification and Multiple Use Act and Public Land Sale Act. The Secretary's authority to classify public lands for sale under the Public Land Sale Act or multiple use management will expire six months after the PLLRC report is submitted.

The Chairman of the Public Land Law Review Commission has recently indicated that he sees no possibility of legislative action on the Commission's recommendations during the short period of the 91st Congress which will remain after the Commission makes its report.

The Public Land Sale Act of 1964 is the only authority BLM has to sell larger tracts for new towns, industrial sites or other major intensive uses. To allow it to lapse would impair the Department's ability to respond to Federal efforts to assist in such ventures.

It would be in the best interest of orderly public land administration to maintain continuity of legislative authority and administrative programs. It would be beneficial to continue the existing interim authority until Congress and the President have had an opportunity to review the PLLRC report and to develop permanent legislation governing the management, use, and disposal of the public lands.

Accordingly, we recommend the Classification and Multiple Use-Public Land Sale Acts be extended through the life of the 92nd Congress or until December 31, 1972. We have enclosed a draft bill to accomplish this purpose. It follows the language of the original 1964 Acts and merely changes the dates of expiration. No additional expenditure would result.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

HARRISON LOESCH,
Assistant Secretary of the Interior.

H.R. —

A bill to amend the Act of September 19, 1964 (78 Stat. 986), as amended (43 U.S.C. §§1411–18) and the Act of September 19, 1964 (78 Stat. 988), as amended (43 U.S.C. 1421–27)

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That section 8 of the Act of September 19, 1964 (72 Stat. 986, 988), as amended (43 U.S.C. § 1418) is amended to read as follows:

"The authorizations and requirements of this Act shall expire December 31, 1972, except that the segregation prior to December 31, 1972, of any public lands from settlement, location, sale, selection, entry, lease or other form of disposal under the public land laws shall continue for the period of time allowed by this Act."

SEC. 2. Section 7 of the Act of September 19, 1964 (78 Stat. 988, 989), as amended (43 Stat. U.S.C. § 1427) is amended to read as follows:

"The authority granted by this Act shall expire December 31, 1972, except that sales concerning which notice has been given in accordance with section 3 hereof prior to December 31, 1972, may be consummated and patents issued in connection therewith after December 31, 1972."

S. 3729—INTRODUCTION OF A BILL TO AUTHORIZE AN ADDITIONAL ASSISTANT SECRETARY OF COMMERCE

Mr. MAGNUSON. Mr. President, I introduce for appropriate reference, a bill to authorize an additional Assistant Secretary of Commerce. This bill also has been requested by the administration. I ask unanimous consent that the letter of transmittal be printed in the RECORD following the text of the bill.

The PRESIDING OFFICER (Mr. EAGLETON). The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 3729) to authorize an additional Assistant Secretary of Commerce, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3729

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be in the Department of Commerce, in addition to the Assistant Secretaries now provided by law, one additional Assistant Secretary of Commerce who shall be appointed by the President by and with the advice and consent of the Senate, shall receive compensation at the rate prescribed by law for Assistant Secretaries of Commerce, and shall perform such duties as the Secretary of Commerce shall prescribe.

SEC. 2. Section 5315 of Title 5, United States Code, is amended by striking "(5)" at the end of item (12) and substituting "(6)".

The letter, presented by Mr. MAGNUSON, is as follows:

SECRETARY OF COMMERCE,
Washington, D.C., March 20, 1970.

Hon. SPIRO T. AGNEW,
President of the Senate,
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are four copies of a draft bill "To authorize an additional Assistant Secretary of Commerce."

The additional Assistant Secretary of Commerce authorized by this legislation would be appointed by the President by and with the advice and consent of the Senate and would receive compensation at the same rate (Level IV of the Executive Schedule) now provided for other Assistant Secretaries of the Department of Commerce.

This legislation implements the recommendation in the President's Message on Small Business submitted to the Congress today wherein he said:

"I am . . . Proposing legislation to create a new position of Assistant Secretary in the Department of Commerce to assist in formulating policy for the Office of Minority Business Enterprise (OMBE). I established OMBE early in my Administration to coordinate programs and activities within the Federal government aimed at assisting minorities

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to enter the American economic mainstream. This is an extremely important undertaking."

We have been advised by the Bureau of the Budget that enactment of this legislation would be in accord with the program of the President.

Sincerely,

Maurice H. Stans,
Secretary of Commerce.

S. 3730—INTRODUCTION OF A BILL TO EXTEND FOR 1 YEAR THE ACT RELATING TO HIGH SPEED GROUND TRANSPORTATION

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to extend for 1 year the act of September 30, 1965, as amended by the act of July 24, 1968, relating to high-speed ground transportation, and for other purposes. I ask unanimous consent that the letter of transmittal, budget estimates for fiscal year 1971, and section-by-section analysis be printed in the Record along wth the bill.

The PRESIDING OFFICER (Mr. Eagleton). The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 3730) to extend for 1 year the act of September 30, 1965, as amended by the act of July 24, 1968, relating to high-speed ground transportation, and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 3730

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 11 of the Act entitled "An Act to Authorize the Secretary of Transportation to undertake Research and Development in High-Speed Ground Transportation", approved September 30, 1965 (P.L. 89–220, 79 Stat. 892; 49 U.S.C. 1631–1642), as amended, is amended by striking out ", and" and the period at the end thereof, and inserting a semicolon and the following: "and $21,700,000 for the fiscal year ending June 30, 1971."

(b) The first sentence of section 12 of such Act of September 30, 1965, as amended, is further amended by striking out "1971" and inserting in lieu thereof "1972."

The letter, presented by Mr. Magnuson, is as follows:

Secretary of Transportation,
Washington, D.C., March 20, 1970.

Hon. Spiro T. Agnew,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is transmitted herewith a proposed bill "To extend for one year the Act of September 30, 1965, as amended by the Act of July 24, 1968, relating to high-speed ground transportation, and for other purposes."

The draft bill would extend the high-speed ground transportation Act, Public Law 89–220, as amended, for one year. The Act is now scheduled to expire on June 30, 1971. The draft bill provides that the expiration date will be extended to June 30, 1972. The bill further provides for a new appropriation authorization of $21,700,000 for the fiscal year ending June 30, 1971. This appropriation authorization is consistent with the President's budget message.

During the past five years of its existence the Office of High Speed Ground Transportation has had the responsibility of implementing the high-speed ground transportation Act. We are pleased to report that many of the research projects begun early in the program have now reached completion. The results of this research are ready for transition into the development phases of the program preparatory to their reduction to usable, efficient, economical transportation hardware.

This one-year extension will provide the Office of High Speed Ground Transportation the opportunity to effect the transition while future requirements are programed.

The Bureau of the Budget has advised that the enactment of this proposed legislation is in accord with the program of the President.

Sincerely,

James M. Beggs,
Acting Secretary.

Budget estimates for fiscal year 1971

[Millions of dollars for fiscal year 1971]

Engineering Research & Development:	
System engineering	0.5
High-speed rail research	3.3
Unconventional systems	8.7
Advanced technology	4.9
High-speed test facility	.9
Subtotal	18.3
Demonstrations:	
Washington-New York (Metroliner)	.2
Boston-New York (TurboTrain)	.9
Data collection	1.2
Subtotal	2.3
Administration	1.1
Total Office of High-Speed Ground Transport	21.7

Section-by-Section Analysis of "A Bill to Extend for 1 Year the Act of September 30, 1965, as Amended by the Act of July 24, 1968, Relating to High Speed Transportation, and Other Purposes"

(1) Subsection (a) of the draft bill amends section 11 of the Act of September 30, 1965 (Pub. L. 89–220, 79 Stat. 8921, 49 U.S.C. 1631–1642), as amended by the Act of July 24, 1968, to authorize an appropriation of $21,700,000 for research and development and demonstrations in high speed ground transportation during fiscal year 1971.

(2) Subsection (b) of the draft bill amends section 12 of the Act of September 30, 1965, as amended, to extend that Act from June 30, 1970, to June 30, 1971.

S. 3731—INTRODUCTION OF A BILL RELATING TO ABUSE OF FEDERAL COMMUNICATIONS COMMISSION PERSONNEL

Mr. MAGNUSON. Mr. President, I introduce for appropriate reference a bill to amend section 1114 of title 18 of the United States Code to make the killing, assaulting, or intimidating of any officer or employee of the Federal Communications Commission performing investigating, inspection, or law-enforcement function a Federal criminal offense. I introduce the bill at the request of the administration and ask unanimous consent that the letter of transmittal and explanation of the proposed amendment be printed in the Record following the text of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, and explanation will be printed in the Record.

The bill (S. 3731) to amend section 1114 of title 18 of the United States Code to make the killing, assaulting, or intimidating of any officer or employee of the Federal Communications Commission performing investigative, inspection, or law-enforcement functions a Federal criminal offense, introduced by Mr. Magnuson, by request, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 3731

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 1114 of Title 18 of the United States Code, as amended, is amended by inserting immediately before "while engaged in the performance of his official duties" the following: "or any officer or employee of the Federal Communications Commission performing investigative, inspection, or law-enforcement functions".

The letter and explanation, presented by Mr. Magnuson, are as follows:

Federal Communications Commission,
Washington, D.C., March 17, 1970.

The Vice President,
U.S. Senate,
Washington, D.C.

Dear Mr. Vice President: The Commission adopted as a part of its legislative program for the 91st Congress, 2nd Session, a proposal to amend the Communications Act of 1934, as amended, by adding a new section 511 to the Act to make the killing, assaulting, or intimidating of any officer or employee of the Federal Communications Commission performing investigative, inspection, or law-enforcement functions a Federal criminal offense.

The Commission's draft bill to accomplish the foregoing objective was submitted to the Bureau of the Budget for its consideration. We have now been advised by that Bureau as follows:

"While your draft bill would amend the Communications Act of 1934, we note that the effect of your bill would be to enlarge the scope of existing provisions on these subjects contained in title 18, United States Code. Specifically, the proposed sections 511(a) and 511(b) in your bill are patterned after 18 U.S.C. 111 and 18 U.S.C. 1114, respectively.

"I understand that members of our respective staffs have agreed to revisions in your bill so it would propose an amendment to title 18, United States Code, rather than the Communications Act, and to make conforming changes in your proposed explanation of the bill. As revised, your draft bill would be substantially identical to that transmitted to the Bureau by Chairman Hyde on January 9, 1967.

"Subject to the above changes, there is no objection from the standpoint of the Administration's program to the presentation of your draft bill to the Congress."

Accordingly, there are enclosed six copies of our revised draft bill as a proposed amendment to title 18, United States Code, and explanatory statement with conforming changes on this subject.

The consideration by the Senate of the proposed amendment would be greatly appreciated. The Commission would be happy to furnish any additional information that may be desired by the Senate or by the Committee to which this proposal is referred.

Sincerely,

Dean Burch,
Chairman.

Explanation of Proposed Amendment to Section 1114 of Title 18 of the United States Code To Make the Killing, Assaulting, or Intimidating of Any Officer or Employee of the Federal Communications Commission Performing Investigative, Inspection, or Law-Enforcement Functions a Federal Criminal Offense

Section 1114 of Title 18 of the United States Code makes it a criminal offense to kill any officer or employee in certain designated departments or services of the Federal Government while engaged in the performance of his official duties. Further, Section 111 of Title 18 of the United States Code incorporates by reference the officers and employees designated in Section 1114 so as to make it an offense to assault, resist, interfere with, or intimidate any such officer or employee in the performance of his official duties.

The officers and employees designated in Section 1114 of Title 18 include those in inspection, security, and enforcement services in various departments of the Government, such as Justice; Treasury; Post Office; Interior; Agriculture; Health, Education, and Welfare; and State. These include in particular United States judges; United States attorneys and marshals; officers and employees of the Federal Bureau of Investigation; officers and employees in penal and correctional institutions and the Immigration Service of the Department of Justice; Treasury Department employees in the Secret Service; employees in the Narcotics, Customs, Coast Guard, and Internal Revenue services; postal inspectors; and Interior and Agriculture Department employees in various field services, including the Wild Life Service, Indian Service, National Park Service, and Bureau of Land Management. In 1958, officers and employees of the National Aeronautics and Space Administration directed to guard and protect property of the United States under its control were added to the group by an amendment to Section 1114. Employees of the Department of Agriculture performing any function connected with any Federal or State program, or program of Puerto Rico, Guam, the Virgin Islands, or the District of Columbia, for control, eradication, or prevention of animal diseases were included by a 1962 amendment. Security officers of the Department of State and the Foreign Service were added by a 1964 amendment, and, in 1965 officers and employees of the Department of Health, Education, and Welfare designated to conduct investigations were included. In 1968, the group included under postoffice inspector was enlarged to include any postal inspector, postmaster, officer, or employee in the field service of the Post Office Department.

Many of these designated Federal employees perform hazardous duties in connection with law enforcement, investigative or inspection functions. However, it is noted that Section 1114 covers certain employees who do not seem to meet those standards of danger and risk, such as certain employees of the National Park Service, employees of the Bureau of Animal Industry of the Department of Agriculture, and certain employees of the Indian field service.

Under the Communications Act and the Commission's rules and regulations, employees in our Field Engineering Bureau must make inspections and investigations under conditions which increasingly expose them to violence and threats of violence. The Commission's employees made 41,996 investigations in fiscal year 1969. A substantial portion of these investigations involve violations of Commission rules and regulations by those holding licenses for Class D Citizens Band Radios. Despite our attempts to educate those holding licenses in this service as to the serious interference problems created by misuse of their transmitting equipment, some of these operators harbor a resentment against any restrictions on their operations. FCC investigators are noting an increasingly belligerent attitude on the part of many persons subject to inspection. This attitude may be part of the current widespread disrespect for law. But, whatever the basis for this attitude, the result is that with our increased investigative activity, some of our employees doing investigative work have suffered assaults, interference, and intimidation in the performance of their duties. Our field employees have no choice over the locale of their investigations and frequently must do their work after dark when suspected illegal signals are being transmitted. Often they must secure entry on the premises where the transmitter is located. At times after legal entry has been obtained, investigators will find themselves closely confronted by an enraged licensee.

While the number of attacks against FCC inspectors is still relatively small, the resistance to, the interference with, and the attempted intimidation of Commission officers and employees performing investigative, inspection, or law-enforcement functions, is increasing each year along with the frequency of all crimes.

Some recent flagrant cases concerning assaults, interference, and intimidations on FCC personnel follow:

In response to a complaint of indecent, obscene and profane language being transmitted on frequencies assigned to the Citizens Radio Service, FCC Engineers from the Portland Office on August 4, 1969, located and attempted to inspect a Citizens Radio Station being operated by an apparently intoxicated individual. When the investigators were admitted by the licensee's son, the licensee interposed himself between the FCC investigators and the door to the room in which the radio equipment was located. The licensee then ordered the FCC investigators to sit down on a couch. The investigators replied that they didn't come to visit but came to inspect his station equipment. The command to sit down was repeated several times by the licensee and the same answer given. Then the licensee grabbed one of the investigators by the arm and shoulder and shoved him toward the front door. The investigators informed the licensee that if he was going to use force they were terminating the inspection. Commission proceedings have been instituted against the licensee looking toward revocation of his license.

On November 11, 1967, an FCC engineer while attempting to make an inspection of an amateur radio station in Franklin, Kentucky, was met at the door by the licensee who was drunk, had a gun, and was flanked by dogs. Just prior to the attempted inspection, the licensee stated over the air that if FCC inspectors knocked on his door again they would be liable to get their brains scattered all over the floor. The inspection was attempted and made while accompanied by a Deputy Sheriff. Prosecution for an over-the-air obscene language charge in Federal Court resulted in a $700 fine and six months' imprisonment.

On September 29, 1967, at 12:05 a.m., FCC engineers attempted a friendly entry into the apartment of an individual in New York, who operated an unlicensed station in the Citizens Radio band. They were refused admittance and subjected to abusive, anti-semitic statements and threats of violence. Because of continued illegal operation, an injunction was sought in the U.S. District Court ordering cessation of the illegal operation. In Court, this individual voluntarily turned his equipment over to the U.S. Marshal. Because the Court believed the operator was mentally incompetent, the Government at the Court's suggestion, withdrew the charges.

A New York Citizens Radio station licensee on October 31, 1966, ordered FCC engineers, who were conducting an inspection of his station, to leave his apartment. The inspection followed a determination that the profane and obscene language broadcasts were originating at the licensee's apartment. The inspection was being made in the company of a New York policeman because of the belligerent attitude of the licensee over the air. The licensee's order to leave the apartment was accompanied by threats and anti-Negro statements. He was convicted in Federal Court for the obscenity and given a two-year suspended sentence.

FCC engineers from the New York District Office in 1966 attempted to make a friendly entry to investigate an unlicensed station at the residence of a former licensee of a Citizens Radio station. He is reported to have stated, "Do you think I am an ass to let you in?" "Do you think I'm crazy?" "Go get a cop if you want in." "My dog will kill you if you come in." Subsequently this former licensee entered a plea of guilty in the Federal District Court of Newark, New Jersey, to a charge of operating an unlicensed radio transmitter and was fined $250.00.

On March 9, 1965, a licensee attempted deliberately to back his auto into the path of an FCC panel truck in Boston in order to terminate an investigation in progress. The licensee, who was subsequently indicted in Federal Court on five counts under Title 18 U.S.C. 1464 for obscene language, had made numerous threats of physical violence against FCC personnel over the air. He was convicted for obscenity and sentenced to one year's imprisonment.

Two other flagrant cases will be referred to later.

Our inspectors often accompany FBI agents or United States marshals during investigations and arrests. Discrepancy in the coverage of Section 1114 of Title 18 is emphasized on these occasions. Assaults on FBI agents or United States marshals would subject the offender to Federal prosecution under 18 U.S.C. § 111 and § 1114, while assaults on FCC inspectors in the same melee would subject the offender only to State or local prosecution. This difference in prosecution is difficult to justify, especially when the FBI agent or U.S. Marshal is exposed to no greater hazard than our investigatory employees.

Moreover, the previous experience of the Commission in obtaining local criminal prosecution of offenders against our inspectors has not been particularly effective and therefore we have sought local enforcement in only a very few instances. The lack of effective local prosecution has resulted from uninterested or unsympathetic police or prosecuting attorneys; the inability to create a strong liaison between local prosecuting attorneys and the Commission; and the difficulty of coordinating the time schedules of our engineers to enable them to be in the specific locale where the case would be prosecuted. These problems would be less likely to occur if prosecution of such cases were handled as they would be by U.S. Attorneys who are often located in the same buildings as our various field offices.

Local criminal prosecution has been pursued recently but with only limited success because of difficult liaison problems with local part-time prosecutors with a regular law practice. In a 1968 case in Fort Wayne, Indiana, where an FCC inspector was struck in the face during an investigation, no effort was made by the local Wayne County officials to notify him when the trial was scheduled. Because no prosecuting witness was present the matter was not going to be prosecuted. However, by accident our Chicago office learned of the status and a vigorous request by a Commission attorney revived the matter. A successful prosecution followed but resulted in a fine of only $50.00. Similarly, in a 1968 case in Pittsburgh against a licensee who pointed a gun at a Commission inspector and a local policeman, three Commission

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employees who were residents in the Washington area were not notified to appear as witnesses until the day of the trial. No prior arrangement was attempted by the prosecutor or the police, and it was necessary to ask for a continuance. The trial was later held, the subject was found guilty in Allegheny County Court, and sentence was deferred pending further study by the Court. In both of the foregoing instances, the prosecuting attorney worked as a prosecutor on a part-time basis.

In sum, the Commission believes that the investigational duties of its inspectors entail hazards equal to or greater than many of those already included in Section 1114 and that offenses against its officers or employees performing investigative, inspection, or law-enforcement functions should be punished in the same manner and to the same degree as are offenses against the Federal employees now designated in Section 1114 of Title 18 of the United States Code.

S. 3737—INTRODUCTION OF A BILL TO EXEMPT FROM CERTAIN DEEP-DRAFT SAFETY STATUTES CERTAIN PASSENGER VESSELS

Mr. BAKER. Mr. President, on April 13 the distinguished Congresswoman from the Third Congressional District of Missouri introduced in the House of Representatives a proposed amendment to Public Law 90–435 that would permit the continued operation of a stern paddle-wheeler named the *Delta Queen*. Mrs. Sullivan has long been active in the effort to preserve this historic vessel, and I am both pleased and proud to join with her in this wholly bipartisan effort.

The *Delta Queen* plies regularly along the Mississippi River between New Orleans and St. Louis and puts in at Memphis, Tenn. She was tied up at Memphis, in fact, when I visited that great bluff city on Monday of this week, the same day Mrs. Sullivan introduced her bill. The *Queen* moves with grace and dignity on the broad stretches of the Mississippi, and she is the last authentic remnant of a proud 18th century American heritage. This simple bill would exempt the *Delta Queen* from certain standards applied to other inland vessels.

Mr. President, I introduce, for appropriate reference, a bill to exempt from certain deep-draft safety statutes passenger vessels operating solely on the inland rivers and waterways.

The PRESIDING OFFICER (Mr. Saxbe). The bill will be received and appropriately referred.

The bill (S. 3737) to exempt from certain deep-draft safety statutes passenger vessels operating solely on the inland rivers and waterways, introduced by Mr. Baker, was received, read twice by its title, and referred to the Committee on Commerce.

ADDITIONAL COSPONSORS OF BILLS

S. 2293

Mr. PELL. Mr. President, I ask unanimous consent that, at the next printing, the name of the senior Senator from Oregon (Mr. Hatfield) be added as a cosponsor of S. 2293, to authorize additional appropriations for the national sea grant college program.

The ACTING PRESIDENT pro tempore (Mr. Metcalf). Without objection, it is so ordered.

S. 3223

Mr. MAGNUSON. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from North Carolina (Mr. Jordan) be added as a cosponsor of S. 3223, a bill to alleviate freight car shortages.

The PRESIDING OFFICER (Mr. Eagleton). Without objection, it is so ordered.

S. 3697

Mr. INOUYE. Mr. President, on behalf of the Senator from Minnesota (Mr. Mondale), I ask unanimous consent that at the next printing the name of the Senator from Indiana (Mr. Bayh) be added as a cosponsor of S. 3697, to revitalize the fresh water community lakes in the Nation.

The PRESIDING OFFICER (Mr. Allen). Without objection, it is so ordered.

SENATE RESOLUTION 389—SUBMISSION OF A RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF THE 1969 REPORT OF THE SPECIAL COMMITTEE ON AGING

Mr. WILLIAMS of New Jersey submitted the following resolution (S. Res. 389), which was referred to the Committee on Rules and Administration:

S. Res. 389

Resolved, That there be printed for the use of the Special Committee on Aging three thousand additional copies of its report to the Senate, "Developments in Aging—1969."

ADDITIONAL COSPONSORS OF A RESOLUTION

S. RES. 388

Mr. MURPHY. Mr. President, I would like the record to show that on Tuesday, the day I introduced Senate Resolution 388 relating to the mission and the safety of the Apollo 13 astronauts, Senators Cannon, McIntyre, Mondale, and Symington were among those who asked to join in the offering of the measure, but, unfortunately, their names were omitted from the list of cosponsors. I ask, therefore, that their names be added at this time as cosponsors of the resolution.

The PRESIDING OFFICER (Mr. Saxbe). Without objection, it is so ordered.

NOTICE OF ADDITIONAL HEARINGS ON THE IMPACT OF FRANCHISING ON SMALL BUSINESS

Mr. WILLIAMS of New Jersey. Mr. President, I should like to announce that my Small Business Subcommittee on Urban and Rural Economic Development will hold additional hearings on the impact of franchising on small business on Friday, April 24, in room 6226 of the New Senate Office Building.

The hearings will begin at 10 a.m., and the subcommittee's only scheduled witness is Mr. Phillip A. Loomis, Jr., general counsel of the Securities and Exchange Commission.

NOTICE OF HEARINGS ON REORGANIZATION PLAN NO. 2

Mr. SPARKMAN. Mr. President, on behalf of Senator Ribicoff, I wish to announce that the Subcommittee on Executive Reorganization has scheduled hearings on Reorganization Plan No. 2 of 1970. The hearings will be held on May 7 and 8, 1970, in room 3302, New Senate Office Building at 10 a.m.

ADDITIONAL STATEMENTS OF SENATORS

APOLLO 13

Mr. PASTORE. Mr. President. The hearts of the world have been in outer space in these anxious hours. They have been with the three American astronauts coaxing their crippled space ship toward its return to earth.

The heads of 12 nations have volunteered their resources for this return and recovery—and hundreds of millions of humble souls offer their best—their prayers—even as Pope Paul VI prays for "these brave men now in danger."

I count it one of the finest hours of the world of communication—the perfection of its art and science—that the entire world has been able to share this drama of hurt—and help—and hope.

The communication line between mission control and the astronaut communicator on Apollo 13 is a line to every anxious ear the world over. There is the exchange of information and instruction—help based on the judgment of dozens of experts—decisions based on data supplied by millions of dollars worth of computers.

So—the world over—the moves of this mysterious drama—are carried by radio, television, telephone, cable, and satellite—as the saving of man overshadows any survey of the moon.

I would pay my respects to the American communication world, television, radio, and telephonic, as the airwaves are preempted by this mortal struggle—with the most hazardous moments still ahead for its crew—Captain Lovell, of the Navy, and the two civilians, Fred W. Haise, Jr., and John L. Swigert, Jr.

Tomorrow morning, Friday, April 17, they must execute the most complex maneuvers of their flight. They must power up their command ship, cast off the damaged service module compartment, and jettison their lunar module, which has been their only source of oxygen and electricity in these crucial hours.

We are grateful to American science and scientists who, as much as 6 years ago, anticipated just such a possibility of having to use the lunar module to return a space crew to earth. That know-how is so valued now.

We are confident of the courage and craftsmanship of those three lonely men on Apollo 13. I should not say lonely, for they cannot be alone when 200 million Americans are with them in faith at this very moment.

Indeed, the world over—in the parliaments of nations and on the street corners of villages in every reachable nook and cranny of the world, in the newspapers of a hundred different lan-

XUM

guages—the people speak and pray for these Americans in danger.

It is this very word of world sympathy and encouragement, carried to us so quickly by modern communications, that tells us how small the world is after all, how close are our lives, how mutual are our tragedies.

It is this moment that teaches us that our triumphs can be as mutual as our tragedies. It is such a moment when we realize how mutual is our humanity, how genuine our love of fellowman, and how possible is our common hope for peace.

It could be that out of this unfortunate accident might come one of mankind's greatest successes: that the value we place on human life surpasses the prestige of planet exploration, that when man holds out the helping hand to his fellowman, that closeness means more than a journey of a million miles to any moon.

A COMPROMISE PEACE

Mr. GORE. Mr. President, I urge President Nixon to seek an end of the war in Southeast Asia by a compromise peace. This does not mean that I doubt his desire for peace. Not at all; I am confident of it. It is, rather, that I am convinced the policies now pursued have prolonged and will prolong rather than end the Vietnam war. Also, there is the constant danger of involvement in an even wider war.

The President deserves commendation for the making of a statement to our people about our involvement in the war in Laos. I long urged that the essential facts be communicated to the people. It is only they who have been kept in the dark, the enemy being fully aware of our acts. Though his statement could well have been more explicit, he related to our people some essential facts of our involvement.

Moreover, he has reportedly taken two other steps which I approve: Writing a letter to the cochairmen of the Geneva Conference petitioning its reconvening and his suggestion that the conference might consider a peace settlement involving all of former Indochina. I commend the President, too, for his careful handling of the suggestions made by the Government of France in this regard.

I speak today not from a desire to criticize but in the hope of making a constructive contribution toward peace.

Before proceeding further, I wish to say quite candidly, that the de-escalation of the Vietnam war in recent months is far preferable to the escalation during the previous administration.

But, Mr. President, this is not enough. The useless killing continues. We have suffered 48,308 casualties since the policy of Vietnamization began last June 8. I listened to the dramatic news about our gallant astronauts last evening and joined millions in prayer for their safe return. In the same newscast the death of some 40 American boys in Vietnam was reported almost routinely.

The hope for a peaceful negotiated settlement, high at the time of President Nixon's inauguration is now dim. Indeed, in view of the deterioration in Laos and instability in Cambodia, our situation is now more precarious in Southeast Asia than in 1968.

There has been a significant change in the continuing debate over Vietnam within the United States. A few years ago the question was: What is to be gained? Now the question is: What can be saved?

Somewhere along the line, out of these years of division and doubt, a sort of consensus has emerged. The war was a mistake—one of the worst in our history.

Our remaining differences are not over whether to extricate ourselves from Vietnam, but about the time, the means, and the extent of our disengagement, whether by negotiation or by what is called "Vietnamization," whether to disengage altogether by plan and agreement, or only to the extent necessary to reduce American casualties to a "tolerable" level—whatever that may mean and to whom.

Defeat is not an issue for the simple reason that no responsible American—in or out of Congress so far as I know—favors a disorderly, or precipitate withdrawal. That was a pure strawman.

The real issue today is between the Vietnamization policy and a renewed effort to negotiate a decent and dignified compromise through either the Paris peace talks or perhaps another conference of Geneva powers or even some other manner of diplomacy.

It takes fortitude to admit a mistake but, as the Confucian maxim goes, the man who makes a mistake and fails to correct it has made a second mistake. Some weeks ago, in testimony before the Senate Veterans' Affairs Subcommittee, a former Air cavalry captain who lost both legs and his right arm when he picked up a live grenade at Khe Sanh, came close to summing up our entire country's dilemma in these words:

> To the devastating psychological effect of getting maimed, paralyzed, or in some way unable to re-enter American life as you left it, is the added psychological weight that it may not have been worth it: that the war may have been a cruel hoax, an American tragedy that left a small minority of young American males holding the bag.

Distressing though it has been, there is much to be proud of in the debate we have held among ourselves. It is a mark of the strength and resiliency of American democracy that we do not fear to air our differences in the open. The leaders of the Soviet Union would never dare to permit a public debate like the Vietnam debate in America; they lack the necessary confidence in themselves and in their society. Perhaps Vice President AGNEW, fearing what he describes as the "whole damn zoo" of dissenters, would feel less frightened in the graveyard atmosphere of the Soviet Union or of Saigon where they know how to dispose of dissenters. For my part, I will take a "zoo" of freedom of speech and press over a cemetery of silence and censure any time. And so, I believe, would most Americans, because, with Justice Holmes—but unlike Mr. AGNEW—we know "the ultimate good desired is better reached by free trade in ideas—that the best test of truth is the power of the thought to get itself accepted in the competition of the market."

The case for the war in Vietnam was vigorously advanced in the competition of our free market of ideas for 5 years. It was packaged and repackaged hard-sold and soft-sold. It was promoted by every dazzling technique known to Madison Avenue—with an advertising budget of Pentagon dimensions. But Vietnam showed itself to be an "Edsel." With everything going for it but merit, the whole frenetic effort to sell Vietnam to America has finally gone on the rocks—a casualty of the decency, the judgment and the commonsense of the American people.

Richard M. Nixon was elected President of the United States as the peace candidate, because he said he had a plan to end the war.

It may be appropriate, may be important, to recall why it was a mistake to go into the Vietnam war. President Nixon seems to think we ought not to rake over those old coals. He said last May 14, "the urgent question today is what to do now that we are there, not whether we should have entered on this course, but what is required of us today." Having supported the Johnson escalation policy every step of the way, President Nixon can hardly be blamed for preferring that we forget about the past. But we cannot forget about the past, because it is impossible to determine in a responsible way "what is required of us today" without looking back at what our leaders thought was required of us 5 years ago and asking ourselves why, and in what exact ways, they were mistaken.

I do not understand President Nixon's position, because it is unclear. In the speech of last November 3 of which he is said to be so proud—the speech which is supposed to have defused the doubters—the President reiterated all the old discredited arguments for American involvement in Vietnam and then said he was going to get us out of it anyway.

Even assuming that the program of Vietnamization is likely to get us out of the war—and it is far from certain that it will—it is extremely difficult to understand why President Nixon—believing as he says he does in the wisdom and justice of this war—would still rather withdraw from it than win it.

If one believed—as the President says he does—that this is really a war for the defense of freedom, for the prevention of world conquest by Communist powers, and for proving America's loyalty to its commitments, how would or could one favor unilateral withdrawal from the war by Vietnamization or by any other means. If our national security is at stake to this extent how could one accept less than victory? President Nixon's position, the best I can make of it, is that this war is in our interests but he is going to withdraw from it anyway—albeit slowly and inconclusively.

My position is that this war is not now and never has been in the interests of the American people. That is why I wish to end it now—by a negotiated compromise.

I am not a pacifist, nor have I ever

XUM

been. I have not and I do not oppose any and all wars regardless of their character and causes. Given Pearl Harbor and all the mad machinations of Hitler, I had no doubt of the justice of American involvement in World War II. But this war in Vietnam is neither just nor necessary.

Despite his professed intention of ending the war, President Nixon, like former President Johnson, has offered three basic arguments for continuing American involvement in Vietnam. All three are defective.

The supposition that the war in Vietnam is part of an overall Communist plan for world conquest is without basis in fact, a scare fantasy of the radical right repudiated by every serious observer of Asian and Communist affairs. It survives, nonetheless, because people in high office, who should know better, still invoke it when they are casting about for justifications of American military involvement in Vietnam.

Former Secretary of State Rusk freely conceded the divisions within the Communist world, even conceded what the experts all pointed out, that Ho Chi Minh was anything but a pliant tool of Communist China. Nonetheless, Mr. Rusk used regularly to invoke the specter of a "world cut in two by Asian communism."

President Nixon knows better too; his policy of slow disengagement from Vietnam would be gross irresponsibility if the Vietnamese war were really part of a centrally directed Communist design for world military conquest, with America its early target. Nonetheless, in his speech of last November 3, Mr. Nixon predicted that American withdrawal from Vietnam "would spark violence wherever our commitments help maintain the peace in the Middle East, in Berlin, eventually even in the Western Hemisphere." President Nixon did not explain why he believes these disasters would follow an end to the American intervention in Vietnam, or why, despite these grave alleged risks, he proposes to withdraw from the war anyway.

For reasons neither he nor former President Johnson have chosen to share with the rest of us, neither of them have been willing to accept the testimony of many experienced observers of Vietnam since World War II: that the war in that tortured land is and always has been essentially a civil war and a war against foreign domination. As the former Under Secretary of the Air Force and longtime Pentagon official, Mr. Townsend Hoopes has pointed out:

> North Vietnam was fighting primarily to achieve an unfulfilled national purpose. While it was, to be sure, fully aware of the implications for the wider application of the Mao-Ho-Giap insurgency doctrine, it was fighting not an abstractly ideological war, but a very particular war—in a particular place, characterized by a particular kind of terrain and weather, peopled by a particular breed of man and, above all, conditioned by a particular history. What really drove Ho's sacrificial legions was not the dream of world conquest, nor even the notion of generating a new momentum for Communist advance and triumph throughout Asia. What motivated Hanoi and enabled its leadership to hold 19 million primitive people to endless struggle and sacrifice against odds that were statistically ludicrous was to the goal of national independence.

The second major argument used to justify American military interest in Vietnam is that it inspires confidence throughout the world in America's determination to honor her commitments. In his speech of last November 3, President Nixon said that putting an end to our interest in Vietnam "would result in a collapse of confidence in American leadership not only in Asia but throughout the world." In fact, confidence in American leadership has already suffered in many parts of the world, not because we are thought to have held back in Vietnam but because we plunged in so recklessly and on so vast a scale, because we have pulverized that little country with more bombs than we dropped in all of World War II and still have been unable to put down the Vietcong insurrection. Then there is the bombing in Laos.

People around the world must have begun to wonder if abandonment by the United States might be an easier fate than being saved by it. Even Professor Kissinger denies that this war can have any effect on other countries' confidence in the United States. At least that was his view just before he went to work in the White House, at which time he wrote:

> Whatever the outcome of the war in Vietnam, it is clear that it has greatly diminished American willingness to become involved in this form of warfare elsewhere. Its utility as a precedent has therefore been importantly undermined.

The third and most patently ridiculous of the arguments for our interest in Vietnam is that it has something to do with the defense of freedom and self-determination. Even our policymakers are beginning to seem embarrassed when they talk about freedom and democracy in South Vietnam, because most Americans by now know something about the Saigon regime. They know that it is a corrupt military dictatorship which jails its political opponents, censors its press, and rules with no reliable popular support except that the South Vietnamese general, big businessmen and top bureaucrats. The leading opponent of General Thieu in the presidential election of 1967, Mr. Dzu, is held in jail on vague charges with no present prospect of release. The head of the opposition in the National Assembly, Tran Ngoc Chau, who began last year to advocate a cease-fire, direct negotiations with the National Liberation Front and neutrality has been sentenced to 10 years in a trial that mocked our concept of justice and probity.

As to Mr. Thieu himself, one recent observer wrote that "a silent majority unquestionably exists among the 17 million South Vietnamese, and although this majority opposes the Communists, only a relatively small portion of it is really behind Thieu." An American survey completed in January 1970 in Long An Province south of Saigon, reported in Newsweek, February 9, 1970, showed that, if an election were held now, 35 percent of the voters would support Thieu, 20 percent would vote for the Vietcong, and the remaining 45 percent would support any candidate who opposed both the United States and the Vietcong.

So much for the Thieu version of freedom and self-determination—the third of the three pillars of American policy in Vietnam. Now that it is abundantly clear that we are not deterring worldwide Communists aggression, not inspiring confidence in America's loyalty to its commitments, and certainly not doing anything for freedom and self-determination in South Vietnam, the question remains: Why are we there? The answer, I think, is simply this: We are in Vietnam because our leaders once believed, and perhaps present leaders still think a great many of our people still believe, that the three reasons given are valid; and, now that both fact and logic show them not to be, our leaders cannot bring themselves to acceptance of this to acknowledge our own mistake. This, I realize, Mr. President, is pointed and I intend for it to be, thought I mean no offense. It is just that so many haye been so wrong for so long and so many boys have died and are still dying needlessly.

Wars have a momentum of their own. Once begun, their original causes are soon forgotten and the very fact of war, the fact that the country is fighting, becomes the real reason it continues fighting. No one seems to know how to stop short of victory, yet victory has been officially "ruled out." No one much cared about Serbia and Sarajavo once the First World War had been going for a few months, although the assassination of the Austrian archduke was supposed to have started it. And who now cares about that half-imaginary skirmish in the Gulf of Tonkin 5½ years ago—except for the fact that it was used to hoodwink the Congress into writing the President a blank check?

All this is ancient history: I do not see how the President can really believe in the standard arguments for our involvement in Vietnam. Yet, he seems most reluctant to repudiate the errors of the past. Whatever the reasons, the result is contradiction: Espousing the case for the war, he still purports to end it—not, however, by a genuine compromise but by the policy called Vietnamization.

I have heard Vietnamization described as a semantic cover for both continuing the war and for forestalling the collapse of the Saigon government—at least long enough to permit the United States to dissociate itself from the disaster. In either case, the scenario goes, it will spare the American people from truth and the Nixon administration from blame, while condemning untold thousands of our sons as casualties in Vietnam.

I question the policy of Vietnamization—not because I am certain it will fail but because I think it likely to fail, and more important, because it is an unnecessarily costly and drawn out way of extricating the United States from this mistaken war. I doubt Vietnamization because there is a faster way out—more honest and more honorable—through a negotiated compromise peace.

XUM

Nonetheless, I want to make it perfectly clear that Vietnamization is better than escalation, and if it remains the established policy of our Government, I hope it works. Our experience in Laos provides no encouragement. We Laosanized the war in Laos—advisers, training, support, supplies, logistics, planes, bombing, helicopters, food, ammunition, everything, in fact, that Vietnamization proposes for South Vietnam. Laosination failed in Laos. Our side has been routed.

The South Vietnamese themselves are apparently under no illusions about taking over the war. President Thieu recently said that the withdrawal of American ground combat forces by the end of 1970 is an "impossible goal" and that, instead, "it will take many years" to remove these forces. The Vietnamese—so far as I know—have been given no deadlines and no timetable for the American withdrawal. That may account for their striking lack of urgency and for the apparent confidence of the Saigon generals that their powerful protectors will not soon abandon them to their fate. Perhaps they regard Vietnamization as no more than an irritating necessity of American domestic politics, the assumed need to humor the great majority of Americans who are fed up with the war. More and more of them are ending their silence as the war continues.

Congress is as much in the dark as the Vietnamese about the real meaning of Vietnamization. Even in secret meetings of the Senate Foreign Relations Committee Secretary of State Rogers and Secretary of Defense Laird have refused to answer questions about how long Vietnamization will take and how many Americans will remain in South Vietnam for the indefinite future. There are still 50,000 American soldiers in Korea, 17 years after the end of the Korean war, despite the fact that South Korea has a large army, a defensible border, and is free of internal guerrillas. How many Americans will be needed to hold up the Saigon government, which has none of these advantages? This, the administration, steadfastly refuses to say. All they will tell us is that the President has a "plan," which they do not choose to divulge. The secret has been kept so long that one may perhaps be excused for wondering about the nature of its existence.

What happens if Vietnamization fails, if the Saigon regime should come near to collapse in the wake of American troop withdrawals? Will we leave them to their fate, or will we re-escalate the war? The administration has two answers to this question and they are completely contradictory. On the one hand, administration officials have said repeatedly that the process of American troop withdrawal is irreversible. On the other hand, President Nixon has said on three separate occasions—November 3, December 15, and again on February 18—that he "will not hesitate to take strong and effective measures" if the enemy takes military advantage of American withdrawals. So, it appears to be both reversible and irreversible. Secretary of State Rogers told the Foreign Relations Committee that the administration did not expect the Saigon army to collapse and therefore had no plan for such a contingency.

Is this what the President was talking about when he said on February 18 that he had resolved "to be completely candid with the American people and Congress?" If this is candor, it exceeds my imagination to conceive of what the administration would tell us if it ever chose—perish the thought—to be artful or secretive.

It is possible of course—though hardly likely—that the Saigon government will acquire the popular support and the ARVN the fighting spirit they have lacked in the past. There has in fact been some progress in the "pacification" of the South Vietnamese countryside. Some villages, especially in the Mekong Delta, have been brought under government control; roads which had been closed for years are opening up again; and a considerable number of people who had been living in Vietcong hamlets are now under relatively secure government rule. The result is a reduced reservoir of recruits and resources for the Vietcong. American military power has clearly had its effects, but that still leaves open the question of how the South Vietnamese will fare when and if the bulk of American combat forces are gone.

In the long run the success of the pacification program will depend upon the ability of the Saigon government to root out the Vietcong shadow government. That is currently being attempted through an unsavory program known as Phoenix officially described as a program for "neutralizing" Vietcong "infrastructure." Neutralization is accomplished by various means: Some of the presumed Vietcong cadre are captured and brought to trial; some rally to the government cause; and some—over 6,000 in 1969 are killed, either in battles, ambushes, or by deliberate assassination.

Even if the Saigon government does make progress in establishing its authority, is it to be supposed that the enemy will remain inactive while the Saigon army and government gain complete control of the country? Will Hanoi remain immobilized, intimidated by President Nixon's threat of "strong and effective measures?" The Senate staff investigators who recently visited Vietnam reported back that "no one has the slightest idea whether the enemy will attack in force" during the course of the American withdrawal, that the only fact that seemed incontestible was that "the choice lies with the enemy."

There is doubt that North Vietnam, which was not brought to heel by massive American bombing, is now going to yield to Vietnamization. To be sure, they have suffered great losses and they have been weakened, but from all estimates I have seen or heard they retain the capacity to sustain the war indefinitely at the current level. At least they have increased their infiltration into South Vietnam and have, according to administration estimates, moved 67,000 troops into Laos and other thousands into Cambodia, both countries flanking South Vietnam. Though I profess no military expertise, I submit my concern that a policy of unilateral decrease in U.S. strength in South Vietnam, without a settlement, concurrent with a massive troop buildup by North Vietnam within North Vietnam, in South Vietnam, in Laos, and in Cambodia presents a foreboding outlook. In the meantime, the enemy strategy appears to be one of scaled down but protracted warfare aimed at a buildup of strength in and on the flank of South Vietnam, and at obstructing the pacification program while gleefully watching and impatiently awaiting the withdrawal of American combat forces. To count the departing troops would surely appear preferable to suffering the consequences of attempting to decimate them in combat. So the enemy flexes his muscles and waits.

Far, therefore, from yielding to the Nixon strategy, the enemy appears to be digging in for the long haul. As General Giap put it:

> At times and in certain places, the revolutionary war may be in a defensive position. But this defensive position is only partial and temporary, while conditions are created for resuming the offensive.

The prospects for Vietnamization turns on three main elements: a better armed but still dispirited South Vietnamese Army; a more entrenched but still dictatorial, unpopular, and corrupt government in Saigon; and a weakened but still formidable and growing enemy. These are the foundations on which President Nixon proposes to build the "just and lasting peace" which is his professed goal. Is there expectation of success? Or is the real hope the more realistic one of keeping the conflict going indefinitely, with a reduced number of Americans fighting in and providing air cover and logistic support for a semipermanent war of counterinsurgency? Or, failing this, will the administration settle for the even more modest goal of postponing disaster long enough to separate themselves from its political consequences? If so, the Nixon policy will have turned out to be exactly that which both President Nixon and his predecessor said they would never accept: a "disguised American defeat." And at what price?

If it works, Vietnamization may save the Thieu-Ky regime in Saigon and work to the temporary political benefit of the Nixon-Agnew administration in the United States. For everyone else it has less pleasing implications. For the Vietnamese people it will mean continuing terror and death for the indefinite future. For the American people it will mean continuing indefinitely losses in a war which does not now and never has involved either their honor or their security interests.

In his speech of last November 3, President Nixon said that "we really have only two choices" for ending the war: "an immediate precipitate withdrawal" or, failing the acceptance of our terms in the Paris peace talks, Vietnamization. I believe the President omitted—from his speech and from his policy—a third and superior possibility: serious negotiations for an authentic compromise peace.

The issue on which the war is being fought—and the only issue on which a

XUM

compromise peace can be negotiated—is the nature of the government which rules South Vietnam. The more specific issue is the survival in power of the present Saigon regime. That is what the war is about. If peace is restored with Thieu and Ky firmly in power, they will have won the war. We may not call that victory, but the National Liberation Front and North Vietnam would surely call it total defeat. If the Vietcong displace them and form a Communist government in Saigon, they will have won the war. Another possibility is a sharing of power, which is to say, a compromise arrangement or a coalition. It might be permanent or it might be provisional, organized only for purposes of conducting elections, calling a constituent assembly, or negotiating the composition of a permanent regime. One way or the other, compromise means coalition. One can evade, obfuscate, or protest, but the fact is inescapable: Either some form of compromise or coalition government is formed to rule South Vietnam, the war goes on until one side or the other wins, or the present meat-grinder operation continues indefinitely without real hope of peace or victory.

For the last 2 years we have been hearing a great deal about how to negotiate. First the two sides squabbled over where they would talk, then over the shape of the table they would talk over; and now they continue to squabble over who will talk to whom and in whose company. The Hanoi delegation refuses to talk to the Saigon delegation. The Nixon administration says that it will discuss but not negotiate a settlement without the approval of the Saigon government. When the positions of all four parties are taken into account, we have a clear picture of whom each party will speak to and whom it will not speak to and under what circumstances they will or will not speak. All four parties have also been fairly explicit about what they will not agree to, and what they will not even discuss.

The matter that remains unclear is whether anyone has anything to say. The really pertinent topic is the actual peace terms each party would accept, what he really demands and what he would yield in return. On this the pride-bound belligerents all remain silent as the sphinx. Such talk of compromise as we have heard has been in terms of vacuous grandiosities—such as a "just and lasting peace." Everybody is in favor of a "just and lasting peace;" the trouble is that when either side is pinned down to defining it—and that is not easy—it turns out to mean just about an unconditional surrender of the other side.

Although nothing is certain, there is good reason to believe the United States could break the dreary and ridiculous negotiating deadlock by proposing specific terms for a compromise. The exact conditions of peace probably could not be spelled out in advance of negotiation, nor would it be necessary to do so. All that is required at the outset is the commitment to an authentic compromise, and that, as we have seen, can only mean some form of coalition regime for South Vietnam. Although we have failed to win a military victory, we bring—or could bring—formidable assets to the negotiating table. Our bargaining lever is the force of almost half a million Americans in Vietnam. The North Vietnamese and Vietcong want them to leave; that gives us bargaining power with them. The Saigon generals are totally dependent on American military power for their own survival. Surely that should give us leverage with them.

Why then, after 2 years of peace talks, have we been unable to make progress? Why have we been unable to turn military might into bargaining power? Are the other parties simply incapable of appreciating American power, or are we failing to make intelligent use of it? The answer, obviously, is to be found in the attitudes of one or more of the negotiating parties—the Communists, the Saigon government, and ourselves. What are these attitudes, and what, if anything, can be done to change them so as to open the way to a compromise peace?

Until recently we were told that the refusal of the Communists to negotiate was the result of the "aid and comfort" they were said to be deriving from dissent in the United States. As President Nixon put it in his speech of May 14, 1969:

> Nothing could have a greater effect in convincing the enemy that he should negotiate in good faith than to see the American people united behind a generous and reasonable peace offer.

Subsequently, as we know, the American people decided to give the President's policy a chance to work and the debate did fall off, so much so that the pundits began to say that Vietnam was a "dead issue" and, in his state of the Union message of January 23, 1970, President Nixon congratulated the Congress for having "overwhelmingly indicated their support of a just peace." What President Nixon did not say was that, despite the lessening of dissent, the negotiations had shown no change.

Like the Johnson administration before it, the present administration has done its level best to blame the failure of its policy on the critics of that policy. Now that the criticism has abated and the policy is still not working, it should be apparent even to Mr. AGNEW's loyal supporters that the dissenters have not caused the failure of our policy in Vietnam, any more than a doctor causes a disease by diagnosing it. Like the escalation which preceded it, Vietnamization has required no effort on the part of its critics in order to fail. On its own merits—or lack of them—it has failed to end the war.

If dissent in America does not explain the failure of negotiation, what is the reason? The answer, I think, lies in the central issue of the war itself: the nature of the government which is to rule South Vietnam. As long as the United States remains committed to the survival in power of the Thieu-Ky government, or one closely resembling it, there is nothing for the Vietcong and the North Vietnamese to negotiate except the terms of their own surrender.

Vietnamization then, is incompatible with negotiation for peace, the former being based on the solidification of the Thieu-Ky junta—while the latter waits upon a compromise political settlement.

In his lengthy report to the Congress of February 18, President Nixon said that the North Vietnamese Government "has insisted that we must unconditionally and totally accept its demands for unilateral U.S. withdrawal and for the removal of the leaders of the Government of South Vietnam. It has demanded these things as conditions for just beginning negotiations."

According to other usually well-informed but unofficial sources, the North Vietnamese and the Vietcong do not demand that the Saigon generals be removed from power as a precondition for negotiation. What they have publicly asked is the establishment of an interim coalition regime.

Whether the Communists are sincere in their professed willingness to make concessions, or whether President Nixon is accurate in his insistence on their inflexibility, I do not know. In the interest of peace I would like to see them challenged on this. They can be tested by a concerted effort on our part to negotiate a compromise peace, which is to say, some form of coalition regime for South Vietnam. That in turn raises the question of the Saigon government's attitude toward such a compromise.

The two Senate staff investigators who recently visited South Vietnam reported as follows:

> Except for vague references by opposition politicians in Saigon to the idea of negotiation, without any reference to the particulars of the settlement such a negotiation might achieve, the subject of negotiations almost never arose during our visit to Vietnam. It was not mentioned in briefings or alluded to by American civilians or military officials.

Mr. Thieu has been explicit on the subject of compromise and coalition. Returning to Saigon from his meeting with President Nixon at Midway last June, he said:

> I solemnly declare that there will be no coalition government, no peace cabinet, no transitional government, not even a reconciliary government.

Speaking on the subject again on television September 19, 1969, Thieu dismissed the idea of a standstill cease-fire as unrealistic; pledged never to cede "so much as a hamlet" to the Vietcong; further declared that he would make no concessions in the Paris peace talks; and finally, lest any doubt about his uncompromising stand survive, Mr. Thieu said that his regime would never accept the existence "in any way" of a Communist Party in South Vietnam.

As to the possibility of broadening the base of his government as a preliminary to peace negotiations, Mr. Thieu has denounced and attacked advocates of a negotiated peace such as Tran Van Dong and Duong Van Minh. If such men "are not Communists," says Thieu, "they work for the Communists and they are pro-Communists." And, as mentioned earlier, Thieu personally orchestrated the kangaroo trial which on February 25 resulted in the sentencing of the deputy Tran Ngoc Chan, another

XUM

advocate of a negotiated peace, to 20 years at hard labor.

Whatever General Thieu's position may lack in wisdom or concern for the Vietnamese people, it is more than made up for in clarity and forthrightness. But where does Thieu get the power to make it stick? From the minority of the South Vietnamese people who support his rule? From the dispirited Army of the Republic of Vietnam with its military strategy of "search and avoid"? Obviously not. Where then does this small-time dictator get the power to dominate events, while America's vast resources crumble like clay in the hands of its statesmen? The answer lies in the astonishing subservience of the American Government to the Saigon generals. Wedded to the idea that Thieu's survival is essential to American interests, our leaders have given him a veto on our policy. It is as if we had traded resources, our strength for his weakness, so that the organ grinder dances to the monkey's tune.

The extent of Thieu's domination of American policy was revealed, inadvertently, by former President Johnson in his first interview with Walter Cronkite on December 27, 1969. According to President Johnson, Thieu and his associates were so displeased by Vice President Humphrey's speech of September 30, 1969, calling for cessation of the bombing of North Vietnam that they then delayed agreeing to join the Paris peace talks for the express purpose of helping Nixon to defeat Humphrey. Perhaps, as President Johnson thinks, Humphrey would have won the election "if the South Vietnamese had not drug their feet." In that event Mr. Nixon has reason indeed to be grateful to General Thieu.

The crucial question now is: How long are we going to let the Saigon generals dominate American policy in Vietnam? To answer that we must go back to the very question which Mr. Nixon says is no longer worth discussing: the question of why we went into Vietnam in the first place. If, as President Nixon professes to believe, our reasons were valid—if we really have been holding back a global Communist tide, inspiring confidence in the United States and upholding freedom and self-determination, then the present policy is inadequate. If—as I have tried to show, and as virtually every informed observer now believes—this war is not now and never has been in America's interests, then it is time to loosen the grip of our unsavory allies over our policy and action, and to devise a Vietnam policy which is truly in our interests rather than theirs.

We do not have to impose a coalition or anything else on the South Vietnamese. We have only to define our terms—a compromise based on a coalition regime—and to give the Saigon government a simple choice: to join us in negotiating peace on those terms or to continue the war on their own, for as long as they like or are able. And in that event we would be free in all honor to make our own peace, on terms reflecting the national security requirements of the United States. The association of these requirements with the political ambitions of the Saigon generals is and always has been mistaken. We have only to recognize that mistake to free ourselves for peace.

Peace is urgent. I am confident, let me repeat, that President Nixon earnestly desires peace. I have tried to demonstrate why present policies have not brought peace, which is undeniable, and why the policies are not likely to bring an early peaceful settlement.

It is my hope this analysis and this presentation of views will in some way contribute to peace.

CONCURRENT RESOLUTION OF KANSAS LEGISLATURE

Mr. PEARSON. Mr. President, I ask unanimous consent to have printed in the Record Kansas House Concurrent Resolution No. 1084, relative to amendment of the Uniform Time Act of 1966.

There being no objection, the concurrent resolution was ordered to be printed in the Record, as follows:

House Concurrent Resolution 1084

A concurrent resolution memorializing the Congress of the United States to amend the Uniform Time Act of 1966

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Legislature of the state of Kansas respectfully petitions the Congress of the United States to amend the Uniform Time Act of 1966 to provide that observance of daylight saving time in the United States shall be limited to the period in each year between Memorial Day and Labor Day of such year.

Be it further resolved: That a duly attested copy of this resolution be immediately transmitted by the Secretary of State to the Secretary of the Senate of the United States, the clerk of the House of Representatives of the United States and to each member of the Congress from this state.

I hereby certify that the above Concurrent Resolution originated in the House, and was adopted by that body February 25, 1970.

Calvin A. Stuewig,
Speaker of the House.
L. O. Hazen,
Chief Clerk of the House.

Adopted by the Senate March 13, 1970.

James H. DeCouch,
President of the Senate.
Ralph E. Zarker,
Secretary of the Senate.

Attest:

Elwill M. Shanahan,
Secretary of State.
Malcolm A. Wilson,
Assistant Secretary of State.

HIGH INTEREST RATES

Mr. MOSS. Mr. President, criticism has been leveled at bankers in general, and bankers in Utah in particular, that they have unduly profited from the high interest rates now prevailing throughout the country. This criticism is aimed at the wrong culprit.

Anyone familiar with our current monetary policy knows that it is the Nixon administration, and not the banking industry which is responsible for high interest rates. It is the Government's supposed anti-inflation policy that has created the shortage of money and consequent pressure on interest rates, as well as the climb in unemployment figures.

In the fall of 1969, when the public school systems in Utah were unable to secure operating funds in anticipation of tax revenues because the prevailing rates were far above the maximum the school districts could pay under Utah law, our Utah bankers voluntarily loaned our schools over $13 million at the 5-percent statutory rate. They then committed an additional $19 million at the same figure, when the national market rate, resulting from administration policy, was over 6 percent for similar municipal obligations.

Similar support was given to the college students loan program at rates below the prevailing market. As of December 31, 1969, over $13.4 million in student loans have been granted by participating Utah banks to qualified Utah college students. Without this sort of cooperation, many deserving students would have been unable to attend college because of the increases in tuition and other costs at both public and private institutions.

At the same time, public treasurers in Utah, attracted by higher rates on Government securities than the banks could pay under Federal Reserve regulations, had, as of December 31, 1969, reduced their investment in time certificates of deposit with Utah banks by some $66 million over the totals of the end of the preceding year. This change in investment policy substantially reduced the amount of available funds for Utah businessmen and farmers. Again the blame should be placed at the doors of the White House, not on the banking industry.

SUPREME COURT APPOINTMENTS

Mr. DOLE. Mr. President, many opinions have been expressed concerning the President's efforts to reorient the philosophical tenor of the Supreme Court. Although the nomination of Judge Blackmun has for the time being rendered moot the question of placing Southern jurists on the Court, there remains the broader issue of the President's mandate to appoint those of whose judicial attitudes he approves.

An article by Richard Wilson, published in the Washington Evening Star of April 10, gives thoughtful consideration to these points. I ask unanimous consent that Mr. Wilson's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Star, Apr. 10, 1970]

Carswell's Defeat and Practical Politics

(By Richard Wilson)

The interesting prospect has been raised that President Nixon's privilege of naming to the Supreme Court conservatives of his own choosing will be made a major issue in the senatorial elections this fall.

The idea "it's easier to change the Senate than change the court" is politically viable. Twenty-one Democrats who voted against Judge G. Harrold Carswell are up for reelection, including such vulnerable senators as Gore of Tennessee, Montoya of New Mexico, Burdick of North Dakota, Cannon of Nevada.

Some embarrassment would result because

Republicans Goodell of New York, Fong of Hawaii and Prouty of Vermont voted against Carswell, but the issue still could be made generally, if not selectively, so as not to appear as Nixon's attempt to purge his own party.

Suggestions were made that the President abstain from selecting a third nominee to follow Haynsworth and Carswell until early next year. That part was rather a bad idea on the face of it but there is an unquestioned constitutional confrontation here between the President and the Senate which perhaps only the people can resolve.

Opponents of Haynsworth and Carswell contended they were not challenging the President's right to name a Republican, or a conservative, or a Southerner to the Supreme Court. It was only that he has named the wrong ones.

This is transparently and patently a pretense. Haynsworth and Carswell were defeated by a combination of political forces which oppose Nixon's purpose of remaking the membership of the Supreme Court along more conservative lines.

The realism of this matter is that the Senate is controlled by the Democratic party, that labor and civil rights lobbies brought their maximum pressure to bear and there were members of the Senate, Republican and Democratic, who could not stand this kind of pressure.

Men of good will and sincerity differed on the qualifications of the nominees. Some thought both were qualified. Some thought one was qualified and not the other. Some thought neither was qualified.

This reflected the immense confusion aroused by the political pressures brought upon the Senate, not excluding the pressure brought by the White House. Those who wish to believe that the United States Senate is controlled by high ethical and moral considerations and standards of excellence are welcome to do so.

In the end, the Senate's will is far more often made up by considerations of practical politics, and the practical politics of this matter were that the central core of opposition to Carswell was made up of 36 Democrats, all but three from the North.

Without that central core of opposition neither Haynsworth nor Carswell could have been defeated by Republican defections. The central core of their support was made up of Republicans (28 in the case of Carswell) and it was not enough—with defections on both sides—to overcome the basic Democratic opposition to a Supreme Court nominee named by a Republican President.

Interest naturally centers on those who defected on one side or the other, but the controlling factor was the central core of Democratic opposition. It is reasonable to conclude that a Senate controlled by the Republican party would not have rejected the nominations.

This, therefore, constitutes a political issue of major proportions. Before Nixon can name a justice whose judicial aptitude and inclinations he approves he must, under the present circumstances, be sure of the advance approval of Northern liberal Democrats that, in effect, his choice is not too conservative, not too much a strict constitutional constructionist.

The President needs to know, and the Senate needs to know, if the country, in fact, does wish the Supreme Court reorganized along more traditional, conservative and strict construction lines; or, is this merely an unbased conclusion derived from the 1968 election?

The issue ought to go into the senatorial elections but the court cannot be asked to go short-handed for another six months as it has for the past six months.

U.S. MORAL LEADERSHIP CRUCIAL TO INTERNATIONAL EFFORTS TO GUARANTEE HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, the battle to guarantee international protection of human rights has faced many barriers. People have often been apathetic toward the plight of their fellow men. Nations have occasionally refused to cooperate in this effort out of misguided national pride, ignorance, or fear of other countries.

The United Nations has led the struggle to guarantee human rights on an international basis, and has achieved much even in the face of such odds. The Universal Declaration of Human Rights, the human rights conventions and treaties, and the work of the various U.N. agencies have provided an important foundation for this effort.

But without the support of its member nations, the effectiveness of the United Nations in the field of human rights is severely restricted. International cooperation is essential if the lofty principles embodied in the universal declaration are to be fulfilled.

It is particularly important that the major powers actively support the efforts to secure international protection of human rights. Unfortunately, the record of the United States in this area has been one of great disappointment. We have ratified only two of the more than 20 major human rights conventions. Six important treaties, including those on genocide, forced labor, and the political rights of women are still pending before the Senate. The Convention on Racial Discrimination and the Geneva protocol of 1925 dealing with chemical-biological warfare have not even been sent to the Senate for its consideration.

In an excellent editorial on December 15, 1968, the New York Times discussed the performance of the United States in the field of human rights. The editorial, entitled "Negligence on Human Rights," is timely at this point, for the progress since December of 1968 toward U.S. participation in this vital effort has been almost nil.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Negligence on Human Rights

A powerful note of disappointment and frustration has accompanied American observations this month of the twentieth anniversary of the Universal Declaration of Human Rights. The fact is that United States action on United Nations conventions to implement or flesh out the noble principles written into the Universal Declaration has been negligible.

Far from setting an example appropriate to a nation that proclaimed its own Bill of Rights nearly two centuries ago, the United States has adhered to only two of more than twenty major human rights conventions adopted by the U.N. and its agencies. Ratification of these two—concerning slavery and refugees—was completed only within the last thirteen months. Six conventions still await Senate action. Washington has not even signed the Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights, adopted by the General Assembly in 1966 specifically to implement the Universal Declaration.

"We have failed ourselves," Chief Justice Warren said recently in reference to this meager record. "We as a nation should have been the first to ratify the Genocide Convention and the Race Discrimination Convention." Instead, the United States may be nearly the last to ratify the genocide ban, which President Truman sent to the Senate almost twenty years ago, and which has now been adhered to by eighty nations.

Washington signed the race discrimination pact but to date President Johnson has not even asked for Senate approval. This convention thus will come into force next month as Justice Warren noted, "without the United States having made any serious move to accede to it."

The United States has failed to make the kind of showing Mr. Johnson hoped for when he proclaimed 1968 Human Rights Year, in keeping with the U.N. designation of it as the International Year for Human Rights. President Nixon could take few actions early in his Administration that would so boost this country's international stature and that of the United Nations as would the completion of this unfinished business on human rights.

CONCURRENT RESOLUTION OF KANSAS LEGISLATURE

Mr. PEARSON. Mr. President, I ask unanimous consent to have printed in the Record Kansas House Concurrent Resolution No. 1111, asking Congress to take action to obtain the release of names of American prisoners of North Vietnam.

There being no objection, the concurrent resolution was ordered to be printed in the Record, as follows:

House Concurrent Resolution 1111

A concurrent resolution memorializing the congress of the United States to direct the department of state to undertake a more determined effort to obtain the release of names of prisoners now held; to effect the immediate release of sick and wounded prisoners; to achieve impartial inspections of prisoner of war facilities; to assure proper treatment of all prisoners; to facilitate the regular flow of mail; to obtain the release and freedom from captivity of those American men of this "undeclared" war with North Vietnam

Whereas, Article VI of the United States Constitution specifically states that provisions of treaties ratified by the United States Government become the "supreme law of the land"; and

Whereas, Notwithstanding solemn promises ratified at the international conference at Geneva that all prisoners of war captured would be given the respect of humane treatment; that Article 2 of the convention provides that it "shall apply to all cases of declared war or any other armed conflict which may arise between two or more of the High Contracting parties, even if the state of war is not recognized by one of them"; and

Whereas, The government of North Vietnam acceded to the convention on June 28, 1957, and the government of South Vietnam acceded to the convention on November 14, 1953, and the government of the United States acceded to the convention on August 2, 1955; no pretense of compliance has been advanced by North Vietnam or the National Liberation Front (Viet Cong) despite the reminder to do so on June 11, 1965, by

XUM

M. Jacques Freymond, Vice President of the International Committee of the Red Cross; and

Whereas, Repeated appeals on the part of wives, parents, relatives, and dependents of those unfortunate victims of Communist violence have proven ineffective through the United States Department of State: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Congress of the United States of America direct the Department of State to undertake a more determined effort to obtain the release of names of prisoners now held; to effect the immediate release of sick and wounded prisoners; to achieve impartial inspections of prisoner of war facilities; to assure proper treatment of all prisoners; to facilitate the regular flow of mail; and most importantly, to obtain the release and freedom from captivity of those American men of this "undeclared" war with North Vietnam.

Be it further resolved: That a duly attested copy of this resolution be immediately transmitted by the secretary of state to the Honorable Richard M. Nixon, President of the United States, the secretary of the senate of the United States, the clerk of the house of representatives of the United States, each member of the Congress from this state.

I hereby certify that the above CONCURRENT RESOLUTION originated in the HOUSE, and was adopted by that body March 9, 1970.

House concurred in Senate amendments March 14, 1970.

CALVIN A. STRAWIG,
Speaker of the House.
L. O. HAZEN,
Chief Clerk of the House.

Adopted by the Senate as amended March 14, 1970.

——— ———
President of the Senate.
RALPH E. ZARKER,
Secretary of the Senate.

Attest:
ELWILL M. SHANAHAN,
Secretary of State.

NEED FOR AN EFFECTIVE FLAMMABILITY TEST UNDER THE FLAMMABLE FABRICS ACT

Mr. MOSS. Mr. President, last February 9 and 10 my Subcommittee on Long-Term Care held hearings of the causes of the Marietta, Ohio, nursing home fire. Our hearings disclosed that the carpet that was installed in the nursing home burned with great rapidity and the foam rubber backing produced excessive amounts of smoke. The smoke from this burning carpet was assigned as the premier cause of death.

At these same hearings, the mayor of the city of Marietta, Ohio, demonstrated the highly combustible characteristics by setting a burning match to a sample of the carpet taken from the Marietta home. Our hearing room was quickly filled with the same thick black smoke that was responsible for the loss of 32 lives.

What was most surprising to us was the revelation at the hearing that this same carpet passed the Government-sponsored test for flammability under the Flammable Fabrics Act. The test that was announced last December 18 as the proposed test for flammability was the so-called pill test which features a methenamine pill which is dropped in the center of a piece of carpet and ignited with a match, if the flame burns 3 inches the carpet fails the test.

All of the expert witnesses who appeared at our hearing were in agreement that the pill test was inadequate because it is not a test for flammability, it is a test for smoke emission, it does not measure smoke emission or the toxicity of burning gases. For these reasons the pill test cannot and should not be allowed to stand as the test of Federal protection under the Flammable Fabrics Act.

This point is very significant in view of the final adoption today by Secretary Stans of the pill test as the proposed standard for flammability of carpets and rugs. The release from the Secretary's office confirms the personal assurance that I have from the Secretary's letter to me that the adoption of the pill test is an interim or first generation procedure to be followed by the issuance of a second test specifically designed to measure the flammability of floor coverings.

Within this background and for this limited purpose, I support the Secretary's adoption of the pill test. Again, I underline that this pill test is only acceptable as an interim procedure to an acceptable test for flammability. How long it will take the Department of Commerce and industry to develop this appropriate test for flammability remains to be seen. Certainly, this is a legitimate subject for inquiry at the hearings to be conducted in the near future by my Subcommittee on Consumer Affairs which will be conducting oversite hearings on the Flammable Fabrics Act.

I ask unanimous consent to have printed in the RECORD the text of my letter to the Secretary of Commerce and his response to me.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FEBRUARY 16, 1970.

Hon. MAURICE H. STANS,
Secretary of Commerce
Washington, D.C.

DEAR MR. SECRETARY: I am enclosing a copy of my opening statement delivered as we began our hearings on questions arising out of the January 9, Ohio Nursing Home fire which to date has taken 32 lives. I have two vital questions:

1. Why hasn't the 1967 Flammable Fabrics Act been implemented?

2. When will the new standard for flammability of carpets and rugs be announced to replace the ineffective "pill test" and will the new test take into consideration smoke emission?

Significantly, it is nowhere indicated in your December 14, 1969 press release that the announced standard for flammability of carpets and rugs (pill test) is of an interim or first generation nature. On the contrary, your release bears the stamp of finality with the singular exception of the word "proposed". Certainly the carpet industry, independent laboratories and Dan River, specifically, viewed the Department's proffered pill test as *the* test for carpets and rugs.

What is most important at this time is that we have implementation of the Flammable Fabrics Act immediately and the replacement of the pill test with something like the ASTM-E84 tunnel test to measure the flammability and smoke emission of carpets and rugs. I would hope you could act on these objectives at once. The safety of all Americans in our homes and schools, and especially, those who suffer the compound burdens of ill health and advanced age deserve your immediate attention to reduce the risks of injury by fire. In view of the importance of this matter, I would appreciate hearing from you as soon as possible.

Best wishes.

Sincerely,

FRANK E. MOSS,
Chairman, Subcommittee for the Consumer.

THE SECRETARY OF COMMERCE,
Washington, D.C., April 7, 1970.

Hon. FRANK E. MOSS,
Chairman, Subcommittee on Long-Term Care, Senate Special Subcommittee on Aging, U.S. Senate, Washington, D.C.

DEAR SENATOR MOSS: This letter is in reply to your recent letter requesting information on the Flammable Fabrics Act.

In response to your first question as to why the Flammable Fabrics Act amendments have not been implemented, the following information is submitted. When I was appointed Secretary of Commerce, I immediately asked for a review of this program as I considered it to be one of the Department's most important responsibilities. This review disclosed that under the previous Administration there had been only minimal progress in implementation of the Act. During that Administration two findings of possible need for a flammability standard were made. In October 1968, there was a finding that there might be a need to revise or amend the general wearing apparel standard on flammability (CS 191-53). In December 1968, there was a finding that there might be a need for a flammability standard for carpets and rugs.

After examining the results of this review, I took the following actions:

1. The Department requested increased funds for fiscal years 1971 and 1972 for use in implementation of the Act;

2. The staff at the National Bureau of Standards working on this program was reorganized, bringing more qualified people into the program and increasing the number of personnel working on the program;

3. Action was initiated to increase the flow of data concerning deaths, injuries and economic losses resulting from the accidental burning of products, fabrics or related materials from the Department of Health, Education and Welfare that was envisoned by section 14(a) of the Act.

4. Research contracts were let by the National Bureau of Standards to supplement the research work being performed "in-house" on flammable fabrics.

5. The entire program of this Department has been reorganized to provide a systematic approach to the identification, evaluation, and testing of common problems of flammable fabrics. Examples of these problems are by-products of combustion, heat measurements from burning fabrics, investigation of the operation of flame retardants, and heat transfer from burning garments. Such research will provide for the first time methods and techniques to determine the flammability characteristics of fabrics and interior furnishings.

In addition to the reorganization of the flammable fabrics program, the Department has also proposed a carpet and rug standard and issued a finding of possible need for a flammability standard for certain items of children's wearing apparel. The more difficult area of wearing apparel in general will require extensive research to resolve the many problems presented before any meaningful revision can be made in that standard.

As to your second question regarding the proposed carpet and rug standard, the Department views this proposed standard and any standard that may issue from this proposal as a "first generation" standard for carpets and rugs. The purpose of the proposed standard is to guard against the hazard of a small ignition source such as a cigarette, ash, cinder or spark that might come in contact with a carpet or rug. The more complex problems of carpet and rug underlayment, smoke and toxic fumes from carpets and rugs, and carpets' and rugs' contribution to a general conflagration will be addressed as soon as either data or research provide us with the tools to adequately identify, assess, characterize and test the hazards in these areas.

We have been preparing facilities to make possible the development of test methods for carpets and rugs that simulate actual room conditions. We have developed the capability to measure both smoke intensity and the concentration of toxic gases in order to evaluate those hazards, and to establish appropriate test methods for future standards. It is our intention to proceed with the development of test methods and with such other research as will make possible a determination of the need for second generation standards.

You inquired specifically about the ASTM-E84 tunnel test for carpets and rugs. It is our view that this test, which exposes the product fixed to the ceiling of the tunnel to a high intensity flame source, is not representative of service conditions for carpets and rugs. Specifically we feel that a test method must, as nearly as practicable, simulate service conditions. This will be our aim as we continue the technical development of test methods and standards.

Please be assured of my continued interest in this vital program. We are doing everything possible within the limits of the Act and the existing personnel and budgetary limitations to accelerate the work in this program.

I hope that this information will be of assistance to you.

Sincerely,

MAURICE H. STANS,
Secretary of Commerce.

THE TRUTH OF THE REJECTIONS OF JUDGE HAYNSWORTH AND JUDGE CARSWELL

Mr. DOLE. Mr. President, although the President's critics are vehemently denying it, the truth of the rejections of both Judge Haynsworth and Judge Carswell is being recognized by astute observers throughout the Nation.

Recently an editorial published in the Indianapolis News pointed up the real issues, and the ambiguity and hypocrisy seen in the reasons alleged for their rejections. One cannot help wondering what excuses will be found with a non-southerner, but as the editorial asserts, "anti-Haynsworth and anti-Carswell Senators will be put to the acid test of whether they will indeed support a strict constructionist."

I ask unanimous consent that the editorial be printed in the RECORD and commend it to the attention of all Senators.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Indianapolis News, Apr. 14, 1970]

KEEP IT UP

Both President Nixon's rejected Supreme Court nominees—Judge Clement F. Haynsworth and Judge G. Harrold Carswell—were weighed and assertedly found wanting by the Senate according to standards which have never been applied in the past.

In the case of Haynsworth, critics said that even a mere "appearance of impropriety" disqualifies a man from service on the Supreme Court, even though at least one justice on the court at present is at least equally culpable.

In the case of Carswell, a veteran jurist with long judicial experience, critics said that "mediocrity" was the issue, even though during the Kennedy and Johnson administrations the Senate confirmed nominees who had no previous experience on the bench whatsoever.

Inasmuch as both Judge Haynsworth and Judge Carswell were relatively conservative in judicial philosophy, and the Kennedy and Johnson nominees were not, the suspicion dawns that this was the real reason for their rejection.

Carswell's critics denied this was the case, claiming the issue was not Carswell's judicial philosophy but his intellectual capacity. Some of them, in fact, acknowledged the President's right to appoint strict constructionists to the court.

The time is appropriate, therefore, for President Nixon to challenge his opposition on this point by naming to the court a true strict constructionist who, insofar as possible, is not susceptible to such manufactured allegations.

President Nixon has made a notable start in this direction by indicating that his next Supreme Court nominee will not come from the South. It is regrettable but true that regional divisions and animosities still influence our politics in irrational ways, and no doubt the Southern backgrounds of Haynsworth and Carswell contributed to their defeat.

On the next court nomination, the issue should be clearly drawn. If President Nixon names a non-Southern conservative of impeccable credentials, anti-Haynsworth, anti-Carswell senators will be put to the acid test of whether they will indeed support a strict constructionist. In light of their various denials and disavowals in intriguing spectacle—particularly with the fall elections just ahead.

THE OPENING OF THE SALT TALKS

Mr. RIBICOFF. Mr. President, the second phase of the crucial SALT talks are beginning this week in Vienna under a cloud. Much of the blame for the poor climate lies with the administration's contradictory statements.

Last week the Senate overwhelmingly passed an eminently sensible resolution calling for our Government to propose to the Soviet Union a freeze on the further development of both offensive and defensive nuclear strategic weapons systems. I fail to see what possible harm could have flowed from the implementation of this straight-forward proposal. At the very worst, we would have given tangible evidence of a genuine desire for a halt to the insane spiral of the nuclear arms race. At best, it would have been an impressive opening move which the Soviets would have been hard pressed to reject. Instead, the talks are beginning in the classic cold war atmosphere of mutual distrust, recrimination, and suspicion.

The public disclosure last month by our Secretary of the Air Force of plans to deploy MIRV-tipped Minuteman III missiles this June was termed a "slip" by the administration. It was more of a disaster. As could be expected, this indiscretion was matched by appropriate saber rattling by the other side. Therefore, I was not surprised to read authoritative reports that our delegation has been sent to Vienna with instructions to carefully probe the Soviet position rather than take any initiatives.

Mr. President, this is not the time for our country to be playing a waiting game. We have lived in the shadow of nuclear extermination too long—and we have had to pay a terrible price. The dry rot which is afflicting our institutions, our cities, and the very fabric of our society is directly linked to the allocation of our resources for weapons systems we really do not need. Failure of the SALT talks could well mean another decade of spending billions in the name of security—while we actually became more insecure here at home.

By playing our cards too close to the vest in Vienna, we will be raising the stakes to a point where neither side will risk a bid for peace. April 1970 is a propitious moment—there is now a rough strategic parity between ourselves and the Soviet Union. Even if there is doubt over each others' intentions, there is agreement as to capabilities. Once the Russians complete deployment of all of their SS-9's, and we deploy our MIRV's and expand the ABM system—we will be off to the races again.

With both sides striving for a margin of security, both must necessarily feel more insecure. This is what escalation is all about. What is needed now is a psychological breakthrough where purely military and strategic considerations yield to sober attempts to inject greater sanity into the discussions of what kind of future mankind will have.

By inseparably linking arms control to the achievement of a general detente with the Soviet Union, we are pursuing unreality. It is more likely that success in Vienna will help to bring about accommodation in Southeast Asia, Europe, and the Middle East, than vice versa.

Despite the poor beginning, there is still some chance of salvaging the SALT talks. But the administration must first make a fundamental commitment to deescalation of the arms race and let the other side know about it—both by word and deed.

Why must the United States and the Soviet Union continue to spar like two scorpions in a bottle? It is time that both nations sought a common way out of the narrow confines we have constructed for ourselves.

THERE IS STILL HUNGER IN CHICAGO

Mr. PERCY. Mr. President, on April 13, 1969, hunger was discovered in Chicago. For the first time, many people learned that 200,000 children, 150,000 senior citizens, and nearly 300,000 other adults were living in poverty, unable to afford food. For the first time, the city was confronted with a problem they refused to admit existed.

One of the people who forced Chicago to notice its hungry was Mrs. Linda Rockey, of the Sun Times. Through her series of articles entitled "Hunger in Chicago" she elucidated the numbers and problems of the hungry and malnourished in the city.

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On Monday, April 20, the Select Committee on Nutrition and Human Needs is going to Chicago to investigate further its hunger problem. Unfortunately, only a little progress has been made in finding solutions since Mrs. Rockey's articles first appeared. On Sunday, Linda Rockey summarized this progress in an article published in the Sun Times. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DESPITE PROGRESS, THERE'S STILL HUNGER IN CHICAGO

(By Linda Rockey)

One year ago this week, a Sun-Times series documented the presence of widespread hunger in Chicago.

But despite all the protests and promises, one fact remains painfully clear:

There is still hunger in Chicago.

It is too early to tell what the impact will be of the $500,000 emergency outlay ordered Wednesday by the City Council. But it is too late to help James White, 4442 W. Monroe, whose family went without food for several days last month.

White was working as an assembler for Hotpoint last fall when things started to go wrong. He didn't make a lot of money, but it was enough to support his young wife and two baby girls.

OFF WORK FOR A MONTH

Then, in September, on the way home from the grocery, he was shot in the back by a robber. He was out of work for a month without pay. His wife applied for public assistance, but was told she wasn't eligible. They borrowed money from relatives and friends and somehow managed until he went back to work.

But the medical bills and debts piled up, and White couldn't afford to miss more work when he suffered a relapse in February. There was more surgery and three weeks without pay. He ran out of money and people to borrow from.

His wife went to the Cook County Department of Public Aid. It took six visits and a call from The Sun-Times before she received money for food.

On the afternoon of her fifth visit, the family hadn't eaten since the night before when they borrowed beans, neckbones and cornbread from a neighbor.

"The caseworker gave me money for busfare and told me to come back the next day about food money," she recalls. "I asked her why I couldn't go to the office on 21st St. (where emergency food aid is available on evenings and weekends). She said that the program there was for people who'd been burned out. What's worse than being completely out of food?"

STORE 26 BLOCKS AWAY

The next day Mrs. White did get a food voucher for $13.25, good only at a supermarket 26 blocks from her home. She was promised another check in the mail in a few days but it didn't come for a week. In the meantime she ran out of food again. She also had to borrow from neighbors for items that food vouchers don't buy—soap, diapers and "things to keep my house in order."

At the western district office, supervisor Geraldine Harris gave no reason for the delay in aiding the White family. "It shouldn't have taken that long," she said.

A spokesman for the main office said that apparently there was a misunderstanding over where to process Mrs. White's request.

The incident is not an isolated one, but in a way the Whites were lucky—it was only a temporary crisis. Hunger remains an ongoing problem for the city's poor—the elderly, disabled, dependent children and families whose heads work at poverty wages.

ADMIT HUNGER EXISTS

City officials no longer deny that hunger exists as then Health Comr. Morgan J. O'Connell did last year in The Sun-Times series. But the extent remains impossible to measure accurately.

The Board of Health study O'Connell promised last spring "to determine if we have a problem" never took place.

The committee appointed April 30 by the Illinois Legislature to study the extent of hunger in the state had one meeting and failed to report back by June 2. The chairman, Rep. Robert S. Juckett (R-Park Ridge), turned down an invitation to attend a hearing this Sunday on hunger in the suburbs.

"The basic existence of hunger remains unchanged," says state Rep. Robert E. Mann (D-Chicago), sponsor of the 1969 free lunch bill. But he added: "The willingness of people in power to acknowledge its existence is an important step forward."

The past year has seen several developments in the war on hunger in Chicago, but none has attacked the problem on a broad scale.

Most significant has been the expansion of the free school lunch program. Under a $5,200,000 state act to supplement federal funds, 122,000 Chicago schoolchildren now receive free lunches. Only 13,000 were fed under the program a year ago.

However, the program still does not reach all the children who qualify (at least 200,000) and many principals are unhappy with it because their schools are unequipped to offer feeding programs. In nonpoverty area schools, needy children often go without free lunches because there is not a majority need for the program. Parents still complain that the portions served are too small and too starchy.

For the first time in Illinois history, the state budget includes a section on nutrition and asks $6,700,000 for expansion of the free lunch program and $1,000,000 for initiation of a free breakfast program.

There is no free breakfast program in Chicago, except for the small feeding stations run by Operation Breadbasket, the Black Panther Party and a few other organizations.

An amendment to the City Council hunger program would commit the city to providing free breakfasts to needy children by September whether or not federal aid is found.

Still unspent is the remaining money from a $325,000 Office of Economic Opportunity grant for Mayor Daley's 36-day emergency food program last May. Less than 10,000 families were provided temporary assistance for a total cost of $137,000.

Some 2,000 South Side mothers and infants under age 1 have received certificates good for milk, baby formula and cereal under a pilot program begun Feb. 2 and financed by the Agriculture Department. The city rejected as too costly a plan now operating in the suburbs by the Cook County Office of Economic Opportunity. Under the latter federal plan, some 14,000 mothers and children under 6 receive monthly packages of 15 nutritious food items.

Liberalization of food stamp benefits in March by the federal government has resulted in a 50 per cent increase in Cook County participation, according to Dennis Doyle, Midwest director of consumer food service for the Agriculture Department.

Mrs. Nezzie Willis, secretary of the Chicago Welfare Rights Organization, said the increase in food stamp benefits helped some families but should not be construed as a solution to the hunger problem.

"You can't separate hunger from housing and other problems of the poor. What's really needed to solve the hunger problem is to give people enough money to live on."

THE COST OF COLLEGE

Mr. HARRIS. Mr. President, a news article, entitled "A Family of Six Digs Deeper To Handle the Cost of College," published in the April 13 New York Times, illustrates quite well the need for additional Federal revenue to support higher education, especially for student loans and grants.

The article, written by Robert Reinhold, describes the hardships and sacrifices of Joseph Petta and his family in Tulsa, Okla., as he struggles to provide a college education for his four children.

The Pettas are typical of thousands of American parents who struggle each year in the face of rising college costs to finance higher educations for their children.

During the past 10 years, the costs for attending college have almost doubled. According to the news article, the average cost for fixed college fees is now $2,576 for private schools, and $1,196 for State-supported institutions. These figures exclude costs for travel, books, clothing, and other incidental expenses.

The Federal Government currently spends more than $5 billion per year to support higher education. This represents about 25 percent of the total expenditures of the Nation's colleges and universities. The 1971 higher education appropriations bill provides for approximately $496 million for student assistance—includes educational opportunity grants, work-study, and NDEA loans—with approximately 640,000 students benefiting. The average educational opportunity grant will increase from $630 in 1970 to $650 in fiscal 1971.

These increases are significant but still fall short of an adequate level of financial assistance for the students who will be recipients of the loans. Additional consideration should be given to expanding the number of students benefiting from the student assistance programs. Certainly, nothing is more vital to the future growth and development of our Nation than the investment we make in our children's education.

I ask unanimous consent that the New York Times article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A FAMILY OF SIX DIGS DEEPER TO HANDLE THE COST OF COLLEGE

(By Robert Reinhold)

TULSA, Okla., April 7—In the Depression days of the nineteen-thirties, Joseph Petta worked his way through college by teaching arts and crafts after school to earn his $400 tuition.

He is 58 years old now and is still working very hard to pay college tuition—this time for his four children. He will hand out nearly $6,000 in cash this year toward the education of the three children now in school. And he has three more years to go before the last will finish college.

"I'm not destitute. But on the other hand, education costing what it does, you've got to go out and scrounge," says Mr. Petta, a geologist for Texaco, Inc., in Tulsa. He earns between $15,000 and $20,000 and has taken out $5,500 in college loans. The bank recently refused a request for more money.

Like so many American families, the Pettas are stretching every resource they have to meet spiraling college costs. The price of a year on almost every campus has jumped by at least 50 per cent over the last 10 years, passing the $4,000 mark at the high-prestige Eastern schools. Harvard estimates that its students spend $4,300 a year, not including travel.

According to estimates by the United States Office of Education, the average cost for fixed fees (tuition, fees and room and board) is now up to $2,576 at private colleges and $1,196 at state-supported schools. This does not include incidentals such as travel, recreation, laundry, books and clothing.

And by 1978, if current trends persist, the figures will rise to $3,122 for the private schools and $1,323 for the public schools. With the sharp cuts in Federal and other sources of support expected this year, the financial aid officer at one major Eastern college says his school may soon have to abandon a long-standing policy and begin to give admissions preference to those who can afford to pay their own way.

All of this occurs amid growing demands for greater availability of education, particularly for the poor. Last month, the Carnegie Commission on Higher Education urged that "economic barriers to college and university be removed" by 1976—a goal that seems to become increasingly remote as reports of another college adding $200 or $300 to its tuition appear almost daily.

A COMFORTABLE LIFE

Even though the Pettas are certainly not poor, it has not been easy. They live comfortably, but not extravagantly, in a one-story house surrounded by oaks and rosebuds in the burgeoning southern section of Tulsa.

Their children are Marcia, 23, now a Peace Corps volunteer in Peru, who was graduated in geology from the University of Oklahoma last year; David, 21, a senior at Grinnell College in Iowa, a private school, and Kenneth and Philip, 19-year-old identical twins who are freshmen at two state schools—Oklahoma State University and the University of Oklahoma.

In a sense, much of the American dream is embodied in the Petta family. Mr. Petta's father was a barber who emigrated from Italy to Fort Worth, Tex. His wife's mother came west in a covered wagon and her father's parents were tenant farmers.

Like so many families who have risen to the comfortable middle classes from such humble origins, they place great value on education; there was never any question about sending all the children through college, and graduate school if necessary, no matter what the cost.

"We just have a family that believes in education and pursues it," said Mrs. Petta. "We could mortgage our home or I could go to work if we had to."

It hasn't quite come to that yet, but education has been the major item in the Petta budget for some time. There has been little left from Mr. Petta's salary for anything else apart from the necessities. About $170 a month goes for loan payments, insurance and taxes on the house, which they built in 1954.

"That's about it," said Mr. Petta, spreading out his accounts in the living room the other day. "If we have any big expenses we just could not manage. We do not belong to clubs or go to the theater. We buy nothing for the house."

The house is tastefully furnished with traditional-style furniture, none of which is very new. Perhaps the most expensive single item is a $1,200 stereo system. To cut corners—and find some room for four growing children—they finished the basement themselves, making it into a small suite for the twins.

They have two cars in the garage. But one is a secondhand 1963 Oldsmobile and the other is a 1961 Volkswagen, which Mr. Petta drives to work. "We won't be buying any more cars for a while," he says.

USED TO CUTTING CORNERS

The Pettas are used to cutting corners. But things really began to get tight in 1964 when Marcia entered college at Southern Methodist University in Dallas. She transferred to Oklahoma a year later.

Mr. Petta borrowed $2,500 in deferred student loans over three years for her education, which cost about $10,000. He has no savings to speak of, although he has been buying Texaco stock on an employe stock-option plan.

Then came David, who entered Grinnell in 1966. His yearly expenses, including travel and incidentals, have risen from $3,200 in 1966 to about $3,800 this year. The college helped out with a $700 scholarship (raised to $1,000 this year), but Mr. Petta headed back to the bank to help put together the rest.

Over a period of three years, he borrowed $3,000 more for David and cashed in $8,000 worth of Texaco stock. Most of this money will have been used up when David graduates this June—at a total cost of about $11,500. Altogether, the undergraduate educations of all four children will run about $36,000.

David, who plans to do graduate work in architecture, earns a little by grading papers at Grinnell. He does construction work in the summers, travels home just three times a year and has not bought clothing for two years.

NO MORE BANK LOANS

He has been accepted at a number of graduate schools, but where he goes depends on getting an assistantship to pay his own costs, which will run about $4,000 a year. "When I started college, I did not consider the cost," he said. "I wasn't aware of where the family stood."

The screws began to tighten this fall when the twins started college. Because they go to state schools, where the tuition is only $300 a year, their expenses will probably be about $1,500 each this year. But the bank would not lend any more money. So Mrs. Petta cashed in some real estate warrants she had inherited and that brought in $900.

The boys worked over the summer. Ken, who wants to be a veterinarian, earned $600 washing and trimming poodles at a pet shop. Phil, who is thinking of going into scientific research, was a kitchen hand at the Oklahoma University geological field camp. Ken said he had considered applying to Cornell but that it was too far away and too expensive.

Even when the twins finish college, the Pettas may not be through. The twins are likely to go on to graduate school and Marcia is thinking of returning to graduate school after the Peace Corps.

As Mr. Petta put it: "Kids seem to need more education than you or I did. Just a college education does not mean as much as it once did."

The warrants will get them through this summer, but he is not quite sure what to do next year for money. "I'll do some juggling somehow," he said. "This is getting to be old hat by now."

DISASTER RELIEF

Mr. DOLE. Mr. President, as ranking Republican on the Disaster Relief Subcommittee of the Committee on Public Works, I accompanied other members of the subcommittee on field hearings in Biloxi, Miss., and Roanoke, Va. Our purpose was to determine the effectiveness of Federal disaster relief programs. As a result of the hearings and because of the Nixon administration's experience with 29 major disasters last year, the Office of Emergency Preparedness, directed by George A. Lincoln, has instituted numerous changes in our Federal disaster efforts.

We found one of the basic requirements was for greater cooperation between Federal and State agencies. General Lincoln has recognized this need and is presently holding a meeting at the Western White House at San Clemente, Calif., for key members of the Governors' staffs from 14 Western States.

I ask unanimous consent that OEP news release describing the conference be printed in the RECORD.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

GOVERNORS' STAFFS TO ATTEND DISASTER MEETING AT WESTERN WHITE HOUSE

Key members of the Governors' staffs from 17 western states are attending the first Western White House meeting on state-federal cooperation in major disasters, slated for San Clemente, Calif., April 16 and 17.

The conference is sponsored by the President's Office of Emergency Preparedness (OEP), the White House agency in charge of the U.S. Government's response to major disasters. The 40 conferees are discussing state and federal preparations for floods, earthquakes, forest and grass fires.

Additional summary discussions concern cooperation in other catastrophes, such as pollution incidents involving hazardous materials.

OEP Director George A. Lincoln said the participants are determining the acceptable level of readiness and essential factors of local and state preparedness for disasters. In addition, he said, the conferees are focusing on methods to improve regional, state, and local capabilities to meet effectively the challenges posed by disasters—before they strike, during the crisis, and in the recovery period.

A Minister Plenipotentiary of the Italian Government's Foreign Office, Allessandro Savorgnan, also is attending the conference as an observer. The U.S. and Italy are collaborating in a disaster assistance study project under the aegis of the North Atlantic Treaty Organization's Committee on the Challenges of Modern Society.

The White House disaster chief describes the meeting as a shirt-sleeve, face-to-face working session for the participants who are top disaster response officials from the governors' offices and the three western OEP regional directors. Those men, Donald Eddy of the midwestern region, Ralph Burns of the far west, and Creath Tooley of OEP's northwestern region, are the President's field commanders for disasters in the Western United States.

Lincoln said that the profusion of disaster laws that have been passed by local, state, and federal governments requires close cooperation to ensure that every victim and every level of government is aware of the many aids available in time of crisis. In addition, he explained, careful planning is necessary to ensure that response plans mesh at every level.

He cited 1969 as a year of trial and test: a record 29 major disasters were declared by the President; new legislation was passed at every level of government; and new techniques of preparedness and response were developed. The lessons learned at all levels of government during the year are among the principal matters for discussion.

POW'S AND "APPEAL FOR INTERNATIONAL JUSTICE"

Mr. STENNIS. Mr. President, on May 1, at 8 p.m., a special and significant

XUM

event will be held at the DAR Constitution Hall in Washington. At that time, a special tribute will be paid to American prisoners of war and those missing in action in Southeast Asia. This program has the title of "Appeal for International Justice."

The distinguished Senator from Kansas (Mr. DOLE), a twice-wounded veteran of World War II, has been the driving force behind this program and behind the effort to focus public attention on the inhumanity and lack of concern of the Government of North Vietnam and the Vietcong toward American prisoners of war. The Senator from Kansas is entitled to a great deal of credit and commendation for his efforts in this very important field, and I want to take this occasion to pay tribute to him.

The May 1 "Appeal for International Justice" has several purposes. In the first place we want to demonstrate to the wives and other close relatives of the prisoners of war and those missing in action that Americans do care. Some of these relatives do not even know whether their loved ones are living or dead so inhumane has been the Hanoi government in its defiance of the Geneva Convention.

We also want to demonstrate to the North Vietnamese and the Vietcong that their conduct is resented and condemned by the American public and that this tragic problem which faces our Nation today is not being forgotten or overlooked. In this manner perhaps we can bring the pressure of world opinion by the 122 nations who signed the Geneva Convention upon North Vietnam and its blatant refusal to abide by the convention which it also signed.

We must keep faith with our fighting men who are the tragic victims of these unhappy circumstances. This Nation has a deep and inescapable obligation to these men, many of whom were drafted and sent all the way across the world, and then were captured while fighting for their country.

Mr. President, my heart goes out to the hundreds of wives of prisoners of war who, along with their children and families, are going through such a terrible ordeal because the Hanoi government refuses to abide by the normal rules of humanity and warfare insofar as American prisoners of war are concerned.

A cordial invitation is extended to all patriotic Americans to attend the "Appeal for International Justice" on May 1, at 8 p.m., at Constitution Hall. A full turnout and overflow will focus significant world attention on the prisoner-of-war and missing-in-action problem. I know that we all will be glad to cooperate in such a worthy and long overdue event. It is a particularly significant date since May 1 has also been designated as Law Day and Loyalty Day by resolutions of Congress.

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THE OPPORTUNITIES INDUSTRIALIZATION CENTER IN LOUISVILLE, KY.—AN OUTGROWTH OF THE PROGRESS MOVEMENT

Mr. COOK. Mr. President, I invite the attention of Senators to the fine work that is being done by the Opportunities Industrialization Center in Louisville, Ky. Within Metropolitan Louisville a positive self-help approach to the problems of the inner city developed in late 1968, known as the Progress Movement. The movement seeks to bring the black and white communities together in a concerted effort to improve the economic mobility of inner city residents.

Solving the problems of our cities is one of the greatest challenges ever to face this Nation. Louisville, Ky., shares the same multifaceted problems of other cities its size.

One facet of the problem is racial. The city saw its first black-white confrontation during 1960–61 at the height of the clamor for integration of downtown theaters and restaurants. In 1966–67 the city's open housing demonstrations polarized black and white citizens, and split the black community. The 1968 riot further intensified this polarization.

One of the problems, therefore, is how to bring the black and white communities together in common solutions and concern for each other. Another is how to unify the black community. Self-help programs seem to work best. Programs that are superimposed upon people simply do not work. People benefit the most from programs that they themselves help to develop and carry out. Problem-area residents need to feel involved in and need to believe in their self-help programs. Local, State, and Federal Governments should recognize this, and place more confidence in the inner city's ability to solve its own problems, given some economic backing and guidance.

Another facet of the cities' problems is economic. Economic barriers prohibit integration into the mainstream of life. People need skills and capital in order to break through the economic barriers that surround them in the ghetto.

Another facet is educational. It is possible to end discrimination altogether in housing, in employment opportunities, and in public school systems and still not reach the problem of the ghetto. The black man cannot take advantage of the situation without skills and preparation.

The Progress Movement developed within Metropolitan Louisville in response to these problems. The movement consists of the Opportunities Industrialization Center, Progress Enterprises, Inc., and the Metropolitan Foundation of Louisville.

The function of Opportunities Industrialization Center is training.

Progress Enterprises, Inc., is a profit-sharing corporation of which members of the minority group can become part owners. The assets of the corporation help new businesses get started and create new jobs. Louisvillians feel this is an important part of the Progress Movement, for it provides the inner city resident with a sense of involvement in the program and a sense of identity within the larger black and white community.

The function of the metropolitan foundation is planning and coordination. It is a nonprofit corporation financed in part by minority contributions, in part by grants from State, local, and Federal governments, and also by grants from within the community.

Louisville has many agencies operating in the areas of manpower, economic development, social services, et cetera and all claim to possess expertise in their respective fields, yet very little effort had been made to launch a joint venture by minority oriented agencies, until the Progress Movement.

Although Louisville still has not mustered the full resources of its potential, the people of Louisville hope that the Progress Movement will help unify the black community to solve their own problems, bring the blacks and whites together in a common concern, and help the inner city dwellers toward economic independence and security.

DEVELOPMENTS IN CAMBODIA

Mr. FULBRIGHT. Mr. President, according to an Associated Press report published in the April 9 Evening Star and the April 10 Washington Post, and a story by Richard Halloran in the April 10 New York Times, American military advisers have been authorized to cross the border between South Vietnam and Cambodia for "protocol" meetings with Cambodian officers. As reported in the New York Times, a Defense Department spokesman said, however, that American personnel have not been authorized to discuss plans with the Cambodians or with South Vietnamese operating in Cambodia, or to accompany the South Vietnamese units to which they are attached into Cambodia. But the account went on to state that:

> Officials here said they were unable to explain, however, why "protocol" visits had been allowed or how such meetings could be separated from military discussions. The officials said they saw no political or diplomatic implications in the border crossings.
>
> The policy of the United States of respecting Cambodian neutrality, sovereignty and territorial integrity has not been changed, the officials said.

This is an ominous development; the possible beginning of an inching process that may soon see American soldiers fighting and dying on Cambodian soil. The death of 49,000 Americans in Vietnam began with U.S. advisers who were supposedly prohibited from accompanying Vietnamese units on combat operations.

On April 2, Secretary Rogers assured the Committee on Foreign Relations that the United States would maintain a position of strict neutrality toward Cambodia and do everything possible to prevent widening of the war.

I do not question the sincerity of Secretary Rogers' assurances that the administration wishes to avoid any step that might widen the conflict in Southeast Asia. But the danger is not that massive U.S. military units will be unthe command and control mechanism across the border. The real danger is that the command and control mechanism between Washington and the field will again break down and that the United States will, against the will of its leaders, find itself sucked inch by inch into another quagmire. All too often there have been vast differences between policy as explained in Washington and as implemented in the field.

Does anyone seriously think that the enemy forces in Cambodia care whether the American soldiers they find in their gunsights are there for "protocol," as advisers to Vietnamese units, or as U.S. combat troops? Or that the enemy—or the Cambodian Government—thinks the United States is taking a hands-off, neutral attitude, as Secretary Rogers states is the case, when Americans furnish the arms, ammunition, transport, advice—and general wherewithal—for mounting Vietnamese military operations in Cambodia?

We cannot wage war by proxy in Cambodia without becoming directly involved anymore than it was possible to do so in Laos. The simple fact is that when the South Vietnamese become involved in Cambodia, the United States becomes involved, regardless of the good intentions of Washington policymakers.

Next week the President will speak to the American people again about Vietnam. I hope he will use that opportunity to assure the public that the United States will refrain from any action that might widen the war or involve the United States in Cambodia's difficult problems. And I hope that such an assurance will be accompanied by strict orders to the field that under no circumstances will U.S. personnel cross into Cambodia—even for "protocol" purposes—and that every effort will be made to restrain the South Vietnamese from any action that could endanger a U.S. stance of true neutrality.

Americans would breathe easier if they were convinced that steps were being taken to prevent another inching process like the one which led our Nation into the tragedy of Vietnam. We are now at one of those significant crossroads in decisionmaking. I hope that the administration will not choose a road that will lead toward a larger war.

I ask unanimous consent that the article and an editorial from the New York Times and the article from the Washington Evening Star be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

Advisers in Vietnam Can Make "Protocol" Visits Into Cambodia

(By Richard Halloran)

WASHINGTON, April 9—A spokesman for the Defense Department, in response to inquiries about an American officer seen in Cambodia, said today that military advisers in South Vietnam have been authorized to cross the border into Cambodia for "protocol" meetings.

Press reports from the border area said that the officer had been seen 200 yards west of the frontier. When correspondents and photographers saw him returning to South Vietnam in a jeep, the officer turned around and went back into Cambodia.

The department spokesman said that the military advisers had not been authorized to enter into planning discussions with the Cambodians or with the South Vietnamese operating in Cambodia.

The spokesman also said American officers were not authorized to accompany South Vietnamese units to which they were attached into Cambodia for combat operations.

The spokesman noted that the American headquarters in Saigon had given advisers permission to cross the border. An official in Saigon, the spokesman said, had stated that the permission was granted to "exchange pleasantries and protocol greetings and not to carry on any substantive discussions or to make any plans or commitments."

NO MILITARY CONNOTATION

"Such meetings are not planned nor are they solicited," the Saigon statement said. "There is to be no military connotation to the meetings."

Officials here said they were unable to explain, however, why "protocol" visits had been allowed or how such meetings could be separated from military discussions. The officials said they saw no political or diplomatic implications in the border crossings.

The policy of the United States of respecting Cambodian neutrality, sovereignty and territorial integrity has not been changed, the officials said.

This statement has been repeated here almost daily since the overthrow of Prince Norodom Sihanouk by the anti-Communist Premier, Lon Nol, on March 18.

A similar situation existed in 1965, before American advisers went into combat with the South Vietnamese who were fighting the Vietcong. Officials said repeatedly then that there had been no change in the policy of not authorizing American advisers to take part in combat.

When the war intensified and American advisers were involved in the fighting, officials here said the advisers had always had the right to protect themselves. Along the Cambodian border today, American forces have the right of "protective reaction" to defend themselves against fire from across the Cambodian border.

The White House press secretary, Ronald L. Ziegler, said on March 28 that American troops could also cross into Cambodia in response to enemy attacks if American field commanders deemed it necessary. Mr. Ziegler was questioned by reporters the day after a South Vietnamese battalion supported by American helicopter gunships undertook a raid into Cambodia.

Vietnamizing in Cambodia

Reports from Saigon indicate that substantial numbers of South Vietnamese troops have been fighting alongside Cambodian forces against North Vietnamese and Vietcong units in Cambodia.

Although there is no evidence that American troops are directly involved, the participation of American trained, equipped and advised South Vietnamese troops in the Cambodian conflict raises serious questions about Washington's determination to stay clear of this new extension of the Southeast Asian war especially since it is now admitted that American officers have crossed the border "to exchange pleasantries."

The Saigon Government and some American military men in Vietnam have long wanted to attack the Communist sanctuaries across the border—which is perfectly understandable from an immediate military viewpoint but highly dangerous in the political context. If Americans or South Vietnamese are permitted to pursue this objective, they could help precipitate and become entangled in a wider struggle for all of Cambodia. The South Vietnamese are particularly dubious partners in such a risky venture, not only because of Saigon's military unreliability but because Vietnamese of any stripe are anathema to most Cambodians.

If President Nixon means what he has repeatedly promised about withdrawing from Southeast Asia, he will keep American military planners and the troops of Saigon out of Cambodia. Vietnamization cannot possibly proceed in Vietnam if President Thieu is permitted to Vietnamize the Cambodian conflict.

U.S. Advisers Reported in Cambodia

(By Carl Robinson)

ROUTE 1, CAMBODIAN-SOUTH VIETNAMESE BORDER.—South Vietnamese troops have moved into Cambodia, apparently with their American advisers, to reinforce the Cambodian frontier garrison on Route I against the North Vietnamese and Viet Cong.

Visual evidence today indicated that American advisers were taking part in the first known instance of South Vietnamese military forces establishing themselves on Cambodian soil since the overthrow of Prince Norodom Sihanouk on March 18 created a more favorable climate in Phnom Penh for such operations.

Two uniformed Americans were seen at this key crossing point on the highway between Saigon and Phnom Penh. One was an Army officer on the Cambodian side of the border.

In Saigon, a U.S. spokesman said the American command and the embassy had given Americans permission to cross into Cambodia "to exchange pleasantries and protocol greetings" but prohibits them from taking part in "substantive discussions."

This would prohibit the Americans from helping to make or coordinate tactical plans on their own or for the South Vietnamese.

South Vietnamese forces are in Cambodia at the request of Cambodian officials, Vietnamese border police told newsmen.

The barbed wire barricades and claymore mines at the border that long blocked Route 1 to vehicles have been removed. South Vietnamese army trucks and jeeps moved freely back and forth with troops and equipment.

(The U.S. Command in Saigon said yesterday that no U.S. helicopters had crossed the border into Cambodia. Field reports had said U.S. copters ferried paratroops into Cambodia.)

Vietnamese soldiers could be seen clearly, building defensive bunkers around the Cambodian border station compound 200 yards to the west. A Cambodian flag flew above their heads.

The U.S. Army officer climbed into a jeep at the Cambodian compound. As a Cambodian officer drove him across the border into Vietnam, the American suddenly realized newsmen's cameras were aimed at him, and he tried to hide behind the jeep seat.

The jeep spun around and went back into Cambodia. It returned a few minutes later, this time with the South Vietnamese commander of the local militia unit.

This officer, who had been friendly to an Associated Press reporter and his photographer on previous visits to the border, turned away handshakes and ordered the newsmen out of the Vietnamese border compound, adding an epithet for emphasis.

The other American, wearing a khaki uniform without insignia, was inside the Vietnamese compound just east of the border. A jeep parked outside carried the "T" license plate used by American intelligence agents in Vietnam. He avoided the newsmen.

The border stations have not come under attack recently, but severe fighting has occurred on both sides of the frontier this week, four to five miles to the north in Vietnam and as close as six to ten miles in Cambodia. Viet Cong troops today were reported continuing a slow but steady advance along Route 1 after occupying the town of Chipou, 10 miles west of the border.

A Vietnamese police officer told the newsmen: "If you had been here yesterday, you would have seen air strikes two and three kilometers away, over there," He pointed down the road into Cambodia.

"If you had come here yesterday," he continued, "The border would have still been closed. You would not have seen all of this."

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COURAGE OF WIVES OF PRISONERS OF WAR

Mr. MURPHY. Mr. President, Each day we grow increasingly more proud of our men in Vietnam as we read new accounts of their valor and patriotism, but rarely is our attention called to the less dramatic but equally inspiring courage exhibited by many of their families. Therefore, I recommend that all Americans read and contemplate an article published in yesterday's Washington Post about two Navy wives—Mrs. Sue Shuman, wife of Cmdr. Edwin A. Shuman, and Mrs. Martha Doss, wife of Lt. Cmdr. Dale Doss—who have said they will refuse to accept any more letters from their prisoner-of-war husbands if they are channeled through antiwar groups.

The newspaper article speaks for itself. I can only add that I know that if Commander Shuman and Lieutenant Commander Doss could know of their wive's brave action, they would be enormously proud of them, as we are, too. I would like to assure Mrs. Shuman and Mrs. Doss that we who have been working in behalf of our prisoners of war will continue our efforts until these men are returned safely to their families and friends.

I ask unanimous consent that the Post article be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TWO TO REJECT PEACE GROUP POW LETTERS

Two Navy wives said yesterday they would refuse to accept any more letters from their prisoner-of-war husbands if they are channeled through antiwar groups.

Sue Shuman, wife of Cmdr. Edwin A. Shuman, and Martha Doss, wife of Lt. Cmdr. Dale Doss, both of Virginia Beach, Va., said they will return unopened any letters from the Women's Strike for Peace or other such groups.

Mrs. Shuman said her husband's letter to his family "are our greatest treasures, but the price we are paying for them in human dignity in having to be associated with your group is too high," she said in a letter to Cora Weiss, whom she identified as a member of the peace group.

The men have been war prisoners for two years, their wives said.

Mrs. Shuman's letter said neither she nor her children "want any contact with your committee or any mail sent from your communities." She released the letter at a news conference.

She said she was invited to meet Mrs. Weiss last January at a meeting here when she was given a letter from her husband.

Mrs. Doss said she, too, will refuse any mail from her husband through Mrs. Weiss "because it comes through a group of dissidents that are undermining everything my husband stands for."

ALF M. LANDON

Mr. DOLE. Mr. President, the April issue of American Heritage contains an interview with a prominent Kansan who is a stanch Republican and a great figure in American politics. Alf M. Landon, who was the GOP candidate for President against Franklin Roosevelt in 1936, remains an active, interesting, and thoroughly beloved citizen of his home State. I had the pleasure of visiting with Governor Landon in January and can attest to his continuing concern for and close contact with events in Kansas and throughout the world.

The article, written by Israel Shenker, gives ample illustration of the qualities of character and personality which endear Alf Landon to Kansans, Republicans, and all other Americans.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BEFORE THE COLORS FADE: THE SAGE OF TOPEKA

(By Israel Shenker)

Landslide is not a word formed from Landon, the last name of the man who in 1936 was the Republican nominee for President of the United States. But it might just as well have been.

In the election of November 3, 1936, Alfred Mossman Landon got 16,681,913 votes—compared with 27,751,612 for winner Franklin D. Roosevelt. While Roosevelt swept 523 electoral votes, Landon won only eight—those of Maine and Vermont. Small wonder that Maine and Vermont were thenceforth looked on as states and cases apart—and that Landon became a synonym for landslide.

"The nation has spoken," Landon wired his victorious opponent. "Every American will accept the verdict and work for the common cause of the good of our country. That is the spirit of democracy. You have my sincere congratulations."

Today Landon tends his forty acres in Topeka and owns three Kansas radio stations: WREN in Topeka, KEDD in Dodge City, and KSCB in Liberal. He is still in the oil business, describing himself as "the smallest kind of operator." He has oil wells in eastern Kansas (he also has gas wells in the western part of the state); some are forty years old and average about a barrel or two a day. "In these little wells," he says, "the margin of profit is very small. Any change in taxes will probably mean the abandonment of some of the wells."

Landon and his wife, Theo, live alone in a vast white mansion that would serve a President nicely, and the passion of his life is what it has been these many years: politics. He celebrated his eighty-second birthday last September, but he still visibly delights in recalling the great days of his greatest national prominence.

If I had 1936 to do over again [he began] I shouldn't have been so conscious of the necessity to keep my record tied to the record of the Republican Party in the Congress. I shouldn't have leaned over backward to mention Republican harmony in every speech.

And when Roosevelt said it was the little acts that kept us out of war, I'd have pointed out that the breakdown of the London Economic Conference—which took place at the beginning of his administration—was one of the little acts that would get us into war.

I would have developed more arguments on foreign policy. I would have questioned more definitely and thoroughly than I did—more aggressively—his administration in handling the so-called welfare state.

It might have affected more electoral votes, but I don't think it would have been enough to elect me President. As soon as I was nominated for the Presidency, I sent for two bankers and asked what economic conditions would be from then until the election. They said each month would be better than the last.

Americans have a rough rule of thumb by which they judge the President—by how good or bad times are. So I knew right then I couldn't win.

I'm not making any excuses. I'm just saying that was the situation at the time.

HE RECALLED THE PRECONVENTION MANEUVERING

I accepted an invitation to speak at the annual dinner of the Ohio State Chamber of Commerce in 1935. At breakfast the Ohio national committeemen told me it was all set up for Bob Taft to enter the convention as favorite son and would not take kindly to anyone who came in and tried to upset that.

So I told them they were going to be upset.

"You mean you're going to enter?" he asked, and I said No, but Borah's [Senator William E. Borah, Idaho Republican] certainly going to enter.

Then Borah did enter Ohio. Frank Knox [a Chicago newspaper publisher who was to become Landon's running mate] called me the next morning and said, "I'm leaving in an hour for Boston. If you don't enter Ohio, I will. I want you to call me in Boston and let me know."

I said, "All right." I didn't call.

He called Roy Roberts of the Kansas City *Star*, and wanted to know what I'd do. Roy said, "He's a stubborn Scotsman and insists he won't enter any favorite-son contests."

A political reporter for the Wolfe papers said Mr. Wolfe would underwrite my campaign, and I said that's one reason I'm not going to enter Ohio or any other state. I'm not going to be under obligations to any man.

There were two reasons I didn't contest any favorite-son elections. One was money. We limited contributions to twenty-five hundred dollars. Roy Roberts said he'd never seen so much money shaken under the nose of a candidate—and refused. The second reason was that I thought the election was a tough enough fight, and I wanted to preserve party harmony.

LANDON DISCUSSED THE PRESIDENCY OF HERBERT HOOVER, AND HOOVER'S ROLE IN LANDON'S OWN ELECTION CAMPAIGN

Mr. Hoover served a very useful life as an ex-President. The only thing he couldn't get over was his feeling that he should be nominated again, and that his administration should be defended.

Before Hoover became President, several reporters used to call on him regularly. He was Secretary of Commerce then, and there was no one from whom they could get such a clear description of problems and policies. When he became President, however, he just froze up. It's like the common case of junior executives who can outline a policy for their company that's perfect, but when they become chief executive they can't carry out the policy they advocated. That was Mr. Hoover.

To give him his due, I think it must be said that he saw 1930 coming. But he never did anything about it—or if he did it was too little and too late. When the banking crisis came in Detroit, Hoover threw in forty or sixty million dollars. If he'd thrown in forty million three weeks earlier, or if he'd thrown in one hundred million when he threw in forty or sixty, it would have done some good. I'm not objecting to what he did—but to what he didn't.

Hoover came here to see me for lunch one day during my campaign. He was sore because I wouldn't make a defense of his administration. When the newspapermen heard Hoover was here, they wanted him to come out to a dinner they had previously arranged and spend some time with them. Hoover agreed. That night Roosevelt was speaking at Pittsburgh. Most of the reporters were for Roosevelt, though most of them were my friends.

We were listening to Roosevelt's speech on the radio, and every time Roosevelt said "Hoover," the crowd booed. I was afraid to look at Hoover. Somebody told me afterward his face was frozen. Finally I said, "Mr. Hoover, I expect you'd better leave for the train." Of course we were way ahead of time.

LANDON WOULD LIKE THE RECORD TO SHOW THAT HE WAS NOT AN ISOLATIONIST, EITHER IN THE CAMPAIGN ITSELF OR AFTERWARD

You'll find a page in my Indianapolis foreign policy speech in October '36 in which I said that the Neutrality Acts were the way to war. They'd make the aggressor think that the American people would not fight no matter what happens. And that was not true. Who was it who had signed the Neutrality Act? Mr. Roosevelt.

So then President Roosevelt called a special session of Congress to repeal the Neutrality Act. He started to use our destroyers. He expanded the Lend Lease Act far beyond the intent of the Congress. All this fuss over Johnson and the expansion of the Gulf of Tonkin Resolution—that was nothing compared with what Roosevelt did.

As I said in November '36, there wasn't anyone more isolationist in the country than Franklin Roosevelt. When he finally decided to ask Congress to repeal the Neutrality Act, he wanted me to back the move. I'd had a talk with Cordell Hull, and I called his attention to my Indianapolis speech. I said all the President can expect when he changes his position is silence from the opposition.

Roosevelt wasn't showing any leadership. I'd have supported him if he'd taken the leadership. But he wanted me to take the leadership and advocate repeal of the Neutrality Act. You don't mobilize support by saying, "Go over the top, boys!" You say, "Come on, boys, follow me!"

I can show you a speech I made in Chicago—in '39, I guess—in which I said it was to our interest, to America's interest, to challenge Hitler and Mussolini. Did Roosevelt support that? No. If he was waiting for support, there it was.

THE RECORD ESTABLISHED BY HIS OPPONENT IN THE YEARS AFTER 1936 DID NOT ENDEAR THE PRESIDENT TO MR. LANDON

Roosevelt had plenty of time—he didn't need to sneak into a European war. I'd urged him repeatedly to go to the American people with his policy. I said in speeches that no one could be sure of what his policy was. Do we have to have a President sneak us into war?

When Frank Knox was offered a position in Roosevelt's cabinet [as Secretary of the Navy], Knox said he'd be in the position of a traitor if he didn't get me to be in the cabinet as well. But I was firm against the idea of going into the cabinet, since I wanted to preserve the validity of the two-party system. My own point of view was that we could have national unity in a much simpler and more acceptable way than by having me in the cabinet: all the President had to do was to take himself out of the third-term race.

The President deliberately put on an act when Frank Knox brought up the third term. He said, "Frank, I couldn't run again." And he held out his shaking hands to show the condition he was in.

If they hadn't passed that Constitutional amendment, I'd have been opposed to Eisenhower having a third term. Two things have been pretty plain in history. When you cut off circulation from the bottom to the top and assure the continuity of one person in office, you lay the foundations for the destruction of the republic.

In the declining years of the leader he always is weakened physically and mentally. One of the greatest crimes perpetrated in the country was Roosevelt campaigning in 1944 as a healthy man. He wasn't healthy was he? Look at Yalta.

Truman himself said that President Roosevelt had become his own Secretary of State. You know, when a Secretary of State has had a formal conversation, he dictates a memo for the file. Roosevelt had all kinds of conversations with Stalin and Churchill and others, and all Truman could find were scraps of paper.

I said this country was in danger of becoming fascist if it re-elected Roosevelt in '36. Fascism, of course, was too strong a word. You didn't have the interment camps, the terrible brutality of fascism or communism. But the personal form of government that Roosevelt aimed at comes closer to being fascist than anything I can think of.

I don't question personal ambitions unless they infringe—as I think Roosevelt's did—on the principle of maintaining democratic processes. I wasn't vindictive about his victory. I knew he was going to win from right early, so there wasn't any disillusionment either.

"I never did lose my interest in foreign affairs," he says. When Harry S. Truman went to the support of the South Koreans in 1950, Landon in a speech at Colgate University supported the President. "At Colgate I said that Truman had probably acted unconstitutionally, but he wasn't the first President to do so. Theodore Roosevelt had acted unconstitutionally in Panama." In the fall of 1961, at the National Press Club, he spoke out in support of the European Common Market. The White House, which had advance notice of his speech, was delighted, he recalls. "I spoke on December 8, and President Kennedy on the sixth in New York, before the National Association of Manufacturers' national convention. If you care to go to the trouble, you'll find a great deal of similarity between my speech—a copy of which reached New York a couple of days before the President spoke—and the President's speech." And he has been urging the admission of Red China to the U.N. since 1948.

In addition to his interest in foreign affairs, Landon has also remained a keen observer of the political scene, and he talks freely—and independently—about the men, Democrats as well as Republicans, who have held the office he vainly sought in 1936.

Truman made a damn sight better President than I expected, just as Nixon is making a better President than I expected. There was no hint in Truman's record to match Roosevelt's, and I didn't see anything in Johnson's record that fitted Kennedy's—certainly not enough to be named Vice President on the ticket with Kennedy. In both cases it was a marriage of convenience.

Early in Truman's administration I said he'd probably go down in history as a great President. He didn't pull any punches. He laid things on the table family style. He didn't wait for anyone to break the ice for him.

I don't think Truman used federal projects the way Johnson did to get senators' support—highways, dams, post offices. Johnson got his measures through by trading for them. Truman got his through by fighting for them.

I felt sorry for Dewey when Truman beat him. I sure thought Dewey was going to win in '48. I don't know anybody who didn't. And I had a lot of respect for Dewey, but it was his own fault—losing that '48 election. He didn't do anything to win it.

Dewey never had a sense of humor, and neither did Hoover. I remember telling Dewey, "Tom, it's better to lose big. If you get only Maine and Vermont you don't wake up in the middle of the night and think if you did this or did that, things would have been different." Dewey never cracked a smile.

MR. LANDON QUICKLY TURNED HIS ATTENTION TO THE REPUBLICAN WHO RETURNED HIS PARTY TO THE WHITE HOUSE IN THE ELECTION OF 1952

I wasn't for Eisenhower because I didn't think a general has the training to be a President. He's been trained in just one thing: how much that hill over there's worth in terms of casualties to take or defend. After eight years of Eisenhower I saw no reason to change that view. Some people might say he was a do-nothing President, and I wouldn't argue with them.

After '64, Ray Bliss, who was a chairman of the Republican Party, organized a meeting of Eisenhower, Dewey, and myself, plus the Republican leaders of the House and Senate. I didn't go, because I considered it an exercise in futility. But I sent a proposal on conflict of interest, a proposal that covers gifts to an ex-President as well as one in power, like valuable blooded cattle, like having his buildings remodelled free by firms that do business with the government, like accepting expensive equipment for his farm. My proposal even covered the case of people whose brothers are President, and senators and congressmen who continue in law firms representing big corporations.

I didn't have a choice in November '64. I voted for Goldwater with about as much enthusiasm as Jim Farley voting for Roosevelt for a third term.

When Johnson won, he tried to accomplish too much at one time. His social program, welfare state, Great Society—he tried to do it so fast that he didn't have the experienced men qualified to handle the new bureaus, and it got into the hands of politicians and graft.

And then came Vietnam. I said in '64, get in or get out. In October '64 Johnson was going to keep us out, and then, in February '65, came as complete a reversal as I've ever known a President to make.

I wasn't for Nixon's nomination in '60, but there was nothing I could do about it. As to Agnew, when '68 came, he was from Maryland and hadn't finished his second term. I didn't see anything in his record that really answered the question whether he would be qualified if called on to be President, and I didn't think it was a very good choice. I didn't think it strengthened the ticket.

I had a little feeling of sympathy and understanding for Humphrey. He was in something of the situation I was in in '36, when the Republicans were more interested in fighting Republicans than Democrats. Humphrey was tied so closely to the Johnson administration's policy on Vietnam that he couldn't fight it.

Once Nixon became President and announced his partial troop withdrawals, I thought it was a much more reasonable approach than [Clark] Clifford's—which didn't leave the Saigon government much time to adjust to it. How efficient the South Vietnamese army will be when we leave, only time will tell. I think maybe we ought to wait and give Nixon a little more time.

There is a legitimate argument that it makes a very basic difference what we do in Vietnam, and that all of Asia is concerned about what China would do if we pulled out.

I'll admit it's confusing. How can you expect a poor country boy to make a decision down here on the farm?

As far as the big picture's concerned, the Vietnam war is the number one issue, and all wars make emotional issues. But the basic issue is the continued debasement of our dollar. What have we accomplished except the loss of lives if we end the war and continue the debasement of our dollar?

EVENTS AT CHAPPAQUIDDICK HAVE PERSUADED LANDON THAT PRESIDENT NIXON IS LIKELY TO HAVE A CONSIDERABLE PERIOD IN OFFICE TO WORK HIS WILL

He's going to name practically all the Supreme Court and all the members of the regulatory agencies. So far he's appointing right-wing people and backing liberal policies.

I can remember old Civil War men who voted as they shot. It was Republican in the North, and Democratic in the South. Nixon's

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policy is not that sort—but his way is not unknown or new. If you ask me if his policy is wrong, I'd say it isn't an unknown policy, and we've survived the trading off of liberal policies against right-wing men.

Maybe today, with the growth of government in our social, economic, and political life, I'd have to say that the matter of appointments is more important than the matter of policies. In that gray area that exists in all regulatory areas—as well as in courts—the philosophy of the men becomes very important, more important than the policies.

I'm not saying Nixon's got it in the bag. Too many momentous events lie ahead. But he has the favorable position of the disorganized condition of a Democratic party that hasn't yet recovered from the convention.

I don't think we've got any new Nixon particularly. I think his campaign of '68 followed his campaign of '60. It's the times that changed. Nixon won it by keeping still—while college riots built up, and disorder, and chaos. He got by with the most general statements.

He developed into quite a politician. That's what the Democrats couldn't forgive. Look at the way he milked that [first] moon flight. He didn't have anything to do with the flight, but there he was getting the publicity.

KEEPING CURRENT IS WHAT KEEPS LANDON FROM FEELING HIS AGE

When you start worrying about your future, political or otherwise, you start growing old. I don't have time to think about the future, and it's never worried me. I figure on living like George Bernard Shaw, who said at ninety: "Oh, to be young again at seventy." I want to see what's going to happen. The whole world is at a turning point—the whole world is in chaos wherever you look: east, south, north, and west. But I don't think I'd be here if I'd won that election in 1936. The tensions and pressures would have been too much.

I've had the experience—thanks to losing—that comes to few men: of continuing to live my life afterward and be of public service in what some people, at least, call an objective mood, in a discussion of our public values and principles. In '36 some people said I was too objective to be a good candidate.

HE DOES NOT REGRET HIS DECISION TO RETURN TO KANSAS AFTER HIS DEFEAT

When I was defeated, Mrs. Landon said she'd be willing to do whatever I wanted to do, and there was talk of my running for the Senate. But what kind of education would our two young ones have had, dragging back and forth between Kansas and Washington? So we decided to stay here, and bought a hundred and sixty acres and built a house. We sold off enough land to pay for house and pay for the ground, and leave us a nice little profit and forty acres.

We preferred the comparatively simple but more intelligent life of Kansas to Washington. There are some intelligent people in Washington. More of 'em in Kansas.

COLORADO ATHLETES HAYWOOD AND STEINMARK

Mr. ALLOTT. Mr. President, yesterday there were two happy developments regarding two athletes whose achievements are a source of pride to the people of Colorado.

Last night, Spencer Haywood, the dazzling rookie forward of the Denver Rockets of the American Basketball Association, scored 59 points against the Los Angeles Stars. This was the final game of the regular season for the Rockets.

This surpassed the previous ABA single game scoring mark. It also brings Spencer Haywood's season total to 2,519 points. Wilt Chamberlain is the only other professional basketball player who has scored over 2,500 points in his first year of competition.

The Denver Rockets finished the season with a 51 to 33 record, easily winning the championship of the AMA Western Division. Further, the Rockets were a success in the box office, as well as on the court. Much of the credit for all of the Rockets' successes goes to Mr. Haywood, who came to the Rockets fresh from leading the U.S. basketball team to a gold medal in the 1968 Olympics at Mexico City.

The people of Colorado are pleased to have Mr. Haywood among them and wish him every success for many more seasons.

Mr. President, yesterday there was another chapter in another—but different kind of—success story involving a fine athlete.

Yesterday it was announced that Fred Steinmark, of Wheatridge, Colo., will help to coach the University of Texas freshman team next fall.

It will be remembered that Fred Steinmark was the fine defensive back for the Texas Longhorns who contributed so much to the Longhorns becoming the No. 1 collegiate team in the Nation. Senators may recall that Fred Steinmark played especially well in the crucial showdown game with the fine University of Arkansas team, the game that assured No. 1 ranking for the Texas team.

It was after this game that cancer was discovered in Steinmark's left leg. The leg was amputated at the hip. Steinmark was down, but not out. He was on the sidelines cheering when his teammates beat Notre Dame in the Cotton Bowl on New Year's Day.

Earlier this week President Nixon joined the American Cancer Society in saluting Steinmark for his courage in the face of adversity. This was a well deserved tribute to a fine athlete, a fine man, and an example to the young people of Colorado and of the Nation.

TRANSPORTATION NEEDS OF THE HANDICAPPED

Mr. DOLE. Mr. President, one of the severe difficulties which stands in the way of effective and complete rehabilitation and therapy for many handicapped and elderly Americans is the lack of adequate transportation facilities. This obstacle is especially severe for those who cannot afford to use taxis or public transportation. In the inner city, cerebral palsy, birth defects, and other disabling conditions take their toll just as in rural and suburban areas.

The needs of the handicapped in urban areas is clearly portrayed in an article written by Helen T. Gott and published in the Kansas City Star of March 15. The article also points out some of the efforts which are being undertaken to meet this serious problem and make rehabilitation and therapy facilities accessible to those afflicted with the double handicaps of poverty and physical disability.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RIDES LACKING FOR HANDICAPPED

(By Helen T. Gott)

Tyra Stovall, 5 years old, has rheumatoid arthritis, a disease which causes stiffening of the joints. Her doctor has recommended daily therapy. She has been admitted to the Crippled Children's nursery but seldom goes. The reason—lack of transportation.

Six-year-old Patricia is retarded and has cerebral palsy, but the doctor told her mother, Mrs. Brenda Wilkins, the little girl, with the proper treatment, may learn to walk, feed and dress herself and do many other things. It took Mrs. Wilkins four months to get Patricia in a Cerebral Palsy Day Care center. The problem—lack of transportation.

The story is repeated many times. Handicapped children who could benefit from training are being denied. Elderly persons, who could be enjoying recreational programs and group outings, vegetate at home instead. Often they have no access to stores, health clinics, church or anywhere else. In each case transportation is the problem.

The Regional Health and Welfare council lists 46 agencies in the Greater Kansas City area with services for the handicapped and 34 agencies with services for the aged.

Many report their services could be made available to many more persons than those presently being served if the transportation problem could be solved.

Kenneth D. Hankinson, director of personnel and rehabilitation services, Goodwill Industries, stated, "It is felt that there may be many handicapped persons who are prevented from becoming independent and vocationally self-supporting individuals economically, as well as living happy, meaningful lives socially, because of a lack of transportation."

He pointed out some handicapped persons are unable to enter the sheltered workshop program or the rehabilitation program because they live in out-of-the-way locations where public transportation is not always immediately available. Persons with crutches or canes usually are unable to walk long distances to reach buses, and persons in wheel chairs generally cannot use them.

The only other transportation available, he said, would be taxi service, but this is expensive.

CUTS INTO PAY CHECK

William Keith, district supervisor, Missouri State Vocational Rehabilitation office, said cab fare takes a good chunk out of the pay checks of the severely handicapped who have no other means of getting to work.

Mrs. Barbara Pomeroy, director of information and referral, Regional Health and Welfare council, noted the basic problem usually is not the handicap per se, but the lack of sufficient money to utilize public forms of transportation.

Mrs. Pomeroy said requests for transportation are among the most difficult to answer or find satisfactory referrals. No agency or service has transportation as its primary function.

Mrs. Vivian Shepherd, executive director, Rehabilitation Institute, said the institute has a waiting list of persons who have been evaluated and treatment recommended, but no feasible plan of transportation has been worked out for them.

"Treatment is most effective," she said, "when it can begin as soon as possible after the onset of the crippling condition, but because of the lack of transportation, this is often not the case."

Some officials have been knocking their

heads against the wall trying to solve the transportation problem.

They have expended their time, their energy and their finances, and all they have to show for it is a big headache and a largely inadequate, inefficient and ineffective transportation system. Most want to get out of the transportation business and concentrate on the health service they were set up to perform.

The agencies dealing with the aged and the handicapped have attempted to tackle the transportation problem in various ways.

Most common is the use of volunteer drivers. In many cases car pools are set up among the parents or relatives of handicapped persons.

QUESTION OF DEPENDABILITY

In other cases outside volunteers are used. However, many problems are associated with this. First, many agency directors have discovered the hard way that volunteers are not always dependable. They have discovered some volunteers have the notion, "Well, since I'm volunteering I can do as I please."

Mrs. William W. Sudduth, who says she has been a volunteer all her life, has a different attitude.

"I feel I have to be as dependable as if I were in a paid job."

When driving for the Children's Visual Education center, 400 West Fifty-seventh street, Mrs. Sudduth makes sure all the children act like little ladies and gentlemen in the car. Tony is allowed to sit up front because he loves to play with the car radio. She never leaves the children alone in the car, and she waits until they are safely inside their houses before she pulls off. She has two substitute drivers lined up for times emergencies arise and she cannot drive, and if all else fails, she provides the cab fare.

But because the Mrs. Sudduths are rare, in general, the volunteer method is much less than satisfactory.

Eugene Luini, director of the Children's Visual Education center, said the inner city is especially a problem. He said he has volunteer drivers coming from Independence or the south part of Kansas City to pick up children from the inner city.

Many agency heads said one problem with securing volunteer drivers is insurance. Many simply are afraid their insurance would not cover them in case of an accident or they may get sued.

SOME FIRMS HESITANT

One insurance company said handicapped persons, if being transported on a volunteer basis, would be covered the same as any passenger in the car. Another admitted, however, most companies shy away from insuring persons who transport groups of handicapped persons on a regular basis.

Some volunteer drivers use the vehicles owned and insured by the particular agency instead of their private cars.

Many elderly and handicapped persons use taxicabs. Sometimes donations to the agency pay for this service, if the persons cannot afford it themselves.

Mrs. Billie White, director of the HEED school for emotionally disturbed children, 400 West Fifty-seventh street, said as a result of The Star article on the problem of transporting the children, the Mission Optimist club decided to provide cab fare for three of the children, and a lawyer sent in a check for $400. Also, two persons volunteered as drivers.

"The cab drivers are just wonderful," she said. "They take a personal interest in the children."

She said on George Washington's birthday some of the parents thought the school would be closed, so when the cab driver came to pick up one child, he was still in bed.

"The driver got him up and dressed him," she related.

TAKES MORE TIME

One cab company executive, however, said he would rather not have the handicapped. He said it takes extra time getting them in and out of the vehicles and some have to be strapped in.

Service organizations, both public and private, sometimes will transport the handicapped, but there are limitations to what they can do.

The Wayne Miner health center has nine vehicles, leased from the General Service administration, but they can be used only for the center's patients.

The Red Cross has six vehicles assigned to its office of volunteers. A spokesman said its main responsibility is to the Veterans hospital. However, other groups are taken care of, mostly on an emergency basis. It was explained the organization cannot handle individual requests, which would entail making several stops at different locations. Instead groups of persons are transported. The spokesman said the vehicles could make more trips if there were more volunteer drivers.

H.R.C. CENTERS HAVE CARS

The Human Resources corporation has furnished each poverty center with either a 4-door sedan or a 9-passenger vehicle, said Jefferson V. Sasser, assistant director of neighborhood service systems.

"If the handicapped need transportation to the doctor's office or a clinic in some cases we can do it," he explained, "but we cannot handle cases on a daily basis or where an attendant is needed. There is only one driver at each center."

He said H. R. C. did not have funds to pay drivers and attendants, and again, the argument volunteers cannot be depended upon.

When all else fails, some agency personnel find themselves spending hours a week behind the wheel transporting people themselves.

Some agencies have turned to busses and minibusses and have found they solve some problems and create others. One agency director, who leases two busses, estimated he spends $40 a day on transportation and has trouble with the personnel.

Another, Miss Dorothy Morris, director of the Crippled Children's association, has estimated she will spend $11,000 on transportation this year. The association has two minibusses, both donated. The $11,000 includes drivers' salaries and maintenance. She said the money could be used for other operating expenses if not spent on transportation.

Miss Morris said if the bus breaks down she or another professionally paid staff member has to go after the children.

"The amount of time I spend on transportation is ridiculous," she said, "co-ordinating and everything. Each little thing becomes a crisis. I feel there must be a better way."

Two things most agency directors agree on is for the agencies to pool their resources to help solve the problem and for any solution to take in the entire Greater Kansas City area. The use of a volunteer motor pool generally is rejected, mainly for the reasons given earlier, but other possibilities are being considered.

A study by the U.S. Department of Transportation, entitled "Travel Barriers," lists the following characteristics of a specialized transportation system for the handicapped.

The system would need to provide direct service from origin to destination, in order to avoid the travel barriers found at access and transfer points.

Situations where the demand was relatively light might require advance reservations so that vehicles could be optimally physical limitations.

The operators of the vehicles should be well-trained, both in driving and in assisting their passengers.

The system must provide a relatively low price per trip, compared with taxis and cars.

The study points out there are a few special taxicab or "handicab" services operating in various cities across the country.

It states: "These are usually part of the regular taxicab company with the implied weak service, poorly trained drivers, lack of adequate special equipment and high prices. Hence, the registered demand for service is small, and the number of vehicles available and trips taken are also small in proportion to the resident mobility-handicapped populations. The result is that these systems are at best marginal, filling little of the potential demand and often losing money for the operating entity."

A SLIGHT PROFIT

A case study of the Boston area points out a carefully designed, dynamically routed system could supply four trips per week to each of 18,000 customers at $2 per round trip (a price that almost 60 percent of the handicapped population is willing to pay), and break even or make a slight profit.

The use of "handicabs" or a fleet of minibusses has been suggested in local meetings among agency directors and government officials.

Another suggestion was to use the school busses when they were not being used. However, George Kelly, who is in charge of transportation for the school district, said the busses are contracted specifically for round trip service to and from school.

Luini felt the public transit system could be utilized since the company already is experienced in the bussing business and the training of drivers. The problem, however, is some persons are so handicapped they cannot even get on the bus.

The Transportation department's study points out, "While it is certainly more desirable to provide handicapped travelers with an opportunity to use public mass transit systems, the difficulty and expense of modifying existing systems makes this reality a distant one."

If funds, and not the severity of the handicap, is the issue, a system could be worked out whereas tokens could be purchased at the regular price and then sold to the handicapped at a reduced rate. This probably would require federal, state or local assistance, in addition to what the agencies could afford.

William Icenogle, executive director of the Area Transportation Authority, said this might be a means of increasing use of the busses between the hours of 9:30 and 3:30 when they generally run light.

Both the city and county have expressed an interest in the transportation problem of the handicapped. Dr. Charles W. Wheeler, jr., western judge of the county court, has started holding special meetings on the subject.

"As far as priorities," he said 'I don't know of any problem more important than this'."

He has suggested the establishment of a "chit system" for two months trial to see where the transportation needs are. Juveniles would be issued chits to ride taxicabs to the agencies. The chits would be endorsed there, and the cab companies reimbursed by the city or county.

NEED FOR CO-ORDINATION

John Taylor, city manager has expressed interest in some sort of city-county co-ordinated program.

Max F. Rolih, Jr., county administrator, said the question is whether the county or the city can afford it. He indicated the county was involved in a study of the transportation needs of the handicapped, but it may take three or four months to complete it.

One agency director lamented recently, "This problem has so many ramifications it seems at times to be unsolvable."

However, in recent weeks a ray of hope has lightened the horizon—the Multi-Service Transportation (M. U. S. T.) program. Headed by Henry Perry, the program was established with a grant of $449,823 from Department of Housing and Urban Development to provide transportation for the disadvantaged. Part of these funds are to be used to develop an on-going system of transportation for the inner city handicapped.

Perry and his staff are in the process of studying the nature of the problem. Exactly when an actual system will be operating is not known.

The problem, however, is the grant expires in two years; therefore, within that time, not only must a feasible system be found, but also the means of supporting it without relying entirely on fares. Another problem is the fact that the money is allocated on a month-to-month basis, and a detailed explanation must be submitted and approved before each allocation. Although Perry started in November and his assistants in January, the first allocation was not received until this month.

Delbert F. Karmeier, head of the city transportation department, where responsibility for MUST has been placed, said even though the project area is the inner city he hoped the permanent system would make it possible to provide service for other handicapped persons.

The handicapped and the agency officials who have lived with the problem for many years are hopeful MUST is at least a step toward bringing them some relief.

A SENSIBLE EQUATION FOR THE FUTURE

Mr. MAGNUSON. Mr. President, my colleagues from the State of Washington, the Honorable JULIA BUTLER HANSEN, who is chairman of the House Appropriations Subcommittee for Interior and Related Agencies and who has long championed environmental quality and protection of natural resources, made a most significant speech which I wish to call to my colleagues' attention.

Mrs. HANSEN addressed the Crown Zellerbach Papermaking School graduating class at Camas, Wash., on March 16 and outlined "A Sensible Equation for the Future."

Mr. President, I ask unanimous consent that parts of her speech be printed in the RECORD.

There being no objection, the excerpts of the address were ordered to be printed in the RECORD, as follows:

A SENSIBLE EQUATION FOR THE FUTURE

(By the Honorable JULIA BUTLER HANSEN)

From my immersion in spilled oil, unmanaged Indian forests, budgetary restraints, and the demands of mankind for a better environment that I have found this topic—A Sensible Equation for the Future . . .

You and I have challenges in the need for solving problems of life in this decade of the '70's. They cover the full gamut of human experience—management, conservation, purification of our land, water and air; the search to find solutions and answers to the escalating problems of crime, law, order, education, jobs, war, peace, security and survival . . .

I have developed an equation as follows: 3 R's = 3 E's; *resources*, plus *research*, plus *resolve* equal *environment*, plus *energy*, plus *employment*. This I offer as my sensible Equation.

We have been a nation dedicated to production and taming our environment. For 300 years we have answered each generation's demand for development of our land to meet the call for homes, jobs, a living. We have moved ever further westward to provide an economy for our success and survival.

Suddenly we find ourselves faced with the stark realization that we now see a diminution of some of our resources; the land no longer looks endless in the face of an escalating population. It looks a bit dirtier. At the same time we come to the brink of this dismal canyon of displeasure and doubt, there is also curtailment of funds. I am going to call them the repair and maintenance monies. They have been inadequate for several years for a wide variety of reasons. Therefore, with these unhappy conditions it is necessary to stop, look and listen and to recognize the component parts of the equation I have mentioned.

It is necessary now to inventory adequately and well our *resources*. Had we made a better inventory of these resources and had we secured more knowledge about them we might never have had to face the problem of the Santa Barbara oil spill.

Three years ago I asked the Geological Survey if they had all the information necessary for the proper leasing of our off-shore outer continental shelf lands which total approximately 1.2 million square miles of unknown resources. They replied to me they did not. It was obvious why they did not. Sufficient funds had never made the acceleration of this work possible. There was too much costly dollar interest in capital expenditure in payment for the wars of this century—Korea and Vietnam the latest in the cost syndrome. The public is in a furor because of the spills and yet a public understanding of the need for and payment for this knowledge could well have averted this catastrophe.

The same thing is true with management of forest resources. You, as papermakers, are part and parcel of the forest products industry. If anyone supposes that the demand for paper is going to disappear, it isn't. If anyone imagines that women are going to return to ironing linen napkins every day, I have news for him. They are not. Paper is part of the 20th Century. Disposable towels have replaced the old traditional roller towel—or I hope they have. Disposable containers have come into being. The need will ever escalate. I am not one of those who believe we can say, "You can't use this product any more because it is convenient. You have to return to yesterday."

What do we do instead? We gear our imagination and our technique to the management of our resources, the management of our disposable items. We put into our forests money sufficient to do the job of providing a stable supply of logs based upon ever-escalating uses. We develop more knowledge of tree genetics. We develop more competent forest management which will allow a better harvest.

Yet in this field we have to remember that the human cry has become so loud against destruction of anything, including a tree, that it is not going to be easy to assure ourselves that someone down a marching line does not shout "You are not going to cut any more trees." What do we do? We educate and make people understand that when a tree is grown for cutting, there is also a tree grown for a watershed, a tree grown for recreation. I don't know a single forest area owned by private industry or by public ownership which is not open to recreation use.

But users have as great a responsibility as the timber harvesters. They have the responsibility of making sure funds are available for the management of all these forest lands in the United States, and I may say to you that under the jurisdiction and in the domain of the United States government are 750 million acres, not all forest lands, but a great variety of land wherein and under lie our resources, and in a moment I will tell you about some of these exciting resources.

The second thing the public must do is learn how to use this land. I will give you a little example of what I mean. In Alaska last summer in the Kenai Wildlife Refuge a careless camper who shoved the ashes from his campfire toward a river instead of putting the fire out, cost $1,200,000 in fire fighting. In addition, the fire burned $15 million worth of timber. The total management budget of the Bureau of Sport Fish and Wildlife is $17 million for all refuges in the United States. Yet, one careless camper caused $16.2 million worth of total damage. This wasn't a "timber baron" destroying the earth around us. This was a careless, happy vacationer.

I think it is going to be a fundamental part of the management of our resources in the future that we spend a lot of time and energy educating young people how to use the land and what the land potentials are. We have to remember that this generation of youngsters hasn't grown up in the casual way that a generation born in the earlier 1900's did with land use experience. What does the urban city dweller today know of forest fire? He has never seen the smoke hang like a pall over the river. He has probably never been lost in a forest. He does not understand what his use for one single hour can do to thousands of acres of the domain. For a long time there have been in our schools a few natural resources classes. It is imperative these continue and accelerate.

Another part of resource management, and this again is associated with users, is the cleanup of litter. Last year the department funding in my budget for litter cleanup totaled $19½ million. This could have built three or four Indian schools; it could have saved tax dollars; it could have provided a great many teachers. Yet, it all had to be spent to clean up after careless human beings.

This total, I may say, did not represent either the amounts of money spent in cleanup by cities, counties, or States, nor did it represent the contributions made by the Defense Department or other U.S. Federal departments outside the jurisdiction of my committee. Those cleanup problems are tremendous, too.

The District of Columbia told me that last year they had spent $5 million for cleanup.

There are many people today who are marching in crusades for the environment and at the same time littering the streets they walk! This is not resource management.

Now for the second part of our equation—*research*—which equates in my mind a higher type of technology than we have ever used before. For example in the field of energy, as I have been sitting on our subcommittee listening to the information on the sources of our energy and the extent of their quantity, I am impressed by one single thing—we are overusing in one field, underusing in another, on the brink of knowledge in another, and do not have the answers for the management of another. I refer specifically to the uses of gas, oil, coal and thermonuclear power.

In putting these together in one total sum, we have a staggering inventory of resources, but we must do the research and fashion that research into a methodology of measured use of each so that we don't find ourselves on the verge of running out of one and scrambling desperately at the 11th hour to find something else. Rather than misuse in haste we should be developing information on the total uses of coal for example. When do we use coal rather than thermal power? When do we use thermal power rather than oil? When do we use oil rather than gas? Only complete and sophisticated research and technology can answer these questions. And built into the uses of this energy are questions of environment. For example, if we explore further into the use of coal, certain types of coal demand more knowledge about the removal of fly ash. In the total inventory on oil, we have to develop

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processes on the oil shale reserves. We have to develop better techniques on our pipelines and water transportation of our oil. What do we do better with gas?

Probably one of the most fascinating hearings I ever chaired was that on the Trans-Alaska Pipeline where we were confronted with the tremendous potential of oil supply and the horrendous job of transporting that oil supply across an arctic terrain with the least possible damage to the environment. For example, in examination of the facets on this pipeline, which will be 800 miles long and the oil carried at a heat of approximately 180 degrees, it is necessary to find out whether the pipeline can safely go into the perma-frost, or whether it is to be carried above ground. If above ground, the cost of construction will escalate and it will create a Wall of China down the spine of Alaska. If it is to go underground, what damage will occur to the permafrost? For that, the Geological Survey has been working for years creating a data bank of information which accelerated should provide environmental answers.

This is only an example of the use which research will be put to, exactly as research is constantly being conducted for better forest management.

I was rather appalled when the House of Representatives recently refused to even discuss the Timber Supply bill. Granted that it was introduced at an inopportune time and had many flaws, yet discussion should have been held because too many Members of Congress are not aware of the magnitude of research and effort necessary to provide the trees of tomorrow which will make possible an orderly life on this earth and to relate our forests to the down-to-earth problems of living.

In a colloquy with Secretary of Defense Laird, I discussed with him the problem of Volunteer Army. He said that one of the prime conditions in securing recruits in a volunteer army was adequate housing. When asked what percentage of adequacy the Defense Department considered they had now, he replied, "Fifteen percent."

The Bureau of Indian Affairs reports Indian housing is less than one-quarter adequate.

The cities of America are far behind on their housing and the urban social problems cannot be solved until there are better living conditions. Therefore, it is mandatory that timber be available and that management techniques utilizing research be made available so that recreation, watersheds, and houses may go hand in hand because I do not for the life of me have a vision of anyone sitting the year around outside for the pure joy of fresh air.

The same is true in the utilization of our energy. There are philosophers who, from the ivory towers of New York, counsel that we can cut back on our electrical use. Somehow I cannot conjure a picture of women again building a fire in a kitchen stove and putting an iron on the heat, walking between the ironing board and the kitchen stove with that old flat iron of my grandmother's day that I remember as a child. Besides, the kitchen chimney would contribute pollution! Neither do I have a picture of housewives giving up electric stoves, or electric blankets, or electric refrigerators. Also, it is a proven ingredient of crime that cities without adequate lighting make excellent harbors for criminals. Order on our streets is going to need lights on those same streets.

Energy use is here to stay and we might as well face it and find the answers.

Now the third part of our equation—*Resolve*. Let us provide the imagination, the determination, and the money which will do the job and enable the use of our resources including as an ingredient the wisdom to protect our environment.

I have been particularly interested during our hearings to ask different departments what they estimate built-in consumer costs will be for this management of our environment. Inevitably there is a price tag varying from 5 percent to 15 percent. It is time, I think, the public became aware that this is going to be a built-in cost; that the war on pollution could run as high as $25 billion a year; that the disposal of waste programs are increasingly costly processes; that the development of better kinds of equipment to utilize energy will cost more; that knowledge about thermo pollution and the safeguards to prevent that pollution are going to cost something. It is going to cost somebody, somewhere, some money for answers to cooling techniques, but I am sure it is worth every cent we spend to supply ourselves with a decent and good living, a stable economy, a better environment.

This wise use and management of our resources provides the answers to the second half of our equation—*Environment*—land, water and air which are livable and safe for human beings. The wise use also provides for the *energy* essential to produce the material things built into our way of life and which have meant human progress and well-being. The resolve to use the resources well and wisely further insures the stable ration of *employment*.

There are those today who have set up an inordinate fear for the security of life itself. I have never been a particularly fearful person. I have always felt that human beings were given the wisdom and could develop the good judgment and techniques to solve their problems. For myself, I prefer using my equation of the 3 E's and the 3 R's rather than go into a state of panic. Multiple courses can be taken. It does not take a genius to put out a camp fire and certainly does not take a sign board parade to pick up a beer can. I can tell you what it is going to take, and that is a firm understanding of the built-in costs. Don't grumble at the price of paper, when the manufacture of paper is going to reflect in its price structure the cost of keeping the rivers clean, planting and harvesting forests so that we have enjoyment as well as money, and remember the air itself is no longer cheap.

When I receive hundreds of letters imploring the non-essentials of government be cut, and that I concentrate our energies on those things that are important, let us understand what *is* particularly important.

For example, the Geological Survey told me the other day that $10 billion a year is spent on urban construction in regions susceptible to major earthquake damage. They estimate that in 30 years, 20 percent of Americans will be living in earthquake-prone areas. The cost of developing a warning system could well be only a small percentage of any quake's damage. The Geological Survey has reported that Japan has already developed techniques in forecasting smaller earthquakes. Yet in this area, due to budget curtailment and response "to cut government", we are only spending about $1 and one-third million in our own Government. One single disaster in San Francisco could cost a billion dollars.

In another area, one of the major problems is separating the useful parts of old cars, refrigerators and washing machines into re-usable waste and disposable waste. Decisions have to be made in this field and exciting experiments are underway. However, the Bureau of the Budget has curtailed $6 million of this experimental money to be used in finding solutions to the ever-escalating problem of city dumps. You may ask why is this the government's responsibility? The answer is that no one city can provide the type of research necessary for its use and every other city's use. On the other side of that coin, where do we put the city dump? What do you do with the garbage? If you cannot burn, cannot pile everything up, cannot throw it in the sea, what do we do.

It is not impossible to find answers because we have almost been provided with some exciting answers in some fields. But, again referring back to the controversial Timber Supply Act, nothing will be done if it "is easier not to discuss it. Don't bother about the problem and it will go away."

Another thing I must mention, because this is so important to the Northwest, is that of the appearance of the Saline Water and Water Resources people before our Committee. It is interesting to note that 97 percent of the water of this earth is in the sea; 3 percent is related to the land. Therefore, if we are to have water enough to use in the year 2,000, it is almost mandatory for all countries and continents to supplement present technology and prepare for utilization of sea water rather than depend upon the diversion of water supplies which already exceed demand. It is essential to put dollars into the development of processes enabling us to use this 97 percent water resource around us.

In another area, if we continue to build highways across the nation in order to meet the transportation needs of a very mobile people, large areas of our land will automatically have their uses changed. When a person flies now across the country and looks down at the network of freeways, interchanges, and cloverleaves, he cannot help but be impressed by the number of acres already taken from the taxrolls of some governmental body, municipal, county or state, and these taken at a time of ever-escalating municipal, county, and State needs; needs which are so acutely felt in the fields of education, hospital construction, water and sewage projects, pollution, public housing, et cetera. Therefore, what do we do in the development of transportation technology to solve this problem? What do we do in the public understanding to make sure that the public knows why we are searching for answers in moving people about and around?

Again, I reiterate, it is necessary to understand the cost.

I am sometimes accused of presenting to the people in my District a multiplicity of figures. Yes, I do. I am perfectly frank about it because I am so tremendously concerned with our nation's future and we cannot unravel and untangle the problems with merely rhetoric and T.V. shows.

It is great to make a speech; it is great to write a story; but it is greater yet to understand all parts of the equation I have discussed. It is even greater to say, "I understand, and I am willing to participate in the development of all component parts of the equation necessary to supply answers. I completely understand why it is necessary to provide money for our forests, our research, development for energy management. In other words, I resolve to work for solutions!"

It has never been easy to secure funds for the Department of Interior and for the U.S. Forest Service. In fact, sometimes it has been almost impossible. The Chairman of the Full Committee has said, "make cuts!" Members of Congress constantly offer cuts on forest roads or forest management and other vital environmental needs. The Bureau of the Budget is constantly restraining such expenditures as management for the Bureau of Land Management, Coal Research, Geological Survey.

I reiterate: I am willing to bring you the statistics, the picture, the proposals for providing our full life's equation, and I do it because I love this Nation, because I want it to survive as the great and beautiful thing it can be. I know you citizen papermakers will agree in pledging our support to build and rebuild this land of ours, keep its spacious skies, its purple mountain majesties, mend its every flaw until the final chorus is truly "America, the beautiful".

LABELS AND PRESIDENT NIXON

Mr. DOLE. Mr. President, label pasting seems a popular pastime in Washington. "Liberal," "conservative," "strict constructionist," "moderate," "insensitive" are plastered about with little thought to the substance of the matters or individuals being discussed.

The pitfalls of such practices as applied to President Nixon are discussed in an article written by Roscoe Drummond and published in the Christian Science Monitor of March 31.

I ask unanimous consent that Mr. Drummond's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIXON AND THE POOR

(By Roscoe Drummond)

WASHINGTON.—Don't try to pin a cliché-label on Richard Nixon. It won't stick.

He displeases the extreme right. He infuriates the extreme left. And he makes it impossible for either conservatives or liberals to decide whether he is really their man.

He isn't. He is a mixture of both and a captive of neither. His actions are a mixture of both, and on balance they defy all the old-style political labels.

It isn't deliberate. It's the way Richard Nixon as a person thinks and acts. He simply doesn't measure his policies or his actions with the yardstick of liberal or conservative, political right or political left.

Obviously there are numerous Nixon actions which please conservatives.

There is his priority goal of halting inflation, his determination to cut spending to keep a balanced budget after so many years of deficit spending, his plans to decentralize government, his tougher line on crime and violence.

But just when the politicians or the columnists think they have got the President neatly ticketed, he embarks on a series of measures which fit quite a different label—if any at all.

Central to so much the President is doing is the issue of poverty, the end of which he sees as the key to racial justice, better education, better housing.

This is why Mr. Nixon is not neglecting the poor.

This is why the first activist Republican President since Teddy Roosevelt is saying less and doing more to remove the blight of poverty in the United States than his predecessors.

Here are some of the things he is doing:

1. The Nixon-proposed family assistance program, which is a significant stride toward a guaranteed annual income, goes further to reduce poverty than anything undertaken in the most innovative years of the New Deal. It will be passed by Congress this year, and it will be the capstone of the Nixon record. Few realize that its early effect, together with food stamp assistance, will be to lift some 7,000,000 low-income people above the official poverty-level of $3,400 yearly for a family of four.

This is an antipoverty measure with a sweep. It extends financial assistance to about 12,000,000 more than now covered. It requires recipients to take job-training programs and go to work where work is available. It provides an incentive to get off welfare by enabling recipients to earn more while graduated reductions in welfare payments take place.

2. Richard Nixon is asking Congress to guarantee that the children of poor parents get the means to have a college education. "No qualified student who wants to go to college," he says, "should be barred by lack of money. That has long been a great American goal. I propose that we achieve it now."

3. At the same time the President is pressing Congress to take further steps so that ownership of public housing can be more easily attained by low-income people. Rents are to be cut, and no down payments for federal housing administration loans are to be required.

4. Mr. Nixon is not waiting for the end of the fighting in Vietnam to cut military spending so that more money can be available for acute domestic needs. The defense part of the federal budget is lower today than at any time since 1951. More than 40 percent of the total '71 budget now goes to social programs and the human resources percentage of the budget is 21 percent higher than 1969.

5. The President's revenue-sharing plan is designed not alone to decentralize government but to help the states provide more adequate social services.

6. President Nixon isn't stopping here. At his direction the Office of Economic Opportunity will devote itself primarily to innovating and testing new programs to reduce poverty so that they can be proved out before applied on a larger scale.

There is no thundering rhetoric from the White House on a "war against poverty," but it is already evident that action is exceeding promises.

FARM CONSERVATION FUNDS

Mr. MONDALE. Mr. President, I recently told Senators of the great value which the agricultural conservation program is contributing to our society. Not only is the ACP a highly popular and effective program, but it has accomplished a great deal at a relatively low cost to the Federal Government.

Following my remarks to the Senate and testimony before the Senate Appropriations Subcommittee on Agriculture, the St. Paul Pioneer Press urged in a lead editorial that this program should not be abandoned.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the St. Paul Pioneer Press, Apr. 6, 1970]

FARM CONSERVATION FUNDS

Nearly 200,000 farms in Minnesota and Wisconsin have been helped to improve conservation practices in the past five years through a cost sharing program which may be sacrificed to economy when the 1971 Department of Agriculture budget is acted on in Congress.

On the defensive is the Agricultural Conservation Program (ACP) which encourages farmers to undertake such projects as erosion control, tree planting, establishment of wildlife cover and feed plots and the building of ponds and deepening of marsh water impoundments.

Projects of this kind usually do not return a profit to the land owner, but they improve the natural environment and have important public values. These values justify the ACP in paying varying shares of project costs. Without such encouragement, most of these works would never be accomplished.

Last year nearly 19,000 Minnesota farms took part in ACP programs costing about $10 million, of which the land owners paid more than half. The average ACP payment per farm was $269. Permanent cover to prevent erosion was planted on more than 100,000 acres. About 1,000 farmers in 85 counties built ponds or water impoundments. Another 1,000 planted trees and wildlife cover on 6,000 acres in 50 counties.

Nearly 2,000 farmers in 81 counties planted wildlife food plots averaging five acres each. Wildlife projects were coordinated with the work of the Minnesota Conservation Department.

Senator Walter Mondale has urged the Senate Agriculture Appropriations Subcommittee not to eliminate ACP funds from the 1971 budget.

"After reviewing the wide range of conservation practices encouraged by the ACP in Minnesota and the entire United States," he said, "I think this country gets more benefit from the $185 million to $200 million spent each year on this program than for many other federal expenditures. I urge continuation of the authorization for this highly effective, low cost and popular program."

The ACP spending is a drop in the bucket in the Agriculture Department's multi-billion dollar budget, which includes among other dubious allocations vast amounts for subsidies to huge corporation farms in the South and West. ACP should not be abandoned.

DAVID DELLINGER'S TAX PROTEST

Mr. ALLOTT. Mr. President, viewers of the 11 o'clock news last night were treated to some films of David Dellinger once more doing the social service of putting his ignorance on view.

To a cheering audience of equally uninformed young people, gathered to protest taxes which, perhaps, they will one day be required to pay, Mr. Dellinger, fresh from his role as codefendant in the Chicago conspiracy trial, offered this deathless sentence:

> Remember, as Thoreau said, the power to tax is the power to destroy.

Well, as John Marshall would have said, David Dellinger is a dummy.

In fact, John Marshall is the author of a remark that "the power to tax involves the power to destroy." He said that in his majestic decision in *McCulloch* v. *Maryland* (4 Wheat. 316, 4 L. Ed. 579 (1819)). Marshall rendered this decision in 1819, when Thoreau was 2 years old.

It is not news that David Dellinger is not long on wisdom. It is not news that Dellinger knows almost as little about history as he does about the realities of American foreign policy. Further, it is hardly surprising that a man who has spent over 50 years careening about the country in the wake of various "youth movements" should not be able to sort out the rudimentary facts of American history.

Nor is it surprising that the youths he was addressing do not know John Marshall from Thoreau. After all, those who have advanced beyond high school have entered universities where, even if they have been exposed to the relevant facts about, and interesting differences between, Marshall and Thoreau, these facts may not have left a lasting impression.

Certainly they are not studying Marshall's great decisions last night at Berkeley. There the lovers of peace were rioting and throwing rocks at the police.

And the gentle doctrines of Thoreau were not in force last night around Har-

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vard, where a mob of 4,000 "idealists" were tearing bricks out of the street and throwing them at police.

At least, the people of Colorado had a genuine star protester and one who is considerably easier to look at than any of the defendants in the Chicago conspiracy trial.

Miss Jane Fonda, star of the silver screen and recent protector of all the downtrodden, appeared at Fort Carson in Colorado Springs. She was there to march and protest and generally show her support for the allegedly disgruntled GI's.

I believe that this sort of thing is known in the protest business as "giving bodily witness"; and one thing is sure: Whenever Miss Fonda shows up around a military base to give bodily witness, she will draw a crowd of interested observers.

THE VIETNAM SUSPICIONS

Mr. DOLE. Mr. President, an editorial published in the Wall Street Journal of April 7 placed the development of America's commitment in Southeast Asia into a thoughtful perspective. The editorial raised several interesting points of comparison between the situations in Laos and Cambodia today and the evolution of the policy which responded to developments in Vietnam over the course of years.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE VIETNAM SUSPICIONS

One of the more disturbing effects of the Vietnam war has been its exposure of a tendency to delusion in high places.

Against commonly available wisdom, some of the most powerful men in America in the past decade were able to convince themselves that a modern technological army could be effective in a guerrilla war in an underdeveloped country, that the attempt to protect unclear U.S. interests in Indochina were worth horrendous and irrecoverable costs to the U.S., and most important of all, perhaps that Americans could predict and control events actually beyond all influence and even, sometimes, understanding.

Much of this delusion, we are persuaded, has been brought under control with the Nixon Administration; at the same time, a disturbing legacy of deep popular suspicion remains. With events in Cambodia and Laos beginning to press new dilemmas on President Nixon, we are bothered to think that though he does seem to perceive the need to avoid delusion, he may not be paying as much attention to the problem of suspicion as it deserves.

Surely the suspicion that top level policymakers may not be in touch with the realities of the Indochina situation remains a powerful factor in popular attitudes towards the war. It is true, of course, that the President's initiation of the troop withdrawals last year and his later appeals to the silent majority had the effect of quieting much of the public criticism of the war. But this dramatic result should not be allowed to conceal the depth of the underlying mistrust.

The politically powerful misgivings over Washington's ability to extricate the U.S. from the war continues to be evident in, among other things, the extraordinary move of the Massachusetts legislature to challenge the Constitutionality of the war. The suspicions are also reflected in public opinion polls which recently have shown an ominous shift towards immediate withdrawal despite the seeming soundness and responsibility of the President's Vietnamization policy.

Indeed, if the course he has chosen has succeeded in winning him some support and a period of tranquility at home, Mr. Nixon remains highly vulnerable. He dare not let the public think he has rekindled a long-term U.S. commitment to defend South Vietnam—even if measures which create such an impression also seem in all rationality the only alternative to a Vietnam disaster. To do so would awaken the panicky suspicions that he has fallen, like his predecessor, into the old delusions.

If that should happen again on a wide scale, the personal political price Mr. Nixon himself will pay may only be exceeded by the agonies which will befall an America already deeply troubled by a widespread sense of lost confidence in Government. This might well happen even if the decisions involved prove ultimately advantageous to the traditional policy goals in South Vietnam.

Typically, the current events in Indochina are ambiguous enough to feed a certain amount of optimism. Some analysts, for example, see a potential advantage to the U.S. in the rise of Cambodian generals more anti-Communist than Sihanouk; and the stepped-up North Vietnamese action in Laos, they say, may reflect a greater than expected success of the Vietnamization program in South Vietnam.

And yet, unfair as it may be, the present mood of the public and the nation's vulnerability to it mean that the President simply is not as free as he once might have been to experiment with these changes or even to stand pat and wait for their possible benefits to develop.

Do those who have a voice in Vietnam policy fully understand this? Secretary of State Rogers' reported testimony to the Senate Foreign Relations Committee that the Administration plans to keep the lowest of profiles in Cambodia was a reassuring move. On the other hand, the President's explanation of our involvement in Laos had a less credible ring, and the suspicions were hardly eased by the later exposure of embarrassing errors in it.

Senator Fulbright, who has in the past been moved by displays of Administration candor, was not reassured enough by Secretary Rogers' secret testimony to cancel a speech fearful of disaster from continuation of the policy of Vietnamization. And though continuation of troop withdrawals at the present rate or better might end the suspicions once and for all, high level military men are reported pressing for a slowdown.

Right now, these may seem insubstantial reasons for worry. Yet, perhaps because we are touched by a bit of the Vietnam suspicions ourselves, we cannot ignore them easily. For we find it hard to escape the feeling that the President may soon face the still mercifully postponed choice between humiliating disaster abroad and new and surpassing domestic trauma. If he does not fully weigh the power of the popular suspicions in his thinking now, his capacity to handle that future agony is not comfortable to ponder.

REPORT ON CHANGES IN NLRB PROCEDURES

Mr. JAVITS. Mr. President, the Federal Bar Council Committee on Labor Law has issued a report on two proposals to increase the speed and efficiency of NLRB procedures. Regardless of our views on the substantive interpretation of the National Labor Relations Act, by the Board, I think there can be no dispute concerning the need for speed and efficiency in the handling of NLRB cases.

The committee has concluded that two statutory changes which could materially improve the efficacy of present Board procedures would be to make Board orders self-enforcing and to provide for a certiorari type discretionary review of trial examiner decisions in unfair labor practice cases.

Similar conclusions with respect to either or both of these changes have also been reached by other distinguished bodies which have studied the operation of the NLRB, including the Advisory Senate Panel on Labor Management Relations, July 1960, the Administrative Conference of the United States in 1962, and again in 1969, the Committee on Labor and Social Security legislation of the bar of the city of New York and by a subcommittee of the House Education and Labor Committee chaired by Representative PUCINSKI. I have, myself, in the past sponsored legislation to make a review of trial examiners' decisions in unfair labor practices discretionary.

I think that this report should be of interest to all Senators who are interested in improving the efficiency and responsiveness of our administrative agencies and particularly to the members of the Labor and Public Welfare Committee, which has jurisdiction over the National Labor Relations Act. I, therefore, ask unanimous consent that the committee report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FEDERAL BAR COUNCIL COMMITTEE ON LABOR LAW PROPOSED STATUTORY CHANGES IN NLRB PROCEDURES

Any administrative agency has its critics, and the National Labor Relations Board is certainly no exception. However labor and management may disagree as to the Board's substantive rulings, there is an increasing awareness by both groups that the Board's ability to perform its statutory duties efficiently and with reasonable dispatch is seriously threatened by its ever-increasing caseload.

In 1969,[1] an employer, union or individual filing an unfair labor practice charge with the Board could expect a two to three year wait before a judicial decree could be entered against the offending employer or union. We believe that the effective administration of the federal labor statutes and the vindication of statutory rights require that this inordinate delay be reduced. We further believe, for the reasons stated below, that significant progress towards this end can be made (1) by amending Sections 10(e) and 10(f) of the National Labor Relations Act to make NLRB orders self-enforcing unless appealed to the courts and (2) by amending Section 3(b) of the Act to make a trial examiner's decision in an unfair labor practice case final unless the Board chooses, in its discretion, to review it.

A. SELF-ENFORCEMENT OF BOARD ORDERS

In 1969, it took a median of 327 days for a charging party to proceed from its unfair labor practice charge to the entry of the Board's order. Furthermore, depending on whether a petition for review (by an aggrieved party) or a petition for enforcement

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(by the Board) was filed, that same charging party had to wait another 411 to 630 days to obtain judicial enforcement of that order. Clearly, if the Board's procedures are to be revised to reduce delay, this latter period presents the best opportunity for substantial reduction.

Self-enforcement preserves a party's right to appeal an agency order to the courts. The sole change is that the burden of processing that appeal is shifted to the aggrieved party by the requirement that the agency's order shall become final (and a judicial decree of enforcement thereupon entered)[2] if an aggrieved party has not filed a petition for review within a prescribed period of time.[3]

The most recent statistics show that 43 percent of all appeals from NLRB orders are initiated by respondents who have chosen to file a petition for review.[4] Self-enforcement will not affect these cases at all. It is reasonable to expect, however, that a significant portion of the remaining 57 percent may never reach the courts under a self-enforcement system. There are two reasons for this conclusion. First, the odds against meaningful success on the merits are not great. The Board's record of obtaining affirmance in the courts of appeals has improved steadily in recent years; viz:

Year	Court decisions	Percent affirming board order in whole or in part
1960	125	74
1962	148	75
1964	259	78
1965	222	80
1966	231	79
1967	244	81
1968	301	83

With the chances of reversal becoming so slim, many aggrieved parties may conclude, upon reflection, that a petition for review would be fruitless. If a self-enforcement system were in effect, these cases would then be over and compliance procedures could be started almost immediately.

The second reason is that the device used by many parties of not seeking review in order to gain added delays would be eliminated under self-enforcement. Present Board appellate procedures actually encourage a recalcitrant party to seek further delays. Aggrieved parties usually file their petitions for review very shortly after the adverse Board decision. Since the timetable for briefs and the record is running, the Board's appellate personnel must give priority to these cases. As a consequence, the Board's own petitions for enforcement are usually filed much later. In 1969, for example, a median period of 411 days elapsed between a Board decision and a court decree on a petition for review whereas the corresponding period for processing cases initiated by the Board's petitions for enforcement was 630 days.[5] If a party intends to delay the entry of a binding judicial decree as long as possible, this seven-month differential will certainly attract its attention.

The number of NLRB cases reaching the courts of appeals has nearly tripled since 1960. The Board's appellate courts division has been completely swamped, and the Board recently has had to transfer personnel from its other divisions to cope with this problem. If anything, the situation is becoming worse since the number of cases pending enforcement in this division has increased by a third since 1967. In recent testimony before the Senate Appropriations Committee, Board Chairman McCulloch and General Counsel Ordman, respectively, described the appellate courts branch as "the [most] serious problem of time delay" now facing the agency and "presently the soft spot in our agency operation".[6]

Self-enforcement should greatly eliminate this premium on delay. For example, the Board presently must petition to enforce its orders in over 150 cases, or more than half of all cases being appealed each year. Thus, by the simple expedient of doing nothing, the parties in these cases can count on an extra 630 days before the Board obtains enforcement. Under a thirty-day self-enforcement statute, however, those same parties may be required to comply 600 days sooner, unless they seek review.

Self-enforcing NLRB orders have been endorsed by the Advisory Senate Panel on the Labor-Management Relations Law (the Cox panel) (1960), by the Pucinski House Committee (1961), by the Administrative Conference of the United States (1962) and by the Committee on Labor and Social Security Legislation of the Association of the Bar of the City of New York (1967). In 1969, the Administrative Conference reaffirmed its earlier endorsement on the ground that the present system "serves no useful purpose but operates to delay the effectiveness of NLRB orders and to impose unnecessary costs on the Board."[7] The proposal has not been adopted despite apparently unanimous favorable reception chiefly because it has usually been considered along with much more controversial items. We believe the time has come to consider this proposal on its own merits, and we likewise urge its immediate adoption.

B. CERTIORARI REVIEW IN UNFAIR LABOR PRACTICE CASES

The tremendous increase in appellate court litigation involving the Board is itself dwarfed by the case explosion at the agency's lower levels. The number of unfair labor practice cases filed with the Board has risen from 9,260 in 1958 to 17,816 in 1968.[8] There have been numerous proposals over the years that the Board's procedures be changed to enable it to cope with this case influx.[9] Of these, we believe that one of the most promising solutions, and an approach deserving of immediate consideration and prompt adoption, is a system of certiorari review by the Board of trial examiner decisions in unfair labor practice cases.

At the present time, any party is guaranteed an automatic right of appeal from any trial examiner decision in an unfair labor practice case. The change to a certiorari-type procedure would allow the Board, in its discretion, to select the cases that it will hear. If the Board decides not to hear the case, the examiner's decision would stand as the agency's final decision. An aggrieved party would still have the right to appeal the examiner's decision to the courts even though the Board had declined to review it.

In 1959 Congress amended Section 3(b) of the National Labor Relations Act to allow the Board to exercise discretionary review in representation cases. Two years later, President Kennedy rcommended that discretionary review be extended to unfair labor practice cases. This proposal, itself based on the unanimous recommendations of the 12-member Cox panel in January 1960 and of the Landis Report in December 1960, was submitted to the House of Representatives as Reorganization Plan 5. The House rejected the Plan by 231 to 179.[10] Since then the Board has continued to press for the Plan's adoption.[11] It has received some encouragement from Congress[12] and a mixed response from the labor-management bar.[13]

The Board's regional offices and its trial examiners are able to settle or otherwise resolve the overwhelming majority of cases long before they reach the Board in Washington. Nevertheless, the number of contested unfair labor practice cases reaching the Board itself has increased from 611 in 1963 to 831 in 1968. In recent years, the regional offices and the trial examiners have managed to keep pace with their own increased workload by utilizing extra personnel and placing greater emphasis on prehearing settlement procedures.[14]

The Board has also been striving to reduce its own caseload to manageable proportions. The most recent statistics available[15] show that the Board utilized three-member panels in 87% of all cases. In addition, approximately half of the Board's orders are "short forms"; that is, a *per curiam* affirmance of the examiner's decision. These procedures (especially the former) were apparently not in general use at the time of the 1966 American Bar Association study. That study was greatly influenced by testimony by a former Board member that the Board's failure to use a traditional panel system *itself* accounted for a good part of its case log-jam.[16] These facts convinced the ABA that a Board with 7 or 9 members *and* full use of a panel system was the best solution. Of course, circumstances are now entirely different.

However, though delays in proceedings through the examiner's decision have been reduced, the delay from that point to Board decision has increased; viz:

Stage of case	Median days required for disposition	
	1966	1969
Filing to complaint	58	57
Complaint to close of hearing	74	59
Close of hearing to TX decision	116	84
TX decision to board decision	112	127
Total	360	327

As a consequence, the period between the examiner's decision and the Board's decision is increasingly responsible for delaying the determination of unfair labor practice cases. Of course, it is precisely this bottleneck that a certiorari-type procedure would affect.

Discretionary review may have many beneficial effects. Board members could devote more time to cases raising basic questions of nation-wide significance or having far-reaching consequences. Oral argument, which is rarely granted at present, could be scheduled more often. Reducing delay may also give the Board time to consider more effective remedies and to otherwise improve decisional quality.

The arguments for and against a discretionary review procedure can be easily overstated. It will affect only unfair labor practice cases, which comprise 59% of the Board's workload, and could be negated by increases in the Board's representation case or injunction workload. Moreover, it will only affect the time period—at present 127 days—between the examiner's decision and the Board's decision. This is only one-third of the total time period between charge and Board decision. Finally, even a case denied Board review could face lengthy compliance proceedings before relief is ultimately granted.[17]

The impact, if any, of discretionary review will depend entirely on whether it will persuade parties who presently seek Board review not to do so. The present "acceptance" of examiners' decisions is extremely low; nearly ninety percent are now appealed to the Board.[18] On the other hand, in representation cases where the Board presently exercises discretionary review, the parties have sought to review the regional director's determination in only twenty to twenty-five percent of the cases.[19]

We believe that these differing experiences may be the direct result of the availability of an automatic appeal procedure in unfair labor practice cases. A large percentage of the Board's caseload consists of largely factual matters in which the examiner's decision is almost always affirmed by the Board.[20] The examiners' total performance is equally impressive; the latest statistics show that 82 percent of their decisions are affirmed in full

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by the Board. One must assume that many of the parties that continue to use the automatic appeal procedure, in the face of these overwhelming odds against success, are motivated in large part by the desire to postpone the inevitable as long as possible or, in a word, delay. Adoption of discretionary review might tip the balance against an appeal in these cases, particularly since a party contemplating an appeal under such a system must recognize that relatively few petitions will be accepted.[21]

The nearly ten years of actual experience with discretionary review in representation cases is certainly instructive. At the same time, we recognize that there is in some quarters considerable antipathy towards trial examiners that will not disappear overnight. Furthermore, the regional directors, precisely because they are known to and in constant contact with labor and management representatives in their local area, can expect their rulings to gain far greater acceptance than can the trial examiners. We consider it likely, therefore, that as many as twice as many petitions for review (that is, forty to fifty percent of all cases) may be filed, at least initially, in unfair labor practice cases than are presently filed in representation cases.[22] But, even under these circumstances, the Board's unfair labor practice caseload will still be reduced significantly; and the number of review petitions in cases can be expected to reduce with added experience.

The number of days that may be trimmed from a particular case by a certiorari-type procedure is not overly impressive. At least 20 days will be consumed by the petition and the response and another 30 days by the Board's determination.[23] Thus, we are talking about a net gain of 100 days if no petition is filed, and a gain of 70 days if one is filed but denied.[24] Moreover, where the petition is granted, time would actually be lost unless an eased workload would facilitate greater expediency in Board actions in general. Nevertheless, in the great majority of cases the day when a remedy for a statutory violation can be granted would be advanced by 70 to 100 days. This is definite progress.

We recommend that the Board be granted discretionary review over unfair labor practice cases. The experience under the similar program for representation cases has been extremely favorable.[25] The immediate reduction of a significant part of the Board's caseload and the concomitant reduction of as much as a third of a year in the time needed for the determination of these cases are definite and positive advantages.

The few opponents of this change do not challenge these obvious benefits. They argue instead that other solutions (such as increasing the number of Board members) may have a similar or a greater effect on the twin problems of caseload and delay. In our opinion, these arguments support not the rejection of either alternative but possibly the adoption of both. Discretionary review deserves to be considered on its own merits and, on this basis, we believe it should be adopted.

CONCLUSIONS

(1) For the reasons stated in Part A of this report, this Committee endorses an amendment to Sections 10(e) and 10(f) of the Act making NLRB orders self-enforcing unless a petition for review is filed within thirty days after the order is served on the parties.

(2) For the reasons stated in Part B of this report, the Committee endorses an amendment to Section 3(b) of the Act providing for discretionary Board review of trial examiner decisions in unfair labor practice cases.

Respectfully submitted,

Richard M. Messina,
Chairman.
John D. Canoni,
Secretary.

FOOTNOTES

[1] All chronological references herein, unless the context indicates otherwise, will be to the Board's fiscal year (July 1 to June 30). Thus, 1969 refers to the twelve-month period from July 1, 1968 to June 30, 1969. Statistics are drawn from the NLRB's annual reports.

[2] The FTC has operated under a self-enforcement procedure for over a half-century. See 15 U.S.C. § 45(c), (g).

[3] This time period has varied between 30 and 45 days in the several proposals to date. We favor a 30-day period, provided that the period begins to run on the date the Board's order is served on the parties and not from the date the order issues. The petition for review is a fairly perfunctory document (in comparison to later briefs on the merits) and can be and often is prepared even before the Board decision issues.

Other federal statutes prescribed either 30 days (Federal Communications Act, 47 U.S.C. § 402C; Federal Seed Act, 7 U.S.C. § 1600), 60 days (Securities Act, 15 U.S.C. § 77; Securities Exchange Act, 15 U.S.C. § 78y; Public Utility Holding Co. Act, 15 U.S.C. § 79x; Federal Trade Commission Act, 15 U.S.C. § 45c; Federal Power Act, 16 U.S.C. § 8251; National Gas Act, 15 U.S.C. § 717r; Federal Labor Standards Act, 29 U.S.C. § 210; Trust Indenture Act, 15 U.S.C. § 77vvv; Investment Company Act, 15 U.S.C. § 80a–42) or 90 days (Food and Drug Act, 21 U.S.C. § 371f).

[4] 1967 Labor Relations Yearbook 421.

[5] 1967 Testimony of NLRB General Counsel Arnold Ordman before the Senate Appropriations Committee (71 LRR 517, 519). These delays have themselves spawned litigation. See *NLRB* v. *Staub Cleaners, Inc.*, F.2d, 72 LRRM 2755 (2d Cir. 1969).

[6] 71 LRR 517, 519.

[7] 72 LRR 252.

[8] If anything, the increase is accelerating. In 1966, the Board had predicted an unfair labor practice caseload of 16,500 for 1968—a 3.5 percent increase. The actual total was 17,816, or a 12 percent increase over 1966.

[9] Other proposals have included (1) amending the Act, principally Sections 8(a) (5) and 8(b)(4), to make lawful certain employer and union conduct now covered, (2) raising the Board's minimum monetary jurisdictional requirement to $250,000 or $500,000 and (3) increasing the number of Board members from 5 to 7 or 9. The latter two proposals are apparently derived from similar actions taken by the federal courts to deal with their own caseload explosion.

[10] The principal reason for rejection was that Reorganization Plan 5 would have permitted the Board to delegate "any of its functions." This open-ended language could have allowed the delegation of Board powers such as, for example, the authority to issue Section 10(j) injunctions. (See 48 LRRM 78). All subsequent proposals have been strictly limited to delegation in unfair labor practice cases.

[11] See speeches by Board Members Fanning (60 LRRM 51 (1965); 1968 Labor Relations Yearbook 164, 178; 72 LRR 362, 371–72 (1969)), Brown (1967 Labor Relations Yearbook 251, 252–53) and McCulloch (1968 Labor Relations Yearbook 114, 123) and by General Counsel Ordman (1966 Labor Relations Yearbook 339, 340).

[12] See speech by Congressman Thompson (1966 Labor Relations Yearbook 333), 1969 Report of House Labor Subcommittee (70 LRR 211, 213 (1969)) and S. 3453 (89th Cong., 2d Sess.).

[13] The 1966 Report of the American Bar Association's Section on Labor Relations Law, Committee on Practice and Procedure under the NLRA (see 1966 Reoprt, pp. 224–35) rejected the Plan in favor of an increase in the number of Board members from 5 to 7 or 9. The 1967 Report of the Association of the Bar of the City of New York's Committee on Labor and Social Security Legislation disagreed, concluding that the balance of considerations "seems clearly in favor of the Plan." 6 *Reports of Committees of the Association of the Bar Concerned with Federal Legislation* 19–54 (Nov. 1967).

[14] See 1966 Labor Relations Yearbook 323. The number of trial examiners (now 100) has been increased by nearly a third since 1963. (*id*, at 339).

[15] 1966–67 (N.L.R.B. decisions, bound volumes 161 and 162).

[16] See 1966 Committee Report at 231–32.

[17] Cf. *NLRB* v. *J.H. Rutter-Rex Mfg. Co., Inc.*, 24 L.Ed 2d 405, 72 LRRM 2881 (1969); *Fibreboard Paper Prods.*, 180 N.L.R.B. No. 33, 72 LRRM 1617 (1969).

[18] In 1959, no exceptions were filed in only 10 percent of all cases; other years show: 1960 (19%), 1962 (18%), 1964 (11%), 1965 (15%) and 1966 (12%).

[19] 1962 (19.6%), 1964 (20.1%), 1965 (25.8%) and 1966 (23.4%).

[20] 68 percent of all charges filed against employers in 1968 contained discriminatory discharge allegations under section 8(a) (3), and the Board affirms the examiner's decision in 95 percent of such cases.

[21] In representation cases, the Board has accepted approximately 15 percent of the review petitions filed. (1962 (13%), 1964 (20%), 1965 (14%), 1966 (13%)). Various Board members have predicted that the Board would accept 25 percent of all petitions for review if Reorganization Plan 5 were adopted.

[22] We are not convinced—for the reasons stated in the 1967 New York City Bar Association study (pp. 35–36)—that Reorganization Plan 5 will merely shift this workload to the courts of appeals. A judicial appeal is far more costly than a NLRB appeal. Moreover, a litigant could hardly expect a reasonable chance of success in the courts in a case the Board has determined does not warrant further review.

[23] The Board has said that all five members will rule on petitions for review and, also, that the vote of any two members will be required if review is to be granted. (60 LRRM 51, 53 (1965)).

[24] The certiorari procedure in representation cases has reduced the average time from the filing of the representation petition to the regional director's order directing an election from 82 days (the 1958–61 average) to 39 days (the 1962–65 average).

[25] How much of a reduction may be effected in unfair labor practice cases is difficult to ascertain. It will depend to some extent on the standards for review. We take no position on the standards that have been proposed. (See 45 LRRM 94 (1960)). The Board has stated that it will hold public hearings on the question of applicable standards if discretionary review is adopted.

INDIVIDUAL RIGHTS AND LIBERTIES

Mr. MONDALE. Mr. President, because of the understandable desire of Congress to reverse the rising crime rate, there has been—and there will continue to be—a tendency to expand the power of government at the expense of individual rights guaranteed by the Constitution. One man—the distinguished senior Senator from North Carolina (Mr. Ervin)—has taken the lead in opposing this dangerous tendency, and he has done so with force and eloquence.

As Tom Wicker observed in a column published in the New York Times of March 29, 1970, Senator Ervin represents what is best about the conservative tradition in American politics. He speaks out "for values proven so long ago that most Americans no longer even seem to know about them."

I have disagreed with Senator ERVIN on various issues in the past, and I am sure that we will continue to disagree in the future. But I have always been aware of his great integrity and of his strong devotion to individual rights and liberties. Mr. Wicker managed to convey these qualities in a relatively few words. I therefore ask unanimous consent that his article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN THE NATION: WILL THE REAL CONSERVATIVES PLEASE STAND UP?

(By Tom Wicker)

WASHINGTON.—No Southern Senator has been a more vigorous and outspoken opponent of most civil-rights legislation than Sam J. Ervin of North Carolina. But Judge Ervin, a former member of the Supreme Court of that state, always based his opposition on what he considered legal and constitutional grounds, and so it may not be as incongruous as it seems that in recent years he also has emerged as an eloquent defender of American civil liberties.

Last week, employing all the organ tones of one of the most impressive rhetorical talents in the Senate, Judge Ervin went to work on the infamous District of Columbia crime bill passed by the House at the behest of the Nixon Administration—a measure, incidentally, which is something of a model for what the avid crime-fighters of the Administration and Congress have in mind for the rest of the country.

SENATOR ERVIN'S ATTACK

This iniquitous bill, Judge Ervin thundered to the Senate District Committee, is "an affront to the Constitution" and "as full of unconstitutional, unjust and unwise provisions as a mangy hound dog is full of fleas." It was, he went on in splendid voice, "a garbage pail of some of the most repressive, nearsighted, intolerant, unfair and vindicative legislation that the Senate has ever been presented."

A particular opponent of the Administration's so-called "preventive detention" proposal, Judge Ervin denounced it as well as other provisions—mandatory adult trials for sixteen-year-olds charged with violent crimes, sweeping wiretap and bugging authority, the authorizing of "no-knock" entries by police, and mandatory jail sentences in certain crimes—and said they constituted "broad-scale repudiation of our constitutional traditions."

"This bill," the Senator concluded, "might better be entitled 'A bill to repeal the Fourth, Fifth, Sixth and Eighth Amendments to the Constitution.'" And this attack will not be dismissed lightly, as House and Senate conferees try to reconcile the House bill with a more moderate Senate version; Judge Ervin's credentials as a constitutionalist and a conservative are too highly regarded in Congress for him to be brushed aside as a bleeding heart of a do-gooder.

Moreover, he played the leading role in securing passage of the Bail Reform Act of 1966, which the Nixon "preventive detention" scheme would undermine; and he also has been active in defense of the rights of Federal employes against those who would invade their privacy and insist on unreasonable conformity to arbitrary standards of conduct and attitude. So his credentials also are good on the question of individual liberty against the power of the state.

Those—including me, a fellow North Carolinian—who often have criticized Judge Ervin for his resistance to civil rights legislation, may find his civil libertarianism contradictory; yet, whatever his subconscious or unconscious motives may have been, his opposition to rights legislation always has been presented as opposition to unwarranted Government intrusion on the rights of individuals even in a good cause. It is not so long a jump from that position, however self-serving in the case of civil rights, to one of stout opposition to a bill presented in a good cause—fighting crime—that really would trample without warrant on individual rights. And the individuals who would be most affected by the D.C. crime bill are the blacks who make up 60 per cent or more of the District's population.

AGAINST UNBRIDLED POWER

The point is neither to justify Judge Ervin's position on civil rights nor to maintain that it is negated by his libertarian stance; the point is rather to suggest that a certain kind of old-fashioned conservatism still has its exponents in America, still makes its case fundamentally against unbridled Government power, still believes that in the end it is the individual—not society and not any group—that is the basic unit of value in the human condition.

That kind of conservatism is a far different thing from the simple greed of those who want to be let alone to milk the economy at will, the fixed fiery stare of those who believe that anything goes in the battle against Communism, the hysterical demands of those whose response to temporary stimuli—rising crime, dissent, high welfare costs, higher taxes, college unrest—is the cry for punitive action at any cost.

Judge Ervin's kind of conservatism may have been reluctant to place black men's rights on a par with those of whites, but it is not the kind of conservatism that holds cheap the rights themselves. It is not affected with the myopia that prevents fearful men from seeing that if individual rights are taken away from any man or class of men they are taken away from all; and that once suspended or destroyed they are most unlikely to be recognized again by a state power that will have been loosed from the restraints of the ages.

This is an attitude once widely held in the South, if often honored in the breach. And while that region may be following the Republicans into the great Silent Majority, not so Sam Ervin; he stands by the older view, still speaking out for values proven so long ago that most Americans no longer even seem to know about them.

HELIUM SYMPOSIUM

Mr. DOLE. Mr. President, on March 23, a meeting was held in Washington to discuss a little-publicized, but extremely important product. The helium symposium was concerned with recent developments and trends in the conservation of one of our most curious natural resources. Helium is, however, more than a curiosity, as the $100 million per year industry it supports will attest.

Two speakers at the symposium were C. W. Seibel, who pioneered the commercial and industrial utilization of the gas, and Henry P. Wheeler, formerly Assistant Director—Helium, Bureau of Mines.

Mr. President, I ask unanimous consent that the remarks of Mr. Seibel and Mr. Wheeler be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

TEN YEARS OF HELIUM CONSERVATION—1959–69

(By Henry P. Wheeler, Jr.)

I appreciate very much this opportunity to look back with you at 10 years of helium conservation—and to say some things about those years that I have been wanting to say for a long time. Like Dr. Seibel, I shall be speaking as a former Assistant Director—Helium, Bureau of Mines; and the views that I express shall be my own—not necessarily the Department of the Interior's. Whether you agree with my views or not, I hope they will be helpful to you in putting the helium conservation program into a proper perspective, and perhaps in planning some other conservation program in the future.

The program was not my idea, so I think I can talk about it with some objectivity—although when I discuss its implementation, I admit that I shall be, in a sense, defending some of my own personal decisions and actions.

In 1955, I recommended a helium conservation program in which we would save for future use each year about as much helium as we would consume that year. An interdepartmental committee, headed by the then Under Secretary Chilson, went much further to recommend essentially the conservation of all of the helium that would otherwise be wasted in natural gas containing 0.3 percent or more of helium. President Eisenhower recommended and the Congress authorized such a program; and funds were provided for a major part of it. These were indeed men with an eye to the future—and I think that we, in the Department of the Interior, let them down.

We implemented the program even better than we said we would, but when the program was criticized by the General Accounting Office and others, we sat in relative silence—leaving even those men who made the program possible to wonder whether or not they had done the right thing. If I do nothing more today, I hope that I can reassure those men that, regardless of what happens to the program now, they were right in making the program possible. We will not know for sure until some time in the future if we were wise in saving the helium, but I can assure them right now that the money they provided was wisely spent.

But first, let us look in a broad sense at what we did. When the program was presented to the Congress, it was estimated that it would cost about $15.00 a thousand cubic feet to acquire helium for conservation. This estimate was based upon a presumption that the helium would be extracted in Government plants. We negotiated contracts to acquire the helium from private plants at an average price of $11.29; and our country received a substantial additional benefit in the form of new gas-processing and cryogenic technology developed specifically for application in the private plants.

Because the helium cost less, we were able to conserve more with the money that was provided to us. Whereas, we told the Congress that we could conserve about 3.6 billion cubic feet a year with a $60 million a year program, we were actually able to conserve about 3.5 billion cubic feet a year with a $47.5 million a year program.

The helium demand projections that we made in 1959 proved to be remarkably correct for a period of about 8 years; and although the demand has slumped in recent years because of drastic changes in helium-using defense and space programs (and business in general in the United States is something less than booming), those 1959 projections still look like a pretty good and probably conservative bet for the future. Over the period 1959–1969, the demand was only about 14 percent less than we estimated. In this regard, this is as good a place as any for me to say something I want to say to those helium pessimists—mostly economists—who foresee a dismal future for helium. Isn't it a little ridiculous to predict increasing demands and prospective shortages for everything under the sun *except helium?*

Even when you look at the program closer, you will see that we acquired the helium according to plan. Before we negoti-

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ated any contracts, we set out the steps that we would take and the conditions that we would achieve in the contracts. I do not believe that any Government program has ever been implemented so precisely according to a predetermined well-developed, and approved plan.

And yet, we have been severely criticized. Sometimes, I wake up nights still, wondering why. Mainly the critics say that we have allowed our contractors to make excessive profits, and most of this criticism stems from the fact that we paid the companies—not only for extracting the helium, but also for the helium itself, which was owned by the companies. I realize now that my critics and I had different objectives. Whereas I was trying to acquire helium at the lowest cost to the Government, apparently they would have sought to acquire helium in a way that would minimize profits to the companies regardless of the cost to the Government. This would have meant extracting the helium in Government plants. I still think that we did it the better way.

In assessing the profits of our contractors, our critics include the profits derived from the ownership of the helium as being related to plant investment. Although this may be proper from an accounting standpoint, I think it is most unfair as a basis for criticism. If we had built the plants, we would have had to buy the helium in the natural gas; and the companies would then have realized an infinite return on their plant investment because they would have had none. If the profit derived from the ownership of the helium is separated from the profit derived from the extraction of the helium, I doubt that the return on investment is exorbitant. I do not know, because, although some audits have been made, I have not been privileged to see them.

So much for the contracts. Now, I would like to talk about what has happened to the program. Dr. Seibel has called the program a flower that bloomed. In recent years, however, it has become a flower that has withered somewhat because of lack of support—not lack of nourishment, for the Congress has been most generous in providing money for the program—sometimes slow, but adequate.

An essential prop for the program was allowed to disintegrate—the prop being, of course, the requirement in the Helium Act that Federal agencies would purchase their major helium requirements from the Bureau of Mines. The fragility of this prop was foreseen in the congressional hearings when the Helium Act was being considered, and a record was made in these hearings to indicate that all major requirements of helium used for Federal purposes should be purchased from the Bureau of Mines to support the program—whether used by the Federal agencies directly or by their contractors. Perhaps the biggest mistake in the program was to attempt to finance the program with income from helium sales to the Federal agencies rather than through direct appropriations. But it seemed like a good idea at the time to distribute the program costs among the agencies in proportion to the benefits they derive from it, and it enabled the program to operate on a business-like basis. Further, the principal helium-using Federal agencies all participated in the conceptual development of the program, and there seemed to be no reason to believe that they would not support the program with their helium purchases.

When we raised the price of Bureau of Mines helium to recover the costs of conserving helium for future use in addition to the costs of current sales, however, some private helium producers (which had no conservation costs) saw a chance to sell helium to the Federal agencies at a lower price. It is understandable that a Federal procurement officer, unfamiliar with the helium conservation program, would not wish to pay $35.00 to the Bureau of Mines for 1,000 cubic feet of helium when he could buy it from a private company for $25–$30. By purchasing the cheaper helium, he could stretch his limited appropriations further; and, on the face of it, it seemed that he was saving the Government money.

We could never fully convince the Federal agencies and their contractors that, in fact, their purchases of private helium cost the Government money. I am not sure that I can convince you, but I would like to try. You see, the helium we sold to the Federal agencies only cost the Government about $10, with about $25 of the $35 price going to pay for helium conserved for future use. Every time a Federal agency paid $25 for 1,000 cubic feet of private helium, it cost the Government an unnecessary $15. When you consider how many hundreds of millions of cubic feet of private helium have been purchased for Federal use, you will realize that these purchases cost the Federal Government several millions of dollars. And yet, to the best of my knowledge, they were never questioned by the General Accounting Office.

"Oh, yes," you might say, "but you were able to save more helium for the future." True, but it was very expensive conservation. It cost about $25 a thousand cubic feet of helium, and we could buy all we could afford to buy for conservation for about $12 a thousand cubic feet. I know these figures are not easy to understand, but you can figure them out for yourself if you are interested. If you need help, Harold Lipper in the Bureau of Mines will help you.

We foresaw what was about to happen in 1964, and for 3 successive years we tried in the Bureau of Mines to strengthen this essential financial prop by recommending to the Department of the Interior that the Helium Act should be amended to clearly require Federal contractors as well as Federal agencies to buy and use Bureau of Mines helium. I do not believe that the officials in the Department were uninterested; they simply were not listening because other important programs were foremost in their minds. In any case, nothing was done. We talked to the helium using Federal agencies with only a small measure of success. Finally, in 1968, we tried to promulgate regulations which were invalidated by a Federal judge who said that he did not have to read the legislative history of the Act to determine what it means.

Look what happened. Over the 5-year period, 1965 to 1969, an estimated 605 million cubic feet of helium was purchased for Federal use from private producers rather than from the Bureau of Mines:

20 million cubic feet in 1965;
50 million cubic feet in 1966;
155 million cubic feet in 1967;
200 million cubic feet in 1968;
180 million cubic feet in 1969.

These purchases represented a loss of income to the program in the amount of almost $25 million. This loss plus recent reductions in defense and space helium-using programs indicate clearly that the helium conservation program cannot long endure in its present condition.

Despite its adversities, the record of the helium program to date is not too bad, and regardless of what happens from here on out, I believe it has been a sound program and I am proud to have been a part of it. The record for the 10 years 1960–1969, is as follows:

Helium produced in Government plants: 7.3 billion cu. ft.

Helium acquired from contractors: 22.7 billion cu. ft.

Total helium acquisitions: 30.0 billion cu. ft.

Helium sold for beneficial use: 5.9 billion cu. ft.

Helium stored for future use: 24.1 billion cu. ft.

Total expenditures: $355 million.

Income from sales and services: $209 million.

Borrowed from Treasury: $146 million.

Interest on Treasury borrowings: $17 million.

Indebtedness to Treasury: $163 million.

Indebtedness per 1,000 cubic feet of helium in storage for future use: $6.80.

The indebtedness figures that I have cited do not include about $40 million of indebtedness incurred because of capital expenditures made prior to 1960 and before the helium conservation program was started.

And, although the private helium industry has contributed to the deterioration of the Government's helium conservation program, it has become an important national asset that did not exist at all in 1960.

Where does the program go from here? This is a question I cannot answer, but I feel sure the program will receive stronger consideration from the present Administration than it has received since its conception. The people who are now in the Department of the Interior know the importance of the natural resource conservation. They also know, however, that our country has much to do, and our fiscal resources are not unlimited. They must deal with the program as they inherited it—not as it might have been. The decision will not be easy, but I am confident that it will be as wise as man can make it, and I shall support it, whatever it might be.

A 1917 VISION BLOSSOMS

(By C. W. Seibel)

The history of the development of commercial helium is surely a fairy tale of science and industry. How else could one catalogue an undertaking which employs more than a thousand men, whose sole purpose it is to capture a product that can not be made, an element in the form of an inert gas that no one has even seen, smelled, or tasted, a material that must be shipped in high pressure containers which may weigh 100 times as much as the commodity they hold and which must then be returned empty. A substance which as a liquid has a temperature of 452.1 degrees below zero F., that in one form seemingly defies the law of gravity. But such is helium, the sole product of a 100 million dollar a year industry, that produces a material which affects and probably protects the lives of most of the people in the United States and provides a lively-hood for untold thousands.

Fifty years ago helium as such was a chemical curiosity. Not enough had been produced in this country to have filled a toy balloon. I know because I owned most of it and used to sell small quantities at the rate of $2,500 a cubic foot. At such a rate that toy balloon would have cost $1,000 and to have filled the envelope of the Goodyear blimp one often sees flying around football fields or raceways would have cost 500 million dollars.

But I am getting ahead of my story. I often look back on my close association with the production of helium and wonder if it is not a fairy tale after all. Those 42 years include many anxious moments, some failures, several periods of elation but few dull moments.

It would be impossible to recount even the important events of those years in the few moments that are alloted to me this morning, so I will have to hit a few of the high places. I will be content if I convince you that the recent moon shot is not the only impossible dream Congress has backed and our scientists have made come true. I should like to leave two other thoughts with you.

Twenty five years after helium was found on earth, only one important use had been found for it—as a bouyant gas for lighter than air craft. During the next twenty-five years the once rare gas became available in quantity and hundreds of new and important uses were developed for it and—it made the moon shots possible. In the years ahead we can expect other and more important services with the aid of helium. However, helium is obtained from natural gas and the Federal Power Commission warns of an impending shortage of that commodity. The obvious answer? Intensify our present helium conservation program.

Lastly I would impress you with the fact that both the production of helium and the space programs have been made possible by men of vision in the Congress as well as those in science. Men who would not take no for an answer: men who were steadfast in their support through trials and tribulations to ultimate success.

Should you be interested in details, I must refer you to a book I wrote three or four years ago, which I understand most of you have. Incidentally the title of that book caused me some unhappy moments. I wanted to call it "Child of the Sun". The editors claimed that would be unfair to the reading public as they might think it was about a nudist colony. So it became "Helium, Child of the Sun"

Whether you have seen the book or not, you probably know that Dr. H. P. Cady of the University of Kansas was the first to discover that helium was contained in some of the natural gases of this country. I came into the picture as one of Dr. Cady's graduate students when I read a paper on "The Rare Gases in Natural Gas" at the Spring meeting of the American Chemical Society, just six days after the United States entered World War I. From my point of view that was the beginning of the most remarkable scientific fairy story that ever came to life.

Six months later I thought I was dreaming when I learned that the Army and Navy had authorized $300,000 each to produce helium for lighter than air craft. What if the British wanted to place an order for one million cu. ft.? What if they were willing to pay a dollar a cu. ft. for it? Surely they knew that since the time helium was found on earth, not as much as 50 cubic feet had been separated in all the world? However, a year and a half after that Kansas City meeting, two experimental helium plants at Fort Worth, Texas had produced over 200,000 cu. ft. of 93% helium and most of it was on it's way to the front. Only the signing of the armistice kept it from being delivered. The cost? 40¢ per cu. ft. My days of selling it for $2,500 a cu. ft. were at an end.

Strangely enough that helium remained in high pressure cylinders for more than three years. Then, as has been the case on so many occasions, the financial support and confidence Congress had placed in the project was vindicated. On December 5, 1921 the members of Congress and the citizens of Washington saw the world's first helium filled airship, the Navy's C–7, floating over the Nation's Capitol and flying around the Washington Monument. While the cost of that first helium was less than one-half the sum the British were willing to pay during war time, it was much too high for peace time.

Now that helium production was a proven possibility the emphasis was placed on reducing the cost. In 1923 the engineers of the Bureau of Mines made a major contribution to cheaper helium for lighter than air craft. They developed a method for removing air which diffuses into the envelope of all such craft and eventually reduces the lift to an unacceptable degree. All of the air from one thousand cu. ft. of contaminated helium could be removed for about $2. That meant that the initial helium could be used over and over again. The process was too hazardous to be employed in the case of hydrogen.

Next the Bureau staff attacked the cost producing helium from natural gas. Using data which had been developed in its Washington, D.C. Cryogenic Laboratory, a process was developed that gave every promise of helium for $15 per thousand cu. ft. The combined processes made the cost of helium for lighter than air craft competitive with that of the hazardous hydrogen.

While the cost of producing helium was being attacked by one group, other members of the Bureau of Mines continued the gas field survey which had been started in 1917 and has continued to the present. Today, the Bureau of Mines gas field files contain the results of more than 12,000 analyses of gas taken from wells throughout this country and some from foreign lands. It is safe to say that this group is the best informed one in the world on the sources of helium, its availability in the form of helium bearing gas. I am certain that their studies indicate that the need for helium conservation is as acute as ever.

The need for helium conservation is nothing new. In 1920 The National Advisory Committee for Aeronautics, the Secretaries of War, Navy and Interior and President Harding became concerned about future sources of helium. Eventually the subject was given consideration by the Congress and as a result the first Helium Conservation Act of March 3, 1925 was approved.

The act gave great impetus to the entire helium program. It directed that all helium production be placed in the hands of the Bureau of Mines. The Bureau was authorized to explore for, procure, and conserve helium bearing gas. Helium could be leased but not sold.

For the next twelve years helium production had as many ups and downs as the airships themselves. Just when the old Petrolia Field was nearing exhaustion, a promising new field near Amarillo, Texas, with twice the helium content was purchased. A plant employing the Bureau's newly developed process for the extraction of helium from natural gas was constructed near Amarillo. The new plant was soon producing 98% helium at the rate of 15 million cu. ft. per year at a cost of 1¢ per cu. ft.

Then, one by one, a series of disasters struck the big ships, helium's main customers. First the Shenandoah was lost in a storm, then the Akron and finally the Macon was lost while on maneuvers. An added blow was dealt the lighter than air program through the loss of the German ship Hindenburg, which filled with hydrogen, burned while attempting a landing at Lakehurst, N.J. These tragedies nearly caused helium production to die on the vine. Some heroic measures were necessary to keep it alive but to this day I wonder how we weathered the storm. But we did. I do know that we got a big assist from Congress. In September of 1937 they passed an amendment to the first Helium Conservation Act. The new legislation gave the Bureau authority to sell helium commercially. The value of helium for newly developed medical purposes was recognized and the Act directed that charges for "medical helium" should be at prices which will permit its general use therefor. All in all the new act kept the industry alive.

A few years later, when war clouds descended on our country, the Bureau of Mines had one operating helium plant and a staff of 36 dedicated and experienced men. Before the war was over that staff had grown to over 400 with not a few women. Four new plants were built and production jumped from a low of 5 million cu. ft. in 1937 to 137 million cu. ft. in 1944.

The Navy had authority to build 200 airships during the war and we set about to supply them with the necessary helium. I do not know how many of those blimps were built during the war but I do know that the Navy's dirigibles convoyed over 89,000 surface ships without the loss of a single one. I am happy to report that the Bureau of Mines saw to it that those ships never lacked helium for any of their operations. After the war we expected helium production to take a nose dive, so we went about dismantling the Cunningham plant, where as predicted, the volume of helium bearing gas proved questionable. Of the remaining four plants only one was kept in a producing status. The remaining three were placed on standby.

During the war a new use for helium had been developed, Helium Shielded Arc Welding. It needed a purity of 99.995% and as soon as the Bureau made it available, it seemed to start a chain reaction. Soon we were receiving orders from hospitals where helium saved many lives in connection with the treatment of respiratory diseases and in the administration of anaesthetics. Helium in detectable amounts will pass through a hole so small that it would not allow a quart of air to escape in 2,000 years, so thousands of cu. ft. were ordered for leak detection. Strangely enough more helium was to be used as a lifting gas for the scientific studies of the upper atmosphere than in the heyday of the large dirigibles. Liquid helium gave scientists the only possibility of producing the important phenomena of superconductivity. In addition it was predicted that large volumes would be needed for atomic gas cooled reactors and for the purification of water. The overall demand for helium grew beyond our fondest expectation and by 1953 all of the standby plants were back in service and operating under forced draft and helium was being allocated.

It was fortunate that during the lean years, just after the war, that some 95 million cu. ft. of helium had been removed from the natural gas going to the fuel market and injected into the Government's Cliffside gas field. By 1959 most of it had been withdrawn to help meet the increasing demand, which the greatly enlarged Exell plant could not take care of. Once more Congress came to the rescue with needed funds for a new plant. The plant, which was built at Keyes, Oklahoma, was a life saver. However, it had been realized for some time that if future generations were to have the advantages only helium could give, a conservation program would have to be implemented without loss of time.

Fortunately at that juncture the Under Secretary of the Interior, the Hon. O. Hatfield Chilson became aware of the acute situation. He discussed the matter with Mr. Gordon Gray, Director of the Office of Defense Mobilization. It was decided that work groups should be established to study and report on the many problems involved in a helium conservation program.

Eventually four work groups were established, with the Under Secretary acting as general chairman. The members were selected from high ranking officials of the Departments of Defense, Interior, Commerce, the Atomic Energy Commission and the Office of Defense Mobilization.

Studies were made of the availability of helium bearing gas. Current and prospective uses for helium needs, costs of production, sources of funds, recovery of capital expenses, new legislation that might be needed and many other items.

They recommended amendments to the Helium act of 1937. Realizing that the helium production program had been self-supporting for many years, one of the few such operations in the Government, the group suggested a self supporting conservation program, to be maintained through increased charges for helium. All Government agencies were to procure all of their major helium needs from the Bureau of Mines. There were many other recommendations. Mr. Chilson presented the findings of the various work groups to President Eisenhower

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and his Cabinet. The entire report received their unanimous and enthusiastic approval and the new helium conservation program was on its way. Once more men of vision had looked into the future and had taken steps to protect it. And well they should, for as proclaimed long ago in Proverbs 29:18, "Where there is no vision, the people perish."

And now, from all reports, it is apparent that Helium Conservation is again in extreme difficulty. And once again, therefore, the wisdom, foresight and courage of the members of Congress and certain government officials, are being sorely tested. The need for helium and the tremendous potential for helium use were never greater, as I am sure you will hear here today and tomorrow.

The fact, is ladies and gentlemen, that there is only a critically limited supply of economically-recoverable helium in this country and it is rapidly being depleted. And it is patently obvious that once this known supply of helium is gone, science and industry, and future generations of Americans will be the tragic losers. (No new assured major source of helium has been discovered in this country in the last twenty-seven years.) New supplies of helium cannot be planted, like trees, nor will it remain where it is.

So, after a full career and most of a lifetime devoted to helium and helium conservation, if I had the power to speak to every member of the joint Congress, at one time, I would tell them: "Indeed yes, a 1917 Vision has truly blossomed." And I would also say to them with all the vigor at my command: "Please do not let that beautiful blossom wither on the vine!"

SUMMARY

C. W. Seibel became associated with the commercial production of helium a few days after the United Stated entered World War I, and continued till the time of his retirement as Assistant Director of the U.S. Bureau of Mines in 1959. The paper sketches some of the interesting facets of helium production as it progressed over the years and carries the story up to the time President Eisenhower and his Cabinet gave approval to what has become the present Helium Conservation Project.

THE 60TH ANNIVERSARY OF NOVOYE RUSSKOYE SLOVO

Mr. CASE. Mr. President, several days ago, on April 5, the oldest Russian-language daily newspaper in the world had its 60th birthday anniversary. But this birthday was not celebrated, at least publicly, in Moscow or Leningrad, because the oldest Russian-language daily in the world is in New York City.

The Novoye Russkoye Slovo, which means "New Russian Word," is a symbol of two vital aspects of American life: freedom of expression and the cultural diversity that has made our culture rich, lively, and great.

I should like to wish this fine newspaper "Happy Birthday", and a continued and successful publishing career.

SENATOR JAVITS SALUTES ST. LAWRENCE CHOIR

Mr. JAVITS. Mr. President, on April 15, the Laurentian Singers from St. Lawrence University in Canton, N.Y., gave a concert in the Rotunda of the Old Senate Office Building. For those of us who were privileged to hear the concert, it was a rare treat.

The Laurentian Singers were formed in 1946 at St. Lawrence University and are conducted by Dr. G. Errol Gay, assistant professor of music at the university. The Singers have traveled throughout the United States and Canada receiving the acclaim of all groups that they have appeared before. High points in their history have been appearances in Town Hall, Carnegie Recital Hall, and in the Canadian House of Parliament. They have also made coast-to-coast broadcasts on the major radio and television networks. Another honor for the Singers will be their appearance on April 19 at the White House worship service to provide the choir music for that service.

I salute this fine New York university choir and tell them how much we enjoyed their performance.

BICYCLES: A SOLUTION TO THE URBAN TRANSPORTATION CRISIS

Mr. TYDINGS. Mr. President, most Americans regard bicycles as toys; people of other countries regard them as viable, nonpolluting, and inexpensive means of transportation. Although the bicycle makes a direct assault on four problems that plague modern cities—traffic, noise, parking space, and air pollution—planners have overlooked it in their search for solutions to the urban transportation crisis.

In a most unusual article entitled "Easy Rider: A Solution to the Commuter Crisis," published in the November 1969 issue of the Washington Monthly, Thomas R. Reid III argues well the case for a national plan for commuter bike routes. It is indeed time for commuters and communities to give bikes a chance. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EASY RIDER: A SOLUTION TO THE COMMUTER CRISIS

(By Thomas R. Reid III)

I can get to work in the morning faster than you can. I can get to work cheaper than you can. I can park much closer to my office than you can. And I have more fun commuting than you do.

The secret to my success is a two-wheeled, three-geared vehicle that I bought last year—complete with a galaxy of optional extras—for $35. I go to work on a bicycle. On it, I am able to travel the four miles from home to my job downtown in the quickest, cheapest, easiest, and healthiest possible way.

Not only do I get to work faster, easier, and happier than you do, I'm a better citizen about it, too. My bike never blocks traffic, and I don't need vast acreages of space to park it. Instead of a honk, roar, and crash, the only sound I make is the gentle swish of pedals. Most important, my bike does not pollute the air. While the automobile industry works to eliminate defects in the internal combustion engine, I've gone one step further. I eliminated the engine.

I didn't always have it so good. For years I used to go out every morning, charge up my 350-horsepower, four-on-the-floor Detroit dynamo, and crawl through traffic to my office at 15 miles per hour. I found that pace exasperating. But by present automotive standards I was making good time. In a recent study of central Manhattan, rush-hour traffic was clocked at an average speed of three miles per hour.

It wasn't just the exasperation, though, that led me to stop driving. When my parking-lot man told me one morning that he was raising his rate to $3.00 per day, I decided that there must be a better way.

So I started taking a bus to work. But it didn't take me long to realize that public transit was not much better than fighting through the streets in my car. I was still paying too much for a ride that took too long, even on those redletter days when the bus ran on schedule. Standing on the bus each morning, looking out at the chaos on the streets, I concluded that none of the conventional forms of transportation could cope with the traffic problem. Then, one day about a year ago, I stopped thinking conventionally. I started commuting by bicycle.

Commuting by bicycle? Is this some kind of put-on? It may sound like a joke to motor-minded America, but in the rest of the world nobody is laughing. In countries that are willing to take it seriously, the bicycle transportation. Switzerland, for example, which traditionally places a high value on peace of mind and purity of air, has more bicycles than automobiles. In Amsterdam—a national capital with roughly the same population and climatic conditions as Washington, D.C.—150,000 people ride bikes to work every day. Hundreds of thousands more commute by bicycle in other European cities. The same is true in much of Africa and Asia.

Probably the most dramatic example of the importance of bicycle transport can be seen in Vietnam. Harrison Salisbury reported in the *New York Times* that the North Vietnamese are using bicycle battalions to carry tons of supplies over routes that have become impassable for trucks. The French historian Jules Roy argues in *The Battle of Dienbienphu* that the bicycle was instrumental in the outcome of that battle.

Nonetheless, the United States has displayed a curious isolationism toward the bicycle; we have refused to learn from the example of other countries. Americans still see the bicycle as a toy; the notion that someone would seriously rely on a bike for transportation is considered rather silly. It doesn't bother me, though. Maybe some drivers and bus riders think it funny when they see me pedal to work, but when I consider the advantages my vehicle has over theirs, there isn't much question about who is really laughing at whom. Besides, I have an assured seat.

Consider the time it takes to get to work. From a residence within five miles of the city center, bicycling is the fastest way to get downtown in rush hour. That may seem incredible, but I have proved it. This summer I entered a commuter race in Washington, D.C. I raced against one commuter who drove his car, and another who rode the bus. The "track" ran from a residential neighborhood in Northwest Washington to the Mayor's office in the heart of the central business district.

It wasn't even close. At the moment I arrived to win the race, the car was barely visible behind a long line of stop-and-go traffic; the third man was waiting at a bus stop some three miles away.

It may be some solace for automobile buffs to know that the driver did finish first in one aspect of the race: he managed to spend more money than anybody else. By the time he had parked his car for the day, his total expenses were over $3.00 for the trip to work. The bus rider spent $.30 each way for his trip. My expenses on the bike are harder to determine, but a reasonable estimate would place my total cost for the three-and-a-half mile race somewhere between one and two cents.

The economic advantage of commuting by bike can be seen even more clearly when calculated on an annual basis. Internal Revenue Service formulas for depreciation and operating expenses—assuming a fee for hard-to-find parking of only $1.00 per day—suggest that a commuter who drives five miles to work and back each day spends over $500 in a year of commuting.

Compare that to my annual commuting budget. By extrapolation from the same Internal Revenue Service figures, the depreciation rate for a bicycle comes to $.0016 per mile. Adding depreciation to annual operating expenses (one broken spoke, one flat tire, two headlight batteries, and one can of oil), the total cost for a commuter who bicycles 10 miles a day all year is around $5.50—about 1/100 of the cost of driving.

Bicycling is as good for the psyche as it is for the pocketbook. The bike commuter may have to stay cooped up in his office all day just like everyone else, but he knows that morning and evening he can be outside for a while in the bright of spring or the crisp of autumn. The bike rider participates in the sights and sounds of the street in a way that no other commuter can. The bike rider also enjoys the particular satisfaction of being self-propelled, a rarity in this age of powerlessness. It is a good feeling to know that you can get somewhere under your own steam.

Doctors agree that commuting by bicycle is good for the body as well as the soul. Dr. Paul Dudley White, adviser to Presidents and a leading heart specialist, says that "bicycles are the answer for both brain and body. If more of us rode them, we would have a sharp reduction in the use of tranquilizers and sleeping pills."

Dr. White cities the following specific benefits of bicycling: "In the first place, it is an aid to good muscle tone, much needed by the American people today. It aids the circulation and thereby the heart . . . it aids the lungs . . . it aids our digestion and it may even protect against peptic ulcers . . . it aids our weight control . . . it probably aids our longevity . . . it aids the nerves by improving sleep and maintaining equanimity and sanity."

A word on weight control: even a leisurely bike rider burns up 100 to 120 calories per mile. This means that a commuter who has an easy half-hour ride to the office and back will use 1200 calories per day just getting to and from work. Thus, even without its time, money, and health benefits, bicycle commuting could still be the best thing that ever happened to the Metrecal-for-lunch bunch.

Of course, bicycle commuting has its disadvantages, too. One disadvantage is winter. which keeps coming back every year. Although year-round riding is feasible in the deep South, it is just too cold for at least one or two months in most American cities. The only real problem, of course, is that the commuter has to arrange an alternate way to get to work during the winter months. But as soon as spring appears, he can get out his bike and start arriving at work on time again.

The most serious problem facing the bicycle commuter is the hazard of venturing into traffic on a bike. The bicycle rider in American cities today has an identity crisis—nobody knows he's there. Consequently, motorists will pull out of a driveway, switch lanes, swing U-turns, and back up without even noticing that a bicycle is in the way. This problem is being alleviated in some large cities through large-scale publicity campaigns designed to sensitize drivers to the fact that there are bikes on the streets. This is a public problem, and it will be up to governments to solve it. As cities take steps to improve the lot of the bicyclist, experience indicates that the number of bicyclists will increase.

It is clearly in the cities' best interests to encourage bicycling; bicycle commuting, after all, holds just as many advantages for the community as a whole as it does for the individual commuter. There are indirect benefits for the city in the decreased economic burden and improved health that result from commuting by bicycle. In addition, the bike makes a direct assault on four problems that plague modern cities: 1) traffic, 2) noise, 3) parking space, and 4) air pollution. (The automobile companies have been somewhat successful in their own attempts to control pollution. Depending on whose estimate is used, harmful emissions have been reduced 50 to 80 per cent in the past few years. Nonetheless, cars and buses are the major cause of air pollution in urban areas. The cities will not solve this problem until they reduce the number of cars coming downtown every day.)

Politicians, mindful of the social advantages of bicycle commuting (and sensing that there must be a few voters among the country's 57 million bicyclists and tricyclists) have been enthusiastic backers of the bike. John Lindsay remains a strong advocate of bike routes in New York City. In fact, bicycles have traditionally been one of the few points of agreement among New York mayoral candidates. Following the 1965 municipal elections, the *New York Post* commented that Bill Buckley's proposal for an elevated bikeway along Third Avenue may have been the most reasonable suggestion advanced in the entire campaign. While this may be more of a reflection on New York City than it is on the bicycle, it is indicative of the fawning attention that candidates tend to pay to bicyclists.

On the national level, Stewart Udall has been a strong supporter of bicycling as the only way to offset "the tyranny of the automobile." Lyndon Johnson waxed almost poetic in a message to Congress: "I see an America where our air is sweet to breathe and our rivers are clean to swim in. I see an America where [there are] bicycle paths running through the hearts of our great cities. . . . The forgotten Americans of today are those who like to walk, hike, or ride bicycles. For them we must have trails as well as highways."

With bicycles, as with everything else, talk has been more plentiful than action. There is still nothing like a national plan for commuter bike routes. On the local level, however, much has been done, and there are in fact "bikeways"—specially designated, clearly marked routes—running through the hearts of many of "our great cities."

One of the most ambitious and most successful bikeways runs through downtown Chicago. An extensive system of bike routes leads through several city parks and along the lake shore. As is the case in most other cities, Chicago started its bikeway project strictly for recreation purposes, and then expanded it as shoppers and commuters began to use the routes, too. The city now has 36 regularly traveled bike routes.

And Chicago isn't all. You can commute from Cambridge to downtown Boston on a bicycle path that runs along the Charles. Milwaukee has 64 miles of marked bikeways. Cities all over Florida have responded to the possibilities of bike commuting. Miami is the hub of an extensive system of bicycle routes connecting the central city with outlying suburbs. Bicycles are so common in Florida that the Coconut Grove National Bank has set up pedal-in teller windows at its branches.

The most carefully planned and most instructive program for bicycle commuter routes is a proposal prepared earlier this year by three young staff members in the Division of American Studies of the Smithsonian Institution. The Smithsonian Plan was designed specifically for Washington, D.C., but its approach and general strategy make it a good model for cities everywhere.

The Smithsonian Plan calls for a radial system of routes bringing commuters from various sections and suburbs to a common axis—in this case, the Mall—running through the central business district of the city. It is designed to serve shoppers, tourists, and schoolchildren, as well as thousands of commuters.

The Smithsonian Plan is modular. It can be started on a relatively modest scale and augmented in phases. The initial "pilot" phase of the project, which is under consideration among city officials now, would provide routes from three residential areas—Capitol Hill, Georgetown, and Arlington, Virginia—to the Mall. These first routes can be expanded logically in definite steps into an extensive system serving all major residential areas. The expanded system also includes bike routes leading downtown from pocket areas in the inner city, where few residents own cars and where bus and taxi service is practically nonexistent.

The Smithsonian Plan combines three different types of bicycle paths into one integrated system. Where traffic is heavy and sidewalks are wide enough, bicyclists will travel on the sidewalk. In other places, the bicycle will share the street with automobile traffic. Along particularly busy roadways, the proposal suggests that special bike paths—paved areas, about six feet wide, running parallel to the road—be constructed.

The Smithsonian Plan takes extensive precautions for the bicyclists' safety. Wherever possible, the proposed routes run along side streets rather than major trunk lines. Where bikes must share the road with heavy automobile traffic, the streets will be clearly identified and motorists will be reminded to watch out for cyclists. The plan emphasizes marking and identification of routes in order to bridge the visibility gap between bicycles and motorists.

Washington is a city on a river; the river means bridges; and bridges mean special hazards for bicycle commuters. The Smithsonian planners have sidestepped this problem in a delightful way. They propose that a special ferry service be established to bring bicyclists across the Potomac to and from the Virginia suburbs. They have even found a ferry boat—the S.S. *Old Duck*—which was recently taken out of service and docked at a backwater in the Washington Navy Yard. The authors of the Smithsonian Plan have recommended that the District of Columbia put the *Old Duck* back in service as a bicycle ferry.

To date, nobody has taken the suggestion seriously. Everybody knows that ferry boats were pronounced dead by the city planners eons ago. Ferries were a victim of progress; in this era of convenience the river ferry is as obsolete as—well, as the bicycle.

The irony here, of course, is that the onward thrust of "progress" has brought us to the point where the *Old Duck* is a quicker and more convenient form of transport than any of its vaunted successors. No doubt the planners can prove conclusively on paper that the idea would never work. But ask a commuter—the *Old Duck* would make sense to somebody who actually makes the trip twice a day.

And what a wonderful trip it could be! To ride a bike to the river bank, chug across the river on the faithful old ferry, pedal down the gangplank and on to the office—it's the kind of thing you'd pay $2.50 to do at Disneyland, and you could do it every day, twice a day, in the heart of the city. With a little imagination, the city could make some money in the process. It would be easy to serve a continental breakfast on the trip across the river, and in the afternoon the ferry could become the club car of the cycling set.

In short, the *Old Duck* would be an opportunity to put some fun into the workaday grind. The possibilities—for the city and commuter—are endless. They deserve to be explored not only in Washington but in every

XUM

city that still puts a premium on such an outmoded commodity as pure pleasure.

This ferry proposal represents all the best features of bicycle commuting in general—it is simple, inexpensive, and rather quaint, perhaps, but at the same time obviously feasible and emminently reasonable. City planners who are racking their brains to find simple, feasible, and reasonable solutions to their traffic problems might do well to study the Smithsonian Plan and to consider the bicycle.

In the light of our collective motormania, the idea of giving the bicycle serious thought may be hard to accept. But as space to move and to park the automobile in downtown areas runs out, as clean air begins to have a price tag, with no readily available alternative in sight, the demands for recognition of "Pedal Power" become less and less funny. Bicycles are not a panacea for the traffic problems, but, given the chance, they can help. It is time for commuters and communities to give bikes a chance.

PROFESSOR VIEWS YOUTH

Mr. DOLE. Mr. President, an article has recently come to my attention which is remarkable for its eloquence and its forceful assertion of the fundamental values of our society. The author, a college professor, is uniquely qualified, through day-to-day contact, to discuss some of the more excessive manifestations of the younger generation. His commonsense approach to these matters and his sometimes blunt responses are both refreshing and stimulating.

Mr. President, I ask unanimous consent that the article by Dr. K. Ross Toole of the University of Montana, which was published in the Kansas City Times of March 28, 1970, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TIME TO STOP APOLOGIZING TO YOUTH

(By Dr. K. Ross Toole)

I am 49 years old. It took me many years and considerable anguish to get where I am—which isn't much of any place except exurbia. I was nurtured in depression; I lost four years to war; I am invested with sweat; I have had one coronary; I am a "liberal," square, and I am a professor. I am sick of the "younger generation," hippies, Yippies, militants and nonsense.

I am a professor of history at the University of Montana, and I am supposed to have "liaison" with the young. Worse still, I am father of seven children. They range in age from 7 to 23—and I am fed up with nonsense. I am tired of being blamed, maimed and contrite; I am tired of tolerance and the reaching out (which is always my function) for understanding. I am sick of the total irrationality of the campus "rebel," whose bearded visage, dirty hair, body odor and "tactics" are childish but brutal, naive but dangerous, and the essence of arrogant tyranny—the tyranny of spoiled brats.

I am terribly disturbed that I may be incubating more of the same. Our household is permissive, our approach to discipline is an apology and a retreat from standards—usually accompanied by a gift in cash or kind.

It's time to call a halt; time to live in an adult world where we belong and time to put these people in their places. We owe the "younger generation" what all "older generations" have owed younger generations—love, protection to a point and respect when they deserve it. We do not owe them our souls, our privacy, our whole lives, and above all, we do not owe them immunity from our mistakes, or their own.

Every generation makes mistakes, always has and always will. We have made our share. But my generation has made America the most affluent country on earth; it has tackled, head-on, a racial problem which no nation on earth in the history of mankind had dared to do. It has publicly declared war on poverty and it has gone to the moon; it has desegregated schools and abolished polio; it has presided over the beginning of what is probably the greatest social and economic revolution in man's history.

It has begun these things, not finished them. It has declared itself, and committed itself, and taxed itself and damn near run itself into the ground in the cause of social justice and reform.

Its mistakes are fewer than my father's generation—or his father's, or his. Its greatest mistake is not Vietnam; it is the abdication of its first responsibility, its pusillanimous capitulation to its youth and its sick preoccupation with the problems, the mind, the psyche, the raison d'etre of the young.

Since when have children ruled this country? By virtue of what right, by what accomplishments should thousands of teenagers, wet behind the ears and utterly without the benefit of having lived long enough to have either judgment or wisdom, become the sages of our time?

The psychologists, the educators and preachers say the young are rebelling against our archaic mores and morals, our materialistic approaches to life, our failures in diplomacy, our terrible ineptitude in racial matters, our narrowness as parents, our blindness to the root ills of society. Balderdash!

Society hangs together by the stitching of many threads. No 18-year-old is simply the product of his 18 years: he is the product of 3,000 years of the development of mankind—and throughout those years, injustice has existed and been fought; rules have grown outmoded and been changed; doom has hung over men and been avoided; unjust wars have occurred; pain has been the cost of progress—and man has persevered.

As a professor and the father of seven, I have watched this new generation and concluded that most of them are fine. A minority are not—and the trouble is that minority threatens to tyrannize the majority and take over. I dislike the minority; I am aghast that the majority "takes" it and allows itself to be used. And I address myself to both the minority and the majority. I speak partly as a historian, partly as a father and partly as one fed up, middle-aged and angry member of the so-called "Establishment"—which, by the way, is nothing but a euphemism for "society."

Common courtesy and a regard for the opinions of others is not merely a decoration on the pie crust of society, it is the heart of the pie. Too many "youngsters" are egocentric boors. They will not listen, they will only shout down. They will not discuss but, like 4-year-olds, they throw rocks and shout.

Arrogance is obnoxious; it is also destructive. Society has classically ostracized arrogance without the backing of demonstrable accomplishment. Why, then, do we tolerate arrogant slobs who occupy our homes, our administration buildings, our streets and parks, urinating on our beliefs and defiling our premises?

It is not the police we need (our generation and theirs) it is an expression of our disgust and disdain. Yet we do more than permit, we dignify it with introspective flagellation. Somehow it is our fault. Balderdash again!

Sensitivity is not the property of the young, nor was it invented in 1950. The young of any generation have felt the same impulse to grow, to reach out, to touch stars, to live freely and to let the minds loose along unexplored corridors. Young men and young women have always stood on the same hill and felt the same vague sense of restraint that separated them from the ultimate experience—the sudden and complete expansion of the mind, the final fulfillment. It is one of the oldest, sweetest and most bitter experiences of mankind.

Society, "the Establishment," is not a foreign thing we seek to impose on the young. We know it is far from perfect. We did not make it; we have only sought to change it. The fact that we have only been minimally successful is the story of all generations coming up. Yet we have worked a number of wonders. We have changed it.

We are deeply concerned about our failures; we have not solved the racial problem but we have faced it; we are terribly worried about the degradation of our environment, about injustices, inequities, the military-industrial complex and bureaucracy. But we have attacked these things. We have, all our lives, taken arms against our sea of troubles—and fought effectively. But we also have fought with a rational knowledge of the strength of our adversary; and, above all, knowing that the war is one of attrition in which the "unconditional surrender" of the forces of evil is not about to occur.

We win, if we win at all, slowly and painfully. That is the kind of war society has always fought—because man is what he is.

Knowing this, why do we listen subserviently to the violent tacticians of the new generation? Either they have total victory by Wednesday next or burn down our carefully built barricades in adolescent pique; either they win now or flee off to a commune and quit; either they solve all problems this week or join a wrecking crew of paranoids.

Youth has always been characterized by impatient idealism. If it were not, there would be no chance. But impatient idealism does not extend to guns, fire bombs, riots, vicious arrogance and instant gratification. That is not idealism; it is childish tyranny.

The worst of it is that we (professors and faculties in particular) in a paroxysm of self-abnegation and apology, go along, abdicate, apologize as if we had personally created the ills of the world—and thus lend ourselves to chaos.

I assert that we are in trouble with this younger generation not because we have failed our country, not because of affluence or stupidity, not because we are middle-class materialists—but simply because we have failed to keep that generation in its place and we have failed to put them back where they got out of it. We have the power; we do not have the will. We have the right; we have not exercised it.

To the extent that we now rely on the police, mace, the National Guard, tear gas, steel fences and a wringing of hands, we will fail.

What we need is a reappraisal of our own middleclass selves, our worth and our hard-won progress. We need to use disdain, not mace; we need to reassess a weapon we came by the hard way, by travail and labor, firm authority as parents, teachers, businessmen, workers and politicians.

The vast majority of our children from 1 to 20 are fine kids. We need to back this majority with authority and with the firm conviction that we owe it to them and to ourselves. Enough of apology, enough of analysis, enough of our abdication of responsibility, enough of the denial of our own maturity and good sense.

The best place to start is at home. But the most practical and effective place, right now, is our campuses. This does not mean a flood of angry edicts, a sudden clamp-down, a "new" policy. It simply means that faculties should stop playing chicken, that demonstrators should be met not with police but with expulsions. The power to expel (strangely unused) has been the legitimate recourse of universities since 1209.

More importantly it means that at freshman orientation, whatever form it takes, the administration should set forth the ground rules—not belligerently but forthrightly.

There is room within the university complex for basic student participation but there is no room for slobs, disruption and violence. The first obligation of the administration is to lay down the rules early, clearly and positively, and to attach to this statement the penalty for violation. It is profoundly simple—and the failure to state it—in advance—is the salient failure of university administrators in this age.

Expulsion is a dreaded verdict. The administration merely needs to make it clear, quite dispassionately, that expulsion is the inevitable consequence of violation of the rules.

Among the rules, even though it seems gratuitous, should be these:

Violence, armed or otherwise, the forceful occupation of buildings, the intimidation by covert or overt act of any student or faculty member or administrative personnel, the occupation of any university property, field park, building, lot or other place, shall be cause for expulsion.

The disruption of any class, directly or indirectly, by voice or presence or the destruction of any university property, shall be cause for expulsion.

This is neither new nor revolutionary. It is merely the reassertion of an old, accepted and necessary right of the administration of any such institution. And the faculty should be informed, firmly, of this reassertion, before trouble starts.

Suppose the students refuse to recognize expulsion, suppose they march, riot, strike? The police? No. The matter, by prearrangement, publicly stated, should then pass to the courts.

If buildings are occupied, the court enjoins the participating students. It has the lawful power to declare them in contempt. If violence ensues, it is in violation of the court's order. Courts are not subject to fears, part of the action. And what militant will shout obscenities in court with contempt hanging over his head?

This is a country full of decent, worried people like myself. It is also a country full of people fed up with nonsense. We need (those of us over 30, tax-ridden, harried, confused, weary and beat-up—to reassume our hard-won prerogatives. It is our country, too. We have fought for it, bled for it, dreamed for it, and we love it. It is time to reclaim it.

THE CLEAN LAKES BILL

Mr. MONDALE. Mr. President, on April 8 I introduced a clean lakes bill designed to revitalize the fresh water community lakes across the country which are in danger of becoming clogged by pollution.

It is important that action is undertaken to save these lakes before it is too late because many are now suffering from advanced eutrophication and may soon be lost forever.

I am happy over the wide support that my clean lakes bill has received. Twenty-six Senators have joined me as a cosponsor of S. 3697.

In addition, the legislation has received editorial support from two of the major newspapers in my home State, Minnesota—"The Land of 10,000 Lakes."

Mr. President, I ask unanimous consent that the editorials from the St. Paul Dispatch of April 10 and the Minneapolis Star of April 13 be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the St. Paul (Minn.) Dispatch, Apr. 10, 1970]

CLEAN LAKES BILL

A federal approach to cleaning up our lakes is necessary to eliminate the administrative complications involved where large bodies of water—the Great Lakes, for example—border two or three states and jurisdictional problems arise. There is also the problem of coordinating the financing of the cleanup.

These are two of the reasons why Congress should seriously consider a $1.5 billion clean lakes bill introduced by Sen. Walter Mondale, D-Minn. A bill similar to Mondale's is to be introduced in the House shortly by Rep. Henry Reuss, D-Wis. The Senate bill covers a four-year span and has four main provisions:

Federal grants of 65 per cent would be allowed for building treatment plants which discharge their effluents into a nearby lake or tributary.

Federal grants of up to 80 per cent would be allowed to help dredge lakes, improve shorelines and remove algae.

Fines and court injunctions would be employed to enforce water pollution standards.

The U.S. Bureau of Reclamation, the U.S. Army Corps of Engineers and other federal agencies would assist in implementing the program.

Mondale noted that more than 100,000 fresh water lakes in this country are in danger of becoming uninhabitable for marine life because the beds are filled "with sludge and debris."

And that is probably an understatement. One only has to take a drive past many of our own state's 10,000 lakes and view the surface to imagine the kind of destruction that is going on down below.

[From the Minneapolis (Minn.) Star, Apr. 13, 1970]

MONEY FOR CLEAN LAKES

Sen. Walter Mondale has introduced a "clean lakes" bill which, at least in its basic purpose, deserves to pass. The bill recognizes the need to attack lake pollution—particularly on small, community lakes—with action programs over and above the authorized research efforts, demonstration projects and standard sewage treatment plant grant programs.

The bill would provide $900 million over four years beginning in fiscal 1972 for programs of chemical treatment to control weeds and algae, dredging of lake bottoms to remove decaying sludge and other pollutants, recovery of overgrowths of algae, recovery of trash and other materials from waters and shorelines and grading and planting of shorelines.

It also would provide $600 million for an increase in the federal share in sewage treatment plant grants for plants which discharge into lakes. These latter grants, however, probably could be better spent in many cases to divert sewage plant effluent to rivers where possible, or the bill should spell out in more detail the high level of treatment which ought to be required for continued discharge into a lake.

But the essential thrust of the Mondale proposal—to provide substantial money for specific lake rehabilitation programs—remains valid and we hope it can win approval.

CONSERVATION OF THE NORTH PACIFIC FISHERY—ALASKA'S GREATEST RESOURCE

Mr. STEVENS. Mr. President, I speak today on a subject of tremendous importance to my State of Alaska. Alaska's history has been romantically colored with the excitement of the great turn-of-the-century gold rushes. It is now enjoying another such romantic episode with the discovery of "black gold" on the North Slope.

But throughout these times, the real industry of Alaska has been, and continues to be, fishing. In fact, until last year fishing was far and away Alaska's leading industry. In 1968 the value of fish caught was $217,544,000 compared with $187 million for oil and gas. And the fishing industry is growing. Production in 1968 was more than double 1960 production.

But, most important, fishing is Alaska's biggest private employer. In the bush areas of my State, it is often the only means of earning a cash income.

I raise these points because there now exists a threat to the fishing industry of my State of Alaska. It is not clear how major a threat it is, but is clearly there. I am referring to the preparations now being made by certain private companies in South Korea to send a fleet, including a 9,400-deadweight-tons "mother" ship and 30 catches, into the North Pacific salmon fishery.

This fishery has been extensively protected and nurtured back to health after disastrous over fishing in the 1920's and 1930's nearly destroyed it. It has taken the cooperation of Canada, Japan, and the Soviet Union, as well as ourselves to bring this miracle about. It would be a tragedy of major proportions if that fishery were now to become the target of fishing fleets which have no regard for the conservation techniques that must be used if the fishery is to continue under the sustained yield principle. It would be an economic disaster to my State if the fishery were to be destroyed.

Concern in my State has reached major proportions. I have received many letters and telegrams urging the United States to take action to prevent the Koreans from fishing the North Pacific for salmon. Our Government has spoken to the South Korean Government and received assurances that the South Koreans will not license the fleet to fish for salmon. The Republic of South Korea gave us the same assurances last year, but unfortunately, they were to no avail. We are now working and will continue to work on a resolution on this particular problem.

But to focus on this one incident is to ignore the real potential for disaster that exists in our present policy toward our coastal fisheries. The United States only recently—and to some, reluctantly—agreed to the contiguous fishery that extended our jurisdiction over the fish resources of our coast to a point 12 miles off our coasts. But the salmon, which spawn in Alaska's rivers, go many miles beyond this artificial limit designed by man to be the extent of the flishery.

I, therefore, wish to call to the attention of the Senate a resolution of the Dillingham advisory board to the Alaska Board of Fish and Game. The resolution specifies the course of action that I would like to see the Nation take. It is entirely consistent with our present policy of freedom of the seas, and it is sanctioned by international convention. I ask unanimous consent that the resolution and accompanying documents be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WESTERN ALASKA COOPERATIVE
MARKETING ASSOCIATION,
Dillingham, Alaska, April 1, 1970.

(The following statement has been prepared for distribution in order to bring to the attention of those persons in government, elected as well as appointed to office, views of those Bristol Bay fishermen who demand that the State and Federal Governments redirect their fisheries policies with respect to the taking of Bristol Bay salmon on the high seas by citizens of other nations.)

Submitted herewith is a Resolution adopted by the Dillingham Advisory Committee to the Alaska Board of Fish & Game. It also has the support of this Association which represents 400 resident Bristol Bay fishermen.

We have been following closely the developments relating to the threat of the South Korean high seas salmon fishery. Because the consequences of this incursion would, in a few years, bring about the ruin of our regional economy, and, in the long run, would result in the devastation of all our North American salmon fisheries, we sincerely hope that the present efforts to achieve a diplomatic solution in the few weeks remaining will be met with success.

However, we urge that the United States should also move in the direction of providing for the long term protection of its salmon stocks in a manner clearly consistent with accepted principles of international law. It is our past failure to do this which would now permit nations not signatory to the International North Pacific Fisheries Convention to claim legal right as the basis for their interception of our salmon runs on the high seas.

We salmon fishermen strenuously object to the position taken by certain of our diplomats that such nations have that right. We salmon fishermen bitterly resent the fact that our government has never based its legal claim to its salmon resources upon their anadromous character. It was not our voice which counseled at Geneva that our case for salmon should be based upon abstention rather than anadromy. It is not our voice which today concedes that the legal weight in our dispute with South Korea lies with our adversary.

We, too, have our legal rights, and rather than permit other nations unilaterally to destroy our salmon resources the United States should assert them.

Cordell Hull once warned Japan that the United States has a special and unmistakable interest in these salmon and regarded that interest as important to the comity of our nations. That warning sufficed then; if necessary it should be repeated for all the world to hear.

We salmon fishermen feel that the United States should openly start to lay the foundations for the adoption and ratification of a Convention for the Conservation of Salmon when Present on the High Seas.

At the same time the United States should open diplomatic discussions with the 37 nations signatory to the Convention on Fishing and Conservation of the Living Resources of the High Seas. Ratification by 22 nations would furnish the legal basis for the United States as a coastal nation to take unilateral action to preserve its salmon resources. 17 nations had ratified this Convention as of 1964, and no more than 5 ratifications are now necessary to bring it into force. An international campaign for supportive ratification is required.

Several years ago we salmon fishermen proposed State legislation which would have imposed a tax of a few cents per case upon the Alaska salmon pack. We asked that the funds would be used to gain international support for Conventions to protect our salmon on the high seas. The salmon canners opposed this legislation and it did not receive administration support. It was given the kiss of death when there was created in the Governor's Office the position of the Director for International Fisheries. So far as we have been able to learn the program we proposed then came to a complete halt.

We salmon fishermen now find it ironic that these same salmon canners have hit the panic button in their desperate need to arrive at a short term diplomatic solution to the problem of Korean salmon fishing after having sabotaged our earlier proposal to establish a sound legal basis for a long term solution.

The present Director for International Fisheries is a biologist who is experienced in administrative and legislative procedures. We suggest that Governor Miller give him a mission well suited to his official title. That is: to express the views of Alaska's salmon fishermen by seeking national and international support for Conventions which will protect our salmon on the high seas.

We, in Alaska, face the forfeit of our salmon resources through inaction imposed upon our state and federal governments by those domestic interests which would sacrifice them upon the altar of abstention.

This need not happen.

TRUMAN C. EMBERG,
Business-Manager, WACMA.

A RESOLUTION FOR THE PROTECTION OF BRISTOL BAY SALMON STOCKS

Whereas, the economy of Bristol Bay is based upon its salmon fisheries, and

Whereas, these salmon, when in territorial waters, may be taken by private persons only in such manner as the State may provide, and

Whereas, as a conservation measure the United States does not permit its nationals to take these salmon on the high seas, and

Whereas, fishermen from the Republic of South Korea are preparing to take these salmon in the approaches to Bristol Bay in waters forbidden to its nationals by the United States, and

Whereas, the provisions of the Geneva Convention on Fishing and Conservation of the Living Resources of the High Seas are as follows:

ARTICLE 6

A coastal State has a special interest in the maintenance of the productivity of the living resources in any area of the high seas adjacent to its territorial sea.

A coastal State is entitled to take part on an equal footing in any system of research and regulation for purposes of conservation of living resources of the high seas in that area, even though its nationals do not carry on fishing there.

ARTICLE 7

1. Having regard to the provisions of paragraph 1 of Article 6, the coastal State may, with a view to the maintenance of the productivity of the living resources of the high seas, adopt unilateral measures of conservation appropriate to any stock of fish or other marine resources in the area of the high seas adjacent to its territorial sea provided that negotiations to that effect with the other States concerned have not led to an agreement within six months.

2. The measures which the coastal State adopts under the previous paragraph shall be valid as to other States only if the following requirements are fulfilled:

(a) That there is a need for urgent application of conservation measures in the light of the existing knowledge of the fishery.

(b) That the measures adopted are based upon appropriate scientific findings.

(c) That such measures do not discriminate in form or in fact against foreign fishermen.

Now therefore be it resolved, that the Government of the United States act promptly to implement the unilateral adoption of a conservation rule forbidding the high seas fishing on salmon stocks which originate in the waters of the United States by nationals of other nations except as may be negotiated by treaty.

NOTE.—This Resolution was adopted on March 22, 1970, by the Dillingham Advisory Committee to the Alaska Board of Fish and Game.

WHAT EVER HAPPENED TO THE MOSS AMENDMENTS?

Mr. MOSS. Mr. President, the Social Security Amendments of 1967 which Congress enacted in December of 1967, and which were signed into law on January 2, 1968, contained several new provisions of law designed to help assure the protection and proper care of patients in nursing homes under the medicaid program. These amendments, which were adopted by the Committee on Finance and accepted by this body and by the House of Representatives, were taken from a bill which I introduced together with 16 other Senators and are commonly known as the Moss amendments.

During 1964 and 1965 the Subcommittee on Long-Term Care of Special Committee on Aging, held a series of hearings on conditions and problems in the Nation's nursing homes. We heard Federal officials and nationally known authorities in hearings in Washington. We held hearings in cities throughout the country to hear from persons concerned with these problems at the local level. We visited nursing homes and talked with nursing home employees and with patients. Certain problem areas emerged clearly from these investigations, and we saw that they were especially acute problems for the federally assisted welfare programs and for patients in nursing homes whose care was being paid for by those programs. We concluded that corrective legislation was needed. The Federal taxpayer has a right to expect that the program he is funding to help others is really helping them. The citizen who is a beneficiary of the program has a right to expect that his Government has taken steps to assure his basic needs and physical safety.

Based on our findings and on the record of the subcommittee study, legislation was proposed and ultimately enacted. But, our interest and concern cannot stop there. The Department of Health, Education, and Welfare and its medicaid administrators must act to carry out these provisions of law before they are of any practical benefit to the patients in nursing homes. It now has been more than 2 years since the nursing home amendments were enacted. What has the Department of Health, Education, and Welfare done to implement them?

Mr. President, it is difficult to tell exactly what has been going on within the Department. It is as though a protracted quarrel has been taking place behind

XUM

closed doors. From time to time a door is opened and one hears commotion and a confusion of raised voices. Then the door swings closed, and all is quiet again. We know with certainty only that there has been little practical result from our legislation efforts.

Fortunately, some enterprising members of the press have delved into this story and reported on the difficulties surrounding the implementation of one of these amendments. The particular amendment involved in these stories is an amendment to title XIX, of the Social Security Act requiring that nursing homes meet certain standards of care to be eligible to participate in this Federal-State program. One of these standards calls for "adequate and properly supervised nursing services all hours of each day and all days of each week." Issuing of Department regulations interpreting these standards, and prescribing how they shall be applied by the States—especially with respect to "adequate and properly supervised nursing services"—has been the subject of seemingly endless pettifogging in HEW, and final regulations still have not been issued.

Mr. President, I ask unanimous consent that two magazine articles be printed in the RECORD following my remarks. One is an article from Medical World News, entitled "Nursing Home Standards Grow Feeble, Toothless." The other is from Hospital Practice magazine and is entitled "Default on Nursing Home Code."

Mr. President, "default" is the proper term. I recommended these very enlightened articles to Senators for the insights they provide into the ways in which timidity, vascillation, and futile attempts to please everyone, on the part of the administering agency can combine to frustrate the law and the will of Congress.

XUM

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MOSS. Mr. President, after interim regulations on nursing home standards were published last June, about 6 months late, the Subcommittee on Long-Term Care conducted a hearing to try to get from HEW some explanation for the extraordinary fact that the standards issued under the new law were in some respects lower than those in effect before the law was passed. The magazine articles to which I have referred reveal more of the explanation than did the witnesses at the hearing. My subcommittee also heard from professional organizations and from provided and consumer groups. Although there were different points of view expressed, the heavy preponderance of the testimony pointed up the inadequacy of these interim regulations.

The medicaid agency then appointed a special panel of outside people headed by Miss Charline Birkins, director of the Colorado Welfare Department, to review the interim regulations. Although copies of the report of this group were very difficult to obtain, I now have a copy and can confirm that the characterization of the report in the Medical World News article as "a stinging rebuke to HEW's stand" is quite accurate.

Mr. President, these flimsy interim regulations have been denounced by practically every expert in the field including the Department's own hand picked task force. We have heard that they will be improved when they are reissued as final regulations, but almost a year has passed since the interim standards were published and we have seen no sign of the final regulations. Almost a year later these discredited interim standards remain in effect.

Mr. President, another major nursing home amendment enacted in 1967 requires States as a part of their medicaid programs to provide for periodic inspections by independent medical review teams of the care of each medicaid patient in a skilled nursing home. This amendment was directed to the serious problem of medical neglect of nursing home patients which my subcommittee found in its investigations. Too often patients placed in nursing homes are simply left there for months and years without a continuing, planned program of medical care and without revaluation of their needs. The services of the nursing home to the patient often are inadequate and haphazard in the absence of physician direction and surveillance. Through this amendment we hoped to provide an independent professional audit of the care of each patient for which the public is paying the bill. Review team reports to the States would enable the State agencies to take action where improper care or neglect was found.

Mr. President, this important program was supposed to have begun July 1, 1969. To date nothing has been issued by the Department of Health, Education, and Welfare to advise the States on how to proceed under this law. Some States have begun medical review programs on their own initiative, but most are reluctant to embark on it without implementing regulations from HEW. The medicaid agency in my own State has been able to get no information from the Federal administrators as to what they should do to comply with this law, and it is now almost a year since the law went into effect.

Mr. President, there were other amendments in the 1967 legislation designed to improve the lot of welfare patients in nursing homes. All seem to have met a similar fate. I cannot now point to one example in which the results expected were achieved. The effective dates of most of them have passed. All were enacted more than 2 years ago. What possible explanation can there be for this governmental debacle?

Mr. President, I think the time has come that we must find out. We have waited patiently for the Department of Health, Education, and Welfare to meet its responsibilities under these provisions of law. We should wait no longer. I am scheduling a hearing of the Subcommittee on Long-Term Care for May 7. We will schedule additional days if necessary. I am asking the Secretary of Health, Education, and Welfare to send to this hearing every official of the Department with major responsibility for developing, reviewing, and approving policies and regulations implementing these nursing home amendments. We intend to have them tell us what they have done, what they have not done, and why. I am determined to find out why this Department of the Federal Government is incapable of functioning when it comes to carrying out law designed for the benefit of aged, sick, and helpless people in nursing homes under our Federal welfare programs.

EXHIBIT 1

[From the Medical World News, Sept. 26, 1969]

NURSING-HOME STANDARDS GROW FEEBLE, TOOTHLESS

A long and bitter stfuggle over the standards of care rendered to Medicaid patients in skilled nursing homes is now coming to a head within the Department of Health, Education, and Welfare. Among the issues is whether, in the words of Sen. Frank E. Moss (D–Utah), "a single untrained practical nurse on duty in a home with 200 or 300 patients constitutes 'properly supervised nursing services' on the afternoon and night shifts." The standards proposed by HEW say such a ratio would qualify.

Since June 1966, when the term "skilled nursing home" was first defined for purposes of Title 19, standards have been steadily and progressively weakened by HEW. Officials "have in succession lowered previous standards while at the same time granting generous waivers from the lowered standards and postponing the absolute deadline for meeting these same lowered standards," says Sister Mary Ambrosette, administrator of the St. Paul Home, Kaukauna, Wis., and president of the American College of Nursing Home Administrators.

One effect of the progressive lowering of standards was found in California, where HEW's own audit agency issued a blistering report on the state's Medi-Cal program, finding that at least 227 substandard nursing homes, with 6,453 beds, were receiving Title 19 money early this year. The state replied that "it is inconceivable that any administrator would decertify a facility when recent federal working drafts of revised regulations" would further lower standards to the point where the affected institution might be able to squeak by.

When HEW's revised proposals were finally published in the *Federal Register* of June 24, reaction was immediate and strong. Moss held hearings before his Senate subcommittee on long-term care. "The standards have gone from being equal to those for an extended-care facility to the absolute nadir" permissible under the specific wording of the law, said Sister Mary Ambrosette in a statement filed with the panel. "The June 24 interim policy statement has hit bottom."

Under the law, comments filed by interested parties must be considered by HEW before the regulations are issued in final form. And in an extraordinary move, the agency's Social and Rehabilitation Service (SRS) appointed a special "task force" under Charline J. Birkins, executive director of the Colorado Division of Public Welfare, to study these comments.

If officials expected the Birkins group to whitewash the proposed regulations, they were in for a bitter shock. In fact, the report was only released, with reluctance, by HEW after a request from MWN.

Although its language is mild, the Birkins report represents a stinging rebuke to HEW's stand, proposing that the regulations be toughened throughout. "The task force was quite positive in its thinking that, as much as possible, the standards for nursing homes in Titles 18 and 19 should be the same," says the report, which is now "under consideration" by the Medical Services Administration (MSA), the Medicaid branch of SRS.

The controversy arose because the basic law that offered care in a "skilled nursing home" to Medicaid patients did not define the term. Since the definition varies from state to state, it was necessary for HEW to issue some standard for federal purposes.

That definition, when published on June 17, 1966, in the *Handbook of Public Assistance*, turned out to be the same as the one pertaining to extended-care facilities under Title 18. It required 24-hour nursing service under the direction of a full-time RN; charge nurses might be either RNs or licensed practical (or vocational) nurses who had been graduated from state-approved schools.

On March 2, 1967, the standard for the charge nurse was lowered. She no longer had to be a graduate. It was enough if she had been successfully working at the job as of July 1, 1967, and had completed any training satisfactory to the state licensing authority.

On January 2, 1968, the Social Security Amendments of 1967 became law. Intending to upgrade the quality of nursing service, Congress specified that a full-time RN must be in charge and that a home must provide 24-hour coverage by "sufficient nursing and auxiliary personnel to provide adequate and properly supervised nursing service." MSA was directed to spell out details of this provision.

A few weeks later, Dr. Francis L. Land, then commissioner of MSA, asked a former nursing-home operator, Harold G. Smith, to become a consultant to his agency at a per diem of $60. Smith pointed out to Dr. Land that he was then a paid consultant to the national organization of commercial operators—the American Nursing Home Association—and to several state groups as well. (He has since joined ANHA full time.) This apparent conflict of interest made no difference. He was hired by HEW as well.

There is some dispute about the exact circumstances of the hiring. Joseph H. Meyers, who, as deputy administrator of SRS, was above Dr. Land in the HEW hierarchy and who would normally have approved of the appointment, says his memory is hazy on the matter. "I don't think I even heard of the man until someone raised a question about it," he says.

Dr. Land says he did the actual hiring, but "in consultation with my staff. Smith was highly recommended by Frank C. Frantz and others. And Smith had one special advantage: He knows not only nursing homes but welfare."

Frantz, who heads the Medicaid nursing-home program under MSA, has a different version. "I had nothing against Smith, but I didn't recommend him or make the suggestion," he says. "Dr. Land called me into his office one day and announced that he was giving me a consultant. At the time, I said I didn't think it would always be possible for Harold to keep his loyalties separate, but Dr. Land said that would be no problem."

Dr. Land maintains now that it wasn't any problem. "Mr. Smith presented his opinions to HEW quite independently from his opinions as consultant to ANHA," he says. However "independent" they may have been, they were offered freely as section after section of the proposed regulations was drafted. And the ANHA was kept well-informed about the progress made.

Early this year (as the Johnson Administration entered its final days) a completed draft was circulated. It did not please the ANHA, and Smith conveyed the association's displeasure to HEW. On January 10, Meyers ordered Dr. Land to have the draft rewritten, saying in a memo: "It is much too long and detailed and contains all kinds of specifics which seem to me out of place."

With Smith's counseling, the rewrite was completed a week later. Some of the changes were:

Deletion of requirements that the reports of medical review teams and the numbers and type of personnel be considered in determining a nursing home's eligibility for payment.

Both versions provided for waiver of the compliance requirements for some deficiencies that do not affect the patient's health or safety. But the first draft required that there be a "reasonable prospect" of correcting the deficiencies within six months, that the home file a written plan for correcting them, that no more than two six-month waivers be granted, and that no second waiver be granted for any deficiencies that had remained uncorrected for the six months. All of these safeguards were deleted the second time around.

Version One required that there be either an RN or an LPN with state-approved training on duty at all times. Version Two required that one RN or LPN—no training specified—be assigned to a different shift than the director of nursing. Coverage at all other times would be provided by "a member of the nursing personnel staff." There would be 24-hour professional coverage after July 1, 1971, provided the states established "methods of reimbursement for such implementation."

The first draft called for one nurse for each 60 patients or major fraction of that number and added that if this meant two or more nurses on the evening and night shifts, one of them would have to be an RN. The revised form simply directs that the size of staffs be "determined by the number of patients and their particular needs."

The nursing-home operators did not end up getting quite everything their own way. When the proposed regulations were finally published, the requirements that reports of medical review teams and lists of personnel be considered in determining eligibility were restored. So were the safeguards governing waivers for deficiencies.

The regulations provided that charge nurses need only be UPNs or LVNs, with no other qualifications, until July 1, 1970. After that date, unless a six-month waiver were granted, they would have to have an educational background satisfactory to the state.

Definitely not satisfied, though, is Sister Mary Ambrosette. The June 24 proposals, she told the Moss committee, "effectively postpone a previous standard without supportive data and without either evidence of real effort or promise of future effort to meet either the standard or the deadline."

She said the effect of the statement is to nullify the upgrading provision of the Social Security Amendments of 1967 by offering standards that are now *lower* than those in effect at the time of enactment and by postponing until July 1, 1970, at the earliest, the implementation of those standards that were already in effect when the law was passed. "We have at least a mockery of the law, if not a violation," she declared.

The Sister is not alone in her sentiments. Equally outraged are some state agencies, the American Nurses' Association (ANA), the National Council of Senior Citizens, and the American Association of Homes for the Aging, an organization of more than 1,000 nonprofit homes.

Says Nelson Cruikshank, president of the senior citizens group: "It is a sham and a fraud for the federal government to pay for skilled nursing home care and then permit untrained nurses to provide the care." Adds Dorothy Cornelius, ANA president: "America now faces the real possibility of sanctioning two standards of nursing care, one for the poor and another, higher, standard for patients covered by Medicare."

An argument advanced by the ANHA on the other side of the fence is that there are not enough qualified people around to maintain higher standards. This view was also expressed before the Moss committee by Thomas Laughlin Jr., acting commissioner of MSA since Dr. Land's recent resignation.

But the nonprofit AAHA says it isn't so. The Rev. William T. Eggers, of Wauwatosa, Wis., AAHA president, told the Moss group that only a few homes in remote, rural areas would be unable to find the necessary qualified help. But most nursing-home beds, he points out, are in or near cities.

A major defense offered by the proprietary nursing homes is that they are dependent for much of their income upon inadequate state welfare payments. Alfred S. Ercolano, ANHA executive director, estimates that nearly 60% of all nursing-home patients require some form of public assistance. And, the ANHA says, 24 states currently have a maximum rate of $10 a day or less for nursing-home care, but actually pay an average of $7 or less, while 40 states pay an average of $10 a day or less. Despite the rising costs of care, 13 states allowed no increases last year and five actually cut their rates, according to the ANHA. The association does not oppose the intent of higher standards, Ercolano says. What it wants is to give the states some "lead time" to build up the level of payments.

After considering these arguments, the Birkins committee urged a tightening of the proposed regulations. Among its recommendations: that unlicensed state and county homes be required to meet the same requirements as licensed homes, that a single state-agency be responsible for issuing licenses and policing deficiencies, that guidelines be issued for medical review teams, that homes be required to report on their personnel in such a way that the state agency can determine how any shift is staffed, that HEW train state teams to make on-site inspections, and that clear distinctions be drawn between various grades of nursing personnel.

The committee also recommends that a charge nurse be at least a trained LPN or LVN, except in cases where she has been holding the job since July 1, 1967 and has completed satisfactory training by July 1, 1970. It further asks that such vague words as "adequate" and "satisfactory" in reference to staffs be replaced with a definite formula providing for so many patients per nurse or for so many hours of nursing service per patient.

What will be the fate of these recommendations? "I was obviously satisfied with the published statement because I initialed it," says Meyers of SRS. "Now I've got an open mind on it. I want to see what the people who have given it some thought think about it."

In the hands of such decision-makers does the fate of our old people rest.

[From the Hospital Practice magazine, December 1969]

Government Impact on Hospital Practice: Default on Nursing Home Code

On January 1, 1969, the United States government defaulted on a deadline. Under a federal law passed almost a year before, the Department of Health, Education, and Welfare had been committed by Congress to upgrade the quality of nursing home care paid for under Medicaid. It was a move of significance to the practice of medicine in and out of hospitals. If the physician cannot trust the nursing home, he may retain the patient in the hospital or admit him there for want of an alternative. The hospital then comes under pressure to do the work of a nursing home.

The missed deadline and the months of turmoil and indecision that followed were symptomatic of the chronic inability of HEW, at the vortex of various interest groups, to cope swiftly with the needs of the indigent and medically indigent patient. In late June, tentative regulations appeared, were denounced as a betrayal of Congress' mandate, and virtually repudiated by an ad hoc HEW advisory panel. As of late October, fresh regulations still had not been issued.

XUM

The law in question, actually an amendment to the Social Security Act, was the work of Sen. Frank Moss (D-Utah), who for years had chaired hearings into the needs of long-term patients. He concluded that federal money for welfare nursing home care was abetting a ruse: in the name of "skilled care," it was paying for unskilled care, or worse—neglect and abuse. The Moss amendment represented his insistence that skilled homes in Medicaid be *medical* institutions.

Few quarreled openly with this. Issues arose over who would pay for it and how. The industry, predominantly proprietary, had begun by the early 1960's to sense and meet a growing public demand for quality. But the industry also included absolete, economically marginal homes that could neither afford to renovate nor to hire better staff. They had little hope of transforming themselves into medically oriented allies of the hospital. Many were plagued by huge loans and speculation, Sen. Moss found, and could only survive at the expense of the medical needs of patients.

Some 12,000 of the nation's 14,000 nursing homes are vendors of care to Medicaid. Nearly 500,000 patients are cared for annually at an estimated $1 billion in state and federal Medicaid funds. That all of these patients need skilled services is open to question. That the ones who do are in homes providing skilled services also is open to question. However, it is a fact that Medicaid only pays homes under the rubric of "skilled" care. The definition of that care is the crux of the Moss amendment as well as the thread of survival for many homes. It has been estimated that moderately high standards would drive 6,000 homes out of Medicaid and into a recently created category of "intermediate care," which is not part of Medicaid. Payment to homes in the intermediate category, which a state can elect to establish, would be less than in Medicaid.

Medicaid payments set by states have been criticized by the industry as often unrealistic to support skilled care. That so-called skilled homes can profit on low state payments—the national average is $10 a day—may be evidence of extraordinarily able management, or it may indicate that standards are not being met. Low-standard homes defend themselves by saying that states get as much as they pay for.

State legislatures tend to resist federally imposed higher standards for political and economic reasons. Nursing homes often carry considerable weight in state capitols, and state welfare departments typically get budgets and staff too small to police quality of care. Often state supervision of construction, sanitation, and professional activities is fragmented, and administration is chaotic.

Infusing more federal dollars into such a situation, Sen. Moss concluded, was absurd. Under Medicaid's predecessor, the Kerr-Mills program, states got more federal dollars, kept total medical welfare spending the same, and released state dollars for duty elsewhere. Introduced in 1966, Medicaid had safeguards against this maneuver. But from the first, HEW's attempts to upgrade care were met by industry and state resistance. In 1966 and 1967, HEW found it could make only slow headway even in equating Medicaid standards with Medicare's, themselves none too high.

This was the setting of the Moss amendment. In the following chronicle of frustrations surrounding its implementation, the focus is on the licensed practical nurse as charge nurse. Other provisions, equally important, have to be ignored here. Often the LPN is the only professional-type staff member in the nursing home, particularly at night.

The act containing the Moss amendment was signed by President Johnson in January 1968. The amendment required, among other things, that a Medicaid skilled nursing home keep an organized nursing service directed by a full-time RN. The service had to include "sufficient nursing and auxiliary personnel to provide adequate and properly supervised nursing services for such patients during all hours of each day and all days of each week."

Detailed specifications were left to HEW's newly formed Medical Services Administration under Commissioner Francis Land. This Indiana practitioner, a former official of the American Academy of General Practice, was considered by "quality" exponents as a laissez-faire protagonist whose views conflicted with the Moss mandate. Dr. Land, who was eased out of the job in mid-1969 with official expressions of regret, told Hospital Practice Congress never gave him the staffing to administer Medicaid properly; he had 80 people, he said, for tasks requiring hundreds. But the staff he had, he said, was fine.

Working under him was Frank Frantz, who had headed the Moss investigations and came to HEW specifically to lead the implementation of the Moss amendment, with the personal blessing of HEW Secretary Wilbur Cohen. Also in the picture was Harold G. Smith, a former Louisiana Nursing Home Association official who was well known to the staff of the U.S. Senate Finance Committee chaired by Louisiana's Russell Long. That committee has responsibility for Medicare and Medicaid legislation. At the same time that he served MSA part time, Mr. Smith was a consultant to the American Nursing Home Association, which represented 7,000 nursing homes, mostly proprietary and mostly Medicaid vendors of care. Dr. Land defended his choice by saying Mr. Smith was a valued expert in both the welfare and nursing home fields, and he knew of no experts who did not appear to have some conflict of interest.

The casting at MSA seemed to predestine difficulties in writing the specifications. Indeed, it was hard to divorce standards development from chronic politicking by the industry for higher reimbursement and by the states for more federal money or looser controls.

An issue that never got settled concerned purported shortages of "unwaivered" LPN's as charge nurses. Were shortages due to low pay, poor working conditions, and the dim image of nursing homes professionally? Were shortages local or national? The questions bore on the issue of what level of nurse staffing was required by the Moss amendment. Earlier Medicaid regulations had obligated homes to have an RN as director of nursing service and charge nurse over one shift and at least an LPN in charge of the other two shifts. The LPN was required to be a graduate of a state-approved school of practical nursing, not one licensed by waiver of such training. The proviso for unwaivered LPN's was subject to repeated grace periods as states and industry pleaded shortages. But nobody had hard figures, for state agency statistics did not distinguish among LPN's by waiver status. In mid-1969, MSA acknowledged that hard figures still were lacking and some observers claimed that if any shortages of graduate LPN's existed, they were purely local.

In 1968 there was enough belief in a shortage to prompt the industry and PHS to begin devising a short-term curriculum for upgrading waivered LPN's. But partly because federal officials dallied, the attempt disintegrated. Dr. Land said he had appealed to HEW top brass for action, but in vain. Meanwhile, the grace period for waivered LPN's was extended to January 1, 1969.

In December 1968, the distillate of months of conferencing was laid before experts of the nursing home, hospital, and medical fields—among others—at an Atlanta meeting. The draft standards, primarily the work of Mr. Frantz and his staff, were presented for discussion. Having been reviewed by Mr. Smith, the draft was no surprise to ANHA, which opposed it. But it was described as "precisely" in line with the Moss amendment by Sister Mary Ambrosette, president of the American College of Nursing Home Administrators and a member of the American Association of Homes for the Aging.

The draft's key specifics included a ratio of total nursing personnel hours per patient day and a formula for charge-nurse staffing. This called for two charge nurses per shift if 90 to 150 patients were to be covered, one of the two having to be an RN. For shifts with fewer patients, at least an unwaivered LPN as charge nurse was proposed, the standard for Medicare. The draft exceeded Medicare standards for extended care, which permit a charge LPN to cover any number of patients.

After comments on the draft were received at MDSA, its proposals were cut back. The hours—patient day ratio was dropped. A draft with the charge nurse formula intact was brought to Secretary Cohen on January 7, a scant two weeks before the incoming Republican administration was to take over. Mr. Cohen was aware of Medicare officials' stand that Medicaid should not have higher standards than applied to extended-care facilities, many of which also served Medicaid. He instructed Dr. Land to bring Medicaid up to the Medicare level temporarily but to postpone until January 1, 1972, the effective date of higher standards.

Another draft was prepared and taken on January 10 by Dr. Land to his superior in the Social Rehabilitation Service, Joseph H. Meyers. Mr. Meyers asked that the draft be boiled down and, in particular, he criticized the key section on nurse staffing as too long and inexact; actually, it was a direct copy of the Medicare standard. But he said, some months later, that he asked Dr. Land to make only editorial revisions and not to change substance.

Dr. Land, however, did order changes in substance. In a recent interview he commented to Hospital Practice that Mr. Meyers' rejection of the draft had given him time to reassess the situation and that he changed course because of persuasive arguments by state officials. The January 10 draft was, anyway, only a "trial balloon," he said. On January 13, he relieved Mr. Frantz of his duties on standards and named a new group to draft a revision. It was quickly superseded; on January 15 Dr. Land named still another group, which included Mr. Smith and was chaired by Thomas Laughlin, Dr. Land's deputy. This group prepared a document that was circulated for comment the next day (January 16). Members of an MSA advisory group to whom it was shown reportedly reacted in shock and confusion, one calling it a sellout of the Moss amendment. The response was the preparation of another draft, which further diluted standards.

In this revision, dated January 17, one shift was allowed to be in the charge of "a member of the nursing personnel staff, qualified by training and experience"; in other words, a night shift could be left in the charge of a waivered LPN, a nurses aide, or an orderly. The draft set July 1, 1971—still another grace period—as the deadline for Medicaid homes to have fully qualified nursing around the clock. As this draft was contested within HEW, January closed with another round of draft writing and still another group of writers.

The agony of revision, a growing embarrassment at HEW, ended in late June with publication of regulations that would become effective after a 30-day period for comment. Proposed in the regulations was a grace period through mid-1970 on charge-nurse qualifications. This was too much for Sen. Moss. In announcing hearings for July 31, he declared: "We are left with regulations that say, in effect, that a single, untrained practical nurse on duty in a home with 200 or 300 patients or more constitutes 'properly supervised nursing services' on the afternoon and night shifts."

Testifying for ANHA at the Moss hearings, Mrs. Eleanor Baird endorsed the intent of the proposed standards but expressed "grave concern and strong reservations about the ability of the states to implement them—unless adequate lead time is provided." She foresaw that the standards would raise costs that could prove prohibitive in some states. The practical result would be that states would be encouraged—"in fact, forced"—to seek a lesser degree of nursing service than patients really needed, she said.

Speaking for the National Council of Senior Citizens, William R. Hutton said the regulations, when compared to the Moss amendments, show "that the interests of nursing home industry have been accommodated and the aged have been sold short."

For the American Nurses' Association, Miss Mary E. Shaughnessy declared that standards should be set according to services that are to be provided, not on the basis of availability of qualified personnel. The Rev. William T. Eggers, president of the American Association of Homes for the Aging, said his group knew of no national shortage of qualified LPN's. Facilities that cannot qualify as skilled nursing homes for personnel or other deficiency should be called by another name and reimbursed at a lower level until they can make the grade.

Dr. Land, who had resigned the previous week, was not at the hearing. Representing MSA, Mr. Laughlin quoted a Senate Finance Committee report on the Moss amendment as saying states should not be expected to impose "unrealistic" requirements on nursing homes. He also said that grace periods were necessary because HEW had never provided enough money for a training program to overcome a shortage of fully qualified LPN's. Mr. Smith, who had withdrawn as an MSA advisor to become a full-time ANHA advisor, told Sen. Moss that he gave advice to the best of his ability, that HEW knew of his other consultancy, that he had supported the Moss amendment in 1967, and that "I did not seek to impose my will on HEW."

In an unusual move, HEW had named a task force to review the regulations. The record of the Moss hearings was sent to the panel, including members from the top rungs of ANHA, AAHA, organized labor, senior citizens' councils, and state medical-welfare units. The chairman was Mrs. Charline J. Birkins of the Colorado Department of Social Services.

On August 19, her group made recommendations that vindicated the January 10 draft. They recommended narrowing the grace period for certain waivered LPN's but not for others. Waivered LPN's who became charge nurses after July 1, 1967, should be barred as charge nurses until they get the necessary training, they recommended. In addition, in a recommendation harking back to the tough December 1968 draft, they urged HEW to develop a staffing formula necessary to quality care.

In October, while HEW was still trying to devise an upgrading program for LPN's, HEW was circulating drafts of regulations embodying the Birkins recommendations. These were expected to be issued in November.

How can one explain the procrastination that afflicted implementation of the Moss amendment? Mr. Meyers told Hospital Practice: "It was a question of balancing realities with ideals." At the administrative level occupied by Mr. Meyers, Dr. Land, and Mr. Laughlin, this desire for balance resulted in the repeated making and unmaking of decisions. Above and below this level there apparently was eagerness for strong regulations; i.e., Congress provided the Moss amendment, MSA veterans of other fights for quality care like Mr. Frantz appeared able and willing to do the job. The administrative paralysis goes back to the pressures brought by the interest groups with whom the administrators must deal. The nursing home patient—in whose name Congress acted—is the abstraction. He isn't there in the corridors and offices of federal government.

INFESTATIONS OF CROWN OF THORNS STARFISH

Mr. JACKSON. Mr. President, late last spring the Committee on Interior and Insular Affairs was informed by noted marine scientists that since 1967 more than 23 miles of the coral reefs of Guam had been almost completely destroyed by massive infestations of the Crown of Thorns starfish, which feeds upon living coral. We were further told that this menacing animal was also noted in other areas of the tropical Pacific, and if something was not done soon to control its population, it could have long-range economic repercussions, particularly since many of the islanders are dependent upon the reefs and their fisheries resources for subsistence. Evidence was presented which indicated that following the destruction of the living parts of the coral by the starfish, the dead coral becomes encrusted with algae and the resident fishes diminish in total numbers because their food supply has been eliminated.

In addition to providing a habitat and food source for fish, the living coral reefs offer protection to the islands during tropical storms. If the coral dies, and begins to erode, the islands become susceptible to erosion and other damage caused by typhoons.

As chairman of the Committee on Interior and Insular Affairs, which has legislative jurisdiction over the insular possessions of the United States, I have long sought to assist in their economic development. In view of the gravity of this matter, on June 20, 1969, I wrote the Secretary of Interior and stated in part:

> Because of the obvious detrimental effects of an unchecked starfish population, I urge you to take immediate action to assess the extent of coral reef damage in the Western Pacific, and to recommend a program of starfish control. I feel it is essential that action be taken prior to the onslaught of the typhoon season this summer so that the results may be available by October for review and further action.
>
> Although several hypotheses have been offered as to why this starfish has undergone such a tremendous population increase in the past two years, it is the belief of several leading marine biologists that it was caused by manipulation of the reef environment by man, which upset the balance of a delicate ecosystem. Assuming this is a correct analysis, it then further demonstrates the necessity of implementing a national policy for environmental management as well as providing for more extensive ecological studies.

Mr. President, somehow the balance of nature has been upset and has enabled the starfish to reach a position of dominance among the living creatures of the reefs. I concur with the scientists who believe the actions of man, attempting to better himself economically, have brought about a large part of this problem. The triton, the chief predator of the adult Crown of Thorns starfish has been removed in large numbers from coral reefs because of the value of its beautiful shell.

Also, the dynamite blasting and excavation of coral reefs may have greatly assisted the starfish. As anomolous as it may seem, the living parts of coral are actually predatory on small starfish and help keep its population in check. When the coral is killed by blasting, the juvenile starfish survive in large numbers, and subsequently expand their geographic limits until they have matured and become predatory upon the coral.

Early last summer, the Department of the Interior contracted with the Westinghouse Ocean Research Laboratory to organize and carry out a survey of the Crown of Thorns starfish, particularly in the islands of the trust territory. It is indeed commendable that both the Department of the Interior and the marine scientists could join forces in such a short period of time to provide the data necessary for further action on this problem.

Last October, the results of the survey by 10 teams of scientists were made public in their final report on the Crown of Thorns starfish, entitled "Impact on Pacific Coral Reefs." Mr. President, because of the importance of this study, I ask unanimous consent that the summary of this report be printed at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY

Ten teams of scientists went to 16 islands within the U.S. Trust Territory under the direction of Westinghouse Ocean Research Laboratory to assess the population structure of the starfish *A. planci* and the impact of this species on Pacific coral reefs. In a companion effort, the University of Hawaii directed five teams that surveyed Hawaiian Islands, Johnston Island, Majuro, Arno, Kwajalein and Midway.

The findings of the study generally substantiated reports of recent increases in populations of this starfish in the Pacific. The teams located considerable amounts of coral reef that had been killed within the past five to ten years by *A. planci*, and found substantial portions of coral reefs currently being attacked. Wherever feeding was observed, the starfish were eating either scleractinian corals or sessile, colonial coelenterates. The infestations were judged to be of recent occurrence, with the earliest reports dating back to World War II.

A "normal" population was considered to have fewer than 20 specimens per 20 minutes of search. Yap, Ifalik, Woleai, Lamotrek, Kwajalein, Hawaii, Mokil, Midway, Kauai, Oahu, Maui and French Frigate Shoals were found to have normal populations. Ten islands had sufficiently high populations to be considered infested. These were: Saipan, Tinian, Truk, Ponape, Rota, Palau, Ant, Guam, Majuro, and Arno. Johnston Island, Kapingamarangi, Nukuoro and Pingelap are questionable areas, with high population levels of starfish that need to be examined at a later time to establish if an increase or decrease of population is in progress.

Team leaders considered the problem significant and in need of considerable research. A control program, which includes research into various aspects of *A. planci*, should be instigated immediately. Such a control program should establish an active eradication effort on infested reefs that have economic or scientific value as well as an educational program to inform islanders of the nature of the problem and how they can contribute to research and control programs.

Definite causes of the infestation were not established by the study. Two hypothetical mechanisms appear to offer the most promise for explaining the infestations. In one case a population increase is presumed due to a decrease of predation pressure on the larvae by corals in reef areas freshly damaged by blasting and dredging. The other mechanism takes account of reduced predation on adult starfish by tritons that are prized by shell collectors.

Mr. JACKSON. Mr. President, this report provided an excellent foundation upon which to formulate legislation for research and control of this menacing creature. Last November, our two colleagues from Hawaii (Mr. Fong and Mr. Inouye), the distinguished ranking minority member of the Interior Committee (Mr. Allott), and I sponsored S. 3153, a bill to authorize the Secretaries of Interior and the Smithsonian Institution to expend $4.5 million, in cooperation with the territories of Guam, American Samoa, the Trust Territory of the Pacific Islands, other U.S. territories in the Pacific Ocean, and the State of Hawaii, for the conservation of their protective and productive coral reefs. This measure was referred to the Interior and Insular Affairs Committee.

This bill would give authority to the Secretary of the Interior and the Secretary of the Smithsonian Institution to conduct studies, research, and investigations on the Crown of Thorns sea stars and on their effects on coral and coral reefs; to monitor areas where sea stars are increasing; to develop improved methods of control and carry out programs of control on Crown of Thorns sea stars; and to take such other action as deemed desirable to gain an understanding of the ecology and control of the sea star Crown of Thorns.

On March 18, a hearing was held on S. 3153, before the Subcommittee on Territories and Insular Affairs, of which the distinguished Senator from North Dakota (Mr. Burdick) is the chairman. The bill received the endorsement of the administration. One of the witnesses at the hearing was Dr. R. H. Chesher, the marine scientist who first noted the problem while working at the University of Guam. Because of Dr. Cheshire's broad background in the subject, I ask unanimous consent that a portion of his remarks before my committee be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY DR. R. H. CHESHER, WESTINGHOUSE OCEAN RESEARCH LABORATORY, BEFORE THE SUBCOMMITTEE ON TERRITORIES AND INSULAR AFFAIRS, SENATE INTERIOR COMMITTEE, MARCH 21, 1970

Discussions of the *Acanthaster planci* problem have been subjected to considerable confusion from a liberal interchange of facts with opinions. The facts are these:

(1) There are large infestations of the crown-of-thorns starfish killing vast amounts of coral in the United States possessions and trusts of the Pacific. This was proved last summer by an expedition of 45 prominent scientists and divers from several countries.

It is important to recognize this as fact. The infestations are there and reefs are dying rapidly and on a large scale. The expedition also proved that the starfish is quite rare on healthy reefs. Both these facts had been recognized before the expedition through work done in Australia and Guam. The expedition demonstrated that the starfish represents a broad-based problem, not an isolated curiosity. and it provided evidence for the necessity of action from a large number of qualified observers whose collective analysis is unimpeachable.

(2) Corals require a long time to grow. A conservative estimate of the age of corals killed in Guam indicates that many were over 200 years old. Clearly this means the reefs will not reach their former development for another 200 years if they began to recover immediately. In Australia, however, reefs killed up to ten years ago by the crown-of-thorns show only scattered regrowth by a few species of coral and starfish can be found feeding on this new settlement.

(3) Modern coral reefs developed over 50 million years ago. They are the oldest biological assemblage on this planet. Balance of existence in such a community is intricate and delicate. Destruction of the major element, living coral, has profound after effects on the surviving animal life.

(4) Coral reefs are economically important to man. In the United States Pacific possessions and trusts, depending on the size and development of the community, the economic worth centers on recreation, fisheries and coastline protection.

(a) Recreational. Because of their great beauty and unusual assemblage of exotic life, coral reefs provide a natural environment that is important for recreation and is a valuable tourist resource. This is true not only in the State of Hawaii and the Territory of Guam which are already tourist centers of widespread recognition, but also in the U.S. Trust Territory. The Trust Territory, despite its natural splendor, is economically impoverished and hopes to enrich itself through a growing tourist industry. Coral reefs offer the main attraction of these remote islands.

(b) Fisheries. Fishing, besides being of recreational value, is done on a sustenance level in many parts of the Pacific. In the U.S. Trust Territory people fish to survive. Living coral forms a basic part of the ecology and food web of reef fishes.

(c) Protection of coastlines. Coral reefs protect coastlines from erosion by oceanic and storm waves. The nature of the reef and of the coastline dictates the importance of living coral in any particular case.

(5) The most disturbing fact is that we don't know very much about what is happening on the reefs of the Pacific. There are many marine scientists who would like to find out what causes the population explosions, what the long term effects will be, and what can be done about it. Sir C. M. Yonge of England, Drs. J. W. Wells and H. A. Banner from the United States, Dr. T. F. Goreau from Jamaica, and Dr. Siro Kawaguti from Japan, the most prominent researchers in modern coral biology, have gone to the Pacific and witnessed the *Acanthaster* phenomenon and have stressed the need for intensive research on the problem.

The foregoing facts have elicted a variety of educated guesses on causes and results of the infestations. It has been suggested that the population explosion is a natural event and that it will dissipate itself after a few years. To my knowledge, this opinion has not been supported by any of the scientists who observed the phenomenon. Even if true, dissipation of the starfish populations would only take place after irreversible loss of several thousand square miles of coral reefs. After several human generations, or perhaps only 75 to 100 years, the coral reefs will reconstruct themselves. Providing, of course, the assumption that this is a natural event is true.

Mr. JACKSON. Mr. President, several articles have been published on the Crown of Thorns starfish, but the most recent, and certainly one of the most comprehensive writings on the subject, appeared in the April 1970 issue of the Smithsonian magazine. I think it is significant to note that this article, written by Dr. Jon N. Weber, associate professor at Pennsylvania State University, appeared in volume I, No. 1, of this excellent publication. I ask unanimous consent that the complete text of Dr. Weber's article be printed in the Record at the completion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JACKSON. Mr. President, the Crown of Thorns starfish is not a menace only to the insular possessions of the United States and a potential threat to the State of Hawaii. It has now become a matter of concern to all nations and territories of the South Pacific. The starfish has already destroyed about 100 square miles of the Great Barrier Reef off Australia. It undoubtedly is present in numerous other islands of the South Pacific which have not been surveyed because of the lack of funds.

The South Pacific Commission, during meetings held last October in New Caledonia, passed a resolution requesting that the financial assistance and technical scientific expertise of the United Nations be applied toward solving this matter. The 17 nongoverning territories and independent states which are associated with the South Pacific Commission voted unanimously to seek international support to solve an international problem.

The resolution passed by the South Pacific Commission resulted from the leadership of Mr. Antonio Palamo, the delegate from Guam. Because of the importance of this action by the SPC, I ask unanimous consent that the text of an article from the November 1969, issue of the Pacific Islands Monthly entitled, "Pacific Starfish now 'urgent danger'." which explains the Commission's concern in this matter be also printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. JACKSON. Mr. President, I am hopeful that Congress will move expeditiously to the enactment of S. 3153. Funds for research on and control of the Crown of Thorns starfish are needed desperately, and they are needed now. I can assure Senators that my committee will act on the authorization for this important measure in the very near future.

EXHIBIT 1

CORAL KILLER PUZZLES SCIENCE

(By Jon N. Weber)

Man, long familiar with pestilence and natural catastrophe, now faces perhaps the most unusual plague of this century. Populations of a large, coral-eating starfish are increasing at a phenomenal rate in tropical seas thousands of miles apart. Scientists find no precedent nor can they agree on a reason for these spontaneous infestations. Yet if the starfish plague continues, some experts predict that eventually entire coral reefs may crumble from wave action and disappear, endangering the island homes of hundreds of thousands of people.

The villain of the piece is a sea star, *Acanthaster planci*, commonly called the "crown-of-thorns." Science has recognized it since the 18th century—a reef dweller distributed throughout the tropical Pacific region. But it was so rare that little is now known of its life history.

Acanthaster is a reddish creature, its many arms covered with long spines that are venomous but not normally fatal to humans. One of the larger samples at the Smithsonian Institution has 16 arms and an 18-inch diameter. Some grow almost two feet across.

The starfish moves over reefs, ranging as far as 820 feet in a week. Usually feeding at night, it turns its stomach inside out upon the live coral. Its enzymes digest the living tissue. When the sea star closes its stomach after assimilating its meal, the coral skeleton stands stark, white and bare. Like land recovering from a fire, the reefs may get new corals and in two or three decades recover. On the other hand the infestations may get worse.

Among the many organisms that make up the coral reef community, none has *Acanthaster's* potential for destroying the environment. The stony corals that construct the massive framework of a reef have a number of predators, yet, normally, their damage to the reef is slight and quickly repaired. *Acanthaster*, however, feeds exclusively on coral tissue. Voraciously, these starfish may surge over a large area, rapidly killing all the reef-building coral.

Serious ecological changes follow the mass mortality of coral. Atoll islands, which have a substrate consisting largely of coral sand and gravel rise only a few feet above mean sea level. It takes enormous quantities of calcium carbonate deposited by reef organisms to maintain them at their present elevations. Without these deposits they would eventually be swamped by the ocean, for sea level is slowly rising as the remains of the great Pleistocene ice caps melt.

The first outbreak of the starfish plague occurred at Green Island, a popular tourist resort on Australia's 1,250-mile long Barrier Reef. In 1960 a single large crown-of-thorns was found on the southern tip of the Green Island reef. Around the starfish lay circular patches of dead coral, conspicuous because the pure white skeletons contrasted sharply with the brilliant color of the living coral. No one realized until some time later that *Acanthaster* had eaten the coral polyps.

More scars on the reef appeared during the following year; the area over which they were found increased. In 1963–64 visitors in glass-bottomed boats saw tens of thousands of adult starfish moving slowly across the reef. By this time the implications of the infestation were clearly evident. Without a drastic attempt to annihilate the spreading starfish population, all of the valuable coral of the island would be killed within a short time.

Dr. Robert Endean of the University of Queensland reports that in July 1966, 5,750 starfish were counted on the reef flat in 100 minutes. By 1967, 80 percent of the coral colonies of the reef had been killed. The fight to save the coral of Green Island was lost.

THREAT SEEN TO ENTIRE BARRIER REEF

Today, along a 50-mile stretch of the Barrier, running offshore between the towns of Cairns and Innisfail, *Acanthaster* has infested at least 40 separate reefs. This may seem a small fraction of the more than 1,000 reefs that compose the Great Barrier complex, but there is widespread concern that the entire chain of reefs will eventually be affected.

Though so far no true infestation has developed outside the Cairns-to-Innisfail region, new *Acanthaster* populations have appeared at other islands in the Great Barrier.

A second sea-star invasion took place late in 1966 at the U.S. territory of Guam, nearly 2,000 miles north of Green Island. On portions of Guam's fringing reef the starfish population reached a density of one per square yard. On the average, each starfish in the infested area was killing a patch of coral about the size of a bridge table every day.

On December 15, 1968, 47 divers, competing in an island-wide "sea-star tournament," captured 885 animals. Dr. Richard Chesher, chief scientist of a recent Westinghouse Ocean Research Laboratory study, reported that these starfish could have devoured more than five acres of living coral per year.

The devastation on the reefs of Guam resembles that of Green Island. Since 1967 the starfish have killed more than 90 percent of the coral along 24 miles of coastline. No part of the reef, from low-tide level down to a 200-foot-depth, the limit of coral growth, has escaped damage.

Equally alarming reports come from other areas of the Pacific, including Saipan, Palau, Fiji, Rota, Tinian, New Guinea and the Solomon Islands; the sea star, once rare, is now fairly common. Are *Acanthaster* populations building up to a general epidemic that will leave no islands untouched? Or, on the other hand, could our new awareness of its presence be due simply to better observations as more skin divers, more tourists and more glass-bottomed boats visit regions that used to be remote and inaccessible? Though these questions are hard to answer, Ralph Brauer, director of the Wrightsville Marine Bio-medical Laboratory in Wilmington, North Carolina, sees clear evidence of a starfish plague:

"The attacks are occurring throughout the Pacific, into the Indian Ocean, and almost to the coast of east Africa. It appears that all of the tropical reefs of the Pacific area are in real danger."

We have many theories as to what precipitated the outbreaks at Guam and on the Great Barrier Reef. Many animals are known to undergo cyclic variations in population density, but, if this is the answer to the population explosions, it is difficult to imagine how such an ecological disturbance could remain unobserved and unrecorded had it occurred before.

Another theory is that starfish have recently been freed of predator pressure—that organisms which previously preyed on *Acanthaster* are no longer maintaining a normal ecological balance. Although the breeding season is only about one month per year, a female *Acanthaster* at least two years old can produce as many as 24 million eggs. Fertilization takes place in seawater, and the surviving young develop into planktonic larvae and settle to the bottom. There they face many predators, including the carnivorous coral polyps—the same animals which later fall prey to the adult *Acanthaster*.

Queensland's Dr. Endean believes the mortality rate of the larvae has not changed. He thinks a predator of the larger juveniles and adults has disappeared. However, no one knew what the predators were at the time of the infestations. Because of the noxious toxin of the spines, it is difficult to predict what animal might like to eat it. Experiments sought to identify a potential predator. Large fish, turtles, carnivorous mollusks and crabs were in turn caged with adult starfish, but Dr. Endean found that only one animal attacked *Acanthaster* under these conditions—the giant triton *Charonia tritonis*, a large mollusk in the western Pacific.

Experimenters watched the triton pin a starfish to the bottom with the outer lip of its shell, holding it while sharp teeth of its tongue-like radula cut the victim into pieces. In this manner a large triton could consume one adult *Acanthaster* in 12 to 24 hours. The venomous spines were usually regurgitated.

Dr. Endean's discovery of this predator-prey relation has been substantiated by observations. Eight triton specimens collected on a starfish-infested reef near Innisfail disgorged particles of *Acanthaster*. When 15 adult tritons were enclosed with a population of 100 adult sea stars in a cage on the reef, each triton, on the average, consumed a starfish a week.

TRITONS SEEM TO DECREASE

But the giant triton is not especially common, and there is no evidence that the triton populations are increasing on the infested Australian reefs in response to the large increase of their food supply. They may, in fact, be decreasing, thanks partly to shell collectors. The triton shell is particularly attractive and can measure as much as 18 inches in length. Consequently it retails for $5. to $15. as a collectors item. Dr. Endean believes that wholesale removal of the mollusks from reefs in the infested areas has been responsible for the population explosions. He estimates that between 1947 and 1960 as many as 10,000 tritons each year have been gathered by shell-collecting vessels operating in Great Barrier Reef waters. The shells are widely on sale in tourists shops around the Pacific.

Although no predators of the adult crown-of-thorns other than the giant triton and possibly the large helmet-shelled mollusk *Cassis* have been found, the triton theory is not universally accepted. The triton feeds on other common reef sea stars and indeed appears to prefer some of these to *Acanthaster*. Furthermore, though the reefs most heavily infested are those most accessible to shell collectors, these are also protected—the kind of reefs that provide the sort of environment preferred by *Acanthaster*. The starfish are rarely found on turbulent-water reefs such as those of the outer Barrier. Yet even in non-infested areas small populations of the sea star gather in sheltered environments and lagoons.

Some people argue that the triton cannot move fast enough to overtake the mobile crown-of-thorns under nonplague conditions. When competing for food *Acanthaster* moves as fast as a foot per minute. Despite these arguments, the Australian government has banned triton collecting on the entire Great Barrier Reef, and consideration has been given to importing tritons from Indonesia and the Philippines.

LARVAE THRIVE ON MAN-DAMAGED REEFS

Dr. Chesher, who directed the studies at Guam, believes the explanation for the starfish plague lies in what happens to larvae, not adults. He thinks the population explosions are caused by man-made damage to reef surfaces. Blasting, dredging and perhaps pollution can kill corals and other filter-feeding reef organisms that are the most important predators of *Acanthaster* larvae.

Under normal conditions few of the sea star larvae would find a suitable surface, free of filter feeders, on which to settle. But where fresh surfaces are created—as at harbor construction sites—chances are much greater that larvae will survive and grow to adulthood. In this way, according to Dr. Chesher, "seed populations" could quickly develop and then mushroom into true infestations that could subsequently move into areas of the reef where living coral is still abundant.

Although the larva-settling theory attracts adherents by offering a simple and comprehensive explanation, critics ask why population explosions have not happened before in response to natural reef and coral damage. Cyclones, hurricanes and exceptionally high rainfall have often been harmful. World War II fighting scarred the reefs of many South Pacific islands, including particularly Guam and Truk. Unusually low tides that coincide with the midday sun can kill coral.

Perhaps the most alarming hypothesis is that there has been some recent fundamental change in the life history of the sea star.

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No evidence supports this idea so far, but the thought of a mutant strain of *Acanthaster* raises the specter of a general plague.

Possibly there is no single cause for the infestations. According to Dr. Chesher's theory, timing is important because fresh surfaces for larval settlement are needed shortly after the breeding season—around December and January at Guam. *Acanthaster* may have other predators not yet identified: sharks, perhaps, heavily fished in recent years. Possibly the liberal use of pesticides has somehow upset the ecological balance of the reef community.

Of course most predictions may be overly pessimistic. Certainly in a few areas fisheries will be adversely affected for some years. Elsewhere glass-bottomed boat operators may have difficulty in attracting customers. But if the plague remains as localized as it is now, the damage will be insignificant in the long run. Left to themselves, the sea-star populations must eventually exhaust their food supply and disappear. This has already happened at Green Island and a few other Australian reefs. Pelagic coral larvae will then arrive from other reefs and replace the killed coral.

Ecological studies may show us how to prevent recurrence of the plague. In the meantime, however, we must contain the infestations and at least limit the damage to reef corals.

Poisons are precluded because of the effect on other plants and animals in the sea. Stabbing and mutilating the starfish is completely ineffective; the wounds normally do not cause death and heal easily. The only practical method of eliminating the sea star is to collect it by hand.

The task of catching and destroying *Acanthaster* at Green Island was assigned to a full-time diver, who managed to remove more than 27,000 specimens from a small area of the reef in 15 months. This number was insufficient, however, to stop the infestation from spreading. The divers needed to remove sea stars from even a few of the most heavily infested reefs would cost much money, possibly for years.

A more practical alternative is to encourage local inhabitants, especially fishermen, to spend as much time as they can gathering specimens in their areas. On Saipan the municipal legislature has appropriated bounty money, payable for starfish turned in to island officials.

As part of the control program on Guam, divers with guns that inject formaldehyde solution into the starfish are towed behind a boat. The formaldehyde kills *Acanthaster* without harming other inhabitants of the reef. Control zones and barriers that the sea stars cannot cross may be established to prevent mass migration into parts of a reef not yet infested. When deprived of living coral the crown-of-thorns will starve to death in a matter of months.

If Dr. Endean's theory is correct, giant tritons may be bred and reefs restocked with them for long-term protection, but this would be expensive, too. Yasuo Suyeiro, a marine biologist at Tokyo University suggests trying an electric fence. A potential of less than four volts, he claims, is enough to paralyze or frighten away the starfish. Ordinary fish would not suffer. The scheme is scheduled for testing this year. In any case, many islands will be kept under close surveillance during the next few years so that any seed populations of starfish that develop can be quickly identified and destroyed.

We are intensely studying *Acanthaster*, hoping that our fears are exaggerated. Meanwhile we look for ways to combat this destroyer of coral. If its power proves to be as great as some say, the next breeding season could be critical. What happens then may signal an impending disaster hard to match in man's experience on earth.

EXHIBIT 2

PACIFIC STARFISH NOW "URGENT DANGER"

So seriously is the South Pacific taking the threat to its coral reefs of the crown of thorns starfish, it will ask the South Pacific Commission and the United Nations for help. This was decided at the Ninth South Pacific Conference, held in Noumea in October, and attended by leaders from all Islands territories.

Following a long report on the latest situation of the crown of thorns (*Acanthaster planci*), delivered to the conference by the delegate from Guam, Mr. Antonio Palomo, the conference moved a motion drawing the attention of the SPC, "to the urgent danger" created by the increas of many areas of the South Pacific of the crown of thorns starfish, and requested the SPC, in cooperation with the United Nations Development Programme and other organizations, to examine ways in which the problem could best be tackled.

In his report to the conference Mr. Palomo said:

The member territories of the South Pacific Conference are no doubt well aware of the potential biological catastrophe that is threatening the coral reef dominated areas of the Pacific Ocean.

The news media of the United States and Australia have been giving priority coverage to the recent population explosions of coral polyp-feeding crown of thorns starfish, *Acanthaster planci*.

A. planci, unlike the typical starfish, has multiple arms, that may number up to 21. The animal is dark green to bluish-grey, and is covered with numerous sharp spines that are often redish in colour. This starfish frequently reaches sizes in excess of 20 in. (50 cm).

The spines of the animal are toxic and capable of inflicting a painful wound. But the real danger to man is not from the spines but because the animal feeds upon the living part of reef corals. The starfish crawls up on coral heads, everts its stomach through the mouth and digests the coral animal (polyp) leaving only the bleached skeleton of the coral.

One of the first questions that the layman asks our scientists is why are we concerned about an animal that is destroying coral? Many of the peoples of the Pacific consider coral as an inedible "stone", seemingly useless to man. But marine biologists and geologists give us a somewhat darker picture of what might happen should the starfish destroy our living reefs.

WHAT THE DANGERS ARE

First of all the tiny polyps that make up the living part of the coral are responsible for laying down the underlying coral skeleton of calcium carbonate. The constant wave attack on our coral reefs, along with the effect of other marine animals that bore into the reef, subject the corals to constant erosion. Thanks to the industrious work of the coral polyp, more coral is added to counteract these losses and provide a net gain to the reef structure.

If the starfish eats the coral polyp, then this gain is not realised and there is a gradual eroding away of reef structure.

The corals are not the only calcium carbonate secreting organisms, but they do play an important role in this phenomenon and the loss of their contribution might well be responsible for serious erosional problems on reefs. Were this to occur, then the land mass itself comes under attack from the ever present ocean wave energy.

The results of land erosion could be disastrous to the Pacific Islanders, especially those of low islands.

CHANGE IN REEFS

The second problem brought about by the death of corals and their subsequent erosion is the possible change in the coral reef ecosystem. The coral provide shelter, and either directly or indirectly, much of the food for other reef organisms.

Hence, the corals play a vital role in the tropical reef ecosystem. Disturbance of any part of the ecosystem invariably leads to an imbalance of nature and adverse changes may occur.

For instance, there may be a decrease in our fisheries which would create a serious problem for areas that are protein deficient.

Many marine biologists all over the world have begun research to determine what these effects may be but until the results of these efforts are available, we must assume the worst and make preparations to counter the effects of this menace.

Another question frequently asked is, hasn't this starfish always been living in the Pacific and if so why is it a problem now?

It is true, the animal has been known in our area from the earliest recording history, but never in such numbers. Heretofore, the creature has been considered rare but for reasons as yet unknown, they are undergoing a vast population explosion.

Some of our marine scientists tell us that this may be a cyclic phenomenon which occurs periodically in anywhere from, say, a 20 to a 1,000-year cycle, and the corals eventually recover. Other researchers tell us that this is the first such invasion and that it must be stopped now.

Both of the above, approaches are as yet hypothetical, and these scientists need time to prove which is correct.

WHAT TO DO NOW?

The problem facing the SPC is what should we do while the research is in progress?

That the starfish is capable of inflicting rapid and serious damage to reef corals is no longer in doubt. Nearly one-half of the fringing reef surrounding Guam has been destroyed in less than three years and several hundred square miles of Australia's Great Barrier Reef have been attacked and either destroyed or severely damaged.

A recent survey conducted in the Trust Territory of the Pacific Islands by the Westinghouse Ocean Research Laboratory, the University of Hawaii, and the University of Guam has shown serious infestations in the Marshall, Ponape, Truk, Palau and Mariana districts of the territory.

CONTROL EFFORTS

The SPC should make every effort to:

Notify the citizens of the Pacific Islands of the danger and ask their co-operation in reporting damage and new outbreaks of the starfish in areas previously not infested.

Assist in the centralization of such information. It is requested that this be sent to the Marine Laboratory, University of Guam, where it will be centrally filed, duplicated, and dispersed as needed.

Support research into the control of starfish and into the reasons why the explosion might have occurred and how it could be prevented in the future.

Support research in the problem of the rehabilitation and recovery of coral reefs already damaged by the starfish.

The Government of Guam has provided $US27,000 for part of the present fiscal year and has shown every indication of providing more funds as needed to help save the reefs of Guam. (For the first six months of 1969, $15,000 was provided.) The University of Guam and the Guam Division of Fish and Wildlife are co-operating in the control programme.

The US Department of the Interior is providing funds in excess of $200,000 to help control the starfish pest.

Methods to control the starfish used thus far have been: (1) Removal of the animals from the reef. (2) Injection of toxic substances into the starfish with special injector devices.

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Other methods proposed and now under investigation: (1) Electrical or chemical barriers to prevent the spread along the reef. (2) Biological control efforts, i.e., production of larvicides or disease organisms that attack the starfish.

FUTURE PLANS

Representatives from the University of Hawaii and the University of Guam have been invited to attend an *Acanthaster* workshop in October, sponsored by the American Institute of Biological Sciences. The purpose of this meeting is to review research already done, and evaluate what could and should be done about the problem in the future.

Hopefully one of the results of this meeting would be to schedule and find funding for a larger meeting on an international level that would bring together the efforts and resources of many nations to attack the problem. The SPC should be vitally interested in supporting such a meeting and send representatives to it.

In conclusion, the SPC must be aware of the starfish problem, and the danger it poses to us.

We must urge our scientists to continue their investigation of the problem and we must be prepared to support financially their labour and the control methods they may recommend.

THE PRESIDENT'S RETREAT ON SCHOOL INTEGRATION

Mr. MONDALE. Mr. President, I am deeply troubled by the lack of firm direction shown by the President in his recent message on school desegregation. In 1954, the Supreme Court stated that public education was a "right which must be made available to all on equal terms." Today, 16 years later, millions of Americans are still denied that right. Our Nation, now facing the question of how to correct this injustice, desperately needs firm leadership from its elected officials.

However, the disturbing contradictions of administration policy have not been resolved, but compounded. President Nixon has said he will abide by Supreme Court decisions, yet has attempted to influence judicial opinion on desegregation. The President insists that the law prohibiting de jure segregation will be upheld, yet he opposes busing and offers no alternative for complying with the law. The President recognizes that the dual school system must be ended "at once," yet would continue to rely upon the "good faith" of local school districts. He cautions against burdening our schools with "a multiracial society which the adult community has failed to achieve." But, he also observes that the school is a place "not only of learning, but of living," where a child learns to "measure himself against others, to share, to compete, to cooperate." Surely if we are ever to build a free and open society, we must start by ending the damage done to young minds by discrimination and racial separation.

Perhaps the greatest weakness of the message is its unwillingness to acknowledge the relationship between equal educational opportunity and school desegregation.

Unfortunately, this administration advocates doing merely what the law requires, not what the situation demands. Political strategy has been placed above moral obligation. The President's remarks on desegregation have elicited alarm from many quarters, both liberal and conservative.

A recent article analyzing the President's message in Time magazine concluded that—

> While the President might have renewed his dramatic post-election "bring us together" promise in a television address or speech to a joint session of Congress, he produced instead a dry legalistic document, filled with debating points and lacking urgency or compassion.

I ask unanimous consent that the article be printed in the Record at the conclusion of my remarks.

Mr. President, we are already beginning to see the results of the President's message. The Wall Street Journal reported last week that efforts to desegregate the schools in Wichita, Kans., have been crippled as a result of the message:

> The long term prospect for this south-central Kansas City is more racial separatism, unless the courts should eventually decree otherwise. Schools already integrated on the black ghetto's edge are expected to turn blacker, until Wichita returns, in essence, to the dual school systems it once operated as a matter of law.

The president of the Wichita School Board put the effect of Nixon's message in a nutshell when he said:

> But in light of the President's message, progressive school board members are left without the support of Federal Government policy which they have had for 10 to 12 years now.

Mr. President, I ask unanimous consent that the Wall Street Journal article of April 6, entitled "Nixon's Busing Stand Stymies Integration in One 'Heartland' City," be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Civil Rights: Desegregation Yes, Integration No

Unquestionably, it was time for Richard Nixon to be heard from on the subject of school desegregation. The Administration's attempt to delay court-ordered desegregation in Mississippi, the firing of a determined liberal who headed HEW's civil rights division, the President's own repeated criticism of busing children to force integration—all had raised confusion about just where the White House stood on one of the nation's most serious and emotion-laden issues. In an 8,000-word statement, the President last week delivered his message: desegregation yes; integration no. Where official barriers to desegregation exist, Nixon would oppose them. Where positive measures are required to promote racial balances, he would demur.

Lawyer Nixon carefully reviewed the judicial decisions involving desegregation, beginning with the Supreme Court's historic 1954 *Brown* v. *Board of Education* ruling. He concluded that where segregation exists *de jure*, by law or manipulation by authorities, the impediments must be removed. "There is a constitutional mandate that dual school systems and other forms of *de jure* segregation be eliminated totally," he said. Even in those cases, however, he argued that school boards should have some flexibility to meet their special problems. Where segregation exists *de facto*, as a result of housing patterns, the Supreme Court has not yet insisted on affirmative action to ensure school integration. Said Nixon: "*De facto* segregation, which exists in many areas both North and South, is undesirable but not generally held to violate the Constitution."

NO MORE THAN NECESSARY

While the President reaffirmed his belief that the Brown decision "was right in both constitutional and human terms," he emphasized that he does not intend to press any harder toward desegregation than the Supreme Court requires. In a characteristic bit of Nixonian philosophy, he observed: "If we are to be realists, we must recognize that in a free society there are limits to the amount of coercion that can reasonably be used."

Nixon went on to spell out some of the policies that he has directed his Administration to follow. Overall, they reflect his willingness to have desegregation brought about at the local level whenever possible, rather than imposed from Washington. "Primary weight," he said, "should be given to the considered judgment of local school boards—provided that they act in good faith and within constitutional limits." Neighborhood schools "will be deemed the most appropriate base" for an acceptable school system, and "transportation of pupils beyond normal geographical school zones for the purpose of achieving racial balance will not required."

Nixon did add a sweetener. He proposed that $1.5 billion in federal funds be made available to "racially impacted areas" over the next two fiscal years to help desegregating school districts meet their special needs for classrooms, teachers and teacher training—and to improve the quality of education "where *de facto* segregation persists." Some of the money would also be used to explore "innovative new ways of overcoming the effects of racial isolation." These would include integrated activities with children from other schools, ranging "all the way from intensive work in reading to training in technical skills, and to joint efforts such as drama and athletics."

What effect would Nixon's pronouncement have on segregation now? Most experts agreed that since Nixon stuck to existing court decisions, the results would be greatest in the rural South, where *de jure* segregation persists in some areas. Once that ended, so would all school segregation there, since residential segregation is negligible. In larger Southern cities, the consequence could be a marked slow down in desegregation, since putting an end to *de jure* segregation alone would still leave neighborhood schools reflecting the extensive housing segregation of the urban South. In such cases, where there is both *de jure* and *de facto* segregation, Nixon would eliminate *de jure* segregation "without insisting on a remedy for the lawful *de facto* portion." Northern *de facto* segregation would continue unless the Federal Government insisted on the the kinds of limited, part-time integration that Nixon proposed.

Beyond that, there were some inconsistencies and elisions in the statement. While Nixon noted that the number of black children in desegregated Southern schools doubled in 1969 from fewer than 600,000 to nearly 1,200,000—40% of the black school population—he neglected to say that this achievement resulted from enforcement of the federal guidelines that his Administration has now abandoned. He quoted a Supreme Court ruling that dual school systems must be terminated "at once," but then he spoke of allowing Southern school districts the opportunity to demonstrate "good faith." In fact, authorities in most of the old Confederacy have desegregated as slowly as federal pressure would allow.

MALIGNANT CYCLE

Yale Law Professor Alexander Bickel, whose writing on desegregation Nixon admires, had doubts about that phrase. "I trust that Nixon doesn't mean that you can have a district where nothing has been done excused because it has shown good faith," he said. But Bickel found the message "hardheaded and well-intended, a fair statement of the case law and a realistic appraisal of the situation." Johns Hopkins' Dr. James Coleman, author of a well-known study on the educational effects of integration and an expert whom Nixon consulted before issuing the statement, disagreed. "I think the consensus of recent court decisions is stronger than the message," said Coleman. "I was quite disappointed in the enforcement section." Both Bickel and Coleman, however, welcomed the pledge of $1.5 billion. No one knows where that money is coming from or exactly how it will be apportioned. "That has not been finalized yet," Nixon told Senator Edward Kennedy last week.

Perhaps the gravest flaw in Nixon's argument was his conclusion that past desegregation policy "all too often has proved a tragically futile effort to achieve in the schools the kind of multiracial society which the adult community has failed to achieve for itself." It is indeed possible that too much has been made of the school's role. But Nixon himself observed that the school "is a place not only of learning but also of living—where a child's friendships center, where he learns to measure himself against others, to share, to compete, to cooperate." If Nixon is to meet his stated goal of "a free and open society," with equal opportunity for blacks and whites, there must be significant changes in hiring, housing practices, higher education and other vital sectors. Still, in the broadest human terms, perhaps the best place to break the malignant cycle of discrimination and racial separation is in the schools, among young children.

COURT INTERFERENCE

Nixon shrewdly made use of some black complaints when he denounced the "smug paternalism" of whites who assume that a black school is automatically inferior to a white one. That assumption, he said, "inescapably carries racist overtones." Black separatists, in fact, do favor having their own schools, and some others have become skeptical of integration as a panacea. But most blacks still want it, or at least demand a genuine choice in the matter (*see* EDUCATION). Marian Wright Edelman, director of the Washington Research Project, found Nixon's "appeal to black separatists' feelings" clever but irrelevant. "In effect," she said, "this is a separate but equal policy, nothing more than an endorsement of continued segregation." As New York Phychologist Kenneth Clark saw it, "This is a denuding, a significant slowing down of the momentum that has been building all too slowly since 1954."

AN APPALLING COMMENT

Nixon's statement is a political document, clearly aimed at placating his key constituencies in Northern suburbs and Southern cities, which will be least affected by the course he aims to take on desegregation. It bears the stamp of a top White House political aide, Harry Dent, a Southerner whom he inherited from South Carolina's Strom Thurmond. Not only did Nixon avoid consulting his Commissioner of Education, Dr. James Allen, a liberal New York Republican, but the White House also dissuaded Allen from releasing an earlier memorandum of his own, expressing the view that integration is essential to equal opportunity in the schools.

Allen's advice would have done Nixon little good, since the President had set out to influence the long-range trend of judicial decisions on desegregation, a trespass on the separation of powers doctrine in spirit if not in law. He denounced at some length the ruling of a Los Angeles trial judge in a lawsuit that is still in progress. Nixon described as "probably the most extreme judicial "decree so far" a Superior Court command that the city school district establish nearly precise racial balance throughout its 561-school system. (Coleman calls Los Angeles "a smug Northern district that hasn't done a thing about the segregation there.") Superior Court Presiding Judge Joseph Wapner, who did not take part in the Los Angeles ruling, found it "appalling that the President would use his office to comment on a case pending in our courts."

Nearly a century ago, the era of Reconstruction after the Civil War ended with the Compromise of 1877. Southern Democrats broke an electoral deadlock and allowed Republican Rutherford B. Hayes to become President in exchange for removal of federal troops from the last two occupied Confederate states, Louisiana and South Carolina. Now President Nixon has proclaimed the Compromise of 1970 in order to soothe the South and placate resentful whites elsewhere. By political measurements, he is accurately responding to a prevailing mood. While the President might have renewed his dramatic post-election "bring us together" promise in a television address or a speech to a joint session of Congress, he produced instead a dry legalistic document, filled with debating points and lacking urgency or compassion.

Nixon's Busing Stand Stymies Integration in One "Heartland" City

(By Monroe W. Karmin)

WICHITA.—Here in this typical American "heartland" city, President Nixon may have set in motion forces that will permanently segregate the elementary school system—a system that has been moving toward racial integration.

The President's recent statement on school desegregation endorsed the neighborhood school concept, promised that busing children to achieve racial balance "will not be required" and noted that "de facto" (housing pattern) segregation "does not violate the Constitution."

Thus, Mr. Nixon delivered potent new ammunition to Wichita's anti-busing white parents, crippled the pro-busing white integrationists and outraged the black community. And there is utter disarray on the all-white school board, which has long been agonizing over how to cope with the accusations of Federal civil rights enforcers that, even though legal segregation here ended years ago, its effects remain.

"We don't have a consensus on anything now," moans board member Darrell Kellogg. "The board has reached the point where it no longer can lead the community toward integration." Indeed, the board will meet tonight, and, in all likelihood, it will scrap an integration plan adopted only three months ago.

This plan proposed the busing of fourth, fifth and sixth graders from seven black ghetto schools to white schools starting in September. Though Mr. Nixon did not prohibit local school boards from busing if they so desired, his message did equip busing opponents here with a new weapon. Now, says board president Robert Davis, "we'll probably have to rescind that plan. It puts us back to a segregated school system, because of housing patterns."

THE NEW SEPARATISM

If Mr. Davis is right, and many people here believe he is, the long-term prospect for this south-central Kansas city is more racial separatism, unless the courts should eventually decree otherwise. Schools already integrated on the black ghetto's edge are expected to turn blacker, until Wichita returns, in essence, to the dual school systems it once operated as a matter of law.

The new separatism will be different, however: The black community will want a greater voice in the affairs of, and perhaps control over, its neighborhood schools.

"We may have to apply a modified Roy Innis plan to Wichita," suggests Matt Greene, a spokesman for the Black United Front here. "We'd split Wichita so that it would have two separate school districts, each with its own board of education." Roy Innis, national director of the Congress of Racial Equality in New York, has proposed, in effect, separate school systems for blacks and whites, with blacks controlling their own schools.

Something similar, though not quite that dramatic, is envisioned as a possibility by Dr. James Donnell, the white chairman of the Wichita school board team that had been earnestly trying to work out a desegregation plan with the Department of Health, Education, and Welfare in Washington. Now that desegregation appears stymied, Dr. Donnell says the next move may be to "decentralize our system" and "try for more local control."

Donald Newkirk, the school board's white civil rights attorney, is looking in the same direction. "I think (separate systems) are entirely possible," he says, "and maybe that's not so bad, if the focus gets on the quality of education and not on the color of the faces in the classroom."

The Wichita whites who oppose busing view President Nixon's desegregation stand as a great victory. "People like to stay where they are, with their own kind," says Doug Myers, an oil company engineer who masterminded an anti-busing campaign. "I don't think we'll ever have much change here in Wichita for years and years to come, if ever."

A QUIET START

Wichita's black population (15% of the 290,000 total) lives in a 100-block ghetto in the northeast sector. Only last fall did the school board initiate desegregation, beginning at the junior and senior high school level. About 3,000 black students were bused to white schools throughout the city. Curiously, little protest arose from the white community—perhaps because, there being no senior and only one junior high school in the ghetto, black students had long attended high school in the white world, though most walked rather than rode buses.

Perhaps the white calm simply was the result of unawareness. Says Robert Hall, who heads an anti-busing group called the Committee for Preservation of Neighborhood Schools; "I just wasn't aware that the secondary school busing was compulsory; I thought it was voluntary."

When HEW pressed the city to get on with elementary school desegregation, the board attempted to comply by suggesting a similar step: The busing of some 2,150 black fourth, fifth and sixth grade pupils to white schools. This plan contemplated making other use of the two elementary schools to which black children had been assigned in the old dual-system days; the five other ghetto schools would accommodate black kindergarteners through third-graders.

But then HEW dropped the bomb: It ruled that to bus only blacks was "discriminatory" and noted that five ghetto schools would remain all-black and segregated. The department moved to cut off $5.5 million in annual Federal aid unless Wichita figured out a more equitable way to desegregate.

That raised the prospect of cross-busing—not only transporting black pupils out of the ghetto but transporting white pupils in. And this prospect jolted Mr. Myers, Mr. Hall and many like-minded whites into a massive telephoning, advertising and letter-writing campaign. "Everybody was asleep at the switch, because the bus driver wasn't stopping at his door," says Mr. Hall. "When they became aware that this might happen, then everybody got aroused. I don't want my children marrying Negroes." Mayor Donald Enoch even protested to Mr. Nixon personally, at the President's Urban Affairs Council meeting in Indianapolis in February.

An HEW spokesman in Washington contends the President's desegregation statement

XUM

of two weeks ago works "no change" in the department's attitude toward Wichita. Mr. Nixon did reaffirm the Supreme Court's 1954 prohibition against de jure (legal) school segregation, and HEW charges that today's segregation here derives from legal acts of years ago. HEW Secretary Robert Finch is to give his views on desegregation at a press conference tomorrow.

Yet, school board attorney Newkirk, who argues that Wichita's segregated schools result from housing patterns and not discriminatory acts, believes he has won an important gain. "It's hard for me to see how Secretary Finch can withhold funds from us and be consistent with the President's message," he declares.

HEW and Wichita, therefore, are still at odds, Mr. Nixon notwithstanding. What's more, the school board majority favoring integration now believes that the President, by upholding the neighborhood school and opposing busing, has sabotaged the one consensus plan that 10 of the 12 board members could agree upon: The transportation of black fourth, fifth and sixth graders away from their neighborhoods to white schools.

"I really felt we were on the verge of getting past the tough decisions on this," laments board president Davis. "But in light of the President's message, progressive school board members are left without the support of Federal Government policy which they have had for 10 to 12 years now."

"It would have been minor busing of whites," he adds, "so the white community wouldn't have gotten into an uproar." Without this maneuverability, Mr. Davis contends, the black ghetto will push outward as Wichita's black population continues to expand, and neighboring whites will continue to flee.

If this happens, racial separatism could become complete in Wichita's grade schools, and there are those who believe that the President's statement gave a strong shove in that direction, "It's a whole new ball game now," opines board member Kellogg. "We have the black militant who is saying 'Give us control of the schools,' and this only serves to feed the segregationists who resist."

To Mrs. Edwina Collins, an integrationist board member, the choices now have been made clear. "If we can't go toward integration," she says, "then the rational alternative is to put more resources and control of black schools into the hands of black people."

Thus, as the full import of Mr. Nixon's message is understood, a deepening despair afflicts integrationists of both races. Attorney Bell insists that the reluctance of his fellow whites to accept integration more willingly "is a manifestation of a very deep-rooted racist attitude."

BLACK VIEWS

From the black community, Hugh Jackson, who heads the city's Urban League, is angered but not surprised by the President's position. "I expected him to be consistent," Mr. Jackson declared, "and he was—consistently against black folks." But the Urban Leaguer retains hope that the courts will rule against de facto school segregation.

Less sanguine is Chester Lewis, former local director for the National Association for the Advancement of Colored People (he filed the original segregation complaint with HEW) and now a militant in the Black United Front. He is outraged: "The President showed his complete and unswerving loyalty to the white racist forces in this country. The white community is intransigent, immovable, it won't give a crumb. . . . I've lost faith."

Yet elsewhere in Wichita, now that the President has spoken, there is much pleasure among those white citizens who don't believe racial integration is worth the effort and expense of busing—especially "forced" busing—of children, black or white, from their neighborhood schools.

"I liked the President's statement very much," says Ed Palmer, a roofer. "We're willing to abide by everything he says. Everyone I've talked to agrees with Mr. Nixon's common sense approach. We're all against compulsory busing, even for black children. We really have compassion for those black parents, too."

To Mrs. Kathy Klassen, the mother of three, the Nixon message is a godsend. The thought of her children being bused to black schools transformed the comely blond beauty-shop operator into a one-woman dynamo. She placed telephone calls to President Nixon, Vice President Agnew, Kansas Gov. Robert Docking and as many other Federal and state officials as she could think of. For a time, Mrs. Klassen provided pen and paper for every customer in her shop to write protest letters. She even vowed that she would "lay down in front of the bus" if they tried to transport her children from the neighborhood school.

Now she doesn't think that will be necessary, thanks to Mr. Nixon. "Marvelous," Mrs. Klassen says. "I don't think you can take away too many freedoms from people. I felt the Government finally took a step forward instead of backwards. The President restored my hope."

THE TRUTH ABOUT BEEF SUPPLIES AND BEEF PRICES

Mr. HRUSKA. Mr. President, on April 9, the junior Senator from Wyoming and several of his colleagues, including myself, discussed on the floor a highly unusual report drafted by a House subcommittee, calling for the Federal Government to move in on the beef industry in a big way—to manipulate its operation, to attempt to influence prices from the ranch to the meat counter, and to import more foreign beef if necessary to augment our home-grown supply.

Among the unusual aspects of this proposed report was the fact that it came from, of all places, a special studies subcommittee of the House Committee on Government Operations, headed by Representative MONAGAN of Connecticut. Another unusual aspect was the fact that the Associated Press had a complete copy of it but copies were never made available to other interested parties.

On the day of our discussion of the proposed report on the floor of the Senate, the proposal was reported to have been killed by the full committee.

It did serve to direct the glare of publicity briefly upon a problem which is critical for all of us, from Connecticut to Nebraska and beyond. That is the constant precarious state of the housewife's pocketbook.

This is an issue we can all take to heart, and if for an unlikely moment we were to forget our duty to the American consumer, our constituents would certainly remind us of it. Thus we are all interested in any reasonable and workable method of holding prices down.

The periodic sniping at beef prices without factual support to back up politically motivated contentions, however, disturbs me considerably because there are so many more justifiable targets.

As a matter of fact, during the past 10 years the price of beef has not nearly kept pace with the rest of the economy as prices have spiraled rapidly upward. Despite the fact that beef prices have risen recently, beef is still the best bargain in the food stores.

In the 10-year period 1960–70, the average consumer price index of all items rose 28.5 percent and the cost of food items rose 29.6 percent. Average hourly earnings rose from 45 to 63 percent during that period.

So much for beef prices. While we in Nebraska are, of course, concerned with beef prices, we are more concerned with cattle prices. Nebraska farmers and ranchers do not sell beef; they sell cattle. So let us take a look at what happened to cattle prices during the same 10-year period, 1960–70.

The price of choice steers increased 15.3 percent; the average price per hundredweight of choice beef carcasses rose 6.3 percent, and the average price per pound of choice beef at retail rose 20.7 percent. It looks very much, therefore, as if we have many, many more serious inflationary problems than the price of cattle.

We must also consider the question of supply, because implicit in this entire criticism of beef prices is the argument that domestic beef producers cannot meet our constantly rising demands, and that unless we open our ports to more foreign beef, the Nation will face a beef shortage by 1975.

This argument will not stand up in the light of the facts. The domestic beef industry has repeatedly demonstrated it can and will supply consumers with the quantity of beef they want and need. It is important to note that the cattle feeding and producing industries, although operating in a marginal or submarginal profit climate, increased beef production from 14.75 billion pounds in 1960 to 20.95 billion pounds in 1969, an expansion of 42 percent.

It would seem rather obvious that an industry which has demonstrated such an admirable capability for expansion can handily expand its scope still further to produce the estimated 25.3 billion which would be necessary to support the population in 1975.

In 1969, 110.6 pounds of beef per capita were consumed in the United States. Arguments are offered that consumption of beef in foreign countries is considerably higher, indicating that the U.S. production has not reached its potential. Such arguments ignore the fact that our beef consumption is augmented by consumption of a wide variety of other meat products—consumption which in 1969 amounted to 3.4 pounds of veal per capita, 3.4 pounds of lamb and mutton, and 64.8 pounds of pork. In addition, the average American consumed 47.6 pounds of poultry and 11 pounds of fish. This makes a grand total of 240.8 pounds of high protein food per capita.

I submit that the beef industry in this country has long played a major role in insuring that Americans are the best fed of all the world's peoples. It is an industry which is fully capable of continuing to meet the most optimistic needs of the American consumer.

But I believe the record is not well served by irresponsible and misguided

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attacks upon the industry, which has an enviable performance record, on which if it could only be emulated by other industries, would have long since eased our inflationary spiral.

Mr. President, Don F. Magdanz, executive secretary-treasurer of the National Livestock Feeders Association, is one of our Nation's foremost authorities in the matter of beef prices. For those who are interested in detailed aspects of the relative rise between beef costs and other controlling factors in our economy, Mr. Magdanz has prepared a comprehensive analysis of price factors in the past 10 years.

I ask unanimous consent that this excellent analysis, entitled "The Truth About Beef Supplies and Beef Prices," be printed in the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

THE TRUTH ABOUT BEEF SUPPLIES AND BEEF PRICES

(By Don F. Magdanz)

With all of the clamor being heard again about beef prices and what appears to be the beginning of another wholesale public attack upon the cost of the Nation's most important food item, it would seem the time has come to state a few hard, cold facts and set the record straight.

As suppliers of the fed animals from which consumers enjoy Choice beef, as well as Good and Prime, it is disgusting that whenever the cattle feeders and cattle growers realize or approach receiving prices for fed animals that allow them a decent return for effort, investment and risks incurred, some persons feel called upon to scream at the top of their lungs about the price of beef.

Sometimes this hue-and-cry comes from individual consumers or small groups of consumers. At other times, it comes from overzealous writers who apparently are trying to "whip something up".

Through United States citizens registered as foreign lobbyists, foreign nations are trying desperately to create alarm in order to get a bigger piece of the U.S. market for their clients at the expense of American citizens and taxpayers engaged in the domestic cattle industry. U.S. importers are also in on the act. Some manufacturers, who would like to expand markets for their products in the nations who want to ship us more beef, are fanning the fire.

Always the fingers are pointed at high beef prices with apparent disregard for the facts in the case.

Are beef prices high compared to other consumer items, services, wages, taxes, disposable incomes, etc? The answer must be emphatic, No! And there isn't any justification for all of the allegations poured forth from a variety of sources.

BEEF IS STILL A BARGAIN

The evils of inflation have brought about price and cost increases of practically every item we might name. In the past 10 years—since 1960—many of these increases have been substantial. But the price of fed cattle, wholesale beef, and even retail beef, have not nearly kept pace with the rest of the economy.

All that cattle feeders and growers want is a fair shake. They're not getting it and, except for occasional brief periods, haven't realized a return for nearly 20 years commensurate with inflated costs and prices.

Even in mid-year 1969, when cattle prices and wholesale beef did move upward temporarily, the average price of fed steers, Choice grade, at the peak time was slightly less than in 1952—18 years ago. Prices were, for two weeks in June 1969, about 30% above the average in 1960. In less than 4 months, Choice steers were back down to only 10% above 1960. Wholesale beef prices declined similarly.. Retail beef prices also came down, though not as much. But this is the fourth month of 1970. What is the situation now? It's simply this.

At today's prices, beef is still the best bargain in the food stores. The same was true last summer and fall even though prices were higher than now.

In February 1970 the average price of Choice steers at Chicago was $30.27 per cwt. It was $26.24 in 1960.[1] If Choice steer prices had gone up during the 10 year period and kept pace with the cost of consumer services (less rent), Choice steers would have brought $38.39 per cwt., a figure $8 higher than they actually were, and $4 above the highest average for Choice steers at the peak time last year.

If the average price per lb. of beef at retail had gone up as much since 1960 as these same consumer services, the average cost of beef to the consumer in February would have been $1.18 per lb. instead of the actual 97.4 cents. Sirloin steak would have been selling on the average at about $1.60 per lb. instead of $1.31 and hamburger (not to be confused with ground beef) would have cost 80 cents instead of 64.5 cents (actual figures from Bureau of Labor Statistics, January 1970).

Had Choice steer prices gone up since 1960 as much as the hourly earnings of labor (non-agricultural), Choice steers at Chicago would have sold for $39.54 per cwt. instead of $30.27. If Choice beef at retail had kept pace with these hourly earnings, the average over the nation would have been $1.22 per lb. Sirloin steak would have been selling for at least $1.65 and hamburger at about 83 cents.

In the fourth quarter of 1969 (latest figures available) per capita disposable income in the U.S. stood at $3,172.00, an increase of 63.8% from 1960. If the price of Choice steers had moved up relatively, feeders would have been getting $43.00 per cwt. The average price of Choice beef at retail would have been $1.32 per lb. Sirloin steak would have had to bring about $1.80 and hamburger around 89 cents per 1b.

A comparison of prices in 1960 to those in February 1970 shows that neither Choice steers, nor Choice beef in the wholesale market, nor even the average price per lb. for Choice beef at retail, have gone up nearly as much as other foods, consumer services, hourly earnings, disposable income, etc.[2]

Choice steers rose from $26.24 per cwt. to $30.27, an increase of 15.3%, while per capita disposable income went from $1,937.00 to $3,172.00—an increase of 63.8%. The average price per cwt. of Choice beef carcasses at Chicago went from $43.98 to $46.74, an increase of 6.3%, while the average hourly earnings of non-agricultural labor went up 50.7% and average weekly earnings rose 45.2%.

The average price per lb. of Choice beef at retail went from 80.7 cents to 97.4 cents (in the highest month of 1969, the price was only $1.02½), an increase of 20.7%, while hourly earnings of labor in the manufacturing industry went up 63.0%, and the per capita expenditures for other goods and services went up 67.7%.

Meanwhile, still covering a 10-year period, 1960 to February 1970:

Average consumer price index—all items—went up 28.5%;

Average cost of all food purchased by consumers, up 29.6%;

Average cost of all consumer services rose 41.4%;

Average cost of consumer services, less rent, up 46.3%;

Average hourly earnings, non-agricultural, went up 50.7%;

Average hourly earnings of labor, manufacturing, up 45.1%;

Average hourly earnings of labor, construction, up 63.0%;

Average hourly earnings of labor, retail trade, up 57.9%; and

Average weekly earnings, non-agricultural labor, up 45.2%.

We wonder how anyone can defend a charge that beef prices are too high.

MORE BEEF FOR LESS

But this is not the whole story. The cattle feeding and producing industries, even though often operating in a marginal and submarginal profit climate, increased beef production from 14.75 billion lbs. in 1960[3] to 20.95 billion lbs. in 1969[4], an expansion amounting to 42%. On a per capita basis, the industry supplied each man, woman and child in the United States with 103.1 lbs. of beef in 1969. Adding 7.5 lbs. of net imports of beef per capita, the total supply per person amounted to 110.6 lbs., an increase of 30.2% from the 85.0 lbs. of beef available in 1960.

But to buy this increase of 30.2% (25.6 lbs. more per person), consumers were able to drop the percentage of disposable income spent for all food from 20.0% in 1960 to only 16.4% in 1969—3.6% less or a decline of 18%. Meanwhile, with a 63.8% increase in per capita disposable income, they spent 2.5% more of it for other goods and services.

In fact, per capital expenditures for food rose $131.00, or 33.8%, while expenditures for other goods and services went up $956.00, an increase of 67.7%.

At this point it is appropriate to explain differences in domestic production and consumption-per-capita figures since many who argue the meat price case do not differentiate. Production of beef is total dressed weight from U.S. slaughter which, in 1969, was 20.95 billion lbs. Consumption per person figures result from dividing the population into the total supply available, the latter being production plus imports less exports. In 1969 imports of beef amounted to 1.614 billion lbs. (carcass weight equivalent) and exports were 82 million lbs. The resulting total supply available for consumption amounted to 22.485 billion lbs. in 1969. Division by the population of 203.2 million persons in 1969[5] produces per capital consumption of 110.6 lbs. of which 103.1 lbs. was domestic production and 7.5 lbs. was imported beef.[6]

WE CAN'T AFFORD MORE IMPORTS

Obviously, to generate pressure for modification of the 1964 Meat Import Law, doubt is being raised that the beef supply from domestic production will be adequate to meet demand by 1975. In other words, fear is being aroused that there will be a shortage of beef by or before 1975 sending beef prices to much higher levels unless we open the doors for expanded foreign shipments. We challenge these suggestions.

We further contend that such tactics are being used to create a situation that will lower beef prices from present levels even though we have shown clearly that beef prices have not kept pace with other costs and prices and, frankly, are too low now. Suggestions (in the atmosphere of present livestock and beef price relationships) that some new commission be charged with the responsibility of determining future demand and domestic supply, and the volume of foreign meat that should be admitted under these determinations, smack heavily of a move to deliberately lower beef prices to consumers. This is true despite the language in the suggestion that proper recognition be given to a reasonable profit for the domestic beef industry.

In the face of rising costs of production, including labor, taxes, equipment, supplies, services, etc., and increased costs of slaugh-

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Footnotes at end of article.

tering, processing, fabricating, distribution, and sales, we don't see how anyone can expect the domestic industry to furnish quality beef to consumers at lower figures per pound. Particularly is this true when consumers are demanding more services at the meat counter including extra trimming, more boning, and special treatment, and with higher disposable income more of them are wanting the more popular cuts, such as steaks and ribs.

The record will show that the domestic industry has demonstrated it will supply consumers with the quantity of beef they want and need. It is safe to say that the domestic industry will continue this supply in the future, provided consumers are willing to pay what it costs to produce, process and distribute this supply for them.

At the same time, we suggest certain discouragement among cattle feeders and cattle growers from consumer resistance to what are still reasonable prices for beef. Should such discouragement become widespread, the industry as a whole may not supply the increases which may be necessary to completely fill the demand of consumers. It is like anything else; industry will furnish the product, but only if consumers are willing to pay the cost.

In order to meet demand in the future, it is obvious that some expansion in beef production will be necessary. There are differences in opinion on how much expansion will be required. Reserving comment on these differences until a later paragraph, let's first look at sources of increases in beef production.

WHERE DO WE GET MORE DOMESTIC BEEF?

Expansion in beef production arises from several sources. It results from increasing the number of fed cattle through a reduction in the slaughter of calves and from the reduction in slaughter of non-fed steers and heifers; and finally, from an increase in the production of more cattle (meaning more cows to produce calves).

Since 1960, calf slaughter in the United States has declined from 8,225,000 head[7] to 4,858,400 head[8] in 1969. Most, if not all, of these calves found their way to feedlots and produced about 630 lbs. of beef per head instead of about 130 lbs. of veal. It is reasonable to predict that calf slaughter will decline still further to the point where we may be slaughtering only about 2,800,000 head of calves in a given year adding some 2,000,000 head of cattle which will yield about 500 lbs. more beef per animal.

In the same year, 1960, the slaughter of non-fed steers and heifers totaled 5,664,000 head.[9] By 1969 this number had been reduced to 3,033,000.[10] Again, these cattle found their way into feedlots and each yielded about 630 lbs. of beef per head instead of about 360 lbs. considering the non-fed animals had been slaughtered at 700 lbs. It is again reasonable to predict from past experience that the number of non-fed steers and heifers in the slaughter will be reduced still further and soon amount to only 2,000,000 head per year. This would throw something over 1,000,000 head of additional cattle into feedlots and a corresponding increase in beef production would result.

In fact we can calculate an approximate amount of increased beef that will result from these two changes in slaughter. Adding 2,000,000 head of cattle to the feeding operation as a result of reduced calf slaughter with 500 lbs. more beef produced per animal above what was produced as veal, we come up with an increase of 1.0 billion lbs. of beef. Likewise, redirecting 1,000,000 head of non-fed steer and heifers into feedlots and realizing 630 lbs. of beef per head instead of 360 lbs. we come up with an additional increase of 270 million lbs. of beef.

These two sources alone, within the space of 1 or 2 years, would add 1.270 billion lbs. of domestic beef for consumers. It is reasonable that these changes will take place very soon based on the pattern in recent years. Its a foregone conclusion, though, that the slaughter of calves will probably never be reduced to zero, nor are we apt to ever feed all of the steers and heifers now produced in the United States. Some of the latter will always be slaughtered as what we call non-feds, although the number in this classification will undoubtedly decline.

As indicated, a third avenue for increased beef production is through the production of more cattle—meaning more cows to raise calves. This source of expanded production requires more time than the other two, but the process is already underway. With rather stable cow numbers on January 1, 1966, 1967, and 1968 of just a few more or less than 50,000,000 head, an increase in cows and heifers two years old and older of 330,000 head took place by January 1, 1969. On January 1, 1970, the estimated inventory of cows rose another 930,000 head to 51,308,000.[11] Increases in these two years represent the first significant change in cow numbers we have seen since about 1964 and is the basis for the previous statement that expansion in the cow herds is already underway.

The change in cow numbers from January 1, 1969 to January 1, 1970, however, was a modest 1.8%. We are not suggesting the same rate of increase of cow numbers will take place in the next three years, but a reasonable rate of 1.5% would place 53,652,000 head of cows in the inventory on January 1, 1973. Calves from these cows on hand would be reaching the market as fed beef in 1974 and 1975. Such an increase, along with the other changes in patterns which have just been reviewed, would easily be sufficient to supply the nation with an adequate amount of beef per capita, and more than is available to them today.

Cattle producers, however, will need some definite encouragement to retain additional numbers of she-stock in their herds in order to produce the increase in calves from which consumers can eventually obtain additional beef supplies. This encouragement must come from prices sufficient to compensate them for their production and will not result if wide-spread public resistance to meat prices appears whenever returns from live animals approach a favorable level.

HOW MUCH BEEF DO WE NEED?

As indicated previously, there is a difference of opinion as to how much beef will be needed by 1975. Some projections call for as much as 27 billion pounds. Others range down to 26.3 billion and still lower to 25.8 billion. Frankly, it's only reasonable to assume that 25.8 billion pounds by 1975 is a higher volume than can be sold to consumers at prices providing reasonable returns to producers. We suggest that the very maximum that can be available without seriously depressing the domestic market would be 25.3 billion pounds. In order to arrive at a possible figure five years hence, though, two projections need to be made—population and consumption per capita.

Seemingly, population projections can be made with reasonable accuracy. According to Government sources the population since 1967 has been increasing at about 1% per year. Prior to that time, over a two year period the increase was at the rate of 1.1% per annum. With the population of 203,216,000 in 1969,[12] a 1% increase per year would mean a population by 1975 of 215,690,000 persons. Under modern circumstances this projection appears far more realistic than some which would indicate 219 million people, or more, five years hence.

The volume of beef that persons will buy at prices favorable to producers presents a more speculative projection. We believe it a foregone conclusion they would not accept a rate of increase per capita anywhere near that which took place from 1960 to 1970, which actually amounted to over 25 pounds per person. In fact, an increase of per capita supplies of more than 6 pounds to 7 pounds per person would be the outside limit which could be sold at present prices, or levels more favorable. Beginning with 110.6 pounds per capita consumed in 1969, a 1% increase per year would mean 117.4 pounds per capita by 1975. Anything more than this, we contend, would be unrealistic and exceedingly dangerous to the domestic industry.

Arguments that the consumption of beef in foreign countries may be 120 pounds per person to as much as 190 pounds per person, thus indicating that the U.S. has not even begun to reach its potential, are not realistic or justified. Persons in these other countries are largely beef consumers whereas the U.S. has a wide variety of other meat products which are being consumed. In addition to 110.6 pounds of beef consumer per capita in the U.S. in 1969, the civilian population also consumed 3.4 pounds per person of veal, 3.4 pounds of lamb and mutton and 64.8 pounds of pork, for a total of 182.2 pounds of red meat per person. Over and above this they consumed 47.6 pounds of poultry and 11.0 pounds of fish for a grand total of at least 240.8 pounds of high protein food per capita.[13]

Without question, beef has become the most popular of any of these products mentioned. But we cannot ignore the fact that there is a practical limit to the amount of food which humans can consume and will pay a fair price for.

Recall now our projected population of 215,690,000 persons by 1975. Applying possible maximum per capita consumption of beef at 117.8 pounds per person, it is logical that the total supply of beef in the U.S. by 1975 should not exceed 25,322 billion pounds if the domestic industry would realize reasonable returns for its production. The quantity of additional beef that would be required from domestic production by 1975 and its sources of availability are clearly demonstrated in the calculations that follow:

	Billion pounds
Estimated maximum permissible supply of beef in 1975	25. 322
Volume of imports allowable in 1975 in same proportion to supply as in 1969 (carcass weight equivalent)	—1. 823
Net volume of beef permitted from domestic production in 1975	23. 499
Domestic production in 1969	—20. 953
Additional domestic production needed by 1975 to make available 117.4 lbs. of beef per person for 215,690,000	2. 546
Anticipated increase in domestic production from increased slaughter of fed animals (transfer from calf slaughter and non-fed steer and heifer slaughter)	—1, 270
Additional domestic production needed from increased number of cattle (more cows and calves)	1. 276
	Head
To produce 1.276 Bil. lbs. of beef, additional number of head in slaughter at 630 pounds slaughter weight per head	2, 025, 400
Projected possible increase in number of cows by January 1, 1973; their calves would be slaughtered in 1974 and 1975	53, 652, 000
Cows in the inventory January 1, 1970	—51, 308, 000
Possible number of additional cattle available for slaughter by 1975	2, 344, 000

Footnotes at end of article.

Thus, it can be readily realized that the additional beef which may be required by 1975 is completely within the realm of possibility through increased fed cattle slaughter as a result of both reduction of calf slaughter and lower non-fed slaughter of steers and heifers, as well as from increased number of calves from a reasonable increase in beef cows. In fact, to produce the volume of beef needed for a 1% increase in per capita consumption and a 1% annual increase in population, less than the anticipated rate of increase in beef cows which we have projected would be required. . . . In other words, the rate of increase in beef cows could even fall short of that explained earlier and we would still have available for consumers a sufficient supply of beef. With fulfillment of all projected increases from domestic sources, there would be more reason than ever to restrict imports further.

Along with increased production of domestic beef which can be expected to occur, at least up to limits prescribed if consumers will pay for the production, it must be emphasized that foreign nations will have a share in this expanded market in accordance with the guidelines set up in the Meat Import Law of 1964. In the opinion of this Association, this is more than they are entitled to, and any fracture of the restrictions now in force can have a devastating economic effect on the domestic industry. The establishment of a consumer oriented commission with authority to project domestic production and allow for an increased volume of imports would endanger the most important segment of agriculture industry in the U.S. In our atmosphere of high costs, U.S. producers can in no way compete with the low cost production possible in most foreign countries who are supplying us with beef, and should not be expected to.

BEEF PRODUCTION IS A BUSINESS

It may be argued that some beef prices, even at fair levels, are beyond what low-income families can afford to pay. This may be true, and those in the beef-producing industry are sympathetic to those whose incomes are not adequate to satisfy their wants and desires.

But the more popular cuts of beef are not the only items people can't buy. Furthermore, there would be many less popular and less expensive cuts of meat within the financial reach of these families.

The cattle feeders and cattle producers are in business for a livelihood. To stay in business and expand their production they have to meet higher costs, higher taxes, higher wages, and higher everything. They can't stand these inflated figures if their returns are geared to what lower income people can afford to pay. They won't be able to stay in business, nor could any other industry survive in the United States under those circumstances.

APPENDIX—TABLE I

	Amount	Percent
Average price of choice steers, Chicago—per cwt:		
1960	[1]$26.24	+15.3
Feb. 1970	[2] 30.27	
Average price per cwt. choice steer beef, Chicago 600–700 lbs. wholesale:		
1960	[1] 43.98	+6.3
Feb. 1970	[3] 46.74	
Average price per lb. (cents) choice beef at retail:		
1960	[4] 80.7	+20.7
Feb. 1970	[5] 97.4	
Consumer Price Index, all items:		
1960	[6] $103.1	+28.5
Feb. 1970	[6] 132.5	
Average cost all food purchased by consumers:		
1960	[6] 101.4	+29.6
Feb. 1970	[6] 131.5	
Average cost all consumer services:		
1960	[6] 106.6	+41.4
Feb. 1970	[6] 150.7	
Average cost all consumer services, less rent:		
1960	[5] 107.4	+46.3
Feb. 1970	[5] 157.1	
Average hourly earnings nonagricultural:		
1960	[7] 2.09	+50.7
February 1970	[7] 3.15	
Average hourly earnings manufacturing:		
1960	[7] $2.26	+45.1
February 1970	[7] 3.28	
Average hourly earnings construction:		
1960	[7] 3.08	+63.0
February 1970	[7] 5.02	
Average hourly earnings retail trade:		
1960	[7] 1.52	+57.9
February 1970	[7] 2.40	
Average weekly earnings nonagricultural:		
1960	[7] 80.67	+45.2
February 1970	[7] 117.18	
Per capita disposable income:		
1960	[8] 1,937.00	+63.8
4th quarter 1969	[9] 3,172.00	
Per capita expenditures for food:		
1960	[10] 388.00	+33.8
4th quarter 1970	[11] 519.00	
Per capita disposable income spent for food—percent:		
1960	[10] 20.0	−18.0
4th quarter 1969	[11] 16.4	
Per capita expenditures for other goods and services:		
1960	[10] 1,412.00	+67.7
4th quarter	[11] 2,368.00	
Per capita disposable income spent for other goods and services—percent:		
1960	[12] 72.9	+2.5
4th quarter 1969	[13] 74.7	
Food consumption per capita:		
1960	[14] 100.5	+5.5
1969	[14] 106.0	
	(15)	+5.8
	(16)	+5.1
unds of beef consumed per capita:		
1960	[17] 85.0	+30.2
1969	[18] 110.7	

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[1] Livestock and Meat Statistics, Statistical Bulletin No. 230, U.S. Department of Agriculture, June 1960, pp. 112 and 127.

[2] Livestock, Meat & Wood Market News, Weekly Summary & Statistics, U.S. Department of Agriculture, vol. 38, No. 6, p. 130; No. 7 p. 153; No. 8, p. 177; No. 9, p. 201.

[3] Ibid., vol. 38, No. 6, p. 138; No. 7, p. 161; No. 8, p. 185; No. 9, p. 209.

[4] Livestock and Meat Statistics, Statistical Bulletin No. 230, U.S. Department of Agriculture, June 1961, p. 132, and U.S. Department of Agriculture information not published.

[5] U.S. Department of Agriculture, information available, but not published as of April 10, 1970.

[6] Index Economic Indicators, Council of Economic Advisers, prepared for the Joint Economic Committee, March 1970, p. 26.

[7] Ibid., March 1970, p. 15.

[8] Ibid., December 1969, p. 5.

[9] Ibid., March 1970, p. 5.

[10] Marketing & Transportation Situation, U.S. Department of Agriculture, August 1969, p. 10.

[11] Ibid , February 1970, p. 2.

[12] Ibid., August 1969, p. 10.

[13] Ibid., February 1970, p. 2.

[14] Index National Food Situation, U.S. Department of Agriculture, February 1970, p. 13.

[15] Animal products.

[16] Crop products.

[17] Livestock & Meat Situation, U.S. Department of Agriculture, November 1968, p. 26.

[18] National Food Situation, U.S. Department of Agriculture, February 1970, p. 15.

FOOTNOTES

[1] See Appendix, Table I, with complete references.

[2] See Appendix, Table I, with complete references.

[3] *Livestock & Meat Situation,* Economic Research Service, USDA, November 1968, p. 26, and

[4] *Ibid,* March 1970, p. 24

[5] *Economic Indicators,* Prepared for the Joint Economic Committee by the Council of Economic Advisers, March 1970, p. 5.

[6] *Livestock & Meat Situation,* Economic Research Service, USDA, March 1970, p. 24

[7] *Livestock and Meat Statistics,* Economic Research Service, USDA, Statistical Bulletin No. 333, August 1964, p. 64.

[8] *Livestock Slaughter,* Statistical Reporting Service, USDA, December 1969, p. 2.

[9] Calculated from total Slaughter of Cattle in 1960, Ibid, No. 7, of 25,224,000 head, less slaughter of fed marketings and slaughter of cows and bulls.

[10] Calculated from total of cattle in 1969, Ibid, No. 8, 35,224,000 head, less slaughter of fed marketings and slaughter of cows and bulls.

[11] *Livestock and Meat Situation,* Economic Research Service, USDA, March 1970, p. 6.

[12] *Economic Indicators,* Prepared for Joint Committee by Council of Economic Advisers, March 1970, p. 5.

[13] *National Food Situation,* Economic Research Service, USDA, February 1970, p. 15.

VERRAZANO DAY—A TRIBUTE TO GIOVANNI DA VERRAZANO

Mr. WILLIAMS of New Jersey. Mr. President, on April 17, Americans of Italian descent will celebrate the 446th anniversary of the exploration of the eastern coast of North America. In 1524, Giovanni da Verrazano sailed along the coast of what is now the United States and Canada, charting maps from Florida to Nova Scotia.

During the exploration of the east coast, a major stop was on what is presently Sandy Hook, N.J. It was from this point that Verrazano discovered a "large lake" which in modern times is known as the Upper New York Bay.

Before Giovanni sailed west to discover the New World, he met several setbacks. Prior to 1523, he was unable to gain financial support for his exploration; but in that year, through the help of wealthy Italian bankers, four ships sailed from the Old World with Verrazano in command. However, a severe storm damaged the ships and forced a return.

Again in 1524, Verrazano and his crew sailed for the mysterious land across the sea; and thus, important steps were initiated toward opening this new frontier for settlement. With the discovery and exploration of this land, such colonies as Jamestown in 1607, and Plymouth in 1620 followed, leading the way to the beginning of our Nation.

Little is known of Giovanni da Verrazano after 1524. It is believed that during a return to the Americas in 1528, he met with a tragic death; however, there has never been a record of such a mishap.

Mr. President, since April 17 is celebrated nationally as Verrazano Day, all of us should observe this occasion in tribute to an extraordinary courageous explorer whose impact on our country is still felt and reflected upon 446 years later.

WEATHER BUREAU MARKS BIRTHDAY

Mr. HANSEN. Mr. President, the year 1970 marks the 100th anniversary of the U.S. Weather Bureau which was established in 1870 by a joint resolution of the U.S. Congress.

I am proud to note that even though Wyoming was still a territory at that time, the records of the Cheyenne, Wyo., Weather Bureau office extend back to November 1870.

Ceremonies observing this centennial will be held in the office of Gov. Stan Hathaway, of Wyoming, on May 4, 1970. I ask unanimous consent that a letter from the meteorologist in charge at Cheyenne outlining the history of the Weather Service be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Department of Commerce,
Environmental Science Services Administration, Weather Bureau,
Cheyenne, Wyo., April 13, 1970.

Subject: Celebration of 100 years of weather services.

Hon. Clifford Hansen,
U.S. Senate,
Washington, D.C.

Dear Senator Hansen: In February 1870, President Ulysses S. Grant approved a Joint Resolution of Congress to begin Weather Services in the United States. One hundred years later, President Richard Nixon proclaimed the month of February 1970 as United States Weather Services Month in honor of the one hundredth birthday of Weather Services in the United States.

Records for the Cheyenne Weather Bureau Office go back to November 1870, the year Weather Services were begun. Therefore, we feel it appropriate that at this time, between the date of the start of the National Services and the date of the start of the Cheyenne Services, to present to the Governor of Wyoming a silver medal designed and purchased by the American Meteorological Society for this purpose and to be presented to all Governors of the Nation to commemorate this one hundredth anniversary.

In the one hundred years which have intervened since the start of the Weather Services, Atmospheric Sciences have undergone a phenomenal development through the skill, ingenuity and dedication of both civilian and military scientists, meteorologists and weather observers and many others serving on land, at sea and in the air in both peace and war. Their efforts have been aided through cooperation of the press, the radio and the television industries.

This cooperation touches almost all of American life and provides tremendous benefits in the protection of life and property, aid to the national economy and daily contributions to the public welfare and convenience.

Today the United States is working with many other nations toward a World Weather Watch which will provide vastly improved Weather Service for the entire world.

Therefore, we feel it fitting that at this symbolic presentation to the Governor, a number of representatives from Wyoming who are actively engaged in some of the many facets of weather work should be present.

You or your representative are cordially invited to attend this ceremony in the Governor's Office at the State Capitol on Monday morning, May 4, 1970 at ten o'clock.

Thomas W. Rule,
Meteorologist in Charge.

THE "SANSINENA" AFFAIR

Mr. TYDINGS. Mr. President, last March 2, the Treasury Department, without explanation, issued an unprecedented waiver to the Jones Act provision requiring that ships engaged in U.S. coastal trade be both built and registered in the United States. This particular ship involved was the SS *Sansinena*, a 66,000 ton, 12 year-old tanker owned by the Barracuda Tanker Corp., of Bermuda, and time-chartered to Union Oil Co. of California. Although built in the United States, the *Sansinena* has flown a Liberian flag of convenience, thus avoiding the payment of U.S. taxes.

Besides creating a million-dollar windfall for either Barracuda or Union, Treasury's granting of the waiver constituted a direct threat to the well-being of the domestic shipbuilding industry.

Some 60 tankers like the *Sansinena*—that is, built in the United States but registered abroad—now ply the oceans. Their owners or operators would welcome the chance to participate in the lucrative American market. Should these tankers be permitted to ply American waters, and refusing them a waiver to the Jones Act would be difficult if the *Sansinena* enjoyed one, the demand for new tankers built in American yards would be crippled. No one would build a tanker in an American yard were he able to move a tanker from the international market to the American market and replace it abroad at half the price of constructing a tanker in the United States.

There is little doubt in my mind that the Treasury action constituted a crippling blow to the American shipbuilding industry. This concerns me as a member of the Subcommittee on the Merchant Marine. It is deeply disturbing to me as Maryland's senior Senator entrusted with the well-being of thousands of employees of the Sparrows Point Yard in Baltimore.

Upon learning of the Treasury decision I addressed the Senate on March 9 about the *Sansinena* affair. This speech resulted in the Department's suspension of the waiver. While I am disappointed that Treasury has suspended rather than canceled the waiver, I do feel that the maritime community has been altered to the disastrous action of the Department. Two days later I introduced legislation designed to prevent a similar occurrence. The bill, S. 3582, is scheduled for hearings in the near future.

My concern with the *Sansinena* affair is continuing. I am seeking additional information and I plan to participate actively in the hearings conducted by the Senate Commerce Committee's Subcommittee on the Merchant Marine.

Since my March 9 speech, I have received solid support in my action to block the granting of this damaging and unprecedented waiver and have been urged to continue my inquiry from union officials, shipbuilders, and marine operators.

Edward E. Plato, director of District 8 of the United Steelworkers of America wrote me recently to say he felt that the waiver "if left unchallenged, would have produced some dire results to members of the Steelworkers Union, the Shipbuilders Union and the economy of Maryland."

He said:

> The natural result of the waiver would be to open the door for other foreign flag ships who could expect similar privileges. The U.S. coastal trade once opened to these foreign flag ships would provide many millions of dollars in windfalls to the privileged, but the effect on our shipbuilding industry would be devastating.

D. D. Strohmeier, vice president of the Bethlehem Steel Corp. said he felt my "stanch support of Jones Act was most helpful to continuity of merchant shipbuilding in the United States." He added that he was greatly concerned as a shipbuilder over the significance of the waiver and implications of the impending review.

A telegram from Andrew A. Pettis, president of the Industrial Union of Marine & Shipbuilding Workers of America said:

> The members of the Industrial Union of Marine & Shipbuilding Workers of America, AFL-CIO, certainly want to extend to you their thanks and appreciation for your tremendous support in getting the Secretary of the Treasury to reverse his decision in the matter of the Liberian-flag tanker *Sansinena*.

And this from Robert Reds Clar, executive secretary of Local 33 Shipbuilders Union in Baltimore:

> Thank you for your position in *Sansinena* affair.

Mr. Klebanoff, president of Ogden Marine, Inc., sent his "sincere thanks for your assistance in obtaining suspension of the *Sansinena* coastwise waiver." He said:

> During 1969 we took delivery of two large tankers built by Bethlehem Steel Co., Sparrows Point. Both are designed principally for coastwise trade. We are considering building additional tankers but cannot do so unless and until we have assurance that these attacks on the coastwise laws which jeopardize our investment and earning capacity of our existing and new vessels are precluded.

Mr. President, I ask unanimous consent that these letters and telegrams be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

United Steelworkers of America,
Baltimore, Md., April 10, 1970.

Hon. Joseph D. Tydings,
New Senate Office Building,
Washington, D.C.

Dear Senator Tydings: Recently I took note of the swift and decisive action taken by you on an event that if left unchallenged, would have produced some dire results to members of the Steelworkers Union, the Shipbuilders Union and the economy of Maryland.

I refer to the issuance by the Treasury Secretary of a shipping waiver to the Barracuda Tanker Corporation which would have permitted its foreign flag ship Sansinena to engage in the American coastal trade shipping market.

The natural result of the waiver would be to open the door for other foreign flag ships who could expect similar privileges. The U.S. coastal trade once opened to these foreign flag ships would provide many millions of dollars in windfalls to the privileged, but the effect on our shipbuilding industry would be devastating.

With ships like the Sansinena and others that would surely follow, there could be no need for further shipbuilding in our yards, and logically no need for steel to go into them.

Your prompt challenge of the Treasury Secretary's waiver on March 9th brought about its cancellation on the 10th which makes it rather clear that you caught someone offbase. In addition the fact that you introduced legislation on the 11th which would limit the ability of the Treasury Department to issue such waivers serves notice that a repetition of such unwarranted waiver action would be remote.

As Director of the United Steelworkers of America in District 8, let me state for myself and my constituents our thanks for a job well done.

Sincerely yours,

Edward E. Plato,
Director, District No. 8.

XUM

NEW YORK, N.Y.
March 10, 1970.

Hon. JOSEPH TYDINGS,
U.S. Senate,
Washington, D.C.:

Your staunch support of Jones Act most helpful to continuity of merchant shipbuilding in the United States. Recent episode strongly suggests need to strengthen present law. If you concur would be glad to discuss.

BALTIMORE, MD.
March 11, 1970.

Senator JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.

Greatly concerned as ship builder over significance of Treasury message "suspending" Sansinena waiver and implications of impending review. Hope your committee will continue interest in this matter.

D. D. STROHMEIER,
Bethlehem Steel Corp.

WASHINGTON, D.C.
March 17, 1970.

Senator JOSEPH D. TYDINGS,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR: The members of the industrial Union of Marine & Shipbuilding Workers of America, AFL–CIO certainly want to extend to you their thanks and appreciation for you tremendous support in getting the Secretary of the Treasury, David M. Kennedy to reverse his decision in the matter of the Liberian-flag tanker Sansinena. We sure take our hats off to you.

Thanks also for your kind letter and the tear sheets of the Congressional Record.

Sincerely yours,
ANDREW A. PETTIS,
President, Industrial Union of Marine & Shipbuilding Workers of America, AFL–CIO.

XUM

BALTIMORE, MD., *March 24, 1970.*

Senator JOSEPH TYDINGS,
New Senate Office Building,
Washington, D.C.:

Re your release March 10 thank you for your position in Sansinena affair membership informed

ROBERT REDS CLARK,
Executive Secretary, Local 33, Shipbuilders Union.

NEW YORK, N.Y., *March 12, 1970.*

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.:

Our sincere thanks for your assistance in obtaining suspension of the Sansinena coastwise waiver. During 1969 we took delivery of two large tankers built by Bethlehem Steel Company Sparrows Point. Both are designed principally for coastwise trade. We are considering building additional tankers but cannot do so unless and until we have assurance that these attacks on the coastwise laws which jeopardize our investment and earning capacity of our existing and new vessels are precluded. We also invite your attention that a recent court case would indicate that the same result as the Sansinena waiver could be obtained under that court's interpretation of the Jones Act and to the additional fact that we are informed that the Bureau of Customs has ruled that Alaskan oil may be carried to the Virgin Islands and from these islands to the continental USA on foreign flag tankers. We urge that the committee now consider as part of the new maritime program an amendment to the Jones Act to close these loopholes. Without such amendment substantially all planned new tanker construction will have to stop because of the financial risks involved and the Nation will lose more shipbuilding than the new program will gain we are available at your convenience to meet with you and/or your staff for any assistance we may be able to render.

M. KLEBANOFF,
President, Ogden Marine, Inc.

ANTIPOLLUTION DILUTION

Mr. METCALF. Mr. President, I invite the attention of the Senate to an incredible but unnoticed group of appointments made last week by the President.

On April 9, the White House issued a statement by the President establishing the National Industrial Pollution Control Council. This new Council, according to the Presidential statement:

> Will allow businessmen to communicate regularly with the President, the Council on Environmental Quality and other government officials and private organizations which are working to improve the quality of the environment.

The new Council is composed of 55 members. They are the board chairmen or presidents of major oil, automobile, electric utility, mining, timber, coal, airline, and manufacturing companies, plus the presidents of the U.S. Chamber of Commerce, the National Association of Manufacturers, and the National Industrial Conference Board.

In sum, they are the leaders of the industries which contribute most to environmental pollution.

The hitherto silent majority which is now becoming aroused by industrial pollution does not have any similar method to "communicate regularly with the President and the Council on Environmental Quality." There is not, even for window-dressing, a council composed of those ecologists, students, earthlovers, and plain old-fashioned conservationists who have forced the administration and big industries to take some action regarding environmental protection.

It is now 6 years since the Department of Health, Education, and Welfare, prodded by the House Natural Resources and Power Subcommittee, first attempted to inventory industrial waste discharges. That inventory was stopped, year after year, by a business advisory committee similar to the one which the President has now appointed. The coup d'etat was delivered recently by the Water Pollution Control Administration, which decided to see—again—if the States could provide the information.

The President stated in the April 9 statement that the new Industrial Pollution Control Council will provide a direct opportunity for business and industry to actively and visibly support the drive to abate pollution from industrial sources.

How weak these industries' resolve must be, how weak the enforcement process, if industries must serve on Presidential advisory committees for their efforts to be noticeable.

Let us tell it like it is: The purpose of industry advisory committees to Government is to enhance corporate image, to create an illusion of action and to impede Government officials who are attempting to enforce law and order and gather the data upon which enforcement is based.

I can well imagine the type of advice which the President and the Council on Environmental Quality will receive from this new advisory group. One of its members is the President of Northeast Utilities, a utility holding company, which has been complaining about the environmentalists and the company's research and development burden. Yet that company's four affiliates spent 50 times as much on advertising as it did on research and development in 1968. And this year its officials have been advocating more expenditures on public relations.

Mr. President, the President and the large corporation heads who serve on his new Council have voices so powerful that they can drown out the cries of a hundred Senators. But business advisory councils and public relations ploys will not preserve the environment. They will hasten its destruction, because they impede enforcement.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the April 9 "Statement by the President on Establishing the National Industrial Pollution Control Council," the President's April 9 Executive order establishing the Council, the April 9 White House press release listing the members of the Council, and my March 19 testimony on advisory committees before the Special Studies Subcommittee of the House Government Operations Committee.

Mr. President, I also ask unanimous consent to include in the RECORD the April 10 press release of the Federal National Mortgage Association, which lists the names and affiliations of its General Advisory Committee, which was organized in 1969. It is as bereft of nonindustry representatives as the President's new Council and the Budget Bureau advisory committees which I discussed in my House testimony.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT ON ESTABLISHING THE NATIONAL INDUSTRIAL POLLUTION CONTROL COUNCIL

It is widely acknowledged that our productive economy and our advancing technology have helped to create many of our environment problems. Now the same energy and skills which have produced quantitative gains in our economy must be used to improve the environment and to enhance the quality of life.

I have today signed an executive order creating the National Industrial Pollution Control Council and have called on a number of industrial leaders to serve as its members. I am pleased that Mr. Bert S. Cross and Mr. Willard F. Rockwell, Jr., have agreed to serve, respectively, as its Chairman and Vice Chairman.

The effort to restore and renew our environment cannot be successful unless the public and the private sector are both intensively involved in this work—with their efforts closely coordinated. The new Industrial Council will provide an important mechanism for achieving this coordination. It will provide a means by which the business community can help chart the route which our cooperative ventures will follow.

The new Council will allow businessmen to Communicate regularly with the President, the Council on Environmental Quality and other government officials and private organizations which are working to improve the quality of the environment. It will also provide a direct opportunity for business and industry to actively and visibly support the drive to abate pollution from industrial sources. Both government and industrial leaders can use this mechanism to stimulate efforts toward the achievement of our environment goals.

As we give more and more attention to the causes of industrial pollution, we must also recognize that many American industries have begun to face this problem squarely and to undertake significant pollution abatement activities. It would be unrealistic, of course, to think that private enterprise can meet this problem alone. The problem of the environment is one area where private enterprise can do the job only if government plays its proper role. For unless there are fair standards which are vigorously enforced, the responsible firms which take on the extra expense of pollution control will be at a competitive disadvantage with those who are less responsible.

At an early date, the new Industrial Council will submit to me and to the Chairman of the Council on Environment Quality, through the Secretary of Commerce, a series of specific recommendations for further action. As a part of its report, the Council will consider the role it can play in helping to implement the nation's environmental protection program.

The challenge which faces this new Industrial Council and the entire business community is complex and demanding. But I have no doubt that it can and will be met.

EXECUTIVE ORDER—ESTABLISHING THE NATIONAL INDUSTRIAL POLLUTION CONTROL COUNCIL

By virtue of the authority vested in me as President of the United States, and in furtherance of the purpose and policy of the National Environmental Policy Act of 1969 (Public Law 91-190, approved January 1, 1970), it is ordered as follows:

Section 1. *Establishment of the Council.* (a) There is hereby established the National Industrial Pollution Control Council (hereinafter referred to as "the Industrial Council") which shall be composed of a Chairman, a Vice-Chairman, and other representatives of business and industry appointed by the Secretary of Commerce (hereinafter referred to as "the Secretary").

(b) The Secretary, with the concurrence of the Chairman, shall appoint an Executive Director of the Industrial Council.

Sec. 2. *Functions of the Industrial Council.* The Industrial Council shall advise the President and the Chairman of the Council on Environmental Quality, through the Secretary, on programs of industry relating to the quality of the environment. In particular, the Industrial Council may—

(1) Survey and evaluate the plans and actions of industry in the field of environmental quality.

(2) Identify and examine problems of the effects on the environment of industrial practices and the needs of industry for improvements in the quality of the environment, and recommend solutions to those problems.

(3) Provide liaison among members of the business and industrial community on environmental quality matters.

(4) Encourage the business and industrial community to improve the quality of the environment.

(5) Advise on plans and actions of Federal, State, and local agencies involving environmental quality policies affecting industry which are referred to it by the Secretary, or by the Chairman of the Council on Environmental Quality through the Secretary.

Sec. 3. *Subordinate Committees.* The Industrial Council may establish, with the concurrence of the Secretary, such subordinate committees as it may deem appropriate to assist in the performance of its functions. Each subordinate committee shall be headed by a chairman appointed by the Chairman of the Industrial Council with the concurrence of the Secretary.

Sec. 4. *Assistance for the Industrial Council.* In compliance with applicable law, and as necessary to serve the purposes of this order, the Secretary shall provide or arrange for administative and staff services, support, and facilities for the Industrial Council and any of its subordinate committees.

Sec. 5. *Expenses.* Members of the Industrial Council or any of its subordinate committees shall receive no compensation from the United States by reason of their services hereunder, but may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

Sec. 6. *Regulations.* The provisions of Executive Order No. 11007 of February 26, 1962 (3 CFR 573), prescribing regulations for the formation and use of advisory committees, are hereby made applicable to the Industrial Council and each of its subordinate committees. The Secretary may exercise the discretionary powers set forth in that order.

Sec. 7. *Construction.* Nothing in this order shall be construed as subjecting any Federal agency, or any function vested by law in, or assigned pursuant to law to, any Federal agency to the authority of any other Federal agency or of the Industrial Council or of any of its subordinate committees, or as abrogating or restricting any such function in any manner.

RICHARD NIXON.

THE WHITE HOUSE, *April 9, 1970.*

THE WHITE HOUSE

The President today announced the appointment of Bert S. Cross of St. Paul, Minnesota, and Willard F. Rockwell, Jr., to be Chairman and Vice Chairman, respectively, of the National Industrial Pollution Control Council. He is also announcing the appointment of 53 members to that Council.

Cross, 64, has been Chairman of the Board and Chief Executive Officer of Minnesota Mining and Manufacturing Company since 1966. He has been with the Company since 1957.

Rockwell, 50, is Chairman of the Board and President of North American Rockwell Corporation. He has been with that company and its predecessor, the Rockwell Manufacturing Company, since 1947.

The other members of the Council will be:

Birney Mason, Jr., of New York, New York, Chairman, Union Carbide Corporation.

Charles H. Sommer, of St. Louis, Missouri, Chairman, Monsanto Company.

Clifford D. Siverd, of Wayne, New Jersey, President and Chief Executive Officer of American Cynamid Company.

Herbert Tomasek, of Kansas City, Missouri, President, Chemargro Corporation.

Howard J. Morgens, of Cincinnati, Ohio, President, Procter and Gamble Company.

Milton Mumford, of New York, New York, Chairman of the Board, Lever Brothers.

C. W. Cook, of White Plains, New York, Chairman and Chief Executive Officer, General Foods Corporation.

Howard C. Harder, of New York, New York, Chairman, CPC International.

Robert W. Reneker, of Chicago, Illinois, President and Chief Executive Officer, Swift and Company.

Charles R. Orem, of Chicago, Illinois, President of Armour and Company.

James P. McFarland, of Minneapolis, Minnesota, President and Chief Executive Officer, General Mills, Inc.

Robert J. Keith, of Minneapolis, Minnesota, Chairman and Chief Executive Officer, Pillsbury Company.

Donald M. Kendall, of New York New York, Chairman and Chief Executive Officer, Pepsico, Inc.

William F. May, of New York, New York, Chairman and President, American Can Company.

Ellison L. Hazard, of New York, New York, Chairman and President, Continental Can Company, Inc.

Edwin D. Dood, of Toledo, Ohio, President and Chief Executive Officer, Owens-Illinois, Inc.

John L. Cushman, of Lancaster, Ohio, President, Anchor Hocking Corporation.

Leo H. Schoenhofen, of Chicago, Illinois, Chairman and Chief Executive Officer, Container Corporation of America.

C. Raymond Dahl, of San Francisco, California, President and Chief Execuive Officer, Crown-Zellerbach Corporation.

Edmund F. Martin, of Bethlehem, Pennsylvania, Chairman and Chief Executive Officer, Bethlehem Steel Corporation.

Thomas F. Patten, of Cleveland, Ohio, Chairman, Republic Steel Company.

J. K. Jameison, of New York, New York, President, Standard Oil Company of New Jersey.

Robert O. Anderson, of New York, New York, Chairman and Chief Executive Officer, Atlantic-Richfield.

Frank R. Milliken, of New York, New York, Chairman, Kennecott Copper Corporation.

Gilbert W. Humphrey, of Cleveland, Ohio, Chairman, Hanna Mining Company.

George H. Love, of Pittsburgh, Pennsylvania, Chairman, Consolidated Coal Company.

Thomas C. Mullins, of St. Louis, Missouri, President, Peabody Coal Company.

Russell DeYoung, of Akron, Ohio, Chairman, Goodyear Tire and Rubber Company.

J. Ward Keener, of Akron, Ohio, Chairman, B. F. Goodrich Company.

Karl R. Bendetsen, of New York, New York, Chairman and Chief Executive Officer, U.S. Plywood-Champion Papers, Inc.

Norton Clapp, of Tacoma, Washington, Chairman, Weyerhaeuser Company.

Chris Dobbins, of Denver, Colorado, Chairman and President, Ideal Basic Industries, Inc.

Robinson F. Barker, of Pittsburgh, Pennsylvania, Chairman, PPG Industries, Inc.

Edward N. Cole, of Detroit, Mich., President, General Motors Corporation.

Lido Anthony Iacocca, of Dearborn, Michigan, Senior Vice President, Ford Motor Company.

Benjamin F. Biaggini, of San Francisco, California, President, Southern Pacific Company.

John M. Budd, of St. Paul, Minnesota, President, Great Northern Railway.

George E. Keck, of Chicago, Illinois, President and Chief Executive Officer, United Airlines, Inc.

Charles C. Tillinghast, Jr. of New York, New York, Chairman, Trans-World Airlines.

Frank A. Nemec, of New Orleans, Louisiana, President and Chief Operating Officer, Lykes-Youngstown Corporation.

Shermer L. Sibley, of San Francisco, California, President and Chief Executive Officer, Pacific Gas and Electric Company.

Lelan F. Sillin, Jr., of Weathersfield, Connecticut, President, Northeast Utilities.

Fred J. Borch, of New York, New York, Chairman and Chief Executive Officer, General Electric Company.

Donald C. Burnham, of Pittsburgh, Pennsylvania, Chairman, Westinghouse Electric Corporation.

Paul L. Davies, of New York, New York, Senior Director, FMC Corporation.

Arthur J. Santry, Jr., of New York, New York, President, Combustion Engineering, Inc.

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H. Chandlee Turner, Jr., of New York, New York, Chairman, Turner Construction Company.

Stephen D. Bechtel, Jr., of San Francisco, California, President, Bechtel Corporation.

Ralph Evinrude, of Jensen Beach, Florida, Chairman, Outboard Marine.

Rodney C. Gott, of New York, New York, Chairman and President, American Machine and Foundry Company.

Arch Booth, of Washington, D.C., President, U.S. Chamber of Commerce.

William P. Gullander, of New York, New York, President, National Association of Manufacturers.

H. Bruce Palmer, of New York, New York, President, National Industrial Conference Board.

Mr. Chairman, I welcome the opportunity to come back to the House and to testify regarding the operation of governmental advisory committees.

I would like to share with you my experience with some of the invisible but influential committees which are associated within the Advisory Council on Federal Reports.

These committees advise the Budget Bureau in fields such as transportation, communications, utilities, trade, banking and equal employment. The committees have absolutely no basis in law. Yet they call themselves the "official business consultant to the Federal Bureau of the Budget". These committees have existed for twenty-eight years. They are comprised of representatives of industry, in most cases very big industry. They meet quietly with officials of the Budget Bureau and the Federal agencies with which they do business. They throw parties and picnics for their Budget Bureau friends. And they see to it that Federal regulations which they do not like are modified, delayed or killed.

Until this year, very few people were even aware of the existence of these business advisory committees, even though they came into being during World War Two. I became aware of these committees about five years ago, when I was attempting to delineate the pattern of utility donations, each year, to a number of right-wing organizations. I suggested to the Federal Power Commission that it simply ask the major utilities whether they gave money to specified organizations. The FPC said it could not do that, unless the Budget Bureau approved. And the Budget Bureau would in turn ask the advice of its utility advisory committee. Its members were presidents and vice presidents of the very same companies which were financing these right-wing organizations, so they would see to it that no official requests, such as I posed, were ever made.

Meanwhile, you, Mr. Chairman, and other members of the House Natural Resources and Power Subcommittee were finding out how the Budget Bureau and another of its advisory committees were adding to today's environmental problems. House Report One Five Seven Nine, of the Ninetieth Congress, Second Session, starkly describes the success of industry groups, working through the Budget Bureau, in staving off the national inventory of industrial wastes. That House document, printed in nineteen sixty eight, describes how since nineteen sixty four "the industry representatives (on the Budget Bureau's committee) expressed strong opposition to the questionnaire" designed to elicit the information upon which enforcement of anti-pollution laws could effectively be based. As the House document reported:

"The Budget Bureau then refused to approve the questionnaire form, thus effectively quashing the proposed inventory of industrial waste discharges."

The House Subcommittee on Natural Resources and Power continued to try to get this inventory under way. In nineteen sixty five, following indications of industry's willingness to cooperate, the Subcommittee again urged that industrial wastes be inventoried. In nineteen sixty seven, the Interior Department, which had new responsibilities for pollution abatement, asked the Budget Bureau to approve an inventory questionnaire. The Budget Bureau, responsive to its industry advisers, again balked.

The Bureau, in an amazing letter sent to Subcommittee Chairman Jones, on four August nineteen sixty seven, said that it wanted to delay getting information until it had more information. The Budget Bureau-industry was stalling, waiting for "economic incentives to protect the environment." The Budget Bureau met again in nineteen sixty eight, with a panel of industry representatives, and again stymied the questionnaire.

Mr. Chairman, I want to advise your Subcommittee on the status, as of yesterday, of this seven-year effort to obtain basic information from industry on pollution. The Budget Bureau advised my office yesterday that the new Administrator of the Water Pollution Control Administration had asked to look at the proposed questionnaire. He decided this was not a proper Federal concern. He wants to see if the states can provide the information.

That attitude by a Federal administrator, starkly illustrates the fact that this Administration does not believe in law enforcement against corporations. It is of a piece with the failure to enforce laws and regulations violated by oil companies which pollute our coastal waters. It is of a piece with the tragic Presidential veto, a decade ago, which said that pollution is a uniquely local blight.

And the Budget Bureau—I was advised yesterday—has withdrawn consideration of the proposed inventory.

If ever there was a time for the legislative branch to assert itself, the time is now.

Yet these industry groups try to maintain the fiction that they do not operate in the policy area.

I would add, Mr. Chairman, as an aside, that these same industries now spend many thousands of dollars advertising how they protect the environment and their customers.

Through use of these industry advisory committees, the teeth are removed from the laws we pass. The public and the regulators are denied basic information to which they are entitled, answers to such fundamental questions as: Who owns the companies? Who works for them? Where does their money go? The answers to such questions are fundamental to meaningful regulation and also to application of anti-trust statutes.

"Nader's Raiders reported this week to the Senate Subcommittee on Surface Transportation that the Interstate Commerce Commission does not have "a single consumer or consumer representative on its numerous advisory groups. I found the same to be true regarding the Budget Bureau advisory committees. Indeed, the utility advisory committees—there are three of them—are so selective that they do not include a single representative of a municipally-owned or cooperatively-owned power system.

For several years I periodically suggested to the Budget Bureau that it broaden the membership of its advisory committees. The Bureau declined to do so. So last year I introduced legislation requiring consumer, small business and labor representation on Budget Bureau advisory committees.

Introduction of this legislation—S. 3067—perturbed the Budget Bureau and its advisory committees, to the extent that the Bureau now suggests, in its report on the bill, that it will find somebody in Mrs. Knauer's office, and maybe some small businessmen, to sit in on those meetings.

They don't say a word about letting our former colleague, Andy Biemiller, into the inner sanctum.

The few public representatives who have had the temerity to sit in on meetings, since my bill was introduced have been treated like second class citizens.

Obviously, legislation is needed. I am not sure that my bill is the remedy. It would be better to abolish the advisory committees altogether than to simply adorn them with window-dressing Congressman Moss has the companion bill over here before your present committee—H.R. 15101. I am sure that the record you are developing in this hearing will be helpful in deciding what legislation should finally be reported.

My remarks when I introduced S. 3067 include the membership of these advisory committees, as of last September, along with examples of their actions. I shall submit them for the hearing record, along with the Budget Bureau's adverse report on the bill.

I have three suggestions for your subcommittee to consider.

First, I believe it would be useful to review the minutes of the Budget Bureau advisory committees through the years, to determine the fate of various proposals that have been put before them.

Secondly, I think it would be useful to try to determine the extent to which the Administration and industries are holding closed sessions now that a slight bit of attention is being given to the advisory committees. For example, I have just learned that the Federal Power Commission has agreed to a request by Edison Electric Institute, the trade association of the power companies, to have a very private meeting next Monday with some members of the FPC staff.

The purpose of that meeting will be to discuss proposed collection of data on air and water pollution controls. The Budget Bureau discussed these matters with one of the utility advisory committees last November. However, that meeting was attended by five observers who were not members of the committee. These five observers represented the Consumers Federation of America, the National Rural Electric Cooperative Association, the American Public Power Association, the National Consumer Law Center and the National Wildlife Federation.

That was too much public observation for the utilities. They like to settle matters very privately.

If this Subcommittee wants to send a representative to that meeting Monday I will be glad to try to find out where the meeting will be held, but can't guarantee that he'll get in.

Finally, Mr. Chairman, I would like to submit a few questions that have been put to me by the Center for Advanced Study in the Behavorial Sciences, at Stanford. These questions relate to current policies and procedures of the Department of Health, Education and Welfare regarding selection of scientific advisory committees. You may have the answers to these questions already. If you have—or if you get them—I hope you will share them with me. I am directing these questions to the Secretary of HEW. As I receive answers. I shall share them with you.

NEW FNMA GENERAL ADVISORY COMMITTEE MEETS APRIL 14

The Federal National Mortgage Association's General Advisory Committee will hold its first meeting of this year on April 14th at the offices of the corporation in Washington, D.C.

The purpose of the Committee, as explained by FNMA President Oakley Hunter, is to advise the management of the corporation in all matters respecting its activities in the field of housing and home finance.

"The General Advisory Committee," President Hunter stated, "is composed of leading business executives from throughout the nation who serve without compensation. Their extensive knowledge and experience is invaluable to FNMA, and we are deeply appreciative of their generous contribution."

FNMA is a government-sponsored private corporation that provides support for the secondary mortgage market. By purchasing government-insured or guaranteed residential mortgages from lending institutions, FNMA helps insure a steady flow of funds for mortgage loans. In addition to home mortgages, the corporation purchases mortgages on FHA-insured nursing homes, hospitals, mobile home courts, land development groups, medical practice facilities and apartment projects, including special programs for low- and moderate-income families and for older persons.

During 1970 FNMA estimates it will purchase approximately $6 billion of mortgages and will issue purchase-commitments totalling approximately $8 billion. FNMA purchases mortgages with private capital borrowed primarily on the open market.

The Committee was organized in 1969. All of the original members of the committee, with the exception of Charles Wellman, who is deceased, will continue to serve. They are W. P. Bridges, President, Bridges Loan and Investment Company, Inc., Jackson, Mississippi; Franklin Briese, Chairman and President, The Minnesota Mutual Life Insurance Company, Saint Paul, Minnesota; C. C. Cameron, Chairman and President, First Union National Bancorp, Inc., Charlotte, North Carolina; M. D. Crawford, Jr., Chairman, Bowery Savings Bank, New York, N.Y.; Don E. Dixon, President, Lincoln Securities Company, Lincoln, Nebraska; Hans Gehrke, Jr., Chairman, First Federal Savings and Loan Association, Detroit, Michigan; Robert Graham, Senior Vice President, First National City Bank; New York, N.Y.; Max H. Karl, President, Mortgage Guaranty Insurance Corporation, Milwaukee, Wisconsin; Sidney Kaye, Executive Vice President, Advance Mortgage Corporation, Detroit, Michigan; David L. Krooth, Krooth and Altman, Washington, D.C.; Raymond T. O'Keefe, Executive Vice President, Chase Manhattan Bank, New York, N.Y.; Samuel Revits, Senior Vice President, Merrill Lynch, Pierce, Fenner and Smith, Inc., New York, N.Y.; William E. Simon, Salomon Brothers and Hutzler, New York, N.Y.; Douglas C. Welton, President, Dry Dock Savings Bank, New York, N.Y.; John H. Wheeler, President, Mechanics and Farmers Bank, Durham, North Carolina; and Julian Zimmerman, President, Lumbermen's Investment Corporation.

Three additional members have been appointed by President Hunter. They are Albert M. Cole, Attorney, McKenna and Fitting, Washington, D.C.; Eugene F. Ford, President, Mid-City Developers, Inc., Washington, D.C.; and John E. Horne, President, Investors Mortgage Insurance Company, Boston, Massachusetts.

ARMS CONTROL

Mr. McGOVERN. Mr. President, during Senate debate on Senate Resolution 211, proposing an opening posture for the United States at the strategic arms limitation talks, I raised a number of reasons why we should, instead of seeking to preserve the Minuteman force with expensive improvements and questionable defensive systems, allow its phaseout in favor of more reliable methods of deterrence.

Although I think his estimates are much too generous, the Secretary of Defense has asserted that the Russian SS–9 can degrade our land-based missiles. In his posture statement this year he tells us that even the Safeguard ABM defense cannot counter a threat which includes SS–9's with improved accuracy and multiple independently targetable warheads.

I am convinced, therefore, that we should, at a minimum, eliminate the funds requested this year for deployment of Minuteman III and for further upgrading of the land-based force. If the threat does not develop as envisioned by the Secretary then these improvements will be unnecessary. If it does they will be incorporated into a system which cannot be relied upon to perform effectively. In either case the expenditures requested this year would be wasted. In addition, since they embark on deployment of a new and provocative weapons system, the multiple independently targetable reentry vehicle, or MIRV, they stand in direct contradiction to Secretary Laird's characterization of the 1971 defense program as transitional.

On last Monday the Long Island Daily Newsday editorialized on this subject in a manner which I believe deserves the attention of the Senate. The editors point out that Senate Resolution 211 constitutes good advice to the President but that it has in a sense already been rejected. They state further that in order to prevent MIRV's dangerously unsettling effects upon SALT "what the Senate should do is not just pass advisory resolutions but instead pass a law preventing the Pentagon from deploying MIRV. For as long as the weapon is not actually atop missiles, there is still some breathing space before the MIRV fail-safe line is irrevocably crossed."

Because it presents the MIRV issue so concisely and because it presents an extremely important reason for deleting Minuteman III—MIRV deployment funds from the fiscal 1971 budget, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TOWARD A MIRV WORLD

It is the pride of the American technological elite and the triumph of the generals; it improves at once and by a quantum leap the already awesome power of the American missile arsenal. But, for those who wish to bring an end to the nuclear arms race, this new offensive weapon is a potential danger of thermonuclear proportions: its deployment will set back permanently mankind's efforts to avoid nuclear war. The product of America's drive for total security, the weapon promises only to exchange the slender margins of safety from doomsday that the nation now enjoys for the final radioactive solution. It is, all at once, the multiple, independently targeted reentry vehicle—for short, the MIRV.

The MIRV is an educated nose cone that will replace existing cones atop about half of the 1,050 land-based U.S. Minuteman missiles and on some 500 missiles launched by Polaris submarines. Each nose cone will contain not one but several nuclear weapons—from three to 14 depending, among other things, on the size of each bomb. Once propelled into the exoatmosphere, the MIRV changes speeds and directions according to instructions from the tiny onboard computer, and releases, one at a time, individual bombs on individual targets. In a sense, the MIRV becomes a kind of unmanned bomber, traveling at missile-rate speeds, and flying at far higher altitudes than manned bombers are capable of. No wonder the technological and military minds are so excited by MIRV: for the approximately 1,500 U.S. offensive missiles now become capable of dropping up to 10,000 bombs on the enemy, each one of which can be targeted on a different enemy city, missile site, or industrial area. Clearly, the MIRV is the biggest bang for a few million bucks to come out of the Pentagon in a long time.

A MECHANICAL DECISION

The MIRV has the singular characteristic, however, that once deployed it fairly cries out to be used. The MIRV is not like the ABM system, which must await the firing of enemy missiles to go into action. On the contrary, the MIRV doesn't do its thing until it has been fired, until the computer begins releasing the warheads, until, in short, the decision-makers have opted for nuclear war. *When* must that millennial decision be made? Should we wait until the enemy has fired its MIRVs, until the enemy's force becomes transformed by MIRV into a threat 10 times as great as it is on the ground, until it has so many warheads in the air that our ABM missiles cannot possibly intercept all of them? Shouldn't we fire first, getting our birds into the air before theirs, catching many of their folded-up MIRV's on the ground, and hoping that our ABM missiles will intercept in the air what our MIRVs don't destroy on the ground? Clearly, to be caught with one's MIRV's down, while the enemy's are in the air proliferating like bunnies, is a nightmare possibility that would weigh heavily on the minds of Washington and Moscow decision-makers. It is in this way that the very mechanics of MIRV's operation cut heavily into man's ability to control the weapon's use.

Thus, the prospect created by MIRV deployment is a world made nuclear trigger-happy by the very technological exigencies of this weapon. The Pentagon plans to begin outfitting U.S. missiles with MIRV this summer, and the Kremlin is not too far behind. Once both sides have MIRVed, the U.S. and USSR negotiators might as well strike MIRV from the agenda of the strategic arms limitation talks (SALT) due to resume in Vienna this week. By the time the negotiators are able to deal with MIRV as part of an overall arms limitation package deal, the new weapon will already be deployed. And once deployed, Pandora's box is forever open. For the only agreements likely to come out of SALT are arms limitations that can be verified by satellite reconnaissance. Since super-high-power camera lenses in the satellites can do just about everything these days *except* peer inside a missile nose cone, neither the United States nor the Soviet Union will have any way of knowing for sure just how many missiles each side has MIRVed and just how many bombs are inside each nose cone. Since neither side would agree to the kind of extensive on-site inspection needed to verify a MIRV reduction once the weapon is deployed, it is probable that both the Kremlin and the Nixon administration may already have decided, among themselves, to MIRV and to forget about including MIRV in a SALT package.

BREATHING SPACE

However, the Senate has passed a well-intentioned resolution sponsored by Sen. Edward Brooke and some 40 other senators. It calls for a mutual Soviet-American freeze on the deployment of all offensive and defensive strategic weapons pending the outcome of SALT. During the subcommittee's hearings on the resolution, McGeorge Bundy, president of the Ford Foundation, went a step further in recommending that the administration take the initiative by unilaterally deferring both MIRV and ABM deployments for a limited time. Unfortunately, both the Brooke resolution and Bundy's proposal add up to nothing more than good advice the administration has already rejected (holding up all further weapons deployments because of SALT). What the Senate should do is not just pass advisory resolutions but instead pass a law preventing the Pentagon from deploying MIRV. For as long as the weapon is not actually atop missiles, there is still some breathing space before the MIRV fail-safe line is irrevocably crossed. For, quite simply, the case against MIRV deployment is the case against nuclear war.

THE CIGARETTE HABIT

Mr. MOSS. Mr. President, I found very interesting an article in the Washington Post this morning which indicates that the cigarette habit is based upon both a physical and a psychological need which nicotine nurtures and builds up. This need is what makes it so difficult for a heavy smoker to stop smoking, even though he recognizes and accepts the health hazards of continuing his habit.

This new information on nicotine makes even more important the cigarette legislation passed by the Congress recently. The removal of cigarette advertising from TV takes away the most appealing medium for reaching to new and young smokers, who are more easily induced to take up smoking because of the "glamour" of the TV presentation, and then get hooked on the need for nicotine—a need some people cannot overcome.

I ask unanimous consent that the Post article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SMOKING SEEN INDUCING ITS NEED

ATLANTIC CITY, N.J., April 15.—A scientist came up today with what he believes to be the physical basis for the cigarette habit.

It may explain why so many people keep right on smoking despite heavy health pressures.

This physical basis is what nicotine does with norepinephrine (NE), Dr. Budh D. Bhagat of St. Louis University told the annual meeting of the Federation of American Societies for Experimental Biology.

NE is a regulatory hormone of the brain and other nervous system tissue. Nicotine increases both its production and its utilization, Bhagat said. As the result, the smoker's brain is kept in a state of abnormal excitement.

"Once the body becomes accustomed to this increase in the production and use of NE, any withdrawal of nicotine results in depression," he said.

"Thus, the body begins to depend on nicotine. Therefore the smoker must smoke to 'dose' himself with nicotine to keep the production of NE at elevated levels."

Bhagat and his St. Louis associates came to this conclusion after three years of experimenting with rats and by reasoning from other scientific findings. For six weeks their rats got through injection as much nicotine as they would have gotten from smoking three packs of cigarettes a day.

Aside from greater activity and aggressiveness, they behaved like other rats. But their blood pressure was higher and an analysis of their brains revealed a much higher production and utilization of NE than is normal in rats.

Then came this reasoning:

Some tranquilizing drugs reduce NE in people and calm their behavior. Some antidepression drugs increase NE production and energize behavior.

In 1942 a scientist satisfied the craving of smokers by substituting injections of nicotine for cigarettes. "Experimentally," Bhagat continued, "it has been shown that smoking contributes to mental alertness and efficiency."

Many scientists have long argued that the craving for cigarettes is psychological because no physical basis for it had been found.

"We have shown for the first time that habitual smokers are not only psychologically dependent upon cigarettes, but may have also created a genuine physiological need for nicotine," Bhagat said.

"Needless to say, if one does not begin smoking in the first place the need for nicotine would not exist. Creation of the need for nicotine will expose the smoker to the resultant hazards—heart and blood vessel diseases and lung cancer."

NOMINATION OF JUDGE HARRY A. BLACKMUN

Mr. HRUSKA. Mr. President, yesterday, Deputy Attorney General Richard Kleindienst sent a letter to the chairman of the Committee on the Judiciary, the senior Senator from Mississippi (Mr. EASTLAND), concerning the background and the qualifications of President Nixon's nominee, Harry A. Blackmun, to be an Associate Justice of the Supreme Court of the United States.

The nominee has furnished the Department of Justice with a complete disclosure of his financial holdings and business dealings.

Judge Blackmun asked the Department to make this information available to the Judiciary Committee and pledged to furnish any additional information requested so that the committee and the Senate will be able to render their judgment with dispatch and intelligence. The Department, on its own initiative, has performed an analysis of some of Judge Blackmun's case decisions and rulings, rendered while he sat on the Eighth Circuit Court of Appeals.

Mr. President, a copy of Mr. Kleindienst's letter was hand delivered to each member of the Judiciary Committee. So that the other Senators can study this nominee's record and inform themselves as to his qualifications, I ask unanimous consent that the text of the communication be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE
DEPUTY ATTORNEY GENERAL,
Washington, D.C., April 15, 1970.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Justice Department has reviewed with Judge Blackmun his financial holdings and biographical data, and has made its own review of opinions he has written while a judge of the United States Court of Appeals for the Eighth Circuit. My purpose in writing this letter is to make available to you and the members of your Committee the results of this examination.

BIOGRAPHICAL INFORMATION

Harry A. Blackmun was born November 12, 1908, in Nashville, Illinois, a small town located about thirty miles west of St. Louis. While still an infant his family moved to St. Paul, Minnesota, where he grew up. He attended the same elementary school as Chief Justice Warren E. Burger, and the two have remained friends ever since.

Blackmun attended Harvard College, and received his A.B. degree from that institution in 1929, summa cum laude in mathematics. He was elected a member of Phi Beta Kappa while an undergraduate at Harvard. He received his law degree from Harvard Law School in 1932, and was a member of the law group winning the Ames Competition for his class.

Following graduation from law school, he was a law clerk to Judge John B. Sanborn of the United States Court of Appeals for the Eighth Circuit. He was then employed by the Minneapolis law firm of Dorsey, Colman, Barker, Scott and Barber, being made a junior partner in 1939, and a general partner in 1943. During his sixteen years with the firm, he concentrated in the fields of taxation, estates, and general litigation. In his spare time, he was an instructor in what is now William Mitchell College of Law, St. Paul, and at the University of Minnesota Law School. He also participated in the following professional and charitable activities:

Member, Olmsted County and Third Judicial District Bar Associations (1950 to date).

Member, Minnesota State Bar Association (1932 to date).

Member, American Bar Association (1940 to date).

Past Chairman, Junior Bar Section, and past Secretary and Chairman, Administrative Law Section, Hennepin County Bar Association.

Member of the Board of Publication of The Methodist Church (1960 to date) and of its Executive Committee (1964 to date).

Director of Rochester Methodist Hospital and member of its Executive Committee (1954 to date).

Trustee, William Mitchell College of Law, St. Paul, Minnesota (1959 to date).

Member, Board of Trustees, Hamline University (1964 to date).

In the latter part of 1950, Judge Blackmun became resident counsel to the Mayo Clinic and Mayo Association in Rochester, Minnesota, a position which he retained until he was appointed to the Court of Appeals for the Eighth Circuit by President Eisenhower in 1959.

He married Dorothy E. Clark on June 21, 1941, and they have three daughters. Nancy Clark, 26; Sally Ann, 22; and Susan Manning, 20.

Judge Blackmun has authored the following articles: "The Marital Deduction and Its Use in Minnesota", Minnesota Law Review, December, 1951; "The Physician and His Estate", Minnesota Medicine, October, 1953; "Allowance of In Forma Pauperis Appeals in Section 2255 and Habeas Corpus Cases", 43 FRD 343 (1968).

Judge Blackmun is presently Chairman of the Advisory Committee on Research to the Federal Judiciary Center.[1] He is also a member of the Advisory Committee on the Judge's Function of the American Bar Association Special Committee on Standards for the Administration of Criminal Justice.[2]

OPINIONS FOR THE COURT OF APPEALS

Because of Judge Blackmun's experience in tax law, he has written a number of opinions dealing with federal taxation for the

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[1] The Advisory Committee on Research is charged with establishing and overseeing the research function of the Federal Judiciary Center.

[2] The Committee on the Judge's Function, chaired by District Judge Frank Murray of Massachusetts, is the most recently established of a series of committees dealing with various aspects of the definition and implementation of minimum standards in the administration of criminal justice.

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Court of Appeals. In areas of greater public interest and controversy, such as criminal law, civil rights, and civil liberties, the following paragraphs summarize representative opinions written by Judge Blackmun.

In *Bailey* v. *Henslee*, 287 F. 2d 936 (1961), Judge Blackmun wrote for the court in reversing a decision of the federal district court and holding that a Negro defendant had made a prima facie case that Negroes had been systematically excluded from the state court jury which tried him. In *Neal* v. *System Board of Adjustment*, 348 F. 2d 722 (1965), Blackmun wrote for the court in upholding the contention of a railway labor union that Negroes claiming racial discrimination against them on the part of their union were not entitled to prosecute their claim in the federal courts, because they had not exhausted their remedies within the union.

In two cases involving claims by Negro faculty members of discrimination against them, Judge Blackmun wrote opinions for the Court of Appeals for the Eighth Circuit reversing district court judgments against the teachers. *Smith* v. *Board of Education of Morrilton School District No. 32*, 365 F. 2d 770 (1966); *Yarborough* v. *Hulbert-West Memphis School District*, 380 F. 2d 962 (1967).

In *Jones* v. *Mayer*, 379 F. 2d 33 (1967), Judge Blackmun wrote for the court in holding that a civil rights statute passed during reconstruction days was not a nationwide open-housing law which prohibited private, as well as public, discrimination. The Supreme Court reversed the Eighth Circuit, 392 U.S. 409, holding that the old civil rights statute prohibited even private discrimination in the sale or rental of property. The majority opinion was written by Justice Stewart; Justice Harlan and White dissented.

Kemp v. *Beasley*, No. 19,782 (March 17, 1970), was the third round of school desegregation litigation concerning an Arkansas school district. Judge Blackmun wrote for the court upholding part of the district court's judgment, but remanding that portion which had permitted continuation of four "racially identifiable and completely black" elementary schools.

CRIMINAL LAW DECISIONS

In two cases involving federal habeas corpus claims by Negroes who had been convicted of raping white women in Arkansas, the issue has been raised as to whether such defendants were discriminated against in that they allegedly received the death penalty in circumstances in which a white rape defendant would not have received it. In *Mitchell* v. *Stephens*, 353 F. 2d 129 (1965), Judge Blackmun wrote for the court in rejecting the constitutional claim, although remanding the case because of an error with respect to the admission of the defendant's confession. In *Maxwell* v. *Bishop*, 398 F. 2d 138 (1968), Blackmun wrote for the court in affirming a district court judgment denying habeas corpus relief and overruling a similar constitutional contention. He said:

"We are not yet ready to condemn and upset the result reached in every case of a Negro rape defendant in the State of Arkansas on the basis of broad theories of social and statistical injustice. This is particularly so on a record so specific as this one. And we are not yet ready to nullify this petitioner's Garland County trial on the basis of results generally, but elsewhere, throughout the South." 398 F. 2d at 147.

Maxwell v. *Bishop* is presently under submission in the Supreme Court of the United States.

Pope v. *United States*, 372 F. 2d 710 (1967), was an appeal from a judgment of a district court imposing the death sentence on a bank robber who killed three employees of a bank in the process of robbing it. It was heard en banc by the Court of Appeals, and Judge Blackmun wrote a long opinion upholding the judgment of conviction. The opinion contains an exhaustive discussion of the defense of insanity. The Supreme Court later vacated the sentence and remanded the case for resentencing after the Solicitor General conceded that this death penalty provision suffered from the same constitutional infirmity as the Supreme Court had found to exist in *United States* v. *Jackson;* Justices Black and White dissented for reasons expressed in their dissenting opinions in *Jackson*, 392 U.S. 651 (1968).

In *Deckard* v. *United States*, 381 F. 2d 77 (1967), Judge Blackmun wrote for the Court of Appeals in reversing a conviction under the National Firearms Act, on the ground that the registration provision was unconstitutional because it required self-incrimination in violation of the Fifth Amendment. The Supreme Court a few months later reached the same result by a vote of seven to one in *Haynes* v. *United States*, 390 U.S. 85 (1968).

In *Jackson* v. *Bishop*, 404 F. 2d 571 (1968), Judge Blackmun wrote for the Court of Appeals in holding that any use of a strap on convicts in the Arkansas State Penitentiary was a cruel and unusual punishment under the Constitution. His opinion pointed out that only two states still permitted the use of a strap.

In *Ashe* v. *Swenson*, Judge Blackmun's opinion upheld the conviction of a defendant against a claim of double jeopardy arising out of two successive trials for the robbery of two different victims who had been playing in the same poker game. He relied on two Supreme Court precedents that were of obviously uncertain weight because of the turnover in the Justices of the Court, and stated:

"This court is not the Supreme Court of the United States. We therefore are not free to disregard an existing flat and still live holding of the Supreme Court even though that holding is one by a sharply divided tribunal and even though only one of the Justices who participated in the majority decision remains active. A change in constitutional concept and the overruling of an existing decision, if indicated at all, is for the Supreme Court and is not for us. Firmness of precedent otherwise could not exist." *Ashe* v. *Swenson*, 399 F. 2d 40 at 45 (1968).

The Supreme Court reversed the judgment of the Court of Appeals in an opinion handed down on April 6, 1970. Justice Stewart spoke for the majority, and Chief Justice Burger dissented. The majority opinion noted that the operative facts in the case were virtually identical to the facts in the earlier case of *Hoag* v. *New Jersey*, 356 U.S. 464, in which the Supreme Court had twelve years earlier upheld a conviction under similar circumstances.

In *Slawek* v. *United States*, No. 19,462 (July 28, 1969), Judge Blackmun wrote for the court in upholding a federal criminal conviction against a collateral attack by the defendant. One of the prisoner's claims was that the denial of the right to subpoena witnesses at government expense deprived him of the equal protection of the laws, even though it had been earlier determined that such witnesses would not have been able to testify to any relevant fact. Judge Blackmun's response to this point was:

"In any event a rich defendant may have the right to waste his money on unnecessary and foolish steps, but that does not, in the name of necessary constitutional equality, give the indigent the right to squander government funds merely for the asking."

In *United States* v. *Bonds*, Judge Blackmun dissented from a majority holding of the Eighth Circuit which reversed a federal conviction on the ground that evidence should have been suppressed. He expressed the view that the search in question had been reasonable under the rules prevailing prior to the Supreme Court's decision in *Chimel* v. *California*, 395 U.S. 752 (1969), and that the rule adopted by the Fifth Circuit that *Chimel* was not retroactive should be likewise applied by the Eighth Circuit.

Civil Liberties Decisions. In *Esteban* v. *Central Missouri State College*, No. 19,565 (Aug. 28, 1969), the Court of Appeals for the Eighth Circuit divided as to whether the constitutional rights of students at a publicly supported college in Missouri had been violated in the course of their expulsion. Judge Blackmun wrote for the majority affirming the judgment of the district court holding that the students had been properly expelled, and expressing disagreement with an apparently contrary ruling of Judge Doyle in the Western District of Wisconsin (*Soglin* v. *Kauffman*, 295 F. Supp. 978, in which the latter had struck down university regulations for "overbreadth"). The majority of the court held that the finding by the university officials that one of the expelled students had participated in the demonstration was supported by evidence. Certiorari has been sought in the Supreme Court, but the Court has not yet acted on the petition (No. 1026 OT 1959). *In re Weitzman* (No. 19,446, April 1970) was a naturalization case in which the three-judge panel of the Court of Appeals produced three different opinions. Judge Blackmun dissented from the holding of the majority of the court that petitioner was entitled to naturalization, since he felt that there was no constitutional objection to denying naturalization to an alien because conscientious objection to war was based on a personal moral code, rather than on religious training and belief. In the final paragraph of his opinion, he said:

"If Mrs. Weitzman's constitutional arguments are to prevail, our concepts of constitutionality have progressed far beyond the Hughes-Holmes-Brandeis days when enunciated allegiance and devotion to the country had primary and significant meaning. As a member of an inferior federal court, I feel that we cannot go that far even in this permissive day."

3. FINANCIAL HOLDINGS AND OFF-BENCH ACTIVITIES

Judge Blackmun reviewed with the Department of Justice, prior to the submission of his nomination to be an Associate Justice of the Supreme Court, his financial holdings, his practice respecting disqualification because of interest or relationship, and his off-bench activities. He is entirely agreeable to making available to the Committee any detailed financial information which it desires at the appropriate time. Judge Blackmun's net worth is in the neighborhood of $125,000, consisting of approximately $75,000 in stocks, bonds, and bank accounts, and approximately $50,000 represented by his equity in his family home in Rochester, Minnesota.

In the light of the extended debates over the confirmation of Judge Haynsworth, Judge Blackmun requested the advice of the Department, and requested the Department to call to the attention of the Judiciary Committee, the following specific situations.

Stock in Ford Motor Co. & American Tel. & Tel. In October, 1957, prior to assuming the bench, Judge Blackmun purchased fifty shares of stock in Ford Motor Company, at a total purchase price slightly in excess of $2,500. Approximately six months after becoming a circuit judge, he participated in the decision of the case of *Hanson* v. *Ford Motor Company*, 278 F. 2d 586 (1960). Prior to doing so, Judge Blackmun recalls discussing the matter with then Chief Judge Johnsen of the Court of Appeals for the Eighth Circuit, and concluding that his interest in the case was *de minimis* and that he should not disqualify himself. He wrote the opinion of the Court of Appeals, directing the district court to reinstate a jury verdict in the amount of $24,500 which had been rendered against the Ford Motor Company, but which the district court had set aside.

Four years later Judge Blackmun was a member of a panel of the Court of Appeals which heard and decided the case of *Kotula* v. *Ford Motor Company,* 338 F. 2d 732. In that case, Judge Matthes wrote the opinion of the court, upholding a judgment of the district court which had set aside a jury verdict of $12,500 in favor of the plaintiff.

In January, 1970, Judge Blackmun received notice of his assignment to a case in which a wholly owned subsidiary of Ford Motor Company, Gateway Ford Truck Sales, was a party. In view of the national attention that had focused on the issue of disqualification as a result of the debates over the confirmation of Judge Haynsworth, Judge Blackmun advised Chief Judge Van Oosterhout that he regarded himself as disqualified, and the case was assigned by the Chief Judge to another panel. *Bridgeman* v. *Gateway Ford Truck Sales,* Docket No. 19,749 (Feb. 4, 1970).

During 1963 and 1964, Judge Blackmun acquired 22 shares of American Telephone and Telegraph Company stock, at a total cost of approximately $1,350. In 1967, he participated in the decision by the Court of Appeals of *Mahoney* v. *Northwestern Bell Telephone Company,* 377 F. 2d 549 (1967). In that case, the Court of Appeals in a brief *per curiam* opinion upheld the judgment of the court below which dismissed the plaintiff's complaint for lack of diversity jurisdiction as required by statute. The plaintiff had prayed for $35,000 damages, alleging that he was a citizen of Nebraska and that the defendant Northwestern Bell Telephone Company was, for jurisdictional purposes, an Iowa corporation. The Court of Appeals upheld the district judge's ruling that the defendant was a Nebraska corporation, and therefore both the plaintiff and the defendant were citizens and residents of the same state.

The statute governing disqualification for federal judges is 28 U.S.C. 455, which provides in pertinent part as follows:

"Any justice or judge of the United States shall disqualify himself in any case in which he has a substantial interest, ..."

The Department of Justice has advised Judge Blackmun that in its opinion he did not have in any of these three cases such a "substantial interest" as would require him to disqualify himself. By any quantitative standards, Judge Blackmun's interest in the two *Ford* cases can only be described as microscopic. In 1960, he owned fifty shares out of more than 16,000,000 issued and outstanding. In 1964, he owned 100 out of more than 52,000,000 shares issued and outstanding common stock. The $24,500 jury award involved in *Hanson* is likewise but a tiny fraction of Ford's 1960 net income of approximately $427,000,000, and the $12,500 award involved in *Kotula* is an even tinier fraction of Ford's 1964 net income of approximately $505,000,000.

Judge Blackmun's holding of 22 shares of American Telephone and Telegraph Company stock in 1967 must be related to the nearly 540,000,000 shares outstanding in 1967. The $35,000 prayed for by the plaintiff in *Mahoney* is an infinitesimal portion of American Telephone and Telegraph Company's 1967 net income of approximately one and one-half billion dollars.

In short, if the word "substantial" in 28 U.S.C. 455 is to be given any meaning at all, Judge Blackmun was not required to disqualify himself in any of these three cases.

On facts which can be described as virtually identical, Chief Judge Brown, speaking for the Court of Appeals for the Fifth Circuit sitting en banc, held that a federal district judge was not disqualified under the statute, stating:

"The owneship of 100 shares of Humble stock is not, and was not, either as a matter of law or fact or both a disqualifying factor. The record shows without contradiction that the 100 shares owned by the trial judge were an infinitesimal portion of the 36 million shares outstanding when the case was tried . . . This tiny fractional interest in the equity ownership of this huge industrial enterprise does not amount, either as a matter of fact, or law, or both, to a substantial interest by the trial judge in the case or a prohibited connection with the litigant." *Kinnear-Weed Corp.* v. *Humble Oil and Refining Co.,* 5th Cir., 403 F. 2d 437 (1968).

The Court of Appeals for the Fifth Circuit has expressed similar views in the case of somewhat larger stockholdings, in an order handed down in October, 1969, in the South Louisiana area rate cases. The United States District Court for the Eastern District of New York came to a similar conclusion with respect to a small number of shares in a large public corporation in *Lampert* v. *Hollis Music, Inc.,* 105 F. Supp. 3 (1952).

Canon 29, American Bar Association Canons of Judicial Ethics, provides that "a judge should abstain from performing or taking part in any judicial act in which his personal interests are involved." The term "personal interests" is not defined, though Formal Opinion No. 170 states that a judge who is a stockholder in a corporation which is a party to litigation pending in his court should not perform any judicial function with respect to that law suit which involves an exercise of discretion.

The relationship between the federal statute pertaining to disqualification, 28 U.S.C. 455, and Canon 29 is far from clear. Different language is used in each, and the absence of the adjective "substantial" in the Canon suggests that it may impose a stricter test than the statute. However, in the light of the extremely small amount, both absolutely and proportionally, of Judge Blackmun's holdings in the corporations involved, this would appear to be an appropriate case for the application of the rule of *"de minimis non curat lex"* in interpreting Canon 29 and Formal Opinion 170. The *de minimis* principle in no way impairs the safeguarding of both the fact and appearance of impartiality which the Canon rightfully demands of our judges, and yet it permits a common-sense application of the rule where a judge's interest is genuinely insignificant. The underlying question under the Canons is whether Judge Blackmun either acted with partiality or created an appearance of partiality in the above-mentioned cases. In the opinion of the Department, he did neither.

In *Commonwealth Coatings Corporation* v. *Continental Casualty Co.,* 393 U.S. 145 (1968), the Supreme Court of the United States held that an arbitrator was disqualified under the Federal Arbitration Act because of his "close business connections" with one of the parties to the arbitration. The facts of *Commonwealth,* however, show that the arbitrator's relationship with one of the parties to the arbitration was both a good deal more personal and a good deal more substantial than was the relationship between Judge Blackmun and the Ford Motor Company which resulted from his owning fifty shares of its common stock.

The Supreme Court in *Tumey* v. *Ohio,* 273 U.S. 510 (1927), held that it was a denial of constitutional due process for a criminal defendant to be tried before the local mayor whose income would be directly and measurably increased if he convicted, rather than acquitted, the defendant. While the amount of increment to the judge's income from any particular conviction might be small, the directness of that relationship contrasts markedly with the extremely remote relationship between any decision by Judge Blackmun in one of these three cases, and any possible benefit that might accrue to him as a result of such a decision. The court in *Tumey* said:

"But it certainly violates the Fourteenth Amendment, and deprives the defendant in the criminal case of due process of law, to subject his liberty or property to the judgment of a court the judge of which has a direct, personal, substantial, pecuniary interest in reaching a conclusion against him in this case."

Nor does the Department believe Judge Blackmun committed any impropriety in recusing himself from the *Gateway* case in February 1970. The intervening Senate debate over the confirmation of Judge Haynsworth had focused critical attention on the language of the statute, the provisions of the applicable Canons of Ethics, and the interrelationship between the two. The vote by a majority of the Senate to refuse to advise and consent to the Haynsworth nomination could fairly be deemed an interpretation of the relevant provisions regarding disqualification which suggested a stricter standard than had obtained previously.

Canon 26 of the American Bar Association's Canons of Judicial Ethics states:

"A judge should abstain from making personal investments in enterprises which are *apt to be involved in litigation* in the courts . . ." (Emphasis added.)

If this Canon were intended to preclude a judge from owning any stock in a corporation which might "possibly" be involved in litigation, then it would prevent a judge from owning any stock since every corporation might "possible" be involved in litigation. If the drafters of this Canon had intended this result, they could easily have provided for such an outright prohibition. Instead, they only stated that it was improper for a judge to invest in enterprises which are "apt" to be involved in litigation. Webster's Dictionary defines "apt" as "having an habitual tendency or inclination."

Directorship of the Kahler Corporation. For slightly more than four years following his taking the bench, Judge Blackmun was a director of the Kahler Corporation, which operated a hotel in Rochester, Minnesota. While serving as a director, he received annual director's fees from the corporation in the amount of $1,500. Following the adoption by the Judicial Conference of the United States of a resolution in the fall of 1963 recommending that federal judges not hold offices or directorships in corporations organized for profit, Judge Blackmun submitted his resignation as a director of the Kahler Corporation. His resignation was accepted in January, 1964.

Judge Blackmun has advised the Department that he participated in deciding no cases involving the Kahler Corporation at any time since his appointment to the bench.

EXECUTOR'S FEES

Following his accession to the bench, Judge Blackmun received executor's fees from two estates in which he served as co-executor.

During the calendar year 1962, he received an executor's fee of $3,500 from the estate of Mabel F. C. Kahler. Mrs. Kahler's will was executed on March 22, 1958, and named Judge Blackmun as one of four co-executors. Mrs. Kahler died on September 20, 1958, and left an estate of approximately one-half million dollars.

Judge Blackmun also served as co-executor for the estate of Charles Gilfillan, having been designated as such in the Gilfillan will. Mr. Gilfillan executed his will in October, 1955, and died in December 1962, leaving an estate valued in excess of one and one-half million dollars. During calendar year 1964, Judge Blackmun received $3,500 as an executor's fee from this estate, and during the calendar year 1965 he received $1,500 from the same source.

Canon 27, American Bar Association Canons of Judicial Ethics, provides as follows:

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"While a judge is not disqualified from holding executorships or trusteeships, he should not accept or continue to hold any fiduciary or other position if the holding of it would interfere or seem to interfere with the proper performance of his judicial duties, or if the business interests of those represented require investments in enterprises that are apt to come before him judicially, or to be involved in questions of law to be determined by him."

Informal Opinion No. 640 of the American Bar Association Committee on Professional Ethics is summarized as follows on page 217, American Bar Association Opinions of the Committee on Professional Ethics (1967 edition):

"A judge should accept fiduciary appointments after taking the bench only where a family relationship is involved or the judge is specifically nominated or appointed by the terms of the will or trust document."

Since Judge Blackmun was named in the will of each of these decedents, and since there is no indication that the holding of the executorship either interfered or seemed to interfere with the proper performance of his duties as a federal appellate judge, Judge Blackmun's serving as executor in these two estates, appears to have been entirely consistent with the provisions of this Canon.

The Department of Justice will, as it has in the past, assist the Committee in obtaining such additional information as it may desire. In view of the widespread public interest in this type of information, I believe it appropriate to make it generally available, and propose to do so.

Yours very truly,

RICHARD G. KLEINDIENST,
Deputy Attorney General.

CRISIS OF SURVIVAL

Mr. McGOVERN. Mr. President, the April issue of the Progressive magazine is entirely devoted to the topic "Crisis of Survival." Each article, written by a spokesman for the environmental crusade, addresses a crucial problem in an ominous race for the survival of man as a species.

Dr. David R. Inglis, in "Nuclear Pollution and the Arms Race," describes the potential environmental consequences of nuclear weaponry. A thermonuclear holocaust would undoubtedly cause a complete collapse of the environment. But even now the byproducts from making plutonium and tritium for nuclear weapons are highly radioactive and dangerous. The accelerating increase in the demand for electricity could inundate the Nation with nuclear power stations which also pollute the air and water with radiation.

Dr. Inglis concludes in a manner that is in harmony with the main theme of the environmental movement—quality must have a higher priority than quantity. He asserts:

> If we could stop this arms-race robbery from human needs and if we could evolve an economic system dependent on stability rather than continued growth, then we could spread the bounty of our environment more equitably over the centuries and get rid of the awful pollution with which our Twentieth Century gluttony is poisoning us.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NUCLEAR POLLUTION AND THE ARMS RACE

(By David R. Inglis)

(NOTE.—David R. Inglis is professor of physics at the University of Massachusetts. Previously he was engaged in research on the theory of nuclear structure at Argonne National Laboratory. He is on the editorial board of the Bulletin of Atomic Scientists and is a frequent contributor to scholarly journals.)

Both the arms race between the nuclear giants and the rapid growth of industry are making appalling inroads on our environment. The manufacture and testing of nuclear weapons add to the world's burden of radioactive contamination, while industrial activity, stimulated by the arms race and civilian demand, belches noxious contaminants into the atmosphere and water courses.

Yet in our ardor for preserving the environment we must not forget that there is a far more compelling reason for putting a lid on the arms race, namely, reducing the risk of nuclear war.

The direct way to modify the arms race is by negotiation and wise example. It is our country that has principally fired the nuclear arms race by insisting on being way ahead in most categories. Our overkill is such that we could afford to set an example of moderation and watch for reciprocal restraint on the other side. The U.S. negotiation stance at the Vienna arms reduction talks should be one of initiative to attain substantial mutual limitations and reductions, rather than one of stalling until we get ABMs and MIRVs before talking seriously.

The recent sudden shift of liberal concern from the ABM to the environment seems to be leaving a vacuum where pressure is urgently needed to stop the arms race by diplomacy and restraint.

The way President Nixon has hopped on the environment bandwagon with enthusiastic words, if little substance, suggests he may have sensed its importance in weakening the opposition that was nearly successful last time, as he seeks to step up the ABM program. With the perpetual expansion of the military establishment, nuclear weapons production is likely to grow, increasing radioactive pollution at home and around the world, strengthening the military-industrial complex, and moving mankind closer to the full horror of nuclear war.

Concern for the environment, and even legislation protecting it, can mildly shackle some of the details of weapons production, but only a change of foreign policy can stop it. The basic shortcoming of the President's budget message was that it called for no really substantial transfer of funds from Vietnam and the arms race to the anti-pollution effort, and gave no indication of an intention to taper off the arms race and make this transfer possible in the future.

The production of nuclear materials—plutonium, tritium, and separated uranium—involves the production of enormous amounts of radioactive materials that must be disposed of as waste, and in the production of power which ends up by heating rivers and lakes enough to effect aquatic life. Furthermore, the uranium separation consumes a lot of power generated by burning coal. It is the disposal of radioactive wastes that is the most serious problem nuclear power presents to the environment. Nuclear materials are produced to fuel both the arms race and the electric utilities industry. The needs of both threaten the environment in a cumulative way.

The most dramatic effect of the arms race on the environment came from the testing of nuclear weapons in the atmosphere in the era before the partial test ban of 1963. Radioactive fission products in unprecedented quantities were carried high in the atmosphere by the mushroom clouds of the big H-bomb explosions, and gradually settled over much of the earth. Yet people went about their daily lives without noticing any tangible or identifiable effects on the environment. We normally live with a weak exposure of radiation from cosmic rays and from ordinary rocks. In terms of this natural background, the increase of overall radiation was not large and some authorities scoffed at misgivings. The normal background causes some cancer and genetic change, and a slight increase could not be easily isolated and recognized.

Yet this oft-quoted comparison with natural background is unfair because the fission process, that which takes place in bomb explosions and in electric power generating reactors, does not merely increase the background radiation. It produces kinds of radioactive substances that are different and which settle in and attack the human body in specific ways, unlike the natural background radiation. Rocks and cosmic rays provide a natural background of gamma rays (deeply penetrating X-rays) and less penetrating beta-rays (electrons) that pass through the whole body indiscriminately, causing weak ionization on the way; cosmic days passing through the atmosphere also make a special radioactive substance, carbon-14, that becomes rather generally distributed through body tissues. But the fission process creates new types of radioactive atoms that do not exist in nature, and that are dissipated through the air (and water and food supplies) until they settle in the body. Depending on their chemical nature, some of them locate preferentially in certain sensitive parts to do their radioactive damage in a concentrated fashion. Thus, while the overall radiation dosage may be raised only a few per cent by bomb test fallout, the biological damage is disproportionately serious.

During the course of nuclear bomb testing, the danger of one particular element of fallout, strontium 90, was initially denied by Federal Government spokesmen. Its threat was first established by university scientists in independent research. Strontium 90 has a long-lived radioactivity. It is chemically similar to calcium and settles in bone. It concentrates particularly rapidly in the fast-growing bone of fetuses and young children. It gets there by settling on grass eaten by cows and is concentrated in milk. Starting in St. Louis, and then more widely, records have been kept of strontium 90 in the teeth normally lost by children, as well as in fetal skeletons. As a radioactive part of the bone, within which blood is made, strontium 90 can cause leukemia and other forms of cancer. It also attacks the genes and can cause birth defects and infant death. Yet these maladies arise also from other causes and one cannot pinpoint which cases are caused by the arms race. Invisible though the fallout was, we are well rid of the insidious atmospheric testing which might have been much heavier by now if we had had no test ban.

We should be eager to preserve and extend the test ban. Instead, after all our early worries about the Russians, it is we who are callously breaking it. Of more than two hundred U.S. underground tests, seventeen have vented seriously and the radioactivity from two has been officially reported as observed in Canada. Further pressure to abandon the test ban is apt to come with the growth of the ABM system.

Yet even without nuclear war and without nuclear testing, the arms race still has its effect on the environment through the preparation of nuclear materials. The mine and uranium mill tailings—the waste products—are themselves a serious local danger. They expose ores that were once locked underground to leaching by rain and consequent radioactive pollution of our rivers. But this is still only an accelerated recirculation of nature's radioactivity, mainly that of radium with its slow and therefore relatively weak decay.

More serious are the new man-made radioactive elements, by-products of the reactors that make plutonium and tritium for bombs. Some of these have lifetimes that are short enough to make the immediate radiation intense and yet long enough that they create a hazard for tens or hundreds of years, such as strontium 90 and cesium 137, which have half-value decay times of about thirty years. This means that after a hundred years, they would still be about one-tenth as radioactive as now and still a grave hazard in view of the huge amounts being put in perpetual-care storage.

Some of the nuclear reactors are operated for the Federal Government exclusively for the production of bomb materials. Such plants are at Hanford, Washington (the site of the original wartime plant), Paducah, Kentucky, and Savannah River, South Carolina.

Still other nuclear reactors are owned and operated by the electric utilities industry under Government subsidy for the dual purpose of producing plutonium (much of it for bombs) and electric power.

The subsidies provided by the Atomic Energy Commission at the taxpayers' expense take several forms. One is risk insurance. The Federal Government pays for most of what limited insurance coverage there is, and beyond that lets the public take the risk of the possible consequences of a serious reactor-runaway accident.

As another form of subsidy, the Government runs the huge, expensive, energy-consuming, thermal-diffusion plants. These supply the enriched uranium used as fuel in the industrial reactors at a favorable price to industry. A third form of subsidy is the guaranteed price at which the Government will buy all the plutonium industry produces. It is hoped that plutonium as well as enriched uranium will be used to fuel future reactors, but we do not yet know how.

XUM

The only current use for plutonium is for bombs. Both because this subsidy was necessary to make the rather marginal hoped-for profits sufficiently attractive to get the industrial program started and because the plutonium is used for bombs, the nuclear electric power program may be considered a handmaiden of the armaments program and its contribution to environmental pollution may be blamed partly on the arms race.

Most of the radioactivity produced by a reactor stays inside the metal fuel elements in the reactor core. After a period of a year or two the reactor is shut down while the fuel is removed and replaced. The partially spent fuel is sent to a reprocessing plant where the radioactive wastes are extracted in acid solution that is kept so hot by the radioactive decay that it boils if it is not continually cooled. This extremely lethal brew must be prevented from entering the environment, but the containment is not perfect despite all the care taken.

At present, such high-level wastes in this country are stored in about 200 large underground steel-and-concrete tanks, holding as much as a million gallons each. Most of these wastes came from weapons production not associated with electric power production. The radioactive intensity of the liquid (measured in a unit known as a "curie") may run as high as a thousand curies per gallon or more. This is so lethal that if only three gallons were distributed equally among the entire world's population, this would suffice to reach in everyone on earth what is considered the danger point in radiation for the human body. Yet we already have in those buried tanks a hundred million gallons of the stuff, and apparently plan to go on producing it at an ever-increasing rate. These storage tanks require most elaborate perpetual care. They not only need power to cool them, but new high-quality tanks must be installed about every twenty years, on through the centuries, to replace old tanks damaged by radiation. Already failure of one tank has spilled 60,000 gallons of that lethal brew to find its uncertain way through the soil.

During the routine operation of reactors and fuel-processing plants there are also both planned and inadvertent releases of low-level wastes that contaminate air and water. The hot fuel elements in a reactor are sealed in a thin metal bonding intended to prevent the cooling fluid from coming into direct contact with the uranium and absorbing the radioactive fission products. However, in the power-generating plants, technology is pushed to its limit of high temperature and the metal seal frequently fails. It would be too expensive to interrupt operation for each failure, so leaks are tolerated in something like one per cent of the fuel elements before shutdown. This is one route by which strontium and other radioactive fission products get into rivers.

Krypton 85 is a radioactive gas which, like neon and argon, does not easily react with other atoms to form solids, and remains a gas that escapes into the atmosphere. Some of it goes up the stack at the reactor, because of leaks, and the rest of it escapes at the fuel-processing plant. When breathed in air, a little of it dissolves in body fats. Radioactive tritium, the stuff of the H-bomb, is also produced in reactors and finds its way both into the atmosphere and into water supplies. It enters into bodily processes as part of water molecules.

The annual amount of the release of hazardous elements from any nuclear plant is limited by standards set up by the Atomic Energy Commission. Since it is impossible to pinpoint all radioactive damage at low levels, the standards necessarily depend on somewhat arbitrary judgments. At high levels, it is known how much radiation will probably kill a man, and how much will probably give him serious radiation sickness. Permissible doses for workers in atomic plants are set well below that level, about one per cent of the lethal standard per year. But for the general populace, the permissible level is set about ten times lower, partly because of the possible seriousness of genetic damage.

Thus the "maximum permissible dose" for the public is far below the level of identifiably radioactive damage to the individual and may seem to be a conservative standard. The guideline figure for the permitted level of radiation exposure for the general public as a result of reactor operation is set at such a level that if the whole population of the United States were to receive this additional exposure continuously, data now available on cancer incidence show that it would result in more than ten thousand deaths annually. While this number is small compared with the population, it is a large number of people to kill with a deliberate change in the environment. The radiation specialists who arrived at this conclusion, J. W. Gofman and A. R. Tamplin of Berkeley and Livermore, California, advocate that the permitted limit be reduced tenfold. Such a reduction, if enforced, would drastically modify the operation of commercial reactors.

The release from the stack of a single atomic plant is limited, so that it may not exceed the permitted level for people in the neighborhood, on a yearly average. If it does exceed the permitted level for a short time in an accidental release, as sometimes happens, the power level must be reduced the rest of the year to compensate. But a combination of a temperature inversion to keep the gases close to the ground, wind direction, and an accidental release can give some people a dose far above the "maximum permissible." As nuclear power plants become more numerous, the release from many plants may compound the exposure to radiation for persons in a wider area.

The commercial fuel processing plant at West Valley, New York, is responsible for keeping its low-level waste within permissible limits after discharge into a creek. It remained for University of Rochester scientists, acting on their own initiative as environment buffs, to discover that the radioactivity of the creek was far above the maximum permissible limit. Such considerations have led to clamor for an effective independent agency to set and enforce the safety standards, since AEC is now both promoter of nuclear power and its own policeman.

Radiation does its damage to individual cells within the body, and there is good reason to believe that genes and the rapidly multiplying cells in unborn and young children are more sensitive to such damage than are the cells in adults. Study of survivors of Hiroshima showed little genetic damage, but there the bomb burst high in the air and its debris was carried away in the mushroom cloud. More recent studies on mice have shown that strontium 90, which is spread from bomb debris and reactors, has a special affinity for causing genetic damage leading to fetal and infant mortality, in addition to its tendency to settle in bone and cause cancer and leukemia more in the young than in adults. It thus appears that radiation-induced fetal and infant mortality may pose a more serious problem than cancer in adults.

As the arms race goes on piling overkill on overkill, an all-out nuclear war could cause fallout extremely more intense than that caused by testing in the late 1950s and early 1960s. If testing caused fetal and infant deaths at the rate of something like one per 100 births, as Dr. E. J. Sternglass of the University of Pittsburgh claims, then a nuclear war causing 100 times as much fallout could presumably kill approximately all children born, and thus end the human race. From the way heavier doses affect adults, it could be surmised that considerably less than 100 times the test-era fallout might eliminate the next generation.

Even though we take the view that the Sternglass thesis has not been proved, the very possibility that all-out nuclear war could end the human race is a more cogent reason than any other that such large-scale nuclear war should be avoided, and that the arms race should be terminated.

The marvelous natural resources that eons of geologic history have provided for us are limited indeed. We have used as much fossil fuel in the last quarter century as in all previous history, and we are beginning to feel the pinch. Rather than planning still more rapid consumption, madly doubling power consumption every ten years, we should be acting as careful stewards of the planet's resources for the maximum long-term benefit of mankind. Every gallon of valuable fuel, every pound of copper and uranium that goes into the arms race is robbed from the present and future quality of human life. If we could stop this arms-race robbery from human needs and if we could evolve an economic system dependent on stability rather than continual growth, then we could both spread the bounty of our environment more equitably over the centuries and get rid of the awful pollution with which our Twentieth Century gluttony is poisoning us.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER**. Is there further morning business? If not, morning business is concluded.

ARMS CONTROL AND DISARMAMENT ACT AMENDMENTS

The PRESIDING OFFICER. Pursuant to the previous order, the Chair lays before the Senate S. 3544, which the clerk will report.

The Legislative Clerk. A bill (S. 3544) to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations and provide for the uniform compensation of Assistant Directors.

The Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations with an amendment: on page 1, after line 7, strike out:

> (b) Section 24 of such Act (22 U.S.C. 2564) is amended by inserting at the end thereof the following provision: "If an Assistant Director is an officer of the Armed Forces serving on active duty, he shall receive, in addition to his military pay and allowances (including special and incentive pays) for which the Agency shall reimburse his service, an amount equal to the difference between such military pay and allowances and any higher compensation established for the position of Assistant Director."

So as to make the bill read:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) the second sentence of section 49(a) of the Arms Control and Disarmament Act, as amended (22 U.S.C. 2589(a)), is amended by inserting immediately after "$18,500,000", the following: ", and for the two fiscal years 1971 and 1972, the sum of $17,500,000,".

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, there is very little to say about the authorization bill for the Arms Control and Disarmament Agency. It authorizes an appropriation of not to exceed $17,500,000 for 2 years—fiscal years 1971 and 1972. This is $1,000,000 less than that authorized for the expiring 2-year period. The Agency plans to request appropriations of $8,300,000 for fiscal year 1971 and of $9,200,000 for fiscal year 1972. The committee eliminated as unnecessary and undesirable an administration request for authority to equalize the compensation paid to an active officer of the Armed Forces, who by tradition has headed the Agency's Weapons Evaluation and Control Bureau. So, the bill as reported, contains only an authorization.

In its report, the committee notes that external research, which was in the past subjected to some committee criticism, has been steadily decreasing while the emphasis on program operations has been increasing. Since program operations entail the Agency's policymaking, negotiation, and coordination functions, it is clear why this should be so. With the second round of the SALT talks beginning today an the continuing negotiations at Geneva on other important arms control measures, the committee believes this is where the emphasis should be.

In fact, if there are any reservations about the Arms Control Agency and its operations, it would be about its vigorous dedication to arms control initiatives. In this regard, I was quite disappointed in the testimony of its director, Mr. Gerard Smith on the Brooke resolution which the Senate recently agreed to. He said:

> I do not think that the United States should start new programs just for the sake of trying to establish additional bargaining power. I think there is plenty of bargaining power on our side with our present ongoing programs, and I include in that Safeguard I and Safeguard II, if you gentlemen approve it. I do not think that we ought to stop any evolution of existing programs there are in anticipation of a SALT agreement.

Now that the Senate has gone on record for mutual suspension of further deployment of offensive and defensive nuclear weapons by the U.S.S.R. and the United States, I hope that the Agency will use its influence within the high councils of the Government to bring about another look at the "evolution of existing programs."

Today, the beginning of the SALT talks appears to be a particularly propitious moment to urge the Senate to approve the authorization requested in S. 3544.

Mr. President, I ask unanimous consent to make two technical and clarifying changes in S. 3544, as reported, and that these changes be considered as having been made by the committee in reporting the bill. First, on page 1, line 3, strike out "(a)" the first time it appears. Second, at the end of the bill amend the title so as to read "A bill to amend the Arms Control and Disarmament Act in order to extend the authorization for appropriations."

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending bill occur at 1:30 p.m.

The PRESIDING OFFICER. Does the Senator request the waiver of rule XII?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 12 o'clock and 22 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 1 o'clock and 28 minutes p.m. when called to order by the Presiding Officer (Mr. Byrd of Virginia).

ARMS CONTROL AND DISARMAMENT ACT AMENDMENTS

The Senate continued with the consideration of the bill (S. 3544) To amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations and provide for the uniform compensation of Assistant Directors.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the pending bill.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Byrd of Virginia). Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, the purpose of this bill is to extend the authorization of appropriations for the Arms Control and Disarmament Agency for the next 2 fiscal years. The Agency has anticipated a budget of $8.3 million for fiscal year 1971 and $9.2 million for fiscal year 1972.

The proposed 2-year extension will allow the Arms Control and Disarmament Agency to continue to advise the President and the Secretary of State on arms control matters, to prepare for and conduct current arms control negotiations, and to coordinate the Nation's arms control research and field testing programs.

It is fitting that this bill is considered on the same day that the second round of the strategic arms limitation talks begin. The SALT talks must be successful if we are to halt the spread of nuclear weapons. This Agency will play an important role in advising the President as to the correct course of action to take during our negotiations with the Russians. I would hope that these talks would lead into a meaningful reduction of the nuclear arms race, so that the resources of our country could be reoriented to the domestic ills of our Nation.

The PRESIDING OFFICER. The question is on the passage of S. 3544. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Indiana (Mr. Bayh), the Senator from Idaho (Mr. Church), the Senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Alaska (Mr. Gravel), the Senator from New Mexico (Mr. Montoya), the Senator from Utah (Mr. Moss), the Senator from Wisconsin (Mr. Nelson), the Senator from Georgia (Mr. Russell), the Senator from Virginia (Mr. Spong), the Senator from Missouri (Mr. Symington), and the Senator from Texas (Mr. Yarborough) are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico (Mr. Anderson), the Senator from Indiana (Mr. Bayh), the Senator from Idaho (Mr. Church), the Senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Alaska (Mr. Gravel), the Senator from New Mexico (Mr. Montoya), the Senator from Utah (Mr. Moss), the Senator from Wisconsin (Mr. Nelson), the Senator from Georgia (Mr. Russell), the Senator from Virginia (Mr. Spong), the Senator from Missouri (Mr. Symington), and the Senator from Texas (Mr. Yarborough) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. Bennett) is absent on official business as observer at the meeting of the Asian Development Bank in Korea.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

The Senator from Arizona (Mr. Goldwater) and the Senator from Maryland (Mr. Mathias) are absent on official business.

The Senator from Massachusetts (Mr. Brooke), the Senator from New York (Mr. Goodell), the Senator from Oregon (Mr. Hatfield), and the Senator from South Carolina (Mr. Thurmond) are necessarily absent.

If present and voting, the Senator from Utah (Mr. Bennett), the Senator from Massachusetts (Mr. Brooke), the Senator from New York (Mr. Goodell), the Senator from Oregon (Mr. Hatfield), the Senator from South Dakota (Mr. Mundt), and the Senator from South Carolina (Mr. Thurmond) would each vote "yea."

The result was announced—yeas 79, nays 0, as follows:

[No. 136 Leg.]

YEAS—79

Aiken
Allen
Allott
Baker
Bellmon
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Cook
Cooper
Cotton
Cranston
Curtis
Dole
Dominick
Eagleton
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Murphy
Muskie
Packwood
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Smith, Maine
Smith, Ill.
Sparkman
Stennis
Stevens
Talmadge
Tower
Tydings
Williams, N.J.
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—21

Anderson
Bayh
Bennett
Brooke
Church
Dodd
Eastland
Goldwater
Goodell
Gravel
Hatfield
Mathias
Montoya
Moss
Mundt
Nelson
Russell
Spong
Symington
Thurmond
Yarborough

So the bill (S. 3544) was passed, as follows:

S. 3544

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 49(a) of the Arms Control and Disarmament Act, as amended (22 U.S.C. 2589(a)), is amended by inserting immediately after "$18,500,000", the following: ", and for the two fiscal years 1971 and 1972, the sum of $17,500,000,".

The PRESIDING OFFICER (Mr. Byrd of Virginia). Without objection, the title will be appropriately amended.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on April 15, 1970, the President had approved and signed the act (S. 3690) to increase the pay of Federal employees.

REORGANIZATION OF THE POST OFFICE DEPARTMENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-313)

The ACTING PRESIDENT pro tempore (Mr. Burdick) laid before the Senate the following message from the President of the United States, which was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

My message of April 3 outlined the preliminary agreement that the Government reached with its postal employees after the end of the recent postal work stoppage.

In that agreement, the Post Office Department and the postal employee organizations affiliated with the AFL-CIO undertook to negotiate and jointly sponsor a postal reorganization and pay bill to be recommended to the Congress as a measure that could ultimately lead to a cure of the problems that have been festering for years in the postal system.

The negotiations went forward in an atmosphere of good will and good faith on both sides, and they have now culminated in agreement on a legislative proposal that would:

—Convert the Post Office Department into an independent establishment in the Executive Branch of the Government, freed from direct political pressures and endowed with the means of building a truly superior mail service.

—Provide a framework within which postal employees in all parts of the country can bargain collectively with postal management over pay and working conditions.

—Increase the pay of postal employees by 8%, over and above the Government-wide increase of 6%, and shorten the time required to reach the top pay step for most postal jobs.

I support the proposed legislation that has been agreed to in the negotiations between the Post Office Department and the postal unions, and in transmitting it to the Congress I urge that it be given prompt and favorable consideration.

The Secretary of Treasury is sending to the Congress shortly the detailed legislative proposals necessary to accelerate the collection of estate and gift taxes which will pay for the 6% government-wide pay raise.

I. THE UNITED STATES POSTAL SERVICE

The negotiators quickly agreed that the structure of the nation's postal establishment should be one that would permit the postal system to operate on an independent, self-contained basis. This means that for the first time in generations, the Post Office would be run by people whose authority would be commensurate with their responsibilities; it means that the Post Office would carry its own burden and not be a burden to the taxpayer; and it means that the Post Office would serve the public interest of all Americans and not the political interest of any individual or group of individuals.

Fourteen months ago, I pledged that this Administration would do its best to end the system of political patronage that has plagued the Post Office for the better part of the past two centuries. We have kept that promise. Looking to the future, however, I believe that only basic changes in the system can provide permanent insurance against a rebirth of partisan politics in the Post Office.

The proposed legislation that the postal negotiators have agreed upon, and that I now endorse, would build a permanent firewall between postal affairs and political patronage.

I propose that the Post Office Department be reorganized as an independent establishment known as "The United States Postal Service." The new establishment would be organized in a way designed to make it at least as free from partisan political pressure as are such presently existing independent establishments as the Board of Governors of the Federal Reserve System, the Securities and Exchange Commission, and the National Aeronautics and Space Administration.

The Postmaster General would no longer be a member of the Cabinet, under this proposal, and the Postal Service would be insulated from direct control by the President, the Bureau of the Budget and the Congress.

Instead of being appointed directly by the President, the Postmaster General would be selected by nine public members of a bipartisan Commission on Postal Costs and Revenues. These nine Commissioners—not more than five of whom could be from the same political party—would serve 9-year statutory terms, under appointment by the President with the advice and consent of the Senate. The Postmaster General, who would hold office at the pleasure of the Commissioners, would be vested with full authority to manage the day-to-day operations of the Postal Service.

The legislation would provide the new Postal Service with the means of achieving:

—Continuity of top management, with the tenure of the Postmaster General based on performance and not on politics.

—Appropriate control over postal rates, with a Postal Rate Board holding full and fair hearings on rate changes proposed by the Postmaster General, and with either House of Congress being empowered to veto proposed rate changes by a two-thirds vote.

—A self-supporting postal system.

—A workable method of raising necessary funds by borrowing from the Treasury Department or from the general public.

—Collective bargaining over wages, hours and, in general, all working conditions that are subject to collective bargaining in the private sector.

A proposal for massive reorganization of a Government organization as important as the Post Office Department should, obviously, receive careful study before it is adopted. Fortunately, the question of postal reform has been receiving intensive scrutiny, both in Congress and in the country at large, ever since my basic postal reform proposal was sent to the Congress last May. During that time the need for fundamental reform of the postal system has come to be almost universally recognized, and I suggest that further delay in starting on the road toward postal excellence would be indefensible.

II. POSTAL EMPLOYEE-MANAGEMENT RELATIONS

The negotiators have agreed that there should be a statutory framework for collective bargaining in the postal establishment resembling that of private industry.

The people of this nation cannot and will not submit to the coercion of strikes by employees of the Federal Government. Since strikes by employees of the new Postal Service must be prohibited, a workable alternative to strikes must be provided—an absolutely impartial means of resolving differences between postal management and postal employees without the public being subjected to interruptions in the postal service. That is what the proposed legislation agreed upon by the postal negotiators provides.

I propose that the new United States Postal Service be empowered to engage in collective bargaining with recognized employee organizations over wages, hours, and working conditions generally, with negotiating impasses being finally resolved, if necessary, by binding arbitration.

Determination of national collective bargaining units, recognition of collective bargaining representatives and adjudication of unfair labor practice charges would be handled by the National Labor Relations Board under procedures similar to those that have long been followed in the private sector.

In addition to wages and hours, matters that are subject to collective bargaining would include such things as grievance procedures, final and binding arbitration of disputes, seniority rights, holidays and vacations, life insurance, medical insurance, training and promotion procedures. Employee benefits enjoyed today would be carried forward, and, in the case of rank and file postal employees, any change in such benefits would be subject to the collective bargaining process.

Negotiations over new labor agreements would be expected to begin ninety days before the expiration of existing agreements. There would be a statutory guarantee of final and binding third party arbitration to resolve negotiating impasses after a ninety day cooling-off period, during which time an outside fact-finding panel would try to assist the parties in reaching agreement. Opportunities for mediation and conciliation would also be provided.

All postal employees would retain their full benefits under the Civil Service retirement system and under the existing Federal workmen's compensation laws. The provisions of the Veterans Preference Act would apply, as would the provisions of Title VI of the Civil Rights Act of 1964. The labor standards provisions to which Government contracts generally are made subject would be applicable to contracts entered into by the new Postal Service to the same extent as elsewhere in the Government.

Finally, the right of every postal employee to petition Congress would be expressly preserved by statute.

III. POSTAL PAY

In many parts of the country—particularly in our great urban areas—the pay of postal employees has lagged seriously behind the pay received for comparable work by employees in private industry. The general 6% increase has alleviated that problem for most employees of the Federal Government, but it fails to take into account two important considerations that are unique to the Postal Service:

—The need to offset the limited opportunities for job advancement that most postal workers have traditionally faced.

—The need to allow postal workers to share the benefits of the increases in efficiency and productivity that should be attainable under a properly reorganized postal system.

These factors played an important part in the thinking of the postal negotiators during their discussions on the pay question.

I propose an additional pay increase of 8% for the postal employees, effective immediately upon enactment of the reorganization law, with prompt collective bargaining over pay schedules under which the time required for rank and file postal employees to reach the top pay step in their respective labor grades would be compressed to not more than eight years.

IV. POSTAL RATES

As the new Postal Service will be self-contained, so should it be self-supporting; as it will be non-profit, so should it be non-loss.

If the pay increases that the postal negotiators have agreed to recommend are put into effect promptly, and if postal rates were to remain where they are today, postal expenditures would exceed postal income in 1971 by approximately two and one-half billion dollars.

A postal deficit of this magnitude would be indefensible at any time; during a period when inflation is threatening the economic well-being of every American family, such a deficit would be totally irresponsible.

Less than two weeks ago I proposed a plan for raising first, second and third class postage rates to a level that would bring postal income fully into balance with anticipated postal expenditures. This plan included a proposal for increasing the price of the first class stamp to ten cents. Understandably, the proposed increase met with limited enthusiasm, and I am not insensitive to the widespread concern that this proposal evoked. Nevertheless, the need for the additional revenue exists, and the proposal highlighted the true cost to the user of our mail service.

In the course of negotiations, the parties considered an alternative proposal that would provide a transitional rate policy designed to cushion the immediate effect of the application of the principle of pay-as-you-go on the users of the mail. The alternative approach, to be incorporated in the reorganization bill, would require the general taxpayer to pay 10% of the total cost of the new postal service in the first year. The percentage of taxpayer support would decline each year until the end of 1977, when the mails would be completely self-supporting except for continuing appropriations to reimburse the Postal Service for revenue lost on mail carried for non-profit organizations and other groups entitled by law to use the mail free or at specially reduced rates.

Though the goal would be delayed, acceptance of the principle of a true pay-as-you-go postal service—even in stages—is a fundamental breakthrough.

I would prefer an immediate end to general subsidization of the taxpayer; but since the principles of pay-as-you-go and postal reform are of basic importance, I am ready to accept this gradual but steady approach to that goal.

I would also prefer the method of raising most of the needed new revenues from the business organizations that are the principal users of first class mail. Again, however, I consider the principles of pay-as-you-go and postal reform to be overriding, and I am willing to make adjustments in my original proposal so as to raise more revenues from other classes of mail.

In the interest of making realistic progress toward the objective of bringing postal expenditures into balance with postal revenues, I now propose to

—*Increase the price of the first class stamp by one third, from six cents to eight cents.*

—*Keep the price of the air mail stamp at ten cents.*

—*Increase the average second class postage by one half.*

—*Increase third class bulk and single piece rates by one third (the same percentage increase as first-class).*

These rate increases would generate additional revenues of more than $1.5 billion—enough, with the temporary 10% contribution by the Federal taxpayer, to put the new, independent United States Postal Service on the road to a sound, pay-as-you-go operation.

V. TOWARD POSTAL EXCELLENCE

Mail users, postal employees and the nation as a whole have gone through a long ordeal in reaching the threshold of basic postal reform—but we have come a long way.

The Congress is now presented with

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an opportunity to pass legislation that will bring a new measure of fairness to postal employees, a new efficiency to the system itself, and long overdue equity to the taxpayer.

Neither better pay nor better organization will, in and of itself, guarantee better mail service.

Laws do not move the mail, nor do dollars. What moves the mail is people—people who have the will to excel, the will to do their work to the very best of their ability.

The United States is fortunate to have such people in its postal system today. As the Postmaster General has urged, these people must be retained; in the years ahead, more like them must be recruited. This legislation would represent an important step toward that end.

Enactment of the legislation that I now propose would give our postal employees the means to attain a goal they have never before had the means of attaining—the goal of building, in America, the best postal system in the world.

That is a goal worth striving for. With this postal reform legislation, it is a goal that can be achieved. I hope the Congress will lose no time in enacting the laws that are needed to let our postal people get on with the job.

RICHARD NIXON.

THE WHITE HOUSE, *April 16, 1970.*

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. EAGLETON) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received today, see the end of Senate proceedings.)

EMERGENCY HOME FINANCE ACT OF 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 764, S. 3685.

The PRESIDING OFFICER (Mr. EAGLETON). The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 3685) to increase the availability of mortgage credit for the financing of urgently needed housing, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its consideration.

Mr. SPARKMAN. Mr. President, the bill before us today, S. 3685, the proposed Emergency Home Finance Act of 1970, is intended to increase the availability of mortgage credit for the financing of urgently needed housing. It is a package bill bringing together four bills introduced by me, S. 2958, S. 3442, S. 3508, and S. 3555, and one bill, S. 3503, introduced by Senator PROXMIRE. Each of these bills would, in one way or another, help improve the availability of mortgage credit for home financing.

The bill is designed to encourage and expedite the construction and financing of a substantial number of new and existing homes. It seeks to attain these ends by first, authorizing $250 million to be appropriated to the home loan bank system to reduce interest charges on advances by the Federal home loan banks to savings and loan associations and other members; second, by establishing both within the Federal National Mortgage Association and within the Federal home loan bank system new secondary mortgage market facilities; third, by reallocating and removing restrictions on funds previously authorized to the Government National Mortgage Association—GNMA—so that the funds would be made available under terms acceptable to the President for the purchase of special assistance mortgages; fourth, by authorizing the Federal Home Loan Bank Board to raise capital during tight money periods by issuing up to $3 billion a year in certificates to be purchased by the Federal Reserve Board; and fifth, by establishing a new dual FHA-VA interest rate ceiling procedure and other related mortgage credit provisions.

ECONOMIC CONDITIONS

It is obvious to the committee that economic conditions in this Nation are approaching a critical level, and that immediate action is necessary if we are to avoid a further drop in the economy and possibly a serious recession by the end of the year.

Our present economic indicators show important parts of our economy are either declining or are increasing at a slower pace. The last two quarters have shown no real gain in the GNP. In the last quarter of calendar year 1969, the GNP grew at an annual rate of 4 percent but, after applying the price deflator, the real growth was negative. Similarly, the preliminary figures for the first quarter of calendar year 1970 indicate that the growth in GNP was wiped out by inflation.

The fear of many economists is that our economy is facing a period of price inflation accompanied by a mild recession.

The committee recognizes, of course, that the most important single factor causing our present dilemma is "inflation."

Unfortunately, the policies currently being used by the administration to fight inflation are having an extremely disastrous effect on housing and, unless something substantial is done right away—at the beginning of the 1970 homebuilding season—to bring relief, a far worse housing crisis than is presently being experienced will occur later this year.

HOMEBUILDING

Housing starts in 1969 dropped sharply each month from a seasonally adjusted annual rate of 1.9 million in January to a 1.3 million rate in December. The first 2 months of 1970 continued at the year-end low level and it is expected that a further drop will occur in March and subsequent months. Secretary Romney of HUD predicted an annual start level of 1.4 million for the year of 1970. Many of the witnesses testifying before the committee indicated that, unless significant support is given to the housing program, out total production for the year will be far below the 1.4 million level.

This dropoff in housing starts is coming at a time when the demand for housing is at its highest level since the end of World War II. Vacancy rates are at their lowest rate since World War II, and the demand for new housing resulting from rising incomes is at its highest rate in recent years.

Concurrent with this downward trend in production, interest rates on home mortgages are at the highest they have been since the Civil War. Interest rates on Government-supported mortgages—FHA's and VA's—are presently 8½ percent with as many as 6 to 10 points being demanded in some areas. Conventional mortgage loans are being made at even higher rates—as high as 9¼ percent.

One of the unique results of the shortage and high cost of mortgage credit is the nearly "death blow" given to housing for middle-income families. Shortage of mortgage credit has resulted in such high interest costs that a middle-income family is squeezed out of the opportunity of acquiring new housing. In many places, the only housing being built is low-cost subsidized housing for low-income families and high-priced housing—above $30,000—which only the upper-income families can afford.

MORTGAGE CREDIT SHORTAGES

During 1969, the mortgage credit squeeze became worse each month as the year progressed. The early months of the year show a slight softening of the tight money policy and a leveling off of interest rates but no relief for mortgage credit needs for sometime to come.

Disintermediation, the name given to the redirection of the flow of savings away from such financial intermediaries as savings and loan associations into direct investments, has been a serious factor affecting mortgage credit flows in recent months. In January 1970, $1.4 billion of savings and loan funds was withdrawn in excess of new deposits. February figures were better with a net inflow of only $207 million and, a sample survey of March deposits, indicates a further improvement.

Last year was a crisis year for many in the savings and loan industry. The savings and loan associations ended the year with a net increase in savings deposits of approximately $4 billion. This compares with nearly $7½ billion in 1968 and $10.7 billion in 1967. With savings deposits down, the associations maintained their level of mortgage loans during 1969 by increasing their borrowing from the home loan banks by $4 billion.

The FHA and VA mortgage credit market received a similar boost in 1969 by a sharp increase in secondary mortgage activity by the Federal National Mortgage Association, amounting to $4.1 billion.

Mortgage interest rates continued to climb reaching an intolerable level of 8.35 percent as an effective rate charged to purchasers of new homes in January 1970.

As funds become more and more limited and the interest rates continued to rise, low and middle income families were finding it increasingly difficult to finance the purchase of a new home. The median purchase price of all new homes financed moved to a new high of $36,200 in January 1970.

Instead of meeting our Nation's goal of 2 million housing units in 1969, we produced only 1.5 million and, at our present rate, we will be lucky to meet a level of 1.4 million in 1970.

Higher prices started their upper climb when the Federal Reserve Board began in December 1965 to apply its tight money policy. In a scant 4-year period, the price of mortgage money has risen over 2 percent, and the average price of a new home has risen $10,000, from a median level of $26,200 in 1966, to $36,200 in 1970. In interest charges alone, today's median price borrower is committing himself to pay nearly $50,000 over the 25-year life of a mortgage.

A few higher income families can afford this, and others make sacrifices of necessities to scrape through, but the great masses of low- and middle-income families cannot afford such prices.

This situation reflects poorly on the money managers of our economy. We seem to have plenty of money for office buildings, new plants, and for all kinds of consumer frivolities, but not for homes.

At the peak of our affluence, we are unable to build homes that the vast bulk of our people can afford. We have to resort to subsidies and to artificially contrived market devices to wean capital away from more lucrative but less essential uses into one of the basic needs of our society—decent housing.

This is an intolerable situation, and I believe we must direct our efforts to come up with better answers.

The bill before us provides some answers and, once implemented, would be very helpful in increasing the mortgage credit supply for home financing.

I would like to point out, however, that this bill still does not go to the root of our present difficulty. It is an emergency bill to meet the present crisis caused by high interest rates. For the most part, its purpose is to ease the burden and provide temporary relief until we get back to normal.

We all know that most of our trouble in home financing emanate from the tight money and high inteerst policy of the Federal Reserve Board in controlling inflation. This policy has gotten us into difficulties, I believe five times, since World War II, and it is about time that we learn how to avoid such serious economic blows to housing.

I have great confidence in the new Chairman of the Federal Reserve Board, Mr. Arthur Burns, who has assured me he will give serious study to this matter and provide us with better solutions.

Mr. President, in this connection, I should like to point out a statement made several times by Governor Maisel of the Federal Reserve Board that in the 1966 money crunch which was similar to the one we are in now, housing, even though it consists of only about 3½ percent of the gross national product, absorbed 70 percent of the impact of the Federal Reserve Board's tight-money policy. I would guess that during the present tight-money situation it would be a similar impact.

Now let me explain briefly the provisions of the bill.

EXPLANATION OF THE BILL

Title I of the bill authorizes an appropriation not to exceed $250 million to be used by the Federal Home Loan Bank Board to reduce the interest rates charged by Federal home loan banks on short and long term loans to member associations to promote an orderly flow of funds into residential financing. Disbursement of funds pursuant to this section will be made under such terms and conditions as the Federal Home Loan Bank Board shall prescribe consistent with the purposes of the bill.

It is the intent of this legislation that the Board shall administer the program to assure that funds are used to assist in the provision for housing for low- and middle-income families and that such families share fully in the benefits resulting from the disbursement of such funds. No borrower from a Federal home loan bank may receive such funds if the effective rate of interest on any loan involving such funds exceeds by more than 1 percentage point the effective rate of interest payable by such member association or other borrower.

Title II of the bill would expand the purchase authority of the Federal National Mortgage Association to include conventional mortgages, in addition to the federally underwritten mortgages it now purchases and sells. These purchases would be limited to mortgages with a loan-to-value ratio of not more than 75 percent. This restriction would not apply to any mortgage if the seller retains a participation in the mortgage of at least 10 percent, if the seller agrees to repurchase or replace the mortgage in the event of a default within 3 years, or if the excess above such 75 percent is privately insured or guaranteed. These limitations are for the purpose of having the association avoid the purchase of high-risk mortgages and thus assure the continued integrity of FNMA's portfolio. Also, of course, these purchases would have to meet the test already required by FNMA's Charter Act, that the mortgages meet, generally, the purchase standards imposed.

In the committee bill, the intent is clear that FNMA was set up primarily for FHA and VA mortgages and that conventional mortgage purchasing should in no way diminish its support of the FHA and VA market.

Title III of the bill would authorize the establishment of a secondary mortgage market facility, called the Federal Home Loan Mortgage Corporation, under the direction of the Federal Home Loan Bank Board.

The Corporation would have authority to purchase residential mortgages from any Federal home loan bank, the Federal Savings and Loan Insurance Corporation, any member of the Federal Home Loan Bank System, or any other financial institution—the deposits or accounts of which are insured by an agency of the United States.

Title V of the bill provides a new program for channeling low cost mortgage credit to middle income homebuyers through the facilities of the Federal Reserve discount window, the Federal Home Loan Bank Board, and the Nation's private financial institutions.

Title VI of the bill—miscellaneous—would carry out the recommendations of the Commission on Mortgage Interest Rates.

Section 601 would establish, through January 1, 1972, a dual market system for FHA and VA mortgages. Under one part of the dual system, the existing authority of the Secretary of Housing and Urban Development to set maximum interest rates at a level he finds necessary to meet the mortgage market would be extended from October 1, 1970, to January 1, 1972. Under these extensions, the market would continue to operate much as it does now, with FHA and VA mortgages originated at interest rates limited by ceilings set by the Secretary of Housing and Urban Development and the Administrator of Veterans' Affairs.

Under the other part of the dual system, the rate on an individual FHA–VA mortgage would be determined in the marketplace, without regard to any administrative or statutory ceiling, provided the mortgage originator or lender neither charges nor collects any discount from any party in connection with the transaction. An origination fee would still be permitted—under regulation—and discounts would still be permitted in the secondary market where existing mortgages are sold.

Section 602 of the bill would direct the Secretary of Housing and Urban Development and the Administrator of Veterans' Affairs, after consultation with each other, to prescribe standards governing the amounts of settlement costs allowable in any area in connection with the financing of FHA- and VA-assisted housing. The FHA and VA standards for loans would be consistent with each other and would be based on the Secretary's and the Administrator's estimates of the reasonable charge for necessary services involved in closings.

The Secretary and the Administrator would also be directed to undertake a joint study and to make recommendations to the Congress, no later than 1 year after the enactment of this bill, as to legislative and administrative actions to reduce and standardize settlement costs.

Section 603 of the bill would create a Special Advisory Commission on Housing which would, no later than November 1 of each year, recommend to the Congress specific housing goals for the next fiscal year and proposals to achieve these goals. The Commission's recommendations would be considered and discussed in the annual housing report required to be submitted by the President pursuant to title XVI of the Housing and Urban Development Act of 1968.

Section 604 of the bill would amend the Home Owners Loan Act of 1933 to liberalize the statutes governing the activities of the savings and loan associations.

Section 605 of the bill would liberalize the real estate lending statutes governing the activities of the commercial banks.

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Mr. President, I ask unanimous consent that a section-by-section summary of S. 3685 be printed in the RECORD.

There being no objection, the section-by-section summary was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION SUMMARY

TITLE I—REDUCTION OF INTEREST CHARGES FOR MEMBERS OF THE FEDERAL HOME LOAN BANK SYSTEM

Section 101 of the bill would authorize an appropriation of $250 million to be used by the Federal Home Loan Bank Board for disbursements to Federal home loan banks for the purpose of providing funds for mortgage financing at reduced rates of interest to home buyers and other borrowers. The disbursements of the funds shall be administered to assist in the provision of housing for low- and middle-income families. In no case may the lending institution use the funds for a loan with an effective interest rate greater than 1 percent above the effective rate of interest payable by the lending institutions to the Federal home loan bank for such funds. The maximum mortgage loan assisted with such funds may not exceed the comparable ceilings under section 203 (b) (for sales housing) and section 207 (for rental housing) of the National Housing Act. No more than 20 percent of funds appropriated may be disbursed to any one Federal home loan bank district.

TITLE II—AUTHORITY FOR THE FEDERAL NATIONAL MORTGAGE ASSOCIATION TO PROVIDE A SECONDARY MARKET FOR CONVENTIONAL MORTGAGES

Section 201(a) of the bill would expand the purchase authority of the Federal National Mortgage Association to include conventional mortgages, in addition to the Federally underwritten mortgages it now purchases and sells. These purchases would be limited generally to mortgages with a maximum loan-to-value ratio of 75 percent; this restriction would not apply (1) if the excess above such 75 percent is privately insured or guaranteed, (2) if the seller agrees to repurchase or replace the mortgage in the event of a default within 3 years, or (3) if the seller retains a participation of at least 10 percent.

There could be no advance commitments to purchase conventional mortgages in cases where the seller retains a participation in the mortgage. No more than 10 percent of all purchases of conventional mortgages may be of mortgages more than 1 year old at time of purchase. Also, mortgages over 1 year old could be purchased only from sellers continuing in the mortgage lending business. Lastly, the maximum dollar limits on mortgages purchased could not exceed comparable limits applicable under sections 203(b) (for sales housing) and 207 (for rental housing) of the National Housing Act. Section 201(b) would exclude from the limitations on obligations of National Banks those resulting from sale of mortgages to FNMA or the Federal Home Loan Mortgage Corporation.

TITLE III—FEDERAL HOME LOAN MORTGAGE CORPORATION

Section 301 provides that title III may be cited as the "Federal Home Loan Mortgage Corporation Act."

Section 302 contains definitions of terms used in title III.

Section 303(a) creates the Federal Home Loan Mortgage Corporation, to be under the direction of a board of directors composed of the members of the Federal Home Loan Bank Board, the chairman of which would be the chairman of the board of directors.

Section 303(b) sets forth the powers of the Corporation and gives it authority to incur expenditures and employ personnel without regard to certain statutory restrictions.

Section 303(c) provides for the investment of funds of the Corporation, which may be made as prescribed by the board of directors. It further provides that any Federal reserve bank or Federal home loan bank, or any bank designated by the Secretary of the Treasury as a depository of public money, may be designated by the Corporation as a depository or custodian or fiscal agent. When so designated by the Secretary of the Treasury the Corporation may become a depository of public funds.

Section 303(d) provides that the Corporation itself shall be exempt from State and local taxes except for real property taxes.

Section 303(e) gives the Corporation clear authority to bring suit in Federal court and to remove to such court any judicial proceedings in which it is involved, and prohibits the issuance of any attachment or execution against the Corporation or its property before final judgment.

Section 304 provides for the issuance and retirement of capital stock of the Corporation. Subsection (a) provides that such stock shall consist only of nonvoting common stock, and it shall be issued only to Federal home loan banks, and that it shall have such par value and other characteristics as the Corporation shall prescribe.

Section 304(b) provides that the Federal home loan banks shall subscribe for such amounts of stock as are prescribed by the Corporation, but that the payments for which the banks may be obligated under such subscriptions shall not exceed $100 million.

Section 304(c) provides specifically for the allocation of stock among the several banks.

Section 304(d) provides for the retirement of the stock, and imposes the restriction that no call for the retirement of stock shall be made, and no stock shall be retired without call, if, immediately after such action, the total of the stock not called for retirement and of the reserves and surplus of the Corporation would be less than $100 million.

Section 305(a)(1) would authorize the Corporation to purchase, and make commitments to purchase, mortgages on residential property from any Federal home loan bank, the Federal Savings and Loan Insurance Corporation, any member of a Federal home loan bank, or any other financial institution the deposits or accounts of which are insured by an agency of the United States. The Corporation is further authorized to hold and deal with, and sell or otherwise dispose of, mortgages or interests therein.

Section 305(a)(2) provides that mortgages shall be of the type which generally meet the purchase standards imposed by private institutional mortgage investors. No purchase shall be made if the outstanding principal balance of the mortgage exceeds 75 percent of the value of the property, unless (*a*) the seller retains at least a 10-percent participation, or (*b*) the seller agrees to repurchase or replace the mortgage in the event of a default within 3 years, or (*c*) the mortgage is guaranteed or insured by a department or agency of the United States or the portion of the unpaid principal balance exceeding 75 percent is guaranteed by a qualified private insurer. The Corporation's authority to purchase conventional mortgages more than 1 year old is limited, and the principal obligation of any conventional mortgage purchased by the Corporation shall not exceed the dollar limitations on comparable mortgages insured by the Secretary of Housing and Urban Development.

Section 305(a)(3) provides that sales or other dispositions of mortgages by the Corporation may be with or without recourse, and upon terms and conditions prescribed by the Corporation.

Section 305(b) confers the authority to enter into the transactions enumerated in section 305 upon any Federal home loan bank, the Federal Savings and Loan Insurance Corporation, any Federal savings and loan association, any Federal home loan bank member, and any other financial institution the deposits or accounts of which are insured by an agency of the United States to the extent that Congress has the power to confer such authority.

Section 306(a) authorizes the Corporation to borrow to give security, to pay interest, and to issue mortgage-backed securities guaranteed by the Government National Mortgage Association.

Section 306(b) authorizes the Corporation to establish prohibitions or restrictions upon the creation of indebtedness or obligations of the Corporation, and to create liens or charges upon its property.

Section 306(c) provides that the Federal home loan banks shall, to the extent prescribed by the corporation's board of directors, guarantee any obligations of the Corporation other than its capital stock.

Section 306(d) states that the provisions of the section, and of any restriction, prohibition, lien, or charge created thereunder, shall be effective notwithstanding any other law.

Section 307 is designed to assure that the rights and remedies of the Corporation with respect to mortgages or other property acquired by it could not be impaired by restrictive laws, such as moratorium laws, or administrative actions of a similar nature, which take effect after the Corporation has acquired the mortgage or other property.

Section 308 contains penal provisions protecting the name of the Corporation, its sign, devices, and so forth.

Section 308 provides that the act shall be applicable to the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

Section 310 contains customary language regarding separability.

TITLE IV—REALLOCATION OF GOVERNMENT NATIONAL MORTGAGE ASSOCIATION SPECIAL ASSISTANCE FUNDS

Section 401 of the bill would reallocate $750 million (one half the amount authorized in the Housing and Urban Development Act of 1969) of the Government National Mortgage Association's special assistance funds from the Congressional authority for low-cost sales housing under subsection 305(g) to the more flexible Presidential authority under subsection 305(c) where it can be used for a wide range of sales and rental houses. The section would also amend the 1969 provision relative to the program for low-cost sales housing under the Congressional Authority to remove the par purchase requirement and to increase the mortgage ceilings to FHA section 235 ceilings.

TITLE V—FUNDS FOR FINANCING MIDDLE INCOME HOUSING

Section 501 declares that periodic episodes of tight money have a disproportionate impact upon middle income homebuyers and that the Government has a responsibility to lessen this burden.

Section 502 enacts a new section 11a to the Federal Home Loan Bank Act. Under section 11a, the Home Loan Bank Board is authorized to issue up to $3 billion a year in housing certificates, the proceeds from which will be deposited into a middle income housing fund. The Federal home loan banks are empowered to make advances from the fund to member savings and loan associations or to other federally insured financial institutions subject to the following conditions:

(1) All of the funds be used for making residential mortgage loans;

(2) If the cost of the housing is less than a specified purchase price limit, the interest rate charged the homebuyer (including all points) must be less than 7 percent. The purchase price limit is specified at $20,000 except that this limit may be increased by up to 50 percent by the Home Loan Bank Board in high cost areas.

(3) If the cost of the housing exceeds the purchase price limit, the rate to the homebuyer can be increased by one-fourth of 1 percent for each $500 or portion thereof in excess of the purchase price limit.

Section 503 adds a new section 13(b) to the Federal Reserve Act which requires the Federal reserve banks to purchase all housing certificates presented to them by the Federal Home Loan Bank Board at a maximum rate of interest of 6 percent per year.

TITLE VI—MISCELLANEOUS

Section 601 would establish an experimental dual interest rate system for FHA and VA assisted mortgages and loans. The present temporary authority for the Secretary of Housing and Urban Development to establish maximum interest rates for FHA and VA loans in excess of statutory maximum interest rates when necessary to meet the mortgage market would be extended until January 1, 1972.

As an alternative to this administered rate, the Secretary and the Administrator of Veterans' Affairs would be authorized to insure or guarantee loans at any interest rate agreed upon by the borrower and the lender. Direct VA loans, however, could not bear an interest rate in excess of the administered rate. This "free-rate" would be available only if the lender certifies it has charged no discounts to any party except as compensation for expenses in accordance with regulations prescribed by the Secretary and the Administrator. Discounts would continue to be permitted with respect to insured or guaranteed loans bearing an interest rate within the maximum rate established by the Secretary.

Section 602 would direct the Secretary and the Administrator, after consultation with each other, to prescribe standards governing the amounts of settlement costs allowable in any area in connection with the financing of FHA and VA assisted housing.

The Secretary and the Administrator would also be directed to undertake a joint study and to make recommendations to the Congress no later than 1 year after enactment of this act, as to legislative and administrative actions to reduce and standardize settlement costs.

Section 603 would create a Special Advisory Commission on Housing which would, no later than November 1 of each year, recommend to the Congress specific housing goals for the next fiscal year and proposals to achieve these goals. The Commissions recommendations would be considered and discussed in the annual housing report required to be submitted by the President pursuant to title XVI of the Housing and Urban Development Act of 1968 and would thus constitute a part of the administrations decisional process with respect to housing policy.

Section 604(a) would amend section 5(c) of the Home Owners Loan Act of 1933 to (1) remove the $40,000 mortgage ceiling and to replace it with discretionary authority by the Federal Home Loan Bank Board; (2) authorize Federal savings and loan associations to act as trustees for Keough type retirement funds. Existing tax law permits savings and loan associations to act as trustees for such funds but the Federal Savings and Loan law contains no such authority.

Section 604(b) would amend section 2 of the Home Owners Loan Act of 1933 to broaden the primary lending area of federally chartered savings and loan associations to the entire area of the State in which the home office of such an association is located, provided, however, that this broadened area may not apply in the case of an association having its home office in a State where State chartered savings and loan associations are not permitted to loan in any portion of the proposed broadened area. Existing law limits in general the savings and loan associations primary lending area to 100 miles from the home office of such association.

Section 605 would amend section 24 of the Federal Reserve Act to extend the ratio of loan to value from 80 to 90 percent for fully amortized conventional mortgage loans by national banks. It would also increase the term of conventional mortgage loans for national banks from 25 to 30 years. In addition it would permit national banks to make construction loans for a period of up to 60 months. Existing law limits such period to 36 months.

Mr. SPARKMAN. Mr. President, the Senator from Utah (Mr. BENNETT), who is the ranking minority member of the committee is necessarily absent. As a matter of fact, he has been in Korea at a meeting of the Asian Development Bank and is due to return to Washington tonight. We had made a commitment to him that the bill in the form in which it now stands would not be taken up until he got back here. It was our understanding that the bill would be laid before the Senate this afternoon but completed on tomorrow. However, since that time I think the part to which he objected has been pretty well worked out. The minority counsel on the committee has been in touch with him. And he agrees that we may proceed with the bill.

Mr. President, I would like to thank Senator BENNETT, who is not able to be here today, for permitting us to take action on this legislation in his absence. He feels very strongly about title V as reported by the committee, and we had given him a commitment not to consider this legislation in his absence. However, he has been involved in the efforts that have taken place to work out an alternative to title V which would not involve the Federal Reserve and its ability to independently determine monetary policy in accord with the guidelines established by Congress. Senator BENNETT has had an opportunity to consider the alternative which will be offered and has given his consent that we go ahead. I mention this at the outset because many Members of the Senate are aware of the strong objection by Senator BENNETT to title V in the committee bill. I want them to know that we are not acting against our agreement with him.

I am pleased to advise that the matter has been worked out. I am advised that he is thoroughly in accord with this and has agreed that we may proceed.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. TOWER. Mr. President, that is my understanding as well, that the Senator from Utah is willing for us to proceed with even final consideration of the measure this afternoon provided that the compromise amendment to title V is agreed to. And I understand that will be offered by the Senator from Wisconsin (Mr. PROXMIRE).

The PRESIDING OFFICER. The bill is open to amendment.

The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield briefly to the Senator from Minnesota without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONDALE. Mr. President, I send to the desk an amendment and ask unanimous consent that the reading of the amendment be dispensed with.

Mr. WILLIAMS of Delaware. Mr. President, I would like to have the amendment read so that I will know what is in the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

At the end of the bill insert a new section as follows:

"TREASURY BORROWING AUTHORITY FOR NEW COMMUNITIES PROGRAM

"SEC. 606. Section 407 (a) of the Housing and Urban Development Act of 1968 is amended by adding at the end thereof the following: 'The Secretary may issue obligations to the Secretary of the Treasury in an amount outstanding at any one time sufficient to enable the Secretary to carry out his functions with respect to the guarantees authorized by this title. The obligations issued under this subsection shall have such maturities and bear such rate or rates of interest as shall be determined by the Secretary of the Treasury. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Secretary issued under this subsection, and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as now or hereafter in force, and the purposes for which securities may be issued under such Act are extended to include purchases of the Secretary's obligations hereunder.' "

Mr. MONDALE. Mr. President, I would like to explain the amendment and then I would be glad to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, if the Senator from Minnesota wants to explain it that would be all right. I was going to suggest that perhaps he withhold action on the amendment until we have had a chance to examine it more carefully. However, he might go ahead and make his statement.

Mr. MONDALE. Mr. President, let me make a brief statement, and then I will not call up the amendment, because I had promised the Senator from Wisconsin that if there was any controversy, I would not pursue the matter at this time.

Mr. WILLIAMS of Delaware. Mr. President, there may not be controversy. I shall not know until after I have examined the amendment.

Mr. MONDALE. Mr. President, the amendment was designed to correct a flaw in the new communities legislation. The first new community created in the Nation which uses the bonding authority is in Minnesota. It is called Jonathan.

The bonding attorneys will not underwrite those bonds because of the following paragraph:

> Should there be losses under the bond, it is possible that the fund created to pay for these losses out of the fees and charges, such as the FHA funds, will not yet have built up to the point where it could cover those losses.

There is no way of knowing whether there will be losses.

We hope that there will not be any losses. If there are losses, it is even more likely that the fund will be adequate to

XUM

compensate for it. However, there needs to be a backup protection in order to get the bonding approval needed to issue these bonds.

There is a similar backup provision under FHA. I do not think it has ever had to be used, but it was there for the same purpose.

We were not aware of this technical problem at the time we developed the new communities legislation. The provision was there to meet this problem.

The amendment has the support of the administration. It does not require any dollar amount. We hope that it will never have to be used. But in order to get the bonds underway, we need this amendment.

Mr. WILLIAMS of Delaware. Perhaps it is all right, but I would appreciate it if I could have the opportunity to look at it.

Mr. MONDALE. Very well. I withdraw the amendment at this time.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. PROXMIRE. Mr. President, I send to the desk an amendment to title V to the bill and I ask unanimous consent that the reading of the amendment be dispensed with. And I will explain the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD.

The amendment ordered to be printed in the RECORD, reads as follows:

On page 23, line 3, strike out "such periods" and insert in lieu thereof "periods of high mortgage interest rates".

On page 23, beginning with line 7, strike out all through line 17, on page 26, and insert the following:

"SEC. 502. Title II of the National Housing Act is amended by adding a new section 243 as follows:

" 'HOMEOWNERSHIP FOR MIDDLE INCOME FAMILIES

" 'SEC 243. (a) Whenever he determines such action to be necessary in furtherance of the purposes set forth in section 501 of the Emergency Home Finance Act of 1970, the Secretary is authorized to make, and to contract to make, periodic assistance payments on behalf of families of middle income. The assistance shall be accomplished through interest subsidy payments to the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation (hereinafter referred to as "the investor") with respect to mortgages meeting the special requirements specified in this section and made after the date of enactment of the Emergency Home Finance Act of 1970.

" '(b) To qualify for assistance payments a middle income family shall be a mortgagor under a mortgage which meets the requirements of this section. In addition to the foregoing requirement, the Secretary may require that the mortgagor have an income, at the time of acquisition of the property, of not more than the median income for the area in which the property is located, as determined by the Secretary, with appropriate adjustments for smaller and larger families.

" '(c) The interest subsidy payments authorized by this section shall cease when (1) the mortgagor no longer occupies the property which secures the mortgage, (2) the mortgages are no longer held by the investor, or (3) the rate of interest paid by the mortgagor reaches the rate of interest specified on the mortgage.

" '(d) Interest subsidy payments shall be on mortgages on which the mortgagor makes monthly payments toward principal and interest equal to an amount which would be required if the mortgage bore an effective interest rate of 7 per centum per annum including any discounts or charges in the nature of points or otherwise (but not including premiums, if any, for mortgage insurance) or such higher rate (not to exceed the rate specified in the mortgage) which the mortgagor could pay by applying at least 20 per centum of his income toward homeownership expenses. As used in this subsection, the term "monthly homeownership expense" shall include the monthly payment for principal, interest, mortgage insurance premium, insurance, and taxes due under the mortgage.

" '(e) The interest subsidy payments shall be in an amount equal to the difference as determined by the Secretary, between the total amount of interest per calendar quarter received by the investor on mortgages assisted under this section and purchased by them and the total amount of interest which the investor would have received if the yield on such mortgages was equal to the sum of (a) the average costs (expressed as an annual percentage rate) to them of all borrowed funds outstanding in the immediately preceding calendar quarter, and (b) such per centum per annum for administrative and other expenses as the Secretary determines is necessary and appropriate.

" '(f) Procedures shall be adopted by the Secretary for recertifications of the mortgagor's income at intervals of two years (or at shorter intervals where the Secretary deems it desirable) for the purpose of adjusting the amount of the mortgagor's payments pursuant to subsection (d).

" '(g) The Secretary shall prescribe such regulations as he deems necessary to assure that the sales price of, or other consideration paid in connection with, the purchase by a homeowner of the property with respect to which assistance payments are to be made is not increased above the appraised value on which the maximum mortgage which the Secretary will insure is computed.

" '(h) (1) There are authorized to be appropriated such sums as may be necessary to enable the Secretary to make interest subsidy payments under contracts entered into under this section. The aggregate amount of contracts to make such payments shall not exceed amounts approved in appropriations acts, and payments pursuant to such contracts shall not exceed $60,000,000 during the first year of such contracts prior to July 1, 1971, which amount shall be increased by an additional $60,000,000 during the first year of an additional number of such contracts on July 1 of each of the years 1971 and 1972.

" '(2) No interest subsidy payments under this section shall be made after June 30, 1973, except pursuant to contracts entered into on or before such date.

" '(i) In determining the income of any family for the purposes of this section, income from all sources of each member of the family in the household shall be included, except that the Secretary shall exclude income earned by any minor person.

" '(j) (1) The Secretary is authorized, upon application by the mortgagee, to insure a mortgage executed by a mortgagor who meets the eligibility requirements for assistance payments prescribed by the Secretary under subsection (b). Commitments for the insurance of such mortgages may be issued by the Secretary prior to the date of their execution or disbursement thereon, upon such terms and conditions as the Secretary may prescribe.

" '(2) To be eligible for insurance under this subsection, a mortgage shall meet the requirements of section 221(d) (2) or 234(c), except as such requirements are modified by this subsection.

" '(3) A mortgage to be insured under this section shall—

" '(i) involve a single-family dwelling which has been approved by the Secretary prior to the beginning of construction or a one-family unit in a condominium project (together with an undivided interest in the common areas and facilities serving the project) which is released from a multifamily project, the construction of which has been completed within two years prior to the filing of the application for assistance payments with respect to such family unit and the unit shall have had no previous occupant other than the mortgagor;

" '(ii) involve a single-family dwelling whose appraised value, as determined by the Secretary, is not in excess of $20,000 (which amount may be increased by not more than 50% in any geographical area where the Secretary authorizes an increase on the basis of a finding that the cost level so requires).

" '(iii) be executed by a mortgagor who shall have paid in cash or its equivalent on account of the property (a) 3 per centum of the first $15,000 of the appraised value of the property (b) 10 per centum of such value in excess of $15,000 but not in excess of $25,000, and (c) 20 per centum of such value in excess of $25,000.'

"CONFORMING AMENDMENTS

"SEC. 503. Section 238 of the National Housing Act is amended by—

"(a) striking out 'section 235(i), 235(j) (4), or 237' each place it appears in subsection (a) and inserting in lieu thereof 'section 235(i), 235(j) (4), 237, or 243'; and

"(b) striking out '235, 236, and 237' each place it appears in subsection (b) and inserting in lieu thereof '235, 236, 237, and 243'.

"AMENDMENT TO THE FEDERAL NATIONAL MORTGAGE ASSOCIATION CHARTER ACT

"SEC. 504. Section 304(a) (1) of the National Housing Act is amended by adding at the end thereof the following: 'Nothing in this title shall prohibit the corporation from purchasing, and making commitments to purchase, any mortgage with respect to which the Secretary of Housing and Urban Development has entered into a contract with the corporation to make interest subsidy payments under section 502 of the Emergency Home Finance Act of 1970'."

Mr. PROXMIRE. Mr. President, title V provides up to $3 billion a year in 7-percent mortgage credit to lower and middle income homebuyers through the facilities of the Federal Reserve System, the Federal Home Loan Bank Board and the Nation's private financial institutions. This would help 150,000 families a year to purchase homes at rates they can afford to pay. The amendment would achieve the same objectives but without the use of Federal Reserve bank credit.

Before describing the amendment, I would like to outline the basic rationale behind the existing title V and my proposed amendment. Title V includes the main features of S. 3503, the Middle Income Mortgage Credit Act, which I introduced on February 25 along with 24 cosponsors. Our basic purpose was to help the middle income family buy a home whenever interest rates become abnormally high due to monetary policy.

The average homebuyer did not create inflation; and yet he is being called upon to pay almost all of the cost of cooling off the economy. Monetary policy uniquely discriminates against the homebuilding industry and the homebuyer.

The Senator from Alabama (Mr. SPARKMAN), the chairman of the com-

XUM

mittee, has just referred to a study by Sherman Maisel, the Chairman of the Federal Reserve Board.

According to Sherman Maisel, a member of the Federal Reserve Board, the housing industry accounted for 60 to 70 percent of the cutback dictated by the 1966 tight money policy. A similar pattern was evident in 1969.

In Milwaukee, for example, we have 20 to 30 percent of the people in the construction trades out of work right now in spite of the fact that we have the worst housing shortage in Milwaukee and around the country that we have had in 20 years. It is a ridiculous situation. It is caused because of the impact of the high interest rates on housing. The program is moving along to some extent because the well-to-do can afford to buy more expensive homes and can afford to pay higher interest rates.

When an industry comprising only 3 percent of GNP bears 70 percent of the burden of fighting inflation something is drastically wrong with the way in which we carry out economic policy. Housing starts have skidded from an annual rate of 1.8 million units in January of 1969 to 1.3 million units in February of 1970. The administration is forecasting only 1.4 million housing starts in 1970 even with its program of housing assistance.

Many housing experts predict housing starts will decline to even lower levels in 1970. Homebuilders predicted at one point that a decline below 1 million starts would be a serious depression for that industry. We should be building close to 2 million housing units to meet the housing goals outlined by Congress in the 1968 Housing Act. Our average in the present 10-year period should be 2.6 million housing starts a year, so we are far below that number.

In addition to a reduced level of new home construction, the home buyer has been forced to pay higher and higher interest rates to purchase a home. Mortgage interest rates on new homes averaged 8.62 percent in January compared to 7.5 percent a year before and 6.55 percent in 1967. An increase of two percentage points on a $20,000, 30-year mortgage increases the monthly payments by $28. The extra $28 a month in interest will total more than $10,000 over the life of the mortgage. This is an extremely high price for one family to pay for its share of the fight against inflation.

When a large corporation is required to pay higher interest it can easily pass the extra cost on to the consumer. However, a home buyer has no one he can charge. Higher interest payments must come out of his own family budget. Thus there is a basic and inherent inequity in the way monetary policy works. Those who are hit the hardest are the very ones who can afford it the least.

Not only is the entire housing industry clobbered by tight money but within the housing sector the type of housing cut the hardest is housing for middle-income families. During 1969, the sale of new homes priced over $35,000 actually increased by 10 percent over 1968. Likewise, the production of federally subsidized housing for low-income families increased 26 percent in fiscal year 1969 over 1968. However, nonsubsidized housing for middle-income home buyers was hard hit. The sale of homes in 1969 priced under $25,000 fell 18 percent from the year before.

In other words we have upper income housing up 10 percent; low income subsidized housing up 26 percent; but middle-income housing is down 18 percent.

The chief victims of tight money are not the very rich or the very poor, but the middle class—the average, quiet, hardworking citizen who pays his taxes but who has been virtually ignored by our housing programs. These are the people who pay most of the taxes to support our housing programs but who have received very few of the benefits. Their hard-earned tax dollars are sent to Washington on a one-way ticket marked "no return."

The plight of the middle-class family was aptly described by Secretary George Romney when he pointed out that a few years ago 40 percent of American families could afford to buy a new home but today only 20 percent can. Four out of five families have been priced out of the new housing market due to tight money and rising prices.

In January of this year, the average purchase price of new housing was $36,000 whereas as recently as 1966 it was $26,000. In 3 short years the average cost of a new home increased by $10,000.

A family would have to have an income of at least $14,000 a year to afford the average new home being constructed. Only one family in five has attained this level of affluence.

Although there are a number of constructive elements in the administration's emergency housing program, it seems to me the one element most lacking is relief for the middle-income home buyer. Many of the proposals are aimed at increasing housing starts. I agree we need to increase our total housing starts. But we also need to be concerned with the composition of housing starts. More $40,000 housing starts are of little comfort to the hard-pressed middle-income family who cannot even obtain a loan at a rate he can afford to pay on a $25,000 home.

We need to bring down interest rates as well as increase housing starts; and we need to refocus more of the resources of the housing industry on the middle-income market.

It is for these reasons that I introduced the Middle-Income Mortgage Credit Act. The middle-income home buyer did not create inflation yet he is being asked to shoulder all of the burden. The Government has a responsibility to alleviate at least part of the damage it creates through high interest rate policies. The cost of high interest should be spread as widely as possible and not centered on one small segment of the population.

We need a mechanism to reduce interest rates for middle-income home buyers during periods of tight money. Since the Federal Reserve is the chief architect of tight money, it is altogether fitting and proper that the Federal Reserve Board be called upon to undo some of the damage it creates. Just as the full cost of pollution should be borne by the polluter so the full cost of or the full responsibility for the monetary policy should be borne by the formulators of that policy.

The proposal first contained in S. 3503 and title V of the committee bill seems admirably equipped to help stablize the mortgage market. It authorizes the Home Loan Bank Board to borrow up to $3 billion a year from the Federal Reserve at 6 percent. The funds would then be advanced to savings and loan associations and other mortgage lenders on the condition that they be used for making loans at a rate of interest not in excess of 7 percent. The loans would be limited to homes costing less than $20,000 in low-cost areas or costing up to $30,000 in high-cost areas.

This proposal is strongly opposed by the Federal Reserve Board, although I believe the Board is mistaken that it would somehow weaken their independence in determining monetary policy. Under title V, the Board would have complete freedom to control the aggregate supply of money and commercial bank reserves. The purchase of $3 billion of obligations from the Home Loan Board could be easily offset by purchasing $3 billion less in Treasury securities. In effect, the Federal Reserve would merely substitute one form of Government paper for another.

I am a firm believer in the independence of the Federal Reserve from the executive branch of our Government. However, under the Constitution and the Federal Reserve Act, the Fed is independent of the executive branch but not the Congress. If Congress determines the Federal Reserve should have a role in the mortgage market, one cannot legitimately argue that the independent role of the Federal Reserve somehow prevents it from carrying out the policies of the Congress.

Nevertheless, I recognize the depth of feeling which Federal Reserve Board officials have about this proposal. Moreover, Chairman Arthur Burns has assured me that the Federal Reserve fully recognizes the discriminatory impact of monetary policy on the housing industry. He also indicated the Fed has launched a comprehensive study of ways to alleviate the impact of monetary policy on housing and improve the flow of mortgage credit. I understand this study will be completed sometime next fall.

On the basis of the cooperative and nondogmatic approach to the problem thus far shown by Chairman Burns, I am prepared to submit an amendment withdrawing title V and offer a substitute in its place.

Mr. President, the amendment at the desk would withdraw the provision requiring $3 billion to be provided at 6-percent interest to the Federal Home Loan Bank Board. The amendment would take the Fed out of the act. Chairman Burns has assured me that in his view the alternative approach is practical and workable, although he cannot, of course, adequately comment on the technical details.

I am very much encouraged by a speech by Governor Brimmer of the

XUM

Board of Governors of the Federal Reserve System who proposed that by using low reserve requirements for banks lending money for housing they would be able to channel money into housing without the controls they might otherwise have. This is their hope.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. TOWER. Mr. President, I might say Chairman Burns also gave me the same assurance he has given the Senator from Wisconsin about his concern over the discriminatory effect of the fiscal policy as it has operated under Fed in the past. Therefore, I think we can expect a sympathetic ear from him.

Mr. PROXMIRE. Mr. President, I thank the Senator from Texas who feels so strongly about the need in this area.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. JAVITS. Mr. President, I do not think the Senator should move so quickly past his most statesmanlike and constructive action which he has developed with the new Chairman of the Federal Reserve Board in respect to title V of this bill.

The Senator has made very clear, and his whole work has made very clear the critical impact of high interest rates on the housing supply of this country notwithstanding our protestations in that regard with respect to those rates and some of the whiplash resulting from the struggle from inflation. I deeply sympathize with the need and I want to do something about it.

The Senator has developed an ingenious idea with regard to the utilization of the Federal Reserve Board. I know it was an idea developed out of the exigencies of the situation rather than out of choice. However, many, including our leading bankers, saw in it grave dangers to the concept of the Federal Reserve System, which has been sustained with such remarkable fidelity during all these years.

This was quite a collision between the very ingenious utilization of the unique kind of authority the Federal Reserve System has, and a very legitimate and deep disquiet by some of the most responsible people we have in this country, including the Chairman of the Federal Reserve Board, as to opening the door to other uses of the Federal Reserve System which adversely might affect the institution.

I think the solution of the problem which has been worked out should be marked as a signal service to the future stability of our economic system and the future utilization of the Federal Reserve Board as the remarkable instrument and the flexible instrument for both expansion and contraction which it represents—the instrument which got us away from the slavery of gold domestically and utilized the power of production and credit in order to fuel our fantastically rich economy.

The Senator from Wisconsin has performed an historic service, as has Arthur Burns and everyone else who had anything to do with the solution. It was important to find a way to serve the burning, urgent needs in the housing field, at the same time not running the risk—the Senator thought it was not there, but others whom he respects thought it was—of compromising the unusually useful instrument of the financial policy of the United States.

I think it should be commented on, and noted, that the executive branch made its contribution but, essentially, it was a result of the efforts of the Senator from Wisconsin (Mr. PROXMIRE) and the new Chairman of the Federal Reserve Board, Arthur Burns, joined by Secretary Romney and his associates. I congratulate them. I think they have rendered a signal service to the country in working this matter out.

Mr. PROXMIRE. Mr. President, I deeply appreciate the observations of the Senator from New York. I think no one in the Senate has had more experience in this field than the Senator from New York. He is the ranking minority member of the Joint Economic Committee, and has been for many years. He served on the Committee on Banking and Currency with great distinction. He represents the biggest city of the Nation, which has had acute problems in this area, and which is also the center of our financial institutions. He makes that representation with extraordinary ability. He thoroughly understands the Federal Reserve Board, how it operates, the problems it has in connection with this, and the deep need we have in housing.

Coming from the Senator from New York, I am especially grateful and appreciative of the gracious remarks he has made.

During the hearings on housing credit, those who objected to giving the Federal Reserve a role in the mortgage market argued that a direct approach would be preferable. For example, in referring to the housing crisis, the distinguished Senator from Utah said:

> I recognize the problem. I recognize the seriousness of it. I think if it is to be solved, Congress should solve it in terms of appropriations, rather than an invasion of the responsibility of its chief monetary authority.

My amendment does just that. It relies upon Congress and annual appropriations for the funds rather than the Federal Reserve System. It removes any ideological objections one might have over using the Federal Reserve System to achieve social objectives, however worthy they might be. It permits Congress to consider the end objective on its merits without clouding the issue with arguments about the independence of the Federal Reserve System.

Under the alternative approach, the objective of providing 150,000 mortgage loans at 7 percent interest to lower- and middle-income homebuyers would be retained. That is provided by the amendment which is at the desk and which we are about to act on. However, the cost would be financed through annual appropriations rather than through the Federal Reserve System. Private mortgage lenders would make 7-percent mortgage loans on homes costing less than $20,000 in low-cost areas or less than a maximum of $30,000 in higher-cost areas. These mortgages would then be sold by the lender to the Federal National Mortgage Association—FNMA—or the newly created Federal Home Loan Mortgage Corporation.

FNMA and the Federal Home Loan Mortgage Corporation were established by Congress as quasi-private corporations to provide a secondary market for mortgages. Both agencies finance their mortgage acquisitions by issuing bonds and their operations are expected to be fully self-supporting. Therefore they could not be expected to purchase 7-percent mortgages unless they were reimbursed for the difference between their net earnings on the 7-percent mortgages and their current average cost of borrowing, which is close to 8 percent.

Under the proposed amendment, the difference would be made up by quarterly subsidy payments from the Department of Housing and Urban Development. These payments could extend over the life of the mortgage; however, if interest rates and the cost of borrowing decline, the subsidy payments would be correspondingly reduced. Since administration officials are forecasting that mortgage interest rates will drop to 6 percent by 1973, there would only be a temporary cost to the Federal Government.

HUD would be given the authority to contract to make the subsidy payments over the life of the mortgage for as long as the difference in net mortgage yields and average borrowing costs existed. However, the amount of contract authority could not exceed the amounts approved in annual appropriations acts. In addition, the amendment would restrict payments in fiscal year 1971 to $60 million, which amount would be increased by $60 million in each of the next 2 fiscal years. The $60 million subsidy payment would be sufficient to assist 150,000 families a year to purchase a home at reasonable rates.

In order to obtain the benefit of a 7-percent mortgage loan, a prospective homebuyer would have to allocate at least 20 percent of his income to the cost of housing, as is required under the section 235 program. If the family's income increased, it would be required to continue applying 20 percent of its income to housing expenses. Thus a rise in income would require that the homebuyer gradually increase his interest payments up to the contract rate on the mortgage. This would increase the yield of FNMA or the new mortgage corporation on the mortgage and thus reduce the required subsidy payments.

To illustrate how this would work, let us assume a family making $10,000 a year purchases a $25,000 home with a $23,000 mortgage. In order to qualify for the 7-percent interest rate, the family would have to pay at least 20 percent of its income, or $167 a month on housing. Since the monthly payments for principle, interest, taxes, and insurance on such a home at 7 percent interest would run $213, the family would qualify.

Now let us further assume that 2 years later, the family's income has increased to $15,000. Using the 20 percent of income formula, the family could now afford to pay $250 a month for housing expenses. If the original contract rate on the mortgage were 8½ percent, the rise in the family's income would permit it to pay the full market rate since the monthly payments for principle, interest, taxes, and insurance would come to about $237 at 8½ percent. The cost of the subsidy would be eliminated.

Under the amendment, interest reduction payments could be made on both federally insured and conventional mortgages. However, all mortgages not insured under the program would have to meet comparable requirements under rules and regulations of the Secretary.

Mr. President, the distinctive feature of this amendment is the specific relationship of the cost of the subsidy to changing interest rates. If interest rates go down, as the administration predicts, the cost of the subsidy goes down. On the other hand, existing HUD programs bear no relationship to changes in interest rates. For example, under the 235 program, the Federal Government makes subsidy payments to a private mortgage lender to pay the difference between the current market rate and an interest rate as low as 1 percent depending on the buyer's income. If interest rates drop, the subsidy payments to the lender do not correspondingly decline. He continues to enjoy the benefit of the higher rate over the life of the mortgage.

My proposal is intended to operate at the peak of cyclical fluctuations in interest rates. When interest rates are temporarily high due to monetary policy the program would be activated. When rates decline to more normal levels the program would be phased out. Unlike the 235 program, the Federal Government would not commit itself to subsidizing high interest rate mortgages over a 30- or 40-year period.

The arguments for this approach may be summarized as follows:

First. It provides a source of low-cost mortgage credit to middle-income home buyers at rates they can afford to pay when interest rates are abnormally high;

This seems to me to be exactly what we need right now, according to every analysis I have seen of this trouble with housing.

Second, it achieves maximum leverage per dollar of Federal funds. The first year's authorization of $60 million would stimulate $3 to $4 billion in mortgage credit from private sources;

Third, it automatically phases out when interest rates decline below 7 percent;

Fourth, the cost of the subsidy declines as future interest rates decline or as the income of the family increases;

Fifth, it avoids any argument over the use of Federal Reserve Bank credit so that the Fed is out of the action; and

Sixth, it retains adequate safeguards through the regular appropriations process.

In summary, Mr. President, my amendment would bring back the middle-income family to the mortgage market. It would enable 150,000 families a year to become homeowners, who, under today's high interest rates, cannot afford to buy a home. It will help alleviate the heavy burden inflicted on the middle-income family by fiscal and monetary policy. It will stimulate the severely depressed housing industry and help us meet our national housing goals. I urge its adoption by the Senate.

Mr. TOWER. Mr. President, I, of course, support the amendment offered by the Senator from Wisconsin, because I think it is a far better provision than the original title V, and it does meet most, in fact virtually all, of the objections raised to title V in its original form.

I think it would give us a bill that can achieve conscientious support, and therefore I urge the adoption of the amendment of the Senator from Wisconsin and wish, on behalf of the minority members of the committee, to state our acceptance of it.

Mr. SPARKMAN. Mr. President, I join with the distinguished Senator from Texas in that statement. I opposed title V in the committee; and I know there has been a lot of work done on arriving at this amendment. I believe it cures the objections we had to title 5, and I hope the Senate will adopt it.

Mr. WILLIAMS of Delaware. Mr. President, I think this amendment is a great improvement over the provision of the bill, which would have destroyed the functioning of the Federal Reserve as an independent agency. Some of us felt very strongly about this point, and I am glad that the amendment does delete certain objectionable provisions of the bill.

But I ask the Senator from Wisconsin this question: I notice that the amendment provides that the assistance shall be accomplished through interest subsidy payments to Federal National Mortgage Association or to the Federal Home Loan Mortgage Corporation.

The Federal National Mortgage Association, as I understand it, is a privately owned stock company, and its stock is listed over the counter; is that correct?

Mr. TOWER. It will become such in May.

Mr. WILLIAMS of Delaware. That is right, and the stock has been advancing substantially in recent weeks in prospect of some of the assistance they are expecting from Congress.

The question is as to the advisability of Congress passing a bill providing an interest rate subsidy payment for a privately owned corporation. As far as the Federal Home Loan Mortgage Corporation is concerned, it is in a different category; but for FNMA, which is to be privately owned and which is listed over the counter as selling yesterday at $173—that is about 30 percent, as I understand it, higher than it was in recent weeks—how would this subsidy be handled as far as it is concerned?

Mr. PROXMIRE. This, I think, is an excellent question, but I think the answer is that there is a precedent for this. We do the same thing with banks and other private financial institutions under the 235 program. We have to do this, as I stated in my remarks, because of the difference between the 7-percent rate and the rate FNMA has to pay for its money.

But we recognize, as the Senator from Delaware so properly points out, that FNMA will be a private corporation; but in this respect it is no different from any other private corporation that takes part in work for the Government under some of our other programs.

Mr. WILLIAMS of Delaware. Except that this privately owned corporation has the advantage of having 100 percent Government guarantees on its investments, and in addition to that we now propose to subsidize their interest.

Personally I think we made a mistake, on an agency like this that operated as a public function, when we turned it over to private industry, when it almost, by legislation, cannot lose money. So we keep pouring the subsidies in, so it can continue to make more and more money.

Its stock is now selling substantially above its original offering price.

Mr. PROXMIRE. This particular program would not increase FNMA's profit. The subsidy would cover the difference in the rate they earn on the 7-percent mortgages and their cost of borrowing plus their administrative expenses. So, whereas the Senator raises a perfectly proper point, that this is a private institution and, second, it is an institution which still has a great deal of Federal money in it, I cannot see that there is any serious problem involved, because it is an arrangement whereby nobody makes any profits out of it, although the people who run it have adequate protection.

Mr. WILLIAMS of Delaware. I recognize that there may be some argument for this, and many of us would like to support the provision of the amendment striking title V. I wonder if we could not have separate votes on it because I certainly agree that it is the lesser of two evils. I would support most of this proposal except that part whereby we would, for the first time, practically give a blank check to a privately owned corporation where we can subsidize their interest income almost in its entirety, for this is almost their entire interest.

Mr. PROXMIRE. This is not going to make any profits for stockholders. What they make goes back to the Federal Government.

Mr. WILLIAMS of Delaware. Oh, no, or at least the stockholders are not intending it that way.

Mr. PROXMIRE. The point I make is that this would be handled by a mathematical calculation that, it seems to me, would be very easy to determine, as to what the rate of interest actually is in the market, what Fannie Mae is paying for its money, and their interest rate would on the mortgages be 7 percent; so they can determine precisely what the cost is, and the cost is all Fannie Mae would get out of it. They would not be in a position to profiteer out of it at all.

Mr. JAVITS. In other words, Fannie Mae would not make its money out of this type of transaction.

Mr. WILLIAMS of Delaware. I agree that Fannie Mae might not make its money out of this deal alone, but this provision is of substantial advantage to the corporation.

Mr. PROXMIRE. What we are doing is providing a subsidy for the middle-

XUM

income home buyer. We are not providing any subsidy for Fannie Mae or anyone in it. This is a matter of providing the cost, period. The benefit goes to the home buyer.

Mr. JAVITS. Mr. President, will the Senator yield for a question?

Mr. PROXMIRE. The Senator from Delaware has the floor.

Mr. WILLIAMS of Delaware. I yield.

Mr. JAVITS. I notice the amendment says, on page 2:

> The interest subsidy payments authorized by this section shall cease when (1) the mortgagor no longer occupies the property which secures the mortgage.

The question I should like to ask the Senator is, suppose that the property passes to another eligible mortgagor? That is one question.

Second, I am advised—and the Senator will correct me if I am wrong—that in previous efforts to deal with this problem, a reservation has been made of some percentage—I understand it was 10 percent—to deal with the problem of mortgages already outstanding for eligible borrowers.

Could the Senator give us some idea on either or both of those points?

Mr. PROXMIRE. The answer on the first is that this program is limited to new construction, so it could not pass to a subsequent mortgagor.

Mr. JAVITS. I understand. However, the property could be sold to a second mortgagor; and, according to these terms, the interest subsidy would cease when the first mortgagor disposed of the property, while the successor owner—whom I called the mortgagor, which technically he is not—could be a person who would also be eligible as a mortgagor under the amendment.

Is the Senator conscious of the fact that this would cut off the subsidy? For example, suppose a person died, and the estate took over the property. The mortgagor might no longer occupy the property; the family might sell the property to a very eligible person, who could have been a mortgagor. Will that subsidy be cut off?

Mr. PROXMIRE. It would be cut off.

Mr. JAVITS. It would be?

Mr. PROXMIRE. This is a subsidy providing for housing starts, covering home construction, providing a greater inventory of homes. It would be cut off under those circumstances. There are some inequities involved, conceivably, under certain circumstances, but it would be cut off.

Mr. JAVITS. What does the Senator think about perhaps making some percentage reservation to deal with problems and contingencies of that character—that 10 percent of the authority should be reserved for contingencies of that character?

Mr. PROXMIRE. I think that sounds reasonable, offhand. I would like to have the help of the chairman of the committee and of Senator Tower before I would proceed with it. But, offhand, it sounds reasonable to me.

Mr. JAVITS. Let us think it over in the next half hour or so.

Mr. PROXMIRE. All right.

Mr. SPARKMAN. Mr. President, may I interject this thought?

It will be recalled that this subject of tieing interest subsidies to properties was discussed in the committee. In general this is a bad practice. However, we have allowed a certain percent of the funds to go for existing housing. If this subsidy were to become a property right, if it were to be attached to the property, it might push up the price that the owner would ask for the property. It is something that would be difficult to deal with, as I see it.

Mr. JAVITS. That is, even a 10-percent reservation for existing mortgages?

Mr. SPARKMAN. Personally, I would not mind setting a 10-percent exception, that is, giving the Secretary of Housing and Urban Development the right to allocate a small percent of the subsidy funds for existing housing.

Mr. JAVITS. I thought he just could be given a 10-percent authority for existing mortgages, and then he could be permitted to use it at his discretion. If he wants to use it, he will; and if he does not want to, he will not.

Mr. SPARKMAN. I would not object.

Mr. TOWER. I would not object.

Mr. SPARKMAN. And make it under the control of the Secretary, and not an automatic right.

Mr. JAVITS. In his own discretion.

Mr. PROXMIRE. It is my understanding that the Senator from Alabama and the Senator from Texas would agree that this would be a reasonable provision. It would be discretionary with the Secretary.

Mr. TOWER. Provided it is wholly discretionary.

Mr. PROXMIRE. Will the Senator draft that proposal?

Mr. JAVITS. I will do that.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. CURTIS. I should like to ask the distinguished chairman of the committee, who is in charge of the bill, if there is going to be a lapse of a little time to draw an amendment. I wonder if we could proceed with another amendment.

Mr. TOWER. We are now considering an amendment offered by the distinguished Senator from Wisconsin.

Mr. CURTIS. I understand there is going to be the drafting of an amendment to his amendment.

Mr. JAVITS. That will just take 2 minutes.

Mr. TOWER. I have some questions to ask on this, and we would like to dispose of this amendment first, if we may, if that is agreeable to everybody.

Mr. CURTIS. All right.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield.

Mr. TOWER. The Senator's amendment provides for a subsidy of $60 million for payments to FNMA and the Federal Home Loan Mortgage Corporation. How are these funds to be allocated or divided?

Mr. PROXMIRE. I expect that the Secretary will divide the funds more or less equally between the Federal Home Loan Mortgage Corporation and FNMA, to the extent that both would equally be able to utilize the funds. If they were not, he would have to accommodate himself to the practical situation.

Mr. TOWER. The Secretary will be responsible for promulgating the rules and regulations for the implementation of this title. Will he be required to consult with FNMA or the Federal Home Loan Mortgage Corporation?

Mr. PROXMIRE. It is certainly my intention that there be full consultation.

Mr. TOWER. I believe he is not required to do so under this provision.

Mr. PROXMIRE. That is correct.

Mr. TOWER. Does not the Senator think it would be wise to make legislative history to the effect that this is our intent?

Mr. PROXMIRE. The Senator from Texas is absolutely correct. There is no requirement in the law, but it is the intention of this Senator that there be consultation; it is my strong intention.

Mr. CURTIS. Mr. President, will the Senator yield for a question?

Mr. PROXMIRE. I yield.

Mr. CURTIS. Could it be said that this is extending the principle of section 235 to a higher income group not served by section 235?

Mr. PROXMIRE. The Senator is correct. The principle would be applied. However, in this case, as distinct from the present section 235 program, as interest rates drop, the subsidy would decline and disappear.

Mr. CURTIS. Would the subsidy go as far as section 235? I understand that in some instances the borrower pays only 1 percent.

Mr. PROXMIRE. The Senator is correct. In this case the borrower would have to pay at least 7 percent as well as 20 percent of his income. In this case, the borrower would have to pay at least 7 percent.

Mr. CURTIS. So there would be no such thing as subsidizing clear down to 1 percent?

Mr. PROXMIRE. That is correct.

Mr. CURTIS. That answers my question.

Mr. TOWER. Mr. President, has the Senator yielded the floor?

Mr. PROXMIRE. Mr. President, I yield the floor.

Mr. TOWER. Mr. President, before making my general remarks on the measure, I did want to wait until the offer of the amendment by the Senator from Wisconsin, which I think now is assured of adoption.

I am most pleased to support the bill now before the Senate, the Emergency Home Financing Act of 1970, and I likewise urge the support of all Senators.

This measure is indeed an emergency response to the distressed situation this nation's homebuilding industry finds itself in today. More significantly, the many thousands of families who want, and need, to purchase their own homes, or otherwise secure decent housing, are the real victims of today's unfortunate restraints on homebuilding activity.

The lag in housing production is attributable to many key factors, but essentially, the basic cause is inflation. Practically everything related to home-

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building has of late risen in cost—land, labor, materials, and of particular concern to us today, money. Just as inflation can generally be identified as the base cause for the current restraints on building activity, the basic restraint on a family's ability to purchase a home is the lack of, and cost of, money. If there is no money attracted into mortgage investment, no mortgages can be made. It is that simple.

This is why inflation is the real culprit. Its effect is to force mortgage interest rates up as investment money is attracted to other, more remunerative, alternatives. In other words, the more scarce mortgage funds are, the higher the interest rates charged. Thus, the natural law of supply and demand, triggered off in the instance of housing by inflation, has been working overtime against housing construction, and the consumer families who so desperately need housing.

The administration is pledged to the implementation of fiscal and monetary policies necessary to reverse the inflationary spiral that had come to be accepted as a way of life in recent years. But as this battle is carried forward, the administration has pledged its utmost efforts to turn around the disproportionate burden carried by the homebuilding industry as an aftermath of both inflation and anti-inflationary measures.

Mr. President, this Emergency Home Financing Act of 1970 is just what the title implies, an attempt to provide additional mortgage financing during this period of high interest rates and relatively tight monetary policy. Some provisions in the bill have a long-range goal to assist mortgage financing, while others are temporary in nature and have the primary goal of providing immediate assistance to the homebuilding industry and to those who are seeking to purchase a home.

The provisions of S. 3685 have already been outlined and I do not want to burden the Senate with additional discussion on all of the provisions. I would like to say, however, that title V in the bill reported by the committee was not acceptable because of its effect on the Federal Reserve System. As pointed out in our minority views when the bill was reported, title V would have extended executive branch control over the Federal Reserve System and in my view the assistance which could have been provided under title V did not warrant such drastic action.

We now have been able to work out a substitute for title V which some have called a compromise proposal. Actually, it is a compromise in the sense that it has been agreed upon by individuals who have differing views on some of its provisions. It is not a compromise so far as use of the Federal Reserve System to provide subsidized housing is concerned. The substitute for the present title V has no connection with the Federal Reserve System and does not in any way limit the Federal Reserve Board's independence as was the case with title V as reported by the committee. It is fortunate not only for the home building industry but for the country as a whole that the approach suggested in the committee bill has been abandoned.

The new title V proposal is one which requires appropriations. It is a limited program and contains provisions which are workable. It is certainly far superior to the approach approved by a majority of the committee of using "back-door" financing through the central banking system.

There are contained in this measure other provisions which hold the promise of providing as early relief as can be expected by pursuing the legislative process. That which is workable in the bill will hopefully be drawn upon at the earliest possible time after enactment.

Thus, I urge the favorable passage of this bill, so that there will be available as many practical alternatives as possible to be utilized in the production of housing for our citizens under the presently existing emergency situation. I do want to comment that I have serious reservations over expanding the concept of subsidizing middle-income families as title V would do. I cannot in my mind resign myself to embracing the idea that the only housing hope for every one of our citizens is increasing reliance on direct Government involvement.

I do support those actions by Government that encourage an environment conducive to the full involvement of the private sector and private finance. This is how we will ultimately meet those housing goals that we set for ourselves, for this is where the true resources are.

Mr. PROXMIRE. Mr. President, I modify my amendment as follows, and this is a suggestion of the distinguished Senator from New York:

On page 5, line 3, strike out the period, insert a semicolon and "*Provided, however,* That in the discretion of the Secretary 10 per centum of this authority covered by this section and subject to all the terms thereof may be used for mortgages in existing housing."

The PRESIDING OFFICER (Mr. EAGLETON). The amendment is so modified.

Mr. TOWER. Mr. President, I hope we will support the amendment as modified by the Senator.

Mr. JAVITS. Mr. President, the suggestion was brought about, and I make this publicly, to see if the Senator is agreeable to it, that perhaps we should have a voice vote on striking title V and then have rollcall votes on the insertion of new amendments. Is that agreeable?

Mr. PROXMIRE. We have worked very hard with the administration. The administration supports my amendment. If we divide this now, it would be unfortunate. It will put many Senators in a position of voting against homebuilding, and I do not think anyone wants to be put in that position.

Mr. TOWER. This is in the nature of a substitute so that if it fails the Senator can still go to title V.

Mr. JAVITS. It seems to me the Senator from Delaware has made clear his position for the record. If this were a matter before the Senate, the Senator could vote to strike title V. He is not bound by whatever we wish to insert.

Mr. SPARKMAN. That is the position of many of us. That is the reason the substitute was left out. Adoption of the substitute wipes out the original title V.

Mr. HATFIELD. Mr. President, as we consider S. 3685, I will not repeat what I have stated many times previously about my State's close relationship with the housing industry. One out every five trees harvested comes from Oregon, and when the homebuilding is healthy, so is my State's lumber industry.

Recently, however, the reverse has been true. As the number of new home starts has dropped, the lumber industry has been in the doldrums. The forest product industry touches nearly every Oregonian indirectly, and is the economic lifeblood of thousands.

When I visit Oregon, everyone with whom I talk expresses hope that we can do something in Congress to stimulate this vital segment of our economy. I agree completely, and the goals set out in the National Housing Act in 1968 should be attained.

On Monday, April 6, I addressed this body regarding Oregon's lumber industry and relationship to interest rates. As the interest rates rise, lumber production drops. At that time, I introduced a recent article from the New York Times which detailed the situation in Oregon.

I did not rise today, however, to repeat what I often said here before. I rise to comment on S. 3685, and in particular, title V of this bill. My introductory remarks point out that, while my State wants to increase homebuilding, we have a direct tie to inflation. Inflation takes its pound of flesh from my State before it is felt in most other places. The gains which appear to be beneficial at first glance in title V must be weighed against their inflationary effects.

We must not appear to help the mortgage situation with one hand, while at the same time, prod inflationary pressures with the other.

I earnestly hope that a workable compromise can be reached so that the mortgage situation can be helped without stimulating inflationary pressures.

Some very worthwhile comments on this are contained in a letter from Ralph J. Voss, president of the First National Bank of Oregon, pertaining to title V and its inflationary effects in Oregon. I ask unanimous consent that his letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FIRST NATIONAL BANK OF OREGON,
Portland, Oreg., April 9, 1970.

HON. MARK O. HATFIELD,
Senate Office Building,
Washington, D.C.

DEAR MARK: A release from the National Chamber's Congressional Action Bulletin states that President Richard M. Nixon may veto the omnibus bill to stimulate the home mortgage market unless provisions are deleted that would compel the Federal Reserve Board to make loans totaling $3 billion to home buyers. This provision is an adoption of S. 3503, introduced on February 25.

We agree with President Nixon's comments and think it particularly unfortunate that the above provision was included. It is necessary for housing to be helped in 1970 and despite our efforts in Oregon for diversification in our economy, the wood products industry is our major industry. We urge legislation to alleviate the current pressures in the mortgage market but direct Federal Reserve lending to the Home Loan Banks would be back-door financing of the worst sort.

In practice, this procedure would either be highly inflationary, thus further driving the cost of living up, or it would discriminate strongly against other worthy borrowers, such as state and local governments, small businesses, farmers etc. This is because each dollar loaned by the Federal Reserve banks would provide the basis for a multiple expansion in bank credit and the money supply. Federal Reserve dollars are high powered dollars. They constitute the reserves of the banking system and, on a fractional basis, back up the nation's money and credit supply.

The $3 billion reserve creation for housing could be "neutralized" by Federal Reserve sales of Government securities in the open market—the System, in effect, could wipe out with its left hand the money it puts in with its right hand. But this action would inevitably drive up the rates on Government securities. As these rates rose, rates on other types of bonds would also rise, as would loan rates for small businesses, farmers, and others.

The net result, if inflationary expansion in bank reserves is to be avoided, would be higher costs and tighter supplies of loans for a host of worthy borrowers, many of whom (such as state and local governments) have been hit just as hard, or harder, than housing in the recent tight money period.

There is plenty of help for housing in the committee bill without this undesirable and unfair provision. The $250 million subsidy to the Home Loan Banks, through multiplier effect, will be especially effective. HUD estimates this subsidy could assist financing for some 240,000 housing units.

The controversial provision should be dropped and the remainder of the legislation passed as soon as possible. Until that happens, the restoration of vigor to the housing market can only be delayed.

Federal Home Loan Bank Board Chairman, Preston Martin, in a letter to Senator Wallace F. Bennett stated that the provision would provide "preferential aid for a limited number of home purchasers and would be of no benefit to the apartment rental market where the demand for housing is particularly great."

Special interest considerations and subsidies are not an appropriate role for the Federal Reserve. I urge your support to delete this provision.

Sincerely,

RALPH.

The PRESIDING OFFICER (Mr. EAGLETON). The question is on agreeing to the amendment of the Senator from Wisconsin, as modified.

The amendment, as modified, was agreed to.

Mr. TOWER. Mr. President, I move that the vote by which the amendment, as modified, was agreed to be reconsidered.

Mr. PASTORE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

ONE-HALF OF ALL AMERICANS CAN NO LONGER AFFORD A NEW HOME

Mr. HARTKE. Mr. President, I support S. 3685, the Emergency Home Finance Act of 1970. I also wish to express my support and intention to vote for the amendment offered by the distinguished senior Senator from Wisconsin, providing a subsidy for middle and low-income housing. This amendment is designed to carry out the intent of the Middle-Income Mortgage Credit Act which I joined Senator PROXMIRE in sponsoring on February 25 of this year. The amendment's approach is different but its goal is the same. Both attempt to provide some credit for the prospective middle income and low-income homebuyer.

The housing crisis must be met now, or the housing industry will suffer irreparably. The housing crisis has reached the dimensions of a social disaster. Monetary policies of the last year and a half, while failing to halt inflation, have effectively foreclosed the average American from purchasing a home. This is the tragedy of the present situation; it cannot be overstated. Because of misdirected monetary policies, not just poor Americans, but middle-class Americans as well can no longer afford decent housing. It has been estimated that 28 million American families, or 101 million of our citizens, cannot purchase a decent home. A home has become a luxury item, available for the wealthy only.

Advocates of the high interest, tight money policy justify this theft of the average American's home on the grounds that excess demand must be controlled to limit inflation. This purblind policy, however, disregards three economic truths:

First, high interest rates do not limit the available credit along rational or socially desirable lines, but rather channel it to those most able either to pay or to transfer the cost. Credit is available for the wealthy, but not for the average American. For example, recently one of the biggest banks in this Nation invested in a Bahamian Island enterprise, whose principal business is gambling. Money is available for the gamblers, but not for the homeowner.

Second, the demand for housing is comparatively inelastic. If a man cannot purchase a home, he must rent, and monetary policy forcing up prices of new homes also drives up rents. High interest rates force young married couples not to purchase their dream home—but to continue to live in a cramped apartment at ever-increasing rents or to double up with their parents. By pursuing the present policy of high interest rates, we can force this young couple to live in a cave, or with their in-laws, but surely this should not be the goal of a civilized society.

Third, prices for housing have risen not because of excessive demand, but because of inadequate supply. Secretary of Housing and Urban Development George Romney has testified that in the last 5 years, new housing fell at least 1.2 million units behind the number needed just to keep pace with population growth and losses from fires, storms, and the bulldozer.

The fundamental problem of the housing industry is inadequate supply. The United States, the richest country in the world, is behind almost every Western European country in the level of construction per capita.

As I previously mentioned, Secretary Romney estimates that in the past 4 years, we fell more than 1 million units behind our need. We will fall even further behind in the coming years. From 1969 to 1999, the Census Bureau projects that our population could grow from 200 million up to over 360 million. For this population growth, we will need to build on the average of 2.5 million units per year, and yet we are limping along with only about 1.5 million units being built each year.

Clearly, the housing industry is bearing a disproportionate burden in the shrinkage of credit caused by the present monetary policy. The homebuilder and the homeowner bear this unfair burden, not because they in any way caused or contributed meaningfully to the present inflation, but because, like the innocent victims of a raging murderer, they were there.

The homebuilder is no stranger to hard times. In fact, the housing industry has suffered five recessions in 15 years. Most recently, during the severe restriction of the money supply in 1966, housing absorbed 70 percent of the inevitable cutback in lending. Reeling from this first blow in 1966, builders were hit again in 1969. On February 19, the Bureau of Labor Statistics reported that housing starts for January stood at 1,166,000. This is a 6.5-percent decline from December, which was not a good month. Since January of 1969, housing starts have plummeted by 40 percent. Mr. President, that figure is accurate—a 40-percent decline. Our present level of housing construction has now declined to the level of 1946 when our population was approximately 140 million. Today, with a population of over 200 million and with many more young people, the present administration is building not homes, but rather this administration is building a housing shortage of unprecedented severity.

For the rest of 1970 the situation will worsen, not improve. New building permits in January declined 23 percent from the previous month—the largest drop in recorded history. The 950,000 permits issued in January 1970 compare with 1,400,000 permits issued in January of 1969.

All housing analysts agree that a decline in permits foreshadows a further worsening of housing construction in the months ahead. The housing industry, having suffered recession in the past, faces disaster in the future.

The sorry state of housing is clearly revealed when compared with the rest of the economy. Though our GNP has increased 236 percent since 1950, housing's share of the GNP has actually declined from 6.7 percent to 3.5 percent, or a decline of half. Housing production has, therefore, declined not only relatively but in absolute terms.

A high interest rate policy, while not attuned to the economic facts of the housing industry, has significantly added to the cost of housing. As a result, the price of housing has risen almost twice as fast as the overall cost of living. The average new house in the United States now costs about $26,000, compared to only $20,000 in 1966. The home priced at

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$25,000 a year ago is now selling for $27,500. These are average figures and in many parts of the country the prices and the increases have been higher. The end result of this policy is that the forgotten American must forget his dream house.

With the housing industry facing extinction, and the average American unable to buy a home, the measure we are considering today deserves immediate passage and wholehearted support of the U.S. Senate. We must take measures now to insure an adequate supply of mortgage money for the average-income family at reasonable rates of interest. Conditions are too urgent to wait for the end of inflation. Even when interest rates are lowered the greater part of the excess credit will not flow automatically into the housing industry but will be invested in areas of greater return than housing. This legislation, therefore, meets a need but does not solve the problem. We must devise measures that change the boom-bust cycle which has been the history of the housing industry. Our advanced society seems unable to provide adequate and continuous supply of financing for this basic industry. We must work for structural changes in our arrangements of residential financing so that the housing industry can meet the needs of a growing society.

Only by changing the present chaotic and archaic methods of residential construction financing will we be able to meet the goals of the Housing Act of 1949—a decent home for every American family.

Mr. CURTIS. Mr. President, I send my amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. At the end of the bill insert a new section as follows:

EMERGENCY RELIEF FROM INTEREST RATE CONFLICT BETWEEN FEDERAL LAW AND STATE LAW

SEC. 606. Notwithstanding any other law, from the date of enactment of this Act until July 1, 1972, loans to local public agencies under title I of the Housing Act of 1949 and to local public housing agencies under the United States Housing Act of 1937 may, when determined by the Secretary of Housing and Urban Development to be necessary because of interest rate limitations of State laws, bear interest at a rate less than the applicable going Federal rate but not less than 6 percent per annum.

Mr. CURTIS. Mr. President, I will make just a brief statement of explanation.

The Federal law requires that loans by the Federal Government for urban renewal or for public housing must carry an interest rate at least equal to the going Federal rate, which is now 6⅜ percent. Most of the State enabling laws for these programs restrict the interest rate on the loans of the local agencies to 6 percent. In two of these States—North Carolina and Missouri—the attorneys general of the States have held that these limitations apply even though the borrowing is from the Federal Government, and the attorneys general of other States may hold likewise. I might say, Mr. President, that the attorney general of Nebraska has held likewise. Under these circumstances, it is not possible to make additional loans in such States for either urban renewal or public housing.

The amendment I am offering is temporary and would permit the Secretary of Housing and Urban Development, where necessary because of the State law limitation, to charge a rate of 6 percent—instead of a higher rate as now required by Federal law—until such time as the State legislatures have an opportunity to amend the applicable State laws, that is until July 1, 1972.

Mr. President, this matter is of great concern to my State and I wonder whether the distinguished Senator from Alabama will be willing to accept the amendment.

Mr. SPARKMAN. Mr. President, I have talked about this with the Senator from Nebraska, and I have read the amendment. I think it is a reasonable proposal. In fact, I hardly see any way around it, under the circumstances.

I am willing to accept the amendment.

Mr. CURTIS. Mr. President, this involves not only housing for the elderly, but also involves housing on Indian reservations at three different locations where it is very badly needed.

Mr. TOWER. This in no way would mean Federal intervention in the police power of a State to regulate interest rates under the State usury law?

Mr. CURTIS. No. Instead of being bound by the 6⅜ percent, it would be 6 percent until the legislatures convened; that is all.

Mr. TOWER. Yes, I thank the Senator.

The PRESIDING OFFICER (Mr. EAGLETON). The question is on agreeing to the amendment of the Senator from Nebraska.

The amendment was agreed to.

Mr. CURTIS. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. SPARKMAN. I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President, I have an amendment at the desk which I ask to be stated.

The PRESIDING OFFICER. The amendment will be stated:

The ASSISTANT LEGISLATIVE CLERK. On page 22, between lines 9 and 10, insert the following:

SEC. 402. The second sentence of section 302(b)(1) of the National Housing Act (as redesignated by section 201 of this Act) is amended by inserting after "(1)" the following: "is insured under section 236 or".

Mr. JAVITS. Mr. President, the amendment I have offered for myself and Senator GOODELL would permit the Government National Mortgage Association to purchase section 236 mortgages (rental assistance program adopted in 1968) in excess of the Association's statutory limits—$22,000—where they also have the benefit of local tax abatement programs. Presently, section 221(d)(3) projects are excepted from these unit cost limitations under such circumstances. The amendment is necessitated because this program of interest subsidies is gradually replacing the 221(d)(3) program as the primary Federal program for low- and moderate-income housing. However, the Congress has not amended the GNMA legislation so as to extend its power to purchase 236 mortgages in excess of the statutory cost limitations when the project receives tax abatement. Unless this oversight is corrected the private financing and the construction of these projects in high-cost areas, where tax abatement programs are established, will be inhibited, for it will not be possible for GNMA to purchase these mortgages from private lenders.

Present construction costs are so high in many high-cost areas that the present $22,000 per unit limit will preclude GNMA from purchasing section 236 mortgages in these areas and will seriously inhibit the flow of funds into the construction of low- and moderate-income housing under this important Federal program.

For example, construction costs in New York City are generally in excess of $30,000 per unit. Unless this amendment is accepted, GNMA would be unable to purchase these mortgages and the plans of New York City to construct almost 9,000 units under this program will be jeopardized. This is undoubtedly true in many other areas of the country.

Mr. President, the sole purpose of the amendment is to conform the situation in section 236 mortgages to the present situation in section 221(d)(3) mortgages which allow a higher cost limit to be utilized in the acquisition of mortgages when tax abatement by the municipality is involved. This is critically important to my State, especially to the city of New York, and will allow 9,000 more units to be constructed under section 236.

I hope very much that the amendment will be agreed to.

Mr. SPARKMAN. Mr. President, I have discussed this with the Senator from New York and other Senators, and I think it follows our general rule of giving recognition to high-cost areas.

I am happy to accept the amendment.

Mr. TOWER. Mr. President, I am happy to accept the amendment of the Senator from New York.

The PRESIDING OFFICER (Mr. SAXBE). The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILLIAMS of Delaware. Mr. President, are we still in the period controlled by the rule of germaneness?

Mr. MANSFIELD. Mr. President, if the Senator will yield, that period expires in 2 minutes.

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Mr. WILLIAMS of Delaware. Mr. President, the reason I asked the question was that I had a few brief remarks to make that are not germane to the bill. However, I wanted to make them at this time.

I will suggest the absence of a quorum, if I may, without losing my right to the floor.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, after yielding to the distinguished Senator from Rhode Island, with the permission of the senior Senator from Delaware, it is my intention to put in a quorum call, and it will be a live quorum call.

Mr. President, I yield to the Senator from Rhode Island.

Mr. WILLIAMS of Delaware. Mr. President, this is without my losing my right to the floor.

Mr. MANSFIELD. The Senator is correct.

Mr. PASTORE. Mr. President, I merely want to say that the legislation we are considering today which is being managed by my distinguished colleague, the Senator from Alabama (Mr. Sparkman), is a landmark measure to remedy a serious situation which confronts our people on this matter of housing.

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Housing in our country—and I regret to say this—is absolutely inadequate. The interest rates have gone up. The costs of building have gone up. And the purchase or the building of a home has almost become prohibitive.

I think this bill is a step in the right direction. It has my complete support.

I supported the amendment of the distinguished Senator from Wisconsin (Mr. Proxmire), as amended by the Senator from New York (Mr. Javits).

I supported the amendment of the Senator from Nebraska (Mr. Curtis), which was accepted by the committee.

I congratulate both the Senator from Alabama (Mr. Sparkman), the manager of the bill, and the Senator from Texas (Mr. Tower), the ranking Republican member, for doing what I think is a yeoman job at a propitious time in the interest of our country.

Mr. WILLIAMS of Delaware. Mr. President, for the interest of the Senate, a quorum call will be requested, following which I shall discuss the question raised in recent days concerning the manner in which tax returns are being used by the White House and the manner in which they were used heretofore.

CALL OF THE ROLL

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum, and it will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 137 Leg.]

Aiken
Allen
Allott
Baker
Boggs
Byrd, Va.
Cook
Curtis
Dole
Dominick
Ellender
Fong
Gore
Gurney
Hansen
Harris
Hart
Holland
Hughes
Inouye
Javits
Jordan, Idaho
Mansfield
Metcalf
Moss
Murphy
Muskie
Packwood
Pastore
Pearson
Percy
Proxmire
Ribicoff
Saxbe
Schweiker
Scott
Smith, Maine
Sparkman
Stennis
Talmadge
Tower
Tydings
Williams, Del.
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be instructed to request the presence of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Sergeant at Arms is directed to execute the order of the Senate.

After a delay the following Senators entered the Chamber and answered to their names:

Bellmon
Bible
Burdick
Byrd, W. Va.
Cannon
Case
Cooper
Cotton
Cranston
Eagleton
Ervin
Fannin
Fulbright
Goodell
Griffin
Hartke
Hatfield
Hollings
Hruska
Jackson
Jordan, N.C.
Kennedy
Long
Magnuson
McCarthy
McClellan
McGovern
Miller
Mondale
Nelson
Pell
Prouty
Randolph
Smith, Ill.
Spong
Stevens
Williams, N.J.

The PRESIDING OFFICER. A quorum is present.

COMMITTEE MEETINGS DURING SENATE SESSION TODAY

Mr. MANSFIELD. Mr. President, I forgot to ask permission at the beginning of the session for all committees to meet during the session of the Senate today. I make that request now.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRACTICE BY EXECUTIVE BRANCH OF EXAMINING INDIVIDUAL TAX RETURNS

Mr. WILLIAMS of Delaware. Mr. President, I wish to discuss a matter which has been raised in the press and the Halls of Congress in the past few days, and on which there appears to have been a certain element of misunderstanding. I shall, to the best of my ability, review it from the beginning to show how the practice of examining tax returns by the executive branch has been conducted during the preceding administrations as well as the manner in which it is being conducted under this administration.

This statement is going to be made as nearly as possible without trying to project the argument into the political arena. I think such projections are most unfortunate on a question which is so vital to so many people. But now that it has been projected on a false basis before the public I think it should be clarified. That is the reason I ask the Senate to bear with me for just a short period of time, during which time I shall review the procedure followed by the executive branch during the present as well as the past two administrations.

This argument started on April 12, 1970, and I am going to read the press release as it was then given by Mr. O'Brien. The press release, dated Washington, D.C., April 11, 1970, reads:

> O'BRIEN CHARGES VIOLATION OF FEDERAL LAW BY NIXON ADMINISTRATION IN MOLLENHOFF ACCESS TO INCOME TAX RETURNS
>
> WASHINGTON, D.C., April 11, 1970.—Lawrence F. O'Brien, Chairman of the Democratic National Committee, today charged that the Nixon Administration's practice of turning over confidential federal income tax returns to a White House aide violates federal law and Treasury regulations governing the confidentiality of tax returns.
>
> "Federal law and regulations protect the individual taxpayer's right to privacy and such indiscriminate access by a political operative in the White House is a clear violation of the legal rights of American citizens," O'Brien said.
>
> "I call upon President Nixon to terminate immediately this illegal access of his personal staff to confidential tax returns of 80 million Americans," O'Brien said.
>
> "If this action is not taken voluntarily," O'Brien added, "we are prepared to initiate legal action that will end this practice."
>
> O'Brien's statement was based on a legal opinion signed by Mortimer M. Caplin and Sheldon S. Cohen, former commissioners of the Internal Revenue Service, and Mitchell Rogovin, former Assistant Attorney General for Tax Division and former Chief Counsel Internal Revenue Service.
>
> The full text of the legal opinion submitted by Caplin, Cohen, and Rogovin to O'Brien is attached.
>
> "I asked for this opinion upon learning of the Internal Revenue Service's practice of turning over confidential income tax returns to Clark Mollenhoff, special counsel to the President, on a 'need-to-know' basis," O'Brien said. "The views of these recognized tax experts leave little doubt as to the illegality of the procedures which now are being followed."
>
> "It is particularly troublesome to learn of this practice when so many millions of Americans are at this moment pouring over their individual income tax returns and are candidly disclosing personal information of the utmost sensitivity," O'Brien said.
>
> "Only immediate action by President Nixon to stop these illegal procedures will restore the American people's confidence in the Internal Revenue Service, as well as demonstrate the willingness of the Nixon Administration to obey federal law and regulations in the conduct of its own affairs," O'Brien concluded.

I repeat one quotation of Lawrence O'Brien's release:

> "I call upon President Nixon to terminate immediately this illegal access of his personal staff to confidential tax returns of 80 million Americans," O'Brien said.
>
> "If this action is not taken voluntarily," O'Brien added, "we are prepared to initiate legal action that will end this practice."
>
> O'Brien's statement was based on a legal opinion signed by Mortimer M. Caplin and Sheldon S. Cohen, former commissioners of the Internal Revenue Service, and Mitchell Rogovin, former Assistant Attorney General for Tax Division and former Chief Counsel, Internal Revenue Service.

I now read the letter which was attached to Mr. O'Brien's April 11 statement. The letter is dated April 9, 1970. It is addressed to Mr. Lawrence F. O'Brien, the chairman of the Democratic National Committee, 2600 Virginia Avenue NW., here in Washington:

April 9, 1970.

Mr. Lawrence F. O'Brien,
Chairman, Democratic National Committee,
Washington, D.C.

Dear Mr. O'Brien: It has been reported that an aide to the President currently has access to federal income tax returns upon his written request. You have asked for a legal opinion on whether this reported arrangement with the Internal Revenue Service comports with existing law and regulations. It is our legal opinion that such access is not in conformity with existing law and regulations relating to disclosures of tax returns.

Section 6103 of the Internal Revenue Code sets up the statutory procedures necessary to insure that tax returns and the confidential information appearing thereon are not made available to people who have no legitimate interest in the return. First enacted in 1910, this central provision of our present law provides that returns will be open for inspection "only upon order of the President and under rules and regulations prescribed by the Secretary or his delegate and approved by the President." The inviolate nature of tax information is fundamental to our tax system, not only in the name of privacy, but also to insure increased and more accurate taxpayer compliance. As to the latter, more accurate reporting on income tax returns appears to bear a close relationship to the degree of confidence in which the information is held by the Internal Revenue Service.

The regulations promulgated under section 6103 provides in detail, the manner and circumstances under which tax returns may be legally inspected by the public, state tax officials, Treasury officials, Executive Department officials, U.S. Attorneys and Department of Justice attorneys, Executive Branch agencies, and Cnogressional Committees. Specific requirements for inspection of federal income tax returns have been prescribed in the regulations to intentionally make it burdensome to secure inspection of such returns. This is in order to maintain the confidentiality of such returns except in unusual circumstances, melding the legitimate needs of government with the right to privacy of the individual. For example, with respect to inspection of returns by executive departments' officials other than the Treasury Department, the request must be in writing, it must be made by the head of the Agency requesting the opportunity to inspect the return, the request must relate to a matter officially before the Agency head, it must specify the taxpayer's name and address, the kind of tax reported, the taxable period covered, the reason why inspection is requested, and the name and official designation of the person by whom inspection is to be made.

The federal official in the news report is Special Counsel to the President and as such, he is an employee of the Executive Office of the President. Reg. Sec. 301.6103(a)-1(f) covers access to tax returns by such an employee. Under this regulation, the President would be the only Executive Branch official with the authority to request the Commissioner to make tax returns available to employees of the Executive Office of the President. Such a Presidential request would presumably have to comply with the various requirements of the regulations detailed above.

It has been suggested that since the employee in question acts as agent for the President in matters of investigation, no written request by the President is required. We are unaware of any theory of law which would support such an argument. Indeed, this type of argument has been speecifically rejected by the very language of the regulation.

The criminal sanction relating to the disclosure of confidential tax information is found in section 7213 of the Code. It makes it a misdemeanor for any federal employee to divulge tax information except as provided by law.

If tax returns are made available in a manner not in conformity with section 6103 of the Code and the regulations, it would appear that such divulgence of tax information is not as provided by law.

A copy of section 6103 and the pertinent regulations are attached for your convenience.

Sincerely,

Mortimer M. Caplin.
Sheldon S. Cohen.
Mitchell Rogovin.

As I mentioned earlier, Mr. Caplin was the Commissioner of Internal Revenue under the Kennedy administration; Mr. Cohen was the Commissioner of Internal Revenue under the Johnson administration; and Mr. Rogovin was an employee, first in Treasury and then in Justice, under both administrations.

When this dramatic statement was made by Mr. O'Brien there was understandably a lot of concern expressed by members of the press, by Members of Congress, and by millions, I daresay, of American citizens as to what was happening here in Washington and whether the Internal Revenue Service was being turned into a Gestapo, as the allegation of the chairman of the Democratic National Committee would indicate.

The chairman of the Joint Committee on Taxation, the Senator from Louisiana (Mr. Long), called the Joint Committee on Taxation together to explore these charges, and we asked Commissioner Thrower to appear before our committee.

This meeting was at 3 o'clock on Tuesday of this week. Having read this statement I felt we should go beyond and see what the precedents were. So I directed this wire early on Monday morning, April 13, to the Honorable Ralph W. Thrower, the Commissioner of Internal Revenue, Department of the Treasury, in Washington:

> In connection with your meeting tomorrow with the Joint Committee will you please have available information regarding the number of times tax returns were requested by the Executive Branch during each of the administrations since 1960. Signed, John J. Williams, Senator from Delaware.

Later I supplemented that and asked that he furnish the various regulations or rules which were discussed in the committee.

Commissioner Thrower has furnished and I received these yesterday—a series of the regulations which have governed the executive branch on the handling of these tax returns over the years beginning with the Kennedy administration.

I might say first, however, before going to that that I asked the staff of the joint committee, under the direction of Larry Woodworth, with whom all of us are acquainted, to prepare a memorandum as to the various branches of Government to whom tax returns are available and the manners in which the returns could be examined. I shall read his memorandum first. This is entitled, "Provisions of the Statute and Regulations Relative to Publicity of Income Tax Returns":

STATUTORY PROVISIONS ON PUBLICITY

The Code provides (section 6103(a)) that generally income tax returns are to be open to inspection only upon order of the President under rules and regulations prescribed by the Secretary of the Treasury or his delegate and approved by the President.

Four exceptions are made to the above limitation as to the publicity of returns. Income tax returns may be made available to:

(1) State income tax officials for the purpose of administering the State income tax law or to obtain information to be furnished local taxing authorities. The inspection may be made only upon request of the governor and only for State tax administration or, upon his request, can be made availble to local tax administrators.

(2) In the case of corporate income tax returns, to shareholders having an interest of 1 percent or more.

(3) The Committee on Ways and Means, the Senate Finance Committee, the Joint Committee on Internal Revenue Taxation, and any select committee authorized to investigate tax returns, and

(4) The persons who filed the returns.

He then lists the various regulations regarding disclosure, and I ask unanimous consent that all of these regulations be printed in the Record at this point.

There being no objection, the regulations were ordered to be printed in the Record, as follows:

REGULATIONS

The existing regulations (Reg. § 301.6103(a)-1(f)) contain a general authority regarding inspection of returns by the executive departments. They specify that if the head of an executive department (other than the Treasury) or any other establishment of the Federal Government desires to inspect, or have an employee of his inspect, an income tax return he may do so if:

(1) it is in connection with some matter officially before him;

(2) there is a written application signed by the head of the executive department or other Government establishment desiring the inspection; and

(3) the application states the name of the person for whom the return was made, the kind of tax, the year, the reason why the inspection is desired, and the name and official designation of the person by whom the inspection is to be made.

PENALTIES

If the provisions of the regulations referred to above are not fully complied with, Section 7213 of the Internal Revenue Code relating to unauthorized disclosure of information applies. This provides for a fine of not more than $1,000 or imprisonment for not more than 1 year, or both, for improper release of information on tax returns. Also, if the offender is an officer or employee of the United States Government the section provides that he is to be dismissed from office or discharged from employment.

Mr. WILLIAMS of Delaware. As I stated, I had asked the Commissioner to go back and outline from the beginning just how this problem had been administered throughout the years by the various Presidents.

The first official record was a memorandum dated May 23, 1961, addressed to the Honorable Robert H. Knight, the General Counsel of the Treasury, and the subject is "Inspection of Returns by Congressional Committees." This memorandum is signed by Mortimer Caplin, the Commissioner of Internal Revenue under the Kennedy administration and one of the men who signed the mem-

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orandum which I read earlier and upon which Mr. O'Brien based his statement of April 11.

I shall put the entire memorandum into the RECORD, but I shall move over to page 3 of it first. The first part of it relates to the manner in which congressional committees can obtain access to tax returns; but on page 3, under item c, Mr. Caplin outlined the rules under which a representative of the Kennedy administration could examine tax returns.

At this time I am quoting Mr. Caplin, who was then the Commissioner of Internal Revenue:

> C. INSPECTION OF RETURNS AND FILES BY MR. CARMINE BELLINO
>
> On January 26 Mr. Bellino, Special Consultant to the President, called at my office and requested permission to inspect our files on ——— and others. Although we had no precedent to guide us, we decided that Mr. Bellino, in his capacity as a representative of the President, could inspect our files without a written request.

I underscore that point—"without a written request."

> This reflects the view that Section 6103 of the Code specifically provides that returns shall be open to inspection upon order of the President, and since Mr. Bellino's official capacity constitutes him the representative of the President, the action taken is regarded as conforming to law. Based on this decision, we permitted Mr. Bellino to inspect the files relating to ———. Since that time we have also permitted him to inspect tax returns and related documents pertaining to other persons.

Mr. CURTIS. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. CURTIS. Whom is the Senator quoting?

Mr. WILLIAMS of Delaware. I am quoting Mortimer Caplin, the Commissioner of Internal Revenue under the Kennedy administration and the same man who signed the letter to Larry O'Brien saying that it was a violation of the law for anybody in the executive branch to examine these returns except by written request.

It is fantastic how some of these bureaucrats can change positions after they leave office.

Yes, I am quoting from Mr. Caplin's own regulation which was issued under date of May 23, 1961. I would point out again the significant part of it, that on January 26 Mr. Bellino, as President Kennedy's special consultant, was given permission to examine any tax return without any written request.

This was 6 days after the administration took office and this ruling that they did not have to have any written request was made by Commissioner Caplin.

Mr. CURTIS. How many returns did he let Mr. Bellino see?

Mr. WILLIAMS of Delaware. No one knows. I asked for the number of tax returns which were requested by each administration. I was advised that there were seven requests under the Nixon administration signed by Mr. Mollenhoff involving nine tax returns. I will later outline the procedure followed by the Nixon administration, but they were all with a written request.

The Commissioner was asked how many returns had been inspected by the previous administration so that we could get a comparison, and they said that since there were no written requests apparently no records were kept or—if there were they cannot be found—they were unable to answer. However, the Commissioner did say that their records show that Mr. Bellino was in the Treasury Department examining the tax returns of various individuals and the language he used was "days on end." There must have been a very large number involved.

I will continue quoting from Mr. Caplin's May 23, 1961, ruling relating to this subject:

> Further, in a letter dated January 26, and received January 30, Attorney General Robert F. Kennedy asked that Mr. Bellino be permitted to review all files, records, and documents requested by him in order to coordinate the investigation of certain individuals being conducted by the Internal Revenue Service, the Justice Department and other Government agencies. Permission was granted for Mr. Bellino to inspect such files in a letter dated February 1, 1961.
>
> Additionally, Senator John L. McClellan, in a letter dated March 24, designated Mr. Bellino as a staff member of the Senate Permanent Subcommittee on Investigations, a subcommittee of the Committee on Government Operations, authorized to inspect returns pursuant to Executive Order 10916. As such, he is authorized to inspect those documents made available to the Subcommittee under requests made pursuant to this Order.
>
> In the interest of providing a more detailed statement there is attached a Technical Memorandum prepared in the office of the Chief Counsel, which sets forth the historical background of (1) the requirement of a committee resolution, and (2) the executive policy against supplying photocopies of returns to Congressional Committees. If you should desire additional information please let me know.

Signed, "Mortimer Caplin, Commissioner of Internal Revenue."

I move now to the next letter we have, showing how the Nixon administration handled it. I do not find any correspondence or ruling under the Johnson administration thus far which changed this practice. However, I find that when the Nixon administration took over, this loose practice of the Kennedy administration wherein tax returns were examined by White House staff was corrected. What procedure does this administration follow?

Mr. Thrower stated that when he assumed office in 1969 he was advised by the White House that Mr. Mollenhoff would be assigned to a position comparable to that which Mr. Bellino held under the Kennedy administration, and Commissioner Thrower felt that in the interest of orderly procedure the manner of allowing anyone from the executive branch to examine a tax return of any individual without having a written request or having it in writing for future reference was wrong. The Commissioner conferred with the White House, and this is a memorandum of procedure they worked out under date of September 18, 1969.

This is the memorandum addressed to the Honorable Clark R. Mollenhoff, Deputy Counsel to the President, signed by the Commissioner of Internal Revenue, and the subject is inspection of tax returns and related files. These are the rules agreed upon at that time:

> SEPTEMBER 18, 1969.
>
> Memorandum to: The Honorable Clark R. Mollenhoff, Deputy Counsel to the President.
>
> From: Commissioner of Internal Revenue.
>
> Subject: Inspection of Tax Returns and Related Files.
>
> Following through on our recent luncheon conversation, I have been thinking about ways that we can meet those situations in which you may want to inspect tax returns or other Internal Revenue Service files while at the same time carrying out our responsibilities under the disclosure statutes.
>
> As you know, the basic rules governing disclosure of tax return information are set forth in 26 U.S.C. 6103 et seq., and the penalty provisions themselves are in 26 U.S.C. 7213 and 18 U.S. 1905
>
> I would suggest that every time you have occasion to inspect a tax return, application for exemption, or other Internal Revenue file, you send me a memorandum briefly setting forth the nature of the request. Naturally, we will infer in every case that the request is either at the direction of, or in the interest of, the President. I have taken the liberty of drafting a suggested format that you may wish to consider. If you want to look at the returns or files of more than one person or organization, you may list all of them in one memorandum.
>
> After receiving your request, we will make arrangements for the files to be assembled in my immediate suite of offices here and we will notify you as soon as they are ready for inspection. Since most of the material in which you will be interested will be located in one of our regional or district offices, it will be necessary for us to obtain it and bring it to Washington. If, after inspection of the files, you want copies of any of the material inspected, we will be happy to make them for you.
>
> I trust this arrangement will be satisfactory and look forward to a mutually rewarding relationship between our respective offices.

Signed, "Randolph W. Thrower."

Mr. GORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. GORE. The able Senator has referred to the conference with Commissioner Thrower and has now read a memorandum which was denied to the Joint Committee on Internal Revenue. I trust that it will be in order to make a few remarks about it.

Mr. WILLIAMS of Delaware. If the Senator will yield for a moment, the Senator is in error. This memorandum was not denied to the joint committee. They have this information, and the Senator is a member of that committee. It was also sent to me because I was the one who originally requested it. But I specifically requested that the full report be sent to the joint committee, and it was delivered to them first. They acknowledged receipt of it. The Senator is a member of the committee, and it is available; but I have a copy of it if he wishes to see it.

Mr. GORE. I appreciate the correction.

I requested this memorandum, and Mr. Thrower said he would have to obtain permission from the President to supply it.

I had not been advised that it had

been supplied to the committee. I am glad that it has. I congratulate both the President and Commissioner Thrower upon supplying it.

Now, would the Senator from Delaware yield further?

Mr. WILLIAMS of Delaware. I yield.

Mr. GORE. To begin with, I am not acquainted with the details of what happened in previous administrations. It is only recently that I became a member of the Joint Committee on Internal Revenue. I am aware of what has happened here. Commissioner Thrower is a fine man and I do not wish in any way to be unkind to him.

However, in fairness to the Senate, I must state that I question the propriety and discretion, or lack thereof, of his action in supplying and in agreeing to supply Mr. Mollenhoff in an open ended arrangement with tax returns and copies of tax returns without a direct communication from the President of the United States, either verbally or in writing.

Commissioner Thrower testified that he had neither from the President. He relied entirely upon the representations of Mr. Clark Mollenhoff whose veracity I do not question.

Mr. WILLIAMS of Delaware. The point I want to get into the record straight is that Commissioner Thrower did not say——

Mr. GORE. I beg the Senator's pardon?

Mr. WILLIAMS of Delaware. I want to get the record straight. Again the Senator from Tennessee is in error. Commissioner Thrower said he did not rely entirely upon the statement of Mr. Mollenhoff. He said he was told by an official representative of the President that Clark Mollenhoff was being designated for this position and that the arrangement was to be made with Mr. Mollenhoff to work out procedures. He did not identify the other individual. I doubt if all of those men are in direct communication with the President any more than they were under preceding administrations.

I thought we should keep the record clear. I do not think there is any question in the minds of anyone but that Mr. Mollenhoff is the deputy counsel to the President, and he did hold the same official position that was held by individuals in preceding administrations who had access to the tax returns. We should give Commissioner Thrower the credit—I also give credit to the Nixon administration—for recognizing the danger in the loose manner in which it had been handled heretofore under the Democratic administrations where they were freely examined by White House employees without any written requests. Commissioner Thrower arranged that Mr. Mollenhoff would sign on the line the name of the taxpayer and at the same time be ready to justify why they needed that return. And I think they should. I am amazed that Commissioner Caplin had handled this same situation so loosely. If there is abuse I will join the Senator or anyone else in cleaning up abuses; but let us remember that the law provides that the President can get these returns, and the law provides, and it is intended to provide, that the Ways and Means Committee, the Finance Committee, and the Joint Committee on Taxation, operating independently of each other, any one of them can request and get a tax return. These committees have gotten them over the years with or without the consent of the President and even over the objections of the Commissioner when they needed to.

That is the law and has been over the years, and every President and every authorized committee has utilized this authority.

Surely the Senator from Tennessee, who is an able lawyer, was aware of that fact, and I cannot imagine just what Mr. Caplin was thinking about when last week he signed a letter denouncing his own decisions made as a Commissioner of Internal Revenue as having been illegal.

The President and the congressional committees must have this authority, but at the same time we must see that it is not abused.

I emphasize that we must have this authority. For example, I go back to my experience in the exposure of corruption in the Internal Revenue Service in the 1950 period. This corruption was at a high level. The then Senator from Virginia, Mr. Harry Byrd, and the Senator from North Carolina, Mr. Hoey, and myself, were appointed by Senator George of Georgia as a subcommittee to examine the allegation that certain high officials in the Revenue Service had abused their public offices. We needed certain tax returns to proceed with this investigation.

We had a situation where the former Commissioner of Internal Revenue went to the penitentiary. A Deputy Commissioner of Internal Revenue serving at the time was indicted. A chief counsel of the Alcohol Tax Unit was also subsequently indicted.

Therefore, we could not expect cooperation from the executive branch or from the Internal Revenue. Our committee had to have that authority. I want to review this because this is very important background as to why we have to have this authority. The question may be asked, why did we not go to the Department of Justice? I did go to the Department of Justice during that period and tried to get their cooperation. I did not get it. Later I found out why.

One of the chief counsels, an Assistant Attorney General acting in the Tax Division of the Department of Justice, was likewise involved in this conspiracy and later went to jail.

Then one might ask, why did we not go to the President? I was unable to get a conference with President Truman. I tried hard at that time to do so. I wanted to report these allegations to the executive branch and get their assistance at the time I could not understand, why I was unable to get an appointment with President Truman.

I resented that very much at the time, although I understood later why I did not get that appointment.

I want to say here, first, lest there be any misunderstanding, that during all that investigation—and there was a lot of corruption exposed—never was there one single instance where one could point a finger at Harry Truman or any member of his family as having done anything dishonest. I want to emphasize that. But at the same time, there was a lot of corruption in his administration which needed cleaning up.

I found out later why I could not get an appointment with President Truman. The man I had to go through to get the appointment was Mr. Matt Connelly, the White House staff man, and President Truman's representative. I told him I wanted to talk about the alleged corrupt situation in the St. Louis revenue office and the Washington office. Later, Mr. Connelly himself was indicted.

Thus we had the situation where the Department of Justice, the Internal Revenue, and the White House aide were all involved in a conspiracy to fix tax cases.

In a situation such as that, the only other recourse, in order to protect the taxpayers, was that at least we had someone or some committee in Congress which would act. The Finance Committee, with the assistance of the Senator from Virginia, Mr. Harry Byrd, as well as Senator Hoey from North Carolina, took an active interest in this matter, so that in spite of—I emphasize in spite of—getting no cooperation from the executive branch we were able to expose that corrupt regime. We were not getting much cooperation from the Treasury in the various 64 district offices, the reason being 12 of them were indicted, and eight of them went to the penitentiary at that time. Altogether, there were 100 some odd revenue employees who went to the penitentiary during that era.

Fortunately, we had the situation where the congressional committees could function. We did have access to these returns, with or without the permission of the executive branch.

Now I want to make a hypothetical reversal of that situation. Hypothetical and on the assumption that it will never happen. But it could happen.

For example, there are three congressional committees which can get tax returns without any consent from the Treasury Department. We can get them. The Senator knows that both the Finance Committee, of which he is a member, and the joint committee, of which he is also a member, can get the returns no matter what the President says and no matter what the Commissioner of Internal Revenue says because the law says that we can get them.

Suppose the time ever came—and God forbid that it would come—when we would have the top echelon of the Finance Committee and the top echelon of the Ways and Means Committee, which comprise the joint committee, all of them went crooked at one time. Then, without the President's authority where would there be the check to protect the American taxpayers?

I want to say that this is not any suggestion as to what can or will happen.

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I do not think it will happen. But I would not have thought it would happen simultaneously before where we would find the Bureau of Internal Revenue here in Washington, the top echelons of the Department of Justice, and someone connected with the White House, all engaged in this same type of conspiracy.

But suppose it did? Then the law provides that there is a check wherein the President of the United States could move in, and he would take action to protect the American people.

These safeguards were included as checks. At the same time I fully realize and I support the fear of Senators that there could be abuse in this matter. Certainly there can be abuse. I recognize that. I recognize the danger.

But if any man can show me where this privilege has been abused, I do not care whether it is in the executive branch or the legislative branch, I will lead the fight against it. But let us not defeat the practice here on a lot of political innuendoes and assumptions.

What I am pointing out is that over the years it has been historical that the President could under the law have access to tax returns, and that covers the agent he designates. We know that the President of the United States—Jack Kennedy, Lyndon Johnson, or Richard Nixon—are not personally going to examine the returns. He delegates that authority.

The senior Senator from Tennessee delegates responsibility in his office. He has to. The Senator from Tennessee is a member of the Joint Committee on Taxation. Our joint committee has the authority to obtain tax returns. We do get tax returns. We have had access to several tax returns in the last 12 months, and we have delegated our chief of staff, Larry Woodworth, and his assistants to examine them.

I do not think that I have seen one. I do not think the Senator from Tennessee has seen one. We have delegated authority to our staff and we did not do it in writing.

But that does not mean there has been abuse.

Mr. GORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. GORE. Mr. President, I thank the Senator for his generous references. As the Senator knows, the Senator from Delaware and I vote together frequently on matters of tax preference. On matters like this we nearly always vote together.

When the committee met with respect to that matter, it was on the motion of the senior Senator from Delaware, seconded by the senior Senator from Tennessee, that the President supply to the committee a copy of the memorandum with respect to individual returns which Mr. Mollenhoff requested and also a request to the President to inform the committee whose tax returns had been supplied to Mr. Mollenhoff and why.

I will state this to make it perfectly plain, that this is no contention between the senior Senator from Delaware and the senior Senator from Tennessee. As I said earlier, I am not referring to the procedure of previous administrations.

Mr. WILLIAMS of Delaware. Mr. President, if the Senator will yield, I understand that we cannot be in the Chamber all the time. I do not think he was here when I read the memorandum signed by Mortimer Caplin, Commissioner of Internal Revenue.

The memorandum is dated May 23, 1961. It describes the procedures under which he operated. I would like to read that again if I may.

Mr. GORE. I think I heard some of it.

Mr. WILLIAMS of Delaware. I want the Senator to hear all of it. That is what we are talking about, but first let me again correct the Senator from Tennessee. It was his motion that the committee ask for the names of the tax returns examined by Mr. Mollenhoff. My motion broadened this request to cover the names of all taxpayers whose returns were examined by all the administrations since 1960.

It was Mr. Caplin, the Commissioner of Internal Revenue under the Kennedy administration, who raised this question as to the procedure that the Nixon administration was following, and I pointed out that this administration is insisting upon signed letters before any returns are made available.

Now let us see how Mr. Caplin handled this when he was in office.

I again quote from Mr. Caplin's May 26, 1961, regulation:

C. INSPECTION OF RETURNS AND FILES BY MR. CARMINE BELLINO

> On January 26 Mr. Bellino, Special Consultant to the President, called at my office and requested permission to inspect our files on ——— and others. Although we had no precedent to guide us, we decided that Mr. Bellino, in his capacity as a representative of the President, could inspect our files without a written request.

I emphasize that. There was no written request for these tax returns by Mr. Bellino or the President or anyone else, who was working at the White House at that time.

Commissioner Thrower said he could not tell us how many returns were examined by the Kennedy representative but that they did spend days and days examining them.

I read further from the Caplin 1961 regulation:

> This reflects the view that Section 6103 of the Code specifically provides that returns shall be open to inspection upon order of the President, and since Mr. Bellino's official capacity constitutes him the representative of the President, the action taken is regarded as conforming to law. Based on this decision, we permitted Mr. Bellino to inspect the files relating to ———. Since that time we have also permitted him to inspect tax returns and related documents pertaining to other persons.

Mr. Caplin must have had his tongue in his cheek when he signed the O'Brien letter last week charging anyone who had allowed a White House representative to examine a tax return without a written request to be in violation of the criminal code.

Mr. President, I ask unanimous consent that the entire ruling of Mr. Caplin under date of May 23, 1961, be printed at this point in the RECORD.

There being no objection the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM FOR THE HONORABLE ROBERT H. KNIGHT, GENERAL COUNSEL OF THE TREASURY

SUBJECT: INSPECTION OF RETURNS BY CONGRESSIONAL COMMITTEES

In the Treasury staff meeting on March 31st it was pointed out that Mr. Carmine Bellino, Special Consultant to the President, had objected to certain regulations and Service policies affecting Congressional Committees authorized to inspect returns by Executive Orders. Specifically, he objected to (A) the regulations requiring the adoption of a resolution by a full Congressional Committee before its representatives may obtain permission to inspect tax returns and (B) the policy against allowing Congressional Committees to obtain photocopies of returns. It was suggested that we would submit our views concerning possible changes in present rules and procedures respecting these matters.

A. Requirement of a resolution by a full congressional committee

The requirement for a resolution adopted by the committee is contained in Treasury Decisions 6132 and 6133. The decision to require a full committee resolution for the inspection of returns was made by officials of the Treasury Department and approved by the President. Prior to the issuance of these Treasury Decisions in May 1955, a Congressional Committee authorized by Executive Order to inspect returns was permitted to do so solely upon the written request of the chairman of the committee or of a subcommittee thereof. No resolution of the committee was then required.

Mr. Bellino objected to the "committee resolution" requirement of the regulations because the task of assembling a quorum of a full committee for this purpose is very inconvenient, particularly where the membership is large. He stated that this is a burdensome requirement. For example, in April 1960, the Special Committee on the Federal Aid Highway Program, a Subcommittee of the House Committee on Public Works, requested permission to inspect certain returns. That request was denied because a resolution had not been passed by the full committee, consisting of thirty-two members, as required under the regulations.

Relief from the situation described may be provided by amendment of the regulations to permit, in the alternative, acceptance of a resolution adopted by a subcommittee, and signed by its chairman. This alternative should eliminate the problem but would retain a system of control needed by the Service.

B. The policy against allowing congressional committees to photocopy or obtain photocopies of returns

Under our present policy representatives of Congressional Committees are not supplied or permitted to make facsimile or photocopies of returns or related documents. However, they are permitted to inspect returns and certain related documents on premises of the National Office or a field office of the Service. Blank returns and other forms are furnished for transcribing data contained in the file opened for inspection. Access is granted not only to returns but also to administrative files, including revenue agent and special agent reports, with the exception of certain confidential documents.

This policy has been approved in the past by President Eisenhower, Secretary Humphrey, and Commissioners Andrews, Harrington, and Latham. The reasons for the policy apparently include the following:

1. It is essential to maintain the confidential nature of tax returns except insofar as the inspection of such returns is required in the public interest. Our tax collecting

XUM

process depends upon the voluntary response of millions of taxpayers and they are entitled to rely on the statutory protection which safeguards the confidential nature of the information they furnish the Service. The use of photocopies exposes such confidential information to a greater extent than present methods of inspection. Improper or indiscreet disclosures could reduce public confidence in the Service and have adverse effects on the collection of revenue. While the use of photocopies might be advantageous to a committee, it would not appear to be essential to the discharge of the committee's functions.

2. The possible disclosure of tax returns or related data at committee sessions held as public hearings, and the accompanying risk of disclosures to unauthorized persons, including the press, have been matters of continuing concern to the Service.

3. When a Congressional Committee expires, its files may not be destroyed and the possibility of unauthorized disclosure may be increased.

However, our practice of not furnishing photocopies of returns to these committees is difficult to defend for the following reasons:

1. Section 6103(a) (3) of the Code provides that whenever a return is open to inspection a certified copy shall be furnished upon request.

2. Section 301.6103(a)–2 (T.D. 6546) of the related Regulations on Procedure and Administration provides that a copy of a return may be furnished any person who is entitled to inspect such return, upon request.

3. Our present policy provides distinctive treatment to such Congressional Committee requests since taxpayers, States, and Agencies of the Executive branch of the Federal Government may be furnished copies of returns upon receipt of a proper application.

Notwithstanding the above, we would like to retain the present policy since it provides, a degree of protection against improper and indiscreet disclosures. However, if it is determined that this policy should be liberalized, we shall, of course, be guided accordingly. No amendment of regulations would be required to affect a change.

C. Inspection of returns and files by Mr. Carmine Bellino

On January 26 Mr. Bellino, Special Consultant to the President, called at my office and requested permission to inspect our files on —— and others. Although we had no precedent to guide us, we decided that Mr. Bellino, in his capacity as a representative of the President, could inspect our files without a written request. This reflects the view that Section 6103 of the Code specifically provides that returns shall be open to inspection upon order of the President, and since Mr. Bellino's official capacity constitutes him the representative of the President, the action taken is regarded as conforming to law. Based on this decision, we permitted Mr. Bellino to inspect the files relating to ——. Since that time we have also permitted him to inspect tax returns and related documents pertaining to other persons.

Further, in a letter dated January 26, and received January 30, Attorney General Robert F. Kennedy asked that Mr. Bellino be permitted to review all files, records, and documents requested by him in order to coordinate the investigation of certain individuals being conducted by the Internal Revenue Service, the Justice Department and other Government agencies. Permission was granted for Mr. Bellino to inspect such files in a letter dated February 1, 1961.

Additionally, Senator John L. McClellan, in a letter dated March 24, designated Mr. Bellino as a staff member of the Senate Permanent Subcommittee on Investigations, a subcommittee of the Committee on Government Operations, authorized to inspect returns pursuant to Executive Order 10916. As such, he is authorized to inspect those documents made available to the Subcommittee under requests made pursuant to this Order.

In the interest of providing a more detailed statement there is attached a Technical Memorandum prepared in the office of the Chief Counsel, which sets forth the historical background of (1) the requirement of a committee resolution, and (2) the executive policy against supplying photocopies of returns to Congressional Committees. If you should desire additional information please let me know.

MORTIMER CAPLIN,
Commissioner.

Mr. GORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I will in a minute. I am reviewing this record for the benefit of the Senator from Tennessee and not to point the finger at the Kennedy administration. I am not raising any question of impropriety with respect to the man who was in the White House. I do not think that anyone has raised a question that Mr. Mollenhoff has acted improperly with respect to handling these tax returns except by implication.

If any Senator knows of impropriety in this matter let us put our foot on it quick.

If there are any charges of improper use of these returns by Mr. Mollenhoff speak out, do not just cast doubts by these wife-beating questions as to what could happen.

Mr. GORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. GORE. Neither two wrongs nor a multiplicity of wrongs constitute a right.

I do not wish to allege any illegal act. I have not researched this law to that extent. But I say to the Senator in all seriousness that I think it is indiscreet, injudicious, and unwise, and I will go so far as to say improper for the Commissioner of Internal Revenue to make an open-ended arrangement with a political operative without direct orders or instructions from the President himself.

It throws uneasiness into the minds of millions of Americans concerning the confidential nature of the tax returns.

If nothing else comes from this, regardless of what may have occurred in past or present administrations, I will join with the senior Senator from Delaware in trying to formalize protection to preserve the privacy of the American citizen in his tax return.

This is not to question the right of a congressional committee with a need to know, with a need to have access to tax returns.

The Senator from Delaware wondered if I had ever seen one. I do not think I have seen but one tax return in the 12 years I have been on the Finance Committee. And this was requested by the committee emblematic of a question on legislation, not with respect to the wrongdoing of a taxpayer.

I think it ought to be formalized. I repeat, for a Commissioner of Internal Revenue to make an open-ended arrangement for an agent, whoever he may be, whatever his name is, whatever his role is, without an instruction from the head of the agency is of questionable legality.

I do not say it is illegal.

I had thought it was, but I am not prepared to say positively that it is. I have an adviser on my staff who says that it is. But I am not prepared to say so in view of what the Senator says.

Mr. WILLIAMS of Delaware. The Mollenhoff arrangement is not open ended. The Senator's criticism can more properly be directed toward the procedure under his own administration. Let us be fair with our criticism.

Mr. GORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. In just a moment. The only open ended arrangement that I know of around here in the matter of tax returns involves the committee of which he and I are members. We voted open ended authority to our staff. The Joint Committee staff can examine the returns. That is open ended authority. We do not put it in writing. Perhaps the Senator and I should look at our inner selves and see if we are operating properly.

Mr. GORE. Mr. President, I agree.

Mr. WILLIAMS of Delaware. I think we should face the facts.

The suggestion was made in Mr. O'Brien's statement that there was an indiscriminate examination of tax returns under the Nixon administration.

That is not true. The President has said that no such use has been made. I would certainly hope that this would be the basis of the examination of tax returns in all administrations; namely, in situations where questions are raised as to the propriety of conduct of some public official or someone in the administration.

Certainly, if he considers appointing a member to the courts he can, or at least he should, get that person's tax returns and have them examined before he sends the nomination to the Senate for confirmation. If, on the other hand, an allegation comes in that Joe Doaks, who is already a member of the executive branch or maybe even on the White House staff, is doing something improper the President should examine it, and if it is true, take the appropriate steps. If he needs the man's tax returns to get this information he should have the authority.

The Senator is well aware of the fact that the Commissioner said he knew of no instance where this authority has been abused. I am going to cite one case to point out why I think this authority is important.

Mr. GRIFFIN. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILLIAMS of Delaware. Mr. President, I am going to cite one case to point out why I think this authority is important. I am not going to reveal the name; however, this is not a hypothetical case. In this instance the allegation was received from some fellow who had been before the courts, and he had received what he thought was an exceptionally heavy sentence. He was angry

XUM

and his complaint was, "Why should this judge be so rough on me as a delinquent taxpayer"—not that he was innocent—"when he is more guilty than I am." Certainly that situation needs investigation. It was referred to proper channels at the White House. What did they find? They found that for 8 out of the 9 years prior to the time this man was appointed to the Federal bench he had not filed or paid his Federal income taxes. I repeat that. For 8 to 9 years prior to the time he was appointed as a judge and confirmed by the Senate he had not paid his Federal income taxes or filed any return. Just before being confirmed, apparently thinking he was going to get the appointment, he filed belated returns for all those years; and in a matter of months he was nominated and confirmed, and he is serving today.

The only way the President can now get rid of him would be to ask him for his resignation unless we in the Senate say that we will back him in removing this particular judge. I am sure the President will furnish the name of the man if the Senate wishes to act. Why should he not investigate such a charge?

If there are abuses of public trust that is what we are talking about. Certainly, allegations which oftimes cannot be supported do come in with respect to John Doe. When I was working with the Senator from Virginia allegations came in with respect to many John Does. We would get his tax returns and we would find nothing to substantiate those allegations. This is a very delicate matter and must be handled with discretion.

XUM

The very suggestion that the tax return of Joe Doe has been requested by a congressional committee or by the executive branch in itself constitutes a damaging indictment against the individual. It is unfair to publish these names unless guilt is established.

The Senator knows that he and I and every other member of the Joint Committee were assured by Commissioner Thrower that no request had been received from this administration since he has been in office involving an elected official, nor any on the basis that they were going to be examined to determine if Joe Doaks had paid the proper income tax. The amount of taxes to be paid is the job for the Commissioner of Internal Revenue and not the job of a congressional committee or the White House.

Mr. President, as a Senator I often have had people write to me that Joe Doaks is not paying his income tax. I have one standard form letter which states: If you have any information in that regard, you should write directly to the Director of Internal Revenue in your area or to the Commissioner and send him that information. To handle these otherwise would be wrong. I have directed my attention toward procedures.

I would be the first to rise in this Chamber and criticize the executive branch or any representative of it if they indiscriminately started to get tax returns of the average taxpayer. That same statement applies to congressional committees. That is the job of the Commissioner of Internal Revenue. If it is ever departed from under this administration, either at the congressional or at the legislative level or if it is shown to have been departed from by other administrations I shall be the first to rise in this Chamber.

But they have a responsibility when these allegations involve propriety to take some action. Why should they not look at them and find out if this charge against some official of Government is true? I would not want a judge on the Federal bench who might be judging me when he has not paid his income taxes for 8 or 9 years.

Mr. GORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I shall yield to the Senator in a moment.

If this screening process had been in practice at that time the nomination of that judge would not have been sent to the Senate for confirmation.

Of just what are Senators afraid?

There seems to be general agreement that no instances of impropriety of the handling of this authority has as yet been cited, yet there seems to be a fear.

Mr. GRIFFIN. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. GRIFFIN. Is the junior Senator from Michigan correct that under existing law and the law that has been in effect the Governors of the several States which have income tax laws have the right to inspect Federal tax returns?

Mr. WILLIAMS of Delaware. The Governors, or they can delegate the authority.

Mr. GRIFFIN. That is my next question. Does it have to be the Governor or can he designate?

Mr. WILLIAMS of Delaware. He can and he does designate someone in his behalf in practically all situations. Some States that do not have income taxes may not use the authority. I understand 42 or 43 States do designate.

Mr. GRIFFIN. Would it not be a peculiar situation if the Governors of all States can designate someone to examine Federal tax returns when they have a question, and a question is raised about the President of the United States having designated a representative to do the same thing?

Mr. WILLIAMS of Delaware. Not only that, but it would be ridiculous to say the Governor has to do it personally or that the President has to do it personally. Certainly that is ridiculous.

I commend the Nixon administration for having laid down these sounder rules. Maybe they need to be tightened up more. Maybe Congress needs to examine our own procedures.

The Senator from Tennessee referred to the fact that the White House is a political organization. Congress is a political organization. I respect that fact. There is nothing wrong with that. The White House is part of the political arm of Government, but by the same token we in Congress on occasion have been known to be somewhat political. Who is to say a congressional committee is any less honorable or any less political than the man in the White House?

As I emphasized earlier, I am not questioning the manner in which the Kennedy administration operated, even though they had no written request; but at the same time let us not put a halo around Mortimer Caplin's head on the basis that his suggestions apply to everybody else but him. His later position is just a little bit ridiculous. I shall be looking forward to his comment on his own regulations of 1961.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I shall yield in a moment.

But if Mr. Caplin really thinks that he was in violation of the law to allow examination of these tax returns in 1961 without written orders and really wants to go to the Department of Justice to plead guilty maybe they would render assistance. I am reminding him of his own regulations in a friendly spirit.

Mr. HOLLAND and Mr. BAKER addressed the Chair.

Mr. WILLIAMS of Delaware. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, perhaps I can throw a little light on the question raised by the Senator from Michigan.

At the time I served as Governor of the State of Florida, we had no State income tax and we do not now, but we did and do have an intangible property tax; that is, a tax on the holdings of intangible personal property, including the securities, of citizens. We have many citizens in our State who did own securities and filed an intangible property tax return.

One of the ways of checking against the accuracy of those returns was to see what they filed in their income tax returns with the Federal Government showing the income or dividends from their various corporate investments and notes or mortgages.

The program worked out was that the Governor would make the request, but that the income tax returns when sent down, as they were in many, many cases, would be referred to the comptroller of the State of Florida who was the tax enforcement officer of the State. The Governor at that time, for those 4 years, did not see any of those income tax returns. There was no occasion for him to see them. It was simply a cooperative effort to see that the laws were obeyed and taxes were paid. I think it was helpful to both governments. I would not want anything that comes out here to jeopardize that procedure in any way, because many States that have State income taxes and the several States that have intangible property taxes rely upon the procedure, which is handled not for political reasons whatever, but for practical enforcement of the tax laws of those States.

I hope that this explanation will be helpful to the Senator from Michigan.

Mr. BAKER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Tennessee.

Mr. BAKER. Mr. President, I want to make sure that the junior Senator from Tennessee fully understands the thrust of the important remarks made by the Senator from Delaware. Do I understand correctly, according to the Senator's previous statement, that there have been seven instances of requests for tax returns by the executive department in this administration?

Mr. WILLIAMS of Delaware. Seven was the figure given to us the other day, but that embraced the tax returns for nine individuals.

Mr. BAKER. There were nine tax returns, but seven individual requests were involved?

Mr. WILLIAMS of Delaware. Yes.

Mr. BAKER. Do I understand correctly that the requests of the administration have been made in writing, in conformity with the requirements of the Internal Revenue Code?

Mr. WILLIAMS of Delaware. All requests under the Nixon administration have been in writing, in conformity with the regulations issued by Commissioner Thrower. The Internal Revenue Code states that tax returns will be issued upon the basis of regulations worked out by the Treasury Department and approved by the President, which means the administration can write them in any way he wishes.. Mr. Thrower has written regulations and the White House has concurred that it would be more orderly procedure to make the requests in writing each time and make the man sign for them. I think that is good. The way Mr. Caplin did it under the Kennedy administration, no record was made and nobody was accountable, which I think was the wrong method.

It was a loose and dangerous practice, yet I hear very little mention of that loose practice under the Democratic regime.

Surely they are not advocating double standards.

Mr. BAKER. Mr. Caplin, during his tenure as Commissioner of Internal Revenue, promulgated, and the White House at that time approved, a regulation which did not require such a request to be in writing. Is that correct?

Mr. WILLIAMS of Delaware. That is right.

Mr. BAKER. And the White House can approve it?

Mr. WILLIAMS of Delaware. It must approve it.

Mr. BAKER. So no written requests were made, and there was no way to tell how many returns were examined, during the Johnson and Kennedy administrations?

Mr. WILLIAMS of Delaware. I do not remember any figures being given as to what happened under the Johnson administration, but we were told that under the Kennedy administration they spent "days on end" examining taxpayers' returns.

Mr. BAKER. If the Senator will yield for one further question, the letter which the Senator referred to in his remarks was written by Mr. O'Brien and whom else?

Mr. WILLIAMS of Delaware. I read the press release and the statement which Lawrence O'Brien released as chairman of the Democratic National Committee. Mr. O'Brien was on the White House staff during the Kennedy administration.

Mr. BAKER. Was Mr. O'Brien, who made these charges, on the White House staff during the Kennedy administration?

Mr. WILLIAMS of Delaware. During the time he was on the staff, and later he was Postmaster General. I do not quite know in which capacity he was at which date.

Mr. BAKER. Who else was involved in the press release besides Mr. O'Brien?

Mr. WILLIAMS of Delaware. Mr. Mortimer Caplin.

Mr. BAKER. Mr. Mortimer Caplin. Was he Commissioner of Internal Revenue in the previous administration?

Mr. WILLIAMS of Delaware. Yes.

Mr. BAKER. Would Mr. Cohen have necessarily been involved in the promulgation of the regulations of the Internal Revenue Service with respect to the disclosure of personal returns?

Mr. WILLIAMS of Delaware. I would think so. There is no report of his changing the orders promulgated under the previous Kennedy administration.

Mr. BAKER. Who was the third signer?

Mr. WILLIAMS of Delaware. Mitchell Rogovin. He was also during that time in the Treasury Department and later moved to the Justice Department.

Mr. BAKER. Do we have any basis for knowing whether or not these three gentlemen were aware of these operations at the White House during the Kennedy administration—the examination of returns without written request? Has the Senator inquired into that, or does he know?

Mr. WILLIAMS of Delaware. I have. Certainly Mr. Caplin must know because he signed the order saying they could get them without written request. I think I know Mr. Caplin well enough to know that he would not sign a letter without knowing what was in it. One time as Commissioner he said that the White House could examine tax returns without written request—which I join the Senator from Tennesee in condemning as a rather loose arrangement for I think there should be some record. Later after Mr. Caplin left office he comes to the conclusion that such requests should be signed by the President.

Mr. BAKER. If the Senator will yield further to me, I would like to say I associate myself with the Senator from Delaware and my senior colleague in saying that this is an area where there is great potential for abuse. I personally will have to be educated as to why the executive department, or the President, for that matter, should have access to income tax returns, but I am willing to be educated in that respect. However, I will point out that I think the illustrations the Senator from Delaware has made point out the necessity for a close examination of these regulations and point out, as well, that it is a situation of long standing that we should look into.

Mr. WILLIAMS of Delaware. I wish to point out that it is essential that there be some check over both the executive branch and the legislative branch.

The Senate Finance Committee and the House Ways and Means Committee have always delegated this duty to our staffs. I will cite an example. When we had the tax reform bill before us last December, the suggestion was made that a number of individuals as a result of loopholes in the tax law were escaping the payment of income taxes entirely. Of course a loophole cannot be closed unless we know what it is. We have very high caliber staffs on the joint committee, a staff that we trust completely. The committee staff examined many returns to see how that avoidance of tax took place. In that manner we were able to close the tax loopholes. I know I would not, and I doubt if any member of the Senate Finance Committee or House Ways and Means Committee would, examine the returns. There is no reason why we should. We were getting hypothetical cases of how those tax loopholes occur. That is an example of why it is necessary for committees to have access to tax returns.

The Senator from Arkansas (Mr. McCLELLAN) has done a remarkable job with his investigation committee in exposing corruption. The McClellan committee needs to examine tax returns, and he can get them with the permission of the President. I defend his right to see those tax returns.

Sure there are abuses, but until abuses are shown, let us not stop that right.

Other agencies have the right to examine income tax returns.

Health, Education, and Welfare gets those returns. The question was raised: why? A person can collect social security benefits, but if his earnings rise beyond a certain point his payments may be decreased or stopped. So officials in that department occasionally have to spot-check returns.

Do not ask me why, but the Department of Agriculture was listed in 1968 as requesting permission to examine the tax returns of 709 taxpayers.

The Department of Commerce has examined a number of tax returns. We find listed the FDIC. Of course the Department of Justice naturally would; it would be expected. The Federal Home Loan Bank Board. The Securities and Exchange Commission. The Small Business Administration. The Comptroller of the currency. The Federal Communications Commission. The Department of State. The Renegotiation Board. The Department of Health, Education, and Welfare. The Department of Labor. The Tennessee Valley Authority examined tax returns. The Department of the Army. The Veterans' Administration.

These are some of the agencies that examined top returns in 1968.

Several Senators addressed the Chair.

Mr. WILLIAMS of Delaware. I would like to finish, if I may.

The Civil Service Commission. The Department of the Air Force requested and examined tax returns. The Postmaster General wanted to examine the returns of four taxpayers.

The Secretary of Transportation. The Bureau of Accounts. The National Selective Service Appeal Board, and the Post Office Department itself. All those

XUM

are agencies that in 1968 examined tax returns.

Maybe they are not properly circumscribed. If they are not we as much as anyone else should be to blame. But altogether, these agencies examined in 1968 a total of——

Mr. TYDINGS. Mr. President, will the Senator yield? The Senator has been holding the floor for some time.

Mr. WILLIAMS of Delaware. Yes, I shall yield. They examined in 1968 the returns of 3,393 taxpayers and this figure does not include those requested by the White House. We were told that 1969 would propably show a comparable figure.

Perhaps these agencies need these returns for various reasons. Certainly U.S. attorneys and the various agencies have to have them.

I yield to the Senator from Maryland.

Mr. TYDINGS. Has Mr. Mollenhoff asked for the tax returns for Governor Wallace or any member of his family?

Mr. WILLIAMS of Delaware. I do not know.

Mr. TYDINGS. Has Mr. Mollenhoff asked for the tax return of any Member of this body?

Mr. WILLIAMS of Delaware. I do not know what returns Mr. Mollenhoff asked for. The Commissioner told the joint committee that the returns of no elected official had been requested.

Mr. TYDINGS. Has he asked for the return of any U.S. district judge, or any judge of a circuit court of appeals?

Mr. WILLIAMS of Delaware. As I say, I do not know. The Senator can request the names of all of them.

Mr. TYDINGS. Agreed.

Mr. WILLIAMS of Delaware. Commissioner Thrower told our committee—and that is all I know about it—that under the Nixon administration there were seven requests from Mr. Mollenhoff involving nine taxpayers, I believe. The Senator from Tennessee is nodding his head. That it is nine.

Mr. TYDINGS. How about that letter? Shall we sign it together?

Mr. WILLIAMS of Delaware. Just a moment. A total of nine. And he said also that he felt he could not properly tell us the names, but he did say they did not involve any elected public officials. That means that Senators would not be covered. That was the statement we——

Mr. TYDINGS. How about any sitting judge or justice?

Mr. WILLIAMS of Delaware. I do not know.

Mr. TYDINGS. Would the Senator from Delaware agree that whether it occurred in the Kennedy administration or the Nixon administration, or any other administration, to let a political operative in the White House, with no background in investigative work such as having served in any investigative agency, have carte blanche access to the income tax returns of anyone in the United States, would be a very dangerous thing, and should be corrected by legislation?

Mr. WILLIAMS of Delaware. That is a leading question. The Senator was not here when I read the procedure under previous administrations so I would like to point out to him that the loose practice has been corrected. I agree with him completely that the manner in which it was handled before was very dangerous. Since the Senator was not here, I shall read Mr. Caplin's method while he was Commissioner, because I do not think it can be pointed out too often, the loose manner in which it was handled under the Kennedy administration.

Mr. TYDINGS. I heard the Senator read about the Kennedy administration.

Mr. WILLIAMS of Delaware. I read also the way it has been improved under the Nixon administration.

If there are those who do not like the appointees of the President or do not like the President himself, that is one thing. But if this is a case where they do not trust Mr. Mollenhoff they ought to say so and state why.

Mr. TYDINGS. It does not make any difference who it is.

Mr. WILLIAMS of Delaware. Does the Senator know of any abuse in the manner in which the White House is now handling this problem?

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. SAXBE). The Senator from Delaware has the floor.

Mr. TYDINGS. When we write to Mr. Mollenhoff, the Senator from Delaware and I together, and get the names of those persons whose returns he requested, we can determine whether or not there are any political implications.

But I recall very well, when I was U.S. attorney, nobody saw income tax returns unless the Attorney General of the United States requested it for a specific investigation. No U.S. attorney or anyone else. The Internal Revenue Service handled them. Whenever income tax returns were used in the Government, they went through channels that were completely circumspect and outside the possibility of any type of political implications.

Now, if President Kennedy or any other President has a system whereby someone, not through the ordinary course of governmental operations, could, carte blanche, examine your income tax return or mine, I think that is a very, very dangerous thing. I think the apprehension of it can be most upsetting. We in the United States pay our taxes voluntarily. We are one of the few nations in the world where the taxpayers voluntarily pay their taxes, and we do it because we have confidence that the returns are confidentially handled.

To have it revealed here that the contrary has been done, I think, is very disconcerting, regardless of the administration, or whether the man's name is Mollenhoff, Jones, Smith, or anything else. tal, and ought to be released only under specified statutory provisions, completely outside political channels.

Mr. WILLIAMS of Delaware. I would agree with the Senator and am glad that the Nixon administration has corrected the loose practice previously followed. But when he says "outside political channels" would the Senator say the Senate Finance Committee, which has access to tax returns under the law, the Ways and Means Committee, which has access to tax returns under the law, the Joint Committee on Taxation, which has access to tax returns under the law, the Committee on the Judiciary, on which the Senator has served—every committee of Congress——

Mr. TYDINGS. Right.

Mr. WILLIAMS of Delaware. Just a minute. Would the Senator say we have to be political in our motivation, or are we to——

Mr. TYDINGS. Absolutely not, because we do it under prescribed rules. In the Committee on the Judiciary, when we have nominations, no one sees that income tax return unless the individual member of the committee goes to the chairman, and he sits down alone, with no staff member. That is specifically within the lines of official work.

But to give to someone who is not in any way working for the Department of Justice, whose chief public mission is political in nature, the right to examine income tax returns, whether it is a Republican or Democratic administration, or any kind, I think, is a very, very upsetting thought.

Mr. WILLIAMS of Delaware. I am glad that the Senator is upset, because I, too, was upset at what was going on under the previous administration. But I want to say——

Mr. TYDINGS. It is a dangerous thing.

Mr. WILLIAMS of Delaware. But the point is, the law gives to the President the right—they have always had that right; that is the law—the President has it as President, and the U.S. attorneys could get these tax returns. They do get them. They have to get them.

Mr. TYDINGS. To try a case the Internal Revenue Service has already made.

Mr. WILLIAMS of Delaware. Surely they do.

Mr. TYDINGS. But they do not instigate it. The case is brought to them by an Internal Revenue Service intelligence agent, who received the case from a revenue agent, who acquired it through an audit. That comes in the normal course to the Department of Justice. The Attorney General has the right to ask the Internal Revenue Service for an income tax return, but that is a part of the day to day operations of the Department of Justice. That has nothing to do with someone who has a political background, who has responsibilities in political campaigns, having the power to go and take anybody's tax return and look it over.

Mr. WILLIAMS of Delaware. Mr. President, let us get it straight. There is much being said here hypothetically.

I said earlier that President Nixon had laid down rules that these tax returns were not to be available under any circumstances to Mr. Mollenhoff or anyone merely on the basis of examining whether Joe, Tom, Dick, or Harry was paying his proper income taxes, but only in cases where there may be abuse of the public trust.

I am just trying to review the record and outline the law, and I do not want to get into a political discussion of whether Members on the other side of the aisle wanted Mr. Nixon as President, or whether they would have had more

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confidence in a man Mr. Humphrey would have appointed. That is not the point. The President, not the Senator from Maryland, appoints his Chief Counsel. Every President has appointed someone to represent him. If some Senator feels it is being abused he should spell out the charge. But I will say, as I pointed out before that the Nixon administration has laid down rules whereby this is done in writing, and that is more than was done before. So let us at least give them that much credit.

If there is still abuse, that is another matter. The Commissioner made it clear to our committee. He said that of those that were requested not one of them involved an elected public official. That is all I know.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. In just a moment. There have been seven requests for nine returns, each of them putting in writing the name of the man.

There is this danger about releasing the names, and I understand it. I point out one case they cited and said we could use it, hoping we could do something about it: An allegation came into the executive branch that a member of the Federal bench—the complaint came from someone who thought his sentence, perhaps, was too harsh—but the report came in from this individual that this judge himself was just as bad or worse than the man convicted.

They called for that man's tax returns. They found that in 8 out of 9 of the preceding years before he was nominated and confirmed by the Senate he had not filed a return nor had be paid his income tax. He did file a belated return just before his name was sent to the Senate, and he was confirmed by the Senate, and he is a member of the Court today. The President in power at the time should have checked that or the committee should have known it. I hope we can get that man to resign. If not I hope there is enough interest in the Senate that we can take him off the Bench. He should not be the judge of his fellow man when he himself would not pay his own income taxes.

Mr. GORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. The White House has tried to assure that this power is exercised with discretion. No business operations are threatened with tax investigations, nor has the FBI been sent around at late hours in the night.

I promised to yield to the Senator from Colorado.

Mr. ALLOTT. I thank the Senator for yielding.

First of all, the Senator has also referred to this: The man who made this press release, Lawrence O'Brien, occupied a very, very political position with President Kennedy during the time that these orders were made or access was made to the IRS files by Mr. Bellino. Is that not true?

Mr. WILLIAMS of Delaware. That is true. The charges were made out of the office of the Democratic National Committee by Lawrence F. O'Brien, as chairman of that committee.

Mr. ALLOTT. I think it would be interesting to have Mr. O'Brien answer the question—perhaps the press would be kind enough to put this question to him—as to whether or not he examined any income tax returns during the time he was with the President in the White House.

Mr. WILLIAMS of Delaware. I would welcome his answer personally. I would doubt very much that he did. I would be surprised. I said earlier that I do not question that Mr. Bellino may have kept this confidential. I do not know of any evidence otherwise. But the fact is that under that Kennedy administration he examined tax returns without written request—if we want to use the word that the Senator from Maryland used—wholesale, by going in and getting any return with no records made. I think that was a very loose operation. I think the man's name should be on record so there would be reponsibility if we found they were abusing this and turning it into political persecution—and it could be; let us face it. I recognize that danger. Then we could go back and see who the President's representative was who called for the returns, and why.

Mr. TYDINGS. How would we know?

Mr. ALLOTT. Mr. President, the Senator yielded to me.

Mr. WILLIAMS of Delaware. I do not know how we would know, any more than the Senator or I know, as a member of the committee. The only way I know in which I could satisfy some people would be to say that only the members of the Democratic Party could do this. I am getting tired of this political bickering. The Senator asks how we would know that some man down there is not going to abuse it. We do not know. We do not know that the President of the United States is not going to do something wrong. We do not know that JOHN WILLIAMS or that JOE TYDINGS is not going to abuse our public trust. But let us not start asking questions and question the integrity of a man until we know what we are talking about.

Mr. TYDINGS. We have guidelines.

Mr. ALLOTT. Mr. President, will the Senator yield to me?

Mr. WILLIAMS of Delaware. I have not heard of any case that has been abused.

I yield to the Senator from Colorado.

Mr. ALLOTT. The Senator from Maryland has had an opportunity to intervene in this matter, and I would like an opportunity, also.

I, together with Senator MAGNUSON, who is chairman of the Independent Offices Committee, got a real shock in this area in the hearings of 1965, and I want to refer to specific pages in those hearings, from 1080 through 1105, in which will be found a complete discussion of the access of the Federal Trade Commission—of all things—to the IRS files.

They first denied that they had access to them, and I read Paul Rand Dixon's answer:

> What we got off the income tax was names, sir; that's all we get.

Before we got through examining him, we found that they were maintaining a staff of three or four people all the time at the IRS—all the time. This was in 1965. Because of the investigation and the questioning we subjected them to—both Senator MAGNUSON and I—that practice, according to the subsequent statement of Mr. Dixon, next year was not resumed. It was stopped.

Is this not the fact: The very man who set up the regulations—which were no regulations at all, in effect—for Mr. Bellino in 1961 is the man who today signs a letter, which the Senator has placed in the RECORD or has read into the RECORD, which says that this is an illegal act?

Mr. WILLIAMS of Delaware. That is correct.

Mr. ALLOTT. Mr. Mortimer Caplin, to be specific.

Mr. WILLIAMS of Delaware. Mr. Caplin now says that what he did while he was Commissioner was illegal, and he said the requests should be in writing. They are in writing now.

I think this is an area in which we should be ever cautious. I would have appreciated it, and I think I would have equally as much respect for Mr. Caplin's position, had he written the committee rather than writing the Democratic National Committee. I do not know what he figured the Democratic National Committee could do about it, except politics. Mr. O'Brien said:

> If this action is not taken voluntarily, we are prepared to initiate legal action that will end this practice.

He was condemning a loose practice that his own administration initiated but which has been corrected long ago by the Nixon administration. But I guess they will not initiate prosecution retroactively on themselves.

I think this matter should be put into proper perspective, and called what it is; namely, gutter politics. They have tried to give the impression throughout the country that these tax returns under the Nixon administration have been used indiscrminately. They have not, and that is the point. And the Commissioner has said that there has been much less use in this administration than heretofore. There have been seven requests with nine returns.

Here is another letter which I will put in the RECORD, dated August 10, 1964. This is addressed to the Honorable Bertrand M. Harding, the Acting Commissioner of Internal Revenue, in Washington:

DEPARTMENT OF JUSTICE,
Washington, August 10, 1964.

Hon. BERTRAND M. HARDING,
Acting Commissioner of Internal Revenue,
Washington, D.C.

DEAR MR. HARDING: In connection with an official investigation, I would appreciate receiving uncertified photostatic copies of the income tax returns for the years 1958 through 1963 for the enclosed list of taxpayers.

It is also requested that these returns be forwarded to Mr. Walter J. Sheridan, 450 Milner Building, 210 South Lamar Street, Jackson, Mississippi. In the event these returns are not located, it is requested that Mr. Sheridan be notified at the above address.

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Your cooperation in this matter is greatly appreciated.

Sincerely,

HERBERT J. MILLER, Jr.,
Assistant Attorney General.

I do not know who Mr. Sheridan is. I would hope he was the U.S. attorney.

Let us not try to make a mountain out of a molehill. I have yet to hear one man anywhere speak of a specific example of abuse of handling these returns under the Nixon administration.

I recall that years ago a Member of the Senate was censured for trying to condemn his fellow man by innuendo, without specific charges. If anyone has any question to raise concerning abuse, name the case, and I will help to have it checked. If he is right I do not care who it is; I will help to correct the abuse.

Let us not say, "Did he get the return of Mr. X," and throw out a lot of names. I think it is unfair to any man. Merely asking such a question indicates suspicion on the part of the man who does so. It is unfair.

Mr. ALLOTT. Does not the question alone, "Did you get the return of George Wallace?"——

Mr. WILLIAMS of Delaware. That alone constitutes a semicharge, and I am surprised at the man who did it.

Mr. ALLOTT. Does that not constitute a sort of cloud itself?

Mr. WILLIAMS of Delaware. It is, and it is wrong.

I would say that if any official in the executive branch of the Government—I do not care if it is Clark Mollenhoff or my own brother—is getting tax returns of the average citizen, as a member of the executive branch, not a member of the Bureau of Internal Revenue, for the sole purpose of seeing whether or not that citizen is paying enough taxes or as a political threat, that is wrong. If a man has done something wrong as a Government official or as a prospective Government official, when there is such an allegation involving a Government transaction, it is their business to check. I only wish such a check had been in force under some preceding administration, because then we would not have a Federal judge sitting today, passing judgment on American taxpayers, who in private life did not pay his income taxes.

Mr. SPARKMAN. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SPARKMAN. I want to seek some information because we hope to finish this bill today and we expect a rollcall. I hope that Senators still in the Chamber——

Mr. WILLIAMS of Delaware. I hope so, too. I told the Senator that I would not be but a few minutes, but I do not want to shut off this colloquy——

Mr. SPARKMAN. I realize that, but a good many Senators have asked me when they could get away because we expect a rollcall vote some time today——

Mr. WILLIAMS of Delaware. Well, we are dealing with a very important subject here, and I think they are all anxious to stay around and get a better understanding of the law.

Mr. SCOTT. Mr. President, if the Senator from Delaware will yield, could I ask whether he himself intends to ask for a rollcall on the bill?

Mr. WILLIAMS of Delaware. I understand it will be requested; yes.

Mr. HANSEN. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HANSEN. Mr. President, I thank the distinguished Senator from Delaware.

I should like to compliment him on the job he has done in looking into a situation that, up to now, or rather, before he spoke, might very well have been presumed, in the minds of a great many people, merely to reflect upon the political activities of the present administration.

I join the other Senators who already have expressed their strong convictions that this system is not a reprehensible one, that it is defensible, that it has resulted in real benefit accruing to the people of this country.

Let me say, Mr. President, that I do not think the average taxpayer is too much disturbed about having his tax returns examined. Obviously, most of us would hope that those near neighbors of ours would not have the pleasure of trying to make comparisons between what we may do and they may do; but so far as the average taxpayer in this country is concerned, I do not think that he fears an examination of his return by the President, or by anyone else, because I happen to believe that most of the people in this country are honest.

I do not think it is fair at all to allege that we will destroy the whole system, if we let the cat out of the bag to the effect that former Presidents and former staff members of Presidents have examined tax returns. I do not think that any President, insofar as I know of—not a single one—has exercised that authority capriciously.

I would ask my distinguished colleagues on the other side, and on this side of the aisle as well, whether they are concerned, if it disturbs them that 106 or 108—whatever the number was—persons working for the Internal Revenue Service who have been convicted, a number of whom are now serving their sentences, does that disturb them? It surely does not disturb me and I do not think it disturbs the average taxpayer at all, that in this country of ours the President of the United States and certain committees of Congress are going to be looking into the returns filed by all taxpayers. It does not make one bit of difference if they happen to be, at a precise point in time, the Collector of Internal Revenue for the United States, that they, too, are not going to be exempted from the scrutiny that should be assured all the people will be exercised by this Government, by the checks to which the Senator from Delaware has already referred, which constitutes the best assurance I know of that we will be treating all the people in this country alike. I do not know of a single taxpayer in this country—are there 70 million—35 million?

Mr. WILLIAMS of Delaware. Eighty million.

Mr. HANSEN. Eighty million taxpayers. I should think that when 106 people, who have served the Government of the United States in the collection of taxes, have been convicted of violations, that this was the best way, the best possible way I know of, to convince the more than 210 million, or however many millions of people there are in this country today, that this system is good. We are calling upon the people of this country voluntarily to tell the Government what taxes they owe.

I, too, resent the questions that were put to my distinguished friend from Delaware by saying, "Has this person's tax return been examined?"

We could very easily turn around and ask our friends on the other side of the aisle, "Has that person's taxes been examined?"

I do not know.

All I can say is that Mr. Mollenhoff is answerable to the President of the United States. The President of the United States was elected by a vote of the people of this country. I recognize his right, and I defend him in his right, to name whoever he wishes to serve as his representative. I leave it up to the good judgment of the people of this country. When they no longer want to extend the mandate they granted in 1968, let that judgment be made by the people of this country.

If Mr. Mollenhoff, or whoever may serve under any President, those who served under President Truman, those who served under President Roosevelt—I do not know under whom Mr. Noonan served, the former Commissioner of Internal Revenue who was convicted and who served time; but I am certain it was not the intent of the President of the United States, whoever he was, under whom Mr. Noonan served, to have that kind of business going on. I do not think it is up to us to say that in our judgment, Mr. Mollenhoff is a political operator.

There are many people serving in high positions in Government today. The important thing is that they have the confidence of the President of the United States and that their actions be judged in the light of the good sense of the people of this country; and if they do not like the way that business is being handled, there is provided the opportunity every 4 years to change that around.

I have every confidence Mr. Mollenhoff will act in a most responsible fashion to serve the Presidency of the United States. If it just happens that some read into his actions a political motivation, let it be noted that he has asked for the tax returns of only nine individuals and that he made seven requests to get the nine returns. Compare that, if you will, with what was done under President Kennedy. But I am not objecting to that. I think it is good. I am proud that Senator MCCLELLAN has done the great job he has in this country. I am just delighted. I think that all the people of this country are far better off, because he had the right, as Chairman of the Committee on Government Operations, to make the investigation he has. Had he denied that right, this country would be far worse off than is now the fact.

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I do not think there is any validity to the charge. It would occur to me that if I wanted to be political, that what may have started out as an allegation that seemed to have some political connotation, in the light of the discussions which have been made by the distinguished senior Senator from Delaware, has now been turned right around. I do not blame those who complained. It is like the man who caught a wildcat and would like someone to help him turn it loose.

Mr. WILLIAMS of Delaware. Mr. President, I shall yield the floor in just a moment, but I want to make just one point here, in case what has been said may be interpreted as a criticism of Mr. Bellino who was the man examining the returns under the preceding administration without written requests. I knew Mr. Bellino when he was serving as the counsel of the Committee on Government Operations. I knew him personally. I had tremendous respect for Mr. Bellino. I am confident, based on my knowledge of him and on the Senator from Nebraska who was also on the committee and who knows Mr. Bellino, that he did not turn this into a political persecution operation. I have that much confidence in him. I want the RECORD to show that. I did not raise the questions, but I do think it would have been better to have had his requests in writing.

President Kennedy had the right to outline, as the law says, the regulation under which it operates, and as the regulations were outlined there would be no written request. I wish there had been. I am glad that the present administration is using written requests only; but, nevertheless, I do not attribute to Mr. Bellino any suggestion that he was doing anything in his capacity other than that which he should have done as a representative of the President.

At the same time I would hope that those who frankly admit they have not been able to raise any charge of improper handling of these returns as far as Mr. Mollenhoff is concerned would extend to him the same degree of respect. There is no evidence that I can find which would show that Mr. Mollenhoff has not acted with discretion. What are they scared about?

If there is something wrong and Senators want to change the law let us get to it. We have the same objective no matter which side of the aisle we are on. We are not going to accomplish anything on a partisan basis. We would not render any service to our country.

In the heat of such a political discussion we might leave the impression that the integrity and the secrecy of tax returns are not being properly respected. I think that they are. There is no evidence to the contrary. And let us not make any charge by innuendo.

Such low tactics are below the dignity of the Senate.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I shall yield to the Senator from Nebraska and shall then yield the floor.

Mr. CURTIS. Mr. President, I thank the Senator. I am sure I speak for many in the Chamber in expressing gratitude to the Senator from Delaware for setting the record straight.

It is very clear that the actions of Commissioner Thrower, the Office of the President, the President himself, and Mr. Mollenhoff were in accord with both the law and the regulations.

So far as Clark Mollenhoff is concerned, he does not need any defense. Clark Mollenhoff is a man of the highest integrity and character. He is a lawyer and is well trained. There is not a man in Washington that has researched as many investigations as Clark Mollenhoff has.

People who might wonder about Clark Mollenhoff are not those that are afraid that he would be a party to something wrong, but they are rather afraid that he might be pursuing the public interest.

I again commend the distinguished Senator from Delaware for clearing up an item that might be disturbing the American people.

I am just politically minded enough to want to say a kind word about Lawrence O'Brien. The chairman of a political party has a very tough job. He has to build the business day after day. And some days business is poor.

He has to support candidates that are strong, and he has to support candidates that are weak.

The chairman has got to stand there and push ahead all the time.

I hope that those who are his superiors will not be too rough on him for his error in this matter.

Mr. Caplin and Mr. Cohen particularly should have caught the error, because Mr. Caplin is on record in writing for a position which is apparently totally contrary to what he advised Mr. O'Brien.

I hope that those who are Mr. O'Brien's superiors will be forgiving because the burden on the chairman of either party is very heavy. He has to try to support candidates and some of them are not very good candidates.

Mr. WILLIAMS of Delaware. Mr. President, I thank the Senator. I concur in that statement. I thought the record should be set straight because these questions have been raised.

I have had many Senators who are not on the committee ask whether there has been a violation of the law. And I thought the record should be set straight.

I want to say that there is no evidence to substantiate such a political attack as that made by Mr. O'Brien. No suggestion has been made in any committee meeting that I have attended indicating that anything improper has been done in the handling of these returns by the executive branch under the preceding administration, under this administration, or by any congressional committee.

When the question was raised as to HEW, someone asked, "Why do they need tax returns?" We found that they need them to check the information on social security benefits.

There may be a reason for all of this. If abuse is shown anywhere we want to handle it, but let us handle it in the best interest of the revenue service, not as a political issue.

I thought that we should get the record straight from the beginning so that we would know that it is not something unusual when tax returns can be examined by a representative of the President. It has always been done. It should be done. I would not have much respect for any man in the White House who did not discharge his responsibility when something was called to his attention.

I have the utmost respect for both Mr. Bellino and Mr. Mollenhoff, but there can always be something to go wrong. We should be on guard for that.

I think that the chairman of our Finance Committee, who is also the chairman of the Joint Economic Committee, should be commended for calling the committee together promptly in order to determine the basis of Mr. O'Brien's charges.

If someone raises a question of abuse tomorrow I would say that we should examine it. It should be examined. If there is any basis for it we should clear it up and correct it. If the manner in which the returns are being handled by the agencies or by the various divisions of the executive branch of the Government or by congressional committees is improper let us face it.

I know the chairman will bear me out. We were all surprised when we found the vast number of executive departments that had had access to the returns over the past several years.

Mr. LONG. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LONG. Mr. President, I am happy that the Senator brought this matter up. It is a matter that should be considered by the Senate. It should be discussed.

About a week ago, Chairman MILLS, after having heard the story that Mr. Mollenhoff had access to income tax returns, suggested to me that we should meet. I agreed and we would have met perhaps a week sooner had we been able to get all the Members together quicker.

Certain things came to my attention which I thought we should act on. For one thing, it is important for all to understand that no citizen has any right to object to the President or to a Government agency, such as the Justice Department, taking a look at his tax return on a completely responsible basis. For one to look at a man's tax returns for an improper purpose, of course, is something that everyone has the right to object to.

I believe we would all agree that the Bellino precedent is really not very good. It is not good to send someone over without a written authorization from the President and without any written authorization at all to look at anyone's tax returns. Obviously, that is not a good practice.

My impression is that this precedent did not continue under the Johnson administration.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. LONG. Mr. President, it would be fair to say that President Johnson did not follow this practice at any time. If he had, we would find out, I would think.

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Mr. WILLIAMS of Delaware. Mr. President, I made that statement earlier.

Mr. LONG. Mr. President, in this particular instance, I would suggest that we should pass a law to say on just what terms and conditions a person designated by the President is entitled to see someone's tax returns.

As far as I am concerned, the President, himself, is entitled to see everyone's tax returns. But I do not think that when that authority is delegated, it ought to be spelled out in writing. The President ought to sign a document saying, "I designate Mr. Mollenhoff, or whoever it may be, to be my man to look at certain tax returns for these specified purposes."

Then we would know who the man is and why he wanted to see the returns.

I hope that the Senator will agree that when one goes to look at a tax return, he ought to make such a request in writing and state why he asked to see the return, and whose return it was, so that if he is doing this thing in an irresponsible way, this fact could be expected to come back and haunt him, in the manner in which this Bellino matter came back to haunt him.

The Senator knows as well as I do that what we have here might not be as much a matter of serious concern as the fact that Governors have this tax information available to them, perhaps altogether too loosely.

It seems to me the procedure we spell out for the President should apply to Governors as well. If someone wants to see a tax return, there should be a record that he wanted to see it, why he wanted to see it.

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As the Senator from Delaware knows, members of the Committee on Finance and the Joint Committee have the right to see tax returns. I do not recall of any case where we asked to see the actual name of the individual involved or the company. We normally say we would like to know if company A did this, and if they did, then how much was involved and the other pertinent facts.

Mr. WILLIAMS of Delaware. The Senator is correct. In addition, if a return did have to be examined we had Mr. Woodworth or his staff do it as the case of Mr. John Doe. It would be highly improper for the Committee on Finance or any other committee of Congress or anyone in the executive branch, wherever it may be, to start examining tax returns on an indiscriminate basis. That is not what we are here for. We have the Internal Revenue Service to do that. In the Committee on Finance we were examining returns to see if there were legal loopholes in the law that needed to be corrected from a legislative standpoint only. The various agencies should look at them only in the administration of their duties and not on the basis of anything else, and as I understand it that is what is being done.

If there is evidence of violations by any agency of government I would be the first to rise to oppose it because I would not want that to happen. We do have to protect the American taxpayer. We collect this money on a voluntary basis, but at the same time we have to convince the American people that we are on guard trying to protect their interests and at the same time trying to assure that there is not only secrecy in the tax returns but also integrity on the part of the officials administering the agency.

I think something good may come of this discussion here today because, as the Senator pointed out, there can be problems particularly as relating to the States and other agencies. Maybe we in Congress need tighter rules; maybe the White House needs tighter rules. But let us do it working together with one thought in mind, and that is to promote a better government. I have no evidence that there was improper use made of tax returns under preceding administrations or this administration, none whatever.

I have expressed my high regard for Mr. Bellino. I have the same high regard for President Nixon and his representative Mr. Mollenhoff, and I hope others share that high regard. I am going to respect all of them until somebody comes in and says that a certain particular case was handled wrong. When it comes to that I will examine the matter on its merits, and whoever is responsible will be held accountable. Meanwhile let us not lose respect for our fellow man nor try to discredit him for partisan political gain.

I yield the floor.

THE EMERGENCY HOME FINANCING ACT OF 1970

The Senate resumed the consideration of the bill (S. 3685) to increase the availabality of mortgage credit for the financing of urgently needed housing, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. SPARKMAN. Mr. President, as far as I know there will be only three amendments. I do not believe there is any controversy in connection with any of them.

I would like to propound a unanimous-consent request that there be a time limitation of 10 minutes on each amendment, the time to be controlled by the person offering the amendment and the distinguished Senator from Texas.

The PRESIDING OFFICER. Is there objection?

Mr. GORE. Mr. President, reserving the right to object, I have been on my feet for 1 hour to make a brief statement. Unless I can be recognized, I shall object to everything.

Mr. SPARKMAN. Let us proceed, then. The preceding matter has consumed about 2 hours and 40 minutes since the interruption was had. I was given to understand at the time that the interruption would be for 15 minutes.

I am going to be here tomorrow, and if Senators want a session tomorrow, I am willing to quit now and come in tomorrow.

Mr. GORE. Mr. President, will the Senator yield?

Mr. TOWER. We could finish the pending bill in 20 minutes.

Mr. SPARKMAN. We could finish it in 20 minutes. We expect a rollcall vote.

Mr. GORE. I shall not take more than 10 minutes; otherwise, I object.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that 10 minutes be granted to the distinguished Senator from Tennessee, to be followed by the time limitation requested by the Senator from Alabama.

Mr. SPARKMAN. I shall not object, with the understanding that if anyone else requests time, I will object. I have commitments myself.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRACTICE BY EXECUTIVE BRANCH OF EXAMINING INDIVIDUAL TAX RETURNS

Mr. GORE. Mr. President, this is a very disturbing matter that has been discussed here. I wish the record to show that I have not referred to any action of President Nixon in this regard.

Mr. MANSFIELD. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. GORE. A number of statements have been made with respect to Presidential action with regard to the issuance of regulations.

The committee session which I attended did not have any evidence of any action on the part of President Nixon at all and I do not wish to allege any. I have not made reference to any.

I did make a statement that the procedure appeared to be loose, indiscreet, inadvisable, and I will say again improper, and as I said it was open ended.

Here is what we have: A memorandum of conversations between Commissioner Thrower and Mr. Clark R. Mollenhoff. The memorandum states:

> Following through on our recent luncheon conversation—

I then come to the sentence:

> I would suggest that every time you have occasion to inspect a tax return, application for exemption, or other Internal Revenue file, you send me a memorandum briefly setting forth the nature of the request. Naturally—

Listen to how tight this is.

> Naturally, we will infer in every case that the request is either at the direction of, or in the interest of, the President.

The Commissioner testified he had had no instructions from the President orally or in writing, and yet this memorandum stated he naturally assumes that every request will be at the direction of or in the interest of the President. What does "in the interest of" mean?

I shall read another sentence:

> After receiving your request, we will make arrangements for the files to be assembled in my immediate suite of offices here and we will notify you as soon as they are ready for inspection.

Real accommodating, is it not? Real accommodating.

> If, after inspection of the files, you want copies of any of the material inspected, we will be happy to make them for you.

Mr. President, I say this is an indiscreet way to treat a taxpayer's tax return. Who whispered to the distinguished senior Senator from Delaware that a tax return of a judge had been pulled and examined? Nobody whispered that to me. Has anybody whispered that to the chairman of the committee? Who whispers this about? How does it come that political figures are alleged to be involved, that hints are being whispered about them? This is disturbing.

I do not say the President had anything to do with it. I do not know. I would be inclined to think he did not. But by what right, by what possession, does the Commissioner of Internal Revenue say that he will assume that every request Mr. Clark Mollenhoff makes is at the direction of the President or in the interest of the President?

If nothing else comes of this, I hope we will arrive at a formalized procedure, because this is loose. I think it is irresponsible and improper. I cannot say it is illegal. I had previously thought it was. I am not prepared now to say so. But I want to make it so it is illegal.

This is not to question the right of the President to have access to a tax return. I do not question it. I think he should. I think if congressional committees have a need to know, it should be made available to them. But this does not go to a political operative going on a fishing expedition to find out what he can about tax returns.

Somebody might write a letter about another judge. Nothing has been alleged here with respect to the instance cited. Who has whispered the facts or the name? I do not know the name or the facts, but nobody has alleged that the judge did anything wrong. Nobody has alleged any criminal acts. I just do not know the circumstances. I will not presume what the circumstances are. But if the contents of one taxpayer's files can be whispered about, the contents of every taxpayer's files can be whispered about.

We need to formalize a procedure to preserve the privacy and the confidential nature of the tax returns of every taxpayer.

Mr. ALLEN. Mr. President, much attention has been directed today in the Senate to the controversy between the Democratic Party chairman, Lawrence F. O'Brien, and Republican chairman, Rogers Morton, concerning the wisdom of a discretionary power in Mr. Clark Mollenhoff to investigate income tax returns of private citizens.

I have no evidence to indicate and no reason to believe that Mr. Mollenhoff has abused his discretionary power. On the other hand, I fully understand the concern of some that such a power could be abused if it were used strictly for political purposes.

It occurs to me that our concern about possible misuse of power to investigate tax returns might be more profitably directed toward the Internal Revenue Service. The possibilities of abuse at that source would seem limitless since IRS has access to all income tax returns.

For example, on April 13, 1970, a newspaper account indicated that a special task force of Internal Revenue agents had been assembled in Alabama and are asking questions about eight named political figures in Alabama, one being the brother of a candidate for statewide office and five of whom are currently campaigning for office in the State Democratic Party primary scheduled for May 5, 1970. These newspaper accounts cite "confidential field reports" and allegations made in a confidential report of the Internal Revenue Service's Audit Division as source of authority.

Mr. President, no one questions the right of Internal Revenue agents to investigate income tax returns if motivated by the duty to protect the public interest by fair and impartial enforcement of the law. On the other hand, if the investigation is motivated by political considerations—that is another story.

It stands to reason that any publicized investigation by the Internal Revenue Service tends to create a suspicion, to say the least, and suggests the possibility of a violation of law.

The newspaper accounts state that the investigation is still in its preliminary stages and that no charges have been brought against anyone. Nevertheless, the publicity concerning the investigation was allegedly based on information obtained from the Internal Revenue Service. The election is less than 3 weeks hence. The candidates named in the publicity are placed in a grossly unfair position of being compelled to refute the implications of the announced investigation.

The timing of this investigation has created questions in the minds of many Alabamians. They want to know if the investigation is politically motivated and who is responsible for the timing and for the release of supposedly confidential information if any such information was, in fact, released. It seems to me that these are valid questions.

Mr. President, I campaigned for the office of U.S. Senator from Alabama emphasizing among other things my sincere conviction that the Federal Establishment should not undertake to interfere in State political races. I hold firmly to that conviction.

I hope sincerely that we have not witnessed in Alabama a pattern for future political activities of this or any other administration.

THE EMERGENCY HOME FINANCING ACT OF 1970

The Senate resumed the consideration of the bill (S. 3685) to increase the availability of mortgage credit for the financing of urgently needed housing, and for other purposes.

Mr. TOWER obtained the floor.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. TOWER. I yield.

Mr. MONDALE. Mr. President, I return to the amendment which I had earlier called up.

The PRESIDING OFFICER. The clerk will please state the amendment of the Senator from Minnesota.

Mr. MONDALE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with, and that it be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill insert a new section as follows:

"TREASURY BORROWING AUTHORITY FOR NEW COMMUNITIES PROGRAM

"SEC. 606. Section 407 (a) of the Housing and Urban Development Act of 1968 is amended by adding at the end thereof the following: 'The Secretary may issue obligations to the Secretary of the Treasury in an amount outstanding at any one time sufficient to enable the Secretary to carry out his functions with respect to the guarantees authorized by this title. The obligations issued under this subsection shall have such maturities and bear such rate or rates of interest as shall be determined by the Secretary of the Treasury. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Secretary issued under this subsection, and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as now or hereafter in force, and the purposes for which securities may be issued under such Act are extended to include purchases of the Secretary's obligations hereunder.' "

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. MONDALE. I yield.

Mr. TOWER. Is this the same amendment proposed earlier by the Senator?

Mr. MONDALE. Identically.

Mr. TOWER. I understand the Senator from Delaware (Mr. WILLIAMS) had no objection to it.

Mr. MONDALE. I am so told.

Mr. TOWER. It is supported by the administration. It is designed to overcome what is really a defect in the drafting of the New Communities Act and will probably not cost the Treasury anything, but it is essential if these bonds are to be backed up by underwriters.

Mr. SPARKMAN. Mr. President, did the Senator modify his amendment?

Mr. MONDALE. It is not modified. It is identical to the amendment I sent to the desk.

Mr. SPARKMAN. I understood the Senator to say he was going to modify it.

Mr. MONDALE. No; it is the same.

Mr. SPARKMAN. Mr. President, I yield back my time.

Mr. TOWER. Mr. President, if the Senator is prepared to yield back his time, we are prepared to yield back our time.

Mr. MONDALE. First let me make a brief statement in explanation of the amendment.

I have offered an amendment to S. 3685 in the nature of an amendment to section 407(a) of the Housing and Urban Development Act of 1968. This amendment would authorize the Secretary of Housing and Urban Development to issue obligations to the Treasury in an amount sufficient to enable the Secretary to make timely payments of liabilities incurred, if any, as a result of HUD guarantees covering the obligations of new community developers. In effect, this amendment would authorize the Secretary, when necessary, to borrow from the Treasury in order to meet his obligations under the act promptly as they may arise.

As you know, Mr. President, the new communities program authorized under

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the Housing and Urban Development Act of 1968 possesses great potential for the orderly channeling of urban growth into healthy new communities having the highest desirable planning and social qualities. This program promises to be a major weapon in the arsenal of the Federal Government to control urban sprawl and the polarization of our suburbs into white ghettos. The first commitment under the program has recently been made, in the amount of guarantees not to exceed $21,000,000, to the new community of Jonathan, located 24 miles southwest of the Twin Cities.

Under the new communities program, the Secretary of Housing and Urban Development works closely with private developers. It is they, of course, who possess the chief responsibilities for carrying it out. Recogizing that a major problem in the assembling of land and the construction of new communities is the enormous cash requirement of the early years of development, the Secretary is authorized to pledge, in specific cases, the full faith and credit of the United States to guarantee obligations, including principal and interest, issued to private investors by new community developers in order to assemble and improve land. It is hoped that this new financial assistance from HUD will enable developers of new communities to find new sources of funds for land development; that is, from lenders historically investing in Government obligations rather than in real estate.

In order to tap these new sources of funds, it, is imperative that lenders be able to look to the Federal Government for prompt payment in the event of any default by the developer. The pledge of the full faith and credit of the United States means, of course, that they will eventually be paid since it can be anticipated that the Congress will appropriate the necessary amounts to meet any such deficit. But, under the existing legislation, prompt payment may not in all cases be possible.

The existing legislation anticipates that the amounts needed to meet the Secretary's commitments, under a guarantee shall be derived from the guarantee fund maintained by the Secretary from fees, charges, and other receipts from developers. Although the likelihood is most remote it is possible, at least in the early years of the new communities program, that the guarantee fund will not in all events be adequate to enable the Secretary to make prompt payment to investors in the event of default. The possibilities of delay inherent under existing legislation in the Secretary's capacity to meet his liabilities under new community guarantees are such that they may severely affect the marketability of the obligations.

Accordingly, my amendment would authorize the Secretary to borrow from Treasury in an amount sufficient to enable him to make timely payments in full of liabilities incurred under the new communities program. Such borrowing authority would be needed only to the extent the amounts in the Secretary's guarantee fund are inadequate to make such payments.

I emphasize, Mr. President, that my amendment would not in any way enlarge the obligation of the Secretary to meet defaults under the program. In fact, it would reduce the overall financial exposure of the Federal Government, since obligations carrying the assurance of prompt payment can be marketed at a lower rate of interest than if they do not carry such assurance. And any reduction in interest charges is of obvious benefit to the developer and his capacity to meet new community objectives.

More specifically, my amendment would authorize the Secretary to issue obligations to the Secretary of the Treasury in an amount outstanding at any one time sufficient to enable the Secretary to carry out his functions with respect to the guarantees authorized by the act. The Secretary of the Treasury, in turn, is authorized and directed to purchase any such obligations issued by the Secretary. They would be repayable and have maturities and bear interest at a rate determined by the Secretary of the Treasury.

Mr. SPARKMAN. Mr. President, I yield back my time.

Mr. MONDALE. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Minnesota.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. SPARKMAN. Mr. President, I send forward an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

S. 3685

On page 2, strike out lines 14 through 16, and insert the following:

"(1) the effective rate of interest on such loan exceeds the effective rate of interest on such funds payable by such member by a percentile amount which is in excess of such amount as the Board determines to be appropriate in furtherance of the purposes of this section; or".

Mr. SPARKMAN. Mr. President, title I, as approved by the committee, contains a requirement that no funds could be used by an institution under that title for mortgages if the effective rate of interest on the mortgage exceeded by more than 1 percentage point the effective rate of interest on such funds payable by such member. The reason this limitation was included in title I was to assure that the benefit of the subsidy provided under that title went to the prospective homeowner and that the amount retained by the intermediary financial institution be as limited as possible. This restriction which the committee included is opposed by the Federal Home Loan Bank Board which would operate the program, by the Department of Housing and Urban Development, and the administration. It is opposed by them because it is possible that the limitation would not provide enough flexibility to assure that the funds provided in title I would be used and bring about the result which we desire. The major purpose of title I is to assure an adequate volume of total lending from savings and loan associations. While I fully support the principle that the benefits of the subsidy be passed on to those who will be obtaining mortgages under this program, restrictions in the statute which could prevent the achievement of the objective to increase the volume of total lending are undesirable. Actually, it is not possible to know in advance the spread necessary to assure that this program is successful, and the requirement that the Federal Home Loan Bank Board set up procedures to assure that the benefits are passed on to home buyers could accomplish the same result as the statutory limitation without jeopardizing the success of the program.

Another advantage in not including a percentage limitation in the bill is that such limitations, although they are intended to be ceilings, usually turn out to be both a floor and a ceiling. I would prefer that we require the Federal Home Loan Bank Board to determine the spread necessary to assure that this program will operate properly and hold the spread to the minimum level possible. It may be at a figure lower than the 1-percent requirement in our bill. On the other hand, it is possible that it would be at a higher figure and, if a slightly higher amount is necessary, it seems to me that the Federal Home Loan Bank Board should have authority to go to a higher level to assure that the funds are used. I believe that the Federal Home Loan Bank Board can protect the interests of consumers equally as well and perhaps better than if we had a stipulated limitation in the bill. If a savings and loan association can operate on a three-fourths of 1 percent spread, I would hate to write into the legislation a figure that would encourage them to go to a 1-percent spread. I believe that we can make a record showing that we expect the Federal Home Loan Bank Board to administer this program in such a way as to let the benefits of the lower interest rate go to the purchaser and that that would be the best solution. I honestly believe this would bring about the best results when the sizes, differences of the savings and loan associations and the efficiency with which they operate are considered. I cannot believe that we will get the best overall results by unnecessarily restricting the program.

I have received a letter from the Chairman of the Federal Home Loan Bank Board, Preston Martin, in which he includes a table which indicates that in periods of tight money, savings and loan associations borrow from their district banks to meet savings withdrawals and the rate on these advances or the spread between the advance rate and mortgage rates is of secondary importance. The evidence from 1967 suggests that when savings flows improve and the spread between the advance rate and mortgage rates is relatively narrow, associations use their savings flow to repay advances instead of using the funds to make additional mortgage loans. In the first 6

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months of 1967, $2.6 billion of advances were repaid, while the spread ranged between 0.81 percent and 0.93 percent.

We may be in a similar period at the present time. During March of this year when savings flows have appeared to improve, savings and loan associations have repaid about $200 million in advances. That repayment has taken place with a spread of about 1 percent between the advance rate and the rate on mortgages.

I ask unanimous consent to have printed in the RECORD the letter from Chairman Martin and the table to which I referred.

Mr. President, after having considered all of the information which has been provided to me, I believe that we should amend the committee bill to provide greater flexibility in title I. The amendment, which I offer for myself, Senator BENNETT, and Senator TOWER would remove a statutory limitation but which would require the Federal Home Loan Bank Board to determine an appropriate limitation. In the letter, which I ask unanimous consent for inclusion in the RECORD, Chairman Martin recommends that the 1-percent restriction be eliminated to insure that the program is successful and states that "the Board is prepared to set up procedures to assure that the subsidy benefits are passed on to the home buyers."

There being no objection, the items were ordered to be printed in the RECORD as follows:

FEDERAL HOME LOAN BANK BOARD,
Washington, D.C., April 15, 1970.

Hon. JOHN SPARKMAN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SPARKMAN: The thrust of the proposed subsidy program in S. 3685 is to promote an orderly flow of funds into residential financing and to maintain a supply of funds in the mortgage market substantially above the supply that would otherwise be available. In the first three quarters of 1969, savings and loan associations accounted for 54 percent of the mortgage credit supplied for one to four family houses. Over the past 14 months advances to these associations by the Federal Home Loan Bank System have represented nearly one-half of their mortgage credit supplied. This implies that these advances have accounted for 27 percent of the funds flowing into single-family mortgages. Subsidizing these advances will have a dramatic effect on the mortgage market.

The FHLBB is concerned, however, about the rigidity of the restriction placed in Title I limiting the interest rate savings and loan associations may charge on mortgages supported with subsidized advances to no more than 1 percentage point above the effective rate on such advances.

To encourage new mortgage lending the rate on these advances must be attractive enough relative to mortgage rates to keep the associations from repaying the funds as soon as savings flow in. The spread of 1 percent in Title I would be detrimental to the goal of stimulating housing activity since it would create a two-price system for mortgages—one for subsidized mortgages and another for other mortgages—and would not solve the major problem of repayment of advances.

The accompanying table shows that in periods of tight money savings and loan associations borrow from their District Banks to meet savings withdrawals, and the rate on these advances or the spread between the advance rate and mortgage rates is of secondary importance. The evidence from 1967 suggests that when savings flows improve and the spread between the advance rate and mortgage rates is relatively narrow, associations use their savings flow to repay additional mortgage loans. In the first six months of 1967, $2.6 billion of advances were repaid while the spread ranged between 0.81 percent and 0.93 percent.

The FHLBB recommends that the 1 percent restriction be eliminated which we consider necessary to insure that this program is successful. The Board is prepared to set up procedures to assure that the subsidy benefits are passed on to the home buyers.

Sincerely,

PRESTON MARTIN,
Chairman.

SELECTED FACTORS INFLUENCING USE OF FHLB ADVANCES

Half-year	Percent			Millions of dollars	
	Effective rate on new mortgages [1]	Average rate on FHLB advances	Spread between mortgage and advance rates	Change in FHLB advances outstanding	Net savings received by Ins. Assns. (excludes interest credited)
1966:					
I	6.14	5.15	0.99	786	35
II	6.56	5.75	.81	152	−586
1967:					
I	6.53	5.63	.90	−2,633	3,821
II	6.53	5.50	1.03	84	2,306
1968:					
I	6.80	5.79	1.01	503	1,388
II	7.25	6.01	1.24	370	1,351
1969:					
I	7.55	6.23	1.32	1,154	859
II	8.14	7.03	1.11	2,876	−1,861

[1] Conventional mortgage loans for purchase of new homes approved by associations; 6-month average.

Mr. SPARKMAN. Mr. President, this is really an amendment to title I of the bill. I think there is no objection to it.

Mr. TOWER. Mr. President, there is no objection on this side.

I am prepared to yield back my time.

Mr. SPARKMAN. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. SPARKMAN. Mr. President, I have one other amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 10, strike out lines 6 through 17 and insert in lieu thereof the following:

"(d) The Corporation, including its franchise, activities, capital, reserves, surplus, and income, shall be exempt from all taxation now or hereafter imposed by the United States, by any territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the Corporation shall be subject to State, territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed. The provisions of this subsection shall be applicable without regard to any other law, including without limitation on the generality of the foregoing section 3301 of the Internal Revenue Code of 1954, except laws hereafter enacted by Congress expressly in limitation of this subsection."

Mr. SPARKMAN. Mr. President, during our executive session on this emergency legislation, we set up a secondary mortgage operation within the Federal National Mortgage Association and within the Federal Home Loan Bank System. We went to great lengths to assure that the two systems would be comparable in every way possible so that one system would not have undue advantage in any respect over the other system.

In our attempt to assure comparability, we subjected the Federal Home Loan Mortgage Corporation to Federal income taxation on its earnings. Immediately following our executive committee action, the Federal Home Loan Bank Board reacted unfavorably to our decision. The matter was discussed at some length with the Federal Home Loan Bank Board staff, and a letter was received from Chairman Preston Martin indicating why the Federal Home Loan Mortgage Corporation should not be subject to Federal income taxation on its earnings. The Senator from Utah (Mr. BENNETT), who moved the change in the committee has suggested that the Federal Home Loan Bank Board's arguments are persuasive and has recommended that we change the committee action to the proposal recommended by the administration and the Federal Home Loan Bank Board. The amendment would accomplish that result. In doing so, I would like to make it clear that we do not intend for this to result in a competitive advantage for the Federal Home Loan Mortgage Corporation over the authority provided to the Federal National Mortgage Association to provide a secondary market for conventional mortgages. If we discover that such a net advantage is brought about, we should certainly take action to assure that the two competing secondary mortgage market operations are as nearly comparable as possible.

I ask unanimous consent to have printed in the RECORD the April 14, 1970, letter from Chairman Martin to Senator BENNETT.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

FEDERAL HOME LOAN BANK BOARD,
Washington, D.C., April 14, 1970.

Hon. WALLACE F. BENNETT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BENNETT: It was with some surprise and disappointment that we noted on March 29 that the March 27 Committee Print subjected the Federal Home Loan Mortgage Corporation (Corporation) to Federal income taxation on its earnings. It is strongly hoped that these reasons indicate the appropriateness of the Administration's position that the Corporation be exempt from such taxation and that a change should be made in the legislation.

1. The corporate form for the Corporation has as its only intended purpose ease of administrative operations. The formats of using one, several or all twelve District Federal Home Loan Banks or of operating the secondary market as a division of the Board were considered and rejected as being cumbersome. Since both the Board and the District Banks are, of course, exempt from Federal income tax if either of the two cumbersome formats had been selected, the question of taxation would probably not have even been considered. The use of the corporate form should not prejudice the fact that this is a Federal Agency administered program with capital contributed by tax exempt entities.

2. The entire equity capitalization of the Corporation of $100 million is required to come out of Federal Home Loan Bank System liquidity, now earning 7 percent. The Board and the Banks are agreeable to this method of financing, but the possibility of taxation increases the burden of such funding. The $100 million is certainly a minimum initial equity capitalization. It is necessary both for financial integrity and the increased effectiveness of the Corporation not to pay dividends for quite some time. Rather the earnings of the secondary market activity (whose major objective is not profit) need to be retained for growth of the equity base. Subjecting the earnings to Federal income taxation will reduce substantially the Corporation's short *and* long term impact since the rate of growth in retained earnings would be cut in half by the tax rate. The Federal Home Loan Banks are putting up funds where earnings are otherwise tax exempt into an investment which is statutorily unliquid, has no price appreciation possibility and will pay no immediate dividend. It seems to me inequitable and counter productive that it be taxed and removed from housing support when our commitments are to direct a larger share of fiscal expenditures to the housing sector.

3. It has been suggested that the Corporation should be put on an equal basis with FNMA. While, in principle, there is certain merit in this concept as a concept, the Corporation will not be on a par with FNMA. Raising the Corporation's costs will not put them at parity. FNMA has private stockholders; it pays dividends; its stock can appreciate; it has direct access to private capital markets for both debt and equity; it can deal with mortgage bankers and other originators of mortgages while the Corporation is properly restricted to regulated, insured lenders; FNMA also already has a secondary market operation, while the Corporation must build up out of capital. I think what is intended by putting the two organizations on a par is to insure that one would not undercut or unfairly compete with the other. There would be no incentive for the Corporation to overbid or underbid FNMA since its purpose is not to make a high profit but rather to help mobility of funds in housing. Raising the costs of doing this will not accomplish its intended purpose but will simply raise costs.

Sincerely,

Preston Martin,
Chairman.

Mr. SPARKMAN. Mr. President, I discussed the amendment with the Senator from Texas a few moments ago. The amendment makes a change in the Home Loan Bank Corporation for handling conventional mortgages.

Mr. TOWER. Mr. President, I am prepared to yield back my time and accept the amendment.

Mr. SPARKMAN. I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and to be read a third time.

The bill was read the third time.

ORDER FOR ADJOURNMENT TO MONDAY, APRIL 20, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE EMERGENCY HOME FINANCING ACT OF 1970

The Senate resumed the consideration of the bill (S. 3685) to increase the availability of mortgage credit for the financing of urgently needed housing, and for other purposes.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. SPARKMAN. Mr. President, I want to say just this word. This is a good bill all the way through. It is endorsed unanimously by our committee. On page 20 of the report is a letter by the President, in which he asks for immediate enactment of this legislation without original section 5, and we have taken care of that, Therefore I urge its passage.

Mr. HUGHES. Mr. President, I ask for the yeas and nays on passage.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Indiana (Mr. Bayh), the Senator from West Virginia (Mr. Byrd), the Senator from Idaho (Mr. Church), the Senator from California (Mr. Cranston), the Senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Alaska (Mr. Gravel), the Senator from Oklahoma (Mr. Harris), the Senator from Massachusetts (Mr. Kennedy), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), the Senator from New Mexico (Mr. Montoya), the Senator from Rhode Island (Mr. Pastore), the Senator from Connecticut (Mr. Ribicoff), the Senator from Georgia (Mr. Russell), the Senator from Missouri (Mr. Symington), and the Senator from Texas (Mr. Yarborough), are necessarily absent.

I also announce that the Senator from New Hampshire (Mr. McIntyre), is absent on official business.

I further announce that, if present and voting, the Senator from New Mexico (Mr. Anderson), the Senator from Indiana (Mr. Bayh), the Senator from West Virginia (Mr. Byrd), the Senator from Idaho (Mr. Church), the Senator from California (Mr. Cranston), the Senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Alaska (Mr. Gravel), the Senator from Oklahoma (Mr. Harris), the Senator from Massachusetts (Mr. Kennedy), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), the Senator from New Hampshire (Mr. McIntyre), the Senator from New Mexico (Mr. Montoya), the Senator from Rhode Island (Mr. Pastore), the Senator from Connecticut (Mr. Ribicoff), the Senator from Georgia (Mr. Russell), the Senator from Missouri (Mr. Symington), and the Senator from Texas (Mr. Yarborough) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. Bennett) is absent on official business as observer at the meeting of the Asian Development Bank in Korea.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

The Senator from Arizona (Mr. Goldwater) and the Senator from Maryland (Mr. Mathias) are absent on official business.

The Senator from Massachusetts (Mr. Brooke), the Senator from New York (Mr. Goodell), and the Senator from South Carolina (Mr. Thurmond) are necessarily absent.

The Senator from California (Mr. Murphy) and the Senator from Illinois (Mr. Smith) are detained on official business.

If present and voting, the Senator from Utah (Mr. Bennett), the Senator from Massachusetts (Mr. Brooke), the Senator from New York (Mr. Goodell), the Senator from South Dakota (Mr. Mundt), the Senator from California (Mr. Murphy), the Senator from Illinois (Mr. Smith), and the Senator from South Carolina (Mr. Thurmond) would each vote "yea."

The result was announced—yeas 72, nays 0, as follows:

[No. 138 Leg.]

YEAS—72

Aiken
Allen
Allott
Baker
Bellmon
Bible
Boggs
Burdick
Byrd, Va.
Cannon
Case
Cook
Cooper
Cotton
Curtis
Dole
Dominick
Eagleton
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gurney
Hansen
Hart
Hartke
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, Idaho
Jordan, N.C.
Long
Magnuson
Mansfield
McClellan
McGovern
Metcalf
Miller
Mondale
Moss

Muskie
Nelson
Packwood
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Saxbe
Schweiker
Scott
Smith, Maine
Sparkman
Spong
Stennis
Stevens
Talmadge
Tower
Tydings
Williams, Del.
Williams, N.J.
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—28

Anderson
Bayh
Bennett
Brooke
Byrd, W. Va.
Church
Cranston
Dodd
Eastland
Goldwater
Goodell
Gravel
Harris
Kennedy
Mathias
McCarthy
McGee
McIntyre
Montoya
Mundt
Murphy
Pastore
Ribicoff
Russell
Smith, Ill.
Symington
Thurmond
Yarborough

So the bill (S. 3685) was passed, as follows:

S. 3685

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Home Finance Act of 1970".

TITLE I—REDUCTION OF INTEREST CHARGES FOR MEMBERS OF THE FEDERAL HOME LOAN BANK SYSTEM

SEC. 101. (a) There is authorized to be appropriated not to exceed $250,000,000, without fiscal year limitation, to be used by the Federal Home Loan Bank Board for disbursement to Federal home loan banks for the purpose of adjusting the effective interest charged by such banks on short-term and long-term borrowing to promote an orderly flow of funds into residential construction. The disbursement of sums appropriated hereunder shall be made under such terms and conditions as may be prescribed by the Board to assure that such sums are used to assist in the provision of housing for low- and middle-income families, and that such families share fully in the benefits resulting from the disbursement of such sums. No member of a Federal home loan bank shall use funds the interest charges on which have been adjusted pursuant to the provisions of this section to make any loan, if—

(1) the effective rate of interest on such loan exceeds the effective rate of interest on such funds payable by such member by a percentile amount which is in excess of such amount as the Board determines to be appropriate in furtherance of the purposes of this section; or

(2) the principal obligation of any such loan which is secured by a mortgage on a residential structure exceeds the dollar limitations on the maximum mortgage amount, in effect on the date the mortgage was originated, which would be applicable if the mortgage was insured by the Secretary of Housing and Urban Development under section 203(b) or 207 of the National Housing Act.

(b) Not more than 20 per centum of the sums appropriated pursuant to subsection (a) shall be disbursed in any one Federal home loan bank district.

TITLE II—AUTHORITY FOR THE FEDERAL NATIONAL MORTGAGE ASSOCIATION TO PROVIDE A SECONDARY MARKET FOR CONVENTIONAL MORTGAGES

SEC. 201. (a) Section 302(b) of the National Housing Act is amended—

(1) by inserting "(1)" immediately following "(b)"; and

(2) by adding at the end thereof the following new paragraph:

(2) For the purposes set forth in section 301(a), and with the approval of the Secretary of Housing and Urban Development, the corporation is authorized, pursuant to commitments or otherwise, to purchase, service, sell, lend on the security of, or otherwise deal in mortgages which are not insured or guaranteed as provided in paragraph (1) (such mortgages referred to hereinafter as 'conventional mortgages'). No such purchase of a conventional mortgage shall be made if the outstanding principal balance of the mortgage at the time of purchase exceeds 75 per centum of the value of the property securing the mortgage, unless (1) the seller retains a participation of not less than 10 per centum in the mortgage, (2) the seller agrees to repurchase or replace the mortgage at any time within three years of the date of purchase in the event the mortgage is in default; or (3) that portion of the unpaid principal balance of the mortgage which is in excess of such 75 per centum is guaranteed or insured by a qualified private insurer as determined by the corporation. The corporation shall not issue a commitment to purchase a conventional mortgage prior to the date the mortgage is originated, if such mortgage is eligible for purchase under the preceding sentence only by reason of compliance with the requirements of clause (1) of such sentence. The corporation may purchase a conventional mortgage which was originated more than one year prior to the purchase date only if the seller is currently engaged in mortgage lending or investing activities and if, as a result thereof, the cumulative aggregate of the principal balances of all conventional mortgages purchased by the corporation which were originated more than one year prior to the date of purchase does not exceed 10 per centum of the cumulative aggregate of the principal balances of all conventional mortgages purchased by the corporation. The corporation shall establish limitations governing the maximum principal obligation of conventional mortgages purchased by it which are comparable to the limitations which would be applicable if the mortgage were insured by the Secretary of Housing and Urban Development under section 203(b) or 207 of the National Housing Act."

(b) Section 5202 of the Revised Statutes (12 U.S.C. 82) is amended by adding at the end thereof the following:

"Eleventh. Liabilities incurred in connection with sales of mortgages, or participations therein, to the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.".

TITLE III—FEDERAL HOME LOAN MORTGAGE CORPORATION

SHORT TITLE

SEC. 301. This title may be cited as the "Federal Home Loan Mortgage Corporation Act".

DEFINITIONS

SEC. 302. As used in this title—

(a) The term "Board of Directors" means the Board of Directors of the Corporation.

(b) The term "Corporation" means the Federal Home Loan Mortgage Corporation created by this title.

(c) The term "law" includes any law of the United States or of any State (including any rule of law or of equity).

(d) The term "mortgage" includes such classes of liens as are commonly given or are legally effective to secure advances on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with the credit instruments, if any, secured thereby, and includes interests in mortgages.

(e) The term "organization" means any corporation, partnership, association, business trust, or business entity.

(f) The term "prescribe" means to prescribe by regulations or otherwise.

(g) The term "property" includes any property, whether real, personal, mixed, or otherwise, including without limitation on the generality of the foregoing choses in action and mortgages, and includes any interest in any of the foregoing.

(h) The term "residential mortgage" means a mortgage which (1) is a mortgage on real estate, in fee simple or under a leasehold having such term as may be prescribed by the Corporation, upon which there is located a structure or structures designed in whole or in part for residential use, and (2) has such characteristics and meets such requirements as to amount, term, repayment provisions, number of families, status as a first lien on such real estate, and otherwise, as may be prescribed by the Corporation.

(i) The term "conventional mortgage" which is not insured or guaranteed by a department or agency of the United States.

(j) The term "security" has the meaning ascribed to it by section 2 of the Securities Act of 1933.

(k) The term "State", whether used as a noun or otherwise, includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

ESTABLISHMENT OF THE CORPORATION

SEC. 303. (a) There is created the Federal Home Loan Mortgage Corporation, which shall be a body corporate and shall be under the direction of a Board of Directors composed of the members of the Federal Home Loan Bank Board, who shall serve as such without additional compensation. The Chairman of the Federal Home Loan Bank Board shall be the Chairman of the Board of Directors. The principal office of the Corporation shall be in the District of Columbia or at such other place as the Corporation may from time to time prescribe. The Corporation shall be a member of each Federal home loan bank and, except as otherwise provided by the Federal Home Loan Bank Board, shall have all the benefits, powers, and privileges, and in the exercise thereof shall be subject to all liabilities, conditions, and limitations (except those relating to Federal home loan bank stock and subscriptions thereto and those under provisions of the Federal Home Loan Bank Act preceding section 9) which are provided by the terms of such Act or other Federal statute for members of any such bank.

(b) The Corporation shall have power (1) to adopt, alter, and use a corporate seal; (2) to have succession until dissolved by Act of Congress; (3) to make and enforce such bylaws, rules, and regulations as may be necessary or appropriate to carry out the purposes or provisions of this title; (4) to make and perform contracts, agreements, and commitments; (5) to prescribe and impose fees and charges for services by the Corporation; (6) to settle, adjust, and compromise, and with or without consideration or benefit to the Corporation to release or waive in whole or in part, in advance or otherwise, any claim, demand, or right of, by, or against the Corporation; (7) to sue and be sued, complain and defend, in any State, Federal, or other court; (8) to acquire, take, hold, and own, and to deal with and dispose of any property; and (9) to determine its necessary expenditures and the manner in which the same shall be incurred, allowed, and paid, and appoint, employ, and fix and provide for the compensation and benefits of officers, employees, attorneys, and agents, all without regard to any other law except as may be provided by the Corporation or by laws hereafter enacted by the Congress expressly in limitation of this sentence. Nothing in this title or any other law shall be construed to prevent the appointment, employment, and provision for compensation and benefits, as an officer, employee, attorney, or agent of the Corporation, of any officer, employee, attorney, or agent of any department, establishment, or corporate or other instrumentality of the Government, including any Federal home loan bank or member thereof. The Corporation, with the consent of any such department, establishment, or instrumentality, including any field services thereof, may utilize and act through any

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such department, establishment, or instrumentality and may avail itself of the use of information, services, facilities, and personnel thereof, and may pay compensation therefor, and all of the foregoing are hereby authorized to provide the same to the Corporation as it may request.

(c) Funds of the Corporation may be invested in such investments as the Board of Directors may prescribe. Any Federal Reserve bank or Federal home loan bank, or any bank as to which at the time of its designation by the Corporation there is outstanding a designation by the Secretary of the Treasury as a general or other depositary of public money, may be designated by the Corporation as a a depositary or custodian or as a fiscal or other agent of the Corporation, and is hereby authorized to act as such depositary, custodian, or agent. When designated for that purpose by the Secretary of the Treasury, the Corporation shall be a depositary of public money, under such regulations as may be prescribed by the Secretary of the Treasury, and may also be employed as fiscal or other agent of the United States, and it shall perform all such reasonable duties as such depositary or agent as may be required of it.

(d) The Corporation, including its franchise, activities, capital, reserves, surplus, and income, shall be exempt from all taxation now or hereafter imposed by the United States, by any territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the Corporation shall be subject to State, territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed. The provisions of this subsection shall be applicable without regard to any other law, including without limitation on the generality of the foregoing section 3301 of the Internal Revenue Code of 1954, except laws hereafter enacted by Congress expressly in limitation of this subsection.

(e) Notwithstanding section 1349 of title 28 of the United States Code or any other provision of law, (1) the Corporation shall be deemed to be an agency included in sections 1345 and 1442 of such title 28; (2) all civil actions to which the Corporation is a party shall be deemed to arise under the laws of the United States, and the district courts of the United States shall have original jurisdiction of all such actions, without regard to amount or value; and (3) any civil or other action, case, or controversy in a court of a State, or in any court other than a district court of the United States, to which the Corporation is a party may at any time before the trial thereof be removed by the Corporation, without the giving of any bond or security, to the district court of the United States for the district and division embracing the place where the same is pending, or, if there is no such district court, to the district court of the United States for the district in which the principal office of the Corporation is located, by following any procedure for removal of causes in effect at the time of such removal. No attachment or execution shall be issued against the Corporation or any of its property before final judgment in any State, Federal, or other court.

CAPITAL STOCK

SEC. 304. (a) The capital stock of the Corporation shall consist of nonvoting common stock which shall be issued only to Federal home loan banks and shall have such par value and such other characteristics as the Corporation prescribes. Stock of the Corporation shall be evidenced in such manner and shall be transferable only to such extent, to such transferees, and in such manner, as the Corporation prescribes.

(b) The Federal home loan banks shall from time to time subscribe, at such price not less than par as the Corporation shall from time to time fix, for such amounts of common stock as the Corporation prescribes, and such banks shall pay therefor at such time or times and in such amount or amounts as may from time to time be fixed by call of the Corporation. The amount of the payments for which such banks may be obligated under such subscriptions shall not exceed a cumulative total of $100,000,000.

(c) Subscriptions of the respective Federal home loan banks to such stock shall be allocated by the Corporation.

(d) The Corporation may retire at any time all or any part of the stock of the Corporation, or may call for retirement all or any part of the stock of the Corporation by (1) publishing a notice of the call in the Federal Register or providing such notice in such other manner as the Corporation may determine to be appropriate, and (2) depositing with the Treasurer of the United States, for the purpose of such retirement, funds sufficient to effect such retirement. No call for the retirement of any stock shall be made, and no stock shall be retired without call, if immediately after such action, the total of the stock not called for retirement and of the reserves and surplus of the Corporation would be less than $100,000,000. The retirement of stock shall be at the par value thereof, or at the price at which such stock was issued if such price is greater than par value. No declaration of any dividend on stock of the Corporation shall be effective with respect to stock which at the time of declaration is the subject of an outstanding retirement call the effective date of which has arrived.

MORTGAGE OPERATIONS

SEC. 305. (a)(1) The Corporation is authorized to purchase, and make commitments to purchase, residential mortgages from any Federal home loan bank, the Federal Savings and Loan Insurance Corporation, any member of a Federal home loan bank, or any other financial institution the deposits or accounts of which are insured by an agency of the United States, and to hold and deal with, and sell or otherwise dispose of, pursuant to commitments or otherwise, any such mortgage or interest therein. The operations of the Corporation under this section shall be confined so far as practicable to residential mortgages which are deemed by the Corporation to be of such quality, type, and class as to meet generally the purchase standards imposed by private institutional mortgage investors.

(2) No conventional mortgage shall be purchased under this section if the outstanding principal balance of the mortgage at the time of purchase exceeds 75 per centum of the value of the property securing the mortgage, unless (A) the seller retains a participation of not less than 10 per centum in the mortgage; (B) the seller agrees to repurchase or replace the mortgage at any time within three years of the date of purchase in the event the mortgage is in default; or (C) that portion of the unpaid principal balance of the mortgage which is in excess of such 75 per centum is guaranteed or insured by a qualified private insurer as determined by the Corporation. The Corporation shall not issue a commitment to purchase a conventional mortgage prior to the date the mortgage is originated, if such mortgage is eligible for purchase under the preceding sentence only by reason of compliance with the requirements of clause (A) of such sentence. The Corporation may purchase a conventional mortgage which was originated more than one year prior to the purchase date only if the seller is currently engaged in mortgage lending or investing activities and if, as a result thereof, the cumulative aggregate of the principal balances of all conventional mortgages purchased by the Corporation which were originated more than one year prior to the date of purchase does not exceed 10 per centum of the cumulative aggregate of the principal balances of all conventional mortgages purchased by the Corporation. The Corporation shall establish limitations governing the maximum principal obligation of conventional mortgages purchased by it which are comparable to the limitations which would be applicable if the mortgage were insured by the Secretary of Housing and Urban Development under section 203(b) or 207 of the National Housing Act.

(3) The sale or other disposition by the Corporation of a mortgage under this section may be with or without recourse, and shall be upon such terms and conditions relating to resale, repurchase, guaranty, substitution, replacement, or otherwise as the Corporation may prescribe.

(b) Notwithstanding any other law, authority to enter into and to perform and carry out any transaction or matter referred to in this section is conferred on any Federal home loan bank, the Federal Savings and Loan Insurance Corporation, any Federal savings and loan association, any Federal home loan bank member, and any other financial institution the deposits or accounts of which are insured by an agency of the United States to the extent that Congress has the power to confer such authority.

OBLIGATIONS AND SECURITIES

SEC. 306. (a) The Corporation is authorized, upon such terms and conditions as it may prescribe, to borrow, to give security, to pay interest or other return, and to issue mortgage-backed securities guaranteed by the Government National Mortgage Association in the manner provided in section 306(g) of the National Housing Act. Any obligation or security of the Corporation shall be valid and binding notwithstanding that a person or persons purporting to have executed or attested the same may have died, become under disability, or ceased to hold office or employment before the issuance thereof.

(b) The Corporation may, by regulation or by writing executed by the Corporation, establish prohibitions or restrictions upon the creation of indebtedness or obligations of the Corporation or of liens or charges upon property of the Corporation, including after-acquired property, and create liens and charges, which may be floating liens or charges, upon all or any part or parts of the property of the Corporation, including after-acquired property. Such prohibitions, restrictions, liens, and charges shall have such effect, including without limitation on the generality of the foregoing such rank and priority, as may be provided by regulations of the Corporation or by writings executed by the Coporation, and shall create causes of action which may be enforced by action in the United States District Court for the District of Columbia or in the United States district court for any judicial district in which any of the property affected is located. Process in any such action may run to and be served in any judicial district or any place subject to the jurisdiction of the United States.

(c) The Federal home loan banks shall, to such extent as the Board of Directors may prescribe, guarantee the faithful and timely performance by the Corporation of any obligation or undertaking of the Corporation on or with respect to any security (which term as used in this sentence shall not include the capital stock referred to in section 304 of this title).

(d) The provisions of this section and of any restriction, prohibition, lien, or charge referred to in subsection (b) shall be fully effective notwithstanding any other law, including without limitation on the generality of the foregoing any law of or relating to sovereign immunity or priority.

MISCELLANEOUS PROVISIONS

SEC. 307. All rights and remedies of the Corporation, including without limitation on the generality of the foregoing any rights and remedies of the Corporation on, under, or with resect to any mortgage or any obligation secured thereby, shall be immune from impairment, limitation, or restriction by or under (1) any law (except laws enacted by the Congress expressly in limitation of this sentence) which becomes effective after the acquisition by the Corporation of the subject or property on, under, or with respect to which such right or remedy arises or exists or would so arise or exist in the absence of such law, or (2) any administrative or other action which becomes effective after such acquisition. The Corporation shall be entitled to all immunities and priorities, including without limitation on the generality of the foregoing all immunities and priorities under any such law or action, to which it would be entitled if it were the United States or if it were an unincorporated agency of the United States.

PENAL PROVISIONS

SEC. 308 (a) Except as expressly authorized by statute of the United States, no individual or organization (except the Corporation) shall use the term "Federal Home Loan Mortgage Corporation", or any combination of words including the words "Federal", and "Home Loan", and "Mortgage", as a name or part thereof under which any individual or organization does any business, but this sentence shall not make unlawful the use of any name under which business is being done on the date of the enactment of this Act. No individual or organization shall use or display (1) any sign, device, or insigne prescribed or approved by the Corporation for use or display by the Corporation or by members of the Federal home loan banks, (2) any copy, reproduction, or colorable imitation of any such sign, device, or insigne used by the Corporation or prescribed or approved by the Corporation, contrary to regulations of the Corporation prohibiting, or limiting or restricting, such use or display by such individual or organization. An organization violating this subsection shall for each violation be punished by a fine of not more than $10,000. An officer or member of an organization participating or knowingly acquiescing in any violation of this subsection shall be punished by a fine of not more than $5,000 or imprisonment for not more than one year, or both. An individual violating this subsection shall for each violation be punished as set forth in the sentence next preceding this sentence.

(b) The provisions of sections 215, 607, 658, 1011, and 1014 of title 18 of the United States Code are extended to apply to and with respect to the Corporation, and for the purposes of such section 658 the term "any property mortgaged or pledged", as used therein, shall without limitation on its generality include any property subject to mortgage, pledge, or lien acquired by the Corporation by assignment or otherwise.

(c) The term "bank examiner or assistant examiner", as used in section 655 of such title 18, shall include any examiner or assistant examiner who is an officer or employee of the Corporation and any person who makes or participates in the making of any examination of or for the Corporation.

(d) The term "bank", as used in subsection (f) of section 2113 of such title 18, shall be deemed to include the Corporation, and any building used in whole or in part by the Corporation shall be deemed to be used in whole or in part as a bank, within the meaning of such section 2113.

(e) The terms "agency" and "agencies" shall be deemed to include the Corporation wherever used with reference to an agency or agencies of the United States in sections 201, 202, 203, 205, 207, 208, 209, 286, 287, 371, 506, 595, 602, 641, 654, 701, 872, 1001, 1002, 1016, 1017, 1361, 1505, and 2073 of such title 18. Any officer or employee of the Corporation shall be deemed to be a person mentioned in section 602 of such title 18 within the meaning of sections 603 and 606 of such title.

(f) The terms "obligation or other security" and "obligations or other securities", wherever used (with or without the words "of the United States") in sections 471 to 476, both inclusive, and section 492 of such title 18, are extended to include any obligation or other security of or issued by the Corporation. Any reference in sections 474, 494, 495, and 642 of such title 18 to the United States, except in a territorial sense, or to the Secretary of the Treasury is hereby extended to include the Corporation. Section 477 of such title 18 is extended to apply with respect to section 476 of such title as extended by the first sentence of this subsection (f), and for this purpose the term "United States" as used in such section 476 shall include the Corporation.

TERRITORIAL APPLICABILITY

SEC. 309. Notwithstanding any other law, this title shall be applicable to the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

CONSTRUCTION AND SEPARABILITY

SEC. 310. Except as otherwise provided in this title, or as otherwise provided by the Corporation or by laws hereafter enacted by the Congress expressly in limitation of provisions of this title, the powers and functions of the Corporation and of the Board of Directors shall be exercisable, and the provisions of this title shall be applicable and effective, without regard to any other law. Notwithstanding any other evidences of the intention of Congress, it is hereby declared to be the controlling intent of Congress that if any provision of this title, or the application thereof to any person or circumstances, is held invalid, the remainder of this title, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

TITLE IV—REALLOCATION OF GOVERNMENT NATIONAL MORTGAGE ASSOCIATION SPECIAL ASSISTANCE FUNDS

SEC. 401. (a) Section 305(c) of the National Housing Act is amended by striking out "by $500,000,000 on July 1, 1969" and inserting in lieu thereof "by $1,250,000,000 on July 1, 1969".

(b) Section 305(g) of such Act is amended—

(1) by striking out "$2,500,000,000" and inserting in lieu thereof "$1,750,000,000";

(2) by striking out "at par"; and

(3) by striking out in the first sentence all that follows the word "exceed" and inserting in lieu thereof "the dollar limitation on maximum principal obligation that would be applicable to such mortgage if insured under section 235(i) of the National Housing Act."

SEC. 402. The second sentence of section 302(b)(1) of the National Housing Act (as redesignated by section 201 of this Act) is amended by inserting after "(1)" the following: "is insured under section 236 or".

TITLE V—FUNDS FOR FINANCING MIDDLE-INCOME HOUSING

FINDINGS AND PURPOSE

SEC. 501. The Congress finds that—

(1) periodic episodes of monetary stringency and high interest rates make it extremely difficult for families of middle income to obtain mortgage credit at rates which they can afford to pay;

(2) periods of monetary stringency and high interest rates are directly related to the Government's monetary and fiscal policies;

(3) a disproportionate share of the burden of sustaining these anti-inflationary policies of the Government falls on families of middle income who are buyers or prospective buyers of homes; and

(4) The Government has a responsibility to lessen the disproportionate burden which such families bear as a result of such policies.

It is the purpose of this title to provide, during periods of high mortgage interest rates, a source of mortgage credit for such families which is within their financial means.

MORTGAGE CREDIT FOR MIDDLE-INCOME FAMILIES

SEC. 502. Title II of the National Housing Act is amended by adding a new section 243 as follows:

"HOMEOWNERSHIP FOR MIDDLE-INCOME FAMILIES

"SEC. 243. (a) Whenever he determines such action to be necessary in furtherance of the purposes set forth in section 501 of the Emergency Home Finance Act of 1970, the Secretary is authorized to make, and to contract to make, periodic assistance payments on behalf of families of middle income. The assistance shall be accomplished through interest subsidy payments to the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation (hereinafter referred to as 'the investor') with respect to mortgages meeting the special requirements specified in this section and made after the date of enactment of the Emergency Home Finance Act of 1970.

"(b) To qualify for assistance payments a middle income family shall be a mortgagor under a mortgage which meets the requirements of this section. In addition to the foregoing requirement, the Secretary may require that the mortgagor have an income, at the time of acquisition of the property, of not more than the median income for the area in which the property is located, as determined by the Secretary, with appropriate adjustments for smaller and larger families.

"(c) The interest subsidy payments authorized by this section shall cease when (1) the mortgagor no longer occupies the property which secures the mortgage, (2) the mortgages are no longer held by the investor, or (3) the rate of interest paid by the mortgagor reaches the rate of interest specified on the mortgage.

"(d) Interest subsidy payments shall be on mortgages on which the mortgagor makes monthly payments towards principle and interest equal to an amount which would be required if the mortgage bore an effective interest rate of 7 per centum per annum including any discounts or charges in the nature of points or otherwise (but not including premiums, if any, for mortgage insurance) or such higher rate (not to exceed the rate specified in the mortgage) which the mortgagor could pay by applying at least 20 per centum of his income towards homeownership expenses. As used in this subsection, the term 'monthly homeownership expense' shall include the monthly payment for principal, interest, mortgage insurance premium, insurance, and taxes due under the mortgage.

"(e) The interest subsidy payments shall be in an amount equal to the difference as determined by the Secretary, between the total amount of interest per calendar quarter received by the investor on mortgages assisted under this section and purchased by them and the total amount of interest which the investor would have received if the yield on such mortgages was equal to the sum of (a) the average costs (expressed as an annual percentage rate) to them of all borrowed funds outstanding in the immediately preceding calendar quarter, and (b) such per centum per annum for administrative and other expenses as the Secretary determines is necessary and appropriate.

"(f) Procedures shall be adopted by the

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Secretary for recertifications of the mortgagor's income at intervals of two years (or at shorter intervals where the Secretary deems it desirable) for the purpose of adjusting the amount of the mortgagor's payments pursuant to subsection (d).

"(g) The Secretary shall prescribe such regulations as he deems necessary to assure that the sales price of, or other consideration paid in connection with, the purchase by a homeowner of the property with respect to which assistance payments are to be made is not increased above the appraised value on which the maximum mortgage which the Secretary will insure is computed.

"(h)(1) There are authorized to be appropriated such sums as may be necessary to enable the Secretary to make interest subsidy payments under contracts entered into under this section. The aggregate amount of contracts to make such payments shall not exceed amounts approved in appropriations acts, and payments pursuant to such contracts shall not exceed $60,000,000 during the first year of such contracts prior to July 1, 1971, which amount shall be increased by an additional $60,000,000 during the first year of an additional number of such contracts on July 1 of each of the years 1971 and 1972.

"(2) No interest subsidy payments under this section shall be made after June 30, 1973, except pursuant to contracts entered into on or before such date.

"(i) In determining the income of any family for the purposes of this section, income from all sources of each member of the family in the household shall be included, except that the Secretary shall exclude income earned by any minor person.

"(j)(1) The Secretary is authorized, upon application by the mortgagee, to insure a mortgage executed by a mortgagor who meets the eligibility requirements for assistance payments prescribed by the Secretary under subsection (b). Commitments for the insurance of such mortgages may be issued by the Secretary prior to the date of their execution or disbursement thereon, upon such terms and conditions as the Secretary may prescribe.

"(2) To be eligible for insurance under this subsection, a mortgage shall meet the requirements of section 221(d)(2) or 234(c), except as such requirements are modified by this subsection: *Provided, however,* That in the discretion of the Secretary 10 per centum of this authority conferred by this section and subject to all the terms thereof may be used for mortgages in existing housing.

"(3) A mortgage to be insured under this section shall—

"(i) involve a single-family dwelling which has been approved by the Secretary prior to the beginning of construction or a one-family unit in a condominium project (together with an undivided interest in the common areas and facilities serving the project) which is released from a multifamily project, the construction of which has been completed within two years prior to the filing of the application for assistance payments with respect to such family unit and the unit shall have had no previous occupant other than the mortgagor;

"(ii) involve a single-family dwelling whose appraised value, as determined by the Secretary, is not in excess of $20,000 (which amount may be increased by not more than 50 per centum in any geographical area where the Secretary authorizes an increase on the basis of a finding that the cost level so requires).

"(iii) be executed by a mortgagor who shall have paid in cash or its equivalent on account of the property (a) 3 per centum of the first $15,000 of the appraised value of the property (b) 10 per centum of such value in excess of $15,000 but not in excess of $25,000, and (c) 20 per centum of such value in excess of $25,000."

CONFORMING AMENDMENTS

SEC. 503. Section 238 of the National Housing Act is amended by—

(a) striking out "section 235(i), 235(j)(4), or 237" each place it appears in subsection (a) and inserting in lieu thereof "section 235(i), 235(j)(4), 237, or 243"; and

(b) striking out "235, 236, and 237" each place it appears in subsection (b) and inserting in lieu thereof "235, 236, 237, and 243".

AMENDMENT TO THE FEDERAL NATIONAL MORTGAGE ASSOCIATION CHARTER ACT

SEC. 504. Section 304(a)(1) of the National Housing Act is amended by adding at the end thereof the following: "Nothing in this title shall prohibit the corporation from purchasing, and making commitments to purchase, any mortgage with respect to which the Secretary of Housing and Urban Development has entered into a contract with the corporation to make interest subsidy payments under section 502 of the Emergency Home Finance Act of 1970.".

TITLE VI—MISCELLANEOUS

INTEREST RATES ON THE FINANCING OF FEDERAL HOUSING ADMINISTRATION AND VETERANS' ADMINISTRATION ASSISTED HOUSING

SEC. 601. Section 3(a) of the Act of May 7, 1968 (Public Law 90–301), is amended—

(1) by inserting "(1)" immediately following "(a)";

(2) by striking out "October 1, 1970" and inserting in lieu thereof "January 1, 1972"; and

(3) by adding at the end thereof the following new paragraphs:

"(2) Notwithstanding the provisions of the sections referred to in paragraph (1) and any maximum interest rates established pursuant to paragraph (1), the Secretary of Housing and Urban Development and the Administrator of Veterans' Affairs, respectively, are authorized, pursuant to commitments issued prior to January 1, 1972, to insure or guarantee mortgages and loans at whatever interest rate may be agreed upon by the borrower and the lender if the lender certifies it has made no charges in the nature of discounts in connection with the mortgage or loan transaction except as compensation for expenses in accordance with regulations prescribed by the Secretary and the Administrator.

"(3) The Secretary and the Administrator shall take appropriate steps to assure that prospective borrowers have adequate information as to (A) the alternative methods for establishing interest rates pursuant to this subsection, (B) current mortgage interest rates and discounts in the area, (C) the amount of any discounts to be charged each party to the transaction, expressed in terms of dollars and yield; and (D) the amount of allowable settlement costs and other fees.

"(4) The Secretary and the Administrator shall jointly report to the Congress not later than three months after the date of enactment of the Emergency Home Finance Act of 1970, and at least once during each calendar quarter thereafter, with respect to the adequacy of the interest rates established pursuant to paragraph (1) in meeting the mortgage market, including the level of discounts incident to such rates and the relation of such rates and discounts to interest rates established in accordance with paragraph (2). The Secretary and the Administrator shall also jointly report to the Congress not later than September 1, 1971, evaluating the dual interest rate system established by this subsection and making recommendations as to permanent legislation with respect to interest rates on Government-assisted mortgages and loans."

SETTLEMENT COSTS IN THE FINANCING OF FEDERAL HOUSING ADMINISTRATION AND VETERANS' ADMINISTRATION ASSISTED HOUSING

SEC. 602. (a) With respect to housing built, rehabilitated, or sold with assistance provided under the National Housing Act or under chapter 37, United States Code, the Secretary of Housing and Urban Development and the Administrator of Veterans' Affairs are respectively authorized and directed to prescribe standards governing the amounts of settlement costs allowable in connection with the financing of such housing in any such area. Such standards shall—

(1) be established after consultation between the Secretary and the Administrator;

(2) be consistent in any area for housing assisted under the National Housing Act and housing assisted under chapter 37, title 38, United States Code; and

(3) be based on the Secretary's and the Administrator's estimates of the reasonable charge for necessary services involved in settlements for particular classes of mortgages and loans.

The Secretary and the Administrator shall undertake a joint study and make recommendations to the Congress not later than one year after the date of enactment of this Act with respect to legislative and administrative actions which should be taken to reduce mortgage settlement costs and to standardize these costs for all geographic areas.

SPECIAL ADVISORY COMMISSION ON HOUSING

SEC. 603. (a)(1) There is hereby established the Special Advisory Commission on Housing (hereinafter referred to as the "Commission") consisting of thirteen members appointed by the President. Of these members of the Commission, not more than three shall be regular full-time employees of the Federal Government and not less than four shall represent the consumer. Appointment shall be made by the President after consultation with the ranking majority and minority members of the Housing Subcommittees of the Committees on Banking and Currency of the Senate and House of Representatives.

(2) The President shall designate a Chairman and a Vice Chairman of the Commission.

(3) Each member shall serve for a term of two years or until his successor has been appointed, except that no person who is appointed while a full-time employee of the Federal Government shall serve in such position after he ceases to be so employed, unless he is reappointed.

(4) A vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(5) Six members of the Commission shall constitute a quorum.

(b) Not later than November 1 of each year, the Commission shall submit an annual report to the President and to the Congress making recommendations on—

(1) the number of new and rehabilitated housing units which should be provided during the next fiscal year with and without Government assistance;

(2) the cost to the Federal Government of meeting the recommended housing goal for the next fiscal year;

(3) the fiscal and monetary policies, both long- and short-range, which are necessary to achieve recommended levels of housing production; and

(4) legislative and administrative actions necessary or desirable to achieve the recommended housing goal.

The recommendations made in any such report shall be fully considered and discussed in the annual housing report required to be submitted pursuant to title XVI of the

Housing and Urban Development Act of 1968.

(c) Each department, agency, and instrumentality of the Government is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this section.

(d) The Chairman, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, shall have the power—

(1) to appoint and fix the compensation of such staff personnel as he deems necessary, and

(2) to procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $50 per day for individuals.

(e) Members of the Commission, other than those who are regular full-time employees of the Government, shall receive compensation at the rate of $75 per day for each day they are engaged in the performance of their duties as members of the Commission. All members of the Commission shall be entitled to reimbursement for necessary travel and subsistence expenses incurred by them in the performance of the duties of the Commission.

(f) There are authorized to be appropriated such sums as may be necessary to carry out this section.

SAVINGS AND LOAN ASSOCIATIONS

SEC. 604. (a) Section 5(c) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464 (c)) is amended—

(1) by striking out "$40,000" in the first proviso and inserting in lieu thereof "such amount as the Board may determine by regulation"; and

(2) by inserting before the next to the last paragraph a new paragraph as follows:

"Any such association is authorized to act as trustee of any trust created or organized in the United States and forming part of a stock bonus, pension, or profit-sharing plan which qualifies or qualified for specific tax treatment under section 401(d) of the Internal Revenue Code of 1954, if the funds of such trust are invested only in savings accounts or deposits in such association or in obligations or securities issued by such association. All funds held in such fiduciary capacity by any such association may be commingled for appropriate purposes of investment, but individual records shall be kept by the fiduciary for each participant and shall show in proper detail all transactions engaged in under the authority of this paragraph."

(b) (1) Section 2 of the Home Owners' Loan Act of 1935 (12 U.S.C. 1462) is amended by striking out subsection (b) and inserting in lieu thereof the following:

"(b) The term 'primary lending area' means (1) all territory located within a radius of one hundred miles from the home office of an association, (2) in the case of an association converted from a State-chartered savings and loan institution, any additional territory within which that institution was authorized to lend on real estate security prior to the date of its conversion, and (3) any additional area within the State in which such home office is located; except that the Board may, in its discretion, provide by rule or regulation that this clause (3) shall not be applicable in the case of an association having its home office in a State where State-chartered savings and loan associations are not permitted to lend on real estate security in any portion of the additional area described in this clause (3)."

(2) Section 5(c) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(c)) is amended by striking out in the first sentence "one hundred miles of their home office" and inserting in lieu thereof "their primary lending area".

REAL ESTATE LOANS BY NATIONAL BANKS

SEC. 605. Section 24 of the Federal Reserve Act (12 U.S.C. 371) is amended—

(1) by striking out "80 per centum" and "twenty-five years" in clause (3) of the third sentence of the first paragraph and inserting in lieu thereof "90 per centum" and "thirty years", respectively; and

(2) by striking out "thirty-six months", each place it appears in the first sentence of the third paragraph, and inserting in lieu thereof "sixty months".

TREASURY BORROWING AUTHORITY FOR NEW COMMUNITIES PROGRAM

SEC. 606. Section 407 (a) of the Housing and Urban Development Act of 1968 is amended by adding at the end thereof the following: "The Secretary may issue obligations to the Secretary of the Treasury in an amount outstanding at any one time sufficient to enable the Secretary to carry out his functions with respect to the guarantees authorized by this title. The obligations issued under this subsection shall have such maturities and bear such rate or rates of interest as shall be determined by the Secretary of the Treasury. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Secretary issued under this subsection, and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as now or hereafter in force, and the purposes for which securities may be issued under such Act are extended to include purchases of the Secretary's obligations hereunder."

EMERGENCY RELIEF FROM INTEREST RATE CONFLICT BETWEEN FEDERAL LAW AND STATE LAW

SEC. 607. Notwithstanding any other law, from the date of enactment of this Act until July 1, 1972, loans to local public agencies under title I of the Housing Act of 1949 and to local public housing agencies under the United States Housing Act of 1937 may, when determined by the Secretary of Housing and Urban Development to be necessary because of interest rate limitations of State laws, bear interest at a rate less than the applicable going Federal rate but not less than 6 per centum per annum.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized and directed to make any necessary clerical and technical changes in the engrossed bill, S. 3685.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, with the passage of this measure the Senate has disposed of two most important legislative proposals today. Both were handled ably and with the highest degree of skill by the distinguished senior Senator from Alabama (Mr. SPARKMAN).

The authorization for the Arms Control and Disarmament Agency was, of course, extremely significant. Its swift and unanimous approval by the Senate speaks well for the manner in which it was presented to the Senate by Senator SPARKMAN and for its full and careful treatment by the Committee on Foreign Relations under the leadership of its distinguished chairman, the Senator from Arkansas (Mr. FULBRIGHT).

Senator SPARKMAN's handling of the mortgage credit proposal was equally superb. For that also he deserves the highest commendation of the Senate.

Particularly notable with respect to the consideration of this all-important housing assistance measure were the efforts of the distinguished Senator from Texas (Mr. TOWER). Our thanks go as well to the distinguished Senator from Wisconsin (Mr. PROXMIRE) whose work especially on title V of the proposal was truly outstanding. By necessity, the distinguished Senator from Utah (Mr. BENNETT) was absent today but he is to be given great credit as well for cooperating so splendidly in assuring the disposition of this measure with such a high degree of efficiency.

Beyond that, I would like to thank Senator PASTORE, Senator PERCY, and the many others who joined in support of this measure. Their views are always thoughtful and most welcome.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 11102) to amend the provisions of the Public Health Service Act relating to the construction and modernization of hospitals and other medical facilities by providing separate authorizations of appropriations for new construction and for modernization of facilities, authorizing Federal guarantees of loans for such construction and modernization and Federal payment of part of the interest thereon, authorizing grants for modernization of emergency rooms of general hospitals, and extending and making other improvements in the program authorized by these provisions; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. JARMAN, Mr. ROGERS of Florida, Mr. SPRINGER, and Mr. NELSEN were appointed managers on the part of the House at the conference.

TOUCHET DIVISION, WALLA WALLA PROJECT, OREGON-WASHINGTON

Mr. INOUYE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 743.

The ACTING PRESIDENT pro tempore (Mr. METCALF) laid before the Senate the amendments of the House of Representatives to the bill (S. 743) to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes which are, on page 3, line 1, strike out "Irrigration" and insert "Irrigation".

On page 4, strike out all after line 17 over through and including line 2, on page 5, and insert:

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SEC. 6. (a) There are hereby authorized to be appropriated to the Bureau of Sport Fisheries and Wildlife, for transfer to the Bureau of Reclamation, such sums as may be required to cover separable and joint construction costs of the Touchet division, Walla-Walla project, allocable to the enhancement of anadromous fish as determined by cost allocation studies comparable to those set forth in House Document Numbered 155, Eighty-ninth Congress, second session.

(b) There are authorized to be appropriated to the Bureau of Reclamation for construction of the works involved in the Touchet division $22,774,000 (January 1969 prices), less the amounts authorized by subsection (a) of this section.

(c) The total sums authorized to be appropriated by subsection (a) and subsection (b) of this section shall be plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes, and, in addition thereto, such sums as may be required to operate and maintain such division: *Provided*, That funds appropriated pursuant to the authority contained in subsection (b) of this section shall be expended only if the amount thereof is increased in any given fiscal year by a proportionate amount appropriated pursuant to subsection (a) of this section.

Mr. INOUYE. Mr. President, I move that the Senate disagree to the amendments of the House on S. 743, ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. JACKSON, Mr. CHURCH, Mr. MOSS, and Mr. JORDAN of Idaho conferees on the part of the Senate.

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DIFFERENTIATION BETWEEN CERTAIN PRIVATE AND PUBLIC LANDS

Mr. INOUYE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 2062.

The ACTING PRESIDENT pro tempore (Mr. METCALF) laid before the Senate the amendments of the House of Representatives to the bill (S. 2062) to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Federal reclamation law, and for other purposes, which are, on page 2, line 5, strike out "Interior" and insert "Interior; and to the extent that such lands continue to qualify for the exempted status afforded by this section they shall not be deemed to be excess lands for any purpose whatsoever under said reclamation laws.".

On page 2, strike out all after line 19, over through and including line 4, on page 3.

Mr. INOUYE. Mr. President, I move that the Senate disagree to the amendments of the House on S. 2062 and ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. JACKSON, Mr. CHURCH, Mr. MOSS, Mr. ALLOTT, and Mr. JORDAN of Idaho conferees on the part of the Senate.

EXTENSION OF TIME FOR FILING THE REPORT OF THE SENATE SPECIAL COMMITTEE ON AGING

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the time for filing the report of the Senate Special Committee on Aging be extended to May 15, 1970.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SEAWARD LIMITS OF NATIONAL JURISDICTION OVER THE CONTINENTAL SHELF

Mr. PELL. Mr. President, I have read with great interest the statement presented in the Senate on Monday by the distinguished junior Senator from Montana (Mr. METCALF) regarding the seaward limits of national jurisdiction over the Continental Shelf.

Having read his statement, however, as well as the statements of the distinguished junior Senator from Oklahoma (Mr. BELLMON) and the distinguished junior Senator from Wyoming (Mr. HANSEN) on the same question, I believe I have an obligation to comment on the issues involved in view of the imminence of an executive policy decision.

First, I compliment the Senator from Montana on the interest he has displayed in this issue as chairman of the Interior Committee's Special Subcommittee on the Continental Shelf, and I commend him for the dedicated and fair manner in which he has conducted the subcommittee's extensive hearings on this difficult question.

I would be negligent if I did not also take note of the excellent hearings previously held, last October, on the same question of suboceanic lands jurisdiction, by the Commerce Committee subcommittee under the distinguished leadership of the junior Senator from South Carolina (Mr. HOLLINGS).

These hearings by subcommittees of the Interior and Commerce Committees are valuable and welcome supplements to the initial hearings on this important question held by the committee of primary jurisdiction, the Foreign Relations Committee. And here I express my thanks to Senator HOLLINGS and Senator METCALF for the most gracious and cooperative manner in which they have recognized my own interest in the matter as chairman of the Ocean Space Subcommittee of the Foreign Relations Committee.

I am gratified that this very difficult and important policy issue is receiving the attention it requires from the committees of the Senate. Even more heartening are the indications that the executive branch, at the highest level, is showing signs of coming to grips with the issue.

I am indeed particularly heartened by this development since I have been pressing the executive branch since 1967 to produce a substantive policy position on the question of continental shelf and seabeds jurisdiction. In December 1967, in the first session of the 90th Congress I presided at a hearing by the Foreign Relations Committee on a Senate resolution I introduced directed to this issue. Last year in the first session of this 91st Congress the Subcommittee on Ocean Space subsequently held extensive hearings on the question in July.

The subject of those hearings was Senate Resolution 33, which I introduced as a vehicle for expressing the sense of the Senate on the full range of jurisdictional, arms limitation, and pollution abatement problems confronting the world in ocean space.

The able Senator from Montana in his statement on Monday offered several premises on which he believes the U.S. Government policy on this issue should be based. I am happy that he did so, and I should like to do the same today. In doing so I hope I can contribute to a clarification of the issue.

First, there was a great deal of talk here about the United States forfeiting its rights, under the Geneva Convention of 1958, to the continental margin, and even some alarms spread about plots to give away the Continental Shelf of the United States.

The Senator from Montana stated the premise that "the United States should not forfeit any of the legal rights, present or potential, to the natural resources of the continental margin it enjoys by virtue of the 1958 Geneva Convention on the Continental Shelf" and the Senator from Wyoming said it would be "foolish to give up our sovereign rights to our Continental Shelf for any reason."

I agree fully that the United States should not forfeit any of its rights to mineral resources of the Continental Shelf. Indeed I know of no one who has suggested such a forfeiture. The problem here is a very basic one of terminology, for the term continental margin is not synonymous with the term Continental Shelf either geographically or legally.

The Geneva Convention on the Continental Shelf is just that—an international agreement on the Continental Shelf, and it confers rights to no one in regard to the entire continental margin. So, I think we need not worry about the United States forfeiting rights to the natural resources of the continental margin as bestowed by the Geneva Convention. There are no such national rights.

And this leads me to my own first premise for the formulation of the U.S. policy on this issue:

The United States should clearly understand what its present rights are, and are not, under existing international law.

Unfortunately, the petroleum industry has set out deliberately to obscure and confuse the extent of existing U.S. subsea rights by substituting the term continental margin for the term Continental Shelf. In fact, the term continental margin is an all encompassing concept including the Continental Shelf, the continental slope, and the continental rise.

But nowhere, either in the Outer Continental Shelf Lands Act of 1953, nor in the later 1958 Geneva Convention on the Continental Shelf does the term continental margin appear. In fact, the legislative history of these acts makes quite clear what the Continental Shelf was considered to be. It is instructive to cite the definition of the shelf as it appeared in the report of the Committee on Interior and Insular Affairs on the Outer Continental Shelf Lands Act:

> The Continental Shelf is defined as the extension of the land mass of the continents out under the waters of the ocean to the point where the slope leading to the true ocean bottom begins. This point is generally regarded as a depth of approximately 100 fathoms, or 600 feet, more or less.

In short, Mr. President, we are not confronted with the question of whether we should renounce any existing national rights or give away our Continental Shelf. The question rather is what additional rights, if any, this Nation should seek beyond our existing national jurisdiction under international law.

My own recommendation on this point as stated in Senate Resolution 33, is that the United States seek to negotiate an international agreement extending national rights to adjacent continental shelves to a depth of 550 meters, a depth which I believe to be a reasonable compromise between the existing limits of 200 meters and the extreme proposal of the National Petroleum Council for national sovereignty to a depth of 2,500 meters or more. The depth of 550 meters is also the greatest depth at which the edge of the Continental Shelf occurs in the world.

This leads me to my second premise for policy formulation:

The United States should keep consistently in mind that its interests do not lie solely in establishing a maximum jurisdiction over subsea areas lying off our own shores; we have a vital national interest also in what subsea jurisdictions are claimed and recognized by other nations throughout the world.

These two considerations are inseparable. If this Nation is to claim subsea jurisdictional rights 200 miles or more off our coast, we must be prepared to recognize similar claims by every other nation. I would point out that in some cases the continental margin, which the petroleum industry would have this Nation claim, extends in some cases to 400 or 500 miles offshore. How can we claim exclusive access to petroleum or other mineral resources hundreds of miles off our own shores while protesting the Peruvian or Chilean claims of exclusive access to fishery resources 200 miles off their own coasts?

My third premise:

The United States, in formulating policy on this issue, must take into account all of the elements that comprise our national interest.

The elements of national interest involved in this jurisdictional question go far beyond claims to possible petroleum deposits, which are the singleminded concern of our petroleum industry. Due consideration must also be given to national security interests in maintaining maximum freedom of the seas, to the national interest in maintaining freest possible access for scientific exploration and investigation, and to our national interest in preserving and promoting good relations with other nations by recognizing their legitimate interests.

I found it interesting to read the argument by the junior Senator from Wyoming that national security requires this Nation to maximize its offshore oil claims. I can only say that the Department of Defense takes precisely the opposite view—that, all factors considered, the national security of the United States is best served by a claim limited exclusively to the Continental Shelf.

Indeed, I believe this issue finally has made one point transparently clear—in the minds of the petroleum industry, national interest means oil interests. When we are discussing oil import quotas, the petroleum industry cites a national security justification for limiting imports of oil and cites Defense Department authorities to back up its contention. But, in the minds of the oil industry, our Defense Department is wrong when the Department's view of national security requirements conflicts with the petroleum industry's ambitions offshore. My conclusion is that in both instances, the petroleum industry is cynically using a national security cover for its own pursuit of black gold.

And this leads me to my final premise for policy formulation on this issue:

The United States should not confuse the oil interest with the national interest. Despite the consistent findings of the National Petroleum Council to the contrary, what is good for the oil industry is not necessarily good for the United States.

Let me examine briefly what the real interests of the oil industry are in this jurisdictional question.

First, the petroleum industry wants the most extensive possible U.S. claims to subsea areas partly because of the existing oil import quota policy. The farther out to sea they can push the boundaries of this country, the more oil the industry has available to market, at artificially high prices, behind the shield of the import quota system.

Second, the petroleum industry has found it immensely profitable, because of U.S. tax laws, to deal directly with less developed nations of the world in exploiting oil off their coasts. The typical deal calls for a modest royalty payment, say 12 to 15 percent, to the host nation, and a whopping tax payment to the host nation of 50 percent of profits. Then, in the United States, the oil companies take that 50 percent tax payment to a foreign government as a direct tax credit against their U.S. tax obligations. In effect, the oil companies recoup their foreign tax payments from Uncle Sam—and it comes right out of the pockets of the average American taxpayers.

I really do not believe a far-reaching decision affecting, worldwide, the national jurisdictions of every nation, should be influenced in the least by the petroleum companies understandable desire to continue and expand this sweetheart deal at the expense of the American taxpayers.

Instead, Mr. President, I hope the White House, in its forthcoming decision, will give to this issue the balanced consideration that such a historic decision requires. A wise policy properly enunciated in this issue will live in history long after the so-called Nixon doctrine is relegated to the footnotes.

A policy decision on this issue, Mr. President, cannot be truly effective, I believe, unless it is pursued in negotiations with other nations and unless the Senate of the United States, under its constitutional responsibilities, ultimately gives its advice and consent as it did in the case of the 1958 Geneva Convention. I want to assure the President that as chairman of the Ocean Space Subcommittee of the Foreign Relations Committee, I am prepared to do my best to fulfill that constitutional responsibility.

Mr. PELL. Mr. President, I yield to the distinguished Senator from Wyoming.

Mr. HANSEN. Mr. President, I thank my distinguished colleague and good friend, the Senator from Rhode Island. I will not take much of the Senate's time.

I want to make a couple of points first of all with respect to the question of jurisdiction. May I say that the staff of the Committee on Interior and Insular Affairs has put together this statement. And I am not trying to argue the points. I simply want to submit it for the Record in order that all Senators may be apprised of the position taken by the Committee on Interior and Insular Affairs. It reflects a position to which I subscribe.

The Interior Committee of the Senate has clear-cut responsibility for and jurisdiction over legislation pertaining to the development on the Outer Continental Shelf. This is based on the Legislative Reorganization Act of 1946—Public Law 601, 79th Congress—which assigns to this committee jurisdiction over "mineral resources of the public lands," "mining interests generally" and, "petroleum conservation." In addition, the committee has held extensive hearings on past legislation pertaining to the Continental Shelf: The Submerged Lands Act, Public Law 31, The Outer Continental Shelf Lands Act, Public Law 212—83d Congress—and the Engle Act, Public Law 337—85th Congress. This act imposed restraints on the Department of Defense reserving or restricting public lands, including Federal lands on the Continental Shelf, for Federal defense purposes.

Mr. President, with respect to the statement made by my distinguished colleague, the Senator from Rhode Island, let me say simply that I agree and repeat that I feel there is a very close relationship between the adequacy and the availability—and I underscore that word—of petroleum resources to our national security.

We have but to reflect on this fact. Seventy-five percent of all of the energy that this great Nation—the United States of America—uses comes directly from petroleum and natural gas.

More than 99 percent of all the locomotion which we have at our disposal in this country—and by that I mean the use of cars, and trucks, trains, ships, and planes—which provides the locomotion for these four major ways of getting around comes from petroleum. And if we want to talk about walking and

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bicycling, it may be interesting parenthetically to note that 80 percent of all of the roads in the United States are built of asphalt.

So, I do not think there can be much question as to the close relationship between the adequate supply of petroleum and our national security.

As I have pointed out and as the present Presiding Officer (Mr. METCALF) has from time to time pointed out, it is a fact that if we were to become dependent upon foreign sources of supply, we do not need much imagination to contemplate what could happen.

I suggest that our foreign policy as it reflects our interest in the Middle East might be an entirely different one if America were getting, not the 3.5 percent of its supplies from Arab States, but a considerably major share of the oil and gas we use in this country. If that were the case, then I think that in all probability we would find that our foreign policy would be more closely attuned, I would suggest, to that of France toward Libya than is presently the case.

I say this because I think it follows, and it cannot be debated and cannot be successfully controverted, that if we were dependent upon the Arab countries for our oil supplies and we knew that we had to get a major share of our oil from there, we could not possibly have any other foreign policy excepting one of great interest in and responsiveness to those things which would best serve the interests of Arab countries with the oil.

I hope the time does not come when this country of ours has to have its foreign policies dictated by those economic interests that reflect the great urgency of having to follow a course of action which reflects our dependency upon someone else's continuing good will.

When I spoke, and when the Presiding Officer (Mr. METCALF) chaired the meeting of that subcommittee on which I serve, Mr. President, I know that it was the great and continuing interest of the distinguished Senator from Montana that this country do nothing insofar as the Outer Continental Shelf is concerned which would not reflect the best interests of the United States of America. And if it happens in this instance, and I think it does, that the interests of America on the one hand and the oil companies on the other coincide and parallel, as the U.S. Geological Survey and the Chairman of the Federal Power Commission contend we must not renounce our right to this shelf. Their testimony supports the proposition that within the United States and out to the 200 meter isobath are contained 2 trillion barrels of oil and 2,127 trillion cubic feet of natural gas. Add to that the oil that is locked in the shale deposits of the Green River plateau in Utah, Colorado, and Wyoming, where geologists say if we can turn the key to those oil shale deposits we will have released and made available to us more oil than we have used up to the present time and perhaps more oil than there is known to be in reserves throughout the rest of the world.

If one adds to that the fact we have coal deposits in the State of Wyoming alone that could supply much of the energy needs of this country, and if one adds to Wyoming's reserves those in the great State of Montana, and if one takes in addition the uranium we have in this country, I think we can be assured of being able to satisfy our energy requirements far into the distant future, far beyond our ability to contemplate.

So I say it makes sense to me not to give away as valuable a resource as the Outer Continental Shelf.

According to testimony before your committee, Mr. President, we have all sorts of rich resources contained in this Outer Continental Shelf which can be of great value to this country.

I hope this Congress will have the wisdom and the courage to see that the interests of the United States come first when it is applied to our Outer Continental Shelf. If that can be done we will serve this people well, those who call themselves Americans, in seeing that we have not, in trying to buy the goodwill of foreign countries, given away a resource which is as important to us as this is.

I thank the Senator from Rhode Island.

Mr. PELL. Mr. President, I thank the Senator from Wyoming for his comments and his contributions. I think we are both acting with the same interest in mind, the interest of the United States. We have a different interpretation of what that interest is. We must be very careful not to confuse the interests of the oil industry with what necessarily must be the interests of the United States. We must bear in mind that by osmosis the Department of the Interior has taken on in Washington a role akin to that of an attorney-client relationship with the oil industry. I say this advisedly because when one looks at the record of the National Petroleum Council, there will not be found a recommendation of the National Petroleum Council that has not been accepted by the Department of the Interior.

There are those in the Department of the Interior, in governing positions within that Department—the Bureau of Commercial Fisheries or, perhaps, those concerned with hard-rock minerals—who would like to see a movement made toward some kind of international regime, in the ocean, the seabed, and the ocean floor.

Answering specifically the points of the Senator from Wyoming, I think that I am suggesting exactly what he said. This Nation should not be at the whim of any other nation to turn off or to turn on or blackjack us or hold us up for higher royalties and payments, which is what Near Eastern countries have done. They have held us up: 50 percent tax payments and 15 percent royalty fees. It does not bother the oil companies because these taxes are paid for and passed on to the taxpayers.

I suggest there be an international organization—which would not act at the whim of any foreign country—in which we would, because of our technological ability and because of our capital contribution, exercise a fairly dominant role and make sure it followed a certain direction. I think it important that neither the continental slope nor continental rise be closed off to us. An international organization would assure free access to these areas around the world.

Then, from the viewpoint of military security, which the Senator touched upon forcefully in his original comments and again just now, all I can do is quote from the testimony of the Assistant Secretary of Defense Nutter, who said:

> We continue to consider it important for national security to define a narrow boundary for the Continental Shelf.

This has been the position of the Department of Defense right down the line.

Finally, when it comes to the definition of the Continental Shelf. I agree with the Senator from Wyoming with regard to jurisdiction. There is no question but that the Department of Interior has complete jurisdiction over resources of the Inter and Outer Continental Shelf. But I also remind the Senate of the definition of the Continental Shelf as defined in the report of the Committee on Interior and Insular Affairs, to accompany S. 1901, the bill to provide for jurisdiction of the United States over the submerged lands of the Outer Continental Shelf, dated 1953. It stated:

> In countries using the metric system the outer limit of the shelf is generally regarded as a depth of 200 meters. * * *

What is happening is that because of the encouragement of the oil industry there has been a cloud of confusion, a change in terminology between "shelf" and "margin."

When one gets beyond the limits of the shelf, to the slope or margin, it is open to question.

With respect to jurisdiction, any treaty that is decided on would have to go through the Committee on Foreign Relations for approval or disapproval.

Mr. HANSEN. First, I would like to respond to my distinguished colleague from Rhode Island. I wish to read an interpretation of our rights as a nation under the 1958 Geneva Convention on the Continental Shelf. This is the new agreement:

> a. A definite seaward limit for the exclusive jurisdiction of the coastal state may be persuasively derived from the language of the Convention as it now stands. There is, however, a wide number of interpretations as to just what the language means. Some argue that the factor of exploitability is the controlling term and would carry the coastal nation's exclusive jurisdiction to mid-ocean. Others argue that the 200 meter factor is determinative and that national jurisdiction is limited to the 200 meter isobath. Finally, there is the intermediate view, under which the exploitability factor is limited by the element of adjacency. According to this view, the exclusive sovereign rights of the coastal nations would embrace the submerged land mass of the adjacent continent down to its junction with the deep ocean floor, irrespective of depth. It is this view that has been adopted by the National Petroleum Council and has the support of the House of Delegates of the American Bar Association.

I would like to say further with respect to another point my good friend made

XUM

with regard to the position taken by the Department of Defense, wherein they say they think it would serve the interest of this country best to have as narrow a limit as possible, I can understand why they take that position. If one reflects for a moment upon our being able to move in closely to the shores of other countries and being able to get our ships and submarines as close as we can, it does make sense.

I do not know what undersea surveillance we may have now. I read all sorts of stories in the newspapers that we may have all sorts of gadgetry placed on the ocean bottom that will monitor the movement of ships. I do not know whether that is true or not, but looking at it strictly from the standpoint of being able to monitor ships of foreign countries and being able to move our ships in closely, that makes sense. But I remember how, following the close of World War I, the French decided to protect themselves by building the famous maginot line. We all know what happened at the beginning of World War II.

By the same token, I would only suggest to my good friend from Rhode Island that by the time we get all the other sophistication built into the undersea monitoring devices, whatever we may have in our submarine patrols, and everything else, and by the time we think we have the "last word," I suspect that we will have perfected the sophistication of satellites in orbit so as to make that whole concept just as obsolete as was the maginot line. It was with that thought in mind that I would tend to discount what the Department of Defense has said.

Looking at it now from another point of view, from the military point of view, I think it has been recognized by everyone from World War I forward that, more and more, mobility, the ability of an army to strike effectively and quickly and decisively, is geared in direct relationship to the availability of petroleum supplies. That was demonstrated for all the world to take note of back in World War II. The fact is that more than half, or at least half, of the tonnage, so I am told, that has gone to Vietnam is what one would think it might be. It has been petroleum or petroleum products, because that is the way an army, navy, and air force moves today.

All I can say is, let us not be blinded by the Department of Defense's concept because, while it might be nice to be able to move our ships close to the shores of foreign nations, we place a dependency on the maginot line concept and overlook the adequacy of petroleum supply, which I think is of far greater significance to our defense posture than would be the point made by the Senator from Rhode Island.

Mr. PELL. Mr. President, will the Senator yield?

Mr. HANSEN. I yield.

Mr. PELL. I am not one to be blinded by the Defense Department view. I know I disagree with them on ABM gadgetry and a variety of other points. But when it comes to command of the seas, while it may be because I have been an officer in the Coast Guard and served under the Navy in the last war, I feel command of the seas is a very important thing, and that the more freedom we as a seagoing nation have, the better off we are.

I also believe that in this case the Defense Department has taken into account not just a system of gadgetry, but also the tactical system, and has also taken into mind and account the whole concept of broad policy and broad strategy, and for that reason believes we should continue maximum freedom of the seas.

Answering directly the question of the definition of the term "Continental Shelf" as it was agreed to at Geneva, and encompassing the so-called exploitability test, I believe there can be no doubt that the framers of the convention had in mind only the shelf proper, that portion of the submerged land mass that reaches a natural break at the continental slope. In some cases the edge of the shelf goes down to depths of 550 meters. What was allowed for by the exploitability clause was to go as far as could be exploited to the edge of the shelf. But the Geneva definition certainly does not encompass the slope and the rise. By its use of the term "shelf" the petroleum industry has attempted to confuse it with the total margin, which includes both the slope and the rise.

I am going to close this debate and go on to other subjects, unless the Senator from Wyoming has a reply.

Mr. HANSEN. I thank my colleague. Without laboring that point, let me just conclude my part in this colloquy, as far as I am concerned, by saying we are fortunate that American entrepreneurs have gone into the Middle East countries and have gone all over the world, for that matter. The average American taxpayer does not pay money out of his pocket for the privilege that has been extended American oilmen to drill wells in the Middle East. As a matter of fact, the precise opposite is the fact.

Last year there was plus of more than $2 billion in the balance of payments that resulted from the fact that American industry was involved in the production of oil in the Middle East.

I am certain that our friends who are members of NATO, Western European countries, are happy indeed that we are involved in those oil drilling operations, because that is where a major share of their oil supplies come from. So rather than leave the impression that activities of American oil companies in any other part of the world, have taken dollars away from the American taxpayers, let us have the fact. The fact is that the American taxpayer has benefited from our balance of payments by more than $2 billion because those oil companies have been over there.

Mr. President, I realize that the hour is late, and I shall not burden my good friend's graciousness and patience further. I thank my colleague.

Mr. PELL. The Senator has raised a point as to which I should like to ask him a question. What would the Senator's definition of the outer limit of the Continental Shelf be?

Mr. HANSEN. May I say to my good friend from Rhode Island that I am not a lawyer, as he is——

Mr. PELL. I regret to say I am not, either. We are both in the underprivileged minority.

Mr. HANSEN. I have the definition right here. I read it just a moment ago.

In response to the question raised by my good friend from Rhode Island, I would say I subscribe to this intermediate view:

> Finally, there is the intermediate view, under which the exploitability factor is limited by the element of adjacency. According to this view, the exclusive sovereign rights of the coastal nations would embrace the submerged land mass of the adjacent continent down to its junction with the deep ocean floor, irrespective of depth. It is this view that has been adopted by the National Petroleum Council and has the support of the House of Delegates of the American Bar Association.

Mr. PELL. I can imagine no other view being adopted by the National Petroleum Council and its lawyers in the Interior Department, and presumably some of its lawyers in the American Bar Association.

But in view of the national interest, I would say that is not correct. I would cite the report of the Society of Marine Resources, which has studied this matter for 2 years, and its study is deemed most definitive:

> The seaward limit of each coastal nation's "continental shelf" should be fixed at the 200-meter isobath, or 50 nautical miles from the baseline for measuring the breadth of its territorial sea, whichever alternative gives it the greater area for purposes of the Convention.

This goes farther than before, because they did not have the horizontal or nautical distance measurement. Personally, I favor the 550-meter isobath, which would give a little bit, and, perhaps, in some instances, a portion of the slope as well, but I think the thought of going to the bottom of the slope and confusing the bottom of the slope with the Continental Shelf concept is the result of the National Petroleum Council's excellent public relations department's repeated statements, attempting to secure for the industry its natural short-run self-interest.

But I would contend that its long-term self-interest is best gained, because of our technological ability, in having maximum freedom of access to the slopes of all other nations of the world. I think they do not really know, in this case, what is best for them over the long haul.

Mr. HANSEN. Mr. President, I thank my distinguished colleague. I shall not take any further time.

TORTURE OF POLITICAL PRISONERS IN GREECE

Mr. PELL. Mr. President, I congratulate the Council of Europe on its adoption of a resolution calling on the Government of Greece to "abolish immediately torture and other ill treatment of prisoners," to release persons now being detained administratively, and "to restore without delay human rights and fundamental freedoms."

I am glad that they have taken this step and am glad also that, while commenting on the improvements that have occurred in Greece, they have not been diverted from directing the world's attention to the brutal practices of the regime now in power.

XUM

It really strikes me as odd that the explanation that the United States offers for continuing the limited military support to Greece is the importance of Greece to NATO. Yet, the very nations who have the most to lose by any failure of NATO are the very same nations who have taken this action in the Council of Europe condemning the Greek Government.

I do hope that our administration will soon unequivocally declare that we find the junta in Athens and its permission of administrative use of torture abhorrent to the United States.

We have never done this officially. And, because of our not having done so and because of our continued extension of military assistance and our use of Greek ports for liberty and refurbishment purposes for our Naval forces, the unfortunate Greek people continue to labor under the false assumption that the Greek junta enjoys the support of the United States. It may enjoy the support of the Pentagon, but it certainly does not enjoy the support of the United States. For this reason, I believe our position should be stated unequivocally.

Incidentally, in connection with the report of the Council of Europe. I would draw to the attention of my colleagues the excellent book by James Becket, "Barbarism in Greece," recently published by Walker & Co. I had the honor to do a preface for this book which, I believe, documents past practices of torture by the regime in Greece.

The recent political trials in Athens continue to attest to these views.

All told, while I am glad to note that there have been certain constitutional improvements by the Greek Government, I would hope that the United States would join the Council of Europe in urging Greece to move along the road toward a less brutal form of government.

I ask unanimous consent that the news story and excerpts from the report of the Council of Europe be inserted in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

PRISONER TORTURE IS LAID TO GREECE BY 15 COUNTRIES—REGIME ACCUSED BY ALL BUT TWO IN COUNCIL OF EUROPE—REPORT DETAILS TREATMENT

(By Eric Pace)

STRASBOURG, FRANCE, April 15.—Fifteen Western European Governments asserted jointly today that the Greek military junta engaged in "torture and other ill treatment" of its political prisoners. The Governments also made public a 40,000-word report detailing alleged misdeeds by the authorities in Athens.

The allegation of torture came in a resolution adopted by the Committee of Ministers of the Council of Europe, which met at the council's modern headquarters here.

Of the 17 member nations—all of them parliamentary democracies—all except France and Cyprus voted for the resolution.

Greece, anticipating expulsion by the council, withdrew last December and has already dismissed the report, the substance of which was disclosed in November, as null and void.

IN THE HANDS OF THE PEOPLE

Gaston Thorn, the Foreign Minister of Luxembourg, who was chairman of the meeting today, said at a news conference after the morning session: "Now the matter is in the hands of the people. They have the report."

Opponents of the three-year-old Greek Government hope the ministers' action will further arouse public opinion against it. Optimists among them also hope that the Greek authorities may be dissuaded from taking further harsh measures against dissidents.

The report, drafted last year by the European Commission on Human Rights, says that torture and ill treatment of prisoners were an "administrative practice" officially tolerated by the Government of Premier George Papadopoulos.

Among the accounts it gives is the testimony of a 26-year-old woman, Mrs. Anastasia Tsirka, who said she was tied down, gagged and beaten on the soles of her feet while pregnant.

The report says the commission heard allegations of torture or ill treatment of more than 200 detainees. It examined 30 of the cases to "some substantial degree" and concluded that in 11 of them "torture or ill treatment has been established" and that in 17 others there was other evidence corroborating the complaints.

The commission indicated that the Greek police liked to beat prisoners on the soles of their feet because the practice is intensely painful but leaves no lasting marks if skillfully done.

Another criticism of the junta was voiced separately today by the Greek composer Mikis Theodorakis, who was released from detention this week and flew to Paris for medical treatment.

In a message read here, Mr. Theodorakis said that the prison and concentration-camp system in Greece was "inadmissible in any of our European countries, and not only for my country but for every man who is civilized and free."

The message from Mr. Theodorakis, who wrote the music for the films "Zorba the Greek" and "Z," was read at a news conference conducted by Jean Jacques Servan-Schreiber, the French editor-politician. who criticized the French Government for not voting for the report.

NO PERIL OF RED COUP FOUND

The principal conclusions of the 1,200-page document and some of its details were published in the press after being leaked by officials opposed to the Athens government.

It concluded that contrary to contentions of the Greek authorities, there was no danger of a Communist takeover at the time they came to power in a military coup d'etat.

The report of the resolution adopted today asserted that the military government had violated provisions of the European Convention on Human Rights. The Greek authorities have denounced the convention, but the Council of Europe contends that they are still bound by its provisions.

The French Government has not ratified the convention and said that was why it did not vote. The delegation of Cyprus, which has close ties with Greece, made it known that it did not vote because it took exception to the resolution.

The delegations that voted in favor were those of Austria, Britain, Turkey, Switzerland, Sweden, Norway, the Netherlands, Malta, Luxembourg, Italy, Ireland, Iceland, West Germany, Denmark and Belgium.

The resolution called on the Greek Government "to abolish immediately torture and other ill treatment of prisoners, to release immediately persons detained under administrative order" and "to restore without delay human rights and fundamental freedoms."

EXCERPTS FROM COUNCIL OF EUROPE'S REPORT ON TREATMENT OF PRISONERS IN GREECE

STRASBOURG, FRANCE, April 15.—Following, as made public today by the Council of Europe, are excerpts from a report by the European Commission on Human Rights on the situation under the military Government in Greece. The first section is testimony by Mrs. Anastasia Tsirka, who was arrested in connection with pamphlets deemed suspicious. The second section consists of comment by the commission.

WITNESS' TESTIMONY

"I say to them (the police), I am going to have a baby. "They answer: "Who cares about that? It will be another person like you, it is better not to have it." So I told to them again when I was laid down," I am going to have a baby, be careful please." But they do not care at all about my stomach, they do not care at all!

Mallios (an official) ordered to Spanos to give me a "Falanga" (blows on the soles of the feet) and he give me 20. I counted, maybe it was not, 18 maybe 21, but it was more than 15, it is silly.

I started to scream very loudly and they put me a very dirty rag in my mouth to keep my mouth shut. So I started to shake, they have me, they started to shake me, and I scream and scream, and I say "oh no, you cannot do that to me!" Oh, I hate the people!

VERY DARK AND DIRTY

I was there in (cell) No. 3. It was very, very dark, dirty and they have so many, many bedbugs. Have you ever heard about them? They just come up all over. And you hurt and move like that, always, and no one can hear you. And you scream and there are people outside, they hear you but they cannot give you any help and the guard come in my little window and: "Will you shut up, please. Someone sleep."

"What can I do? and I start to get tired, tired, tired, and fall down, where I never thought I am going to sleep. I just tried not to get dirty like that, then after, after, after I leave that cell I come down and sleep so normal, and I have nothing, nothing.

It was about 5 o'clock in the morning, something like that. I already sleep maybe, I have sleep, I was dizzy and groggy and all that and hurting all over. But I would like to sleep, so I did sleep.

At 5 o'clock it started to come blood, you know, all over my feet, and I feel it, I never saw it, because there is no light. But I feel that I have blood somewhere, so I start to scream. I say, "I lost my baby!" So then the guard comes and says, "What is the matter with you?" Then I show people.

COMMISSION'S COMMENT

The commission finds two features common to many of the accounts or ill-treatment: the use of falanga, and, in particular, its use in the washroom and the terrazza. [Athens] Not all accounts of the washroom and the terrazza mention the same features, and there are sometimes errors. Thus some describe the small wall outside the washroom; the boiler, the sink with the metal lid and the back door in the washroom, and the notice on the stairs leading to the terrazza.

The use of falanga has been described in a variety of situations: on a bench or chair or on a car seat; with or without shoes on. Sometimes water has been thrown over the seat and sometimes the victim has been made to run around between beatings. Victims have also been gagged.

The commission considers that the variety of the situations in which falanga is described as being used, and the differences and errors of description of the washroom and terrazza, instead of putting in question the veracity and reality of the accounts, tend to confirm them. For it is natural that, where several witnesses describe the same place or incident, there will be variations and errors of detail: indeed it is the precise repetition of the same features that would be suspect and would point to fabrication.

While falanga and severe beatings of all parts of the body are the commonest forms of torture or ill treatment that appear in the evidence, other forms have been described: For example, the application of electric shocks, squeezing of the head in the vise, pulling out of hair from the head or pubic region, or kicking of the male genital organs, dripping water on the head and intense noises to prevent sleep.

The commission has found it established beyond doubt that torture or ill treatment has been inflicted in a number of cases. It will now apply to these cases, in the light of all the other evidence at its disposal, the criteria it has chosen for determining whether they are part of a practice of torture or ill treatment of political detainees in Greece since the 21st of April 1967: namely the repetition of acts and official tolerance of them.

SOME ROUGHNESS

It appears from the testimony of a number of witnesses that a certain roughness of treatment of detainees by both police and military authorities is tolerated by most detainees and even taken for granted. Such roughness may take the form of slaps or blows of the hand on the head or face.

This underlines the fact that the point up to which prisoners and the public may accept physical violence as being neither cruel nor excessive varies between different societies and even between different sections of them. However, the allegations raised in the proceedings generally concerned much more serious forms of treatment which, if established, clearly constitute torture or ill treatment.

The factor of repetition of torture or ill treatment appears in the concentration of incidents around the security police. It is to be noted that in complaints of torture or ill treatment by the security police, some witnesses have made a distinction between the uniformed guards and more senior officers, usually in plain clothes, and have spoken of help and kindness from the former.

Further, the commission cannot ignore the sheer number of complaints. The International Red Cross reported that at one stage, out of 131 prisoners, 46 complained of torture or ill treatment, and it apparently later investigated further torture allegations, but the respondent Government has failed to submit the report on those investigations.

In the present proceedings, thirty cases had been examined to some substantial degree before the proceedings were terminated following the respondent Government's refusal to make possible the hearing of the number of further witnesses detained in Greece.

ADJOURNMENT UNTIL MONDAY, APRIL 20, 1970

Mr. PELL. Mr. President, I move, in accordance with the previous order, that the Senate do now adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 44 minutes p.m.) the Senate adjourned until Monday, April 20, 1970, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 16, 1970:

U.S. ATTORNEY

William J. Bauer, of Illinois, to be U.S. attorney for the northern district of Illinois for the term of 4 years, vice Thomas A. Foran, resigning.

U.S. COAST GUARD

Rear Adm. Chester R. Bender, U.S. Coast Guard, to be Commandant of the U.S. Coast Guard with the rank of admiral.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

MAJOR TO LIEUTENANT COLONEL

Line of the Air Force

Abbott, Maclyn, 529189312.
Abbott, Richard L., 420285897.
Abelman, Robert M., 530123103.
Abercrombie, William R., Jr., 419287728.
Abrams, Arthur B., 548262681.
Ace, Robert K., 398121300.
Acker, William J., 511183668.
Acquaviva, Onorio, 155107189.
Adair, Robert E., 350142004.
Adams, Lester M., Jr., 437241637.
Adams, William L., 260444788.
Aires, Francis L., 072186654.
Aitken, Charles P., 125121639.
Albertazzie, Ralph D. 235208000.
Albrecht, Walter H., 045120341.
Alden, George B., 460268144.
Alexander, George J., 298168405.
Alford, Joe L., 546340943.
Allen, Alfred S., 527163421.
Allen, Jesse N., 344207703.
Alley, Fred C., 526266954.
Allison, Clark H., 532209963.
Allison, Herbert E., 346146913.
Allison, Philip J., 295188391.
Almon, John S., 343058089.
Alvord, Ray W., 528265447.
Aman, William G., Jr., 297124281.
Ambrose, Robert F., 557247654.
Amerio, Unberto M., 559249964.
Andersen, David D., 528264167.
Anderson, Earl, 432348019.
Anderson, Joe E., Jr., 251245004.
Anderson, Joe, 508223340.
Anderson, John E., 568206252.
Anderson, Marion R., 456226919.
Anderson, Robert H., 575208728.
Anderson Robert S., 486323993.
Anderson, Thomas A., 727034413.
Andreason, Allan K., 551285051.
Andress, Joe D., 443240937.
Anlian, Edward, 140165813.
Anna, Lloyd P., 348167304.
Archer, Harold L., 546247205.
Archer, Roy E., 372186670.
Argo, Marion L., 552284834.
Arnold, Harry C., 042188883.
Arondvsky, Alvin J., 351184387.
Ashbaker, Joseph L., 277266778.
Asseo, Sam, 450401367.
Atkins, Herbert L., 230149589.
Aton, Bert B., 403285983.
Austin, Coy L., 562228890.
Austin, Herbert W., 091203597.
Austin, Robert B., 496074193.
Avery, Bobby R., 311263592.
Aylsworth, Warren R., 370141915.
Baader, Theodore J., 721100086.
Babel, William T., 498242024.
Bahl, James F., 293147535.
Bailey, Edward D., 171208494.
Bailey, Stanley L., 198162136.
Baker, Henry D., Jr., 548326562.
Baker, Mack E., 525323713.
Ballantyne, Glenn C., 536180247.
Ballew, Wilson L., 464035676.
Ballou, David B., 477124980.
Bandini, Alfred, Jr., 194128699.
Barbato, John, 082184580.
Barbee, Alfred C., 425384602.
Barbena, Martin W., 275204412.
Barker, George C., 252285585.
Barnard, Victor R., 311189867.
Barnes, Wilbur E., 544147331.
Barnes, William E., 485121499.
Barone, Ben A., 114146086.
Barousse, Roy A., 438448857.
Barrett, Michael J., Jr., 230321225.
Barrett, Richard E., 253148898.
Barrett, Robert L., 499186153.
Barrett, Wilfred D., 327149015.
Barrows, Earl J., 007076599.
Barwick, Dewitt H., 256304550.
Batchelor, Edward, 237406537.
Bauer, Donald L., 534264964.
Baugh, William J., 572248168.
Baxter, Walter H., III, 454346567.
Bayer, Edwin R., 372220859.
Bayer, Oscar, 570225177.
Bayliss, Charles E., 226764838.
Beard, William J., 301184393.
Beasley, Harold L., 411426768.
Beaulieu, Joseph P., Jr., 001183811.
Beaver, Homer E., 455205227.
Beck, Garold R., 383221125.
Becker, William J., 132165216.
Bee, Thomas C., 235325507.
Beech, Harold W., 412325630.
Beeson, John D., 305247679.
Begley, Burriss N., 404249649.
Behan, Joseph F., 097169560.
Behnke, Paul J., 131209517.
Behnken, Kenneth L., 572226253.
Bell, George W., 572262498.
Bell, Jack W., 371125895.
Bellemare, Edmond R., 046166848.
Benedict, Andrew S., 177091204.
Benedict, John C., 084241281.
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Benigno, Benjamin B., 111229653.
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Bishop, Winston H., 563268101.
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Boehne, Gerald P., 493204163.
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Bray, John W., 421244214.
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Bretzius, William F., III, 572285597.
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Brickman, Troy T., 441161838.
Briley, James L., 238225351.
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Bristol, Clarence D., Jr., 550249001.
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Brocato, Walter A., 033079804.
Brode, Ross B., 174183333.
Brodecki, Stanley R., 053121546.
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Brown, Eugene F., 483141435.
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Carmell, Leonard, 096168000.
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Faurer, Lincoln D., 208128092.
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Fenell, Clifford L., Jr., 477182138.
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Ferrier, Bruce D., 208145793.
Fiebig, Robert E., 375208901.
Fischer, Donald L., 067245536.
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Fisher, Bert, 528185110.
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Foster, Bradley R., 001120493.
Fountain, William L., 428460239.
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Fox, Martin H., 042247273.
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Frisby, Bob R., 467286119.
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Gilbert, William D., 433361600.
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Ginn, William A., 263602835.
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Jacobs, Carrol F., 459224716.
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Keleher, Robert J., 048161853.
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Kincaid, William L., 237249875.
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Klang, Donald R., 345164052.
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Stoltz, Edwin D., 722033747.
Stone, Carl E., 544266945.
Stone, Carl E., 343124864.
Stone, Wilbur G., 017120853.
Stover, Dorsey L., 235285233.
Stpalley, Theodore J., 024184876.
Straughan, Robert IV, 305241663.
Streit, John P., 558369168.
Strickland, Randall W., 217262822.
Stroble, John V., 194149167.
Stromberg, Warren C., 156181130.
Sturgeon, Arnold L., 351189143.
Sturiale, Glory A., 559226974.
Sturmthal, Emil, 556328157.
Sudduth, Alonzo L., 357164011.
Sullivan, Dennis B., 399205468.
Sullivan, James T., 720189527.
Sultzer, Harry D., Jr., 444240592.
Sutton, John R., 408260621.
Sutton, William K., 404206776.
Sweet, Robert M., 396381935.
Swenson, Homer W., 082189466.
Tandler, Tyer W., 373242380.
Tandy, Orval H., 534148276.
Tate, Roy W., 238221663.
Taylor, Daniel D., 024301830.
Taylor, Dewey F., 183185072.
Taylor, John C., 428183496.
Taylor, John M., 188128774.
Taylor, Ryan E., 456282298.
Teachout, Gerald E., 483186010.
Teets, Alexander M., 717126979.
Tempel, Donald G., 494224367.
Temple, Richard R., 426486157.
Temple, Thomas H., Jr., 424127651.
Thielen, Edward J., 390125494.
Thomas, Arthur J., Jr., 143169140.
Thomas, Clarence W., 561307319.
Thomas, Ernest C., 513163974.
Thompson, Francis E., 246222823.
Thompson, Kermit C., 445224700.
Thompson, Lloyd J., 571305973.
Thompson, Melvin C., 058128499.
Thompson, Nathan S., 549202409.
Thompson, Robert J., 416183989.
Thomson, David L., 559302754.
Thurber, Robert J., 470207644.
Thurman, Nelson D., Jr., 462182825.
Tillis, Wesley M., 266269033.
Tobey, Richard N., 316121997.
Todsen, Peter B., 491243555.
Tomlin, Whitney N., 561265035.
Torraco, Pasquale, 106186995.
Torres, Rudolph, 449282943.
Townsend, Jack H., 545227378.
Townsend, Loren R., 534245849.
Trabue, Harold J., 349246822.
Tracey, John K. M. C., 096241490.
Treankler, Lester E., 384288615.
Trimble, Earl L., Jr., 520167607.
Tripp, Daryle E., 096229928.
Trompeter, Arthur F., 503180565.
Trout, Melville G., Jr., 225163689.
Trudell, Robert D., 008129491.
True, Everett L., 490449697.
Truver, Curtis C., 186245344.
Tsufis, Bill P., 087202635.
Tubay, Leo W., 352228425.
Tulloh, Clifton C., 454246860.
Turner, Harry, 094107772.
Turregand, John E., 434222287.
Tuten, Raphael D., Jr., 251385736.
Tutko, Thomas J., 210148855.
Tyler, Joseph J., 216180953.
Tyler, Ralph L., 436325189.
Ulrich, Lloyd C., 274225876.
Underwood, Elbert M., 479245705.
Uzelac, Milton J., 561323918.
Vandagriff, Treadwell J., 525360028.
Vandyke, Henry C., 420205474.
Vanhise, Harold C., Jr., 379164266.
Vanhuss, George D., Jr., 382222208.
Vansaun, Richard F., 088180738.
Vastine, John E., 296165525.
Vinson, Bobby G., 456347170.
Vogels, David S., Jr., 038126503.
Voigt, William F., 577305510.
Vojvodich, Mele Jr., 235423435.
Volino, Rose L., 075129692.
Vonhaven, Ellis J., Jr., 233460628.
Vonkaenel, Robert A., 294207821.
Vonplaten, William G., 527146647.
Wade, Thomas D., 235442657.
Wakefield, W. R. J., Jr., 448143846.
Walecka, Norbert J., 390222885.
Walker, Clarence W., Jr., 461183103.
Walker, Joel W., 440145444.
Walker, Ludwell K., 446122385.
Wall, Robert M., 111142484.
Walters, Frederick B., 103012178.
Wallace, James Jr., 288246750.
Ward, Charles W., 417263788.
Ward, John D., 557329421.
Ward, Marion H., 238207195.
Warren, Frederick T., 464265599.
Warren, George M., 575167921.
Washington, Miles S., Jr., 194183384.
Wasmund, Lee R., 379221225.
Wasserman, Harold B., 447281306.
Waters, William F., 245269633.
Watt, Donald H., 033019437.
Watt, Ross W., Jr., 541203369.
Wayne, John W. III, 446187415.
Wead, Arthur D., 290161775.
Webb, John L., 454302748.
Weber, Howard S., Jr., 266223788.
Weber, Robert I., 471240864.
Wechter, Jerome E., 507506993.
Weedlun, Russell D., 505525084.
Weight, Clay D., 401347481.
Weinheimer, Urban J., 175223955.
Wells, Herman D., 422186551.
Wessel, Carl H., 141161354.
Westover, Robert D., 134122326.
Wetmore, Allen P., 272280015.
Wheeler, Alan D., 031126359.
Wheeler, Bruce H., 005204231.
Wheeler, Lewis E., Jr., 461169654.
Whipple, Loris D., 381288786.
White, Allie B., Jr., 410360331.
White, George S., 343223415.
White, Leon, G., Jr., 007074949.
White, Robert H., 461165228.
White, Robert M., 104160834.
Whiteaker, William E., 524165878.
Whitehouse, John F., 483181753.
Whiting, Robert E., 530109881.
Wiebold, Theodore L., 471260023.
Wilber, Thomas A., 102129457.
Wilcox, Paul A., 002168863.
Wiley, Daniel R., 526164461.
Wilke, Robert A., 399201098.
Wilke, Robert F., 388189460.
Wilkerson, Alva L., 512121903.
Willes, Kenneth W., 528201006.
Williams, Irvin L., 001208153.
Williams James T., Jr., 248201098.
Williams, Jasper P., 458127552.
Williamson, Boyd D., 548342296.
Williamson, James M., 456282488.
Willingham, Letha P., 543183975.
Willms, Alton, 458326808.
Wilson, Leon A., 491079330.
Wilson, Rudolph A., 458285056.
Wilson, Wallace E. S., 554324860.
Wimberley, Harold K., 525380218.
Winkler, Julius S., 45019987.
Winskie, John M., 263427450.
Withers, James H., 523224007.
Wizeman, Arden C., 077013097.
Woelke, Joe E., 446224650.
Wollmers, John A., 121202300.
Wood, Archie D., 354203696.
Wood, Charles J. B., 460146415.
Wood, Douglas R., 344181576.
Wood, Paul S., 156186046.
Woodford, Charles E., 508129478.
Woods, Charles E., 228207672.
Woodson, John D., 480183543.
Woodson, Richard C., 500204290.
Woodyard, John J., 484186858.
Worthy, Lorne R., 376207111.
Wright, Harold V., 563263209.
Wright, Lennon E., 220282615.
Wyatt, Elvin D., 434329386.
Wynne, Norris S., 256221957.
Yahn, Sidney M., 479204011.
Yandell, Robert B., 536120448.
Yeager, George G., Jr., 198129493.
Yedlicka, David J., 196205000.
Yery, Richard T., 050263090.
Yohannan, Francis, 177147641.
York, Garland A., 227183142.
York, Kenneth T., 464201157.
York, Theodore R., 016201097.
Young, Frank L., 508249435.
Younker, Barr D., 198182732.
Yunag, Robert D., 187185726.
Zagorski, Frank J., 042325507.
Zavitz, Paul R., 370266018.
Zbar, Allan L., 263505614.
Zimmerman, Clarence, 502091464.
Zimmerman, Henry W., 176184215.
Zimmerman, Richard C., 275268832.
Zinkgraf, Clarence W., 395125617.
Zuro, Joseph E., 164204263.

Chaplains

Barnett, Beverly J., 062220907.
Barnett, Ike C., Jr., 411281526.
Bauer, Walter R., 307202253.
Blaisdell, Travis L., 455326308.
Blitch, Eugene A., Jr., 242207654.
Caine, Martin J., 069184820.
Clancy, John L., 083120044.
Curran, John J., 036120113.
Ellis, John R., Jr., 401225914.
Franklin, Charles R., 428220303.
Gabrielsen, Luther T., 538187831.
Gilliam, Alvin J., 256382464.
Hafermann, Henry H., 334202801.
Hesseldenz, Clarence H., 495189539.
Jester, Harold D., 209120006.
Kiryluk, Nicholas T., 074167211.
Letchworth, Clarence F., 256202312.
Ludlum, William J., 136323629.
McCalmont, Daniel W., 549287576.
McCormack, Orville L., 440182967.
McDuffy, Walter N., Jr., 358164766.
Miller, Richard D., 268260225.
Mossey, Robert E., 068180706.
Newton, Willis H., Jr., 532284242.
Overman, Robert F., 409263003.
Pickering, John E., Jr., 460283379.
Poock, Richard F., 29612206.

XUM

Pritz, Raymond, 132030165.
Rathjen, David E., 395162919.
Riddle, Ray, 238420583.
Rothman, Robert C., 410301546.
Schoning, John B., 038148498.
Shively, Deane S., 200228691.
Stevens, Leland R., 557323912.
Summy, Kenneth D., 452248475.
Swain, Karl L., 458426060.
Sylwester, Oscar L., 543169445.
Taylor, Wayne L., 422280654.
Troutman, Lloyd B., 246143413.
West, Johnson E., 512188360.
Yashkas, Frank L., 449642744.
Zolnerowich, Peter, 386227853.

Dental Corps

Archambault, Jean B., 043225079.
Bange, Albert A., 146205695.
Barton, John A., Jr., 464488563.
Boxwell, David D., 152166429.
Bydalek, Raymond D., 341266548.
Byerly, William T., 549281593.
Clark, Robert C., 425380345.
Esterl, Norman L., 396128965.
Ferguson, Richard P., 283200489.
Frady, Ralph H., Jr., 409323358.
Frome, William J., 389241793.
Furr, Robert E., 242325917.
Green, Hampton, Jr., 267207238.
Hallwass, Karl H., 399103018.
Harless, Charles F., Jr., 243323997.
Jameson, William S., 432429863.
Johns, Robert C., 311281540.
Kleinman, Preston R., 528267639.
Koehler, Gilbert L., 217147866.
Lazanas, Theodore P., 517282003.
Martinick, Stephen G., 060221873.
Meyerhoeffer, Ward A., Jr., 412468272.
Mielke, Willard I., 477286060.
O'Hara, James W., Jr., 261360098.
Pavlikowski, Fred L., 205244266.
Smart, Elliott A., 570323930.
Sproule, Paul W., 395149608.
Starbuck, Gordon E., 524282238.
Stephens, Dsc W., III, 414386706.
Treldar, Thomas J., 384240838.
Urata, Wallace T., 576071598.

Medical Corps

Acker, Donald W., 524123924.
Bashaw, Jack D., 466249650.
Beauchamp, Charles J., 034281095.
Behrens, William H., Jr., 321246961.
Bowers, David G., Jr., 460241097.
Breece, Grady L., Jr., 436280363.
Byrd, Richard B., 497341290.
Capps, William F., Jr., 487206907.
Chunn, Samuel P., 498285429.
Dart, Leroy H., Jr., 562408526.
Dees, Doyce B., Jr., 466345209.
Dunn, John N., 507301437.
Dye, William B., 247369419.
Gill, Frank E., 357147707.
Gould, Kenneth G., Jr., 264344953.
Greendyke, William H., 136327374.
Hansen, Richard D., 313248593.
Hein, Walter R., 467124072.
Hoffman, Paul E., 490389572.
Kemmerer, William T., 443322485.
Lagergren, Willia R., 264285636.
Langdon, David E., 531243254.
Laporte, Donald J., 505282494.
Lecocq, Frank R., 353206629.
Lecoco, Frank R., 353206629.
Lee, William L., Jr., 425480667.
Lewis, George D., 508268098.
McClellan, Verne L., 429448905.
Meijer, Henry P., 003223217.
Meltzer, Saul S., 130227150.
Nugent, Paul F., Jr., 080222253.
Parker, Edward C., Jr., 427340516.
Richardson, Harold N., 520247043.
Riley, Claude C., Jr., 513123194.
Rogers, Bealer T., Jr., 267280570.
Ryder, Robert G., 325224651.
Salina, Richard J., 203125254.
Smith, Myron R., 200201604.
Wright, Allen R., 505129244.
Young, Gerald D., Jr., 508229974.

Nurse Corps

Ball, Rita J., 294120718.
Conboy, Ruth A., 038125699.
Glends, Nena S., 263187245.
Jeffries, Sarah M., 561548408.
Mills, Meta M., 213240727.
Myers, Jean C., 306209709.
Rials, Audrey R., 429523860.
Schooley, Mildred F., 344208946.
Shipe, Olive L., 196146862.
Wells, Helen, 516328265.

Medical Service Corps

Armatis, Gerald J., 508077146.
Boggs, Gayle E., 721100224.
Brown, Ernest H., 416207613.
Clarry, Robert W., 054102548.
Perkins, Arthur H., 518244229.
Schofield, James B., Jr., 491282134.

Veterinary Corps

Anderson, Donald L., 451469855.
Fineg, Jerry, 467325217.
Goen, Oliver F., 450466045.
Holk, Herbert C., 418182050.
Lashua, Elmer L., 398143556.
Wright, Albert D., 375266952.

Biomedical Sciences Corps

Alder, Albert V., 576121334.
Bodner, William C., 476012061.
Channell, Lynn R., 236283281.
Manor, Filomena R., 127167624.
Price, William B., Jr., 415465813.
Reinbold, Carolyn, 326224995.
Seaquist, Maurice R., 573201246.

SECOND LIEUTENANT TO FIRST LIEUTENANT

Line of the Air Force

Aarons, Ronald D., D42349958.
Abernathy, Charles R., 543449524.
Abernethy, Theodore J., Jr., 578627590.
Acke, Edward H., 345349420.
Adams, Henry A., III, 077367452.
Adams, James D., 482503892.
Adams, Nathan J., Jr., 419645974.
Adams, Stephen D., 528541929.
Adkins, Gary V., 236624908.
Aikman, Lynn A., 541503197.
Aitken, James G., 036280973.
Akers, Gibson C., 440447690.
Alexander, Roger S., 145347036
Allen, Philip W., 279406113.
Allen, Richard L., 400603718.
Almond, Russell H., Jr., 226587002.
Anders, Wayne R., 315407503.
Andersen, Roland E., 454704727.
Anderson, Arnold R., Jr., 312421258.
Anderson, Harlan L., 503504244.
Anderson, John F., 469486515.
Anderson, Ward F., 533467624.
Andreus, Frank C., II, 167364850.
Andrews, Robert P., 507563991.
Andrews, Robert G., 462686060.
Angelisanti, Dennis L., 159329730.
Apgar, Fred M., 110349559.
Arent, Lauren E., 506465435.
Armstrong, James C., Jr., 256644610.
Arnold, John M., 465744818.
Arnold, William D., 372442475.
Ashby, Randolph W., 228544434.
Austin, David J., 160283959.
Austin, Thomas W., 306500640.
Austin, William H., 347344744.
Baden, Frederick E., 289383239.
Bafundo, George R., 079348307.
Baity, Mickey W., 246560606.
Baker, Don L., 456665741.
Baker, Herbert G., 562583204.
Baker, James H., III, 467682004.
Baldwin, Richard F., 047345896.
Ball, Warren E., 315425856.
Ballard, Thomas R., 264661846.
Bandy, Robert R., 237663716.
Bannon, C. D., 371382369.
Bannon Thomas A., 385445618.
Barbezat, Eugene L., 519346110.
Barker, Richard F., 457649791.
Barnes, David B., 565588377.
Barnes, Jere R., 437580875.
Barr, Robert E., 528561941.
Barratt, Frederick J., 365463488.
Barrett, Donald R., 229581245.
Barrett, James G., Jr., 380422508.
Barron, George R., 416563765.
Barron, Joseph T., Jr., 042306916.
Bauer, James F., 321429628.
Beatty, Robert K., 330346182.
Beck, Frank P., 170340786.
Beck, Michael D., 515405796.
Beck, Robert J., 306448161.
Beckmann, Joel W., 468443907.
Belew, William R., Jr., 418566988.
Belsito, David B., 015343890.
Bennett, Leland H., 503481039.
Bentley, Tommy R., 570568512.
Berg, Mark L., 504504605.
Berg, William M., 556548748.
Berube, Howard A., 050345884.
Best, Douglas E., 398425962.
Bewley, Carroll E., 312444657.
Bialek, Stanley H., Jr., 193360633.
Biever, Lawrence J., 503488420.
Bigelow, Richard E., 030322651.
Bird, Robert J., 311449088.
Birdlebough, Michael W., 341341039.
Bish, John A., 142345110.
Black, Ralph P., Jr., 417561834.
Blackburn, Ronald L., 525984004.
Blackshaw, Kenneth T., 021302945.
Blackwell, James R., 287386458.
Blau, Stuart J., 396322245.
Bliss, Vernon L., 566604891.
Blucher, Bruce K., 282408663.
Bloom, Lawrence G., 200324359.
Blue, Donald W., 246609555.
Blunt, James H., 527567040.
Bois, John W., 533400892.
Bolin, Michael H., 314366103.
Bolton, Robert E., 507569607.
Bonacasa, Salvatore A., 058364149.
Bond, Daniel C., 464642240.
Bone, Marshall B., Jr., 516507451.
Bonn, Russell H., 429781533.
Boretsky, Stephen L., 409726254.
Borkowski, Robert, 191340357.
Borowsky, Harry R., 508468832.
Bouslough, Dennis A., 293380441.
Boyd, Raymond D., 255602849.
Boyd, William G., 344369863.
Boyle, Marcus J., 031306703.
Bradbury, Byron G., 357346459.
Brady, Thomas R., 451664268.
Brandon, John D., 041282893.
Breault, Gordon K., 020320824.
Brewer, Darlene K., 552566637.
Brice, Ernest, 415709464.
Bridge, William M., 162386228.
Bridges, Mark E., 466669422.
Briggs, Arthur F., III, 219401364.
Brinker, Stanley R., 425904240.
Brister, Leroy H., 426883250.
Brooks, Robert L., 267702218.
Brown, Dennis R., 131344203.
Brown, Dennis C., 245603124.
Brown, Donald S. II, 263662727.
Brown, Douglas P., 021362624.
Brown, Gary E., 528564717.
Brown, James L., 237665849.
Brown, Stanley L., 361827024.
Brushwood, Earl T., 258685949.
Bryan, Robert E., 336349976.
Bryant, Louis E., Jr., 456709449.
Bryant, Ronald, 435609492.
Brychel, John P., 330369908.
Bucher, Wallace T., 172368125.
Buckner, Robert W., 424569894.
Bunzendahl, Sidney P., Jr., 460647672.
Burdick, Bingley L., Jr., 253681251.
Burgeson, John C., 027329591.
Burgess, Ray W., Jr., 439609403.
Burnet, Robert C. 228549946.
Burns, Gregory M., 516463534.
Bush, William L., III, 542487406.
Butcher, Frank S., 447389832.
Butts, David R. W., 248744726.
Buxton, Leroy W., 479489249.
Byde, Thomas E., 568603611.

Byrd, Johnnie L., 460662744.
Cadwallader, Richard, 266604760.
Cafazzo, Robert F., 171347807.
Callanan, Thomas J., 545660921.
Callaway, Michael W., 479507599.
Campbell, Blaine B., Jr., 219404641.
Campbell, Charles H., 195348992.
Caparoon, Phillip E., 481402641.
Carmichael, Robert W., Jr., 265587121.
Carney, James M., 175366783.
Carson, Bruce, 286389969.
Carter, Harold W., 550567632.
Carter, Robert L., 357342512.
Casady, John T., 513449658.
Case, Robert E., 292369053.
Casper, Gerald D., 332349658.
Cass, Stein L., 459668295.
Cassidy, Michael S., 254662748.
Castillo, Jose R., 460644579.
Castle, Richard S., 546602722.
Catherman, Robert I., 519486747.
Causey, Robert J., 459724088.
Cavanagh, Thomas T., III, 146368341.
Centioli, Ralph, 534387533.
Chaffin, James A., 429788646.
Chalfant, James F., 162262049.
Chandler, Wayne R., 068342138.
Chapman, Harold P., 263646795.
Chapman, Richard D., 403585447.
Charles, Arthur R., 313360613.
Chase, Paul A., O45348516.
Chastain, David K., 304461748.
Chastain, Walter E., 247662206.
Childress, James S., 405585103.
Christie, William J., II, 248702182.
Christofferson, William H., 560528613.
Christy, Curtis L., 479527750.
Cirillo, Francis A., Jr., 214425863.
Clapper, John R., 391380522.
Clark, Richard J., 434609072.
Clay, Robert E., 251728213.
Clayton, Lloyd K., 139363230.
Clingaman, Ronald L., 310464645.
Cobleigh, Nelson E., 414728442.
Cocheo, Dennis, 153340071.
Cochran, Harold M., 513408691.
Coggins, William F., Jr., 418444718.
Colacicco, Vincent A., 077345134.
Cole, William III, 135343375.
Coleman, Robert G., II, 251745485.
Comstock, George F., Jr., 199349310.
Concannon, Michael R., 304384093.
Conmy, John M., 101347315.
Connor, Frank A., 123307404.
Conolly, Richard N., Jr., 465662387.
Copson, David W., 222227655.
Corbett, David L., 136349255.
Corder, Charles T., 225507527.
Cordova, Dale P., 295380969.
Cornelia, Thomas B., 154304219.
Coslett, Ronald K., 328366519.
Covarrubias, Francisco J., 563527661.
Cowan, John D., 309407916.
Cowan, Roger G., 523608270.
Coyne, James, 525863953.
Cozza, James A., 532382198.
Crank, Paul W., III, 457784141.
Cranston, Stewart E., 265708502.
Crawford, Harvey J., 466625427.
Crawford, Leo E., 378420510.
Crawford, Robert H., Jr., 221288772.
Creller, Bruce D., 009300746.
Crews, Donald R., 440383927.
Crouch, Beverly E., 224561208.
Crumbliss, James J., Jr., 463721146.
Crumrine, Larry R., 518441288.
Culbertson, Henry G., III, 248748515.
Cunney, John C., III, 012343769.
Curran, Charles R., 379405848.
Cushman, James H., III, 247726305.
Cusick, Terry L., 299362593.
Dale, Kenneth R., 411665703.
Daly, Michael J., 579564230.
Daniel, Shirley D., 408680708.
Daniel, Terry A., 416585644.
Darveaux, Joseph E., 463764169.
Daugherty, James D., 236565903.
Davidson, Cullen L. G., 569524417.
Davis, Harry C., 261808054.
Davis, William E., 251764487.
Dearmond, Christopher W., 015344179.
Delaino, George T., 262688705.
Delaney, Gilbert L., 144341715.
Delaney, John P., III, 054345357.
Delaura, Lewis, 262726008.
Dellinger, Carl L., 241545928.
Delong, Myron J., Jr., 281344558.
Delongchamp, Robert D., 382440422.
Dembrowsky, Paul E., 022327569.
Derossi, Gordon, 102305656.
Desilets, Jeffrey P., 260662472.
Desmond, John M., 222282977.
Diamond, Arlen E., 504449852.
Diehl, Paul E., 189341041.
Diehl, Richard G., 446384032.
Dileu, Raymond C., 102369006.
Dinkel, Jon A., 108347119.
Dirnberger, Kenneth R., 500523375.
Dobbs, Harold R., Jr., 420562655.
Dobbs, Larry E., 425803223.
Dodson, William E., Jr., 267680938.
Doescher, Ronald D., 118326861.
Dolan, Richard E., 004404727.
Donahey, Dayl W., Jr., 266740161.
Donart, James R., 286365638.
Donovan, Gerard P., 050369887.
Dooley, Larry R., 269406159.
Downey, James F., 361342828.
Drinkard, John M., 250704894.
Drum, Loren H., 512400684.
Duckworth, Dale L., 427845189.
Duckworth, Johnny D., 451708309.
Duda, Rudolph J., 507548085.
Dumiak, Michael J., 068349857.
Duncan, Robert F., 544500082.
Dungan, Donald R., 058348543.
Dunlap, James J., 461742291.
Dunn, Martin E., 056349734.
Dupre, Robert E., 019341678.
Durand, Arthur A., 390423004.
Duryee, William H., 092362356.
Ebdon, Thomas J., III, 267784099.
Eden, James L., 289382060.
Edmondson, Marvin G., 423566938.
Egolf, James D., 171368675.
Ehmke, William D., 524542523.
Eldridge, Paul B., 034329014.
Ellinger, Robert W., 293407775.
Ellington, David C., 191345126.
Elliott, James E., 467628966.
Elliott, William R., Jr., 565647084.
Elmer, William H., 473441491.
Elrod, Robert T., 256562342.
Engstenberg, Paul J.. 152349026.
Epps, James H., 264667889.
Erckman, Richard L., 253666118.
Erickson, Frederick J., 005443337.
Eshbaugh, Vernon L., 192342363.
Etter, Robert T., 489462011.
Evans, James C., 533408794.
Everts, Russell A., 567620139.
Ewing, Jon W., 261669667.
Faggard, Lionel E., 059341375.
Fahey, Michael G., 218408293.
Fairbrother, Clarence L., 541423975.
Fairchild, Maclennan C., 554644333.
Falk, Frank J., Jr., 539380684.
Farmer, Charles T., 241686606.
Farmer, Norman R., Jr., 242622475.
Feeney, John J., 011341006.
Feighery, Edward, 169346522.
Ferrarer, Joseph S., 548520001.
Finch, David S., 302328151.
Fischer, John C., 361340409.
Fitch, Charles P., IV, 150323343.
Fitch, Russell W., Jr., 128343719.
Fittz, James A., 562605033.
Fletcher, Benny R., 521526495.
Flinton, Joseph A., 094345367.
Flinn, William E., Jr., 294383433.
Fobes, Joseph W., III, 003303442.
Foley, James A., Jr., 023322301.
Font, Argentino, Jr., 580741357.
Forbes, Harry G., Jr., 253644255.
Foster, Dean R., 537389508.
Foster, Robert Q., 248700015.
Fowler, Donald R., 395485533.
Fowler, Jonathan P., 502482722.
Fowler, Richard B., II, 216505926.
Fowler, Robert H., II, 259660992.
Fowler, Stephen E., 459628182.
Fox, Charles L., 223567778.
Fox, Gary K., 306423471.
Fray, John M., 229647110.
Freiley, Kenneth J., 451609278.
Froelich, John M., II, 170386767.
Fuller, Darrell P., 375404917.
Fuller, Robert S., 160367215.
Fuller, Terry W., 367440657.
Funk, Larry D., 512489667.
Gaiser, Richard E., 112348564.
Gambardella Andrew W., Jr., 069361938.
Ganley, Robert W., 029305740.
Garaux, Dale L., 283383419.
Gasparian, Richard G., 150322198.
Gates, Brent A., 531364598.
Gelfand, Norman D., 018300244.
George, Clarence H., 001326639.
George, Peter B., 437524754.
George, William L., 161325634.
Geringer, James E., 520504169.
Gerlach, Gerald L., 518501153.
German, Robert D., 187340949.
Gernert, William E., III, 585098645.
Geyer, Gary S., 271386946.
Gibson, Robert T., 145365635.
Gibson, Robert C., 251480263.
Giddens, George G., 467623072.
Giganti, George R., 214427726.
Giles, Steven P., 528500953.
Gill, Jesse W., III, 228546254.
Gillespie, Clark P., 458767637.
Gillespie, Tarleton L., 224560091.
Gilmore, Charles R., 114343817.
Gilmore, James M., 552561385.
Gilstad, Claire J., 244687591.
Gist, John W., Jr., 153324683.
Glanzier, David W., 451727945.
Glascoe, Gary R., 560621779.
Glass, Larry J., 278405555.
Glos, Alan S., 300409535.
Goebel, Gary M., 585055553.
Goldey, James W., 162326683.
Golondzinier, Theodore W., 560568098.
Gordon, Ronald E., 212443503.
Gosling, Thomas J., 370423212.
Grant, Donald R., 359347154.
Grant, Kieth R., 391444841.
Grant, Wendell E., 334363008.
Grant, William J., 267688221.
Graves, John C., 554568069.
Greco, Barry J., 216424197.
Gregg, Dennis N., 542422484.
Gregory, Raymond W., 463629168.
Gregory, Russell A., 557565750.
Grenier, Leon E., 399341457.
Griffee, Robert L., 478480806.
Griffin, Larry D., 239645723.
Griffin, Robert L., 238680943.
Gronquist, Keith R., 543465986.
Grosso, Frank J., 085362575.
Grubiak, Joseph S., Jr., 205325516.
Gugat, Richard F., 563606156.
Gurney, Donald L., 351369168.
Haese, Wyndle R., Jr., 527784464.
Hague, Jack N., 425824480.
Haigh, Charles A., 250621099.
Hailes, Theodore C., IV, 002362487.
Hainey, Francis J., 016321854.
Hall, Billy D., 563563667.
Hall, Ronald J., 296449283.
Hall, William E., Jr., 471446042.
Hallgren, John W., 505562971.
Hamme, Curtis S., 454684494.
Hammond, James N., 440423440.
Hammond, Robert E., 070344776.
Hand, Donald R., 345309150.
Hanseman, Robert W., 282382883.
Harcrow, Robert J., 545583014.
Harden, Richard E., Jr., 251745297.
Harken, Grant L., 517484057.
Harmon, Lawrence K., 305425461.
Harris, Marvin J., 265688862.
Harris, Raymond L., 450649551.
Harris, Thayne S., 563546233.
Harrison, James W., 345367184.
Harrison, John T., Jr., 419600217.
Harrow, Edward D., Jr., 141358481.
Harry, Larry E., 303400221.
Hartenbower, James E., 509447287.
Hartmann, James R., 477467997.
Harty, Thomas E., 111341184.

XUM

Harville, Thomas C., Jr., 242663054.
Hawkins, Joel A., 233669067.
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Hawksworth, Gary D., 401584050.
Haynes, Eldon R., Jr., 452665376.
Haywood, Ronald T., 162288780.
Heck, Frederick B. II, 059348044.
Heifner, Milton G., 480507486.
Heinze, Herman H., 490489362.
Helie, Ronald G., 019325221.
Helms, Jane E., 238643463.
Hemphill, David W., 002321149.
Hempley, Roy B., 248566282.
Henneman, Douglas E., 516509333.
Hensel, William C., 351366497.
Hensley, Horace E., 228468867.
Herrick, John E., 452567868.
Herzinger, Larry G., 519502084.
Heslin, Robert M., 163309085.
Higbee, Edward J., 268364568.
Higuchi, Curtis M., 549564304.
Hill, Roger E., 242602777.
Hilmo, John A., 538444395.
Hintz, Duane H., 388445745.
Hintze, Ronald M., 214425942.
Hiroshige, Sidney K., 575425513.
Hobbie, Nicholas H., Jr., 243682656.
Hoffman, Lawrence D., 313383709.
Hoffmeyer, Ronald E., 377424877.
Hohn, Roger A., 296362474.
Hoke, Paul L., 283386530.
Holladay, Wendell T., Jr., 409669185.
Holland, Richard J., 288403714.
Holland, Robert L., 269406026.
Hollingsworth, Harry D., Jr., 238707186.
Hollobaugh, Mark R., 206390255.
Holm, Clarence J., 501482129.
Holscher, Gary G., 308483360.
Holt, Jerry F., 409647413.
Hopkins, Edward C. D., 230544059.
Hopkins, Leonard E., 424527650.
Hopson, Charles D., 375345264.
Horman, Gary H., 149325205.
Horn, Louis G., 459721912.
Horner, Lyle G., 442405408.
Horton, Michael V., 261703914.
Hortter, Ronald C., 499406952.
Horvath, Kenneth J., 283363973.
Hostetler, Allen L., 307466614.
Houppert, Paul D. D., 370428175.
Howard, Charles D., 519462825.
Howard, Timothy H., 268383665.
Hubbard, Clarke D., 388425270.
Hudson, Billy W., 436649640.
Hudson, Kenneth E., 519347679.
Hughen, Richard E., 432648787.
Hughes, Frank D., 266500752.
Hunt, Terrry L., 258649134.
Hutton, Warren G., 145365681,
Icenhower, Stephen D., 498463328.
Ihrke, Jan E., 390407339.
Irvine, Arthur E., II, 267665322.
Isaacs, Paul R., 232663409.
Israel, Kenneth R., 003302023.
Ivie, James E., 564603427.
Jackson, Calvin H., 422569291.
Jacobs, Michael C., Jr., 009403626.
Jaep, William F., Jr., 221286932.
Jahn, John W., II, 183341807.
James, William A., 504367942.
Jenkins, Robert F., 432746646.
Joersz, Eldon W., 502461673.
Johnson, Darwin L., 362423390.
Johnson, Deborah G., 466703453.
Johnson, Edmund T., III, 041368253.
Johnson, James O., 267687716.
Johnson, James B., 266744427.
Johnson, Jerrell R., 508544896.
Johnson, Jimmie R., 525960464.
Johnson, Norman E., 093348310.
Johnson, Sharon L., 560561014.
Johnson, Thomas R., 571584073.
Johnson, Tom, Jr., 387349358.
Jones, Arthur J., Jr., 182349845.
Jones, Ernest H., Jr., 247747316.
Jones, Ernest T., 244681534.
Jones, George W., 256487407.
Jones, Herman D., Jr., 258662831.
Jones, Robert F., 427962237.
Jones, Ronald B., 411666631.
Jones, Travis D., Jr., 438605910.
Jones, William H., 303486443.
Jordan, James J., 091347337.
Jump, Michael W., 346367384.
Jumps, Ronald E., 312444135.
Juracek, Randall A., 507546244.
Justice, William A., 302364712.
Kalbert, John F. A., 079341788.
Kane, Kimberlin, J. M., II., 419509909.
Karcz, Alvin K., 388368595.
Karlage, Joseph F., 276409530.
Kasl, Dennis L., 505483172.
Katonak, Thomas T., 269426694.
Kealoha, Dwight M., 576443486.
Keel, Lowell C., 351348832.
Keller, Michael L., 253787713.
Kelley, Dennis S., 485501047.
Kelley, Stephen E., 360365420.
Kennedy, Charles D., 235667343.
Kenney, Matthew J., 022288198.
Kes, Peter A., 099349454.
Kettenring, Kenneth N., Jr., 178363157.
Key, Gerald A., 403584819.
Kilikauskas, Romualdas, 564482995.
Killian, James A., 075342862.
King, Daniel T., 112349961.
Kirbie, Darrell G., 451661787.
Kirby, David P., 585129088.
Kirk, Stuart C., 520409057.
Kiss, Stephen E., 167368327.
Klatt, David B., 475485673.
Kleeb, Gerald N., 556664128.
Kline, Donald F., 195343224.
Kline, Larry L., 318369841.
Klingensmith, John R., 292321283.
Kloss, Terry P., 028266485.
Kluter, Eugene E., 555623783.
Knight, James E., 421523733.
Knoll, Leroy R., 393426824.
Knott, Paul L., 577422680.
Knowles, Roger C., 417565596.
Kodak, Douglas P., 271403455.
Kolczynski, Edward F., 163342318.
Kornreich, James E., 288383330.
Kostal, Yardslav J., 151301986.
Kowalchuk, Larry A., 142361195.
Kowalski, Richard C., 371440545.
Krebs, Kenneth L., 527649199.
Krimsky, Roger M., 064362281.
Kroboth, Thomas J., 195287223.
Krovinsky, Frank P., 176300985.
Kruchten, Robert J., 336384515.
Kubecka, Frankie A., 451640944.
Kubiak, Sue E., 331363527.
Kugelmann, Robert, 553540264.
Kuha, Donna M., 452764719.
Kuhl, Francis A., 355348891.
Kulchak, Delbert G., 211307102.
Kulzer, Peter G., 358343443.
Kurrus, Robert W., 408740787.
Labar, Charles R., 265603735.
Ladd, David C., 005420845.
LaFontaine, Susan A., 430827341.
Lajeunesse, John J., 271403261.
Lake, Daniel E., 510440850.
Lambert, Alvin G., Jr., 367467283.
Lambeth, Frank S., Jr., 244646911.
Lamorte, David L., 323307511.
Lancaster, Detlev L., 241540792.
Land, David C., 337360965.
Lane, Jack C., 406605881.
Langabeer, James R., 359347998.
Langan, George C., 042343335.
Langsdale, Robert E., 405585642.
Lanier, Kenneth E., 153342017.
Lariscy, William B., 264621267.
Larocca, Michael J., 359342661.
Larson, Raymond C., 342308503.
Larson, Robert A., 157367001.
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Laur, Timothy M., 213364557.
Lavelle, Michael P., 519467967.
Lavery, Warren T., 057366213.
Lazaroff, Gerald W., 178367370.
Lea, Edward K., 263666865.
Lee, Robert G., 465684392.
Leer, Wilbur B., 304464172.
Legg, Roger H., 234705752.
Lenox, Robert D., 442360252.
Lewis, Bret B., 333364441.
Lhotka, Allan J., 349347235.
Lindley, Robert K., 437628704.
Lindquist, James A., 547506326.
Lindsey, Robert S., 258622710.
Linsley, Peter J., 051369221.
Lippincott, George J., 513403683.
Livingston, Arthur P., 053366203.
Lochrane, Hugh M., 206340904.
Loftus, Patrick M., 481567968.
Lohse. Herman D., 536409329.
Loncki, Joseph, 221284770.
Long, John E., 246601190.
Looke, William F., 460668418.
Loomis, Jan R., 187345454.
Looney, Charles A., III, 551768327.
Lopshire, Larry T., 304407997.
Loranger, Donald E., Jr., 517462623.
Loughman, Michael F., Jr., 095341027.
Love, Thomas R., 500443455.
Lowery, Lucas D., Jr., 453800587.
Lubbers, Vincent J., 401606731.
Luces, Saba A., 109346910.
Lum, Dexter W., 575442345.
Lynch, Gary L., 522569756.
Lynn, Edward C., 283404828.
Lyons, Albert E., 354326971.
Macaulay, Allan K., 549529683.
Mackelprang, Sandie M., 528503897.
Mackey, Thomas J., 012327929.
Mactaggart, Stuart E., 215406606.
Madden, James R., 509429180.
Magnuson, Larry A., 470465427.
Maiocco, Robert, 033305033.
Mallar, Gordon C., Jr., 028329863.
Malvestuto, Louis A., 328307371.
Mandell, Bradford B., 034301842.
Manning, Keith H., 444426195.
Manny, Robert F., 298364889.
Marchioni, Dan J., 374441625.
Markham, Dale P., 464647862.
Marks, Michael D., 487464920.
Marshall, Albert B., Jr., 265825989.
Marshall, Harvey A., 544428852.
Marshall, Richard C., Jr., 223565377.
Martin, Samuel T., Jr., 231540635.
Marvin, Earle D., 265708179.
Masters, Charles W., 277386149.
Mathews, James W., 342364781.
Mathis, Wayne R., 253742059.
Matkin, Donald H., 449584018.
Matza, Bruce R., 264660359.
Maxwell, Earle C., Jr., 238667005.
May, Clarence G., 426908568.
May, John W., 129285885.
Mayfield, John S., 463680945.
McAllister, Larry E., 524429511.
McAnespie, John W., 268400274.
McCann, Robert R., 407529299.
McCauley, Robert H., 537380823.
McClellan, Jerry L., 270382743.
McClure, Dennis S., 348345502.
McClure, William C., III, 444466622.
McCormick, Donald B., 054346461.
McCormick, Kenneth R., 532405599.
McDermott, John D., 220402547.
McDonald, Robert A., 090220368.
McDougall, Hugh M., 249587551.
McElhinney, Robert E., 146346725.
McElroy, Gerald P., 142349337.
McGarity, Hugh D., 251721457.
McGraw, Joseph A., Jr., 114344821.
McGurk, Thomas D., 344345853.
McIlroy, Patrick T., 043328642.
McIntire, John L., III, 315440428.
McLaughlin, John J., 225582691.
McLeish, Charles E., 396421871.
McLellan, James R., 528606797.
McMacken, Roy W., 504344472.
McShane, Michael J., 111346647.
Meebder, William J., Jr., 439620799.
Meier, David M., 465706944.
Merrell, Jack G., Jr., 152324136.
Meyer, Frederick J., 017326705.
Meyer, Scott K., 470509407.
Meyers, Charles J., Jr., 149342037.
Michie, William D., 520448202.
Miles, Frederick E., II, 006425589.
Milhiser, Charles L., Jr., 572642993.
Miller, George K., 556607666.
Miller, John D., 277365024.
Miller, Phillip A., 290366028.
Miller, Ray D., 518488957.
Miller, Stephen A., 268388337.

XUM

Mills, Randall M., 055349714.
Mistrot, Ralph W., Jr., 154348984.
Mitchell, Donald R., 359340442.
Miyamasu, Noel S., 575420269.
Moitoza, Edwin G., 035286950.
Monaghan, James W., 039261072.
Monheim, Thomas J., 174342362.
Monk, Homer L., 217346384.
Montjoye, William D., 403483557.
Mooney, Robert M., 293402083.
Moore, Lester R., 531461756.
Moore, Ralph E., Jr., 435703443.
Moore, Troy, 459604810.
Moore, William P., 537422153.
Morley, David W., 031307545.
Morris, Donald E., 505509783.
Morris, Robert L., 172369978.
Morse, Donald E., 262729310.
Moses, Louis J., 222283236.
Moses, Marcus B., 229506173.
Moses, Noidrie J., Jr., 266700809.
Mosier, Stephen A., 491442493.
Mote, Charles S., 333365514.
Mucho, Ricard G., 570583239.
Muelhoefer, Alfred K., 318380656.
Mueller, Kurt H., 393426159.
Muench, Robert S., 072362489.
Mullen, Kevin B., 132245967.
Munger, Steven S., 572705748.
Munn, Raymond K., 044349745.
Murphy, James C., 170343140.
Murphy, Robert O.,247667569.
Nading, Gary L., 481502442.
Nance, William G., 017387564.
Nash, David R., 364445055.
Neill, John M., 276389261.
Nejezchleb, Allen L., 508560503.
Nelson, Jerry L., 518506623.
Nettles, Thomas C., 561580307.
Neu, Paul H., 141348293.
Neville, Rev A., 265588102.
Newbern, David W., 530283511.
Newman, Ward C., Jr., 185341925.
Newton, George L., III, 496469675.
Nibeck, Stuart N., 271383650.
Nichelini, Robert W., 554623719.
Niebling, John W., 489488956.
Noland, Stephen J., 548627457.
Noll, William L., III, 416589290.
Nolte, Douglas R., 389403404.
Norton, Thomas J., 041346326.
Null, Robert L., 218323639.
Oatmeyer, Thomas F., 092343717.
Oberdorf, John G., 527405758.
OBrien, James H., 030326248.
Odell, Michael A., 563567389.
Oesterle, Donald L., 377426234.
Olivieri, Joseph H., 569546295.
Olmstead, William J., 510428109.
Olsen, David G., 375422786.
Olson, Dennis L., 455446261.
Olson, Nathan B.,529562665.
O'Malley, Robert G., 471502698.
Ormsby, Richard J., 567549929.
Osborne, Richard T., 134344687.
Osterloh, Robert J., 477461811.
Oswald, Billie L., Jr., 423462518.
Paasch, Terry E., 499409585.
Pace, Lawrence, 421440559.
Pahl, Robert S., 252661812.
Palmer Burdette A., 266641444.
Palomaki, Douglas I., 376446168.
Park, John J., 219383274.
Parker, Richard D., 252667914.
Parlatore, Carl P., 052383470.
Parrott, Gerald E., 494467224.
Parsons, Robert N., 453442284.
Paterson, Robert S., 070362979.
Patterson, Arthur T., 412681116.
Paul, James F., 010341013.
Pearman, Charles B., Jr., 531449927.
Pearson, Todd W., 466660699.
Peck, Robert A., 531401641.
Peeples, David R., 264685526.
Peglow, Stephen P., 544428926.
Peiler, Rudolph M., Jr., 575427817.
Pendergrass, Wesley L., 414529340.
Pensworth, Frederick L., 173304979.
Petersen, Harold L., 505502139.
Petersen, William C., 565585871.
Peterson, Daniel R., 474466754.
Peterson, George D., 239607823.
Peterson, Maxie J., 446407217.
Pfeifer, Jerry R., 276381939.
Pfile, Robert D., 269409729.
Phillippi, Stephen W., 438609617.
Phillips, David C., 461703965.
Phillips, Michael F., 479522539.
Pigford, Vincent S., 427808644.
Phillips, Weldon P., 427845298.
Pilgeram, Keith W., 517501906.
Pitman, Lerdy E., 515404046.
Pittard, Homer A., 528564856.
Plummer, Duane H., 175300195.
Pluta, John C., 267666034.
Polito, Joseph, Jr., 328388766.
Pomeroy, Frederick J., 541486584.
Popp, Bernard J., 461667318.
Porter, Jerry R., 410689181.
Porter, Philip M., 555485555.
Possehl, Wayne A., 123349316.
Power, Thomas M., 567582051.
Powers, Aubrey P., Jr., 410564652.
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Proefock, Myron C., 502447408.
Pruett, Charles E., 306423563.
Pugh, Ronnie L., 416584263.
Pulley, Donald C., 313462342.
Purdy, Stephen G., 129325370.
Puryear, Franklin G., 238702736.
Pyeatt, Robert J., 559583548.
Quisenberry, Bobby R., 457668640.
Rabata, Francis D., 396424209.
Raineri, Edwin A., 226565067.
Randall, Howard A., 409700809.
Rankin, Richard C., 055363263.
Rasmusson, Elton J., 504407739.
Rauch, Stanley A., 503521986.
Rausch, Vincent L., 230627575.
Ray, Jimmy L., 256766411.
Ray, Patrick R., 414725145.
Rayburne, Michael H., 461640954.
Rehkop, James L., 498445559.
Reid, Howard S., Jr., 023325957.
Reid, Wilson D., Jr., 239601357.
Reineck, Michael H., 300362747.
Reinhard, Kenneth D., 457705356.
Reyer, Charles A., Jr., 464665508.
Reynolds, Gerald E., 542488644.
Rhodes, Douglas C., 491469065.
Rhodes, Joseph L., Jr., 407563475.
Rich, Danny F., 462722500.
Rich, William R., 531364704.
Richardson, Jewett T., Jr., 490405765.
Rickenbach, David R., 184308675.
Rickert, Wayne L., Jr., 544447591.
Rieder, James A., 390346226.
Rierson, James W., 265641230.
Riordon, John A., 578565740.
Roark, James M., 553562585.
Roberson, Richard J., 244683552.
Robison, Joe E., 459548997.
Robley, Robert B., 090301866.
Robson, John E., 213425922.
Rodgers, Francis X., 193348003.
Roetter, Charles W. W., 429845211.
Rogers, David P., 559723912.
Romanchek, James J., 552647818.
Rosa, James W., 077369466.
Rosas, Robert, 451524671.
Rose, Floyd E., Jr., 064380773.
Ross, Albert E., 569607963.
Roth, Dale B., 446421257.
Rowcliffe, Paul H., 075362900.
Roy, Daniel L., 406647743.
Rubenis, James J., 563600713.
Rumpf, David C., 557608390.
Runkle, Marty T., 225568191.
Russell, John J., 293367841.
Russo, Stephen J., 070348402.
Ryanczak, Michael P., 585070438.
Rybczyk, John, 046284946.
Sakamoto, Gerald H., 572600761.
Sakuma, Gary S., 532423792.
Sams, Ronald W., 572646032.
Sanborn, James M., 502460683.
Sanchez, Daniel H., 564560359.
Sanders, Phillip E., 570548984.
Sanders, Robert A., 467644311.
Sandrock, John H., 516507515.
Santarelli, Eugene D., 287368548.
Sasena, William J., 364446321.
Saunders, Morriss A., 227580061.
Schaeffer, Roy C., 179309567.
Scheiber, Edmund M., Jr., 050342813.
Scherck, Paul E., Jr., 036283338.
Scherrer, John D., 479484333.
Schmidt, Michael F., 177341652.
Schmitt, Christopher M., 495482581.
Schneider, Bernard J., 306469086.
Schnittger, William F., 476461071.
Schrimpf, George E., 506549282.
Self, Kenneth G., II, 516500778.
Sellars, John M., 559609774.
Setlow, Robert E., 534406603.
Sevigny, Norman J., 036282454.
Shanks, Robert W., 546644967.
Shannon, Lemuel P., 267661307.
Sharp, Theodore L., Jr., 411707700.
Shaw, Lewis W., II, 290385629.
Shearer, William C., 158323243.
Shelton, Randell, W., 434608070.
Shibuya, Calvin H., 575443937.
Shipman, Jerry W., 447420508.
Shukle, Allan V., 476547022.
Siebert, John V., 272365104.
Sikula, Gerald J., 299382001.
Silver, Nelson D., 271409050.
Simmons, Larry K., 437624672.
Simpson, Larry A., 521644173.
Simpson, Robert F., III, 522582660.
Simpson, Robert D., 387421720.
Sinclair, Timothy A., 412702688.
Singer, Michael D., 397424448.
Skipp, Robert, 067320099.
Sleighter, Donald G., 164364240.
Slymen, Edmund G., 548546545.
Small, Joseph L., 244560631.
Smalley, John H., 055349994.
Smith, Cecil J., 134307467.
Smith, Gordon M., 069366569.
Smith, Harold A., 305426765.
Smith, Harry W., 435622196.
Smith, Lee J., 068365756.
Smith, Michael L., 455669690.
Smith, Robert D., 088366238.
Smith, Robert A., 438627598.
Smith, William F., 430863813.
Smoyer, William P., 523508416.
Snell, Cecil L., 255684505.
Snyder, Brewster B., 514307121.
Sobotka, Francis E., 183341990.
Songer, Surain S., Jr., 528568205.
Sparks, James W., 464668770.
Sparks, Jerry L., 466664134.
Spencer, Warren R., 307445891.
Spilis, David L., 307426196.
Spires, David N., 348349777.
Spitler, Jack B., 27938186.
Spittler, Thomas J., 124348495.
Spontak, Andrew T., 193346669
Spratlin, Billy W., 418541944.
Sproul, Lyle A., 511420752.
Spurgeon, Jimmy H., 410687622.
Squires, Ralph H., Jr., 023281214.
Stadler, Frank W., 260586488.
Stakely, Henry W., 248840573.
Stanley, Dennis J., 112340774.
Stanley, Donald K., 490405501.
Stanton, Carroll M., 212461090.
Startin, Mavis J., 500445468.
Staub, Lester E., 115342427.
Stecklow, John E., 274408006.
Steffen, Ronald R., 564526221.
Stein, Ronald E., 517487609.
Steinfeld, James H., 086327112.
Stephens, Boyd W., 387464854.
Stephens, Brian B., 470461492.
Sternberg, Charles D., 093341287.
Stevens, Emanuel N., Jr., 250822648.
Stevens, Joseph S., 397421746.
Stevens, Richard S., 110341020.
Stewart, Joseph W., 458620704.
Stone, Francis X., Jr., 010347547.
Stone, John W., Jr., 345381812.
Stone, Michael C., 225527198.
Storer, Harold S., Jr., 477466163.
Stout, Delbert B., 513408384.
Strammiello, Donato A., 047323587.
Strand, David W., 094343135.
Stretton, John L., 383405216.
Striegel, William H., 519462884.
Struthers, Allen A., Jr., 543466542.
Stuart, Hunter R., Jr., 456686469.
Sturgeon, William J., Jr., 585098872.
Stutsman, Frederick C., 055364461.

Sunderland, Harry R., 510363732.
Sweet, Robert B., 522581893.
Swezey, William D. B., 578582516.
Swilley, Mason R., Jr., 263648585.
Tallent, Rex A., Jr., 447423590.
Tattini, James G., 358367270.
Tavernise, Emilio G., 245621323.
Taylor, Charles T., 251821533.
Taylor, Gary W., 403565697.
Taylor, James W., Jr., 500428475.
Taylor, Paul A., 384404859.
Taylor, William R., 276387606.
Tedrow, Floyd K., 509427200.
Teel, Gerald A., 461704282.
Tencza, Joseph J., Jr., 378443456.
Teske, John A., 391421203.
Thomas, Bredette C., Jr., 463622984.
Thomas, Robert G., 506465984.
Thompson, Elmer L., 232564021.
Thompson, Geoffrey R., 294386123.
Thompson, Harvey L., 540480367.
Thompson, Richard L., 262728944.
Thompson, Robert W., 051327569.
Thompson, William C., Jr., 225543177.
Thornton, Philip E., 511440214.
Tilley, Marshall D., 437606632.
Tobin, Frank T., 326265780.
Tompkins, James S., 452644657.
Toth, Paul J., 306380129.
Toucey, Richard M., Jr., 200342742.
Townsend, James N., 252660900.
Tradelius, Paul C., 107340039.
Travis, Donald M., 523582010.
Trease, Kenneth R., 352368934.
Treger, Herbert L., 143360638.
Troxclair, Robert R., 439607390.
Tucker, William L., 416528369.
Turner, Thomas M., 248727540.
Turner, William G., 465707421.
Updyke, Junius E., 262660574.
Vance, William G., 280421073.
Vanhorn, William P., 166348234.
Vanmierlo, Ronald L., 490442788.
Vansice, Robert B., Jr., 519503614.
Vanuk, Daniel A., 141304943.
Vanzee, Lloyd E., 481523863.
Varela, Charles D., 526641426.
Varner, Stuart M., 477421444.
Vaughn, Lauren K., 264646220.
Venezia, Robert A., 263681738.
Villand, Salvatore, Jr., 522480719.
Villarreal, Lorenzo, II, 556606464.
Voigtmann, Frederick N., 480440652.
Wachsmuth, Armin A., 311485441.
Waddell, Castner R., 270406121.
Wagner, Roger D., Jr., 164305203.
Wahineokai, Wayne W., 575423368.
Waldman, Albert C. III, 132389396.
Walentas, Peter, 064288411.
Walker, Eddie, 417580571.
Walker, Tommy L., 458726622.
Wallace, Edward L., 465629907.
Walter, Warren E., 218383249.
Ware, Russell L., 226504051.
Warner, John C., 264681878.
Warren, Lee M., 220364093.
Waters, George H., 253586250.
Waybright, Robert C., 194303131.
Wayman, Robert F., 018260163.
Wayne, George H., 427545254.
Webb, James H., 525942589.
Weber, Robert H., 523560907.
Webster, Russell C., 026324129.
Weekes, Wallace C., 508562855.
Wege, Ralph, 527569901.
Wegner, Lavern J., 481547173.
Weinig, John W., 108348128.
Weirtz, Dean E., 291381787.
Weisert, Donald H., 359348618.
Welde, John L. 144347495.
Weldon, James R., 258540141.
Wells, Frank H., 140286235.
Wendlandt, Richard T., 056365944.
West, Lloyd A., 080321518.
West, Sheridan J., II, 342348940.
Westover, George D., 365408115.
Whisnant, Cleatus G., 244660901.
White, James E., 246608272.
White, Phillip W., 234664656.
Whitehead, Darell R., 534429256.
Whiting, Frank T., Jr., 527521969.
Whittaker, Jonathan W., 191345310.
Whitten, Frederick C., 360342915.
Wiater, Paul H., 214441294.
Wick, Chad P., 284381934.
Wier, Harvey D., Jr., 532405348.
Wilburn, Sammy F., 408724129.
Williams, George M., Jr., 139346416.
Williams, Hamilton, Jr., 150323089.
Williams, Ralph R., 522565260.
Williams, Roger L., 304460298.
Williams, Wynne P., 472460974.
Wilson, Francis M., 383429653.
Wilson, Lawrence F., 257668537.
Windingstad, Ronald M., 471509291.
Windsor, Walter L., Jr., 463629694.
Winston, John M., 461627379.
Wisniewski, John W., 046344711.
Witty, Jack L., 322345906.
Wojcik, Michael R., 538388942.
Wolcott, David T., 392441609.
Wood, Douglas B., 517448781.
Wood, James D., 520463243.
Woodcock, Donald L., 375365200.
Woolley, William H., Jr., 264383647.
Wooster, Larry M., 228608556.
Wootten, Ronald L., 222263132.
Worceseter, Robert H., 040361202.
Worrell, Kenneth E., 240681141.
Worthington, John A., 554523822.
Worthington, Jesse C., 410687483.
Wray, David W., 480500772.
Wray, James C., 163343821.
Wright, Donald J., 506521184.
Wright, Karen S., 445426161.
Wright, Ralph E., 524504891.
Wright, Stephen A., 510363347.
Wylie, Anthony N., 413726307.
Wyttenbach, Barry D., 319467459.
Yamamoto, James T., 575422699.
Yeager, John G., 419547593.
Young, James A., 535345488.
Zajicek, Thomas P., 455726639.
Zaretsky, Harris, 546565617.
Zeigler, Jacob H., III, 247768324.
Zielie, Paul A., 387420811.
Zucker, Irwin L., 567563655.
Zwerg, John W., 338343071.

Nurse Corps

Caldwell, Joe E., 336343888.
McCauley, Helen M., 203341748.

Medical Service Corps

Balesky, Joseph V., 200269292.
Eckersun, Charles C., 112389842.
English, Manuel L., 465541446.
Holmes, Roy W., 537342745.
Marquart, Chris D., 077367275.
Moore, William W., 467420582.

Biomedical Sciences Corps

Alter, William A., III, 052345325.
Goodson, Richard A., 261663882.
Hawks, Robert L., 516468188.
Key, James A., 298367852.
Meldrum, James R., 528521416.
Miller, Stephen J., 519505290.
Reinert, Bruce D., 154329234.
Sayre, Larry E., 305383715.
Shaffstall, Robert M., 515427831.
Weber, Leo R., 503488405.
Wells, Robert L., 428745483.

Robert E. Cann, 448075963 FR, for reappointment to the active list of the Regular Air Force, in the grade of lieutenant colonel, from the temporary disability retired list, under the provisions of sections 1210 and 1211, title 10, United States Code.

IN THE MARINE CORPS

The following-named U.S. Naval Academy graduates for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Allison, Kenneth Charles, Jr.
Baker, Calvin Daniel, Jr.
Boyers, James Edward, Jr.
Broderick, William Francis
Brunn, Bruce Earl
Bruckner, Paul Vincent
Calkins, John Vincent
Carpenter, Martin Douglas
Carpenter, Thomas Theodore
Connor, Claude Wayne
Cuccaro, Eugene Paul
Derrig, Lawrence Stephen
Dieterle, Kurt Michael
Dodd, Dennis Raymond
Dressen, Ronald Mark
Dubia, Christian Frank, Jr.
Duncan, Paul Vernon
Edmond, Robert Alan
Eliason, Jeffrey Scott
Emch, Roger Lon
Fargotstein, Phillip Francis
Felix, Paul Montgomery
Fladeboe, Jan Peter
Freeman, Charles Kenneth
Freeman, Joseph Bertram
Gabarra, Edward Anthony, Jr.
Gottleib, Franz Michael
Granger, John Arthur
Grover, Orrin Leigh, III
Grubb, William Clay, Jr.
Gutierrez, Ralph Thomas
Henry, Bruce Alan
Hertel, John Paul
Hollier, Louis Samuel, IV
Hollopeter, James Edward
Jackson, Gordon Ralph
Joyce, Timothy John
Kain, Michael Richard
Kaufman, Raymond Jon
Kimble, Robert Joseph, Jr.
King, David Leonard
Kittle, Clifford Hastings, Jr.
Kolson, Clifford "J" II
Koons, Gregory Charles
Kubiak, Walter Michael
Landau, Harry Joseph
Langdon, John, II
Lee, David Joseph
Legidakes, Dean John
Lewis, William Jeffries
Loguidice, Carl Joseph
Lowe, Michael Edward
Lucke, Edmund Andrew
Marks, Esmond Wilton
Marsilio, Thomas Michael
Martin, Terry Lauritzen
Mashburn, Harold, Jr.
McCord, Boyd Scott
McKinsey, Terry William
Melby, William Jalmer Patrick
Michael, Robert David
Milne, Thomas Patrick
Monroe, Donald Jennings
Moore, William March
Morgan, Terrence Charles
Olmstead, Steven Edgerton
Parlier, Charles Allen, II
Peck, Frederick Chapman
Pilger, Henry Nicholas
Potter, Gregory Mark
Pratt, Andrew Nichols
Proffitt, David Alan
Pyzdrowski, Henry Anthony, Jr.
Reinemund, Steven "S"
Reynolds, John Howard
Riggle, David William
Robeson, Edward John, IV
Rorabaugh, Winston Earl
Sager, Roger Alan
Schwenk, James Raymond
Seay, James Edward Lee
Sirmans, Ronnie Eugene
Smee, James Lawton
Smith, William Glenn
Sonnenberg, Robert Eugene, Jr.
Spencer, Jerry Lynn
Startari, Joseph Francis
Stearns, Richard Merryman
Steinhorst, Robert Emil, Jr.
Stevens, Bruce Michael
Supko, Leonard Michael
Tarkington, James Medford
Terry, Jon Dennis
Thueson, Erik Blair
Vandenbrook, Martin Rae

Vanwagenen, Lowell Finley
Walters, Larry David
Ware, James Gilbert
Williams, Leo Virginius, III
Williams, Nicholas Joseph, Jr.
Wolfe, Thomas Stanley
Young, James Lewis, III
Zales, William Edward, Jr.

The following-named Naval Reserve Officer Training Corps graduate for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Rinschler, James W.

The following-named U.S. Air Force Academy graduate for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

O'Kelly, Gregory C.

The following-named commissioned warrant officers/warrant officers for temporary appointment to the grade of first lieutenant in the Marine Corps for limited duty subject to the qualifications therefor as provided by law:

Allingham, James L.
Banks, Charles M.
Bryant, Joseph A.
Cleveland, George C. H.
Collette, James E.
Davis, Kenneth V.
Dearman, Louis D.
Derossett, Acie N.
Fisher, Carl J.
Frank, John A.
George, William C.
Glassburner, Louis P.
Janning, William J.
Kelly, Joseph E.
Knepp, William E.
Marino, Thomas H.
Mates, Joseph G.
Mauldin, Roger L.
Milton, William F., Jr.
Morris, Thomas W.
Myers, Louis
O'Connor, George E.
Polk, Carl W.
Roberts, Richard J.
Rogers, Mack I.
Roquemore, Robert A.
Schell, John L.
Towers, Frank C.
Vance, Bruce W.
Wofford, James H., Jr.

The following-named commissioned warrant officers/warrant officers for temporary appointment to the grade of second lieutenant in the Marine Corps, for limited duty, subject to the qualifications therefor as provided by law:

Chang, Jonah H. K.
Cambert, Roland L., Jr.
Ramsey, Leamond C.
Rivas, Frank Jr.
Spurgeon, Sidney L.
Wolfe, Richard P.

The following-named staff noncommissioned officers for temporary appointment to the grade of second lieutenant in the Marine Corps, for limited duty, subject to the qualifications therefor as provided by law:

Baker, William B.
Barone, Michael F.
Belcher, Jimmy E.
Bingham, Ralph A.
Bourque, Raymond D.
Casey, John E.
Chavez, Connie S.
Fowkes, David W.
Haines, Donald C.
Hamilton, William H.
Harwood, Guy B.
Holt, Jack W.
Manning, William T.
Marshall, George L., Jr
Moore, Samuel Jr.
Priest, Francis J.
Saffer, Robert J.
Shaw, Ellsworth A.
Smith, Arthur M., Jr.
Smith, Dennis R.
Thompson, Jimmie R.
Whitten, Gene W.

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant:

Jeffrey H. Andrews
Harry K. Barnes
Stanley N. Barton
Martin R. Bender
David F. Bice
Wayman R. Bishop III
Gary L. Bruno
Francis J. Busam
Robert W. Byrd
Robert B. Canfield
Joseph F. Ciampa
Leonard J. Comaratta
Joseph P. Cronin, Jr.
King F. Davis, Jr.
Walter G. Ford
James R. Forney
John A. Furman
Gregg R. Garlisch
John C. Garrett
Fred M. Greguras
John W. Ground IV
Richard A. Hagerman
James E. Hatch
Kenneth M. Howard
Richard O. Howard
Charles W. Hughes
Stephen F. Hurst
William D. Jackson
David H. Jacobs
Harry Jensen, Jr.
Martin O. Juve
George C. Kahlandt
John B. Lafoy
Patrick M. Lincoln
James L. Lowery, Jr.
David A. Lutz
Frank J. Martello, Jr.
Gordon A. Matthew
Terry J. McCormack
Charles D. Mowrer
Lorin L. Mrachek
Wallace L. Mueller
Michael A. Newlin
Steven G. Pfeif
William H. Phillips
William M. Phillips, Jr.
Sherman A. Poling
Charles E. Ramsey III
Billy J. Roberts
Martin E. Schechter
Allen G. Scurlock
William R. Seagraves
Asher W. Spittler II
Douglas R. Stanley
Steven L. Stansbury
Carlton C. Steubing
Sears R. Taylor II
Michael J. Teller
Charles S. Williams, Jr.
Richard L. Wilroy
James C. Zimmerman

EXTENSIONS OF REMARKS

CANADIAN OIL RESTRICTIONS TO HURT BUFFALO COMPANY

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. McCARTHY. Mr. Speaker, the recent administration announcement that restrictions are to be placed on the importation of Canadian crude oil works a very real economic hardship on the Niagara frontier and on New York State. Most disturbing is the information that the domestic producers in the United States cannot provide sufficient crude oil to Buffalo industries for at least 1 year from now. If Canadian imports are cut back to the level announced, Buffalo will suffer as a result. The Ashland Oil Co., which operates a petrochemical refinery in the Buffalo area, has indicated some of the effects the import ban will have on it. I am including the statement made by Robert E. Yancy, Ashland's chief operating officer, on March 23, 1970, concerning the effects of the ban on the company. I believe that this information is of interest to all those who are interested to see a free market economy in oil reasserted:

STATEMENT BY ROBERT E. YANCY

The serious concern of Ashland Oil, Inc. relative to the President's recent proclamation applying to future imports of Canadian crude oil has been expressed to the Oil Policy Committee in Washington, according to a statement made today by Robert E. Yancey, Ashland's Chief Operating Officer.

According to Yancey, the fundamental concept of the Oil Import program adopted by the U.S. (by President Eisenhower) in 1959 was based upon national security considerations posed by dependence on foreign oil with no restrictions on secure overland imports from Canada. Now, eleven years later, there is no evidence that the quantities of imports of crude oil and unfinished oils from Canada threaten to impair this country's national security. There being no emergency, there is no occasion for hasty action, the consequences of which could be harmful to some segments of the petroleum industry and to the consuming public. Many of these consequences seem not to be understood in Washington.

Crude oil production in the northern areas of Continental United States is in a long-term decline. On the other hand, production in the Gulf Coast area of Louisiana and Texas continues to increase at a significant pace despite the rising imports of Canadian oil. However, pipeline networks available for moving crude from Southwest producing fields to Midwest refining centers are presently operating almost to their capacity limits. A study by Ashland indicates that the present pipeline systems cannot supply the upper Midwest refining centers with enough domestic crude oil to compensate for the cutback of Canadian crude, plus the area's expanded refining capacity scheduled to go on stream the middle of this year. Expansion of these crude oil pipeline facilities from the Southwest could overcome these difficulties, but a minimum of twelve months would be required to complete such expansions due to slow equipment delivery.

Immediate cutbacks as imposed by the President could result in short-term shortages of petroleum products in the upper Midwest, including Western New York State. Specifically, shortages will be felt in liquefied petroleum gas, asphalt, low sulfur fuel oils, and petrochemical feedstocks which must be produced locally because of high transportation charges associated with distribution of these finished products. Many different industries and consumers could be adversely affected by these shortages.

The regulations as issued require substantial cutbacks of Canadian crude oil imports beginning March 1, with the first allocation period lasting only through June 30. It is not possible for the oil industry to adjust immediately to these drastic changes since crude oil supply and transportation planning must be completed months in advance.

Due to severe weather this past winter, it would not have been possible to supply the added heating oil requirements in the Great Lakes area had it not been for the availability of Canadian crude oil to refiners in the upper Midwest and Great Lakes area where low temperatures were extreme and alternate fuels were also in short supply.

Normal requirements for distillate and residual fuel oils not only increased substantially because of the colder weather, but the severe shortage of natural gas which developed had to be supplemented by petroleum fuel oils to meet industrial and electric utility requirements. It is predicted that this natural gas shortage will be even more acute next year because of the increasing demand for fuels, coupled with the lack of reserves that can be accumulated over the summer months for subsequent winter delivery.

Even though supplementary petroleum fuels were made available, many industrial plants curtailed their operations or shut down entirely due to the shortage of fuel. Undoubtedly other industrial units would have curtailed operations had supplementary fuels not been available from those refining sources depending upon Canadian crude oil.

It is obvious that the proposed restrictions on the imports of Canadian crude oil would have serious inflationary effects. If those refiners along the Canadian border must depend upon additional supplies of crude oil from the Gulf Coast rather than Canadian crude oil because of the restrictions imposed, there could be a marked increase in consumer prices since the delivered cost of Canadian crude oil into this area is lower than the delivered cost of Gulf Coast crude oil.

Ashland's presentation illustrated the predicament of its own Buffalo, New York, refinery as a case in point. The Buffalo refinery has had no pipeline access to U.S. crude since the antiquated Buckeye pipeline system serving that plant was shut down at the end of 1969. Since that time, the Buffalo plant has operated entirely on Canadian crude at a rate of over 45,000 b/d, supplied via pipeline directly from Canada. The proposed cutback including the restrictions adjusted to March 1, will restrict crude oil available to this plant for the next three months to about 36,500 b/d, possibly causing a substantial shortage of petroleum supplies in the Buffalo area until adjustments can be made. Even if domestic crude could be delivered to this area, its cost would be prohibitive without substantial increases in consumer prices. From the large U.S. crude oil producing areas in the Southwest, Buffalo is the most remote delivery point in the country.

Northern refineries without access to domestic crude oil and which are connected to Canadian trunk pipelines should have unrestricted access to Canadian crude oil up to the limit of existing pipeline capacity. West Coast refineries now enjoy this privilege and these northern refineries' need for Canadian crude oil is at least equally serious.

Ashland's presentation called for Canadian import levels to be adjusted from the proposed 395,000 b/d to 560,000 b/d until transportation limitations on domestic crude can be overcome. Barring this, a longer initial allocation period is required to allow for more orderly transition from Canadian to domestic crude sources, with no retroactive features.

FOREIGN TRADE HEARINGS TO BE NEXT MAJOR ITEM ON AGENDA OF COMMITTEE ON WAYS AND MEANS

HON. WILBUR D. MILLS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. MILLS. Mr. Speaker, under leave to extend my remarks and include a press release, there follows the release issued today announcing that the next major order of business of the Committee on Ways and Means, after completion of our current consideration of social security matters, will be public hearings on foreign trade:

CHAIRMAN WILBUR D. MILLS (D., ARK.), COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, ANNOUNCES TRADE HEARINGS AS NEXT MAJOR ORDER OF BUSINESS AFTER COMPLETION OF SOCIAL SECURITY, MEDICARE AND MEDICAID

Chairman Wilbur D. Mills (D., Ark.), Committee on Ways and Means, U.S. House of Representatives, today announced that, after completion of the subject currently under consideration (Social Security, medicare and medicaid), the next major order of business for the Committee will be public hearings on the subject of foreign trade, with particular emphasis on the President's foreign trade proposals, and including all other trade proposals pending before the Committee (such as H.R. 16920), as well as proposals to stimulate exports. The more precise scope of the hearings will be further defined when a detailed announcement is issued at a later date.

It is hoped that the Committee will be able to complete its consideration of amendments to the Social Security Act, including titles XVIII and XIX (medicare and medicaid), as well as the old age, survivors and disability insurance titles, by the end of April. According to the Chairman's announcement, when this subject is completed, the Committee will shortly thereafter begin these public hearings on the subject of foreign trade, probably in early May.

The purpose of this announcement is to give as much notice as possible to all interested individuals and organizations as to the timing of the public hearings on foreign trade so that all such individuals and organizations can be prepared on very short notice. In all probability, the detailed announcement relative to these hearings will not be issued as far in advance of the opening date of the hearing as is usually the case. It is, therefore, important that all interested parties be advised of this fact and be prepared on short notice for these hearings. Also, this is to advise all such individuals and organizations that after the detailed announcement is issued the Committee will be operating on a very tight schedule, in view of its heavy legislative agenda, and witnesses requesting to be heard will have to appear on the dates on which they are scheduled or else submit a written statement; testimony will have to be consolidated; and time will have to be allocated.

TWO WEST VIRGINIANS POSTHUMOUSLY PRESENTED CONGRESSIONAL MEDAL OF HONOR IN WHITE HOUSE CEREMONY—CPL. THOMAS W. BENNETT OF MORGANTOWN, W. VA., AND PFC. PHIL G. McDONALD OF AVONDALE, W. VA.—A CONSCIENTIOUS OBJECTOR, BENNETT SERVED IN U.S. ARMY AS MEDICAL AIDE— AWARD PRESENTED ON 23D BIRTHDAY

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, April 16, 1970

Mr. RANDOLPH. Mr. President, two West Virginians were posthumously presented the Congressional Medal of Honor by President Richard Nixon in White House ceremonies last Tuesday. They were two of 23 young Americans who lost their lives in the struggle in Vietnam.

Corporal Bennett, a U.S. Army medic, was killed attempting to rescue a wounded soldier in South Vietnam's central highlands on February 11, 1969.

The citation presented by the President to his mother, Mrs. Gale M. Gray, reads as follows:

> Although the wounded man was located forward of the Company position, covered by heavy enemy grazing fire, and Corporal Bennett was warned that it was impossible to reach the location, he leaped forward, with complete disregard for his own safety, to save his comrade's life.

Mr. President, I had the privilege of meeting with Corporal Bennett's family while they were in Washington—his mother and stepfather, Mr. and Mrs. Kermit Gray, his brothers James and George, and Martha, James' wife.

Private First Class G. McDonald of Avondale, W. Va., was also posthumously presented the Congressional Medal of Honor. Private McDonald was born in Avondale and attended school in Iaeger.

His parents are deceased and the award was presented to his sister, Mrs. Phyllis Waldron of Avondale. Private McDonald is survived by nine sisters and two brothers.

Mr. President, Tony Constantine, able newspaperman with the Morgantown, W. Va. Post, has written articles on Corporal Bennett's award. I ask unanimous consent that his article and those appearing in the Morgantown, W. Va., Dominion-News be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD as follows:

[From the Morgantown (W. Va.) Post, Mar. 17, 1970]

CONGRESSIONAL MEDAL OF HONOR TO BE GIVEN LOCAL VIETNAM VICTIM

The late Cpl. Thomas W. Bennett of this city, killed in Vietnam more than a year ago, has been awarded the Congressional Medal of Honor, the nation's highest decoration for valor.

Confirmation of the award was made today at the White House.

A Presidential aide said the presentation will be made there April 7, with a number of other posthumous awards of the Congressional Medal.

The posthumous decoration for Bennett is believed the first Congressional Medal ever received by a resident of Morgantown or Monongalia County.

The office of Rep. Harley O. Staggers said the Pentagon confirmed the award. The confirmation from the White House came through the office of Sen. Jennings Randolph.

Bennett was killed Feb. 13 of last year, while serving with the Army Medical Corps. He joined that branch of the service after having been classified as a conscientious objector.

An Army spokesman at the Pentagon declined to comment on Bennett's citation for valor. The officer explained that it has been normal policy to withhold publication until the day the awards are made.

Bennett died on a battlefield after only 26 days in Vietnam. He had left this country Jan. 5, after joining the Army in 1968.

He was a son of Mrs. Kermit Gray of Junior Avenue and the late Thurman L. Bennett. He was born April 7, 1947.

Bennett had been a sophomore at West Virginia University and active on the campus. He headed the original Code of Conduct committee, and was president of the Campus Ecumenical Council. The ecumenical house on Oakland Street has been named in his memory.

He also had been a leader of a Boy Scout Explorer post and had taught a Sunday School class.

Bennett also had been prominent as a student at Morgantown High School before his graduation in 1966.

[From the Morgantown (W. Va.) Post, Apr. 7, 1970]

NIXON PRESENTS TOM BENNETT'S MOTHER MEDAL

President Nixon today presented Congressional Medals of Honor to the families of 21 American servicemen killed in Vietnam.

Of the 21, two were West Virginians and one of the two was Morgantown's Thomas Bennett, who would have been 23 today had he lived.

Bennett, a conscientious objector who served as a medical aide in the Army, was killed Feb. 11, 1969, while serving with the Fourth Infantry Division.

Death came as he tried to rescue a wounded soldier in South Vietnam's Central Highlands.

On Feb. 9, 1969, his platoon came under heavy fire and three men fell wounded. Bennett ran through enemy fire, administered first aid, and carried the three men to safety.

During the night and following day, he continued exposing himself to heavy fire to retrieve the bodies of several men and to treat the wounded.

On Feb. 11, Bennett ran to aid one of five wounded men and, although warned it was impossible to reach the location, he leaped forward and was mortally wounded.

He died a short while later.

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Bennett's mother, Mrs. Gale M. Gray, went to Washington from her Morgantown home to accept the award for her son.

His citation reads as follows:

"Although the wounded man was located forward of the company position covered by heavy enemy grazing fire, Cpl. Thomas W. Bennett leaped forward, with complete disregard for his own safety, to save his comrade's life."

Bennett is well remembered in Morgantown for his contributions to school and to college. John Young, Boy Scout executive for the Mountaineer Area Council, also has some memories of the young man.

Young pointed out that Bennett was a member of the Boy Scout movement in Morgantown for almost 10 years. He was a member of Troop 65 of Drummond Methodist Chapel 1959–61, where he achieved Star Rank. He joined the Drummond Explorer Post in 1962 and remained with the unit as an Explorer until 1966 when he came post associate adviser, a position comparable to that of an assistant scoutmaster. Young said the youth remained as an adviser until he joined the service.

He remembers Bennett as "an active youth who thoroughly enjoyed scouting and its principles which he applied to his everyday life."

Two older Bennett brothers were in scouting, with Jim serving as a songleader and waterfront director at Camp Mountaineer and George serving as a camp counselor and attaining scouting's highest rank, that of Eagle.

Cpl. Bennett was only the second conscientious objector in the nation's history to win the award. The first went to Army PFC Desmond T. Doss Jr., of Lynchburg, Va., for his actions in the Battle of Okinawa in World War II.

The other West Virginia soldier whose posthumous award was presented to his family today is Pfc Phil G. McDonald, 27, of Avondale in McDowell County.

[From the Morgantown (W. Va.) Dominion-News, Apr. 7, 1970]

Heroic Rescues Are Told

WASHINGTON.—The White House revealed Monday why Cpl. Thomas W. Bennett of Morgantown will receive the Congressional Medal of Honor posthumously at 3 p.m. Tuesday.

The West Virginian, who would have been 23 on Tuesday, was killed trying to rescue a wounded soldier in South Vietnam's Central Highlands on Feb. 11, 1969, while serving with the Fourth Infantry Division.

His citation will read:

"Although the wounded man was located forward of the company position, covered by heavy enemy grazing fire, and Corporal Bennett was warned that it was impossible to reach the location, he leaped forward, with complete disregard for his own safety, to save his comrade's life."

Bennett, a conscientious objecter, was serving as a medical aid man with the second platoon, Co. B, First Battalion, 14th Infantry Regiment.

On Feb. 9, 1969, his platoon came under heavy fire and three men fell wounded. Bennett ran through enemy fire, administered first aid, and carried the three men to safety.

During the night and following day, he continued exposing himself to heavy fire to retrieve the bodies of several men and to treat the wounded.

On Feb. 11, Bennett ran to aid one of five wounded men and, although warned it was impossible to reach the location, he leaped forward and was mortally wounded.

He died a short while later.

Bennett's mother, Mrs. Gale M. Gray, came to Washington from her Morgantown home and will accept the award for her son.

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It is one of 21 medals of honor President Nixon will present Tuesday to the families of American servicemen killed in Vietnam. It is the nation's highest award for bravery.

The presentations will be made in private ceremonies in the President's oval office at 3 p.m., according to the White House statement.

Twenty-one is the largest number of medals of honor to be presented in a single ceremony during the Vietnam War.

Bennett was only the second conscientious objector in the nation's history to win the award. The first went to Army Pfc Desmond T. Doss Jr. of Lynchburg, Va., for his actions in the Battle of Okinawa during World War II.

Others to be awarded the medal of honor Tuesday include:

Cpl. Michael J. Crescenz, 19, of Philadelphia; Pfc. Phil G. McDonald, 27, of Avondale, W. Va., and Pfc. David Nash, 20, of Whitesville, Ky.

[From the Morgantown (W. Va.) Dominion-News, Apr. 8, 1970]

Medal Ceremony Is Brief, Solemn

President Nixon presented the Congressional Medal of Honor to the mother of Cpl. Thomas Bennett of Morgantown yesterday in a brief, solemn ceremony.

Besides Mrs. Gale M. Gray, relatives present included the war hero's stepfather, Kermit N. Gray, and two brothers, George B. and James F. Bennett, both of Washington.

"The President was very gracious," Mr. Gray told The Dominion-News via telephone last night. "In fact, everyone has been very gracious and treated us royally."

Corporal Bennett, who would have been 23 years old yesterday, was killed while saving the life of a wounded soldier in South Vietnam's Central Highlands on Feb. 11, 1969.

A conscientious objector, he served in the Army as a medical aide.

In making the presentation, President Nixon read briefly from the citation and then shook Mrs. Gray's hand. "He was as solemn as you might expect on such an occasion," Mr. Gray noted.

The medal of honor to the local youth was one of 21 presented by the nation's chief executive posthumously yesterday in the East Room of the White House.

Only relatives of the soldiers, officers of their military units, and certain members of Congress were invited to the otherwise private ceremony.

Congressman Harley O. Staggers of the Second District attended along with two colonels and a lieutenant from Corporal Bennett's infantry regiment in Vietnam.

A paratrooper from Fairmont and another man from Clarksburg also were present.

The families were guests at a reception in the State Ballroom following the ceremony at which President Nixon made each presentation separately to the nearest of kin in each case.

A tour of the White House concluded yesterday's program.

Prior to the ceremony, the relatives were taken to Arlington Cemetery, where they watched the changing of the guard, and also to Lincoln Memorial and then to the Pentagon.

At the Pentagon the group was shown the Hall of Heroes, which includes medal winners from all wars. A picture of Corporal Bennett has been placed there.

Mr. and Mrs. Gray will return to Morgantown today.

George Bennett is working with the Federal Deposit Insurance Corp. in Washington while also completing studies for his doctorate degree. James Bennett recently transferred to Washington from Charleston with the Chesapeake & Potomac Telephone Co.

YOUNG DRUGS EXPERIMENTER BURNS SELF TO DEATH IN FLORIDA

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. GOODLING. Mr. Speaker, every day some of our American youths engage in the utterly disastrous exercise of pouring themselves down the drug drain, bringing destruction to themselves and grief to those who love them.

The April 16, 1970, issue of the Washington Post presents a vivid and sad account of how one youth followed such a destructive course and includes the text of a letter written as he stood on the dark threshold of suicide.

In his death, the young man referred to in the pertinent article implored other youths to avoid the disaster that befell him, thereby hoping that others might gain from his wasted life.

Because there is a valuable lesson in this article, and because this unfortunate youth's letter carries a poignant and meaningful message, I insert the Article into the RECORD and commend it to the attention of all interested in avoiding the disaster of drug abuse:

[From the Washington Post, Apr. 16, 1970]

Young Drugs Experimenter Burns Self to Death in Florida

GAINESVILLE, FLA., April 15.—Andy Anderson wrote a poem about his drug experiences saying, "My mind is no longer my friend. It won't leave me alone."

Then he burned himself to death.

County Judge John L. Connell made public the poem and a note in which Anderson wrote: "The drug experience has filled me with fear and doubts of myself. I cannot go on. Please try to remember my good points and excuse this final act of desperation."

The 20-year-old University of Florida junior, his body and his car doused with gasoline, burned to death Feb. 19 about 100 yards from his apartment building. A coroner's jury ruled the death suicide.

"This Christmas I had a very bad experience with drug called mescaline. I have smoked a little pot before—as many my age—but I tried mescaline only once," Anderson wrote.

"Since then I have not been in control of my mind. I have killed myself because I can no longer run my own affairs, and I can only be trouble and worry to those who love and care for me.

"I have tried to straighten myself out, but things are only getting worse."

Anderson did not direct the note to anyone, but in it he addressed his parents, Mr. and Mrs. K. C. Anderson of Lakeland.

"Please forgive me parents for quitting after you have raised me, but I cannot live with myself any longer," he said.

"You were good parents and I love you both, don't let my downfall be yours—you have nothing to be ashamed of. I made the mistake—not you.

"There is nothing but misery for all of us should I allow myself to deteriorate further.

"To those of my friends who might also think about learning about themselves with mind expanding drugs—don't.

"Learn about yourself as you live your life—don't try to know everything at once by swallowing a pill. It could be too much for your mind to handle at one time. It could blow out all of the circuits as it did with me.

"I am too weak to fight—too proud to live forever on sympathy of others. Love, Andy."

"MORATORIUM": MARCHING ON?—OR RUNNING DOWN?

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Thursday, April 16, 1970

Mr. FANNIN. Mr. President, last fall, many of us expressed our concern over the genesis of the "Moratorium" activities generated for October 15 and November 15. I felt then, and still feel, that these movements have their roots behind the Iron Curtain—and there is much documentation to substantiate that idea. Much of that information I have already placed in the RECORD.

Today, I ask unanimous consent that a memorandum concerning the Stockholm Conferences on Vietnam, held earlier this year, and a series of news releases from the Vietnam Moratorium Committee detailing their activities, the events which they say they planned, the people and institutions they are claiming as supporters and background facts on the moratorium movement, be printed in the Extensions of Remarks.

Although I question the scope and accuracy of all the information reported by the VMC—particularly in the areas of personal endorsements—the extent of these reports and activities should be available to Congress.

In the Stockholm document we see some of the intermediate and international planning, in the VMC releases we see some of the fruit.

I suspect, Mr. President, that we shall shortly see some of the energy channeled into the Vietnam issue redirected by these groups, or their successors, into the areas of environment and pollution. We have already seen some evidence of this. It is a tactic that is not hard to understand once one realizes that the important requirement in trying to foment revolution is to have an issue—the issue itself is of no particular importance, so long as you can rally extremists and espouse violence in its cause.

We must pay particular heed, Mr. President, that the needed efforts directed toward improving our environment, are not diluted, misdirected, or even used against us, by individuals and groups whose primary allegiance is neither to America nor the constitutional privileges which we enjoy.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

STOCKHOLM CONFERENCES ON VIETNAM, JANUARY 17–18 AND MARCH 28–30, 1970

THE I.L.C. PLANNING CONFERENCE OF JANUARY 17–18, 1970

At a secret planning conference in Stockholm, Sweden on January 17–18, 1970 some 65 delegates and observers representing 18 international organizations and 21 national groups met to prepare plans for a major international anti-Vietnam conference to be held in Stockholm on March 28–30 as part of a concerted world-wide attack on the Administration's Vietnam policies. Participants included representatives from Moscow, Hanoi and the Viet Cong's Provisional Revolutionary Government.

The United States was represented at the planning conference by three anti-Vietnam activists: Mr. John McAuliff of the New Mobilization Committee to End the War in Vietnam; Dr. Carlton Goodlett of the Committee for International Peace Action; Mrs. Shirley Keith of the American Committee of the Movement of Peace, Disarmament and Liberty.

The delegates were convened by the I.L.C. to coordinate and strengthen the effectiveness and impact of the international anti-Vietnam movement. The movement's extensive planning network and the extremely close connection maintained between the various national anti-Vietnam groups and the Hanoi Politburo were especially clearly demonstrated in the close congruence between the points of an agreement reached in Hanoi by an I.L.C. delegation and the substance of resolutions approved at the Stockholm planning conference in January.

In a report to the Stockholm conference, Bertil Svahnstrom of Sweden described the December 1969 visit to Hanoi of a six-man I.L.C. delegation to discuss future international anti-Vietnam moves. The delegation had met with Prime Minister Pham Van Dong and with the Ambassador of the Viet Cong's Provisional Revolutionary Government (P.R.G.), Trung Cong Dong. The delegation included two American representatives: Louis Schneider of the American Friends Service Committee and James Forrest of the World Peace Council in Helsinki. According to Svahnstrom, the Vietnamese Communists and the I.L.C. delegates had decided in Hanoi to focus their next actions on: a "Vietnam Appeal" calling for U.S. withdrawals, on pressures to withdraw other allied troops, on a new international conference, on exposure of U.S. war crimes and on diplomatic and material support of the P.R.G.

JANUARY 17–18 PLANNING CONFERENCE RESOLUTIONS

The resolutions approved by the general meeting of the I.L.C.'s January planning conference faithfully reflected the points of the agreement reached earlier in Hanoi. With a declaration that "the need of the hour is to launch a new offsensive, the mightiest and most united ever of the peace forces, against the Nixon war . . ." the conference agreed upon the following courses of action:

1. *The "Vietnam Appeal."* Described as "the key issue around which such an offensive can and must be built," the "Appeal" would mobilize all possible organizations and individuals at national, regional and local levels to sign a demand for "total, immediate, and unconditional withdrawal of U.S. troops from South Vietnam."

2. *The Campaign Against U.S. Crimes.* Described as "a mass campaign of denunciation of the crimes committed by the U.S. forces in Vietnam," the campaign would lean on a Commission of Enquiry to be established by the I.L.C. "in cooperation with jurists and scientists from different organizations to study and prepare a detailed report on these crimes."

3. *Campaign of Material Aid.* The I. L. C. will act as the international coordinator of a drive to collect material aid for the North Vietnamese and the Viet Cong on the basis of requirement lists given earlier to the I.L.C. delegation in Hanoi. "Millions" of demonstrators are expected by the I. L. C to be stirred into action on that day

4. *April 15—U.S. Out of Vietnam Day.* All international and national organizations are called upon "to support the call by the U.S. New Mobilization Committee to End the War in Vietnam for the observance of April 15 as a special day of action against the Vietnam war."

5. *5th Stockholm Conference on Vietnam; 28–30 March 1970.*—The I.L.C. declared an open invitation to "all organizations, groups, and individuals, who are working to end the war in Vietnam" and who support the demand of the "Vietnam Appeal" "to join in preparing for and holding a new world mobilization conference to end the war in Vietnam" to be held in Stockholm on 28–30 March 1970. A special effort would be made to ensure participation of representatives of "Third World" countries and "national liberation" movements. The conference would include working groups on material aid, campaign against U.S. crimes, recognition of the P.R.G., international corporate and academic complicity, etc. The I.L.C. resolution concludes with the statement that "the Fifth Stockholm Conference on Vietnam must bring together all the old and new forces taking part in the solidarity movement; should represent the new unity of this movement; and give the necessary impetus for united actions on a new, unprecedented scale"

U.S. Participation

Two Americans, Louis Schneider and James Forrest, were members of the I.L.C.'s six-man delegation which visited Hanoi in December 1969 to receive the instructions incorporated in the resolutions of the I.L.C.'s January planning conference.

At the January conference three other American representatives played an active role as follows: John McAuliff, a former Peace Corps man and the representative of the East Coast organization of the New Mobilization Committee to End the War in Vietnam, outlined the New Mobe's program for the winter-spring campaign in the U.S. Describing the campaign as involving local initiatives nationally coordinated by the New Mobe, he described its purpose as seeking to affect the American people, particularly the working class and the "Third World" groups. The new Mobe strategy will call for the total, immediate and unconditional withdrawal of U.S. troops and will be focused on three specific issues: (1) "repression," (2) the draft and (3) the economy. The repression focus would include discussions of the actions being taken against the Black Panthers.

McAuliff's New Mobe offensive timetable included: (1) 15 January—day of discussion against U.S. "genocide;" (2) Month of February—protests against the Chicago Conspiracy trial; (3) 14–15 March—civil disobedience at draftboards; (4) 14–15 April—protests against the "war tax;" (5) Last two weeks in April—the second phase of the "Who pays? Who profits?" campaign at stockholders' meetings of large corporations, including Honeywell, General Electric and Gulf Oil; (6) Month of May—demonstrations at U.S. military bases.

Carlton Goodlett, a Negro physician and editor from California who is the New Mobe's West Coast treasurer, opened his remarks with a discussion of the Black Panther situation in his area and went on to describe the New Mobe programs. In spite of "persecutions" and major debts, he claimed the New Mobe to have been effective, with goals already attained by the movement to include U.S. troop reductions, cuts in the U.S. military budget and U.S.G. hesitation on curbing non-violent protest. Goodlett called for further pressure against the "madness" and "illogic" of U.S. foreign policy. In calling for U.S. isolation from the world community, he criticized the Soviet Union for maintaining cultural exchanges with the U.S., for continuing the SALT talks and for selling titanium to the United States for use in U.S. space and missile programs.

Mrs. Shirley Keith, representative of the American Committee of the Movement for Disarmament, Peace and Liberty of Paris, spoke on the question of tapping "Third

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World" minority groups in the U.S. such as the Blacks (specifically the Black Panthers), the Japanese Americans, American Indians, and Mexican-Americans, claimed that these groups offered a great deal of potential for expanding the anti-war protest in the U.S. and advised that they be invited to future I.L.C. meetings.

A SURVEY OF MORATORIUM ACTIVITY

BOSTON REGIONAL OFFICE

Maine

Portland: The Internal Revenue Service Headquarters will be picketed all day by persons distributing literature dealing with the war and its effect on the economy. A program of speeches on these issues will be given in local high schools.

New Hampshire

Concord: A rally will be held on the steps of the State House at 3 pm. It is expected to draw people from across the state. The rally will be preceded by a march through the city, past the draft board and the IRS Center. Among the speakers at the rally will be Jonathan Mirsky, a professor of Asian Studies at Dartmouth College. People are expected from Manchester, Nashua and Keen. Students from Dartmouth will march into Concord in a funeral-type procession.

Vermont

Bennington: Students at Bennington College will participate in the three day fast. Throughout the time they have scheduled workshops on the issue of the war and its relationship to the economy. On the 15th students will boycott classes.

Massachusetts

Boston: The center for all Massachusetts activity on the 15th will be a late afternoon rally on Boston Common. Speakers will include James Shay, who introduced legislation challenging the constitutionality of the Vietnam war into the Massachusetts State Legislature, and Georgia State Legislator Julian Bond. The Boston cast of HAIR will entertain, along with other musical groups. This rally is sponsored by a coalition of 10 Peace Groups, including the Vietnam Moratorium Committee. Participants will come to this rally from across the state. Before leaving their home-towns, they will picket IRS Centers and distribute literature. Some of the towns and cities where this will occur are:

Amherst—in addition to leafletting at IRS Center, there will be a small rally on the town common at 10 am, sponsored by students from University of Massachusetts, Amherst College and Smith College.

Andover—the IRS Regional Computer Center will be picketed at 10 am.

Cambridge—the IRS Center will be picketed all morning.

Concord—Persons from this town will march to Boston for the rally. They leave from Walden Pond on April 14, march through Concord and Arlington where they will spend the night, continuing on to Boston on Wednesday morning.

Framington—the IRS Center will be picketed at 10 am. Twelve buses have been hired to transport participants to Boston.

Lynn—picketing at IRS Center at 10 am.

Marblehead—there will be a rally on the town common at 10 am.

Natick—picketing at the IRS Center at 10 am. Eleven buses have been filled for the trip to Boston.

Springfield—picketing at IRS Center at 10 am.

Swampscott—a rally will be held at 10 am on the town common.

Picketing of local IRS Centers will also take place in Brockton, Fitchburg, Haverhill and Holyoke.

In Boston itself, the IRS Center will be picketed in the morning. The Vietnam Moratorium Lawyers Committee will hold seminars in Faneuil Hall until the rally begins.

Rhode Island

Newport: A petition protesting the war will be presented to the Commanding Officer at Newport Naval Base, where sailors are trained for Vietnam destroyer duty. Those bringing the petition will march from Portsmouth.

Providence: The IRS Center will be picketed throughout the day. There will also be a demonstration showing support for a version of the Shay Bill, testing the constitutionality of the war, which has been introduced recently in the State Legislature.

Connecticut

Hartford: There will be a tax payers rally in front of the State Capitol Building which will be followed by a march to the IRS Center. This rally will draw persons from many parts of the state. A local retired Army general will speak. There will also be picketing at the Colt Firearms Company.

New Haven: There will be a march from the town green past the main office of the telephone company, the IRS Center, the Draft Board and then returning to the Green for speeches. The march will begin at 3 pm. Each of the buildings named above will be picketed.

NEW YORK REGIONAL OFFICE

New York State

Binghamton: Students from Harpur College will leaflet the IRS Center and hold a rally at the Federal Building. There will also be a rally on the 15th at the college campus featuring Eugene Nickerson, Democratic candidate for Governor of New York.

Buffalo: The fast will begin with a tea and rice dinner at 6:30 pm on Monday the 13th at the Plymouth Methodist Church. There will be several speakers. On the 14th, two major steel factories will be leafletted. On the 15th there will be a rally at the IRS Center at noon. In conjunction with the events, oversize checks are being distributed, printed "My Contribution to War." The tax payer can pay his taxes with this check which is too large to be accepted by IRS equipment.

Canton: Students at St. Lawrence University and the State University there, together with students at nearby Clarkson College and the State University in Potsdam, will hold informal meetings with workers. This is being organized in cooperation with the United Auto Workers and construction workers unions. The discussions will center on the economic impact of the war in Vietnam.

Ithaca: Leafletting will be done in the shopping areas throughout the day. In addition students from Cornell will raise money for a civic project.

Kingston: Students from New Paltz State College will picket the local IRS Center.

Nassau County: There will be at 1 pm rally at the IRS Center in Mineola. Participants will board buses to go into New York City for the rally in Bryant Park.

New York City: At 10:30 am there will be a Boston Tea Party at the Battery Park. At 11:30, there will be gatherings at all IRS Centers in the five boroughs of New York City. At 4 pm there will be a rally in Bryant Park at which Mayor John Lindsay, William Kunstler, lawyer for the Chicago 7, labor leaders and others will speak. Congresswoman Shirley Chisholm will be a chairman of the rally. The event is sponsored by a coalition of Peace Groups. Throughout the three day fast, a vigil will be maintained at the New York Society for Ethical Culture Center. There will be meetings on Sunday and Wednesday evening, to mark the beginning and end of fasting.

Rochester: A local group is promoting tax refusal. This is being done through a leafletting campaign and door-to-door canvassing of selected parts of the city. There will also be a rally to focus on tax refusal.

Saratoga Springs-Schenectady: The students at Skidmore College and Union College have a series of events. On the 14th, there is an address by Dr. Benjamin Spock. On the 15th there will be a march past the IRS Center and a rally. On the 16th Abbie Hoffman of the Chicago 7 will speak.

Smithtown: There will be a rally at the local IRS Center sponsored by a coalition of 12 Peace Groups. Leafletting of the IRS Center will also be done.

Syracuse: There will be an 8 pm rally in Clinton Square, featuring several speakers.

White Plains: The IRS Center will be picketed throughout the day on the 15th.

PHILADELPHIA REGIONAL OFFICE

New Jersey

Edison: There will be a tax-payer rally at 7:30 pm in the Temple Emanuel. Dr. Francois D'Heurle, a member of the Board of Directors of the Committee of Responsibility, an organization to aid war injured children, will speak.

Livingston: A town meeting will be held to discuss the morality of the Vietnam War.

Montclair: Muhammed Ali will speak at 8:00 pm at Montclair State Teachers College.

Morristown: As part of the three day Peace Fast, a group of housewives will hold a luncheon at noon. There will be no food served.

Newark: There is a full day of activities in Newark. At 11:00 am there will be a rally for high-school students in West Side Park. Black candidates for city councilman will speak. At 12:00 noon, there will be a rally at the Newark campus of Rutgers University. Leonard Weinglass, lawyer for the Chicago 7 will speak. At 2:00 pm Rutgers students will march to the IRS Building. At 3:30 pm, the high school students will march from West Side Park to the IRS Center. At 4:30 pm, all will march to Military Park where a rally will be held from 5:00 pm to 8:00 pm. Speakers include: David Hawk of the Vietnam Moratorium Committee; Adam Walinsky, aid to the late Robert F. Kennedy; a labor leader; candidates for the office of Mayor of Newark; and other candidates for elected positions. There will also be entertainment by rock and folk groups.

Ocean County: An outdoor rally arranged by high school students will be held at the Memorial Amphitheatre. Gerhard Elston, of the National Council of Churches will speak. There will also be entertainment.

Trenton: There will be a rally in front of the IRS Center in the Federal Building on Saturday, April 11th. Religious organizations are planning to fast for the Three Day Peace Fast.

Pennsylvania

Ardmore: There will be a teach-in at the Ardmore YMCA at 8:00 pm on April 14. A member of the New York Stock Exchange will speak on the economic effects of the war in Vietnam.

Harrisburg: There will be a rally on the steps of the State Capitol at 5:00 pm. Two members of the Pennsylvania State Legislature will speak. They plan to introduce a measure similar to the Massachusetts "Shay Bill" to the legislature within the week. Persons are travelling from a score of central Pennsylvania towns to attend the rally, including Lancaster, Carlisle, Lewisburg, York, Gettysburg, Hershey, and Susquehanna.

Philadelphia: A 5:00 pm rally in John F. Kennedy Plaza is planned. It is sponsored by a coalition of peace groups. There will be "feeder" marches from several local campuses to the rally site. The main speaker will be John Kenneth Galbraith, former ambassador to India. In addition, there will be businessmen and labor leaders speaking. The rally has been endorsed by: Dr. John Coleman, President of Haverford College; Mr. Norval Reece, Democratic Candidate for Senate; Nick Lamont, Democratic Candidate for Congress; and several religious leaders. The Fast is also planned for several local campuses, including Drexel, Temple, and the University of Pennsylvania. At Temple University, an all-night vigil is planned for the evening

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of the 14th. The Philadelphia unit of the National Welfare Rights Organization will wear black mourning clothes and march from the Federal Building to the rally.

Pittsburgh: A march from Freedom Corner in a ghetto area to Point State Park will begin at 4:00 p.m. A rally will then be held in the park at about 5:00 p.m. Speakers will include: State Representative Gerald Kauffman, Senatorial Candidate Norval Reece, and Congressional Candidate Byrd Brown. There will also be entertainment. The theme of the rally will be "New Priorities Day." Also at noon there will be a picket line in front of the IRS Center. These activities are sponsored by several peace and poverty organizations.

Scranton: There will be a midnight "Celebration of Life" Services in the Chapel of the University of Scranton on the night of April 12. A vigil will continue there until the 15th. On the 13th and 14th there will be day-long picketing at the IRS Center. On the 15th, there will be an 8:00 a.m. teach-in at the University of Scranton and Central High School. At 10:00 a.m., the city council will receive a resolution favoring immediate withdrawal from Vietnam. At noon, there will be a march from the University Student Center to the Court House for a "Scranton Tea Party"—a rally with several speakers. One half hour before dark, the rally will end and there will be a march back to the Student Center for a common meal ending the Fast. One group is marching from Wilkes-Barre, twenty miles away, for the noon rally.

Delaware

Newark: There will be a rally at 7:30 p.m. at the University of Delaware. Speaking will be national Moratorium coordinator David Mixner and Philadelphia regional coordinator of the Moratorium, Larry Kudlow.

Maryland

Baltimore: A fast-vigil will be held in front of the IRS Center in Hopkins Plaza from midnight Tuesday until noon on Wednesday. Folk and rock groups will entertain. A tax-payer rally will be held at noon at the same site. The Fast itself will begin with a simple meal in Mary Our Queen Cathedral Sunday night at 8:00 p.m. The events have been endorsed by a variety of organizations, academics, and clergymen.

Frederick: A rally will be held at the IRS Center in Monacacy Village on April 14th between the hours at 11:00 a.m. and 1:00 p.m. Persons from this area will attend the rally in Washington, D.C. on the 15th.

Washington, D.C.

There will be picketting at the IRS Center at 12th and Constitution Ave., N.W. at 4:00 p.m. on Wednesday. This will be followed by a gathering in L'Enfant Square (9th and Constitution Ave., N.W.) for several speeches. There will then be a march to the Capitol grounds where there will be speeches by David Dellinger, one of the Chicago 7, and Julius Hobson, former member of the D.C. School Board. Johnnie Tillman, national chairman of the National Welfare Rights Organization, Jack Newfield, author and columnist for the Village Voice, and Roger Priest, a sailor whose court-martial begins Tuesday, April 14th on charges stemming from his publication of an anti-war newspaper, will also speak. The rally is sponsored by a coalition of groups.

Virginia

Charlottesville: There will be a noon rally at the local Court House at which two professors from the University of Virginia will speak.

Norfolk: There will be a march from the Hague at Stockley Gardens through the downtown area to the IRS Center. This will be followed by a rally at noon.

Williamsburg: The fast is being organized for April 13–15. Persons from this town plan to attend the tax payer rally in Norfolk.

West Virginia

Huntington: There will be an afternoon rally at the IRS Center.

Morgantown: On the 14th, a teach-in on the draft and the economic impact of the war will be held. On the 15th, there will be a rally at 6:00 p.m. at the Court House. Earlier in the day, the city council will be urged to telegraph President Nixon asking for immediate withdrawal from Vietnam.

ATLANTA REGIONAL OFFICE

Tennessee

Knoxville: A tax payer rally will be held in front of the downtown post office which houses the IRS Center at 7 p.m. Speakers will include a variety of local leaders.

Nashville: An anti-repression rally will be held on April 12 to focus on 20 members of the local Vietnam Moratorium Committee who have been indicted in connection with anti-war activities. It will be held in Centennial Park at 2 p.m. It will be preceded by folksinging from 11 a.m. Speakers will include Jerry Rubin of the Chicago 7, Rev. James Lawson, a Memphis Clergyman active with the Southern Christian Leadership Conference, and a local labor leader.

North Carolina

Chapel Hill: During the week of April 6–10, a street dance has been held and anti-war films have been shown in Durham and in Chapel Hill. On Friday, April 10, a fund-raising cocktail party was held at the home of former Governor Terry Sanford, now President of Duke University, with Philip Hoff, former governor of Vermont and now a candidate for the Senate from that State, as guest. At all these events and through mailings, "induction notices" have been sent to North Carolina high school and college students and to GI's stationed in the state. These "induction notices" call one into a "Peace Army" which will meet for a two day "Festival of Life" in Chapel Hill on April 11 and 12. Speaking will be Arthur Waskow of the Institute for Policy Studies in Washington, D.C. and Rennie Davis of the Chicago 7. In addition there will be folk and rock entertainment, including Tom Paxton. The Peace Army will reconvene at Fort Bragg on May 16, when the base is open to the public for Armed Forces Day.

Durham: On April 13th, General Hugh Hester will speak at Page Auditorium at Duke University at 8 pm.

Georgia

Athens: The April Peace Fast is being organized for April 13–15.

Atlanta: On the 15th, a coalition of Atlanta Movement groups will hold a rally at the IRS Center. In addition, there will be leafletting at factory gates in the morning, guerrilla theater actions, and a picket line at the IRS Center throughout the day. Mock 1040 forms are being distributed to be burned on the 15th.

Florida

Orlando: A coalition of Peace Groups is sponsoring a two mile march through the city to the draft board. There, a rally will be held, focusing on the draft and the economic impact of the war.

St. Petersburg: There will be a noon-time march through the shopping area of the city ending at the Federal Building. A rally will be held there featuring General Hugh Hester and others.

HOUSTON REGIONAL OFFICE

Arkansas

Little Rock: There will be a state-wide rally here on Saturday April 11, at 3 pm, in MacArthur Park. Speakers will include William F. Ryan, Democratic Congressman from New York, Sam Brown, a national coordinator of the Vietnam Moratorium Committee and others. Participants will return to their home towns to participate in the three day Peace Fast and to distribute literature on the war and its effects on the economy at IRS Centers on the 15th. Participants are expected from the following communities and campuses:

Fayetteville—University of Arkansas.

Russellville—Arkansas Polytechnic College.

Jonesborough—State University of Arkansas.

Conway—State College of Arkansas, Hendricks College.

Arkadelphia—Ouchita Baptist College, Henderson State College.

Clarkesville—College of the Ozarks.

Little Rock—Little Rock University.

Pine Bluff—A. M. & M. College.

Batesville—Arkansas College.

Louisiana

Baton Rouge: The three day fast will begin with church services on April 12. Students at Louisiana State University will fast through the 15th. On the 13th there will be a film showing. On the 14th, there will be speakers on the subject of Vietnamization. On the 15th, there will be a rally. All these events are at noon, during what would normally be lunch hour.

New Orleans: There will be picketing throughout the day at the IRS Center. Eighteen local residents declared publicly during the week of March 3 that they would refuse to pay their taxes. At the same time, a center for tax information was established. There is a state-wide draft counseling program project which is an on-going effort by the local Vietnam Moratorium Committee.

Shreveport: The shopping area of the city will be leafleted during the week before April 15. There will be a Peace Festival in Shreveport on April 25. These programs are centered on relating the cost of the war to domestic issues and needs.

Oklahoma

Oklahoma City: A group of high school students led by the chairman of the Federation of Democratic Youth will lobby with the state legislature on the economic impact of the war on the 15th. There will also be a rally at the IRS Center.

Ponca City: The shopping area of the city as well as Indian and black neighborhoods will be leafleted throughout the week. High school students will hold a debate with Ponca City American Legion on the 15th.

Texas

Amarillo: The fast is being organized here for April 13–15. Those fasting will hold vigils at the cafeterias of West Texas State University as well as local restaurants. There will be a rally at the IRS Center on the 15th.

Austin: On the 11th, Abbie Hoffman of the Chicago 7 will speak at the University of Texas. Leonard Weinglass, lawyer for the Chicago 7 will speak to the Law School. On the 18th there will be a march and rally at the State Capitol Building.

Brownsville (Rio Grande Valley): Local clergymen are coordinating the Peace Fast among their congregations.

College Station: The fast will also be observed at Texas A & M University. Students will vigil in dining halls and local restaurants.

Dallas: For two weeks preceding April 15th, the film "In the Year of the Pig" has been widely distributed. On the 15th, Texas Instruments Company is holding their annual stockholders' meeting. Texas Instruments is the 48th largest defense contractor in the country. There will be a 7 hour rally beginning at 3 pm at Winfrey Point, near the home of H. L. Hunt, wealthy industrialist. There will be speakers and entertainment.

Denton: A month-long symbolic fast has been in progress for several weeks at Texas State University. Vigils are held daily. Students will journey to Dallas for the rally there on the 15th.

Edinburgh: There will be a rally on the 14th at Pan American College. Speakers will discuss Chicano participation in the Vietnam

XUM

War. There will be picketing of the IRS Centers on the 15th.

El Paso: On the 14th, there will be a demonstration marking the first day of the courtmartial of Roger Priest in Washington, D.C. On the 15th there will be picketing and leafleting at the IRS Center. On the 18th, there will be a march through the shopping area and a rally on the campus of the University of Texas.

Fort Worth: On the 9th, picketing and leafletting began at the H. R. Block tax consulting offices. On the 12th there will be an ecumenical service to begin the Fast. On the 14th, there will be a teach-in on the war and its economic impact at Texas Christian College. Participants are expected from other area colleges and universities. There will be a service in Trinity Park on the 15th at sundown to conclude the Fast. There will be a march and rally on the 18th.

Galveston: The Peace Fast is organized to take place here.

Houston: There will be a march through the shopping area of the city on April 12, concluding at Herman Park. There a rally will begin at 3 p.m. with Abbie Hoffman and Leonard Weinglass of the Chicago 7 speaking. There will be a tax protest rally at noon at the University of Houston. 200,000 tax protest leaflets have been distributed.

Midland-Odessa: Persons will be fasting and there will be a rally at the IRS Center on April 15.

San Antonio: The three day fast is being organized here.

San Marcos: State Senator Schwartz will speak at Southwest Texas State College on April 13. On the 15th, there will be a teach-in on the economic impact of the war at 12 noon.

Waco: On the 15th, the IRS Center will be leafletted. During the week, a program of draft counseling in Chicano neighborhoods is being undertaken. Each weekend during April, the local Vietnam Moratorium Committee and other community groups are spending the day with Vietnam Veterans who are patients at the Waco Mental Hospital.

Wichita Falls: There will be a rally at the IRS Center on the 15th.

New Mexico

Albuquerque: A noon rally will be held on April 15th at Robinson Park, to be followed by a march to the IRS Center. Leafletting of high schools and Chicano neighborhoods has been done for the past two weeks.

Sante Fe: On the 12th, there will be leafletting and speakers at all churches on the economic effect on the war. On the 15th, there will be a rally at IRS Center.

Socorro: The Chicano commnuity will be canvassed and Spanish-language literature on the war and its economic impact will be distributed. Seminars will be held at the New Mexico Institute of Mining and Technology preceding the tax payer rally at the IRS Center on the 15th.

The following New Mexico towns will be the scene of leafletting at IRS Centers on the 15th:

Las Cruces, Las Vegas, Los Alamos, Portales, and Taos.

Ohio

Cincinnati-Covington, Kentucky: During the week preceding April 15th, all 27 H. R. Block Income Tax offices are being leafletted with materials on the war and its economic effects. On the 15th, students from the University of Cincinnati will march from campus to Fountain Square to join with others in the city. They will then walk across the Suspension Bridge to Covington, Kentucky, the site of the regional IRS Center, and ring the building with people. The IRS has closed the building for the day.

Cleveland: At 10 am on the 15th there will be a rally at John Carroll University and a Festival of Life at the Cleveland Art Museum. The American Telephone and Telegraph stockholders' meeting will be picketed and some with proxies will enter the meeting, which begins at 12 noon. A mock stockholders meeting will be held at 2:30 at the Lake Side Mall, located between the City Hall and the Court House. This will be followed by a rally, participants from which will march from various points in the city. A coalition of more than 20 groups sponsors the event.

Columbus: There will be a teach-in at Ohio State University from 11 am till 9 pm on Monday April 13. On Wednesday, there will be a vigil from 8 am until 5 pm on the steps of the Administration Building.

Dayton: Rally at the offices of Ohio Bell Telephone Company in support of those picketing the AT & T Stockholders' meeting in Cleveland. There will also be a march past the IRS Center to the telephone company offices involving students from Antioch College.

Oxford: Students at Miami University will participate in the Peace Fast, April 13–15. There will be special classes on a "free university" basis dealing with the war and related issues. Students plan to journey to Cincinnati to join the march there on the 15th.

Springfield: There will be rallies at both the IRS Center and the offices of the Telephone Company. An information booth on tax refusal will be established. Labor union people from the International Harvester Company will leaflet the community on the war on April 11 and 12. Some people will travel to Dayton for the rally there on the 15th.

Toledo: On the 11th, leafletting will be done at all area shopping centers. Members of the Toledo Peace Action Council will participate in the three day fast. On the 14th there will be an evening workshop on priorities for government spending. On the 15th, there will be a march past two Federal Buildings. A rally will be held featuring several speakers. There will also be leafletting on the draft and AT & T. Participants are expected from the University of Toledo, Bowling Green State University, and Bluffton College.

Wooster: On the 14th, there will be workshops on the draft, on the 15th seminars on national priorities. These activities are focused on the campus of Wooster College.

Akron: There will be a 12 noon rally on the 15th on the campus of Akron State University featuring Blair Clark, campaign manager to Senator Eugene McCarthy in his 1968 Presidential campaign.

Kentucky

Bowling Green: On the 11th the campus of Western Kentucky State University will be leafletted with literature on the war. On the 15th, there will be a rally at the IRS Center.

Covington: Joining with people from Cincinnati, Ohio, for a rally at the Regional IRS Center. See Cincinnati, Ohio, for details.

Georgetown: Students at Georgetown College are planning for three day fast.

Lexington: At 12 noon on the 15th, there will be a vigil dramatizing the fast. Persons here have been doing this each week since Lent began. At 6 p.m. there will be leafletting at the Court House and at shopping centers. At 9 pm there will be a vigil at the University of Kentucky campus.

Louisville: There will be a rally at the Federal Building, preceded by a "Picnic for Peace."

Michigan

Albion: Residents of Albion plan to participate in the three day Peace Fast.

Ann Arbor: A referendum on alternatives for ending the Vietnam War was ruled off the local ballot. It will be conducted unofficially by mail with the cooperation of the local newspaper. On April 15th, Ann Arbor residents will travel to Detroit for the rally there.

Detroit: On the 13th at 4 pm there will be a tax protest at the Federal Building. On the 14th, General Motors will be picketed. On the 15th, there will be a rally in Kennedy Square. It will be preceded by a march from Wayne State University.

Mt. Pleasant: On the 14th there will be a rally at Central Michigan University. On the 15th, there will be a teach-in on the war and related issues.

Ypsilanti: There will be an evening rally on the 14th at Ypsilanti College. Rennie Davis on the Chicago 7 will speak. On the 15th, there will be a boycott of classes.

Indiana

Bloomington: There will be a rally at a downtown park on the 15th. On the 17th there will be a teach-in on the economic impact of the war at Indiana University.

Columbus: Leafletting will be done all day on the 15th at the IRS Center.

Crawfordsville: There will be a noon rally on the 15th. On the 27th at 8 pm there will be a town meeting on taxation and economics.

Evansville: Local residents are participating in the three day fast. A rally will be held at 4 pm on the 15th at the Federal Building.

Fort Wayne: The three day Peace Fast has support among religious persons. The IRS Center will be leafletted on the 15th.

Franklin: Leafletting will be done at the IRS Center on the 15th.

Goshen: The Peace Fast and leafletting of IRS Center are the main activities.

Hammond-Gary: Gary City Council recently passed a resolution favoring a speedy end to the war. It is expected that Mayor Richard Hatcher will sign it during the next week. There will be a rally drawing persons from both Hammond and Gary at noon in front of the Federal Building in Gary. Significant labor participation is expected.

Hanover: There will be a 2:30 pm tax rally at the local post office. In addition a Peace Fair is planned. A number of residents are expected to participate in the fast.

Indianapolis: The IRS Center will be leafletted on April 13–15. On the 15th there will be a rally at the Welfare Office. There will be an evening march to the Post Office and a candlelight vigil maintained there through the evening, until midnight.

Lafayette: There will be a 7 pm rally at the Court House on the 15th. Leafletting will be done at IRS Offices.

Muncie: Students at Ball State University are participating in the Fast. They also are leafletting shopping areas. On the 12th, there will be a "Celebration of Life" featuring music and poetry. On the 15th, there will be a Teach-in on Laos. At 7:30 there will be a rally on the campus featuring Sam Brown, a national coordinator of the Vietnam Moratorium Committee.

Notre Dame, South Bend, Michigan City: There will be a teach-in on the war and its economic effects at Notre Dame on the 15th. Leafletting will also be done.

North Manchester: There will be leafletting on the 15th by students at Manchester College.

Rochester: Leafletting of IRS Center will be the main activity here.

Staunton: Leafletting will be done at the local IRS Center. In addition, local residents will travel to Indianapolis for the rally there.

Terre Haute-St. Mary's of the Woods: There will be leafletting of shopping centers on the 15th. A rally will be held on the grounds of the Wesley Foundation at 5:30 pm.

Illinois

Carbondale: There will be a rally at the Vietnam Studies Center at Southern Illinois University in mid-afternoon.

Champaign-Urbana: Leafletting will be done at the IRS Center and shopping areas on April 11–15.

Chicago: A rally will be held at the Civic Center and will feature Senator Charles Goodell, Republican from New York, Congressman Abner Mikva, Democrat from Illinois, Dr. George Wiley, leader of the National Welfare Rights Organization, and others. The Chicago cast of HAIR will perform.

De Kalb: On the 13th, there will be a teach-in on the history of the Vietnam War on the campus of Northern Illinois University. On the 14th there will be an all day march past the draft board, the ROTC Building and back to the campus for a rally. On the 15th, students have chartered 4 buses to go to the Chicago rally.

Jacksonville: Leafletting will be done on the 15th at the IRS Offices.

Springfield: A Peace Fair will be held in the Park on the 12th.

Wisconsin

Appleton: There will be leafletting of the IRS Center on the 15th. On the 18th, there will be a march from the town park to the chapel at Lawrence University.

Ashland: Students at Northland College will participate in the fast. A referendum on the war will be conducted on the 13th and 14th.

Knosha: A march to the Court House will be held. Leafletting will be done at the IRS Center.

Madison: There will be leafletting on the 15th. Neighborhoods will also be canvassed to conduct a four point referendum on the war. On the 18, there will be a march and rally drawing people from across the state. It will be on the steps of the Capitol Building. Speakers will include Don Peterson, candidate for governor, and retired Brigadier General William Wallace Ford.

Milwaukee: Leafletting of shopping areas will be done from April 8 through the 15th. Leaflets have a tear-off coupon for inclusion with one's tax return to protest the use of tax monies. On the 13th to the 15th, meals will be served costing 17 cents (the norm provided by the welfare budget). The balance of funds normally spent on food will be given to the Peace Fast Fund. On the 15th, "Shoping Bag Rallies" will be held in shopping areas. At 1 pm there will be a march from the Welfare Department to the Courthouse. From 7–9 pm there will be a picketing and leafletting effort at the Federal Building for those filing late returns.

DES MOINES REGIONAL OFFICE

Minnesota

Minneapolis-St. Paul: A demonstration on taxes and the draft will be held at 10:30 am on the 15th at the St. Paul Armory. At 11:30, the Telephone Company offices and Western Electric factory will be picketed. In addition, the Post Offices and the IRS Center will be picketed throughout the day.

Rochester: A guerrilla theater presentation will be performed at the Post Office at 5:30 pm on the 15th. Leafletting will also be done throughout the day.

St. Cloud: Leafletting of the IRS Center will be the main activity.

Winona: Students at St. Mary's College plan to participate in the fast. Leafletting of the IRS Center will be done on the 15th.

North Dakota

Moorhead-Fargo: There will be concentrated leafletting campaigns in both towns on the 15th. Students at Moorhead State College will hold an anti-military ball. There will also be a rally involving residents from both towns. Students from Moorhead State College, Concordia College and North Dakota State College are expected to fast.

Iowa

The state has been divided into 25 regions. Over the past several weeks, persons have been traveling through the region in which they live in "Peace Vans" to visit small towns and cities, set up tables of literature and talk to people. It will be concentrated on the weekend of April 11 and 12. A statement condemning the war will be released by labor leaders, farmers, public officials and candidates for elected office.

Des Moines: There will be a noon rally. It has been endorsed by Mayor Tom Urban; United Automobile Workers Coordinator Soapy Owens; Fred Stover, President of the U.S. Farmers Association; Jack Bishop, local UAW Chairman; and Tom Whitney of the County Board of Supervisors. Sam Brown, national coordinator of the Vietnam Moratorium Committee, will speak at the rally. In addition, there will be a "Boston Tea Party" and leafletting of shopping centers.

Nebraska

Lincoln: The 15th is called a "Day of Reflection on Spending". There will be a discussion in city council chambers on war spending.

Omaha: There will be leafletting of IRS offices on the 15th.

Missouri

Columbia: There will be a panel discussion at 10 a.m. on the 15th on the subject of the ABM. At 1 p.m. General Hugh Hester will speak. At 2:30 there will be speeches on the war and taxes and at 7:30 a poetry reading. All events are on the campus of the University of Missouri. On the 18th there will be a march at an ABM site in Sedalia.

Kirksville: Leafletting will be the main activity here on the 15th.

St. Louis: A noon rally is planned for the 15th. In addition, there will be leafletting at the IRS Offices. A "Boston Tea Party" is planned, preceded by a march to the Mississippi River led by a fife and drum corps. There will be an evening teach-in featuring Rennie Davis of the Chicago 7.

Kansas

Kansas City: A rally will be held in the public park at midday on the 15th. Participants are expected from Missouri and from much of Kansas. Lee Weiner, one of the Chicago 7, will speak. The rally will be preceded by a march through a poverty area and past the Federal Building.

Lawrence: Residents are expected to participate in the three day fast. They will travel to Kansas City for the rally on the 15th. A town meeting on taxes, the war and inflation is planned for the 13th.

Wichita: A leafletting campaign at the IRS Offices is the main activity here.

DENVER REGIONAL OFFICE

Montana

Billings: Residents are expected to fast on April 13–15.

Great Falls: Seminars on the draft are being held on April 11. The three day fast has received support.

Helena: Fasting is also expected here.

Missoula: There will be a tax payer rally at the IRS Center. The fast is also being supported.

Colorado

Aspen: Fasting is expected on April 13–15. There will be a vigil at the Post Office at noon on the 15th.

Colorado Springs: There will be a tax payer rally on the 15th.

Denver: There will be a noon rally at the IRS Offices on the 15th. The Offices have been leafletted every day since mid-March with literature on the war and its economic impact. There will be non-violent and peaceful civil disobedience either by sitting-in or chaining oneself to a door of the IRS Center. There will be seminars conducted throughout the day. A vigil dramatizing the fast will be held in the UN Plaza for 36 continuous hours. There will be a Boston Tea Party-type event at the IRS Center on the 14th. Actress Jane Fonda will be present for most of these activities.

Durango: Students from Ft. Lewis College plan to conduct the three day fast.

Ft. Collins: On Wednesday, the 15th, plans are made to canvas virtually every home and place of business with leaflets.

Greeley: Similar plans for canvassing are made in this town also. The fast is also expected to have support. Persons will travel to Denver for the rally on the 15th.

Gunnison: There will be an afternoon rally on the 15th followed by a teach-in at Western State College. Students there are with-holding a portion of their dorm fees which is used to pay the telephone tax. Seminars are planned for Tuesday.

Longmont: At 8 pm on the 15th there will be a town panel discussion on the subject: "War in Asia—What does it cost?"

Pueblo: There will be a 3 pm rally followed by a march through poverty areas of the city. A teach-in will be held at 8 pm at Southern State College.

Idaho

Boise: The three day fast will be dramatized with a vigil at the Federal Building.

Lewiston: There will be an outdoor rally on the 15th. There will also be a film showing and a televised panel discussion on the war.

Moscow: A town meeting is planned for the 15th.

Pocatello: There will be a rally on the 15th and leafletting at the IRS Offices. Residents are also expected to fast.

Utah

Ogden: There will be a tax payer rally on April 15. On April 18 there will be a march and rally drawing people from region around Ogden, including Salt Lake City and Logan.

Salt Lake City: On the 15th there will be a "Festival of Life" featuring local speakers on the subjects of pollution and the war in Vietnam.

Nevada

Las Vegas: There will be a public vigil to dramatize the fast and a rally on April 15.

Washington

Pullman: The Peace Fast will be focused on a vigil on the Library Lawn at Washington State University.

Seattle: There will be a rally at 12:30 on the 15th, which will draw people from many parts of the state. It will be preceded by a march from the Courthouse to the Federal Building. The fast is also planned for Seattle.

Spokane: There will be a rally on the 15th. Dick Gregory is scheduled to speak.

Tacoma: A rally in City Park will be held at noon. There will also be a march to the IRS Center. A teach-in on the draft is planned. A fast has been continuing through Lent. It has been dramatized with vigils at the Federal Building and the Post Office.

Yakima: There will be a high school rally on the 17th at Franklin Park. There will be entertainment and speakers. A teach-in will be held at Yakima Valley Junior College on the 17th. On the 18th there will be a rally marching from the city park to the college.

Oregon

Ashland: Leafletting will be done all day at the IRS Center. There will be a noon rally on the Southern Oregon University campus featuring Dr. Arthur Pearl, candidate for Governor. The three day fast will be dramatized with vigils.

Eugene: There will be three days of leafletting at the IRS Offices. There will also be teach-ins and seminars at the University of Oregon.

Klamath Falls: Residents are expected to fast on April 13–15.

La Grande: There will be a noon tax payer rally on the 15th. In the afternoon there will be draft counseling seminars with members of the local draft board participating.

Portland: On the 14th, a teach-in is planned for 10:30 am at Portland State University. On the 15th, there will be a march from the city park to the IRS Offices to the Court House. The Peace Fast is being observed at Lewis and Clark College and Portland State University.

Salem: The three day fast will be observed at Willamette University.

SAN FRANCISCO REGIONAL OFFICE

California

Bishop: Leafletting will be done on street corners and at the Post Office.

Chula Vista: A "Peace Fair" will be held here on the 15th. A unique feature will be guerrilla theater style destruction of a mock Vietnamese village. It is intended to represent the Song My massacre.

Eureka: Leafleting will be done on the 15th at the Post Office.

Fresno: There will be a tax payer rally at noon. The emphasis of the rally will be on the creation of a draft counseling program.

Half Moon Bay: Literature on the draft, the war and local issues will be distributed. Residents are planning to travel to Palo Alto for the rally there. The town has been the scene of a number of neighborhood meetings recently.

Lodi: People have been fasting two days a week since the beginning of Lent. They will continue through Passover at the end of April.

Long Beach: A "Peace Fair" will be held on the 12th. On the 14th, cafeterias, churches and homes will be opened to neighbors and the diet of the Vietnamese will be served. On the 15th there will be a rally at noon at the Department of Public Service. At 3 pm there will be a rally at the IRS Building. At 7 pm a rally will be held in the Carmelitos Housing Project.

Los Angeles: The University of Southern California will be the site of a 1 pm rally at which Jerry Rubin of the Chicago 7 will speak. It will be followed by a march at 3 pm past the induction center to City Hall. Also at 1 pm, will be a rally at UCLA. Congressman George Brown will speak. This group will also march at 3 pm to meet the other group at the Westwood Federal Building for more speeches.

Mt. Diablo: There will be a small march at noon on April 11 from the Post Office to the City Park. Participants are expected from nearby Alamo, San Ramon and Danville. Leafletting will continue at the Post Office until April 15. There will be a rally at Mt. Diablo Valley College on the 15th, featuring Congressman John Tunney. Residents of this community plan to travel to San Francisco for a rally there as well.

Pasadena: A leafletting effort has been continuing for a month. Literature distributed is on taxes and the war.

Palo Alto: A unique activity is planned here. At 6 am on the 15th a "Dawning of Peace" festival will be held at the Frost Amphitheater. The San Francisco cast of HAIR will sing and Congressman George Brown will speak. Later in the day, at 11 am, there will be a march from a shopping center past the IRS Building to West Central Park in San Mateo. Admiral True will speak at this location. Persons from San Mateo will march to the same site from the Hillsdale Mall past the IRS Offices.

San Diego: A taxpayer rally will be held here on the 15th. It will be preceded by a march to Newton Park, from Balboa Park. Speakers and entertainment are planned.

San Francisco: The main event on April 15 is a 5 hour rally in the civic center beginning at noon. Speakers include Father James Groppi, Tom Hayden, Bill Cosby. A wide range of entertainment is also planned. It is expected that a number of persons in San Francisco will fast. A service launching the fast is planned for Sunday evening, April 12 in Grace Episcopal Cathedral. The Rt. Rev. C. Kilmer Myers, Episcopal Bishop of California will conduct the service.

San Jose: There will be a meeting on national priorities on the 15th. Picketing and a rally will take place at the IRS Offices.

Santa Barbara: There will be a march from the University of Santa Barbara past a draft board to Isla Vista on April 14. Leafletting at IRS Center and 5 other locations will be done on April 13, 14 and 15.

Santa Rosa: Picketing and leafletting will be done at the IRS Offices.

Van Nuys: Leaflets in both Spanish and English will be distributed at the General Motors plant on the 14th. On the 15th there will be a "balloon blow-up" in Topanga Plaza.

Alaska

Juneau: A taxpayer rally and public forum led by a local economist is planned for the 15th.

Fairbanks: A march and a teach-in are planned for the 15th.

TWENTY-FIVE CONGRESSMEN ENDORSE MORATORIUM TAXPAYER RALLIES

Tax payer rallies on April 15 have received the endorsement of 25 Senators and Congressmen, it was announced today by the Vietnam Moratorium Committee, organizer of the rallies in more than 40 major cities and 130 smaller communities.

The Congressmen and Senators are:

Congressman Jonathan Bingham (D.-N.Y.).
Congressman George Brown (D.-Calif.).
Senator Frank Church (D.-Idaho).
Congressman John Conyers (D.-Mich.).
Congressman Don Edwards (D.-Calif.)
Congressman Donald A. Fraser (D.-Minn.).
Senator Charles Goodell (R.-N.Y.)
Senator Fred Harris (D.-Okla.).
Senator Mark Hatfield (R.-Ore.).
Senator Harold Hughes (D.-Iowa).
Congressman Andrew Jacobs, Jr. (D.-Ind.).
Congressman Edward Koch (D.-N.Y.).
Congressman Allard K. Lowenstein (D.-N.Y.).
Senator Eugene McCarthy (D.-Minn.).
Congressman Richard McCarthy (D.-N.Y.).
Senator George McGovern (D.-S. Dak.).
Congressman Abner Mikva (D.-Ill.).
Senator Walter Mondale (D.-Minn.).
Congressman Richard Ottinger (D.-N.Y.).
Congressman Donald Riegle (R.-Mich.).
Congressman Benjamin Rosenthal (D.-N.Y.).
Congressman William Ryan (D.-N.Y.).
Congressman Louis Stokes (D.-Ohio).
Congressman John Tunney (D.-Calif.).
Congressman Charles Vanik (D.-Ohio).

The April 15 tax payer rallies are planned to "focus on the relationship of the war in Vietnam to the economic crisis facing the nation," according to Moratorium organizer Sam Brown. "Inflation, high taxes, and a curtailment of public services are in large part the result of the cruel and senseless war," the 26 year old veteran of the 1968 McCarthy Presidential campaign said.

Major rallies will be held in such cities as Boston, New York, Chicago, Philadelphia, San Francisco and Denver. Moratorium organizers point, however, to the smaller cities and towns, particularly in the midwest and southwest, where Peace activity is to some extent new. For example, people in Terre Haute, Indiana will leaflet shopping centers all day, pausing only to hold a noon rally. A rally is also planned for Crawfordsville, Indiana and Kenosha, Wisconsin, among others.

In Ponca City, Oklahoma, high school students will hold a debate with representatives of the American Legion on the war. In Brownsville, Texas local clergymen are organizing for a three day fast on April 13-15 among their congregations. A noon rally will be held in front of the Internal Revenue offices in Albuquerque, New Mexico. A similar rally will be held in Knoxville, Tennessee at 7 p.m. on the 15th, providing a court injunction forces city officials to grant a permit. Organizers of the rally feel that they have been denied due process in obtaining the permit and have taken their case to the local courts.

Mr. Brown will be speaking on April 15 in two locations: Des Moines, Iowa and Muncie, Indiana; the latter is the locale for several well-known sociological studies of Middle America. The noon rally in Des Moines has been endorsed by a wide range of public officials and labor leaders, and candidates for public office. The Mayor of Des Moines will speak at the rally along with the local head of the United Auto Workers. Mr. Brown visited Des Moines several weeks ago and found that the issue of inflation and high taxes was a major concern of many.

The Vietnam Moratorium Committee is also sponsoring the three-day fast on April 13–15. This is planned to demonstrate concern for the continuing suffering and destruction caused by the war. The money saved by not eating will be donated to a Vietnam relief agency and to domestic poverty organizations.

The fast will be launched in Washington with a Peace Fast Service at 8 p.m. on Sunday April 12 in All Souls Unitarian Church, 16th and Harvard Streets, Northwest. Senator Eugene McCarthy, Democrat of Minnesota, will read poetry, folksinger Odetta will sing, and Sam Brown will speak. Then, on Monday at noon, businessmen and others will gather in Lafayette Park across the street from the White House for a "non-dinner." There will be banquet tables arranged in the park, at which participants will sit. They will, however, be served no food, other than a single glass of water.

FIFTEEN PROMINENT AMERICANS, OVER 300 STUDENT LEADERS, AND 45 RELIGIOUS LEADERS ENDORSE APRIL PEACE FAST

What follows are statements from fifteen prominent Americans endorsing the Peace Fast on April 13–15, sponsored by the Vietnam Moratorium Committee. Also listed are the colleges represented by 306 student body presidents and campus newspaper editors and 45 religious leaders who have endorsed the Fast.

Julian Bond: "The Peace Fast is an important part of the continuing anti-war struggle. The Peace Fast Fund deserves the support the Fast will bring, and the fasters need in this small way to share the awful suffering we have visited on Vietnam."

Ramsey Clark: "If we are concerned for our character, hope to find human dignity, to finally revere life—and survive—America must turn from violence, end the war in Vietnam immediately, insure ourselves that this is the last time we shall ever seek to solve problems at the cost of human life and cherish the lives of all others as our own."

Rev. William Sloane Coffin, chaplain, Yale University: "We are rich in things and poor in soul. Let us fast in the service of our souls and give the small riches we save to feed the hungry here at home and in Vietnam who have been forced to fast too long."

Jane Fonda: "Let us hope that the Peace Fast will dramatize to all Americans the horrendous fact that 53% of every tax dollar goes to financing an immoral war in which countless innocent men, women, and children are being slaughtered."

Congressman Donald Fraser: "The overwhelming fact is that the senseless conflict in Southeast Asia continues, dividing us at home and draining our resources and our moral will. The powerful demonstration planned for April 13–15 will be a powerful reminder to the Administration that the American people will not allow this tragedy to go on any longer."

Father Theodore Hesburg, President, Notre Dame University, Chairman, United States Commission on Human Rights: "Because war is an agony for everyone it touches, peace will come through pain and suffering. We cannot be for peace or justice and refuse to suffer to achieve it. Fasting is the one great traditional way of suffering for peace and justice personally."

Rabbi Abraham Heschel: "Is our conscience being buried alive? Two years ago the agony in Vietnam burned like a dreadful wound in our hearts. Today, though the agony goes on we hardly care, do business as usual; our concern for Vietnam turned faint, tepid, and timid. Is our conscience beginning to decay?"

XUM

Dustin Hoffman: "I support the Moratorium because I want the war to stop. The longer it goes on, the more it seems that if it is to stop at all, it must stop now."

Senator Harold Hughes: "The Peace Fast of the Vietnam Moratorium Committee affords an opportunity for Americans of good will everywhere to translate their prayers for peace into humane help for the innocent victims of war. Once again the Moratorium Committee is proving that the vast majority of Americans identified with the peace movement are motivated by impulses that are constructive, dignified, and high-minded."

Mayor John Lindsay: "The human beings suffering and dying in Vietnam need no reminder that the war still takes an appalling toll, but here at home it must be said that the agony of this needless conflict threatens to go on and on unless we act now to end it. The simple decency of caring about human life commends our support for those who in nonviolent ways once again make known their support for peace."

Senator Eugene McCarthy: "American institutions are continuing their failure to respond to the pleas of the people for peace. It is important that those who desire an end to the war support the April 13–15 Moratorium Fast to show their opposition to the war."

Charles Palmer, President, U.S. National Student Association: "I think it is important to refocus attention on the continuing war in Vietnam and the growing war in Laos. It is also important that the Fast will raise money for three organizations—the American Friends Service Committee Vietnam Relief Program, the National Welfare Rights Organization, and the United Farm Workers of America—which will put it to strong, constructive use."

Congressman Ogden Reid: "Men are still dying on the battlefields and in the skies over Southeast Asia. In our own land, many Americans are still hungry, engulfed in poverty, hopelessness, and injustice. The Moratorium's renewed efforts on April 13–15 are essential to focus national attention once again on the urgent need for major new priorities."

Cynthia Wedel, President, National Council of Churches: "I am pleased to participate in and commend the proposed Fast to church people since it reflects the spirit of the actions taken by many church bodies in regard to the war in Vietnam."

Dr. Harris Wofford, President, State University of New York at Old Westbury, President Designate, Bryn Mawr College: "Tragedy teaches but too late. Since the logic of events in Vietnam has not yet convinced our government to end the war, we turn to this Fast to add a new logic in America—to speed the process of persuasion, to stir our national conscience, to convey a sense of continuing tragedy."

Colleges represented by Student Body Presidents (SBP) and college newspaper editors (ED) endorsing the April peace fast (a partial listing):

University of Alabama (SBP).
Albany Medical College (SBP).
Albion College (ED).
Alderson-Broaddus College (ED).
Alfred University (ED).
Alverno College (SBP).
Arizona State University (ED).
University of Arizona (SBP).
Assumption Seminary (SBP).
Auburn University (ED).
Augsburg College (ED).
Augustana College (ED, SBP).
Austin Presby. Theo. Seminary (SBP).
Ball State University (Ed).
Barat College (ED, SBP).
Berea College (ED).
Beaver College (ED).
Bethel College (ED, SBP).
Bloomfield College (SBP).
Boston College (ED).
Boston College Law School (SBP).
Boston Univ. School of Law (SBP).
Boston University (SBP).
Bowling Green University (ED).
Bucknell University (ED).
Butler University (ED, SBP).
Cal. State Los Angeles (ED).
Univ. of California L.A. (ED).
U. of Cal. Hastings Coll. of Law (SBP).
Capital University (ED).
Cardinal Cushing College (ED).
Carson-Newman College (ED).
Case Western Reserve Univ. (SBP).
Catholic University (ED).
Central Missouri State Univ. (SBP).
Chatham College (ED).
Colgate (SBP).
College of Idaho (ED).
College Misericordia (ED).
College of St. Benedict (SBP).
Colorado College (SBP).
Colorado School of Mines (ED).
Colorado State College (ED).
Colorado State University (ED).
University of Colorado (SBP).
Columbia Theo. Seminary (SBP).
Columbia University (ED).
Concordia Seminary (SBP).
Univ. of Conn. Stanford (ED).
Univ. of Conn. Waterbury (ED).
Cornell University (ED).
Creighton University (ED).
Denison University (SBP).
DePaul University (ED).
Detroit Tech. (ED, SBP).
University of Detroit (ED).
Drake University (SBP).
Drexel University (SBP).
Dropsie University (SBP).
Duke University (SBP).
East Carolina University (ED).
Eastern Kentucky Univ. (SBP).
Eastern Michigan Univ. (SBP).
Edinboro State College (ED).
Elizabethtown College (SBP).
Emerson College (ED).
Emmanuel College (ED).
Emory University (ED, SBP).
Essex County College (SBP).
Finch College (ED, SBP).
Flint Junior College (SBP).
Florida Presby. College (SBP).
Florida State University (SBP).
Fordham University (ED, SBP).
Fort Valley State College (SBP).
Franklin and Marshall (SBP).
Fresno State College (ED).
Friends University (ED).
Fullerton Junior College (ED).
George Washington University (ED).
Gilman School (SBP).
Glassboro State College (SBP).
Glendale College (ED).
Guilford College (ED).
Gustavus Adolphus College (SBP).
Hudson Valley Comm. College (SBP).
Hampton Institute (ED).
Hampden-Sydney College (SBP).
Haverford College (ED, SBP).
Heidelberg College (SBP).
Henderson State College (ED, SBP).
Hendrix College (ED).
Herb. Lehman College CUNY (ED, SBP).
High Point College (SBP).
Hobart College (SBP).
Hofstra University (SBP).
Hollins College (ED).
University of Houston (SBP).
Howard University (ED).
Hunter College (SBP).
Iliff School of Theology (SBP).
Illinois College (ED).
Univ. of Ill. Coll. of Engineering (ED).
Univ. of Ill. Urbana-Champaign (ED).
Univ. of Ill. Chicago Circle (ED).
Indiana State University (SBP).
Indiana University (SBP).
Iona College (ED, SBP).
Iowa State University (ED, SBP).
University of Iowa (ED, SBP).
Jackson State College (SBP).
Jersey City State College (ED).
Jewish Theo. Seminary (SBP).
Johns Hopkins (ED, SBP).
Johnson Smith University (ED).
Juniata College (ED).
Kalamazoo College (SBP).
University of Kansas (ED).
Keene State College (ED).
University of Kentucky (ED).
King College (ED).
Lakeland College (SBP).
Lamar Tech (ED).
Lawrence University (ED, SBP).
LeMoyne College (SBP).
Lewis College (ED).
Lewis and Clark College (SBP).
Lock Haven State College (ED, SBP).
Louisville Presby. Seminary (SBP).
University of Louisville (ED).
Loyola College (ED).
Luther College (SBP).
University of Maine (ED, SBP).
Marist College (ED, SBP).
Marycrest College (ED).
Maryknoll College (SBP).
Marymount College (ED).
Mary Washington College (ED, SBP).
University of Mass. (ED).
Mass. Inst. of Technology (ED).
Memphis Academy of Arts (SBP).
Merrimack College (SBP).
University of Miami (SBP).
Michigan State University (ED).
Michigan Technological Univ. (ED).
University of Michigan (ED, SBP).
University of Minnesota (ED).
University of Minnesota Morris (SBP).
University of Missouri (ED).
Moravian College SBP).
Mt. Angel College (ED).
Mt. St. Mary Seminary (ED).
Muhlenberg College (ED, SBP).
University of Nebraska (ED).
University of Nevada (SBP).
New Brunswick Theo. Seminary (SBP).
University of New Hampshire (SBP).
University of New Mexico (SBP).
New York University (ED).
Niagara University (ED).
University of N. Carolina Chapel Hill (ED, SBP).
North Carolina State (ED).
Northeastern University (SBP).
Northern Illinois University (ED).
Northland College (SBP).
Notre Dame (ED, SBP).
Old Dominion University (ED).
Occidental College (SBP).
Ohio State University (ED).
Ohio University (ED).
Oregon College of Education (SBP).
University of Oregon (SBP).
Ottawa University (ED).
University of the Pacific (ED).
Penn State University Berks Campus (SBP).
Penn State University (ED).
University of Pennsylvania (ED).
Phila. Coll. of Textiles and Science (SBP).
University of Pittsburgh (ED).
Point Park College (SBP).
Portland State University (SBP).
Princeton University (ED, SBP).
University of Puget Sound (ED, SBP).
Purdue University (ED).
University of Redlands (ED).
University of Rochester (SBP).
Rosary Hill College (SBP).
Rose Polytechnic Institute (ED).
Russell Sage College.
Rutgers University (ED, SBP).
Sacred Heart University (SBP).
St. Anselm's College (SBP).
St. Catherines College (SBP).
St. John's University (ED, SBP).
St. Joseph College (SBP).
St. Lawrence University (SBP).
St. Louis University (ED, SBP).
St. Mary's University (SBP).
St. Olaf College (ED).
Salem College (ED).

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San Diego College (ED).
Santa Ana College (ED).
Savannah State College (ED, SBP).
Seattle Pacific College (ED, SBP).
Seton Hall University (ED).
Shore Line Community College (ED).
Sioux Falls College (ED).
Skidmore (SBP).
Smith (ED).
University of S. Carolina (ED).
University of Southern Cal. (ED).
Southern Illinois University Evansville (ED).
Southern Oregon College (SBP).
Spalding College (SBP).
Stanford University (SBP).
SUNY Buffalo School of Law (SBP).
SUNY Farmingdale (ED).
SUNY Oswego (ED).
Stonehill College (ED).
Syracuse University (ED).
Tarkio College (SBP).
Temple University (SBP).
University of Texas El Paso (ED).
Texas Wesleyan College (SBP).
University of Toledo (ED, SBP).
U.S. Merchant Marine Academy (SBP).
University of Vermont (SBP).
Villa Maria College (SBP).
Villanova University (SBP).
Virginia Tech. (ED).
University of Virginia (ED).
Wabash College (SBP).
Waldorf College (ED).
Wagner College (SBP).
Wartburg College (ED, SBP).
University of Washington (ED).
Washtenaw Community College (ED).
Wayne State University (ED).
Webster College (SBP).
Wellesley College (SBP).
West Chester State College (SBP).
Western Illinois University (ED).
Western Kentucky University (SBP).
Western Maryland College (SBP).
Western Michigan University (ED, SBP).
Western New Mexico University (ED).
West Virginia University (ED, SBP).
Wheeling College (SBP).
Whitman College (ED, SBP).
Wilmington College (ED).
Wilson College (ED).
Windham College (ED).
Wisconsin State University Platteville (ED).
Wisconsin State University Oshkosh (ED).
Wisconsin State University River Falls (SBP).
Wisconsin State University Whitewater (ED).
University of Wisconsin Madison (ED, SBP).
Worcester Polytechnic Institute (SBP).
Worcester State College (ED, SBP).
Xavier University (SBP).
Yakima Valley College (SBP).
Youngstown State University (ED).

Religious leaders endorsing the April peace fast (a partial listing):

Dr. Robert S. Bilheimer, Executive Director, Department of International Affairs, National Council of Churches.

The Rev. Harold Bosley, Pastor, Christ Church Methodist, New York City.

The Rev. Malcolm Boyd, Author and Episcopal Minister at Large to campuses and students.

Rabbi Balfour Brickner, Director of Interfaith Activities, Union of American Hebrew Congregations.

Dr. Robert McAfee Brown, Professor, Stanford University.

Mr. Daniel Callahan, Director, Institute of Society, Ethics, and the Life Sciences.

The Rev. Ernest Campbell, Minister, Riverside Church, New York City.

The Rev. William Sloane Coffin, Jr., Chaplain, Yale University.

Dr. Harvey Cox, Professor of Divinity, Harvard University.

The Rt. Rev. William Crittenden, Episcopal Bishop of the Diocese of Erie (Pennsylvania).

The Rt. Rev. C. Edward Crowther, Bishop, the Episcopal Church.

The Rev. Robert F. Drinan, S.J., Dean of the Boston College Law School.

The Rev. John Elder, Director of Field Education, Harvard Divinity School.

Mr. James Finn, Editor of Worldview, Council on Religion and International Affairs.

Dr. George W. Forell, Director and Professor, School of Religion, University of Iowa.

Dr. Paul R. Furfey, Research Associate, Catholic University.

The Rev. G. Gray Grant, S.J., Professor of Philosophy, Loyola University, Chicago.

The Most Rev. Thomas J. Gumbleton, Auxiliary Bishop, Roman Catholic Archdiocese of Detroit.

The Rt. Rev. Charles F. Hall, Episcopal Bishop of the Diocese of New Hampshire.

Rabbi Abraham J. Heschel, Jewish Theological Seminary of America, New York City.

The Rev. Robert W. Hodva, The Liturgical Conference, Washington, D.C.

Dr. Barton Hunter, Executive Secretary, Department of Church and Society, The Christian Church (Disciples of Christ).

Dr. David Hunter, Deputy General Secretary, National Council of Churches.

Rabbi Wolfe Kelman, Jewish Theological Seminary of America, New York City.

Dr. Robert Lee, Professor, San Francisco Theological Seminary.

Dr. Paul Lehmann, Professor, Union Theological Seminary.

Rabbi Albert Lewis, Temple Isaiah, Los Angeles.

Dr. Martin Marty, Professor, The Divinity School, University of Chicago.

Bishop James K. Mathews, United Methodist Church, Boston.

The Rev. Jack Mendelsohn, D.D., First Unitarian Church of Chicago.

The Rev. Richard E. Mumma, Professor of Theology, Boston College.

Dr. J. Robert Nelson, Professor of Theology, Boston University.

Mr. Michael Novak, Professor, State University at Old Westbury, New York.

Rabbi Levi A. Olan, Dallas, Texas.

The Rev. Channing Phillips, Pastor, Lincoln Memorial Congregational Temple, Washington, D.C.

The Rev. Robert Raines, First United Methodist Church of Germantown, Philadelphia.

Dr. Jon L. Regier, Associate General Secretary, National Council of Churches.

Mr. Philip Scharper, President, Sheed and Ward, Inc., New York City.

Dr. James P. Shannon, Vice President, St. John's College, Santa Fe, New Mexico.

Rabbi Henry Siegman, Executive Vice-President, Synagogue Council of America.

Dr. Joseph Sittler, Professor of Theology, The University of Chicago.

Dr. David M. Stowe, General Secretary, United Church Board for World Ministries.

Dr. George W. Webber, President, New York Theological Seminary.

Mrs. Cynthia Wedel, President, The National Council of Churches.

Rabbi Jacob Weinstein, KAM Temple, Chicago.

(Institutions listed for identification purposes only.)

Background Sheet on the Vietnam Moratorium Committee and April 13–15

The original idea for the Vietnam Moratorium Committee came from a Massachusetts envelope manufacturer, Jerome Grossman. He suggested to many in the Massachusetts peace movement that a general strike on an escalating formula of one day the first month, two days the second month, and so on, would be an effective anti-war strategy. One of those hearing the idea was Sam Brown. He discussed it with friends and students in a seminar he was leading at the Institute of Politics of the John F. Kennedy School of Government at Harvard University. What evolved from the original idea was a "Moratorium on Business as Usual" which would follow the escalating pattern.

Among those with whom Mr. Brown discussed the idea were David Hawk, David Mixner and Marge Sklencar, all of whom had worked together in the 1968 Presidential campaign of Senator Eugene McCarthy. They agreed to work on the new program. By June, a Washington office was established; by July, public announcement was made and a base was being built on college campuses and with local peace groups across the nation.

THE STRATEGY

The operational strategy of the Moratorium Committee was that the initial Moratorium Day, October 15, would be used to build larger events the following month in pursuit of the original escalating pattern. The October 15 Moratorium would, accordingly, be largely centered on campuses and in efforts by students and established peace groupings to organize and prepare a base for the activities of succeeding months. According to Moratorium organizers, this strategy failed to to take into complete account the breadth and nature of current peace sentiment in the nation. Lacking a clear-cut statement of policy from the Nixon Administration, most Americans were ready to seize the opportunity to register dissatisfaction with the continuing war. As a result of this public mood, the Moratorium found support from all quarters. People in cities and towns across the country were unwilling to wait to build the events according to the escalating strategy; peace sentiment was too strong and pervasive to be controlled by the peace movement. The events received endorsements from many persons, extraordinary coverage in the news media, and was the main public event of the month of October, rivaling the World Series and an upcoming trip to the moon.

The same public mood also helped to create the November 15 March on Washington. Even though local activities were held around the country, the focus was clearly on the largest demonstration ever held in Washington. The full effect of the November 3 speech of President Nixon was not felt until after this demonstration.

DECEMBER—TURNING POINT

By December, however, the full effect of the Nixon speech had been felt by those in and out of the peace movement. In reality, the speech was the first statement labeled a "Peace Plan" the American people had heard with regard to the Vietnam War. The overwhelming desire for an end to the war on the part of the American people led to their acceptance of the speech, less on its merits than on their hopes.

The Moratorium was faced with the reality that the base-building included in its original strategy had not been done and set about to do it on the three Moratorium Days that month. For many such work appeared anti-climatic after the high points of October and November. By sending its 12 regional coordinators into the regions they had worked with for several months, the Moratorium leaders realized that the need for a thorough community organizing effort was greater after the Nixon speech than it had been before. It was further realized that such work demanded more basic commitment than before and that the escalating day pattern was not helpful as an organizing tool in this new situation. As a result, in early January, the Committee announced a change in strategy. It would for the next four months concentrate exclusively on grass roots organizing and would hold tax payer rallies on April 15 as a devise to make visible such organization. In addition, a three day Peace Fast would be organized for April 13–15 and work would be done to prepare a base from which to assist peace candidates in the 1970 Congressional elections. As a means to accomplish this strategy, 10 regional offices were established from which the Moratorium would do its organizing. These were located in Boston, New York City, Philadelphia, Washington, Atlanta, Chicago, Des Moines, Houston, Denver, and San Francisco. The national office would concentrate on servicing these offices and performing other tasks to assist in the organizational process.

Since January, the staffs of the regional offices have organized local coalitions of peace groups, formed professional and citizens' groups, held town meetings, engaged in leafleting and canvassing, conducted referenda on on the war and, in general, helped to create a presence of the peace movement in many parts of the country where none existed before.

THE THREE DAY PEACE FAST

The three day Peace Fast is planned to demonstrate moral concern for the victims of the war in Vietnam and to solidify a commitment to work for an end to the destruction and suffering caused by it. The fast will compel recognition of the continuing cost of the war in terms of lives; it will affirm allegiance to life and peace.

The money normally spent on meals during the three days will be sent instead to aid victims of the war—in Vietnam and at home. A Peace Fast Fund has been established by the Moratorium with a committee of trustees composed of Peter Edelman, Associate Director of the Robert F. Kennedy Memorial Foundation, Charles Palmer, President of the U.S. National Student Association, and The Rt. Rev. Paul Moore, Episcopal Bishop of Washington, D.C. They will oversee the distribution of the fund equally to three tax exempt organizations: The American Friends Service Committee Vietnam Relief Program, the National Welfare Rights Organization and the United Farm Workers of America.

It is expected that students on college campuses will ask for rebates for food not eaten from their food services so that the money can be given to the Fund. Families and religious groupings are expected to contribute the money they save from not eating to the Fund directly. In addition, various means will be employed to dramatize the fast, including banquets at which no food will be served, worship services, community vigils and attendance but not eating at meals in dining halls.

APRIL 15 TAXPAYER RALLIES

The purpose of the tax payer rallies is to focus on the relationship of the war to rising prices and inflation as well as a high rate of taxation. Involved with this is the nature of the priorities currently set for federal spending brought about by the escalation of the Vietnam War produced the current inflation in te economy.

In most cities, the tax payer rally will be a gathering of persons in front of or near an Internal Revenue Service Center for speeches. In addition, organizers plan to stage "Boston Tea Party" demonstrations to focus on taxation for purposes not approved by the taxpayer, leaflet shopping areas and IRS Centers with literature, and canvass neighborhoods with petitions and literature.

In reality, the tax payer rallies, as well as the Peace Fast, will serve to make visible the community organizing work which has been done during the winter. For this reason, the Moratorium organizers consider the significance of the day to be in the events in towns and smaller cities where the peace movement has not been extremely active to date. In addition to providing a vehicle to surface grassroots activity, the tax payer rallies are devoted to making clear the economic dilemma caused by the war. Thus, while the number of participants in anti-war activities in the Fall of 1969 was of importance to show the breadth of anti-war sentiment in the nation, the need now is to inject significant issues into the dabate on the war.

To: Newsmen Covering Moratorium Activities.
From: Theodore W. Johnson.
Date: April 3, 1970.
Subject: Sources of information on April 15 Tax Payer Rallies.

Most of the Moratorium's organizational work for the April 15th tax payer rallies is being conducted from 9 regional offices across the country. Thus, instead of the activities being coordinated from the Washington office, this work is decentralized and closer to the local scene.

For specific information on what is happening in each locality, the Press Office of the Moratorium in Washington is the best source of information. There is a staff whose sole responsibility is to gather this data for newsmen.

To obtain more generalized information and to develop a feeling for the events of April 15 in specific regions, it is recommended that newsmen contact the regional offices directly. In all cases, the regional coordinator should be contacted. Feel free to call these coordinators directly by telephone. Should you wish to visit a region to get a first hand feeling for what the Moratorium is doing, contact me for assistance in planning such a trip. Should you wish to speak to an organizer in a particular locality, contact me for names and telephone numbers.

The regional coordinators, their addresses and phone numbers and the states for which each is responsible are given below:

Boston: Maine, Massachusetts, Vermont, New Hampshire, Coonnecticut, Rhode Island, John Gage, 44 Brattle Street, Cambridge, Massachusetts, 617/492-5570.

New York: New York State and New York City, Richard Sternhell, 156 Fifth Avenue, Room 506, New York, New York, 212/691-9450.

Philadelphia: New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Virginia, Larry Kudlow, 1001 Chestnut Street, Room 210, Philadelphia, Pennsylvania, 215/WA3-8379.

Atlanta: North Carolina, South Carolina, Florida, Tennessee, Georgia, Alabama, Mississippi, Jack Boger, 243 13th Street, N.E., Apt. B, Atlanta, Georgia, 404/TR4-5691.

Chicago: Illinois, Michigan, Wisconsin, Richard Levine, 542 South Dearborn Street, Room 1402, Chicago, Illinois 60605, 312/427-3072.

(NOTE.—For the city of Chicago itself—Marge Sklencar, 542 S. Dearborn, No. 1402, Chicago, Ill. 60605, 312/427-3072.)

Des Moines: North Dakota, South Dakota, Iowa, Nebraska, Kansas, Missouri, Minnesota, Verne Newton, 1033 26th Street, Des Moines, Iowa, 515/274-3808.

Houston: Oklahoma, Arkansas, Louisiana, Texas, Arizona, New Mexico, Mike Segal, 2314 Main Street, Room 111, Houston, Texas, 713/529-8791.

Denver: Colorado, Wyoming, Montana, Idaho, Utah, Nevada, Oregon, Washington, Helen Shreves, 1460 Pennsylvania Avenue, Denver, Colorado, 303/892-0791.

San Francisco: California, Alaska, Hawaii, Liz Cremens and Greg Movseeyan, 1260 Golden Gate Avenue, San Francisco, California 94115 415/567-2598.

Washington, D.C. (not covered by a regional office), David Otto, 1019 13th Street, N.W., Washington, D.C. 20005, 202/783-1834.

Ohio, Indiana, Kentucky (not covered by a regional office), Mary Scheckelhoff (National Office Staff), 1029 Vermont Avenue, N.W., Suite 800, Washington, D.C. 20005, 202/347-4757.

A STATEMENT OF PURPOSE FOR APRIL 15TH TAXPAYERS' RALLIES

As you fill out your income tax return, remember: April 15th is "Support the Pentagon" Day.

We are being income-taxed and sales-taxed and excise-taxed until there is nothing left to be squeezed out of us.

Yet, the most vital public services all around us are on the verge of collapse. Because "there is no money."

Where on earth is the money going?

You know where.

It's being used to pay for war—past, present and future. $201,000,000 a day for Vietnam and for so-called national defense. Another $71,700,000 a day for the interest on our war-connected debt and for veteran's expenses. 64% of all the taxes we pay to the Federal Government (excluding "trust fund" taxes, such as social security).

To say nothing of our 48,000 sons killed in Vietnam. And 269,000 wounded, many of them crippled for life.

To say nothing of the deep unrest among the young and the blacks.

To say nothing of the inflation that has cheated our people out of so much of their life's savings, and which, on top of the taxes, is sapping them of the will to work.

The military-industrial establishment is like a giant tapeworm that is sucking the nourishment out of the body of America.

We cannot let this go on.

On April 15th, there is going to take place a nationwide taxpayer's protest against the war in Vietnam, and for an end to military overspending. It is sponsored by the Vietnam Moratorium Committee.

If you're tired of working to support "them,"

If you're tired of being treated with contempt by "them,"

If you realize we're never going to get "them" off our taxpaying backs unless we organize,

Then be there on April 15th.

(The above text appeared as an advertisement in the *New York Times* on Sunday, March 22, 1970.)

BALTIMORE MARINE DIES IN ACTION

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. LONG of Maryland. Mr. Speaker, Pfc. Michael J. Yeager, a fine young man from Maryland, was killed recently in Vietnam. I would like to commend his courage and honor his memory by including the following article in the RECORD:

CITY MARINE DIES IN ACTION—PFC YEAGER, 19, WAS MINE DETECTION SPECIALIST

Marine PFC Michael J. Yeager, 19, of Baltimore was killed in action Wednesday in Vietnam, the Defense Department announced yesterday.

Private Yeager, a mine detection specialist, was killed by an enemy mine while on a sweeping operation in Quang Nam province in the northern part of South Vietnam.

He joined the Marine Corps in July, 1969, after working for several years as a shipping clerk in the William T. Burnett & Co. cotton factory. He was a graduate of the Robert Poole School.

Private Yegaer, a mine de * * * Vietnam one month ago. He was assigned to work with a mine-sniffing dog named Alice, his father, George H. Yeager, 2017 Bank street, recalled.

Private Yeager is survived by his parents; four sisters, Mrs. Carolyn Walters, Mrs. Victoria Brant, Mrs. Kathleen Sonn, Sullivan and Mrs. Cecelia Yeager, all of Baltimore.

XUM

LIBERALS: THE NEW TORIES

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. BROWN of Ohio. Mr. Speaker, progress, flexibility, and recognition of the need for change are necessary elements in any structure which is to remain viable and responsive to human needs. This is even true in so vast a structure as the Federal Government. Yet, there are some once-important members of the Washington power structure who fail to recognize the desirability, and indeed necessity, for changing their old ways of thinking.

A recent column by Nick Thimmesch defines these "once influential and heady—men of government, affairs and journalism" as "the new tories," and explains how their resistance to change—particularly changes advocated by the Nixon administration, such as welfare, postal, and education reforms—tends to make them "cut off from what is the going on in the country." I insert this column in the RECORD, and urge that my colleagues bear in mind its message, the next time they hear criticism of an administration proposal levied by one of these "new tories."

Mr. Thimmesch writes harshly, too harshly in some instances, of worthy groups, goals, and programs. It is impossible to agree with all the specifics he cites as sacred cows which now need goring, but he makes the point effectively that politicians must keep their viewpoints fresh and related to the needs of today—rather than yesterday. The old philosophies will not serve without adjustment in a day of change.

The article from the Los Angeles Times of April 7, 1970, follows:

Liberals: the New Tories

(By Nick Thimmesch)

The presence of Richard M. Nixon as President these 15 months has caused a curious etching to appear on the faces of many celebrated men who have been around the Capitol a long time. To put it quickly, many seasoned liberals are now strangely revealed as tories, new tories, if you please.

The Republic has plenty of tories anyway (most of them dull), but the new breed fascinates and saddens. They number only a few hundred souls in Washington, but felt manly when power pulsed through their veins in an earlier time. The aging cartoonist, Herblock, feeds them daily stale meat for their tired gums. The New Republic's "T.R.B." is their tonic, their Arthur Godfrey without Polident. Once influential and heady, these men of government, affairs and journalism are now a discouraged lot.

If a tory is one who doesn't like to see the arrangements changed, nor the existing order disturbed, why do the seasoned liberals rate to be called the new tories?

The old arrangement was that disparate blocks of voters—Negroes, Jews, intellectuals, working class, urban Catholics and Southerns—voted for a national Democratic Administration which was quite liberal. Though each group voted out of special interest, and not any devotion to liberalism, the coalition hung together to push for a good standard of living, jobs, educational opportunities—all laudable materialistic goals.

For 30 years—even in Eisenhower's Administrations—this socio-political symphony was directed by a conglomerate of liberals—administrators, elected officials, bureaucrats, well-paid consultants, prospering "Washington" lawyers, journalists and radio and television commentators.

Now, their existing order fades. They are bewildered over seeing the United States achieve many of their economic and social goals while threatening to come apart at the seams. Hopelessly addicted to the jargon of the Gross National Product and employment indices as measures of happiness, they are appalled at hedonistic long-haired youth who smokes pot and sneeringly thumbs its nose at the establishment. Everything just didn't work out right for the new tories and they tend to blame Vietnam, Lyndon Johnson, and Richard Nixon.

The new tories don't like Mr. Nixon. They never have. They are bothered that he returned from the political scrapyard and are miffed that he is fairly popular as President. It annoys them that he hasn't lived up to their stereotype of him. They grump about Mr. Nixon at parties in Georgetown or at old-line Washington clubs where the only black faces are worn by the help.

Mr. Nixon isn't "doing anything," they say, and lapse into the "more, more" syndrome they lived with for decades. They are so accustomed to crying "more," that now they are devoid of legislative proposals. "Only massive amounts of federal aid will solve this crisis," is what they always yelled automatically.

They have an unhealthy skepticism of the Nixon Administration's new ideas. They are leery of welfare reform, though that aspect of American life cries for change. They are shocked by Dr. Milton Friedman's voucher system which would let the poor shop around for schools and social service, instead of being beholden to government. They hollered against Mr. Nixon's HEW bill veto, though his action would have eliminated the outrageous "pork barrel" funds of impacted schools aid. They mutter about his education message, though the proposals for schoolmen to account for federal grants and for more aid to nonpublic schools are sorely needed at this juncture.

Nixon's postal reform proposal bored them until the great mail strike. They want the Peace Corps to remain as it was nine years ago. The reality of the taxpayers' revolt hasn't sunk in, nor has the lesson that scores of obsolete federal programs must be excised to make way for necessary new ones.

There's nothing so sad as an old fud whose time has passed. The new tories are tired, obese and increasingly cut off from what is going on in the country. They are so wrong they are lovable.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,400 American prisoners of war and their families.

How long?

SECRETARY HICKEL SCORES WELL IN KANSAS

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. MIZE. Mr. Speaker, when Secretary Walter Hickel was at Kansas State University, Manhattan, Kans., April 6, to participate in the Landon Lecture series and spearhead an Environmental Awareness Week observance, many Kansans were impressed with the manner in which he has sized up his responsibilities and is discharging them in the best interests of the Nation. They see him emerging as one of the strong men on the Nixon Cabinet. Typical of the impressions he made was the editorial comment of the Manhattan, Kans., Mercury. In an editorial in the April 7 edition of the Mercury, "He Comes Through," there is a candid appraisal of the qualities which make Secretary Hickel the leader he is.

Under leave to extend my remarks, I wish to place this editorial in the RECORD. In doing so, I feel added comment is pertinent. As the editorial points out, Secretary Hickel was assailed from left to right at the time of his confirmation. If he were judged on the basis of what his critics had to say, there would have been little to recommend him. His performance since his confirmation exposes the political motivation of those who attacked him. There is a parallel between what he went through and what happens when the President submits a name for filling the vacancy on the Supreme Court. The political hatchetmen go to work; a man is judged not on merit or qualifications but more on charges made on the basis of political bias. Secretary Walter Hickel is a good example of a dedicated public servant who proved his detractors wrong. The editorial, "He Comes Through," follows:

He Comes Through

After watching and listening to Secretary of the Interior Walter Hickel in person and in various types of demanding situations here Monday, it certainly is not difficult to understand why he is emerging as one of the strongest and most persuasive members of the Nixon cabinet.

The realization that Hickel is in the period of significant emergence really should come as no surprise because his national "press notices" have been increasingly favorable and in harmony with the requirements of the modern day.

And yet considering the controversy the appointment of Secretary Hickel created and the accusations that were made against him, there were lingering doubts, we are sure, as to whether Hickel's apparent new image was being achieved through some sort of managed press notices or whether indeed, this native Kansan and former Governor of Alaska was originally maligned, for one reason or another. Nevertheless, he is now showing and demonstrating that he is not only in tune with the times but also intends to exercise the powers of his office to do something significant about a plaguing situation of pollution and the improvement of the overall environment.

Frankly, having had to judge him from as far away as Alaska and on the basis of some

XUM

prickly pieces about him during the battle of his confirmation, we had our doubts, notwithstanding the fact we believed that no native Kansan could be all that bad.

As we have said, however, Hickel's true image has been coming through in the reports of the manner in which he has conducted the affairs of his high office. His appearance here Monday not only enhanced those positive reports but clarified many of them as well.

Hickel, it must be said, is not a great orator and probably never will be. What he lacks in that particular area of talent, however, is more than made up for in his sincerity, his knowledgeability and his obvious determination to use the powers of his high office to serve priority purposes rather than to insure his own personal prestige.

The Secretary's approach, as a matter of fact, may very well be what big federal government must and should be looking for in its hierarchy of officialdom—those persons who can really communicate and not just talk about communications; those who know there is a gap of ages but who know how to bridge the gap by responding as well as initiating ideas; and those who genuinely believe that a solid and workable idea should be more treasured than pretty words shrouding a fuzzy plan.

The seeds of doubt are planted as soon as any man assumes high office and Secretary Hickel had more than the normal amount tossed on him for various reasons.

By demonstrating his type of dedication and determination in the way he did here, Secretary Hickel has not only enhanced his own position in government but also has contributed to the credibility of the officialdom upon whom we must rely and with whom we must communicate if real progress of any sort is to be achieved.

"POINTS" FOR INVESTIGATION

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. FLOWERS. Mr. Speaker, I have joined in introducing a resolution along with a number of other Members of the House of Representatives that could eventually lead to the impeachment of Justice William O. Douglas and his ultimate removal from the Supreme Court. The resolution, if adopted, would establish a select committee of the House to investigate and determine grounds for impeachment with the committee being directed to report back to the full House of Representatives within 90 days. The House then could act on the issue of impeachment with a much better knowledge of the true facts. Impeachment proceedings under the Constitution must be initiated in the House of Representatives and carried by a simple majority, and any official thus impeached would then be tried in the U.S. Senate where a two-thirds majority would be required for removal.

The case against Justice Douglas goes back a long way and involves many examples of what I would term highly questionable behavior. The latest such example being the publication of a short book called "Points of Rebellion" and a subsequent reprinting of some of the same revolutionary drivel in an outlandish magazine this month. The Court that the Justice sits on has interpreted the Constitution to allow any citizen the right to express his views, however, novel and revolutionary they may be, and even do so in pornographic publications. But remembering that the Constitution of the United States provides that a Supreme Court Justice shall hold office only "during good behavior" and shall be bound by "oath or affirmation to support this Constitution," then I wonder if Mr. Douglas is meeting the continuing standards of "good behavior" in the constitutional sense.

As a Representative in Congress and sworn to do my duty under this same Constitution, I have determined that this requires me to join in the resolution that I have mentioned. And if these questionable activities of a Supreme Court Justice cannot be adequately explained, then it would be my judgment that impeachment of Justice Douglas by this Congress would be in order.

ADDRESS BY SENATOR HERMAN E. TALMADGE, OF GEORGIA

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. BRINKLEY. Mr. Speaker, there has come to my attention an address in Augusta, Ga., by the distinguished Senator from Georgia, Herman E. Talmadge, at his investiture as a knight commander of the court of honor in the Masons. Senator Talmadge's remarks were reprinted by the New Age, a magazine of the supreme council, Ancient and Accepted Scottish Rite of Freemasonry, and by the Scottish Rite News in Atlanta. This is an outstanding address, and I am pleased to bring it to the attention of the House of Representatives and include it in the Record at the conclusion of my remarks:

Remarks of U.S. Senator Herman E. Talmadge at Masonic Investiture Ceremonies in the Scottish Rite Temple in Augusta, Ga., November 8, 1969

I am humble tonight in the presence of my many friends and Brother Masons. You do me a great honor, for which I will be eternally grateful.

It is my desire to prove myself worthy of this trust by upholding the time-honored traditions and principles of Masonry. I pledge that I will endeavor to do so to the utmost of my ability . . . as a citizen and as a representative of my fellow Georgians in the United States Senate.

Our craft . . . our beloved fraternity is rich with a glorious history of devotion to God and country. We can still be guided by the landmarks of Masonry that reach back over centuries. We can still find inspiration in the words and the deeds of our forefathers who took the vows of the Order of Free and Accepted Masons.

Masonry came to America with the colonists. It has flourished and grown along with our nation. Masonry prospers best where the spirit of man is free. This after all is the essence of our fraternity.

So it is today. So it was when the Founding Fathers laid the foundations for this nation. We can look back and see that the history of the United States and the history of American Masonry went hand in hand.

We can see it in the *statesmanship* of George Washington, the Father of our Country and the first President of the United States.

We can see it in the *patriotism* of Patrick Henry, who preferred liberty over life.

We can see it in the *wisdom* of Benjamin Franklin, the oldest and the wisest of the framers of our Constitution.

These were great Americans. They were great Masons.

Major William Pierce, a Georgia delegate to the Constitutional Convention, wrote thumbnail sketches of his contemporaries at that meeting that he called "the wisest council in the world." He said of Franklin:

"All the operations of nature he seems to understand, the very heavens obey him, and the clouds yield up their lightning to be imprisoned in his rod."

How the world and this nation could profit today from the wisdom of this great man!

Civilization and the American society have changed much since Franklin's day. But the principles in which he believed and to which he dedicated his life and soul remain the same.

The principles of morality . . . personal conduct and individual responsibility . . . of right and wrong . . . of Godliness . . . are immutable. They stand like a rock for all ages.

Benjamin Franklin, probably as much as any other man, personified the four cardinal virtues to which all Masons subscribe:

Temperance . . . Fortitude . . . Prudence . . . and Justice.

These are the marks of a good man and a good Mason. They apply to nations and governments as well as individuals. They cannot be bought. They cannot be legislated.

Franklin knew this. He spent most of his life writing and teaching about man's relations with his fellow man and man's duty to God. Franklin believed first of all, as do all Masons, that the American nation was a nation under God. He proposed prayer at the Constitutional Convention, with this admonition:

"I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid?"

Notwithstanding the so-called "New Morality," notwithstanding erstwhile social reformers who are more concerned with tearing down than with building, and notwithstanding even the United States Supreme Court, *we are still a nation under God.*

These men, many of them Masons and all of them great citizens, met to form a more perfect union. Of course, we have not achieved perfection. And as mere mortals, we never will. But no other nation and no other people on earth in all human history have ever come so close.

Yet, in the midst of record prosperity . . . at the pinnacle of unparalleled national greatness . . . and for all of our freedom, I know of no other time in modern history when such strife and even violence were rampant in the land.

I am reminded of the words of the Angel Gabriel, when he spoke to the Lord in the play, "Green Pastures":

"Everything what's nailed down is coming loose."

I submit that things are coming loose in this country today.

Never in the history of our nation have there been so many who are working to destroy it, and so few who are fighting to save it.

We see moral values falling to the ground. They are being trampled underfoot by the high and the low . . . by prominent figures in government . . . by courts that act like

XUM

justice means permissiveness and indulgence . . . and by others whose chief claim to fame is a dirty beard, long hair, and a proclivity for spouting meaningless mumbo-jumbo that unfortunately always finds its way into newspapers and on the television.

We see lessons of history ignored and a tendency like fools to compound and perpetuate mistakes of the past.

Principles of honesty and hard work are being worn down. Dr. Norman Vincent Peale put his finger on the trouble when he said:

"Once we roared like lions for liberty. Now we bleat like sheep for security."

People are led to believe that a certain income, the right kind of job, and a good home are gifts the government can hand out like Santa Claus at Christmas. There is a feeling abroad that the Congress can legislate everyone into being healthy, wealthy, and wise.

Short of the miracle visited upon the Israelites in the wilderness, there is no such think as manna from Heaven. And there is no such thing as manna from government.

And even if there were, *there ought not to be* . . . not in a free enterprise society. When people stop wanting to work and compete for what they get out of life, then our society will be sick indeed.

As Gibbon said:

"When the Athenians finally wanted not to give to society, but for society to give to them, when the freedom they wished most for was freedom from responsibility, then Athens ceased to be free and was never free again."

And when the Romans installed a huge bureaucracy in the place of local governments, they marked the beginning of their end.

There are definite parallels today. Government no longer seems to serve the interests and needs of the majority. It is preoccupied with kowtowing to the whims and demands of a loud-mouthed and militant minority.

The man caught in the squeeze, the man in the middle is the law-abiding, hard-working, taxpaying, God-fearing average citizen.

He has just about had a belly full.

He is sick to death of a war he does not understand. He is shocked by putting American soldiers on the battlefield to fight and die in a war we apparently have no intentions of trying to win.

He is taxed almost into the poorhouse. No wonder he kicks up his heels when he hears the government talk about giving people guaranteed incomes whether they do anything or not.

He is tired of seeing billions of dollars poured into foreign countries, and then having to watch the United States have her nose rubbed in the dirt by two-bit Communist nations that take our ships off the sea and shoot our planes out of the air.

He is fed up with having his take-home pay eaten up by inflation that in large part is the result of irresponsible federal spending.

He is afraid to walk the streets in many of our large cities for fear of being robbed or killed. Shopkeepers wear sidearms, and women chain their doors.

There is a current national magazine article about the growing anger of the middle class society in America. I recommend it for your reading. In it, a Washington liberal is quoted as saying:

"We need *more programs* for the middle man."

I assume he means federal programs . . . and if that *is* what he means, considering some of the programs this country has already been saddled with, I don't think I can subscribe to that.

We don't need any more grandiose programs from the national level that lead people to believe that the government can do wonderful things for everyone. We've had too many already.

I can tell you what we do need. I can tell you what I believe the middle man wants.

He wants to be left alone—

To be able to live and work.

To educate his children as he sees fit.

To enjoy the fruits of his labor, and not have it handed around like plums.

And he wants everyone else to do the same.

Americans care. They care about the future of their nation. They want to preserve freedom and prosperity for their children. They care for one another. They are concerned about the well-being of their fellow human beings, whether he be white or black, or whether he lives on the farm or in the city.

They will support the Congress and the government in seeking sensible, workable and positive solutions to the nation's problems. They are willing to help people help themselves.

People will help push and pull. But they are getting tired of picking up deadweight. They rightfully expect others to push and pull along with everyone else.

The middle man in America subscribes to the same philosophy of government that most of us do. That is, it is the government's duty to *promote* and *not provide* the general welfare.

In other words, no citizen should expect more from his government than opportunity. And if he values his dignity and liberty, he should *permit* no more.

Unfortunately, we have gotten away from these ideals. But we are going back to them.

Despite my many misgivings about some of the things we are witnessing today, I am confident of the future of Georgia and America. There are still countless millions upon millions of people across the land who cherish the American way.

Call them middle class or whatever. I have great faith in these people. For it has been these men and women who have made this the most free and prosperous nation in the world.

It is these people who are going to keep America strong and free.

ATTORNEY GENERAL JOHN MITCHELL

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. McCLURE. Mr. Speaker, several suggestions have been made that the Attorney General should resign his post because the Senate rejected G. Harrold Carswell.

These suggestions should not be taken seriously. They are a cheap attempt to discredit the man by persons who do not agree with his political views. They have no basis in recent events and no support in his record of achievement.

John Mitchell has served this Nation with distinction and ability. He has pursued a vigorous and independent policy of law enforcement, in pleasant contrast to the anemic performance of his predecessor. He has spoken his mind without appeasing the media. He has been true to his President and to his conscience.

The unwarranted attacks on the Attorney General have served no useful purpose. But they do point up the vicious tactics to which his adversaries are willing to resort.

Censure is the tax a man pays to the public for being eminent.

John Mitchell is one of the eminent gentlemen in America today. I salute him for his service and his great dedication.

ANNIVERSARY OF VIRGINIA'S OLDEST POETRY MAGAZINE

HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. POFF. Mr. Speaker, under leave to extend my remarks, I would like to note for the RECORD an article which appeared in the April 12 issue of the Roanoke Times entitled "Oldest Poetry Magazine in State Marks Anniversary."

It has been my privilege and pleasure to be friend and neighbor to Mrs. Ruby Altizer Roberts, the first woman in the history of the Commonwealth of Virginia to be named her poet laureate. I am also familiar with the Lyric. It is a most admirable publication, one which I commend enthusiastically to my colleagues. The article follows:

OLDEST POETRY MAGAZINE IN STATE MARKS ANNIVERSARY

CHRISTIANSBURG.—The Lyric, Virginia's oldest poetry magazine, celebrated its golden anniversary on Friday.

The magazine has been owned, published and edited for a number of years by Ruby Altizer Roberts of Christiansburg, the first woman ever to be named poet laureate of Virginia.

Founded in Norfolk in 1921 by John Richard Morland and the Norfolk Poet's Club, the first issues of the Lyric were typed and tied together with string.

In August of that year the magazine came to Roanoke where it was edited for more than 20 years by Leigh Hanes. Later it passed into the hands of Virginia Kent Cummins of New York, and at her death it returned to Virginia into the custody of Mrs. Roberts.

The Lyric has always been a special kind of poetry magazine in that it is dedicated to the premise that traditional poetry is the best.

There is little room in its pages for variations—free verse, blank verse and other forms.

The contributor to the Lyric must abide by discipline, and observe the time-proven mechanics of rhythm and metrics.

The lyrics it has always presented, says Mrs. Roberts, are "wholesomely American."

"The editors have always scorned those who have sought to disparage the ideals of the Founding Fathers," she says, "and subversive verse, so fashionable in these days, will never find a welcome in its pages."

Pulitzer-prize winner Virginius Dabney once said of the magazine that it was "valuable in emphasizing for us the eternal verities and values in classical poetry, such poetry as lives in the works of Milton and Keats, Poe and Lanier."

The little brown book sells all over the United States, in numerous foreign countries and it shows up in libraries of some of the nation's leading universities and colleges.

For such efforts Mrs. Roberts has received a number of honors—such as the Bellaman Award of $1,000, an honorary degree from William & Mary College and a citation from Khalsa College in India for "distinguished service to poetry on both side of the Atlantic."

The Newport News Daily Press said of her in an editorial: "In editing this periodical, which appears quarterly, she does all in her power to uphold the ideal of traditional poetry. She has a firm faith herself in the eternal realities and this colors her work with a delicate, but emphatic aura of devotion.

This year the magazine will observe its golden anniversary by awarding a number of cash prizes in addition to the ones already in effect.

It will also give citations to poets and those who have advanced the interests of poetry.

THE DOUGLAS ISSUE

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. SPRINGER. Mr. Speaker, there has been a great deal said with reference to Justice William O. Douglas and the things which he has been doing within the past 2- or 3-year period. Some of this is being discussed by some of the most independent editors in the country. I include in the RECORD, for the reading of my colleagues, an editorial from the Christian Science Monitor of April 16:

THE DOUGLAS ISSUE

One must conclude that there is responsible reason for a House of Representatives inquiry into the fitness of Justice William O. Douglas to continue serving on the Supreme Court. This investigation should not be vindictively motivated—a retaliation for the Senate's rejection of the presidential nomination of Judges Carswell and Haynsworth. It would need to be a bipartisan move, to carry weight in public opinion. But if handled with a strong sense of national responsibility, the inquiry could be a protection to the Supreme Court.

Justice Douglas has had a long tenure on the high bench. He has written powerful opinions, for the majority and in dissent. His liberal advocacies have helped carry the court into its controversial remaking of American institutions. His travels in faroff lands have displayed a lively interest in mankind. But recent statements and viewpoints of his, uttered off the bench, raise serious questions of both ethical and judicial propriety.

Justice Douglas' latest book, "Points of Rebellion," in effect approves if it does not advocate violence as "the only effective response" to the nation's ills. It is totally irresponsible for a member of the Supreme Court to seem to condone the often senseless violence disrupting the nation—a violence which, as manifested in the courtroom, was denounced within the month by the Supreme Court. And it only adds to the impropriety for Justice Douglas to have permitted the pertinent excerpts from his book to appear in the Evergreen Review with its content of eroticism.

Again, Justice Douglas in a recent law school talk behaved like a left-wing pamphleteer in declaring that "Our greatest contributions abroad—apart from expeditionary forces—have been Coca Cola and comic books." Add in the Justice's earlier acceptance of income from the Parvin Foundation with its relation to Las Vegas operations, and the record builds.

It is a long and grave distance from a House investigation to actual impeachment, which requires a two-thirds Senate vote. In these divisive times, an impeachment case, pitting labor and liberal defenders against the South and other conservatives, could stir national emotions anew. But there is nothing to prevent Justice Douglas from taking heed, if the bill of complaints mounts, and deciding as no doubt Justice Fortas did, that his resignation would indeed serve to protect the Supreme Court from its detractors.

THE ATTORNEY GENERAL FIGHTS SERIOUS DRUG ABUSE IN THE UNITED STATES

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mrs. REID of Illinois. Mr. Speaker, as the chief law enforcement officer of the United States, the Attorney General has a significant number of critical responsibilities under Federal law. None of these is more important than his requirements relating to the serious drug abuse problem this Nation faces today. Although we have a considerable way to go in combating this important problem, measurable inroads have been made against major traffickers and wholesalers who deal in this dread commodity.

Under this administration the Bureau of Narcotics and Dangerous Drugs has greatly expanded and refined its foreign efforts in a manner which has already produced effective results. Agents of the Bureau have been working with representatives of the governments of France, Turkey, and other foreign countries in fostering cooperative efforts to eliminate dangerous drugs at their source. An illustration of the results these efforts have produced can be observed in the case of France, where more clandestine laboratories were closed and more narcotics seized during the last year than during any previous year. In fact, last August 30 over 1,200 pounds of opium, the largest such seizure ever made in France, was accomplished by officers of the French Surete with assistance of Bureau agents.

In 1969, these foreign operations resulted in marihuana seizures of over 15 tons, as well as seizures of over 200 pounds of hashish, over 350 pounds of heroin, and over 110 pounds of methamphetamine. A major portion, if not all, of these dangerous substances was undoubtedly intended for importation into the United States. These overseas efforts are unprecedented, and they are producing unprecedented results. Further, the Attorney General recently entered into an agreement with the Attorney General of Mexico which will foster greater cooperation in eliminating drug traffic across our common border. He has similarly arranged conferences with top level officials of other foreign governments and, in conjunction with the Secretary of State, has helped create a new atmosphere of mutual assistance and cooperation with those countries from which many of the major traffickers in this country receive their supplies.

The initiative being exercised by the Attorney General in this instance is but another example of the type of valuable service this Department is providing for the Nation in the law enforcement area. With more of the same, and continued support of these efforts by the Congress, and other executive agencies, we can look for a significant reduction in the importation of dangerous drugs into this country.

"OVERKILL" IN OIL SPILL?

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. BOGGS. Mr. Speaker, I wish to call to the attention of my colleagues an excellent editorial in the Times Picayune of New Orleans, La., of April 14, 1970, which deals with the recent oil spill.

As you know, Mr. Speaker, we have a very difficult situation in Louisiana—one which requires a careful balancing of environmental needs with the equally important need for jobs and wages. We in Louisiana want a clean, healthy environment; we also want the jobs and wages and higher standard of living for our people which only a great industry can provide. We reject the notion that a clean environment and industry are incompatible; we believe the two can coexist if cool heads prevail.

In Louisiana today, more than 100,000 persons—or 15 percent of our labor force—are directly employed by our petroleum industry. Many, many others rely in great measure upon the industry for their livelihood. Another 100,000 Louisiana residents now receive royalty or lease rental income from petroleum.

The petroleum industry also contributes by far the largest single share of our State revenues. Twenty-five percent of Louisiana's tax and fee revenues are derived from direct production taxes on oil and gas, and 95 percent of the State's public school fund comes from oil and gas production taxes. Sixty-five percent of the money distributed to Louisiana parishes, or counties, if you will, and municipalities to support local government units, other than schools, comes from oil and gas taxes and mineral royalties. Taxes and fees paid by the petroleum industry, plus excise taxes on products which are passed on to consumers, account for 54 percent of all the revenue Louisiana gets from State sources.

It should not be necessary to document further the importance of the petroleum industry to the people of Louisiana. It pays a major part of the costs of educating our children, of building and maintaining our highways, of caring for our sick and poor. To strangle this industry would be as great a human folly as to continue to ignore our environment. Both goals are compatible and attainable.

The editorial follows:

"OVERKILL" IN OIL SPILL?

The recent spectacular Chevron oil platform fire and subsequent spillage, understandably and probably justifiably, caused widespread demand for reform and for rededication to the cause of "clean, healthy environment."

We acknowledge that this newspaper did some of the demanding, following the lead of Dr. Leslie Glasgow, assistant secretary of the interior for fish, wildlife, parks and resources.

One of our editorials on the subject quoted the good doctor, a former Louisiana official: "Louisianians have despaired of enjoying a clean, healthy environment because, for

XUM

years, the state has persisted in thinking only of the industry dollar. This attitude of totally ignoring environmental values and even insisting that environmental considerations are without values must be changed."

Dr. Glasgow, perhaps, made a good point.

Neither he, however, nor anyone else—to our knowledge—has offered proof that the Chevron spill seriously affected the environment of the Louisiana coast.

On the record, the Chevron spill put considerably less crude oil in the Gulf of Mexico than spills of 1942–43. Those spills were intentional, caused by German submarines which attacked 111 ships in the area under protection by the United States Navy's Gulf Sea Frontier. Only 15 of these ships were salvaged. Ninety-two were sunk, including a substantial number of tankers.

The area of the Gulf within 150 miles of New Orleans was regarded by the Navy during early days of World War II as "torpedo junction." Forty-four of the ships attacked by German submarines were in jurisdiction of the Eighth Naval District and 17 of them were sunk in "torpedo junction." A dozen were torpedoed just outside the passes. One German torpedo destroyed the end of a jetty at the mouth of a pass.

Among ships sunk were the American tankers Aurora, Toledo, Gulf-oil, Touchet and Raleigh Warner; the Norwegian tanker Hamlet, the Mexican tankers Amatan, Tuxpan and Chiapas and the British tanker Empire Mica. Some of the tankers carried crude oil destined to East Coast refineries; others were loaded with products from Deep South refineries, destined for England. The Aurora was in ballast.

Collectively, these tankers spilled an astronomical volume of crude oil and refined petroleum products. Most of them were torpedoed much closer to shore than the Chevron platform—which is approximately 30 miles from the nearest land.

One 10,000-ton tanker carried 65,500 barrels of oil. If estimates by the United States Geological Survey are accurate, the Chevron platform wells spilled less than 500 barrels a day. Fire started on the platform Feb. 10 and burned until March 10. The first well in the cluster was capped March 12, and the last well was capped March 31. Had spillage at the platform continued from March 10, when the fire was extinguished, at the rate of 500 barrels per day it would have had to continue 130 days to match the spillage from a single 10,000-ton tanker in February, 1942. All the oil in the tankers, of course, did not spill into the Gulf. Some of it burned before the ships sank, but officers who were on duty in the Gulf Sea Frontier during World War II say that the proportion of oil burned was small.

Most of the tankers sank too fast for a major portion of their petroleum cargoes to burn. The tanker Gulfoil sank within 90 seconds after she was hit by two torpedoes. Twenty-one crewmen of the Gulfoil lost their lives.

If oil from these torpedoed tankers polluted oyster beds, shrimp trawling or breeding grounds or otherwise caused major damage to the environment, we do not recall reports of this damage.

The circumstance that we may not have been hurt by past spillages, of course, does not mean that we cannot be hurt by future spillages. Nor does this circumstance excuse oil companies and others producing minerals from beneath offshore or inland waters from strictly obeying conservation laws. They have a definite obligation to take every possible precaution to prevent spillage.

The circumstance may suggest that some of us may have hollered before we were seriously hurt. Just what damage may result from after-effects of the spillage remains to be seen.

Obviously, we should and must have continued production of oil and other minerals from offshore platforms and barges. Exploration for and production of these minerals should and must be accomplished with a minimum of hazards to the environment.

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LETTER TO THE PRESIDENT

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. PRICE of Texas. Mr. Speaker, I am honored that 32 concerned Members of Congress have joined me in requesting President Nixon to halt foreign shipments of meat made through third countries in order to avoid import quota limitations set by the U.S. Government. I am also gratified that 17 Senators made a similar request of the President.

For the benefit of my colleagues, I insert in the RECORD a copy of the letter with the accompanying signatures that was forwarded today to the President:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 15, 1970.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As representatives of meat producing districts, we believe it to be our duty to share with you our views of a situation adversely affecting our areas and the nation.

Under present laws and regulations, foreign countries shipping substantial amounts of specified meats into the United States have agreed voluntarily to restrict their imports to certain ceiling levels. Last year, however, certain foreign meat shippers began circumventing these agreements by a means that has become common practice. Unscrupulous operators have shipped meat from Australia and New Zealand to Canada; from there it has been trans-shipped across the Canadian border into the United States. Thus, the legitimate intent of the import agreements has been frustrated at the expense of the public interest.

During 1969, an estimated eighteen million pounds of meat entered the United States via this bootleg method. In the first three months of this year, such trans-shipments have totaled approximately one million pounds of meat per week. As a result of this substantial inflow, domestic meat markets have been disrupted and foreign interests have wrongfully profited.

Mr. President, this deplorable situation could be rectified if an appropriate executive order were issued prohibiting foreign meat not shipped under bills of lading from entering the United States. This would effectively remedy the bootleg meat problem without adversely affecting the present meat import agreements.

It is our understanding that you have such an executive order under consideration, an order approved by the foreign governments concerned. They realize, as we do, that justice and fairness demand swift remedial action. To their approval, we would like to append our own. In addition, we implore you to exercise your constitutional authority and promptly issue this vital executive order.

Respectfully yours,

Bob Price, Page Belcher, E. Y. Berry, Thomas Abernethy, Ancher Nelsen, John Dowdy, Dave Martin, Odin Langen, George Bush, Dan Kuykendall, John Melcher, Donald Riegle, John Wold, Donald Lukens, John Zwack, Tom Bevill, John Buchanan, Keith Sebelius, Ray Blanton, Thomas Kleppe, John Kyl, Mark Andrews, Frank E. Evans, Sam Steiger, William Dickinson, Richard C. White, Don Fuqua, Maston O'Neil, Larry Winn, Fletcher Thompson, William Scherle, John T. Myers, Wiley Mayne.

Mr. Speaker, this bipartisan group of distinguished gentlemen are to be commended for their interest in solving the bootleg beef problem. I urge all my colleagues to lend their support to this cause; it is beyond party, and it is nonpolitical.

ANTIPOLLUTION PIONEER

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. BYRNES of Wisconsin. Mr. Speaker, a pioneer in the fight against environmental pollution and waste is Frank N. Graass of Sturgeon Bay, Wis., who retired from the Wisconsin State Assembly in 1961 after more than four decades of distinguished public service.

Mr. Graass was elected to the Wisconsin Assembly in 1917, becoming speaker of the assembly in his second term. He was the chief assistant to Wisconsin Gov. Walter S. Goodland from 1941 to 1945.

During his career, Mr. Graass participated in the formation and passage of almost all of the basic conservation laws of the State, legislation recognized as the most progressive in the country. He was responsible for the creation of the State conservation commission and for giving it strong regulatory powers. He helped establish 100,000 acres of Federal forests in Wisconsin and introduced the bill creating State and county forests. He promoted legislation to encourage conservation education in schools and to establish State parks, wild life refuges and public shooting grounds. As a matter of fact, his remarkable record has earned him the appellation: "Mr. Conservation."

Mr. Graass warned of the dangers of pollution and the urgent need of action to preserve our environment long before this was a widely popular issue. As an example of his foresightedness, I include the text of a speech he gave 47 years ago which was reprinted recently in the Door County, Wis., Advocate:

POLITICIAN-PROTESTER GRAASS ISSUED WARNING 47 YEARS AGO

(NOTE.—*Pollution and environmental control are fast becoming bywards of politicians and protestors. But 47 years ago Frank Graass was both a politician and a protestor warning of both pollution and environmental waste. Witness this speech he gave back in 1923:*)

Through Providence and the spirit of our ancestors, we have been placed in a pleasant and beautiful country, a country washed on east and west by the waters of encircling seas.

Lumbering companies, mining companies, water power companies, irrigation companies, fisheries and canneries, in the prosecution and developmnet of their business enterprises for the purpose of financial gain to themselves, but under the plea of developing the country and the needs of the community and keeping step with progress, are laying waste our forests, damming our streams, changing the water levels of our lakes, draining our marshes and destroying all wildlife and fish within them, and robbing us and our children of the beauties of nature's Out of Doors, and then justify their waste and destruction by saying, "Its the price we must pay for civilization; that these things must be, to keep step with progress."

Our forefathers immigrated to America, America the Beautiful, a great unlimited storehouse wherein lay thousands of lakes, hundreds of rivers, inexhaustible forests and acres of prairies, the home of more animal, bird and fish life, than any similar area the rest of the world possessed.

The supply was thought inexhaustible and for 150 years we have lived a riotous life of extravagance. We spent this wealth like a drunken sailor spends his money. What we could not legitimately use and consume, we killed, burned and destroyed and laid waste, giving no thought of the morrow.

Because of its great quantity, it was as free as the air, the sands of the desert and the waters of the ocean. It belonged to everybody and as the supply seemed sufficient for all, no one thought of conserving. We have been spendthrifts of the worst kind, and we have not only dissipated what we thought was our own, but we have stolen and robbed from those yet unborn. We have been worse than thieves and we have stolen from those children yet unborn and who could not defend their possessions.

Commercial greed and profit and the game hog have robbed, taken, killed, wasted and destroyed without blush or shame.

Our natural marshes, streams and lakes are being drained by public promoters.

A treeless nation is a lost nation, for were it not for the trees which use the carbon dioxide our lungs expel, to give us back oxygen, we would not be long-lived. Where forests die, waters die, and where waters die, the fruits of the earth perish.

Tomorrow we will be called upon to answer for our stewardship. What answer shall you make to your boy and his boy as to what you have done to protect his heritage?

Today, there are a few men and women trying to save our great outdoors. Ten years from now, five years from now, is too late to begin to fight. When the floods are racing against the dikes, it is too late to begin repairs; and right now your help is needed.

How truly it can be said that the wealth of a state or a nation is the health of its people. Health and ambition have created all the wealth, progress and expansion known to our world.

Where in all the world, is there a section more profusely wealthy in health giving possibilities than our wonderful state of Wisconsin?

Yes, right here in Wisconsin, unappreciated by most, yet benefiting all, are our wide open spaces, good climate, pine woods, beauties of nature, spots primitive and unspoiled—all marvels of health, wealth of our state and enough to share with the nation. Let us not forget that our state has many hordes of tangible wealth. Our lake fish supply the middle west, our trees for the houses and paper of a nation, our outdoor recreation is used by the whole country; but of these the store is diminishing. There is a day when some will be gone; all, if some measures are not taken before the day of exhaustion has been brought to us by our own wastefulness.

To improve those of our assets which need improving; to save and guard those that need it; to replace those that diminish and can be replaced; to foster and offer to the world those which can be spared and shared, is our job and our duty!

An absence of "conservation consciousness" is the state of Wisconsin, both among people of the state and their legislative representatives, has in the past resulted in extreme laxity in the protection of our wildlife and natural resources. Not only has Wisconsin been delinquent in financing these resources, but she has failed to enact legislation necessary to curb the game hog and professional violator. The Conservation Commission, charged with the responsibility of enforcing laws protecting and restoring wildlife and forests, and upon whose shoulders rest the responsibility of an aggressive conservation program, has not had the legislative support which a great outdoor state should give the agency charged with these functions. When legislation is suggested by department heads, who from years of experience know what is necessary, objectors arise from various localities desiring to be treated differently or to be exempt from the proposed laws. Members, in trying to inject into well considered proposals, their own local needs and local ideas, are willing to accept the suggestions of other local minded members in order to carry out their own ideas.

With each legislative session comes a host of new members. New or old, they all come with thoughts suggested by someone back home, and with that constituent it is usually a pet idea of his own, more often than not lacking in any stable and scientific basis. Few members of the legislature have made a particular study of conservation needs and so when legislation is up for consideration a great majority of our members are, either not interested or lack the fundamental knowledge to pass upon the issue before them. In such case it would seem only logical to rely upon the authorities employed by the state and trained in its service to master these subjects and to turn to those men who have made a life study of the subject matter involved. Factional and party lines have no place in matters of this kind, nor does the question of popularity of the particular bill involved. Measures should be weighed and determined on the basis of their effect upon the state's future supply of forests, fish and game, and recreational facilities, and not upon the whims of local cranks.

HYSTERIA FROM THE LIBERAL COMMUNITY

HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. WYLIE. Mr. Speaker, something should be said about the sensational demands for the resignation of John Mitchell.

Anyone who has spent any time in this city comes to expect occasional hysteria from the liberal community. Now is such a time. Suddenly, in the wake of the Carswell defeat, John Mitchell has become a scapegoat, a convenient target for everyone who wants to distract public attention from other matters.

The unwarranted attacks on the Attorney General have earned him designation as an "honorary southerner." Even though he is a New Yorker, he is being subjected to the same kind of sly, puffed up, and insubstantial criticism which is the burden of all conservative southerners in public life.

All this will pass. But, for the moment, I want to speak out with an expression of confidence in John Mitchell. He has been a distinguished and effective Attorney General, and he merits our support in these tantrums of foolishness.

FRAUD AND BAD ADMINISTRATION COSTS MEDICAID $1 BILLION PER YEAR

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. BIAGGI. Mr. Speaker, last year this Nation spent $7 billion for medicaid, part A and B, to provide medical and dental care for 19 million indigent citizens across the country. Some 650,000 low-income families just above the welfare level in New York State benefited from this program.

However, countless instances of the abuse of medicaid funds by medical practitioners, and rampant fraud and misuse of funds through inept administration of the program on a Federal, State, and local level has caused me to question whether or not the true objectives of title XIX of the Social Security Act are really being met.

A Federal audit of New York State last year revealed that unscrupulous doctors, dentists, pharmacists, and medical institutions bilked the medicaid program out of some $60 million of the total $1 billion authorization for New York State. Jointly funded by the Federal Government and the State, Federal auditors recommended that $15 million in Federal medicaid funds be withheld from New York City because of mishandling and mismanagement of the money.

For this reason I feel that a thorough and complete investigation of the entire medicaid program is in order. Examples of abuse and fraud such as I have just cited for you, Mr. Speaker, were found in almost every major city in the United States. The exact amount of tax dollars lost to fraud and deception is not really known, but preliminary investigations by the Senate Finance Committee in a report entitled "Medicare and Medicaid: Problems, Issues, and Alternatives" suggested that 1 billion tax dollars per year could be saved if the recommendations in the report were implemented.

This is a staggering amount of money. All of it was earned by hard-working, tax-paying citizens, who deserve better management and administration of their money.

For this reason I have recently introduced legislation which would establish a Federal commission to thoroughly investigate the abuse of medicaid money and upon completion of that investigation, to recommend positive administrative procedures to eliminate loopholes and mismanagement that exists in the present program. In my estimation this is the only way that this Government is going to be able to assure the taxpayer that his dollars are being wisely and efficiently spent for the benefit of the public health.

By coordinating the information already gathered by the ad hoc Senate Finance Committee last summer, and acting upon its recommendations, I feel relatively certain that such a commission could come up with legislative proposals that would insure a tight and efficient program, devoid of the waste and mismanagement that now plagues it. Any action short of this comprehensive approach will, I am sure, result in piecemeal patchwork that cannot possibly overcome the multitude of problems facing the administration of these funds.

The administration wants an additional $4 billion in payroll taxes in fiscal 1971 above the present tax level for medicaid. I, for one, would not support such an increase unless the entire medicaid machinery were overhauled, effectively, and efficiently so that unethical practitioners could not continue to line their already bulging pockets with tax dollars, often at the expense of the health of their medicaid patient.

Mr. Speaker, I would like to point out that there are already innovative ways to combat the abuse and misuse of medicaid funds. I would like to see these methods adopted by the Congress as soon as possible. For example, New York City has pioneered the "medicaid watchdog system," which is more educational than punitive. However, this program would be an excellent prototype for the Federal Government, in administering medicaid funds, to emulate. The medicaid watchdog system has set standards, established surveillance programs and enforcement programs in health care that are sadly lacking from our present program.

Another area which needs immediate attention is a Federal administrating office to control and punish those who abuse the program, or try to cheat the Federal and State governments of these valuable and needed health dollars. If a Medicaid Fraud and Abuse Unit were established in the Department of Health, Education, and Welfare, it could help the States coordinate programs to uncover and prevent improper medicaid practices and abuses. Given the power to investigate, and prosecute, if necessary, such a bureau would be an invaluable first step in saving countless thousands and even millions of tax dollars that are being siphoned from the medicaid fund illegally.

In closing, Mr. Speaker, I would like to point out that inflation could greatly be retarded if the Congress moves to correct the inefficiency and mismanagement prevalent in some of its larger public programs such as medicaid. However, we must remember that the very size of the program itself magnifies administrative problems. Therefore, let us move carefully to reevaluate the entire program and assist in its management by providing the machinery, and guidelines if necessary, to make it run smoothly.

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GOVERNMENT VERSUS INDIVIDUAL RESPONSIBILITY

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. FOREMAN. Mr. Speaker, we cannot spend ourselves into affluence—we must earn our way by our individual effort. Regardless of what some may say or think—we live under a system where the people support the Government, the Government does not, and cannot, support the people. The Government is not a creator of wealth—it gets its money from people who work and pay taxes, and we are fooling no one but ourselves when we think otherwise. All the players in the poker game cannot make money, because the game itself does not produce money, it comes from the players.

My son, Kirk, summarized the situation very well with his question: "Who's gonna pull the wagon if everybody gets in to ride?"

POLITICAL JUDGMENT OF JIM FARLEY

HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. ROGERS of Colorado. Mr. Speaker, many years ago the Honorable Jim Farley visited the State of Colorado and became acquainted with a new reporter for the Rocky Mountain News, Pasquale Marranzino, who had great admiration for and realized the good judgment exercised by the lovable Jim Farley. Under dates of March 14, 1970, and April 7, 1970, Pasquale Marranzino wrote two articles concerning Jim Farley, and I insert them in the appendix of the RECORD so that others may enjoy the high regard that Mr. Marranzino has for Mr. Farley:

[From the Rocky Mountain News, Mar. 14, 1970]

IRISH TALES FROM JIM FARLEY

(By Pasquale Marranzino)

Although I shall not observe the great feast of St. Patrick until Tuesday, I give Denver's Irish credit for having the cunning to get two shots at the observance—today and Tuesday.

One of the nicest St. Pat's observances I had was shared with Jim Farley, the honorable, who was architect of Franklin D. Roosevelt himself's dynasty and today remains one of the symbolic politicians enshrined by another Irishman—Alfred E. Smith—a happy warrior. Mayor Billy McNichols has this quality.

Anyhow, James A. Farley, long gone from active political wars, sat on the bed in his room in the Brown Palace Hotel and interrupted our interview with dozens of happy telephone calls from all over the nation.

"Speaking as an American," Farley said, "our country is, indeed, lucky to have the Irish. The Irish birthright begins with the Continental Army. Did you know that Irish Continental soldiers kept the laughter and the courage going at Valley Forge? And two signers of the Declaration were Irish—Charles Carroll of Maryland and Thomas Lynch of South Carolina. Aside from its great significance, it was one of the few recorded cases in American history where Irishmen went along with the majority."

He told the story of the Confederate at Gettysburg who surprised an Irishman with the 20th Infantry of Massachusetts. "Give me your rifle, Yankee," Johnny Reb yelled. "Here it is," laughed the Irishman. "By the way, we have been trying to get those Protestants in Boston to call us Yankees for two generations."

He related the story of the fabled Wild Bill Donovan, the daring colonel of the Fighting 69th in World War I, and equally famous Father Duffy. Donovan had been wounded in a foxhole and Father Duffy called for volunteers to bring the colonel back to the American lines. Everybody in the company volunteered.

Father Duffy took two litter bearers and made his way to the fallen colonel. He found him unconscious in the hole, and after giving him last rites, Donovan regained consciousness and asked what in hell the padre was doing. Duffy told him.

The grateful Donovan said, "it's by your grave I'll stand, father" . . . which happened when Father Duffy died. "But do me a favor. Take out my .45 and lay it on my chest. "The priest smiled and informed Bill he would do no more fighting for a while, "I know it," the colonel said, "but put the pistol on my chest or they'll steal the regimental payroll at the base hospital."

We partook of a wee dab of Irish dew as we spoke—I listened, rather. Farley was Chairman of the Board of The Coca-Cola Export Corp. at the time. But he didn't ask for any chaser.

He told another story I recall, about the two rugged Irish patriots who, during the tumultous times of "the throuble" in the Twenties, had the nasty assignment of taking care of those loose-tongued neighbors who traitorously had informed the Black and Tan.

These two were assigned to lie in wait for a fingered traitor and to shoot him down while he walked the lonely road home during the night. After waiting an unduly long time for the victim to show up, one of the patriots turned to the other and whispered:

"I hope to the Lord that nothin' has happened to the poor little man."

[From the Rocky Mountain News, Apr. 7, 1970]

FARLEY: DO NOT RULE OUT LBJ IN 1972

(By Pasquale Marranzino)

The interesting revolution going on in both major parties in Colorado has happened before. The old order changeth, but how much?

The power switch is more discernible among the Democrats. It is the residue of the bad broth that boiled up in those tragic days of the last presidential campaign when Bobby Kennedy was assassinated, Gene McCarthy all but abdicated and Hubert Humphrey couldn't collect their followers.

All of this is generated by a letter I received from James A. Farley, the amazing political quarterback of the Roosevelt years, who at 81 isn't being sought for counsel by most of his party—terrible waste of wisdom.

Farley, of course, along with Mark Hanna, who engineered the success of President McKinley, is considered to be the classic beneficent boss of American politics and I am relaying some remarks he sent along in the letter he thought might be interesting.

The shocker is that Farley hasn't ruled Lyndon B. Johnson out of the presidential picture in 1972.

"I have no idea what former President Johnson has in mind for 1972," he wrote, "but speaking as an observer who has no outside information, I don't think you can pass him out of the picture."

Farley said he passed on the same belief to the venerable Jimmy Kilgallen,—and Jimmy got a scoop—who is a contemporary of Farley's and who in his 60 years of newspapering has covered more big stories than any American reporter.

Kilgallen, by the way, was assigned by one of the big press associations to do the John Gilbert Graham trial here when he was convicted and executed for bombing a planeload of innocent victims over Longmont.

Farley made no bones about his belief that LBJ would be nominated if he consented to make the race, an interesting if almost unbelievable observation.

Farley says the Democrats won't fall apart and that they have the same "basic voting strength that makes them capable of winning in any presidential year."

And he couldn't help referring to the colossal defeat Al Smith suffered which was supposed to have ruled out the Democrats as a party. Then came FDR.

What the party needs—as many observers will tell you—is a Jim Farley. It is incredible that when Farley was Postmaster General, he also held the job as National Democratic Chairman and Democratic State Chairman in New York. They called him "three-job Jim" in ridicule of his potent hold on the Democrats all over, but nobody contested Farley.

What he had was the knowledge of political responsibility—the leadership at higher levels that filtered information, co-operation, encouragement and help along to the precinct level.

That could mean political reward, jobs, financial aid to candidates and handshakes and personal correspondence—the great facility Jim Farley still has.

The Democrats—out of office, without jobs, logrolling and a hefty debt—would seem to be in bad shape. But Farley wouldn't agree.

SUPREME COURT NOMINATIONS

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. HUNT. Mr. Speaker, I sometimes find it more than a bit difficult to understand the reasoning of the gentlemen in the other Chamber. Especially when it comes to certain appointments the President must make with their advice and consent.

According to my understanding of the Constitution, it is the President's duty alone to select a nominee to fill a vacancy such as now exists on the Supreme Court. Only then is it the Senate's duty to approve or disapprove on the merits, which may or may not be influenced, as the case may be, by the section of the country from which the nominee comes.

Be that as it may, some Senators seem to be seeking to change the Constitution around a bit, these days. Now they do not want to wait for the President to appoint before they advise. Of course, they want to advise him on who and how to appoint in accordance with their own peculiar notions and biased criteria as to what constitutes a "good" Supreme Court Justice. Whether from ignorance or arrogance, I can only say that when Senators, or Representatives, seek to usurp the prerogatives of the executive branch, they jeopardize the separation of powers and violate the spirit of the Constitution.

Now that the President has selected a third judge for appointment to the Supreme Court, I hope that some of our colleagues in the other body will change their tactics and judge the nominee on his merits and not on their prejudices.

It is my further hope that such extraneous, irrelevant, and highly subjective views about mediocrity and sensitivity will be relegated to the diatribes of the liberal press and kept out of the discussion of the judge's qualifications. Many Americans, including myself, were disturbed over the shallow and hypocritical debate on Judge Carswell. Many of those throwing stones live in the flimsiest of glass houses.

As reported in the unfailing press, one such gentleman in the other body failed his bar examination. Another once was expelled from college. On what valid grounds can racism be charged? One who made the charge against Judge Carswell belonged to a fraternity limited to white, Christian men. Another bought, lived in, and sold a house with a racially restrictive covenant. Many belong today to all-white clubs.

Mr. Speaker, it is to be sincerely hoped that the debate on Judge Blackmun will be conducted along more rational lines and on more honest issues than were the cases during the debates on Judges Haynsworth and Carswell.

THE CHANGING ROLE OF AMERICAN TECHNICAL ASSISTANCE IN AGRICULTURAL DEVELOPMENT

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. FRELINGHUYSEN. Mr. Speaker, under President Nixon's administration, U.S. foreign aid is taking on new, and important, dimensions as technological aid is given increasing recognition, particularly in the agricultural field.

The significance of this change, from purely financial aid to the technical aid which allows for self-help and improvement for the developing nations, was discussed recently by Dr. Joel Bernstein, Assistant Administrator for Technical Assistance of AID. I insert in the RECORD Dr. Bernstein's address on "The Changing Role of American Technical Assistance in Agricultural Development," delivered at Cornell University:

THE CHANGING ROLE OF AMERICAN TECHNICAL ASSISTANCE IN AGRICULTURAL DEVELOPMENT

(By Dr. Joel Bernstein)

My remarks tonight are on the heavy-sounding subject of "The Changing Role of American Technical Assistance in Agricultural Development." This is a formidable mouthful that fortunately is easily translated.

In plain English this title refers to evolving ways in which Americans will use their very great knowledge of agriculture to help developing countries create their own means and methods of adequately feeding growing populations. It correctly suggests that we already are doing this and expect to continue. What it does not say, but which I have no hesitation in adding, is that what Americans and others have done in this field has had impressive successes, despite the many difficulties and remaining problems to which I'll soon turn.

I shall say more of success in a moment. But first I must apologize to the distinguished agriculturists who are at Cornell all this week for analysis of issues that have emerged in the wake of recent breakthroughs in developmental agriculture. Much of what follows they already know. But this is a public lecture, which means I am constrained to state some things that professionals know well.

Let me begin, then, with a thumbnail review of where the free world developing countries stand in food production. If we look at their total food production in the sixties, we see a steady and impressive rise to some 40 percent above the 1957–59 base. This is historically unprecedented. But watching the far more relevant and much wavier curve of per capita food production, the performance is something else again. It stood in 1969 only six percent above the base of a decade earlier, or not very comfortably ahead of rising world population.

This advance of per capita food production over the decade varied greatly among the major regions of the developing world. East Asia was in the midst of a steep climb in 1969, with per capita production for that year about 13 percent above 1957–59. By 1969 per capita production for South Asia—specifically India, Pakistan and Ceylon—had also risen sharply to 6 percent above 1957–59 despite a disastrous dip in the middle of the decade.

Latin America's per capita food production in 1969 also stood at six percent above the base of a decade earlier, but it was on a downward trend, while Africa, so far as we are able to measure, was at a discouraging five percent below the base level that it had scarcely exceeded since the decade opened. It is true, however, that with certain exceptions such as Morocco and Tunisia, where deficiencies were made up through imports, African diets were adequate in calory terms. But it is well known that aggravated nutritional deficiencies, particularly in protein, were and are widespread in that continent. The Near East, having reached a five percent improvement in 1967 had by 1969 fallen back to the per capita food production level of the start of the decade.

Now these per capita figures tell us plainly that something beneficial was happening in East and South Asia as the decade closed. And we get the same message if we revert to recent data for total rather than per capita food production in these vital regions. For in the years 1967–69 total food production in South Asia rose 27 percent above 1966. In East Asia it rose 11 percent. And for developing countries as a whole it rose 14 percent.

The "something beneficial" to which I have referred has been given a widely-used name, the "Green Revolution," a useful enough phrase that is quite limited in its meaning although appropriate as far as it goes. It refers to the dramatic consequences of introduction into India, Pakistan, the Philippines, Vietnam and Turkey of new high-yielding varieties of wheat and rice. The parent strains were developed, for the most part, at the International Maize and Wheat Improvement Center in Mexico and the International Rice Research Institute in the Philippines, both supported by the Ford and Rockefeller Foundations. It refers to results obtained only in some of the well-watered areas of these countries and only after intensive campaigns to provide seeds, fertilizers, pesticides and the rest, to provide instruction where needed, and to provide or respond to a context of assured markets and favorable prices.

But even while recognizing that the Green Revolution has its limits, it has been a remarkable event by any measure. Properly used, the new varieties yield two and even three times more than traditional ones. Moreover, two or three crops can be grown where one had been the limit. Acres thus planted in Asia rose from only 200 in 1964–65 to over 16 million in 1967–68, and almost 30 million in 1968–69. This amounts to about 16 percent of wheat acreage and seven percent of rice acreage in non-Communist Asia.

Clearly, this agricultural development is of dramatic dimensions. But with obvious limits, as I have noted. Where it did take place the results justify many of the adjectives of enthusiasm that were spoken about it. It gave developers new hope, it told us much about what was possible where hopelessness had reigned before, and it bought time for some nations desperately pressed by rising populations to get on with solutions to that frightening puzzle.

But solve the world food problem the Green Revolution did not. According to the Food and Agriculture Organization of the United Nations, one person in five in the developing world still receives insufficient calories; he does not get enough food of any kind. Worse, three in five do not receive balanced nutrition in the food that is available. Protein deficiencies are especially serious. Within these figures is the grim reality of the enduring effects of nutritional deficiency on weaned infants. And there probably will be about 30% more mouths to feed in non-Communist Asia alone by the end of the 1970's.

If we are to discuss tonight the changing role of American technical assistance in the agricultural development of which I have been speaking, we had better make some passing reference to what that role has been.

First of all, however, we need perspective in appraising where the main efforts arise that produce Green Revolutions. Neither our own developed country nor any other could have done what the developing countries did for themselves. The resources applied from inside dwarfed those supplied from outside. But at the same time the external contribution was often catalytic the small but essential ingredient to energize the critical mass slowly accumulated.

Mostly I will talk about the technical contribution of A.I.D., which is to say a portion of official U.S. aid, even though most of our assistance contributed in one way or another to the agricultural growth of the developing countries. But let me refer in passing to some contributions from the private sector, because they have done so much and can do so much more.

To the example of the so-called "miracle" seeds developed at foundation-supported research institutes I would add, for example, the early sixties achievement of the M. W. Kellogg Company in developing a better and cheaper method of synthesizing ammonia from atmospheric nitrogen. Thus was broken a technical barrier to manufacturing fertilizer, in developing countries as elsewhere, by the multi-national corporations that are increasingly doing so. I would mention as well the establishment in the Philippines by the ESSO oil people of 400 or more "one stop" agro-service centers where rice farmers could buy fertilizer, seeds, pesticides and tools. A simple concept, perhaps amusing to Americans to whom such enterprise is as natural as breathing, but critical to the way rice production soared in that country. There are other examples, of course, but these may suffice to show the contributive potential when private multi-national firms turn their talents to development problems in environments congenial to efficient and profitable operation.

As to what A.I.D. did to boost the Green Revolution, I think it may with due modesty take a good slice of credit, with some gross figures being a good place to start. Direct A.I.D. assistance to agriculture in the years 1965–69 is estimated at about $2.5 billion or about a quarter of the total program. In a typical year, 1967, we had some 1,400 agricultural technicians overseas, although budgetary problems have lowered that figure somewhat now. Trainees in agriculture brought to this country for study averaged about 1,800–1,900 a year over the period and were the largest trainee category. Of the $63 million approved for central research projects in the last half of the decade, $23 million or 36 percent was in agriculture. And last year, A.I.D. had 57 agricultural projects contracted to U.S. universities, 30 percent of the total value of such contracts in all fields. These figures illustrate the top priority given to agriculture. They translate into a buildup of skills, institutions, new methods and policies, and commodity inputs that have provided much of the essential underpinning for past and future growth of agricultural production. More relevant than mere figures, however, is what happened in the field.

In the pre-breakthrough period the private international research institutes had our good wishes and our cooperation but none of our money, although that has changed. On the other hand, A.I.D.'s long support of agricultural universities in India and the Philippines had a lot to do indirectly with their excellent research work in further improving the seeds from the institutes. In Vietnam, Turkey, Morocco and Bolivia we had a dominant role in the design of limited experimental work, while in West Pakistan we supported its government in accelerating selection and improvement of the new seeds. This adds up to scattered involvement in research on the new seeds if not to a major contribution. Over the years, there has been steady Agency work with indigenous research institutes and programs around the globe, outside the area of major production success with the new rice and wheat varieties. Although much of this work was inadequately focused, it has made important contributions to the overall research capabilities of the developing countries. So has the more recent work by U.S. universities financed under the central research program. These efforts will bear fruit in the 1970's and beyond.

In the task of diffusing research results on the high yielding varieties, however, our role was major and possibly decisive. At any rate we were closely and successfully involved in the rural institutions that helped spread the seeds and the technology in all five nations where the high yielding variety campaigns took place, that is Indian, Pakistan, Turkey, the Philippines and Vietnam.

Where the "inputs" of fertilizer and water were concerned, our technical contribution was exceeded by our financial one. Nevertheless, there was significant A.I.D. influence on policy, specifically the elevation of fertilizer to high priority, flowing from negotiations for fertilizer imports from this country that in the 1965–69 period amounted to over $400 million. In West Pakistan we underwrote a desalinization program in areas where the high yielding varieties later produced in such abundance, and we financed tubewells in many parts of the Indo-Gangetic plain while promoting understanding of their use through support of extension work.

Finally, and importantly, I cite the way in which A.I.D. "promoted," if you will, the high yielding variety campaigns virtually across the board. Through the simple fact of our "presence" over an extended period of time we knew local conditions well and, in the case of such countries as India and Pakistan, had entrée to the highest policy levels in both bilateral and multilateral negotiations. In India, Turkey and Vietnam we were in many ways the spearhead of promotion through financing of seeds, fertilizer and extension and even so simple a matter as the passing out of production kits and supplies to individual farmers. We were comparably engaged in the Philippines, although that country had itself generated large momentum toward immensely improved rice production. There were even occasions when, for example, on a dock where vital goods were piling up, A.I.D. would often manage to have a technician materialize to perform, and by his example teach, the American trick of standing back to look at a problem from all angles and then sail into solving it.

In Vietnam, A.I.D. was instrumental in organizing a rice production campaign that applied modern action scheduling and monitoring techniques to bring in the needed inputs in the right time and volume relationships. This permitted rice production to accelerate very rapidly in areas where hybrid varieties were introduced. For example, while total rice production rose 16% during the 1969 crop year, at least 70% of this rice was due to the use of the new varieties on about 7–8% of the total acreage. For the average farmer, these yield increases mean a manyfold increase in his marketable surplus after family consumption and production costs have been taken care of. It has been said by both Vietnamese and Americans that the success of the rice campaign in the Delta region was the dominant event in the lives of people, occupying a far more important place in their scale of concerns than either the war or political questions.

This recollection of A.I.D. experiences in promoting the introduction of the new seed technologies reminds me to say, parenthetically, that one of the great but immeasurable dividends of sustained U.S. presence in developing countries has been its influence in teaching how to go about solving a problem. I have seen this "rub-off" occur as well on such major behavioral factors as attitudes toward the function of education, the uses of research, even on social and political assumptions and values. In any event, this aspect of the American presence is worth pondering when we contemplate where Technical Assistance or foreign aid broadly may go from here.

So much, then, for my summary of where food production stands in the developing world and for my observations about the contribution U.S. foreign aid made to the achievements described. It is time to turn to the present and future place of Technical Assistance in the scheme of things.

We have had over two decades of experience with Technical Assistance. Meanwhile the world has been changing—ever more rapidly. In recent years, there has been a rising volume of efforts to appraise the significance of this experience and its changing context. This is highly desirable. Within A.I.D. reappraisals of Technical Assistance over the past year or so, taking account of internal and external critiques, have suggested a number of new emphases. This reappraisal has been reflected in the new stress on strengthening the quality of Technical Assistance during the discussions of assistance programs with the Congress, and in the establishment of a new Technical Assistance Bureau in A.I.D. to carry out this purpose.

What, specifically, are the new emphases? And why this talk about quality? Everyone has always favored quality. So what's new?

In the past, the main focus of those concerned with the developing countries has been on relieving the great scarcity of development resources—both capital and technical resources. The concern has been with adding as large an increment each year as feasible, from internal growth of the economy and from external aid and other sources. Satisfying this quantitative need has been and will continue to be critical if a tolerable pace of development and modernization is to proceed. However, this focus tended to bring insufficient attention to some of the crucial qualitative factors in development activities.

Every country has an accumulation of productive resources that is many times greater than the comparatively small increment that is added each year. This includes its people, which are its most important productive resource as well as the beneficiaries of development. How much production it realizes each year and how much of the benefits reach its people depends on how well the available resources are combined—on the quality of use of productive resources—more than on the increments of capital that can be added each year to the total supply of productive resources.

But it is people who make the decisions on the productive and social uses of resources.

That fact underlines the importance of the principal goal of Technical Assistance—helping to equip people in the developing countries to improve the quality of their decisions on the use of the productive resources available to them. Increasingly, Technical Assistance has also been concerned with the closely related set of decisions affecting the breadth of participation by the people of each country in this decision making and in enjoyment of the fruits of development. The quality of these resource use decisions is the prime determinant both of the success of developing countries' efforts to provide a better life for their people, and of foreign assistance for this purpose.

For many years, A.I.D. has pressed for self-help measures to accompany its assistance and has sought improved coordination of the use of all available external and internal resources in pursuit of the development goals of the recipient country. These A.I.D. efforts involved one important form of Technical Assistance, and its coordinated deployment with capital assistance, to improve resource use.

However, experience has suggested that the quality of the U.S. Technical Assistance itself could and should be strengthened. Thus, the current concern for quality has two vertical dimensions. We are seeking higher quality Technical Assistance as the principal assistance tool to improve in turn the quality of resource use, which is the principal factor in achieving development goals.

One element in A.I.D.'s new effort to strengthen Technical Assistance is provision for a stronger focus on the key problems. The new Technical Assistance Bureau is the organizational means for doing this. It will lead Agency efforts to mobilize expertise in a wide range of technical areas relevant to development in order to identify and then help to resolve those problems that are the greatest blocks to broad advance in important activity sectors, of which agriculture and population growth are pre-eminent. We intend to do this with our own people, with those elsewhere in government, with private experts from whatever sources and whatever disciplines may be appropriate, and indeed with relevant knowledge wherever found, including other developed and developing countries. This effort has already begun.

This key problem focus needs a complementary effort to develop a broader and more relevant stock of knowledge that can be applied to problems in the developing countries. One of the most important things that has been learned over two decades of Technical Assistance is that we have comparatively little knowledge that is directly applicable to their problems without considerable technical development and creation of locally fitted institutional devices and policies for applying the knowledge. As I stressed earlier, development is concerned with people—where they are and how they are. It is concerned with their perceptions, abilities, behavior and well being. Thus those concerned with solutions to development problems must go beyond technology to cope with systems of human effort. These vary greatly around the world. Thus there is a new emphasis in our Technical Assistance work on research and development type activities, which should grow steadily.

Our new focus also contemplates fuller and better use of organizations outside A.I.D., where suitable expertise exists or can be developed, to design and implement Technical Assistance activities. This would strengthen the existing trends in this direction. In this connection, we have concluded extensive discussions with representatives of the university community to design an improved method of AID/university collaboration on long term institutional development projects overseas. This new system will soon be tried in some pilot efforts. We are also exploring new systems for involving university departments and their personnel in support of overseas development activities in ways that would simultaneously reinforce home campus capabilities.

Moreover, the Technical Assistance Bureau has recently established an Office of Science and Technology to provide a new bridge between the talent and interests of the science and technology community and the problems in developing countries to which they can be effectively applied. Such organizations as the National Academies of Science and Engineering, National Research Council, National Science Foundation, Smithsonian Institution, National Aeronautics and Space Agency, Atomic Energy Commission, Battelle Memorial Institute and other such bodies are being involved.

We have also begun the process of developing a body of Technical Assistance doctrine and method, which should be extractable from two decades of experience but which has not yet been coherently and concisely articulated. In other words, we propose to do what we can to advance the professionalization of Technical Assistance.

The key to effective Technical Assistance, however, is not what people know in the U.S., but how well that knowledge can be deployed in the field so as to improve developing countries' own responses to their needs. The focus must continue to be on strengthening host country capabilities to perform important developmental functions. And problem analysis must be linked appropriately to the practical applications of solutions in specific overseas situations.

We shall need to explore and encourage better ways of relating American and host country professional organizations and individuals in joint problem solving activities of mutual interest. The rising levels of training and sophistication of developing country personnel make this partnership or technical collaboration approach more feasible and necessary. So do political considerations. Moreover, there will be growing prospects for benefit in the U.S. from such collaboration overseas—to provide improved insights on how to handle a wide range of domestic development problems, to provide useful technical knowledge, and to strengthen the knowledge base and private linkages overseas that the U.S. needs to cope with its ever growing interactions with the rest of the world. Part of our thrust in Technical Assistance for the 1970's is to find ways to reduce political problems associated with the joint work overseas on policy and institutional development, by relying as much as feasible on such devices as private institution-to-institution activities and the provision of assistance via international agencies or international auspices. Increasingly, the U.S. Government should concentrate its role on deploying funds and its management to catalyze and expedite the bringing together of suitable American, developing country, and third country professional resources to collaborate in activities that will improve the rate and quality of development of the poorer countries.

At this point it is fair to ask what these new emphases in A.I.D.'s general approach to Technical Assistance mean, more specifically, for our work in agricultural development overseas. That, after all, was the subject our hosts assigned me. We have been giving much thought to this question, and still are. As some of my listeners know because they were there, the past year has seen two full-dress working conferences in Washington during which both government and private experts canvassed rather thoroughly the desirable focus for our efforts in the years ahead.

In agriculture as in other fields, we are seeking the stronger focus on key problems, the vigorous thrust for suitable knowledge, the improved use of outside organizations, and the application of improved methodology discussed earlier. The external context for our rethinking in agriculture is particularly significant. Aside from the way the Green Revolution has changed and illuminated the outlook for agricultural development, there is another new dimension that must be taken into account in whatever this country plans in this field. I mean the level and character of international recognition of the food problem and the rising international concern and action to solve it.

The United Nations Food and Agriculture Organization, the World Bank and its family, the U.N. Development Program, the regional groupings such as the Inter-American, Asian and African Development Banks—all have moved actively into concern with and support of agricultural development in recent years. We already are part of a growing international consensus which has come about and has acquired momentum in large part because of this country's leadership and substantive contribution. It probably would not have happened, or certainly not so soon, without us. We are obliged, it seems to me, to do what we can to keep the consensus intact and the momentum rising.

The world regards us as an industrial giant. Yet our greatest technical pre-eminence may be in agriculture. It is perhaps our most remarkable achievement that a fraction, eight percent or less, of our population feeds the balance and exports hugely to boot. Nevertheless, through much disappointment, we have found that agricultural technology is incomparably the most complex and difficult to adapt for transplanting to less developed countries. Yet, perhaps for this reason, agriculture shares with population the rank of undisputed top problem for the developing countries. In short, this developing country need, our own accomplishment, our reservoir of distinguished agricultural scientists, and our past contribution to agricultural development mean that we have an opportunity and a responsibility to provide further leadership and a large technical contribution.

What that technical contribution should be is still under debate and study, the workshop of which this lecture is part being proof enough of that. Our own reviews thus far at A.I.D., with a generous input from outside experts, have pointed in some likely directions for more concentrated A.I.D. effort, specifically four. This is not a magic number but we are satisfied these four areas of effort would be high on any list purporting to say where this country's technology can most profitably be applied through A.I.D. supported Technical Assistance, taking account of what others are likely to be doing.

At the head of the list is research. It was research by foundation-supported institutes in Mexico and the Philippines which, more than any other identifiable single factor, kicked off the Green Revolution. But the researchers in these places stood, so to speak, on the shoulders of others—private and public, American and foreign—who had shown the way in genetic manipulation of rice and wheat seed varieties. Multiple, interrelated efforts in many places were involved. The real point about research, and I scarcely think it necessary to say it at all before this audience, is that we need a lot more of it and that the payoff for its relatively modest cost as foreign aid spending is likely to be very high indeed. Although the foundations had by 1968 spent about $15 million on the relevant work at the International Rice Research Institute, it has been estimated that the value of the 1967–68 rice harvest in developing countries was up $300 million as a result of new seeds and that the comparable figure for 1968–69 might be $1 billion. One pay off like this can support many less successful trials in the unpredictable business of research.

Most of the developing countries are seriously wanting in research capability of their own although a few, some of the very important ones, are in fact capable of a wide range of research work. A major need then is to strengthen the capability of these countries to develop and adapt agricultural technology to fit their own local situations. The ultimate value of the international research centers will be largely determined by the extent to which the research institutions of the individual developing countries build their competence.

In the developed countries, above all in our own, there is an abundance of institutions able to conduct research of direct value to developmental agriculture. Our land grant universities, the Department of Agriculture and the laboratories of industry are all in a position to contribute, both by providing basic research findings and by assisting in the development of research capabilities overseas. They already possess vast research knowledge which, with some reorientation and adaption, could be brought to bear on the problems of the less developed countries. And finally there are the essentially international organizations already mentioned—the institutes in Mexico and the Philippines and two more that are coming along in Nigeria and Colombia being outstanding examples.

What I am describing is the beginnings of an international network which, with A.I.D. support and that of others, could become the international research apparatus that will be needed to keep the Green Revolution going and to start something like it where it has not yet occurred. There are large network gaps that need to be filled, elements that need to be strengthened, and a need to create a system of liaison between elements in order to avoid duplication and accelerate the research findings and the spread of their use. We think the United States should make an important financial and technical contribution to this network.

As a second horse on which to put down our heavier Technical Assistance bets, we are impressed by the need for a great deal more knowledge of such elemental subjects as soil and water as they are found in the developing world. Without exhausting the list, one can cite needs for better mapping, more soils analysis, greater knowledge of the interaction of soil and water, better methods of water management. We really know next to nothing about how to farm productively in the humid tropics, where a systematic study of soil and water relationships is only one obvious need. On another front, there is a demonstrable usefulness in setting up one or more pilot projects in management of watersheds, both to benefit the regions where they are located and to demonstrate techniques to developing country authorities. Again, we are talking about a cooperative international effort to which this country could make an important contribution.

A third problem area that deserves more intensive attention on a global basis is the very limited capability in the developing countries to devise rural development strategies that are effective in meeting their economic, social and political needs. This is the domain, primarily, of the agricultural economist interacting with agricultural technologists, behavioral scientists, and agricultural administrators. Most of the developing world's people are in the rural sector or closely dependent on progress in that sector. The problems of development strategy are immense. How to reconcile the need to accelerate agricultural productivity and output with the need to overcome the bypassing of small farmers and the growing unemployment and maldistribtuion of income in the rural areas, and with the need for low price food for urban areas and for world marketing? How to determine which agricultural investments, research and extension activities will bring the greatest return in terms of national goals and the needs of those affected by these activities? How to relate marketing prospects to production practices and develop a suitable integration of the practices on both sides? And so forth. Part of the problem is that there still is comparatively little official recognition in developing countries of the need for agricultural economics type capabilities and functions.

Again the U.S. has the bulk of the world's talent and experience in this problem area. The Ford Foundation and others, including A.I.D., have made efforts to provide professional talent and training for developing country personnel to help close the gap. But this has barely scratched the surface of the problem. It should receive concentrated attention in the 1970's from U.S. assistance agencies.

A fourth key problem area needing intensive attention is the one to which A.I.D. has paid the greatest attention in the past—the lack of suitably trained manpower which is a virtually universal characteristic of developing countries. Here we come back to our main theme. Development depends on capable people, especially those who have the most influence on how resources get used.

The need for more relevant training permeates all levels of agriculture, in the public and private sectors, but it seems especially aggravated in the area of vocational training and practical undergraduate instruction. The need will grow rapidly in response to the accelerating commercialization of developing country agriculture. While there is reason to improve post-graduate training even in the best of the developing country agricultural universities, there is an acute deficiency in production and marketing specialists who could be trained at the undergradate level or even outside the regular curriculum.

Here in the United States, to which A.I.D. continues to bring large numbers for agricultural training, we recognize that what is taught developing country trainees too often is relevant to our own agriculture but has small applicability to conditions in their own countries. Assuming that there will continue to be a demand and need for advanced agricultural training of developing country personnel in the U.S. for many years, it is urgent that ways be found to encourage more suitable programs at American institutions, worked out in collaboration with agricultural training institutions in the trainees' home countries. A.I.D. efforts on advanced training will tend to give special attention to the highest priority categories, such as the three discussed earlier.

In any case, our continuing large scale support of agricultural universities and like institutions overseas needs to do better what it has tried to do all along with some but not enough success—namely help to turn those institutions' attention outward to the practical needs of the rural societies around them. This should permeate their research and teaching more than it does. Their campus should be the farms and villages of their region.

These four key problem areas are not exclusive by any means. Within our capabilities for effective response, our country level work will continue to be responsive to each country's own priorities for development and outside help. These vary considerably. It may well turn out that we will want to organize capabilities in depth for global servicing in other activity areas that appear to have high pay-off prospects and to need U.S. Government support. Examples might be cattle production and marketing systems, or broader marketing institutional problems, or the development of improved management systems for crop production programs. The general point is to focus U.S. talent most intensively where it can do the most good, and to continue to concentrate on the development and institutionalizing of local capabilities to perform the important developmental functions.

As we move down these or other Technical Assistance trails in the 1970's, we should have learned by now to proceed with caution and humility. Most of what needs to be known for local action decisions we shall never know. And we are dealing in matters of great moment and risk for the peoples of the developing countries. Their perceptions, abilities and well being are not something that we can readily understand or manipulate. Yet we do have much to contribute and much to learn by working with the responsible parties in the developing countries. Our resolve should be to do as much as we can of both.

I realize, of course, that I have not done much more than hint at some of the new or altered directions we see for U.S. Technical Assistance to agriculture in the years ahead. And perhaps in the question period that follows I can elaborate more than I have. But that will come, as our television announcers might say, after the following message. For I do not wish to close without something of a plug for a rational consideration of the future of foreign aid.

The recently issued Peterson Commission Report on "U.S. Foreign Assistance in the 1970's" is foremost on everyone's minds these days, when the future of assistance programs is the topic for discussion. The distinguished group of citizens on the Commission stressed the vital U.S. interests in continuing our engagement with the developing countries in the attack on development problems in those countries, and the need for a stable mandate for the program and organizations established for that purpose. They also stressed the need to rethink the needs of such a program for the 1970's—to worry not about where we've been but about where we need to go and how best to get there. Their analysis includes some of the emphases in my earlier remarks on Technical Assistance, with heavy stress on the need to strengthen and rely on multilateral institutions as much as possible. And they offer a series of organizational proposals.

The appearance of this Report provides a valuable opportunity for a dialogue on these important questions among the interested public, the Congress and the Administration. This dialogue will be most constructive and positive in its outcome if those private individuals and organizations who understand the American interests that are involved speak out clearly and forcefully for the need to protect those interests. These have been stated in various ways in the many reports on the subject.

In sum, they point out that economic assistance is:

(1) an investment in the kind of world environment in which we and future Americans will have a better chance to prosper and to continue the pursuit of happiness under a set of ground rules congenial to the values of free men;

(2) an expression of a deeply held American conviction that it is right that the richly endowed help those who have had lesser opportunities and who are willing to help themselves—a belief that turning our backs on this conviction would make it hard to live with ourselves, to think of ourselves as the kind of people we want to be;

(3) an opportunity for positive contacts, exchanges and cooperation on matters of mutual interest with the peoples of the less developed countries, thereby equipping the U.S. with a stronger knowledge base to cope with the rest of the world and also providing stronger bases for necessary cooperation and accommodation on other matters.

In sum, this formulation regards economic assistance as our main chance to join with the less privileged two-thirds of

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the world in activities focused on human welfare rather than having to seek cooperation primarily on the basis of mutual fears.

The interests at stake are yours, Mr. John Q. Citizen's—not primarily A.I.D.'s. The future role of American Technical Assistance in agriculture—indeed in any field—will depend most of all on how you and other interested Americans speak out on the need to provide adequately for this future.

BREZHNEV'S ILLUSTRATIVE SPEECH

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Thursday, April 16, 1970

Mr. FANNIN. Mr. President, some months ago, I placed in the RECORD an article prepared by the American Research Foundation entitled "When Is the U.S.S.R. Not the U.S.S.R.? Answer: When It Is the Soviet Union."

The article pointed out the particular deception the Communist world uses to confuse the free world. This deception is sometimes called semanic warfare. By these tactics of using terminology which seems to indicate one action, but in reality means something entirely different, we have been often duped and confused.

As an example, the article pointed out that the U.S.S.R., as used by the Communists, means the governmental entity. The Soviet Union, on the other hand, does not exist. The term is often used as a shorthand designation for the Communist Party of the Soviet Union, which is the ideological entity—the power behind the throne, so to speak.

On April 15, Leonard I. Brezhnev's speech on international affairs was excerpted by the New York Times. These excerpts from the official text distributed in English by Tass, the official Soviet News Agency, provides some illustrative points.

The first paragraph says:

> Preliminary contact between the U.S.S.R. and the U.S.A. have already been made.

He is referring to the problem of limiting the strategic arms race.

In the second paragraph, the text reads:

> The Soviet Union would welcome a reasonable agreement in the field.

My question is: Who is the Soviet Union? Is this the Communist Party of the Soviet Union, which is referred to further on in the speech? Or is it the government of Russia, designated as the "Soviet Government" immediately after the reference to the CPSU?

The real question at stake is:

If we were to negotiate an agreement with the U.S.S.R. would it be binding on the Soviet Union, or of the Communist Party of the Soviet Union? Why is there no Communist Party of the U.S.S.R. like there is a Communist Party of the U.S.A.?

Mr. President, I think the whole speech by Mr. Brezhnev is most illustrative of the deceptive attitude employed by the Communists in Russia. The speech is abusive. It continues to abuse the United States with the use of the term "Imperialist" over and over. I ask unanimous consent that the article to which I refer be printed in the Extentions of the Remarks along with another American Research Foundation article dealing with class systems in conflict.

There being no objection the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 15, 1970]

EXCERPTS FROM BREZHNEV SPEECH ON ARMS TALKS AND OTHER FOREIGN POLICY ISSUES

Following are excerpts from a speech on international affairs by Leonid I. Brezhnev, the Soviet Communist party leader, as distributed in English here by Tass, the official Soviet press agency:

ON ARMS TALKS WITH UNITED STATES

Such an important problem as restricting the strategic arms race is now on the order of the day. Preliminary contacts between the U.S.S.R. and the U.S.A. have already been made. Further talks on these intricate problems are to be opened in Vienna shortly.

The Soviet Union would welcome a reasonable agreement in the field. We built up strategic forces that are a reliable means of restraining any aggressor. And to any attempts by anyone to insure military superiority over the U.S.S.R. we will reply with a proper increase in military might, guaranteeing our defense. We cannot act otherwise.

However, if the United States Administration really strives for an understanding on restraining the strategic arms race, if American opinion succeeds in overcoming resistance by the arms manufacturers and the military the prospects of the talks could then be assessed as favorable. The Soviet Union, in any case, will do its utmost to make these talks useful.

We would like to make this absolutely clear because American circles that are interested in the arms race have now become particularly active.

In doing so they are resorting to slanderous assertions to the effect that the Soviet Union allegedly was going to build up the production of armaments in any case. This is an old subterfuge of the militarists, who have always tried to intimidate the public in order to get bigger appropriations for war preparations.

ON CHINA

The C.P.S.U. [Communist Party of the Soviet Union] and the Soviet Government continue the line of restoration and development of the friendly relations with the People's Republic of China. It is not our fault that these relations were spoiled and seriously aggravated.

Waging the principled struggle against the splitting activity in the international Communist movement and against the spreading of anti-Leninist views, we have been and continue striving to insure that ideological differences are not spread to interstate relations. The Communist and workers' parties, at their international conference in Moscow, again expressed their support for this course.

As you know, the question of normalization of the situation on the Soviet-Chinese frontier became the subject for talks with the P.R.C. Government. The Soviet Union holds a clear-cut and unambiguous stand at these talks. We deem it necessary to achieve an agreement that would turn the Soviet-Chinese frontier into the line of good neighborly relations, not enmity.

Without retreating from our legitimate, principled positions, upholding the interests of the Soviet motherland and inviolability of its frontiers, we shall do all we can to normalize the interstate relations with the Peoples' Republic of China. Of course, all are well aware of the fact that this depends not only on us.

We proceed from the fact that long-term interests of the Soviet and the Chinese people do not counter—they coincide. At the same time, we do not close our eyes to the fact that the atmosphere that is artificially created around the talks now held in China cannot promote their success. And, indeed, who can seriously assert that fanning up of anti-Soviet military psychosis and the calls to the Chinese people to prepare for "war and hunger" promote the success of the talks?

If this is being done to bring pressure on the Soviet Union, then we can say in advance that these efforts are wasted. Our people have strong nerves and this is what the organizers of the war hysteria in China should know. The P.R.C. is interested in the solution of the frontier question not less than the Soviet Union, which has all needed to uphold the interests of the Soviet people, the builder of Communism.

ON THE MIDEAST

The progressive regimes in the Arab East against which the main blow was aimed have not only stood their ground but also consolidated themselves. The Arab peoples' friendship with the Soviet Union, with the entire world of socialism, has become still stronger.

At the same time, as the West had to admit, the prestige of the United States and other patrons of Israel has never fallen so low as now in the Arab countries and even throughout the world. The flame of the peoples' liberation struggle against the invaders is flaring up on occupied territories. The International isolation of Israel, the universal indignation over its adventurism and insolence is also growing.

Of course, it would be a mistake to underestimate the danger of the tension in the Middle East. Much inflamable material has been accumulated there through fault of the imperialists. For decades the Middle East has not known the meaning of peace. The imperialists regarded the peoples living in that region as small change in the play of their interests. They have not reconciled themselves even today to the emergence of the peoples of the Arab countries on the road of independent development and social progress.

Peace in that region would long have been restored were it only a question of safeguarding the right to security of each state in the Middle East. The present leaders of Israel, with their exorbitant ambitions and expansionist plans, however, need tension just as it is needed by their trans-Atlantic patrons.

There is a saying that a wise man learns from the mistakes of others. Israel evidently resolved to perceive everything from its own. By its aggressive policy the shortsighted Government of Israel places in jeopardy the security of its own people, whose future lies in goodneighborliness and not in antagonism to the Arabs.

There is only one way to the peaceful solution in the Middle East—withdrawal of aggressor troops from the territories they occupy. It is necessary to make Israel respect decisions of such a lofty international body as the United Nations Security Council. The sooner the leaders of the United States realize how pointless and dangerous is their connivance with the Israeli aggressor, the sooner this can be achieved. The Arab peoples will never agree to capitulation and will never agree to perpetuation of occupation of their lands, and this must be understood by all.

The socialist countries are loyal friends of the Arab peoples. They are ready to give the Arab peoples all the necessary assistance to frustrate the plans of the aggressors in the Middle East. Together with other socialist countries, the Soviet Union will be doing all it can to help achieve settlement in the Middle East which would insure restoration of justice and bring peace and security to the peoples of the area.

ON VIETNAM

Several years ago, when American imperialism began the escalation of military operations in South Vietnam and passed over to acts of direct aggression against the Democratic Republic of Vietnam, many in the West thought it inconceivable that a comparitively small people could put up successful resistance to the leading imperialist power whose aims are served by a tremendous military-technical arsenal.

The Pentagon generals who plan the military operations in Vietnam calculated that they would break the resistance of the Vietnamese people within six months or in a year and would reimpose colonial servitude upon them in this or that way. But this stake on a military solution to the Vietnamese problem was beaten.

The Vietnamese people, displaying unmatched heroism and selflessness, backed by fraternal aid from the Soviet Union and other countries of socialism, frustrated the calculations of the aggressors. As emphasized at the international conference of Communists and workers parties, the significance of this fact by far transcends the boundaries of Vietnam itself. It has now proved in practice that a people fighting for their independence and enjoying the support of the socialist countries, the Communist movement, all revolutionary and progressive forces of the world, can give a rebuff to any imperialist aggressor.

Even many allies of the U.S.A. and imperialist blocs now dissociate themselves from the Vietnamese gamble of American imperialism. Antiwar moods have assumed a great scope in the United States itself. There is every reason to say that the situation of the aggressors has sharply deteriorated not only militarily but also politically and morally.

The United States leaders evidently decided that now is the time to renovate that side of their policy. The formula of Vietnamization replaced escalation of war. Does this mean, by any chance, that the United States imperialists at last decided to get out of Vietnam and to enable the Vietnamese people to decide their destiny, the matters of political organization of their country, by themselves? Not at all.

True, the United States publicly admitted that what it had been denying over many years—the war against the Vietnamese is an American war which the Vietnamese people do not want to have anything to do with. But Vietnamization seems not the end to this aggression but turning it into a fratricidal war among the Vietnamese. The United States imperialists would like to continue what they were doing using other people, providing dollars and military equipment to the South Vietnamese puppets. Traitors of national interests.

The Vietnam Workers party and the Government of the D.R.V., the National Liberation Front and the provisional revolutionary government of the Republic of South Vietnam express resolve to struggle for freedom and independence of their motherland using every means—military, political and diplomatic means. The Soviet people were and remain on the side of the Vietnamese people, whom we wish to achieve soon their national aspiration and a stable peace.

[From the American Research Foundation, Washington, D.C.]

CLASS SYSTEMS IN CONFLICT—POLITICAL WARFARE

THE UNITED FRONT—COALITION—AS TOOLS OF COMMUNIST SUBVERSIVE AGGRESSION AND EVENTUAL POLITICAL TAKE-OVER

Preface

"The three heads of Government . . . feel that the new Polish Provisional Government of National Unity should be sought in due course on the extent of these accessions and that the final delimination of the western border should thereafter await the peace conference." From: The Yalta Conference, White House, Washington, D.C. Feb. 1945.

"The people of South Vietnam are determined to . . . To set up a National Union Democratic Government including the most representative persons among various social strata, nationalities, religious communities, and forces which have contributed to the cause of national liberation." From: Political Programme of the South Vietnam National Front For Liberation, Vietnam Courier, Hanoi, No. 127, 5 Sept. 1967.

"The Meeting of Communist and Workers-Parties welcomes the formation of the Revolutionary Provisional Government of the Republic of South Vietnam and sees it as an important stage in the heroic liberation struggle of the Vietnamese people. The Meeting calls to work for the successful outcome of the Paris talks, which is quite possible on the basis of the 10 points advanced by the National Liberation Front of South Vietnam."

"Communists, who attribute decisive importance to the Working-Class Unity, are in favor of cooperation with the socialists and social democrats to establish an Advanced Democratic Regime today to build a Socialist Society Tomorrow."

"The Democratic Front Governments with the participation of communists have been formed in some states of India." From: Resolution adopted by the International Meeting of Communist and Workers' Parties, Moscow, TASS, 18 June 1969.

"According to the theory of Marxism-Leninism the Party is considered as the leading force in the Country, which has its specific program and which cannot merge with Non-Party Masses in Yugoslavia, on the contrary the People's Front is considered the chief leading force and there was an attempt to get the Party submerged within the Front, Comrade Tito said: 'does the CPY have other programs. The program of the people's front is its program." From: Letter of the C.C. VKP (b)[1] to Comrade Tito and other members of the C.C. of the CPY Moscow, 27 March 1948.

Introduction

"A fight is in progress between these two systems (i.e. capitalist and socialist), *a life and death combat*. But we Communists want to win this struggle with the least losses, and there is no doubt whatsoever that we shall win. This is why we are striving for victory for the triumph of Communism, without unleashing a world thermonuclear war." (N. S. Khrushchev, Soviet News, 22 July 1963.)

The United Front (UF)[1] was generally formulated only after World War I. By 1921, it was apparent that world "class revolution was to be postponed, and that the Marxists-Leninists (Communists) have succeeded only in isolating themselves not only from the trade unions and socialists around the world but also from the broad masses. The UF became a devise for establishing contact with the masses—i.e., mobilizing the reserves of the revolution—without compromising the ideological, organizational and operational independence of Marxist-Leninist (Communist) parties. It became the ideological, organizational and tactical access to the masses. The first general statement of the nature of the UF was adopted by the Comintern in March 1922, (Unity of Action).

The ideological access which the UF gave the Communists in their attempt to reach the masses was through an appeal built on all issues concerning the interests of the urban industrial workers and the peasantry.

It was not based upon general appeals to world "class" revolution and the dictatorship of the proletariat, but upon specific interests such as war, fascism, imperialism, zionism, clericalism, election, unemployment, workers' insurance and security, wage cuts, working conditions, hours, defense of political prisoners, etc.

The VIth Congress of the Comintern in 1928 resolved that "throughout the entire pre-revolutionary period a most important basic part of the tactics of the Communist parties is the tactics of the United Front, towards class mobilization of the masses . . ."

The VIIth and last Congress of the Comintern in 1935 came out unequivocally and in unmistakable terms for United Front tactics against the "fascist-capitalist," (imperialist) offensive, with the social-democrats reformist trade-unions and all section of the working class, irrespective of affiliation, as the principal allies of the Communist Party. This program further provided for Communist participation in election campaigns on a common platform and with a common ticket with anti-imperialist and anti-fascist groups. It goes on for the creation United Front Governments when there is sufficient "upsurge" of the masses and where the bourgeois government is sufficiently "paralyzed"—(meaning penetrated). Party programs since World War II "enlarge" and "liberalize the organizational and ideological concepts of the UF, providing for alliances (coalitions) with "progressive" elements of the middle class, traders, businessmen, professionals and even industrialists (national bourgeoisie), and adding the very significant goals of national independence," "sovereignty" and "peace, (minimum demands).

The formation of United Fronts ("coalitions" mobilizations, moratoriums, etc.) is an essential part of Marxist-Leninist organizational and tactical methodology. The United Front from "Below and/or Above" is a long range tactical weapon to broaden both the real and apparent base of support in countries where the Communists and their ideo-partisans (fellow-travellers) are seeking power. Through this tactic the Communist Party, under a true or assumed name, seeks to form "alliances" with non-Communist elements and organizations on a "mutually acceptable program embracing popular themes such as peace, civil rights, full employment, anti-imperialism, anti-Fascism, antiwhite supremacy, antiwar, antidraft, antitaxes, anti-R.O.T.C., antiwar research, anti-Zionism, antimilitarism, antilandlord, antipollution, antiwhite, women liberation, student self-government, and most of other current names.

These activities are popularly acceptable and at the same time consonant with the tactical approach of the Communist party. Marxist-Leninist objectives in the United Front, being tactical, vary with the country concerned and with the existing overall conditions, and range from "minimum demands" to the final "maximum objective," i.e., the seizure of political power. As soon as this United Front gas gained office and the position has been consolidated, the Com-

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[1] Also, Popular, People's, Progressive, Democratic, etc.

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munists gradually eliminate their non-communist supporters and establish first a "national democracy" regime, (Africa) or a "people's democracy" (Czechoslovakia) and eventually followed by "a dictatorship of the proletariat" to carry out party policies bearing no relationship to the original U.F. program.

The following U.F. general objectives may be said to be universal:

a. to give the Marxist-Leninist (Communist) Party operating under its true name (e.g. Communist Party of the U.S.A.) or assumed name (e.g. United Polish Workers Party), respectability and to broaden its base and support;

b. to attack, discredit and denounce major ideological enemies of the Marxist-Leninist movement and its parties in order to "eliminate class enemies" (imperialists) under the guise of people's support;

c. to enable the Communist party to make converts from membership of allied parties and organizations, and then build up Party Fractions (groups) in those parties and organizations;

d. to capture as large a proportion of the people (masses) as possible for a sudden switch to the offensive when the revoluntionary situation (subjective and objective) warrants and ideally, to establish a United Front, (People's Front, Popular Front, National Coalition, National Unity, Democratic Alliance, a Democratic Government), Provisional Revolutionary Government, etc.

The Communists usually establish one or both basic types of United Fronts;

1. the United Front from Below whose first objective is the neutralization of the noncommunist leadership, gaining thereby access to the rank and file of the masses. Leaders are to be isolated by "exposing" them before the people in general. The ranks are to be won by appeals for unity in the class struggle against the exploitation by capitalism, imperialism, Zionism, etc.

2. the United Front from Above transcends a purely working class arrangement and seeks to compose an "alliance" or "coalition" with the leadership of petit-bourgeois, peasant and "national bourgeois" parties and other organizations for the immediate aims (minimum demands) of a specific nature.

The United Front from Above remains the chief tactic that has been followed since World War II, however, there is some difference of opinion as to whether this tactic has been used continuously since 1935. During World War II and shortly after Communist partisans (ideological guerrillas) infiltrated into position of leadership and prepared to have their "people" ready to take over the key positions of the government as soon as their countries were liberated by the Allies.

Their "national" liberation fronts were extremely successful in the Balkans and Central-East European countries. Only Greece escaped largely due to British intervention. In the post war period the USSR occupation forces also sponsored the formation of People's Front Governments in areas under their control in Eastern Europe. They had carefully with the Communist party arranged beforehand the take-over, however, to insure that the positions of potential power would be in Communist hands.

There is no formula for identifying as United Front by its political platform, typical Red semantics, employing such terms as "fascist", "capitalist", imperialist", "Zionist", "Racist" "reformist" "new-colonialist", etc., may be deliberately eliminated since they may be distasteful to one or more of the allied parties. Even such innocuous terms as "peace" and "national sovereignty" may not appear as other than routine planks in the United Front platform.

Identification of a United Front program amounts simply to this: whenever a Communist Party (under a true or assumed name) or a Communist front organization joins directly or indirectly with non-Communist organizations in a "United Political Social" or other Program. It is the beginning of an United Front which the Communist have joined or initiated for the specific and calculated purpose of accomplishing certain action objectives of the World Communist and Workers' Movement and one of its world-wide fronts, the "National Liberation Movement" headed by the Communist Party of the Soviet Union (CPSU), (and the CP of China) be they "minimal" or "maximal". Any notion that the true Marxist-Leninist (Communist) movement and its parties may cooperate with other parties and organizations merely because of lack of directives (party line) or better program of their own should be discarded. Such alliances (coalitions) are made by the Party only after carefully considered policy decisions and with clearly plotted ulterior motives—world class liberation. The leadership and ultimate control of a United Front Organization is exercised by Party Fractions which are formal units of the party structure whose task is to acquire and exert guidance and control of the United Front leadership within which the Fraction (not faction nor cell) has established itself overtly or covertly.

1. Some aspects of fraction responsibilities are: *provocation*, when it is desirable to invite disapproval and/or security action against an unfriendly organization within the country and carrying out clandestine activities for which the blame would be placed upon the penetrated organization, rather than the Communist party or its affiliates, which would logically be suspected of its revolutionary ideology.

2. Semantic deception and subversion, purpose of which is infiltration and penetration of all opposition for either complete elimination, or which is more likely the utilization of such organizations as an ally. Means utilized in subversion tactics follow generally those points: a. encouraging deviation from adopted platforms (by-laws, constitutions, statutes, etc.), b. misdirecting organizational efforts by spreading rumors, etc.), c. splitting the organization by creating disagreement among the membership, d. provoking actions which will waste the strength of the organization, e. accelerating dissolution efforts, f. sabotage of the activities of the opposition through its own organizations.

3. Terror, Sabotage and physical violence against an organization or individuals within this organization because of their hostile attitude or acts against the Communist party and its affiliates (goon, assassination, sabotage and other action squads).

On the international field the United Front Unity against the fascist nations took shape in the post war period of the United Nations. In accordance with the will of the great postwar world-wide democratic movement generally and in harmony with the Communist United Front anti-fascist policy, naturally the USSR was an ardent founder of the United Nations. World War II, therefore, was not only an international war but a civil also. Thus, the shattering of the capitalist state machinery have been "largely accomplished by the peoples during the course of the "great antifascist war."

Coming out in the open, in full struggle against the fascist armies, the Communists proceeded with victory finally won, to organize new governments all over the continent. These were new type National Unity Coalition Governments, with Communists participation and organized largely upon Communist initiative. They were composed of all the parties of the democratic trend or that had taken more or less part in the underground resistance movements; including Communists, Socialists, peasants and Catholic parties.

This tremendous postwar United Front, anti-fascist democratic development, both in national and international aspects, flowed along the broad general line foreseen by the Communists as far back as the VIIth Congress of the Comintern. This whole vast legal and peaceful coalition movement represented fundamentally the Communist new tactical line of action in the postwar period. "(CPUSA) All National Unity Government eventually produced People's Democracies which still utilize some of the bourgeois elements that could not be efficiently dispensed with immediately. These dictatorsips of people's democracy in the postwar period carried forward the basic a tactic first clearly delineated at the VII Congress. These governments were the logical culmination of the United Front tactics from above and were designed as the action phase prior to the realization of the dictatorship of the proletariat." (CPUSA 1948, Emphasis added)

In Latin America, Asia and Africa the United Front operating under the name of a "National Liberation Movement" against the "imperialist and neocolonialist exploiters," found fertile ground. United Front Governments sprang up in Korea, Vietnam, Laos, Indonesia, India, etc., Neutralism (not neutrality) has marked the foreign policy of many other non-communist regimes in these areas with a marked coolness being displayed toward the "imperialist camp" (System) headed by the United States. The United Front has proved a consistent Communist language tactics ever since its inception. The use of United Front From Above has been especially successful for the Communists since the close of World War II. The bloodless take-over in Czechoslovakia in 1948 and its aftermath in August 1968 illustrated the highest degree of development of the U.F. technique. It may very well negate the whole theory of Marx and Lenin as to the necessity for violent revolution in bringing about the "dictatorship of the proletariat."

Marxist-Leninist theory holds that governments (nation-states) are organs of class domination and that bourgeois governments on an equal footing must be opposed and overthrown (transformed, restructured), by the working class (exploited people) with the Communist i.e., Marxist-Leninists in the direct or indirect vanguard.

To cooperate with bourgeois governments (sovereign states) on an equal footing as must be done in the United Nations Organization since the members are nation-states—the tactic of coexistence were applied (between states only), without interfering in the world-wide "class" struggle whose goal is the establishment of a world-wide classless society, i.e., world domination by World Socialist System. Since theory is subordinated to practical considerations, explanations of USSR participation in the U.N. can more likely be found in certain concrete international "legal" benefits that accrue to the CPSU. One of these benefits is undoubtedly the "veto" power in the Security (U.N. Councils which can and has served extremely well the interests of the CPSU and its world-wide subsystems.

The USSR's participation as an "Allied State" in the defensive World War II was part of CPSU's "Foreign Policy" objectives which continues to be a manifestation of the CPSU dominated and controlled World Socialist System and its subsystems, the World Communist and Workers' Movement, the World National Liberation Movement and all other CP fraction controlled World (international) Regional, National and Local Front Organizations which dates back to October 1917, and in a less organized fashion, to the early years of the Twentieth Century.

During the World War II (called the Fatherland and/or Anti-Imperialist War by the Communists) the USSR as a sovereign nation-state was an "ally" of the West not by choice but through the necessity of more adequately defending the Socialist Camp—now

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the so-called *World Socialist System* against the "Imperialist Camp" then representing the Axis Powers and presently "succeeded" by the World Capitalist System headed by the "US aggressive imperialist ruling circles of Wall Street" who control not only the U.S. Government and its military-industrial complex" but also subjugate and exploit their own people. However, when the object of W.W. II (Axis Powers) was removed, the luxury of choice was again permitted the CPSU to choose not to continue the wartime relationship of its executive-administrative (nation-state) type front, USSR. On the contrary the CPSU chose to continue and accelerate its "class" and "national liberation struggle" within and without the United Nations complex.

The willingness of the USSR Government to enter the United Nations Organization (UNO) and to participate in various worldwide problems such as disarmament, nuclear and space control, developing states' and colonial issues, human rights, and a host of other related subjects are all post-war examples of tactics of United Front From Above as applied to International Relations. For instance, "The United Front for Peace" (between governments only) has found its expression in the so called Spirit of Geneva, Spirit of Camp David, Spirit of Glassboro and other "Spirits." Same may be said about USSR proposals for International Security etc.

It is worthy to note that the USSR insists and constantly utilizes its Veto Power in the U.N.O. rather than compromise its United Front objectives to capture this world-wide organization of sovereign nation-states (not nations) through *covert* Party Fractions operating with some of the non-Bloc government delegations within the U.N.O.

No expense must be spared publicizing the following words of one of the United Front's most widely known spokesman, George Dimitrov;

"Comrades, you remember the ancient tale of capture of Troy, Troy was inaccessible to the armies attacking her, thanks to her impregnable walls. And the attacking army, after suffering many sacrifices, was unable to achieve victory until with the aid of the famous *Trojan Horse* it manages to penetrate to the very heart of the enemy's camp.

"We revolutionary workers, it appears to me should not be shy about using the same tactics with regard to our fascist foe. . . ." or an excerpt from the Main Document, of the International Conference of Communist and Workers' Parties, Moscow, 17 June 1969; "Mass action against imperialism is an essential condition for the implementation of the policy of peaceful coexistence. Directed against the warmongers, reactionaries and munitions monopolies, this policy reflects the interests of the revolutionary struggle against any form of oppression and promotes international friendship and the development of fruitful economic, scientific, technical and other cooperation between countries with different social systems and in the interest of social progress. "Tasks at the present stage of the struggle against imperialism and united action of the Communist and Workers' Parties and all anti-imperialist forces."

OUR BASIC NATIONAL NEED TODAY IS TO PROMOTE UNITY OF EFFORT, AND ONENESS OF PURPOSE, AT ALL LEVELS

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. DONOHUE. Mr. Speaker, I would like at this time to include in the RECORD a moving and timely editorial appeal that appeared in today's Christian Science Monitor, emphasizing the need for better understanding and good will throughout our country and within our Government:

WORKING TOGETHER

We call upon both President Nixon and the Senate of the United States to rethink their present confrontation over the latter's turndown of Judge G. Harrold Carswell for the Supreme Court. These are days which demand a bridging, not a widening, of disagreements. For seldom in American history has the nation more needed an example of calm, cool cooperation among the heads of government.

As a report from Washington in yesterday's edition underlined, President Nixon's sharp criticism over Judge Carswell and the Senate's strong reaction thereto could seriously affect that working-together between White House and Congress which is particularly required in these days of widespread tension. We have already heard predictions that Senate resentment may adversely affect that body's decision on further deployment of ABM weaponry. This is not the place to debate the merits of such deployment. But it would be disgraceful to have so vital an issue decided through pique.

Equally serious is the specter of sectionalism. Southern resentment against both Washington and the rest of the country is regrettably high for a number of reasons. The great need today is to heal this and other breaches within the population. Although Judge Harry A. Blackmun has now been nominated for the seat to which President Nixon earlier nominated Judges Clement Haynsworth and G. Harrold Carswell, there may well be further nominations during the Nixon administration. We urge the President to consider some well-qualified Southerner for one such vacancy.

But, above and beyond any specific issues, there is the crying need for a joining of hands in a determination to lower the pressures afflicting American society. We believe that, for the most part, both the President and Congress have sought to do this. The President, on the whole, has been adept and soft-spoken in his dealings with Congress. And, notwithstanding that it is controlled by the opposite party, Congress has not been distinguished by a vindictive mood against the President.

It would be tragic—and utterly unnecessary—for this relationship to be destroyed. Americans may not always know just how they wish their many problems to be solved. But there is a longing in the country for a unity of effort, a oneness of purpose, a return to the former feeling that, whatever their disagreements, Americans would pull together for the common good.

The United States is not a land where deep and rancorous divisions are inevitable. It was consciously founded in the service of brotherhood. This great principle must be not only preserved but strengthened.

CRUCIAL APOLLO MANEUVERS ARE PRETESTED ON GROUND

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. TEAGUE of Texas. Mr. Speaker, years of research and development, testing and evaluation, and qualification have gone into the development of the Saturn V vehicles and spacecraft. Our outstanding astronauts have spent years in developing their skills and techniques for space flight. The crisis of Apollo 13 has shown that this care and effort has paid off. When faced with problems in this difficult and complex environment we can be proud of the performance of our astronauts and the NASA-industry team supporting them on the ground. The Wednesday, April 15 edition of the Washington Post carried an article by a Washington Post staff writer describing the actions taken after the problems were encountered on the Apollo flight. I place this article in the RECORD as an example of the attention, skill, and care taken by the manned space flight team of NASA both in Government and industry. I commend it to the reading of my colleagues and the general public:

[From the Washington Post, Apr. 15, 1970]

CRUCIAL APOLLO MANEUVERS ARE PRETESTED ON GROUND

HOUSTON, April 14.—Astronauts Alan Shepard and Ed Mitchell climbed into a lunar module anchored in Building 5 of the Manned Spacecraft Center here early this morning and began testing ways to fire the craft's rockets.

At the same time, in Downey, Calif., the home of North American Rockwell, engineers were pulled out of bed and rushed to simulators to run emergency problems through their computers.

Astronaut Richard Gordon simulated emergency procedures in a lunar module at Cape Kennedy while Eugene Cernan and David Scott did the same thing here.

The result was that, emergency or not, almost every move the crew of Apollo 13 made more than 200,000 miles from earth had been done first in simulated spacecraft and with computers scattered around the country.

"We tried to simulate virtually everything the crew had to do that was normal," said flight director Gerald D. Griffin tonight.

"We proved out everything we had them do before sending the order up."

These included taking star sightings for navigation, changing the communications system to save power and rigging a jerry-built hose system to carry oxygen from the lunar module "lifeboat" into the powerless command ship.

Not all the simulations were left to the last minute. Before flying the Apollo 13, astronauts Fred W. Haise Jr., James A. Lovell Jr. and John L. Swigert Jr. had practiced aborting the mission by using the descent propulsion system of the lunar module (Lem)—the very thing they were forced to do today to send them back to earth.

"We had thought of that, but we had hoped it would never happen," said John P. Mayer, chief of the mission planning and analysis division here.

Just last week, Swigert, the command module pilot, had practiced in simulators a return to earth without the power needed to run the spaceship's computers and guidance system.

In that case—a slim possibility for this mission—he would have to steer the spaceship Odyssey in by the seat of his pants, guided only by computers on the ground and flight directors here much as an airline pilot is helped to land in a dense fog.

Simulated emergencies are such a way of life here that capsule communicator John Young, the backup command pilot for this mission, quipped to Haise when things quieted down for a minute, "Hey, Fred, how do you like this sim?"

"It's a beaut," replied Haise.

The astronauts running the simulator spaceships here and at Cape Kennedy are all in training for future missions.

Shepard is the commander and Mitchell the Lem pilot for Apollo 14, while Cernan is the backup commander.

Scott is the commander on Apollo 15 while Gordon is in the backup crew.

Both Scott and Cernan are veterans of space emergencies themselves.

In 1966, a malfunctioning thruster sent Scott's and Neil Armstrong's Gemini 8 spacecraft bucking wildly after they performed the first successful docking of two vehicles in space. The three-day flight was ended early.

Cernan was Lem pilot on Apollo 10 last May when the lunar lander went out of control briefly 50,000 miles above the moon with Tom Stafford and him in it.

All the astronauts have had extensive training flying the Lem in simulators.

Scott worked in the Lem simulator this afternoon, working on ways to align the navigation platform to make sure that it and the command module were pointed in the right direction and at the right angle when the descent engine was fired tonight.

Flight planners here also ran simulations of cutting of the Lem and command module from the service module about two hours before landing in the Pacific on Friday before sending up the detailed instructions to the Apollo 13 crew.

Working with computers, the planners tried six different ways to end the flight—the one they expect to use plus contingencies in case they have to act sooner.

Wednesday, they will try these out in simulators.

By now, the tests are well organized—in the programmed space agency manner.

But early this morning, before ground controllers knew all the facts and had completed their abort plans, "imaginations were running wild," said Keith McKlung, an official of North American Rockwell.

"We were trying desperately to identify any improvements that would work," McKlung said.

For example, astronaut Charles Duke in mission control here suggested that the spacecraft crew try navigating by the sun and earth instead of stars, which they were having trouble seeing.

They tried this once in space, but are still trying star sights, flight director Griffin said.

Early in the morning, the instrumentation control engineer in mission control came up with "a small little test" to change the communications system between spacecraft and earth.

"You know how I like those," said Glynn Lunney, the flight director, ironically.

"Yeah," replied Garry Scott, the instrumentation control engineer, "but this one will save us a little power if it hangs in there."

Lunney and other controllers challenged some of Scott's technical changes, but eventually he won his point. At about 7 a.m., the new method, which uses less electricity in the power amplifier, was called up to Lovell.

The voices came through fine—not as loud and clear as usual, but still fine. Lunney said it was the same quality of transmission as America's first manned Mercury space flights in the early 1960s.

At about 6 a.m., ground controllers began worrying about a buildup of carbon dioxide in the command module. One controller suggested to Lunney that they run a hose from the lunar module (Lem) to the command module. He said a hose used during moon landing to connect a spacesuit to the Lem's environmental system might work.

"That's a good idea. Anybody got any objections?" asked Lunney.

When Lovell was told of the idea, he added his own improvement: splicing two hoses together so they will reach down the long tunnel.

H.R. 1291—A BILL TO ALLOW DEDUCTIONS FOR HOME IMPROVEMENTS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. PUCINSKI. Mr. Speaker, some time ago, I introduced H.R. 1291, which would permit a taxpayer a deduction for expenses incurred in making repairs and improvements to his residence.

The bill is now pending before the House Committee on Ways and Means.

It would be my sincere hope that the committee would give this legislation sincere consideration for, indeed, I believe this is perhaps the most effective way that we as a Nation can prevent this growing problem of neighborhoods deteriorating to a point where they become a slum, and then seeing the Federal Government expend huge amounts of money on slum clearance projects.

It is incredible that in this Nation of ours with its highly developed technological facilities and progress in home improvements, we should continue to see large sections of our communities, both urban and rural, becoming slums in one or two decades.

In my own congressional district, we have some of the most beautiful neighborhoods in America, but I view with a heavy heart the creeping deterioration of some of the properties and I fear that perhaps in another decade or so we will have no less a serious problem in my community than we do in many other parts of the city and Nation.

I can find no rational reason why we should permit discrimination to exist between a property owner who owns a single-family dwelling and one who owns an income-building dwelling when it comes to deducting the cost of home repairs or improvements under our existing Internal Revenue Act.

We permit an owner of a multiple-unit, income-bearing building to deduct the cost of all of his repairs. But in the case of the single-family homeowner, we do not permit him to deduct the cost of such repairs from his income taxes.

This is being pennywise and pound foolish. I believe that every homeowner should be permitted to deduct from his income tax, money he has spent on maintaining or improving his property. Surely when a homeowner invests in improvements or repairs, whether it is a single-family home or a multiple-family home, when ultimately that property is sold it has a substantially higher value at the time of sale and the Federal Government recaptures in the form of taxes from the sale whatever benefits may have been claimed earlier in the form of tax exemptions for home improvements.

I believe that enactment of this legislation would not only stimulate the home-improvement building industry which is now suffering a serious state of depression, but more important it would be the kind of preventive program to avoid the slums of the future.

I do hope we can get favorable action on this legislation.

A copy of the bill follows:

H.R. 1291

A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction for expenses incurred in making repairs and improvements to his residence

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by redesignating section 218 as section 219, and by inserting after section 217 the following new section:

"SEC. 218. REPAIR OR IMPROVEMENT OF TAXPAYER'S RESIDENCE.

"In the case of an individual, there shall be allowed as a deduction the expenses paid by the taxpayer during the taxable year for the repair and maintenance of, or for alterations, additions, or other improvements to, property owned by the taxpayer and used by him as his principal residence, to the extent that such expenses are not otherwise allowable in computing the taxpayer's deductions under this subchapter."

(b) The table of sections for such part VII is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 218. Repair or improvement of taxpayer's residence.

"Sec. 219. Cross references."

SEC. 2. Section 62 of the Internal Revenue Code of 1954 (relating to definition of adjusted gross income) is amended by inserting after paragraph (8) the following new paragraph:

"(9) REPAIR OR IMPROVEMENT OF TAXPAYER'S RESIDENCE.—The deduction allowed by section 218."

SEC. 3. The amendments made by this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act.

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GREAT LAKES POLLUTION

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. ASHLEY. Mr. Speaker, the administration's proposal to halt the dumping of dredged materials in the Great Lakes by the Army Corps of Engineers can serve no other purpose than to raise false hopes of a solution for a very real problem.

The President has correctly diagnosed this problem—the byproducts of our modern technological society are being piled up in manmade mountains of polluted junk in our once Great Lakes. However, his proposed solution—having local governments pay one-half the cost of building diked areas to receive the dredged fill—is an unrealistic prescription that the patient simply cannot afford.

The administration's proposal completely ignores the desperate financial plight of our local governments. Operating from an inelastic tax base, our local governments are already hard pressed to meet even the present needs of our modern cities.

Moreover, there is no reason why they

should have to pay the cost of building dikes. Since 1899, the Federal Government has assumed the full cost of building and maintaining the Nation's system of navigable waterways—including the building of dams, locks and the dredging of navigational channels. The proper disposal of dredged material which we now find to be grossly contaminated with pollutants is an expense directly related to the maintenance of navigable channels which for too long has been unjustifiably put aside by the Federal Government in the exercise of an historic responsibility.

The President's proposal appears to reverse and backslide from a 70-year policy of the Federal Government relating to the construction and maintenance of shipping channels in navigable waters.

In short, the administration's proposal is a cruel sham. Since local governments cannot possibly afford the expense of paying for 50 percent of the cost of constructing dikes, the proposal provides little hope of solving a critical pollution problem which is destroying the valuable natural resource value of the Great Lakes, and Lake Erie in particular.

In order to meet the problem head on, I am joining with other Great Lakes Congressmen to prepare legislation to maintain the responsibility for this cleanup of interstate waterways where it traditionally and rightfully belongs—with the Federal Government. The bill will call for 100 percent Federal funding for building dikes. The advent of a modern, technological society has not absolved the Federal Government of this long-standing obligation.

XUM

PRESENTATION BY ED WIMMER

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. DENT. Mr. Speaker, once again it gives me pleasure to present the views of Ed Wimmer, vice president of the National Federation of Independent Business.

Ed Wimmer, lecturer, commentator, and a tireless fighter for fair and equitable trade practices—domestic and foreign—has long been waging the good fight for the salvation of independent business and our import impacted industries.

I have had many occasions to discuss these matters with Ed both in person and by correspondence.

I am more convinced than ever before that all of us who are working in the same vineyard for justice in our marketplace must get together if we are to save the future for our coming generations.

I present Mr. Wimmer's March 25, 1970, presentation made over WPFB, in Middleton, Ohio:

PRESENTATION BY ED WIMMER

Tonight, ladies and gentlemen, I am going to devote most of my time to a letter we have directed to His Excellency Kiichi Aiche, Foreign Minister of Japan, that deals with the growing deplorable state of our foreign trade policy. Our letter to His Excellency is in answer to his recent statement:

"Retaliatory steps may be taken by several nations if the United States adds new restrictions on imports."

Our Open Letter follows:

EXCELLENCY: I have read with deep concern that you have made some very indignant and even threatening remarks with regard to widespread retaliation against the United States by several countries, if our Administration should adopt long delayed measures which would, in some degree, protect many American industries from annihilation, and possibly give some protection to millions of workers facing the loss of their jobs.

The United States is the only country in the world that not only contributed vast sums of money to rebuilding war torn nations like Japan, but billions of dollars were literally donated to create hundreds of modern plants that are now shipping their low wage, low tax goods into our country.

America is the only country in the world whose officials ever adopted a tariff policy based on the proposition that its own plants and workers are—expendable if, by liquidating same, we are providing both foreign aid and strengthening foreign competition.

Let me ask you, what good can come to Japan from a bankrupt North Carolina textile mill, a bankrupt shoe factory in New Hampshire, or a closed tile factory in Cincinnati, Ohio?

It should be of the utmost interest to you and your countrymen that our people retain their jobs at high pay, and that our industries continue to expand, for where else will you be able to sell so many cars, cameras, motorcycles, television sets, dishes, toys, plastic products, transistors, or work tools?

A few years ago it was my privilege to address a convention in Chicago, where your country had many products on display. I visited all the booths and spoke with the people behind the counters. It was an experience that I said at the time was a little frightening, for I had never found more aggressive, courteous and knowledgeable people manning the booths, and, unlike a few years earlier, the shoddiness of your products was gone, and prices were far below the levels of our own goods.

My remarks before the convention crowd were directed more to your countrymen than to anyone else in the audience, and I asked them if they were afraid to put their products and their salesmanship against American businessmen and workers in a market governed by a tariff structure that did not protect inefficiency but did protect efficient industries against competition based on wages and taxes far below their own.

What is the difference, I asked them, between the cutthroat competition of the big chains and discounters who have made a shambles of free and fair trade in our towns and cities, and your country coming in with goods subsidized by wages and taxes far below what must be passed on in our goods and services?

In the case of the big chains, they were subsidized by their suppliers and they (the chains) used these subsidies to finance their loss leaders, and left countless thousands of independents on bankruptcy row. And so I repeat, how many TV sets, cameras and cars will you be selling on this best of all markets if our system breaks down from unfair trade from within and from without?

Senator Thomas J. McIntyre (N.H.) is attempting to get at least SOME protection against further loss of businesses and jobs in his State. He noted the closing of over 200 shoe factories in the U.S. since 1957, and at a time of our greatest expansion. Shoe workers in Taipan, for example, earn 22¢ an hour, less than one-tenth our wage level; and I wonder to what extent we furnished the money and know-how to build those factories.

Stop and think of the loss in hide sales by our ranchers and farmers, and all the raw materials and raw labor that go into shoe manufacturing—to say nothing of machinery and taxes—money in the bank and all things that come from high employment at fair wages. . . . Stop and think, also, what Japan would be doing if we proposed that the shoe be 'put on the other foot' for a while; that you subsidize our factories by buying our shoes.

Senator Sam J. Ervin, Jr. (N.C.), who is a protectionist only to the extent of protecting his state and country from ruin, points out that textiles are the very lifeline of his entire area, and let it be noted that the employment of minorities is the highest in the South, per capita, than in any other part of our country.

The press reported recently that the Zenith Radio Corporation will soon be operating in Taipan, resulting in the loss of 4,000 American jobs. The president of Zenith roared his disapproval of such a foreign trade situation, but said his company is helpless to do otherwise and still survive.

So I ask again, what would you say, Excellency; what would your country do to stop the United States from putting a single one of your factories out of business?

Despite the enormous trade you have with America, our industries are barred from setting up or buying into Japanese industries, for which I admire your country, and only wish, as I said earlier, that American businessmen and American public officials were half as protective of our markets.

I recall the words of your Mr. Yosomatsu Natsubara, Chairman of the powerful Hilachi Shipbuilding & Engineering Company, who warned that "chaos will reign in Japan if U.S. industries are allowed to enter our country unhampered by tariffs." . . . Ken Okubo, president of the giant Mitsuibishi Electric Corporation, was equally emphatic, and especially so with regard to the harm that would come to Japanese small businessmen if Japan opened its markets to American big business.

You are familiar, I am sure, with the longtime attempts of Congressman John Dent (Pa.), whose tireless fight for a fair domestic and foreign trade policy has been carried into every corner of the nation. Undaunted by the brand of "protectionist"—Mr. Dent has continued to insist that "no nation can keep its affluency without jobs for every grade of worker—from top to bottom and from bottom to top," and he has proven beyond doubt that "one-way trade: destruction of domestic industries and jobs by whatever means, creates a two-level society—the rich and the poor—leaving the middle class as a stepping stone to chaos." Mr. Dent's formula is simple:

"The economic laws of an industrial economy are based on three equal factors: production, distribution and consumption, no one of which can stand alone; one being harmed harms all, and harmed enough, becomes fatal."

Like the dauntless Mr. Dent, we believe that a healthy economy in Pennsylvania (which State he has served for so many years) is the best safeguard of a healthy exchange of goods between the people of Pennsylvania and the people of Japan, and I think you are selling your countrymen short by insisting they be subsidized by our high taxes, high wages, short hours, and huge debts—many of which were accumulated by giving aid all over the world, and, I might add, especially to Japan. No country on earth, including our own, has matched the aggressiveness of your people, and I say they can come into this market under tariff restrictions that prevent the destruction now taking place, and capture more than a fair share of our markets.

Right at the moment, our side of the import-export picture, when looked at in totality, appears to be somewhere near the safe side of what we so loosely term balance of trade, but what has this got to do with our entertaining a policy that this or that kind of job or business is expendable? . . . Do you have any expendable industries? Any jobs that are expendable? Would you or anyone in your government, or in the business world, accept an exchange of trade that created a displaced army of workers and disillusioned businessmen, in Japan?

A few years ago I dispatched a letter to a Japanese retail organization, and urged the members to oppose an invasion of American-Japanese type supermarket discount stores and trading stamps, and over 3,000 independents roared their approval at a meeting in Tokyo. I understand the government acted favorably in this matter. My contention was that Japan's independent enterprisers are your last line of defense against the monopoly-socialism represented in the huge corporate combines in both our countries.

General MacArthur warned you, just as he warned his own country, to end concentration of economic power before it is too late, and you now wish to turn your giants and their counterparts—the American giants—being scattered across the world, loose in our inflated marketing situation and thereby destroying what we all must have: a free and fair market place in which to exchange our goods, our services and our friendships.

When I emphasized this need in my talk before that Chicago convention, one of your lovely ladies shook hands with me at the door, and said:

"Mr. Wimmer, why doesn't your government talk to us like this?" She added: "You have frightened me terribly."

In Miami, at a convention of office machine manufacturers, a Swedish official rose on the banquet floor and said:

"I endorse what Mr. Wimmer has said about fair trade. We do not need to be subsidized to match our products against any country."

Ours is a nation of welfare benefits, debts, cold wars, monopolistic combines and chains, high interest rates, old age security, back-breaking taxation, high wages in most areas, racial strife, urban renewal, pollution problems, record crime, and colossal gaps in our communication with each other and the outside world, and if we do not take every step within our power to revitalize our domestic markets, save our family farms, small businesses, local banks, and restore the Jeffersonian philosophy in this country, the Japanese, the Americans, and the people of the whole world are going to lose their last best chance to help bring order to a disordered world.

May I, in conclusion, call upon the Japanese Foreign Ministry, and upon your own Congress, to assess the arguments which are offered in behalf of a system of free and fair trade, as against a system that ultimately destroys both domestic and foreign participants.

Unregulated competition is the competition of the tooth and the claw. The consumption of both competitor and consumer, and this is the kind of competition you would have us accept or "face retaliation from several nations."

There isn't a nation in the world that doesn't need our markets, our aid, or both, so who can afford to retaliate if all we are doing is to create a market in which all can do business, and grow?

DONATING BLOOD

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mrs. HECKLER of Massachusetts. Mr. Speaker, I have great admiration for blood donors. I believe their thinking is beautifully expressed by one of them, Mr. Frank L. Tosti, Jr., of Taunton, Mass., who says:

> I know of no greater gift one person can give another than the gift of life and you are giving life each time you donate blood for an emergency, or, for that matter, any other time.

These are fine words from a man who, since 1956, has donated 37 pints of blood to the American Red Cross.

It gives me real pleasure to call Mr. Tosti's words and record to the attention of my colleagues by inserting in the RECORD an article from the Taunton Daily Gazette about him. Mr. Tosti and his wife, Irene, are in charge of the blood program of the Mulcahey School PTA. As he explains their interest, "there is always a need for blood."

Donating blood is a significant way in which the citizen can contribute to his or her community. The Tostis, who have five children, have never needed donated blood. However, they know that others do.

I think this is a laudatory attitude. I commend Mr. Tosti for his actions as a responsible citizen. The text of the article follows:

[From the Taunton Daily Gazette, Apr. 6, 1970]

FRANK TOSTI, JR., FEELS BLOOD GIFT WORTHWHILE

(By Susie Tallman)

Frank L. Tosti Jr., says simply that, "I know of no greater gift one person can give another than the gift of life and you are giving life each time you donate blood for an emergency, or, for that matter, any other time."

It is in that spirit that the Alfred Lord Blvd. resident has contributed 37 pints of his type O positive blood to the Taunton chapter of the American Red Cross during bloodmobile drives held in the city.

"I started donating my blood in 1956 to help others," Tosti revealed. "I know there is always a need for blood and so I give my blood to help other people, and quite possibly someday I might need help, too."

A native of Taunton, Tosti is a graduate of Coyle High School, an Army veteran of the Korean Conflict, and the general manager for St. Yves Building Incorporated in East Taunton.

Married to the former Irene Grant, also of this city, the couple are in charge of the blood program at the Mulcahey School PTA.

"We call on the teachers and parents in the group to recruit them for the bloodmobiles," he explained. "The program not only covers the donor, the members of the PTA, but also their immediate families.

"Although I have never needed the blood, nor has anyone in my family ever needed it, I always feel safe knowing that we are covered, just in case," he added.

"Contributing your blood to a bloodmobile, or in a hospital, doesn't take any time at all, maybe 30 minutes, but there is always a feeling of satisfaction knowing that you have donated blood," Tosti pointed out.

He is son of Frank L. and Irene (Bernard) Tosti of 30 Mason St. and he and his wife have five children.

They are Richard, who is a junior at Coyle High; Sharon, 16, who attends Bishop Cassidy High; Paula, a sixth grader at Bennett School; James, a fifth grader at Bennett School, and, Susan, four-years-old, who, her father reports, "just has a fine time at home."

The Tosti family attends St. Paul's Church and Tosti is a member of the Coyle High School Father's Club.

Not having any children currently enrolled at Mulcahey School, Tosti explained the reason why he and his wife are members of the PTA group: "Sharon just moved out of Mulcahey, but we'll have other children attending the school and we thought we'd better keep in touch."

"Basically, though," he commented, "I donate blood to the bloodmobile because I know that everyone needs blood and I can't ignore that fact of life."

The next Taunton Red Cross Bloodmobile will be Thursday at the Masonic Temple from 12:45 until 6:45 p.m.

ECONOMIC HARDSHIPS IMPOSED ON OUR ELDERLY BY INFLATION

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. LUJAN. Mr. Speaker, the Congress can no longer ignore the cruel economic hardships imposed on our elderly people by inflation and the rising costs of living.

A very large percentage of mail from my district in New Mexico, reflective of sentiments throughout the Nation, bears heavily on this problem. Our elderly people demand and are entitled to relief from the specter of poverty and privation in their retirement. The Social Security Act was intended to insure every working person a basic retirement income by deducting a portion of his earnings during his working years and paying it back to him when he retires from active employment. But the eroding forces of inflation have placed him in the position of receiving dollars that are worth much less in purchasing power than the dollars that were deducted from his pay.

Many elderly persons who were unable to set aside savings other than those deducted for social security are forced to augment their social security income by continuing to work after their eligible date of retirement. Yet their industry and willingness to work is penalized by the Government by a reduction in their social security payments if their outside earnings exceed the $1,680 annual maximum.

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Mr. Speaker, I am today introducing a bill to increase this allowable maximum from $1,680 to $3,000. I am convinced that this is but one of many things the 91st Congress must do to assist our elderly people meet the rising costs of living and to live in dignity and security.

SEEKS NATIONAL VOLUNTEER FIREMEN'S WEEK

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. McDONALD of Michigan. Mr. Speaker, we often take for granted the protection offered by a dedicated and heroic breed of men. I am referring to the volunteer firemen, who throughout this United States risk their lives countless time to protect human life.

As our population has increased, so has our housing. Communities spring up on the fringes of larger cities and towns, many without the tax base to support a fully staffed fire protection system. So the community does what men and women in this Nation have been doing for hundreds of years: It helps itself. Out of a sense of community responsibility, the volunteers react to the alarm. There is little remuneration for the hours spent fighting fires, cleaning debris, and keeping the equipment in order; yet the communities they serve benefit greatly.

I have some personal knowledge of the problems faced by firefighting agencies. As the supervisor of Redford Township in Michigan, I also served as the fire commissioner. It is not an easy task to provide adequate fire prevention and protection programs with a permanent staff. The pressures are even greater on a volunteer force. However, the dedication to duty does not lessen simply because firefighters are volunteers.

The force is composed of men from all walks of life. They are mechanics and businessmen. They have other things to do, yet give of themselves the time necessary to train and the time demanded to utilize the training.

The sound of the fire alarm puts this force into action. It rings at dinnertime. It brings them out of bed at 3 in the morning, and interrupts PTA meetings. But they answer it. And lives are saved because of their efforts.

Without thought of personal harm or inconvenience, the volunteer fireman answers the call. He does not always return. I cite the recent tragedy in Corry, Pa., where five volunteers gave their lives while fighting a fire.

We have little to offer these men, Mr. Speaker, but our thanks. In that vein, I ask today that my colleagues support a House joint resolution which I have cosponsored. It requests the President of the United States to designate the week of September 19, 1970, as National Volunteer Firemen's Week. During that period, Americans from Nome to Miami—from Honolulu to Bangor—will have the opportunity to pay small tribute to a band of men without whom this country would suffer.

XUM

DORMAN HIGH SCHOOL CAVALIER BAND WINS CHERRY BLOSSOM CONCERT

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. MANN. Mr. Speaker, last week the Dorman High School Cavalier Band from Spartanburg, S.C., won the 1970 Cherry Blossom Band Concert as the outstanding band in the Nation. The band was declared grand national champions on the basis of winning first place in the concert, marching, and parade contests. The Cavaliers are only the 11th band in history to win first place in all three categories of the Cherry Blossom Festival competition.

This band has won many other trophies in the past several years while participating in numerous civic functions, parades, and athletic events. The Cavaliers are led by Director Joseph D. Martin and Assistant Director Larry R. Cromer. Both of these young men have done truly outstanding jobs at Dorman High School, especially when one considers that Mr. Martin is serving only his second year as director, and Mr. Cromer his first.

The outstanding record of this group of young people represents many hours of hard work on the part of many people, including Dorman High School principal, Allen O. Clark. Upon the band's return to Spartanburg, Mr. Clark expressed the pride of the students, faculty, administration, and friends of Dorman High School. I am proud to join in congratulating these fine young people whose achievements have brought honor to Dorman High School, the city of Spartanburg, and the State of South Carolina.

Mr. Speaker, I would like to present to my colleagues and to the Nation, the names of the outstanding young musicians of the Dorman High School Cavalier Band:

BAND MEMBERS

SENIORS

Jeannette Anderson, Mary Alice Corn, Lynn Harrison, Frieda Johns, Terri Lambert, Meg Larson, Vicke McAbee, Glenda Page.

Denise Pettit, Mary Ann Putnam, Ann Settle, Deborah Wood, Jimmy Ballinger, Austin Bobo, Brice Deal, Doug Ellwood.

Jimmy Fraley, Al Hendley, Bill Huckeba, Mike Lanford, Eddie Parham, Lee Terry, Mark Smith, Marshall Winn.

JUNIORS

Dianne Amos, Jeanne Anderson, Barbara Burdette, Judy Eubanks, Susan Foster, Sandra Herndon, Joyce Lipscomb, Shirley McCallister.

Laurina Owens, Sandra Peterson, Rhonda Sellars, Gaye Stevens, Kathy Taylor, Carol Wood, Richard Dizbon, Mike Henderson.

Tom Hoover, Randy Mathis, Townsend McChesney, Hal Pettit, Dennis Settle, Billy Shirah, Ernie Thigpen, Phil Sinclair.

SOPHOMORES

Janice Doyle, Debbie Duvall, Karen Frey, Jane Gray, Mary Hendley, Jeannie Ritter, Mary Nyhart, Joe Alexander.

Chris Anderson, Scott Deal, Jerry Lancaster, Benny Mason, Robert Ranbow, Greg Rhodes, David Shealey, Steve Winn.

NEED FOR CONTROL ON DANGEROUS SUBSTANCES

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. LUJAN. Mr. Speaker, the Justice Department proposed legislation which was introduced in the Senate as S. 3246, and in the House as both H.R. 13742 and H.R. 13743, known as the Controlled Dangerous Substances Act of 1969.

The Senate bill was assigned to the Committee on the Judiciary, and was reported with revisions and passed on January 28. It was referred to the House, where a jurisdictional dispute developed between the Committees on Judiciary, Interstate and Foreign Commerce, and Ways and Means.

The Committee on the Judiciary withdrew, but the question has still not been settled between the other two committees, and the Senate-passed measure remains unassigned for even committee consideration, much less consideration by this entire House.

In the House, the original proposal was introduced in two parts, as H.R. 13742—assigned to the Ways and Means Committee—and H.R. 13743—assigned to the Interstate and Foreign Commerce Committee.

No action has been taken on the first part; hearings have been concluded but no further action scheduled by the Subcommittee on Public Health and Welfare on the second.

I would like to share, with the Members of the House, a letter from Douglas P. Ferraro, associate professor of the Department of Psychology at the University of New Mexico. Dr. Ferraro could certainly be classified as an expert in this area, and I commend his thoughts to my colleagues.

The letter follows:

THE UNIVERSITY OF NEW MEXICO,
DEPARTMENT OF PSYCHOLOGY,
Albuquerque, N. Mex., March 11, 1970.

Representative MANUEL LUJAN,
Washington, D.C.

DEAR REPRESENTATIVE LUJAN: I should like to urge your support of Senate Bill 3246, "The Controlled Dangerous Substances Act of 1969," which is presently before the House for its consideration. This measure, although essentially a law-enforcement bill, has certain provisions with implications for education and research programs which I consider essential.

The bill has been criticized because it gives the Attorney General authority to control dangerous substances after considering the advice of the Secretary of Health, Education, and Welfare. Many researchers are of the opinion that authority for control of these drugs should come directly from Health, Education and Welfare. This is because the present bill also authorizes the Attorney General to carry out necessary education and research programs. Thus, it is argued that the bill would create another scientific bureaucracy which is unnecessary given the existence of Health, Education and Welfare.

My reason for support of the bill in its present form is that I do not feel that the law-enforcement responsibilities regarding drug abuse. now the responsibility of the Department of Justice, should be separated from the educational and research responsibilities for drug abuse. It is clear that the control of drug abuse must include educational and research attempts to deal with the treatment and rehabilitation of narcotic abusers. Putting the research and educational responsibilities under Health, Education and Welfare would serve to separate what should be parallel programs.

I strongly support the establishment of the Advisory Committee on Marijuana called for in the bill. I should like, also, to add my voice of disapproval to the bill's "No-Knock" provision. However, it is clear that sufficient restrictions upon the "No-Knock" provision have been written into the law to make it workable if necessary.

Sincerely,

DOUGLAS P. FERRARO, PH. D.,
Associate Professor.

We all realize the urgency of action in this area of national concern; none more, I am sure, than those members of the committees considering this legislation.

I respectfully suggest, Mr. Speaker, that the Members of the House should be granted an early opportunity to consider either the Senate bill or the two House bills. For this reason, I join my concerned fellow New Mexican in urging these committees to reach accord in this matter as soon as possible.

OBSERVANCE OF VERRAZANO DAY, APRIL 18

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. ROONEY of New York. Mr. Speaker, each day and night a constant flow of traffic crosses the bridge spanning the narrows between Staten Island and Brooklyn. All of the users of this magnificent bridge are well aware that it is named the Verrazano Bridge. Many of them are aware also of the significant contribution which Giovanni da Verrazano made to the development of this country.

To our loyal Italo-American citizens the name Verrazano evokes both pride and respect. The heroic deeds of one of the world's most intrepid navigators and explorers are cherished indeed by all people of Italian birth or lineage. But Verrazano is not a hero only to the sons of Italy; he has gained well-justified recognition by all America as a fitting member of our revered assemblage of national heroes.

So, Mr. Chairman, on the birthday of this gallant mariner who was born on April 18, 1480, we shall join with all our American friends of Italian descent in paying homage to the youthful captain who was first to discover New York Harbor and Narragansett Bay. Verrazano was not only a courageous navigator braving unknown waters and hostile natives, but he was meticulous in his charting and mapping of so much of our U.S. coastline reaching from the Carolinas to Newfoundland. Without such navigational aids developed by him the thousands of ships which later came to our shores would have suffered greatly in seeking safe havens in which to drop anchor.

We have honored Verrazano with a commemorative postage stamp. We should continue to honor him with appropriate ceremonies each year upon his birthday, reminding ourselves of his magnificent accomplishments in our behalf. We must honor his memory also as a man who gave his life in pursuit of the goals which he diligently sought to achieve.

YOUTH CAMP SAFETY

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. ROSENTHAL. Mr. Speaker, as summer approaches, we in Congress must once more consider the health and safety of the 7 million youths who will be spending this summer in our Nation's many summer camps. At this time, there are no Federal regulations regarding summer youth camps which have traditionally fallen within the responsibility of State and local agencies for regulation.

Unfortunately, many States have failed in their responsibility to establish or enforce standards of our camps. In fact, many States have failed to enact any legislation regarding youth camp safety. Some States do not even require camps to be licensed before operating. Others have no standards whatever for camp personnel.

In 1967, I introduced legislation calling for Federal regulation in this area. The Department of Health, Education, and Welfare report on this bill found that a problem does in fact exist and suggested a more extensive study of the status of existing camp regulation.

I introduced a bill in the first session of the 90th Congress suggesting an in-depth study of discrepancies in health and safety standards, in the various States. Hearings were held and the session ended with the bill in committee.

The problem continues and is growing with the addition of new camps every summer and the continuing operation and growth of established camps. Every summer the parents of our Nation's youth are taking unnecessary chances by sending their children to camps which are not under adequate inspection or health and safety regulations.

Therefore, I have once again introduced legislation, H.R. 17031, to institute the study originally suggested by HEW with the idea of eventual positive legislation in this field. The children of our country and their parents deserve better protection than they are presently receiving. I believe it is our responsibility in Congress to act quickly to provide them with this protection. Let us hope that a national tragedy will not be needed to precipitate the legislative action which is already overdue.

JUSTICE DOUGLAS

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. HALL. Mr. Speaker, once again the word "impeach," has reverberated through these Chambers. For the second time, as it was in 1953, the charge is again leveled at the behavior of Associate Justice of the Supreme Court, William O. Douglas.

Mr. Speaker, I am well aware that the proceedings against Justice Douglas have been labeled as "retribution" for the rejection by the other body, of the nominations by President Nixon of Judges Haynsworth and Carswell to become members of the Supreme Court.

I for one, am able to refute such charges, because I have long been an advocate of the removal of this "mediocre" mind from the High Bench. It is my opinion, that had Justice Douglas been a man of integrity, he would have resigned from the Court following, if not before, the disclosures of his dealings with the ill-famed Parvin Foundation. Thus he personally belies the constitutional requirements of "good behavior," in order to insure tenure.

Mr. Speaker, I have come to this well on many occasions to discuss the words and deeds, of William O. Douglas. I have always defended his right to intemperate mouthings as a private citizen, but never have I condoned his right to such utterances while one of nine Supreme Court Justices, who eventually have the final say in the course that this Nation will follow.

In 1863, H. F. Amiel said:

> Liberty and equality are all right in their places, but not when used as excuses for justice.

He knew that anarchy breeds anarchy.

Mr. Speaker, the case is clear, if William O. Douglas does not openly advocate riots, he fuels the mind of those who would riot.

If William O. Douglas is not openly advocating rebellion, he gives the appearance of one who desires rebellion.

If ever a man should be held accountable, that man is William O. Douglas, and the word "Justice" should never again be used in connection with his name.

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CONGRESSMEN HAWKINS, STOKES, AND CLAY INDICATE SUPPORT FOR CIVIL RIGHTS COMMISSION ASSESSMENT OF NIXON POSITION ON SCHOOL DESEGREGATION

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. CLAY. Mr. Speaker, over 3 weeks ago, the President made a special statement on school desegregation. History will note that it was an unprecedented happening, that the President of the United States should have to write a special statement to tell the Nation how he will go about obeying the law.

It is a national disgrace to hear a President go before the public and try to convince himself that black citizens shall have certain rights. But it is a national tragedy to hear a President go before the public to rationalize the limits of those rights.

We now have the benefit of an indepth analysis of the President's school desegregation statement which was recently released by the U.S. Commission on Civil Rights. My colleagues, Congressman AUGUSTUS HAWKINS and Congressman LOUIS STOKES, join me in endorsing the Civil Rights Commission report. We urge our colleagues to direct their attention to the statement which follows:

STATEMENT OF THE U.S. COMMISSION ON CIVIL RIGHTS CONCERNING THE STATEMENT BY THE PRESIDENT ON ELEMENTARY AND SECONDARY SCHOOL DESEGREGATION

On March 24, 1970, the President issued an important civil rights statement. The President's statement is comprehensive and thoughtful. He has made clear his strong support for the constitutional principle of the 1954 Supreme Court decision in *Brown* v. *Board of Education*: "We are not backing away. The Constitutional mandate will be enforced."

The President also has given his view of the contents of that constitutional mandate. "Deliberate racial segregation of pupils by official action," the President said, "is unlawful, wherever it exists." He pointed out emphatically that "it must be eliminated 'root and branch'—and it must be eliminated at once." Further, the President stated that "segragation of teachers must be eliminated" and ordered that steps be taken to assure against discrimination in the quality of facilities or the quality of education delivered to school children within individual school districts.

The President recognizes, however, the issues are more complex than merely ending current practices of deliberate public school segregation and discrimination, and their implications for the future of the country are far-reaching. While many of the problems are common to nearly all minority groups in all parts of the country, others frequently are unique to particular sections of the country or to particular minority groups. Problems of segregation and inadequate school facilities, for example, cut across racial or ethnic lines and exist in all regions. Black children in the rural South, however, experience educational deprivations different in kind from those of children who live in northern ghettos. By the same token, Mexican American and other Spanish-speaking children experience unique hardships when they come from homes where their first language is Spanish but enter an educational environment where only English is permitted, and as a result are shunted automatically into lower ability groups and subjected to curricular discrimination.

The President addressed himself to many of the more complex issues that have been troubling the Nation—issues such as what can be done about so-called *de facto* school segregation, what are the most effective and sensible means of enforcing school desegregatio requirements, how much of a social burden can the schools reasonably be expected to bear, how important is integration to the achievement of minority group children, how effective can busing be as a means of carrying out school desegregation, how important is adherence to the neighborhood school principle, and what kinds of resources should the Federal Government make available to local communities to achieve the goal of equal educational opportunity?

These are issues of critical importance deserving of the highest level of consideration and discussion. In the course of its history, the Commission has paid continuing attention to many of these issues. We are committed to the purpose for which this Commission was created: To act as an objective, bipartisan factfinding agency and to continually apprise the President, the Congress, and the Nation of the facts as we see them. The Commission believes that the experience and information we have gathered over the years concerning the issues discussed in the President's statement provide a sound basis for analysis and comment that can contribute to their clarification and be of help to educators, other public officials, and concerned Americans generally. It is in this spirit that we speak out now.

DE JURE VERSUS DE FACTO

The President draws a sharp distinction between *de jure* and *de facto* school desegregation, contending that under the former there is a positive duty to end it, while under the latter, "school authorities are not Constitutionally required to take any positive steps to correct the imbalance." This statement represents a strict interpretation of existing Supreme Court decisions.

It can be argued, however, that the Supreme Court's decision in *Brown* warrants a broader interpretation. For one thing, while the holding of the Supreme Court in the *Brown* case was limited to legally compelled or sanctioned segregation, the Court's concern extended as well to segregation resulting from factors other than legal compulsion. The Supreme Court quoted with approval a lower court finding that "Segregation of white and colored children in public schools has a detrimental effect upon the colored children. *The impact is greater when it has the sanction of law* . . ." (Emphasis added), and concluded: "Separate educational facilities are inherently unequal . . ."

Thus the Court expressly recognized the inherent inequality of all segregation noting only that the sanction of law gave it greater impact. In a sense, therefore, the President's sharp distinction between *de jure* and *de facto* segregation tends to blunt what many think is a crucial thrust of *Brown*.

The Commission, moreover, in the course of its investigations, has found numerous examples—North and South—which suggest that it is not adequate to describe school segregation as purely *de facto*—that in many cases, school segregation that appears to result solely from accidental housing patterns turns out, upon closer examination, to result in large part from decisions by school and other public officials.

For example, decisions on school boundary lines have been made with the purpose and effect of isolating minority group members in their own separate and unequal schools. Sites for new schools, even recently, have been strategically selected so as to assure against racially integrated student bodies. The size of schools has been determined with an eye toward maintaining racial separation. As the President recognizes, conduct of this type is illegal. Instances of purposeful school segregation have been found in surprising places, in the North as well as the South. The school systems of New Rochelle, New York; South Holland, Illinois; Pasadena and Los Angeles, California; and Pontiac, Michigan, are among those which have been found by the courts to have practiced deliberate school segregation in violation of the Fourteenth Amendment. There is no doubt that there are many more instances of school segregation resulting from conscious decisions of school officials than the relative handful that have come to the attention of the courts.

It also should be understood that legally compelled or sanctioned school segregation is not a phenomenon unique to the South. In many northern and western states, the current pattern of racial separation of students is a legacy of an era when laws and policies explicitly authorized segregation by race. States such as Indiana, New Mexico and Wyoming maintained separate-but-equal laws beyond the mid 1940s. In other northern states, such as Ohio and New Jersey, cities and counties persisted in maintaining separate schools for black students well into the 1950s.

Even in those instances where school segregation is a result of housing patterns with no apparent complicity of school officials, government at all levels—local, State, or Federal—invariably is heavily implicated. Historically, racial zoning ordinances imposed by local law were a formidable factor in creating and maintaining racially exclusive neighborhoods. Although such ordinances were held unconstitutional as early as 1917, some communities continued to enforce them, even as late as the 1950s.

Judicial enforcement by State courts of racially restrictive covenants has been another impotrant factor. Although these covenants were private agreements to exclude members of designated minority groups, the fact that they were enforceable by the courts gave them maximum effectiveness. Not until 1948 was the judicial enforcement of such covenants held unconstitutional, and not until 1953 was their enforcement by way of money damages held unlawful. Racially restrictive covenants no longer are judicially enforceable, but they still appear in deeds and the residential patterns they helped to create still persist.

Various exercises of local governmental authority, such as decisions on building permits, the location of sewer and water facilities, building inspection standards, zoning and land use requirements, and the power of eminent domain have been used to exclude minority group members from designated neighborhoods and even from entire communities.

The Federal Government, principally through its public housing and FHA mortgage insurance programs, has been all too often a willing partner in the creation and perpetuation of racially segregated neighborhoods, even to the point of insisting upon them. Until the late 1940s, for example, FHA insisted on racially restrictive covenants to insure against integrated housing developments. Until 1962 when the Executive Order on Equal Opportunity in Housing was issued, the agency continued willingly to do business with discriminatory builders and developers. The Public Housing Administration permitted its funds to be used for the creation and perpetuation of segregated housing projects well after the courts had made it clear that such practices were in violation of the Constitution. Other Federal programs, such as the highway and urban renewal programs, which involve massive displacement and relocation, also have had the effect of intensifying residential segregation.

The point we are making is that the current situation we face, in which most mi-

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nority group children attend school in isolation from children of the majority group, is *not* accidental or purely *de facto*. In many cases, it has resulted in whole or in substantial part from an accumulation of governmental actions. Thus the categorical distinction between *de jure* and *de facto* segregation is not as clear-cut as it would appear. Upon closer examination, there is probably little legal substance to the concept of *de facto* school segregation. Further, in the Commission's view, the Government has a moral as well as legal responsibility to undo the segregation it has helped to create and maintain. There is no statute of limitations by which government in its many forms can be exonerated from its past misdeeds or relieved of its current obligations.

The Commission believes that the necessary course of action is to make available to the Department of Justice and the Department of Health, Education, and Welfare the resources necessary to determine on a nationwide basis those cases which appear on the surface to involve *de facto* segregation but which in reality involve *de jure* school segregation, and then to take steps to correct the situation. We note that the President, in his budget request for Fiscal Year 1971, has asked for substantial increases in resources for civil rights enforcement in both departments—56 additional positions for the Civil Rights Division of the Department of Justice and 144 additional positions for the Office of Civil Rights in the Department of Health, Education, and Welfare. It is important that the President's request be honored. It also is important that the attention of these two departments be directed specifically to the problem of apparent *de facto* segregation that may, in fact, have been consciously created and maintained *de jure*. We believe that to accept without investigation the notion of widespread fortuitous and ingenious school segregation and to determine policy on that basis would be a serious mistake.

Further, there is a large arsenal of weapons, in the form of nondiscrimination laws and low- and moderate-income housing programs, available to combat housing segregation and remove it as a cause of school segregation. As this Commission also recently pointed out in its report on "Federal Installations and Equal Housing Opportunity," the leverage of the substantial economic benefits generated by Federal installations can be used effectively to promote housing desegregation.

Another important way to promote housing desegregation is to provide people with the economic wherewithal necessary to expand their choice of housing. The President's Family Assistance and Manpower Training proposals, as well as the Administration's endorsement of the "Philadelphia Plan," represent forward moving efforts to enable the poor, a disproportionately high number of whom are minority group members, to join the Nation's economic mainstream and expand their choice in housing and other aspects of life through adequate income and job stability.

ENFORCEMENT OF SCHOOL DESEGREGATION

The President's statement was largely silent concerning the means that will be used to bring about an end to dual school systems. Experience in the 16 years since the *Brown* decision provides many lessons on what kind of enforcement works and what kind does not. During the first ten years following *Brown*, when litigation was the sole enforcement mechanism, progress in carrying out the Supreme Court's mandate was frustratingly slow—three percent desegregation in 10 years. Since the enactment of Title VI of the Civil Rights Act of 1964, however, with its provision for administrative enforcement, progress has accelerated enormously—30 to 40 percent desegregation in the last five years. In a July 3, 1969, statement the Attorney General and the Secretary of Health, Education, and Welfare indicated that the Government was deemphasizing the use of administrative enforcement under Title VI in favor of a return to litigation. This, despite the evidence of the practical utility of title VI as an enforcement mechanism. The fact that the President made no reference to the means to be used raises the fear that litigation will, in fact, continue to be substituted for administrative enforcement. In its September 1969 report on "Federal Enforcement of School Desegregation," the Commission characterized the Administration's reliance on litigation as "a major retreat in the struggle to achieve meaningful school desegregation." The Commission believes it is important that a clear statement of policy be made by the President to allay these fears.

The President made plain in his statement, however, two other principles which apparently will guide his Administration in carrying out the Supreme Court's mandate: local discretion and reliance on good faith of local school administrators. Again, on the basis of the experience of the past 16 years, the Commission believes that neither is adequate assurance. The progress that has been made in promoting school desegregation in the South has not often resulted from local initiative, alone, but more frequently from persistent Federal pressure, joined with local initiative. Experience also has demonstrated that results alone—and not good faith—are the only true measure of compliance with the Supreme Court's mandate.

BURDEN ON THE SCHOOLS

Another area that warrants further discussion is the suggestion that we are asking too much of our schools. The President said: "They have been expected not only to educate, but also to accomplish a social transformation." The Commission believes this is true—that much is being asked of our schools, that much always has been asked of them. The important point, however, is that they have delivered. During the great waves of immigration that brought millions of oppressed people to this land of promise, it was the schools that we relied upon to educate the children of these immigrant families and to integrate them into American society. They did not fail us then.

But they are failing today. The children of the Nation's ghettos and barrios are not receiving the quality of education afforded to more affluent majority group children, nor are they being enabled to join the Nation's social and economic mainstream. Above all, they are not being integrated into American society, but are becoming alienated from it. To be sure, the problems facing the schools may be more difficult than those they faced in earilier days when they succeeded so well. But these problems cannot be viewed as insoluble, nor can we relieve our schools of the burden, heavy as it may be, of being the chief instrument by which they will be resolved. For the schools occupy a special place in American society. As the President pointed out:

> "The school stands in a unique relationship to the community, to the family, and to the individual student. It is a focal point of community life. It has a powerful impact on the future of all who attend. It is a place not only of learning, but also of living—where a child's friendships center where he learns to measure himself against others, to share, to compete, to cooperate—and it is the one institution above all others with which the parent shares his child."

Public schools must again be asked to play their traditional role as "the balance wheel of the social machinery." It will not do to insist that we are placing too heavy a burden on the schools. It is a burden that they always have accepted and they must accept it now. It should be a national priority of the highest order to provide our schools with the necessary resources—adequate facilities, better teacher training, and the like—to bear this burden. It is for this reason that we welcome the President's allocation of one and a half billion dollars. There are urgent needs for all of this and more, plus a clear pinpointing of the precise educational priorities for school improvement throughout the country.

There simply is no other institution in the country so equipped to do the job. If the public schools fail, the social, economic, and racial divisions that now exist will grow even wider. It would be even worse, however, if the schools do not even try.

IMPORTANCE OF SCHOOL INTEGRATION

In his March 3, 1970, message on "Education Reform," the President made the following statement: "Quality is what education is all about; desegregation is vital to that quality." That statement did not represent a suggestion of a new direction in national policy, but rather, an accurate and succinct description of one of the cornerstones of established policy.

It has been settled that desegregation is fundamental to the achievement of equal educational opportunity. All three branches of the Federal Government have spoken with one firm resolve on this matter and the Nation has committed itself to achieving the goal of quality integrated education for all of our children. Studies have been made, such as the Coleman Report, the Commission's own report on "Racial Isolation in the Public Schools," and a recent study of the New York State Board of Regents, which indicate that racial, as well as social class, integration has a positive effect on the achievement of school children. These studies are useful in contributing to better understanding of the elements that make for quality education. They in no way question the fundamental policy of school desegregation. That policy is based on considerations as important as school achievement scores. School integration is necessary to create the understanding and sense of common purpose so vital to the Nation's future well-being. The key question now is not the relative merits of desegregation, but how to accomplish it.

It is true, as the President points out, that the adult community has failed to achieve for itself the kind of multiracial society that we are seeking to achieve in schools. The failure of the adult community, however, only highlights the necessity of insuring that our children receive the kind of training in integrated school environments that will equip them to thrive in the multiracial society they will enter. In fact, nowhere is integration more easily achieved than among children, who are born without prejudice and who accept other human beings for their human values, without automatic judgments based on race or color. If we delay this training until they enter the adult society, we will have been too late. It is in the schools where our children's attitudes and perceptions can be influenced to enable them to succeed where we, their parents, have failed.

BUSING

In his statement, the President raised the issue of busing and cautioned that we must proceed with the least possible disruption to our children's education. Busing has become an emotionally charged word and the issues involved have been the subject of considerable misunderstanding. Many who oppose busing do so on the basis of certain assumptions, one of which is that riding to school disrupts a child's education and causes harm. This is a serious issue which should not be argued solely in terms of assumptions or emotion. The Commision believes that facts which it has found in the course of its investigations may contribute to clarifying the issue and sharpening the debate over it.

Busing is neither a new nor a unique technique, and its use is not limited to facilitating desegregation. For example, for decades, black and white children, alike, in the South were bused as much as 50 miles or more each day to assure perfect racial segregation. In many cases, busing was the exclusive privilege of white children—black children often were required to walk considerable distances. No complaints then were heard from whites of any harmful effects. Nor was any concern exhibited over the damage suffered by black children through their deliberate segregation. The Supreme Court in *Brown* described vividly the nature of the harm to which Negro children were being subjected.

"To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone."

Thus the arguments that some now make about the evils of busing would appear less than ingenuous. The plain fact is that every day of every school year 18 million pupils—40 percent of the Nation's public school children—are bused to and from school, and the buses log in the aggregate more than two billion miles—nine billion passenger miles—each year. It also should be understood that the overwhelming majority of school busing has nothing to do with desegregation or achieving racial balance. The trend toward consolidation of schools, for example, particularly in rural areas, requires extensive busing. It causes no disruption to the educational routines of the children and is treated as normal and sensible.

Amid the controversy over busing, in many school systems, North and South, transportation is being used quietly and effectively as a means of bringing about desegregation. The bus rides are not long—in Berkeley, California, for example, a city of 120,000 people, the bus trip never exceeds 20 minutes—and it causes no harm. In the South, of course, the amount of busing needed to bring about desegregation frequently is considerably less than was required to maintain dual school systems. For example, at the Commission's 1968 hearing in Montgomery, Alabama, we found that black students in Selma, seeking to attend trade school, were bused some 50 miles to the nearly all-black Trenholm School in Montgomery, although the Rufus King trade school was located in Selma. Rufus King, however, was all-white.

It is a mistake to think of the problems of desegregation and the extent that busing is required to facilitate it solely in the context of the Nation's relatively few giant urban centers such as Chicago, New York, or Los Angeles. In most of our cities the techniques necessary to accomplish desegregation are relatively simple and busing creates no hardships. The experience in communities which have successfully desegregated could easily be transferred to cities of greater size.

Even in giant urban centers, progress in desegregation does not require interminable bus rides or disruption of our children's education. The President, in discussing the recent California court decision requiring desegregation of the Los Angeles school system, quoted "local leaders" as estimating that the total cost of busing will amount to 40-million dollars over the next school year. This estimate represented the contention of the defendants in that litigation. It was presented to the court for the purpose of arguing against the feasibility of desegregation in that city's school system. In fact, the court rejected this estimate as unrealistic.

In Los Angeles, as in other cities, substantial desegregation can be accomplished through relatively simple devices such as alteration of existing school attendance areas, school pairing, and the establishment of central schools. To be sure, transportation is necessary in giant urban centers as it is in smaller cities, but here too, it is false and defeatist to assume that the bus rides must be lengthy or that the education of our children will be disrupted.

In the Commission's view, the emphasis that some put on the issue of busing is misplaced. As most Americans would agree, it is the kind of education that awaits our children at the end of the bus ride that is really important.

NEIGHBORHOOD SCHOOLS

In his statement, the President emphasized the desirability of maintaining the neighborhood school principle. For several reasons, the Commission questions whether this should be one of the cornerstones upon which national educational policy rests.

For one thing, neighborhood schools do not represent the invariable principle governing school attendance that many believe. Frequently, neighborhood attendance is subordinated to other educational goals. In some cities, for example, handicapped children or academically talented students attend schools other than the one in their neighborhood.

Further, the Commission has found numerous instances of departures from neighborhood attendance policy that have had the effect of promoting racial segregation, where faithful adherence to the neighborhood school principal would have assured integrated student bodies. In Cleveland, Ohio, and San Francisco, California, for example, optional zones were created to permit white students who otherwise would have attended racially integrated schools to choose instead nearly all-white schools out of their neighborhood. Transfer plans, ostensibly instituted to relieve overcrowding, also have had the effect of promoting racial separation.

There is, in fact, a good deal of inconsistency and hypocrisy that all too often surround the lip service paid to the neighborhood school principle. Courts, as well as school officials, have had little difficulty in dismissing its importance for the purpose of maintaining segregation. In Cincinnati in 1876, for example, black children who had to walk four miles each way to attend a black school brought suit to enter the much nearer white school. The court refused and said: "Children cannot cluster around their schools like they do around their parish church." Several years ago, then Chief Judge Tuttle of the U.S. Court of Appeals for the Fifth Circuit, in a case involving the Mobile, Alabama, school system, made some observations on this point:

"Both in testimony and in the briefs, much is said by the appellees about the virtues of 'negihborhood schools.' Of course, in the brief of the Board of Education, the word 'neighborhood' doesn't mean what it usually means. When spoken of as a means to require Negro children to continue to attend a Negro school in the vicinity of their homes, it is spoken of as a 'neighborhood' school plan. When the plan permits a white child to leave his Negro 'neighborhood' to attend a white school in another 'neighborhood' it becomes apparent that the 'neighborhood' is something else again. As every member of this court knows, there are neighborhoods in the South and in every city of the South which contain both Negro and white people. So far as has come to the attention of this court, no board of education has yet suggested that every child be required to attend his 'neighborhood school' if the neighborhood school is a Negro school. Every Board of Education has claimed the right to assign every white child to a school other than the neighborhood school under such circumstances. And yet, when it is suggested that Negro children in Negro neighborhoods be permitted to break out of the segregated pattern of their own race in order to avoid the 'inherently unequal' education of 'separate educational facilities,' the answer too often is that the children should attend their 'neighborhood school.' So, too, there is a hollow sound to the superficially appealing statement that school areas are designed by observing safety factors, such as highways, railroads, streams, etc. No matter how many such barriers there may be, none of them is so grave as to prevent the white child whose 'area' school is Negro from crossing the barrier and enrolling in the nearest white school even though it be several intervening 'areas' away."

There also is some question whether the narrow attendance areas served by neighborhood schools truly represent the "neighborhood" as we currently understand that term. In fact, the meaning of neighborhoods has changed over the years. Recent developments in the pattern of urban life—rapid population shifts and the growing distances city residents travel for recreation, business, and shopping—have diffused traditional neighborhood patterns. They no longer are the self-contained, cohesive communities they may once have been. In short, it is doubtful that adherence to the neighborhood school principle is required by considerations of close community ties in narrow geographical areas. The schools have an opportunity, by broadening the geographical areas they serve, to expand the experience of children beyond that of the restricted confines of their narrowly defined neighborhood, and establish the school as a broader "community" or "neighborhood" in which the lives of all who attend can be enriched.

If adherence to the neighborhood school principle frequently interferes with efforts to promote desegregation, there also is some question concerning its value as a means of providing quality education. The essence of the neighborhood school is a self-contained unit serving a relatively small student population. In larger units, however, economies of scale frequently make possible the offering of a broader curriculum and the provision of new and expensive equipment that are not economically possible in schools which serve small numbers of students. Many rural areas, for example, in an effort to improve the quality of education, have abandoned the tradition of small individual school houses in favor of consolidated schools serving much larger student bodies. In short, adherence to the neighborhood school principle under current conditions not only tends to interfere with efforts at desegregation, but also has little bearing on efforts to improve the quality of education and in some cases may even thwart those efforts.

The Commission believes that ideally and ultimately, resolution of the problem of school segregation lies in residential desegregation, which will remove the emotional issue of neighborhood schools from the arena of civil rights controversy. Residential desegregation can be accomplished through laws and policies designed specifically to secure an open housing market, and administered with dedication and purpose. This does not mean, however, that efforts to desegregate the schools should await the day when neighborhood desegregation has been achieved. We cannot afford to make integrated education wholly dependent upon open housing, for to do so would be to consign at least another generation of children to education in racially isolated schools.

HELPING COMMUNITIES TO DESEGREGATE

We have spoken of communities that have recognized the problem of school segregation and have determined to eliminate it on their own. Many of these are in the South and they have complied with judicial and administrative requirements by devising imaginative and successful plans not only for achieving physical desegregation but also for assuring quality education for all children. Some of these communities are in areas commonly thought to be among the most opposed to desegregation. For example. Pass Christian and New Albany, Mississippi, both have accomplished full desegregation and have taken steps to assure that the desegregated schools are not white schools or black schools, but schools that all children can feel a part of. As measured by white and black student participation in school activities, daily attendance rates, and achievement scores, their efforts have been successful.

Other communities, particularly in the North, while they have been under no legal compulsion to accomplish desegregation, nonetheless have sought to do the job. The President has pointed out that these school officials are free to take steps beyond the constitutional minimums to diminish racial separation.

The Commission questions, however, whether this is enough, and whether the appropriate posture of the Federal Government on this important matter should be merely a passive one. Rather, we believe it is essential that resources, in the form of financial and technical assistance, be made available to assist these communities in bringing about total and successful desegregation as rapidly as possible.

We recognize, of course, that the President has made a commitment of one and one-half billion dollars over the next two years to carry out his school policies, and we applaud this step. There is need to clarify how this money will be used. The President specified two purposes: "Improving education in racially impacted areas, North and South, and for assisting school districts in meeting special problems incident to court-ordered desegregation."

It is not clear whether these two purposes are considered mutually exclusive—whether school districts *not* under court order would be eligible for assistance under this program to promote desegregation or whether the President's proposal assumes that so-called *de facto* segregation is with us to stay. If the latter, then the proposal may well have the effect of providing built-in financial incentives for the perpetuation of racial segregation in schools not under court order and transform an acceptance of the reality of *de facto* segregation into self-fulfilling prophesy. We believe again that further official clarification of this point is needed.

The President has made it clear to all that his Administration intends to carry out the Supreme Court's mandate of an immediate end to legally sanctioned dual school systems.

Much more, however, is necessary. The problems of racial isolation in the Nation's schools cannot be resolved solely through cautious adherence to a narrow construction of existing case law. The courts, in defining the constitutional requirements relating to desegregation have informed us only of our minimum mandate, not the maximum that we are permitted to do to accomplish school desegregation. In education, as in other areas of national concern, it is the responsibility of the Congress and the Executive Branch to act beyond this minimum, using the broad authority provided under the Constitution. Thus it is not sufficient to say that local school officials who have not maintained legally compelled separate systems may desegregate their schools if they choose to. The necessity of desegregation must also be urged and the resources made available to accomplish it if our Nation is to move toward the ideal of "one Nation, under God, indivisible, with liberty and justice for all." It is this word "all," with its special connotation of equal educational opportunity for all the children in America which has inspired most of our comments. We believe that here is the central concern, the true promise of what America will be in the years ahead—one Nation, indivisible, or two Nations divided.

The Commission fears that the President's statement, particularly his sharp distinction between *de jure* and *de facto* segregation, well may have the net effect, though unintentional, of signaling a major departure from the policy of moving toward integrated schools and that open society of which he spoke so well in his statement.

Last September, in its report on "Federal Enforcement of School Desegregation," the Commission pointed out:

"This is certainly no time for giving aid and comfort, even unintentionally, to the laggards while penalizing those who have made comemndable efforts to follow the law, even while disagreeing with it. If anything, this is the time to say that time is running out on us as a Nation. In a word, what we need most at this juncture of our history is a great positive statement regarding this central and crucial national problem where once and for all our actions clearly would match the promises of our Constitution and Bill of Rights."

The Commission is aware that the problem of school segregation is one of enormous difficulty and complexity. Yet a realistic assessment of the scope and dimensions of the problem should not result in a resigned acceptance of its indefinite continuation or a defeatist conclusion that it is beyond our capacity to resolve. The Commission is convinced of the ability and will of the American people to respond affirmatively to a call to end the injustice that school segregation represents. This call requires a major investment of resources, the commitment of public and private officials on the Federal, State, and local level—indeed of all Americans—and above all, the continuing example of courageous moral leadership from the President of the United States.

SAINT MARTIN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. RARICK. Mr. Speaker, while the great silent majority of the American people rest in their silent apathy and behold the frantic efforts of a few to canonize Martin Luther King, one "George" is doing something about. George S. Schuyler, renowned journalist, author, and newspaperman has spoken out in his usual courageous American manner.

I think that his story, "Saint Martin" should be read by all and include it as a part of my remarks:

SAINT MARTIN?—THE MARTIN LUTHER KING MEMORIAL

(By George S. Schuyler)

The fantastic drive to lift the late Dr. Martin Luther King Jr. to saintly status proceeds apace. The whole spectacle would have delighted old Anatole France and provided abundant supplementary material for a sequel to Penguin Island in which, it will be recalled, bandits and rogues in the course of time became national heroes.

As George Washington, Thomas Jefferson, and Abraham Lincoln whirled in their graves, King achieved in death a national memorial day with flags at half-mast throughout the American empire, and every politician of note trooping to his funeral in Atlanta weeping crocodile tears. While they knelt in prayer at the King bier, vandalistic blacks put a hundred cities to torch.

Before the smoke of the bonfires subsided, there came impudent demands from militant Marxists that every conceivable public building, highway, airport, and school building be named for the Atlanta preacher who had led a dozen half-wit mobs against public order and had secured financial backing from both the "white power structure" and the Communists to operate revolutionary schools to train his subordinates for the bedevilment of sundry communities.

It was only shortly after an assassin's bullet relieved the country of King's presence that his long-planned march on Washington, to plant in its center a hobo city, was led by his lieutenant Ralph D. Abernathy. Ralph resided the while in a comfortable motel as his dupes wallowed in the bog of Resurrection City. Yet this disgraceful performance was at government expense, even to the feeding of the mules who "marched" to Washington on railroad flatcars.

The King-Abernathy mob didn't quite get around to burning down the White House as had the British in the War of 1812, but they came close to it.

Nobody would have believed such an outrage could occur had there not been so many witnesses, including President Lyndon Johnson who peered gloomily at the wreckage from his front window, while his Attorney General cautioned the police and militia to treat the ruffians gently and respect their Constitutional right to rob, burn, and rape.

Incredulity soared when a few weeks ago a front-page headline in the *New York Times* declared: "King Family Halting Talks With Nixon For Memorial." The public had not known that any such talks were going on between the Nixon Administration and the King family for a giant King memorial in Atlanta! The talks were abandoned it seems "because of what the Kings say is Mr. Nixon's 'indifferent attitude' toward the black and poor people." Mrs. Coretta Scott King, the widow—and a violent, rampaging Copperhead in her own right—said that "Mr. Nixon at one point had encouraged the project, but that the idea collapsed . . . after seven months of unpublicized negotiations." It had been rather like meeting secretly with the Vietcong.

Dolefully, Hanoi Coretta moaned: "We felt that to get Federal support for a memorial would have been a beautiful thing not only for our country but for oppressed people throughout the world. But President Nixon's attitude, his lack of real concern, suggests that his Administration is motivated by racist attitudes."

Nixon's attitude could also have been motivated by a concern for how Americans would react to building such a monument to a man whose personal staff had included convicted perverts, Communist organizers, and even a member of the Executive Committee of the Communist Party, U.S.A.

One might have regarded the whole thing as a figment of King family imagination had not Leonard Garment, a top White House aide, confirmed the statement, saying it was the first time he had heard that the Kings planned to break off talks; that he had not been aware of any difference of opinion over Mr. Nixon's "Civil Rights" record. He whined "It would be a disservice to the cause of civil rights and the late Martin Luther King if this becomes a political football."

Mrs. King disclosed that she telephoned the President in early February to ask his help for legislation to create a Freedom Memorial Park in the two downtown Atlanta blocks that contain her husband's birthplace, the Ebenezer Baptist Church where he and his father preached, and his grave. She continued: "Mr. Nixon seemed to like the idea, he even sounded enthusiastic. He said he would send 'the best man for the job' to talk to me, and promised that the plan would receive immediate attention from the White House."

Then it turns out that, according to Hanoi Coretta, Secretary of Health, Education and Welfare Robert Finch visited her a few weeks later in Atlanta and offered his Department's help in setting up a Black Studies program as part of the memorial. The conspirators agreed to keep mum about all this until Nixon popped the publicity on April fourth, the anniversary of Dr. King's hurried demise. This had to be called off because of the death of former President Eisenhower.

But talks continued between Leonard Garment and Harry H. Wachtel, the memorial foundation's lawyer. It seems that Garment even met with the architects.

The negotiations cooled as the widow King began to propagandize for the Vietcong, and finally there came a White House letter stating that at this time the President was "not prepared" to support the proposed legislation. The Reverend Martin Luther King Sr. moaned that "Martin's memory has gotten cold."

The widow King observed between pitches for the kindly Vietcong: "We had to convince ourselves that the national Government was not willing to help us." So now the memorial foundation is going to go out and raise through a private campaign the three million dollars deemed necessary. Remembering what Phineas T. Barnum said about a sucker being born every minute, they will probably get the money, too.

One thing for which all good Americans should give thanks is that President Nixon did not dare to go through with this caper. It would have otherwise been tantamount to the government building a memorial to Benedict Arnold, who certainly did less harm to America than the sniveling, hypocritical leader of the "Communist-dominated" Southern Christian Leadership Conference.

It is interesting to note that on the board of the King foundation are such people as former Vice President Hubert H. Humphrey; Senator Hugh Scott of Pennsylvania, the new Senate Republican Leader; Senator Edward M. Kennedy of Massachusetts; former Supreme Court Justice Arthur J. Goldberg; Sidney Poitier, the Leftist screen actor; and, of course, the Reverend Ralph Abernathy, who first won fame by outdistancing an irate husband in Montgomery, Alabama, but who is now King's successor.

Well, there's no doubt they'll collect the gelt (the Rockefeller Brothers Fund has already coughed up $250,000), but it looks as if we'll be spared the disgraceful spactacle of the American taxpayer being required to honor a tinhorn Comrade.

OBSERVANCE OF THE WARSAW GHETTO UPRISING, APRIL 19

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. ROONEY of New York. Mr. Speaker, for us as Americans the word "ghetto" finds itself in more and more usage in our daily speech. It has become a one-word definition of poverty, squalor, and depressed living conditions. Yes, today "ghetto" connotes suffering, and privation and more often than not the cause or breeding place of crime. Seldom do we relate anything good or commendable with ghettos. There is, however, one magnificent exception to this trend.

This exception relates to the ghetto of Warsaw, Poland, during the most crucial days of World War II. Even then this ghetto encompassed mass starvation and privation, wholesale enslavement, and ruthless racial persecution, but the ghetto of Warsaw has become synonymous with courage and gallantry. Since 1943 freedom-loving people throughout the world celebrate annually on April 19 the uprising by Jewish combat forces which took place in Warsaw's famed ghetto.

This event which we share in annually observing with our Jewish friends not only commemorates the valiant but futile fight of the armed Jewish resistance under the leadership of the gallant Mordecai Anzelewicz, but it serves as a reminder of the sacrifices made by more than 6 million European Jews who fell victim to the Nazi terror which swept over Europe during those black days of World War II.

This day, April 19, commemorates the heroic struggle of the outnumbered ZOB patriots who, with a pitiful supply of arms and ammunition, fell victim to the savagery of Nazi hordes. It commemorates the courage shown by Jewish ghetto dwellers in fighting desperately against overwhelming odds.

April 19 commemorates the death or capture of more than 56,000 Jews by the time the last ZOB outpost fell on May 8 and 2-week-old uprising was finally put down. This day serves as a cruel reminder of the Nazi atrocities which leveled over 800 acres of the ghetto in which thousands of innocent victims lost their lives in the flames and pillage wrought by Hitler's hordes.

Mr. Speaker, as we strive to cope with the so-called ghetto problems of our American cities may we ever be reminded of the valor and self-sacrifice of those lovers of freedom who brought about the historic Warsaw ghetto uprising on April 19, 27 years ago. From their exemplary behavior we should reap confidence and courage to rise up against the forces of evil and neglect which today enslave so many of our own ghetto dwellers.

THE CLEAN AIR ACT AMENDMENTS OF 1970

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. REID of New York. Mr. Speaker, I am introducing today the Clean Air Act Amendments of 1970, which would authorize the Secretary of Health, Education, and Welfare to establish nationally applicable standards of air quality.

In my judgment, the application of national air quality standards will be necessary if this Nation is to achieve its goal of cleaning up the air in the foreseeable future. In the past, States have played leading roles in the attack on environmental problems, but it would appear that some States are now seriously dragging their feet. For example, the National Air Pollution Control Administration has rejected the ambient air quality standards submitted by the State of New York for its portion of the New York Metropolitan Area Air Quality Control Region, on the grounds that the proposed standards for particulate matter and sulfur dioxide "do not provide for the margin of safety consideration requirement" established by the NAPCA. Standards could surely be put into effect more quickly if they were set directly by the Federal Government, instead of submitted by the States for Federal approval. Hopefully, the Federal Government will also set the stringent standards which will be necessary if we are to make our air clean again.

In addition to authorizing the Secretary of Health, Education, and Welfare to set nationally applicable air quality standards, my bill would ban from interstate commerce gasoline containing lead or other fuels the combustion of which results in emission of lead particles. According to a recent New York Times article, approximately 600 million pounds of lead were consumed as antiknock gasoline additive in the United States in 1968. Much of that lead is now suspended in the air above American cities, in the form of tiny particles of lead compounds which are one product of combustion in automobile engines. In view of the well-known toxicity of lead, the health hazard to the American people is clear. We must ban lead from a gasoline forthwith.

Clearly, lead is not the only dangerous pollutant which is a byproduct of the internal combustion engine. Therefore, the bill I am introducing today would authorize the Secretary of Health, Education, and Welfare to establish standards respecting the composition or the chemical or physical properties of any fuel or fuel additive, and to test motor vehicles and engines off actual production lines—rather than prototypes—to make sure that automobile manufacturers are meeting motor vehicle emission standards. If motor vehicles or engines fail to meet the emission standards, the certificate authorizing their manufacture will be revoked. In view of the fact that the automobile is a major source of air pollution in this country, such strict attention to curbing emissions from automobile engines is not unwarranted.

My bill would also instruct the Secretary of Health, Education, and Welfare to establish standards regarding emissions from stationary sources such as factories. The standards would be enforced through the injunctive process in Federal courts, with penalties of up to $100,000 per day after the time allotted the defendant to take remedial action.

We must take immediate remedial action if we are to have any hope of reversing the present trend toward pollution of our atmosphere. Dr. Vincent Schaefer of the State University of New York recently said:

> I am dismayed by the all pervasive bluish and greyish hazes that increasingly limit the visibility of distant hills and mountains and even the ground as seen from a high flying plane.

According to Dr. Schaefer, this haze and most pollution come from effluents which consist of invisible particulate matter and accompanying vaporous gases which cannot be seen when they are released into the atmosphere.

There is some evidence that these tiny particles can result in inadvertent weather modification—Dr. Schaefer believes that misty rains and very light snows can be attributed to automobile pollution. This is an extremely complex problem which, in my judgment, deserves more attention than it has received in recent years. I hope that, following passage of the necessary legislation the Secretary of Health, Education, and Welfare will act promptly to establish national air quality standards and will give some thought to the problem of invisible particles and possible weather modification as he establishes those standards.

We must act quickly if we are to restore the clarity of our skies.

BUSINESS & JOB DEVELOPMENT CORP. OF PITTSBURGH RETURNS BETTER THAN 5 TO 1 FEDERAL INVESTMENT

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. MOORHEAD. Mr. Speaker, in their efforts to raise the economic base of the city of Pittsburgh, with special emphasis on minority group areas, Business & Job Development Corp., chartered as a private nonprofit corporation in the summer of 1963, has been a colossal community success, and has returned more than $5 for every $1 invested by the Federal Government.

Some of their ambitious projects are a community-owned, State chartered bank; a shopping center; a business mall and auto service area; a program of neighborhood industrial development planning and expansion and a program of ghetto entrepreneurship that will generate dollars into the community. They are involved in job training, leadership development, counseling, and all phases of community relations.

A summary of their outstanding accomplishments is contained in a recent letter written by their president, Mr. Forest Parr, to Mr. Arnold Leibowitz, Director of the Office of Technical Assistance, EDA, which I would like to share with my colleagues at this point in the RECORD.

While they have been assisted by the Federal Government, and have had the backing of the local community, the real credit in tangible and some not-so-tangible returns belongs to the black citizens of Pittsburgh.

The letter follows:

APRIL 10, 1970.

Mr. ARNOLD H. LEIBOWITZ,
Director, Office of Technical Assistance, Economic Development Administration, U.S. Department of Commerce, Washington, D.C.

DEAR MR. LEIBOWITZ: You will recall that at our contract negotiation meeting some weeks ago I mentioned some very revealing figures relative to cash-benefits of EDA's investment in Business and Job Development Corporation (BJD).

The enclosed tabulation shows the investment in real dollars of $4,947,005.92 by local industry, banks and other lending institutions, local and state government, foundations and other sources. EDA investment in BJD since our inception has been $805,676.92 so that on this basis alone the return to the federal government has been in a ratio of 5.1 dollars generated for each dollar invested.

It should be emphasized that these figures are not someones subjective value of effort but are actual funds invested in our local effort as a result of continued support by your agency beyond the normal period of funding.

Of course our outstanding accomplishments in which you can share our gratification are the Hudson Place Westinghouse vehicle plant which is employing some fifty (50) "hard core" and underemployed persons in challenging skilled jobs, our Sussite building which will in large measure support our continuing operation, our Silvestri manufacturing operation employing some twenty-two (22) employees and our Silver Lake industrial park. Immediate benefits to the black economy are obvious in the form of jobs created and rental income from Sussite. Long range benefits in the form of profits and borrowing power as we acquire equity in Hudson Place and Silver Lake will be of even greater significance.

We would not even attempt to assess the value of such intangibles as volunteered expertise and participation of all kinds on the part of the entire community nor a degree of real understanding generated between BJD and our "hard core" militants. Yet these are without question assets generated and developed by our continued support.

This support has enabled us to bring together all of the various agencies, both government and private that must participate together to make such progress possible.

This information is for your record only and we feel that you will share with us some feeling of accomplishment.

Very truly yours,

FORREST L. PARR,
President.

VIETNAMIZATION—AN APPRAISAL BY A FORMER POW

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. RARICK. Mr. Speaker, as one who has had the experience of being a prisoner of war in Europe during World War II, I am naturally sympathetic with the plight of all prisoners of war.

Today, many young American prisoners of war are being held as hostages in North Vietnam while being subjected to extreme physical and mental abuses—all in violation of international law.

The March 23, 1970, issue of the Washington Report of the American Security Council contains a most thoughtful analysis of the prisoner-of-war crisis in North Vietnam. Written by Duane Thorin, an author and lecturer, and also a former prisoner of war in North Korea, the article evaluates the serious POW problem in the realistic manner of one who knows by experience.

Mr. Thorin offers the only realistic solution that can assure the release of our captured men.

Because of the importance of his views in the premises, I commend the indicated article to our colleagues:

"VIETNAMIZATION"—AS VIEWED BY AN AMERICAN PRISONER OF WAR

The announced policy of gradual "de-Americanization" or, as it is more often called, "Vietnamization" of the war in Vietnam seems to have satisfied most Americans as a way to honorably extricate ourselves from that purportedly unwinnable conflict. Dissent from responsible sources has mostly to do with the speed of the process—some saying that the rate of withdrawal of U.S. forces is too slow, others warning that it may be too fast. Even the self-avowed friends of the enemy here at home have been somewhat muted in their irresponsible rantings since the "Vietnamization" plan was announced and reduction of U.S. forces in combat begun.

There is, however, one small group of Americans whose opinions have not been heard; even though the subject is of most vital importance to them. That is those several hundred—possibly more than a thousand—U.S. servicemen held captive by the Communist regime in North Vietnam. The rest of us would do well to remember that their part in this war cannot be "Vietnamized."

Neither can those men presently speak for themselves to the rest of us on this matter. Therefore, the reader is invited to imagine for just a few minutes that he is himself "sitting out" the rest of this war in the place of one of those known or unknown Americans now held captive in North Vietnam. To assist the imagination, here are a few considerations:

PRESSURES ON PRISONERS

(1) Depending upon just which of those men you imagine yourself to be, you have been a prisoner anywhere from a few months to 5 or 6 years.

(2) During most of that time you have been in solitary confinement, with no one to talk to except one and another of the enemy. If you are caught trying to communicate with another prisoner, in any manner, you may be denied some of your "privileges", such as food, sleep, washing your hands and face, or going outside your cell to answer the call of nature.

(3) You've been threatened with death—probably a horrible manner of death—many times; and sometimes may have wished the threat had been carried out.

(4) You've been told you are a "war-criminal," not entitled to treatment according to international law pertaining to prisoners of war. And you know by now that your captors would make up their own rules in any case.

(5) If you're one of the "lucky" ones who is known to be alive and a prisoner, you may have received one or a few letters from your family. But this hasn't necessarily helped your morale as much as some folks back home seem to think it should, because your captors will have timed its delivery to you, after examining it carefully themselves, in the hope that it might add to your feelings of loneliness and despair.

(6) As for news of the war, and of goings-on back home, you'll probably have received quite a bit—as selected for you by your captors from various U.S. publications. Clippings on the activities of the so-called "anti-war" groups probably haven't bothered you so much as the Communists expected, since you recognized that those groups are made up of a few friends of the enemy followed by an assortment of kooks and pseudo-intellectuals. More bothersome by far will have been the reports accurately quoting one and another U.S. government official over the past several years, as they reiterated the long-standing officials lines that "there is no way to end the Vietnam war promptly"—"it may have to go on for many years"—and "it may never really end, but just sort of fade away."

Such statements as those, which you know to be accurate quotes, have lent much weight to a couple of the lines your captors have been bugging you with: "You'd better learn to cooperate with us, because you are going to be with us for a very long time," and

"Your government leaders don't give a damn about you, so why fight us?"

PRISONERS AND U.S. POLICY

Now the foregoing considerations may not be enough for even the very imaginative to fully feel what it is like to be a prisoner of the Communists. But they may suffice for a more realistic guess as to how our countrymen who are captive in North Vietnam might view the "Vietnamization" strategy. And the chances are better than even, that those men have been shown quite a few factual reports about the "Vietnamization" policy. For their captors will have quickly noted that there is nothing within that policy—as it has been publicly defined to date—which offers any solace or hope to the Americans they hold prisoner.

This is not to suggest that the Nixon Administration has no concern for the well being of our captive servicemen, or has overlooked the POW issue entirely. Quite to the contrary, it has in recent months made considerable effort to arouse public interest in the matter.

Many top officials—including the President himself—have spoken out on the subject. Direct appeals have been made to Hanoi's representatives in Paris to at least release the names of the prisoners they hold. An effort was made (to no avail) to have the matter taken up by the Human Rights Commission of the United Nations Organization. Former prisoners who have escaped, and some who were released by the enemy in one of several propaganda ploys, have been allowed to publicly describe some of the maltreatment they and their fellow prisoners received at the hands of their communist captors. Relatives of missing and known captive servicemen have been encouraged (at least implicitly) to make direct appeals to North Vietnamese officials for information about their men.

XUM

As a convincer, if one is needed, that he wants the POW issue publicized and emphasized, President Nixon hosted a representative group of missing men's relatives in early December, 1969, and pledged to them that he would attempt to negotiate a humane settlement of the POW issue as quickly as possible.

AN INCONSISTENCY

There is, however, some reason to wonder if the dominant members of the President's advisory staff themselves do not recognize the full significance of the POW issue. For example, there is a disturbing inconsistency between the President's pledge to the families of captive and missing men in early December that he would "negotiate" a settlement of the POW issue as quickly as possible, and his press conference statement on December 8 that he believes "the Vietnam war will come to a conclusion regardless of what happens at the bargaining table," because we are replacing American troops with Vietnamese forces.

North Vietnam has repeatedly made clear that they will not negotiate the prisoner issue separately from other aspects of the conflict. And certainly the Commander-in-Chief would never consider the war "concluded", even in the sense of "de-Americanizing" the combat action, so long as American servicemen are still held captive by the enemy.

North Vietnam has good reason (from their point of view) to hold back on negotiation of the POW issue. To the Communists, those countrymen of ours whom they hold captive are hostages—quite literally—"bartering items" in the negotiating part of a "negotiating-while-fighting" strategy. And because the Hanoi regime has been allowed to get away with a "negotiating-while-fighting" strategy, it can exploit those captive Americans to its own purposes without any cooperation or collaboration from the men themselves.

The price Hanoi would likely demand as ransom for our men they hold hostage would probably far exceed the bulldozers Fidel Castro wanted in exchange for the Bay of Pigs prisoners, or the official "confession of guilt" which North Korea got in exchange for the "Pueblo" crewmen.

PAST TREATMENT

The Communists also have considerable reason to believe they can get away with continued abuse of the Americans they hold captive; mainly because they've gotten away with so much before. In August, 1965, as one example, Hanoi boastfully announced to the world at large that two American airmen were beheaded—by order of the Communist high command. The official U.S. reaction was a formal note from the U.S. State Department "deploring" the act. From the American public there was very little reaction, probably because the incident was given little mention in the major news media in this country, and the Johnson Administration showed no desire to make it a public issue.

Again in July, 1966, the Hanoi regime dared to publicize one of its gross abuses of American prisoners. Movie films were allowed out of North Vietnam—deliberately, for showing in the United States—of American captives, bound and chained, being paraded through the streets of Hanoi, harassed by near hysterical mobs lining the curbs. Along with that was the announcement by Communist officials that they were considering holding public trials and executions of American prisoners as "war criminals."

This time there was some reaction from the American public. A flood of phone calls to local TV stations and network offices were clear evidence that the publicizing of this atrocity could arouse general public indignation. At least one prominent network commentator (Eric Sevareid) was moved at once to editorialize a warning to the effect that further actions of this sort by Hanoi might incite the American people to demand all out military retaliation against North Vietnam.

The reaction of U.S. officialdom was reported as follows in the Washington, (D.C.) Post of July 16, 1966:

> Officials privately are concerned about the impact execution of any American prisoners as "war criminals" would have on conduct of the war. The emotional outcry in the United States, said one official, would put tremendous pressure on the Johnson Administration to remove remaining restraints on carrying the war to North Vietnam and would grievously undermine those who advocate moderation.

That no great public outcry did develop in 1966 to strike North Vietnam in retaliation was probably due in large measure to the fact that the subject was quickly dropped from prominent mention by most of the major news media. Also, there was no effort by U.S. officialdom to keep the matter alive in the public mind. No more such films have since been shown on the American TV networks. But that is certainly no assurance that our countrymen held in North Vietnam have not since been badly abused by their Communist captors.

PUBLICIZING THE ISSUE

Given the background of softness in official reaction during the Johnson Administration, there should be little wonder that Hanoi would continue its abuse of American prisoners unless and until the new U.S. Administration demonstrated a harder line on the matter. And so far the Nixon Administration has not really done so; its recent efforts to publicize the POW issue notwithstanding. For all that has really been done so far is to publicly *complain* about the way our men are being mistreated. There has still not been even the suggestion that we intend to do anything to the persons in North Vietnam who are responsible for the atrocities.

There have been some small benefits here at home from the Administration's publicizing of the issue. For one thing, more of the general public is now concerned about our captive and missing men in North Vietnam, whereas previously about the only ones who even remembered them were their relatives and close personal friends. Also, a handful more of American prisoners have since been released by North Vietnam in a rather obvious effort to counteract the adverse publicity they had been getting for their mistreatment of prisoners generally.

But the lot, or the prospects, of those hundreds of men still held captive—and of their families—has not been in any appreciable measure improved by all this. Anyone who thinks that a flood of complaining letters, or "moral suasion," or the pressure of "world opinion" will cause Communist leaders to change their ways in this matter has not yet learned the first lesson about the Communist rationale.

HANOI'S RESPONSIBILITY

Basically, to improve the lot of our men in captivity and help speed the day of their release, it is necessary to put their captor-persecutors at the risk of being called personally to account if they don't change their ways. And some of their own *excuses* for maltreatment of the American prisoners could well be turned on the Communist leadership in Hanoi. To wit:

The Communists in Vietnam (as previously in Korea) have repeatedly cited the "Nuremburg principle" or "precedent" as the basis for treating American captives as "war criminals", instead of respecting their rights as prisoners of war. The "Nuremburg principle" (whether or not it deserves to be called a principle) consists in the idea that the victors in war are entitled to treat the vanquished in any manner they wish, including ex post facto definitions of crime and punishment. Ordinarily there might be good reason to question the wisdom and propriety of the Nuremburg precedent in those regards. But since the enemy high command has in this case endorsed it in justification of their own policies, they fully deserve to have it applied against them. They are, in truth, war criminals on a basis of international agreements quite apart from Nuremburg precedents.

To effect a change in the enemy's behavior requires a change in our overall Vietnam policy—to a declared objective of complete victory over the North Vietnamese dictatorship; unless they promptly come to terms for a ceasefire and exchange of prisoners.

President Nixon is in position to make such a change in our policy, in either of two ways:

(1) Because it was already going as an "undeclared" war when he became Commander-in-Chief, he could follow the example set by President Eisenhower in the case of Korea, in 1953. President Eisenhower brought about a cease fire and exchange of prisoners (after "peace talks" had been stalemated for months) by serving notice on the enemy high command that if they didn't come promptly to terms he would order whatever military action might be required to render North Korea incapable of continuing the war.

(2) Or, if he preferred, Mr. Nixon could follow the example set by President Woodrow Wilson at the outset of our entry into World War I; calling upon the Congress to formally declare that a state of war exists—since a state of war does exist involving U.S. forces—and, as President Wilson expressed it, "to exert all its power and employ all its resources to bring . . . (the enemy) . . . to terms and end the war."

While either course would be objected to by some, only a national commitment to *end* the war in Vietnam can now provide any measure of assurance that our men who are held prisoner by the Communists in the North may one day be freed. And only such a commitment can justify continuing to send more of our young countrymen over there to risk their lives under any circumstance. Over 40,000 American lives have already been sacrificed in this unnecessarily protracted war which has, to this point, been victory-less and, therefore, endless by deliberate design. To sacrifice still more lives during a piecemeal withdrawal under fire would only compound previous errors.

FIGHTING PHOSPHATES

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. PUCINSKI. Mr. Speaker, Elizabeth Shelton, one of this city's most highly respected journalists, wrote an excellent article on the impact of phosphates in laundry detergents in our present war against water pollution.

Miss Shelton has performed a notable public service by calling attention to the fact that some American housewives are not waiting for the Government and industry to take effective measures against the environmental problem that detergents are creating, but rather these housewives are staging their own campaign by going back to soap and old-fashioned washing soda.

Miss Shelton may very well provide the trigger for a nationwide movement to deal with one of our most vexing problems in water pollution.

Her excellent article, which appeared in the Washington Post, follows:

[From the Washington Post, Apr. 15, 1970]

FIGHTING PHOSPHATES

(By Elizabeth Shelton)

Some American housewives are not waiting for government and industry to the environmental problem their busy washing machines are creating.

Instead of using laundry detergents containing phosphates in their automatic washers, at Columbus, Ohio, the group is going back to soap and old-fashioned washing soda.

"We don't know exactly why it works, but it does," explained Sue Hotchkiss, who founded Operation for Our Children: A Better America. The organization has collected close to a million signatures and hopes to get as many as 20 million to publicize the citizens demand for unspoiled lakes and streams.

Since January, the group has organized branches in most major cities with financial help from foundations and the Tuberculosis Association. Mrs. Hotchkiss estimated yesterday that 20,000 men, women and children are circulating petitions.

Their washday formula is simple: presoak laundry in a solution of warm water with four tablespoons of washing soda. Then launder two tablespoons of washing product that contains one per cent or less phosphate.

Clothes, claims Mrs. Hotchkiss, come out "whiter and brighter."

Her group's concern over phosphates is that they speed up the natural process called "eutrophication." That is, washday phosphates are nutrients that overfeed plant life in lakes and rivers; the vegetation then consumes oxygen needed by fish and upsets the ecological balance by killing them.

The soap industry argues that the phosphates should not be classed as "pollutants" because they are not dirty or poisonous like pestcides, fertilizers and industrial and human waste that goes into the same waters.

One industry leader, Procter & Gamble, has pledged an "all-out effort" to reduce or eliminate the phosphate content of its laundry products. However, the firm points out that phosphates alone are not to blame. Eutrophication also requires carbon and nitrogen.

Stop, a Society To Overcome Pollution organized by women in Montreal, is concerned with dishwashing as well as laundry. It urges that only soaps with one per cent or less phosphate and washing soda be used for dishwashing, either by hand or by machine.

A number of products are listed by various sources as containing one per cent or less phosphate, including Lux, Ivory Snow, Fleecy, Whistle, Jet Spray, Lessal soda and borax.

The same sources rate a number of heavy-duty laundry detergents as containing 20 to 40 per cent phosphate, including Axion, Biz, Cheer, Oxydol, Tide XK, All, Duz, Fab and Bold.

Many heavy duty laundry detergents, such as Axion, Biz, Cheer, Oxydol, Tide XK, All, Duz, Fab and Bold rate from 20 to 40 per cent in phosphate content.

All liquid dishwashing detergents tested at the University of Toronto were found to contain less than one per cent phosphate, according to the ECO Bulletin, an environment-concerned newsletter.

Meanwhile, several members of Congress have introduced legislation to ban detergents containing polyphosphates. Rep. Roman C. Pucinski (D-Ill.) introduced a bill that would amend the Federal Water Pollution Control Act to forbid the import or manufacture of the phosphorus-containing detergents.

Sen. Gaylord Nelson (D-Wis.) introduced bills to ban the import of phosphates for the manufacture of detergents and make it illegal to market detergents with phosphates. Sen. Edmund Muskie (D-Maine) is ready to offer a water quality protection bill this week.

HON. LEONARD WOLF

SPEECH OF

HON. WILLIAM T. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 9, 1970

Mr. MURPHY of Illinois. Mr. Speaker, it was with shock and sorrow that I learned of the death of our former colleague, the Honorable Leonard Wolf, who represented the Second District of Iowa in the 86th Congress.

It was my privilege to come to the Congress in 1959 with Leonard Wolf. During the 2 years he served in the House, I came to know him not only as a fellow legislator but as a good friend. Although his service in the House was brief, it was marked by dedication and devotion to public service and compassion and concern for those less fortunate.

Mrs. Murphy joins me in extending our deepest sympathy to his wife, Marilyn, and their three children.

DANGER OF MORE POWER "BLACKOUTS"

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. BUSH. Mr. Speaker, for the past 3 months, the Republican Task Force on Earth Resources and Population of which I am chairman, has been studying the possibility of a national mineral shortage. Last year, we spent most of our efforts researching the population growth problem. We now feel that the availability of mineral resources is one of the most significant questions related to the population growth problem.

Yesterday, the Task Force was pleased to have Mr. David Freeman, Director of the Energy Policy Staff of the Office of Science and Technology, testify before our task force. Mr. Freeman pointed out that a crucial shortage of mineral resources may occur in the area of fuel minerals. These resources are necessary for the production of electric power that is so vital to modern living. Mr. Freeman informed the task force that the demand for electric power grows 9 percent per year. Yet, the availability to supply electricity may not grow as rapidly as the demand. It is possible that we may be faced with numerous blackouts at certain times of the year when our electric power is drawn upon heavily.

Our Task Force is very concerned with this problem, and the necessary steps that must be taken to obviate any crisis. Mr. Freeman's comments were most helpful and informative, and provided us with one of our most stimulating Task Force meetings. A recent article in U.S. News & World Report, April 20, 1970, entitled, "Danger of More Power 'Blackouts'" aptly describes the situation that our task force discussed yesterday, and I insert this article in the RECORD at this point in order to more fully explain the gravity of this situation:

DANGER OF MORE POWER "BLACKOUTS"—ELECTRIC SHORTAGES WILL UPSET MILLIONS OF HOMES THIS SUMMER. UTILITIES ARE PRESSED TO MEET DEMANDS FOR POWER. OPPONENTS BLOCK NEW PLANTS, CLAIMING THEY HURT THE ENVIRONMENT. THE IMPASSE MAY BECOME CRITICAL IN SOME AREAS

Once again, millions of Americans face a summer when their homes may go dark without notice.

Others—in homes, office buildings and theaters—will be asked to turn off air conditioners on the hottest days.

In some localities, stoves and other appliances may have to go unused for periods of time because there will not be enough power to run them.

Citizens of New Work City have been warned that it may be necessary to black out sections of the city from time to time during the coming hot months because there will not be enough electricity to go around.

In Minneapolis-St. Paul, power may be short if a new nuclear power plant, being held up by a bitter court fight, does not get quick approval.

The traditionally power-rich Northwest, served by huge Government power projects, may face shortages because of delays in building new generating facilities.

In Washington, the U.S. Senate is being wired so each Senator will have a public-address microphone at his desk. The system is part of a project to equip the Capitol with auxiliary generating equipment because engineers expect a power shortage this summer.

LOSING THE RACE

These developments are all part of a growing crisis in the nation over the inability of many electric utilities to keep pace with skyrocketing demand for electricity by both individuals and industry.

Every year this demand grows 9 per cent. Use of electricity in the U.S. doubles every eight years. This growth is running ahead of industry's ability to construct new facilities.

During the past winter, 39 of the nation's 181 largest utilities were seriously short of power. They had electricity reserves of less than 10 per cent to meet an emergency.

This summer many of these same utilities will still be short of power. Average emergency reserves are forecast at about 16.5 per cent for the nation as a whole.

Federal Power Commission officials say that such skimpy reserves are inadequate for reliable service to customers. If the industry does not improve its ability to meet emergencies rapidly, Congress seems ready to place new federal controls over their operation.

The Nixon Administration is expected to propose to Congress in the near future that States be given full authority to approve the location of plants and transmission lines to resolve time-consuming conflicts between utilities and citizens' groups over construction sites. An industry panel made such a recommendation about 18 months ago.

Because there is a shortage of reserve power, blackouts are rising year after year, as the chart on page 59 shows. When an electrical storm or some other cause of failure in the power system occurs, air conditioners stop whirring, lights go out and refrigerators and freezers halt. Electric companies are attacked for their failures.

To satisfy Americans' almost insatiable demands for electricity, electric companies will spend about 24 billion dollars on new equipment in the next five years, compared with about 13 billion in the last five years. Industry officials say that if they can keep all this construction on schedule, the power crisis can be ended by the mid-1970s.

But electric-plant and transmission-line construction is running into strong opposition from environmentalists and conservationists in almost every section of the country. Among their objections:

Conventional power plants pollute the air when they burn cheap fuel containing a large amount of sulphur.

Nuclear plants may give off radiation that is hazardous to health.

Cooling water used to keep power plants from overheating flushes into surrounding waters at temperatures that kill some valuable forms of marine life.

Plants and transmission lines outside the cities are accused of defacing the surrounding countryside.

Such opposition is largely responsible for the critical electrical problems New York City now faces, according to officials of the local utility, the Consolidated Edison Company. The firm's 1-million-kilowatt addition to its Indian Point nuclear plant on the Hudson River has been held back by foes of atomic power. And a 2-million-kilowatt hydroelectric plant on the Hudson River north of Indian Point has been held up by environmentalists who claim it will destroy the beauty of the surrounding river valley.

"To meet the situation," said Con Ed chairman Charles F. Luce, "we have taken a number of actions. most importantly, we ordered 1,184,000 kilowatts of oil-and-gas-fired turbine peaking units for installation on the fastest practicable timetable."

These "peaking units" are basically jet engines that blast hot air against turbine blades to operate generators.

The turbines can be turned on at a moment's notice and begin generating electricity immediately in an emergency. Full-scale electric plants take 12 hours or more to get going, and often are not working until after an emergency power shortage has passed.

Con Ed expects to have half these generators working by June 1, before the hot season starts. The rest will be installed before October 1. However, even with this new emergency equipment, the utility doubts it can avoid some power shortages this summer.

The company's low reserves threaten to put great pressure on other utilities in the Northeast. They are all linked together in a grid. When one utility, such as Con Ed, runs short, it is supposed to be able to borrow from others on the grid. But some of these other companies now have problems on their own.

Edwin H. Snyder, chairman of Public Service Electric & Gas Company, serving about 85 per cent of New Jersey power users, said, "Generally, we think we are in good position. But we can never say there won't be a brownout."

If Public Service runs into trouble, Mr. Snyder outlined this plan of attack:

"We go to our large commercial customers and ask them to cut back. . . . It's a plan whereby they voluntarily agree to cut some uses of electricity.

"Beyond that, if further power conservation is required, we go on the radio and ask residential customers to cut back their use of electricity. We did this once last summer for the first time in our history. We have prerecorded messages for New Jersey, Philadelphia and New York City radio stations that broadcast in our area."

A TIGHT SUMMER

Robert W. Wilson, a vice president of the Potomac Electric Power Company, which serves Washington and its Maryland suburbs, expects "a very tight summer."

Critical to Pepco's well-being is a new plant in Morgantown, Md. It is due to begin service by July 1, and officials are hoping it will start up without some of the problems that plague many new electric-generating plants.

In Minnesota, operation of a nuclear plant that would provide Minneapolis-St. Paul with sorely needed reserves has been stalled in the courts.

Although the plant, located at Monticello, has been approved by the Atomic Energy Commission, the State government is opposing it on the ground of possible hazards from radiation and heated water, AEC will hold another hearing on the plant soon. Also, a federal court will probably soon rule on whether the State had the right to override the AEC's original approval of the plant.

Said R. D. Furber, vice president of the Northern States Power Company, owner of the plant:

"If Monticello cannot operate during the summer of 1970, we would have no reserve for our generating system.

"This would place us in a precarious position. If we lost any other generating plant, it would require us to possibly go to a brownout situation. If unusually hot weather prevails, the problem would be much more severe."

WESTERN PROBLEMS

Congress is being blamed for a growing power shortage in the Pacific Northwest, where huge Government-owned dams and power plants supply much of the area's electricity. Lawmakers have been slow in appropriating funds for the Interior Department's Bonneville Power Administration to build new plants in the region, critics contend. "The region faces an actual brownout on the use of electricity," says one utility official.

"We're looking to California for help in the period," said Arthur J. Porter, vice president of the Portland, Oreg., General Electric Company. He referred to the "intertie," like the East Coast grid, that allows the Northwest to borrow electricity from California, where there still are ample reserves.

In Florida, the Florida Power & Light Company encountered an unexpected shortage at the start of the year because of cold weather. "It was necessary for us to ask some of our largest customers to reduce the load over the evening peak for two cold snaps," said F. E. ("Gene") Autrey, company vice president.

The outlook for the Miami area this summer is described as "fair." Difficulty with one generator has reduced production of electricity, and the company will have less than a 10 per cent reserve to meet emergencies.

By the summer of 1971, Florida Power officials say, power shortages in the area will be critical if the nuclear plant it has planned for the edge of Biscayne Bay, about 30 miles south of Miami, cannot be built.

The plant is the subject of both State and federal lawsuits, charging water from the plant would pollute the bay. If the plant is not operating, Florida power claims it will not be able to meet demands for electricity a year from now.

ATOMIC CONTROVERSIES

Florida's problems are just one of many controversies over new plants that threaten to make the coming years even more desperate for many utilities.

Atomic plants are under attack all around the country. There are now 17 nuclear plants in operation, an additional 49 being built, and 44 in the active planning stage. At least a quarter of those under construction have run into opposition from citizens' groups.

The Atomic Energy Commission is trying to ease the situation. On March 20 it issued some proposed changes in the way it determines what is a safe nuclear plant. New plants would be required to keep radiation to minimums well below the present standards. But AEC officials are not convinced that the new standards will satisfy staunch opponents of all nuclear power.

Other utilities have found themselves caught in the crossfire between opponents of nuclear plants and facilities that burn coal.

In southern California, the Los Angeles Air Pollution Control District took some actions last December that, in effect, ban all new power plants that would burn fossil fuels in the Los Angeles Basin. Construction has been stopped on a new plant for the department of water and power. An earlier version, designed for nuclear fuel, was turned down by the AEC.

The department of water and power now says, "There is a strong possibility that substantial sections of the city" may be cut off from electric service from time to time by 1972, unless the problem is solved.

TROUBLE IN SWITCHING

Other utilities are stirring up controversies when they try to switch fuels to power existing utilities and still meet air-pollution laws.

For example, Chicago's Commonwealth Edison Company recently got a license from the Interior Department to import 4.5 million barrels of residual fuel oil to power a major generating plant. The reason: Coal created a pollution problem the company could not solve. The Detroit Edison Company is seeking a 3.5-million-barrel license for much the same reason.

But coal companies are up in arms over the Government's granting oil-import licenses for power-plant fuel. It claims that foreign oil will destroy the U.S. coal industry.

Some members of the electric-power industry, including the American Public Power Association, are criticizing the coal industry for being slow in delivering coal, and charge that too much coal is being shipped abroad.

Natural gas, another major source of fuel for power generation, is becoming less available for new customers, power companies included.

Questions are now being raised in and out of the electric-power industry about whether Americans can go on demanding more and more electricity to run all sorts of essential equipment and household gadgets and still have clean air and water and an unlimited supply of fuel to keep the plants going.

BABE-IN-THE-WOODS POLICY IN GREECE?

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. EDWARDS of California. Mr. Speaker, I received a report today that the European Common Market had decided to review Greece's associate membership with a view toward possible expulsion. If that is indeed the case, the United States is rapidly becoming the only significant supporter of the Greek military regime, a support based on shortsighted military considerations which are in themselves questionable. The fact is the Greek junta is giving us no greater military advantage than we have received from previous democratic Greek governments or than we can reasonably expect from democratic governments in the future. But, more importantly, European leadership is now raising the moral and political questions which American political leaders should be raising. Let us hope the President and the Secretary of State will not take the narrow military view in their present considerations of military aid to Greece. Under leave to extend my remarks in the RECORD, I submit the following report by David Braaten in the Washington Star on the Danish position, reports in the New York Times on torture of Greek prisoners, and a Times editorial which helps to put the United States' position in perspective:

HARSH REALITIES IN GREECE

Jean-Jacques Servan-Schreiber has brought off an admirable coup in persuading Premier Papadopoulos to free Mikis Theodorakis and to permit the ailing Greek composer to go to France for medical treatment.

However, neither this gesture—welcome as it is—nor the Premier's earlier announcement that some constitutional rights will be restored, should deflect attention from the spreading tyranny and repression under the colonels. The timing of such "humanitarian" acts is not accidental; Mr. Servan-Schreiber is being modest but also accurate when he credits "international pressure" for the freeing of Mr. Theodorakis.

The junta has come under growing attack from abroad for the harsh sentences given by a military court this week to 27 Greeks convicted of sedition. It is also trying to abort or blunt a condemnation by the Council of Europe for torturing political prisoners. In similar past circumstances, Colonel Papadopoulos has announced an easing of martial law or a restoration of rights that proved meaningless in practice.

His "restoration" of press freedom is hollow, coming immediately after the closing of the Athens newspaper Ethnos because its editors and publishers were imprisoned for printing an interview urging the restoration of democracy. His projected release of 350 of 1,500 political prisoners will not atone for the sentencing of seven defendants in the Athens courtmartial to terms from ten years to life imprisonment under a law of dubious applicability.

It is dismaying that during the recent political trials in Athens several ships of the United States Sixth Fleet called at Piraeus. Greek democrats inevitably saw these visits as symbols of support for the colonels. At a time of rising hostility to the junta, the least the United States can do is to join in the remonstrances of its European allies and refrain from any gesture that could be construed as approval of the oppressors.

TORTURE IN GREECE

(By David Braaten)

Even after a quarter-century as one of the world's superpowers, the United States is still regarded in some otherwise friendly quarters as a political babe-in-the-woods.

The latest uneasy ally to give this impression—politely but unmistakably—was Prime Minister Hilmare Baunsgaard of Denmark, in Washington on an official visit.

At a press conference yesterday in the Danish embassy, Baunsgaard repeatedly differentiated between the "political" considerations the Danes feel are important and strictly military considerations, which he implied carry too much weight with American policymakers.

SAYS UNITED STATES HAS POWER

The specific issue was the militarist Greek regime, which the Danes view as an embarrassment to the democratic image of the North Atlantic Treaty Organization. The U.S. government, to the Danes' dismay, is considering resumption of military aid to the Greeks to strengthen NATO's southern flank.

All the NATO member nations should try to influence the Greek regime toward a relaxation of its authoritarian rule. Baunsgaard said, but the United States is in the best position of all to bring pressure for change.

"The United States should tell the Greeks that their many words about freedom should not be only words, but reality—and there is no reality now," Baunsgaard said. Continued military supplies should be made contingent on democratization of the Greek government, he said.

Though Baunsgaard refused to predict which way President Nixon will decide—for resumption of full-scale military aid to Greece or continuation of the present embargo on all supplies except replacement items and trucks—he made it clear there had been a certain difference of opinion in his talks with the President and with Secretary of State William P. Rogers.

MUTUAL UNDERSTANDING

"It is fair to say that there was a great understanding of our point of view," Baunsgaard said. "Mr. Nixon and Mr. Rogers also asked for Danish understanding of the American point of view."

Mutual understanding aside, the Danish prime minister seemed to be equating the U.S. position with the purely military view the Danes feel is inadequate.

Baunsgaard would not say whether he had been left with the impression that military aid to Greece will be resumed, but said only, "If the United States increases military supplies to Greece, it will be worse than now from the Danish point of view."

It would help, he said, if other NATO allies who he said shared the Danes' distaste for the Greek regime, would make their feelings known to the U.S. government. The administration is expected to announce its decision on Greek aid any day now.

WELCOMES TROOPS IN EUROPE

The ambiguous feelings of small nations toward the military might of the United States was made clear in the Danish prime minister's statements on American military presence in Europe and in Southeast Asia.

He welcomed, he said, U.S. assurances that there would be no significant reduction in American troop strength in Europe in the next year or two. Peace will be strengthened if the United States makes clear its determination to defend Western Europe, he said.

On the other hand, in Vietnam, the prime minister said, it has always been the Danish fear that U.S. involvement could lead to a global war.

(By Eric Pace)

STRASBOURG, FRANCE, April 15.—Fifteen Western European Governments asserted jointly today that the Greek military junta engaged in "torture and other ill treatment" of its political prisoners. The Governments also made public a 40,000-word report dealing alleged misdeeds by the authorities in Athens.

The allegation of torture came in a resolution adopted by the Committee of Ministers of the Council of Europe, which met at the council's modern headquarters here.

Of the 17 member nations—all of them parliamentary democracies—all except France and Cyprus voted for the resolution.

Greece, anticipating expulsion by the council, withdrew last December and has already dismissed the report, the substance of which was disclosed in November, as null and void.

"IN THE HANDS OF THE PEOPLE"

Gaston Thorn, the Foreign Minister of Luxembourg, who was chairman of the meeting today, said at a news conference after the morning session: "Now the matter is in the hands of the people. They have the report."

Opponents of the three-year-old Greek Government hope the ministers' action will further arouse public opinion against it. Optimists among them also hope that the Greek authorities may be dissuaded from taking further harsh measures against dissidents.

The report, drafted last year by the European Commission on Human Rights, says that torture and ill treatment of prisoners were an "administrative practice" officially tolerated by the Government of Premier George Papadopoulos.

Among the accounts its gives is the testimony of a 26-year-old woman, Mrs. Anastasia Tsirka, who said she was tied down, gagged and beaten on the soles of her feet while pregnant.

The report says the commission heard allegations of torture or ill treatment of more than 200 detainees. It examined 30 of the cases to "some substantial degree" and concluded that in 11 of them "torture or ill treatment has been established" and that in 17 others there was other evidence corroborating the complaints.

The commission indicated that the Greek police liked to beat prisoners on the soles of their feet because the practice is intensely painful but leaves no lasting marks if skillfully done.

Another criticism of the junta was voiced separately today by the Greek composer Mikis Theodorakis, who was released from detention this week and flew to Paris for medical treatment.

In a message read here, Mr. Theodorakis said that the prison and concentration-camp system in Greece was "inadmissible in any of our European countries, and not only for my country but for every man who is civilized and free."

The message from Mr. Theodorakis, who wrote the music for the films "Zorba the Greek" and "Z," was read at a news conference conducted by Jean-Jacques Servan-

XUM

Schreiber, the French editor-politician, who criticized the French Government for not voting for the report.

NO PERIL OF RED COUP FOUND

The principal conclusions of the 1,200-page document and some of its details were published in the press after being leaked by officials opposed to the Athens government.

It concluded that contrary to contentions of the Greek authorities, there was no danger of a Communist takeover at the time they came to power in a military coup d'etat.

The report of the resolution adopted today asserted that the military government had violated provisions of the European Convention on Human Rights. The Greek authorities have denounced the convention, but the Council of Europe contends that they are still bound by its provisions.

The French Government has not ratified the convention and said that was why it did not vote. The delegation of Cyprus, which has close ties with Greece, made it known that it did not vote because it took exception to the resolution.

The delegations that voted in favor were those of Austria, Britain, Turkey, Switzerland, Sweden, Norway, the Netherlands, Malta, Luxembourg, Italy, Ireland, Iceland, West Germany, Denmark and Belgium.

The resolution called on the Greek Government "to abolish immediately torture and other ill treatment of prisoners, to release immediately persons detained under administrative order" and "to restore without delay human rights and fundamental freedoms."

Excerpts From Council of Europe's Report on Treatment of Prisoners in Greece

Strasbourg, France, April 15.—Following, as made public today by the Council of Europe, are excerpts from a report by the European Commission on Human Rights on the situation under the military Government in Greece. The first section is testimony by Mrs. Anastasia Tsirka, who was arrested in connection with pamphlets deemed suspicious. The second section consists of comment by the commission.

WITNESS'S TESTIMONY

"I say to them (the police), I am going to have a baby. They answer: "Who cares about that? It will be another person like you, it is better not to have it." So I told to them again when I was laid down, "I am going to have a baby, be careful please!" But they do not care at all about my stomach, they do not care at all!

Mallios (an official) ordered to Spanos to give me 15 "Falanga" (blows on the soles of the feet) and he give me 20. I counted, maybe it was not, 18 maybe 21, but it was more than 15, it is silly.

I started to scream very loudly and they put me a very dirty rag in my mouth to keep my mouth shut. So I started to shake, they have me, they started to shake me, and I scream and scream, and I say "oh no, you cannot do that to me!" Oh, I hate the people!

"VERY DARK AND DIRTY"

I was there in [cell] No. 3. It was very, very dark, dirty and they have so many, many bedbugs. Have you ever heard about them? They just come up all over. And you hurt and move like that, always, and no one can hear you. And you scream and there are people outside, they hear you but they cannot give you any help and the guard come in my little window and: "Will you shut up, please. Someone sleep."

"What can I do? and I start to get tired, tired, tired, and fall down, where I never thought I am going to sleep. I just tried not to get dirty like that, then after, after, after I leave that cell I come down and sleep so normal, and I have nothing, nothing.

It was about 5 o'clock in the morning, something like that. I already sleep maybe, I have sleep, I was dizzy and groggy and all that and hurting all over. But I would like to sleep, so I did sleep.

At 5 o'clock it started to come blood, you know, all over my feet, and I feel it, I never saw it, because there is no light. But I feel that I have blood somewhere, so I start to scream. I say, "I lost my baby!" So then the guard comes and says, "What is the matter with you?" Then I show people.

COMMISSION'S COMMENT

The commission finds two features common to many of the accounts of ill-treatment: the use of falanga, and, in particular, its use in the washroom and the Terrazza, Athens. Not all accounts of the washroom and the Terrazza mention the same features, and there are sometimes errors. Thus some describe the small wall outside the washroom; the boiler, the sink with the metal lid and the back door in the washroom, and the notice on the stairs leading to the Terrazza.

The use of falanga has been described in a variety of situations; on a bench or chair or on a car seat; with or without shoes on. Sometimes water has been thrown over the seat and sometimes the victim has been made to run around between beatings. Victims have also been gagged.

The commission considers that the variety of the situations in which falanga is described as being used, and the differences and errors of description of the washroom and terrazza, instead of putting in question the veracity and reality of the accounts, tend to confirm them. For it is natural that, where several witnesses describe the same place or incident, there will be variations and errors of detail; indeed it is the precise repetition of the same features that would be suspect and would point to fabrication.

While falanga and severe beatings of all parts of the body are the commonest forms of torture or ill treatment that appear in the evidence, other forms have been described: For example, the application of electric shocks, squeezing of the head in the vise, pulling out of hair from the head or pubic region, or kicking of the male genital organs, dripping water on the head and intense noises to prevent sleep.

The commission has found it established beyond doubt that torture or ill treatment has been inflicted in a number of cases. It will now apply to these cases, in the light of all the other evidence at its disposal, the criteria it has chosen for determining whether they are part of a practice of torture or ill treatment of political detainees in Greece since the 21st of April 1967; namely the repetition of acts and official tolerance of them.

SOME ROUGHNESS

It appears from the testimony of a number of witnesses that a certain roughness of treatment of detainees by both police and military authorities is tolerated by most detainees and even taken for granted. Such roughness may take the form of slaps or blows of the hand on the head or face.

This underlines the fact that the point up to which prisoners and the public may accept physical violence as being neither cruel nor excessive varies between different societies and even between different sections of them. However, the allegations raised in the proceedings generally concerned much more serious forms of treatment which, if established, clearly constitute torture or ill treatment.

The factor of repetition of torture or ill treatment appears in the concentration of incidents around the security police. It is to be noted that in complaints of torture or ill treatment by the security police, some witnesses have made a distinction between the uniformed guards and more senior officers, usually in plain clothes, and have spoken of help and kindness from the former.

Further, the commission cannot ignore the sheer number of complaints. The International Red Cross reported that at one stage, out of 131 prisoners, 46 complained of torture or ill treatment, and it apparently later investigated further torture allegations, but the respondent Government has failed to submit the report on those investigations.

In the present proceedings, thirty cases had been examined to some substantial degree before the proceedings were terminated following the respondent Government's refusal to make possible the hearing of a number of further witnesses detained in Greece.

MORTON REPORTS ON SPANISH COMMENT ON U.S. FOREIGN POLICY

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. MORTON. Mr. Speaker, the following commentary is something our colleagues might well be interested in listening to. It was broadcast on television on April 2, 1970, from Madrid to an estimated audience of 9 million people. This is similar to the editorial comment made by the manager of the Madrid newspaper Arriba, Mr. Manuel Blanco Tobio.

The commentary follows:

Time and again the United States Government has said that American Troops were in South Vietnam to preserve freedom and independence for that country against the communist threat. Behind this was the belief that if South Vietnam fell into communist hands, the rest of Southeast Asia would follow; and that this accomplished, countries like India, Japan and even the Philippines would fall under the influence of Red China, sooner or later. At the end, the whole Asian continent would be communist.

Perhaps this bleak picture, a real nightmare for the State Department, is overly pessimistic; or perhaps a comfortable justification of the American involvement in a long and unpopular war. But it is a fact that as soon as the United States began to talk about leaving South Vietnam, Vietcong guerrillas and North Vietnamese regular army units went into action, first in Laos and then in Cambodia, fishing in the troubled waters of both countries.

What else could be expected? For the communists, the military and political disengagement of the United States in South Vietnam could mean only a dazzling victory for them and a humiliating defeat for the United States.

It is humane and understandable that the Vietnamese War had troubled so many people, promoted so many demonstrations around the world and damaged the prestige of the United States. But from now on, those among us who picture themselves as anti-communists and pro-West must be prepared to face the fact that perhaps in a few years the whole Asian continent will be ruled by Red China.

Will we blame then the United States when this tragedy occurs? Will we hear the agony of those countries who trusted the West, to discover only too late that they were traded to the enemy in the name of an "honorable peace?" Will we be moved then by the sad fate of millions of persons put in concentration camps or executed?

Some say communism has become vegetarian; perhaps Sir Bertrand Russell was right when he said, "Better red than dead." I don't have the answers for all those questions. It is your turn, Gentlemen. Take a closer look to your own answers!

MIDDLE EAST REFUGEES SOCIETY FOR THE PREVENTION OF WORLD WAR III—"WE ACCUSE UNRWA"

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. FARBSTEIN. Mr. Speaker, it is one of the most unjustifiable aspects of our relationship to the Middle East conflict, that the United States continues indirectly to help finance the activities of illegal terrorists and guerrilla groups that are constantly engaged in making war.

The United Nations Relief and Works Agency for Palestine Refugees—UNRWA—is a great humanitarian project, mostly supported with American funds. But when refugee camps are used as the recruiting and training centers for guerrillas and terrorists, that is not humanitarianism. When this happens, we are helping to support an illegal war that is being constantly waged against a friendly nation. It is time that we put a stop to the misuse of American funds in this way.

This subject is well discussed in an editorial entitled "We Accuse UNRWA," which appears in the current number of Prevent World War III, of 50 West 57th Street, New York, N.Y. 10019.

I include the article in the RECORD:

WE ACCUSE UNRWA

There seem to be two conflicting ideas about the purpose and use of UNRWA (the United Nations Relief and Works Agency for Palestine Refugees in the Near East).

UNRWA was founded 21 years ago to provide housing, food and education for displaced Arab refugees. It was also to train them for reemployment and to assist in their resettlement.

The Arab states, and in particular the several guerrilla and terrorist movements which they support, appear to have a very different view. It is perhaps best expressed in an editorial which appeared November 24, 1969, in one of the major Arab propaganda publications in the United States, a weekly edited by the director of the Action Committee on American-Arab Relations:

"The Palestinian refugee camps in Lebanon have been taken over by Palestinian commando units. . . . The process of the refugee camps becoming a training ground for the commando units is the logical development. . . . We suggest that the several Arab States in which the Palestinian refugee camps exist should delegate authority to the Palestinians to handle the affairs of the camps. . . ."

On the front page of the same publication, a week earlier, appeared a two-column photo of guerrilla units training in an unidentified camp, with the caption "Refugee Camps Become Training Grounds." (*The New York Times* a few days later published a similar photo, taken in the UNRWA camp near Sidon, Lebanon, and captioned "Commando Training in Refugee Camps.")

With the first-stated purpose of UNRWA—the giving of relief—we have the sincerest sympathy. The suffering of human beings everywhere is the concern of all of us.

But the concept of refugee camps as recruiting centers for terrorists must be rejected as outrageous. Money spent for that purpose is worse than wasted: it is used dishonestly, and used to keep the Middle East at war.

Until UNRWA can be restored to its original purposes, and until defects in several of its programs (especially the schools) can be remedied, UNRWA must stand accused of the gravest malfeasance.

(1) UNRWA has wrongfully permitted its facilities to be used for the training of illegal guerrilla and terrorist groups. The case of 14 camps in Lebanon which have been physically taken over by commando units—who have actually placed armed guards at the camp entrances and otherwise usurped control—is only the most recent example. As far back as 1966, the Commissioner-General of UNRWA complained that Egypt was training commando units at camps in the Gaza Strip. At that time, Egypt promised to make restitution ($150,000) for the rations and facilities used by the commandos. Up until this moment (our last inquiry was at the date of going to press) not a single dollar had been repaid. Meanwhile, the Arab press has regularly published accounts of commando units recruited in UNRWA camps in Jordan and Syria, and trained while subsisting on UNRWA rations.

(2) UNRWA has permitted local nationalistic control to be substituted for responsible international control. This was perhaps inevitable in an operation which should have been completed within a period of two or three years, but has been permitted to drag over more than a generation. As the Commissioner-General has frequently pointed out, the refugee camps are subject to the jurisdiction of the host countries. Moreover, the overwhelming majority of UNRWA employees are locally recruited (out of nearly 13,000 staff members at present, only 110 are members of the international staff) and are considered—with varying degree from country to country—to be subject to the control of local authorities. Thus UNRWA becomes not only a subsidy of needy persons, but also a powerful source of financial support for the political purposes of adventurous regimes. It should come as no surprise that one of the hijackers of a TWA plane detoured to Syria had not long before been employed on the local administrative staff of UNRWA in an Arab state.

(3) The children of the refugees, in the camps, are educated to hate their neighbors and to prepare for war against them. This appalling charge is documented in detail in an article elsewhere in this issue (see page 12). An international commission of educational experts named by UNESCO has recommended the removal or modification of a large part of the textbooks used in UNRWA schools—but the Arab states have refused to comply or to allow UNRWA to comply. In Syria, to take but one example, a first-year reading primer compels the young child to learn to pronounce the words: *"The Jews are the enemies of the Arabs. Soon we shall rescue Palestine from their hands."* The Syrian Minister of Education, replying to a complaint from UNESCO, said: "The hatred which we indoctrinate into the minds of our children from birth is sacred."

(4) UNRWA has failed to carry out its original obligation to work toward the resettlement of the refugees. In the beginning, the number of Arabs who departed the area that is now Israel were less than—and certainly not larger than—the number of Jews who were forced to leave Arab lands in the Middle East, such as Iraq, Yemen and Syria. The Jewish exiles were received with open arms in Israel; they were retrained, and they promptly found profitable employment. They have never received any restitution for their lost property, nor have the heirs of those who died in flight received even sympathy from their former Arab masters. In sharp contrast, the Arab refugees were not assimilated into the lands of their kinsmen, but in most cases were kept separated in camps, unable to compete in the employment market, or to sustain themselves. In the Gaza Strip, the controlling power, Egypt, would not even grant passports or other identification documents (except the ration cards provided by UNRWA) to its unfortunate wards. Funds originally allocated for resettlement were used for other purposes. Although committees of the United States Senate and House of Representatives, when considering UNRWA contributions, repeatedly urged that the process of resettlement must be speeded up, no action followed. On the contrary, the Arab propaganda organs accused the United States (which supplies the largest share of the funds of UNRWA) of trying to "liquidate the Palestine Question" by insisting upon its concern that those refugees who wished to do so should be given a chance to lead normal lives in the countries of their current domicile.

(5) UNRWA has permitted itself to be made an object of financial plunder by "host" governments in the Middle East. The fact that a mere census of the camp populations has been prevented in most places lies at the base of this scandal. Vital statistics show that the camp populations have the highest birth rate and the lowest death rate in any part of the Arab world. Medical care superior to that available in most Arab villages in part accounts for this, but it is also cynically said that "a refugee never dies, his ration card is sold in the market"—and this charge is at least in part true. The Commissioner-General has for years, in annual reports, complained of "political obstacles" placed in the way of making any scientific verification of the origins and numbers of camp inhabitants.

Meanwhile, the number of "refugees" has skyrocketed by the birth of children and grandchildren, to reach the present total of approximately 1,400,000—far more than double the original 1948–9 figure.

Equally reprehensive is the manner in which certain Arab states have measurably enriched themselves by illegally charging customs duties on materials destined for refugee camps. Others have charged above-market rates for railway freight transportation, and other local services. Pending claims by UNRWA for excess rail charges alone, against the governments of Lebanon, Syria and Jordan, total more than one-and-a-half million dollars—money that has meanwhile come from the pockets of taxpayers in the United States and other contributing countries. Some Arab states have also derived tax revenues by taxing electrical power and other services sold to UNRWA—in defiance of international conventions exempting the agency from such taxation.

(6) National contributions to UNRWA are grossly disproportionate and the rights of the contributors are disregarded. The United States government alone pays nearly two-thirds of the total budget of UNRWA. If substantial contributions by private corporations and foundations are added, the American proportion of the total bill is still larger. In contrast, neither the Soviet Union nor any nation of the Soviet satellite group has ever pledged an official contribution—although the Soviets have expended vast sums on arming Egypt, Syria, Iraq and other Arab states, and have given backing to those states in their war-like propaganda. As a part of a general settlement in the Middle East, the United States should at least be permitted to have a reasonable voice in the conduct and future administration of UNRWA—and it is only fair to insist that the burden should be shared by financially able members of the United Nations, such as the USSR, who have thus far accepted no responsibility whatsoever.

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WHAT IS THE VERDICT?

The editorial quoted at the beginning of this indictment, from the publication edited by the head of the Action Committee on American-Arab Relations, concludes with an interesting suggestion. Should "pressure" cause the United States government to decrease its subsidy to UNRWA, "the Arab States should make up the balance." Then, says the Arab editor, the affairs of the camps could be delegated entirely to the direction of the "Palestinian refugees."

Considering the war-like and terroristic attitude of the commandos and terrorists to whose whims the refugees would thus be left, we can hardly approve the latter part of this suggestion. But if the largesse of the free nations is to be misused through the misconduct of certain governments, then it is logical that those governments should bear the burdens which we up to this point have shouldered.

The Society for the Prevention of World War III has expressed its views in a telegram to President Richard M. Nixon, reading in part as follows:

"It is authoritatively reported in the press and officially conceded by the Commissioner-General of UNRWA that control and policing of 14 Arab refugee camps in Lebanon is in hands of Palestine commandos or guerrillas primarily armed with weapons of communist origin. . . . In Jordan also UNRWA camps have long been used by guerrillas as centers for training and recruitment. For years UNRWA has been derelict in its duties in failing to correct this situation. Continuation of large American financial support for these camps is therefore tantamount to maintaining a guerrilla army operating against our own interests and condoning terrorism. The American government has no right to use tax money to subsidize terrorism. We therefore urge that you refrain from making new financial commitments to UNRWA until such time as the use of UNRWA installations for guerrilla war purposes has been effectively ended and the control of refugee camps is vested exclusively in the hands of dependable authorities."

We deeply regret the necessity for such a conclusion. We are firmly devoted to the amelioration of human needs wherever they may be discovered but we are also pledged to give such advice as will advance the permanent peace of the world, or at least not contribute to plunging it again into the holocaust of war. We think that the misuse of UNRWA funds is at this time contributing to the latter danger.

We also think that UNRWA, as at present functioning, is not viably performing its primary duty of relief. It has let the refugees become pawns in an international power play, and has permitted war-makers to traffic with their fate for alien purposes. Until this is corrected, the United States ought not to make any further unrestricted pledges to UNRWA—and its support should be explicitly contingent, from month to month, upon a thorough housecleaning of this entire operation.

EQUAL EMPLOYMENT OPPORTUNITY: GENERAL LABOR SUBCOMMITTEE HEARS TESTIMONY IN LOS ANGELES

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. CLAY. Mr. Speaker, as a member of the General Labor Subcommittee of the House Education and Labor Committee, I was privileged to participate in recent hearings on equal employment opportunity which were held in Los Angeles April 9 and 10. The hearings were most productive for committee members who seek to explore the structure of law which will best assure equal opportunity to all citizens who seek employment—and who now suffer discrimination in employment.

I was most impressed by the excellent testimony of Mr. John W. Mack, executive director of the Los Angeles Urban League. Mr. Mack's close association with the employment difficulties of minority groups affords him with an understanding of the related problems which should be shared with Members of the Congress. I urge my colleagues to direct their attention to the following statement which was presented to the General Labor Subcommittee by Mr. Mack:

STATEMENT BY JOHN W. MACK

Honorable Chairman and other distinguished members of this General Subcommittee on Labor, I am John W. Mack, Executive Director of the Los Angeles Urban League. I wish to thank you for inviting me to testify before your subcommittee concerning one of the Urban League's major areas of interest and an area where we have served black and other minority communities in Los Angeles for 27 years. The Los Angeles Urban League operates various programs designed to help alleviate the problems of poverty and racism confronting our brothers and sisters in the greater Los Angeles area. Our headquarters is located at 2107 West Washington Boulevard and provides job counseling and referral services to many. We also have various outreach programs in a variety of locations throughout the South Central Los Angeles, Pasadena, Long Beach and Pacoima.

During the past year, the various offices of the Urban League provided direct services to nearly 35,000 poverty stricken minority citizens in our community. Approximately 30,000 of these individuals were counseled, trained and referred to various jobs throughout the Los Angeles area. Over 5,300 individuals were actually trained and placed in meaningful jobs during the past year by our various manpower programs. A number of them, federally funded, include the Neighborhood Employment Counseling Center and Project Uplift in Pasadena, which are OEO funded programs. We also operate an On-The-Job Training Project and a Labor Education Advancement Program, both of which are funded by the Department of Labor. In addition, the Los Angeles Urban League referred and placed a substantial portion of the better than 5,300 through our regular Economic Development Department. Our nationally recognized Data Training Center (which is a private partnership involving Bank of America Foundation, IBM Corporation and the Los Angeles Urban League) trained and successfully placed more than 165 in various areas of computer technology during the past 12 months.

I share this information with you solely for the purpose of documenting the Urban League's deep and effective involvement in the area of manpower programs which have helped thousands of poverty stricken minorities (primarily black) develop economic self sufficiency, which is one of the important areas of power strongly desired by our historically powerless people.

Despite our efforts and those of others, the problems of unemployment have worsened, rather than improved, for minorities since the 1965 Watts rebellion. Despite the anger and frustration which were articulated loud and clear to those who possess the power, it appears that our total community is doing too little too late. The meager resources which have been committed in relation to the magnitude of the problem indicate a parallel involving combatants—one being given a beebee gun and expected to conquer the other who has a tank. The problem of distorted priorities of our nation and community is similar to that of arming a person with a fly swatter as a weapon and expecting him to defeat a lion.

The gravity of the problem is further underscored by the temptation of many politicians catering to the whims of the now famous silent, selfish and racist majority these days, as many of them support air pollution and water pollution in preference to the human pollution resulting from poverty imposed by a racist society. While it is commendatory for all of us to be concerned about the serious problem of our polluted air and water, if black, brown and white citizens of Los Angeles fail to come to grips with the problems of hunger, and our sophisticated racial bigotry, few will be left to worry about breathing dirty air and drinking dirty water.

The most current figures indicate the population of Los Angeles is 7,199,041. The ethnic composition is as follows: 780,000 blacks; 910,000 Spanish (surname); 190,000 Oriental and other non-whites. As previously indicated unemployment in South Central Los Angeles (where over 40% of the Los Angeles County black population is concentrated) has increased since August 1965. The overall unemployment figures for the county of Los Angeles in January 1970 ranged from 4 to 4.7 percent. The total unemployment rate in East Los Angeles (primarily brown people) and South Central Los Angeles (primarily black) averaged 10.3 percent; in June of 1969 according to the Pacific region Bureau of Labor statistics, the unemployment rate for blacks was an alarmingly high 16.2 percent, and 31.8 percent for all 16 to 19 year olds. These unemployment rates in East and South Central Los Angeles represented an astounding two and one-half higher level of unemployment in our community than the national unemployment rate for other blacks and browns.

These statistics which came from the United States Labor Department, itself, provided the most damaging evidence to support the lack of real commitment by those who possess the power to eliminate this severe problem and any other available evidence. It must also be recognized that these statistics may not reflect the total depth of the problem because it is a well established fact that many do not even become an official statistic.

Another area of serious concern to the Urban League is that of government subsidy to the already rich corporations who cheat poor people in an illegal manner. The United States Labor Department had granted $5,049,125 to nine Los Angeles County industries to create "instant jobs" for "disadvantaged" people primarily in East Los Angeles. As of October 31, the nine companies had received the $5,049,125 from the government; $7,918,100 had been pledged by the Labor Department. However, they had provided only 199 jobs. Of the jobs which had been provided, the hourly wages were as low as $70.00 per week, averaging approximately $1.76 per hour, according to the article. This is an example of exploitation in its worst form. It revealed again how poor people in the Los Angeles area are being denied the opportunity to earn a decent living by some employers in conjunction with an agency of the government. It lends credence to the adage that "The rich get richer and the poor get poorer" in our town. These same dollars may well have been turned over to the minority communities themselves and would have probably resulted in more responsible action.

The Los Angeles community has two additional unique problems which compound employment difficulties for poverty stricken minorities. As you are no doubt aware, our city is large and sprawling. You are probably mindful of the very serious transportation problem. Urban League staff have been unable to place many persons due to the absence of a convenient, reasonable and efficient public transportation system. In addition to the popularly known problems involving Watts and other parts of South Central Los Angeles, the San Fernando Valley and Pacoima offer particular difficulties. There are a number of businesses and industries located in the San Fernando Valley and Pacoima; however, the lack of transportation and the great distance between the prospective employer and employee prevent the two from ever getting together.

Another serious problem which has been strongly felt in the minority community is that of the widespread layoffs in the aero space industry. As is usually the case, blacks are commonly the last hired and the first fired. This has been particularly true as it relates to job entry programs designed to facilitate the inclusion of the so-called "hard core" unemployed. However, the problem has extended beyond the job entry program to include the already trained and more skilled employee. Our offices have felt a sharp increase within recent months of people looking for jobs and at the same time a substantial decrease in available jobs.

Any Congressional action, including legislation, which requires an acceleration of affirmative action in the field of greater employment opportunities for minorities is urged by your Subcommittee. Such legislation should affect the institutions who have either initiated or conspired in exclusionary practices. All employers, no matter how large or small, should be subject to all equal employment legislation. The employment service, itself, should be policed much more vigorously. All training programs guarantee a job at the end of the line for the individual being trained following satisfactory completion of such training. The On The Job Training concept should be expanded and extended in our community. The poverty stricken minority communities themselves must have greater control over the training and employment programs in their communities on all levels. We must be accorded wider opportunities for the operation of various governmentally funded programs through our agencies and organizations, old and new, so long as they possess reasonable competence.

Legislation, such as House Bill 6228 being considered by your Subcommittee, represents a positive step in the direction of strengthening and expanding equal employment opportunities for minority group citizens in Los Angeles and throughout the nation.

TAXES

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. McCARTHY. Mr. Speaker, April 15, 70 million Americans went through the annual ordeal of filing Federal income tax returns. While Congress has been considering various tax reform proposals, nothing has been done to assure the taxpayer a form which will assist rather than hinder this sometimes painful obligation, which most accept with grace and forbearance.

The highly publicized form 1040 is virtually impossible for anyone to follow. I am at a loss to understand why the administration presents the U.S. taxpayer with regulations which a mathematician has difficulty in comprehending. Everyone, including the Internal Revenue Service, is exasperated by the number of unintentional errors. About the only people to profit from this confusion are the so-called private tax experts who are adding to the financial strain of the already overburdened taxpayer.

I know that if each Member of Congress had to go through this form point by point on his own, Congress would scrap its format immediately. As it now stands, a nurse who heretofore paid $5 for private assistance now pays $40. A technician who last year paid a tax consulting firm $7.50 was charged $40 this year.

Justice Holmes once said that he was happy to pay taxes because "with taxes, I buy good government." I doubt if he would have this conviction today.

The people of this Nation have a record of remarkably honest compliance with Internal Revenue obligations. The least the Government could do is make the effort as easy as possible, and not add to their heavy costs during these times of high inflation.

As usual, IRS officials have carried out their duties with fairness and integrity. They have been of invaluable assistance to those of us who remain baffled by the confusing instructions and procedures.

Many of these IRS agents are busy auditing past years' returns. I was among many who have recently cooperated in this auditing effort and I join those who recognize the importance of this job. I will always be happy to share information relating to my income tax returns with authorized officials.

I am, however, strongly opposed to efforts by political appointees in the Government to obtain tax returns without explicit justification. Presidential Assistant Clark Mollenhoff has evidently been receiving individual tax returns for no good reason.

This practice is inexcusable and I would think an affront to those IRS officials who carry out their responsibilities without partisan interest. Under no circumstances should the taxpayer be subjected to the whimsical curiosity of persons who have absolutely no business snooping through the files of the Internal Revenue Service.

A CHALLENGE TO DISSIDENTS

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. GOODLING. Mr. Speaker, for a long time the air has been filled with complaints, derision, and profanity gushing forth from the frantic throats of hippies and dissenters, causing one to wonder if there are any responsible voices in our society.

Another kind of voice has spoken out in a "Letter to the Editor" carried in the April 11, 1970, issue of the Sentinel, a prominent newspaper in my congressional district. This is not a raucous voice but, instead, a steady voice of reason that calls the complainer's attention to some of the worthwhile things in America that either they overlook or choose not to see.

This letter was written by Dr. H. Robert Davis, a gentleman whom I know very well and highly respect. He is a selfless and dedicated type of person, having contributed his medical talents and skills to Vietnamese people abroad on at least two occasions of which I have knowledge. It is apparent, then, that he does not speak from a vacuum but from a solid foundation of understanding of the misfortunes of those in other countries and of the good in American life.

Dr. Davis' letter issues a challenge to the dissidents, urging them to give attention to some of the merits of America instead of its supposed demerits. Most important of all, he reminds the dissidents that they have not won the day and that there is a host of solid Americans who will stand up for their country and for all the very fine things it represents.

Dr. Davis' letter is like a breath of spring in an autumn of discontent, and I, therefore, think it is deserving of insertion in the RECORD:

I HAVE HAD IT!

To the Editor of the Sentinel: There's something that needs to be said about this country of ours . . . and since very few seem to have the time or the gumption to do it, I feel compelled to do so.

I've had it up to here with persons who are deliberately trying to tear our nation apart. It's way past time to throw at me that tired old "wheeze" about being a flagwaver. You're darned right I'm a flagwaver, and I've got a right to be, the hard way. Old Glory still gives me a great feeling of pride when I see it waving, and it waves at our home every holiday and opportunity that we have to display it.

I've had it with pubescent punks, wallowing in self-pity, who make a display of deploring their birth into a world, which, to use their sissy expression, they didn't make.

Well, I didn't make the world I was born in either, and neither did the men and women I know who are worthy of respect. They just went about and made something out of it.

The men and women I grew up with were raised on a small street in Harrisburg. They were immigrant sons and daughters of every cast-off race there is . . . and they didn't have a great deal of knowledge at home to start off with.

But I can write you a song about the son of a railroad worker who is now captain of his own merchant ship: about doctors, teachers, executives, lawyers, men of the cloth, and others, who left that street and are now supporting their country. Also, the son of a German laborer, who is one of my best friends.

So don't give me your whining, whimpering, self-pitying clap-trap about how this country is letting you down. The opportunities are still here.

I've had it with hippies, brainless intellectuals, writers who can't write, painters who can't paint, administrators who can't administrate, entertainers who fancy themselves sociologists, and Negroes who castigate as Uncle Toms the very men who have done the most to demonstrate to all of us, the most important quality in America . . . the individual enterprise and re-

XUM

sponsibility . . . Dr. George Washington Carver, Archie Moore, Roy Wilkins, Justice Thurgood Marshall, Duke Ellington, Count Basie, Nat King Cole, The Mills Brothers, Louis Armstrong, and many others.

I've had it with those cerebral giants who think it's smart to invite drug advocates to lecture in their classrooms and with teaching curiosities like that one in the Mercer Island and Washington School District who invited a black-power spokesman to dispense a lecture on flag burning.

I've had it with people who are setting about deliberately to rip up mankind's noblest experiment in decency.

And I want to tell you something! If you think you're going to tear down my Country's Flag, and destroy the institutions my friends and members of my family fought and died for, you're going to have one big battle on your hands. I just happen to know that the great majority of us will not let it happen. We will wake up and support this great United States of America.

H. ROBERT DAVIS, M.D.,
Boiling Springs, Pa.

TRUCKING INDUSTRY STRIKES DO SERIOUS ECONOMIC DAMAGE

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. MARSH. Mr. Speaker, as I am sure other Members have, I have been hearing from concerned businessmen in my congressional district who have been obliged to curtail or halt production in their plants because of strikes in the trucking industry.

These businessmen are not parties to any labor-management dispute involving truckers. They, and their employees, are the helpless victims of work stoppages not of their making, nor within their capacities to correct. Faced with a dry-up of the stream of raw materials and components for their manufacturing operations, and inability to ship their products on reliable schedules, they have been obliged to lay off employees.

The inevitable result is that local economies have been dislocated through the interruption of payrolls, and the effects of these strikes—many of which, I understand, do not have union sanction—are in the nature of a creeping economic paralysis.

These effects point up the seriousness of major work stoppages affecting any nationwide system of transportation. Our complex, interacting economic patterns cannot tolerate them for long.

While it is to be hoped and expected that the executive branch is exercising its considerable leverage toward prompt restoration of highway movement of goods through and among the major manufacturing and distributing centers now hit by trucking industry strikes, the Congress must maintain close surveillance.

The seriousness of the situation is pointed up by an article which appeared today in the Wall Street Journal, and which I include, under leave, to extend my remarks in the appendix, as follows:

STRIKE IMPACT GROWS: TRUCK DRIVERS' WALKOUTS PUTTING BRAKES ON U.S. BUSINESS; AUTOS, STEEL HIT HARD

Wildcat strikes by truck drivers in strategic transportation centers are beginning to strangle a major portion of the nation's commerce.

In themselves, the walkouts, which stem from drivers' discontent over a national wage pact reached almost two weeks ago, have been sporadic, scattered and varying in their intensity. But their impact has been cumulative, continuing to spread from supplier to producer to distributor and reaching from areas like Chicago to points as distant as Boston.

At best, companies have been inconvenienced and forced to bend their ingenuity to keep goods moving by alternative means. But for a growing number of concerns, the strikes have ground production to a halt, forced numerous layoffs of workers and punctured earnings prospects for the second quarter.

"It's damn sure going to kill my profits for the quarter," says an official of a Cleveland manufacturer of industrial and precision machine parts, who asks that his company not be identified for fear of starting "a panic with my customers."

Among the hardest hit by the walkouts are the nation's two largest industries—steel and autos. At least 35,000 auto workers here and in Canada have been laid off, a survey indicates. Many thousands more are working as little as four hours a day as the flow of key materials and parts needed in their work has slowed to a trickle. In Pittsburgh, Jones & Laughlin Steel Corp., a unit of Ling-Temco-Vought, Inc., has furloughed some 500 to 1,000 men this week and may lay off more. U.S. Steel Corp. is, among other things, weighing a closedown of its Waukegan, Ill., wire plant if the strike continues a few more days.

RELIANCE ELECTRIC CLOSEDOWN

But steel and autos aren't the only ones feeling the squeeze. Yesterday, Reliance Electric Co., Cleveland, announced it was closing eight of its 12 major plants because of its inability to receive incoming parts shipments or to ship out finished goods. The closings idled about 4,400 workers in Indiana, northern Ohio and Georgia.

In St. Louis, an early flashpoint in the strike, an industrial relations expert estimates that 35,000 workers in all industries are out of work because of the strike.

There is every indication, moreover, that unless there's a quick and widespread return to work, even more industries will be forced to close. In Toledo, Ohio, for example, Dana Corp.'s power equipment division warehouse just "put 250 people in the street," according to an official. If the strike continues, even a few more days, he adds, the major auto-supply company will have to close a transmission plant in Toledo employing 2,600; an axle plant in Fort Wayne, Ind., employing 2,500; and its universal joint plants in Marion, Ind., Pottstown, Pa., and Detroit, where a total of 3,000 people work.

The dispute, however, is becoming more complicated, making solutions harder to reach. The national agreement calls for wage increases of $1.10 an hour over 39 months. In Chicago, meanwhile, two Teamsters locals negotiating on their own have reached provisional agreements that could give them increases of $1.65 an hour over three years.

The Chicago group covered by the higher contract are but a small fraction of truck drivers, only about 8,000, compared with 450,000 to whom the national package applies. But three years ago, under much the same circumstances, the Chicago unions held out for terms higher than the national agreement and forced renegotiation of the national terms.

LOCAL DISPUTES

At the same time, the national outlook is pockmarked with essentially local disputes. In the vital industrial belt from Chicago to Philadelphia, owner-operators of steel-hauling trucks are striking over grievances against the Teamsters union itself. The haulers think their interests weren't adequately represented at the bargaining table, despite earlier promises that they would be.

And in Los Angeles, what began as a strike for more sick days has deteriorated into an emotion-charged vendetta between drivers and company owners. The drivers say they won't go back to work unless they get full amnesty for their strike activity, while the companies say they might take them back, but without seniority.

While the disputes continue, companies find themselves scrambling for alternatives. Du Pont Co., in Wilmington, Del., says it's been using its small, private fleet of trucks to deliver special products, has rerouted deliveries around the centers such as St. Louis and Chicago, and has been relying increasingly on air freight. "We've had to spend a great deal of money on air freight," says a spokesman, adding that air freight deliveries limit the type and amount of products the chemicals concern can send out.

An Ohio company says it has been using its company station wagon, normally used for local errands, to dispatch shipments from Cleveland to eastern Pennsylvania with urgent parts for customers. Last week it spent $1,600 chartering a small, private plane to fly parts to the East Coast.

There are difficulties, too, in finding alternatives. Major railroads from the Burlington Northern to the Norfolk & Western and the Penn Central for the past week have been embargoing piggyback traffic destinating or originating at affected cities. This means they have refused to take truck trailers on their flatcars going to and from such cities as Buffalo, Detroit, Chicago, St. Louis, Minneapolis and 15 cities in Ohio from Ashtabula and Cleveland to Toledo.

Invariably, there are complications. The Cleveland concern that hired the plane found that the shipment was too bulky for one trip and so it had to make two.

"We would have chartered a bigger plane," says an official, "but everybody was doing the same thing. We couldn't find a bigger plane available."

COSTING PLENTY

Those who have managed to move their products by air are finding that it's costing them plenty in more than money "All our coordination is lost right now," laments a spokesman for Robert Hall Clothes, Inc., a unit of United Merchants & Manufacturers Inc. "We're doing everything possible to guarantee delivery. But air express is quite expensive—roughly three times the normal expense," he says.

In many cases companies find that even when they're willing to pay the price it still doesn't get the goods to the place they want them. Randolph Brown, traffic manager for Thomas J. Lipton Inc., the food company, says flatly that, "we're looking for alternatives, but aren't finding any." He explains: "If you are going into an area where there's trouble you can't even get out of the airport."

And it isn't just that truck drivers are unwilling to work. In many instances strikers are enforcing their determination to halt truck traffic with violence.

"We had a truck pull into Indianapolis with five bullet holes in the windshield," says William Sims, an area vice president for Ryder Systems Inc., a big Miami-based truck-rental outfit. "That tends to discourage folks from renting. The driver got the message. He quit working."

Paradoxically, some companies and areas of the nation are yet little affected by the strikes. Oxford Industries Inc., an apparel maker and business product distributor based in Atlanta, has experienced "surprisingly little" impact thus far. And the New England area generally has been little bothered by driver strikes; although companies are finding that shipments out of the Midwest are almost nonexistent.

But throughout most of the Midwest and Far West, and especially for companies with nationwide operations, the impact is strong. Says an Aluminum Co. of America spokesman, "We're hurting." The company, which says its shipments are running 5% to 10% and more below normal, closed down its Chillicothe, Ohio, plant on Monday, idling 375 production workers.

Alcoa began stockpiling finished products in warehouses but found that space is in short supply everywhere. Others agree. Says one traffic manager for a large industrial concern, "There is a pileup of raw material all over the country." This backlog, he adds, may make it difficult to get back to smooth operations once the strikes are over. "It might be a month or six weeks before things are back to normal," he says.

CUSTOMER SHORTAGES

While producers find their warehouses filling up, some customers are running into shortages. Lucky Stores Inc., a major San Leandro, Calif., grocery store chain, says its having a shortage of "a few items" at some stores. Gerald A. Awes, chairman, hastens to add that overall "our level of stocking is very good." But it's "been an inconvenience for sure."

Some of the shortages hit in curious ways. A Midwest man who bought a rabbit for his children at Easter is growing frantic because his local pet shop has run out of pelletized rabbit food, due to lack of truck deliveries. He's currently down to a one-day supply of pellets and says he has his eye on the lettuce and carrots in the refrigerator.

In other instances, the lack of deliveries is halting huge projects. Construction on U.S. Steel's 64-story skyscraper in Pittsburgh has been sharply slowed. An official of Turner Construction Co., which is general contractor on the building, says the closing-in of the upper floors of the giant steel skeleton is being delayed by a halt in truck deliveries of fabricated-steel curtain wall sections.

The steel curtain walls, the Turner official said, are produced in Chicago. "We haven't had any delivery of curtain walls for a week." He adds, "It's a very definite possibility" the building will be delayed for its opening in September.

How big an impact the strikes will have on the earnings of companies will depend on how long the walkouts last, of course. But there are indications that it may be considerable.

So far in the auto industry, the disruptions have meant the loss of some 15,000 cars from an April output schedule that was already 6% below a year ago. Before Teamster troubles started, automakers had targeted about 670,000 assemblies, down from 709,000 a year earlier.

MIXED SITUATION

The loss is a mixed situation for auto makers, since the Teamster-caused close-downs have the same general effect as some of the planned plant closings. But, while the Teamster strikes ultimately result in lower total output, the closings aren't selective. As a result, some plants are idled that auto makers are very anxious to see stay in operation because demand for those particular cars is still strong.

General Motors Corp's Chevrolet and Fisher body plants in St. Louis, for example, are idle, and its Cadillac Division plant in Detroit is on short work turns. But demand for the cars these plants make is high.

At International Harvester in Chicago, a spokesman observes that the added costs of handling materials and switching shipments will have some impact on operating costs, but the effect on earnings is impossible to assess at this time.

Says Bruce Clausonthue, vice president and general manager of Joseph T. Ryerson & Son Inc., a subsidiary of Inland Steel Co.: "We're practically out of business here. If there's no relief by Friday, we'll have to schedule some temporary layoffs next week." As it is, the company previously scheduled spring cleaning and early vacations in an effort to stall layoffs.

WHAT AMERICA MEANS TO ME

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. HANSEN of Idaho. Mr. Speaker, the fourth, fifth, and sixth grade students of the Acequia, Idaho, Elementary School recently wrote essays on the theme "What America Means to Me." Their ideas are so refreshing and positive that the Minidoka County News, on February 26, 1970, reprinted, as an editorial, the essays of the room winners, including that of the grand winner, Miss Tammy Stallings. I agree with the editor and in order to bring the thoughts of these fine young people to the attention of my colleagues, I include as a part of my remarks these essays from the Minidoka County News:

WHAT AMERICA MEANS TO ME

I'm proud to be American. It makes me proud to look at the United States flag. There are also many songs about America that also make me feel proud.

We are not told to which church we may join. We are free to worship the church that we please.

In America we are free to do as we want with our personal lives. We can choose to do right or we can choose to do wrong. If we do something wrong we do not go to prison without a fair trial, and for this trial we are free to have a lawyer. If we can't afford a lawyer, a lawyer is assigned to us.

There are many organizations that are put together to help people of other countries better their life. If necessary we also help people of other countries fight to keep their freedom. We also fight to keep our own freedom.

We enjoy freedom of the press. We can print what we want in the news and nobody tells us what we should or what we shouldn't print.

We are free to criticize our government. If we criticize our government no one stands over us and takes us in front of a king or a judge.

In America we can get a good job and a job that pays enough money to support a family. If a person is out of a job, he gets so much income a month until he is able to work.

The Statue of Liberty was given to us in 1924 from France as a symbol of liberty. It now stands on liberty island in New York harbor.

I'm proud to be an American and I will always by loyal to my country.

TAMMY STALLINGS,
Sixth Grade.

America means a chance to live. By this I mean that to me America is trying to fulfill the promises of her people's dreams.

To some people, America means a life with good advantages, yet to others it means disadvantages. I see only a few disadvantages and I wish to honor her first.

In our country we have freedom. For example, we have the press, speech and religion. We also have the rightful privilege of voting for whom we wish to govern us. In America, we, the people, have a voice in our government!

America is a country in which important officers of the nation, state, and local government are chosen by and are responsible to the citizens.

In America we have the "Pledge of Allegiance". It is a pledge of loyalty we are giving to our country.

Our country is a leader in trades and industries, whose farms and factories not only supply the needs of her country, but also send goods to other lands.

America is blessed with the abundance of natural resources, fertile soil, forests and many minerals.

In America, we have an opportunity of graduating from school and earning a diploma, leading to a successful career.

Americans do not want possession of any other country. We have a good army to defend them and ourselves from those who wish to be enemies. America is a world power which seeks peace and stands ready to defend our liberty.

America means better ways of living with more modern homes and better business. We provide much capital for means of overcoming poverty. Yet poverty is still one of the main problems of our country. America works hard but not always is she successful in keeping away her trash, litter, pollution and slum areas.

In conclusion, America is not perfect but I think she is the most wonderful and beautiful land. I wish I could share part of her with boys and girls in other countries who are less fortunate, homeless, cold and hungry nearly all of the time. I am glad that I live in America, the Land of Promise.

God bless her.

PENNY GULBRONSON,
Sixth Grade.

I am a native of America.

It is a land of the free.

It offers freedom to live, freedom of speech the press; of worship and vocation.

Americans are free to travel or work and live in any state they please. We can join many organizations, have time for recreation.

America offers much in this field and a great variety. We can ski in her mountains, boat on her many lakes and rivers. She has national parks, in their natural settings. Also many parks and amusements to enjoy.

Besides being a very beautiful country, she is rich in natural resources which has made her rich. We can have as much and almost any kind of food we desire due to her rich farmlands and abundant trade with other countries.

Education is unlimited and almost anyone can be educated to their desire.

America has given herself to many foreign lands and has opened her doors to less fortunate peoples. She has been compassionate and good.

I love America.

CAROLYN HURZA,
Fifth Grade.

I like the freedom in America because in other countries they don't have the opportunity of doing things like we do. We have more things and we get a better education. It's not the people in America that are better. It's the freedom we have.

I like the schools in America because in other schools they punish you for what you do wrong and in our schools they explain what you are doing wrong and sometimes give you another chance.

I like the beautiful land and good soil for farmers to raise crops for us and our animals to eat.

I like the Presidents and what they do to make the country better and stop the crime that is going on.

I like the flag, and when I pledge allegiance I try to say it proudly for our great country. We should stand up straight and think about what we are saying and not about recess or what we are going to do after school. Some people look around while they are pledging, and I don't think this is right. We should respect the flag because it is part of America.

I like the forests in America and we should not play with matches or litter and things like this to ruin the forests.

I like the animals, all but snakes, spiders, lizards and things like this, but we have to put up with it sometimes.

I love America and I hope you do too.

Ruth Crane,
Fourth Grade.

A is for a great land from Alaska to Florida to Hawaii with good places like Idaho inbetween. The America I think of started nearly 200 yrs. ago. It began with fathers, mothers and families trying to make a better place to live and raise their children.

M is men who fought for our freedom and liberty. Men who wanted progress so they invented the reaper, the telephone, the electric light and helped build roads, railroads, cars, airplanes and now have landed on the moon.

E is for Education. Our public schools. Our colleges. Our knowledge in medicine, science and in the radio and television world. Education helped men to see that women should have the right to vote.

R is religious freedom this country and only our country still has. We have the chance to worship how, where and who we want.

I is for the ideals that are behind our government and law and order.

C is for cities, towns and countrysides that go to make up this beautiful America.

The last A is All of us remembering All we have in America and being so happy to live here.

Delia Jensen,
Fifth Grade.

I like America because we have pleasant houses to live in and like some people they don't have houses at all and our houses keep you warm in winter and even some people who have houses don't have any heat in them.

We have wide highways to travel on and in some countries, they have dirt roads.

We make more money in the United States than any other country and we also spend more money.

We have more modern conveniences than any other country in the world. Some of these conveniences are automatic washers and dryers, dish washers, new cars and T.V.

We have better and more schools and we have a better opportunity to go to college.

The opportunity in sports is greater. We have lots of places to go fishing, hunting, boating, skiing and swimming. We are offered more sports in our schools such as basketball, golfing, baseball, bowling, and football.

When we go to our stores we have lots of food to choose from and we can buy it as long as we can afford it and in other countries they have only certain foods that they can buy and some of their food is spoiled and it is not good to eat. We have very few people who die of starvation or who die in poverty.

We have freedom of speech and we can go to any church we want to and in other countries they have to go to a certain church or not go to church at all.

Marty Rotchford,
Fourth Grade.

RELEASE ON RECOVERY GUIDANCE SYSTEM

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. GUDE. Mr. Speaker, as the world waits breathlessly in silent prayer for the safe return of our men aboard Apollo 13, we must also depend on the men of science whose concern and genius have made these flights possible. Their research and design have put Americans on the moon, and now we look to them with confidence that their genius will bring the crippled spaceship safely back to earth.

One such group of scientists are at the Johns Hopkins University Applied Physics Lab in Silver Spring. It is they who developed the guidance system aboard the recovery ship U.S.S. *Iwo Jima* which will guide the Navy to the exact point in that vast expanse of ocean where Apollo 13 will land. We salute all the men associated with this great venture. I include in the Record a news release on the recovery guidance system:

The carrier USS *Iwo Jima* is being guided to the precise Apollo 13 recovery point 600 miles southeast of Samoa in the Pacific by signals from the Navy satellite.

The ship, as did the Apollo 12 recovery vessel USS *Hornet*, carries aboard a set called SRN–9, which was installed on the *Iwo Jima* about six weeks ago by engineers of The Johns Hopkins Applied Physics Laboratory which developed the satellites and the navigation system for the Navy. The system permits navigation fixes to about one-tenth of a mile, and can be used any place in the world in any weather day or night. In the recovery of the Apollo 12 (November 1969) in the Pacific, when there was overcast skies, Captain C. J. Seiberlich said navigation would have been limited had not the satellite navigation set been aboard. Celestial observations were made about 180 miles from the Apollo 12 pickup site, and then the weather closed in. Captain Seiberlich said that dead reckoning was unprecise and "had the NAVSAT set not been aboard, the navigation problem would have been considerable." Loran navigation was not available in the area of the Apollo 12 recovery, the *Hornet* Skipper said, and neither is it available to assist the USS *Iwo Jima* in the Samoan waters.

The Navy satellite navigation system makes use of four satellites in constant orbit at about an altitude of 500 miles. Signals from the spacecraft are picked up by ships by special equipment which fits into an area on the ship about the size of an office desk. The set includes a receiver, an oscillator for comparing the doppler frequency changes in the signals from the satellite and a computer. Navigation by satellite is based upon the measurement of the change in the frequency (doppler shift) of the signal from the satellite as the spacecraft approaches and passes over a listening point on the earth. The change in the signals has been likened to the change in the sound of a whistle of a train as it approaches and passes a station.

Johns Hopkins' scientists when tracking the first Russian satellite Sputnik found they were able to fix its position by measuring the doppler shift of its signal. They also determined that the reverse could be true, and that signals from the satellite could be used for precise positional fixes on the earth. This was the basis of Navy navigation satellite system.

The system has been in operation for over five years, and has recently been made available for commercial shipping. A commercial model of the military set was used by the USS *Manhattan* on her voyage through the Northwest Passage and is used by the Queen Elizabeth 2, oceanographic research ships, and cable-laying and rescue vessels.

GIVE A DAMN

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. RIVERS. Mr. Speaker, the other morning as I was driving in to the Hill, I noticed a small automobile of foreign make immediately in front of me. The car was covered with all manner of flowers and supposedly patriotic slogans. One of the bumper stickers was particularly noticeable. After a "peace" symbol was the the exhortation, "Give a Damn."

Now I am not exactly sure what the owner of the car was trying to convey by this message but, to me, it brought to mind the words of a great lady from the State of California. Dr. Marie Bonfilio of Burlingame. "Doc," as she is known to thousands of our servicemen in Vietnam, said recently:

> Florence Nightingale has run out of oil for her lamp, people don't seem to give a damn.

"Doc" Bonfilio is not the sort of person to accept this attitude. Almost singlehandedly she has established the north peninsula around Burlingame as a "home front" for our troops in Vietnam. By her shining example she has established a system whereby all Americans, if they truly give a damn about our servicemen in Vietnam, can participate in the maintenance of high morale among our troops in Southeast Asia. It is my understanding that she has been personally responsible for sending over 29,000 pounds of miscellaneous items to our servicemen in Vietnam.

I would like to insert into the Record three newspaper articles which describe her effects to prove to our military fighting men that their sacrifices are appreciated and that there are millions of Americans who have not forgotten them.

If every community had just one "angel" like this great American, I can assure you that the pressure of the so-called silent majority would be felt throughout this land.

Many times I have been asked by citizens, "What can I do to show my support?" I commend to the attention of all my colleagues the example set by "Doc" Bonfilio as a far better method than the mere adhesion of bumper stickers to one's automobile.

The articles follow:

[From the San Francisco Examiner, Oct. 12, 1969]

Gifts for Christmas—Peninsula "Angel" Remembers GI's

The "Angel" of Burlingame, Dr. Marie D. Bonfilio, M.D., is at it again on the 'Vietnam Home Front', now that Christmas is fast approaching.

Already, she has compiled an imposing list of the most wanted items preferred by GIs in Vietnam.

"It's a morale booster for all of our boys over there, especially when their thoughts turn to the coming Yuletide," said Doc Bonfilio.

The doctor, a grandmother of 3 children, got the idea of sending "goodies" overseas to GIs in the war zones of Vietnam last year. Her "project" began in February of 1969.

The response came swiftly from friends, colleagues and many others in San Mateo County and spread elsewhere in the Bay Area.

NEED VOLUNTEERS

"Doc" Marie Bonfilio worked day and night, with voluntary assistance, in the doctor's medical offices at 804 Winchester Drive, Burlingame, California 94070.

(Volunteers may phone at Mrs. Bonfilio headquarters—342–6424).

The supplies sent through the Vietnam Home Front are distributed by the Chaplains and commanding officers only to men in the front lines, "particularly those who receive little or nothing from home" Doc Bonfilio said.

The Vietnam Home Front has sent 29,264 pounds of gifts to 9000 men in the combat areas the doctor said.

Among the items preferred by the Vietnam GIs for the coming Thanksgiving and Christmas seasons this year are:

Small flashlights, terrycloth towels, shaving equipment, first aid kits, soap and shampoo, foot and body powder, deodorants, tooth brushes and tooth paste, old tooth brushes for cleaning rifles, cigarets, small transistor radios, assorted greeting cards and Christmas decorations, writing paper and paperback books.

Also, there are canned meats, canned vegetables, fruits, dehydrated soups, peanut butter, nuts, and hard candies, bubble gum and cookies.

[From the Burlingame (Calif.) Advance-Star, Oct. 8, 1969]

Golf Company Loves the Woman

Editor, Advance-Star:

I wish to express my sincere gratitude to many of your readers who are donors to the Vietnam Home Front, a project of Dr. Marie Bonfilio of Burlingame.

I can't begin to tell you what the packages that Doc sends to us mean, especially to all those who, like myself, have written to her and in all cases received a personal reply and individual packages from her.

The Doc does just about everything from sending packages to finding personal pen pals. For my company, she was even able to get a set of professional electric hair clippers. The company was willing to pay for a set of clippers, especially since we made a special request of the Doc to get them for us, but since she must be something of a horse trader she talked some barber out of his set for free.

I've seen the time when the company would have had trouble with a night med evac if it hadn't been for the pen lights and batteries that Doc sent to us, which were used to guide the helicopters into the landing zone. Everyone in the company carries one of Doc's penlights, from the company commander to the private in the rear ranks.

Another means of illumination that Doc tries to keep us supplied with is candles, and they are worth their weight in gold when the company isn't around electrical generators—which is usually the case. Lanterns and mantels are like hen's teeth to find.

There are a lot of other things in Doc's packages—books for one. The day I was med evaced from the company I saw three huge boxes of paperbacks in the company office for the men to choose from.

Doc even helps keep us in rifle-cleaning gear, which is something we are supposed to get through other channels, but then, supply doesn't stock such items as tooth brushes and Q-tips.

Doc sends everything from soup to nuts. Honestly! Packages of soup mix, Kool Aid, candy, cakes, cookies, beef jerky and nuts, to mention only a few.

By now, I don't have to tell you Doc is the greatest, and all of us in Golf Company, 2nd Battalion, 7th Marines love the woman.

I know Doc's work wouldn't be possible without the support of many others. So for Golf Company, I wish to say to Doc and all of those who have helped her, "Thanks a million."

S.Sgt. Alfred W. Clements,
U.S. Marine Corps, Vietnam.

[From the Burlingame (Calif.) Advance-Star, Feb. 28, 1969]

Our Boys in Vietnam Need Your Help

Editor, Advance-Star:

The question, "Like to help men in Vietnam?," headed an article which appeared in the Advance-Star on Feb. 14, 1968. This was a plea in which I asked, "Can the North Peninsula become a "home front" for our troops in Vietnam?"

Through the year, many responded to this and many other pleas made for this project. The help extended to many of our boys, by the people of San Mateo County, especially during the holiday season, is expressed in this letter sent to me from Vietnam:

"Dear Doc: It's good people such as yourself that remain in our memories. There is bitterness for those people who demonstrate against the war . . . It makes us out fools.

"We dislike this war as much if not more than those who scream. Who the hell wants to get shot at or die over here? But like it or not, there remains a commitment to fulfill.

"If we were to shirk this responsibility, it would be but a matter of time after the capitulation of South Vietnam to Communism when again the call for help would be heard. It would be India, Laos, Cambodia or any of the 154 countries to which we have pledged support.

"Do we turn a deaf ear to them? Are the principles that we have fought for and profess to defend just so much wind? Who the hell said playing big brother to the free world would be easy?

"Cheered or booed, we are here. We were sent to do a job. It's being done; it will be finished.

"This is all we desire—just the recognition of being a block to what we consider evil. You have given us that much-needed recognition.

"Cpl. Michael Waterhouse.
"Vietnam."

Although this letter was sent to me . . . this is a commendation for every person who contributed the supplies and to every person who sent a box to an individual boy.

Once these boys leave stateside, there is no appropriation made by our government for their personal needs. Each boy is given $6.95 per month out of which he is expected to buy what he needs, be it socks, sundries such as soap, tooth brushes or razors, or any other food, except for "C" rations which are provided by the government.

If the men are in the rear lines, and if they have enough money, they can buy what they need at the PX. There is no way that the men in the front lines can get the things they need without help.

The boxes which are sent through this project go directly to the front lines, and they are directed to the chaplains and the commanding officers, with instructions that the supplies are to be given to those boys who receive little or nothing from home.

I have received letters from the chaplains, officers and even from the enlisted men, in which they have asked for help for their men. In one letter, an Army chaplain with the 3rd Brigade, 4th Infantry, the group now in the Mekong Delta, wrote:

"What your kindness means to them! Not just the things themselves, but the fact that someone cares! All I know is the finest kids are going through hell out here. These kids need so much support.

"You made it possible to bring a little treat to them at a time when a little lift could be such a help."

A letter from a Marine Captain from Golf Company, 2nd Batallion 7th Marines, asked:

"Can you send some old tooth brushes or small paint brushes so the men can clean their guns? Unfortunately, brushes are not included in government supplies, so the men brush their teeth and clean their guns with the same brush." An enlisted Marine in Easy Company, 2nd Batalion 3rd Marines, wrote:

"I don't know how you started this wonderful project which you have going, but it is just what is needed. You help maintain the quality of our performance, which helps keep us alive."

I do not condone this war, but I realize that no matter how much we demonstrate against it, we have no control over the final decision. When I was approached by one of the Peace marchers who told me that they believe in bringing our boys home, my answer to him was, "So do I; but do you mind if we feed them and make them a little more comfortable while they wait for the peace talks to be consummated?"

Gradually, the number of boys who have been served through this project, has increased from the original 144 to 6,500. But as all projects go, people forget about them, and then another plea must be made, as I am doing now.

What is needed is not a large quantity of supplies at one time, but a steady flow of supplies weekly or monthly. If we have the money, we can buy the supplies which are needed at wholesale prices.

At present, I do not have the support of any club, and the needs are so great. Should any club want to help a company of men, or otherwise participate in this project, kindly contact me, for I have the names of many who need help. I have a list of the most needed items, sent to me from Vietnam. Anyone interested is welcome to a copy of this list.

Anyone in San Mateo County who has a boy in Vietnam, kindly send me his serial number and the name of the Company to which he is attached. When they hear from someone else besides their immediate family, it is quite a boost to the morale of a boy, for he realizes that there are other people who are concerned about him.

There is a sign on my front door which asks people to leave items for boys on my porch. With the help of the public, I hope to keep this project going until we see all our boys safely home!

Anyone wanting to make a financial contribution, please make the check out to the "Vietnam Home Front."

Dr. Marie Bonfilio
Burlingame.

THE DEVELOPING CRISIS IN INTERNATIONAL TRADE

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. DENT. Mr. Speaker, the growing awareness of American labor to the impact of imports on U.S. employment is encouraging to those of us who have been seeking a solution to this problem for many years.

I am happy to present further proof of the seriousness of the problem:

THE DEVELOPING CRISIS IN INTERNATIONAL TRADE

(Following is the text of an address by AFL–CIO Secretary-Treasurer Lane Kirkland to a conference of the Industrial Union Department of the AFL–CIO on "The Developing Crisis in International Trade." Kirkland spoke at a Friday luncheon session in Sheraton Hall North in the Sheraton Park Hotel, Washington, D.C.)

For nearly two full days you have listened to reports and you have discussed the difficulties faced by workers as a result of the deterioration of the United States position in world trade.

You know about the adverse impact on steelworkers, machinists and electrical workers, on clothing, garment, textile and shoe workers, on glass and pottery workers.

That, of course, isn't the whole of the problem. There are many other workers adversely affected, like maritime and shipyard workers, among others.

The direct victims are affected by either a fall-off in exports or a flood of imports or both. Every one of them has a right and a duty to demand redress of their grievances.

They have come to their unions, as is right and proper, and their unions have a right and a duty—singly and in concert with other unions—to demand a redress of these grievances from the government of the United States, because it is the government's foreign trade and investment policies that are responsible.

Let me assure you that the AFL–CIO is going to help process their grievances and fight for international trade and investment policies that will end this hardship.

We are going to seek, in short, a policy of healthy expansion of international trade on a reciprocal basis, that enhances the well-being of the American people, in place of one that enhances corporate greed.

This is a problem of the entire trade union movement—not just the problem of some workers. It's a problem of the entire United States and that's the way we intend to handle it.

First, let us look at this issue from the viewpoint of the national economy.

Since 1934, the trade union movement—the AFL and the CIO before merger and the AFL–CIO since—has provided consistent support of United States reciprocal trade policies and the expansion of world trade, based on our goal of increasing employment and improving living standards both at home and abroad.

In the beginning, as world trade expanded greatly, the majority of Americans and, for that matter, the majority of the people of the world benefitted.

But during the 1950s, changes in world economic conditions began to appear. By the 1960s, such changes accelerated. The benefits to Americans of expanded world trade decreased and the problems grew.

The world economic scene of 1970 is altogether different from 1934 or even from 1960. Changes in world economic conditions require changes in United States trade policies. The hard facts of life require that the government's foreign trade policies be modernized with speed, in the light of what has been happening.

This isn't a new idea for us. Since 1965, the AFL–CIO has been seeking a shift in government policy in this area. To date, our demands have not been met and the situation has grown more urgent.

There can be no doubt about the deterioration of the United States position in world trade in recent years. America's share of greatly expanding world exports has been declining—particularly in the export of manufactured goods. During most of the 1960s, imports into the United States increased much faster than exports. As a result, the surplus of American exports over imports dropped sharply. In the past two years, the surplus all but disappeared.

Unfortunately, this is not a temporary situation. It is not going to go away, just by wishing so. The causes of this situation are deeply embedded in the world economic scene.

For example, since World War II, most countries moved to manage their economies. As part of such national economic management, governments have direct and indirect export subsidies and import barriers.

Obviously, countries have every right to protect and advance their interests, as they see them. But subsidies for exports and barriers to imports are not free trade.

Moreover, such policies are one of the reasons for the flood of imports into the United States—the most open market to imports of all major industrial countries and a big, rich market at that. At the same time, the expansion of United States exports is held down by direct and indirect barriers imposed by other governments.

Under these kinds of conditions, it is not rational for the United States government to talk and act as if we lived in a world of free, competitive trade relations among nations.

That just isn't the way it is and it is time the government stopped pretending and took a good, hard look at things as they are.

We don't think it is asking too much to suggest that the government of the United States should consider the primary interest of its own citizens. After all, that's what the other trading nations do.

There are additional factors affecting the United States position in world trade. One is the skyrocketing investments of United States companies in foreign operations since the late 1950s. These investments—combined with licensing arrangements and patent agreements—have transferred American technology to plants throughout the world. Many such plants, operating with American machinery and know-how, pay workers as little as 15 cents an hour.

Such operations obviously displace U.S.-produced goods in both American and world markets.

They export American technology—much of it developed with the expenditure of government funds, the taxes of American citizens.

They export American jobs.

Moreover, when such goods are sold in this country, they are sold at American prices. So the American worker loses his work and the American consumer pays the same price. Only the companies benefit and all because of a government policy that favors the fast buck for the companies.

Connected with the rise of foreign investments of United States companies has been the mushrooming development, in the 1960s, of multi-national corporations and international banks—most of them United States based. These multi-national companies operate plants, sales agencies and other facilities around the world. They can juggle the production of parts and finished products, prices, profits and dividends from one subsidiary to another. They juggle them across national boundary lines for the private advantage of the companies, with no other interest than greed.

By 1970, a large and growing share of United States exports and imports are merely transactions among the subsidiaries of United States-based multinational companies.

These developments are affecting a growing number of workers in numerous industries.

Moreover, they often run directly counter to the stated aims of government policy—and sometimes to the policy claims of business itself. The National Alliance of Businessmen is committed to employing the hard-core unemployed, with particular emphasis on jobs for blacks. However, some of the companies, represented in that association, are exporting American jobs to their foreign subsidiaries. They are exporting the very kinds of jobs that are needed by the American unemployed and which the companies are pledged to produce.

Ten days ago, *The Wall Street Journal* provided an example of the export of American jobs. It reported that Zenith Radio Corporation had said it would "reduce its workforce by about 3,000 jobs this year, and more than one-third of those laid off will be blacks." The chairman, Joseph S. Wright, said that, in addition to the 3,000 layoffs this year, probably another 4,000 layoffs will occur in 1971.

Why? Because Zenith is building a giant new plant in Taiwan.

Mr. Wright said, "The most tragic part" is that "due to seniority, 38% of those laid off are blacks."

Well, Mr. Wright is correct. It is tragic. But it does seem that, as chairman of Zenith, he could do something more than just express his regrets.

It seems to me that the Zenith case pinpoints one of the biggest problem we face—the inability of American industrial leaders to understand how their action could ultimately result in their own undoing.

Look at it this way: Foreign trade accounts for less than 10% of the United States gross national product. That means that 90% or more of all the goods that United States corporations produce here is sold here and used here.

In other words, the United States is its own best customer.

Why? Because the United States worker earns enough, generally speaking, to be a major United States consumer.

And every time an American corporation exports United States jobs, it eliminates a part of its potential market.

Mr. Wright of Zenith won't be selling many of his products in Taiwan because he'll be paying such low wages—perhaps as little as 15 cents an hour—that none of his workers in Taiwan will be able to afford them.

And, of course, the workers he lays off here—black and white alike—won't be able to buy them either.

I just can't understand such short-sightedness.

And it isn't just industrialists.

The shipping industry is another example.

No industry is more dependent upon world trade then the merchant marine. It is the movement of goods between nations that provides the bulk of maritime cargo. However, when American exports are shipped on foreign flag vessels, American jobs are being exported. When U.S.-made goods are exported, if it's on a foreign bottom—a service, shipping, is being imported. During the last 25 years, shipboard jobs for Americans declined sharply. By November 1969, shipboard jobs aboard privately-owned American merchant ships were down to only 27,222.

The world's largest trading nation—with ports on two oceans and the Gulf of Mexico—has seen the shipping sector of the economy,

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with its work-force and varied skills and special lore, nearly go down the drain in the past 25 years.

Not only have there been job losses for seamen, there have been job losses in the building, repair and maintenance of ships. Foreign shipbuilding is usually encouraged by governments, with direct and indirect subsidies, to maintain volume operations and improved efficiency, while U.S. shipbuilding has been permitted to decline, with very little volume, old equipment and high costs.

At the same time, runaway shipping operations of U.S.-owned firms, including multinational corporate conglomerates, ship under flags of convenience—such as Panama, Liberia, and Honduras—and pay foreign merchant seamen merely a small portion of an American wage.

The Nixon Administration is doing something concrete about the shipbuilding part of this problem but that, of course, is only part of the problem.

And then there are the bankers.

In the 1960s, we have seen a great expansion of United States-based international banks, which service and help to finance the foreign subsidiaries of United States companies. At present, there is a vast, global network of branches of United States banks, which moves funds easily, from one country to another, beyond the direct reach of the monetary policies of any government, including our own.

In addition, there are the secret bank accounts in the Swiss banks.

We have all seen newspaper stories about the secret Swiss bank accounts of the racket syndicate. But what about the secret Swiss bank accounts of so-called respectable American businesses, secret accounts that are used to dodge taxes and to operate internationally without regulation?

Moreover, the operations of the United States-based international banks have become so great that they can evade Federal Reserve policies.

Last year, when the government's squeeze on the American money market threw homebuilding into a recession and hit other groups in the American economy, the United States international banks increased their borrowings from their foreign branches by an amazing $7 billion.

This $7 billion increase in funds was for the aid and comfort of the American central offices of these international banks and their prime customers, the big corporations—to avoid the government's money squeeze, which was hitting almost everyone else.

While homebuilders and home-buyers, states and local governments and workers were paying the price for the government's money squeeze, the big banks and the big corporations were able to avoid it, through their international operations.

How long can the United States government and the American people permit such operations of private companies and banks to continue, without regulation?

The worldwide operations of United States-owned multi-national companies do not represent free, competitive trade among the nations of the world. What they do represent is a closed system of trade, within the corporation, among its various subsidiaries in numerous countries. They represent the export of American technology and the export of American jobs.

These issues of foreign trade and investment require United States government attention. They need government action. Government controls over the investment outflows of United States companies to foreign subsidiaries are essential. In addition, the government must develop machinery to regulate the United States-based multi-national companies and banks.

We know that the solution cannot be found in going back to high tariff walls, any more than it was found by the United States unilaterally pursuing a policy of unlimited free trade, while its trading partners erect barriers.

As I said before, we in the AFL–CIO have supported the expansion of world trade. We continue to support such expansion.

But expansion of world trade must be made orderly. It must be regulated to prevent the loss of American jobs and the exploitation of American workers or workers in other countries.

Let me state the AFL–CIO position clearly and without equivocation:

We are not isolationists and have no intention of becoming isolationists.

We support orderly expansion of world trade. We oppose the promotion of private greed at public expense or the undercutting of United States wage and labor standards. We want expanded trade that expands employment at home and abroad and that improves living standards and working conditions, here and abroad.

No single action or one-shot panacea can meet the complex issues of world trade, foreign investments of United States companies and the operations of United States-based multi-national corporations. No single measure can solve the different trade-related problems of different groups of workers in different industries and occupations.

A battery of realistic policies and measures must be adopted to meet the needs of the American people in world economic relations in the 1970s. We will work in the Congress and in the Executive branch for the necessary changes in government posture and policy.

I will not repeat, here, the list of AFL–CIO recommendations to achieve this goal. They are contained in the resolution on international trade, adopted by the AFL–CIO Convention last October, which each of you has received.

It seems to me that this conference has served an excellent purpose by focusing attention on this major problem.

But we can't solve the problem by just talking to each other. We can't solve parts of the problem for some workers and overlook other workers just as adversely affected. We can't solve the problem by erecting barriers around the United States. We can't solve it by turning our backs on world trade.

We have to solve it with a practical, common-sense foreign trade and investment policy that promotes trade and employment, and achieves decent wages and working conditions—in the United States and in every nation with which we trade.

And, working together, we can make the Congress of the United States and the Executive branch understand the magnitude of this problem.

THE ABOLITION OF SLAVERY IN PUERTO RICO

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. ROONEY of New York. Mr. Speaker, our Puerto Rican friends both at home and in this country, have been observing the 97th anniversary of the abolition of slavery in Puerto Rico. They are to be congratulated for the dedicated manner in which they are heeding the historic date, when, on March 22, 1873, their forebears succeeded in accomplishing one of the most significant social reforms in the history of the Commonwealth.

With the impetus of our Emancipation Proclamation, the socially minded Puerto Rican leaders took the forward step of removing the shackles of servitude and freed thousands of native born Puerto Ricans whose enslavement was "hereditary." These were descendants born of the innocent people sold at the auction block by Spanish slave traders.

This date in 1873 is not only significant because it marks the advent of freedom for all men, women and children on the lovely island, but it marks the end of the domination by the few rich landowners over the mass of working people.

From this date almost a century ago it is easy to follow the progressive steps which the people of Puerto Rico have taken year after year to achieve their present Commonwealth status.

I am proud to have played a part in bringing to these fine citizens many of the progressive economic and political benefits which they enjoy today. My close working relationships with Puerto Rico's past and present leadership have given me utmost satisfaction. I am proud of Puerto Ricans who represent a significant segment of the constituency of my congressional district. I covet the friendship and the fine cooperation which these warmhearted people constantly extend to me. With their continued help I hope we can achieve the maximum in the social and cultural benefits to which they aspire. I hope that the observance of Emancipation Day or Abolition Day will continue week after week as a reminder of every Puerto Rican's freedom as well as to remind ourselves of the great accomplishment which these fine people have made to enrich their own lives as well as to contribute to the improved well-being of all Americans.

THE 30TH ANNIVERSARY OF KATYN MASSACRE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. PUCINSKI. Mr. Speaker, last Sunday the Illinois Division of the Polish American Congress in Chicago held a very solemn memorial service marking the 30th anniversary of the massacre in Katyn Forest near Smolensk, Russia.

More than 2,000 people participated in the memorial service and paid tribute to the 15,000 Polish Army officers who was massacred by the Soviet NKVD in the Katyn Forest.

These Polish Army officers had been lured to Russia by Soviet authorities on the promise that they could reorganize the Polish armed forces to continue the struggle against the Nazis who invaded Poland on September 1, 1939.

The Chicago memorial was arranged by the Illinois Division with its President, Dr. Edward Rozanski. The organization's Vice President, Mr. Mitchell Kobylinski, joined Dr. Rozanski in arranging the tribute.

The main speaker at the memorial

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service was Lt. Col. Donald B. Stewart, U.S. Army, retired, who along with another American officer had been taken by the Nazis to the Katyn Forest to personally observe the exhumation of the mass graves.

Colonel Stewart told in detail how these Polish Army officers were exhumed and stated that in his judgment, there could be no question the Polish Army officers were murdered by the Soviet Union.

I am placing in the RECORD today a speech by Mr. Aloysius A. Mazewski, president of the Polish-American Congress, who places the full significance of the great tragedy of Katyn into proper perspective. President Mazewski has performed a notable public service by bringing to the attention of the American people one of the most monstrous crimes ever perpetuated by the Soviet Union.

I am also placing in the RECORD the benediction delivered by His Excellency, Bishop Francis C. Rowinski. Earlier in the day a special memorial mass was conducted in Chicago by His Excellency, Bishop Abramowicz.

Mr. Mazewski's remarks and the benediction follow:

SPEECH OF ALOYSIUS A. MAZEWSKI

The Katyn Massacre is a singularly savage and abhorent crime not only against the Polish nation, but against entire humanity.

It is not only an act of premeditated genocide that will forever blot the pages of man's history on earth.

In the vast panorama of humanity's struggle for dignity, justice, brotherhood and a viable world in terms of progress and reverence for life—the Katyn Massacre stands in bold and terrifying relief as the unresolved, unexpiated and hastily covered up crisis of the conscience of the 20th century mankind—a forever disturbing knowledge that is gnawing at the hearts and minds of men of good will everywhere.

We all know the facts: the Soviet secret service wantonly, without any cause or provocation, murdered 15,000 Polish officers, intellectuals, educators and professional men in the Katyn-Ostashkov area. Some four thousand mutilated bodies were found in the Katyn Forest. The rest of the victims remain in unknown graves.

We also know that the guilt of the Soviet Union in this crime has been established beyond any shadow of doubt by both—the Polish authorities in London during the closing months of World War Two, and later, by the House of Representatives Select Committee.

In the mass of incontrovertible evidence, Russia stands before the world as the perpetrator of this ghastly crime of genocide.

Yet the Russian masters, with Polish blood on their hands, were accepted without any protest in international councils and conferences.

In the minds of honest and concerned men everywhere, Russia stands accused of the Katyn Massacre.

Yet—neither in the United Nations nor in the diplomatic chancelleries of great powers, is one word even whispered about this horrifying Soviet guilt.

Diplomatic sophistry tells us that the time is not opportune for pressing charges against the Soviets in this matter.

Nearly four decades elapsed since the discovery of the Katyn mass graves. In these decades, the statesmen and diplomats of the West played havoc with human conscience by pretending that the evil of the Soviet design against the basic human decency does not exist.

And this compromising with evil as exemplified in the Katyn Massacre shall remain a deeply disturbing factor in international relations as long as it remains unpunished and hidden under the cloak of diplomatic expediency.

And those nations which choose to accept the knowledge of the Katyn crime in silence, carry an irreducible moral debt on their historical ledgers. And sooner or later, in one form or another, this debt will have to be paid.

For once we accept a compromise in moral issues, involving the conscience, the dignity and the responsibilities of man, then we are opening the floodgates of lawlessness, irresponsibility and anarchy in both external and internal affairs of the nation.

It is, therefore, fitting, proper and incumbent upon us of Polish heritage, upon us, who more poignantly than any other group, understand the terrifying meaning of the Katyn Massacre,—to be the pangs of conscience of the modern man, to tell him that the Katyn crime is the beginning of an evil which, if unchecked by the law of truth and judgment, could, under the communist direction and conspiracy, engulf entire humanity.

KATYN FOREST MASSACRE 30TH ANNIVERSARY OBSERVANCE

(By Bishop Francis C. Rowinski)

O God, Creator and Supreme Ruler of mankind, we turn to you as the Fountain of Truth and the Giver of every good gift and we thank You for the light, hope and life brought to the world by Jesus Christ.

Our Father, You did destine the people of the Polish nation a place of being upon this earth and You did implant in our souls the love of Poland and our native language and our national ideals—that all people, as children of one God are equal and that all privileges growing out of differences in wealth and social status are wrong, for they are a violation of man's right as a child of God and hinder his development; and that all men have equal rights to life, happiness and to those means and ways which lead to the preservation of life, its growth toward perfection and to its salvation; and that all men have equal responsibilities toward God, themselves, their respective nations and humanity—we pray You to grant to the souls of the victims of the massacre at Katyn Forest, who lived, worked, suffered and died for these ideals, a place of refreshment, light and peace.

May the Katyn Forest massacre remind us of of our grief over the irreparable loss our martyred Polish nation has suffered and may it also serve as a reminder for us who have survived to remain loyal to our people and to the moral principles cherished by our fathers because only through such loyalty, may we hope to survive this age of moral decay.

And let us clearly recognize and never forget this: that mutual cooperation and the furtherance of living ties between people of Polish ancestry of all lands is our sole physical and moral protection in the present situation. But for the future our hope lies in surrendering our lives together with all men of good will to You our God and in overcoming the general moral abasement which today gravely menaces the very existence of mankind.

Enable us to labor with all our powers, however feeble, to the end that mankind recover from its present moral degeneration and gain a new vitality and a new strength in its striving for right and justice as well as for a harmonious society.

We commend to Your boundless goodness, the souls of those who with their lives did defend Your holy gifts and help us to walk the same path of duty and consecration.

Eternal rest grant unto their souls, O Lord. And may perpetual light shine upon them. May they rest in peace. Amen.

UNICEF IN NORTH VIETNAM—TRICK OR TREAT?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. RARICK. Mr. Speaker, UNICEF, one of the bureaucratic arms of the United Nations Organization, announces recommendations to send children's clothing to North Vietnam at the urging of East European members.

Many wives and widows of U.S. servicemen and POW's will remember that this is the trick-or-treat Halloween fund-raising movement for what UNICEF calls "humanitarian benefits to children."

Strangely, in this "gift" UNICEF does not seem to be basing its generosity on a request from the proposed donor—but instead is trying to force its "humanitarianism" on the donor.

Perhaps Mr. Labouisse of New Orleans, executive director of the Children's Fund, needs to be reminded that in North Vietnam U.S. servicemen are held hostage in violation of every international law and civilized norm. Perhaps Mr. Labouisse could be reminded to express the concern of children of U.S. prisoners to those pro-Communist benefactors of Eastern Europe who are so determined to help the comrades' children that they do not await a request for aid.

Trick or treat?

I insert a newsclipping from a Washington newspaper:

[From the Washington Post, Apr. 16, 1970]

U.N. FUND PROPOSES PROGRAM TO CLOTHE CHILDREN IN NORTH VIETNAM

(By Robert H. Estabrook)

UNITED NATIONS, April 15.—Henry R. Labouisse, executive director of the U.N. Children's Fund, today recommended a program to supply clothing to North Vietnamese children.

Some authorities here wondered privately whether North Vietnam would accept an effort linked so closely to the United Nations.

Labouisse's proposal would use $105,000 contributed by The Netherlands and $95,000 from Switzerland to buy cloth. Subject to approval of the UNICEF executive board, the League of Red Cross Societies would be asked to complete detailed arrangements with North Vietnam.

The recommendation followed two years of investigation by UNICEF at the urging of some members of the executive board, primarily the Eastern Europeans.

Bouguslaw Kozusznik, the Polish representative on the board, visited Hanoi last summer to discuss a humanitarian program. Kozusznik reported that the North Vietnamese national Red Cross cited a pressing need for children's clothing. He recommended an emergency effort through the League of Red Cross Societies.

If Hanoi should finally approve, it would be the first such program in North Vietnam undertaken by a U.N. body.

The United States is expected to go along with what the UNICEF board decides in its meeting here from April 20 to May 1. No objection from the State Department is thought likely.

But the question is whether Hanoi will feel that it can permit even this much of a role for the U.N. in the Vietnam conflict. Communist China is thought to be urging Hanoi not to accept U.N. assistance.

Separately, Labouisse also recommended today that the UNICEF board accept trust funds of $750,000 from the United States and $50,000 from The Netherlands to construct and furnish a school of social work in South Vietnam.

CAN INCOME TAX FORMS EVER BE SIMPLIFIED

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. ROBISON. Mr. Speaker, on Monday of this week, when the 1971 appropriation bill for the Treasury and Post Office Departments was before us, I expressed my concern over the lack of simplicity—insofar as it is administratively possible—in our annual Federal income-tax reporting chore.

At that time, in my remarks to the House, I urged the present Commissioner of the Internal Revenue Service to make progress toward greater simplification in the tax forms, and the instructions accompanying the same that seek to help us understand them, though they rarely do, a prime, personal goal so long as he headed our tax-collecting agency.

Since those remarks of mine, the following excerpts from a recent speech by Edwin S. Cohen, Assistant Secretary of the Treasury for Tax Policy, have come to my attention and, since they deal with this same subject, I am including them here for the benefit of my colleagues and, perhaps, their currently unhappy constituents. As Mr. Cohen states:

> The American taxpayer *is* entitled to know whether or not the maximum effort has been made, consistent with other objectives, to simplify the income tax law . . . and its administration.

That, Mr. Speaker, is to say the least—but the balance of Mr. Cohen's remarks are most pertinent to our understanding of this whole question, and our understanding about what the present administration intends to try to do about it, so I will let them now speak for themselves:

[From the U.S. News & World Report, Apr. 6, 1970]

EXCERPTS FROM AN ADDRESS BY EDWIN S. COHEN, ASSISTANT SECRETARY OF THE TREASURY FOR TAX POLICY

Where will our tax structure be 10 years hence? What can we plan now to cope with the problems that will accompany the inevitable growth [of the tax structure]?

Since 1960 our gross national product has almost doubled.

The economic report of the President for 1970 contains a projection of the growth of the economy through the year 1975. If we carry on to 1980 the same assumptions on which the 1975 forecast is based, then 10 years from tonight we should find—

A gross national product of more than 1.8 trillion dollars, almost double the present level and almost quadruple the level of 1960.

Individual income tax revenues of some 160 billion dollars, as against some 92 billion in the current fiscal year, including the surcharge.

Corporate income tax revenue of some 75 billion dollars, as against some 37 billion—including the surcharge—at present.

90 million individual income tax returns, contrasted with less than 70 million returns under the present law. . . .

How best should we plan for the most massive tax structure in all of man's history?

I suppose that the most difficult task in government is to plan for the long-range future while attending to the myriads of daily problems that demand immediate solution. Nonetheless, I think it urgent that we devote a major effort to molding the tax structure of the future as we deal with the demanding problems of the present.

The income tax, of course, is the backbone of our federal system, providing more than 80 per cent of the revenues aside from the trust funds. We may possibly find other revenues to supplement the income tax, or supplant part of it—the value-added tax, for example, might find favor in the years ahead. But I think it safe to predict that those of us who may gather here 10 years hence will still find the income tax furnishing the major support of our Federal Government.

The year 1969 witnessed a major effort to improve the equity of the federal income tax, culminating in the signing by President Nixon on December 30 of the Tax Reform Act of 1969. We at the Treasury have described it as a milestone in tax history—and I have no doubt that history will so regard it. As I have listened to the comments and complaints of those who have studied the bill, I have heard many opinions that in one area or another we have gone too far or not far enough in the search for greater fairness in the tax system.

This divergence of opinion should disturb no one. In time we shall surely change some of the 1969 provisions as experience and reflection guide us. What *has* disturbed me above all in hearing the comments has been the uniform criticism of the complexity of the federal income tax law, particularly after the 1969 Act.

When I gave my first talk about the 1969 Act in January to the Association of the Bar in the City of New York, the question put to me that made the most lasting imprint was, "Whatever became of simplification?" And similar questions have been asked of me and have concerned me wherever I have gone.

I believe the American taxpayer is entitled to know whether or not the maximum effort has been made, consistent with other objectives, to simplify the income tax law. We at the Treasury are conducting a study to determine what can be done to simplify the law and its administration. We will report our findings to the Congress and to the American people.

If we can simplify, let us do so; if we cannot, let us know the reason why; if we must choose between simplification and other objectives, let us know the choices and make the decision. Particularly with the massive enlargement of the tax structure we envisage in this decade, we must press forward with this inquiry thoroughly and speedily.

Now this emphasis on simplification may come with ill grace from one who, in a moment of perhaps ill-guided humor, dubbed last year's bill the "Lawyers and Accountants Relief Act of 1969." . . .

Notwithstanding the complexities in the 1969 Act, I think it clear that we did achieve meaningful simplification for a great number of persons.

Mainly through the low-income allowance, some 7.6 million tax returns at the bottom of the encomic scale that presently bear tax will no longer owe a tax and will no longer even have to be filed. This represents about 12 per cent of all the tax returns that previously showed a tax due. Moreover, we significantly relaxed the withholding requirements, so that large numbers of persons who owe no tax—college students working in the summer, for example—will not have to file returns to recover a refund of tax needlessly withheld. I would think this qualifies as a major simplification.

Moreover, the 1969 Act will permit some 11 million additional tax returns to use the standard deduction instead of having to itemize nonbusiness deductions. We estimate this will permit some 73 per cent of all individual returns to be filed on that simplified basis as against some 58 per cent today—again a major advance in the direction of simplification.

Yet so much more needs to be done.

Let me illustrate with a reference to the reporting of pensions and annuities received by retired individuals. More than 6 million persons now receive such payments, and the number constantly increases. We have made a survey of the accuracy with which recipients of federal civil-service pension report these amounts on their tax returns. In one study, which included some moderately complicated situations, we found that 75 per cent of the tax returns reported these amounts improperly. Not only so—and this is the startling aspect—two thirds of those reporting incorrectly overstated their taxable income and paid too high a tax.

Why all this difficulty in reporting pensions and annuities? The causes are numerous. We tried at least two other simpler systems before discarding them for the present one in 1954. Now we have one that is theoretically more logical than those that preceded it, but few taxpayers seem able to comprehend it.

WHY RETURNS ARE SO COMPLICATED

More importantly, however, the present system includes a large number of efforts at precise equity adjustments, which are the source of complication. The law undertakes to vary the tax result for the presence of disability, for inclusion of some death benefits, for a refund feature and the like. The persons paying the pensions or annuities do not have sufficient information required by the present statute to inform the recipient or the Internal Revenue Service as to the amount of the payments that is subject to tax, since so many variations are critical to the result.

With all the experts gathered here this evening, I doubt that a quarter of them could readily calculate the taxable portion of the pension received by a widow of an employe under a contributory pension plan—and I will include myself among them.

Another related illustration is the retirement-income credit—a provision which affects 2 million taxpayers and itself requires a full page of form 1040. We have evidence that as many as one third of those eligible for the credit may not be claiming it because of its complexity. The complexity arises from a series of special qualifications and limitations designed to achieve more precise equity, but which are obviously defeating this very same objective in the broad sense.

I use pensions and annuities and the retirement-income credit merely as illustrations of the task before us to review the income tax law and regulations for the purpose of simplifying its operation for the millions of persons affected by it. I worry about simplicity not for the thousands who can afford expert advice on complex matters but for the millions who cannot and should not be required to do so. And I grow increasingly concerned as I look a decade ahead with our ever-growing economy. I think we can develop simpler rules in many cases if we set simplification as one of our major targets.

In the years ahead, advances in computer and other technology may also open up possibilities of administrative simplification. It may not be beyond the realm of possibility in the future for data about salaries, wages, dividends, interest and personal exemptions for large numbers of persons to be reported by the payers directly to the Internal Revenue Service, which would calculate the tax and issue a refund or bill to the taxpayer, if he were willing to use the standard deduction and had no other sources of income. But the possibilities in this regard depend upon technological advances, and while we are exploring these techniques, any gains in this regard are likely to be, as we say in the tax law, long-term.

I believe there are also major changes we can make in the co-ordination of the income tax system of the Federal Government with those of State and local governments. Much can be done in this regard to minimize differences in the calculation of taxable income and to co-ordinate the preparation, filing and audit of tax returns and the collection of taxes.

Beyond these possibilities would lie far greater simplification if we were willing to forego some of the exemptions, deductions and allowances that have been adopted and maintained in the federal tax law in the name of equity. Some of us have experimented with computer studies of greatly simplified systems that would achieve substantially the same distribution of the tax burden among the various income classes. They do so, however, at the sacrifice of many provisions—such as nonbusiness deductions—that have been considered vital to home ownership, to charity and education, to fairness, or to the maintenance of incentives to desirable conduct.

I do not by any means advocate tonight the adoption of changes so drastic, but I do believe the possibilities should be reviewed and debated for the public benefit. The choice between simplicity on the one hand and equity or incentives on the other is one that can be made only if the pros and cons are understood and weighed.

A primary difficulty, of course, is that a simplified rule enacted to replace a complex one will necessarily raise the tax of some affected persons and lower the tax of others. There is a natural reluctance to make such a change. Perhaps this reluctance can be overcome if the effective date of the change is deferred for several years, permitting opportunity to adjust gradually to the new rules.

This technique of deferring the effective date was employed to advantage in a number of important provisions of the 1969 Act, and it may be useful in eliminating complexities on a longe-range basis as we look down the decade that confronts us.

We must always appreciate that complexity in our tax laws, as well as in other laws, stems in large part from the democratic processes upon which our nation is founded and which is its greatest strength.

A law which will meld the diverse views of the members of the Committee on Ways and Means and the Committee on Finance, as well as the members of both houses of Congress, and those of the President and his Administration, will often be a compromise—and compromises are not easily forged with simplicity. We are a nation of checks and balances—and proudly so—and the tax laws will always reflect our system of government and the diverse interests of our people.

WHAT THE TREASURY IS DOING ABOUT IT?

I do not despair of further simplification for the great masses of taxpayers. We have begun a new look at the problem in the Treasury, and will report to the Congress and to the public.

We trust our study will be productive. To the extent complexity must remain, at least we shall have identified the causes, so that all will know and be aware of the reasons.

GALLAGHER HAILS REJECTION OF PROPOSAL TO TEST EVERY AMERICAN CHILD FOR CRIMINAL POTENTIALITY

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. GALLAGHER. Mr. Speaker, I rise today to make what I fervently hope will be the final comments on the proposal to test all the Nation's 6-year-olds for criminal potential. The very fact that such a proposal was taken seriously by those in the highest levels of our Government is a source of great concern to me.

Yet, of course, it is easy to understand how men so burdened with the worries of our nuclear world could consider something allegedly based on sophisticated science. Perhaps the most serious damage done to our Nation by this now discredited proposal will be to cast doubt upon the valid use of the psychological knowledge.

I would urge those who see the absurdity in the specific proposal advanced by Dr. Arnold Hutschnecker not to transfer that feeling to the soundly-based applications of advanced research. Our Nation needs every tool it can muster in the on-going struggle against the ills which so obviously afflict our society.

But in this case, Mr. Speaker, the cure was more dangerous than the disease. I commend the Secretary of Health, Education, and Welfare for recognizing that fact and for reporting unfavorably on the proposal.

Mr. Speaker, I shall insert several news articles which describe the plan and the actions which have taken place since my Privacy Subcommittee began its investigation. I would call special attention to the fine article by Miss Judith Randall, prize-winning reporter for the Washington Star. She makes the point that conformity is as deadly as any of the pollutions now undergoing scrutiny at all levels of government. I am delighted that she says substantially the same thing I have said during the 6 years I have been concerned with invasion of privacy.

Privacy permits diversity. Privacy encourages the many different ethnic and intellectual traditions in America and privacy is really what stirs the "melting pot."

And privacy is now under massive attack. This is why I also insert an editorial from the Washington Daily News on the subject of testing young men for an XYY chromosome. I would merely comment that while HEW was rejecting a proposal which could result in preordained doom because of what a child saw in an ink blot, it is funding many studies which may do the same thing over a drop of blood.

I also insert an article from the Washington Star which describes a proposal recently made by Commissioner of Education James E. Allen. Commissioner Allen apparently approves of having local centers in school systems which "would know just about everything there is to know about the child."

It may well be, Mr. Speaker, that both of these thoughts have a great deal of merit and will not lead to the disaster which so clearly would have been the result of implementing Dr. Hutschnecker's proposal. I have, therefore, directed my subcommittee staff to study them both.

However, Mr. Speaker, I am reasonably confident that tomorrow's newspapers will bring to light proposals of equal complexity and containing similar dangers for a free society. I have proposed the creation of a Select Committee on Technology, Human Values, and Democratic Institutions for precisely this reason. I believe the Congress must have a fully funded committee whose sole purpose is to look beneath the surface of plans such as I have described and to assemble a sophisticated body of evidence in opposition to what appears to me to be the present campaign against the human spirit here in America. In light of the three proposals described herein, I would urge my colleagues in the House to look with favor upon the creation of a Select Committee on Technology, Human Values, and Democratic Institutions.

The quick and, hopefully, final disposition of Dr. Hutschnecker's plan should not blind us to similar and more modest ones which are going forward. It is relevant to recall that while my Privacy Subcommittee was able to halt the national data bank, hundreds of smaller versions are now operating with little or no privacy protection or procedures guaranteeing due process to the citizens whose dossiers have been automated.

Mr. Speaker, I again commend those who courageously resisted the seemingly inexpensive way to solve the Nation's ills offered by Dr. Hutschnecker and I insert the articles referred to at this point in the RECORD:

[From the Washington Post, Apr. 16, 1970]

CRIME TEST FOR TOTS REJECTED BY HEW

(By Robert C. Maynard)

A proposal made to the White House that all of this country's 6-year-old children be psychologically tested for their criminal potential has been deemed unfeasible by the Department of Health, Education and Welfare.

HEW said its view of the proposal, made to President Nixon last December by Dr. Arnold Hutschnecker of New York, is "most unfavorable."

Rep. Cornelius Gallagher (D-N.J.) was informed of the HEW rejection by a White House official last night. Gallagher informed HEW and the White House yesterday of his intention to hold hearings on the Hutschnecker proposal.

White House staff members would only confirm the report that HEW has rejected the proposal. It was sent to HEW on Dec. 30 by John Ehrlichman, the President's assistant for domestic affairs.

Details of the rejection were also unavailable from HEW, which was asked by Ehrlichman to advise the White House on the "advisability of setting up pilot projects embodying some of these approaches."

The approaches of Dr. Hutschnecker to the problem of urban crime are tests for all children between the ages of 6 and 8. Those children found by the tests to have a potential for criminal behavior would be treated through a massive psychological and psychiatric program.

"The hard core," Dr. Hutschnecker said, should be confined to camps where they would learn more socially acceptable behavior patterns.

Psychiatrists and psychologists have denounced the plan as "ridiculous," "ignorant" and "Frankenstein fiction." HEW has remained silent for the 10 days since Dr. Hutschnecker's memorandum to President Nixon came to light.

Gallagher, chairman of the House Special Subcommittee on Invasion of Privacy, said last night that his staff notified the administration that hearings on the Hutschnecker proposal were being scheduled for April 24 and that eminent psychiatrists and psychologists were being invited.

Gallagher said he asked the administration if it wished to be represented, noting that he also invited Dr. Hutschnecker to testify.

The White House staff, in a conversation early last night, informed Gallagher that HEW had given the plan a failing grade.

But there was no official word from the White House that the plan is dead. In an interview Monday, Dr. Hutschnecker said that while HEW has been studying his proposal, he has been having discussions with members of the White House staff on the question of what kind of test to select for use.

[From the Washington Star, Apr. 16, 1970]

CRIME-TENDENCY TESTING AT 6 REJECTED BY HEW

A proposal by President Nixon's former physician that 6- to 8-year-olds should be tested to determine whether they have "violent and homicidal" tendencies has received an unfavorable report from the Department of Health, Education and Welfare.

The department had been asked by the President's counsel, John D. Ehrlichman, for its opinion on setting up pilot projects suggested by Dr. Arnold Hutschnecker, an internist who treated Nixon in the 1950s.

Hutschnecker had urged mass psychological testing and a variety of treatment facilities, including residential camps for "the young hard-core criminal."

Last night, Rep. Cornelius E. Gallagher, D-N.J., whose subcommittee on the right to privacy planned a hearing on the Hutschnecker proposal, said he had been informed by the White House of HEW's negative recommendation.

"I have tonight urged the President to accept the HEW report," Gallagher said. "If he does so, I see no need to hold the hearing."

The White House today indicated that HEW's opposition to the Hutschnecker proposal probably would end any further consideration.

Last week, three leading professional organizations criticized Hutschnecker's proposal, saying psychological tests for young children are of doubtful predictive value and that Hutschnecker is not a certified specialist in psychiatry.

[From the Washington Post, Apr. 14, 1970]

DOCTOR PUSHES CRIME TESTS FOR TOTS

(By Robert C. Maynard)

The New York physician who has proposed to President Nixon the testing of all six-year-old children for future criminal tendencies said last night that he has been discussing with members of the President's staff specific tests that could be used to carry out the proposal.

Dr. Arnold Hutschnecker said he could not reveal the names of the White House staff members with whom he talked. But he added:

"There are a variety of tests and we are now in the process of narrowing it down to the most reliable and the one that will cost the least."

The White House sent Dr. Hutschnecker's suggestion to the Department of Health, Education and Welfare on Dec. 30. Secretary Robert H. Finch's office has said the Department is still considering what response it will make to the White House.

Dr. Hutschnecker, whose proposal first came to light 10 days ago, has been roundly condemned by the scientific community for advocating "Frankenstein fiction" and "the problem of crime."

Reacting to that last night, Dr. Hutschnecker said in a telephone interview from his New York office:

"It's a shame to see your labor of love turned into a sinister plot."

He said his proposal for confining "hard core" youth in camps had been misunderstood. "I had children's camps in mind," he said, "a romantic setting like in the West, and with proper psychologists."

Dr. Hutschnecker said the President asked him last December to write a memorandum suggesting ideas for implementing the report of the National Commission on the Causes and Prevention of Violence.

Dr. Hutschnecker said he noted that the commission had concluded that the answer to urban crime is urban reconstruction. He said he supported that idea but felt that "urban reconstruction takes a long time. I felt testing would be a quicker way to determine who the future delinquents are."

In any case, Dr. Hutschnecker said, he feels that all children should be psychologically tested because he believes such tests will turn up emotional disturbance soon enough for therapy to be useful and effective.

"All children should be tested," Dr. Hutschnecker said. "The younger the better."

He said he does not treat children in his own practice and has no children of his own.

He was asked what he thought the public policy ought to be in cases where the parents of a child object to the universal testing he proposes.

"It is to the benefit of the child, his parents and the nation," Dr. Hutschnecker responded. "It should be handled with delicacy. The voluntary approach is the most desirable. If there is resistance, then we have a problem that needs legislation."

Dr. Hutschnecker said his idea is that those children found to be disturbed be placed in group therapy because, "you couldn't afford individual therapy for children. And they conform better in a group."

He said he has been discussing several tests with the White House Staff, but he said he is particularly impressed with a test developed at the University of Mexico by Dr. Robert Hartman. He said the Mexican government is employing the Hartman test.

He said the Hartman test actually tests the values of the subjects by asking them to state a variety of preferences along a sliding scale from great appreciation to great dislike.

Several professional associations in the field of social science have condemned Dr. Hutschnecker's work because predictive tests are thought to be highly unreliable, depending as they must, on the judgment of the person administering the test.

Furthermore, the American Psychiatric Association has said that Dr. Hutschnecker, although he has identified himself as a psychotherapist, is not qualified by the American Board of Psychiatry and Neurology.

Dr. Walter E. Barton, medical director of APA, also said there is no evidence that Dr. Hutschnecker's "proposal for the nationwide psychological testing of youngsters . . . has any support whatsoever from the profession of psychiatry."

[From the Washington Star, Apr. 16, 1970]

DANGERS IN "TENDENCIES" TESTS

(By Judith Randal)

Dr. Arnold Hutschnecker, President Nixon's physician while he lived in New York, is not a psychiatrist and is well past middle age, so he may perhaps be forgiven for not being abreast of modern behavioral research.

The unfortunate thing is that his proposal to have the government test all 6- to 8-year-olds for their "delinquent tendencies" was taken sufficiently seriously to be sent by John D. Ehrlichman, Nixon's chief domestic policy adviser, to the Department of Health, Education and Welfare for further study.

The fortunate thing is that HEW opposed the idea and the White House indicated that would end any further consideration.

Hutschnecker seemingly is no Fascist—despite the fact that this is suggested by his recommendation of special camps for incorrigible teenagers and the general tenor of "strength through joy" that runs just under the surface of his memorandum, sent to HEW in December.

The text suggests quite sensibly that "many intellectually superior young people with ideals and enthusiasm . . . would be eager to serve a great cause and their country" as counselors in remedial programs. What Hutschnecker apparently is unaware of is that this sort of domestic Peace Corps activity already exists under the aegis of the VISTA volunteers fielded by the Office of Economic Opportunity, and merely needs expansion.

Less benign is his suggestion that tendencies can be spotted in 6- to 8-year-olds that will reliably predict their behavior as teenagers or adults and his assumption that manipulating people without altering their circumstances—the filth, the hunger, the underemployment, the illness and degradation that typify our crime-breeding slums—will bring law and order in its wake.

Who knows what will be criminal behavior a decade hence? Some things, to be sure, are always crimes—theft, for example. But the criminal status of others comes and goes. The group practice of medicine is regarded as the coming thing, for example, but it still is illegal in 22 states. Abortion has been regarded as murder since the 19th century; that judgment is changing now.

With the preponderance of blacks in our inner-city slums, furthermore, Hutschnecker's thinking, as a psychiatrist has pointed out, is racist in consequence, if not in intention. The failure to recognize that criminal behavior is an interaction between the individual's idiosyncrasies and the particulars of his environment is incredibly naive.

Hutschnecker implies that his plan is a "direct, immediate and . . . effective" alternative to "urban reconstruction." Given what is known about personality development, this just isn't so.

Which brings us to the predictive value of psychological tests. In the 1890s, an Italian physician, Dr. Cesare Lombroso, after a survey of prisoners, listed physical traits which he considered stigmata of degeneration and therefore conducive to criminal behavior.

He did not, however, look at the population at large for the frequency of such traits and then follow through to learn what percentage of them became law-breakers. Although Hutschnecker would focus more on psychological than physical variables, the same fallacy can be detected in the mass-screening measures he suggests.

The Sheldon-Glueck test he refers to, for example, which was devised in the late 1940s and early 1950s and is Lombroso brought up to date, has proved to be predictive no more than 50 percent of the time.

Much the same is true of the Rorschach test, which, in any case, was designed to be diagnostic rather than prognostic. It depends

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for its interpretation on what the subject sees in a standardized set of ink-blot shapes.

In the absence of continued observation of a child's actual behavior, such one-shot examinations deal with probabilities rather than certainties. To label a youngster as having criminal tendencies on this basis is to expose him to the risk of reactions from others that will make his test scores a self-fulfilling prophecy. Many children who are low achievers at school, for example, remain so because they sense that that is what is expected of them.

In his first public statement of the decade, President Nixon proclaimed the 1970s as the "now or never" years for recouping the quality of the environment. Certainly, no one can quarrel with this aim. But if we fail to recognize that an insistence on conformity is every bit as much a threat to the ecology—to use that suddenly fashionable term—as pollution and over-population, we shall be, if anything, worse off in 1980 than we are today. One era's deviant is often the social visionary of the next.

[From the Washington Daily News, Feb. 3, 1970]

BOYS, BLOOD AND BEHAVIOR

There is a new theory in some scientific circles that males whose blood cells carry an extra Y chromosome—producing the relatively rare "super masculine" XYY pattern—may, for some as yet unfathomed reason be predisposed to violent criminal behavior.

Spooky, isn't it?

But worth investigating, particularly since the traditonal explanations of delinquency—the broken home, the lack of discipline, love and security, various other deprivations—fail to justify ALL of people who, despite having what would appear to be adequate advantages, simply seem to be "born bad."

All right. Someone having raised the XYY chromosome theory, why not try to prove it out, or lay it to rest? This is what Johns Hopkins University, with financial help from the National Institutes of Mental Health is about to do.

This is where it gets really creepy.

The blood of 6,000 delinquent boys confined to Maryland's correctional institutions will be tested for the extra chromosome in the next three years as well as the blood of 7,500 boys, age two to 18, from underprivileged Negro families in East Baltimore who are now enrolled, or will enroll later, in a free Johns Hopkins medical program.

Now as long as there remains any doubt as to whether or not an extra Y chromosome may be, in some sinister a fashion, a factor in telling a lad to scrag his sister or feed his employer into the sausage machine, it would seem incumbent upon any research team to take extraordinary precautions to safeguard the identities of the children it puts to the chromosome test.

Instead, Robert C. Hillson, director of the Maryland Department of Juvenile Services blandly confirms that names of these kids found to have the XYY thing will "probably be passed on to the courts for whatever use they can make of it."

We can see a judge, or a jury, trying to be impartial when informed that the wretched youngster in the dock has got the bad blood. And we picture the parents of a two year old (parent's permission for the tests, by the way, has been largely overlooked) eyeing the potential little monster as he eats his cornflakes at breakfast. Good grief!

Two congressional committees, having read stories in The Washington Daily News about this study, are going to look into what Rep. Cornelius E. Gallagher, D-N.J., chairman of one of them, calls "a terrible question of preordained doom for these guys."

Good. Someone should take a hard look.

[From the Washington Star, Apr. 15, 1970]

SET UP DATA BANKS, ALLEN URGES SCHOOLS

(By John Mathews)

U.S. Commissioner of Education James E. Allen Jr. has outlined a plan for restructuring local schools that would include computerized data systems designed to help professionals "prescribe" programs for helping pupils and their families.

The closely structured and controlled approach he suggested calls for major evaluations of a child's problems and potential before he is 6 years old, then again at 11 and 15.

In his proposal, made yesterday in a speech to the National School Boards Association convention in San Francisco, Allen suggested each local school system should have a central diagnostic center "to find out everything possible about the child and his background" to plan an individualized program for him.

"FULLY INFORMED"

After test and home visits, Allen said, the center "would know just about everything there is to know about the child—his home and family background, his cultural and language deficiencies, his health and nutrition needs and his general potential as an individual."

The information would be fed into a computer for use by a team of trained professionals who would write a "prescription" for the child "and if necessary, for his home and family as well," Allen said. "If the home is contributing negatively to the child's development, it too should receive attention and aid."

Prescriptions for dealing with the child's problems and those of his family would be made by local health and welfare departments as well as the schools, Allen said.

At the high school level, the professional team, after consulting with the student and his parents, would prescribe a course of specialized study for him. The high school course would lead to college or other post-high school training or employment.

OPPOSITION LIKELY

Allen's proposal, which he said was made to challenge school board members to think of innovative approaches, is likely to be challenged on several fronts.

Much concern has been voiced in recent years about the use of computerized data banks by governmental agencies. Some educators also say that predictive techniques, such as the one suggested by the commissioner, are dangerous in that they categorize a student too early in life.

Some critics may also see in Allen's scheme some of the elements of a plan proposed by Dr. Arnold Hutschnecker, President Nixon's former physician.

In a memorandum sent by the White House to the Department of Health, Education and Welfare for comment, Hutschnecker suggested testing of 6- to 8-year-olds to determine their "delinquent tendencies." Professional organizations have condemned the Hutschnecker plan as scientifically unsupportable.

LEGISLATION TO BAN THE SALE OF CHLORINATED HYDROCARBONS

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. REID of New York. Mr. Speaker, last year I introduced in the House of Representatives a bill to ban the use of DDT in the United States. Today, my increased knowledge and concern in the field of pesticides leads me to believe that such legislation would accomplish little toward decontaminating our environment unless we also ban the use of the other "hard pesticides" besides DDT, and also take responsible steps to provide the farmers and conservationists of our country with efficient and inexpensive replacements that are environmentally harmless.

The legislation I am introducing today would make it unlawful for any person to distribute or offer for sale in the United States or any of our territories the economic poisons DDT (DDE), dieldrin, aldrin, endrin, heptachlor, toxaphane, chlordane, and lindane—all of which are chlorinated hydrocarbons.

I am sure each one of you is by this time acutely aware of the long-term toxicity of DDT. The Commission on Pesticides and Their Relationship to the Environmental Health, appointed by the Secretary of Health, Education, and Welfare, issued its report in November of 1969. The Commission urged the virtual elimination of the use of DDT in the United States, and at the same time warned that the other chlorinated hydrocarbons should be closely examined as to their detrimental effects. In line with this recommendation, the Department of Agriculture announced its intent to cancel the use of DDT except for narrowly defined public health purposes. However, this proposal is being appealed, by six manufacturers of DDT and it is unlikely the matter will be resolved in the near future.

Meanwhile, DDT remains on the market to be used by anyone who decides to purchase it.

This is not to say that the use of DDT in the United States has not received active consideration and condemnation. The Massachusetts State Pesticide Control Board, at the request of the Governor, recently banned the outdoor use of DDT, and Home Garden magazine has announced that it will no longer accept advertisements for products containing DDT and other chlorinated hydrocarbons. It also urged its several hundred thousand subscribers not to use this kind of pest killers.

While the use of DDT has diminished in the United States in the past few years, there has been a marked increase in the use of the other chlorinated hydrocarbons. It is important to keep in mind that although these chlorinated hydrocarbons receive less publicity than DDT, they are all more dermally toxic, and only chlordane is less orally toxic than DDT.

The U.S. Bureau of Sport Fisheries and Wildlife recently completed a 2-year study of pesticide levels in fish and our rivers and lakes. This comprehensive study found DDT in almost 100 percent of the fish samples tested, dieldrin in 75 percent, heptachlor in 32 percent, and chlordane in 22 percent. Residues of dieldrin were also found in excess of the Food and Drug Administration 0.3 parts per million limit in 15 major rivers and lakes in the United States.

The National Wildlife Federation has

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also noted a close relationship between the gradual disappearance of the bald eagle from the Great Lakes area and the use of DDT and dieldrin, ingested by the eagle via highly contaminated prey. These pesticides have been proven to interfere with calcium metabolism in the eagle, and are closely related to the production of eggs with thin or flaking shells in not only the bald eagle but also ospreys, hawks, pelican, cormorants, and mallard ducks. There is also evidence that these chemicals reduce resistance to environmental stress, such as excess cold, heat, and lack of food.

Athough there has been no proof positive that DDT and other chlorinated hydrocarbons present a health hazard to man, many conservationists and opponents of these pesticides have noted that emphasis has been shifted from a conservation issue to a health issue. It has been established that practically every American has accumulated in his body fat residual DDT at about 12 parts per million parts fat. Sex hormones in rats—the same as those found in man—have been proven to be affected by enzymes activated by DDT. Earlier this year the death of a 69-year-old man was attributed to chlordane, one of the chlorinated hydrocarbons, which intensive tests proved had attacked his bone marrow and restricted the manufacturing of red blood cells.

My bill would also make it illegal for any person to distribute, sell, or offer for sale in any foreign country or territory thereof any of the chlorinated hydrocarbons, unless the president or government of the country involved officially notifies the Secretary of Agriculture that the specific chlorinated hydrocarbon may be admitted to the country. This admittance would have to be renewed at the end of each consecutive year. I feel that this provision is most important, for we must not exercise double standards for the quality of life we desire and that which we would impose on others. However, we must take into account situations where the beneficial effects of such powerful pesticides are greatly outweighed by the dangers involved in using them. The World Health Organization has strongly recommended that developing nations be given the option of using chlorinated hydrocarbon pesticides during emergency situations when the lives of many people are involved, such as to control malaria epidemics. There is no denying that DDT has played an important role in saving the lives of millions of human beings from malaria and a variety of other insect-borne diseases, but continued use of such a pesticide to control a disease can soon result in the development of stronger, more resistent strains of the pest to be controlled, and makes it necessary to use continuously larger quantities of DDT to control them.

This is not to suggest that the United States is the only country actively concerned over the long-range health and environmental problems that could become acute due to the continuous use of any of the chlorinated hydrocarbons. Czechoslovakia, Sweden, and Denmark have already outlawed the use of DDT, and are currently looking into the detrimental effects of the other chlorinated hydrocarbons.

Finally, my bill would authorize to be appropriated such funds as shall be necessary for the Department of Agriculture, in conjunction with the Department of Health, Education, and Welfare, to conduct research to develop efficient and inexpensive pesticides that are environmentally harmless. I feel the lack of such inexpensive pesticides is the only reason why the use of chlorinated hydrocarbons was not abated long ago. Effective alternatives for these pesticides have been developed; the Department of Agriculture presently lists effective alternatives for DDT, as an example, for virtually every crop on which the pesticide is used. However, we must keep in mind that the use of malathion, which has recently been recommended by the U.S. Department of Agriculture to control mosquitoes and black flies in place of DDT, would prove to be over five times as expensive per pound to the farmer. If he chose to use methoxychlor, which is also recommended to be used in place of DDT in some instances, he would pay a price over three times higher than if he used DDT, according to figures in the Pesticide Review of 1968.

Initiatives are now being taken by private sources to locate natural substances to be used in place of present pesticides. Scientists at the University of California have discovered that an oil-based spray containing a dosage of 12 parts per million of garlic, the popular flavoring plant, has a mortality rate of 100 percent on all five species of mosquitoes. I am not being facetious in stating that we must make every possible effort to make available as a substitute for persistent pesticides such natural and harmless products, which result in no environmental damage yet accomplish what is necessary to control disease.

SYMPOSIUM ON ENVIRONMENTAL NOISE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. PUCINSKI. Mr. Speaker, on March 18, the Chicago Hearing Society sponsored and conducted an all-day conference on noise pollution. Called the Symposium on Environmental Noise, this all-day event was the city's first communitywide conference on noise—and it was geared to arouse the community to action.

Experts in many fields were brought together to define the problem and recommend solutions—from government, labor, industry, law, medicine, psychology, aviation, and engineering. Judging by the response on the part of those who attended and on the part of the media, noise pollution is at last recognized as an insidious and dangerous element that is worsening the quality of life for all of us.

The Chicago Hearing Society conceived of and presented this symposium because, for over half a century, this private, voluntary health agency has focused on hearing conservation. Logically, it is concerned about noise—which demonstrably causes hearing loss in varying degrees, especially on prolonged exposure. It saw the need for community action at the grassroots level.

I was very happy to participate in this first symposium on noise and am pleased to include my own remarks, as well as those of others, in the RECORD today.

The Chicago Hearing Society stands ready to give support and encouragement to citizen groups in their attack on the problem of noise. It will provide speakers, films, and literature, as well as guidance in technical matters. The time is ripe for such efforts. Authorities see in the increasing rate of hearing loss a component they call "sociocusis"—loss of hearing caused by the social environment. A survey by the U.S. Public Health Service between 1959 and 1961 revealed that in the general U.S. population the rate of hearing impairment per 1,000 persons was 7.6 for those under 25, 22.2 for those aged 25 to 44, and 51.2 for those aged 45 to 64. Continued exposure to loud noise is believed to be a major cause of this increase. We know that sound insulation requirements in European building codes go back as far as 1938. But in the United States the closest thing we have to such codes is the set of suggested noise control standards in FHA-financed housing, which fall far short of the European ones.

Mr. Richard W. Daspit, president of the Chicago Hearing Society and his entire staff deserve our highest commendation for arranging this significant symposium.

I am including in the RECORD today the remarks by Mayor Richard J. Daley, who opened the symposium, my own remarks as keynote speaker, and the remarks of other authorities who participated in the symposium:

SPEECH BY MAYOR RICHARD J. DALEY

It is my pleasure to welcome this important symposium on environmental noise conducted by the Chicago hearing society.

I am glad to see this recognition that the problem of noise is an important one. Recently, the city of Chicago revised its environmental control ordinance and in doing so included the goal of noise abatement.

We know too little about the long-range effects of noise upon the human system. Hopefully, you will begin to probe for the answer during this symposium. I believe that the presence of city officials at this meeting indicates the seriousness with which Chicago officially regards the subject.

Our Health Commissioner, Dr. Brown, and our Environmental Control Commissioner, Mr. Poston, both have life-long commitments to improving the health of the community by reducing the pollutants which damage us—whether the pollutants constitute germs which adversely affect the human body—or irritants which affect the nervous system.

The city has long recognized the problems of noise. We never followed the philosophy that noise was a necessary adjunct to a prospering city. We felt and still feel that progress can be made while controlling the noise level.

For example—we have long had a city ordinance which required construction work to cease operations from 9:30 in the evening until 8:00 in the morning when the site of such work is within 600 feet of residences or a hospital. There have been prosecutions in court under this ordinance.

City ordinance now restrict noise and vibration to permissible limits. There are restrictions on use of bells, whistles, rattles, and other noise makers. These noise makers include pneumatic drills and other tools used in construction.

When the city eliminated the old streetcars, it also eliminated a good deal of the street noise which accompanied them. And we're looking forward to tearing down the elevated structure in the loop—which contributes to the decibel level in the downtown area.

Another important source of noise is the jet aircraft engine. Recently the airplane manufacturers and airline companies said that the engines could be modified to substantially reduce the noise level. It will be a most expensive undertaking. But it is an undertaking which is most desirable and it must be encouraged. The airlines, and the industry in general, and the Federal Government must be convinced that this is a most necessary project. It is obvious that no city can enact local ordinances which will combat the problem created by jet planes landing and taking-off. The imposition of standards must come from the Federal Government so that they will be uniform throughout the country . . . and to avoid confusion. If there is one standard, the airline industry can meet that standard, whereas it would be difficult, if not impossible, if the industry had to meet a different standard in each city with which it did business.

The Federal Government has a significant role to play in setting acceptable standards in the entire field of environmental control. As I have said often, when we are dealing with air and water pollution we are dealing with a subject which can not be handled on a local level. There must be regional standards since air and water pollution cross state lines and municipal boundaries. There can only be progress in this field when every community is putting its major efforts into it. Chicago must do its part but so must Gary, Indiana, Milwaukee, Wisconsin, and every other governmental unit in the area.

And above all, we must have the facts upon which to base reasonable controls. At present the Federal Government has not said what is a dangerous level of pollution. We must know precisely at what amount sulphur-dioxide in the air endangers the health of the average citizen . . . and we must have this precise data for the other pollutants—dust, nitrogen-oxide—and the like. Until we have this kind of realistic standard, we only will be alarming the public without giving the public full information. We have monitoring networks on air pollution in Chicago and we have accepted the guidelines which the Federal Government has provided . . . but we need more precise and more factual standards.

We need the same kind of thorough research into the problem of noise pollution. It is not enough to say that noise is dangerous. We must know how it is dangerous, in what decibel range, and what frequency range. In other words, we must have the facts if we are to act responsibly. I would hope that symposiums such as this will further that cause.

I wish you a most productive meeting and assure you of the support of the city of Chicago for any measures which will reduce noise and improve the health of the people of our city.

The National Institute of Mental Health reports that three out of every ten Americans suffer some form of emotional instability to a greater or lesser degree.

When you consider a nation of 210 million people, this would mean that some 70 million Americans experience varying degrees of emotional difficulty.

There is mounting evidence that noise—constant excessive noise—is a significant contributor to this troubling phenomenon among humans.

Wild animals can escape noise by fleeing to quieter parts of the forest but human beings—especially in the big cities—are trapped in a cacophony of this man-made torture. And that's why we're here today.

Over the past few months there has been so much talk about "man and his environment" that the phrase has practically become a cliche.

"Environment", "ecology", and "pollution" have become catchwords, and the environmental umbrella is wide enough to cover the entire political spectrum, all the way from Chamber of Commerce types to student radicals.

Environment is definitely "in" this year and "ecology" has become the new code word for instant recognition.

The widespread clamor over the environment is a typically American response to the perception of a new problem. We seem characteristically to move from a state of total apathy to a state of alarm bordering on hysteria. Finally, after the first shock waves have dissipated, we are able to approach the problem in a more rational way. We have seen this pattern repeated over a whole range of issues, from space to transportation to poverty.

We may not be able to change the pattern, which is after all a very human reaction; but hopefully experience will enable us to diminish the amount of time spent in the "apathy" and "panic" phases and move more rapidly to the point where we can make a rational judgment.

Environmental noise is a good example of an issue which is now in the panic stage.

For years we ignored the growing assault on our ears and our sensibilities which excessive noise produced.

Now suddenly the issue has exploded. We see articles in national magazines with titles such as "Noise is a Slow Agent of Death."

Today I ask that we look at the problem of environmental noise as objectively as we can. Hopefully we can move this issue into the rational, problem-solving stage.

Noise may be defined as unwanted sound.

This definition is an imperfect one because it is necessarily subjective. Sounds that are pleasant to your ears may be irritating to mine, and vice versa. However, there can be no disagreement that the total sound level to which we are subjected has increased steadily for many years; and the worst is yet to come!

This is a natural consequence of increased population, increased concentration of that population in large urban centers, and technological change.

By 1980, we estimate 78 per cent of the American population will be living in 12 major metropolitan areas. I will leave to you a judgment of the noise problems such concentration of population will create.

Noise levels have already reached a point where they cause insufferable irritation and discomfort.

In some cases, noise has been clearly identified as a cause of damage to physical or mental health even though the total dimensions of the noise-related health problem have yet to be determined.

But preliminary research already indicates excessive noise does have a grim and often bizarre impact on the psyche and human emotions.

You may be sure that the widespread sense of alarm felt by so many citizens is shared by all of us in the Federal government, both in the executive branch and in the Congress.

In short, noise pollution is now a public issue and must rank in the same order of importance as all aspects of the environmental problem.

Federal activities in the environmental noise area have been rather limited in the past. Historically, noise has been considered a local problem to be handled by local and State governments. Even now there is no generally applicable Federal anti-noise law. The Federal government has exercised regulatory authority in only two areas—aircraft noise and industrial noise.

I remember only to well my own crusade during the past decade to deal with unbearable noise from jets landing and departing at O'Hare Field which lies in the shadow of my District. While the shattering noise was driving many of my constituents to deeprooted frustrations, our protests fell on deaf ears in the F. A. A. But, finally, today we have tolerable noise standards under which future aircraft will not be certificated if it generates noise in excess of these standards.

Aircraft noise has received much more attention from the Federal government than other sources of environmental noise because the interstate commerce clause of the Constitution, plus the practical necessities of the aviation industry, have combined to place control and regulation of aviation squarely in the hands of the Federal government.

In recognition of this responsibility, Congress passed the Aircraft Noise Abatement Act in 1968. This Act gave the needed recognition to the noise problem and removed it from the "minor nuisance" category. It gave the Federal Aviation Agency the authority to establish and enforce limits on aircraft noise. The only limitations on this authority are the requirements of air safety—which must always come first—and the technological and economic feasibility of the proposed noise limitations.

The Administrator of the FAA was instructed to proceed with a noise abatement program, but to proceed in a manner consistent with the highest standards for safety and continued development of national aviation.

As a result of this Act, there has been rapid progress in reducing aircraft noise. Procedures for jet aircraft departure which specify routes and reduced power settings for climbing flight over urban areas have been established.

Noise suppression is now considered as a critical design problem for future products. Research on jet engines is progressing to identify and correct noise generating features. And ways of improving existing equipment are also being developed.

Under the authority of this Act, the FAA has established new regulations regarding allowable noise levels for aircraft engines. These regulations will establish maximum noise levels for most commercial airliners at 102 to 108 decibels, depending on the takeoff weight of the aircraft.

Since some of today's aircraft operate at sound levels of up to 120 decibels, the new regulations represent a decrease of over 50 per cent in allowable noise levels.

Unfortunately, the regulations do not apply to aircraft engines in service before December 1, 1969. This means that the effect of the new rules will be felt only gradually, as older engines wear out and are replaced. I have proposed a total tax credit for all money spent on replacing old and noisy jet power plants as a further inducement for retrofitting older aircraft as soon as possible.

It should be noted that the new Boeing 747, despite its great size, is much quieter than presently operating jet aircraft such as the 707 and the DC–8. This reflects the fact that noise suppression was taken into account throughout the development phase of the aircraft.

Before leaving the subject of aircraft noise, a word about the supersonic transport is in order. I'm sure you are all familiar with the controversy about the SST and the sonic boom. As of now the sonic boom debate has been at least postponed, if not resolved, by general agreement that the SST will not fly over land areas at supersonic speeds.

Of course, the danger always remains that, once the SST exists, economic pressures will cause the restrictions on the overland supersonic flight to be relaxed.

Even without the sonic boom, the SST could be a major noise problem because of the great power of its engines. The manufacturers have been instructed to incorporate all feasible sound reducing systems in the SST design. For this aircraft, the technical challenge is difficult. You may be certain that those of us interested in noise abatement will watch this situation carefully.

Let me warn SST developers now. Their aircraft will not be certificated regardless of how much billions they spend if they fail to deal with the noise and sonic boom problem.

Industrial noise is another area in which the Federal government has taken a significant role. The authority for Federal action in this area is the Walsh-Healey Act, which is concerned with industrial health and safety generally. This Act only applies to industrial firms which have Federal contracts totaling $10,000 or more during a given year, so there are large portions of industry untouched by these regulations.

Under the authority of the Walsh-Healey Act, regulations on occupational noise exposure went into effect in 1969. These regulations set limits of permissible noise exposure, taking into account the duration of the exposure as well as its loudness.

For example, a worker may be exposed to a noise level of 105 decibels (on the "A" scale, which translates sound energy levels into perceived loudness) for an hour. However, if the time of exposure is eight hours, the permissible noise level drops to 90 decibels on the "A" scale. While these regulations do not cover all of industry, it is hoped that they will serve as guidelines for those industrial firms not directly covered by the Walsh-Healey Act.

In addition to its regulatory actions, the Federal government is currently involved in a number of research projects concerned with noise abatement. Aircraft noise related research has been conducted by NASA, the Department of Transportation, and the Department of Defense. Other aspects of environmental noise have been studied on a smaller scale by the Department of Health, Education, and Welfare, the Department of Housing and Urban Development and the Department of Commerce. There is every reason to believe that Federally-sponsored research in noise abatement will continue in the future, hopefully on a larger scale than the small-scale research effort of the past.

We must make our biggest breakthrough in soundproofing our homes. As most of you know, this is not easy. We have made significant progress—NASA, HUD, DOD are all knee-deep in research and we're looking for major breakthroughs. I have Taft High School in my District which lies directly below the final approach on Runway 27 at O'Hare. I also have Resurrection Hospital at the foot of Runway 4. Both suffer an intolerable situation on noise.

As both noise levels and tempers continue to rise, Congress will inevitably have to deal even more effectively with the environmental noise problem over the years to come.

It is possible that we may see the formulation of a national standard for environmental noise levels, just as there are now national standards for the more limited areas of aircraft noise and industrial noise.

Certainly, scientific research on noise suppression techniques, and on the physical and psychological effects of prolonged exposure to a noisy environment, will have to be pursued.

I shall introduce shortly an amendment to the existing law which would permit an accelerated amortization for tax purposes on money spent to reduce noise. We now permit such a write-off on investments dealing with water and air pollution. Since I insist we begin treating noise with equal vigor as a pollutant, I know of no reason why money spent on anti-noise programs should not also be given favorable tax treatment. Whatever the specific course that we follow will be, it is the duty of the Congress and of us all, to avoid the twin evils of apathy on the one hand and panic on the other. Our goal must be a policy on environmental noise that will really serve the public interest. With the help of informed and concerned citizens like those gathered here today, I believe that we can meet this challenge.

May I conclude by asking you to join me in killing immediately a budding nationwide campaign which some huskster has dreamed up to deal with littering at the expense of increased noise.

The other morning I heard a commentator on CBS in Washington urging his audience to join a nationwide effort to get motorists to sound on their auto horn the Morse code for the letter "L" whenever they see a litterbug littering the streets or highways.

Honestly, he would have 55 million motorists sound out Di-Da-Di-Di (. — . .) every time they see a litterbug.

Can you imagine 55 million motorists "Di-Da-Di-Di'ing" all day long. They'd drive this nation right out of its mind.

"Let these litterbugs know big brother is watching," the commentator said. "See a litterbug doing his work—hit the horn! OK, you horn hunters, go get them," he concluded. And all of this in earnest seriousness.

Now, you can see what an enormous challenge confronts this symposium on noise.

With a Di-Di-Di --- which in Morse code is "S" for Silence, thank you.

Noise and Human Behavior

(By Harold G. Wakeley, IIT Research Institute)

Noise effects on behavior may be broadly classified as being related to either psychological, physiological or performance areas. A noise will probably affect more than one of these at a time but for convenience each area is usually discussed separately.

WORK PERFORMANCE

To take the last area first, the studies of the effects of noise on performance have yielded sufficiently different results, depending upon the test and noise conditions used, that it may be stated that noise either improves, disrupts or has no effect on objective task performance. If task improvement is noted, the results are often attributed to the increased attention paid to the test subject or to similar activities which induce the subject to devote more effort to performance. If a decrement in performance is noted, it is frequently stated that distraction has prevented the acquisition of information essential for task completion. This latter effect appears to frequently be the case, particularly in complex intellective tasks which first require the acquisition of information followed by abstract mental operations. It has been demonstrated that noise may seriously interfere with the initial phase of information collection, while facilitating the mental manipulations which require freedom from distraction by new incoming stimuli (Woodhead, 1964). It has been hypothesized that the noise interferes with the collection of information by competing for the limited number of channels of information input available. As these channels are scanned, if noise is present, some of the information available cannot be received. As a consequence, the individual must either take more time to insure that all the relevant information is available, or proceed at the usual pace with a higher risk of producing an incorrect result or response. The logical consequence of the latter approach is a higher error or accident rate. It might be noted here that the noise need not be continuous or intrude directly upon the presentation of the information to be used. The continuity of the noise, in time, with the useful information is apparently sufficient to introduce blocking of the stimulus inputs even though no noise is present during the actual period of information presentation.

Unlike the tasks with a strong mental or abstract component, clerical or formboard tests which utilize paper and pencil or other visual objects show little if any decrement attributable to noise. An experiment which indicates something of the nature of the differences between the different tests and results required students to read aloud for ½ hour while exposed to music or quiet (Fendrick). Although the music-exposed students read slightly more during the period, they also performed significantly worse on a test of comprehension. This performance might be taken to indicate that although the simple sensorimotor activity of reading aloud is unaffected, incorporation of the abstract material is interfered with. Unlike the intellectual tasks described, the simpler sensorimotor tasks are generally less likely to show noise induced decrements. Tasks of this type have included card sorting and translating written material into code as well as tasks with a strong motor component, such as typing, tracking and gun range finding and coordination tests which require only the performance of a simple series of button pressing or implement handling maneuvers. It should not be surprising that these tasks show no remarkable effect because very few other manipulations are universally capable of causing decrements in this type of performance. Monitoring tasks or continuous work tasks which require continuous discrimination of correct responses have been reported to demonstrate a sensitivity to noise as evidenced by tendencies to "block" response, or, with practice, make errors in identifying the correct stimulus light. This blocking behavior has been compared to the eyeblink in that a momentary period of refractory stimulus sensitivity occurs when perception is evidently not possible. These periods occur most frequently shortly after the beginning of a trial and decrease in occurrence with time. Highly practiced subjects tend to make incorrect responses rather than fail to respond, indicating that at least a portion of the entire response is so highly conditioned that it is elicited even under inadequate conditions of stimulation.

Other studies have also indicated that this searching for relevant visual stimuli is one of the tasks more sensitive to interference by noise. An example of this is continuous searching for particular line patterns in a scrambled set of designs (Luckeish). By permitting the subjects to pace themselves it was possible to determine the amount of time required to detect all of the patterns. This time was longer for subjects exposed to factory noise than for those in a quiet environment. This and other studies have shown that if workers are permitted to set their own rate of performance, noise generally tends to produce a slowing of activity with time. If he is working independently of a machine or other pacing device this change in performance may be made up by a later compensatory increase in speed. If the task is paced however, the worker cannot speed up to make up lost time or responses. With a paced performance then, any decrease in efficiency is lost for all time. An experiment which demonstrates the above effect while adding some additional complexity has been reported (Jerison). A number of lights were connected to timers so that they would flash at different rates. The subject was required to press a button next to each light after it had flashed a given number of times. The task is obviously quite similar to a number of process control tasks, or for the distaff members, to preparing a meal with several dishes in various stages of preparation at the same time. The object of the experiment is, quite simply, to respond as soon after the required number of flashes has occurred as possible. Noise exposures have been shown to affect this type of performance consistently. The

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inference is that noise is interfering in some manner with short-term memory which is necessary for holding and updating the flash count for each lamp, or in process control, the time since the last response * * *

Dornic has recently demonstrated that the effect of noise on memory span and thus short term memory is attributable to auditory activity and not to direct interference with the visual process. A variety of explanations for this interference are still available but the salient point at this time is that the memory span is affected adversely by suitable noise levels.

In summary, the literature on performance efficiency indicates that the simple sensorimotor tasks, tasks which may become so well learned that they may be performed in your sleep, do not usually demonstrate any remarkable susceptibility to noise. On the other hand, as the complexity or abstract portion of the task becomes more predominant, noise exposure is more likely to interfere with either adequate reception of all of the pertinent information or with its manipulation. Instances may be found, even here, however, where noise may apparently facilitate performance under laboratory test conditions. Theorizing and more basic experimentation indicates that the facilitation observed may be attributable to alterations in arousal level and attendant receptivity to stimulation as well as to changes in the information handling capacity of the individual.

Many of the changes in response to noise, both improvements and decrements in performance, are a function of attitudinal or individual factors rather than constants applicable to the general population. Thus, experiments in which it was deliberately suggested to the subjects that noise would probably improve or interfere with task performance have shown exactly these results (Mech, Broadbent). Similarly, individuals who fatigue more rapidly while performing a task under quiet conditions are the most likely to show adverse effects from noise exposure. The reasoning explaining this effect is that most people performing a task have a performance reserve available so that if an additional stressor is added to the situation they increase their effort sufficiently to maintain their level of performance. If the individual is operating at near to maximum capacity however the additional burden of responding in the presence of noise becomes apparent as a decrement in performance or output.

PSYCHOPHYSIOLOGICAL RESPONSE

Even though work performance is not always discernably affected by noise, psychological functioning may be considerably altered. This constellation of responses is frequently termed annoyance, however, it is apparent that considerably more than an attitude is involved in the psychological response to noise. It is in this area of the physiological and subtle nervous response of the organism to noise that the most evident basic progress is being made. By determining the effects of noise and similar stressors upon both human and animal subjects it is becoming possible to predict the non-obvious effects of stimulation which may reach into areas of our life quite remote from the original conditions of stimulation.

The complete relationship between noise, physiological and psychological state have not yet been rigorously defined. On the contrary, a variety of theories concerning the mechanisms and effects are still being constructed. A set of constructs that are useful in explaining and predicting some of the effects of noise exposure on humans involve the assumption that the noise stimulus is capable of producing arousal and distraction. A brief description of these two concepts may help to put some of the observed effects of noise into some sort of perspective.

D. O. Hebb, in 1955, proposed that a change in stimulation may serve not only as cues for the organism but may also activate or arouse areas of the cortex which are involved in the response to the cues. The level of arousal achieved under a particular set of circumstances affects the efficiency with which a response is performed. Too little arousal may result in an adequate response, while too much arousal may result in a blockage or interference with the appropriate response. This effect had been demonstrated behaviorally and a law describing the interaction between stimulation and response as an inverted U had been put forth. There is thus some level of simulation, which is the point at the top of the inverted U, that is optimum for eliciting the response under the given conditions. This optimum level is a function of the state and history of the organism as well as of the environment.

The ultimate function of arousal is to promote a generalized altering * * * to stimulus inputs and to adapt the organisms activity or stimulus seeking behavior to the environment. This permits the subject to achieve and maintain a specific level of homeostasis. Physiologically, the arousal described originates in the reticular formation of the brain and affects the individual's psychological state as well as the state of the central nervous system. These effects may be demonstrated by measuring the secretion of various hormones, by autonomic system measures such as pulse rate, body temperature, respiration and rate of eyeblink or by recording the electrical activity of the brain.

Noise, as we usually conceive of it, is a stimulus which is particularly suited for eliciting arousal. The variability of onset and duration of noise, and the various levels and patterns it may acquire, serve to produce the changes in stimulation which are necessary conditions for elicitation of the arousal response in the brain. The arousal created by noise may or may not be conducive to adequate performance of the tasks required as indicated by the inverted U shaped curve where optimum performance is at the top of the U with a decline at either side.

At the same time that the noise stimulus is aiding in the induction of a specific degree of arousal it usually possesses some characteristic of distinguishability which will prove distracting. This aspect of the noise stimulus depends to a considerable degree upon the frame of reference of the individual and carries the meaning or cues for response which may or may not be of use in the particular situation. The amount of meaning that the noise possesses for the individual then is a measure of its intelligibility and similarly an indication of the degree to which it will interfere with the other stimuli that the subject is trying to attend to. The interference may be conceptualized more readily if it is assumed that the individual can only receive information through a limited number of channels at a time, and must therefore attend to his environment by switching from one channel to another. If a noise with high intelligibility is inserted in some of these channels, useful information cannot be processed during that period and as a consequence some material of possible use to the person will be omitted and possibly the noise will be accepted as information. If it is assumed that arousal controls the rate at which channels are switched or explored it appears that there is some optimal rate of switching which will permit the input of the most amount of information while permitting appropriate response. Obviously the most desirable rate of switching is a function of the complexity of the material being used and the activity required, as well as the degree of intelligibility or distractability of the noise stimulus.

Levels of arousal and distractability which are other than optimal for the achievement of homeostasis in the environment will produce stress or the requirement of the body to exert additional effort to maintain itself under the conditions of exposure.

The relation between arousal levels and stress has not been rigorously defined, however it may be stated that stimulation beyond certain ascertainable limits, such as noise under experimentally controlled conditions, will contribute to the development of a stress syndrome or response. Many sources of stimulation, such as electrical shock, noise, heat, cold, or confinement have been shown to be physiologically equivalent and additive under suitable conditions so that they may be used to induce similar physiological responses which are of a defensive nature. It is quite possible, therefore, that exposure to a single stress condition, such as a fixed period of noise, may not affect the well-being of an individual, however, combined with social pressures which do not offer a possibility of a solution or with other living conditions which are equally stressing, a dramatic alteration in the person's adjustment may occur. Very little of this is purely demonstrable with the man in the street, however an increasing number of animal and human laboratory studies indicate that just these conditions may be developed.

Recent evidence that noise exposures can be extremely stressful has been presented as a result of work with the offspring of animals exposed to noise or other stressors during pregnancy. Morra, of Purdue University has demonstrated repeatedly that exposing pregnant female rats to a series of 12 noise blasts (96 db) repeated for 5 days during the second semester of pregnancy induced lasting changes in the emotional response of the offspring. Emotional response is here defined in terms of the amount of activity observed when the animal is placed upon an open field board. The reduction in movement observed as compared with controls, was interpreted as an increased fear of the new environment. These results have been achieved by many other investigators using a variety of sound exposures and other sources of stimulation such as controlled electric shock. This altered behavior observed in the offspring of stressed rats is accompanied by alterations in central nervous system development and growth pattern, as well as the occurrence of precocious puberty in females (Petropoulos et al., 1968) (Vernadakis, et al., 1967). It is of more than passing interest that Morra has demonstrated that treating the pregnant female rats with ethanol prior to exposure to the noise did decrease the stressing effects of the noise and consequently alleviated the effects of the stress upon the development of the offspring.

Similar behavioral symptoms of stress are also observable in mice exposed to crowding (Kelley, 1962) indicating that any of a variety of factors in our environment may contribute or interact to produce a stress syndrome which may then be expressed in a variety of ways not at all obvious upon initial inspection.

It should be obvious that the effects of noise upon humans are not generally as dramatic as those cited in the studies of prenatally stimulated offspring described. The variety of other variables operating upon humans and their unique adaptability makes determination of any such effects very difficult at the least, in addition to which the sensitivity of the animals to the experimental treatments, and the equivalence of the treatments to human exposure, do not permit direct extrapolation of the results.

The effects of noise upon human psychological behavior are likely to be much more prosaic, but still based upon the concepts of stress produced by arousal and distraction.

The general arousal which may be induced by noise exposure does appear to be expressed in social activity. The single most impressive instance of this behavior is reported by Green and O'Neal. A number of their recent experiments have been concerned with the stimulation or elicitation of aggression by pres-

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entation of various visual materials showing aggressive activity. In this particular experiment the male subjects were shown either an aggressive boxing film or a film depicting nonaggressive sporting activities such as skiing. A situation was then devised which permitted the subjects to deliver electric shocks to an experimental accomplice. During this time the subjects were either stimulated with white noise, which was calculated to produce general arousal, or were provided with normal sound environment. The subjects who had seen the boxing film and were exposed to the noise delivered the most shocks and tended to deliver shocks of greater intensity to their accomplices. The subjects who had not seen the boxing film and who were not exposed to noise produced the least amount of aggressive behavior. Analysis of the data also indicated that the greatest difference in aggression was due to the presence or absence of the noise induced arousal. No report of the subjects feelings about the noise, whether they considered it as an annoyance or not, was given, however the noise was effective in permitting the release of aggressive responses which were better controlled when the person was under a lower level of arousal.

This is obviously only one experimental test of the effectiveness of a stressor such as noise in releasing aroused but hitherto controlled emotions, however, the possibilities to be explored in the effects of this form of stimulation upon social interaction could prove to be extremely interesting. If high levels of arousal can be consistently elicited which promote various social responses the possibility of systematically manipulating psychological response through control of the environment becomes less of an art and more of a predictable discipline. It is a body of knowledge such as this that will be necessary if behavioral scientists are eventually to be able to determine the optimal conditions for human performance in a technologically and socially complex society.

General statements concerning the annoyance value of various noises are difficult to provide not only because of the wide range of possible noises available, but because each individual is prepared to perceive the sounds in quite different manners. Depending upon the previous associations with noise or the activities that the individual is intent upon his response to the noise may range from actual seeking behavior to avoidance or complaint. It has been demonstrated, and is a part of conventional wisdom, that the noises associated with personal activity are not nearly as objectionable as those of other people engaged in other or identical tasks. A part of this is because the noise is usually providing cues of task accomplishment or possibly providing the individual with a means of blocking out unwanted intrusive stimuli. On the other hand, the noises of neighbors are usually rated as far more objectionable even though the same equipment may be in operation. Noises which are associated with known but remote fears, such as a siren, an airplane flying low directly overhead or the conversation of staff in a hospital may be well within the levels of noise which are tolerable but the emotional meaning is sufficiently potent that the subject's attention is invariably distracted and as a consequence he becomes increasingly annoyed with the exposure.

Adaptation to both neutral and emotionally laden noises will occur with repeated exposure. This adaptation will be a function of several variables which also control the initial response. These include, the frequency with which a noise occurs, and its intensity as well as the pitch of the noise. Noises with higher pitch are generally rated as more annoying. As noises change in randomness of onset, intensity or point of origin the annoyance value also increases. All of those factors which have to do with changing stimulus qualities might thus be expected to change the annoyance value of a sound.

There is also some evidence that personality factors may affect response to noise. Frith has utilized a model put forth by Eysenck which purports to describe people on an introversion-extroversion personality scale as a function of their liability to arousal or response to stimulation. Using the tools available and noise as a stimulus demonstrated that certain levels of noise will cause an increase in arousal in extroverts which improved their performance on the specific tasks but which did not affect the performance of introverts who are already responding at peak efficiency. The study puts forth more questions than answers, such as, are there introversion-extroversion differences in the annoyance properties of noise as well as the better defined levels of arousal? and do the personality types perform differently on a variety of tasks related to conventional human performance or behavior? Similarly, what would have happened if the introvert group supposedly operating at peak arousal level were exposed to increased noise loads? Some of these answers are forthcoming already.

At least one study by Cohen et al. directed at the relation between personality and response to noise, has indicated that the poorest performance on a vigilance task with high levels of noise was exhibited by subjects with anxiety and neurotic tendencies as revealed by a personality questionnaire. Extending the work of Frith introversion was also shown to be associated with poor test performance.

The effects of noise upon sleep disruption are relevant to discussions of human behavior in that the subsequent performance of individuals with inadequate sleep or interrupted sleep patterns is likely to be poorer than that of the well rested individual. If sleep interruption is severe enough changes in perception and social response occur which may even extend to hallucinations and delusional response. These conditions are obviously rarely experienced except in the laboratory but are of interest as indications that more subtle responses may occur with lesser amounts of deprivation.

Conversely, noise can facilitate the performance of people who have been deprived of adequate sleep. Systematic experiments utilizing sleep deprived persons performing vigilance tasks have shown that the general arousal produced by noise exposure partially compensates for the decreased arousal shown with sleep deprivation. This compensation has limits, obviously, and its practicality as a performance tool is limited to some extent.

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SUMMARY

In summary, noise affects human behavior by inducing changes in work performance, the production of psychological responses either directly to the noise or by releasing responses which would normally be held in control, and by interfering with adequate rest or sleep patterns. It has been indicated that work performance is most affected when complex tasks are involved. These tasks frequently involve timing behaviors and a requirement for attending to a number of different tasks which are proceeding at different rates. Psychological response to noise is much more difficult to evaluate because of the variety of meanings that the noise possesses for the different subjects and the conditions of exposure. It appears that the most profitable exploration of psychological noise effects may be the indirect approach of experimentally determining the degree of psychophysiological stress imposed upon animals and humans as a consequence of various noise exposures. Of equal importance is the determination of the effects of noise on social response of humans. This area has received no reasonable attention, yet it is entirely possible that a whole area of manipulation of social response may be available through the control of stressors such as noise. Similar, though less direct control over personal and social behavior may also be available through manipulation of the sleep environment so that the sleep obtained is sufficient that thought processes and personal responses are not interferred with. As the technological and social pressures in our rapidly changing society increase we are going to find that the stresses associated with noise are going to become very important factors in the production of a habitable environment. From the evidence available, it appears that the time for research is now and not after conditions have advanced to a point where active remedial action cannot be taken.

A Systems Analyst's View of Noise and Urban Planning

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[Figures not shown in RECORD]

INTRODUCTION

The seventies have arrived with the promise that they will be the decade of the environment. At the beginning of the sixties only a few vocal conservationists and some activist ecologists were truly worried about the effects of technology on the quality of our natural and man-made environment. The rest of us generally enjoyed the benefits of modern transportation systems and industrial processes without too much concern for their effects upon the air we breathe, the water we drink and swim in, the countryside we see, or the sounds which surround us in our daily lives. Today, the layman is more vitally concerned with these issues, and it is fashionable to speak of conservation and ecology in the mass media and at cocktail parties. Time will show us whether this concern is merely a passing fad which will fade away without much effective action to show for today's vocal energy, or whether we are indeed at the threshold of a decade of technological humanism during which we will act collectively to make technology perform according to a new set of environmental standards.

Guiding the development of the environments in which we live, whether rural or urban, is a task of very great complexity. A broad spectrum of technologies makes some aspects of life easier and more pleasant, but some technologies have detrimental side effects, and in general, the introduction of technologies has served to increase both the number and complexity of the interactions which affect and are affected by our daily lives.

For example, the use of chemical fertilizers has greatly increased farm productivity; many families have been forced to leave the land and enter the cities because of the reduced economic need for large numbers of farmers; in some cases, agricultural chemicals have polluted streams and even poisoned food products; the market for natural fertilizers has all but been eliminated, and consequently, the by-products of urban sewage treatment facilities cannot be sold. To understand and accurately anticipate the round of effects which result from major changes in the environment, such as the introduction of new technologies, the construction of new public and private facilities, or even major modifications in social policies, there is an increasing need for more reliable, comprehensive, and diverse information about the interactions between technology and the environment for living. Without such information, choices which will have important impacts on the quality of our lives may be made, as has often occurred in the past, without regard for the nature and incidence of these impacts.

Therefore, if desirable, rational change is to be fostered, a strong information base, leading to theories and methodologies for analysis, prediction, and choice will be required. Because of the diversity of these needs, many skilled people, possessing a broad variety of capabilities, must be called upon to contribute to the process. Those who develop and design our new systems, frequently engineers, must come to their tasks with a broader set of information support than they have had in the past. Beyond their own capabilities, they will need increasingly more comprehensive and reliable assistance from medical doctors, behavioral and life scientists, ecologists, lawyers, and representatives of virtually every area of study.

Medical specialists must act to understand and anticipate the effects of new technological systems upon our bodies, and psychologists must measure and predict their effects upon our behavior. Legal experts must work all of this information into legislative and fiscal programs which enable us to build new systems to improve certain aspects of the quality of life while minimizing detrimental effects upon other aspects of the quality of life.

A difficult but essential task is the translation of information developed by these various specialists into the design of environments which improve the quality of our daily lives. If medical specialists determine that noise of certain frequencies and intensities is harmful to hearing in a laboratory, or psychologists determine that there are particular thresholds of noise levels which decrease one's ability to concentrate or relax, this in no way assures that we can design our cities to minimize harmful effects, or to allow concentration and relaxation. Today we are learning more about the physiological and psychological impacts of noise, but the transfer of this knowledge into criteria for the design of residences, workplaces, or communities is a difficult problem which remains largely unsolved. In a laboratory we generally measure the effects of a single stimulus upon an individual in a controlled environmet. It is difficult to transfer laboratory findings to conclusions about complex environments in which many stimuli simultaneously affect many individuals.

Putting all of these types of information together and arriving at a decision is ultimately the responsibility of our elected officials. Still, there is another role to be played at the technical level which calls for defining the most appropriate kinds of information, securing it from reliable sources, and packaging it so it is responsive both to the problems at hand and to the needs of the decision maker. Until recently we have thought of men and women who performed these functions as urban planners. As the tasks and the problems themselves have become increasingly more complex, and as we have recognized their complexity, the skills required to accomplish them satisfactorily have changed. The use of analytic methods and high speed computers has become mandatory for studying large and complex systems; furthermore, recent years have brought about the recognition of the critical significance of the interaction of technology with society in the determination of the quality of our lives. A new kind of specialist has begun to appear, and he has been given a variety of names: urban systems engineer, systems analyst, etc. These people specialize in being generalists. Ideally, they have a fundamental understanding of technology, analytic techniques, computers, and the interactions between social and technological systems. One of their most important characteristics is the ability to know when and where to seek help from specialists.

The urban systems engineer has the role of integrating the contributions of the various experts in order to recommend courses of action which are both effective and efficient. Many cities and a large number of private firms have established offices of system analysis in order to carry out this integrative function. The systems engineer must produce and analyze estimates of the widest possible range of costs and performance of new physical and social systems, including transportation, the delivery of health services, urban renewal, and housing. He provides the ultimate corporate and public decision-makers with the results of this analysis, and so plays a critical role in determining the patterns of growth and change in our urban society.

Because of his central and integrative role it is important, when considering what might be done about the critical environmental problem of noise, to understand some of the basic points of view adopted by the systems engineer in analyzing problems. Such an understanding will help other specialists by indicating what kinds of information they might be called upon to supply relative to the design of urban systems, and what some of the critical decision variables may be. The remainder of this paper is, therefore, devoted to a discussion of some of the points of view of urban systems engineers related to decision-making in which they must participate, and the implications of these points of view for the consideration of noise factors in the design and planning of future urban systems.

SOME BASIC CONCEPTS IN SYSTEMS ANALYSIS

When considering the structure, operations, and configurations of urban systems, the systems analyst generally thinks in terms of the system itself as a set of components, operating rules, and interrelationships which takes in *inputs* and produces a set of system *outputs*. The system, then, is viewed as a means of converting the inputs into outputs. Let us consider the example of a transportation system for a metropolitan area. The inputs to such a system are the resources, including land, money, materials, labor, and knowledge, required to plan, design, build and operate the system. The outputs of the transportation system are the results that we attain when we build the system and place it in operation. Outputs falls into two categories, which might be called *performance outputs* and *concomitant outputs*.[1] Performance outputs are those which achieve the purposes for which the system was built. In the case of the transportation system, performance outputs include, for example, the ability to get from one place to another in a region, the accessibility of a particular place, and the ability to move a particular commodity or group of people. The properties or characteristics of these performance outputs include travel times, costs, capacity, comfort, and convenience. These all refer to performance outputs because we build our transportation systems to achieve objectives related to these variables. In addition, because of the ways in which we use available technology to build our systems and provide performance outputs, we also produce concomitant outputs, or by-products, not related to our objectives. Thus, when we build transportation systems we produce air pollution, traffic accidents, disruption of space, and of course, noise. We don't want to build systems which are noisy; but in order to achieve objectives related to the performance variables, we are bound by the limits of our technical knowledge and design ingenuity to produce these concomitants as well.

The urban systems engineer is also concerned with the *consequences*[2] upon society of both classes of outputs produced by our urban systems. To continue the example of the transportation system, consequences of the performance outputs are increased freedom to live and work where we choose, and the greater availability of goods and services. Consequences of the concomitant outputs include personal annoyance, discomfort, and possibly negative effects upon both the health of the citizenry and their patterns of behavior.

In his role in guiding the development of such systems, the systems engineer tries to meet the needs of the people and institutions which will interact with those systems. His principal concern is to achieve a desirable degree of control over the total spectrum of effects which the system can be expected to have on its environment. He may work directly with the inputs to the system, its internal structure and operation, or with direct control on its outputs. Invariably the context of his examination is the choice between alternative systems. Returning to the previous example, the systems engineer may consider leaving the transportation system unchanged (doing nothing or something), modifying the manner in which the existing system operates, or changing over to a completely different transportation technology.

The problem of choosing between alternative system configurations becomes one of selecting resources, from a supply always limited by competing uses, in order to achieve a desired mix of performance outputs and a set of concomitant outputs which are acceptable, within some limits, although some may never be desirable. If we specify that the concomitant outputs of our transportation systems must be very rigidly limited to low levels of disruption, noise, and pollution we are, in effect, building a box within which we must do our best to meet performance objectives with limited resources. The more rigid our limits, the smaller the box, and the harder it is to build a system which will perform well and be economically feasible.

Economic feasibility, or economic justification, is usually a very important aspect of the choices regarding the development of any system, whether in the private or public sector. The manufacturer builds a plant to make a product which can be sold for a reasonable profit on his investment. Likewise, the city builds an airport to encourage the development and growth of air transportation, which will have a demonstrable effect on the economy of the city and its tax rolls. The resource requirements for most system changes are usually justified in terms of the performance outputs and consequences which they produce. The manufacturer decides to build his plant on the basis of the expected sales of its products; the city chooses to build an airport to maintain or improve its relative position in a competitive economy. The primary focus, then, of the supporting analysis and design processes, and of the choice itself, is usually on the relationship between the investment costs (inputs) and the expected returns (performance outputs and consequences).

The systems engineer talks about this situation in terms of cost-effectiveness. The systems we choose should be efficient in that they perform at the lowest possible cost for the chosen level of effectiveness. If we desire systems which are more effective in minimizing noise, however, we may make it extremely costly to reach certain desired levels of performance outputs. If we want systems

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with high levels of performance, and we wish to keep the costs low, we will undoubtedly have to tolerate higher levels of concomitant outputs, including noise.

To illustrate this principal, consider the selection of a particular transportation alternative in an urban area. The analyst may choose, as a measure of the *transportation* performance of each alternative, the total annual cost of transportation in the region. This includes costs of facility construction and operation, total motor vehicle operating costs (fuel, tires, insurance, depreciation *etc.*), tolls, transit fares, *etc.* A reasonable objective might be to select the system with the lowest total expected cost per year. This would be acceptable if *all* relevant characteristics of the system could be measured in terms of transportation costs. This, unfortunately, is clearly not the case. The noise which each system produces may result in serious consequences which are difficult or impossible to measure as dollar costs. Conceptually, if the cumulative effect of the noise generated by each alternative could be measured, we might find that the relationships between total transportation costs and cumulative noise would appear as shown in Figure 1.

The alternatives under examination are designated A1, A2, A3, and A4; all possible alternatives, defined by existing technology, fall in the shaded area. Selecting A4, which gives the lowest total transportation costs, may appear to be desirable, but Figure 1 shows that the impact of unwanted noise may be severe. On the other hand, if we arbitrarily define a rigid noise standard S–S′, such that no transportation system may produce more noise than this, only A1 is acceptable, and total transportation costs will be relatively high. The added transportation costs necessary to build A1 instead of A4, in fact, reflects the cost in the transportation system of strict noise standard S–S′ over the weaker standard, R–R′. This simple example suggests that when we establish standards for concomitants such as noise, it will be important to recognize the full costs of doing so. It is interesting to note, of course, that the limits of existing technology suggests that a cheaper alternative, B1, could be identified which also meets the more strict noise standard S–S′.

If we had the capability not only to *measure* the cumulative noise output of transportation systems, but also to place a dollar value on them, the diagram relating noise to total system costs might appear as shown in Figure 2.

Notice that, since it generates a large amount of noise, A4 has become more costly than A3, and the latter is now the least costly (most desirable) alternative. Even without noise standards, Figure 2 provides us with a capability to make rational choices about transportation systems, taking into account the dollar value of their noise outputs. Unfortunately, the tools for producing Figure 2, that is, techniques for estimating the dollar cost of noise outputs, are not available. Hence, we are left with the difficult choice presented by Figure 1.

The nature of the choices which we face in controlling and developing our environment is clear, although the paths which we should select are not. We are faced with a variety of decisions regarding the levels of input costs, performance outputs, and concomitant outputs which result from the complex systems we choose to live with in the future. The relationships between these levels of inputs and outputs are often called tradeoffs. We are asking the power companies to trade off higher costs for lower levels of pollution emissions; transportation planners trade off needed accessibility with undesirable neighborhood disruption; airlines are asked to trade off higher fares, and perhaps, therefore, decreased revenues, for lower noise levels; a young couple trades the high noise levels associated with living near a rapid transit line for lower rent and a shorter journey to work.

Because of the importance of the performance output, for which systems are built and operated, it is not likely that we will ever build transportation systems, recreational facilities, industries, or residences purposely to achieve goals related to noise level. Noise will remain a concomitant output of our systems, as will other environmental factors such as air and water pollution. We observe, however, a growing consideration of these concomitants in the literature of urban and industrial planning. Planners of twenty years ago were largely unaware of the pollution and noise aspects of industrial plants or highways. Today, within limits imposed by performance-oriented objectives and costs, they are trying more frequently to make choices, where alternatives are available, which minimize the negative consequences of these concomitants upon communities.

If this trend is to be extended and expanded, demands will be placed on all elements in our society, including the researcher, the decision maker, the technologist, and the consumer.

The researcher must work to develop a better technical understanding of the relatively unstudied concomitant effects of our systems and technologies, so that, where additional resources are required to overcome them, those expenditures can be supported on a strong foundation of information. For example, we must learn more about the physiological effects of noise if we are to justify rationally the high costs of reducing them. We must also learn more about the characteristics of buildings, machines, and community layouts which will enable us to control the impact of noise on the human being. As long as such complex tradeoff decisions must be made on the basis of limited information, those who are responsible for the choices must learn to weigh all of the factors, including the concomitant consequences along with the inputs and performance outputs. The systems engineer plays a role here as well, for he has the responsibility for seeing that the most comprehensive and reliable set of information is presented to the decision makers. The history of highway transportation choices during the past decade is a story of decision makers and analysts alike becoming increasingly more responsive to concomitants such as aesthetics, noise, community disruption, and safety.

On the technologists rests the heavy responsibility for seeking out new ways of providing needed services and systems without the concomitant outputs produced by existing systems. Quieter and cleaner jet engines and automobiles represent needs which technologists are beginning to meet, but the costs are still very high; there is also, of course, the danger of producing new, and equally unmanageable concomitants in the process of reducing other side effects. Nuclear power plants are clean and quiet, but they bring about the dangers of heat pollution and radiation hazards. Technological innovation until recently has been guided primarily by pressures to produce new performance outputs, or to produce existing ones at lower costs. Now there is a need to focus the efforts of the technologist on ways to eliminate undesirable concomitant outputs, such as noises, at low cost and without degrading system performance.

Finally, there is a need for the consumer to be both concerned and informed. He must be concerned about the concomitant effects of the products and services he purchases, including foods, transportation, housing, and energy; he must be informed of both the dangers and the opportunities, so that he may effectively support rational choices by both industry and government.

Treating noise in the urban environment: Controlling the location of activities

The problem of noise in our environment, arising from the characteristics of our technologies and why we utilize them, typically reflect tradeoffs in system decision making. There are three principal avenues of approach open to the system analyst or planner in treating these problems: development of new technologies, careful choice and control of the location of noise sources and receivers, and direct control of noise itself. While technological innovation can be expected to be the most productive path to eliminating any problem of concomitant effects, the long time lags typically associated with invention and implementation usually lead the systems engineer to look first at more immediate solutions. Influencing the location of noise sources and noise sensitive activities in urban areas represents a macroscopic approach to the problem open to the analyst.

One of the principal tradeoffs which must be made in urban systems design is between the benefits which we derive from accessibility to services and systems and the discomforts which arise from proximity. We want to be near work, firehouses, hospitals, stores, and theaters, but we suffer when these are all in our back yards. We use zoning ordinances, sometimes ineffectively, to attempt to provide us with the collective benefits of accessible factories and business, while insulating most people from their negative effects, including noise. We rely heavily upon public and private transportation systems to provide this accessibility without proximity, but we find that those relatively ubiquitous systems themselves are generators of a large proportion of the noise in urban areas. Those whose residences are proximate to especially noisy transportation facilities bear a burden so that the population as a whole can live in relative isolation from the noise and smoke of industry and commerce.

There is fairly little flexibility in the design of intra-urban transportation facilities which would permit the location of these facilities away from residences in order to minimize the noise and other concomitant effects which not only detract from the quality of those residences, but may also be physically harmful. To perform effectively, transportation systems must be built in network configurations which follow urban density. In fact, it is well known that dense residential development follows transportation network facilities, because the accessibility benefits outweigh the discomforts and the perceived health hazards of noise and other concomitants.

For example, attitude surveys have shown that, while homeowners recognize urban freeways as sources of noise, air pollution, and safety hazards for their children, they find it desirable to be located as close as five blocks from such facilities; furthermore they generally would be reluctant to move if a new freeway were to be built even closer to their homes.[3] The tradeoff relationships representing both the desire for proximity and the concern for avoiding unpleasant concomitants have recently been measured mathematically by urban systems engineers and may now be used as design tools.[4]

One of the difficulties which arises in the use of such information in design and decision is the unreliability of consumer perceptions as they are identified through purchasing decisions and attitude surveys. While such approaches allow the use of consumer preferences for guiding urban design, the average citizen may not be aware of the physiological and psychological hazards associated with the outputs of some common systems. The resident of an apartment near an expressway may be willing to smell auto-

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mobile exhaust fumes, but he might not wish to expose his children to lead poisoning. Free lead from automobile exhausts, however, cannot be sensed by humans, and hence choices of apartment locations do not reflect this factor. Similarly, families can become accustomed to the sound of elevated trains a few feet from their windows, but the fact that they select an apartment near such a facility does not insure that their health will be unaffected.

It becomes the responsibility of the scientist, the medical doctor, and ultimately, the urban systems analyst, to give fair consideration to the latent impacts of concomitant system outputs which are not reflected by patterns of market behavior or attitude surveys. Such individuals have not only the necessary skills but also the responsibility to inform the decision makers and the public of such harmful effects, as well as to seek design and location alternatives to minimize the consequences of concomitant outputs.

There are a variety of opportunities concerning the location and timing of activities open to the urban systems engineer to control the effects of noise. Investigations in England have shown that people are more likely to experience annoyance due to excessive noise during the evening hours, particularly in residential areas. During the evening hours, high levels of complaint were obtained for sound levels up to 20 PNdb lower than those producing similar complaint levels during the daytime.[5] Similarly, the degree to which noise serves as an annoyance to people is related to the activities in which they are engaged. Higher levels of noise appear to be acceptable in work places and in places of commerce than in the home. This raises the possibility of planning commercial and industrial areas adjacent to or over highways and rapid transit facilities.[6] These activities, less sensitive to noise and more prone to daytime activities would serve as buffers between transportation noise and residences, would not be hampered by transportation noise, and would probably derive economic benefit from the accessibility provided by such locations.

This proposal is quite consistent with current interest in planning for the multiple uses of freeway rights of way. Recent proposals, however, that more extensive use of such rights of way be made for residential construction seem to have some serious drawbacks as far as noise is concerned. Certain land uses, in terms of noise, are compatible with transportation facilities. These may include commerical and industrial land uses, but probably not residential land uses.

It is well known that noise is dissipated exponentially with distance from the source. For a single point source, sound level decays approximately 6 dB for each doubling of distance from the source. If the noise is produced by a line source, such as a crowded highway, the sound will decrease 3 dB for each doubling of distance.[7] For this reason, consideration might be given to condemning strips of land wider by several hundred feet, than are required by rights of way for transportation facilities. This will assure that few individual homeowners will have to bear the brunt of the noise-impact of such facilities. This course of action, however, would increase the cost of a transportation facility without changing its transportation performance. The possibility for this type of excess-condemnation might be enhanced if the excess land were resold for use in ways more compatible with transportation noise than are residences.

For large, unique elements of the urban system, there is greater flexibility for planning for the control of noise than in the case of network systems. While these facilities need not be near the people or institutions they serve in terms of distance, they frequently require high levels of accessibility as measured in time and cost. Thus, for the location of new airports or heavy industry, planning can be more responsive to consideration of noise. Locations may be possible which minimize the effects of noise upon the surrounding communities while not interfering with the performance outputs of these facilities. Compatibility with surrounding land uses, and stringent controls following the construction of these facilities are required but possible, if organized pressure is effectively exerted on the political decision makers. Near O'Hare Airport, perhaps 200,000 people live in a 35 square-mile area which has a noise impact (based upon frequency of flyovers, runway orientation, and sound emission properties of aircraft) judged to be uncomfortable.[8] That these noise levels could have been anticipated at an earlier date, is significant in that perhaps one-half of that population occupies residences built after O'Hare was built but before noise reached its current levels. Stringent controls could have restricted development to non-residential uses in these impacted areas, with possible economic losses to some developers. Controls over the development of areas impacted by a third major airport for Chicago, or by major industrial facilities will certainly involve many jurisdictions. State-level controls on development would, therefore, be required to avoid the repetition of past mistakes. Organized public and professional reactions would undoubtedly be required to result in such trouble.

With respect to such unique entities as airports, many possibilities are raised by recent proposals for the building of major new cities where there are none today. Such a new city might be planned around an airport, with rings of industrial and commercial activities separating residences from the noise and pollution of the airport and keeping residences from under the flight paths of aircraft. Such a plan could be developed for an efficient and functional city while achieving desired performance levels for the airport. As long as proposed new cities remain at the small scale of Reston, Virginia, Columbia, Maryland, and Jonathan, Minnesota, however, this proposed concept will remain untested.

Zoning regulations offer a passive mechanism for *permitting*, rather than promoting desirable patterns of urban development. Because of its passive nature, zoning does not always bring about the most effective urban system performance. Perhaps more importantly, traditional zoning ordinances fail to encourage, and may actually discourage, the search for innovations. For example, an inflexible regulation which prevents residences and certain noise generating activities from being in close proximity does not provide a payoff to the designer who can produce a technology which makes these uses compatible. An industrial plant which is quiet and clean might still be prohibited from a desirable location. The result of such regulatory programs is often urban sprawl and an antiquated technology with little hope for innovation. A more effective alternative is performance zoning. If the performance properties of a normally undesirable land use can be shown to be acceptable, the new activity may be introduced to the area. In this way, developers and locators are encouraged to solve the problems of concomitants through new technologies in order to compete for more desirable locations in the region.

INVESTING IN NOISE CONTROL TECHNOLOGY

Aside from questions of facility location planning on a regional scale, a much larger range of more microscopic responses to noise is possible. These include modifications to existing urban systems and the incorporation of technological features into new systems which will control noise levels in one or more of the four ways presented in the following paragraphs.

First, noise generating components of urban systems could be replaced by quieter components which accomplish the same performance objectives. Quieter engines are being developed for jet aircraft, although they are more costly and deficient in performance. Quieter machinery could be adopted for industrial operations. This approach has the advantage that the costs of reducing noise are borne directly by those who generate it and by their customers. On the other hand, there is often little motivation from such noise generators to be concerned about concomitant outputs. Sometimes, strong public pressure, and perhaps even litigation are necessary to achieve action.

Secondly, noise generators could be insulated at the source of the noise. Sound insulating materials could thus be required in noisy factories to prevent the noise from leaving the site. Expressways and railways could be depressed to limit their noise transmission properties. This has proved to be an effective strategy, and yet it frequently results in unpleasant aesthetic aspects of such facilities, from the perspectives of both the roadside resident and the drivers themselves. In this case, a solution to the problem of one concomitant, noise, raises the issue of another concomitant, aesthetics. Problems of urban expressway planning are illustrative of the complex interactions between system inputs, concomitant and performance outputs which must be considered by the urban systems analyst.

Thirdly, noise transmission could be reduced by interposing barriers between noise sources and receivers. Airport runways could be insulated from surrounding communities through the use of sound barriers. Urban expressway noise transmission may be reduced by structural barriers or through the use of trees and shrubbery on the margins of the facilities. These devices require additional space, usually secured by condemning adjacent properties. Thus, such measures may be very costly in areas of high density. Distance alone, of course, serves as a sound attenuator, but it is highly inefficient when land costs are high. The use of barriers, especially aesthetically pleasing ones such as shrubs, also enables us to capitalize on an interesting psychological factor relating to noise perception: people are less annoyed by traffic noise if they cannot see the road.[9]

Finally, the reception of noise could be controlled by insulating the potential receiver. Thus, homes under aircraft flight paths could be required, by building codes, to contain special sound insulation as do many airport hotels. Sound proofing measures can be costly, however, particularly when applied to existing buildings. For example, double-pane windows would typically be installed because of the considerable increase in attenuation capability they achieve over standard windows. Double-pane windows, however, require air conditioning and special considerations for ventilation and fire escapes, resulting in noticeable cost increases. Furthermore, efforts to keep sound away from particular receivers place the burdens of action as well as cost on those who suffer rather than those who cause the problems, thus introducing the element of inequity.

The decisions to implement these and other solutions to the problems of noise in our urban environment will continue to be difficult. Each of these measures is costly, and the potential benefits which might justify such costs are not well-defined. Noise reduction at the source or attentuation rarely improves the performance outputs of the system causing the noise, and frequently performance is degraded. Problems of this nature are particularly acute in cases where those who suffer from the concomitant effects are not the people who benefit directly from system performance. For example, the families who live near major airports are not

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Footnotes at end of article.

frequent air travelers. Therefore, they will not be willing to trade better air service for more frequent noise in their homes. Furthermore, the industries which generate the noise will be reluctant to commit resources to noise reductions, since their customers will not benefit.

Throughout this paper, references have been made to the difficulty of analyzing tradeoffs among various possible strategies for noise control. We do not wish to reduce the performance levels of the many complex systems necessary to urban life. To reduce the noise levels without decreasing system performance often requires large expenditures. These are frequently difficult to justify in economic terms even when medical, psychological or aesthetic benefits can be estimated. Although it is easy to agree that lower levels of traffic noise in our homes would be desirable, before we allocate funds to the reduction of traffic noise, a subjective economic decision must be made. A recent study showed, for example that an "average" new ranch house could be sufficiently insulated from traffic noise at 1,000 feet for a cost of $1,030. With 800,000 new homes built each year in this country, this would require a total annual outlay of more than 800 million dollars. Can we demonstrate that the benefits gained are worthy of such an expenditure?

A complicating factor arises from the fact that the incidence of the costs varies with the proposed solution, making it easy for each interest group to favor the solution which would require the costs to be borne by other groups. Should we adopt methods of traffic noise control in residential areas which must be paid for by the automobile and truck owners, the owners of residential property, or the public as a whole? We might find that equal reductions in noise level might be attained by vehicle modification, the insulation of residences, or the construction of noise barriers near highways. If these do achieve equal reductions in noise, and we can demonstrate that the result is socially desirable, the efficiency expert might favor the least-cost alternative. Homeowners living near highways, automobile companies, and taxpayers not directly affected would argue for different solutions, however. The systems engineer can make a valuable contribution by estimating the costs and effectiveness of such alternatives, but his analysis rarely reveals one solution as superior to all others along every possible dimension of comparison. Ultimately, such decisions must be political.

CONCLUSION

Selections of the paths of development for the social-technological systems with which we choose to live are based on the evaluation of tradeoffs among system characteristics, from the perspectives of both decisionmakers and private individuals. Facilities are built and operated to secure the benefits of their performance outputs. Because resources are scarce, we must be concerned with limiting expenditures; and since most of the systems in our environment produce undesirable concomitant outputs, we are forced to concern ourselves with controlling them as well. Good decisions will result from a sensitivity to all of the effects which proposed and existing systems will bring about.

In a complex choice environment such as this, responsive and rational decisions regarding the noise outputs of urban systems can only be supported with reliable scientific evidence relating noise to its physical, psychological, and behavioral effects.

To more effectively meet the needs and desires of the people in a region, the systems planner often works with models of individual choice. He attempts to develop an environment which enables people to make decisions which are consistent with their objectives. In the absence of more authoritative information, his best models of choice processes and individual value systems are based on observations of past behavior in response to various stimuli: Noise is one such stimulus, to which people respond with physiological, psychological, and behavioral changes. The systems planner sees that people will buy homes with low levels of sound insulation which are adjacent to a freeway and under the approach path to a major airport. He concludes, from this evidence, that noise is not a critical issue in planning.

If this kind of experimental reasoning is to be supplanted by more solid evidence, two avenues of pursuit must be followed. First, we must develop a more effective set of measures of the effects of noise upon individuals. What are the thresholds of noise which produce physiological damage, psychological damage, or changes in patterns of behavior? This measurement problem has not been adequately solved, except in very special cases. Secondly, increasing levels of informed citizens participation in planning provide another avenue for bringing to the attention of the planner the fact that his experimental observations may have been wrong.

FOOTNOTES

[1] Thomas, Edwin N. and Joseph L. Schofer, "Strategies for the Evaluation of Alternative Transportation Plans," The Transportation Center at Northwestern University, Evanston, Ill., July 1967, pp. 39–40.

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[3] Wachs, Martin, "A Survey of Citizen's Opinions of the Effectiveness, Needs, and Techniques of Urban Transportation Planning," *Highway Research Record No. 229,* Washington: Highway Research Board, 1968, pp. 65–76.

[4] Peterson, George L., and Richard D. Worrall, "An Analysis of Individual Preferences for Accessibility to Selected Neighborhood Services," paper presented at the 49th Annual Meeting of the Highway Research Board, Washington, January 1970.

[5] Kryter, Karl D., "Psychological Reactions to Aircraft Noise," *Science*, Vol. 151 (March 18, 1966), pp. 1346–1355.

[6] Cohen, Alexander, "Location-Design Control of Transportation Noise," *Journal of the Urban Planning and Development Division: Proceedings of the American Society of Civil Engineers,* December, 1967 (paper No. 5693), pp. 63–86.

[7] Federal Housing Administration, "Noise in Urban and Suburban Areas: Results of Field Studies," Report 1395, Job 11257, Bolt, Beranek, and Newman, Inc., January 27, 1967.

[8] McGrath, Dorn D., "Aircraft Noise: Fugitive Factor in Land Use Planning," *Journal of the Urban Planning and Development Division: Proceedings of the American Society of Civil Engineers,* April 1969 (paper No. 6520) pp. 73–80.

[9] Winterbottom, D. W.: "The Nuisances of Traffic in Residential Areas," *Traffic Quarterly* 19 (July, 1965) p. 384.

OEO OPPORTUNITY AT MIAMI—DADE JUNIOR COLLEGE NORTH

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1970

Mr. FASCELL. Mr. Speaker, there are presently four enrollees at Miami-Dade Junior College who are studying to become surgical technicians with the help of the Office of Economic Opportunity. These four students are participating in a 2-year program in operating techniques. Such training will enable the graduates to enter a profession which is highly skilled and for which there will always be a demand.

According to Michael Klein, chief of the University of Miami's Medical Research Building, this program is especially significant because it shows what educationally and economically deprived persons can do when given a chance.

A recent article from the Miami Herald shows the good that results from providing equal educational opportunities for the poor. I would like to place the article in the RECORD for my colleagues' information:

[From the Miami (Fla.) Herald, Mar. 9, 1970]

"AN EQUAL EDUCATIONAL OPPORTUNITY"—OEO OFFERS AN "IN" TO SURGERY

(By Kathi Martell)

Gregory Carey, 20, a graduate of Mays High School, spends three days a week assisting doctors in the operating room, sorting a confusing mass of surgical instruments, preparing animals for surgery and sometimes sewing them up afterward.

Carey is the youngest of four adults who are participating in a two-year Office of Economic Opportunity Program work-and-study project that is helping train them to become surgical technicians.

They spend two days a week at Miami-Dade Junior College North, taking classes in a two-year course in operating room techniques.

"Our program is one of the most progressive in the country," said Michael Klein, chief of the research section of the University of Miami's Medical Research Building at 1600 NW 10th Ave.

Klein, whose department runs the work part of the program, said that "we try to give the participants as much practical experience as possible in the time we have them. And the kids are doing remarkably well."

Since the program started in November, Carey and the other young adult participants, Celia Smith, 21, Minerva Alston, 24, and Barbara Darville, 29, have learned to take and process X-rays, use all sorts of sterilization machines and how to anticipate the doctors' needs for instruments in surgery.

All of them, except Miss Alston, have worked in hospitals before. They agree that without EOPI paying for their school tuition, becoming a surgical technician might have been difficult financially.

"This is a great help," Miss Alston said. "I've always wanted to work in the medical field, but I was working at a supermarket trying to save money to go to school."

EOPI pays the four a small salary while they are learning and provides them with their uniforms and shoes. But the cost of the program at the research building is paid from Klein's department budget.

"We have no idea how much this is costing us in actual dollars," Klein said. "All we know is that it's doing good."

Each of the participants plans to continue in medicine.

Klein, whose department ran a similar paramedical program for high school students six years ago, described the progress of the participants in superlatives.

"They're working with top-level people," he said, "and they're doing a damn good job."

Klein said that the program was significant because it showed what educationally and economically handicapped people could do when given a chance.

"We're letting these people see what they can do if they try," Klein said. "We can show very definitely when given an equal educational opportunity they are equal to anyone else."

SENATE—*Monday, April 20, 1970*

The Senate met at 12 o'clock meridian and was called to order by Hon. ERNEST F. HOLLINGS, a Senator from the State of South Carolina.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, we commend to Thee all who are engaged to the Government of this Nation. Grant to them unfailing devotion to the cause of righteousness. In their personal lives make and keep them good men and women. In their public life grant them integrity of purpose. May all their legislation promote the general welfare and insure the blessings of liberty to all people. May they be bound in firm determination to succor the poor, relieve the distressed, and redress all social wrongs. Make the weak stronger and the strong better, to the glory of Thy holy name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will read a communication to the Senate.

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., April 20, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ERNEST F. HOLLINGS, a Senator from the State of South Carolina, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. HOLLINGS thereupon took the chair as Acting President pro tempore.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, April 16, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to limit statements to 3 minutes in relation to routine morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of the executive business.

The ACTING PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated, beginning with the U.S. Air Force.

U.S. AIR FORCE

The bill clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. MANSFIELD. Mr. President, I ask unanimous consent, that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE AIR FORCE, IN THE ARMY, AND IN THE MARINE CORPS

The bill clerk proceeded to read sundry nominations in the Air Force, in the Army, and in the Marine Corps which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

ADDRESS BY SENATOR KENNEDY OF MASSACHUSETTS AT THE ANNUAL MANSFIELD LECTURE, UNIVERSITY OF MONTANA

Mr. MANSFIELD. Mr. President, last Friday evening, the senior Senator from Massachusetts (Mr. KENNEDY), the able and distinguished assistant majority leader, delivered the annual lecture at the University of Montana that happens—I say in all modesty—to bear my name. I was deeply honored that Senator KENNEDY agreed to deliver this address. But even more, his statement on international affairs was most outstanding.

I commend it to the Senate's attention and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR EDWARD M. KENNEDY DELIVERED AT THE ANNUAL MANSFIELD LECTURE, UNIVERSITY OF MONTANA

Thank you for inviting me to deliver the annual Mansfield Lecture in honor of the distinguished Majority Leader, and Senior Senator from the State of Montana, Mike Mansfield. The range and depth of interest of Senator Mansfield bestows a unique opportunity on a lecturer, for he can comment on any number of areas in which the Senator from Montana already has broken ground.

Whether in foreign affairs or domestic issues, Senator Mansfield has exhibited imaginative and responsible leadership for the Congress and the nation.

But it is in the field of international relations where the Majority Leader has concentrated his genius, forcing his colleagues often reluctantly, to face critical questions: The legality of the Vietnam War; the need for an expensive and ill-conceived anti-ballistic missile system; or the duty of Congress to reassert its responsibilities in setting parameters for the use of U.S. armed forces abroad.

In keeping with his spirit, tonight, I would like to offer a new perspective on our relations with Latin America. As we enter the coming decade, I see the need for a moment of reflection, a moment of looking back and deciding how far we have come and how far we have to go.

We began the decade of the Sixties by joining with the Latin American nations in a call to hemispheric action, a call to promote a better life for millions of Latin Americans who are forced to endure both poverty and oppression. They had been deprived of hope, of faith in political institutions, of a share in the economic and social progress of most of the Western Hemisphere, and of the most basic right that the Western Hemisphere promised the world—the dignity of the individual. In recognition of these deprivations, in March of 1961, the sound of a revolutionary trumpet echoed to the governments and to the people of Latin America, calling on them to join with us in a new Alliance for Progress.

Yet, barely a month later on April 17, 1961—nine years ago tonight—we launched the Bay of Pigs invasion. The invasion was an embarrassing reminder of our history of gunboat diplomacy toward the hemisphere. It showed we had not yet learned the lesson that we have no divine right to intervene, forcibly or otherwise, in the internal affairs of Latin American nations.

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Rarely in our history have two events, coming so close together, so clearly symbolized the best and worst in American foreign policy. Time and again over the past decade, we have seen the noble goals of the Alliance for Progress perverted by the cold war philosophy symbolized by the Bay of Pigs.

For decades, the Pentagon, the State Department and our intelligence agencies have urged the United States to intervene on the side of stability in Latin America out of fear that an end to the hegemony of the oligarchs would throw open the door to communist revolution. Our policy was not just a policy for Latin America. It was the same policy that led us to support Chiang Kai Shek against every force for change in China in the '40s. It was the same policy that led us to support Diem in Vietnam in the early '60s.

It is the same policy that leads us to support the Thieu regime in Vietnam today. And in 1965, this rigid cold war philosophy prompted the landing of Marines in the Dominican Republic. The U.S. intervention, clothed once again in anti-communist rhetoric, was intended to bring order and democratic rule. It produced neither and we have not yet seen an end to its legacy; we have not yet realized the final cost of that action.

The Alliance for Progress was our first great effort to alter anachronistic policy. President Kennedy and many others tried to bring our policies into line with the winds of social revolution sweeping across the continent. The Alliance was not meant merely to repeat the narrowly conceived economic assistance programs of the 1950's. It was a basic attack on the exploitation of man which for too long has characterized the institutions of the hemisphere. The Alliance embraced the goals of social justice, political freedom and democratic government, as well as economic progress. It embodied a spirit of change that dared to challenge the traditions of the hemisphere.

Today the Alliance—that bold attempt, that new initiative—is slowly dying. With each year that has passed, its spirit has grown weaker. Our own commitment now has vanished. For the vast majority of Latin Americans, the better life has remained a fragment of a bitter dream.

There has been no outcry from the American public at our abandonment of the ideals of the Alliance for Progress. There is a fundamental lack of concern here at home for what happens in Latin America. Few know that this is Pan American Week or that there is a new Charter of the Organization of American States that restates allegiance to the goals of the Alliance. All too often, news of Latin America attracts our attention only when a government is overthrown, a plane is hijacked or an ambassador is kidnapped and murdered. The American public still does not realize that 25 republics share our hemisphere. Nor do they realize that more than 10 million of our own citizens trace their heritage to the blend of Spanish, Portuguese and Indian cultures that is Latin America, or that millions of our black citizens have historical ties to the citizens of Jamaica, Trinidad and Barbados.

And so today, it is a personal tragedy that I can repeat nearly the same somber facts about Latin America that President Kennedy cited in 1960 and that Robert Kennedy cited in 1966. The Alliance has been a human failure. More than 30 percent of the population still die before their 40th birthday. Poverty, malnutrition, and disease continue to deny strength and incentive to the majority of the people in Latin America. Family processions bearing miniature coffins offer testimony to one of the world's highest infant mortality rates. There is a 70 percent dropout rate in primary schools and a 75 percent dropout rate in secondary schools.

The Alliance has been an economic failure. Even our hopes for economic development are far from realization. The rate of economic growth per capita has averaged 1.8 percent for the decade, lower than it was in Latin America in the years when there was no Alliance.

American economic assistance has averaged half of what we promised for the Alliance in actual development funds. We cheapened our aid by demanding that our dollars be used to buy U.S. products, goods that in many instances could be bought more cheaply on the world market. We still demand that 50 percent of the goods be transported in U.S. ships. These shackles on our foreign aid have reduced its value by 40 percent. In too many countries, the only difference between the Alliance and the previous U.S. foreign assistance outpost has been the nameplate on the door.

The Alliance has been a social failure. Land remains in the hands of a minute percentage of the population. In some countries, less than 10 percent of the people own 90 percent of the land. One third of the rural labor force is unemployed. The increase in the total population means that rural unemployment will grow larger, creating disorder and increasing the flow of unskilled persons in cities. And we know that the cities have not yet demonstrated the capacity to absorb their present labor force.

The Alliance has been a political failure. It was intended to write a new page of political history in Latin America, to end the depressing chapter of family dictatorships and military coups. Instead, 13 constitutional governments have been overthrown in nine years. Today, in 11 Latin American republics military governments rule, supported by hundreds of millions of dollars in American military assistance. In many of those nations, basic human rights are violated and the democratic ideals of the Alliance have vanished.

And the spirit of the Alliance has failed here at home. Despite our strong traditions of democracy, the United States continues to support regimes in Latin America that deny basic human rights. We stand silent while political prisoners are tortured in Brazil. Cruel and brutal punishment is suffered by students, priests, and nuns whose only crime has been that they know someone suspected of being a revolutionary. In some instances, their only crime was advocating change.

Lawyers have been arrested, beaten and burned with cigarettes. Students have been stripped and beaten. Others have been shocked with electric current, or had needles thrust under their fingernails by a government we support.

According to one authority, since 1964 in Brazil, there have been 30,000 political arrests. There are at least 10,000 political prisoners today and 1800 political exiles. Thousands of prisoners have been beaten. Hundreds of prisoners have been tortured. More than 25 have died from torture. More than 4,000 persons have been deprived of their political rights, including three former presidents, 20 former governors, hundreds of legislators and thousands of civil servants.

Worst of all, the government has admitted that the official Indian Protection Service had been systematically murdering Indians in an attempt to clear the country's Amazonian frontier for settlement.

I relate these facts, shocking as they are, not because Brazil is alone among governments in the world and hemisphere that engage in such repression. I relate these facts because Brazil has a government that we fully support with money, arms, technical assistance and the comfort of close diplomatic relations.

There is a shocking contrast between the political reality of the present government of Brazil and the political ideals of the Alliance. We must condemn such repression. It is a flagrant denial of our own ideals to be identified with such activities.

While the United States did not initiate the change of government in Brazil, it was we who helped the military junta come to power. The junta overturned a constitutional government at a time when inflation was crippling the country's economy and observers were fearful of the mounting influence of communists. Thirty days before the coup, it was we who said the United States would not automatically oppose every military takeover. Within hours, it was we who recognized the junta. Three months later, it was we who extended a $50 million loan to the new regime. Last year, despite continuing reports of terror and oppression, it was we who gave $19 million in military aid to the regime of the generals.

The Council of Europe has condemned the Greek military dictatorship for political oppression and the torture of political prisoners. The Organization of American States can do no less. It is the responsibility of the nation's of the hemisphere to focus the spotlight of international opinion on the outrages being committed in Brazil. The OAS should call on Brazil to end those policies that are an affront to civilized conduct.

It is not only in Brazil where we see the contradiction between our support of authoritarian regimes and the ideals of the Alliance. In Argentina, an authoritarian military regime governs and university autonomy is destroyed. In Peru military regime rules, and the freedom of the press is ended. In Paraguay, a dictator rules and political expression is silenced.

Authoritarian rule forces those who have dared to advocate and work for fundamental change into long periods of exile and suffering. It deprives the nations of Latin America of leadership talent that they cannot easily replace. Where the oppressive measures of authoritarian governments have been most intolerable, indigenous revolutionaries have sought to use terror to counter the violence of their governments. We cannot condone either violence, for both deny basic human rights and both are affronts to civilized conduct.

When the United States is identified with those authoritarian military regimes through our economic and military assistance, we defeat our own political purposes and we are false to the ideals of the Alliance. Much of the $673 million in military aid granted in the past nine years has gone to those governments who displayed their contempt for democratic principles.

The premise behind our military assistance has been that anti-Americanism, subversion and communist insurgency will end if the military forces are better trained and equipped. In fact, we have seen an even more virulent form of anti-Americanism expressed by the leaders of recent military coups. And the experience of the past decade has shown that the people of Latin America are not vulnerable to foreign ideologies. It was not the efficiency or power of the U.S. equipped Bolivian Army that brought defeat and death to Che Guevara, but the sea of Bolivian peasants who resented foreign intrusion.

The answer to the threat of unrest produced by hunger, poverty, disease and injustice is not to import arms against the insurgents who exploit them, but to eradicate these ancient evils.

It is time to recognize that fundamental social change is inevitable in the world. Stability for its own sake is a sterile policy destined to produce confrontation with the revolution of rising expectations in Latin America. We cannot prevent that change. The only rational policy for American assistance to Latin America is to direct our efforts to responsive, representative governments, reflective of the needs of their people.

We certainly cannot give support to those military regimes whose policies include repression and terror. Yet, last year, one of

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the implications of the study produced by Governor Rockefeller after his trip to Latin America was that the United States should support military regimes regardless how they acquired power.

I oppose the report's willing acceptance of military regimes. A regime which usurps a constitutional government and engage in political oppression forfeits its right to all direct United States aid except humanitarian relief. We cannot tell the descendants of Bolivar and San Martin that their struggles for freedom are now in vain while a cadre of self-appointed military officers decides the fate of their nations.

Three hundred years after the discovery of America, Colombia's Camilio Torres said, "The bedrock of any human community, whatever its political organization, is the preservation of natural rights above all the preservation of his personal freedom . . . Can man, perchance renounce his reason? Well, his personal freedom is no less his birthright."

Latin American men and women have died to protect that birthright and we must respect their heritage and reject the casual embrace of authoritarian military rule.

The destiny of Latin America is for Latin Americans to decide, not the United States. But we can make it clear that although we will not intervene, neither will we be party to any form of repression of the people and their aspiration.

The Alliance for Progress was never intended to be managed, reviewed and judged solely by the United States. To the extent that has been the case, the Alliance has been perverted. At Vina del Mar a year ago, representatives of Latin America made clear that "Latin American countries should endeavor to reach solutions born out of their own criteria, which reflect their own national identity."

Ultimately, if solutions to the complexities of reform and development are to be successful, the Latin American nations must define the solutions.

What is now clear is that the Alliance for Progress of the 1970's must return to the spirit that launched a wave of enthusiasm in Latin America nine years ago. That spirit called for political freedom and social justice, not just economic development. The basic failure of the Alliance for Progress is that it was never tried. For a decade, we have emphasized the need for alliance and we have forgotten the need for progress.

If we are to end poverty and injustice for the vast majority of the continent's 270 million people, the second decade of development must produce fundamental changes in the distribution of power and wealth in Latin America. The real question is not whether the change will come. The question is whether with intelligence and compassion we can accelerate peaceful change, and avoid a more violent and destructive transformation. The vital decision for the United States in the 1970's must be how to reform our own efforts so that they complement the Latin Americans' struggle to modernize.

But if we are to reaffirm the ideals of the Alliance, strong steps must be taken.

First, the United States should reassert the political goals of the Alliance. We must match our actions to our rhetoric. Contrary to the Rockefeller Report, the United States should not consent to the overthrow of democratic governments on the belief that a "new type of military man has come to the fore."

Second, I urge the immediate withdrawal of all of our military missions. I believe that we must begin now to demonstrate our opposition to military intrusion in the political arena by our attitude, our speech and our action. Our military missions remain in 17 Latin American countries including Costa Rica, where they have no Army, and Peru where they asked us to phase it out a year and a half ago. Our largest military mission is in Brazil despite that country's use of severe political repression.

In addition to being a far too visible evidence of the U.S. presence in Latin America, the missions have covertly influenced military cliques in the host countries. At times, our missions have preached polices at odds with the official statements of our ambassador. In the minds of Latin Americans, they symbolize an alliance, not for progress, but for tyranny.

We also should lose no time in phasing out our military assistance programs and we should halt sales of arms on credit to Latin America. The futility of our military policy was demonstrated in the war last year between El Salvador and Honduras. Both armies were U.S. equipped and their officers, U.S. trained.

Third, the United States should reserve its economic assistance for those development programs designed to produce social justice and not solely those projects whose only goal is economic growth. The agenda for reform of the Alliance in the 1970s must be based on acceptance of fundamental change. We must reject as inadequate, regressive and counter-productive the claims of those who would cling blindly to the stability of the status quo. The agenda should be used to encourage the economic and social transformation of the society. The Alliance must reassert the priorities of assuring the people of Latin America an adequate education, health care and the opportunity to participate in the process of development.

Perhaps the most critical single area where a new approach is needed is the area of land reform. Agricultural production per capita declined in ten countries during the past nine years. Since 1961, the number of landless families added to rural poverty actually has outstripped the number resettled. We are falling further and further behind. There are now nine to eleven million Latin American rural families without land.

The present land tenure system reflects the archaic and unjust social structure that began with the Spanish conquest. The ancient lands of the Aztecs, Incas and Mayas were usurped, and the Indians were enslaved. In many areas today, there has been little change for 300 years. The large estates, which spread for thousands of acres, must be divided into economically sustaining farms with individual or cooperative ownership, in order to free the campesino and to permit the more productive utilization of the land.

Nothing less than a thorough reformation of rural society is required. For only by undertaking a comprehensive land reform program can the sharecroper's isolation from the development process be ended. Only through comprehensive land reform can the stultifying hand of a dead past be removed from Latin America.

I would urge that the United States concentrate its agricultural assistance in those countries that are carrying out progressive programs of land reform. If, in Vietnam, a land of seventeen million, we talk of spending $400 million for land reform over the next four years, we should be able to do at least as much in Latin America, a continent of 270 million people. We must insure that agricultural credit, improved seeds, chemical fertilizers and modern farming techniques are available to the small farmer. For too long, the benefits of the "Green Revolution" have accrued solely to the hacienda owner, while the small farmer and the sharecropper have been condemned to farm in the same tradition as their forefathers.

Fourth, the United States must insure that American private investment in Latin America plays a much more positive role in the development process.

In the past eight years, American business has repatriated $8.3 billion in private profits from past investments, more than three times the total of new investments.

Equally serious, the reparation of U.S. profits has been matched by a slowdown in U.S. private investment. Part of the explanation for the decline of U.S. investment is found in more attractive investment opportunities in the U.S. However, the impact of rising nationalism has been more important. Expropriation of foreign businesses has become the accepted road for regimes anxious for popular approval.

A realistic appraisal of the Latin American political scene underlines the likelihood of continued expropriation. It is in the interest of the United States and Latin America to find a means to avoid the political trauma that accompanies such actions. Already, expropriation has followed military coups in Peru and Bolivia and led to estrangement in our relations with those countries.

The fall of the Belaunde government in Peru was particularly unfortunate because of the promise it held for progressive democratic change. Like the governments of Mexico, Chile, Costa Rica, Colombia and Venezuela it was pledged to carry out social and economic change.

For nearly his entire term in office, President Belaunde sought a negotiated settlement with the International Petroleum Company, despite strong pressure to nationalize the oil fields. Yet, our State Department decided to put pressure on Peru, and withheld funds for social and economic programs. That action weakened Belaunde and was a crucial element that led to his overthrow. The effect of our policy was to undermine a government that had been responsive to the democratic ideals of the Alliance.

To avoid such tragic consequences, we must encourage private investment that accords with the development goals of Latin America. The investment insurance and guarantee programs we now offer are only one element in the equation. They protect the U.S. investor. But they do nothing to avoid the chaotic experience of expropriation; and they do nothing to encourage Latin American private investment. They do nothing to encourage the transfer of management skills and techniques to the Latin American nation. Therefore, I would urge that we establish a series of alternative divestment procedures in which joint ventures, partial nationalization or long-term nationalization are agreed to by the prospective U.S. investor at the outset.

Similar divestment procedures could be established for existing investments now in danger of expropriation. New ways could be found to promote the transfer of American enterprise to local, cooperative or public ownership. There is much we can do today. We need not wait for the heat of an expropriation crisis to establish the value of American assets in Latin America or to propose new methods of compensation.

Fifth, we must look more closely at another crucial element of our Latin American policy—our relationship with Cuba.

In 1962, Cuba was ousted from active membership in the Organization of American States. That action was based on two indictments against the regime of Fidel Castro. First, it stemmed from Castro's call for subversion and revolution against legitimate governments of Latin America.

Second, it was rooted in the introduction of Soviet military influence in the Western Hemisphere.

Castro's past attempts to export his revolution have been defeated. Since the failure of the guerrilla movement in Bolivia, there has been no direct Cuban intervention reported by any Latin American nation. And the decisive actions of President Kennedy in the Cuban missile crisis ended the Soviet threat from that island.

In 1964, Venezuela brought charges of aggression against Cuba. Formal diplomatic relations were broken by all OAS members except Mexico. In addition, at our urging, an attempt was made to isolate the Cuban regime economically. The effectiveness of that policy is open to serious doubt. Mexico and Canada never respected it. Along with our West European allies, they maintained strong economic ties with Cuba. Last year, Cuba's trade with West Europe increased by some $20 million. Non-communist nations, including Japan, also have extended more than $200 million in commercial credit to Castro.

Venezuela, Uruguay, Colombia, Peru, Ecuador and several Caribbean nations have expressed their doubts and reservations about continuing the sterile policy of economic boycott. Ten days ago, Chile began an $11 million, two-year trade agreement with Havana. Even Venezuela, which originally branded Cuba an aggressor in 1964, has now called for a normalization of trade relations with Cuba.

If the nations of Latin America are taking the initiative in a re-examination of the current policy toward Cuba, surely the United States can do the same.

There are additional reasons why a new look at Cuba is in our national interest. The boycott unquestionably has pushed the Cuban government into greater dependence on the Soviet Union.

Moreover, readjustment in our relations with Cuba would deprive Castro of a psychological defense that he has used since the beginning of the decade. By depicting the United States as an uncompromising foe of his regime, he has been able to justify repressive internal policies and to make our containment policy the scapegoat for his island's economic difficulties.

Therefore, I believe it is time to recognize that our trade and travel restrictions have not proved effective. To the extent that the Communist regime is isolated at all, it is by its own choosing and not as a result of any effective American policy. In addition, by restricting the flow of men and ideas, we help the Cuban government's effort to permit only a single point of view to reach the Cuban people.

I share the opinion expressed a month ago at the Caracas meeting of Latin American representatives that economic boycott is neither the most realistic nor the most productive attitude toward a country whose economic and social system we do not share.

That does not mean we are about to whitewash the Castro regime or overlook the authoritarian structure that now denies liberty to the people. Political oppression and political prisoners still exist in Cuba today. There is no free press; there is no right of dissent. I condemn the existence of such political repression in Cuba, just as I condemn it in non-communist states.

But our policies have been inconsistent toward Cuba and other equally authoritarian regimes. Toward Cuba, our policy is one of artificial and total isolation. Toward authoritarian military governments, we encourage private trade and we maintain formal diplomatic relations. We offer extensive economic and military assistance, and thereby support and identify ourselves with those regimes.

Tonight, I have called on us to limit ourselves to the barest formal relationships with those nations that show a total disdain for democratic principles. I do not seek a rupture of diplomatic relations with them, since such relations entail no approval or moral judgment of the government. If we are completely isolated from these regimes, there will be no opportunity to work for change, no opportunity for diplomats, businessmen, labor leaders and journalists to exert the pressure of intelligent, informed opinion.

And so now with Cuba, I ask only that we explore taking the first step, a re-examination of our trade and travel restrictions. The process may be long and the response from Cuba may be unenthusiastic, but we must begin. By geography, history and culture, Cuba is a part of the Western Hemisphere. As long as the Cuban government respects the OAS charter's prohibition against interference in the internal affairs of other nations, we should join our Latin American allies in exploring the quiet steps leading to Cuba's re-integration to the Inter-American system.

We are starting a new decade, so let us discard the rhetoric and concepts of the cold war and look to the future. It is time to seek a recommitment to the spirit of the Alliance for Progress—to political freedom, social justice and economic progress.

If that spirit does not infuse our programs, then no matter how much money and assistance flows across the border, or how intelligently our programs are conceived, we will fail. We have the capacity, the talent and the technology to help bring about the transformation of Latin America without violent and bloody disorder. But to do that, we must return to the spirit that began the decade. Nine years ago, John Kennedy challenged us to "transform the American continent into a vast crucible of revolutionary ideas and efforts—a tribute to the power of the creative energies of free men and women—an example to all the world that liberty and progress walk hand in hand". Difficult as it may be, it is time to start anew, it is time again to meet that challenge.

SAD PLIGHT OF AMERICAN PRISONERS OF WAR IN NORTH VIETNAM AND LAOS

Mr. MANSFIELD. Mr. President, the plight of American prisoners of war in North Vietnam and Laos is one which we cannot close as a missing chapter in the Southeast Asian war. It is my understanding that there are approximately 800 men who are missing or presumed captured in North Vietnam, 500 in South Vietnam, and 200 in Laos. What happens to them is of concern to everyone of us and our feelings about U.S. intervention in Vietnam comes secondary to their eventual release.

North Vietnam signed the Geneva Convention on the protection of prisoners of war in 1957 but since that time it has refused to even give the names of the captured Americans or to even let their loved ones know if they are alive or not. They have, in short, indicated a complete unconcern for the American prisoners they hold and for their own prisoners held in South Vietnam and Laos.

The parents, wives, children, and relatives of these American prisoners have been treated shabbily in their attempts to find if their loved ones were alive. They have been given lectures. They have been told to demonstrate against the war. They have been promised information and then the information was not forthcoming.

As one who looks upon the war in Vietnam as a mistake and a continuing tragedy, I feel concerned about these prisoners because they were only carrying out their obligations under a policy which was formulated here in Washington.

I would hope it would be possible for North Vietnam to disclose the names of all the prisoners of war it holds and that the National Liberation Front and the Pathet Lao would do the same. We would like to have assurances that they are being given proper food, medical care, and would be allowed to correspond with their families. For those who are sick or wounded, we ask that they be repatriated and that North Vietnam honor its legal obligations under the Geneva Convention. I urge the International Red Cross and the International Control Commission to step up its efforts to inspect the prison camps and I urge also that all Americans, in line with the suggestion made by Look magazine, express their concern for our men missing and captive in letters to North Vietnam's Premier, Pham Van Dong. They could be sent to: What About the POW's? care of Look, P.O. Box 1, Des Moines, Iowa, and from there they would be forwarded to Hanoi.

The prisoners' plight is not a matter of politics. It is one of common feeling for our fellow countrymen who have become prisoners of war in carrying out their obligations to their country.

I urge all Americans, regardless of their feelings on the war, to contact Look magazine at the above address and to redouble their efforts in behalf of their fellow citizens through correspondence and otherwise to bring about information about these fellow countrymen of ours and also their ultimate release.

PROXMIRE CALLS ON PRESIDENT NIXON TO DISCLOSE FISCAL YEAR 1971 VIETNAM WAR COSTS

Mr. PROXMIRE. Mr. President, I am today releasing a letter I wrote to President Nixon on April 17 urging that "the fiscal year 1971 budget estimates for the cost of the Vietnam war be made public. Last year's budget disclosed the estimated costs in detail. But the budget for fiscal year 1971 does not." I hope the President may do this tonight during his speech on Vietnam policies.

At the present time, we must rely on our own best judgments, estimates leaked to the New York Times by nameless Pentagon officials, by the informal calculations of former Budget officers, or the publications of nonprofit institutions as to the cost of the war. To date, none of these unofficial estimates have been officially confirmed.

There is one very important reason why we must have the facts. While the unofficial estimates indicate that the costs have dropped by about $15 billion, and that numerous other defense expenditures have been cut, the defense budget itself is only $5 billion less than last year.

Even when generous estimates are made for increased pay and other costs, it appears that the Pentagon has usurped at least $10 billion of the so-called peace dividend in outlays for new weapons systems. Among these are phase II of the ABM, increased Navy shipbuilding, the AWACS air warning system, the supersonic B–1 plane, new tanks, and duplicate antitank weapons.

There are many who believe that the military is hiding the fact that the costs of the Vietnam war have dropped by over $15 billion in order to conceal from the American people that most of these billions are being spent for new military weapons instead of needed domestic programs or in long overdue tax cuts.

The continuing failure to disclose the costs make it difficult if not impossible for Congress to make intelligent judgments about both military and civilian spending and their relative priorities.

I do not believe that we can act intelligently on either the military authorization bill or the military appropriation bill until we know what the Vietnam war will cost in fiscal year 1971.

We are being asked to spend billions in the dark.

To those who might claim there is some security matter connected with revealing the costs of the war, I would reply in two ways. First, the amount was revealed last year without any adverse security consequences. Second, we have made public the detailed estimates of troop strength in Vietnam. Surely if the latter is done, there can be no security questions involved in revealing the budget costs.

I ask unanimous consent that the letter to the President be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 17, 1970.

HON. RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am writing to urge that the fiscal year 1971 budget estimates for the cost of the Vietnam War be made public. Last year's budget disclosed the estimated costs in detail. But the budget for fiscal year 1971 does not. Yet it is obvious that the estimates were made when the budget was formulated.

Soon the military authorization bill will be before the Senate. Shortly after that we will be called on to pass the military appropriation bill. I do not believe that we can act intelligently on either of these measures until we know what the Vietnam War will cost in fiscal year 1971.

Without such official estimates we must rely on our own best judgments, estimates leaked to the *New York Times* by nameless Pentagon officials, by the informal calculations of former Budget officers or the publications of non-profit institutions.

None of these are satisfactory. They are no substitute whatsoever for the hard, detailed, official figures which remain hidden from the Congress and to the public.

The continuing failure to disclose the costs makes it difficult if not impossible for Congress to make intelligent judgments about both military and civilian spending and their relative priorities. We are being asked to spend billions in the dark.

Before we can make wise choices between and among conflicting defense strategies, domestic programs and policies, and fiscal and monetary affairs, the fiscal year 1971 costs of the Vietnam War should be revealed.

The unofficial estimates which I referred to above indicate that the costs have dropped from a peak of about $30 billion to an average level of about $13 billion for fiscal year 1971. But unlike previous years, we still have no proper estimates of these costs.

There is one very important reason why we must have the facts. While the unofficial estimates indicate that the costs have dropped by about $15 billion, and that numerous other defense expenditures have been cut, the defense budget itself is only $5 billion less than last year. Even when generous estimates are made for increased pay and other costs, it appears that the Pentagon has usurped at least $10 billion of the so-called "peace dividend" in outlays for new weapons systems. Among these are Phase II of the ABM, increased Navy shipbuilding, the AWACS air warning system, the supersonic B–1 plan, new tanks, and duplicate anti-tank weapons, as well as huge cost overruns on the C–5A, the SRAM missile, and in the Minuteman and Poseidon programs.

There are many who believe—and the unofficial figures appear to sustain that belief—that the military is hiding the fact that the costs of the Vietnam War have dropped by over $15 billion in order to conceal from the American people that most of these billions are being spent for new military weapons instead of needed domestic programs or in long overdue tax cuts.

As you yourself rightly said during your campaign for the Presidency,

"I have great confidence in what the American people are able to assimilate, and I think if you tell the American people the hard truth, they will make the hard decisions."

Mr. President, I believe that you and your Administration should tell the American people the hard truth about the costs of the Vietnam War. If you do, I am convinced that they will make the hard decisions.

With best wishes.

WILLIAM PROXMIRE,
U.S. Senator.

NOTICE OF HEARINGS ON OMNIBUS RIVERS AND HARBORS LEGISLATION

Mr. YOUNG of Ohio. Mr. President, the Subcommittee on Flood Control-Rivers and Harbors of the Committee on Public Works, of which I am chairman, initiated hearings on an omnibus rivers and harbors bill on April 15 and 16, 1970. At this time I wish to announce that we will continue these hearings in May and June and hopefully report a bill to the Senate early in July. For the benefit of the membership the following additional dates have been scheduled for these hearings:

Tuesday, May 12, 1970: Local interests on those projects on which the Corps of Engineers testified in April.

Wednesday, May 13, 1970: Corps of Engineers on additional projects submitted to Congress since the April hearings.

Tuesday, June 16, 1970: Local interests on those projects on which the Corps of Engineers testified in May.

Wednesday, June 17, 1970: Corps of Engineers on additional projects submitted to Congress since the May hearings.

Thursday, June 18, 1970: Federal agencies that desire to testify on any projects recommended by the Corps of Engineers, plus miscellaneous bills and other related matters.

Tuesday, June 23, 1970: Local interests on those projects on which the Corps of Engineers testified on June 17, 1970.

Tuesday, June 30, 1970: Corps recall on projects, bills, and other miscellaneous river and harbor matters.

The projects on which testimony has been received so far, are as follows:

PROJECT AND CONGRESSIONAL DOCUMENT NUMBER

Waukegan Harbor, Ill.: House Document No. 90–368.

South Shore of Lake Ontario, Fort Niagara State Park, N.Y.: In process to Congress.

Wild Rice, Minn.: House Document 90–366.

Souris River, N. Dak.: In process to Congress.

Marion, Kans.: House Document 91–256.

Arcadia Reservoir, Okla.: House Document 91–299.

Running Water Draw, Plainview, Tex.: House Document No. 91–192.

Posten Bayou, Ark.: In process to Congress.

Coos Bay, Oreg.: House Document No. 91–151.

Stream in the vicinity of Fairfield, Calif.: House Document No. 91–159.

Frenchboro Harbor, Maine: Senate Document No. 91–32.

Revere and Nantucket Beaches, Mass.: House Document No. 91–211.

East River, N.Y.: Senate Document No. 91–60.

New Jersey coastal inlets and beaches, New Jersey: House Document No. 91–160.

Manteo, Shallowbag Bay, N.C.: House Document No. 91–303.

Port Sutton, Fla.: House Document No. 91–150.

Lido Key, Fla.: In process to Congress.

The hearings will be held at 10 a.m. in room 4200, New Senate Office Building, unless otherwise announced. Senators or other interested persons desiring to testify or to submit written statements in connection with these hearings should notify Mr. Joseph F. Van Vladricken, professional staff member, Committee on Public Works, room 4206, New Senate Office Building, Washington, D.C. 202–225–6176.

NOTICE OF HEARINGS ON WATERSHED WORK PLANS SUBMITTED BY THE SECRETARY OF AGRICULTURE UNDER PROVISIONS OF PUBLIC LAW 83–566

Mr. YOUNG of Ohio. Mr. President, I wish to announce that the Subcommittee on Flood Control-Rivers and Harbors of the Committee on Public Works will hold hearings on a number of proposed small watershed projects submitted by the Secretary of Agriculture. The projects to be considered are as follows:

WATERSHED AND STATE

Spadra Creek, Ark.
Upper Petit Jean, Ark.
Headwaters of the Chattooga River, Ga.
North Oconee River, Ga.
Lost River, Ind.
St. Marys River, Md.
Upper Turtle River, N. Dak.
Pine Valley, Oreg.
Rocky Creek, S.C.
Wilson Creek, S.C.
Hog Creek, Tex.
Upper Cibolo Creek, Tex.

The hearing will be held on Wednesday, April 22, 1970, and will begin at 10 a.m. in room 4200, New Senate Office Building. Senators and other persons de-

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siring to testify or to submit written statements for the record should notify Mr. Joseph F. Van Vladricken, professional staff member, Committee on Public Works, room 4206, New Senate Office Building, Washington, D.C., 202-225-6176.

AMENDMENTS TO WELFARE REFORM PROPOSAL

AMENDMENTS NOS. 584 THROUGH 598

Mr. RIBICOFF. Mr. President, in 1976 this country will celebrate its 200th birthday. We will honor this anniversary throughout the land.

Cities will host celebrations attracting tourists from both here and abroad. Carnivals and other forms of entertainment are planned. The signing of the Declaration of Independence will be reenacted many times.

All of this will entertain us. And all of this will pass.

I urge Congress to provide a more lasting memorial: This Nation should commit itself here and now to end poverty in our country by 1976.

The Declaration of Independence declared the "unalienable" right of all men to "life, liberty, and the pursuit of happiness."

Yet what manner of life—what degree of liberty—what quality of happiness—are available to those Americans still shackled by poverty and privation?

Nearly 200 years have passed since the Declaration of Independence was signed. Two hundred years should be sufficient time to insure these "unalienable" rights.

But today, one in every eight Americans remains poor. More than a third of these are children. Many of the rest are ill, disabled or elderly.

There are, in fact, more poor people in the United States than the entire population of Canada.

Public assistance is the last hope of these impoverished Americans.

But America offers them a system of welfare that is a national tragedy. Our public assistance programs have written a sorry record of inadequacy, inefficiency, and inhumanity.

Every major study of welfare in the last 5 years has testified to the shortcomings of the system. The President's Commission on Income Maintenance Programs, the Arden House Conference on Public Welfare, the National Advisory Council on Public Welfare, and the Committee on Economic Development have been unanimous in their indictment.

For most welfare recipients, deprivation is an enduring fact of life. Rather than opening doors to new opportunities, our system of welfare perpetuates poverty and dependency.

The children of impoverished families are on a treadmill that leads them inexorably to become the next generation of the poor. This tragic cycle is not voluntary. It results from years of neglect and ignorance on the part of all Americans.

We have chosen to ignore the needs of the poor. Instead, we offer pity or contempt. We study, define, and classify them. We promise and advise them. We do everything but help them.

Our failure is not one of resources or skill. Our failure is one of commitment.

We know how to wipe out poverty. This Nation has the resources and skill to do it.

What is lacking is a national commitment. It is up to the Congress to set a goal—to end poverty by 1976—and then to legislate the programs and the money to reach that goal.

A GOAL FOR AMERICA

I submit today as part of a welfare reform proposal, an amendment to establish as a minimum national goal, the assurance that by no later than 1976, all Americans will have enough income to sustain a decent standard of life.

I realize that we cannot achieve a goal of this magnitude this year. But, that fact should not cause us to delay establishing the goal now—and making it real by providing a date to achieve it.

My amendment will also instruct the Secretary of Health, Education, and Welfare to study the various approaches toward realizing our legislative goal and to report to Congress within eighteen months with specific recommendations designed to meet our goal of ending poverty by 1976.

The basic text of this amendment will read as follows:

> FINDINGS AND DECLARATION OF PURPOSE
>
> SEC. 2. (a) The Congress finds and declares that—
>
> (1) A nation of wealth and responsibility deplores the continuing incidence of poverty within its borders; and (2) In view of the harm to individual and family development and well-being caused by lack of income adequate to sustain a decent level of life, and the consequent damage to the human resources of the entire Nation, the Federal Government has a positive responsibility to assure an end to poverty.
>
> (b) Therefore, the Congress establishes a national goal of assuring all citizens, by 1976, an income adequate to sustain a decent level of life and to eliminate poverty among our people.

If we are not successful in the effort to end poverty, we will do more than consign millions of Americans to additional years of destitution. We will also further the development in this country of a dangerous division between the haves and the have-nots.

The recent report of the President's Commission on Income Maintenance Programs—the Heineman Commission—has warned us that the increasing affluence of our society, by itself, offers no hope for the poor. Those who have assumed that, as the average income moved higher, the poor were getting a bigger share, are wrong.

The result is that today, completely alien life styles are developing among the poor in the ghettos of our cities and the poorest rural counties of our Nation. In a future which promises greater riches for many but continued poverty for some, these differences threaten to become unbridgeable chasms.

As the Heineman Commission points out, in these chilling words:

> In these trends is the potential for social division unparalleled in our country.

ANALYSIS OF H.R. 16311

Last summer, the President proposed a major first step toward solving the problems of the poor. His family assistance plan, guaranteeing a basic minimum payment to all families with children is sound and responsible legislation.

H.R. 16311, which passed the House of Representatives last week, contains the essence of the President's proposals. Much of this bill deserves praise and support.

But, we cannot call this a real bill of reform. Too many major flaws in the existing system remain in the new legislation.

The four basic flaws of H.R. 16311 are:

First. Assistance levels remain entirely inadequate. The bill takes no steps to increase the level of payments now being made by the States.

Second. Many poor people will continue to be completely ineligible for any kind of federally assisted welfare payments.

Third. Families with working adults, the "working poor," continue to be discriminated against and will receive far less under the bill than other families—though their need is equally as great.

Fourth. The bill contains no means to develop meaningful job opportunities for welfare recipients.

Therefore, I am submitting 15 amendments to remedy these weaknesses. If adopted, they will significantly strengthen the bill and other national efforts to alleviate poverty.

PROPOSED AMENDMENTS

First. I propose increasing assistance payment levels substantially over the first 3 years of the program. Specifically, my amendments would raise the minimum level of assistance for a family of four from $1,600 in 1971 to $1,800 in 1972 and $2,000 in 1973.

Additionally, State supplementary payments to families would have to increase to meet the State's own minimum standard of need by 1973.

Moreover, I shall strongly support the McGovern simplified food stamp system which would supplement the income of a family of four by $1,100. Thus, a family of four would receive total assistance of $2,700 in 1971, $2,900 in 1972, and $3,100 in 1973.

Second. My amendments will broaden eligibility for welfare assistance far beyond the narrow categories now in use.

Our goal cannot be simply a family assistance plan. Our goal must be a truly national assistance plan for all poor Americans.

Too many assume H.R. 16311 covers all Americans living in poverty. It does no such thing. Millions of the poor will receive no assistance from this program. They are surely the forgotten Americans. Others will be discriminated against by the formulas provided.

We have the opportunity now to rationalize our welfare system and to set this Nation on a course to end poverty for all its citizens. We will miss this opportunity if we continue to assist only those who happen to fit our categories.

Third. These amendments will permit the Federal Government to share in

State supplementary payments to the "working poor." The House-passed bill continues to make an unwarranted and undesirable discrimination against families with working parents. This discrimination has been universally recognized as an incentive for laziness and dissolution of families. Yet, regrettably, H.R. 16311 perpetuates this weakness.

Fourth. I propose to strengthen the work training provision by increasing the scope of the "special work projects" introduced in the 1967 welfare legislation. This amendment will enable the welfare program to offer meaningful and productive job opportunities at the end of the training cycle. In addition, such projects will increase employment in vital public interest areas such as health care, education, public safety, and environmental protection.

In addition, Mr. President, I shall be proposing other amendments to strengthen the bill. Among these will be amendments to increase the Federal share in all State supplement programs; to provide better day care facilities, and assure their availability for working mothers; and to simplify the Federal-State administration of the welfare program.

These recommendations and amendments have been prepared after consultation with a special advisory group of welfare experts from around the country. These men and women, many of whom have spent years struggling to administer our present patchwork system, gave generously of their time. I thank them for the counsel they have given.

Included in these consultations were:

Wilbur Cohen—former Secretary of Health, Education, and Welfare, and presently dean of the school of education at the University of Michigan.

Mitchell Ginsberg—human resource administrator for New York City.

Miss Natalie Jaffe—of the New York City Human Resources Administration.

Bill Burson—director of welfare for the State of Georgia.

Lloyd Rader—director of welfare for the State of Oklahoma.

David Chambers—professor of law at the University of Michigan and former special assistant to the Executive Director of the Kerner Commission.

Others who have volunteered assistance include Fedele Fauri, dean of the school of social work at the University of Michigan, Prof. Lisle Carter, of Cornell University, Bishop Raymond J. Gallagher, Bishop of Lafayette-in-Indiana, and Cernoria Johnson of the National Urban League.

FEDERAL COSTS OF WELFARE

Mr. President, the welfare legislation passed by the House of Representatives is estimated to cost $4.4 billion in new Federal moneys.

The plan which I have proposed today will add an additional $1 billion—less than 20 percent more—of new Federal assistance in the first year of the program.

In the second year of operation, this plan would cost approximately $6.5 billion, or $2 billion more than H.R. 16311, and in the third year, Federal cost would be an additional $3.6 billion.

I ask unanimous consent that a table showing the costs of my proposals be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

ADDITIONAL COSTS OF PROPOSALS ABOVE THE COST OF H.R. 16311

[In millions]

Fiscal year	1972	1973	1974
1. Increase in FAP payments		$450	$900
2. Coverage of childless couples and unmarried persons	$900	1,000	1,100
3. Meeting State standards of need	100	250	400
4. Increasing Federal share of State supplementary programs	0	130	260
5. Federal share in payments to the working poor	20	20	20
6. Adult categories	0	300	900
Total	1,020	2,100	3,580

INCREASE IN ASSISTANCE LEVELS

Mr. RIBICOFF. Mr. President, the most glaring weakness in the President's welfare program and in H.R. 16311 is the meager level of public assistance payments.

The bill promises $1,600 to a family of four without other income. In addition, the first $720 of earnings and 50 cents of every dollar thereafter are disregarded in computing benefits.

The concept of a Federal minimum assistance payment is a progressive step. But the proposed benefit falls far below what is actually needed. For a family of four, the minimum payment amounts to $33.33 per recipient per month. For larger families it is even less.

My amendment would increase the proposed assistance level in the second year of operation to the equivalent of $1,800 for a family of four, and to $2,000 in the third year.

These amendments would include a cost-of-living adjustment to permit the basic assistance grant to keep pace with any increase in the Consumer Price Index.

Additionally, I strongly support the simplified food stamp distribution plan introduced by Senator MCGOVERN. Based on a food stamp bonus schedule adopted by the Senate in 1969, this plan would automatically provide a family of four on welfare, without other income, an additional $1,100 in stamps. Thus, in 1971, a family of four would receive a total of $2,700, in 1972 such a family would receive $2,900, and in 1973, $3,100.

Moreover, the stamp bonus would be distributed through the welfare system, substantially broadening its impact among the poor. Today, only 40 percent of those on welfare receive the food stamps to which they are entitled by law. Simplifying the administration of this program will assure greater availability of these income supplements.

Eventually, Mr. President, I believe that we must increase the minimum assistance payment far above what is now established. My amendments and the simplified food stamp distribution plan would be meaningful steps toward that goal.

THE FORGOTTEN AMERICANS

Our welfare programs have historically been based on narrow categories. The aged, blind, the disabled, and, more recently, families with dependent children are all eligible to receive Federal assistance. But, present law simply denies Federal assistance to persons—no matter how destitute—who do not fall into one of the above categories.

The result is substantial inequity and continued hardship among some of America's poorest persons. All of this is based on fine distinctions and complex regulations which ignore the real needs of the applicants.

Practically every major proposal for welfare reform has contained recommendations to provide assistance to all in need whatever their age or family relationship.

Therefore, I am recommending development of a national assistance plan to include unrelated individuals over the age of 25 and childless couples. These people are often the greatest in need. The incidence of poverty reaches the highest levels among persons unconnected with any family unit. Fully one-third of all such persons in the United States are poor.

America has forgotten these people. We must remedy that error immediately.

THE WORKING POOR

In his welfare message last year, the President made much of the concept of providing assistance to the so-called working poor.

Yet, a closer look at his proposal and H.R. 16311 reveals the vast discrepancy between the President's promise and his actual proposal.

Under H.R. 16311, the working poor will be entitled to the family assistance minimum. But they will not be entitled to State supplementary payments in which the Federal Government shares.

This is a major step in the wrong direction.

The President and H.R. 16311 would continue to provide a great incentive to welfare recipients to remain unemployed or absent from home. Only by such action will the family be entitled to State supplementary payments.

The amendments I propose would authorize the Federal Government to share in State supplementary payments to the working poor. Families with working parents would receive equal treatment with families which do not work.

All States which presently supplement the incomes of the working poor would receive Federal assistance. At the same time, they would agree not to reduce the present level of assistance.

Other States that in the future wish to supplement these families would also be eligible for matching payments from the Federal Government.

MEETING STATE MINIMUM STANDARDS OF NEEDS

Under existing law, States are required to establish a standard of need. These standards, developed under Federal guidelines, describe what the State itself believes absolutely necessary to maintain the basic minimum requirements of life.

Congress has never seen fit to require all States to provide that level of public assistance which they themselves have described as an absolute minimum.

I propose an amendment providing

that all States must meet, with Federal assistance, these need standards by 1974.

The most important argument against such a requirement has been the budgetary limitations of the States. Yet, in H.R. 16311, the total savings to States amounts to over $600 million. Amendments I am proposing will increase that savings by another quarter of a billion dollars.

Therefore, I believe we should require States, with the help of Federal money, to use some of these savings to meet these very basic standards of need.

INCREASING THE FEDERAL SHARE OF STATE SUPPLEMENTARY PAYMENTS

H.R. 16311 provides for 30-percent Federal sharing in State supplementary payments above the family assistance minimum.

This is a major improvement over the President's proposal which required no Federal payments above the minimum. The President's proposal, indeed, penalized those States which were making greater efforts to help the poor.

However, I do not believe the 30-percent rate is an adequate level of Federal participation. Many States today are finding it necessary to cut back already meager public assistance programs. If we are to make a meaningful effort to raise assistance levels, we must provide greater Federal financial help.

Therefore, my amendment proposes to increase the Federal share of State supplementary payments to 40 percent the second year of operation and 50 percent in the third year.

This amendment will provide an additional $260 million of relief to the States. Most of this saving will go to those States already making the greatest efforts for the poor.

WORK OPPORTUNITIES

The President's welfare speech coined a new word: "workfare." His proposed reform stressed getting people off the welfare roles and on to payrolls.

Yet, the President failed to provide any jobs with which to accomplish this goal.

In 1967, the Senate authorized, as part of the work-incentive program, certain public service jobs called "special work projects." Regrettably, these projects have not been implemented by the administration. Only one State—West Virginia—has participated.

My amendments would greatly strengthen the special work projects sections of the pending legislation.

Today, the national unemployment rate in private industry stands at 4.5 percent of the work force. All indications point to an increase in this rate in the near future.

We cannot continue to be deceived by the delusion that numerous jobs exist in the private sector for welfare recipients with a little training. For years, we have provided training only to find that no job opportunities were available at the end of the line.

We have more training for fewer jobs than any nation in the world. Yet, no one can deny there is much work to be done in America. Today, this Nation has begun to realize the great need for more conservation and ecological preservation projects.

Every hospital in America is understaffed. Our central cities are decaying physically before our eyes. Every city is desperate for funds with which to hire police and teacher aides.

The National Commission on Technology, Automation, and Economic Progress estimated that there are 5.3 million potential jobs in the public sector. These jobs would meet unmet or unsatisfied needs in education, health care, social services, urban development, and environmental protection.

The tasks could be undertaken by Government agencies or private organizations. Needed public service jobs would be filled, and more importantly, welfare recipients would be involved in productive and remunerative activity.

My amendment would give priority to work projects that assured the welfare recipient of assimilation into normal work patterns. Payments checks would come directly from the employer rather than the welfare department. Other prerequisites of regular employment such as health insurance and seniority rights would also be stressed.

In addition, this amendment would earmark 20 percent of the manpower training appropriations for these projects to assure their successful development.

ADULT WELFARE CATEGORIES

Aid to the aged, blind, and disabled has long been the major foundation of our welfare programs. These men and women, unable to help themselves, have been the recipients of Federal and State assistance longer than anyone else. For most, this aid has been their primary source of income.

Today, over 2 million aged persons over 65 receive old age assistance. Three-quarters of a million receive payments under the program of aid to the partially and totally disabled. Another 80,000 are covered under aid to the blind. These numbers have remained relatively constant throughout the years. Together these adults receive about 40 cents of every welfare dollar.

H.R. 16311 has taken a major step forward by increasing the minimum support levels for these categories to $110 per month. The Federal share of these payments has been increased to 90 percent of the first $65 and a 25-percent share of remaining payments.

Regrettably, great variations remain between payments to similar recipients in different States.

New Hampshire pays an aged person in need $116.25 per month. But five States pay less than $50. Two States—Massachusetts and California—pay over $140 to the blind, but 10 States pay less than $70 per month. State payments to the disabled range from $58.75 to $133.75.

I propose that this situation be ended by the full Federal assumption of the costs and administration of these programs within 3 years. Similar federalization of all welfare programs has recently been supported by the National Conference of Governors and the Advisory Commission on Intergovernmental Relations.

CHILD CARE

This Nation cannot expect to reduce welfare roles unless adequate and comprehensive care is given the children of the poor

These children of poverty represent potentially the next generation of welfare recipients.

Adequate care means one of two things: either the presence of a mother during the formative years, or the existence of progressive child-care programs in the neighborhood.

I am submitting two amendments to insure these requirements are met.

The first would authorize the Secretary of Health, Education, and Welfare to make grants for the construction of day-care centers where remodeling or renovation of existing facilities is unfeasible.

The second amendment would eliminate the requirements to register for work training for mothers of children under 14 when adequate day care facilities are not available to her.

H.R. 16311 would require a mother to leave a 7-year-old child in order to register for work or training. This is both inhumane and unwise. I hope the Senate will remedy this defect.

ADMINISTRATIVE AMENDMENTS

I am also offering today five amendments to correct errors in the administrative sections of H.R. 16311. The first would eliminate an inequity in the overpayments section—section 446(b)—which unnecessarily and unfairly burdens the recipient who was not in error.

The second would merely authorize use of a simplified system of declaration for applicants to the family assistance program.

This simplified form, under H.R. 16311, will be in use in the adult categories and the Secretary of Health, Education, and Welfare has indicated an intention to use a similar method under FAP. Unfortunately, the bill, as presently written, does not make that intent clear.

Third, an amendment would retain under the control of the Secretary, certain functions involving eligibility and hearings connected with the Federal family assistance plan.

This plan will be fully funded by the Federal Government. Moreover, judicial review of findings in hearings will be held in Federal courts. It makes good sense to have a modicum of Federal control over this plan even though the States may choose to administer parts of it.

Therefore, my amendment would prohibit the Secretary from delegating functions involving hearings and eligibility proceedings to the States.

Fourth, I propose an amendment to facilitate administration of the State supplementary plans in connection with the family assistance plan. The report of the Committee on Ways and Means states a strong intent not to shuttle needy people from "window to window" while applying for and receiving assistance from both State and Federal programs. My amendment would enact that intent by directing the Secretary to devise procedures so that a potential recipient may establish his eligibility at a single point of contact with the bureaucracy.

XUM

Last, I am amending H.R. 16311 to include in the definition of "earned income," which is partially excluded when determining benefit levels, those amounts which a welfare recipient may receive from support payments and servicemen's allotments.

This is a necessary amendment to give proper incentive for persons connected with a family, but absent from home for one reason or another, including military obligations, to continue support of his or her family. If the person were at home this money would be earned income. This should not change on account of a temporary absence.

Mr. President, I ask unanimous consent that a brief description of each of my amendments be printed in the Record at this point.

The ACTING PRESIDENT pro tempore (Mr. Hollings). The amendments will be received, printed, and appropriately referred; and, without objection, the description of the amendments will be printed in the Record.

The amendments (Nos. 584 through 598) were referred to the Committee on Finance and ordered to be printed.

The description of the amendments, ordered to be printed in the Record, is as follows:

Amendments Introduced by Senator Ribicoff

1. Provides as a minimum national goal that, by 1976, all citizens are assured of an income adequate to sustain a decent standard of life.

Instructs the Secretary of Health, Education and Welfare to report to Congress within 18 months of the final enactment of this legislation with specific recommendations as to means to meet this goal. (Amendment No. 584).

2. Increases, in 1972, the basic federal payments under the Family Assistance Plan to $550 for the first two members of a family, and $350 for others ($1,800 for family of four).

In 1973, the allotments become $600 and $400 ($2,000 for family of four).

Adds a cost-of-living adjustment. (Amendment No. 585).

3. Expands Family Assistance Plan to include childless couples and other unrelated individuals over the age of 25. (Amendment No. 586).

4. Increases the federal financial share of State supplementary payments to 40% in 1972 and 50% in 1973. (Amendment No. 587).

5. Provide for a Federal share of payments by States which supplement the "working poor". Such share shall be equal to the Federal share in other State supplementary payments. (Amendment No. 588).

6. Directs States to meet their own standards of need by 1973.

Under present law, states are required to calculate the amounts of money required for basic subsistence. This amendment requires states to supplement the Federal minimum payment up to these need standards in three steps. (Amendment No. 589).

7. Raises Federal share of payments to the Aged, Blind, and Disabled to 100 percent of the first $65 and 50% of amounts above that in 1972; to 100% of the first $65 and 75% of amounts above that in 1973; and to 100% of the first $110 in 1974.

Provides for full federal administration of the adult programs by 1974.

Redefines Aged to include those over the age of 60 and widows over the age of 50. (Amendment No. 590).

8. Strengthens the existing provisions authorizing "special work projects" to provide for work in the public interest such as conservation, health, public safety. Earmarks at least 20% of the funds authorized under Part C for such special work projects. (Amendment No. 591).

9. Authorizes the Secretary to expend funds for capital construction of child care facilities where he has found renovation, remodeling unfeasible. (Amendment No. 592).

10. Redefines work requirements to exclude mothers of children under 14 years of age if there are no adequate child care facilities available. (Amendment No. 593).

11. Permits use of simplified declaration form of application for Family Assistance applicants as well as for applicants in the Adult programs. (Amendment No. 594).

12. Requires federal control of eligibility procedures and the hearing process under the Family Assistance Program. (Amendment No. 595).

13. Amends Section 446 to prohibit recovery of overpayments to a recipient where the recipient was not at fault and recovery would defeat the purposes of this Act. (Amendment No. 596).

14. Directs Secretary to devise regulations permitting recipient or applicant to establish his eligibility for both Federal and State assistance at a single point of contact. (Amendment No. 597).

15. Redefines "earned income" in Section 443 to include support payments and servicemen's allotments. (Amendment No. 598).

REDUCTION OF U.S. FORCES IN EUROPE

Mr. MANSFIELD. Mr. President, last week His Excellency Willy Brandt, Chancellor of the Federal Republic of Germany, made a brief visit to Washington. I regret that I was unable to be present when he met with the Committee on Foreign Relations, but I know that the other Members found it most helpful to talk with the Chancellor. He is one of the outstanding government leaders in the world.

In the course of his visit, the Chancellor referred to the question of U.S. forces in Europe. At the White House on April 10, for example, he alluded to the "continued and adequate military presence of the United States in Europe without which there can be no security for all of us."

On April 12, the Chancellor was a guest on "Meet the Press." In response to a question as to why the American commitment to the defense of Europe must be expressed in the present number of troops, he said:

> There are two strong arguments which I want to present. . . . One is that this is not only a military problem. It is a political and psychological problem as well. In at least parts of Europe, a major withdrawal of American troops, unilaterally from Europe, would be regarded as a step towards, well, more or less, Soviet hegemony, as far as Europe is concerned.
>
> My other argument is this: There may be a chance during the next few years to come, to enter into serious negotiations on mutual balanced force reductions. At least we should be prepared for it. But I think an effective alliance with an important American presence in Europe is one of the preconditions of reasonable talks on mutual reduction of forces in Europe, especially in Central Europe."

It has been said before, Mr. President, but it bears repeating. The resolution which I have introduced and which is supported by more than half the Members of the Senate does not say that U.S. forces should quit Europe. Rather, it states that a "substantial reduction of United States forces permanently stationed in Europe can be made without adversely affecting either our resolve or ability to meet our commitment under the North Atlantic Treaty."

The resolution, I repeat, does not call for the withdrawal of all American forces from Europe. It holds that present conditions in Europe make possible a substantial reduction in the American military presence in Europe. I should add that, in my judgment, a substantial reduction is essential in the light of present conditions in the United States.

In previous statements, I have described the size of the American forces in Europe. To recapitulate, there are 310,000 American troops in Europe, some 230,000 dependents and about 14,000 civilian employees. Thus, there are, in total, over 550,000 Americans in Europe today either serving in the military or connected with the military. In 1969, our direct outlays in Europe reached a new high of over $1.6 billion and, in Germany alone, a new high of almost $950 million. Moreover, the able Senator from Illinois (Mr. Percy) has estimated that the full cost of NATO is $14 billion in the annual Defense Budget. These expenditures for the contingent in Europe represent a drain on the dollar and act to weaken its international position. Salaries and other indirect costs eat heavily into U.S. tax resources leaving less for essential purposes at home and adding severe inflationary pressures to the economy.

A principal argument against any reduction in the U.S. contingent in Europe, as the excerpts I have quoted indicate, is that if a unilateral cut is made, the Soviet Union will not agree to negotiate mutual balanced force reductions. If this argument is read carefully, however, it will be seen that references to negotiations with the Soviet Union on mutual troop reductions are invariably stated in the conditional. They are described as negotiations that "might" take place or that "may" take place or as a possibility that cannot be excluded.

The fact, is, however, that there has been no indication whatsoever—no indication whatsoever—that the Soviet Union has been interested in negotiation of a mutual reduction since the hint of this argument was drawn across the path of the proposed Senate resolution a year or two ago. So far as I am aware, there has been no effort even to explore seriously the feasibility of mutual reductions since the course of mutual reductions was first suggested as a possibility almost a decade ago. In this connection, I ask unanimous consent to have appended to my remarks a statement which I issued proposing that the executive branch take a diplomatic initiative looking toward mutual force reductions by the Soviet Union and the United States. It is dated January 2, 1961.

The PRESIDING OFFICER (Mr. Ribicoff). Without objection, it is so ordered.

XUM

(See exhibit 1.)

Mr. MANSFIELD. Mr. President, it seems rather late to be setting out now on this old proposal in the new circumstances of 1970. The prospects for its realization are extremely remote and for all practical purposes irrelevant. While there may be no harm in trying, a delay in reduction in order to pursue this will-o'-the-wisp seems to me merely to be filtering our policies through the viewpoints of others at great cost to this Nation. That is an indulgence which we can ill afford in the light of our current domestic needs. Are we supposed to maintain the present number of U.S. forces in Europe indefinitely at U.S. expense because the German Government feels that that is useful for the purposes of its central European policies? Are we to keep over 550,000 U.S. personnel in western Europe at U.S. expense even if the Soviet Government shows no disposition to negotiate a mutual reduction because it may be in its interests—as it sees those interests—to remain in eastern Europe no matter what we do? Are we supposed to do so even though it may be in our interests to reduce our forces in western Europe no matter what the Soviet Union does?

Mr. President, there is a growing feeling in the Senate which I believe reflects growing sentiment in the Nation that it is long past time for a substantial reduction of our forces in Europe. In my judgment, that feeling will grow stronger as time passes. If there is no response to it, the opportunity for a phased, deliberate, and reasonable reduction of American forces may well be overtaken by growing demands for a precipitate withdrawal from Europe. If that occurs, there might well be realized the fears which were expressed by the German Chancellor of adverse "political and psychological" consequences. I must reiterate my view, therefore, that the longer a substantial reduction is delayed by the executive branch, the more likely a precipitate and, perhaps, complete withdrawal of U.S. forces from Europe.

Mr. President, I ask unanimous consent that my comments and an article by the German Defense Minister, Helmut Schmidt, be printed at the conclusion of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 2.)

Mr. MANSFIELD. Mr. President, I also ask unanimous consent that there be printed in the RECORD the interview given by the late President Eisenhower in the Saturday Evening Post of October 26, 1963; and an editorial printed in the Washington Post on April 2, 1970.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibits 3 and 4.)

Mr. MANSFIELD. Mr. President, I would have made these statements earlier, but I felt out of courtesy I should wait until the German Defense Minister had made his statement, and the German Chancellor had completed his visit to this country.

EXHIBIT 1

STATEMENT OF SENATOR MIKE MANSFIELD, JANUARY 2, 1961

At the present time we have five divisions in Western Europe. Arrayed against these limited forces are over 25 Russian divisions, deployed largely in East Germany, but also in Poland and Hungary. While it is true that the Western European nations, particularly West Germany, have available additional men under arms in Western Europe, their numbers are probably offset by the forces in the Eastern European satellites. The numerical imbalance as between the Russian forces and our own committed in Europe is overwhelmingly weighted on the side of the Soviet Union. From this it is clear that the U.S. divisions in Europe, as such, have lost real meaning in terms of the shield concept of NATO.

Protestations to the contrary, their significant meaning is a symbol of our commitment to join in the defense of Western Europe with all our strength and all our weapons if that area is invaded. A symbol of this kind would be no less a symbol if the U.S. commitment were to consist of two or three divisions rather than five. One would hope, therefore, that it would be possible to offer to reduce our total commitments of forces in Europe by two or three divisions in turn for a Russian willingness to cut their forces in Hungary, Poland and Germany by a roughly proportionate number—say somewhere in excess of ten.

That would be an important step towards easing tensions in Europe. It also would permit the Russians to reduce their armaments expenditures—which they are apparently anxious to do. It would permit us to save a substantial amount of dollars in gold, which we are now draining out of the country, in no small part because of the numbers of troops with dependents and supporting structure which we maintain in Europe. At the same time the removal of two or three divisions with all of its dependents might make it possible to ease up on the financial pressure and, hence, to permit the dependents of those men who would remain in Europe to stay with them.

Finally, if the Europeans felt their security weakened by a withdrawal of the American forces, they are in a financial position now to strengthen their own military forces, and could do so.

In short, an initiative in this situation seeking to bring about a concurrent reduction of both Russian and U.S. forces in Europe would be a rational step towards normalcy in Europe and peace. It would be a step benefiting all the nations involved and reflecting the improved stability, financially and otherwise of Western Europe. These possibilities should be explored diplomatically on their own merit as a part of—but a distinct part of the over-all major questions of security in all Europe and disarmament.

EXHIBIT 2

Mr. MANSFIELD. Mr. President, a statement by the Defense Minister of the Federal Republic of Germany, Helmut Schmidt, was published in the April 2 issue of the Washington Post. Entitled "Bonn and the U.S. Presence," the statement sets forth most articulately the German Defense Minister's views on U.S. force levels in Germany. Like his predecessors, Mr. Schmidt is apparently opposed to any reduction in the level of our forces in Germany unless certain conditions, including some reduction of Soviet forces in Eastern Europe, are met.

Mr. President, I have spoken on the subject of our forces in Europe many times on the floor of the Senate in connection with resolutions I have proposed calling for a substantial reduction of those forces. I will not impose on the time of my colleagues to recapitulate today the remarks I have made previously. I would like, however, to make a few brief comments on Mr. Schmidt's statement, principally to set the record straight on this matter that is of such importance to the United States.

I would refer, first of all, to Mr. Schmidt's observation that there seems to be a great debate regarding the relationship between Europe and the United States every 10 years and that another great debate is in the offing which will "revolve around the questions of America's future political position in Europe and of the number of American troops that would have to be kept in Europe to maintain the credibility of the American commitment to the defense of the old world." I most respectfully beg to differ with the implication that the number of American troops that should be kept in Europe is a new subject of discussion in this country. On the contrary, the question has been debated for many years. It was more than 3 years ago that I first introduced a resolution, Senate Resolution 49, calling for a substantial reduction of U.S. forces permanently stationed in Europe. And the debate had begun far earlier than that. In an interview published in the Saturday Evening Post of October 26, 1963, President Eisenhower stated:

> Though for eight years in the White House I believed and announced to my associates that a reduction of American strength in Europe should be initiated as soon as European economies were restored, the matter was then considered too delicate a political question to raise. I believe the time has now come when we should start withdrawing some of those troops . . . One American division in Europe can 'show the flag' as definitely as can several.

Mr. President, Mr. Schmidt makes a number of factual assertions in his statement, facts that he says speak for themselves, which I think deserve some mention. He states that the 12 West German divisions "are, in fact, 12 divisions." It is my understanding that three of these divisions are short one brigade each and that there are certain other deficiencies in the West German Army that need to be made up, in such areas as reserve training and the supply of noncommissioned officers. I should add that I have full confidence in the West German Government's determination to overcome these deficiencies.

Mr. Schmidt also states that the West German defense budget for 1970 represents an increase of 6.8 percent over the previous year. To set that figure in context, I would like to point to a number of other percentages. According to the latest figures available, 8.7 percent of the men of military age in the United States are in the Armed Forces compared to 4 percent in Germany. In 1968, the last year for which such figures are available, defense expenses per capita totaled $396 in the United States and $87 in West Germany, and I should note that the defense expenditure per capita in Germany was lower than that in Britain or France among the NATO countries. Again taking the figures for 1968, defense expenditures as a percentage of the gross national product were 9.2 percent in the United States compared to 3.9 percent in West Germany, a percentage lower than that of Britain, France, Greece, and Portugal, among the members of NATO. These facts, too, speak for themselves.

Mr. Schmidt, concludes his statement with a frank admission that further offset agreements to balance some portion of the foreign exchange costs we incur by maintaining the present level of our forces in Europe are going to be difficult because there is no longer a need to place large arms orders in the United States, and he notes that budgetary contributions would have to come out of the German defense budget and thus apparently are not being contemplated. An editorial in the Washington Post, which also appeared in the April 2 issue, commented on Mr. Schmidt's statement by saying that this part of the Defense Minister's article "ought not to satisfy an American administration already hard pressed by urgent defense and domestic needs." I agree Mr. President, it was not my intention to take the floor of the Senate today. I had intended to remain quiet until after the visit of Chancellor Willy Brandt next week. I felt that it was only the proper thing to do. However, in view of the fact that this statement was made by the Defense Minister of the Republic of West Germany, I felt it only fair that a reply should be made.

XUM

BONN AND THE U.S. PRESENCE

(By Helmut Schmidt)

It seems to be almost a law of postwar history: every 10 years a great debate about the relationship between Europe and the United States is being conducted across the Atlantic.

In the early fifties this transatlantic debate led to the great European divide. In the early sixties the debate—frequently reminiscent of a theological dispute—turned upon, the life-and-death issue of nuclear strategy; nuclear sharing and nuclear codetermination were the catchwords.

Now another great debate between Europe and America is in the offing. Clearly, it is going to revolve around the questions of America's future political position in Europe and of the number of American troops that will have to be kept in Europe to maintain the credibility of the American commitment to the defense of the Old World.

The administration has pledged time and again that the present level of U.S. forces in Europe will be maintained until mid-1971. I have no reason to doubt the validity of this pledge. Yet I also realize that the pressure is building up in various quarters to scale down the American presence in Europe; and I cannot but worry about some aspects of the public discussion getting under way in the United States.

First of all, there is frequently fundamental misunderstanding of what the American commitment is all about. The presence of U.S. troops is a significant contribution to European defense. But it is much more than that; an earnest of the American commitment, and as such the key element of Western deterrence. Basically, it is a contribution to America's own security; the front line of defense against the rival super-power, the fulcrum of the global balance, and the chief stake in the competition between the United States and the Soviet Union.

The second feature of the internal U.S. debate that gives cause for concern is the misrepresentation of several crucial facts by some of the leading protagonists. They conjure up the picture of a Europe sitting idly on its haunches, satisfied to leave its defense to the Americans. This is a false picture.

I hold no brief for my colleagues in Europe, but I can set the record straight with regard to the Federal Republic of Germany. These are the facts:

Contrary to recent allegations, the 12 West German divisions are by no means "only the equivalent of eight or nine divisions." They are, in fact, 12 divisions, and fully meet the requirements of the Atlantic Alliance. We have NATO's word for this.

The defense budget for 1970 shows an increase of 6.8 per cent over the previous year.

Since the invasion of Czechoslovakia we have put an additional 23,000 men into uniform. The total strength of the Bundeswehr now stands at 472,000. And we have taken a number of remedial measures to make up for the reduction of Canadian forces, such as putting an extra armored regiment and a new airborne brigade into service, and facilitating the return to Germany of the British Sixth Brigade.

West Germany's regular armed forces are being restructured to match the concept of flexible response. At the same time, a large-scale effort has been launched to make better use of our reserve potential.

Costly modernization programs have been initiated to increase mobility, firepower and staying power.

These facts, I think, speak for themselves.

The most important feature of the debate is its detrimental impact on East-West relations. Curiously, some of the most vociferous advocates of U.S. withdrawals from Europe happen to be men who simultaneously favor a policy of rapprochement toward the Warsaw Pact countries, as it is at present pursued by the Bonn government. But dismantling the psychological foundations of NATO is certainly a wrong way toward detente. If there is hope at all of lowering the level of confrontation in Europe, it is the hope of reaching an East-West agreement on mutual and balanced force reductions. Unilateral withdrawals, however, will deprive the Soviet Union of their main incentive for mutuality. Some advocates of U.S. troop reductions would sound a lot more consistent and convincing if at the same time they also advocated Soviet withdrawals and, toward that end, pressed for East-West negotiations about mutual and balanced force reductions parallel to SALT.

Finally, I am worried by some of the facile assumptions about feasible alternatives in the event of U.S. troop withdrawals from Europe. Let's take them one by one.

A combined European effort to make up for the disputed drain may be highly desirable but I see little chance for it in the short run. Who would imagine for a moment that any European force could be a substitute for the political weight and the deterrent value of the Seventh Army? And who would seriously argue that a European armada could have the same psychological and political effects as the Sixth Fleet in the Mediterranean?

Nor could the gap be filled by a German national effort. Lack of money, manpower and popular support would preclude such a solution—quite apart from the grave political effects it would have in the East as well as in the West.

By the same token, continued German payments for continued American presence offer no feasible way out. We have reached the end of the buildup phase of our armed forces. There are no longer any large arms orders that we might place in the United States, so further offset agreements are going to be difficult. Budgetary contributions, on the other hand, would have to come out of the German defense budget; we would mend one hole by opening up another. We will take a serious look at this problem later on if it arises, but I doubt strongly that we can come up with any solutions. Likewise one will probably find it very hard to realize multilateral burden-sharing projects.

So what should we be doing? First, I think we should beware of raising our voices in a new transatlantic debate. Second, we should realize that we are faced with the same problems: shortage of funds and men, a host of pressing domestic needs, and skeptical public opinions vis-a-vis the military. Thirdly, we should make a studied and concerted effort to counteract the forces that tend to pull us in different directions at the moment.

American withdrawals from Europe, of course, need not be ruled out forever. And they would not necessarily be damaging to the alliance, provided a number of "ifs" were observed: if there was a joint concept from which to proceed; if there was a combined effort to remove inconsistencies of our defense policies and to streamline our defense structures; if reduction of troops did not imply reduction of commitment. And if, finally, a successful effort was made to instigate a similar thinning-out operation in Eastern Europe. On any other basis, a U.S. pull-out would be dangerous.

All this amounts to tall order—and calls for a concerted effort. President Nixon's report on American foreign policy for the seventies constitutes an encouraging first step. We welcome the invitation President Nixon extended to Europe for "a full and candid exchange of views with our allies."

EXHIBIT 3

LET'S BE HONEST WITH OURSELVES

(Eisenhower interview with Saturday Evening Post, Oct. 26, 1963)

Our country's responsibility for helping to maintain world peace, for meeting and turning back the enslaving forces of Communism, for aiding the family of free nations to build for a more secure future—these are not distant and apart from our daily life. Rather they are an extension of it. The character and strength the United States brings to world councils can only reflect the inner courage, strength and wisdom we have developed as a nation. This is national morale, and it is my unshakable conviction that morale, even more than sheer power, is the deciding factor in the fate of a nation. I recall vividly the inspiring example of Great Britain in the early years of World War II, when that nation seemed on the verge of defeat and ruin. Yet despite her bitter losses and reverses, her people had the morale—and little else—to keep on fighting until the tide turned.

This is the kind of morale that inspired Washington at Valley Forge, Lincoln after Chancellorsville, our nation after Pearl Harbor. In peace such inner strength enables us to be purposeful and firm, without being truculent; and if ever again we should have to face the test of war, that kind of morale will be absolutely essential to our survival.

In this nuclear age any prospect of war may seem unthinkable, but *think* about it we must, as long as any threat exists. As a practical matter, I do not believe that war between the United States and Russia is inevitable, as some people insist, because these two nations now have too much knowledge of and respect for the nuclear strength of each other. Each has too much to lose. But if we face the facts of life, we know that the threat itself cannot be wished out of existence as long as the two great powers of the world, motivated by mutually antagonistic philosophies, have vast arsenals of nuclear warheads and the missiles to deliver these weapons to any point of the globe. We cannot abate our efforts to achieve a world of law. Yet until that achievement we must continue to live indefinitely in an uneasy armed truce, constantly alert to see that a potential enemy does not gain any decisive advantage over us.

Frankly, without in the least minimizing the perils of nuclear war, I am more immediately concerned over the schemes of a militant Communism to achieve world domination by other means. These will severely test the *staying power* of self-government—the self-discipline of democratic peoples. We all know, in a general way, of the Communists' plans to communize and dominate the people of the earth by whatever means promise success in a given situation—subversion, infiltration, disruption, terrorism *coup d'état*. The one thing of which we can be absolutely sure is that the Communists will continue—with a zeal for an unworthy purpose that we can scarcely understand—to probe for weak spots in democracy, seeking to break down cooperation between free nations. They will not hesitate to use military or quasi-military force, as they have in Korea, Cuba, Vietnam and Laos, whenever they see an opportunity to catch us off balance. We must have the will to continue this tedious and costly struggle.

In our dealings with the Communists—and we must deal with them one way or another in this world—I believe we should keep reminding ourselves that *the basic conflict between their system and ours is a moral one*. Our form of government is based on deep-rooted spiritual values which go beyond man himself. These are spelled out in the familiar phrases of the Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights. . . ." The generating force of our democratic government is a belief in these God-given rights and in man's inner obligation to deal fairly and honestly with his fellows.

The Communists see our moral precepts as a direct threat to their ideology, which starts by denying these priceless principles. They deny that the individual has either a soul or unalienable rights, viewing him as little more than an educated animal, subservient to an all-powerful state. Their atheistic, materialistic doctrine therefore justifies ruthless domination over others, including summary executions of innocent people—practices that to us are morally and legally abominable.

On the evidence it seems clear that the Communist leaders realize that our free system is far more appealing to most human beings than anything they have to offer. If they did not so believe, why do they prevent free elections in their satellite nations? They fear, and rightly so, that Communism never can exist permanently side by side with prosperous, self-governing nations. To save the system to which they are dedicated, they zealously believe they *must* destroy competing forms of government by any means. They are deterred only by risks that appear to them to be unacceptable.

From a practical, day-to-day standpoint, this means that we must judge all negotiations with Communist nations with our eyes wide open to their long-range goals. For example, we dare not interpret the new treaty for suspension of nuclear tests in terms of a "breakthrough" toward peace in the Cold War. We would be abandoning our common sense if we considered it as evidence that the organic nature of Russian Communism had changed. At the same time, we should do everything within reason, and consistent with our own security, to lessen the areas of tension and reduce humanity's nuclear risks.

If the Russians observe the agreement, the world will, of course, gain a greater margin of safety from radioactive fallout. We all could breathe a bit easier, literally and figuratively, but we should know by now that Soviet Russia cares little for the pledged word, or for the opinion of mankind. I remember only too well when, in 1958, I authorized a moratorium on nuclear testing in the atmosphere for a fixed period. The Soviets, far from feeling any obligation to relieve the fears of humanity, rapidly prepared a vast series of explosions which greatly increased the radioactivity in the atmosphere. Although we had then been well ahead of the Russians in nuclear techniques, these tests indicated that in certain sectors the situation may have changed. We know that they have exploded more-powerful nuclear bombs than we then had in our arsenal—one of them being of at least 58-megaton force.

Many of our scientists believe that such massive bombs represent mainly a propaganda gain, a means of spreading fear among unthinking people, and not a military advance. They point out that, first, both sides have more than enough nuclear power to destroy each other and, second, that several well-placed 10-megaton bombs would do more actual damage than one 100-megaton weapon. In any case, our past experience with Soviet Russia clearly demonstrates that we must go on guard against any cheating on the treaty.

Despite these doubts, I expressed my belief that the treaty must be tried. Most nations are desperately anxious to see a halt to radioactive pollution of the air they breathe; and more than 90, I was told had signed the treaty even before the U.S. Senate had an opportunity to act on it. All these peoples have fervent hopes that this limited agreement may lead to other steps for lessening of tensions—and ultimately to genuine disarmament. We should pray that those hopes are realized in full—but at the same time we cannot afford to let unsubstantiated optimism blind us to the fact that the treaty itself is scarcely more than an experiment.

We should keep in mind, too, that the sudden decision of Soviet Russia to sign this partial test ban did not spring from any newfound spirit of friendship and cooperation. While Russian motives are always hidden, we can speculate that the men in the Kremlin may have wanted to ease tensions and perhaps set the stage for possible aid on Russia's western flank while engaged in an apparently bitter ideological dispute with Red China. We have no way of knowing whether or not this schism between the two Communist powers is genuine or is a massive hoax designed to weaken the unity of the free world. If it is genuine, we may find practicable means of deepening and widening that breach, thus seriously diminishing the total thrust of Communism. But again we must remember that the two Communist powers are not quarreling about their goal of world domination, but merely about the methods by which they seek to achieve it.

In any case, the security of the free nations must depend on their continued close cooperation to meet the challenges of totalitarianism, whatever form these may take. We should put our lesser quarrels into this perspective, work out friendly settlements, and get on with the overriding job of making democracy work. Just as among members of a family, there will always be differences of opinion, but we should be able to thresh these out without breaking up the furniture.

In the newspapers these days I read much about the supposed shortcomings of many of the nations with whom we are associated in mutual-security efforts. It is true that few countries could say in all candor that they are fully meeting all of their own responsibilities. Many obviously are not carrying their fair share of the military and economic load. Others are not facing up to these reforms which are essential to their own sound development. Some are seeking a temporary advantage, at grave risk to their long-range future, by playing both sides against the middle in the Cold War.

However, before pointing fingers in other directions, I strongly feel that the United States must look to certain of its own glaring deficiencies—especially in lack of a sound federal financial policy. Others might place different problems, such as lack of a consistent long-range policy in foreign aid, in higher priority; but I put our fiscal situation as No. 1 because, unless we act on a sound track financially, we may undermine our whole structure.

I have written before in these pages on the dangers of overspending and government-inspired inflation, but I want to reemphasize that this is not an isolated domestic problem. It projects an image of weakness, not strength, to the world. It threatens the world's confidence in the integrity of our money. There is much concern because our international-payments deficit now is running at the rate of $5.2 billion a year, and the Administration has proposed various regulations and taxes to discourage the investment of American capital abroad. However, such temporary and restrictive expedients merely deal more with symptoms than with the basic disease itself. We know that the sound, long-range answer is to get our federal spending under control and work toward balanced budgets and dollars of assured buying power, as well as to minimize unnecessary and undesirable expenditures abroad. This is not an easy solution, but it is the only way to give ourselves and the world solid proof that we have the self-discipline to protect the integrity of our monetary system.

As one part of such a program I believe, the United States has the right and the duty of insisting that her NATO partners assume more of the burden of defending Western Europe. When I went back to Europe in 1951 to command the forces of NATO, the United States agreed to supply the equivalent of six infantry divisions which were to be regarded as an emergency reinforcement of Europe while our hard-hit allies were rebuilding their economies and capabilities for supporting defense. Now, 12 years later, those forces, somewhat reinforced are still there.

Though for eight years in the White House I believed and announced to my associates that a reduction of American strength in Europe should be initiated as soon as European economies were restored, the matter was then considered too delicate a political question to raise. I believe the time has now come when we should start withdrawing some of those troops. I know that such a move would have many repercussions.

Although we have invested billions of dollars in air and naval bases and have built up a supply system all over Europe, to say nothing of the billions we have spent in developing the deterrent power for the entire Free World, all this does not seem to have the same effect of "showing the flag" as far as Europeans are concerned, as the presence there of U.S. ground troops. But the fact is that we have carried and would continue to carry our fair share of the NATO responsi-

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bility. [One American division in Europe can "show the flag" as definitely as can several.]

It would be helpful, at this time, to put all of our troops abroad on a "hardship basis"—that is, send them on shortened tours of foreign duty and without their families, as we do in Korea. Unless we take definite action, the maintaining of permanent troop establishments abroad will continue to overburden our balance-of-payments problem and, most important, will discourage the development of the necessary military strength Western European countries should provide for themselves.

The time has come, also, when we must take into account the effect of the population explosion on our mutual-assistance system. I don't propose to go into the much discussed causes and effects of this phenomenon; I simply want to stress the responsibility we have for finding some realistic means of containing this human explosion. Unless we do, it may smother the economic progress of many nations which, with our technical and economic assistance, are striving to build a decent standard of living. The world population, now above the three billion mark, will have reached 3.5 billion by 1970 and will have doubled to six billion by the year 2000. A large proportion of this increase is occurring in countries which are having difficulty in feeding and clothing their present populations and desperately need a little elbow room while they improve their resources.

Countries such as these need, more than anything else, some means of holding their population growth in check for some period, say 10 years or more, to provide a building spell during which they could construct sound technical foundations for a steady, balanced progress. Otherwise, I just don't see how we can effectively help them for the long pull. There is no real progress or security to a nation which, with outside help, raises its productive capacity by two percent a year while the population rises three percent.

Population control is a highly sensitive problem, of course. When I was President I opposed the use of federal funds to provide birth-control information to countries we were aiding because I felt this would violate the deepest religious convictions of large groups of taxpayers. As I now look back, it may be that I was carrying that conviction too far. I still believe that as a national policy we should not make birth-control programs a condition to our foreign aid, but we should tell receiving nations how population growth threatens them and what can be done about it. Also, it seems quite possible that scientific research, if mobilized for the purpose, could develop new biological knowledge which would enable nations to hold their human fertility to nonexplosive levels without violating any moral or religious precepts.

Of all the questions which worry the world, the one I wish I could answer positively is, "Can we ever have *real* peace?" The paramount goal of our times should be an era in which peoples and nations, free of the fear of war, could drop the sterile burden of vast armaments and devote their God-given resources and energies to building a better civilization.

Yet we know that is no golden road to peace. Peace is not, for example, a matter of a few world leaders getting together to parcel the nations of the globe into various spheres of power. It is not to be gained by imposing the will of the United States on other nations, any more than we can gain it by appeasing those who would dominate *us*. We want no Pax Romana or a modern substitute therefor.

Peace is a blessing and, like most blessings, it must be earned. As a nation, we can best work toward it by determined effort in advancing and supporting sound cooperation within the family of nations for mutual security and economic progress. We should work toward the liberation of the United Nations from subservience to pressures of arrogant dictators and excessive nationalism. We should assist in building it into a genuinely world-representative organization where nations can and will settle their disputes objectively and without resort to arms.

And above all, I repeat, we must face with honesty the test our democracy continually puts to its citizens: to build within ourselves and our children an abiding sense of those moral principles which must continue to be our inspiration. Only our individual faith in freedom can keep us free.

EXHIBIT 4

THE UNITED STATES AND EUROPE: ANOTHER GREAT DEBATE?

(Washington Post, April 2, 1970)

We are publishing on this page today an article by Mr. Helmut Schmidt, the Defense Minister of West Germany, who is coming to town to talk to our Defense Secretary, Melvin Laird, in preparation for next week's visit to Washington of West German Chancellor Willy Brandt. We print it not because we necessarily agree with it but because we take it to be the opening position of the Federal Republic in what promises to be the joining of a critical issue over our future military role in Europe. Mr. Schmidt predicts "another great debate between Europe and America" and apparently does not relish the idea. "We should beware of raising our voices in a new transatlantic debate," he warns and right there we specifically disagree. A debate of some sort is inevitable and it probably wouldn't hurt if it got a little rowdy because the issue raised by Mr. Schmidt is not one that can easily be brushed aside. What it comes down to is the question of our military presence in Europe in the future—how big a force we will maintain, how much our allies will do on their own behalf, and specifically what the West German contribution will be, for the Germans are clearly the key to Europe's defense.

A good part of what Mr. Schmidt has to say seems inarguable to us. The allies should work this out in concert; a precipitate, unilateral U.S. withdrawal could be calamitous any one-sided drawing down of force levels on the Western side might well be mis-read by the Russians; and there is much to be said for this argument that it might also throw away an opportunity to negotiate reciprocal thinning out of troops on both sides of the line as part of a broader European security arrangement.

Thus we would agree with him that nothing abrupt be done by us to upset the status quo. The Nixon administration has wisely agreed to this, at least until the middle of 1971, and General Westmoreland, the Army Chief of Staff reaffirmed this just yesterday in a speech in which he advocated no change in our 310,000-man European force for at least two years.

So far, so good, except that it doesn't end there, if you take seriously, as we do, the sentiment of the Senate, where a majority seems to favor a resolution framed by Senator Mansfield which would in fact call for heavy cuts in our force levels in Europe right away. If some heed is not taken of this sentiment, it will probably harden into a determination, not just to express the sense of the Senate in a resolution, but into something more forceful, such as an amendment to the defense appropriation denying the necessary funds.

Mr. Schmidt offers no realistic way out of this confrontation. The Germans cannot provide more troops, he argues, not only because of domestic political reasons, but because neither their friends nor their enemies want a bigger West German army. But he goes a lot further than that in saying that the West Germans cannot even continue to offset the balance of payments losses we suffer from keeping troops in Europe—let alone ease our burden by paying some share of the budgetary cost of our troop presence. This is not going to be enough for Senator Mansfield and those who have signed onto his resolution. And it ought not to satisfy an American administration already hard pressed by urgent defense and domestic needs. Something will have to give, and it is not too much to say that some evidence of West German give may have to emerge from the Chancellor's talks with President Nixon if the transatlantic debate which Mr. Schmidt fears so much is not to turn into a donnybrook.

FIRING OF NEWSMAN BY WETA FOR POLITICAL REASONS

Mr. HATFIELD. Mr. President, I was shocked and distressed at the news that WETA, Washington's educational television station, has fired a newsman for purely political reasons.

I have long been interested and actively involved in educational television and I believe strongly that we must have a viable and healthy public television network. But surely, the quickest way to destroy public support for educational television or public television is to intimidate and even hire and fire newsmen and executives for political reasons or reasons involving the employment of a man's wife.

The case I refer to today is particularly blatant. If it becomes typical it threatens the credibility and the very existence of publicly supported television.

Most of us now have read the open admission by WETA's management that William Woestendiek, editor of WETA's "Newsroom" show, was fired because his wife has gone to work for Mrs. Martha Mitchell, the wife of the U.S. Attorney General.

At this point I ask unanimous consent to have printed in the RECORD the news reports written by Mrs. Tom Wilkinson in the Washington Post, Mr. John Mathews in the Washington Star, and Mr. Richard Lyons in the New York Times, relating to this incident.

There being no objection, the news articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 19, 1970]

"PRESSURE" DENIED IN TV FIRING

(By Tom Wilkinson)

Officials of WETA insisted yesterday the firing of William Woestendiek, editor of the public broadcasting station's new "Newsroom" show, was a local decision devoid of any "outside pressures."

Station general manager William J. McCarter reiterated that the 46-year-old Woestendiek was dismissed because of the "sharp conflict of interest" resulting from the employment of Woestendiek's wife, Kay, as press secretary to Attorney General John N. Mitchell's wife, Martha.

A story of the Friday night firing in yesterday's editions of The Washington Post mentioned Fred W. Friendly, head of the Ford Foundation, which funds "Newsroom," and Max Kampelman, Washington attorney and chairman of the WETA board, as sources of possible outside pressure. Kampelman has been active in Democratic national politics.

McCarter and Friendly denied any such pressures. Kampelman has been at St. Thomas in the Virgin Islands since Tuesday and could not be reached yesterday.

PRESSURE DENIED

In a statement from New York, Friendly said: "I can assure you that no pressure came from me. The Ford Foundation has never, and will never, get into who works where. We have nothing to do with personnel and the content of a program. That's the way they want it and the way we want it."

McCarter said he had held a "short, informational" discussion with Friendly during the week. "He said it was the station's concern," declared McCarter. "He expressed no opinion one way or the other. That's all there was to it."

"Newsroom" staff members also rejected the "outside pressure" theory and said there was "vigorous and vocal opposition" by staff members to Woestendiek's wife taking the press secretary position.

Some staff members also spoke of disenchantment with Woestendiek's performance in the editor's job and characteristics of the press secretary development as "the final straw."

The controversy also attracted the attention of Sen. Mark O. Hatfield (R-Ore.), who said the firing "puts WETA in a position of setting out to punish the attorney general's wife and this is outrageous."

"It casts aspersions on the integrity of every newsman in this nation to say that they cannot do a professional and unbiased job because a member of his family may work for a government figure," Hatfield said.

Public support for educational or public television will be destroyed, said the Senator, if there are attempts "to intimidate and fire newsmen and executives for political reasons or reasons involving the employment of a man's wife."

Television sources said the future of public television depends to a large degree on a friendly national administration. They expressed the fear that firing Woestendiek because his wife worked for a powerful administration official might jeopardize that future.

FEAR ADMITTED

Questioned about that aspect, McCarter said it is "one of a lot of things that run through your mind."

"But we must be meticulous in avoiding situations affecting the show's credibility, and every time there would be a story from that part of the administration people would make the connection over and over. It would eat away at us," said the general manager.

McCarter said he consulted with members of the five-man "Newsroom" liaison committee of WETA's board of trustees, headed by Austin Kiplinger of "Kiplinger's Letter." Kiplinger said he approved McCarter's action and noted that "public television has a rigid obligation to remain impartial."

The station general manager recounted numerous discussions with Woestendiek, who said Friday he saw no conflict and refused to ask his wife to resign. Mrs. Woestendiek said yesterday she would have quit had her husband asked her.

Asked if Woestendiek's performance as an editor was a factor, McCarter said that was "a completely foreign dimension" and would not comment.

Ben W. Gilbert, who resigned recently as an associate editor of The Washington Post, will replace Woestendiek Monday as "guest editor."

[From the Washington Star, Apr. 19, 1970]

"Pressure" Is Denied in WETA Firing

(By John Mathews)

The general manager of WETA, Channel 26, yesterday labeled as "untrue" reports that "political or other pressures" led to the dismissal of the editor of the educational television station's experimental "Newsroom" program.

The editor, William Woestendiek, was "relieved" of his duties because his wife, Kay, was hired April 10 as the press aide for Atty. Gen. John Mitchell's outspoken wife Martha.

Four other participants on the program, upset at Woestendiek's firing, turned in their resignations yesterday, United Press International reported. They are Tom Wicker, associate editor of The New York Times; Hugh Sidey, White House correspondent for Life magazine; Bonny Angelo, Time magazine; and Charles McDowell Jr., Richmond (Va.) Times-Dispatch.

Walter J. McCarter, WETA's general manager and vice president, said in a statement yesterday that the same action would have been taken if a member of Woestendiek's family had "accepted employment of this nature with any national public official, but especially anyone involved in national public policy."

The general manager said the decision to fire Woestendiek was made after he, McCarter, met with the station's general management and a board of trustees committee headed by publisher Austin Kiplinger.

McCarter acknowledged, however, that before making his decision he had consulted with Fred W. Friendly, former CBS producer and an official of the Ford Foundation, which supports the Newsroom program, and with Max M. Kampelman, Washington lawyer and lobbyist who is chairman of the WETA board and a close associate of former Vice President Hubert H. Humphrey.

The general manager said Friendly had called him and made no recommendation on the possible conflict of interest situation.

AWARE OF SITUATION

McCarter said Kampelman, vacationing in the Virgin Islands, was aware that the situation was developing and "might have leaned the other way" regarding the firing of Woestendiek.

There has been speculation among staff reporters of the Newsroom program that Kampelman, closely identified with the Democratic Party, had a part in acting against Woestendiek because of his wife's connection with the Republican administration.

Sen. Mark Hatfield, R-Ore., yesterday accused the station of undermining freedom of the press and applying a "double standard since other members of its staff and the station's board have ties with the Democratic leadership."

The station's 67-member board has a number of former Johnson administration appointees including Stephen Ailes, a board vice chairman who formerly was Secretary of the Army. Several board members, however, are Republicans.

Hatfield went on to charge that the firing of Woestendiek also "puts WETA in the position of setting out to punish the attorney general's wife, and that this is outrageous."

He concluded that the "quickest way to destroy public support for educational television is to intimidate or fire newsmen and executives for political reasons."

Yesterday, Woestendiek said he would not accept another assignment from the station.

"It's not easy to give up a $50,000-a-year, because you think there are certain basic individual human rights human beings must have," Woestendiek said.

The station yesterday was bombarded with telephone calls from viewers, who according to one source, overwhelmingly criticized the firing.

In a telephone interview, Friendly acknowledged that he had talked with "both parties" to the issue, but had made "no decision or recommendation."

BIG FORD GRANT

Ford has given nearly $1 million in grants to support the experimental program on which reporters and an editor discuss news stories. Friendly said that once a grant is made the local station has full control.

Mrs. Woestendiek, formerly women's editor of the Houston Post, was hired by Mrs. Mitchell as a press aide following a controversial call by the attorney general's wife to the Arkansas Gazette.

McCarter said he felt it would be appropriate for the Newsroom program, now headed by "guest editor" Ben W. Gilbert, who resigned Tuesday as associate editor of the Washington Post, to have a full report on its Monday night show for the Woestendiek firing." I think Bill should be invited to appear," he added.

The program is seen week-nights at 7 p.m. and is rebroadcast at 11 p.m.

[From the New York Times, Apr. 19, 1970]

TV Editor in Capital Is Ousted; Wife an Aide to Mrs. Mitchell

(By Richard D. Lyons)

WASHINGTON, April 18.—The ousting of a local television editor from his job because his wife works for Mrs. John N. Mitchell was evolving into a cause celebre here today.

William Woestendiek, editor of the program "Newsroom" which originates at the local educational television station WETA-TV, was dismissed from his job yesterday by station officials who said the dismissal was to avoid charges of conflict of interest.

Mr. Woestendiek's wife, Kay, was hired by Mrs. Martha Mitchell, whose husband is the Attorney General, as her press secretary last week.

Mrs. Woestendiek was hired two days after Mrs. Mitchell conducted her conversation with reporters of the Arkansas Gazette concerning Senator J. W. Fulbright, Democrat of Arkansas, and his role in helping to defeat Judge G. Harrold Carswell's nomination for a seat on the Supreme Court.

Mrs. Mitchell urged the newspaper to "crucify" Mr. Fulbright because he had voted against Judge Carswell.

TWO EDITORS RESIGN

The ousting of Mr. Woestendiek resulted today in the resignation of three contributing editors to the program: Hugh Sidey, Washington bureau chief of Time magazine; Tom Wicker, an associate editor and columnist for The New York Times, and Miss Bonnie Angelo, a correspondent for Time.

Miss Angelo said that she considered the dismissal an attack on Mr. Woestendiek's professional integrity.

"I find the situation ridiculous," Mr. Sidey said. "We discussed the Carswell case freely and openly on the program the very day that Mrs. Woestendiek was appointed. There certainly was no attempt to change or distort opinions. I think a man's wife ought to be able to practice the politics she wants to."

Mr. Wicker said that he felt that the ouster was "preposterous."

Another contributing editor, David Kraslow, the Washington bureau chief of The Los Angeles Times, said, "I have made a tentative decision to remain with the show, but the situation is disturbing. Yet if the wife of an editor of The New York Times became the secretary to a Cabinet officer's wife, there might be questions raised."

Today's edition of the Washington Post reported that William J. McCarter, the general manager of WETA-TV, told "newsroom" reporters after last night's show that he had been subjected to "pressures from outside" to get Mr. Woestendiek to resign.

The newspaper account said that Mr. McCarter would not elaborate, but it quoted television industry sources as saying that the pressure could only have come from Fred W. Friendly and Max Kampelman.

Mr. Friendly, former Columbia Broadcasting System producer for Edward R. Murrow, is now with the Ford Foundation, which gives financial support to the "Newsroom" show and many other enterprises in educational television.

In a telephone interview, Mr. Friendly described as "absolutely untrue" the charge that he had exerted pressure on the station. "We stay out of the control room," he said.

Mr. Kampelman, an attorney here, is chairman of the board of WETA–TV. He is a close associate of Hubert H. Humphrey and was active in his campaign for the Presidency. Mr. Kampelman is vacationing in the Virgin Islands and could not be reached for comment.

Lincoln Furber, the director of news and public affairs for WETA–TV said that Mr. Woestendiek had been dismissed "because of the principle of the thing."

"We did what we thought was right, and there were no political overtones to it," he said.

Mr. HATFIELD. Frankly, Mr. President, this is outrageous. It casts aspersions at the integrity of every newsman in this Nation to say that he cannot do a professional and unbiased job because a member of his family may work for a Government figure.

Carried to extremes, this would mean President Nixon should fire Defense Secretary Melvin Laird because his son participated in an anti-Vietnam demonstration.

The WETA ruling represents the application of a double standard since other members of its staff and the station's board have ties with Democratic leaders.

I would hope that the entire news media would rise up in protest not only against the firing of Mr. Woestendiek but also against the whole idea that a person can be fired for the legal and legitimate activities of his wife or other members of his family.

I believe the committees of the Congress which deal with educational television, those which deal with foundations—the Ford Foundation has financed the "Newsroom" show—and those that deal with freedom of information, should look closely at this situation.

If one highly professional reporter can be fired on these flimsy grounds, then no reporter can ever feel completely free to present the facts as he sees them.

Our whole tradition of freedom of information, of right to know, of freedom of the press is under attack here.

With this clearly intimidating action by educational TV management, the rest of the WETA staff is now placed in an untenable position. And viewers of "Newsroom" can have no confidence that the news they receive is complete and without bias.

At this point I ask unanimous consent to have printed in the RECORD the editorial entitled "WETA: Leaning Too Far Over Backward," which appeared in the Washington Post for Monday, April 20, 1970.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WETA: LEANING TOO FAR OVER BACKWARD

Martha Mitchell, the wife of Attorney General Mitchell, is given to moments of exuberance in which she has expressed herself vigorously, some would say excessively, on a variety of public issues, and in ways which we presume do not reflect considered administration policy. The Attorney General has been very good about this, in our view—not that it is necessarily any of our business. He has been loyal and relaxed, taking the view that there is no automatic connection between what his wife says or does as a private citizen and his role as a public official. Recently he hired a former newspaperwoman, Kay Woestendiek, as press secretary for his wife, presumably in an effort to help keep this distinction clear. Whereupon, Mrs. Woestendiek's husband William was summarily fired from his job as editor of WETA's "Newsroom" show, on the grounds that his wife's job with Mrs. Mitchell somehow endangered the show's "credibility." There is fine irony in this: Mr. Mitchell hires a press secretary for the presumed purpose of helping maintain the line between his public life and his wife's private life, and WETA sacks the press secretary's husband for fear that his professional life would be compromised by his wife's job.

"Every time there would be a story from that part of the administration," said William J. McCarter, general manager of the local public broadcasting station, "people would make the connection over and over. It would eat away at us."

Nonsense. WETA has every good reason to maintain its independence of mind. But if that is what it takes, its independence of mind must be in a pretty soggy state. It has been flatly denied that the decision was made under the influence of outside pressure, notably from Fred W. Friendly, television adviser to the Ford Foundation, which supports the "Newsroom" show. The finger points, instead, to pressure from the WETA staff. But this only makes it worse; assuming that it was an inside job, the decision was still Mr. McCarter's and what he is saying, in effect, is that WETA cannot keep its balance unless it controls the wives of its employees. In our view, President Nixon made a lot more sense on this same issue when he declined, after one of Mrs. Mitchell's more outspoken contributions to the public dialogue, to take responsibility for the wives of members of his cabinet. In these matters there are sometimes hard choices—between what people will think and what is right. James Thurber had it about right in the moral he wrote to one of his famous fables. You might just as well fall flat on your face, he said, as lean too far over backward.

Mr. HATFIELD. Mr. President, this has not been a matter or a question of Republican or Democrat. Other newsmen's wives in the past have been active in causes for the Democratic Party, and I do not think at that time any question was raised as to the integrity of those newsmen and their ability to report the news factually and objectively.

I would like to report that on October 29, 1968, the following newsmen's wives participated in a fund raising dinner for the Humphrey-Muskie ticket—a very legitimate program.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Oregon may have 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATFIELD. The following wives of newsmen participated in that function: Mrs. Joseph Alsop, Mrs. David Brinkley, Mrs. Drew Pearson, Mrs. Eric Severeid.

I think anyone would recognize those as names of men who are highly regarded and who were very involved in the dissemination of news, particularly political events.

As I said, we have an example here of how they continued to discuss the items of the day, the political news of the day, even though their wives were very actively involved at that time.

I think it is worth mentioning that Miss Marianne Means was married to Mr. Ernest Riordan, who was on the White House staff, and also afterward was an officer in the Emergency Planning Office, which is a part of White House planning. No one suggested that she should resign from King Features, to which she has been a contributor, one of the outstanding people in that field.

I want to emphasize again that I deeply feel that this is not a question of either Democrat or Republican. It is one in which members of both parties should be equally concerned, because a basic principle is involved, and that is how far one can go in discriminating against a person who may be upholding the responsibility of his job, doing the duties assigned to him in a professional manner, and being able to continue to do so if his wife or other members of his family happen to be involved in political or public affairs in which there may be differences of opinion to those of management or to those of people for whom he may be working, or if there is brought in the question of compromise or the question of inability to be objective.

So it is not just a matter of whether one agrees or disagrees with Martha Mitchell. I do not think she should be the issue. I do not think it should be an issue of Democrat or Republican. The issue clearly drawn here is whether educational television can be put under the political gun by an irate public, or others, because of its public involvement and its support from the public.

I think even foundations which accede and acquiesce to this kind of action place themselves in an untenable position.

So I think it is an important issue that we should be concerned about, both Democrats and Republicans, and that it should not go unchallenged.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HATFIELD. I yield.

Mr. MANSFIELD. Mr. President, I want to express my full accord with what the distinguished Senator from Oregon has said. As he indicated, what is sauce for the goose is sauce for the gander. It applies on both sides. I am delighted that the Senator made this statement this morning. It is not a matter of Mrs. Mitchell; it is a matter of the freedom of the press which is brought into serious question. It is a matter of intimidation and I rise only to express my agreement with what the Senator has said.

Mr. HATFIELD. I appreciate the kind comments of the distinguished majority leader.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. HATFIELD. I yield.

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Mr. FULBRIGHT. Mr. President, I wish to associate myself with the remarks of the distinguished Senator from Oregon. I thought this was an ill-considered and thoughtless action. I think they should find a way to reconsider, because I do not think the action is appropriate.

Mr. HATFIELD. I thank the Senator from Arkansas.

Mr. DOLE. Mr. President, I commend the Senator from Oregon. As he has well stated, the issue is not Mrs. John Mitchell. The issue is a much broader one. I would hope that those networks which were practically in a state of collapse and shock after the Agnew speech in Des Moines, Iowa, earlier this year might review this action. I am directing a letter expressing that hope today to the presidents of the three major networks, CBS, NBC, and ABC.

I do not see how we can rationalize this action, when the presidents of the networks were almost in a state of shock because of a statement by Vice President AGNEW advocating the balanced reporting of the news.

This is direct action. This is direct intimidation. I certainly commend the Senator from Oregon for speaking out so quickly and forcefully on this problem.

Mr. HATFIELD. I thank the Senator.

Mr. GRIFFIN. Mr. President, I join in commending the Senator from Oregon for focusing attention upon the unfortunate development to which he referred, and for leading the discussion here upon the Senate floor today.

As a member of the Committee on Commerce and the Communications Subcommittee, I strongly believe it to be very important that educational television programs in particular, and television broadcasting in general, be balanced and objective; that news and the discussion of news be free of political slant and other bias.

As the Senator from Oregon has pointed out, the use of guilt by association in the instance mentioned is strange and perverted way of trying to demonstrate a balance. I am much more interested in getting information so it could be determined with respect to specific issues, whether the educational television stations actually do present both sides, in a fair and objective manner.

I tried, for example, not too long ago, to check back and find out exactly what kind of programing the National Educational Television Network had with respect to the ABM issue during the period before it came to a vote in Congress. I was aware of the fact that the education network had presented effectively the arguments against the President's ABM proposal; and I was trying to find out whether the network had also provided adequate, balanced exposure of the arguments in favor of the proposal.

I could not get the information that would enable me to make such a judgment. I got some vague replies to my inquiries—but I did not get the solid information that I wanted. I wanted to know exactly who had been given time and how many minutes had been allotted on either side of this issue. Mr. President, that is the kind of information I would like to have; I am not interested in whether an employee may have a wife or a son with strong political views.

The Senator from Oregon has made an excellent point. The unfortunate action to which he refers only detracts, in my opinion, from the real objective of achieving a balanced, objective presentation of views and news on educational television stations.

Mr. HATFIELD. I would agree with the Senator; and I would like to point out, too, that it is not just a matter of Senators protesting here today, but that some of the most distinguished names in the news media indicated their protests by resigning from the news program of WETA.

This, again, was carried in the press and, as I say, the list included some of the most reputable and highly respected names in the news media.

So I am sure the news media themselves are deeply concerned about this type of action, as well as the Senators who are present on the floor this morning.

Mr. GRAVEL. Mr. President, will the Senator yield?

Mr. HATFIELD. I yield.

Mr. GRAVEL. I should like, also, to associate myself with the Senator's remarks, and to commend him for his leadership in this area. I hope there will be reconsideration, and possibly rehiring of the individual in question.

I think the record of objectivity of the media is now besmirched. This is important, because I think we all desire the educational part of our television media to grow to an importance equal to that of NBC and CBS.

Mr. HATFIELD. I thank the Senator. I yield to the Senator from Kansas.

Mr. DOLE. Mr. President, I point out that in fiscal year 1970, more than $2 million of Federal funds were spent for educational television. There is a request, for fiscal year 1971, for $6 million. So we do have a direct interest in what may happen. If we are funding programs for educational television, and they in turn intimidate those whose husbands or wives work for someone whose philosophy they do not share, we are in a dangerous area.

We might well follow this further, and determine if station WETA receives or has applied for, Federal funds.

Mr. HATFIELD. I thank the Senator. To close with one last word, the very name "educational television" conveys the impression, and rightfully should, that its programs are educational in character, and certainly that includes the expectation of objectivity of news presentation. I think that objectivity is deeply called into question by actions such as this by Station WETA.

SOVIET UNION FAVORS THE OVERTHROW OF ISRAEL

Mr. MURPHY. Mr. President, I have noted with great interest a Reuters Wire Service dispatch from Amman, Jordan, dated April 20, indicating that Soviet Russia has dropped the veil of deception concerning her true aims and objectives with respect to the State of Israel. As Senators know, Mr. President, I have for years now implored our Government to offer all needed assistance to Israel in her fight for survival and to recognize that the Soviet Union's true aim is domination of the Middle East and of the vast resources in oil and other strategic materials in that area.

I should like to read a statement from this dispatch which puts the Kremlin solidly behind the Palestinian commando movement. After 2 years of cautious reservations, the Soviet agent said:

> The Soviet Union supports the creation of a democratic state in Palestine.
>
> Soviet policy supports any struggle aimed at overthrowing any racist state based on religious fanaticism, such as the state of (Israeli Prime Minister) Golda Meir.

Mr. President, I have long felt that support of Israel is necessary to preserve that nation as a bulwark against Communist expansion in the Middle East. Furthermore, I believe, this course is morally right, historically right, and in the best self-interest of the United States, considerations which I feel leave us no alternative.

The Reuters dispatch to which I refer states that George Suhothov, a Soviet press attaché, announced at a press conference in Amman, Jordan, called to mark the anniversary of Lenin's birthday, that the Soviets favored the overthrow of the State of Israel—confirmation in unmistakable terms of what I have been saying for some time.

I might point out, Mr. President, that the use of the term "democratic" in the Soviet dialectic means "Communist."

I think it is high time that we all understood that. Their meaning of "democratic" and ours is not the same.

Suhothov further declared that "the Soviet Union supports the creation of a democratic state of Palestine." Anyone who wishes to be realistic about Soviet actions in the past will recognize that this means they want to deprive Israel of her independence, destroy this tiny nation—which, I might say, the Soviet union agreed to bring into being, together with the United States and the other major nations—and establish a puppet regime.

Mr. President, I am glad this is finally out in the open. I know that it will be of interest to all Americans, and I ask unanimous consent that the full text of the Reuters dispatch be printed in the RECORD at this point.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

> AMMAN, JORDAN, April 20 (Reuters).—Russia today announced two bold new initiatives in Middle East policy, pledging support for the overthrow of the state of Israel and offering military and economic aid to Jordan.
>
> The switch in Soviet policy, hitherto based on recognition of the state of Israel, was announced by press attaché George Suhothov at a press conference called here to mark the centenary of Lenins birthday.
>
> But it was clearly timed, observers said, to take maximum advantage of the Middle East

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visit of Assistant U.S. Secretary of State Joseph J. Sisco, which produced striking new evidence of Palestinian power and led to a rift in Jordanian-United States relations.

In a statement which put the Kremlin solidly behind the Palestinian commando movement after two years of cautious reservations, Suhothov said "the Soviet Union supports the creation of a democratic state in Palestine."

"Soviet policy supports any struggle aimed at overthrowing any racist state based on religious fanaticism, such as the state of (Israeli Prime Minister) Golda Meir," he added.

Suhothov told the news conference that Russia supported the creation of the state of Israel in 1948, and backed the proposal for creation of an Arab state in Palestine under United Nations resolutions calling for the partition of the former British mandate territory, because "it wanted to rid Palestine of the British."

But now, he declared, "the Soviet Union supports the creation of a democratic state in Palestine."

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. HOLLINGS) laid before the Senate the following letters, which were referred as indicated:

REPORT ON AIR FORCE MILITARY CONSTRUCTION CONTRACTS AWARDED WITHOUT FORMAL ADVERTISEMENT

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on the Air Force military construction contracts awarded by the Department without formal advertisement for the period July 1, 1969, through December 31, 1969 (with an accompanying report); to the Committee on Armed Services.

REPORT OF FEDERAL MARITIME COMMISSION

A letter from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the eighth annual report of the Federal Maritime Commission, for fiscal year 1969 (with an accompanying report); to the Committee on Commerce.

PROPOSED SEAMEN'S DOCUMENTATION ACT

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to revise and improve the laws relating to the documentation of seamen (with an accompanying paper); to the Committee on Commerce.

PROPOSED LEGISLATION TO STANDARDIZE PROCEDURES FOR THE TESTING OF UTILITY METERS

A letter from the Chairman of the Public Service Commission, transmitting a draft of proposed legislation to amend section 8 of the act approved March 4, 1913 (37 Stat. 974), as amended, to standardize procedures for the testing of utility meters; to add a penalty provision in order to enable certification under section 5(a) of the Natural Gas Pipeline Safety Act of 1968, and to authorize cooperative action with State and Federal regulatory bodies on matters of joint interest (with an accompanying paper); to the Committee on the District of Columbia.

REPORT OF THE U.S. ADVISORY COMMISSION ON INTERNATIONAL EDUCATIONAL AND CULTURAL AFFAIRS

A letter from the Chairman, the U.S. Advisory Commission on International Educational and Cultural Affairs, transmitting, pursuant to law, the seventh annual report of the Advisory Commission, dated March 1970 (with an accompanying report); to the Committee on Foreign Relations.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the opportunity to reduce Federal interest costs by changing loan disbursement procedures under the guaranteed student loan program, Office of Education, Department of Health, Education, and Welfare, dated April 20, 1970 (with an accompanying report); to the Committee on Government Operations.

THIRD- AND SIXTH-PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relative to third- and sixth-preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

PROPOSED LEGISLATION TO REMOVE TIME LIMITATIONS ON THE DURATION OF ELIGIBILITY OF VETERANS FOR GUARANTEED AND DIRECT LOANS

A letter from the Deputy Administrator, Veterans' Administration, transmitting a draft of proposed legislation to remove time limitations on the duration of eligibility of veterans for guaranteed and direct loans (with an accompanying paper); to the Committee on Labor and Public Welfare.

REPORT OF ADVISORY COUNCIL ON STATE DEPARTMENTS OF EDUCATION

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, the fifth annual report of the Advisory Council on State Departments of Education, dated March 1970 (with an accompanying report); to the Committee on Labor and Public Welfare.

REPORT ON NATIONAL REQUIREMENTS AND COST OF WATER POLLUTION CONTROL

A letter from the Secretary of the Interior, transmitting, pursuant to law, the third report on the national requirements and cost of water pollution control (with an accompanying report); to the Committee on Public Works.

PROPOSED AMENDMENT OF THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for titles I through IV through fiscal year 1971 (with accompanying papers); to the Committee on Public Works.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. HOLLINGS):

Resolutions of the House of Representatives of the State of Hawaii; to the Committee on Armed Services:

"HOUSE RESOLUTION 232

"Requesting Federal assistance to the State in caring for the pets of military personnel during the entry quarantine period

"Whereas, the dread disease, rabies, has never occurred in Hawaii; and

"Whereas, the State requires a 120-day entry quarantine for imported dogs, cats and other pets to prevent the introduction of rabies; and

"Whereas, the number of pets entering the State has increased at an annual rate of approximately 10% over the past ten years; and

"Whereas, the State, in order to accommodate the increasing number of animals subject to rabies quarantine, has had to build a new quarantine station in Halawa Valley; and

"Whereas, the State will have invested $2,940,000 by the end of Fiscal Year 1970 for capital improvements for the rabies quarantine program, and is requesting $1,484,000 for Fiscal Year 1971–1972 for additional capital improvements; and

"Whereas, approximately 45% of the pets processed through quarantine during the past three years have been owned by military personnel; and

"Whereas, Hawaii welcomes all military personnel assigned to bases and posts within the State; and

"Whereas, the cost of capital improvements to house and care for pets accompanying military personnel is a tremendous burden to the taxpayers of Hawaii; now, therefore,

"Be it resolved by the House of Representatives of the Fifth Legislature of the State of Hawaii, Regular Session of 1970, that the President of the United States, the Vice-President of the United States, the Speaker of the United States House of Representatives, United States Senator Hiram L. Fong, United States Senator Daniel K. Inouye, United States Representative Spark M. Matsunaga, United States Representative Patsy T. Mink, be, and hereby are, requested to promulgate any necessary administrative policies or enact any necessary legislation in order to provide funds to assist the State in housing and caring for the pets of military personnel during the entry quarantine period; and

"Be it further resolved that duly certified copies of this Resolution be transmitted to Richard M. Nixon, President of the United States; to Spiro T. Agnew, Vice-President of the United States; to John W. McCormack, Speaker of the United States House of Representatives; and to each member of Hawaii's delegation to the United States Congress."

"HOUSE RESOLUTION 232

"Requesting the U.S. Department of Defense to provide funds to assist the State in caring for the pets of military personnel during the entry quarantine period

"Whereas, the dread disease, rabies, has never occurred in Hawaii; and

"Whereas, the State requires a 120-day entry quarantine for imported dogs, cats and other pets to prevent the introduction of rabies; and

"Whereas, the number of pets entering the State has increased at an annual rate of approximately 10% over the past ten years; and

"Whereas, the State, in order to accommodate the increasing number of animals subject to rabies quarantine, has had to build a new quarantine station in Halawa Valley; and

"Whereas, the State will have invested $2,940,000 by the end of Fiscal Year 1970 for capital improvements for the rabies quarantine program, and is requesting $1,484,000 for Fiscal Year 1971–1972 for additional capital improvements; and

"Whereas, approximately 45% of the pets processed through quarantine during the past three years have been owned by military personnel; and

"Whereas, Hawaii welcomes all military personnel assigned to bases and posts within the State; and

"Whereas, the cost of capital improvements to house and care for pets accompanying military personnel is a tremendous burden to the taxpayers of Hawaii; now, therefore,

"Be it resolved by the House of Representatives of the Fifth Legislature of the State of Hawaii, Regular Session of 1970, that the United States Department of Defense is requested to provide funds to assist the State in housing and caring for the pets of military personnel during the entry quarantine period; and

"Be it further resolved that duly certified copies of this Resolution be forwarded to the United States Secretary of Defense and to the honorable members of Hawaii's delegation to Congress."

A joint resolution of the Legislature of the State of Alaska; to the Committee on Finance:

"ALASKA STATE LEGISLATURE

"Joint resolution relating to social security payments to all social security recipients living in Alaska

"Be it resolved by the Legislature of the State of Alaska:

"Whereas federal civil service employees in Alaska are allowed a 25 per cent differential in pay to compensate for the high living costs in Alaska; and

"Whereas Alaskan citizens receiving social security payments are not allowed a differential in their payments; and

"Whereas the average overall cost of living in Alaska is more than 25 per cent higher than the cost of living in the contiguous 48 states; and

"Whereas the high cost of living in Alaska compels many Alaskan social security recipients to leave Alaska and move to other states where the living costs are less expensive and more in conformity with their social security income; and

"Whereas past and current inflationary and rising costs of living make it increasingly difficult for social security recipients, residing in Alaska and depending upon fixed incomes or pensions, to purchase the necessities of living;

"Be it resolved that the Congress of the United States is requested to enact legislation which would permit the 25 per cent differential currently used in the federal civil service pay scale to be incorporated into the benefit payment scale of social security for all social security recipients living in Alaska.

"Copies of this Resolution shall be sent to the Honorable Richard M. Nixon, President of the United States; the Honorable Richard B. Russell, President Pro Tempore of the Senate; the Honorable John W. McCormack, Speaker of the House; the Honorable Robert H. Finch, Secretary of Health, Education and Welfare; the Honorable Robert M. Ball, Commissioner of the Social Security Administration; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Howard W. Pollock, U.S. Representatives, members of the Alaska delegation in Congress."

A joint resolution of the Legislature of the State of Illinois; to the Committee on Finance:

"SENATE JOINT RESOLUTION 47

"Whereas, It is increasingly apparent that current provisions of Federal law governing the public aid and welfare programs—in particular, the lack of national minimum standards, the failure to cover all families and individuals who are poor, rigidities in the money payment concept, impediments to cost control of medicaid, complexities and gaps in the employment and training programs, and lack of a comprehensive program for day care for children—are ineffective in stemming the mounting volume of dependency and result in an inordinate fiscal burden upon the States; and

"Whereas, Certain premature or faulty program directives issued by the Federal Department of Health, Education, and Welfare—in particular, the mandated use of a 'simplified' method of eligibility determination, unrealistic educational standards for caseworkers and other staff, Federal dictation of administrative organization within the State welfare agencies, compulsory payment of legal fees for applicants and recipients, continuance of assistance pending a fair hearing decision, and the limited matching of State support enforcement activities relative to deserting fathers in the AFDC program—have serious potential for decreasing the ability of the States to control recipient loads; therefore, be it

"*Resolved by the Senate of the 76th General Assembly of the State of Illinois, the House concurring therein,* that this General Assembly

"1. Endorse and support, in principle, the provisions of legislation now before the Congress which establish national minimum standards but urge the Congress to require that a minimum standard for the Family Assistance program as well as that for the aged, the blind and disabled be mandatory upon all the States as a minimum level of the actual support provided;

"2. Endorse and support the provisions of this legislation providing for nationwide coverage of all poor families with children;

"3. Endorse and support, in principle, the corrections made in this legislation of the formulas for disregarding earned income;

"4. Endorse and support the provisions of this legislation requiring acceptance of work, training or rehabilitative services as a condition for Federal benefits and State supplementation thereto;

"5. Urge the Congress at the earliest feasible moment to broaden this legislation to require that all States supplement the "working poor" and to cover also the residual recipient load of adults remaining on the present State and local General Assistance programs and to provide appropriate Federal financial participation;

"6. Urge the Congress to provide in the pending Federal legislation for flexibility in State supplementation so as to permit States to make use of vendor payments as well as money payments in both the Family Assistance and the adult programs;

"7. Urge the Congress to assure that the work and training programs will be comprehensive and effective in their impact upon present and future welfare beneficiaries by returning to the Governors of the States responsibility for overall assessment of needs and for covering any work and training needs;

"8. Endorse and support attention given in the pending legislation to providing day care for children of AFDC mothers who are employed or in training for employment, but urge the Congress to move ahead at the earliest feasible moment in the direction of a comprehensive national program of day care for children of all mothers;

"9. Urge the Congress to amend Medicaid provisions governing payments to hospitals and practitioners and revise the provisions governing intermediate care facilities so as to clearly classify these as medical facilities and thus make them a part of the total spectrum of medical treatment under Medicaid and also Medicare;

"10. Urge the Department of Health, Education, and Welfare to rescind current regulations pertaining to eligibility determination, educational standards for staff, State administrative organization, legal fees for applicants and recipients, and continuation of assistance pending a fair hearing decision until such time as their feasibility is clearly demonstrated; and be it further

"*Resolved,* That a copy of this Resolution be transmitted by the Office of the Secretary of the State of Illinois to the Clerk of the House of Representatives of the United States, to the Secretary of the Senate of the United States, to the Secretary of the Department of Health, Education, and Welfare, and to each member of Congress from this State."

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. DOLE (for himself, Mr. BAKER, Mr. BIBLE, Mr. DOMINICK, Mr. HARRIS, Mr. HATFIELD, Mr. STEVENS, and Mr. TOWER):

S. 3739. A bill to amend the Small Business Act to increase the availability of management counseling to small business concerns; to the Committee on Banking and Currency.

(The remarks of Mr. DOLE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. TALMADGE:

S. 3740. A bill for the relief of Miss Ana Matilde Povea; to the Committee on the Judiciary.

By Mr. BROOKE:

S. 3741. A bill for the relief of Miss Elizabeth Cheng; to the Committee on the Judiciary.

By Mr. BELLMON:

S. 3742. A bill to authorize the Secretary of Agriculture to make emergency payments in order to avoid waste, spoilage, or contamination of agricultural grain during periods when customary transportation facilities are unavailable; to the Committee on Agriculture and Forestry.

(The remarks of Mr. BELLMON when he introduced the bill appear later in the RECORD under the appropriate heading.)

S. 3739—INTRODUCTION OF A BILL TO STRENGTHEN SCORE AND ACE PROGRAMS OF ASSISTANCE TO SMALL BUSINESS

Mr. DOLE. Mr. President, the Small Business Administration has for many years aided, counseled, and assisted small businessmen in accordance with the mandate of the Small Business Act. One of the Agency's most valuable services is the management assistance offered through the Service Corps of Retired Executives—SCORE. Established in 1964, this organization of successful retired businessmen volunteers time and know-how to aid those who are struggling to succeed in businesses. It has produced an outstanding record of success.

In the same vein and in an effort to increase the availability of management counseling to small businessmen, SBA has recently established the Active Corps of Executives—ACE—whose members perform similar advisory services while engaged in the operations of their own businesses.

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SECTION 1

Today I am introducing a bill which seeks to strengthen the SCORE and ACE programs by facilitating expansion and flexibility in their operations. Section 1 would further this goal by exempting SBA from the present prohibition against acceptance of voluntary services in the case of the SCORE and ACE programs. Presently SCORE and ACE volunteers render their services directly to the small business community. In expanding this assistance, it is contemplated that volunteers could be used profitably in other roles, such as manning interview desks and conducting management ability evaluations. Assumption of such functions, however, might blur the distinction between rendering their volunteer services to the small businessman rather than to SBA. Any questions that might arise through such expanded operations would be avoided by amending section 5 (b) (9) of the Small Business Act to remove the general prohibition against acceptance of voluntary services by Federal agencies in the case of SCORE and ACE volunteers.

SECTION 2

Section 2 of the bill is directed largely toward improving the conditions under which SCORE and ACE volunteers work and establishing more equitable reimbursement arrangements for out-of-pocket expenses. My proposal would allow SBA to furnish the volunteers office facilities, parking space, and other support not otherwise available. Under the Small Business Act, as amended, SBA is permitted to reimburse these volunteers for travel and out-of-pocket expenses only when incurred in connection with travel to points more than 50 miles from their homes. In urban areas the distances between the volunteer and the small businessman being assisted is usually less than 50 miles, but the out-of-pocket expenses imposed on the volunteer are significant, due to such factors as parking, public transportation, tolls, or cabfare. SBA cannot at present reimburse volunteers for these legitimate expenses, and it is unfair to expect them to assume such financial burdens. Another provision would authorize expenditures for advertising and other publicity to alert small businessmen to the availability of SCORE and ACE services in their communities.

Mr. President, I send to the desk the text of my proposed amendments to the Small Business Act. I ask unanimous consent that the text of the bill be printed in the Record at the conclusion of my remarks.

I wish to express my thanks to Senators Tower, Stevens, Bible, Baker, Hatfield, Harris, and Dominick for joining in the sponsorship of this measure. As members of the Banking and Currency Committee's Subcommittee on Small Business and the Select Committee on Small Business, their support is most welcome and appreciated. If any other Senators wish their names added to the bill we would be pleased to have their support.

The PRESIDING OFFICER (Mr. Ribicoff). The bill will be received and appropriately referred; and, without objection, the text of the bill will be printed in the Record, in accordance with the Senator's request.

The bill (S. 3739) to amend the Small Business Act to increase the availability of management counseling to small business concerns, introduced by Mr. Dole (for himself and other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 3739

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(b) (9) of the Small Business Act (15 U.S.C. 634(b) (9)) is amended to read as follows:

"(9) accept and utilize the services and facilities of Federal, State and local agencies and groups, both public and private, and accept gratuitous, voluntary and uncompensated services and facilities without regard to the provisions of section 3679 of the Revised Statutes (31 U.S.C. 665(b))."

Sec. 2. Subparagraph (B) of section 8 (b) (1) of the Small Business Act (15 U.S.C. 637(b) (1) (B)) is amended to read as follows:

"(B) in the case of any individual or group of persons cooperating with it in furtherance of the purposes of subparagraph (A), (i) to allow such an individual or group such use of the Administration's available office facilities, parking space, and related materials and services as the Administration deems appropriate; (ii) to rent for the use of such an individual or group such office facilities, parking space, and related materials and services as would not otherwise be available for the purpose and as the Administration deems appropriate; (iii) to pay, as the Administration deems appropriate, the expenses of disseminating through advertising media information to small business concerns respecting the availability of such individuals or groups; (iv) to pay, as the Administration deems appropriate, the expense of placing in telephone directories an independent listing of the telephone numbers of such individuals or groups; (v) to reimburse any such individual for the cost incurred in making any telephone call from his home in furtherance of the purposes of subparagraph (A); and (vi) to pay the transportation expenses and a per diem allowance in accordance with section 5703 of title 5, United States Code, to any such individual or group for travel and subsistence expenses incurred at the request of the Administration in providing gratuitous services to small businessmen in furtherance of the purposes of subparagraph (A) or in connection with attendance at meetings sponsored by the Administration;".

S. 3742—INTRODUCTION OF A BILL TO AID IN SOLVING THE RAILROAD BOXCAR SHORTAGE

Mr. BELLMON. Mr. President, I am today introducing a bill to help bring an end to the waste which frequently occurs when agricultural commodities are piled out of doors due to the lack of railroad cars.

This waste is costly to growers and marketers directly, but ultimately the cost is borne by consumers through higher costs of foods.

During years when harvests are abundant, large quantities of wheat, milo and other grains have been piled in city streets and on the ground throughout the grain belt while awaiting transportation to storage. In this condition large quantities of grain have been lost or contaminated. In addition excessive handling costs have resulted.

This bill is intended to end this waste by authorizing the Secretary of Agriculture to take the necessary steps to provide supplemental transportation when railroad cars are unavailable.

Under the provisions of the bill, the Secretary of Agriculture would formulate and administer a program under which emergency freight equalization payments will be made to transport grain by means other than railroad from country grain elevators to the nearest available grain storage terminal.

Payments authorized under the act would be made only in cases where the Secretary determines serious waste, spoilage, or contamination is imminent due to a shortage of railroad grain cars in the area in which such a country grain elevator was located.

The act would apply to wheat, feed grains, soybeans, and sugar beets.

The PRESIDING OFFICER (Mr. Dole). The bill will be received and appropriately referred.

The bill (S. 3742) to authorize the Secretary of Agriculture to make emergency payments in order to avoid waste, spoilage, or contamination of agricultural grain during periods when customary transportation facilities are unavailable, introduced by Mr. Bellmon, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

ADDITIONAL COSPONSORS OF BILLS

S. 3619

Mr. HOLLINGS. Mr. President, on behalf of the Senator from Indiana (Mr. Bayh), I ask unanimous consent that, at the next printing, the name of the Senator from Washington (Mr. Magnuson) be added as a cosponsor of S. 3619 to create, within the Office of the President, an Office of Disaster Assistance, to revise and expand Federal programs for relief from the effects of major disasters, and for other purposes.

The PRESIDING OFFICER (Mr. Ribicoff). Without objection, it is so ordered.

S. 3624

Mr. HOLLINGS. Mr. President, I ask unanimous consent that, at the next printing of S. 3624, to amend title V of the Housing Act of 1949, to provide assistance in the purchase of mobile homes in rural areas, that the following names be added as cosponsors.

The Senator from Alabama (Mr. Allen), the Senator from Colorado (Mr. Allott), the Senator from Indiana (Mr. Bayh), the Senator from Utah (Mr. Bennett), the Senator from Massachusetts (Mr. Brooke), the Senator from Idaho (Mr. Church), the Senator from California (Mr. Cranston), the Senator from Arizona (Mr. Goldwater), the Senator from New York (Mr. Goodell), the Senator from Oklahoma (Mr. Harris), the Senator from Indiana (Mr. HARTKE), the Senator from Nebraska (Mr. HRUSKA), the Senator from Iowa (Mr. HUGHES), the Senator from Hawaii (Mr. INOUYE), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Minnesota (Mr. MONDALE), the Senator from Oregon (Mr. PACKWOOD), the Senator from Wisconsin (Mr. PROXMIRE), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Alaska (Mr. STEVENS), the Senator from Georgia (Mr. TALMADGE), the Senator from South Carolina (Mr. THURMOND), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Texas (Mr. YARBOROUGH).

The PRESIDING OFFICER (Mr. RIBICOFF). Without objection, it is so ordered.

SENATE RESOLUTION 390—SUBMISSION OF A RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "THE SOVIET APPROACH TO NEGOTIATION: SELECTED WRITINGS"

Mr. McCLELLAN submitted the following resolution (S. Res. 390); which was referred to the Committee on Rules and Administration:

S. RES. 390

Resolved, That there be printed for the use of the Committee on Government Operations three thousand additional copies of the committee print entitled "The Soviet Approach to Negotiation: Selected Writings", issued by that committee during the Ninety-first Congress, first session.

SENATE RESOLUTION 391—SUBMISSION OF A RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "PEKING'S APPROACH TO NEGOTIATION: SELECTED WRITINGS"

Mr. McCLELLAN submitted the following resolution (S. Res. 391); which was referred to the Committee on Rules and Administration:

S. RES. 391

Resolved, That there be printed for the Committee on Government Operations three thousand additional copies of the committee print entitled "Peking's Approach to Negotiation: Selected Writings", issued by that committee during the Ninety-first Congress, first session.

ADDITIONAL COSPONSORS OF A RESOLUTION

S. RES. 376

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Texas (Mr. TOWER) be added as cosponsors of Senate Resolution 376, authorizing the Committee on Labor and Public Welfare to study research activities conducted to ascertain the causes and develop cures to eliminate cancer.

The PRESIDING OFFICER (Mr. HART). Without objection it is so ordered.

AUTHORIZING OF A FAMILY ASSISTANCE PLAN—AMENDMENTS

AMENDMENTS NOS. 584 THROUGH 598

Mr. RIBICOFF submitted 15 amendments, intended to be proposed by him, to the bill (H.R. 16311) to authorize a family assistance plan, and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

(The remarks of Mr. RIBICOFF when he submitted the amendments appear earlier in the RECORD under the appropriate heading.)

ADDITIONAL STATEMENTS OF SENATORS

STATEMENT BY SENATOR SMITH OF MAINE ON CARSWELL NOMINATION VOTE

Mrs. SMITH of Maine. Mr. President, the April 20, 1970, last week issue of Newsweek magazine, contains an article containing an inaccurate statement about me. I sent a telegram to the editor pointing out the inaccuracy and the source as reported by the Washington office of Newsweek and requested that the magazine publish my telegram.

Without any hesitancy or delay, without any rancor or begrudgment, the magazine at its first opportunity published my telegram in its issue out today—April 27, 1970—on page 4, editing out only the last sentence of my telegram.

I ask unanimous consent that my telegram to Newsweek be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

APRIL 16, 1970.

KERMIT LANSNER,
Editor, Newsweek Magazine,
New York, N.Y.:

The statement in your Carswell story alleging that the day before the final vote that I told the President I would vote for Judge Carswell is inaccurate. The President was gracious enough to state to me that he would not ask me for a commitment and my response was that I appreciated his refraining from asking me for a commitment because I would not give him one even if he did ask for it. I am sure that your story was written in good faith and your Washington office informs me that the erroneous allegation came from within the White House. I am confident that the President did not make such a false statement. Whoever your White House source was, whether a member of the President's staff or a Newsweek staff member assigned to the White House, did a disservice to the President as well as making the false statement against me. In the sense of fairness and desire for truthfulness and accuracy and with respect to the advertising claims of your publication that you adhere to the facts rather than resorting to opinions in your reporting, I trust that you will publish this telegram in a prominent and appropriate place in a future issue of your publication.

MARGARET CHASE SMITH,
U.S. Senator.

MISSOURI STUDENTS AMONG LEADERS ON ANTIPOLLUTION ACTIVITIES

Mr. SYMINGTON. Mr. President, in 1950, at my suggestion as Chairman of the National Securities Resources Board, President Truman appointed the Materials Policy Commission. That Commission determined that the material essential to life which we would be shortest of by the year 1975 would be clean, fresh water. That is only 5 years from today.

Ten years later, in 1960, I read a book entitled "Land, Wood and Water," written by our colleague, the late Senator Robert Kerr, of Oklahoma; and I later asked Senator Kerr, perhaps the last Senator to be born in a log cabin, "Why did you give it that title?" He replied:

> Because my father once told me that if you took care of the land, and the wood, and the water, the rest would take care of itself.

We have in many respects failed in that effort up to this point.

The pollution of our rivers and streams and the contamination of the air are two of the most obvious unwanted byproducts of our materially abundant society. There are many others: the refuse from our dynamic civilization chokes our landscapes, oil slicks blacken our coasts, noise pounds at our ears, congestion threatens to immobilize many of our great urban centers, and our crumbling inner cities crime rates soar and urban stress mounts.

In light of these and other facts it is evident that the control and abatement of all forms of pollution should receive immediate attention as we reorder our national priorities.

Let us pledge that as a people we will do whatever is necessary to restore the quality of our environment. Only in that way can we bequeath to future generations the tools which they will need to meet the challenges of tomorrow.

Students and faculty at schools and universities across Missouri are playing a prominent role in the struggle to restore the quality of our environment.

On December 29 and 30, 1969, students from 36 colleges and 15 high schools from 10 States in the Missouri Basin took time from their Christmas holidays to meet on the Rockhurst College campus in Kansas City during a driving snowstorm to discuss the tragedy of our deteriorating environment. This meeting was part of a nationwide effort sponsored by the Department of the Interior to organize concerned students into a constructive organization called the Student Council on Pollution and Environment, known as SCOPE.

Nine young Department of the Interior ecologists and scientists conducted the informal gathering which laid out activities for the pollution moratoriums scheduled for April. Later, the students elected six of their number to head the newly formed regional organization: Vance Miller of St. Louis University; James Hall of the University of Missouri at Kansas City; Dwain Winters of Wichita State, Wichita Kans.; Dennis McFall, University of Kansas, Lawrence, Kans.; Steve Reeves, a Missourian attending Kansas State College in Manhattan, Kans.; and Clifford P. White, a high school student at Belton, Mo.

John N. Rademacher, Regional Director of the Federal Water Pollution Control Administration, praised the students for their concern and dedication:

> These students will serve as a direct liaison with the schools in our ten state region and will actively participate in many of our Federal Water Pollution Control Administration projects. They realize that the planet earth is not infinite but finite and that the present rate of population growth and the horrifying escalation of the pollution of our environment and the gobbling up of natural resources which cannot be replaced will result in ultimate disaster. We haven't given them very much as a heritage but the young people of today are determined and can and will do something about the decline of our environment.

SCOPE and other student organizations have been active throughout the early months of 1970 in making Missouri a more healthful place to live. One clean-up campaign sponsored by the Environmental Education Organization at the University of Missouri at Columbia yielded almost 192 tons of garbage.

During the National Environmental Teach-In Week, April 19–25, students at the Columbia campus plan to hold lectures and demonstrations on a wide range of topics including air and water pollution, population control, and the medical effects of pollution. "Earth Week" ceremonies will be highlighted by an address by the distinguished Senator from Maryland (Mr. TYDINGS) on April 20.

The University of Missouri at Kansas City is leading off the environmental observance by acting as host for the Midwestern Conference on the Environment on April 17–18, with 125 colleges and universities from seven States attending. The distinguished Senator from West Virginia (Mr. RANDOLPH), one of the Senate's leading experts on water resource development, will deliver a talk to the group on the second day of the conference. On April 22, Teach-In ceremonies are over planned; and on April 26 the city of Kansas City and the UMKC will jointly sponsor a Kansas City Environmental Rally featuring Dr. Amos Johnson, an authority on the health effects of pollution, and Representative RICHARD BOLLING.

Similar activities are planned on other Missouri campuses.

Students and faculty organizing and participating in these efforts to present the problems of our environment to the public are to be highly commended, and deserve our continued support in their constructive work.

I ask unanimous consent that several news articles concerning these activities and the text of the resolution on pollution passed by "SCOPE" members at the Missouri Basin meeting in December be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

RESOLUTION ON POLLUTION

(Passed by "SCOPE" Missouri Basin Region, December 29, 1969)

1. Pollution is an interrelated problem—it cannot be approached on a segregated basis.

2. Environmental quality should not be subordinate to the economic profits, but the economic profits should be a subordinate factor of the environmental quality.

3. The burden of responsibility should be placed upon the "individual polluter" and not the public.

4. Laws fixing responsibility for pollution must not be general but specifically placed upon the individual polluters.

5. Further production of the internal combustion engine, as it exists today, to be made illegal by 1975, and other forms of non-pollutant transportation be utilized for mass transportation.

6. More rigid State, local, and federal pollution standards, to become more increasingly rigid.

7. The elimination of, overhead wires, billboards, flashing neon signs, and all other elements which do not enhance the visual environment.

8. Pesticides, herbicides and organic and inorganic chemicals should be more rigidly evaluated and a more stringent control on their use.

9. Environmental action must be geared to the "total world community."

10. Chemical and biological warfare and research on a planetary basis, should be eliminated immediately, by an ecologically acceptable method.

11. The Federal Government through its legislative and executive power call for an immediate halt to the economic concept of planned obsolescence and encouraged waste.

12. "Eighteen years old"—the minimum voting age.

13. Because the "population explosion" is the *major* contributor to the environmental crisis, it is essential that measures are taken to stabilize the population. Then and only then will the efforts for solving the ecological problem succeed.

We request the above resolutions be activated immediately and that this, administration initiate legislation at once to avert disaster because of the flagrant and prodigal abuse of our natural resources and the wholesale pollution of our environment.

We must recognize that the earth is not infinite but finite and we are courting disaster.

[From the Maneater, Feb. 24, 1970]

TEACH-IN SETS CLEAN-UP EFFORT

(By John Seidel)

"Our goal is an educational effort to change the attitudes of people towards their environment," Gary Weinreich, Drake, told about 300 persons at an Environmental Teach-In Committee meeting Saturday in Jesse Auditorium.

"There must be a turn in the tide of public opinion. We want to make every one realize that we are in trouble with our environment," Weinreich, Environmental Action Committee co-ordinator, said.

Several weekend clean-up projects are planned by the committee as part of an activist campaign that will culminate with a national teach-in April 22–27.

Volunteers for a "garbage bag brigade" to clean up several Columbia dumps next Saturday were requested by Pete West, chairman of the Action Subcommittee on Urban and Rural Problems.

The group will meet Saturday at the Stadium before going to four public dumps considered trouble spots by the city sanitation department.

Last weekend 23 volunteers collected 5,000 beer cans from Easley Cave. Reynolds Aluminum and Alcoa have said they will give the committee one-half cent for each aluminum can collected.

Other activities planned by the Action Committee include pollution walks, junk exhibits, and the cleaning of lots for elderly persons and those in poverty areas.

"Only six people were involved with the project when it began last October," said Bob Shotts, off campus, overall coordinator of the Teach-In. "At our last two meetings we've had over 300 in attendance."

The group is divided into eleven committees attempting to coordinate the action of all groups concerned with Boone County environment health in preparing for the April teach-in, said Shotts.

During the Teach-In week, experts on environmental problems will speak. Among the speakers will be Sen. Joseph Tydings (D-Md.), Charlton Ogburn, population expert and Dr. Wolf, industrial hygiene expert from Berkeley, California.

Coordinating the activities of similar campus and local groups across the country is the National Teach-In Committee in Washington, D.C.

Financing problems currently are troubling the University group. An $8,250 budget for activities leading to the national teach-in week has been prepared by the Finance Committee.

Headquarters for the local group are at 223 S. Fifth St. Anyone interested in working with the committee should call 449–8343 or 449–8344.

[From the Columbia Missourian, Mar. 1, 1970]

STUDENTS BRIDGE TROUBLED WATER

(By Dave Marziale)

"Look at the mess," said a volunteer, gazing at the massive pile of garbage beside Hinkson Creek Saturday morning. "The image of our society," another volunteer said.

About 125 persons, mostly students, braved 39 degree weather to try to change that image as the Environmental Teach-In launched a clean-up attack on the littered banks of the creek in the northwest section of Columbia.

A large assortment of trash lined the creek. Volunteers with rakes, shovels and plastic bags retrieved beer cans, old appliances, furniture and other items. One man even collected what he thought to be a kitchen sink.

One worker called the effort the "greatest thing that ever hit Columbia." Another said the idea was to show the community that students can be constructive and serious.

The volunteers piled the garbage on the side of the road where four trucks from the Columbia Public Works Department loaded it and hauled it away. Free soft drinks were provided for the workers.

Bob Shotts, University senior and program coordinator, called the turnout "good." He said the teach-in was only one program of the Environmental Educational Organization. "After this we will be doing things that are a little more meaningful," he said, without elaboration.

Students had various reasons for participating in the clean-up. "If something isn't done pretty soon we're going to be living in our own trash," said Karen Larwill, University junior. Mark Russell, a junior, said, "Ecology is something to believe in."

Some helped in the hope they would find something of value. "Did you find anything good for our room?" one volunteer said to a friend.

"I think it's wonderful," Mayor Herb Jeans said of the effort. "It shows we have a lot of public spirited students. I think they're to be commended for taking a part in community activities."

Gary Novinger, University senior, said some students are planning to turn litterers into the police. "If you turn in their license plate numbers the police will find them and talk to them," Novinger said. "If you turn in the license plate numbers and can identify them they can be prosecuted."

Dan Bergtholdt, a sophomore, had different thoughts. "You can't blame people for this (littering)," he said. "Everybody here has done it at one time or another. We all have to sacrifice a little to keep up nature but I think it will be worth it in the end."

Apparently enough people thought it was worth it, too, because by noon the area was almost completely cleaned up. It seemed amazing but the job was done. The satisfied workers headed back for campus but still fresh in their minds was the memory of the endless pile of garbage that lay only two hours earlier under a sign which read "No Dumping."

[From the Columbia Tribune, Mar. 1, 1970]

Hinkson Clean-Up Results in Real Mess of Trash

"More trash than anyone bargained for" was what an undetermined number of University of Missouri students and faculty members—members of the Environmental Teach-In Committee—found when they cleaned up a stretch of Hinkson Creek yesterday.

The number of them was undetermined because they kept moving and drifted into and out of the area, but estimates were that about 30 participated.

At one time, truck-high heaps of trash covered a gravel road from shoulder to shoulder, waiting to be loaded into trucks.

The trucks—four of them from the city Public Works Department—were manned by employes of the department who had volunteered their Saturday to help with the job.

A spokesman for the committee said the volunteers removed 32 truckloads of trash weighing an estimated 192 tons.

The clean-up involved a stretch of the creek where Mexico Gravel Road crosses the Hinkson northeast of Columbia. The gravel road on which the trucks were loaded joins Mexico Road and parallels the creek.

Two other city employes were at the scene yesterday. One was Mike Sanford, city sanitarian, who offered the students what-ever help he could as a city official.

The other was a Columbia police officer—sent to the scene by a woman who said she resented the temporary closing of the gravel road and reported her resentment to the Police Department. The officer reported to his superiors that traffic could use the road.

The rubbish included tin cans, paper and other easily disposable items tossed aside on the road by a careless public. It alo included items like refrigerators, hot water heaters and other things that required some trouble to throw away, even on a creekbank.

Sanford told The Tribune he had found many clues to the apparent identities of persons who had discarded items along the bank, and hopes to be able to contact those persons.

The Environmental Teach-In Committee was organized to lead a teach-in on April 22 on environmental problems.

Finding the subject too large for one day, however, the committee has expanded the teach-in here to include the whole week of April 20 through 27.

One day will be devoted to each of the following topics: Population, pollution, ecology, local problems and potential action-programs.

The committee cleaned up Easley Cave, a popular student gathering place, on Feb. 14 after finding their original target—Devil's Icebox at Rock Bridge State Park—under snow.

THAT'S VIETNAMIZATION

Mr. SYMINGTON. Mr. President, last April 8 I made a statement on the floor of the Senate about new housing in St. Louis and planned new housing for the military in Saigon. At that time I did not know of an editorial, entitled "That's Vietnamization," published in the St. Louis Post-Dispatch.

In that the editorial presents clearly the point I was trying to make, I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

That's Vietnamization

At a time when the United States cannot provide enough housing for its own people, there is a ludicrous aspect to the Pentagon's plans for a large-scale program to provide housing for the families of South Vietnamese soldiers.

The program is needed, Congress is told, to boost the morale of Saigon's troops. We already pay their salaries, and the cost of their equipment and supplies, but they are not happy, and so we are going to build houses for their wives and children, who customarily live with them at base areas. It is hoped this will induce more of them to refrain from deserting.

How successful the housing program will be in improving morale of the troops remains to be seen, but it cannot be expected to do much toward improving the morale of American citizens who, faced by the worst housing shortage since World War II, are finding vacancy rates low and housing costs high. Some Americans are bound to ask themselves how it happens that, unable to afford decent housing for themselves, they can afford to supply it for Southeast Asian troops fighting a civil war that is basically none of our business.

But then, of course, this kind of thing is what Vietnamization is all about. If we are going to shift the war to the backs of the South Vietnamese, who have never been able to win it in 15 years of struggle, we will have to provide bribes and inducements of many kinds, and the housing bonus is only one of them. Interestingly enough the Pentagon's housing program is geared to run for at least five years, which means that it expects to be subsidizing the South Vietnamese army at least into 1975 and probably longer. The American people can have complete confidence, we feel sure, that if by 1975 a housing subsidy will no longer sustain the morale of Saigon's troops some other form of morale-builder will occur to President Thieu, and will be obligingly supplied by the Pentagon.

REASON VERSUS POWER AT THE UNIVERSITY OF MICHIGAN

Mr. GRIFFIN. Mr. President, on April 13, 1970, Vice President Agnew delivered an address in Des Moines, Iowa, which included some pointed references to the University of Michigan. The Vice President has been criticized in some quarters for quoting "out of context" from a statement by University of Michigan Prof. Gardner Ackley.

The complete text of Professor Ackley's statement, made at a public meeting of University of Michigan faculty, is now available. I ask unanimous consent that the text, preceded by an editor's note, as published in the April 15, 1970, issue of the Detroit News be printed in the Record.

Mr. President, in addition I ask that an editorial which appeared in the same issue of the Detroit News be reprinted.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Detroit News, Apr. 15, 1970]

Power Seen Displacing Reason at U–M

(By Dr. Gardner Ackley)

(Editor's note: Gardner Ackley, distinguished University of Michigan economist, recently made a statement assessing that university to a public meeting of the LSA faculty. Since then, it has been quoted and disquoted in various publications.

While Dr. Ackley prefered that it not be published, he has verified the accuracy of this text. We publish it because it is a carefully reasoned commentary and because it corrects the inaccuracies which have led to debate within and without the University of Michigan.

Dr. Ackley, former chairman of the U. of M. economics department, served as member and chairman of the Council of Economic Advisers under Presidents Kennedy and Johnson. After serving as U.S. ambassador to Italy, Ackley returned to the University of Michigan as Henry Carter Adams University Professor of Economics.)

This has been a tragic year in the life of the University of Michigan—a year that has begun the destruction of this university as a great center of learning—destroyed not so much by outside forces as by the actions of its own faculty and administration.

This conclusion is independent of the current crisis.

We are sometimes told that teaching is a lost art—great teachers are no more. But the University of Michigan has, this year, taught one lesson so inescapably, so clearly, that it will long be remembered.

It is that, however ridiculous or worthy the cause, however miniscule or substantial its support, it will win in proportion to the willingness of its supporters to disrupt the life of the university.

The year began with the bookstore dispute—a more ridiculous issue is hard to imagine. But its supporters were willing to disrupt and destroy. The university was unwilling or unable to resist or punish the destroyers. In the end, the regents backed down and precious resources were allocated to make possible the symbolic saving of pennies by the affluent students who pay for their own books—resources which we now know could have been allocated to a far more vital use.

This was an issue on which an objective, empirical analysis of costs and benefits would have been quite simple and quite revealing. But no one asked for such an analysis and no one volunteered it. No one cared. Rather, the "truth" was more transcendental: it could be heard in the tramp of marching feet and the tinkle of broken glass.

After that, the issues succeeded one another in bewildering variety: Vietnam, ROTC, corporate recruiting, university research, tenants' rights, teaching fellow demands, pollution, university investments, "repression," the Chicago 7, black admissions and support.

Whatever the issue, these lessons were taught and learned:

That violence and disruption either cannot or will not be punished by the university.

That the big lie, loudly proclaimed, can become the truth.

That the desires of the overwhelming majority of students—who only want to learn—and of the overwhelming majority of the faculty—who only want to teach and investigate—count for little or nothing.

And so: the SDS, acknowledged to be dedicated to the destruction of the university, is still, so far as I know, an officially-recognized student organization. So far as I know none of its members has been suspended. Its discipline has been entrusted to the Student Judiciary—which is like asking the Mafia to investigate organized crime.

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And so: teaching fellows strike against their students and are not punished but are reappointed. Other students who engage in destruction of university property are retained and reappointed in university employment.

And so: our libraries are vandalized, faculty and administrative files are ransacked and burglarized, faculty members are struck in the performance of their duties. In many cases, the perpetrators are known but have not been punished by the university. The investigation of the attack on Prof. Young has been turned over not to the Administrative Board but to the Student Judiciary. I predict there will be no meaningful investigation and no penalties.

And so: last Wednesday I watched the faculty of my own departments, assembled in the chairman's office, discuss a demand that all classes in our building be shut down, or else. We discussed this while the entrances to the building were sealed, and while the halls outside the room in which we were meeting were patrolled by men carrying pipes and clubs.

We sought guidance from the college and were told: "Do what you think best; you will have no protection." And so we cravenly capitulated, in fear—if not for our own safety—for that of our students and employes.

That day, the truth lay in those clubs.

Today, it lies in those chanting, marching columns. And if there is not truth enough in those, there are still the clubs—and who knows what else?

And so: we will now submit in one way or another to all the demands of the BAM. In so doing, we will admit, explicitly or implicitly, that we are indeed a repressive, racist institution.

But that is still a lie!

And we will go on from there: the path is clear.

The next item? Some of us apparently believe that corporate recruiting in university facilities is wrong and should be suspended.

When I returned to the campus last fall after eight years of absence, I found many changes. Among the most striking was this—that university facilities are now available for anything students want to use them for.

Our auditoriums and meeting rooms are available to promote any cause however absurd, obscene, revolting, or revolutionary. I have been amused to see, all year, a sign on the diagonal advertising the address—in university facilities—of the Anarchist Society.

And this is how it should be, I suppose.

But is it now improper for university facilities to be used by university students to meet prospective employers?

Yes, the new truth says it is and such meetings will soon be banned.

After that, it will be books that a minority dislikes. Then courses, lines of faculty research, faculty appointments, promotions, retention.

My first appointment in this faculty was in 1940—thirty years ago. Since then I have seen much happen at this university. In the mid-1950's—the McCarthy era—I was a department chairman and president of the Michigan chapter of AAUP. More than once I was ashamed of actions—or inaction—by my university.

But I was never so ashamed as I was this morning, at 9 o'clock, and again at 11, when my students came to me to ask why we were not having class.

I didn't know what to tell them.

I still don't. Unless it is this:

There is no reason.

There is only power.

[From the Detroit News, Apr. 15, 1970]

The Issue at University of Michigan—Quality Versus Power

It is, perhaps, comforting to know that the words of Agnew, Ackley, Fleming, Milliken and the University of Michigan regents ring with fervent devotion to quality education. But the words of each seem to say different things and the nature of "quality" education must be defined.

University of Michigan economist Gardner Ackley makes a strong case for the role of reason in any university aspiring to quality. Ackley's statement, published on this page, chronicles the events which have threatened to substitute a rule of "pipes and clubs" for the rule of reason at U. of M. Ackley's comments are those of a distinguished scholar whose loyalties to the university and a liberal philosophy are unquestionably sincere.

Yet, this scholar is concerned about the possible "destruction of the university as a center of learning," a destruction seeded by its own faculty and administration following the new "truth" of power.

Prof. Ackley's concern does not begin and end with the Black Action Movement or the so-called quota plan for future black enrollment; his concern is over the series of incidents and "issues" which have caused disruption at the university and have made the overwhelming majority of students and faculty who want to learn and teach "count for little or nothing."

We must conclude that the University of Michigan is being sorely tested to maintain Dr. Ackley's standard of quality.

Vice-President Agnew is concerned about quality, too. He wonders if the university is the proper institution for repairing the deficient preparatory educations of all students wishing to enroll. He wonders if unprepared students are really served by exposing them to the educational shock of university standards. Or, if standards are lowered to accommodate unaqualified students, what service is done to students who are capable and interested in the challenge of higher education?

The concerns are not new. Scholars and educators have voiced them for several years. Now, because the vice-president is quoted, his critics cast the words in racist tones. But the questions raised by the Agnew speech will not disappear; they will insist on answers from our universities. And those answers will preserve or destroy quality education.

U. of M. President Robben Fleming, Gov. Milliken and the U. of M. Board of Regents are concerned about quality in a narrower sense: the immediate issue of the Black Action Movement and the U. of M. commitment to increase black student enrollment to 10 percent from the current 3 percent level. The public issue is whether this commitment furthers or impairs the quality of education at the University of Michigan.

There is reason to be critical of the plan if the university has, as claimed, accepted all the qualified black students that it could and found admissions totaled 3 percent of the student body. It is doubtful if a crash program to increase that percentage to 10 percent by 1972–73 can be accomplished without either a lowering of standards or very extensive compensatory educational programs. The first alternative is, we think, unacceptable and the second alternative forces us to think again, as the vice-president has done about the proper role of universities.

If the regents have not made a maximum effort to recruit qualified black students, the responsibility for racial discrimination is clearly theirs. Its correction would demand, not quotas, but an all-out effort to enroll impartially as many qualified students as the university can accommodate.

The Black Action Movement is a public issue for another reason. Do the student strike and subsequent negotiations and commitment merely reflect the remarkable mediatory powers of President Fleming—or do they suggest, as one more example in the series Ackley describes, Fleming's excessive reliance on mediation even when it is nothing more than capitulation?

Fleming, the mediator, brings to the University of Michigan a rare and valuable ability. But we must ultimately ask ourselves—and our educators and our politicians—if quality can be mediated.

THE SAFE RETURN OF THE APOLLO 13 ASTRONAUTS

Mrs. SMITH of Maine. Mr President I am gratified with the safe return of the astronauts. Our prayers were answered. Americans are tremendously proud of the courage and poise of the astronauts in the face of terrifying prospects.

In some respects, this has been the greatest of all space achievements. What threatened to be tragedy and failure has now been concerted to dramatic and thrilling success.

This illustrates that often out of initial adversity ultimately comes gratifying gain.

Two aspects seem to me to be outstanding. First is the dramatic proof and illustration of American genius to develop a brilliant complex of backup systems designed to meet several contingencies of danger and accidents—and to meet such contingencies with emphasis on the safety and safe return of our astronauts. For that, NASA and its personnel deserve a salute from the American people.

Second is the manner in which this space crisis has dramatically refuted the claims of some that space exploration and achievement have discredited and dealt a fatal blow to religion. The manner in which great numbers of Americans attended special church prayer services for the safe return of the astronauts and many millions of Americans who prayed in and out of church has been inspirational. For that, the American people deserve a salute.

NEEDED: ANOTHER WILL ROGERS

Mr. BELLMON. Mr. President, one of Oklahoma's greatest favorite sons, Will Rogers, was also one of the keenest observers of the American scene, and especially of politics. So incisive were his comments that they are as appropriate today as they were when Will Rogers first started kidding politicians more than 40 years ago.

The April issue of Tulsa, the outstanding publication of the Tulsa Chamber of Commerce, contains an excellent article entitled, "What This Country Needs Is Another Will Rogers," written by Arnold Marquis. It is a most timely article since this is an election year, and I believe that Senators will find it both interesting and enjoyable. Also, it may help to keep us from taking ourselves too seriously.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

What This Country Needs Is Another Will Rogers

(By Arnold Marquis)

This is a political year and the politicians are tooling up for the off-year elections. The finger-pointing has started, and the whooping and the wailing.

But beyond the pointing-with-pride and viewing-with-alarm, who will, or who can, call the shots as Will Rogers called them a generation ago?

"Politics is apple-sauce," he grinned. "This country got where it is in spite of politics, and not by the aid of it."

Forty million read Will Rogers' newspaper feature every day. Sixty million listened to his weekly radio commentaries. Additional millions read his magazine articles and his sly, wry books. He was the only political sage this country ever had who could clown in a nightgown, or play a hick before the movie cameras, and yet be a powerful force in national affairs.

Politicians fell over each other trying to get him to say something about them, anything, good or bad.

Coolidge, Hoover and FDR invited him to the White House. Harding sent emissaries to ask him to go easy on him. Wilson came to see him perform five times. Will Rogers kidded him from the stage, and Wilson led the audience in laughing.

"But there's no credit in being a comedian when you have the whole government working for you. All I have to do is report the facts. That's funny enough. I don't even have to exaggerate."

And he rarely did.

"The Party that's out always looks the best. The only difference is that the Democrats want the Republicans to get out and let 'em in, and the Republicans don't want to get out."

From boyhood politics fascinated Will. By 1916 he had begun to specialize in political comment. Every performance was different. But except to theatre-goers he was little known until he got the wider exposure of a weekly newspaper feature in 1922. Then he began to make waves on the political scene.

At first politicians, particularly those he ribbed, down-graded or ignored him. But many a politician woke up to discover that his constituents paid more attention to Will Rogers than to him, or even the Supreme Court.

Before a congressman committed himself on a bill, he found out what Will Rogers thought about it. A word from Will against any bill just about fried it.

Will's weekly newspaper feature had such a following that forums all over the country were clamoring for personal appearances. He quit the Follies and went on tour, and before the end of the first season, his publishers were after him for a daily newspaper feature.

Wearing his shiny double-breasted blue serge suit and his slouch hat, he became a familiar figure on lecture platforms everywhere and especially around Washington.

He liked to shoot the breeze with Senators like William E. Borah, Bob LaFollette, Joe Robinson. Senator Thomas Pryor Gore and Robert L. Owens of Oklahoma, who had known Will's father, "Uncle" Clem, were close friends. Vice President John Nance Garner of Texas, who became vice president in FDR's administration, was a particular friend. Will liked to hang around his office and to drop in at Garner's apartment unannounced, anytime between breakfast and midnight.

When Garner was called a "poker-playing, whiskey drinking, evil old man," Will countered that after thirty years in Washington, Garner, the Speaker of the House, knew more about running of the government than anybody outside the president. But, he added, if you played poker with Jack Garner, you'd get a smile and a drink and a pleasant conversation, but you'd bring nothing away that you could cash in.

He frequently referred to Garner growing pecans on his place in Uvalde, Texas, and said that if you watched him in his Speaker's chair, you could catch him cracking pecans with his gavel.

The two political parties, as such, meant almost nothing to Will. "I don't belong to any organized political party," he said, "I'm a Democrat."

Republicans or Democrats, he played no favorites in lampooning them. He had a particular affection for Hoover.

Hoover, Will said in 1927, was just waiting around between calamities. He called him Doc Hoover, America's family physician, and hoped that they wouldn't spoil him by putting him into politics. But the next year Hoover was elected President, and when Hoover said that the average American should ask the question, "Is the United States a better place to live in because the Republican Party has run the government these last eight years?" Will replied, "I'll bite. Is it?"

Almost any day you could see Will in the Senate gallery, watching the goings-on. And people made it a point to lunch at the Capitol Restaurant so they could see him, usually eating chili. He loved chili. "Give me a good dish of beans. That's all I need."

Politicians who tried to out-smart Will had their hands full. When they couldn't "top" him, they tried to butter him up. They'd send him notes, framing so-called jokes and urging him to say things that would make them look good. But when Will just went his own way, it riled them.

"Who is this comic, Rogers?" they muttered. "What does he know about politics?"

Will pointed out that he'd written or talked about nothing but politics for twenty years. "Can I help it if I've seen enough to know there's some baloney in politics?"

However egocentric a politician was, he walked on eggs where Will Rogers was concerned. The very fact of Will Rogers' presence made him a little more prudent if not less cunning. A politician could never be sure when he sent up a trial balloon that Will Rogers would not shoot it down with some seemingly innocent quip.

For Will Rogers called the turn on everything that concerned "the real bird," the average solid citizen.

"They're introducing a bill in Congress to take the profits out of war. It would be a still better idea if they put in the bill that not only couldn't we make money out of our own wars, but we couldn't make money out of anybody's war."

He supported President Harding's suggestion that in case of war, capital should be drafted the same as men. This, in fact, came as a surprise to Harding, whose attitude toward Will was at best chilly.

When Ziegfeld's Frolics came to Washington, Will got word that President Harding would attend the theater that night. This was a big event in Washington. That night there was also another show in town, a touring company in its second season.

Will was ready with some fresh comments on the news of the administration. Instead of coming to the Frolics, Harding and his party attended the other show. Will could only read it as disapproval.

On occasion Will could say things that got him into trouble. This was one of those nights. With no mention of Harding, he told how he'd joked about Teddy Roosevelt and Woodrow Wilson and how well they had taken it. "The test of a big man is whether he can stand the gaff."

Everyone there knew what Will Rogers meant. It exploded into an "incident."

People took sides. Will took Harding's side, praised him as a warm, human man with the rich qualities of an every-day person.

They had met personally several times before the incident. The President was friendly and gave no hint of any objection to Will's jokes. But Will, sensitive to what Harding might feel, had said, "Mr. President, I don't want you to think that I am picking on you. You know I told some pretty tough ones on the Democrats when they were in. In fact, I think I told funnier ones on the Democrats because they were doing funnier things."

On taxes, Will Rogers summed it up in a line: "It ain't taxes that's hurting this country. It's interest."

The talk around Washington then, as now, was on the cost of government, and how to raise the money.

"Where is all the money coming from that the government's throwing away? Well, I don't know, but it sorta looks like it's coming from those that have got it." The Republicans he said, couldn't tax the big incomes because they hadn't got their next year's budget yet, and the Democrats couldn't do it because they still owed for their last three elections.

Also then, as now, the issue was not only taxes, but also demonstrations.

"A bunch of Bobbed Haired men gathered in Madison Square Garden last Sunday at a meeting of these Red, or Bolsheviki, or whatever they call themselves. It was one of their denouncement meetings. They denounced the heavy snow, Declaration of Independence, the five-cent street car fare, floods in Georgia, Mayor Hylan's bathing suit, twin beds, and the eclipse.

"Now some say that things like this shouldn't be allowed. It is just like an exhaust on an automobile."

Coolidge was president. When he announced that his policy would be common sense, Will observed that common sense was not an issue in politics, it was an affliction.

Will got himself in trouble with Coolidge in 1928 when he emceed a radio program with Fred Stone, Al Jolson and Paul Whiteman. Near the end of the program he said he wanted to introduce a friend of his. Then, imitating Coolidge's New England nasal twang, he said, "Friends, I am proud to report that the country as a whole is prosperous. I don't mean by that that the whole country is prosperous, but as a hole it is prosperous. A hole is not supposed to be prosperous, and you are certainly in a hole."

A lot of people thought it was Coolidge. Many were furious. Coolidge himself was angry, but took it in stride and later that year invited Will overnight to the White House. They laughed about the incident. Mrs. Coolidge said that she could imitate Cal better than Will could and Will said yes but look what she had had to go through to learn it.

Will had a high regard for Coolidge. He called him the shrewdest little red-head ever to come down the pike.

In 1928, when Coolidge did not choose to run and Al Smith was gunning for the Democratic nomination, Will told Smith he didn't have a prayer against the Republicans. He advised him to wait until 1932 when he'd be a cinch.

Will attended every national convention, 1920 to 1932.

"They're clambakes, glorified Mickey Mouse cartoons. If they ever took a sanity test at a political convention, 98% would be removed to an asylum."

Simeon Fess was the keynoter in the 1928 GOP convention. After the address, Will summed up what the Republicans were responsible for: radio, telephone, baths, autos, savings accounts, law enforcment, workmen living in houses, and a living wage for Senators. And he reminded the Democrats that the Republicans were holding them responsible for war, pestilence, debt, disease, bo weevils, gold teeth, need of farm relief, suspenders, floods and famines.

While the politicians were boasting about the booming prosperity, Will was warning the nation about the teetering economy.

"Mr. Coolidge," he asked, "What are we doing to warrant this good luck more than

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any other nation? How long is this going to last? Our good fortune can't possibly last any longer than our natural resources."

Hoover had been in less than eight months when the market crashed.

"Hoover means well, but it looks like he's been misadvised. Look how he went and let Niagara Falls cave in. They never caved in under Coolidge."

In 1932 the outlook for Hoover was dismal. The Democrats nominated Franklin Delano Roosevelt, and when he came campaigning to Los Angeles and the Republican mayor refused to introduce him, Will did it.

"Now I don't want you to think I am overawed in introducing you, Franklin. I'm not. This introduction may not be logical or flowery, but you must remember, you're only a candidate. Come back as President and I'll do better by you. I'm wasting no oratory on a prospect."

Roosevelt roared with laughter and so did the audience. But that was the last of the levity in the campaign. The acrimony disgusted Will. To him it was incredible that two fine men could stoop to such slander for any office.

"Both of you boys," he urged "should go fishing and come back after the election."

That is what Will himself did. He went to South America. When Hoover was swept out of office, Will consoled him:

"It wasn't you, Mr. President. The people just wanted to buy something new. So cheer up. You don't know how lucky you are."

Will had some advice for FDR, too.

"Kid congress. Don't scold 'em.

"Keep off the radio till you got something to say, if it's a year.

"If some one comes running to you telling what Wall Street was doing that day, tell him, 'Wall Street? Why, there are 115 million in this country that don't know if Wall Street is a thoroughfare or a new mouth wash'."

At this same time Will was making three pictures a year in Hollywood, and spending most of the time between in Washington. He called the administration the Capitol Comedy Company of Washington.

"Hollywood turns out movies for 110 million people they never saw, or know anything about, and the Capitol Comedy Company of Washington turns out laws for the people they never saw, or know anything about.

"In Hollywood we have gag-men to add something to make it funnier, or to change the whole thing around.

"In Washington, Congress is made up of the best and highest paid gag-men anywhere. They put in so many gags or amendments that the author doesn't know his own story.

"The Capitol Comedy Company of Washington has never made a failure. Everyone is 100% glad or 100% sad.

It was inevitable that politicians would try to draft him personally for office. They pushed him for Governor of Oklahoma, Senator for California, and several times for President.

Two Arizona delegates boomed him for the Presidential nomination in 1924. In 1928, in a tie-up with the humor magazine, Life, he "entered" the Presidential race as the candidate of the Anti-Bunk Party. He conducted his campaign by writing campaign promises and oratory for the magazine.

"We will not only give the farmer relief, we will cure him of being a farmer."

The public went along with the gag, laughed at his sallies about the "opposition" and the mess in Washington. Just the same, there was a deep undercurrent that what America needed indeed, was a Will Rogers for President. And as the depression worsened, a movement took form to draft him.

New York's flamboyant Mayor Jimmy Walker organized a Rogers-for-President transcontinental motor tour. In Hollywood wearing cowboy boots and waving a brand new Stetson. Jimmy started the motor caravan of high-powered sports cars on the cross-country junket to New York. Kissel Kars, Dusenbergs and Marmons, all lettered with signs proclaiming Will Rogers for President, roared eastward for Palm Springs, the first stop, 125 miles distant.

Newsreel cameramen, photographers, reporters, thoughtfully inspired by Jimmy Walker, caught the action, but it did not pass unnoticed that Jimmy Walker was having some political troubles of his own in New York at the time, and that ostensibly he was in California to free Tom Mooney, then in prison for the bombing of the Los Angeles Times building.

Other political bigwigs climbed on the Rogers bandwagon, Governor Wilbur L. Cross of Connecticut, Ex-Governor Jim Ferguson of Texas, Senator Samuel Shortridge of California, and Mayor Joshua Bullitt of Philadelphia who said, "I'd vote for Will Rogers quicker than for any man I know—of any party."

Will Rogers would have none of it, but Colliers, then an influential magazine, declared that notwithstanding Will Rogers' insistence that he was not a candidate, he really was.

Will's response was quick.

"If you hear of anybody proposing my name for any political office, please maim him and send me the bill. I not only don't choose to run, I won't run."

Even this didn't stop it.

In the 1932 Democratic national convention in Chicago, while the delegates whooped it up, parading up and down the aisles with placards and banners, brass bands blaring and bass-drummers hammering out the beat, Will pulled his hat down over his eyes, slumped in his seat in the press box and went to sleep.

Some time later, somebody woke him up and told him that Alfalfa Bill Murray, the former governor of Oklahoma, had placed his name in nomination, and that twenty-two delegates had pledged their votes to send him to the White House.

Will pulled his hat down over his face again and went back to sleep.

"When I waked up, my twenty-two votes were gone. But—I was sure grateful for their staunch and unwavering support for me during that entire fifteen minutes.

"It just goes to show—politics ain't on the level."

Will Rogers, where are you?

OCEANIC AND ATMOSPHERIC PROGRAMS

Mr. HOLLINGS. Mr. President, nearly 15 months have passed since the most thorough report on our Nation's oceanic and atmospheric interests was made to the President and to the Congress. "Our Nation and the Sea," the report of the Stratton Commission, strongly recommended creation of a National Oceanic and Atmospheric Agency as the best way to organize the Federal oceanic effort. Twelve months have passed since the President appointed his Advisory Council on Executive Organization, and 11 months since that Council was given a specific mandate to make recommendations regarding oceanic organization. The Council was supposed to have made its final report to the President on April 15, but we have learned that they probably will not report for another 10 days.

As stated by Mr. William Connelly in the April 3 issue of Science:

> Despite growing pressure for stronger Federal ocean programs, the Nixon administration has been as slow as its predecessors in giving attention to oceanography.

The three preceding administrations engaged equally in executive foot dragging, Mr. President, and were it not for the leadership of the Senator from Washington (Mr. Magnuson) and the Senator from New Hampshire (Mr. Cotton) over the last 10 years, and of Representatives Lennon and Mosher in the House of Representatives, we would not be as advanced as we fortunately are.

Mr. Connelly has written an excellent article that fairly represents what is happening to our Nation's oceanic and atmospheric programs. I commend Mr. Connelly's article to the Senate and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Oceanography: A "Wet NASA," Will Nixon Take the Plunge?

(By William Connelly)

Note.—William Connelly is the Washington correspondent for the Winston-Salem, N.C., Journal and Sentinel and has been covering the NOAA dispute on Capitol Hill.

Despite growing pressure for stronger federal oceans programs, the Nixon Administration has been as slow as its predecessors in giving attention to oceanography. Most of the pressure has come from Congress, where support is building for creation of the proposed National Oceanic and Atmospheric Agency (NOAA).

The Administration's reluctance to take a firm position on NOAA, or to offer a strong alternative, is causing intense irritation among oceanography's friends in Congress. Senator Ernest F. Hollings (D–S.C.) reflected the impatient mood when he complained in a floor speech on 5 March, "President Nixon treats oceanography with slightly more dignity than the Board of Tea Tasters."

Not all the oceanography promoters on Capitol Hill express their displeasure as bluntly or as colorfully as Hollings, the chairman of the Senate Commerce Committee's new oceanography subcommittee. But there is growing, bipartisan discontent over the Administration's apparent lack of interest in reorganizing the nation's civilian ocean activities.

STRATTON COMMISSION PROPOSAL

Creation of a NOAA (usually called "Noah") was recommended on 9 January 1969 by the Commission on Marine Science, Engineering and Resources, a 15-member panel authorized by Congress in 1966 and appointed by President Johnson. The commission chairman was Julius A. Stratton, former president of the Massachusetts Institute of Technology and board chairman of the Ford Foundation.

In a report widely praised in the oceanographic community, the Stratton Commission made 126 recommendations for strengthening the federal government's role in exploring, protecting, and developing ocean and Great Lakes resources. It proposed NOAA as a means of providing focus and coordinated leadership for federal ocean programs, which now are scattered through 22 separate agencies.

The hope was that a NOAA could establish a coherent national policy for the oceans and achieve greater efficiency by eliminating duplication and wasteful competition. More important, perhaps, many advocates of a single agency saw it as a sort of "wet NASA" that might dramatize and promote oceanography in much the same manner as the National

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Aeronautics and Space Administration promotes space exploration. At present, no single agency can speak for oceanography in soliciting public and congressional support.

To form NOAA, the Stratton Commission proposed taking the Coast Guard from the Transportation Department, the Environmental Science Services Administration from the Commerce Department, the bureaus of Commercial and Sport Fisheries from the Interior Department, and the National Sea Grant program from the National Science Foundation. With these and some smaller organizations, NOAA would absorb, in all, 55,000 employees, 320 ships, and 38 laboratories. The agencies to be absorbed have annual budgets totaling some $800 million. (The National Council on Marine Resources estimates federal spending exclusively for marine sciences in fiscal 1970 at $514.3 million; of this, $239 million is going to the Navy's military oceanography. Other estimates vary, depending on what is defined as an oceanography expenditure. But since a NOAA would assume the total budgets of its component agencies, ocean-related or not, the $800 million figure is pertinent here.)

When the Nixon Administration took office on 20 January 1969, it found the freshly printed Stratton Commission report awaiting action. It also found stiff opposition to the NOAA proposal from departments and agencies that would lose ocean programs to a new agency. The Interior Department, in particular, felt that it should be the new lead agency in the event of a reorganization. With more pressing problems to attack, the new Administration sidestepped a bureaucratic quarrel by consigning the NOAA idea to a study and evaluation by the President's Advisory Council on Executive Organization, headed by Roy L. Ash, the president of Litton Industries.

After many postponements, the Ash Council is now scheduled to make its recommendation to the President by 15 April. No Presidential decision is expected before June, if then. But it is common knowledge that the Ash Council is leaning toward a plan that would put the major ocean agencies—exclusive of the Coast Guard—into an expanded Interior Department. The new department, to be renamed the Department of Environmental Affairs or the Department of Natural Resources, would have responsibility for a wide range of environmental programs.

Another study of the NOAA plan by the President's task force on oceanography, headed by James H. Wakelin, Jr., a former assistant secretary of the Navy, resulted in a recommendation for what is derisively called a "mini-NOAA"—an agency to include only the Sea Grant Program, the National Oceanographic Data Center, and the Oceanographic Instrumentation Center. (The latter two are interagency services run largely by the Navy.)

BACKING FOR NOAA

Meanwhile, congressional support for NOAA appears to be growing. Representative Alton Lennon (D–N.C.), chairman of the House Oceanography Subcommittee, held hearings on the Stratton Commission report over a period of months, compiling a record of support for NOAA from academic oceanographers, sea-related industries, coastal-state governors, and others. The only prominent opposition witnesses were from the Administration. The hearing record is roughly the same in the Senate subcommittee, which heard witnesses periodically from December through early March.

Lennon's House subcommittee approved the NOAA bill in January and sent it to the full Merchant Marine and Fisheries Committee, which is expected to pass it soon. The Senate Commerce Committee also is expected to act favorably. Among the advocates of a NOAA is the Senate committee chairman, Warren G. Magnuson (D–Wash.), long regarded as oceanography's leading promoter in Congress.

As the Senate subcommittee hearings concluded, the impatience of the NOAA supporters became increasingly apparent. They dislike the Administration's plan for an expanded Interior Department and are discouraged because no alternative plan has been offered.

Interior Department spokesmen contend, however, that it would be illogical to create a separate ocean agency if Interior is to retain primary responsibility for protecting and developing the nation's resources. They argue that such resource problems as water pollution, estuary protection, mining, oil drilling, and recreation—all current responsibilities of Interior—do not stop at the water's edge. They insist that the agency charged with protecting the environment must have in-house capability on both land and water. Moreover, they contend that ocean programs could get stronger congressional support and attract more competent personnel if they were operated by a large and experienced department. Interior already is the largest civilian ocean agency, with a budget of about $78 million for sea-related activities in the current fiscal year.

But supporters of NOAA fear that ocean programs might get even less attention if they were submerged in a big department and left to compete for the Secretary's favor. They complain that Interior is too "land-oriented." Representative Lennon contended in an interview that Interior had often neglected its oceanography mission until it saw the current opportunity for expansion. "Why have they suddenly become interested in this field?" Lennon asked. "Because they want to increase their prestige and their responsibility. They want to be the biggest department, and they certainly don't want to give up any functions they now have."

Ironically, it was the Secretary of the Interior, Walter J. Hickel, who provided the strongest ammunition for NOAA advocates during the Senate hearings. Hickel admitted under questioning that he had not read the Stratton Commission report. He also rankled some oceanography supporters by referring to Project Tektite, the Caribbean undersea-living experiment, as "Textite." The Secretary's performance later drew this scathing attack from Hollings in his Senate speech of 5 March.

"He is the Secretary who soon after assuming his office 'recognized a need within the department to forge ahead with imaginative new marine programs.' Accordingly, he added the words 'marine affairs' to his Assistant Fish Secretary and hired three female secretaries. . . . He is the Secretary who opposed NOAA because you couldn't get competent personnel in an independent agency, yet he wasn't competent enough to get his Fisheries budget through the Bureau of the Budget without a 14 per cent cut this year. . . . The Department's [total] marine sciences budget was cut $2.5 million. The Bureau of Commercial Fisheries in his department has been politicized to the point that one of our witnesses stated that the Bureau's morale is at an all-time low. . . . In spite of [Interior's] failure to bring [the Santa Barbara oil spill] under control, this is the department that continues to license oil drilling in the same area."

Hickel was not alone in his failure to read the Stratton Commission's massive report, "Our Nation and the Sea." As Hollings' hearings proceeded, the same admission was made by the Secretary of the Navy, John H. Chafee; the Secretary of Transportation, John Volpe; and the President's science adviser, Lee A. DuBridge. It was a stunning reminder to oceanography boosters that their most elementary problem is getting someone to listen. Is the Administration interested? Its spokesmen say that it is, that the NOAA proposal is under intensive study, that substantive recommendations will be made soon.

Yet the full Council on Marine Resources, a coordinating group headed by Vice President Agnew and including the head of each department with ocean-related duties, has not met since last May—and has met only twice in the course of this Administration. The council's work has been carried on by the staff and by a second-level committee. Moreover, the Administration did not request funds to continue the council's existence past its 30 June expiration date until 12 March—7 days after Hollings had complained that the council was going to be scrapped. The council's highly regarded executive secretary, Edward Wenk, resigned late last year to take a post at the University of Washington and has not been replaced.

Although the Stratton Commission report is almost 15 months old, the Administration has taken only one formal action on it—on 19 October, when the council announced support of five proposals: (i) cooperation with the states in creating Coastal Zone Management programs; (ii) establishment of more Coastal Zone laboratories; (iii) Great Lakes restoration projects; (iv) U.S. participation in the International Decade of Ocean Exploration, beginning this year; and (v) Arctic environmental research.

Congressional supporters of the NOAA bill had hoped the Administration would announce more marine science plans in the President's message of 10 February on the environment. But the President merely noted, in what seemed like almost an afterthought, that the Ash Council was still at work.

Since that disappointment, there has been growing sentiment within the Lennon and Hollings subcommittees for trying to push NOAA legislation through Congress and dump it on the President's desk. It would not be the first time Congress had taken the initiative in marine affairs. In 1966, Lennon and Magnuson guided to passage bills that created the Cabinet-level Marine Science Council and authorized formation of the Stratton Commission. At the time the Johnson Administration opposed both proposals. Many coastal-state legislators now fear that there will be no meaningful reorganization of oceanographic activities unless Congress again forces the issue.

For the present, however, the congressional maneuvers and rhetoric seem designed primarily to pressure the Administration into a compromise. The advocates of a NOAA would definitely accept something less, provided the new plan enhanced the status of oceanography and permitted central management. Hollings and others even concede that the nation eventually will need a major department on evnironmental matters, including the ocean agencies. But they reject the Ash Council's concept of such a department, fearing that the council's emphasis is on holding down budget requests rather than on planning for a strong national ocean program.

In any case, NOAA backers insist that their single-agency proposal would also serve the cause of economy. They say a NOAA would initially require only slightly more than the $800 million a year the component agencies are now spending. The Stratton Commission recommended a $2 billion annual budget for NOAA by 1980, assuming creation of the suggested programs and an annual growth rate of 7 percent. But this is now generally considered an unlikely goal, in view of budget prospects. Advocates of the single agency argue that its major immediate contribution would be improved management, which would enable the nation to get more from its limited funds for oceanography. For example, a NOAA might bring about greater sharing of ships, data buoys, and other equipment.

The budget squeeze came as oceanographers were on the verge of unprecedented opportunities to develop and use new undersea technology, to replace ships of World War II vintage, and to launch ambitious

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new research efforts. "In developing technology, we are now—by comparison—roughly where the development of the airplane was in 1910 or 1915," said H. Crane Miller, counsel for Hollings' subcommittee and a former Stratton Commission staff member. The funding of ocean programs increased dramatically in the middle 1960's, but the level of support has virtually frozen. For example, the annual growth rate of academic marine science programs funded by the National Science Foundation and the Office of Naval Research was 7.3 percent from 1963 to 1966 but declined to 2.2 percent from 1966 to 1968, not even covering rising costs.

The Navy, with a marine science budget of some $239 million this year, continues to dominate U.S. oceanography. But even the Navy's funds are down by $24 million from last year, requiring deactivation of some research ships and postponement of new projects. "We have had our share of the cuts, but only our fair share," said Rear Admiral O. D. Waters, Jr., the Oceanographer of the Navy. "We have had to slow down, but nothing vital has been dropped." The Administration's request for fiscal 1971, however, would cut the Navy programs by another $19 million and increase the civilian oceanography budget by $40 million.

The Navy cooperates extensively with civilian ocean agencies, especially through the Instrumentation Center. For example, Navy data on water temperature is fed to the Bureau of Commercial Fisheries to guide fishing vessels to favorable waters. But, as Admiral Waters points out, "it is only happenstance, really, when our programs benefit the civilian sector. . . . Our purpose is always military."

On the NOAA proposal, the Navy has taken no formal position except to request that, whatever is done, the Coast Guard retain its semimilitary role. It is known, however, that many Navy oceanographers are unenthusiastic about a NOAA, viewing it as a potentially serious competitor for money and programs.

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If effectively promoted, civilian oceanography could indeed win formidable support in Congress. There are, after all 30 coastal and Great Lakes states with a direct interest, and the nation is increasingly resource-conscious. In hopes of tapping this potential support, oceanography lobbying groups and newsletters are proliferating. For example, the Washington-based National Oceanography Association added 700 new corporate and individual members in 1969, for a total of 2100. (In a poll, the membership heavily favored creation of a NOAA.) Sea-related industries are badly in need of new federal initiatives in developing technology.

Should civilian oceanography develop its own effective lobby, the marine science programs might be more than able to hold their own in a new Department of Environmental Affairs. Even NOAA champions such as Lennon and Hollings concede that such a department makes sense. But they contend that a single ocean agency is needed first, to reorganize existing programs, establish goals, and attract the necessary public and congressional support.

AMERICAN ASSEMBLY ON ARMS LIMITATION

Mr. CASE. Mr. President, early this month a group of Americans meeting under the aegis of the American Assembly in New York State produced a generally agreed document of great interest to the debate about American strategic weapons policy and the strategic arms limitation talks that began yesterday in Vienna.

This document, very much in line with Senate Resolution 211, which the Senate passed recently by a vote of 72 to 6, calls on the President of the United States to propose "on a reciprocal basis an immediate interim halt in the deployment of strategic offensive and defensive weapons of the tests of multiple warheads."

Additionally, this group of especially well-informed fellow citizens asked the President to defer for 6 months the impending deployment of American multiple warheads or MIRV's.

Their reason was that uniquely favorable strategic and political conditions exist at the present for such a move. They feared that unless the United States and, of course, the Soviet Union, seized this opportunity, the success of the SALT talks could be jeopardized. And I would add my own view that the failure of the arms limitation talks would be a serious setback in our search for a more stable world.

The American Assembly, as many of us will recall, was established by Dwight Eisenhower at Columbia University in 1950. It is a nonpartisan organization dedicated to providing information, stimulating discussion, and evoking independent conclusions on matters of vital public interest.

I ask unanimous consent that this thoughtful effort be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE AMERICAN ASSEMBLY ON ARMS LIMITATION

These pages contain the views of a group of Americans who met March 31-April 2, 1970, at Arden House, Harriman, New York, to consider the outlook for arms limitation. The meeting was held with immediate and timely reference to the Strategic Arms Limitation Talks, scheduled to resume in Vienna, April 16. Reference was also made to the broader problem of slowing down the arms race and to the effect of military expenditures on national resources.

The meeting was held under the auspices of The American Assembly of Columbia University, which regularly convenes for the purpose of focusing attention on issues of public importance. The recommendations of this Assembly were adopted in the plenary session of April 2, after two previous days of discussions as a committee of the whole. (Because of the urgency of the topic, standard American Assembly procedures were modified somewhat for the occasion, and the number of participants was reduced accordingly. Many had taken part in earlier American Assembly programs on arms: Arms Control, 1969, and Nuclear Weapons, 1966.)

Adrian S. Fisher, dean of the Georgetown Law School and former deputy director of the U.S. Control and Disarmament Agency, prepared a background paper as the basis of discussion.

As a non-partisan educational institution The American Assembly takes no official stand on the opinions herein, which belong to the participants in their private capacities. They represented themselves and not necessarily the institutions or persons with whom they are associated. (Clifford C. Nelson, President, The American Assembly)

FINAL REPORT OF THE AMERICAN ASSEMBLY ON ARMS LIMITATION—1970

(At the close of their discussions the participants in The American Assembly on Arms Limitation—1970, reviewed as a group the following statement. Although it represents general agreement, no one was asked to sign it, and it should not be assumed that every participant necessarily subscribes to every recommendation.)

We call upon the President of the United States to propose to the Soviet Union, on a reciprocal basis, an immediate interim halt in the deployment of strategic offensive and defensive weapons and of tests of multiple warheads. To give this proposal a chance of success, we ask the President to defer for six months the impending deployment of Multiple Independently Targetable Re-Entry Vehicles (MIRVs).

The Strategic Arms Limitation Talks are resuming in Vienna at a time when mankind has a unique opportunity to end the nuclear arms race. At present there exists a roughly equal and relatively stable nuclear balance between the U.S. and the U.S.S.R. A rare coincidence of favorable political and strategic conditions provides a real but fleeting opportunity for agreement between the U.S. and the U.S.S.R. to halt the arms race in both quantity and quality of weapons, and then to diminish the threat to mankind posed by existing weapons. Whether agreement can be reached we do not know, but wisdom and common sense require every plausible effort to exploit the present promise.

This opportunity will be put in jeopardy if the U.S. soon deploys Multiple Independently Targetable Re-Entry Vehicles (MIRVs), or proceeds with plans for a modified Phase II Safeguard Anti-Ballistic Missile (ABM), or if the Soviet Union extensively tests large ICBMs (SS–9) with multiple warheads (which may not themselves be independently targetable but may well be steps in the development of a Soviet multiple independently targetable delivery system).

The introduction of MIRVs into the present nuclear relationship would have the initial effect of substantially increasing the number of deliverable nuclear warheads available to each side. MIRV program will take on new dimensions as missile accuracy increases. When this occurs, it becomes possible for one side *if it strikes first* with missiles armed with MIRVs to take out more than one missile site with a single attacking missile. The obverse of this frightening coin is that each side may fear that, *unless it strikes first*, the MIRVed missiles of the other side may be able substantially to eliminate its own land-based ICBM force, with the other side still having substantial ICBM force left in reserve.

New and worrisome uncertainties would enter the strategic calculations. For example, Secretary Laird has testified that 420 Soviet SS–9s with three warheads of five megatons each and an accuracy of one quarter of a mile could eliminate all but 50 of our Minutemen. Similar calculations by the Soviet Union would show that if the U.S. were to MIRV its Minutemen with three warheads, with yields approximating a quarter of a megaton each and having an accuracy of one-tenth of a mile, it could by using 580 Minutemen, eliminate all but 70 or so of the Soviet missile force.

Whatever their validity such calculations make it clear that both sides would feel more secure if neither one had a MIRV. The U.S. plan to *deploy* MIRVed Minuteman III in June of this year, within two months after the beginning of the talks, may well close the door on this possibility. Although the generation of MIRVs which would be deployed would not be capable of a first strike, this step would cast serious doubts on our seriousness in pursuing SALT. This would present the U.S.S.R. with a *fait accompli*. One of the most important things that the SALT talks could accomplish is to prevent the deployment of MIRVs. This opportunity should not be lost.

We in the American Assembly therefore call on the President to postpone this deployment for six months. Such deployment at this time would not contribute to our security. Far from improving our bargaining strength at SALT proceeding with that deployment would make negotiations more difficult, and would invite the Soviet Union in turn to present us with *faits accomplis*. No harm can result to our strategic posture by such delay, which will involve only a handful of land-based missiles in a MIRV program that is already being widely questioned as unnecessary, wasteful, and certainly premature, since the large Soviet ABM program it was designed to penetrate does not exist.

We also suggest that current U.S. and Soviet testing of multiple warheads complicates the political and strategic climate on which these negotiations depend. We urge mutual restraint in this regard.

We also urge postponement in implementing the proposed modified Phase II of the Safeguard System. The argument that going ahead with this program would strengthen our bargaining position at Vienna is not persuasive; authorizing armaments so that they can be included in a disarmament program soon reaches the point of diminishing returns. If both sides play this game, SALT will result in an increase in the arms race. Going ahead with modified Phase II Safeguards so soon after Phase I had been made a separate program would belie the promise and deliberate consideration upon which that separation was in part based. It would more likely give the Soviets the impression that the U.S. was determined to push the complete Safeguards program to a finish, come what may. This would make success in SALT less rather than more likely.

These measures of restraint will give our negotiators a chance. But the negotiations of a treaty at the SALT talks will be difficult and complex and may take years. To keep the present opportunity from eroding during this period, an interim halt is necessary to prevent any substantial changes in the rough strategic balance which now makes such an agreement possible.

We therefore urge the President of the Soviet Union, *on a reciprocal basis*, an immediate two-year suspension of the deployment of strategic offensive and defensive weapons and of the tests of multiple warheads. Specifically we propose that during this two-year period interim halt there would be:

1. No testing of any multiple warheads, whether MRV or MIRV;
2. No deployment of multiple warheads;
3. No new deployment of land-based intercontinental ballistic missiles;
4. No construction of Anti-Ballistic Missile radars or deployment of anti-ballistic missile interceptors;
5. No new "starts" on constructing submarines for launching ballistic missiles.

In such an interim agreement we see no necessity for limits on air defenses or on new bomber construction because developments in these areas do not carry an immediate potential for upsetting the present strategic balance.

The short term of the agreement and its comprehensive quality would simplify the requirement for inspection. From the standpoint of the U.S. security, compliance with these provisions can be adequately determined by national means of verification. In particular, the halt in Soviet buildup of ICBMs and SLBMs, including the SS-9, could be verified. With regard to the restrictions on multiple warhead testing, however, to enhance confidence during the interim halt, an understanding that missile tests will be preannounced and restricted to designated areas may be desirable.

The restraints that we propose and an agreed interim halt would create an environment of stability and mutual confidence. In such an improved climate more lasting agreements, taking account of new technological and political developments, could be achieved.

We have not attempted to blueprint the details of a more permanent agreement; planning for it should take account of what is learned during the interim halt. Some of the major issues which would need to be taken into account during the negotiations of a treaty are:

1. *ABM levels*. A key question appears to be whether some level of ABMs is necessary for the U.S. in light of the developing Chinese nuclear capability. We believe that an area ABM is not vital to protecting U.S. interests in Asia and that we should be prepared to accept a mutually agreed zero ABM level if it improves the prospects for obtaining an effective agreement with the Soviet Union. Without an ABM, deterrence is as effective against China as against others; and a Safeguard system designed for area defense against the Chinese may, in the eyes of Soviet planners, pose a threat to their deterrent.

2. *Control on Missile Testing*. A ban on MIRVs would require a prohibition on all multiple warhead tests and limits on a number and location of all missile tests. We believe that such controls would be feasible and desirable.

3. *Reduction*. We believe that the U.S. should seek agreement on reduction in numbers of strategic systems. In particular the U.S. should consider proposing the phasing out of fixed land-based missiles which will become increasingly vulnerable even if MIRVs are banned.

Depending on how these and related issues are resolved, a whole range of agreements is possible. One type of agreement which most of us would favor would seek to freeze the existing situation by banning MIRVs and ABMs. A second type would concentrate on banning ABMs and phasing out fixed land-based missiles if it does not prove possible to ban MIRVs. A third type would focus on freezing numbers of offensive missiles and limiting ABMs if it is not possible to ban MIRVs and if the judgment is reached that an area ABM against China is needed. On our current understanding of the issues most of us favored the first type of agreement.

We believe that the initiatives and agreements we propose will enhance U.S. security by improving the prospects for peace. These efforts can also lead to the wise and prudent use of our national resources. The expenditures thus avoided would amount to at least several billion dollars a year in the short run and much more in the long run if the U.S. and U.S.S.R. enter into a new and costlier phase of the arms race. The SALT talks, and the clearer assessment of our real security requirements which may result from those talks, may prevent these expenditures. More of our resources can then be devoted to human needs, both at home and abroad. This is an important aspect of our national security. Unless urgent social needs are met, our national security may be progressively undermined, not by external threats but by failure to meet internal and justifiable social needs.

The negotiation of a treaty to end the arms race will involve many complex technical details. But the overriding considerations are not technical; they are deeply political. They require a fresh and clear reassessment of the fundamentals of U.S. security.

We must recognize that it is at least as dangerous to focus on "worst cases" as it is to overlook significant threats to our deterrent. If one proceeds from the most pessimistic view of U.S. capabilities, and the most generous view of the Soviet capabilities, one arrives at a U.S. second-strike posture that may look to the Soviets so much like a first-strike posture that they will be inclined to increase their own forces, thereby continuing the arms race and increasing the danger of nuclear war. In fact, the proper test for the adequacy of U.S. nuclear retaliatory power is not the U.S. worst estimate of its effectiveness, but the Soviet estimate of the damage it would suffer in a nuclear exchange. That estimate will not be based on assumptions that take the Soviet performance at its best possible level and the U.S. performance at its worst. If we arm against a "parade of imaginary horribles" on the part of an adversary, the adversary will do the same, and we will have devised a sure prescription for a dangerous and wasteful arms race.

We have made this mistake in the past, from a misdirected sense of caution. In the interests of our own security we must not make this mistake again. We must end the nuclear arms race.

PARTICIPANTS IN THE AMERICAN ASSEMBLY ON ARMS LIMITATION—1970

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Palfrey, John G., Professor of Law, Columbia University.

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Persinger, Mrs. Richard, Chairman, Committee on Public Affairs, National Board of the Y.W.C.A., New York.

Posvar, Wesley W., Chancellor, University of Pittsburgh.

Rathjens, George W., Professor of Political Science, Massachusetts Institute of Technology.

Scoville, Herbert, Jr., Carnegie Endowment for International Peace, Washington, D.C.

Shulman, Marshall D., Director, The Russian Institute, Columbia University.

Stone, Jeremy J., International Affairs Fellow, Council on Foreign Relations, New York.

Stuhler, Barbara, Associate Director, Minnesota World Affairs Council, Minneapolis.

Yarmolinsky, Adam, Professor of Law, Harvard University.

FIVE STATEMENTS ON ARMS CONTROL

Mr. CASE. Mr. President, I also draw the Senate's attention to five remarkable statements made before the Subcommittee on Arms Control, International Law and Organization of the Foreign Relations Committee, which has been holding hearings on America's strategic weapons policy in relation to the strategic arms limitation talks and our national security.

These statements seem to me to be unusual in their clarity, rigorous logic, and insight into one of the greatest issues of our time; the maintenance of American security through arms control. I believe they deserve our most thoughtful attention.

Of course, the views that these gentlemen hold are not the only ones the subcommittee intends to hear. The case for the expansion of the Safeguard ABM and the deployment of multiple warheads also deserves close study. We hope that the bashfulness of the Defense Department will not interfere with our hearing that side of the issue.

I ask unanimous consent that the statements of Mr. McGeorge Bundy, Dr. Herbert F. York, Dr. W. K. H. Panofsky, Dr. A. Doak Barnett, and Dr. Herbert Scoville, Jr., be printed in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT BY HERBERT F. YORK BEFORE THE SUBCOMMITTEE ON ARMS CONTROL, INTERNATIONAL LAW AND ORGANIZATION OF THE SENATE FOREIGN RELATIONS COMMITTEE, APRIL 8, 1970

Mr. Chairman and Members of the Committee: I appreciate very much having the privilege of appearing before your committee at this particular crucial moment. I plan to discuss the ABM and the MIRV and their relationship to each other and to the arms race as a whole. I should like to begin by first describing how we got where we are, and then speculating a bit on where we're going to be if the current attempts to halt the arms race fail. I will also present my views on how the current ABM and MIRV developments and deployments affect the prospects for a successful outcome to the SALT talks.

In 1955, about a year after the United States started development of its first Inter-Continental Ballistic Missile, the Army asked the Bell Telephone Laboratories to make a study of the feasibility of an Anti-Ballistic Missile. The problem was then thought of as being simply how to hit a "bullet with a bullet," or more accurately, how to intercept large simple incoming warheads one at a time. The Bell Laboratories concluded that the technological state of the art in radar, electronic computing, nuclear explosives and rocketry had reached a point such that it was indeed feasible to build an ABM with that simple objective. As a result, the Nike Zeus project was started late in 1956.

Very soon after, it was recognized that the defense problem might well be complicated by various hypothetical "penetration aids" available to the offense. The Office of the Secretary of Defense set up a committee to review the matter. In early 1958, this committee pointed out the feasibility of greatly complicating the missile defense problem by using decoys, chaff, tank fragments, reduced radar reflectivity, nuclear blackout and last, but by no means least, multiple warheads.

At first, the designers of our offensive missiles did not take missile defense very seriously. By 1960, however, technical progress in our own Nike-Zeus program, plus accumulating evidence of a major Soviet effort in the ABM field, forced the developers of our ICBM's and Polaris missiles to take this possibility into account. These weapons designers accepted the challenge, and they initiated a number of programs to exploit the possibilities enumerated above. Thus began the technological contest between missile defense and missile offense which continues to the present and which was discussed before this committee in considerable detail last year.

For our purposes here today, the most important result of this contest was the emergence of the multiple warhead idea as the most promising of all the various "penetration aid" concepts. At first, the idea involved a shotgun technique in which a group of warheads plus some lightweight decoys were to be launched along several different paths all leading to a common target area. But shortly after, methods for aiming each of the individual warheads at separate targets were invented. The reasons for this extension of the original idea were: 1) it provided additional flexibility for the offense, 2) it made the defense problem still harder, and 3) it was more complicated and expensive, and thus provided the weapons engineers and scientists with a still better means of displaying their technological virtuosity. This extension of the original idea is, of course, the new well-known MIRV, an acronym standing for Multiple Independently-targetabel Reentry Vehicles. It is, I think, most important to note that these early developments of MIRV and ABM were not primarily the result of any careful operations analysis of the problem or anything which might be described as a "provocation" by the other side. Rather, they were largely the result of a continuously reciprocating process consisting of a technological challenge put out by the designers of our own defense and accepted by the designers of our own offense, then followed by a similar challenge/response sequence in the reverse direction. In this fashion, our ABM development program made very substantial progress during the early sixties.

Concurrent with this internal contest, the Soviets were making progress on their own. As early as 1962, Premier Khrushchev and Defense Minister Malinovsky boasted about how they had solved the missile defense problem. By 1965, Soviet progress in development and deployment of an ABM had proceeded to the point where we felt compelled to react. As a result, we decided to deploy MIRV as the one certain means of assuring penetration of Soviet defenses and thus maintaining the credibility of our deterrent.

What was the result of this cycle of action and reaction? Last year, in the course of the national ABM debate, it was said that the Soviets had deployed a total of about 70 ABM interceptors, all of them around Moscow. This year, it was announced that the U.S. was going ahead with its plans to deploy MIRV's on our Minute Men and on our sub-launched Poseidon missiles. Using figures generated by this committee last year, we see that the result of this U.S. reaction will be a net increase of around 5,000 in the number of warheads aimed at Russia. If every one of those Soviet interceptors was successful in the event of an attack (and I have substantial doubt that they would be), they could cope with just 70 of those additional 5,000 warheads. The deployment of the Moscow ABM must rank as one of history's most counterproductive moves. It also shows more closely than any speculative analysis how, despite its defensive nature, the ABM can be a powerfully accelerating element in the nuclear arms race.

But that's not the whole story. The Russians have proceeded with a multiple warhead development of their own. Their program apparently is a number of years behind ours. It was probably stimulated by our program, and their technologists probably used the same justifications for it that ours did. The device they are currently testing is the payload package for the large SS–9 missile. It is said to contain three separate warheads of five megatons each. The present device may not be a true MIRV, but there is no doubt they could develop one soon.

After making a number of estimates and projections concerning the accuracy, the reliability, and the current deployment and rate of build-up of such SS–9 missiles, our defense officials concluded last year that the threat posed by this Soviet MIRV required us to deploy the Safeguard ABM system to defend our Minute Man force. We thus see that the whole process has made one full turn around the spiral: Soviet ABM led to U.S. MIRV; U.S. MIRV led to Soviet MIRV; Soviet MIRV leads to U.S. ABM.

Last year, some of those who spoke in favor of the Safeguard System described the Soviet MIRV development as being especially dangerous and foreboding because it seemed to them that its only rational purpose was to destroy our Minute Men before they could be launched. They further speculated that if this were so, the Soviet MIRV indicated preparation for a possible preemptive strike against us. These same people argued, by contrast, that our own MIRV development was clearly benign, since its main purpose was to maintain the credibility of our deterrent in the face of a hypothetical extensive Soviet ABM, and that, in any event, our MIRV was clearly not a "missile killer."

The main argument in support of this supposed difference between the purposes of the U.S. and Soviet MIRV's involves the large difference in their explosive power. The Soviet SS–9 MIRV is said to have an estimated yield of 5 megatons. This yield is twenty-five times the yield usually quoted for one of the individual warheads in the U.S. Minute Man MIRV; it is one-hundred times as large as the common estimate of a single Poseidon MIRV warhead. These large differences in yield are doubtless real, and they are important, but they are not by any means the whole story. The killing power of a warhead against a hard target, such as a missile silo, depends much more critically on accuracy than on yield. In fact, a factor of 3 in accuracy makes up for a factor of 25 in yield, and a factor of 4.6 in accuracy makes up for a factor of 100 in yield. To be more specific, a Minute Man MIRV warhead having a yield of 200 KT and an accuracy (or CEP) or about ⅛ of a nautical mile has a 95% chance of destroying a so-called "300 psi" target (which is a typical estimate of the strength of hardness of a missile silo). Similarly, a Poseidon MIRV warhead having a yield of 50 kilotons and an accuracy of about $\frac{1}{16}$ of a mile has the same probability of destroying a missile silo. And what are the prospects for attaining such accuracies? The accuracy of real operational missiles is classified, but in last year's debates, a figure of about ¼ of a mile for U.S. accuracies was commonly used. That is quite different from ⅛ or $\frac{1}{16}$ of a mile, but what is the record of progress in improving accuracy? In 1944, the German V–2 missile, which used a primitive version of the same kind of guidance system as the present day Minute Man and Poseidon, achieved an accuracy of about 4 miles in a range of about 200 miles. Ten years later, when the decision to build the U.S. ICBM was made, an accuracy of five miles in a range of 5,000 miles was estimated as both possible and sufficient. That was an improvement of twentyfold in the ratio of accuracy to range. Now we talk about ¼ mile at the same range, so in an additional 15 years, we have achieved another factor of 20.

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Altogether, that makes an improvement of 400-hold in only 25 years. Any conservative Russian planner considering these figures would have to conclude that in a relatively short time U.S. technology could improve missile accuracy by another factor of two or four and thus convert not only the Minute Man MIRV but even the Poseidon MIRV into a missile-silo-destroyer.

We have seen that the SS-9 MIRV is causing our Defense Department to fear for the viability of out deterrent and to react strongly to it for that reason. In the present international context, and in the absence of any real progress in arms control, the Soviets must be expected to react to our MIRV in some similarly fear-inspired way.

ABM and MIRV are thus inseparable; each one requires and inspires the other. Separately or in combination, they create uncertainty in each of the nuclear powers about the capability and even the intentions of the other. These uncertainties eventually lead in turn to fear, overreaction, and further increases in the number and types of all kinds of weapons, defensive as well as offensive.

What about the future? In the absence of international arms control agreements. what can we expect? Predictions are, of course, very uncertain, but one can single out some likely possibilities.

The ABM is a low confidence system. The expressions of confidence in the system made by those who supported it last year are bound to give way to a more realistic appraisal by the time the system is deployed. When that happens, the defense establishment will turn in accordance with the precepts of "worst plausible case" analysis to other methods of insuring the survivial of the Minute Man. Of the various possibilities, the surest, quickest and the cheapest, is simply to adopt the Launch on Warning Doctrine. This doctrine involves, first: detecting that a launch of enemy missiles has occurred; second: analyzing the information in order to determine whether the launch endangers our missile forces; and, third: if it does, launching our missiles toward their targets before the incoming warheads can catch them in their silos and destroy them. This method of coping with the problem nas been in people's minds since the beginning of the missile program.

In the early fifties, we anticipated that the early warning systems then foreseen would provide about fifteen minutes' notice before enemy warheads landed. For that reason, the original Atlas was designed to be launched within less than fifteen minutes after receipt of orders to do so. One of the major reasons in the early sixties for switching to the Titan II, with its storable propellants, and the Minute Man with its solid propellants, was that the time from the "go signal" to the actual launch could be made still shorter.

Many of the people who have proposed this solution to the problem are thoughtful and moderate, but even so, I find this resolution of the dilemman to be completely unsatisfactory. The time in which the decision to launch must be made varies from just a few minutes up to perhaps 20 minutes, depending on the nature of the attack, and the details of our warning system, communication system, and our command and control system. This time is so short that the decision to launch our missiles must be made either by a computer, by a pre-programmed President, or by some pre-programmed delegate of the President. There will be no time to stop and think about what the signals mean or to check to see whether they might somehow be false alarms. The decision will have to be made on the basis of electronic signals electronically analyzed, in accordance with a plan worked out long before by a political analysis in an antiseptic and unreal atmosphere. In effect, not even the President, let alone the Congress, would really be a party to the ultimate decision to end civilization.

If launching *our* missiles on electronic warning does not seem so bad, then consider the situation the other way around. Our current technical developments, specifically greater accuracy and reliability of missiles, MIRV and ABM are pushing the Russians in the same direction. Further, in their case a far larger fraction of the deterrent is provided by fixed land-based forces than is ours, and so they have an even greater need to find a truly reliable means of protecting their deterrent from a preemptive attack by us. If we continue with our MIRV developments, and thus force the Soviets to go to a Launch on Warning System, can we rely on them to invent and institute adequate controls? Do they have the necessary level of sophistication to solve the contradiction inherent in the need for a "hair trigger" (so that their system will respond in time) and a "stiff trigger" (so they won't fire accidentally)? How good are their computers at recognizing false alarms? How good is the command and control system for the Polaris-type submarine fleet they are now rapidly, if belatedly, building? Will it be "fail-safe?"

It cannot be emphasized too strongly that unfavorable answers to these questions about *their* capability will mean diminished national security for *us*. Yet there is no way for us to assure favorable answers to them. The only way we can avoid the danger to our security inherent in these questions is by eliminating the need to ask them. Strategic Weapons systems on both sides must be designed so that no premium is put on a preemptive attack, and so that neither side is forced to adopt the kind of "hair trigger" epitomized in the "launch on warning" concept.

Fortunately for us, the Soviets have also expressed concern about this problem. In words very similar to those used before this committee last Spring, Foreign Minister Gromyko last Summer said, "(There) is another matter that cannot be ignored. . . . It is linked to a considerable extent to the fact that the command and control systems for arms are becoming increasingly autonomous. . . . from the people who create them. . . . The human brain is no longer capable of assessing at sufficient speed the results of the multitude of instruments. The decisions made by man depend in the last analysis on the conclusions provided by computers. Governments must do everything possible to be able to determine the development of events and not to find themselves in the role of captive of events."

The nuclear arms race has led to a situation that is at once absurd and poses a dilemma. Ever since the end of World War II, the military power of the United States has been steadily increasing, while at the same time our national security has been rapidly and inexorably decreasing. The same thing is happening to the Soviet Union.

At the end of World War II, the United States was still invulnerable to a direct attack by a foreign power. In 1949, the development of the Atomic Bomb by the Soviet Union ended that ideal state of affairs, perhaps forever.

By the early 1950's, the USSR, on the basis of its own unilateral decsion to accept the inevitable retaliation, could have launched an attack on the U.S. with bombers carrying fission bombs. Most of these bombers would have penetrated our defense and the American casualties could have numbered in the tens of millions.

During the late fifties and early sixties first thermonuclear bombs and then intercontinental missiles became part of the equation. As a result, by 1970, the USSR, again on the basis of its own unilateral decision to accept the inevitable retaliation, could launch an attack that could produce 100-million or more American casualties.

This steady decrease in national security does not result from inaction on the part of responsible U.S. military and civilian authorities. It is the inevitable consequence of the arms race and the systematic exploitation of the fruits of modern science and technology by the USA and the USSR. Our attempts to deploy bomber defenses during the fifties and sixties did not substantially modify this picture, and ABM deployment will, I believe, have an even smaller direct impact on the number of casualties we might suffer in a future attack.

Nearly everyone now recognizes the futility of the arms race, and nearly everyone now realizes that still more of the same baroque military technology is not going to provide a solution to the dilemma of the steady decrease in our national security that has accompanied the increase in our military power. The SALT talks are one hopeful result of the widening recognition of the absolute necessity of finding some other approach to the problem, and finding it soon.

So, how does ABM (and MIRV) affect these talks? We must consider both of these elements of the arms race since they are really inseparable. ABM automatically leads to MIRV, and vice versa. There are at least two major effects.

First of all, ABM has both a multiplying and a rachet effect on the arms race; its deployment produces a stepwise, irreversible increase in the number of offensive missiles required. It does not matter whether it is Chinese-oriented or Soviet-oriented. Consider a Chinese-oriented ABM. People who propose such imagine the Chinese blackmailing us with just a few (50–100) ICBM's by threatening to destroy some small but vital part of the U.S. Since the defensive coverage of an ABM interceptor is small compared to the dimensions of the U.S., since Hawaii and Alaska must also be defended, and since the offense in this special and peculiar case could concentrate all of its missiles on just one small area of the U.S., we would need many times as many ABM's as the Chinese have missiles. If they have no penetration aids, we might get by with only 24 times as many interceptors as they have missiles; however, if they do have good decoys or multiple warheads, a cautious U.S. defense planner would call for a great many more. Thus, a really serious Chinese-oriented ABM system requires many thousands of U.S. ABM interceptors. Now reverse this and ask what the Russians would have to do in the face of such a supposedly Chinese-oriented U.S. ABM deployment. In their case we do not imagine them as merely blackmailing us by threatening to destroy a few cities. Rather, we imagine them as trying to deter us, as we try to deter them.

According to the current fashion in strategic analysis, in order to achieve deterrence it is necessary to have an offensive force which, after weathering a surprise attack against it, can still retaliate and destroy a large fraction of the enemy population and industrial base, and as much of his offensive forces as may still remain in silos and on bases. In order for the Soviets to be able to do that, they must be able to penetrate *all* parts of our ABM shield with whatever force they might have left after a first attack by us. And to guarantee that outcome, a conservative Soviet planner would have to call for many more total Soviet offensive warheads than there were total U.S. interceptors. Thus, an ABM designed to cope with blackmail by 50–100 Chinese missiles, can produce a multiplying and a rachet effect requiring a total Soviet warhead inventory much larger than the more than 1,000 they even now possess. Clearly, in such an event we cannot hope to achieve any meaningful strategic arms limitation.

A second way in which ABM and MIRV affect the possibility of a successful outcome of the SALT talks is through the uncertainties they introduce into the strategic equation. The main uncertainty connected with ABM is the one that has been so per-

XUM

sistently raised here: how well will it work? The main uncertainty connected with MIRV has to do with the impossibility of knowing how many warheads were actually poised for launch. As is well-known, we are fairly confident about our ability to know how many missiles they have, but as others have pointed out, it is quite another matter to know how many MIRV warheads each missile carries.

At present, then, each of us is fairly confident in his predictions about the results of a hypothetical nuclear exchange, and each is confident that he has an adequate force to deter the other. With ABM and MIRV, this confidence will be greatly weakened, and neither of us will be sure of what we could do to the other, and what they could do to us. Unfortunately, experience has clearly shown that such gross uncertainties produce an atmosphere in which arms control agreements are practically impossible. For example, for more than a decade, similar uncertainties about detecting underground explosions combined with wild speculations about the kinds of developments which might flow from a secret series of underground tests have inhibited any progress toward eliminating such tests and thus achieving a complete nuclear test ban. In the same way, the uncertainties inevitably associated with ABM and MIRV will lead us into a similar morass, and no progress will be possible in the extremely vital area of strategic arms limitations.

In summary: The steady progress of the arms race has led to an equally steady and seemingly inexorable decrease in our national security and safety. Today, the strategic balance is such that Strategic Arms Limitation agreements, which could bring an end to the nuclear arms race, seem possible. ABM and MIRV threaten to upset this balance in a way which will make such agreements impossible, or at least extremely difficult. ABM and MIRV are inseparable; each inspires and requires the other. They must be stopped before it is too late if we are to avoid another increase in the magnitude of the nuclear holocaust we all face.

We must do everything possible to ensure a positive outcome to the SALT talks. The interim freeze on the deployment of offensive and defensive strategic weapons, now being considered by the Senate, is one such move.

Statement of McGeorge Bundy Subcommittee on Arms Control, International Law and Organization, Committee on Foreign Relations, April 8, 1970

Mr. Chairman and Members of the Subcommittee: I am happy to accept your invitation to testify on the arms race, and I am particularly happy to appear in company with Dr. York. I would like to associate myself strongly with his basic argument.

My broad view of the arms race was stated last October in an article in FOREIGN AFFAIRS, and to save the time of the Committee I would like, with your permission, to offer that article for the record instead of repeating it. Its principal conclusion was simply that the strategic arms race between the United States and the Soviet Union has gone too far, threatens to go further, and should be stopped by an early agreement between these two great powers. Since then SALT has begun in a businesslike way, and our Government is now considering what its position will be as the talks resume in Vienna next week.

My own strong belief is that the best next step for the United States in this field is to follow the course proposed in Senate Resolution 211. That Resolution first states the sense of the Senate that prompt negotiations be urgently pursued between the two great powers, and on this point I think there is little or no disagreement among Americans. The second part of the Resolution expresses the sense of the Senate that we should now propose an immediate suspension by both sides "of further deployment of all offensive and defensive nuclear strategic weapons systems." An excellent basic argument in favor of this Resolution is developed in the report submitted by Senator Fulbright, and I will not waste your time by repeating it. Let me rather offer ten brief comments on the significance of your Committee's position.

1. I assume that in passing Senate Resolution 211, the Senate will be urging the President to propose to the Soviet Union the mutual suspension of these deployments for some reasonable term during which further progress could be made toward a definite agreement. There are some who suppose that the word "moratorium" implies a form of permanent self-entanglement, but as I understand it no such self-entanglement is either necessary or intended.

2. I strongly support the statement in the Committee Report that an agreed suspension of deployment of strategic systems will necessarily imply a suspension also of tests—as well as deployment—of such emerging systems as MIRV. The Committee Report makes the correct connection between the Soviet SS–9 and the American MIRV. This connection goes both ways. Just as the Soviets must limit SS–9 if they wish to stop MIRV, so I believe that if we are to get any early limit on SS–9 deployment, we ourselves must place MIRV on the bargaining table.

3. I believe that there will not be much progress in SALT until the United States Government is prepared to make a specific proposal. I think the odds are heavy that it will prove wise and right for us to move first. The Committee has heard the sensitive and perceptive testimony of Professor Marshall Shulman on Soviet attitudes towards arms negotiation. I share his view that Soviet wariness is at least equal to our own. Our experience, understanding and present strength make it right for us to take the initiative.

4. Specifically, I believe that as a part of any proposal for an agreed moratorium the United States should take a first step by announcing a suspension of its own deployment of ABM and MIRV for a limited time. Such a time could and should be relatively brief, and its extension could and should depend upon the promptness and seriousness of Soviet response. There might be some marginal inconvenience for our defense organization in such a suspension, and our already overwhelming strategic war plans might need marginal revision if specific planned deployments are delayed—but there is no real or present danger in such a limited suspension, and if we want results in SALT, we should try it. How long such a trial should be, and precisely what it should include, are matters I do not attempt to cover, since it would be unwise for a private citizen to try to define the exact length and direction of any first step. My point is simply that we should begin by an action as well as a proposal.

5. This belief rests not on any sentimental notion that we must be more virtuous than the Russians, but rather upon the deep conviction that effective limitation and reduction of the strategic arms race is an objective deeply in our own national interest as well as the interest of all mankind. It is wholly false to suppose that the national security is always served by adding strategic weapons and never by their limitation. In the world of the 1970s the truth is more nearly the opposite. We have more than enough strategic weapons today. The addition of new systems which will inevitably produce further Soviet systems is not the road to safety for anyone in any country.

6. In particular we should be on guard against the notion that it is useful to press the development or deployment of any given weapons systems because of its value as a bargaining-counter for SALT. It is quite true that if we get nowhere in SALT and if Soviet strategic expansion continues, we shall have to take careful stock of our own needs. But there is no evidence at all that pressing the deployment of systems we do not yet need is likely to have a constructive effect on Soviet behavior in SALT. There are times and topics for toughness with Moscow, but SALT in April is not one of them, and many of those who urge this tactic are men who do not want SALT to succeed. It will be very hard to get a good agreement even if we do only what we have to do. It will probably be impossible if we provide unnecessary ammunition to Soviet weapon-lovers by pressing our own deployments relentlessly throughout the talks.

7. In moving toward effective limitation of the arms race, we shall need to be alert and skeptical against distractions and diversions from those whose special interests may be threatened. This history of arms negotiation includes many examples of efforts by the partisans of particular weapons systems to prevent any agreement at all. During the negotiations before the Limited Test Ban Treaty, for example, it was suggested that the Soviets might obtain some decisive advantage by secret nuclear tests conducted behind the sun or by the construction of underground holes so big that the very existence of a test could not be detected. These arguments now rest properly in the dustbin of dead fantasy. But now new dangers are depicted in the effort to justify a refusal to limit or delay our own new weapons systems. Such arguments should be subjected to most meticulous and skeptical analysis, and in such study the role of the Congress is of high importance.

8. There is a particular danger in the uncritical acceptance of doctrines of strategic superiority—or even sufficiency—which may be used by zealous men in support of their own preferred weapons. This is as true of the Eisenhower Administration's belief in "prevailing" in a general war as it is of later doctrines of "assured destruction" and "damage limitation." All of these forms of words can be used to justify excessive expenditure on unnecessary strategic systems. At present there are four new criteria of strategic sufficiency, but the Administration has not told us what they are. According to press reports, these criteria include "assured destruction," "hostage equality," "crisis stability" and "third country protection." If the Administration and the Congress are not alert and watchful, criteria like these can be protective umbrellas for unchecked strategic expansionism. They can also be roadblocks in the way of arms limitation. They deserve public discussion. My own conviction is that the realities of strategic nuclear weapons are not subject to control by such verbal formulae. In the language of Justice Holmes, I believe that criteria like these tend to be spiders' webs inadequate to control the dominant facts.

9. The main proposition which we need to understand in order to limit the dangers of the nuclear age is that enough is enough. The Soviet Union and the United States have long since reached and passed that point. Each is now able to do totally unacceptable damage to the other, no matter how a nuclear catastrophe begins. Sane political leaders on both sides know this reality for what it is. It is of course possible that some still unknown technological development might genuinely disrupt this fundamental parity, but there is no evidence whatever that any such development is likely in the present decade. So we have enough, and more than enough, and we are on the edge of a most unstabilizing and dangerous escalation. Now is the time to stop.

10. The Committee Report recognizes what I would like to emphasize in closing: that

XUM

while citizens can comment and the Senate can advise, only the President can decide. It will take negotiation to reach agreement, and the official position of the Government of the United States can be stated to the Soviet Union only by our President and his authorized agents. The President must choose the timing and the shape of any initiative he takes; in the end his leadership is what will decide. As he considers the possible choices and deliberates on decisions which have not yet been made, the President is entitled to the thoughtful advice of the Senate, and in this field, where the weight of bureaucratic influence has historically been heavily on the side of *arms* as against arms *control*, such advice can be of particular value to him. The easy course is always to avoid decisions; politically the argument for weapons is easy, and the argument for acts of restraint is hard. A President who wants to take the lead needs all the help he can get. The Senate can give such help, and in this situation it is obviously the duty of citizens to respond to the Senate's request for their honest views. I have stated mine, and I will be glad to try to answer your questions.

Testimony of A. Doak Barnett, Senior Fellow, the Brookings Institution, Before the Subcommittee on Arms Control, International Law and Organization, Senate Foreign Relations Committee, April 9, 1970

Mr. Chairman and members of the Subcommittee, let me begin by saying that I am very grateful for this opportunity to meet and discuss with you a number of questions relating to arms control—questions focusing on the ABM and the SALT talks and their relevance to the broad problem of U.S.-China relations.

I would like to make two preliminary comments about my statement. First, the views I will express today are purely my own, and do not in any way represent views of The Brookings Institution, which does not itself take any stands on policy issues. Secondly, since I have very recently written an article (appearing in the current issue of *Foreign Affairs*) which summarizes many of my views on questions we are considering today, I am taking the liberty of drawing material from that article for the purposes of the statement I am now presenting to you.

We are now, in my view, at a rather critical juncture in the evolution both of our policy toward China and our policy regarding arms control.

For the first time in several years, there now appears to be at least a limited basis for hope that movement can take place in our relations with mainland China, movement which may reduce tensions and increase contacts between us. The current Warsaw talks will help to determine whether some progress is possible, or whether the freeze of the last two decades will continue.

At the same time, I believe that the arms control negotiations which we and the Russians have initiated are clearly the most important ones in the postwar period. We are about to meet again in Vienna at a time when both sides are poised to deploy new weapons systems—in our case, ABMs and MIRVs—if no agreements to forego such systems can be reached. Decisions made in the period immediately ahead by Washington and Moscow individually, and by both at the SALT talks, will determine, therefore, whether the U.S.-Soviet arms race will accelerate or slow down in the years immediately ahead. These decisions will also—and this is one of the major points I wish to make today—have a very significant impact on the prospects for improved U.S.-China relations. The evolving triangular relationship among the U.S., Soviet Union, and China is now such that any action by one or two of the three inevitably affects the others.

Since my assignment today is to focus attention on matters relevant to U.S.-China relations, and specifically to consider how we should view the ABM issue and SALT talks in relation to the "China problem," I will not comment on other fundamental questions, such as whether effective ABM systems are technically feasible or how they might affect the stability of the U.S.-Soviet balance. I assume that others will discuss these questions with you.

Let me proceed with my assignment and start by saying that I believe the Nixon Administration is to be commended for the new general approach it has adopted in our overall China policy. In his February 18 report to Congress on foreign policy, the President stated that we do not now wish to "isolate" mainland China but rather hope that in time it "will be ready to re-enter the international community," that we look forward to a "more normal and constructive relationship" with the Peking regime, that "the principles underlying our relations with China are similar to those governing our policies towards the U.S.S.R.," and that we will "take what steps we can toward improved practical relations with Peking." This is a very sound and very encouraging approach, in my opinion. Moreover, the limited steps we have taken recently to implement this approach—namely the liberalizing of passport and travel regulations and the reduction of trade restrictions, are highly desirable and deserve strong support. The Administration should now be urged to continue making further and more substantial steps along these same lines—for example, by removing all restrictions on nonstrategic trade with mainland China.

However, having said this, I must immediately go on to say that in my view, the deployment of an anti-Chinese ABM area defense would be extremely undesirable and would, in fact, run directly counter to, and tend to undercut, the basic objectives that underlie our new overall China policy.

Deployment of an anti-Chinese ABM would be both unwise and unsound, I believe, for a number of reasons. Let me summarize these briefly now, and then proceed to elaborate on some of them at greater length.

(1) The ABM is not necessary for the defense of the U.S. against any foreseeable "Chinese threat." For the indefinite future, the U.S. will continue to have overwhelming nuclear superiority in relation to China, and there is every reason to believe that our superiority will operate effectively to deter the Chinese from any offensive nuclear actions or threats. It is not necessary, therefore, to try to achieve a total damage denial capability by building ABMs.

(2) If the U.S. insists on building an anti-Chinese ABM system, Peking will probably interpret this to mean (whatever Washington says to try to convince it otherwise) that we are determined to maintain an unrestricted capability of making "first strike" threats against China, and that we insist on denying China the ability to acquire even a limited, defensive, "second strike" capability. There is every reason to believe that this would tend to reinforce Peking's worst instincts in interpreting our motives and would work against the possibility of improving our relations.

(3) China's present opposition to all international arms control agreements is rooted, in part at least, in its basic sense of vulnerability and nuclear weakness. Peking obviously has been, and still is, fearful of threats by the superpowers of the U.S.-Soviet "collusion" directed against China. Until China achieves a minimal defensive deterrent itself, this situation is likely to continue. However, once the Chinese do acquire a limited "second strike" capability, it is at least conceivable that leaders in Peking may at that point be more inclined than at present to consider the advantages of arms control agreements in terms of their own interests. If so, the chances of inducing China to participate in arms control may increase at that point. An anti-Chinese ABM will probably work to postpone that day.

(4) For these and other reasons, the U.S. should itself forgo building an anti-Chinese ABM area defense system, and in addition should attempt, at the SALT talks, to reach agreement with the Soviet Union that neither we nor they will build such systems. If, in the absence of such agreement, either or both proceed to deploy anti-Chinese systems, this will tend to reinforce Peking's fear of anti-Chinese collusion between Washington and Moscow, which at the least would complicate, and could well seriously set back, the prospects for improving U.S. relations with China.

Let me now elaborate on some of these points, starting with a few comments on Chinese motivations, nuclear capabilities, and foreign policy behavior, and how one should view the "Chinese threat."

There is no doubt, I believe, that ever since 1949 the Chinese Communist regime, in its relations with the superpowers, has felt very vulnerable to external pressures and possible attack by one or both of the major nuclear powers. Particularly since the late 1950's—following the Sino-Soviet split and the start of U.S.-Soviet collaboration in the arms control field—Peking has felt itself to be, in a sense, "encircled" by the two superpowers. It is still, in a fundamental sense, weak and knows it; its basic posture in big power relations is, therefore, of necessity defensive.

One of China's basic aims has been, and still is, to acquire at least a minimal nuclear deterrent to improve its ability to deal with the U.S. and Soviet Union. Its hope is to achieve a position less unequal than in the past, and to strengthen its bargaining position and leverage in relations with the big powers. Above all, its aim is to deter attack against China and reduce China's vulnerability to external pressures. This is the basic military-strategic motivation behind its nuclear program.

Without attempting to summarize in detail the progress of China's nuclear program, let me say that while its technological progress has been impressive in many respects, its actual nuclear capabilities are very limited and will remain so for a long time to come—because of the relative weakness of China's resource base.

By the middle or latter 1970's China will, at best, have accumulated perhaps 15 to 40 operational ICBMs plus 100 to 200 MRBMs and a limited number of other bombs deliverable by aircraft. (The most recent Defense Department estimates suggest that by 1975 China may have 10 to 25 ICBMs and 80 to 100 MRBMs.)

To provide a crude basis of comparison, today, the U.S. and the Soviet Union each has over 1,000 ICBMs, plus many thousands of other nuclear weapons deliverable by a variety of sophisticated systems including missiles, airplanes, and submarines.

Projections of China's nuclear capabilities through the 1970's make several things clear. There is no possibility that in the foreseeable future Peking can aspire to parity with the U.S. and the Soviet Union in the nuclear field. The Chinese cannot come close to achieving a "first strike" capability against either of the superpowers. Under any conceivable circumstances, in the event of a Chinese attack, Washington or Moscow could retaliate massively.

The question is whether—and if so, when, and with what consequences—China may be able to acquire a limited, defensive, "second strike" capability which will serve as a minimal deterrent for China—that is, a capacity, if subjected to U.S. or Soviet nuclear attack, to retaliate and hit at least some targets

XUM

in the attacking country or, in the U.S. case, possibly American forces in the Pacific or bases in allied countries. To date, it has yet to achieve this.

If the U.S., and Soviet Union, forego building anti-Chinese ABM systems, they will, in effect, be accepting the fact that by the latter 1970's, China will have acquired a small defensive, "second strike" capability.

What risks or costs would this involve? It would require acceptance of the fact that the U.S., and the Soviet Union, cannot with impunity consider or threaten nuclear "first strikes" against China. One can question, however, whether this would involve high costs. The arguments and inhibitions against considering nuclear "first strikes" in most conceivable situations are already very great. (Conceivably, this may be less true for the Soviet Union, than for the U.S., as the vague hints about a possible preemptive strike in 1969 suggest, but even Moscow must feel strong inhibitions about initiating a nuclear "first strike.") Moreover, in most limited conflicts in Asia, nuclear weapons are likely to be almost irrelevant.

The possibility that key non-nuclear powers such as Japan, India, and Australia might feel more vulnerable and threatened cannot be ignored. If this impelled them to embark on independent nuclear programs, the cost in relation to U.S. aims (including the desire to prevent proliferation) would be substantial. Yet, as long as such countries have confidence in the U.S. commitment to defend them against nuclear threats, and as long as it is clear that American nuclear superiority in relation to China is such that any offensive nuclear threats by Peking would not really be credible, there is no reason why China's acquisition of a minimal deterrent should basically alter the position or the views of such countries.

It is sometimes argued that if the U.S. maintains a "first strike" capability against China and builds invulnerable defenses, presumably by developing ABMs, the Japanese are likely to have greater confidence in our defense pledges. I believe that it is much more likely, however, that if the U.S. focuses on such a defense strategy, rather than relying on the continued applicability of mutual deterrence, the Japanese may conclude that the U.S. in a crisis situation might concern itself only with its own defense and abandon interest in allies not protected by such defenses.

The fact is that not only have the Chinese to date resisted whatever temptation they may have felt to engage in "bomb rattling," it is difficult to see how, from their position of nuclear inferiority, they will have any significant capacity for credible "nuclear blackmail" in the foreseeable future. Peking's cautious emphasis, to date, on defense as its sole aim in developing nuclear weapons suggests that Chinese leaders may already realize this.

Some might fear that once the Chinese believe they have acquired a credible deterrent, they might tend to become more aggressive in areas such as Southeast Asia, feeling that they could take more risks in non-nuclear or sub-nuclear situations, involving conventional weapons, because they would be less vulnerable to nuclear counter-threats. Whether one considers this to be a significant risk depends very much on one's general assessment of China's foreign policy goals, strategy, and behavior.

If one views China as a power committed to broad territorial aggression and expansionism by military means, willing to take large risks, and prone to irrational action (i.e., inclined to commit aggression without regard for possible consequences), there would be cause for major concern. However, among specialists on Chinese affairs, both in and out of the U.S. government, there appears to be a fairly broad consensus that analysis of China's behavior and doctrine over the past two decades does not support this view. In general, this consensus, which I believe is sound, maintains that:

Although China encourages revolutionaries abroad, it is not committed to broad territorial expansionism. Among its national goals is the recovery of certain areas that it considers to be lost territories, but even in regard to these territories its inclination is to pursue long-term, low-risk policies, not broad military expansionism.

It appears to be pre-disposed to keep Chinese military forces within China's boundaries, and it seems likely to continue doing so, except in cases where it feels Chinese security—or that of a Communist buffer state on its periphery—is seriously threatened (as it did in Korea).

Its primary stress, both in the structure of its conventional military forces and the doctrine governing their use, is on defense rather than offense.

It cannot and does not ignore the possible risks and costs of large-scale conventional war, even when nuclear weapons are not involved, and it places a high priority on the desirability of avoiding large-scale war of any sort with the major powers.

It is strongly pre-disposed, in general, to low-cost, low-risk policies. While it clearly encourages and supports revolutionary struggles in other countries, such support does not include Chinese manpower on any significant scale. Even Maoist doctrine insists that all revolutionaries must be "self-reliant," and should depend primarily on indigenous resources; it opposes the use of Chinese forces to fight other revolutionaries' battles for them.

China has used pressures and probes against its neighbors for a variety of purposes, but in doing so its use of force has generally been carefully calculated, limited, and controlled.

In crisis situations, it has tended to act with considerable prudence and caution, and repeatedly it has moved to check escalation when there has appeared to be a serious risk of major conflict.

There is, of course, no absolute guarantee that these patterns of behavior, which seem to have characterized Chinese actions over the past two decades, will persist in the future. Nevertheless, there is a remarkably broad consensus among China specialists that they are likely to continue. In fact, there is a fairly widely-held view—a view that I share—that post-Mao leaders are likely to be more pragmatic and realistic than Mao, and subject to even greater internal as well as external constraints.

As a result of the internal disruptions caused by the Cultural Revolution in China during the past four years, the Peking regime has clearly been weakened in some respects. Consequently, there are now new constraints, in fact if not in theory, on Chinese policy, which will certainly affect its strategies abroad.

Moreover, as a result of the steady deterioration of Sino-Soviet relations in the 1960's, the "Russian threat" appears to have replaced the "U.S. threat" as Peking's major foreign policy preoccupation, and this seems to have impelled the Chinese leadership to consider new options and strategies, to reduce China's present isolation and vulnerability and explore new opportunities for maneuver and flexibility.

It is at least plausible to believe, therefore, that future Chinese leaders may downgrade the importance of revolutionary aims (not ending, but possibly deemphasizing, Chinese activity in this field) and upgrade the importance of state-to-state relationships and more conventional political and economic instruments of policy. There is remarkably little support among China specialists for the idea that China is now, or is likely to be in the future, prone to act in an irrational or highly reckless manner, which it would certainly be doing if it were to ignore the continuing fact of its nuclear inferiority, and its vulnerability to both conventional and nuclear retaliation, even if, and when, it acquires a minimal deterrent.

If these judgments are correct, there are strong reasons to assume that once China achieves a nuclear deterrent it can be expected, in a basic sense, to act much as the other nuclear powers have, and to be constrained, as they are, by the realities of nuclear deterrence. There is little basis for arguing that the U.S., or Soviet Union, can feel secure vis-à-vis China only if they have a total damage denial capability and an unquestionable ability to threaten China with a "first strike". To argue this is to argue, in effect, that the U.S. and the Soviet Union can only feel secure under conditions that guarantee that the Chinese will continue to feel highly insecure.

As I stated earlier, if the U.S. operates on other assumptions and proceeds to build an anti-Chinese ABM, this will not only tend to strengthen Chinese suspicions that we are determined to maintain a potentially threatening "first strike" capability against China and to deny China even a minimal defensive "second strike" capability, it will also tend to postpone the day when China may be willing to consider participating in international arms control agreements.

Fundamental change in China's posture on strategic and nuclear arms control issues will not be easy for Peking to make, under any circumstances, because of China's basic weakness relative to the two superpowers. However, if one asks when and under what conditions a more flexible and pragmatic leadership in China might be inclined to change its posture on arms control, and even begin to see arms control measures as in the interest of China as well as of the other powers, the answer would seem to be the following: When China is convinced that its own nuclear development has reached a stage where it has at least a minimal credible nuclear deterrent—that is, some kind of defensive "second strike" retaliatory capacity—so that it will be able to deal with the U.S. and Soviet Union on terms less unequal than at present.

It is not easy to define when this point will be reached. But it will doubtless be reached eventually, whether or not we build an anti-Chinese ABM. It is almost certain that in time the Chinese will have acquired a sufficient nuclear capability so that no one could be sure whether, if China were subjected to a "first strike", it could not mount a significant retaliatory strike, at least against allies or forces in the Pacific if not against the U.S. itself.

Whenever the Chinese, and we, are convinced that China has acquired some sort of limited "second strike" capability, the possibility that Peking may reconsider its present blanket opposition to arms control may increase, for a variety of reasons. The realization that pursuit of parity is a will-o-the-wisp is likely to begin to sink in, in China. Moreover, once China has acquired any sort of credible deterrent, some Chinese leaders may conclude that it is more feasible to try to reduce the gap between China and the superpowers through agreements limiting (or reducing) U.S. and Soviet capabilities than by trying to catch up in a hopeless race. And, as the cost of deterrence goes up (it inevitably must, as China gets involved in more sophisticated hardware), and as the competition for resources in China increases (between those stressing economic development and those emphasizing defense) there may be greater pressures within China, on economic grounds, to limit investment in strategic arms development.

The construction of anti-Chinese ABM systems would be likely, therefore, to postpone the day when there may be some realistic

XUM

hope of including China in international arms control. It would tend to raise the level of nuclear development which Peking's leaders will consider essential as a minimum goal. And in general it will tend to make more remote the possibility of establishing a "more normal and constructive relationship" with China and the possibility of inducing Peking to "re-enter the international community"—which are now our stated, and in my opinion eminently sensible, goals.

What does all of this suggest regarding the decisions we should make and the policies we should pursue regarding an anti-Chinese ABM system—both in our own consideration of the problem and in discussions with the Russians at Vienna?

I strongly believe we should clearly decide that, in terms of our broad national interests and aims, we should not build an anti-Chinese ABM system, because it conflicts with the main thrust of our new China policy and is unnecessary for our defense—wholly apart from other possible reasons. The cost of such a system would certainly be in its disfavor, too, but clearly the costs would be tolerable if it were essential in terms of our defense and foreign policy goals. The point is that it is not only unessential, but would tend to be damaging in terms of our overall objectives.

We should not only make this decision ourselves; we should also in the SALT talks attempt to reach agreement with the Soviets on this issue, so that both we and they will forego traveling this road. This would be desirable in relation both to our aims regarding China and our desire to check the U.S.-Soviet arms race.

Both the U.S. and the Soviet Union must concern themselves, more than they have in the past, not only with the problem of strategic stability in their bilateral relations but also with the task of inducing China, over time, to improve relations in general and, eventually, to participate in arms control efforts and accommodate more fully than it has to date to the requirements of the nuclear age. Neither need fear that the Chinese will be able to achieve a "first strike" capability, or approach nuclear parity, in the foreseeable future. Nor should they consider China's eventual acquisition of a minimal deterrent to be a special danger. While it is true that China's acquisition of a credible deterrent will improve Peking's defensive capabilities, it will not significantly alter the overall nuclear balance. Moreover, China can be expected to act much as other nuclear powers have, and to be constrained, as others are, by the realities of mutual deterrence. Equally important, when China achieves a credible deterrent, Peking's leaders may be more inclined than at present to reassess their strategic policies and consider the value of arms control.

The hope should be that Moscow as well as Washington will see the importance of this. But even if Moscow does not, the U.S. in shaping its own strategic and arms control policies, should take the "China problem," as well as the problem of U.S.-Soviet bilateral relations, fully into account.

Safeguard, ABM, and SALT

(By W. K. H. Panofsky)

(Testimony before the Disarmament Subcommittee of the Committee on Foreign Relations, U.S. Senate, April 13, 1970)

Last year I had the opportunity of discussing the Phase I ABC deployment decision before this committee; I very much appreciate the privilege of appearing before you again this year. Again, to avoid any misunderstanding, let me say that I am testifying as an individual scientist who has been involved in defense matters in general, and ABM in particular, for a long period of time. My first official contact with the subject was in 1955 when I served on the Scientific Advisory Board to the Air Force, which recommended the establishment of the Ballistic Missile Early Warning (BMEWS) System. I have been participating in various advisory roles on these and related subjects to the government since that time.

I. OUTLINE OF TESTIMONY

Last year, during his press conference of March 14, 1969, the President gave three reasons for wishing to go forward with Phase I of the Safeguard System. These were:

A. Protection of the land-based deterrent (Minuteman and SAC air fields).

B. Protection against an accidentally launched missile.

C. A thin area defense against small nuclear powers, in particular Mainland China.

In connection with announcing his deployment decision the President emphasized several additional points last year. Among these are:

A. He did not wish the ABM deployment to threaten the Soviet deterrent against U.S. attack. For this reason he specifically ruled out deployment of ABM in the role of defense of U.S. cities against Soviet attack; in contrast a defense dedicated solely to defending Minuteman silos does not threaten the Soviet deterrent.

B. The deployment decision should not endanger the chance of success of the forthcoming SALT talks.

As I testified last year, I welcomed the President's statement that he did not wish to endanger SALT and that he did not wish to escalate the arms race further by endangering the Soviet deterrent, thus forcing the Soviet Union towards further increases of offensive weapons. However, I am opposed to the Phase I deployment as actually carried out by the Department of Defense and to the proposed Safeguard expansion; these steps do not meet the President's objectives in many essential respects, as summarized here:

A. The Safeguard system does very little, if anything, to protect the Minuteman force—better protection could be achieved at a lower cost on a comparable or shorter time scale.

B. The President stated in his press conference of January 31, 1970, that he had been assured that the system would provide a "virtually infallible" defense against ICBM attack from China. Safeguard does not fit this description, nor does technology permit construction of a dependable ABM shield over the entire country.

C. A National Policy requiring a highly effective ABM defense against Mainland China implies an ever-growing deployment of city defense ABM's which would threaten the Soviet deterrent in contrast to the President's stated objectives.

D. An expanded ABM deployment, as now proposed, in particular considering its stated objective as being an anti-China defense, seriously interferes with the flexibility the President will have in negotiating an acceptable ABM level with the Soviet Union at the SALT talks.

The President promised that this program will be reviewed annually from the point of view of:

A. Technical development.

B. The threat.

C. The diplomatic context, including any talks on arms limitation.

Where, then, is the *new experience* on which the decision to expand ABM deployment now was to be based? There has been no construction activity on the sites authorized last year; the contract to develop the first site for future technical use was awarded by the Army just two weeks ago. The date at which equipment can be received at the sites has slipped by almost one year. None of the technical results in the ongoing development work have made Safeguard look better. On the contrary, several factors exist which tend to degrade the expected performance of Safeguard: The ability of the PAR to function in the presence of nuclear explosions is highly dubious, and the computer severely limits the performance of the system in handling large attacks; also, costs have risen substantially.

Where is the *new threat* justifying ABM expansion? The Soviet threat against Minuteman has indeed been growing, but it is just in defending Minuteman against growing threats that Safeguard is now admitted to be uneconomical and ineffective. As a "hedge" to counter the Soviet threat we can develop a system specifically designed to protect Minuteman on a time scale at least as fast as that of Safeguard, and at much lower cost. Estimates of a Chinese ICBM threat have been slipping farther into the future, yet we are now re-emphasizing the anti-China mission of the Safeguard.

What is the *diplomatic context* to justify expansion of Safeguard now? The agreed level of ABM deployment which might arise from the SALT talks will control more than any other single factor the total level of strategic armament at which we might be able to freeze the weaponry of the world as a result of SALT. Authorization to expand Safeguard with emphasis on its anti-China mission would thus *endanger the success of SALT*, since the negotiability with the Soviets to reduce ABM levels is limited by such a decision. The argument for an expensive but technically ineffective expansion of Safeguard in order to "negotiate from a position of strength has little merit: Although the Soviets have greater total explosive power in their nuclear arsenal, we have numerical superiority of three to one in nuclear warheads, and U.S. MIRV's are ready for deployment.

The sequence of events between last year's Safeguard decision and this year's request for expansion gives little confidence that we are embarking on an "orderly, phased" deployment, carefully tailored to changing circumstances. This is the time to push toward a halt in the nuclear arms spiral—a race which has cast a shadow over the history of our time.

II. THE VALUE OF SAFEGUARD IN PROTECTING MINUTEMAN

During the past year the Soviet threat against the Minuteman force, due to growth of the numbers of Soviet SS-9 missiles of high explosive power, and owing to the recognized technical possibility of improved accuracy of Soviet missiles, has increased at approximately the rate forecast by Secretary Laird last year. However, a threat against Minuteman is not synonymous with a first strike capability against the U.S., let alone a first strike intent. In last year's testimony it was conclusively demonstrated that a first strike threat against the United States would have to envisage a simultaneous attack against the American Minuteman force, the SAC bomber fleet, and the Polaris-Poseidon fleet on a time scale which is technically impossible because of existing U.S. earnly warning capabilities. I note that under current policies each of these U.S. forces is designed to be able to inflict enormous damage on the Soviet Union and Mainland China; even after absorbing a first strike the level of damage the U.S. could inflict would be such that the society of the attacker would be unlikely to survive.

Nevertheless, in view of the reality of the emerging threat against Minuteman it might be prudent to consider a number of alternatives to improve the U.S. deterrent, such as:

A. ABM defense of the Minuteman force against missile attack.

B. Phase-out of the land-based deterrent force and relying for deterrence entirely on an airborne bomber force and an improved or amplified submarine force.

C. Increase in the hardness of the Minuteman force or improvement of its chance for

XUM

survival under attack through increased mobility.

D. Increase in the number of Minuteman silos at a rate sufficient to stay ahead of the Soviet threat.

E. Limitation of the threat by "freezing" the number of Soviet missiles as a result of the SALT talks, possibly preceded by an agreed temporary moratorium during the talks.

Naturally, the last alternative is the most attractive one from the point of view of the peace of the world; thus nothing should be done to endanger the success of SALT.

Secretary Laird has testified that he considers this year's request for military authorization (which includes expansion of the Safeguard system at a cost of $1.450 billion of new obligational authority) to be a "holding" operation in order to avoid the difficult decisions this year among the alternate options listed. He maintained that defense of the Minuteman silos is a nonthreatening "hedge" to lengthen the period of time over which Minuteman might be expected to survive. With this conclusion I agree, as I also agreed with the President's stated objective to protect Minuteman. However, during last year's hearings, many witnesses (and I among them) introduced severe technical criticisms which have never been answered satisfactorily by the Defense Department on the role of Safeguard in Minuteman defense. The dominant points of these criticisms were: The Safeguard system provides only a single, very expensive (about $200 million) radar for each Minuteman complex and only a very small, still classified, number of Sprint missiles to protect the Minuteman silos and the radar. If, therefore, the radar were to malfunction, or be destroyed by enemy attack, then the whole system collapses. Attack on the radar is an attractive enemy tactic, since the missile site radar is much "softer", that is, vulnerable, than the missile silos it defends.

Defense of an entire Minuteman complex by a single MSR radar contradicts the fundamental philosophy of the Minuteman system: The value of Minuteman as a deterrent is based on the survival of each silo, independent of any other silo which might be destroyed. The single radar on which the entire defense depends is thus the "Achilles' Heel" of the entire system and a substantial part of the defense has to be dedicated to protecting this radar, i.e., to "defending the defense."

This criticism is aggravated by a second objection never answered by the Defense Department: The Soviet SS-11 missiles (which now exist in much larger quantities than the SS-9's) are at present of sufficient accuracy and explosive power to destroy the missile site radar, although they do not endanger the Minuteman silos. Thus in effect a Safeguard defense to protect Minuteman against the SS-9 could be totally negated by the Soviets even if the system were deployed today.

During the last year it has become clear beyond a reasonable doubt that if the defense of Minuteman were the only, or even the principal, function of Safeguard, its deployment clearly could not be justified. Not only is the number of Minuteman silos saved by the Safeguard deployment negligible, but it is also clear that if the attempt were made to increase the protection offered by Safeguard by increasing the numbers of missiles and radars using the Safeguard technology, then such an undertaking would be enormously expensive. Specifically, the cost per silo defended would be many times the cost of each Minuteman saved and the defense cost would also exceed the cost of the enemy missiles which could be intercepted with confidence.

These criticisms have now been tacitly agreed to this year by the Defense Department. Secretary Laird in his statement on February 20, 1970, before the Joint Session of the Armed Services and Appropriations Committees of the Senate, proposed:

"If, in the future, the defense of Minuteman has to be expanded, new and smaller additional radars placed in Minuteman fields would be less costly than the Safeguard Missile Site Radar (MSR) because they would not have to cover such large areas. For this reason we will pursue a program to determine the optimum radar for such a defense and begin the development of this radar and associated components in FY 1971 . . ."

Similarly, the Secretary of the Air Force stated before the Senate Armed Services Committee in March 1970:

"If the Soviets continue to increase the threat (against Minutemen) it may prove most cost effective to rely on a broader list of defensive measures . . . *close hardpoint defense*, hardening and multi-basing as examples . . ."

The Deputy Secretary of Defense recently testified to the House Committee on Armed Services:

"For example, we have under consideration a new, smaller, less-expensive radar and data processor aimed *specifically* at *close-in* defense of Minuteman . . ."

In contrast the Secretary testified last year on April 16, 1969, that he saw:

"no feasible substitute for Safeguard . . ."

The Secretary of Defense has now proposed an additional appropriation of $158 million for these new development programs, intended to protect Minutemen by techniques better than Safeguard. This is an admission of the validity of the technical criticisms voiced last year: Those witnesses opposing Safeguard deployment maintained that a more effective and less expensive way to defend Minuteman would clearly be a system which employed smaller radars rather than a large, vulnerable one. The Defense Department now recognizes belatedly that any hope of a reasonably effective defense of Minuteman would require the development and deployment of a system of defense of hardened Minuteman silos, rather than being a general purpose development such as the Safeguard adaptation of the former Sentinel and Nike-X systems, which were primarily designed as city defense ABM systems.

A frequent "criticism of the critics" voiced last year was, "Assuming you are right, that Safeguard is technically very poorly suited to defending Minuteman, but considering the evolving threat, can we afford to wait to develop a better system specifically designed for defending Minuteman?" The answer to that is "Yes, we can." the total schedule for deploying the Safeguard Phase I defense is not controlled by providing the hardware, that is, the missile and radars, but is paced by the unprecedented complexity of the computer and the associated programming which is required to control the system.

Last year Secretary Packard testified that the data processing job was a large one and this year DOD witnesses testified that progress was "satisfactory." What they did not state was that the programming task not only control the level of threat which can be handled, but also paces the entire deployment schedule. *Therefore, "doing the job right" will not delay the time at which Minuteman could be defended, and may in fact shorten it.*

Last year critics expressed concern that the *performance* of the PAR radar would be impaired by the proximity of nuclear explosions. This year Dr. Foster testified on February 24, 1970: "We have encountered no serious problems in *engineering* the PAR." What he did not state is that the concern of the critics is more than justified: Nuclear bursts degrade the expected performance of the PAR to such an extent that there is great doubt that the PAR can contribute to the defense of Minuteman at all, and that furthermore its role in area coverage is seriously impaired. I consider this a "serious engineering problem."

The totality of all these technical facts amounts to one thing: Even if Safeguard functions perfectly it offers significant protection to Minuteman only over a very narrow band of threats; if the threat continues to grow as rapidly as it is at present, Safeguard is obsolete before deployed; if the threat levels off, Safeguard is not needed. If one combines this fact with the likelihood of catastrophic failure of the single radar and computer controlling the system, and the fact that a less failure-prone and more effective system to defend Minuteman can be produced on the same time scale for less money, Safeguard looks like a very poor use of the shrinking defense dollar indeed.

III. THE DEFENSE AGAINST CHINESE ICBM'S

There is now general agreement that the mission of defending Minuteman alone cannot justify Safeguard Phase I deployment, let alone deployment of an amplified Safeguard system. Therefore, the principal motive for wishing to go forward has again become the role of the system in defense of cities; it was this role which was de-emphasized in the testimony of Department of Defense witnesses last year, e.g., the Deputy Secretary of Defense testified before this Committee on March 26, 1969:

"I must say that I am very pleased to know that you and I have come to the same conclusion on this matter—that an ABM defense of our cities makes no sense and that it is the kind of thing that does lead to escalation of the arms race. That is one of the first conclusions I came to after getting into the study of this matter. That is why I have recommended a different course—the course of protecting our retaliatory capability rather than protecting our cities."

However, the President put city defense again into primary focus as an anti-Chinese defense during his press conference of January 31 of this year. This shifting role of Safeguard was described by Senator Gore last year by the words "a defense looking for a mission;" we now find that such a multiple role system is very poorly suited for the defense of Minuteman and is also of little value in offering total protection against a possible Chinese threat.

Although there has been progress in the development of Chinese nuclear devices our projections of a Chinese ICBM capability have continuously slipped in time. We expected that the Chinese would undertake an experimental launch of an ICBM in 1967 (as was recently mentioned by Secretary Laird), but now the expectation of such an event has slipped to 1970, a shift of 3 years. What is the new urgency for an anti-ICBM defense against China?

The President, in his press conference of January 31, 1970, indicated that he had been assured that Safeguard would provide a "virtually infallible" defense to provide a "credible foreign policy in the Pacific areas." Presumably under such an umbrella the U.S. can use its nuclear power in response to Communist moves without exposing its population.

I will not enter into the controversial question whether the threat by the U.S. of a nuclear "massive retaliation" against unacceptable Communist moves is a wise or moral policy in Asia; I only would like to point out that for this role Safeguard is subject to many valid technical objections. The thin area defense proposed is very fallible indeed for many reasons. Among these are:

A. Any system as complex as an ABM and which can never be tested is subject to many sources of failure—human or technical.

B. Since the PAR radar is required for complete area coverage the nuclear environment produced both by explosions of the defensive Spartan missile and the incoming missile can interfere with proper functioning in many ways.

C. Since each interceptor will never have perfect reliability there is always a good chance of the enemy's attack "leaking through."

D. The area defense against China is of no value at all until one has completed the full deployment of all planned sites, since otherwise it can be bypassed by ICBM attack against uncovered areas. Hawaii and Alaska are not covered.

E. Many mechanical devices designed to penetrate ABM defenses and which can be added to ICBM's with relative ease are well known. These could be adopted by the Chinese at their option to confuse and thus defeat the radar.

F. Should the Chinese really plan or threaten a suicidal attack against the U.S. they would have means other than an ICBM to deliver a nuclear explosion to the U.S. homeland, for instance by smuggling in a bomb.

Secretary Packard, in his testimony to the Committee on Armed Services of the U.S. House of Representatives, agreed that "Relatively simple devices like tank fragments have a limited ability to deceive a sophisticated defense system like Safeguard." I would go beyond this by stating that the Safeguard area defense can definitely be defeated by tactics as simple as tank fragmentation (the U.S. did this in its ATLAS Program in the mid-fifties!), as well as other simple penetration devices such as balloons. It is well known from more than a decade of experience that defeating the defense by presenting many confusing objects outside the atmosphere is no longer a technological challenge.

In his testimony Secretary Packard tried to minimize the threat of such Chinese moves by pointing out that the Chinese would have to construct range instrumentation to monitor whether the tank had actually exploded and would have to possess detailed knowledge of the characteristics of Safeguard. Since the President was proposing protection in "perhaps ten years from now" it is clear that the Chinese are fully capable of providing such simple radar instrumentation once they have successfully mastered the technology of ICBM development itself.

Considering this combination of facts *it is clear that an area defense system such as Safeguard can never be expected to achieve total protection.* Defeating Safeguard, if desired by the Chinese, would, of course, require additional effort, but it is an effort which they are clearly capable of undertaking. The only hope would be that the Chinese would not choose to adopt measures to defeat Safeguard, or would fail to remedy some essential defect of their ICBM's.

I am impressed how tortured the argument of the DOD witnesses has become: In order to justify Safeguard as a defense against Soviet missiles and to justify immediate deployment of MIRV against suspected clandestine Soviet ABM defenses, we are giving the *Soviets* credit for a degree of performance and reliability of their military systems which we could not dream of achieving ourselves; when talking about an "infallible" defense against *China* we are assuming that even a decade from now the Chinese could not achieve results we accomplished fifteen years ago!

The serious inadequacy of the area defense against China will, of course, become apparent as time goes on. As a result pressure will mount to add progressively to the "thin" defense to make it more and more effective against the conjectured threat from Mainland China. ***This means that once the U.S. has adopted the policy that it needs a complete shield against China the stage is set for an ever-expanding but never fully effective ABM system at enormous cost.***

It is this last conclusion, namely that adoption of an anti-Chinese ABM policy leads us to a technological arms race with China, which gives rise to the most serious concern: Pressures will rise to have each area of the country covered by a thicker defense so that *each* center of population can be protected against the *total* Chinese ICBM force. But the very existence of a growing U.S. city ABM system, however dubious its performance, would lead the *conservative Soviet* planners to conclude that their deterrence against U.S. first strike nuclear attack is threatened: Therefore the Soviets will press for expansion of their offensive weapons. Conversely, the *U.S. conservative* planners, being well aware of the technical deficiencies of Safeguard, are ignoring the protection it may offer in their strategic force planning. It was for this reason that last year President Nixon in his March 14, 1969, press conference ruled out a substantial city defense ABM; he agreed that such a move would be escalatory and hence undesirable. This year this position appears reversed through the emphasis on defense against China, although in the intervening year no developments have created a new urgency to deploy an anti-Chinese ABM.

IV. RELATION OF ABM TO SALT

In the previous sections I have demonstrated that Safeguard is ineffective in defending Minuteman, and is incapable of providing a tight umbrella over the U.S. to defend reliably against ICBM attacks which Mainland China might be able to launch late this decade. Despite the clear technical limitations of Safeguard as an anti-Chinese defense the very fact that the President has stated such a defense to be a U.S. policy objective creates a danger to the success of SALT. Fortunately the President has emphasized, in particular in his more recent statements, that he considers ABM levels fully negotiable in the forthcoming SALT talks. I hope that he can justify to the American people giving away in negotiation with the *Soviets* a system which he is now persuading the American people is a defense we need against *Communist China*.

While emphasizing the negotiability of ABM deployment the President and DOD witnesses urge an expanded Safeguard system now, in spite of the obvious technical inadequacies, in order to be in a position of "negotiating from the strength" at SALT. The expressed fear is that since the Soviet strategic forces are growing in numbers, while the seven billion dollar U.S. strategic budget is only buying qualitative improvements, the Soviets will not feel under sufficient military pressure to negotiate a limitation of strategic arms under terms acceptable to the U.S. But are we really negotiating from weakness? Quite apart from MIRV deployment, the status of U.S. vs. Soviet intercontinental strategic defensive forces (as presented on February 20, 1970, by Secretary Laird) is given in the following table:

UNITED STATES VERSUS SOVIET INTERCONTINENTAL STRATEGIC OFFENSIVE FORCES

	Sept. 1, 1968		Sept. 1, 1969	
	United States	Soviet	United States	Soviet
ICMB launchers	1,054	900	1,054	1,060
SLBM launchers	656	45	656	110
Total launchers	1,710	945	1,710	1,710
Intercontinental bombers	646	150	581	140–145
Total force loadings weapons	4,200	1,100	4,200	1,350

This belies the fact that the U.S. is in an inferior position. At present the U.S. is clearly ahead by a large factor in the total number of deliverable nuclear warheads while the Soviets are ahead in terms of the total explosive power of their weapons. Under current circumstances neither side could deliver a first strike against the other without exposing itself to a retaliatory blow of such enormous magnitude as to endanger the very survival of the society of the attacker. However, the Soviets appear to be racing ahead to achieve a nuclear "war fighting" capability and the U.S. has already acquired nuclear strategic armaments greatly in excess of those required for deterrent purposes only. What better time could there be for both sides to attempt to freeze strategic armaments near current levels rather than escalating the arms race further by trying to negotiate "from a position of strength?"

Once the Congress approves an expanded Safeguard under the announced policy to give full protection against Chinese ICBM's it will be difficult for the U.S. negotiators to propose ABM levels below those authorized at home. In turn the Soviets will find it impossible to agree to ABM levels on their own below those proposed by the U.S. I note that current Soviet ABM deployment levels consist of only the few interceptors and associated radars deployed around Moscow. The *expanded* Safeguard system now before the Congress involves more interceptor missiles than those deployed around Moscow and is technically much more advanced. An ABM freeze agreed at SALT at a level no lower than that of the expanded Safeguard system would thus permit and in fact encourage the Soviets to further expand and improve their ABM systems.

If the agreed ABM levels are high then both sides will insist on higher levels, both qualitatively and quantitatively, of offensive arms in order to retain their deterrent against the other country. *Thus the level of ABM defenses which may be agreed on at SALT ultimately will control the limit which one has any hope of imposing on both the offensive and defensive strategic weapons of the two nations.*

The level of ABM deployment which will be agreed on at SALT is even more critical than the question of prohibition on MIRV testing and deployment and the associated questions of verification of such a MIRV ban. A highly accurate MIRV, if deployed, can only threaten the fixed land-based deterrent of the other side; for example, the multiple nuclear warheads of the SS–9's may endanger our Minuteman, and Soviet fears that upgrading and accuracy of the U.S. Poseidon and Minuteman III MIRV's may endanger the Soviet land-based missile silos are well justified. In contrast, ABMs threaten to intercept ballistic missiles from wherever they are launched—land or sea— and therefore will raise doubts on the effectiveness of the entire deterrent missile force of each country.

The terms of a SALT treaty setting a level of ABM at agreed numbers of interceptors or radars other than at "zero" would be difficult to police: It is much easier to assure compliance with provisions which prohibit a weapons system entirely than with a specific limit on the number of weapons. Once both sides have agreed to ABM levels as high as those of the advanced phases of Safeguard, then the fears of clandestine upgrading of the Soviet ABM system into an even larger system sufficient to endanger the U.S. deterrent will gain in substance. Once radars as

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sophisticated as the Safeguard MSR are extensively deployed around the Soviet Union, and once other components of a "legal" ABM system are widely deployed, then clandestine upgrading using some of the existing parts of the air defense system is much harder to prevent. *I therefore foresee a real danger that if the agreed levels of ABM deployment at SALT turn out to be no lower than that of the expanded Safeguard, then in turn we will be unable to accept a freeze on the quantity of our offensive missiles or a ban on MIRV deployment and testing.*

Specifically, the objections to a moratorium on MIRV deployment, or a prohibition of MIRV under SALT voiced by DOD witnesses in the past, have been based on the assertion that MIRV's are required to penetrate Soviet ABM. While I conclude that such statements have no technical validity at present, they may become valid if increases of ABM in the Soviet Union are permitted or in fact encouraged at SALT. It is this chain of events which leads to the conclusion that the decision to expand Safeguard now is a clear danger to the entire success of the SALT talks, both in regard to limiting strategic offensive and defensive missiles.

V. CONCLUSION

There can no longer be any question that ABM has escalated and will continue to escalate the nuclear arms race; let me review some recent history: Suspected deployment of ABM by the Soviets has given the incentive for U.S. development of the MIRV, deployment of multiple warheads by the Soviets has given last year's justification for the U.S. deployment decision on Safeguard, the possible expanding role of Safeguard in protecting our cities will give rise to Soviet fears of being able to maintain their deterrent against us, the possibility of improving the accuracy of American MIRV's with which we are trying to counter Soviet ABM's appears to threaten Soviet missile silos, etc. In short, starting from the concern about ABM deployment, the world is embarking on the next large step of the arms race. Yet the world has now strategic nuclear armament sufficient to destroy life as we know it on both the European and North American continents and in fact to endanger survival of the entire human race. *The various arguments in which contrived situations are created to justify even further expansion of this enormous arsenal in the name of "security" must be weighed against the resulting ever-increasing danger of accident and inadvertent escalation into nuclear war.*

SALT extends the hope to freeze nuclear strategic arms at their present levels which are already vastly in excess of those required to maintain a strategic balance between the two super powers; SALT may even extend hope for reduction from these levels. I have presented technical evidence that the actual Safeguard deployment contrasts sharply with the justification stated by the President, that the anti-Chinese rationale for Safeguard impedes the negotiability of ABM levels at SALT, and that any level of ABM other than a very minimal one will endanger seriously the success of SALT in achieving meaningful arms limitation. I urge that the Congress express its intent to bring the arms race under control through successful SALT negotiations by rejecting any expansion of the Safeguard ABM system at this critical time.

OPENING STATEMENT BY DR. HERBERT SCOVILLE, JR., APRIL 13, 1970

Mr. Chairman, it is a great pleasure to come before your Committee again, this time as a private citizen after having met with your Committee for many years as a member of the Government. In this connection, I should like to emphasize that any statements I may make here today are my own personal views and do not necessarily reflect those of the Carnegie Endowment for International Peace for whom I am now working parttime. Furthermore, I would like to make it clear that I have not had access to classified Government documents or positions on SALT, and so what I say should not in any way be construed as describing its views.

I have been asked and am particularly pleased to be able to present to you my thoughts on the subject of verification since this has been and is a key problem in achieving arms control. Any limitations on strategic arms, whether they be by formal agreement or occur as a result of mutual understanding, must be able to be verified to provide confidence that violations which would endanger security are not occurring. Unless this confidence exists, any agreement will be dangerous, unstable, and probably not endure for very long.

Verification has been the stumbling block in negotiating almost all arms control agreements since World War II. The closed society in the Soviet Union has always fed fears in this country that the Soviets might use an arms control agreement to restrict a U.S. weapons program while allowing the Russians to continue their program clandestinely to the point of achieving a military advantage. A classic and perhaps over-emphasized example of this problem has been in the negotiation of a comprehensive test ban treaty. The U.S. has always feared that the Soviets could derive significant military gains by underground tests which could not be distinguished from earthquakes and sought inspections to clarify the nature of the seismic events. The Soviet Union resisted this desire as a threat to their society, and as a consequence no agreement on banning underground nuclear tests has yet been achieved.

In evaluating the adequacy of any verification procedures, it is important to emphasize that it is not necessary to be able to detect every possible violation but only to have the ability to detect violations which could significantly affect U.S. security. If a nation believes that there is a risk of the violation being discovered, it is unlikely that it would take that risk unless the violation provided a significant gain. Cheating on an ICBM launcher freeze by secretly building a dozen or even a hundred missile silos makes no sense when both nations already have more than a thousand missiles.

Any arms limitation together with its means of verification should also be designed to avoid continual alarms that violations were occurring, since if these occurred frequently the value of the agreement could be greatly reduced. Fears of minor infractions of the agreement should not be allowed to become a source of major international incidents. This can be avoided as much by proper phrasing of the agreement as by the mechanics of verification itself.

In general, arm limitation verification procedures are divided into two categories. The first are known as "national" or "unilateral" verification techniques which do not require any agreements for inspection within the boundaries of another nation. The second category are termed "onsite inspections" in which a nation would agree to allow nationals of another country to inspect within its territories to determine whether a violation had occurred. Intermediate to these categories would be those situations in which both sides agreed to conduct their operations so as to facilitate verification by national means.

Only in the case of the Antarctic Treaty has the Soviet Union allowed the use of onsite inspections to verify compliance with the treaty. At one time Chairman Khrushchev agreed in principle to three onsite inspections per year within the Soviet Union to monitor a comprehensive test ban treaty, but at that time the U.S. did not believe three a sufficiently large number. Since then the Soviet Union has withdrawn that offer. All others arms control agreements which have been negotiated have relied primarily on national means of verification. The limited test ban treaty is monitored by such national systems, and all countries have a high degree of confidence that significant violations are not occurring. The same is true of the undertaking in the outer space treaty not to place nuclear weapons in orbit around the earth. General Wheeler in testifying in support of that obligation said that he favored reliance on national means since he did not believe that the Soviet Union could, without U.S. knowledge, violate this provision so as to obtain a significant military advantage.

In this connection, it is interesting to consider briefly the history of the limited test ban treaty. This treaty is verified by highly sophisticated scientific national techniques, and I believe that all countries have a high confidence that any significant violation of this treaty could be detected. Nevertheless on several occasions since the treaty came into effect radioactive material from underground tests has been detected outside the boundaries of the country in which the tests were held. This could well be considered a technical violation since the treaty bans tests which cause radioactive debris to be present outside the territorial limits of the state under whose control the explosion is conducted. While these occassions have resulted in exchanges of notes and requests for explanation, both the U.S. and the Soviet governments have recognized that the events did not threaten either nation's security nor did they significantly increase the health hazards throughout the world. As a consequence neither nation has made a major international incident out of these possible technical infractions. However it is an example of where the wording of the treaty was sufficiently ambiguous as to permit a difference of views as to whether violation had occurred even though the verification procedures were quite satisfactory. Such ambiguities in treaty language should be avoided to the maximum extent possible, without at the same time incorporating so many technical details that the treaty could become inoperable as a result of unforeseen scientific developments.

Verification is not limited to arms control agreements but is also an important factor in our everyday unilateral national security planning. Decisions that are made on ICBM force levels, on whether to deploy an ABM, or on whether to develop MIRVs or other penetration aids to overcome a Soviet ABM are all based on the best information nationally available on Soviet armament programs. In this day-to-day unilateral planning it is not enough to just know that a missile has been deployed. One must also know the characteristics of that missile and have some basis for estimating the quantity and the timing of the total deployment program. Thus, the information required for unilateral planning is much more difficult to obtain than that required to monitor an arms limitation agreement where information that a single missile launcher had been added to the force would be all that might be required in order to verify that the arms control agreement was not being abided by.

A good example of where it would be much easier to verify satisfactorily an arms control agreement than the size of the force for unilateral planning would be in the area of mobile ICBMs. If, as a result of SALT, it were agreed that mobile ICBMs would be totally banned, then the ability to detect the deployment of even a single such missile would be sufficient to verify whether the agreement was being abided by. It would not be necessary to count precisely the number of mobile missiles deployed, which might be very difficult unless one had instantaneous observation of the entire Soviet Union, since the missiles could otherwise be moved from one place to another between observations. On the other hand in order to determine for our

XUM

unilateral force planning whether a Soviet mobile ICBM force, which had not been restricted by an agreement, posed a threat, one would need to know the size of such a force. This might be very difficult to accomplish with suitable reliability.

This example raises another point which should be kept in mind in evaluating the adequacy of verification capabilities for any arms control agreement. First one must always evaluate the relative risk from a possible violation against the risk which might exist if no arms control agreement were achieved. For example, the risk of an undetected Soviet violation of a ban on mobile ICBMs which the U.S. has no plans to deploy would be far less than the risk of no agreement which allowed the Soviets to build up a force of undeterminable size and characteristics. Further when programs are proceeding without any restrictions, information on the nature of new developments and deployments can often be confusing and misleading and consequently produce less than optimal unilateral U.S. weapons decisions.

Finally, adequate verification of limitations on strategic arms is greatly simplified at this time by the fact that both sides now have such large forces of survivable strategic weapons that any clandestine program in violation of a treaty would have to be very great before it could threaten our national security. Not only are the numbers large but there are also several different types of systems available in our assured destruction force, i.e., submarine launched missiles, hardened land-based missiles, and intercontinental bombers, so that a sudden unexpected threat to one system will not jeopardize the entire second strike force. Deterrence can be maintained by both sides despite large changes, either qualitative or quantitative, in the force structure of either side. For example, although the Soviets have trebled their missile force in the last five years they are still a long way from being able to prevent the U.S. from inflicting widespread and unacceptable devastation on the Soviet Union in retaliatory attack. Even if in the highly unlikely event that the Soviets succeeded in secretly developing a MIRV missile force which could destroy all U.S. land-based missiles, the U.S. would still have a force of 41 Polaris submarines each with 16 missiles, only a small fraction of which would be required to devastate the Soviet Union.

This was, however, not the case in 1960 when the deterrent force relied almost entirely on vulnerable bombers and had only a few or no ICBMs. Then, even a small increment to these missile forces would have had very significant military consequences. Likewise we are much better off technically to verify by national means the size and characteristics of the opposing strategic forces than in the 50's. While it is not appropriate for me to discuss our technical capabilities in an open hearing, I am sure it is no secret that our capabilities have improved markedly in the last ten years. Had they not so improved, it would not have been possible for Secretaries McNamara, Clifford and Laird to report year after year with high confidence on the size of the Soviet ICBM force, submarine force, and ABMs.

Any nation which attempts to violate any arms limitation agreement on a scale sufficient to obtain a significant military advantage will run some risk of being detected. Detection by disillusioned personnel or disclosure of the violation by an agent can never be ruled out for even the most secret program. However, such sources of information are unreliable and cannot be counted on by the U.S. when its vital security interests are at stake. Therefore since verification capabilities vary greatly for different phases of the weapons development cycle, arms limitation agreements should be designed to emphasize those phases which are at the same time easy to monitor and critical to security.

Research and development, while still in the *laboratory*, could rarely be reliably detected by either any type of national observation system or any acceptable onsite inspection scheme. Thus it is only when the development reaches the *testing* phase that strategic weapons programs become observable and provide opportunities to verify restrictions on development of new systems. Before most offensive missile systems can be reliably deployed, they require extensive tests at long range so that they can be observed beyond the borders of the testing nation. The U.S. has been able to observe Soviet ICBM tests consistently since their program began in 1957. Not only have successive Secretaries of Defense reported on the number of missile firings but in many cases on the characteristics of the weapons being developed. While defensive interceptor missiles do not travel such long distances, the high-powered radars which track the incoming warhead and guide the interceptors emit radio waves which can often be discernible at remote locations. Since much testing is relatively easily verifiable, it is frequently a good point in the weapons cycle to start applying limitations.

The *production* of strategic weapons is again more difficult to observe. Many components can be produced in small buildings and even a complete missile could be assembled in structures which might not be easily identifiable. National means of verification might locate many suspicious structures, and frequent onsite inspections might be required to provide sufficient confidence that violations of a ban on production were not occurring. For ABM systems it would be even more difficult since the missiles are smaller and the electronic components for the radars would be indistinguishable from those required for other purposes until they were finally assembled in the deployed radar. The one exception would be the production of missile launching submarines which employ for their construction large and relatively easily identifiable shipyard facilities.

Finally, looking at the last stage in the weapons cycle—*deployment*. It is relatively easy to observe deployment and determine changes in the size of operationally deployed systems. To simplify the verification it is usually best to have a complete ban or to freeze the number at existing levels rather than agreeing on a fixed number of items. After a freeze has been achieved, then the levels can be reduced by agreed numbers.

It is often not so easy to determine the characteristics of the systems deployed, since many of these are independent of the external configuration of the hardware. Once missiles with certain capabilities were demonstrated and proven in testing and particularly if troop training were observed, one must assume that they could be deployed, but it will frequently be impossible to know how many have been incorporated in the force and what will be their real operational capability. It would, for example, be difficult to verify with high confidence whether a new type of missile was being substituted for an existing one or whether improvements were being made to existing systems. Therefore, limitations on deployment should emphasize numbers of weapons rather than weapon characteristics.

In order to evaluate the ability to verify deployment limitations, it is necessary to look at each individual strategic weapons system. For the purpose of discussion today I have concentrated on those systems which would be most critical in a freeze on strategic offensive and defensive weapons.

LAND-BASED ICBM'S

Fixed land-based ICBMs require extensive launch site construction in order to provide the necessary hardening to make them resistant to blast from a nuclear explosion. This construction requires many months, and therefore ample time is available to permit its detection. In presenting his FY 71 Defense Program, Secretary Laird has reported with great precision the numbers of such Soviet launchers, both operational and their rate of construction, each year since 1966. While in theory it might be possible to build clandestinely at great cost in time and money a few additional launchers using elaborate camouflage techniques, such a violation would have no effect on U.S. security since they would be an insignificant addition to the already existing large forces of more than a thousand ICBMs on both sides. Therefore, a limitation on numbers of ICBM launchers could be adequately verified by national means without the need for any supplementary procedures.

Mobile land-based missiles would be more difficult to monitor, but even these require logistic support which would be difficult to conceal. This would be particularly true in the Soviet Union, where the road system is limited and the rail system well known. If large numbers were already deployed, it might be hard to obtain a reliable count of the number of such missiles since the missiles might be moved between observations. If deployment were nonexistent or small at the time the agreement was reached, then a large new deployment would become apparent. Therefore, a total ban on deployment of such systems would be preferable, since the detection of even one would constitute a violation. This country has not developed or deployed any mobile ICBMs and there are no reliable reports of Soviet deployment of either mobile ICBMs or IRBMs, although the Russians have displayed missiles in the Moscow parades which they claim to be mobile ICBMs. It is highly unlikely that the Soviets could secretly deploy the many hundreds of mobile ICBMs which would be required to affect the present strategic balance, but the sooner a ban took effect the easier the verification.

SUBMARINE-LAUNCHED BALLISTIC MISSILES (SLBMS)

Submarines which have large numbers of long range missiles and which can operate for protracted periods at long distances from their home ports require large and distinctive facilities for their construction. Secretary Laird has reported in his FY71 Defense Program that the Soviets can accommodate 12 complete hulls at two different shipyards. After they are launched they require many months for fitting out, during all of which they are subject to observation. To have a reliable operational capability they must be shaken down and cruise in the open oceans. Secretary Laird, like his predecessors, has on several occasions reported with confidence the numbers of existing Soviet submarine-launched missiles. Again, for the Soviets to increase their present relatively small but rapidly growing SLBM force without U.S. knowledge to a point where it could significantly affect U.S. security would not seem possible. Therefore a ban on construction of new ballistic missile submarines could be verified by national means.

MIRVS

So far I have addressed only the numbers of missiles or their launching platforms; the number of nuclear warheads within a given missile is another thing. Since a single large warhead can be replaced, without changing the external configuration of the missiles, by several smaller warheads either with or without a capability to be individually targetted (MIRVs or MRVs), it is hard to visualize how the U.S. could verify by national means whether a deployed missile has or has not multiple warheads. In fact even onsite inspection to make this determination would be difficult. It would require the right to inspect any deployed missile including those on submarines, on sufficiently short notice

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to prevent substitution of the reentry vehicle. The inspection would require access into the interior of the reentry vehicle or at the very least, the use at close range of some scientific technique, such as X-rays, to determine the number of warheads present. Such inspection would almost certainly not be acceptable to the USSR. If the Soviets required similar inspection to verify that the U.S. was not secretly deploying MIRVs, it is doubtful that the U.S. could accept it.

Therefore, if MIRVs are to be controlled, every effort should be made to limit testing as well as deployment. At the present time, neither the U.S. nor the USSR have fully developed and tested a MIRV system with sufficient accuracy and reliability to provide a first strike capability. The Soviets began testing MRVs on the SS9 in August 1968, and President Nixon in the summer of 1969 stated that the "footprint" of the Russian MRV indicates that they may happen to fall in a pattern comparable to the area covered by a complex of three Minuteman sites. However, Dr. John Foster, DDR&E, has stated on February 24, 1970 that the Soviets "have not demonstrated to us the flexibility necessary to target each warhead at a different Minuteman silo." All Minuteman sites do not have the same spacing so that the Soviets would require the ability to vary the footprint reliably and accurately if they were to have a capability to wipe out the entire Minuteman force.

The U.S. started a two-year program to test first generation MIRVs for the Poseidon and Minuteman III missiles also in August 1968, and DOD officials have announced that the Minuteman III will begin to be fielded in June 1970 and the Poseidon become operational in January 1971. While U.S. officials have emphasized that the accuracy-yield combination of these first MIRVs will not be sufficient to provide a first strike counterforce capability, the Soviets may be concerned that the first U.S. systems might have such a capability. Fortunately the Soviets should be able to satisfy themselves that the U.S. was not deploying MIRVs in violation of a ban, since it is hard to conceive how the U.S., with its open society, could place MIRVs in a large part of its force without detection. Certainly we should not prejudge the decision for the Soviets and conclude that controls on MIRVs are unverifiable because the U.S. program has proceeded too far. There is still time, but maybe only a little, to prevent deployment of MIRVs if a ban on testing and deployment can be achieved soon.

What are the opportunities for the U.S. to verify a ban on MIRV and MRV testing? (MRV testing would probably also have to be banned to be confident that these were not confused with MIRVs). Since the type of MIRV which could threaten the fixed land-based missile force is one which has a reliable capability for destroying hardened ICBM sites, i.e., a MIRV with high accuracy and high yield, I believe verification is possible. In order to achieve such a capability it will be necessary to test at full range and at as near operational conditions as possible. Such tests can be monitored to determine the number of reentry vehicles. No nation would replace existing reliable missiles and consider initiating a nuclear war with a missile which had only been partially tested. Planners would demand high confidence on the reliability and accuracy of the full system before risking national suicide by carrying out a first strike.

Tests in which only one of the multiple warheads was allowed to separate would be useful for development but not satisfactory for proving out the complete system. Such tests would in any case probably raise suspicions. Likewise, simulated tests in space or, as has been suggested in analogy to the proposal for evading the Nuclear Test Ban Treaty, "tests behind the moon" would be equally unsatisfactory. Elaborate schemes for clandestine testing will undoubtedly be put forward as they were in the case of nuclear weapons testing, but even with much simpler systems than MIRVs, military planners like to see full operational testing before undertaking deployment. For example, even more than five years after development testing has been completed on the Polaris A3 MRV system, the military are claiming that additional firings of the complete system are essential to maintain confidence in the operational capability of the system. Based on past experience Soviet military are even more stringent in their requirements for full operational testing than the U.S. It is most unlikely that the Soviets could without U.S. knowledge violate a MIRV–MRV test ban to the extent that they would be in a position to deploy a MIRV system which would be sufficiently reliable and accurate to threaten to destroy the entire Minuteman force.

LONG-RANGE BOMBERS

The Soviets have no known present program for deploying a new truly intercontinental bomber. If they were to undertake such a deployment in violation of a ban it is almost certain that the force would be detected before it had reached a significant size. Bombers are not easy to conceal, and U.S. authorities have known with confidence and publicly reported the size of the Soviet bomber force since the mid-fifties. Suggestions have been made that they would masquerade such a force under the guise of a supersonic transport which could be rapidly converted to a bomber. Both Generals LeMay and Power have frequently emphasized that a bomber force which does not train and carry out realistic simulated operations is of almost no value. It is inconceivable that the Soviets could create secretly an operationally capable bomber force which could provide any serious additional threat to U.S. security.

ABMS

Finally, going to strategic defensive systems, I shall concentrate on ABMs, since they pose the most serious potential threat to our confidence in our strategic deterrent forces and since they are the system of most interest in any strategic arm limitation agreement. In 1966 Secretary McNamara publicly announced that we had clear evidence that the Soviets were building an ABM system around Moscow, and the progress of this system has been reported on since at regular intervals. Secretary Laird has recently reported that a number of the complexes in this system were only brought to operational status this past year. Furthermore both Secretaries Clifford and Laird were even able to report that the deployment had been reduced in scope from that originally planned but that the Soviets are continuing to press forward with R & D on a more advanced system. Secretary Laird also referred to large Soviet phased array radars for tracking and warning. I am confident, and these statements are a public substantiation, that we are now capable of verifying a freeze on the deployment of ABM systems and that any violation could be detected well in advance of their becoming operational.

ABMs to cope with the sophisticated type threat of which the U.S. is capable are complicated and large systems. They require large radars which have a high visibility, have a long lead time for construction and which, furthermore, must radiate energy continuously if they are to be of any value. In addition, an ABM system requires large numbers of high performance defensive missiles if it is not to be saturated. Extensive training exercises must be carried out to develop operational competence. All these factors greatly facilitate the verification of a freeze on ABMs.

The greatest problem in this area could be the confusion between systems designed for defense against aircraft with those for defense against ballistic missiles of the former were not controlled. For example, during the early construction period there was some doubt as to whether the so-called Tallinn air defense system was for ABM purposes or not. However, as deployment proceeded, it became more and more clear that it was for defense against aircraft.

Nevertheless, fears still exist that the Tallinn or other air defense systems might be upgraded to provide an ABM capability without our knowledge. In evaluating this risk it is important to realize that any air defense system may have some limited capability to shoot down an incoming missile. To be a threat to a retaliatory attack of which the U.S. is capable and thereby erode the deterrent it must, however, have an extremely high capability. Its radars must be able to handle rapidly large numbers of incoming targets and must also be defended. The missiles must have a high acceleration to avoid the necessity of committing the defense before the radar has determined the nature of the incoming objects. President Nixon has stated when the Safeguard decision was first made that the heaviest defense system considered, an ABM system designed to protect cities from a Soviet type threat, could not prevent a catastrophic level of U.S. fatalities. Clearly a Soviet system to cope with the even larger U.S. threat cannot be built by clandestinely upgrading existing air defense systems. New or large numbers of greatly improved radars, new missiles, new command and control systems and new radar defense systems would be required if the Soviet antiaircraft systems were to be turned into even a partially effective ABM. Extensive troop training would be needed to develop operational effectiveness. Such a program would undoubtedly be detected with plenty of lead time to incorporate counter-measures to permit penetration of such a system. The U.S. already has developed and tested MIRVs capable of penetrating an ABM system, and these could be deployed in an emergency much more rapidly than a Soviet ABM.

Thus it would appear that the limitations on ABMs to low or zero levels can be adequately verified by national means. While some fears might arise about the upgrading of Soviet defense systems, it is believed that the risk to our security from such a secret program would be less than if there were no limitations on ABMs. It would be preferable to ban ABMs or restrict them to very low levels, since in these instances, radar deployments could be limited and thus facilitate verification.

In summary: Quantitative limitations on the deployment of the key strategic weapons systems can be adequately verified by national means.

Limitations on the testing of all multiple reentry vehicles can be adequately verified by national means and should be sought immediately together with a ban on MIRV deployment if MIRVs are to be controlled. It is not yet too late to achieve such limitations since MIRV systems which are sufficiently reliable and accurate to threaten hardened ICBM sites are not yet fully tested and deployable and since the U.S. could not secretly deploy MIRVs.

ABM deployment limitations at zero or low levels can also be verified. Any upgrading of existing air defense systems which could escape detection would not provide an ABM capability which could seriously degrade the U.S. deterrent.

In light of existing national verification capabilities, the large numbers of weapons on each side, and the insensitivity of each side's deterrent to relatively large force changes, I am confident that an agreement can be designed which would significantly limit strategic armaments and in fact increase real security.

REFUGEES AND CIVILIAN WAR CASUALTIES IN LAOS

Mr. KENNEDY. Mr. President, one of the more distressing aspects of the war in Laos is the plight of the Laotian people, who, like their neighbors elsewhere in Indochina, are paying a heavy toll not only from insurgent attack, but also from the nature of our own military activities. As chairman of the Judiciary Subcommittee on Refugees, there is little doubt in my mind that the escalation of these military activities is following the familiar pattern of Vietnam in the destruction of the countryside, the generation of refugees, and the occurrence of civilian war casualties. The subcommittee is pursuing this significant aspect of our involvement in Laos, and, as I suggested last week, will, it is hoped, hold hearings within the very near future.

Some recent press articles detail the current situation among the people in Laos. Because of the broad congressional and public interest in this matter, I ask unanimous consent that articles from the March 14 issues of the Christian Science Monitor and the Manchester Guardian weekly, from the New York Times of March 15, from the Washington Post of March 26, from the Washington Evening Star of March 27, from Life magazine of April 3, and from the Washington Sunday Star of April 19, be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Christian Science Monitor, Mar. 14, 1970]

What U.S. Bombing Feels Like to Laotians

(By Daniel Southerland)

Bam Nom Xay, Laos.—The old woman said she had been through several wars but that this was the most destructive and terrifying—because of the bombing.

"In the other wars, I didn't have to leave my home," she said.

"When the soldiers came on the ground to fight, I wasn't so afraid," she said. "But when they came in airplanes, it was terrible."

The 70-year-old Lao woman was one of some 14,000 refugees evacuated from the Plain of Jars prior to the Feb. 21 recovery of that area by North Vietnamese forces and the Lao rebels, the Pathet Lao.

Few civilian inhabitants, if any, were left in the Plain of Jars following the evacuation of the refugees.

In 1960, the plateau itself and its surrounding ridges and valleys had supported an estimated 150,000 people. But a decade of war has taken its toll.

The old woman and some 750 other persons from her native village were moved by plane and then by truck last month to this refugee camp with its bamboo-and-straw huts, about 40 miles east of Vientiane.

AIR POWER REDIRECTED

The correspondent visited four refugee camps and talked with refugees from six different locations in and around the Plain of Jars.

After questioning a large number of them, it was possible to get a picture of the devastation unleashed by American fighter-bombers in northeastern Laos over the past two years, and it is not a pretty one.

After the United States halted its bombing of North Vietnam on Nov. 1, 1968, it stepped up as much as 10-fold its bombing raids—support which started on a minor scale in mid-1964—against Pathet Lao-occupied northeastern Laos. The number of bombing sorties by United States Air Force and Navy jets rose to as many as 300 a day.

This bombing campaign, code-named Barrel Roll, is separate from the other, more-publicized campaign. The latter, code-named Steel Tiger, is directed against the Ho Chi Minh Trail in southern Laos.

The refugees said about 9 out of 10 of the bombing strikes flown over the past two years in the Plain of Jars area were carried out by American jets and the rest by propeller-driven Royal Lao Air Force T–28s.

In most areas of the plain, the bombing forced the people to move out of their homes and into trenches, caves, and bunkers where they lived for the most part for two years.

HIDDEN BY DAY

They threw corrugated iron over the trenches and covered it with dirt, topped with branches for camouflage. Many said they ventured out to farm only at night because of the bombing.

By all accounts, the situation has been somewhat similar for the estimated 192,000 people living in Houa Han, or Sam Neua Province to the northeast of the Plain of Jars, although information is more difficult to come by on that area.

One Western diplomat reported, however, that in some areas of that province "whole communities are living underground."

It has been a similar story also for villagers living in the vicinity of the Ho Chi Minh Trail in southeastern Laos, where refugees and North Vietnamese prisoners and defectors say many villages have been destroyed.

In all of these places, the bombing stepped up greatly after the cessation of the attacks against North Vietnam.

In the Plain of Jars area, the bombing destroyed the main towns of Xien Khouang, Khang Khay, and Pmongsavan. The refugees said the bombs flattened many villages in and around the plain and heavily damaged others. They said no villages they knew of escaped the bombing.

The refugees said they were sometimes forced to leave their villages and bunkers to do porterage—carrying rice and ammunition—for the Pathet Lao and North Vietnamese. But they added that in many bombing raids there were no Pathet Lao or North Vietnamese troops near their villages.

RAIDS DAILY OR OFTENER

As the bombing increased, they said, the troops moved farther away from the populated areas.

In 1969, they said they saw the bombers every day when the weather was clear, sometimes so often they could not count the number of raids. The planes tended to fire at anything that moved, they said.

For the most part, however, the attackers apparently spared their buffaloes and cows, although some refugees felt that even these were sometimes targets.

One man said he narrowly escaped being blasted to pieces on six separate occasions when bombs fell near his hole, several times knocking him unconscious. But while he escaped death, there was one thing he could not escape—fear. It stalked him day in and day out.

CIVILIAN TERRORS DESCRIBED

Some refugees said they moved four or five times, each time farther away from their villages, to escape the bombing. But the bombs always followed them. Even at night the bombers came, and finally, even the rice fields were bombed.

"There wasn't a night when we went to sleep that we thought we'd live to see the morning," said one refugee. "And there wasn't a morning when we got up and thought we'd live to see the night."

"It was terrible living in those holes in the ground," said another. "We never saw the sun. Our hair was falling out."

'My wife and three children were killed," said a man in his thirties. "There were no troops [Pathet Lao or North Vietnamese] anywhere near our village."

All this raises some basic questions about the bombing in northeastern Laos. What has been its purpose?

It is impossible to get the United States Government side of the picture in any detail because American officials refuse to discuss except in the vaguest generalities the activity in Laos.

PILOTS PLEDGED TO SECRECY

The pilots who fly the raids from air bases in Thailand and South Vietnam and from carriers in the Gulf of Tonkin are under instructions not to discuss the details of their missions.

For years, the United States maintained the fiction that it was only flying "armed reconnaissance" missions over northern Laos.

The most candid official acknowledgment that something other than "reconnaissance" was going on came in President Nixon's March 6 statement when he said for the first time that the United States had been flying "combat support missions" in northern Laos when requested to do so by the Royal Lao Government.

"The level of our air operations has increased only as the number of North Vietnamese in Laos and the level of their aggression has been increased," the President said.

BUILDUP ADMITTED

On this point, there is no question that there has been a continuing North Vietnamese buildup in northeastern Laos. This buildup has been in direct violation of the 1962 Geneva accords and has allowed the Pathet Lao, heavily supported by the North Vietnamese, to solidify their control there.

But has the bombing been a justifiable or effective response? A number of well-qualified military sources feel the bombing's effectiveness in cutting enemy supply lines and slowing down the North Vietnamese has been in general greatly exaggerated, just as it so often had been in both North and South Vietnam.

BOOMERANG EFFECT?

According to the refugees from the Plain of Jars, the bombing may even have had a boomerang effect in some areas.

One refugee said that as the bombing increased, the Pathet Lao forces in his district started getting more volunteers, whose attitude was "better to die a soldier than to stay at home waiting for the the airplanes to kill you."

He also said the bombing tended to heighten the fighting spirit of the Pathet Lao—no mean achievement given the Lao propensity for avoiding battle.

Whatever the effects of the bombing on enemy military forces in Laos—still a subject for much debate—there is no doubt as to its effectiveness in completely disrupting civilian life.

TRANSPORTATION HALTED

Whereas the North Vietnamese and the Pathet Lao soldiers are capable of moving into the protection of the forests and living off supplies shipped in from neighboring North Vietnam, the civilians are tied to their rice fields, their livestock, and the rest of their belongings and are thus exposed more constantly to the bombing than the soldiers.

A refugee from Phongsavan said the bombing put a halt to all civilian motorized transportation in his district and caused markets to open only in the predawn darkness and to close before sunrise. Schools were destroyed, and there was a general shortage of everything from clothing to bicycle parts.

Sometimes it took some prodding and a lot of patience to get the refugees to talk about all this, and it appeared to me, in fact, that some of them had been told not to talk about it.

Many of the wounded, the refugees said, had chosen to stay behind with the Pathet Lao and not to come south with them.

Although the bombs no longer are falling on these people, pieces of the war are still with them. They have taken the debris cast down by the warplanes and turned it into tools and implements.

How do they feel about the bombing now?

It is difficult to say. One refugee said the Pathet Lao had told them: "America is very far away, and the Americans have come to kill the people of Laos and colonize our country. You should be very angry with the Americans."

REFUGEES ARE FRIENDLY

But if you go into their crowded camps, the refugees will be friendly and fairly open after a while, providing there are no government officials or soldiers around. They are attractive and intelligent people, quick to laugh at a joke, naturally polite and hospitable, and they will share their fish, rice, and tea with you.

But they have a list of grievances.

They complain that the Central Intelligence Agency-supported army of Gen. Vang Pao conscripted many of their only remaining sons. There are few young and able men in these refugee camps, and many, of course, are still with the Pathet Lao.

They complain that the stifling lowland climate is too hot for them, and that the farmland they now are clearing, given by the Laotian Government, is not as good as the land they left behind in the plateau.

And there is a problem of money.

The only currency many of the refugees had when they came out of the Plain of Jars was Pathet Lao money, and it is worthless now. On the back of the 500-kip notes they carry there is a scene showing Pathet Lao antiaircraft gunners shooting down American planes.

[From the Manchester Guardian, Mar. 14, 1970]

The Laotians Caught in the Crossfire

(By Ian Wright)

People write about Laos as if it were a sort of comic kingdom, a fun-loving Ruritania-on-the-Mekong, a never-never land where generals prefer to make love not war, and where none of the parties in the conflict really wishes to press for conclusions. If this is half the truth (and sometimes in sleepy Vientiane it seems so), then the other half—the life lived in that part of the country controlled by the Pathet Lao, the Communist-inspired insurgents—is a less jolly story.

The Pathet Lao do not encourage reporters to visit them. And so not much is read about life in their areas. But with the forced evacuation last month of Lao villagers from the Plain of Jars, thousands of people who used to be governed by the Pathet Lao have been shifted west in the teeth of the North Vietnamese advance.

A couple of thousand of these people are living in one of several camps not far from Vientiane, and until last September they lived under Pathet Lao rule. To say they are now happy would be an overstatement, but they appear to be profoundly relieved. In effect, they have come out of hell: their hell was not the overweening Pathet Lao regime, which they found onerous enough and disliked, but the continuous hell of the bombing—most of it by American jet aircraft.

They lived on the east side of the Plain of Jars, and since 1965 have been subject to raids. In 1967 and 1968 the raids got worse. In the last months before they were "liberated" they were compelled to live in caves, hardly daring to come out into the daylight for fear of the bombing.

This refugee village was chosen at random. The people were conservative and somewhat reluctant to blame the Laotian Government who were now their guardians and only source of livelihood. Bit by bit, with the help of a Laotian interpreter who spoke carefully and with much kindness—and a tape recorder so that we could make sure we understood what people were telling us—the people spoke about their life during the past five years.

What they said does not differ much from the accounts of other refugees. They are profoundly apolitical, but heartily glad to be alive. For the past three weeks they have lived under the easy eye of the Laotian Government in five long terraces of bamboo huts. The huts are nothing special—a bit like long battery houses on stilts as is the Laotian custom—but there is land nearby which they will work when the rain comes.

The other morning, before the sun made the place like an oven, straggling groups of hefty, thick-set peasant women were transferring 200 lb sacks of Government rice into storehouses that were half-finished, while up and down the lines of huts other women were beginning to prepare food on bamboo trestles—literally, field kitchens. Most people seemed to have brought a few domestic objects with them: only several dozen spanking new metal buckets were evidence of their recent, but hardly pressing institutionalization.

Apart from the mothers of families, it is a collection of very young or very old people. There are no young men and the children do not seem much older than 10 or 12 at most. The Pathet Lao were indefatigable recruiters: sons went to the army, daughters to training as nurses or teachers and were sometimes sent as far away as North Vietnam. Losing touch with them was part of the price of living in safety.

The old spoke with much distaste of the Pathet Lao and their revolutionary ways. "At first nothing changed much when the PL took control of the Plain of Jars from the neutralists in 1964, but we weren't very happy with the new people," said a fine-looking old man, who had been chief of the Village under both regimes. He later had a Pathet Lao "counterpart" to keep an eye on him and get things done.

The old also hated the way they had been pressed—often by psychological means—to "go back to school." Under the Pathet Lao, they said, everybody's role seemed to change and no one gave any good reasons for it. They had been forced to give up their sons and daughters; even the poor had to contribute to the upkeep of teachers, agricultural instructors, and health officials. The old people had been made into babyminders or sent to tend the buffalo, while the young did other more useful jobs.

While the young went for training, the old were harried into a new and uncomfortable life. "We had so much trouble," said one old woman, "we couldn't count it on our fingers." The authorities took 15 per cent of their rice, but worse than that "were forever preaching about more production and what we ought to do for the nation." Significantly, they saw no North Vietnamese soldiers. But on occasions North Vietnamese advisers came to their school.

In spite of these gripes, most people spoke longingly of their former homes, about their fields on the lower slopes of the mountains, and their village which was surrounded by a stream and shaded by orange, peach, and grapefruit trees. On the flat land they grew good rice, although the Pathet Lao had called for more production while there were progressively fewer hands to till the soil.

The first bombing had come in 1965. Throughout the village the people built shelters: these were usually trenches between 6 ft. and 9 ft. deep, covered with logs and earth. "If you didn't want to die," said the old village chief, "you had to dig your trench as deep as you could. Even that was no good for a big explosion, but it saved you from flying bits of metal."

Other precautions they took—at the instance of the Pathet Lao, who seemed very knowledgeable in military matters—included wearing dark clothes. The chief said they never wore bright colours, particularly working in the fields, because of the planes. Lately said the villagers, anything that moved was hit. "Even if they saw a dog moving," they insisted incredibly, "it was likely to be bombed," and they showed with their hands how the plane would come in.

Towards the end, the villagers took to farming at night when there was sufficient moon. But that could be dangerous, too. "Planes came and dropped illuminating flares and then dropped flares and then dropped bombs." They had no warning system. When they heard the noise of aircraft they simply dived for cover into the nearest trench. "We lay there and waited for the end," one man said, "Now at least we feel safe and no longer have to think about being killed."

It is hard to establish exactly how far the villagers were the target they obviously supposed themselves to be. In the ambivalent way of most refugees, they take care what they say to strangers. Occasionally they stopped in a half-hearted and even illogical way to defend the bombing. "Maybe," said one man, "the planes suspected we had North Vietnamese soldiers with us and they were not really trying to hit the people. Most of us did manage to stay alive."

After 1967 the raids seem to have become heavier and more frequent. The villagers talk about the use of anti-personnel bombs for the first time. These they called by their French name, "bombs a bilies" and they appear to be the same pellet bombs which figured so prominently in North Vietnamese protests. They are dropped, say the refugees, in canisters which explode in the air covering a large area with "hundreds and thousands of little bombs."

The numbers are probably exaggerated, for the villagers were terrified of this weapon. After a raid, they said, the bomblets, each a bit bigger than a man's fist, might go on exploding for two days. When detonated they shot out hundreds of little ball bearings and casualties could be serious. After a while, Pathet Lao soldiers learned how to remove the fuses of the bombs. The villagers put a wick in them and turned them into paraffin lamps—a trick picked up probably from the North Vietnamese.

The Pathet Lao also taught them to recognise aircraft. The villagers showed a knowledge of weaponry and offensive air techniques that would do credit to a war correspondent. They listed some of the types of fighter-bombers which had attacked them: F-4 (Phantom); F-105 (Thunderchief); as well as propeller-driven aircraft (among them the Royal Lao Air Force's T-28).

They can describe very accurately how small planes (forward air control) fly 'round looking for targets, and how they fire smoke rockets to mark the spot for the bombers. They also showed the different formations made by the planes. The Pathet Lao had on occasions tried to shoot at the bombers, they said, but they had never seen one of them hit.

By 1969 the bombing had become so heavy, with planes arriving by night and by day, that they had had to abandon their village altogether. An old man told very movingly of its destruction, how bit by bit it had been burned "with fire bombs"—presumably phosphorus. "First the houses and the fruit trees were burned," he said, "then the fields and the hillside and even the stream was on fire."

XUM

This seems to have coincided with the air offensive which culminated last September in General Vang Pao's strike into the Plain of Jars: it was part of the aerial "softening up." As one of the villagers put it: "The bombs fell like a man sowing seed." No one quite knew how many people were dead; some of the injured were in the new camp but obviously very few of the men had come west in the Government evacuation.

Perhaps a couple of things should be appended to the villagers' story. What they say completely blows the long-maintained U.S. Government's fiction that its aircraft only fly "armed reconnaissance flights at the request of the Royal Lao Government" which are authorised to attack only if fired on. Rather, it suggests that at least since 1967 American planes have regarded Pathet Lao administered areas—more than half the country—as possible free-fire zones, where anything and anybody may be a target on the flimsiest of pretexts.

None of the villagers chose to live under the Pathet Lao and many of them object to the ways of the Communist cadres, the upsetting of traditions, the hard work, and the privations. But whatever their feeling about the Pathet Lao or their North Vietnamese friends, they all knew that it was American bombs which were falling on them with such appalling regularity.

While some of the bombing can be justly represented as a military affair, it seems that much of the American effort is being aimed—it is still going on—at the physical destruction of society as organised by the other side. This fact is not often realised. The wonder is the resilience of the people and their survival.

[From the New York Times, Mar. 15, 1970]

BETWEEN FRIENDS AND FOES, LAOS IS BEING DESTROYED

(By Henry Kamm)

BANGKOK, THAILAND.—All the tragedy of Laos is contained in the events that swirled within and around that little nation last week.

The North Vietnamese continue to make war on a country that has not provoked it. The United States feels it must continue its aerial pounding until North Vietnam sues for peace. The mighty Soviet Union repeats faithfully what North Vietnam says, and indicates that despite its crucial role as supplier of most of Hanoi's needs it has no influence over its policies. The rest of the world makes dutiful and futile gestures.

Meanwhile, Laotian boys in their teens are dying in uniforms too big for them. Uncounted thousands of fatherless families shuffle in rags about the country as permanent flotsam of war. And sad resignation to a fate that they feel has never been theirs to shape is the attitude of that small minority of Laotians whose education has equipped them to think about such things as the present and future of their country.

SEEK CONCESSIONS

By limited application of their military superiority, the North Vietnamese and their Pathet Lao proteges apparently hope to force political concessions from Prince Souvanna Phouma, the Premier of the Laotian Government. The Communists want him to agree to reconstitute a tripartite rightist-neutralist-leftist government, one which would be stacked in their favor. The peace talks proposed earlier this month by Prince Souphanouvong, the Pathet Lao chief and Prince Souvanna Phouma's half-brother, pursue the same goal.

The Government's position, already weak, was further weakened last week by mounting indications that its best fighting force, the clandestine American-backed army of Maj. Gen. Vang Pao, is at a low ebb. Sam Thong, one of the Government's two principal bases in northern Laos, had to be rapidly evacuated. The second base, Long Cheng, was endangered. The low morale of the general and his man-and-boy soldiers was plainly in evidence.

Prince Souvanna Phouma is entering negotiations on whether to negotiate for peace with few options open. He is facing a determined enemy with one main card in his deck. It is American air power.

FAILURE OF AIRPOWER

It is generally conceded that air power cannot be decisive in Laos. Its use makes North Vietnamese ground advances in the north costly, and it causes them losses estimated uncertainly at 10 to 20 per cent of the reinforcements and supplies they move down the Ho Chi Minh trail. But they keep advancing, and the supplies keep moving.

In view of the failure of air power to deter the enemy from doing what he wants to do, observers in Vientiane—Laotians, Americans and other diplomats—suggest that its principal use may be political, as a bargaining counter. Now that President Nixon has admitted American bombing of Laos while the North Vietnamese still deny the presence of their invading army, the observers say, the United States could publicly offer North Vietnam a cessation of bombing in return for a ceasefire.

Failing such a settlement, the observers say, Laos is doomed to a continuation of a war that is devastating its population. How long can a nation of less than 3 million survive, they ask, when it has reached an average estimate of 300 killed and seriously wounded a week on the Government side alone and when it has reached a stage where much of the fighting and dying on both sides is being done by boys?

"WE WILL FIGHT"

"They will let us die," a high-ranking right-wing Laotian officer said the other day. "We know the world doesn't really care about Laos, because we have no petroleum, or gold, or uranium. But we will fight to the last breath and die."

Most educated Laotians of less military outlook share the officer's pessimism but reject his program of action. They don't want to die and refuse to ask others to do so.

They hate the North Vietnamese and reject the feeble Laotian Communists. They are aware, sometimes gratefully, that the United States acted to halt aggression when no other nation did. But they believe that the war must be stopped if Laos is to live, free or unfree.

This is neither cowardice nor defeatism, they say. If there were a chance of winning they would not feel this way. But they see no chance of winning. They know the United States is withdrawing from an Asian ground war and no other nation will take its place. They understand America's course of action and sympathize, but they wish that American "liberals" would not feel so virtuous about leaving a small country to a fate it does not wish after having been encouraged by the United States to resist.

And if, after all, they are doomed to defeat, they ask, has anyone the right to send the children of peasants to die in a lost cause?

[From the Washington Post, Mar. 26, 1970]

LAOTIAN REFUGEES WANT A SANCTUARY

(By Laurence Stern)

MAK HIEO, LAOS, March 24.—The war in Laos ceases to be a geopolitical abstraction in this muddy rural camp where 900 refugees from the Plain of Jars are waiting.

Their place of origin is Moung Koun on the southwest corner of the plain. It has been traded back and forth between the government and the Pathet Lao time and time again in the past decade.

Finally, on Feb. 5, the refugees were evacuated in C–130 transports, flown by Air America, which is under contract to the U.S. government. They carried their possessions in their hands and on their backs. Now they are starting anew in this camp, 16 miles east of Vientiane.

The mementos of Moung Koun's agony are everywhere. A kerosene stove has been fashioned from the fins of one of the cluster bombs that used to rain down on the six villages of Moung Koun.

PARACHUTE CURTAINS

Flare parachutes, which used to signal an impending night bombing, are now curtains for several of the 6-by-4-foot straw hutches in which families sleep.

Some of the villagers have their life savings in Pathet Lao money, which is worthless in government-controlled territory.

The spokesman for the group was Khan Sing, an engaging man of 36 who looks ten years younger. Three American visitors surprised him in his undershirt and olive drab undershorts, a suitable costume for the heat.

As he spoke, Khan consulted a read diary in which he inscribed the history of Moung Koun. He was the tasseng, or elected district chief, of the 900 homeless men, women and children in Mak Hieo camp.

The people of Khan Sing's group barely realize they are pawns in a great power battle involving the North Vietnamese, American pilots from Vietnam and Thailand, the Pathet Lao and the government army. As Khan tells it, the intense doses of indoctrination administered when they were under Communist control hardly rubbed off on his people.

NO MORE GUNS

"We are glad to be here because we no longer hear the sound of guns" Khan said. "But we have no way to make money and we are not familiar with this country."

The women, children and elderly men who make up the majority of the camp's population live in straw and bamboo longhouses. The young men of fighting age were conscripted either by the Pathet Lao or by Gen. Vang Pao, commander of the Meo guerrilla army that has borne the brunt of the government's battle in the Plain of Jars.

"Vang Pao took as many men as he could to fight. The Pathet Lao were interested in the young—like him." Khan pointed to a boy of 13 who looked 8.

For the last two years that Muong Koun was controlled by the Pathet Lao, the villagers were attacked from the air by heavy American and Lao government bombing sorties.

"There were many kinds of bombs," he recalled. Khan described the "little bomb's" which he said showered pellets of steel over wide areas. He spoke also of the big bombs, which dug huge craters in the earth.

There were also incendiary bombs that "come down and break open in great sheets of flame." It was not clear in translation whether he was describing napalm or phosphorous bombs.

A young man walked into the straw longhouse where Khan and I were talking. He was hobbling on crutches.

HIT BY SHRAPNEL

"I was walking to the store where the Vietnamese sell salt when a jet came over the village so fast that I could not take cover," he said. "I was hit by the shrapnel before I could get into a hiding place."

The villagers learned the identity of the different attack aircraft with remarkable precision. They could name the F–4H, the F–104 and the prop-driven T–28 by letter and number.

The Pathet Lao taught them the identity of the aircraft and the North Vietnamese showed them how to dig foxholes and shelter caves in the sides of the mountains.

The North Vietnamese soldiers stayed apart from the villagers and let the local Pathet Lao govern. But it was the North Vietnamese who conducted the brunt of the fighting while the Pathet Lao were "behind them."

Which side did he prefer to live under? Khan paused and asked for the question to be repeated. Then he replied quickly:

"We prefer the government's side. There was never any help from the Pathet Lao. They imposed a 15 percent rice-for-the-fatherland tax and then put the rice in a separate warehouse. It never went to the people. It probably was given to the soldiers."

Do the people of Muong Koun want to go back to their villages on the Plain of Jars?

"If things are secure we would like to go back. But what we want most of all is security. Here there is not the sound of guns."

[From the Washington Star, Mar. 27, 1970]

MEO REFUGEES LIMP TO AIRSTRIP FOR U.S. FOOD

(By Tammy Arbuckle)

MUONG PHOUN, LAOS.—Some 85,000 refugees are flocking along the narrow mountain trails to tiny grass or dirt airstrips such as the one here following Communist capture of Xieng Khouang, Sam Thog and the assault against Long Chien.

American AID officials said 9,300 refugees already have left this tiny valley and its airstrip, surrounded by mountains, 16 miles southwest of fallen Sam Thong.

To reach here the people, mostly Meo tribesmen, have walked for two to six days.

Many of them are wracked by malaria and dysentery.

Two valleys with muddy paths lead into this valley. Today reporters watched the Meo men in black and the women in bright green and pink sashes carrying babies and their household goods on their backs as they walked down these valleys into Muong Phoum.

Some were astride tiny horses, others carried umbrellas and kettles. The men still carried carbines and pistols. Muong Phoum and other airstrips like it are their goal because they know food and necessities are brought in by AID.

On the 1,200-yard airstrip two Air America helicopters are unloading blankets made in Thailand and plastic sheets to provide cover from showers of driving rain.

Two single-engined American aircraft brought in medical supplies, or circled to spot bands of refugees still walking into the area.

Overhead an Air America transport dropped sacks of rice onto a hill.

As soon as the rice sacks slammed into the hillside and the aircraft turned away, groups of Meo women and children picked up the rice.

The drop is like Saturday morning at the supermarket for them. The rice was stacked in an enclosure and doled out in order according to strips torn from a cardboard box and numbered.

Some local Laotians from nearby villages tried to get into the act although they are not refugees. Around the airstrip refugees huddled under their plastic sheeted-roofs draped over bushes.

Blia Vu, a roly poly Thong Meo chief reckoned about 600 Sam Thong townspeople fell into Communist hands. All the villagers from around Sam Thong escaped.

The thing he remembers about the attack was the sound of North Vietnamese voices on his radio. He imitated a Vietnamese high-pitched cackle to the amusement of watching Meos.

Fighting, meanwhile, continued at Long Chien south of here.

The Associated Press said royal Laotian forces backed by U.S. bombers, launched a counter-offensive north of Long Chien and gained several positions.

Sources reported government forces captured Phou Pa Sai, a mountain top 10 miles northeast of Long Chien. The government troops reportedly cleared Skyline Ridge, from which North Vietnamese had been launching ground probes against Long Chien, five miles to the south.

[From Life magazine, Apr. 3, 1970]

THE PENDULUM OF WAR SWINGS WIDER IN LAOS

(By Hugh D. S. Greenway)

VIENTIANE.—Sam Thong has fallen. The North Vietnamese are in the town. The American bungalows around the airstrip, until just a few days ago the headquarters for U.S. aid and refugee relief, are now only burned-out ruins. Long Cheng, which holds the secret CIA base, the headquarters of General Vang Pao's clandestine army and the center for the entire American-Laotian effort in northern Laos, may soon be next.

The Americans at Sam Thong have been evacuated to the south. Thousands of civilians—Meo tribesmen, wearing elaborate wrought-silver necklaces and carrying their handmade flintlock muskets—are trudging south with all their belongings on their backs. The silver airplanes of Air America, the CIA contract airline, are flying in low over the jungle-covered hills and limestone outcroppings, so ironically reminiscent of placid classical Chinese landscape paintings, to drop 100-pound bags of rice to feed the fleeing Meos.

The annual North Vietnamese dry-season offensive is in its seventh week and already the troops from the northeast have penetrated deeper than in previous years, bloodying the nose of the dispirited Royal Laotian army and dealing the government's morale and prestige a heavy blow.

For years the Laotian war ran on in the wings of the larger Vietnam theater, with neither side pushing the other too hard. In the last two years the pendulum of war in Laos has been swinging harder and wider, and each wet-season dry-season offensive has mounted a little higher than before. There are two months of dry season left. The fear now in both Washington and Vientiane is that, this time, the North Vietnamese might be tempted to push on into the Mekong River valley—which would upset the balance of power in Indochina. If they did, it might put the Nixon Doctrine of limited involvement in Asia to its severest test.

There are several reasons why the U.S. presence in Laos has been kept secret. Like the North Vietnamese presence, it is a violation of the Geneva accords. And, U.S. officials argue privately, a clandestine operation doesn't risk prestige in case of setbacks, and is thus less likely to commit the U.S. to Vietnam-scale involvement. Aside from the fact that most Americans find the idea of a secret war abhorrent, the lack of reliable information has led to gross exaggeration of the U.S. role in Laos. President Nixon's recent speech was meant to take the wind out of some of the exaggerations, but unfortunately the President was less than totally candid. While he admitted the bombing of Laos, he did *not* mention the CIA operation or the full role of the American advisers in the Laotian war. The President's estimate of North Vietnamese troop strength in Laos was at least 17,000 higher than the highest reliable estimate in Vientiane, including the estimates of the Americans themselves. His denial that there have been any American combat deaths in Laos was quickly proven false as well.

Laos is an improbable place for the U.S.—or anybody, for that matter—to become involved. Except for a brief moment of glory in the 14th Century, when Lan Xang (the Kingdom of the Million Elephants) held sway over what is now Laos as well as parts of Thailand and Cambodia, Laos has been a prisoner of geography, fought over and plundered repeatedly by its more powerful neighbors. The country as now constituted dates only from 1946 when the French assembled three kingdoms under their control and called it the Kingdom of Laos. Today there are fewer than three million people in the entire country, two million of them in government-controlled areas near the Mekong.

Perhaps losing so often and being subjugated by so many masters does something to a race for the Lao answer has been to drop out. They are among the most charming people in Asia—and the most otherworldly and least martial as well. Consequently, Lao troops have sometimes fired over the heads of the enemy rather than hurt anybody, much to the despair of American advisers. Most of the effective fighting on the government side is done by General Vang Pao's warlike Meo tribesmen who live in the hills of northeastern Laos.

The bitterness that divides Laotians is not so deep as the bitterness that divides the Vietnamese. The two opposing leaders in Laos, Prime Minister Prince Souvanna Phouma and Pathet Lao leader Prince Souphanouvong, are half-brothers. In Saigon, a mere whisper in favor of coalition government will land you in jail. The Vientiane government, however, has always advocated a return to the tripartite coalition of 1962, and the cabinet posts which the Communist Pathet Lao abandoned then are still being kept open for them should they return. Both sides advocate coalition.

The pipe-smoking, French-educated Souvanna Phouma, who seems more a French bourgeois than a prince, is the indispensable man in Laotian politics because he is the only figure who could be acceptable to both sides. His acceptability to the Communists, however, lessens as the war in Laos heats up.

The present escalation began in November 1968, when the Americans decided to increase the bombing of Laos three-, four- and then fivefold. The decision was not made in response to increased North Vietnamese aggression in Laos, as President Nixon indicated in his speech. The U.S. military did not think it could afford to give up bombing North Vietnam unless it increased the bombing of Laos. At first the air escalation was restricted to the Ho Chi Minh Trail network, but soon it spread to include close American air support of Laotian ground troops in western Laos as well.

When the North Vietnamese continued their offensive into the rainy season and took the strategic government garrison at Muong Soui in June of last year, the Royal Laotian army's morale ebbed. Perhaps to restore their confidence, the U.S. last summer encouraged, helped plan and supported General Vang Pao's brilliant capture of the Plain of Jars (so called because it is dotted by hundreds of man-size cinerary urns). Militarily, the maneuver was a huge success. Lightning helicopter assaults, flown by American pilots, put Vang Pao's Meo deep into enemy territory to the east of the Plain of Jars, severing North Vietnamese supply lines. The plain fell with very little resistance, and the retreating North Vietnamese and Pathet Lao abandoned huge stores of food and ammunition.

But this was in effect another escalation of the conflict, because for prestige and political reasons the North Vietnamese would inevitably move to retake the plain this dry season, to revenge last year's humiliation. Then, although they are unlikely to attempt to occupy all Laos, their continuing military pressure might force Souvanna Phouma to ask the U.S. to halt bombing. Under the circumstances it is difficult to understand why the U.S. is not doing its best to cool down the war, by discouraging such provocative government adventures as well as by limiting air activity, since both could be done without endangering either Souvanna Phouma's government or American troops in Vietnam. A Pathet Lao representative arrived in Vientiane from Hanoi recently, carrying peace proposals from Prince Souphanouvong to his

XUM

half-brother Souvanna Phouma. The letters follow a five-point Pathet Lao peace proposal which is obviously timed to coincide with the present offensive. The proposal calls for a cease-fire and a provisional coalition government to be followed by elections and a withdrawal of foreign forces. Such terms might be unacceptable in Saigon, but they are not entirely so in Vientiane. Souvanna Phouma knows that the North Vietnamese will not give up the Ho Chi Minh Trail while the war in Vietnam continues. He has said he does not consider that wild, uninhabited region vital to Laotian sovereignty. He would gladly give the North Vietnamese a free hand there in return for peace in western Laos.

But Hanoi has made clear it will not negotiate until there is a bombing halt. And this is one thing the Americans almost surely will not concede.

As the war goes on, so does the misery inflicted on the Laotian people. Refugees from the Pathet Lao zone all tell harrowing tales of entire villages living in caves and holes in the ground, farming their rice by night in order to escape the bombing. From all reports the wholesale bombing of civilian centers in the Pathet Lao areas goes beyond anything the North Vietnamese have experienced. When Pathet Lao or the North Vietnamese troops were in the area, even young children were forced to carry rice and arms for days on end. As for the Meo in the mountains to the north, sons will shoot their parents rather than let them fall into North Vietnamese hands.

For Vang Pao, the guerrilla leader of the Meo—the most effective fighting force the government has—the situation has become desperate. In the last six months he has lost more men than in any comparable period in the last 10 years. His people have become discouraged, and only Vang Paos leadership keeps them going. There are no longer enough young men left for the Meo girls to marry, and some of Vang Paos troops are mere 12- or 13-year-old children.

At least one American in Laos—the near-legendary Edgar "Pop" Buell—is darkly pessimistic about the outcome. A retired Indiana farmer, he heads U.S. Agency for International Development efforts in northern Laos, and has been a kind of Lord Jim to the tribes there. But just before he was evacuated from Sam Thong. Pop Buell, his clothes rumpled and his eyes red from lack of sleep, wondered aloud how much longer Vang Pao and his Meo could keep up the fight. Maybe a couple of years more, he thought, but eventually the Meo would just have to make some accommodation with the North Vietnamese. This is Buell's 10th year with the Meo, and he put his leathery face in his hands and said: "It's all been running and dying, just running and dying."

[From the Washington Star, Apr. 19, 1970]

Laotians Are Plagued By Diet Deficiencies

(By Tammy Arbuckle)

Vientiane.—Refugees in Laos are not facing a malnutrition crisis now, American and Lao officials said yesterday, contradicting recent reports from Washington.

AID officials are not claiming there is no malnutrition in Laos. They said, in fact, that malnutrition is a permanent state of affairs here. But they said in results not so much from a lack of food as from chronic diet deficiencies.

(Sen. Edward M. Kennedy, D-Mass., said in Washington last week that the refugee situation in Laos is nearing "a serious crisis." Sen. Mark O. Hatfield, R–Ore., said that at least 70,000 to 100,000 Lao refugees now face "serious malnutrition.")

Officials for the U.S. Agency for International Development said they have counted a total of 700,000 refugees since the Laos war heated up in 1964. About 200,000 of these are refugees from this year's battles in northern Laos.

U.S. SUPPLIES HELP

Most of these 200,000 people have walked over the northern mountains to reach government-held airstrips. AID supplies the refugees immediately with rice, meat supplements, fish meal and tinned milks. Blankets and shelter equipment are also supplied.

A top AID officials said: "The people grow enough food in their villages to sustain them, but lack proteins. When they become refugees and have to walk over the mountains in the rain and cold, their bodies lack vitamins to resist disease, and they succumb to ever-present malaria, various forms of diarrhea, fevers and, recently, measles."

He said that "their condition depends on how far they have walked over what kind of terrain and what life was like in their homes. They are mostly all suffering from malnutrition in the form of diet deficiencies which we try to make up with meats and fish meal and milk."

The AID official said these deficiencies "are not the result of being refugees but of lifetime malnutrition."

HARDSHIPS CITED

Officials said there is enough rice for everybody. But the diet causes malnutrition, and the hardship imposed on weak bodies by refugee life does the rest.

AID officials said that 85 of a group of 122,000 refugees died from disease this year.

The official description of the state of the refugees has been confirmed by reporters after visits to the mountain airstrips where the refugees are arriving.

Everybody appears to have rice; American aircraft were dropping sacks of it to the refugees. Tins of meat were embedded in the rice.

REFUGEES ATTACKED

The walking refugees are often attacked by the Communists. The attacks make it difficult to get food to refugees while they are moving. On one occasion, North Vietnamese were said to have killed over a thousand refugees in one escape column.

AID tries to get food to the refugees, however. American fliers, at great risk, search for walking refugees in the mist-covered mountains. When they find them, planes are called in to drop rice if no enemy troops are near.

Two weeks ago, one old man told a reporter he had walked for a month to escape the advancing North Vietnamese. His daughters had built a house after their escape, using plastic sheets provided by AID. And they were cooking AID-supplied rice.

The refugees who are worse off are those already cut off by North Vietnamese troops. I recently flew into one tiny valley where 300 people were huddled about; North Vietnamese troops were reported some 2,000 yards away.

The people had malaria, worms and scabies. Some children had swollen stomachs, not from a lack of food, according to a doctor who came along on the trip, but from split intestines.

Even these people hiding in the jungles received rice by airdrops—and were visited by an American refugee officer who made the trip despite great risk.

One group of women had goiters in their throats. Refugee officers said their illnesses were the result of a lack of salt in the village from which they had fled.

MANY ITEMS SUPPLIED

AID supplies everything from salt to pots and pans and, in the view of observers here, cannot be held responsible for refugee conditions.

A refugee is kept on the AID books, officials said, till he has had three successful harvests.

Some 20,000 refugees are still on the move south as the fighting in Laos continues.

Some of the 700,000 who have become refugees since 1964 have entered the refugee rolls several times as the Communists made territorial gains, AID officials said. U.S bombing is largely responsible for the recent influx of 200,000 refugees.

Some refugees said jets bombed their villages even though Communist troops were off hiding in the forest. Well-informed sources said the United States is pursuing a "scorched earth" policy to force the people to move into government areas—and thus deprive the Reds of information, recruits and porters.

As the fighting continues in northern Laos, more refugees are expected.

The only item AID lacks right now is tinned milk. Although milk is available from welfare organizations, the high cost of transporting it through Thailand—where the Thai government holds a transport monopoly—is holding up deliveries.

DEATH OF LAURENCE S. BURTON, PROMINENT UTAH LEADER

Mr. BENNETT. Mr. President, on April 10, my home State of Utah sustained a significant loss in the death of Laurence S. Burton, of Oregon, an outstanding church and civic leader.

Since his death at 74 occurred while I was serving as an official observer delegate sent by the Senate to meetings of the Asian Development Bank in Seoul, Korea, I have not previously had the opportunity to comment on Mr. Burton's passing.

Laurence S. Burton's death is especially significant to this body, since he was the father of our Utah colleague in the House of Representatives, Laurence J. Burton.

The senior Mr. Burton had been president of the Ogden Stake of the Church of Jesus Christ of Latter-day Saints for 22 years. He was Stake patriarch at the time of his death.

Mr. Burton was a gifted civic as well as spiritual leader, and was one of those rare individuals whose whole life was devoted to the service of others. He was a member of the board of trustees of the Thomas D. Dee Memorial Hospital; on the Lake Bonneville Council, Boy Scouts of America; and had served as PTA president, cochairman of a well-known pioneer theatrical presentation, "All Faces West," on the Weber County American Red Cross executive committee, and had worked with USO and Community Chest.

Laurence S. Burton will truly be missed by his community, church, State, and Nation, and by his wonderful family, to whom my deepest sympathy is extended.

I ask unanimous consent that an article relating to his death be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Death Takes LDS Church Leader at 74

Laurence S. Burton, prominent LDS Church and civic leader of 1137 Rue Ann Court, died in a local hospital early today after a three-month illness. He was 74.

Mr. Burton had been president of the Ogden LDS stake for 22 years and was stake patriarch at the time of his death.

He was the father of Utah Congressman Laurence J. Burton.

XUM

LIFELONG RESIDENT

A lifelong resident of Ogden, he was born Oct. 14, 1895, a son of Thomas Walton and Berendina Schat Burton.

On March 10, 1926, he married Marguerita Roghaar in the Salt Lake City LDS Temple.

Mr. Burton was associated with the George A. Lowe Co. for 55 years. At the time of his retirement in July 1969, he was secretary, a director and assistant manager of the company.

Active in the LDS Church, he also had been a member of two ward bishoprics, member of two high councils, a ward clerk and in an MIA presidency.

He was a member of the LDS Northern Utah Welfare Region executive committee and had served as chairman of the Weber County LDS Stake Presidents Committee.

OTHER ACTIVITIES

Mr. Burton's other church and civic activities included membership on the Thomas D. Dee Memorial Hospital board of trustees, the Lake Bonneville Council, Boy Scouts of America, PTA president, co-chairman of All Faces West, Weber County American Red Cross executive committee, the USO and Community Chest.

Surviving are his widow; three sons, Rep. Laurence J. Burton, Dr. Thomas R. Burton and Richard R. Burton of Ogden; a daughter, Mrs. Darold H. (Kathleen) Chambers of Pocatello; a sister, Mrs. Fred J. (Violet) Christensen of Hawthorne, Calif., and 14 grandchildren.

Funeral services will be conducted Monday at 1:30 p.m. in the Ogden Stake Center at 21st and Jefferson with Bishop Clarence P. Bathke of the 13th Ward officiating. Harold B. Lee of the LDS First Presidency will speak.

Friends may call at the Larkin Mortuary Sunday after 7 p.m. and Monday after 11:30 a.m.

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AMBASSADOR ARTHUR GOLDBERG STRONGLY URGES U.S. ACTION TO PROTECT HUMAN RIGHTS ON AN INTERNATIONAL BASIS

Mr. PROXMIRE. Mr. President, it is now more than 20 years after the United Nations ratified the Universal Declaration of Human Rights. The United States has taken no significant action to implement the ideals of this important document.

Mr. Arthur Goldberg, the U.S. Ambassador to the U.N., has carefully presented the problems resulting from the lack of American action in this vital area. Testifying in 1967 before a Senate Foreign Relations subcommittee, Mr. Goldberg stated:

> In my experience now of almost 20 months at the United Nations, I can say that failure on our part to ratify conventions which do no more than put into the international area commitments which the United States is bound by its own Constitution and laws is very difficult to justify, and this is not a light task for a representative of the United States as I am sure all my colleagues who have participated in the U.N. can testify to.

One of the U.N. conventions to which Ambassador Goldberg referred was the Convention on the Political Rights of Women. This measure basically guarantees the rights of women to vote and to hold office, and protects these fundamental freedoms on an international basis. This principle has long been an important concept in American government.

The Political Rights of Women Convention was passed by the U.N. in March of 1953. Over 40 nations have added their signatures to this vital treaty. And yet, no action has been taken by the United States to voice support of this basic human right as it applies to women throughout the world.

Our failure to ratify the Convention on the Political Rights of Women, as well as other human rights conventions, can lead to the impression that we care little about human rights, except when applied to our own citizens. This, of course, is not true. There is absolutely no reason then, for us to deny support to other world citizens with respect to the very privileges which we hold sacred.

I urge immediate action by the United States on the many important human rights conventions now pending in the Senate.

Ambassador Goldberg has forcefully set forth the need for this role of responsible leadership which the United States must assume:

> I said at the outset that these treaties were important for the foreign policy of the United States. I say that because it is my very profound conviction that whatever the views of experts may be or anybody may be upon the limitations and exercise of American power, we stand for something in the world. It is an interesting thing that when our Declaration of Independence was written, we proclaimed certain unalienable rights, and the drafters of this great document proclaimed them not just for Americans, but for all men, and I recall the observation that our great President Lincoln made. He said there was something in the Declaration giving liberty, and I am quoting him, "not alone to the people of this country but the hope for the world for all future time.

MARIHUANA—A STEP TOWARD TRUTH

Mr. SMITH of Illinois. Mr. President, a preliminary report by the Surgeon General on the health consequences of using marihuana may be available late this summer as a result of the action taken by the Senate on April 7.

I refer to the Dominick amendment, which was adopted as a rider to H.R. 11102, the bill extending and expanding the hospital construction program. Since the hospital program expires June 30, that bill is expected to go to a House-Senate conference very shortly.

In addition to the preliminary report due 90 days after enactment, the Dominick amendment requires an annual report on the current state of knowledge about the health effects of marihuana.

On April 8, 1970, KOSI, a Denver radio station, broadcast an editorial on the amendment entitled "The Marihuana Matter—A Step Toward Truth." As the editorial writer so amply noted:

> There are two main parts of truth, as Bacon put it, first, the inquiry, which is the wooing of it; and secondly, the knowledge of it, which is the presence of it.
>
> May I only add, we need more people like Senator Dominick in search of it.

Senators will, I believe, be interested in any indications of how the amendment is being received, so I ask unanimous consent that the editorial be printed in the RECORD.

I am delighted to be a cosponsor of the amendment and am convinced it is a vital step toward bringing a sense of order to the marihuana debate. I urge the House-Senate conferees to accept it.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE MARIJUANA MATTER—A STEP TOWARD TRUTH

(By Tony Larson)

"It's clear that, depending on the dose, the active ingredient found in Marijuana may have substantial detrimental effects on both the mental and physical well-being of the user."

That's a sentence clipped from President Nixon's Task Force Report on Narcotics, Marijuana, and Dangerous Drugs, issued in September of last year (1969). It was quoted by U.S. Senator Peter Dominick in his opening statement September 29th at a Hearing in Denver before the special Subcommittee on Alcoholism and Narcotics. And he prefaced the quote by saying he was more concerned "at this juncture, about the health aspects" of Marijuana smoking than with criminal laws covering its use. As the ranking Republican on the Senate Health Subcommittee, Senator Dominick has continued this concern and has constantly battled for more research into the dangers of Marijuana use, or the absence of danger if that research finds Marijuana relatively safe.

The main point is, that Senator Dominick is keenly aware of perhaps the most important fact in the Marijuana matter; the truth of "Pot" must be learned. Those who make laws must be more knowledgeable. They must know what they're dealing with. Lawmakers must have factual information before they can make logical law. That's why more research on Marijuana is so vital.

At the Denver inquiry last September, Senator Dominick raised two important questions: "What danger does (Marijuana) raise to the health of the user?" And, "Is the casual experimenter risking serious impairment to his health?" While common sense says nothing foreign (like smoke of any kind) taken into one's body can be any good, commonsense is not an answer. It's not logical, and it will do little good to harp on the wise use of it to answer the plight of Marijuana.

Senator Dominick wants answers! And within his congressional power he's doing everything he can to find them. His latest try is an amendment to the Hill-Burton Hospital Construction Bill. Under the amendment, the Secretary of Health, Education and Welfare will be required to report every January 31st on any information he has gathered on the effects of Marijuana on health. In the Senator's words, "What I'm asking for is an authoritative decision, regularly updated, on whether Marijuana can be given a clean bill of health."

Another facet of the amendment is the due date of the first report. The first one, by the Surgeon General, must be available ninety days after the measure is signed into law by President Nixon.

Th amendment is a good one, and Senator Dominick should be applauded for his untiring efforts in taking steps toward truth in the Marijuana matter.

A final note: There are two main parts of truth, as Bacon put it, "first, the inquiry, which is the wooing of it; and secondly, the knowledge of it, which is the presence of it."

May I only add, we need more people like Senator Dominick, in search of it.

That's "Candid Comment." I'm . . . Tony Larson. Good night.

CONTINUED OPERATION OF COAST GUARD RESERVE

Mr. HOLLINGS. Mr. President, I have received from the South Carolina General Assembly a concurrent resolution, introduced by my home county delegation, and passed by the general assembly, memorializing Congress to enact suitable legislation to insure that the U.S. Coast Guard Reserve shall continue in operation.

I share their opinion that this valuable arm of the Coast Guard should continue to exist, and I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A CONCURRENT RESOLUTION TO MEMORIALIZE CONGRESS TO ENACT SUITABLE LEGISLATION TO INSURE THAT THE U.S. COAST GUARD RESERVE SHALL CONTINUE IN OPERATION

Whereas, there is at this time every indication that the United States Coast Guard Reserve shall in the near future be discontinued; and

Whereas, the Coast Guard Reserve has contributed greatly to the military preparedness and the protection of the coastal areas of this country; and

Whereas, in the event of an emergency or national disaster it would still add greatly to the protection of our coastal areas. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That Congress be memoralized to enact without delay suitable legislation which shall ensure the continued operation of the United States Coast Guard Reserve.

Be it Further Resolved that copies of this resolution be forwarded to the President of the United States, to each United States Senator from South Carolina, each member of the House of Representatives of Congress from South Carolina, the Senate of the United States and the House of Representatives of the United States.

UNFAIR OIL IMPORT PROGRAM

Mr. PROUTY. Mr. President, we New Englanders have too long been the captive victim of an unfair system, the oil import program. The Senators from our six-State region have brought to their colleagues' attention compelling evidence of our region's plight.

Today I would like to bring to the Senate's attention a succinct and compelling analysis of our region's problem as presented on April 7 by the distinguished Senior Senator from New Hampshire (Mr. COTTON) in testimony before the Small Business Subcommittee of the Banking and Currency Committee.

I ask unanimous consent that Senator COTTON's testimony be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR COTTON

Mr. Chairman: First, I would like to take this opportunity to commend you and your colleagues on this subcommittee for the attention you have given this matter. You and I have constantly fought for cheaper oil and I know the people of the section of the country which we represent will appreciate all that you are doing in their behalf.

Like yourself, I have supported the project of a free trade zone and an oil refinery at Machiasport. I shall say I am keenly disappointed that after the President's Cabinet committee recommended a reduction in import restrictions the President postponed action awaiting the report of a newly created oil policy committee. We've had too much fact-finding, too many commissions and committees, too many studies. These will never keep us warm in the winter.

The position of New England is unique and requires special treatment.

New England with nine percent of the country's population uses twenty-one percent of the home heating oil consumed in the country. Some 70% of the homes in our sector are heated with oil. New Englanders pay top dollar to their oil man, and yet can never be certain their will be enough oil to last the winter.

Threats of fuel shortages are not uncommon. On February 3rd an emergency allocation bailed New Englanders out of a heap of trouble. It was the second instance within the past three years when our delegation has had to plead hardship to insure our people against a fuel shortage. At best, such emergency measures offer only a glimmer of relief. It falls short of meeting the central issue, an adequate supply of fuel oil and at a reasonable cost.

Since the oil import program was established in 1959 following Suez, we have been on the short end of the stick. Not only is there the constant threat of shortages, but in 1968 New Englanders paid nine percent more to heat their homes than the national average.

I am fully aware of the broad question of our national oil policy and the national security implications, and prefer to leave that to the oil policy committee and to zero in on what I consider to be the major concern of we New Englanders. Namely, it is fairer consideration for our region from the Federal government's oil policy. Only a few weeks ago, a top Defense Department official, Barry Shillito, testified before a House Committee that this country could have more imported oil and still not jeopardize security. If this is so why not give New England the fair shake we have been seeking all these years.

Recently, my colleague from Vermont, Senator Prouty, introduced the New England Fuel Oil Act. I believe this bill meets the issue head-on and I was pleased to sponsor the measure with him. Our bill simply removes import controls in New England. I hope that your committee will consider similar legislation that will attack the problem squarely and remove this heavy economic burden on our residents.

Again let me thank you for this opportunity. I look forward to working with you in the interest of the eight and one-half million fuel consumers in the New England sector.

THE OIL LEAK IN THE GULF OF MEXICO

Mr. MOSS. Mr. President, the Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs has been trying to obtain the facts on the recent oil spill in the Gulf of Mexico with a view to determining whether amendment to the Outer Continental Shelf Lands Act is indicated.

So far, I regret to report, our efforts have met with little success. Secretary of the Interior Hickel, after making public announcement twice of a—quote—"report"—unquote which he said he himself carried over to the Department of Justice on March 20, has told the subcommittee that the report is not yet ready.

The Chevron Co., on whose production platform the fire which resulted in the oil leak started, feels it should not make any public statements at this time in view of the investigation by a grand jury now underway in New Orleans.

However, I have obtained a copy of a letter-report that the chairman of the board of the Standard Oil Co. of California, of which Chevron Oil is a subsidiary, has made to the stockholders of the Standard Oil Co. The board chairman is O. N. Miller.

Solely for the purpose of making as complete a record as possible on the oil spill and having all the facts as seen from the point of view of the parties directly concerned brought out, I ask unanimous consent that the letter of Mr. O. N. Miller to the stockholders of the Standard Oil Co. of California, dated April 11, 1970, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STANDARD OIL CO. OF CALIFORNIA,
San Francisco, Calif., April 11, 1970.

DEAR SHAREHOLDER: In February, a fire of unknown origin broke out on an offshore platform of Chevron Oil Company in the Gulf of Mexico.

The Company quickly assembled massive amounts of equipment and materials and the large number of expert personnel needed to extinguish the fire, to bring the wells under control, and to minimize the oil spill. I can now report to you that these efforts have been successful.

I do want you to know that earlier reports of the magnitude of the oil spill, and the magnitude of its potential damage, were greatly exaggerated. There was no injury to marine, bird or other wildlife, or to oyster beds or shrimp fishing grounds. The slick never reached beaches or other mainland areas, and touched only a portion of Breton Island—a small uninhabited body of land—which was promptly and thoroughly cleaned.

The origin of the fire remains unknown. As far as can be determined, it broke out in the area of the production facilities, some distance from the wellheads, and was out of control before an adequate number of fire fighting personnel and equipment could be brought to the platform. Fire spread to the wellhead area, started leaks in some of the wells below their surface controls, and ignited the leaking oil and gas.

There has been considerable discussion about "storm chokes" and their function.

A storm choke is a type of valve which is installed at depth in a well. Its function is to shut off production automatically in the event there is a sudden surge in rate of flow—for example, if surface controls are destroyed by hurricane or violent storm, permitting the well to flow unchecked.

A storm choke will not shut down a well which flows at a rate lower than that at which the valve is designed to close. As long as the flow is below this rate, the choke will not close, even though the surface controls are rendered inoperative, such as by fire at the surface. This is what occurred in the Chevron Oil Company accident. Some wells, equipped with storm chokes, caught fire—they continued to flow oil and gas after the fire was extinguished, because the flow did not increase enough to close the storm chokes.

It has been a long-standing practice of the Company to install or have readily available—at all times—storm chokes or similar subsurface safety devices for all wells, and

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to have such devices in place in all wells under threat of a hurricane or storm.

Under Federal Government regulations, there are circumstances under which a storm choke is not required to be in place in a well. A common circumstance is when the well produces sand along with oil or gas, and the storm choke causes the sand to plug the tubing of the well, or the sand makes the storm choke inoperative. The latter happens because sand carried along with the flowing production cuts and erodes these valves.

When storm chokes are not required to be in place, regulations provide that wells shall be equipped with an automatic surface safety shut-in device at or near the wellhead—and all of Chevron's wells in the Gulf were and are so equipped.

When circumstances in a particular well are such that the storm choke may be removed, Federal regulations permit a waiver of the storm choke requirement. The Chevron Oil Company on numerous occasions in the past has requested waivers of this kind, and they have always been granted.

Just which wells in the field had storm chokes in them on the date the fire broke out which ones did not, and which ones without chokes had waivers, is under investigation by a Federal Grand Jury in New Orleans. In view of the Grand Jury's pending investigation of the procedures of Chevron and those of the industry, it would be inappropriate for me to comment further on this particular aspect.

It has also been alleged that Chevron violated regulations pertaining to other safety devices on its platforms. We have not received a list of these alleged violations. After the outbreak of the fire, our platforms in the field were inspected, and we were given a new directive to install certain additional safety devices. This has been done, but these devices were not required by any applicable regulation or order in existence prior to the fire.

I do want to stress that Chevron did not violate any safety regulations—Company, State or Federal—observance of which would have prevented the fire, or extinguished it before it spread to the wellheads. Also, in all of its efforts, Chevron has cooperated to the fullest extent with both State and Federal authorities.

Chevron Oil Company has been operating in the Gulf of Mexico for more than 30 years, and has never before had a significant offshore mishap. It is staffed and run by experienced and competent people.

The practices of Chevron Oil Company reflect our policies of long standing to preserve and, wherever possible, to improve the environment in which we carry on our business. You can be certain that there will be no deviations in adherence to those policies.

Sincerely,

O. N. MILLER.

SENATOR HRUSKA REVIEWS CONSTITUTIONALITY OF PRETRIAL DETENTION

Mr. PROUTY. Mr. President, an issue of great current controversy is whether pretrial detention of defendants who pose a serious threat to public safety would be either practical or constitutional.

The prominence of this issue is due to the various legislative proposals that have been introduced which would establish pretrial detention procedures in our Federal law enforcement system.

There are now five legislative proposals pending before the Senate Constitutional Rights Subcommittee. More than 2 dozen proposals have been made in the House, and the House Judiciary Committee has been conducting extensive hearings on these bills. All of these proposals would establish pretrial detention systems in all of our Federal district courts.

Similarly, the District of Columbia Court Reform and Criminal Procedures Act of 1969, as passed by the House, contains a section creating a pretrial detention system, but only for the Federal courts of the District of Columbia. This bill is now before a conference committee, on which I serve, and this issue is a source of difference between the House and the Senate versions of the bill.

The Senator from Nebraska (Mr. HRUSKA), the ranking Republican on the Judiciary Committee, was the primary sponsor of S. 2600, the amendments to the Bail Reform Act which were proposed by the Nixon administration. Senator HRUSKA has written a scholarly article on the constitutionality and practicability of Federal pretrial detention, which was recently published in the law review of his alma mater, Creighton University Law School, in Omaha, Nebr.

Mr. President, I ask unanimous consent that Senator HRUSKA's excellent article be printed in the RECORD. It should aid Senators in their consideration of the many questions surrounding Federal pretrial detention proposals.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PREVENTIVE DETENTION: THE CONSTITUTION AND THE CONGRESS

(By Hon. ROMAN L. HRUSKA*)

I. INTRODUCTION

The system of bail in the federal courts of the United States remained basically unchanged from its statutory origin in 1789[1] until the recent decade. Then, while reform by statute and judicial decision was pressing rapidly forward in other areas of federal criminal law enforcement, serious attention was also turned to the inadequacies of the federal bail system.

In 1963, after reviewing federal bail practices, the Attorney General's Committee on Poverty and the Administration of Federal Criminal Justice[2] concluded:

> [T]he bail system administered in the federal courts, relying primarily on financial inducements to secure the presence of the accused at the trial, results in serious problems for defendants of limited means, imperils the effective operation of the adversary system, and may even fail to provide the most effective deterrence of non-appearance by accused persons.[3]

This conclusion drew the immediate attention of bench, bar, law enforcement agencies, and the Congress to the problems in the federal bail system. Such widespread attention had not previously existed, although the findings of the Committee were not wholly new.

In 1954, Professor Caleb Foote directed a field study of the operation of the bail system in Philadelphia. Conducted by students of the University of Pennsylvania School of Law, the study determined that the money bail system permitted unnecessary and prolonged periods of pretrial detention and had serious effects on the administration of justice.[4]

Another study was conducted by the Vera Foundation. Established in 1961, the Foundation was directed to conduct research into the problems of indigency and the criminal law. As a first project, the Foundation sponsored the Manhattan Bail Project[5] to study bail practices in New York City. Results of this research, published in 1963,[6] showed that the money bail system resulted in widespread discrimination against the impoverished defendant.[7]

A concurrent study of bail in the District of Columbia was conducted by the Junior Bar Section of the District of Columbia Bar Association. Begun in 1962, this study led to the publication of a comprehensive report[8] which prompted the Judicial Conference of the District of Columbia Circuit to initiate, in 1963, a local bail project, similar to the Manhattan Bail Project, which operated for three years.

Significantly, these early studies reached conclusions similar to that expressed by the 1963 Attorney General's Commission Report. The dominant trait in the national bail pattern was readily discernible: when pretrial release depends entirely on the ability to pay a bondsman, those who cannot pay stay in jail.[9]

The public interest generated by these studies and the statistical groundwork they provided made congressional review propitious. The Senate Constitutional Rights Subcommittee, which had been studying federal bail since 1961, conducted extensive hearings after the Attorney General's Commission Report was available. Between 1964 and 1966, two rounds of hearings were held in the Senate and one in the House of Representatives. Various bills were introduced to reform the bail system. Finally, the Senate Constitutional Rights Subcommittee prepared and introduced an omnibus bill in the 89th Congress on March 5, 1965,[10] and President Johnson signed the bill into law on June 22, 1966, as the Bail Reform Act.[11]

The Bail Reform Act adopted as public policy the conclusion of the Attorney General's Commission Report. Its stated purpose is:

> [T]o revise the practices relating to bail to assure that all persons, regardless of their financial status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest.[12]

Following passage of the Act, the Constitutional Rights Subcommittee continued its review of federal bail practices and gathered evidence showing that the purpose of the Act was not being wholly served. As the American Bar Association's Advisory Committee on Pretrial Proceedings revealed in its recent review of state and federal bail practices.

> [M]any judges, when faced with a defendant whom they fear will commit "additional crimes" if released, feel compelled to set bail beyond his reach. In effect, bail is used to deny rather than to facilitate pretrial release.[13]

Other eminent bodies which studied the area of federal bail practices reached the same conclusion.[14]

These disclosures led the Senate Constitutional Rights Subcommittee to hold hearings in 1969 on the gains made and the defects discovered in the Bail Reform Act of 1966.[15] Many witnesses testified that the Act's purpose to discourage money bail was being largely ignored by the courts. Rather than used only as a last resort to prevent flight, high money bail was being commonly used to protect the community from possibly dangerous defendants, although ostensibly, to prevent flight.[16] Obviously, this invisible system of preventive detention contravenes the purpose of the Bail Reform Act, subverts our system of justice by preventing judicial review in specific cases, casts doubt on the good faith and honesty of our judicial system, contradicts our due process notions of fair play, and prevents the de-

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velopment of objective standards of dangerousness.

Nevertheless, the judicial instinct to consider the possible danger of the defendant during pretrial release deserves our attention. If danger to persons or the community does exist from certain defendants and there is substantial reason to expect harm to occur, then serious consideration should be given to a system of preventive detention. Judges should be able to forthrightly protect the public from recidivist criminals by detaining them prior to trial. Danger from abuse of this judicial discretion can be limited by providing clear standards and procedural safeguards, including the right of review and appeal. Certainly this would be far superior to the invisible hand that now shadows the use of high money bond.

The foregoing view has gained broad bipartisan support in both Houses during this first Session of the 91st Congress. Five bills related to the problems of preventive detention have been introduced in the Senate[17] and 22 bills in the House.[18]

In light of the growing interest in pretrial preventive detention, this article is written to review the relevant statutory and constitutional history of bail, to advance some notions of public policy, and to advocate the need for congressional action.

II. THE CONSTITUTION

Bail is an ancient custom. Its practice began in medieval England and evolved in a series of later English statutes including the English Bill of Rights of 1688 which specifically provided protection against excessive bail.[19] Sheriffs of old England would release the defendant upon a third person's promise that the defendant would appear for trail. If the defendant did not appear, the third person, known as a surety, surrendered himself to suffer the penalty of the defendant. This early practice of bail was described by one study as follows:

> In the period during the first thousand years A.D. in England, a bail system like the American system in use today began to develop, charted by the necessities of the times. Land was held in vast feudal baronies. Justice was administered by traveling judges whose visits to an area on the circuits of the realm were intermittent, often several years apart. The local sheriffs, who represented the Crown in their respective areas, were responsible for the custody of prisoners. Prison conditions were atrocious. Prison facilities were insecure and inadequate. They served no one, and they were a finnancial burden.
>
> The sheriffs, executives for the administration of criminal justice until the judges arrived, were happy to have someone else assume the responsibility of maintaining custody of defendants. If someone would assume the personal responsibility of presenting a defendant for future trial, the sheriffs were happy to shift the responsibility to them. As the custodian of all those accused, sheriffs frequently relinquished defendants provisionally into the custody of a surety, usually a friend or relative of the accused.[20]

Today in England, the system of bail continues to be based on the ancient concept of a surety relationship between the defendant and a third person, although the system has evolved to permit the surety to surrender a sum of money rather than himself when the defendant fails to appear.[21] The English system has also retained a flexibility which permits the magistrate to deny bail when the defendant appears likely to tamper with the evidence or commit new offenses if released.[22]

Ball in the federal courts of the United States followed a somewhat different course than the English tradition, evolving from four basic sources: the Judiciary Act of 1789, the Eighth Amendment to the United States Constitution, the Fifth Amendment to the United States Constitution, and most recently the Bail Reform Act of 1966.

Enacted by the First Congress, the Judiciary Act of 1789 was the first break with English tradition and laid the groundwork for distinctly American bail institutions and for limited judicial discretion. That act provided that "upon all arrests in criminal cases, bail shall be admitted, except where the punishment may be death. . . ." and made bail in capital cases discretionary, depending upon the "nature and circumstances of the offense, and of the evidence, and usages of law." [23]

The House Judiciary Committee has described the American development of bail institutions as follows:

> Since the Judiciary Act of 1789 . . . Congress has provided that persons shall be admitted to bail upon arrest in criminal cases except where the punishment may be death. It also provided that bail is discretionary in capital cases depending upon the nature and circumstances of the offense and of the evidence and usages of law. The practice of providing a private surety who would personally guarantee to produce a bailee proved inadequate. Eventually, the posting of bail became the function of a professional bondsman who in return for a money premium guaranteed the appearance of the defendant at the time of trial. It was also in this manner that the posting of bail bonds became a commercial venture.[24]

Basis for the discretion of federal courts to deny bail in noncapital cases was regarded as nonexistent. This tradition in turn spawned the notion that the right to bail in noncapital cases was absolute in the federal system. Justice Vinson expressed this view quite clearly in *Stack* v. *Boyle*.[25]

> From the passage of the Judiciary Act of 1789 . . . to the present Federal Rules of Criminal Procedure . . . federal law has unequivocally provided that a person arrested for a noncapital offense shall be admitted to bail. This traditional right to freedom before conviction permits the unhampered preparation of a defense, and serves to prevent the infliction of punishment prior to conviction. . . . Unless this right to bail before trial is preserved, the presumption of innocence, secured only after centuries of struggle, would lose its meaning.[26]

Despite its statutory tradition of being absolute, the right to bail in noncapital cases must be considered in a constitutional context to determine what exceptions exist, and, if so, whether the Constitution might permit preventive detention in noncapital cases as well.

III. THE EIGHTH AMENDMENT

Following the Judiciary Act of 1789, the Bill of Rights was added to the Constitution in 1791.[27] The Eighth Amendment specifically addresses the issue of bail by providing that "excessive bail shall not be required," but the Amendment does not explicitly guarantee a right to bail. Nor has the United States Supreme Court decided whether the Amendment confers an absoluate right to bail. Since the Judiciary Act provided for that right in noncapital bases, the constitutional issue never had to be reached. *Stack v. Boyle* considered the meaning of the word "excessive" under the Eighth Amendment but did not determine the extent of the constitutional right to bail.[28] It has been argued, however, that the history of bail and the language of the Eighth Amendment necessarily imply an absolute right to bail.

The historical argument is that the Bill of Rights was based without change on the 1776 Virginia Declaration of Rights, drafted by the distinguished scholar and public figure, George Mason. Regarding Mason's draftsmanship, Professor Caleb Foote has stated:

> The bail language he included was taken from the second half of the English Bill of Rights of 1689, but whether from inadvertence, or from the fact that he did not have his references at hand when he wrote . . . or from the fact that he was not technically trained as a lawyer, he omitted critical language which is in the preamble of the English Bill of Rights, which clearly spells out the basic right to bail and makes the prohibition of excessive bail merely a dependent clause upon an existing nondiscretionary statutory right to bail. Thus, Mason's English source combined both the right to bail, drawn together from enactments which in England went back to 1275, and the protection against abusive denial of that right through the judicial imposition of excessive bail. Unaccountably and apparently unnoticed by everybody, when this protection came into our Constitution, one of its essential two legs was missing.[29]

Doubt exists as to whether the omission mentioned by Professor Foote was as critical or inadvertent as he suggests. Professor Foote himself admits that the omited language was in the preamble of the English Bill of Rights and not part of the body.[30] Also, the language of the preamble is not as clear as he contends. More importantly, the United States Supreme Court, when confronted with this historical source, stated in *Carlson* v. *Landon:*[31]

> The bail clause was lifted with slight changes from the English Bill of Rights Act. In England that clause has never been thought to accord a right to bail in all cases, but merely to provide that bail shall not be excessive in those cases where it is proper to grant bail. When this clause was carried over into our Bill of Rights, nothing was said that indicated any different concept. The Eighth Amendment has not prevented Congress from defining the classes of cases in which bail shall be allowed in this country. Thus in criminal cases bail is not compulsory where the punishment may be death. Indeed, the very language of the Amendment fails to say all arrests must be bailable.[32]

It is also argued that it would be meaningless to interpret the Eighth Amendment to forbid the judge to detain a defendant by setting unreasonably high bail, while still permitting the judge to deny bail altogether. This would allow the judge to do directly the very thing that he is forbidden to do indirectly. Also, as stated by Justice Black in dissent in *Carlson v. Landon*, under this view, "the Amendment does no more than protect a right to bail which Congress can grant and which Congress can take away." [33]

Some federal courts have adopted the foregoing reasoning and declared the right to bail in noncapital cases to be an inviolable feature of our legal system.[34] These cases are not conclusive, however, because they either refer to the right of bail as statutory in origin or rely upon other cases which were decided on the basis of the statutory right.

On the other hand, the courts have not decisively disposed of these arguments. Although the language in *Carlson v. Landon* appears to be final on the subject, the nature of the case raises questions. The case involved the denial of bail to alien communists pending deportation proceedings. Although the distinction today between civil and criminal proceedings has become increasingly obscured,[35] it was considered a valid distinction in 1952, and the language of *Carlson v. Landon* seems to recognize the distinction.[36]

Other valuable precedents exist that buttress the concept that right to bail, although secure from unreasonable denial, is not absolute. Discussing the application of the bail provision of the Eighth Amendment to states through the due process clause of the Fourteenth Amendment, the Eighth Circuit in *Mastrian v. Hedman*[37] concluded that:

> Neither the Eighth Amendent nor the Fourteenth Amendment requires that every-

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one charged with a state offense must be given his liberty on bail pending trial. While it is inherent in our American concept of liberty that a right to bail shall generally exist, this has never been held to mean that a state must make every criminal offense subject to such a right or that the right provided as to offenses made subject to bail must be so administered that every accused will always be able to secure his liberty pending trial.[38]

Whether the Eighth Amendment applies to only federal criminal cases, or in addition to state criminal cases as well, the breadth of the right to bail thereunder would be the same. The *Mastrian* case, by clearly denying an absolute right to bail under the Eighth Amendment in state cases, carries equal weight as precedent on the extent of the right to bail in federal cases.

Equally compelling precedents exist in cases involving only federal rights unaided by the application of the Fourteenth Amendment to the states. Justice Douglas, sitting as Circuit Justice on an application for bail appeal, explained that:

> In my view the safety of witnesses, should a new trial be ordered, has relevancy to the bail issue. . . . Keeping a defendant in custody during the trial "to render fruitless" any attempt to interfere with witnesses or jurors . . . may, in the extreme or unusual case, justify denial of bail.[39]

Justice Frankfurter, also sitting as Circuit Justice on an application for bail pending appeal, reached a similar conclusion:

> The granting of bail certainly presupposes confidence that a defendant will respond to the demands of justice. In fixing the amount of bail, Rule 46 (c) explicitly adverts to the trustworthiness of a defendant . . . . Impliedly, the likelihood that bail within tolerable limits will not insure this justifies denial of bail.[40]

No mention was made in either of these cases of any constitutional right to bail. Rather, the public policy of preserving the integrity of the trial process during an appeal, where the case may have to be retried, was the primary consideration.[41] This could involve either protecting witnesses or insuring the presence of the defendant. Although bail on appeal can be distinguished from pretrial release,[42] it would seem to be a meaningless distinction where the ends sought to be obtained are the same.

In addition to the judicial decisions denying a specific constitutional right to bail, other factors support the argument that Congress has the power to define categories of defendants for whom pretrial release may be denied based on certain judicial findings. These factors are: (1) present statutory exceptions of defendants who are denied pretrial release; (2) the changing nature of capital offenses; and (3) public policy needs.

A. Statutory exceptions

Present statutory exceptions where the defendant has been denied an absolute right to pretrail release are: where the defendant is charged with a capital crime rather than noncapital crime; [43] where the defendant is a deportable alien; [44] and where the defendant is mentally incompetent.[45]

A distinction between capital and noncapital cases is not drawn in the Eighth Amendment. Consequently, if there were an absolute right to bail under that Amendment, the right should extend to both types of cases. However, the Judiciary Act of 1789,[46] the Federal Rules of Criminal Procedure,[47] and the Bail Reform Act of 1966 [48] recognize a difference: in noncapital cases the defendant has a right not to be detained but in capital cases the decision is left to the discretion of the judge. The federal courts have never found these statutes to be unconstitutional.

The deportation of aliens can reasonably be construed as another exception to the theory that the Eighth Amendment grants an absolute right to bail. Although deportation hearings have been considered as civil proceedings, alien defendants have the same essential rights to fair proceure as United States citizens.[49] Although recognizing these rights, the Congress was not dissuaded from enacting the Internal Security Act of 1950 which gave the Attorney General discretion to retain an accused alien in custody or to release him on bail or conditional parole.[50] Sustaining this power, the Supreme Court in *Carlson v. Landon* stated:

> The refusal of bail in these cases is not arbitrary or capricious or an abuse of power. There is no denial of the due process of the Fifth Amendment under circumstances where there is reasonable apprehension of hurt from aliens charged with a philosophy of violence against this Government.[51]

Mental incompetency is the third exception to the theory of bail as an absolute right. The Congress has provided that a defendant who is unable to understand the proceedings against him or to assist properly in his own defense may be subject to commitment at a suitable institution [52] until he is mentally competent to stand trial or until the charges are disposed of according to law.[53] In this instance the defendant is detained pending trial to preserve the integrity of the trial process by insuring the competence of the defendant to defend himself. This policy has been sustained by the Supreme Court.[54]

B. Changing nature of capital offenses

The changing nature of capital offenses is another relevant factor which militates in favor of the legislative power to define categories of defendants for whom bail may be denied for reasons of public safety. The express right to bail in noncapital cases as found in the federal statutes, as well as in many state constitutional provisions, probably was based on the assumption that only capital offenses involved threats to public safety or strong risk of flight.[55] The fact that neither the dangerousness nor the risk of flight of the noncapital defendant was considered can be readily explained. Almost all serious felonies in our early history were capital crimes for which bail could be denied.[56] Consequently, the courts were not faced with a duty to grant possibly dangerous defendants, nor defendants with little to lose by flight, their freedom pending trial.

But, as the range of capital offenses has diminished for reasons unrelated to the seriousness of the offenses, and more defendants therefore have become eligible for pretrial release, the inability to protect public safety has increased. Where the public safety is seriously affected by felons on pretrial release, who in earlier years would have been detained on capital charges, the traditional distinction between capital and noncapital offenses, for purposes of bail, becomes less meaningful.

C. Public policy

If the life of the law is experience, and not logic, as Justice Oliver Wendell Holmes once declared, then pubic policy is the expression of our experience. A consideration of the power of the Congress to deny bail in limited situations must recognize that in addition to the policy of preserving the integrity of the trial process, other public interests, such as public safety, may justify detention. As has been well stated:

> Even the explicit guarantee of the right to free speech contained in the first amendment is subject to restriction when required by public necessity; the undefined right to bail implicit in the eighth amendment might also be subject to such restriction.[57]

Public policy should be able to protect the public by denying pretrial release to dangerous felons, just as public policy has always insured the integrity of the judicial process by denying bail in capital cases to prevent flight.

IV. FIFTH AMENDMENT

Even though pretrial release cannot reasonably be considered an absolute right under the Eighth Amendment, pretrial detention must still comply with the notions of fair play and justice held in our society [58] and embodied in the Fifth Amendment to the Constitution.[59]

Pretrial detention of any person based on future criminal conduct violates the Fifth Amendment, it is argued, because: it denies the defendant the protection of the presumption of innocence;[60] it discriminates against the defendant's opportunity to obtain a fair trail; [61] and it assumes, prior to a final judicial judgment, that the defendant has committed a crime and will probably commit others if released.[62]

A. Presumption of innocence

The presumption of innocence, as a traditional notion of Anglo-Saxon criminal justice, has been claimed as the basic underpinning for pretrial release. This argument has been stated as follows:

> [A]ny pretrial incarceration assumes the guilt of the accused and is, therefore, in conflict with the presumption of innocence; thus the presumption has no real vitality unless it is supported by the accused's liberty prior to trial.[63]

According to another view, however, the presumption of innocence of an accused is a fundamental right which accrues at the time of trial but does not require that the accused be treated as innocent in every way prior to trial.[64] Based on this theory, the presumption of innocence would not operate during the pretrial process or outside the courtroom in a criminal case.[65] If this were not so, it is argued, persons could not be arrested and held for fingerprinting and questioning, nor indicted by grand juries for probable cause. As just another stage of pretrial procedure, preventive detention would not, under this theory, contravene the presumption of innocence. The fact that defendants have always been subject to detention during trial where there is strong risk of flight or a threat to the trial process supports this theory [66] as does the denial of bail for capital offenses.[67]

Moreover, nearly 75 years ago the Supreme Court pointed out that "[d]etention is a usual feature of every case of arrest on a criminal charge, even when an innocent person is wrongfully accused; but it is not imprisonment in a legal sense." [68]

Since our system of justice is based on the eliciting of truth through competent advocacy, the conviction of innocent men is abhorrent to the system. The presumption of innocence is most meaningful in this context as a trial measure. That is why the presumption of innocence, unlike other legal presumptions, requires more than prima facie evidence to be overcome and unanimous agreement of the jury that the evidence of guilt has been established beyond a reasonable doubt. If the presumption of innocence is respected during the trial process and honored by the jury in its finding, then it has served its purpose.[69]

B. Denial of fair trial

The possibility that the restriction of a detained person's opportunity to prepare for trial will result in a deprivation of due process of law is further argument for pretrial release. While being detained an accused may have difficulty communicating with his counsel and seeking witnesses and evidence for his defense, thereby jeopardizing his Sixth Amendment right to trial. Justice Jackson made this point in *Stack* v. *Boyle:*

> The practice of admission to bail, as it has evolved in Anglo-American law, is not a device for keeping persons in jail upon mere

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Footnotes at end of article.

accusation until it is found convenient to give them a trial. On the contrary, the spirit of the procedure is to enable them to stay out of jail until a trial has found them guilty. Without this conditional privilege, even those wrongly accused are punished by a period of imprisonment while awaiting trial and are handicapped in consulting counsel, searching for evidence and witnesses, and preparing a defense.[70]

The test of due process, however, is one of reasonableness.[71] It will permit a balancing of an individual's freedom with the orderliness of society, so long as the essential elements of fair procedure are not abused.[72] Just because there is a risk of unconstitutionality surrounding the hard choices to be made in constructing a preventive detention system, the concept of preventive detention is not thereby rendered contrary to due process of law. Properly made and supported by an overriding public interest, the hard choices can stand the test of due process.

Chief Judge Bazelon, speaking for the United States Court of Appeals for the District of Columbia Circuit, recently expressed this view in an appeal from the dismissal of a habeas corpus petition:

> It may be that in some circumstances preventive detention is in fact permissible. If so, such detention would have to be based on a record that clearly documented a high probability of serious harm, and circumscribed by procedural protections as comprehensive as those afforded criminal suspects.[73]

The central issue would seem not to be whether pretrial preventive detention deprives a person temporarily of his liberty, but rather, whether the detention procedure is reasonable and justified and permits the defendant his full rights to a fair trial on the criminal charge against him.

To achieve the goal of a fair trial, the defendant who is detained should have, as nearly as possible, the same opportunities as the defendant who is at liberty. He should have every reasonable opportunity to communicate with his lawyer fully and to prepare his defense,[74] even if it requires limited, though supervised, periods of release.[75] When the defendant appears in court for trial, to prevent any prejudice in the minds of the jury, no evidence should be admitted which would indicate that the defendant had been detained and there should be no physical signs of detention such as prison uniform or handcuffs.[76]

Moreover, there should be proper review and appeal procedures, so that the defendant has ample opportunity to seek relief if the preparation of his defense is being seriously impaired by his detention. Such evidence could reasonably justify a change in the detention order, and possibly, under unusual circumstances, could even permit strict conditions of limited release. The various conditions, or combinations of conditions, already available to judicial discretion under the Bail Reform Act of 1966 might presently provide the needed authority for a judge to act in such a case.[77]

C. Deprivation of liberty

The idea that a person should not be deprived of liberty without due process of law derives from the English common law. Incorporated into our Bill of Rights in 1791, it has come to mean in our courts of law, that a defendant must not only have a fair trial, but, moreover, that he cannot be imprisoned until he is found guilty of committing a crime clearly defined by law.[78] It is argued that preventive detention violates this latter concept because it causes the imprisonment of a person before a judgment of guilty has been rendered for the crime charged and is based on the prediction, and not certainty, that further criminal conduct would occur if the defendant were on pretrial release.[79] The classic statement of this view was that of Justice Jackson, sitting as Circuit Judge:

> Imprisonment to protect society from predicted but unconsummated offenses is so unprecedented in this country and so fraught with danger of excesses and injustice that I am loath to resort to it, even as a discretionary judicial technique to supplement conviction of such offenses as those of which defendants stand convicted.[80]

As previously suggested, however, due process is not a fixed notion. The need for flexibility to meet the changing demands of society was recently set forth by the Supreme Court of the United States:

> [T]he fact that a liberty cannot be inhibited without due process of law does not mean that it can under no circumstances be inhibited.
>
> The requirements of due process are a function not only of the extent of the governmental restriction imposed, but also of the extent of the necessity for the restriction.[81]

This inherent flexibility in due process is evident from the classes of persons presently deprived of freedom either prior to a final judicial judgment of guilty or, in other instances, even without a formal charge of crime against them. The federal system of criminal justice presently permits restraint on liberty prior to judicial judgment of guilty by permitting pretrial detention in capital cases,[82] by permitting defendants to remain in jail who cannot meet the conditions of release,[83] and by committing to suitable institutions those defendants who are mentally incompetent to stand trial.[84]

A defendant need not even be charged with a crime, however, to be subject to detention. For example, a prisoner who is considered insane or mentally incompetent and who, if released when his sentence expires, will probably endanger the safety of the officers, property, or other interests of the United States, can be committed to a suitable institution after his term expires.[85] A person who is mentally ill, and who because of his illness is likely to injure himself or others, may be confined without commission of a crime.[86] Also, a defendant subject to deportation may be detained because of his potential danger.[87] The latter cases are generally proceedings considered civil in nature, but since the essential features of the Fifth Amendment guarantee of due process apply to both civil and criminal proceedings,[88] the distinction is not relevant.

In all of these instances, the defendant is detained because of his potential acts and not as punishment for his commission of a crime. Whether the potential act be flight from the jurisdiction of the court, commission of an additional crime, or behavior of a dangerous nature, the fact of detention is based on prediction. Such predictions are common, however, in other areas of our judicial system as well. Judges must make predictions of future behavior when they impose or suspend sentences, grant probation, order detention of defendants during trial, and even when they set bail. Also, parole boards make predictions of future behavior when they grant paroles.

The predictive nature of the preventive detention process will not, therefore, render such a process constitutionally unsound. The practice of predicting future behavior to make judgments about present liberty is too prevalent in the system to be wholly contrary to our legal traditions. The objection must, therefore, be made on relative grounds, asserting that prediction of future criminal conduct is so imprecise that adequate standards cannot be devised.[89]

Such a view is unduly pessimistic. Identifying persons who are risks to public safety should be no more difficult than identifying persons who may flee the jurisdiction of the court. Nor is such a broad condemnation meaningful without reference to a particular system of preventive detention. That prediction of future behavior requires clear standards cannot be denied, however.

One suggestion has been made that preventive detention hearings should be civil in nature with a more informal proceeding.[90] This theory envisions that the only persons to be detained would be those so unresponsive to the deterrence provided by the threat of criminal sanctions that it would be unfair to deal with them through ordinary criminal law procedures. Due to some mental or emotional abnormality, detention of these persons would presumably be akin to the detention of mental incompetents. Certainly some of the defendants whom society would judge to be dangerous, if released prior to trial, are driven by compulsions. Could not a deeply embedded sense of alienation and hatred of society compel a defendant to inflict harm indiscriminately on society? Might not an acute sense of inferiority compel a defendant to seek recognition through violent crime? It is by no means clear, however, that all dangerous defendants would fit such molds. Furthermore, since there would be no secondary purposes to pretrial preventive detention, such as treatment or cure, it is highly doubtful that the Supreme Court would accord such proceedings the denomination of civil.[91]

When the public interest in community safety from dangerous defendants on pretrial release is substantial, the solution is not to refuse to take the constitutional risks of preventive detention or to obscure them through civil proceedings but rather to recognize and meet them with proper criminal procedures. It should be possible to devise a system which provides the necessary safeguards to assure a full judicial hearing and detains only persons who pose a serious risk to public safety.

The hard test for preventive detention was well stated by the ABA Pretrial Release Report of the American Bar Association Project on Minimum Standards for Criminal Justice:

> It seems more probable that the constitutional defects in preventive detention, if they in fact exist, lie in due process limitations on predicting future criminal conduct. At the heart of the problem is the inherent difficulty in making such predictions with sufficient accuracy. Where the consequences of a mistaken prediction is unwarranted detention, due process of law may be violated.[92]

To meet this test, all of the basic criminal law protections should be required of any preventive detention system. Detention proceedings, according to Chief Judge Bazelon, should be "circumscribed by procedural protections as comprehensive as those afforded criminal suspects."[93] The basic rights of a defendant in a criminal proceeding, the right to counsel, to testify, and to present and cross-examine witnesses, should be provided at a minimum.[94]

Next, the judge should be required to make findings as specific as possible to limit the exercise of discretion on the issue of dangerousness.[95] Specific findings would strengthen a defendant's right of appeal and review and would reduce the opportunity for initial abuse of the detention power. The judicial instinct for predicting human behavior may in many cases be highly developed but such instinct alone would not be adequate to prevent abuses.[96]

The judge should also be required to make his findings in writing with a statement of facts and reasons. The findings should be based on the weight of the evidence, certainly greater than probable cause on which a person may be arrested but less than beyond a reasonable doubt on which conviction must rest during trial.[97]

Finally, in determining which defendants should be subject to detention, the Congress in enacting legislation, and the judge in considering defendants before him, must

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be guided by the evidence of greatest danger to society. If the risk posed by a category of defendants is great, that category should be clearly identified for purposes of preventive detention. Evidences of such risk that have been suggested are prior pattern of vicious antisocial behavior, the nature of the offense charged, threats made against persons or property, and any compulsions to commit serious crime, such as serious drug addiction.[98] Certain categories of defendants who pose a serious threat or danger to society may be more easily identified if they are considered from the standpoint of public policy objectives.

One major area in which preventive detention is currently practiced with clear legal sanction relates to the protection of the integrity of the trial process. Threats against witnesses, attempts to destroy evidence, and other disruptive practices can presently constitute grounds for revoking bail and detaining the defendant. Mr. Justice Harlan has stated:

> District Courts have authority, as an incident of their inherent powers to manage the conduct of proceedings before them, to revoke bail during the course of a criminal trial, when such action is appropriate to the orderly progress of the trial and the fair administration of justice.[99]

The public policy behind this theory is that our society has a system of law which presumes men to know the difference between right and wrong, and that when a person commits a crime in our society, he should be responsible for his act and be punished accordingly. This threat of punishment is expected to deter men from committing crime. Since this system cannot operate if the penalties are not imposed, and since the penalties can only be imposed after a trial and adjudication of guilt, the trial process must be protected and its integrity and effectiveness preserved.[100]

Preserving the integrity of the trial process is not the only concern, however, relevant to pretrial detention. Another is the protection of society. Persons who are not responsible for their acts, or who have clearly demonstrated their inability or unwillingness to consciously and consistently function on the basis of norm of right and wrong as required by our criminal law, have rejected the system of law on which our social order is founded. A person charged with a serious crime, who is released, might not be expected to flee the jurisdiction because of his community ties.[101] For the same reason, he might be expected to choose a lawful course of conduct in the hopes of early probation if convicted. But, if regardless of his community ties, there is strong evidence that the defendant poses a threat to the public safety and, therefore, refuses to be adopted back into society, society should not be needlessly exposed to his depredations pending trial.

The Eighth Circuit in discussing bail on appeal, expressed this same principle:

> Bail should not be granted where the offense of which the defendant has been convicted is an atrocious one, and there is danger that if he is given his freedom he will commit another of like character.[102]

V. THE CONGRESS

The Congress of the United States has enacted only two basic statutes concerning the federal system of bail. The first statute was the Judiciary Act of 1789,[103] which was previously discussed in detail. The second statute, coming 177 years later, was the Bail Reform Act of 1966.[104]

The Bail Reform Act was enacted to insure that no one would be needlessly detained in the federal law enforcement system pending trial because of his financial condition. Breaking through the unequal restraints of money bonds, the Act required release of all accused persons in noncapital cases on their own recognizance or upon certain nonfinancial restrictions when release on recognizance was not sufficient to deter flight. Money bail still remained but only as a last resort. Pretrial detention could be ordered under the Act but only in capital cases on grounds of risk of flight or danger of the defendant to the community. Prior to this Act, too many defendants, unable to post bond, languished in jail until tried; regardless of the seriousness of the charges against them and regardless of the risk of flight. Many of those defendants were subsequently acquitted of the charges.

The Senate Constitutional Rights Subcommittee held investigative hearings on the Bail Reform Act in January, 1969, to survey, fully and intensively, the gains made and the defects discovered in the operation of the Act. The hearings revealed the need for further legislative reform to permit the additional consideration of public safety in pretrial release proceedings.[105]

A. Support for reform

As previously discussed, a number of bills have been introduced in Congress which would amend the Bail Reform Act of 1966 by including, among other things, standards and safeguards for detention of certain categories of defendants prior to trial. Five bills are pending in the Senate Judiciary Committee before the Constitutional Rights Subcommittee,[106] and 22 bills are pending before the House Judiciary Committee.[107]

Due to the number of House bills, only the Senate bills, found in appendix "B," will be discussed in this article.

The Senate bills do not deal solely with authority for preventive detention. Four of the proposed bills[108] would also authorize federal judges to establish conditions of release based on public safety considerations as well as risk of flight; two would authorize revocation of release when conditions of release were violated;[109] and two would impose mandatory penalties for the commission of a crime during pretrial release.[110] Widespread support exists for these last three measures. Not only do these proposals have bipartisan support in the Congress, they also have received endorsement from the President's District of Columbia Crime Commission,[111] the American Bar Association Pretrial Release Committee,[112] a District of Columbia Judicial Council Committee,[113] and many witnesses appearing before the Constitutional Rights Subcommittee.[114]

Although further hearings will be held by Congress[115] and close examination will be given to the details of the varying proposals, the widespread agreement indicates that the constitutionality of the nonpreventive detention features of these proposals is probably not a major issue. However, when the question of preventive detention is reached, the agreement of the varying organizations and of the witnesses who appeared before the Constitutional Rights Subcommittee in January of 1969 quickly vanishes. Since much of the controversy surrounds the constitutionality of those sections of the Senate bills concerned with preventive detention, the analysis which follows in this article will focus attention on those provisions only.[116] The minority view of the Judicial Council Committee Report clearly expresses the wide divergence of opinion in the Senate concerning the subject of preventive detention:

> The Bail Reform Act enacted the theory, which has not yet been converted into fact, that defendants could be released into the Community to await trial with an assurance of effective supervision. Last year we urged an amendment to allow for consideration of dangerousness in setting release conditions, and for revocation where conditions were violated. These procedures would fit into a fundamental pattern of American justice: no punishment without a finding of guilt. Preventive detention would totally violate that principle.[117]

However, as the majority view of the Judicial Council Committee points out and as this article discussed in the Fifth Amendment section, preventive detention is a historically recognized principle and is not a novel method of protecting the interests of society. It is only necessary that the statute provide appropriate standards and adequate due process safeguards to be constitutional. The vital features which must be examined and refined by the Congress are: (1) the categories of defendants to be subject to detention; (2) the procedural safeguards; and (3) the flexibility to permit a detained person the opportunity to prepare his own defense.

B. Need for reform

There are approximately 30,000 bail settings each year in all federal courts in the United States, of which 20,000 alone are in the District of Columbia.[118] This high rate of bail settings in the District is due to the fact that all criminal violations there are federal crimes. Over 40 percent of all federal crimes are committed in the District. Also, more criminal cases are tried before federal courts in the District than in any other metropolitan federal jurisdiction.[119] Therefore, in considering categories of defendants to be subject to pretrial preventive detention, it must be remembered that the need is most critical in the District of Columbia. Under the four Senate bills, many of the violations which would subject the accused to detention are federal crimes only in the District of Columbia.

A number of studies have been conducted to determine the extent of crime committed by recidivist defendants while on pretrial release in the District.[120] Each has a different statistical base and each reaches somewhat different results. Nevertheless, these studies, if not conclusive, are persuasive.

Although the figures vary, the studies have revealed, at the least, that there is a sufficient percentage of defendants charged with serious offenses while on bail or release who have records of committing previous serious offenses to be cause for public and official concern. In the District, estimates of defendants who allegedly commit additional crimes while on bail range from 6 percent to 70 percent.[121] One reason for the disparity is, again, that different statistical bases are used to arrive at these figures. The Judicial Council Committee report considered the 6 percent figure[122] to be very conservative.[123] The considerations for this view are that many arrests do not result in indictments, indictments are never brought in misdemeanors, and many crimes go undetected. These factors must be given reasonable weight in judging the relevance of the reindictment figures.

For purposes of legislation, however, the categories of defendants must be carefully delineated. A general showing that a sizeable percentage of defendants commit additional crimes while on bail is not enough. It must also be determined whether defendants who commit certain types of felonies are more likely to commit additional crimes while on bail and what kinds of additional background information on a defendant will indicate a serious threat to public safety.

The nature of the alleged crime is a reasonable factor to consider. Crimes that involve serious harm or threat of harm to persons or property evidence a destructive attitude of the offender toward his society. Where there is a rejection of the fundamental norms of society by the commission of a serious crime, there is a greater likelihood that an offender will commit other depredations if free. Examples of such crimes might be murder, rape, arson, robbery, assault with a deadly weapon, and housebreaking. A Department of Justice study in 1967 supports this view.[124] A sample day was cho-

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sen, November 25, 1966, to compile case studies of all defendants appearing on bail hearings before one judge in the District Court for the District of Columbia. The judge heard bail motions on behalf of 17 defendants in connection with 15 separate felony cases: 10 robberies, 2 homicides, 2 rapes, 1 concealed deadly weapon charge, 1 narcotics violation, and 1 forgery violation. In almost every case the defendants had extensive criminal arrest records, including several charges still pending at the time of arrest for the present offenses.[125] These defendants had a total of 173 prior arrests against their records. Of the 17 defendants, 13 were released on varying conditions. After release and before trial, 8 of the 13 defendants were rearrested for 18 subsequent offenses, 8 of which were felonies.[126] Other instances could be cited.[127]

The President's District of Columbia Crime Commission found that accused felons tend to commit felonies of the same type as the original offense; in fact, more than 80 percent of those studied committed crimes on release as serious or more serious than the original offense.[128] The more serious categories of crimes repeated while on bail were robbery, housebreaking, and narcotics offenses. The study also showed that murder charges against persons on bail who were originally charged with serious felonies were not uncommon.[129] The high degree of repeat crime while on bail by robbers, housebreakers, auto thieves, and narcotics offenders was similarly documented through a study of the dockets and criminal case files of the United States District Court for the District of Columbia.[130]

Other studies of repeat crime by accused felons during release support these findings. A study by the District of Columbia Metropolitan Police Department determined that 31.6 percent of persons indicted for armed robbery in fiscal year 1967 were reindicted for subsequent offenses while on bail.[131]

The largest study, by the United States Attorney's office in the District of Columbia, gathered data on persons indicted for robbery in calendar year 1968 in the United States District Court for the District of Columbia and measured the rearrests among those persons. It found that about 70 percent of the persons indicted for robbery and released on bail were rearrested.[132]

Studies also show that narcotics addicts are likely to commit additional crimes if released on bail. The narcotic habit has become so costly for many addicts that it can only be supported by serious crime. A study by the United States Attorney's office for the District of Columbia found reindictment among narcotic offenders to be the second highest category of offense.[133] Also, testimony received during the Constitutional Rights Subcommittee hearings in 1969 supports the high probability of additional crime by narcotic addicts.[134]

In addition to the nature of the offense committed, another important criterion for determining whether a defendant should be detained prior to trial is the defendant's past record. The President's District of Columbia Crime Commission found in its study of persons who allegedly committed offenses while on bail that 88 percent had adult arrest or conviction records before release on bail.[135]

The Stanford Research Institute study showed that 81 percent of convicted felons had prior adult records.[136] Studies made by the United States Attorney's office for the District of Columbia similarly showed a substantially higher rate of prior convictions among persons who allegedly committed offenses while on bail.[137]

The foregoing studies indicate that the commission of crime by the recidivist criminal is a problem of growing significance in our society. Preventive detention may offer a reasonable solution to that problem.

VI. PROPOSED PREVENTIVE DETENTION LEGISLATION

A. Categories of defendants

As previously mentioned, the Senate is presently considering four pieces of legislation concerning preventive detention. Of the four, S. 2600 defines more specifically the categories of defendants who should be subject to pretrial detention where release conditions would not adequately protect the public safety. Due to the high recidivist rate shown by existing studies of dangerous crimes, S. 2600 makes a defendant charged with any one of the specified crimes subject to pretrial detention. In brief, these crimes are: robbery with the use of force or threat of force, burglary of premises used for dwelling or business, rape and related dangerous sex offenses, arson of premises used for dwelling or business, and sale of narcotic or depressant or stimulant drugs. The crimes included stress the danger element of the offense and are not tied to past conduct.

A second category of the bill, more broadly defined, includes the full range of violent offenses. Under these provisions the defendant must have allegedly committed at least two crimes of violence to be subject to pretrial detention. If he is charged with a crime of violence while on release, probation, or parole for committing such a crime, or if he is charged with a crime of violence and has a prior conviction of such a crime, he can be detained under the bill.

A third category covers narcotic addicts who are charged with a crime of violence. Under the bill's definition, an addict supporting his habit by petty larceny is excluded but when it appears he has graduated to serious crimes, he may be subject to detention. A final category covers those persons, who, irrespective of the offense charged, obstruct justice by threatening witnesses or jurors.

S. 289, the least specific of the Senate bills, would authorize detention of all defendants charged with crimes of violence who have previously been convicted of similar crimes.

S. 546 does not make a distinction between dangerous crimes and crimes of violence as does S. 2600 but is more specific than S. 289. It permits detention of persons who allegedly committed felonies while on release for prior felony charges or pending appeal of such charges. Also permitted under S. 546 is the detention of persons charged with felonies involving serious bodily harm or the threat of harm. However, the government must file an affidavit alleging that the defendant will harm another person or pose a substantial danger of harm to other persons or to the community due to his prior pattern of antisocial behavior. Finally, persons charged with armed robbery or other similar crimes involving the use of force may be detained. In all categories of defendants under this bill, except that of armed robbery or other similar crimes, there must be evidence of past dangerous conduct by the defendant to justify his detention. Persons who threaten witnesses or jurors can be detained under this bill only if they qualify for detention on one of these separate grounds as well. Moreover, neither narcotic addicts involved in serious crime nor narcotic pushers are included under specific categories even though the evidence would appear to be substantial that these categories of defendants are clear threats to public safety. By comparison, any defendants who threaten witnesses or jurors, addicts involved in serious crime, and narcotic pushers can be detained under S. 2600.

S. 2920 is also more limited in the categories of defendants subject to detention than S. 2600. This bill would authorize detention of a person charged with or convicted of a felony who, during release on bail, probation, or parole is charged with a second felony of the same kind. Both charges must involve the use of a dangerous weapon or deadly physical force resulting in serious bodily injury to another. Therefore, persons without prior records who are charged with dangerous crimes cannot be detained under this bill whereas they can be under S. 2600 and S. 546. Thus, S. 2920 is similar to S. 289 in that both require a previous offense, although S. 289 requires conviction for that previous offense and S. 2920 only requires a pending charge. This class of defendants, with past records or pending charges, is much more fully covered under S. 2600 by its "crimes of violence" category.

The category most common to these bills is that which permits pretrial detention where the defendant has been charged with a serious offense while on release, probation, or parole. Both this category and the category which allows detention where there is a prior conviction of a violent crime are based on a similar theory. Where there is substantial evidence that if a person has established a continuing pattern of serious antisocial behavior, he will continue such behavior. Recidivism statutes are based on the same principle. This parallel was drawn by the Judicial Council Committee Report, which stated:

> These [recidivism] statutes contain an element of an attempt to predict future conduct: namely, that the individual, if released, will probably commit another crime. These statutes also embody a judgment that balances the rights of the individual to be free against the rights of society to be protected from probable criminal activity, and, under specified circumstances, permit deprivation of freedom based upon the individual's likelihood to commit criminal activity of some nature.[138]

Only S. 546 and S. 2600 extend their coverage to permit detention without requiring evidence of the individual's past criminal conviction or antisocial behavior. These additional categories are based on evidence from extensive studies that certain types of serious felons, regardless of past record, pose a serious danger to the community. Where there is strong evidence that a defendant is such a felon, it may be necessary to detain him pending trial to protect the public from the high probability of harm.

B. Procedural safeguards

In order to protect the rights of the defendant and the integrity of the judicial process, a hearing must be held before any pretrial detention is ordered. During the hearing, the advocacy process can best be preserved and the defendant's rights to due process best protected if the defendant has the right to counsel, to testify, and to present and cross-examine witnesses. Three of the bills, S. 2600, S. 546, and S. 2920 specify such defendant rights.

To avoid undue judicial discretion to detention orders to perfect the right of appeals of those orders, the judge's finding of fact and his reasons should be set forth in writing. Again S. 2600, S. 546, and S. 2920 permit appeal of such orders and also require that findings of fact and reasons be set forth by the judge.

S. 2600 requires a full pretrial detention hearing which may be held on the judge's own motion or on that of the government. The judicial officer must make the determination with differing quantiums of proof for three issues. There must be clear and convincing evidence that the person has committed a dangerous crime, crime of violence, or an offense interfering with the administration of justice. Also, as provided in the bill, there must be reasonable evidence that conditional release will not protect the public and substantial probability that the person committed the offense for which he is

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charged. The last finding is an added protection for the defendant and prevents detention in weak cases.

S. 546 provides that a full evidentiary hearing be held on motion of the government. The judge is required to make a determination based upon clear and convincing evidence. Two findings must be made; that the defendant would, if released, interfere with the administration of justice, harm a person, or commit a robbery or other serious crime; and that conditional release would not protect the public.

S. 289 adopts the existing hearing provision in the Bail Reform Act of 1966. That Act does not require a separate detention hearing nor does it provide any procedural standards. Therefore, detention under S. 289 would be a matter for judicial discretion at the time of defendant's initial appearance before the judge.

S. 2920 provides for a full evidentiary hearing upon motion of the government. The hearing is to be held before a three-judge panel of the district court and the determination must be based on clear and convincing evidence. Two primary findings are required: that the pretrial release of the defendant will pose a danger to any person or to the community; and that there is strong likelihood that the person charged committed the crime.

C. Fair trial

As previously mentioned, in some cases, a defendant who is detained in jail pending trial may be effectively denied the assistance of counsel required by the Sixth Amendment to the Constitution because he cannot aid in the preparation of his defense.[139] Detention might, it is argued, prevent him from seeking witnesses who may aid his defense or from gathering evidence. It has also been recognized that the simple problem of arranging meetings between a defendant and his lawyer may substantially interfere with the right to effective counsel.[140] Neither S. 546 nor S. 289 addresses itself directly to this issue. However, S. 2600 and S. 2920 consider the implications of the Sixth Amendment and make provisions to accommodate them.

Under S. 2600, anyone who is detained would be able to effectively assist in the preparation of his case, consult with his lawyer, and even secure release, for good cause, for limited periods, to obtain evidence or witnesses. The defendant is also to be placed in separate facilities where practicable.

S. 2920 permits the defendant to be committed civilly rather than in a jail. Also, he must be given reasonable opportunity to consult with counsel, and he may, for good cause, be released under supervision to prepare his defense.

Three of the bills, S. 2600, S. 546, and S. 2920, also recognize that the trial of the detained person should be expedited to lessen individual loss of freedom and to insure that the defendant does not lose his ability to defend himself due to any psychological pressures of detention while awaiting trial.[141] Moreover, as the ABA Advisory Committee on the Criminal Trial in its 1967 Report on Standards Relating to Speedy Trial suggested, "[f]rom the point of view of the public, a speedy trial is necessary to preserve the means of proving the charge . . . [and] to maximize the deterrent effect of prosecution and conviction . . . ." [142]

Along with recommending speedy trials, three of the bills limit the actual period of detention. S. 546 provides for a 30-day limit; S. 2600 a 60-day limit; and S. 2920 a 30-day limit, with a possible 10-day extension for good cause shown.

If there is to be a reasonable relationship between the period of detention for a dangerous defendant and the time of his trial, the 60-day detention period is more appropriate. According to testimony at the Senate Constitutional Rights Subcommittee hearings in January, 1969, trial of serious felony cases cannot realistically begin until 45 to 60 days following arrest.[143]

VII. CONCLUSION

In light of the appalling increase in the rate of crime since 1960 [144] and the growing evidence that recidivism among criminals is high,[145] it is time for Congress to make some basic policy changes in our system of criminal law.

Extensive studies have been conducted concerning the problem of crime committed by persons accused of felonies while on bail for previous charges. It has been found that certain categories of defendants, such as those accused of armed robbery, show a high propensity to commit similar crimes while on bail. Since a number of robberies are being committed by defendants on bail for similar offenses, there is substantial reason to protect society from the depredations of such recidivist criminals, rather than releasing them pending their trial.

The judicial instinct to protect society from defendants who pose an abvious danger cannot continue to operate without restraint. It can and must be channeled into constructive procedures which limit the range of the judge's discretion and protect the rights of the defendant.

The statutory and constitutional history of federal bail establishes that the Eighth Amendments of the Constitution does not guarantee an absolute right to bail. Too many exceptions exist which have stood the test of time and Supreme Court review. Just as bail has been traditionally denied in capital cases, so it can properly be denied in noncapital cases if the standards and guidelines of the Congress are carefully drawn.

Further, the Fifth Amendment's guarantee to due process of law can be adequately protected in detention hearings by providing procedural safeguards and the right to judicial review.

Based on this history and on the existing studies of defendants in the federal bail system, the reform of the federal bail system begun in 1966 can reasonably be extended to include the dangerousness of the defendant as a consideration in setting conditions of pretrial release and by providing for pretrial detention when the public safety demands it.

Such further reforms can serve the highest of public policy objectives: speeding the administration of justice, strengthening the deterrent effect of the criminal law system for serious crimes, aiding law enforcement, and protecting the public safety.

Preventive detention will continue to be a controversial issue in the Congress. The exact form of a bill which can be approved cannot be predicted with certainty. It will have to contain, however, the basic safeguards outlined in S. 2600 and some of the other pending legislation.

Congress is in a position to move ahead rapidly on this legislation. It is my hope that carefully drawn amendments to the Bail Reform Act of 1966 can be enacted before the close of the 91st Congress.

APPENDIX "A"

Senate bills S. 288, S. 289, S. 546, S. 2600, and S. 2920 (see Appendix "B" *infra*) would amend the following provisions of Title 18, Chapter 207 of the United States Code:

§ 3146. Release in noncapital cases prior to trial.

(a) Any person charged with an offense, other than an offense punishable by death, shall, at his appearance before a judicial officer, be ordered released pending trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the judicial officer, unless the officer determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the judicial officer shall, either in lieu of or in addition to the above methods of release, impose the first of the following conditions of release which will reasonably assure the appearance of the person for trial or, if no single condition gives that assurance, any combination of the following conditions:

(1) place the person in the custody of a designated person or organization agreeing to supervise him;

(2) place restrictions on the travel, association, or place of abode of the person during the period of release;

(3) require the execution of an appearance bond in a specified amount and the deposit in the registry of the court, in cash or other security as directed, of a sum not to exceed 10 per centum of the amount of the bond, such deposit to be returned upon the performance of the conditions of release;

(4) require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof; or

(5) impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

(b) In determining which conditions of release will reasonably assure appearance, the judicial officer shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings.

(c) A judicial officer authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

(d) A person for whom conditions of release are imposed and who after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the conditions reviewed by the judicial officer who imposed them. Unless the conditions of release are amended and the person is thereupon released, the judicial officer shall set forth in writing the reasons for requiring the conditions imposed. A person who is ordered released on a condition which requires that he return to custody after specified hours shall, upon application, be entitled to a review by the judicial officer who imposed the condition. Unless the requirement is removed and the person is thereupon released on another condition, the judicial officer shall set forth in writing the reasons for continuing the requirement. In the event that the judicial officer who imposed conditions of release is not available, any other judicial officer in the district may review such conditions.

(e) A judicial officer ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release: *Provided*, That if the imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on a condition requiring him to return to custody after specified hours, the provisions of subsection (d) shall apply.

(f) Information stated in, or offered in

Footnotes at end of article.

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connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

(g) Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

§ 3147. Appeal from conditions of release.

(a) A person who is detained, or whose release on a condition requiring him to return to custody after specified hours is continued, after review of his application pursuant to section 3146(d) or section 3146(e) by a judicial officer, other than a judge of the court having original jurisdiction over the offense with which he is charged or a judge of a United States court of appeals of a Justice of the Supreme Court, may move the court having original jurisdiction over the offense with which he is charged to amend the order. Said motion shall be determined promptly.

(b) In any case in which a person is detained after (1) a court denies a motion under subsection (a) to amend an order imposing conditions of release, or (2) conditions of release have been imposed or amended by a judge of the court having original jurisdiction over the offense charged, an appeal may be taken to the court having appellate jurisdiction over such court. Any order so appealed shall be affirmed if it is supported by the proceedings below. If the order is not so supported, the court may remand the case for a further hearing, or may, with or without additional evidence, order the person released pursuant to section 3146(a). The appeal shall be determined promptly.

§ 3148. Release in capital cases or after conviction.

A person (1) who is charged with an offense punishable by death, or (2) who has been convicted of an offense and is either awaiting sentence or has filed an appeal or a petition for a writ of certiorari, shall be treated in accordance with the provisions of section 3146 unless the court or judge has more reason to believe that no one or more conditions of release will reasonably assure that the person will not flee or pose a danger to any other person or to the community. If such a risk of flight or danger is believed to exist, or if it appears that an appeal is frivolous or taken for delay, the person may be ordered detained. The provisions of section 3147 shall not apply to persons described in this section: *Provided*, That other rights to judicial review of conditions of release or orders of detention shall not be affected.

§ 3150. Penalties for failure to appear.

Whoever, having been released pursuant to this chapter, willfully fails to appear before any court or judicial officer as required, shall, subject to the provisions of the Federal Rules of Criminal Procedure, incur a forfeiture of any security which was given or pledged for his release, and, in addition, shall (1) if he was released in connection with a charge of felony, or while awaiting sentence or pending appeal or certiorari after conviction of any offense, be fined not more than $5,000 or imprisoned not more than five years, or both, or (2) if he was released in connection with a charge of misdemeanor, be fined not more than the maximum provided for such misdemeanor or imprisoned for not more than one year, or both, or (3) if he was released for appearance as a material witness, shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

§ 3152. Definitions.

As used in sections 3146–3150 of this chapter—

(1) The term 'judicial officer' means, unless otherwise indicated, any person or court authorized pursuant to section 3041 of this title, or the Federal Rules of Criminal Procedure, to bail or otherwise release a person before trial or sentencing or pending appeal in a court of the United States, and any judge of the District of Columbia Court of General Sessions; and

(2) The term 'offense' means any criminal offense, other than an offense triable by court-martial, military commission, provost court, or other military tribunal, which is in violation of an Act of Congress and is triable in any court established by Act of Congress."

APPENDIX "B"

The pertinent provisions of the Senate bills discussed in the preceding article are as follows:

S. 288

A bill to amend section 3146 of title 18, United States Code, in order to provide greater discretion to judicial officers in connection with the release of certain individuals charged with noncapital offenses when their release would post a danger to other persons or to a community

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (a) and (b) of section 3146 of title 18, United States Code, are amended to read as follows:

"(a) Any person charged with an offense, other than an offense punishable by death, shall, at his appearance before a judicial officer, be ordered released pending trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the judicial officer, unless the officer determines, in the exercise of his discretion, that such a release (1) will not reasonably assure the appearance of the person as required, or (2) will pose a danger to other persons or to the community. When such a determination is made, the judicial officer shall, either in lieu of or in addition to the above methods of release, impose the first of the following conditions of release which will reasonably assure the appearance of the person for trial or provide the necessary protection against such danger, as the case may be, or, if no single condition gives that assurance, any combination of the following conditions:

"(1) place the person in the custody of a designated person or organization agreeing to supervise him;

"(2) place restrictions on the travel, association, or place of abode of the person during the period of release;

"(3) require the execution of an appearance bond in a specified amount and the deposit in the registry of the court, in cash or other security as directed, of a sum not to exceed 10 per centum of the amount of the bond, such deposit to be returned upon the performance of the conditions of release;

"(4) require the execution of a bail bond with sufficient solvent sureties, or the deposit of each in lieu thereof; or

"(5) impose any other condition deemed reasonably necessary to assure appearance or to provide such protection, as required, including a condition requiring that the person return to custody after specified hours.

"(b) In determining which conditions of release will reasonably assure appearance or provide such protection, the judicial officer shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources, character, and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings."

S. 289

A bill to amend section 3148(1) of title 18, United States Code, in order to authorize the denial of bail to certain individuals who are charged with crimes of violence and who have previously been convicted of similar crimes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3148(1) of title 18, United States Code, is amended to read as follows: "(1) (i) who is charged with an offense punishable by death or (ii) who is charged with a crime of violence other than an offense punishable by death and who previously was convicted by a court of competent jurisdiction of the United States or of any State of any crime of violence and such previous conviction has not been reversed or set aside, or"

(b) Such section is further amended by adding at the end thereof the following new sentence: "As used in this section, the term 'crime of violence' means voluntary manslaughter, murder, rape, mayhem, kidnaping, robbery, burglary, housebreaking, extortion accompanied by threats of violence, assault with a dangerous weapon, assault with intent to commit any felony, arson punishable as a felony, or an attempt to commit any of the foregoing."

S. 546

A bill to amend the Bail Reform Act of 1966 to authorize the conditional release or commitment to custody of certain persons charged with the commission of an offense punishable as a felony, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 207 of title 18, United States Code, is amended by inserting immediately after section 3146 the following new section:

"§ 3146A. Conditional release or commitment to custody in certain felony cases.

"(a) At the time of a person's appearance before a judicial officer for release in accordance with the provisions of section 3146 of this title or at any time after the person's release pursuant to section 3146 of this title, the Government may request a special evidentiary hearing for the purpose of imposing the conditions of release or commitment to custody provided for by subsection (e) of this section. The Government's application for such a hearing shall be granted only if (a) the person is charged with the commission of a felony involving the infliction of or threat to inflict serious bodily harm on another while released pending trial of a prior felony charge or pending appeal from a conviction of a felony; or (b) the person is charged with the commission of a felony involving the infliction of or threat to inflict serious bodily harm on another and the Government, by affidavit, alleges that, if released, the person will inflict serious bodily harm on another or pose, because of his prior pattern of behavior, a substantial danger to other persons or to the community; or (c) the person is charged with the commission of the offense of armed robbery or an offense punishable under the provisions of chapter 103 of this title. If the Government's application is granted, the person shall be committed to custody until after the special hearing and appellate review thereof have been concluded.

"(b) If the judicial officer grants the Government's motion for a special evidentiary hearing, such hearing shall be held within two days, unless the person or his attorney requests a delay of the hearing.

"(c) Upon granting the Government's motion, the judicial officer shall notify the per-

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son and his attorney of the time and place of the hearing. If the person is without funds to provide for the assistance of counsel for the hearing, the judicial officer shall appoint counsel to represent the person at the expense of the United States.

"(d) In conducting a hearing under this section, the judicial officer shall receive and consider all relevant evidence and testimony which may be offered. The person shall have the right to present evidence, and present and cross-examine witnesses. No testimony of the person at this hearing shall be admissible in any other judicial proceeding, nor shall the person waive his privilege against self-incrimination in any future judicial proceeding by testifying at this hearing.

"(e) If the judicial officer conducting the hearing under this section determines that there is clear and convincing evidence that the person if released will seek to intimidate witnesses, or otherwise unlawfully interfere with the administration of justice, or cause the death of, or inflict serious bodily harm upon, another, or participate in the planning or commission of the offense of armed robbery or any offense punishable under the provisions of chapter 103 of this title, the judicial officer shall impose upon the person any condition or combination of conditions of release set forth in section 3146(a) of this title which will reasonably protect against the dangers set forth in this subsection. If the judicial officer finds that a conditional release of the person under section 3146 of this title would not provide the necessary protection against the dangers set forth in this subsection, the judicial officer shall order the person committed to custody for a period not to exceed thirty days prior to his trial. The judicial officer shall state on the record his reasons for imposing any order of commitment to custody or the conditions of release.

"(f) Any person committed to custody or conditionally released under subsection (e) of this section shall have the right of appeal as provided in section 3147 of this title and any other rights to judicial review as provided by law.

"(g) The judicial officer who conducts the special evidentiary hearing provided for in this section shall not sit in any trial of the person for the offense which was the basis for the hearing.

"(h) Any person committed to custody under subsection (e) of this section shall have his case placed on an expedited trial calendar and the handling of motions and other preliminary matters pertaining to the case shall also be expedited. Continuances shall be granted only upon a showing of extraordinary cause. If a continuance is granted upon motion of the defense or if the trial of the person has begun but not been completed before the expiration of thirty days after the order of commitment to custody of the person, the person shall remain subject to the commitment order until the conclusion of the trial.

"(i) Any hearing under the provisions of this section shall be taken down by a court reporter or recorded by suitable sound recording equipment. A copy of the record of such a hearing shall be made available at the expense of the United States to a person who was the subject of the hearing and who makes affidavit that he is unable to pay or give security therefor, and the expense of such copy shall be paid by the Director of the Administrative Office of the United States Courts."

S. 2600

A bill to amend the Bail Reform Act of 1966 to authorize consideration of danger to the community in setting conditions of release, to provide for pretrial detention of dangerous persons, and for other purposes,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3146 of title 18, United States Code, is amended as follows:

(a) by inserting in subsection (a) the words "or the safety of any other person or the community" (1) after "as required" in the first sentence and (2) after "for trial" in the second sentence;

(b) by adding the following sentence at the end of subsection (a): "No financial condition may be imposed to assure the safety of any other person or the community.";

(c) by amending subsection (b) to read as follows:

"(b) In determining which conditions of release, if any, will reasonably assure the appearance of a person as required and the safety of any other person or the community, the judicial officer shall, on the basis of available information, take into account such matters as the nature and circumstances of the offense charged, the weight of the evidence against such person, his family ties, employment, financial resources, character and mental conditions, past conduct, length of residence in the community, record of convictions, and any record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings."

(d) by deleting the period at the end of subsection (c), and adding ", and shall warn such person of the penalties provided in section 3150A of this title."; and

(e) by adding a new subsection:

"(h) The following shall be applicable to any person detained pursuant to this chapter:

"(1) The person shall be confined, to the extent practicable, in facilities separate from convicted persons awaiting or serving sentences or being held in custody pending appeal.

"(2) The person shall be afforded reasonable opportunity for private consultation with counsel and, for good cause shown, shall be released upon order of the judicial officer in the custody of the United States marshal or other appropriate person for limited periods of time to prepare defenses, or for other proper reasons.

SEC. 2. Chapter 207 of title 18, United States Code, is amended by adding after section 3146 the following new sections:

"§ 3146A. Pretrial detention in certain noncapital cases

"(a) Whenever a judicial officer determines that no condition or combination of conditions of release will reasonably assure the safety of any other person or the community, he may, subject to the provisions of this section, order pretrial detention of a person charged with:

"(1) a dangerous crime as defined in section 3152(3) of this title;

"(2) a crime of violence, as defined in section 3152(4) of this title, allegedly committed while on bail or other release, or probation, parole or mandatory release pending completion of a sentence, if the prior charge is a crime of violence, or if the person has been convicted of a crime of violence within the ten-year period immediately preceding the alleged commission of the present offense; or

"(3) an offense who, for the purpose of obstructing or attempting to obstruct justice, threatens, injures, intimidates, or attempts to threaten, injure, or intimidate any prospective witness or juror.

"(b) No person described in subsection (a) of this section shall be ordered detained unless the judicial officer—

"(1) holds a pretrial detention hearing in accordance with the provisions of subsection (c) of this section;

"(2) finds that—

"(A) there is clear and convincing evidence that the person is a person described in subsection (a) of this section;

"(B) based on the factors set out in subsection (b) of section 3146 of this title, there is no condition or combination of conditions of release which will reasonably assure the safety of any other person or the community; and

"(C) except with respect to a person described in subparagraph (3) of subsection (a) of this section, on the basis of information presented to the judicial officer, there is a substantial probability that the person committed the offense for which he is present before the judicial officer; and

"(3) issues an order of detention accompanied by written findings of fact and the reasons for its entry.

"(c) The following procedures shall apply to pretrial detention hearings held pursuant to this section:

"(1) Whenever the person is before a judicial officer, the hearing may be initiated on oral motion of the United States attorney.

"(2) Whenever the person has been released pursuant to section 3146 of this title and it subsequently appears that such person may be subject to pretrial detention, the United States attorney may initiate a pretrial detention hearing by ex parte written motion. Upon such motion the judicial officer may issue a warrant for the arrest of the person and such person shall be brought before a judicial officer in the district where he is arrested. He shall then be transferred to the district in which his arrest was ordered for proceedings in accordance with this section.

"(3) The pretrial detention hearing shall be held immediately upon the person being brought before the judicial officer for such hearing unless the person or the United States attorney moves for a continuance. A continuance granted on motion of the person shall not exceed five calendar days, in the absence of extenuating circumstances. A continuance on motion of the United States attorney shall be granted upon good cause shown and shall not exceed three calendar days. The person may be detained pending the hearing.

"(4) The person shall be entitled to representation by counsel and shall be entitled to present information, to testify, and to present and cross-examine witnesses.

"(5) Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

"(6) Testimony of the person given during the hearing shall not be admissible on the issue of guilt in any other judicial proceeding, but such testimony shall be admissible in proceedings pursuant to section 3150, 3150A, and 3150B of this title, in perjury proceedings, and as impeachment in any subsequent proceedings.

"(7) Appeals from orders of detention may be taken pursuant to section 3147 of this title.

"(d) The following shall be applicable to persons detained pursuant to this section:

"(1) To the extent practicable, the person shall be given an expedited trial.

"(2) Any person detained shall be treated in accordance with section 3146 of this title—

"(A) upon the expiration of sixty calendar days, unless the trial is in progress or the trial has been delayed at the request of the person; or

"(B) whenever a judicial officer finds that a subsequent event has eliminated the basis for such detention.

"(3) The person shall be deemed detained pursuant to section 3148 of this title if he is convicted.

"(e) The judicial officer may detain for a period not to exceed five calendar days a person who comes before him for a bail determination charged with any offense, if it appears that such person is presently on probation, parole, or mandatory release pending completion of sentence for any offense under State or Federal law and that such person may flee or pose a danger to any other per-

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son or the community if released. During the five-day period, the United States attorney or the Corporation Counsel for the District of Columbia shall notify the appropriate State or Federal probation or parole officials. If such officials fail or decline to take the person into custody during such period, the person shall be treated in accordance with section 3146 of this title, unless he is subject to detention pursuant to this section. If the person is subsequently convicted of the offense charged, he shall receive credit toward service of sentence for the time he was detained pursuant to this subsection."

"§ 3146B. Pretrial detention for certain persons addicted to narcotics

"(a) Whenever it appears that a person charged with a crime of violence, as defined in section 3152(4) of this title, may be an addict, as defined in section 3152(5) of this title, the judicial officer may, upon motion of the United States attorney, order such person detained in custody for a period not to exceed three calendar days, under medical supervision, to determine whether the person is an addict.

"(b) Upon or before the expiration of three calendar days, the person shall be brought before a judicial officer and the results of the determination shall be presented to such judicial officer. The judicial officer thereupon (1) shall treat the person in accordance with section 3146 of this title, or (2) upon motion of the United States attorney, may (A) hold a hearing pursuant to section 3146A of this title, or (B) hold a hearing pursuant to subsection (c) of this section.

"(c) A person who is an addict may be ordered detained in custody under medical supervision if the judicial officer:

"(1) holds a pretrial detention hearing in accordance with subsection (c) of section 3146A of this title;

"(2) finds that—

"(A) there is clear and convincing evidence that the person is an addict;

"(B) based on the factors set out in subsection (b) of section 3146 of this title, there is no condition or combination of conditions of release which will reasonably assure the safety of any other person or the community; and

"(C) on the basis of information presented to the judicial officer, there is a substantial probability that the person committed the offense for which he is present before the judicial officer;

and

"(3) issues an order of detention accompanied by written findings of fact and the reasons for its entry.

"(d) The provisions of subsection (d) of section 3146A of this title shall apply to this section."

SEC. 3. Section 3147 of title 18, United States Code, is amended:

(a) by changing the title to read:

"§ 3147. Appeals from conditions of release or orders of pretrial detention"

(b) by adding after the phrase "the offense charged," in subsection (b) the phrase "or (3) a person is ordered detained or an order of detention has been permitted to stand by a judge of the court having original jurisdiction over the offense charged".

SEC. 4. Section 3148 of title 18, United States Code, is amended by striking out the last sentence and adding "The provisions of section 3147 shall apply to persons described in this section."

SEC. 5. Section 3150 of title 18, United States Code, is amended:

(a) by adding the letter "(a)" before the word "Whoever".

(b) by inserting the phrase "or prior to surrender to commence service of sentence" (1) after the word "chapter" and (2) after the word "certiorari";

(c) by deleting the phrase "or imprisoned not more than five years" and inserting in lieu thereof the phrase "and imprisoned not less than one year and not more than five years";

(d) by deleting the phrase "or imprisoned for not more than one year" and inserting in lieu thereof the phrase "and imprisoned not less than ninety days and not more than one year"; and

(e) by adding at the end thereof the following new subsections:

"(b) Any failure to appear after notice of the appearance date shall be prima facie evidence that such failure to appear is willful. Whether the person was warned when released of the penalties for failure to appear shall be a factor in determining whether such failure to appear was willful, but the giving of such warning shall not be a prerequisite to conviction under this section.

"(c) The trier of facts may convict under this section even if the defendant has not received actual notice of the appearance date if (1) reasonable efforts to notify the defendant have been made and (2) the defendant, by his own actions, has frustrated the receipt of actual notice.

"(d) Any term of imprisonment imposed pursuant to this section shall be consecutive to any other sentence of imprisonment."

SEC. 6. Chapter 207 of title 18, United States Code, is amended by adding after section 3150 the following new sections:

"§ 3150A. Added penalties for crimes committed while on release

"Any person convicted of an offense committed while released pursuant to section 3146 of this title shall be subject to the following penalties in addition to any other applicable penalties:

"(1) a term of imprisonment of not less than one year and not more than five years if convicted of committing a felony while released; and

"(2) a term of imprisonment of not less than ninety days and not more than one year if convicted of committing a misdemeanor while released.

"The giving of a warning to the person when released of the penalties imposed by this section shall not be a prerequisite to conviction under this section.

"Any term of imprisonment pursuant to this section shall be consecutive to any other sentence of imprisonment.

"§ 3150B. Sanctions for violation of release conditions

"(a) A person who has been conditionally released pursuant to section 3146 of this title and who has violated a condition of release shall be subject to revocation of release and an order of detention and to prosecution for contempt of court.

"(b) Proceedings for revocation of release may be initiated on motion of the United States attorney. A warrant for the arrest of a person charged with violating a condition of release may be issued by a judicial officer and such person shall be brought before a judicial officer in the district where he is arrested. He shall then be transferred to the district in which his arrest was ordered for proceedings in accordance with this section. No order of revocation and detention shall be entered unless, after a hearing, the judicial officer finds that—

"(1) there is clear and convincing evidence that such person has violated a condition of his release; and

"(2) based on the factor set out in subsection (b) of section 3146 of this title there is no condition or combination of conditions of release which will reasonably assure that such person will not flee or pose a danger to any other person or the community.

The provisions of subsections (c) and (d) of section 3146A of this title shall apply to this subsection.

"(c) Contempt sanctions may be imposed if, upon a hearing and in accordance with principles applicable to proceedings for criminal contempt, it is established that such person has intentionally violated a condition of his release. Such contempt proceedings shall be expedited and heard by the court without a jury. Any person found guilty of criminal contempt for violation of a condition of release shall be imprisoned for not more than six months, or fined not more than $1,000. or both.

"(d) Any warrant issued by a judge of the District of Columbia Court of general sessions for violation of release conditions or for contempt of court, for failure to appear as required, or pursuant to subsection (c)(2) of section 3146A of this title, may be executed at any place within the jurisdiction of the United States. Such warrants shall be executed by a United States marshal or by any other officer authorized by law."

SEC. 7. Section 3152 of title 18, United States Code, is amended by adding the following new paragraphs:

"(3) The term 'dangerous crime' means (1) taking or attempting to take property from another by force or threat of force, (2) unlawfully breaking and entering or attempting to break and enter any premises adapted for overnight accommodation of persons or for carrying on business with the intent to commit an offense therein, (3) arson or attempted arson of any premises adapted for overnight accommodation of persons or for carrying on business, (4) rape, carnal knowledge of a female under the age of sixteen, assault with intent to commit either of the foregoing offenses, or taking or attempting to take immoral, improper or indecent liberties with a child under the age of sixteen years, or (5) unlawful sale or distribution of a narcotic or depressant or stimulant drug, as defined by any Act of Congress and if the offense is punishable by imprisonment for more than one year.

"(4) The term 'crime of violence' means murder, rape, carnal knowledge of a female under the age of sixteen, taking or attempting to take immoral, improper or indecent liberties with a child under the age of sixteen years, mayhem, kidnaping, robbery, burglary, voluntary manslaughter, extortion or blackmail accompanied by threats of violence, arson, assault with intent to commit any offense, assault with a dangerous weapon, or an attempt or conspiracy to commit any of the foregoing offenses, as defined by any Act of Congress or any State law, if the offense is punishable by imprisonment for more than one year.

"(5) The term 'addict' means any individual who habitually uses any narcotic drug as defined by section 4731 of the Internal Revenue Code of 1954, as amended, so as to endanger the public morals, health, safety, or welfare."

SEVERABILITY

SEC. 8. If a provision of this Act is held invalid, all valid provisions which are severable shall remain in effect. If a provision of this Act is held invalid in one or more of its applications, the provision shall remain in effect in all its valid applications.' "

S. 2920

A bill to amend the Bail Reform Act of 1966 to authorize consideration of danger to the community in setting conditions of release, to provide for pretrial detention of dangerous persons, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3146 of title 18, United States Code, is amended—

(1) by deleting in subsection (a)(5) thereof the following: ", including a condition requiring that the person return to custody after specified hours";

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(2) by deleting the third and fourth sentences of subsection (d) thereof; and

(3) by deleting in subsection (e) thereof the following: "or in the release of the person on a condition requiring him to return to custody after specified hours".

SEC. 2. (a) Chapter 207 of title 18, United States Code, is amended by adding immediately after section 3146 thereof the following new sections:

"§ 3146A. Pretrial detention in certain noncapital cases

"(a) Whoever, after having been admitted to bail on a felony offense involving the use of a dangerous weapon or deadly physical force resulting in serious bodily injury to another, or after having been placed on probation or parole following conviction of any such offense, is charged with another such offense committed subsequent thereto may be the subject of a pretrial detention order in accordance with the provisions of this section.

"(b) Upon motion of the United States attorney, the arraignment of any person described in subsection (a) of this section shall be referred to a three judge panel of the United States district court (hereinafter referred to as the 'court'), which shall make the determination required by section 3146 of this chapter, and shall hold a hearing in accordance with the provisions of subsection (c) of this section for the purpose of determining whether such person should be released conditionally or detained pending trial.

"(c) Any person may be ordered detained pending trial if it is determined by the court at a hearing that—

"(1) there is clear and convincing evidence that such person is a person described in subsection (a) of this section;

"(2) the pretrial release of such person will pose a danger to any person or to the community;

"(3) the nature and the circumstances of the offense charged dictate that conditional release pursuant to the provisions of subsection (d) of this section will not reasonably assure the safety of any other person or the community; and

"(4) there is clear and convincing evidence that the person charged committed the alleged offense.

"(d) (1) In lieu of pretrial detention as authorized by subsection (c) of this section, the court may impose any one or more of the following conditions on the release of such person—

"(A) a condition requiring that the person be placed in the custody of a designated person or organization agreeing to supervise him;

"(B) a condition placing restrictions on the travel, associations, activities, conduct, or place of abode of the person during the period of release;

"(C) a condition requiring that the person return to custody after hours; or

"(D) any other condition deemed reasonably necessary to assure that such person will, if released, not pose a danger to any other person or to the community.

"(2) A court in authorizing the release of a person under this subsection shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

"(e) Whenever it is determined that a person shall be detained pending trial pursuant to subsection (c) of this section, or detained during specified hours pursuant to subsection (d) (1) (C) of this section, the court shall issue an order of detention which shall provide that—

"(1) such person be committed civilly to such place, other than a State or Federal prison or local jail regularly used for the incarceration of convicted offenders, as the court may deem proper;

"(2) such order will expire on the thirtieth day following its issuance, unless the trial on the charge is in progress or the trial has been delayed at the request of the person charged, or upon motion of the United States attorney, for good cause shown, the court in its discretion extends the order for an additional ten days; and

"(3) the person charged shall be afforded reasonable opportunity for private consultation with counsel and, for good cause shown, shall be released, upon order of any judge of the United States district court, in the custody of the United States marshal, or other appropriate person for limited periods of time to prepare defenses, or for other proper reasons.

"(f) A pretrial detention hearing held pursuant to the provisions of subsection (c) of this section shall be conducted in accordance with procedures designed to guarantee that—

"(1) the person charged is represented by counsel and allowed to present evidence, to testify, and to present and cross-examine witnesses;

"(2) evidence may be received without regard to the rules governing its admissibility in a court of law; and

"(3) testimony of the person charged given during the hearing shall be admissible in proceedings pursuant to sections of this chapter, in perjury proceedings, and as impeachment in any subsequent proceedings.

"§ 3146B. Pretrial conditional release in certain noncapital cases

"(a) Whoever is charged with a felony offense involving the use of a dangerous weapon or deadly physical force resulting in bodily injury to another shall, upon his initial appearance before a judicial officer, be subject to the provisions of subsection (b) of this section.

"(b) Whenever it is determined by a judicial officer that the pretrial release of a person described in subsection (a) may pose a danger to any person or to the community, the judicial officer may impose, for a period not to exceed sixty days, any or all of the following conditions upon the release of the person charged—

"(1) require that such person report to a probation or parole officer, to a United States marshal or to any other designated person, periodically, but not more than once in any twenty-four hour period, disclosing his activities, whereabouts, associations, conduct, travel, and place of adobe during the pretrial period;

"(2) require that such person be placed in the custody of a designated person or organization agreeing to supervise him: *Provided,* That such custody shall not involve total restraint or detention unless the person charged agrees to the same;

"(3) impose restrictions on the travel, associations, activities, conduct, or place of abode of the person during the period of release.

"(c) A judicial officer authorizing the release of a person under this section shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.".

(b) The analysis of chapter 207 of title 18, United States Code, is amended by adding immediately after

"3146. Release in noncapital cases prior to trial."

The following new items:

"3146A. Pretrial detention in certain noncapital cases.

"3146B. Pretrial conditional release in certain noncapital cases.".

SEC. 3. (a) Section 3147 of title 18, United States Code, is amended to read as follows:

"§ 3147. Appeals from pretrial detention and conditional release orders in lieu of bail and as an alleged dangerous offender

"(a) A person who is detained in lieu of bail after review of his application pursuant to section 3146(d) or section 3146(e), and a person who is determined to be an alleged dangerous offender and is released on a condition requiring him to return to custody after specified hours pursuant to section 3146A(d) (1) (C) of this chapter, by a judicial officer, other than a judge of the court having original jurisdiction over the offense with which he is charged or a judge of a United States court of appeals or a Justice of the Supreme Court, may move the court having original jurisdiction over the offense with which he is charged to amend the order. Said motion shall be determined promptly.

"(b) With respect to any person who is determined to be an alleged dangerous offender and is the subject of a pretrial detention order pursuant to section 3146A of this chapter, and any person who is detained in lieu of bail after (1) a court denies a motion under subsection (a) to amend an order imposing conditions of release, or (2) conditions of release have been imposed or amended by a judge of the court having original jurisdiction over the offense charged, an appeal may be taken to the court having appellate jurisdiction over such court. An order so appealed shall be affirmed if it is supported by the proceedings below. If the order is not so supported, the court may remand the case for a further hearing, or may, with or without additional evidence, order the person released pursuant to section 3146(a)."

(b) The analysis of chapter 207 of title 18, United States Code, is amended by deleting

"3147. Appeal from conditions of release."

and inserting in lieu thereof

"3147. Appeals from pretrial detention and conditional release orders in lieu of bail and as an alleged dangerous offender.".

SEC. 4. Section 3150 of title 18, United States Code, is amended to read as follows:

§ 3150. Penalties for failure to appear

"(a) Whoever, having been released pursuant to this chapter or prior to surrender to commence service of sentence, willfully fails to appear before any court or judicial officer as required, shall, subject to the provisions of the Federal Rules of Criminal Procedure, incur a forfeiture of any security which was given or pledged for his release, and, in addition, shall (1) if he was released in connection with a charge of felony, or while awaiting sentence or pending appeal or certiorari or prior to surrender to commence service of sentence after conviction of any offense, be imprisoned not less than one year or more than five years, or (2) if he was released in connection with a charge of misdemeanor, be imprisoned for not less than ninety days or more than one year, or (3) if he was released for appearance as a material witness, shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

"(b) Any failure to appear after notice of the appearance date shall be prima facie evidence that such failure to appear is willful. Whether the person was warned when released of the penalties for failure to appear shall be a factor in determining whether such failure to appear was willful, but the giving of such warning shall not be a prerequisite to conviction under this section.

"(c) The trier of facts may convict under this section even if the defendant has not received actual notice of the appearance date if (1) reasonable efforts to notify the defendant have been made and (2) the defend-

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ant, by his own actions, has frustrated the receipt of actual notice.

"(d) Any term of imprisonment imposed pursuant to this section shall be consecutive to any other sentence of imprisonment."

SEC. 5. (a) Chapter 207 of title 18, United States Code, is amended by adding immediately after section 3150 the following new sections:

"§ 3150A. Additional penalties for crimes committed while on release

"Any person convicted of an offense committed while released pursuant to sections 3146, 3146A or 3146B of this title shall be subject to the following penalties in addition to any other applicable penalties:

"(1) a term of imprisonment of not less than one year and not more than five years if convicted of a felony committed by such a person while released; and

"(2) a term of imprisonment of not less than ninety days and not more than one year if convicted of a misdemeanor committed by such person while released.

"The giving of a warning to the person when released of the penalties imposed by this section shall not be a prerequisite to conviction under this section.

"Any term of imprisonment imposed pursuant to this section shall be consecutive to any other sentence of imprisonment.

"§ 3159B. Sanctions for violation of release conditions

"(a) A person who has been conditionally released pursuant to sections 3146, 3146A or 3146B of this chapter and who has violated a condition of release shall be subject to revocation of release and an order of detention and to prosecution for contempt of court.

"(b) Proceedings for revocation of release may be initiated on motion of the United States attorney. A warrant for the arrest of a person charged with violating a condition of release may be issued by a judicial officer and such person shall be brought before a judicial officer in the district where he is arrested. He shall then be transferred to the district in which his arrest was ordered for proceedings in accordance with this section. No order of revocation and detention shall be entered unless, after a hearing, the judicial officer finds that—

"(1) there is clear and convincing evidence that such person has violated a condition of his release; and

"(2) based on the factors set out in subsection (b) of section 3146 of this chapter there is no condition or combination of conditions of release which will reasonably assure that such person will not flee or pose a danger to any other person or the community.

"(c) Contempt sanctions may be imposed if, upon a hearing and in accordance with principles applicable to proceedings for criminal contempt, it is established that such person has intentionally violated a condition of his release. Such contempt proceedings shall be expedited and heard by the court without a jury. Any person found guilty of criminal contempt for violation of a condition of release shall be imprisoned for not more than six months, or fined not more than $1,000, or both.

"(d) Any warrant issued by a judge of the District of Columbia court of general sessions for violation of release conditions or for contempt of court, or for failure to appear as required, may be executed at any place within the jurisdiction of the United States. Such warrant shall be executed by a United States marshal or by any other officer authorized by law."

(b) The analysis of chapter 3 of title 18, United States Code, is amended by inserting immediately after

"3150. Penalties for failure to appear."

the following new items:

"3150A. Additional penalties for crimes committed while on release.

"3150B. Sanctions for violation of release conditions."

SEC. 6. Section 3152 of title 18, United States Code, is amended (1) by deleting the word "and" following the semicolon in paragraph (1); (2) by deleting the period at the end of paragraph (2) and inserting in lieu thereof a semicolon; and (3) by adding at the end thereof the following new paragraphs:

"(3) the term 'felony offense' means any offense for which a sentence to a term of imprisonment in excess of one year may be imposed;

"(4) the term 'dangerous weapon' means any loaded weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged, or a knife, or blackjack, or any instrument, article or substance which, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable or [*sic*] causing death or other serious physical injury;

"(5) the term 'deadly physical force' means physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious bodily injury;

"(6) the term 'serious bodily injury' means physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ; and

"(7) the term 'bodily injury' means impairment of physical condition or substantial pain.".

SEC. 7. If any provision of an amendment made by this Act is held invalid, all provisions which are severable shall remain in effect. If a provision of any amendment made by this Act is held invalid in one or more of its applications, the provisions shall remain in effect in all of its valid applications.

FOOTNOTES

[*] United States Senator from Nebraska and ranking Republican member of the Senate Judiciary Committee. J.D., Creighton University 1929. Senator Hruska wishes to acknowledge the assistance in the preparation of this article of John A. Gale, University of Chicago Law School, J.D., Counsel to the Minority, Senate Judiciary Subcommittee on Constitutional Rights.

[1] Judiciary Act of 1789, ch. 20, § 33, 1 Stat. 73, 91.

[2] This Committee was appointed by Attorney General Robert Kennedy under the chairmanship of Professor Francis Allen, now Dean of the Michigan University Law School. The Committee was directed to make an extensive study of the federal criminal justice system, to consider the problems facing the indigent defendant, and to recommend solutions.

[3] Attorney General's Committee on Poverty and the Administration of Federal Criminal Justice, Report: Poverty and the Administration of Federal Criminal Justice 77 (1963).

[4] Foote, *Compelling Appearance in Court: Administration of Bail in Philadelphia,* 102 U. Pa. L. Rev. 1031 (1954).

[5] The Project was sponsored jointly by the Foundation, the New York University School of Law, and the Institute of Judicial Administration.

[6] Ares, Rankin & Sturz, *The Manhattan Bail Project: An Interim Report on the Use of Pre-trial Parole,* 38 N.Y.U.L. Rev. 67 (1963).

[7] *Id.* at 79.

[8] Junior Bar Section of the District of Columbia Bar Association Report: Bail System of the District of Columbia (1963).

[9] D. Freed and P. Wald, Report to the National Conference on Bail and Criminal Justice: Bail in the United States 21 (1964) (Hereinafter cited as Bail in the United States).

[10] The bill was designated S. 1357 and sponsored by Senators Ervin and Hruska. Cosponsors were Senators Bartlett, Bayh, Burdick, Dirksen, Dodd, Douglas, Fong, Hart, Inouye, Javits, Johnston, Kennedy (Mass.), Long (Mo.), Metcalf, Mondale, Ribicoff, Scott, Stennis, Tydings, and Williams (N.J.).

[11] 18 U.S.C. § 3146 (Supp. IV 1965–69). *See* Ervin, *The Legislative Role in Bail Reform,* 35 Geo. Wash. L. Rev. 429 (1967).

[12] 18 U.S.C. § 3148 (Supp. IV 1965–69).

[13] Advisory Committee on Pretrial Proceedings, Report to the American Bar Association Project on Minimum Standards for Criminal Justice: Standards Relating to Pretrial Release 6 (Approved Draft, 1968) (Hereinfater cited at ABA Pretrial Release Report).

[14] The President's Commission on Law Enforcement and Administration of Justice, Report: The Challenge of Crime in a Free Society 131 (1967); Task Force on Administration of Justice, Report: The Courts 40 (1967); the President's Commission on Crime in the District of Columbia, Report (1966).

[15] *Hearings on Amendments to Bail Reform Act of 1966 Before the Constitutional Rights Subcommittee of the Senate Judiciary Committee,* 91st Cong., 1st Sess. (January 21, 22, 23, 28, 29, 30, and February 4, 1969) (Hereinafter cited as *Hearings on Bail Reform Act Amendments*).

[16] *Hearings on Amendments to Bail Reform Act Amendments, supra note* 15 *See, e.g.,* Statement of Harry I. Stubbin, Associate Director of the Vera Foundation of Justice, at 225–226; Statement of James F. Hewitt, Attorney in Charge, Federal Criminal Defense Office, the Legal Aid Society of San Francisco, at 255.

[17] Bills introduced in the Senate during the 91st Congress, 1st Session (1969): S. 288 and S. 289 by Senator Byrd of West Virginia; S. 546 by Senator Tydings of Maryland; S. 2600 by Senators Hruska, Dirksen, and Thurmond; S. 2920 by Senator Goodell. *See* Appendix B.

[18] Bills introduced in the House during the 91st Congress, 1st Session (1969): H.R. 323 by Mr. Poff; H.R. 335 by Mr. Rogers (Fla.); H.R. 578 by Mr. Rogers (Fla.); H.R. 1033 by Mr. Cramer; H.R. 2781 by Messrs. McCulloch, Gerald R. Ford, Poff, Cahill, MacGregor, Hutchinson, McClory, Smith (N.Y.), Roth, Meskill, Sandman, Railsback, Biester, Wiggins, Taft, Conable, Cramer, Devine, Erlenborn, King, Wylie and Wyman; H.R. 4189 by Mr. Miller (Ohio) and Mr. Fish; H.R. 5213 by Mr. Michel; H.R. 5168 by Mr. Adair; H.R. 6253 by Mr. Mize; H.R. 6644 by Mr. Sebelius; H.R. 6744 by Mr. Collier; H.R. 7322 by Mr. Hunt; H.R. 7591 by Mr. Kleppe; H.R. 8194 by Mr. Steiger (Ariz.); H.R. 8616 by Mr. Meskill and Mr. Frey; H.R. 8782 by Mr. Gude; H.R. 10080 by Mr. Hogan; H.R. 10276 by Mr. Winn; H.R. 10083 by Mr. Hogan; H.R. 12628 by Mr. Collins; H.R. 12806 by Messrs. McCulloch, Gerald R. Ford, Anderson (Ill.), Poff, Cahill, MacGregor, Hutchinson, McClory, Smith (N.Y.), Meskill, Sandman, Railsback, Biester, Wiggins, Fish, Nelsen, Taft, Conable, Cramer, Devine, Erlenborn, King, Wylie, Wyman, and Roth; H.R. 13333 by Mr. Ruth.

[19] 1 W. & M.c. 2, § 10, at 68.

[20] Goldfarb, Ransom—A Critique of the American Bail System 23–24 (1965).

[21] Bail in the United States, *supra* note 9, at 2.

[22] *Bail and Bad Character,* 106 The Law Journal 22 (1956).

[23] Judiciary Act of 1789, ch. 20, § 33, 1 Stat 73, 91.

[24] H.R. Rep. No. 1541, 89th Cong., 2nd Sess (1966).

[25] 342 U.S. 1 (1951).

[26] *Id.* at 4.

[27] 1 Annaus of Congress 753 (1791).

[28] 342 U.S. at 5; *accord,* separate opinion of Jackson, J. at 9.

[29] *Hearings on Bail Reform Act Amendments, supra* note 15, at 358.

[30] 1 W. & M.c. 2, § 10, at 68: "And excessive bail hath been required of persons committed in criminal cases, to elude the benefit of the laws made for the liberty of the subjects."

[31] 342 U.S. 524 (1952).

[32] *Id.* at 545–46 (footnotes omitted).

[33] *Id.* at 556. *See Hearings on Bail Reform Act Amendments, supra* note 15, at 156.

[34] *See* Stack v. Boyle, 342 U.S. 1, 4 (1951); Hudson v. Parker, 156 U.S. 277, 285 (1895); United States v. Motlow, 10 F.2d 657, 659 (7th Cir. 1926); Trimble v. Stone, 187 F. Supp. 483, 484 (D.D.C. 1960). *Contra,* United States *ex rel.* Siegal v. Follette, 290 F. Supp. 632, 635 (S.D.N.Y. 1968).

[35] *See, e.g.,* Mempa v. Rhay, 389 U.S. 128 (1967); *In Re* Gault, 387 U.S. 1 (1967).

[36] 342 U.S. at 537: "Deportation is not a criminal proceeding and has never been held to be punishment. No jury sits. No judicial review is guaranteed by the Constitution."

[37] 326 F.2d 708 (8th Cir.), *cert. denied,* 376 U.S. 965 (1964); *accord,* United States *ex rel.* Covington v. Coparo, 297 F. Supp. 203, 205–06 (S.D.N.Y. 1969); United States *ex rel.* Fink v. Heyd, 287 F. Supp. 716 (E.D. La. 1968); Wansley v. Wilkerson, 263 F. Supp 54, 56–57 (W.D. Va. 1967); Pilkington v. Circuit Court, 324 F. 2d 45, 46 (8th Cir. 1963).

[38] 326 F. 2d at 710.

[39] Carbo v. United States, 82 S. Ct. 662, 668 (Douglas, Circuit Justice, 1962); *accord,* Painten v. Massachusetts, 252 F. Supp. 852 (D. Mass.), *aff'd,* 368 F.2d 142 (1st Cir. 1966), *cert. dismissed,* 389 U.S. 560 (1968).

[40] Ward v. United States, 76 S. Ct. 1063, 1065–66 (Frankfurter, Circuit Justice, 1956); *cf.* United States v. Nebbia, 357 F.2d 303 (2nd Cir. 1966).

[41] These factors as well as public safety are grounds for discretionary denial of release pending appeal under the Bail Reform Act of 1966, 13 U.S.C. § 3148 (Supp. IV 1965–69). The constitutionality of this provision has not been seriously questioned. When adopted, it was a codification of the holdings of five federal circuit courts that other factors besides risk of flight could be considered in granting or denying bail: Rhodes v. United States, 275 F.2d 78 (4th Cir. 1960); United States v. Wilson, 257 F.2d 796 (2d Cir. 1958); United States v. Williams, 253 F.2d 144 (7th Cir. 1958); Esters v. United States, 255 F.2d 63 (8th Cir. 1958); Christoffel v. United States, 196 F.2d 560 (D.C. Cir. 1951).

[42] In Pannell v. United States, 320 F.2d 698 (D.C. Cir. 1963), the circuit court remarked that: "[U]ntil appellant's conviction he was presumed innocent but that presumption is altered with guilty verdict and judgment."

[43] Judiciary Act of 1789, ch. 20, § 33, 1 Stat. 73, 91; 18 U.S.C. § 3148 (Supp. IV 1965–69).

[44] Internal Security Act of 1950, 50 U.S.C. 811 to 815 (1964).

[45] 18 U.S.C. § 4244 (1964).

[46] Ch. 20, § 33, 1 Stat. 73, at 91.

[47] Fed. R. Crim. P. 46(a) (1), (a) (2).

[48] 18 U.S.C. §§ 3146 to 3148 (Supp. IV 1965–69).

[49] The Supreme Court has held that the Constitution assures the alien the right to invoke the writ of habeas corpus to protect his personal liberty (Nishimura Ekiu v. United States, 142 U.S. 651, 660 (1892)); in criminal proceedings the alien must be accorded the protections of the Fifth and Sixth Amendments (Wong Wing v. United States, 163 U.S. 228, 238 (1896); Ng Fung Ho v. White, 259 U.S. 276, 284–85 (1922)). The Court in United States *ex rel.* Potash v. District Director, 169 F.2d 747, 752 (2d Cir. 1948), a case involving bail pending a deportation hearing, said: "If the Eighth Amendment to the Constitution is considered to have any bearing upon the right to bail in deportation proceedings, and this has been denied, it is our opinion that the provisions of that Amendment and any requirement of the due process provisions of the Fifth Amendment will be fully satisfied if the standards of fairness and reasonableness . . . are observed."

[50] Internal Security Act of 1950, 50 U.S.C. §§ 811 to 815 (1964).

[51] 342 U.S. at 542.

[52] 18 U.S.C. § 4244 (1964).

[53] 18 U.S.C. § 4246 (1964).

[54] Greenwood v. United States, 219 F.2d 376 (8th Cir. 1955, *aff'd,* 350 U.S. 366 (1956).

[55] Bail in the United States, *supra* note 9, at 2, 3, n.8.

[56] *Capital Punishment in the United States,* 8 The Law Reporter, 481, 487 (1846) *See* The Crimes Act of 1790, ch. 9, 1 Stat. 112. In 1790, federal crimes punishable by the death penalty included: (1) murder, (2) treason, (3) robbery, (4) stealing a ship, (5) a seaman laying violent hands on the commander of a ship, (6) revolt on a ship, (7) piracy or robbery under false colors, (8) accessory before the fact of piracy or robbery, and (9) forgery, counterfeiting or altering of a public United States security.

[57] 79 Harv. L. Rev. 1489, 1500 (1966).

[58] The President's Commission on Law Enforcement and Administration of Justice, Report: The Challenge of Crime in a Free Society 125 (1967) (Hereinafter cited as President's Commission on Law Enforcement).

[59] U.S. Const. amend. V.

[60] The President's Commission on Crime in the District of Columbia, Report 520 (1966) (Hereinafter cited as President's Commission on D.C. Crime).

[61] *Id.* at 523. *See also* 36 Geo. Wash. L. Rev. 178, 184 (1967).

[62] President's Commission on D.C. Crime, *supra* note 60, at 523. *See also* Geo. Wash. L. Rev. 178, 184 (1967).

[63] President's Commission on D.C. Crime, *supra* note 60, at 520 (footnote omitted).

[64] 79 Harv. L. Rev. 1489, 1501 (1966).

[65] National Conference on Bail and Criminal Justice, Proceedings and Interim Report 177 (1965); *cf.* Terry v. Ohio, 392 U.S. 1, 26–27 (1968).

[66] Fernandez v. United States, 81 S. Ct. 642, 644 (Harlan, Circuit Justice, 1961); *accord,* California v. Alcorcha, 86 S. Ct. 1359 (Douglas, Circuit Justice, 1966); Carbo v. United States, 82 S. Ct. 662, 668 (Douglas, Circuit Justice, 1962); Dameron v. Harson, 255 F. Supp. 533, *aff'd,* 364 F.2d 991 (5th Cir. 1966).

[67] Judiciary Act of 1789, ch. 20, § 33, 1 Stat. 73, 91; 18 U.S.C. § 3148 (Supp. IV 1965–69).

[68] Wong Wing v. United States, 163 U.S. 228, 235 (1896).

[69] National Conference on Bail and Criminal Justice, Proceedings and Interim Report 177 (1965).

[70] 342 U.S. at 7–8.

[71] Zemel v. Rusk, 381 U.S. 1, 14 (1965).

[72] Miranda v. Arizona, 384 U.S. 436, 479–91 (1966).

[73] Cross v. Harris, No. 22,420, at 13 (D.C. Cir. April 16, 1969) (footnote omitted).

[74] Coplon v. United States, 191 F.2d 749, 757 (D.C. Cir. 1951), *cert. denied,* 342 U.S. 926 (1952).

[75] *See* 79 Harv. L. Rev. 1489, 1508 (1966).

[76] *See* 36 Geo. Wash. L. Rev. 178, 186 (1967).

[77] 18 U.S.C. § 3146 (Supp. IV 1965–69).

[78] President's Commission on Law Enforcement, *supra* note 58, at 125.

[79] President's Commission on D.C. Crime, *supra* note 60, at 523; *see* 36 Geo. Wash. L. Rev. 178, 183 (1967).

[80] Williamson v. United States, 184 F.2d 280, 282–83 (2d Cir. 1950).

[81] 381 U.S. at 14 (footnote omitted).

[82] 18 U.S.C. § 3148 (Supp. IV 1965–69).

[83] 18 U.S.C. § 3146(d) (Supp. IV 1965–69); *cf.* United States v. Nebbia, 357 F.2d 303 (2d Cir. 1966).

[84] 18 U.S.C. § 4244 (1964).

[85] 18 U.S.C. §§ 4247, 4248 (1964).

[86] D.C. Code Encycl. Ann. §§ 521 to 528 (1968).

[87] Internal Security Act of 1950, 50 U.S.C. §§ 811 to 815 (1964).

[88] *See* cases cited note 49 *supra.*

[89] Williamson v. United States, 184 F. 2d 280, 282–83 (2d Cir. 1950).

[90] *See* 79 Harv. L. Rev. 1489, 1504 (1966).

[91] In Cross v. Harris, No. 22,420, at 22 (D.C. Cir. April 16, 1969), Judge Bazelon, speaking for the court, stated:

"Non-criminal" commitments of so-called dangerous persons have long served as preventive detention, but this function has been either excused or obscured by the promise that, while detained, the potential offender will be rehabilitated by treatment. Notoriously, this promise of treatment has served only to bring an illusion of benevolence to what is essentially a warehousing operation for social misfits.

[92] ABA Pre Trial Release Report, *supra* note 13, at 70.

[93] Cross v. Harris, No. 22,420, at 13 (D.C. Cir. April 16, 1969) (footnote omitted).

[94] President's Commission on D.C. Crime, *supra* note 60, at 527–28.

[95] *See* Bitter v. United States, 389 U.S. 15, 16 (1967).

[96] *Hearings on Bail Reform Act Amendments, supra* note 15, at 174–75; *see* 77 Harv. L. Rev. 1489, 1507 (1966).

[97] President's Commission on D.C. Crime, *supra* note 60, at 527; *see* 79 Harv. L. Rev. 1489, 1506 (1966).

[98] *See* 36 Geo. Wash. L. Rev. 178, 187 (1967).

[99] Fernandez v. United States, 81 S. Ct. 642, 644 (Harlan, Circuit Justice, 1961).

[100] *See* 79 Harv. L. Rev. 1489, 1502 (1966).

[101] 18 U.S.C. § 3146(d) (Supp. IV 1965–69).

[102] United States *ex rel.* Estabrook v. Otis, 18 F. 2d 689, 690 (8th Cir. 1927) (footnote omitted); *accord,* Rehman v. California, 85 S. Ct. 8, 9 (Douglas, Circuit Justice, 1964); Leigh v. United States, 82 S. Ct. 994, 996 (Warren, Circuit Justice, 1962).

[103] Ch. 20, § 33, 1 Stat. 73, 91.

[104] 18 U.S.C. § 3146 (Supp. IV 1965–69).

[105] *See* note 15 *supra.*

[106] *See* note 17 *supra.*

[107] *See* note 18 *supra.*

[108] S. 288, 91st Cong., 1st Sess. (1969); S. 546, 91st Cong., 1st Sess. (1969); S. 2600, 91st Cong., 1st Sess. (1969); and S. 2920, 91st Cong., 1st Sess. (1969).

[109] S. 2600, 91st Cong., 1st Sess. (1969); S. 2920, 91st Cong., 1st Sess. (1969).

[110] S. 2600, 91st Cong., 1st Sess. (1969); S. 2920, 91st Cong., 1st Sess. (1969).

[111] President's Commission on D.C. Crime, *supra* note 60, at 525–27.

[112] ABA Pretrial Release Report, *supra* note 13, at 65–74.

[113] Judicial Council Committee To Study the Operation of the Bail Reform Act in the District of Columbia, District of Columbia Circuit Report 16–17 (1969) (Hereinafter cited as Judicial Council Committee Report).

[114] *Hearings on Bail Reform Act Amendments, supra* note 15.

[115] Hearings were held by the House Judiciary Committee on October 15 and 21, 1969.

[116] Since S. 288 only involves the consideration of public safety in setting conditions of release, it will not be included in the analysis.

[117] Judicial Council Committee Report, *supra* note 113, at 35.

[118] *Hearings on Bail Reform Act Amendments, supra* note 15, at 32.

[119] *Hearings on Bail Reform Act Amendments, supra* note 15, at 11.

[120] Judicial Council Committee Report, *supra* note 113, at 18 n. 1.

[121] Judicial Council Committee Report, *supra* note 113 at 18.

[122] The 6 percent figure results from use of rates of reindictment among persons on bail in all felony cases. The 70 percent figure results from use of rates of rearrest among persons indicted for robbery.

[123] Judicial Council Committee Report, *supra* note 113, at 20.

[124] *Hearings on Bail Reform Act Amendments, supra* note 15, at 631.

[125] *Hearings on Bail Reform Act Amendments, supra* note 15, at 632–33.

[126] *Hearings on Bail Reform Act Amendments, supra* note 15, at 634–35.

[127] *Hearings on Bail Reform Act Amendments, supra* note 15, at 3, 76, 320.

[128] President's Commission on D.C. Crime, *supra* note 60, at 517–18.

[129] President's Commission on D.C. Crime, *supra* note 60, at 517.

[130] Judicial Council Committee Report, *supra* note 113, at 24.

[131] *Hearings on Bail Reform Act Amendments, supra* note 15, at 670.

[132] Judicial Council Committee Report, *supra* note 113, at 20–21.

[133] Judicial Council Committee Report, *supra* note 113, at 24.

[134] *Hearings on Bail Reform Act Amendments, supra* note 15, at 121.

[135] President's Commission on D.C. Crime, *supra* note 60, at 518.

[136] President's Commission on D.C. Crime, *supra* note 60, at 518.

[137] Judicial Council Committee Report, *supra* note 113, at 25.

[138] Judicial Council Committee Report, *supra* note 113, at 33.

[139] *See* text at notes 70–77 *supra*.

[140] Coplon v. United States, 191 F. 2d (D.D.C. 1951), *cert. denied,* 342 U.S. 926 (1952).

[141] *See* 36 Geo. Wash. L. Rev. 178, 186 (1967).

[142] Advisory Committee on the Criminal Trial, Report to the American Bar Association Project on Minimum Standards for Criminal Justice: Standards Relating to Speedy Trial 10–11 (1967).

[143] *Hearings on Bail Reform Act Amendments, supra* note 15, at 10.

[144] Federal Bureau of Investigation, Uniform Crime Reports for the United States-1968, at 4 (1969).

[145] *Judicial Council Committee Report, supra* note 113, at 18.

SUBURBAN ACTION

Mr. RIBICOFF. Mr. President, the suburbs have been recognized as an important part of the solution to the problems of the cities in a perceptive article entitled "Suburban Action: Advocate Planning for an Open Society" in the January 1970 issue of the Journal of the American Institute of Planners.

Suburban Action is a nonprofit institute devoted to creating housing and employment opportunities for low and moderate income persons in the suburbs or the new America of the 20th Century.

Three members of the institute—Paul and Linda Davidoff and Neil Gold—write that:

> If this nation is to provide for the housing and job needs of its minority citizens, the power of government must be used to break the land use barriers erected by suburban communities. This challenge may soon be recognized as the new frontier of the civil rights movement.

I commend this article to Senators and to all other citizens who are dedicated to building a new urban America.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

SUBURBAN ACTION: ADVOCATE PLANNING FOR AN OPEN SOCIETY

(By Paul and Linda Davidoff and Neil Newton Gold)

The suburbanization of population and jobs in the metropolitan regions is an accomplished fact. Rather than fighting this movement, urban development policy should work with it to assure equal access to suburban land and jobs for all citizens of the regions. Suburban Action is an advocate agency engaged in policy discussions with suburban employers, public officials, and private groups and in legal actions aimed at opening the suburbs to blacks and to low and moderate cost housing.

Advocate planning has been defined as the exercise of the planning function on behalf of specified individuals and groups, rather than on behalf of a broadly defined "public interest." From its beginning, the movement toward advocacy planning has stressed the need to plan with, and in the interests of, the formerly unrepresented groups in the planning process—the poor, the black, and the underprivileged. In many cases, this form of advocacy has involved planners working with neighborhood organizations of the poor and the black in order to create alternate plans for renewal relocation, Model Cities, or highway location. In the process of working for an with these neighborhood groups, advocates have often become aware of the difficulty of solving many of their clients' problems with planning that is limited to neighborhood physical areas. Out of this awareness has grown a sense of the need for regionwide and national approaches to planning for the needs of the black and the poor.

From the beginnings of advocacy planning it has been recognized that *ideological advocacy* in which the advocate represented his own point of view, rather than that of a client, could play an important role in the planning process. This article describes an ideological advocacy agency created to promote the use of suburban resources for solving metropolitan problems of race and poverty.

GHETTOS AND PUBLIC POLICY

Present efforts to solve the "urban crisis" tend to restrict solutions to inner-city ghetto areas. Ghetto and poverty areas have been the locus of nearly all the research and action programs undertaken by both public agencies and private nonprofit groups as part of the war on urban poverty and discrimination. Job programs have concentrated on finding employment opportunities for ghetto youth in declining areas. Industrial development programs have concentrated on bringing industry into the ghettos. Housing programs have tried to rehabilitate obsolete slum apartments or "renew" ghetto neighborhoods. The Model Cities program, while aimed at improving the lives of disadvantaged residents, has intended to restrict chances for such improvements to Model Cities areas.

What these programs have in common is an underlying strategy based on a false assumption: the assumption that because the problems of race and poverty are found in the ghettos of urban America, the solutions to these problems must also be found there. These ghetto-oriented programs largely ignore the geographic distribution of resources throughout the metropolitan regions. The resources needed to solve the urban poverty problem—land, money, and jobs—are presently in scarce supply in the inner cities. They exist in substantial supply in suburban areas but are not being utilized to solve inner-city problems or combat poverty and discrimination. As a result, ghetto residents are denied the income gains and improvements in housing quality that would result from freer access to suburban jobs and land.

The cities must create new opportunities in the ghettos; and they must create decent environments in areas that are now slums. But these goals cannot be achieved until there is effective utilization of all resources in metropolitan regions.

THE SUBURBAN SHIFT

One of the most striking aspects of American economic growth over the last two decades is the fact that 80 percent of the new jobs created in the nation's large metropolitan areas have been located in their suburban rings. The central cities of these metropolitan areas have not only failed to win a significant share of new urban employment, but, in some cases, they have experienced a net outflow of jobs.

In the tri-state New York area, for example, the central city gained only 111,000 new jobs between 1952 and 1966, compared with a gain of 888,000 jobs for the region as a whole. In the St. Louis area, employment in the central city actually declined in this period—by 50,000—compared with an employment increase of 193,500 in the St. Louis suburbs. In Philadelphia, central city employment also declined in this period; from 773,622 jobs in 1952 to 785,925 jobs in 1966. The Philadelphia suburbs, on the other hand, gained a total of 249,433 new jobs in these years. In San Francisco, to take a final example, the central city gained nearly 25,000 new jobs in this fifteen year period, roughly one-eighth of the employment increase that took place in the San Francisco suburbs (202,000).

In the face of the concentration of public attention on the urban crises, it is important that policymakers understand that this remarkable shift in the location of urban growth has taken place and that the process of industrial and commercial decentralization has had a transforming impact on the distribution of opportunities and rewards within urban areas.

Better known than the shift in location of new metropolitan employment is the shift in location of population growth within metropolitan areas. Here, too, the results are striking, and fateful, in their implications for urban policy. Between 1950 and 1966, the population of the nation's central cities increased by 7,400,000. In the same period, the population of their suburban rings increased by 36,500,000. By 1966, more Americans lived outside of central cities in our urban configurations, than inside central cities.

Not only have central cities been on the short end of urban population growth, but their share of future growth is destined to decline still further. According to the most reliable estimates of the distribution of future population growth, nearly all of the one hundred million additional persons who will live in the United States by the year 2000 will live in suburban areas. There will be little if any growth in central city (or rural) population during this period. In some central cities, in fact, the prognosis is for sustained population outflow to the suburban rings, depending upon availability of sufficient housing opportunities.

The nation's suburbs, then, have been the locus of the bulk of new jobs and new population growth in metropolitan areas. Not surprisingly, suburban areas also have experienced the greatest share of all new housing starts in urban areas, increasing from 60 percent in the 1950's to 70 percent and above in the 1960's. In some of the largest metropolitan areas such as St. Louis, Philadelphia, Detroit, the District of Columbia, Cleveland, Boston, and Baltimore, nearly 80 percent of new residential construction is taking place outside the central city.

Underlying the movement of jobs, housing, and population from central cities to their surrounding suburbs is the availability of a relatively vast supply of vacant land outside of central cities. Indeed, in the nation's twenty largest urban areas, 99 percent of the vacant land lies outside of core cities. The unavailability of vacant land within central cities necessarily sets reasonably firm limitations on the employment and population capacities of these areas. Conversely, the existence of a seemingly limitless supply of vacant land on the urban periphery practically insures that future urban growth will take place in the fringe areas.

XUM

In sum, the suburbs of the United States have become the New America of the twentieth century: the growth area of private economy, the locus of most of the nation's new jobs, housing, and population.

SUBURBAN DISCRIMINATION

Blacks and other minority groups have not moved out of central cities to the surrounding suburbs. Only the white population has benefited from the availability of suburban job and housing opportunities. By 1966, as a result of the suburbanization of the white population, only 42 percent of urban whites remained in central cities. Among nonwhites, on the other hand, more than 82 percent lived in central cities in 1966—a higher proportion than in 1950.

Still more significant, as an indication of recent demographic trends, is that fact that between 1960 and 1966, 100 percent of the urban white population growth of 10,152,000 occurred in the suburbs. The central cities lost white population during these years. Conversely, during the same period, 90 percent of the nonwhite population gain of 2,757,000 took place in central cities.

A striking piece of evidence from our preliminary research regards the movement of population between 1960 and 1965 in the northern section of suburban Westchester County, New York. The section studied comprises 68 percent of the county's area. In 1965, it contained 14 percent of the county's population and 4 percent of the county's nonwhite population. This area—most of the vacant land in Westchester—is zoned almost exclusively for large lot single family development. Between 1960 and 1965, the white population in this area increased by 20,000, the nonwhite population by one.

These remarkable population shifts have resulted in severely imbalanced population distribution in our metropolitan areas. The cities of the United States are rapidly becoming ghettos of the poor and the black, while the suburbs appear likely to remain affluent and white. We are well on our way to becoming the two nations: "one black, one white—separate and unequal," described in the Kerner Commission report. This growing separation of white and black in U.S. metropolitan areas is a direct result of the nation's acknowledged failure to insure that all social and racial groups are able to gain access to suburban land.

A second, and equally baleful, consequence of the decentralization of American economic life and the outward movement of population from central cities, is the maldistribution of jobs and workers in our urban areas. For nearly two decades, rural refugees, mainly black, Mexican-American, and Puerto Rican, have been arriving in the great cities of the nation to find that the jobs they were looking for have been disappearing—in part, because they have been relocated in the suburbs. While the suburban communities to which these jobs have been moved welcome new tax-paying industrial and commercial facilities, they are unwilling to permit their vacant land to be used for housing for employees who work in the new facilities. In effect, blacks and other minorities are unable to follow their jobs to the suburbs. Thus, these rural migrants are piling up in the overcrowded central cities, without jobs, without access to jobs, without access to information about suburban job opportunities, without decent housing, and without any prospect of overcoming their condition by further migration. At the same time, as if to mock the policies that have created our present crisis, suburban job opportunities remain unfilled for lack of adequate manpower.

Although no data is available on the number of unfilled jobs in suburban areas, census publications, particularly *County, Business Patterns*, and *Census of Manufacturers*, show clearly that in suburban areas many new unfilled jobs are in blue-collar occupations and at unskilled and semiskilled levels. For this reason—and in light of the fact that if present trends continue, 80 percent of future urban employment growth in large metropolitan areas will take place in the suburbs—appropriate linkages connecting the central city labor force and areas of expanding job opportunities must be created.

In lieu of governmental action to enable central city workers to compete for job openings in the suburbs, the private sector, in its own interest, prevailed upon the federal government to create the urban mass transit demonstration program to experiment with methods of aiding workers to get to suburban plant sites. In so doing, the private sector, particularly that portion in durable goods manufacturing, acknowledged that the present distribution of jobs and workers in urban areas constituted a significant drain on the nation's productive capacity and human resources.

Regrettably, interim results from the various urban mass transit demonstrations strongly suggest that transportation linkages are insufficient to overcome the barriers that separate the unemployed in central cities from suburban job areas. It seems clear that more substantial linkages must be created if the suburbs are to enter fully into the mainstream of American life. Preeminent amount these connections is the creation, reasonably close to suburban job sites, of a supply of widely dispersed moderate cost housing for working-class families. This is the challenge now confronting both government agencies and the private sector.

A FALSE ASSUMPTION—THAT BECAUSE THE PROBLEMS OF RACE AND POVERTY ARE FOUND IN THE GHETTOS OF URBAN AMERICA, THE SOLUTIONS TO THESE PROBLEMS MUST ALSO BE FOUND THERE

Restrictive zoning and land use controls in suburban areas constitute the principal barrier preventing development of job-linked moderate cost housing in the suburbs. Among the specific devices that suburban governments have used to prevent construction of such housing are: minimum lot size requirements, minimum house size requirements, restrictive subdivision regulations, and unduly expensive building standards. In addition to these devices, many suburban communities have adopted zoning ordinances that prohibit development of all forms of multifamily housing within their jurisdiction. Taken together, these restrictive zoning and land use controls have been remarkably effective in preventing low and moderate income families from penetrating suburban housing and land markets, in greatly limiting the matching of jobs and workers in urban areas, and in raising the cost of new housing in the suburbs to all homeseeking families. If this nation is to provide for the housing and job needs of its minority citizens, the power of government must be used to break the land use barriers erected by suburban communities. This challenge may soon be recognized as the new frontier of the civil rights movement.

POLICY ISSUES

A basic policy issue must be decided before the nation can embark upon a program of affirmative action in the suburbs. The issue is whether the expenditure of billions of dollars of public funds to rehabilitate the substandard housing stock of central cities and to encourage industry to locate within central cities—particularly, within the slums and ghettos of central cities, is justified in the face of the overwhelming trend toward decentralization of American economic life.

A corollary issue is whether problems and solutions in urban areas are place-limited; that is, whether the fact that the urban crisis is concentrated in the central city slums and ghettos requires that solutions to the urban crisis be limited in their geographic focus to these same slums and ghettos.

DECENTRALIZATION AND PUBLIC POLICY

The facts of suburbanization have long been recognized by planners, demographers, developers, and the general public. What has begun to change is the public policy stance adopted toward these facts. In the early 1950's, recognition of the decline of the central city led to a concern with stemming it and with "bringing back" the fleeing middle class family to live in renewed and rehabilitated downtown neighborhoods. In the mid-1950's, the failures of the renewal program—its displacement of black and poor familites, its failure to provide adequate relocation housing—brought a shift in policy toward rebuilding the ghettos for the benefit of their residents. This may be termed the "keep back" theory for ghetto residents.

Now there is a growing recognition that both the "bring back" and the "keep back" theories are inadequate efforts to stem the tide of movement to the suburbs. Urban development policy is moving toward acceptance of suburbanization. Seen in this context, urban development policy is not a set of demands for rearranging general trends of population movement. Instead, it is a set of demands for structural change in the society set against the backdrop of these movements.

In our view, the decentralizing forces of American economic life are not reversible. The absence of vacant land within central cities, coupled with the existence of an enormous supply of vacant land on the urban periphery, will not permit a major expansion of the employment capacity of central cities. Public programs that seek only to rebuild the central city housing stock and to encourage industry to locate within central cities and within ghettos run counter to the movement of the private economy.

While isolated examples of in-city plant location will occur, as in the case of the IBM plant in Bedford-Stuyvesant,[1] the private sector will continue to locate the bulk of its new plants and equipment outside central cities. In the same year in which IBM created 300 jobs in Bedford-Stuyvesant, the company created 3,000 jobs in the New York region as a whole. The blacks of Bedford-Stuyvesant did not have access to these 3,000 jobs.

The bulk of the central city substandard housing stock is found in areas considered ripe for urban renewal. These areas contain most of the nonwhite population of central cities. Increasingly, they are the locus of central city unemployment and underemployment. Land prices in central city urban renewal areas have been rising even more rapidly than have suburban land prices. This is occuring in spite of the fact that the level of land prices in suburban areas is markedly lower than the level of land prices in central city urban renewal areas.

The convergence of these factors gives some indication of the added cost involved in building low and moderate cost housing on developed land in areas characterized by a declining blue-collar job market. They suggest that substantial housing cost savings can be achieved by locating the bulk of new low and moderate cost housing stock outside central cities.

THE "URBAN CRISIS" AND PUBLIC POLICY

The second major public policy decision is whether the "urban crisis" is in fact an "urban" crisis at all, or a crisis of class and race in the nation as a whole. Public policy has tended to see the problems of slums and ghettos as problems of "renewal areas," "project areas," and "Model City neighborhoods." It is our view that the problems to be found in these areas are not problems of areas, but problems of allocation of public

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and private resources, and that their remedy is to be found in the reallocation of resources. Public policy to aid ghetto and slum residents should be tested in terms of its ability to enlarge opportunities for blacks and for the poor. This recasting of policy does not imply ending planned improvement of urban spatial and structural conditions, rather, it makes these conditions the means for serving human needs. If neighborhoods are to be rebuilt in central city ghetto areas, it will be necessary in many cases for the population density in these areas to be reduced. Rebuilding at present densities raises impossible problems of cost and residential amenity. To renew the neighborhoods, we must open opportunities for out-migration to new, decent housing outside the ghetto. Once densities have been reduced in this way, clearance of dilapidated structures can take place without creating insoluble problems of relocation or temporary relocation while reconstruction goes forward.

In recent months we have seen a growing awareness, on the part of public and private groups, of the negative consequences of exclusive concern with the ghetto as the place for ending poverty. For example, three Presidential commissions have reported on the need to fashion metropolitan areawide solutions to urban poverty and blight.

In its December 1968, report, the President's Committee on Urban Housing (Kaiser Commission) concluded that: [2]

The location of one's place of residence determines the accessibility and quality of many everyday advantages taken for granted by the mainstream of American society. Among these commonplace advantages are public educational facilities for a family's children, adequate police and fire protection, and a decent surrounding environment. In any case, a family should have the choice of living as close as economically possible to the bread-winner's place of employment.

It makes little sense for Federally subsidized housing to be concentrated in and around the central cities' slums where social and environmental disadvantages can negate the uplifting qualities of decent housing.

The 1968 Report of the National Advisory Commission on Civil Disorders (Kerner Commission) presented the nation with three choices: [3]

We can maintain present policies, continuing both the proportion of the nation's resources now allocated to programs for the unemployed and the disadvantaged and the inadequate and failing effort to achieve an integrated society.

We can adopt a policy of "enrichment" aimed at improving dramatically the quality of ghetto life while abandoning integration as a goal.

We can pursue integration by combining ghetto "enrichment" with policies which will encourage Negro movement out of central city areas. . . .

To continue present policies is to make permanent the division of our country into two societies: one, largely Negro and poor, located in the central cities; the other, predominantly white and affluent, located in the suburbs and in outlying areas.

The second choice, ghetto enrichment coupled with abandonment of integration, is also unacceptable. It is another way of choosing a permanently divided country. Moreover, equality cannot be achieved under conditions of nearly complete separation. In a country where the economy, and particularly the resources of employment, are predominantly white, a policy of separation can only relegate Negroes to a permanently inferior economic status.

We believe that the only possible choice for America is the third—a policy which combines ghetto enrichment with programs designed to encourage integration of substantial numbers of Negroes into the society outside the ghetto.

The December 1968 report of the National Commission on Urban Problems (Douglas Commission) stressed the costs of maintaining large inner-city ghettos, both in terms of actual costs to governments of providing services to the ghetto populations and in terms of the socially explosive character of the ghettos. In discussing the employment problems of ghetto residents, the commission noted that: [4]

Available employment of the type for which slum adults might qualify is generally not available in the slum. In a recent year, 63 per cent of all construction permits for industrial buildings were issued for locations outside central cities. On the other hand, 73 per cent of office building construction permits were issued inside central cities. Central cities increasingly are becoming white-collar employment centers while the suburbs are becoming the job employment areas for new blue-collar workers. This is ironical in view of the fact that low-paid blue-collar workers, especially if they are Negroes, live in the central cities while the white-collar workers are increasingly living in the suburbs. Traveling to work becomes increasingly difficult for both.

Edward Logue, President of the New York State Urban Development Corporation, writing in *Look* magazine, said that: [5]

As the inner-city housing crisis worsens, we persist in the notion that the central city *by itself* must provide for the housing needs of ill-housed low-income families. We cling to this fallacy despite the reality that the central cities no longer have significant amounts of vacant land and no large supply of decent, available, low-cost relocation housing. We have, in short, adopted an approach to the city housing problem that is guaranteed to fail. But there are answers.

There is an ample supply of vacant land suitable for housing low-income families in a ten mile wide belt around just about every one of our cities, except possibly New York and Los Angeles, where it may be necessary to go 20 miles or farther. Yet access to this land . . . has been denied to low-income families. (Italics in original.)

The Center for Community Change in Washington, directed by former Industrial Union Department director, Jack Conway, is discussing the possibility of suburban development of housing opportunities in the Detroit area. The Regional Plan Association and National Committee Against Discrimination in Housing are studying the job and housing opportunities in the New York suburbs. Other research programs are beginning to study the implications of the Kerner Commission's challenge to create a "single society," rather than to perpetuate the walls between the ghetto and the society at large. *As yet, however, programs to implement this concern have not moved from study to action. We still do not have viable strategies for expanding the role of the suburbs in developing solutions to problems of race and poverty.*

THE OBJECTIVES OF SUBURBAN ACTION

The availability of new jobs and vacant land in the suburbs makes it apparent that the suburbs can contribute greatly to creation of a society in which resources can be shared more equitably among all classes of the population. However, as we view the actions and policies of public agencies in the nation and, in particular, in the New York region, we believe that the potential of the suburbs for solving national problems has not yet been grasped by public and private agencies, nor by the majority of the public.

THE SUBURBS OF THE UNITED STATES HAVE BECOME THE NEW AMERICA OF THE 20TH CENTURY

A number of agencies concerned with issues of urban development have recently begun to support more concerted use of suburban resources to solve metropolitan problems of race and poverty. The National Committee Against Discrimination in Housing, with a long and distinguished record in the housing discrimination field, is now studying means to overcome restrictive zoning measures and to utilize the growing number of jobs in suburban areas to solve unemployment and underemployment problems. The Regional Plan Association of New York has significantly contributed to public understanding of the suburban potential. More recently a large number of citizens' organizations and religious associations have taken the lead in attempting to develop nonprofit moderate and low-income housing in the suburbs. Additionally, many of these same groups have led inquiries into the nature of white racism to find ways to overcome the very hostile attitudes toward social change that exist within many suburban communities. We believe that until public opinion and public agencies favor significant change in suburban practices, it will be necessary for voluntary associations to take the lead in demonstrating the reasonableness of a new approach to the relationship of suburbs to the solution of race and poverty problems.

As one organization dedicated to altering the imbalance in current urban policy regarding use of suburban resources, Suburban Action has set the following goals for its work:

1. Assisting in opening suburban land and housing to low and moderate income and nonwhite families, by eliminating restrictive and discriminatory land use barriers.
2. Creating new opportunities for linking suburban jobs and unemployed and underemployed residents of central city and suburban low-income areas.
3. Assisting actions preventing suburban ghettos from enlarging through the creation of adequate housing and employment opportunities for residents of those areas throughout the suburbs.
4. Promoting widespread discussion and analysis of alternatives to the real property tax. In doing this, stressing the need for tax reform in order to reduce the disparities in public services, most notably in education, between cities and suburbs and between rich and poor suburban communities.[6]

Suburban Action's list of objectives excludes mention of education, health, recreation, and other important topics that must be addressed if racial and economic disparities are to be reduced. The exclusions are less related to a sense of priorities than they are to the current abilities of the agency.

SUBURBAN ACTION'S PROGRAM

To move toward achievement of its objectives, Suburban Action has a set of programs covering the areas of housing, employment, taxation, and land use. The agency is based in White Plains, New York (suburban Westchester County), and is directing its programs toward conditions within the New York region and toward policy formulation at all levels of government.

HOUSING

Throughout suburban areas, organizations have been formed to work for fair housing (nondiscriminatory housing) and for construction of low and moderate cost housing units. In many cases the housing that can be developed within suburban communities offers only token solutions to regional housing needs. Frequently voluntary agencies may spend a number of years seeking to persuade public officials that their community should address housing needs both inside and outside the jurisdiction. Where successful, these groups may be empowered to build twenty to fifty units of nonprofit housing. The results are significant for the communities since they often represent a significant

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change in housing policy, but the sum of projects constructed as a result of these private efforts is very small.

We hope that one result of regional organization of fair housing and other interested groups would be expanding the interest of such associations. We would like to see such organizations take a more active role in combating restrictive zoning measures. Fair zoning may be as important as fair housing to achieve a significant increase in the supply of moderate and low-income housing. Additionally, we think it of the utmost importance that local housing groups begin to demand housing not only to meet the needs of local residents, but also to meet the needs of the region's population. We have run up against strong opposition on this issue.

Many activists concerned with housing conditions in their suburban communities believe that their first obligation is to build units that will satisfy the demands of neighbors who are inadequately housed. They do not wish to become involved in the more abstract question of assisting in solving the housing problems of the vast number of indecently housed inner-city residents.

It might be argued that limited local needs should be met first before larger regional issues are tackled. We do not think this is the case. We believe that a program to meet regional needs is of far greater magnitude and requires an immediate start. Very different programs will be involved. Thus, we think that the regional need for housing will provide the most important evidence in the constitutional attacks we hope to initiate against restrictive zoning.

In attempting to educate some of the public about regional housing needs, we are seeking to induce development of associations that will present programs capable of meeting these needs. To achieve this end, one of Suburban Action's first products will be publication of a housing program for Westchester County. This publication will be aimed at exciting interest in the housing question in the midst of an election year when candidates for county and local office may be asked to respond to the questions on housing problems. We recognize that the program we will publish will not be acceptable to most politicians, but we do believe that by making the housing issue an important topic for discussion, we may begin to generate the possibilities for effective coalitions among different classes having a common interest in improved housing.

If this nation is to provide for the housing and job needs of its minority citizens, the power of government must be used to break the land use barriers erected by suburban communities. This challenge may soon be recognized as the new frontier of the civil rights movement.

One of the most important groups we hope to persuade to join in the struggle for a massive regional housing program is private industry. The shortage of both white-collar and blue-collar workers constitutes a serious constraint on the efficient function of large suburban-based corporations, particularly on their capacity to expand their plants and equipment. For this reason we are hopeful that these corporations will enter the housing field, through development of job-linked housing on sites owned by them or on sites susceptible to their influence.

EMPLOYMENT PROGRAMS

Suburban Action's employment programs seek to make more efficient use of manpower resources of metropolitan areas by creating links between jobless and underemployed workers in disadvantaged communities and available or pending employment opportunities in the suburbs. This will involve monitoring the location of new employment growth in the region, particularly manufacturing and construction employment. It will involve arranging for contacts between inner-city employees and suburban employers who would benefit from an expanded labor supply. It will also involve creation of demonstration projects that connect intercity Model Cities communities and suburban job centers.

Emphasis in this program will be on the creation of relatively highly paid jobs for employees presently working at hourly rates of about $2. We have found that many community action programs concerned with manpower development receive notices only of jobs paying low wages. There may be a presumption on the part of employers that community action programs are concerned only with individuals deemed incapable of holding other than low-wage positions. Nevertheless, our initial work indicates that a significant number of suburban jobs paying over $3.50 an hour are open and that private industry will cooperate with interested parties in making these jobs available to low-income persons willing to give up their present positions to take on higher paying jobs.

Suburban Action will also look toward the creation of opportunities for black and Puerto Rican businessmen to invest their resources in the affluent suburbs, as a necessary corrective to current programs that confine opportunities for minority group businessmen solely to declining slum and ghetto neighborhoods.

MUNICIPAL TAXATION PROGRAMS

Present suburban taxing methods are an inducement to fiscal zoning. Even without race or class bias on the part of inhabitants of suburban communities, there would still be strong antipathy to new families who did not "pay their way." Families who move into a suburban community and constitute a drain on a community's tax base are unwelcome neighbors. Suburban Action's programs in public finance will promote discussion about alternatives to the real property tax.

Community growth is expensive. Residents of growing suburban towns often strongly resent changes that will require further increases in their perceived "already too high taxes." There is no way of measuring whether or not their perception is correct, but what we do know is that the present form of raising local revenues gives strong support to tendencies to evaluate new families in terms of their tax-paying abilities. We submit that such abilities do not provide a sound basis for community judgments regarding the right of an individual to reside within a particular community.

If suburban communities are to be more welcoming to those who cannot afford to pay their own way, it will be necessary to redesign the local revenue system to make the tax-paying ability of an individual a matter of relative indifference. For example, if local revenues resulted from a federal income tax reimbursement to a locality, the amount being a function of the community's population and, perhaps, the needs of the community, then the tax-paying ability of a potential resident would become a matter of relative indifference. That individual's wealth would not alter the overall revenue receipts of the community.

A similar system could be created with a state or county income tax. But whatever the system, so long as the members of a community were not compelled to take restrictive action against a potential newcomer because of his financial status, such a system would represent a marked improvement over the present condition. We also believe that a strong case can be made against the real property tax as a major source of local income. The real property tax is unfair to families on stable or declining incomes. It fails in such cases to adequately account for the tax-paying ability of a family.

The public must be persuaded that the quality of services offered by a local government unit should not depend upon the wealth of its inhabitants. The children of a poor community deserve as decent an education as the children of a wealthy community. Further, if all parts of a region—and particularly the relatively under-developed portions—are to assume a fair share of the burden of providing decent housing, jobs, and education for the region's population, then we must develop a program for relieving the financial pressures on the community subjected to rapid growth. If growth is not to be viewed as unwanted on the grounds that it is too costly, perhaps the costs of new service facilities required to meet the demands of a rapidly increasing population should be met by higher levels of government.

LAND USE PROGRAMS

Suburban Action's land use programs will seek to eliminate restrictive and discriminatory policies and practices in zoning, subdivision requirements, and building codes that effectively exclude low and moderate income families from access to the region's vacant land. Programs will be designed to foster public discussion about the need to open this supply of vacant land to builders and developers who will build housing for disadvantaged groups now confined to central cities. Land use issues will be broadly defined to include questions related to transportation design and planning and their impact on site selection for new residential and commercial-industrial development.

Suburban Action will initiate a series of legal cases challenging the constitutionality of state planning and zoning enabling legislation and the constitutionality of local laws that bar multifamily housing from their jurisdictions. There is, perhaps, no more important task confronting those of us who would have suburban areas serve all classes of the population than defeating the ability of suburban localities to zone out all but the very small portion of the population that can afford to pay the high entrance charge (purchase of a house on an acre or more of land) so many of these localities have established.

On the basis of Douglas Commission finding and the position taken by many experts within the field, we are confident the courts will be far more receptive than in the recent past to challenges to the propriety of local restrictive zoning controls. We think that Suburban Action, along with a number of other organization agencies now vitally concerned with overthrowing exclusionary zoning practices, will be able to effectively demonstrate that both acreage zoning requirements and exclusion of multifamily dwellings deny access to new housing to an overwhelming majority of metropolitan residents.

ZONING TEST CASE

The test case we seek to initiate will be based on a set of assumptions about where an attack on zoning can be most successfully made and on a set of arguments regarding the deleterious consequences of certain forms of zoning. The case will be brought in a jurisdiction that excludes all forms of multifamily housing. It will be brought by a nonprofit developer who has gone to the expense of preparing building plans for substantial numbers of multifamily housing units and who has attempted to have these plans approved by the municipal planning agency and by the municipal building department. To file such plans a developer must own, or have an option on land suitable for development within the municipality. Since the municipality prohibits all multifamily housing, the developer's plans *must* be rejected. It is this rejection which will set the stage for judicial examination of the constitutionality of zoning ordinances prohibiting all multifamily units.

To create the proper constitutional issue, the developer must select an area that is characterized by:

1. Proximity to a large central city containing substantial numbers of unemployed and underemployed workers of Negro and other minority group extraction.
2. An employment base that is growing very rapidly and that contains a substantial number of unfilled jobs requiring unskilled and semiskilled workers.
3. An absence of vacant low and moderate cost units within a reasonable commuting distance from the employment centers.
4. A work force that is compelled to travel long distances in journeying to work.
5. An existing supply of multifamily housing built before the introduction of the ordinance prohibiting all new multifamily housing.
6. Restrictions requiring new single family homes to be constructed on lots of an acre or more.

The argument will be that prohibition of multifamily housing, by establishing a de facto minimum new housing cost of $30,000 within the community, effectively excludes all persons who cannot afford to spend $30,000 for a house, or who may not need the kind of space characteristic of single family housing. The exclusion of such persons, among whom must be numbered the bulk of the Negro and minority communities, will be said to constitute a denial of the equal protection of the laws contrary to the Fourteenth Amendment of the United States Constitution. Plaintiff's brief will lay out the legal claims and then proceed, in the Brandeis tradition, to establish beyond doubt that the social and economic consequences of exclusion adversely affect those individuals and families who could find jobs in the community provided housing opportunities were available. The brief will show that less than 15 percent of the household population in the United States can afford housing at $30,000 and that none of the unemployed and underemployed, who need the kind of jobs available in the municipality, are able to purchase such housing. The brief will then examine the social, political, and economic consequences of sustained unemployment on minority group workers and their families, and it will show the interrelationship between unemployment in central cities and the rising tide of welfare, violence, and social disorganization that has come to characterize ever larger segments of the ghetto population. Finally, the brief will point out the impact of the artificial concentration of minority group families in central cities on the tax base. Decreasing the tax base decreases the ability of cities to provide the kind of public services needed to deal with problems of poverty and social disorganization and to sustain the loyalty of the diminishing middle class, both white and black.

THE WHITE ADVOCATE IN SUBURBIA

Early discussions of the advocate planner's role stressed efforts on behalf of the black and the poor in central cities.[7] Later variations on this theme included the discussion of the advocate role every planner plays in speaking for the interests of a client. Lisa Peattie and others have noted that only a narrow line exists between representation of a client's interests and attempted imposition of the planner's values on his client when he acts as organizer as well as technician in advocate projects in the ghetto.[8]

In Suburban Action's efforts, we assume the role of advocate for an interest that is otherwise unrepresented in suburban planning debates—unrepresented not because it is unorganized, fearful, or voiceless, but unrepresented because it is not there. Consequently, we are speaking for what *we* regard as our clients' interests—in fact, we are speaking for ourselves as white planners who want to see changes in suburban economic, political, social, and physical structure.

Suburban Action represents the institutionalization of a concept concerning one form of advocate planning. This concept emphasizes the role of the planner as a proponent of goals, as an actor concerned with the purposes of the system for which he plans. This view stems from a theory of planning that suggests that at least some planners should more actively espouse purposes than means. It is not a denial of the importance of the planner's technical role where he details effective ways to accomplish given goals. But it does rest on the belief that an essential part of the planning process is the determination of appropriate sets of ends for a system.

A planner concerned with formulation of goals may work to satisfy the needs of his client. As an advocate of his client's interests, he may seek to understand his client's objectives and to put forth as goals his translation of what he believes to be the objectives of his client.

An alternate view of a planner concerned with formulation of goals is one that shows the planner presenting his own ideas in regard to goals. Here the planner is acting to see that a certain social situation is achieved. He does this because he believes it important for one or more reasons, but he does not propose goals in order to satisfy a client. In fact, in this case he has no client other than his own ideology.

TERMS OF THE SUBURBAN DEBATE

Most educated suburban citizens are aware of the national trends toward suburbanization of population and employment. They are also aware of the pressures of population movement on their own communities. The level of public debate on issues of land development in the suburbs, however, falls far below any broad recognition of these trends and their implications for local public policy. Debate on issues of job and housing development in the suburbs revolves almost exclusively around two issues: local taxes, especially school taxes; and racial integration of the existing housing stock.

Urban development policy is not * * * demands for rearranging general trends of population movement * * * it is * * * demands for structural change in the society set against the backdrop of these movements.

The tax issue for the local community is invariably increasing the size of the tax base by inviting in industrial development versus increasing the taxpayers' burden by inviting in additional households with children. Where possible, the solution is to preserve the "character" of the community by inviting in neither jobs nor housing. Next, in order of preference, is bringing in industrial development of the nuisance-free variety. Last on the list is construction of housing for families with children, who must be educated at local expense. The racial issue is the question of whether a Negro homeseeker, looking for a house in a given community, should be permitted equal access with whites to houses on the market.

These debates take place within a purely local, intellectual framework. Each locality assumes that its behavior affects only its own residents. Each local government assumes the burden of protecting the rights and privileges of its own residents only. Unwritten local rules of debate preclude even the mention of the name of the central city in whose metropolitan hinterland the debate is taking place. The farthest afield a liberal discussant can go is to the neighboring suburban community or, at the remotest extension, to the suburban county of which both communities are a part.

A remarkable absence of generalization, abstraction, and recognition of large-scale trends characterizes the tone of public debate in suburban communities. Each citizen is assumed to be competent to discuss the whole range of his town's affairs; every citizen can exercise his voting rights to control the destiny of his community; each citizen is an intimate and valued part of the body politic. In many ways, the suburbanite has achieved the democratic ideal of direct participation in community affairs, of citizen rule, of community control.

SUPPORT FOR SUBURBAN INNOVATION

In this situation, the voice of the advocate for metropolitanwide interests of the poor and the black strikes a jarring note. He speaks for "outsiders," the nemesis of the close-knit community. He speaks against the immediate economic interests of the community. He threatens to tear apart the fabric of local society by including alien elements. Escalating the controversial proposals of local open-housing advocates, he calls for opening not only the existing housing stock but also additional units of low-cost housing, and not only to the black middle class homeseeker but also to lower class renters, white or black, and the unemployed. He speaks in opposition to local concerns for protecting the value of property and keeping tax rates down.

Consequently, in suburbia, the white advocate who addresses himself to changing the beliefs and practices of the white community must look hard to find a local base of support. He can find it in several places: the suburban church; builders and housing developers; some groups within the fair housing movement; and suburban employers of low and moderately skilled workers. These often uncomfortable bedfellows each support certain aspects of Suburban Action's work. Substantial support for the work of the suburban advocate will also come from the foundations, who, like the advocates themselves, have only themselves and their interpretations of the public interest as clients.

We believe that ideological advocate planning that seeks to introduce alternatives in the formulation of policy is a role that many planners should play. Advocacy of this variety can stimulate discussion about policies and programs in ways that public planning agencies, for a variety of reasons, cannot.

FOOTNOTES

[1] Robert Schrank and Susan Stein, "Industry in the Black Community: IBM in Bedford-Stuyvesant," *Journal of the American Institute of Planners*, XXXV, No. 3 (September 1969), 348–51.

[2] The Report of the President's Committee on Urban Housing, *A Decent Home* (Washington, D.C.: GPO, 1969), p. 13.

[3] *Report of the National Advisory Commission on Civil Disorders* (New York: Bantam, 1968), p. 22.

[4] Report of the National Commission on Urban Problems, *Building the American City* (Washington, D.C.: GPO, 1969), p. 3.

[5] *Look*, April 1, 1969, p. 70.

[6] See, Netzer, *The Economics of Suburban Growth* (Stonybrook: State of New York, 1968).

[7] Paul Davidoff, "Advocacy and Pluralism in Planning," *Journal of the American Institute of Planners*, XXXI (November 1965), 331–8.

[8] Lisa R. Peattie, "Reflections on Advocacy Planning," *Journal of the American Institute of Planners*, XXXIV (March 1968) 80–8.

THE OIL IMPORT QUESTION

Mr. HANSEN. Mr. President, I have previously expressed my concern before the Senate over several assumptions upon which recommendations of the oil import task force majority were based.

One of these was the assumption that State regulatory agencies are price-fixing bodies. The regulation of oil and gas conservation by the various producing States is one of the most important and probably the least understood issues of the oil import controversy; and, I might add, one of the most widely misrepresented by those who either do not understand the purpose of State conservation regulation or who purposely distort the facts.

A recent statement by Richard C. Byrd, general counsel for the Interstate Oil Compact Commission, before the subcommittee of the House Committee on Interior and Insular Affairs now holding hearings on the oil import question, is, in my opinion, the clearest, most valid, and best documented explanation I have seen.

As a former Governor-member of the Interstate Oil Compact Commission, I have been seriously concerned, as is Mr. Byrd, with the task force assumption that market demand prorationing as practiced by the States is done for the sole purpose of maintaining or increasing the price of crude oil. In view of the very real threat of losing a substantial part of our known and proven reserves of oil and gas and the virtual destruction of the producing segment of our domestic oil and gas industry should the tariff plan be implemented, I would recommend the statement, as required reading for anyone who needs to know the history, background, purpose and accomplishments of "market-demand prorationing" as one of the essential elements in the oil import controversy.

The legal history is most interesting in that the arguments now advanced against State regulation by some economists were earlier urged upon the courts by oil producers in opposition to State regulation, as pointed out by Mr. Byrd.

The many court decisions including numerous decisions of the Supreme Court of the United States expressed the opinion that State action in oil and gas conservation does not affect the price of oil.

I fully agree with Mr. Byrd's conclusion that the task force assumption, as the purpose of market demand prorationing, is in error and this erroneous assumption makes invalid the conclusions based thereon.

I ask unanimous consent that Mr. Byrd's statement and appendix be printed in the Record.

There being no objection, the statement and appendix were ordered to be printed in the Record, as follows:

Statement of Richard C. Byrd on Behalf of Interstate Oil Compact Commission Before the Subcommittee on Mines and Mining of the Interior and Insular Affairs Committee of the House of Representatives, April 6, 1970

Mr. Chairman, and members of the Sub-Committee, I am Richard C. Byrd of Ottawa, Kansas. I am appearing here today as General Counsel for the Interstate Oil Compact Commission. On behalf of Governor Dewey Bartlett, Chairman of the Interstate Oil Compact Commission, I want to thank you for the opportunity of presenting the Compact's views on the very important and vital subject of oil imports. Governor Bartlett requested that I again express his regrets at being unable to appear personally but the press of legislative matters made it impossible.

The Interstate Oil Compact is an agreement among states, initially ratified by six states in 1935. It was approved by the Congress of the United States in that year and has been approved from time to time so that the Compact has continued to be in force since August 27, 1935. The purpose of the Compact is set forth in Section 1 of the Charter, which states:

"The purpose of this Compact is to conserve oil and gas by the prevention of physical waste thereof, from any cause."

Twenty-nine states are now members and four are associate members.[1] In addition, official observers to the Compact have been named by the Department of Defense, Interior, Justice and Federal Power Commission, as well as Venezuela and Colombia and Alberta and Saskatchewan from Canada. These official observers regularly attend the Compact meetings.

The Interstate Oil Compact Commission, whose members are the governors of the signatory states, is the administrative agency that carries out the purpose and functions of the Compact, not by orders or other type of compulsory action, for the Commission has no such power, but by developing and disseminating information relating to an effective conservation program. This is done in frequent meetings open to the public at which conservation problems and remedies are discussed; by reports, studies and documents prepared by standing and study committees; and by publication and distribution of books and other items concerning the conservation of oil and gas.

Since the Interstate Oil Compact, working through the various conservation agencies of the member states, is vitally concerned with oil and gas conservation, I think it important that I point out to the responsible committees of Congress what I consider some very serious misconceptions about state conservation contained in the majority report of the President's Task Force on Oil Import Controls. Throughout the report, reference is made to "market-demand prorationing."[2] Although no basis is cited for the assumption, it is assumed in the majority report that market-demand prorationing, as practiced by the states, particularly Louisiana and Texas, has as its sole purpose the fixing of the price of oil produced in the United States; that this assumption was made is evident from the following language taken from the report:

Paragraph 325, page 88, "Under the existing quota system which fixes precisely the volume of imported crude oil, authorities in states with effective 'market-demand prorationing' . . . principally Texas and Louisiana . . . restrict production to what is needed at the prevailing price and therefore control both price levels and domestic output."

Paragraph 402, page 121, "Second, to control import volume alone is not to ignore price but to put it at the mercy of 'market-demand prorationing,' which sets the marginal volume of domestic production and thus the price. . . ."

Having assumed erroneously that the purpose of market-demand prorationing is to control the price of domestic crude oil, the majority report then concludes that the adoption of the recommended tariffs will eliminate the incentive for market-demand pro-rationing and thereby make available greater volumes of low cost domestic oil in the immediate future. This conclusion permeates the entire majority report. The report states:

Paragraph 325, page 88, "If quotas were retained and only gradually expanded, Texas and Louisiana authorities might restrict production more intensively to maintain both total supply and price. This could not happen so readily with tariff restrictions because a state effort to curtail efficient production in order to maintain or raise prices would call forth greater imports rather than higher prices. It follows that tariffs are more likely to call forth more domestic production with lower cost to the economy than would be available under a quota system.

The same conclusion is again stated in Paragraphs 342a, at page 104:

"The level of U.S. crude production during the early years at any of the illustrated transitions will depend upon the reaction of regulatory officials in the two main producing states, Texas and Louisiana. We anticipate that these officials will allow producers to draw excess capacity into production at the maximum rate the producers find economically feasible, for several reasons. First, substituting a tariff for the present quota should make clear the futility of attempting to maintain prices by restricting production, which would succeed only in attracting greater imports. Second, with no incentive to keep production below the maximum efficient rates, state regulators should be induced to permit production in the lowest-cost manner."

Paragraph 408, page 124 of the report states:

"Texas and Louisiana 'market-demand prorationing' would become pointless if import controls were entirely abandoned or significantly relaxed, with the result that about 1.2 million barrels per day of existing domestic capacity would come into use over about two years. This would more than offset the .5 million barrels per day of high-cost 'stripper-well' production that would go out of production fairly rapidly after a drop in domestic prices to the world level."

This same conclusion was stated by the Chairman of the Task Force in his testimony before the Senate Sub-Committee on Anti-Trust and Monopoly on March 3, 1970, wherein Secretary Shultz stated, in referring to Table C attached to the report:

"As you will see, production (domestic) increases in all cases between now and 1975, and there is relatively little difference in the production forthcoming at high, moderate, and no controls by that date. This is because abandonment of controls would make pointless the present 'market demand prorationing' restraints on efficient production; . . .". (Page 10, prepared statement.)

Later, in his same statement, the Secretary stated:

"It should perhaps be noted again in this connection that in the so-called "$2.50 case" the Report estimates undiminished additions to crude oil reserves, and increased production, between now and 1980. That is because the release of reserve capacity from inefficient market-demand prorationing as practiced by the leading producing states would more than offset the decline in marginal stripper-well production and would stimulate exploration for efficiently producible reservoirs." (Page 17–18, prepared statement.)

It is obvious that the conclusion reached regarding the increase in the availability of domestic production is predicated upon the initial assumption that market demand prorationing as practiced by the states is done for the sole purpose of maintaining and increasing the price of crude oil.

As a former member of the State Regulatory Commission in the State of Kansas and having a degree of familiarity with the state laws pertaining to oil and gas conservation in all of the major oil producing states, I know

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Footnotes at end of article.

that this assumption as to the purpose of market demand prorationing is an error. In my opinion, this erroneous assumption makes invalid the conclusions based thereon.

Each state has a direct, economic social and vital interest in the exploration, development and conservation of its natural resources. Each state also has the responsibility under statutory and constitutional provisions to protect the correlative rights of the many mineral interest owners. It is to carry out these responsibilities and the prevention of physical waste that has caused the states to impose limitations on production. Let me state again, the reasons for production limitations on oil and gas is to enable the states to fulfill their constitutional and statutory obligations of protecting the correlative rights of the mineral owners and to prevent physical waste. The price of crude oil has nothing to do with it and in fact, the states are prohibited by statute from taking price into consideration in limiting production. The contention that prorationing is done to influence the price of crude oil was made in the courts, both state and federal, in the middle or late 1930's. Ironically, in those cases the arguments now advanced against state regulation by some economists were then urged upon the courts by oil producers in opposition to state regulation. As was stated by United States Supreme Court in the case of *Champlin Refining Co.* vs. *Corporation Commission*, 286 US 210.

"Plaintiff insists that it has a vested right to drill wells on the lands covered by its leases and to take all the natural flow of oil and gas therefrom so long as it does so without physical waste and devotes the production to commercial uses. But if plaintiff could take all the flow of its wells, there would inevitably result greater physical waste, even if its entire production should be devoted to useful purposes. The improvident use of natural gas pressure inevitably attending such operations would cause great diminution in the quantity of crude oil ultimately to be recovered from the pool. Other lessees and owners of land above the pool would be compelled, for self protection against plaintiff's taking, also to draw from the common source and so to add to the wasteful use of lifting pressure, and because of the lack, especially on the part of the non-integrated operators, of means of transportation or appropriate storage and of market demand, the contest would, as is made plain by the evidence and findings, result in surface waste of large quantities of crude oil."

In another portion of the same opinion the Supreme Court stated:

"None of the Commission's orders have been made for the purpose of fixing the price of crude oil or has had that effect . . . In each case the Commission has allowed to be produced the full amount of the market demand for each pool. . . . It was not shown that the Commission intended to limit the amount of oil entering interstate commerce for the purpose of controlling the price of crude oil or its products or of eliminating plaintiff or any other producer or refiner from competition, or that there was any combination among plaintiff's competitors for the purpose of restricting interstate commerce in crude oil or its products or that any operator's committee made up of plaintiff's competitors formulated the proration orders."

The court later stated,

"We put aside plaintiff's contentions resting upon the claim that Section 2 or Section 3 authorizes or contemplates directly or indirectly, regulation of prices of crude oil. . . . The court found that none of the proration orders here involved were made for the purpose of fixing prices. The fact that the Commission never limited production below the market demand . . . strongly support the finding that the orders assailed have not had that effect."[3]

In the cited case, as in many of the other earlier cases, it was producers contesting the Commission's proration orders on the basis that they were price-fixing schemes. The courts consistently found from a review of all the evidence, that the Commission's orders were to carry out the purposes of the statutes, i.e. the prevention of waste and the protection of correlative rights.

The market demand statutes of the states of Louisiana and Texas do not authorize what some critics claim—that the statutes authorize the regulatory agencies to establish arbitrarily allowables above or below the reasonable market demand applicable to the state for the purpose of affecting price or shifting market from state to state or to dictate how much oil or gas a purchaser is required to take or purchase in any state. To do this, the regulatory agency would violate the statute. The authority of the regulatory agency is to determine as a fact what is the reasonable market demand for production from the state and to limit production to that demand. The agency does not create or control the market demand. That is a matter determined by market needs, requirements and competition.

To fully appreciate the need for the limitation of production to protect the correlative rights of the interest owners, one must understand the nature of oil and gas in the reservoir and the law regarding its capture prior to conservation statutes. The rule of capture, which is a common law rule applicable in most states, and especially in Texas and Louisiana, is defined by one legal digest as follows:

"Oil and gas, as commonly found in underground reservoirs, are securely trapped in a static condition in the original pool and, ordinarily, so remain until disturbed by penetration from the surface. Nevertheless, it is recognized that oil and gas will migrate across property lines toward any low pressure area created by production from the common pool; this migratory character has given rise to the so-called rule of capture. As it has sometimes been viewed, the rule merely declares that the owner of a tract of land acquires title to the oil or gas that he produces from wells on his land, even though part of the oil and gas may have migrated from adjoining lands, without incurring liability to the adjoining landowner for drainage." (38 AmJur 2d Sec. 5)

Thus, we start with the proposition that each of the owners of lands lying over an oil field has the right to drill wells into the common reservoir and he owns all of the oil produced from them, regardless of whether he caused it to migrate from neighboring lands. The only protection which the rule of capture provides for his neighbors, is for them to do likewise; that is, to drill offset wells and operate the offset wells at rates sufficient to protect the properties on which they are located against drainage.

The law implies a covenant on the part of the lessee to protect the lease premises against drainage. If the lessee fails to drill enough offset wells or fails to operate his wells at adequate rates to protect the lease against drainage, the landowner not only may but often does sue for damages for failure to protect against drainage and for cancellation of the lease.

The surface overlying oil reservoirs is frequently owned in separate parcels by numerous individuals. The ownership of leases covering the tracts in oil fields is as fragmented as the ownership of the tracts covered by the leases. Before prorationing, major refiners whose pipelines were connected only to their own leases could, and did, produce all of the refiners' requirements from their own wells. This meant that the producers who had no refineries were without a market for their oil. Why should an integrated producer "A", who has its own production in field "X", buy from producer "B", who owns leases in the same field? For each barrel of his own production "A" only pays his lifting cost and a royalty. If he buys the same barrel from "B", he has to pay 100% of the sales price. This is especially true if "A" can drain the barrel from "B's" leases and produce it himself.

Under the rule of capture, non-integrated producers without a market were required to protect their properties against drainage and as a result, they had to produce their leases. The non-integrated producers could not afford to build enough field tankage to store their oil so they stored it in earthen pits. This led to the wastage of large volumes of oil.[4] It is important to realize that in the absence of proration the rule of capture causes an oil field to be operated like an automobile with an accelerator but without a brake. To my knowledge, no other industry operates in such an economic climate. If any one lease in a field is opened up and produced at capacity, then all of the other leases have to be operated in the same manner, regardless of the consequences.

Faced with the obligation of preventing unreasonable discrimination in production among the pools within a state, some states enacted what are called "common purchaser statutes." The states operating under these statutes attempted to require crude oil purchasers to purchase the allowables assigned by the state. These efforts to require the purchase of the allowable production were held invalid by the courts.[5]

Thus, it can be seen that the states, in order to protect the property rights of the owners of oil and gas, cannot order a purchaser to buy oil. It must, then, limit the available production so that the requirements of the purchaser necessitate his purchasing production from leases other than his own. What the authors of the majority report ignored was that market-demand prorationing has the incidental effect of making a market available for producers who would not otherwise have one. On the one hand it restricts the extent to which they can exercise their right to capture, and on the other, it requires the purchasers to purchase from non-integrated producers to the extent that their requirements cannot be met elsewhere; that is to say, from their own production.

Under market-demand prorationing, no one tells any purchaser from whom to buy or how much. Regulation itself stops with saying how much can be produced. But if no more is permitted to be produced than the demand, all of the allowable will be bought. For example, if "X" wants to purchase 10,000 barrels per day in Texas and the allowables from its own wells total 6,000 barrels per day, "X" will purchase 4,000 barrels from other producers wherever it is available.

The majority report not only erroneously assumes that the purpose of market-demand prorationing is the fixing of price but fails to recognize the true purpose of prorationing, the protection of correlative rights, the prevention of waste. These legal responsibilities will remain irrespective of the type of import control program adopted by the federal government. In fact, if imports are increased disproportionately to the increase in demand, greater limitations must necessarily be imposed on production in order to accomplish the mandates of the respective state statutes.

The majority report also assumes excess producing capacity in the United States above MER of 1.7 million barrels per day. I share the opinion of Mr. William Murray,

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Footnotes at end of article.

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Jr., who testified before this committee on March 7, 1970, that this estimate is erroneous. Schedule "A" attached to the appendix of my remarks shows, by months, the daily average production, allowables, nominations, and/or estimates of the Bureau of Mines, for the five principal market-demand proration states for the years 1967, 1968 and 1969. Three of these states, New Mexico, Kansas and Oklahoma, admittedly are producing at 100% MER and have been for months. An examination of the summaries on Schedule "A" show that in each market-demand prorating state the permissive allowables assigned by the state exceeded the actual production from the states. These statistics further refute the contention that market-demand prorationing is a price fixing device.

When the various states adopted their oil and gas conservation legislation they, in effect, took away from the producer the right he had under common law to protect himself. Consequently, the state, in administering a conservation statute, must provide protection through its regulations for each producer or its actions will deprive the producer of his property without due process of law and also take his property without just compensation. Regardless of whether a particular proration order is for the purpose of preventing physical waste or for the purpose of preventing production from exceeding the market demand, both of which are waste prevention measures, the restriction must be imposed in such a manner as to give each producer the opportunity of producing his leases concurrently and proportionately with the other leases in the field and by that means protect his leases against drainage. If the regulation does not accomplish these objectives it is unconstitutional. So whether one regulates a given field on the basis of market demand, where the demand is less than the "maximum efficient rate" (MER), of the field, or on the basis of MER alone, it is still necessary to prorate.

Not being an economist I am not qualified to say that the balancing of supply and demand does or does not affect price but I do say that not one state statute evinces any intention to regulate or affect the price of oil. The same is true of the many court decisions regarding those statutes. These include numerous decisions of the Supreme Court of the United States. These decisions are based on facts determined from sworn testimony and often the issue to be determined by the court involved the contention that the orders of the State Commissions were unlawful attempts to obstruct commerce or fix prices. In addition, the Justice Department which by law must annually report to Congress on the functions of the Interstate Oil Compact Commission, has on several occasions expressed the opinion that state action in oil and gas conservation does not affect the price of oil. The 1959 report signed by then Attorney General William P. Rogers, now a member of the President's cabinet, stated:

"No 'shortage' of oil created by state action could be held responsible for any price movement. Considering the complex and varying basis of decisions faced by each of the state agencies and the constant pressure of local producers to be allowed the fullest share of production, the task of prorating to achieve a desired price level would be virtually impossible."[6]

Before concluding let me say that there are many other facets of the majority report with which I disagree. I have discussed the one about which I feel most qualified to express an opinion. The Interstate Oil Compact Commission has spent 35 years in studying the regulatory systems of the individual states and their effect on the petroleum industry. Information is constantly supplied to the states to assist them in the improvement of the conservation laws and practices. Technological know-how and compatible conservation regulations are constantly improving. These improvements are not for the purpose of fixing or stabilizing the price of oil. They are for the purpose of preventing physical waste of the natural resource and to protect the property rights of the individuals involved. To formulate a drastic change in the federal policy on oil import controls on the erroneous assumption that state regulation of the petroleum industry is done for the purpose of fixing the price of domestic oil production, is illogical and completely unjustified.

APPENDIX

1. Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Utah, West Virginia, Wyoming—Associates: Georgia, Idaho, Oregon and Washington.

2. (Index p. 397) Prorationing, Market Demand (See also Excess Capacity), 207e, 208a N.17, 325, 342a, 402, 408, 421; D3a, D6, D15–20.

3. *Danciger Oil & Refining Co. of Texas v. Smith,* 4 Fed Supp 236.

"In short, this is a case in which proration itself is contested on the ground that the facts in evidence conclusively establish that a general limitation on production, so as to require wells to ratably produce, has no tendency whatever to prevent waste.

"Plaintiffs assert that the only valid limitations on ther production which the commission ought to or can make would be to require the use of a proper gas oil ratio, and to supervise the field operations to prevent the use of wasteful production methods there. They say that the evidence is conclusive, that there will be no waste whatever if all the wells are allowed to flow to the full capacity permitted by a proper gas oil ratio, and that a finding to the contrary is capriciously arbitrary; that there is ample market demand and transportation facilities for all of the production which under such ratio the wells will produce, and that for these reasons an order limiting the oil to any fixed amount must be regarded as merely arbitrary and without relation to the powers conferred.

"(4–6) We agree with defendants. In People's Petroleum Producers v. Smith (D.C.) 1 F. Supp. 361; People's Pet Producers v. Sterling (D.C.) 60 F.(2d) 1041, and cases cited, we have definitely sold so as to underground waste. No reason presents itself to us for thinking that the Legislature of Texas has less power to prevent waste overground than if has to prevent it underground. Nor do we have any doubt that the enactment of subdivision (k) was intended to, or that it did, fully empower the commission to prevent such excess production beyond transportation and market facilities as would result in the physical waste of the oil by evaporation or otherwise, or the energy by which it is brought to the surface and saved. At the same time we are equally without doubt that the Legislature did not intend, by that subdivision, to authorize, that it has not authorized, the Railroad Commission to limit the production of oil from Texas to any figure arrived at either arbitrarily, or by arrangement or agreement, as a part of a scheme of controlling production to control prices. Whether the Legislature under the state and Federal Constitutions could confer such authority upon the commission we are not now called upon to say. That question is not before us. What we do find is that nothing in subdivision (k), nor in any other provision of the act as it now stands, purports to confer such authority upon the commission, and certainly, without such authority having been definitely conferred, the commission may not exercise it.

4. *Champlin Refining Co.* v. *Corporation Comm.,* 286 US 210, 233; Report of the Attorney General Pursuant to Section 2 of the Joint Resolution of August 7, 1959, Consenting to an Interstate Compact to Conserve Oil and Gas, dated May 15, 1963. Robert F. Kennedy, Attorney General, pages 7, 8, 14, 15.

"But by the late 1920's, the wastes of 'open flow' production achieved status as a national problem.

"Basic to this problem was the 'rule of capture.' Surface boundaries rarely coincide with oil reservoirs. The common-law 'rule of capture' allowed each surface owner as much oil and gas as he could 'capture' from the reservoir, whether it originally lay beneath his or his neighbor's land. Each new field discovery then meant an intense competition to produce first and fastest, each producer seeking to get the oil above-ground before he lost it to the adjoining producer.

"In that competition, the integrated producer-refiner had a considerable economic advantage. With pipeline and refining facilities, the integrated company could realize fully and immediately on its own production. Its nonintegrated neighbor could stand by while the oil drained from his land, or could produce as rapidly as possible for sale at any price, storing unsold production in diked open field pits. Thus, each new field was a repetition of waste in oil, pollution of water sources, and extreme hazard of fire and explosion. And each new discovery produced under such circumstances set up wide fluctuation in price levels, with crude selling at 10–25 cents per barrel in the early days of East Texas flush flow.

"Besides visible physical and economic waste, the production race entailed even greater underground losses. Open flow production, venting gas produced with the oil, quickly destroyed the equilibrium of pressures in the reservoir and increased the viscosity of the oil. Fields so mishandled become quickly unproducible, leaving 85–90% or more of the original oil in place, still untouched and unrecoverable. . . ."

". . . The discovery of giant fields in Oklahoma and Texas, especially the tremendous East Texas fields in 1931, escalated the local cycle of glut, waste, wide price swings and rapid depletion to the status of a serious national problem. . . .

"Like the MER concept, rules requiring ratable take within a reservoir seem beyond question essential to end the gross waste in oil production which evoked the need for conservation. And, while both MER and 'ratable take' requirements do level out the flow from individual fields and thus diminish the 'boom or bust' cycles, they leave national and regional supply and price generally responsive to competitive market conditions. . . .

". . . Clearly this market control was not a surreptitious or illegal affair, aimed at 'fixing' prices at a particular level. Rather the States concerned were operating to support and stabilize crude oil markets, and therefore prices, in furtherance of the objectives of relevant Federal and State law. . . ."

The United States Oil Policy, John Ise, Ph.D., L.L.B., Professor of Economics of the University of Kansas, New Haven-Yale University Press, 1926.

5. *Gulf Oil Corporation v. State,* 360 P. 2d 933 (Oklahoma); *Thompson v. Consolidated Gas Utilities Corporation,* 300 US 55.

6. See also May 15, 1963 Report, *supra,* Fourth Report at page 61, and Third Report at pages 22–30.

Footnotes at end of article.

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[From the conservation agencies of the respective States and the Bureau of Mines]

SCHEDULE A

(A comparison by month for the years 1967, 1968, and 1969 of the allowables set by the State conservation commissions of the States of Texas, Louisiana, Oklahoma, New Mexico, and Kansas to the actual production of those States and Purchaser Nominations or Bureau of Mines estimates)

STATE OF TEXAS

Date	Bureau of Mines estimate	Allowable set by State commission	Actual production
1967			
January	2,960,000	3,371,926	2,869,391
February	2,950,000	3,248,928	2,839,210
March	2,860,000	3,222,638	2,804,032
April	2,805,000	3,133,807	2,767,848
May	2,830,000	3,089,499	2,719,263
June	2,880,000	3,153,979	2,785,267
July	2,990,000	3,847,827	3,176,326
August	3,500,000	4,088,645	3,333,671
September	3,525,000	3,721,032	3,102,446
October	3,105,000	3,489,634	3,019,013
November	3,140,000	3,412,080	2,946,214
December	3,160,000	3,349,909	2,916,948
1968			
January	3,160,000	3,624,762	3,027,224
February	3,170,000	3,754,238	3,138,226
March	3,090,000	3,769,443	3,141,139
April	3,040,000	3,582,535	3,066,102
May	3,040,000	3,526,047	3,021,378
June	3,015,000	3,454,677	2,983,004
July	3,030,000	3,539,521	3,004,960
August	3,025,000	3,455,380	2,947,732
September	2,975,000	3,312,391	2,852,067
October	2,900,000	3,110,803	2,848,565
November	2,950,000	3,152,283	2,832,579
December	3,015,000	3,167,653	2,804,015
1969			
January	3,185,000	3,292,489	2,873,612
February	3,235,000	3,285,072	2,851,997
March	3,120,000	3,400,293	2,898,992
April	3,120,000	3,574,527	2,997,567
May	3,200,000	3,753,921	3,081,248
June	3,275,000	3,751,665	3,263,232
July	3,280,000	3,451,923	3,070,090
August	3,300,000	3,353,707	3,034,282
September	3,255,000	3,335,060	3,017,383
October	3,215,000	3,353,868	3,045,683
November	3,235,000	3,337,734	3,028,754
December	3,270,000	3,654,188	3,220,602

Summary:	1967	1968	1969
Daily average allowable	3,427,492	3,454,144	3,462,037
Daily average production	2,939,969	2,972,249	3,031,953
Allowable in excess of production, barrels per day	487,523	481,895	430,084

Note: All figures are barrels per day.

STATE OF LOUISIANA

Date	Bureau of Mines estimate	Purchaser nominations	Allowable set by State commission	Actual production
1967				
January	1,810,000	1,700,301	1,801,082	1,722,525
February	1,805,000	1,700,301	1,801,082	1,735,883
March	1,785,000	1,729,979	1,753,246	1,693,246
April	1,770,000	1,729,979	1,753,246	1,701,567
May	1,815,000	1,723,012	1,718,048	1,669,380
June	1,900,000	1,723,012	1,718,048	1,769,243
July	1,980,000	1,749,921	1,956,918	2,007,803
August	2,300,000	2,160,238	2,252,431	2,107,482
September	2,320,000	2,243,071	2,299,596	1,946,708
October	2,100,000	2,059,953	2,062,611	1,909,149
November	2,150,000	1,977,234	1,970,489	1,912,869
December	2,170,000	2,009,442	2,023,595	1,897,717
1968				
January	2,170,000	2,007,271	1,988,290	1,875,479
February	2,185,000	2,019,699	2,067,540	2,011,894
March	2,140,000	2,167,615	2,106,683	1,967,518
April	2,120,000	2,105,187	2,052,728	1,852,597
May	2,120,000	1,984,097	2,034,954	1,984,756
June	2,110,000	1,983,484	2,034,954	1,972,796
July	2,130,000	2,015,738	2,073,782	1,965,695
August	2,140,000	2,001,897	2,073,782	2,005,105
September	2,100,000	1,891,387	2,001,255	1,933,798
October	2,080,000	1,885,900	1,999,431	1,889,406
November	2,105,000	1,877,437	1,976,085	1,912,304
December	2,150,000	1,856,949	1,976,085	1,918,909
1969				
January	2,225,000	1,877,791	1,977,026	1,868,975
February	2,270,000	1,816,540	1,977,026	1,883,360
March	2,165,000	1,946,400	2,075,631	1,980,380
April	2,165,000	1,984,087	2,133,244	2,038,849
May	2,225,000	2,045,601	2,186,495	2,075,209
June	2,300,000	2,072,927	2,244,430	2,077,849
July	2,320,000	2,010,396	2,146,876	2,028,455
August	2,340,000	2,016,529	2,146,876	1,854,871
September	2,325,000	1,986,108	2,146,876	2,040,009
October	2,305,000	1,998,991	2,146,876	1,945,305
November	2,325,000	1,991,599	2,132,333	2,069,794
December	2,340,000	2,083,136	2,223,006	2,084,228

	1967	1968	1969
Summary:			
Daily average allowable	1,925,866	2,032,130	2,128,058
Daily average production	1,839,464	1,940,871	1,828,940
Allowable in excess of production	86,402	91,295	299,118

Note: All figures are barrels per day.

STATE OF OKLAHOMA

Date	Bureau of Mines estimate	Allowable set by State commission	Actual production
1967			
January	615,000	635,000	646,599
February	615,000	648,000	651,671
March	610,000	640,000	650,674
April	610,000	630,000	630,942
May	615,000	620,000	625,065
June	620,000	620,000	617,978
July	625,000	650,000	628,156
August	660,000	650,000	632,277
September	660,000	650,000	627,281
October	625,000	640,000	629,086
November	630,000	640,000	627,170
December	630,000	630,000	614,282
1968			
January	630,000	630,000	604,159
February	630,000	630,000	618,196
March	620,000	630,000	620,915
April	615,000	630,000	628,163
May	615,000	630,000	613,758
June	610,000	630,000	610,787
July	615,000	630,000	614,677
August	610,000	630,000	614,699
September	610,000	630,000	610,558
October	605,000	630,000	606,605
November	610,000	620,000	610,746
December	615,000	620,000	612,007
1969			
January	625,000	620,000	615,845
February	630,000	620,000	619,986
March	620,000	620,000	609,839
April	615,000	620,000	626,783
May	620,000	620,000	610,875
June	625,000	620,000	617,395
July	625,000	620,000	608,696
August	625,000	620,000	607,468
September	620,000	620,000	617,408
October	620,000	610,000	611,737
November	620,000	610,000	606,863
December	625,000	610,000	618,279

	1967	1968	1969
Summary:			
Daily average allowable	637,750	628,333	617,500
Daily average production	631,765	613,772	614,264
Allowable in excess of production, barrels per day	5,985	14,561	3,236

Note: All figures are barrels per day.

STATE OF NEW MEXICO

Date	Bureau of Mines estimate	Purchaser nominations	Allowable set by State commission	Actual production
1967				
January	340,000	351,122	423,980	334,080
February	340,000	353,658	424,235	338,948
March	335,000	344,381	424,596	334,400
April	330,000	337,486	420,571	328,809
May	330,000	335,064	399,710	325,997
June	335,000	335,705	387,740	320,358
July	340,000	338,763	390,276	319,934
August	360,000	350,178	406,243	333,790
September	360,000	356,296	422,954	341,050
October	330,000	351,659	409,888	334,541
November	335,000	351,299	409,354	333,065
December	340,000	350,561	415,423	325,465
1968				
January	340,000	354,298	419,932	329,395
February	340,000	359,639	432,450	333,325
March	335,000	361,782	440,265	336,254
April	330,000	358,367	422,108	335,901
May	335,000	356,810	429,751	334,926
June	330,000	354,122	434,198	330,272
July	335,000	350,868	431,944	331,893
August	330,000	353,446	435,401	334,216
September	330,000	346,730	430,032	337,765
October	325,000	349,688	433,390	340,401
November	330,000	347,381	428,113	338,265
December	335,000	350,827	432,427	332,482
1969				
January	350,000	353,654	442,175	337,827
February	355,000	349,583	448,545	337,939
March	350,000	354,063	461,106	330,962
April	345,000	359,107	443,656	338,156
May	350,000	360,777	426,933	339,562
June	355,000	365,274	443,301	342,504
July	355,000	361,270	437,745	337,453
August	355,000	349,996	438,972	332,574
September	350,000	366,150	435,143	337,782
October	350,000	382,260	455,010	345,782
November	355,000	388,573	452,456	344,676
December	355,000	402,677	435,258	342,928

	1967	1968	1969
Summary:			
Daily average allowable	411,247	430,834	443,358
Daily average production	330,869	334,591	339,012
Allowable in excess of production, barrels per day	80,378	96,243	104,346

Note: All figures are barrels per day.

STATE OF KANSAS

Date	Bureau of Mines estimate	Purchaser nominations	Allowable set by State commission	Actual production
1967				
January	290,000	292,298	300,000	277,113
February	285,000	289,463	300,000	278,285
March	280,000	288,694	290,000	280,228
April	280,000	290,296	290,000	271,510
May	280,000	291,797	290,000	275,688
June	285,000	292,274	290,000	274,176
July	285,000	291,517	290,000	266,746
August	290,000	292,761	290,000	273,384
September	290,000	290,524	290,000	268,290
October	275,000	290,276	280,000	267,520
November	275,000	289,939	280,000	269,180
December	275,000	289,068	280,000	259,740
1968				
January	275,000	288,975	280,000	263,314
February	270,000	287,576	275,000	267,166
March	265,000	290,690	275,000	261,576
April	265,000	281,140	275,000	267,613
May	265,000	280,915	275,000	261,837
June	265,000	276,298	275,000	257,625
July	265,000	274,122	275,000	259,817
August	260,000	272,067	270,000	252,663
September	260,000	272,096	270,000	259,933
October	260,000	270,215	270,000	255,420
November	260,000	265,080	265,000	249,753
December	260,000	266,819	265,000	242,458
1969				
January	260,000	266,606	265,000	240,421
February	260,000	255,016	265,000	246,849
March	250,000	258,541	265,000	242,378
April	250,000	260,292	265,000	247,864
May	250,000	261,938	265,000	246,074
June	250,000	256,930	265,000	243,215
July	245,000	260,513	260,000	244,972
August	245,000	259,082	260,000	239,860
September	245,000	258,663	260,000	245,589
October	245,000	259,550	260,000	238,468
November	245,000	260,048	260,000	239,221
December	245,000	259,487	260,000	242,267

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	1967	1968	1969
Summary:			
Daily average allowable	289,166	272,500	262,500
Daily average production	271,821	258,264	243,098
Allowable in excess of production, barrels per day	17,345	14,236	19,402

Note: All figures are barrels per day.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

U.S.-U.S.S.R. POLITICAL EXCHANGE PROGRAM

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 771, S. 3127.

The PRESIDING OFFICER (Mr. GRIFFIN). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3127) to provide for the exchange of governmental officials between the United States and the Union of Soviet Socialist Republics.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations with an amendment to strike out all after the enacting clause and insert:

That the Mutual Educational and Cultural Exchange Act of 1961 is amended by—

(1) inserting between the title and section 101 of such Act the following:

"TITLE I—EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM";

(2) striking out the words "this Act" wherever they appear in sections 101 through 111 of such Act and inserting in lieu thereof the words "this title"; and

(3) adding at the end thereof the following new title:

"TITLE II—UNITED STATES-UNION OF SOVIET SOCIALIST REPUBLICS POLITICAL EXCHANGE PROGRAM

"SEC. 201. It is the purpose of this title to promote greater understanding between the United States and the Union of Soviet Socialist Republics by providing for the exchange of governmental officials of those nations.

"SEC. 202. For the purposes of this title—

"(1) 'elected official' means—

"(A) a Member of the House of Representatives or the Senate;

"(B) the Governor of any of the several States of the United States;

"(C) the mayor or, if no mayor, the head of the governing body, of (i) the capital city of each State of the United States, and (ii) the largest city in each such State other than the capital city;

"(D) the chief presiding officer of each house of a State legislature; and

"(E) the majority leader and the minority leader of each house of a State legislature;

"(2) 'Soviet Union' means the Union of Soviet Socialist Republics;

"(3) 'program' means the United States-Union of Soviet Socialist Republics Political Exchange Program;

"(4) 'Secretary' means the Secretary of State; and

"(5) 'Committee' means the Advisory Committee on the United States-Union of Soviet Socialist Republics Political Exchange Program.

"SEC. 203. (a) The Secretary is authorized to conduct a United States-Soviet Union Political Exchange Program which shall provide for the following:

"(1) Each person who is an elected official on the date of enactment of this title and the spouse of each such official, if traveling with the elected official, shall be eligible, while still holding his elected office, to be paid, in accordance with priorities established by the Committee and in accordance with paragraph (4) of this subsection, for one trip abroad which includes travel to the Soviet Union and which is made within five years after the date of enactment of this title.

"(2) Any successor in office of an elected official referred to in paragraph (1) of this subsection, and the spouse of such successor, is eligible, while serving in such office as a successor, to be paid, in accordance with priorities established by the Committee and in accordance with paragraph (4) of this subsection, for one trip abroad which includes travel to the Soviet Union which is made within five years after the date of enactment of this title.

"(3) The total number of elected officials and their successors eligible for payment for travel under the provisions of this title shall not exceed one thousand.

"(4) Payment under this section shall not exceed the round trip cost by air of the elected official and accompanying spouse between his State of residence or Washington, District of Columbia, to any place in the Soviet Union, the cost of travel within the Soviet Union and an allowance of $50 a day for the elected official not to exceed fourteen days and $20 a day for an accompanying spouse.

"(5) Prior to departure from the United States and in order to receive a payment authorized by this subsection, each elected official or successor in office, and accompanying spouse, shall receive a briefing about the Soviet Union and the relations of the United States with the Soviet Union. The briefing shall be conducted by the Department of State after consultation and in cooperation with the Committee.

"(b) (1) As a part of the program, the Secretary, after consultation with the Committee, and with the approval of the President, may—

"(A) pay for the cost of arranging the itinerary of not to exceed one thousand officials of the Supreme Soviet, the Council of Ministers, the Central Committee of the Soviet Union, the principal officials of the constituent republics of the Soviet Union, the heads of the governing bodies of the one hundred largest cities of the Soviet Union, and the spouses of such officials, traveling to the United States; and

"(B) conclude any necessary arrangement with the Soviet Union to carry out the provisions of this title, and such arrangements may provide, on a reciprocal basis, for the payment of expenditures by the government of the nation where the expenditures are incurred.

"(2) No travel to the Soviet Union by elected officials under subsection (a) shall be dependent upon the conclusion of any agreement or arrangement under this subsection.

"SEC. 204. In order to carry out the provisions of this title, the Secretary is authorized—

"(1) to obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code;

"(2) to enter into contracts or other arrangements, or modifications thereof, without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or other provisions of law relating to competitive bidding;

"(3) to make advance, progress, and other payments deemed necessary under this title without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529);

"(4) to furnish to the Committee, to the maximum extent practicable, such staff, office facilities, furniture, equipment, and supplies as the Chairman considers necessary to carry out the functions of the Committee;

"(5) to determine, in consultation with the Committee, the character of and the necessity for obligations and expenditures under the program, and the manner in which they shall be incurred, allowed, and paid, subject to the provisions of this title; and

"(6) to take such other action as may be necessary.

"SEC. 205. (a) There is hereby established an Advisory Committee on the United States-Union of Soviet Socialist Republics Political Exchange Program.

"(b) The Committee shall be composed of not to exceed five members appointed as follows:

"(1) three Members of the Congress, appointed as follows:

"(A) one Member of the Senate, to be appointed by the President of the Senate;

"(B) one Member of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

"(C) one Member from either House of Congress appointed by agreement of the President pro tempore of the Senate and the Speaker of the House of Representatives; and

"(2) not to exceed two other persons, chosen from among persons who are (A) former United States Ambassadors to the Soviet Union, or (B) otherwise qualified by training or experience as authorities with respect to the Soviet Union or exchanges with the Soviet Union, to be appointed by the President and to serve at his pleasure.

"(c) The Committee shall elect a Chairman from among its members.

"(d) The Committee is authorized to adopt such rules and regulations as it may deem necessary to carry out the authority conferred upon it by this section.

"(e) The Committee shall establish priorities with respect to payments to elected officials for trips abroad under the program and shall consult with, and make recommendations to, the Secretary of State, in connection with the program, with respect to—

"(1) itineraries, interpreters, the exchange of currencies, and other related details of travel under such program;

"(2) provisions to accommodate the personal and professional interests of persons participating in the program;

"(3) matters to be covered in the briefing administered by the Secretary under the program; and

"(4) such other matters as the Committee deems necessary to conduct the program.

"(f) The Committee shall submit a report three years after the date of enactment of this title evaluating the program, giving particular attention to means by which it might be improved, and making such findings and recommendations as it deems necessary. The Committee shall submit a final report not later than five years after such date.

"SEC. 206. Unless legislation is enacted providing otherwise, the program shall terminate and the Committee shall cease to exist ninety days after the Committee submits its final report.

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"SEC. 207. In order to carry out this title, there is authorized to be appropriated not to exceed $5,000,000 to remain available until expended.

"SEC. 208. This title shall take effect on the 1st day of February 1971."

PRIVILEGE OF THE FLOOR

Mr. GRAVEL. Mr. President, I ask unanimous consent that Donald Lesh, a member of my staff, be permitted access to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absense of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRAVEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAVEL. Mr. President, I send to the desk some amendments to the pending bill. They are technical amendments.

The PRESIDING OFFICER. The amendments will be stated.

The assistant legislative clerk proceeded to read the amendments.

Mr. GRAVEL. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with and that they be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendments will be printed in the RECORD.

The amendments are as follows:

On page 13, line 11, insert after the word "report" the following: "to the President and the Congress".

On page 13, line 16, insert after the word "report" the following: "to the President and the Congress".

On page 13, between lines 16 and 17, insert the following new subsection:

"(g) (1) Members of the Committee who are otherwise employed by the Federal Government shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Committee.

"(2) Members of the Committee not otherwise employed by the Federal Government shall receive compensation at the rate of $100 per day (including travel time) for each day they are engaged in the performance of their duties as members of the Committee and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Committee".

Mr. GRAVEL. Mr. President, by way of explanation, there are three amendments. One refers to the reports of the Advisory Committee. It is not quite clear in the bill to whom the reports will be rendered. It merely states that the reports, which will be presented at the end of 3 years, and the end of 5 years, be rendered to the President and to Congress.

The other is to make the language very clear that there would be no compensation to the five members serving on the Advisory Committee, except for reimbursement of expenses, and to entitle the two experts on the Soviet Union who would be serving on the committee to receive consultants fees, if that is approved by the State Department.

The third is to change the mispelling of the word "arrangement" on page 10 line 12 of the bill, as reported by the Foreign Relations Committee. The proper spelling should be "arrangements" to correspond with the remainder of that section.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

Mr. GRAVEL. Mr. President, I would like to make a few brief comments, and then I shall be happy to yield the floor or answer any kind of question Senators many have. Let me say that this is not a complicated bill. It is one which is simple to a fault. It merely asks that we have exchanges between the leaders of the Soviet Government and the American Government, that this exchange take place over a 5-year period, and that there be a great deal of flexibility in these exchanges so that people can arrange their schedules to visit when it is most beneficial to them and, thereby, permit them to look into areas of special interest on their trip.

If I could characterize the bill in one statement, and cite one purpose, it would be simple; namely, to promote better understanding.

That is the purpose of the bill.

If we can promote better understanding between the Soviet Union, which is a super power, and this country, which is also a super power, I think we will have acomplished a great deal, not the least of which might be the survival of man on earth.

Certainly the conflicts we have with the Soviet Union in Europe, in the Middle East, in Southeast Asia, and in Asia have been costly to this Nation as well as to the Soviet nation. Therefore, if better understanding can decrease our costs in this regard, the very small expenditure contained in the bill will be extremely worthwhile.

Mr. President, to communicate is the beginning of understanding. We cannot communicate with the Soviet Union if we are constantly at odds and loggerheads with them.

I can add no more than to mention the cliche, so acceptable in our culture and society today, that a picture is worth a thousand words.

If that is true, then I say a visit is worth a million pictures.

Now what people will see, either in the United States or the Soviet Union, as a result of this exchange, will not all be good. They will see both good and bad in this country, and we will see good and bad in theirs. But, what we will see will be real. This is something that is vitally important for those who make the decisions.

When I speak of preparation to make decisions, I would draw a comparison to Senators who cast votes here on dams which affect their constituents or on highways which affect their constituents, or to committees that travel to various parts of the country and to other places in the world to make on-site inspections. I am proposing that we make possible on-site inspections in the Soviet Union in a most flexible manner.

Let me simply reiterate that this is an effort to promote better understanding between the two most important peoples in this world—the United States and Russia.

Mr. DOLE. Mr. President, let me say, first of all, that I have no quarrel with the purpose of the proposal of the Senator from Alaska. I do, however, have some questions about the specific objectives. I have reservations about the Government's undertaking to underwrite the cost of all the proposed visits to Russia.

Is this a reciprocal program?

Are we assured that the Russians will reciprocate?

Will it be so many people—100 or 1,000—in the next 5 years?

Is this a one-way program?

Mr. GRAVEL. It is one way with respect to what we are paying for. Whether or not it will be reciprocal will be voluntary on the Russian side. The reason why the program is delineated in this way is that, first, I did not want to see our travel get hung up on extensive negotiations when nothing may be accomplished. Second, there is a benefit that accrues directly to Members of this body and members of the political leadership of this body in seeing what the Soviet Union is really like, regardless of whether the Russians come over here or not.

I have been assured by the Soviet Ambassador that there is serious interest in this proposal on the part of the Soviet Union. There has been a writeup in Izvestia, which is a semiofficial Soviet Government organ, which described the proposal as a sound one. There also have been radio broadcasts within the Soviet Union, in which they complimented the proposal, and said that it was an effort to bring about better understanding.

I want to make the point that the Senator appears to divorce the intent and the goal. The intent is the goal in this piece of legislation. The goal is simply to provide a vehicle to bring about greater understanding.

Mr. DOLE. With reference to the cost, on page 10 of the bill, it states:

> (A) pay for the cost of arranging the itinerary of not to exceed one thousand officials of the Supreme Soviet, the Council of Ministers, the Central Committee of the Soviet Union, the principal officials of the constituent republics of the Soviet Union, the heads of the governing bodies of the one hundred largest cities of the Soviet Union, and the spouses of such officials, traveling to the United States; and

Now, are they paying that cost for arranging an itinerary in Russia?

Mr. GRAVEL. Yes; they are. They have the capacity built right into their Intourist system. We do not have a similar system. What we would have to do would be to contract with some organization to provide the necessary logistical support for Russian traveling around the United States. They already have an organization that is set up to handle this.

XUM

We obviously would have to set up something similar to do likewise.

Mr. DOLE. What about the cost of that? I assume that is a minor cost in the total program. We are talking about $5 million over a 5-year period; are we not? Hence, I assume arranging an itinerary would be a small amount of that figure?

Mr. GRAVEL. Very much so. We are probably talking in terms of $100,000 or less.

Mr. DOLE. Second, how many Americans visited the Soviet Union last year and how many Russians visited America last year—1969? Are those figures available?

Mr. GRAVEL. Yes. There has been a low average. Let me say that it must be understood that we have an outstanding record as a nation in promoting exchanges with the Soviet Union. We have averaged from 500 to 3,000 Americans per year in the U.S.S.R. It is interesting that last October we sent the Duquesne University Tamburitzans, we have sent doctors, athletes, actors, a whole host of people over there. But, for some reason there is still a fear of junketing. We do not send the people who make decisions on the ABM. We do not send people who make decisions on the defense of this country. Therefore, I think it is high time, within the framework of the exchange we have, that we come forward with some specific language to permit Members of Congress and the political leaders in this country to see firsthand what the enemy is like—the so-called enemy.

Mr. WILLIAMS of Delaware. I think that the Senator indicates we do not send these officials over there. But am I not correct that under existing law any one of these officials can be sent through the State Department on one of these trips and that they are being sent? Governors and mayors are going on these trips at the expense of the taxpayers, are they not?

Mr. GRAVEL. Under existing law, in the letter we received from the State Department, and it is clear on this, the exchange initiative must come from Congress when it deals with exchanges of legislators. If we speak of mayors, obviously that exchange initiative must come from the National Council of Mayors, or for Governors, from the Governors Conference, if they want to go. So that the initiative does not lie with the State Department. It lies with the elected officials.

Mr. WILLIAMS of Delaware. That is true; but if they want to go they do go, and they can go.

I think the Senator will agree that there is nothing in this bill that cannot be done under existing law but we are setting up a new rule where they can take their families with them and——

Mr. GRAVEL. Not their families; no. They can take their spouses. Under existing law, they are not permitted to do that right now. We have a framework here under which initiative can be taken, and this is what this bill is. The framework of the exchange is there, but unless someone steps forward and says, "I am going to organize a trip," nothing will happen. This is what I am doing. I am trying to organize a trip for the political leaders of this country so that we can know what the enemy is like.

Mr. DOLE. Is that 1,000 over a 5-year period?

Mr. GRAVEL. Right. Over a 5-year period.

Mr. DOLE. As I understand it, about 35 percent of the Senate has visited Russia and 15 percent of the House.

Any resourceful Member of Congress can visit Russia today if he desires to make such a trip.

Mr. GRAVEL. Any resourceful Member of Congress is subject to the charge of junketing, however.

Mr. DOLE. The Senator agrees that charge would still be made if a Member were to go under this program?

Mr. GRAVEL. No. Under this, he could not be charged with junketing, because we must first make the intelligent decision that there will be a certain acquisition of knowledge involving travel to the Soviet Union.

Since this knowledge is so vital to our decisions on defense and on the security of the world, it seems logical. It seems to me to be money well spent to educate the political leadership of this country on what our enemy is like.

Mr. DOLE. I subscribe to that. I have been around for about 10 years, and have made trips to India, Israel, and other places and have been charged with junketing.

We will not eliminate that charge if we pass an act which would say that we go under some program approved by Congress. The same charge will be leveled. That is one of the prices one pays for being in public service.

As I said earlier, if I had a great desire to go to Russia and were resourceful enough, a way could be found.

Mr. GRAVEL. Mr. President, I went to Russia. I was similarly resourceful. I went to Russia for the purpose of researching the uses of water. I picked up some reports on water. However, I was not really too interested in water. It was an excuse.

I would rather be able to say that I went to Russia for the purpose of making a better political decision on public matters, than have to use water as an excuse to try to satisfy my constituents.

I would rather say that I am going there because it is important that I know about that country.

There is a built-in hypocrisy in the system if a fellow must promote his trip by using a device. I would rather do it by straightforward candor with our constituency.

Mr. DOLE. I share that view. However, being a little realistic, I am not certain what bill prescribes whether one studies the water program in Russia or different varieties of wheat. How long could one visit Russia under the bill?

Mr. GRAVEL. One could stay there 2 weeks. If the Senator is interested in wheat, he could get briefings on wheat. He could likewise get briefings on water or on defense matters.

One would not have to stay there the full 2 weeks. It is that simple.

Mr. DOLE. Why limit it to Russia? Why not provide for visiting other countries?

Mr. GRAVEL. I personally would like to see the whole world, but the whole world does not have thousands of missiles pointed at our country. Therefore, since the crux of our problems around the world center around the axis of the United States and U.S.S.R. in Europe, Southeast Asia, and in Asia, it would seem to make good sense that we make a start with that phase of it. Let us say that the Senator goes on a junket——

Mr. DOLE. When some go, it is a mission and not a junket.

Mr. GRAVEL. Travel to the Soviet Union is not that pleasurable an experience.

Mr. DOLE. The point when some Members of Congress travel, it is a mission. However, when others go, it is a junket. And that will not be changed by passing some legislation.

I feel as Members of Congress we are dealing with the problems—not the mayors of the cities of America and not the members of the State legislatures.

We should be willing to take what flak we receive if we travel abroad at Government expense.

Mr. GRAVEL. If the Senator had been a member of a State legislature before coming to Congress, and had visited the Soviet Union, would that not have enabled the Senator a little better to make decisions in Congress. Would not this early experience have been fruitful when the Senator came to Washington?

Mr. DOLE. I do not believe a 2-week visit would make me an expert or give me more knowledge, except I could say that I visited Russia and had seen one or two areas.

I go back to my State frequently, as perhaps the Senator does. There is a lot about Kansas that I still do not know, and I have lived there all my life.

Mr. GRAVEL. The Senator may not be an expert, but he votes every day like an expert and has a choice of equipping himself with knowledge or not equipping himself.

Mr. DOLE. Mr. President, I do not believe that going to any country as large as Russia or as small as Israel would enable one to learn enough to give us more guidance in voting in Congress. I do not believe that it would give a mayor any more guidance in determining a water issue or whatever other issue might be involved.

Mr. GRAVEL. Mr. President, a mayor has problems in getting Federal funding for water, sewers, and other facilities. He has leadership for determining priorities. He can put his shoulder to the wheel and say, "There should be no money spent for defense. We should spend it all domestically." But if he has some knowledge about the problems of defense and of our international posture vis-a-vis the Soviet Union, then of course he might say, "A water system is good for this little town of mine. But it is just as important to have resources to defend

XUM

our country against the supposed enemy."

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. GRAVEL. I yield.

Mr. WILLIAMS of Delaware. The Senator speaks of the fact that when a man is elected to Congress he would have a good background. Suppose that a candidate had not served as a mayor, a governor, or a member of the State legislature. Would that mean that he would not be qualified to come to Washington as a Member of Congress and cast a vote as wisely as someone who has held one of those positions?

There may be some good points there; however, the Senator speaks about the mayor having to determine about the problems of Federal aid funding from Washington.

I would suggest that a trip to Washington to attend the committee hearings would enable him to find out how we raise this money. It would educate him to the fact that the money he receives comes from the States in which he lives.

That might do more good than sending them to Russia. We cannot have all this many international experts. We have too many now, to the point that I am confused.

Mr. GRAVEL. Mr. President, I would be pleased to sponsor a bill to let them come to Washington and sit in on the committee hearings.

Mr. WILLIAMS of Delaware. We could do it under any other bill.

Mr. DOLE. Mr. President, another serious question is that we propose to send a great number of people to Russia. What is the rationale for taking a spouse along—whether the husband or wife?

Mr. GRAVEL. Half of the people in this country are women. We are not talking only about people in the leadership positions, for our wives have a vital part to play in our society. If we were just to send men over there, that would be good. However, I would rather broaden the program to include wives.

There is an ancillary benefit. As the Soviets reciprocate, the wives of their leaders can get a glimpse of our Nation that they would not otherwise have. I think that that view would be most beneficial if it is reinjected into their troubled society.

Mr. DOLE. Mr. President, to broaden it might have some merit. But under the proposal only 1,000, as I understand it would visit Russia in a 5-year period.

Mr. GRAVEL. Mr. President, I would hope that if the program were successful, that fact would be reported to the President and to the Congress. And if it is successful, it might be expanded.

If it is not successful, I would hope that we in our wisdom would eliminate the program.

At least we will have made an effort.

If the Senator has another suggestion how we could implement better understanding with the Soviet Union at a cheaper price, I will withdraw my proposal and endorse his.

Mr. DOLE. Mr. President, I do not believe that is necessary. We already have many programs. We have many people-to-people type programs. Almost every year different farm groups, professional groups, and civic groups go to Russia.

Mr. GRAVEL. Some 20,000 U.S. tourists a year.

Mr. DOLE. Your proposal envisions about 1,000 here in 5 years. It seems that we have a fair program going now. How many Russians came to America last year as tourists?

Mr. GRAVEL. While that information is being obtained, I would like to comment on the point the Senator makes, and I think it is a good one. Let me start with the agreement just signed in February with the Soviet Union on exchanges. I am reading from the document which was signed on February 10, an agreement with the Soviet Union on exchanges in the scientific, technical, educational, cultural, and other fields.

The political leadership of this country is one of the other fields. The exchange agreement makes a precise determination of categories. These will cost almost $2.8 million in this fiscal year and they include such areas as science and technology, medical science, education, performing arts, publications, exhibits, cultural programs, and athletics.

I do not believe the State Department has a low opinion of the leadership of this country. The political leadership of this country is important enough to give it extra emphasis. If it is important for athletes to be sent to the Soviet Union, how important is it for the person who casts the deciding vote on the ABM, costing billions of dollars?

Mr. DOLE. I am not certain I understand the relevance of voting on the ABM and going to Russia. But it occurs to me—and I say this in all sincerity—that a Member of Congress who has a great interest in Russia could go there and could properly go there. I do not say it demeaningly. Perhaps he should visit every country since almost every country receives foreign aid from us. But what about Red China and those who are a bigger threat to our society than Russia?

Mr. GRAVEL. I will not debate whether China is a bigger threat; that is not the issue.

This is one humble small step to create a little understanding. If it is the Senator's argument that we should not take little steps but big steps, I do not think it is a good argument. Is that the Senator's point?

Mr. DOLE. No. I have been here for only a short time, but know that many Members visit foreign countries.

So far as Members of Congress are concerned we have the privilege now to visit other countries at taxpayers' expense. Most Members of Congress who visit other countries work hard and return with valuable information. We do not need a new instrumentality in my opinion.

Mr. GRAVEL. I think we travel now through a slight hyprocrisy. The Senator has his own views, but I am calling for a straightforward, above-the-board approach. If a Member of Congress wants to go to the Soviet Union, to look at wheat, he can do so. But I would rather say the reason that we should have exchanges is because we need greater understanding between these super powers, and that is reason enough.

Mr. DOLE. I agree with the rhetoric but am not certain a 2-week visit, would be very useful, in all sincerity.

There is really no need for this legislation. Perhaps it might give a cloak of "officiality" for someone going to Russia. Members of Congress who travel abroad know they are subject to some political risk but most of them do so with good intentions and return with valuable information for their committees or Congress.

In talking about the mayors—and I do not know whether it is 10, 20, or how many more, and those who serve in State legislatures. When it comes to voting on problems affecting Russia, certainly they are not directly involved. But how many people does Russia send here?

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. DOLE. The Senator from Alaska has the floor.

Mr. GRAVEL. I yield to the Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, I desire to report to both the Senator from Alaska and the Senator from Kansas it is my understanding that only a few hundred, perhaps less than 200 citizens of the Soviet Union visited this country last year.

Mr. DOLE. There were very few.

Mr. YOUNG of Ohio. I know this administration is very wisely proceeding to try to encourage more visitors from the Soviet Union to come to our country and to promote more visits on our part to the Soviet Union.

My views on this legislation are in conflict with the views of the distinguished Senator from Kansas. It seems to me this is a very meritorious legislative proposal. I know that the Senator from Kansas has strong feelings on this subject.

May I say I hold the Senator from Kansas in high admiration. He and I both served in World War II in the same area. The Senator from Kansas had a very distinguished Army career. I served in northern Italy with the 45th Infantry Division. Perhaps I was the most frightened American soldier to land at Anzio beachhead. I know the distinguished junior Senator from Kansas was in the 10th Mountain Division serving with great distinction in combat in northern Italy.

It is rather surprising to me that the Senator from Kansas takes such a dim view of permitting some Members of Congress and their wives to visit the Soviet Union and have this opportunity, when the fact is—and every veteran of World War II should know this—in World War II the Soviet Union was our ally. I wonder where we would have been in 1944 and 1945 without the Soviet Union.

The Russians suffered a loss of 7,500,000 military officers and men killed in combat. An additional 3,000,000 officers and men later died of wounds. Twenty

XUM

million Russians were killed during the period when the armies of Hitler had taken over vast territories of the Soviet Union. In addition to that, 1,050,000 Russian Jews were exterminated by Hitler's supermen. Our allies, the Soviet Union, suffered a loss of 31,000,000 men, women, and children in World War II as allies of the United States and of Great Britain and France in that war and, of that number, 10,500,000 were killed in combat.

How many more Americans would have been killed in World War II without the Russians? Except for the might of the Soviet offensive that finally relieved Leningrad and hurled back the Nazi invaders, World War II would never have ended as it did in 1945.

At the present time our ally Canada, our ally the United Kingdom, and our ally West Germany are trading extensively with the Soviet Union. We have been trying to get our noses under the tent a little in that way, while our allies in France are profiting hugely.

In the last 2 years Canada sold more than 400,000,000 bushels of wheat to Communist China. Very definitely I will say to the distinguished Senator from Kansas, who is a much-decorated veteran from World War II, that I dispute 100 percent his statement that mainland China is a threat, more of a threat to the United States than the Soviet Union. How could it be a threat? It has no air power of any consequence. It has an obsolescent submarine fleet. It has no surface navy whatsoever, except 10,000 junks. It could not possibly endanger this country.

I know the John Birch Society is very strong in Kansas. I regret to state it is very strong in Ohio——

Mr. DOLE. Mr. President, if the Senator will yield, we do not have any in Kansas. Maybe they moved to Ohio.

Mr. YOUNG of Ohio. Maybe they did. Now they cannot use the silly slogan "Impeach Earl Warren" any more. That is outmoded. Now they talk about a "monolithic Communist conspiracy," that the Chinese, with their nuclear capacity, could conquer the world. Why, the Soviet Union has withdrawn divisions from around East Germany. It has a common border of 4,460 miles with Red China. That is where Chinese soldiers have been engaged in the last year in some struggles, because it is apparent the Soviet Union seeks to regain from mainland China some of the territory that was taken from the Soviet Union at the end of World War II.

Furthermore, and very definitely, the Soviet Union, with its tremendous nuclear power, could destroy all the nuclear installations in mainland China in a short time.

May I say to the distinguished Senator from Alaska (Mr. GRAVEL), that it is entirely appropriate that legislation to establish a political exchange program between the United States and the Soviet Union should be before the Senate today. For today, United States and Soviet negotiators are engaged in strategic arms limitations talks at Vienna—talks which could mark a turning point in history.

S. 3127, introduced by the distinguished Senator from Alaska, is fully in the spirit of the SALT talks. This bill is a strong positive statement that crucial areas exist in which the interests of the United States and the Soviet Union coincide, and it would be helpful to have visitations by Members of Congress and their wives to the Soviet Union.

Mr. President, since the first atomic bomb was exploded in August 1945, mankind has lived precariously under what the late, great President John F. Kennedy described as "a nuclear sword of Damocles."

The armaments race between the major powers continues unabated.

The only armament race in the world that amounts to anything, and that is terrifying, is the armaments race between the Soviet Union and the United States.

The insane nuclear arms and missile race between the United States and the Soviet Union has brought all mankind nearer the possibility of total destruction. Many of these armaments systems are obsolete before they even reach completion.

I am very happy that I voted against the ABM. It is obsolete. Now we are going to be asked to provide funds for further deployment of it. Of course, it has never been truly tested. It is just squandering billions of dollars of the taxpayer's money, without promoting our safety.

The emphasis may change from bombs to missiles, from missiles to antimissiles, but the armaments race continues between this nation and the Soviet Union. Hundreds of billions of dollars and rubles are wasted on the seemingly insatiable demands of militarists of both nations for more and more weapons.

Here is a good manifestation that we want our people to know more about the Soviet Union and we are willing to have people from the Soviet Union come over and visit us, as other visitors from other nations come here. They come from Spain and elsewhere to our country.

Mr. President, much of the failure to end this dangerous rivalry can be traced to misunderstanding and mutual distrust. An exchange of travel by United States and Soviet officials would help promote understanding, and understanding breeds trust.

I do not have any use for extremists. I have no use for leftwing extremists or for the lunatic fringe on the right, such as the Young Americans for Freedom and the "Birchsaps", which are better financed than any ragtag extremists to the left. But neither of them cut any figure, nor should they cut a figure. They make a lot of noise, and that is about all.

The Senator from Alaska is to be commended for his legislative proposal for an exchange of travel by United States and Soviet officials, permitting visitors from the Soviet Union to travel throughout the United States, just as nationals from Spain and other countries come here. That would not only bring money into the coffers of businessmen and farmers, but would promote understanding; and it is understanding that breeds trust. It breeds trust in our personal lives. It breeds trust between nations.

I hope the proposed legislation of the Senator from Alaska will be passed in the Senate this afternoon, because I believe it will be another contribution to the cause of world peace.

Mr. GRAVEL. Mr. President, I thank my colleague for his helpful comments.

I ask the distinguished Senator from Kansas if perhaps we could take a different approach. I am not sure the Senator opposes this bill. I cannot quite put my grip on what he does oppose, because his logic and argument have moved, apparently, from the point that the bill does not do enough to the other side. Perhaps if the Senator could phrase his opposition as succinctly as possible we could find a way here to arrive at some agreement.

Mr. DOLE. Mr. President, will the Senator permit me to respond briefly to the Senator from Ohio? I appreciate his kind words. Let me hasten to add that I am not opposed to foreign travel by Members of Congress.

But upon becoming a Member of Congress, when you go somewhere, you are subject to criticism. I am not opposed to the basic premise that Members of Congress should travel overseas. They should. But this bill is not going to add anything.

It is not necessary insofar as Members of Congress are concerned, and, frankly, I do not believe the Federal Government should be picking up the tab for State legislators and municipal officials. They have the taxing authority in their States and cities. Perhaps we could arrange their iteneraries, but I do not believe at this time that we should undertake such further spending.

As far as Members of Congress are concerned, this is totally unnecessary. There is not a Member of this body who could not go to Russia tomorrow or next week, if he wanted to. It would not be on the basis of some political junket but for a good purpose, and he would be expected to bring back a report to his colleagues.

Nonetheless this legislation is not necessary, and it does not add a thing.

Mr. GRAVEL. Mr. President, let me address myself to that one problem. If a Senator wishes to go to Russia, he has no way to go unless his committee chairman will give him permission. There is now nothing on the books that permits a Senator to go to the Soviet Union at will.

Mr. DOLE. I have not explored the matter in detail.

Mr. GRAVEL. The Senator said Congressmen can go now. I say they cannot go now, unless they go to their committee chairmen and ask them for the money to let them go.

Mr. DOLE. We do not have a blank check, but we are not unduly hampered.

Mr. GRAVEL. Well, we cannot go. We have to ask someone.

Mr. DOLE. We could spend our own money. Perhaps the alternative should be considered more frequently.

Mr. GRAVEL. Why pay Congressmen at all, then if that logic is pursued?

XUM

Mr. DOLE. There are foundations and other sources of funds if one has a good reason.

Mr. GRAVEL. So I understand the point the Senator is making is that we must go hat in hand to the Ford Foundation as U.S. Senators, and say, "Say, send me to the Soviet Union so I can find out what our enemy is like?"

Mr. DOLE. We have the resources. It might take a day or so to work out the arrangements.

Mr. GRAVEL. Will the Senator define the resources for me, so we can pin this down?

Mr. DOLE. I do not know how much the taxpayers paid last year for Members of Congress to visit foreign countries, and do not criticize those Members who did travel, but I believe there are already sufficient programs available.

Mr. GRAVEL. Where are these programs, specifically, so we can find out?

Mr. DOLE. If the Senator wants to go to South Vietnam, for example, I suggest he call the Defense Department.

Mr. GRAVEL. So it depends on Melvin Laird whether or not a U.S. Senator can go to Vietnam; is that what the Senator is saying?

Mr. DOLE. No; not necessarily.

Mr. GRAVEL. How else can we do it?

Mr. DOLE. We can talk with our committee chairmen.

Mr. GRAVEL. So then you have to talk to your committee chairman.

Mr. DOLE. What is so burdensome about talking to your committee chairman? Does the Senator want to set up an entirely new bureaucracy to authorize these trips?

Mr. GRAVEL. What new bureaucracy is set up?

Mr. DOLE. There is a committee authorized in the bill that determines priorities.

Mr. GRAVEL. A five-man advisory committee.

Mr. DOLE. So it is a question of whether you go to that committee or your present committee.

Mr. GRAVEL. A Senator does not have to go to that committee. He just indicates he wants to go. Then it becomes a question of setting priorities.

Mr. DOLE. Anyone who wants to go?

Mr. GRAVEL. I would imagine so—anyone eligible. I do not see any impediment, if the money is there.

Mr. DOLE. The committee would only authorize the trips?

Mr. GRAVEL. That is all.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. GRAVEL. I am happy to yield.

Mr. MURPHY. The Senator said the money is there. Are those counterpart funds?

Mr. GRAVEL. No; it is straight funding.

Mr. MURPHY. Do we have counterpart funds in the Soviet Union?

Mr. GRAVEL. No; we do not.

Mr. MURPHY. Why not? We certainly should have a balance there. After all we have done for them.

Mr. GRAVEL. Maybe if we had this kind of program, where we went and developed some understanding, we might get some of our money back.

Mr. MURPHY. If the Senator from Alaska would not get to emotional——

Mr. GRAVEL. I am not emotional.

Mr. MURPHY. He might understand that I have been involved in these exchange matters going back to the Eisenhower administration.

Mr. GRAVEL. I realize that. I consider the Senator from California a good friend of mine. I am not emotional, though I have deep affection for him.

Mr. MURPHY. Let me finish, please. I did not intend to imply that the Senator was getting upset. I have had some experience in these matters, in the cultural exchange programs, and world's fairs, and the like—and have watched the progress of these matters over the years. I sat as an adviser on the exchange of motion pictures, years ago.

Mr. GRAVEL. Were those good exchanges?

Mr. MURPHY. No; not for the United States of America. We always got the worst of it.

Mr. GRAVEL. Why?

Mr. MURPHY. Because it was usually managed out of the State Department.

Mr. GRAVEL. Your administration just concluded an agreement that all we have to do is take the initiative to implement our part of it.

Mr. MURPHY. Will the Senator yield? Do not blame the State Department on me. The State Department is a continuing body that I have been watching closely for a period of 40 years. Since way back, I was Shirley Temple's grandfather, I have been studying the problems of the State Department. There are many times that I agree with what they do, but there are also many times that I am in complete disagreement. I would think that the record would prove, since there are presently so many problems around the world, that my judgment may be pretty good and may even be better than theirs in some areas.

With regard to the cultural exchange, for an instance, we go forward as an open society and send some people to Moscow. They come forward, as a closed society, and do not send anybody anyplace, whether it is a water polo player—a hockey player, a soccer player, or whatever, without political overtones and control.

Mr. GRAVEL. Will the Senator yield at that point?

Mr. MURPHY. Let me finish, please. In 1933, I believe it was, my first such experience was with a water polo team, which came to New York and played at the New York Athletic Club.

Mr. GRAVEL. What year was that?

Mr. MURPHY. I think in 1933. In cultural exchanges I have had experience. I was a director of the Hollywood Bowl when the Bolshoi came there to dance, a wonderful group of youngsters, but with them there is always the overseer, the fellow in the background, the political commissar. There is always that terrible control. If we could ever get an exchange on the true basis of people to people, without the governmental control, I would be for it. And I think great progress could be achieved.

Mr. GRAVEL. Is the Senator saying I am not doing enough with this proposal?

Mr. MURPHY. No; I did not say that. I have not heard the whole proposal. But if it is like the whole group of proposals that I have watched over the years, I am afraid I must oppose it.

Mr. GRAVEL. I would hope the Senator would read it before he decides to oppose it.

Mr. MURPHY. I have read it. I read it during lunch.

It is my concern that here we are proposing to spend more money for questionable purposes. I think if the Senator wants to go to Moscow, he could have it arranged through the Department of State.

Mr. GRAVEL. The Senator just indicated the Department of State is really not a good agency to do this with.

Mr. MURPHY. That has nothing to do with their policy capability.

Mr. GRAVEL. Does the Senator want to leave it up to the State Department, to decide for Members of Congress?

Mr. MURPHY. No——

Mr. GRAVEL. What I am proposing is to provide the initiative for us to make the decision.

Mr. MURPHY. I think that is fine, and I intend to make my own decision on this matter, and that is why I shall vote against the measure, because I think it requires more than the individual decision of a Senator or Congressman. I think based on my experience, there have been too many junkets, too many taxpayers' dollars spent on unnecessary trips, and I shall have more to say about that later in the session. In general, I think that we have the clear record, and I think there is a preponderance of the evidence, that there are too many unnecessary trips.

Mr. GRAVEL. Is this a junket, in the Senator's regard? As he views it, would this be a junket?

Mr. MURPHY. I think this is a possibility, it might be used as a junket.

Mr. GRAVEL. Would the Senator have a suggestion as to how we could increase better understanding between these two super powers?

Mr. MURPHY. Yes. I think we should begin to deal in realities, and stop dealing in theory. We have a meeting now going on in Helsinki, and we have been meeting in Paris for the last 18 months with one of their satellites, at which we spent 8 or 10 weeks deciding on the shape of the table.

Mr. GRAVEL. What does the Senator recommend?

Mr. MURPHY. I am not recommending. I am just objecting to the Senator's proposal. The Senator recommended, and I objected to his proposal and shall vote against it.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. GRAVEL. I yield.

Mr. DOLE. The Senator from California put his finger on the problem. This is entitled an exchange program. What

XUM

assurance do we have that there will be an exchange? Last year about 20,000 Americans visited Russia, and 200 Russians visited America.

Mr. GRAVEL. Actually, there were about 600 Russians who came here under all programs, not 200, but the Senator is correct, the proportion is very much out of whack. But there is no other way, unless we offer to exchange. To insist on equal numbers is to disregard the fact that there is a benefit in our seeing the U.S.S.R. for ourselves. Having such knowledge would be beneficial to us.

Of course, if the Soviets come over here and see the United States, there is a great deal of benefit in their acquiring knowledge, also. But we cannot treat them like schoolchildren and say, "You have got to come and see that we are powerful people; you have got to come and see that capitalism is not dying, but that it is doing the best job possible for the people."

All we can do is set up the vehicle to permit them to come over. If we go over there in certain numbers, and they do not want to do it, obviously they will not do it.

Mr. DOLE. It is probably not quite that simple, but we have no assurance they will reciprocate; is that correct?

Mr. GRAVEL. The other approach, of course, is to negotiate, and then we get into the great problem of rhetoric between our State Department and their Foreign Office, and much time may be lost there.

Certainly, we in the Senate can make an intelligent decision as to whether or not it is beneficial to us to have some direct knowledge of the Soviet Union. It cannot be that hard a decision.

Mr. DOLE. That is probably the key weakness.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. GRAVEL. I yield.

Mr. YOUNG of Ohio. I want to make this observation. One reason why so few nationals from other countries visit the United States—that goes for Spain and other countries, as well as the Soviet Union—is that until the last couple of months, our State Department has made it too difficult, and there has been too much redtape involved and too many restrictions on people entering from other nations. We should be thankful that some slight amount of sense is coming into the heads of some of the bureaucrats in the State Department, and they are now making it somewhat easier for foreign nationals to visit this country.

Mr. GRAVEL. I yield to the Senator from Utah.

Mr. MOSS. Mr. President, I rise to support both the bill before us—S. 3127—and the principle which it supports.

I congratulate the Senator from Alaska for his initiative in bringing this matter before the Senate and for his defense of it on the floor. We most certainly need a leader exchange program with the Soviet Union for Government officials of both countries.

As the Senator from Alaska has pointed out, it is somewhat strange that while we are voting more than one-half of our budget dollars each year for defense, only a handful of Congressmen have actually visited the Soviet Union, the country from whom this vast defense program is primarily designed to protect us. We continue, year after year, to provide billions of dollars for defense—often, because of our concern, for highly questionable experimental programs—while many of us have never gotten firsthand any feeling about the political structure or philosophy which is taking such an enormous amount from our National Treasury. I agree with the Senator from Alaska (Mr. GRAVEL) that were we directing even one-tenth of this amount into clearing our slums, or establishing new national parks and recreation areas, or constructing reclamation dams, many Members of both Houses would be making onsite inspections before committing themselves to such large expenditures of Federal funds.

I have been twice to the Soviet Union on Senate missions, and in both instances, I was immeasurably rewarded by a greater understanding of the Russian people and their leaders, and by a greater insight into their thinking. In both instances, also, the missions were fruitful in that we brought back to the United States technical and other information which has been useful to us.

During the recess between the first and second session of the 86 Congress, I was the chairman of a Senate special committee sent to inspect the power resources of the Soviet Union. The other Members were the Senator from Maine (Mr. MUSKIE) and the Senator from Alaska (Mr. Gruening). We were accompanied by eight experts in the power field, and we traveled more than 12,500 miles in the Soviet Union, inspecting 11 dams, four hydroelectric institutes, four construction towns, a generator manufacturing plant, a thermal station, a power substation, Lake Baikal—a natural lake reservoir in Siberia which stores more water than all five of the Great Lakes combined—a collective farm, a state farm, and a school. The report we made to the Senate—"Relative Water and Power Resource Developments in the U.S.S.R., and the U.S.A."—is still considered authoritative in the field. It provided basic information on where Russia was in the development of power resources in relation to the United States, and outlined some technology and methods the country was using which added to our own knowledge in several fields.

Early in the summer of 1962, in exchange for the Senate delegation, a group of Russian technical experts visited dams in the United States. At that time the Deputy Minister of Power Stations, Peter Neporozhni, presented to me, as chairman of the American group which had visited Russia, a book which had just come off the press in the U.S.S.R., "Large Dams of the U.S.S.R."

This book provided a description of the 55 largest dams in that country, which are representative of the magnitude of the water resources program in the U.S.R.R. and the technological level of Soviet engineers in the field of dam designing and construction. This document was translated by the National Science Foundation, and authorized for publication as Senate Document 88:27 by a resolution I presented. It has immeasurably increased our own technical knowledge in the field.

I returned to the Soviet Union during a congressional recess in the summer of 1968 as one of two representatives of the Senate Commerce Committee at the Seventh Plenary Meeting of the World Power Conference. The distinguished minority leader, Senator SCOTT, was the other representative.

This gave me an opportunity to return to a number of the hydro and thermal power generating plants and to see the work done by the Soviet Union in long line transmission of power, as well as to visit again some of the great hydro power dams which were under construction on my first visit, but which had been completed.

This trip was rewarding because of the technical information which I received on such topics as national surveys of fuel and energy resources, developments and improvements of electric power stations, new methods of producing electricity, and consumer installations and the methods of their improvement.

It so happened that while Senator SCOTT and I were in the Soviet Union one of the great tragedies of our times occurred—the movement of Russian troops into Czechoslavakia. We used every means available to us to deplore the action, and I made a report to the Senate on this aspect of my Soviet experience upon my return.

I can say without hesitation that both of my trips to the Soviet Union were well worth the time and effort which went into them—that I am better equipped to judge and to vote on issues relating to this country's relations with the Soviet Union, and to look to the future.

The bill before us would send many more of our elected U.S. officials to the Soviet Union, and bring many of their leaders to our shores. It would be people-to-people and leader-to-leader, at its best. We all know the value of personal contacts in improving understanding between nations. This bill would improve relations at a most important and strategic level. Therefore, I support the bill and urge that it pass.

I can say, without hesitation, that one gains by firsthand visit to any country. I agree with the Senator from Kansas and the Senator from California that it is always valuable to go and see for oneself. I think, that particularly since the world is now divided largely into two camps, the one that seems to be headed by the Soviet Union and the other by the United States, which are the two great economic and military powers of our time, the more we know about the Soviet Union and its people, the better we are able to deal with the Soviet Union.

On the other hand, I think it is helpful to have their leaders come to this country and to observe the way we conduct our Government, our business, and our social life, so that they are not deceived by the propaganda which is constantly utilized to condition the thinking of the Soviet people.

My experience was that as soon as one met the Soviet people on the technical operating level and the ordinary citizens of the Soviet Union, they were not hostile at all. They were curious. Many times they were uninformed, but they were curious to know about the United States and how things were done here, and they were extremely friendly in their exchanges. If we had more of this, particularly at the leader level, I think we would ease the tensions that exist between us and the Soviet Union, and we would be better equipped to deal with the painful situation that has gone on since shortly after World War II, when we and the Soviet Union have been cast in opposite camps.

Mr. MURPHY. Mr. President, will the Senator from Utah yield?

Mr. MOSS. I yield.

Mr. MURPHY. I should like to point out very clearly that in the remarks I made earlier I meant in no way to criticize the Soviet people. My experience with them has been as pleasant as that described by the distinguished Senator from Utah.

If there were only some way to get our two peoples together on a free basis, I think that complete understanding could be achieved in practically no time at all. I do not think the desires of the Soviet people are any different from the desires of the people of America. We all want peace, progress, prosperity, and understanding.

The difficulty comes from the fact that the Soviet people are so controlled that peace, progress, prosperity, and understanding are almost impossible to achieve.

I have watched this now for 35 years. We always seem to be saying, "Well, we will try it once more." And invariably we are taken advantage of and our purposes are maligned.

I begin to wonder whether a different approach might not be more productive. I wonder whether it would not be better to have them come over here for a change and we will show them America. We do not need to send groups over there. Just let the Russians come to this country and then go back home and tell their people what they have seen here. I think that would be the most productive thing we could do.

The distinguished Senator from Utah might be interested to know that when the Bolshoi Ballet came to Los Angeles—such wonderful artists, beautiful dancers, wonderful youngsters—I arranged every day that they would go to a different area to have their meals so that they could see as much as possible of the area of southern California. I feel certain that when they went home, if their political commissars were not watching, perhaps in the evening, around the fireplace, in conversation, the truth must sometimes be told, I am sure they told their friends the true story of America and American life as they saw it—about the wonders of this great land of ours. That we are not an imperialist nation, that we have no designs to conquer anyone's territory, and that we are not in any way encouraging the imposition of our system of government or our kind of life, or our religions, on any people.

On that basis, I think some good might come from international visits.

From time to time, we read of Soviet representatives in soccer, basketball, ice hockey, and other sports who defect once they have seen the outside world. I think it might be very productive, to have them go home and tell exactly what America is really like because they certainly have been terribly propagandized.

Mr. President, from my experience, the people of Russia are excellent people. They are friendly. The only thing that bothers me about them is that terrible, terrible governmental control, that pressure from above, which permits no freedom and which creates an atmosphere of fear, which I think is unfortunate.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MOSS. Mr. President, the Senator from California is right and I agree with him. I think that what he has said tends to support what we are trying to do in the bill now pending.

The Soviet people have been subjected to propaganda, and to thought control. They have not had the full truth given to them by their newspaper, radio, television media; but, nevertheless, they know—word gets through to them. Their radio is no longer jammed, which was not the case 10 or 12 years ago when I was over there. Thus, they do hear from the outside. What they would like to do—and what they will do, I am sure—is to converse with anyone who comes from America. What they want to do is confirm what they hear over the radio, or the things which are talked about, to find out whether America is really different from what their Government tells them in its publications and over radio and television.

I think that what it will do is convey to them the idea that we are not imperialistic and all that sort of thing which is talked about in the Soviet propaganda.

At the same time, it will give us the realization that the basic desire of the Russian people is one of friendship and peaceful coexistence with us. That may be enough so that it can be built up and they can finally change the structure above, which the Senator from California described and with which I agree.

It is certainly undemocratic. Russia is a dictatorship, pressed upon them by a small group of people.

Mr. President, I recognize that this is not a sudden cure-all, or any great solution to our problem. This exchange will just be a small opening of the window of understanding a little wider.

The reason I am persuaded that I should support it is my experience in going to the Soviet Union on two occasions, and my belief that it would be most helpful if all Members of Congress and other Government officials, Governors and State legislators, could have this kind of experience. If this were so, I believe we would be better equipped to deal with this problem.

Now we are engaged in the so-called SALT negotiations in Vienna. This is wonderful, and I hope it will bring about some degree of success. We as a body could better understand what our negotiators are confronted with, had we had this experience with life as it is in the Soviet Union and the attitudes of its people.

Mr. DOLE. Mr. President, will the Senator from Utah yield?

Mr. MOSS. I yield.

Mr. DOLE. Mr. President, I share the Senator from Utah's viewpoint. The point is that opportunities are available to us now, in the Senate and in the House, and there really is no exchange guaranteed under the program. In the hearings the distinguished Senator from Vermont (Mr. AIKEN) pointed out that last year, about 200 Russians came here but 20,000 Americans went to Russia. That ratio is too disproportionate to justify such a program as we have before us.

I share the Senator's thought that we should take advantage of our travel opportunities. In fact it is a duty that we have from time to time, in accordance with our schedules and Senate duties, to visit not only the Soviet Union but other countries where our country has an interest.

Thus, I applaud the Senator from Utah for much of his statement.

Mr. MOSS. I thank the Senator from Kansas very much.

Mr. President, I am happy now to yield the floor.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending business occur at 2:30 p.m. today.

Mr. BYRD of West Virginia. Mr. President, reserving the right to object, I am sure the Senator waives rule XII?

Mr. MANSFIELD. Yes, indeed.

The PRESIDING OFFICER (Mr. GRIFFIN). Is there objection to the request from the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. FULBRIGHT. Mr. President, I shall not detain the Senate long. I just wish to say a few words on behalf of the proposal of the Senator from Alaska which is an amendment to existing legislation.

I think it is especially timely. It is true, as the Senator said, to do these things under existing law. If people want to, if they have the imagination and the initiative to arrange a trip, they can go; but the fact is, one must be pretty well heeled, informed, and otherwise have access to a good many facilities, in order to arrange such trips. They are not easy to bring about. They are taken by people most of whom are quite well off financially. I do not begrudge them that at all, but it is not cheap to make a trip of this kind to Russia.

The main objective of encouraging such travel is not to benefit an individual, but to improve our relations and understanding with Russia.

The reason I say it is especially timely is that last week, April 16, the SALT conference with the Russians in Vienna began. All the civilized world, if not most of the uncivilized world, looks to that conference with a great deal of hope—more hope than confidence, no doubt. I say that because there have been few signs of confidence between Russia and the United States. However, conferences of this kind are not always without success. I do not want to minimize the conference. We have had a success here and there including negotiations with the Russians, the Australian Treaty, the Antarctic Treaty, the Nonproliferation Treaty, the Test Ban Treaty, and the Consular Agreement. So, we have had some successes. But there is great mutual suspicion especially in the area of arms control which is now being discussed in Vienna.

I can think of few things in the area of foreign policy as important as coming to some understanding with the Russians with regard to control of this spiraling of the arms race.

The two most outstanding things that threaten the security of this country are continuation of the war in Asia and continuation of the escalating arms race which takes so much of our money and attention.

The bill before us is only a slight boost toward understanding. It makes it a little easier for a number of public officials to visit the Soviet Union.

I can say this objectively because I do not need this bill to go to Russia. I could go under the committee auspices or I could scrape up my own funds. I have been there. There is no particular reason for me to go. However, many officials have not been there.

Many Americans still look upon Russians, in the language of the street, as the bad guys who cannot be trusted. They have little knowledge of Russia which was an ancient society before our country was discovered. Long before Christopher Columbus came upon the scene, Russia was a big country. It is still growing. It has a heritage of all kinds, good and bad.

A knowledge of what Russia is like would be valuable to us.

This bill involves only a small amount of money. It involves $5 million over the period of 5 years. One thousand people would visit there over a period of 5 years. That is only 200 people a year.

The bill only authorizes this sum and what would be appropriated is another matter.

This is a timely gesture that I believe could have an influence that might have an effect on that element in Russia which is similar to the element in this country which thinks we should have nothing to do with any Communist. We might erase some doubts in their minds and perhaps make them see that Americans are serious about making progress and improving relations.

The Russian people have their differences among themselves. There are no doubt people in Moscow who say, "Americans should not be trusted. We should be surrounding them with weapons." That is the same hard line that some follow in this country.

There are other Russians who say that it is important to get along with the Americans. They take every opportunity to do so and have been doing so for 25 years.

This bill is a little conciliatory gesture to that element in Russia which wishes to believe that we are sincere in our protestations that we wish to improve relations and have greater confidence in one another.

I think it would do a good deal to disarm the arguments of the hardliners there who say that there is no reason to try to expect anything out of Americans.

In a sense, it is very important from a political point of view. I am not interested in getting a trip for an individual. That is not my responsibility at all. It is not my responsibility to try to give a nice time to some mayor. Mayors, however, and the people contemplated by the bill—governors and others—are opinion makers. If they go there and understand what the country is all about and then come home, they, in turn, can help explain what our relations ought to be and what kind of people they are.

I hope that the Senate will adopt the measure.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. DOLE. Mr. President, if an American citizen goes—whether a mayor, a member of the legislature, or perhaps a Member of Congress—would he have freedom to travel in Russia once he arrives?

Mr. FULBRIGHT. That would depend, of course, on our negotiations with them. My impression is that there will be an interchange of personnel. We can expect to have delegations come here.

They have made gestures offering to come here and visit Congress. We never found it possible or advisable to go very far with that, though we are still talking about it.

Certain Members of this body—specifically the Senator from Louisiana (Mr. ELLENDER)—have been given freedom to go all over Russia.

The Senator from Louisiana has been there several times. I have never requested such permission, but have never been turned down.

There are mutual restrictions that we put on their officials and they put on our officials.

I am not at all sure what they would do about other individuals. I know that the Senator from Louisiana has had permission to go any place he wants.

I do not suppose that would apply to a secret military installation any more than we would permit them to visit such an installation here. I do not know what they would do. I have never requested that authority.

Mr. DOLE. Ambassador Kennan was one of the witnesses before the committee concerning this legislation. He said:

> But I think it would be wise to have the most explicit understanding with the Soviet authorities on all the details of the arrangement before any effort is made to implement it.

The point I make, and that I made earlier, is what assurance do we have that there will be an exchange. Is this going to be a one-way street?

Mr. FULBRIGHT. The Senator is quite right. There is no way to give an answer at this time. The bill contemplates the establishment of a committee of five well-informed and knowledgeable people. Of course, the State Department would try to talk with the Russians and would try to work out the problems that the Senator mentions.

I can give the Senator no assurance that we can make those arrangements. However, I think it is worth while that we try to do so.

If we do not get an agreement, no real harm would be done.

I would favor the measure even if it were unilateral and they did not respond. I think it is important to us and to our own interests that our people understand what kind of society we are dealing with.

The Senator understands, of course, that we also contemplate, if we can work it out, that each country would, on a reciprocal basis, pick up the tab of the visitors. Of course, it has to be worked out to the point where it is equal, or at least so that there would be no adverse impact, or a minimum impact, upon our balance of payments.

Whether we can do it remains to be seen. All of these details have to be worked out by the committee.

We cannot do that by legislation. It would be foolish to try to do it.

All we have here is the authority. If the bill is passed and the committee of five is appointed—three from Congress and two named by the Executive—they would be people who are knowledgeable in this field. They would undertake to discuss with the Russians, the Embassy probably, the Ambassador, or his designate, the details that the Senator is talking about.

Mr. DOLE. Mr. President, perhaps a sense-of-the-Senate resolution as to the value of Members of this body and others visiting Russia would be sufficient. I do not believe anyone objects to the thrust of the legislation.

As stated earlier, I hope to visit Russia someday. Any resourceful Member of this body could probably arrange a trip without this bill. Somehow he could find a way to go.

Mr. FULBRIGHT. Mr. President, if the Senator has plenty of money and he is a Senator, he could call upon the State Department. He could probably do it. I could do it. I do not need this bill for me to go there. But the people we are thinking about are scattered all over the country and do not have access to those facilities.

One of the most important portions of the bill is the provision for arranging itineraries. It would be difficult for an individual not knowing anything about a foreign country to arrange to see that someone looks after him. He would have a hard time to obtain someone who speaks the language, and make arrangements for interpreters where necessary.

I am sure that arrangements could be made with the help of this bill, however.

Mr. DOLE. Mr. President, I point out, as the senior Senator from Vermont did during the hearings—that 100 Russians

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visited America and 20,000 Americans visited Russia last year. Perhaps we should be paving the way for more Russians to visit America. I do not know how to bring that about but here there is no assurance there will be an exchange.

Mr. FULBRIGHT. We do not offer to pay their way. They do not come. They have their problems with exchanges. They are not as rich as we are. There are many private individuals in this country who can afford it but in Russia, outside of Government officials, they are not blessed with a great deal of foreign exchange. It almost has to be under Government proposals. They do not make available foreign exchange dollars to their private citizens. It is not because they are not curious. I think if there were an encouragement of such visits it would be mutually beneficial.

Mr. JAVITS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. Hart). Does the Senator yield?

Mr. GRAVEL. I yield.

Mr. JAVITS. Mr. President, I think the key to this entire proposition and the reason we in the Committee on Foreign Relations favored it after much consideration, including a good deal of which I inspired, is well reflected by the letter of the Department of State on the subject.

When I was in the Soviet Union about 14 years ago their head commissar for propaganda raised the question with me of an interchange of parliamentarians. I took it up with the leadership. We felt it was too formal, inasmuch as they did not have parliamentarians, and the Supreme Soviet was nothing but an advisory body, rubberstamping things once a year.

I think in this way the Gravel bill will improve our exchange relationship; and it is critical because it must be mutual. It will not be unilateral. The proposal before us makes that clear. It was on those grounds, giving us certain amplitude in this area, that generally speaking I find the views of the Department of State to have encouraged me to support the bill.

Mr. President, I ask unanimous consent to have printed in the Record—and I have the permission of the committee, and the chairman is here—the letter to the chairman of the Committee on Foreign Relations, the Senator from Arkansas (Mr. Fulbright) from the Department of State expressing these views, dated February 5, 1970.

There being no objection, the letter was ordered to be printed in the Record, as follows:

February 27, 1970.

Hon. Mike Gravel,
U.S. Senate,
Washington, D.C.

Dear Senator: A report has been received from the Department of State on S. 3127, "To provide for the exchange of governmental officials between the United States and the Union of Soviet Socialist Republics," which you introduced on November 7, 1969.

A copy of the letter is enclosed for your information. The original of this reply is being held in the Committee files for use at such time as the bill may be considered.

It is requested that the report from the Department of State not be made public without my approval.

Sincerely yours,
J. W. Fulbright,
Chairman.

Department of State,
Washington, D.C., February 5, 1970.

Hon. J. W. Fulbright,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: The Secretary has asked me to reply to your letter of November 13, 1969 enclosing copies of S. 3127, "To provide for the exchange of government officials between the United States and the Union of Soviet Socialist Republics," introduced on November 7, 1969 by Senator Gravel.

The principle of reciprocal visits by parliamentarians and representatives of civic organizations of the United States and the Soviet Union is fully consistent with the objectives of the exchanges program. The 1968/69 Agreement on exchanges provided that the Parties would encourage exchanges of representatives of civic organizations. Several earlier Agreements made specific reference to exchanges between members of Congress and Deputies of the Supreme Soviet. Recently the Soviets have taken a renewed interest in exchanges of parliamentary delegations. As you know, a number of Congressmen have visited the Soviet Union over the years, either as individuals or as members of special delegations.

It is our view that the initiative for exchanges of elective officials, falling within the framework of Exchange Agreements, rests primarily with the legislative organs concerned. The Department of State is prepared at all times to assist in the development of such programs as Congress and other legislative bodies at state and local levels might wish to undertake. Should S. 3127 be enacted and the joint committee established, the Department of State would expect to receive from it specific proposals relating to the exchange as a basis for discussion with the Soviet authorities through diplomatic channels. As in the case of other exchanges arranged under the provisions of the US–USSR Exchanges Agreement, we would expect such discussions to deal with matters of reciprocity including itinerary, program, and financial arrangements.

We anticipate that the 1970/71 Exchanges Agreement which we expect shortly to conclude with the Soviet Union, will make specific reference to exchanges of Members of Congress and Deputies of the Supreme Soviet and representatives of state, local, or regional governments. The necessary agreement for such exchanges will thus already exist. We therefore suggest that Section 7(a) be modified to read: "The Secretary of State, with the approval of the President shall make appropriate arrangements with the Soviet Union to carry out the purposes of the provisions of this Act."

We note that Section 6 of S. 3127 authorizes the joint committee to pay for the cost of arranging the itinerary within the United States of the Soviet officials. We presume that the Soviet officials will be expected to pay all other costs of their visit (transportation, lodging, meals, etc.) and believe this to be desirable. Clarification of the language of Section 6 might be useful to establish the extent of responsibility of the joint committee for the expenses of the Soviet visitors.

We are unable to predict the Soviet reaction to a proposal for familiarization visits on the political level on the scale proposed in S. 3127. However, in view of their expressions of interest in exchanges of parliamentarians and the provisions of the Exchanges Agreement encouraging visits of representatives of organizations active in civic life, we anticipate that they would be willing to receive and arrange appropriate programs for groups of elective officials.

As far as visits of their nationals to the United States are concerned, the Soviets have in the past shown a preference for sending carefully selected delegations of a scientific and technological character, and they may therefore be reluctant to reciprocate in any substantial way a Congressional initiative of this sort.

There are enclosed as of background interest to the Committee in considering S. 3127 a memorandum describing the functions of the Supreme Soviet and a copy of our 1968/69 Exchanges Agreement with the Soviet Union. The memorandum makes clear that the functions of the Supreme Soviet are not comparable with those of Congress.

The Bureau of the Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this report.

Sincerely,
H. G. Torbert, Jr.,
Acting Assistant Secretary for Congressional Relations.

Supreme Soviet of the U.S.S.R.—Function and Form

The Communist Party of the Soviet Union exercises practically all effective state authority in the USSR, operating through a Government apparatus which has no independent authority. The legislative organ of the Soviet Government is the Supreme Soviet which, in theory, is the highest authority in the Soviet Union. It has two co-equal houses—the Soviet of the Union, presently with 767 members elected on the basis of population, and the Soviet of Nationalities, with 750 members elected on the basis of territorial units. Elections are called for every four years. Usually, only one deputy, approved by the Party, runs from each constituency.

Normally, the Supreme Soviet meets twice a year for a few days each time and passes unanimously the budget and other laws placed before it by the Soviet leadership. Each chamber of the Supreme Soviet has standing commissions with statutory authority to exercise some legislative initiative and to supervise the work of the government's executive agencies. The October 1967 regulation on the commissions, however, does not spell out their powers sufficiently to make a reality of the Supreme Soviet's constitutional prerogatives in these matters, nor does the record suggest that these prerogatives are, in fact, exercised.

Mr. GRAVEL. Mr. President, I thank the Senator from New York who has had an outstanding record in advocating this type of exchange. He has taken the leadership internationally in this area. I am only following in his footsteps with this simple bill.

I would like to recap briefly the argument. With respect to the prospect of reciprocal exchange, as the Senator from Arkansas so well stated, there is no guarantee. All we can do is take unilateral action and hope the example will trigger exchanges on their side. We can only rely on statements of the Russian Ambassador and the statement which appeared in Izvestia, which called my bill a wise proposal.

With respect to the initiative, we have just renegotiated an agreement with the Soviet Union on February 10.

Mr. PELL. Mr. President, will the Senator yield?

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Mr. GRAVEL. I yield.

Mr. PELL. Mr President, as one who has traveled in the Soviet Union both before and since entering the Senate, I support the measure I have always believed that the best way of resolving differences, of bringing together ideas and minds, is through direct contact. In this case, I believe direct contact as provided in the bill will result in the erosion of communism. I believe this bill is a good one and I congratulate the Senator on bringing it before the Senate.

Mr. GRAVEL. I thank the Senator from Rhode Island.

Mr. President, the administration has just negotiated a new exchange agreement with the Soviet Union. It covers doctors, athletes, and professional people. It covers almost everyone but government officials. We are mentioned in there, but no exchange will take place until someone takes an initiative. That is what this legislation is, an initiative from the Senate to say we do want such an exchange, and we are willing to put up money to make it work. Over a 5-year period the cost will be 2 cents per taxpayer. Over that same period the amount spent on defense spending will amount to roughly $1,500 per taxpayer. It strikes me it would be wise to spend 2 cents per taxpayer to be able to make a more intelligent determination on that $1,500.

The most important votes we cast in this Chamber affect our national security. The greatest enemy we talk of in this Chamber is the Soviet Union, so it would seem logical that we equip ourselves with firsthand knowledge.

The opposition, from all I can determine, is against the bill for the sake of being against it. The goal, the intent of the bill is simple: To advance understanding between the United States and the Soviet Union—no more, no less.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

Mr. DOLE. Mr. President, understanding between nations through understanding between individuals is a cause which deserves vigorous encouragement and support. Developments in transportation and communications continue to shrink the globe, and problems common to the entire human species rise in crucial importance. In the last third of the century no nation or people can risk isolation from their fellow inhabitants of this planet.

The United States has compiled an admirable record through its efforts to promote international understanding. The two most recent examples of American initiatives to bring the people of the world closer together are the people-to-people and the Peace Corps. There are other programs, such as the experiment in international living, university and college foreign language study plans, and the efforts of various religious and cultural organizations.

It is difficult to estimate the precise impact these programs and the individuals who participated in them have had on international relationships at an official level, but it is safe to say the balance has been highly favorable on the personal level.

Mr. President, as much as I favor the stimulation of international contacts and individual appreciation for life and events in diverse cultures of the world, I do not feel the passage of S. 3127 is appropriate at this time.

Mr. President, if we are going to spend $5 million to foster better relationships with the Soviet Union, I believe there are more worthwhile and effective means than S. 3127. Senators and Congressmen already have the opportunity to make valuable contacts with their counterparts in the U.S.S.R. through international conferences, committee investigation, and diplomatic meetings.

My real objection is that this is an exchange program in name only. There is no assured reciprocity by the Soviet Union. Again as Senator AIKEN pointed out in the committee hearings, over 20,000 Americans visited the Soviet Union, while only 200 returned the visit to the United States last year.

Mr. ELLENDER. Mr. President, I am personally interested in this bill. As everyone knows, I have made five trips to Russia. I have been advocating for the past 15 years that we try to have a realistic exchange program, not only for schools, but for everything, including visits to us by scientists and farmers. Somehow we have not been able to get such a proposal accepted on a person-to-person basis. This bill makes a good start, I believe, in getting legislators to visit us in exchange for our legislators visiting the Soviet Union.

I simply believe that $1 spent here will do as much good as $5,000 spent for more and more arms. Let us try this. It will not hurt anyone. I sincerely believe that if we can establish a realistic exchange program it will do much more good.

I have long urged that we make a more realistic effort to communicate with the Russian people. After a visit to Russia in 1956, I wrote as follows in Senate Document No. 31 of the 85th Congress, First Session:

> As more Russians become educated, they will become less and less prone to accept at face value the propaganda-loaded description of life in the United States which the Red propaganda system dins insistently into their ears. The Russian people are curious by nature; they are becoming increasingly more curious about Americans, about life in America, and about the freedoms we enjoy.

In Senate Document No. 91–13 of the 91st Congress, first session, I again spoke on the subject following an extensive visit to the U.S.S.R. I said in part:

> It seemed to me that the changes amongst the Russian people were of the utmost importance for the drafting of fundamental, long-term U.S. foreign policy. It appeared to me that the factors of increased education, natural curiosity, and a desire for self-improvement which were evident among the peoples of the U.S.S.R. should be capitalized upon, more used in our own approach to relations with the Russian Government and the problems of securing world peace. In light of this, I again recommended that every effort be made to broaden our exchange of persons program with the Soviet Union. I was convinced and I remain convinced today that widespread exchanges would have to redound to our benefit.
>
> I am aware that the so-called cultural approach to international affairs which this represents is not the answer to international problems which are long and deep rooted, but we are dealing here with trends, not ultimate solutions. It is time for us to follow the paths which are available.
>
> For the past 20 years, I have heard experts on both sides of the Iron Curtain refer to the cold war struggle as a "battle for men's minds." Although we have tried to adjust some aspects of our foreign policy to the demands of this kind of warfare and have paid lip service to the concept, we have in most instances tended to act as though this were not, in fact, the fundamental nature of the struggle. As a result, our policy has continued to place predominant emphasis on the military aspects rather than, broadly speaking, the psychological aspects of the competition between the United States and the U.S.S.R.
>
> In our battle for men's minds, we ought to be concentrating on winning over the minds and the sentiments of the Russian people. However, not only are we failing at present to give proper emphasis to this factor, we seem, instead, to follow policies which tend to isolate and even alienate the Russian people from the influences of Western civilization. In this fashion, we play into the hands of the Communist apparatus whose principal source of power stems from the people's lack of contact with and lack of knowledge of the mainstream of history and of current events.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. DOLE. I share the Senator's view about exchanges but here there is no assurance of exchanges. Last year 20,000 Americans went to Russia and 100 or 200 Russians came to America. There is no exchange there.

Mr. ELLENDER. In my book that is not an insurmountable problem. Let us at least try to get together. The trouble in the past has been we have wanted to do it on a one-to-one basis. I hope this will establish a realistic exchange between some of the public officials in Russia and our public officials. Even if not as many Russians come here as we might hope, there should at least be an increased number who will come and who will have many of their fears and doubts about our system dispelled. Let us try it, even though we put up a little more. Let them come here and look around at what our great democratic systems of government and of free enterprise have done for us.

Mr. DOLE. But there is nothing in this bill that permits them to come here.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. BYRD of West Virginia. Mr. President, I ask for third reading.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. GRIFFIN. Mr. President, I very much favor the idea of a realistic exchange program with the Soviet Union—an exchange that is truly reciprocal.

The bill before us, however, is a one-way street. It provides for Government financing to send U.S. officials to Russia, but there is no assurance or indication whatsoever that the U.S.S.R. would permit, let alone finance, visits by a corresponding number of Russian officials to the United States.

The PRESIDING OFFICER. The hour of 2:30 having arrived, the Senate, under the previous order, will vote on the pending measure. The bill having been read the third time, the question is, "Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SAXBE (after having voted in the affirmative). Mr. President, on this vote I have a live pair with the Senator from South Carolina (Mr. THURMOND). If he were present and voting, he would vote "nay." I voted "yea." I request that my vote be withdrawn.

Mr. BYRD of West Virginia (after having voted in the negative). Mr. President, on this vote I have a live pair with the junior Senator from Washington (Mr. JACKSON). If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withdraw my vote.

Mr. KENNEDY. I announce that the Senator from Indiana (Mr. BAYH), the Senator from North Dakota (Mr. BURDICK), the Senator from Virginia (Mr. BYRD), the Senator from Idaho (Mr. CHURCH), the Senator from Connecticut (Mr. DODD), the Senator from Tennessee (Mr. GORE), the Senator from Oklahoma (Mr. HARRIS), the Senator from Iowa (Mr. HUGHES), the Senator from Washington (Mr. JACKSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from New Mexico (Mr. MONTOYA), the Senator from Maine (Mr. MUSKIE), the Senator from Georgia (Mr. RUSSELL), the Senator from Maryland (Mr. TYDINGS), and the Senator from Texas (Mr. YARBOROUGH) are necessarily absent.

I further announce that the Senator from California (Mr. CRANSTON), the Senator from Louisiana (Mr. LONG), the Senator from South Dakota (Mr. MCGOVERN), and the Senator from New Jersey (Mr. WILLIAMS) are absent on official business.

I further announce that, if present and voting, the Senator from California (Mr. CRANSTON), the Senator from Connecticut (Mr. DODD), the Senator from Iowa (Mr. HUGHES), the Senator from Maine (Mr. MUSKIE), and the Senator from Wyoming (Mr. MCGEE), would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Vermont (Mr. AIKEN), the Senator from Colorado (Mr. ALLOTT), the Senator from Kentucky (Mr. COOPER), the Senator from Arizona (Mr. FANNIN), the Senator from Arizona (Mr. GOLDWATER), the Senator from Florida (Mr. GURNEY), the Senator from Iowa (Mr. MILLER), the Senator from Illinois (Mr. PERCY), the Senator from South Carolina (Mr. THURMOND), and the Senator from Texas (Mr. TOWER) are necessarily absent.

I also announce that the Senator from Maryland (Mr. MATHIAS) is absent on official business.

I further announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

I further announce that the pair of the Senator from South Carolina (Mr. THURMOND) has been previously announced.

I further announce that, if present and voting, the Senator from Colorado (Mr. ALLOTT), the Senator from Arizona (Mr. FANNIN), the Senator from Iowa (Mr. MILLER), the Senator from South Dakota (Mr. MUNDT) and the Senator from Texas (Mr. TOWER) would each vote "nay."

The result was announced—yeas 38, nays 28, as follows:

[No. 139 Leg.]

YEAS—38

Anderson
Baker
Bible
Brooke
Cannon
Case
Eagleton
Ellender
Fong
Fulbright
Goodell
Gravel
Hart
Hartke
Inouye
Javits
Jordan, N.C.
Kennedy
Magnuson
Mansfield
McIntyre
Metcalf
Mondale
Moss
Nelson
Packwood
Pastore
Pell
Proxmire
Randolph
Ribicoff
Schweiker
Sparkman
Stennis
Stevens
Symington
Young, N. Dak.
Young, Ohio

NAYS—28

Allen
Bellmon
Bennett
Boggs
Cook
Cotton
Curtis
Dole
Dominick
Eastland
Ervin
Griffin
Hansen
Hatfield
Holland
Hollings
Hruska
Jordan, Idaho
McClellan
Murphy
Pearson
Prouty
Scott
Smith, Maine
Smith, Ill.
Spong
Talmadge
Williams, Del.

PRESENT AND GIVING LIVE PAIRS—2

Byrd of West Virginia, against.
Saxbe, for.

NOT VOTING—32

Aiken
Allott
Bayh
Burdick
Byrd, Va.
Church
Cooper
Cranston
Dodd
Fannin
Goldwater
Gore
Gurney
Harris
Hughes
Jackson
Long
Mathias
McCarthy
McGee
McGovern
Miller
Montoya
Mundt
Muskie
Percy
Russell
Thurmond
Tower
Tydings
Williams, N.J.
Yarborough

So the bill (S. 3127) was passed, as follows:

S. 3127

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Mutual Educational and Cultural Exchange Act of 1961 is amended by—

(1) inserting between the title and section 101 of such Act the following:

"TITLE I—EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM";

(2) striking out the words "this Act" wherever they appear in sections 101 through 111 of such Act and inserting in lieu thereof the words "this title"; and

(3) adding at the end thereof the following new title:

"TITLE II—UNITED STATES-UNION OF SOVIET SOCIALIST REPUBLICS POLITICAL EXCHANGE PROGRAM

"SEC. 201. It is the purpose of this title to promote greater understanding between the United States and the Union of Soviet Socialist Republics by providing for the exchange of governmental officials of those nations.

"SEC. 202. For the purposes of this title—

"(1) 'elected official' means—

"(A) a Member of the House of Representatives or the Senate;

"(B) the Governor of any of the several States of the United States;

"(C) the mayor or, if no mayor, the head of the governing body, of (i) the capital city of each State of the United States, and (ii) the largest city in each such State other than the capital city;

"(D) the chief presiding officer of each house of a State legislature; and

"(E) the majority leader and the minority leader of each house of a State legislature;

"(2) 'Soviet Union' means the Union of Soviet Socialist Republics;

"(3) 'program' means the United States-Union of Soviet Socialist Republics Political Exchange Program;

"(4) 'Secretary' means the Secretary of State; and

"(5) 'Committee' means the Advisory Committee on the United States-Union of Soviet Socialist Republics Political Exchange Program.

"SEC 203. (a) The Secretary is authorized to conduct a United States-Soviet Union Political Exchange Program, which shall provide for the following:

"(1) Each person who is an elected official on the date of enactment of this title and the spouse of each such official, if traveling with the elected official, shall be eligible, while still holding his elected office, to be paid, in accordance with priorities established by the Committee and in accordance with paragraph (4) of this subsection, for one trip abroad which includes travel to the Soviet Union and which is made within five years after the date of enactment of this title.

"(2) Any successor in office of an elected official referred to in paragraph (1) of this subsection, and the spouse of such successor, is eligible, while serving in such office as a successor, to be paid, in accordance with priorities established by the Committee and in accordance with paragraph (4) of this subsection, for one trip abroad which includes travel to the Soviet Union which is made within five years after the date of enactment of this title.

"(3) The total number of elected officials and their successors eligible for payment for travel under the provisions of this title shall shall not exceed one thousand.

"(4) Payment under this section shall not exceed the round trip cost by air of the elected official and accompanying spouse between his State of residence or Washington, District of Columbia, to any place in the Soviet Union, the cost of travel within the Soviet Union and an allowance of $50 a day for the elected official not to exceed fourteen days and $20 a day for an accompanying spouse.

"(5) Prior to departure from the United States and in order to receive a payment authorized by this subsection, each elected official or successor in office, and accompanying spouse, shall receive a briefing about the Soviet Union and the relations of the United States with the Soviet Union. The briefing shall be conducted by the Department of State after consultation and in cooperation with the Committee.

"(b)(1) As a part of the program, the Secretary, after consultation with the Committee, and with the approval of the President, may—

"(A) pay for the cost of arranging the itinerary of not to exceed one thousand officials of the Supreme Soviet, the Council of Ministers, the Central Committee of the Soviet Union, the principal officials of the constituent republics of the Soviet Union, the heads of the governing bodies of the one hundred largest cities of the Soviet Union, and the spouses of such officials, traveling to the United States; and

"(B) conclude any necessary arrangement with the Soviet Union to carry out the provisions of this title, and such arrangements may provide, on a reciprocal basis, for the payment of expenditures by the government of the nation where the expenditures are incurred.

"(2) No travel to the Soviet Union by elected officials under subsection (a) shall be dependent upon the conclusion of any agreement or arrangement under this subsection.

"SEC. 204. In order to carry out the provisions of this title, the Secretary is authorized—

"(1) to obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code;

"(2) to enter into contracts or other arrangements, or modifications thereof, without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or other provisions of law relating to competitive bidding;

"(3) to make advance, progress, and other payments deemed necessary under this title without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529);

"(4) to furnish to the Committee, to the maximum extent practicable, such staff, office facilities, furniture, equipment, and supplies as the Chairman considers necessary to carry out the functions of the Committee;

"(5) to determine, in consultation with the Committee, the character of and the necessity for obligations and expenditures under the program, and the manner in which they shall be incurred, allowed, and paid, subject to the provisions of this title; and

"(6) to take such other action as may be necessary.

"SEC. 205. (a) There is hereby established an Advisory Committee on the United States-Union of Soviet Socialist Republics Political Exchange Program.

"(b) The Committee shall be composed of not to exceed five members appointed as follows:

"(1) three Members of the Congress, appointed as follows:

"(A) one Member of the Senate, to be appointed by the President of the Senate;

"(B) one Member of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

"(C) one Member from either House of Congress appointed by agreement of the President pro tempore of the Senate and the Speaker of the House of Representatives; and

"(2) not to exceed two other persons, chosen from among persons who are (A) former United States Ambassadors to the Soviet Union, or (B) otherwise qualified by training or experience as authorities with respect to the Soviet Union or exchanges with the Soviet Union, to be appointed by the President and to serve at his pleasure.

"(c) The Committee shall elect a Chairman from among its members.

"(d) The Committee is authorized to adopt such rules and regulations as it may deem necessary to carry out the authority conferred upon it by this section.

"(e) The Committee shall establish priorities with respect to payments to elected officials for trips abroad under the program and shall consult with, and make recommendations to, the Secretary of State, in connection with the program, with respect to—

"(1) itineraries, interpreters, the exchange of currencies, and other related details of travel under such program;

"(2) provisions to accommodate the personal and professional interests of persons participating in the program;

"(3) matters to be covered in the briefing administered by the Secretary under the program; and

"(4) such other matters as the Committee deems necessary to conduct the program.

"(f) The Committee shall submit a report to the President and the Congress three years after the date of enactment of this title evaluating the program, giving particular attention to means by which it might be improved, and making such findings and recommendations as it deems necessary. The Committee shall submit a final report to the President and the Congress not later than five years after such date.

"(g) (1) Members of the Committee who are otherwise employed by the Federal Government shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Committee.

"(2) Members of the Committee not otherwise employed by the Federal Government shall receive compensation at the rate of $100 per day (including traveltime) for each day they are engaged in the performance of their duties as members of the Committee and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Committee.

"SEC. 206. Unless legislation is enacted providing otherwise, the program shall terminate and the Committee shall cease to exist ninety days after the Committee submits its final report.

"SEC. 207. In order to carry out this title, there is authorized to be appropriated not to exceed $5,000,000 to remain available until expended.

"SEC. 208. This title shall take effect on the 1st day of February 1971."

Passed the Senate April 20, 1970.

Attest:

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. GRAVEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, today the distinguished Senator from Alaska (Mr. GRAVEL) demonstrated a perceptive grasp of international understanding in leading through the Senate S. 3127 his bill which will provide for the exchange of governmental officials between the United States and the Soviet Union. We are indebted to him for his thoughtful presentation, for his articulate views and for his broad understanding of this matter. The Senate extends its heartiest thanks to Senator GRAVEL for a job well done.

To be commended also is the able and distinguished chairman of the Foreign Relations Committee, the able Senator from Arkansas (Mr. FULBRIGHT). His past efforts toward greater understanding with other nations are a matter of record. We appreciate his contribution to the high quality of debate on this measure.

Other Senators who contributed so much to the overall discussion and whose views were welcome and meaningful as always were the distinguished senior Senator from Louisiana (Mr. ELLENDER), and Senator Moss of Utah. They and many others deserve recognition for their contributions to the passage of this bill.

Although they were not in full accord with all of the views expressed and with the full effect of this proposal the distinguished Senator from Delaware (Mr. WILLIAMS) and the distinguished Senator from Kansas (Mr. DOLE) contributed in great measure to the debate and deserve our deep thanks. Certainly they enlightened the Senate with respect to many features of the measure and we are grateful.

The Senate as a whole is to be commended for the thorough but expeditious disposition of this matter.

ORDER FOR ADJOURNMENT UNTIL THURSDAY, APRIL 23, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Thursday next.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, there will be no further votes in the Senate today.

Mr. SCOTT. Mr. President, will the majority leader state what the proposed business will be when we return on Thursday?

Mr. MANSFIELD. Mr. President, for the first time this session, I am really ashamed to answer that question. If I had my "druthers," I would rather the question had not been raised.

There will be some minor business. It will be very minor. That is all I can say.

Mr. SCOTT. I might add that that is why I raised the question.

AUTHORITY FOR SECRETARY OF THE SENATE TO RECEIVE MESSAGES AND APPROPRIATELY REFER THEM

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the adjournment of the Senate until 12 o'clock noon on Thursday next, the Secretary of the Senate be authorized to receive messages from the President of the United States and from the House of Representatives and that it be in order for them to be appropriately referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

POLICE CORRUPTION AND THE ORGANIZED CRIME CONTROL ACT OF 1969

Mr. McCLELLAN. Mr. President, during the June 1969 hearings of the Subcommittee on Criminal Laws and Procedures, the Department of Justice, while testifying on S. 2022, the "Illegal Gambling Business Control Act of 1969," mentioned several corruption investigations in which the Department expected criminal activity could be shown, but in which there was an insufficient Federal nexus upon which to base a successful Federal prosecution. One of these investigations culminated in a prosecution, United States against Jerry Ryan, that has now been completed and a verdict unfavorable to the Government has been returned. Following the verdict, I wrote the Department of Justice asking for the facts and circumstances surrounding that prosecution and am now in receipt of their answer. I am informed that the prosecution involved an organized scheme of long duration in which officers of the Columbus, Ohio, Police Department would solicit and receive money bribes from the major numbers operators in the Columbus area in exchange for a lax enforcement policy of gambling laws and warnings of any proposed Federal investigations.

Inasmuch as the provisions of S. 2022 have now been incorporated into S. 30, the "Organized Crime Control Act of 1969," as title VIII—syndicated gambling—and inasmuch as it is just this sort of activity which title VIII is designed to prevent and stamp out, I think it would be helpful and appropriate to insert in the Record the Department of Justice account of the kind of unbridled corruption occurring in some of our major cities throughout the Nation. I add, too, that I would hope the information set out in this letter might serve to help the House Judiciary Committee expeditiously and favorably process the provisions of S. 30.

Mr. President, I ask unanimous consent to have printed in the Record immediately following my remarks my letter to the Justice Department and their response dated February 9, 1970.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., January 7, 1970.

Hon. John Mitchell,
Attorney General, U.S. Department of Justice, Washington, D.C.

Dear Mr. Mitchell: In the Department's testimony before the Subcommittee on June 3, 1969, in reference to S. 2022, mention was made of several corruption investigations in which the Department expected that although criminal activity could be shown, an insufficient federal nexus was present. It is my understanding that one of these prosecutions, *U.S.* v. *Ryan*, which was brought in Columbus, Ohio, has now been completed, and a verdict unfavorable to the government was returned.

It would be appreciated if you could inform me of the facts and circumstances surrounding this prosecution.

With best regards, I am.

Sincerely,

John L. McClellan.

Department of Justice,
Washington, February 9, 1970.

Hon. John L. McClellan,
U.S. Senate,
Washington, D.C.

Dear Senator: This is in response to your letter of January 7, 1970, requesting information on a recent criminal case, *United States* v. *Jerry G. Ryan, Jr.,* (Cr. No. 9253), brought to trial by the Department of Justice in Columbus, Ohio.

The corruption uncovered by our grand jury investigation in Columbus, Ohio, amounted to an organized and sophisticated scheme of long duration in which officers of the Columbus Police Department, including the chiefs of the vice and intelligence bureaus and nearly all sergeants and patrolmen assigned to the vice squad, would solicit, demand and receive money bribes from the five major numbers operators conducting gambling businesses in the Columbus metropolitan area. In exchange for these payoffs, the gamblers were assured of a relaxed enforcement policy of all city and state gambling laws and protection from and warnings of federal investigations designed to uncover federal violations related to these gambling activities. Our proof, offered through the testimony of (1) immunized gamblers who made the payoffs to the police, (2) immunized policemen who received these payoffs and disseminated them to the eight policemen who were defendants in the trial, and (3) tape recordings of actual payoffs made to certain of the policemen by the gamblers, undeniably established the existence of the payoffs in return for no arrests of these gambling operators. At a minimum, the Chief of Intelligence received $40,000 over a three year period and patrolman on-the-beat received approximately $250 per month. The report of the Senate Committee of the Judiciary on the "Organized Crime Control Act of 1969" (No. 91–617) at page 72 makes reference to a corruption situation existing in a major midwestern city. This reference was in fact to these occurrences in Columbus, Ohio.

As noted in your letter, Department of Justice testimony before the Subcommittee on June 3, 1969, indicated an insufficient federal nexus in this corrupt Columbus, Ohio, situation. Further investigation into these matters by the grand jury did finally establish a predicate for charging federal crimes. The evidence by implication and inference (there was no direct evidence on the point) disclosed that the bribed officers of the Columbus Police Department upon learning of an Internal Revenue Service investigation into the Columbus gambling activities, undertook to frustrate and impede this federal investigation. The motives of the corrupt policemen were to protect the sources of their illegal monthly payoffs. Consequently, the police surveilled the Internal Revenue Service agents, arrested two special agents and the Department of Justice attorney in charge of the investigation (who were acquitted of the trumped-up charges), and warned the gamblers of impending federal raids, thereby totally frustrating the federal criminal investigations designed to uncover tax and interstate gambling violations.

In order to bring federal charges against these policemen in the absence of federal statutes prohibiting a scheme of bribes as described in this letter, they were charged with violation of 18 United States Code, Section 371 (conspiracy). In essence, the indictment charged these individuals with "conspiring to defraud the United States," to wit: that the protection from and warnings of the federal investigation given to the gamblers impeded and frustrated, e.g. defrauded, the United States. This prosecution was meritorious in light of actions of the police which were affording protection to numbers operations with the annual gross of multi-millions of dollars. The daily intake of one operator, Frank Baldasarro, was believed to exceed $15,000.

The trial on these charges consumed six weeks in November and December, 1969, and the jury returned verdicts of acquittal after deliberating four days. In final argument to the jury, the defendants conceded the payoffs but asked the jury to return not guilty verdicts on the grounds no *federal* violation had been proven. While reports of the jury deliberations reaching our office stressed the inability of the jury to find beyond reasonable doubt the existence of the sophisticated inferential conspiracy to defraud the United States, there was no other federal charge available to the federal grand jury upon learning of the facts of this case.

Sincerely,

Will Wilson,
Assistant Attorney General.

RECALL OF AMBASSADOR SYMMES

Mr. SPONG. Mr. President, it has been reported that at the request of the Jordanian Government, the United States has recalled its Ambassador to Jordan, Harrison Symmes.

I find this situation regrettable and indicative of further deterioration in U.S. relations with the Arab world.

I have had the opportunity to visit in the Middle East and to spend some time with Ambassador Symmes. He is well qualified for the position he held, and knowledgeable about the problems of the area. His recall is, I feel, a loss not only to our Nation but also to Jordan.

The events surrounding the recall reenforce a belief I have had for some time: that the Fedayeen are a growing threat in the Middle East and that the increase in their power makes a political or negotiated settlement remote at best.

I visited in the Middle East in February of 1969, traveling to Egypt, Israel, Lebanon, and Jordan. In Jordan, I met with King Hussein. I concluded then that the atmosphere for a settlement, particularly along the lines of the November 1967 U.N. resolution had been best immediately after the war, but that prospects for a settlement were rapidly diminishing.

While the United States, and even nations of the Middle East, have continued to think in terms of the U.N. resolution, we have ignored the fact that a growth in strength of the Fedayeen has meant the growth in strength of a group which opposes the basic premises of the resolution.

The current situation in Jordan, an outgrowth of increased Fedayeen strength, dims the hopes of those who desire peace and stability in the Middle East.

I am sorry that Ambassador Symmes' expertise has been denied our Nation at a time and in a place where it is needed.

THE "DELTA QUEEN" IS DOOMED

Mr. BAKER. Mr. President, on April 16 I introduced a bill (S. 3737) that would have the effect of permitting continued operation of the last remaining stern paddle wheeler carrying overnight passengers up and down the great rivers of America. Identical legislation has been proposed by the distinguished Representative from Missouri, Mrs. Sullivan.

This morning's edition of the New York Times contains a feature article on this historic steamboat. I ask unanimous consent, Mr. President, that the article by Roy Reed, entitled "*Delta Queen,* Link to Twain Era, Doomed" be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

"Delta Queen," Link to Twain Era, Doomed

(By Roy Reed)

New Orleans, April 19.—The stars were as bright as lanterns but there was no moon.

Howard Tate read the faint riffles of the Mississippi River with practiced concentration. He nudged the steering lever and slipped the big boat a little closer to the shadows of the western bank.

When he consented to speak, his voice

XUM

came out in a rusty growl and poked around the darkness of the pilot house.

"Mark Twain never done no piloting to amount to anything," he said. "He never stood a pilot's watch more than six months in his life."

Then he added, after a studied pause, "he was a good writer (italics)."

The old river men who are unawed by the author of "Life on the Mississippi" are becoming scarce. Mr. Tate is 65 years old and has been a river pilot 42 years. He is the son and grandson of pilots. When he is gone, there will not be many left who have lived the river, the way Mark Twain did for a while, and kept the past alive.

ONLY ONE LINK TO THE PAST

The old boats they have known are going even faster than the men. Only one of the steamboats that tie 1970 to the nation's beginnings is left. There are three or four that carry passengers on daytime excursions a short distance from port, and one that sits lifeless and without boilers at the dock at Vicksburg, turned into a little theater.

But the remaining steamboat that actually carries overnight passengers up and down the great rivers is the boat that Howard Tate was taking down the moonless Mississippi that night, with 147 passengers asleep down below and the big red paddlewheel turning and whooshing in the back.

She is the Delta Queen, aged 44 and doomed.

This is her last year unless Congress intervenes. Because of the teak, mahogany, ironwood and oak of her superstructure, she is considered a fire hazard under the safety at sea law of 1966.

The law was passed because of two disastrous ship fires in the Atlantic. By the Coast Guard's interpretation, the Delta Queen is covered by the law with ocean-going vessels.

EXEMPTION IS SOUGHT

A bill has been introduced to exempt the Queen from the law permanently. She has two temporary exemptions. If the bill is not passed, the old sternwheeler will end her career Nov. 2 at New Orleans, and then become a daytime excursion boat, perhaps, or a floating restaurant.

The passengers, on a recent St. Louis-New Orleans roundtrip, most of them middle aged to elderly and from as far away as British Columbia, thought it was ridiculous and a little shameful that the Queen was being put out of business.

The crew held a lifeboat drill last Sunday afternoon, somewhere above New Orleans, and when it was over both crew and passengers laughed at the absurdity of it all.

"If we ever had an emergency we could be on shore before we could get the lifeboats in the water," said Clarke Hawley, the first mate. "We're never more than four minutes from shore anywhere on the river. If something should happen, all you would have to do is hit the rudder and run her aground."

The passengers shook their heads over the inscrutable ways of government, then went back to gazing at the river banks and the occasional plantation house whose gables peeked over the levee.

People were paying $30 to $70 a day for the privilege of doing almost nothing on this boat for 10 days.

There is no gambling. The liveliest music comes from the calliope when the boat is approaching a town, or sometimes from an organ in the dining room late at night, if the organist is feeling bold.

The cabins are small but comfortable. The food is good. The passengers entertain themselves with books, fortune telling, bingo or lying in the sun.

Mr. and Mrs. Albert W. Giles, steamboat buffs from Olympia, Wash., spent one hour after another the other day studying the engine room, watching the steamdriven pistons pushing their arms out the back of the boat to pedal the paddlewheel like a bicycle.

The wheel produces a hypnotic vibration. The passengers and crew are rocked to sleep each night—and not infrequently in the daytime—by the rhythm and rumble of the turning wheel.

ALL OFFICERS ARE "CAPTAINS"

In a world where meals and the playing of the calliope are rather keenly anticipated events, it is easy to imagine the impact of a change in scenery or weather. The passengers who make friends with the crew soon learn how important these changes are to river folk.

Captain Hawley (almost all the officers are addressed as captain) was talking one late afternoon of Mark Twain's regret at learning that the things he had admired as beautiful while he was a cub pilot—a blood-red sunrise, a floating log, a ripple in the water—were actually signs of danger to the experienced pilot.

"See that white mist on that field?" Captain Hawley asked, pointing to the eastern bank. "That's a beautiful sight, but it means that we have a 50 per cent chance of fog. And if we get in a fog, we have to tie up and wait until it passes."

At 5:45 o'clock the next morning, Capt. Ernest Wagner, the master of the boat, sat in the pilot house watching the sun come up. It was beautiful, all blood-red in sky and water.

He said, half to himself, "You know the old saying: Red in the morning, sailor take warning; red at night, sailor's delight."

Within an hour, the sun had disappeared behind a thick fog. Howard Tate, just up from the officers' quarters and still buttoning his shirt, had to slip her to the bank and stop.

This was an event. The passengers piled out of the cabins and stood on the decks for an hour staring into the fog and listening to the cardinals in the trees and the horns of tow boats creeping by in the channel.

LIFE ON THE RIVER CHANGES

Then the voyage resumed, and the elderly ladies from California and the young couple from Boston settled into the deck chairs and made ready for another day's travel.

The river has changed since Mark Twain's day, in spite of the steadfastness of people like Howard Tate.

Racial integration, for example, has come to the Delta Queen. Its mint juleps (from mint grown in flower boxes that catch the spray from the paddlewheel) are now drunk by occasional black passengers. Two Negro women were among the passengers who stopped recently for a tour of the antebellum homes at Natchez.

The crew was integrated two years ago when Franklin Myles was made chief steward and became the first black officer on the boat. When Mr. Myles sat down at the officers' table the first day, a white pilot threw his napkin on the table and said, "I'm not going to eat with a nigger."

Everyone, black and white, took his meals in his cabin for two tense weeks after that, everyone, that is, except Captain Wagner. He sat alone at the head of the officers' table for two weeks. * * *

Other changes have come to the river, Urban Renewal is working over Beale Street in Memphis. Fancy office buildings have begun to replace the empty music houses and the rundown bars.

They used to say that the Mississippi Delta began in the lobby of the Peabody Hotel in Memphis and ended in Catfish Row in Vicksburg. Catfish Row is a Negro shantytown. Urban Renewal is getting ready to renew it.

Dozens of chemical plants and oil refineries now rear up behind the levees between Baton Rouge and New Orleans. They provide jobs for the people and pollution for the river.

The water of this stretch is now so poisonous that not even Howard Tate will drink it, as strong a believer as he is in the purity of the Mississippi River water.

"Look at all these kids along the river," he said one day up around Greenville. "They drink that water all the time and they're just as healthy as they can be."

WHAT HUCK THOUGHT

He drank it himself when he was a boy, just as Mark Twain's people did up at Hannibal, Mo. There is a discussion in "Huckleberry Finn" about how much more nutritious the muddy Mississippi water is than that of the clear Ohio. The Child of Callamity says:

"You look at the graveyards; that tells the tale. Trees won't grow worth shucks in a Cincinnati graveyard, but in a Sent Louis graveyard they grow upwards of eight hundred feet high. It's all on account of the water the people drunk before they laid up. A Cincinnati corpse don't richen a soil any."

For all the changes, the river still robs a man of the sense of time. The passenger on the Delta Queen has joined a different world where there are no newspapers, no radios, no telephones, no automobiles—none of the pacemakers of the 20th century.

The passage from Memphis to Helena, Ark., takes five and a half hours by the clock. But to the passenger on the Queen, it might be an hour or a day. He doesn't care.

Only the movement south into spring—the redbuds open in Vicksburg, the swallows suddenly skim the water above Natchez—keep the river and the boat minimally involved in time, and that largely at the river's chosen speed.

THE ISOLATION OF MAURICE STANS

Mr. COTTON. Mr. President, in the Washington Post of Wednesday, April 15, appeared an article on the editorial page by Mr. Hobart Rowen, entitled "The Isolation of Maurice Stans." This article discussed from the standpoint, I would say, of very little factual knowledge, the position that the Secretary of Commerce, Mr. Stans, has taken in regard to our foreign trade policy. It implied or practically stated that he was persona non grata with the rest of the administration, that the President preferred listening to the opinions of his economic advisers, and that Mr. Stans had taken a position contrary to free trade and to the increase of our foreign trade.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I referred, in the Washington Post of Wednesday, April 15, 1970.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ISOLATION OF MAURICE STANS

(By Hobart Rowen)

Like other Secretaries of Commerce before him, Maurice Stans finds his role confining and frustrating. He is effectively fenced off from broad economic policymaking, and despite his 1968 campaign success as a big money-raiser for Mr. Nixon, enjoys only a rare audience with the President.

But more astonishing than Mr. Stans' failure to make the "first" economic team is evidence that he is engaged in a running battle with almost everybody else on it.

In recent weeks, publicly and privately, he has been scrapping with the State De-

XUM

partment, the Treasury, and the Council of Economic Advisers. And he ignores, as if he didn't even exist, the President's Special Representative for Trade Negotiations, Carl Gilbert.

Worst of all, from his standpoint, the "word" within informed Nixon administration circles is that despite his presidential assignment to reach an agreement with Japan on textile imports, the man who has (and will have) the final say on that subject is Presidential Assistant Henry Kissinger.

In other government departments, there is full awareness of Stans' circumscribed role, but the tendency is to be sympathetic. As the Secretary prepared to take off this week to beat the bushes in Latin America for expanded trade, a second-level man in another department said: "We view him with bemused tolerance."

It is an open secret that Stans wanted to be Treasury Secretary, and the failure to win that key cabinet office still rankles. Some of Stans' own associates ascribe his coolness to Treasury Secretary David Kennedy to this fact, at least in part. (The two cabinet officers communicate only by written memo.)

But Stans' basic concern with the Treasury Department resides in his own classic, conservative approach to economic policy. For instance, he worries about the balance of payments deficit and is understood to feel that Kennedy pays only lip service to the problem.

A specific complaint is that Treasury deserted Commerce during the inter-agency task force discussions on oil imports: Stans thought that balance of payments considerations should have lined the Treasury up with those against liberalization. Kennedy didn't buy that argument.

There can be no doubt that the deficit last year was a whopper (and fresh figures attesting to the continuing nature of the problem are due to be issued shortly for the first quarter of this year). But Treasury, CEA, and State Department officials display such a calm attitude that it has the business-oriented Commerce Department climbing the walls.

Top administration officials are of course sensitive to the long-run need of achieving a better balance. But the fact of the matter is that despite the big deficit most European countries are quite content right now to hold dollars as good investments. There are many reasons for this, including the insulation of the dollar against gold speculators since establishment of the two-tier gold system.

There is such an air of steadiness in international money markets, as a matter of fact, that last year's pressing interest in "crawling pegs" and other esoteric devices to introduce a measure of flexibility into the exchange rate system has somewhat faded away.

But Stans doesn't propose to let anyone forget the horrifying balance of payments numbers, and can cite as an ally in this respect none other than French President Pompidou.

On Feb. 25, during his visit to this country, President Pompidou spent a great deal of time lecturing a blue-ribbon group of American economic officials, including Treasury Secretary Kennedy and Federal Reserve Chairman Arthur F. Burns on the "perpetual U.S. deficit." (It didn't help Stans' wounded ego, when alone among top economic officials, he wasn't asked to this meeting, at Blair House.)

Both Kennedy and Treasury Under Secretary for Monetary Affairs Paul Volcker assured Pompidou at that meeting that the United States also realized the importance of narrowing the deficit, and improving our trade balance, but because of our defense "umbrella" over the world, there were no quick or easy solutions in view for the overall deficit.

Stans thinks that in today's world, to assure a trade surplus, we have to be as tough as other countries in giving domestic producers some protection and throwing up reasonable barriers (legislated if necessary) against a flood of imports.

But the year-long wrangle over textile imports is a good illustration, the anti-Stans claque insists, of how the Commerce Secretary's effectiveness has faded. When he saw the President one day last week—with John Ehrlichman present—it was the first time in a month he had been able to wangle an appointment.

In trying to sell Mr. Nixon a tough line on the Japanese problem, Stans has bumped into Under Secretary of State U. Alexis Johnson and Assistant Secretary for Economic Affairs Philip H. Trezise, who take a milder approach. Kissinger holds the real power, and both sides claim that he is leaning their way.

Simultaneous with his battle with State, Stans got himself in a jam with the usually mild Chairman of the CEA, Paul W. McCracken for letting Assistant Secretary Kenneth Davis Jr. take a public poke at CEA Member Hendrik Houthakker.

Davis criticized Houthakker's observation that steel import quotas would not be a good approach to that industry's problems. Stans tried to patch things up with McCracken, but the irritations between Commerce and CEA remain.

Two weeks ago, fuel was added to the fire when another Stans aide called a "background" press conference to announce the Japanese were so unreasonable "the administration" was considering, reluctantly, asking Congress for textile quotas.

The only thing wrong with that announcement was that "the administration" has as yet determined no such policy. Stans, indeed, thinks that American industry needs quota protection—and he has some support within business circles. But so far, no one else in the administration is listening. The State Department considers him a hopeless reactionary, and others refer to him as a "mercantilist."

Stans' closest allies are a couple of the most conservative members of the Federal Reserve Board, who are powerful in their own right, but who have no say in making administration policy.

What it comes down to, in the end, is that the Commerce Department provides no "power base" for a man of strong will. Economic policy in today's U.S.A. is made in the White House itself, in State Department, The Treasury, and the Economic Council. Even the Budget Bureau faces a decline if Mr. Nixon's administrative reforms go through, emphasizing the role of Presidential Assistant John Ehrlichman. Stans should have got the message when he tried early last year to crash the Big Four—the so-called "Quadriad" of economic advisers—without success. When he is bucking the basic trend, as he is, he might as well be on the outside, looking in, as on the inside, looking in.

Mr. COTTON. Mr. President, the article even accused Mr. Stans of what the writer apparently considered a most heinous crime. It said he was not paying any attention to a gentleman named Carl Gilbert, whose nomination as a Commerce Department negotiator in foreign trade was confirmed after a rather spirited discussion in the Senate. I believe 33 Senators opposed the nomination, because we were of the opinion that Mr. Gilbert, while a very sincere and experienced gentleman, was so completely dedicated to taking care of the interests in the name of free trade or taking care of the interests of every nation on earth except his own, that we viewed with a good deal of apprehension the confirmation of his nomination for this position.

That the Secretary of Commerce has seen fit to disregard or at least to restrain and take a somewhat different line from that of Mr. Gilbert is the best news I have heard in a long, long time.

This article, which accuses the Secretary of Commerce of being an isolationist, is one of the most amazing articles I have ever read. I find myself rather astonished to be on the floor of the Senate defending Mr. Stans, because, although I have always respected him and have a warm personal regard for him, I have been one of those who have been most critical of him and one of those who have said to him, frankly, that we could not agree with him because of his position, which some of us thought was not alert enough to the saving of American jobs and of American industries.

Frankly, the Secretary of Commerce, Mr. Stans, conferred with many people in this Chamber, particularly those of us on the Commerce Committee, in the very early days of his administration. He proclaimed that his policy was that he was going to Japan, and he was going to negotiate, to the very best of his ability, to get a voluntary agreement on the part of the Japanese in regard to the volume of their export of textiles into this country. Some of us asked him how much hope he had of getting voluntary agreement, and at that time he felt very hopeful.

In my own case, I made one objection, and it was that in using up month after month in negotiating for a voluntary agreement with the Japanese with respect to placing some limits not on the present imports but on the increase of their present exports into this country, he was neglecting shoes and electronics, both of which industries are in very great danger.

I recall using this illustration, which was homey and off the farm, where I originated:

I said, "What you are doing in taking time to negotiate on textiles—interested as I am in textiles—is like leaving the henhouse door open while you are chasing one white pullet and letting all the rest of the hens escape."

He explained to me, however, that he was steadfastly of the opinion, as was the administration—he had conferred with others, and they felt the same—that he should concentrate on one commodity at a time.

Mr. President, I hope that I do not need to repeat in the Senate that the position of the Senator from New Hampshire on the matter of imports into this country and the resulting devastating effects on our own industry and on the jobs of our wage earners is not in any way hostile to the principle of free trade. The amendment that this Senator offered to the tax bill, which was adopted by a rather substantial majority—I would not say an overwhelming majority, but better than 2 to 1, which is fairly overwhelming—simply authorized the President, in cases in which other countries—and nearly every country on earth

XUM

that we have any dealings with is included in that category—impose restrictions, whether they be quotas, tariffs, import license, or any other means of restricting imports into their country of American goods, to create necessary barriers, quotas, or otherwise, against the unlimited dumping of goods from these countries into the United States. It went on to provide that when the other countries remove their restrictions on American exports to them, any such restrictions could and should be immediately abolished. That was, and is, the position of the Senator from New Hampshire.

The Senator from New Hampshire found himself rather unhappy about the caution and the slowness with which the distinguished Secretary of Commerce was proceeding along the line of protecting American jobs and American industry.

The negotiations went on and on. The Senator from New Hampshire has reason to believe and understands that the Secretary of Commerce has been disillusioned and sadly disappointed in the adamant attitude of the Japanese with whom he has been negotiating, and has given up hope of any voluntary agreement to protect our textiles. He now takes the position that the time has come when we must take action. He has indicated that he would not be averse, in fact he might recommend—I suppose first securing the approval of the President and the administration, that Congress take action itself by legislation to restrain the further ballooning of exports from other countries into the United States which are putting not only our textiles out of business, but also the shoe industry, and the whole leather industry.

Foreign manufacturers have also taken over the manufacture of nearly all transistor radios. They have also taken over nearly all of the rest of radio manufacture, and they have taken over the manufacturing and sending into this country of black-and-white television sets. There is very little left in the electronics field, except color TV, which we in this country are manufacturing. They are fast taking over in that field, too.

Thus the situation is desperate. The Senator from New Hampshire is not privy to or familiar with all of the ebbs and flows of the tides of influence within the administration. This administration, like every other, I suppose, has within it elements which do not always agree; but the Senator from New Hampshire is not impressed by the article published in the Washington Post, which has so many glaring errors in it.

But the Senator from New Hampshire suddenly finds himself in the position where he, for one, could not remain silent and have the attitude of the Secretary of Commerce so badly misrepresented.

To sum up, Secretary Stans has been most patient and most diligent in seeking voluntary agreements. He has sought to avoid any action that would appear to be a retreat into protectionism by this country which would disrupt our relations with other countries.

In my opinion, he has been too patient. At last, however, he is beginning to accept the fact that—and I am sure he has realized it before—we will accomplish nothing by continuing to beg and beseech those who are flooding this country with their imports.

Just one more word at this point. Most of the opposition to those of us who are seeking not to return to protectionism, but are seeking to stop the United States of America from becoming the dumping ground for the goods of every nation on earth, every one of which imposes restrictions on our exports to them, has come from those who say they are opposed to doing anything about this situation because it would be bad for the American consumer.

Mr. President, I have rarely seen a position as illogical as that one. For one thing, those who work at the bench in the shoe shops, those who weave in the textile industry, those who work in the electronic plants, those who work in the glass factories, those who work in many other industries which are being driven slowly to the wall, they, too, are consumers. If they do not have jobs to go to, they will not have too much with which to consume.

Even more important than that, the history of trade relations and the development of trade indicates that whenever other countries have been able to practically abolish a particular industry in this country, to the point that they have gotten rid of American competition in their field, immediately their prices go up.

Thus, in the long run, this policy and this permissiveness in the matter of imports will hurt the consumer fully as much as anyone else in the Nation.

Mr. President, I wish to make the following brief statement which I had prepared regarding the article published in the Washington Post:

"Isolation" is a word that means different things to different people, but the Washington Post, or at least one of its editorial writers, has developed a meaning all its own if one cares to believe an article carried on April 15 entitled "The Isolation of Maurice Stans."

The article suggests that because Secretary of Commerce Stans is concerned about our balance-of-payments problem and because he believes that "we have to be as tough as other countries in giving domestic producers some protection and throwing up reasonable barriers—legislated if necessary—against a flood of imports," he is in "isolation."

A second-level bureaucrat, presumably in the State Department, is even quoted as saying about the Secretary, "We view him with bemused tolerance."

Let me state clearly, for the record, that I, and I am sure most Members of the Congress on both sides of the aisle, do not view with "bemused tolerance" the attitude of some anonymous, unidentified, disgruntled "second level" bureaucrats who do not seem to understand or care what is happening in this country.

If Secretary Stans, or other officials in the Department of Commerce, are to be criticized for their comments about the unreasonable attitude of the Japanese in current negotiations, the only criticism I see is that "unreasonable" was too gentle a word.

Far from being in isolation, Secretary Stans, when he speaks out for being as tough as other countries in preserving American jobs, is riding a huge wave of popular support that was missing for years in the two previous Democratic administrations.

The Washington Post, those "second level" bureaucrats and anyone who may be foolish enough to believe them at the White House would be wise to question their own "isolation" on these matters.

Over 70 bills have been introduced in the House in the last few days with powerful bipartisan support to do something about the textile and leather footwear problem. Numerous similar measures are pending in the Senate with equally strong, if not stronger, bipartisan support.

If, as the State Department suggests in the article, Secretary of Commerce Stans is a "hopeless reactionary" and a "mercantilist" then there are over 50 Senators and over 300 House Members to whom the term might be equally applied if wanting to help American industry and American workingmen qualifies them for that title.

I commend Secretary Stans for what he is trying to do, I applaud the candor of a man who believes in the kind of tough bargaining that is so injurious to State Department tempers. It is about time we stop being the patsy for other nations who throw up their own obstacles to free trade and then cry wolf when we ask to be treated on an equal footing. I hope the Secretary will continue his efforts and I assure him that, the Washington Post and the State Department to the contrary, he has support here in the Senate whose muscles have not even been flexed yet. The Post had better be worrying about its own "isolation," because Secretary Stans has far more company than even he may realize.

Mr. President, I am content to say that the article is unfair to the Secretary of Commerce. It is not factual. It ignores the facts. The Secretary of Commerce has worked long and hard and is willing now and has come to the point—they never criticized him until now—where he has reached the commonsense conclusion—that many of us came to a long time before—that we have got to have action instead of just words in negotiations, if we are going to accomplish anything.

Mr. BAKER. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. BAKER. Mr. President, I associate myself with the observations and the meaningful remarks made just now by our distinguished colleague, the Senator from New Hampshire.

It is one of the favorite pastimes of all of us and of our colleagues in the press to speculate on who has the President's ear and as to the prestige and persuasiveness of one Cabinet head or another or one Presidential assistant or adviser or another.

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I am not sure that serves any purpose, but it is great sport.

It does not serve a purpose with respect to a dedicated Cabinet officer such as Secretary Stans. I know Secretary Stans, as does the Senator from New Hampshire, as a man of dedication.

He is a Cabinet leader who has worked tirelessly to try to promote the sector of the country which he represents and tries to protect the country as a whole.

Secretary Stans will go down as one of the great Secretaries of Commerce. I think his ability to defend himself is apparent. He is not overly concerned about this criticism.

I would like to associate myself with the remarks of the Senator from New Hampshire and say that I believe Secretary Stans to be one of the great public servants at this time.

Mr. COTTON. Mr. President, I thank the Senator from Tennessee for his very apt statement. I agree with his admiration and analysis of Secretary Stans.

Mr. BELLMON. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. BELLMON. Mr. President, I join the senior Senator from New Hampshire in registering strong objections to the unfortunate and unreasonable articles that have recently appeared in some of the press concerning Secretary of Commerce Maurice Stans.

These articles have maligned the man who is, in my opinion, the foremost Secretary of Commerce in recent years. Raking over petty internal criticisms by frustrated lower-level staff people in different agencies does a disservice to an outstanding Cabinet officer, as well as to the President who selected him. If these people do not understand administration policy or cannot accept it, they should be invited to leave. Mr. Rowen and others who have attacked the Secretary can be criticized only for being wrong on the facts and wrong on the man. I hope that their readers will not be fooled by articles based on the unattributed statements of individuals who have lost arguments. Secretary Stans has done an outstanding job in solving problems ranging as broadly as minority business enterprise, textile imports, the 1970 census, not to mention his outstanding role in the President's Task Force on Oil Import Control. No Secretary of Commerce has done more in 14 months in office.

I have the highest regard for Maurice Stans. I consider that he is doing an excellent job in his position. I believe my feeling is shared by those who know him and have worked with him.

Mr. COTTON. Mr. President, I thank the Senator from Oklahoma for his very timely observations.

Mr. GRIFFIN. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. GRIFFIN. Mr. President, I commend the Senator from New Hampshire for leading this discussion. I wish to associate with his remarks, and with the remarks of the distinguished Senator from Tennessee and the distinguished Senator from Oklahoma.

I am confident that when history judges Maurice Stans, he will stand out as one of the greatest, if not the greatest, Secretary of Commerce our country has ever had.

Among many accomplishments under his administration, I hope the press will report more fully on work being done by his department within the minority enterprise area—the impressive progress being made in helping those in minority groups to get into business.

Not long ago the Republican Policy Committee was apprised of this work by Secretary Stans, and I am very conscious of some of the achievements made in my own State of Michigan.

Mr. COTTON. Mr. President, I thank the distinguished Senator from Michigan. Both of us, being members of the Committee on Commerce, have much to do with Secretary Stans, in performing our functions as an oversight committee of the Commerce Department.

I think that we on that committee had some reservations in the beginning about this policy we are talking about.

But we on the committee have been impressed with the work of the Secretary and the way in which he has reorganized his department and undertaken to do a really innovative work.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. PROUTY. Mr. President, I wish to join my distinguished colleague from New Hampshire today in his discussion of the column by Mr. Hobart Rowen which appeared in the Washington Post of April 15.

Maurice Stans, is of course, one of the ablest individuals who are a part of this administration. His is an excellent understanding of economic problems; particularly his grasp of the role of our business economy in its relation to the economy of the international community at large. His contributions are most important both to the President and to those of us in the Congress who are concerned with the flood of imports into this country and its adverse effect upon business and the workers in our factories.

Mr. President, the aspect of his approach to economic problems which appears most important to me is his acquaintance wtih the American constituency; the problems of the American businessman, and, as a result, of the American people generally. Fortunate indeed are we to have as head of the Department of Commerce a man who recognizes in true perspective the problems, both at home and internationally, which beset our Nation's business, and through it, our economic position in the world.

Maurice Stans' views and ideas in these matters, Mr. President, are somewhat less parochial than perhaps some of his critics would care to admit. They represent a larger view than the narrow corridor of self-righteous immutability of some of his less-well-informed critics.

Mr. President, Secretary Stans really needs no defense from me. But, he does deserve the support of the Senate, which he certainly has, and his efforts in the promotion of the American-business community have been a very important contribution to this administration.

Mr. President, I refer again to Mr. Rowen's column and its discussion of the balance-of-payments problems. He says, and I quote:

> Despite the big deficit, most European countries are quite content right now to hold dollars as good investments.

Mr. Rowen may well be right—at the moment. But he knows as well as Maurice Stans does how fickle nations can be, especially in the international money market. On the other hand, European private investors are another matter; I am not so sure just how determined they are to continue to invest in the safe American market. It is in this area that Maurice Stans' efforts are most important to us now.

Maurice Stans is aware of the problems involved there, and the administration prospers when it heeds his comments on the subject.

Mr. COTTON. Mr. President, I thank the Senator from Vermont for his very able statement. I yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I thank my distinguished colleague, the senior Senator from New Hampshire, who speaks from a background of great experience and considerable knowledge in an area that certainly is not strange to him. I would like to join him and associate myself with him in the remarks he has made.

I think Secretary Stans will go down in history as a realist, a person who recognizes the growing illusion that the sort of environment in which this country has participated in world trade is not free at all; that of all major nations in the world there is none with fewer barriers to trade than those presented by the United States. On the other hand, every sort of gimmickry that can be imagined has been employed by those nations throughout the world who would seek to preserve the illusion that they want to participate on the basis of free trade and to move in the direction of lowering barriers to trade.

As a consequence, the United States today stands alone among all the countries, insofar as barriers to trade are concerned. We are at the double disadvantage of being subjected to a growing flood of imports into this country from nations that do not start to pay wages comparable to those paid in this country; and the flood of imports from nations whose industries do not start to pay taxes that the American businessman is called upon to pay in order to bring about the wide range of social programs that a majority of Members of Congress from time to time have felt would advance the public interest in this country.

Secretary Stans is a realist and he understands better than most that the thing that makes the American market the greatest market in the world today is the fact that the average American has a far higher and greater personal income than his counterpart in any other country in the world, and that the per capita income that he enjoys is the direct result of the high wages paid by industry and the full employment that we have in this country today.

The Secretary is most desirous of protecting those jobs, and maintaining the wage scales which make the American market the world's greatest.

I know that the unemployment figures are creeping up somewhat as we are trying to bring about a damping of the fires of inflation; but the fact remains that the reason the American market is so much better than the market in any other country in the world today is because of the great number of persons employed in the United States and the high wages they earn.

So if we were to pursue a course that those detractors of Secretary Stans recommend that this country take, we would find on one hand a decrease in the number of jobs we have and on the other a lowering of wages earned on an hourly basis, the two factors which account for the tremendously attractive market the United States offers for all foreign produced goods.

In order that it might be more clearly understood by everyone that he speaks not only for American industry but as well for American labor, I ask unanimous consent to have printed in the RECORD at this point excerpts from a statement made by President Paul Jennings, president of the International Union of Electrical, Radio & Machine Workers, during a recent conference here on the developing crisis in international trade which was sponsored by the industrial union department of the AFL–CIO.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

President Paul Jennings has called for creation of "a new U.S. government Department of International Trade, of cabinet rank," to provide regulation, promotion and information in this extremely complex area.

The IUE President made the proposal as chairman of a seminar on foreign made components and products at the March 19–20 conference on "The Developing Crisis in International Trade," held in Washington under the sponsorship of the AFL–CIO Industrial Union Dept.

Taking note of the multiplicity of U.S. government agencies which now "pass the buck" and work ineffectively and often against each other in the trade field, Jennings said, "We must have a strong, competent agency concerned with everything from statistics-gathering to promotion and regulation."

"In this modern world," he said, "we've got to have a deep, mature concern and a competent, modern instrument—a modern, effective department—to express and channelize this concern. This department should have a permanent advisory committee, on which labor and consumers are represented."

Jennings also called for a permanent labor movement committee on international trade, to "have regular and continuing dialogue with that one agency on the gut questions on all foreign trade matters."

Trade-related problems listed by Jennings included "escalating imports of all sorts of products from countries with extremely low wages; multinational U.S.-owned corporations which shut down their American plants and open large, new factories overseas; the export of our jobs and our products to the same companies' foreign plants; tariff schedules that encourage American firms to open Mexican and Far East plants, and quotas and many different kinds of nontariff trade barriers imposed by other nations on our exports."

Noting this increasing inter-union cooperation in the field, IUE President I. W. Abel of the Steelworkers said the conference had made trade union history. "For the first time," he said, "a group of this makeup and size is meeting to express common concern over the effects of international trade upon American workers."

AFL–CIO Secretary-Treasurer Lane Kirkland, subbing for President George Meany, was joined by numerous international union presidents in calling for new U.S. government trade policies in keeping with the times. Among these presidents was Charles Pillard of the IBEW and Floyd Smith of the Machinists whose unions have been working closely with IUE in seeking effective solutions to the imports problem.

MORGANSTERN DOCUMENTS IMPORTS GROWTH

The growth and size of the imports problem in the electrical-electronics field was detailed in a paper presented by IUE Research Director Abe Morganstern. He pointed out that, from 1957 to 1965, over $14 billion in U.S. taxpayer funds went to electronics and communications companies for research and development—and that the technological advances produced by this R&D have been exported. The result is that, through U.S. capital investment overseas and in Mexico, American technology is producing goods for the American market, while eliminating, rather than generating, U.S. jobs.

Morganstern cited such examples of U.S. runaways as General Instrument Co., the largest employer in Taiwan with 12,000 workers, which has closed three New England components plants in the past two years, displacing 2,000 workers; Ford-Philco, with over 1,000 Taiwanese employees, recently reducing its Philadelphia workforce by 1,300, with additional layoffs foreseen; Warwick Electronics, laying off hundreds of workers in Arkansas while increasing TV production in Mexico, and Singer, whose New Jersey sewing machine plant is down to 2,000 workers from 10,000 and is the last household sewing machine plant in the U.S.

Morganstern's paper, fully endorsed by all three unions, called for these actions:

A truth-in-import labeling act to identify the manufacturer and nation of origin of all imported products.

A tariff on the full value of the unit or product imported, not merely on the so-called "value added" abroad.

A clearly-defined international program to raise substandard wage levels.

Measures to limit the export of capital, including a tax thereon.

Public ownership of patents developed in public programs and/or with public funds.

Quotas, either voluntary or involuntary, limiting the imports and import growth of products and components whose rate of import growth since 1966 has exceeded a stated percentage—with provisions for extension to other products and components whenever the rate of import increases during two successive years seems excessive.

Adjustment assistance for all workers displaced by a rise in imports, where the import rise can be shown to be a major or a significantly contributing cause of such displacement.

Conference chairman I. W. Abel, IUD and Steelworkers president, said the objective is not "free trade" but "fair trade"—expanded fair trade that expands employment here and abroad. And he closed the conference with a pledge there will be action.

Mr. HANSEN. Mr. President, I appreciate the leadership that has been displayed by our esteemed colleague from New Hampshire. He is exactly right. Not only is American industry solidly behind Secretary Stans, but the American workingman also is solidly behind Secretary Stans. I am proud to associate myself with the Senator.

Mr. COTTON. Mr. President, I thank the distinguished Senator from Wyoming.

I wish to close with this statement. Maurice Stans needs no defense on the floor of the Senate or in any other forum. He has long been known and long ago established his place as a great American. He served as Director of the Bureau of the Budget with distinction and with skill. He was selected by the President as Secretary of Commerce. It was a wise selection. There is no question in my mind but what he has the complete confidence of the President. As he performs his duties and defines the policies of his Department he is careful, he is tactful, and he can be depended upon to commit no heedless or ill-considered action to disrupt this Nation's relations abroad. But he is also firm. He stated to many of us that he is going to exhaust every last resource of negotiation before he takes other steps, but if negotiations fail, then he would be prepared to advocate action on the part of Congress, if necessary, to preserve the jobs of our workingmen.

Something has been said in these remarks about what is going to happen or may happen to those who are employed in industrial plants of this Nation.

Mr. President, it has already happened and is continuing to happen. In my State within the past 2 or 3 weeks we have lost still more of our shoe industry and the same is true all over the country with many other kinds of commodities. I have constantly fought to protect our people in their jobs and protect our plants, and will continue to do so.

In the words of Winston Churchill, who said he did not become Prime Minister to preside over the liquidation of the British Empire, we in the Senate did not come here to preside over the fall of American industry which is our first and last line of defense and which preserves our standard of living.

Secretary Stans has now proclaimed that he did not become Secretary of Commerce to preside over the dissolution of American industry and the prosperity of the American worker. We honor him for that. As was indicated very recently, I think that he has not only the support of the President of the United States; I believe he has the support of the Congress.

While it was needless to defend him today, I did not want to let this attack upon him pass unnoticed, because it is time people woke up to what we are up against.

I thank the Senate. I yield the floor.

ADJOURNMENT TO THURSDAY, APRIL 23, 1970

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock meridian Thursday next.

The motion was agreed to; and (at 3 o'clock and 31 minutes p.m.), the Senate adjourned until Thursday, April 23, 1970, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 20, 1970:

U.S. Air Force

The following officers for appointment as Reserve commissioned officers in the U.S. Air Force to the grade indicated, under the provisions of chapters 35 and 837, title 10, of the United States Code:

To be major general

Brig. Gen. I. G. Brown, 430-10-2487FG, Arkansas Air National Guard.

To be brigadier general

Col. John J. Pesch, 065-16-6597FG, Maine Air National Guard.

The following officers to be placed on the retired list, in the grade indicated, under the provisions of section 8962, title 10, of the United States Code:

In the grade of lieutenant general

Lt. Gen. Thomas S. Moorman, 213-38-3436FR (major general, Regular Air Force), U.S. Air Force.

Lt. Gen. Kenneth E. Pletcher, 452-64-5656FR (major general, Regular Air Force Medical), U.S. Air Force.

Maj. Gen. Alonzo A. Towner, 518-05-1741FR, Regular Air Force Medical, for appointment as surgeon general of the Air Force, in the grade of lieutenant general, for the period beginning from May 1, 1970, and ending on September 30, 1972. This nomination is made under the provisions of section 8036, title 10, of the United States Code.

In the Air Force

The nominations beginning Lawrence M. Johnson, to be captain, and ending Albert W. Zukatis, to be 2d lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on March 17, 1970; and

The nominations beginning William F. Nugent, to be lieutenant colonel, and ending Lt. Col. Robert W. Lamb, to be permanent professor, U.S. Air Force Academy, which nominations were received by the Senate and appeared in the Congressional Record on March 24, 1970.

In the Army

The nominations beginning Charles A. Krebs, Jr., to be 2d lieutenant, and ending Ralph C. Zychowicz, to be 2d lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on March 13, 1970.

In the Marine Corps

The nominations of Albert F. Schoepper, to be colonel, and Dale L. Harpham, to be major, which nominations were received by the Senate and appeared in the Congressional Record on April 1, 1970.

HOUSE OF REPRESENTATIVES—*Monday, April 20, 1970*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Remember the day in which you came out of the land of slavery; for it was by a strong hand that the Lord brought you out.—Exodus 13: 3.

O Lord our God, and God of our fathers, we greet Thee at the beginning of another week and on the eve of the Passover of our Hebrew brethren. As Thou didst lead the children of Israel out of the house of bondage into the promised land of liberty, so do Thou lead us into a new day of greater justice, of larger freedom, and of a finer spirit on the part of all our people.

Cleanse the hearts of men of the passions of hate and strife, of greed and lust for power, and fill them with faith and hope and love. Speed the Passover of the future when injustice shall cease, intolerance shall vanish, and freedom and peace shall reign forever. Hasten the day when all men shall learn that they are brothers and with joy proclaim Thee the God and Father of us all.

And we thank Thee for the safe return of our astronauts.

In Thy holy name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, April 16, 1970, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 3544. An act to amend the Arms Control and Disarmament Act in order to extend the authorization for appropriations; and

S. 3685. An act to increase the availability of mortgage credit for the financing of urgently needed housing, and for other purposes.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 743) entitled "An act to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. CHURCH, Mr. MOSS, Mr. ALLOTT, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

The message also announced that the Senate disagress to the amendments of the House to the bill (S. 2062) entitled "An act to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Federal reclamation law, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. CHURCH, Mr. MOSS, Mr. ALLOTT, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

SALUTE TO APOLLO 13 ASTRONAUTS

(Mr. McCORMACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCORMACK. Mr. Speaker, on behalf on the House of Representatives I wish to extend my hearty congratulation to astronauts James A. Lovell, Jr., Fred W. Haise, Jr., and John L. Swigert, Jr., upon their return from their perilous journey. The prayers and hopes of every Member of this body, as those of the American people, rode with these talented and courageous men every hour of their perilous return trip to earth. I salute them for an unmatched display of fortitude and the remarkable level of skill which they displayed throughout their trying experience. Their performance has been in the finest tradition of the American Nation. But in a larger sense their ordeal has been that of all mankind. The entire world without regard to political or geographical divisions literally held its breath during the past week, pushing aside momentarily the mundane things which divide the human occupants of this globe, and transfixed its eyes and hopes on these men, humanity's representatives on the 20th century frontier—outer space. All Americans should be truly grateful for the expressions of hope and offers of assistance which emanated from so many nations during what was truly our hour of national travail.

There may be a small minority who will urge that we pull back in our space efforts. This is not my position. Neither am I convinced will it be the view of the Congress or the overwhelming majority of the American people. This country has committed itself to exploration of space as one of highest national priority. We have done so not as a matter of national chauvinism, but rather in the interests of all mankind. The frontier of the remaining years of the 20th century and, yes, the 21st century, lies in space. The space program which we have pursued during the past decade has been eminently successful and its ultimate rewards will be enjoyed by the entire world. Let us profit from this one failure and go on to greater successes in the future. To do anything less would be an abdication of this Nation's responsibilities as the scientific leader of the world, and a betrayal of the pioneer traditions of our forefathers.

Again, as Speaker of the House of Representatives, I extend my hearty congratulations upon the safe return to earth of astronauts James A. Lovell, Jr., Fred W. Haise, Jr., and John L. Swigert, Jr.

Mr. GERALD R. FORD. Mr. Speaker, would the distinguished Speaker yield?

Mr. McCORMACK. I will be glad to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I commend the distinguished Speaker for the beautiful and richly deserved tribute to the three astronauts who successfully concluded their mission despite the unfortunate disappointments during the mission itself.

All of us sat, watched, and listened to their historic return and, thank goodness and thank God, they were brought back safely. All of us are happy and proud that they were.

I share likewise the views of the distinguished Speaker in reference to our space program. It is one of the great achievements of our Nation.

I had the privilege of working with the distinguished Speaker on the select committee when the program was initially begun back in 1958. The distinguished Speaker at that time was chairman of the House select committee and did an outstanding job in developing the charter of the National Aeronautics and Space Agency. The accomplishments of that group of pioneers in NASA have made a superlative contribution to the prestige and scientific progress of the United States in the last decade.

I extend to the astronauts, to their families, and to all connected with the mission the heartiest congratulations from all Members of the House of Representatives.

Mr. McCORMACK. I appreciate very much the remarks of my distinguished friend from Michigan.

PRIMARY ELECTION IN ALABAMA

(Mr. FLOWERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLOWERS. Mr. Speaker, the 1970 Democratic Party primary in my State of Alabama, is set for May 5, and I am amused and amazed at the apparent interest shown by the eastern press, nationally syndicated columnists, certain elements of both national political parties, and a particular agency of the Federal Government.

I am amused, Mr. Speaker, that this primary election is the subject of so much national interest and concern. Futhermore, I am amazed, Mr. Speaker, that outside persons or agencies may be trying to influence the outcome.

We do not need a syndicated national columnist alluding to or speculating about an alleged Internal Revenue Service investigation of prominent political figures in our State, nor do we think the IRS should conduct any such investigations with political motivations. The timing would certainly indicate they are not in the regular course of that agency's work.

Let me say one more word about the editorials and reports concerning our election which have appeared in outside press sources: They must be authored by persons with little knowledge of Alabama politics and voters. The enthusiastic efforts of those with an outside interest in securing the defeat of a former Governor who was also a Presidential candidate could most likely have an effect contrary to their intent. We are independent people in Alabama, and fully capable of deciding for ourselves the man who is to be our Governor for the next 4 years without the intervention of any outsiders.

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CONDUCT OF JUSTICE DOUGLAS

(Mr. WYMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYMAN. Mr. Speaker, I am today introducing a resolution identical to that introduced by me in this body on April 16 to establish a select committee to study certain allegations regarding the activities and conduct of Associate Justice William O. Douglas. I do this to include the names of several Members who were inadvertently omitted from last Thursday's resolutions through no fault of their own.

There are now 110 cosponsors of this resolution requesting that a select committee undertake this investigation.

When such a substantial segment of the entire House of Representatives undertake to cosponsor legislation for a select committee whose life by the terms of the resolution would be limited to 90 days, it is reason to grant a rule and permit the House to vote to determine whether or not this shall be done. I certainly hope the distinguished gentleman from Mississippi who chairs the Rules Committee, will set House Resolution 922 for hearing at the earliest possible opportunity.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

ADDITIONAL FINANCIAL ASSISTANCE FOR ICE AGE NATIONAL SCIENTIFIC RESERVE, WIS.

The Clerk called the bill (H.R. 4172) to authorize the Secretary of the Interior to provide additional financial assistance for development and operation costs of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

GOLD AND SILVER ARTICLES—CONSUMER PROTECTION

The Clerk called the bill (H.R. 8673) to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

AMENDING UNITED STATES CODE TO BROADEN AUTHORITY OF SECRETARIES OF MILITARY DEPARTMENTS TO SETTLE CERTAIN ADMIRALTY CLAIMS ADMINISTRATIVELY

The Clerk called the bill (H.R. 16417) to amend title 10, United States Code, to broaden the authority of the Secretaries of the military departments to settle certain admiralty claims administratively, and for other purposes.

There being no objection, the Clerk read the bill as follows:

H.R. 16417

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended as follows:

(1) The section heading for section 4802, and section 4802(a), are amended to read as follows:

"§ 4802. Admiralty claims against the United States

"(a) The Secretary of the Army may settle or compromise an admiralty claim against the United States for—

"(1) damage caused by a vessel of, or in the service of the Department of the Army or by other property under the jurisdiction of the Department of the Army;

"(2) compensation for towage and salvage service, including contract salvage, rendered to a vessel of, or in the service of, the Department of the Army or to other property under the jurisdiction of the Department of the Army; or

"(3) damage caused by a maritime tort committed by an agent or employee of the Department of the Army or by property under the jurisdiction of the Department of the Army."

(2) Chapter 451 is amended by striking out the following item in the analysis:

"4802. Damage by United States vessels; towage and salvage of United States vessels."

and inserting the following item in place thereof:

"4802. Admiralty claims against the United States."

(3) The text of section 4804 is amended to read as follows:

"(a) The Secretary of the Army may settle, or compromise, and receive payment of a claim by the United States for salvage services performed by the Department of the Army. Amounts received under this section shall be covered into the Treasury.

"(b) In any case where the amount to be received by the United States is not more than $10,000, the Secretary of the Army may delegate his authority under subsection (a) to any person designated by him."

(4) Section 7622(a) is amended to read as follows:

"(a) The Secretary of the Navy may settle, or compromise, and pay in an amount not more than $1,000,000, an admiralty claim against the United States for—

"(1) damage caused by a vessel in the naval service or by other property under the jurisdiction of the Department of the Navy;

"(2) compensation for towage and salvage service, including contract salvage, rendered to a vessel in the naval service or to other property under the jurisdiction of the Department of the Navy; or

"(3) damage caused by a maritime tort committed by any agent or employee of the Department of the Navy or by property under the jurisdiction of the Department of the Navy."

(5) The section heading for section 9802, and section 9802(a), are amended to read as follows:

"§ 9802. Admiralty claims against the United States

"(a) The Secretary of the Air Force may settle or compromise an admiralty claim against the United States for—

"(1) damage caused by a vessel of, or in the service of, the Department of the Air Force or by other property under the jurisdiction of the Department of the Air Force;

"(2) compensation for towage and salvage service, including contract salvage, rendered to a vessel of, or in the service of, the Department of the Air Force or to other property under the jurisdiction of the Department of the Air Force; or

"(3) damage caused by a maritime tort committed by any agent or employee of the Department of the Air Force or by property under the jurisdiction of the Department of the Air Force."

(6) Chapter 951 is amended by striking out the following item in the analysis:

"9802. Damage by United States vessels; towage and salvage of United States vessels."

and inserting the following item in place thereof:

"9802. Admiralty claims against the United States."

(7) The text of section 9804 is amended to read as follows:

"(a) The Secretary of the Air Force may settle, or compromise, and receive payment of a claim by the United States for salvage services performed by the Department of the Air Force. Amounts received under this section shall be covered into the Treasury.

"(b) In any case where the amount to be received by the United States is not more than $10,000, the Secretary of the Air Force may delegate his authority under subsection (a) to any person designated by him."

(8) The text of section 7365 is amended to read as follows:

"The Secretary of the Navy, or his designee, may consider, ascertain, adjust, determine, compromise, or settle and receive payment of any claim by the United States for salvage services rendered by the Department of the Navy."

SEC. 2. (a) The section heading for section 646, and section 646, title 14, United States Code, are revised to read as follows:

"§ 646. Admiralty claims against the United States

"(a) The Secretary may consider, ascertain, adjust, determine, compromise, or settle, and pay in an amount not more than $100,000, an admiralty claim against the United States for—

"(1) damage caused by a vessel in the Coast Guard service or by other property under the jurisdiction of the Department in which the Coast Guard is operating;

"(2) compensation for towage and salvage services, including contract salvage, rendered to a vessel in the Coast Guard service or to other property under the jurisdiction of the Department in which the Coast Guard is operating; or

"(3) damage caused by a maritime tort committed by any agent or employee of the Department in which the Coast Guard is operating or by property under the jurisdiction of that Department.

"(b) Upon acceptance of payment by the claimant, the settlement or compromise of a claim under this section is final and conclusive notwithstanding any other law.

"(c) If a claim under this section is settled or compromised for more than $100,000, the Secretary shall certify it to Congress."

(b) Chapter 17 of title 14, United States Code, is amended by striking out the following item in the analysis:

"646. Claims for damages occasioned by vessels."

and inserting the following item in place thereof:

"646. Admiralty claims against the United States."

SEC. 3. Section 9 of the Act of March 9, 1920, as amended (41 Stat. 527, as amended; 46 Stat. 749) is amended by striking out the words "having control of the possession or operation of any merchant vessel".

With the following committee amendment:

On page 6, line 15, strike "46 Stat. 749" and insert "46 U.S.C. 749".

The committee amendment was agreed to.

(Mr. DONOHUE asked and was given permission to revise and extend his remarks at this point.)

Mr. DONOHUE. Mr. Speaker, H.R. 16417 provides for amendments to statutes providing for administrative settlement of admiralty claims and salvage claims. Its provisions are based on the recommendations of the Department of the Navy in an executive communication. In addition, the bill contains language recommended by the Department of Transportation in behalf of the Coast Guard and by the Department of Justice.

The amendments to sections in title 10, title 14, and the Suits in Admiralty Act add language making it possible to settle admiralty claims within the full range of admiralty jurisdiction now provided in the Federal courts. In 1960, the Suits in Admiralty Act was amended to clarify this jurisdiction as to suits against the United States, however, parallel amendments were not made to the sections providing for administrative settlement prior to suit. This bill makes those parallel amendments.

The amendments concerning administrative settlement of admiralty claims were originally proposed only as to sections 4802, 7622, and 9802 of title 10. As has been noted, parallel amendments are included in this bill as to the Coast Guard in section 646 of title 14 and as to section 9 of the Suits in Admiralty Act. Accordingly, a discussion of the amendments to title 10 will serve to explain the purpose and scope of the amendments. The Secretaries of the military departments have the authority to settle claims for damage caused by a vessel. The amendments authorize the settlement of claims of an admiralty nature for damages caused by departmental agents and employees or caused by property of the department.

Claims based on damages caused by departmental agents or by property of a department fall within the admiralty judisdiction of the Federal courts and suit is permitted in such cases under the Suits in Admiralty Act (46 U.S.C. 741–752); however, the settlement authority found in sections 4802 and 9802 of title 10 is limited to claims for "damage caused by a vessel of, or in the service of" the Army in the case of section 4802 or the Air Force under section 9802. Section 7622 concerns the Navy and the settlement authority under that section is limited to claims for damage caused by a vessel in the naval service. These sections are included in title 10 to provide the authority for the expeditious settlement of admiralty claims.

Settlements under the authority of these sections provide a means of avoiding unnecessary litigation. Settlement of this type also provides a means of eliminating unnecessary delay and expense to both the injured party and the Government. As was stated in the committee report, the executive communication notes that the present law is deficient in that it is not possible to settle all claims that are presently cognizable under the Suits in Admiralty Act. In 1960 the Suits in Admiralty Act was amended to clarify the jurisdiction of the district courts in these very situations. The 1960 amendment, added by the Act of September 13, 1960 (Public Law 86–770, sec. 3, 74 Stat. 912), amended section 2 of the Suits in Admiralty Act (46 U.S.C. 742) by providing that actions can be brought against the United States or a corporation owned by the United States in instances where a proceeding in admiralty could be maintained "if a private person or property were involved." This jurisdiction therefore extends to the full range of admiralty cases which might have been maintained had a private person or property been involved rather than the Government or its agents and employees or property. The legislative history of the 1960 amendment serves to emphasize this point. The Senate report (S. Rept. 1894, 86th Cong., 2d sess.) which accompanied H.R. 5396, which was enacted as Public Law 86–770, noted that, while the original Suits in Admiralty Act provided for an action against the United States in cases where an admiralty proceeding might have been maintained if privately owned vessels or cargo had been involved, it did not mention private persons and property, generally. The report pointed out that litigants had difficulty in determining their rights to bring actions against the United States because of uncertainty and obscurity in the language of the law defining the jurisdiction of the courts. Accordingly, the Senate committee recommended the amendment to section 2 of the Suits in Admiralty Act and stated concerning the revised language:

> It restates in brief and simple language the now existing exclusive jurisdiction conferred on the district courts, both on their admiralty and law sides, over cases against the United States which could be sued on in admiralty if private vessels, persons, or property were involved.

Whereas, this amendment was made to section 2 of the Suits in Admiralty Act, parallel amendments were not made to sections 4802, 7622 and 9802 of title 10 so as to provide for the same authority for settlement of admiralty claims by the military departments within the statutory monetary limits fixed in those sections.

With the amendments to the three sections, 4802, 7622, and 9802 of title 10, recommended by the Navy, it will also be possible to settle or compromise admiralty claims against the United States for damage caused by property other than vessels. Several examples will serve to illustrate the nature of these claims. Damage to private vessels could be caused by the improper handling of pier fenders or camels alongside a military pier, or by such fenders or camels while floating free in a slip or harbor after breaking loose from their moorings. A claim might result from damage attributable to Government structures surrounded by navigable waters such as artificial islands or structures which might not be lighted or properly lighted. Damage caused by negligent operation of airplanes, helicopters, and drones on navigable waters also could be included as examples of property whose use could give rise to claims. Finally the committee has been advised that it is possible that lost or sunken ordinance could cause damage to fishermen's nets or vessels and give rise to claims which could be considered under the language added by the bill.

The bill would also provide for amendments to the three sections permitting

XUM

the settlement of admiralty claims for damage caused by maritime torts committed by departmental agents or employees. For example, Navy civil service personnel are employed to pilot commercial ships into and out of some harbors, as well as berthing and unberthing commercial ships at Navy installations. Should the negligence of such a pilot cause damage to the commercial ship it could not be settled under the present provisions of section 7622, but with the amendments added by this bill such a claim could be considered and settled. Another example of damage by personnel would be damage caused to a commercial ship by negligence of civil service longshoremen. Damage could also be caused to private property or a person by negligence of Government personnel operating on or from a structure which is not a vessel such as a platform for scientific observation and research or ocean data acquisition equipment. Personnel could also cause damage to a commercial ship in the operation of a gantry or shoreside operated crane or train.

As amended by the bill, sections 4802 (a)(3), 7622(a)(3), and 9802(a)(3) all provide for settlement authority as to damage caused by a maritime tort attributable to "property under the jurisdiction of" a military department. This provision is intended to provide for the authority to settle claims based on damage to property caused by the improper packaging or marking of Navy cargo. It would also cover a case where an unseaworthy cargo container or package permitted a longshoreman to fall through an outer covering and injure himself.

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Of course, the examples outlined above do not cover all the factual situations which could produce potential litigation and claims which could be settled under the amendments added by the bill. They are merely intended to provide an indication of the types of claims which would be included in the scope of the proposed provisions. They also serve to emphasize the fact that there is serious deficiency in the existing provisions of the law and therefore that there is practical need for the amendments contained in this bill.

At the hearing held on the bill, H.R. 15623, on February 26, 1970, the representatives of the Coast Guard pointed out that section 646 of title 14 provides similar authority for the settlement of admiralty claims based on damage arising from Coast Guard activity to that contained in sections 4802, 7622, and 9802 of title 10. It was further pointed out that section 646 of title 14 should contain the same provisions concerning the settlement of admiralty claims as the sections of title 10 relating to the settlement of admiralty claims by the Secretaries of the military departments. In a report to the committee on the earlier bill, the Coast Guard recommended an amendment which would follow the form of those contained in the bill with reference to the Army, Navy, and Air Force. It also provides that the limitation on claims authority be raised from $25,000 to the more realistic sum of $100,000. The bill H.R. 16417 embodies the language recommended by the Coast Guard making this amendment to section 646.

At the same hearing, the representative of the Justice Department pointed out that, in a similar manner, section 9 (46 U.S.C. 749) of the Suits in Admiralty Act, providing for arbitration, compromise, or settlement of claims, still contains language which limits the authority to settle admiralty claims to departments or corporations "having control of the possession or operation of any merchant vessel." The witness observed that this limitation has a similar effect as those described in relation to the military departments and the Coast Guard in that the authority is tied to claims arising in connection with vessels and does not appear to extend to admiralty claims for damage associated with property or personnel.

Accordingly, the Department of Justice recommended that section 9 of the Suits in Admiralty Act (41 Stat. 527; 46 U.S.C. 749) be amended by striking out the words "having control of the possession or operation of any merchant vessel." The report of the Department of Justice noted that while the original bill, H.R. 15623, would fill existing gaps in settlement authority of the military departments, it left unchanged similar gaps in the admiralty claims settlement authority of other departments. In recommending the amendment to section 9 of the Suits in Admiralty Act (46 U.S.C. 749), the Department of Justice noted that this is the section which provides basic authority for administrative settlement of admiralty claims by other departments of Government.

While the section specifically authorizes the settlement of claims in which suit might be brought under sections 2, 4, and 10 of that act, it can only be exercised by agencies having control of the possession or operation of a merchant vessel. One department restricted in this manner is the Department of Agriculture when it is barred from settling a claim relating to the cargo of a vessel even though the claim could give rise to a suit under section 2 of the Suits in Admiralty Act. At the hearing the Justice Department witness pointed out that civilian departments such as the Department of Agriculture ship cargo and perform services which can give rise to claims suable under the Suits in Admiralty Act. The committee has therefore determined that the same need exists for the elimination of the restrictive language in the general settlement authority of section 9 of that act as there is for the amendments providing parallel authority in sections in titles 10 and 14 concerning the settlement of admiralty claims by the military departments and the Coast Guard.

The executive communication observed that prior to the 1960 amendment of the Suits in Admiralty Act, a limited amount of settlement authority existed under the tort claims provisions of title 28. This was removed when the act was amended since section 2680 of title 28 expressly bars claims for which a remedy is provided by the Suits in Admiralty Act. The tort claims administrative settlement authority at that time was limited to claims of $2,500 or less and obviously existed only because of the failure to include language in the Suits in Admiralty Act providing full jurisdiction over admiralty actions. This deficiency was remedied by the 1960 amendment. As has been stated, the committee views the amendments provided in this bill as a logical parallel to the 1960 amendment.

The bill H.R. 16417 also provides for amendments to sections of title 10 providing for the settlement of claims for towage and salvage services. Sections 4802, 7622, and 9802 of title 10 presently provide authority to the Secretaries of the military departments to settle claims against the United States for compensation for towage and salvage service, including contract salvage rendered to a vessel of, or in the service of, their respective military departments. This language does not provide authority for the settlement of similar claims for towage and salvage service rendered in connection with other property of a military department. The bill would correct this deficiency by authorizing the Secretary of a military department to settle claims of this type by adding amendments to sections 4802 (a)(2), 7622(a)(2), and 9802(a)(2). As is pointed out in the communication, developments since 1944 in the law applicable to salvage claims have disclosed a trend which provides for salvage awards on a broader scope than merely for services rendered to vessels. At the hearing on the bill, the witness in behalf of the Air Force pointed out that the present provisions do not permit the payment of salvage claims by the Air Force for the salvage of property of that department which may be the subject of salvage. One example cited at the hearing was one of drone aircraft which may come down in the ocean and be found by fishermen. The committee was also advised that claims have been made for other properties that have been jettisoned from aircraft such as tip tanks or cargo. This provision will not change existing practices followed by the Navy where the Commander of Military Sea Transportation Service settles and pays salvage claims against military government cargo shipped in ocean transportation.

The bill provides for similar amendments to sections 4804, 7365, and 9804 of title 10 concerning salvage claims asserted by the United States for salvage services performed by a military department. Here again the amendment is to provide for the settlement of salvage claims for salvage services rendered for other property as well as vessels. This, of course, is a similar provision to that proposed as amendments to the three sections concerning salvage against the United States. This is accomplished by eliminating a restriction that the Secretaries would be authorized to settle claims "for any vessel." This deletion broadens the authority of the Secretary of a military department to settle such claims.

The bill provides for amendments to section 4804 and 9804 authorizing the Secretaries of the Army or the Air Force to delegate his authority to settle claims of the United States for salvage service performed by his department when the amount to be received is less than $10,-

000. This is accomplished by designating the present language of the sections, as amended, as subsection (a) and adding a new subsection (b) granting authority to the respective Secretaries to delegate this authority in this manner. The executive communication observes that the Secretary of the Navy presently has the authority to designate another person to settle this type of a claim. Since the Secretary of the Army and the Secretary of the Air Force do not have the statutory authority to delegate this settlement function, the amendments to the two sections will grant this authority as defined in the amendment.

The proposed legislation would also delete from the affected Army and Air Force settlement provisions the present wording to the effect that the settlement authority of the Secretary concerned is under the direction of the Secretary of Defense. The Secretary of Defense has this authority without specific provision in these sections. Elimination of the wording, therefore, does not lessen the authority of the Secretary of Defense. There is no such wording in the Department of the Navy provisions, and in practice the Departments of the Army, Navy, and Air Force coordinate their admiralty policies.

The recommendations contained in the executive communication and in the reports of the Department of Justice and the Department of Transportation provide a clear basis for the amendments contained in this bill. The authority to settle claims under these sections is exercised in accordance with the principals of admiralty law. These amendments are intended to make it possible to fully consider admiralty claims for administrative settlement in accordance with these principals and judicially established precedents. These amendments fill an obvious need and are a logical extension of the presently effective provisions for administrative settlement. The committee urges favorable consideration of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SHERMAN, TEX., TO CONSTRUCT A BARRIER IN DENISON DAM (LAKE TEXOMA), RED RIVER, TEX. AND OKLA., FOR PROVIDING A MUNICIPAL AND INDUSTRIAL WATER SUPPLY

The Clerk called the bill (H.R. 15207) to provide for a modification of the project for Denison Dam (Lake Texoma), Red River, Tex. and Okla., authorized by the Flood Control Act of 1938, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I have just been advised that there are favorable departmental reports. May I ask, Mr. Speaker, if these will be included in the recommendation that this bill do pass by unanimous consent under the Consent Calendar?

Mr. ROBERTS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman.

Mr. ROBERTS. The copy of the letter which we delivered to you will be made a part of the RECORD.

Mr. HALL. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

Mr. ROBERTS. I thank the gentleman.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

H.R. 15207

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the project for Denison Dam (Lake Texoma), Red River, Texas and Oklahoma, authorized by the Flood Control Act of 1938 (52 Stat. 1215), as amended, is hereby modified to provide that the city of Sherman, Texas, is authorized to construct a barrier dam across the Big Mineral Arm of Lake Texoma so as to create a subimpoundment of not to exceed ninety-five thousand acre-feet, for the purpose of providing a municipal and industrial water supply in an amount not to exceed fifty-two thousand acre feet annually. The city of Sherman shall reimburse the United States the costs, allocable to an amount of storage in Lake Texoma equal to that in the subimpoundment, in accordance with the provisions of the Water Supply Act of 1958, as amended (43 U.S.C. 390 (b)-(f), including the loss in power revenues attributable to the subimpoundment.

SEC. 2. The location and plans for the barrier dam shall be submitted to the Chief of Engineers and the Secretary of the Army for approval prior to construction in accordance with section 9 of the Act of March 3, 1899 (33 U.S.C. 401).

SEC. 3. Prior to construction of the barrier dam, the city of Sherman shall agree in writing to (a) provide satisfactory means for the transferral of small pleasure craft to and from the subimpoundment and Lake Texoma; (b) obtain any necessary State water rights required for use of the stored waters; (c) hold and save the United States free from all damages due to construction, operation, and maintenance of the barrier dam and subimpoundment; and (d) operate and maintain the barrier dam and subimpoundment in accordance with regulations issued by the Secretary of the Army.

With the following committee amendments:

Page 2, line 4, immediately after the word "costs" insert the following: ", as determined by the Secretary of the Army, acting through the Chief of Engineers,".

Page 2, line 21, after the semicolon strike out "and".

Page 2, line 24, strike out the period and insert in lieu thereof the following: "; and (e) pay the costs of any alterations or relocations of Federal facilities necessitated by the subimpoundment."

The committee amendments were agreed to.

(Mr. ROBERTS asked and was given permission to revise and extend his remarks at this point and to include a letter.)

Mr. ROBERTS. Mr. Speaker, Denison Dam and Lake Texoma were constructed and are maintained by the Corps of Engineers pursuant to Public Law 766, 75th Congress, in accordance with House Document 541, 75th Congress.

Public Law 85-146, 85th Congress, authorized the Corps of Engineers to contract with the city of Sherman, Tex., for the storage of 41,000 acre-feet of water in Lake Texoma. Studies by the city and the Corps of Engineers indicate that Lake Texoma, as it now exists is not a suitable source of water supply for municipal use. However, the studies do show that the isolation of Big Mineral Arm from Lake Texoma with a suitable dam would provide around 70,000 acre-feet of high-quality surface water for the domestic and industrial uses of the city of Sherman.

In March 1967 the city of Sherman, Tex., requested from the Corps of Engineers, permission to construct a water supply dam across the Big Mineral Arm, Lake Texoma. Upon receipt of this request, the corps conducted detailed studies in 1967 and 1968, and determined that a dam across the Big Mineral Arm of Lake Texoma would not appreciably affect the present operations of Denison Dam—Lake Texoma—for the purposes of flood control, hydroelectric power and recreation. Because of the urgent needs of the city of Sherman, Tex., the Tulsa District Corps of Engineers recommended that the city be granted permission to construct a water supply dam on the Big Mineral Arm, subject to compliance by the city with certain specified requirements.

Initial indications from the Director of Civil Works, Corps of Engineers, were that construction of the dam would require only the approval of the Secretary of the Army. However, the Chief Counsel, Corps of Engineers, subsequently ruled that this dam would cross a navigable water of the United States and in accordance with section 9 of the act of March 3, 1899 (33 U.S.C. 401), the specific approval of Congress and a Corps of Engineers permit is required before construction can be undertaken.

This bill, H.R. 15207, grants the statutory authority necessary for the construction of this barrier dam.

The city of Sherman is the largest city in Texas totally dependent upon wells for its municipal water supply. It has no surface water source to supply its increasing municipal and industrial needs. The close proximity of Lake Texoma to the city of Sherman would minimize the cost of a transmission line. Population growth to the north and northwest also makes this location desirable as a water supply site.

The enactment of this legislation will result in no costs to the Federal Government. The city will not only pay all costs for the construction, operation, and maintenance of the barrier dam and subimpoundment, but will also reimburse the United States for the cost allocable to an amount of storage in Lake Texoma equal to that in the subimpoundment, including the loss in power revenues attributable to the subimpoundment. This determination will be made by the Secretary of the Army, acting through the Chief of Engineers. The city of Sherman will also be required to reimburse the United States for costs of any relocations of Federal facilities necessitated by the subimpoundment.

The bill also provides for approval by the Secretary of the Army and the Chief of Engineers of the location and plans for the barrier dam. The city of Sherman has already agreed in writing to: First, provide satisfactory means for

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transferral of small pleasure craft to and from the subimpoundment and Lake Texoma; second, obtain any necessary State water rights required for the use of the stored waters; third, hold and save the United States free from all damages due to construction, operation, and maintenance of the barrier dam and subimpoundment, and fourth, operate and maintain the barrier dam and subimpoundment in accordance with the regulations of the Secretary of the Army.

It is recommended that H.R. 15207, with committee amendments, be considered favorably.

Mr. Speaker, a letter from the Department of the Army is as follows:

DEPARTMENT OF THE ARMY,
Washington, D.C., April 20, 1970.
Hon. GEORGE H. FALLON,
Chairman, Committee on Public Works, House of Representatives.

DEAR MR. CHAIRMAN: This is in answer to your telephonic request for our views on H.R. 15207, 91st Congress, a bill "To provide for a modification of the project for Denison Dam (Lake Texoma), Red River, Texas and Oklahoma, authorized by the Flood Control Act of 1938, and for other purposes."

This bill, as reported out by your committee, would grant the consent of Congress to the construction by the city of Sherman, Texas, of a barrier dam in Lake Texoma, which is the reservoir formed by the Denison Dam in order to provide a municipal and industrial water supply for the city of Sherman, Texas. Denison Dam and Lake Texoma were constructed and are maintained by the Corps of Engineers.

The first section of the bill provides that the city will reimburse the United States the cost allocable to an amount of storage in Lake Texoma equal to that in the subimpoundment, in accordance with the provisions of the Water Supply Act of 1958, including the loss in power revenues attributable to the subimpoundment.

Section 2 of the bill provides for approval by the Secretary of the Army and the Chief of Engineers of the location and plans for the barrier dam as required by section 9 of the act of March 3, 1899 (33 U.S.C. 401).

Section 3 of the bill requires the city of Sherman to agree in writing to certain requirements before construction of the barrier dam. These requirements are (1) to provide satisfactory means for transferral of small pleasure craft to and from the subimpoundment and Lake Texoma, (2) to obtain any necessary State water rights required for use of the stored waters, (3) to hold and save the United States free from all damages due to construction, operation, and maintenance of the barrier dam and subimpoundment, (4) to operate and maintain the barrier dam and subimpoundment in accordance with regulations of the Secretary of the Army, and (5) to reimburse the United States for costs of any relocations of Federal facilities necessitated by the subimpoundment.

Studies by the city and the Corps of Engineers have indicated that Lake Texoma as it now exists is not a suitable source of water supply for municipal use. However, the studies indicated that the isolation of Big Mineral Arm from Lake Texoma with a suitable dam will provide a substantial volume of high quality surface water for the domestic and industrial uses of the city of Sherman.

The subimpoundment would not appreciably affect the present operation of Denison Dam (Lake Texoma) for the purposes of flood control, hydroelectric power and recreation. The provisions in section 3 of the bill, particularly those concerning the approval of the plans and operation by the Secretary of the Army, and the requirement that the United States be reimbursed for any relocations of Federal facilities, are considered to adequately protect our interests.

You understand, of course, that this does not necessarily represent the final position of the Department of the Army. Under Departmental practices, official expressions on the merits of proposed legislation are made by the Secretary of the Army only after coordination with the Bureau of the Budget.

Sincerely,
ROBERT E. JORDAN III,
Special Assistant to the Secretary of the Army (Civil Functions).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAMING THE FEDERAL OFFICE BUILDING AND U.S. COURTHOUSE IN CHICAGO, ILL., IN HONOR OF THE LATE EVERETT McKINLEY DIRKSEN

The Clerk called the bill (S. 3253) to provide that the Federal Office Building and U.S. Courthouse in Chicago, Ill., shall be named the "Everett McKinley Dirksen Building East" and that the Federal office building to be constructed in Chicago, Ill., shall be named the "Everett McKinley Dirksen Building West" in memory of the late Everett McKinley Dirksen, a Member of Congress of the United States from the State of Illinois from 1933 to 1969.

There being no objection, the Clerk read the bill as follows:

S. 3253

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Office Building and United States Court House at 219 South Dearborn Street in Chicago, Illinois, shall be renamed the "Everett McKinley Dirksen Building East" and that the Federal office building to be constructed at 230 South Dearborn Street in Chicago, Illinois, shall be named the "Everett McKinley Dirksen Building West" in memory of the late Everett McKinley Dirksen, a distinguished Member of the United States House of Representatives from the State of Illinois from 1933 to 1949 and of the United States Senate from 1950 to 1969. Any reference to the Federal Office Building and United States Courthouse at 219 South Dearborn Street in Chicago, Illinois, in any law, regulation, document, record, map, or other paper of the United States shall be deemed a reference to such building as the "Everett McKinley Dirksen Building East". Any reference to the Federal office building to be constructed at 230 South Dearborn Street, Chicago, Illinois, in any law, regulation, document, record, map, or other paper of the United States shall be deemed a reference to such building as the "Everett McKinley Dirksen Building West".

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Federal Office Building and United States Courthouse at 219 South Dearborn Street in Chicago, Illinois, shall be renamed the 'Everett McKinley Dirksen Building' in memory of the late Everett McKinley Dirksen, a distinguished Member of the United States House of Representatives from the State of Illinois from 1933 to 1949 and of the United States Senate from 1950 to 1969. Any reference to the Federal Office Building and United States Courthouse at 219 South Dearborn Street in Chicago, Illinois, in any law, regulation, document, record, map, or other paper of the United States shall be deemed a reference to such building as the 'Everett McKinley Dirksen Building'."

The committee amendment was agreed to.

Mr. GRAY. Mr. Speaker, it would be impossible for me to list all the attributes of Everett McKinley Dirksen in the short period of time I have on this bill. His life and works are very well known to all. I hope it will suffice to say that the majority of the Republicans and Democrats alike in the U.S. Senate are cosponsors of this legislation to name the Federal building in Chicago after our friend, the late and beloved Senator from Illinois, Ev Dirksen.

Of course, we did not have one objection to the consideration of this legislation before the subcommittee I have the honor of chairing. The Subcommittee on Public Buildings and Grounds of the House Committee on Public Works, our distinguished and able chairman, Mr. FALLON of Maryland, the distinguished gentleman from Illinois, Mr. KLUCZYNSKI, the distinguished minority whip from Illinois, Mr. ARENDS, and other Members of the House have joined in the sponsorship of this legislation. The legislation before us would name the existing Federal building and courthouse at 219 South Dearborn Street in Chicago, Ill., after Mr. Dirksen. A second Federal building now under construction in Chicago will not be named at this time since it is some time away from completion.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to provide that the Federal Office Building and United States Courthouse in Chicago, Ill., shall be named the 'Everett McKinley Dirksen Building'."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GRAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

AUTHORIZING SECRETARY OF THE INTERIOR TO PREVENT TERMINATION OF AND TO REINSTATE OIL AND GAS LEASES IN CERTAIN CASES AND CONDITIONS

The Clerk called the bill (S. 1193) to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely.

There being no objection, the Clerk read the bill as follows:

S. 1193

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 31(b) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188

(b)), is amended by changing the period at the end thereof to a colon and adding the following: "*Provided*, That if the rental payment due under a lease is paid on or before the anniversary date but either (1) the amount of the payment has been or is hereafter deficient and the deficiency is nominal, as determined by the Secretary by regulation, or (2) the payment was calculated in accordance with the acreage figure stated in the lease, or made in accordance with a bill which has been rendered by him and such figure or bill is found to be in error resulting in a deficiency, the Secretary shall notify the lessee of the deficiency and such lease shall not automatically terminate unless the lessee fails to pay the deficiency within the period prescribed in the notice."

SEC. 2. Section 31(c) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (40 U.S.C. 188(c)), is amended to read as follows:

"(c) Where any lease has been or is hereafter terminated automatically by operation of law under this section, for failure to pay rental on or before the anniversary date or for failure to pay the full amount due and the deficiency is not nominal and payment was not made in accordance with the acreage figure stated in the lease or in accordance with a bill rendered by the Secretary and it is shown to the satisfaction of the Secretary of the Interior that such failure was the result of error or neglect on the part of the Department of the Interior, or where any lease has been or is hereafter terminated automatically by operation of law under this section for failure to pay rental on or before the anniversary date, but within twenty days after such date it is shown to the satisfaction of the Secretary of the Interior that such failure was either justifiable or not due to a lack of reasonable diligence on the part of the lessee, the Secretary may reinstate the lease if—

"(1) a petition for reinstatement, together with the required rental, including back rental accruing from the date of termination of the lease, is filed with the Secretary; and

"(2) no valid lease has been issued affecting any of the lands covered by the terminated lease prior to the filing of said petition. The Secretary shall not issue any new lease affecting any of the lands covered by such terminated lease for a reasonable period, as determined in accordance with regulations issued by him. In any case where a reinstatement of a terminated lease is granted under this subsection and the Secretary finds that the reinstatement of such lease will not afford the lessee a reasonable opportunity to continue operations under the lease, the Secretary may, at his discretion, extend the term of such lease for such period as he deems reasonable: *Provided*, That (A) such extension shall not exceed a period equivalent to the time beginning when the lessee knew or should have known of the termination and ending on the date the Secretary grants such petition; (B) such extension shall not exceed a period equal to the unexpired portion of the lease or any extension thereof remaining at the date of termination; and (C) when the reinstatement occurs after the expiration of the term or extension thereof the lease may be extended from the date the Secretary grants the petition."

With the following committee amendments:

Page 2, line 5, after "lease" insert ", or in any decision affecting the lease,".

Page 2, line 5, after "bill" insert "or decision".

Page 2, line 6, strike out "figure or bill" and insert in lieu thereof "figure, bill, or decision".

Page 2, line 7, after "deficiency," strike out the remainder of the sentence and insert in lieu thereof "such lease shall not automatically terminate unless (1) a new lease had been issued prior to the date of this Act or (2) the lessee fails to pay the deficiency within the period prescribed in a notice of deficiency sent to him by the Secretary."

Page 2, beginning on line 14, through page 3, line 6, strike out all of subsection (c) and insert in lieu thereof the following:

"(c) Where any lease has been or is hereafter terminated automatically by operation of law under this section for failure to pay on or before the anniversary date the full amount of rental due, but such rental was paid on or tendered within 20 days thereafter, and it is shown to the satisfaction of the Secretary of the Interior that such failure was either justifiable or not due to a lack of reasonable diligence on the part of the lessee, the Secretary may reinstate the lease if—"

Page 3, line 13, strike out "The Secretary shall not issue" and all the language through page 4, line 8, and insert in lieu thereof language identical to the language stricken but printed as a part of subsection (c) rather than paragraph (2).

The committee amendments were agreed to.

(Mr. ASPINALL (at the request of Mr. SAYLOR) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ASPINALL. Mr. Speaker, the bill before us today, S. 1193, is designed to prevent the automatic termination of Federal oil and gas leases where such terminations are the result of errors of the Federal Government or, in other cases, where the errors were made by the lessee but were justifiable or not due to a lack of reasonable diligence.

Since 1954, when the Mineral Leasing Act was amended, Federal oil and gas leases have terminated automatically upon failure of a lessee to pay either the full amount of the rental due or to pay it timely. The Department of the Interior interpreted this amendment in the strictest sense. It has held that, even where the lessee paid the full amount indicated in a bill issued by the Government, and the bill was in error and resulted in a deficiency, the lease terminated. In other cases where rental was mailed in ample time but the mail was unavoidably delayed, due to such things as fires, earthquakes, storms, or plane or train disasters, and the rental was even 1 day late, the lease was also terminated. A deficiency of even a few cents, in rental payments amounting to several thousand dollars, was likewise held to terminate the lease. In other words, no matter what the cause or how justifiable the error, if the full amount of the rental was not received on time, in a particular office of the Bureau of Land Management, the oil and gas lease was canceled. There were absolutely no exceptions.

As might well be expected, this harsh interpretation resulted in numerous private and public relief bills. Congress partially corrected this situation in 1962 by providing relief for cases occurring between 1954 and 1962. It was thought at that time that many of the inadverent errors, particularly errors in billing by the Government, could be greatly reduced or eliminated. This has not proven to be the case. Errors in billing by the Government continue as do delays in the mail and other unavoidable errors. Inadvertent and justifiable mistakes on the part of the lessees also continue. These may be due to the illness of a lessee or to other reasons. In any event, each year numerous private relief bills are introduced. The majority of these that the Committee on Interior and Insular Affairs has reviewed warrant relief. Each year the committee has recommended and Congress has taken favorable action on numerous private relief bills. As I recall, we have brought bills before this body where the rental was short by 15 cents or 20 cents and in many cases the shortage was a few dollars or less. In other situations the rental was mailed in ample time but the letter was misdirected to the wrong office. These are some of the situations that this proposed bill would eliminate.

Under section 1 of the bill if the rental is received on time but is deficient by a small amount or is paid in accordance with a bill issued by the Department and that bill was in error and ceased the deficiency, the lessee must be notified by the Secretary of the Interior and if the lessee pays the back rental, the lease does not automatically terminate. This provision will take care of small deficiencies in rental payments by the lessee and any error in billing by the Government.

Section 2 deals with leases which have terminated for a deficiency in rental or for a late payment. In these situations if the back rental is paid within 20 days the lessee may petition the Secretary to reinstate the lease. A reinstatement under this section is not automatic. The Secretary must carefully examine each case and authorize reinstatement only when he is fully satisfied that such action is justified.

The committee is aware that the 20-day limitation on reinstatement of leases will mean that a small percentage of cases, otherwise deserving, will not be afforded relief. There will be a few situations where the back rental is not paid within this time. However, some time limitation is necessary on reinstatements to adequately protect the public interest. The 20-day limitation adopted will do this.

This legislation is needed to give the Secretary of the Interior a certain amount of discretionary authority to reinstate leases and to relieve Congress of the burden of considering many individual private relief bills.

I recommend its enactment.

I would like to add, Mr. Speaker, that essentially similar legislation passed both the House and Senate last Congress. However, a conference was not called to resolve the relatively minor differences and further action was not taken.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The Speaker, this concludes the call of the Consent Calendar.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

Mr. PERKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10666) to establish a National Commission on Libraries and Information Science, and for other purposes.

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The Clerk read as follows:

H.R. 10666

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Commission on Libraries and Information Science Act."

Sec. 2. The Congress hereby affirms that library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation's educational resources and that the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services.

Sec. 3. There is hereby estabilshed as an independent agency within the executive branch, a National Commission on Libraries and Information Sicence (hereinafter referred to as the "Commission").

Sec. 4. The Department of Health, Education, and Welfare shall provide the Commission with necessary administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Commission and the Secretary of Health, Education, and Welfare.

FUNCTIONS

Sec. 5. (a) The Commission shall have the primary responsibility for developing overall plans for, and advising the appropriate governments and agencies on, the policy set forth in section 2. In carrying out that responsibility, the Commission shall—

(1) advise the President and the Congress on the implementation of national policy by such statements, presentations, and reports as it deems appropriate;

(2) conduct studies, surveys, and analyses of the library and informational needs of the Nation, including the special library and informational needs of the economically, socially, or culturally deprived, and the means by which these needs may be met through information centers, through the libraries of elementary and secondary schools and institutions of higher education, and through public, research, special, and other types of libraries;

(3) appraise the adequacies and deficiencies of current library and information resources and evaluate the effectiveness of current library and information science programs;

(4) develop overall plans for meeting national library and informational needs and for the coordination of activities at the Federal, State, and local levels, taking into consideration all of the library and informational resources of the Nation to meet those needs;

(5) promote research and development activities which will extend and improve the Nation's library and information-handling capability as essential links in the national communications networks;

(6) submit to the President and the Congress (not later than January 1 of each year) a report on its activities during the preceding fiscal year; and

(7) make and publish such additional reports as it deems to be necessary, including, but not limited to, reports of consultants, transcripts of testimony, summary reports, and reports of other Commission findings, studies, and recommendations.

(b) The Commission is authorized to contract with Federal agencies and other public and private agencies to carry out any of its functions under subsection (a) and to publish and disseminate such reports, findings, studies, and records as it deems appropriate.

(c) The Commission is further authorized to conduct such hearings at such times and places as it deems appropriate for carrying out the purposes of this Act.

(d) The heads of all Federal agencies are, to the extent not prohibited by law, directed to cooperate with the Commission in carrying out the purposes of this Act.

MEMBERSHIP

Sec. 6 (a) The Commission shall be composed of fifteen members appointed by the President, by and with the advice and consent of the Senate. Five members of the Commission shall be professional librarians or information specialists, and the remainder shall be persons having special competence or interest in the needs of our society for library and information services. One of the members of the Commission shall be designated by the President as Chairman of the Commission. The terms of office of members of the Commission shall be five years, except that (1) the terms of office of the members first appointed shall commence on the date of enactment of this Act and shall expire three at the end of one year, three at the end of two years, three at the end of three years, three at the end of four years, and three at the end of five years, as designated by the President at the time of appointment, and (2) a member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.

(b) Members of the Commission who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the Commission or otherwise engaged in the business of the Commission, be entitled to receive compensation at a rate fixed by the Chairman, but not exceeding the rate specified at the time of such service for grade GS-18 in section 5332 of title 5, United States Code, including traveltime, and while so serving on the business of the Commission away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, and authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(c)(1) The Commission is authorized to appoint, without regard to the provisions or title 5, United States Code, covering appointments in the competitive service, such professional and technical personnel as may be necessary to enable it to carry out its function under this Act.

(2) The Commission may procure, without regard to the civil service or classification laws, temporary and intermittent services of such personnel as is necessary to the extent authorized by section 3109 of title 5, United States Code, but at rates not to exceed the rate specified at the time of such service for grade GS-18 in section 5332 of title 5, United States Code, including traveltime, and while so serving on the business of the Commission away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

AUTHORIZATION OF APPROPRIATIONS

Sec. 7. There are hereby authorized to be appropriated $500,000 for the fiscal year ending June 30, 1970, and for each succeeding fiscal year such sums as may be appropriated by the Congress for the purpose of carrying out the provisions of this Act.

The SPEAKER. Is a second demanded?

Mr. DELLENBACK. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 84]

Adair
Addabbo
Alexander
Aspinall
Baring
Barrett
Belcher
Bevill
Biaggi
Blackburn
Blatnik
Bow
Brock
Brooks
Brown, Calif.
Brown, Mich.
Buchanan
Cabell
Carey
Casey
Celler
Chappell
Chisholm
Clancy
Clark
Clay
Conte
Conyers
Cowger
Crane
Culver
Dawson
Dickinson
Diggs
Dingell
Dorn
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, La.
Eilberg
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Fish
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Frey
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gallagher
Gaydos
Gettys
Giaimo
Gibbons
Gilbert
Goldwater
Green, Oreg.
Green, Pa.
Griffin
Grover
Gude
Hagan
Haley
Halpern
Hansen, Idaho
Harrington
Harvey
Hastings
Hébert
Heckler, Mass.
Helstoski
Holifield
Hosmer
Hunt
Jacobs
Jarman
Jones, N.C.
Karth
Kee
Kirwan
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McCarthy
McDonald, Mich.
McMillan
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Melcher
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Mollohan
Montgomery
Moorhead
Morse
Morton
Nelsen
Nix
O'Hara
Ottinger
Patman
Patten
Pepper
Philbin
Pickle
Podell
Pollock
Powell
Pryor, Ark.
Pucinski
Rarick
Rees
Rivers
Roe
Rooney, N.Y.
Rosenthal
Rostenkowski
Roybal
Ruppe
St Germain
St. Onge
Sandman
Satterfield
Scheuer
Schneebeli
Shipley
Snyder
Springer
Stanton
Steiger, Wis.
Stephens
Stubblefield
Taft
Teague, Calif.
Tunney
Udall
Ullman
Van Deerlin
Waggonner
Waldie
Watkins
Watson
Watts
Whalley
White
Wilson, Bob
Wolff
Wright
Wydler

The SPEAKER. On this rollcall, 267 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

The SPEAKER. The gentleman from Kentucky (Mr. PERKINS) is recognized for 20 minutes.

Mr. PERKINS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the bill H.R. 10666 was thoroughly considered by the committee and the Select Subcommittee on Education headed by our colleague, the gentleman from Indiana (Mr. BRADEMAS), who conducted the hearings and, in my judgment, wrote a bill which deserves the praise and the support of every Member of this body.

Mr. Speaker, this legislation was re-

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ported favorably by the full committee to the House of Representatives on May 14, 1969—almost a year ago. It was reported by the committee without a dissenting vote. During this period of time I have endeavored to discover whether or not there is any opposition to the legislation. Mr. Speaker, I find none. To the contrary I find almost universal support for this legislation.

The legislation is an outgrowth of extensive study conducted by the National Advisory Committee on Libraries appointed by the President in September 1966. One of the chief recommendations of the National Advisory Committee on Libraries was "the establishment of a continuing Federal planning agency."

The major function of this Commission will be the overall planning and recommendation to Federal and other public and nonpublic libraries and information services of ways and means of sharing resources and developing new capabilities.

Mr. Speaker, we are all deeply concerned about making services and programs conducted by the Government in all fields more effective and more responsive to actual needs. We are concerned about eliminating duplication, overlapping, and waste. The establishment of a permanent Commission with long-range planning goals, a Commission that can advise on how best to coordinate and provide for an interchange between different library systems and information services of material can make Federal dollars expended in the library services field go much further in meeting the public need for a wide range of library type information.

Mr. Speaker, many experts in this field have given their support to this legislation and invite my colleagues' attention to the hearings and committee report where their views are set further in detail.

In summary, H.R. 10666 would authorize the establishment of a National Commission on Libraries and Informational Science as an independent agency of the Government. The Commission would be composed of 15 members appointed by the President with the advice and consent of the Senate. Five members would be library and information experts and the remainder would be persons with special competence and interest in this field. The Commission would have the following responsibilities:

First. Advise the President and the Congress on the implementation of national policy;

Second. Conduct studies, surveys, and analyses of the library and informational needs of the Nation, including the library and informational needs of the economically, socially, or culturally disadvantaged, and the means by which these needs may be met through information centers and libraries;

Third. Evaluate current resources and programs;

Fourth. Develop overall plans for meeting these needs, and for the coordination of activities at the Federal, State, and local levels;

Fifth. Promote research and development activities which will extend the Nation's library and information-handling capability as essential links in the national communications network;

Sixth. Submit to the President and Congress—not later than January 1 of each year—a report on its activities; and

Seventh. Publish other reports and materials as it deems appropriate.

Mr. Speaker, I urge enactment of H.R. 10666. As I have stated this bill is the fruit of the work of the National Advisory Commission on Libraries which was established by President Johnson in 1966 and headed by Douglas M. Knight, president of Duke University. The Commission held 11 meetings and, in addition, conducted 12 hearings in various parts of the Nation. The Commission also developed more than a dozen special studies of various aspects of library service.

In winding up the work of the Advisory Commission, its Chairman pointed out that: "The work we have started can evolve most meaningfully through the combined efforts of many existing and evolving entities, coordinated by the overall planning efforts of our recommended National Commission on Libraries and Information Science. There must be continuing, coordinated study and action in the years ahead—it is an ongoing, never-ending venture."

In my judgment the bill should be passed unanimously.

Mr. DELLENBACK. Mr. Speaker, while I demanded the second, which was ordered, I ask unanimous consent that control of the time be transferred to the gentleman from New York (Mr. Reid).

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. REID of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. Gross).

Mr. GROSS. Mr. Speaker, I call the attention of the gentleman from Kentucky (Mr. Perkins), the chairman of the committee, to page 6 of the bill:

> (2) The Commission may procure, without regard to the civil service or classification laws, temporary and intermittent services of such personnel as is necessary to the extent authorized by section 3109 of title 5, United States Code, but at rates not to exceed the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code, including traveltime, and while so serving on the business of the Commission away from their homes or regular place of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

Are those to be employed under the terms of this bill to be Federal employees?

Mr. PERKINS. They are intended to be intermittent employees. Some of them may be permanent Federal employees and others may be not. If the Commission deemed it wise to employ someone with a special skill and he was not a regular civil service employee, they would have the authority to do so.

Mr. GROSS. I understand that distinction.

Mr. PERKINS. I figured he would have the authority.

Mr. GROSS. But the permanent employees, as set forth on page 5—are they to be Federal employees?

Mr. PERKINS. These are the employees of the Commission. They may or may not be permanent. As members of the Commission, they could be permanent or they may not be.

Mr. GROSS. What was the intent of the committee?

Mr. PERKINS. The intent of the committee was to give the Commission the latitude necessary to carry out its functions.

Mr. GROSS. This is to be a permanent Commission?

Mr. PERKINS. This is a permanent Commission.

Mr. GROSS. Are they not to have permanent employees?

Mr. PERKINS. I would think there would be permanent employees. There may be others that may not be permanent employees.

Mr. GROSS. Then why did the committee fail to conform to the public law which requires that in the establishment of a new Commission, a new agency, or a new department of Government, the number of employees, their duties, their pay, and an estimate of the man-hours of work be set forth?

Nowhere in this bill or in the report—particularly in the report—is there any such conformance with the public law.

Mr. PERKINS. We set this up as an independent agency, and the Commission has the latitude to determine the number of employees needed, and in cooperation with the civil service law, they would make that determination.

Mr. GROSS. Apparently I am not coming through loud and clear to the chairman of the committee. The public law requires that in the establishment of a new agency of the Government, there be an estimate of the number of employees, job descriptions, compensations, and an estimate of the man-hours of work that will be required. There has been no conformance with the public law in this report.

Mr. PERKINS. I think we comply with the laws here. We set up an independent Commission, and they have got to have latitude to hire an employee, the personnel needed to carry out their functions.

Mr. GROSS. Will the gentleman show me where there has been any conformance with the public law in this report? I do not want to spend all my life on this subject, but will the gentleman show me where it is to be found in the report?

Mr. PERKINS. It is not in the report, but it is intended that we adhere to the civil service laws for every permanent employee.

Mr. GROSS. Let me ask the gentleman a further question. There is a two-sentence statement on the part of the Department of Health, Education, and Welfare. I do not know whether it is in support of this legislation or not. I think this is the strangest communication from a vitally affected agency of the Government that I have ever read in a report.

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Speaker, the position of the Department of Health, Education, and Welfare is that they support a national advisory commission, called here the National Commission on Libraries and Information Science. They did not agree with the Committee on Education and Labor which establishes a commission independent of and not within the Department of Health, Education, and Welfare. The Health Education, and Welfare Department wanted to have the commission located in the Department of Health, Education, and Welfare.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. REID of New York. Mr. Speaker, I yield the gentleman from Iowa 5 additional minutes.

Mr. GROSS. Mr. Speaker, then why was it not so stated in the report?

Mr. BRADEMAS. Mr. Speaker, I think it is very clear, if the gentleman will look at the hearings. As a matter of fact, in my own remarks I shall certainly allude to that fact.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield very briefly to the gentleman from Kentucky.

Mr. PERKINS. Mr. Speaker, there is no necessity for the report to deal in particulars, as the gentleman from Iowa has suggested. We have a ceiling here of $500,000. The commission has never come into existence. The Commission when it is appointed, will make the determination as to the number of employees, those who will be needed as permanent employees, and whether some will be placed just on a per diem basis for special assistance.

Mr. GROSS. The gentleman has already said that some of these will be permanent employees. Let me say to the gentleman, the amount of money has nothing to do with conforming to the public law, which requires a statement such as I previously set forth in the establishment of a new agency, department, or commission of Government.

Of course, the Appropriations Committee could cut that amount and thereby hold down the employment. We are all aware of that.

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from North Carolina, the chairman of the Subcommittee on Manpower of the House Post Office and Civil Service Committee.

Mr. HENDERSON. I thank the gentleman for yielding.

This is not clear to me, and I believe the record should be made clear as to whether or not the allocation for the permanent employees of the Commission, who will be Federal Government employees and within the supergrade levels of 16, 17, and 18, will be made by the Civil Service Commission under the usual and known procedures understood by the subcommittee on which the gentleman in the well and I serve, or whether or not the Commission will appoint them without regard to the civil service lists and the procedures followed by the Civil Service Commission. I certainly cannot tell, from the report.

Mr. GROSS. Of course, neither the gentleman from North Carolina nor the gentleman from Iowa can tell from the report on this bill because there is no estimate and, therefore, no indication of the number.

Mr. HENDERSON. If the gentleman will yield further, perhaps an answer from the committee chairman or the sponsor of the bill could clarify this, in the absence of that clarification.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Just for an answer to this simple question: Are they going to get the supergrades from the Civil Service Commission, or how do they propose to get them?

Mr. PERKINS. Let me answer the distinguished gentleman. I have seen dozens of pieces of legislation brought to the floor just like this legislation.

On page 5 of the report, at the bottom of the page, we say the Commission is authorized to appoint "without regard to provisions of title 5, United States Code, covering appointments in the competitive service."

Mr. GROSS. Yes; I can read.

Mr. PERKINS. That is such personnel as may be necessary.

Mr. GROSS. Please do not take all of my time.

Mr. PERKINS. That is to make sure that they have the latitude to procure the personnel who can carry out the job.

Mr. GROSS. Of course, that is no answer to the question propounded by the gentleman from North Carolina (Mr. Henderson).

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding.

I simply want to substantiate the lack of compliance with Public Law 86-910 as required in the report of the committee. Insofar as the Librarian of Congress is concerned, in the last paragraph of his letter, on page 5 of the report, he quotes exactly the same sentence with regard to the provisions of title 5, United States Code as the gentleman from Kentucky, and says that he doubts if they would be eligible for Federal benefits such as the life insurance, retirement, and so on.

Mr. GROSS. That is right.

Mr. HALL. Although his—the Librarian of Congress—interest in this is not the same as our interest, in that he is interested only in whether they could recruit personnel for this Commission. I submit that the seven reasons listed should themselves automatically be handled by the Library of Congress.

Mr. GROSS. The gentleman from Kentucky says they may be permanent employees or they may be intermittent employees, but he says there are going to be some permanent employees, which the Librarian of Congress does not say.

Mr. HALL. If they are intermittent employees they will not be eligible except under the clause for the per diem rate which, as he says in his own statement, amounts to $136 a day, plus expenses. If they are permanent employees they are certainly not eligible for that rate of pay.

Mr. PERKINS. I will agree with that statement by Dr. Hall.

Mr. GROSS. Mr. Speaker, I could support a bill that provided for a temporary commission to make a 2 or 3 year study and offer recommendations for the improvement of the Nation's library facilities in connection with educational resources and information. But I have no intention of establishing in perpetuity another national commission with open end authority as to spending and employment. This can very well be opening the door to empire building at its worst.

This bill should never have been brought to the House floor under suspension of the rules which precludes the offering of a single amendment. Moreover, there is nothing to indicate that the administration supports this legislation. Although it authorizes a fiscal year appropriation of $500,000, those Members of the House who believe in fiscal responsibility should take note of the fact that there is not one word of approval or endorsement from the Bureau of the Budget.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. PERKINS. Mr. Speaker, I yield 15 minutes to the distinguished gentleman from Indiana (Mr. Brademas).

Mr. BRADEMAS. Mr. Speaker, the bill before the House, H.R. 10666, to establish a National Commission on Libraries and Information Science, comes to the House from the Committee on Education and Labor with a unanimous vote of that committee.

I believe it is significant that there was no opposition to the bill.

Moreover, 25 Members of that committee of both parties are cosponsors of the bill we are today considering. I wish to express my appreciation to those Members of our committee for their cosponsorship of this bill.

In particular, they are the distinguished chairman of the committee (Mr. Perkins), the distinguished ranking minority member of the subcommittee which handled this bill, the gentleman from New York (Mr. Reid), as well as Mr. Thompson of New Jersey, Mr. Dent, Mr. Pucinski, Mr. Daniels of New Jersey, Mr. O'Hara, Mr. Carey, Mr. Hawkins, Mr. William D. Ford, Mr. Hathaway, Mrs. Mink, Mr. Scheuer, Mr. Meeds, Mr. Burton of California, Mr. Gaydos, Mr. Ayres, Mr. Quie, Mr. Bell of California, Mr. Esch, Mr. Steiger of Wisconsin, Mr. Collins, Mr. Landgrebe, and Mr. Hansen of Idaho and myself.

The list is limited to 25 only because the rules of the House so limit the sponsorship of a given bill. In all fairness to other Members who have also given their support to this legislation, I should mention H.R. 10667, an identical bill to the one under consideration, which bears the names of the gentleman from New York (Mr. Podell), the gentlemen from Kentucky (Mr. Stubblefield and Mr. Watts), the gentleman from New Jersey (Mr. Frelinghuysen), and the gentlewoman from Washington (Mrs. May).

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These distinguished colleagues are also sponsors of the bill which, I hope the House will approve today.

Mr. Speaker, I recite these names in order to indicate the broad support for the bill before us.

Mr. Speaker, establishment of a National Commission on Libraries and Information Science would fulfill one of the major recommendations of the National Advisory Commission on Libraries which was initiated by President Johnson in 1966, under the chairmanship of Douglas Knight, former president of Duke University.

That Commission, after some 20 months of hearings and careful study of the Nation's library needs, resources, and problems, made its report to the Secretary of Health, Education, and Welfare on July 1, 1968.

The report of the Advisory Commission dealt with a number of the basic problems facing libraries and library users in our country, but central to its recommendations was the following paragraph:

> In order to implement and further develop the national policy of library services for the nation's needs, the most important single measure that can be undertaken is the establishment of a continual Federal planning agency. It is noteworthy that almost all representatives of library, scholarly, scientific and other professional associations who testified before the National Advisory Commission on Libraries gave high priority in their recommendations to the creation of such a Federal planning agency.

The bill before the House today would create a 15-member National Commission on Libraries and Information Science, to be appointed by the President with the advice and consent of the Senate. The Commission members would be appointed for 5-year staggered terms, with the terms of three members expiring each year. They would be paid only on a "when actually employed" basis.

The Commission is established as an independent agency within the executive branch, and not as I indicated in my colloquy with the gentleman from Iowa as the Secretary of Health, Education, and Welfare requested within that Department, but is authorized to obtain administrative support services from the Department of Health, Education, and Welfare, with the Department to be reimbursed out of the funds appropriated for the Commission. The Commission is made independent in order to enable it to speak its views freely, and not serve as a rubber stamp for any particular executive agency.

The bill authorizes annual appropriations for the expenses of the Commission, not to exceed $500,000 per year.

The Commission's responsibilities will lie in the area of planning, conducting research on the Nation's library and information needs, evaluation of resources and programs presently being brought to bear to fulfill these requirements, and advising the President, Congress, and the library and information science world on what is needed to make these resources adequate to meet our national needs.

The Commission, Mr. Speaker, will not be an operating agency. It will have no control over any of the Federal library or information science programs, nor will it in the slightest degree seek to bring the network of State, local, school, university, and special libraries and information science operations into any sort of single framework. Its role will be advisory.

However, we can expect, from the advice the Commission develops, from the research it conducts, from the insights it can bring to bear, to emerge with a better system of library services and a more effective and economical use of information resources in the United States.

We hear much about the population explosion, and the fact that by the year 2000 we will have some 300 million people in the United States and the impact of this burgeoning population upon almost everything we do. The simple fact that the number of library users, the number of consumers of information is expanding at an enormous rate, poses serious problems to our libraries and to information science activities generally.

But, an even more pressing problem is the knowledge explosion. Research and creative intellectual activity in every area of human knowledge is proceeding at an unprecedented speed and there can be no question but that the rate of this growth will itself continue to climb.

Te make the best possible use of our information resources, to start now to develop plans for coping, not with today's problems alone, but with the problems of tomorrow and next year and the next decade—this will be the primary task of the proposed National Commission.

When the Commission is appointed and after it has begun to bring together the results of the research which it conducts or encourages other agencies and nongovernmental entities to conduct, it can make its recommendations to Congress and to the President.

Then, armed with a thoughtful and well-grounded view of the overall needs of the Nation and of all the technological possibilities, Congress will be better equipped to make whatever changes need to be made in the legislation on which present Federal library activities and library support programs are based.

The establishment now of the National Commission may very well, Mr. Speaker, save us many, many times its small cost in future years as we give thought to extending and perhaps amending such legislation as the Library Services and Construction Act, title II of the Higher Education Act, and title II of the Elementary and Secondary Education Act, and titles III and IX of the National Defense Education Act, and the legislation establishing the Library of Congress, the National Medical Library, and the National Agricultural Library.

But the results of the Commission's work will not be valuable to Congress alone. It will be of inestimable worth to the magnificent system of State and local public libraries, to the college and university libraries, to the special libraries, to the law libraries, and to all the various organizations, Federal and non-Federal, public and private, operating in the information science field. These organizations, and consumers of their stores of information, will be the immediate and continuing beneficiaries of the research and planning the Commission undertakes and the recommendations it will make.

I would like, Mr. Speaker, to make two other points. First, with regard to the membership of the Commission. The bill provides that five of the 15 members shall be librarians or information scientists.

I was deeply impressed during the hearings on this legislation to note, not only from the witnesses who testified, but in many of the letters we received, the strong endorsement by the library and information science professions themselves of the concept that the Commission should not be dominated by those professions. The bill does set aside one-third of the seats on the Commission for those professions, and their professional input to the work of the Commission will be invaluable. But the Commission will be taking a broader view of library and information science needs. It will not, as the report says, be talking for these professions to the Nation, but for the public about these professions.

I want, therefore, to commend the librarians and information scientists who testified before our committee for emphasizing the fact that it is the user, and not the supplier of knowledge, whose interests must be kept paramount.

My final point is a personal one. I would not try to select one outstanding name among the 20 distinguished Americans who served on the National Advisory Committee on Libraries, and to extend to him any special share of the credit for the work done by that Commission. These 20 men and women, educators, librarians, information scientists, and civic leaders, each deserves immeasurable credit for their contributions. But one member of that Commission, who also served as a witness before our committee, does merit special mention in this place at this hour. I refer, of course, to our former colleague, the distinguished gentleman from Alabama, Carl Elliott.

Those of us who had the great good fortune to serve with Carl Elliott during his years in the House know of the unexcelled contribution he made here to Federal library activities. The recommendation of the National Advisory Commission, which this bill seeks to implement, comes to the House with the strong support of Carl Elliott. There are not many things I can say which speak more persuasively for this bill than that.

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. I am glad to yield to my colleague, the gentleman from North Carolina.

Mr. HENDERSON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would ask the gentleman from Indiana who recommended this section 6(c)(1) that the committee appoint in the competitive service without regard to the provisions of title V, United States Code, the professional and technical personnel? I presume these are permanent employees of the commission?

Mr. BRADEMAS. I cannot tell the gentleman whether any particular person recommended the section to which he refers because this was in the draft bill which was originally put together by the staff, but I can tell the gentleman that it is not, in response to his earlier question, the intention of our committee to stipulate that permanent employees of the commission should not be subject to the rules and regulations of the Civil Service Commission, which I think is the gentleman's concern.

Mr. HENDERSON. I thank the gentleman for his response.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. REID of New York. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, I rise in support of H.R. 10666, a bill to establish a National Commission on Libraries and Information Science.

Mr. Speaker, the establishment of this Commission as a continuing Federal planning agency was the principal recommendation of the National Advisory Commission on Libraries which submitted its report to the President in October 1968.

"Libraries are the banks of our educational system," President Nixon reminded the Nation when he opened National Library Week in 1969. "They are a summing up of past achievement and a stimulant to future progress," the President continued, adding that "never have our libraries played a more important role in our campaign against ignorance and for fullness of educational opportunity."

The enactment of H.R. 10666, Mr. Speaker, will affirm, in the language of the bill, "that library and information services adequate to meet the needs of the people of the United States are essential to meet national goals and to utilize most effectively the Nation's educational resources, and that the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services."

The bill establishes a National Commission on Libraries and Information Science which would have the primary responsibility for developing overall plans to meet the needs of the American people for library and information services, and for advising public and private agencies on the recommended policies it has developed.

The National Commission would carry out these responsibilities by analyzing the informational needs of the Nation, including the special needs for library and informational services of the economically, socially, and culturally disadvantaged; by determining how these needs may best be met; by evaluating current resources and programs; by promoting necessary research and development activities; by developing overall plans for meeting needs for library and information services, which would include coordination of activities at the Federal, State, and local levels; and by advising Congress and the President of the extent to which national policies are being carried out.

The Commission would be composed of 15 members appointed by the President and confirmed by the other body. Five would be librarians or information specialists. One member would be designated as chairman, and each appointee would serve for 5 years, with three seats filled each year.

The bill would authorize an appropriation of $500,000 for the next fiscal year and the same amount for subsequent years.

In testimony before the Select Subcommittee on Education just a year ago, Roger H. McDonough, president of the American Library Association, indicated the ALA's support of the legislation. Referring to the report of the Advisory Commission, he said that its "first and most important single recommendation that must be implemented is the establishment of a permanent National Commission on Libraries and Information Science as a continuing Federal agency for broad planning and coordination."

Mr. McDonough continued:

> The need of the Nation for library services and resources is bigger than what is encompassed in the legislation already in effect and programs in operation. The Commission will not be a new layer placed on existing layers of governmental activity. It will instead be concerned with evaluating all library and information activities both within and without the government and proposing measures to mitigate deficiencies found to exist.

Mr. Speaker, I would particularly like to call attention to the bipartisan character of this legislation and to thank the Chairman of our subcommittee, the gentleman from Indiana (Mr. BRADEMAS), for his unstinting helpfulness throughout, and to note that this bill has been introduced and strongly supported by Mr. AYRES, Mr. QUIE, Mr. BELL of California, Mr. ESCH, Mr. STEIGER of Wisconsin, Mr. COLLINS, Mr. LANDGREBE, and Mr. HANSEN of Idaho, among others.

Finally, I would note that one of the distinguished members of the National Advisory Commission on Libraries was a constituent of mine, Mr. Theodore Waller.

Mr. Speaker, in response to the gentleman from Iowa (Mr. GROSS), who has made, I think, a very valid point, I would like to assure the gentleman that the conference and any conference report relative to this bill will only be reported back to the House as far as I am concerned if it is fully consistent with Public Law 86–910, and which contains language appropriate thereto.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I will be happy to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for that assurance. Now I would like to ask the gentleman whether this $500,000 per year appropriation for the funding of this Commission from now into eternity was budgeted?

Mr. REID of New York. The answer to that question is in the negative.

Mr. GROSS. It is not?

Mr. REID of New York. That is my understanding.

Mr. GROSS. I thank the gentleman.

Mr. HUTCHINSON. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman.

Mr. HUTCHINSON. I note from the report that this bill was reported by the committee on May 14, 1969. That is 11 months ago. I wonder if the gentleman can explain where this bill has been for 11 months?

Mr. REID of New York. It has been pending in the Rules Committee. We had hoped that the bill would have been brought up earlier but it was not, due to the press of the Legislative Calendar.

Mr. HUTCHINSON. But it was reported by the committee a year ago in 1969?

Mr. REID of New York. On May 14, 1969—that is correct.

Mr. HUTCHINSON. So for 11 months it has been somewhere between the committee and the floor?

Mr. REID of New York. That is correct. I share the gentleman's concern. I wish our legislative calendar would move more rapidly on occasion.

Mr. HUTCHINSON. As I read the text of the bill, it is provided that a half million dollars or thereabouts is to be appropriated for the current fiscal year 1970 and for each fiscal year thereafter such sums as may be appropriated by the Congress. It is open ended; is that correct?

Mr. REID of New York. That is correct.

Mr. HUTCHINSON. So for all practical purposes, it is wholly an open-ended proposal since you do not expect any appropriation to be made for the current fiscal year?

Mr. REID of New York. I had hoped that there would be an appropriation for the current fiscal year 1970 and subsequently as much as may be appropriated. I do think there is a clear need for this. I would say to the gentleman that the administration feels that there is need for the Library Commission and I would hope that such differences as may exist over this, and budgetary support for this, would be resolved by the conference, if not before.

Mr. HUTCHINSON. I thank the gentleman.

Mr. MILLER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman.

Mr. MILLER of Ohio. The bill says under "Authorization of appropriations" in section 7, that there are hereby authorized to be appropriated $500,000 for the fiscal year ending June 30, 1970, which is correct.

Now are we assuming we are authorizing only to this level and that the Commission would still have a half million dollars? Or are we saying that next year we will be asked for $3 million—six times that amount—because there is one-sixth?

Mr. REID of New York. The amount is $500,000 for this fiscal year. As I said to the gentleman, I would hope that the differences over the bill would be resolved in conference and with the Budget Bureau, along with agreement on adequate appropriations for the remainder of this fiscal year.

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman.

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Mr. BRADEMAS. I would assume, of course, it would not be reasonable to anticipate that the full amount of the authorization for the fiscal year to which the gentleman refers would be appropriated this year, but that we could get some modest amount of that modest amount to get going on the program.

Mr. REID of New York. I thank the gentleman.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. COLLINS).

Mr. COLLINS. Mr. Speaker, as one of the cosponsors I want to add one or two words on this bill. The Committee on Education is a very controversial committee in itself, it is interesting to note that this bill came out with a unanimous endorsement.

The thing that we like about it particularly is the fact that we are creating an independent agency here, an agency that will be completely independent and it will make a study of this entire subject in a fair and impartial manner.

It says in one of the key provisions "to appraise the adequacies and deficiencies of the current library and information resources and evaluate the effectiveness of the current library and information science programs."

As important as the subject of libraries is in the field of education, this program has a great deal of merit in the fact we are able through this independent agency to go in and make a complete and thorough study of libraries.

Mr. Speaker, I completely endorse the program. I think it is a progressive bill.

Mr. PERKINS. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Speaker, I rise in support of this legislation and am proud to be one of its cosponsors.

I was the principal sponsor of the Library Extension Service Act. It has improved library services immensely in this country. I want to congratulate the chairman of our committee, Mr. PERKINS, for bringing this bill to the floor, and the gentleman from Indiana (Mr. BRADEMAS), for his initiative in bringing this legislation to the attention of the Congress.

One of the things that is most important about this bill is the fact that we now address ourselves to the question of information services. It is really pathetic, when we consider the question how difficult it is for citizens to get information even though we have the best press, radio and television in the world. Where does a citizen go to get information on the great knowledge explosion which is sweeping the country? We are living in an era when we are witnessing the greatest knowledge explosion in the history of mankind. More scientific journals, more research material is being generated today than ever before in the history of civilization. The whole world is becoming more complex. Yet in community after community, a citizen who tries to keep up with this information for whatever his needs are usually has to rely on the average newspaper "morgue" in his community as his best source of information. He must ask that newspaper's library for information because he can not get it any place else.

I tell you, gentlemen, that this is an historic bill. It addresses itself to the question of trying to provide for the citizens of this country the machinery and the facilities which the citizens and their children need to get the kind of information they desire.

I think it is a good bill. I would like to call to the attention of my colleagues that whatever this Commission finds and whatever this Commission recommends, it is still going to have to come up for final approval by the Congress. This is no blank check to an independent agency to go off in all sorts of directions. This is a bill that sets up responsibilities, guidelines, and directions for the Commission. But the Congress, both through the authorization procedure and through the appropriation procedure continues to have complete control over expenditures, and if I know the mood of this House, I do not think this House will approve any appropriation that will not meet the highest test of the needs of the country.

So I think that this legislation, enabling the creation of this Commission to propose an orderly system of library services and information services, is the most reasonable and intelligent way to approach this problem in an era where there is a great problem of information dissemination.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Iowa.

Mr. GROSS. If the gentleman has discovered any traits of economy in this House lately, he is more divining than the gentleman from Iowa. I have not discovered the Congress headed on any economy bent.

Mr. PUCINSKI. The gentleman from Iowa himself is a pillar of economy. I listen with great interest every day to what he says here on the subject of economy. The gentleman from Iowa is the greatest example we know of and I might add that very often I follow the gentleman's suggestions for economy.

Mr. GROSS. I thank the gentleman, but my wishes do not seem to prevail in this case. Let me ask the gentleman if this Commission is to make recommendations, why carry it on into eternity? This is open-ended.

Mr. PUCINSKI. This is a good permanent oversight commission of professional people in this field of library and information services.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Illinois has expired.

Mr. REID of New York. Mr. Speaker, I yield myself 1 minute. I say to the Members of the House that, in my judgment, this is a major bill. There is clear need for an overall policy on libraries and information in America.

Progress has been made in providing library services for all Americans:

In the past 4 years, 1,250 public services for all Americans:

In the past 4 years, 1,250 public community libraries were constructed with Federal assistance;

In the last 2 years, more than 20 million people have been added to those served by federally assisted public community libraries;

In the first 3 years of operation of title II of ESEA, 43 million elementary and secondary schoolchildren have been provided with 70 million books and audio visual teaching aids; 62,000 school libraries have been expanded and 3,600 new ones established;

Some 2,000 college and university libraries have been improved with assistance under the Higher Education Act.

But we still need far greater funding for the years ahead than the House has enacted for the four major library programs for fical year 1971. For public library services and construction, elementary and secondary school library resources, and college library resources, we have appropriated less than one-third of the amounts authorized.

Yet, the need for library services and equipment remains great: In 1968, the Office of Education estimated that it would require a lump sum expenditure of $1.6 billion to stock school libraries optimally. Just to make up the backlog of space required to construct centralized school libraries where they did not exist in 1961 would require $2.145 billion. About 40,000 schools—or 40 percent of the total of public elementary schools—still lack libraries.

Funds appropriated in fiscal year 1969 provided 9 million books and filmstrips to elementary and secondary school children—or about one book or one filmstrip for every five children participating in the title II program. Yet the standard is three filmstrips per pupil and 10 library books per student—about 50 times what we are now providing. The total number of volumes of books needed to bring school libraries up to standard is estimated to be 425 million.

The National Advisory Commission on Libraries termed "enormous" the needs of schools for books, library materials, staff, and facilities. "The implementation of a national plan to raise elementary and secondary school libraries to full and continuing adequacy," the Commission reported, "will require far better data on school libraries than are now available."

Outside of schools, more than 15 million Americans—or 7 percent of the population—lack access to public library services.

According to a 1965 inventory of library needs, 4-year colleges had a total of 56 million books, while the standard was 104 million books—just about twice as many as college libraries now have. Testimony only last year indicated that 80 percent of the predominantly black 4-year colleges fall below acceptable library standards, and not a single 2-year predominantly black college meets the minimum standard for number of library volumes.

Mr. Speaker, so urgent are the needs for library and information services, and so vital are these services where they are presently available, that we need a continuing body to advise us regularly of gaps, overlaps, and serious unmet needs. Although we have enacted many statutes affecting libraries and information services, we have never been provided with comprehensive information that would enable us to determine the relative needs for Federal action. This is central to education and it is central, I believe, to the quality of our life and our civilization, and I urge support of the bill.

Mrs. MINK. Mr. Speaker, I rise in sup-

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port of H.R. 10666, a bill to establish a National Commission on Libraries and Information Science, and for other purposes.

This measure is recommended by the House Committee on Education and Labor, of which I am a member, and it enjoys wide support among the library community of this Nation even though one of the functions of the Commission will be to take a critical look at present procedures of our libraries.

We are seeking action on this legislation at a time when the awesome new flood of knowledge and information threatens to engulf us all. Members of Congress are as aware as anyone of the tremendous increase in the volume of reports, books, and other information-containing materials of every description. Our libraries are asked to store this flood of information for us, and then produce specific items on request. Obviously, this is a challenging task, and one that will require our best efforts and ingenuity over the years ahead.

Fortunately, we are also experiencing rapid developments in such technological fields as computer science and electrostatic reproduction. The new technology offers opportunities for libraries to successfully cope with the information flow, if only we take advantage of these advances. The proposed Commission will help greatly in making this utilization possible.

For the first time, this legislation spells out a national library policy which frankly states that our goal is an adequate library system. By voting for the bill we will say: "The Congress hereby affirms that library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation's educational resources and that the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services."

I think that all of us would agree that it will be extremely important for the Nation's librarians that Congress go on record in support of this goal. It is imperative that we take full recognition of the role that libraries have, and their contribution to our Nation.

The Commission to be created under the act will have the primary responsibility for developing overall plans for, and advising the appropriate governments and agencies on, the policy previously stated. It is worth noting that we have deliberately avoided making the Commission part of any existing agency of government having functions in the library field. As a completely independent entity, it will be able to make recommendations free of undue pressure from any source.

There are many government efforts already underway in this field, and it was felt advisable that these be given advice and direction by a permanent long-range planning agency. The Commission will not take over any of the operational programs now underway, but will serve instead as a coordinating body, seeking to advise the Congress, the President, and the library and information science professions generally on how to make the best use of existing resources, and on new proposals to add to those resources.

Finally, we have sought to provide membership in the Commission which will bring to bear not only the best talent within the library profession, but the informed thinking of those who use libraries as well. To insure that it is not dominated by the profession, only one-third of its membership may be from the library and information science community.

Ideally, as the report on the bill states, the Commission will serve, not to speak for libraries and information science to the public, but to speak about them, for the public. In short, this legislation will be consumer-oriented, if you will, but will have available the necessary professional input.

The envisioned cost of this legislation is quite modest in view of the potential benefits, and I strongly urge its adoption.

Mr. COHELAN. Mr. Speaker, I rise in strong support of H.R. 10666, the National Commission on Libraries and Information Sciences Act.

As this Nation advances to new frontiers of knowledge, it is imperative that we constantly make provision for the orderly and systematic collection and disbursal of information. Never before in recorded history have we been so challenged to process and make available literally mountains of information.

It has become of the highest urgency that new techniques be utilized to store and transmit data. The library has been the traditional place to store such data, but we know now that the old methods of collection and dissemination are inadequate for the current task. It is, therefore, imperative that we have concrete plans for handling the new demands of the information sciences.

This bill fills a pressing need. It is the first attempt to have a national commission address itself to this job, which must be done to meet our current and future library needs. This commission was suggested in the report of the National Advisory Committee on Libraries in 1966. If enacted, this bill will establish such a commission. It will be an independent commission charged with the job of taking a new look at our impending needs in the field of information services.

Before closing, Mr. Speaker, I wish to commend the gentleman from Indiana (Mr. BRADEMAS), the distinguished chairman of the Select Committee on Education for his constructive and able handling of this measure. Mr. BRADEMAS continues to be a leader in the field of education. His imaginative and timely handling of this legislation shows his foresight in dealing with problems that effect our total educational process. He is a credit to his district and a most valued Member of this house.

Mr. STEIGER of Wisconsin. Mr. Speaker, one of my first actions in the 91st Congress was the introduction of H.R. 908, to establish a permanent National Commission on Libraries and Information Science. I introduced this legislation to insure continuing inquiry, evaluation, and coordination of our library resources and programs which was begun by the President's Advisory Commission on Libraries.

Shortly thereafter, I joined several of my colleagues on the Education and Labor Committee in introducing a revised version of this legislation.

It must be emphasized that the Commission will not seek to duplicate activities being carried on by other Federal agencies in the library field. Neither will the Commission control or direct the activities of State and local libraries.

The Commission will instead serve as coordinator, and to some extent clearinghouse, for library resources, programs and goals and will make recommendations for improvements in our library services.

I believe this Commission will help all library systems, public and private, do a better job of serving our citizens.

H.R. 10666 would make it possible to interconnect all libraries more closely for the benefit of their users, without infringing on the autonomy or vigor of any individual library.

In an era when the wealth and accessibility of information is vital to progress, I believe a national coordination effort can perform an invaluable service.

Dr. Frederick Burkhardt, the president of the American Council of Learned Societies, stated in his testimony before the committee—

> The library and information needs of the nation are so large and critical that a national effort will be needed—an effort that will have to come from both the private and public sectors, on the local, state and federal levels.

I urge the enactment of H.R. 10666 so that we may get underway with the great national effort that is clearly needed if the increasing educational, scientific, industrial, cultural, and recreational needs of our people are to be served by libraries and information systems. Priorities must be selected, plans must be made, and leadership provided. Enactment of this legislation is a first and important step.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 10666.

The question was taken.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 261, nays 11, not voting 158, as follows:

[Roll No. 85]

YEAS—261

Abbitt
Abernethy
Adams
Albert
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ayres
Beall, Md.
Bell, Calif.
Bennett
Berry
Betts
Biester
Bingham
Blackburn
Blanton
Blatnik
Boland

Bolling
Brademas
Brasco
Bray
Brinkley
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Caffery
Camp
Carter
Cederberg
Chamberlain
Clark
Clausen, Don H.
Clay
Cleveland
Cohelan
Collins
Conable
Corbett
Corman
Coughlin
Cramer
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dennis
Dent
Derwinski
Donohue
Dowdy
Downing
Duncan
Edwards, Ala.
Edwards, Calif.
Erlenborn
Esch
Eshleman
Evins, Tenn.
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Foreman
Friedel
Fulton, Tenn.
Fuqua
Garmatz
Gonzalez
Gray
Green, Pa.
Griffiths
Gubser
Gude
Hamilton
Hammerschmidt
Hanley
Harsha

Hathaway
Hawkins
Hays
Hechler, W. Va.
Hicks
Hogan
Horton
Howard
Hull
Hungate
Hutchinson
Ichord
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Tenn.
Kastenmeier
Kazen
Keith
King
Kluczynski
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Langen
Latta
Leggett
Lloyd
Long, Md.
McClory
McClure
McCulloch
McDade
McEwen
McKneally
Macdonald, Mass.
MacGregor
Madden
Mahon
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Mikva
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mizell
Monagan
Morgan
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Obey
O'Hara
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Pelly
Perkins
Pettis
Pike
Pirnie
Poage
Poff

Preyer, N.C.
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Roth
Roudebush
Ruth
Ryan
Sandman
Saylor
Schadeberg
Scherle
Schwengel
Scott
Sebelius
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Stafford
Staggers
Steiger, Ariz.
Stokes
Stratton
Stuckey
Sullivan
Symington
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Vander Jagt
Vanik
Vigorito
Wampler
Weicker
Whalen
Whitehurst
Whitten
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wyatt
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—11

Ashbrook
Clawson, Del
Collier
Devine

Flynt
Fountain
Goodling
Gross

Hall
Henderson
Passman

NOT VOTING—158

Adair
Addabbo
Alexander
Aspinall
Baring
Barrett
Belcher
Bevill
Biaggi
Boggs
Bow
Brock
Brooks
Brown, Calif.
Brown, Mich.
Buchanan
Burke, Fla.

Cabell
Carey
Casey
Celler
Chappell
Chisholm
Clancy
Colmer
Conte
Conyers
Cowger
Crane
Culver
Daddario
Dawson
Dickinson
Diggs

Dingell
Dorn
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, La.
Eilberg
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Ford, William D.
Fraser
Frelinghuysen

Frey
Fulton, Pa.
Galifianakis
Gallagher
Gaydos
Gettys
Giaimo
Gibbons
Gilbert
Goldwater
Green, Oreg.
Griffin
Grover
Hagan
Haley
Halpern
Hanna
Hansen, Idaho
Hansen, Wash.
Harrington
Harvey
Hastings
Hébert
Heckler, Mass.
Helstoski
Holifield
Hosmer
Hunt
Jacobs
Jarman
Jones, N.C.
Karth
Kee
Kirwan
Kleppe
Koch
Lennon

Long, La.
Lowenstein
Lujan
Lukens
McCarthy
McCloskey
McDonald, Mich.
McFall
McMillan
Mailliard
Mann
Melcher
Mize
Mollohan
Montgomery
Moorhead
Morse
Morton
Murphy, N.Y.
Nelsen
Nichols
Nix
Ottinger
Patman
Patten
Pepper
Philbin
Pickle
Podell
Pollock
Powell
Pryor, Ark.
Rarick
Rees
Rivers
Robison

Roe
Rooney, N.Y.
Rosenthal
Rostenkowski
Roybal
Ruppe
St Germain
St. Onge
Satterfield
Scheuer
Schneebeli
Shipley
Snyder
Springer
Stanton
Steed
Steiger, Wis.
Stephens
Stubblefield
Taft
Tunney
Udall
Ullman
Van Deerlin
Waggonner
Waldie
Watkins
Watson
Watts
Whalley
White
Widnall
Wold
Wright
Wydler

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Adair.
Mr. Farbstein with Mr. Halpern.
Mr. Fallon with Mr. Morton.
Mr. Philbin with Mr. Morse.
Mr. Dulski with Mr. Hastings.
Mr. Moorhead with Mr. Brown of Michigan.
Mr. Colmer with Mr. Belcher.
Mr. Carey with Mr. Clancy.
Mr. Celler with Mr. Robison.
Mr. Addabbo with Mr. Luken.
Mr. Gilbert with Mr. Nelsen.
Mr. Aspinall with Mr. Frelinghuysen.
Mr. Long of Louisiana with Mr. Brock.
Mr. McFall with Mr. McDonald of Michigan.
Mr. Cabell with Mr. Crane.
Mr. Casey with Mr. Lujan.
Mr. Murphy of New York with Mr. Harvey of Michigan.
Mr. Ottinger with Mrs. Heckler of Massachusetts.
Mr. White with Mr. Cowger.
Mr. Waggonner with Mr. Buchanan.
Mr. Brooks with Mr. Burke of Florida.
Mr. Boggs with Mr. Bow.
Mr. Biaggi with Mr. Hosmer.
Mr. Karth with Mr. Hansen of Idaho.
Mr. Daddario with Mr. Conte.
Mr. Dorn with Mr. Dickinson.
Mr. Edmondson with Mr. Frey.
Mr. Podell with Mr. McCloskey.
Mr. Roe with Mr. Hunt.
Mr. Rivers with Mr. Gubser.
Mr. Rostenkowski with Mr. Mize.
Mr. Rosenthal with Mr. Pollock.
Mr. Rooney of New York with Mr. Fulton of Pennsylvania.
Mr. St. Onge with Mr. Kleppe.
Mr. St Germain with Mr. Goldwater.
Mr. Gallagher with Mr. Ruppe.
Mr. Nichols with Mr. Schwengel.
Mr. Patman with Mr. Watkins.
Mr. Hanna with Mr. Dawson.
Mr. Pepper with Mr. Stanton.
Mr. Alexander with Mr. Watson.
Mr. Dingell with Mr. Melcher.
Mr. Holifield with Mr. Widnall.
Mr. Giaimo with Mr. Steiger of Wisconsin.
Mr. Pickle with Mr. Wold.
Mr. Patten with Mrs. Dwyer.
Mr. Lowenstein with Mr. Conyers.
Mr. Shipley with Mr. Springer.
Mr. Brown of California with Mr. Diggs.
Mr. Eilberg with Mrs. Chisholm.
Mr. Barrett with Mr. Baring.
Mr. Jarman with Mr. Helstoski.
Mr. Tunney with Mr. Waldie.
Mr. Wright with Mr. Kirwan.
Mr. Kee with Mr. Koch.
Mr. Rees with Mr. Nix.
Mr. McCarthy with Mr. Evans of Colorado.
Mr. Lennon with Mr. Snyder.
Mr. Mollohan with Mr. Whalley.
Mr. Feighan with Mr. Fascell.
Mr. Gaydos with Mrs. Green of Oregon.
Mr. Roybal with Mr. Powell.
Mr. Gettys with Mr. Gibbons.
Mr. Griffin with Mr. Haley.
Mr. Stubblefield with Mr. Steed.
Mr. Galifianakis with Mr. Taft.
Mrs. Hansen of Washington with Mr. Harrington.
Mr. Stephens with Mr. Satterfield.
Mr. Scheuer with Mr. Edwards of Louisiana.
Mr. Montgomery with Mr. McMillan.
Mr. Jacobs with Mr. Ullman.
Mr. Udall with Mr. Watts.
Mr. Jones of North Carolina, with Mr. Pryor of Arkansas.
Mr. Rarick with Mr. Mann.
Mr. Chappell with Mr. Culver.
Mr. Eckhardt with Mr. William D. Ford.
Mr. Fraser with Mr. Hagan.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so may have 5 legislative days in which to extend their remarks.

The SPEAKER pro tempore (Mr. ALBERT). Without objection, it is so ordered.

There was no objection.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may be discharged from the further consideration of a similar Senate bill (S. 1519) to establish a National Commission on Libraries and Information Science, and for other purposes, and that the bill be considered at this time.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

Mr. GROSS. Mr. Speaker, reserving the right to object, this does not in any way concur in anything?

Mr. PERKINS. No; this is going to conference.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky.

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1519

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Commission on Libraries and Information Science Act".

POLICY

SEC. 2. The Congress hereby affirms that library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation's educational resources and that the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services.

ESTABLISHMENT

SEC. 3. (a) There is hereby established, in the Office of the Secretary of the Department of Health, Education, and Welfare, a National Commission on Libraries and Information Science (hereinafter referred to as the "Commission").

(b) The Department of Health, Education, and Welfare shall provide the Commission with necessary administrative services.

CONTRIBUTIONS

SEC. 4. The Commission shall have authority to accept in the name of the United States grants, gifts, or bequests of money for immediate disbursement in furtherance of the functions of the Commission. Such grants, gifts, or bequests, after acceptance by the Commission, shall be paid by the donor or his representative to the Treasurer of the United States whose receipts shall be their acquittance. The Treasurer of the United States shall enter them in a special account to the credit of the National Commission on Libraries and Information Science for the purposes in each case specified.

FUNCTIONS

SEC. 5 (a) The Commission shall have the primary responsibility for developing or recommending overall plans for, and advising the appropriate governments and agencies on, the policy set forth in section 2. In carrying out that responsibility, the Commission shall—

(1) advise the President and the Congress on the implementation of national policy by such statements, presentations, and reports as it deems appropriate;

(2) conduct studies, surveys, and analyses of the library and informational needs of the Nation, including the special library and informational needs of rural areas and of economically, socially, or culturally deprived persons, and the means by which these needs may be met through information centers, through the libraries of elementary and secondary schools, and institutions of higher education, and through public research, special, and other types of libraries;

(3) appraise the adequacy of library and information resources and services and evaluate the effectiveness of library and information science programs;

(4) develop or recommend overall plans for meeting national library and informational needs and for the coordination of activities at the Federal, State, and local levels taking into consideration all of the library and information resources of the Nation to meet those needs;

(5) advise Federal, State, local, and private agencies regarding library and information sciences;

(6) promote research and development activities which will extend and improve the Nation's library and information-handling capability as essential links in the national communications networks; and

(7) submit through the Secretary of Health, Education, and Welfare to the President and the Congress (not later than January 31 of each year) a report on its activities during the preceding fiscal year.

(b) The Commission is authorized (1) to contract with Federal agencies and other public and private agencies to carry out any of its functions under subsection (a) and (2) to publish and disseminate such reports, findings, studies, and records as it deems appropriate.

(c) The Commission is further authorized to conduct such hearings at such times and places as it deems appropriate for carrying out the purposes of this Act.

(d) The heads of all Federal agencies are, to the extent not prohibited by law, directed to cooperate with the Commission in carrying out the purposes of this Act.

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MEMBERSHIP

SEC. 6. (a) The Commission shall be composed of the Librarian of Congress and fourteen members appointed by the President, by and with the advice and consent of the Senate. Not less than five members of the Commission shall be professional librarians or information specialists, and the remainder shall be persons having special competence or interest in the needs of our society for library and information services, at least one of whom shall be knowledgeable with respect to the technological aspects of library and information services and sciences. One of the members of the Commission shall be designated by the President as Chairman of the Commission. The terms of office of members of the Commission shall be five years, except that (1) the terms of office of the members first appointed shall commence on the date of enactment of this Act and shall expire three at the end of one year, three at the end of two years, three at the end of three years, three at the end of four years, and three at the end of five years, as designated by the President at the time of appointment, and (2) a member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.

(b) Members of the Commission who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the Commission or otherwise engaged in the business of the Commission, be entitled to receive compensation at a fixed rate by the Secretary, but not exceeding the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code, including traveltime, and while so serving on the business of the Commission away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, and authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(c) (1) The Commission is authorized to appoint, without regard to the provisions of title 5, United States Code, covering appointments in the competitive service, such professional and technical personnel as may be necessary to enable it to carry out its function under this Act.

(2) The Commission may procure, without regard to the civil service or classification laws, temporary and intermittent services of such personnel as are necessary to the extent authorized by section 3109 of title 5, United States Code, but at rates not to exceed the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code, including traveltime, and while so serving on the business of the Commission away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

AUTHORIZATION OF APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated $500,000 for the fiscal year ending June 30, 1970, $750,000 for the fiscal year ending June 30, 1971, and for each succeeding fiscal year for the purposes of carrying out the provisions of this Act.

AMENDMENT OFFERED BY MR. PERKINS

Mr. PERKINS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PERKINS: Strike out all after the enacting clause of S. 1519 and insert in lieu thereof the provisions of H.R. 10666, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 10666) was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO FILE REPORTS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

CONFERENCE REPORT ON H.R. 10105, MOTOR VEHICLE SAFETY

Mr. STAGGERS submitted the following conference report and statement on the bill (H.R. 10105) to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970, 1971, and 1972, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 91–1008)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10105) to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970, 1971, and 1972, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 8, 9, 11, 12, 13, 14, 15, 16, and 19.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 6, 10, 17, and 18; and agree to the same.

Amendment Numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 2. Section 102(4) of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1391(4)) is amended to read as follows:

"'(4) "Motor vehicle equipment" means any system, part, or component of a motor vehicle as originally manufactured or any similar part or component manufactured or sold for replacement or improvement of such system, part, or component or as any accessory, or addition to the motor vehicle, and any device, article, or apparel not a system, part, or component of a motor vehicle (other than medicines, or eyeglasses prescribed by a physician or other duly licensed practitioner), which is manufactured, sold, delivered, offered, or intended for use exclusively to safeguard motor vehicles, drivers, passengers, and other highway users from risk of accident, injury, or death.'"

And the Senate agree to the same.

Amendment No. 5: That the House recede from its disagreement to the amendment of the Senate numbered 5 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "at each location where any such manufacturer's vehicles or items of motor vehicle equipment are offered for sale by a person with whom such manufacturer has a contractual, proprietary, or other legal relationship in a manner determined by the Secretary to be appropriate which may include, but is not limited to, printed matter (A) available for retention by such prospective purchaser and (B) sent by mail to such prospective purchaser upon his request".

And the Senate agree to the same.

That the Senate recede from its amendment to the title of the bill.

The committee of conference has not agreed to the following amendment:

Amendment numbered 2.

HARLEY O. STAGGERS,
JOHN E. MOSS,
JOHN M. MURPHY,
RAY BLANTON,
W. L. SPRINGER,
HASTY KEITH,
JAMES HARVEY,
Managers on the Part of the House.
WARREN MAGNUSON,
VANCE HARTKE,
PHILIP HART,
WINSTON PROUTY,
ROBERT GRIFFIN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10105) to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970, 1971, and 1972, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment increases the authorization for the National Traffic and Motor Vehicle Safety Act of 1966, other than title III thereof, from $35,000,000 authorized by the House bill for fiscal year 1971 to $40,000,000 for such fiscal year. The House recedes.

Amendment No. 3: The House bill amended the definition of "motor vehicle equipment" to include any protective headgear or helmet manufactured, offered for sale, or sold for use by drivers of and passengers on or in motor vehicles. This amendment broadens the definition of "motor vehicle equipment" to include any device, article, or apparel not a system, part, or component of a motor vehicle (other than medicines or eyeglasses prescribed by a physician or other duly licensed practitioner) which is manufactured, sold, delivered, offered, or intended for use *wholly or in part* to safeguard motor vehicles, drivers, passengers, and other highway users from risk of accident, injury, or death. The House recedes with an amendment which would accept the concept of the Senate amendment but limit it only to those devices, articles, or apparel for use *exclusively* to safeguard motor vehicles, drivers, passengers, and other highway users from risk of accident, injury, or death.

Amendment No. 4: This amendment is a conforming amendment. The House recedes.

Amendment No. 5: This amendment provides that performance and technical data may be required by the Secretary to be given by the manufacturer to each prospective purchaser of a motor vehicle or item of equipment before its first sale for purposes of other than resale at each location where such manufacturer's vehicles or items of motor vehicle equipment are offered for sale by a person with whom the manufacturer has a contractual, proprietary, or other legal relationship, in an appropriate manner which may include but is not limited to printed matter (A) available for retention by the prospective purchaser and (B) sent by mail to each prospective purchaser upon his request. The House recedes with an amendment which is the same as the Senate amendment except that the manner in which such performance and technical data is to be furnished to such prospective purchaser is to be determined by the Secretary.

Amendment No. 6: This amendment requires that performance and technical data furnished to the first person who purchases a motor vehicle or item of equipment for purposes other than resale will be furnished at the time of such purchase in printed matter placed in the motor vehicle or attached to or accompanying the item of motor vehicle equipment. The House recedes.

Amendment No. 7: This amendment would revise section 113(c) of the National Traffic and Motor Vehicle Safety Act of 1966 to require notification to the purchaser of a vehicle or of equipment, in the case of failure of the manufacturer to comply with vehicle safety standards, as well as in the case of a defect, and to require a commitment of the manufacturer to cause the failure or defect to be remedied without charge. The Senate recedes.

Amendments Nos. 8 and 9: These amendments are technical. The Senate recedes.

Amendment No. 10: This amendment would authorize the Secretary to establish procedures to be followed by distributors and dealers to assist the manufacturer in securing the information on names and addresses of purchasers required by the subsection which procedures will not however affect the basic obligation of the manufacturer with respect to such records. The House recedes.

Amendment No. 11: This amendment would require with respect to any motor vehicle or item of motor vehicle equipment which fails to comply with motor vehicle safety standards or contains a defect relating to motor vehicle safety that the manufacturer will cause such failure or defect to be remedied without charge. In the case of failure of an inconsequential nature the Secretary is authorized to exempt the manufacturer from these requirements. The Senate recedes. Although the conferees agreed to the elimination of amendments numbered 7 and 11, they all agree that they expect the practice of the manufacturers of remedying without charge failures to comply with motor vehicle safety standards and those defects in motor vehicles and motor vehicle equipment relating to motor vehicle safety to be continued.

Amendments Nos. 12, 13, 14, and 15: These amendments are technical. The Senate recedes.

Amendment No. 16: The House bill authorizes the Secretary of Transportation to plan, design, and construct facilities suitable to conduct research, development, compliance, and other testing in traffic safety (including both highway safety and motor vehicle safety) with the exception that no appropriation can be made involving more than $100,000 unless the planning, designing, and construction has been approved by resolution adopted in substantially the same form by the committees on Interstate and Foreign Commerce and Public Works of the House and by the committees on Commerce and Public Works of the Senate. A prospectus is required to be submitted for this approval containing pertinent information and provision is made for increased construction costs up to 10 percent. The Senate amendment struck this provision and inserted in lieu thereof authority for an expenditure not to exceed $10,000,000 for the planning and designing of traffic safety research and test facilities, and $8,200,000 to plan, design, and construct facilities for testing motor vehicles for compliance with motor vehicle safety standards and for defects. In addition $3,500,000 was authorized for each of the fiscal years 1971 and 1972 for operation of these facilities.

The Senate recedes. The conferees agreed that there should be the fullest possible cooperation between the Department and the committees and between the committees so that expeditious consideration can and will be given all prospectuses submitted for approval. In the case of projects which are ready to proceed to construction such prospectuses should be submitted by the Department immediately and the conferees expect them to be considered by the interested committees as quickly as possible.

Amendment No. 17: This amendment is technical. The House recedes.

Amendment No. 18: This amendment would extend from April 1, 1970, as provided in the House bill to January 1, 1971, the date for a report on agricultural tractor accidents required by section 8 of the bill. The House recedes.

Amendment No. 19: The House bill provided that in order to facilitate the prompt completion of the agricultural tractor report officials of all Federal departments or agencies are to make available to the Secretary of Transportation, upon his request, data or information in their possession relating to agricultural tractor accidents and to otherwise provide assistance. This amendment struck this provision and substituted for it a requirement that the Secretary of Agriculture with the assistance of other Federal departments or agencies possessing data or information concerning agricultural tractor operations and accidents has to submit to the Secretary by June 30, 1970, his findings and recommendations and these are to be considered by the Secretary of Transportation and incorporated in his report to Congress. The Senate recedes.

The committee of conference has not been able to agree on amendment numbered 2 which struck the authorization contained in the House bill of $35,000,000 for the National Traffic and Motor Vehicle Safety Act of 1966 for the fiscal year 1972 and which in addition limited the use of $2,800,000 of the appropriations for fiscal year 1970 only to employment of additional personnel in the National Highway Safety Bureau.

HARLEY O. STAGGERS,
JOHN E. MOSS,
JOHN M. MURPHY,
RAY BLANTON,
W. L. SPRINGER,
HASTY KEITH,
JAMES HARVEY,
Managers on the Part of the House.

MERLIN DIVISION, ROGUE RIVER BASIN PROJECT, OREGON

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 780) to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin division, Rogue River Basin project, Oregon, and for other purposes, as amended.

The Clerk read as follows:

H.R. 780

***Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of providing irrigation water for approximately nine thousand three hundred acres, flood control, area redevelopment, and providing municipal and industrial water supply, fish and wildlife enhancement, and recreation benefits, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), an Act amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the Merlin division, Rogue River Basin project, Oregon. The principal works of the division shall consist of**

Sexton Dam and Reservoir, diversion and distribution facilities, and drainage facilities.

SEC. 2. Irrigation repayment contracts shall provide with respect to any contract unit, for repayment of the irrigation construction costs assigned for repayment to the irrigators over a period of not more than fifty years, exclusive of any development period authorized by law. Irrigation repayment contracts shall further provide for the assessment and collection of a service charge not less than $40 per annum for each identifiable ownership receiving irrigation service from and through the works of the Merlin division, such charge to be in addition to the repayment capacity of the lands as determined by the Secretary on the basis of studies of the value of water for full-time family-size farm operations. Construction costs allocated to irrigation beyond the ability of irrigators to repay shall be charged to and returned to the reclamation fund in accordance with the provisions of section 2 of the Act of June 14, 1966 (80 Stat. 200), as amended by section 6 of the Act of September 7, 1966 (80 Stat. 707).

SEC. 3. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Merlin division shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

SEC. 4. Before the works are transferred to an irrigation water user's organization for care, operation, and maintenance, the organization shall have agreed to operate them in such fashion, satisfactory to the Secretary, as to achieve the benefits to fish and wildlife enhancement, and recreation on which the allocations of costs therefor are predicated, and to operate them in accordance with regulations prescribed by the Secretary of the Army to achieve the benefits to flood control on which the allocation of costs therefor is predicated, and to return the works to the United States for care, operation, and maintenance in the event of failure to comply with the requirements to achieve such benefits.

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SEC. 5. Power and energy required for irrigation water pumping for the Merlin division shall be made available by the Secretary from the Federal Columbia River system at charges determined by him.

SEC. 6. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

SEC. 7. There is hereby authorized to be appropriated for construction of the works herein authorized the sum of $28,470,000 (July 1969 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in the costs of construction as indicated by engineering costs indexes applicable to the type of construction involved therein. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said works.

The SPEAKER pro tempore. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, H.R. 780 is a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin Division, Rogue River Basin project, Oreg. This project will be in Josephine County in the scenic, mountainous areas of southern Oregon. It will accomplish most of the multiple objectives which we expect our public works investment capital to bring about.

Southern Oregon, like many similar areas in the West, and the Appalachian East for that matter, has historically depended on a single industry. In this case, it is the forest products industry. I do not need to remind the House what happens to large areas of our Nation when the only industry available to support the economy falls upon evil times. The latest data available to the Committee on Interior and Insular Affairs shows that the insured unemployment in Josephine County, Oreg., is in the neighborhood of 18 percent of the work force. This means that 18 percent of the work force eligible for unemployment compensation is in a position to draw it unless their eligibility has been exhausted. When one adds this to the chronically underemployed that we find in any society, you have a vivid description of the economic backdrop for the Merlin division.

The project that we will authorize by enactment of H.R. 780 will diversify this economy to the extent that the communities reliance on a single industry will no longer be total and complete. The irrigation of over 9,000 acres of land ideally suited to the production of high-value fruit crops and the forage base for a livestock and dairy industry will change this valley from a tax-dependent to a taxpaying entity.

In short, the combination of working water on heretofore largely idle land will open up the country for in-migrants wishing to share and enjoy the climatic and scenic amenities of the area by providing a base of jobs and employment opportunities together with the water supplies needed for optimum harvest of the recreation potential now underutilized.

The Merlin division plan will consist of a dam on Jumpoff Joe Creek, a major unregulated tributary of the Rogue River. It will furnish the water requirements for 9,260 acres of land designated for service with the added potential for serving 2,000 more acres not yet specifically delineated. It will control floods originating in the basin above the dam, preserve and enhance fish and wildlife and provide a badly needed flat water recreation resource to balance out the recreation opportunities of the area.

Water will be delivered to the lands of the service area through a closed pipe system that will enable sprinkler service to the lands. This concept of distribution minimizes adverse environmental effects that often arise from the existence of open ditches and seepage from such facilities. Parenthetically, Mr. Speaker, we hope to see more and more such projects throughout our unspoiled rural settings. They save water, they eliminate health and safety hazards, they are less unsightly, and in many cases can be installed at less cost than the traditional open canals with lined perimeters.

The Merlin Division will cost an estimated sum of $28,470,000 which will be allocated among water resource purposes as follows:

Irrigation	$23,745,000
Flood control	1,390,000
Fish and wildlife	785,000
Recreation	2,550,000
Total	28,470,000

Costs allocated to irrigation are reimbursable without interest from revenues collected from water users in accordance with their ability to pay and from the net power revenues of the Federal Columbia River power system. In the Merlin division, the irrigators will pay $22.10 per irrigable acre per year. This amount is the estimated ability to pay on the basis of the use of irrigation water in a family-sized farming enterprise. In addition, each recipient of project water will pay an annual charge of $40 per year. This schedule of payments by the designated lands will defray irrigation, operation, and maintenance expenses and return $141,900 annually of the construction costs. In 50 years following a development period of not to exceed 10 years, the owners of designated lands will return $7,095,000. Power revenues in the amount of $16,650,000 will be required to return the remainder of the irrigation investment. Such revenues are assured from the Federal Columbia River power system.

Sexton Dam and Reservoir has the capability to yield about 5,200 acre-feet of water over and above that required to serve the 9,260 designated acres. This quantity of water will irrigate an additional 2,000 acres which have not yet been designated. These lands are available in a pattern contiguous to the designated service area and will be identified during postauthorization studies of the Merlin division. This increase in project accomplishment, while necessarily involving some added expense for distribution system extensions, will improve the economic and financial aspects of the project.

Flood control: Flood control in the Merlin division is nonreimbursable in accordance with prevailing policy.

Fish and wildlife and recreation: H.R. 780 provides for development of fish and wildlife enhancement and recreation in accordance with the principles set forth in the Federal Water Projects Recreation Act. Under this legislation, Josephine County, Oreg., will administer, operate, and maintain the recreation facilities, and repay $503,000 in 50 years at the interest rate specified in the bill. The Oregon State Game Commission will administer, operate, and maintain the fish and wildlife enhancement facilities and repay $38,500, with interest, in 50 years. The remaining costs allocated to fish and wildlife enhancement and recreation in the amounts of $748,500 and $2,047,000, respectively, are nonreimbursable.

Benefit cost: The Merlin division is properly evaluated at a discount rate of 3¼ percent, which is the rate that was applicable when the project planning report was submitted to the Congress in 1964. At this interest rate, the benefit-cost ratio over a 100-year period of analysis is 1.87 to 1. As a matter of interest, the benefit-cost ratio at the prevailing interest rate of 4⅞ percent would be 1.30 to 1.

The Merlin division service area is not typical of most Federal reclamation project areas. The area is presently highly subdivided into small residential-type holdings that, although agriculturally oriented, are in reality retirement homes and part-time enterprises for persons otherwise partially employed. At the present time, the designated service area is comprised of about 490 ownerships, averaging about 19 acres each. Of such ownerships 150 are in tracts of less than 5 acres. This trend is projected to continue so that, over the 50-year repayment period, the ownership pattern will average about 652 ownerships. While small tracts in the Rogue River Basin, with its adaptability to high-quality fruit production, can be operated to some commercial advantage, they are not properly considered as family-size farms in the usual and customary sense of that term. Further, in view of the occupancy of such holdings by persons with outside sources of income, here is a noticeable departure from the conditions which normally justify financial assistance to family-size farms in the form of interest-free financing and access to power revenues. The committee amendment increasing the turnout charge to $40 per year per ownership is designed to augment repayment from the many owners having other sources of income without significantly penalizing the full-time commercial farm operator.

Specific legislative authority is required to commit a portion of the power production of the Federal Columbia River power system to the needs of the Merlin division. The committee understands that the Secretary will establish rates at a level that will return the cost of a pro rata share of the power system investment without interest during the repayment period of the Merlin division.

Traditionally, the Congress has provided, with respect to reclamation projects, that, for a period of 10 years following authorization, the Secretary of the Interior may not deliver water to lands upon which surplus crops, as determined by the Secretary of Agriculture, are being grown. H.R. 780, as amended, includes standard language to this effect.

Mr. Speaker, our committee has held intensive hearings on the Merlin division. In the field and again in Washington we have found no semblance of opposition from any standpoint. It is endorsed by every level of government from the Nixon administration, through the State of Oregon, to the county level. No conservation organization or individual conservationist has raised a voice of dissent. It is by the archaic standards of executive branch evaluation a fairly expensive project. Those of us who have seen it on the ground and studied its economic backdrop are unanimously convinced that this is the kind of project that deserves our support in these times. In short, we have rarely had the opportunity to do so much good with so little whether the Bureau of Reclamation figures say so or not.

I, therefore, urge my colleagues to join with me in my motion to suspend the rules and pass H.R. 780.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Iowa.

Mr. GROSS. What is the rate of interest on the pay backs?

Mr. JOHNSON of California. As I understand it, as to the rate of interest, there is a standard procedure and this is set at the time of construction by the Secretary of the Interior based upon the costs at that time.

Mr. GROSS. Is that the cost of money to the U.S. Treasury? What is the rate of interest? Can the gentleman give us any idea?

Mr. JOHNSON of California. I would say that this is a figure that comes from long term financing on the part of the Government, probably 15-year financing, and it would be the rate that would be charged for that type of money secured by the Government. Now, the rate that is used in the cost-benefit ratio was 4.78 on this particular project as a going rate.

Mr. GROSS. What is the length of these loans or repayments?

Mr. JOHNSON of California. These would be repaid. The irrigators would repay over a period of 50 years after a 10-year development period. That which is not repaid by the irrigators would be paid by the Columbia River Basin fund at the end of the 50-year period. Prior to the 50-year payout, the Columbia River Basin fund would pay what the irrigators were not able to pay. The irrigators are charged a rate they can afford to pay, and this is a rather high rate, where costs are $22 per acre per year plus a hookup charge of $40.

Mr. GROSS. Do I understand this project has practically doubled in cost, from $16,515,000 to $28,470,000.

Mr. JOHNSON of California. This project has been before the Interior Department local people for some time, and due to the increased costs and a change in a closed conduit for a supply of water with pressure for sprinkler irrigation, which was a big improvement over the open-ditch facilities, the costs of this have risen to the present figure of $28,470,000 as of July of last year.

Mr. GROSS. Is this expenditure approved by the Bureau of the Budget?

Mr. JOHNSON of California. Yes; the figures were known to the Bureau of the Budget, and when the Secretary reported, the Bureau of the Budget had no objections to the legislation coming to the Congress for passage.

Mr. GROSS. And does the 75 percent apply that was established a year ago, approximately, by the President as a freeze on new starts on public works wherein Federal money is used? Is this subject to the 75-percent freeze?

Mr. JOHNSON of California. The 75-percent freeze by the administration is still in effect as it relates to Federal projects. They have released the grant-in-aid moneys that were given to the States for construction projects, and the States are now advertising for projects that were intended. But the Federal projects are being released more or less one at a time at the present time and there is still a holdback on some of the Federal projects.

I might say in this connection on this project, it would pay out something like 85 percent of the cost back to the Federal Government.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. GRAY. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Illinois.

Mr. GRAY. Mr. Speaker, I thank the gentleman for yielding. I just want at this point to announce that I have talked to officials downtown and certain members on the Appropriations Committee, and they tell me that they feel certain that the 75-percent freeze to which the gentleman from Iowa referred will be released as of July 1, the beginning of the new fiscal year. Also this is only an authorization bill and would not be affected by that Presidential order.

Mr. JOHNSON of California. I thank the gentleman from Illinois for his contribution.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, I think the colloquy between the gentleman from Iowa and the gentleman from California is a most interesting one; in fact, one of the most interesting I have ever heard during my years here.

I think we all appreciate the fact that the gentleman from California has presented the case for his bill in a most interesting manner and in a most persuasive manner. I congratulate the gentleman from California.

Mr. JOHNSON of California. I thank the Speaker for his kind remarks.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 780, as amended. This bill authorizes the Secretary of the Interior to construct, operate, and maintain the Merlin division of the Rogue River Basin project, in the State of Oregon.

The proposed Merlin division is a multipurpose water resource development project providing irrigation water, municipal and industrial water, flood control, outdoor recreation, and fish and wildlife enhancement. The principal feature of this division is the Sexton Dam which will create a 39,000-acre-foot storage reservoir. Other features of the division include the construction of two main canals, diversion, closed-pipe distribution, and drainage works. This division will provide irrigation water for some 9,260 acres of which only 260 acres are

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now being irrigated. Approximately 2,000 acres of the division area are being dry-farmed with some 7,000 uncultivated acres to be developed, one-half as full-time farms and the remainder in smaller units. Since the natural streamflow is inadequate for irrigation development, the reservoir storage and distribution facilities are necessary.

The estimated cost of constructing the Merlin division is $28,470,000 with the costs allocated among the project purposes. The Merlin division has a cost-benefit ratio over a 100-year period of 1.87 to 1 at a discount rate of 3¼ percent and a 1.30 to 1 benefit-to-cost ratio at the prevailing interest rate of 4⅞ percent.

One of the more significant facts concerning this legislation is its precedent-setting features in the Federal reclamation program. The primary justification advance for the construction of the Merlin division is to stimulate the depressed economy of Josephine County, Oreg. This justification is not in keeping with the original and fundamental principles of the Federal reclamation program. In addition, this legislation provides for future development and distribution of municipal and industrial water supplies to an area transiting toward a suburban or part-time farming economy. These facts only illustrate more clearly the need for a general review and reevaluation of the Federal reclamation program and laws.

Mr. Speaker, with notice of the precedent-setting features of this legislation, I urge the rules be suspended and H.R. 780, as amended, be passed.

Mr. ZWACH. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman.

Mr. ZWACH. I thank the gentleman for yielding.

I notice on the cost estimates that almost $24 million is for the purpose of irrigation and for increased agricultural production. Is that not a rather petty appropriation for the areas for increased agricultural production?

Mr. SAYLOR. No; this is not very unusual. Even though there is a large portion of this project allocated to irrigation, the irrigators and power revenues are going to repay about 85 percent of this. This is one of the highest pay backs by irrigation and power users that has been presented to the Congress in many, many years.

Mr. ZWACH. Have many projects been approved with such a high irrigation percentage in the past?

Mr. SAYLOR. Yes, yes. Heretofore they have always been subsidized in some manner, usually by power rates. Here it is estimated that approximately 85 percent of it will have to be subsidized by the surplus revenues from the Columbia River Basin project.

Mr. ZWACH. Flood control, fish and wildlife, and recreation are a very small part of this overall project; is that not true?

Mr. SAYLOR. That is correct, and the majority of these costs are not reimbursable. Congress, in its wisdom, said these features in this project as in every other project are a national charge against the country.

Mr. ZWACH. I thank the gentleman for yielding.

Mr. MILLER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Ohio.

Mr. MILLER of Ohio. Mr. Speaker, I notice in the report on page 7 language contrary to remarks expressed; it was stated a few minutes ago that 85 percent of the cost would be paid back by the irrigators. Yet, I see all of the costs allocated to irrigation would be reimbursable without interest. Analysis of the repayment capabilities of the irrigators indicate that they would be able to return $3,580,000 or approximately 15 percent of the cost allocated to irrigation over a 50-year period following a 10-year development period, which is contrary to the remarks of the irrigators being able to pay back 85 percent.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from California.

Mr. JOHNSON of California. To clarify the statement made by our colleague, the gentleman from Ohio (Mr. MILLER), I said that 85 percent of the project would be paid back to the Federal Government. That comes about in two ways. It comes from the irrigators and it will also come from the Columbia River Basin fund as stated in my statement.

Mr. SAYLOR. In other words, it will be repaid by both the irrigators and from power revenues. The question is the source of repayment.

Mr. MILLER of Ohio. I thank the gentleman.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Speaker, I want to add my strong support to the passage of this reclamation project located just north of Grants Pass, in the County of Josephine, Oreg.

The Merlin project has developed widespread interest in the area and is looked to as one of the best opportunities, immediately available, to enhance and diversify the economy.

The Irrigation and Reclamation Committee, on which I am proud to be a member, visited this section of Oregon and held indepth hearings and visited the project site along with Representative Barrett, Senator Potts, Josephine County commissioners, and many interested citizens. It became very obvious, from the outset, that these people are placing much of their hope for the future on the construction and completion of this project.

I can fully appreciate their interest and concern because I represent the congressional district just south of this area, across the line in California, and we all fully realize what a shot in the arm, a project of this type, would provide to the economic and tax base of Josephine County. Therefore, I strongly urge the passage of Mr. DELLENBACK's bill that is designed to help these people help themselves.

Mr. WYATT. Mr. Speaker, I rise in enthusiastic support of this fine Merlin project. The cost-benefit ratio of the project is very favorable. The area is very much in need of the water. It is an excellent reclamation project.

However, I would like principally to address my remarks to the great job done by my Oregon colleague, JOHN DELLENBACK, who has worked so long and hard on obtaining this authorization. As a former member of the House Committee on Interior and Insular Affairs, I know how difficult it is to obtain a new authorization. There is a large backlog of funding, and a natural reluctance for new authorizations. Congressman DELLENBACK let few days go by from the minute he arrived in Congress until the present day without contacting me and other members of the House Interior Committee in regard to the Merlin project. We are all very familiar with it, and due to his dedication and persistence, we finally have a bill to vote on today. Of course, we are grateful to Chairman ASPINALL and to the ranking member, JOHN SAYLOR, and to the chairman of the subcommittee, HAROLD T. JOHNSON, for their consideration of the bill.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from California (Mr. JOHNSON) that the House suspend the rules and pass the bill H.R. 780, as amended.

The question was taken.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 271, nays 15, not voting 144, as follows:

[Roll No. 86]

YEAS—271

Abbitt
Abernethy
Adams
Albert
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ayres
Beall, Md.
Bell, Calif.
Bennett
Berry
Betts
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Caffery
Camp
Carter
Cederberg
Chamberlain
Clark
Clausen, Don H.
Clawson, Del
Cohelan
Collier
Collins
Colmer
Conable
Corbett
Coughlin
Crane
Cunningham
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Dent
Derwinski
Downing
Duncan
Edwards, Ala.
Edwards, Calif.
Erlenborn
Esch
Eshleman
Evins, Tenn.
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R
Foreman
Fountain
Frelinghuysen
Friedel
Fulton, Tenn
Fuqua
Garmatz

XUM

Gibbons
Gonzalez
Goodling
Gray
Green, Pa.
Griffiths
Gubser
Gude
Hall
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Harsha
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Henderson
Hicks
Hogan
Horton
Howard
Hull
Hungate
Hutchinson
Ichord
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Tenn.
Kastenmeier
Kazen
Keith
King
Kluczynski
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Latta
Leggett
Lloyd
Long, Md.
Lujan
McClory
McCloskey
McClure
McCulloch
McDade
McEwen
McFall
McKneally
Macdonald, Mass.
MacGregor
Madden
Mahon
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Mikva
Miller, Calif.
Mills
Minish
Mink
Minshall
Mizell
Morgan
Morton
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Obey
O'Hara
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Pelly
Perkins
Pettis
Pike
Pirnie
Poff
Preyer, N.C.
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Roth
Roudebush
Ruth
Ryan
St. Onge
Sandman
Saylor
Schadeberg
Scherle
Schwengel
Scott
Sebelius
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Springer
Stafford
Staggers
Steed
Steiger, Ariz.
Stokes
Stratton
Stuckey
Sullivan
Symington
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Vander Jagt
Vanik
Vigorito
Wampler
Weicker
Whalen
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wyatt
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—15

Belcher
Cleveland
Cramer
Delaney
Devine
Donohue
Gross
Langen
Miller, Ohio
Monagan
Poage
Smith, Calif.
Smith, N.Y.
Teague, Tex.
Wolff

NOT VOTING—144

Adair
Addabbo
Alexander
Aspinall
Baring
Barrett
Bevill
Biaggi
Bow
Brock
Brooks
Brown, Calif.
Brown, Mich.
Buchanan
Byrnes, Wis.
Cabell
Carey
Casey
Celler
Chappell
Chisholm
Clancy
Clay
Conte
Conyers
Corman
Cowger
Culver
Dawson
Dennis
Dickinson
Diggs
Dingell
Dorn
Dowdy
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, La.
Eilberg
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Ford, William D.
Fraser
Frey
Fulton, Pa.
Galifianakis
Gallagher
Gaydos
Gettys
Giaimo
Gilbert
Goldwater
Green, Oreg.
Griffin
Grover
Hagan
Haley
Halpern
Hanna
Hansen, Idaho
Harrington
Harvey
Hébert
Heckler, Mass.
Helstoski
Holifield
Hosmer
Hunt
Jacobs
Jarman
Jones, N.C.
Karth
Kee
Kirwan
Kleppe
Koch
Lennon
Long, La.
Lowenstein
Lukens
McCarthy
McDonald, Mich.
McMillan
Mailliard
Mann
Melcher
Mize
Mollohan
Montgomery
Moorhead
Morse
Murphy, N.Y.
Nelsen
Nichols
Nix
Ottinger
Patman
Patten
Pepper
Philbin
Pickle
Podell
Pollock
Powell
Pryor, Ark.
Rarick
Rees
Rivers
Roe
Rooney, N.Y.
Rosenthal
Rostenkowski
Roybal
Ruppe
St Germain
Satterfield
Scheuer
Schneebeli
Shipley
Snyder
Stanton
Steiger, Wis.
Stephens
Stubblefield
Taft
Tunney
Udall
Ullman
Van Deerlin
Waggonner
Waldie
Watkins
Watson
Watts
Whalley
White
Wold
Wright
Wydler

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Corman with Mr. Wydler.
Mr. Griffin with Mr. Watson.
Mr. Kirwan with Mr. Watkins.
Mr. Tunney with Mr. Whalley.
Mr. Waggonner with Mr. Wold.
Mr. Watts with Mr. Karth.
Mr. Jones of North Carolina with Mr. Helstoski.
Mr. Jarman with Mr. Udall.
Mr. Brown of California with Mr. Clay.
Mr. Hagan with Mr. Harrington.
Mr. Podell with Mr. Nix.
Mrs. Hansen of Washington with Mr. Haley.
Mr. McCarthy with Mr. Eckhardt.
Mr. Rooney of New York with Mr. Rivers.
Mr. Lowenstein with Mr. Diggs.
Mr. Rostenkowski with Mr. Rarick.
Mr. Galifianakis with Mrs. Green of Oregon.
Mr. Pickle with Mr. Murphy of New York.
Mr. Mollohan with Mr. Waldie.
Mr. Ottinger with Mr. Powell.
Mr. Casey with Mr. Ullman.
Mr. Baring with Mr. Jacobs.
Mr. Roe with Mrs. Chisholm.
Mr. William D. Ford with Mr. Dawson.
Mr. Roybal with Mr. Scheuer.
Mr. Satterfield with Mr. Shipley.
Mr. St Germain with Mr. Pryor of Arkansas.
Mr. Fraser with Mr. Conyers.
Mr. Rees with Mr. Stubblefield.
Mr. Gaydos with Mr. St Germain.
Mr. Alexander with Mr. Bevill.
Mr. Dowdy with Mr. Dulski.
Mr. Evans of Colorado with Mr. Kee.
Mr. McMillan with Mr. Mann.
Mr. Montgomery with Mr. Melcher.
Mr. Nichols with Mr. Rosenthal.
Mr. Hébert with Mr. Adair.
Mr. Addabbo with Mr. Harvey.
Mr. Gilbert with Mr. Mailliard.
Mr. Philbin with Mrs. Heckler of Massachusetts.
Mr. Farbstein with Mr. Miller of Ohio.
Mr. Fallon with Mr. Bow.
Mr. Giaimo with Mr. Stanton.
Mr. Carey with Mr. Halpern.
Mr. Celler with Mr. Grover.
Mr. Brooks with Mr. Cowger.
Mr. Cabell with Mr. Goldwater.
Mr. Gettys with Mr. Snyder.
Mr. Moorhead with Mr. Fulton of Pennsylvania.
Mr. Dingell with Mr. Conte.
Mr. Patman with Mr. Belcher.
Mr. Pepper with Mr. Dennis.
Mr. Edwards of Louisiana with Mr. Taft.
Mr. Aspinall with Mr. Brown of Michigan.
Mr. Patten wth Mrs. Dwyer.
Mr. Eilberg with Mr. Schneebeli.
Mr. Barrett with Mr. Hunt.
Mr. Biaggi with Mr. Mize.
Mr. Lennon with Mr. Brock.
Mr. Long of Louisiana with Mr. Dickinson.
Mr. White with Mr. Ruppe.
Mr. Van Deerlin with Mr. Hosmer.
Mr. Wright with Mr. Kleppe.
Mr. Holifield with Mr. Morse.
Mr. Chappell with Mr. Buchanan.
Mr. Culver with Mr. Lukens.
Mr. Dorn with Mr. Frey.
Mr. Edmondson with Mr. Byrnes of Wisconsin.
Mr. Fascell with Mr. Steiger of Wisconsin.
Mr. Feighan with Mr. Clancy.
Mr. Gallagher with Mr. Pollock.
Mr. Hanna with Mr. Nelsen.

Messrs. TEAGUE of Texas and LANGEN changed their vote from "yea" to "nay."

Mr. MAHON changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

EAST GREENACRES UNIT, RATHDRUM PRAIRIE PROJECT, IDAHO

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9854) to authorize the Secretary of the Interior to construct, operate, and maintain the East Greenacres unit, Rathdrum Prairie project, Idaho, and for other purposes, as amended.

The Clerk read as follows:

H.R. 9854

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of providing irrigation water supplies, providing municipal and industrial water, the conservation and enhancement of fish and wildlife resources, and the enhancement of recreation opportunities, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the East Greenacres unit, Rathdrum Prairie project, Idaho. The principal works of the unit shall consist of wells, regulating reservoirs, the necessary water distribution systems, and related works.

SEC. 2. (a) Irrigation repayment contracts shall provide for repayment of the irrigation construction costs assigned to the irrigators for repayment over a period of not more than fifty years, exclusive of any development period authorized by law. Construction costs allocated to irrigation beyond the ability of irrigators to repay shall be charged to and returned to the reclamation fund in accordance with the provisions of section 2 of the Act of June 14, 1966 (80 Stat. 200), as amended by section 6 of the Act of September 7, 1966 (80 Stat. 707), and from surplus municipal and industrial water revenues as provided by subsection 2(b) of this Act.

(b) Municipal and industrial repayment contracts shall provide for repayment of the construction costs allocated to municipal and industrial water supply, with interest, by the municipal and industrial water users over a period of not more than fifty years from the date that water is first delivered for that purpose, pursuant to contracts with municipal corporations, organizations, or other entities as defined in section 2(g) of the Reclamation Project Act of 1939 (53 Stat. 1187): *Provided,* That contracts for municipal and industrial water service shall provide that annual payments shall continue at the same rates as long as the irrigation repayment contracts are in effect: *Provided further,* That revenues in excess of those required to repay the allocated municipal and industrial water supply costs with interest and the portion of the annual operation, maintenance, and replacement costs allocated

XUM

to municipal and industrial water supply shall be returned to the reclamation fund and credited toward the repayment of the construction costs allocated to irrigation which are beyond the ability of the irrigators to repay. Such contracts may be entered into with a qualified entity or entities pursuant to the provision of this Act without regard to the last sentence of subsection 9(c) of the Reclamation Project Act of 1939, supra, and shall be executed before the commencement of construction of the unit.

(c) The interest rate used for purposes of computing interest during construction and, where appropriate, interest on the unpaid balance of the reimbursable obligations assumed by non-Federal entities shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from date of issue.

SEC. 3. The provision of lands, facilities, and project modifications which furnish outdoor recreation and fish and wildlife benefits in connection with the East Greenacres units shall be in accordance with the Federal Water Project Recreation Act (79 Stat. 213).

SEC. 4. Power and energy required for irrigation water pumping for the East Greenacres unit shall be made available by the Secretary from the Federal Columbia River power system at charges determined by him.

SEC. 5. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

SEC. 6. There is hereby authorized to be appropriated for construction of the works herein authorized and for the acquisition of necessary land and rights the sum of $4,965,000 (January 1969 prices), plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said unit.

The SPEAKER pro tempore. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 9854, to authorize the Secretary of the Interior to construct, operate, and maintain the East Greenacres unit in Idaho. This is a carefully evaluated, imaginatively designed project that is eminently feasible and badly needed in the local area. It meets the severe tests of justification imposed by the prevailing discount rate of 4⅞ percent and is the first Federal reclamation project to come before the House that is obliged to withstand that criterion.

The East Greenacres unit is not a large project. In fact, it is a rather small one when measured in dollars and cents and in terms of the acres of land that it will serve. It is, however, large in its capability to bring a better and more secure economic livelihood to the people of the immediate and adjacent areas of Kootenai County, Idaho. This area is presently occupied by people making an effort to stay on the land and extract a livelihood from it. They are, for the most part, trying to farm land with little or no irrigation water and to take from it a feed base sufficient to support a dairy industry. With the East Greenacres unit, they will be able to succeed in this form of farming to their own economic betterment and to the strengthening of the surrounding region.

Basically this is an irrigation project, although it has multiple purpose features worthy of note. Its most unique aspect is the fact that it will develop a water supply from groundwater and distribute it for irrigation and domestic use through a completely closed system. The physical plan will involve drilling and equipping approximately 12 wells. These wells will be grouped in clusters of three or four. Each group of wells will deliver water to an elevated steel tank for distribution to a block of lands. Four such separate systems will comprise the total project. Domestic water will be served through the same lines with irrigation water. During the non-irrigation season when domestic water represents the only demand, pressure will be provided by a small auxiliary pump in each of the four sub-systems.

The project will cost an estimated $4,965,000 at price levels prevailing in January 1969. It will serve the total water requirement for 5,230 acres of land, and in so doing will supplant the present inadequate service being afforded to 1,770 acres. The existing supply comes from Twin Lakes through natural stream channels and poorly maintained open ditches. The lakes, if operated through their full drawdown range are frequently unable to supply sufficient water for the presently irrigated acreage. In recent months, the irrigators have been restricted by order of the Idaho Supreme Court from operating the lakes through a greater range than 4 feet. This further curtails the water available for irrigation and increases annual shortages.

The action to limit operation of the lakes was brought by riparian owners around the lakes who wish to stabilize the lake levels for recreation and fish and and wildlife values. When the well system is installed, the irrigation interest will cede their water rights in Twin Lakes to Kootenai County and abandon diversions for irrigation. This will stabilize the lake levels during the prime recreation season and produce significant public fish and wildlife benefits. Public access will be provided and facilities for public use will be installed.

The cost of the project, when allocated by the conventional procedures in accordance with the benefits to the several purposes are as follows:

Irrigation	$4,495,000
Municipal and industrial water (domestic)	141,000
Fish and wildlife enhancement	301,000
Recreation	28,000
Total	4,965,000

Reimbursement of the foregoing is required by H.R. 9854 in conformity with law and policy. Irrigation revenues will be returned from revenues derived from irrigation water users, domestic water users and the net proceeds from the power operations of the Federal Columbia River power system. The irrigators will be charged in accordance with their ability to pay, a sum currently estimated at $13 per acre per year. After defraying operation, maintenance, and replacement expenses, the revenues will repay about $792,000 of the original construction cost during a term of 50 years following the termination of a development period allowed by law.

Domestic water users will pay an annual flat rate charge of about $42. Revenues from this source will amortize the municipal water costs at the required rate of interest and produce surplus revenues in the estimated amount of $73,000 during the repayment period. This surplus is required by the terms of H.R. 9854, as amended, to be used to repay irrigation costs. The rest of the irrigation costs will be met from power revenues, the availability of which is assured by up-to-date studies made by the Bonneville Power Administration.

Fish and wildlife enhancement and recreation cost sharing on the East Greenacres will be in accordance with the requirements of the Federal Water Project Recreation Act. This will require that prior to the start of construction, Kootenai County, Idaho, must agree to operate and maintain the project recreation facilities and repay $16,700 of the allocated costs with interest as specified in the bill. Remaining recreation and fish and wildlife costs will be nonreimbursable.

Mr. Speaker, the Subcommittee on Irrigation and Reclamation has looked into the East Greenacres unit. Last October, the subcommittee made a field inspection and conducted a field hearing. The members were able to see all facets of the program at first-hand. Of particular interest was an adjacent project based on the same design that is working faultlessly. No opposition appeared at either the field hearings or at the formal hearings conducted in Washington earlier this spring.

This project meets the tests now being imposed, in that it shows a favorable benefit-cost ratio at the discount rate of 4⅞ percent. It meets the tests of engineering and financial feasibility, but more importantly, it will do a great deal of good for some richly deserving citizens. If the United States is to continue to participate in the development of its land and water resources, and I submit that we must, this is the kind of program that everyone can endorse.

For this reason, Mr. Speaker, I unreservedly support H.R. 9854 and urge the House to suspend the rules and pass it this afternoon.

XUM

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this legislation. H.R. 9854, as amended by the Committee on Interior and Insular Affairs, authorizes the Secretary of the Interior to construct, operate, and maintain the East Greenacres unit, of the Rathdrum Prairie project, in the State of Idaho.

The proposed East Greenacres unit is a multiple-purpose water resource development project providing irrigation and municipal and industrial water supplies, outdoor recreation opportunities and the enhancement of fish and wildlife resources. Development of the East Greenacres unit involves the construction of a water supply system based upon ground water pumping from an abundant ground water aquifer through a closed-pipe pressure distribution system. Such a system will provide irrigation water to 5,270 acres of land and municipal and industrial water.

The estimated construction costs of the East Greenacres unit is $4,965,000. Project costs are allocated among the reimbursable and nonreimbursable project purposes. The economic analysis of the benefits to costs of the East Greenacres unit indicates that over a 100-year period of analysis and using the current interest rate of 4⅞ percent, the direct benefits will exceed the costs in the ratio of 1.05 to 1.

This legislation is similar to legislation just passed authorizing the Merlin division by extending the original and fundamental purposes of the Federal reclamation laws. Here again, the justification for the legislation is the need to enhance and stabilize the economy of Kootenai County, Idaho, by providing an alternative water supply.

At the present time 1,770 acres of the unit are being irrigated by a surface water system from storage in Twin Lakes. Drawdowns in operation of the lake for water supplies has prompted controversy and litigation. Judicial decision has curtailed the operation of the lake for water supplies and results in the need for the construction of an alternative system.

The general reclamation law is also being extended by this legislation to provide that the use of surplus revenues from the sale of municipal and industrial water shall be made available to assist in the repayment of reimbursement irrigation costs which is beyond the ability of the irrigators to pay.

Mr. Speaker, with notice that this legislation also demonstrates the need for a general review and reevaluation of the Federal reclamation laws, I urge that the rules be suspended and H.R. 9854, as amended, be passed.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California that the House suspend the rules and pass the bill H.R. 9854, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill as amended, was passed.

A motion to reconsider was laid on the table.

ADDITIONAL FINANCIAL ASSISTANCE FOR ICE AGE NATIONAL SCIENTIFIC RESERVE, WISCONSIN

Mr. TAYLOR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4172) to authorize the Secretary of the Interior to provide additional financial assistance for development and operation costs of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4172

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 13, 1964 (78 Stat. 1087) is amended as follows:

(1) Section 3 is repealed.

(2) Section 4 is amended by deleting everything after the word "nonprofit" and inserting the word "corporation.".

(3) Section 5 is amended to read as follows:

"SEC. 5. (a) The Secretary is authorized to provide technical assistance to the State of Wisconsin for planning and development of the reserve in accordance with the comprehensive plan.

"(b) In addition to grants made pursuant to the Land and Water Coservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4601–8), the Secretary is authorized to make grants of not to exceed 25 per centum of the actual cost of each development project within the reserve in accordance with the comprehensive plan: *Provided,* That the maximum amount of such grants for all projects shall not exceed $425,000.

"(c) The Secretary, pursuant to an agreement with the State of Wisconsin, may pay up to 50 per centum of the annual costs of management, protection, maintenance, and rehabilitation of the reserve.

"(d) Whenever the Secretary determines that appropriate management and protection set down in the comprehensive plan are not being afforded the nationally significant values within the reserve or that funds are not being provided on the prescribed matching basis by the State of Wisconsin or other non-Federal sources, he may terminate contributions under this Act."

(4) Section 6 is repealed.

The SPEAKER pro tempore. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TAYLOR. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, the committee on Interior and Insular Affairs has carefully considered H.R. 4172, a bill involving the Ice Age National Scientific Reserve.

As most Members of the House will recall, legislation dealing with this nationally significant scientific area was first considered during the 88th Congress. At that time we recognized the importance of the events which occurred in Wisconsin about 10,000 years ago. Congress determined in this 1964 Ice Age Act that the area has national significance and that the Government should assist the State of Wisconsin in planning and funding the proposed National Scientific Reserve. At that time Congress authorized $750,000 to aid the State of Wisconsin in acquiring the land and directed the Secretary of Interior to help establish a comprehensive plan.

Because of the enactment of the Land and Water Conservation Fund Act, the $750,000 which we authorized has never been appropriated. The only funds expended pursuant to Public Law 88–655 were those needed to formulate the comprehensive plan for the protection, preservation, and interpretation of the areas recognized. This expenditure amounted to $50,000.

The comprehensive plan was presented to Congress in 1968, and H.R. 4172 is founded on the basis of that plan and the recommendations submitted to Congress by the Secretary of Interior and the Governor of Wisconsin.

The bill before us today authorizes the Secretary to provide technical assistance to the State of Wisconsin to aid in the planning and developing of the reserve. In addition, because of the national significance of the area, it authorizes grants to be made to help in the development of the reserve for public use.

Under existing law, 50 percent of the development cost could be financed from Wisconsin's share of the land and water conservation fund—that is, if the State saw fit to use its share of these funds for that purpose. Under the terms of this bill, direct appropriations could be made to the Department to finance half of the remaining 50 percent of development costs. This supplementary assistance is limited to no more than a total of $425,000 for the entire reserve. The bill also provides for 50–50 cost-sharing of the annual operation and maintenance costs of the reserve.

The committee amendment clarifies the terms of the bill. It repeals provisions of the original act which are unnecessary and brings the legislation into line with the comprehensive plan and recommendations approved by the Secretary of the Interior and the Governor of Wisconsin.

Mr. Speaker, the terms of H.R. 4172 are somewhat unusual, but the situation confronting the Congress is almost unique. Here, we have a resource of national importance. Normally, we would be moved to assume a national responsibility for its protection and development, but the State had already made a substantial effort to make it available to the public. The State was willing to allow it to be redesignated as a national area, to provide the necessary administrative personnel to assure its preservation, and to assume the necessary acquisition responsibilities using its own fund and funds it is entitled to under the land and water conservation fund. The national objective, consequently, can be achieved with a relatively modest investment.

Altogether, the direct Federal investment in the reserve is limited to $425,000—excluding the $50,000 already expended on the comprehensive plan, plus the annual installments for operation and maintenance—an amount estimated to be approximately $80,000 yearly.

The President's emphasis on encouraging the States to assume a larger role in protecting the environment and his commitment to expand the Nation's inventory of outdoor areas argue persuasively for the enactment of this legislation.

It was determined by Congress in 1964 that the United States would join hands with the State of Wisconsin in establishing this national scientific reserve. Personally, I believe that it is wise to encourage teamwork between the Federal Government and the States in acquiring and developing recreation areas and scientific areas of this type, and it does not matter so much which unit of government holds title to the land so long as it is properly developed and operated for the benefit of all the people.

Some of our finest national parks and other outdoor areas have been made possible by cooperation between the States and Federal Government. For instance, 40 years ago the States of North Carolina and Tennessee, aided by private gifts, acquired the land for the Smoky Mountains National Park and donated it to the Government to develop and operate, making possible the Nation's most visited national park. Some 20 years ago my home State of North Carolina acquired the Hatteras Seashore Area and donated it to the Government to develop and operate, making possible the Nation's first national seashore area. This type of teamwork is very beneficial.

Except for the interest shown by the State of Wisconsin and actions taken by the State, the Federal Government would be paying the entire bill for this national scientific reserve and most of us would be voting for it. If we treat the State's share of the land and water conservation fund as State money—and it is money that the State can use for any approved outdoor recreation project—then the State of Wisconsin will have paid all of the land acquisition costs on this project and will pay three-fourths of the development costs and will pay one-half of the operating costs. Under this kind of partnership we get more results for each Federal dollar spent.

H.R. 4172 as amended is a reasonable program which I am pleased to recommend to my colleagues and urge its approval by the House.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR. I am glad to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding. I particularly appreciate the detailed explanation he has made about the legislative background of his proposal.

I want to say that the reason that this particular bill, H.R. 4172, was not considered and perhaps passed under the unanimous consent request on the Consent Calendar is because of a statement in the original legislation itself, which to me at least indicated that we would not be back to the Federal Treasury for additional funds in developing this Ice Age Park. I agree with preserving these relics, and I agree with much the gentleman has said about the need of our national park system. But when it was plainly stated in the act itself that funds therein—and I presume this is applicable—whether they came from the land and water conservation use fund or whether they came from the original $750,000 appropriation—could be used for acquiring land but could not be used for promotion, upkeep, operation, or maintenance funds or other things, then it is seemingly strange that we come back here and ask for additional funds for development.

Furthermore, on the day that legislation was considered a question was asked, Will these Federal funds be used for land acquisition? and the answer, in the CONGRESSIONAL RECORD, volume 110, part 17, page 22634, was—

> Our committee has been assured that the sum in this bill will be all that is required by the Federal Government for land acquisition—

And so forth.

Therefore, I think it is right and proper that we debate this bill, even under the limited rules of the suspension of the rules where it cannot be amended.

I appreciate the gentleman yielding, and I appreciate any comment he would care to make on these observations.

Mr. TAYLOR. I appreciate the gentleman's comments. He is entirely correct. The original bill did authorize $750,000 for acquisition—not for development, but for acquisition. It authorized $50,000 for study and development of this comprehensive plan.

Mr. HALL. Mr. Speaker, if the gentleman will yield on that point, did not the original act go further and say those funds would not be used for development?

Mr. TAYLOR. Let me read the language:

> SEC. 4. The comprehensive plan presented by the Secretary to the President of the Senate and the Speaker of the House of Representatives may include such recommendations, if any, as he and the Governor of the State of Wisconsin may wish to make with respect to Federal and State participation in the financing of appropriate interpretive and other public facilities and services within the reserve, include facilities and services to be furnished by such private organizations as the Ice Age Park and Trail Foundation, a nonprofit corporation, but no commitment with respect thereto shall be made by the Secretary and no Federal appropriations shall be available for this purpose.

In explaining that language—and the gentleman called this to my attention a little while ago, and I appreciate that—I did look over the RECORD, and I found that on August 3, 1964, when the ice age bill was considered, there appeared in the CONGRESSIONAL RECORD, volume 110, part 13, page 17805, the following statement made on the House floor by Chairman Aspinall:

> H.R. 1096 in no way commits the United States to any share of the upkeep of the Ice Age National Scientific Reserve. Perhaps there will eventually be some arrangement for this, but for the present, there is no commitment and it will take an act of Congress if there is to be one. Section 4 of the bill expressly contemplates a study by the Secretary of the Interior and the Governor of Wisconsin of this matter and for a report back to Congress on it.

Mr. HALL. There is not the slightest doubt, if the gentleman will yield, but what the Congress can and often does do anything, and of course they would have to come back and report to us, as the gentleman knows, on any of these projects regardless of whether we write in the original bill that we will not come back to the taxpayers for additional support in the long run.

Mr. TAYLOR. Of course, if it is a Federal project, we have responsibility for developing and a continuing responsibility for operation. This has been done in a two-step deal. First, we authorized money for acquisition, which did not have to be spent, because the land and water conservation funds were used, and we authorized money for a comprehensive plan. Now that the plan has been completed, and presented to Congress, this legislation is being considered.

To my way of thinking, the Government is getting a bargain. If the State of Wisconsin had not stepped in and taken its money and bought this land and used its own land and water conservation funds—this project would have cost the Federal Government much more money.

There is an advantage in letting the State operate this reserve because it is near the State-owned facilities. This is stretched out over a 500-mile area, and this arrangement is much more economical. We get the same result with less money.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, the report accompanying this bill indicates the ice age ended 10,000 years ago. Was the gentleman ever in Wisconsin in midwinter?

Mr. TAYLOR. I have been in Wisconsin, but not in midwinter.

Mr. GROSS. If it ended 10,000 years ago, where has this legislation been—on ice, or in the refrigerator, or where?

Mr. SAYLOR. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. KYL).

Mr. KYL. Mr. Speaker, I am pleased to speak today on behalf of completing the job we started in the Wisconsin glaciation area.

The gentleman from Missouri and my colleague and gentle friend, the gentleman from Iowa, would like to go back in history to the time when this project first came to our attention.

It was proposed that the Federal Government would spend millions of dollars to acquire, as Federal holdings, much of this area which has been preserved by the State and largely with State funds.

The committee has been honest and honorable in selecting this means of making some changes in the original proposal.

I want to remember with this body today what we have in this ice age area, the scientific preserve in Wisconsin.

In the Pleistocene epoch, as the geologists call it, much of this continent was covered with glaciers. As a matter of fact, so much ice was involved in this glaciation that the sea levels actually fell in the interim.

If we were to construct a diorama for educational purposes to demonstrate the total effect of continental glaciation, we could not do that better than we have it naturally accomplished here in Wisconsin. All of the effects of continental glaciation are here.

We have the Kettle Moraine, where

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two large moving glaciers, scouring side by side, wind-rowed the earth into long ranges, much as the plow wind rows the land in our fields.

We have the eskers which were developed by the ice-enclosed streams.

There is a common misconception that glaciers are huge, pure white, clean devices. Actually, they are dirty. They carry untold tons of sand, rock, and other debris.

Sometimes, where a hole melted in the ice, this debris—gravel, rock—poured through and there developed what is known as the kame.

The scientists are still puzzled considerably by the rather oval hills which are called the drumlins, and all these things abound.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. KYL. I yield to my friend from Iowa.

Mr. GROSS. I am disappointed to hear the gentleman say what is called the ice age and the ice conditions in Wisconsin are not what they seem to be. I was there last summer. I have been there before. They do not miss charging one for ice cubes. I was in the hope that the gentleman would say that so many million bushels of ice cubes could be dug out of the ground there for the benefit of the tourists like myself who have the opportunity to visit.

Mr. KYL. No; but I can go one better, and seriously, than my friend has in a facetious manner.

As these glaciers moved into this area, of course they hauled with them rocks and elements from all the areas to the North. In fact, in some of these kames and eskers one may find not ice cubes but actually industrial-quality diamonds and other gem stones.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I hope we can recover something out of this situation for those of us who do not live there.

Mr. KYL. I am trying to convince the gentleman that this is indeed a subject worthy of preservation, because, in addition to all the other effects one can find here, there is the place, of course, where the massive glaciers finally hit the Baraboo Range, where the Wisconsin River for centuries had cut a path through the rock. As the glacier moved up there and was stopped by this great crystalline formation, the river was dammed at both ends and formed a very lovely, very clear and beautiful lake, and the Wisconsin River was diverted by the glaciation around the edge of the Baraboo Range and then on south.

In summary, what we have here is the best place to study continental glaciation we have in this country, and one of the two best that there are anywhere in the world.

It is all here together, including those spots where huge chunks of ice were covered by debris and then gradually, as the ice melted, formed kettle holes from small sizes to lake sizes.

There is a special ecology here that is interesting to students and recreationists, with the maple and the birch and aspen and linden, the pines, the larch, which is a coniferous tree and which is not an evergreen. There are still bogs, peat bogs, watercress bogs, and so on, with their own ecology, which in some instances are fragile and demand some kind of preservation. The out-wash plains, that final effect of the glaciation, offer some fertile fields for agriculture and otherwise.

Mr. Speaker, this is an area which is most worthy of preservation because of its completeness and because of its uniqueness. I would hope, I would say again to my gentle friend from Iowa, that sometime I might have the pleasure of touring this area with him for no other reason than to fish in some of some lovely areas which abound with finny creatures, for I know of his love for that particular part of our nature.

Mr. Speaker, I thank you for the time you have yielded to me.

Mr. SAYLOR. Mr. Speaker, I rise in support of H.R. 4172, as amended. This bill authorizes the Secretary of the Interior to provide financial assistance for the development, operation, and maintenance of the Ice Age National Scientific Reserve in the State of Wisconsin.

The purpose of this legislation is to assist the State of Wisconsin in preserving, perhaps the most outstanding evidence of the ice age as it touched this continent and this Nation. Located in nine separate units totaling approximately 32,500 acres in the State of Wisconsin is what scientists believe to be the remnants of the last stage of continental glaciation.

In 1964, Congress authorized the Secretary of the Interior, by legislation, to cooperate with the State of Wisconsin to assure the protection, preservation, and interpretation of these nationally significant values. A comprehensive plan for the protection of these values has been developed as authorized in that act, but the appropriation authorizations under that act have not been funded. This is why H.R. 4172 was introduced.

H.R. 4172 does not authorize the appropriation of funds for land acquisition. Funds for the acquisitions of these lands will come directly from the State and the Federal matching funds allocated to the State of Wisconsin from the land and water conservation fund. This bill does authorize the appropriations to assist in the payment of development costs. But this assistance is limited to not more than 25 percent of the cost of an individual project and with an authorized ceiling of $425,000 for development. In addition to this assistance, the bill also authorizes the Secretary of the Interior to pay up to 50 percent of the annual costs of operation and maintenance. The annual Federal expenditure for these costs are estimated to be $79,000.

I wish to compliment the State of Wisconsin in its efforts to preserve these significant and important values of our natural heritage which lie within the boundaries of that State. The national and international significance of this natural phenomena cannot be disputed. Its historical importance alone justifies Federal assistance, if not a total Federal commitment to its protection, preservation, and interpretation.

Mr. Speaker, I urge that the rules be suspended and this legislation, as amended, be passed.

Mr. TAYLOR. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KASTENMEIER).

Mr. KASTENMEIER. Mr. Speaker, in 1964, Congress enacted legislation authorizing the establishment of the Ice Age National Scientific Reserve in the State of Wisconsin. Since Wisconsin was already showing an interest in some of the areas within the reserve, and had taken steps to make them available to the public, the 1964 act provided for the formulation of a comprehensive plan between the Secretary of the Interior, in cooperation with State and local governmental authorities in Wisconsin for the protection, preservation, and interpretation of outstanding examples of the 10,000-year-old continental glaciation within the reserve. Thus, the State of Wisconsin was to receive some financial assistance in return for helping the Federal Government meet a goal recognized to be nationally desirable.

A plan was carefully negotiated between the National Park Service and the State of Wisconsin, and filed with the Congress on September 10, 1968. It recommended that the Ice Age National Scientific Reserve should comprise nine detached units totaling 32,500 acres. The largest of the areas to be included are the 15,000-acre Kettle Moraine State Forest in Sheboygan County, the 3,600-acre Campbellsport Drumlins in Fond Du Lac County and the 80-acre Sheboygan Marsh in Sheboygan County, all located within 20 to 30 miles of Milwaukee. In northwestern Wisconsin, within 100 miles of Minneapolis and St. Paul, are the 2,940-acre Bloomer Area and the 920-acre interstate park. Not far from Madison, Wis., is the 8,840-acre Devils Lake State Park in Sauk County.

Other units include the 930-acre Mill Bluff State Park in Monroe and Juneau Counties, the 30-acre Two Creeks Buried Forest in Manitowoc County and 160 acres in the community of Cross Plains which, incidentally, is located in my congressional district.

In addition, this comprehensive plan provided for a cost-sharing formula on the land acquisition, development, and operation of the Ice Age Reserve. Wisconsin is obligated to pay the entire cost of acquiring the land, which has an estimated value of more than $16 million. The State of Wisconsin already has made significant progress in acquiring land in and adjacent to the Ice Age Reserve areas. The cost of the additional land needed to complete the reserve has been estimated at $1,150,000 which would be paid by the State of Wisconsin, half through direct State appropriations and the other half to come from Wisconsin's share of the land and water conservation fund. With respect to developing the nine units, Wisconsin will pay 75 percent of the entire cost of $1,688,000. Of the Wisconsin share, 50 percent will come from the State's grant from the land and water conservation fund, 25 percent from direct State appropriations, and the remaining

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25 percent, not to exceed $425,000, will come from a Federal appropriation to the National Park Service. Regarding the operation of the reserve, Wisconsin and the Federal Government will evenly split the annual costs.

The Department of the Interior report on November 21, 1969, stated that the Department was engaged in a comprehensive study with the Bureau of the Budget dealing with the problems of funding park and recreational programs including programs of assistance to non-Federal public agencies. The Department said it would not be advisable to take a position on a funding proposal such as that involved in H.R. 4172 which, the Department claimed, departed from established formulas. The House Interior Committee, however, rejected the notion that there is a departure from established formulas since the Ice Age National Reserve is a program of national dimensions, rather than a strictly State program. In addition, the problems of funding park and recreational programs should have been resolved when the President, in his congressional message on the environment on February 10, 1970, proposed the full funding in fiscal 1971 of the $327 million available through the land and water conservation fund for additional park and recreational facilities.

Mr. Speaker, while the Ice Age National Scientific Reserve will include many beauty spots which can be enjoyed by those who visit it for outdoor recreation, the primary value of the reserve is that it includes what is regarded as the best collection of remnants including moraines, eskers, kames, kettleholes, drumlins, swamps, and lakes of the last ice age in the Western Hemisphere. Here is a sample laboratory of a much larger natural museum which is of interest to students of the history of the earth as well as to students of contemporary geology, botany, zoology, and ecology.

The Ice Age National Scientific Reserve will protect and develop these remarkable and outstanding characteristics of the last ice age, and preserve an experience in the natural world which not only can provide the pleasures of healthful activity but can help all Americans better to love their land through understanding.

Mr. Speaker, I strongly urge the adoption of H.R. 4172.

I include the following telegram:

MADISON, WIS.,
April 17, 1970.

HON. ROBERT W. KASTENMEIER,
House Office Building,
Washington, D.C.

DEAR MR. KASTENMEIER: H.R. 4172 which is necessary to implement the Ice Age National Scientific Reserve in Wisconsin will face a crucial test on the House floor Monday, April 20, 1970. This bill has received wide bipartisan support and is strongly endorsed by the Department of Natural Resources and Conservation Groups. Your assistance and support for this bill on the House floor is urgently needed to preserve Wisconsin's geological history.

L. P. VOIGHT,
Secretary, Department of Natural Resources.

Now, Mr. Speaker, I only wish to compliment our chairman (Mr. TAYLOR) and our full committee chairman (Mr. ASPINALL), who is not here today, as well as the gentleman from Pennsylvania (Mr. SAYLOR), and the distinguished gentleman from Iowa (Mr. KYL) who, as a scholar on the geologic splendor that we are seeking to preserve here, is paralleled by no one else in the Congress, and also I wish to commend the gentleman from Wisconsin (Mr. REUSS) who is one of our first naturalist colleagues, and who has contributed so much to the realization of this program over the years that he truly deserves to be called the father of the Ice Age National Scientific Reserve.

Mr. Speaker, I hope that the House will overwhelmingly adopt this bill so that we can have the agreement reached between the State of Wisconsin and the Department of Interior on the creation of an Ice Age National Reserve given final and lasting approval.

Mr. REUSS. Mr. Speaker, I rise in support of H.R. 4172, a bill to provide for the development and operation of the Ice Age National Scientific Reserve in Wisconsin.

Legislation looking toward the establishment of the Ice Age National Scientific Reserve was first introduced in 1958. After a careful series of surveys, enactment was recommended by the National Park Service of the Department of the Interior.

Public Law 88–655 of October 13, 1964, set up the Ice Age National Scientific Reserve. The act directed the Secretary of the Interior, in cooperation with the State of Wisconsin, to complete a comprehensive plan for the reserve and to file it when completed with the President of the Senate and the Speaker of the House. The $50,000 in Federal appropriations provided for the Federal portion of the plan. Section 4 of Public Law 88–655 provided that the comprehensive plan "may include such recommendations, if any, as—the Secretary of the Interior—and the governor of the State of Wisconsin may wish to make with respect to Federal and State participation in the financing of appropriate interpretive and other public facilities and services within the reserve." Such recommendations were to become the subject of supplementary legislation.

The comprehensive plan was carefully negotiated between the National Park Service and the State of Wisconsin, and after full agreement was filed with the Senate and the House on September 10, 1968. Under the comprehensive plan, the Ice Age National Scientific Reserve comprises:

First. Two Creeks Buried Forest, on Lake Michigan 22 miles north of Manitowoc. This 30-acre site, which is privately owned, contains a buried spruce forest that was once covered by the waters of an ancient, much enlarged Lake Michigan before and after two periods of Wisconsin glaciation. Geologists consider this site as the standard for dating ancient artifacts by the carbon-14 method.

Second. Sheboygan Marsh, 15 miles west of the city of Sheboygan. A privately owned, 80-acre parcel next to the 6,503-acre Sheboygan March County Park, it provides the best scenic overlook in the area, which includes what was once a vast glacial lake. Ultimately, the plan recommends that the whole park be included in the reserve if Sheboygan County elects to take part in the program.

Third. A 15,000-acre segment of the north unit of Kettle Moraine State Forest, in Sheboygan County about 50 miles from Milwaukee. This area contains a ridge, or moraine, 200 feet high that was created by the nether edge of the vast moving wall of ice which swept down from the north, changing the face of a continent millions of years ago. A strange, humpy formation, dotted by "eskers"—serpentine-like ridges, usually about 60 feet high—"kames"—cone-shaped masses of gravel and rock—and "kettle" lakes—large depressions left by the glacier and filled with water—the Kettle Moraine is a living example of the gigantic force of the glacier.

Fourth. Campbellsport Drumlins, in Fond du Lac County about 9 miles west of Kettle Moraine State Forest. This 3,600-acre rural area contains some of the world's finest displays of "drumline"—low, rounded hills, usually 50 or 100 feet in height and having the shape of an egg lying on its side and half-buried in the earth. Much of this area is now farmland and would remain in private ownership, with a scenic easement to the public.

Fifth. Cross Plains, in Dane County about 6 miles west of Madison. A partially wooded, 160-acre segment, Cross Plains includes a terminal moraine deposited at the edge of an unglaciated area, bedrock formations, and a gorge.

Sixth. Devils Lake State Park in Sauk County, about 48 miles from Madison. Describing it as an "outstanding scenic and scientific area," the plan recommends that not only the 4,360-acre State park but also 4,480 acres of private land surrounding the park be included in the reserve. "Nowhere in Wisconsin is the forceful drama of the glacier's advance more apparent than at Devils Lake. There the juggernaut of ice crushed around the ancient crystalline rampart of the Baraboo Range. Diverting the Wisconsin River from the gorge it had cut through the range, the ice dammed up both ends of the gap with debris. Devils Lake now fills the basin thus formed," according to the plan.

Seventh. Mill Bluff State Park in Monroe and Juneau counties, 95 miles from Madison. This proposed 930-acre unit would include an existing 154-acre State park plus an adjacent group of rocky buttes on the north and south sides of the park. It provides a view of what was once a vast inland lake, and of rocky outcroppings that once were islands.

Eighth. A 2,940-acre segment near the town of Bloomer in Chippewa County, about 35 miles from Eau Claire. This unit would include 1,000 acres of the Chippewa County Forest. It was here that the glacial advance piled up a miniature mountain landscape, a woodland of jumbled hills with more than 300 kettlehole ponds and pools. In kettleholes that do not hold water there are bogs and groves "whose undisturbed plant communities offer extraordinary possibilities for biological study," according to the plan.

Ninth. Interstate Park on the St. Croix River in Polk County, 55 miles from Minneapolis-St. Paul, Minn. This 920-acre parcel, all on the Wisconsin side of the river, includes an "outstanding scenic river gorge, once a principal drainageway during the ice age; large potholes; lava flows; ground moraine; and rugged end moraines," according to the plan.

The comprehensive plan also provides for cost sharing on the land acquisition, development, and operation of the Ice Age National Scientific Reserve. Under this cost-sharing:

Acquisition. Wisconsin would pay the entire cost of the land—32,500 acres in all, with an estimated value of at least $16 million. The cost of additional land needed to complete the 32,500 acres is estimated at $1,150,000, all of which would be paid for by Wisconsin—50 percent through direct State appropriations, the other 50 percent to be earmarked from Wisconsin's allocation from the land and water conservation fund.

Development. Wisconsin would pay 75 percent of the total cost of developing the nine units—$1,688,000. Development would feature major interpretive centers at Interstate and Devils Lake Parks and at the Kettle Moraine State Forest unit; information and exhibit buildings at the Cross Plains and Two Creeks units; visitor parking areas, signs and self-guiding trails at all areas. Of Wisconsin's 75 percent, 25 percent will come from direct State appropriations and 50 percent from Wisconsin's allocation of land and water conservation fund money. The 25-percent Federal contribution—not to exceed $425,000—will come from a Federal appropriation to the National Park Service.

Operation. Wisconsin and the Federal Government will evenly divide the annual costs of operation, estimated at a total of $158,000—half to be supplied by Wisconsin appropriations, and half by Federal appropriations to the National Park Service. The plan estimates that the principal operating costs will be for two permanent and nine seasonal naturalists to explain slides and movies, conduct tours, and give talks.

The proposed ice age cost-sharing formula is like that of the Nez Perce National Historic Monument in Idaho, where the State operates the scattered sites as in the ice age, on a 50–50 cost-sharing arrangement.

In the 90th Congress, H.R. 18672 was immediately introduced to carry out the comprehensive plan of September 10, 1968. It was the subject of a favorable report from the Department of the Interior and the Bureau of the Budget on November 1, 1968, but the adjournment of Congress prevented its enactment.

Delay in setting up the ice age is costly. Land values are increasing rapidly, and the bulldozers are already nibbling at the remaining remnants of the ice age. The State of Wisconsin is naturally unwilling to proceed with its 100 percent Wisconsin-paid acquisition if the Federal Government intends to renege on the provisions of the comprehensive plan for Federal-State cost sharing on development and operation. It was this comprehensive plan, the product of a joint National Park Service and Wisconsin Department of Natural Resources effort, that determined "cost estimates for implementing both the development and the operation phases of the reserve are well above the present capabilities of the Wisconsin Department of Natural Resources. It is evident that additional Federal and State appropriations are necessary if the reserve is to become a reality."

For 4 years, the State of Wisconsin and the National Park Service have labored to produce a comprehensive plan. I urge favorable action on H.R. 4172.

Mr. OBEY. Mr. Speaker, I rise in full support of the legislation before us today to provide for the development and operation of the Ice Age National Scientific Reserve in Wisconsin.

The reserve was first created in 1964, and since that time officials in the National Park Service and the State of Wisconsin have worked together to complete comprehensive plans for the development and operation of this area. That plan, which was designed to enhance the protection, preservation, and interpretation of the outstanding examples of continental glaciation which are in Wisconsin, was filed in 1968. The cost-sharing formula advocated by the plan was approved by the Department of the Interior and the Bureau of the Budget in November of that year, and the legislation before us today is based on the recommendations of that plan.

The Ice Age National Scientific Reserve contains nine noncontiguous areas throughout the State of Wisconsin, all of which contain unique remnants of the ice age which ended about 10,000 years ago. The ice age has had a tremendous and permanent effect on the landscape of our land. It created hills and ridges, lakes and gorges, and there is no better place in the world to view the results of continental glaciation than in the State of Wisconsin.

The Two Creeks Buried Forest just north of Manitowoc, for example, which is one unit of the reserve, contains a buried spruce forest that was once covered by the waters of an ancient, much enlarged Lake Michigan before and after two periods of Wisconsin glaciation. Geologists consider this site as the standard for dating ancient artifacts by the carbon-14 method.

Other units in the reserve include the Sheboygan Marsh, the beautiful Devils Lake State Park, and the Kettle Moraine State Park, unique formations which tell the story of the great glaciers which swept across the land.

Although there is some concern because of the unique funding arrangement regarding the Ice Age National Scientific Reserve, it is only because the State of Wisconsin had already acted to preserve and protect many of the ice age landmarks which will be included in the national reserve. By acting on its own initiative to preserve these areas, the State of Wisconsin has saved the Federal Government the cost of establishing a federally administered facility which would involve a far greater expenditure than the amount contemplated by this legislation.

Furthermore, the cost-sharing formula which is included in this legislation was recommended by the comprehensive plan worked out by the State and the National Park Service, and accepted in the past by the Bureau of the Budget.

Mr. Speaker, we all recognize the need for more parklands and recreation areas and the need to preserve those historic lands which we have in this Nation. The State of Wisconsin has already assumed a positive role in making unique lands within its boundaries available for outdoor use. This legislation would simply be offering them assistance in their efforts.

The SPEAKER pro tempore. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill H.R. 4172, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read:

> A bill to authorize the Secretary of the Interior to provide financial assistance for development and operation costs of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the passage of H.R. 4172.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

EXTENDING EXISTING AUTHORITY FOR ERECTION IN THE DISTRICT OF COLUMBIA OF A MEMORIAL TO MARY McLEOD BETHUNE

Mr. THOMPSON of New Jersey. Mr. Speaker, I move that the House suspend the rules and pass the joint resolution (H.J. Res. 1069) extending for 4 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune.

The Clerk read as follows:

H.J. Res. 1069

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That effective June 1, 1967, the last sentence of the joint resolution entitled "Joint resolution authorizing the erection in the District of Columbia of a memorial to Mary McLeod Bethune", approved June 1, 1960, as amended (74 Stat. 154, 79 Stat. 822), is amended by striking out "within seven years" and inserting in lieu thereof "within eleven years".

The SPEAKER pro tempore. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

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The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I might point out that this bill involves no Federal expenditure. It simply is an extension of the time within which there can be established at private expense a memorial to Mary McLeod Bethune.

Mr. Speaker, Mary McLeod Bethune was born on July 10, 1875, at Mayesville, S.C. Her parents had been slaves before the Civil War. She was graduated from Scotia Seminary—later the Barber-Scotia College—at Concord, N.C. in 1893 and then graduated from the Moody Bible Institute at Chicago in 1895.

She taught in southern schools until, in 1904, she opened an institute for girls at Daytona Beach, Fla., which later merged with Cookman Institute for Men—in Jacksonville, Fla., in 1923, to form the Bethune-Cookman College at Daytona Beach. She served as president of the college until her retirement in 1942 but retained that office in 1946–47.

She was an active person in Negro American affairs and was director of the Division of Negro Affairs of the National Youth Administration from 1936–44. During the Second World War, she assisted the Secretary of War in selecting candidates for officers of the Woman's Auxiliary Corps. She was also a special adviser to President Franklin D. Roosevelt on the problems of minority groups in the United States.

In 1945, she was an observer for the U.S. Department of State at the U.N. Conference on International Organization in San Francisco, Calif.

She died at Daytona Beach on May 18, 1955.

She was a diligent woman always a defender of human rights. She campaigned fervorantly for all she believed in and was never caught ignoring the cause of the American Negro. In 1954, after the Supreme Court decision was announced, she wrote in her weekly column in the Chicago Defender, that the decision look toward the fulfillment of one of the basic needs of the Negro group in America. There can be no divided democracy, no class government, no half-free country, under the Constitution.

She had honorary degrees from 11 different colleges and universities and taught at six colleges during her career. Her life was marked with decorations and tributes from all areas of the country. She traveled through Europe and visited other countries. Not only did she write columns for newspapers but also compiled two books. Her accomplishments were many and varied.

Her cause along with her memory has endured the test of time and a memorial would be fitting to such a woman.

Mr. DEVINE. Mr. Speaker, the purpose of House Joint Resolution 1069 is to extend the period of time available to place a memorial on public grounds in the District of Columbia honoring Mary McLeod Bethune, who was a prominent Negro educator, and to commemorate the 100th anniversary of the signing of the Emancipation Proclamation.

A resolution was passed in the 86th Congress authorizing the Interior Department to grant authority to the National Council of Negro Women to erect such a memorial in the District and the resolution before the House today would extend through May 31, 1971, the time available for the purpose.

The memorial would be erected at no cost to the United States. In fact, the authorization contained in the resolution would be revoked unless it is certified initially that sufficient funds to complete the memorial are available.

In my view it would be appropriate and timely for the House to approve House Joint Resolution 1069.

Mr. GROSS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New Jersey that the House suspend the rules and pass the joint resolution (H.J. Res. 1069).

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

TO AUTHORIZE REMOVAL OF THE FRANCIS ASBURY STATUE

Mr. THOMPSON of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1968) to authorize the Secretary of the Interior to permit the removal of the Francis Asbury statue, and for other purposes.

The Clerk read as follows:

S. 1968

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to permit the removal of the statue of Francis Asbury erected, pursuant to the Act of February 28, 1919 (40 Stat. 1213), on lands in the District of Columbia now under the administrative jurisdiction of the National Park Service, and to convey without compensation title to said statue to the Methodist Corporation, a religious corporation duly organized and existing under the laws of the District of Columbia, upon such terms and conditions as the Secretary deems necessary. The removal of the statue and restoration of the site to the satisfaction of the Secretary shall be without cost to the United States.

The SPEAKER pro tempore. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, in a word, this will be done again at no public expense. As a matter of fact, in this case it will be done at a slight public savings in that the statue will not have to be maintained by the Federal Government. This simply authorizes the removal of the equestrian statue to the memory of Francis Asbury who was the first Methodist bishop in the United States, from its present location to a new location, at the expense of the Methodist congregation.

The need for this arises out of the fact that the statue was placed near a Methodist institution which has since moved and those good people want to move the statue to a place in proximity to their new house of worship.

Francis Asbury (1745–1816) was the first bishop of the Methodist Episcopalian Church consecrated in America, arrived in Philadelphia late in 1771. When he began his work, Methodism was confined mostly to the Eastern Shore of America. Later, through his work, it spread over the entire United States east of the Mississippi River. He was the principle person behind many Methodist societies and ordained over 4,000 preachers. His travels were to take him over 200,000 miles throughout the country.

He was born at Handsworth, Staffordshire near Birhingham on August 20, 1745. His father, Joseph Asbury, was a yeoman and a diligent worker; his mother, Elizabeth Rogers Asbury, was quite religious and influenced her son a great deal. When Francis was 14, he began to attend meetings for bible readings and prayer. He was not schooled thoroughly, but was licensed as a local preacher.

In 1771, when John Wesley needed volunteers to travel to America, Francis Asbury was the first to inquire. He launched in Philadelphia on October 27, 1771, and began his first journey through the county soon thereafter on November 6, 1771.

He was an independent person and followed no particular schedule; he began by preaching in jails, inns, and simply by the road, wherever there was an audience. He soon became Wesley's general assistant and with this authority, began to enforce Wesley's rules for his preachers and societies.

He was determined to standfast against all opposition and insisted that all preachers should travel a circuit. When the Revolution broke out, some of his supporters left, but he, convinced that independence would be gained, stayed and kept working.

During the Christmas conference of December 1784 the Methodist Episcopal Church was organized. He refused his appointment by Wesley as general superintendent, insisting that the appointment should be by election. He continued his preaching though quite ill and on March 31, 1816, he died.

He was not an extremely learned man nor an intellectual; he simply preached on simple topics with extreme conviction

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and dedication. His determination changed many lives.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. It is my honor to yield to my friend from Iowa.

Mr. GROSS. The gentleman then is assuring the House that neither the joint resolution previously passed nor the bill now under consideration, S. 1968, will cost the Federal Government any money?

Mr. THOMPSON of New Jersey. They will not, as a matter of fact.

Mr. GROSS. I thank the gentleman.

Mr. DEVINE. Mr. Speaker, I join in urging the House to give its approval to this bill, S. 1968, to authorize moving the Francis Asbury statue from its present location in the District of Columbia to a new location at the Methodist Center near American University.

The statue was erected by the Francis Asbury Memorial Association in honor of this pioneer bishop of the Methodist Church and was dedicated in 1924. It was placed in its present location because of its proximity to the Francis Asbury Methodist Church. The church has since moved and authority has been requested to move it to the new Methodist Center.

The bill provides that removal of the statue and restoring the site shall be accomplished at no cost to the Government.

Mr. HOWARD. Mr. Speaker, I think it is appropriate to mention at this time the man for whom this statue was erected, Bishop Francis Asbury. This man has special significance in the Third District of New Jersey, as one of our largest cities, Asbury Park has been named in his honor.

Bishop Asbury was sent to America in 1771 at the request of John Wesley, to minister to those who were settling this country. While on board ship en route to this new land, Francis Asbury wrote in his Journal:

> I think God will do great things in the Jerseys—the prospect is pleasing East and West.

After his arrival in Philadelphia in 1771, Francis Asbury began his ministry as a circuit preacher, traveling along the trade routes from New England to South Carolina, and as far west as central Kentucky. He logged over one quarter of a million miles on horseback between 1771 and 1815.

He and his circuit rider network preached the importance of education as well as personal salvation, and strove to develop a social conscience in the pioneers. They left the frontier dotted with schools as a result of their influence and untiring efforts. These men tamed the frontier as well as strengthening the church, and Bishop Asbury became second only to John Wesley in building American Methodism. In fact, he is the acknowledged "father" of American Methodism, and is accredited with giving the American Methodist Church its evangelical character.

As Francis Asbury traveled about the country, he gave his all for the sake of others. He never had a home of his own, and slept in borrowed beds, and ate from others tables. A 1-day ride of 50 miles was not uncommon. Often, he suffered from fevers and stomach disorders, frequently becoming ill in the saddle; but still he struggled on.

Because of these efforts, John Wesley sent Thomas Coke as a personal emissary in 1784 to ordain Asbury as a bishop, despite the fact that he had no formal training in the ministry. He and Coke became the first Methodist bishops in this country.

His first association with the New Jersey Shore area came in 1782, when he preached at Monmouth, which is now Freehold, N.J. The site of his sermon was most probably in the courthouse, which is still standing today as an historic monument in that area.

During his travels about the shore, he became friends with James A. Bradley, who was eventually to found the city of Asbury Park, many years after the death of Bishop Asbury. Because of their connection, and the bishop's great influence on the area, Bradley named the city after him, in the hope it would become a living memorial to his efforts. The bishop was also remembered for his efforts in the establishment of the community of Ocean Grove, N.J., which was originally a Methodist community.

Today, Francis Asbury is still remembered as an uplifting force in Monmouth County, and for that reason I would like to be able to answer one question for the residents of the third district.

May I inquire of my colleague from New Jersey, whether the removal of this equestrian statue from its present site to the new Methodist center will enhance its position, as a monument to his devotion for those who were beginning this new country?

Mr. THOMPSON of New Jersey. I can assure my colleague that this is so.

Mr. GROSS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New Jersey that the House suspend the rules and pass the bill S. 1968.

The question was taken; and, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the bill S. 1968.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

GUBERNATORIAL ELECTION NOW IN PROGRESS IN THE STATE OF ALABAMA

(Mr. NICHOLS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. NICHOLS. Mr. Speaker, for those who might not be aware of it, there is a gubernatorial election going on in my State of Alabama. The Democratic primary will be held on May 5, less than 3 weeks from now, with the voters choosing from among seven candidates.

The voters of Alabama are perfectly capable of selecting their own Governor, without help from outsiders. Yet we have recently witnessed an effort by those outside our State to become involved, and aparently to influence the outcome of the election.

A newspaper man has recently written stories which are aimed at defaming the character of the two leading candidates. Both candidates are veteran campaigners and astute politicians and need no help from anyone.

In one story, this newspaperman quoted from what he called confidential field reports from the Internal Revenue Service in describing an investigation into the affairs of those connected with the campaign of these candidates. I was, of course, aware that a member of the President's staff has access to any U.S. citizen's tax return, but I was not aware that this courtesy had also been extended to certain newspapermen. I expect to ask the Internal Revenue Service about this matter, and hope that they have a good explanation.

Another candidate was accused of wrongdoings involving bank deposits of the Alabama State Docks. This matter was aired months ago by the news media in Alabama and the candidate was exonerated. Yet for some reason this particular time was chosen to play this up in the national press.

Alabama does not need and does not want any outsider to select our next Governor. Alabama does not want the Internal Revenue Service to select our next Governor. Alabama does not want the National Democratic Party nor the National Republican Party to select our next Governor. We have nearly a million and a half well-qualified voters who will decide who will lead our State during the next 4 years. We will thank all newspaper reporters, the Internal Revenue Service, and any other outsider to stay out of our business.

REDUCTION SOUGHT IN PRESIDENT'S MILITARY BUDGET PROPOSALS

(Mr. EDWARDS of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include pertinent material.)

Mr. EDWARDS of California. Mr. Speaker, I introduce a resolution to instruct the various committees of the House of Representatives which bear the responsibility for reporting on fiscal 1971 military expenditures to seek a reduction of at least 20 percent in the President's military budget proposals. This reduction would free an additional $15 billion for health, education, housing, transportation and welfare programs.

Such a cut in the Federal budget could be achieved without endangering national security by eliminating Pentagon inefficiency, deferring nonessential new nuclear programs, and enacting cuts in active duty personnel strength in the armed forces.

This proposed cut in the budget could help us to invest our national resources more wisely, in effect, to re-examine our national priorities. The $15 billion thus released could be used to help relieve the domestic ills of this Nation. These funds could be used to revitalize our educational system, provide for adequate health care for all Americans, institute effective mass transportation programs, supplement current housing programs, and eliminate inadequacies in our current employment and welfare programs. In short, these funds could be used to bring new life to the domestic scene; they could provide us with a means for reuniting a nation which is being driven apart by the divisive action of misplaced priorities.

Thus, in presenting this resolution, we recognize the urgency of a reassessment of the priorities of the Federal budget. We vigorously recommend the adoption of the resolution by the House of Representatives.

Mr. Speaker, I insert the resolution in the RECORD at this point:

HOUSE RESOLUTION ON NATIONAL PRIORITIES AND THE 1971 DEFENSE BUDGET

Whereas the President has recommended to the Congress over seventy billion dollars in the fiscal 1971 budget for arms and military expenditures, which would effectively preclude imperative federal support increases in such areas as health, education, housing, transportation, employment, and welfare;

And whereas a fair balance of national budget priorities requires reductions in the President's military expenditure proopsals to free funds for meeting our human needs at home;

And whereas such reductions are achieveable by i. ending demonstrated duplication, waste, and inefficient practices in the Department of Defense, ii. manpower reductions in Vietnam already achieved and further promised by the President, iii. feasible cuts in the active duty personnel strength of the U.S. Armed Forces, iv. elimination and deferral of new nuclear programs entailing enormous expense without enhancing our security;

And whereas an additional fifteen billion dollars is required in fiscal 1971 to initiate and practically support urgent domestic needs through:

1. an adequate health care program for all Americans and their protection from air and water pollution,

2. an increased level of federal support for our overburdened state and local public education systems,

3. a massive program to provide adequate housing for millions of low and moderate income families,

4. an effective mass transit system to meet the transportation crisis in our major metropolitan areas,

5. a job guarantee plan which assures every citizen a livelihood through fair and decent employment, and

6. a federal welfare support program to alleviate the inequalities and inadequacies of our state and local welfare systems;

Therefore be it resolved, that the several committees of the House of Representatives be charged with reporting on fiscal 1971 authorizations and appropriations for arms and military expenditures, are instructed to seek achievement of reductions aggregating not less than 20% in the President's military budget proposals so as to free an additional fifteen billion dollars for meeting our people's needs for health, education, housing, transportation, employment, and welfare.

ESTABLISHMENT OF APOLLO 13 REVIEW BOARD

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MILLER of California. Mr. Speaker, while we all rejoice in the recovery of the Apollo 13 astronauts and commend the National Aeronautics and Space Administration for its ability to meet a critical situation such as this, we are also concerned with the future.

I have been asked by many people whether the Committee on Science and Astronautics will undertake an investigation of the Apollo 13 mission and the causes of its failure.

I am happy to report to you that NASA, under date of April 17 established an Apollo 13 review board under the direction of Mr. Edgar M. Cortright, the director of the Langley Research Center.

Mr. Cortright is eminently fitted to conduct this investigation, and I am happy to see him selected for this task. This is a highly technical matter and there are few people available who really understand all its ramifications.

I am quite confident that this investigation will be carried on with the same objectivity that characterized the investigation into the tragic fire of the Apollo 204 capsule, the gravest loss sustained by NASA.

I am making a part of these remarks the copy of the letter to Mr. Cortright appointing him and establishing the board. When the board has reported, I shall ask the committee to review its findings.

NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION,
Washington, D.C., April 17, 1970.

To: Mr. Edgar M. Cortright.

Subject: Establishment of Apollo 13 Review Board.

References: (a) NMI 8621.1—Mission Failure Investigation Policy and Procedures; (b) NMI 1156.14—Aerospace Safety Advisory Panel.

1. It is NASA policy as stated in Reference (a) "to investigate and document the causes of all major mission failures which occur in the conduct of its space and aeronautical activities and to take appropriate corrective actions as a result of the findings and recommendations."

2. Because of the serious nature of the accident to the Apollo 13 spacecraft which jeopardized human life and caused failure of the Apollo 13 lunar mission, we hereby establish the Apollo 13 Review Board (hereinafter referred to as the Board) and appoint you Chairman. The members of the Board will be qualified senior individuals from NASA and other Government agencies. After consultation with you, we will:

(a) Appoint the members of the Board and make any subsequent changes necessary for the effective operation of the Board; and

(b) Arrange for timely release of information on the operations, findings, and recommendations of the Board to the Congress, and, through the NASA Office of Public Affairs, to the public. The Board will report its findings and recommendations directly to us.

3. The Board will:

(a) Review the circumstances surrounding the accident to the spacecraft which occurred during the flight of Apollo 13 and the subsequent flight and ground actions taken to recover, in order to establish the probable cause or causes of the accident and assess the effectiveness of the recovery actions.

(b) Review all factors relating to the accident and recovery actions the Board determines to be significant and relevant, including studies, findings, recommendations, and other actions that have been or may be undertaken by the program offices, field centers, and contractors involved.

(c) Direct such further specific investigations as may be necessary.

(d) Report as soon as possible its findings relating to the cause or causes of the accident and the effectiveness of the flight and ground recovery actions.

(e) Develop recommendations for corrective or other actions, based upon its findings and determinations or conclusions derived therefrom.

(f) Document its findings, determinations, and recommendations and submit a final report.

4. As Chairman of the Board you are delegated the following powers:

(a) To establish such procedures for the organization and operation of the Board as you find most effective; such procedures shall be part of the Board's records. The procedures shall be furnished the Aerospace Safety Advisory Panel for its review and comment.

(b) To establish procedures to assure the execution of your responsibilities in your absence.

(c) To designate such representatives, consultants, experts, liaison officers, observers, or other individuals as required to support the activities of the Board. You shall define their duties and responsibilities as part of the Board's records.

(d) To keep us advised periodically concerning the organization, procedures, operations of the Board and its associated activities.

5. By separate action we are requesting the Aerospace Safety Advisory Panel established by Reference (b) to review both the procedures and findings of the Board and submit its independent report to us.

6. By separate action we are directing the Associate Administrator for Manned Space Flight to:

(a) Assure that all elements of the Office of Manned Space Flight cooperate fully with the Board and provide records, data, and technical support as requested.

(b) Undertake through the regular OMSF organization such reviews, studies, and supporting actions as are required to develop recommendations to us on corrective measures to be taken prior to the Apollo 14 mission with respect to hardware, operational procedures, and other aspects of the Apollo program.

7. All elements of NASA will cooperate with the Board and provide full support within their areas of responsibility.

T. O. PAINE,
Administrator.
GEORGE M. LOW,
Deputy Administrator.

THE TIME HAS ARRIVED FOR FAIR AND HONEST APPRAISAL OF THE SST

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, it recently was stated in a syndicated column in many of the Nation's newspapers that the supersonic transport would "leave a destructive path of sonic booms behind." This statement, although probably well intentioned, demonstrates the effect of misinformation.

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Further, the statement would be true if the SST were going to fly across our land at a low altitude, but this is not the case; the President has said so as have engineers.

The fact is, Mr. Speaker, that the SST is the only aircraft development program ever undertaken with noise limitations written into the contract.

But, allow me to discuss the matter of the SST and our environment.

There is no one in the House of Representatives who has taken a greater interest in or a more active part in protecting our environment. From my committee assignments on both Science and Astronautics and Merchant Marine and Fisheries, I have long represented the conservationists, attitude of protecting the quality of our air, water, and earth.

Yet, Mr. Speaker, today I find it difficult to believe that anyone can honestly say that the SST and protection of our environment are not compatible. A group calling itself "Friends of the Earth" placed full-page newspaper advertisements assailing the SST as a machine that "will hasten the end of the American wilderness." The facts are just the opposite.

If they knew anything about the sonic boom they would realize that while the actual level or intensity of the sonic boom is controlled by many parameters, probably the most important is that of flight altitude. The reduction of boom intensity is quite rapid with increased altitude. This is one of the advantages of the selection of cruise altitudes in the order of 60,000 to 70,000 feet.

There are other ecological concerns regarding the SST, and they are not negative as has been reported. There is no evidence the SST will pollute the upper atmosphere in such a way as may result in terrible alterations of global weather as has been reported. The best judgment available to the Government clearly indicates that there will be no significant adverse effect on weather.

The SST engines will be smoke-free and powerful enough to take the airplane to altitude quickly to reduce the sound over the community.

Overall, the airplane is one of the most land-conservative forms of transportation.

Mr. Speaker, I recognize and respect the right of individuals and organizations to express publicly their opinions on matters of national significance, such as the SST. I believe, however, that such expressions of opinion, to be valid, should be based on a fair and honest appraisal of the facts.

PROGRAM INFORMATION ACT

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ROTH. Mr. Speaker, today I have introduced an improved Program Information Act. This proposed legislation would require the executive branch to produce a Government-wide catalog of Federal domestic assistance programs, describing all aid programs in the Federal Government meaningfully and in terms useful to the potential beneficiary.

The original Program Information Act—H.R. 338, S. 60—has been the object of considerable discussion within the executive branch—revised Bureau of the Budget circular A-89 reflects many of its proposals—and in hearings in the other body—Intergovernmental Relations Subcommittee hearings on the Intergovernmental Cooperation Act of 1969 and Related Legislation. A number of suggestions have been made, designed to make the proposed catalog a more realistic and useful undertaking which at the same time would not sacrifice the elements essential to making the catalog useful to potential beneficiaries.

The legislation introduced today I believe embodies the various views expressed and hopefully would be acceptable in its detail to all concerned. This proposal still calls for adequate information—money figures, names and telephone numbers, obligations on the recipients—for all programs on a current basis. I hope this improved Program Information Act will receive prompt attention here and in the other body.

The bill follows:

H.R. 17112

A bill to create a catalog of Federal assistance programs, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Program Information Act."

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) The term "Federal domestic assistance program" means any function of a Federal agency which provides assistance or benefits, whether in the U.S. or abroad, that can be requested or applied for by a State or States, territorial possession, county, city, other political subdivision, grouping, or instrumentality thereof, any domestic profit or nonprofit corporation, institution, or individual, other than an agency of the Federal government.

(b) A Federal domestic assistance "program" may in practice be called a program, an activity, a service, a project, or some other name regardless of whether it is identified as a separate program by statute or regulation and which can be differentiated from any other such program on the basis of its legal authority, its administering office, its purpose, its benefits, or its beneficiaries.

(c) "Assistance or benefits" includes but is not limited to grants, loans, loan guarantees, scholarships, mortgage loans and insurance or other types of financial assistance; assistance in the form of provision of Federal facilities, goods or services, donation or provision of surplus real and personal property; technical assistance and counseling; statistical and other expert information; and service activities of regulatory agencies. "Assistance or benefits" does not include conventional public information services.

(d) "Requested or applied for" means that the potential applicant or beneficiary must initiate the process which will eventually result in the provision of assistance or benefits. The term, therefore, excludes solicited contracts, automatic shared revenues or payments, and indirect assistance or benefits resulting from Federal operations.

(e) "Federal agency" means any executive department, agency, or instrumentality of the Government and any wholly-owned Government corporation.

(f) "Administering office" means the lowest subdivision of any Federal agency that has direct operational responsibility for managing a Federal domestic assistance program.

EXCLUSION

SEC. 3. This Act does not apply to any activities related to the collection or evaluation of national security information.

CATALOG OF FEDERAL DOMESTIC ASSISTANCE PROGRAMS

SEC. 4. The President shall transmit to Congress no later than May first of each regular session a catalog of Federal domestic assistance programs, referred to in this Act as "the catalog," in accordance with this Act.

PURPOSE OF CATALOG

SEC. 5. The catalog shall be designed to assist the potential beneficiary identify all existing Federal domestic assistance programs wherever administered, and shall supply information for each program so that the potential beneficiary can determine whether particular assistance or support might be available to him for the purposes he wishes.

REQUIRED PROGRAM INFORMATION

SEC. 6. For each Federal domestic assistance program, the catalog shall—

(1) identify the program. The identification may include the name of the program, the authorizing statute, the specific administering office, and a brief description of the program including the objectives it is designed to attain.

(2) describe the program structure. The description may include a statement of the eligibility restrictions, the available benefits, and the restrictions on the use of such benefits.

(3) provide financial information. This information may include the obligations incurred for past years, the range of financial assistance where appropriate, or other pertinent financial information designed to indicate the magnitude of the program and any funding remaining available.

(4) state the obligations on the part of the recipient receiving assistance or support. This statement may include a statement of prerequisites to receiving benefits, and of duties required after receiving benefits.

(5) identify the appropriate officials to contact. The list may include contacts both in Washington, District of Columbia, and locally, including addresses and telephone numbers.

(6) provide a general description of the application process. This description may include application deadlines, coordination requirements, processing time requirements, and other pertinent procedural explanations.

(7) identify closely related programs.

FORM OF CATALOG

SEC. 7. (a) the program information may be set forth in such form as the President may determine, and the catalog may include such other program information and data as in his opinion are necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal domestic assistance program.

(b) The catalog shall contain a detailed index designed to assist the potential benefiicary to identify all Federal domestic assistance programs related to a particular need.

(c) The catalog shall be in all respects concise, clear, understandable, and such that it can be easily understood by the potential beneficiary.

QUARTERLY REVISION

SEC. 8. The President shall revise the catalog at no less than quarterly intervals. Each revision—

(1) shall reflect any changes in the program information listed in section 6.

(2) shall further reflect addition, consolidation, reorganization, or cessation of Federal assistance programs, and shall provide for such Federal assistance programs the program information listed in section 6.

(3) shall include such other program information as will provide the most current

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information on changes in financial information, on changes in organizations administering the Federal assistance programs, and on other changes of direct, immediate relevance to potential program beneficiaries as will most accurately reflect the full scope of Federal assistance programs.

(4) may include such other program information and data as in the President's opinion are necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal assistance program.

PUBLICATION AND DISTRIBUTION OF THE CATALOG

SEC. 9. (a) The President (or an official to whom such function is delegated pursuant to section 10 of this Act) shall prepare, publish and maintain the catalog and shall make such catalog and revisions thereof available to the public at prices approximately equal to the cost in quantities adequate to meet public demands, providing for subscriptions to the catalog and revisions thereof in such manner as he may determine.

Gratis distribution of not to exceed ten thousand copies, in the aggregate, is authorized to Members of Congress and Resident Commisisoners, Federal department and agency officials, State and local officials, and to local repositories as determined by the President or his delegated representative.

(b) The catalog shall be the single authoritative Government compendium of Federal domestic assistance program information produced by a Federal agency or department. Specialized catalogs for specific ad hoc purposes may be developed within the framework, or as a supplement to, the Government-wide compendium and shall be allowed only when specifically authorized and developed within guidelines and criteria to be determined by the President.

(c) Any existing provisions of law requiring the preparation or publication of such catalogs are superseded to the extent they may be in conflict with the provisions of this Act.

DELEGATION OF FUNCTIONS

SEC. 10. The President may delegate any function conferred upon him by this Act including preparation and distribution of the catalog, to the head of any Federal department or agency, with authority for redelegation as he may deem appropriate.

THE PROBLEM OF FREE-FLOWING TEXTILE IMPORTS

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS of Alabama. Mr. Speaker, the problem of free-flowing textile imports coming into the United States has long been a topic of discussion and matter of concern in this body and in the administration. However, while all the talk is going on and with little action being taken, those Americans working in the textile industries are suffering loss of income, jobs, and security.

I have joined several Members of this body in introducing a measure aimed at curtailing the unreasonable flow of these foreign goods into this country. Although our continued aim should be the expansion of world trade through which all countries benefit, the case of the textile imports is a prime example of the failure of cooperation between countries.

For years now, Japan has been exporting freely into this country while maintaining excessively high barriers to trade at its own shores. As a consequence, the Japanese economy has been able to hold down wages to an almost inhuman level. At the same time, they have been able to build up exorbitant trade surpluses at the expense of the United States and other countries.

The Nixon administration has been trying for over a year to encourage the Japanese Government to enter into a voluntary agreement with the United States to settle the matter of the textile import problem. Likewise, the U.S. concern over excessively high duties and other trade barriers maintained by the Japanese has been expressed and discussed over and over again. All indications seem to point to an impasse.

It is perfectly clear that the time has now come for this body to exercise its constitutional obligation and protect the American public against unfair and unilateral efforts by foreign governments to destroy an American industry. That is exactly the purpose of H.R. 16943 which is designed to provide for orderly trade in textile articles and articles of leather footwear.

In addition to providing quantitative restrictions on the importation of these goods, the bill has the added feature that any country can be freed of the restrictive covenants of the proposed law by voluntarily negotiating a settlement with the U.S. Government.

It is my sincere hope that this action, if passed by this Congress, will bring about a breakthrough in the now-stalled trade negotiations between this country and Japan. Bilateral agreement is always far superior to unilateral action, but when dialog breaks down and intransigence is the only offering by the foreign negotiator, then this country must act unilaterally to protect its citizens and its economic stability.

VIETNAM LAND REFORM BILL

(Mr. MOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MOSS. Mr. Speaker, I have the distinct pleasure and honor in joining nine of my colleagues of both sides of the aisle in cosponsorship of a bill which we hope will encourage and speed a major economic and social reform in South Vietnam. I am referring to the new land reform law signed by President Thieu on March 26.

We hope the Congress and the President will unite in support of this important measure and show the world once again America's deep interest in the future welfare of the people of South Vietnam.

I am inserting at this point in the RECORD the text of the bill and a statement explaining its provisions:

H.R. 17117

A bill to amend section 402 of chapter 4 of part I of the Foreign Assistance Act of 1961 to provide additional authorization in supporting assistance for the National Land Reform Program enacted March 26, 1970, by the Government of Vietnam

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 402 of chapter 4 of part I of the Foreign Assistance Act of 1961, which relates to supporting assistance, is amended—

(1) by striking out "and for the fiscal year 1971 not to exceed $414,600,000" and inserting in lieu thereof "and for the fiscal year 1971 not to exceed $614,600,000, of which not less than $200,000,000 shall be utilized to encourage and support rapid implementation of the National Land Reform Program enacted March 26, 1970, by the Government of Vietnam"; and

(2) by adding at the end of such section 402 the following new sentences: "The use of supporting assistance funds for land reform in Vietnam shall be contingent upon the attainment of mutually agreed goals of accomplishment stressing economy, efficiency, and advanced implementation of the program by July 1, 1972. Tranches for land reform assistance to the Government of Vietnam shall be made at quarterly intervals based upon satisfactory achievement towards the 1972 target goal."

PRESS STATEMENT RELEASED APRIL 20, 1970

Legislation designed to help hundreds of thousands of Vietnamese peasant farmers gain ownership of the land they till for landlords was introduced in Congress today by Rep. John E. Moss, D-Calif., a long-time champion of Vietnam land reform, and a bipartisan group of other House members.

Joining Moss in co-sponsoring the bill were five Democrats and five Republicans. They were Reps. Ogden R. Reid, R-N.Y.; William S. Broomfield, R-Mich.; John S. Monagan, D-Conn.; Frank Horton, R-N.Y.; Clement J. Zablocki, D-Wis.; Morris K. Udall, D-Ariz.; Torbert H. Macdonald, D-Mass.; Gilbert Gude, R-Md.; F. Bradford Morse, R-Mass.; and William T. Murphy, D-Ill.

The Bill, an amendment to last year's two-year Foreign Aid authorization, would earmark an additional $200 million in U.S. economic assistance to speed up and help finance the land reform effort recently enacted into law by President Thieu and the Vietnamese National Assembly.

"This legislation will encourage South Vietnam to complete its land reform program in less than half the time currently contemplated," Moss said. "The result will be much faster 'Vietnamization' of the war and thus the saving of many American and Vietnamese lives."

Moss said polls of Vietnamese peasants show that the average farmer's greatest desire in life is to own the land he tills. Realization of this dream on the part of the peasant, Moss said, also will more quickly help South Vietnam become "a more meaningful democracy."

Congressman Reid said, "The action of the South Vietnamese government and its legislature on land reform is long and tragically overdue. It may well be too late. Nonetheless, the test now is whether the enacted program will be implemented for all farmers in the next few months. Any real administrative delay could doom government in South Vietnam and make a mockery of promised reforms."

The estimated cost of South Vietnam's new land reform program enacted March 26, is between $400 million and $500 million. The peasants will receive their land free. The landlords will be compensated partly in cash and the remainder in bonds.

Saigon has predicted the program would take about four years to complete. However, Moss said some experts believe the timetable could be cut in less than half if the proper priority and resources were given to the task.

The legislation introduced in Congress today would authorize the United States to finance a major share of the cost if the Government of Vietnam meets an accelerated timetable and does the job with economy and efficiency.

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The bill provides that the United States and Vietnam adopt specific goals of performance and that the $200 million would be made in aid installments based on quarterly evaluations of how good a job South Vietnam was doing.

"The funds could be cut off if any serious graft, corruption or poor performance became evident," Moss said.

The total cost to the United States would be less than half of one week's cost of waging the Vietnam war.

"BEAST OF PREY" BOUNTY NEEDED ON "SCALPS" OF DRUG PUSHERS

The SPEAKER pro tempore. Under a previous order of the House, the genman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I am today introducing legislation designed to spur a nationwide drive on narcotics peddlers by establishing a Federal "beast of prey" bounty on the "scalps" of dope pushers.

Narcotics pushing is tantamount to murder. My proposal would provide a minimum Federal bounty of $500 to be paid to anyone furnishing information leading to the arrest and conviction of a narcotics peddler.

Many State and local governments have reduced the hazards to human lives caused by wolves, coyotes, deadly snakes, and other beasts of prey by establishing bounties for their pelts or scalps. By the same means we can help to cage the two-legged venom-peddlers, who are human beasts preying on the public and who are a far greater menace to our civilization than the deadliest of wild animals.

I am cosponsor of the House-passed Drug Abuse Education Act and proposals to increase drug research efforts. But the narcotic problem is a complex one which should be attacked on many fronts. Law enforcement, social ills, education, research, and international commerce are all aspects of the broad problem.

However, comprehensive programs take time to develop. Concrete actions, such as this attack on the sources of drug traffic must be effected immediately.

To treat pushers as predators is justified if we examine the alarming statistics on deaths resulting from drug use. For instance, more than 900 heroin users died in New York City last year.

These pushers' viciousness is reflected in the youth of their victims. Some 223 of those who died from heroin use in New York last year were teenagers. The situation is even more alarming, because the trend toward youth addiction is growing worse. While drug use has increased by 15 percent since 1967, there has been a 40-percent increase in the 16- to 20-year age bracket. In 1966 the average age of newly reported addicts was about 28 years, but today it has decreased to approximately 22 years.

I feel certain that anyone who has seen these drug-addicted youngsters as I have, twisted from healthy and alert beings into sickened and deteriorating creatures, will agree we must stop at nothing to wipe out this menace.

Actions of local groups seeking to eliminate the drug traffic suggest that the bounty concept be a useful tool to focus attention on the professionals and provide profit incentives to offset the highly profitable drug business. Some local vigilante groups have issued "Pusher Wanted for Murder" fliers recently. A financial reward should put some real punch in such efforts.

OIL IMPORT CONTROLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. CONTE), is recognized for 10 minutes.

Mr. CONTE. Mr. Speaker, my good friend and colleague, HENRY S. REUSS, of Wisconsin, and I have today introduced a resolution, cosponsored by 61 of our colleagues from 20 different States across the Nation, calling on the President to implement the majority report of his Cabinet Task Force on Oil Import Control.

Although the task force found there is no national security justification for the current severe restrictions on imports, and recommended scrapping the quotas in favor of a tariff system, the President to date has regrettably taken no action.

In fact, President Nixon took a recent step in the opposite direction by imposing a quota on previously unrestricted Canadian oil, despite the unanimous task force view that no foreign oil source was more secure. This unjustifiable action will adversely affect oil prices in the northern Midwest and has greatly increased the opposition to the present program.

According to the task force report the quotas now cost American consumers an extra $5 billion for oil products annually. By 1980 this cost is projected to reach $8.4 billion if no changes are made. Last year alone, import controls cost the average U.S. family of four an extra $96 for gasoline and heating oil.

Although under the law the only justification for import restrictions is to protect the national security, the task force called the present quotas unnecessarily restrictive, and specifically found "that a phased-in liberalization of import controls would not so injure the domestic industry as to weaken the national economy to the extent of impairing our national security."

The task force proposal to replace quotas with a tariff is a conservative and cautious step, but it is a step in the right direction. Consumers would save four or five times as much if import controls were removed entirely.

Mr. REUSS and I are convinced, Mr. Speaker, that even greater reform is needed to reduce the strain on the consumer. My bill to phase out the quota system entirely over a 10-year period, first introduced last May, is now cosponsored by Mr. REUSS and 64 of our House colleagues.

To further clarify today's action, Mr. Speaker, I insert at this point a copy of the letter which Mr. REUSS and I prepared in seeking support for the resolution. Following the letter I include the text of this resolution, and the list of its cosponsors:

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 7, 1970.

DEAR COLLEAGUE: We are writing to ask that you join us in sponsoring a resolution expressing the sense of the House that "the President should implement the recommendations set forth in the majority report of the Cabinet Task Force on Oil Import Control."

A similar resolution was introduced in the Senate on April 1, 1970, by Senator Hartke, joined by Senators Hart, Kennedy, McIntyre, Mondale, Pell, Proxmire, and Williams of New Jersey.

The Cabinet Task Force majority report recommended a gradual phase-out of the present oil import quota system, which last year forced American consumers to pay an extra $5 billion for oil products. The President declined to implement this Task Force recommendation. It is expected that the extra cost to consumers will rise to $8.4 billion per year by 1980 if the present system remains unchanged.

Last year alone, controls on oil imports cost the average American family of four an extra $96 for gasoline and heating oil. In many parts of the country the extra cost greatly exceeded this—in Vermont the average family of four paid an extra $180, and in Wyoming it paid $228 extra.

The 1959 statute which provides the basis for the oil import quota system authorizes the President to limit oil imports, in the words of the Task Force, "only for the extraordinary and compelling purpose of protecting the national security."

The Task Force then went on to state that the fixed quota limitations, which the President is retaining, "bear no reasonable relation to current requirements for protection either of the national economy or of essential oil consumption."

"We find," the Task Force said, "that a phased-in liberalization of import controls would not so injure the domestic industry as to weaken the national economy to the extent of impairing our national security."

The Task Force then recommended that the current import quota system be phased out over a period of three to five years and that a system of variable tariffs be substituted for it. The initial tariff on Eastern Hemisphere crude oil would be $1.45 a barrel, and no more than 10 percent of U.S. domestic demand could be obtained from that area. Oil from more secure Western Hemisphere sources would be subject to preferential lower tariffs. The immediate effect of the plan would be a reduction in the price of domestic crude oil from $3.30 to $3.00 per barrel, with savings to consumers estimated at less than a penny per gallon of gasoline.

The Task Force proposal is a conservative and cautious step—consumers would be saved four or five times as much if import controls were removed entirely—but we think it is a step in the right direction and we urge you to join us in establishing that as the sense of the House.

Sincerely,

HENRY S. REUSS,
Member of Congress.
SILVIO S. CONTE,
Member of Congress.

H. RES. 931

A resolution expressing the sense of the House that the President implement the majority report of the Cabinet Task Force on Oil Import Control

Resolved, That it is the sense of the House that the President should implement the recommendations set forth in the majority report of the Cabinet Task Force on Oil Import Control, submitted to the President on February 2, 1970.

Cosponsors of Conte-Reuss Resolution on Oil Import Controls

Rep. Brock Adams (D–Wash.).
Rep. Joseph Addabbo (D–N.Y.).
Rep. Jonathan Bingham (D–N.Y.).
Rep. Edward Boland (D-Mass.).
Rep. John Brademas (D–Ind.).
Rep. George Brown (D–Calif.).
Rep. James Burke (D–Mass.).
Rep. Daniel Button (R–N.Y.).
Rep. William Clay (D–Mo).
Rep. James Cleveland (R–N.H.).
Rep. Silvio Conte (R–Mass.).
Rep. John Conyers (D–Mich.).
Rep. Emilio Daddario (D–Conn.).
Rep. Leonard Farbstein (D-N.Y.).
Rep. Dante Fascell (D–Fla.).
Rep. William Ford (D–Mich.).
Rep. Donald Fraser (D–Minn.).
Rep. Samuel Friedel (D–Md.).
Rep. Samuel Gibbons (D–Fla.).
Rep. James Grover (R–N.Y.).
Rep. Lee Hamilton (D–Ind.).
Rep. Michael Harrington (D–Mass.).
Rep. William Hathaway (D–Maine).
Rep. Henry Helstoski (D–N.J.).
Rep. James Howard (D–N.J.).
Rep William Hungate (D–Mo).
Rep. Joseph Karth (D–Minn.).
Rep. Hastings Keith (R–Mass.)
Rep. Edward Koch (D–N.Y.).
Rep. Peter Kyros (D–Maine).
Rep. Clarence Long (D–Md.).
Rep. Allard Lowenstein (D–N.Y.).
Rep. Spark Matsunaga (D-Hawaii).
Rep. Lloyd Meeds (D-Wash.).
Rep. Thomas Meskill (R-Conn.).
Rep. Abner Mikva (D-Ill.).
Rep. William Moorhead (D-Pa.).
Rep. F. Bradford Morse (R-Mass.).
Rep. David Obey (D-Wis.)
Rep. James O'Hara (D-Mich.).
Rep. Thomas O'Neill (D-Mass.).
Rep. Richard Ottinger (D-N.Y.).
Rep. Claude Pepper (D-Fla.).
Rep. Otis Pike (D-N.Y.).
Rep. Bertram Podell (D-N.Y.).
Rep. Thomas Rees (D-Calif.).
Rep. Henry Reuss (D-Wis.).
Rep. Howard Robison (R.-N.Y.).
Rep. Peter Rodino (D-N.J.).
Rep. Benjamin Rosenthal (D-N.Y.).
Rep. William Ryan (D-N.Y.).
Rep. Fernand St Germain (D-R.I.).
Rep. William St. Onge (D-Conn.).
Rep. James Scheuer (D-N.Y.).
Rep. Henry Smith (R-N.Y.).
Rep. Louis Stokes (D-Ohio).
Rep. Samuel Stratton (D-N.Y.).
Rep. Robert Tiernan (D-R.I.).
Rep. John Tunney (D-Calif.).
Rep. Joseph Vigorito (D-Pa.).
Rep. Charles Whalen (R-Ohio).
Rep. Lester Wolff (D-N.Y.).
Rep. John Wydler (R-N.Y.).

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. Miller) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. In 1967, there were 285 million radios in the United States. This was 3½ times more than the number in the Soviet Union, the second leading nation.

POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. Hogan), is recognized for 5 minutes.

Mr. HOGAN. Mr. Speaker, today I have joined with Congressman Joel Broyhill in sponsoring a bill which I would like to call to the attention of my colleagues.

We read periodically of an instance when a policeman or fireman forfeits his life in the line of duty. There is no way, of course, in which we can begin to repay these men for the service they have rendered. At the same time, however, there are officers who make almost as great a contribution, those who have sustained injuries in the line of duty, which leave them totally disabled for the rest of their lives. Even worse, the medical and surgical care required for these injuries oftentimes place them and their families under a financial burden which they cannot hope to bear. The proposed legislation responds to this type of situation.

Presently, under the Policemen and Firemen's Retirement and Disability Act, the expense of such care is paid by the District of Columbia government when a member of forces becomes temporarily disabled in the performance of duty. The act does not include such benefits, however, for members retired for duty-related disability.

I would like to point out the cases of two injured men who will very soon be in need of the financial assistance provided under this legislation. Policemen Charles Allen of Lanham, Md., in my district, while patroling on May 18, 1965, was struck by a vehicle without lights which was fleeing from the police. As a result, Officer Allen is paralyzed from his waist down. Since may 1965, the Police Department has expended $29,027 for his medical, surgical, and hospital care. In addition, prescription costs have run an estimated $550 per year. Further hospital and surgical treatment is anticipated.

Fireman Hunter Vaughn, as a result of injuries sustained in the line of duty, is permanently hospitalized and requires nurses in attendance around the clock. The Fire Department expended $64,000 in calendar year 1969 for his care.

These men have not been retired prior to now in order to spare them the costs of their required care. However, the Metropolitan Police Department and the District of Columbia Fire Department do not feel they can continue to bear the financial burden they are carrying for these two men. Their retirement from the active rolls has been recommended, therefore, and is scheduled for the near future.

I firmly believe that the District's moral obligation to assist financially those who become totally disabled from service-connected injuries or diseases is just as binding after their retirement from the forces as it is while they remain on the active rolls.

The proposed legislation would permit the District government to fulfill this obligation to those members retiring after its effective date whose disability is determined by the commissioner to be total at the time of retirement. It would authorize the payment of the expenses of medical or surgical services, or hospital treatment, which either can be rendered by the commissioner or approved by him to be rendered by others. Funding provisions are also included.

If this legislation is to be of any assistance to Policeman Charles Allen and Fireman Hunter Vaughn, immediate action must be taken by the Congress. Therefore, I recommend this to the urgent attention of the House District Committee and request that those Members of the House who feel as I do in this matter support this legislation.

LEGISLATION TO REQUIRE THE OPEN DATING OF PACKAGED FOODS III

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. Farbstein), is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, on April 8, I released the results of two surveys of food coding practices of supermarket chains in the District of Columbia. These surveys were conducted by my staff and the Consumer Action Committee of the District of Columbia Democratic Central Committee in connection with H.R. 14816, legislation I introduced to require the final date a food can safely be kept on a grocer's shelves to appear on the label of all perishable and semiperishable foods. This legislation is co-sponsored by 56 of my colleagues in the House of Representatives—including William F. Ryan, Democrat of New York, and Jacob Gilbert, Democrat from New York, whose names did not appear in my Record statement of April 16.

The District of Columbia surveys found large amounts of out-of-date food being sold to the consumer. They found some stores repackaging items with new labels and codes. The surveyors found store managers who completely ignored coded dates on meat and poultry, substituting their own subjective judgment as to when these items should be pulled. They found significant food code abuses in middle- and upper-income area stores, as well as those located in lower income neighborhoods.

Unfortunately, these practices are not unique to District of Columbia supermarkets, but are found throughout the country. In the Chicago area, for example, a suburban consumer group has been uncovering large amounts of out-of-date food being sold in almost every type of neighborhood in the city and suburbs. They have found significant abuses in stores in the wealthy Northern suburbs of Chicago as well as in the central city ghettos of the city proper.

The National Consumers' Union—NCU—not to be confused with the publishers of Consumer's Reports—headed by Mrs. Lynn H. Heidt of Prospect Heights, Ill., has been conducting food coding surveys of area stores on a regular basis. The findings of her group are strikingly similar to those of the District of Columbia surveys. Mrs. Heidt's group has also obtained the codes from one area supermarket chain.

The work of his consumers' group has put the food stores in the Chicago area on the offensive. They can no longer sell out-of-date food without their practices being brought to the attention of the public. I understand that many area stores carry Mrs. Heidt's picture; for no store can be certain it may not be the next target of her crusading consumer's organization.

I insert at this point in the RECORD, first, the coding system for the National Tea Co.'s Chicago area stores supplied by the chain to the National Consumers' Union; second, a National Consumers' Union Newsletter, outlining some of the meanings of codes on food packages; third, a number of newspaper articles, focusing on the food codings surveys by the suburban Chicago consumer group; and fourth, NCU correspondence on the question of open dating of packaged foods with H. J. Heinz Co., Kellogg's Sales Co., and Mrs. Virginia H. Knauer, Special Assistant to the President for Consumer Affairs.

The above referred-to information follows:

National Tea Co. Product Codes

1. Meat codes:

National Tea is using the American Meat Institute's Code Dating Policy. Under this policy the first and last numbers indicate the month and the middle numbers indicate the day of the month.

2. General manufacturing division merchandise:

[Item and method of dating]

BEVERAGES

Top Treat, 24 oz., label coded for date of pack.

Top Treat DIET, 24 oz., label coded for date of pack.

Top Treat, 12 oz., Top Treat DIET, 12 oz., imprinted on top of 6 pack, e.g.—D-4-70= April 4, 1970.

COFFEE

Top Taste Whole Bean Coffee—Bags; Magic Cup Whole Bean Coffee—Bags, month and day printed on bottom of bag, e.g., A1—January 1st.

Natco—cans 1 lb. & 2 lb., embossed in can cover—letters A to L for month followed by one numeral for year with no hyphen in between, e.g. B0=February, 1970.

Natco—cans 3 lb., stamped on bottom of can—dating same as above.

SWEETENER

Top Taste No Calorie, label coded for date of pack.

EXTRACT

Top Taste, label coded for date of pack.

Hazel, label coded for date of pack.

JELLIES

Top Taste, imprinted on label e.g. 30= March, 1970.

Orchard Fresh Apple.

PRESERVES AND JAMS

Top Taste, imprinted on label.

Orchard Fresh and Smackin Good, imprinted on label.

Apple Butter, label coded for date of pack.

HONEY

Top Taste, imprinted on label.

SYRUP

Top Taste Sugar & Maple, imprinted on label.

Smackin Good Pancake & Waffle, imprinted on label.

OLIVES

Top Taste, imprinted on label.

Hazel, imprinted on label.

ICE CREAM TOPPING

Top Treat, imprinted on label.

PEANUT BUTTER

Top Taste, imprinted on label.

Hazel, imprinted on label.

So Fresh, imprinted on label.

PEANUTS

Top Treat—Roasted in Shell—12 oz., imprinted in seal of bag. Letters A to L for month—numerals for day. e.g. B22=February 22nd.

Top Treat—Roasted in Shell—2 lb., imprinted on bottom of bag.

TEA AND TEA BAGS

Top Taste and American Deluxe, imprinted on bottom of carton. Letter A to L for month—numerals for day. e.g. E20=May 20th.

SALAD DRESSING

Top Taste, imprinted on label.

Hazel.

So Fresh.

BARBECUE SAUCE

Top Taste, imprinted on label.

MAYONNAISE

Top Taste, imprinted on label.

SANDWICH SPREAD

Top Taste—So Fresh, imprinted on label.

FRENCH DRESSING

Top Taste, imprinted on label.

ITALIAN AND THOUSAND ISLAND DRESSING

Top Taste—So Fresh, imprinted on label.

BREAD CRUMBS

Top Taste, embossed on bottom of can.

SPICES

Top Taste, 1½ oz. & 4 oz. Embossed on bottom of can. 8 oz. Imprinted on side of can.

GELATIN DESSERT

Top Treat, date embossed on side of package. Letters A to L used for month—numerals for day and year. e.g. C-24-70=March 24, 1970.

DESSERT TOPPING MIX

Top Treat.

PUDDINGS

Top Treat, date embossed on side of package. Dating same as above.

Here are National Tea Company's produce codes:

A—First week of the month.
B—Second week of the month.
C—Third week of the month.
D—Fourth week of the month.
Example: AA—First week, first day.
CD—Third week, fourth day.
K—mark indicating produce has been repackaged.

NOVEMBER 20, 1969.

To: Zone Managers, District Managers, Field Specialists, All Store & Market Managers:

It has come to my attention that we have recently received many inquiries in both our stores and our office in regard to the code dating of perishable merchandise.

These codes are not confidential, so if any customer inquires about a code, please pass whatever information you have on to the customer.

Your correct handling of this matter will do much to foster good customer relations.

Warmest personal regards,

LOWELL A. PETERS,
Division Manager.

Codes on Food Packages

There are probably 10,000 or more grocery products in a typical grocery chain store. Managers do not know all the codes, and everything is coded. Canned goods, cigarettes, frozen foods, everything! We must insist that these codes be translated, for they translate into dates, and the date indicates the freshness of a product. The quality of a product is determined by its freshness. The price of a product should be determined by the freshness. Yet, this important information has been a carefully guarded secret . . . the complexity of these codes, the fact that they are often changed (the codes described in this Newsletter may be changed by the time you receive this information), the use of codes instead of clearly stated dates . . . all this proves that the food processors and purveyors have not wanted you to know if you were getting your money's worth. Can you imagine a grocery store with clear dates on all products? There would be various prices to choose from within a single product line. The consumer would be able to choose, among a number of prices based on the date of freshness, the product priced to best fit his budget. No longer will Consumers pay full price for products which are near the end of shelf-life, and have a limited life expectancy at home. How many times have you thrown out grocery items which spoiled soon after you purchased them? Waste, few of us can afford, would be eliminated. . . . Consumers know how quickly they expect to use products . . . dated products would provide information we are entitled to if we are concerned about throwing away money when we throw out spoiled products. How often have you returned a spoiled product immediately after purchase? NCU inspections of major chain stores have turned up in every store, products being sold at today's highly inflated prices. . . . Products which should have been dumped . . . products which may be dangerous to our health. The astonishing fact is there are no laws or regulations which give the various governmental agencies the authority to require food stores to sell products within the date limits indicated by the codes on the various grocery items, including the perishable ones. No wonder there were 20 million recorded cases of food poisoning in 1968! However, Consumers must expect the food stores to be responsible for the public's health, in spite of the inadequacy of the public health laws. There is no excuse for any chain store to sell out-dated products, because the food processors (Mars Candies, Kellogg's Cereals, Oscar Mayer Meat Products, etc.), guarantee full credit to the chain stores if products go unsold beyond the quality control dates. Consumers must know there is no financial loss to the chain stores . . . the financial loss is the consumer's until all codes dates are clearly translated. You have many out-dated products on your kitchen shelves . . . will your grocer give you full credit for these out-dated products? A beginning to resolving this issue of the devious codes is to invite your friendly store manager into your kitchen to weed out and refund the "deadwood" on your shelves! The coded dates are only relevant if storage and packaging conditions are ideal . . . so check thermometers, the condition of cans, paper-wrappings, etc.

Rosen's Bread Products *r* is Monday, *o* is Tuesday, etc. . . . fun!

Butternut Bread: The color of the plastic twist closers is the key. Monday is Black; Tuesday is Blue; Wednesday is no delivery; Thursday is Red; Friday is White; Saturday is Yellow.

DAIRY PRODUCTS

Milk, inc. whole milk, 2% milk. 1091, for example.

The two inner numbers indicate the last day the milk can be sold.

The midnight of the 9th day of the month. The 2 outer numbers: 11, (two days later), indicates the suburban date. Ignore this. What is good enough for Chicago is good enough for suburbia!

Buttermilk and chocolate milk: The same dating standards is used for the city and the suburbs. Example: 0099, the 9th day.

Cottage Cheese and Sour Cream: The date

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indicates the last day the product may be sold. Usually the code is found on the bottom of the container. O3—3rd day of the month. A3—13th day of the month. B3—23rd day of the month. C0 and C1—30th day and 31st days of the month.

Vacuum Packed Meat Products: Oscar Mayer, Swift, Top Taste hotdogs, bacon, lunchmeats, etc. The date indicates the day the product is to be removed. Example, 6076.

The first and the last numbers added together equal the month: 12/Dec.

The middle 2 numbers are the day. Do not add these numbers: 7th day. 6076 equals December 7th.

For Mickleberry and Jones Meat Products. Compute the same way, but add 30 days. Removal date: January 7th.

Hostess Bakery Products: Twinkies, pies, Sno-balls, HoHos, etc. Monday is 5; Tuesday is 1; Wednesday is 2; Thursday is 3; Friday is 4. No delivery on Saturdays. Hostess paper-wrapped products have a 2 day self-life. Boxed products may be kept for 4 days.

Pillsbury: The code described here applies to Instant Breakfast, which has a 6 month life expectancy. The code is probably used on all Pillsbury products, but the shelf-life will vary, depending on the product. Code: E9702. E is the plant. 9 is the month of manufacture, September, 70 is the year the product will go out of date; and 2 is the month, February, the product will go out of date. Use before February, 1970.

Heinemann's Bakery Products: Sold in National Stores. The labels will indicate numbers like 121. This indicates the 12th month, the 1st week. The daily codes are: Monday is NN; Tuesday is OO; Wednesday is PP; Thursday is SS; Friday is TT; and Saturday is VV. These codes apply to the frozen and fresh bakery products.

Meats: The fresh meat code varies by store, and the system for coding changes by the week. National Food Stores use alphabetical series; Jewel uses dates, but NCU invariably has found Jewel post-dating by 2 days, thereby extending a claim, (made at a Newcomers Meat Demonstration in Arlington Heights), that Jewel Meats were never sold beyond the second day. There is really no way to memorize fresh meat codes. The best way to insure fresh meat, is to have the butcher cut the meat for you, if he will. Otherwise, be sure the code on your purchase matches the code on the hamburger meat, which is supposed to be ground fresh and packaged fresh daily. If the meat-labeling machine is in operation, ask the butcher for a package of meat which has just been wrapped, and see if the newly printed code matches the hamburger code. The process for aging meat is not leaving meats for indefinite periods in plastic containers. Meat is highly perishable, and deteriorates very rapidly. NCUers should insist on today's meat for today's high prices. And pay less for yesterday's!

CONSUMERS' GROUP MAKING GROCERIES ITS FIRST TARGET

The newly organized Northwest Consumers Union began an active recruiting drive this week and made its first inspection of a grocery store.

A recruiting drive was conducted Saturday morning in the parking lot of a Prospect Heights grocery store. Directors said that everyone they spoke to signed up as a member.

There are no membership dues yet, according to one of the six board members, Mrs. Lynne Heidt of Prospect Heights. But members are asked to be active recruiters.

The preamble of a constitution adopted by the directors last week says the union was formed "to establish and maintain a voice in the purveyance of goods and services and to have just control over operations which affect us."

Mrs. Heidt said the union has members in Prospect Heights, Mount Prospect, Arlington Heights, Wheeling and Hoffman Estates and expects to gain membership in Des Plaines and other northwest suburbs.

She said the directors voted last week to make grocery stores their first object of bargaining, but that future targets will be anything which affects consumers.

"We are also consumers of the judiciary, the government, the schools . . . the size of it is fantastic," she said yesterday.

Directors, besides Mrs. Heidt, are Mrs. Marian Skinner of Wheeling, Tom Dempsey of Arlington Heights, Mrs. Barbara Mateja of Mount Prospect, and Mrs. Bette Gray and Mrs. Burrill Black of Hoffman Estates.

Three of them visited a supermarket in Mount Prospect Saturday and said they found 29 causes for grievances, including these:

There were no restroom facilities for customers; eight broken eggs were lying on the bottom of the dairy case, one crushed, dried and caked; cartons containing broken eggs were removed to a storeroom and repacked with the broken eggs replaced, raising the question of whether cartons of eggs are uniform in size and freshness; meat several days old according to code-dating figures sells for the same price as meat wrapped that day; the head butcher would not explain the code-dating symbols; floors and shelves were dirty; there were no thermometers in the dairy case.

They discussed their finding with the store manager, but said they do not want to deal with district managers.

Mrs. Heidt said it is the union's intention to bargain at the local level. She said strikes or boycotts cannot be called except as approved by the directors.

As sufficient membership is gained in each community, she explained, a local will be organized which will be allowed to elect a director, increasing the size of the board.

Mrs. Heidt said other stores will be inspected and the reports will be given to union members, identifying the stores.

Goals set forth in the union's constitution are these:

To unite all consumers of goods and services, regardless of race, creed or nationality.

To establish with the purveyors of goods and services the right to bargain collectively "Consumer adequacy" as stated in the union's "consumer bill of rights."

To engage in educational, legislative, political, civic, social, welfare, community and other activities, to advance and safeguard the economic security and social welfare of all consumers, to protect and extend our democratic institutions and civil rights and liberties and to perpetuate and extend the cherished traditions of democracy and social and economic justice.

The "bill of rights" includes these statements:

Consumers have the right to collective bargaining and to voice their grievances to those with whom they deal and to see that these grievances are acted upon.

Consumers have the right to limit the mounting cost of goods and services—particularly those which are the necessities of life.

Consumers have the right to expect that those with which they deal have the authority and obligation to stand behind those goods and services.

Consumers have the right to expect that their dollars are fairly and equitably distributed to those who produced the goods and services, thereby strengthening the entire economy.

Consumers have the right to expect those with whom they deal to take the responsibility of offering goods which are untainted, unadulterated, undamaged and consistent with the safety and well-being of the consumer.

Consumers have the right to expect that goods offered are produced under humane and just conditions.

Consumers have the right to receive goods and services with which they are satisfied, i.e. they have the right to expect "Consumer Adequacy."

CHICAGO: CITY OF THE STRONG-ARM

It happened in Chicago.

A group of mothers and homemakers on the Northwest side of the city have organized among themselves a small consumers league. Sounds o.k. Everybody else is organizing. Why not the homemakers?

But wait!

Their first purpose: to shop the supermarkets in their area in order to evaluate their prices, quality of their products, grading of meats, services, and other factors that concern the lady as she buys for the family.

They plan to make their findings available—both good and bad, favorable and unfavorable—in order that they might intelligently choose where it is wisest to shop.

So the members of the consumers league began their comparative shopping. And asking of questions. They undertook to ask what certain markings on meat packages mean—how the meat is "coded" by the stores.

The women felt they had a right to know about such matters—why some cuts of meat cost more than others, why similar-appearing packages were differently priced, if they were.

They did not contemplate picketing or demonstrations—at least not yet. They just wanted to understand.

They had heard something about how the American economy is supposed to be responsive to consumers' needs and desires. In fact they had even heard some phrase about how consumers were supposed to be "queens" and "kings" in a free-market economy.

Probably it seemed logical for royalty to at least gain reasonable knowledge about their supposed domain.

But NO. Not so.

The *real* bosses of the American market place would have none of this snooping by mere consumers. Not if they could help it.

To be fair it was *one* of the bosses—a representative of *one* of the giant chains that took that attitude. Perhaps—hopefully—some of the others feel differently.

But in any case here is what happened in Chicago.

The husband of one of the members of the consumers league was called on the telephone at his place of employment—not at home. The call came from the attorney for one of the chains where this man's wife had asked some questions. Maybe embarrassing ones. But she had just asked questions.

However, the attorney informed her husband that she had "created a furor" at the store and if she didn't stop they would have to arrest her! Or maybe "have" her arrested.

The attorney apparently assumed there would be no problem about arranging the arrest.

What the charges would be he didn't bother to say.

A threat—and no more?

Probably.

Probably just an attempt at intimidation of upstart consumers who want to know something about what is being sold to them.

Perhaps, also, this lawyer is right now face to face with the public relations director of the chain and being told never again to proceed in such a blunt manner.

Let's hope so.

For it happened in Chicago.

And it can happen elsewhere and probably will unless the people organize fast and strong in defense of the one universal economic interest of everyone—their interest as consumers.

XUM

NCU Tours Local Chain Store

(By Betsy Brooker)

It was a lazy fall morning. Only a few shoppers were in the chain grocery store. They were trying to "beat the rush" that would inevitably come later in the day.

At 9:30 a.m. sharp, four members of the Northwest Consumers Union (NCU) descended on the store ready to perform an unannounced inspection. Their entrance quickly shattered the daily routine.

Formed in September, NCU is a local group whose goals are to protect consumers' rights. The group has picked grocery stores as its first target. According to Mrs. Lynn Heidt, one of the group's originators, NCU now has about 80 members.

Yesterday's inspection was a training program for two members, Fran Hazlewood and Heidi Collori. With them were Mrs. Heidt and Barbara Mateja.

Mrs. Heidt was unofficially appointed spokeswoman for the team. She has been in the news recently picketing local grocery stores during the grape boycott.

Armed with pencils and inspection sheets, the team headed for the meat counter. Picking up a package of chicken, Mrs. Heidt asked the meat manager why it was dated for the next day.

Packaging dates are an important part of the group's inspections. Most of these dates are coded. One of the privileges of NCU membership is learning these codes.

The meat manager told the inspection team the coded date designated the shelf life of the meat. He said the package dated for the next day would be pulled off of the shelf then.

"What happens to the meat that is taken off of the shelf?" asked Mrs. Heidt.

"It is thrown away," answered the meat manager.

"Operation Bread Basket has charged that the old meat from the suburbs is put on the counters in the inner-city stores," said Mrs. Heidt.

There was no comment from the meat manager.

The team then asked the meat manager why the packaging dates are coded. "These numbers mean nothing to the customer," said the meat manager.

"We believe they do," said Mrs. Heidt. "It is our right to be able to determine the freshness of meat before we pay for it."

At this point, one of the other members spotted a ham marked for two days earlier.

The meat manager looked at the date and said, "These are a mistake; I'll have to repackage them." Several more similarly dated packages were found, all of which the meat manager removed from the bin.

A trainee picked up a package of chicken that had broken open and spilled over the tray. The meat manager said he would have to repackage it.

"Do you change the packaging date when you repackage?" asked Mrs. Heidt. There was no definite answer from the meat manager.

"It's not illegal to change the date, but our union does not consider it truth in labeling," said Mrs. Heidt.

The meat manager, who had been courteous in the face of this unexpected barrage of questioning, said, "We handle quality merchandise. I can guarantee it. These meat counters are gone through several times a day."

"Well, how can you sell a package of lamb chops that is dated two days earlier at the same price as this package that is dated five days later?" asked Mrs. Heidt.

"I can only quote you on company policy," said the meat manager.

Mrs. Hazelwood pointed out that if the store charged less for the older meat, it would probably charge more for the fresher.

Moving on to the fresh produce section, Mrs. Heidt pointed to specks of dirt on a tomato. She said, "Our union considers it a part of truth in labeling to specify what was used on the products before they are brought into the store."

In the frozen foods department, the team hunted for thermometers on the bins. According to Mrs. Heidt, the law specifies that thermometers on frozen food bins are supposed to be in public view.

Finally, the team asked the grocery manager where the thermometers were. He left and came back a few minutes later to point them out. The temperatures checked out well below zero.

Mrs. Mateja called the team over to a frozen foods bin with a large hole on the side wall.

Mrs. Mateja then pointed out a bag of apples that had "keep refrigerated" marked on them. They were on a table at room temperature.

Turning down the next aisle among the dry and canned goods, the team spotted damaged and opened boxes. "Consumers are usually at fault here," said Mrs. Collori. "They often squeeze and open the packages."

"These shelves don't just need to be cleaned. They are so rusty, they should be repainted," said Mrs. Hazlewood.

When the team reached the flour and sugar section, Mrs. Heidt said, "The kids could have a sandbox with all of the sugar and flour that you find spilled in some stores."

In the dairy section, the team peered under the egg cartons and spotted residue of dried egg yolks on the trays.

Farther down the aisle, Mrs. Heidt began checking the coded packaging dates on the milk cartons.

After finding a stack of milk cartons on which the shelf-life had expired the day before, the team called the grocery manager again.

The manager agreed that the milk was past shelf-life. He said it would be removed immediately.

This store is only one of many the NCU has visited in the past few weeks.

According to Mrs. Heidt, the union will deal with each of these stores, in her words, "through collective bargaining."

"We hope that the store executives will listen to our grievances. We feel that we are the best qualified inspectors because we check the products at the store at the point before the products are carried out of the store," said Mrs. Heidt.

[From the Paddock Publications, Oct. 16, 1970]

"Consumerism" Hits: Union Tours Store

An inspection of a large Hoffman Estates chain food store was held recently by the Northwest Chapter of the National Consumers' Union (NCU).

The inspection was the first activity of its kind in Schaumburg Township. During their visit NCU members found management at the food store to be cooperative.

They also found dairy products on display that were beyond shelf life, and produce that was unprotected and covered with flies.

On request by the inspection team, meats that were obviously old were removed by the store management.

Breakfast cereals and baked items were also spotted that were beyond shelf life and refrigerated ready-to-bake pastries were not all stamped with shelf-life dates.

Making the inspection as concerned citizens were Burrill Black, Bette Gray and Marian Skinner of Hoffman Estates.

The purpose of the consumer union is to see that fresh and safe products are sold at reasonable prices by retailers in the area. Membership is drawn from throughout the Northwest suburbs. There are now nearly 80 persons associated with NCU from the area. A membership campaign has begun to draw more persons from Schaumburg Township.

According to Mrs. Black, an NCU board member, the food store inspected was generally clean, but cluttered.

There was no fire protection sprinkler in the store area, but the manager said a system was installed in the storeroom.

Mrs. Black questioned which was more important, the products or the customers? She also suggested that produce bins be encased to protect the merchandise and still allow shoppers to examine their fruits and vegetables prior to purchase.

"Some meats were obviously old, but were removed on request," she said. "We found some moldy sausage and old pork."

Food stores are the first businesses the NCU is screening. The organization's purpose is to unite the consumer into a strength-in-numbers body. The union feels that business has become too impersonalized in today's society.

In its statement of purpose, NCU says business axioms of "supply and demand" and "the customer is always right" have been replaced with mass advertising which creates false markets. NCU feels the markets today do not cater to the tastes, habits and desires of the buying public.

Mrs. Black has said that consumer boycotts of uncooperative businesses could evolve if union strength grows enough, but such action will result only if reasonable demands are not met.

Following the local membership drive, planned within the next three weeks, NCU wil continue to visit local food markets. Repeat visits to assure grievances are met also will take place.

[From the Prospect Heights Herald, Oct. 27, 1969]

Critic's Corner: What Does the Consumer Want?

(By Mark Cohen)

Should the suburban consumer know the date of the dairy product he purchases, or has dating become an outmoded process?

In 1963, despite union opposition, state milk laws were amended to eliminate the stamped time from milk cartons.

Recently an Arlington Heights food store received a shipment of bad milk. The owner blamed the bad milk on the absence of dating.

Others said: "I don't know why they stopped dating the milk. I think the consumer should know what he is getting."

Dr. Loyd D. Witter of the Department of Dairy Technology at the University of Illinois, opposed dating.

Pasteurization, Dr. Witter said, kills all the germs so the absence of dating is not a health problem.

"In the past," he said, "milk dated Tuesday would not be used by housewives on Thursday. They would rather buy the milk stamped at the earlier time. Thus there would be a fantastic amount of returns and a tremendous amount of waste."

"Stores would under-order so they wouldn't have to turn milk back. By afternoon, there wouldn't be enough milk on the shelves and the late shopper would be out of luck," he added.

Today there is a voluntary coding process used by the dairies to indicate the time milk was bottled.

Most stores in the Northwest suburbs say they understand the system. Most consumers have no idea what it means.

The quality of the product suburban shoppers are receiving may still be in question. In many cities it has been a common practice to date milk and some dairy products, for consumer information and to maintain top grade products.

"Dating would require an army of health officers to enforce. It would require a tremendous expense to acquire a sufficient work force," said Enith Huffer, a representative

XUM

of the Division of Milk Control in Springfield.

Does the suburban resident really see a need for a dating process?

"It's a matter of determining the consumer's needs and wants," Huffer said.

And that's where the question seems to lie.

LETTERS TO THE EDITOR

DECEMBER 29, 1969.

To those homemakers who are agonizing over high prices, perhaps some consumer information will assuage the pain. All of us in the Chicago area are aware of the latest stab at the Consumer's pocketbook: the recent price increase of dairy products. Soon after this announcement, along came another jolt . . . the thrice weekly milk delivery to our home by Bordon's was to be cut back to twice—Mondays and Thursdays—forcing this Consumer into the mind-bending exercise of calculating a new milk ordering formula. Only a Mother can appreciate a domestic challenge like computing a family's dairy needs so accurately, that even on delivery mornings, there is a dreg or so of liquid left in the carton to moisten the kiddies' dry cereal! We were beginning to pattern a new life-style that would be amenable to the inconvenience Bordon's thrust upon us, until today's delivery. (Monday, Dec. 29), broke into shreds our milquetoast complacency.

As I was putting the 3 cartons of milk into the refrigerator, I happened to notice the quality control coded dates stamped on each. I am able to translate 0301 into the date, December 30th. Without this knowledge, I would have no means of determining the freshness of this milk, unless I were to take on the role of human guinea pig. Taste-testing is grand, if the product in question is wine. But milk is a different cup of tea, and we homemakers are entitled to know that food processors, including the makers of dairy products, have found it economically feasible—for the stockholders—to keep quality information a carefully guarded secret. And, if not quality, what other determinate have we for getting our money's worth?

So, today, this family of 4 has 24 hours in which to drink three large cartons of milk dated 0301. The 2 inner numbers indicate the last day this milk is to be sold. If we were to drink this milk at a normal rate, it would mean that all day Wednesday, and for Thursday morning breakfast, I would be serving milk to my family which was no longer salable after midnight Tuesday, according to Bordon's voluntarily imposed quality control standards. If the milk isn't sold, profits are lost . . . unless it is delivered to a family of non-code readers who pay full price!

The Distributor is coming tomorrow to pick up the reject milk. He said he had cut back service because he couldn't get help, but he insisted on sending someone out to the house to pick up the 2 cartons of milk whose coded dates have elapsed—he didn't seem to like my suggestion that he give me the outdated, therefore worthless, cartons of milk free. I wonder if Bordon's will cut back to once a week delivery, when all of you begin checking those 2 middle numbers, and begin insisting that the milk drivers, who seem to be in such short supply, pick up your rejects.

LYNNE H. HEIDT,
National Consumers' Union.
BOX 113, PROSPECT HEIGHTS, ILL. 60070.

[From the Prospect Heights Herald, Nov. 17, 1969]

THAT'S JUST SHERRY NONSENSE: ENTER THE CODE BREAKERS

(By Mary Sherry)

Alice Flaxton, my next door neighbor, waved a copy of Parade magazine under my nose. "It says here that we should ask grocery store managers to explain packing codes if we can't figure them out," she said. "Come one." She handed me my coat. "We're going shopping."

If I had wanted to protest, I wouldn't have had a chance because Alice whisked me to her car and into the neighborhood Gem Food Store. She hummed happily as she went down the aisles, loading her cart with groceries.

When she got the last thing on her list, she said, "Now let's find the manager."

As soon as we spotted him, Alice smiled sweetly, holding out a package of nutmeats and asked if he would please help her figure out what the code DMZ 7 meant.

The manager looked at her with disbelief, "Madam, you must know that I am forbidden by my oath of office to tell you what that means."

Alice persisted. "All I want to know is if these are fresh."

The manager stared hard at Alice, "Lady, do you know what you are doing?" he asked darkly.

"Of course. I'm trying to find out if the food you sell here is fit to eat."

"We wouldn't dream of selling anything unsafe for your health," the man said in a tone of dismissal.

Alice pursued the issue. "If you're so sure about that, you wouldn't be afraid to tell me what these codes are."

"You consumers!" the manager exploded. "You're un-American! You're trying to bring down our great society built on free enterprise and individual initiative! You are——"

While the manager sputtered on about our lack of patriotism, Alice pulled on my sleeve and led me out of the store. "Come on, he gave me an idea where we can find out what these codes mean."

As soon as we got back to Alice's she picked up the telephone. "I want the Russian Embassy in Washington," she told the operator.

"Alice!" I gasped, "What are you doing?"

Alice covered the mouthpiece with her hand. "That manager said breaking the packing codes was un-American, so it's only logical that the Russians know what the codes mean."

I can never argue with Alice's logic, so I listened on the extension while Alice read a list of codes to an official at the Russian Embassy. He was very cooperative.

"We have it all here," he said proudly. "Only our graduate cryptoanalysts are permitted to work in your capitalist grocery stores." His smugness, for some strange reason, didn't bother me. Maybe it was because I felt he was on OUR side.

He began to read, "Holiday Nuts, DMZ 7. The DMZ reminds you of Vietnam, which begins with V, just like Valentine's Day, which is in February, so the expiration date is Feb. 7."

Alice asked about Boast Cereals.

"That's an easy one," he said. "A sample is 611693. Add the first and last numbers to get the month, and you have 9–11–69."

"How about meat codes?" Alice asked.

"Right now GEM uses letters for the day of the week that the meat was packaged—A for Monday, B for Tuesday, and so forth. However, even our people can't tell if things are illegally rewrapped until they can get a good whiff of the meat."

Alice asked him about several more products and then thanked him profusely. He wasn't exactly modest in accepting her praise, but we didn't care.

"One more thing," Alice asked.

"Of course, my dear lady, anything," the Russian said.

"I can't figure out the code on the cans of Mother Russia Caviar."

The Russian replied loftily, "Of course, not. And if you think I'm going to explain it to you, you must be—ah, how do you say—bananas, past shelf life of course." Then he slammed down the phone.

[From the Chicago Tribune, Dec. 18, 1969]

SUBURBAN HOUSEWIVES DECLARE CONSUMER INDEPENDENCE DAY

(By Lynn Taylor)

Few people in the Chicago area were aware that Sept. 13 was Consumer Independence day. But, on that day in Prospect Heights, the National Consumers Union was formed, a constitution and a bill of rights were drawn up, and the proclamation of Consumer Independence day was read.

The northwest suburban version of Washington and Jefferson are two housewives, Mrs. Marian Skinner of Wheeling, and Mrs. Lynne Heidt of Prospect Heights.

DECLARES CONSUMER'S RIGHTS

Each has had some background in protest: Mrs. Skinner was involved in the Denver housewives' meat boycott about a year ago [before she moved here] and Mrs. Heidt was a participant in this year's grape boycott.

N.C.U's bill of rights declares that consumers have the right to collective bargaining to limit the mounting costs of goods and services, and to expect that purveyors have the authority and obligation to stand behind the goods and services they sell.

Mrs. Heidt thinks most people don't even know how to complain effectively.

N.C.U.'s first targets have been local supermarkets. She, and a group of other people who are loosely organized; [there are no dues and thus no membership lists] tour grocery stores listing faults and complaining about them to the store manager.

SMALL CRUSADE

While the outward appearance of their crusade for more sanitary conditioning, colder freezers, and competitive pricing is on a much smaller scale than many other consumer protests going on, Mrs. Heidt said they really are seeking a "store policy that is responsive to the consumer." She admits feeling sorry for the beleagured store manager who bears the brunt of her criticism, she said.

"Right now the store managers hate us because they are hamstrung. The store managers are shorthanded. They will not speak out because of fear."

GETS PERFECT RATING

Altho only a fledgling organization, N.C.U. takes credit for a number of accomplishments, one of which is the attention being given in the press to coded information on food packages. Another is for the improvement in some of the local stores. She rates the one she shops in as "perfect" now.

Mrs. Heidt admits she is the crusader type. She puts in at least an eight-hour day in the effort to organize N.C.U. This includes learning to type, mailing newsletters, talking extensively on the telephones, and marching around food stores. In between, she supervises her two boys, Andy, 8, and Denny 10.

"We have the beginning of something which has such far-reaching possibilities," she said. "After all, even company presidents eat."

[From the Day Publications, Jan. 26, 1970]

CONSUMER CRUSADER ASKS NIXON'S HELP

Mrs. Lynne Heidt, crusading consumer, has carried her beef about grocery store codes to the highest level. She's written Mrs. Virginia H. Knauer, President Nixon's adviser on consumer affairs, for help.

Mrs. Heidt, of 6 Marberry Dr., Prospect Heights, is a founding member of the National Consumers Union, a group comprised largely of northwest suburban housewives concerned about the age and condition of the food they buy.

The group has been instrumental in deciphering and publicizing the codes with which food producers date their products.

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The coding is allegedly provided for the benefit of grocers.

In her letter, Mrs. Heidt relates NCU's code busting efforts in local groceries, and claims that one food producer has changed its manner of coding, and another has quit coding one brand of products.

She charges that one company has changed its codes to reflect the date of manufacture rather than the date the products become outdated, and that another has stopped coding one of its brand products.

NATIONAL CONSUMERS' UNION,
Prospect Heights, Ill., October 26, 1969.

E. J. HEINZ Co.

DEAR SIRS: Your announcement that the additive, monosodium glutamate, MSG, will no longer be used in baby food products is highly applauded by NCU, the National Consumers' Union.

Enclosed is an NCU Constitution which explains the purpose of our Union: determining Consumers' Rights to negotiate collectively those conditions which affect us in the purveyance of goods and services.

The NCU Board of Directors and membership are aware that on food products, there is a date that is carefully *coded* to "help with the rotating of products in the stores." THE DATE THAT A FOOD PRODUCT IS PROCESSED AND CANNED OR BOTTLED OR PACKAGED *IS* RELEVANT TO THE CONSUMER, AND MUST BE CLEARLY REPRESENTED ON THE LABEL, INDICATING THE MONTH, DAY AND YEAR.

Truth-in-labeling by NCU standards requires this date, the length of time the product can be expected to be considered safe, and the recommended conditions under which the product should be safely stored. One of NCU's goals is immediate corporate action on a truth-in-labeling requirement which fully reveals to Consumers—the age, life expectancy, and proper care of all food products.

Your company will be removing the ingredient, MSG, now, and this will be reflected on the labels of your products. Please advise if your new labels will meet the NCU criteria explained herein of "Consumer Adequacy."

Very truly yours,

LYNNE HEIDT.

DIVISION OF H. J. HEINZ CO.,
Pittsburgh, Pa., December 23, 1969.

Miss LYNNE HEIDT,
Board *of Directors,*
National Consumers' Union, NCU,
Prospect Heights, Ill.

DEAR MISS HEIDT: This is to answer your letter of October 26 in which you urge that we mark our products with the month, day, and year of production.

First, let me say that the delay in answering was not a matter of carelessness. Your letter arrived at my desk about a month before the White House Conference on Nutrition at which the subject of product dating was to be discussed by one of the panels. This conference was then followed by the annual Joint Annual Conference of the Food & Drug Law Institute with top personnel of the Food and Drug Administration. We deliberately postponed our answer pending the outcome of these Conferences, at both of which we had company observers.

As you probably know by now, panel III–4 of the White House Conference elected not to recommend product dating in their final report. The matter was not brought up for discussion at the FDLI–FDA Conference.

The third paragraph of your letter states in part "—N.C.U. Standards require this date, the length of time the product can be expected to be considered safe, and the recommended conditions under which the product should be safely stored". We are puzzled by your use of the words "safe" and "safely" in this context. Commercially canned hermetically sealed foods do not become "unsafe" with age, and so long as the package remains intact, they are safe at any habitable room temperature storage.

I think it is important to point out that canned foods in particular, unlike photographic film do not become totally unsuitable in any stated period of time. To put it another way, there is not a point in time beyond which the food product is simply not fit to eat. The protein, fat, carbohydrate, and mineral values of canned foods do not diminish significantly with time. There are vitamin losses in varying degrees depending on the kind of food, the conditions of storage, and the identity of the vitamin in question. The reduction of vitamin values is however of degree, rather than a matter of absolute disappearance.

In general, the organoleptic properties of canned food diminish more than the nutritional value and it has been adequately proven by many studies that canned food which has retained its good flavor is nutritionally sound.

Basically, the arguments against open dating are based on economy. There is no question but that some shoppers would go over the shelves and pick out the freshest date, so that older dates would inevitably accumulate and have to be destroyed. Management of manufacturing and distribution would have no choice other than to raise the price on all food, to compensate for this destruction. We firmly believe that the consumer is better served if he were to demand a refund of purchase price in the rare occasion where he finds the food to be overaged, rather than to pay the added costs on all food, created by the open date practice.

A further consumer disadvantage of product dating of shelf staple foods was brought out during discussion at the White House Conference. This lies in the well established observation that it favors the large manufacturer and the large retailer as against the small manufacturer or retailer in that larger volume of sales creates more frequent turn-over of inventory. We suggest that it is a sound premise that the consumer benefits from keeping the market open to small businesses, particularly if they are innovative.

The State of New Jersey, is conducting or has recently completed a survey of the age of packaged foods in the market, and has reported that they are finding that industry is doing a much better job in stock rotation than they had assumed to be the case. We are advised that on the basis of data received to date, they do not contemplate any action to legislate for open dating of what are termed "shelf stable" foods.

We thank you for writing to us and for giving us the opportunity to present our thoughts on the consumer interest in this matter.

Very truly yours,

D. W. LEEPER,
Manager, Food Regulation Administration.

NATIONAL CONSUMERS' UNION,
Prospect Heights, Ill., January 1, 1970.

Mr. D. W. LEEPER,
Manager, Food Regulation Administration,
H. J. Heinz Co.

DEAR MR. LEEPER: NCU is disappointed with your response of December 23, not because of the delay in receiving your letter, but because of its contents. It must be said, however, that HEINZ has been the only baby food manufacturer to date, who has responded to NCU's request that new baby food labels reflecting the removal of MSG (and hopefully, salt), fulfill NCU's criteria for truth-in-labeling . . . product dating revealing the date of production, life expectancy, and proper storing directions of your baby food products.

It is interesting to note that you pointed out the results of the White House Conference on Nutrition and the FDLI–FDA Conference, while choosing to ignore bills introduced into both houses of Congress by Rep. Leonard Farbstein (D–N.Y.) and Sen. Joseph Montoya (D–N.M.) as HR–14816 and S–3164. It is NCU's opinion that regardless of the outcome of Conferences or even legislation, the food industry will provide product dating information when Consumers demand it. Few Consumers know about quality control dating information on products or their far-reaching implications, but NCU is committed to seeing to it that Consumers be apprised that this information exists or can be established, and it has been our experience, as we endeavor to get the message across, that Consumer reaction is one of loss of confidence—or, to be more exact, focusing properly on why confidence had been lost previously—and with careful organization and education, Consumers' demands for their RIGHTS will fill this information void in spite of the resistance of the producers and retailers.

Regarding paragraphs 4, 5, and 6 of your letter, I am not an expert, but I am aware of personal experiences of NCU members and scientific studies both, which totally contradict the data you present. Your admission that vitamin values reduce to a degree however small, most definitely points to likewise reductions in price value, an area of immediate Consumer interest on which little to no education is needed. Consumers will totally balk at further price increases, and will not expect to absorb the cost of what is a long over-due commission of responsibility of suppliers and retailers. Consumers will be made aware that product losses have been and will continue to be tax deductible for businesses . . . Consumers know there has been no recourse for "cupboard loss." NCU believes that product dating will bring about a new product pricing system . . . a system which very well could provide needed options (free choice!) depending on the Consumer's pocketbook; one might select a product priced according to one's ability to pay. Within a product line, NCU visualizes numerous 'prices reflecting the quality control dates clearly labeled. No longer would Consumers pay full price for products whose codes indicate the items are no longer salable. I do not believe Consumers will stand any attempt by business to opt for profits over people, as this is widely believed, even by those in relative economic comfort, to be the condition of the marketplace as it exists now.

I would like to question statements in your letter, if I may. ". . . that canned food which has retained its good flavor is nutritionally sound." Especially considering canned baby foods, what if good flavor has not been retained? Is the Consumer—a *baby*—expected to express adequately a judgment? How? It occurs to me that baby foods in particular, until labels reflect product dates, ought to bear some message like: Mothers, Taste Test This Product Before Baby Eats. Some such warning would provide for the child's inability to communicate properly in those rare instances when baby food products 'have not retained good flavor'. The nutritional loss you mentioned that may occur when good flavor is lost is minimal (unless the product is putrid) measured against the loss in confidence of the product in question.

The question of the small retailer and manufacturer is of concern to NCU, as is the question of the small farmer, but their decline is a "fait accompli", and their dilemma has its source in the competitive drive for profits and bigness of the giant corporations. It is more than ironic that having accomplished absorbing small businesses or having driven them out of the economic sector, major businesses now use them as a shield for their excuses. If this is an unfair judgment, perhaps you will name for me the small man-

XUM

ufacturers of baby foods whom you were considering when you discussed the disadvantages of product dating in your letter. I agree that it is a sound premise that the market be kept open to innovative small businesses, and that the consumer and the whole economy will benefit from this, (one of the reasons why NCU is interested in the emergence of Black Products), but their survival to date has not been due to any largess from major businesses or the government. Quite the contrary, in fact, the Consumer himself has been the lifeline for these smaller businesses. Moreover the smaller operations, because of smaller production volume, I am sure will have less trouble adapting to product dating, and probably will resist less and be less affected materially by product dating when this becomes an eventuality.

You pointed out that a New Jersey survey showed a good job was being done in stock rotation. I would appreciate it greatly if you would send me a copy of that survey. I am including NCU's Newsletter, which contains the few codes our members know. In Every Store NCU Has Inspected, We Have Found Products Being Sold At Full Price Which Are Beyond Their Quality Control Dates, And Should Not Be Sold At All, and the major thrust of NCU's investigations has been in the NW suburbs of Chicago . . . located in the richest of the Congressional Districts (the 13th) in the Nation. Consumers' trust in the marketplace is continuously being violated due to carelessness? Profits? Consumer Ignorance? Greed? I believe the question of corporate morality enters into this picture.

This is by no means an indictment of all suppliers or even all food stores, (locally, food stores have improved).

It would be interesting to see if a company such as Heinz would be willing to show their good will and the soundness of the argument you present in your letter by releasing code translations to NCU, so that our membership locally might do a survey for your company. It would be interesting to have your competitors' codes, too, so that a comparative survey might be done. (There is no charge for an NCU survey.)

You spoke a great deal of Consumer Interest, and quite frankly, we have interpreted your letter to be otherwise. NCU is quite aware that the changes we propose have far-reaching implications, mainly economic and distributive. We sympathize with the fact that consumerism is likely to complicate further the very difficult and complex system that supplies us the food so many of us take for granted. We know that our proposals are really in the best interests of the Consumer, and we believe that what is in our interest is ultimately in the interest of business. I feel sure that those of you in the food supply business will find ways to respond effectively to proposals such as NCU's and at the same time, satisfy your corporate responsibilities.

Further clarification of your position would be greatly appreciated, and your consideration of the survey proposal above, would most certainly indicate trust and interest in the consumers you serve.

Sincerely yours,

LYNNE H. HEIDT.

KELLOGG SALES CO.,
Battle Creek, Mich., October 30, 1969.

Mrs. LYNNE HEIDT,
Prospect Heights, Ill.

DEAR MRS. HEIDT: In answer to your recent request we are enclosing a copy of our latest annual report.

All Kellogg's Cereals are freshness protected by various types of inner bags including foil. The type of inner bag used is determined by the hydroscopic nature of the respective products. Under proper storage conditions, our products remain fresh and crisp for months—much longer than required by the normal length of time they are in the distribution cycle from plant to consumer.

Under separate cover we are sending a sample package of Kellogg's Cereals which we hope you and your family will enjoy.

Thanks for your interest in Kellogg and our products.

Sincerely,

R. L. NICHOLS,
Vice President, General Sales Manager.

PROSPECT HEIGHTS, ILL.,
November 8, 1969.

Mr. R. L. NICHOLS,
Vice President and General Sales Manager, Kellogg Sales Company, Battle Creek, Mich.

DEAR MR. NICHOLS: I received Kellogg's annual report, your explanation of your cereals' packaging, etc. . . . as described in your letter of 10/30/69. Thank you for this information.

However, I do not believe your letter was entirely responsive to the questions I posed during our telephone conversations of 10/22.

As a researcher for NCU, I am asking for the translation of the coding your company uses (the color dots, and the stamped numbers), to determine the date a particular product was packaged, and the length of time your laboratories have determined this product remains consumable and salable. NCU is aware of the various codes on new brands of food products. We have the right to know the age of a product we buy. This age, now reflected obscurely by difficult codes, is crucial to the consumer, if one is to determine if one is getting maximum quality/nutritional value, etc. . . . for the price.

NCU is aware that your company directs food stores to rotate products, and that your salesmen check all Kellogg's products when they are in the grocery stores. We are aware that products are removed if the containers or the age of the product is in question. We are aware that your company reimburses the food retailers for these products which go unsold and are finally removed.

Consmers have many of your products on their kitchen cabinet shelves. Sometimes, the less popular brands remain on our shelves for extended periods. Often, the product has been opened. Your company has made no information available to consumers about your products' longevity. NCU is aware that the truth-in-labeling laws do not require such information. NCU feels the responsibility for this information is not dependent on another regulatory law—but on the purveyors of goods and services. If you are interested in further information on NCU, you may seek it from one of the major chains as Jewel or National, or send a stamped, self-addressed envelope.

I appreciate your offer of free Kellogg's products. I am much more interested in having you send one of your salesmen into the homes of each NCUer to examine the products from your company which are on our kitchen shelves. I am interested in having these salesman carefully check the codes, and send the box-tops of products we have inadvertently kept too long to your company for refunds. Or, do you think the IRS will allow Consumers to write off as depreciation, those products which are not used before their life expectancy is up?

Please reply.

Negotiably yours,

LYNNE HEIDT,
Researcher, National Consumers' Union.

JANUARY 11, 1970.

Mr. R. L. NICHOLS,
Vice President-General Sales,
Kellogg's.

DEAR MR. NICHOLS: Since November 8, 1969, I have been waiting for an answer to questions I posed to Kellogg's regarding translation of product dates which are coded on the various cereals and other foods you sell.

I cannot believe, Sir, that you will continue to ignore valid questions regarding this matter which were put to you as early as September by this Consumer. I have letters and detailed notes of our phone conversation, and feel that I will be very much inclined to submit this entire matter to the Congressional Hearings on product dating unless there is a responsive attempt by Kellogg's to answer questions put to your company over 2 months ago.

I feel sure that this long lapse will be rectified by specific answers to these questions:

How may consumers determine the date a particular Kellogg's product was packaged?

What is the length of time that your laboratories have determined that Kellogg's products remain salable and consumable?

What does the stamped number designate?

What does the colored dot or rectangle designate?

Surely I will hear from you regarding the queries in this letter in the very near future.

Sincerely yours,

LYNNE HEIDT.

KELLOGG SALES CO.,
Battle Creek, Mich., February 2, 1970.

Mrs. LYNNE HEIDT,
National Consumers' Union,
Prospect Heights, Ill.

DEAR MRS. HEIDT: Thank you for your letter of January 11, 1970.

As indicated in considerable detail in our telephone conversation several weeks ago, our present package dating system consists of a numbering sequence from 1 to 12 which indicates the month the product was manufactured. The number is changed monthly on each product—such change occurring between the 15th and 30th of the preceding month.

We also use a color bar system which is changed every two to four months. This is solely for the use of our sales personnel and indicates a change in the promotional copy on the package.

We have always taken great pride in the freshness of our products. As a consequence, it is and has been for a very long time our policy to have KELLOGG representatives call on retail outlets, restaurants, hospitals, other institutions and all grocery warehouses regularly. Code dates are checked, and cases not meeting our rigid requirements are removed from their inventory.

As to your question regarding the time period in which cereals may be safely used, this is a very complex area. Different cereal grains have different keeping qualities. Of course, climatic variations and conditions of storage also have a significant effect on keeping quality. Thus, we feel that the surveillance of our product freshness is best maintained by our KELLOGG representatives throughout the United States.

We emphasize that our products remain fresh and crisp for many months—much longer than required by the normal length of time they are in the distribution cycle from plant to consumer. In addition, retailers are very much aware of the importance of proper rotation of stocks and are constantly rotating merchandise on their own initiative.

Again, we thank you for your interest in the Kellogg Company.

Sincerely,

R. L. NICHOLS,
Vice president, General Sales Manager.

JANUARY 18, 1970.

Mrs. VIRGINIA H. KNAUER,
The President's Committee on Consumer Interests.

DEAR MRS. KNAUER: Our newly formed National Consumers' Union, NCU, is dedicated to direct action in terms of researching, evaluating, and negotiating matters of consumer interest. Our first objective has been the major food chain stores.

NCU research is based on the experiences

XUM

of our membership. NCUers evaluate grocery shopping conditions by conducting thorough inspections of food stores, and in the course of this research, we have discovered, among other abuses, the coded product dates. We gradually became aware of the tremendous implications of these codes, and difficult as it has been, we learned the translations of several ocdes . . . see the NCU Newsletter describing the "Conspiracy 10,000". Women in the NW suburbs of Chicago are beginning to use these codes as they grocery shop, and realize that before they became code readers, they had no way of determining the quality of the products they purchased.

When NCU first learned of these codes, and checked the stores, we discovered in every store we inspected, products being sold at full price which should no longer be sold at any price, according to the coded date. We learned immediately why it is that consumers complain so much about quality, for we found stores violating their own policy by selling out-dated hotdogs, lunchmeats, bacon, sausage, and other vacuum packed meat products, and outdated dairy products of all kinds—all highly perishable food products. Although most of the chain stores involved were quite willing to remove outdated products, gradually as we stepped up our campaign, and received newspaper publicity and greater consumer interest; our requests for information regarding codes or removing outdated products were met with a great deal of resistance . . . rudeness, and even harassment. Specifically, our investigations caused a tremendous overreaction by the Chicago based National Tea Company. I found myself shopping for my family's groceries with Security Police stationed in the store, simply for having persisted in asking the question: "Which is the freshest of the fresh?" . . . when I noticed 2 or more coded dates stamped on products I wished to purchase.

NCU's efforts have produced some results, and the stores have made noticeable improvements, especially in areas where NCU strength is greatest. Thus, it was with some shock that I discovered in the National Food Store where I shop, 11 packages of Oscar Mayer Pork Sausages which, according to the codes NCU had learned, were outdated:

0041—6 packages.
0051—3 packages.
0081—2 packages.

I observed these on Saturday, January 10th. According to the method of code dating Oscar Mayer had been using on their meat products, these sausages should not have been sold after January 4th, 5th, and 8th. I asked the store employees to remove these products, as customers were buying them, and they refused to without explanation. (I filed a complaint with the police of the village where the store is located, Wheeling, Illinois, asking them to relay the complaint to the Village Sanitarian, who was not on duty that day. In so doing, I knew very well there was little a Health Official could do about a complaint of this nature). The following Monday, after arguing vehemently with an attorney, who represents a National Officials, Fred Bartlit, who insisted the mistake was mine, a call was placed to Madison, Wisconsin, and I learned that Oscar Mayer had indeed changed the codes just recently on sausages, and that now their sausage codes represented the packaging date of the product, plus 2 days. I also learned that Oscar Mayer will begin coding other products in this manner. No longer will a consumer have information, coded or otherwise, as to when a product's life expectancy is over.

NCUers are aware of the recently introduced bills on this important matter of product dating, and we are aware that companies have no legal requirements regarding product dates at this time. However, it seems to me that consumers who have ferreted out the difficult information leading to code translations in order to improve the quality of their food purchases, have the right to expect that companies would not willfully change to a new coding system as the consumer deciphers the old one. Furthermore, NCUers find it inexcusable that the National Tea Company brand, Top Taste, is no longer coded at all . . . at least in the stores where I shop.

Mrs. Knauer, NCU is well aware of your fine record in defending consumer's interests, and we understand you have a 'hot line' which you may use to ask company officials directly to try to give consumers satisfaction. As a representative of NCU, I request that you intervene on behalf of consumers who are code readers of Oscar Mayer and National Brand Top Taste vacuum packed meat products; that the 2 companies in question provide consumers with at least minimum information—standardized coding systems which reflect expiration dates—and that it is hoped that they would supply full dating information on the perishable meat products they manufacture, so that all consumers may purchase these meat products with freedom of choice. It is probably unrealistic to expect that they would provide clear dating information until legislation compels them to do so.

I hope I will hear from you on this matter, for until NCU garners membership strength so that we may affect necessary reform ourselves, it is an important security to those of us who are concerned, to know that you will act in our best interests.

Sincerely yours,

LYNNE H. HEIDT.

EXECUTIVE OFFICE OF THE PRESIDENT,
PRESIDENT'S COMMITTEE ON CONSUMER INTEREST,
Washington, D.C., February 10, 1970.

Mrs. LYNNE H. HEIDT,
The National Consumers' Union
Prospect Heights, Ill.

DEAR MRS. HEIDT: Thank you very much for your interesting letter concerning dating codes on foods.

We are concerned with this as a consumer problem; specifically the White House Conference on Food, Nutrition and Health recommended a feasibility study on uniform and easily understood coding systems for foods. The recommendations of the Conference are under review at all levels of government at this time. I think we can look forward to substantial progress in this area in the not too distant future.

Sincerely,

VIRGINIA H. KNAUER,
Special Assistant to the President for Consumer Affairs.

FEBRUARY 13, 1970.

Mrs. VIRGINIA H. KNAUER,
Special Assistant to the President for Consumer Affairs.

DEAR MRS. KNAUER: NCU is well aware of the attention being given to the matter of code dating, as we have been contacted by Rep. Leonard Farbstein's staff, and our Union is committed to backing the proposed legislation which would contribute greatly to helping consumers who wish to make wise choices regarding their food purchases.

In my letter of January 18, 1970, I specifically requested that you intervene with Oscar Mayer who has deliberately changed their codes. Without legislation, the consumer is virtually helpless, unless he is well informed and well organized (and this is clearly not the case—yet), or unless he has recourse through the courts (and, generally, this is too expensive).

Thus, NCU greeted the announcement of your position with a great of enthusiasm, and it was with this is mind, that we appealed to you to intervene on behalf of code-reading consumers, for we had understood that you would mediate matters which concern the consuming public. Our request was simple, and fair. We did not demand that you ask Oscar Mayer to cease using codes; we asked for code standardization; a coding system reflecting the date shelf-life expires.

It is disappointing that your letter of February 10, 1970, did not respond to this request or even allude to it. NCU is well aware that those in the Purveyor-Political arena have had a vested interest in our ignorance. We had hoped the creation of your position would, in fact, act to secure the position of the consumer.

Sincerely yours,

LYNNE H. HEIDT.

EXECUTIVE OFFICE OF THE PRESIDENT,
PRESIDENT'S COMMITTEE ON CONSUMER INTERESTS,
Washington, D.C., March 13, 1970.

Mrs. LYNNE H. HEIDT,
The National Consumers' Union,
Prospect Heights, Ill.

DEAR MRS. HEIDT: Thank you for your letter concerning Oscar Mayer date coding.

As you requested we are asking Oscar Mayer to look at the problem and report to us on what they might be willing to do to assist consumers in determining expired shelf life.

Sincerely,

VIRGINIA H. KNAUER,
Special Assistant to the President for Consumer Affairs.

THE WHITE HOUSE,
Washington, D.C., March 13, 1970.

OSCAR MAYER CO.,
Madison, Wisc.

GENTLEMAN: Enclosed are letters we received from Mrs. Heidt of the National Consumers' Union regarding your code dating system.

I think her questions merit investigation and would appreciate a report on what you might be able to do to alleviate this problem for consumers.

Thank you for your cooperation.

Sincerely,

VIRGINIA H. KNAUER,
Special Assistant to the President for Consumer Affairs.

NATIONAL CONSUMERS' UNION,
Prospect Heights, Ill., March 23, 1970.

Mrs. VIRGINIA H. KNAUER,
Special Assistant to the President for Consumer Affairs.

DEAR MRS. KNAUER: On behalf of the members of the National Consumers' Union, I wish to thank you for your cooperation and interest regarding the question of the code dates Oscar Mayer uses on the various meat products they manufacture.

It will be of interest to you that an official of the Oscar Mayer Company, Mr. Donald Paul, telephoned NCU immediately upon receipt of your letter. It is our feeling in evaluating this conversation, that substantial progress in this area is contingent on the grocery retailers' concern for the consumer, for until there is legislation to protect consumers, the good will of suppliers must be matched by the retailers.

NCU is committed to filling the void in terms of the CQ—Consumer Quotient—and product dating information is one of our major concerns, for many food companies are violating the consumers' interests by selling outdated products. We are grateful that you have helped foster what may lead to greater consumer protection at the marketplace. A dialogue with a company of the stature of Oscar Mayer is an important first step in alleviating serious problems our NCU investigations have shown without question to merit immediate attention and concern.

Sincerely,

LYNNE H. HEIDT.

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HON. BOB JONES OUTLINES CHALLENGE TO EDUCATION

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, through the years our colleague from Alabama, Hon. Bob Jones, has been among the most steadfast advocates and supporters of proper attention to the educational needs of the people of this Nation.

He recently outlined his views on the challenge to education for the classroom teachers of the Alabama Education Association meeting in convention in Birmingham, Ala.

Because his comments have such meaning for all of us who are interested in education, I commend them to the attention of every Member and include them in the Record at this point:

Remarks of Congressman Bob Jones

Education, public education, has always been the most essential complement to the well being of the people of this nation.

Thomas Jefferson, one of the Founding Fathers, had a great deal to say about the methods and importance of education.

He valued education because of its relation to freedom. Jefferson warned his colleagues:

"If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be."

Jefferson advanced detailed and far reaching proposals for education. For promising children whose parents are too poor to provide them education, he advocated education in colleges and universities at public expense. His reason:

"The object is to bring into action that mass of talents which lies buried in poverty in every country, for want of the means of development, and thus give activity to a mass of mind, which, in proportion to our population shall be the double or treble of what it is in most countries."

While he recognized the economic benefits of providing the best education, Jefferson stressed that the most important, most legitimate reason for widespread education is that the people are the ultimate guardians of their own liberty.

Jefferson's belief in education went beyond the theoretical. He worked actively for enlargement of educational opportunities. He supported education throughout his long and illustrious public life.

His ideas were valid in the early, slow-moving days of the Republic. How much more valid they are today when change follows change so rapidly as to seem like upheaval.

Technology is producing new methods and products undreamed of 30 years ago. Within a space of 10 years we have put man on the moon and returned him. At the same time, we have reached such levels of productivity and consumption that the refuse from our daily lives threatens to engulf us.

Concurrently, changes in manners and morals have become obvious. The customary patterns of a previous day seem out of place to many. The weird costumes and freakish behavior of yesterday may be the common place of today.

Likewise, changes are discernable in the objectives sought by individuals and society. Interesting and satisfying work has more value to most than strict financial return. The grass and trees of small towns and open country hold allure while the hustle of the city loses its charm. Everywhere change advances at an accelerating pace.

Changes have been no less rapid and significant in your profession. Shifting public priorities made possible vast infusion of federal funds for education. Your commendable work, and the efforts and results of those who preceded you in the classrooms, contributed to the public acceptance of more adequate funding for our educational endeavors.

For all the change we have witnessed, it is my opinion that we still have far to go in realizing the potentials that can be brought forth from this great land.

Professional educational planners who chart the past and project trends into the future tell us what education may be in 12 years.

As a citizen with a great faith in your work, I have my views on what education ought to be.

However, you, and the other classroom teachers of the nation, will be the most important factor in determining what education will be.

Professional planners foresee a continuing increase in the general level of education. By the year 1982, the average adult will have completed 14 years of schooling. This compares to an average of 12 years now. Free schooling is expected to be extended through at least two years of college to prepare youths for the more complicated problems and job requirements of modern society.

Whether schooling is provided for four years or 14, it is my opinion that teaching a person how to make a living is not enough. Education should teach how to live—how to understand and use the ideas by which mankind must survive and develop.

Our purpose should not be merely to make lawyers or clergymen, soldiers or schoolmasters, farmers or artisans. Our purpose should be to make men and women who are useful and concerned with our total community.

In many cases a scientist, lawyer, engineer or doctor will become aware that his education has channeled his mind into a narrow skill—that he lacks the broad base of understanding necessary to obtain a balanced view. He is fortunate. Others never become aware of the narrowness of their outlook.

Inadequate training in logic, history, and the general humanities makes men easy prey for zealots of the extreme left or right. Without understanding of the political and social forces in the world outside their narrow disciplines, they falsely transfer expertise and status to problems for which they are unequipped to deal.

Talent in playing a guitar does not necessarily give one the ability to settle the war in Viet Nam.

A dose of LSD does not enable one to fly out of a 10th floor apartment.

The most acclaimed baby doctor does not necessarily have the instant solution to all the world's political and social problems.

When confronted by social or political crisis, the narrowly trained tend to blight our whole society and make an ugly spectacle.

It is at such a time that the need for perspective and flexibility is the greatest.

As there is every indication that change will continue at an accelerating pace, the teaching of skills alone is insufficient. The greater need is for teaching of principles. With knowledge of the principles of morality, ethics, history, and logic, man can continually evaluate shifting needs and adjust his mind and emotions to meet and understand the complexity of modern life.

What education will be in the future, the place education will hold in our society, is largely in your hands.

Because education relies on public support, the public view of education and the public interpretation of the value and benefits of education are of everlasting importance.

Dramatic recent increases in federal support for education are encouraging but this is no cause for complacency in the profession. The basic element of funding remains the local tax unit. It is most unlikely that federal revenues will ever replace it.

You may be sure that decline in local support for education will be accompanied by similar action at the federal level.

While others may predict changes in education or express opinions about what education should be, it is you, the classroom teachers, who will have the most constant influence on what education will be.

It is the results of your efforts that the public examines in evaluating the worth of education and the need to increase or decrease allocation of public funds.

Although expenditures are not the only factor in the quality of education, they are important and they do require public understanding and support.

Even Thomas Jefferson compared his state's effort to that of New York and concluded New York State residents set a greater value on knowledge and the prosperity it produces.

More recently, a study financed by the Carnegie Corporation compared the hourly earnings of individuals' education in the various states. Differences in age, sex, race and number of years in school were considered in making the comparison.

The study indicated a year of schooling in the state of New York is worth almost two and a half times as much as a year of schooling in Alabama—in terms of the average hourly wage a pupil will command.

Overall, the study concluded that for every $1.00 more a state spends on its pupils, those pupils earn an additional 24 cents an hour in later life. This is a public investment that pays for itself in higher individual earnings within a year or two after graduation.

That our state has been able to improve allocation of resources to education in recent years is a tribute to the work you are doing in producing results in your classroom.

However, in a changing society such as we all witness, there can be no question about the need for every profession, including education to respond to shifting needs.

Hopefully, change can come from within. You should be constantly alert to the outworn, the expensive and the inefficient. Such practices should be discarded with dispatch.

Because those in education can see good being accomplished, it becomes all the more difficult to be a good critic of the effort. Nevertheless, complacency must be overcome if the changes are to be made from within, rather than from outside, the profession.

In the present we purchase our own future and that of our children with support of education.

Through your effort, your ingenuity, your talents, and your dedication, your role in the purchase of the future exceeds that of any other group.

The challenges are immense. The potentials are unending. Let us get a good direction. Our future population requires the best possible educational advantage.

No public endeavor can be more worthwhile nor more rewarding. I salute you for your investment in the new generation.

THE WARSAW GHETTO UPRISING

(Mr. RYAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, April 19 marked the 27th anniversary of the Warsaw ghetto uprising. It is an anniversary which commemorates the epic of a people determined to live—a people upon whom was inflicted the greatest obscenity in history. The uprising marked one of the finest hours of man's struggle to survive and persevere against the outrages inflicted by his fellow man.

The Third Reich can never be justified. The beastiality of Nazi Germany can never be excused. The evils of that day are a shame to mankind unparalleled and incomparable. Let April 19 not only be remembered as the day the Jews of the Warsaw ghetto began their uprising against evil incarnate. Let it also be commemorated as epitomizing our resolve to never let such an awful tragedy happen again.

In 1939 Warsaw was the most Jewish of European cities. Before World War II, the Jewish population of Poland numbered more than 3 million, and there were some 433,000 Jews in Warsaw. In early 1940, German occupation authorities began to concentrate Jews in restricted districts in each town and locality in Poland. The period of deportations, confiscations, arrests, and terror had begun. Polish Jews were victims of looting, murder, starvation, and other forms of SS violence. One by one restrictive regulations were enacted. One law made all Jews subject to forced labor. In Warsaw "educational" camps were established for the Jewish population. All Jewish assets exceeding 2,000 zloty per family were expropriated. Jews were forbidden to work in key industries, to bake bread, to trade with "Aryans," to doctor, or to be doctored by "Aryans," to appear on trains or trolleys, to leave the city limits without permission, and to possess gold or jewelry. Jewish property was registered with the Gestapo. Congregational worship was prohibited. Every Jew over age 12 was ordered to display the Star of David. Punishment for failure to obey these orders was death.

On October 16, 1940, the Germans began to corral Warsaw's Jews into the 100 square city blocks between the major railway station, the Saxon Gardens, and the Danzig Railroad Terminal. One-third of the population of Warsaw was crammed, eight to a room, into one-twentieth the area of the city. A brick wall and barbed wire were erected. The Germans intended first to starve them into docility, then to round them up and murder them by the thousands.

According to Nazi plans captured after the defeat of the Wehrmacht, Poland was the first occupied area to be cleared of its non-Aryan population, prior to the implementation of the generalplan ost, the general eastern plan. The Reich's scheme was to Germanize and liquidate the "inferior" races of vast areas in the Baltics, Czechoslovakia, the Ukraine, Byelorussia, and Russia itself. Rosenberg, the Nazi race ideologist, expressed the Reich's objective at the Nuremberg trials:

> Europe can consider the Jewish question solved when the last Jew leaves the continent . . . We swear that we will not give up the fight until the last Jew in Europe has disappeared—

And, he added—

> until we are sure that he is really dead.

The pilot project for this operation was Poland; its death terminal, Warsaw. November 15, 1940, the ghetto was completely sealed from the rest of the city. Most of those confined on penalty of death in 2½ miles of the traditional Jewish quarter of the city had neither roots nor homes in the capital. Only 27,000 of the inhabitants of the ghetto were employed. Although food was scarce, its distribution was further restricted by the Nazis. The official daily ration of calories was 184 per person, compared with 2,310 calories for Germans in Warsaw and 934 for the Poles. A leaflet distributed underground in early 1942 summarized the consequences of the famine in this way: 50 percent of the ghetto population died of starvation; 30 percent went hungry "in the normal way," and 15 percent were undernourished.

Epidemics spread through the district because of congestion and inadequate sanitation facilities. Spotted fever and typhus were common. But drugs were denied the population and corpses were left to decay in the streets. Each morning funeral carts collected the corpses, and carried them out of the city where they were buried in mass graves; 8,981 died in 1940, 43,238 in 1941, and 29,000 in 1942.

The Jews operated a large and intricate network of voluntary aid and cultural organizations. The Jewish social self-help—ZTOS—ran soup kitchens and a host of other social services. TOZ, the medical service, organized medical facilities to fight illness and epidemics. The child-care organization, Cantos conducted educational programs among the youth, including schools, recreation, a juvenile library, and a theater. Yikor, the Jewish cultural organization, established schools and a university with a complete faculty. The ghetto had music schools, choral societies, four theaters, poetry readings, and recitals. A secret medical school and faculty of sciences and mathematics were maintained. Painters and sculptors exhibited their works. Bomb caches of the resistance were disguised as parks. An illegal press distributed pamphlets and reported current events. One group of scholars collected an archive to preserve records of the ghetto as part of Jewish history. Among the documents is a draft of an opening address for a cultural evening. The unknown lecturer expressed the common purpose:

> We want to continue living and remain free and creative people. Thereby we shall stand the test of life. If our lives are not extinguished under thick layers of ashes, it will be the triumph of humanity; it will be the proof that our life-force is stronger than the will of destruction.

Such resolve sustained the Jews of the Warsaw ghetto after the Germans first began to carry out their extermination policy in the summer of 1942. The "action," as the deportation was known, began July 22, when the SS announced that nearly all Jews in Warsaw would be "resettled in the east." Jews were evicted from their homes, gathered in groups, and marched off to collection centers without food, water, or sanitation facilities. Transports left twice a day. The guards would crack their whips and fire their pistols into the crowd until each car was filled. The Jews were squeezed like cattle, 100 to a car. From Warsaw the freight trains moved to the gas chambers of Auschwitz and Treblinka. The "action" continued through the summer until September 21. During that period alone more than 300,000 were either deported or shot in the ghetto.

The second deportation "action" began January 18, 1943. The Germans had decided to finally liquidate the ghetto of its remaining 40,000 to 60,000 Jews. But the program halted suddenly after 3 days. For the first time Germans met armed resistance.

The Jewish fighter organization—ZOB—had existed since July 28, 1942, but lack of arms and effective organization prevented its operation. Nevertheless the ZOB managed to assassinate key German officials, thus invigorating the morale of the ghetto. After the first "action" was over, the Jewish fighter organization took up the impossible task of securing arms. Some weapons were obtained at great cost from Polish resistance movements and smugglers. Led by Mordecai Anielewicz, the ZOB represented many political parties. Its purpose was not politics, but resistance at all costs.

When the second deportations began January 18 the defense was not yet ready. Of the 50 or more organized groups, only four manned the barricades. The others were either not armed or taken by surprise. Nevertheless, the Germans did not expect to deal with such vigorous resistance. Equipped with few pistols, grenades, and homemade bombs, the defenders inflicted an astonishing number of casualties on the Germans. The Nazis were forced to stop the "action." Although 6,000 Jews were deported, the ZOB had won a victory.

Aware that the Germans would not tolerate a defeat, the ZOB worked to strengthen their underground shelters, bunkers, and intercommunication lines. The ZOB command was reorganized. The ghetto was divided into districts, each with its own director. Independent detachments formed. Each squad drilled in preparation for the inevitable conflict.

The second round of the battle began April 19, 1943. The Germans surrounded the ghetto with SS troops, German gendarmes, and Ukrainian, Polish, and Lithuanian police. After 12 hours of conflict, the Germans withdrew. The embattled Jews had scored another victory against superior forces and arms.

The Germans soon returned with reinforcements and tanks. German aircraft pounded the bunkers and garrisons of the ghetto. But again the Jews fought a brave battle and inflicted hundreds of casualties on the enemy.

Now the Germans set fire to the ghetto to smoke out its hidden defenders. They set up heavy machinegun artillery on walls and rooftops. The resistance slowly weakened as organized defense became guerrilla warfare. Women and children joined the struggle. But many units, seeing the hopelessness of the defense, formed suicide detachments. Other groups committed suicide rather than surrender to the Germans.

May 8, the Germans discovered ZOB headquarters. After 2 hours of fighting, the Germans decided to blow up the bunker if they could not capture it. Only 60 of its 200 defenders were taken alive. Among the dead was Mordecai Anielewicz, commander in chief.

By the middle of May the conflict was nearly over. In a final symbolic act, May 16 the Germans dynamited the great

XUM

Jewish Synagogue. After the shrine was destroyed, SS General Stroop, commander of the German forces, pronounced:

> The former Jewish quarter of Warsaw is no longer in existence. There was a Jewish district in Warsaw.

According to Stroop, about 56,000 Jews were captured or killed, a figure including 7,000 killed in action and another 7,000 who perished at Treblinka. A total of 5,000 to 6,000 Jews died in flames or explosions. But Jewish resistance continued beyond the final destruction of the ghetto. Records trace the activity of units as late as September 1943. Other fighters escaped to join partisan units outside Warsaw.

The epic of the Warsaw ghetto remains a miraculous account of the capacity of human determination to survive. It is an episode which few races or nationalities can share and one which must never be repeated.

SEDITIOUS SPEECH

(Mr. WYMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WYMAN. Mr. Speaker, yesterday's Sunday New York Times contains an article entitled "Right On—With Lawyer William Kunstler." In this article there are published at some length repeated specific incitements of Kunstler to force and violence in effecting sedition and revolution in this country.

Some excerpts from this article are as follows:

> At Buffalo, which had been suffering sporadic outbreaks of violence, the students had chosen to crowd 1,500 bodies into a social hall seating only 500, rather than meet in the official auditorium because the radical students had "captured" the social hall some weeks before and it had become something of a symbol. Kunstler arrived with clenched fist held high and announced, "I'm happy to speak in a liberated zone.
>
> "After I spoke at Santa Barbara," he went on, "they burned down the Bank of America, but"—sustained cheers and shouts of "Right on!"—"but that had nothing to do with my speech. There was a professor who spoke before me who said we might need a 'blood bath' and they didn't even put his name in the papers. He deserves the credit. . . . They [the bank] took out an ad called 'Violence in America.' When did they take out an ad about violence in Vietnam? Americans—who smoke cancer-causing cigarettes—are terrified of the destruction of property. What about human beings?"
>
> The most striking thing about Kunstler's style is its odd combination of emotional excess (he's a laugher and a crier) and ostensible common sense. His platform manner is more lecturer than orator, yet the whole time I was with him there was not a woman whose hand he shook whose lips he did not also kiss. As a matter of fact, on two occasions he hugged and kissed me (much in the spirit with which another man might slap one on the back), a liberty only my Italian cousin-in-law had previously gotten away with. At the same time, in a very subdued way, Kunstler is part put-on.
>
> John Froines, perhaps the most anonymous of the Chicago Seven, tells the story of the day Abbie Hoffman received an envelope in the courtroom: "The Chicago letter carriers were quite hip. A letter would be addressed to "Abbie c/o Judge McGoo" and we'd get it! Anyway, one day this envelope came in and we opened it and this green stuff spilled out all over the table. We didn't know what to do. We got it all in a pile and covered it with a newspaper. We knew we couldn't take it with us, and yet you can't leave a pile of dope on a table in the highest court in the land. So, at the end of the day—there were no contempts that day—Bill got up and said, 'Your honor, the defendant, Abbie Hoffman, received in the mail an envelope with some green material in it'—at which point the prosecutor jumped up and said, 'I'll bet it's dope.' And Kunstler said, 'It does have a plantlike odor, your honor.' So Judge Hoffman, who was getting impatient, said, 'I'm sure counsel can find a way to take care of this matter without further troubling the court,' and Kunstler responded, 'Your honor, I'll personally dispose of it this evening. None of us ever saw the stuff again," says Froines. When Kunstler heard the story he denied it: "I said no such thing. I said, 'Your honor, I will personally see that it is burned this evening.' "
>
> At Notre Dame, over half the student body of 7,500 packed into Stephen Center to hear Kunstler introduced as "a man facing a four-year jail sentence."
>
> "People are no longer going to content themselves with a picket line around a building," he said, leaning on the lectern with a Lincolnian stoop (Esquire once said he looked like "Lincoln on pot") and flexing his knees as he talked. "People are going to occupy the building. People are going to take over the building. And I rather imagine unless Government listens, people are going to burn down the building." All this in a low-keyed, almost conversational tone. Then, about three quarters of the way through his speech: "Nixon said he didn't care how many people supported the Vietnam Moratorium, it wouldn't change his mind (his voice now raised and expressing outraged indignation)—Who the hell does he think he is?"
>
> The audience is on its feet in a thunderous ovation. Kunstler places two clenched fists above his head, says in a voice inaudible over the uproar, "I guess my speech is over," and basks in a sea of clenched fists, "Right on's," whistles and shouts. After it is over he autographs draft cards, and when one priest points out that it might be a Federal offense, Kunstler says, "That's one I couldn't mind getting locked up for! Look," he says to a companion happily, "I'm signing where it says 'registrar'."
>
> As Kunstler answers questions and signs autographs, Bob Lamb, who coordinates speaking engagements for the Chicago Seven and their lawyers, makes a pitch for money. (By prearrangement, Kunstler's $1,000 fee is going to the Law Center to be used for the defense of Rap Brown.) "There are 3,500 people in this room," shouts Lamb. "If everybody gives a quarter we can raise at least $1,000 or at the very minimum $500 and a pound of grass." On his way out, Kunstler, who has been given scarves, beads, a wedding ring, a peace necklace and other trinkets, is handed a Zippo lighter with an American flag motif. Says the donor, "For your next bank."
>
> The next day Kunstler filed motion papers for a directed verdict of acquittal in connection with the conspiracy trial and took advantage of his face-to-face encounter with Judge Edwin Robson (sitting in for Judge Hoffman, who was on vacation) to move to expunge from the record some gratuitous remarks Robson has made about Kunstler in an unrelated proceeding: ". . . repeatedly brazenly transgressed the local rules of the District Court . . . by continuous inflammatory public statements." Robson, obviously miffed, cut Kunstler off and told him all motions had to be in writing.
>
> Kunstler then went down to the press room where he received a telegram from the vice chancellor of the University of Illinois alerting him to telephone threats that "Kunstler will not leave the campus alive" if he spoke as scheduled that night. That night he missed his plane, partly because a Chicago cop signaled his cab to a stop in the middle of a left turn on a changing light. When the cabbie rolled down his window, the only thing the officer, who poked a fat neck into the cab, had to say was, "We wouldn't want to lose Mr. Kunstler now, would we?" Kunstler chartered a private plane and spoke as scheduled. The audience of almost 7,000 was keyed up for the occasion. The board of trustees had first banned Kunstler, 6 to 3, then reversed itself, 7 to 2. Now here he was in assembly hall and the threats on his life have lent an air of urgency to the proceedings. Kunstler reads the telegram and says, "I'll be goddamned if I'll be intimidated by a crank call."
>
> This is going to be Kunstler's last speech before his vacation, and the talk of attempts on his life seems to have pumped him full of adrenalin. "We're all out on bail because we're white," he says as matter-of-factly as a weather report. "I have moments of intense shame when I realize that I'm out on bail on $15,000, and yet men are in Cook County jail who can't raise $150 to get out"—he is more emotional now, but only slightly—"or that the Black Panthers in New York have to raise $100,000, while whites accused of doing what the Panthers are only accused of talking about are out on $25,000." He is warming up.
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> "We've gone into the age of that clenched fist," he says to a clenched fist in the audience, "and that clenched fist is not so easily talked about by those of us up there in the 50-year range . . . Raising the clenched fist is not easy for me, It's a gesture I didn't use until I became an attorney in the Chicago trial. It's a gesture of resistance.
>
> "We have a duty to do more than protest illegitimate authority. There apparently is not going to be an ear to listen to our protest. Therefore, since protest is not listened to, we must turn to other forms. Now these forms vary from place to place. . . . There is absolutely nothing wrong in history or in law with the seizure of a university building if the university has failed to listen to reasonable argument. . . . There will be a time"—he says "will," not "may"—"when buildings should be burned down. This is not to say buildings should be burned down," he adds, in somewhat garbled syntax.
>
> "Why was it perfectly honorable to drop 342 bags of tea in Boston Harbor? When [John] Adams heard about it, he said, 'I would as lief it had been 342 British carcasses floating in the harbor.' This from our 'nonviolent' forefathers.
>
> "If peaceful means fail, only a dishonest coward would say we stop here and go no further!"
>
> The University of Illinois is on its feet, fists in the air. Ten minutes of sustained shouting taper off only when Kunstler flees the stage to catch the last plane back to Chicago.
>
> Later, on the plane back to New York I asked him about two statements he had made which seemed to me contradictory. He had said he thought the "clear and present danger test" was a "watering down" of the First Amendment, but he had said it was impermissible to shout fire in a crowded theater, the traditional example of a clear and present danger. "That's easy," he said. "I have every right to tell the students to take out their lighters and go down and burn up the bank, because my intent is to communicate a thought which will lead to an action. That's what the First Amendment is all about. What I don't have a right to do is announce to an audience like last night's that there is a time bomb in the assembly hall and it is set to go off in five

seconds. That would leave no time for thought. It would cause a riot."

In Philadelphia, when he was asked if he would defend the Minutemen on the same grounds that he defended the Panthers (i.e., the right to violent "self-defense") he said, "No, I wouldn't defend them at all. I only defend those whose goals I share. I'm not a lawyer for hire. I only defend those I love." So, I asked him what he thought was the contemporary relevance of the American Civil Liberties Union, whose basic position, to paraphrase Prof. Anthony Amsterdam of the University of Pennsylvania, is that, when the revolution comes, the organization will be defending the capitalists.

Mr. Speaker, no person who acts in this manner is entitled to remain a member of the bar in the United States whether it be in the State of New York or any other State. William Kunstler should be disbarred. He should also be prosecuted for sedition.

If such a course means further polarization and eventual confrontation so be it and let us get it over with—for, unless society is prepared to protect itself to preserve order, decency, and the values that have helped make us strong in this country, it does not deserve to survive. To all of these vital values Kunstler's activities are anathema as well as a clear and present danger.

This is not to silence legitimate protest or even lawful dissent. But Kunstler has gone far beyond this and he keeps right on.

Nor is it simply a matter of conservative or liberal persuasion. By his deliberate choice of words and action Kunstler has made the issue one of survival for freedom and justice in America.

This man on his demonstrated record has become an advocate of sedition, an inciter of violence, a vicious rabble-rouser and an enemy of American society. This is undeniable, no matter how many misguided temporary supporters he may pick up along the way out of frustrations with the Vietnam war, the continuing struggle for equal rights, or what have you. His invitation to and incitement of violence must be dealt with fairly, firmly, and responsibly, and the hour is late.

PROCUREMENT ABUSE CONTINUES

(Mr. HARSHA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HARSHA. Mr. Speaker, in the Department of Commerce Business Daily dated April 6, 1970, on page 18, column 1, there appears a small, five-line announcement of the award of a contract for $333,117 by the Department of the Army through the U.S. Army Electronics Command, Philadelphia, covering 191 units of a recorder-reproducer identified as the AN/GSH-6 ( ) to a firm called Raycomm Industries, Inc., Post Office Box 971, Route 33, Freehold, N.J. The contract is numbered DAABO 5-70-3514 and is dated March 23, 1970. Raycomm obtained the contract in spite of the efforts of an Army civilian in Chicago who attempted to award the contract to the Admiral Corp. of Chicago for approximately $1 million by certifying "urgency for delivery" on an official document in order to justify the noncompetitive award. Although the taxpayers saved over $600,000 in this one case, it was purely accidental, and I want to take this time to outline in detail exactly how it happened.

American industry won World War II by the overwhelming mass production of the implements of war for those of us who had to wage it. Multi-million-dollar defense contracts were negotiated in a matter of days. In many cases the final price was only vaguely estimated at the beginning because price was not the object—delivery was. It was evident, however, that as in all high-priority programs, the cost increases as does the waste factor. Since World War II, the Department of Defense has expanded and extended its operations throughout the world. The expenditure of money involved can hardly be computed. The tragic part about all this is that the waste factor in military procurement today is entirely out of reason and this, combined with the huge budgets, has pushed our national debt to a point where we are on the brink of disaster. If our economy topples, the disaster will be complete, and the American way of life, as we know it, will be at an end. The time has come that we must put our house in order.

For many months I have been making a spot check of certain procurement actions conducted by the various agencies of the Department of Defense, and I can only report that I am astonished and dismayed at what I have seen. Military procurement is supposed to be conducted in accordance with the Armed Services Procurement Regulations, but the small manufacturer, the one who cannot afford a huge Washington office staffed with retired military officers, finds it impossible to do business with the Pentagon. The regulations state that the "rule" for all procurement shall be open, competitive bidding. Unfortunately this rule is subverted by some 17 exceptions through which the military civilians "justify" secret, negotiated type procurement action covering nearly 90 percent of their entire requirements.

In other words, roughly 10 percent of the military business is allowed for open, competitive bidding when open, competitive bidding is supposed to be the rule. The terrible part about all of this is the fact that almost any contract for an item of electronic equipment that is awarded through a noncompetitive, sole-source negotiation is purchased, in subsequent competitive biddings, at prices approximately one-third to one-half the previous noncompetitive price even where all of the prior development costs were paid for by the Government. Today, I want to show you a single, specific, completely documentd case of how this works. The example involves the AN/GSH-6() recorder-reproducer.

Before we go into detail regarding the procurement of this equipment, I would like to describe it to you. This unit is actually a high-speed, 300-words-per-minute, Morse code, recorder and a slow-speed, 5-to-15-words-per-minute, reproducer-playback unit. It is for the use of combat troops in hostile territory to transmit a lengthy message in a very short burst of transmission which reduces the chance of detection by enemy radio detection finders simply by limiting the transmission time to a matter of seconds. The need for this equipment was apparent back in 1959. I would like to present a chronological sequence of events that took place under the cognizance of the Army Electronics Command.

June 26, 1963: The Army Electronics Command, Philadelphia, awarded the contract DA-36-039-AMC-03303(E) to the Admiral Corp., Chicago, for $148,402 for the development, design plan, instruction books, technical reports, and four engineering test models of the AN/GSH-6( ) to be in accordance with the Confidential Specification SCL-4548 dated October 26, 1962, and SCL-1787A dated April 13, 1959. This contract also included a requirement for delivery of manufacturing drawings, and was subsequently modified to include service test models for delivery by July 30, 1965, with a price increase to $264,097.

December 1965: I have in my possession a copy of a memorandum report dated December 6, 1965, issued by the U.S. Army Electronics Command, Fort Monmouth, N.J., AMSEL-NL-E-2, which noted 31 deficiencies in the original four engineering test models of the AN/GSH-6(XE-1) recorder-reproducer which were to be corrected in the production of the service test models. I also have an outline of the planned procurement of this equipment estimated at that time to be as follows:

Fiscal 1968: 165 units planned for $495,000, average unit price, $3,000.

Fiscal 1969: 1,050 units planned for $2,625,000, average unit price, $2,500.

Fiscal 1970: 1,351 units planned for $3,337,500, average unit price, $2,500.

March 6, 1969: The Army officials delayed the pending procurement of the equipment until March 6, 1969. At that point a document officially identified as "determination and findings" was signed by an Army civilian in the Chicago Electronics Command office. The document certified that the Army had an "urgent" requirement for this equipment and that 200 units of the AN/GSH-6( ) recorder-reproducer had to be purchased from the Admiral Corp. of Chicago, at an estimated cost of $1 million because no other manufacturer in the entire United States could manufacture and deliver this equipment within the time required by the Army. For the RECORD, I would like to insert a copy of this document:

U.S. ARMY CHICAGO PROCUREMENT AGENCY—Determination and Findings: Authority to Negotiate an Individual Contract. Upon the basis of the following findings and determination, the proposed contract described below may be negotiated without formal advertising pursuant to the authority of 10 U.S.C. 2304(a)(2) as implemented by paragraph 3-202.2(vi) of the Armed Services Procurement Regulation.

Findings: 1. The U.S. Army Procurement Agency proposes to procure by negotiation 200 each Recorder-Reproducer AN/GSH-6 required by PRON No. C9-9-CO613-O1-C9-A5. The estimated cost of the proposed procurement if $1,000,000.00. An estimated amount of $15,000.00 for concurrent repair parts required by PRON. No. C9-9-84220-O1-C9-A5 will be committed but not included in

> the total cost of the proposed procurement. The proposed procurement will include an option provision for 100% increase of the initial quantity of the equipment.
>
> 2. Procurement by negotation of the above described equipment is necessary because the purchase request cites UMMIPS Priority Designator "02" for deliveries 31 July 1970 through 31 January 1971 in support of Southeast Asia. Admiral Corporation, the developer of the equipment, is the only known source who can meet the required delivery schedule.
>
> 3. Use of formal advertising for procurement of the above described equipment is impracticable because solicitation and award thereunder cannot be affected in time to meet the required delivery schedule.
>
> Determination: The proposed contract is for supplies for which the public exigency will not permit the delay incident to formal advertising.

The document was dated March 6, 1969, and signed by an Army civilian at the U.S. Army Chicago Procurement Agency.

March 20, 1969: In the Department of Commerce Business Daily dated March 20, 1969, page 4, column No. 1, the pending procurement of the recorder-reproducer AN/GSH-6( ) was listed but the nomenclature was AN/GSM-6( ). While this may have been simply a typographical error, the mistake may have been a deliberate attempt to disguise the pending purchase. It certainly has ominous overtones in light of subsequent developments.

May 1, 1969: The U.S. Army Chicago Procurement Agency, 623 South Wabash Avenue, Chicago, issued negotiation DAAG11-69-R-4527 to the Admiral Corp., Chicago, scheduled for closing of the single bid on May 6, 1969, covering 200 units of the AN/GSH-6( ) recorder-reproducer. This negotiation was justified because of the "urgent" need for delivery, but the first article text report was not required until 225 days after the date of the contract, and production units—10—were not to be delivered until after 390 days from the date of the contract. The actual delivery schedule was protracted through 500 days after the date of the award of the contract, which certainly is not an urgent schedule considering you can get airframes in 18 months from an award of a contract to any reliable airframe manufacturer.

May 16, 1969: The date set for closing of the bid from the Admiral Corp. found the Army in possession of two bids, one of which came from the Admiral Corp. bidding at the top of the budget at approximately $1,000,000 with the other unsolicited bid from a small business manufacturer that was roughly $200,000 lower than the Admiral bid. The small business, which had adequate technical competence and financial capability for production of the units, offered even a possibly lower price if the Army would supply the previously delivered manufacturing drawing for examination. The drawings were not delivered and the Chicago Army Procurement Agency immediately transferred procurement cognizance of this program to Fort Monmouth.

May 28, 1969: The low bidder for the recorder-reproducer contract—the small manufacturer who had offered the unsolicited bid—formed a team of nine members of their organization including the manager of mechanical engineering, manager of electromechanical engineering, production engineering, quality assurance, purchasing, general services and contracting, which met with five civilian Army personnel. At this session the small business group was, apparently, again denied access to a procurement model, denied the right to see the manufacturing drawings, and was urged to withdraw their bid. The representatives of the small business asserted their right to the contract, agreed to accept liquidated damages against the proposed delivery schedule and suggested, if necessary, that the case be referred to the Small Business Administration for review and issuance of a certificate of competency.

June 3, 1969: On this date, 6 days after the meeting between members of the Electronics Command and the representatives of the small business, one of the Army civilians involved in the incident issued a notice of cancellation under the then pending negotiation, DAAG11-69-R-4527, stating that cancellation was due to a change in requirements. A review had been made of the Army requirements for the recorder-reproducer and a higher authority than the man who had originally issued the certification of "urgency" had discovered that there was no real urgency after all and that the equipment could be procured through an open two-step competitive action.

September 25, 1969: The U.S. Army Electronics Command, 225 South 18th Street, Philadelphia, issued a two-step procurement action under DAAB05-70-B-0381, where the first step for the open, competitive bidding was scheduled for October 27, 1969. All interested bidders were required to prequalify by supplying a detailed technical proposal showing how they intended to manufacture the AN/GSH-6( ) recorder-reproducer. Again, apparently deliberately, the previously supplied manufacturing details, drawings, and technical manuals were withheld from potential, would-be suppliers.

February 5, 1970: In spite of the lack of adequate technical data for bid preparation, five firms qualified under phase I of the 70-B-0381 procurement action, and on February 5, 1970, the following bids were recorded:

Name of firms bidding step II under 70-B-0381	191 units B.C.P.[1]	191 units Mil Pack	ancillary total	Total bid Mil Pack
1. Raycomm Industries, P.O. Box 971, Freehold, N.J	$1,584.00	$1,587.00	$30,000.00	$333,117.00
2. Admiral Systems Corp., 2060 N. Kolmar Ave., Chicago	1,870.00	1,872.00	19,500.00	377,052.00
3. National Radio, 111 Washington St., Melrose, Mass	2,285.00	2,285.00	58,870.00	495,362.30
4. Universal Industries, 13280 N. California St., Chicago	2,604.14	2,605.65	90,620.00	588,299.15
5. Emerson Electric, 8100 Florissant Ave., St. Louis	2,472.00	2,474.00	237,608.00	710,142.00

[1] Best commercial pack, as differentiated from military packaging requirements.

ANCILLARY ITEMS.—THE ANCILLARY ITEMS REQUIRED UNDER THIS TRANSACTION ARE ITEMIZED BELOW

Name of firm bidding here	Drawings	Data	Test plan	Literature	Provision	Training	Total
1. Raycomm ¼ percent-20	$9,000	$1,000	$2,000	$12,000	$2,000	$4,000	$30,000
2. Admiral Systems, terms net	5,000	1,000	1,100	8,000	2,400	2,000	19,500
3. National Radio, net	7,928	1,125	6,236	20,818	13,038	9,725	58,870
4. Universal Industries 1 percent-10	43,500	18,000	4,650	13,108	4,962	6,400	90,620
5. Emerson Electric, net	119,810	12,588	4,627	33,828	44,225	22,530	237,608

I would like to invite your attention to the fact that Raycomm Industries quoted a total bid of $333,117 for the identical equipment justified for $1 million to Admiral Corp. of Chicago on the basis of "urgency for delivery." It is of particular interest also that Admiral Corp., under competitive bidding circumstances, quoted $377,052, over $600,000 less than their initial noncompetitive bid of nearly $1 million for the identical equipment requirement. Although the Admiral Corp. did not finally receive the contract, this instance clearly demonstrates the enormity of the certification of "urgency" issued by the Chicago Electronics Command Office.

March 23, 1970: Contract DAAB05-70-C-3415 was awarded to Raycomm Industries, Inc., Post Office Box 971, Freehold, N.J., for $333,117 to cover 191 units of the AN/GSH-6( ) recorder-reproducer. The awarding of the contract came 1 year and 17 days after the certification of "urgency" from an Army civilian employee at the U.S. Army Chicago Procurement Agency in order to justify a noncompetitive, sole-source award for this identical equipment to the Admiral Corp. of Chicago at a cost of $1 million. This, then, is a saving of over $600,000 to the taxpayer which is purely accidental and would never have happened had it not been for the unsolicited proposal from a small business concern which is not identified by name in this report because the management of the company fears reprisals. Those reprisals have, in fact, already begun, and if they continue, may form the basis of another detailed report in the near future.

Mr. Speaker, this has been a very involved and detailed presentation, but all aspects of this case are important. We have seen the early development of a much needed piece of equipment, followed by a monumental delay in production, and then, suddenly a certification of urgency by a Chicago employee of the U.S. Army in what was, apparently, an attempt to justify the awarding of a million dollar contract to a Chicago manufacturer to produce $333,000 worth of equipment. The implications are serious. The case now, without further detailed investigation, is only circumstantial, although the facts are these:

First. An Army employee in Chicago did, on March 6, 1969, certify false urgency, on an official document, for de-

XUM

livery of AN/GSH-6( ) recorder-reproducer in order to hand the Admiral Corp. of Chicago a million-dollar contract for which Admiral Corp. sought a million dollars in May of 1969 under what they believed to be noncompetitive conditions. Then in February 1970, with full knowledge competitive conditions existed, the Admiral Corp. of Chicago turned around and quoted $377,052 for the identical equipment requirement.

Second. Had it not been for the unsolicited bid in May 1969 under DAAG11-69-R-4527, the contract for the AN/GSH-6( ) recorder-reproducers would have indeed been awarded to the Admiral Corp. of Chicago at a cost of $1 million to the American taxpayer.

Third. Four Army civilian employees at Fort Monmouth could not have been completely unaware of the certification of urgency that was issued at the Chicago Electronics Command Office and then, apparently, cooperated in the fullest extent with their silence in an attempt to coerce the unsolicited bidder into withdrawing its bids while withholding vital manufacturing details from the business community in general.

Fourth. The five Army civilian employees are, at the very least, guilty of negligence in certifying urgency in the attempt to award a contract that, by conservative estimates had to carry a profit of $600,000.

Mr. Speaker, what these Army civilians apparently tried to do in this case is shameful. All five of them should be removed from their positions of authority and trust, and severely reprimanded for their conduct in this affair. I have, today, asked the Secretary of Defense what disciplinary action has been taken against these five individuals, and what steps have been taken to prevent this type manipulation of Government contracts from happening in the future. What motivated these employees is questionable, but surely, such certification of false urgency should be grounds for dismissal. It is remotely possible that the five men involved were all ignorant of the fact that the requirement for the recorder-reproducer had existed for 6 years before the certification of urgency. If that is the case, they are too negligent to continue in their present positions spending the taxpayers' money. I strongly urge the Secretary of Defense to take immediate action to halt the continuing inequities in military procurement procedures.

CAPTIVE NATIONS IN THE SEVENTIES

(Mr. DERWINSKI asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DERWINSKI. Mr. Speaker, in 1969 our Congress observed the 10th anniversary of the Captive Nations Week resolution, which the 86th Congress passed in July 1959 and which President Dwight D. Eisenhower signed into Public Law 86-90. In further commemoration of the event, the 91st Congress passed House Resolution 368, which I was privileged to cosponsor, and on the basis of which a special House document was published under the title of "Tenth Anniversary of the Captive Nations Week Resolution 1959-69." On the eve of the new decade these and other acts expanded the solid foundation for future Captive Nations Week observances—the 1970 one being scheduled for July 12-18—and, in a sense more important, a growing awareness on the part of our people of the basic strategic importance of the captive nations to U.S. national security and that of the free world.

Mr. Speaker, it is ironical, to say the least, that all of the free Asian peoples have come to understand the meaning and significance of the captive nations concept and strategy far more perceptively than our own people. Not only this, on respective scales of performance, they have, curiously enough, demonstrated more vigorously and enthusiastically their observances of the American Public Law 86-90 than have many Americans. Of course, the answer to this paradox lies in the fact that when your very life and existence is threatened directly, as it is in all of free Asia, you cannot but view the total situation of the struggle more acutely, more sharply, and with greater insight. On a projection of present trends and developments, I have no doubt that Americans will be prompted by evolving circumstances to show equal perception and insight into this crucial captive nations concept.

Mr. Speaker, as we move into this new and challenging decade, I know of no one in this country who has more incisively explained and thought out the captive nations concept and strategy than Dr. Lev E. Dobriansky of Georgetown University. As the author of the Captive Nations Week resolution, he has been maligned for over a decade by Moscow and its Red satraps as an "imperialist," "war monger," and "reactionary." His current article on "Captive Nations in the Seventies" presents a structure of thought and reasoning that forthrightly challenges many of our transient notions in foreign policy, the conduct of Vietnamization, the failure of the House leadership to create a Special Committee on Captive Nations and many other issues. This article appears in the spring issue of The Ukrainian Quarterly, a publication of the Ukrainian Congress Committee of America, which is one of the few widely respected and authoritative journals on East European and Asian problems read by analysts not only in the free world but behind the three totalitarian Red curtains. I commend this article for studied reading and discussion as a way out of our present impasse of uncertainty and confusion:

CAPTIVE NATIONS IN THE SEVENTIES

(By Lev E. Dobriansky)

The captive nations in the aggregate, and particularly those in the Soviet Union and Red China, will undoubtedly assume an increasingly determinative role in world affairs during the 70's—for global peace or war. Little is it recognized, let alone understood, that numerous captive nations are involved in the mounting struggle between Moscow and Peking or that many potential captive nations exist in Southeast Asia, the Middle East, and in Latin America—the present targets of systematic Red psycho-political warfare engineered by our prime enemy, the guardians of Soviet Russian imperio-colonialism. Shifts either way, within the Red Empire or in extension of it, cannot but seriously affect the security of the United States and that of the Free World. The ultimate question is how well prepared are we to cope with and capitalize on these inevitable shifts?

ILLUSIONS OF THE SIXTIES

Overlapping illusions of the 60's actually predetermine a marked incapacity to meet such unavoidable exigencies, as, once again, was so clearly demonstrated by the most recent case of the Russian rape of Czecho-Slovakia. The prominent illusions of the 60's, unfortunately carried over into this decade, are in logical order as follows: (1) cessation of the Cold War, (2) detente with the imperio-colonialist Russians, (3) make-believe confetti diplomacy, resulting in irrelevant treaties on nuclear test bans, fisheries, airway routes, consular establishments, hoped-for strategic arms control and other extra-tangential minutia, (4) ineffectual polycentrism in the Red Empire and (5) an implosive, myopic neo-isolationism with shortsighted premiums on domestic priorities. With evidence and rational analysis, each of the illusions can be easily exploded, but the crucial point here is that each and all in combination have muddied our thinking and have also thickly clouded the foremost reality that has caused and fundamentally explains, in a sequential cumulation of events, our most pressing problems both internationally and domestically. That towering reality is the captive nations in the aggregate and their exploitation by Moscow and its syndicate members in their ever-present, compulsive drive for world domination.

If it could stand adequate definition, a talked-about policy of uncertainty and so-called pragmatic adjustment is essentially a weak continuation of past U.S. policy toward the USSR, the center of our chief enemy. It rests on identical grounds of misconception and misunderstanding with regard to the nature of the Soviet Union, not to speak of the determining structure of the Red Empire itself, and offers practically nothing in the way of constructive Free World leadership for the attraction of freedom forces both within and outside the USSR. Even in the light of the Brezhnev doctrine itself, to predicate a policy on a prayed-for evolution of divisive forces within the Red Empire, without providing a magnetic, psycho-political pull for these forces, suggests a measure of naiveté in relation to Russian strategy and operations. Without the prerequisites of perspective, vision and a firm comprehension of the highly vulnerable structure of the enemy, sheer play-it-by-ear pragmatism in our foreign policy will virtually insure the outbreak of a third world war. All the phraseology about non-confrontation and the need for negotiation will be so much past rhetoric. In point of fact, play-it-by-ear pragmatism has led us into two world wars, and regardless of our different military posture today, it will certainly lead us into a third one. It is both frightening and inconceivable that this would be our policy orientation for the 70's.

To prevent a well nigh inevitable catastrophe, it is indispensable for us in this decade to dissolve as quickly as possible the lingering illusions of the 60's and to face up to the essential truths of our situation. The first is that the Cold War has not begun to cease or even to lessen; on the contrary, it is more extensive, and in certain areas more intensive, now than ever before. Vietnam, where the Russians have had us by the tail for years, the deep Russian penetration in the Middle East, Moscow's conversion of Cuba as

XUM

a base for hemispheric subversion,[1] and the U.S. itself gradually transformed into an enterprising terrain for Red political warfare are just a few notable examples of the Cold War being waged by Moscow and its proxies. In this and the broader context of Russian cold war strategy, wishful thinking about a detente with the worst empire in the history of mankind simply smacks of a truly supreme illusion.

Make-believe, confetti diplomacy may serve short-run political ends, but essentially it contributes nothing to the solution of basic problems and to the solidification of grounds for the avoidance of a hot global war. On the one side, it is employed as a demonstration of time and effort being devoted to the pursuit of peace, thus satisfying the natural instincts of most citizens while obfuscating the realities surrounding them; on the other side, it buys time for the rectification of some outstanding political and economic problems, in Moscow's unrelenting drive for strategic military superiority, and its steady progression of Cold War operations on all continents.[2] As for the illusion of polycentrism in the Red Empire, let it be said that a real monolith never existed in the empire, even when it was exclusively synonymous with the USSR three decades ago. There is a chasmic difference between effectual polycentrism and an ineffectual one, where in the latter superficial inter-Party squabbles and rifts have prevailed for more than forty years. Plainly, so long as the USSR is the predominant power center of the Red Empire and enjoys political sanctuary within, room for effectual polycentrism is nil, notwithstanding Red China.

A dismantling of the first four illusions obviously leaves no ground for entertaining the last one on neo-isolationist strength and concern. For it is evident that the last feeds on the preceding four. A neo-isolationist mentality either believes the others to be true or is a mere expression of cowardice in coping with the problems of the world environment in which, whether we like it or not, we constitute an integral and critical part. In any case, the insular bias is a most useful tool for the enemy's strategy.

THE DOMINO THEORY AT WORK

The captive nations also are an integral and critical sector of the world environment. No matter how desperately some wish to brush their reality under the rug, with softer references and distorting interpretations, periodic lessons abound as to their blunt existence. The captive nations are the peoples imprisoned within the Red states under the dictatorship of the Communist Parties, and their consummate experiences attest to the overall truth that both in theory and action communism is but a mythology shielding the worst form of totalitarianism and imperio-colonialism in the history of mankind. For different reasons, many in our Government have feared and resisted a popular concentration on these nations. Yet, a more solid course for education in freedom by contrast cannot be found than this. The more one concentrates on the approximately 1 billion souls in the captive nations, the more one begins to appreciate his freedoms and the pressing need of unity and solidarity for general freedom, not only among the still free nations of the non-communist world but also with the one-third of humanity in the captive nations.

In a column devoted to "demonstrations" an eminent analyst asks "Why is there an absence of humane feeling about the enslaved populations in Eastern Europe and particularly in the Soviet Union?"[3] For those duped into these "demonstrations," the answer lies in the fact that they haven't been taught and know scarcely anything about these captive nations. Even their parents share in this deficiency which could be expeditiously righted through governmental action. But common sense also plays its role. An old Spanish proverb warns, "A handful of common sense is worth a bushel of warning." When in this postwar period Red totalitarian aggression has been so blunt and obvious as in the cases of China, Korea, and Vietnam, one cannot but wonder about the common sense of otherwise many learned people in the Free World. We can perhaps forgive them for being unable to perceive the subtle and indirect aggressions undertaken by both Peking and Moscow in Asia, the Middle East, Africa and Latin America, not to mention the U.S. itself, but it is plainly unforgivable in these crass cases.

Inadequate as it may be, a modicum of common sense should guide the laboring citizen to think all this through in terms of the steady aggregation of captive nations since the early 20's. Much has been said about the domino theory in relation to Southeast Asia, but there can be no question as to its empirical application to this growth in the family of captive nations since the 20's. Fifty years of proliferated Red totalitarian and imperial rule are but a minute in historical time. Without over-simplification but with the guiding thread of essentiality, all one need do on a global map is to first encircle in red the Russian area encompassing Moscow and Leningrad, then in concentric form the non-Russian area from Byelorussia and Ukraine to Azerbaijan to the old Far Eastern Republic, then the Baltic States, then Central-South Europe over to North Korea, mainland China and North Vietnam, finishing for the exceptional moment with a red spot covering the island of Cuba. In Eurasia, the dominoes fell, one by one, as events permitted.

Clearly, as shown below, the domino theory has been at work in the very expansion of the Red Empire, which began in Moscow and in terms of ultimate, determining power today rests on Moscow for its survival. This list of captive nations cannot be too often reproduced for our sustained memories:[4]

The captive nations—Who's next?

Country and people:	Year[1]
Armenia	1920
Azerbaijan	1920
Byelorussia	1920
Cossackia	1920
Georgia	1920
Idel-Ural	1920
North Caucasia	1920
Ukraine	1920
Far Eastern Republic	1922
Turkestan	1922
Mongolian People's Republic	1924
Estonia	1940
Latvia	1940
Lithuania	1940
Albania	1946
Bulgaria	1946
Serbia, Croatia, Slovenia, etc. in Yugoslavia	1946
Poland	1947
Rumania	1947
Czechoslovakia	1948
North Korea	1948
Hungary	1949
East Germany	1949
Mainland China	1949
Tibet	1951
North Vietnam	1954
Cuba	1960

[1] Of Communist domination.

Who's next? South Vietnam? Algeria? Colombia? Congo? Laos? Tanzania? Cambodia? Thailand? Greece? Guatemala? Chile? Israel?

President Nixon truthfully declared in 1969 that the non-negotiable issue in South Vietnam is the right of the national self-determination and the independence of the free Vietnamese. What unfortunately was not stressed, and which explains much more, is that the United States cannot honorably afford again the addition of another free nation to the long list of captive nations. Too many knowledgeable Americans still recall the sell-out at Yalta and elsewhere of several East European nations by the Harrimans and other diplomatic undertakers providing the hearse of coalition governments and the like. Examine again the list of captive nations; each was targeted just as South Vietnam, Laos, Thailand, and others are today. An organic concept of captive nations enables us to view current crises differently and more perceptively.

NEW INSIGHTS UNDER CONCEPT

The concept of captive nations is historically founded, organic in character, and a guiding one for bold and decisive action. It has been wisely said, where necessity pinches, boldness is prudence. To exercise prudent boldness demands also a guiding concept. Despite the worldwide publicity given to the U.S. Captive Nations Week Resolution ten years ago and the annual reports on it since, it still remains a mystery how relatively few in the Free World comprehend the concept. Moscow, Peking and the Red satraps perceived its significance quickly and vehemently.[5] We have sustained a cultural lag toward it.

Public Law 86–90 defines the broad concept of the captive nations clearly and succinctly. The captive nations are those that in the past fifty years have been overtaken and subjugated by Soviet Russia imperio-colonialism and its several totalitarian offsprings. Quite plainly, how all of the Red present came to be what it is, regardless of rifts and squabbles, is the answer as to who are the captive nations. As the list above shows, to enumerate them accurately and historically, one must begin in 1920, not in the 1940's or later.

It must be borne in mind that the first international wars and aggression waged by Soviet Russian imperio-colonialism under the deceptive guise of communism were against newly independent states and nations like Byelorussia, Ukraine, Georgia, Armenia, Azerbaijan and several others that are now imprisoned in the Soviet Union. The second wave of this imperialist aggression reduced Latvia, Estonia and Lithuania to captivity in the early 40's; and the third wave in the later 40's enslaved a whole new group into the growing family of captive nations, such as Poland, Hungary, Czechoslovakia, Albania and so forth. Inspired, assisted and trained offsprings of this Red tradition of conquest and domination of peoples dropped the totalitarian curtain about the peoples of Yugoslavia, mainland China, North Korea, North Vietnam and Cuba in this and the decade after.

If the domino process has ever been at work, it certainly and unquestionably has been in the methodical Red conquest and aggregation of captive nations. If one fails to understand this process, executed largely and basically through the whole panoply of psycho-political warfare techniques, he then does not know the history of Eurasia these past fifty years. Any appreciation of the fundamental distinction between the captive nations—the exploited peoples themselves—and the Red totalitarian states is completely lost on him. It is this working distinction, implicit in the very concept of the captive nations, that has cast profound

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[1] See "Castro and the Americas," *Congressional Record*, February 10, 1970, pp. 3185–3190.

[2] Herman F. Achminov, "Kremlin Plays A Waiting Game," *Institute for the Study of the USSR*, Munich, November 1969.

[3] David Lawrence, "Why Not Protests on Soviet Policy?", December 18, 1969.

[4] For further elaboration, see *Tenth Anniversary of the Captive Nations Week Resolution, 1959–1969*, U.S. Congress, 1969, p. 105.

[5] For documented evidence, see Lev E. Dobriansky, *The Vulnerable Russians*, New York, 1967, p. 453.

XUM

fear in the professional propagandists of the Red states. More, an inability to see this organic process of politico-military conquest from 1917 to the present beclouds also the important truth as to the chief enemy of the Free World.

THE CHIEF ENEMY

Some Free Asian leaders may well honestly disagree with the logical and factual determination of the Soviet Union—more precisely Soviet Russian imperio-colonialism—as the chief enemy. In one sense they are not wrong when their immediate danger of a proximitous and aggressive Red China is properly and justly weighed. No matter where, sheer survival for freedom is an incomparable, conditioning force. Moreover, the collapse of Red China would spell the beginning of the end of the Red Empire. Nevertheless, at the moment there is a more general truth affixed to the global framework which we must face with equal awareness and perspective. And that is the primacy of the Soviet Russian enemy. In the broader global framework and on the basis of historical evolution itself, let us not forget the fundamental Soviet Russian contributions that have been made to the training, economic and military equipment, and the apparatus of the so-called communists on mainland China, to the formation and equipment of the North Korean army and the tragic Korean war that ensued, and to the totalitarian and mini-imperialist Hanoi regime, and aid which has protracted the Vietnam war more than any other Red totalitarian factor.

Concerning the war in Vietnam, which really involves three fundamental factors—they are, the seventeen million captives in North Vietnam, the aggression by totalitarian Hanoi backed essentially by Russian Moscow, and the valiant endeavor of the patriotic and nationalist South Vietnamese not to be forced behind the Red totalitarian curtain—this simple conflict could have been over three or four years ago if it hadn't been for the circumstantial combination of sophisticated Soviet Russian aid and America's complete misconduct of the war. This war has produced more pseudo-rationalist nonsense than any war in this century.

In saying this, one is not siding with the human boils and carbuncles of American society, for even the healthiest of organisms are capable of such poisonous excesses. The virtual and overt traitors of freedom in the U.S., meaning specifically the professional pacifists, the melodramatic and poor imitations of mid-19th century Bakuninists and Blanquists, who ignorantly spout Marxism, the ridiculously bearded Trotskyists, the basically ignorant and scant minority of students, and many naive clerics and so-called liberals—always pawns for the professional Red revolutionary who manipulated this species in the 30's and is repeating it now—are of course political warfare fodder for Hanoi, Peking, Havana and Moscow. Like the Russians, they protesteth "peace" or "mir" too much, and we cannot but wonder what piece they seek. Most significantly, their stony silence about the captive nations indicates their motives and objectives.

ASIANIZATION, NOT VIETNAMIZATION

Relative to the captive nation of North Vietnam and the potential one in South Vietnam, we in America have so far failed in coping with what some call revolutionary warfare and what is really Russian-developed psycho-political warfare as applied in Vietnam. The so-called and miscalled Vietnamization of the war in Vietnam could have been accomplished years ago, in fact during the Eisenhower period. What was required was a psycho-political warfare concept extending into North Vietnam and butteressed by American armed logistics. With American military withdrawal from Vietnam, its application should be seriously considered in a new context of Asianization of the war with the presence of not only more Korean divisions but also Free Chinese and other Asian divisions.[6] Developments in Laos, Cambodia and Thailand alone show the broad front of Red aggression and political warfare from the Mekong Delta to Calcutta.

Regrettably, we Americans still don't understand this psycho-political warfare, which today extends even to the terrain of the United States itself. If any one is to be charged with a specific irresponsibility in the United States for this institutional incapacity, it is Senator Fulbright of the Foreign Relations Committee. He and the ever-blundering Harrimans have for years opposed and sat on the Freedom Academy measures in the U.S. Congress which are purposed to equip Americans and their allies in the ways and means of this type of warfare. This is by no means an unfounded charge; it can be easily documented and justified. Its tragedy is that it involves other peoples, including the captive people of North Vietnam and all others in the extensive Red Empire. It involves us, completely and irrevocably.

INDOMITABLE NATIONALISM IN THE CAPTIVE WORLD

By the very nature of realities prevailing in the captive world, conditions of psycho-political warfare are always extensive and omnipresent. It has been truly said. "In a free country there is much clamor with little suffering; in a despotic state there is little complaint, but much grievance." In the Soviet Union, which Alexander Solzhenitsyn has accurately described as a "sick society," the dozen and more captive nations are being subjected to a new wave of political repressions, cultural genocide, religious oppression, imperio-colonialist economic exploitation, revived MVD operations, and concentration camp consignments. All this and more in the sweep of Russian consolidating moves for Moscow's expanding Cold War operations in Asia, the Middle East, and the Western Hemisphere.

In mainland China, North Korea and North Vietnam the captive peoples are under the worst conditions of totalitarian tyranny, economic privation, and dehumanization left in the train of a grotesque "cultural revolution," guerrilla war activities on the Korean peninsula, a war of aggression by Hanoi. In captive Cuba similar forms of Red exploitation of the people prevail as that unhappy island is being rapidly transformed into a Russian base for continental political warfare. And in Central Europe the Russian rape of Czecho-Slovakia last year confirmed again the oppression and imperio-colonialism imposed on the captive peoples in that area.

Among the numerous forces at work for freedom in the captive world, the most dominant is the indomitable force of nationalism. This natural force means national self-determination and independence, economic freedom and opportunity, cultural progress and a respectful place in a peaceful community of independent nations. Expressed in many ways, this persistent force is rampant in the Soviet Union; it is manifested daily in Central Europe; it permeates all of Asia; it is the basis for Cuban resistance and hope. As the record well shows, nationalism is the greatest insurmountable obstacle to Red totalitarianism and Soviet Russian imperio-colonialism.

In Ukraine, the largest captive non-Russian nation both in the Soviet Union and in Eastern Europe, this spirit of nationalism abounds and expresses itself persistently in many, diverse forms. Without Ukraine, the Soviet Union could scarcely endure. This fundamental insight has even surfaced to the level of open, literary expression within the USSR itself, where increasing doubts surround the possible survival of the Soviet Union by 1984.[7] In any studied analysis, this captive nation is the focal point of the captive non-Russian resistance in the USSR.

THE BIND WE'RE IN

Whether viewed from the East or the West, efforts to wean less powerful Red states from the direct or indirect control and influence of the powerful Soviet Russian center will come to naught so long as this center is afforded psycho-political sanctuary within the substrate empire of the Soviet Union. This truth is the clear lesson of the Czecho-Slovakian tragedy. The free governments in the West clearly found themselves in a bind. And they will continue to be in this bind unless a radical shift is made in policy toward the captive nations within the USSR.

That such a policy shift can be executed with maximum contribution to peace has been justified time and time again on a number of issues. In areas of diplomatic relations, meaningful cultural relations, Voice of America and Radio Liberty broadcasts and many others, the shift would begin to place Moscow in a bind as concerns its aggressive Cold War operations, aid in Vietnam and the Middle East, as well as in Cuba and our hemisphere. A progressively insecure Cold War aggressor begins to generate his own curbs and limitations.

The Brezhnev doctrine further substantiates the truth of our bind. In essence, a contemporary version of traditional Russian imperialism, this doctrine can be applied by Moscow to any Red state in the West or in the East, including mainland China; even to ostensibly socialist states in the Free World, all for the goal of insuring the security of the mythical commonwealth of socialist states. This doctrine is in itself a confession of intent and also weakness. The fundamental weakness is represented by the existence and struggles of the captive nations.

CAPTIVE NATIONS WEEK, A SPECIAL COMMITTEE AND THE MEDIA

An old French adage teaches us, "the weakness of the enemy forms a part of our own strength." The captive nations in the aggregate constitute the foremost weakness of the totalitarian Red Empire. As such, they are one of the most essential parts of our Free World Strength. The more we concentrate on the Captive nations, the more we intensify the weakness, the insecurity and the doom of all Red governments. But to advance along this sure road toward world freedom and the avoidance of a general hot war, citizens of the Free World must scotch certain misconceptions and wishful thoughts.

The first misconception is about the captive nations themselves. The captive nations concept must be clearly understood. The family of captive nations extends from Central Europe into the Soviet Union out to Asia and over to Cuba. Second, it is a species of wishful thinking to believe that any genuine detente is possible with the vast Red Empire. The dynamics of history, greased with the victories of Red totalitarianism and the world wide network of Red psycho-political warfare, simply do not favor this. Wishful, too, is the misleading notion of spheres of influence, a sideline of the containment policy. It not only compromises principle with its accommodationism but also is unrealistic and self-defeating. Our enemies don't pour billions of investment into Cold War operations for physical exercise and self-enjoyment.

Contrary to absurdities witnessed in some places of the Free World, including the United States, the youth, the workers and

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[6] See "Asianization—Not Vietnamization of the Vietnam War," *Insight On the News*, Miami, February 15, 1970, p. 9.

[7] See Andrei Amalrik. *Will the Soviet Union Survive Until 1984?*, New York, 1970, p. 93.

XUM

the intellectuals in the captive world know what it means to be deprived of freedom. With their grasp of the real and true values of human existence, these captives of Red totalitarianism are today freedom's most trusted allies; tomorrow they shall be its sternest guardians.

The eventual solution of the titanic struggle in this century rests not only with military arms, but rather with the effective linkage of the forces of freedom in the non-Red world with those of all the captive nations, particularly those in the huge concentration camp called the Soviet Union. The forging of this link with the truly genuine NLF's and their tremendous legions behind all three Red curtains can only be effected through the means of psycho-political penetrations that are indispensable to the deterrence of a hot general war. The captive nations are our formidable allies, and had we sensibly tapped this resource in North Vietnam, the war there would have been over long ago.

In this new decade, there are three ways for you, as an individual citizen, to advance the lines and goals expressed here. One is to urge your Congressman to support the establishment of a Special Committee on the Captive Nations in the House of Representatives.[8] The benefits of such a committee would be immense, both domestically and internationally. Second, our media—the press, TV, and radio—have consistently minimized the captive nations issue and, as Vice President Agnew correctly maintains, have contributed to a heavy imbalance in popular thinking concerning the world situation and its impact here. By protest and demand for public service programs you can correct this unfair condition.

And third, by participating in the annual Captive Nations Week observance held every third week of July (1970—July 12–18) you can let our enemies know that we will never acquiesce to any permanent captivity of the nations in Eurasia and Cuba and also our captive allies that we are determined to work for their freedom, which in essence means our national freedom as well. In this, you will be in solidarity with our Free Asian allies who are fighting for their survival and who conduct some of the largest Captive Nations Week observances.[9] The captive nations will play their role for world freedom in the 70's, about this there can be no doubt. Will you play your role for our own freedom—without more local wars, needless sacrifices, and wasteful internal confusion and division?

UNSOLICITED CREDIT CARDS

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HANLEY. Mr. Speaker, I was very pleased to see that the Senate last Wednesday passed a bill, S. 721, which would ban the distribution of unsolicited credit cards. The bill also limits the liability of any cardholder for the unauthorized use of a lost or stolen card.

The Senate is indeed to be commended for this important piece of consumer legislation.

Several months ago, in recognition of the growing national problem caused by the distribution of unsolicited credit cards, I introduced H.R. 13244 to severely restrict the mailing of unsolicited credit cards. At that time, this bill contained the strongest language of any credit card measure then pending.

Our Subcommittee on Postal Operations held a series of hearings on H.R. 13244, and I was most gratified by the great support which the measure received from a broad segment of the American public.

The Subcommittee on Postal Operations then made several technical improvements in my bill and reintroduced it to give other members of the Post Office and Civil Service Committee a chance to cosponsor this popular measure.

The Committee on Post Office and Civil Service approved the new bill, H.R. 16542, and the report was filed on March 26.

In the meantime, the Senate was working on S. 721, introduced by Senator PROXMIRE and several other distinguished Senators. When introduced, this bill provided only that the Federal Reserve Board prescribe regulations governing the conditions under which unsolicited credit cards could be distributed. The bill also contained liability provisions similar to those in the bill which ultimately passed.

Senator PROXMIRE's Subcommittee on Financial Institutions began hearings on S. 721 on December 4. I was the lead-off witness. While I strongly endorsed the liability section of S. 721, I had serious reservations about directing the Federal Reserve Board to promulgate regulations without sufficient guidelines. I stated:

> We in Congress should establish even stronger guidelines than are provided in S. 721. Frankly, the Federal Reserve Board has evidenced little interest in supporting strong and effective curbs on the alarming proliferation of unsolicited credit cards.

To my gratification, the Senate Banking and Currency Committee subsequently amended S. 721 to ban the distribution of unsolicited credit cards. It was in this form that S. 721 passed the Senate.

Therefore, we in the House have pending before us two major credit card bills in somewhat different forms. I have no particular pride of authorship. I am principally interested in protecting the American consumer against the malicious effects of unsolicited credit cards.

In view of the overwhelming Senate action on S. 721, and the broad support of our H.R. 16542, I am very hopeful that we can quickly develop a bill for final passage which will greatly circumscribe or completely eliminate the alarming proliferation of unsolicited credit cards.

MAYOR RICHARD J. DALEY—A SURE HAND

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, today the distinguished mayor of the city of Chicago, Hon. Richard J. Daley, completes 15 years of outstanding service to our great city.

He has been the head of a city government at a time when all of the cities of America are going through a transition period. Our society is changing from a rural to an urban society, and consequently our cities are beset with problems involving all aspects of community life—education, pollution, transportation, housing, sanitation, health services—and all of the other social and economic problems that face people when they are concentrated in such vast numbers within the confines of a city.

On behalf of the leader of our Chicago delegation, DAN ROSTENKOWSKI, and the other members of our Chicago delegation—WILLIAM DAWSON, WILLIAM MURPHY, ABNER MIKVA, JOHN KLUCZYNSKI, ROMAN PUCINSKI, and SID YATES—it is an honor for me to extend sincerest congratulations to Richard J. Daley for 15 years of monumental service to the people of my city.

Through hard work and devotion to his duties as mayor of our city, Dick Daley has proven that our form of elected representation works—and works well. He has accomplished what few men have achieved in public life.

Mayor Daley has moved forward with bold vision and with determination to improve health and sanitation services, to modernize the fire department, to complete construction of the modern O'Hare International Airport, to install a vast network of efficient freeways to initiate urban renewal projects for removal of slum areas, to revitalize the downtown business area, to improve the police system and the welfare system by appointing able administrators, and to make countless other improvements.

Mayor Daley has indeed been able to meet the challenge of the urban crisis, and everywhere in Chicago there are signs of the progress that has been made and the intense desire of Dick Daley to serve the people of Chicago.

In addition to being mayor of our city, he is also the county chairman of the Democratic Party. He has often said "good government is good politics," and more of us should be concerned about good goverment and good politics, because America cannot progress without more and more political participation, especially participation in a constructive and sound manner on behalf of the people of America.

At this point in the CONGRESSIONAL RECORD, I want to insert an article written by Harry Golden, Jr., which appeared in the Midwest magazine section of the Sunday, April 19, 1970, Chicago Sunday Times. The article follows:

A SURE HAND, A HARD HAT: 15 YEARS OF MAYOR DALEY

(By Harry Golden Jr.)

Richard J. Daley, head of Chicago government for precisely 15 years on Monday, is a hard-hat mayor—a chief executive who has helped create a Chicago where the sound of construction never ceases.

He presides over a dynamic city of architecturally distinguished new buildings, a revitalized public transit system, new expressways, of vaulting bridges and massive public projects above and below ground.

No sooner is a project like O'Hare Airport a reality than the mayor is planning its expansion, and ultimate replacement.

Few men in their lifetimes have been able to look upon so complete a change that they themselves have wrought in their physical environment.

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[8] See *Captive Nations Week, Red Nightmare, Freedom's Hope*, USGPO, Washington 1966, pp. 310.

[9] E.g. "Resolution on 1970 Captive Nations Week," *Asian Outlook*, Taipei, December 1969, p. 41.

XUM

Daley has combined a dedication to renewal and a mastery of finance to bring about the metamorphosis of his home town. But he says he's far prouder of his administration's social welfare record than in physical renewal.

It will remain for historians to judge whether Daley's role as the builder has been superseded by his work as an administrator and behind-the-scenes architect of such innovative programs as the federal war on poverty ($50 million a year in Chicago), the Model Cities programs ($38 million) and his own Office of Inquiry and Information, first city agency in the nation to offer direct communication between the administration and the public.

But the city will offer physical evidence of Daley for the next three quarters of a century in such monuments to his administration as the Civic Center, graced—some think ironically—with the inscrutable work of Picasso. Critics say that, in his zest for public works and business development, Daley has negleced the cultural.

But Daley showed how to use urban renewal to create the University of Illinois at Chicago Circle—a brand-new university for 20,000 students. "They talked about that for 35 years before we got it built," says the mayor.

And he prodded the board of the Chicago Public Library to proceed with planning for a $25 million new central building that will preserve the most artistic features of the present building on Michigan Av.

Even when Daley gives the plans impetus, years must pass between the idea and the realization.

As Daley completes his 15th year as mayor Monday, the gigantic projects he has announced but not yet seen through doubtless will figure in his reflections on whether to run for a fifth four-year term.

Since early 1969, Daley has been fending off reporters' questions about his political plans.

"Ask me about it early in 1971," he would say.

Any doubt that he intends to run again seemed to be dispelled for political observers recently.

On the day of the last City Council session April 8, the mayor disclosed his intention in a governmental triple play. Within an eight-hour span, he mediated the dispute between contract home buyers and owners, urged a tougher anti-pollution code to reduce further the sulphur content of coal used in the city and led the City Council in ordering an unprecedented emergency outlay of $500,000 to cope with hunger.

Two days earlier, he took another step which some observers regarded as a clue to his fourth-term plans. He ordered his city department heads to reduce spending. He told the bosses of 52 city agencies he wants a corporate budget surplus of 6 per cent this year, rather than the normally expected 4 per cent. That would mean a year-end surplus of $25.3 million to apply to the 1971 budget.

Though Daley must be taken at his word that he ordered the economies because of the unpredictability of the present business climate, it should not be forgotten that mayors like surpluses to offset tax increases in election years.

As Daley starts his 16th year in office, he has a number of projects with which to kick off that auspicious occasion.

For instance, although a $400 million expansion is under way at O'Hare, he is convinced the city needs a third major airport. He has asked (and will shortly get) the airlines to make greater use of Midway. But though he recently said that a third airport may not be needed for another decade, he wants planning to go forward, and thus far he is persuaded that the best place to put the $500 million facility is in Lake Michigan somewhere off the South Side.

Then there's a $650 million sewer-tunnel system that he proposed last Nov. 7 to clean up Chicago waterways and relieve flooding in the metropolitan area.

Still another major project—even closer to realization—is a $600 million replacement of the Loop L with a subway transit under Franklin, Randolph, Van Buren and Wabash and extension of lines north, south and west. An elaborate financing arrangement to raise funds for this project would include a special tax, matching state funds and a federal grant. Work could very well start early in the 1970s.

Mayor Daley already holds seniority among all big-city American mayors. He was first elected April 5, 1955, succeeding Martin J. Kennelly, and he took the oath of office in the City Council chamber 15 days later.

On April 23, 1969, Daley eclipsed the previous record of mayoral service in Chicago established by the late Edward J. Kelly, who served in office from April 13, 1933, until April 15, 1947.

To be sure, Mayor Daley could count on the momentum of a flourishing economy to help rebuild the city.

But the statistics that emerge from his public works and from administration policies that have encouraged development are nonetheless striking in any inter-city comparison, even after allowance is made for the effect of inflation.

He instigated at least 30 urban renewal projects involving a total of $250 million.

He prodded into existence virtually the entire Chicago expressway system and provided it with the revolutionary median-strip transit line. Late this year or early in 1971, he will give the green light to construction of the $800 million crosstown expressway from the Kennedy-Edens Expressway interchange on the north to the Dan Ryan at a point south of its intersection with the Chicago-Skyway.

The current five-year program of public works planned by all public agencies in the period ending in 1973 totals $3.5 billion. It must be remembered that Daley has an overriding say in the building policies of most public agencies other than the city itself.

He appoints all members of the Chicago Board of Education, the boards that run the library and park systems, and half of the members of the board that runs McCormick Place. And his political organization dominates the elective board of the Sanitary District and the government of Cook County.

His influence is everywhere. Nowhere is it so evident as in guiding projects through the Public Building Commission of Chicago, an agency that he got the General Assembly to create the year he became mayor.

PBC undertakes construction of projects needed by other public agencies. PBC then issues bonds for the work. The bonds are retired with "rents" paid by the other public agencies. PBC obviously was created partly to circumvent what the Daley Administration regards as archaic state constitutional limitations on borrowing without a vote of the people.

The first project of PBC was the $87 million Civic Center. About a year ago, PBC undertook 20 new school projects that will cost $200 million.

On March 31, PBC voted to build a $10 million underground parking garage because the McCormick Place governing board found it couldn't complete the reconstruction of the hall itself, let alone the garage, much under the approximately $100 million available from other sources.

At the same meeting, PBC undertook a $65 million package of public works including police, fire and health installations proposed by Mayor Daley to the City Council last Jan. 27. In both matters, the PBC vote was affirmative and unanimous. Mayor Daley presided as chairman of the PBC.

Beyond the public projects, however, Daley has been instrumental in encouraging the construction of each new skyscraper.

The City Building Department is under orders to "bend over backwards" to assist any private construction. Officials of that department routinely go to architects' offices to point out the least expensive way a new project can meet the building code requirements.

Through the City Council, which he dominates, Daley pursues zoning policies which some anti-administration aldermen condemn as too permissive but which unquestionably promotes new construction.

Priorities for water and sewer extensions are often rearranged on order of the mayor so that a street, water or sewer line can be built in time to lure a new factory to the city.

Here is an example of how Daley brings the prestige of his office to bear on an important occasion: a few years ago Sears Roebuck & Co. had tentatively decided to build one of the nation's largest office buildings in suburban Chicago. Daley personally appealed to Sears officers to locate the huge, $100 million building, with three million square feet of floor space, in Chicago.

The city sold Sears a one-block section of Quincy St. to let the project go forward this year immediately west of the Loop in Wacker.

Ald. Leon M. Despres (5th), the most articulate critic of the mayor, asserted: "You have to say that a cardinal point of his policy, perhaps *the* cardinal point, has been the subsidy and encouragement of the central area—the Loop and the Near North Side. They have been nourished, caressed, assisted, encouraged and dealt with in every way to produce the maximum development. And the administration has encouraged as many public works as possible because they are showy and profitable—profitable to the contractors and to the insiders and the friends of insiders.

"But these projects," Despres complains, "are not part of a coherent plan. They ignore the gray areas of our city and its decaying neighborhoods and they go forward without regard to the needs of light, air, traffic and livability."

The mayor shrugs off such criticism.

Lewis W. Hill, Daley's commissioner of development and planning, said the Despres charges are easy to refute.

"Any review of the capital improvements programs of the last 15 years," Hill said, "will show that the preponderant expenditures have been in the neighborhoods—in street and alley lighting, local street improvements, police, fire, health and sanitation facilities.

"The current five year program calls for city investments totaling $2.3 billion, of which only $140 million is for the area from Chicago to Roosevelt and from the Chicago River to Lake Michigan.

"Even if we add the non-city McCormick Place at $100 million, the total for the central area would still be only $240 million, or about 10 per cent of the whole."

Hill went on, "Probably the clearest expression of this dedication to the improvement of the urban environment can be seen in urban renewal. In contrast to other cities, Chicago has not even one downtown central business district urban renewal project."

Hill noted facetiously, "As to favors granted to encourage developments, perhaps Ald. Despres is referring to the recent modification of the zoning requirements approved by the city to permit construction of Woodlawn Gardens, by the not-for-profit organization formed by the Woodlawn Organization and the Kate Maremont Foundation to provide moderate income housing at 60th and Cottage Grove in his ward."

Mayor Daley's appointments for a week's groundbreakings and dedications look something like this:

Monday morning, for instance, he used the

XUM

silver-plated shovel on the site of a new school.

On Tuesday, he attended steel topping-out ceremonies at McCormick Place.

On Thursday, he broke ground for a $38 million O'Hare Airport parking garage—biggest in the world.

Records of the City Building Department show that new construction, public and private, in Daley's 15 years as mayor has totaled $5,669,701,974—or about $378 million a year.

In the five years previous to his administration, also boom years, new construction was valued at $1,064,817,183—or about $213 million a year.

Dick Daley the doer and builder?

"Construction is what brings jobs," said Paul N. Zimmerer, executive director of the Mayor's Committee for Economic and Cultural Development. "That's what brings money and activity and the base for taxes."

But, underlying all, said Zimmerer, is Mayor Daley's love for the City of Chicago.

"If you love something," he said, "you want to see it grow."

Again, on behalf of the Chicago delegation, we want to extend best wishes to Mayor Richard J. Daley for abundant good health and for continued service to the people of our city and the people of America.

SALUTE TO SECRETARIES

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, I am indeed proud to pay tribute to our secretaries during National Secretaries Week.

For the 19th consecutive year, the last full week in April has been designated as Secretaries Week, with business, industry, education, government, and the professions joining in its observance. In 1970, Secretaries Week is April 19–25, with Wednesday, April 22, set aside as Secretaries Day. Under the sponsorship of the National Secretaries Association—International—the world's leading secretarial organization, the theme will again be "Better Secretaries Mean Better Business."

The week is acknowledged by Federal, State, and municipal governments and is observed with special NSA sponsored activities. In the District of Columbia, Mayor Washington signed a proclamation on April 17, urging recognition for all secretaries for the vital role they play.

Washington's Capital Chapter and District of Columbia Chapter will join together in the activities of the week, beginning with a church service on Sunday, April 19, at the Christ Church. And a morning walking tour of Old Alexandria on Saturday, April 25.

The highlight of the week will be Secretaries Day, April 22, with a reception and banquet being held in Blackie's House of Beef. The speaker will be Hon. William L. Gifford, Special Assistant for Legislative Affairs to the Secretary of Labor, and entertainment will be by Bo Kinnel and his cordovox.

I am familiar with this organization as Margaret Morrison, a member of my staff, is an active member and a former officer.

I commend our secretaries and I am glad to have this opportunity to participate in National Secretaries Week with the National Secretaries Association—International.

ADDRESS BY SECRETARY OF DEFENSE MELVIN R. LAIRD

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include an address by the Secretary of Defense, Melvin R. Laird.)

Mr. GERALD R. FORD. Mr. Speaker, the Secretary of Defense, our former colleague from Wisconsin, Mr. Laird, made a most important address today in New York City. Addressing the annual Associated Press luncheon he warned of the increasing strategic capability of the Soviet Union and of some of the hard choices which we are going to have to face up to in the area of national security. In order that all Members might have an opportunity to read the Secretary's speech in full I include it in the RECORD with these remarks.

ADDRESS BY THE HONORABLE MELVIN R. LAIRD

I was particularly pleased when your President, Paul Miller of Gannett Newspapers, called me on a Saturday morning several months ago to invite me to speak to the Annual Luncheon of the Associated Press on the subject of the strategic balance. I told him that I regarded this forum as particularly appropriate to express my views on the need to make available to the American people additional information regarding national security.

When I assumed office 15 months ago, I immediately established as a top priority goal the restoration of credibility in the Department of Defense. Since then we have attempted to follow President Nixon's stated desire to make more information available to the American people.

The editors of the Associated Press and all members of the communications media in this country have a deep interest in this subject. I pledge to you that we shall continue to devote maximum attention to reducing and hopefully eliminating overclassification in the Department of Defense. And, we will provide all the information we can within the limits of national security, consistent with the safety and legal rights of our citizens.

This open news policy has brought about significant progress in at least five major areas where information was previously withheld from the American people.

1. Previous policy was to restrict public discussion of Prisoner of War matters. Present policy is to foster public discussion and to focus worldwide attention on the plight of our prisoners of war in order to gain humane treatment for them and to obtain their release.

2. Previous policy was to withhold from the public information on chemical warfare and biological research matters. Present policy is to keep the public informed about our new policies in these two areas, the reasons for these new policies, and the steps being taken to implement them.

3. Previous practices on reporting the costs of major weapons systems led to a major creditibility problem in the Department of Defense. Our new policy of full disclosure on major weapons costs will help to restore the Department's credibility and will assist us in gaining better control of costs and in developing better management practices.

4. For several years, the American people were denied knowledge about our activities in Laos. Today, the American people are being informed about what we are doing and what we are not doing in Laos.

5. In the past, overuse of classification denied to the American people pertinent information on the nature and scope of the strategic nuclear threat. In my view, there is still too much classification, but we have tried and will continue to make more and more information available on this subject which is so crucial for the future security of our country.

In my remarks today I will attempt to shed more light on the crucial subject of the strategic threat. In particular, I want to discuss with you editors the nature and scope of the growing Soviet threat, recognizing full well that, in Vienna, our negotiators have just begun round two of the Strategic Arms Limitation Talks, commonly called SALT.

I hope for success at SALT. I want to emphasize that point. I also want to emphasize that our top military leadership hopes for success at SALT. Where the security of the United States is involved, it is this objective—insuring national security—which is most important. A lower-cost means to achieve that objective, lower compared to what otherwise may be required—if it can be achieved within tolerable risks—is obviously most desirable to all Americans, civilian and military.

The budget we have recommended to Congress for the next fiscal year demonstrates how deeply the Nixon Administration is committed to progress at SALT. We have called this year's defense budget a transitional budget. It is transitional because in terms of military capability, it is basically a status quo, stand-pat budget. We have postponed basic national security decisions in the strategic field in order to give maximum opportunity for SALT to be successful, and to foster a meaningful beginning for the era of negotiation President Nixon and the American people seek.

The objective of the Nixon Administration is to restore and maintain peace. With regard to SALT, the President's actions and words document this Administration's accent on negotiation rather than confrontation.

In my Defense Report to Congress in February, I expressed concern that the United States, by the mid-1970's, could find itself in a second-rate strategic position with regard to the future security of the Free World.

Today, in keeping with our policy of maximum information, I intend to present additional reasons for this concern.

It is important to discuss the growing strategic threat because it is essential for the American people to understand the complex issues involved, if we are to insure our national security interests through the decade of the 1970's. The American people need to understand the reasons President Nixon is pursuing the course he has recommended in this year's transitional budget.

As Secretary of Defense, I must face the fact that we are taking a risk by postponing hard decisions which the increasing Soviet threat poses for us. I recognize that in the interests of lasting peace, some risks must be taken. But, it is my judgment that as the American people are provided additional information, such as we are discussing here today, they will agree that we are literally at the edge of prudent risk. And the inescapable conclusion will be that if the Soviet strategic offensive buildup continues, the risk to our nation will become too great to sustain without major offsetting actions.

Therefore, what I particularly want to focus on today is the basic asymmetry between what the United States has been doing and what the Soviet Union has been doing in the field of strategic nuclear weapons in recent years.

In a word, for the past five years, the United States has virtually been in neutral gear in the deployment of strategic offensive forces, while the Soviet Union has moved into high gear in both deployment and development of strategic nuclear weapons. In the 1965–67 time period, the United States decided on a level of strategic nuclear forces, including Multiple Independently Targeted Reentry Vehicles (MIRVs), which was deemed adequate to preserve our deterrent posture for the threat of the 1970's which was projected then. No basic change has been made in the force level decisions established in the mid-1960's.

The Soviet Union, by contrast, has engaged in a major effort since 1965 to change the balance of power. The United States then, unlike the situation today, clearly occupied a superior position.

Except for the minimum "hedge" that Safeguard will provide, we have not responded to the Soviet strategic offensive buildup with new deployment programs. We did not respond in past years because the United States deliberately chose to assume that the Soviet buildup at most was aimed at achieving a deterrent posture comparable to that of the United States. We have not responded this year because, as I have said, we fervently hope that SALT can render such a response unnecessary.

As much as we might wish it otherwise, however, we must concentrate our attention on what the Soviet Union is actually doing. In the current situation of a diminishing U.S. deterrent and Soviet momentum, we simply cannot base our plans and programs on what we hope the Soviet Union may do either unilaterally or in SALT. The Soviets have a momentum going both in strategic weapons deployments and in strategic weapons developments. If their strategic posture could be expected to stay at the operationally deployed posture which exists today, I believe we would have a tolerable situation. What must concern us, however, is the momentum the Soviets have established both in deployments and developments and where that momentum may carry them.

Let me explain in more detail the basic problem.

The most crucial aspect of national security is the strategic balance between nations that have competing interests in the world. The strategic balance has a direct effect on relations between the superpowers. It has an indirect effect on other nations both in terms of their own relations with each other and in terms of their relations with the superpowers. As one example, a situation of clear superiority on the part of the Soviet Union would have profound implications for any future political or military confrontation between NATO and the Warsaw Pact. In fact, a clear strategic superiority on the part of the Soviet Union would affect our interests and our obligations throughout the world.

In our continuing debate on defense matters, it has been said many times that the driving force behind the so-called strategic arms race is the "action-reaction" phenomenon. The recent ABM–MIRV discussions in this country illustrate this. The argument is made, for instance, that the deployment of defensive missiles by one side tends to generate increased offensive deployments by the other side.

I certainly agree that one side's actions definitely can influence what the other side does. But just as weapons in themselves are not the cause of wars, neither are a country's actions in weapons deployment—in themselves—the driving force in a so-called arms race. The fundamental driving force in an arms race is what one country perceives as possible objectives of another country's actions.

Let me explain it this way. Our goal is a stable peace. Our strategic policy to achieve that goal is deterrence. As publicly stated, the basic rationale for United States weapons deployment in the strategic field has been and remains deterrence. Our actions of the past several years underscore the fact that deterrence is our fundamental policy and that we seek no more than a posture of effective deterrence.

Because we in the United States seek a posture of deterrence to protect our interests and those of our allies, we obviously could recognize as legitimate a Soviet desire for a comparable deterrent to protect its interests.

I know that the actions of the Soviet Union in recent years have raised questions in the minds of some of you editors and others about the true objectives they are pursuing.

As I have said many times, I do not believe that it is appropriate for me, as Secretary of Defense, to attempt to assess the strategic intentions of another country. However, under my responsibilities, I must be concerned about present and potential strategic capabilities.

You representatives of a free press understand fully the national security price an open society must pay when competing with adversaries who cloak their plan in secrecy and attempt to hide both their objectives and their hardware behind the mantle of a closed society. The whole world knows what we in the United States have and what we plan in the national security field. Meaningful essentials are laid bare in an open forum—in official statements, in Congressional hearings, in the give and take of Congressional and public debate and in the reports of a free and competitive press. I would not have it any other way.

Let me emphasize again my conviction that the American people have a right to know even more than has been available in the past about matters which affect their safety and security. There has been too much classification in this country. In particular, too much has been withheld in the past about what has been going on in the closed societies of the Soviet Union and Communist China.

As we all pray for success in Vienna, let me point out that, in my view, the American people will support an arms limitation agreement only if they are confident they have the relevant facts about the strategic balance.

The facts I am about to present are not taken from external Soviet discussions of their strategic forces. They do not come from press conferences in Moscow, from testimony in the Kremlin, from news stories in Pravda, or from published annual Defense Reports by Marshal Grechko.

Rather, the information I am presenting to you is based on our own observations of what the Soviets are doing—and on our belief that this information and these facts should not be withheld from the American people and should be made available to others in the world.

Let us examine what has happened in the past five years to shift the relationship between U.S. and Soviet strategic forces and to provide an accelerated momentum to the Soviets in the strategic field:

In 1965, the Soviet Union had about 220 launchers for the relatively old-fashioned missiles—SS–6's, SS–7's and SS–8's—somewhat similar to our Titan. We had 54 Titans in the inventory at that time.

Today, these two forces remain essentially the same. So in this category of old-fashioned multimegation weapons the Soviets had and still maintain a better than 4–1 advantage.

In 1965, the Soviet Union had *no* relatively small ICBM launchers comparable to our Minuteman. By 1965, we had 880 Minuteman missiles operational and had established that the total force level for Minuteman would be 1,000 launchers. In the 1965–67 time period, the United States finalized plans to convert a portion of the established Minuteman force to a MIRV Minuteman III configuration.

Today, the Soviet Union has over 800 such launchers operational, and a projected force that could exceed 1,000 launchers within the next two years. These launchers include both the SS–11 and SS–13 missiles. Concurrently, flight testing of an improved SS–11 missile continues. Thus, at present construction rates, the Soviets will achieve parity in Minuteman-type launchers within the next two years or so and could move into a substantial lead in this category by the mid-1970's if they continue to deploy these missiles. The previously scheduled U.S. program to MIRV a substantial part of Minuteman continues in progress.

In 1965, there were no operational launchers for the large Soviet SS–9 missile which, in its single warhead version, can carry up to 25 megatons.

Today, I can report to you that there are some 220 SS–9's operational with at least 60 more under construction. Testing of an SS–9 multiple reentry vehicle—the triplet version—continues. The U.S. has no counterpart to this program involving large missiles. So, in this area, the Soviets have and will maintain a monopoly.

In 1965, neither a depressed trajectory ICBM nor a Fractional Orbital Bombardment System existed in either the Soviet or U.S. inventory.

Today, the Soviets have tested both configurations and could have an operational version already deployed. The United States has developed nothing comparable to these systems.

In 1965, the Soviet Union had about 25 launchers for Submarine Launched Ballistic Missiles (SLBMs) on nuclear submarines, and about 80 more on diesel submarines. Most were designed for surface launch only. The U.S. had 464 SLBM launchers operational on 29 submarines in 1965 and Congress had authorized the last of the 41 nuclear-powered submarines in our Polaris Force in the previous fiscal year.

Today, the Soviets have over 200 operational launchers on nuclear submarines for submerged launch SLBMs and about 70 operational launchers on diesel submarines. In the next two years, the Soviets are expected to have some 400–500 operational launchers on Polaris-type submarines, and at present construction rates—6–8 submarines a year—could match or exceed the number in the U.S. force by 1974–75. United States Polaris submarines still number 41 and no increase is projected in current plans. Conversion of 31 of our Polaris submarines to the MIRVed Poseidon missile is planned, and eight conversions have already been authorized by Congress.

In 1965, there was no development underway of a so-called Undersea Long-Range Missile System (ULMS) in the United States and there appeared to be none in the Soviet Union.

Today, the United States is spending relatively small sums in the research and development area on preliminary investigations of such a system. I can also report to you today that the Soviet Union, on the other hand, already is testing a new, long-range missile for possible Naval use.

In 1965, the Soviet heavy bomber force consisted of slightly over 200 aircraft, about 50 of which were configured as tankers. The U.S. heavy bomber force strength was about 780 in 1965.

Today, the Soviet heavy bomber force is slightly under 200, with about 50 still configured as tankers. U.S. heavy bomber strength has declined to about 550 today.

In 1965, we estimated that the Soviet Union had a complex of ABM launchers being constructed around Moscow as well as a number of radars under construction which could provide early warning acquisition and tracking functions for ABM use.

Today, we believe that 64 Moscow ABM launchers are operational together with sophisticated early warning radars and tracking capabilities. ABM testing for new and/or improved systems continues. Today, the first two Safeguard sites have been authorized, but will not be operational before 1974—75. This modified deployment schedule is considerably behind the schedule Congress has approved in 1967 for the planned Sentinel area defense, which called for initial capability in 1972, and nation-wide coverage in 1975.

Thus, in the space of five years—from 1965 to 1970—the Soviet Union has more than tripled its inventory of strategic offensive nuclear weapon launchers from about 500 to about 1700—which includes some 200 heavy bombers in both totals—and continues the momentum of a vigorous construction program. In that same period, the Soviet Union has virtually quadrupled the total megatonnage in its strategic offensive force. The United States, on the other hand, in the same time period, made no increase in its established level of 1710 strategic nuclear missile launchers and reduced its heavy bomber strength of 780 by over 200. In that same period the United States also reduced its megatonnage by more than 40%.

To repeat: The United States has taken no action to increase the total of approved strategic offensive delivery vehicles in the past five years in response to the rapid growth in Soviet strategic delivery vehicles. We have, of course, maintained certain options and other steps have been taken to preserve our deterrent in the face of this increase.

Two programs that have been the subject of intense public discussion are, of course, our MIRV and Safeguard systems.

Let me emphasize that MIRV is needed to preserve our deterrent. Many people do not fully understand why it is necessary for us to continue the previously planned, Congressionally-approved and funded deployment of MIRV systems. The point is made that the current number of strategic nuclear weapons on alert in our force is sufficient for immediate retaliatory use in a crisis. Because MIRVing would more than double the number of deliverable weapons, the conclusion is drawn that this is unnecessary.

This conclusion could be valid, if we assumed that the Polaris, Minuteman, and Bomber forces all would survive a surprise attack and that the Soviet Union would not deploy an extensive ABM system. However, as was pointed out in my Defense Report in February, the rapidly-growing Soviet strategic offensive forces could seriously threaten both the U.S. Minuteman and strategic bomber forces by the mid-1970's.

Assuming we do not take additional actions to offset the expanding threat—and this apparently is what some people urge—I must, as Secretary of Defense, face the disquieting possibility that in the mid-to-late 1970's we would no longer be able to rely on either the Bomber or Minuteman force to survive a surprise attack. In such a situation, we would be left with only the Polaris/Poseidon deterrent force in our strategic arsenal for high confidence retaliatory purposes. This would pose intolerable risks for American security.

Thus, the critical choice in the face of that situation is this:

1. Do we rely on the fraction of the 656 current weapons that will be at sea on our Polaris force if we do not convert to Poseidon and do not defend our land-based strategic forces?

2. Or, do we continue the previously established program to convert 31 Polaris submarines to the long-approved Poseidon MIRV program—which would provide approximately the same number of sea-based retaliatory weapons on alert that we currently have today in the sea-based and land-based retaliatory forces combined, but with much reduced megatonnage?

Pending a successful outcome in the Strategic Arms Limitation Talks, therefore, prudence dictates that we must continue our approved program to MIRV current forces.

Moreover, as the experience of the past five years demonstrates, it would be dangerous and imprudent to place unquestioned reliance on the invulnerability of any single strategic system for more than five to seven years into the future.

This is why we must also, at the very least, preserve an option to defend a portion of our land-based retaliatory forces. That is a major part of what the proposed minimal addition to the Safeguard Defensive program is designed to do. I will come back to that.

Because we want to give the Strategic Arms Limitation Talks every chance of succeeding, we are deliberately accepting certain risks by postponing hard choices related to strategic offensive weapons. These risks are acceptable only in the context of proceeding with the MIRV deployments that have been programmed and approved for several years and the Safeguard increment we are recommending this year.

A second and equally important reason for MIRV is that it helps preserve our deterrent by increasing confidence in our ability to penetrate Soviet strategic defensive forces which, by the mid-to-late 1970's, also could be quite formidable. In addition to the extensive air defense capabilities they already possess, the Soviets are pursuing a vigorous anti-ballistic missile research and development program designed to improve the present operational system or to develop substantially better second-generation ABM components.

We now have evidence that the Soviet Union is testing an improved long-range ABM missile. They are also expanding their radar surveillance coverage. We cannot rule out the possibility that they have or will give the extensively deployed SA-5 surface-to-air missile system an ABM role. We believe such a role is technically feasible for this system.

With regard to Safeguard, which I mentioned previously, let me say this. In addition to other objectives, the reoriented Safeguard program, initiated last year, is designed to provide protection for our land-based deterrent forces, the Minuteman and Bombers. As you know, the President directed that each phase of the Safeguard deployment is to be reviewed each year to ensure that we are doing as much as necessary but not more than that required by the threat. The increments of Safeguard proposed so far will provide protection for a portion of our land-based deterrent, and permit flexibility with regard to our future course of action.

Without approval by Congress of the Modified Phase II Safeguard protection proposed by the President, we would be forced to recommend going forward this year with other strategic nuclear offensive force programs.

All of my comments so far have, of course, been focused on the more immediate and troublesome threat posed by the Soviet strategic force buildup. The nuclear weapons program of Communist China also concerns us and directly relates to the need for preserving timely Safeguard options as we move toward the mid-1970's. Time does not permit a discussion of this issue and the interrelationship of maintaining adequate strategic offensive and defensive forces to meet both the Soviet and Communist Chinese threats.

Where does all this leave us, and what is President Nixon attempting to do with the decisions he has incorporated in his Fiscal Year 1971 transitional defense budget?

Clearly, this Administration has not accelerated the previously planned deployment of offensive systems during our 15 months in office. On the contrary, we have slowed it down. The only major change we have made has been modification of the previously approved Sentinel ABM deployment; and that change was a slowdown, not a speedup. We slowed the original deployment plan Congress approved, keyed it to the emerging threat on an annual review basis, and reoriented it to provide more timely protection needed for our land-based deterrent forces.

If the programmed forces established by the last Administration some years ago and approved by Congress were deemed appropriate and necessary for the security of the United States in the 1970's against the then projected threat, I am at a loss to understand how critics can claim that the Nixon Administration has escalated the arms race. The record clearly shows that we have not done so. We have chosen instead to defer major new weapons decisions as long as possible pending developments in the Strategic Arms Limitation Talks. In continuing the MIRV and ABM programs, we are simply going ahead with programs on which our deterrent policy was formulated by previous Administrations, even before the current momentum of Soviet strategic programs became clear.

With regard to the important talks which have just resumed in Vienna, the President has stated that every U.S. system is negotiable. To those who argue that the U.S. should take specific, and perhaps unilateral, action at the start of these negotiations, I would reply that the place to resolve these issues is at the conference table with the Soviets. Let us try to find out at the conference table the meaning of the Soviet Union's increased weapons deployments and let us conduct these important negotiations with full recognition of these continuing Soviet deployments.

My appraisal today has covered some of the available evidence of the Soviet military buildup. I am not unmindful, however, of possible other directions of Soviet policy that could be relevant to our security. There have been reports that Soviet economic problems may place pressure upon their leadership to devote major attention to internal matters, thus reducing the recent emphasis on a continued military buildup.

As Secretary of Defense, I will continue to hope that the shift in national priorities we have instituted in America will be duplicated in the Soviet Union. But until evidence of that shift is discernible in weapons deployment activities, I have no alternative but to base my actions and recommendations on the evidence available, much of which I have shared with you editors today and, through you, with the American people.

THE LATE BILL HENRY

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, only a few months ago, on the occasion of the 30th anniversary of Mr. Bill Henry's column in the Los Angeles Times, the distinguished majority leader, the chairman of the California delegation (Mr. Holifield) and our late beloved colleague Mr. Lipscomb, joined me in tributes from this floor to a veteran Washington newsman and a warm friend.

Now, we are saddened to learn of Bill's death, just a few days before he was to have received from President Nixon the highest civilian honor of our country, the Medal of Freedom. In expressing the condolences of all of us to his wonderful wife, Corinne, and to their daughters and grandchildren, may I share with Bill's many friends in the House the

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tribute paid him last week by the President.

[From the Los Angeles Times, April 14, 1970]

TEXT OF A NOTE FROM PRESIDENT NIXON TO MRS. BILL HENRY

Pat and I were deeply saddened to learn of Bill's death and we join in sending our heartfelt sympathy to you. Bill was a man deeply dedicated to his profession and he set high goals for himself. His intense loyalty to our nation, his passion for freedom and justice were the only challenges he needed in life. Bill loved people. He believed in them and he worked for them.

He wrote a fine chapter in the world of newspaper reporting. And all of us who had the privilege to know him personally will miss our warm and generous friend who sparkled with zest for life.

We know how proud Bill was of you. And we pray that the memory of your happy years together and of his great achievements in life will bring you comfort in this very difficult time.

THE UNHERALDED WHO SUPPORT THE PUBLIC TRUST

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include pertinent material.)

Mr. HALL. Mr. Speaker, the U.S. Government maintains a civilian staff of over 2.7 million personnel. In so large and complex an organization, it often happens that the key element, the individual employee who has devoted many years of service to his job, may have his efforts go largely unnoticed. I am very pleased, therefore, when employees who have continuously demonstrated a high degree of proficiency are properly honored for their abilities.

Such a case recently occurred in St. Louis, where Mrs. Pearline Golliday of the National Personnel Records Center was presented with the Federal Employee of the Year award in the Administrative Services category. Currently an employee of GSA, Mrs. Golliday has been a dedicated public servant for 27 years. During her tenure with the Federal Government, she has received several awards for her administrative abilities, including the outstanding performance rating and several Sustained Superior Performance awards. Mrs. Golliday was selected out of the 38,000 Federal employees in the area by a group of both Federal executives and distinguished members of the non-Federal community.

The award was presented by General Services Administrator Robert L. Kunzig, who was the featured speaker at the event. In his remarks, Mr. Kunzig aptly recognized the high value of the career civil servant, indicating that it was the Federal Career Service which has provided the continuity of administration at the National level that is the envy of many countries. Kunzig noted the Nation's pride in career service personnel, and challenged them to progressive thinking during the next decade. He cited President Nixon's recent message to Congress, which pointed out the need for a reduction, termination, or restructuring of those programs which are obsolete, of low priority, or in need of basic reform, and called on each Federal employee to actively pursue the President's goals. He said that understanding, flexibility, and responsiveness were essential leadership traits in the career Federal employee, and congratulated Mrs. Golliday, as well as Miss Joyce Allen, and Mr. John Johnson, who were also honored at the ceremony, for demonstrating those qualities.

At this point, I would like to have inserted into the RECORD an article from the St. Louis Post-Dispatch of March 14, 1970, regarding the event:

THREE HONORED AS TOP FEDERAL EMPLOYEES HERE

Three employees of federal agencies were honored last night with awards naming each as a Greater St Louis Federal Employee of the Year. They were selected from among 37 candidates competing in categories of administrative services, managerial and technical, and professional and scientific.

Honored were Mrs. Pearline Golliday, National Personnel Records Center; Miss Joyce Allen, Army Aviation Systems Command, and John I. Johnson, Air Force Aeronautical Chart and Information Center. The awards were presented at a banquet at Stouffer's Riverfront Inn. Winners were selected for exceptional performance and devotion to federal service, participation in community activities, and self-education improving the value of the indiivdual to his agency.

Robert L. Kunzig, administrator of the General Services Administration, was guest speaker. More than 1000 federal employees attended the event.

LAOS AND CAMBODIA LOOM AS NEWEST BATTLEGROUNDS

(Mr. BOLAND asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BOLAND. Mr. Speaker, Laos and Cambodia loom before us as the newest battlegrounds in Southeast Asia. The startling testimony made public yesterday by Senator STUART SYMINGTON's Subcommittee on Foreign Relations reveals this country's role in what is aptly termed a "secret war." The transcript of testimony—as chilling and chastening a document as we are likely to read in a long time—shows that tens of thousands of Americans have been taking part in the Laotian war over the past several years. The grim toll: nearly 200 dead, hundreds more wounded, and billions of dollars wasted in a war that virtually any military strategist would consider futile. The role of the U.S. Ambassador to Laos is roughly akin to that of commander in chief of all military operations. He coordinates air, ground, and intelligence missions with the kind of feudal sovereignity that even the Laotian Government itself might envy. The United States is paying half the cost—quite literally, half the cost—of running that government. Indeed, the United States is even paying two-thirds the cost of operating Laotian embassies abroad.

Is this the "limited involvement" President Nixon cited in his guarded press release a few weeks ago?

The answer is obvious—indeed, conspicuous. The Nixon administration—and the Johnson administration before it—have concealed the extent of American military activities in the countries bordering Vietnam. Stonily aloof to the American people and its representatives in the Congress, two administrations have been pursuing a war without our consent.

The military situation in Cambodia threatens to become as forbidding as the one in neighboring Laos. Cambodia's new regime, energetically pressing the war against Communist insurgents, has appealed to the world for military aid. And the United States, it is said, is seriously contemplating shipments of arms. It is a familiar situation to anyone even cursorily aware of Southeast Asia's recent history. First, arms. Then, "advisers" to train Asian troops in the use of such arms. Then—perhaps inevitably—American troops to guide the war effort.

The lessons of this country's harrowing decade in Vietnam has schooled few administration officials in the futility of Asian civil wars. After 40,000 American deaths, after 10 years of devastating war, we appear no closer to a meaningful peace settlement than we were in the early 1960's. Now the war is spreading into Laos and Cambodia, threatening to engulf the entire area conventionally referred to as Indochina. Are we prepared for such a war? Are we prepared to continue sacrificing American lives and wasting American dollars in a kind of Messianic campaign to thwart anything even tenuously comparable to communism in Southeast Asia? I think not.

Several weeks ago I introduced a resolution calling on the administration to reveal the extent of military operations in Laos and demanding that such operations not be increased without the consent of Congress.

Today I am introducing a new resolution.

It maintains that this country's military activities in the countries bordering Vietnam should be limited to only those missions necessary to shield American troops in South Vietnam against enemy infiltration, and that troop withdrawals from Vietnam should be accelerated so that no American combat forces remain there 1 year from today.

We have spilled enough of our blood and dissipated enough of our resources in Southeast Asia.

The time to stop is now.

LEAVE OF ABSENCE

By unanimous request (at the request of Mr. ALBERT) leave of absence was granted to:

Mr. PATTEN, for today and tomorrow, on account of official business.

Mr. PATMAN, for today, on account of official business.

Mr. LENNON, for today and rest of week, on account of official business.

Mr. EILBERG, for Monday and Tuesday of this week, on account of religious reason.

Mr. PEPPER, for today, on account of official business.

Mr. GETTYS (at the request of Mr. BOGGS), for today, on account of official business.

Mr. GRIFFIN (at the request of Mr. BOGGS), for today, on account of illness in family.

Mr. HAGAN (at the request of Mr.

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GRAY), for today, on account of official business.

Mr. FALLON (at the request of Mr. GARMATZ), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DELLENBACK) to revise and extend their remarks and include extraneous material:)

Mr. HALPERN, for 5 minutes, today.

Mr. CONTE, for 10 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. HOGAN, for 5 minutes, today.

Mr. MCCLOSKEY, for 60 minutes, April 21.

(The following Members (at the request of Mr. DANIEL of Virginia) to revise and extend their remarks and include extraneous material:)

Mr. FARBSTEIN, for 20 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. JONES of Alabama.

Mr. WYATT prior to the vote on H.R. 780 and to include extraneous matter.

Mr. DEVINE (at the request of Mr. KYL) to extend his remarks on Senate Joint Resolution 1069 and S. 1968.

(The following Members (at the request of Mr. DELLENBACK) and to include extraneous material:)

Mr. QUIE in two instances.

Mr. FINDLEY in two instances.

Mr. STEIGER of Wisconsin in three instances.

Mr. DERWINSKI in two instances.

Mr. ASHBROOK in two instances.

Mr. MCCLORY.

Mr. CONTE.

Mr. DUNCAN.

Mr. GERALD R. FORD in two instances.

Mr. JONAS.

Mr. WYMAN in two instances.

Mr. ANDERSON of Illinois in two instances.

Mr. BURTON of Utah in five instances.

Mr. GUBSER.

Mr. SCHERLE.

Mr. MYERS.

Mr. JOHNSON of Pennsylvania.

Mr. THOMPSON of Georgia.

Mr. BERRY.

Mr. HASTINGS.

Mrs. MAY.

Mr. WATSON.

Mr. REID of New York in three instances.

(The following Members (at the request of Mr. DANIEL of Virginia) and to include extraneous material:)

Mr. EVINS of Tennessee in three intances.

Mr. ALBERT.

Mr. CULVER.

Mr. HUNGATE.

Mr. ROONEY of New York.

Mr. MARSH in two instances.

Mr. CAREY in two instances.

Mrs. HANSEN of Washington in two instances.

Mr. DINGELL in two instances.

Mr. HOWARD in two instances.

Mr. JACOBS in two instances.

Mr. RARICK in three instances.

Mr. COHELAN in six instances.

Mr. GONZALEZ.

Mr. GARMATZ.

Mr. ANDERSON of California.

Mr. MIKVA in six instances.

Mr. SYMINGTON.

Mr. STOKES in three instances.

Mr. COLMER in two instances.

Mr. FOUNTAIN in two instances.

Mr. ROGERS of Florida in five instances.

Mr. REES.

Mr. GALLAGHER in two instances.

Mr. RODINO in two instances.

Mrs. SULLIVAN in three instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3685.—An act to increase the availability of mortgage credit for the financing of urgently needed housing, and for the other purposes; to the Committee on Banking and Currency.

ADJOURNMENT

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 43 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 21, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1939. A letter from the Secretary of Health, Education, and Welfare, transmitting the fifth annual report of the Advisory Council on State Departments of Education, pursuant to title V of Public Law 89–10; to the Committee on Education and Labor.

1940. A letter from the Chairman, Water Resources Council, transmitting a report and comprehensive plan for the Pascagoula River Basin, Ala. and Miss., pursuant to the Water Resources Planning Act (Public Law 89–80); to the Committee on Interior and Insular Affairs.

1941. A letter from the Chairman, Water Resources Council, transmitting a report and comprehensive plan for the Sabine River Basin, La. and Tex., pursuant to the Water Resources Planning Act (Public Law 89–90); to the Committee on Interior and Insular Affairs.

1942. A letter from the Chairman, Water Resources Council, transmitting a report and comprehensive plan for the White River Basin, Ark. and Mo., pursuant to the Water Resources Planning Act (Public Law 89–80); to the Committee on Interior and Insular Affairs.

1943. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1944. A letter from the Secretary of the Interior, transmitting the third report on the national requirements and cost of water pollution control, pursuant to section 16(a) of the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee of conference. Conference report on H.R. 10105 (Rept. No. 91–1008). Ordered to be printed.

Mr. O'NEILL of Massachusetts: Committee on Rules. House resolution 938. Resolution for consideraiton of H.R. 4599, a bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments (Rept. No. 91–1009). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 939. Resolution for consideration of H.R. 14685, a bill to amend the International Travel Act of 1961, as amended, in order to improve the balance of payments by further promoting travel to the United States, and for other purposes (Rept. No. 91–1010). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 940. Resolution for consideration of H.R. 14714, a bill to amend authority of the Secretary of the Interior under the act of July 19, 1940 (54 Stat. 773), to encourage through the National Park Service travel in the United States, and for other purposes (Rept. No. 91–1011). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 941. Resolutin for consideration of H.R. 15073, a bill to amend the Federal Deposit Insurance Act to require insured banks to maintain certain records, to require that certain transactions in U.S. currency be reported to the Department of the Treasury, and for other purposes (Rept. No. 91–1012). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia (for himself, Mr. HOGAN, and Mr. MARSH):

H.R. 17096. A bill to provide certain medical and surgical services to officers and members of the Fire Department of the District of Columbia and of police forces in the District of Columbia retired under the Policemen and Firemen's Retirement and Disability Act for total disabilities; to the Committee on the District of Columbia.

By Mr. DELLENBACK:

H.R. 17097. A bill to extend benefits under section 8191 of title 5, United States code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

H.R. 17098. A bill to provide for advance notice to the U.S. Fish and Wildlife Service and certain State agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls, and for other purposes; to the Committee on Merchant Marine and Fisheires.

By Mr. FALLON (for himself, Mr. BLATNIK, Mr. KLUCZYNSKI, Mr. MCCARTHY, Mr. HOWARD, Mr. HARSHA, Mr. DON H. CLAUSEN, Mr. MCEWEN, Mr. LATTA, and Mr. SAYLOR):

H.R. 17099. A bill to provide for construction of contained dredged spoil disposal facilities for the Great Lakes and connecting channels, and for other purposes; to the Committee on Public Works.

By Mr. FLOOD:

H.R. 17100. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 17101. A bill, to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests, and for other purposes; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 17102. A bill to amend the act of June 27, 1960 (74 Stat. 220), relating to the preservation of historical and archeological data; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 17103. A bill to amend the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

H.R. 17104. A bill to establish a minimum reward for information leading to the apprehension and conviction of violators of the Federal narcotic laws, and for other purposes; to the Committee on Ways and Means.

By Mr. KYL:

H.R. 17105. A bill to authorize the Corps of Engineers to provide further flood control at Ottumwa, Iowa; to the Committee on Public Works.

By Mr. MORTON:

H.R. 17106. A bill to amend section 837 of title 18, United States Code, to strengthen the laws concerning illegal use, transportation, or posession of explosives and the penalties with respect thereto, and for other purposes; to the Committee on the Judiciary.

H.R. 17107. A bill to amend the Fish and Wildlife Coordination Act, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. OTTINGER (for himself, Mr. Hechler of West Virginia, Mr. Rees, Mrs. Chisholm, Mr. Cleveland, Mr. Price of Illinois, Mr. Daddario, Mr. Mikva, Mr. Button, Mr. Koch, Mr. Roe, Mr. Conyers, Mr. Harrington, Mr. Halpern, Mr. Hays, Mr. Hathaway, Mr. Stanton, and Mr. Morse):

H.R. 17108. A bill to authorize the U.S. Commissioner of Education to make grants to or contracts with public educational and social service agencies for the conduct of special educational programs and activities concerning the use of drugs; to the Committee on Education and Labor.

By Mr. REID of New York:

H.R. 17109. A bill to amend chapter 1 (Federal-Aid Highways) of title 23, United States Code, as amended, to establish local highway planning review commissions to consider conservation problems in connection with the construction of federally aided highways; to the Committee on Public Works.

By Mr. ROBERTS:

H.R. 17110. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 17111. A bill to amend the Internal Revenue Code of 1954 to allow income tax deductions for certain payments made and expenses incurred in providing or securing higher education; to the Committee on Ways and Means.

By Mr. ROTH:

H.R. 17112. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. RYAN:

H.R. 17113. A bill to amend the Clean Air Act to provide for regional air quality commissions, to provide for national air quality standards, to provide for standards for designated industries, to authorize individual actions, to ban leaded gasoline, to authorize assistance for State vehicle inspection programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. VANIK:

H.R. 17114. A bill to amend the Internal Revenue Code of 1954 to increase the credit against tax for retirement income; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON:

H.R. 17115. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on the Judiciary.

By Mr. WYMAN:

H.R. 17116. A bill to consent to the New Hampshire-Maine interstate school compact; to the Committee on the Judiciary.

By Mr. MOSS (for himself, Mr. Reid of New York, Mr. Broomfield, Mr. Monagan, Mr. Horton, Mr. Macdonald of Massachusetts, Mr. Udall, Mr. Zablocki, Mr. Morse, Mr. Gude, and Murphy of Illinois):

H.R. 17117. A bill to amend section 402 of chapter 4 of part I of the Foreign Assistance Act of 1961 to provide additional authorization in supporting assistance for the national land reform program enacted March 26, 1970, by the Government of Vietnam; to the Committee on Foreign Affairs.

By Mr. FALLON:

H.J. Res. 1179. Joint resolution granting the consent of Congress to amendments to the compact creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin; to the Committee on Public Works.

By Mr. GUDE:

H.J. Res. 1180. Joint resolution authorizing the President to proclaim National Volunteer Firemen's Week from September 19, 1970, to September 26, 1970; to the Committee on the Judiciary.

By Mr. HASTINGS:

H.J. Res. 1181. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MADDEN:

H.J. Res. 1182. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BOLAND:

H. Con. Res. 577. Concurrent resolution to express the sense of the Congress on U.S. military policy in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. DICKINSON:

H. Con. Res. 578. Concurrent resolution authorizing the reprinting of a "Compilation of Works of Art and Other Objects in the United States Capitol," as a House document, and for other purposes; to the Committee on House Administration.

By Mr. DONOHUE (for himself, Mr. Clay, Mr. Button, Mr. Murphy of New York, and Mr. Ullman):

H. Con. Res. 579. Concurrent resolution expressing the sense of the Congress in opposition to the high interest rate policy; to the Committee on Banking and Currency.

By Mr. PEPPER (for himself, Mrs. Griffiths, Mr. Nix, Mr. Waldie, Mr. Wiggins, and Mr. Denney):

H. Con. Res. 580. Concurrent resolution authorizing certain printing for the Select Committee on Crime; to the Committee on House Administration.

By Mr. BOLLING:

H. Res. 930. Resolution providing for the consideration of the bill (H.R. 8298); to the Committee on Rules.

By Mr. CONTE (for himself, Mr. Adams, Mr. Addabbo, Mr. Bingham, Mr. Boland, Mr. Brademas, Mr. Brown of California, Mr. Burke of Massachusetts, Mr. Button, Mr. Clay, Mr. Cleveland, Mr. Conyers, Mr. Daddario, Mr. Fascell, Mr. William D. Ford, Mr. Fraser, Mr. Friedel, Mr. Gibbons, Mr. Grover, Mr. Hamilton, Mr. Harrington, Mr. Hathaway, Mr. Helstoski, and Mr. Howard):

H. Res. 931. Resolution expressing the sense of the House that the President implement the majority report of the Cabinet Task Force on Oil Import Control; to the Committee on Ways and Means.

By Mr. REUSS (for himself, Mr. Hungate, Mr. Karth, Mr. Koch, Mr. Kyros, Mr. Long of Maryland, Mr. Lowenstein, Mr. Matsunaga, Mr. Meeds, Mr. Meskill, Mr. Mikva, Mr. Moorhead, Mr. Morse, Mr. Obey, Mr. O'Hara, Mr. O'Neill of Massachusetts, Mr. Ottinger, Mr. Pepper, Mr. Pike, Mr. Podell, Mr. Rees, Mr. Robison, Mr. Rosenthal, Mr. Ryan, and Mr. Rodino):

H. Res. 932. Resolution expressing the sense of the House that the President implement the majority report of the Cabinet Task Force on Oil Import Control; to the Committee on Ways and Means.

By Mr. REUSS (for himself, Mr. St Germain, Mr. St. Onge, Mr. Scheuer, Mr. Smith of New York, Mr. Stokes, Mr. Stratton, Mr. Tiernan, Mr. Tunney, Mr. Vigorito, Mr. Whalen, Mr. Wolff, Mr. Wydler, Mr. Farbstein, and Mr. Keith):

H. Res. 933. Resolution expressing the sense of the House that the President implement the majority report of the Cabinet Task Force on Oil Import Control; to the Committee on Ways and Means.

By Mr. ROTH (for himself, Mr. Adair, Mr. Meskill, Mr. Zwach, Mr. Boland, Mrs. Dwyer, Mr. Cleveland, Mr. Button, Mr. Hansen of Idaho, Mr. McCloskey, Mr. Pelly, Mr. Denney, Mr. Cowger, Mr. Dellenback, Mr. Riegle, Mr. Scott, Mr. Biester, Mr. Byrne of Pennsylvania, Mr. Donohue, Mr. Harrington, Mr. Leggett, Mr. Ottinger, and Mr. Widnall):

H. Res. 934. Resolution expressing the support of the House of Representatives with respect to the Strategic Arms Limitation Talks, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROTH (for himself, Mr. Adair, Mr. Farbstein, Mr. Morse, Mr. Fraser, Mr. Rosenthal, Mr. Lloyd, and Mr. Yatron):

H. Res. 935. Resolution expressing the support of the House of Representatives with respect to the Strategic Arms Limitation Talks, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WYMAN (for himself, Mr. Scott, Mr. Waggonner, Mr. Sikes, Mr. Duncan, Mr. Collier, Mr. Johnson of Pennsylvania, and Mr. Burke of Florida):

H. Res. 936. Resolution creating a select committee to conduct an investigation of certain activities of William Orville Douglas, Associate Justice of the U.S. Supreme Court, to determine whether impeachment proceedings are warranted; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PELLY:

H.R. 17118. A bill for the relief of Irving D. Smith; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 17119. A bill for the relief of St. John's

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College at Santa Fe, N. Mex.; to the Committee on Education and Labor.

By Mr. PODELL:

H.R. 17120. A bill for the relief of Luh Chii Nan; to the Committee on the Judiciary.

By Mr. SCHERLE:

H.R. 17121. A bill for the relief of Jesse Pursell and Sam Corbino; to the Committee on the Judiciary.

By Mr. STUBBLEFIELD:

H.R. 17122. A bill for the relief of Dr. Camilo C. Balacuit and his wife, Dr. Norma Balacuit; to the Committee on the Judiciary.

By Mr. HALEY:

H. Res. 937. Resolution expressing congratulations to Ringling Brothers and Barnum and Bailey Circus on the 100th anniversary of the Greatest Show on Earth; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

451. By the SPEAKER: Petition of Henry Stoner, York, Pa., relative to the use of plain English in legislation affecting the general public; to the Committee on the Judiciary.

452. Also, petition of the Council of the City of Philadelphia, Pa., relative to wage increases for postal employees; to the Committee on Post Office and Civil Service.

453. Petition of the Board of County Commissioners, Union County, Fla., relative to designating Cape Kennedy as the operational base for the space shuttle system; to the Committee on Science and Astronautics.

EXTENSIONS OF REMARKS

PASSOVER—THE JEWISH FESTIVAL OF FREEDOM, AND ITS MEANING FOR JEWS IN THE U.S.S.R.

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, April 20, 1970

Mr. SCHWEIKER. Mr. President, this evening at sundown Jewish communities throughout the world will begin the yearly observance of Passover, the 8-day festival commemorating the exodus of the Jewish people from Egypt in ancient times.

Passover celebrates a people's escape from slavery and tyranny. It affirms the right of man to live in freedom and human dignity. It tells an ancient story, but as long as tyranny exists anywhere in our world, the Passover story will have a contemporary message for all of us, whether we are Jews or not.

The Jewish exodus from Egypt thousands of years ago to escape persecution was, unfortunately, only the first of a long history of such migrations for the Jewish people. Since Moses first asked the Egyptian Pharaoh to "let my people go," that call has been echoed on behalf of the Jewish people against many tyrants, in many places and in many ages. And today the call, "Let my people go," must be for the Jews living in the Soviet Union, who are forbidden by the Soviet Government to emigrate to Israel and who at the same time cannot fully practice their religion or enjoy their culture in the country where they dwell.

This evening Jewish families will begin Passover in their homes with the traditional Seder meal and service. And many of these families will add to the Seder a special ritual for their more than 3 million brethren in the Soviet Union. A separate matzo—unleavened bread—will be set aside at the Metza of Hope, hope that the Jews of the Soviet Union will soon enjoy not only fairer treatment as Soviet citizens, but also the freedom to emigrate to Israel if they desire.

Passover, then, is an approprate time for all of us to survey the current status of Jews in the Soviet Union, a topic in which I have long been deeply concerned as both a Member of the House of Representatives and as a Senator.

Earlier this month I wrote to a group of students at the University of Pennsylvania who were arranging for a Soviet Jewry Week at the University from April 6 through 9. In the letter I stated my own personal views of the plight of Soviet Jewry and what responsibilities we as Americans should take on the matter.

I ask unanimous consent that my letter to Jay Blum, chairman of Soviet Jewry Week at the University of Pennsylvania, be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., April 2, 1970.

Mr. JAY BLUM,
Chairman, Soviet Jewry Week, Hillel Foundation, University of Pennsylvania, Philadelphia, Pa.

DEAR MR. BLUM: I strongly commend and support you and your fellow students at the University of Pennsylvania who have arranged for Soviet Jewry Week at the University, April 6 through 9, 1970. There is a serious need for more public information and discussion of this grave problem, the plight of Jews living in the Soviet Union.

Once again, as throughout Jewish history, a totalitarian government is oppressing the Jews living within its borders. While the Soviet Jews may not be so much in danger of bodily harm, the soul of this community of three million Jews—its culture and its religion—is rapidly being put to death.

Many of these Jews would like to emigrate to Israel, but they cannot.

Many of them would like to practice their religion and see it exist without governmental restraints, but they cannot.

Many of them would like to provide Jewish schools for their children, and enjoy Jewish literature, drama and associations for themselves, but they cannot.

And, as if the denial of all these rights is not enough, Soviet propaganda—especially since the Six-Day War—has been vilifying the Jews as a group and attacking the State of Israel. Jews who express a desire to emigrate to Israel are being intimidated.

Jewish life in the Soviet Union is being successfully stamped out. Only 60 synagogues function today in the country, compared to 500 ten years ago. Altogether the Soviet Union has only three rabbis who function in that capacity. Moscow has not seen a bar mitzvah ceremony in 18 years, even though it has a Jewish population of half a million. A younger Jewish generation has come of age without formal Jewish training, without Bibles and prayerbooks or any religious articles.

Of course, Soviet policy has always been opposed to all religion. But among the religions of the Soviet Union, there is evidence that Judaism is put under unique restrictions. And while the Soviet Union prides itself on the cultural autonomy of diverse nationalities within its borders, somehow this cultural freedom does not extend to Jews, even though the government calls them a nationality.

Since I came to Congress in 1961, as a member of the House of Representatives, I have joined consistently with other Congressmen and Senators in issuing calls for improved treatment of Jews in the Soviet Union. I have personally introduced resolutions on the subject. And we intend to continue, because the issue requires it and because occasionally the Soviet Union shows it can be affected by such pressure.

In 1965, for example, in response to criticism from abroad, the Soviet Government lifted its eight year ban on the making of Passover matzos.

The Soviet Government has permitted what has become an annual occasion of Jewish spirit and solidarity—the Simchas Torah celebration when thousands of young Jews gather outside the Moscow synagogue to dance and sing.

And in 1957, again as a response to world opinion, the Government permitted a rabbinical seminary to open in Moscow. However, it is not now functioning because the housing permits of its students were revoked in 1962.

Can the identity of the Jewish people of the Soviet Union survive this growing suppression, restriction and intimidation? The answer will depend on the Soviet leaders, of course. The answer will depend on the tenacity of the Soviet Jews themselves. But the answer will also depend on people like us.

With the blessings of life in America that we enjoy, we must not be complacent. We must fight against injustice and oppression wherever it exists.

Some thirty years ago, as the world watched, the Nazis brought a holocaust upon the Jewish community of Europe, wiping out six million lives. This tragedy is all too fresh in our minds, and it should be fresh in the minds of the Soviet leaders. So all mankind has a stake in how the Soviet Union treats its Jewish minority.

We must call on the Soviet Union to permit emigration to Israel for all those Jews who desire to leave. We must call on the Soviet Union to improve the religious and cultural climate within the Soviet Union for the Jews that will remain. We must urge the Soviet Union to join us on the side of mankind.

Sincerely,

RICHARD S. SCHWEIKER,
U.S. Senator.

Mr. SCHWEIKER. In addition, Mr. President, a most informative article outlining the up-to-date situation of Jews in the Soviet Union appeared in the ADL Bulletin of February 1970, published by the Anti-Defamation League of B'nai B'rith. The article, entitled "The Agony of Soviet Jews," was by written by Owen S. Rachleff, associate director of the league's European affairs department. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

The Agony of Soviet Jews

(By Owen S. Rachleff)

The year 1969 was a highly significant one in the continuing agony of the 3,000,000 Jews living in the Soviet Union. Not only was there growing evidence of administrative harassment as well as abundant examples of religious and ethnic injustices, but various aspects of the problem confronting Soviet Jewry seemed to crystalize as never before.

The three major aspects can be summarized as follows:

The anti-Zionist, anti-Israel position of the Soviet government began to be used openly as a tool of intimidation against the Jewish minority, especially against the many Jewish citizens who, in their frustration, sought permission to emigrate to Israel;

The USSR repeatedly found itself forced, by world opinion and inquiry, to issue blanket denials of the existence of a Jewish problem (these, however, sounded somewhat hollow against the mounting evidence);

There was noticeable protest from Soviet Jews who, by means of letters to the outside world, to Russian officials and to the United Nations, evidenced a new mood of defiance to persecution.

A survey of the past year in the Soviet Union reveals the continued deterioration of Judaism as a religion. At the time of Stalin's death, there were, according to Soviet sources, some 500 synagogues in the European part of the Soviet Union. By 1969, there were estimated by outside sources to be about 60. This included one each in Leningrad, Kiev and Kishinev—cities with a Jewish population numbering in the tens of thousands—and three in Moscow, with a minimum Jewish population of some 285,000 (based on a 1959 census). All together there are only three functioning rabbis in the entire country.

In its publication, *Anti-Semitism in Eastern Europe*, the Socialist International reported at the beginning of 1969: "Today's situation gives greater cause for alarm than that at any other time since the Stalinist persecution of the Jews in 1948–53."

Hopefully, however, the effects of such alarm are not always inaction and terror. Speaking of the growing defiance of young Jews, Albert I. Chernin, of the Jewish Community Relations Council of Philadelphia, returning from the USSR in the fall of 1969, reported that "young people are doing many things for the sake of preserving their Jewishness. For example, they are literally setting up programs to teach themselves Hebrew."

The Soviet mood in 1969 with respect to Jews was the culmination of an increase in anti-"Zionist" activity since the Six Day War in 1967. Attacks on alleged Zionism, of course, are useful devices for attacking not only Israel but Jews themselves, since such attacks are erroneously regarded separate and apart from outright religious bigotry.

As Rabbi Zev Segal, head of the Rabbinical Council of America, charged early in the year, "The attack on 'Zionist imperialism' merely sets up a strawman to serve as a cover for the repression of all Jewish life in the USSR."

A recent Soviet propaganda line, spelled out in *Sovietskaya Rossiya*, is that every Zionist is actually or potentially an Israeli spy, and that, furthermore, Jews have "two fatherlands and a dual loyalty."

The assumed tie between Zionists and Jews *as Jews* as seen in the eyes of Soviet propagandists was made clear in a Moscow radio broadcast on February 6, 1969, according to which "the big Jewish bourgeoisie" had been aiding "anti-State and anti-peoples activities of the counter-revolutionary forces in Hungary, Poland and Czechoslovakia."

Vicious anti-Semitic caricatures have continued to appear in anti-Israel articles and cartoons in Soviet periodicals, while magazine articles on Israel are often filled with pejorative Yiddishisms and Jewish-sounding nicknames.

Two new anti-Soviet books have found great favor with the Soviet propaganda apparatus over the last twelve months. In essence, the authors of these books have merely written an updated version of the *Protocols of the Learned Elders of Zion*, a forgery that is perhaps the most thoroughly discredited piece of anti-Semitic literature ever conceived.

The first of these writers is Yuri Ivanoz, whose *Beware: Zionism!* was issued early in 1969. Ivanov twists the "chosen people" concept into an ethnic slur, incredibly comparing the Jewish religious concept to the Nazis' master-race theories. As to whether the enemy is merely the political state of Israel, Ivanoz declares: "The ruling circles of Israel are junior partners in the International Jewish Concern (i.e., Conspiracy)." Ivanov's book, incidentally has received the unanimous praise of Moscow Radio and of all Communist Party newspapers and magazines.

The second and more virulent of the diatribe writers is Trofim Kichko, whose previous work, an anti-Semitic item called *Judaism Without Embellishment*, published in 1963, was withdrawn by Soviet authorities as the result of pressures from all over the world. In 1969, however, Kichko was not only re-evaluated and thoroughly reinstated by the authorities, but in August a government-sponsored organization published his latest anti-Semitic attack, *Judaism and Zionism*.

Kichko specifically attacks the Jewish religion, repeating the 19th century canards that it permits its adherents "to take away everything from *goyim*, peoples of other faiths," and that it teaches "that the whole world belongs to the Jews." Kichko further insists that in the absence of a personal disavowal, one must consider that "every Jew is a Judaist (i.e., a Zionist), every Judaist an Israeli." The implications here are obvious; every Soviet Jew is to be considered potentially disloyal.

As a natural consequence of Soviet discrimination against the Jews, both as a nationality and as a religion, and of the growing phenomena of thinly-disguised anti-Semitic propaganda, a great number of Jews residing in the Soviet Union continue to make clear their desire to emigrate to Israel.

The Soviet Union is not opposed in principle to the idea of emigration; the "ingathering of Armenians" has been going on for some years, a campaign through which more than 200,000 persons have been repatriated to Soviet Armenia. Nonetheless, among the thousands of applications by Jews for emigration permits there are included some submitted as long as ten years ago. This backlog results from interminable delays, and in most cases outright refusals, on the part of the OVIR, the Soviet agency through which exit visas would ordinarily be secured.

Such refusals and delays are a direct contravention of Soviet policy as stated on December 3, 1967, by Premier Kosygin. "There will be no problem (concerning emigration)," he said, "the doors will be open."

Despite Kosygin's statement, a pitiful number of Jews are believed to have emigrated from USSR in 1969. OVIR intransigence concerning Jewish emigration requests continues and, as a result, many applicants have decided to present their problems by personal letter to the country's top officials. In August, 1969, for example, a Moscow family of four named Kleizmer wrote to Soviet President Podgorny pleading for exit permits. Citing discrimination and repression as an insult to human dignity, the letter concluded: "For us, it has become intolerable to live in such an atmosphere." The Kleizmers received no reply.

Also in August, eighteen heads of Jewish families in the Soviet Republic of Georgia signed a bold petition made public by Israel's U.N. Ambassador, Yosef Tekoah, asking "that the U.N. Human Rights Commission do everything it can to obtain from the Soviet Government in the shortest possible time permission for us to leave."

The Eighteen Georgians exemplify the agony of their fellow Jews who apparently live in a continuous state of contention with the bureaucracy. However, the classic example is the one involving Boris L. Kochubiyevsky, a 33-year-old Jewish engineer. In August, 1968, shortly after his marriage, Kochubiyevsky applied for permission for himself and his wife to emigrate to Israel. The couple's applications were approved in November, 1968, but on the morning that Kochubiyevsky was to pick up the necessary documents, his apartment was searched and many private papers seized.

A week later Kochubiyevsky was arrested. It was charged that he had "during 1968 systematically disseminated by word of mouth slanderous fabrications, defaming the State and social system . . ."

Kochubiyevsky was brought to trial on May 13, 1969, in a closed courtroom in Kiev. There, a parade of witnesses testified that he had engaged in anti-Soviet agitation and spread "Zionist" propaganda. Kochubiyevsky was sentenced to three years at hard labor.

Perhaps as never before, the Soviet government felt the pressure of world protests against anti-Semitism during 1969. On October 30, the Soviet Embassy in Washington issued an 18-page compilation of purported data on Jews in the USSR. The document painted an incredibly positive picture of Soviet Jewry indicating that educational, cultural and religious opportunities for Jews were high. It claimed that over 100 synagogues were functioning and that Jews "have every opportunity to practice religion"—but noted that "most people in the Soviet Union have long turned away from religion . . . Jews are no exception." It also spoke of the activities of Yiddish theatrical and musical groups, but cited no dates.

What does the future hold? As the eighteen Georgians showed, discouragement is not the mood among many Soviet Jews. Perhaps uncomfortable with this not-so silent rebellion, the USSR reportedly announced that it would allow the eighteen families the right to emigrate—to Canada and the United States—but *not* to Israel, lest the USSR offend "our Arab friends." The eighteen, however, still insist that not only they, but 7,000 Jewish applicants, be granted immediate exit visas to Israel.

More and more it becomes apparent that if the 1970s are to bring a solution, and if Soviet Jewry is to be saved, that solution lies in emigration to Israel, in the restoration of religious and cultural rights, and in world pressure upon the Soviet government to make those acknowledged rights a reality.

THE DISABLED VETERAN AS A MANPOWER RESOURCE IN MY COMMUNITY

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. ALBERT. Mr. Speaker, Miss Cathy Dennis, 17-year-old Comanche, Okla., high school senior, recently won second place in an essay contest sponsored in Oklahoma by the Governor's committee on employment of the handicapped. I include her winning essay:

THE DISABLED VETERAN AS A MANPOWER RESOURCE IN MY COMMUNITY

(By Cathy Dennis)

A mighty nation has been to war. Her proud soldiers victorious, brave, strong, and dedicated, have won.

From 1776 'til 1970, the United States has been the victor of every major conflict because of brave men willing to fight, die, sacrifice, and suffer for what they believe—their way of life, freedom, and America.

As these brave soldiers begin to come home from war, whether it be the Revolutionary War, the Civil War, a World War, or Viet Nam, the same question arises: What does a country do with her soldiers after the war?

Not all soldiers are as fortunate as others. Some suffered more, sacrificed more—a limb, their sight, their hearing, their mind—what of these people?

They should not be excluded from the mainstream of society, written off as simply disabled, handicapped, incapable, useless For those who have suffered most know how to give the most to their country, their friends, their community, and to humanity.

The economy of our nation and community depends on the jobs being filled. Many of the "so-called" veterans could be the manpower reserve to meet the challenge as capable workers in communities such as mine.

There are many things which contribute, affect, encourage, and assist the disabled veteran to start anew and become a worker.

Poverty, charity, pity or generosity, are not reasons to hire the handicapped. Reports show that hiring disabled workers is a sound business policy.[1]

Disabled workers show loyalty, hard work, determination and ability. Their accident rate is no higher, their qualifications are no lower. So disabled people can be considered a man-power resource.

Exactly what must be done to train disabled veterans, find them jobs, and give them the chance to take their rightful place?

Federal agencies, state committees, community organizations, and local groups all play a part in helping a disabled veteran forget the war, his past, his handicap, and look forward.

Many people are wise enough to look beyond the disability, to the inner source, ability, prospect, and capability.

Men such as J. W. McGovern,[2] and George Meany,[3] support the hiring of handicapped people.

Companies such as Sears Roebuck and Company,[4] and General Electric Company,[5] consider ability rather than disability and have through their policy of nondiscrimination, demonstrated that a disabled Veteran can be a manpower resource. With individuals, agencies, organizations, loans, that offer these opportunities, the Veteran is able to find a position, excel, progress, and succeed.

Within my own community there are those with handicaps which are great, small, visible, or invisible, who fill small, large, important, and unimportant jobs. There are some who run businesses, farms, and are self-employed, or become a good employee for others.

There are also disabled veterans who have not taken advantage of the numerous helps offering them a useful place in society. Whether employed, or unemployed, the disabled veteran must be considered a manpower resource, because of opportunities that are available, ready, accessible, and waiting, to give him the chance to hope, dream, progress, and succeed.

He will no longer need to feel alienated from society because of his handicap, but can become a confident and competent employee making his personal contribution to the welfare of his community, the nation, and the world.

FOOTNOTES

[1] "Employment of the handicapped in jobs which they can fulfill is not a work of charity, but a sound business policy." Leo Weisfield, President of Weisfield's, Inc.

[2] "We advocate that no arbitrary limitations to employment be set up on the basis of physical handicap." J. W. McGovern, Pres. of National Assoc. of Manufacturers.

[3] "The Progress of Medical Science has made it possible for almost every victim of a handicap to fill a useful place." George Meany, Pres., AFL-CIO.

[4] "Persons with physical handicaps should be considered for employment on the basis of their capability for a particular job." Sears Roebuck and Company.

[5] "The goal should be full utilization of manpower consistent with the best interest of the worker and the company." The General Electric Company.

FARM SUBSIDY PAYMENTS

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. HOWARD. Mr. Speaker, as the House Committee on Agriculture completes its work on the authorizations for Department of Agriculture appropriations for fiscal year 1971, we are once again faced with a continuing question of the validity of some of the Department of Agriculture's expenditures. I refer, of course, to the farm subsidy payments, which, as the New York Times has so aptly phrased it, make the "rural rich richer."

My question, Mr. Speaker, is not that some people are getting richer—that is to be expected in a free society. My question concerns two other areas. The first is that because some people are getting richer on these funds, a majority of the farmers, who happen not to have such enormous acreages to keep fallow, are getting poorer and consequently are being forced off their land. The second point is that this is, so I have heard, a government based on the wishes of the majority of the population. Now, when a mere 4 percent of our rural population is receiving a whopping one-third plus of all these subsidy payments—I wonder whether we are really being representative of the majority of the people.

I think we all agree that the current inflationary problems have hurt the citizens of this country, and that the Government has an obligation to cut back on nonessential spending to help solve these problems. I think a cutback on the outrageous farm subsidies paid to millionaire farmers is an excellent place to start.

I happen to be one of those people who consider $20,000 to be a substantial sum of money. Further, I do not believe a limit of $20,000 on these farm subsidies would completely deplete the bank accounts of the large farmers who are currently receiving more than that. I might add that the savings obtained from such a limitation on subsidies could be redirected to provide additional funds for the Department of Agriculture food stamp program—which has been seriously short funded since its inception. In fact, many of the counties which are receiving the most of the subsidy funds are the same counties which have not provided food stamps of food distribution programs in the past. This, despite the fact that many of the poor in those counties are poor because the large landowners are becoming rich on farm subsidies because they do not plant their land, which means there are no jobs for the farm workers in the area.

I should also add that many of those who are being forced to sell their land, or are out of work because so much land is lying fallow, are leaving rural areas and migrating to the large cities. Because they are untrained for any work aside from tilling the soil, they are then adding to the burden of the welfare roles of the urban areas.

Twice before the House has expressed its will on this subject. Twice now we have amended the Agriculture bill to place a ceiling of $20,000 on these payments. Twice, however, the House has refused to insist on retaining this amendment in the final bill—because of pressure by certain members of the Senate, where the amendment has failed.

Passage of this amendment has become even more important now, however, and with it, the importance of retaining this provision in the final bill. During 1969 a total of 7,795 farmers received payments of over $25,000 each from the Federal Government—an increase of 1,881 farmers over the previous year. These farmers divided a total of $93,333,643 more in 1969 than the farmers receiving these huge payments the previous year. This was true despite the fact that the rural population of this country continues to grow smaller.

Mr. Speaker, this particular "welfare" program has also been receiving more widespread publicity, and the American people are being awakened to this waste and misuse of their tax dollars. Last year we heard much about the possibility of a taxpayers' revolt. I contend that we will hear more about such a possibility as the taxpayers become more aware of just where their money is going—they will not support a government which, while consumers are paying higher and higher prices, and our water and air continue to be polluted and cities decay, uses their hard earned tax dollars to make the rich richer and the rural poor, poorer.

ALEXANDER BICKEL ON NIXON SCHOOL DESEGREGATION STATEMENT

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, Alexander M. Bickel, Chancel-

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lor Kent professor of law and legal history at Yale University, has written an analysis of President Nixon's statement on school desegregation.

Writing in the April 4–11, 1970, issue of New Republic, Professor Bickel rejects the thesis that the President has intentions of putting the brakes on 15 years of progress on eliminating de jure segregation in our Nation's schools. Instead he sees the President's message as "realistic and sensible" saying it "ought to help greatly in keeping the process of desegregation on the rails."

The text of Dr. Bickel's article follows:

Realistic, Sensible—II

(By Alexander M. Bickel)

The President's statement on school desegregation cannot have gladdened Senators Stennis and Thurmond, since it dashes their hopes for a regressing and reneging equivalent of the Compromise of 1877. There can be no further Administration support of, or neutrality toward, any Stennis admendment or any freedom-of-choice amendment or bill consistent with the policy that has now been set forth by Mr. Nixon. And yet, to judge by their public expressions, the statement earned no points with the leaders of civil rights organizations, such as Jack Greenberg, director of the NAACP Legal Defense Fund. We have tended, said the President, to place "on the schools and the children too great a share of the burden of eliminating racial disparities throughout our society. A major part of this task falls to the schools. But they cannot do it all or even most of it by themselves." No such candid, public recognition of limits is apparently acceptable to those who have spent 15 years fighting for school desegregation in hundreds upon hundreds of Southern counties, because the struggle is symbolic as well as practical, and because they fear that any admission of limits will lead to backsliding.

As to symbolism, Whitehead has warned us that "the life of humanity can easily be overwhelmed by its symbolic accessories." The warning is apposite.

Fears of backsliding involve a political judgment on which reasonable men differ. At the very least a persuasive argument can be made that the greatest danger of backsliding arises from the failure to acknowledge any limits; that the most favorable climate for getting Stennis or freedom of choice amendments through Congress is a climate of confusion and uncertainty about the reach of the law of school desegregation. In the spring of 1968, again last fall, and in several cases since, the Supreme Court has declared that school desegregation could no longer be permitted to proceed with "deliberate speed." Schools would have to be desegregated *now*, converted *now*, at long last, from dual into unitary systems. The Court, in other words, has told us "when." Yet as Chief Justice Burger pointed out in a recent brief concurring opinion, of which the President's statement takes note, the Court has not in any detail told us "what" or "how." To be sure, it will no longer tolerate tokenism in the guise of freedom of choice, and it will require faculties to be integrated. But the Court has not indicated, one way or the other, whether racial balance must be achieved in each school, or whether zoning which causes residential patterns to be reflected in the schools is unconstitutional as such. The Court has not said whether the persistence of some predominantly or wholly Negro and white schools is unconstitutional.

Lower federal courts have gone further. The main drift of their decisions over the past year and a half has been toward requiring some measure of racial balance. But such decisions are not ultimately authoritative, and they have not been uniform. Even within a single jurisdiction, that of the Court of Appeals for the Fifth Circuit, covering the deep South, one finds decisions that reject residential zoning, and decisions that accept it.

This is how the cases stand, and the President's statement contains a fair and accurate assessment of them. The lack of uniformity and certainty in the law is nothing novel. It is the condition that has prevailed since *Brown v. Board of Education* was decided in 1954. But the consequences of uncertainty are different today than they were, because the law is at a turning point. It is poised to make—or not make—a transition from the disestablishment of segregation to the imposition, in the South initially and then perhaps elsewhere, of a requirement of racial balance in the schools. In this situation of flux and instability in the law, and the consequent confusion, real and feigned, between segregation and racial imbalance, and between desegregation and racial balance, segregationists have been able to throw doubt on the whole process of desegregation, and to recruit new allies against it.

The distinction between segregation and racial imbalance—the one called *de jure*, the other *de facto*—is sharply drawn by the President. Desegregation, he says, is constitutionally required, is right in "human terms," has worked increasingly well, and will be carried to completion in the South and in places in the North where intentional separation of children by race can be charged to local officials. Integration—the achievement of racial balance in the schools—is in general a desirable goal. But the President is clearer than much public discussion has been about the educational value of racial integration. "The data tell us," he says, "that in educational terms, the significant factor is not race but rather the educational environment in the home . . . [and] that in order for the positive benefits of integration to be achieved, the school must have a majority of children from environments that encourage learning." Hence "providing better education for the disadvantaged requires a more sophisticated approach than mere racial mathematics." The unadorned assumption that the way to improve black children is to associate them with whites carries a suggestion of "smug paternalism." Moreover, a free and open society, which is the proper goal, "does not have to be homogeneous, or even fully integrated. There is room within it for communities . . . [for] group identity and group pride." Finally, any concerted effort to achieve racial balance in the schools faces enormous practical difficulties. Integration, therefore—integration, as distinguished from desegregation—is not in law, and should not be, the first priority.

To assist in the process of desegregation, to support alleviation of "problems associated with *de facto* segregation in the North as well as South," and to equalize black schools in plant and quality with white schools, the President proposes allocating half a billion dollars in the fiscal year starting this summer, and a billion in the following year.

The statement as a whole is realistic and sensible and ought to help greatly in keeping the process of desegregation on the rails. Unhappily, its impact on the general public has been blunted by its length and by its complexity, which makes quotation out of context all too possible and likely. The length and complexity reflect the nature of the problem. But one wishes that the essence of the statement, without the supporting documentation, had been delivered by the President, himself, plainly and directly.

Unhappily, also, there are two ambiguities in the discussion of *de jure* segregation, which it would be well for the White House to clear up, officially. In setting forth the obligation of local school boards to take affirmative measures to desegregate their systems, the President emphasizes, as does the case law, that this is an obligation to be discharged in good faith. Good faith is proved by deeds, but the same deeds may not prove good faith in each instance. A whole history of deeds and attitudes enters into a finding of good faith; it is, therefore, an *additional* criterion, not an absolving one, and it ought to be clear that this is what the President intended to say. Again, he summarized the law of desegregation by saying that a "rule of reason" applies to desegregation plans adopted in good faith. As a summarizing slogan, the phrase is harmless, but it might be read to inject some new element into the practice of desegregation. If so, it is a totally obscure element and, as such, dangerous.

RESULTS OF PUBLIC OPINION SURVEY IN NORTH CAROLINA'S NINTH CONGRESSIONAL DISTRICT

HON. CHARLES RAPER JONAS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. JONAS. Mr. Speaker, under leave to extend my remarks in the Record, I include the results of my annual public opinion survey among residents of North Carolina's Ninth Congressional District.

I was pleased that more than 15,000 individuals returned questionnaires. The fact that so many people would take the time to participate in this survey indicates a high level of concern about the critical problems facing our country at home and abroad.

It was also pleasing that a great majority of those responding added supplementary comments elaborating on their reasons for the views they expressed on the questions listed, or calling my attention to issues of interest not included on the questionnaire. This indicates not only that people are anxious to have their views solicited on specific questions but that they are interested in expressing their views on a wide variety of subjects.

I might add that it is important for a Congressman to keep up with the thinking of his constituents if our system of representative democracy is to be effective. I consider the use of the survey I conduct annually as a good way of keeping posted on the thinking of the people back home.

The answers as tabulated by Data Management, Inc., of Arlington, Va., from my 1969 questionnaire are as follows:

[Answers in percent]

1. Do you approve of the steps President Nixon has taken to get us out of Vietnam including the return home of substantial numbers of combat troops, the elimination of offensive ground operations, and the gradual transfer of the fighting to South Vietnamese troops?

Yes	85.8
No	10.5
No answer	3.7

2. Do you believe these actions and the proposals to negotiate everything except the right of the people of South Vietnam to de-

termine their own future are all the steps the President should take until the Communists indicate a willingness to negotiate a settlement?

Yes	54.6
No	38.4
No answer	7.0

3. If your answer to Question 2 was NO, which of the following courses of action do you recommend:

(a) An official public announcement that we are going to withdraw all U.S. troops from Vietnam by a specified date without any concessions or agreements from the Communists?

Yes	11.1
No	10.9
No answer	78.0

(b) An official public announcement that on a specific date in the near future, the United States and its allies will begin an all-out effort to achieve a military victory unless the Communists begin meaningful peace talks in Paris?

Yes	29.0
No	4.3
No answer	66.7

(c) Maintain the present policy of seeking a negotiated settlement while continuing to defend our position in Vietnam?

Yes	12.8
No	7.4
No answer	79.8

4. Do you believe the current wave of protests and demonstrations (for example, the "Vietnam Moratorium") serves the cause of peace?

Yes	14.9
No	82.1
No answer	3.0

5. Do you support the proposal made by President Nixon to revise the draft law by (a) reducing the period of time during which young Americans are primarily vulnerable to the draft from seven years to one year, and (b) replacing the present system of selection with a system of random selection?

Yes	87.3
No	6.9
No answer	5.8

6. Do you approve President Nixon's recommendations to Congress for reforming the welfare program?

Yes	76.0
No	11.4
No answer	12.6

7. Do you support the President's decision to take the Post Office out of politics and to transfer the operation of the postal service to a government-owned corporation?

Yes	87.1
No	8.0
No answer	4.9

8. Do you favor increasing the amount of money people who receive Social Security benefits can earn without having those benefits reduced?

Yes	92.0
No	5.5
No answer	2.5

9. Do you favor President Nixon's "Revenue Sharing" plan whereby a portion of federal revenues would be set aside and returned to the states for them to use as they see fit?

Yes	84.3
No	10.9
No answer	4.8

10. How do you rate the following *domestic* problems in order of urgency? In the blocks at the right rank these problems from "1" for most urgent through "5" for least urgent of these five domestic problems.

(a) Air and water pollution:

Ranked 1 in order of urgency	10.1
Ranked 2 in order of urgency	13.6
Ranked 3 in order of urgency	27.8
Ranked 4 in order of urgency	21.1
Ranked 5 in order of urgency	23.2
No answer	4.2

(b) Crime:

Ranked 1 in order of urgency	37.4
Ranked 2 in order of urgency	29.2
Ranked 3 in order of urgency	17.8
Ranked 4 in order of urgency	7.5
Ranked 5 in order of urgency	4.0
No answer	4.1

(c) Inflation and cost of living:

Ranked 1 in order of urgency	38.1
Ranked 2 in order of urgency	28.2
Ranked 3 in order of urgency	17.2
Ranked 4 in order of urgency	7.8
Ranked 5 in order of urgency	4.5
No answer	4.2

(d) Poverty:

Ranked 1 in order of urgency	7.2
Ranked 2 in order of urgency	12.3
Ranked 3 in order of urgency	25.6
Ranked 4 in order of urgency	35.0
Ranked 5 in order of urgency	15.5
No answer	4.4

(e) Race relations and integration:

Ranked 1 in order of urgency	6.0
Ranked 2 in order of urgency	9.8
Ranked 3 in order of urgency	16.0
Ranked 4 in order of urgency	19.0
Ranked 5 in order of urgency	44.2
No answer	5.0

GI BILL

HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mrs. HANSEN of Washington. Mr. Speaker, the University of Washington Veterans Association, like many other organizations serving our fighting men, has written letters of thanks to Members of Congress who helped write and pass legislation improving the GI bill.

I include the letter in the RECORD and that each Member who supported this important legislation share the gratitude of these men:

UNIVERSITY OF WASHINGTON,
April 9, 1970.

Congresswoman JULIA BUTLER HANSEN,
Cannon House Office Building,
Washington, D.C.

DEAR MADAM: On behalf of the University of Washington Veterans' Association and the Washington State Collegiate Veteran's Association, I would like to thank the members of the joint conference committee for the G.I. Educational Benefit Increase bill. I would also extend thank-you to all committee members on this measure and all those who voted for the final version.

By passing this legislation, Congress has shown responsibility for its earlier actions and the future of the United States. Congress has also shown responsiveness to veterans current economic needs as well as helping to insure the continued prosperity and technical development of the action. Congress was very wise to include special incentives for minority groups in this measure. The increase in these benefits should insure that more veterans finish their education, thus generating additional tax revenues to make this measure self-financing as did those of the past.

I hope that the passage of this bill will enable and provide incentive for veteran students to take a greater interest in government. We believe that no education is complete without the knowledge of how to obtain desirable action from government. The experience we gained in our efforts to obtain passage of this measure will be invaluable to us in the future. We hope other student groups will follow our example and participate within the system to obtain desirable ends.

Sincerely,

FRED A. REINKE,
Secretary.

MR. GEORGE HASTINGS HONORED

HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. COLMER. Mr. Speaker, in August of this past year, Hurricane Camille slammed into our Mississippi Gulf Coast causing great damage and destruction. The people of my section of Mississippi were greatly encouraged, however, despite this overwhelming devastation, by the flood of assistance that arrived from individuals, businesses, organizations, and all divisions of the State and Federal Government.

Immediately following the visit of Hurricane Camille, one of the main agencies to appear on the scene was the Office of Emergency Preparedness, represented by their regional director, Mr. George Hastings. Since the OEP was charged with the full responsibility of coordinating all recovery efforts prior to and following the passage of the Federal Disaster Act of 1969, Mr. Hastings has been called on day and night with the many varied problems facing the Mississippi Gulf Coast. Mr. Hastings only recently returned to his home in Texas after spending over 7 months in Mississippi on this special job.

On March 25, the Jackson County Board of Supervisors passed a resolution of commendation for the outstanding service that Mr. George Hastings rendered to the entire Mississippi Gulf Coast and surrounding areas. I would like to take this opportunity on behalf of the Mississippi congressional delegation to insert in the RECORD this resolution commending Mr. Hastings:

RESOLUTION OF THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISS., COMMENDING MR. GEORGE HASTINGS, REGIONAL DIRECTOR OF OEP

Whereas, on August 17 and 18, 1969, the Mississippi Coast was struck by Hurricane Camille, causing a National disaster from the destruction; and

Whereas, Mr. George Hastings, the Regional Director of the Office of Emergency Preparedness, immediately came into the Coast area with his forces at a most difficult time to manage the recovery of the area; and

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Whereas, this Board finds and determines that in his position, as Regional Director of OEP, Mr. Hastings was most courageous, cooperative and understanding, and gave effective leadership to the people in the area; and

Whereas, the outstanding actions of Mr. Hastings have helped tremendously in the recovery of the Mississippi Coast area from this National disaster.

Now, therefore, be it resolved by the Board of Supervisors of Jackson County, Mississippi, that this Board does hereby commend Mr. George Hastings, Regional Director of OEP, for his outstanding leadership in the recovery from the Hurricane Camille disaster.

Be it further resolved that a certified copy of this Resolution be presented to Mr. Hastings and to the Senators and Congressmen representing Mississippi in the United States Congress, with the request that this Resolution be entered in The Congressional Record.

The adoption of the above Resolution was moved, seconded, and unanimously adopted by the Board of Supervisors of Jackson County, Mississippi, on this the 25th day of March, A.D., 1970.

EDWARD A. KHAYAT,
President.
OLIN H. DAVIS,
Member.
LUM R. CUMBEST,
Member.
J. C. MAY,
Member.
W. T. ROBERTS,
Member.

Attest:
WILBUR G. DEES, *Clerk.*

ANSWERS NEEDED IN REGARD TO FIRING OF WILLIAM WOESTENDIEK OF WETA

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. BERRY. Mr. Speaker, freedom of the news media came under assault again Friday. Real assault and real intimidation and retribution this time; not a mild request by the Vice President to the media to search its conscience.

And where did it come from, Mr. Speaker? It came from the unlikeliest place of all: from within the television industry.

We all know the story now, how and why WETA fired a top newsman because his wife works for a public figure.

The question now is: What to do? Does the Congress stand by idly and watch a federally regulated, federally subsidized segment of the news media attack the integrity of the members of that media?

Mr. Speaker, I hope not.

There are many facets to this case, many angles. They should be looked at. Is this an infringement on freedom of speech? Is political discrimination any more defensible than racial or religious discrimination? What is the role of the Ford Foundation in controlling WETA's news content and hiring policies? Does the FCC have a responsibility toward TV newsmen?

Has the first amendment been violated? Should the Federal Government help support this kind of bias?

Mr. Speaker, we need some answers to these questions. I trust those entrusted with supplying them will do so expeditiously.

FOR AMERICANS—PROMISE OF "DECENT HOME" AND "FAIR HOUSING"—LONGEST RUNNING OFFICIAL LIE

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. CLAY. Mr. Speaker, on March 17 I submitted to the CONGRESSIONAL RECORD a report on fair housing in St. Louis as prepared by the Greater St. Louis Committee for Freedom of Residence. Today, I pursue that concern and call to the attention of my colleagues an editorial depicting the city of St. Louis as a "divided city."

Consistent with the concern expressed in the St. Louis Post-Dispatch editorial of March 11, is a speech I delivered recently before the Webster Groves Fair Housing Committee, Webster Groves, Mo., at a meeting April 2 which was cosponsored by the St. Louis Committee for Freedom of Residence.

In an effort to point up the rising concern and escalating need for attending the problems of providing decent housing for the poor—and for making our expressed intent for fair housing meaningful as law and in practice, I submit now, both the Post-Dispatch editorial and my address of April 2, 1970:

[From the St. Louis Post-Dispatch, Mar. 11, 1970]

ST. LOUIS, A DIVIDED CITY

Two years ago the Kerner commission on violence warned that the nation was moving toward two societies, separate and unequal, and now the chairman of the United States Civil Rights Commission cites St. Louis as an example of that trend.

It should be difficult for any objective observer to quarrel with the remarks of the Rev. Theodore M. Hesburgh, CSC, president of the University of Notre Dame. He noted that the St. Louis suburbs are a white noose around a black core city, and that is apparent. He said that business and banking and real estate practices help to maintain a racially-divided society in housing and employment, and even as he spoke, events bore out what he said.

For one thing, the Justice Department brought suit in federal court here against four of the largest St. Louis real estate firms, accusing them of racial discrimination in both their sales practices and their employment.

For another, the United States Supreme Court unanimously ordered the City of Memphis to proceed at once with public school desegregation—but the Memphis schools seem, on the surface, no more segregated than those in St. Louis and perhaps less. Of 194 Memphis schools, 45 are said to have nearly an even racial mix. Of 165 St. Louis schools, only 15 fit the Civil Rights Commission's definition of "integrated." Since formal desegregation in 1955, the St. Louis school system has been slowly returning to segregation.

But what of progress? There has undoubtedly been progress. After World War II St. Louis was an almost totally segregated city, in a segregated state whose Constitution still nominally proclaims school segregation. In 20 years most public accommodations have been opened to all on an equal basis, and equal rights to housing, jobs and schooling are part of local law and the law of the land.

Yet laws and court decisions do not make it so. They do not eradicate the ghetto or discourage whites from fleeing when schools become half black, and only grudgingly do they make institutions change century-old policies that by intention or neglect discriminate.

Look in Father Hesburgh's mirror. It is a sad picture there: the two St. Louises that live apart, go to school apart and for the most work apart, and do not really know one another. We do not think the picture is going to change quickly until most citizens concede that it is so, and determine that it should not be. Self-recognition would be at least a start.

LONGEST RUNNING OFFICIAL LIE—PUBLIC HOUSING AND FAIR HOUSING

When I was invited to speak to you tonight I was told of your interest in housing. Specifically, I was told of your interest in fair housing. Consequently, when I submitted the topic of my address, I titled it "housing for all." As I prepared my remarks, I decided to give them a new name.

Tonight, I come before you to talk about the "Longest Running Official Lie." It is an appropriate title, I believe, since no lie has been running longer than the one this government made long ago about "a decent home for every American."

In 1949, the Congress of the United States committed this Government to build 810,000 units of public housing in the ensuing six years. Today, more than 20 years later, we still fall 10,000 units short of that goal.

We have gone to the moon. We have been in two more wars. We have built thousands of miles of highways and thousands of weapons and battle machinery which are now obsolete. But we have not yet finished building those 810,000 units of public housing (that we set out to build by 1955).

The record of this country to fulfill its promise of a "decent home for every American"—is also known as the "great American housing hoax." No nation of any stature in the world has compiled a worse record for providing its citizens, particularly its poor citizens, with housing.

The great American hoax began with a Republican conservative President, William H. Taft, who declared that private enterprise could not possibly meet the housing needs of poor people.

We have come full circle since then—through Moderates, Liberals, Democrats, New Deals, Fair Deals, Square Deals—New Frontiers and Great Societies. Now we have another conservative President who remains unconvinced. In fact, Nixon is not convinced that Government is necessary at all.

In the area of housing for the poor, the President is now circulating legislation which proposes that public housing be turned back to slum landlords.

We cannot talk about "fair housing" just in terms of black and white. It is useless for us to talk about putting most black families in the suburbs amidst middle-class white families. Because most black families are poor families.

I want the black doctor who has the money to have his choice of homes—and I will fight for his right to live in Webster Groves if he so chooses. But at this moment, I am most concerned that the poor black who is forced to fight for every right that he gets be given priority.

I don't need to tell you that discrimination rules the housing industry. I don't need to tell you that prejudice dictates the rules in this country—including who will live in certain neighborhoods.

There are many ways to discover just how bad the housing situation is in this nation. It is not just a crisis of housing—but a tragedy of the human condition in a free nation.

You can take a drive through any central city—and you will see how financial policies and political decisions have determined who will inhabit the slums and under what conditions they will live.

Or, if your interest is specifically housing, ask the average man on the street what problems he is having buying or paying for a home. This is a simple test since it's almost impossible for a man earning less than $15,000 a year to buy a home. Are you aware that the average cost of a home in this country over the past year was $27,000.

The numbers tell us how much priority this Government places on housing the poor. Take the 5-year period, 1962 through 1967. In that period, the United States spent $365.3 billion for national defense, $33.2 billion for stabilizing farm prices and income, $24.2 billion for space exploration, $22.2 billion for Federal highway construction, $8.1 billion for all housing and urban renewal programs and a mere $1.25 billion for Federal housing subsidies.

Bringing the numbers up to date—the Nixon budget for 1971 calls for $73 billion for national defense, $14 billion for commerce and transportation, $9 billion for veterans benefits and services, $6 billion for agriculture and farm payments—and a grand total of $3.8 billion for all Government financed housing programs. Of that amount, only $890 million is specified for low- and moderate-income housing.

When the Nixon budget was released, George Romney boasted that he had cut his department's budget to the bone and was glad of it. And people expressed astonishment—that the record of the past would be carried into the future by a man who expressed enthusiastic conviction that it was right.

Last year, President Johnson's committee on urban housing released its report. Let me relate to you some of their findings:

1. More than 12 percent of American families cannot afford decent housing.

2. In numbers, that means more than 7.8 million American families—or one in every eight, cannot now afford to pay market price for standard housing which would cost no more than 20 percent of their total income.

3. At least 10 percent of the Nation's existing shelters are in substandard condition.

4. The average ratio of housing costs to gross income of the total population is 15 percent. By that, I mean that the average American pays no more than 15 percent of his income for housing.

5. One-half of the 7.8 million families in need of housing are surviving on less than $3,000 a year.

For these people—whose incomes average $3,000 a year, unless they have assistance from somewhere, they have no housing.

For these people—a choice of housing means no choice at all. For the urban poor, it means public housing where it is available and where they can afford it.

In this country, there was no subsidized housing for the poor until passage of the Housing Act in 1937. Other countries, namely England and Sweden, had housing subsidy programs as early as 1919.

In the United States—all we had done prior to 1937 was talk. We had appointed commissions to make reports and to document the problem. The Congress even held hearings on the housing situation in 1890, which were said to have awakened the Nation to the glaring deficiencies for the poor. But still, no law came until 1937.

For the United States, public housing is a program where the development, ownership and management of projects are the responsibilities of local government bodies. Rents in public housing projects are lowered by a combination of Federal and local subsidies. When the law was written, it was intended that fully employed blue-collar and semiskilled workers would be eligible for occupancy—but occupancy has been restricted, if only by the availability of such housing, to those persons of very low incomes.

At the Federal end, there was the Public Housing Administration responsible for handling Federal relations with local housing authorities. Today, it is the Housing Assistance Administration in the Department of HUD which handles the Federal responsibility.

And that—is the only notable or noteworthy change in the public housing program since 1937. The needs have skyrocketed, the problems have multiplied and the poor have continued to go unhoused and badly housed—but the program of housing subsidies for the poor has not substantially changed.

It has often been a priority of this Government to speak for the poor—and it is a well-established bad habit of this Government not to act on its word. The Congress writes a law and states its intent to act—but when that law comes to the Congress for funds, the Congress changes its mind about the intent it expressed and decides that its responsibility for the purse is more important.

This is the most notorious system for nullifying law and the most ruthless and successful means for alienating American citizens. For the American Government, it is a way of life. No law has been more victimized by this process than public housing.

In 1967, the public housing program included some 650,000 units which housed almost 2.4 million persons. Production of public housing has been erratic—with major spurts of energy coming in 1941 and 1952 when most of the existing public housing structures were built.

Public housing is a rental program. The cost of project development is financed with long-term tax exempt local bonds. This lowers the direct debt retirement costs. Then, the Federal Government makes annual contibutions to the local housing authority to cover all costs of retiring the bonds. Until the last two years, this was the only form of Federal subsidy.

Now, the Federal Government is authorized to pay a local authority an additional $120 per year for the benefit of each family which is elderly, displaced, extremely poor, or which contains four or more children. This has made no difference in the rents charged these people. It merely replaced fund deficits incurred by the housing authority.

Since public housing is exclusively a rental program, tenants have been required to pay the amount necessary to cover all operating, maintenance and payment in lieu of tax costs.

The Federal public housing program is a tragic failure for three primary reasons.

First, it was never funded in the amount necessary to meet the needs. Secondly, there was a total lack of foresight or thought in planning the structures for public housing. Finally, there was no allowance made for increasing the subsidy to meet the increasing cost of living or the increasing costs of maintaining and operating the public housing structures which were built.

St. Louis stands at the head of the list of cities with the most notorious public housing situation. You have all heard of Pruitt-Igoe. This project is a landmark and tribute to the failure of this Nation to provide decent housing for the poor—and a testimony to the priority which housing has received.

Pruitt-Igoe has been inspected by persons from all over the country and the world—they are brought here to see how public housing should not be built. Pruitt-Igoe was erected to replace a slum—but it created a situation which has come to haunt the poor and to blight the city.

Pruitt-Igoe was built during the brief spurt of construction energy in the early fifties. The slum replaced by Pruitt-Igoe housed 5,000 people—but when Pruitt-Igoe was built it housed 12,000 people in the same area; 7,000 to 9,000 of that number were children—put in 33 high-rise structures which now, 13 years later, stand 30% vacant because of the combination of blunders which created it and which have fed its uncanny existence.

Aside from the structural problems which cannot be altered—but which might be dealt with, Pruitt-Igoe suffers from a serious lack of operating funds and the inability of tenants to finance with their rent the operation and maintenance of the monstrosity.

To summarize the Pruitt-Igoe situation, it is an architectural failure—a social and economic disaster. The irony of it is that tenants who cannot afford private housing, citizens who must turn to subsidized housing, citizens who do not desire but who must turn to Pruitt-Igoe—cannot even afford to live there.

Pruitt-Igoe may be the worst—but it is representative of what is happening in public housing throughout this country. We have not fulfilled the goal for providing a "decent home for Americans." We have not provided the poor with a place to live, and when we have tried, we have done it so badly that we have compounded the problem. This, in short, is what rent-strikes, tenant sit-ins, walk-ins and squat-ins are made of. These people are desperate—and nobody seems to care.

One of my first acts as a member of Congress was to address the public housing situation. I introduced legislation or a rent-subsidy to public housing tenants—by providing that the Federal Government would increase its subsidy in the amount required to lower those rents to a maximum of 25% of tenant income.

Housing authorities are strapped to the chair. They have no funds. Housing authorities in 15 cities are designated, even by HUD, as in dire financial crisis. It is a universal crisis and it took no genius to see that money had to come forth from somewhere.

The house banking and currency committee reluctantly entertained the thought of tenant subsidy—but passed over it.

Late last summer, Senator Brooke came forth with similar legislation and as a member of the Senate Banking and Currency Committee—he succeeded in Senate passage.

Through cooperative efforts, the Brooke amendment became law. We managed to get an authorization of $75 million for financing the cost of lowering tenant rents and for improving the operating and maintenance services of public housing projects.

Needless to say, we were pleased with the success. Public housing authorities were pleased and public housing residents, who are now organized into the national tenants rights organization—were pleased.

Our pleasure was shortlived, for after passage of that landmark law in December, the Nixon budget was released—showing that instead of $75 million, only $33 million was requested to carry out the new sections of public housing law.

This amount will not be sufficient to lower tenant rents in public housing, it will not be sufficient to eliminate the deficits of housing authorities, it will not be enough to improve any operating and maintenance services, the intent of the law will be nullified—because, as George Romney put it—the housing budget was cut to the bone—and he was "glad of it."

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And that is an up-to-date example of why housing, as a national concern, a national issue of a national program—is the "*longest running official lie.*" It is one more chapter in the "great American housing hoax" and an illustration of why the promise of a "decent home for every American" is a farce.

Fair housing, in which you have expressed a specific interest, is equally a farce.

The city of St. Louis ranks 11th in the number of black residents. More than 36% of our population is black.

A recent report on fair housing in St. Louis led Civil Rights Commission Chairman Theodore Hesburgh to say—that the racial division of St. Louis is supported by a broad network of institutional systems whose leaders disclaim responsibility for them. In St. Louis, the suburbs are white—and the city is 50% black—and St. Louis County maintains a noose around the city.

Over a period of nine months, the committee for freedom of residence in the city of St. Louis surveyed the situation. They utilized thirteen black and white checkers who visited 15 white real estate companies in St. Louis for the expressed purpose of purchasing or selling a home.

The findings of the survey have stunned some people. They did not stun the black citizens of St. Louis who have long known that the white real estate community is dominated by a network of criminals who freely admit their intent to circumvent, by whatever means, the fair housing law which has been on the books for a year and a half.

The real estate agents visited in the survey—revealed to the checkers, without prompting—how they "help" white people, how they can usually recognize the voice of a "colored" inquirer over the phone, how they wouldn't want their white clients to be subjected to some "buck nigger" at the door to buy their home, how they have decided not to use "for sale" signs which may attract the attention of a potential "colored buyer"—and how the city of University City has "reaped its share of problems from the colored people"—and how other parts of the city must be protected from the "colored element".

And there is an interesting tale about one "real estate agent who at the time was serving as president of the Metropolitan St. Louis Real Estate Board"—and who confessed to the checker that "in view of his prejudices, he often has to talk out of both sides of his mouth and wear two hats as president of the Real Estate Board."

It comes as no surprise to me—that the racism of the majority of the people in St. Louis is, little by little, being documented for public view. No black citizen who has lived in St. Louis as long as I have—could possibly be surprised.

It doesn't occur just here in St. Louis. It happens in every American city every day—where lawbreakers run free to manipulate the housing market for the containment of blacks in areas designated by the white real estate community. It happens every day—that the law is used to deny the rights of black citizens.

What does come as a surprise to me is that white racists seem to expect their cries for law and order to be respected—by a black community which has felt the hypocrisy of the law. We are tired of being told which laws must be obeyed and which laws can be ignored. Frankly, we will no longer tolerate it.

A person may need formal education to practice law in this country—but a person does not need formal education to understand the hypocrisy of the law, nor does he need to be a lawyer to recognize that until law is based on justice, there can be no respect for law.

It is an explosive situation. This city and all other cities are gambling with dynamite when they blatantly refuse to extend opportunities and rights to black Americans. I relate this not as a threat—but because I would be derelict in my duties not to relate it as an obseravtion which I believe valid.

You must realize—that the problem of fair housing or the problem of housing for the poor—none of it can be discussed in a vacuum. These problems inherently involve racism, poverty, and the climate of this country.

The problem of housing for the poor is that the poor cannot afford housing on the private market. Neither, of course, can they afford food, clothing, or medical services. Neither can they expect a decent education or job training. Housing is only one element of the problem of economics and racism—and for the poor, the problem of economics is the problem of finding an opportunity to get into the system. For the black who are poor, it is a double challenge.

When you are uneducated, unskilled, and come from a generation of poverty, how do you get out of the cycle? Where do you start? Better yet, when you have nothing going for you but public disdain and public apathy, where do you find hope?

If you are both poor and black, the question is something else again in a country where it took a national commission of experts to tell us what we have known for a long time—that white people just don't like black people.

It is virtually impossible to discuss any of the American problems without zeroing in on poverty and racism. We cannot realistically discuss environmental problems without discussing the human atmosphere. The urban environment is as plagued by the human condition and human spirit as it is by smog—and I dare say the latter does not pose any greater threat to our health and security than our pollution of the human element.

The economic bondage of black citizens is a part of the urban environment—because that is where we are.

At the turn of the century, 80 percent of the black people were still in rural areas. With the advent of machines to replace people—blacks moved away. In 1940, only one-third of the Nation's black citizens lived on farms. By 1960 that number was down to 8 percent and now, it is estimated to be about 7 percent—about the same percent as for the white population.

Black citizens have been migrating, from the South to the North and West. In 1930, 92 percent of all black Americans lived in the South. By 1940 only 77 percent of the black population lived in the South. By 1960, only 60% were in the South and in 1968, it was estimated to be 58%.

The South lost more than 4 million black Americans between 1940 and 1966—and the cities grew with new black residents.

Wherever black Americans have gone, the problems of poverty and racism have skyrocketed. They look for hope and they look for jobs—when little of either exists for blacks.

The average black median income in 1967 was only 59% of the median income for white people. The average black family earns less money than the average white family—whether or not he has had the same education, the same training—or more, than the white.

I point this out to show that the problem of housing for the poor and for the black who are poor—will not be solved until the economics of this country have been adjusted. Black people are fighting for fair housing—but we are fighting for the freedom of black people to earn a decent wage. We are fighting to free ourselves from the walls of a ghetto and from a society which systematically works to exclude us from participating in the system—while it curses our poverty.

When black college graduates earn $3,095 less than white college graduates per year, when these black college graduates earn $1,040 less per year than white high school graduates—and $300 less per year than white high school dropouts, we are not free.

Those who perceive our struggle as a battle to buy a home wherever we choose to live do not perceive our struggle at all. Until there is an integration of economics and opportunity, there can be no integration of housing.

Black men represent 10 percent of the employed males in this country—but only 2% of the doctors, 2.5% of the dentists, 1.5% of the insurance brokers, 3.3% of the plumbers, 1.5% of the electricians, and only .5% of the engineers.

Black women represent 13 percent of the female work force—but only 2.4% of the lawyers, 5.6% of the professional nurses, 6.5% of the medical technicians, 2.4% of the telephone operators, 1.5% of the secretaries and 8.8% of the elementary school teachers.

You may look to me and say—then how did you get to become the first black Congressman from the State of Missouri? And I would say to you that being the first black "anything" in the year of nineteen hundred and seventy—is not an achievement or verification of this land of opportunity—it is a tragedy.

And then you may say, if you can do it, why cannot other blacks do it. And I would say to you, if Richard Nixon could become President, why didn't you become President?

In other words, until this Government and Americans are as concerned with where black people live in this Nation—as they are with the air and the water and the neighborhood school—there will be no advancement on the front of human rights.

I applaud your efforts for fair housing—but I seek your recognition of a responsibility to act for fair treatment. Until the numbers of the American public demand it—laws for rights will be ignored.

The American people must demand a Government which appeals to its potential for freedom and brotherhood—and we cannot long tolerate a Government which appeals only to the capacity of people for prejudice and hatred. Above all, we cannot let an American Government rob the American people of their capacity for freedom and of their capacity for extending it to every American citizen.

MRS. EMMA TUCKER OF FREEPORT: ILLINOIS MOTHER OF THE YEAR

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. ANDERSON of Illinois. Mr. Speaker, I am proud to announce that the 1970 Illinois Mother of the Year is Mrs. Emma Tucker of Freeport, a community of 27,000 people in the 16th Congressional District of Illinois. Mrs. Tucker is especially deserving of this honor since she is the mother of 43 children, including five or her own and 38 senior Girl Scouts who sponsored her as Mother of the Year.

I would like to quote from the letter of nomination written by the Girl Scouts because I think it best summarizes those qualities which made Mrs. Tucker such an outstanding mother, and moreover represents what we have all come to respect and appreciate in all mothers. The girls wrote:

> Without Mrs. Tucker's help, our Girl Scout troop would probably no longer exist. She has been a faithful leader in guiding us in

XUM

our Scouting and community activities. We know that she cares about us all. We can tell her our problems, and she understands. One could summarize Mrs. Tucker in three words—care, share and understand—she does. Because of these things, we, her scout daughters believe Mrs. Tucker should be "Mother of the Year."

As a result of that glowing recommendation, Mrs. Tucker was chosen Mother of the Year by a jury of the Illinois Mother of the Year Committee which is affiliated with the American Mothers Committee, Inc., of New York City. I will have the pleasure and honor of being present at a reception in Freeport this weekend at which the official citation and mother's pin will be presented to Mrs. Tucker. In May, Mrs. Tucker will travel to New York to represent Illinois in the American Mother of the Year ceremonies.

At this point in the RECORD, Mr. Speaker, I would like to include three articles from the Freeport and Rockford newspapers which further detail the life and service of Mrs. Emma Tucker, an outstanding example of American motherhood. The articles follow:

[From the Freeport Journal-Standard, Mar. 26, 1970]

MRS. F. C. TUCKER IS ILLINOIS MOTHER OF THE YEAR

Mrs. Francis C. Tucker, mother of 5 and scout leader "mother" of 38, is the 1970 Illinois Mother of the Year.

She will represent Illinois in the American Mother of the Year ceremonies at the Waldorf-Astoria in New York City early in May.

Mrs. Tucker, whose husband is the pathologist at Freeport Memorial Hospital, lives with her family at 861 W. Stephenson St. She was nominated for the honor by members of Freeport Senior Girl Scout Troop 132.

SCOUTS NOMINATE

Word of her selection as top "Illinois Mother of the Year" was received here today.

"Without Mrs. Tucker's help," the scouts wrote, "our Girl Scout troop would probably no longer exist. She has been a faithful leader in guiding us in our Scouting and community activities.

"We know that she cares about us all. We can tell her our problems, and she understands. One could summarize Mrs. Tucker in three words—care, share and understand—she does.

"Because of these things, we, her scout daughters believe Mrs. Tucker should be 'Mother of the Year.'"

HAS ACTIVE FAMILY

Her own active family includes three daughters and two sons. The eldest daughter, Betty, now Mrs. Alfred Guntermann, was crowned Miss Freeport in 1961. Now the mother of two, herself, she makes her home in Fort Wayne, Ind. Her son, Donny, is 2½ and daughter, Katie, is 5 months.

Son Bob, 23, is home after a tour of duty in Vietnam with the Marine Corps.

Twins Jean and Joan, are 22. Jean is a senior at Knox College. She was an AFS student in Norway and spent a year at the University of Hamburg, Germany. Joan, who was a cytotechnologist at Milwaukee-St. Luke's, has returned to college studies at Trinity College.

John, 16, is an honor student at Culver Military Academy.

MULTIFACETED ROLE

The role of motherhood for Mrs. Tucker is a multifaceted one. As a family, the Tuckers have camped and traveled in 48 states with their children.

Community interests have also been a part of Mrs. Tucker's life. She is or has been active in some 25 civic, service and church organizations in Freeport and in Cedar Rapids, her former home.

At present, she is in the midst of a project to take all 38 scouts to Switzerland this summer for a three-week period. To earn the needed $12,800, Mrs. Tucker and the girl scouts outlined a money-making program. They started serving suppers, making candy mints and sponsoring travelogues.

EARNED $10,800

To further augment the travel fund, Mrs. Tucker and the scouts took over the snack concession stand at Krape Park last summer, dispensing popsicles, caramel corn, ice cream cones. The stand was a 7-day week operation, with the girls, under Mrs. Tucker's leadership, working from 11 a.m. to 9:30 p.m. Each was assigned a specific job and time for the 4-month period.

To date $10,800 has been banked, and tickets and plans have already been worked out for the trip to Adelboden, Switzerland.

The Senior Scout Troop has been a special project of Mrs. Tucker's since the family moved to Freeport in 1958. However, Mrs. Tucker's interest in Scouting goes back more than the 12-year-period. She has been active in the movement 35 years, starting as a scout herself at age 14. She received her "Golden Eagle" (highest rank in Girl Scouting comparable with the Eagle rank in Boy Scouting) at age 18 and became a scout leader in 1933.

In 1963, Mrs. Tucker set up a program for Candy Stripers at Freeport Memorial Hospital, using the senior girl scouts. "The Thanks Badge," the scouts distinguished service award, was presented to her for leadership in Girl Scouting by the Green Hills Scout Council on Dec. 5, 1969.

Some of Mrs. Tucker's other Freeport activities include her work with Benevolent Circle of King's Daughters (also helped to organize the Junior Service Circle of King's Daughters here in 1968); Chapter BE of PEO (served as president the past two years); county, state and national auxiliaries of the medical society; church organizations; YWCA, state and county historical societies, American Field Service Committee; American Association of University Women; Stephenson County Republican Women's Club.

TRAVELOGUES, PROGRAMS

Many in Freeport have heard Mrs. Tucker's programs on the state parks of Illinois, travelogues on travel abroad (including her trip with scouts in 1954 and 1964 to Mexico) and her program on "Symbols of the Cross" (a subject of a recent Journal-Standard church page feature.)

Dr. Tucker plans to accompany his wife to New York for the ceremonies in May.

Mrs. Tucker is the former Emma Elizabeth Scott of Chicago. She and her twin sister were graduated from Hyde Park High School in 1934. Mrs. Tucker received her B.S. degree in health and physical education in 1941 from George Williams College. Lake Geneva, Wis. Her minor was in social group work.

After the Tuckers were married in June 1941, they were commissioned under the American Board of Commissioners of Foreign Missions to go overseas China.

[From the Rockford Sunday Register-Star, Mar. 29, 1970]

"CARE, SHARE, AND UNDERSTAND—SHE DOES!": MEET FREEPORT'S EMMA TUCKER—NO. 1 MOTHER

(By Millie Vickery)

FREEPORT.—When Mrs. Francis C. Tucker received word that she had been selected as the 1970 Illinois Mother of the Year, she was in the midst of a typical day—working with a group of her Senior Girl Scouts.

Wife of Dr. Tucker, pathologist at Freeport Memorial Hospital, and mother of five children, Emma Tucker is troop leader for 38 senior scouts of the Freeport area. Her scouts sponsored Mrs. Tucker for Mother of the Year, so it was particularly fitting that some of them should be with her when she received the word.

MARINE SON READS TELEGRAM

Several girls had gone with Mrs. Tucker to the Tucker family cottage at Lake Geneva, Wis., which the scouts had undertaken to paint as a fund-raising project for their trip to Europe this summer.

A telegram from the American Mothers Committee, received at the Tucker home at 861 W. Stephenson St., was read to his mother by Bob Tucker, just back from Vietnam with the Marines.

One daughter, Jean, was with Mrs. Tucker at Lake Geneva; Jean is vacationing from Knox College and her twin, Joan, is a student at Trinity College. The eldest is Betty, wife of Alfred Guntermann of Fort Wayne, Ind., and mother of two small children; youngest of the Tucker children is John, 16, a student at Culver Military Academy.

According to the 38 Senior Girl Scouts who sponsored her for Mother of the Year, "she has been a great mother to every one of us, too."

SHE'S CLOSE TO SCOUTING

Among her many activities, Girl Scouting has always been especially close to Emma Tucker's heart. She became a scout herself at 14 and a leader at 16, and has been leader for the Freeport Senior Troop 132 for the past 12 years.

This year's trip to the International Girl Scout Center at Idelboden, Switzerland, will be the second big trip Mrs. Tucker has taken with her scouts. The first was a 6,000-mile camping trip through eight states to visit the International Cabana in Mexico. Another year she trained the senior scouts for a camping trip to Expo 67 in Canada.

"EXAMPLE TO EVERYONE"

Writing letters of recommendation for their candidate, one girl stated "One could summarize Mrs. Tucker in three words: Care, Share, and Understand—and she does!"

Another wrote: "Mrs. Tucker is an illustrious example to everyone. Just by watching her we learn that unselfishness is more satisfying than wanting. She is constantly on the run doing errands for everyone and visiting friends from all over the world."

"We all marvel at the accomplishments of this outstanding mother," stated another.

TO NEW YORK IN MAY

To sum it all up, they said, "Without Mrs. Tucker's help our Girl Scout Troop would probably no longer exist. She has been a faithful leader in guiding us in scouting, community activities, and helping others. Through her we have learned the meaning of 'giving of ourselves.' Because of these things, we, her scout daughters, believe Mrs. Tucker is the ideal choice for Mother of the Year."

The official citation and Mother's Pin will be presented to Mrs. Tucker at a reception in late April. Then in May she will go to New York City to represent Illinois in the American Mother of the Year ceremonies.

ORDAINED AS MISSIONAIRES

Emma Scott Tucker, 53, a native of Illinois, graduated from George Wililams College, was the recipient of a Physiology Research Scholarship and did graduate work at Columbia University.

In 1941 she married Dr. Tucker and the couple was ordained as a team for overseas missionary work that year, but World War II interfered with their plans. Dr. Tucker joined the Army and served three years in China. His parents, medical missionaries in

XUM

China for 40 years, were among the last to leave in 1941.

After the war, although busy raising her own family, Emma Tucker always found it possible to participate in many community activities, particularly with young people.

She has been a Sunday School teacher, officer of the Women's Society of Christian Service, a Campfire Girl leader, Cub Scout Den Mother for six years; YWCA volunteer teacher in Keep Fit classes, and served on the YW. Teen-Age commission.

THEY'RE FAMILY CAMPERS

Past president of the Freeport PEO chapter, she is also active in the American Association of University Women Medical Auxiliary, Hospital Auxiliary, and the Order of Eastern Star.

Dr. and Mrs. Tucker began family camping trips when their twins were 2½, Bob, 4 and Betty, 6. Wanting their children to see their great country and appreciate it, they planned different trips each summer. They have visited every state in continental U.S.A. as well as Mexico and Canada.

[From the Rockford Morning Star, Friday, Mar. 27, 1970]

FREEPORT MOTHER OF FIVE WINS STATE CONTEST

FREEPORT.—Mrs. Emma Tucker, 53, wife of Freeport pathologist Dr. Francis C. Tucker, was named Thursday as Illinois' 1970 Mother of the Year.

She was selected from state candidates by a jury of the Illinois Mother of the Year Committee, affiliated with the American Mothers Committee Inc. of New York City. The award was announced by Dr. Felicia D. Koch, Granite City physician who is chairman of the Illinois committee.

Mrs. Tucker will represent Illinois in national Mother of the Year competition in New York May 3–4.

Representing Wisconsin in this contest will be a former Beloit minister, Mrs. Alice Snow, now pastor of the United Church of Christ in Clintonville. She is the widow of Rev. Arthur Snow, pastor of Beloit's Second Congregational Church, who was killed in a traffic accident two years ago.

The Illinois winner is the mother of three daughters and two sons. Her husband is on the staff at Freeport Memorial Hospital.

Members of the Girl Scout troop which Mrs. Tucker leads nominated her for state honors. Scouting is one of Mrs. Tucker's many civic interests.

The Girl Scout troop will go to Switzerland this summer, the trip financed through bake sales and other fund-raising activities.

CONSIDERS NEEDS AT HOME

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. REID of New York. Mr. Speaker, I include in the RECORD today a chart calculating the application of the local tax dollar in the town of Mamaroneck, N.Y., including the villages of Larchmont, Mamaroneck, and part of Rye Neck.

The chart was prepared several weeks ago for a town meeting set up by interested residents with a view toward investigating our priorities. The meeting, cochaired by two area residents, Mrs. Linda Davidoff and Mr. William Reynolds, was moderated by Dr. James G. Emerson, Jr. and featured the noted physicist and author, Dr. Ralph E. Lapp, as its principal speaker. Others participating included State Senator Anthony B. Gioffre, Assemblyman Joseph Pisani, Mrs. Christine K. Helwig, the supervisor of the town of Mamaroneck, Mayor Leo Goldsmith of Larchmont, Mayor Arthur Phillips of Mamaroneck, county legislator Thomas F. Keane, Jr., representatives from the school boards, and village trustees.

The figures speak for themselves to show not only that a majority of Federal income taxes go to the military, but also that a substantial portion of local taxes go for military procurement and operations. In my view, considering our needs at home for decent education, and housing opportunities, for pollution control, and for health research and care, these dollars must be redirected away from military hardware and toward the needs of our citizens. We need to end the war in Vietnam. We need new priorities backed by major resources.

The material follows:

I. How much do local residents pay out in taxes?

Larchmont Village tax	[1] $1,299,000
Mamaroneck Village tax	[1] 1,977,000
Mamaronack Town tax	[2] 4,527,000
Rye Neck tax on Town of Rye	[3] 566,000
Mamaroneck School tax	[4] 8,020,000
Rye Neck School tax	[4] 1,598,000
Total local taxes	17,987,000

[1] 1969, from Village Hall figures.

[2] 1969, from Town Hall figures. Includes collection of County and certain State taxes for Larchmont and Mamaroneck Villages except for the Rye Neck Area of Mamaroneck Village.

[3] 1969, from Town Hall figures. Includes County and locally-collected State taxes.

[4] 1969, from School Board figures.

CALCULATION OF 1970 FEDERAL PERSONAL INCOME TAX, MAMARONECK TOWN AND RYE NECK

Place	Population [2]	1959 median family income [3]	Percent of 105 ZIP code median income [4]	Per capita tax [5]	Total tax [6]
105 ZIP code area [1]	565,000	$8,427	100.0	$910	$514,150,000
Larchmont Village	6,900	11,915	141.4	1,287	8,880,000
Mamaroneck Village and Mamaroneck Town	12,500	7,327	86.9	791	9,888,000
Mamaroneck Village in Rye Town (Rye Neck)	8,000	8,127	96.4	877	7,016,000
Mamaroneck Town outside villages	13,000	12,883	152.9	1,390	18,070,000
Total Federal personal income tax	$40,400			1,085	43,854,000

[1] 105 ZIP code area includes all of Westchester except for White Plains, Yonkers, and New Rochelle.

[2] Extrapolated from special census conducted in 1965. Assumed arithmetic population increase between 1965 and 1970 equal to actual increase between 1960 and 1965. U.S. Census Bureau Series P–28, No. 1420, June 22, 1966.

[3] U.S. Censuses of Population and Housing, 1960, Census Tracts, New York, N.Y., pt. 2. Medians for places specified above computed from totals from component Census Tracts.

[4] Calculated from col. 2.

[5] Total Federal personal income tax paid for year 1966 in 105 ZIP code area—$343,000,000, from Internal Revenue Service, 1966 statistics of income, supplemental, ZIP code area data. Yields $607 per capital of 1970 population. Figure for 1970 assumed to be 50 percent larger, equal to Budget Bureau estimated increase in personal income tax collections between fiscal year 1967 and fiscal year 1971. Per capita tax for specified places computed by applying col. 3 to $910, on assumption that per capita Federal income tax is proportional to family income.

[6] Col. 1 times col. 4.

Note. Total New York State personal income taxes paid by local residents at 10 percent of Federal personal income taxes $4,385,000.

Grand total, all taxes paid by local residents

Local	$17,987,000
State	4,385,000
Federal	43,854,000
Total	66,226,000

II. WHERE DOES THE LOCAL TAX DOLLAR GO?

$$\text{School tax share of local taxes}=\frac{9{,}924{,}000}{66{,}226{,}000}=15\text{ percent}$$

Military share of local taxes:
54 percent of Federal personal income tax paid by local residents[1]
54 percent × $43,854,000=$23,681,000

$$\text{Military share of local taxes}=\frac{23{,}681{,}000}{66{,}226{,}000}=39\text{ percent}$$

$$\text{Vietnam share of local taxes}^{2}=\frac{8{,}770{,}000}{66{,}226{,}000}\text{—13 percent}$$

[1] Military share of national government expenditures (1969).

Source: Joint Treasury Department and Budget Bureau releases, July 28, 1969.

	Amount [in millions]	Ratios (percent)
Total outlays	$184,769	
Less Social Security Act trust funds	−36,692	
Total	148,077	100
War-related outlays:		
Defense Department	77,893	
Military assistance	783	
Estimated 50 percent Atomic Energy Commission total	1,225	
Total (present)	79,901	54
Veterans[1] Administration	$7,670	
Interest on public debt	16,613	
Total (past)	24,283	16
Grand total	104,184	70
All other outlays	43,893	30

[2] See above, Vietnam spending in 1969=20 percent of total Federal budget.

Note: Special support of Vietnam operations is included in the foregoing figures, largely in Defense Department. The amount is $29,100,000,000.

THE IMPORTANCE OF THE APOLLO PROGRAM

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. MILLER of California. Mr. Speaker, yesterday, two newspaper editorials, one in the Washington Post and the other in the Washington Star, eloquently and pointedly summed up the importance of the Apollo program to the Nation in the light of the dire emergencies encountered in Apollo 13. I have seldom read more profound assessments of our manned space program than those brilliantly expressed by the two articles which I wish to include in today's RECORD of the House proceedings.

Let me point out that the fears and the distress Americans personally experienced last week were shared by people in every part of the world by messages of encouragement and concern. The Soviet Union, in the name of President Podgorny offered any assistance required in the recovery of our astronauts, even to the point of diverting many ships to locations in the Indian Ocean in case events dictated their landing there. Yesterday, President Podgorny telegraphed the President rejoicing in the safe return of the Apollo 13 crew.

I want to underscore the fact that, despite the Apollo 204 tragedy at Cape Kennedy, no other major technological program undertaken by the United States has achieved the degree of successful flight operations that has the manned space flight program. Up to Apollo 13, our astronauts have been launched into space 22 times to accomplish successful missions. All have been returned safely to earth. This is a triumph of science and technology, a monumental achievement of all the men and women of our space team and NASA leadership.

I urge every Member to read the editorials and to reflect at length upon the immeasurable importance of our manned space program to ourselves and the generations to come that will carry on the exploration of space from the beginnings we have provided far beyond a level of maturity we can even now envision.

The editorials follow:

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[From the Washington Post, Apr. 19, 1970]

We Came to Accept the Untried as the Commonplace, Until Apollo 13 Burst Bubble

(By Haynes Johnson)

The footprints are still imperishably graven on the lunar dust and the flag still flies on the surface of the moon, but it all seems more distant, unreal and unattainable now. The loud bang that rocked Apollo 13 and echoed back to us from outer space last week did more than challenge our comfortable assumptions about manned space flight. It reminded us how much we have taken for granted, how much has been achieved and how far man has yet to go.

Some day, some one is going to write one of those great American novels about our space effort. From the beginning, it was always larger than life. Tens of billions of dollars spent, hundreds of thousands of men at work, an incessant drumbeat of publicity, reputations to be made and lost, fortunes to be won, political power to be gained, horizons to be conquered, national rivalries to be settled, war-and-peace stakes always in the whispered background, individual acts of daring, moments of fear, moments of death—all these were merely the backdrop for the essential story. Man was fulfilling his ancient dream. He was reaching into the heavens.

OUR TANGIBLE GAINS

There are some intimately associated with America's space effort who see its greatest achievement as a state of mind. It has made men believe that the impossible can come true. They speak of the new concepts of motion, of the ability of ordinary men for the first time to accept something truly alien. Perhaps so, but there are other, more tangible, results.

It has created a new technology. In rocketry and aeronautics; in structural design of everything from huge engines to the smallest, most sensitive parts; in new methods and sources of energy, fuels, lubrication; in the entire field of computer programming, telemetry and data processing, the space program has brought a wealth of knowledge that can be—and is being—applied to make life better on earth.

It has taught us not only more about space and celestial bodies, but about our own environment. It has helped to create worldwide communications by satellite; permitted us to participate in a president's journey abroad or a war on a distant continent. It has increased our knowledge of the weather, advanced medical research and introduced new methods of photography.

It has also given immense power, for good or ill, to those who control the air above. Rockets that can maneuver, rendezvous, join and then separate on peaceful missions can be applied for more sinister purposes. In basic research, in management concepts, in the fields of geophysics and astronomy, the impact has been immense.

All these are among the obvious, if not always understood, secondary effects of America's calculated decision to venture into space. Others are more subtle, but they have changed the country profoundly and personally.

If you go down to Cape Kennedy you can see a part of what it has meant. On the windswept dunes near the ocean, away from the ranges where men leave for the moon, are plaques, markers and rocket models of the past. They form the Stonehenge of the space age.

There, you can read of the deeds of Shepard and Glenn and Grissom, of suborbital flights, of Vanguard and Gemini and chimpanzees in space. Already, the machines they used have become antiquated artifacts. They are mute reminders of how the space age became an integral part of American life.

Without quite realizing it, our language and even our national style were influenced. Certainly, the tempo of life in the '60s was accelerated in part by the new techniques ushered in with the space age.

As a nation, we cried "go-go-go" as the early rockets slowly lifted. Later, we had our go-go dancers and our new beats and our restless, energetic dances. We spoke of blastoffs, and launching pads, and A-OK, and countdowns, and going into orbit. And we grew up, millions of us now in college, high school or elementary school, taking it all for granted. We had never known anything else.

Every step along the way, we came to accept the untried as the commonplace. We listened to—and then witnessed—it all in our own living rooms. We saw them leave, rendezvous, dock, open their capsule, "walk" in space, circle the moon, land on the moon, walk on the moon and return to earth with pinpoint precision. We saw our own pale blue earth, covered with clouds, as a distant jewel. Our remaining poets were even moved to write verses about it.

A CRITICAL APPRAISAL

Then, last week, the bubble burst. It wasn't so certain after all.

Along with the anguish over the astronauts and their ordeal, there was another kind of reaction. The accident aboard Apollo 13 clearly did not signal the end of manned space flight, but it did cause America to look more closely and critically at its space effort.

The immediate reaction of the space experts was predictable. Space, like any other kind of exploration, contains high risks—but they are risks worth taking, and risks that must be made acceptable. You must learn by your mistakes. The need is to fly the systems.

There was, however, a general air of sober stock-taking, a recognition that the more sanguine dreams are not so easily attainable. Manned flight to Mars, for example, now seems farther away than ever. A feeling exists that the immediate direction of the space program will be changed to more mundane missions. Some see a new orientation toward flying manned missions nearer the earth, to provide more data related to our own environment.

Beyond that, the Apollo 13 incident is causing many to take a more philosophical look at the space program. Of all its spectacular successes, perhaps its greatest achievement is this: the space program is the cleared proof that a nation can set a difficult goal and carry it out. If it has done nothing else, it has demonstrated how America can, when it wants to, marshal its talent, commit its treasure, gain public support and achieve its task.

Business, labor, science, government and the general public worked together in a uniquely successful fashion. They have shown us what can be done, and some of the ways to do it. Their joint effort stands as the best example of a planned program overcoming potentially insurmountable obstacles.

VEERING EARTHWARD

After the landing on the moon last summer, one point was made repeatedly: Now is the time for America to supply the same kind of energy and techniques to solving its more pressing problems here at home. That point is even more valid today. From a national standpoint, it is one of the lessons emerging from the Apollo 13 aftermath. Others are more personal—and universal.

We have been reminded anew of the warning given by James E. Webb, the former space administrator, in the early 1960s. "Men will perish in space as they have on the high seas," he said, "and wherever they have ventured into unknown regions."

And, finally, all of us everywhere can draw another kind of lesson from the flight of Apollo 13. Like the best of the space age itself, it transcends narrow boundaries.

For a moment, anyway, it brought mankind a little bit closer together.

[From the Sunday Star, Apr. 19, 1970]

A Lost Mission, and the Future in Space

At 1:08 p.m. Friday, Washington time, the ordeal of Apollo 13 ended. But as the Command Module plunged into the waters of the South Pacific to end the agonizing odyssey of Lovell, Haise and Swigert, the trial began for the Apollo program and the future of man in space.

Indeed, even while the endangered astronauts and their NASA advisers struggled to improvise an antidote for deep-space disaster, a muted chorus of criticism and doubt could be heard around the world. Men in the street, newspaper commentators and a scattering of scientific and official spokesmen first expressed the hope that the astronauts would be brought safely home to earth. And then, not infrequently, expressions of admiration for the bravery and the ingenuity of the crew were coupled with scathing criticism of the decision that had, in effect, issued the invitation to disaster.

Of greater practical significance was the fact that among those who now question the wisdom of continuing man's exploration of space are some of those who will be directly responsible for deciding what the future of the United States space program will be. Members of both the House and Senate committees chiefly responsible for the direction and the funding of the space agency have echoed such doubts. America, they point out, has proved its capability of going to the moon and getting safely back. Why, then, continue to tempt fate with repeated trips to the lifeless desert that orbits our planet?

In addition to those who consider the lunar program as a race that has already been won, there are growing numbers who have become persuaded that the vast expenditures of the space program were misspent. And for nearly everyone, including the hard-core space enthusiasts, much of the excitement has worn off, and has been replaced with a relaxation born of repeated success that borders on boredom.

The shattering of that smug assurance—the awakening from a complacent dream to the reality of a nightmare—combined with the misunderstanding and the growing antipathy to produce the inevitable adverse reaction. It is still too early to judge the extent and the strength of that reaction. But it is not too early to answer it.

The Apollo program should not be abandoned. It must be adjusted because of the failure of the mission of Apollo 13. It must be delayed until all that can be done is done to prevent a recurrence of the near-disaster. And then it must be carried through as planned, to the completion of Apollo 19 and the test of the long-duration orbital workshop known as Operation Skylab.

The argument that the race is over, so why are we still running, has no validity. The race to the moon—if indeed there ever was a serious attempt by the Russians to make a manned lunar landing—is over. But if the national interest in the moon was limited to a demonstration of technical superiority and a boost of national prestige, the entire space program has been a vastly expensive waste of time and energy.

The answer is that the moon-walk mission of Apollo 11 was not an end but a beginning. The program is aimed not at lunar landing, but at lunar exploration. Billions of dollars have been poured into the technology required to put man's intelligence physically out into space. The study of our fossilized satellite which has remained virtually unchanged from the dawn of earth's creation, has begun. It is a study that can answer the riddles of the ages about the origins of the universe and—perhaps—of life itself.

The argument that an expenditure of $25 billion cannot be justified by the potential technological and scientific gains is more difficult to refute. Certainly, if President Kennedy or the Congress could have read clearly the turbulent decade that lay ahead, the total commitment to a lunar landing before 1970 probably would not have been made.

But neither the President nor the legislators could foresee the drain on the national economy and morale that the minor military problem of Vietnam would become. They could not guess the extent of the social turmoil that would be produced by the despair of the inner cities and the rising demands of the socially and economically disadvantaged. The commitment was made, and has, in large measure, been fulfilled. It would be tragic folly to decide now, with the wisdom of hindsight, to reject that commitment and cancel the remainder of the program after the vast bulk of the money has been spent and just as the scientific dividends have begun to accrue.

The failure of Apollo 13 was a setback, not a disaster. But even if the worst had happened, if three men had sacrificed their lives in the hostile void of deep space, it should not have created insurmountable doubts or forced a pullback from the infinite frontier that man has now reached.

Technological progress—indeed every elevation of life from the slime at the ocean's edge to the present reach for the stars—has been accompanied by danger and by sacrifice. But the real danger is not the occasional tragedy that has marked man's endless quest for knowledge. The danger to the human species and to life itself will come if man finally decides that he has learned all that is worth knowing and gone as far as he needs to go. When life stops hoping, wondering and reaching, the retreat to the safety of the primordial ooze will begin.

Space flight offers more than a potential for scientific knowledge. It offers humanity the incalculable dividend of pride in itself and in this fragile planet. Already, the new view that man has been granted from space has basically altered humanity's appreciation of the earth. It is no accident that mankind's exploding awareness of the need to preserve this oasis of life coincided with the first voyages into nearby space. For the first time man could see his world and its surrounding atmosphere for what it really is: A delicately balanced and closed life-support system.

The world-wide reaction of concern for the three endangered astronauts was, perhaps, the major indication of mankind's need for a new horizon. During the four days of Apollo 13's ordeal, thousands of men met sudden, violent and tragic deaths in automobiles, in airplanes, in war. But the world watched breathless as Aquarius pushed the stricken Odyssey around the moon and back to earth.

No one human life can truly be said to be more valuable than any other. Each is infinitely precious. Yet the prayers of millions rode with Apollo 13.

The answer must be that men, the world over, instinctively recognize the metaphysical importance of the reach into space. Lovell, Haise and Swigert were not just three Americans on a dangerous mission. They, and those who will follow, the ambassadors of life to new, unknown regions.

The success of these first halting steps into space has brought a new vision to a slightly weary world and given mankind a new pride in its humanity. It is a gift without price. It is an offering that must not be withdrawn because of a momentary setback and a dramatic demonstration of the dangers that have always been present.

THE STUDENT IN THE UNIVERSITY AND SOCIETY OF TODAY, NO. 7

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. McCLORY. Mr. Speaker, while the discussion and passage by the House of H.R. 16916, making appropriations for the Office of Education for the fiscal year ending June 30, 1971, is still fresh in everyone's mind, I would like to call attention to a series of stories outlining the historical battle over fiscal year 1970 appropriations for the Department of Health, Education, and Welfare.

The following articles have been excerpted from the Washington Status Report, a monthly monitor of developments in Congress of significance to colleges, universities, and other organizations concerned with higher education, edited by John H. Meyers and Bruce R. Hopkins. The excerpts are presented in chronological order beginning with the July 1969 newsletter and culminating with the final wrap-up in last month's newsletter following the passage and signing of Public Law 91-204—H.R. 15931.

Together, these stories comprise an incredible tale of legislative inefficiency, to say the least. The series might be described as an anatomy of a disaster narrowly averted. The young people in our society who complain that the system is not working well have here a beautiful piece for their files. I hope my colleagues will retain it in their files as a reminder of the urgent need for congressional reform.

The articles follow:

EXCERPTS FROM THE WASHINGTON STATUS REPORT

HEW APPROPRIATIONS FOR FISCAL YEAR 1970

(By John H. Myers and Bruce R. Hopkins)

JULY 31, 1969.

Higher education funding.—The House, culminating three days of consideration, passed, on July 31, a bill (H.R. 13111) providing FY 1970 appropriations for higher education programs administered by HEW. In one of the few surprise developments of the session, the House overwhelmingly (242-106) added $894.5 million to the Administration's education budget.

For education, the Administration had requested $3.035 billion in new spending authority. This was increased by $123 million by the House Appropriations Committee and increased again on the House floor by $1.042 billion, bringing the total amount for education programs in FY 1970 to $4.2 billion. This is an increase of $629 million over FY 1969 appropriations.

The increase came as a result of a one-package amendment adding funds for nine different programs, which was sweetened by providing an extra $398 million for aid to impacted areas (a program aiding schools in 385 Congressional districts whose enrollment is increased by students of parents who work at Federal installations). The Administration had requested $187 million for this aid program. Once the pace was set, the House also added $15.5 million for the education of handicapped children and $9.2 million for public library construction.

In addition to the boost for the impacted aid program, the House increased appropriations for the National Defense Student Loan Program by $40.8 million to $229 million (the Administration asked for $161.9 and the House Appropriations Committee granted $188.2 million) and for higher education construction by $33 million (the House Appropriations Committee had recommended no funding at all, although the authorization level is $711.4 million).

The amendment also set the following levels of appropriations: $50 million for school libraries, $78.7 million for equipment, $17 million for guidance and counseling, and $164.9 million for supplemental centers.

The House bill cuts appropriations for educational opportunity grants (by $16 million) to $159.6 million and for the NDEA fellowship program (by $5.3 million) to $56.1 million. The request for $154 million for the College Work-Study program was met.

Money to fund the International Education Act (1966) programs was denied (again), as were funds for Networks for Knowledge, improvement of graduate education, and public service education programs.

Other items funded include: developing institutions ($30 million), community services and continuing education ($9.5 million), training of college personnel under the Education Professions Development Act ($10 million), librarian training ($4 million), Fulbright-Hays training grants ($3 million), and the land grant institution program ($14.7).

It is unclear at this time whether the House floor action modified Committee provision appropriating $11.7 million for annual interest grants for construction of academic facilities. Assuming the provision remains intact, the appropriation would provide for second-year payments on the $3.9 million in subsidies provided in a FY 1969 appropriations bill and $7.6 million for the first payments on approximately $145 million in new private loans.

Considerable credit for passage of the package amendment is being given to the Emergency Committee for Full Funding of Education Programs, a coalition of educational organizations formed earlier this year to lobby for more money for colleges and universities. Despite the House action, however, and assuming the Senate goes along, Congress will still be providing for FY 1970 only 44 percent of the funds authorized in various education laws.

AUGUST 31, 1969.

Higher education funding.—By the time the House completed consideration of the FY 1970 appropriations bill (H.R. 13111) for the Department of Health, Education, and Welfare, and passed the measure on July 31, numerous changes in the Administration's and its Appropriations Committee's recommendations had been made. Adjustments were made in numerous appropriation items as well as in the earmarking for activities within certain appropriations.

For HEW, the Administration's budget estimate was $16.43 billion, which was raised by the House Appropriations Committee to $16.61 billion. Following adoption of various amendments offered from the floor, the total level of appropriations was raised to $17.53 billion.

Specifically, for the Office of Education, the Administration estimated $3.18 billion, the House Appropriations Committee recommended $3.30 billion, and the House appropriated $4.22 billion (of which $860 million is for higher education), compared with $3.62 billion which was actually appropriated for FY 1969.

A list of individual appropriations for particular higher education programs is as follows (stated in millions):

1. Program assistance:	
(a) Strengthening developing institutions	$30
(b) Colleges of agriculture and the mechanic arts	12. 1
(c) Undergraduate equipment	none
2. Construction:	
(a) Public community colleges and technical institutions	43
(b) Other undergraduate facilities	33
(c) Graduate facilities	none
(d) Interest subsidization	11.28
(e) Technical services	5. 1
3. Student aid:	
(a) Educational opportunity grants	159. 6
(b) Direct loans	229
(c) Insured loans	63. 9
(d) Work-study programs	154
4. Personnel development:	
(a) College teacher fellowships	56. 2
(b) Training programs	10
5. Planning and evaluation	1
6. Other:	
(a) College library resources	12. 5
(b) University community services	9. 5
(c) Educational broadcasting facilities	4
(d) Fulbright-Hays training grants	3
(e) International Education Act	none

Action on the House floor did not modify the Committee provision appropriating $11.8 million for annual interest grants for construction of academic facilities. Assuming the provision remains intact, the appropriation would provide for second-year payments on the $3.9 million in interest subsidies provided in FY 1969 appropriations and $7.6 million on first-year payments, in connection with subsidized loans in the amount of $290 million ($145 million of which would be new private loans).

This legislation was introduced in the Senate on August 1 and was referred to the Senate Committee on Appropriations, where action will resume when Congress reassembles on September 4.

OCTOBER 31, 1969.

Student aid programs authorizations, appropriations increased.—The Senate, on October 13, and the House, on October 16, approved the conference report on the Emergency Insured Student Loan Act of 1969 (H.R. 13194). The Act was signed into law on October 22.

Most of the attention this legislation received has focused on the emergency situation existing with respect to the student insured loan program [IF3]. However, the Act would also increase authorizations for the national defense student loan program, the college work-study program [IF4], and the educational opportunity grant program [IF1]. (These increases were added by the Senate and approved by all but one of the House conferees.)

Authorizations for the national defense student loan program would be increased to $325 million for FY 1970 and $375 million for FY 1971. (Under prior law, authorizations were set at $275 million for FY 1970 and $300 million for FY 1971. The FY 1969 operating level was $190 million.)

For the college work-study program, authorizations for FY 1970 were increased from $250 million to $275 million, and from $285 million to $320 million for FY 1971.

Authorizations for the educational opportunity grant program were raised from $100 million to $125 million for FY 1970, and from $140 million to $170 million for FY 1971.

[During the course of House debate on the report, Rep. Edith Green (D-Ore.) said that her Subcommittee on Education (of the House Education and Labor Committee) would begin hearings on the basic Higher Education Act in November and December of this year, with the hope that "early in 1970 we can come up with another bill."]

Then, on October 28, the House took an unusual step by adding to a generally routine "continuing resolution" (H.J. Res. 966), which was to provide stop-gap spending authority for the remainder of the year to agencies whose appropriation bills have not been enacted, over $1 billion in education funds.

The House passed legislation in July, appropriating $4.2 billion ($1 billion in excess of the Administration's request) for education programs in FY 1970 [WSR, Vol. I, No. 1, p. 9]. The Senate has yet to consider the House enactment but adoption of this resolution by that body would pump the extra funds into the education programs in advance of the regular appropriation bill. The resolution is based upon the appropriation levels as provided in the House appropriation bill (see above). On the same day, 36 Senators co-sponsored a resolution (S.J. Res. 163) identical to the one approved by the House.

The House resolution was passed in the face of opposition of the leaders of both parties and the House Appropriations Committee, amid reports that the President would either veto the resolution or sign it and refuse to spend part or all of the existing funds.

NOVEMBER 30, 1969.

Education Funds Increased.—Culminating two weeks of unusual legislative maneuvering, the President, on November 14, signed into law a joint resolution (H.J. Res. 966) appropriating, for education programs, over $1 billion more than the Administration's budget request.

This increase, initiated by the so-called "education lobby", was approved by the House on October 28, when that body added the Cohelan amendment to the generally routine "continuing resolution" [WRS, Vol. I, No. 4, p. 9]. The joint resolution provides stop-gap spending authority for the Government agencies whose appropriation bills have yet to be enacted. (Without the resolution, such agencies' spending authority would have expired on October 31.)

Rep. Jeffery Cohelan's amendment provided for appropriations at the level set by the House-passed HEW appropriations bill (H.R. 13111). That bill would appropriate $4.2 billion for education programs for FY 1970, or more than $1 billion in excess of the Administration's request. Although this appropriations bill passed the House in July [WSR, Vol. I, No. 1, p. 9], the Senate has not yet acted upon it.

The Senate, on November 13, went along with the House action, albeit reluctantly. Observers believed that the education lobby had lined up sufficient votes on the Senate floor (e.g. 47 Senators co-sponsored an identical resolution) and the Senate Appropriations Committee did not want to risk defeat. Moreover, because the Defense Department appropriation bill has not yet been enacted, the resolution provided for funds with which to meet the Navy and Air Force personnel November 14 payday, and the Senators were unwilling to vote against such support for the military. But Appropriations Committee Chairman Richard Russell served notice that the action will not be considered a precedent and that he does "not intend to report any measure with such a provision in the future." Senator John Williams characterized the procedure as "blackmail" and a "shotgun operation."

Many Senators were greatly irritated with the fact that they were forced, in effect, into voting for the joint resolution. They were principally upset because (1) the Senate Appropriations Committee was deprived of the opportunity to consider FY 1970 Office of Education appropriations beforehand and (2) they believed that the continuing resolution procedure, traditionally employed to preserve the integrity and options of the appropriations process, was prostituted. Minority Leader Hugh Scott said that "many of us are in sympathy with all or most of the goals sought for the funds included here, but I hope that it will clearly not be regarded as a precedent and that this method will not be resorted to again, because I entirely agree it is not in the best interests of getting good and carefully considered legislation."

The Senate made one alteration in the joint resolution, to which the House subsequently agreed. The House version would have continued the provisions of the resolution for five days subsequent to adjournment of the Congress. The Senate changed the expiration date to December 6. Because the Senate is not likely to pass all of the appropriations bills respecting the spending authority continued by the resolution, undoubtedly another continuing resolution will be required early in December. In the face of the Senate's stated determination not to pass another such resolution containing appropriation increases, the outcome is, at best, uncertain.

Pursuant to this congressional action, HEW can commit funds as follows: NDEA student loans, $229 million; undergraduate facilities construction, $33 million; vocational education, $488.7 million; NDEA equipment grants, $78.7 million; and NDEA guidance and counseling programs, $17 million.

Despite the foregoing efforts, the President has instructed the Office of Education not to spend the increase in funds "at this time." He made reference to his August 12 statement in which he said: "Let me reiterate my intention not to spend in this fiscal year any funds appropriated in excess of my budgetary estimates of April this year. No commitments will be made to spend these additional appropriations until the Congress has completed action on all appropriation bills and revenue measures."

Among the disturbing aspects of employing this unprecedented method to generate appropriations for education programs is the possibility that, in the future, the procedure could be utilized to deny educators a hearing in the House or Senate.

XUM

DECEMBER 31, 1969.

Regular HEW Appropriations Stalled.—The day following Senate passage of a $21.4 billion Departments of Labor-HEW appropriations bill (H.R. 13111), President Nixon announced that he would veto the measure. "As much as I sympathize with the objectives of some of the programs for which the Congress has voted increased appropriations," he wrote in a letter to Senate leaders, "I cannot, at this critical point in the battle against inflation, approve so heavy an increase in Federal spending." However, to avert the veto, Congress opted not to send the conference report on the bill to the President, but chose instead to continue to fund these departments and related agencies through January, 1970, by updating a previously passed continuing resolution (P.L. 91–117). [The updating amendment was attached to a FY 1970 supplemental appropriations bill (H.R. 15209)—see below.]

The history of this appropriations bill is reflected in the following totals (in billions):

Administration requests for programs in House bill	$16.49
House Committee bill	16.65
House-passed bill	17.57
Administration requests for programs in Senate bill	19.83
Senate committee bill	20.81
Senate-passed bill	21.36
Conference compromise	19.74

The basic breakdown of the appropriations in the conference agreement is as follows: Department of Labor, $980 million; Department of HEW, $16.7 billion; OEO, $1.9 billion; and other agencies, $1.16 billion.

Even though the conferees slashed more than $1.6 billion from the Senate version of the appropriations bill, the legislation apparently was still not rendered acceptable for the President. Of this cut, more than $1.1 billion was for advance funding for FY 1971 elementary and secondary education programs (which was requested by the Administration) and about $500 million came from the increases in program levels which the President found objectionable. The House passed the compromise on December 22, but Senate Majority Leader Mike Mansfield postponed Senate action on the measure until Congress returns next month.

Had the Senate passed the conference report and sent it to the President, he could ultilize a pocket veto, by not signing the bill while Congress was adjourned. If President Nixon had likewise vetoed the supplemental appropriations bill, the spending authority for the affected agencies would have expired. These two vetoes would have meant either a continuing congressional session or a post-Christmas special session. Now, the President will, if he elects to veto the bill, have to take such action while the Congress is in session (which means that a veto must be coupled with an explanatory message) and able to override the veto.

The conference agreement contains $3.26 billion for the Office of Education (not including $1 billion of 1969 appropriations), which is $53 million more than provided in the House bill and $1.38 billion less than in the Senate version. Specifically for higher education, the compromise bill contains $871.9 million, an increase of $12.2 million over the House bill and a decrease of $135 million as provided in the Senate measure.

The battle for higher education funds openly began in July, when the House voted a more than $1 billion increase in education funds over the Administration's FY 1970 budget request for the Office of Education. The President had asked that the FY 1970 funding for the Office of Education be $3.18 billion. But the House Appropriations Committee recommended $3.3 billion and the House upped that to $4.2 billion [WSR, Vol. I, No. 1, p. 10].

Incorporated in the House increase was another $73.7 million for higher education programs: $33 million for academic facilities construction grants for undergraduate institutions and an extra $40.7 million for NDEA student loans. The Administration and the House Committee had sought only $43 million for community colleges facilities grants; the House action brought the total FY 1970 appropriations for undergraduate academic facilities construction grants to $76 million. The increase in the student loan appropriation brought the House total to $229 million.

The next stage of the FY 1970 education appropriations process came when the House forced the Senate to prematurely accept the House increases, by including them in a temporary continuing resolution (H.J. Res. 966) [WSR, Vol. I, No. 4, p. 9; No. 5, p. 3]. Delays in preparation of the regular appropriation bill by the Senate Appropriations Committee required enactment of another continuing resolution (S.J. Res. 1017) in early December.

The Senate bill, reported on December 16 and passed on December 17, compares with a $17.6 billion House version and an Administration request of $19.8 billion. One reason the amount contained in the House bill is lower is because many items which are funded in the Senate bill were not considered by the House, due to lack of authorization bills or to budget amendments which were proposed subsequent to House action. But the Senate Committee's increase also stemmed from hikes in appropriations for construction for community colleges and technical institutes, college library resources, educational opportunity grants, and other programs.

The following shows the amounts to be appropriated (in millions) for various higher education programs under the three basic versions of the bill:

	House version	Senate version	Conference version
1. Program assistance:			
(a) Developing institutions	$30	$30	$30
(b) Land-grant institutions	12.1	19.4	19.4
(c) Undergraduate equipment	0	14.5	0
2. Construction:			
(a) Community colleges and technical institutes	43	125	43
(b) Other undergraduate academic facilities	33	75	33
(c) Graduate academic facilities	0	0	0
(d) Interest subsidization	11.8	11.8	11.8
(e) State administration and planning	6	6	6
(f) Technical services	5	5.1	5.1
3. Student aid:			
(a) Educational opportunity grants	159.6	175.6	164.6
(b) Work-study programs	154	154	154
(c) Direct loans	229	229	229
(d) Insured loans	63.9	63.9	63.9
(e) Special programs for disadvantaged students:			
(1) Talent search	5	5	5
(2) Upward Bound	30	30	30
(3) Special services in college	10	10	10
4. Personnel development:			
(a) College teacher fellowships	56.2	56.2	56.2
(b) Teacher training	10	10	10
5. Health-related-facilities construction:			
(a) Medical and related	94.5	114.5	106.5
(b) Dental	23.6	23.6	23.6
(c) Health research facilities	0	10	5
(d) Medical library construction	0	1.9	.95
6. Other:			
(a) College library resources	12.5	25	20.8
(b) Educational broadcasting facilities	4	5.6	5.1
(c) International Education Act	0	2	0
(d) University community services	9.5	9.5	9.5
(e) Fulbright-Hays training grants	3	3	3
(f) World affairs centers, fellowships, and research	15	7	15

The final version of the appropriations bill also modifies a House provision designed to punish student disrupters, so that only guilty students, not their universities, would lose entitlement to Federal money. The new provision reads as follows:

"No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure to property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution."

However, the conferees rejected a House amendment which would have applied Federal sanctions against school desegregation presently used in the South applicable as well in the North. Also, the conferees retained a provision of the Senate bill designed to nullify the so-called Whitten amendment, inserted by the House, which would deny Federal funds for the busing of students to achieve racial balance.

Since the Labor-HEW appropriations bill was made the pending business of the Senate, it will be taken up and almost certainly passed as soon as the second session gets underway. Should President Nixon make good his veto threat, congressional Democrats will seek to override the veto (a ⅔ vote is required) and undoubtedly will attempt to convert the challenge into a partisan attack on the President. This infighting has already begun (e.g., House Education and Labor Committee Chairman Carl Perkins said the veto threat "can only be regarded as a declaration of war on American education") and the coming November congressional elections will serve to intensify the clash. The anti-Administration argument will espouse the "national priorities" theme that only the Democrats are interested in health, education and welfare issues.

In a related development, reports are that the Nixon Administration is recommending basically the same amount of money for higher education for FY 1971 as the Congress appropriated for FY 1969. This would mean that the Bureau of the Budget has imposed a FY 1971 spending ceiling on the Office of Education of approximately $3.4 billion. It is further reported that, within the $3.4 billion limitation, student assistance programs are increased and institutional aid is decreased. New Office of Education programs designed to encourage community colleges and campus reform have apparently been severely slashed.

JANUARY 31, 1970.

House sustains Nixon HEW appropriations veto.—The House of Representatives, on January 28, sustained by a vote of 226 to 191 President Nixon's veto of the $19.7 billion Departments of Labor and HEW, and related agencies, appropriations bill (H.R. 13111). This was 52 votes short of the necessary two-thirds majority which would have been required to override the veto. The House action requires the Congress to come forth with a new level of appropriations for the remainder of FY 1970, for the departments and agencies affected, that is acceptable to the President. This could be accomplished by new legislation or by merely extending for the remaining five months the continuing resolution by which the departments and agencies are presently being funded. The resolution will otherwise expire on January 31. Another alternative that the President might accept would be a bill containing the same levels of appropriations as in the legislation he vetoed but without the requirement that all formula grant funds must be spent.

Congressional observers had generally predicted that the House would uphold the President's veto. House Republicans have been claiming that they alone had nearly all of the votes necessary (135 of 145) to sustain the veto and that enough Democrats would supply the needed margin of votes. Nonetheless, during the 2½ days preceding the House vote, members of the education lobby were combing the corridors of the House office buildings seeking enough votes to override the veto. As it turned out, 156 Republicans and 35 Democrats supported the President.

The most striking element of uncertainty was the $600 million of impacted aid which goes into a great majority of congressional districts, as many congressmen were expressing displeasure at having to vote against such assistance. However, the Nixon Administration was tacitly holding out the opportunity for a compromise of approximately $440 million in a subsequent appropriations bill.

Earlier, the President, making good repeated warnings that he would veto the bill, on January 26, signed his veto (his first) of the legislation. His action came following House approval (by voice vote) of the Senate version of the conference report. The President's decision to veto the measure, based largely on his contention that the appropriation level was inflationary, was dramatized by the fact that the announcement was made on nationwide television, where the signing also took place.

The President said that the nation cannot afford the extra $1.262 billion which Congress has appropriated (over $1 billion of which is in the field of education). His reasons for vetoing the bill were summarized by him as "the wrong amount for the wrong purpose and at the wrong time."

President Nixon said that the amount appropriated was the "wrong amount," because a cut in the Federal budget was necessary to stop the rise in the cost of living.

The President said that the bill increases spending for the "wrong purposes", in that the measure "for the most part simply provides more dollars for the same old programs without making the urgent new reforms that are needed if we are to improve the quality of education and health care in America." To this he added:

> "I believe that when we consider how much we are putting into education in the United States we are entitled to get more out in terms of better quality of education. That is why in my education message which I will shortly be submitting to the Congress I will propose a new and searching look at our American school system. In this examination we will look at such basic questions as why millions of our children in school are unable to read adequately; we will put emphasis on improving the quality of education for every child in America."

President Nixon's third reason for the veto was that the bill requires the money to be spent at the "wrong time." He noted that the school year is nearly three-quarters complete and that the legislation would require expenditure of appropriations by June 30. "When money is spent in a hurry, a great deal is wasted," he said, "There is no good time to waste the taxpayers' money but there is no worse time to waste it than today."

In the formal veto message which the President transmitted to the Congress, he added a fourth reason for his action. He said that "nearly nine-tenths of these increases is for *mandatory* programs which leave the Executive Branch no discretion whatever as to the level or the purpose of the added expenditures." And, he noted, "this fact sharply differentiates this appropriation from other inflated measures that I have approved."

The veto further inflamed the first big domestic issue of 1970, although the Congress has been determined to clash with the President on this matter ever since the extra appropriations were voted by the House in July [WSR, Vol. I, No. 1, p. 10]. With the congressional elections approaching, the Democrats are certain to espouse the theme that only they are concerned with the needs of the ill, the aged, the children and the poor. For example, Rep. Carl D. Perkins, Chairman of the House Education and Labor Committee, said after the President's announcement that the veto "will only deny educational opportunity to millions of American school children." On the other hand, the President had said that "the issue is not whether some of us are for education and health programs and others against." Senate Majority Leader Mike Mansfield offered this rejoinder: "To pass this bill will be to move a little closer toward a new and better balance as between domestic urgencies, the needs of defense, and the requirements of foreign policy . . . In that sense, this is the right bill at the right time and for the right purpose."

As reported [WSR, Vol. I, No. 6, p. 11], the Senate took up the Labor-HEW-OEO appropriations bill as its first item of pending business when the Congress reconvened on January 19. After two days of consideration, the Senate passed the measure on January 20 by a 74 to 17 vote. But, on an amendment offered by Senator Gaylord Nelson (D-Wisc.), the Senate on January 21 delayed transmission of the bill to the President by voting to earmark portions of the $1.948 billion appropriated for the Office of Economic Opportunity. The House bill had appropriated the money in a lump sum. Subsequently, the House agreed to this modification and the enactment was sent to the White House.

The earlier legislative history of the appropriations bill and a chart showing the relative amounts appropriated by the House, Senate, and conference versions may be found in the previous newsletter [WSR, Vol. I, No. 6, pp. 11–14].

February 28, 1970.

HEW appropriations.—As of this writing, the Senate had not taken up the new bill (H.R. 15931) making FY 1970 appropriations in the amount of $19.4 billion for the Departments of Health, Education, and Welfare, and Labor, and related agencies. The subcommittee of the Senate Appropriations Committee, on February 24, approved the measure but the parent committee has yet to reach agreement. Earlier, on February 19, the House by a 315–81 vote passed the bill, in the face of a possible (and second) presidential veto. An effort by House Republicans to reduce the amount by $433 million failed by a vote of 189 to 205.

The new legislation was necessitated because the President, on January 26, vetoed the initial regular appropriations bill (H.R. 13111) which would have provided $19.74 billion for those departments and agencies. The President's decision to reject the measure was based largely on his contention that the appropriation level was inflationary, although he broadly attacked the bill as providing "the wrong amount for the wrong purpose and at the wrong time." The House sustained the President's veto on January 28 [WSR, Vol. 2, No. 1, p. 2].

By upholding the President, the House required its Appropriations Committee (where appropriations measures are initiated) to assemble a funding package acceptable to the President. The Committee's approach was twofold: a reduction in the appropriation level by $446 million and a provision (the so-called Michel amendment) empowering the President with discretionary authority over expenditure of the funds. (The President has been insisting that most of the appropriations in the first bill were for "mandatory programs which leave the Executive Branch no discretion whatever as to the level or the purpose of the added expenditures.")

The House Appropriations Committee reported (H. Rep. No. 91–840) the HEW-Labor measure on February 16 and the measure was sent to the House Rules Committee for a rule protecting the bill from amendment during the floor debate. (Technically, such a rule would protect the bill against points of order, as legislative language is supposed to be forbidden in an appropriations measure.) However, the Rules Committee, by a vote of 9 to 6, refused to grant the rule, and the appropriations bill went to the floor wide open for amendments.

As reported, the appropriations bill contains two other amendments, offered by Reps. Charles T. Jonas (R-N.C.) and Jamie Whitten (D-Miss.), both of which are designed to legalize the so-called "freedom of choice" school plans. There was considerable speculation that most Appropriations Committee Republicans threw their support behind these two amendments in return for votes on the amendment sponsored by Rep. Robert H. Michel (R-Ill.) granting the President authority to withhold appropriated money.

Once on the floor, the provision giving the President discretionary authority to withhold funds (which was opposed by Appropriations Committee Chairman George A. Mahon), was deleted on a point of order (the two anti-desegregation amendments survived). A Republican effort to forbid the President from spending 2½ percent of the money in the bill failed by 16 votes.

Moreover, the bill was amended by adding $80 million to the appropriations level for the impacted aid program. In his original FY 1970 budget request, the President sought $202 million for that program but Congress voted $600 million. The President suggested a compromise of $440 million, which is contained in the Appropriations Committee bill.

As passed by the House, the appropriations measure is a mere $365 million less than the amount provided in the earlier package rejected by President Nixon. On February 22, HEW Secretary Robert Finch said that the House act "continues to carry the same excesses and faults that caused the President to veto this important and vital measure in the first place."

Meanwhile, eight months into FY 1970, the Departments of HEW and Labor, and related agencies, continue to be funded pursuant to "continuing resolutions," the most recent (H.J. Res. 1072, P.L. 91–193) of which extends the spending authority for the departments and agencies through February 28. The spending level authorized by these resolutions is the same as the level provided by virtue of the Joelson-Cohelan amendments which added $900 million to the FY 1970 appropriations for the Office of Education, for a total appropriation of $4.2 billion in the vetoed bill [WSR, Vol. 1, No. 1, p. 10; No. 6, p. 12]. It is interesting to note that while the President insists that nearly nine-tenths of the programs funded by HEW involve mandatory spending, Secretary Finch testified before the Rules Committee that the Administration is not spending at the level authorized by the continuing resolutions.)

MARCH 31, 1970.

H.E.W. appropriations imbroglio ends.—Culminating one of the very longest appropriations squabbles, President Nixon, on March 5, signed into law (P.L. 91–204) a bill (H.R. 15931) making FY 1970 appropriations for the Departments of Health, Education, and Welfare, and Labor, and related agencies.

The measure provides for total appropriations in the amount of $19.38 billion, and was rendered palatable for the President by the inclusion of a provision directing him to cut two percent of H.E.W.'s funds from the bill, thereby enabling him to reduce appropriations to approximately $19.035 billion.

The $19.38 billion package is $579.7 million more than the President wanted (the revised request was $18.8 billion) and only $365.2 million less than the amount provided in the bill (H.R. 13111) he vetoed in January [WSR, Vol. 2, No. 1, p. 2]. Comparable FY 1969 appropriations were $19.23 billion or a mere $154 million less.

Under the authority provided in the FY 1970 appropriations bill, the Administration will reduce H.E.W. appropriations by $347.3 million. Thus, the total appropriations are only $232.4 million over the revised request, and about $550 million above the original request, are $712.5 million less than in the vetoed bill, and are $193.7 million less than comparable FY 1969 appropriations.

Under the terms of the two-percent reduction provision (Section 410), which was basically devised by Sen. Norris Cotton (R-N.H.), no one program may be reduced by more than 15 percent, with no reduction at all for the Social Security Administration, the Railroad Retirement Board, the U.S. Soldier's Home, and payments into the Social Security and Railroad Retirement trust funds. Moreover, pursuant to a pre-arranged understanding with H.E.W., neither the Hill-Burton hospital program, the program of grants to the states for vocational education, nor the controversial impacted aid program will be subjected to the appropriations reduction. A "perfecting amendment," sponsored by Sen. Thomas F. Eagleton (D-Mo.), caused the 15 percent reduction provision to apply to specified funding rather than to general categories

Implementation of the reduction will impact the funding of these programs of interest to subscribers (compared to the $19.38 billion version):

1. Undergraduate facilities construction—reduced from $33 million to $28.05 million.
2. Direct student loans—from $229 million to $195.7 million.
3. College teacher fellowships—from $56.2 million to $48.8 million.
4. Upward Bound—from $30 million to $29.95 million.
5. Higher education planning and evaluation—from $1 million to $900,000.
6. College library resources—from $20.8 million to $9.9 million.
7. Librarian training—from $6.8 million to $4 million.
8. Educational broadcasting facilities—from $5.1 million to $4.3 million.
9. Education professions development—from $107.5 million to $95.5 million.
10. Public library assistance (services and construction)—from $44.2 million to $37.5 million.
11. Medical, dental, and related institutions support—from $105 million to $101.4 million.
12. Nursing school support—from $8.4 million to $7 million.
13. Public health school support—from $10.1 million to $9.5 million.
14. Allied health professions—from $11.6 million to $10.9 million.

Other programs of interest to subscribers reached final funding at these levels:

1. Strengthening developing institutions—$30 million.
2. Construction of public community colleges and technical institutions—$43 million.
3. Interest subsidization—$11.75 million.
4. Educational opportunity grants—$164.6 million.
5. Student insured loans—$63.9 million.
6. College work-study programs—$154 million.
7. Talent Search—$5 million.
8. Special services—$10 million.
9. University community services—$9.5 million.
10. Centers, fellowships, and research in foreign languages and world education—$15 mililon.
11. Fulbright-Hays training grants—$3 million.

The House version of this appropriations bill passed in February [WSR, Vol. 2, No. 2, p. 6]. Besides containing more money than the President wished to spend and no discretionary authority enabling the Administration to withhold funds, the House enactment included three amendments, sponsored by Rep. Jamie Whitten (D-Miss.) and Charles R. Jonas (R-N.C.), designed to slow efforts to enforce desegration in the South.

However, the full Senate Appropriations Committee adopted the Cotton amendment, which was approved by the Senate 45 to 40 on February 27. The following day, the Senate diluted or deleted the three anti-desegregation amendments designed to prevent H.E.W. from taking action against Southern school segregation. The two Whitten amendments were nullified by amendments offered by Sen. Charles McC. Mathias (R-Md.), which added the words "except as required by the Constitution." Rep. Jonas' amendment was dropped from the bill on an amendment offered by Senate Minority Leader Hugh Scott (R-Pa.). The bill passed the Senate 68 to 0 on February 28.

The House agreed to the conference report (the conferees having accepted the Senate bill) on March 3 and the Senate cleared it on March 4.

The history of the embattled H.E.W. appropriations legislation, which has been chronicled in the previous eight issues of The Washington Status Report, may be briefly but graphically seen via the following schedule of appropriations levels (in billions):

Initial Administration request	$16.49
House committee bill (H.R. 13111)	16.65
House-passed bill	17.57
Senate committee bill	20.81
Senate-passed bill	21.36
Conference compromise (vetoed)	19.74
Administration revised request	18.80
House bill (H.R. 15931)	19.38
Senate bill and final version (with 2% feature)	19.04

Somewhat ironically, final congressional action on the H.E.W. bill came on the very day (March 4) that the House Appropriations Commitee subcommittee on Labor-H.E.W. began sessions on FY 1971 funding. The Committee intends to report a separate funding bill for education this year, on April 9, as well as the regular Labor-H.E.W. package, on June 11. House Appropriations Committee Chairman George H. Mahon (D-Tex.) said that it is hoped that the early reporting of the separate bill "will assist in expediting final congressional enactment so that the educational community generally will have a much more definite idea of the approved Federal funding levels well in advance of the coming school year."

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,400 American prisoners of war and their families.

How long?

COMMISSION ON CIVIL RIGHTS: STATEMENT ON SCHOOL DESEGREGATION

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. COHELAN. Mr. Speaker, the Commission on Civil Rights was created to evaluate the efforts of this Nation to end racial discrimination. It has consistently issued reports that have analyzed the positive and negative steps in forwarding this vital national goal. Recently, the Commission issued a strong statement critizing President Nixon's lack of leadership in the area of improving race relations, specifically in the area of school desegregation. In his March 24, 1970, speech, President Nixon made it clear that it would have to be the courts alone that bear the national burden of ameliorating our racial tensions in schools. I deplore this and I feel the Commission has rightly indicted the President for his abdication of leadership.

The Commission goes beyond an indictment of the President's statement to show how fragile the distinction between de facto and de jure segregation is. I was particularly impressed with the sections on the "Burden on Schools" and the "Importance of Integration." The entire statement, however, is well reasoned and timely and well worth detailed analysis by the readers of this RECORD. The statement follows:

STATEMENT OF THE U.S. COMMISSION ON CIVIL RIGHTS CONCERNING THE STATEMENT BY THE PRESIDENT ON ELEMENTARY AND SECONDARY SCHOOL DESEGREGATION

On March 24, 1970, the President issued an important civil rights statement. The President's statement is comprehensive and thoughtful. He has made clear his strong support for the constitutional principle of the 1954 Supreme Court decision in *Brown* v. *Board of Education:* "We are not backing away. The Constitutional mandate will be enforced."

The President also has given his view of the contents of that constitutional mandate. "Deliberate racial segregation of pupils by official action," the President said, "is unlawful, wherever it exists." He pointed out emphatically that "it must be eliminated 'root and branch'—and it must be eliminated at once." Further, the President stated that "segregation of teachers must be eliminated" and ordered that steps be taken to assure against discrimination in the quality of facilities or the quality of education delivered to school children within individual school districts.

As the President recognizes, however, the issues are more complex than merely ending current practices of deliberate public school segregation and discrimination, and their implications for the future of the country are far-reaching. While many of the problems are common to nearly all minority groups in all parts of the country, others frequently are unique to particular sections of the country or to particular minority groups. Prob-

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lems of segregation and inadequate school facilities, for example, cut across racial or ethnic lines and exist in all regions. Black children in the rural South, however, experience educational deprivations different in kind from those of children who live in northern ghettos. By the same token, Mexican American and other Spanish-speaking children experience unique hardships when they come from homes where their first language is Spanish but enter an educational environment where only English is permitted, and as a result are shunted automatically into lower ability groups and subjected to curricular discrimination.

The President addressed himself to many of the more complex issues that have been troubling the Nation—issues such as what can be done about so-called *de facto* school segregation, what are the most effective and sensible means of enforcing school desegregation requirements, how much of a social burden can the schools reasonably be expected to bear, how important is integration to the achievement of minority group children, how effective can busing be as a means of carrying out school desegregation, how important is adherence to the neighborhood school principle, and what kinds of resources should the Federal Government make available to local communities to achieve the goal of equal educational opportunity?

These are issues of critical importance deserving of the highest level of consideration and discussion. In the course of its history, the Commission has paid continuing attention to many of these issues. We are committed to the purpose for which this Commission was created: To act as an objective, bipartisan factfinding agency and to continually apprise the President, the Congress, and the Nation of the facts as we see them. The Commission believes that the experience and information we have gathered over the years concerning the issues discussed in the President's statement provide a sound basis for analysis and comment that can contribute to their clarification and be of help to educators, other public officials, and concerned Americans generally. It is in this spirit that we speak out now.

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DE JURE VERSUS DE FACTO

The President draws a sharp distinction between *de jure* and *de facto* school desegregation, contending that under the former there is a positive duty to end it, while under the latter, "school authorities are not Constitutionally required to take any positive steps to correct the imbalance." This statement represents a strict interpretation of existing Supreme Court decisions.

It can be argued, however, that the Supreme Court's decision in *Brown* warrants a broader interpretation. For one thing, while the holding of the Supreme Court in the *Brown* case was limited to legally compelled or sanctioned segregation, the Court's concern extended as well to segregation resulting from factors other than legal compulsion. The Supreme Court quoted with approval a lower court finding that "Segregation of white and colored children in public schools has a detrimental effect upon the colored children. *The impact is greater when it has the sanction of law* . . ." (Emphasis added), and concluded: "Separate educational facilities are inherently unequal . . ."

Thus the Court expressly recognized the inherent inequality of all segregation noting only that the sanction of law gave it greater impact. In a sense, therefore, the President's sharp distinction between *de jure* and *de facto* segregation tends to blunt what many think is a crucial thrust of *Brown*.

The Commission, moreover, in the course of its investigations, has found numerous examples—North and South—which suggest that it is not adequate to describe school segregation as purely *de facto*—that in many cases, school segregation that appears to result solely from accidental housing patterns turns out, upon closer examination, to result in large part from decisions by school and other public officials.

For example, decision on school boundary lines have been made with the purpose and effect of isolating minority group members in their own separate and unequal schools. Sites for new schools, even recently, have been strategically selected so as to assure against racially integrated student bodies. The size of schools has been determined with an eye toward maintaining racial separation. As the President recognizes, conduct of this type is illegal. Instances of purposeful school segregation have been found in surprising places, in the North as well as the South. The school systems of New Rochelle, New York; South Holland, Illinois; Pasadena and Los Angeles, California; and Pontiac, Michigan, are among those which have been found by the courts to have practiced deliberate school segregation in violation of the Fourteenth Amendment. There is no doubt that there are many more instances of school segregation resulting from conscious decision of school officials than the relative handful that have come to the attention of the courts.

It also should be understood that legally compelled or sanctioned school segregation is not a phenomenon unique to the South. In many northern and western states, the current pattern of racial separation of students is a legacy of an era when laws and policies explicitly authorized segregation by race. States such as Indiana, New Mexico and Wyoming maintained separate-but-equal laws beyond the mid 1940s. In other northern states, such as Ohio and New Jersey, cities and counties persisted in maintaining separate schools for black students well into the 1950s.

Even in those instances where school segregation is a result of housing patterns with no apparent complicity of school officials, government at all levels—local, State, or Federal—invariably is heavily implicated. Historically, racial zoning ordinances imposed by local law were a formidable factor in creating and maintaining racially exclusive neighborhoods. Although such ordinances were held unconstitutional as early as 1917, some communities continued to enforce them, even as late as the 1950s.

Judicial enforcement by State courts of racially restrictive covenants has been another important factor. Although these covenants were private agreements to exclude members of designated minority groups, the fact that they were enforceable by the courts gave them maximum effectiveness. Not until 1948 was the judicial enforcement of such covenants held unconstitutional, and not until 1953 was their enforcement by way of money damages held unlawful. Racially restrictive covenants no longer are judicially enforceable, but they still appear in deeds and the residential patterns they helped to create still persist.

Various exercises of local governmental authority, such as decisions on building permits, the location of sewer and water facilities, building inspection standards, zoning and land use requirements, and the power of eminent domain have been used to exclude minority group numbers from designated neighborhoods and even from entire communities.

The Federal Government, principally through its public housing and FHA mortgage insurance programs, has been all too often a willing partner in the creation and perpetuation of racially segregated neighborhoods, even to the point of insisting upon them. Until the late 1940s, for example, FHA insisted on racially restrictive covenants to insure against integrated housing developments. Until 1962 when the Executive Order on Equal Opportunity in Housing was issued, the agency continued willingly to do business with discriminatory builders and developers. The Public Housing Administration permitted its funds to be used for the creation and perpetuation of segregated housing projects well after the courts had made it clear that such practices were in violation of the Constitution. Other Federal programs, such as the highway and urban renewal programs, which involve massive displacement and relocation, also have had the effect of intensifying residential segregation.

The point we are making is that the current situation we face, in which most minority group children attend school in isolation from children of the majority group, is *not* accidental or purely *de facto*. In many cases, it has resulted in whole or in substantial part from an accumulation of governmental actions. Thus the categorical distinction between *de jure* and *de facto* segregation is not as clear-cut it would appear. Upon closer examination, there is probably little legal substance to the concept of *de facto* school segregation. Further, in the Commission's view, the Government has a moral as well as legal responsibility to undo the segregation it has helped to create and maintain. There is no statute of limitations by which government in its many forms can be exonerated from its past misdeeds or relieved of its current obligations.

The Commission believes that the necessary course of action is to make available to the Department of Justice and the Department of Health, Education, and Welfare the resources necessary to determine on a nationwide basis those cases which appear on the surface to involve *de facto* segregation but which in reality involve *de jure* school segregation, and then to take steps to correct the situation. We note that the President, in his budget request for Fiscal Year 1971, has asked for substantial increase in resources for civil rights enforcement in both departments—56 additional positions for the Civil Rights Division of the Department of Justice and 144 additional positions for the Office for Civil Rights in the Department of Health, Education, and Welfare. It is important that the President's request be honored. It also is important that the attention of these two departments be directed specifically to the problem of apparent *de facto* segregation that may, in fact, have been consciously created and maintained *de jure*. We believe that to accept without investigation the notion of widespread fortuitous and ingenuous school segregation and to determine policy on that basis would be a serious mistake.

Further, there is a large arsenal of weapons, in the form of nondiscrimination laws and low- and moderate-income housing programs, available to combat housing segregation and remove it as a cause of school segregation. As this Commission also recently pointed out in its report on "Federal Installations and Equal Opportunity," the leverage of the substantial economic benefits generated by Federal installations can be used effectively to promote housing desegregation.

Another important way to promote housing desegregation is to provide people with the economic wherewithal necessary to expand their choice of housing. The President's Family Assistance and Manpower Training proposals, as well as the Administration's endorsement of the "Philadelphia Plan," represent forward moving efforts to enable the poor, a disproportionately high number of whom are minority group members, to join the Nation's economic mainstream and expand their choice in housing and other aspects of life through adequate income and job stability.

ENFORCEMENT OF SCHOOL DESEGREGATION

The President's statement was largely silent concerning the means that will be used to bring about an end to dual school systems. Experience in the 16 years since the *Brown* decision provides many lessons on what kind of enforcement works and what kind does not. During the first ten years following *Brown*, when litigation was the sole enforcement mechanism, progress in carrying out the Supreme Court's mandate was frustratingly slow—three percent desegregation in 10 years. Since the enactment of Title VI of the Civil Rights Act of 1964, however, with its provision for administrative enforcement, progress has accelerated enormously—30 to 40 percent desegregation in the last five years. In a July 3, 1969, statement the Attorney General and the Secretary of Health, Education, and Welfare indicated that the Government was deemphasizing the use of administrative enforcement under Title VI in favor of a return to litigation. This, despite the evidence of the practical utility of Title VI as an enforcement mechanism. The fact that the President made no reference to the means to be used raises the fear that litigation will, in fact, continue to be substituted for administrative enforcement. In its September 1969 report on "Federal Enforcement of School Desegregation," the Commission characterized the Administration's reliance on litigation as "a major retreat in the struggle to achieve meaningful school desegregation." The Commission believes it is important that a clear statement of policy be made by the President to allay these fears.

The President made plain in his statement, however, two other principles which apparently will guide his Administration in carrying out the Supreme Court's mandate: local discretion and reliance on good faith of local school administrators. Again, on the basis of the experience of the past 16 years, the Commission believes that neither is adequate assurance. The progress that has been made in promoting school desegregation in the South has not often resulted from local initiative, alone, but more frequently from persistent Federal pressure, joined with local initiative. Experience also has demonstrated that results alone—and not good faith—are the only true measure of compliance with the Supreme Court's mandate.

BURDEN ON THE SCHOOLS

Another area that warrants further discussion is the suggestion that we are asking too much of our schools. The President said: "They have been expected not only to educate, but also to accomplish a social transformation." The Commission believes this is true—that much is being asked of our schools, that much always has been asked of them. The important point, however, is that they have delivered. During the great waves of immigration that brought millions of oppressed people to this land of promise, it was the schools that we relied upon to educate the children of these immigrant families and to integrate them into American society. They did not fail us then.

But they are failing today. The children of the Nation's ghettos and barrios are not receiving the quality of education afforded to more affluent majority group children, nor are they being enabled to join the Nation's social and economic mainstream. Above all, they are not being integrated into American society, but are becoming alienated from it. To be sure, the problems facing the schools may be more difficult than those they faced in earlier days when they succeeded so well. But these problems cannot be viewed as insoluble, nor can we relieve our schools of the burden, heavy as it may be, of being the chief instrument by which they will be resolved. For the schools occupy a special place in American society. As the President pointed out:

"The school stands in a unique relationship to the community, to the family, and to the individual student. It is a focal point of community life. It has a powerful impact on the future of all who attend. It is a place not only of learning, but also of living—where a child's friendships center, where he learns to measure himself against others, to share, to compete, to cooperate—and it is the one institution above all others with which the parents shares his child."

Public schools must again be asked to play their traditional role as "the balance wheel of the social machinery." It will not do to insist that we are placing too heavy a burden on the schools. It is a burden that they always have accepted and they must accept it now. It should be a national priority of the highest order to provide our schools with the necessary resources—adequate facilities, better teacher training, and the like—to hear this burden. It is for this reason that we welcome the President's allocation of one and a half billion dollars. There are urgent needs for all of this and more, plus a clear pinpointing of the precise educational priorities for school improvement throughout the country.

There simply is no other institution in the country so equipped to do the job. If the public schools fail, the social, economic, and racial divisions that now exist will grow even wider. It would be even worse, however, if the schools do not even try.

IMPORTANCE OF SCHOOL INTEGRATION

In his March 3, 1970, message on "Education Reform," the President made the following statement: "Quality is what education is all about; desegregation is vital to that quality." That statement did not represent a suggestion of a new direction in national policy, but rather, an accurate and succinct description of one of the cornerstones of established policy.

It has been settled that desegregation is fundamental to the achievement of equal educational opportunity. All three branches of the Federal Government have spoken with one firm resolve on this matter and the Nation has committed itself to achieving the goal of quality integrated education for all of our children. Studies have been made, such as the Coleman Report, the Commission's own report on "Racial Isolation in the Public Schools," and a recent study of the New York State Board of Regents, which indicate that racial, as well as social class, integration has a positive effect on the achievement of school children. These studies are useful in contributing to better understanding of the elements that make for quality education. They in no way question the fundamental policy of school desegregation. That policy is based on considerations as important as school achievement scores. School integration is necessary to create the understanding and sense of common purpose so vital to the Nation's future well-being. The key question now is not the relative merits of desegregation, but how to accomplish it.

It is true, as the President points out, that the adult community has failed to achieve for itself the kind of multiracial society that we are seeking to achieve in schools. The failure of the adult community, however, only highlights the necessity of insuring that our children receive the kind of training in integrated school environments that will equip them to thrive in the multiracial society they will enter. In fact, nowhere is integration more easily achieved than among children, who are born without prejudice and who accept other human beings for their human values, without automatic judgments based on race or color. If we delay this training until they enter the adult society, we will have been too late. It is in the schools where our children's attitudes and perceptions can be influenced to enable them to succeed where we, their parents, have failed.

BUSING

In his statement, the President raised the issue of busing and cautioned that we must proceed with the least possible disruption to our children's education. Busing has become an emotionally charged word and the issues involved have been the subject of considerable misunderstanding. Many who oppose busing do so on the basis of certain assumptions, one of which is that riding to school disrupts a child's education and causes harm. This is a serious issue which should not be argued solely in terms of assumptions or emotion. The Commission believes that facts which it has found in the course of its investigations may contribute to clarifying the issue and sharpening the debate over it.

Busing is neither a new nor a unique technique, and its use is not limited to facilitating desegregation. For example, for decades, black and white children, alike, in the South were bused as much as 50 miles or more each day to assure perfect racial segregation. In many cases, busing was the exclusive privilege of white children—black children often were required to walk considerable distances. No complaints then were heard from whites of any harmful effects. Nor was any concern exhibited over the damage suffered by black children through their deliberate segregation. The Supreme Court in *Brown* described vividly the nature of the harm to which Negro children were being subjected.

"To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone."

Thus the arguments that some now make about the evils of busing would appear less than ingenuous. The plain fact is that every day of every school year 18 million pupils—40 percent of the Nation's public school children—are bused to and from school, and the buses log in the aggregate more than two billion miles—nine billion passenger miles—each year. It also should be understood that the overwhelming majority of school busing has nothing to do with desegregation or achieving racial balance. The trend toward consolidation of schools, for example, particularly in rural areas, requires extensive busing. It causes no disruption to the educational routines of the children and is treated as normal and sensible.

Amid the controversy over busing, in many school systems, North and South, transportation is being used quietly and effectively as a means of bringing about desegregation. The bus rides are not long—in Berkeley, California, for example, a city of 120,000 people, the bus trip never exceeds 20 minutes—and it causes no harm. In the South, of course, the amount of busing needed to bring about desegregation frequently is considerably less than was required to maintain dual school systems. For example, at the Commission's 1968 hearing in Montgomery, Alabama, we found that black students in Selma, seeking to attend trade school, were bused some 50 miles to the nearly all-black Trenholm School in Montgomery, although the Rufus King trade school was located in Selma. Rufus King, however, was all-white.

It is a mistake to think of the problems of desegregation and the extent that busing is required to facilitate it solely in the context of the Nation's relatively few giant urban centers such as Chicago, New York, or Los Angeles. In most of our cities the techniques necessary to accomplish desegregation are relatively simple and busing creates no hardships. The experience in communities which have successfully desegregated could easily be transferred to cities of greater size.

Even in giant urban centers progress in desegregation does not require interminable bus rides or disruption of our children's education. The President, in discussing the recent California court decision requiring desegregation of the Los Angeles school system, quoted "local leaders" as estimating that the total cost of busing will amount to 40-million dollars over the next school year. This estimate represented the contention of the

XUM

defendants in that litigation. It was presented to the court for the purpose of arguing against the feasibility of desegregation in that city's school system. In fact, the court rejected this estimate as unrealistic.

In Los Angeles, as in other cities, substantial desegregation can be accomplished through relatively simple devices such as alteration of existing school attendance are as, school pairing, and the establishment of central schools. To be sure, transportation is necessary in giant urban centers as it is in smaller cities, but here too, it is false and defeatist to assume that the bus rides must be lengthy or that the education of our children will be disrupted.

In the Commission's view, the emphasis that some put on the issue of busing is misplaced. As most Americans would agree, it is the kind of education that awaits our children at the end of the bus ride that is really important.

NEIGHBORHOOD SCHOOLS

In his statement, the President emphasized the desirability of maintaining the neighborhood school principle. For several reasons, the Commission questions whether this should be one of the cornerstones upon which national educational policy rests.

For one thing, neighborhood schools do not represent the invariable principle governing school attendance that many believe. Frequently, neighborhood attendance is subordinated to other educational goals. In some cities, for example, handicapped children or academically talented students attend schools other than the one in their neighborhood.

Further, the Commission has found numerous instances of departures from neighborhood attendance policy that have had the effect of promoting racial segregation, where faithful adherence to the neighborhood school principle would have assured integrated student bodies. In Cleveland, Ohio, and San Francisco, California, for example, optional zones were created to permit white students who otherwise would have attended racially integrated schools to choose instead nearly all-white schools out of their neighborhood. Transfer plans, ostensibly instituted to relieve overcrowding, also have had the effect of promoting racial separation.

There is, in fact, a good deal of inconsistency and hypocrisy that all too often surround the lip service paid to the neighborhood school principle. Courts, as well as school officials, have had little difficulty in dismissing its importance for the purpose of maintaining segregation. In Cincinnati in 1876, for example, black children who had to walk four miles each way to attend a black school brought suit to enter the much nearer white school. The court refused and said: "Children cannot cluster around their schools like they do around their parish church." Several years ago, then Chief Judge Tuttle of the U.S. Court of Appeals for the Fifth Circuit, in a case involving the Mobile, Alabama, school system, made some observations on this point:

"Both in testimony and in the briefs, much is said by the appellees about the virtues of 'neighborhood schools.' Of course, in the brief of the Board of Education, the word 'neighborhood' doesn't mean what it usually means. When spoken of as a means to require Negro children to continue to attend a Negro school in the vicinity of their homes, it is spoken of as a 'neighborhood' school plan. When the plan permits a white child to leave his Negro 'neighborhood' to attend a white school in another 'neighborhood' it becomes apparent that the 'neighborhood' is something else again. As every member of this court knows there are neighborhoods in the South and in every city of the South which contain both Negro and white people. So far as has come to the attention of this court, no board of education has yet suggested that every child be required to attend his 'neighborhood school' if the neighborhood school is a Negro school. Every Board of Education has claimed the right to assign every white child to a school other than the neighborhood school under such circumstances. And yet, when it is suggested that Negro children in Negro neighborhoods be permitted to break out of the segregated pattern of their own race in order to avoid the 'inherently unequal' education of 'separate educational facilities,' the answer too often is that the children should attend their 'neighborhood school.' So, too, there is a hollow sound to the superficially appealing statement that school areas are designed by observing safety factors, such as highways, railroads, streams, etc. No matter how many such barriers there may be, none of them is so grave as to prevent the white child whose 'area' school is Negro from crossing the barrier and enrolling in the nearest white school even though it be several intervening 'areas' away."

There also is some question whether the narrow attendance areas served by neighborhood schools truly represent the "neighborhood" as we currently understand that term. In fact, the meaning of neighborhoods has changed over the years. Recent developments in the pattern of urban life—rapid population shifts and the growing distances city residents travel for recreation, business, and shopping—have diffused traditional neighborhood patterns. They no longer are the self-contained, cohesive communities they may once have been. In short, it is doubtful that adherence to the neighborhood school principle is required by considerations of close community ties in narrow geographical areas. The schools have an opportunity, by broadening the geographical areas they serve, to expand the experience of children beyond that of the restricted confines of their narrowly defined neighborhood, and establish the school as a broader "community" or "neighborhood" in which the lives of all who attend can be enriched.

If adherence to the neighborhood school principle frequently interferes with efforts to promote desegregation, there also is some question concerning its value as a means of providing quality education. The essence of the neighborhood school is a self-contained unit serving a relatively small student population. In larger units, however, economies of scale frequently make possible the offering of a broader curriculum and the provision of new and expensive equipment that are not economically possible in schools which serve small numbers of students. Many rural areas, for example, in an effort to improve the quality of education, have abandoned the tradition of small individual school houses in favor of consolidated schools serving much larger student bodies. In short, adherence to the neighborhood school principle under current conditions not only tends to interfere with efforts at desegregation, but also has little bearing on efforts to improve the quality of education and in some cases may even thwart those efforts.

The Commission believes that ideally and ultimately, resolution of the problem of school segregation lies in residential desegregation, which will remove the emotional issues of neighborhood schools from the arena of civil rights controversy. Residential desegregation can be accomplished through laws and policies designed specifically to secure an open housing market, and administered with dedication and purpose. This does not mean, however, that efforts to desegregate the schools should await the day when the neighborhood desegregation has been achieved. We cannot afford to make integrated education wholly dependent upon open housing, for to do so would be to consign at least another generation of children to education in racially isolated schools.

HELPING COMMUNITIES TO DESEGREGATE

We have spoken of communities that have recognized the problem of school segregation and have determined to eliminate it on their own. Many of these are in the South and they have complied with judicial and administrative requirements by devising imaginative and successful plans not only for achieving physical desegregation but also for assuring quality education for all children. Some of these communities are in areas commonly thought to be among the most opposed to desegregation. For example, Pass Christian and New Albany, Mississippi, both have accomplished full desegregation and have taken steps to assure that the desegregated schools are not white schools or black schools, but schools that all children can feel a part of. As measured by white and black student participation in school activities, daily attendance rates, and achievement scores, their efforts have been successful.

Other communities, particularly in the North, while they have been under no legal compulsion to accomplish desegregation, nonetheless have sought to do the job. The President has pointed out that these school officials are free to take steps beyond the constitutional minimums to diminish racial separation.

The Commission questions, however, whether this is enough, and whether the appropriate posture of the Federal Government on this important matter should be merely a passive one. Rather, we believe it is essential that financial and technical assistance, be made available to assist these communities in bringing about total and successful desegregation as rapidly as possible.

We recognize, of course, that the President has made a commitment of one and one-half billion dollars over the next two years to carry out his school policies, and we applaud this step. There is need to clarify how this money will be used. The President specified two purposes: "Improving education in racially impacted areas, North and South, and for assisting school districts in meeting special problems incident to court-ordered desegregation."

It is not clear whether these two purposes are considered mutually exclusive—whether school districts *not* under court order would be eligible for assistance under this program to promote desegregation or whether the President's proposal assumes that so-called *de facto* segregation is with us to stay. If the latter, then the proposal may well have the effect of providing built-in financial incentives for the perpetuation of racial segregation in schools not under court order and transform an acceptance of the reality of *de facto* segregation of the reality of prophesy. We believe again that further official clarification of this point is needed.

The President has made it clear to all that his Administration intends to carry out the Supreme Court's mandate of an immediate end to legally sanctioned dual school systems.

Much more, however, is necessary. The problems of racial isolation in the Nation's schools cannot be resolved solely through cautious adherence to a narrow construction of existing case law. The courts, in defining the constitutional requirements relating to desegregation have informed us only of our minimum mandate, not the maximum that we are permitted to do to accomplish school desegregation. In education, as in other areas of national concern, it is the responsibility of the Congress and the Executive Branch to act beyond this minimum, using the broad authority provided under the Constitution. Thus it is not sufficient to say that local school officials who have not maintained legally compelled separate systems may desegregate their schools if they choose to. The necessity of desegregation must also be urged and the resources made available to accomplish it if our Nation is to move toward the ideal of "one Nation, under God, indivisible, with liberty and justice for all." It is this word "all," with its special connotation of equal educational opportunity for all the children in America which has inspired most of our comments. We believe that here is the central concern, the true promise of what America will be in the years ahead—one Nation, indivisible, or two Nations divided.

The Commission fears that the President's statement, particularly his sharp distinction between *de jure* and *de facto* segregation, well may have the net effect, though unintentional, of signaling a major departure from the policy of moving toward integrated schools and that open society of which he spoke so well in his statement.

Last September, in its report on "Federal Enforcement of School Desegregation," the Commission pointed out:

"This is certainly no time for giving aid and comfort, even unintentionally, to the laggards while penalizing those who have made commendable efforts to follow the law, even while disagreeing with it. If anything, this is the time to say that time is running out on us as a Nation. In a word, what we need most at this juncture of our history is a great positive statement regarding this central and crucial national problem where once and for all our actions clearly would match the promises of our Constitution and Bill of Rights."

The Commission is aware that the problem of school segregation is one of enormous difficulty and complexity. Yet a realistic assessment of the scope and dimensions of the problem should not result in a resigned acceptance of its indefinite continuation or a defeatist conclusion that it is beyond our capacity to resolve. The Commission is convinced of the ability and will of the American people to respond affirmatively to a call to end the injustice that school segregation represents. This call requires a major investment of resources, the commitment of public and private officials on the Federal, State, and local level—indeed of all Americans—and above all, the continuing example of courageous moral leadership from the President of the United States.

MEMBERS OF THE COMMISSION

Rev. Theodore M. Hesburgh, C.S.C., Chairman.
Stephen Horn, Vice Chairman.
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Maurice B. Mitchell.
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Manuel Ruiz.
Howard A. Glickstein, Staff Director.

DEMOCRACIES CONSTITUTE LESS THAN ONE-THIRD OF THE WORLD'S NATIONS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. PUCINSKI. Mr. Speaker, much has been said recently about the state of the world and the form of governments that the people of the world live in.

I think it is most significant that a recent study of world governments shows that only 38 out of 131 governments in the world are listed as democratic, with the remainder having various forms of governments, from outright dictatorships, to Communist-dominated governments, to weak democracies.

I am placing in the RECORD today a table of these world governments so that we Americans can see how difficult it is for the ideals of democracy to survive in a very troubled world.

This study shows the magnitude of difficulties the United States encounters in its efforts to deal with all of these countries, but more important it shows what a long and difficult job lies ahead before we can say that this world is indeed secure for democracy.

I am particularly anxious to see those of my colleagues who are so quick to denounce the situation in Greece to study this table and I believe I have a right to ask where is the outrage of those who criticize Greece in regard to the rest of the world's nations, and why have they singled out only Greece when we should be voicing the same indignation in defense of freedom in the rest of the world.

The table follows:

THE STATE OF THE WORLD, 1970

Country	Population	Political system	Percent illiterate	Free press	Average income	War or peace	Life expectancy
Afghanistan	16,133,000	Strong king: no parties	90	No	$52	Peace	(1)
Albania	2,019,000	Communist	28.5	No	305	do	63
Algeria	12,943,000	President backed by army	81	No	207	do	35
Argentina	23,617,000	Military rule: no parties	13.6	No	699	do	63
Australia	12,013,000	Democratic	(2)	Yes	1,820	Fighting in Vietnam	67
Austria	7,349,000	Democratic: Nazi party banned	(2)	Yes	1,091	Peace	66
Barbados	253,000	Democratic	1.1	Yes	371	do	62
Belgium	9,619,000	do	3.3	Yes	1,600	do	67
Bolivia	4,439,000	Military rule	67.9	No	167	Fighting guerrillas	49
Botswana	611,000	Democratic	78	Yes	86	Peace	(1)
Brazil	88,209,000	Military rule: Strong president	39.3	No	252	do	39
Britain	55,235,000	Democratic	(2)	Yes	1,560	do	67
Bulgaria	8,370,000	Communist	(2)	No	1,000	do	67
Burma	26,389,000	Military rule one party	42.3	No	59	Civil unrest	40
Burundi	3,406,000	Military rule: 1 party	(1)	No	38	Peace	35
Cambodia	6,557,000	Strong premier: 1 party	69.2	No	120	do	44
Cameroon	5,562,000	Democratic	(1)	Yes	102	do	34
Canada	20,772,000	do	(2)	Yes	2,087	do	68
Central African Republic	1,488,000	Military rule: 1 party	(1)	No	102	do	33
Ceylon	11,964,000	Democratic	22	Yes	132	do	61
Chad	3,460,000	Strong president: 1 party	50	No	60	do	(1)
Chile	9,351,000	Democratic	16.4	Yes	465	do	49
China	730,000,000	Communist	46.1	No	(1)	do	(1)
China (Taiwan)	13,466,000	Dictatorship by Chiang-Kai-Shek	20	No	221	do	64
Colombia	19,825,000	Democratic: Communist Party banned	37.7	Yes	279	Fighting guerrillas	44
Congo (Brazzaville)	870,000	Military rule: 1 party state	84.6	No	167	Peace	37
Congo (Kinshasa)	16,730,000	President backed by army: 1 party state	84.6	No	104	do	37
Costa Rica	1,640,000	Democratic	15.7	Yes	357	do	61
Cuba	7,937,000	Communist Party dominant	(2)	No	(1)	do	(1)
Cyprus	622,000	Strong president	24.1	Yes	699	do	63
Czechoslovakia	14,362,000	Communist Soviet enforced	(2)	No	1,783	do	67
Dahomey	2,571,000	President backed by army	(1)	No	64	do	37
Denmark	4,870,000	Democratic	(2)	Yes	1,947	do	70
Dominican Republic	4,029,000	Strong president	40.1	No	228	do	56
Ecuador	5,695,000	Democratic but weak	32.7	Yes	199	do	(1)
El Salvador	3,266,000	Democratic	51	Yes	245	do	56
Ethiopia	23,900,000	Strong emperor: No parties	(1)	No	59	Border disputes	(1)
Finland	4,688,000	Democratic	(2)	Yes	1,479	Peace	64
France	50,320,000	do	3.6	Yes	1,738	do	67
Gabon	480,000	Strong President: 1 party	87.6	No	266	do	25
Gambia	350,000	Democratic	(1)	Yes	70	do	43
Germany East[3]	17,084,000	Communist	(2)	No	1,778	do	68
Germany[3]	58,015,000	Democratic	(1)	Yes	1,512	do	67
Ghana	8,376,000	Weak democracy	20	Yes	213	do	38
Greece	8,803,000	Military rule: All parties banned	19.6	No	686	do	67
Guatemala	4,864,000	Strong president	70.6	No	264	do	48
Guinea	3,7[illegible],000	Strong president: 1 party	(1)	No	93	do	26
Guyana	[illegible],000	Democratic but weak	24.1	Yes	262	do	59
Haiti	4,674,000	Dictator: Parties banned	89.5	No	75	do	32
Honduras	2,535,000	President backed by army	64.8	No	209	do	44
Hungary	10,255,000	Communist	3.2	No	1,265	do	67
Iceland	200,000	Democratic	(2)	Yes	1,972	do	70
India	523,893,000	do	72.2	Yes	81	Naga war	41
Indonesia	112,825,000	Military rule: Communist Party banned	57.1	No	91	Peace	(1)
Iran	26,985,000	Strong king: Communist Party banned	87.2	No	243	do	42
Iraq	8,634,000	President backed by army: 1 party	85.5	No	223	War with Israel	(1)

XUM

Country	Population	Political system	Percent illiterate	Free press	Average income	War or peace	Life expectancy
Ireland	2,910,000	Democratic	(2)	Yes	841	Peace	68
Israel	2,745,000	do	15.8	Yes	1,158	War with Arab neighbors	70
Italy	52,750,000	do	8.4	Yes	1,020	Peace	67
Ivory Coast	4,100,000	Strong president: 1 party state	(1)	No	203	do	35
Jamaica	1,913,000	Democratic	18.1	Yes	431	do	62
Japan	101,039,000	do	(2)	Yes	921	do	68
Jordan	2,039,000	Strong king	67.6	No	235	War with Israel	52
Kenya	10,209,000	Strong president	(1)	Yes	100	Peace	40
Korea (North) [3]	13,000,000	Communist	(1)	No	(1)	Border clashes with South Korea	47
Korea (South) [3]	30,470,000	Strong president: Communist party banned	29.4	Yes	140	Border clashes with North Korea	51
Kuwait	540,000	Strong sheik: no parties	5.32	No	[4] 3,240	Peace	68
Laos	2,825,000	Premier backed by army	Not known [1]	No	68	do	(1)
Lebanon	2,580,000	Weak democracy	20	Yes	294	do	65
Liberia	1,130,000	Strong president	91.1	No	154	do	60
Libya	1,803,000	Military rule	87.1	No	802	do	(1)
Luxembourg	336,000	Democratic	(2)	Yes	1,655	do	61
Malagasy Republic (Madagascar)	6,350,000	Weak democracy	66.5	Yes	97	do	37
Malawi	4,285,000	Strong president: 1 party state	93.5	No	45	do	(1)
Malaysia	10,384,000	Weak democracy: Communist party banned	77.7	No	255	do	55
Mali	4,787,000	Military rule: 1 party state	(1)	No	64	do	27
Malta	319,000	Democracy	42.4	Yes	498	do	40
Mauritania	1,120,000	Strong president: 1 party state	(1)	No	94	do	67
Mauritius	787,000	Weak democracy	38.4	Yes	211	do	58
Mexico	47,267,000	Democratic	34.6	Yes	478	do	55
Mongolia	1,174,000	Communist	4.6	No	(1)	do	(1)
Morocco	14,580,000	Strong king	86.2	No	168	do	47
Nepal	10,700,000	Strong king: Parties abolished	94.9	No	90	do	44
Netherlands	12,743,000	Democratic	(2)	Yes	1,465	do	71
New Zealand	2,751,000	do	(2)	Yes	1,714	Fighting in Vietnam	68
Nicaragua	1,842,000	Strong president: Backed by army	50.4	No	316	Peace	(1)
Niger	3,643,000	Strong president: 1 party state	99.1	No	73	do	37
Nigeria	62,650,000	Military rule: Parties suspended	40	No	68	War with Biafra	(1)
Norway	3,819,000	Democratic	(2)	Yes	1,763	Peace	71
Pakistan	109,520,000	Military rule	81.2	No	108	do	53
Panama	1,372,000	Military rule: Parties suspended	30.1	No	477	do	57
Paraguay	2,231,000	Strong president	25.7	No	192	do	(1)
Peru	12,772,000	Military rule	39.4	No	241	do	51
Philippines	35,993,000	Weak democracy	28.1	Yes	233	Fighting in Vietnam	48
Poland	32,207,000	Communist	4.7	No	1,113	Peace	64
Portugal	9,505,000	Premier, dictatorship: 1 party state	38.1	No	423	Fighting in African colonies	60
Rhodesia [3]	4,170,000	White minority rule	(1)	Yes	217	Fighting African guerrillas	[5] 66—[6] 50
Romania	19,721,000	Communist	11.4	No	938	Peace	65
Rwanda	3,405,000	Strong president	(1)	No	38	do	(1)
Saudi Arabia	6,990,000	Strong king: No parties	79	No	151	do	(1)
Senegal	3,685,000	Strong president	94.4	No	182	do	37
Sierra Leone	2,475,000	do	60	No	111	do	(1)
Singapore	1,988,000	Democratic	33.9	Yes	561	do	(1)
Somalia	2,745,000	do	93	Yes	62	do	(1)
South Africa	19,176,000	White minority rule	68.5	No	521	do	[5] 64—[6] 44
Spain	32,411,000	Dictatorship	17.6	No	707	do	67
Sudan	14,770,000	Weak premier: Military rule	88	No	91	do	(1)
Swaziland	395,000	Strong king	77.2	Yes	155	do	48
Sweden	7,912,000	Democratic	(2)	Yes	2,665	do	71
Switzerland [3]	6,130,000	do	(2)	Yes	2,171	do	68
Syria	5,738,000	Military rule: 1 party	70.5	No	204	War with Israel	(1)
Tanzania	12,590,000	Strong president	(1)	No	60	Peace	35
Thailand	33,693,000	Military rule: Communists banned	32.3	No	127	Fighting in Vietnam	53
Togo	1,772,000	Military rule: No parties	(1)	No	72	Peace	31
Trinidad and Tobago	1,030,000	Democratic	26.2	Yes	620	do	62
Tunisia	4,660,000	Strong president	84.3	No	172	do	53
Turkey	33,530,000	Weak democracy	61.9	No	299	do	52
United Arab Republic	31,680,000	Strong president: 1 party	80.5	No	166	War with Israel	51
Uganda	8,133,000	Strong president	74.9	No	82	Peace	50
United States	205,000,000	Democratic	2.2	Yes	3,421	Fighting in Vietnam	70.5
U.S.S.R	237,808,000	Communist	1.5	No	1,533	Peace	66
Upper Volta	5,175,000	Military rule: 1 party	82	No	42	do	35
Uruguay	2,818,000	Strong president	9.7	No	607	do	(1)
Venezuela	9,686,000	Democratic	34.2	Yes	836	Fighting Communist guerrillas	66
North Vietnam [3]	20,700,000	Communist	35.5	No	(1)	Fighting in South Vietnam	(1)
South Vietnam	17,414,000	Strong president: Backed by army	(1)	No	92	Fighting Communists	35 (app)
North Yemen	5,000,000	Military rule: 1 party	50	No	44	Civil war	50
South Yemen	1,700,000	Strong president: 1 party	55	No	60	Peace	50
Yugoslavia	20,186,000	Communist	23.5	No	737	do	62
Zambia	4,065,000	Strong president	58.6	Yes	231	do	40

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[1] Not known.
[2] Less than 1 percent.
[3] Country does not belong to the United Nations.
[4] Oil income.
[5] White.
[6] African.

Note: Most of the figures in this chart were gathered and published by the United Nations. The page was research and prepared by Leonard Aronson.

THE FIRING OF WILLIAM WOESTENDIEK OF WETA

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. HASTINGS. Mr. Speaker, a serious issue has been raised in the last few days over the firing of William Woestendiek, a news editor of the WETA educational television station, solely because his wife had been hired as press secretary for a well-known Republican, Mrs. Martha Mitchell.

This action obviously poses a threat and an insult to the individual freedom and integrity of all newsmen, not to mention the threat presented to their wives as free individuals. Much justified criticism is being heard of this action from all quarters—including an unlikely source, the Washington Post. While the Post has not been known for its support of Mrs. Mitchell, it still felt the obligation to point out the injustice and dangers posed by this WETA policy. I insert an editorial from this morning's Post in the RECORD at this point:

[From the Washington Post, Apr. 20, 1970]

WETA: LEANING TOO FAR OVER BACKWARD

Martha Mitchell, the wife of Attorney General Mitchell, is given to moments of exuberance in which she has expressed herself vigorously, some would say excessively, on a variety of public issues, and in ways which we presume do not reflect considered administration policy. The Attorney General has been very good about this, in our view—not that it is necessarily any of our business. He has been loyal and relaxed, taking the view that there is no automatic connection between what his wife says or does as a private citizen and his role as a public official. Recently he hired a former newspaperwoman, Kay Woestendiek, as press secretary for his wife, presumably in an effort to help keep this distinction clear. Whereupon, Mrs. Woestendiek's husband William, was summarily fired from his job as editor of WETA's "Newsroom" show, on the grounds that his wife's job with Mrs. Mitchell somehow endangered the show's "credibility." There is fine irony in this: Mr. Mitchell hires a press secretary for the presumed purpose of helping maintain the line between his public life and his wife's private life, and WETA sacks the press secretary's husband for fear that his professional life would be compromised by his wife's job.

"Every time there would be a story from that part of the administration," said William J. McCarter, general manager of the local public broadcasting station, "people would make the connection over and over. It would eat away at us."

Nonsense. WETA has every good reason to maintain its independence of mind. But if that is what it takes, its independence of mind must be in a pretty soggy state. It has been flatly denied that the decision was made under the influence of outside pressure, notably from Fred W. Friendly, television adviser to the Ford Foundation, which supports the "Newsroom" show. The finger points, instead, to pressure from the WETA staff. But this only makes it worse; assuming that it was an inside job, the decision was still Mr. McCarter's and what he is saying, in effect, is that WETA cannot keep its balance unless it controls the wives of its employees. In our view, President Nixon made a lot more sense on this same issue when he declined, after one of Mrs. Mitchell's more outspoken contributions to the public dialogue, to take responsibility for the wives of members of his cabinet. In these matters there are sometimes hard choices—between what people will think and what is right. James Thurber had it about right in the moral he wrote to one of his famous fables. You might just as well fall flat on your face, he said, as lean too far over backward.

WETA POSES SERIOUS QUESTION TO THE PUBLIC AND TO THE FEDERAL GOVERNMENT

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mrs. MAY. Mr. Speaker, education television station WETA of Washington has now posed a serious question to the public and to the Federal Government: should either one continue to support a medium which exhibits little regard or respect for the integrity of the individual.

Last Friday night the management of WETA summarily fired the director and editor of its "Newsroom" show solely on the grounds that his wife had gone to work for Mrs. Martha Mitchell.

The reason given was that the man fired, William Woestendiek, would not be able to do an unbiased job with his wife working for a Republican.

Mr. Speaker, that reason casts a reflection on the integrity and ability of every newsman in this country.

In addition, it is a clear indication that the Neanderthal types at WETA are still living in a period when a man's wife cannot have a career of her own.

The question that now confronts us is this: is this attitude limited to WETA or is it widespread among subsidized and licensed educational television stations? If it is, then certainly both the public and the Government should reexamine the support they give these stations. If, as is likely, only WETA maintains this policy, then action should be taken to end it.

ASTRONAUTS SAFELY BACK FROM THE BRINK—A SAGA OF COURAGE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. EVINS of Tennessee. Never has there been a human drama to surpass the turbulent voyage of Apollo 13 as three courageous, disciplined astronauts cooly piloted their crippled space vehicle around the moon and safely back to earth.

The prayers of America and the world reached out to the three astronauts—Jim Lovell, Fred Haise, and John Swigert—as they improvised a workable spacecraft out of their battered equipment—survived a strange explosion—and hit the bullseye in the Pacific with a successful splashdown.

Congress is proud of these courageous men—America is proud—and the world is proud—and we want to welcome the astronauts home and commend and congratulate them for their magnificent courage and supreme discipline in the face of awesome odds and constant danger, proving then men take over when machines fail.

In this connection the Washington Daily News in an eloquent editorial called the return of the astronauts one of the remarkable scientific achievements of all time.

Certainly this is true and because of the interest of my colleagues and the American people in this most important achievement I place the editorial from the News in the RECORD.

The editorial follows:

[From the Washington Daily News, Apr. 18, 1970]

BACK FROM THE BRINK

If ever there was a scientific marvel, this had to be it.

Pick any word you like—incredible, inspiring, fantastic, sublime. The rescue of Apollo 13—by the grace of God and the ingenuity of man—was all of these, and more.

To astronauts Lovell, Haise and Swigert—a joyous welcome back.

To the technicians at mission control in Houston, to the hundreds of scientists and engineers who coaxed the stricken craft back home—the thanks of a nation for a job superbly done.

There could have been no more angelic sight this side of paradise than the parachutes that blossomed south of Samoa yesterday easing the command capsule, Odyssey, into the warm waters of the Pacific Ocean.

It may be an odd thing to say about a mission that failed, but the return of three astronauts from the edge of the moon with a ruptured rocket ship—literally falling apart in space—must have been one of the remarkable scientific achievements of all time.

In many ways, it was even more remarkable than our two successful moon landings last summer and fall.

Failure to land on the moon after twice doing it before was a keen disappointment. It must have been a special disappointment to Jim Lovell, making his fourth and last trip into space, the only man ever to soar to the moon twice—and never to set foot on the lunar surface.

But we may have learned more from this one failure than from all the past successes of the Apollo program.

We learned first of all that we've got the brains, the courage and the plain cussedness to patch up a crippled space bird in flight—that we can respond magnificently when things go wrong.

We proved that it pays to operate our space program openly, with our mistakes on display along with our triumphs.

At least a dozen nations, large and small, volunteered to help in the rescue. Millions of people who never have met an American—and probably never will—offered their prayers and encouragement and when it was all done joined in the celebration in wholehearted ecstasy.

There is no doubt, of course, that the explosion in Apollo 13's main power plant last Monday night raises some hard questions about future space exploration.

What happened? Why? How can we prevent it from happening again?

And how can we build enough backup features into Apollo 14 to make sure that—no matter what—the next crew of astronauts will have an even better chance to survive?

While this is being done, the flight of Apollo 14 may have to be postponed from October to some later date. It should not be canceled. Or abandoned as "too dangerous."

This would be a poor time to back away from a program that has cost $24 billion, opened new frontiers in space and captured the imagination of the world and every American eager to meet a useful challenge.

Certainly there are risks in space.

There were risks when Hillary scaled Mt. Everest, when Cousteau plunged to the bottom of the sea. There were risks when Lindbergh flew the Atlantic and Byrd searched out the South Pole.

These are risks worth taking. There is no reason to stop now.

STATES

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. LANGEN. Mr. Speaker, a most sobering article has been brought to my attention which is surely worthy of our consideration.

In this day of intemperate demands being hurled by a host of professional pressure groups, how much more important is it to keep in mind the best interests of the group that makes everything possible—the taxpayers.

Let a voice from this patient and troubled all-too-silent majority be heard—grant that we might have the wisdom to heed:

[From the Minneapolis Star, Apr. 10, 1970]

DECLINE AND FALL OF THE UNITED STATES

To the Editor.—Mailmen, FAA controllers and teachers. These people are forbidden by law to strike, but they have seen the way: If enough people break the law the enforcement becomes impossible.

These are the vanguard. Get your piece of pie while you can. The hell with the public.

And who's next? Policemen? Firemen? Garbage collectors? Highway patrolmen? Judges? Tax collectors? The barriers are down. Precedents have been set.

It only remains for the ultimate to happen: a taxpayers' strike! Suddenly there is no pie to gobble up; John Q. is fed up. You don't want to work, drop dead!

So then we have anarchy. Is that what you want? Enjoy the view; you've seek the peak. This is the decline and fall of the United States.

VERNON A. BORN.

MINNEAPOLIS.

MEAT QUOTAS SHOULD BE SUSPENDED

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. BOLAND. Mr. Speaker, it will not do much good for me to simply discuss high prices for food in these days of inflation.

Any housewife knows that is happening to her food budget, and now she has to back and fill every day to try to feed her family while still making ends meet.

Her job may be the hardest in the country—and no matter how good she is at cutting corners, she falls further behind each week.

We all know that inflation is the biggest culprit in this food price situation. What many of us do not know is that the administration has it in its power to do something about meat prices.

Mr. Speaker, the administration should remove the quota on meat imported into this country. This would help the consumer save money on the price he or she pays for meat.

Yes, our Government is preventing the importation of available meat, especially beef, at a time when meat prices, according to Government statistics, have reached their highest point in the 60 years during which records have been kept by the Department of Agriculture.

All the statistics show that there is a shortage in this country of meat used for hamburger, frankfurters, and coldcuts.

Yet, this is the kind of meat, prohibited under the import quotas, from entering this country in quantities large enough to lower food budgets for the average working man's family.

Mr. Speaker, the irony—yes, the tragedy—is that there is no shortage of such meat in the world.

Australia, New Zealand, Mexico, and Ireland all have good, wholesome meat waiting to be shipped into this country under sanitary standards which are exactly the same as those for meat produced right here in this country.

These countries are all friends of the United States. But, they are limited by quotas from selling their surplus meat to the American market while at the time meat prices here are the highest in history because of a shortage.

I urge the administration to suspend these meat quotas so that the countries that are qualified to ship wholesome meat into this country can do so at a larger rate than now permitted by our Government.

This action will help hold down the food budget of the average family. And, let us face it—hamburger is a staple for many families.

Mr. Speaker, our Government's trade policies are indeed a source of puzzlement to those living in the Northeast.

New England workers wonder why they have to face daily unfair competition with generous imports of foreign electronics, textiles, and shoes produced by cheap labor and threatening American jobs.

Yet, when these same New England workers buy meat—and oil for their stoves and furnaces in bitter cold winter—they have to pay higher prices because of Government import quotas. All meat and oil import quotas do is take money out of their household budgets by pushing prices up.

TRIBUTE TO MR. BERNARD J. DONAHUE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. ANDERSON of California. Mr. Speaker, at the conclusion of this school year, Bernard J. Donahue, principal of Carson High School, is retiring after a span of over 30 years' service in the Los Angeles School System.

Mr. Donahue, a native of Los Angeles, attended St. Vincent Elementary School, Loyola High School, and Loyola University. He was awarded a bachelor of arts degree from Loyola University in 1930. Over the years, he continued his education at the University of Southern California and was awarded a master of science degree in 1948.

The retiring principal began his long career in education at Bret Harte High School in 1931. From 1932 until 1937, Mr. Donahue taught at Torrance High School. In 1937, he began an 8-year period at Hamilton High School where he taught until 1945. During 1945, he served as vice principal of Banning High School. In late 1945 and early 1946, Mr. Donahue returned to Hamilton High High School to resume his teaching duties.

Mr. Donahue returned to the field of school administration in 1946, where he was the vice principal of Torrance High School. From 1947 until 1962, he served as vice principal and later, principal, of Banning High School. In 1962, Mr. Donahue began his tenure as principal of Carson High School—the position he holds today.

In addition to his service to the community in the school system, Mr. Donahue has served the community through his membership in the Rotary Club, the Young Men's Christian Association, and the Carson Chamber of Commerce.

Mr. Donahue's professional affiliations include membership in the National Association of Secondary School Principals, the California Association of Secondary School Administrators, the Los Angeles Association of Secondary School Administrators, and the Los Angeles Senior High School Principals' Association in which he served for a period as president.

Mr. Donahue and his wife, Laura, have a daughter, Mrs. Shelia F. Miller.

I would like to join in honoring Bernard J. Donahue for his outstanding service to the parents and children in the Los Angeles area who have had the opportunity to come in contact with him. His dedication, integrity, and intellect have been an inspiration to many. The Los Angeles School System has benefited greatly from his service, and he will be missed.

VIETNAMIZATION AND LAND REFORM

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. JOHNSON of Pennsylvania. Mr. Speaker, impressive signs of success in two crucial areas of the war in Vietnam, Vietnamization and land reform, are noted in a recent column by two writers visiting Bien Hung, a Mekong Delta hamlet.

The victory of the South Vietnamese forces in taking and holding control of this area is significant. The column notes that local forces may soon be able to relieve even the South Vietnamese Army here.

Second, the great hope offered by the Thieu government's new program of land reform is discussed.

I ask that this column by Robert S. Allen and John A. Goldsmith in the Wichita Eagle be inserted in the RECORD. The column follows:

[From the Wichita Eagle, Apr. 9, 1970]

PACIFICATION IS HOPEFUL

(By Robert S. Allen and John A. Goldsmith)

BIEN HUNG, VIETNAM.—This Mekong Delta hamlet, now controlled by the government, is both a showcase and a test-case for pacification and the eventual Vietnamization of the war.

South Vietnam's 21st Division, under the command of 40-year-old Brigadier General Nguyen Vinh Nghi, took the hamlet in mid-October. It had been under the control of the Viet Cong since early in the war.

The minor victory in itself is significant. The 21st Division, one of South Vietnam's best, has never been reinforced by the assignment of U.S. troops. It gets air and naval support from U.S. units, but the division's successes are its own.

Bien Hung is making impressive progress under the watchful eye of the An Xuyen Province chief, Col. Le Chicoung. All-important local defense forces are being trained. A headquarters complex for the government of the Song Ong Doc district is under construction near the mouth of the canal.

Economic prospects for the hamlet are very good. The river yields a bountiful fish harvest. Rice and other crops prosper in the marshlike delta soil.

The North Vietnamese still use an infiltration route from Cambodia into the dense U Binh Forest to the north. Moving his airmobile units frequently, however, General Nghi has been able to narrow the forest area in which the North Vietnamese can operate safely.

So it is not surprising that visitors, seeking information on pacification and Vietnamization now find their way into the operating area of the 21st Division in the southwest corner of Vietnam which was once considered a Viet Cong stronghold.

As recently as 1967 only 44 per cent of the people in the six-province operating area of the 21st Division lived in areas under government control. In 1969 the percentage reached 92.5. By the end of 1970 Nghi and his aides hope it will rise to 96 per cent.

Refugees from the war, attracted by the lush delta harvest, are resettling in the area. The Viet Cong are now having great difficulty with their local recruiting efforts. Since the government forces took over, Bien Hung itself has had little Viet Cong pressure—a fact which has certainly contributed to the advances here.

After his forces took over the hamlet in October, General Nghi assigned one regular army battalion for its protection. The test will come when that regular battalion is withdrawn for use elsewhere in the 21st Division area.

Then defense of the hamlet will rest initially with local forces—with the hamlet's Popular Force platoons now being trained, with nearby Regional Force companies and with the volunteers of the People's Self Defense Force, who get arms and ammunition but no pay from the government.

The rainy season is approaching. Air support and air mobility will be reduced. The Viet Cong and the North Vietnamese can be expected to step up their activities in the 21st Division's operating area.

There is much hope, great confidence, but no assured security yet for Bien Hung and other hamlets like it.

Even the skeptics, who have despaired of pacification based on the experience of the past, concede that the Thieu government has taken a bold step with its new program of land reform. It is called the Land-to-the-Tiller program.

Currently about 80 per cent of Vietnam's rice paddies are farmed by tenant farmers. Generally they cultivate farms of less than five acres and give the landlord 35 per cent of their crop as a rental fee.

The new program will virtually eliminate tenant farming and give the small farms to the Vietanmese who till them. With U.S. help, financial and otherwise, landlords will be compensated with 20 per cent down payments and bonds to cover the balances of their losses.

Landlords fought the bill in the Vietnamese legislature, and the Thieu government took some legislative lumps. As finally approved by the assembly, however, the program is almost exactly as President Thieu submitted it.

As many as six million people, a million farm families, will be affected by the Land-to-the-Tiller program. That is land reform on a major scale, and it will make landowners of many people who have had little contact in the past with the government in Saigon.

U.S. Ambassador Ellsworth Bunker, who is not ignorant of such matters, recently called Land-to-the-Tiller "the most extensive and revolutionary land reform law that I am aware of."

UNAUTHORIZED DISCLOSURE OF TAX RETURNS

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. JONES of Alabama. Mr. Speaker, in recent days public accounts of information from the income tax returns filed by several citizens of this Nation have been disturbing to thoughtful persons.

The alarming aspect is the public disclosure of confidential information which is as yet unrelated to any actual charges of law violation or wrongdoing.

Should there be evidence of unlawful acts or misconduct in the filing of income tax returns, proper legal actions should be taken through the established judicial systems. It is in the courts that decisions of guilt or innocence should be determined.

The indiscriminate disclosure of tax information is becoming common practice and this is a most flagrant violation of the confidential relationship between the taxpayer and his Government.

This valued relationship between the individual citizen and the Federal Government, with the promise that it is confidential and trusted, has been the foundation of the citizen's voluntary compliance with the law. This is an essential characteristic which distinguishes our society from the totalitarianism of a police state.

The other agencies of Government, along with the Internal Revenue Service, should guard and hold in strictest accountability the confidential information that is supplied by citizens. Indiscriminate disclosures bring doubt as to the fidelity of the Government and can impede the imparting of truthful information by our citizens.

FUNDAMENTAL AMERICAN RIGHTS DENIED WILLIAM WOESTENDIEK OF WETA

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. THOMPSON of Georgia. Mr. Speaker, the management of educational television station WETA has cast an aspersion on the integrity of the press that ought not to go unchallenged.

On Friday, WETA fired a highly competent newsman, William Woestendiek, admittedly for the sole reason that his wife, Kay, had gone to work for Mrs. Martha Mitchell.

The station management protested that it fired Woestendiek to avoid any hint of bias in its news coverage.

In doing this WETA told every reporter and newsman in this country that no reporter or his or her spouse can hold any political views or have any political connections without it reflecting on that reporter's presentation of the news.

Mr. Speaker, every reporter should rise up in righteous indignation. Indeed, so should every politician. This kind of an attack on the character and integrity of the press must not be allowed to go unchallenged.

Not if we are to hold to the belief that each adult individual is responsible for his own performance and must be judged on his own merits.

Mr. Speaker, the fact that a federally subsidized television station has denied this fundamental American right means something is wrong. I believe we have a responsibility to take a look at this situation. The Federal Government, through its support of educational television, cannot afford to be involved in this kind of a political reprisal.

HIJACKING AND WORLD LAW

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. HUNGATE. Mr. Speaker, we are all increasingly concerned about aircraft hijacking and the need for world cooperation in finding solutions to this problem.

The door to greater international cooperation most certainly should be opened with this critical problem. And, hopefully, it could provide a new direction in solving many global problems through united world efforts.

I believe my colleagues will find most interesting and enlightening the following article from the January–February 1970, edition of the World Federalist, U.S.A.:

HIJACKING AND WORLD LAW

(By William M. Sheehan)

An Eastern Airlines DC8 jet, with crew of eight and 138 passengers, neared the end of its evening New York-Miami flight. The stewardess had brought coffee and snacks to the pilot and co-pilot and was returning to the dimly lit passenger cabin. Suddenly a burly man, dragging a child, not his own, with one hand and holding a gun in the other, brushed past her.

Pointing the gun at the child's head, the man shouted at the pilot: "Havana, or this kid, and all of us, don't go anywhere."

The pilot and co-pilot didn't argue. Company policy had long since been established. Don't risk the lives of scores of innocent people and an aircraft worth many millions of dollars to see if the hijacker means business. He usually does.

A bullet through the skin of a pressurized, high-flying plane can result in explosive decompression. One wild shot into the oxygen tanks or cockpit control mechanism could spell instant disaster, even if none of the crew were hit.

"Going to Havana", radioed Eastern's pilot to Federal Aviation Administration Control at Jacksonville, Florida. "You know what that means."

FAA Control knew only too well. There have been scores of Cuban detours. Aircraft operating in Eastern USA now have cards printed in Spanish and English with a dozen explanations, such as, "Going to Havana but must notify Authorities," "Aircraft requires fuel, must land first" or "Aircraft too heavy, circling airport to burn fuel," which can be pointed to for the benefit of nervous, Spanish-speaking hijackers. Pilots in the area carry approach maps to Havana's José Marti Airport, showing navigational aids and directions for instrument landing approaches.

Not all hijacks are to Cuba. Last November, the world's longest hijack, 6,900 miles and 17½ hours, from California to Rome, was accomplished by 20 year old U.S. Marine Raffaels Minichiello in a commandered TWA Boeing 707 jet. En route, passengers were off-landed at Denver, a new trans-ocean flight

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crew taken on at New York and three refuelings effected. No lives were lost and the culprit was apprehended in Italy. But according to Board Chairman Charles Tillinghast, the junket cost TWA more than $40,000 for direct costs alone.

The statistical probability of any one of the world's annual 300,000,000 passengers being aboard a pirated aircraft may be small, perhaps as low as 1 to 170,000. But the odds are getting smaller.

Worldwide there were no highjacks in 1966. In 1967 there were 6. In 1968, 27. In 1969 they averaged nearly two commercial airlines a week. The idea is certainly catching on.

But when it happens as it has to thousands of passengers, it may mean more than a missed business appointment, shortened holiday or failure to attend a wedding, christening, convention or graduation ceremony. It may mean one's life.

SKYWAY ROBBERY

Unprecedented challenges tend to elicit exceptional answers. There is a new, bold solution to the problem. First it may be useful to consider just what hijackers are up to.

In November 1968, a Philippine Airlines plane was cruising at 10,000 feet from Cebu, in central Philippines, to Manila. Four men leaped from their seats brandishing guns. "This is a stick-up," shouted the leader. "Reach for the sky." His companions proceeded to search and rob each passenger. When they got to Senor Vallarin, a plainclothes Federal policeman, the latter whipped out his gun. Wild shooting ensued. Passengers screamed and ducked for cover.

When it was over, one passenger, caught in the cross-fire, lay dead. Several others were seriously wounded. Miraculously, the airplane escaped major damage and landed on the Manila runway, at the hijacker's behest, a mile from the Administration Building. Taking the pilot and two other crew as hostages, the gunmen climbed over the airport fence and made a successful getaway.

A similar gun battle took place recently in an Ethiopian Airlines DC6. On a domestic flight from Addis Ababa to Diredawa, it was forced by a group of Eritrean secessionists to overfly Diredawa, and land on the Arabian Peninsula at Aden. After the aircraft was down, an Ethiopian security man travelling incognito pumped six bullets into the leader, 18 year old Mohammed Seed. But is was too late. The surviving secessionists requested and received political asylum of the Southern Yemen Government.

Ethiopian Airlines, a small but excellently administered airline, has been plagued with such mishaps. This was their fourth such incident in 1969. At Frankfurt last spring, one of their two DC8 jets was virtually gutted by firebombs left behind by Arab passengers. Ato Katema Yifru, young and personable Ethiopian foreign minister, whom I met in Addis last March, said: "Hijacking is not only childish but reckless. We need concerted international action. It would be a deterrent if countries agreed to hand over hijackers straightaway, as Saudi Arabia did in the recent case of two Egyptians."

In September 1969, a band of 12 men and one woman, some armed with machine guns, hijacked simultaneously two aircraft in Ecuador. When the planes landed in Colombia for refueling, the pilot and co-pilot of one plane resisted and were shot, the pilot being killed. The band continued on the remaining aircraft to Cuba, with further refueling stops at Panama and Jamaica.

A hijacked passenger is not safe even after the aircraft has landed. A TWA jet, with over 100 passengers and crew aboard, was diverted to Damascus by a young woman and male accomplice of the Palestinian Liberation Front whilst en route from Athens to Tel Aviv. Upon landing, passengers and crew were evacuated hurriedly by means of the emergency escape chute. They had barely touched the ground when the aircraft was demolished by an explosion. Instructions of the PLF had been to destroy not only the aircraft, but the passengers and crew as well. The Syrians detained two Israelis, presumably as hostages in future Arab-Israeli negotiations.

WHAT TO DO

Suggested solutions are a dime a dozen. They may be classified as either operational or legal.

For example, it has been proposed the cockpit be equipped with concealed darts which could be fired at the intruder and render him instantly unconscious, presumably before there is time for his finger to pull the trigger or his bomb to be dropped. Another suggestion has been to have a trap door in the flight deck which could be opened suddenly to send the unwelcome visitor to his doom below. No doubt this would require a sign "Hijacker stand here".

More seriously, thought has been given by airlines, pilots and government officials to the possibility of identifying potential hijackers at the boarding gate by behavioural traits common to such persons, as well as of pre-flight inspection of passengers and baggage for hidden weapons, either visually or by use of X-ray metallic detectors. These operational techniques are not being generally pursued because of the indignity and inconvenience that would be occasioned to millions of innocent air travellers. The public is already subject to extensive, and for the most part unavoidable, delays in air traffic control, baggage handling and customs examinations.

Some airlines assign plain-clothes detectives to each flight. But this is expensive and, as demonstrated by the Philippine Airlines incident, can lead to fatal violence aloft. If, as in the hijack of an El Al jet at Zurich or the Ethiopian plane at Aden, the security man opens fire after touchdown, it is usually too late to do any good anyway.

Both airlines and pilots associations have offered large rewards for information leading to the arrest and conviction of air criminals, with little or no success. The international airline pilots association, IFALPA, has threatened a worldwide 24-hour strike of its 40,000 members to dramatize the gravity of the situation and the need of quick, drastic, government action, especially by the United Nations Security Council. Interpol, the international criminal police organization, has urged that all national penal codes include hijacking provisions, so courts will have more effective control.

LEGAL SOLUTION

Despite their best efforts, no operational technique can be relied upon to keep hijackers away from planes. Once on board, it is generally agreed, nothing can be done except to yield to their demands, and so keep damage to a minimum.

The only other solution is a deterrent. It must be made clear to would-be hijackers that their intended conduct is a crime and that it will be swiftly and heavily punished. This can be done by effecting an appropriate, applicable law.

Many countries have domestic laws against air piracy. The US Federal Aviation Act authorizes a maximum sentence of death or 20 years imprisonment. In Mexico up to 20 years may be imposed. The Canadian criminal Code sets a limit of 14 years. Cuba, still a favourite hijack destination, has made hijacking a heavily punishable crime and permits extradition, subject to bilateral government agreement. Even without such a bilateral, Castro has demonstrated his desire to be rid of non-political refugee hijackers by returning such persons to the USA via Canada, with which Cuba maintains diplomatic relations.

The trouble with domestic laws against hijacking is they cannot be brought into play unless the domestic court gets physical jurisdiction of the culprit. The latter, whether political refugee, saboteur, psychopath or just plain bad-guy, usually has enough sense to select a landing place where he may expect to receive sancutary.

The present method of effecting international legal rights and obligations is through bi-lateral or multi-lateral treaties. In 1963, at Tokyo, 16 nations signed a "Convention on Offences and Certain Other Acts Committed On Board Aircraft," to become effective only when 12 states had ratified it. In September 1969, the USA became the twelfth state to effect ratification. Other participating countries include such relatively unimportant states as Niger and Upper Volta, but significantly not Egypt, Cuba, Syria or any Arab state.

There are three drawbacks to effecting legal rights and obligations by treaties. *First,* they are merely promises of sovereign nation states. There is no dependable, feasible mechanism whereby those promises, if violated, abrogated or ignored, can be enforced. All an aggrieved state can do is ask for return of the hijackers. If that fails, it can threaten to use force. If that doesn't work, it has to use force, which means go to war.

Second, treaties usually lack universality. An outstanding exception, of course, is the United Nations Charter, which however doesn't deal with hijacking. The Tokyo Convention of 1963 affects barely a dozen countries and, as previously indicated, fails to embrace those countries whose co-operation in effecting a return of a refugee from justice for trial is essential.

Third, treaties require a vast amount of time and effort to negotiate and, once agreed, their terms are frozen. To update or revise them requires almost as much work as creating them originally.

Thus the Tokyo Convention, only half a dozen years old, is already obsolete in important respects. It contains no provision for extradition. Even if there were such, the state of sanctuary would be free to say, "This is a political refugee. Therefore we do not accede to a request for extradition."

WORLD LAW

What all this adds up to is that our existing domestic and international machinery for creating and enforcing legal obligations—although to the extent effectual it must be used—is clearly inadequate for our modern times and needs.

Why should world-wide trafficking in drugs, pollution of the skies and waters by nuclear and non-nuclear waste, exploration of outer space, overpopulation, unconscionable disparity of living standards and myriad other pressing sociological and political problems be subject to the archaic, inefficient and snails-pace procedures of the late Middle Ages?

What we need today is a new kind of lawmaking machinery to agree and enforce global laws for these and many other vital problems.

Whether along the lines of Clark and Sohn's minimal "World Peace Through World Law", Chicago University's maximal "Preliminary Draft of a World Constitution" or any other such proposal, World Federalists have an answer—law, established, adjudicated and enforced through a reconstituted and strengthened United Nations. Hijacking is just one of many reasons why man needs, not tomorrow, but today, a just, dependable and effective world law.

SO YOU FEEL ALL ALONE?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. ASHBROOK. Mr. Speaker, every profession has its nuts and quacks and the behavioral sciences are no exception if an item from the April 19 issue of the Philadelphia Inquirer is any indication. The article starts out by saying:

> Sharing nudity is one way of getting rid of the terrible feeling that one is all alone in the world, according to some innovative psychologists.

This new, earth-shaking treatment is known as nude-encounter therapy, and in the words of Dr. S. F. Kreitzer, a clinical psychologist:

> It would be a great change and of great benefit in the lives of many of the so-called "silent majority."

In the days of Mark Twain's Tom Sawyer and Huck Finn similar characters would be run out of town on a rail, but alas, today they get to enlighten convention gatherings with their nonsense. Their rantings would be hilarious if the moral connotations were not so serious.

The item, "Psychologist Cites Value of Nude Therapy," by George Getze from the Philadelphia Inquirer of April 19 is inserted at this point:

PSYCHOLOGIST CITES VALUE OF NUDE THERAPY

(By George Getze)

LOS ANGELES, April 17.—Sharing nudity is one way of getting rid of the terrible feeling that one is all alone in the world, according to some innovative psychologists.

But nudity, they say, to be anything other than plain nakedness, has to be supervised by somebody trained in using it as a psychological device.

Nude-encounter therapy was one of the subjects discussed at the 1970 convention of the Western Psychological Assn. here.

S. F. Krietzer, a local clinical psychologist, said in an interview that nude-encounter therapy is a new way of helping people feel comfortable with themselves and others.

THAT OLD FEELING

He said that to feel comfortable, people have to lose the lonely feeling that nobody understands them, a feeling that can lead to despair and suicide.

"People express this by saying to themselves, 'nobody would or could accept me if I let them know what I am really like,'" Dr. Kreitzer said.

Therapy helps them get rid of this notion, and nude-encounter therapy is a faster and more successful way of going about it with many people, he said.

PROFESSIONAL AID

Dr. Kreitzer said he himself looked upon nude-encounter therapy with fear and misgivings but that he has now decided it is a valuable aid in his work.

He does not think that nude-encounter therapy should be limited to those who are seriously disturbed.

"It would be a great change and of great benefit in the lives of many of the so-called 'silent majority,'" Dr. Kreitzer said.

Nude-encounter therapy has been growing for the past several years since it was first seriously tried by Paul Bindrin, a local psychologist who runs what he calls "nude marathons."

RAW DEAL

He describes the nude marathon as a "deeply involving and highly sensitive group process in which individuals discover the basic life style they have expressed since infancy."

For a $75 fee, Bindrin offers "general session" nude marathons, open to everybody; "advanced sessions," for experienced participants only; "creative mating," for couples who would like to "enliven" their relationship by facing to the conflict between the urge to be close, with its problems of possessiveness and jealousy, and the urge to be free; and "creative meeting," for singles who are "tired of playing the dating game and wish to meet under more transparent circumstances."

THE PENTAGON AND THE NEWS MEDIA

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. JACOBS. Mr. Speaker, I insert the following speech delivered by Mr. A. Ernest Fitzgerald in the RECORD, as follows:

THE PENTAGON AND THE NEWS MEDIA

(By A. Ernest Fitzgerald)

Several weeks ago, after I had worked as a consultant to CBS Television on its program exposing the massive cost overruns on the Navy's Mark 48 torpedo system, a very fine review in *Variety* cast me as a critic of the nation's news media, despite my enthusiasm for this particular TV program. Since I think this characterization of my views is only partly accurate, I'd like to take the opportunity today to clarify my position.

In the first place, I think the media have done a remarkable job of telling the public the story of my adventures with the Pentagon bureaucrats. Without this coverage, I'm sure I would have been fired long before I was, and perhaps prosecuted on the false charges—later retracted by the Air Force—that I violated security and provided classified documents to the Congress. At the very least, I would have disappeared from sight and would not be addressing you today.

But as I mentioned to a newspaper reporter at the height of the hassle over my testimony on the C-5A aircraft cost overruns—more than a year ago—I'm afraid all the attention to the personal aspects of my case has partly obscured the far deeper and more critical issue: that of the Pentagon's role in our economy and its poor stewardship of the enormous funds entrusted to its care. This issue is exemplified by the Pentagon's toleration of huge cost overruns and its continuing reluctance to put pressure on the giant military contractors to deliver their products in reasonable accordance with original contract specifications. On this issue—which I think is one that really counts—the media have been slightly less spectacular than in reporting on the human interest stories.

You're all probably familiar with the recently enunciated doctrine of "Agnewsticism." This isn't really new, of course, but frequently rears its head in time of great controversy. Generally speaking, an Agnewstic holds that the national media should be impartial and objective toward all sides of a given question—except when the Administration or its friends happen to be involved. As a distinguished young lady in the first family put it in a wire service interview several weeks ago, "The Vice President is incredible. I feel I should write him a letter. He's amazing—what he has done to the media . . . helping it to reform itself. I'm a close watcher of newspapers and TV. I think they've taken a second look. *You can't underestimate the power of fear.*"

Now this may be shrewd psychology and good politics, but it's a poor way to run a democratic government. It flies in the face of the essential concepts of a free press and an informed electorate. But it's bound to have some effect. In-depth, probing reporting on Administration activities, especially in the Pentagon, has not significantly expanded on the air-waves.

For those of us troubled by bungling and high-handedness on the part of the officials who run the Pentagon, this is a most critical time, certainly no time to stifle questioning by intimidating the media. Along with huge cost overruns on major weapons programs, the Pentagon is getting airplanes whose wings break off, tanks that blow themselves up and missiles that won't even make it out of their own silos. Never has there been a greater need for thorough and objective reporting on the Pentagon's performance of its job.

Granted, it's hard for a reporter to penetrate the opague shroud of secrecy thrown up by the Pentagon bureaucrats and to dig out stories that the bureaucracy would rather suppress. Unfortunately, however, I know of several instances where networks have declined to run well-documented Pentagon horror stories that have been handed them virtually on silver platter. Some typical examples:

Last year one of the major networks had complete information on a story concerning a giant defense contractor, one which has had considerable difficulty in developing one of our major weapons systems. As far back as 1966, there was knowledge within the government that serious financial problems were involved. However, the facts were covered up—deliberately concealed—and withheld from both Congress and the public. After the issues had been discussed between Pentagon officials and company management—but before they became public—some of the company's top officials sold hundreds of thousands of dollars in personal stock holdings. Later, when massive overruns on the system were revealed, the value of the company's stock took a drastic beating. Without any explanation to the producer, the TV exposé was killed just before it was to go on the air.

A producer for another network shot news clips of the Marine Corps' court-martialing of enlisted men for refusal to give up their weekends to pull targets at civilian rifle matches sponsored by the National Rifle Association. Like the insiders' stock deal, this program was squelched without explanation even though the General Accounting Office had provided a documented account of the numbers of Marines sent on these details and the number of courts martial for refusal to participate in this demeaning, nonmilitary activity.

The same producer who worked on the Marine story wanted to do a special on the military-industrial complex but was told to "cool it" by his boss. According to his boss, there *was* no such complex.

An example of courage that ought to be repeated was the recent CBS exposé of the estimated $3.3 billion cost overrun on the Navy's new Mark 48 torpedo system—one of the few recent investigative efforts by the TV people on Pentagon procurement irregularities. On this program, despite intense pressure to drop the story, Mike Wallace and his associate, Bill Brown, persevered. The Assistant Secretary of the Navy admitted on the show that the Pentagon had tried to dissuade the network from running it and had refused to comment on the torpedo until it was clear the network was not going to yield to pressure. Since then, I've learned that at least one key TV newsman also tried to talk the network out of doing the program.

At this moment, there is another well-documented horror story which needs further airing. This is the F-111 fighter-bomber. Through a secret patriot in the Pentagon, I recently obtained a document revealing that the Air Force Systems Command—the office charged with supervising the development of the controversial F-111 aircraft program—has recommended advance payments to the plane's contractor—the General Dynamics Corporation—even though the Air Force has refused to accept further deliveries of the F–111 pending proof testing to guard against repetition of some of its most disastrous performance deficiencies.

You may recall that several weeks ago, the Lockheed Aircraft Corporation threatened to suspend work on key military programs unless the Pentagon came up with more than $650 million in advance funding on its contracts. The warm reception Lockheed got from the Pentagon and some Congressional leaders may well have been the start of a multi-billion dollar welfare line for the giant military contractors.

The Air Force Systems Command, seemingly acting in behalf of General Dynamics is suggesting almost $40 million in advance payments which the government does not appear to be obligated to pay under a "strict constructionist" view of the situation. In addition, the contractor has been paid almost $4.5 billion on the F–111 program despite dramatic and disastrous shortcomings in the plane's performance. At present, none of the aircraft are being accepted by the Air Force. As icing on the cake, the document indicates that the Systems Command is suggesting that the government pay General Dynamics by the day. The Assistant Secretary of the Air Force, Spencer Schedler, my former boss, has reportedly been briefed on this situation. The proposed give-away may have already been approved.

The most discouraging aspect of the Systems Command proposal is that the alternative of enforcing the contract appeared to have been rejected out of hand. This alternative of enforcing the contract was pictured as "imposing an excessive burden on the contractor." As usual, nothing was said about the taxpayer burden. Instead, more "bail-out" and "get-well" money was proposed.

Despite nearly eight years of infusions of "get-well" money, the contractor has still not produced a serviceable aircraft. Figures provided by the General Accounting Office show that costs for the program have more than doubled, from $4 billion to almost $9 billion, although the quantity of aircraft ordered has been cut back from 1,693 to 710 planes. Cost estimates per copy have risen from $3.3 million to $12.4 million—an increase of more than 300 percent. Senator McClellan has said that a more accurate cost estimate is on the order of $16 million per plane.

My own experiences and observations have convinced me that we have a thoroughly unwholesome and dangerous situation in the Pentagon—one that the media will have to grapple with if we're ever going to get any improvement. The Pentagon, supposedly the main protector of our freedom, quite possibly is itself our greatest threat to personal liberty. And media people are not the only ones susceptible to intimidation. Where is the private citizens' protection against the vast and irresponsible bureaucracy that has gained control of our military machine?

The Pentagon's hierarchy is determined to put down critics—heretics in their book—and to maintain its cozy relationships with the giant military contractors. This relationship, as we have seen, comes at the expense of wasted billions in taxpayers' money. Let me give you some examples of the repression encountered by officials who have dared to buck the system:

The Air Force Colonel who assisted me in the initial disclosures of cost and technical problems in the C–5A aircraft program was suddenly found by the Air Force Headquarters to have absolutely unique qualifications to be Air Attache in Addis Ababa.

The cost analyst who detected a deliberate understatement of $300 million in the cost estimate for the Mark II electronics system for the F–111 aircraft was isolated, socially and professionally ostracized, and given no assignments for a long period of time.

The consulting firm that detected and reported $500 million of excessive costs on the engines for the F–111 airplane was blackballed by the military procurement community and forced to suspend operations.

Civil service material inspectors were labelled "traitors", fired, hounded and shut off from responsible employment for telling Congress about acceptance and use of faulty material procured for the Southeast Asia war. A Navy fuel inspector who uncovered massive thefts of oil and jet fuel in Thailand got similar treatment.

Charges of favoring "unilateral disarmament" and reflections on loyalty were levelled at Members of Congress who questioned waste in the military budget. One powerful Senator attempted to link the budget-cutting effort to the machinations of an "interlocking directorate" organized by extreme leftwingers. These attacks, which had utterly no foundation in truth, scared off a number of moderate Congressmen who had been working to control military spending.

The employers of an especially enterprising reporter, a writer adept at digging up military horror stories, were told by Pentagon officials that their star sleuth was a Communist and crazy to boot. Not one word of this reporter's work has been factually refuted, and several of the systems he criticized have since been canceled. Clearly, it isn't always healthy to place oneself in opposition to the Pentagon's spending juggernaut. Those of us who have attempted it can understand the problems faced by the news media in this regard.

As a result of committing truth before a Congressional committee on the C–5A cost overruns, I received the full smear treatment, including false accusations by the Secretary of the Air Force that I had divulged classified information and an elaborate investigation by Air Force security men to dig up something incriminating about my private life.

Happily, despite much practice, the Pentagon was no more skillful in building up their dirt file on me than in controlling costs. My friends were able to learn the names of the investigators, the file number of the investigation and other information which resulted in a partial disclosure of the facts of this dirty business. Even though nothing was found, the file was doctored and distorted for maximum personal damage. For instance, I was characterized as an economy nut because one of my cars was an old Rambler.

The obvious answer to all this is education—both by the media and other concerned groups. I simply don't think an informed public will let this kind of thing go on. But the public must be informed, and they won't be if the media are muzzled.

To date, however, the proponents of better stewardship have been scattered, disorganized and lacking in persistence. Leadership, resources, responsible direction and staying power are desperately needed. This is where the Businessmen's Educational Fund comes in.

The business leaders who make up the Businessmen's Educational Fund are not intimated by the tactics of the defenders of military boondoggling. Many have outstanding war records, and cannot be accused of being either cowards of traitors. Despite their remarkable generosity, none has any intention of giving his hard-earned property to any bungling bureaucracy. No one can realistically accuse them of being softheaded or impractical. They are leaders in their communities. Finally, our business leaders have or can command the material resources necessary to conduct a persistent, effective campaign in behalf of patriotic American taxpayers.

The BEF campaign, which I am privileged to participate in, is aimed at providing facts to the American taxpayers through business and government leaders. I view these leaders as wholesale distributors of facts which will cause patriotic taxpayers to demand that the pentagon boondogglers shape up.

As Mayor John Lindsay pointed out not too long ago, the taxpayers of New York City supply the Pentagon with $9 billion of their money every year. In this city and others across America, we believe that an informed public will demand full accountability of the Pentagon's stewardship.

I am personally convinced that education can make possible the saving of billions of dollars in the military budget. Management mechanics are not a limiting factor at present. Intent is. The military budget is high because the government officials who really matter want it that way. It is full of fat because fat equates to comfort and political power for government bureaucrats, and high, risk-free sales for the big suppliers.

So far, both the President and the Secretary of Defense have avoided binding commitments to tough improvement goals. I believe an effective educational campaign can motivate both these gentlemen to take a tough stand on military financial goals. If they are tough enough, they can cure the intent problem almost overnight.

Whether you are primarily concerned about inflation, high taxes, problems of the cities, the environment, moral decay in government or the future of free enterprise, I think you will agree that we as a nation must bring the Pentagon's bureaucracy and their favored contractors under control. Otherwise, they will continue to eat us out of house and home, and we will have inadequate resources for any improvements to our national well-being.

As I mentioned earlier, our news media have an essential role to play in this campaign. Thomas Jefferson noted that the price of liberty is eternal vigilance, and a vigilant public requires even more vigilant news media. But while emphasizing their responsibility, let us not forget our own—to offer them our strong support when they seek to do democracy's work. I believe that businessmen, as a group and as individuals, can make a vital contribution in this way.

Whatever the outcome of the BEF drive, we have an exciting time ahead of us, with a chance to do lasting good for ourselves and our country. We hope to build a constituency for stewardship which will assure external and internal security without sacrificing either our solvency or our traditional liberties.

I hope you will join us.

FEDERAL SUPPORT OF EDUCATIONAL TELEVISION NEEDS A CLOSE REEXAMINATION

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. FINDLEY. Mr. Speaker, it is obvious that Federal support of educational television needs a close reexamination.

I do not believe that the Federal Government should support an industry that practices political discrimination any more than it should support one that practices racial or religious discrimination.

And yet that is what is happening. By its own admission WETA, a Washington education TV station, has fired a top news director solely because his wife has gone to work for a Republican, Mrs. Martha Mitchell.

The implications of such a firing get

to the very heart of our system of individual freedom and responsibility.

A person must be free to seek out the job or profession of his or her choice, without his spouse being held responsible.

A person holding a job has a right to be judged on performance, not on the political views or associations of his or her spouse.

This would seem basic, especially in an industry such as television that has proven itself so sensitive to the threat of intimidation and so aware of the rights of individuals.

The fact that it is just the opposite in the federally subsidized segment of the television industry indicates something is radically wrong. Mr. Speaker, it is our duty to see just what it is that is wrong. I trust we will not be delinquent in that duty.

OVER 30 MILLION RECEIVE FOOD FROM UNCLE SAM

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. COLLIER. Mr. Speaker, one might conclude that there are millions of people "going to bed hungry" if we were to listen to the chantings of some of the more vocal critics of government. If people are actually going hungry today—people who cannot help themselves—or if there are children going hungry, it should not be nor is there any need for it. An appeal to a Congressman or any other responsible public official will bring a prompt solution to the individual problem wherever it exists. For today, with all of the various Government programs, there is no cause for anyone to be without adequate food to eat.

Let us get the record on this subject straight. A study of the budget submitted by President Nixon early this year shows that over $2,000,000,000 will be provided during fiscal 1971 for the various food programs administered by the Department of Agriculture. This figure is a substantial increase over $1,500,000,000 for the current fiscal year and $900,000,000 for fiscal 1969.

Data that I am inserting in the RECORD shows that a minimum of 29,100,000 children and adults will receive food paid for by the Federal Government during the year beginning next July 1. The actual figure is probably higher by several millions, but there is a certain amount of duplication. A schoolchild could receive a free breakfast and a free lunch at school, benefit from food stamps at home, and later get free food at a summer camp for needy children. Even so, the total number of recipients of Federal food aid probably is well in excess of 30 million.

Mr. Speaker, anyone who accuses either the Congress or the President of being indifferent to the needs of the hungry is either uninformed or irresponsible. Before he makes any more wild statements, he ought to examine the data that I herewith offer for the RECORD:

CONSUMER AND MARKETING SERVICE—REMOVAL OF SURPLUS AGRICULTURAL COMMODITIES (SEC. 32)

[In thousands of dollars

	1969 actual	1970 estimate	1971 estimate
Commodity program payments:			
Direct purchases	$275, 340	$359, 773	$263, 608
Special feeding program	44, 471	100, 000	186, 058

Under Section 32 of the Act of August 24, 1935, as amended, an amount equal to 30% of customs receipts collected during each calendar year (except for an amount equal to 30% of such receipts collected on fishery products transferred to the Department of the Interior to encourage the distribution of fishery products), plus unused balances up to $300,000,000 are available for expanding domestic and foreign market outlets for farm commodities. As provided in recent appropriation acts, transfers have been made from this fund, primarily to the school lunch program for the purchase and distribution of agricultural commodities and the special milk program to cover the full or partial cost of milk served to school children.

Commodity program payments include *Direct purchases*, which are donated to schools, summer camps, child-care centers, nonprofit institutions serving needy persons, persons certified by welfare as eligible for relief, and disaster victims.

The *special feeding program* was initiated in 1969 to meet the urgent need for providing additional foods to needy children and adults who are determined to be suffering from general and continued hunger. The funds provided are channeled primarily through the child feeding programs authorized by the School Lunch and Child Nutrition Acts.

Distribution in 1969, including that under Section 6 of the National School Lunch Act, was as follows, by recipients in peak months:

Schoolchildren	24, 100, 000
Needy persons	3, 800, 000
Persons in charitable institutions	1, 200, 000

FOOD AND NUTRITION SERVICE—SPECIAL MILK PROGRAM

	1969 preliminary	1970 estimate	1971 estimate
Cash payments to States	$102, 048	$83, 314	
Operating expenses	590	725	
Total program costs, funded	102, 638	84, 039	
Change in selected resources	39	−39	
Total obligations	102, 677	84, 000	

Cash payments to States.—This program is designed to increase the consumption of fluid milk by children in nonprofit schools of high school grade and under, child-care centers, summer camps and similar nonprofit institutions. The program will be terminated at the end of fiscal 1970 as programs for feeding balanced meals to needy school children are further expanded. Most of these meals will include milk.

Funds are provided under letters of credit to State agencies to reimburse eligible participants for a part of the cost of the fluid milk consumed. Based upon available funds and prior year participation, initial reserves were established for each State for reimbursement payments through fiscal 1967. Beginning in fiscal 1968, available funds were apportioned among the States on the basis of payments made to schools and child-care institutions for program reimbursement during the preceding fiscal year. In especially needy schools, reimbursement payments may be made for the full cost of this milk for children who are unable to pay. In fiscal 1970 the program is being financed by a direct appropriation of $84,000,000 and an additional $20,000,000 provided under the Section 32 special feeding program.

The child nutrition programs and additional Section 32 funds aid in financing all child food assistance. These programs are directed at providing complete meals and food supplements, including milk, with particular emphasis on assistance for needy children. The further expansion of these programs proposed in 1971 will result in an increase in milk consumption with the additional meals to be served. These factors eliminate the need for a separate special milk program appropriation.

Operating expenses.—Administrative and technical assistance is furnished to State agencies, participating schools, and child-care institutions. Policies, procedures, and standards are developed for administering the program and determining eligibility. The program is administered directly in outlets where no State agency has assumed the responsibility for its administration, or where such agencies are prohibited by law from disbursing funds to such participants.

CHILD NUTRITION PROGRAMS

	1969 preliminary	1970 estimated	1971 estimated
Cash payments to States:			
School lunch program	$162, 034	$168, 041	$169, 721
Special assistance	10, 000	44, 800	48, 347
School breakfast program	3, 500	10, 000	12, 000
Nonfood assistance program	748	10, 000	12, 500
State administrative expenses	153	750	750
Nonschool food program	3, 244	13, 572	15, 000
Commodity procurement	63, 983	64, 325	64, 325
Operating expenses	2, 388	3, 850	4, 110
Total program costs, funded	246, 050	315, 338	326, 753
Change in selected resources	38		
Total obligations	246, 088	315, 338	326, 753

The primary objective of the child nutrition programs is to make the best possible nutrition available to every child, regardless of the economic condition of the child's family or the local district. Special emphasis is directed toward reaching needy children in low income areas in schools, child-care centers, settlement houses, recreation centers, and similar nonprofit institutions devoted to the care and training of children.

These programs are authorized by the National School Lunch Act, as amended, and the Child Nutrition Act of 1966, as amended.

Cash payments to States.—The programs are operated under an agreement entered into by the State educational agency and the Department. Funds are advanced under letters of credit to State agencies for use in reimbursing participating schools and child-care institutions. Sponsors make application to the State agency and if accepted are reimbursed in accordance with the terms of their agreement.

School lunch program.—Assistance in the form of both funds and food is provided to the States, as defined in the National School Lunch Act, for serving lunches to schoolchildren. Each State's portion of the funds available is determined by a statutory formula. The formula takes into account the participation rate in the State, and the relationship between the per capita income of the State and the average United States per calpta income. States must match the Federal cash grant from sources within the State at a 3 to 1 ratio. For States with below-average per capita income, this ratio is decreased.

Special assistance.—To schools drawing attendance from needy families, Section 11 of the National School Lunch Act provides special assistance for serving free or reduced price lunches. The legislation carries carefully prescribed criteria as to the eligibility of these schools, and a special formula for the apportionment of funds among the States.

School breakfast program.—The Child Nutrition Act of 1966 authorized a school breakfast program for two years on a pilot basis to assist States through grants-in-aid and other means to initiate, maintain, or expand nonprofit breakfast programs in schools. Public Law 90–302 extended the breakfast program through 1971.

Funds are apportioned to States by a statutory formula. While the basic payments are limited to food assistance, in circumstances of severe need, financial assistance may be authorized up to 80% of the operating costs. Applicant schools must provide justification of the need for additional assistance.

The program is operated in schools drawing attendance from areas in which poor economic conditions exist and where a substantial portion of the children enrolled travel long distances. In fiscal 1969, programs operated in schools in forty-nine States, the District of Columbia, Guam, and Puerto Rico.

Nonfood assistance program.—The Child Nutrition Act of 1966 authorized a permanent program to assist the States through grants-in-aid and other means to supply schools in low-income areas with food service equipment, other than land or buildings.

Applicant schools are required to justify their need for assistance on a project basis and submit a detailed description of the equipment to be acquired, including their proposals for its use in meeting the nutritional needs of children. In addition, State and local sources must bear 25% of the cost of equipment or facilities financed under this authority.

In fiscal 1969 schools in all States, the District of Columbia, Guam, Puerto Rico, and American Samoa, serving meals to some 934,000 children, received equipment assistance. In addition some schools received equipment assistance from the special Section 32 funds.

In order to provide nutritious meals, many schools in the country must be provided funds for kitchen equipment.

State administrative expenses.—The Child Nutrition Act of 1966 provides for advances to each State educational agency for administrative expenses. These funds are to be used for supervising and giving technical assistance to the local school districts for additional activities undertaken by them to reach more needy children under the school lunch, special assistance, school breakfast, nonfood assistance, and nonschool food programs.

Nonschool food program.—The National School Lunch Act was amended in 1968 to authorize a pilot program for three years to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit food service programs for children in service institutions. These programs will reach school-age children during the summer month in settlement houses, neighborhood houses, and recreation centers. Preschool children will receive year-round assistance in child day-care centers.

Each State may receive a basic grant of not more than $50,000. The remaining funds will be apportioned by a formula to be determined by the ratio of the number of children (aged three to seventeen inclusive) from families with income under $3,000 per year in each State, to the total number of such children in all States. Up to 80% of the total cost of meals served may be paid in cases of severe need, and not more than 75% of the equipment costs may be paid to the institutions. All meals served must meet minimum nutritional standards as a condition for receiving assistance.

Commodity procurement.—Commodity procurement under Section 6 of the National School Lunch Act provides additional commodities to schools to supplement foods purchased locally for the lunch program. Section 6 procurement helps to insure nutritionally adequate lunches and appreciation for quality foods. Commodities are purchased by the Department on the basis of their nutritional value and acceptability to schools.

Protein items of chicken and meat accounted for about two-thirds of the purchases in fiscal 1969. The remaining one-third consisted of fruits and vegetables. In fiscal 1970 frozen ground beef, chicken, and fruits and vegetables are being purchased with funds transferred from Section 32, Removal of Surplus Agricultural Commodities.

Commodities acquired under price support and surplus removal programs are available to schools and child-care institutions. The volume of surplus commodities distributed depends upon market conditions.

Operating expenses.—Administrative and technical assistance is furnished to State agencies, participating schools, and child-care institutions. Policies, procedures, and standards are developed for administering the programs and determining eligibility. The programs are administered directly in private schools where the State educational agency is prohibited by law from disbursing funds and in child-care institutions where no State agency has assumed the responsibility for administering the program.

Participation in the programs from 1969 through 1971 follows:

	1969 preliminary	1970 estimated	1971 estimated
Number of children, average:			
School lunch program	17,800,000	18,700,000	18,900,000
Special assistance [1]	1,300,000	2,900,000	5,500,000
School breakfast program [1]	205,000	407,000	555,000
Nonschool food program, number of children:			
Year round	78,142	100,000	100,000
Summer program	234,428	294,400	294,400

[1] Includes special sec. 32 funding.

FOOD STAMP PROGRAM

	1969 preliminary	1970 estimate	1971 estimate
Program costs	$238,669	$596,150	$1,232,000
Operating expenses	10,051	13,828	18,000
Total program costs, funded	248,720	609,978	1,250,000
Change in selected resources	2,261		
Total obligations	250,981	609,978	1,250,000

This program helps provide improved nutrition to households with limited resources. Food coupons which may be used in retail stores for the purchase of commercial brand foods are issued to needy households that qualify to participate. The program is inaugurated at the request of State welfare agencies and these agencies are responsible for certification and coupon issuance functions.

The Department determines the allotment of coupons for each household unit, including the portion to be purchased, based on income, food needs, and other factors.

Coupons are issued by a non-Federal issuing office. Cash paid for the coupons by participants is deposited periodically in a designated Federal depository. Food stores receive cash or credit for the coupons from any commercial bank, which must accept them at face value. The coupons then flow through regular banking channels to the Federal Reserve banks where they are redeemed.

Legislation has been proposed to make substantial changes in the basic food stamp authority. The 1971 budget is based on the passage of the recommended legislation.

The appropriation for 1970 will finance needed program modifications and expansion into some new areas. The increased funds will be used to provide a greater total coupon allotment at a reduced cash outlay to the participant. The cash requirement will be reduced substantially and the total coupon allotment will be sufficient to provide a nutritionally adequate diet.

The number of participants at yearend 1969 was 3,224,233 (actual); for 1970 and 1971 it will be 5,424,000 and 7,472,000, respectively (both estimated).

Grand totals:

1969 preliminary	$919,557
1970 estimated	1,469,089
1971 estimated	2,026,419

THE ECONOMICS OF POLLUTION EXAMINED BY EDWIN L. DALE, JR. IN NEW YORK TIMES MAGAZINE

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. REUSS. Mr. Speaker, the New York Times Magazine of Sunday, April 19, 1970, included the following excellent article titled "The Economics of Pollution" by Edwin L. Dale, Jr.:

THE ECONOMICS OF POLLUTION

(By Edwin L. Dale, Jr.)

Now that environment has become a national concern, it might be well to clean up some of the economic rubbish associated with the subject. There are, alas, a few "iron laws" that cannot be escaped in the effort to reduce the pollution of our air and water, in disposing of solid waste and the like. The laws do not necessarily prevent a clean environment, but there is no hope of obtaining one unless they are understood.

We have all become vaguely aware that there will be a cost—perhaps higher monthly electric bills, perhaps higher taxes, perhaps a few cents or a few dollars more on anything made from steel—if there is a successful and massive effort to have a better environment. But that is only a beginning. There are other problems.

This article will describe the three iron laws that matter. There is no point in hiding that all three are very depressing. The only purpose in adding more depressing information to a world already surfeited with it is a small one: to avoid useless effort based on false premises. A classic example has already arisen in wistful Congressional inquiries into whether we might think of a future with somewhat less electric power, or at least less growth in electric power.

In shorthand, the three laws are:

(1) The law of economic growth.

(2) The law of compound interest.

(3) The law of the mix between public and private spending.

THE LAW OF ECONOMIC GROWTH

Whether we like it or not, and assuming no unusual increase in mass murders or epidemics, the American labor force for the next 20 years is already born and intends to work. It is hard for any of us—myself included—to imagine a deliberate policy to keep a large portion of it unemployed. But that simple fact has enormous consequences.

For more than a century, the average output of each worker for each hour worked has risen between 2 and 3 per cent a year, thanks mainly to new machines, but also to better managerial methods and a more skilled labor force. This increase in what is called *productivity* is by far the most important cause of our gradually rising standard of living—which, pollution aside, nearly all of us have wanted. In simplest terms, each worker can be paid more because he produces more and he consumes more because he earns more. Inflation only increases the numbers and does not change the facts. Machines increase the productivity of an auto worker more than a barber, but both rightly share, through the general rise in real income, in the expansion of productivity in the economy as a whole.

It is difficult to conceive of our society or any other wanting to halt the rise in productivity, or efficiency, which has made real incomes higher for all of us. But even if "we" wanted to, in our kind of society and economy "we" couldn't. The profit motive will almost always propel individual, daily decisions in the direction of higher productivity. A business will always buy a new machine if it will cut costs and increase efficiency—and thank goodness! That is what has made our standard of living—and we do enjoy it—rise.

It is not a matter of enjoying it, however. By any fair test, we are not really affluent; half of our households earn less than $8,500 a year. Apart from redistributing income, which has very real limits, the only way the society can continue to improve the well-being of those who are not affluent—really the majority—is through a continued increase in productivity. Anyone who wants us to go back to the ax, the wooden plow, the horse carriage and the water wheel is not only living a wholly impossible dream, he is asking for a return to a society in which nearly everybody was poor. We are not talking here about philosophical ideas of happiness, but of what people have proved they want in the way of material things. This society is not about to give up productivity growth. But every increase in productivity adds to output. Now consider the next step:

We can count on the output of the average worker to continue to rise in the years ahead, as it has in the past. Nearly all current forecasts put this rise in productivity much closer to 3 per cent than to 2, and 3 per cent has been about our average in the years since World War II. So without any change in the labor force at all, our national output will go on rising by some 3 per cent a year.

What does output mean?

It means electric power produced—and smoke produced.

It means cans and bottles produced.

It means steel produced—and, unless something is done about it, water and air polluted.

It means paper produced—with the same result as for steel.

And so on and on.

But that is not the end, for there will not be a static labor force. As noted, the force for the next 20 years is already born and it is going to grow year by year (with a caveat, to be described below).

Obviously, we want to offer these people employment opportunity. So, in addition to a 3 per cent productivity growth, there will be an added growth of at least 1 per cent a year in the number of workers. The result is that we are almost "condemned" to a rise in our total output of 4 per cent a year. The only escape, it seems, would be a national decision either to have high unemployment or to try to be less efficient. Both are absurd on their face.

The law of economic growth says, then, that we already know that the national output in 1980 will be, and almost must be, some 50 per cent higher than it is now. President Nixon has said so publicly, and he is right. That is the result of an annual rate of real growth of about 4 per cent, compounded. It is terrifying. If an economy of $900-billion in 1969 produces the pollution and clutter we are all familiar with, what will an economy half again as large produce?

Is there no escape from this law? The answer, essentially, is no. But there is one possible way to mitigate the awesome results. We might reduce the labor input (but, we hope, not the productivity input), without creating mass unemployment.

Each working person has a workday, workweek, workyear and worklife. Any one of them could be reduced by law or otherwise. We could reduce the legal workweek from the present 40 hours. We could add more holidays or lengthen vacations to reduce the workyear. We are already shortening the worklife, without planning it that way: increased participation in higher education has meant later entry into the labor force for many, and retirement plans, including Social Security, have brought about earlier retirement than in the past for others.

If, by chance or by law, the annual man-hours of employment are reduced in the years ahead, our output will grow a little less rapidly. This is the only way to cut our economic growth, short of deliberate unemployment or deliberate inefficiency.

There is a cost. It is most easily seen in a union-bargained settlement providing for longer vacations without any cut in annual wages, or a legal reduction in the workweek from 40 to 35 hours, with compulsory overtime payments after that. In each case, more workers must be hired to produce the same output, and if the employer—because of market demand—goes on producing at the same level, wage costs for each unit of output are higher than they otherwise would have been. Prices will therefore be higher. This is widely recognized. Maybe we would be willing to pay them.

But we cannot guarantee less output. Only if employers produce less—because of the extra cost—would that happen. And in that larger sense, the cost of a reduction of our annual labor input is simply less production per capita because the labor force is idle more of the time.

But less production was the objective of the exercise—the antipollution exercise. If we start with the proposition that the growth of production is the underlying cause of pollution, which has merit as a starting point, the only way we can get less growth in production, if we want it, is to have more of our labor force idle more of the time. In that case, we will have more leisure without mass unemployment, as we usually think of the term. Our national output, and our standard of living, will rise less rapidly.

That last idea we may learn to take, if we can cope with the leisure. But under any foreseeable circumstances, our output will still go on rising. With the most optimistic assumptions about a gradual reduction of the workday, workweek, workyear and worklife, we shall undoubtedly have a much higher output in 1980 than we have in 1970. To a man concerned about the environment, it might seem a blessing if our economic growth in the next 10 years could be 2 per cent a year instead of 4 per cent; he cannot hope for zero growth.

The law of economic growth, then, tells us a simple truth: "we" cannot choose to reduce production simply because we have found it to be the cause of a fouled environment. And if we want to reduce the rate of growth of production, the place to look is in our man-hours of work.

THE LAW OF COMPOUND INTEREST

It is a fair question to ask: Why weren't we bothered about pollution 12 or 15 years ago? In October, 1957, to pick a date, the Soviet Union sent the first earth satellite into orbit. The American economy had just begun a recession that was to send unemployment to 7 per cent of the labor force. The late George Magoffin Humphrey, who had just resigned as Secretary of the Treasury, was warning of what he saw as vast Government spending, at that time $77-billion, and saying it would bring "a depression that would curl your hair." There were plenty of things to think about.

But nobody was worried about pollution. Conservation groups were properly bothered about parts of the wilderness (the Hell's Canyon Dam in Idaho, for example), but that was an entirely different thing. That was an issue of esthetics, not health. Nobody seemed to mention air pollution or waste that might overwhelm the space in which to put it. In a peculiarly sad irony, the late Adlai E. Stevenson had fought and lost an election against Dwight D. Eisenhower in 1956 partially on a "pollution" issue—radiation in the atmosphere from the explosion of atomic weapons.

The question, to repeat: Why didn't we worry about pollution then? The answer is that, relatively speaking, there *was* no pollution. Yes, there were electric power plants then, too. Yes, there were paper mills polluting streams. Yes, there were tin cans and paper and bottles. Some snowflakes, though we didn't know it, were already a bit black, and Pittsburgh got national attention because it tried to do some cleaning up.

But here we come to the law of compound interest. In 1957—*only 13 years ago*—our gross national product was $453-billion. In 1969, in constant dollars, it was $728 billion. That is an increase of nearly $300-billion in tin cans, electric power, automobiles, paper, chemicals and all the rest. It is an increase of 60 per cent.

So what? That was not the result of an unnaturally rapid growth rate, though a bit more rapid than in some periods of our past. The *so what* is this: in the preceding 13 years the growth had been *only $100-billion*. We were the same nation, with the same energy, in those preceding 13 years. We invested and we had a rise both in productivity and in our labor force. But in the first 13 years of this example our output rose $100-billion, and in the second 13 it rose $300-billion.

In the next 13 it will rise more than $500-billion.

That is the law of compound interest. These are not numbers; they are tin cans and smoke and auto exhaust. There is no visible escape from it. Applying the same percentage growth to a larger base every year, we have reached the point where our growth in one year is half the total output of Canada, fully adjusting for inflation. Another dizzying and rather horrifying way of putting it is that the real output of goods and services in the United States has grown as much since 1950 as it grew in the entire period from the landing of the Pilgrims in 1620 up to 1950.

Most investors know the law of compound interest. There is a magic rule, for example, known as the Rule of 72. It says, with mathematical certainty, that money invested at a 7.2 per cent rate of interest, compounded each year, doubles in 10 years. Our G.N.P., happily, does not compound at 7.2 per cent. But it compounds at between 4 and 5 per cent, and it has been compounding. The result is that the same, routine, full-employment, desirable, nationally wanted, almost unavoidable percentage increase in our national output in 1970 means precisely twice as many extra tin cans, twice as much additional electric power, and so on, as the same rate of growth in 1950. And that is only 20 years ago! We are not doing anything different, or anything awful. We are the same people. Granting approximately the same amount of human carelessness and selfishness, we are the victims solely of the law of compound interest.

XUM

THE LAW OF THE MIX BETWEEN PUBLIC AND PRIVATE SPENDING

Robert S. McNamara, the eternally energetic and constructive former Secretary of Defense and now president of the World Bank, gave a speech in February about the plight of the poor countries. In the speech he understandably criticized the United States for reducing its foreign aid effort. But in supporting his point he adopted, almost inadvertently, a piece of partly fallacious conventional wisdom:

"Which is ultimately more in the nation's interest: to funnel national resources into an endlessly spiraling consumer economy—in effect, a pursuit of consumer gadgetry with all its senseless by-products of waste and pollution—or to dedicate a more reasonable share of those same resources to improving the fundamental quality of life both at home and abroad?"

Fair enough. It means tax increases, of course, though Mr. McNamara did not say so. That is what the "mix" between public and private spending is all about. But for our purposes the point is different. Let us look more closely at the phrase: ". . . a pursuit of consumer gadgetry with all its senseless by-products of waste and pollution. . ."

As it stands, it is true. Private consumption does create side effects like waste and pollution. But now, assume a Brave New World in which we are all happy to pay higher taxes and reduce our private consumption so that the Government may have more money with which to solve our problems—ranging from poor education to poverty, from crime to inadequate health services. We shall not examine here the issue of whether more Government money solves problems. It is obviously more effective in some areas than in others. But anyway, in our assumption, we are all willing to give the Government more money to solve problems, including pollution.

Now let us see what happens.

The Government spends the money to reduce pollution. Sewage plants are built. They need steel. They need electric power. They need paperwork. They need workers. The workers get paid, and they consume.

The Government spends the money on education. New schools are built, which need steel, lumber and electric power. Teachers are hired. They get paid, and they consume. They throw away tin cans.

The Government spends the money on a better welfare system that treats all poor people alike, whether they work or not. Incomes among the poor rise by some amount between $4-billion and $20-billion, and these people consume. Electric power production rises and appliance and steel production rises, and so on and on.

The point is obvious now. A shifting in our national income or production between "public goods" and "private goods" hardly changes the environment problem at all because it does not reduce total spending, or output, in the economy.

Lest a careful economist raise a valid objection, a slightly technical point must be conceded here. Government spending is done in three categories:

Purchase of goods (tanks, typewriters, sanitation trucks and school buildings).

Transfer payments to people outside government (Social Security, veterans' benefits, welfare).

Purchase of services, meaning the services of the people it employs (teachers, policemen, park rangers, tax collectors).

To the extent that a shift to more public spending, through higher taxes and a resulting reduction of private consumption, involves the first two of these categories, the point stands as made: there will be just as much production of steel, tin cans, electric power and toasters as before. To the extent that the higher public spending goes to the third category, employment of more teachers, policemen and the like, there will be slightly less production of goods, even though these people spend their paychecks like everyone else. Essentially what happens in this case is that the society has chosen, through higher taxes, to have more services and fewer goods. If we assume that goods production brings pollution, a society with fewer auto- or steelworkers and more cops will crank out less pollution.

But this remains a relatively minor matter. Hardly anyone who proposes a solution to our problems thinks in terms of vast armies of Government workers. Reforming welfare through the President's new family-assistance plan is the perfect example; this will be a simple expansion of transfer payments. And, for that matter, building more sewage plants will be a purchase of goods. The overriding fact is that we can spend 30 percent of our G.N.P. for public purposes, as we do now, or 50 percent, and the G.N.P. will still be there. The law of compound interest will apply, forcing the G.N.P. upward. To the extent that the environment problem is caused by ever-expanding output, the third law says that it will not be essentially changed by altering the mix between private and public spending.

CONCLUSION

Three nice, depressing laws. They give us a starting point for any rational discussion of the environment problem. Our output is going to go on growing and growing under any conceivable set of choices we make.

But the starting point does not mean despair. It simply means that trying to solve the problem by reducing output, or the growth of output, is waste of time and energy. It won't and can't work.

How is the problem solved then? The purpose here is not, and has not been, to solve any problems. It has been to try to head off useless solutions. But a few things can be said:

There is, first, technology itself. The very energy and inventiveness that gave us this rising output—and got us to the moon—can do things about pollution. A fascinating case is the sulphur dioxide put into the air by coal-burning electric power plants. A very strong argument can be made that under any foreseeable circumstances we will have to burn more and more coal to produce the needed growth of electric power. And the ground does not yield much low-sulphur coal. Thus, somebody is going to have to have the incentive to develop a way to get the sulphur out before it leaves the smokestack; and if this costs the utilities money, the regulatory commissions are going to have to allow that cost to be passed along in electric bills.

Next, there is the related idea—being increasingly explored by economists, regulators and some legislators—of making antipollution part of the price-profit-incentive system. In simplest terms, this would involve charging a fee for every unit of pollutant discharged, with meters used to determine the amount. There would be an economic incentive to stop or reduce pollution, possibly backed up with the threat to close down the plant if the meter readings go above a specified level. The company—say a paper company—would be faced with both a carrot and a stick.

There is also the simple use of the police power, as with poisonous drugs or, lately, D.D.T. It is the "thou shalt not" power: automobiles can emit no more than such-and-such an amount of this or that chemical through the exhaust pipe. Once again, if the engineers cannot find a way out, the car simply cannot legally be sold. There will be, and should be, all sorts of debate "at the margin"—whether the higher cost of the different or improved engine is worth the extra reduction of pollution. The argument exists now over D.D.T.; there are clearly costs, as well as benefits, in stopping its use. But the "thou shalt not" power exists.

Finally, there are many possibilities for using a part of our public spending for environmental purposes. Sewage plants are the obvious case. President Nixon has proposed a big expansion of the current level of spending for these plants, though not as much as many interested in clean water—including Senator Edmund Muskie—would like to see.

In this case, and only in this case, a greater effort at curing pollution must be at the expense of some other Government programs unless we pay higher taxes. It is proper to point out here the subtle dimensions of the issue. There are all sorts of possible gimmicks, like tax rebates for antipollution devices for industry and federally guaranteed state and local bonds. One way or another, spending more for pollution abatement will mean spending that much less for something else, and the something else could mean housing or medical services. Every local sewage plant bond sold means that much less investment money available for mortgages, for example.

A final reflection is perhaps in order, though it is almost banal. Our rising G.N.P. gives us the "resources" to do the antipollution job. These resources include rising Government receipts. Our technology, which has given us the rising G.N.P., might find the way out of one pollution problem after another—and they are all different.

But, in the end, we cannot be sure that the job will be done. Growth of total output and output per capita will continue. The long-term relief is perfectly obvious: *fewer "capita."* That sort of "solution" might help, in our country, by about 1990. If we survive until then, the law of compound interest will be much less horrifying if the population is 220 million instead of 250 million.

MR. BERNARD J. STUPLINSKI "POLISH MAN OF YEAR"

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. STOKES. Mr. Speaker, on April 25, 1970, Polish Americans, Inc. of Cleveland, Ohio will honor Mr. Bernard J. Stuplinski as the "Polish Man of the Year." This is a well deserved honor being paid to one whose professional attainment and community involvement has earned him the respect and recognition of his community. I consider Bernie, as he is fondly known in the legal profession, as a personal friend for whom I have deep respect and admiration.

A native of Cleveland, Bernard Stuplinski has spent a lifetime in service to his community. He has distinguished himself in public service in such positions as assistant county prosecutor, chief assistant U.S. attorney, acting U.S. attorney, U.S. attorney, and special counsel for the Justice Department. In addition to his professional commitment to the betterment of his community, Mr. Stuplinski has given freely of his own time and efforts to such community minded organizations as the Citizens League, Knights of Columbus, Cleveland Heights Lions Club, Lions Eye Clinic, Inc. Committee of which he is chairman, and the Association of the U.S. Army.

Additionally, Mr. Stuplinski is a member of the faculty at the Cleveland-Marshall Law School and lecturer for the

XUM

Cleveland, Cuyahoga County, and Ohio Bar Associations; the Law-Medicine Center at Western Reserve University; and the Western Reserve University School of Law.

Despite this already active schedule, Bernard Stuplinski has found time for active membership in many ethnic and professional organizations including the Cleveland Society of Poles, Polish Legion of American Veterans, Alliance of Poles, Union of Poles in America, Polish-Americans, Inc., the American Judicature Society, and the American Trial Lawyers Association.

While these are but a few of the activities in which he participates, this list is representative of his dedication to all segments of the community, and all of Cleveland joins in paying tribute to Bernard J. Stuplinski as Polish Man of the Year.

OIL IMPORTS AND NORTHEAST HEATING OIL

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. CONTE. Mr. Speaker, earlier this month, the Subcommittee on Small Business of the Senate Banking and Currency Committee, chaired by Senator THOMAS J. MCINTYRE, held 2 days of hearings on the home heating oil problems of the Northeastern States. It was my privilege to appear before that committee to urge a prompt solution to those problems.

They may be described in three words: Price, competition, and supply.

The Northeast—and New England in particular—pays the highest home heating oil prices in the Nation. We bear the heaviest cost burden of the oil import program—a glaring inequity and national scandal—since the oil import program is based on national security, and, as such, its burden should be borne equally by all citizens.

Competition in the home heating oil markets is dying. As a member of the House Committee on Small Business, I have been particularly concerned by the attrition in the ranks of independent fuel oil distributors and independent deepwater terminal operators since the inception of the oil import program in 1959. As the Cabinet Task Force on Oil Import Control found, the cause of the decline in competition is the import program itself. This program gives unfair competitive advantages to the large, integrated oil companies and penalizes the independent businessman.

Our third problem is supply, and on this point Senator MCINTYRE's hearings developed some new, disturbing data. Mr. William F. Kenny, Jr., of New York, appearing on behalf of the Independent Fuel Terminal Operators Association, presented new projections of U.S. refinery output of No. 2 fuel oil. Those projections show that over the coming years, there will be an absolute decline—I repeat, an absolute decline—in the number of barrels of No. 2 fuel oil produced by U.S. refineries. This will come, I might add, while demand for the product is continuing to go up.

A severe supply gap is opening. In fact, the impact of these refinery trends has already been felt in parts of the Northeast over the past few winters.

The result of this supply gap can be a continuing escalation of heating oil prices until No. 2 fuel oil is as expensive as gasoline, or until we have a forced, and expensive, conversion by homeowners to gas or electric heat. But we all know that gas and electricity are also projected to be in very short supply. So where do we turn?

The solution, Mr. Speaker, is to do something about our archaic, scandalous system of oil import controls, and allow more imports of No. 2 fuel oil to fill the supply gap. That is why I have proposed total decontrol of imports of this critical product into the east coast, or, at a minimum, a sizable increase in imports, allocated to the northeastern independent deepwater terminal operators.

Only through measures such as these can the U.S. Government avoid the serious consequences—in terms of consumer costs and shortages—of the looming supply gap.

I might add, Mr. Speaker, that I will urge the new informal House Committee on Oil Import Reform, which my colleague, HENRY REUSS, and I have recently announced, to maintain continuing surveillance of this problem, to assure that prompt action is taken.

Mr. Speaker, in order that Members of the House may appreciate the magnitude of this problem, I insert Mr. Kenny's statement of April 7 at this point in the RECORD, and I call particular attention to the analysis under the heading "Supply-Demand Projections."

The statement referred to follows:

STATEMENT OF WILLIAM F. KENNY, JR.

Mr. Chairman: Thank you very much for the opportunity of appearing before you.

My name is William F. Kenny, Jr. and I am President of the Meenan Oil Company of New York. With me today are Arthur T. Soule of the Patchogue Oil Terminal Corporation of New York and Mr. Andrews Nixon of the Webber Tanks Company of Maine. All of us are independent deepwater terminal operators and we are appearing today on behalf of the Independent Fuel Terminal Operators Association; Mr. Soule is President of the Association.

Our Association is composed of 17 independent deepwater terminal operators along the East Coast from Maine to Florida. A membership list is included as Attachment A of my statement. All members own or control deepwater terminal facilities capable of receiving ocean-going tanker shipments, and none is affiliated with a major oil company.

In my statement today, I should like to cover four areas related to No. 2 fuel oil:

First, the nature of our business;

Second, the competitive squeeze we are experiencing;

Third, the projected supply and demand of No. 2 fuel oil; and

Fourth, a proposed solution to the East Coast fuel oil problem.

1. NATURE OF BUSINESS

Our member companies have terminals located in ports along the East Coast. Ocean-going tankers dock at our facilities and unload finished petroleum products, largely home heating oil, into the storage tanks that are located adjacent to the docks. Oil is then customarily pumped or barged from these tankers to smaller terminals at in-land locations for further distribution, or is sold and pumped through a system of racks at our terminal sites into tank trucks which carry the product directly to the consumer.

A deepwater terminal is a major facility and involves a substantial investment. The total investment made by our members alone for their facilities is estimated at more than $70 million.

We are wholesalers who buy products from refiners and sell to retail jobbers, dealers and consumers. In this Committee's consideration of solutions to the No. 2 fuel oil problem, it is important to realize that the deepwater terminal operator is the only marketer, aside from the major oil companies, who has facilities to receive imports and can physically bring No. 2 fuel oil from overseas.

We estimate that the total demand for No. 2 fuel oil in District I, the East Coast from Maine to Florida, is 1 million barrels per day. More than half is consumed in New England and New York State.

Independent deepwater terminal operators handle 250,000 barrels a day or 25% of the wholesale market. The remaining 75% is largely handled by major oil companies. As is apparent, the major oil companies enjoy a dominant position in the market.

2. COMPETITIVE SQUEEZE

The independent deepwater terminal business has known better days. Our period of greatest strength was the decade of the 1950's. During that time the large integrated oil compaines produced substantial amounts of No. 2 fuel oil from their refineries and they needed outlets for this product. So they encouraged independent terminal operators and marketers to build and expand and provied us substantial supplies of product at competitive prices.

As independent businessmen, we find ourselves operating in a land of giants, for the petroleum market is truly dominated by the largest and most powerful companies in the world. We welcome competition from these giants on an equal basis. Unfortunately, we have been placed at a severe competitive disadvantage by the oil import controls instituted in 1959, which cut us off from foreign supplies; and, of course, the majors control the domestic supply of No. 2 fuel oil. Thus, our competitive situation vis-a-vis the majors has steadily worsened, particularly over the last three years and the struggle to remain in business has become more difficult. In 1969 even some of the strongest independent deepwater terminal operators began to show significant losses in their domestic No. 2 fuel operations. Attrition in our ranks due to absorption by major oil companies has been substantial, and was documented in our submissions to the Cabinet Task Force on Oil Import Control.

Rather than take up the Committee's time with a detailed analysis of our competitive problems, I ask your permission to include in the record copies of our July 15 and August 15 submissions to the Task Force which describe these conditions in some detail.

The work of the Task Force has given us great encouragement. Both the majority and minority reports recognize our competitive problems and the need for increased imports.

The majority report[1] concluded that "National security does not require regulating import volume so precisely as to deprive buyers—including independent refiners and marketers—of significant access to alternate supplies." (p. 69). The Report describes our problem as "a competitive squeeze upon independent marketers vis-a-vis their supplier-competitors, the forward integrated refiners." (p. 77).

The Task Force rejected a prohibition on product imports altogether stating that this

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[1] Attachment B contains Comments on Appendix L of the Task Force.

XUM

would "deprive independent marketers—of No. 2 home heating oil, gasoline and other products—of sources that might otherwise serve as a competitive restraint on refineries integrated forward into distribution". (p. 82).

The minority report took note of our specific problem and recommended "allocations of No. 2 heating oil imports for terminal operators in District I on a basis equal to that allowed to oil refiners." (p. 364).

In brief, there has been widespread recognition, due in large measure to the efforts of this Committee, of the general problem of East Coast No. 2 fuel oil imports and the more specific problems of the competitive squeeze upon the independent deepwater terminal operators.

That competitive squeeze can be described in a few brief sentences.

1. Although we have the physical facilities to import oil, we are forbidden under the present control system from importing No. 2 fuel oil.

2. We are forced to depend, for our supplies of this product, on domestic refiners, largely major oil companies.

3. These same oil companies who supply us with products also compete directly with us at the wholesale and retail level, thus creating for us the classic problem of competing directly in the sale of a product with the same people who supply us with that product.

4. The major oil company refiners have been cutting back steadily over the past few years in supplies made available to independent terminal operators on long-term (1 year or more) contracts or at competitive (i.e. posted) prices. Each year supplies available to us have been cut-back over the previous year. And indications are that the Winter of 1970–71 will be even worse, for even the few companies who in the past two years could be relied upon for substantial supplies are indicating that they will have less product. Their reason is clear: they are producing less No. 2 fuel oil from their domestic refineries, because of the obvious economic advantage in producing more profitable products, such as gasoline and jet fuel. And a dangerous supply gap in home heating oil is developing.

Thus, we will be forced to reduce our business volumes year after year, to the point where we will go out of business, because it will be economically unprofitable.

I might add that we do not blame the major oil companies nor do we contend they are engaging in anti-competitive behavior. They have simply taken advantage of a situation presented to them by a United States Government control program, which grants them, through an accident of time, a substantial competitive advantage. For the program gives them access to overseas supplies of No. 2 fuel oil and of crude oil while it denies access to us.

The Federal Government is to blame for the current situation, and the Government must provide relief if competition is to be restored in the East Coast No. 2 fuel oil market.

3. SUPPLY-DEMAND PROJECTIONS

Perhaps most disturbing from our point of view as marketers of No. 2 fuel oil, and from the point of view of consumers of No. 2 fuel oil, have been projections and statistics on No. 2 fuel oil supply and demand. As these have come to light only recently, I believe they will be of particular use to this Committee.

The November 10, 1969 issue of the authoritative *Oil and Gas Journal* projects a radical drop in the yields of middle distillates. Middle distillates include No. 2 fuel oil and diesel fuel. According to the *Journal*, this drop will primarily be brought about by the installation of hydro-cracking equipment. Hydro-cracking equipment enables a refiner to increase his yields of gasoline and jet fuel from each barrel of crude oil.

The projections are as follows:

CRUDE YIELDS OF U.S. REFINERIES

[In percentages]

	1968	1980
Gasoline	45	52
Jet	8	13
Middle distillates (No. 2 fuel oil and diesel oil)	22	15
Residual	7	3
Other	18	17

The critical figure is, of course, the drop of distillate yield from 22 to 15%. If these yield percentages are translated into volume figures based on the Journal's forecast of 17 million barrels per day of crude oil runs in 1980, the total domestic middle distillate output in 1980 is shown to be 2,550,000 barrels per day, compared to 2,297,000 barrels per day in 1968, an increase of only 11% in production over the 12 year period.

The critical question is how this production level compares with the projected demand for middle distillates to 1980. As I have indicated, the two components of the middle distillate market are No. 2 fuel oil and diesel oil, accounting currently for two-thirds and one-third respectively of the total sales. Diesel oil sales have been growing at an average annual rate of 5.7% since 1960. Authoritative projections show that it will grow annual rate of 4.5%—5% over the next 10 years.

Assuming that diesel demand will continue to be met from domestic sources, domestic No. 2 fuel oil supplies will consist of the difference between total middle distillate supplies and shipments to diesel oil markets. The following table indicates production at both a 4.5% and a 5.0% diesel oil growth rate.

ESTIMATED DOMESTIC MIDDLE DISTILLATE PRODUCTION

[Thousands of barrels per day]

		1980	
	1968	Amount	Percent change
Diesels (4.5 percent annual growth)	756	1,282	69.6
No. 2 fuel oil	1,541	1,268	−17.7
Total	2,297	2,550	−11.0
Diesels (5 percent annual growth)	756	1,358	79.6
No. 2 fuel oil	1,514	1,192	−22.6
Total	2,297	2,550	+11.0

As can readily been seen, if projected deisel oil supplies are to be met, No. 2 fuel oil supplies must decline by 18%—23% from their 1968 level! This means a decline in production of No. 2 fuel oil between 300,000 and 350,000 barrels per day!

Whether one is optimistic or pessimistic about the outlook for No. 2 fuel oil, we believe it is totally unrealistic to assume a decline in demand of about one-fifth over the next decade when No. 2 fuel oil demand has grown at an average annual rate of more than 1.5% since 1960.

According to our own forecasts—and those, we understand of the major oil companies—heating oil demand will grow at the rate of 1.5% to 2% per year for the next 10 years, given moderate increases in promotional sales and technical efforts. If these efforts are stepped up, we project a greater increase in demand. Even a relatively pessimistic forecast contained in *Energy Outlook for 1980* by the Chase Manhattan Bank, predicts no perceptible decline from the present level of sales.

Moreover, neither the Chase forecast nor our own forecast have tried to quantify the impact of one new factor which could cause a much sharper increase in demand for No. 2 fuel oil. I refer to the growing public demand for more stringent air pollution controls. No. 2 fuel oil has an extremely low sulphur content, and may be increasingly used as a partial substitute for higher-sulphur heavy residual fuel. In fact, within the last month Con Edison of New York put out a bid for 1.5 million barrels of No. 2 fuel. In this particular instance, there was simply not enough supply available to meet Con Edison's request, but should such requests become general, the overall demand projected for No. 2 fuel will surely be sharply higher than outlined in the above tables.

Turning back now to the basic supply-demand projections outlined in the *Oil & Gas Journal* study, we can see that perhaps the most significant factor, certainly that of more immediate concern, is the fact that this forecast has become a reality in the No. 2 fuel oil markets of the Northeast. Domestic refineries are already demonstrating increasing difficulty in keeping up with distillate demand. For example, in the first 11 months of 1968 compared to the same period in 1969, distillate oil demand rose by 2.8%, while the domestic refinery yield of distillates dropped by ½ of 1% (23.8% to 23.3% of total refinery runs). This amounted to a drop in total output of 3,675,000 barrels from 1968 to 1969. Even more significant is that a similar drop in yield has occurred in each of the last 5 years.

One example of the continuing increase in demand for No. 2 fuel oil in the Northeast is the fact that in New England, an area of high demand, the number of newly constructed one-family homes burning oil went from 28% in 1967 to 33% in 1968.

As this Committee knows, the U.S. oil refining industry is on record as opposing the need for imports of No. 2 fuel oil on the grounds that the product is produced in sufficient quantities from domestic sources. The projections and the facts of the market today, do not support that contention.

As marketers of No. 2 fuel oil, and as businessmen whose survival depends on a steady substantial supply of that product, we are deeply concerned. This is not a matter of a problem 10 years from now; it is a matter that is affecting us today and we believe it's a matter with which this Committee should also be concerned. For, if the change in refining yields projected by the *Oil & Gas Journal* are approximately current, a major supply gap in home heating oil supplies will develop during the 1970's.

Mr. Chairman, I would like to make it clear that while this data has and is resulting in a squeeze today on deepwater terminal operators, the real squeeze—the squeeze that this Committee should be most concerned with—is the squeeze that is going to occur for consumers in the Northeast. As you know, the majority of homes in the Northeast use No. 2 fuel oil. If supplies of this fuel are not available, the home-owner will have to convert his heating system to other energy sources. That means, since natural gas is already in short supply, that conversion will have to be made to electric heat. The initial installation in each case will represent a major capital expenditure by consumers and the day-to-day operating cost of heating homes will be substantially higher than costs today for heating with No. 2 fuel oil.

Given these facts, we are faced with two choices:

A. Continuing upward movement of No. 2 fuel oil prices as supply fails to keep up with demand, with continued attrition in the ranks of independent marketers; or

B. Increased imports of No. 2 fuel oil from lower cost sources, with provision that ample supplies be made available to independent marketers.

4. PROPOSAL

The Independent Fuel Terminal Operators Association favors the second alternative—a system which would provide regular substantial access, on a continuing basis, to independent deepwater terminal operators of supplies of No. 2 fuel oil from overseas.

We are prepared to accept the judgment of both the majority and minority of the Task Force that complete decontrol is not desirable. And we have taken no position between the tariff proposal of the majority and the quota proposal of the minority. We leave that basic decision to others.

However, we believe that under either proposal a workable system can be evolved to provide a greater measure of competition and arrest, and even reverse, the price escalation of No. 2 fuel oil that has occurred over the past six years.

If the quota system is retained, we propose that allocations of No. 2 fuel oil be given to independent deepwater terminal operators on the basis of a percentage of their qualifying terminal inputs with no quantitative ceiling established. We suggest that 30% of our terminal input woudl be a workable level. Given the statistics I have cited above, 30% of our business would amount to imports of 75,000 to 100,000 barrels per day into District I.

This level would enable us to compete on a more equal basis with the major oil companies who already have access to overseas supply of oil and, most important, would result in the introduction of increased amounts of No. 2 fuel oil directly into the East Coast market to fill the supply gap I have outlined above.

If the independent terminal operator's position is strengthened. that is, at the wholesale level, the position of the independent retailer further forward in the market will also be strengthened. For the forward marketers who are also competing with the major oil companies can avail themselves of alternative sources of supply; and they will no longer be forced, as they have been increasingly in the past few years, to rely on the major oil companies alone for their products.

If a tariff system is adopted we strongly urge that the tariff on No. 2 fuel oil be established at a level which permits importation of product, to fill the projected supply gap. As the Committee, may have noted, we believe that the level of $1.55 per barrel on finished product recommended by the Task Force will not only prohibit any imports, but will actually result in price increases in the domestic market.[3] We estimate that a tariff level of $.84 per barrel could result in a consumer price reduction of 1 cent per gallon and therefore we would support the adoption of a tariff on No. 2 fuel oil at this level.

Mr. Chairman, again we appreciate the opportunity to appear before you and are most grateful for the effort which you and the members of your Committee have made toward a solution of the East Coast heating oil problem. We hope that a solution will be forthcoming soon, for, along with the consumers of the Northeast, we, as independent businessmen have been going through a difficult period. Unless relief comes and comes soon, our segment of the industry will dwindle and be phased out of existence as a competitive force.

ATTACHMENT A

Members of Independent Fuel Terminal Operators Association:

Belcher Oil Company, Miami, Florida.

Burns Brothers Oil Company, Brooklyn, New York.

Cirillo Brothers Petroleum, Bronx, New York.

Colonial Oil Industries, Savannah, Georgia.

Deepwater Oil Terminal, Quincy, Massachusetts.

Eastern Seaboard Petroleum Co., Jacksonville, Florida.

Gibbs Oil Company, Revere, Massachusetts.

Meenan Oil Company, New York, New York.

Northeast Petroleum Corporation, Boston, Massachusetts.

Northville Dock Corporation, Northville, L.I., New York.

Patchogue Oil Terminal, Brooklyn, New York.

Ross Terminal Corporation, Bayonne, New Jersey.

Seaboard Enterprises, Boston Massachusetts.

Tappan Tanker Terminal, Hastings-on-Hudson, New York.

Union Oil Company, Revere, Massachusetts.

Webber Tanks, Buckport, Maine.

Wyatt Coal and Oil Company, New Haven, Connecticut.

ATTACHMENT B—COMMENTS ON APPENDIX L TO TASK FORCE REPORT (PP. 315–328)

The discussion in Appendix L is quite general and unspecific, and does not arrive at any firm conclusions; almost no factual data is provided to support the general observations. In large part, the Appendix raises a number of questions.

It does, however, make a number of observations that support the position taken by East Coast independent deepwater terminal operators:

1) On the question of inadequate supplies to independent deepwater terminal operators, the Appendix states that this matter may reflect the fact that "the prices at which refiners are prepared to sell and those at which large terminal operators expect to buy, differ". (pp. 315–316).

2) Wholesale prices have been going up in New England in recent years (p. 316). More particularly, that "the disappearance of a seasonal pattern . . . would change the effective supply price enjoyed by many of the terminals . . .". "Similarly . . . distress product sales may have become less important" and "a permanent reduction in the frequency of distress sales would tend to raise average supply price to Northeastern independent marketers in particular." (p. 317).

3) The import quota system has had an adverse effect on the Northeast. "No. 2 fuel oil is probably in artifically short supply in the Northeast relative to the rest of the country because the quotas have had their greatest effect there." (p. 318). This has reflections in prices in the Northeast. "There seems to be general agreement that with free importation, No. 2 fuel oil would retail for about three cents per gallon (about 17 per cent) less in New England than it now does . . ." In a basic long-run sense, fuel prices are now higher in the Northeast, relative to what they might be, than is the case in other fuel oil consumer areas." (p. 318).

4) There is evidence that the integrated oil companies may be in a position to force a price "squeeze" on independent terminal operators. "There can be no doubt that freer importation of fuel oil would make a squeeze less likely". (p. 319). This is, in part, possible because "The import quota system certainly does make independent distributors more dependent on refiner-competitors because it cuts off foreign alternative sources of supply . . ." (p. 319).

5) The discussion is inconclusive on the question of whether independents are disappearing, but it is not, to the extent that disappearances have taken place, due to failures, but to acquisitions. "The long-term rise in percentage margins does not suggest that disappearance would be due to failures."

ATTACHMENT C—COMMENTS ON POINT NO. 15 OF THE APPENDIX TO SECRETARY SHULTZ' STATEMENT TO THE SENATE SUBCOMMITTEE, MARCH 3, 1970

Point No. 15 deals with a relatively secondary issue in a memorandum circulated by the Independent Fuel Terminal Operators Association namely, that the tariff levels on No. 2 fuel oil recommended by the Task Force are so high as to, in effect, encourage an increase in the price of No. 2 fuel oil in New England.

It should be noted that the Appendix discussion does not effectively deal with the central issue: that the level of proposed tariff is so high as to prohibit the importation of No. 2 fuel oil into the United States under present (and foreseeable) circumstances. This is the central point that has to be made, for it is only through permitting such importation to some degree that adequate supplies can be made available in the northeastern United States and that supplies of No. 2 fuel oil can be made available to independent distributors who, alone, have the potential for maintaining competition vis-a-vis the integrated companies. This being the case, the Independent Fuel Terminal Operators Association in their memorandum, pointed to the danger that a shutting off of imports of No. 2 fuel oil would reduce the degree of effective competition as well as supplies available and that the combination of these two factors would tend to induce an increase in price.

The discussion of Point No. 15 of the Appendix thus, in a sense, sets up a straw man and fails to deal with the substantial issue which is the fact that the recommended tariff would effectively bar imports of No. 2 fuel oil. Nor does the discussion under Point No. 15 gainsay the contention in the Independent Fuel Terminal Operators Association memorandum that the net effect would very well be a rise in prices. The following specific comments on the Appendix discussion of this question should be noted:

1. The Appendix asserts that the domestic price of No. 2 fuel oil is determined by domestic cost factors alone, and that the ability to import lower priced No. 2 fuel oil "results not in a lowering of the domestic price, but in unearned 'rents' to the few historical importers now permitted to import No. 2 fuel oil." The Appendix concludes that, since the domestic price of No. 2 is independent of the price of No. 2 imports "under the present quota system," a higher tariff could not affect domestic price.

These comments on the Appendix, if anything, underscore the importance of modifying the oil import control system to bring about greater competition through increased imports of No. 2 fuel oil. We agree that the small volume of imports permitted entry now have little affect on domestic prices. But, if a low tariff were set on No. 2 imports, then independent deepwater terminal operators would be in a position to provide competition to the integrated oil companies. Clearly, the integrated companies are not responsive to supply and demand factors in their pricing policies on No. 2. The only way to resolve the problem is to provide them with competition.

The implications of the Appendix discussion seems to be that such competition can never be forthcoming, but this is clearly not so. What the discussion indicates is a need to revise the persent quota system to provide an opportunity for independent distributors to acquire adequate supplies of imported No. 2 fuel oil at low prices. The fact remains that, under the tariff proposal of the Task Force, the supply of No. 2 imports

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[3] Attachment C contains Comments on Point 15 of the Appendix submitted by Secretary Schultz to the Senate Anti-trust Committee on March 3, 1970.

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would be reduced and, more important, the integrated companies would enjoy the certainty of protection of their price levels accorded to them by an established government decision to maintain higher tariffs on No. 2 imports.

Under the present quota system, there always exists the uncertainty that, if they raise prices, increased quotas would be given to independent distributors; whereas, under a high tariff system that uncertainty would be removed and the integrated companies would be freer to maximize their profits without the danger of sanctions. What this discussion points to clearly is (1) that there is a need to revise the program and (2) that the revision proposed by the Task Force report would not serve to accomplish the public policy objectives that are desired.

2. The Appendix discussion notes that the proposed tariff on crude oil imports would "tend to lower the domestic price of No. 2 fuel oil by reducing the cost to refiners of domestic crude oil."

Given the pricing behavior of the integrated companies, discussed above, there is no *a priori* reason to assume that the result envisaged by the Appendix would in fact take place. Nor does the historical record support such a conclusion: one need only examine the time series data on prices for No. 2 and crude oil to see that there is little correlation between the two.

3. The Appendix discussion notes that the proposed tariff on No. 2 was designed to achieve two objectives: first, the retention of refining capacity in the United States and, second, "keeping the cost of product imports low enough to exert some competitive pressures in the domestic market and aid in relieving temporary shortages." Setting aside the fact that the second objective noted seems to contradict the observation earlier in the discussion that imports do not seem to have any significant effect on the domestic price of No. 2 fuel oil, it should be noted that the Appendix discussion seems to have second thoughts, at this point, about its own proposed tariff level. It notes that achieving this second objective, "requires a much finer tariff adjustment" and that the Task Force recommendation was only "tentative". Apparently, the recommended tariff level may, after all, be too high to permit imports to enter the country and to allow them to exercise a beneficient effect on prices and availabilities of supply. We are left then at the end of the discussion with the same problem with which we started: the Task Force recommendation of a tariff level on No. 2 fuel oil imports too high by the test of what is required in terms of the public policy objectives desired. In fact, we are told in the very last sentence that the gradual phase-out of the historical product import quotas "should be sufficient" to prevent any significant shortages or price rises (sic!) with respect to No. 2 oil due the institution of the tariff system recommended by the Task Force.

What emerges from this discussion are the following two conclusions: one, the existing quota system which is not allowed to affect the price of No. 2 fuel oil must be revised; and, two, the tariff proposal of the Task Force is not a solution to the price problem and in fact may aggravate it. We are faced then, as the Task Force was, with three alternatives: one, modification of the quota system; two, the substitution of the tariff system for the quota system; or three, substitution of an auction system for the quota system.

The substitution of an auction system can be rejected for the reasons spelled out in the Task Force Report, namely, that it would provide a means for the integrated oil companies, who have substantial financial resources and have a market strategy which they wish to pursue, to bid away supplies of imported oil from independent marketers. The fact that integrated oil companies have a market strategy with regard to No. 2 fuel oil has been amply discussed in the submissions to the Task Force of the Independent Fuel Terminal Operators Association. Their implementation of that strategy is also evident from their price behavior: evidence of this can be found in the fact that they appear never to be short of No. 2 fuel oil and are able to market it even when independent marketers cannot economically procure No. 2 fuel oil in the Gulf for delivery to New England destinations.

The independent terminal operators have no *a priori* preference between a tariff system and a revised quota system as long as each permits the entry of sufficient No. 2 fuel oil imports at a low enough price (including tariff) so that they can continue to perform their historic function as competitive marketers of this product to the consumer. A revised quota system however can be a more selective instrument in that it can permit making sufficient supplies of No. 2 fuel oil imports available to independent deepwater terminal operators without necessitating a wholesale change in the pattern of domestic production and importation of No. 2 fuel oil. In this respect, a revision in the quota system that provides allocations in sufficient quantities for independent deepwater terminal operators would minimize the disturbances that would result in terms of the objective, spelled out in the Appendix, of preventing "export" of significant refining capacity.

JAMES W. SYMINGTON SUPPORTS POSTAL PAY RAISE

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. SYMINGTON. Mr. Speaker, the recent passage of a 6 percent pay increase for postal and many other Federal employees is an overdue but welcome victory in the continuing battle for pay comparability. But it is more than just a pay increase; it reflects a breakthrough in terms of coming to grips with the entire matter of comparability. The accord reached by Government and postal employee representatives following the recent postal strike was significant. Not only did it expedite the much needed pay raise, but it illustrated a new kind of negotiation at the Federal Government level. Both the strike and the subsequent accord were historic, and we cannot lightly regard the conditions which produced them: Conditions that require a man to work 21 years before achieving a maximum salary of $8,000; poor health and employee working facilities; inadequate promotion opportunities; pay schedules and adjustments that are subject to budget fluctuations and have no relationship to productivity or work rules.

Last fall Congress passed the Federal Salary Comparability Act, which I fully supported. That bill would have established a permanent method of adjusting salaries of many Federal employees; it responded to the unjust situation whereby the pay of Federal employees must suffer the effects of a budget limitation while pay comparability for them goes hand in hand only with a budget surplus; it provided for upgraded pay schedules and more rapid advancements within the postal service.

That bill has been passed months ago. Unfortunately, it was never reported out of conference. If it had been, perhaps we could have prevented the recent postal strike, the vibrations of which were felt by every sector of our society—by individuals, magazines and mail order businessmen, and the entire financial community. If we subscribe to the concept that experience is the best teacher, we must be prepared to consider the price we pay to learn. For many, whose cries of indignation resounded throughout the Nation, the price of this recent lesson was small. For some, it was quite high. Certainly it was significant for everyone. A strike should not have been required to turn the rusty wheels of progress in this case. However, we can hope that the results of the experience will inject more realism into our efforts to achieve pay comparability for Federal employees.

A strike by Federal employees is illegal. But we cannot legislate attitudes any more than we can expect court orders to dictate conscience. The recent postal strike was the first in the 200-year history of the Post Office, and the most massive one ever by Federal employees. It was the spontaneous expression of years of frustration, neglect, broken promises, and complacency. It has made the entire Nation aware of the desperate economic condition of the postal workers, and the danger of indifference to their plight. Perhaps most importantly, it has led the way to a procedure of collective bargaining at the Federal Government level.

The new pay measure, which was considered independently of postal reform, provides a 6-percent across-the-board pay raise for Federal employees, retroactive to December 1969. A second pay increase of 8 percent for postal employees only is to become effective when a postal reform measure is passed.

The passage of the pay bill, and the action which produced it, both represent a long-term commitment and a successful step in terms of pay comparability. They also underscore the need for further steps to change a system whose response to the legitimate aspirations of its employees is both inadequate and ineffective. It is my hope that these steps may be taken without walking over the collected bodies of defenders of the status quo.

LAW-AND-ORDER ALBATROSS

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. MIKVA. Mr. Speaker, I have previously called attention to the reprehensible behavior of the Governor of Florida in connection with his refusal to obey the orders of a Federal court. I note that the Governor's activities have drawn criticism from many quarters. Not because of some regional vendetta, but out of respect for the supreme law of the land, the Constitution, his conduct must be challenged.

Critics of lawlessness on the left should not brook lawless behavior on the right. That is one reason that I was pleased to read an editorial in the Wall Street Journal—a frequent critic of the militant left—denouncing Governor Kirk's defiance of the court. That the situation is apparently being settled in Manatee County should not blind us to the poor example that the Governor set. I commend the Journal's forthright editorial to the attention of my colleagues.

The editorial, which appeared in the April 10 Journal, follows:

[From the Wall Street Journal, Apr. 10, 1970]

Law-and-Order Albatross

Just when we were beginning to think the need for law and order was once again being recognized more widely, albeit sometimes grudgingly, now we find Governor Claude Kirk of Florida defying the Federal courts over school integration. Because he did not approve of a busing plan ordered by the court, he removed Manatee County school officials on patently transparent grounds, took over the local schools himself on patently dubious grounds, and refused to carry out the court orders.

The important thing in this dispute is not the merits of the court's plan, which must be disputed through court appeals and not by unilateral decrees from governors. At this point, the plan has been duly adjudicated and the court has issued its decision. The important thing is respect for and loyalty to the process by which that decision was reached. If the Governor of a state does not treat court decisions as legitimate, how can other citizens be asked to do so?

Some of us try to take the phrase law-and-order as a high ideal, meaning decorous debate about any grievances and peaceful acceptance of decisions reached through the processes society provides to resolve grievances. That ideal is a pressing necessity today, whatever name you give it. It is an ideal hard enough to uphold under the best of circumstances, let alone when it is encumbered by the kind of albatross Governor Kirk is fashioning for its neck.

DEBBIE McCOOL WEEK

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. RODINO. Mr. Speaker, April 19–May 2 has been proclaimed Debbie McCool Week by Mayor Kenneth D. Smith of Belleville, N.J. Debbie, a senior at Belleville High School, has been unable to attend classes because of a rare blood disease which necessitates blood transfusions and the latest in medical techniques.

The response of volunteers has been overwhelming in support of the door-to-door canister brigade throughout the town. And I wish to commend the veterans organizations, services clubs, schools, local churches, and the many individuals who selflessly gave of their time and energies for Debbie McCool. Their efforts have demonstrated community cooperation and dedication of the finest caliber. I salute them and join with them in their hope that these efforts will result in a rewarding and successful Debbie McCool Week.

PROPOSED VOLUNTEER ARMY

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. MYERS. Mr. Speaker, a perceptive column by Col. R. D. Heinl, Jr., was carried in the Indianapolis Star recently. This column is especially significant because it discusses in detail two of the most frequently cited criticisms of a proposed volunteer army, and refutes these criticisms in equally precise terms.

Having determined that these major objections are not sufficient to prevent the adoption of a volunteer army concept, Colonel Heinl concludes that, in fact, our society cannot "afford not to be rid of the draft." I insert this column in the Record:

[From the Indianapolis (Ind.) Star, Mar. 20, 1970]

Volunteer Army Won't Be All-Negro or Mercenary

(By Col. R. D. Heinl, Jr.)

Washington.—Before proceeding to abolish the draft and returning to our traditional Anglo-Saxon volunteer system, the country seems to want answers to two, and possibly three, important questions.

1. Will an all-volunteer army become an army of "mercenaries" isolated from and unresponsive to the parent civilian society?

2. Will this army of so-called mercenaries end up as an all-Negro army?

3. Is it safe to cut loose from the draft until we know for certain that the various changes and incentives proposed by the Gates Commission will recruit at least 75,000 more true volunteers a year than the Armed Services are now getting?

An army of mercenaries?

The primary answer to this question is that, if an all-volunteer army means a mercenary army, we practically have one already. According to the Gates Report, at least 250,000 of the 500,000 men who now volunteer for the Armed Services are "true volunteers" who want to be soldiers, sailors, Marines and airmen anyway.

Of the four services, the Air Forces has never yet had a draftee, the Navy only a few, and the Marines only when war has required the Corps to expand to the enormous size (for the Corps) of over 300,000. Even the Army, which now does depend on a "peacetime" draft, has a large and respectable component of volunteers.

To maintain pre-Vietnam-size Armed Forces (2.5 million) calls for not more than 325,000 new enlistments a year, possibly less. If we already are getting 250,000 true volunteers, then all we need are 75,000 more men from among the 1.5 million who attain age 19 every year.

That these people would necessarily come from the bottom of the barrel is questionable. Present eligibility standards (which could probably be substantially raised in a volunteer army) already exclude a high percentage both of would-be volunteers and draftees from just such backgrounds. Higher pay (part of the Gates package) would—just as in industry—attract a higher grade of man.

In any case, the responsiveness to society of the Armed Forces is through their leadership, not their rear ranks, Corporals rarely engineer coups d'etat; generals and colonels are the offenders.

American generals and colonels (all volunteers, incidentally) are, if history means anything, docile to a fault in the face of civilian authority. Otherwise, how could Robert S. McNamara have terrorized the whole Pentagon? In Latin America or Asia, a junta of generals would have put him on the first airplane for Lower Slobovia.

Among the existing base of "true volunteers" now in the services, the percentage of Negroes (12.7) almost exactly equals that of Negroes in the total population. There is no reason to believe that, in an all-volunteer force, the percentage would differ sharply.

In past years, it is true the rate of Negro re-enlistments has been notably higher, not only because the Armed Forces have given Negroes a fairer shake, but—significantly—because re-enlistment eligibility standards for Negroes have been kept lower than for whites.

Despite all this, the number of Negro re-enlistees in the Army has dropped exactly 50 per cent in the last five years.

In 1965, Negroes were 22 per cent of all re-enlistees; today, they are 11 per cent. If the same re-enlisment criteria (equal-opportunity rehiring, one might say), applied equally to both races, there would be even fewer Negroes in a long-term volunteer Army.

For an all-volunteer force of 2.5 million, the Gates Commission and its computers predict, in any case, that not more than 15 per cent of it would be Negroes.

Is is practicable or safe to break away from the draft just yet?

One of the most attractive of the Gates proposals is that the all-volunteer system would be prudently backed up by standby draft machinery which could be invoked at any time by Congress—a feature which, incidentally, tends to restore war-making power to Capitol Hill and curb the Executive.

A great deal of loose arithmetic has gone around to the effect that all-volunteer Armed Forces would cost $7–$8 billion more per year than we now pay. But the tightly computed figures of the commission say that a 2.5-million force would require only $1.74 billion more annually. That is a cheap price for getting rid of the draft.

The Central point in all this—and it had better be understood by the country—is how can we not afford to be rid of the draft?

The draft has polluted American society, corrupted youth and education, spread sedition through the Armed Forces and alienated an entire generation from its own government.

No hypothetical fear or reservation that has so far been expressed against a volunteer army can offset the clear and present evils, to the country and to the common defense, which demonstrably spring from continuation of conscription on its present terms.

LATEST CASE TO FACE JUDGE HOFFMAN

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. DERWINSKI. Mr. Speaker, national attention was focused on the so-called Conspiracy 7 trial in Chicago before Federal Judge Julius Hoffman. Equivalent interest may well be produced in the conspiracy case soon to be heard by Judge Hoffman against the Weatherman faction of the SDS.

In a very timely and precise editorial on Tuesday, April 7, WBBM radio comments on this latest case to face Judge Hoffman:

Judge Julius Hoffman

Entirely by chance, Federal Judge Julius Hoffman has again been assigned to the duties of trial judge in a controversial case.

XUM

It is one which may produce outbursts from those on trial. Judge Hoffman will hear the conspiracy case against 12 members of the so-called Weatherman faction of the Students for a Democratic Society.

The United States Supreme Court has now ruled on the question of courtroom conduct. The high court has ruled that when a person on trial disrupts the proceedings repeatedly, he can be bound and gagged to prevent outbursts. Or such a person can be removed from the courtroom entirely and the trial can proceed without the presence of the defendant.

Regardless of exactly how it is done, the chief point of the Supreme Court ruling is that the trial judge has a right to maintain the dignity of his courtroom. Indeed, he is duty-bound to protect the proceedings so that no one can disrupt the fair and impartial trial of a case. We have said before that in our opinion Judge Hoffman was right when he had Bobby Seale bound and gagged.

In the coming Weatherman case, Judge Hoffman now has a clear directive from the Supreme Court that allows him to maintain the dignity of the trial and court. We hope that the defense lawyers will impress this upon their clients so that the conspiracy trial will be tried on its merits.

RESOLUTIONS RELATING TO ENVIRONMENTAL MATTERS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. DINGELL. Mr. Speaker, the board of directors of the Michigan United Conservation Clubs, at a meeting in Grand Rapids on April 12, 1970, adopted several resolutions relating to environmental matters.

The MUCC is one of the Nation's truly outstanding conservation organizations and I feel that the resolutions of its board of directors will be of considerable interest to my colleagues in the House. Therefore, I insert the resolutions at this point in the CONGRESSIONAL RECORD:

RESOLUTION RE CLOSING OF GREAT LAKES FISHERIES RESEARCH LABORATORY AT ANN ARBOR, MICH.

Whereas, the U.S. Department of Interior has stated its intention of closing the Great Lakes Fisheries Research Laboratory at Ann Arbor, Michigan; and

Whereas, this laboratory has proved its need and competency by developing a lampricide that effectively controls the lamprey which had virtually eliminated the lake trout, rainbow trout and whitefish in the Great Lakes; and

Whereas, these fish and the recently successful introduction of coho and chinook salmon in the Great Lakes are needed to control the nuisance alewives; and

Whereas, there are other factors which continue to threaten the reproductive ability and edibility of these game fish; and

Whereas, there is concern regarding the effect of thermal pollution from atomic energy facilities being built and planned on the Great Lakes shores:

Therefore be it resolved that Michigan United Conservation Clubs represent to the concerned authorities that the closing of this laboratory would be false economy and urge that its valuable and necessary research activities should be maintained.

RESOLUTION RE: EXTENSION OF ANADROMOUS FISH CONSERVATION ACT

Whereas, coastal streams of the United States have historically produced large runs of anadromous fish; and

Whereas, the runs of anadromous fish have been damaged and/or destroyed through the construction of dams and other diversions and as a result of water pollution; and

Whereas, the restoration of these anadromous fish to both coastal and inland waters has broad recreational and economic public benefits; and

Whereas, technical knowledge has been improved, both in the management of anadromous fish and in the abatement of pollution; and

Whereas, the "Anadromous Fish Conservation Act of 1965" (P.L. 89-304) already has been of great assistance to the States in perpetuating and enhancing runs of anadromous fish; and

Whereas, that Act will expire on June 30, 1970 unless extended:

Therefore be it resolved that the MUCC Board of Directors, in meeting assembled at Grand Rapids, Michigan on April 11-12, 1970, hereby urges and appeals that the "Anadromous Fish Conservation Act" early be extended for an additional five years.

RESOLUTION REQUESTING FEDERAL ASSISTANCE FOR RECREATION, FISH AND WILDLIFE MEASURES IN RESOURCE, CONSERVATION AND DEVELOPMENT PROJECTS

Whereas, Section 102 of the Food and Agriculture Act of 1962 authorized the organization of Resource Conservation and Development projects, and these projects have proven to be of significant importance to resource conservation and development; and

Whereas, the people of the State of Michigan and this nation are increasingly having the time and resources to travel and enjoy the outdoors; and

Whereas, the demand from local citizens and those from more remote areas for recreation and fish and wildlife is increasing at an accelerated rate within Michigan and the nation, and additional areas to serve these people are not adequate; and

Whereas, the Congress has recognized in legislation that it is in the public interest to provide federal financial assistance in development of projects and areas for recreation and fish and wildlife purposes; and

Whereas, the present law does not allow Federal financial assistance for recreation and fish and wildlife measures in Resource Conservation and Development projects, thereby hindering or suppressing the development of measures for such purposes in these projects:

Therefore be it resolved that the Michigan United Conservation Clubs hereby endorse and support an amendment to the Bankhead-Jones Farm Tenant Act to provide for Federal financial assistance in Resource Conservation and Development projects for recreation and fish and wildlife measures comparable to the assistance being provided in other Federal legislation.

PAY BILL

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1970

Mr. MILLER of Ohio. When I opposed moving the question of House Resolution 909 last Tuesday, I fully acknowledged the need for immediate and appropriate action in correcting the salary inequities of our postal employees, but I questioned why we should include as a provision of this legislation wording which would provide congressional employees an equivalent pay raise at the same time.

Only last July, congressional staff members were the beneficiaries of a generous 10-percent wage increase. In the name of reason and responsibility I could not support bringing this measure to the floor in its proposed form.

I reiterate, I wholeheartedly endorsed the much needed increase being provided our postal employees and supported this measure on the subsequent vote for final passage. However, I opposed moving this question in the hope my colleagues before acting on House Resolution 909 would send this bill back to committee so that the objectionable provisions of this legislation, that section dealing with congressional pay raises, could be deleted.

ROBERT Y. BUTTON DAY

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. MARSH. Mr. Speaker, this past Saturday was designated "Robert Button Day" in Culpeper County to honor the distinguished former attorney general of the State of Virginia, Robert Y. Button, of Culpeper, who recently marked the completion of 8 years of outstanding public service to the Commonwealth of Virginia as its attorney general.

This was a fitting tribute by a home community to a worthy son, and I would like to cite here some of Bob Button's background which entitle him to this honor; however, I would first like to insert in the RECORD the resolution of the Culpeper Town Council proclaiming April 18 as Robert Y. Button Day:

Whereas Robert Y. Button has been a lifetime resident of Culpeper and has practiced law in this community since 1922; and

Whereas during his career as an attorney, Robert Y. Button served the Town of Culpeper as Town Attorney; served his State as a member of the Parole Board and the State Board of Education; and, in 1946, was elected to a seat in the Virginia Senate, which he dutifully filled until 1961 when he was elected Attorney General of Virginia in which office he served with distinction for two terms of four years each; and

Whereas Robert Y. Button has brought honor and distinction to this community through his outstanding service and achievement as he devoted himself to the people of this community with honor, integrity, and as a good and faithful friend; it is, therefore,

Proclaimed that April 18, 1970 be designated as Robert Y. Button Day to express the affection and appreciation felt by the people of Culpeper for this outstanding Virginian.

Concerning his career, Mr. Button entered the law firm of Hiden & Bickers in June of 1922, immediately upon his graduation from the University of Virginia Law School, and is now senior partner

XUM

in the firm. His political career began in 1935 when he was appointed to the State board of accountancy. In 1942 he was appointed a member of the first Virginia Parole Board, and in 1945 to the State board of education.

Mr. Button was elected to a seat in the Virginia Senate in 1946, which he dutifully filled until 1961 when he was elected attorney general of Virginia, in which office he served with distinction for two terms of 4 years each. While in the senate, he was chairman of the Virginia Advisory Legislative Council, chairman of the senate welfare committee and a high-ranking member of the senate committees on finance, general laws, privileges and elections, and counties, cities, and towns. He served on both the Gray and Perrow Commissions which charted Virginia's course in desegregation. He was a member of the Potomac River Commission for Virginia, which negotiated a new Potomac River compact with a Maryland commission.

When Mr. Button agreed to enter the Democratic primary as a candidate for attorney general in 1961, his announcement was brief:

> If nominated and elected I promise to devote my best energies to the faithful and impartial performance of the duties of the office.

When he announced for a second term, the statement was even shorter:

> I will be a candidate for reelection, subject to the Democratic primary.

It has been said that these 12 words may have set a record for brevity by a candidate.

He married Miss Antoinette Cheape of Charlottesville, Va., in August of 1931 and they have two children; Mrs. Kathleen B. Ginn of Richmond, Va., and Robert Y. Button, Jr., an insurance agent in Culpeper. They have five grandchildren. A member of the Jeffersonton Baptist Church, he also serves on the board of directors of the Second National Bank of Culpeper.

Robert Y. Button, through his achievements, has not only contributed much to his hometown and county and to his native State, but he has made a distinguished contribution to his country.

EULOGY TO L. STOREY STEMMONS DELIVERED BY DR. LUTHER HOLCOMB

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include a eulogy to L. Storey Stemmons of Dallas, Tex., delivered at his funeral on April 16, 1970, by a mutual friend and acquaintance, Dr. Luther Holcomb:

MESSAGE DELIVERED BY DR. LUTHER HOLCOMB

Storey Stemmons was a man of many dimensions. He brought to his work high gifts of mind and spirit.

He was trained to be a lawyer. He was a man of the law—a warm, vibrant, open man. His very being depicted the largeness of the West. It was natural and comfortable for many of us to call him "Judge." He would have made a truly great judge.

Storey Stemmons was a man of honesty. His honesty was total, complete, simple—a matter of course.

He was a man of essential humility—the humility of the brave, free and brilliant.

Even though possessing a legal mind, the appellate robes were not meant for this one. They would have been like a halter on an eagle.

The law gave him a foundation for business. His delight was in putting a business transaction together. He would look at them upside-down, inside-out, right-to-left and left-to-right.

Such was the genius of this man—a genius for the law and for business.

Let us think about another side of your friend and mine:

One had to be with him in Tower East at 2700 Stemmons Freeway to fully appreciate and understand this one. There was the view of the city that he loved and one could see the relationship with his staff that was characterized by respect, loyalty and genuine affection.

No one who has ever been on a fishing or hunting trip with him will forget the personality of Storey Stemmons. By a campfire or in a boat, Storey reflected something special. He would bring this "something special" into every situation. This was true even during the long months of his final illness. When the doctors told him recently that the end was near, he was still the gracious host wanting to offer them refreshments and escort them to the door.

Yes, the inspirational qualities of Storey Stemmons—his buoyant disposition, his enthusiasm for life, his courage and determination will forever live in our hearts.

These traits were a part of his being. I believe they came from his heritage, his abiding faith in God, his dedication to the simple, old virtues and his unfailing belief in and love for his country.

Storey Stemmons had an exceptional capacity for love and devotion for his wife, Grace, and his brother, John.

I know Storey would have me say today that the greatest lady ever is the one named Grace. Grace, you have responded with a love and devotion that is akin to the greatest romance ever.

No two brothers could have a greater understanding and respect for each other than did Storey and John. Their devotion, each for the other was a way of life with them.

Let us pray,

With lasting gratitude in our hearts for Thy servant, Storey, knowing that the peace he sought is now forever given him, for he dwells with Thee and so do we, O Thou holy bridge of all eternity. Lord, let Thy servant be in peace according to Thy word, for mine eyes have seen Thy salvation which Thou hast prepared. Glory be to the Father, and to the Son, and to the Holy Ghost, as it was in the beginning, is now, and ever shall be. Amen.

HANOI'S DEAR AMERICAN FRIENDS GO BROKE AND DISBAND

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. RARICK. Mr. Speaker, an admitted defeat by Hanoi's "Dear American Friends" forcing them to regroup, has been relegated to an inside page of the local newspaper, with no indication that the wire services feel it important enough to tell to those outside of the city.

I refer to the bankruptcy and dispersal of one particular bunch of Hanoi's "Dear American Friends"—The Vietnam Moratorium Committee here in Washington.

Two comments are at once appropriate. First, only one of the enemy's friends seems to have wangled her way onto the public payroll—and this is an improvement over the usual pasturing out of characters of this type.

And second, to the extent that the gullible are more interested in, and hence more easily manipulated through, such ideas as "Earth Day"—the International Communist Celebration on April 22 of the anniversary of the Red Butcher may do over fighting men in Vietnam less harm both on the home front and through Hanoi's propaganda media.

I include the article in my remarks:

[From the Washington Star, Apr. 20, 1970]

VIETNAM MORATORIUM PANEL FACING APATHY, CLOSES SHOP

The Vietnam Moratorium Committee, whose success in mobilizing Americans opposed to the war was viewed with awe and fear by high government officials only six months ago, has fallen upon hard times and is going out of business.

To a great extent, the same elements which brought so much success to the Moratorium last autumn—the continually changing intangible known only as "public opinion" and the tendency of the mass media to focus on new stories—proved to be its downfall this spring.

The anti-war cause, both popular and newsworthy last fall, has been supplanted in the minds of many by a new campaign—the struggle for a cleaner environment, a crusade expected to reach a crescendo Wednesday on "Earth Day."

BORED OR ANGERED

There also are increasing indications that many Americans are either bored or angered by the anti-war movement's principal technique for presenting its case to potential sympathizers—marches, vigils, rallies and other forms of public demonstrations.

Moratorium leaders talk about finding "new forms" to dramatize their concerns to the country's voters—but they freely acknowledge that they have not yet been successful in their quest.

Meanwhile they have gone into debt—more than $50,000.

In recent months, their difficulties have been compounded by the relatively small but highly visible groups of young radicals determined to engage in street confrontations with law enforcement authorities.

Last week, for example, the fact that hundreds of thousands of persons turned out for Moratorium-sponsored anti-war rallies in scores of cities across the country was almost obscured by the violence provoked by splinter groups in three cities—Berkeley, Calif., Cambridge, Mass., and Washington.

Finally, the Moratorium leaders grudgingly acknowledge that President Nixon, the principal target of their organizing efforts, deftly neutralized the campaign for immediate—or at least greatly accelerated—withdrawal of all U.S. troops from Southeast Asia.

By effectively mobilizing the "silent majority" as a counterference to the Moratorium in a televised speech Nov. 3, then by adopting the twin strategies of "flexible withdrawal" and Vietnamization," Nixon successfully contained the anti-war effort.

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CONVINCED OF CAUSE

Although the Moratorium is closing its headquarters at 1029 Vermont Avenue NW—a series of cluttered and sparsely furnished rooms—the youthful organizers of the effort remain convinced that their cause is still a popular one.

In a letter being mailed this week to approximately 10,000 local organizers in communities throughout the nation, the four Moratorium coordinators say:

"After a period of dormancy, dissatisfaction with the President's policies is again growing. The last Gallup poll indicated that approval for the way in which Mr. Nixon is handling the war has dropped a dramatic 13 points. The expanding war in Southeast Asia and the rising death toll are also contributing to the country's uneasiness."

"The drama and national attention that characterized the autumn has never returned," the letter said. "But much of the substance of our effort—the concentration on local organizing—has become more solid and widespread during the intervening months."

RELUCTANT COSPONSOR

Although generally identified with the anti-war rally at the Washington Monument grounds last Nov. 15—which attracted a crowd of 250,000 and was the largest mass demonstration in the city's history—the Moratorium was only a reluctant and subordinate co-sponsor of that event.

Its leaders feel that their principal success was the series of grass-roots rallies Oct. 15 in hundreds of communities, many of which had never before experienced anti-war demonstrations. Those events reached 2 million persons, according to Moratorium estimates.

After that nationwide protest, the President took the calculated risk of preparing his now-famous Nov. 3 speech. The letter released yesterday by the Moratorium describes what has happened since:

On April 15, the second largest series of protests in this nation's history occurred. Although nearly 1 million people demonstrated their opposition to the current policies, there is little prospect of immediate change in the administration's policy in Vietnam.

"A new direction and focus are needed for anti-war activities. Our strategy has been used, has been temporarily successful, and now is in need of renewal. Our maximum effectiveness has been reached. We do not seek permanence of its own sake.

"One of the major complaints which many of us share relates to the nature of institutions in this country—unresponsive, afraid of change, more concerned with perpetuating their structure than their function . . . We as an institution no longer fill the need for which we came together . . .

"We have made the decision to disband the national office of the Vietnam Moratorium Committee. Local committees and offices will continue to function as they always have—independently. We will continue to mail a newsletter to all those who have worked with us in the past."

ANTI-WAR WORK GOES ON

The four Moratorium coordinators will continue their work in anti-war activities, as will most of the other staff members in Washington and regional offices. Many plan to campaign for "peace candidates" seeking House and Senate seats and other political offices.

Sam Brown will remain in Washington temporarily to raise funds to wipe out the Moratorium's current debt of more than $50,000.

David Hawk will organize concerts in major cities, to help eliminate the debt and raise new money for the peace movement.

David Mixner will move to Denver to do political organizing in the Rockies.

Marge Sklencar will go to work for Sen. Charles E. Goodell, R-N.Y., one of the most outspoken opponents of the war.

"We genuinely believe that the real work that's going to get done to end the war is not the work that needs to be done out of an office in Washington," Brown said yesterday. "It's the work that needs to be done in local communities."

LIBRARY OF CONGRESS SURVEY OF STATE LAWS ON EXPLOSIVES FINDS WOEFUL INADEQUACIES

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. VANIK. Mr. Speaker, during the last several months, this country has seen a dramatic—and tragic—increase in bombings, bomb scares, and bomb threats. The number of these bombings and threats has pointed out the fact that highly dangerous explosives are sold across the counter to anyone—including the mentally incompetent, felons, and fugitives from justice.

I recently asked the Library of Congress to make a survey of the various laws of the 50 States relating to the sale of dangerous explosives. The study revealed that in 22 States there are virtually no controls over the sale of explosives. Those States include some of the most heavily populated and industrialized, such as my own State of Ohio. The study shows that even if one State attempts to keep explosives out of the hands of dangerous persons, criminal elements can merely cross a State line and freely purchase high explosives in another State.

Because of the importance of this study, I would like to enter it in the CONGRESSIONAL RECORD as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C., April 7, 1970.

To: Hon. CHARLES A. VANIK.
From: American Law Division.
Subject: State Legislation Pertaining to Explosives.

This is in reply to your letter of March 9, 1970, requesting a compilation of the laws of the several States which regulate the sale and transfer of explosives and to the telephone conversation pertaining thereto.

A survey of the codes, compilations, and consolidations of the laws of the several States indicated that provisions dealing with explosives (dynamite and similar chemicals) were scattered throughout many sections of such codes. Such provisions included those which make the use of explosives in certain areas or for certain purposes illegal. Thus the laws of every State prohibit, in some way, the illegal use of explosives. However, there is no uniformity as to exactly what is proscribed and, in some States, no statutory requirement or restriction on the sale or transfer of such items.

In some cases the State statutes provided general authority for a specific state official such as the state fire marshall, the state chief of police, the state insurance commissioner, the state secretary of labor, the state mine inspector or some other official to promulgate rules and regulations with respect to the storage, transportation, possession, transfer or sale, or use of explosives. In addition, many of the "codes" authorize local governments to enact ordinances to restrict or even prohibit explosives within said local jurisdiction. Without a detailed examination of the rules and regulations that may have been promulgated or without conducting a survey by questionnaire to each of the several states, we can only render an opinion as to those states which do not have effective statutory control over the sale or transfer of explosives. It should also be remembered that even though several of the states require licensing for persons who manufacture, deal in, store sell, possess or use explosives, unless such licensing does in fact pertain to the sale and transfer of explosives and provide for the regulation of the many explosives and component parts, those licensing provisions, upon close examination, may prove to be ineffective.

With those limitations it is felt that the following states do not have general statutory restrictions on the sale or transfer of explosives: Alabama, Alaska, Arkansas, Colorado, Delaware, District of Columbia, Idaho, Indiana, Iowa and Louisiana.

Maine, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Mexico, North Dakota, Ohio, and Oklahoma.

Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, West Virginia, Wisconsin, and Wyoming.

A brief summary of the type of control or restriction on sales or transfers of explosives in the other States follows:

Arizona: (Arizona Revised Statutes, 27–321 to 27–325). Requires records of all transactions including name, date, amount, disposition of explosives. State mine inspector to promulgate rules and regulations pertaining thereto.

California (West's Annotated California Codes, Health and Safety Codes, § 12100 et seq.) Permits are required for the manufacture, receipt, storage, possession, transportation, and use of explosives. State fire marshal issues regulations as to the form and content of applications. Applications for permit to use are made to local fire chief.

Connecticut (Connecticut General Statutes Annotated, State Police, § 28–29 to 29–95). Requires every person selling explosives to keep records with respect to each transaction including name, address, quantity, and business of purchaser.

Florida (Florida Statutes Annotated Chapter 552). Provides for the licensing of persons who manufacture, deal in, or use explosives in accordance with regulations of the State fire marshal.

Georgia (Code of Georgia Annotated, Title 92A, Public Safety). Provides for the licensing of persons who manufacture, transport, store, sell, or use explosives under regulations promulgated by the safety fire commissioner.

Hawaii (Hawaii Revised Statutes, § 376–21 to 376–34). Provides for the director of labor and industry to issue rules and regulations concerning permits for persons who manufacture or deal in explosives and certificates of fitness (with positive identification) for persons who may use explosives. Monthly reports of the names of purchasers are required.

Illinois (Smith-Hurd Illinois Annotated Statutes, 93–143 et seq.). Requires record of name, address, and business of every purchaser of explosives to be kept by dealers.

Kansas (Kansas Statutes Annotated, § 21–2444). Requires records with respect to the sale or transfer of explosives.

Kentucky (Baldwin's Kentucky Revised Statutes Annotated, § 433.470) Requires suppliers of explosives to keep a register showing the amount, to whom, date, and purpose of all transfers of explosives.

Maryland (Annotated Code of Maryland, 38A § 25 to 38A § 36) Provides for the licensing of persons who manufacture, possess, or deal in explosives and prohibits sales to unlicensed persons.

Mississippi (Mississippi Code Annotated, § 7015–31). Requires every person who sells explosives to keep record of the name and

XUM

address of the purchaser, to quantity sold, and the purpose of use. Requires reports of sales or removal to the local sheriff within 24 hours of the transfer.

Montana (Revised Codes of Montana Annotated, 69–1901 to 69–1930). Records and receipts with respect to every transaction involving explosives.

Nevada (Nevada Revised Statutes § 476.010 to 476.060) Requires signed order stating purpose and use before transfer of explosives may be made. Prohibits "unusual" or "excessive amount" sales.

New Jersey (New Jersey Statutes Annotated, 21:1A–128 et seq.). Permits are required for persons who manufacture, store, transport, deal in, or use explosives.

New York (McKinney's Consolidated Laws of New York Annotated, Labor Law, § 450 et seq.). Requires license to purchase, own, possess, transport, or use explosives.

North Carolina (General Statutes of North Carolina, § 14–284.1). Requires purchaser to have written application containing purpose before purchase can be made. Records of sales for use required.

Virginia (Code of Virginia, § 40–20.1 et seq.). Permits required for the manufacture, storage, handling, selling, or use of explosives.

Washington (Revised Code of Washington Annotated, § 70.74 et seq.). Provides for the licensing of persons who manufacture, store, transport, sale, purchase, or use explosives. Prohibits any sale to unlicensed persons.

It is pointed out that the above analysis and summary is based on a survey of the laws of the several States as found in the codes or similar compilations and pocket parts thereto which, in general, included enactments through 1969. It is understood that several States have amended and strengthened their laws during the current year. In addition, this analysis is based on an interpretation of the several statutes. It is entirely possible that some of the States we indicated as not having adequate controls over the sale or transfer of explosives have an effective regulatory system under a general delegation of powers to promulgate rules and regulations dealing with explosives and that other States, indicated as having effective statutes, have failed to promulgate or enforce those controls which would effectively prevent the sale of explosives for an illegal purpose.

In accordance with our telephone conversation we are attaching hereto xerox copies of the general "explosives" laws which we feel will provide a representative sampling of enactments which appear to provide adequate statutory authority for the control of the sale or transfer of explosives.

OEO WILL NOT PROVIDE LEGAL SERVICES TO POVERTY STRICKEN

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. GUBSER. Mr. Speaker, I submit for the attention of my colleagues a letter addressed to the Legal Aid Society of Santa Clara County by Barbara E. Fisher, Acting Deputy Regional Legal Services Director of the Office of Economic Opportunity. I also submit a copy of a communication written by the president of the Santa Clara County Bar Association to the president of the State Bar of California.

These items of correspondence clearly show that the Office of Economic Opportunity has now determined that it will not provide individual legal services to persons in poverty across the Nation. In my opinion, this is an absolute violation of congressional intent.

Mr. Speaker, I am not opposed to class action suits and have repeatedly made that position clear. However, I am opposed to a one-sided interpretation of the law which goes exclusively to the filing of class action suits, to the detriment of the individual poor person who desperately needs legal assistance. I reiterate that this is contradictory of congressional intent as I understood it.

The correspondence referred to appears as follows:

OFFICE OF ECONOMIC OPPORTUNITY,
San Francisco, Calif., February 13, 1970.

JAMES ONO,
Director, Legal Aid Society of Santa Clara County, San Jose, Calif.

DEAR MR. ONO: I have just been notified that the Board of Directors has chosen you to be the new Director of the Santa Clara program. Therefore, this is an appropriate time to outline OEO philosophy in regard to legal service programs.

While the initial thrust of OEO was toward providing individual legal services, it was soon discovered that a single test case or class action could affect the lives of many more poor people for the amount of money expended. And it was also clear that the amount of money Congress was willing to spend for legal services was not unlimited.

This is the reason OEO now insists that legal service programs limit their caseload of individual service cases to free up attorney time for test cases. We require that your program, like all others, start working out effective methods of cutting down the number of individual cases handled. We also insist that you investigate the problems of the poor in your county and work toward legal solutions to those problems. Another requirement is that you create an effective community legal education program which will reach the poor in Santa Clara. This program should inform the poor of the ways legal processes can be used to solve the larger issues of poverty.

These OEO requirements should be implemented at once so that you will be able to discuss your progress with our evaluators who will be at your program in March. I will send you more information about the evaluation when the final plans are made.

Sincerely yours,
BARBARA E. FISHER,
Acting Deputy Regional Legal Services Director.

SANTA CLARA COUNTY BAR ASSOCIATION,
San Jose, Calif., April 1, 1970.

J. THOMAS CROWE,
President, the State Bar of California, Visalia, Calif.

DEAR MR. CROWE: The Board of Trustees of the Santa Clara County Bar Association unanimously adopted the following resolution at its meeting held on March 12, 1970:

"Resolved: That the State Bar of California be requested to coordinate sending a delegation representative of California Bar Associations to the Office of Economic Opportunity, Washington, D.C., to express concern with the change in Guide Lines to local legal services agencies and to explore possibilities for the restoration of funding for representation of individual cases."

The resolution followed a discussion of the immediate impact of the enclosed OEO directive of February 13, 1970, upon the poor who need individual legal services and the ability of local attorneys in private practice to meet that need. In the case of Santa Clara County, the Legal Aid Society has stated that it will no longer provide legal services to indigents in matters concerning family law, bankruptcy law and juvenile law. It is anticipated that these cases will amount to approximately 3600 per year.

We earnestly request that the State Bar Board of Governors consider the matter in the light of the above resolution and inform us of its action thereon.

Very truly yours,
RICHARD J. WYLIE, *President.*

JUDGE HARRY A. BLACKMUN

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. QUIE. Mr. Speaker, Minnesota is doubly honored by having two men nominated for the Supreme Court from our State. One is now the Chief Justice and I anticipate that the second will be an Associate Justice in the near future.

The President has wisely nominated Circuit Court Judge Harry A. Blackmun for the current vacancy on the Supreme Court. Judge Blackmun lives in Rochester, Minn. in my congressional district and I wish to draw the attention of my colleagues to the editorial in the Rochester Post Bulletin of April 11, 1970.

Having known Judge Blackmun for many years, I can vouch for the excellent personal recommendation given Judge Blackmun in the editorial. I hope the Senate moves quickly to confirm this man who is so eminently qualified to serve on our highest court.

The editorial follows:

JUDGE BLACKMUN FOR HIGH COURT? HE'D BE SUPERB!

When a baseball pitcher goes into the late innings of a game with a no-hitter in progress, the radio-TV broadcasters are sometimes reluctant to even mention that fact on the air, for fear of "jinxing" the pitcher's chances of reaching baseball's charmed circle.

We feel a bit that way in trying to editorialize on the news that U.S. Circuit Judge Harry A. Blackmun of Rochester is one of evidently only two or three jurists being considered by President Nixon for appointment to the U.S. Supreme Court.

We know nothing of the qualifications of the other men being considered. No doubt either or all of them would be outstanding nominees, particularly since Mr. Nixon's last two nominees were rejected by the Senate and the President simply must do a lot better the third time around.

We do know a good deal about Harry A. Blackmun. Not first-hand about his legal and judicial competence, of course, since editorial writers are seldom lawyers or judges. But on that score there is a mountain of testimony from lawyers and judges, who do know, that Blackmun is a superb legal scholar. We are confident his professional record will stand tall in any investigation.

But, in these days when a Supreme Court nominee's personal and community life is also so important, an editorial writer who has known Harry Blackmun for 20 years is qualified to say a few things on that score.

First of all, he will be embarrassed by words of praise, for he is a very modest and unassuming man. So we'll keep it short. We know of no man in Rochester, or indeed in Minnesota, who is more respected by close friends and casual acquaintances alike; who has a higher reputation for integrity; whose judgment is more respected.

While his academic and professional record is "a matter of record," so to speak, let it be added that just as a man—a man of personal integrity—none can rate higher.

It is hardly a secret that when Richard Nixon was elected in 1968 many Minnesotans had high hopes that Judge Blackmun might be elevated to the Supreme Court. But when another outstanding Minnesotan, Warren Burger, was named Chief Justice, those hopes seemed to be extinguished since as a practical political matter two Minnesotans (who are close personal friends) are unlikely to be named to the High Court virtually at the same time.

This is still a drawback to Judge Blackmun's chances, of course. But the usual "rules" no longer apply in the wake of the rejection of two straight Southern nominees. Now Harry Blackmun is very much in the running.

Those in a position to know far better than we, say Judge Blackmun qualifies as a "strict constructionist" of the Constitution. We know him to be a man of moderate, commonsense views. If nominated, we believe he would be confirmed by an overwhelming margin in the Senate.

For Judge Blackmun, such nomination would be the highest honor that can be accorded a jurist; for Rochester and Minnesota it would be a "feather in the cap." But most important, we believe, he would serve with real distinction on the Supreme Court and thereby benefit all Americans.

Needless to say, we sincerely hope that President Nixon does select Judge Harry A. Blackmun for nomination to the U.S. Supreme Court.

XUM

THE TAMARIND DECADE: 1960–70

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. REES. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

THE TAMARIND DECADE: 1960–70

The Tamarind Decade: 1960–1970 will be celebrated in Los Angeles on April 28, 1970, at famed, experimental Tamarind Lithography Workshop, Inc., of Los Angeles. At that time announcement will be made of the formation of the Tamarind Institute, a permanent professional training center to be operated jointly by the University of New Mexico and the Tamarind Lithography Workshop, Inc. This is the first time that any institution other than the Ford Foundation will participate in the basic support of a Tamarind activity.

Focus of a nationwide renaissance in fine art lithography, Tamarind operated for 10 years as a pilot program through grants from the Ford Foundation. This, plus its own earnings, brought to nearly $2 million the figure so far dedicated to a multifaceted attack on the problems faced by an art form which was almost extinct in the United States 10 years ago.

In its first decade, the workshop gained international recognition as the germinal source of the current resurgence of lithography in the United States. Artists of every genre are now at work with a new generation of master-printers trained at Tamarind.

The Ford Foundation saw Tamarind as a rescue operation for an art that was near extinction in this country and fading fast in Europe. Although the 1950's saw considerable artist interest in etching, serigraphy, and the woodcut, little was being done in lithography due to this art form's need for master-printers capable of processing lithograph stone. Artists who wished to work in the medium were obliged to go to Europe to find the artisans they needed. Among these artists was June Wayne. In 1958, en route to Paris to create lithographs, Miss Wayne attended a meeting with D. McNeil Lowry, director of the then newly-formed Program in Humanities and the Arts of the Ford Foundation. At that time, the Ford Foundation was deepening its still new commitment to support the arts. Miss Wayne pointed up the problems of artists who were interested in lithography. The suggestion was made that Miss Wayne indicate how she thought the art of lithography could be rescued in our country. This she did. By late 1959, the Foundation felt that her views were worth testing. With the Foundation's support, Miss Wayne set up Tamarind Lithography Workshop, Inc., a non-profit organization named for the Los Angeles street on which it was located.

To create conditions under which a genuine flowering of lithography could take place, her design for the Workshop set for itself six goals:

1. To create a pool of master-printers in the United States;
2. To develop artists of all styles into masters of the medium;
3. To accustom artists and printers to collaboration so that each would respond to the other and thus to the expressive potential of the medium;
4. To stimulate new markets for the lithograph;
5. To guide the printer to earn a living outside of subsidy or dependence directly on the artist as a source of income;
6. To restore the prestige of lithography by creating a collection of extraordinary lithographs.

The resulting collection of several thousand lithographs has done much to establish in the public consciousness the worth of lithography as an art form.

From 1962 on, exhibitions and one-man shows by Tamarind artists have been seen in art galleries, museums, and universities across the country and in various parts of the world. "TAMARIND: HOMAGE TO LITHOGRAPHY", a four-month exhibition during 1969, at the Museum of Modern Art in New York, included selections from the preceding nine years.

How well the Workshop fulfilled its original six goals is reflected in these facts. From July 1, 1960, to April 1, 1970, Tamarind gave grants to 103 artists, who, in addition to 252 guest artists, curatorial grantees, staff members and printer-trainees, used approximately 3,000 editions of lithographs containing some 90,000 individual original works of art. A conservative estimate of the aggregate value of these art works now is *upward* of twenty million dollars.

At the Workshop artist-fellows working directly with artisan-printers produced images in limited editions of twenty each. The artist owns these twenty impressions which reach the public through the artist's gallery or agent. Nine additional impressions were pulled on different paper for Tamarind of which seven have gone to various museums and institutional subscribers that acquire one impression of every print made at Tamarind. The remaining two complete folios are used by Tamarind for reference, teaching purposes, and public exhibitions.

Original prints pulled from the stones at Tamarind Workshop have soared in value. Clinton Adams reminds us that "where in the 1950's it was unusual to find an artist who *had* worked in lithography, today few American artists have not done so either at Tamarind or at workshops resulting from its program."

Thus, the threatened death of art lithography in the United States has been turned today into flourishing creativity. Printers who have passed through the Workshop program have established free enterprise workshops of their own around the country. Many important artists in communities where access to the complex techniques, equipment, and talents were unavailable, now have entered the medium.

This ability of Tamarind-trained masterprinters to work closely with artists of many styles "when paper kisses stone," seem evident enough that the Tamarind idea has succeeded. The fact of the existence of a 40 million dollar "Art of Lithography Industry" which is growing each year, further attests to the impact the revival of lithography has had on the art-collecting public. New collectors have found that these works of fine art are within their relatively modest means, and also are good investments for the future.

Many letters from former artist-fellows in Tamarind files praise the Workshop and their experiences there. Their comments make it apparent that artists are happy about the revival of lithography.

H. C. Westermann called his Tamarind experience ". . . the most harmonious working period of my life."

Japanese artist Masuo Ikeda reflects the high standards set by Tamarind when he wrote ". . . since Tamarind I have made lithographs in Europe and Japan and have been very disappointed: the quality cannot begin to compare with that now in the United States."

Many internationally known artists did their first extended series of lithographs at Tamarind. These include Josef Albers and Herbert Bayer as well as Louise Nevelson among dozens of U.S. artists. From abroad there were Gio Pomodoro of Italy; Canogar and Bru of Spain; Turnbull and Jones from England; Levee, Butor, Avati and Masurovsky from France; and from south of the border, Cuevas, Tamayo and Gego. In addition guest artists from many other countries made lithographs at Tamarind during briefer visits.

Louise Nevelson, noted artist commenting on the Tamarind Decade 1960–70 said:

"One of the great creative experiences was my good fortune to have been in Tamarind to make lithographs. The climate and intelligent help I received was a perfect experience. I loved it."

Also pointing up Tamarind's success in accomplishing what it set out to do are the remarks of Virginia Allen, in her introduction to the Museum of Modern Art exhibition catalogue for "Tamarind: Homage to Lithography." Miss Allen notes the rebirth of the art of lithography in the United States in the 1960's and says, "Tamarind is at once the product and progenetrix of this renaissance."

In his preface to the catalogue, William S. Lieberman chose to quote Tamarind founder-director June Wayne, who once had told him: "The importance of Tamarind will depend on what happens long after this decade is over. If artists who never heard of us, and master-printers we'll never meet, create marvelous works of art in this medium, then we are a success."

Now after ten years of intense work, Miss Wayne feels that the Tamarind idea has proven its point and that the time has come for a new phase in its development.

She notes that there are three professional workshops on the West Coast alone; many others across the country are the result of the Tamarind program. The free enterprise base of the art now demands more printers and curators than there are professionals to fill the positions. Wages are comparable to teaching levels, and in the case of exceptional masterprinters, higher. Demands for these professionals will increase as the years go on: so there is urgent need for an ongoing professional training center.

Tamarind hoped to stimulate a market of 100,000 print collectors by 1970. Today, that mark probably has been exceeded. The value of signed original prints, in limited editions, rose dramatically in some cases several hundred times, to a point where there is an adequate economic base for this form of art. The rise in price also recognizes that original prints often are more difficult and more expensive to create than a drawing or a painting. This is due to the complex nature of its processes.

Original prints are being welcomed by the American people at a level of connoisseurship well above that accorded most art forms. Appreciation is for the unique beauty of their own nature, not merely as a substitute for painting and sculpture.

Another active member of Tamarind's Board, Calvin J. Goodman, a management and industrial engineer, says that the Tamarind program points the way to how some business techniques can be used to support the arts. "The knowledge that produces missiles and lands men on the moon can be adapted to the protection of our cultural resources." Mr. Goodman also points out that the tax-exempt dollars used by Tamarind during the last decade are rapidly, increasingly, coming back into the national treasury in taxes paid by dealers, investors, artisans, artists, and many other job holders who can earn their living as a result of the Tamarind experiment.

"There is," he says, "a recognizable (however modest) segment of the growth of the gross national product that derives from the burgeoning interest in original prints."

This renaissance certainly was assisted by the double nature of Miss Wayne's original plan which linked creative opportunities with hard-headed support by management techniques. She calls this "understanding the jungle and making it support, not strangle, you."

And what about June Wayne, who is "progenetrix" of the Tamarind idea? She will continue to direct Tamarind Lithography Workshop, Inc. and its many national activities; she also will serve as program consultant and on the executive committee of the Institute. But she is becoming much more visible again as an artist and has a backlog of nine years of art works to release. More are in preparation in her studio, including six large tapestries to be woven in Poland, Mexico, and France. "There are," she points out with a certain annoyance, "no tapestry artisans available in the United States for U.S. artists to collaborate with."

PANEL OF SELECTION OF TAMARIND LITHOGRAPHY WORKSHOP, INC.

Clinton Adams, Dean, College of Fine Arts, University of New Mexico, Albuquerque.

Dr. E. Maurice Bloch, Director, Grunwald Graphic Arts Foundation, University of California, Los Angeles.

Kenneth Callahan, Artist, Long Beach, Washington.

John Entenza, Director, Graham Foundation for Advanced Studies in the Fine Arts, Chicago.

Ebria Feinblatt, Curator of Prints and Drawings, Los Angeles County Museum of Art.

Alfred Frenkenstein, Critic, San Francisco, California.

Harold Joachim, Curator of Prints and Drawings, The Art Institute, Chicago.

William Lieberman, Director, Department of Painting and Sculpture, Museum of Modern Art, New York.

Douglas MacAgy, Director, National Exhibition Program, National Endowment for the Arts, Washington, D.C.

Dr. Peter Selz, Director, University Art Museum, Berkeley, California.

James Johnson Sweeney, New York.

Gustave von Groschwitz, Associate Director, Museum of Art, University of Iowa, Iowa City.

Carl Zigrosser, Curator Emeritus, Philadelphia Museum of Art, Philadelphia, Pennsylvania.

BOARD OF DIRECTORS OF TAMARIND LITHOGRAPHY WORKSHOP, INC.

Dr. E. Maurice Bloch, Director, Grunwald Graphic Arts Foundation, University of California, Los Angeles.

William Brice, Professor of Art, University of California, Los Angeles.

Rudd Brown, Pasadena, California.

Dr. Sims Carter, Dean of Academic Department, Art Center College of Design, Los Angeles.

John Entenza, Director, Graham Foundation for Advanced Studies in the Fine Arts, Chicago.

Ebria Feinblatt, Curator of Prints and Drawings, Los Angeles County Museum of Art.

Calvin J. Goodman, Management Consultant in the Arts and to Tamarind, Los Angeles.

Allan J. Greenberg, Legal Counsel for Tamarind, Los Angeles.

Elizabeth Hanson, Pasadena, California.

Harold Joachim, Curator of Prints and Drawings, The Art Institute, Chicago.

William Lieberman, Director, Department of Painting and Sculpture, Museum of Modern Art, New York.

James Johnson Sweeney, New York.

Gustave von Groschwitz, Associate Director, Museum of Art, University of Iowa, Iowa City.

June Wayne, Artist, Los Angeles.

Edward H. Weiss, President, Edward H. Weiss and Company, Chicago.

Clinton Adams, Program Consultant to Tamarind Lithography Workshop, Inc.

Garo Antreasian, Technical Consultant to Tamarind Lithography Workshop, Inc.

GERMAN SOCIETY OF MARYLAND AWARDS MEDALS

REMARKS

OF

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. GARMATZ. Mr. Speaker, organized originally to help the German immigrants in the United States, the German Society of Maryland has changed its policies to meet current needs. At its annual dinner it now presents a German Society Medal to persons who have distinguished themselves in education or public service.

At the 187th anniversary dinner, held in Baltimore on April 10, awards were made to Charles F. Stein, Jr., a distinguished lawyer and the author of several books dealing with history and law; and to Dr. Ernst Cloos, professor emeritus of geology at the Johns Hopkins University, a former president of the Geological Society of America and now chairman of the Commission for Maryland Geological Survey.

The president of the German Society of Maryland is Kurt H. George, and those participating in the program were Henry P. Thau, chairman of the dinner committee; the Reverend Friedman H. Penner, who gave the invocation; and the Reverend Martin A. Schwalenberg, pastor of St. Charles Catholic Church. Folk singing was led by Dr. Johann H. Eltermann.

The toastmaster was the former Governor of Maryland and mayor of Baltimore, Theodore R. McKeldin, who also made a brief address to the group. I believe his remarks will be of interest to all Members and, therefore, I am inserting them in the RECORD for their perusal:

The greatness of a nation, like that of a person, radiates from its being. It is expressed by the thinking of its collective mind and displayed in its lasting contributions to the rise and the progress of civilization.

The genuineness of Germany's greatness is demonstrated by the survival of her influence in the world, after lapses into times of evil leadership, in which the German people, intent on their culture, their inventiveness, their arts and the humanities, neglected to attend to the affairs of politics. They trusted Government to the wrong hands.

The greatness of Germany is particularly emphasized today in much of the leadership that is given by her sons and by Americans of German origin and descent in America's contributions to the progress of the great new sciences which inspire scholarship throughout the world and hold the interest of all thinking people.

It was through German immigration to these shores that the great values of the German way of life were brought to bless America. British and Spanish and French and Italian—whatever may be the origin of our American families, we have all profited by what Germany has contributed, as we hope German-Americans have profited by what the rest of us have to give.

It is the great good fortune of the American that, in things of the mind and spirit, he inherits from all nations, regardless of his own descent. His ancestors may have roamed the Scottish highlands, or the Russian steppes, or have built their homes around the Irish lakes or in the African jungles. No matter. As an American, he has fallen heir to the music of Bach, to the philosophy of Kant, to the science of Leibnitz and the poetry of Goethe. For those Americans who came originally from Germany have brought with them the riches of the German mind and spirit, to add to the common treasure.

All of us are under an obligation to preserve this treasure, but I think you will agree that a special obligation lies upon each group to preserve first of all the contribution that our own people brought.

Certainly Beethoven must be studied by an Italian-American musician, Mommsen by an Anglo-American historian, Ehrlich by a Spanish-American physician. But while those great names must command the respectful admiration of an American named McKeldin, it is reasonable to suppose they aroused not only respectful admiration but also a warm glow of pride in an American named Eisenhower. A German-American should be duly grateful for all that other nations have given us, but he must be particularly proud of what Germans have given us.

Among the gracious gifts that have come from the Fatherland, none is better worth preserving than the tradition of compassion for the helpless that is conspicuous in the German character. The Christmas Tree is an importation from Germany. It is the most beautiful of all symbols of our belief that the strongest of claims upon our generous sympathy is the claim of sheer helplessness. In the case of the Christmas Tree it is the helplessness of youth. Children cannot command, they can only appeal; yet the glittering tree is evidence that their appeal has moved the German heart in a way that the command of great Caesar never could.

Love of family and parental respect are outstanding virtues of the German people, and here in America, among the people of German descent, we find the young and the old in particularly close communion. In German families, the aged are cared for—not as a mere duty—but as a product of love.

I am sure there are among us the sons and daughters of men of German blood, but whose mothers are descended from people of other lands—or vice versa. I am sure that they have learned to love and respect the great German traditions—even as they love

XUM

and respect the qualities handed down from the lands of the other parents' origins.

There are here non-German husbands and non-German wives with spouses whose family roots are in the Fatherland—learning even today of the greatness into which they are wed—and filled with a new pride for this America which makes possible the blending of so much that is fine in all the world.

The task of Americans, if we are to achieve our high destiny in the years ahead, is to select the best from all the national cultures that have been brought to this land. We have among us representatives of all traditions, of all manners and customs, of all intellectual disciplines. In each of them there is something excellent; and if we might select the excellent from each, we could weave them all into a tapestry of such brilliance and beauty as the world has never seen.

But to be able to do that we must first learn to recognize the excellent when we see it. And if we wish to recognize the excellent in an alien culture, the best preparation is to study carefully what is excellent in our own. This is why it is first-rate Americanism for Americans of German blood to study, and practice and strengthen all that is fine in German tradition, not for itself alone, but in order that America may profit. The German-American should study other cultures too, but he will appreciate the others sooner if he first learns to appreciate all that is best in his own.

And all this blending and all this sharing never will obliterate all that is great in the German nature.

Down through the years and through the centuries we will find German names among the great artists and musicians, the surgeons and physicians, the lawyers and the writers and all the rest. And often if the great one's name is O'Neil or Adkins, or Semanski or Donato or Jones, it will not be at all unlikely if his mother were a Speicher, or a Pramschufer, or a Thau, a Schneidereith or a Franke. I might add, when the name is McKeldin, the mother's name was Grief and the grandmother's was Cunigunda Vinzel.

Yes, and now that this period of trial and error in the launching of man's great new adventure in the exploration of outer space has settled down to an era of real accomplishment among the stars, we know that Dr. Wernher von Braun leads this tremendous undertaking, and the first man to step on the moon was Neil Armstrong, who, I understand, has the same ancestry as I, he comes from German and Scot blood. No doubt many of the planning boards and many of the ships of space will be manned by keen and courageous Americans whose names would have familiar rings in Berlin, Hamburg or Heidelberg.

Yes, we of America—you and I and all our neighbors—are thankful for the Germans among us and the German within us—and all they have done for these United States and a better world.

OTHER DEVELOPED NATIONS ASSISTING IN SHARING WORLD'S PROSPERITY

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. CULVER. Mr. Speaker, the International Development Conference, which was held in late February here in Washington, brought together some of the most informed and knowledgeable persons on the subject of foreign assistance from all over the world. The conference provided the occasion for a provocative exchange of ideas between representatives of often widely differing points of view.

I was privileged to participate in these meetings and was deeply impressed, in particular, to learn of the sustained efforts being made by the other developed nations of the world to assist other countries in their quest for a meaningful share of the world's prosperity. I believe that the American public would benefit from an understanding of the strides which are being taken in this direction.

Therefore, I would like to insert in the RECORD two speeches delivered at the conference, one by the Right Honorable Judith Hart, Member of Parliament and British Minister of Overseas Development, and the second by Ambassador Edwin Martin, chairman of the Development Assistance Committee of the Organization for Economic Cooperation and Development. The first explains the British program of foreign assistance and the second relates the steps being undertaken by other developed countries:

TEXT OF SPEECH DELIVERED BY THE RIGHT HONORABLE JUDITH HART

I want to start by saying what a pleasure it is to be addressing you today. Over the last few days I have been completely immersed in the subject of aid and development at conferences in New York and in Canada. Experts, specialists, decision-makers in development, we have had valuable and, I hope, fruitful discussions and exchanged useful ideas. The size of the audience this morning shows that there is a world of interest in overseas development outside the professionals' field.

I am one of those who believe that the vast problem of development in the poorer world is the most challenging issue of our time.

In this nuclear age many of us have been, and are, concerned about the survival of mankind. But looking at the human state of the world today, I am drawn to the conclusion that conditions exist which could be as explosive as any nuclear bomb, and which we dare not ignore.

As the advance of technology and communications reduces this planet to the dimensions of an island, we can no longer tolerate in our midst the vast scourge of poverty that today affects two-thirds of human kind. We of the developed nations must not continue to behave as if the world ends at the edge of our own affluence. The Pearson Commission Report put it in a telling phrase. It said: "Who can now ask where his country will be in a few decades without asking where the world will be? If we wish that world to be secure and prosperous, we must show a common concern for the common problems of all peoples."

The whole point about aid for development, it seems to me, is that it is an essential strategy for securing the well-being of "us" as well as "them". And it is not a case now of not knowing how to organise this strategy. The conferences, meetings, and seminars I have attended here in North America and elsewhere have each arrived at the clear conclusion that economically, scientifically, and in every other way we know what to do, and we largely know how to do it. What is needed now is the will.

This is the value of the Pearson Report. Exploding upon us as The Second Development decade is about to begin, this Report is above all a call for action. In its analysis, it brings together what is now known about the whole development process. Although we know a great deal, much more detailed study has to be undertaken, as Mr. McNamara pointed out in New York last week. But our knowledge of the development process and our machinery of aid management is large enough for us to act in confidence.

We would however be making a mistake if we of the developed countries were to believe that development depended exclusively upon our efforts. The Pearson Report brought home most forcefully that development is primarily a matter of self help by the people of the developing world. It is they who carry the burden; it is they who have to set the pace. We in the developed countries cannot do it for them. What we can do, and what we must do, is to help them to gain the extra strength they need to increase significantly their standards of life. The aid effort of the developed world, though small in relation to the total needs, is vital in enabling our friends in the less developed countries to make a breakthrough.

I came into office as Minister of Overseas Development only three or four days after the Pearson Report was published. There could not have been a more exciting or challenging time to take on such a job. I was at once plunged into the discussion of all the key issues of aid policy which confront us today. How could we best respond to the challenge of development needs? On what lines can the Second Development Decade be most fruitfully and effectively organized? How and by what time can we live up to our pledge, made at the second UNCTAD Conference in 1968, to move towards the provision of total financial flows to the developing world of 1% of our gross national product? In particular, what should be the future level of our official aid programme? One thing can be said about the Pearson Report, there was no beating about the bush; the objectives and targets it set us developed nations were coherent, unequivocal.

You would like to know where Britain stands in relation to the major fields of action set out in the Pearson Report. It had a great deal to say about the terms and conditions of development assistance. On this Britain's performance has been good. Our gross aid programme has been running for a few years now around, or a little above, 200 million pounds ($480m). Not many of those in Britain who press us to do even better in the field of aid, realize that over half the British aid programme (53%) is in great form—that is, non-returnable money. Only 47% is in loan form, and of these loans over 90% are today provided free of interest, with pay-back periods of about twenty-five years, and with about seven years grace period when no repayments are made at all. We were driven to the conclusion in 1965 because of the mounting burden of debt on past loans, particularly in the case of India, that some initiative had to be taken to alleviate this burden. We realize, however, that many more steps have yet to be taken, not only by Britain, but by all donor countries in softening the terms of aid.

Then there is the question of the relationship between aid and trade. Some people talk as if they were alternatives. I believe that in the present state of under-development they are complementary. Both are important strands in the net-work of relations between the developed and developing world. But I think you know that British trade policies have traditionally been inspired by outward-looking principles, and that we have done our best to avoid protectionist devices and to give as free access as possible to the products of the less developed countries. This is an attitude which is deeply ingrained in British thinking, and I have no fear that it will alter significantly as we go into the next Development Decade.

We richer countries were asked in the Pearson Report to increase the proportion of our official aid programmes directed towards the multilateral institutions. In Britain, we have for a long time given support to the multilateral idea, and while the major portion of our development assistance will continue on a bilateral, government-to-government basis, we are determined to increase our multilateral contribution. I am happy to say that the proportion of our aid programme going to multilateral assistance will increase from just over 10% (at which it has been for several years) to about 14% by next year. We confidently hope to maintain an upward movement in multilateral aid in the years to come.

But of course, we all know that in the dialogue that has surrounded the Pearson recommendations the dominating question has been one of the volume of aid. The target of 1% of GNP has become a somewhat magical figure. It has to a large extent been so since the second UNCTAD in 1968. Let me say, here and now, that while the one percent is of course important, I believe that the proportion of that target figure which comes from official aid is of greater significance. Pearson was right to give a figure for official aid, because if we are going to go in for targetry then we ought to be aiming at a figure of financial assistance which governments can control. Private investment is largely out of the control of governments, and is sometimes difficult to quantify in terms of statistics which can be understood.

We, in Britain, accept the need to reach higher targets in the provision of official aid. We recognize, as you will, our difficulties in doing so against the background of the economic situation through which my country has been passing.

At the 1968 UNCTAD we gave an undertaking to reach one percent of GNP for aid. Because of balance of payments difficulties we were, at that time, unable to give a date for reaching it. But I am happy to say that this situation is now changing. In our Parliament toward the end of last year I was able to give an indication of a date when we might reach it.

As an outcome of a review of the whole range of public expenditure, home and abroad, carried out by the British Government last autumn, the aid programme is going to rise over the next four years. From about £220m. ($528m.) in the current financial year, our aid will rise to £300 million ($720m.) by the end of the financial year 1973/74. If we carry the rate of progression of these figures forward beyond that time, we could well reach the one percent UNCTAD target just after 1975 (given that private investment was at a high rate), but in any case we fully untend to reach the one percent by 1980.

Against the background of the doldrums through which Britain's aid programme has been passing in recent years, taking into account our very recent economic difficulties, and the priorities in home spending which my Government have to weigh up carefully, it is a significant measure of the British effort of will that over the next four years the air programme will be rising faster than almost any other public expenditure in Britain, moving to an acceleration of 13 percent.

I cannot say to you that the British aid programme is yet anywhere near the recommended target of 0.7%. But I am confident that if we can continue to increase our aid programme beyond 1974 at the same rate as up to that year, we shall be on course for reaching that target by the end of the Second Development Decade.

There are several other major donors who have farther to go than we in Britain. Our percentage for aid in relation to GNP is at the moment 0.42. That of the United States is somewhat lower. Both of us have tended to have a gradually diminishing grap line of aid in relation to GNP. The Pearson Report recognized that Britain and the United States, together with Belgium and Italy, would find it difficult to meet recommended targets. So we were urged as a first step to arrest the downward trend and create an upward movement in our programme. My country's rising aid programme over the next four years does just that. I hope that may be able to be matched by this great country of the United States and by the other donor countries in the same position.

We can look at this whole problem in terms of the cold statistics of world inequality. We can compare the per capita income in Britain of about 620 pounds ($1.488) with that of Malawi with a per capita income of 15 pounds ($36). Or the United States with a per capita income $4,650 with India where the equivalent figure is 35 pounds ($84). We can follow the League tables which show the rich world growing richer much faster than the poor world and we can look at the stark figures of malnutrition, and ill health. But behind the statistics are people and the distress of people. And the involvement of the rich developed world is vital to them.

It is not that if we hold back on development assistance the free market forces of the world will gradually even things out. The operation of free market forces indeed, would be likely to widen the gap, sharpen the inequalities, deepen the relative poverty of the developing world. The mushroom growth of communications and mass media in our own highly literate and sophisticated societies brings the full and vivid picture before us. There they are, the men, the women, the children, on our television screens and in our newspapers. We cannot escape into the complacency of not knowing or of not caring. Oh Calcutta, is one thing on Broadway but it is a cry of anguish if you stand in the "bustee" areas of that tragic city.

So, knowing all this, how much do we care? How much do people want their governments to care? We are confronted again with the question of will.

In this whole business of aid and development and in our discussions on how to achieve an increase in the volume of aid, we will largely be wasting our time if we leave out of account public attitudes to this whole operation.

Development economists and administrators may, with great profit, exchange views and ideas which can bring better understanding of what needs to be done on the professional level, but the end-game is inevitably played out by the ordinary man in the street. It is he who has to be convinced, in terms he can understand.

It is true that governments can give the lead in policy matters which in their judgment are important even if they are not nationally popular. It is equally true that no government functioning under a democratic system can get too far ahead of public opinion. The people have to be carried along with government policies and be increasingly convinced of their rightness and their necessity. That is why I, as a politician in a democratic country attach such importance to information and public relations in the matter of aid.

There is a direct relationship between public attitudes to aid in the richer countries and the amount of extra assistance developing countries can expect over the period of the Second Development Decade.

And developing countries must understand that when, in international discussions, we of the developed world sometimes draw attention to the state of our public opinion, we are not raising a red herring, or making excuses. It is because we know that no major upward spurt in aid allocation is likely without public sympathy.

Concern to inform public attitudes cannot and should not be confined to the richer countries alone. Development assistance is a partnership operation; we are involved one with another and the public, especially the literate public, in developing countries ought to have the same sense of involvement that we are trying to communicate to the peoples in the developed world.

The Sixties, the first development decade, saw a growth in disenchantment about the giving of aid among the people in the richer countries. Today, following the broadening of the dialogue of this subject over the last two or three years, aid weariness is receding.

I am in fact optimistic, and I get this feeling when I look at the attitude of the young people today. The drop-outs and the addicts get the headlines, but the great mass of youth today, certainly in Britain and Europe, care about the world they live in. And one of the increasing passions of young people concerns the injustice and the indignity of world poverty.

The young in America also are expressing their concern about injustices—in the social sphere. Youth today are right to concern themselves with the quality of life. But concern for the problems we see around us can know no national boundaries. And no government anywhere will claim the support of the young unless it manifestly exercises the will to fulfill their ideals. Among our young in Britain, the issue of world poverty has a high priority.

This is why I am optimistic. The young in our countries will not allow us to fail in providing more resources for development of the poorer world.

TEXT OF SPEECH DELIVERED BY AMBASSADOR EDWIN MARTIN

I have been asked to discuss the development assistance prospects of donor countries other than the UK, on which Mrs. Hart has just reported so ably and encouragingly.

Before getting specific, I should warn you that I have little confidence in most kinds of forecasting, and less than that with respect to most economic matters. I can only hope that my errors on the side of optimism will at least be matched by those of too great pessimism.

Forecasting is particularly risky at this time since, in addition to the just completed UK review Mrs. Hart has described to you, half a dozen of the other DAC countries, including several of the major donors, will be completing thorough reexamination of their programs this year, most of them before July 1.

In the U.S., as you will hear later, this reflects the need for a new assessment as a result not just of a new party in the White House, but also to take account of new attitudes toward the outside world and the U.S. role in it.

In Canada and Germany new governments with new outlooks on social problems at home and abroad and new conceptions of what is the most appropriate way for their countries to participate significantly in international relations have been restudying thoroughly their future lines of action.

In the Netherlands, Norway and Denmark, all countries with strong support from the public for help to the developing world and pressure from their legislatures to do more and do it better, active reexaminations have been initiated to find ways to meet these pressures.

In Japan a growing recognition of the international role Japan must play if she is to achieve a position in international affairs consummate with her new economic path has stimulated a series of basic studies of how her aid effort can best be expanded.

This coincidence of so many reappraisals has arisen not just from a new climate of general concern about quality of life of all peoples and appreciation of the planet as seen from the moon, but it also has received strong impetus from the injuncture of the publication of the powerful Report of the Pearson Commission on International Development and of the need to take bold decisions to launch the Second Development Dec-

XUM

ade with a real sense of partnership among all nations, no matter where they stand on the wave of development and modernization. These actions have also been stimulated by the adoption at UNCTAD II in 1968 of a new target of 1% GNP, 25% on the average higher than the old one, and by the approval by DAC a year ago of a new more ambitious target for softening the terms of aid.

With this background it is safe to assume that in all cases except the U.S., the outcome will be improvements in the quality and quantity of the aid effort. The issue is how much. Whether this will also apply to the U.S. Review, Paul Clark can tell you much better than I. What I can do is underline the fundamental importance to everyone of the U.S. decisions.

Of total public and private net flows in 1968 of around 13 billion, the U.S. contributed 45%, though it had over 50% of the GNP of DAC members and is the richest of them on a per capita basis. This was a new low percentage wise and put the U.S. in 11th place as percent of GNP.

Though the GNP 1% target was not yet applicable to 1968 disbursements, it is interesting to note that all DAC countries net flow was 77% of combined GNP, that of the U.S. .66 and that of all 15 other counties 89%.

In dealing with volume forecasting I will address myself only to what we in DAC call "Official Development Assistance," concessional loans or grants with development as their primary objective and I agree entirely with Mrs. Hart on its primary importance. This excludes two categories which count toward the agreed 1% of GNP target—official export credits and net private flows.

Some inferences about future volumes can be drawn from performance in the recent past. For this purpose it is necessary to group France, of the countries I have been asked to discuss, with the U.S. and U.K. as large donors with stagnate programs. For the remaining 13, providing 29% of net flows of ODA in 1968, the record of the past five years encourages optimism about the future. Whereas the dollar total of the US, UK and France was five percent lower in 1968 than five years earlier in 1963, that of the other 13 had grown by 90%. I am convinced that their growth will continue at a substantial rate for the foreseeable future. It will be useful to review their prospects, to see why I am so sure of this.

Germany reached a record level of $550 million net in 1968, but as .42% of GNP it was not as high as she reached several times during the '60's. The net dollar volumes, helped by the revaluation of the mark, is expected to increase 10% in 1969 and again in 1970. The Social Democratic Government which took power after the September elections has paid high tribute to the Pearson report as the basis for their development policy. As a result future programs are being actively reviewed and a 11% annual increase in appropriations and, subsequently, disbursements has been announced as the government's objective.

Japanese net ODS has been on a rising scale, though disbursements in 1968 fell nearly 12% from the 1967 figure to about $350 million or only .25% of GNP, the lowest percentage since 1964. We expect substantial increases in 1969 and 1970 as there was a 36% increase in aid appropriations in FY 1969. Both the Finance and Foreign Ministers made speeches in 1969 in which they stated that Japan's expanding economy and improving balance of payments would not only permit but require a rapid expansion of the Japanese official assistance program. This gives an assurance that this growth will be maintained in 1970 and 71, after which time the level will depend primarily on the outcome of the review referred to earlier, to be inspired, announced the Prime Minister, by the Pearson Report.

Canada has built up a considerable pipeline as a result of various obstacles to rapid disbursement, by no means all Canada's fault, which limited official development assistance expenditures in 1968 to $175 m. It seems pretty firm that the 1969 figure will reach somewhere between $250 and $275 million. The level should continue to improve somewhat in 1970. Again 1971 and beyond figures will be determined largely by the outcome of the current review.

Of the remaining donors, Sweden, Netherlands, Norway and Denmark are all operating now under firm long-term programs for large increases in volume. We in DAC are in favor of this technique for two reasons. First it helps to insulate aid appropriations from the pressures of temporary budget or balance of payments pressures, especially the former. This is because so large a percentage of most national budgets reflects continuing legal obligations and the pressure to cut is concentrated on the few unprotected programs. Secondly, in most cases this forward planning has been accompanied by authority to commit future year appropriations up to certain levels, thus enabling developing countries, at least in theory, to do better forward planning of their investment programs. I say "at least in theory" because for some reasons which are not yet wholly clear to me, this authority has been little used thus far.

Australia has not such a commitment but has been and expects to continue to raise its volume above present high levels and keep it an all-grant program, currently the only one. Italy, Austria and Portugal are still somewhat special cases of relatively low income countries still working toward effective and adequate assistance policies and programs.

To finish on volume, I must say a word about the stagnant French effort. France started the '60's with a very large program which equalled about 1.4% of GNP. This was to some extent a carryover from the pre-independence period. The actual level of disbursements has fluctuated up and down since, settling in 1968 at almost exactly the 1960 level of some $850 million. But by then the % of GNP had fallen to .68, still close to the Pearson goal of .70. Given the financial and social problems with which France is currently wrestling, I fear that the most one can hope for is a maintenance of this % of GNP. But if other major donors, and especially the US, do not start closing the gap between their performance and that of France—the US was about .4 in 1968—French volume is apt to stagnate and her % fall.

The existence of a large and growing pipeline of committed but unexpended funds, up a billion in bilateral hands in 1968, is often referred to as another insurance that future net disbursements will be increased by a gradual reduction of this backlog of available but unused money. It is, of course regrettable that funds which have been made available by taxpayers for development assistance should be in banks in developed countries and not converted into resources contributing to a higher quality of life in developing countries. The amounts are not at present knowable, but probably are equivalent as a minimum to a year's net official flows or $6–7B. Drawing upon funds not only from donors but from private capital markets and other sources, the multilateral financial institutions have a pipeline of something like another $3–4B. It is a much higher percentage, some 3 or 4 years disbursements, primarily because this lending is usually for large capital projects which take several years to complete.

On balance I fear one should not expect a significant impulse to disbursements as a result of pipeline reductions over the coming years, though for a year or two these can be a small cushion against temporary fluctuations in appropriations, as has happened in the last couple of years in the case of the US. But barring an unexpected increase in administrative efficiency of both donors and recipients or major changes in program structures the commitment-disbursement time-lag should not be expected to improve significantly overall.

On balance then I would expect disbursements of net official development assistance of these 13 countries to increase in 1969, 70 and 71 by several hundred million dollars a year. Whether with the UK pretty much level in '69, '70, and up a little in '71 and with the US falling, there will be an overall increase is very doubtful. In any case the % of GNP is sure to fall.

Beyond 1971 U.S. decisions will be crucial. This is not only because of the importance of U.S. volume but also because of its effect on the attitudes of others. To a considerable extent the rapid expansion in the latter part of the '60's in the programs of these 13 countries, except for France, was a response to U.S. leadership in the preceding years. If the U.S. lags behind the rest in the '70's some of the others may well lose some of their present enthusiasm, as progress in raising living standards becomes more and more difficult on the ability of donors as a group to put enough into the development effort to maintain its dynamism.

But it is easy to concentrate too much emphasis on the volume of resource flows and disregard various vital aspects of its quality. There is in a good many cases an unavoidable trade off between the two which demands wise judgment if a proper balance is to be achieved. Among the many quality factors, I wish today to mention only three—terms, tying, and the distribution between multilateral and bilateral.

For all countries there was a minor fall in the grant element from 76% to 75% between 1967 and 1968. The major change was the fall in US grant commitments of about $1B. primarily reflecting replacement by soft dollar loans of loans repayable in local currencies, and classed with grants under the PL 480 program of food aid.

This left the US in 8th place among the 16 DAC countries with the overall concessional element in its program at about the DAC average. It is no longer the leader in this matter, as it once was. To keep the overall change so small in spite of the U.S. broadening required a considerable softening of terms policies of most other donors in a number of directions.

While accidental factors such as the proportions of different kinds of aid committed in any one year have resulted in rather wide variations from year to year in the proportion of outright grants in most of the countries, the majority moved up in 1968 while the U.S. and U.K. were moving down. As a result grants were 51% of total commitments but only 45% for the U.S. A 40% increase in grants by Japan over the average of the preceding four years to just over 60% of their total commitments was most encouraging and there is good reason to hope that it will not only be maintained but extended further.

Australia continued her 100% grant program and Belgium and Norway committed over 90% of their assistance as grants. As in previous years France had the largest grant percentage among the major donors, though it has been declining and is now just over 70%. Almost all of it goes to former colonies.

I believe strongly that the burden of debt in relation to repayment capacity of many countries, including several of the largest, can only be met if a substantial flow of grant aid is maintained. Terms hardening of official aid in recent years has resulted far more from turning grant programs into loan programs than from any stiffening of loan terms, as I shall show in a moment. I regret that recent reports on development policy and the debates in UN forums discussing

XUM

DDII strategy have concentrated so heavily on loan terms and almost disregarded the grant percentages, still a major component whose further reduction would be costly.

The most important element in the debt burden is the interest rate. There has been little overall change in interest rates charged but this has included a tendency toward hardening by the U.S. and softening by several other donors. By 1968 the average for official development assistance commitments was 2.4% and for the U.S. 2.5%.

A similar trend has been followed for maturities and grace periods but in these cases the US loan program is nevertheless still significantly softer than those of other donors with average maturities of 37 years and grace periods of 9 years against 27 and 7 years. Japan again improved substantially those aspects of her terms in 1968.

No data are yet available on 1969 commitments but one or two helpful policy decisions have been made. Especially important was the German announcement early in 1969 of their intention to make future development assistance loans at 2.5% interest, 30 years maturity and 8 years grace period.

The Netherlands is compensating in part for an increased emphasis on loans instead of grants by lengthening the maturities of loans to certain of the overseas parts of the Kingdom to over 30 years. They are also meeting the new DAC terms targets adopted a year ago on loans to India, Pakistan, and Turkey.

Sweden is now planning to convert earlier loans made at 2% interest to the new target of 25 years maturity and 10 years grace period. She is also expanding her program of loans at IDA terms, some for joint projects with IDA and some independently.

Another of the important conditions of assistance is aid tying. Procurement policies of Member countries have remained virtually unchanged over the last few years any modifications being in the direction of tighter tying. As far as the share of untied assistance is concerned, there was no clearly discernible trend from 1966 to 1968, the major new initiatives taken by Member countries aiming at mitigating the adverse effects of procurement restrictions rather than untying.

In the past 12 months, however, we have seen a slight but encouraging thaw, the first relaxations in a long time and no tightening. The German Government adopted the principle of permitting procurement in developing countries under otherwise tied-aid contracts, the United States abandoned the highly restrictive "additionality rule" for procurement under AID assistance and authorized procurement within Latin America out of AID funds to that area; Canada and the US for Latin America liberalized their local content rules, and Japan and Netherlands opened the way for untying in part certain classes of loans.

The only countries with no tied loans in 1968 were Norway and Sweden. This is not a satisfactory position, though it is clear that much of tied aid would be spent in the same countries and at the same prices if untied. The relaxations of the past year may provide a start on which more significant progress can be built. It is a major item on the current DAC agenda.

Another subject of interest is the distribution of official flows between bilateral and multilateral channels. The Pearson Report, as you know, called for 20% through multilateral channels by 1975, or about a doubling of the current proportion. The U.S. in 1968 was a little below the DAC average with several countries several times the U.S. percentage.

There is undoubtedly a swing of sentiment in this direction, especially among several of the major donors, but whether it will be large enough to do more than keep up with rising total volumes is not at present clear. Much will depend on the outcome of the current negotiations for the Third IDA replenishment and the consideration in the UN of the recommendations of Sir Robert Jackson on what is required to expand UN capacity to provide technical assistance to developing countries. Unless his principal points are dealt with effectively, there will be wide reluctance to increase UN resources.

The capacity of not only the IBRD family but also the regional banks to accept and use much larger volumes of official funds is largely dependent on their ability to get a substantial portion of them on a grant or very soft basis to use through a soft window. Not only is the demand for hard loans limited but such money can and should come largely from the private capital markets and not from taxpayers.

Disbursements by multilateral banks of course substantially exceed donor payments to them, largely because of other sources of funds, including repayments, earnings and the private capital market. The net total first passed $1 B in 1967 but fell back sharply in 1968 as a result of declines in net outflows by the IDB and IDA. They should grow substantially in 1969, 1970 and 1971 as they possess both a large pipeline of committed but undisbursed funds and substantial cash reserves as yet uncommitted. Beyond 1971 the state of our private capital markets may be the key intervention of their multilateral.

I hope I have made it entirely clear in the course of this review why all those involved in the development effort throughout the world are watching so closely what happens next in the U.S., about which you are about to hear from Dr. Clark.

APRIL 15—TAX REFORM NOW?

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. HAMILTON. Mr. Speaker, I insert a series of articles from the Christian Science Monitor entitled "Are You Taxed Fairly?"

I believe my colleagues will find this series on tax reform very much worth reading. They will gain many insights into problems and questions they encounter daily from constituents.

The articles follow:

[From the Christian Science Monitor, Mar. 14–16, 1970]

ARE YOU TAXED FAIRLY?—I: 1775 AND ALL THAT

(The problem with a tax on tea, to mix metaphors is that it mushrooms. In Revolutionary times the Yankees were out to reform the tax policies of George III. Today many Americans sense a similar need to rethink and reshape the taxation and spending system at all levels of government.)

(By Richard A. Nenneman)

WASHINGTON.—"The power to tax involves the power to destroy."—Chief Justice of the United States John Marshall, in McCulloch v. Maryland, 1819.

But long before 1819, taxes were playing an important role in American life. The American Revolution was fought in part over the colonists' resentment at being taxed by a power located 3,000 miles across the ocean.

This series does not set out to prove that the taxers are about to destroy present-day America. What this series does contend is that the question of an equitable tax system is far too important to be left solely to legislators, tax lawyers, and economists.

The United States spends roughly $300 billion, or 31 percent of expected 1970 GNP, through the public sector. (In the fourth quarter of 1969, government receipts, including nontax revenues, were actually running at least 35 percent of GNP.)

Last year, about one-third of this was spent by state-local governments on purchases of goods and services ($113 billion), one-third by the federal government for the same purpose ($102 billion), and one-third by the federal government through transfer payments ($90 billion), such as social security.

AVERAGE NEAR 30 PERCENT

For the average individual, close to 30 cents of every dollar he earns flows through the coffers of some level of government. (One popularly touted figure is 27 cents, which leaves the citizen with the 73-cent spendable dollar shown above. In terms of recent trends, though, 73 cents is on the high side.)

Government spending is not necessarily less purposeful than what we do with our own money. A properly conceived national defense, good roads, and schools for our children are all as essential as food and clothing that we purchase privately. But once government is committed to a course of action, even if it benefits each citizen, it still deprives him of part of his individual economic choice.

The short-lived taxpayers' revolt last year, which helped push Congress into the Tax Reform Act of 1969, ended all too quickly, if taxpayers actually think there is no more major reform to consider.

If we think a progressive income-tax system is the final word in tax equity (fairness), it may be surprising to learn how slight the overall progression actually is. (Progression refers to tax rates which rise on incremental amounts of income, commonly called tax brackets.) This series will question whether the progressive tax is indeed the fairest one.

DUAL SOVEREIGNTY A PROBLEM

Last year's tax debate didn't begin to consider the tax problems that arise because of the dual sovereignty (federal-state) under which Americans live.

The public may be excused for being numb from paying taxes first on what it earns (income taxes), then paying more taxes on what it spends with its so-called after-tax money (sales taxes), and finally paying taxes on what it owns (property taxes). Yet, we may not get very far into the '70's before being told we either need to raise some of these taxes still more, or find new ones.

In America's last pre-World War II year, 1940, total tax collections of $16.9 billion equaled 18.3 percent of the net national product. This was divided about half and half between the federal and local-state governments.

By 1950, tax collections had grown to $67.1 billion; government was taxing 25.2 percent of our increased yearly production. During the World War II period, the federal government had necessarily grown. But the cold war and then Korea kept the federal level of spending high.

STEADY INCREASE NOTED

Then, as public employees began to get competitive wages and many social service functions of government increased (much of this at the state-local level), total taxes edged up another 5 percentage points and by the late '60's had crossed the 30 percent line. By this time, the federal government was collecting about $2 for every $1 collected by state-local governments.

From 18 percent of GNP to 25 to somewhere over 30 in 1969. There doesn't appear to be any natural stopping place for tax receipts as they gobble up more of our earnings. Those who think the government should be doing still more than it is point to the social democracies of Europe, where the government sector typically accounts for up to 40 percent of the GNP, and a high of 42 percent in Sweden.

But for those who still believe an essential element of the American experience is the freedom to plan one's own life within the context of some inescapable degree of interdependence, today's size of the public sector represents an absolute limit from which we must try to pull back.

High taxes in themselves become the cause of economic misallocations. They spur the efforts to escape (legally) taxes, and in the process of doing this create inequities between taxpayers. Tax lawyers or accountants are required for growing numbers of tax returns.

HOW ECONOMICS ARE DISTORTED

The law is so complex that expert help is required to make sure one takes full advantage of the law. When tax avoidance takes precedence over normal business judgment, as it often does even in an individual's decision, economic decisionmaking is distorted.

As one measure of the extent to which taxes have changed our lives in just one generation, Victor Ferrall, general tax attorney for American Telephone and Telegraph Company, notes that until the mid-1930's lawyers still told their clients to distribute their property as they wished in their wills and "let taxes take care of themselves."

Now, a man may pay a penalty in heavier taxation if he leaves his property as his emotions dictate. Estates and trusts have also been altered from their original intent (to provide for management of property) to one governed by tax considerations.

In business likewise, the tax specialist has risen quickly. Shortly after being accepted as an important professional staff function to assure compliance with the law, the tax department in many corporations rose to the status of a profitmaking function.

XUM

Mr. Ferrall ended a speech he made as president of the Tax Institute last November with these searching questions:

1. Do the various tax incentives actually help the people they were meant to help, or just put into the law "new opportunities for peripheral tax savings devices that, skillfully packaged and marketed, will redirect the benefits to persons other than those for whom they were intended?"

2. Is the net effect of the tax industry actually to save taxes, or only shift the tax burden back and forth?

3. What is the business distraction with taxes doing to the economic fiber of America?

4. Can we educate the populace "away from the almost vengeful insistence" that the rich and the corporations be "tagged" with taxes in the upper brackets, when in reality such rates "are illusory and are paid only by the unfortunate or the poorly advised?"

In trying to make sense out of taxes, this series performs such an educative function. And it tries to point the way toward a simpler system which would discourage today's economically wasteful search for tax shelters.

SIMPLICITY NOT ONLY VALUE

The search for simplicity shouldn't be overdone, however. There exists some kind of trade-off between fairness and simplicity. Of the two, fairness is more important. Yet we have become overly concerned, at least at the federal level, with equity, while achieving only minor progress in improving the whole tax system. These articles contend that we can gain much in simplicity and perhaps at the same time pick up some ground in equity too.

Prof. Richard A. Musgrave, Harvard University economist and expert on taxation, says: "Complexity can become such that it isn't enforceable. But this is a complex economy. The law would be simpler if there were no depletion allowance, no tax exempt interest; but do you hear people asking to do away with these in the name of simplicity?"

Professor Musgrave also noted that while the system is "far from optimal" it may be the best one in the world.

One also has to take notice of the effect of change itself. Edwin S. Cohen, assistant treasury secretary in charge of tax policy, notes that the transition to a new tax can be as important as the substantive issue itself.

CHANGE MUST BE GRADUAL

Business and the public are conditioned to whatever rules exist. Investment decisions have been made on the basis of them. Thus, major tax changes should be phased in only gradually.

Moreover, reform by definition starts with where we are. Ideas which are interesting in theory but have little chance of being meshed into the U.S. tax system are little more than conversation pieces.

There are at least four criteria that economists apply to a good tax system. First of all, it must raise an adequate amount of revenue. If a nation and its subdivisions cannot collect enough taxes to do the job the public sector has defined for itself, whatever the system's other merits, it is obviously deficient.

On this score, the United States tax system must be judged a huge success.

A second test of a system is the cost of administration and compliance. While certain parts of the U.S. tax system are better than others—the federal income tax, for example, costs only four-tenths of one cent for each dollar collected—the entire U.S. revenue system rates high on this score.

While we complain about taxes, most of us pay them without hesitation or argument. Whatever the combination of basic honesty, respect for government authority, or generally high business standards that accounts for this, compliance is not the problem here that it still is in many developed countries.

Third, taxes should be economically neutral. That is, they shouldn't affect decisions as to how resources are allocated. When tax considerations override economic ones, some misdirection or misallocation of economic resources generally occurs.

The present tax system is deficient on at least two scores here. Individually, the available tax shelters (or loopholes, in popular jargon) distort the economic decisions of taxpayers, particularly the wealthy ones.

Too often tax shelters have outlived whatever justification they originally had. A tax shelter ought to support some general good greater than that of the individual taxpayer; when it doesn't, the economic misallocation it encourages is inexcusable. The extent to which many of the loopholes were closed in the 1969 tax reform, as well as what remains to be done in this area, will be discussed in detail in another article.

CORPORATE BURDEN—ON WHO?

On the business level, the corporate income tax also lacks economic neutrality. Few stop to realize who actually pays this tax. Even economists can't entirely agree. But in some combination the corporation income tax burden is borne by the shareholders, the workers, and the purchasers of the company's products—probably mainly by the latter group.

Yet, corporations make business decisions as if they bore the burden of the tax themselves. And too many of these decisions are shaped by the tax angles involved. One article will discuss the desirability of substantially reducing corporate income taxes as a means not to helping just the shareholders but also the public at large.

The fourth criterion for a tax system is equity, which the dictionary defines as "fairness, impartiality, justice." Because this series is devoted to fairness in taxes, the entire second article takes up the different concepts by which economists try to define equity.

These articles contain several specific recommendations which could greatly increase the fairness of the entire tax system. But none of them would do a thing about the escalating size of the public sector.

In talking with economists, tax lawyers, and government officials at all levels over the past four months, it has become clear how deficient the U.S. is in an overall strategy toward public finance.

The federal system has much to commend it. Dual sovereignty undoubtedly facilitated the development of a 3,000-mile-wide continent. Indeed, it is problematic whether any vast land-mass country, like the U.S., the U.S.S.R., or China, can be efficiently managed by a central authority.

But the raising of taxes by Washington, by the states, and by cities and many special districts (all told, we have 92,000 units of government) presents a nightmare for modern planning. For instance, with different types of decisions made at each level—such as defense, which is entirely federal, and elementary education, which is almost entirely local—no adequate means exists to weigh relative priorities.

Perhaps government spending needs to be more than 30 percent of GNP. One suspects, though, that one reason the many streams of public spending add up to even as much as they do is the lack of a unifying channel for comparative evaluation.

Americans have a strong preference for local control over the areas of government that touch them closely—such as education. At the same time, the lack of coordination in the present multilayer tax system exacts a price.

So, after looking at tax reforms in detail, we will return to this problem, which may be more important than any single issue of tax equity.

[From the Christian Science Monitor, Mar. 19, 1970]

ARE YOU TAXED FAIRLY—II: WHO PAYS THE TAX BILL? MIDDLE INCOME CARRIES THE LOAD

(One basic assumption in the U.S. is that it is "fair" for the rich to pay higher taxes than others. Yet as a percentage of income, most Americans carry an amazingly similar tax burden. This page explores some of the ideas aimed at equity in taxation.)

(By Richard A. Nenneman)

BOSTON.—Situation: You and your wife both work 40 hours a week. Many American couples do. Together, you bring in a comfortable yearly income of $15,000.

Across the street from you lives a young man who doesn't appear to work at all. But last year a rich uncle gave him $15,000.

Down the block are a retired couple who once worked very hard. They also get close to $15,000 today, but from a variety of sources—social security, some dividend income, savings, an annuity, and a company pension.

Question: Should you and your wife, the young playboy, and the retired couple all be in a similar tax situation because of the $15,000 that has crossed the threshold of each house?

Fairness—equity—in taxation, we quickly find, is as difficult to define as beauty.

But even if beauty exists foremost in the eye of the beholder, this has never discouraged those searching for beauty. Likewise, the attempt to build an honest, equitable tax system is too vital to be turned aside just because it is difficult.

Economists view tax equity from two perspectives—what they call horizontal and vertical. Horizontal equity attempts to treat all taxpayers in the same category equally. The problems in defining it lie in deciding what makes equals out of taxpayers. If income is the criterion, there may still be reasons to treat different kinds of income in different ways, or to take cognizance of the taxpayer's age or family responsibilities.

DIFFERENT STANDARDS USED

Vertical equity determines what the degree of difference should be in the treatment of taxpayers in different categories. It is not as easy to find objective answers in this area.

Federal tax law presumes that income tests equality of circumstance better than what one spends or what his net worth is. (In the above example, the young fellow pays no tax on the $15,000 gift, only on whatever income he makes from it. His uncle, depending on what other gifts he has made, will probably have to pay a gift tax.)

Federal law does not, however, treat even every income dollar the same way. The personal exemption, the various deductions. the kinds of income not even included in the tax base all exist at least theoretically either to better define one person's situation vis-a-vis another or to further some particular social policy.

In the past, some of them, such as the exemption of municipal bond interest from the income-tax base, or the percentage depletion allowance, have encouraged the rich to conform their investment activities to those channels that would legally avoid some taxation. The pursuit of social policy through the tax system—whether it be lower interest costs for local governments or more oil exploration—thus complicates the pursuit of equity.

Just how effective tax avoidance can become was brought home by the Treasury's announcement early last year that 154 individuals with incomes over $200,000 were paying no federal income tax at all. This became the rallying point for federal reform.

The additional taxes a relatively small number of rich might pay are not too significant. But at the same time inflation was eating up after-tax dollars, and the belated Vietnam surtax had finally become law, the public—all the way from the lowest-paid worker to the upper middle class—became incensed that the system should allow anyone to escape taxation entirely.

INCOME LEVY HIGHLY VALUED

Of the three main direct taxes that individuals pay—income, sales, and property—there has been a predisposition in the United States to consider income taxes as socially superior. Richard A. Musgrave, economics professor at Harvard University and an expert on equity, noted approvingly, for instance, that "the U.S. tax system taken as a whole is more income-tax intensive than most."

The income tax also offers the easiest way to build progressivity into the system, through progressively higher rates on incremental amounts of income.

Sales taxes fall somewhat more harshly on lower-income taxpayers, who are more apt to spend all their income. There are ways to mitigate the regressive nature of the sales tax, though.

Purchases of essentials such as food and clothing can be exempted (as they are in Massachusetts, although this then reduces the amount of revenue the tax can raise). Or if the state has an income tax, it can give some kind of lower income credit on that tax which in effect rebates the sales tax.

PROPERTY COSTS CAN BE BURDEN

Property taxes are somewhat regressive, but for most persons they tend to be proportional to income. Up to a point, the more one earns the better the house he lives in. The harshest feature of the property tax is that it becomes part of the budgeted expense for housing.

And, as is presently the case, when the property tax rises too quickly, it creates a severe burden for those living on retirement incomes who thought they knew what their housing was going to cost them in their retirement years. (This tax is discussed in detail in a further article.)

Yet, in spite of the apparent fairness of the income tax and the definite preference it has enjoyed on equity grounds, the U.S. tax system as a whole is not highly progressive. The only major element of progressivity is in the federal income tax.

And even here, the sharp graduation upward in rates has challenged those with money to find all the legal ways to avoid the high rates. (The next article examines the extent to which changes in rates and the narrowing of loopholes in the 1969 reform may have discouraged this search in the future.)

A new study called "The Rich, the Poor, and the Taxes They Pay," by Joseph A. Pechman, director of economic studies at Brookings Institution, notes an amazing similarity of tax burden for most Americans. There was an exception in the group earning less than $2,000, because of increasing social security taxes and regressive local taxes. But for the great bulk of taxpayers—those earning from $2,000 up to $15,000 (in 1965), which included all but the top 10 percent of taxpayers—total taxes paid were between 26 and 27 percent of income.

Only in the group above $15,000 was the tax considerably higher, 38 percent. This group includes some extremely high incomes and large taxes, of course. Also, a previous study of Mr. Pechman's showed that when incomes went much above $100,000, the total taxes paid began to decline slightly as a percentage of income. This was mainly because of the big role of lightly taxed capital gains in such incomes.

SOME CONTRIBUTIONS QUESTIONABLE

More recently, one finds discussion of the very concepts of the two tax methods implying that sales taxes from an equity point of view may be fairer than income taxes.

What, after all, does income presumably measure? One's contribution to his society.

One may doubt this in the case of a ball player or a movie star (although their grossly exaggerated salaries are usually earned for only a short time span).

In general, though, we assume that a worker earning $5 an hour is doing something more valuable for society than one earning $3 an hour. And a junior executive making $20,000 a year is presumed to be doing something more important for his company than his secretary earning $7,500.

Of course the higher-paid individual is going to pay more taxes—no one argues that point. But, the question is asked, on what kind of equity grounds should he pay at a higher rate simply because he is contributing more to society?

On the other hand, purchase taxes represent a tax on what one takes out of the stream of production. "Noting that income is a measure of the contribution to production by an individual or by capital, some [economists] have argued that it is as logical, and more effective in promoting private saving and investment, to tax on the basis of consumption," says the First National City Bank of New York in a recent publication.

Whether one is an egalitarian economist who wants to use the system to level wealth, simple realism demands recognition of the fact that the overall tax structure is not highly progressive and that, barring major political upheaval, it is not going to be.

Realism may also demand that the overall system not be made much less progressive than it now is. If it were, raising the same amount of revenue might bear down too hard on the lower end of the income scale.

It is easy to say one is for progressive taxes if this means someone richer than us will pay a higher percentage of his income to the government. Yet no objective standards exist to determine the proper amount of progessivity. The Carter Commission, which reported on the entire Canadian tax system, noted that the rate of progressivity is essentially a subjective, or judgmental, matter.

A very clever challenge to the very concept of progressivity has been made by Norman B. True, a former Treasury economist now working with a private consulting firm, Planning Research Corporation. Dr. True, claiming there is no equitable way to determine the rate of progressivity, makes a persuasive case for a flat-rate income tax. That is, the rich would pay more, but not proportionately more.

FLAT RATE OF 20 PERCENT

In 1967, for instance, a 20 percent flat rate on all taxable income would have produced as much revenue as the present complex system.

As a matter of fact, 77 percent ($232 billion out of $302 billion in taxable income) of taxable income was taxed at marginal rates of 20 percent or lower. And some 76 percent of income taxes collected ($48 billion out of $63 billion) was collected at rates of 25 percent or less.

And only 4.4 percent of the total came in at marginal rates above 50 percent. "In short," claims Dr. True, "progressively graduated marginal tax rates can hardly be justified in terms of their contribution to the total revenues."

As an alternative to progressive taxation in theory, Dr. Ture suggests a flat-rate tax on a much wider income base. In the 1967 figures quoted above, he suggests broadening the tax base from the $302 billion it actually was to $600 billion by eliminating loopholes and broadening the definition of income.

In addition to a flat-rate tax on this wider base, though, he would give a much higher personal exemption. The result would be a tax that had some effective progressivity to it, which he thinks is all that is demanded by the public. But being in theory a flat-rate tax with few exceptions, it would be easy to figure, and many compliance problems inherent in the present complicated definitions of income, capital gains, and allowable deductions would be eliminated.

TURE FORMULA STUDIED

Looking at the 1967 returns, a flat rate of 14.5 percent on taxable income under Dr. Ture's widened base (with the then $600 personal exemption) would have produced the same amount of taxes collected for that year. But, increasing the flat rate to 17.5 percent and widening the exemption to $1,500, the same amount of tax would still have been collected and some effective progression would have been maintained.

For example: take three families, earning $8,000, $15,000, and $25,000 respectively. If each had four people in the family taxable income would have been $2,000, $9,000, and $19,000 respectively. The taxes collected, at a flat rate of 17.5 percent, would have been $350, $1,575, and $3,325, and there would have been considerable progressivity in those taxes. The three effective rates would have been 4.4 percent, 10.5 percent, and 13.3 percent.

Such a system, of course, would produce the greatest progressivity in income areas under $20,000. As incomes climb, the value of the exemptions would be relatively less, and the effective tax rates woud approach the stated rate.

Yet the fact of progressivity would be upheld for the vast majority of taxpayers, and there would be two net advantages to this approach. The system itself would be vastly simplified. With almost all income (including capital gains) in the new tax base, there would be greater economic freedom in deciding how to invest and less room for argument with the tax authorities. Second, the system would probably tend to encourage the accumulation of capital, which many economists feel has been discouraged by the tax system.

Dr. Ture's idea for a flat-rate tax is certainly not shared by any wide number of academicians today. When talking with Dr. Ture, this reporter suggested that he perhaps occupies a place in the tax equity controversy similar to that of Dr. Milton Friedman regarding the influence of monetary policy on the economy. Fifteen years ago Dr. Friedman was almost a loner. Today economists are categorized according to how much of Friedmanite they are. Dr. Ture only smiled.

[From the Christian Science Monitor, Mar. 21–23, 1970]

Are You Taxed Fairly—III: Federal Tax Loopholes Plugged

(Because the Tax Reform Act of 1969 cut federal revenues by billions, the common reaction was that real reform failed. Yet five major loopholes favoring the rich were narrowed. The system is regarded as fairer.)

(By Richard A. Nenneman)

Washington.—"We know the tax reform was a good law," a high Treasury Department official jested—"You should see the mail we're getting complaining about it."

He was referring to the Tax Reform Act of 1969, passed in a hurry before the Christmas recess of Congress. At first glance it looked more like a tax giveaway than a real reform.

Not everyone agrees with this man's estimate of the law. Dr. Arthur M. Okun, for example, former chairman of the Council of Economic Advisers under President Johnson, said: "I am disappointed with the tax reform act. . . . For every dollar we gained, we had to give up three. What we have left of the federal revenue system is better, but we lost some of it in the process."

These are the views, not only of Dr. Okun, but of many liberal economists who say the tax cuts in the act undermine the financial base for needed federal programs in the coming years.

REFORMS CALLED REAL

Joseph W. Barr, who was Mr. Johnson's last Treasury secretary, points out, however, that the reforms in the act are indeed reforms. He distinguishes these from the tax-relief provisions which, like Dr. Okun, he dislikes. (Mr. Barr now is president of the American Security & Trust Company in Washington.)

"You never pick up revenue on a reform bill itself," says another source, adding that rates can be boosted later.

"Just look at the major loopholes under the old law," said Mr. Barr. (It was he who last year called public attention to the 154 persons with incomes over $200,000 who paid no federal taxes at all.)

"There were six main loopholes that caused the inequities under the old law—capital gains, exemption of municipal-bond interest, accelerated depreciation, the unlimited charitable contribution, farm losses, and depletion. They closed up every one of them except municipals."

The muncipal-bond-interest exemption would have gotten changed, most observers say, if the nation's mayors and governors hadn't panicked and pressured Congress not to end the tax shelter for their indebtedness. So this remains for the "next time" around.

EXEMPTION HELD COSTLY

As matters stand, the holders of municipals save in income taxes far more than the municipalities save in extra interest expense. This is one of those social arrangements that helps rich individuals more than the groups it was meant to help. It is, in short, a costly exemption. The Treasury Department in 1969 estimated the municipal-interest exemption costs the government $2 billion annually.

As for the other five loopholes, they were indeed changed. Accelerated depreciation of real estate has been severely limited. Farm losses, that can be balanced against regular income, are limited to $25,000 annually. The oil depletion allowance was cut back from 27½ percent to 22 percent. And the unlimited charitable deduction was curbed, although at the same time the regular charitable contributions deduction was raised from 30 to 50 percent of income.

The change that may hit the greatest number of people is in the capital-gains tax. It previously had a top limit of 25 percent. That rate remains on the first $50,000 of capital gains in any one year, and then goes up to a maximum of 35 percent for individuals. (The rate was changed to 30 percent for corporations.)

ESCAPE DEVICES CLOSED

In cases where taxpayers also have substantial earned income, large capital gains may cause some to lose their 50 percent maximum tax bracket on the earned income and pay the old rate of 70 percent. (This is because "preference" income, from capital gains, for example, in excess of $30,000 takes away the 50 percent limit for an equal amount of earned income.) In extreme cases, the new capital-gains tax could be an effective 46.5 percent.

In dollars, these changes may not be terribly significant. The capital-gains change, for instance, is supposed to haul in only $275 million extra a year from individuals and $175 million from corporations.

This doesn't make the loophole adjustments unimportant, however. These were the main devices by which the rich escaped taxes. To the extent that they have been closed, it is now a fairer system.

Critics of the federal tax system previously have claimed that as fast as one set of loopholes was closed, tax attorneys found a new set. Some of those who worked on this law doubt that this now will be the case. They think not only that major progress was made in closing loopholes, but that the increase in the capital-gains tax will blunt the incentive to qualify as much income as possible as a capital gain.

LOSSES SET AT $9 BILLION

With capital-gains rates up and the maximum rates on earned income down from 70 to 50 percent, the maximum tax-rate differential between the two kinds of income is cut by two-thirds. The result is that both kinds of income tend to be treated more equally under the tax laws.

The staggering revenue losses, coming to $9 billion, under the total reform act are its most disturbing feature. When all the provisions have been phased in (by 1973), there will be an annual loss of $4.8 billion from the increase in the personal exemption; $1.6 billion from the increased standard deduction; $2.1 billion from the low-income allowance (which removes 5.5 million persons from the tax rolls); and $420 million from the adjustment of single-person income-tax schedule (although there is a considerable improvement in fairness here).

There is a further loss of $4.4 billion from the increase in social-security payments. The funds come from a separate trust fund, however, and social-security officials says there is no need yet to raise social-security taxes. They will doubtless go up in the course of time, though.

In general, there is a tendency here to minimize the importance of the tax-relief provisions. The main thing is that a major reform was passed. The revenue losses as noted above, tend to be regarded as the price of reform.

ACCOMPLISHMENTS LISTED

Stanley Surrey, professor at Harvard Law School, Cambridge, Mass., summarized the improvements in the law:

The taxes on the poor and near-poor were reduced, through the low-income allowance. However, Professor Surrey asked, if we have decided that the poor shouldn't have to pay income tax, why do they still have to pay the regressive social-security tax?

A greater degree of equity exists for those earning up to $20,000 a year. The increase in the standard deduction to $2,000 tends to put apartment dwellers, who have neither mortgage interest or property taxes to deduct, on an even footing with their suburban home-owning cousins.

Some feel it might be more equitable for most of the personal deductions to be removed in toto. This is one of those simplifications of the law that would run into much organized opposition, however; much the same effect is gained by giving a larger deduction to everyone. The Internal Revenue Service expects an additional 11 million taxpayers to start using the simplified 1040 form next year instead of itemizing deductions.

The increased exemptions are most valuable to the lower- and middle-income classes. They also are more valuable to big families.

WAGE-EARNERS' EQUALIZER

The reduction in the maximum rate on earned income to 50 percent equalizes taxes for those whose main income is from wages —such as professional people or athletes— vis-a-vis those who have more opportunities to use tax shelters.

There is a new 10 percent flat tax on 10 classes of income previously exempted. This will bring in only about $600 million in revenues to start. But it should end the spectacle of very wealthy people escaping all taxation.

All in all, there will be somewhat less likelihood of those with similar real incomes paying substantially different taxes. (Economists call this horizontal equity.)

It isn't as clear what has happened to vertical equity—the relative equity between divergent income groups. It depends, in the first place, on how much of a load one thinks the rich ought to carry. But that consideration aside, it isn't even that easy to tell what has happened. The poor and lower-income groups get the most benefit from the reform as far as direct taxes go.

But this tax reform is being "paid" for largely by a higher burden being placed on the corporate-income tax. To the extent that this is really borne by the public, by increased prices, etc. (the next article takes up this point), it can be argued that what the poor gained in lower direct taxes has been put back on their shoulders through the corporation income tax.

The most significant thing about the law to this reporter is that the system has shown itself capable of at least being nudged.

DIRECTION RULED IMPORTANT

The degree of change may not be as important as the direction. If the oil industry is not hurt by the change in depletion allowances, it will probably be cut again. If the accumulation of capital does not suffer noticably, the capital-gains tax may be pushed up some more.

As a postscript, it is perhaps time for the public to become more aware of the role of capital formation by individuals in a capitalistic society. Is it passé or do we still need to encourage it?

Dale Wickham, a Washington tax lawyer who served as special counsel to the Senate Finance Committee last year, goes so far as to question whether we might not eventually tax capital gains as regular income. The use of income averaging, he says, would cushion the burden on anyone realizing large gains in any one year.

In last year's reform, we went a long step in the direction of his suggestion. Before going any further, we need to decide more clearly whether it is still meaningful to talk of a capital gain as some special kind of income. In the past, society has recognized a risk inherent in all capital investment. To

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encourage that risk-taking, it held out a special incentive.

Whatever remains to be done with the federal income tax, one point should be remembered: it is the shining jewel among American taxes. This will become more apparent after the corporation income tax, sales tax, and the property tax have been analyzed.

[From the Christian Science Monitor, Mar. 26, 1970]

ARE YOU TAXED FAIRLY?—IV: PEOPLE, NOT THINGS, PAY TAXES

(The actual burden of corporation taxes falls in some combination on consumers, shareholders, and workers. The division of the burden is a key question of fairness. An alternative to the present corporation tax—the value added tax—is now getting some study in the U.S.)

(By Richard A. Nenneman)

BOSTON.—Suppose you bought a new Ford last year.

You paid $3,500 for it. This included a 7 percent excise tax on the dealer's cost. If someone asked you how much tax you paid on the car, you couldn't figure it out exactly, since you never are supposed to know the dealer's cost.

But it would probably surprise you to learn that this excise was not the only tax you paid on that new car. Last year the Ford Motor Company earned $1.1 billion before paying corporate income taxes of $569 million.

"What," you say, "has that got to do with me? Ford paid its own income taxes." Superficially, that is correct. But that's as far as the correctness goes.

Economists point out that all taxes ultimately are paid by people. In the case of corporation taxes, the burden—also called the incidence—often falls on persons in the form of higher prices. Corporations must of necessity make a return on their investment somewhat comparable to other types of business organizations. Management answers to the investors, the shareholders.

MOST-MISUNDERSTOOD LEVY?

Perhaps the public misunderstands the corporation income tax more than any other part of the tax system. An example was the minor flurry that blew up when in the autumn of 1969 the Nixon administration suggested that the corporation income-tax rate be lowered in steps to 46 percent of pretax income. A number of newspaper columnists, unfamiliar with the implications such a change would actually carry for business and the public, immediately interpreted the request as a giveaway to corporations.

Business disappointed the Treasury when it offered absolutely no support to this administration request. Business perhaps knew that in the long run this would have only slight effect on its profits.

Since the end of World War II, the corporation profits tax has amounted to roughly one quarter of the total of federal tax collections, or about one-half of the individual income tax collected by the federal government. Considering its importance in the total tax system, we ought to know who bears the final burden of this tax. Without such knowledge, we are limited in the conclusions we can draw about the fairness of the tax system as a whole.

The main debate over the burden of the corporation income tax is whether it is shifted forward or backward. By shifting forward, economists mean that the corporation tax in effect is paid by the purchasers of the companies' products. That is, it is reflected in prices being higher than they otherwise would be. To the extent this is true, the corporation income tax amounts to a sales tax.

NOT EVENLY DISTRIBUTED

But the tax doesn't fall evenly on all products or services. For instance, public utilities can presumably pass all of the tax forward as a normal part of their costs, since they are guaranteed a certain rate of return on their investment. Further, the tax penalizes an efficient—that is, a profitable—corporation as opposed to an inefficient one. The inefficient corporation may not have to pay any tax.

Other economists claim that most of the corporation tax is borne by its shareholders—that is, is shifted backward. They get lower returns on their investment than they would if the tax didn't exist.

Dan Throop Smith, finance professor emeritus at Harvard, currently teaching at Stanford Business School, said, "To the extent the corporation tax is shifted to consumers, it is a thoroughly capricious excise tax of the sort that wouldn't be tolerated if it were enacted as an excise tax. And to the extent it isn't shifted, it is a discriminatory tax on capital and discourages investment." Professor Smith was deputy to the Secretary of the Treasury in the Eisenhower administration.

There is also a third way in which the tax burden may be partially shifted—in lower wages to labor.

Economists carry on a highly sophisticated and seemingly endless argument as to the incidence of the corporation tax. Most of them will admit that the tax burden is partially carried by all three groups—purchasers or the public at large, shareholders in the company, and the workers. So, when the Ford Motor Company pays its income-tax bill, these taxes are being paid for in the long run partly by the purchasers of Ford products, partly by the shareholders of the company, and partly by its workers.

The corporation tax burden varies from firm to firm and among industries.

An industry that faces severe foreign competition is not as free as some others to adjust its own prices to make up for part of the income tax. This seems to bolster Professor Smith's claim that the tax is a capricious one.

Yet, what does one do with a tax that is so successful a revenue raiser as the corporation income tax? What substitute would raise another $40 billion in revenue as easily? If it were shifted directly to individuals, personal tax brackets would climb enormously.

PRE-1913 DAYS RECALLED

One critic of the corporation tax, C. Lowell Harriss of Columbia University, said in a speech recently that "the corporation tax at a 50 percent rate is the work of the devil," This may be true. The question, though, is whether any alternative might not be a worse devil.

There was an idyllic day before World War I when total federal tax collections amounted to $660 million (1913). About half of that sum was raised from customs duties and half from excise taxes.

After passage of the 16th Amendment to the Constitution, the first income tax applied a rate of 1 percent to income of both corporations and individuals. During the course of World War I, the tax was successively raised until it reached a 12 percent level. It went down some after the war, but never to the 4 percent rate that individual taxes were lowered. In fact, from that time on, individual and corporate taxes went their own ways.

The tax reached its present level of importance during World War II. But even then the normal federal tax, exclusive of excess profits taxes, only reached the 40 percent level. It was reduced to 38 percent after the war. It was the Korean war that jacked the corporate rates up to the 50 percent and higher levels that the last generation has grown accustomed to.

MANAGEMENT THINKING AFFECTED

A tax as productive as this and as easily administered is not going to be lightly tampered with. On the other hand, if anyone wants seriously to reform taxes, consider this: the corporate tax falls with unequal burden on different industries; it penalizes industries that are heavy users of capital instead of debt; and it penalizes successful firms versus inefficient or unsuccessful ones. Is this the acme of tax policy?

Moreover, a corporation tax at 50 percent levels, regardless of its final incidence, is bound to have an effect on the immediate thinking of management.

SUBSTITUTE DESIRABLE

So abundant reasons exist for finding a substitute for at least part of the corporation income tax. And there is a substitute, or understudy, waiting in the wings to be called onstage: the value added tax (VAT). Developed in Europe, where people have had more experience in trying to evade taxes, it consists of a tax on the basic materials and the labor used by each company. It is charged at each stage of the productive process on whatever has been added to the value of a product at that stage—hence its name.

The VAT requires accurate bookkeeping; its critics say it would be a nightmare. Those who favor it claim that anyone who keeps books for tax purposes already has all the information available to figure the tax.

This tax may settle out in the Common Market countries at about a 15 percent rate. Its proponents in the United States don't assume levels anywhere near that high. Assuming that somewhere between half and three-quarters of the gross national product would show up in the base on which the tax is figured, each percentage point of a VAT in this country would produce between $5 and $7½ billion in revenue.

ADVANTAGES CLAIMED

The proponents of the tax say it has at least three advantages:

Compared with the corporate income tax, the VAT is neutral in its economic effects. It does not shelter the inefficient company. It is also neutral between those firms that use various combinations of debt and equity in their capital structure. It is neutral between capital-intensive and labor-intensive companies.

The VAT would give the U.S. an export advantage. The virtual disappearance of the U.S. trade surplus from its high of $8 billion in 1964 is no small matter. Yet the U.S. finds itself in a peculiar bind as one of the members of the GATT (General Agreement on Tariffs and Trade).

Under GATT, governments may rebate to their manufacturers direct taxes that are passed on to their customers if these goods are exported. Since the Common Market countries now use the VAT, their companies get a rebate on exports which is not available to U.S. companies that pay an income tax. A partial switchover to a VAT system would give our exporters some marginal advantage.

VAT offers a painless way to increase revenues. This is not the major reason for today's interest in the tax. But there are few untapped areas to turn to for future tax increases, if the need arises. VAT would offer one way to increase total government revenues without changing other existing taxes.

The proponents of the VAT concentrate on its preferability to the present corporation income tax. Eli Shapiro, economics professor at the Harvard Business School, has done a study for the Committee for Economic Development called "A Better Balance in Federal Taxes on Business." It concluded that with a low-rate VAT, corporate income tax rates could be cut back to their pre-Korean war level of 38 percent.

INCOME RATE REDUCTION?

Professor Smith envisions a combination VAT and corporate income tax that would ultimately get the income-tax rate down to the 25–35 percent area.

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The major argument against the VAT is its alleged regressivity—hitting harder at lower-income groups. If the tax on each stage of production was added to the cost of goods, the public at large would be paying it. At best it would come out to be a proportional tax; at worst, somewhat regressive.

Proponents of the tax counter that from what is known about the incidence of the corporation income tax, the VAT would be an improvement.

Whether the VAT is finally adopted in some limited form as an experimental tax, we shall be hearing more about it.

Two final notes about the corporate income tax: however obnoxious it may be to some, there is little evidence that it has slowed economic growth. Professor Shapiro noted that on a 10-year average (which flattens out economic fluctuations), the United States has had a 3½ percent growth rate for the past century.

Since there was either no corporation tax or only a small one during most of this period, the tax does not appear to have adversely affected rates of growth. This is also one more piece of evidence in support of the theory that most of the tax is passed on to the corporations' customers.

Second, it's an efficient way of getting at accumulations of corporate wealth that would unfairly escape taxation unless the nation also had a periodic tax on unrealized capital gains. It thus preserves the integrity of the personal income tax.

An equitable tax? Not entirely. But a "successful" tax? Yes. There's the rub to changing this tax or any other.

[From the Christian Science Monitor, Mar. 28–30, 1970]

ARE YOU TAXED FAIRLY—V: MONEY TREES FOR STATE-LOCAL GOVERNMENT

(There's no lack of potential revenue in the tax orchard, despite the financial challenges confronting states and municipalities. The problem is in deciding which trees are overburdened and which can be made to bring a bigger yield.)

(By Richard A. Nenneman)

BOSTON.—Picture a State-local tax commissioner as a horticulturist, tending an orchard for state and local governments. His orchard has several kinds of trees.

First, there is the plum tree in the middle of the orchard. The juicy plums he has been growing on it are the local property taxes. Each year a little more is coaxed from the plum tree. Last year property taxes in the United States increased 9.6 percent to a record $32 billion. Almost all of this was collected at the local level.

The plum tree is overburdened. Our horticulturist only hopes it doesn't give out on him until some of the other trees have grown larger.

Then there is that old apple tree. These are the state and local income taxes. There are still eight states that don't ask for any fruit off the apple tree. Even those that do are fussy about the apples.

A few, like New York, tax personal income all the way up to a 14 percent rate. But for most states the personal income tax is still a bagatelle compared to the fruit it might bring in.

LEARNED TO LIKE OTHERS

The states are catching on though. With the need for fruit, they're learning to like apples, too. Last year the harvest from state-local income taxes went up 19.3 percent to $8.9 billion, and from state corporation-income taxes it climbed 28.7 percent to $3.2 billion.

There are other trees in the orchard. The peach tree started bearing back in the depression days of the '30's, when the states had to find new revenues. These are the sales taxes, which 45 states now use. (Only Alaska, Delaware, Montana, New Hampshire, and Oregon remain holdouts on the general sales tax.)

The peach harvest was up 19.4 percent last year to $14.2 billion (plus another $5.7 billion in gasoline taxes and about $2 billion in tobacco taxes from sister nectarine trees).

The newest tree in the orchard is a strange one. A combination citrus tree, it has grafted onto it grapefruit, lemons, oranges, and tangerines. A nifty space saver, this tree gives forth a constantly increasing supply of grants-in-aid from the federal government. At last count it actually had more than 400 branches grafted into it (which makes it very hard to keep track of each branch of aid).

A SPEEDY FAVORITE

Perhaps it's a strange tree to have in an otherwise tidy little orchard. But its abundance of fruit has made it a favorite of the "taxiculturist." Last year it increased the total supply of fruit from the orchard by $25 billion, putting it right up there with the plum and apple trees.

These graceful fruit trees describe the present dilemma of state and local governments. Theoretically, they have available all sorts of fine taxes. But in practice it hasn't worked out that way.

State-local government today is close to crisis in some areas of the nation, and the tax collectors are out there imploring that horticulturist, "Which tree can you get to bear more fruit?"

It almost seems as if, while the federal government has increased its concern over fair taxes, it's a matter of just finding the tax money at the state-local level.

State-local government more directly serves the needs of the people than does the federal. As the population has grown, so has the need for schools and other public facilities, for police and fire departments, and so on. These are all service functions, whose major expense is payroll.

EMPLOYEES WANT TO SHARE

Public servants have wanted to share in the rising prosperity without being able to increase their own productivity substantially (this is true of most of the service industry).

Moreover, many public services, such as school teaching, were once rendered at reduced pay because of the protection they offered from layoffs in time of depression. With a nearly full-employment economy established, these groups began to want comparable wages.

Yet, there is only one tax in this country that automatically rises in large amounts. That is the federal income tax. For each 1 percent growth in gross national product (GNP) it is estimated that income-tax collections rise by 1.3 percent.

However, any substantial increase in federal aid to state-local governments would require some increases in federal taxes. There is considerable speculation that Rep. Wilbur D. Mills (D) of Arkansas was willing to see the large amount of tax relief in last year's tax-reform act as one means of actually cutting back on federal spending, thereby throwing the ball to state and local governments for the '70's.

STATES DIFFER VASTLY

Theoretically, the states could all have their income tax figured along the lines of the federal tax. It could even be collected by the federal government for them and then be distributed.

A problem arises because the 50 states cover areas of vastly differing geography, different economic emphases, and to some extent their own cultures. Each state has developed a hybrid, a unique combination of state and local taxes, that probably served its needs better before this last explosion of state-local spending.

Besides a natural reluctance to move until pushed hard enough by events, the states had another problem—to some extent real, to some extent imagined: They found themselves in competition with each other for industry. They have been reluctant to adopt the level of income taxes theoretically available to them, out of fear of driving out industry or even some of their wealthier citizens.

The result has been a hodgepodge of increasing sales-tax rates, some higher state income taxes, property-tax hikes every year, more and more aid from the federal government, and a big increase in state-local debt.

If things are bad for the states, they are even worse for local governments, which get their powers from the states and are considerably restricted in the kinds of taxes they can impose.

More important, many states make up a homogeneous economic unit; few cities do. If nationwide industrial organization makes a state timid to raise taxes, a city has even more reason to be afraid. Even a local business often can move a few miles farther out into the country to escape an increased property tax.

DEFINITION CALLED NEED

The solution to the dilemma lies not only in the tax system itself. It lies in a better definition of what responsibilities belong at each level of government in this final third of the century, and even of asking if all the separate units of government are necessary. (In the past decade, some 10,000 school districts were consolidated.)

Yet, the crisis in state-local financing may be the catalyst that finally wakes Americans up to take notice of the socio-political problem their particular federal structure has created.

One man who realizes the seriousness of state-local problems, but refuses to attach the label of "crisis" to them, is Lloyd E. Slater, the deputy commissioner for tax research in the New York State Department of Taxation and Finance. Dr. Slater has spent a career in public finance.

"What about this threat of competition between the states?" I asked Dr. Slater. "Is it real or just a convenient excuse for not raising enough taxes?"

"It's real," he admitted, "but it also can be exaggerated." Taxes can be a factor in the general location of an industrial facility, for instance, if everything else is equal. But everything else is generally not equal at all, he said.

OTHER IMPORTANT FACTORS

Business goes where it does because of its markets, its raw materials, and the labor supply. These factors will usually determine within a 50 to 100 mile radius where a plant will be built, Dr. Slater said. Thus, state taxes are usually not crucial to business, unless personal-income-tax rates make it hard to hold engineering and middle-management talent.

New York has taken vast strides in state programs—and spending—during Gov. Nelson A. Rockefeller's three terms. Yet it has managed its high income tax—highest in the nation—while its immediate neighbors, Connecticut and New Jersey, didn't even have one. This fact at least questions the strength of the competition argument some states hide behind.

If any state tax gets too high in relation to surrounding states, the state may have to mark time with that particular tax. Altogether 42 states have income taxes. Three were added just last year, in Illinois, Maine, and Washington.

"Business," continued Dr. Slater, "makes its decisions as far as taxes are concerned more on a hunch about the general tax and business climate in a state than on the basis of what tax levels are at that particular moment."

XUM

He admitted, though, that once a firm has picked a general location, the varying property tax rates in different communities can make a difference. Even here, though, it's not always possible to tell in advance just how high taxes will be. While tax rates are freely available, the assessing practices of each community are harder to fathom.

Property taxes will continue to climb, of course, as local governments must cover their budgets. But the extremes these taxes have reached make it all the more likely that the states will neither have to provide more of the funding for some local functions, or assume some of these functions outright, or that the cities will turn even more to Washington for help.

In Dr. Slater's view, Congress has outsmarted the states for the last 20 years. The federal grants-in-aid programs, now $25 billion a year in state-local aid, mostly require some local money in them, too. But Congress sets the priorities; this to some extent weaken local decisionmaking.

MAXIMUM USE URGED

If the urban areas are to stop their end runs around the 50 state houses, there has got to be more action initiated at the state level. There has to be a demonstration of will, to convince urban dwellers that the reapportionment of legislatures has not merely replaced rural dominance with a new rural-suburban bloc.

Dr. Slater's view is that local governments must do all they can with the property tax. What they cannot finance with it, should be left to state government. To aid big urban centers, he would sparingly extend the use of local sales and income taxes, but only to perhaps the 50 largest states.

He asserts that the compliance costs and administration of local sales taxes, unless the rates are all uniform, are too great to make them attractive. As for city income taxes, he thinks the problems involved in taxing people who live in one town, work in another, or hold two jobs in different places, or move in the course of a year, makes the tax unattractive for all but the biggest cities.

In Massachusetts, Mrs. Deborah Ecker agrees that state-local problems can largely be solved with the taxes already in use. Mrs. Ecker is chairman of fiscal policy study for the Massachusetts League of Women Voters.

Agreeing that in many cases the property tax has been overworked, she would lessen its burden by increasing state sales and income taxes. Most states already have a graduated income tax; they only need to shake that tree harder.

Secondly, she would use these increased states taxes to redistribute monies to local governments (which are the main collectors of property taxes) on a basis that would correct the municipal overburden of the core cities in each state. This would satisfactorily redistribute the state-local tax load everywhere except in a few "pathological centers," as one Washington tax expert referred to New York City.

INEQUALITY HITS CITIES

Inequality among the cities is one factor that sends mayors running to Washington. If the legitimately higher costs of running metropolitan centers could be equalized by moving more taxes to the state level, this would in itself tie local government more closely to the state house and end some of the trips to Washington.

Massachusetts is not untypical in its state-local tax mix. Last year 53 percent of its taxes were raised at the local level. This was only slightly higher than the national average of 47.5 percent.

Other percentages of local revenue as a portion of state-local revenues: Illinois, 52 percent; New York, 51 percent; Ohio, 53.5 percent; California, 50.5 percent; Michigan, 41.4 percent; Washington, 29.5 percent. If nothing else, these figures indicate that state government doesn't have a clearly leading role in the state-local partnership in most states.

POTENTIAL EMPHASIZED

The plain fact is: there is no lack of potential tax money in the state-local tax orchard. All the money that may come back in the form of grants from Washington comes from people in the states in the first place (excepting specific aid to low-income areas).

But there has been a serious lack of good leadership at the state level for years. Ambitious and undeniably smart people have been attracted to Washington, challenged by the scope of national problems that have to be dealt with.

Too little attention has been paid to the array of state-local services that are more intimately connected with the quality of living for most people—or to the best means of paying for them.

Now is the time to prune the orchard so that it will yield its full potential.

[From the Christian Science Monitor, Apr. 2, 1970]

ARE YOU TAXED FAIRLY?—VI: HOW MUCH MORE CAN PROPERTY TAKE?

(The property tax is unpopular with both those who pay it and those who administer it. It's beginning to pinch, it's complicated, and it has about been squeezed dry. Tax experts agree reform is needed.)

(By Richard A. Nenneman)

BOSTON.—The Property Tax, as it exists today, has few outright friends.

Most homeowners know the property tax from those annual notices they receive from the bank: "Due to an increase in your property taxes, your monthly mortgage payment has been raised $18." They often don't even think of this as a tax but as just one component of the shelter part of their budget.

Those who don't own homes pay a property tax indirectly. It's considered in the total rent a landlord charges, and is the main reason rents in major cities have climbed so fast the past five years.

While it is true that the property tax finances local public services (schools, police, etc.) which benefit the poor, it is also true that the poor usually pay a higher percentage of their income for shelter than do those in the middle-income bracket. For this reason the property tax is considered regressive.

Yet, the fact that it hits the poor hardest is not the chief complaint of critics. What they particularly don't like is the present slippery base for figuring it.

ABATEMENT DESCRIBED

What is grossly wrong with the tax may be seen in a typical abatement procedure in a Massachusetts town. (An abatement is a reduction in the assessment on one's property. The assessment is its valuation on the town's tax rolls—what the town says it's worth for tax purposes.)

A homeowner thinks the assessment on his two-year-old, $40,000 house is too high. He tells the assessors he has found that an almost identical house down the street, built a year earlier than his, was assessed for only $30,000.

"I should be paying the same tax he is. Cut my assessment by $10,000," he demands.

To be fair they grant his request. But they know that the $30,000-assessed home has just been sold for $45,000 and that therefore the new owner's tax bill will be figured on a $45,000 assessment.

So the assessors can expect the man down the street to be in next year, demanding his abatement.

Further complicating the outlook: The town is considering a general reassessment of all property.

Such juggling goes on continually in every assessor's office—if the town doesn't have a yearly reassessment, and few can afford that.

In this example, there was an attempt to be fair. But in many big cities, the assessor's office is the place where political favors are quietly paid off. And some big cities today make special, above-board tax deals with new commercial developments that would be lost to the city if it didn't offer special tax treatment.

This is why economist Rufus Perkins of Arthur D. Little, Inc., Cambridge, Mass., consultants, says the whole property tax ought to be scrapped.

CRITICISMS LISTED

The faults charged to it sound formidable:

As the abatement proceeding illustrates, the tax is poorly, often amateurishly assessed. The result is a tax that isn't even fair on a horizontal basis—that is, it not only doesn't treat people with equal incomes the same (they may have different tastes in housing), but it doesn't always treat even equal houses the same.

It is a poor measure of a man's ability to pay. While most wealth was once in the form of tangible property, today only about 35 percent of personal wealth is accounted for that way. The property tax started as a kind of net-worth tax, which is a valid concept in taxation (after taxes on income and taxes on purchases). But it covers too little of total wealth to qualify as such a tax today.

It is best described as an annual excise tax on housing expense. Think of it either as a 3 percent tax on the value of your property, payable not once but annually, or as a 25 to 30 percent tax on annual housing expense. As the latter, it stacks up as a horrendous levy, compared with the normal 4 to 5 percent sales taxes on purchases in most states.

The property tax is most often levied in small districts. There may be gross unfairness in the way people in neighboring communities are treated. This could be somewhat remedied if assessments were made on a statewide basis (communities with considerable industry in them would still give a net advantage to private homeowners).

Because it taxes improvements on property as well as the land, it has been a deterrent to property improvement. Frederick D. Stocker, professor of business research at Ohio State University, describes it as the same as a stiff excise on improvements. It raises the cost of housing (and rents) and reduces the supply of homes.

It is an uneven tax on business. It has been especially burdensome on business, such as railroads which are heavy owners of property but have few friends among local tax assessing authorities.

As practiced in most states, the property tax works a hardship on the poor and on retired persons. Wisconsin and Minnesota have pioneered in an approach that exempts many of the elderly from the tax.

SOME GOOD POINTS NOTED

If a tax is poorly and unevenly assessed, if it bears no direct relation to one's ability to pay, if it is discriminatory even against business, and works against a need of the 1970's to rebuild the cities, what is there good to say about it?

It is highly productive. Raising probably $35 billion this year, it comes close to the corporation income tax in size. To replace it would add a big load to other taxes.

It is highly visible. The Advisory Commission on Intergovernmental Relations (ACIR) notes, "It provides a direct linkage for many citizens between services provided by local government on the one hand and the cost of services on the other."

It is adaptable to small, year-to-year changes. Sales and income taxes are changed less frequently and by legislative process. Somewhere in the tax system a tax is needed

XUM

that can come close to "evening up" expenses with income at the local level.

However, none of these reasons condones a tax as large and at the same time as badly administered as the property tax generally is. In many large cities, it is common for identical properties to have tax rates as much as 20 percent different.

DRASTIC REFORMS PROPOSED

The critics of the tax would either come close to abolishing it or drastically reform it.

In the first category, Mr. Perkins of the Arthur D. Little firm would fund the school expense, which takes more than half the property tax, at the state level through a higher, graduated state income tax. Then he would pay for other local costs—fire, police, libraries, and so on—with a local income tax. He doesn't see any unresolvable problem in taxing the income of non-residents.

The ACIR doesn't advocate abolishing the property tax. But like Mr. Perkins, it would fund at least 90 percent of the school bill at the state level (leaving school programs, curricula, and the like in local hands). Then the property tax would remain, at rates less than half what they are today, to pay for local services more closely connected with property ownership than is education.

One Washington consultant proposes transferring the major part of school expense to the federal level, as is happening to welfare. All these proposals have this common thread: relief of the property tax; it must be relieved of its biggest burden—local education.

Those who would reform the property tax think of big changes in the tax itself but aren't as radical about touching the functions of government that are connected with the tax now.

LAND-VALUE APPROACH ARGUED

The reform proposal with the most currency today is to shift the property tax partially or wholly to a land-value tax. On the surface, it's a very attractive idea.

The argument goes this way: Central cities have become run-down partly because the property tax carries such a load. Owners of slum property have little incentive to improve them or rebuild. The tax on deteriorated buildings remains low. As soon as they are fixed up, taxes jump.

Those who want to tax mainly the land instead of what's built on it (this is a variant on the Henry George single-tax theory) argue, among other things, that this would tax city land at its true economic value and force the owners to erect structures in keeping with these higher values.

This theory has been analyzed in detail by L. Laszlo Ecker-Racz, senior fellow of the Washington Center for Metropolitan Studies. Taking a figure of $35 billion for total property taxes in 1970, he estimated that about $10 billion of this is accounted for by taxes on farmland and personal property.

Of the $25 billion left, about $10 billion represents taxes on land and $15 billion on buildings. If one assumes we have a currently average property tax rate of 3 percent of real value, it would have to be raised to 7½ percent if land alone were taxed.

If your community had to raise taxes 20 cents next year—20 cents for each $100 of assessed valuation—it would have to raise them 50 cents if land alone were taxed. Most assessors think that putting all the property-tax burden on the land would make their work of valuing property even trickier than it is today.

Proponents of site valuation, as it's called, say it could be phased in over several years, perhaps even a generation. Whatever the period, a land tax would tend to decrease the value of land and penalize its present owners.

Mr. Ecker-Racz concluded that a land-value tax system was best suited for a developing country "where high tax rates and urbanization are still in the future." For the United States, there is only the possibility of "some increased emphasis" on land.

An even more sophisticated approach to taxing property has been taken by Prof. Dick Netzer of New York University, one of the nation's authorities on the subject. In a Brookings Institution study, he suggested three new factors: a separate land-value tax; a tax on profits from the sale of land—a local capital-gains tax, in effect; and user chargers for municipal services. If these three were phased in, he thought it possible to bring normal property taxation down to 5 percent of annual expenditures on housing, making it similar to other consumption taxes.

COMPLEXITY A HURDLE

But the complexity of such a system makes it doubtful whether it will ever be seriously considered. And Professor Netzer concedes the problem of equity involved in shifting either to such a combination system or simply to a land-value tax.

As an absolute minimum, two things must happen to the property tax.

First, to the fairly large degree it will probably continue to be used, it must be administered by non-elected and professional assessors. Further, the ACIR recommends that any assessment practices on less than a statewide basis be conducted in accord with enforceable state standards.

Second, reliance on it—it presently accounts for close to half of all state-local tax collections—must diminish. Possibly as a consequence of more federal aid, but more likely through courageous use of the state income tax, the property tax must be played down.

The almost insuperable difficulties of assessing fairly and frequently enough make this necessary. Less reliance on the property tax would also reduce its deterrent effect on the redevelopment of core cities.

Finding a way out of this particular thicket in the tax forest would offer gains to all concerned.

[From the Christian Science Monitor, Apr. 4–6, 1970]

ARE YOU TAXED FAIRLY?—VII: REVENUE SHARING—NO TAXPAYER'S PANACEA

(The Nixon administration has proposed a system of federal revenue sharing to help state and local governments meet soaring costs. A close look at the concept, however, suggests that it may be only one of several avenues for possible help to the beleaguered U.S. taxpayer.)

(By Richard A. Nenneman)

WASHINGTON. — Revenue sharing — the phrase used to describe federal grants to state-local governments without any restrictions on their use—is the uncertain wave of the future.

Its proponents say it will cure the fiscal mismatch in America: steadily increasing revenue at the federal level, thanks to the progressive income tax, and steadily increasing needs at state and local levels, thanks to the expansion in both the number and quality of public services.

Against the apparent need for Washington to share more of its revenues with lower levels of governments stands the "pain and pleasure" concept of taxation: Whoever bears the brunt of collecting the taxes should at least have the pleasure of deciding how to spend them!

The issue is quite simple. The taxes on which state-local governments rely most heavily do not increase as automatically with economic growth as do income-tax-fueled federal revenues. One local tax in particular, the property tax, needs to be rolled back. Because of the mobility of the Ameircan people and the increasingly national scope of business organization, state-local governments fear to be leaders when it comes to increasing taxes. For high taxes tend to chase people and business elsewhere.

GRANTS CARRY STRINGS

Yet, the reaction of key congressmen to the Nixon revenue-sharing proposal—an idea first introduced by then Rep. Melvin R. Laird (R) of Wisconsin and then popularized in the early '60's by economist Walter W. Heller—has been cool.

But this reaction should alarm anyone who seriously considers revenue sharing the only viable means left to help the lower levels of government.

The federal government has, in fact, been helping the states and their subdivisions for some time through "grants-in-aid." These have federal strings attached—such as requirements that the states provide funds to match the federal grant and that they spend the funds for specific purposes.

There are more than 400 distinct grant-in-aid programs. They have grown in number every year and tripled in size since 1960, when they totaled some $9 billion. The current budget calls for grants-in-aid of $27 billion.

The complexity of this strings-attached aid is one of the incentives for finding something simpler. Many governmental units say they can't possibly be familiar with all the government programs.

Furthermore, the kind of aid given determines the spending of lower governments and does not necessarily always direct it in the right way. The highway program, for instance, has been financed 90 percent with federal money, while the welfare program has had only 50 percent, or matching funds, from Washington. Obviously, highway spending is easier for state or local governments to participate in than welfare spending.

Moreover, the misuse of federal grants is a constant specter. Congress—which votes grant-in-aid funds—does not have the personnel to adequately police the ultimate use of funds in every program it initiates.

Thus, the administration's proposal has several things going for it: the pressing needs of the states and their subdivisions; the better ability of the federal government to collect taxes; and the disillusionment with the complexity and control of the grants-in-aid system.

$5 BILLION LEVEL OUTLINED

The Nixon proposal is to share a percentage of personal taxable income—the income-tax base—with other levels of government. It was to begin with only one-sixth of 1 percent in fiscal 1971 and rise to 1 percent by fiscal 1976—about $5 billion. Income was picked as a base rather than a flat percentage of federal revenues so that mayors and governors would not be directly concerned with federal tax rates as such. What they got back from Washington would be determined by the level of personal income (which presumably will keep rising) regardless of what portion of that income Washington decides to take in taxes.

The administration had to solve two main problems: the distribution formula and the pass-through formula.

If the funds were to be distributed on a strictly per capita basis, this would get more money into local hands—but do nothing to encourage local tax effort. So it was decided that distribution would be made on the basis of both tax effort and each state's population.

The pass-through formula was more difficult. Here the federal problem comes into play at its prickliest. Were this a nonfederal nation, the money would simply be distributed for the next lower level of government to spend. But because the states have sovereign powers, they have set up levels of government underneath them, such as cities, counties and townships. The states also have

XUM

many special districts—fire, sanitation, and school, for instance.

The cities have been getting more than half the grants-in-aid directly from the federal government—some 56 percent this year, in fact. To persuade mayors that revenue sharing would actually benefit them and not just take the pressure off state financing, there had to be a formula that would bypass state government and channel some funds directly to the cities. The formula decided on would provide such a bypass:

Local governments collectively would be apportioned a share of funds equal to the total percentage they as a group had contributed to the local-state tax pool. This collective share would then be divided up among individual local governments on the basis of how each one's tax contribution compared with those of all other local governments.

There would be no limitation on how the funds were used, other than a requirement that no existing state aid to local governments be curtailed.

Murray L. Weidenbaum, Assistant Treasury Secretary for Economic Policy, makes an excellent case for the administration proposal. Admitting that the funds available now are small, he says it is better at least to get started, to accept the principle of the program.

The Advisory Commission on Intergovernmental Relations (ACIR) has drafted its own version of revenue sharing. Its bill has been introduced by Sens. Edmund S. Muskie (D) of Maine and Charles E. Goodell (R) of New York.

Unlike the Nixon proposal, the Muskie-Goodell bill provides for (1) a cutoff on the size of the city being helped (units of government with fewer than 50,000 residents would get no aid), (2) the inclusion of special districts in the local-government category (this would make sure some of the funds got channeled to school districts), and (3) a combination of revenue sharing with tax credits.

BIG-CITY PREFERENCE

By giving a credit against federal income taxes of 40 percent of the state income tax paid, the ACIR bill would encourage the quick enactment of new state income taxes.

Such a tax credit would also cost the federal government $2.6 billion the first year. This lessens its chances of being adopted over the Nixon program.

But the ACIR package would aid big cities more, since it identifies them as being most in need. It might also encourage the merger of small, inefficient units of government.

As for aiding all governments Mr. Weidenbaum noted in a speech he made to the tax committee of the National Association of Manufacturers: "Over 45 percent of all city residents and 27 percent of all county residents live in . . . jurisdictions [of fewer than 50,000], and it would be patently unfair to exclude such a large portion of our population."

Furthermore, the administration is careful not to imply that grant-in-aid programs would be clipped if revenue sharing were adopted. According to Mr. Weidenbaum, $16 billion of the current fiscal year's aid programs goes directly to cities. This is a tacit recognition that they are the areas in most need.

OPPOSITION DESCRIBED

Another Treasury Department aide admitted that tax credits sound fine in theory. But, he said, the Treasury estimates that at most 50 percent of the available tax credits would be taken advantage of in passing new state tax legislation.

If the need is there, and revenue sharing could meet it, why the opposition to it?

One has only to travel the length of Pennsylvania Avenue from the Treasury Department to the halls of Congress to find out. Many members of the key Ways and Means Committee in the House have been skeptical about it. One of them, Mrs. Martha W. Griffiths (D) of Michigan, has three main objections:

"Congress will never send back enough money in revenue sharing."

Congressmen are naturally irritated at the thought of handing out no-strings-attached revenue and letting local officials take pride on election day in having spent the money. (This is only a slightly more "gut" description of the old axiom that the pain of taxing should not be separated from the pleasure of spending the tax money.)

Then there is the distribution formula. "In my state," said Mrs. Griffiths, "the people of Dearborn would get back more per capita than the people of Detroit (where needs are greater)."

She is probably correct in wondering if the precise formula both for distribution to the states and for the pass-through to local governments would not be under constant reexamination.

"There would be a tendency for state and local governments to let their own sources of taxation decay."

With the busy schedule the House Ways and Means Committee has this year, revenue sharing may not get taken up at all. When it finally does have its day in court, many observers predict, the outcome will be less significant for the revenue it sends back home than for helping politicize the plight of the cities.

"It won't be enough for a congressman to oppose revenue sharing," said John Shannon, assistant director of the ACIR. "He will be forced by his opposition to say just how he would help solve the problems of state-local financing."

Even if revenue sharing is adopted, by 1976—the year it is proposed to reach just $5 billion—the various grant-in-aid programs may be about $35 billion. This relegates the administration's revenue-sharing plan to something almost peripheral in relation to other kinds of federal aid.

Back in 1946, all federal grants-in-aid came to 6 percent of state-local spending. Today, at $27 billion, they have grown to 18 percent of state-local spending, and the revenue gap worsens.

ANOTHER AVENUE LOOMS

The ACIR, which has done yeoman service in sorting out possible solutions to intergovernmental relations in this country since its founding in 1960, has a four-part proposal to fill this gap:

Maintenance of existing grant-in-aid programs, while putting them into broader and fewer categories.

Tax credits against the federal income tax, to nudge the states into adopting more or higher income taxes.

Revenue sharing.

Assumption of the welfare load by the federal government.

The reason for this last proposal is that successful state-run welfare programs are self-defeating: They tend merely to attract more potential welfare recipients into the state.

This fourth category in the ACIR list—federalizing an entire program—also indicates one way Congress may turn if it rejects any major revenue-sharing program.

Mrs. Griffiths, for instance, notes that Congress actually has no access to any funds that the states don't also have access to—income taxes, for instance. But if, for competitive reasons, the states and other jurisdictions fail to act to raise the money they need and turn even more to Washington, Congress is apt to "reanalyze the responsibilities of the federal government and assume those that belong to it."

In the process of moving the welfare burden to the federal government, Congress is actually taking one step in such a reanalysis.

If state-local needs continue to press, it is entirely possible that the federal government will also fund at least some part of basic education expense. If this happened, the need for revenue sharing would disappear. For education gobbles up at least half of present local property-tax revenues.

While one could argue whether it would be good to federalize the education expense, it should be clear that Congress has more than one option open to it. What the revenue-sharing proposal has accomplished is to put Congress at an important crossroads.

Federal monies, in some form, are needed to pay for what are regarded now as local needs. This will get done through larger grants-in-aid; through a system of revenue sharing in which Americans finally turn their backs on the pain-pleasure concept of taxation and spending; or possibly through the federalization of what now are local services.

The issue at least has been joined.

[From the Christian Science Monitor, Apr. 9, 1970]

ARE YOU TAXED FAIRLY?—VIII: APPLE PIE, MOTHERHOOD—AND SOCIAL SECURITY?

(The goals of the American system of old-age insurance are laudable. But the present setup has two major flaws: (1) it provides insufficient benefits for many low-income retirees; (2) its cost is unfairly assessed. The following article suggests a way to boost benefits and spread the load.)

(By Richard A. Nenneman)

BALTIMORE, MD.—Social security today is almost in a class with apple pie and motherhood. But should it be?

It may come hard to some to question a program that, in the last generation, has become accepted as one of the facts of economic life in America and has helped change the outlook for the entire over-65 generation.

Currently, some $2.5 billion in payments go through the mails each month under various aspects of the Old Age, Survivors, and Disability Insurance Act.

In the fiscal 1971 budget, $50.4 billion goes for income-security programs. Two thirds of this, some $33.6 billion, is in social-security payments. The rest includes unemployment insurance ($3.2 billion), other retirement programs ($5 billion), public assistance of $7 billion, and some miscellaneous programs ($1.5 billion) for vocational rehabilitation and social services for the poor and elderly.

But it is not these results of the program that need to be questioned. The questions come regarding the financing of the program: Is the method of taxing payrolls the fairest one possible? Does the trust-fund approach—putting all the social-security taxes in a separate pot and paying the benefits from that pot—actually have some unfortunate effects on the rest of the tax system?

POCKETBOOK IMPORTANCE

Just as today's swinging grandmothers are hard to identify with Whistler's mother, so the method used to finance social security in its first generation may not necessarily be the best method to use forever.

To begin with, let's look at the payroll tax and its relation to benefits. It concerns us all at a most practical level, our pocketbook.

As Arthur E. Hess, Deputy Commissioner of the Social Security Administration (SSA), explains it, social security is a social-insurance system.

It has some of the aspects of individual insurance, in that the "risk" is shared all across the wage-earning spectrum. But the program is social in that it takes care of the basic group needs of the older generation, some of whom need a minimum benefit which their own contributions by themselves might not support.

Social Security was passed into law in 1935, when the United States was deep in depression and social crisis. Francis Townsend was campaigning in California for a federal payment of $200 a month to every citizen over 60.

PURITAN ETHIC

To meet these challenges, Congress came up with a plan that was part welfare, part pension. Through the payroll tax, it would create the impression of an insurance system. Each one would earn his right to a pension. The Puritan ethic was thus satisfied that this was not a welfare program.

But it did, in fact, have its welfare side. For it provided a minimum level of payments to all who were included in it, whether or not they had been contributing for their entire working careers. Otherwise, the whole first generation under the system would have been deprived of their benefits.

Through it many refinements, social security has remained essentially a compromise. As a system of social insurance, it attempts to care for the retired elderly as a class (as well as the disabled, and the widows and children of workers who die before age 65). While this social goal is attained, the way in which it is attained isn't entirely fair by the standards of individual insurance.

Example: According to Dr. Elizabeth Deran at the Tax Foundation in New York, a person making the minimum payments into the system now can expect to get back 11.8 times as much in benefits in relation to his contributions as the person making the maximum contribution gets back in relation to his contribution. With each change in the law, this ratio has tended to go up—that is, the poor have been more heavily favored each time.

As long as the "contribution"—as the compulsory tax is euphemistically called—was small in relation to wages, there were few complaints. Now that it is up to 4.8 percent (including .4 percent for medicare) and the wage base is up to $7,800, there have been more voices raised that one might do better on his own with voluntary insurance or some other investment program.

Mr. Hess asserts that many comparisons about what one could do with the same money himself are inaccurate. For one thing, 28 percent of the employee's contribution is figured to go for disability and survivorship protection in case he is not around at age 65. That is, the whole program buys him more than old-age insurance.

STRONG CASE

For another, comparisons are generally made about what could be done with the contribution of both employer and employee. There is no certainty that the employee would get his employer's contribution in terms of higher wages if there were no social security; and, if he did, he would first have to pay taxes on it.

On the assumption that the employee could figure on having only his own contribution, the SSA makes a strong case that a worker can at least expect to get back what he put in, plus compound interest, and then some.

But two fundamental problems remain:

Those at the bottom still don't get enough, in spite of what Mr. Hess calls the "bent formula" which gives them proportionally more than they contribute.

Since no one is taxed on income above $7,800, the bulk of the money for those at the bottom is being provided in effect by the middle-income wage earner:

This is so in two ways:

First, upper-income workers are taxed only on the first $7,800, or a maximum of $374.40 a year. They bear no greater burden than the $7,800 worker, and a proportionately smaller one.

Second, the employer's share, which can be presumed to supply the funds for the lower-income benefits, is actually passed on to the workers in the form of lower wages and or to the public in the form of higher prices. Any tax thus passed on the public hits low- and middle-income workers the hardest.

As for the first problem—that the lower-income retirees still get too little—Dr. Robert J. Myers, chief actuary of the SSA since 1947, says that slightly less than 10 percent of those on social security need additional public assistance. This, he argues, is preferable to changing the whole system.

But the question arises: Should that 10 percent be subjected to the personal indignity of having to apply for welfare?

One possible way to pay more to the worker at the lower end of the scale would be to depart at least partially from the trust-fund concept. All retired workers could receive a basic monthly payment, either partly or wholly out of general tax revenues. Then they would draw social-security payments from the trust fund in a closer proportion to their contributions into it.

Many fear any departure from 100 percent trust-fund financing. Under the present setup, annual contributions into the fund, plus interest on its present $34 billion in assets, provide all the payout. Many conservatives look on any plan to change this as a liberal plot to destroy the "integrity" of social security. But the compromise upon which the present system rests is built on an integrity that is at least questionable itself.

Conservatives (and here this includes most SSA officials) contend that to fund any part of social security with general tax moneys would rob it of its soundness. Yet from the citizen's point of view, the actuarial soundness of this one part (16 percent) of the government's total budget is academic. Both social security and income taxes are withheld from his paycheck, and he is interested mainly in what's left for him, regardless of which government pocket gets the rest.

SEPARATE FUNDING

Besides being a way to raise the basic payment to those who need more than the present minimum of $64 a month, funding part of the payment through general revenues would tap those whose income is above the present cutoff of $7,800. Under the present setup, this group is paying proportionally less into the system than the middle-income wage earner, who one way or another foots the biggest part of the bill.

One objection to taking part of social security out of the trust fund is that Congress might spend too much on the older generation. This could happen. But just the opposite might also result.

Here the second major objection to the present system comes into focus. In the past two years all income-security payments have climbed from 20 percent of the federal government's budget (its average level for the past decade) to 25 percent.

Said Arthur M. Okun, former chairman of the Council of Economic Advisers, "Every economist will tell you that it's no good to fund each program separately. But that's the way to get the money."

And that is unfortunate.

Perhaps the younger generation is in relatively greater need today than the older. Or perhaps the environment of the core cities deserves first priority before the needs of any particular age group. Yet, it is almost impossible to assign priorities to government spending—to cut up the pie with logic aforethought—when part of that pie is baked separately.

If social security were subject to annual review, just like every other government program, would this make it a Yo-Yo, pulled up and down by whim? Not likely. The concepts behind it are well accepted. Said Dr. Okun, "Social security isn't meant to be a middle-income retirement program." Dr. Myers, in the SSA, refers to it as a "floor-of-protection" concept.

SOCIAL COMMITMENT

The implied commitment to the worker, said Arthur Hess, is to continue giving him a retirement income comparable to what retired workers today are getting. "If wage levels 30 years from now are three times as high as today, there is a social commitment to pay today's worker, who will then be retired, three times what he would get today." The higher payment would come from higher taxes being paid into the system as wages and the tax base go up.

None of this need be changed by putting some part of social security under the general budget.

But, to summarize, these beneficial results could occur:

There could be a higher minimum payment, thus ending the need for public assistance to some of the retired.

The trust-fund part of the pension payment would more directly relate to one's contributions.

The middle-income wage earner would no longer be taxed out of proportion to those earning more than the top tax base figure ($7,800 currently).

Social security would get a better review in conjunction with every other government program.

If these things could be accomplished, it is certainly premature to rush to the defense of the present system and claim it shouldn't be touched. It is, instead, time to take a long, hard look at it.

[From The Christian Science Monitor,
Apr. 11-13, 1970]

Are You Taxed Fairly?—IX: How To Spend $300 Billion

(The U.S. tax coin really has two sides—where the money comes from and where it goes. So tax reform also includes adequate control over spending at all levels of government—local, state, and federal.)

(By Richard A. Nenneman)

Boston.—The most unjust tax is one that is badly spent. Spending is the other side of the taxation coin—and in the United States some $300 billion in taxes is spent every year by the different levels of government.

The big dollar on this page—the back side of the near-extinct silver dollar and literally the other side of the coin—shows where the $300 billion in taxes goes.

A reform of the tax system itself would not be enough. Somehow the public has to feel it has better control over the spending system.

This control includes, first, decisions about the total of government spending as a percentage of the whole economy and a related knowledge of future public-spending demands. And second, it includes allocations of public spending—cutting up the pie.

The steady climb of government spending as a percentage of gross national product (the total of goods and services produced each year) has reached a point where it needs curtailing. President Nixon himself recognized this in a December press conference, when he said: "Approximately 35 to 37 percent of the total income of the United States goes to taxes, that is in federal, state, and local taxes. I believe that amount is high enough. . . .

"When a nation takes a substantially larger portion of the national income than that for taxes, . . . that nation loses its character as a free, private-enterprise economy and turns over and becomes primarily a state-controlled and oriented economy.

"Therefore, while I believe that the United States can afford what it needs to do in many fields, including the environment, . . . I do not want to see a substantial increase in the tax burden as a percentage of our gross national income."

TWO DEVELOPMENTS CONSIDERED

Two developments make it at least possible that government spending will not rise as fast in the near future. One, the thrust of this administration is to look extra carefully at anything new coming under the domain of government.

The President's economic advisers are also aware of the unsettling role government had on the nation's economy during the Johnson years. In general, they would prefer to see government activity not fluctuate violently from year to year. With the best-run private sector in the world, the government can still create a lopsided economy.

Two, the various factors that have so swiftly expanded state and local spending show signs of slowing down. This isn't true for every community, but in the aggregate something encouraging is happening.

Let's look first at the federal level, where two-thirds of the tax dollars are either spent or redistributed in grants or transfer payments.

The President's annual economic report to Congress in February made a stab at the outlook for the next five fiscal years. This is something new in the annals of federal finance. The projections may be off, as they often are in looking ahead. But they at least lay out the general scenery against which decisionmaking will occur.

In this projection, the Council of Economic Advisers (CEA) first estimated the growth in gross national product (GNP) through 1975 (in 1969 dollars). Then they estimated the claims against this GNP from the government, from personal-consumption spending, and from business and residential investment.

They figured GNP growing at less than normal till 1972, as the nation tries to get over its inflationary binge; after 1972, at about 4.3 percent a year. This would leave the country with a $1.2 trillion GNP in 1975.

The CEA showed federal expenditures rising slowly—perhaps more slowly than will be possible—to $206 billion by 1975 (this, remember, in terms of 1969 dollars—the dollar figures will appear bigger in 1975 because of inflation between now and then).

With this rather slow growth predicted for federal spending, the CEA found room for only $15 billion in new initiatives by government. These include expansion in existing programs, plus the Nixon family-assistance program and the proposed revenue sharing.

This document frankly admits that these may not be the programs the public decides to "run with" into the '70's. The point it makes, though, is that unless the public sector is to have another big jump at the expense of the private sector, the room for new programs is severely limited.

If expensive urban programs are demanded, or faster pollution control, this would crowd out some of the other Nixon initiatives—or cut down some existing programs. This could happen.

This year, for instance, for the first time since Korea, the budget calls for more spending on "people programs" than it does for defense. It is not entirely impossible to change the direction of government. But it happens slowly.

The inference from the report is that this administration at least will be more cautious about letting federal spending grow. This would probably have some effect. But this administration is only two years away from an election that could change things. Moreover, with an independently minded Congress, spending could even go higher now than is desired.

What any administration has to keep in mind is that if too many things that need doing at the federal level are postponed, even for very good reasons of smoothing out the growth of the budget, there would be a political day of reckoning that could be followed by a new group trying to do everything at once. Thus, to be too cautious now might be good economics, but in the long run it could be disastrous both politically and economically.

On the state and local level, likewise, spending growth may taper off.

EFFECT OF LONG-BUILT-UP NEEDS

Dr. Elsie Waters at the Tax Foundation, a private, business-supported tax research group in New York, notes that spending for 20 years has been affected by the build-up needs created during the long depression of the '30's and then by the four war years in the '40's.

The '50's and '60's were two decades of catching up with public construction needs and raising the salaries of public employees.

For instance, from 1948 to 1968, the average wages of full-time state-local employees rose 166 percent to $6,815. Wages of those employed in industry went up only 138 percent to an average of $6,634. So at least the "catch-up" reason for public salaries increasing so fast is behind us.

How far today's better-organized public employees, especially those who are professionally trained—such as schoolteachers, will try to carry their salary schedules is another matter.

For the moment, demographic changes are also on the taxpayer's side. A lower birthrate has slowed total population growth; there are even some responsible estimates now that place the widely touted figure of 300 million Americans by the year 2000 in doubt.

But most important for the taxpayer will be the age of the population. Those groups on which most public funds are spent—youth and the aged—are at the moment growing more slowly.

ENROLLMENT INCREASE CONTINUES

About 30 percent of the tax dollar is spent on education and income-support programs (although not all of the latter goes to the elderly). Taken together, these two items in the public budget equal defense.

Elementary and high-school enrollment in the 1954–64 decade rose by 12 million. In the 1964–74 decade which we now are halfway through, Dr. Watters estimates a further increase of only 2 million school-age children.

At the other end of the spectrum, the number of elderly—those 65 and older—rose by 2.5 percent from 1955 to 1965, but will increase by only 1.6 percent in the 1965–75 period. Moreover, an increasing proportion of the elderly are covered by social security. They should put less strain on state-local governments for local welfare assistance.

Taking all these considerations together, and adjusting them all for inflation, Dr. Waters concludes there was a rise of 89 percent in spending in the 1955–65 decade, but that this can be held down to 66 percent in the decade ending five years from now. The dollar figures may appear much higher, depending on how much prices continue to rise.

Since spending for the young and the elderly ranks so high in total public expenditure, a slowing of the growth rate in these two groups, even if it is only a five-year breather, could have substantial implications for the taxpayer.

CHART CLARIFIES OPTIONS

So much for the relative level of public spending, the first element related to control of the spending system.

The second element, options for specific allocations of tax funds, can be clarified by a close look at the pie chart on this page.

First of all, this is a chart that is not found in too many books.

The public is accustomed to seeing the annual breakdown of federal spending, with more than half going for defense. And it knows in general terms that the biggest part of state-local spending goes for schools, with lesser amounts for highways, hospitals, welfare, and so on.

This chart brings together all the levels of spending (for fiscal 1968), which is what we have to look at to make better sense out of the system.

On the basis, we see that 60 percent, or three-fifths, of spending is in three categories—defense and international affairs, education, and income-support programs. Defense is about equal to the other two combined. Is this the way we want it?

These are the three items that can be "played" with. From income programs, at 15 percent of spending, we drop to interest on the debt, which we can do little about, and to highways, at 5 percent. Whatever is wrong with welfare or any other category, there is not as much leeway to decrease a relatively small budget item. On the other hand, if any of these smaller items should grow, or if there should be a redistribution among the "big three," the extra dollars would have to come mostly from the top three categories.

DEFENSE AND EDUCATION NOTED

Income-maintenance programs may be high in relation to other areas, such as the great needs in urban education. But few would contend they are too high in absolute terms. Thus, the only categories we really can consider are defense and education.

Almost one-third of every tax dollar at all levels of government is spent, all at the federal level, on defense. This is no place to make a decisive case for or against the level of defense spending.

Defense, however, is the one area most vulnerable to further cutback, if only because of its size. One need not be a pacifist, either, to question whether we need as many armaments as we now have, or whether a generation of growing military influence has not heightened the tendency, always present in America, to look at the world in terms of black and white—good guys and bad guys.

Fortunately, the post-Vietnam reassessment will give us time to think over whether some kind of enhanced moral authority in the world might not give us greater protection and influence than our reliance on arms has done.

On the other hand, while the public has begun to waken to the threat of the military-industrial complex, it is still asleep on education. "If you want to write about complexes," said an educator in New York who insisted on remaining anonymous, "be sure to include the suburban high school-state university education complex." He maintained he was shackled from even mentioning it in public.

WHERE TEACHING QUALITY DETERIORATES

For the past generation, America has poured it on for its children: new schools in the thousands of suburban-type communities, more money for equipment and teachers, college degrees for more and more until the degree has been partially demoted in significance.

At the same time, the quality of urban teaching has deteriorated. Children whose lives are warped by bad schools become the case loads in welfare departments tomorrow. If we are ever to make a big dent in welfare, it will be through the proper rearing and motivation of the young.

Education needs a new look as much as defense policy. The difficulties of raising enough taxes at the local level may soon lead to the states or even the federal government taking a more direct role in primary and secondary education. Something good would be lost, where local systems work well.

But educators have been slow to innovate. A conference of state-local groups last year, as reported in Nation's Cities, noted (1) the typical emphasis of school systems on reducing the pupil-teacher ratio as the main evidence of good teaching; (2) the slowness to make widespread use of audiovisual techniques, which might make better use of unusually good teachers (the children certainly show at home that they are excellent TV viewers!) and (3) the lack of questioning of such basic things as the absurd spelling of English.

"Children in Italy, Spain, and Germany don't have to study spelling at all, because almost all their words are spelled just as they are spoken. But in America children from cultured families must still struggle with spelling in the sixth grade. . . . Millions of dropouts in the slums quit school because they still find English reading too hard in the 10th and 11th grades."

TOO MUCH—OR NOT ENOUGH?

We may be spending too much or not enough on education. This reporter does not pretend to know. But the way we are doing it should be questioned just as much as the defense budget. And the chances of questioning it are not so good as long as the nation has 18,000 atomized school districts each raising its own funds. In fiscal 1968, $30 billion (70 percent) of the $43 billion education bill was spent at the local level. Eleven billion dollars was spent by states, and $2.5 billion at the federal level.

This leads us back to the basic unresolved problem in public finance today—the overlapping of governmental jurisdictions. This is not a question of taxes or spending as much as it is a question of political arrangements. There is a great need to redefine who is responsible for what.

The solution might come in a basic turn toward more centralized control in Washington, with the loss of some valuable local controls. Or the federal government might turn to the states and say, "All right, there are 50 of you. You are grown up; you have the same potential taxes to work with that we do. Solve your own problems." and conceivably they could.

The solution will most likely be a compromise. Unlike defense, there is no need for education to be a federal monopoly. But Washington can lead, can set guidelines; it can mold public opinion so that education is lifted out of the quagmire it is in today.

[From the Christian Science Monitor]

ARE YOU TAXED FAIRLY—X: U.S. TAX SYSTEM NOT A MESS, BUT . . .

(. . . it does need a tune-up based on comprehensive knowledge. Reform suggestions in this final article in a series of 10 do not stem from either "liberal" or "conservative" viewpoints. They do stem from a desire to cull the best ideas available to build more simplicity and fairness into the tax system.)

(By Richard A. Nenneman)

BOSTON.—When in the mid-1940's I was learning that the newspapers contained more than Dick Tracy and Orphan Annie, the Chicago Tribune used to run a list of national goals underneath its masthead on the editorial page.

These included balancing the federal budget at $16 billion and bringing all the troops home from Europe.

The federal budget alone is now $200 billion and there are still troops in Germany.

Our tax reform goals mustn't be theoretical pie in the sky. So, first of all, we should go after something we can accomplish. With total annual public spending at $300 billion a year, no major revenue source is going to be given up.

Rather, as C. Lowell Harriss of Columbia University points out, it is a matter of change of emphasis. By increasing the federal income tax by 5 percent, for instance, could we decrease the bite of a tax that is less fair, such as the present property tax?

NO ONE LIKES TAXES

There is some advantage to having many kinds of taxes. For one thing, it makes it harder to dodge them. No one likes taxes. The poor feel that they pay too much. The middle class feels it bears most of the load. And the rich, as the lady in furs in the cartoon, invest considerable energy in trying to avoid their high taxes.

The higher a tax, the greater the effort to avoid it. The network of loopholes in the federal tax structure was put there by the lawyers of rich people, seeking to avoid the confiscatory rates written into the official tax bracket structure. An even greater reliance on the income tax, which would throw more income into higher brackets, would surely result in an even greater attempt to find legal loopholes out of some of the tax.

It really shouldn't shock us that rich people try to avoid taxes legally. Outside of reading about some occasional recluse who leaves all his money to the government, who do you know who has ever wanted to give his money to the tax collector?

Former U.S. Sen. Paul H. Douglas (D) of Illinois, writing in the American Scholar (in 1968) about his years in the Senate, seemed to find it sad that people tried to avoid taxes.

"I once heard an eminent public figure declare that it was a man's duty to pay the federal government as little as possible in the way of taxes . . . The large hearing room of the [Senate] Finance Committee seats 150 persons. When we considered a tax bill, the room was filled with prosperous lawyers, graduates of great universities, and of the top-ranking law schools . . . all working to hold what they and their clients had and to enlarge it."

And it is also natural that attempts to influence tax laws should concentrate on Washington, for the progressivity of the federal income tax hits harder at the rich than does any other tax.

CONSENSUS PROPOSED

In fact, a preliminary step before any more reforms are attempted should be to arrive at a consensus as to how much harder taxes should hit the very rich than the middle class.

The evidence in this series indicates that taxes are roughly proportional for most taxpayers except the very poor and those earning over, say $20,000.

After looking at the overall tax system, this reporter's own conclusions are that the field of taxation isn't the best place to further redress any wrongs done the poor. This isn't to argue that this nation shouldn't be doing much more to eliminate the causes of poverty. But rather than finding more ways to reduce taxes for the poor (which could be done through eliminating their social security contribution and giving a credit for property taxes paid), they should get whatever help they need in the form of direct government action. To the extent they get further relief through the tax system, the system becomes unfair for those taxpayers living just a shade above the poverty line.

As for progressivity—taking larger percentages of a person's income as it increases—there doesn't appear to be any overriding pressure for a highly progressive tax system. Prof. Dan Throop Smith of Stanford University noted, "In some instances an increase in progressivity may be an increase in unfairness."

EQUAL PROPORTIONS URGED

What the public was demanding before last year's tax reform was that the rich at least pay their share—that their taxes be as high a proportion of their income as they are for the rest of us.

It probably is a good thing that the federal rates are progressive. This counters the regressivity of many state and local taxes, which hit the poor relatively harder.

But we should be less concerned with fashioning a tax structure that theoretically penalizes a man for being rich, while at the same time giving him legal ways to avoid taxes. Then the crowds of smart young attorneys that bothered Senator Douglas won't have as much work to do for their clients.

As for the specific reforms needed, and their order of priority:

1. The property tax must be drastically reformed. The net result, in combination with raising other taxes, should also be to defuse it, to rely on it proportionately less than we now do.

In its present form, it is a deterrent to inner-city renewal. It is shabbily administered over a wide part of the nation.

If a shift to land-value taxation alone is impractical, we should at least have the courage to assess land in developed areas at its full economic value.

One of the simplest ideas presented in this series was to move the greater part of local education expense to the state level, finance it through higher state-income taxes, and free the property tax—at much reduced levels—to finance services connected with property ownership—fire, police, water, sewerage, and so on.

2. Widen the federal-income-tax base through further loophole narrowing. At the same time, reduce the brackets at the upper end. The main thrust of this proposal is to simplify federal taxation, not to increase revenue. A start was made in this direction in the 1969 reform.

Since any change may involve some new inequities, it is probably best to wait long enough to evaluate the areas that were changed before proceeding further. Municipal-bond-interest exemption was not touched; it is a good place to start—now.

3. Study the implications of further changes in the capital-gains tax. Under the 1969 reform, the difference between maximum straight-income rates and capital-gains rates was narrowed by two-thirds (from 70–25 to 50–35), leaving 15 percentage points difference instead of the old 45.

With generous enough income averaging—spreading out an unusual gain over several years of prior income—a separate capital-gains tax might no longer be necessary. On the other hand, the formation of new capital is a highly sensitive and important area. The results of the 1969 reform should be watched closely before doing anything more here.

4. Tax capital gains at death. This is a loophole that should be closed for reasons of fairness. It is also a potential source of revenue, but the plan under consideration would combine this with a decreased rate on estate taxes for little or no gain in tax revenues.

The addition of this tax would make the estates of older people more liquid, that is, they would be less hesitant to realize profits if their only reason for doing so was to leave a larger estate behind them.

5. Consider financing part of social security through general revenues. This is not of first priority; the present system is a well-run one. But bringing in some general revenues would make it possible to pay a higher minimum payment, thus ending the need for additional public-welfare payments to many present social-security recipients. It would also trap the portion of incomes above $7,800 or whatever ceiling the social-security contributions has at any given moment.

Two more reforms are more important than their position here indicates. They involve the way we do things rather than specific taxes.

6. Rethink the relationship of the federal government to state and local spending programs. The proliferation of grants-in-aid pro-

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grams pleases no one. Federal revenue-sharing lacks a distinctness of definition, other than to get some money back to state and local governments. But as it is being sold to the Congress presently, it isn't apt to be much more than a token program in an area that needs more than token answers.

Revenue-sharing, with a more carefully conceived formula, might be one answer to match rising state-local needs and rising tax collections in Washington.

Assumption by the federal government of part of the education expense could be another answer. So could grants-in-aid, on a simplified basis—fewer strings.

Or the federal government could make a tacit commitment to review the tax-bracket structure every three to five years, so that rising income wouldn't result in federal revenues going up too fast.

7. The states must revitalize themselves. This is their last chance. If more power flows to Washington, the states in the not too distant future will be administrative appendages between Washington and merged urban governments.

REDISTRIBUTION STRESSED

The revitalization will be expressed in more than courage in raising taxes. But that's one place to start. Instead of allowing more and more cities to enact sales taxes and income taxes, the state should realize that this trend make a jungle of local taxation.

In general, state governments need to move in the direction of assumption of more of the local tax load and take upon themselves the politically difficult tax of redistributing the tax monies to local communities on a basis that recognizes both contribution and need.

In emphasizing ideas, this series has not developed any group's particular bias. Some of these ideas are typically welcomed by conservatives—questioning the need for highly progressive taxes, for instance, or pointing out the folly of high corporate-tax rates when most of the corporate tax is paid by the public in the end.

Others sound as if they came out of the liberal fold—such as trying to end the avoidance of capital gains taxes at death, which is a present exception to fairness, suggesting that part of social security could as easily be financed out of general revenues.

These ideas were among those highlighted, not because they have either a conservative or liberal label, but because they seemed to make sense. They would promote either the goal of fairness or the goal of knowing better just what our real taxes are. And this may show that people on both sides of the political fence do have some good ideas!

PERSONAL LIST

Anyhow, they make up a responsible list of reforms. But also a personal list—this reporter's. Every tax expert would have different priorities. It is the general approach that is important. What is the context within which Americans should improve their tax system—greater progressivity, or less? Greater emphasis on income taxes, or less? A bigger role for Washington, or hope for responsible government from revitalized and restructured state and local government?

If there was a major weakness to the 1969 reform, it was that it took place without consideration of the entire tax system (although the federal income tax is certainly the most important part).

Maybe it's too much to ask for the equivalent of a Carter Commission (the royal commission that examined the entire Canadian tax structure) in this huge, populous, and diverse nation. But somewhere in the process, before new laws are made, a quasi-public body—something with stature—should make a thorough survey of changes in public finance over the next decade or two and make a formal report.

There is a greater chance, then, that the changes on which there is some consensus will get enacted into law. As it is, staff committees wield enormous influence over overworked legislatures, whose members have minimum time for serious study of their own.

COULD BE BETTER

The U.S. tax system is not a mess. But it could be better. It won't get better if it is worked over only piece by piece.

There is a good degree of consensus already that the system should be progressive, but not overly so; that income taxes are the fairest, but not that they should replace other taxes. All that remains is to sort out the elements of specific reform that matter the most—in terms of both fairness and simplicity—and to work out the knotty problems of intergovernmental finance. The most immediate problems in the '70's are the finances of the states and local governments.

We cannot do away with taxes. There isn't even any promise we can reduce them. But it is in our power—and therefore is our duty—to have a fair system of taxation and one that raises enough money to escape the crisis aura that hangs over too much state and local finance today.

GLEN OAK SCHOOL STUDENTS ON THE 13-YEAR-OLD VOTE

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. VANIK. Mr. Speaker, I have just received a very thoughful and well-reasoned letter from three of my constituents who attend Glen Oak School in Gates Mills, Ohio. The three students, Miss Robin Daiden, Miss Leslie Miller, and Miss Patty McVay, make some very good arguments for lowering the voting to 18—a change which I have long advocated. The arguments put forth in the letter are so sound that I would like to share them with the rest of the Congress and I insert their letter as follows:

GLEN OAK SCHOOL,
Gates Mills, Ohio.

To the Honorable Congressmen of the United States of America:

Regarding the extension of the Voting Rights Bill of 1965 and especially the provision extending the franchise to all U.S. citizens eighteen years old or over, we wish to make it known to you of our desire to have the full United States Senate version of that bill passed in the House of Representatives. In support of our request, we submit to you our reasons for favoring passage.

We have studied documents of our American heritage, in particular, the Constitution of the United States and the Declaration of Independence. We believe that the intent and literal interpretation of these documents support our contention that the franchise should now be rightfully extended to all United States citizens eighteen years of age and over, who are otherwise qualified.

In reviewing the Declaration of Independence, we found the intent to reflect a desire on the part of our founding fathers that all men who are subject to the most extensive duties of citizenship should be permitted to help determine the nature of those duties.

"That to secure these rights, Governments are instituted among men, deriving their just powers from the consent of the governed." Hundreds of thousands of young men within the age group of eighteen to twenty-one are required by law to fulfill a military obligation. This obligation is deemed necessary for the preservation of our democratic society. This obligation often results in serious injury, and in many cases, the loss of life. All men subject to this military obligation rightfully deserve a voice in determining that policy which controls their destinies.

We believe that all other powers exercised by our government which directly affect the lives of the citizens in this age group should be ratified by these citizens in direct relation to their numbers.

"For imposing taxes on us without our consent." Based on data supplied by the Gallup Poll Organization, of the 10.5 million citizens in the eighteen to twenty year old age bracket, 5.9 million of these are in the civilian labor force. Of these 5.9 million, 5.4 million are employed and are paying federal, state, and local taxes. We believe that this is a clear-cut case of taxation without representation. We believe this policy is inconsistent with the enumerated constitutional rights of these citizens.

The idea of the eighteen to twenty year old vote extension is not a new one. In 1963, the Presidents Commission of Registration and Voting Participation endorsed the idea of eighteen year old voting in all states.

To this date, four states in the Union, Alaska, Georgia, Kentucky, and Hawaii, have extended the vote to the eighteen to twenty year old group.

Forty-three nations allow their eighteen to twenty year old citizens to vote, thirty-five of which permit eighteen year olds to vote.

Of the 10.5 million citizens in the eighteen to twenty year old age group, 7 million have completed high school and 3.5 million are presently enrolled in college.

The educational system of the United States is such that it has produced an enlightened eighteen year old group which would provide greatly to the direction of the government of the United States.

Recent figures published by the Gallup Poll show that 53% of this college age group does not ally itself with either of our two national political parties. We believe this is a result of the frustration and alienation the youth have felt in attempting to help determine future policy through traditional party channels. If the eighteen year old citizen is given the right to help choose candidates and influence policy through his vote, we believe that the two party system will once again flourish in all age groups.

We respectfully request that you consider our arguments in support of the extension of the vote to eighteen year old American citizens and that you vote affirmatively on the issue when it comes up for a vote.

Respectfully,

ROBIN DAIDEN.
LESLIE MILLER.
PATTY MCVAY.

TRIBUTE TO OUR PRISONERS OF WAR

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. REID of New York. Mr. Speaker, I would like to call to the attention of my colleagues in the House the tribute, which is to be held at Constitution Hall on the 1st of May, to our American servicemen who are prisoners of war or missing in action in Southeast Asia.

These young Americans have followed the call of the leaders of our country and we must support them and their anxious families here at home. We must call on all peoples of the world to express universal concern over the safety and care of all prisoners of war. All nations should and must fully comply with the regulations for treatment of war prisoners as established by the Geneva Convention whether as demanded by international law or purely from human concern, and we ourselves must be deeply and morally committed to these regulations. We, as citizens of the United States, have a responsibility to let our voices be heard against unjust treatment by any nation of war prisoners. We must, as a nation, give greater priority to a negotiated settlement which should and can comprehend the safe return of all U.S. prisoners of war. While American casualties are now lower in number than in preceding years, more than 1,500 brave Americans are either prisoners or missing; yet we are still fighting in Southeast Asia and adding to the list. Our concern for these men must never waver and we must offer all the support we can to their wives, parents, and children who daily endure the burden of uncertainty.

I commend the participants of the tribute in their valuable endeavor to express their moral concern for the lives of the men and families of all POW's and MIA's.

THE FLAG BELONGS TO ALL

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. QUILLEN. Mr. Speaker, one of the proudest moments of my life came when the House passed my bill making it a Federal crime to desecrate the American flag.

On April 14, an editorial appeared in the Johnson City Press-Chronicle, one of the outstanding daily newspapers in the congressional district which I represent, concerning the American flag and what it means to us as individuals.

I, too, feel that the article written by Mr. Atkinson and the views of the editor put the matter in proper perspective.

For this reason, I want the Press-Chronicle's article made available to readers of the Record:

The Flag Belongs to All

Flying the flag is, or should be, a way of showing one's love for his country.

It should be a reflection of his pride in being an American.

But it need not identify him with any particular group of Americans. Nor need it identify him with any particular cause.

The flag is a symbol of unity. Americans who differ sharply in their political philosophy can be one in their loyalty to their country. And they can be one in flying the flag.

Writing in New Republic Magazine, Brooks Atkinson, retired drama critic of the New York Times, puts the matter in perspective. He says:

"Who decides these idiotic things? What bigot decided that display of the American flag signifies support of the Vietnam war? I first encountered this nutty idea about three years ago when a married couple of my acquaintance who might be described as concerned citizens picketed a butcher who was displaying the American flag. Confused by this fatuous caper, I asked why. Because, they replied, flying the American flag indicated support of the Vietnam war, and the butcher was soliciting the custom of warmongers. It seemed to me that the lunatic fringe was expanding fast.

For many years I have displayed the American flag on my porch on Sundays and the holidays and on any day that promises to be less banal than most—like the day, for instance, in which we are expecting friends. I also have a decal of the flag on my window in my car. These rituals have no specific meaning that I am aware of. I enjoy the flag and the holiday feeling it gives me. The design and the colors are bold and gay. Displaying the flag also has a pleasant social connotation. It is like a wave of the hand to all Americans, no matter what they believe.

"But now it appears that people in my category have to defend themselves. To anyone passing my house and noting the flag I wish therefore to make a declaration: I have been appalled by the Vietnam war for years. I do not condone the ghastly casualty lists and the brutalization of American soldiers. . . .

"The flag celebrates a great many more things than the war, inflation, high interest rates and a depressed stock market. It celebrates the Grand Canyon, the sequoias and redwoods, Mt. Rainier and the Hudson River; it celebrates Harvard College, the New York Public Library and the Smithsonian Institution; it celebrates George Washington, Thomas Jefferson and Abraham Lincoln; it celebrates John Kennedy, Robert Kennedy and Martin Luther King and millions of other things, including you and me. It celebrates the common experience of Americans. No one can suborn the flag to promote his own causes and beliefs."

FERTILIZING OUR LAKES

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. OBEY. Mr. Speaker, Wisconsin 5 years ago singled out laundry detergents as a big killer of natural waters. Now the State is after a key element of the common household detergent: Phosphate.

The Marshfield, Wis. News-Herald recently carried an Associated Press article describing the phosphate problem and reporting that about 20 of the pollution abatement orders issued by the State in recent months command cities to stop allowing phosphates to escape sewage treatment plants.

It is said that halting phosphate will slow down the natural eutrophication process and add perhaps 100 years to the lifetime of a normal lake—an impressive reason to stop fertilizing our lakes. I insert the article in the Record at this point:

[From the Marshfield News-Herald, Apr. 7, 1970]

Detergent Suds Biggest Water Pollutant

(By Peter B. Seymour)

Milwaukee.—The chief pollution threat to the fisherman's favorite lake or stream comes not from his employer's factory waste or his farm neighbor's pesticides, but from his wife's wash tub.

And it's not called pollution. "It's over-fertility, or too much of a good thing.

Wisconsin is the first state to have singled out laundry detergents as a big killer of natural waters. That was five years ago, when the state legislature prohibited the chemical laundry agent that had caused mounds of suds to clog streams and sewers in the 1950s.

Now the state is after another key element of the common household detergent: phosphate, or the polyphosphates which make dishwater "soft," help cleansers remove grime from greasy hands, and lead the washing machine's assault on the trousers which dad stained during the weekend fishing trip.

However, phosphate is also a fertilizer. Geraniums thrive on it. So do algae which, when over-fertilized, clog streams and lakes even worse than the suds of the 50s. Then, dead and decaying algae use the oxygen needed by fish to survive, and hasten the environmental death of even big lakes—such as Lake Erie.

Wisconsin, concerned about the Great Lakes on its borders and the tourist economy of the streams in its northwoods, has begun steps to halt the flow of phosphate in its waters. Rep. Henry Reuss, D-Wis., is relaying the new campaign into Congress.

Lloyd Lueschow, chief biologist for the state's Environmental Protection Division, said an oversupply of phosphate, especially when coupled with nitrogen from natural rainfall, is the main threat to a lake because of its influence in algae growth.

"It seems unlikely we could get God into court," Lueschow said. "But we now have the legislation necessary to check the excessive emission of phosphates in household and industrial detergents."

The state has issued about 200 pollution abatement orders to factories and municipalities in the last four months. About 20 of the orders specifically order cities to cease allowing phosphates to escape sewage treatment plants.

Jerry McKersie, state Bureau of Standards and Services engineer, said the 20 anti-phosphate orders are the first of their kind in Wisconsin history.

The cost of meeting the new anti-phosphate policy of the Department of Natural Resources by improving sewage treatment facilities is, obviously, a problem for the taxpayers.

Reuss wants to get closer to the phosphate source, even closer than the washing machines and the dish pans which utilize most of the billions of pounds of detergent used annually by the nation. He has suggested phosphates be banned from detergents altogether.

He conducted congressional hearings last year on the phosphate problem, referring frequently to a special survey conducted by Limnetics Inc., a Milwaukee water research firm.

Brian Gallagher, head of the firm, reported that of 28 nationally known household detergents selected at random for the survey, 22 contained phosphates or—as expressed chemically—P04.

"P04 is the form that is most likely to enrich a lake," Gallagher said. "The six washing products without polyphosphates were more soap-like."

"If some detergent manufacturers can produce laundry agents without phosphorous, why can't they all? Reuss asked. Gallagher said his survey did not attempt to learn whether a detergent without P04 cleans less effectively.

The Soap and Detergent Association told Reuss' committee there is no adequate substitute for the inexpensive polyphosphates.

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Gallagher and Gerald Rohlich, secretary of the Wisconsin Natural Resources Board, said careless legislation against phosphates might only force detergent manufacturers to substitute cleaning agents that could be even more harmful.

The new enzyme detergents, Gallagher said, generally have "a high amount of phosphate, which surprised us. What has happened is that more and more phosphate is being put into detergents."

Estimates are that up to 75 percent of the phosphates flowing into the nation's lakes and streams come from detergents in city sewage. Gallagher said 50 percent "would be a very conservative estimate."

Ecologists acknowledge having had difficulty determining the source of phosphate poisoning found in the average lake. Some of it comes from farm fertilizers; some comes from garden and lawn fertilizers; some comes from industrial cleansers. But evidently most comes from household cleansers.

Many industries are switching to silicate cleaners, which have no bearing on the growth of animal or plant life. Phosphate detergents are less abrasive and less expensive.

Gallagher said big producers of phosphates, besides the average home, include commercial laundries and public institutions, such as hospitals.

Phosphate, by itself, is not harmful as far as a lake or river is concerned.

"Phosphate is non-toxic, not harmful directly," McKersie said. "It is its stimulation of algae that causes the damage."

The public has become aware of the problems in recent years, especially when algae takes its toll of swimming and fishing areas.

"In previous years," McKersie said, "people were concerned about typhoid. Now that's not the big problem, and people can get concerned about swimming in algae gunk."

McKersie and Lueschow said it still isn't clear how rapidly a phosphate-soiled lake will recover once the phosphate flow is halted.

Madison, noted for two large lakes—Mendota and Monona—halted virtually all phosphate-laden sewage flowing into the lakes a decade ago. But the lakes still have occasional algae "blooms" in masses, Lueschow said.

Halting phosphate "will slow down the process" of lutrophication, or over-fertilization and add possibly 100 years to a normal lake's life, McKersie said.

Government agencies, particularly the Federal Water Pollution Control Administration, have said they would like to remove 80 percent or more of the existing phosphorous from sewage.

A concentration of 12 parts per million of phosphate is considered a danger level.

Small lakes and rivers are the most vulnerable, while Lakes Superior and Michigan have less to fear if steps are taken against phosphates in the near future.

At the moment, Lueschow said, Lake Superior—often cited as an example of a still-pure lake—has only .02 parts per million of phosphate "and no indication of any change in its phosphorous level."

Lake Michigan, he said, is a long way from the eutrophication that has afflicted Lake Erie, but is not as secure as Lake Superior.

Reuss said in February the Federal Water Pollution Control Administration is ready to endorse whatever recommendations his committee may come up with to halt deterioration of the Great Lakes.

Canada's Parliament was asked in February to ban detergent phosphates, and it set up talks with U.S. pollution agencies to determine the roll of phosphates in Great Lakes pollution.

The Wisconsin Legislature was asked last year to ban detergents. The measure, sponsored by 19 senators and 22 representatives, died in committee.

State agencies, however, were already annexing phosphorous to the list of items eligible for pollution abatement action.

MAJOR PROBLEMS FACING UNITED STATES

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. BROWN of California. Mr. Speaker, a recent questionnaire which I sent out polled Californians concerning their view of the major problems facing us today. I am inserting my reply related to this question at this point in the RECORD:

MAJOR PROBLEMS FACING UNITED STATES

In addition to the questions concerning pollution and the environment, my recent questionnaire asked for your views as to which of the major problems facing us today were the most important. Pollution, Vietnam, taxes and crime were most often put at the head of the list. The statements below generally encompass my views on the major issues today.

VIETNAM AND WORLD PEACE

I have actively and publicly opposed the U.S. policy in Vietnam for the past five years—regardless of whether it was the popular thing to do at the time or not.

Now, all the tragic lessons we were supposed to have learned from our adventurism in Vietnam over the past decade are seemingly forgotten as we blunder into newer and potentially more serious entanglements in Laos and Cambodia.

Therefore, I recently introduced a broad resolution which would serve to repeal the Tonkin Gulf resolution—the Congressional authority which President Johnson interpreted as allowing a half million American soldiers to be sent to Vietnam. My proposal would also eliminate earlier similar resolutions and laws pertaining to the commitment of American military forces in foreign conflicts—and it would also put Congress on record as opposing the undercover activities and so-called secret warfare now going on in Laos.

I have also urged the President to reject the request of Cambodia for arms. This is, of course, the pattern of our present intervention in Vietnam—first arms, then "advisors", and then ground troops.

Broadly speaking, the major powers—especially the United States and the Soviet Union—are the greatest threats to world peace and stability today.

Instead of old-style political imperialism of the 19th century, the richer countries today practice a more sophisticated form of economic imperialism. The goal is to maintain the largest possible area into which the products and the capital of the rich nations can flow freely and safely. This is apparently the real meaning of the "freedom" which we have armed ourselves to the teeth to protect around the world.

Imperialism, whether old-style or new style—whether practiced by capitalist, socialist, or communist nations—represents denial of a people's most fundamental aspirations.

TAXES, INFLATION, AND THE ECONOMY

Despite last year's historic tax reform legislation, concern related to the overall tax system, the level of taxes, and inflation still remains quite evident.

A few pertinent statistics indicate why I think there is good reason for such concern. For example, since 1958, the average American paid 76% more taxes to all government units—Federal, state and local—while the average per capita income rose only 56% during the same period of time and consumer prices climbed more than 20%.

No wonder the middle income American—the man or woman who heads a family with a total income between $7,000 and $20,000—is upset.

True, over the same period, both the quantity and quality of services offered citizens by government have increased dramatically—per capita expenditures by all government units went up 85% between 1958 and 1968—but the rising cost of government has been a prime contributory factor to recent inflationary pressures. In addition, distribution of the tax burden has not been even, with middle and low income earners still carrying a heavy and unequal share of the load.

Although Federal taxes per capita have increased less than state and local taxes, I think that the cost of the war in Vietnam has probably contributed more to inflation than other spending.

Continual over-spending by the Federal government eventually *is* inflationary. Over the past four years, the record is clear that unrestrained Federal spending has been a prime factor behind spiraling price-level increases.

For example, between fiscal 1965 and fiscal 1968, Federal spending rose 52%—from a fiscal 1965 budget of $118 billion to nearly $179 billion in 1968—a jump of some $61 billion. Yet, of that $61 billion, almost $31 billion went for increased defense expenditures—largely for the war in Vietnam. As a comparison, over the same period, the education and manpower training budget rose $4.5 billion.

At the same time, social benefits to society are less from each dollar invested in defense than they would be if allocated to education, for instance. The end use of most defense spending does little to add to future economic growth and development.

This is why it was very hard for some of us to understand last year why the President considered the additional $1 billion which we attempted to add to the education budget as being so inflationary that he vetoed the bill Congress passed—while simultaneously defending an excessive and wasteful defense budget.

To elaborate, the huge need for resources to meet the expanding defense budget for both Vietnam and the myriad of weapons systems and programs has meant over the past five years that resources would be shifted from other sectors to the defense sector in order to meet rising demand levels.

As resources are shifted away from other sectors into defense, excess demand develops in nondefense sectors. This shifting means that nondefense production costs rise while, at the same time, consumers, having less nondefense goods available, tend to be willing to pay higher prices for these goods. The result is to create inflationary pressures emanating from both suppliers and consumers.

Thus, if there is a spending key to inflation and higher Federal taxes, the place to concentrate is on defense expenditures—not on education and other urgently needed domestic programs.

CRIME, POVERTY AND THE URBAN CRISIS

War, taxes and inflation do not exist in a vacuum. There are a number of visible social reactions that result—either as directly related problems or as intensification of existing problems.

Increased unemployment breeds poverty, poverty breeds crime, and urban blight is

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both the cause and the result of all of these in a vicious circle of decadence.

There are many ways in which to attack these problems, but they cannot be effectively approached from a Federal government level when our national income is being drained by massive expenditures for defense and for the war in Vietnam.

Hence, the nation is caught in the same demoralizing and futile circle that the ghetto dweller finds himself in.

As I pointed out in 1966, speaking against the Defense Appropriation bill which contained $60 billion and which was passed by Congress almost without opposition.

"Our cities are rotting at the core—our traffic and mass transit problems are rapidly growing worse and are strangling urban development; pollution, both of air and water, is making a mockery of human progress by rendering our environment unlivable; our health and education services for our citizens are inadequate. Riots today are sweeping many of our cities for reasons we profess not to understand.

I also stated at the same time:

"One recent estimate has been made that every American in poverty could be raised above that level with the expenditure of $15 billion per year. Just by coincidence, that is approximately what we are spending on Vietnam per year. (The cost rose to $30 billion for Vietnam alone within a year of that date.) To eliminate poverty in the United States this year is well within the capacity of this country. Yet to secure the approval of a public policy to achieve this end is literally impossible in the U.S. Congress."

Obviously, the war in Southeast Asia is the key which could unlock the door to much of what must be done in the way of domestic programs. Until that time, we can only continue to try and get Congress and the President to shift toward priority consideration for programs which provide employment, better schools, decent housing, better and more enlightened training for law enforcement officers, new technology in crime detection and prevention, adequate welfare laws, and a myriad of other proposals which would allow every citizen the fullest possible opportunity to provide for the health and well-being of his family and himself with dignity and equality.

BROOKLYN BUREAU OF COMMUNITY SERVICE HONORS BROOKLYN FOSTER PARENTS

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. ROONEY of New York. Mr. Speaker, on April 30 the Brooklyn Bureau of Community Service, formerly the Brooklyn Bureau of Social Service and Children's Aid Society, will honor 19 men and women who have compiled an extraordinary record in caring about their fellow men. For all 19 have been foster parents for 20 years or longer. It means that they have opened their homes and their hearts so that young children would not go through life without the knowledge of a home or parental love. They sincerely deserve the praise and honor they will be awarded on April 30, as does the Brooklyn Bureau of Community Service which has been caring for homeless children since 1866 when it was formed to look after the many young left homeless by the tragic Civil War.

Mr. Speaker, I would like to call to the attention of my colleagues the record of this fine institution and under permission heretofore unanimously granted me I include with these remarks a brief outline of the function of the Brooklyn Bureau of Community System:

THE FOSTER CARE SERVICE OF THE BROOKLYN BUREAU OF COMMUNITY SERVICE

On April 30, 1970, the Brooklyn Bureau of Community Service, now in its 104th year, will honor at a dinner 19 men and women who have been foster parents for 20 years or longer.

They are: Mr. and Mrs. Oscar Boots of Greenpoint, Brooklyn; Mr. and Mrs. Alonzo Carter of East Elmhurst, Queen; Mr. and Mrs. Clyde Critchlow of Westbury, Nassau County; Mrs. Ozella Dobson of Bedford-Stuyvesant, Brooklyn; Mrs. Evelyn Fillyaw of Bedford-Stuyvesant, Brooklyn; Mr. and Mrs. James Parker of Bedford-Stuyvesant, Brooklyn; Mr. and Mrs. George Petersen of Flatlands, Brooklyn; Mr. and Mrs. Barney Schofield of Jamaica, Queens; Mrs. Estelle Toomer of Freeport, Nassau County; Mr. and Mrs. Eugene Williams of South Ozone Park, Queens; Mr. and Mrs. John Wulff of Baldwin, Nassau County.

This length of service in so good a cause really deserves our recognition and appreciation. All foster parents deserves our thanks for their devotion to children in their care. The confidence, trust and love of the children for them are the best and truest measures of the work they are doing.

The Brooklyn Bureau of Community Service has been caring for homeless children since 1866, when it was organized to provide food, clothing, shelter and educational facilities for children who were roaming the streets in the aftermath of the Civil War.

Today, the agency's Children's Division gives total care to children whose families are unable to care for them. The agency provides continuing supervision of their growth and development. Planning takes into account each child's needs. Service is provided by a social worker who is assigned to every child, every foster home, and to each child's own family. Everything possible is done to contribute to the emotional and physical well-being of the children and their families.

The Brooklyn Bureau believes every child's development is best nourished when he is with his own parents or relatives. Therefore the agency also focuses its service on the child's own family and attempts to help the family reorganize itself so that the child can return to it. When this is not possible, the agency, together with the foster parents, try to find ways to give children love, understanding and opportunity to develop normally.

The Brooklyn Bureau of Community Service provides many special services to help children when they are required—remedial reading, individual and group counseling, psychological and psychiatric consultation, and medical services.

In addition, the agency has a comprehensive program to enrich each child's life. Recreation programs provide opportunities for the children to explore their environment and develop appreciation and knowledge of music, art, literature and nature. Summer recreation programs take the children to parks, beaches, and provide summer and day camp experiences. Children are given opportunity to develop their special skills. Music and art lessons are provided for those who desire them.

The Bureau, or any child care agency, can do very little without the cooperation and dedication of the foster parents in whose care the children are placed. Foster parents are exceptional people who are able to give love and devotion to children who are not their own. They work closely with the agency and receive the agency's help in meeting each child's emotional and physical needs. Being a foster parent is challenging work that requires patience, courage, intelligence and imagination.

Because it is not possible for most foster children to return to their own families, long-term foster home care is provided by the agency. This means that children are put into foster homes at an early age, generally up to 8 years of age, and remain until they reach 21 and are ready to live independently. Where possible, brothers and sisters are placed in the same foster home.

The relationship between foster parents and the children whom they have cared for over so many years does not end when the children reach maturity. For many of the children, their foster parents are the only parents they have ever known and the closeness of the foster parents and their foster children continues throughout their lives.

Today, the Brooklyn Bureau of Community Service needs homes for children whose own families have been broken by illness and other misfortunes. These children are healthy boys and girls who lack homes through no fault of their own. Because they have no place to go they must wait—sometimes for years—in hospitals, institutions and shelters. It is estimated that in the New York metropolitan area more than 2,000 are waiting placement.

Thousands of men and women throughout the country have gained deep satisfaction by serving as parents of homeless children. They have not only made contributions to the children, but they have helped their communities and the nation by helping to build strong, healthy, industrious and productive citizens.

The foster parents being honored by the Brooklyn Bureau of Community Service for their years of devoted service to children are acting in the finest tradition of American life. They are extending their hands and their hearts to the most helpless among us.

The Brooklyn Bureau of Community Service is a voluntary, non-sectarian family and children's social services agency. In addition to its foster care service, it offers individual and family counseling, and operates a comprehensive program for the blind and handicapped including sheltered workshops, job evaluation, vocational counseling, recreation, a work-at-home program for the severely handicapped, and a job-finding service. The Brooklyn Bureau of Community Service is located at 285 Schermerhorn Street, Brooklyn, New York, 11217.

ROBERT D. ENOCH, OF INDIANAPOLIS, WRITES ON SUPREME COURT NOMINATIONS

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. BRAY. Mr. Speaker, the following editorial, broadcast over station WXLW, in Indianapolis, and written by Mr. Robert D. Enoch, is an enlightening and perceptive commentary on the recent Supreme Court nominations:

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EDITORIAL

(By Robert D. Enoch)

APRIL 11, 1970.

Our nation's founding fathers designed a federal government of three separate distinct responsibilities in order to provide checks and balances that would under all circumstances protect the peoples of the various states from greedy and power hungry government officials.

The checks and balances have worked exceedingly well for about 200 years. But we the people have watched from our side-lines as the great design has been aborted by cunning plan and destructionist leadership.

If you blatantly set about to destroy the greatest nation on earth—that has provided more liberty—more freedom of choice—more self determination—more of the world's privileges, comforts, opportunities, mental and spiritual growth than any other nation has ever provided for its citizens, how would you go about it?—Exactly the way the destructionists have started to get the job done. By destroying the very top institutions from which all of the powers of our limited Republic secures the orderly processes of our constitutional government.

By design—the cunning have bent the interpretations of the Constitution, to the degree that the most honored and respected of all tribunals, the Supreme Court of the United States, has in fact become law-makers not judges. The result—the citizens of this nation seriously question the integrity of the Supreme Court—and quickly follows then—a growing disrespect for law and order. And that's what the nation faces today—a growing disrespect for law and order.

So if you—and the other destructionists want to destroy this nation—keep doing what you have seen done to the Supreme Court and anarchy is certain to follow.

There was a time when the Senate of the United States, fulfilled to a maximum, the honored responsibility of one arm of our limited Republic, of maintaining checks and balances over the Congress of the United States, guarding against emotionalism and the hurried decisions that could adversely effect the stability of the nation, and also serving honorably with guardianship of the actions and decisions of the administration branch of the federal government. Yes—there was a time—that the United States Senate was the most honored body of legislators in any government anywhere.

But—the cunning and destructive influences that have been working on the Supreme Court is now practicing its devisiveness within this principal institution of our Republic.

Many members of the Senate who point with pride to their lengthy careers of service, and come again and again to ask for the vote of each citizen in the states from which they are elected, must stand before the electorate this year and each election—for judgment. Have they served with honor—have they served with constitutional fidelity—have they performed as statesmen—for the good of all men—or have they been party to the cunning and the destructionists—and have they voted and acted—for other less honorable—more destructive reasons.

If you would find some of the answers to those questions, read the Congressional Record, of the debates that took place during considerations of the appointments made by the Presidents of the United States on the last five or six nominees to the Supreme Court.

The record does not show a consistency of position and caution by some of these elected to the Senate. Is the answer only in the thinking of the senator? Or—has there been other factors of great influence that has made possible, for example, a "Yes" vote in the Fortas Senate decision, without the crusade against medocrity, while in the two recent cases of President Nixon's nomination—the destructionist influence; led important representatives of the people in the Senate to literally destroy two fine career jurists. How can we the people respect and honor men in these high positions who make such a record before our very eyes—and the eyes of the world. Most certainly—those who have vowed to destroy us are grateful for these who do this work so well.

And what of us? We stand on the sidelines becoming more disturbed and angry by the minute. Our anger must build—build to election day—when the people can speak—this great unwieldy—and silent majority—speak loud and clear in the privacy of the voting booth. It is there we can show our disapproval of those who bring these destructions and cunning to the honor of the United States Senate.

This problem is not the problem of any one party. The record of the vote on Judge Carswell's nomination to the Supreme Court is a sickening thing—and identifies for all to see—the statesmen, the dupes, and the cunning. This is election year. The next step is up to you—the voter.

" 'DELTA QUEEN,' LINK TO TWAIN ERA, DOOMED," SAYS NEW YORK TIMES, BUT IT CAN STILL BE SAVED

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mrs. SULLIVAN. Mr. Speaker, the New York Times today carried a charming and delightful feature article by Roy Reed on the pleasures of a leisurely journey down the Mississippi River to New Orleans on the last of the sternwheel paddleboats, the *Delta Queen*, which the Times describes as "aged 44 and doomed." It can be saved, however, if Congress enacts H.R. 16933, which I introduced on April 13.

Companion bills have been introduced by a number of other Members of the House and will also be introduced, I understand, in the Senate, by Members whose districts or States are located along the Mississippi River and some of its tributaries traversed by the *Delta Queen* and whose constituents join my constituents in St. Louis in deep affection for this beautiful old passenger vessel which is so familiar a sight from shore and so peaceful a haven for those fortunate enough to book passage on her cruises.

On several occasions since passage of the Safety at Sea Act of 1966, I was able to get through the Committee on Merchant Marine and Fisheries, and through Congress, bills to grant a temporary reprieve to this nostalgic survivor of the era of the paddlewheelers. But all the efforts which have been made in the meantime to build a replacement for the *Delta Queen* which would conform to the 1966 act's requirements for ocean-going passenger ships have ended in failure because of the tremendous cost of a new vessel, and now the only thing which can assure continuation of the kind of service rendered by the *Delta Queen* is legislation specifically exempting this boat from the 1966 act.

Time runs out for the *Delta Queen*, under present law, this coming November. Unless we can amend the law in the meantime, the proud old steamer which over the years has carried many thousands of happy passengers on idyllic overnight or extended cruises on the great rivers of mid-America will be transformed into a daytime excursion boat or into a floating restaurant.

Mr. Speaker, the New York Times feature today describes so well the pleasures of a *Delta Queen* cruise, and the indignation of passengers and well-wishers that a law intended to protect people in mid-ocean is being invoked to end cruises which are never more than a few minutes from shore, in the shallow waters of our inland rivers. I include this excellent article as part of my remarks, as follows:

DELTA QUEEN, LINK TO TWAIN ERA, DOOMED

(By Roy Reed)

NEW ORLEANS, April 19.—The stars were as bright as lanterns but there was no moon.

Howard Tate read the faint riffles of the Mississippi River with practiced concentration. He nudged the steering lever and slipped the big boat a little closer to the shadows of the western bank.

When he consented to speak, his voice came out in a rusty growl and poked around the darkness of the pilot house.

"Mark Twain never done no piloting to amount to anything," he said. "He never stood a pilot's watch more than six months in his life."

Then he added, after a studied pause, "he was a good writer (italics)."

The old river men who are unawed by the author of "Life on the Mississippi" are becoming scarce. Mr. Tate is 65 years old and has been a river pilot 42 years. He is the son and grandson of pilots. When he is gone, there will not be many left who have lived the river, the way Mark Twain did for a while, and kept the past alive.

ONLY ONE LINK TO THE PAST

The old boats they have known are going even faster than the men. Only one of the steamboats that tie 1970 to the nation's beginnings is left. There are three or four that carry passengers on daytime excursions a short distance from port, and one that sits lifeless and without boilers at the dock at Vicksburg, turned into a little theater.

But the remaining steamboat that actually carries overnight passengers up and down the great rivers is the boat that Howard Tate was taking down the moonless Mississippi that night, with 147 passengers asleep down below and the big red paddlewheel turning and whooshing in the back.

She is the Delta Queen, aged 44 and doomed.

This is her last year unless Congress intervenes. Because of the teak, mahogany, iron-wood and oak of her superstructure, she is considered a fire hazard under the safety at sea law of 1966.

The law was passed because of two disastrous ship fires in the Atlantic. By the Coast Guard's interpretation, the Delta Queen is covered by the law with ocean-going vessels.

EXEMPTION IS SOUGHT

A bill has been introduced to exempt the Queen from the law permanently. She has two temporary exemptions. If the bill is not passed, the old sternwheeler will end her career Nov. 2 at New Orleans, and then become a daytime excursion boat, perhaps, or a floating restaurant.

The passengers on a recent St. Louis-New Orleans roundtrip, most of them middle aged to elderly and from as far away as British Columbia, thought it was ridiculous and a

XUM

little shameful that the Queen was being put out of business.

The crew held a lifeboat drill last Sunday afternoon, somewhere above New Orleans, and when it was over both crew and passengers laughed at the absurdity of it all.

"If we ever had an emergency we could be on shore before we could get the lifeboats in the water," said Clarke Hawley, the first mate. "We're never more than four minutes from shore anywhere on the river. If something should happen, all you would have to do is hit the rudder and run her aground."

The passengers shook their heads over the inscrutable ways of government, then went back to gazing at the river banks and the occasional plantation house whose gables peeked over the levee.

People were paying $30 to $70 a day for the privilege of doing almost nothing on this boat for 10 days.

There is no gambling. The liveliest music comes from the calliope when the boat is approaching a town, or sometimes from an organ in the dining room late at night, if the organist is feeling bold.

The cabins are small but comfortable. The food is good. The passengers entertain themselves with books, fortune telling, bingo or lying in the sun.

Mr. and Mrs. Albert W. Giles, steamboat buffs from Olympia, Wash., spent one hour after another the other day studying the engine room, watching the steam-driven pistons pushing their arms out the back of the boat to pedal the paddlewheel like a bicyle.

The wheel produces a hypnotic vibration. The passengers and crew are rocked to sleep each night—and not infrequently in the daytime—by the rhythm and rumble of the turning wheel.

ALL OFFICERS ARE "CAPTAINS"

In a world where meals and the playing of the calliope are rather keenly anticipated events, it is easy to imagine the impact of a change in scenery or weather. The passengers who make friends with the crew soon learn how important these changes are to river folk.

Captain Hawley (almost all the officers are addressed as captain) was talking one late afternoon of Mark Twain's regret at learning that the things he had admired as beautiful while he was a cub pilot—a blood-red sunrise, a floating log, a rifle in the water—were actually signs of danger to the experienced pilot.

"See that white mist on that field?" Captain Hawley asked, pointing to the eastern bank. "That's a beautiful sight, but it means that we have a 50 per cent chance of fog. And if we get in a fog, we have to tie up and wait until it passes."

At 5:45 o'clock the next morning, Capt. Ernest Wagner, the master of the boat, sat in the pilot house watching the sun come up. It was beautiful, all blood-red in sky and water.

He said, half to himself, "You know the old saying: Red in the morning, sailor take warning, red at night, sailor's delight."

Within an hour, the sun had disappeared behind a thick fog. Howard Tate, just up from the officers' quarters and still buttoning his shirt, had to slip her to the bank and stop.

This was an event. The passengers piled out of the cabins and stood on the decks for an hour staring into the fog and listening to the cardinals in the trees and the horns of tow boats creeping by in the channel.

LIFE ON THE RIVER CHANGES

Then the voyage resumed, and the elderly ladies from California and the young couple from Boston settled into the deck chairs and made ready for another day's travel.

The river has changed since Mark Twain's day, in spite of the steadfastness of people like Howard Tate.

Racial integration, for example, has come to the Delta Queen. Its mint juleps (from mint grown in flower boxes that catch the spray from the paddlewheel) are now drunk by occasional black passengers. Two Negro women were among the passengers who stopped recently for a tour of the antebellum homes at Natchez.

The crew was integrated two years ago when Franklin Myles was made chief steward and became the first black officer on the boat. When Mr. Myles sat down at the officers' table the first day, a white pilot threw his napkin on the table and said, "I'm not going to eat with a nigger."

Everyone, black and white, took his meals in his cabin for two tense weeks after that, everyone, that is, except Captain Wagner. He sat alone at the head of the officers' table for two weeks.

* * * * *

Other changes have come to the river, Urban Renewel is working over Beale Street in Memphis. Fancy office buildings have begun to replace the empty music houses and the rundown bars.

They used to say that the Mississippi Delta began in the lobby of the Peabody Hotel in Memphis and ended in Catfish Row in Vicksburg. Catfish Row is a Negro shantytown. Urban Renewal is getting ready to renew it.

Dozens of chemical plants and oil refineries now rear up behind the levees between Baton Rouge and New Orleans. They provide jobs for the people and pollution for the river.

The water of this stretch is now so poisonous that not even Howard Tate will drink it, as strong a believer as he is in the purity of Mississippi River water.

"Look at all these kids along the river," he said one day up around Greenville. "They drink that water all the time and they're just as healthy as they can be."

WHAT HUCK THOUGHT

He drank it himself when he was a boy, just as Mark Twain's people did up at Hannibal, Mo. There is a discussion in "Huckelberry Finn" about how much more nutritious the muddy Mississippi water is than that of the clear Ohio. The Child of Callamity says:

"You look at the graveyards; that tells the tale. Trees won't grow worth shucks in a Cincinnati graveyard, but in a Sent Louis graveyard they grow upwards of eight hundred feet high. It's all on account of the water the people drunk before they laid up. A Cincinnati corpse don't richen a soil any."

For all the changes, the river still robs a man of the sense of time. The passenger on the Delta Queen has joined a different world where there are no newspapers, no radios, no telephones, no automobiles—none of the pacemakers of the 20th century.

The passage from Memphis to Helena, Ark., takes five and a half hours by the clock. But to the passenger on the Queen, it might be an hour or a day. He doesn't care.

Only the movement south into spring—the redbuds open in Vicksburg, the swallows suddenly skim the water above Natchez—keep the river and the boat minimally involved in time, and that largely at the river's chosen speed.

SUPPORT FOR THE ASTRONAUTS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. TEAGUE of Texas. Mr. Speaker, the Nation and the world hoped and prayed for the safe return of the crew of Apollo 13. Astronauts Lovell, Swigert, and Haise, supported by the magnificent ground crew of the Apollo program, are an outstanding example to the world of dedication and devotion. During those trying final hours of the return of the Apollo 13 astronauts an editorial appeared in the April 15, 1970, edition of the Christian Science Monitor. This editorial does much to place in perspective this significant flight. I commend the reading of this editorial to my colleagues and the general public:

SUPPORT FOR THE ASTRONAUTS

From the moment men began the exploration of outer space, the support and the prayers of those who remained on earth went with them. Now that a serious problem has arisen with the Apollo 13 mooncraft, that support and those prayers are more needful than ever. For such assistance back on earth can help America's three brave men in space, and those who will give them advice from the NASA space center, make the right decisions for their safe return to earth.

Much wisdom and long and careful thought have gone into preparing men to meet any and all emergencies while in space. At a moment like this men can depend upon an intelligence and a guidance infinitely higher than mere human reasoning. Such dependence partakes of the wisdom and might which orders the working of that universe which Astronauts James A. Lovell, John L. Swigert Jr., and Fred W. Haise Jr. are now traversing.

There is no shortage of examples in history where the kind of support and prayers being given Apollo 13 have lifted men from the jaws of grave danger. There were innumerable examples in World War II where nothing but rightly directed prayer could have wrought the "miracle" with which men were saved from the direst circumstances. Thus men in times of trial need never despair.

We all can also take encouragement from the fact that, wherever men on earth are aware of the challenge facing the three astronauts, there will be universal support for their safe return. There may be divisions between men on earth, there may be severe national, ideological, racial, and economic rivalries. But all mankind will be of one mind in its desire to see a successful outcome to the maneuvers through which Apollo 13 is now going. This unity of good purpose will also make itself felt and have its favorable effect.

It is heartening to remember that these astronauts were chosen because of their proven ability to confront crises of all kinds, however unexpected. They were not launched into space either carelessly or unprepared. All the care, heed, and foresight which could be brought to bear went into planning this mission.

Never before have all of us back on earth been called upon to play a bigger role in a space mission. Our role is not to guide the ship, but to accept with confidence the fact that divine wisdom is at hand to do that guiding.

ALL THE NEWS THAT CAN'T BE TINTED

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. ASHBROOK. Mr. Speaker, very rarely do I agree with the New York Times, but their appraisal of the impact of the welfare legislation approved by the House last week is, unfortunately, all

XUM

too true. In their Week in Review section in yesterday's edition, under the heading "Revolution in Welfare From an Unlikely Source," they express surprise that "Congress has endorsed the startling notion" of a guaranteed income plan.

Who would have ever thought that the party which has historically turned a deaf ear to the socialistic Pied Pipers would suddenly exhibit a lemming instinct and provide the votes necessary to pass this radical plan? The Times correctly terms proposal and passage of the administration's welfare bill "an astonishing development" and then adds:

> The principle of a guaranteed annual income for all Americans, about as pure a piece of socialism as Washington had seen since the 1930's, had been put forward by—of all people—President Nixon and then ratified in that citadel of conservatism, the House, by a resounding 243–155 vote.

As we have said all along, it is the principle that counts the most, and the writer of the article agrees:

> Most significantly, if the Senate concurs, the principle will have been established. Succeeding Congresses, as opponents of the legislation loudly warned, will be able, probably even anxious in election years, to raise the minimum guaranteed income figure . . .

In other words, once we have initiated the program, all the blanks can be filled in later at taxpayers' expense.

In view of the far-reaching consequences of this ill-advised legislation, I strongly commend the following article to the attention of my colleagues, but in particular to those who thought they were supporting a conservative's solution to the welfare problem:

[From the New York Times, Apr. 19, 1970]

REVOLUTION IN WELFARE FROM AN UNLIKELY SOURCE

(By Warren Weaver, Jr.)

WASHINGTON.—On the wall of the Capitol meeting room of the House Rules Committee, a group rarely given to whimsy or charm, there hangs the following legend in old English characters: "Due to the lack of experienced trumpeters, the end of the world is postponed for three weeks." Despite this warning, it was with something of a flourish that the end of an era in American Government, the days of the welfare dole, was proclaimed last week in the cavernous and resonant chamber of the House of Representatives.

For the House, scarcely more venturesome in the past than its own Rules Committee, subscribed decisively to a doctrine that was radical, even revolutionary. Its members adopted the theory that the Federal Government would not allow the income of any American family to sink below a minimum tolerable figure, no matter what its adult members were doing.

Taken altogether, it could only be called an astonishing development. The principle of a guaranteed annual income for all Americans, about as pure a piece of socialism as Washington had seen since the 1930's, had been put forward by—of all people—President Nixon and then ratified in that citadel of conservatism, the House, by a resounding 243–155 vote.

MINIMUM GUARANTEED

True, it was a very modest beginning in terms of impact on an individual poor family. The family assistance plan, the core of the Administration welfare reform bill that moved halfway through Congress, only guarantees a couple with two children an annual income of $1,600, or barely $30 a week. It does not extend this protection to individual adults or childless couples; there must be a family of at least one parent and one child. It does not provide an outright flat grant; the Federal benefits will only be large enough to guarantee that the family income reaches this minimum standard, which is only about half the acknowledged poverty level.

But, for the first time in its history, Congress has endorsed the startling notion that there should be some sort of floor under human misery and that it is up to the Federal Government to lay down that floor and finance its coast-to-coast construction. And, also for the first time, it was recognized that the public obligation to maintain a minimum income for all American families should not be restricted to those with no income at all but should cover the so-called working poor, marginal wage-earners who have been traditionally barred from the welfare rolls.

Most significantly, if the Senate concurs, the principle will have been established. Succeeding Congresses, as opponents of the legislation loudly warned, will be able, probably even anxious in election years, to raise the minimum guaranteed income figure to something more nearly resembling the cost of keeping alive in the United States.

The impact on the Federal budget, even initially, is substantial. In its first year of operation, the Administration bill will approximately double Federal welfare expenditures, to about $8.4-billion. The cost will continue to rise for a time—critics said to $15-billion a year—before accompanying training and employment programs begin reducing the caseload.

How was the timorous House of Representatives ever persuaded to buy such a package? It took broad and powerful combination of forces. Primarily, 103 Republicans became convinced that (A) the present welfare system is so disastrous that any bold revision has got to be an improvement, and (B) on a major political issue, party loyalty demanded support of President Nixon, who could hardly be suspected of radical tendencies.

For the 140 Democrats who voted for the welfare bill, it was much easier. They had to swallow their reluctance to help the Republican Administration win a major Congressional victory, but many of them had long been supporters of the income maintenance principle and could scarcely turn their backs on it because it came to the floor under the aegis of Richard Nixon.

Perhaps most important, waverers of both parties could listen to the homespun Arkansas rhetoric of Representative Wilbur Mills, the Ways and Means Committee Chairman, whose outspoken advocacy of the welfare bill demonstrated the enthusiasm of the recent convert. The House really could not accept that something he backed could be socialism.

The problems the welfare program faces in the Senate are of a different character. No one doubts that the votes are there for the family assistance plan; the question is whether liberal Senators can be dissuaded from increasing the benefit level—and the resulting cost—to such an extent that President Nixon will feel compelled to turn back his own program with a veto.

SALT TALKS RESUME

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. ANDERSON of Illinois. Mr. Speaker, I want to commend the administration on its announced intention to seek a comprehensive strategic arms limitation agreement with the Soviet Union at the talks which resumed in Vienna last Thursday. In his state of the world message President Nixon termed the SALT talks, "The most important arms control negotiations this country has ever entered." And he went on to explain why this was so. In his words:

> Both the Soviet Union and the United States have acquired the ability to inflict unacceptable damage on the other, no matter which strikes first. There can be no gain and certainly no victory for the power that provokes a thermonuclear exchange. Thus, both sides have recognized the vital mutual interest in halting the dangerous momentum of the nuclear arms race.

I have long been concerned about the "mad momentum" of the arms race and where it has been taking us. I agree with the President that it is senseless to continue this dangerous and costly race since we and the Soviet Union already have an assured destruction capability. And I would further agree with the President that both we and the Soviet Union have a "vital mutual interest" in stopping the arms spiral. This is our primary aim at the SALT talks.

Congressional concern about the arms race has been running high for some time. There has been widespread support in both bodies of Congress for a mutual moratorium on the further testing and deployment of multiple-warhead missiles, and I am proud to be one of the principal sponsors of that resolution in the House. Two weeks ago, the other body, by a 72 to 6 vote, passed a resolution in support of the SALT talks and the goal of a comprehensive limitation agreement on both offensive and defensive weapons. It further called for an immediate and mutual moratorium on the further deployment of these systems.

An essentially identical resolution was introduced in this body last week by my good friend and colleague from Delaware (Mr. ROTH), and today I am proud to add my name to the list of cosponsors of that resolution. I do want to emphasize our sincere desire that we not only seek a comprehensive limitation agreement on offensive and defensive strategic weapons, but that we also seek with the Soviets an immediate and mutual moratorium on the further deployment of these systems. The SALT talks may be rather long and drawn out and it will be some time before a formal agreement is arrived at and officially ratified. In the interim, in the absence of a deployment moratorium, the temptation may be great for both sides to arm to the hilt, thereby setting off the arms spiral the agreement would be designed to prevent. It would be somewhat analogous to the two drunks trying to buy as many drinks as possible before the bar closes down. Needless to say, the results could be of staggering proportions, and we could well walk away from those talks more drunk and dizzy with power than ever before. The balance of terror could be seriously jeopardized by the destabilizing effects of new offensive and defensive weapons systems. That is why it is so crucial, it seems to me, for both sides to postpone further deployments while these talks are in progress, "subject to national verification

XUM

or such other measures of observation and inspection as may be appropriate," in the words of the resolution.

At this point in the RECORD, Mr. Speaker, I include a copy of the resolution introduced by the gentleman from Delaware (Mr. ROTH) and which I am cosponsoring. I also include an article from the April 17 Washington Post, and two articles from the Sunday New York Times of April 19. The items follow:

RESOLUTION

Expressing the support of the House of Representatives with respect to the Strategic Arms Limitation Talks, and for other purposes

Whereas the preparations for the Strategic Arms Limitation Talks have involved the most intensive study of strategic arms problems ever made by the Government of the United States of America or any other government;

Whereas the Government of the United States of America and the Government of the Union of Soviet Socialist Republics open talks on April 16, 1970, which could result in agreement to limit arms and other matters: Now, therefore, be it

Resolved, That the House of Representatives hereby expresses its unreserved support for the talks which begin April 16, 1970, on the limitations of strategic arms between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics.

Be it further resolved, That it is the sense of the House of Representatives that—

(1) prompt negotiations between the Governments of the United States of America and of the Union of Soviet Socialist Republics to seek agreed limitations of both offensive and defensive strategic weapons should be urgently pursued; and

(2) the President should in such negotiations propose to the Government of the Union of Soviet Socialist Republics an immediate suspension by the United States and by the Union of Soviet Socialist Republics of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or such other measures of observation and inspection as may be appropriate.

[From the Washington Post, Apr. 17, 1970]

SALT TALKS REOPEN WITH RUSSIAN SOLEMN

(By Chalmers M. Roberts)

VIENNA, April 16.—The strategic arms limitation talks resumed here today on a note more of caution than of optimism.

There were fewer smiles from Vladimir S. Semyonov, the chief Soviet delegate, than there had been when the preliminary phase began last November in Helsinki, and what he had to say sounded harsher than his Helsinki words.

Semyonov once again mentioned Lenin and the Soviet policy of peaceful coexistence. But this time he added a phrase saying that intensification of the arms race, in contrast to its curtailment, "serves the interests of aggressive imperialist circles." No names or nations were mentioned, but such phrases have been applied recently to American Defense Secretary Melvin R. Laird.

At Helsinki the Soviet delegate had spoken both of limitation and the subsequent reduction of nuclear arms. Today he spoke only of "curbing" the arms race and he added that "the items on our program of work in Vienna are not simple."

The chief American delegate, Gerard C. Smith, as at Helsinki, read a message from President Nixon before saying on his own that "we both have nothing to gain from failure. We have and the whole world has much to gain from success. We look forward to its early achievement."

The Nixon message reaffirmed what he had said at Helsinki: hope for an agreement on limitation and eventual reduction of strategic arsenals, "with proper recognition of the legitimate security interests of the United States and the Soviet Union and of third countries."

Then the President added that Smith's instructions "will enable you to move from general explorations," the Helsinki pattern, "to a discussion of more specific proposals toward these ends." Mr. Nixon also told Smith that "you have authority to approach the issues in the most comprehensive manner."

A comprehensive agreement would curb the deployment of rival multiple nuclear warheads on missile systems as well as curb anti-missile defense systems. Mr. Nixon's use of the word "approach in reference to a possible comprehensive" agreement reflected the known administration caution on this critical issue.

The President also expressed the hope that the Soviet delegation had come to Vienna with "the same determination" as the Americans "to bring about a mutually acceptable agreement."

There is considerable discussion within the American delegation as to what is going on in the Kremlin and whether the widely expected changes in the Politburo about which there is no hard information, would have an effect on the SALT talks, as these discussions now are being called by the Soviets as well as by the Americans.

The dominant view appears to be that any Kremlin changes are more likely to stiffen the Soviet position than to liberalize it.

Semyonov gave no clue, but it was noted that he quoted Soviet Communist Party leader Brezhnev's Tuesday speech in Kharkov to the effect that Moscow would welcome "a reasonable accommodation" and would "do its best for these negotiations to be useful." At least in quoting Brezhnev, whose position seems the most secure in the Kremlin, Semyonov was on safe ground.

The first opportunity for an exchange behind closed doors will come when the two delegations have their first business session at 4 p.m. Friday at the Soviet embassy. A second meeting is scheduled for next Monday morning at the American embassy.

At these initial sessions, Smith and Semyonov are expected to read each other formal statements, as was the practice at Helsinki. The question now is at what point in this procedure one side or the other will indicate what kind of proposal it would like.

Today's 30-minute television opening ceremony was held at the Belvedere, an in-city palace, where the Austrian State Treaty was signed almost 15 years ago, the treaty which evacuated the Red Army from Austria and set this small nation on its current neutral course in international relations.

Austrian Foreign Minister Kurt Waldheim sounded very much as his Finnish counterpart had sounded last November when the Helsinki talks opened. Waldheim hoped for "a turning point in the history of disarmament" (a word both big powers avoid here) and "a new phase" in East-West relations.

[From the New York Times, Apr. 19, 1970]

CHAMPAGNE HERALDS SPRING AND SUMMER OF SALT

(By Bernard Weinraub)

VIENNA.—At two minutes to noon last Thursday, a black limousine glided to a halt at the massive Belvedere Palace and Soviet Deputy Foreign Minister Vladimir S. Semyonov climbed out and walked quickly up the marble steps.

By noon, a similar limousine with Gerard C. Smith, the director of the United States Arms Control and Disarmament Agency, had stopped at the palace doors. Within moments the American diplomat—tall, bespectacled craggy-faced—stood beside the Russian minister—short, plump, resembling Otto Preminger—in a glittering red and white marble hall that blended stucco, gilt, mirrors and ceiling frescoes with an allegorical depiction of victory.

"The palace is, you know, a building of war," said an Austrian official early last week. "It was constructed by Prince Eugene of Savoy who plundered and conquered the Turks. It is, perhaps, ironic that the palace could be a building of peace."

It is, perhaps, ironic but also somewhat foreboding and even bizarre that within the baroque splendor of a faded empire—within a palace built between 1714 and 1716 on vine-covered hills facing Vienna—the two superpowers sit down and seek to discuss the nitty gritty of thwarting a nuclear holocaust.

The resumption of the Strategic Arms Limitation Talks (SALT) on Thursday was marked by a curious mood of unease and boredom and a hint—just a hint—of hope. Dutifully, Mr. Semyonov arose and spoke of the arms race "which serves the interests of aggressive imperialist circles." Just as dutifully, Mr. Smith read a message from President Nixon that called for "reduction of strategic arsenals with proper recognition of the legitimate security interests of the United States and the Soviet Union and of third countries."

Dutifully, both men sipped champagne and grinned for photographers and then ordered the paneled doors shut to start the secret talks that may last into the summer.

"It may be *déjà vu*—we've seen and heard so much of this before that some people may be numb by now to these talks," said a junior American official. "It may be the language that confuses people, all this talk of MIRV and ABM and ICBM that makes it cold and technical.

"What people don't seem to realize is that these talks are a hope—possibly an only hope—for peace."

THE RIVALRY

Another American official, sipping coffee in the Hotel Bristol, slowly discussed the rivalry in nuclear weapons. "We started research in the MIRV (multiple independently targetable re-entry vehicle) when we first learned of their deployment of the ABM (anti-ballistic missile)," he said. "Then they started the MIRV."

The official, who has been working for years on disarmament, paused. "The real question is when do you stop. You've got all this overkill anyway. You've got to stop, sometime. There's an economic factor. There's a moral factor too. You've got to stop."

With the talks enveloped in a mood of somberness and secrecy, the 60 members of both delegations, the security men, the secretaries, the advisers, the families and the hundreds of journalists in Vienna, began the uneasy—and difficult—task of watching the negotiations without knowing too confidently what was going on in the Belvedere Palace where 15-year-old Marie Antoinette married the Dauphin who was later Louis XVI of France.

The Soviet delegation itself has carefully sought virtual total isolation—renting the 93-room Park Hotel in nearby Baden replete with spa, sauna and rejuvenating water cure. By the weekend, the Russians were digging in: Trucks moved into Baden and unloaded crates of sturgeon and bottles of vodka for the spring and summer of SALT.

NIXON CALLS FOR BROAD TALKS ON ARMS

(By John W. Finney)

WASHINGTON—For weeks a debate has been going on within the Administration over whether the United States should seek a comprehensive strategic arms control agreement or propose piecemeal steps to curb the nuclear arms race. Last week, to the surprise and delight of many in Congress, President Nixon came out in favor of the comprehensive approach.

In his still secret instructions, the President authorized the American delegation to the strategic arms limitation talks in Vienna to propose to the Soviet Union a comprehensive limitation on deployment of both offensive and defensive strategic weapons. The general goal of the Administration is an agreement that would place quantitative limitations on the number of offensive and defensive weapons possessed by each side. Thus, for example, each side might be permitted to have modest antiballistic missile (ABM) systems, while numerical ceilings would be placed on the number of offensive weapons, such as intercontinental missiles or bombers, they could possess.

Basically this proposal corresponds to the negotiating position developed in the Johnson Administration for the SALT talks. But with its cautious attitude toward these talks, there had been no certainty that the Nixon Administration would come out in favor of a comprehensive limitation on strategic weapons.

What the Soviet reaction will be to a comprehensive proposal remains unclear, particularly in light of the apparent power reshuffle within the Kremlin. Admittedly it is more complex than a weapons-by-weapons approach, which was generally advocated by the Pentagon. But a comprehensive limitation has the advantage that it deals with all the interrelated elements of the arms race in a manner that presumably would not give an advantage to one side or the other.

If disarmament critics had one objection to the Administration approach, it was that it does not contemplate a stop in the American deployment of an ABM system and MIRV multiple warheads for missiles. That may prove to be a controversial and perhaps crucial omission, for if the United States proceeds with MIRV warheads and the Safeguard ABM System and the Soviet Union with deployment of its large SS–9 intercontinental missiles, then it may prove doubly difficult to reach agreement on any limitation on strategic weapons.

BETTER SECRETARIES

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. FINDLEY. Mr. Speaker, the theme of the 19th consecutive annual Secretaries Week April 19–25 is "Better Secretaries Mean Better Business," sponsored by the National Secretaries Association—International—the world's leading secretarial association, the week will be highlighted on Wednesday, April 22, which is set aside as Secretaries Day.

Many Governors and mayors throughout the United States will officially proclaim "Secretaries Week," while their counterparts in Canada do the same. For the seventh straight year, the Outdoor Advertising Association has undertaken Secretaries Week as a public service project.

Miss Bertha J. Stronach, CPS, NSA's international president, who is secretary and senior staff assistant to L. M. Collins, manager of Educational Marketing Programs, IBM, New York, said that as the leader and authoritative spokesman for the secretarial profession, NSA would be devoting some soul searching to the present and future respect from superiors, colleagues, and subordinates that secretaries can only command through performance.

Miss Stronach said:

> Admittedly, secretaries are in a sellers' market. With the ever-adjusting law of supply and demand in the labor market, we have to be on guard against the erosion of the secretarial "image" that will ultimately come from any compromise of the standards we are committed to elevate. When and if the pendulum swings to a buyers' market, we don't want to be remembered from the difficult days of the so-called secretarial shortage.
>
> On every side, management bewails the fact that secretaries are in short supply and that they are having to settle for minimal job fulfillment at maximal salary levels. Yet, some of the same management attempts to recruit from weakness rather than strength and so offer lures that can only be termed frivolous when applied to a business environment. Naturally, we favor appropriate fringe benefits in the form of adequate paid vacations, hospital and retirement insurance plans, and profit-sharing programs. But non-job-related inducements such as a day at the races, a night at the theater or unearned vacations are not what makes a professional secretary job-happy instead of job-hopping.
>
> Our own NSA research consistently reveals that the one major incentive to a secretary is job satisfaction. One recent research conclusion is that it does not necessarily follow, *ipso facto*, that a successful secretary is satisfied with her job, or that a secretary who is satisfied with her job is succesful.
>
> A satisfied secretary is one who is given a challenge and can make a vital contribution to an integral part of the over-all business at hand. When such challenge is offered along with room for advancement, there is a qualified secretary who will be attracted to and remain happy in the position. The key points of what a secretary expects to measure up to are found in NSA's own definition of a secretary, and management's attention is particularly called to the phrases I have underlined:
>
> "A secretary shall be defined as an *executive assistant* who possesses a mastery of office skills, who demonstrates the *ability to assume responsibility without supervision*, who exercises *initiative and judgment*, and who *makes decisions within the scope of assigned authority*."
>
> One of the primary things management can do toward eliminating the secretarial shortage is to put priority on defining the scope of the secretary's authority on more liberal terms. Then, together, we can work out of the stigmatic, unbalanced atmosphere of the current sellers' market for secretaries.

Miss Stronach also brings to management's attention, as well as that of their employment agents, the continuing need for support and endorsement of the certified professional secretary rating. She states:

> Thanks to the support we have already enjoyed, we will have 5,000 CPSs who have passed the examination at the completion of the annual two-day, six-part examination which will be administered May 1 and 2.

As further evidence of the National Secretaries Association's relentless pursuit of seeing that qualified secretaries are trained for the future, Miss Stronach also singles out the goals of the NSA Research and Educational Foundation in defining by in-depth research exactly what secretarial requirements in future years will be.

The Future Secretaries Association, one of NSA's fastest growing endeavors, helps management through FSA's work in assisting business educators to provide realistic training for high school and college students who have chosen to work toward a career in secretaryship.

The observance of Secretaries Week is especially worthy of note on Capitol Hill, where more than 5,000 secretaries provide indispensable skills in handling the steadily rising volume of personal correspondence and official statements which flow from the offices of Representatives and Senators.

NATIONAL LAND REFORM PROGRAM

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. REID of New York. Mr. Speaker, I am introducing today with the gentleman from California (Mr. Moss) a bill to authorize an additional $200 million in supporting assistance funds for the Government of Vietnam, which money shall be earmarked to support rapid implementation of the national land reform program enacted March 26, 1970, by the GVN.

Under the so-called "Land to the Tiller" program, land is to be given free to the tenants who have been cultivating it. The present landowners will be permitted to retain only that land which they themselves actually cultivate, and no landlord will be allowed to keep more than 37 acres. If the program is effectively administered, it will be one of the most ambitious and progressive land redistribution programs ever promulgated—the government is to buy up more than 2 million acres of land and distribute it free to the 1 million families who have been working it as tenant farmers for absentee landlords.

The action of the South Vietnamese Government and the legislature on land reform is long and tragically overdue. It may well be too late. Nonetheless, the test now is whether the enacted program will be implemented for all farmers in the next few months. Any real administrative delay could doom government in South Vietnam and make a mockery of promised reform.

There will obviously be many opportunities for corruption and inefficiency in so ambitious a program as the one which has been undertaken by the Government of Vietnam. For that reason, our bill makes the use of these new supporting assistance funds for land reform "contingent upon the attainment of mutually agreed goals of accomplishments stressing economy, efficiency, and advanced implementation of the program by July 1, 1972." Payments for land reform assistance shall be made at quarterly intervals, based upon satisfactory achievement toward the 1972 target goal.

The Vietnamese land reform program, if successful, could help hasten the end

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of the war. Certainly it is a vital step toward the economic and social reform which the gentleman from California (Mr. Moss) and I have so long advocated. By making a $200 million contribution toward the cost of land reform—which is expected to cost the Vietnamese Government a total of $400 million—the U.S. Government will simply be acknowledging the fact that we, too, have an interest in bringing about social reform in Vietnam and an early end to the war.

The $200 million authorized by this bill is less than the cost—one-half of 1 week of war. It seems a small enough price to pay for a program which could help bring an end to that war, and enable us once again to focus on the urgent problems here at home.

CONCENTRATION ON INTEGRATION IS DOING LITTLE FOR EDUCATION

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. PUCINSKI. Mr. Speaker, recently, the very highly respected columnist, Mr. William Raspberry, wrote his column for the Washington Post which included such foresight and depth of understanding of the whole question of integration that I believe every Member of the House ought to read it.

As chairman of the House Subcommittee on General Education, I am placing Mr. Raspberry's excellent article in the RECORD today:

The article follows:

[From the Washington Post, Feb. 20, 1970]

CONCENTRATION ON INTEGRATION IS DOING LITTLE FOR EDUCATION

(By William Raspberry)

Racial segregation in public schools is both foolish and wrong, which has led a lot of us to suppose that school integration must, therefore, be wise and just.

It ain't necessarily so. It may be that one reason why the schools, particularly in Washington, are doing such a poor job of educating black children is that we have spent too much effort on integrating the schools and too little on improving them.

The preoccupation with racial integration follows in part from a misreading of what the suit that led to the 1954 desegregation decision was all about.

The suit was based (tacitly, at least) on what might be called the hostage theory. It was clear that black students were suffering under the dual school systems that were the rule in the South. It was also clear that only the "separate" part of the separate-but-equal doctrine was being enforced.

Civil rights leaders finally became convinced that the only way to ensure that their children would have equal education with white children was to make sure that they received the same education, in the same classrooms.

Nor would the education be merely equal, the theory went: It would be good. White people who after all run things, are going to see to it that their children get a proper education. If ours are in the same classrooms, they'll get a proper education by osmosis.

That, at bottom, was the reasoning behind the suit, no matter that the legal arguments were largely sociological, among them, that segregated education is inherently unequal.

(Why it should be inherently more unequal for blacks than for whites wasn't made clear.)

In any case, the aim of the suit was not so much integrated education but better education. Integration was simply a means to an end.

Much of the confusion today stems from the fact that the means has now become an end in itself. Suits are being brought for integration, boundaries are being redrawn, busing is being instituted—not to improve education but to integrate classrooms.

The results can sometimes be pathetic.

In Washington, blacks send their children (or have them sent) across Rock Creek Park in pursuit of the dream of good education. But as the blacks come, the whites leave, and increasingly we find ourselves busing children from all-black neighborhoods all the way across town to schools that are rapidly becoming all-black.

The Tri-School setup in Southwest Washington is a case in point. Of the three elementary schools in the area, only one was considered a good school: Amidon, where the children of the black and white well-to-do attended. Bowen and Syphax, populated almost exclusively by poor kids from the projects, were rated lousy schools.

Then the hostage theory was applied. A plan was worked out whereby all first- and second-graders in the area would attend one school, all third- and fourth-graders a second, and all fifth- and sixth-graders the third.

The well-to-do parents would see to it that their children got a good education. All the poor parents had to do was see to it that their children were in the same classrooms.

That was the theory. What happened, of course, is that instead of sprinkling their children around three schools, the luxury high-rise dwellers, black and white, packed their youngsters off to private school. Now instead of one good and two bad schools, Southwest Washington has three bad ones.

After 16 years, we should have learned that the hostage theory doesn't work. This is not to suggest that integration is bad but that it must become a secondary consideration.

Busing makes some sense (as a temporary measure) when its purpose is to transport children from neighborhoods with overcrowded classrooms to schools where there is space to spare.

It works to a limited degree when it involves children whose parents want them bused across town for specific reasons.

But it has accomplished nothing useful when it has meant transporting large numbers of reluctant youngsters to schools they'd rather not attend.

The notion will win me the embarrassing support of segregationist bigots, but isn't it about time we started concentrating on educating children where they are?

AMERICAN COUNCIL ON EDUCATION—COUNCIL ON FOREIGN RELATIONS ON THE COLLEGE FRONT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. RARICK. Mr. Speaker, recently we have heard a loud and anguished scream from the left—over the computerized invasion of privacy. It seems that the U.S. Army, having been given a counterinsurgency mission, was in the process of collecting the necessary intelligence to perform its assigned task. It was busy identifying the potential insurgents, determining their capabilities, and presumably making its estimate of the situation.

I call to the attention of the House the computer games of the left—not the counterinsurgency preparations of the Government which is required by the Constitution to assure to each State in the Union a republican form of government.

I call to the attention of the House an intelligence operation—recognized by intelligence experts to be just that—which has developed information so dangerous that it is "safeguarded" by storage in an unidentified foreign nation.

Many Members are aware of the Council on Foreign Relations—the CFR. This introduces its little brother, the Council on Education—the ACE, also spawned in the aftermath of World War I, and like the CFR a silent partner and often a backstage manipulator of the fashioning of our world during the past half century.

A former intelligence officer in my district was kind enough to furnish me with a bylined story relating to college freshmen and a questionnaire. His comment was to the effect that the possession of such information was an intelligence officer's dream—or a counterintelligence officer's nightmare. I certainly agree with him, and I am sure that other Members of the House will have the same reaction.

The careful research of Publisher Frank Capell, of the Herald of Freedom, fills in the background on the council and its past interests and activities. In view of the council's past use—either of or by—Communists and Soviet agents, its possession of such vital intelligence information, stored "for security reasons" in a foreign country, is worthy of our careful attention.

I include in my remarks the two articles mentioned and excerpts from the questionnaire answered by a quarter of a million college freshmen last fall as published in ACE research reports under the title of "National Norms for Entering College Freshmen—Fall 1969."

[From the Baton Rouge (La.) Morning Advocate, Jan. 19, 1970]

COLLEGE FROSH SPILLING SOME FAMILY SECRETS

(By Patricia McCormack)

NEW YORK.—More than a quarter of a million college freshmen spilled some family secrets when they filled out a super-snooper form last fall. Mom and Dad's education level. Family income.

And they told a lot about their innermost thoughts on controversial topics—abortion, marijuana, the Army.

They also designated their race, religion, attitudes toward political leanings.

Information put on the four-page form from the American Council on Education is for those involved in educational guidance, counseling, administration, research and manpower studies.

Since some of the information is of a personal nature, the question arises: What steps are taken to guarantee confidentiality of responses?

The answer: Very elaborate ones—for if there are no precautions, some of the responses may haunt the student later, even stunting career development.

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Four basic magnetic tape files are developed from the student information forms as follows:

—An institutional summary file, the first, contains institutional identification numbers and summary of the responses for males and females in each institution.

—The individual student response file, the second on magnetic tape, consists of responses of each student and an identification number.

CONTAINS NAMES AND ADDRESSES

—A name and address file, the third on magnetic tape, contains a second student identification number. This file contains only name and address.

—The fourth file, also on magnetic tape, is the link file. It contains only the two independent identification numbers. This file is considered so confidential that it is maintained outside of the United States, and under strict security procedures.

The council says this elaborate system has been developed in order to maintain strict confidentiality of individual student response data and to insure maximum protection against misuse of the name and address file.

[From The Herald of Freedom, Mar. 6, 1970]

THE AMERICAN COUNCIL ON EDUCATION

Threats to the privacy of individuals have been growing rapidly in recent years. Various methods of secret observation are widely used in business, politics and law enforcement, while scientific research is done more openly but with possible hidden purposes. Many parents have become concerned over the questionnaires their children have been asked to answer in school, with questions prying into private and confidential aspects of their lives. What has been termed a "super-snooper" form was filled out by over a quarter of a million college freshmen last fall and the use to which this "research project" may possibly be put could be other than scientific.

The questionnaire sought information on the parents' income and education and the students' attitude on race and religion, their political leanings and innermost thoughts on the controversial subjects of the day—abortion, marijuana, the Army, etc. What differentiates this "super-snooper" from other "snoopers" is the care that has been taken to preserve the information and to identify the author of each questionnaire. The UPI release by Patricia McCormack, published Jan. 19, 1970 stated:

"Since some of the information is of a personal nature, the question arises: What steps are taken to guarantee confidentiality of responses?

"The answer: Very elaborate ones—for if there are no precautions, some of the responses may *haunt the student later, even stunting career development.*" (Emphasis ours—Ed.)

The information from the questionnaires has been put on four sets of magnetic tape and filed away. The UPI article describes the tape files as follows:

"An institutional summary file, the first, contains institutional identification numbers and summary of the responses for males and females in each institution.

"The individual student response file, the second on magnetic tape, consists of responses of each student and an identification number.

"A name and address file, the third on magnetic tape, contains a second student identification number. This file contains only name and address.

"The fourth file, also on magnetic tape, is the link file. It contains only the two independent identification numbers. This file is considered so confidential that it is maintained *outside of the United States, and under strict security procedures.*" (Emphasis ours—Ed.)

The organization which provided the questionnaires and which now possesses the taped information is the American Council on Education which claims the information is "for those involved in educational guidance, counseling, administration, research and manpower studies." Its elaborate security system is "to maintain strict confidentiality . . . and to insure maximum protection against misuse of the name and address file." There is another possibility, however, and that is that the organization itself may "misuse" these files.

The organization was first established in Washington, D.C. on January 30, 1918 as the Emergency Council on Education. In July of the same year its name was changed to the present one, American Council on Education. It was incorporated under that name under the laws of the District of Columbia on May 8, 1931. The organization was formed by the Committee on Organization of the Emergency Education Council which outlined the following purpose: "The object of the Council is to place the resources of educational institutions of our country more completely at the disposal of the national Government and its departments to the end that through an understanding cooperation: Their patriotic services may be augmented; a continuous supply of educational men may be maintained; and preparation for the great responsibilities of the reconstruction period following the war may be anticipated." The Council on Education emerged from World War I as did that other organization so powerful in the behind-the-scenes control of the American Government—the Council on Foreign Relations.

Turning from its wartime activities to peaceful pursuits, the Council outlined its objectives in its constitution:

"The general object of the Council, and the purpose of membership therein, shall be to advance American education in any or all of its phases through comprehensive, voluntary, cooperative action on the part of educational associations, organizations, and institutions and in the fulfillment of that purpose to initiate, promote, and carry out such systematic studies, cooperative experiments, conferences, and other similar enterprises as may be required for the public welfare and approved by the Council or the Executive Committee. The Council was organized to meet national needs in time of war and will always seek to render patriotic service. It will also encourage international cooperation in educational matters."

The Council describes itself as follows: an incorporated council of national educational associations; organizations having educational programs or interests; approved universities, colleges and technological schools; state departments of education; city school systems and private schools systems; selected private secondary schools; public libraries; and selected educational departments of business and industrial companies. In describing itself it states:

"The Council is neither a foundation nor a trust. It is an intermediary organization financed by membership dues and by grants from foundations. It also contracts with agencies to carry on special activities related to education. The Council operates through commissions and committees which are set up by the Executive Committee. Many of its activities are the direct result of a request from a private organization or a state or federal agency for a specific service to be performed. Other projects are initiated by the Council's standing committee, the Problems and Policies Committee. . . .

"Membership in the Council is by organization or institution rather than by individual. . . . All members share in the work of the Council, contributing both services and financial support."

The organizations involved in the formation of the original organization were: American Association of University Professors, Association of American Colleges, Association of American Universities, Association of State Universities (later National Assn. of State Universities), Association of Urban Universities, Catholic Education Association (later Nat. Catholic Education Assn.), National Education Association, Society for the Promotion of Engineering Education (later Amer. Soc. for Engineering Education).

The American Council on Education has received large grants from such organizations as the Ford Foundation, The Rockefeller Foundation (General Education Board) Carnegie Endowment for International Peace, National Conference of Christians and Jews, Anti-Defamation League of B'nai B'rith, Committee on University of B'nai B'rith; as well as the U.S. Departments of State, Army and Navy. The Council came under investigation by the Special Committee to Investigate Tax-Exempt Foundations and Comparable Organizations and was involved with the subversive Institute of Pacific Relations as shown in the hearings on that organization.

The report of the Committee investigating tax-exempt foundations released at the end of 1954 stated:

"The Council maintains imposing offices in Washington, D.C., which may not be without significance as, among its many committees, some are concerned with tax, social security and other legislation as it affects institutions of higher learning. Its committee most interesting to us is that on Institutional Research Policy. (Ed. note: The aim of this committee was described in the Council's own literature as follows: "It is the aim of this Council Committee—composed of college presidents, vice-presidents for research, business officers, and faculty members directly engaged in sponsored research projects—to attempt to formulate a policy for the national level based on cooperative relationships."). . . .

"However laudable much or most of its work may have been the Council has certainly been one of the media through which foundation funds have been used to effect considerable control or influence over education in the United States. Some may argue that this control or influence has been wholly good—were this so, we would still believe that the power of great foundations to affect educational policies and practices is one which should concern the public. By the same token, we believe that 'clearinghouse' organizations, while they may serve a purpose in the direction of efficiency, are of questionable desirability when interlocked financially or by personnel with these foundations. The aggregate power involved in such a concentration gives us concern . . . A high concentration of power is always dangerous to society. As we have said, it can be constructed or come into being for wholly benign purposes, but it can readily be used by those whose objectives are against the public interest."

The report contained a reproduction of a chart showing the interrelationships between foundations, education and government, and stating:

"The relationships between and among these organized intellectual groups are far more complex than is indicated on the chart. Some of these organizations have many constituent member groups. The American Council of Learned Societies has twenty-four constituent societies, the Social Science Research Council, seven, the American Council on Education seventy-nine constituent members, 64 associate members, and 945 institutional members . . . Nor does the chart show all the functions of government in which foundations operate or to which they contribute."

After the fall of China to the Communists was a fait accompli, it was conceded that the work of the Institute of Pacific Relations was instrumental in this, actually dedicated to that end. Cooperating with the IPR in its brainwashing operation of convincing the American public that the Communists were just "agrarian reformers," the "good guys," was the American Council on Education. The leftward bias of the educative process was documented by the hearings on the Institute of Pacific Relations in the specific case of "Resource Packets" prepared for wide distribution by the American Council on Education, whose brochure on the subject (Exhibit No. 408, P. 2584) stated:

THE WHY? WHAT? AND HOW? OF "RESOURCE PACKETS"

Why?—Teachers today have a responsibility to guide students in an honest consideration of the international scene in which the foreign policy of the United States is being forged. . . . To obtain authentic interesting materials on international developments which teachers and students can use is difficult. . . .

What?—To investigate this situation, the American Council on Education 2 years ago appointed a Committee on Materials for Teachers in International Relations. The committee asked the Foreign Policy Association and the American Council of the Institute of Pacific Relations to assist it by selecting materials to provide teachers with helpful background data and immediately useful classroom pamphlets on the United States and Latin America and the United States and the Far East. . . .

How? Each teacher and each school will determine how the packets can be best fitted into the class program. Many teachers have indicated that they will use them as units in civics classes or history classes. . . . Some libraries will make special exhibits of the packets. Their use is almost unlimited in a school which seriously tries to face the problems of the place and stake of the United States in the world scheme.

By disseminating material prepared by such far-left organizations as the Foreign Policy Association and the IPR, the American Council on Education could only mislead rather than "educate" all the students and teachers who trusted in them for guidance. The Institute of Pacific Relations is described as follows in the official Guide to Subversive Organizations: The IPR was a vehicle used by the communists to orientate American far eastern policies toward Communist objectives . . . Members of the small core of officials and staff members who controlled IPR were either Communist or pro-Communist . . . The American Communist Party and Soviet officials considered the organization "an instrument of Communist policy, propaganda and military intelligence."

The books and pamphlets in the American Council on Education's "resource packet" on the United States and the Far East were written by Joseph Barnes (identified Communist and secretary of the IPR), Harriet Moore (identified Communist), T. A. Bisson (identified Communist), Michael Greenberg (identified Communist and Soviet agent) and other far-left IPR writers and officers.

Exhibit No. 572–A on P. 3880 of the IPR report is a request from the IPR to the American People's Fund, headed by Communist Frederick Vanderbilt Field, for a grant of $2,500 which they promptly received. As a reason for their request they outlined "Current Program of the IPR:"

"War in the Pacific has created an unprecedented demand for authoritative information on the peoples and problems of the Far East. This has doubled and redoubled the demands on the Institute of Pacific Relations, the sole private agency wholly devoted to objective study of the Pacific area. . . .

"Editors, radio commentators, business firms, teachers and students likewise call on the institute daily for library and information services. . . . The American Council on Education has asked its help in a new effort to improve teaching on the Far East in secondary schools."

On page 3887 of the IPR hearings is Exhibit No. 572–F which is a letter from Wm. W. Lockwood, Secretary of the IPR, to Lauchlin Currie in the U.S. State Department in which he mentions "the ambitious plans of the IPR and American Council on Education for capitalizing on the new interest in the Far East among school authorities."

The American Council on Education professes the same disinterest in the background of individuals associated with it that characterizes most of the intellectual community . . . at least when the background is leftward oriented. In its own prepared material it has stated:

"Without attempting a definition of its own the Council assumes that, as generally understood, subversive activity comprises advocacy of either the overthrow of the Government of the United States by force or violence, or the accomplishment of political change by a means not permitted by the Constitution of the United States. A subversive person or organization would, therefore, be a person or organization that had been proved to have engaged in such activities. . . . Council activities are conducted through committees and project directors appointed by the Council itself. A person known to have engaged in subversive activity would not be considered for membership on such a committee or as a director of a project. Since persons considered for such assignments have high professional competence based on long experience and since their activities have therefore long been matters of public record, we have assumed that investigations similar to those made by the F.B.I. would be unnecessary, even if the Council had the facilities to make them. . . . The Council has no special machinery for investigating prospective committee members and project directors. Such action has not been considered necessary because all such persons have long public records of leadership in American education."

The American Council on Education offices are located at One Dupont Circle, Washington, D.C. 20036. Its present President is Logan Wilson who was previously associated with the Ford Foundation and the Carnegie Foundation. He was president of the University of Texas from 1953 to 60 and chancellor to 1961 at which time he became president of the American Council on Education which post he still holds. The Council's publication, "Higher Education and National Affairs" is issued approximately forty times per year and distributed free to persons in each member institution. Editor is Frank Skinner and Congressional Reporter, Betty Pryor.

Many questions can be raised about the use this powerful organization will make of the confidential information (specifically linked to the persons giving it) obtained from this year's college freshmen. Among previous projects financed by grants and carried out by the American Council on Education have been: a grant from the Institute of Pacific Relations for a survey of the treatment of the Far East in American textbooks; many grants from the National Conference of Christian and Jews for a variety of studies (textbook treatment of "intergroup relations," etc.) and the support of the ACE's Committee on Intergroup Education and other projects; a grant from the identified Communist Front, the National Council on American-Soviet Friendship, Inc. for the support of a project on the study of data on the Soviet Union contained in textbooks and other teaching materials used in American Schools; grants from the U.S. Armed Forces Institute for the continuing examination and evaluation of educational materials used by USAFI; grants from the U.S. Department of the Army for the orientation and educational guidance of foreign national leaders and specialization training facilities in the United States for certain foreign nationals from Germany, Austria and Japan; and from the Dept. of State for the orientation of selected German leaders and trainees representing various professions who were brought to the United States under the German reorientation program. Through grants from the U.S. Dept. of State Coordinator of Inter-American Affairs the ACE was much involved in the selection of personnel and teaching material to be used in the various parts of South America.

Since today's college freshmen will be emerging as leaders and trainees within the next few years, the dossiers compiled on their attitudes and backgrounds would be most useful as guides in eliminating the "undesirables" with the reactionary tendencies, and selecting those with the proper leftist views to be "successful."

The American Council on Education is a powerful organization which has accepted financing from questionable sources and for questionable purposes. It has recommended and distributed the writings of Communist authors and cooperated in the brainwashing program of the subversive Institute of Pacific Relations. The purpose of the IPR was to mislead students and the American public in general while the Communist subversion of China was being carried out under the disguise of "agrarian reform." The fall of China to the Communist conspiracy led in turn to the tragic loss of young American lives in Korea and Viet Nam, as the Communist sought to extend their area of control in the Far East. Now the American Council on Education, which cooperated (knowingly or unknowingly) in the Communist take-over of China, has assembled dossiers on a quarter of a million young Americans. If its purpose were purely scientific, the results could be tabulated and name files would be unnecessary. Clearly it must be planned to follow the course of these students' lives, if not to direct that course. Students who are throwing off more and more controls over their lives, to their detriment, should think about the possibility of control the possession of these dossiers presents. Their parents should demand the destruction of the name files and an explanation of the purpose of the questionnaires, as well as the revelation of what foreign country was selected as the repository for such confidential information.

EXCERPTS FROM QUESTIONNAIRE

(Prepared by Office of Research, American Council on Education, 1785 Massachusetts Avenue, NW., Washington, D.C. Processed by National Computer Systems, 1015 South Sixth Street, Minneapolis, Minn.)

* * * * *

10. Through what source do you intend to finance the first year of your undergraduate education?

Personal savings and/or employment.
Parental or other family aid.
Repayable loan.
Scholarship, grant, or other gift.

11. What is the highest level of formal education obtained by your parents?

Grammar school or less.
Some high school.
High school graduate.
Some college.
College degree.
Postgraduate degree.

12. What is your best estimate of the total income last year of your parental family (not your own family if you are married)? Consider annual income from all sources before taxes.

Less than $4,000.
$4,000–$5,999.
$6,000–$7,999.

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$8,000–$9,999.
$10,000–$14,999.
$15,000–$19,999.
$20,000–$24,999.
$25,000–$29,999.
$30,000 or more.

13. What is your racial background?
White/Caucasian.
Black/Negro/Afro-American.
American Indian.
Oriental.
Other.

14. Mark one in each column: Religion in Which you Were Reared. Your Present Religious Preference:
Baptist.
Congregational (United Church of Christ).
Episcopal.
Jewish.
Latter Day Saints (Mormon).
Lutheran.
Methodist.
Muslim.
Presbyterian.
Quaker (Society of Friends).
Roman Catholic.
Seventh Day Adventist.
Unitarian-Universalist.
Other Protestant.
Other Religions.
None.

15. Where did you rank academically in your high school graduating class?
Top 1 percent.
2nd Quarter.
Top 10 percent.
3rd Quarter.
Top Quarter.
4th Quarter.

16. During the next few years, to what extent do you think the Federal Government should be involved in each of the following national issues?
Control of cigarette advertising.
Elimination of violence from T.V.
Control of environmental pollution.
Use of tax incentives to control the birth rate.
Protection of the consumer from faulty goods and services.
Compensatory education for the disadvantaged.
Special benefits for veterans.
Control of firearms.
Elimination of poverty.
Crime prevention.
School desegregation.
Compensatory financial aid for the disadvantaged.
Control of student activists.

* * * * *

18. Mark one in each row: Left, Liberal, Middle-of-the-road, Moderately conservative, Strongly conservative.
How would you characterize yourself politically at the present time?
How do you think you will characterize yourself politically four years from now?

* * * * *

22. What is your best guess as to the chances that you will:
Get married while in college?
Get married within a year after college?
Obtain an A– or better over-all grade point average?
Change major field?
Change career choice?
Fail one or more courses?
Graduate with honors?
Be elected to a student office?
Join a social fraternity, sorority, or club?
Author or co-author a published article?
Be drafted while I am in college?
Be elected to an academic honor society?
Protest against U.S. military policy?
Protest against administrative policy at this college?
Protest against existing racial or ethnic policies?
Drop out of this college temporarily (exclude transferring)?
Enlist in the Armed Services before graduating?
Be more successful after graduation than most students attending this college?
Drop out permanently (exclude transferring)?
Transfer to another college before graduating?

* * * * *

24. Mark *only three* responses, *one* in each column. *Your* probable career occupation; your *father's* occupation; your *mother's* occupation.

NOTE: If your father (or mother) is deceased, please indicate his (her) last occupation.
Accountant or actuary.
Actor or entertainer.
Architect.
Artist.
Business (clerical).
Business executive (management, administrator).
Business owner or proprietor.
Business salesman or buyer.
Clergyman (minister, priest).
Clergy (other religious).
Clinical psychologist.
College teacher.
Computer programmer.
Conservationist or forester.
Dentist (including orthodontist).
Dietitian or home economist.
Engineer.
Farmer or rancher.
Foreign service worker (including diplomat).
Housewife.
Interior decorator (including designer).
Interpreter (translator).
Lab technician or hygienist.
Law enforcement officer.
Lawyer (attorney).
Military service (career).
Musician (performer, composer).
Nurse.
Optometrist.
Pharmacist.
Physician.
School counselor.
School principal or superintendent.
Scientific researcher.
Social worker.
Statistician.
Therapist (physical, occupational, speech).
Teacher (elementary).
Teacher (secondary).
Veterinarian.
Writer or journalist.
Skilled trades.
Other.
Undecided.
Laborer (unskilled).
Semi-skilled worker.
Other occupation.
Unemployed.

25. In general, my parents could be characterized as: Strongly agree, Agree, Disagree, Strongly disagree.
Interested in intellectual pursuits.
Interested in cultural pursuits.
Deeply religious.
Interested in politics.
Deeply concerned about their children.
Financially comfortable.
Having high aspirations for me.

26. Below is a general list of things that students sometimes do. Indicate which of these things you did during the *past year* in school. If you engaged in an activity frequently, mark "F". If you engaged in an activity one or more times, but not frequently, mark "O" (occasionally). Mark "N" (not at all) if you have not performed the activity during the past year.
Voted in a student election.
Came late to class.
Played a musical instrument.
Studied in the library.
Checked out a book or journal from the school library.
Arranged a date for another student.
Overslept and missed a class or appointment.
Typed a homework assignment.
Discussed my future with my parents.
Failed to complete a homework assignment on time.
Argued with a teacher in class.
Attended a religious service.
Demonstrated for a change in some racial or ethnic policy.
Demonstrated for a change in some military policy.
Demonstrated for a change in some administrative policy of my high school.
Did extra (unassigned) reading for a course.
Took sleeping pills.
Tutored another student.
Played chess.
Read poetry not connected with a course.
Took a tranquilizing pill.
Discussed religion.
Took vitamins.
Visited an art gallery or museum.
Worked in a school political campaign.
Worked in a local, state, or national political campaign.
Missed school because of illness.
Smoked cigarettes.
Discussed politics.
Drank beer.
Discussed sports.
Asked a teacher for advice after class.
Had vocational counseling.
Stayed up all night.

* * * * *

28. Indicate the importance to you personally of each of the following: Essential, very important, somewhat important, not important.
Becoming accomplished in one of the performing arts (acting, dancing, etc.).
Becoming an authority on a special subject in my subject field.
Obtaining recognition from my colleagues for contributions in my special field.
Influencing the political structure.
Influencing social values.
Raising a family.
Having an active social life.
Having friends with different backgrounds and interests from mine.
Becoming an expert in finance and commerce.
Having administrative responsibility for the work of others.
Being very well-off financially.
Helping others who are in difficulty.
Becoming a community leader.
Making a theoretical contribution to science.
Writing original works (poems, novels, short stories, etc.).
Never being obligated to people.
Creating artistic work (painting, sculpture, decorating, etc.).
Keeping up to date with political affairs.
Being successful in a business of my own.
Developing a meaningful philosophy of life.

29. Mark one in each row: Agree strongly; Agree somewhat; Disagree somewhat; Disagree strongly.
Students should have a major role in specifying the college curriculum.
Scientists should publish their findings regardless of the possible consequences.
Realistically, an individual person can do little to bring about changes in our society.
College officials have the right to regulate student behavior off campus.
The chief benefit of a college education is that it increases one's earning power.
Faculty promotions should be based in part on student evaluations.

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My beliefs and attitudes are similar to those of most other students.

Student publications should be cleared by college officials.

Marijuana should be legalized.

College officials have the right to ban persons with extreme views from speaking on campus.

Only volunteers should serve in the armed forces.

Students from disadvantaged social backgrounds should be given preferential treatment in college admissions.

Most college officials have been too lax in dealing with student protests on campus.

Divorce laws should be liberalized.

Under some conditions, abortions should be legalized.

There is too much concern in the courts for the rights of criminals.

Capital punishment (the death penalty) should be abolished.

SENATOR EVERETT McKINLEY DIRKSEN

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. KLUCZYNSKI. Mr. Speaker, it is with sincere and deep satisfaction that this House of Representatives approves the naming of the new Federal buildings in Chicago, to memorialize the late and beloved Senator Everett McKinley Dirksen of Illinois.

In truth, Senator Dirksen was a monumental figure wherever he was. To many younger persons and newer Members of the House he remains in memory as one of the brilliant ornaments of the Senate, since his election to that body in 1950 and served continuously until his passing in 1969. But he also was a most distinguished Member of this House from 1933 until his voluntary retirement in 1949.

My memories of Ev Dirksen are vivid and cherished. As I recall our long friendship, there is one singular quality about him that I wish to recall today. It is not his fidelity to what he saw as the best interests of our country. It is not his statesmanship, which he proved so many times, by taking public stands which were not popular, or even politically discreet. It was not his great mental equipment which allowed him to see a complex issue to its basic skeleton, with melodious oratory or voice.

Everett McKinley Dirksen had in a greater degree than anyone I have known what was a talent, a gift or perhaps genius for friendship. He had an understanding of people either in their times of calm or storm and out of that great understanding he had a genuine friendship for people. That friendliness was assumed, or donned for the occasion or its political impact.

It is true that Senator Dirksen was hard hitting, a partisan, and his own man in forming opinions of the enormous issues which have confronted the Congresses since 1933, through economic depression, war and its aftermath.

In all candor, I must remark that Everett Dirksen and I did not always see eye to eye on issues affecting either our State of Illinois or the country at large. We could argue and debate with some heat. Yet his friendship never faltered. He praised me for holding to my own convictions and I had to do the same for that kind of a man.

Senator Dirksen was intellectually honest. He let this House and the Senate know what he thought and when he got the opportunity, our people at home in Illinois and very often all Americans, what his position was on some burning issue and why he thought as he did. I believe honestly that he won a national affection, because of the warmth of his personality and charisma that came through his most zealous outbursts for a cause, delivered in that undulating, poetic prose which made him a household word. I think that people sensed his innate friendliness and geniality. After all, that bestowed on him the accolade of being just "Ev."

Great men or women may leave us physically, but we who have known them well keep them alive in our admiration and our memories.

Yet, while we may cherish our memories of association with the great, we also have deep obligation to those who will follow us. This House and Senate over its illustrious 180 years or so, has produced a galaxy of men and women, which I declare without undue boasting, cannot be equaled in any other parliament in the world. It is fitting and proper that we leave some physical memento of these great ones who fostered the greatness of the United States in their own time and made guarantees for its even greater future.

Everett McKinley Dirksen was one of the luminaries of the House and Senate, ranking with the greatest of them. I commend my colleagues for approving the proposal to name this imposing building in Chicago for him.

Let generations in the far future ask: "Who was Everett McKinley Dirksen?" The alert will discover who he was, what he did and what they owe to his presence here on Capitol Hill.

If they do, they will learn about the qualities he possessed and spent without stint for our Nation and its people.

NEW HOPE FOR RURAL AMERICA

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. QUIE. Mr. Speaker, on March 13, Donald Rumsfeld, Director of the Office of Economic Opportunity, addressed the National Farmers Union in Denver, Colo.

His remarks contained a concise picture of poverty in rural America and some of the proposals submitted by the administration and his own agency for dealing with this problem. Too often, the rural poor have been neglected. I am pleased to see that he recognizes the need to help restore economic viability to the rural areas to help prevent the outmigration from rural areas to inner cities.

I commend his remarks to my colleagues, as follows:

REMARKS OF THE HONORABLE DONALD RUMSFELD, NATIONAL FARMERS UNION, DENVER, COLO., MARCH 13, 1970

President Tony Dechant, Mr. Patton, my good friend, Dr. Blue Carstenson who has been so helpful to the agency throughout its life; distinguished guests on the platform and ladies and gentlemen. I do want to first of all express my pleasure at being able to join you today to personally be able to commend you and congratulate you and wish you well on your 68th Annual Meeting.

You have had 68 years of very distinguished service, service to your members, your neighbors as well as to your Nation. I'm particularly pleased also that the Office of Economic Opportunity is in the process of opening a Regional Office here in Denver so that your national headquarters will have liaison with our Regional Office as well as our many and continuing contacts in Washington, D.C. My special thanks also to each of you and your national leaders, and particularly to Dr. Carstenson who I see in Washington, not simply for the successful operation of your programs sponsored by the Office of Economic Opportunity, not simply for your private collective and private individual efforts to help deal with the very urgent problems of the poor, but also for your support of our legislation.

I want to commend you on your efforts to mount community support for rural community action agencies and your efforts in conducting the largest Operation Mainstream Program operating in the rural areas of fourteen states, and utilizing nearly 2,400 low-income people. The Green Thumb and Green Light Programs have been of direct benefit to thousands of poor. Your work to improve rural housing, create recreational areas and rural fire departments, to supply nurse aides to the Red Cross, to help feed the elderly and infirm deserves recognition. And I am pleased to be able to do so in person.

At the outset of a new decade, it is appropriate to look to the issues of the next generation, when America will expand as never before.

The President has announced that the time is at hand to develop a national growth and land use policy, to give coherence and structure to the growth of population in this extraordinary period ahead.

Such a policy must provide for assistance in the rebuilding of old central cities to be sure, and the expansion of existing metropolitan areas, but also of small cities and towns, and for the creation of a number of new cities. We must carry our concern with the quality of life in America to the farm as well as the suburb, to the village as well as the city.

What rural America most needs is to be dealt with not as a separate entity, but as part of an overall growth policy for all America.

We hear much about the "urban crisis" in America. That crisis is real. However, the reason it is on the tips of our tongues is because it is sharply focused. The problems of rural America are equally real but are not a national topic of conversation. They don't involve traffic jams and protests in the streets and all of the other high decibel activities associated with the cities.

A common understanding of the nature of the problem is developing. We recognize:

1. that rural poverty involves not only the problems of people with little income but the inter-related problems of the poverty of rural institutions;

2. that advances in technology have lessened the opportunities for large numbers of the rural poor to follow traditional occu-

pation in agriculture, mining, forestry and transportation, and that because alternative opportunities have not opened in rural areas affected, an outmigration to urban areas has occurred with harmful effects on both rural and urban areas and to the people involved in this process;

3. that although no one should be coerced, the opportunity to follow ones own path should not be closed to those in rural areas;

4. That in the long run many rural people will have to be prepared for a nonagrarian way of life, but that does not imply a move to the city to achieve opportunities;

5. that the barriers affecting racial and ethnic groups that contribute to poverty in rural areas must be eliminated as a vital part of the solution to the problem.

While the 1970 Census will provide a great deal of valuable new data, we already know the parameters of the problem.

A high proportion of the urban poor, now jammed into city slums, migrated from rural slums. These migrants find themselves better off, economically, in the cities.

Technology has increased farm output dramatically while at the same time, farm employment has been reduced. During the 1970's the need for farm labor will likely continue to decline.

We also know that today few of the rural poor live on farms. They live in open country, in small towns and villages. While a large number of minorities are among the rural poor—including Indians on reservations, Negroes in the South and Spanish speaking in the southwest—whites who are poor outnumber non-whites by a wide margin—more than 3 to 1.

The best estimates show 11.2 million impoverished Americans in rural areas—37 percent of the 25.3 million who were poor in 1968. In other words, 37 percent of the Nation's poor are in rural areas that contain less than a third of the Nation's population. Less than 10 percent of these families receive public assistance.

Of the 11.2 million poor outside our cities, less than 3 million lived on farms. The remainder, some 78 percent, were scattered in rural areas. Forty percent of the rural poor are over 60 years of age, presenting a full range of special problems in rural poverty.

Between 1959 and 1968, the proportion of the total poor living in cities increased from 44 to about 51 percent. This reflects the migration of the poor to the cities. It reflects the failure to develop sufficient opportunities in rural America.

Public programs have improved the lot of the urban poor—but there have not been sufficient similar efforts to improve conditions for the rural poor. This disparity provides fresh incentives for the rural poor to rush to the already overburdened central cities.

A recent Office of Economic Opportunity study reveals that most rural residents show a negative attitude toward migrating to the city. Yet, where job expansion does not occur, and where the economic level of an area is low and static, there is a fairly steady outmigration of rural residents. In general, those who leave are better educated, younger, and have higher incomes than those who do not choose to move. The decision to leave a rural area or a farm nearby always is based on the lure of more attractive economic and occupational opportunities.

This means that those left behind are less educated, and they tend to form a hard core of rural poverty that could grow into a more serious problem.

Almost without exception, those who migrated are better off, but despite improved economic status in the cities, many rural-to-urban migrants wish to return home. But most indicate there would have to be an opportunity for a comparable level of income and economic opportunity. Unless that happens, they will stay in the cities. And we can be certain that others will follow their example.

The President challenged us in his State of the Union Message when he called for the creation of "new rural environment that will not only stem the migration to urban centers, but reverse it." The creation of the Rural Affairs Council as a complement last summer to the Urban Affairs Council demonstrated the President's interest in the condition and future growth of Rural America. He said at that time: "The population of our country is likely to grow by 50 percent in the next 30 years (from 200 to 300 million in a third of a century). Where these next hundred million persons locate is an overwhelmingly important question for our Society. After an era in which people have moved steadily from the countryside to large and crowded cities, we must now do what we can to encourage a more even distribution of our population."

Recognizing that the problems of growth which involve both rural and urban America cannot be fashioned and implemented by viewing them as separate and unrelated, the President yesterday recommended the establishment of the Domestic Affairs Council. This new Cabinet Council will have improved capabilities in recognizing the interrelation of urban and rural problems. Both the Rural Affairs and the Urban Affairs Councils will function as sub-councils of the Domestic Council. I can assure you as a member that this council will aggressively undertake the development of a balanced national growth policy.

This Administration has been in office now for 13 months. The Nation has seen during this last year a shifting of priorities. Defense and military spending have been squeezed; domestic spending has been increased something in the neighborhood of 13 percent. The trend has been quite different from the trend in previous years.

A broad range of reforms has been offered to the Congress; welfare reform, draft reform, tax reform, postal reform, manpower reform, grant-in-aid reform, reform of the District Government, and changes in the Social Security legislation. The Ash Commission is looking at the entire Executive Branch of the Federal Government to see what changes, from an institutional standpoint, might be made so that Government in fact can be more responsive to the problems of human beings across this country than has been in the past.

The single most important problem we have is seeing that Government does in fact work, work not for Government, but for human beings, that it is responsive, that it deals with real problems and affects real changes.

The domestic crisis which the New Administration faced when it took office in January was in many respects a crisis of confidence in Government, born of the apparent sluggishness of problem-solving mechanisms. The public's complaint was not so much that Government was not trying, but that it was not performing. Men did not argue that it was insensitive, but that it was impotent. It was big, they contended, but it was not strong. It was expensive, but it was not effective. It could plan and promise, but in a growing number of cases, it could not deliver.

A central task of the new Administration was to reduce this "performance gap," to make the Government work again. Considerable attention, therefore, has been given to reforming the machinery of Government.

The President pointed out that, "Nowhere has the failure of government been more tragically apparent than in its effort to help the poor, especially in its system of public welfare." And nowhere was the Administration's commitment to far-reaching, fundamental reform more apparent, than in his "new and drastically different" approach to the welfare problem.

In place of a system of welfare payments which vary widely from State to State and city to city, the President called for a new federally-supported floor under the incomes of American families wherever in America they live. In place of a system which provides a disincentive for recipients to go to work, particularly if the work is part-time or low-paying, the President presented a scale of benefits under which it would always pay a welfare recipient to take employment. In place of a system which offers an incentive for the breaking up of families, the President proposed a plan which encourages families to remain together. The Family Assistance Plan is an approach which dealt with the causes—and not just the effects—of past welfare failures.

The Plan is designed to help the poor in rural as well as urban areas and when enacted will have a major impact on those rural poor who are not the recipients of public assistance, those who live on a low income in areas of minimal opportunities for improvement. The Family Assistance Plan will remove a heavy burden from families by opening choices which can be made not under the gun of deprivation. As James L. Sundquist pointed out in his recent article, "Where Shall They Live?" ". . . the movement of people from smaller to larger places is to a large extent—though no one knows the exact proportion—involuntary, forced migration of displaced families, forced out by economic pressures they cannot control." The Family Assistance Plan can help to introduce an element of individual choice into the decision.

The Office of Economic Opportunity is conducting experiments on income maintenance which form the conceptual basis for the proposed Family Assistance system. The New Jersey Graduated Work Incentive experiment, combined with similar rural experiments in North Carolina and Iowa, are testing the premises and assumptions involved in income transfer as a mechanism to alleviate poverty. Preliminary results obtained after 15 months of operations in New Jersey indicate that the system will work as anticipated. We intend to carefully study future data from these projects for use in implementing the system. This experiment is directed at ways to provide a wider individualization of choice, at providing incentives, at providing opportunities so that poor Americans—whether rural or urban—can seize the opportunities to guide themselves into the economic life of our society.

We, very recently, made a computation of the impact of the Proposal on Rural America. As proposed by President Nixon, the Family Assistance Plan would have a beneficial impact on 8,444,000 poor individuals in rural areas. It would raise their income. Some 2,900,000 on farms and 5,544,000 in small towns and the countryside would be eligible for assistance. This total represents 42.4 percent of all of the persons, rural and urban, who would be eligible to participate in the Family Assistance Plan.

The New Jersey experiment was specifically designed to provide evidence about the effects such a program would have for the person it is designed to assist, give realistic cost estimates, and offer suggestions for implementation. Preliminary data suggest that fears that a guaranteed minimum income could result in extreme, unusual, or unanticipated responses are unfounded.

Furthermore, preliminary data from the New Jersey project indicate that a Family Assistance Program is practical. The data suggested that:

1. There is no evidence that work effort declined among those receiving income support payments. On the contrary, there is an indication that the work effort of participants receiving payments increased relative to the work effort of those not receiving payments.

2. Low-income families receiving supple-

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mentary benefits tend to reduce borrowing, buy fewer items on credit, and purchase more of such consumer goods as furniture and appliances.

3. The Family Assistance Program, excluding the Day Care Program and Work Training provisions, can be administered at an annual cost per family of between $72 and $96. Similar costs for the current welfare system run between $200 and $300 annually per family.

In-depth interviews with participants indicate that the low-income individual is strongly motivated toward work.

The majority indicated that they aspire for a better job and are willing to move to another city or take training—even if it meant a pay cut—in order to get that better job. The majority also indicated that they are willing to work two jobs to support their families. Of all the factors influencing work choice, job security was ranked twice as high by participants as any other job factor, including wages, working conditions, or job interest.

These responses from the participants indicate that supplementary income assistance will not reduce their work effort.

These data of course are preliminary and the Congress has the responsibility for passing a specific bill to implement the principles of the President's plan. But it is my opinion that there is an excellent chance that some form of this plan will pass the Congress this year.

In recent years, through increased attention, the Office of Economic Opportunity has allocated approximately 28 percent of its funds to meet the complicated host of problems that make up rural poverty. Today rural Community Action Agencies employ nearly 50,000 poor people on their resident staffs.

But let me say quite honestly, I am far from satisfied. Community Action Agencies in rural areas need improvement and greater support, and we are working diligently on it. Rural CAA's got off to a slow start, compared to their urban counterparts. This is partly because of the unique difficulties in mounting effective programs in areas which have a relatively weak administrative and economic base. We are building future CAA efforts around a strategy to promote economic development and foster income improvement. While the Family Assistance Program will be the most dramatic single step in decades for rural America, income transfer alone is not the entire answer. Our aim is to help mobilize resources—including those in other Federal agencies, state and local agencies, and the private sector.

But what is the situation of the Office of Economic Opportunity today? From a quantitative standpoint, it is 1063 Community Action Agencies, private local agencies spread across the country, that receive funds, hire people and proceed to be involved either actively themselves or through delegate agencies in a variety of programs; 600 legal services offices, handling some 610,000 cases last year; 91 migrant and Indian programs in 37 states; 200 programs for older persons; about 49 neighborhood health centers; 230 family planning programs serving some 350,000 women; 475 emergency food programs; and—believe it or not—250 research, development or evaluation activities; some 15 economic development activities; more than 4,000 VISTA volunteers; Head Start, manpower programs and so on.

Beyond that, the Office of Economic Opportunity represents the portion of the Federal budget that is not handled in the traditional way through the existing Executive departments and the state and local governmental apparatus. It offers, the opportunity, properly managed and properly handled, to see if we in this society can help to make these institutions and private institutions as well, function as more perfect problem-solving mechanisms. With its $2 billion budget, however, the Office of Economic Opportunity is not the "War on Poverty," contrary to what you've all heard. There has been a good deal of rhetoric about the Office of Economic Opportunity being the only agency concerned with the poor.

But, the national effort to aid the poor in my judgment involves most domestic departments and agencies of the Federal Government, other levels of government, and the private sector. Indeed, it involves the National Farmers Union. Further, the real task of the Office of Economic Opportunity is not income maintenance, as some feel or seem to assume. The Family Assistance Program, with its great possibilities for changing the economic and social landscape of this country, will be operated by HEW, the Department which is and has been responsible for income maintenance programs. Nor is our task to operate a complete duplicate system for delivery of all services that affect all people. The real task of the Office of Economic Opportunity is to find better ways of opening economic opportunity, of raising the capacity of individuals to participate in the economic life of the country. It is to develop new programs that can be used to help solve social problems, and to make our institutions more responsive.

Achieving a better life requires expanding the range of opportunity for all. We can fulfill the American dream only when each person has a fair chance to fulfill his own dream.

The Decade of the 60's saw great strides in expanding the legal rights of non-white Americans. In the seventies we must build on this record. In particular, it is time for a greater focus on economic opportunity.

Every American must have access to meaningful employment—and access to the education and training to qualify him for the best job within his reach. Federal contract and enforcement powers can help to open doors of opportunity that have remained stubbornly shut.

Beyond this, we must create new opportunities for expanded ownership. In order to be secure in their human rights, people need access to property rights. We should encourage the incentive that comes from a real opportunity to acquire ownership of assets—of business enterprises, homes, shares in a corporation, membership in profit sharing plans. We should do so first because it is right; and second because a Nation in which the great majority of the people participate in progress through ownership of wealth and property is more likely to be stable, orderly and free.

We must develop and implement a broad ranging plan for expanded economic opportunity—especially for minority groups who have suffered unjust discrimination, but also for all Americans, everywhere, who have been denied their full chance to participate in the American free enterprise system. In so doing we can invest in America, as millions of citizens invest their skills and their efforts in building better lives for themselves, their communities and for their Nation.

As these programs move forward, we can deliver on America's basic claim as a place of opportunity not for the few, not even for the many, but for all.

Few have seized so enthusiastically as the young on the quest for a better "quality of life"; few have been so ready to defend a threatened environment. The young know, intuitively, how unique and how precious is the individual. They increasingly and rightly perceived a threat to that spirit as cities grew more crowded, as organizations grew more impersonal, as Government grew more unresponsive.

Their answer has been to declare themselves in favor of life.

America, which has pioneered in the new abundance and the new technology, is called on today to pioneer in meeting the concerns which have followed in their wake—fully, turning the wonders of science to the service of man.

Recently, Mr. John Gardner said, "Too many take a free ride as far as distinctive effort to serve the common good is concerned," "Too many are apathetic, self-absorbed and self-serving." He also said, "One thing the citizen can do—must do—is to reject fiercely all politicians who exploit fear and anger and hatred for their purposes . . ." The emotions cannot be wished away. Nor can politicians, nor will citizens be rid of them merely because they are told to be rid of them.

The great challenge to leadership at this moment is to draw into the system—a great system—those who feel such emotions and follow such politicians; draw them back by appealing to the larger interest in progress and social justice which we all share; by defining problems in a way that unites rather than divides; by proposing solutions in a tone that emphasizes the good of all—not merely of one group. Simple solutions—such as one- or two-group strategies—are deceptive and dangerous. As H. L. Mencken once said, "For every human problem there is a solution which is simple, neat and wrong."

This is not to say that there are not or will not be groupings or citizens with separate interests on many matters. The existence of such interests, and of competition between them, is a healthy part of our system and helps produce much of the light, as well as the heat, by which our Nation resolves great issues.

But the days of national leaders appealing to any one of them must be gone. With communications so rapid and intensive, and our population so mobile, no national leader can go with impunity before a farm or labor group, or a poor or a non-poor group, or black or a white group, and appeal only to their interest at the expense of other groups. We have seen that issues are related—farm policy to labor policy, tax policy to foreign policy. And individual groups, along with issues, are increasingly interdependent. It would be a risky and unwise business to adopt a strategy based on an appeal to interest groups or regional groups—a farm strategy or black strategy or a northern or southern strategy. Those who would contemplate such a strategy, who appeal to a special constellation of groups, risk a further polarization of society that will harm all groups. And most groups know it or are learning it.

The effect of giving undue preference to one group is to exclude others—or to give the feeling of being excluded—and thus to divide the Nation when we need most to be brought together. And at this stage in history with so many powerful forces contending so divisively, such a course would produce disaster. We cannot afford to exclude the South, and we cannot afford to exclude the North or the poor or non-poor, white or black. Those who play by the old rules—the rules of groupings, the rules of polarization—will be duly and properly blamed for the damage done to all groups in our Society, and will be discarded by the people.

The goal of leadership must be to appeal to what is best in the American people—the sense of adventure that brought us to explore and tame this land, the energy and enterprise that caused us to make it the most productive on earth, and the fundamental sense of fairness and decency that allowed us to live in peace with each. A leader must believe in the people he serves, must believe deeply in their most trusting instincts. He must understand their fears and angers and hatreds in order to reach what is best. He cannot dismiss the emotions on which demagogues would play—ordinary, human emotions—but must raise the Nation above them.

John Gardner had a book titled, "No Easy Victories," and I guess that is true. Leader-

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ship is not easy—your leadership, State leadership, Federal leadership. John Gardner tells a story about leadership: There was a wife who reached over and read the fortune-teller's card of her husband as he got off the weighing machine after he had put a penny in. She read it out loud, and it said: "You are a leader with a magnetic personality and strong character; intelligent, witty, attractive to the opposite sex." She turned the card over, looked at her husband and said: "It has your weight wrong, too."

I guess what I am saying about leadership is that you have a leadership role, the states and Federal Government have a leadership role. We live in a very complicated society. There is no one leader. If we as a society are going to walk through the coming months and years successfully, it is going to take the best of all of us. And I, for one, am anxious to work with you and to encourage and hope for a maximum amount of participation by you in what I consider to be some very, very important programs that this Nation is trying to manage to deal with the problems of the poor.

Thank you very much.

CITIZENS' CRUSADE FOR CLEAN WATERS LAUNCHES DRIVE FOR $1¼ BILLION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. DINGELL. Mr. Speaker, the Citizens' Crusade for Clean Water has launched its drive for full funding of the fiscal year 1971 operations under the Clean Water Restoration Act of 1966. In connection with its effort, the crusade issued a press statement for release on Sunday, April 19, 1970. So that my colleagues may have an opportunity to be aware of the crusade's views and activities, I include the text of the press statement at this point in the Congressional Record:

Citizens' Crusade for Clean Waters Launches Drive for $1¼ Billion Appropriation for Water Pollution Control Construction Grants

Washington, D.C.—The Citizens' Crusade for Clean Waters, a coalition of 33 non-governmental organizations concerned about water pollution control, has announced the launching of a new campaign to secure the full-funding appropriation of $1¼ billion in fiscal 1971 for Federal grants to municipalities for the construction of waste treatment facilities.

The "Citizens' Crusade" was organized last year with essentially the same groups involved and it played a significant role in the appropriation by the Congress of $800 million in Federal grants for fiscal 1970 when the authorization ceiling was $1 billion. The Administration had asked for only $214 million.

Louis S. Clapper, Conservation Director for the National Wildlife Federation and Coordinator for the "Crusade" this year, said the group had written the President on March 30 to urge for full funding of the Federal construction grants program. He said that a spokesman for the Bureau of the Budget has responded on April 9, 1970, with a statement that the President's proposed four-year commitment of $4 billion "is the best means for the Federal Government to demonstrate that it is serious about meeting our water pollution control needs."

Leaders of the Crusade, however, point out that the Nixon Administration has not asked for any appropriation for grant funds in fiscal year 1971, relying upon the enactment of the new advanced-commitment program. If the Congress fails to clear a Public Works Appropriations bill by the beginning of the new fiscal year on July 1, 1970, it must approve of a continuing resolution to appropriate at the level of the preceding year or at the proposed figure for 1971, whichever is least. Thus, in this case, the ongoing program could come to a halt.

Further, coalition leaders express considerable doubt that the Congress will enact any new long-range grants authorization bill this year, an election year. The Subcommittee on Air and Water Pollution, Senate Committee on Public Works, soon will begin holding open public hearings on a host of pollution control measures and these are expected to continue well into May.

A bi-partisan group of conservationists in the House of Representatives, led by Congressman John D. Dingell (D-Mich.), is seeking signatures on a commitment to vote for the full $1¼ billion and at least 178 Members have signed.

"Some members of our coalition see merit in proposals for four or five-year advance Federal commitments to States and municipalities for waste treatment plant construction funds," Clapper said. "However, until such a program is approved, we feel we must continue the ongoing program under provisions of the only authorization currently effective."

Under existing law, municipalities have 18 months to obligate cost-sharing funds offered them for the construction of treatment plants. The Federal Water Pollution Control Administration, U.S. Department of the Interior, expects to have only $450 million of the $800 million obligated by June 30, end of the 1970 fiscal year. However, another $200 million will be obligated by Dec. 31, end of the 18-month period, thus leaving $150 million for re-allotment.

"There is no question that the full $1¼ billion can be used by the municipalities to good advantage," Clapper asserted.

The campaign for full-funding is supported by a broad variety of non-governmental organizations in the fields of labor, government, and conservation as well as "independents" such as the League of Women Voters. Joining in the 1970 Crusade are the American Federation of Labor and Congress of Industrial Organizations; American Forestry Association; American Fisheries Society; American Institute of Planners; American Society of Landscape Architects; Association of Interpretive Naturalists; Citizens Committee on Natural Resources; Citizens Council for a Clean Potomac; Consumer Federation of America; and Izaak Walton League of America.

Lake Erie Cleanup Committee, Inc.; League of Women Voters; National Association of Soil and Water Conservation Districts; National Association of Counties; National Audubon Society; National Consumers League; National Fisheries Institute; National League of Cities; National Recreation and Park Association; and National Rifle Association.

National Wildlife Federation; Oyster Institute of North America; Sierra Club; South Jersey Shellfisherman's Association; Sport Fishing Institute; Trout Unlimited; U.S. Conference of Mayors; The Wilderness Society; Wildlife Management Institute; and the Wildlife Society.

Water Pollution Control Federation; United Auto Workers and United Steelworkers of America.

THERE'S LOTS RIGHT WITH AMERICA

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. DERWINSKI. Mr. Speaker, I am especially pleased to insert into the Record at this point an essay by a constituent, Miss Becky Crisman, who is a seventh-grade student at Wolcott School in Thornton, Ill. Becky's essay won first place in the Thornton School District American Legion Citizenship contest and I believe that the essay contains a wonderful, positive understanding of the greatness of our country that fortunately is possessed by most young Americans. The essay follows:

There's Lots Right With America

What's right about my country is a hard question to answer. I never really had to think about it before, but I'll make an attempt now.

The basic freedoms guaranteed us by the Constitution and the Bill of Rights are the foundation. Among these, the right to worship as we believe, freedom of speech, freedom of the press, and the right to vote for the man you feel is most capable and reliable are the freedoms which have made this country what it is.

All Americans are born with the chance to be anything they desire. We all have the opportunity to get an education. Sometimes it seems like a chore, but it's really a privilege. Our schools are the best in the world. There are opportunities for scholarships, available for everyone who applies himself, so that education is not only for the wealthy.

Another really great thing about our country is the way the government helps people help themselves. If a person cannot earn a living, then our government provides welfare. If a person is capable of working, there are government agencies which will help them find a job.

The men we elect may not always do what we want, but they must do what they feel is best for the majority of the people. It aggravates me when I hear a person griping about someone in office. After all, who put him there? It was the majority of the voters. He wasn't appointed by a king, queen or dictator. Yet the fact that nothing happens to us when we criticize an official makes this country great too. If most of the voters feel their representative didn't do his job well, he won't be re-elected.

The laws of this country were made to protect the people. They can only do what they were meant to do if they are recognized by the people. Laws can be changed as the times change.

This nation is a nation that is constantly going forward. Right now our forward movement is toward exploration of space. Americans were the first to set foot on the moon—not just for America, but "for all mankind."

America is the leading nation in the world, which is a big responsibility. We must help other nations if it is at all possible. We know that we cannot be separated from the rest of the world by the oceans which once kept us apart.

The greatest thing about our nation is the people. They came here because of the freedoms that were offered, to live their lives as they wanted and to be proud of being an American. We are now a mixture of all those people. There may be protests and disagreements, but in our hearts we know "There's Lots Right with America", and I'm glad I live here.

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CHINA AND U.S. POLICY: A TIME OF TRANSITION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. HAMILTON. Mr. Speaker, on March 2, A. Doak Barnett discussd trends in China and in United States-Chinese relations in an excellent speech "China and U.S. Policy: A Time of Transition" delivered to the Women's National Democratic Club.

Given Mr. Barnett's conclusion of United States-China relations now being in a transition period, I commend his full remarks to the attention of my colleagues:

CHINA AND U.S. POLICY: A TIME OF TRANSITION

(A. Doak Barnett's Speech at the Women's National Democratic Club on March 2, 1970)

I'm delighted to be with you and to talk with you briefly today about trends in China, as I see them, and in U.S.-Chinese relations. For the first time in quite a long time, there is something to talk about. For a good many years, this has been a rather gloomy subject to discuss—and I have discussed it for a good many years—not just because relations between the two countries have been so bad, but also because there has been so little seeming prospect of any change or improvement.

During the past few months, this has begun to change, and although there is certainly no basis yet for great optimism or enthusiasm about the prospects, there are at least some rays of hope and small signs of a possible thaw, and this makes the subject of U.S.-China relations much more interesting, and more timely and encouraging, than it has been for some years.

I think it is clear, in fact, that we are now in a transition period; and although no one, certainly not I, can really predict or foresee the future, the future definitely seems more open-ended than it has been for a very long time.

China itself is in the midst of an extremely important transition period. Its situation both at home and abroad is basically different in many respects than what it has been in the past. But the U.S., too, is in the midst of a transition in its policy towards Asia as a whole and in its policy and attitude toward China specifically, so that China's changing situation and our changing attitude and policy have introduced, it seems to me, new elements of flexibility and change into a situation that has been frozen for so many years.

Now let me begin with a few comments on changes that have been taking place or are now underway in China itself, because they are an extremely important ingredient in the situation. I obviously cannot, in a very few minutes, do justice to the extremely complicated and even traumatic events that have taken place in China in the five years since the so-called Cultural Revolution began in '65.

The Cultural Revolution has been a remarkable, and in some respects a unique, historical phenomenon. In essence, it has been a struggle in which an aging and extraordinary utopian revolutionary leader lost faith in, and actually lost control over, for a while, the revolutionary regime which he had created; and then set about organizing what in effect has been a second revolution.

Mao in the early '60s no longer had day-to-day control over the Communist Party which ran China, so he turned to the Army, or at least part of the Army under Lin Piao who was Defense Minister, and to the youth of the country, particularly youth in the schools and colleges and mobilized both to attack the majority of his old revolutionary colleagues and the entire Party and Government bureaucracy which had dominated the country for fifteen years.

In a basic sense Mao had real cause to be disturbed by trends in China in the early 1960s. There was in China, in the aftermath of the great leap forward and the economic depression which followed it a definite decline in ideological fervor and morale; a real growth of deadening, ossifying bureaucratic behavior; an emergence of vested interests and parochial interests; a growing and very serious generation gap; and increasing frustration and disillusionment among the youth.

In response to these trends and to the real economic crisis which China experienced in that period, the leaders in charge of day-to-day affairs in China did appear to become less and less revolutionary; more and more pragmatic, if you will—in Mao's terms revisionist—more and more like leaders in the Soviet Union.

And it was in this context, I think, that Mao decided that he was going to make one final, apocalyptic attempt to try to halt the decline and deterioration of the revolution, as he saw it, in China and try somehow to revitalize the revolutionary process, to try, in short, to ensure that the particular brand of values that he believes in would persist after he died.

In some respects this was a rather grand idea, a heroic revolutionary effort. The fact is, however, in my view at least, that Mao was a romantic, a Utopian, in thinking that he could do this, that he could impose his views on the country, and completely unrealistic in believing that he could achieve his aim, that he could perpetuate his values, by tearing down the bureaucratic structure of the regime that had been built up in the previous fifteen years; by setting loose chaotic forces for change and conflict.

He did set loose these forces. He was able to tear down, in a large degree, the bureaucratic structure that had grown up in the previous fifteen years. He was able to purge most of those who disagreed with him at the top in China. But he was not able—he has not been able to date, and will not be able—suddenly to replace all this and create a new order based on his particular values.

Consequently, after this long and very chaotic period in China, China is now in the process, slowly and painfully, of trying to rebuild its political system, trying to define a whole new set of policies. In this situation, the Chinese leadership is very different from what it was in the decade before 1965, certainly very different from what it was in the 50s. Even though Mao's brooding presence is still there and he is able to inject himself into the situation when he wants to, he does not have real control over the situation in China; and the leadership, I would say, is basically a coalitional type of leadership in which people representing interests of very conflicting sorts are somehow trying to get along, somehow trying to run the country, somehow trying to evolve new policies.

As a consequence, the regime has had a very difficult time defining clear policies. As a matter of fact, it seems to me, if one looks back to the Party Congress last spring, the most notable thing about it was the failure to announce any real strategies and policies, and in my opinion this lack of policy has continued throughout the past year (it is now almost a year since the Party Congress).

In a sense, the atmosphere in China is almost like that of an interregnum already, even though Mao is still there. Clearly the Maoist era is approaching its end, but the post-Mao era has not yet started. And in a basic sense, one gets the sense of a country waiting for its low revolutionary leader to pass from the scene. Mao and his closest followers still do press for revolutionary policies of a variety of sorts, but they are not really able to carry them out throughout the country effectively. Others resist, drag their feet, sometimes push in other directions. And yet, until Mao does pass from the scene, those who might favor quite different policies, less Utopian policies, are inhibited from really pressing for what they believe in, because Mao's prestige is such that they cannot.

As a result of what has happened, the power structure in the country has changed to a very great extent. For one thing, power in a de facto sense has been decentralized very substantially. Peking just does not have the capability now to try to manage and direct everything from the center as it did ten years ago. Instead it is local leaders, military and other leaders in the provinces and at lower levels, who are running China in many, many respects.

Furthermore, it is not the party—and this is unparalleled in any Communist country—it is not the party which is running the country really now; it is the Army. Into the vacuum that was created by the Cultural Revolution, the Army had to step in. It was the only really centralized instrument of power left in the country, and it has stepped in; from the center right down to the local level the Army and military people are performing functions the party used to perform.

The party and government are now in the process of being reconstructed after the events of '67 and '68, but it is very slow, very painful, and there are many kinds of local conflicts, as the people involved try to decide what kind of a party it will be and who will be members of it.

When Mao dies, there will clearly be another period of uncertainty, some confusion and perhaps a power struggle. My own guess, though, is that somehow a coalitional type of leadership will be put together, a collective type of leadership. It will hold the country together. It is likely, in my view, to move in some new directions. As a matter of fact, I think it is highly probable that post-Mao leadership will move almost precisely in the directions that Mao has feared: it will move away from the idea of great, Utopian, apocalyptic, grand strategies; away from the radical revolutionary policies that Mao has tried to promote the last few years. Of necessity, I think it will move toward a somewhat more realistic, pragmatic policy designed simply to cope with the immediate and very pressing problems that the country faces and will face. There will be concern about the need to restore a larger degree of order, a larger degree of unity, a larger degree of purpose, to get the country back on the course of rational development. I believe China will move in these directions over time.

China's international position has also undergone some very great changes in the same period. These Chinese encountered a series of rather dramatic set-backs in their foreign policy in 1965, just on the eve of the Cultural Revolution: the coup in Indonesia—the Chinese had put a great deal of stock in their relations with Indonesia and the possibility of a revolution there—the failure of the attempt to hold a second Bandung Conference at Algiers that year—in which the Chinese invested a great deal of political prestige—and others. Then came the Cultural Revolution.

Although the Chinese adopted, and continued to exhibit a very militant, verbal posture, favoring revolutions all over the world, in practice they became so preoccupied with their internal problems that they virtually abandoned normal foreign policy activities abroad. For a couple of years, I think it is fair to say, China had no real foreign policy—it turned inward, and cut many of its external ties.

One indicator of this is the fact that at the height of the Cultural Revolution, in forty-odd embassies abroad China only had one ambassador. The rest had all been called home in connection with the Cultural Revolution. This situation started to change as the Cultural Revolution itself began to grind towards a halt in late '68 and early '69. Peking then began to look cautiously outward again; it began to renew its foreign policy activities abroad.

Last spring it sent back the first group of seventeen or so ambassadors. Possibly two or three may have gone subsequently. All of these, incidentally, have been professional diplomats, not Maoist idealogues. Subsequently, it has promoted trade in a very systematic and non-idealogical way, and it has entered into negotiations with a number of countries about the possibility of establishing relations—Canadians and Italians. It has also entered into negotiations with the Russians over border problems, and most recently has agreed to renew negotiations with us.

Looking at what has happened to China's foreign relations through this period, I think the most important and most dramatic change has been in China's relationship with the Soviet Union, as a result of the Sino-Soviet conflict. This conflict, as I am sure you know, has been developing for years, from the late '50s on and has escalated step by step over the years.

The Soviet military build-up around China has been steadily increasing since about 1965, certainly since 1967. And finally, last year as you know, there were some very important and dangerous border clashes between the Russians and the Chinese in Manchuria and in Sinkiang, on the Chinese-Russian border there. I think it is clear that by last year the Chinese genuinely feared the possibility of a major war with the Soviet Union, genuinely feared Soviet attack, and were forced to the conference table by some subtle and not-so-subtle Soviet threats. They have been talking in Peking since last fall, but there is little sign—in fact, no sign—that the negotiations have accomplished anything to date and I suspect that progress will, at best, be very slow.

The sequence of events, I think, clearly has led the Chinese to regard the Soviet Union as a more immediate and more real threat to Chinese security today than the U.S., and this is a very fundamental change. The danger of a Sino-Soviet war is now Peking's single most important preoccupation in foreign policy, in my view, and within China there is a wide range of programs going on right now that are said to be, and to an extent doubtless are, preparations for the possibility of war. This threat hanging over China has been a subtle factor influencing its foreign relations with almost everyone else, including ourselves.

So there are a number of major factors that have been impelling Peking to reexamine its policy: the situation at home, one of uncertainly and considerable fluidity; the need to rebuild a foreign policy, after a period in which they had almost no foreign policy and were very isolated, during the Cultural Revolution; the pressure of professionals concerned with foreign affairs, and certain other leaders in Peking, to have a degree of flexibility in rebuilding China's foreign policy; a new sense of threat from the Soviet Union, which I would say is probably the most important factor; and a feeling, which I think is valid and is shared by most of the powers concerned with Asia, that the situation in Asia is changing, that it is developing toward a much more multi-polar situation than in the past, a situation in which there will be more opportunities for maneuver and flexibility, and more necessity for it.

So this is the context in which China has begun to show some signs of increased flexibility. It is still groping. It certainly has not yet defined any clear new foreign policy or foreign policy strategy, but it is groping for new policies, as we on our side are doing.

These are, in very crude and simple terms, some of the facts that have been influencing the other side. The U.S. has also, I think, been undergoing an extremely significant transition in our attitude towards China. This has happened fairly gradually and in some respects undramatically—so much so that many Americans don't realize how much change has taken place.

Throughout the 1950s, U.S. attitudes and policies towards China were extremely hostile and fearful. We were committed not only to contain China, but also to isolate it, to keep it out of the international community, and to exert as much pressure on China as possible, in the hope that somehow the regime would change. I believe change in our attitudes began in the U.S. government as early as the Kennedy administration, but Kennedy was not able, or did not in any case take steps to change our policies.

During the Johnson administration there were some important steps, more important than many people realize, to redefine our broad posture toward China. At one point, in one very important speech, for example, Johnson actually called for "reconciliation" between the U.S. and China, a very different stance from that we had been committed to in the '50s. But during the Johnson administration there were few concrete steps taken to translate this change of posture into change of actual policy toward China.

The process of making real policy changes began last summer under the Nixon Republican administration.

Several factors help to explain this process of change, I think. One is just a gradual cooling, that time has brought about, in the emotions of the 1950s—which reached a peak in the mid '50s as a result of the Cold War, in general, and the Korean War, in particular.

A second factor has been a revised view of China and its potential threat. This is in part because of the Sino-Soviet split. It is obviously not true that China and the Soviet Union are today a cohesive, monolithic unit working against us. They are competing against each other as well as competing against us.

There are other factors too. Observation of Chinese foreign policy behavior over twenty years has indicated to people in and out of the U.S. government, who have studied Chinese affairs, that the Chinese have not been adventurous and irrational. They have, in fact, been prudent and very cautious in situations where there has been crisis and danger.

As a consequence, I think, in 1970 the "China threat" seems quite different from what it was in the '50s; and validly so, I would say. Today there is simply not the sense of China posing a great, overriding threat to us, or to the rest of Asia, that many Americans tended to feel in an earlier period.

For these and other reasons, Nixon decided fairly early in his administration that he was going to take—or approve—some small concrete policy changes, and he started last summer. You are all aware of them, I think, but to remind you, in the middle of last summer we liberalized travel restrictions as far as China was concerned, and opened the first crack in the twenty-year total embargo that we had imposed on China trade—first by allowing tourists to buy Chinese goods in Hong Kong; then last December we took what was still a small, largely symbolic step but it is nevertheless significant—we decided to allow American subsidiaries abroad to trade with Communist China. Significantly, there has been almost no criticism in Congress, or by the public of any of these steps; that is a sign, I think, of the basic change that has occurred in public attitudes.

I have no doubt, myself, that these are just the first steps in a new direction, and are not the end of it. I would expect, in the relatively near future, some further steps, probably in the trade field—perhaps steps to open up some direct trade between the U.S. and China.

Then early this year, we and the Chinese finally agreed to sit down at Warsaw and reopen the talks that had lapsed for almost two years, and we have now had two sessions in rapid succession. I do not know what took place at either of these meetings. I am quite impressed, in fact, by how well the people in the State Department as well as the Chinese are observing their agreement not to leak what is going on. I find this encouraging; it suggests both sides are looking at these talks as serious negotiations and are not just viewing them as propaganda gambits.

But there are hints, I think, that the U.S. Government is encouraged by the meetings, and personally I think it is very possible that they will produce some results.

Having said that, let me say that in my opinion one should not have unrealistic hopes about large changes in our China relations rapidly developing out of these talks or other trends. The legacy of twenty years of almost no contact, and of intense hostility, certainly is not going to disappear over night. At best, steps towards normalization of relations are going to be slow, and take time.

But I nevertheless think that it is extremely encouraging that the U.S. has adopted the stand that it has, and that the Chinese are showing at least a hint of flexibility. The present administration has said that we will work towards a normalization of relations with China; that we will deal with China on the basis of the same principles that underlie our dealings with the Soviet Union—this is a big change from our approach in the past—and that we will focus first of all on small steps that will improve practical relations. I think this is an entirely sound, desirable posture and a desirable general direction for us to move.

There are, of course, some very large obstacles down the road, if we find it possible to move down this road, before we get to the point of any real normalization of relations. Probably the crucial one, and the most difficult one, is Taiwan. We are committed to the defense of Taiwan against any military attack. It is clear that we will, and should, maintain this commitment. The Chinese Communists are committed to the ultimate liberation, recovery, and incorporation of Taiwan into China. It is clear that they will maintain this as an objective. So it is a major problem. Conceivably, though both sides might show some tactical flexibility about it. It is clear that neither can change its basic position in the years immediately ahead. The question that we will face as we go down the road of some mutual compromise is whether the Taiwan issue can, for a while, be finessed, can in effect be put aside while we and the Chinese Communists deal with other problems and hope that we can make some progress on them.

In the 1950s, Peking was willing to do this, and looking back it is clear that it was rigidity and inflexibility on our side that prevented some mutual accommodation in the latter 1950s. For the past decade, however, Peking has had a very rigid and inflexible view. The question is whether the Chinese will now be slightly flexible; I think we are now encouragingly flexible. I am hopeful that perhaps both sides will be. On the U.S. side, though, I think it is terribly important that we not stop with the two or three important, but essentially symbolic and not very large, steps we have taken in adjusting our policy, but continue taking a number of other steps.

On some matters, we may well find it possible to reach agreement with the Chinese at Warsaw; on others, though, I think we ought to be prepared to continue taking unilateral steps on our side, on the assumption, and in the hope, that over time this will influence Peking, and will stimulate Peking to take responsive action, even perhaps parallel action.

There are many things that I think we still need to do. We should not stop and be pleased with ourselves, because of the small progress we have made. We should continue exploring every possible avenue for increased contacts. On this, incidently, the most practical approach would be: instead of putting primary stress on trying to get Americans into China, we should take every opportunity to invite Chinese to come to meetings and conferences in this country. This is going on; the U.S. Government is for it. We ought to keep doing it until the Chinese begin to send a few people; then I think they will reciprocate and let some Americans visit China.

In trade, I think it is clear—and I am convinced most people in the U.S. Government believe this now—we should move to remove all restrictions on nonstrategic trade with China and put China trade on precisely the same basis as trade with the Soviet Union and Eastern European countries. There is every reason to do this; and no real reason not to do it.

Before very long we must also readjust our policy on the China seat in the U.N. This is a terribly complicated subject, and I cannot deal with it adequately now. My own preference, considering the various alternatives, is for us actively to explore some formula for "dual representation"; even though Peking and Taipei both disapprove of this, I am not convinced that it is not possible to work out some formula which ultimately they might be willing to accept.

We must also show greater sensitivity than we have in the past to China's military and strategic fears, and avoid all unnecessary military pressures and provocations. To cite one example, we obviously do not send airplanes on reconnaissance missions over the Soviet Union any more; we rely on satellites. But, out of Taiwan, there are still such flights over mainland China all the time. It seems to me that we should rely on satellites for intelligence about China, as we do about the Soviet Union and avoid this kind of very provocative action.

Even in regard to Taiwan, while maintaining our defense commitment regarding Taiwan—which we can and must—I think we can and should make some adjustments in our policy. We have already made one, incidentally, which has practically escaped notice. We have virtually abandoned active patrolling in the Taiwan Strait. We do not need the patrol in the Taiwan Strait. What we do need is the Seventh Fleet and our Polaris Fleet in Asia; we do not need to have ships touring up and down the China coast. We have virtually stopped doing this, and I think this is both significant and desirable.

However, we should also commit ourselves to remove the limited American military presence on Taiwan, after Vietnam if not before—but preferably before, if we can. We do not have a large presence there. It is mainly connected with one air base which serves as a refueling station for U.S. planes going to Vietnam. But this is something that certainly is of concern to the Chinese Communists, and something we could do without reducing our capacity to fulfill our commitment to Taiwan—and something I think would be desirable.

More broadly—and this is very important—we should take the problem of China policy fully into account in our general strategic and arms control policy; this, I would say, we have not done. The key immediate issue is whether we should build an anti-Chinese ABM—a nationwide light area defense. On this the Nixon administration, in my judgment—despite the rightness of the direction of its general China policy—is quite wrong. The arguments against an anti-Chinese ABM, on political and other grounds, wholly apart from technical grounds, are overwhelming in my view.

For the indefinite future we will have absolute, unquestioned, overwhelming nuclear superiority over China—on the basis of any projection of what the Chinese may be able to do. There is no reason not to proceed on the assumption that our present deterrent against China will be wholly effective in preventing China from even considering any offensive use of nuclear weapons against either us or our allies.

Actually, there is every reason to believe that China's main strategic motive in developing nuclear weapons is to try to acquire a limited defensive second-strike capability. That is all they can hope for. They hope to deter us from considering nuclear first-strikes against China. If we insist on building an anti-Chinese ABM, in effect what we will be saying to the Chinese is that we insist on having a total, continuing, one-sided superiority; that we insist on having a total damage-denial capability against China; that we insist on having a credible first-strike capability against China; and that we insist on having the option of threatening China, without any fear of any kind of a retaliation, for the indefinite future.

This is hardly likely, I think, to be reassuring to the Chinese about our intentions. I would argue that it runs directly counter to the main thrust of our new China policy, and that is, moreover, not necessary from any security point of view. We need, therefore to make our strategic policy and our China policy more consistent than they now are.

I would argue, therefore, that on this issue, at Vienna, when we meet with the Russians in the SALT talks, our aim should not be to get Soviet and U.S. agreement to build ABMs. We should get U.S. and Soviet agreement that neither of us will build anti-China ABMs.

Let me make just one final comment about the overall Asian context of our China policy in the '70s. On many respects there is going to be a new ball-game in the '70s; we are beginning to realize this but have not fully adjusted to it. Instead of a bi-polar confrontation between two ideologically motivated sides—a theoretically monolithic Sino-Soviet block versus a U.S. with a subordinate, compliant Japan—instead of this, there is going to be an increasingly complicated four-power relationship and four-power balance.

All four of the major powers involved in the region—the U.S., Soviet Union, China and Japan—are going to play significant roles, influential roles. All of them, including Japan, I would say, are going to play fairly independent and autonomous roles.

Of the six bi-lateral relationships involved in this four-power balance, it is clear that the one today that is least developed, and yet may have the greatest potentialities for at least some change in the years immediately ahead, is the U.S.-China relationship. If we are wise, we will take the opportunity that we have now to press ahead as much as we can to see what extent we are able, as the Nixon administration has proposed to move toward a normalization of relations with China—without any unrealistic wishful thinking or overoptimistic expectations, but with some basis for the first time in twenty years for believing that some change may be possible.

ROBISON CAUTIONS AGAINST A CHANGE IN SELECTING SUPREME COURT NOMINEES

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. ROBISON. Mr. Speaker, with the recent rejection by the Senate of the Supreme Court nomination of Judge Carswell, a wave of concern is swelling both across the Nation and throughout Congress. It has been suggested that the process of selecting Supreme Court justices is unresponsive to the needs of 20th century America, and a bevy of alternative suggestions are being formulated and discussed.

As a general proposition, I find that the current procedure by which the President nominates and the Senate confirms or denies is still viable. I cannot help but be swayed in my analysis by the high caliber of justices our system has produced during the last 181 years. An additional basis for my general reluctance for change now is that much of the outcry is in direct reaction to the fact that three of the last four nominees have been defeated. I am reluctant to support change of a system which has produced men like Marshall, Holmes, Cardozo, Frankfurter, and Warren in a moment of outrage. Some reform may ultimately prove to be meritorious, and I shall carefully consider all suggestions for change, but my concern is that any such reform should come as a product of calm and considered study with a complete analysis of all reasonable alternatives. This kind of rational approach is impossible given the present political climate.

One specific proposal which has been suggested would establish a Judicial Nominating Commission. This Commission would be composed of the chief judge of the highest civil court in each State, and every 4 years this Commission would meet and select 12 candidates for appointment to the Supreme Court—from which 12 the President would be required to make his nominations. The Senate would then—as with the present system—have to confirm his nomination.

I do not support such an approach for a number of reasons.

First, I believe that there is no inherent indication that 50 State jurists would make choices which would result in better candidates than a President. In some ways, in fact, the opposite might be true. Supreme Court nominees, it seems to me, should reflect the temper of the times—whether that temper be one which favors a "strict constructionist" or a man of "liberal" interpretation. The President, by the very nature of election through the popular electoral process, is more responsive to this kind of public demand than would be 50 judges—many of whom are virtually "unremovable" by the public, many of whom are getting along in years, most of whom are not "wired in" to the sensitivities of the public to the same extent as the President. In short, the judgment of the President and his advisers—while far from infallible—will probably be better, all in all, than the combined judgments of 50 State judges. For that reason, I would prefer that the President not be limited by such a panel in choosing a nominee who he feels is responsive to the needs of the times.

Second, such a convention would not have great investigatory powers or sources currently unavailable to the President. It is entirely likely, for example, that a Clement Haynsworth would have been among the 12 to be included in the list prepared by the Commission. The convention would not be in a position to do so thorough an investigation into the personal finances and private lives of all of the prospective nominees as to avoid the possibility of embarrassing developments after full public scrutiny comes to bear. In this connection, it is important that neither Judge Haynsworth nor Judge Carswell would have been rejected on the basis of information available immediately after the President's nomination. It was only after the intensive investigation which followed the nomination that the alleged damaging facts became known. Hence, the very controversy which has given rise to this proposal—the rejection of three of the last four nominees—would not be avoided by this new plan.

I have other, smaller reservations as well. Such a convention, by requiring that each of the 12 prospective nominees be approved by a majority of the convention, might well guarantee that controversial legal experts—of whatever stripe—would be eliminated from consideration. Perhaps this is fine in some instances, but it might also eliminate the Frankfurters, the Warrens, the Goldbergs, the Cardozos, and so forth. Moreover, since all delegates to the convention would be State jurists, it is logical to assume that the overwhelming number of designees will be jurists as well. This might serve to eliminate the exceptional man, the great legal ability, who has chosen not to make a career out of the bench. It should be noted that some of our greatest Supreme Court Justices have had little or no prior judicial experience.

Finally, there are problems with having our highest State judges come together for an institutionalized activity which is so obviously political in its focus and impact. The potential spectacle of judges trading votes for each other's favorite nominees, banding together to promote regional interests, and campaigning for slots on the final list haunts me.

The fact that three of the last four Supreme Court nominees have not been confirmed by the Senate is of concern to us all. None of us likes the byproduct of battle between the President and the Senate, and the concomitant residuum of bitterness and divisiveness. On the other hand, I recognize that some have viewed this battle as catharsis for the Senate, encouraging them to confirm future nominees, while others have suggested that the rejections will cause the President to be more selective in his future choices. Regardless of whichever view proves the sounder, I am convinced that we should not—in a moment of hot blood—tinker with a system which has given us such a generally high quality of judicial performance over a period of almost two centuries. If reform is desirable, let it come as the result of reflection and not reflex action.

In the meantime, the existing machinery will suffice to fill the present vacancy if it is used properly. I have long felt that the President should give the system a fair chance by giving the Senate a fair choice—and I believe he has finally done so by nominating Judge Harry A. Blackmun of Minnesota.

STATEMENT BY CONGRESSMAN ANDREW JACOBS IN RESPONSE TO ACCUSATIONS AGAINST HIM BY MR. GERALD FORD OF MICHIGAN

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1970

Mr. JACOBS. Mr. Speaker, since June 1, 1813, the U.S. House of Representatives has used its House Committee on the Judiciary to investigate serious questions of impropriety in the judiciary. Mr. Ford has sought to avoid this clear precedent of the House by bringing a charge of judicial impropriety, not before the House Committee on the Judiciary, but before the House Committee on Rules.

I do not question Mr. Ford's motive in going outside the system and attempting to avoid the clearly established precedents and procedures of the House of Representatives.

Mr. Ford is quoted in a highly unreliable newspaper, the Indianapolis Star, as saying he questions my motives in following the clearly established procedures of the House of Representatives in this matter. Until he looks me in the eye and challenges my sincerity I shall withhold further comment, except for this:

I enter this investigation with a completely open mind, having bias neither for nor against Mr. Justice Douglas, some of whose legal and political opinions I have agreed with and some with which I have disagreed.

As a member of the House Committee on the Judiciary, I shall demand and expect to receive a thorough no-holds-barred investigation of the resolution of impeachment.

If I conclude after hearing the evidence that impeachment should be voted, I shall vote impeachment. If otherwise, I shall vote against it. But in determining this most serious question I intend to follow the proper judicial procedures of the Congress.

In an assempt to deceive the public into believing that the House Rules Committee might be the proper judicial forum of the House, the Indianapolis Star on its front page Friday morning asserted that Chairman William Colmer of the House Rules Committee is or was a "judge." That assertion is completely false.

The following is the statement I made on the floor of the House of Representatives when I introduced the resolution of impeachment:

> The gentleman from Michigan stated publicly that he favors impeachment of Justcice Douglas.
>
> He, therefore, has a duty to this House and this country to file a Resolution of Impeachment.
>
> Since he refuses to do so and since he raises grave questions, the answers to which I do not know, but every American is entitled to know, I introduce at this time the Resolution of Impeachment in order that a proper and dignified inquiry into this matter might be held.

The following is the letter which I have caused to be hand delivered to Representative Jerry Ford a few moments ago:

> April 17, 1970.
>
> Hon. Gerald R. Ford,
> *Minority Leader,*
> *U.S. House of Representatives,*
> *Washington, D.C.*
>
> Dear Jerry: On at least five occasions during the past forty hours I have been asked in news conferences my opinion about your sincerity in departing from the traditional procedures of the House in your avowed move to impeach Justice Douglas.
>
> On each occasion I declined to speculate on your motives. In short, I refused to question your integrity.
>
> I merely stated what I believed to be a duty that you should perform. Obviously you and I disagreed on that point. And obviously I have refused to suggest that the disagreement was not honest on your part.
>
> When I introduced the Resolution of Impeachment I stated my motives. On the front page of my home town monopoly and unprincipled press Friday, April 17, 1970, you were quoted in effect as saying that my Record statement following your speech Wednesday night was untrue.
>
> You were quoted as saying:
>
> "If Mr. Jacobs actually favors impeachment of Justice Douglas he could have demanded an immediate vote on impeachment instead of turning the matter over to the House Judiciary Committee . . . Therefore it appears that Mr. Jacobs has introduced an impeachment resolution which he himself does not support as a diversionary tactic to prevent consideration of the facts by a balanced bipartisan special committee."
>
> A suggestion that sincerity would require me, in clear violation of House precedent, to call for an immediate vote on the Resolution of Impeachment is no different from suggesting a lack of sincerity on the part of a citizen, who, filing an affidavit containing a serious charge on information and belief with the Prosecutor, fails to demand instant indictment without investigation.
>
> Would it be fair to suggest that you do not "favor actual impeachment" because far short of demanding "an immediate vote," you have not even so much as followed the clearly established House precedent by introducing a Resolution of Impeachment?
>
> Did you make a statement questioning the integrity of what I said on the Floor following your April 15th speech?
>
> Sincerely,
>
> Andrew Jacobs.

TOM ANDERSON—AMERICAN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. RARICK. Mr. Speaker, today I was privileged to attend the national defense luncheon of the Daughters of the American Revolution, assembled in Washington, D.C., for their annual national congress.

The speaker was that inspiring American journalist, philosopher, and humorist, Tom Anderson, of Nashville, Tenn. Mr. Anderson is editor of Farm and Ranch magazine and is world renowned for his column "Straight Talk." In his inimitable style, Mr. Anderson proved himself once again to be the Will Rogers of our decade and the Patrick Henry of the hour.

Because his timely message is so vital and necessary to Americans who believe in free enterprise, constitutional government under God, and because it will receive little or no coverage in the controlled media—it is too truthful and straightforward—I include the full text of this speech by Tom Anderson—American, following my remarks. I highly commend its reading to my colleagues, as follows:

ADDRESS OF TOM ANDERSON AT THE NATIONAL DEFENSE LUNCHEON OF THE NATIONAL CONGRESS OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

Mrs. Jones, President General, my favorite Congressman—Congressman Rarick—honored guests, ladies and gentleman, my wife has made me well aware of the many vital subjects you ladies are involved in. I can't possibly cover them all today. I feel sorta like a mosquito at a nudist camp: I know what I ought to do, but I hardly know how to begin.

Many years ago a drove of wild hogs lived in a big bend of the Ocmulgee River in Georgia. They had survived floods, fires, freezes, hunters and droughts. Hunters bragged when their dogs fought the hogs and returned alive. Finally a one-gallused stranger came by the country store on the river road and asked how he could find the wild hogs. All he had with him was a one-horse wagon, an ax, a lantern, some quilts, some corn and a single-barrel shotgun.

Several months later the hog-hunting stranger came back to the same store and asked for help to bring out the wild hogs. He said he had them all over in a pen in the swamp. People came from miles around to see the captive hogs which all the natives knew couldn't be captured.

"It's all very simple," droned the one-gallused man. "First I put out some corn. For three weeks they wouldn't eat it. Then some of the young 'uns grabbed an ear here and there and scampered to the underbrush. Soon they were all eating it. (If one didn't, he knew the others would.) So then I began building a pen around the corn, a little higher each day. 'Fore long I noticed they were all waiting for me to bring the corn and had stopped grubbing for acorns and roots. I built the trap door. Naturally, they raised Cain when they seen I had 'em, but I can pen any animal on the face of the earth if I can first get him to depend on me for a free handout."

Fellow hogs, we been fenced. We been had, by one-gallused Socialists. Let's dig out! Federal aid is the greatest fraud foisted on the American people since Fraudlin D. Russiavelt (sic) first ran for President on a conservative platform. Federal aid means Federal control.

We can't have federal aid to schools and have free schools. The Supreme Court has stated—and in that instance I agree that that which the Federal Government subsidizes, it should control.

"This is the law
And the law shall run
'Til the earth in its course stands still;
That he that eateth another's bread,
Shall do the other's will."

A government big enough to give you everything you want is big enough to take everything you've got. A government big enough to tell you who you *must* hire is big enough to tell workers where they must work. A government big enough to tell you who you must sell to is big enough to tell a buyer he can't buy.

This is all part of the grand design of the collectivist conspirators: One race, coffee-colored Mongrel; one church, Apostate and anti-Christ; one nation not under God but under the beast—United Nations.

One-worlders say: discrimination immoral . . . race consciousness shows moral immaturity . . . that's like the man who sued wife for divorce because she was so immature . . . barged into the bathroom while I was in the tub and sank all my boats.

While all men are created equal in the eyes of God and the law, they don't long stay equal even there. God has his own "elect"—penalizes unrepentant sinners, and the law penalizes repeating criminals.

A centralized welfare state brings slavery, not freedom. Poverty rights are the very basis of human rights. The right to self-determination of associates is the very essence of human dignity. Forced equality is not democracy but dictatorship. Free men are not equal and equal men are not free. The issue is freedom—freedom of choice. Freedom to choose the doctor who's going to have to wait to get paid.

A government which allows a "have-not" majority to confiscate the "excess" earnings and assets of the "have" minority is a governmental tyranny regardless of whether it has a constitution and free elections or not. For no dictatorship is more corrupt or tyrannical than the dictatorship of the mob. Even if there were no such thing as a Negro, "civil rights" bills are bills for the concentration of power, which the bill of rights specifically denies. "Open housing" and the busing edicts are additional planks in the dictator's boardwalk, another nail in the coffin of States rights, another unconstitutional infringement of property rights, which is the most basic and sacred of all human rights.

Nixon calls his trillion dollar city renewal plan a "human investment program" and Humphrey called his a "Marshall plan for the cities." Whether there's a dime's worth of difference between them or not, both are clearly unconstitutional.

Incidentally, 69% of the "poor Americans" (incomes below $3,000) are white.

Take from-the-haves-and-give-it-to-the-have-nots is Marxism.

"Guaranteed annual income" is Marxism. The so-called "civil rights" movement is Marxist-oriented.

Jesus didn't take the people out of the slums; he took the slums out of the people. Jesus did not minister to groups; he ministered to individuals.

Since fiscal 1953, the beginning of the post-Korean war period, so-called "defense" expenditures are up 41%, but domestic spending is up 242%. Since 1948, tax collections have increased $109 billion a year, or 241%. Why? Population increases? No. During the past 20 years, population of the United States rose 37% and the cost of the Federal Government alone grew ten times faster than the rate of population.

"Defense" spending has increased 68% since 1960, but non-defense spending has increased 97%. Spending our way into prosperity is like. . . . I'm reminded of the story of the beer drinker who drove 12 miles out of town where he could buy beer five cents cheaper. When I asked him how he could justify the expense of going 12 miles to save a nickle, he said the answer was easy—he just kept drinking until he got even.

With the continued "Vietnamization" of our no win war, the Federal Government will spend in this fiscal year more than 200 billion, and that's more, in one year, than 32 presidents (from Washington through half of the third term of Franklin D. Roosevelt) spent in 153 years.

In socialist America today, one-fourth of the people are already living off of the other three-fourths, completely or partially. In federalized America 48 million people now get regular Government checks. That's roughly—and it is rough on those of us who pay the bills and don't get any—one out of every two households in America, assuming no duplications. That's even rough on the Post Office, having to deliver them. I dreamed awhile back that our collectivists had an answer for that too: That they plan to integrate carrier pigeons with woodpeckers, forming a pigeonpecker corps. The pigeonpeckers would not only be able to deliver the 48 million government checks, but they would knock on the door when they got there.

Our total commitment, including veterans' benefits, social security and everything bought and unpaid for, is one trillion, four hundred billion dollars. Mere contemplation of that makes one turn as pale as an undertaker's apprentice.

What is this spending for, primarily? It is to promote, here and abroad, socialism, fascism, and communism. Or, let's say, a good part of it is to promote treason and subversion against our constitution and country. Socialism, neither modern nor unique . . . unlike a bride . . .

Karl Marx said, "Spend them to death." They are. But the collectivists don't care—their program is one debt, one nation, one citizenship, one church and one firing squad—the way to get our govt. out of the Red . . .

There is only one great giver—and that is God, not government. Governments don't give freedom; they take freedom. People have to wrest freedom from government. Then, after the people secure freedom, they have to work constantly to keep it.

The materialist do-gooders profess to believe that once we make Communist "haves" out of Communist "have-nots," they will be sweet and mellow—and even renounce communism. There is as much chance of that as there is of the Pope renouncing catholicism and becoming a Baptist. He couldn't do it, and the Baptists wouldn't have him.

If you are a person of good will and honesty, you don't want to be helped unless you are willing to help yourself.

The 16% of our people who make $10,000 to $15,000 a year already pay more than half of the Federal income taxes.

Jesus was not a socialist. Jesus believed in the profit motive. He recognized that three men had different talents and abilities in varying degrees. Some gained more talents with what they had, and these were rewarded with more talents. However, Jesus took away the talent of the man who did nothing and gave it to the man who had 10 talents and congratulated those who profited.

Charity is not charity unless it is voluntary. In Luke 12:13–14 Jesus was talking to a large crowd when a man approached him saying: "Master, speak to my brother that he divide the inheritance with me." And Jesus replied: "Man who is it that would make me a divider among men?" Jesus didn't tax the "haves" to give to the "have-nots."

Jesus said: "Take heed, and beware of covetousness . . ."

Government does not and cannot create great societies. Individuals create great societies, not vice versa. The only great societies in history have been free societies in which the individual had maximum rights and privileges and was the master, not the servant of government.

Total government planning has no room for true Christian charity. The best way to reduce the exploitation of man is to embrace Christianity. Christianity, not handouts, is the hope of the world.

Of course, we can't expect our leaders to be perfect.

Reminds me of the preacher who was preaching on the imperfections of man: "I, myself, am guilty of many sins of omission and commission. I dare say there's not one among you who even thinks he's perfect."

He was appalled when a little fellow timidly arose in the rear of the church and held up his hand.

"Sir, do you mean to say you think you're perfect?"

"Oh, no, Reverend! I'm just standing up in lieu of my wife's first husband!"

Our forefathers fought the revolutionary war in order to escape taxation without representation. Taxation without representation was not nearly as bad as taxation with representation as we have had in recent years. The collectives who say "debt doesn't mean anything, we owe it to ourselves," and "the way to stop inflation is with a surtax," reminds me of the treasurer of the woman's club who got up and reported: "I am happy to state that through prudent management we ended the year with a deficit of $114.23."

A little old lady in tennis shoes jumped up and said: "I move we donate it to the Salvation Army."

The collectivists brazenly proclaim that they will "take it from the haves and give it to the have-nots who need it so much." Hitler said the same thing, in German, and Lenin said it in Russian. That's not only unconstitutional, that's stealing.

The liberals love to give away money—your money. They would say, "Elect rich humanitarian politicians—elect rich folks who don't have to steal." Reminds me of the cockroach—it's not what they steal, it's what they carry off.

Daniel Webster declared: "God grants liberty to those who love it and are always ready to guard and defend it." There is no freedom for the weak. The meek will inherit the earth, but not the weak.

If you want your government to be your slave, and not your master, you must understand it, participate in it, distrust it, and control it, for the bigger it is the littler you are.

Parents should do nothing for children which they can do for themselves. Government should do nothing which private interests can do as well or better. And the Federal Government should do nothing which can be done as well or better by local and State governments—and that includes practically everything. The bigger the government is the further removed from the people it is, the more crooked, wasteful, inefficient.

Remember, as Lincoln said: "You cannot strengthen the weak by weakening the strong." America represents the last hope of mankind, during our time, to be free. The enslaved of the world look to America. We may yet have the morality and the courage to free them from Communist tyranny. But if we lose our freedom, who will free us? If the lamp of freedom is blown out in America the world will be thrown into darkness. To save the world we must save America.

This has been the greatest nation in history because of three things: The American system of free enterprise (profit motive): the land and climate and the kind of religious, creative, hard working people who settled and made this country. 7% of land and 6% of people—71% cars—56% telephones—83% TV sets—90% bathtubs.

American business did this, not the Government. Business did it in spite of its Government, which has been anti business for 30 years. Foreigners did not do it and youth didn't do it. The "squares" over 30 and their parents did it. And then gave much of it to the world and to our youth, neither of which appreciated it (which, to any student of human nature and history, is not surprising). Only one of the seven people Jesus cured of leprosy had the decency even to thank him.

Why *destroy* the system that produced the highest standard of living and the greatest degree of freedom ever known—the Constitution of the U.S. is the greatest freedom document ever devised by man.

The so-called war on poverty is a blueprint for socialism and dictatorship, there is no unemployment in Russia. They shoot enough people to make the people and the jobs come out even. The U.N. Charter says that all member nations should maintain full employment regardless of the consequences. It is impossible to have perpetual full employment and freedom. As important as the right to get rich, is the right to be a bum.

Of course, the only sensible way to really reduce poverty is to increase and improve private enterprise.

Some young people complain because there is no more opportunity. Somebody has estimated that 80% of the world's knowledge has been developed in the past 10 years and is doubling every 10 years. Ninety percent of all drugs being prescribed by physicians today were not even known 10 years ago. Ten years from now ¾ of all people who will work in industry will be producing products that have not yet been invented or discovered.

Where there is erosion of the national morality, property rights are always destroyed. Property rights are the foundation of morality. That's the reason one of the 10 commandments decrees: "Thou shalt not steal." The politician who will steal for you will also steal from you. Some of our politicians would steal a dead fly from a blind spider.

Well, we got rid of Johnson and got Nixon. Like getting a divorce and getting custody of your wife's parents. Some uninformed conservatives still think Nixon is a conservative—weather vane.

Most of us don't yet know what to expect from President Nixon—which reminds me . . .

Once upon a time there were three bears: papa bear, mama bear and baby bear. "Someone has eaten my porridge," boomed papa bear in his deep sonorous voice. "Someone has eaten my porridge!" cried baby bear in her high little voice. "Bitch, bitch, bitch" said mama bear, "I haven't even put it in the bowl yet!" Nixon-bear hasn't put our porridge into the bowl yet. But everything indicates it will be a better tasting, slower poison.

Of course, we conservatives want perfection. Like the old maid who had waited so long for the right man to come along. Her little nephew said: "Auntie waited so long for her ship to come in that her pier collapsed." Some people even condemn Ted Kennedy for wearing that neck brace to the Kopechne funeral. He needed it to hold his head up!

Some conservatives I know spend more time and effort fighting each other. Some conservatives are like the two preachers who were earnestly discussing their religious differences. Finally one turned to the other, resignedly, and said: "After all, we're both trying to do the Lord's work. You in your way and I in his!"

Under Republicans *and* Democrats, our government, through abandonment of the gold standard, through confiscatory taxation, through continuous deficit spending, through government-sponsored union racketeering, through fantastic giveaways at home and abroad, through actual sponsorship of anarchy and insurrection across our land, through deliberate subsidization of the enemy—our leaders are destroying the home of the brave and the land of the free, deliberately. I was quoted the other day as saying "unwittingly." I didn't say "unwittingly." I said "deliberately." Our menace is not the Big Red Army from without but the Big Pink Enemy within.

It didn't just happen . . .

Our greatest menace is not fallout, but sellout.

The so-called liberals now talk about Armageddon, the last war when all shall be destroyed. If we are on the brink of Armageddon, who brought us there?

The "liberals" remind me of the boy who murdered his mother and father and then threw himself on the mercy of the court because he was an orphan.

With Marxism taking the world, our leaders don't even mention the Communist menace but talk of "building bridges of friendship." No candidate for the presidency or vice presidency—except George Wallace and Ronald Reagan—even mention the Communist scourge. They play like it doesn't exist.

We conservatives have our slight differences of opinion—like the bride-elect who was describing her differences with her fiance, "I want a big church wedding," she said, "and he wants to break the engagement." Lots of us are going to break our engagement with the Republican party unless it turns conservative. I'm for making the Republican Party conservative or making it die.

Having to choose between Democrat and Republican puts us in the position of Adam: God showed Eve to Adam and said, "Now, choose a wife!"

Christ had this to say about "moderates" (middle-of-the-roaders) a religious type. He denounced in no uncertain terms: "I know thy works, that thou art neither cold nor hot: I would thou were cold or hot. So then because thou art lukewarm, and neither cold nor hot, I will spue thee out of my mouth." (Rev. 3:15–16)

More people are interested in losing 5 pounds than in losing Cuba.

Several years ago a national survey showed more people knew who said "Hi Ho, Silver!" than who said "give me liberty or give me death!"

Typical Americans eat breakfast over their white tablecloths and pink newspapers, and end the day propped up before their boob tube which slyly undermines every form of religion, patriotism, decency, and self-reliance.

The world watches America, and America watches TV, America, former land of the free and home of the brave; now the land of the criminal and home of the sacred; America, a land in which workers get paid for not working, preachers get paid for not believing, teachers get paid for anarchy, mothers get paid for not marrying, farmers get paid for not farming, and promoters get paid for fertilizer tanks which ain't; America, where the only God recognized in the classroom is Santa Claus. A people who won't take a stand deserve to take a fall.

Even more appalling than the noise of the bad people is the silence of the "good people." Many "good people" are mainly concerned with how to stay awake on a full stomach.

XUM

As General Van Horn Moseley said: "Those who have the most to lose will be the last to resist." (The country club set) and they're neither blind nor innocent; they are gutless and guilty.

As Hiram Mann said: "No man escapes when freedom fails. The best men rot in filthy jails and those who cried, 'appease, appease!' are hanged by those they tried to please." Appeasers are people who feed a crocodile hoping it'll eat them last.

It is fashionable to be a moderate, a middle-of-the-roader, these days. Many middle-of-the-roaders are merely people who have no principles they'll stand up for. The middle of the road has been moving to the left for 25 years. Pontius Pilate was a middle-of-the-roader. He didn't dare make the decision to crucify Christ. He let the mob decide, the "democratic" thing to do. The middle of the road between good and evil is evil.

We conservatives are always accused of being against change—who have to be dragged into the 20th Century—aginners opposed to all change. But not changing just to be changing. Like the fellow who decided just for a change he'd start parting his hair crossways, ear to ear.

His one remaining friend asked, "Well, how do you like your hair parted that way?" He said, "Fine, except for one thing. People are always whispering into my nose." You can raise a pig in your parlor. It won't change the pig, only your parlor.

Many of the hypocrites who never miss church on Sunday are "going along" with the criminal take-over of our country by Socialists, Communists, atheists, degenerates and slobs. These are businessmen who say we've already lost and who lack the integrity and the courage to identify with what appears to be the losing side.

Cicero said, "It is impossible to know the truth and not be held responsible."

An informed Christian can't quit! Beatniks quit—beaten because they refuse to try. They're long on hair and short on character.

The human race—to which many politicians belong—has made no measurable improvement morally and intellectually in all human history. How sad! And it won't, unless Christianity prevails.

We "haters" are accused of intolerance. One of the greatest national weaknesses and sins is an excess of tolerance. Let us not mistake ignorance or cowardice for tolerance. One is not capable of tolerance unless one has a conviction. A person unable to arrive at convictions is a person morally immature.

Some people are mainly interested in whether the Jones' are doing it before they do it. Remember, today's mighty oak is just yesterday's little nut which stood its ground. Confucius said: "To know what is right and not to do it is the worst of cowardice." If it is morally wrong, it can't be politically right.

Many who ask what can I do are afraid you'll tell 'em.

There are many people in America who know the score and yet refuse to get involved. We have the strength of their convictions. There is no excuse for people who say: "I'm with you all the way—but don't use my name."

What can "little I" do? A little 17-year-old girl who couldn't even read or write changed the course of history. Her name was Joan of Arc.

When and if St. Peter meets us at the golden gate, he won't ask what we agreed with. He won't ask what we belonged to. Heaven is not open to Methodists, Catholics, Rotarians or D.A.R. Heaven is open only to individuals. It's not what we belong to—it's what we are. It's not what we say—but what we do—and what we don't do. "But it's too late," some say. For Christians it's never too late.

We can't depend on our political leaders. We can't depend on the professionals. I'm constantly amazed by the people who think all we've got to do is to elect a so-called conservative president and then go back to the bridge table and golf course. If our republic can be saved from dictatorship, bankruptcy, and surrender it will be saved the same way it was founded, from the bottom up, by we-the-people.

In the Russian Revolution the business and professional leaders stayed neutral. They figured they were smart enough and sophisticated enough to stay on top regardless of which regime won out. They ended up shot in the back of the neck. And that's what they deserved. They stayed neutral until it was too late. How soon will it be too late in America? Many business and professional people are staying neutral or else riding the tide of what they think is the wave of the future; opportunist icebergs who'll go along with any tide that'll promote their own selfish interests.

Dante said, "The hottest places in hell are reserved for those who in a period of moral crisis maintain neutrality." If this is not a period of moral crisis, when have we ever had one in the history of the world?

Coexistence is an immoral, impossible, gutless fraud. General Eisenhower's buddy, Russian General Zhukov said, "Coexistence is as nonsensical as fried snowballs." Every Russian leader is on record as saying that coexistence is impossible, that we cannot live side by side, that one or the other must be destroyed. Yet our leaders have been serving us fried snowballs, sugar-coated, for 25 years.

Let's demand that our leaders quit fighting evil by compromising with evil. Let's demand cessation of all recognition and trade with all Communist countries until their slaves are freed. This would give the enslaved of the world new hope: that America, their only hope, has not yet surrendered, that America may yet have the morality and the courage to help them free themselves from Communist chains. If the lamp of freedom is blown out in America, the world will be thrown into darkness.

What can one person do about it? One man, Nathan Hale, sent chills up the spines of generations of American patriots when he said just before he was being put to death, "I only regret I have but one life to lose for my country." Sometimes I've wondered if U–2 spy Powers might be the modern Nathan Hale. He was paid $30,000 a year to do a job and when he was caught, he said, "I didn't know what I was doing and if I had known, I wouldn't have done it."

What can you do? One man, Adolph Hitler, cast the deciding vote in a beer putsch that set the world on fire. One man's vote kept us from killing compulsory military training—4 months before Pearl Harbor. One man's influence led to giving China to the "Agrarian reformers." That man was not a foreigner, but an American.

What can one person do? One person, unknown today, fired the shot heard 'round the world. He didn't worry about it hurting his business. He didn't check to see if the leaders approved. He was neither paid cash nor guaranteed any benefits by his government. He just did what his conscience told him to do for his country. You are but one. So were Carrie Nation, and Joan of Arc, and Patrick Henry. Maybe one person can't save the country, but he can try.

What can one person do? One man, Karl Marx, Karl, was a ne'er-do-well. But his criminal conspiracy, sometimes miscalled a religion, has enslaved half the world. What can one person do? Hitler was a psychopathic paperhanger. Are we inferior to them—or even to Christ's Disciples—before they became dedicated men?

Appealing to our one worlders to save our free republic is like appealing to the Jesuits to save unitarianism. But most of our Congressmen and Senators are not collectivists. They're neither dedicated leftists nor dedicated rightists. They're merely dedicated to staying here. And that depends on you. We have no permanent patent on freedom. Freedom is not George's job. It's yours.

Some people try to excuse their own do nothingness by alibiing: The majority *want* what they're getting! The majority don't know what it wants. The mob is a slob.

History is made not by silent majorities but by dedicated minorities. Let each of us do the best we can, where we are with what we have. Enough dedicated ants can whip an elephant.

We must have the courage to stand up for what is right against the mob, win or lose. Many dictators get a majority vote. The majority is not always right. One—with God—is a majority. The majority permitted the reign of terror in the French Revolution. The majority shouted to Pontius Pilate, "Crucify Him." The majority burned the Christians at the stake. The majority drove the Jews into exile and to the ghetto. The majority established slavery. The majority of the House of Burgesses jeered when Patrick Henry asked: "Is life so dear or peace so sweet as to be purchased at the price of chains and slavery?" The majority ridiculed Columbus for saying the world was round. The majority said that Gallileo must recant or go to prison. Only a few responded when Paul Revere cried: "The British are coming!" Only a few defended the bridge at Concord.

Only a few signed the Declaration. "Why be upset?" the ostriches ask.

I'm upset because in 1945 at the end of the so-called hostilities, the Communists controlled about 7% of the world's peoples. They now have 40% of the peoples and 25% of the land mass in chains. And the big Red Army didn't fire a shot. They are now taking us and other free nations from within, and yet *Senator Fulbright* said the other day that there *is* no Communist conspiracy! And many of our leaders tell us "The cold war is over." If the cold war is over, we lost it!

What am I upset about? I used to be upset because my child might have to live in a slave state. Now I'm upset because I might have to.

Just a few years ago when Karl Marx died only eight people attended his funeral. Most of our State Department were too young to go. All the Communists have to do is to keep on doing the same things we've been doing, and their timetable calls for taking us over, from within, in this decade. And we are told not to get upset.

The situation we are in today in America reminds me of the two skeletons, locked in a closet. One skeleton turned to the other and rattled, "How did we get in here?" The other answered, "I don't know, but if we had any guts we'd get out."

When freedom is at stake, silence is not golden; it's yellow.

A recent Harris poll showed 25% thought it was O.K. to ignore a victim's cry for help. Remember the story of the woman returning from work in New York? She had been attacked and stabbed repeatedly on the sidewalk in public, while some 30 people who could have helped her, did nothing. They said they didn't want to get involved. In fact, her assailant returned while she was trying to crawl to safety, to finish her off. May God have mercy on their uninvolved souls! We will get involved or get enslaved. A people who lack the morality to stand on their feet will crawl on their knees.

The great issue of our time is neither education nor economics; it's moral. We have many problems and one overshadows all others. And that is morality. That's the main reason we're in the shape we're in: Lack of morality, domestically and internationally. Our critical problem is not our housing slums but our moral slums.

On the home front we have been seduced by bread and circuses, running to Washington hat in hand selling our freedom for a mess of pottage. On the international front we have cynically tried to bribe and buy the world as a substitute for a foreign policy. This is materialism. The war for the world is not based on hunger versus plenty, ignorance versus education, totalitarianism versus Democracy . . . Germany . . . Cuba . . . the war for the world is between good and evil. Some of the "Best" educated people are the most wicked. You have to be educated to even know how to commit some crimes. One-fourth of Hitler's concentration camp guards held doctorate degrees!

"This is the best-educated generation this nation has yet produced," say the educators and the statisticians. But they don't say what they are educated for. They mean that a higher percentage of our students now graduate from high school and college than ever before, which really means very little. One of the first things many graduates should do as soon as possible is to unlearn the untruths they were taught by mistaken educators. Our progressive educators have been stressing life adjustment instead of the preservation of a free Nation. They have taught security, peace and brotherhood but left duty, honor and country aside.

The first thing an educated person learns to do is to walk alone. The first requirement of a school, in my opinion, is to build character. We need not more nationalized educational supermarkets but more small, local schools, and more Christian schools. We need more good teachers who can spend more time with the students than the bus drivers do. We need more learning and less riding, better teachers instead of better buildings. More truth and less TV. More understanding and less innovation.

Recently, I spoke at what was described to me as one of the most exclusive girls' schools in Pittsburgh. My reception was underwhelming. No applause—no laughs—until I said that Jesus was the hope of our nation. During the following question and answer session, the students arose to say time and time again, "I disagree with everything you've said." To this there was great applause.

And so it went. Every question antagonistic. Every antagonistic question applauded. After forty minutes of threat, the headmistress insisted that the little dears' mommies and chauffeurs were waiting without. A few little darlings insisted on surrounding me after the formal meeting was over: "We are Marxists!" They proclaimed.

I turned to comrade headmistress and said: "You have done a wonderful job of brainwashing these children!"

"Mr. Anderson, we feel that our teachers are more or less evenly divided on these things," she replied archly.

"Yes", I replied, "Fifty percent for Russia and fifty percent for Red China."

And with that the rest of the little angels rushed out to their waiting Cadillacs and departed. The median age of these children was not more than 15. It'll be at least three or four years before they're old enough to destroy the country.

Fortune magazine reports that 700,000 young Americans in colleges and universities now accept the communist condemnation of American capitalism and want to destroy the system.

The "new left" has reportedly captured the student-body presidencies in more than half of our institutions of higher learning.

Who is responsible? The parents, the teachers, the preachers, and the liberals. The reds could not have accomplished this unless the pink brainbenders were running their errands for them.

The parents defaulted. The pinks have taken over the educational system. The students have been lied to. They have not been told the truth about capitalism and the American system. Nor about Christianity.

How can the free enterprise system survive the next generation if the next generation doesn't believe in the free enterprise system?

Neither Jesus Christ, Abraham Lincoln, Winston Churchill nor Shakespeare (Grammar School Dropouts) could have been admitted to today's colleges. And all but Christ might have been ruined if they had been. A college degree is the most overrated thing since Jackie Kennedy.

We spend billions for buildings and peanuts for teachers. We're obsessed with science so we can keep up with the Russians, who can put missiles on the moon but can't make toilets work.

Meanwhile, the voice from the campus cries "hyprocrisy!" At the community elders and the "establishment." Students decry the "rat race," the "crushing materialism," our "money-mad society"—and then wire home, collect for $200 to finance a spring hash of booze and sex at Fort Lauderdale, or a trip to New York for a parade to honor the Vietcong. They're as spoiled as a butcher's dog. They're always itching for money but never scratching for it.

I heard about a widow who raised five wonderful boys all by herself. "How in the world did you do it?" somebody asked. "The main thing," she said, "was a pat on the back. You must do it early enough, often enough and low enough."

If the campus "idealists" are opposed to materialism, if their hearts bleed for the disadvantaged, the guilt-ridden phonies should know that, just to help defeat hyprocrisy, they may turn over to the nearest pastor their new car, TV, stereo, tape recorder, electric blanket, hair drier, camera, or fancy "mod" wardrobe, and he will personally see that they are distributed among the poor. Why don't the self-described "idealists" practice what they preach? That goes for the Rockefellers, Kennedys . . .

Why don't they rebel against a rigged communications system which is brainwashing the American people? How long since we've seen an anti-Communist TV program or movie? Ever? Communism is the scourge of the world. Yet most Americans either ignore it or embrace it.

Our country today needs nationalism, patriotism, morality, courage, dedication and religion as never before. And these eternal verities—these necessities if we are to survive as a free people—should be taught from kindergarten through college.

Even though we are the richest society in human history and therefore necessarily one of the softest, wickedest and unhappiest, we have no monopoly on permissiveness. Both ancient Greece and ancient Rome became permissive societies—and went under. Permissiveness is now pervading the west, where there is freedom. There is no permissiveness in Russia—there is still the firing squad and Siberia.

Loss of faith in God is our Nation's most serious problem. When men lose God they turn to the state.

The new morality is not new—it's old as Sodom and Gomorrah. "God is dead" is not new. The new religion is Atheism—anti-God. The new economics is feudalism and fascism. The new art is anti-art. The new politics is a return to the jungle.

We now have new math, new religion, new morals—the so-called liberals are deliberately trying to destroy all the eternal verities. "Liberalism" is Atheism concealed; Communism is atheism revealed.

If your minister preaches a new moral code what you need is not new values—but a new preacher. If you can believe God is dead you can believe anything. If you can believe there is no such thing as sin, as right, as evil . . . then conversely you can believe there is no such thing as morality, wrong, good.

More and more we were told, "everything depends on the situation, and how you look at it." Like the wife said to her husband: "You say I'm overdrawn. I say you're under-deposited."

I heard about a modernist church which put on its bulletin board in the yard: "There ain't no hell." And a fundamental church across the corner put on its board: "The hell there ain't!"

I also heard about a new modern and sophisticated preacher who got a call to a little rural church in Alabama. He announced the second Sunday that the congregation would have to cease and desist from shouting "Praise the Lord! Amen! And shouting and other such square expressions.

The very next Sunday a little old woman got carried away—"Praise the Lord. Halleluja!" The ushers hastened down the aisle, lifted her up gingerly and carried her out. Waving her handkerchief she cried: "Jesus rode one into Jerusalem and it takes two to carry me out!"

When you analyze all of our major problems, you find they all go back to morality. Law and order, Vietnam, inflation . . . pornography . . . books . . . magazines . . Liz tells all! . . . Liz can't—she couldn't remember all.

If you were a commie and wanted to take over this country, how would you go about it? They wouldn't dare bomb Washington and New York. They'd kill too many of their own folks. They are winning without it. Their own slaves would turn on them. They know and we know that there can be no winner in a nuclear war. The way to take over this country is to infiltrate the clergy, press and networks, the educational system, key spots in government. And it's not how many Communists there are: It's who they are and where they are . . . 3% . . . took over Russia and have ruled it ever since.

The F.C.C. talks of a "fairness doctrine" . . . socialism is not controversial but antisocialism is. There is no real freedom of choice on TV.

Being able to switch channels and get Frank McGee or Frontley and Pinkley instead of Walter Cronkite or Eric Sevareid is like getting shipwrecked on a desert island with your own wife.

Comparing CBS to NBC reminds me of the time the Earl of Sandwich (who invented the sandwich) was challenged by backbencher John Wilkes in the English Parliament. Sandwich was kind of a ladies man, but he was tough in debate and told Wilkes that he was a no good so-and-so and that he'd surely die on the gallows or of a dread disease.

Wilkes replied: "That depends, my lord, on whether I embrace your principles or your mistress."

Switching from NBC to CBS is like switching wives and getting custody of your ex-wife's parents.

Missile strength, manpower strength, H-bomb strength get the headlines. Few ever mention the greatest weapon: spiritual strength. Who—we or the Communists—have the fanatical zeal necessary to survive? Which will make the most sacrifices and the least compromises? We must maintain our moral superiority! We must fear slavery more than we fear war. We must prefer to die in our feet than to live on our knees. War is not unthinkable—but slavery is.

We are in a war for survival as a free people—and we are losing. We are losing because our leaders are not trying to win.

In a sickening spectacle, on Nov. 7, 1968, while American men were dying in Viet-

XUM

nam, the Johnson administration joined the Russians in observing the Communist Revolution's 50th Anniversary celebration at the Russian Embassy in Washington.

Secretary of State Rusk clinked vodka glasses with the Red killers. Our chief international bugler, Sen. Fulbright was there. The only tune he can play is "Retreat." He makes me wish birth control could be made retroactive.

Our "Pueblo" strategy was the same as our Vietnam, Korea, Cuba, East Germany, China—to compromise and surrender.

The strategy is: to lose. We have never won any war against any Communist nation—and we won't—until we get the pro-Communists out of leadership positions in our government, press, education and churches.

Switching from Rusk to Rogers is like leaving a soiled diaper on a baby and just changing safety pin.

The chairman of the Senate Foreign Relations committee, J. W. Fulbright had this to say in his maiden speech to the Senate on March 26, 1945: "Where one recalls the birth of our own nation—that in 1776 our forefathers were regarded as being quite as radical, by the rest of the world, as Lenin was in 1920—is it not strange that we should be so harsh toward Russia?"

Senator Fulbright has been anti-American and pro-Communist in the intervening quarter century. Just a few weeks ago he said he didn't care if all of southeast Asia went Communist. Chairman Fulbright's conception of the Communist menace reminds me of the drunk who stumbled up on a man barbecuing a chicken over the rotary spit in his patio.

"Shay buddy, whatsa' matter?" he asked. "Your organ ain't playin' and your monkey's on fire."

It's great that the three Apollo 13 astronauts got back safely. But, why are they so much more important than the thousands of American POW's rotting in communist jails while our government helps their captors? Why are the lives of our astronauts any more precious than the 42,000 American lives we have sacrificed in Vietnam, in a war we never had any intention of winning? Why should any American submit to being drafted to fight an undeclared no-win war, to be killed by American foreign aid, or be captured and tortured by communist criminals, while our government makes no effort to recover them?

Occasionally, we "super patriots" are accused of dividing our country, and thus helping the communists. Remember, today's mighty oak is just yesterday's little nut which stood its ground.

"Am I, therefore, become your enemy, because I tell you the truth?" (St. Paul, Galatians IV, 16).

The great President Roosevelt, *Theodore* Roosevelt, said, "Patriotism means to stand by the country. It does not mean to stand by the President or any other public official save exactly to the degree in which he himself stands by the country." Continuing, Theodore Roosevelt said, "It is patriotic to support him insofar as he efficiently serves the country. It is unpatriotic not to oppose him to the exact extent that by inefficiency or otherwise he fails in his duty to stand by the country. In either event it is unpatriotic not to tell the truth save in the rare cases where this would make known to the enemy information of military value which would otherwise be unknown to him."

Some apologists say the State Department knows what it is doing and the people do not. Yes! The State Department has always known what it was doing. We didn't get where we are by accident. It was planned that way. Some of those anonymous creatures on the fourth floor of State have never made a mistake in our favor. Those hidden persuaders remind me of that new deodorant called *"stereo."* It doesn't stop the odor but you can't tell where it's coming from.

Our State Department is like a poisoned candy bar: A yummy mixture of nuts, fruits, chocolate and jelly with artificial coloring and a tasteless poison added.

We lower mentalities must realize that the Senator from Oxford, *J. William Fulbright*, has said: "Fundamentally . . . the American people have little, if any, need to be alerted to the menace of the cold war."

Few men of our time have dipped more deeply into the sacred fount of learning and come up drier.

The U.S. Supreme Court ruled about two years ago in an opinion appropriately written by Justice Abe Fortas, that Americans with a valid passport cannot be prevented by our State Department from visiting and consorting with the enemy. This same so-called Court ruled that it is illegal to have the Lord's Prayer in school; but not illegal to plot to overthrow our Government by force, unless you try to do it. And now it is being tried. And our officials do nothing.

So-called Christians who say, "We will do nothing but pray, let God do everything," are failing God, faith and duty. Our faith and our works must match His will. As Beaumont said, "faith and work are like the light and heat of a candle—they cannot be separated."

Those who say "it's all ordained and so why fight it?" remind me of the Presbyterian preacher back in pioneer days who was asked by a parishioner: "If you believe things are fore ordained and predestined, and you believe that when your time has come it's come and there is nothing you can do about it, why do you carry a gun with you when you go to church on Sunday?" "Well," he said, "it's like this. I carry a gun because I might meet an Indian whose time has come."

As an old Negro preacher said: "Status quo is just Latin for the mess we is in."

The Bible says "it came to pass," it didn't come to stay! Whether it stays depends on us.

Once a farmer took his small son with him to steal some corn. The man prepared to put the corn into the bag, and he anxiously looked around to see if anyone was watching—"quick son, open the bag!" "Daddy, you didn't look in one direction." . . . Frightened . . . "where, where?"

The son answered simply: "Daddy, you didn't look up."

To find the way out of our troubles, we need to look up. And we need to get to work. God alone can save the world—but God won't save the world alone. Nor will prayer alone.

No matter how difficult the task or how long the odds, let us never quit trying. Like the fellow on the golf tee who said to his companion: "I've got to do well here! That's my mother-in-law on the club house porch."

"Don't be silly!" Replied his friend. "That's over 200 yards—you'll never hit her from here!"

Of course, there are many discouraging things. What hope is there for a nation which votes Jackie Kennedy as "most admired woman?" except for the knowledge that for 10 or 15 years it was Eleanor Roosevelt.

Then, there's my friend named Paul, who was asked by a street urchin, "Is this your car, Mister?" Paul nodded, "My brother gave it to me for Christmas."

The boy looked astonished. "You mean your brother gave it to you and it didn't cost you nothing? Gosh I wish . . ."

He hesitated, and Paul knew what he was going to wish. He was going to wish he had a brother like that. But what the lad said jarred Paul all the way down to his heels. "I wish," the boy went on, "that I could be a brother like that."

Paul looked at the boy in astonishment, then impulsively he added, "Would you like to ride in my automobile?"

"Oh yes, I'd love that!"

After a short ride, the boy turned and with his eyes aglow said, "Mister, would you mind driving in front of my house?"

Paul smiled a little. He thought he knew what the lad wanted. He wanted to show his neighbors that he could ride home in a big automobile. But Paul was wrong again.

"Will you stop right here where those two steps are?" the boy asked.

He ran up the steps. Then in a little while Paul heard him coming back, but he was not coming fast. He was carrying his little polio-crippled brother. He sat him down on the bottom step, then sort of squeezed up against him and pointed to the car.

"There she is, buddy, just like I told you upstairs. His brother gave it to him for Christmas, and it didn't cost him a cent, and someday I'm gonna give you one just like it: Then you can see for yourself all the pretty things in the Christmas windows that I've been trying to tell you about."

Paul got out and lifted the little lad to the front seat of his car. The shining-eyed older brother climbed in beside him and the three of them began a memorable holiday ride.

That Christmas Eve Paul learned what Jesus meant when he said: "It is more blessed to give . . ."

CHICAGO PLAN FOR THE BUILDING TRADES

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. PUCINSKI. Mr. Speaker, much has been said about the turmoil presently expressed by the building trades in trying to open up job opportunities for minority groups.

The Nixon administration has proposed the Philadelphia plan as the answer. I agree with the General Accounting Office that the Philadelphia plan is illegal because it sets quotas for minority groups, which is a violation of the Civil Rights Act. I am not at all persuaded by statements by the Secretary of Labor that these are not quotas but goals.

The Philadelphia plan is one of the most controversial proposals made in recent years and deserves to be seriously amended before it can become operative.

I would like to call to the attention of the House the Chicago plan recently agreed to by the Chicago and Cook County Building Trades Council, whose president is Thomas J. Murray, and whose executive secretary is Thomas Nader; the Building Construction Employers Association of Chicago, whose chief officer is Arthur F. O'Neil; and the Coalition for United Community Action, which has a number of outstanding black leaders in Chicago headed by Rev. C. T. Vivian and Rev. Jesse Jackson.

I believe time will prove that the Chicago plan is much preferable to the Philadelphia plan and will provide wider opportunities for minority groups.

Both Mr. Murray and Mr. O'Neil, as

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well as the Coalition for United Community Action, deserve high praise for working this problem out among themselves.

I am placing in the RECORD today a copy of the Chicago plan for use by other communities throughout the country.

The plan follows:

THE CHICAGO PLAN—AN AGREEMENT TO IMPLEMENT THE EMPLOYMENT OF MINORITIES IN CHICAGO'S CONSTRUCTION INDUSTRY

AGREEMENT

This agreement is entered into on this 9th day of January, 1970, by and between the undersigned, the Chicago and Cook County Building Trades Council (herein called "the Council"), the Building Construction Employers Association of Chicago, Inc. (herein called "Employers Association"), and the Coalition for United Community Action (herein called "the Coalition") for recommendation to their respective members and affiliates.

Whereas, the Council, Employers Association and the Coalition recognize the desirability and necessity of securing a greater minority group representation into the skilled trades of the building industry of Chicago; and

Whereas, if general business conditions permit, the said parties hope to achieve, year by year, over a period of not more than five years a level of minority group employees proportionate to their percent in the community at large; and

Whereas, the parties are agreed that no party will benefit by or has an interest in the destruction or dilution of existing standards and programs; and

Whereas, the parties agree that knowledgeable persons acting in good faith are the most effective and efficient means to achieve these goals;

Now, therefore, it is agreed that the Council, Employers Association and Coalition shall affirmatively recommend to their respective members and affiliates the following plan:

I.—ADMINISTRATIVE COMMITTEE

A. There shall be established an Administrative Committee composed of seven (7) representatives as follows:

1. Mayor Richard J. Daley or his designated representative;

2. Two (2) representatives to be selected by the Council;

3. Two (2) representatives to be selected by the Employers Association;

4. Two (2) representatives to be selected by the Coalition.

B. Duties—the Administrative Committee shall have the following duties:

1. To implement the program agreed upon by each Operations Committee;

3. Where applicable, to seek funds for the purposes of carrying out the directions of the Operations Committees in the following areas:

(a) Recruitment;
(b) Counseling;
(c) Physical facilities;
(d) Teacher recruitment;
(e) Staffing;
(f) Motivation and retention;
(g) Certification of journeymen status.

3. Action by the Administrative Committee shall require the vote of at least five (5) members.

4. In the event a complaint arises relating to programs already agreed upon by each Operations Committee, such complaints may be referred to the Administrative Committee for purposes of mediating said complaints.

C. Funding—both public and private funds may be used to accomplish the goals and purposes according to the needs and availability of funds.

II.—OPERATIONS COMMITTEES

A. There shall be established an Operations Committee for each participating individual affiliate or member composed as follows:

1. Two (2) representatives selected by the affiliate or craft union;

2. Two (2) representatives selected by the member industry;

3. Four (4) representatives selected by the Coalition.

B. Qualifications—it is expected that representatives selected for the Operations Committees shall be knowledgeable in the particular industry and/or craft.

C. Duties—it shall be the duty and responsibility of each individual Operations Committee to formulate and determine particular programs appropriate to each craft and industry. In formulating and determining such programs, representatives on the Operations Committees shall be guided by the following principles:

1. Those crafts and industries that can accept accelerated and/or auxiliary programs should do so;

2. No program shall in any way affect the integrity of any collective bargaining agreements and/or commitments.

3. Any and all agreements on programs shall be by mutual agreement of all representatives.

D. Filing—programs developed and formulated by each of said Operations Committees shall be reduced to writing and filed with the Administrative Committee for the purpose of implementation as set forth in paragraph 1(B) above.

III.—GUIDELINES FOR OPERATIONS COMMITTEES

1. We will endeavor to obtain employment at once for 1,000 qualified journeymen who possess the necessary skills of their respective trades, and look to the Coalition to supply us with qualified journeymen. Each respective craft union will accept such journeymen into membership within the time period called for in the pertinent collective bargaining agreement, and each craft union will accept its initiation fee or required fees on a partial payment plan to run at least three months.

2. Those persons who possess some of the skills of a particular trade and can furnish proof of employment for two or more years in the particular craft in which they possess some skills will work for a 30-day probationary period, after which they will receive the equivalent of the apprentice's rate for the applicable year of the particular craft, as determined by its Joint Apprenticeship Committee, and will be enrolled as an apprentice. Or a special training program will be set up in those industries where practicable, and each worker will receive special training in the particular craft involved. We will look to the Coalition to supply us with persons possessing such skills.

3. With respect to those individuals who have had no prior training and do not possess some of the skills of a particular craft involved, but who are within the age limits of 17 to 23, or the age limits for the particular craft, we propose an information and recruiting program designed to acquaint all applicants with the trades and the requirements of each trade. We will enlarge upon the present facilities of and combine the efforts of the Urban League and the Apprentice Information Center to implement this program. We believe such a training program would run about one month and could be funded through the government to provide a modest wage during this month period. There would be no prior tests for coming into this program. The program would prepare each applicant for entering the existing apprenticeship programs for all crafts, would explain what each craft does and would determine the aptitude of the applicant with respect to the particular trade and increase the probability of success of the applicant as well as his adjustment into the Construction Industry. From this program the applicant who meets the qualifications would go into the existing apprenticeship program for the particular craft. The Coalition would be responsible for the recruitment of applicants into this program. We anticipate that at least 1,000 applicants could be accepted into this program.

4. We propose an on-the-job training program for persons who do not wish to take the tests provided for in point 3 above for admission into the respective apprenticeship programs or who fail in such tests. Provided that the necessary funding can be obtained for such a program for on-the-job training, the wage would be geared to the equivalent apprenticeship rate, and provisions would be made for schooling of one day a week or for evening classes as facilities permit. This on-the-job training program would apply in such industries where such trainees could be employed. We believe that at least 1,000 such on-the-job trainees could be placed in these industries which lend themselves to such a training program.

5. These recommendations shall be applicable only with respect to persons who have been residents of Chicago for over one year.

6. We recognize the desirability and the necessity of securing a greater minority group representation into the skilled trades of the Building Industry in Chicago and will therefore seek to establish further programs in keeping with the demands of the industry, and if general business conditions permit, which will hopefully achieve over a period of not more than five years, a level of minority group employees at least proportionate to their percentage in the community at large.

IV.—DURATION

The obligations imposed by this Agreement on the Council, the Employers Association and the Coalition shall become effective when signed. There shall be a review of all programs instituted as a result of this Agreement and the effectiveness of the various committees established as a result of this Agreement six (6) months from the execution thereof.

Dated at Chicago, Illinois, this 9th day of January, 1970.

Coalition for United Community Action

Robert L. Lucas, Black Liberation Alliance.
Barry Patterson, Conservative Vice Lords.
Michael Shane, Black Disciples.
Curtis E. Burrell, Kenwood-Oakland Community Conference.
Robert E. Williams, Lawndale Peoples Planning and Action Conference.
Bob Taylor, National Welfare Rights Organization.
Alphonse Small, Black P Stone Nation.
David Reed, Valley Community Organization.
Paul King Jr., West Side Builders.
C. T. Vivian, Coordinator.
Sally Jackson, Allies for a Better Community.

(Signed by Coalition on January 9, 1970.)

Chicago and Cook County Building Trades Council

Thomas J. Murray.

Building Construction Employers Association of Chicago, Inc.

Arthur F. O'Neil.

(Signed by Industry Committee on November 12, 1969 and in Mayor Daley's office on January 12, 1970.)

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HOUSE OF REPRESENTATIVES—*Tuesday, April 21, 1970*

The House met at 12 o'clock noon.

Rev. Redden J. Thames, First Baptist Church, Loris, S.C., offered the following prayer:

Living and loving Lord, You have positioned us in places of awesome responsibility. Our choices are seldom right versus wrong. Yet, they ultimately result in life or death, health or hunger, happiness or despair for millions of people.

Our hindsight tells us we have too often looked to our own understanding. Give us, we pray, a clear insight into the complexities of the issues before us today. Grant us the foresight to keep our eyes upon the highest goal, that we may discharge our stewardship with honor.

May be never forget that Thou art God and we are Thy creation. In Thy name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3127. An act to provide for the exchange of governmental officials between the United States and the Union of Soviet Socialist Republics.

REV. REDDEN THAMES

(Mr. McMILLAN asked and was given permission to address the House for 1 minute.)

Mr. McMILLAN. Mr. Speaker, it is my great pleasure and privilege this morning to welcome to the House of Representatives our Chaplain for this occasion, the Reverend Redden Thames, pastor of the First Baptist Church of Loris, S.C.

Reverend Thames is one of the outstanding ministers in the State of South Carolina and I do not know of any man in our State who has done more for the individual communities where he has served. He has an excellent reputation not only for building up a church, but for building young men and women into fine citizens. Reverend Thames is the most public-spirited young man that I have ever had the opportunity of knowing, and he does not hesitate to speak out in behalf of any person, whether they be in politics or any other profession.

As an indication that South Carolina is not the only State that thinks highly of Reverend Thames, I submit for the RECORD that he was honored by the Governor of Kentucky for outstanding service while he served as juvenile probation officer for the Jefferson County court.

Reverend Thames earned his bachelor of divinity and master of divinity degrees from Baptist Theological Seminary. He is married to the former Joan Reeves and they have four children. In 1965 he was selected by the Progressive Farmer magazine at Emory University as "South Carolina's Rural Minister of the Year."

I have always considered Reverend Thames one of my closest personal friends and we people in South Carolina are fortunate to have, and to be able to keep, such a great patriotic American in our community.

I hope every person attending this session of Congress today will meet the Reverend Redden Thames.

ADJOURNMENT OVER TO THURSDAY, APRIL 23, 1970

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMENDATION OF PRESIDENT NIXON FOR PLEDGE TO BRING HOME AN ADDITIONAL 150,000 SERVICEMEN FROM SOUTH VIETNAM

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, I take this opportunity to commend President Nixon for his pledge to the American people to bring home an additional 150,000 U.S. servicemen from South Vietnam within the next year. Fighting the type of war we are in Vietnam and considering the fact the situation was inherited by Mr. Nixon, I feel withdrawal of additional Americans and giving more responsibility of the fighting to the Vietnamese is the only answer.

When I was in South Vietnam during Christmas of 1968, it became evident to me that the conflict had become an American war. Upon returning to the States, I stated that we had too many troops in South Vietnam and a troop withdrawal would be in order.

We have probably done more for the people of South Vietnam than we have for any other country. If the South Vietnamese cannot make it now, they will never be able to make it.

I personally believe a democratic form of government will survive in South Vietnam and that the people will reject any attempts by the Communists to take control. It is my personal hope that we would be able to withdraw the vast majority of combat troops by mid-1972 and I believe this hope appears feasible.

THE PRESIDENT'S SPEECH BOTH HEARTENING AND DISCOURAGING

(Mr. BERRY asked and was given permission to address the House for 1 minute.)

Mr. BERRY. Mr. Speaker, the President's speech last night was both heartening and discouraging. It was heartening to learn that such progress has been made in Vietnam that we can bring home another 150,000 men during the next year.

It is even more heartening to have the President tell us that the just peace we have so long sought is at least in sight.

But it is discouraging to see that there has been no progress at the bargaining table.

Mr. Speaker, it is to be hoped that the North Vietnamese listened carefully to what the President said last night.

Let me quote the President. He said:

> But I again remind the leaders of North Vietnam that while we are taking these risks for peace, they will be taking grave risks should they attempt to use the occasion to jeopardize the security of our remaining forces in Vietnam by increased military action in Vietnam, in Cambodia or in Laos.
>
> I repeat what I said November third and December fifteenth. If I conclude that increased enemy action jeopardizes our remaining force in Vietnam, I shall not hesitate to take strong and effective measures to deal with that situation.

There is, as the President said, "a better, shorter path to peace—through negotiations." It is an alternative the North Vietnamese should seriously consider.

PROGRESS IN ENDING THE VIETNAM WAR

(Mr. PELLY asked and was given permission to address the House for 1 minute.)

Mr. PELLY. Mr. Speaker, the President made it clear and plain last night that we are making progress in ending the war in Vietnam.

There was good news when he announced the withdrawal of another 150,000 troops. There was good news when he said that peace is in sight.

The tragedy of this war is not one of America's making. The President left no doubt about that.

He pointed out that—

> Had the other side responded positively at Paris to our offer of May 14th of last year most American and foreign troops could already have left South Vietnam.

Mr. Speaker, that is something for the critics of American policy in Vietnam to remember. It is the North Vietnamese who have refused to respond; it is the North Vietnamese who have refused to negotiate.

The President has gone the extra mile 10 times over in seeking the road to an honorable peace. The North Vietnamese have yet to take the first step.

Fortunately for us and fortunately for the world, there are other ways of bringing peace than surrendering to the terms laid down by the North Vietnamese. We are taking those ways.

And it is obvious now that we will have

peace. But the losers in the peace brought by Vietnamization and pacification will be the North Vietnamese. As they dally at the bargaining table it is well that they should be made aware of this.

THE PRESIDENT'S VIETNAM STATEMENT—THE HEART OF THE MATTER

(Mr. SCHADEBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHADEBERG. Mr. Speaker, President Nixon has spoken directly, clearly and forcefully to the American people ever since he became President. Nowhere has his desire to keep the American people informed been more evident than in his Vietnam addresses.

Monday night's address was in the tradition of his great November 3, 1969, address. On Monday, he reminded us—and the rest of the world—of three basic facts: First, the heart of the matter is a political settlement that will retain the free choice of the South Vietnamese. Second, it is Hanoi and Hanoi alone that is responsible for the continuation of the war. Third, it is the perseverance of millions of Americans at home that has helped the President to carry out his policy successfully.

Three basic facts: why we are fighting, who we are fighting, and why we can never lose at home what the enemy can never win on the battlefield.

The President has gone to the heart of the matter: the American heart, full of courage, determination, and perseverance.

PRESIDENT NIXON'S VIETNAMIZATION PROVEN RIGHT

(Mr. DEVINE asked and was given permission to address the House for 1 minute.)

Mr. DEVINE. Mr. Speaker, while the critics continue to carp and complain, President Nixon goes on his solid, responsible way winding down the war in Vietnam.

Last week we saw new—and futile—efforts again to convince the American people that the only way out of Vietnam is the route of retreat, defeat, and surrender.

In contrast, last night the President announced that during the next 12 months he will withdraw another 150,000 American troops because of the rapid progress of our Vietnamization program.

Mr. Speaker, I believe it is well to repeat today what the President pointed out last night—that that will bring to 265,500 the number of men he will have withdrawn since he took office.

The reasons for the new withdrawal, the President said, are the rapid progress being made in training and equipping South Vietnamese forces and the "very significant advances" that have been made in pacification.

Mr. Speaker, it is well that American soldiers will continue to come home. It is well, too, that they come home without leaving the South Vietnamese defenseless and at the mercy of the Communists.

As Americans, we can be proud and thankful for the progress the President is making toward the just peace we all so earnestly seek.

PRESIDENT NIXON REPORTS TO THE AMERICAN PEOPLE ON VIETNAM

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS of Alabama. Mr. Speaker, once again President Nixon has gone before the American people and laid before them his thoughts and plans for ending the Vietnam conflict. Not since General Eisenhower, has there been a President so frank in his dealings with the American public.

Considering all the problems, the news last night was good. More American troops will be coming home. The pacification and Vietnamization efforts are apparently succeeding. And some end appears in sight. Nevertheless, there is one very important word of caution. If at any time the remainder of U.S. troops in Southeast Asia are jeopardized, we must be prepared to take prompt and devastating action against the enemy. I think the President made this clear last night.

The Communists cannot continue to fan the fires of revolution throughout Indochina and still maintain peace in their own country.

THE PRESIDENT'S SEARCH FOR A JUST PEACE

(Mr. HARSHA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARSHA. Mr. Speaker, America can rejoice over the words of President Nixon last night—the words that "we finally have in sight the just peace we are seeking."

I know that we have heard similar words before from other sources.

But President Nixon has an unblemished record in one unique way.

He has never kidded the American people. He has told us where we stand at home and abroad.

He told us again last night when he said that progress has been made in Vietnam but that "no progress has taken place on the negotiating front."

It is well that Americans know that. It is well that we know that the enemy continues intransigent.

It is also well that we know that, despite that intransigence, a "just peace" is in sight.

That is a peace without surrender. It is a peace without betrayal. It is the kind of a peace most Americans have held out stanchly for during 5 trying years.

We have much to be thankful for, Mr. Speaker, because such a peace is in sight. We can, for instance, be thankful that as Americans we have not settled for less. We can also be thankful that we have the leadership of Richard Nixon who is paving the way for this elusive peace. Because of this forthright, forceful, and effective leadership we shall achieve a just peace.

THE PRESIDENT'S VIETNAM STATEMENT: TELLING IT TO HANOI

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DUNCAN. Mr. Speaker, I hope that the leaders in Hanoi were listening Monday night when President Nixon made his speech on Vietnam. And I hope they get a text of that speech and study it very carefully.

For, while the President announced his plan to withdraw another 150,000 U.S. troops in the next year, and while he spoke of our aim and desire for peace, he spoke from a remarkable position of strength.

Hanoi should not miss the nuances.

Our training and equipping of the South Vietnamese military is going better than expected. They are more and more able to take over the fighting of the war.

The President is taking risks for peace, but he warned the enemy that "they will be taking grave risks should they attempt to use the occasion to jeopardize the security of our remaining forces in Vietnam by increased military action in Vietnam, in Cambodia or in Laos."

And the President said:

> We shall not be defeated in Vietnam.

President Nixon is for peace and he is taking risks for peace. But the nuances should not be lost on Hanoi: he has no intention of ever accepting a dishonorable peace.

Listen, Hanoi.

POLITICO-MILITARY WAR GAME—VIETNAM OR U.S.A.?

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RARICK. Mr. Speaker, the American people awaited with hopeful anticipation the President's message on Vietnam.

Many Americans are already conditioned to accept defeat by the token withdrawal of our fighting men in Vietnam. They expected some new statement on how the President—and his "no-win" advisers—plan to regain freedom for our many captured fighting men held prisoner of war in North Vietnam.

The announcement of a settlement sought through politics is wholly unsatisfactory. Throughout the many months of peace talks in Paris there has never been any evidence of good faith shown by the Communists or any indication of progress toward a just peace—unless it be from additional delay to further prepare our people to surrender by full unilateral withdrawal of all American troops, as well as military and financial advisers from Southeast Asia. While politico-diplomats talk—Americans die.

If our diplomats have been unsuccessful in negotiating from a position of strength, how, pray tell, after withdrawing troops, can there be any expectation of fruitful negotiations from a position of weakness?

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Reiterating the hopes of all Americans to end the war, I again remind the President that a political solution for peace in Vietnam can be gained through victory in 6 to 8 weeks by the use of conventional weapons, as repeatedly explained by over 40 military generals and admirals.

If a political solution is the only goal of the President's unelected advisers, then they surely understand that peace through victory could be obtained well in advance of the November elections. And our prisoners of war, as well as our fighting men, could be withdrawn in honor and returned to their loved ones.

What kind of a politico-military war game are we playing?

THE PRESIDENT'S VIETNAM STATEMENT: THE "IF ONLY" ARGUMENT

(Mr. ZWACH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZWACH. Mr. Speaker, one of the most telling points made by the President was his reminder to all Americans of the failure of what might be called the "If only" school of argument in the United States.

This argument has many forms. Orignally it was "If only we stopped the bombing, peace would immediately result." Since then it has been "if only we negotiated with the NLF, or took out more troops, or agreed in principle to ultimate withdrawal."

XUM

The President has reminded us that the United States has followed every argument of the "if only" school—and the Communists still will not negotiate. I only hope the next time we hear this argument from its adherents it will be "If only Hanoi would stop the killing."

AMENDMENT OF SECTION 613, MERCHANT MARINE ACT, 1936, AS AMENDED

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 12605) to amend section 613 of the Merchant Marine Act, 1936, as amended, with a Senate amendment thereto, and consider the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Amendment: Strike out all after the enacting clause and insert:

That section 613 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1183), is amended by—

(a) Striking the letter "(d)" in subsection (b) after the words "under subsection", and inserting in lieu thereof the letter "(e)".

(b) Striking subsection (c) and inserting in lieu thereof a new subsection (c) to read as follows:

"(c) The Secretary of Commerce may authorize passenger vessels under operating-differential subsidy contracts to provide domestic service between specified ports while the vessels are on voyages in an essential service in the foreign commerce of the United States without reduction of operating-differential subsidy for operating in the domestic trades, if it finds that such domestic service will not result in a substantial deviation from the service, route, or line for which operating-differential subsidy is paid and will not adversely affect service on such service, route, or line."

(c) Redesignating subsection (d) as subsection (e) and inserting a new subsection (d) to read as follows:

"(d) When a vessel is being operated on cruises or has been authorized under this section to provide domestic passenger services while on voyages in an essential service in foreign commerce of the United States—

"(1) it shall carry no mail unless required by law, or cargo except passengers' luggage, except between those ports between which it may carry mail and cargo on its regular service assigned by contract;

"(2) it may not carry one-way passengers between those ports served by another United States carrier on its regular service assigned by contract, without the consent of such carrier, except between those ports between which it may carry one-way passengers on its own regular service assigned by contract;

"(3) it shall stop at other domestic ports only for the same time and the same purpose as it permitted with respect to a foreign-flag vessel which is carrying passengers who embarked at a domestic port, except that a cruise may end at a different port or coast from that where it began and may embark or disembark passengers at other domestic ports, either when not involving transportation in the domestic offshore trade in competition with a United States-flag passenger vessel offering berth service therein, or, if involving such transportation, with the consent of such carrier: *Provided*, however, That nothing herein shall be construed to repeal or modify section 805(a) of this Act.

Section 605(c) of this Act shall not apply to cruises authorized under this section. Notwithstanding the applicable provisions of section 605(a) and section 506 of this Act requiring the reduction of operating differential subsidy and the partial payback of construction differential subsidy for operating in the domestic trades, such reduction of operating subsidy and partial payback of construction subsidy under section 605(a) and 506, respectively, shall not apply to cruises or domestic services authorized under this section."

(d) Striking subsection (e).

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GARMATZ. Mr. Speaker, I move that the Senate amendment be concurred in, with an amendment, which I offer.

The SPEAKER pro tempore. The Clerk will report the amendment to the Senate amendment.

The Clerk read as follows:

In line 2, page 2, of the Senate engrossed amendment following the word "subsidy" insert the words "and the partial payback of construction-differential subsidy."

The amendment to the Senate amendment was agreed to.

The Senate amendment, as amended, was concurred in.

A motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER pro tempore (Mr. ALBERT). This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

BARBARA ROGERSON MARMOR

The Clerk called the bill (S. 533) for the relief of Barbara Rogerson Marmor.

There being no objection, the Clerk read the bill as follows:

S. 533

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Barbara Rogerson Marmor, the widow of the late Milton Marmor, a citizen of the United States, shall be held and considered to be an alien eligible for immediate relative status under the provisions of section 201(b) of such Act, and the provisions of section 204 of such Act, shall not be applicable in this case.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANZ CHARLES FELDMEIER

The Clerk called the bill (S. 614) for the relief of Franz Charles Feldmeier.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

CORA S. VILLARUEL

The Clerk called the bill (S. 1775) for the relief of Cora S. Villaruel.

There being no objection, the Clerk read the bill, as follows:

S. 1775

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 203(a)(2) and 204 of the Immigration and Nationality Act, Cora S. Villaruel shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Tancredo S. Villaruel, lawful resident aliens of the United States: *Provided,* That no natural parent or brothers or sisters of the beneficiary, by virtue of such relationship, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHEL M. GOUTMANN

The Clerk called the bill (S. 1934) for the relief of Michel M. Goutmann.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

WU HIP

The Clerk called the bill (S. 1963) for the relief of Wu Hip.

There being no objection, the Clerk read the bill as follows:

S. 1963

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, section 204(c), relating to the number of petitions which may be approved in behalf of orphans, shall be inapplicable in the case of petition filed in behalf of Wu Hip by Mr. and Mrs. Ralph A. Kelley, citizens of the United States.

The bill was ordered to be read a third time, and passed, and a motion to reconsider was laid on the table.

JOSE LUIS CALLEJA-PEREZ

The Clerk called the bill (H.R. 1747) for the relief of Jose Luis Calleja-Perez.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

GLORIA JARA HAASE

The Clerk called the bill (H.R. 12959) for the relief of Gloria Jara Haase.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

KIMBALL BROS. LUMBER CO.

The Clerk called the bill (H.R. 13740) for the relief of Kimball Bros. Lumber Co.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DR. ANTHONY S. MASTRIAN

The Clerk called the bill (H.R. 15760) for the relief of Dr. Anthony S. Mastrian.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DOCUMENTATION OF THE VESSEL "WEST WIND" WITH FULL COASTWISE PRIVILEGES

The Clerk called the bill (S. 1177) to authorize the documentation of the vessel *West Wind* as a vessel of the United States with coastwise privileges.

There being no objection, the clerk read the bill, as follows:

S. 1177

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provision of law to the contrary, the vessel West Wind (official number 514065), owned by George H. Staley, of Seattle, Washington, shall be documented as a vessel of the United States, upon compliance with the usual requirements, with the privilege of engaging in the coastwise trade so long as such vessel is owned by a citizen of the United States.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. That concludes the call of the Private Calendar.

DECEPTION IN LAOS DELIBERATE ONE

(Mr. BOLAND asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. BOLAND. Mr. Speaker, I expressed concern here yesterday about this country's military role in Laos—a role that has already cost nearly 200 American lives and tens of billions of dollars. For 6 years Government officials have artfully masked the extent of U.S. military operations in Laos, concealing them from the American people and their representatives in the Congress.

Murrey Marder, a Washington Post staff writer, points out in a column today that such deception and duplicity violates the traditional values of an open society.

No matter how lofty their motives, government officials do not have the right to cloak in secrecy foreign policy decisions of the most staggering significance.

With permission, Mr. Speaker, I put Mr. Marder's column in the RECORD at this point.

DECEPTION IN LAOS A DELIBERATE ONE

(By Murrey Marder)

For more than six years, the Symington Subcommittee's report on Laos shows, the United States practiced a policy of official deception about its extremely extensive military operations in Laos.

It did not do so idly or haphazardly. The policy of official deception was carried out deliberately and systematically, for what officials at the highest levels of government were convinced were sound reasons of national security. Many of those officials are still in the government today. They are still just as convinced that the reasons for deception were and are fully justified, and that U.S. operations in Laos are a "model" of an efficient, successful, relatively low-cost, effectively clandestine, counter-guerrilla operation.

On the last count, the officials may be right—the Laos operations may be a model of a successful, secret operation against tough odds. But that by no means answers the real question which is whether a handful of counter-insurgency zealots should have the right to define our national interests for us in this fashion, and then involve us in a dangerous and entangling mission without the public knowing anything about it. This is the critical moral issue raised by the Laos hearings and toward the end of the censored transcript Sen. Stuart Symington, who is anything but anti-military, and who knew from visits to Laos as much as any Senator did about the U.S. roll there, raises the matter in blunt terms:

"We incur hundreds of thousands of U.S. casualties because we are opposed to a closed society. We say we are an open society, and the enemy is a closed society.

"Accepting that premise, it would appear logical for them not to tell their people (what they are doing); but it is sort of a twist on our basic philosophy about the importance of containing communism.

"Here we are telling Americans they must fight and die to maintain an open society, but not telling our people what we are doing. That would seem the characteristic of a closed society."

The situation recalls a comment made in private, by a Western European friend who is extremely pro-American and who was troubled by the international moralistic consequences of the American military intervention in the Dominican Republic in April, 1965. When the Johnson administration was caught lying about its original rationale for the intervention ("to save American lives"), this man remarked in dismay:

"This will secretly please a lot of Europeans."

"Because," he answered, "they always have resented the holier-than-thou American attitude about intervention, about imperalism, about your claim to a 'higher morality.' Now you are down in the gutter with us. The U–2 (spy-plane flights over the Soviet Union) affair was the first blow to American 'virginity'; this is the second. Now we are all moral prostitutes."

Later that year came the major American slide into Vietnam, then afterward, increasing unofficial disclosure of the clandestine American involvement in Laos.

Senate Foreign Relations subcommittee hearings on Laos showed how Congress itself is misled by artful or deliberately technical official replies to questions.

In 1968, the Laos transcript reveals the parent committee was informed that: ". . . We do not have a military training and advisory organization in Laos." The Laos inquiry confirmed that there are hundreds of U.S. "advisers" in Laos and at training bases for Laotian forces in Thailand. The Symington Subcommittee demanded an explanation.

There is no inconsistency, government witnesses responded; in military parlance, an advisory group's sole mission is "to provide advice . . . down to lower units levels," came the explanation. U.S. military personnel in Laos provide "advice," but officially do not constitute "an advisory group."

His committee, Sen. Fulbright protested, was victimized by "semantics."

It is argued by many officials, members of Congress—and even newsmen as well—that nothing vitally new has been disclosed about U.S. operations in Laos that was not, or should not have been, known to any careful reader of his daily newspaper.

This is basically correct. But there is a fundamental difference in a nation that claims a standard of "higher morality" between admitting its actions officially, and having knowledge of them seep out.

In fact, this is precisely the case that the United States government argued for maintaining officially secrecy for six years, as the testimony shows: to take "official cognizance" of what it was doing in Laos carried a whole range of possible international repercussions.

Newspaper accounts can be disavowed; a report that is inaccurate even fractionally—as accounts of secret operations are very likely to be—can be officially dismissed as containing "innumerable inaccuracies." This often has been the official response to enterprising news reports about Laos—or Vietnam, or Cambodia. It is hardly a satisfactory answer to the national moral questions raised by such clandestine military operation, therefore, to counter that "everyone" knew about them anyhow, so there was no real deception.

Nor is it any moral "out," as Sen. Symington noted, to shift blame to the Central Intelligence Agency for operational activities it was directed to perform by the nation's leadership. The moral responsibility is government-wide.

Those who express baffiement about why a younger generation loses faith in the words of its leaders will find some answers in the Laos transcript.

FIRING OF WILLIAM WOESTENDIEK BY WETA-TV

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. BROWN of Ohio. Mr. Speaker, I take this 1 minute to call attention to some matters I will insert in the Extensions of Remarks today relating to the firing of William Woestendiek, the editor of the experimental news program called "Newsroom" by station WETA-TV. On Sunday I sent the following telegram to Frank Angelo of the Detroit Free Press, the president of Sigma Delta Chi, the National Professional Journalism Fraternity:

> Washington newspaper stories Saturday and Sunday report William Woestendiek fired as editor of public broadcasting station WETA's "Newsroom" show by WETA station General Manager William J. McCarter after Woestendiek's wife, Kay, was employed as press secretary to Martha Mitchell, wife of U.S. Attorney General John Mitchell.
>
> As a former president of the Central Ohio Professional Chapter of Sigma Delta Chi, and still a member of that chapter as well as the Washington, D.C. chapter. I request that you arrange an investigation of the entire matter by Sigma Delta Chi to determine if a professional journalist has been denied employment because of the professional employment of his journalist wife.
>
> Reports indicate McCarter consulted on his action on Woestendiek with Fred Friendly of the Ford Foundation, which funds "Newsroom." The propriety of a program sponsor influencing the employment of a station's journalist should also be investigated by Sigma Delta Chi. I see little difference between an advertiser intimidating a newspaper to fire a reporter and a tax exempt foundation being able to influence journalistic employment because it provides funds to the non-profit television station.
>
> Comments from Sigma Delta Chi on these issues would be particularly helpful to me as a Member of Congress now serving on the Communications and Power Subcommittee of the House Interstate and Foreign Commerce Committee currently studying authorization of further taxpayer funds for support of public broadcasting. The professional independence, philosophical balance and journalistic fairness of that medium are significant.
>
> Up to this point, I have not questioned the fact that WETA has had as its board chairman, Max Kampelman, a man active in Democratic politics. But if a journalist cannot be considered objective because his wife works for the wife of a Cabinet officer, can any journalist who works for a station headed by someone active in partisan politics be so considered? Are journalists professionals, or are they not?

I am pleased to see, Mr. Speaker, that the response coming from Mr. Angelo is that he has asked such an investigation be conducted by Dick Kleeman of the Washington bureau of the Minneapolis Tribune and Minneapolis Star, chairman of the Freedom of Information Committee of Sigma Delta Chi.

I am even more pleased to have been advised by the chairman of the House Subcommittee on Communications and Power, the gentleman from Massachusetts (Mr. Torbert H. Macdonald) that he has arranged for public hearings to commence next Monday on this very important matter relating to the future of public broadcasting.

Mr. Speaker, under leave to extend my remarks in the Record, I include the following articles from the Washington Post, Washington Star, and Washington Daily News of April 18–21 for the benefit of my colleagues who have not had a chance to follow the chain of events surrounding last Friday's firing of William Woestendiek as editor of "Newsroom," an experimental news program aired nightly on public broadcasting station WETA-TV in Washington, D.C.

Members should be aware of these facts in view of pending investigations by the Subcommittee on Communications and Power of the House Committee on Interstate and Foreign Commerce and Sigma Delta Chi, the national professional journalism fraternity. The issues under study are twofold: The professional status of journalists, and the journalistic independence of public broadcasting from the influence of those agencies which support it financially—including the Federal Government and tax-exempt, supposedly nonpolitical foundations.

[From the Washington Post, Apr. 18, 1970]

WETA "Newsroom" Editor Released

(By Claudia Levy and Lawrence Laurent)

William Woestendiek, editor of WETA's fledgling "Newsroom," was fired after his program's 7 p.m. broadcast last night. He will be replaced Monday.

The public broadcasting station's general manager, William J. McCarter, said Woestendiek was being "relieved of his active duties" as a direct result of Woestendiek's wife, Kay, accepting a job as press secretary to Martha Mitchell, outspoken wife of U.S. Attorney General John N. Mitchell.

"We have great respect for Mr. Woestendiek," McCarter said, "but this station's action was necessary to avoid any possible charge of bias or influence which might affect the program. The action was also necessary to avoid any relationship that might arouse public concern which could compromise the credibility of the program or its participants."

"They told me, 'Tell your wife to quit or else,'" Woestendiek said last night. "I said 'I won't even ask her.'" He said he will not be staying with the station in any capacity. Formerly editor of This Week magazine, Woestendiek designed the programming and hired the staff for the daily news broadcast which began last month.

McCarter told "Newsroom's" 10 reporters after last night's broadcast that he had been subjected to "pressures from outside" to get Woestendiek to resign. He declined to spell these out.

Television industry sources said the pressure could only have come from Fred W. Friendly, former CBS producer for Edward R. Murrow, and from Max Kampelman, chairman of the WETA board. Friendly is now with the Ford Foundation, which funds the "Newsroom" show.

"Newsroom" was Friendly's idea. Kampelman, formerly on the staff of Sen. Hubert H. Humphrey and active in his 1968 compaign for President, is a Washington lawyer and lobbyist. Industry sources said it was "obvious" that Democratically inclined supporters of "Newsroom" objected to Woestendiek's wife working for the wife of the Republican attorney general.

One source quoted McCarter as saying it was "a situation we just can't live with. We cannot be compromised by this."

The source also noted that public television such as WETA is generally dependent on administration support for its livelihood.

Mrs. Woestendiek, a former womens page editor, said last night that Mrs. Mitchell was distressed at the news of the firing, "almost as distressed as we."

Ben Gilbert, who resigned last Monday as associate editor of The Washington Post, will replace Woestendiek Monday as "guest editor."

Several "Newsroom" reporters objected strongly to the firing of Woestendiek, while some supported the decision. All are former newspaper or news magazine writers.

"We checked Bill Woestendiek out pretty well before signing on," one said, "We joined to work with him."

"Newsroom" uses an informal, roundtable, question-and-answer format rather than the traditional television news approach. Reporters discuss their stories with the editor and fellow newsmen rather than relying exclusively on written copy.

The hour-long program is broadcast live on Channel 26 at 7 p.m. and replayed again at 11.

[From the Washington Star, Apr. 18, 1970]

Wife's Mitchell Job Blamed—WETA "Relieves" Editor

(By Ronald Sarro)

The editor of WETA's experimental television "Newsroom" has been "relieved" of his duties because his wife was hired last week as press secretary to Martha Mitchell, the outspoken and controversial wife of the attorney general.

William Woestendiek, 46, editor of the new experiment in television journalism, will be replaced as "guest editor" starting Monday by Ben W. Gilbert, associate editor of the Washington Post whose retirement from the paper was announced Tuesday.

Woestendiek was "relieved of his active duties" pending "further consideration of his status by WETA," according to a statement issued last night by William J. McCarter, vice president and general manager of the station, Channel 26.

"It has been announced that Mrs. (Kay) Woestendiek was recently hired as the press secretary to the wife of a national public official and is on their private payroll," said McCarter, who did not mention names.

"We have great respect for Mr. Woestendiek, but this station's action was necessary to avoid any possible charge of bias or influence which might affect the program," said McCarter.

"The action was also necessary to avoid any relationship that might arouse public concern which could compromise the credibility of the program or its participants," he said.

Woestendiek said he was told by station officials to "tell your wife to quit or else," United Press International reported.

"Newsroom" is a program in which reporters, hired from major newspapers, talk their views stories to their editor—Woestendiek—as they might write it for a newspaper. With each story, there is a roundtable discussion with the reporters present participating, under the editor's moderation.

Woestendiek told a reporter that at the end of last night's program he was abruptly told of the change. The station has been buzzing since it was announced that Woestendiek's wife had taken the job with Mrs. Mitchell.

Mrs. Kay Woestendiek, former women's editor with the Houston Post, was hired as Mrs. Mitchell's press secretary last week a day after the attorney general's wife telephoned the Arkansas Gazette and urged it to "crucify" Sen. J. William Fulbright because of his opposition to the Supreme Court nomination of Judge G. Harrold Carswell.

The blonde Mrs. Woestendiek started her job with a "briefing" by the attorney general himself.

Woestendiek, confirming reports earlier this week, said WETA "gave me an ultimatum earlier saying it was the policy of the station that either I had to ask Kay to resign or it would take some other action. This was the other action."

He is former managing editor of the Houston Post, where his wife had worked, and former executive editor of Newsday.

Gilbert, 52, has been with the Washington Post 28 years, serving as its city editor from 1945 to 1964. His retirement from the Post, effective July 1, was announced Tuesday. WETA said he would appear as "guest editor" of "Newsroom."

WETA newsroom staff members said today they were upset by the firing. "We could have survived Kay's job, but I don't know whether we can survive this," said one.

Staff members said the staff also was informed of Woestendiek's dismissal after the show, a few minutes after he was told.

The staff was unsure of what pressures forced the firing. Some suggested that the pressure may have come from Max Kampelman, a prominent local Democrat lawyer and lobbyist, who is chairman of WETA's board, and from Fred W. Friendly, a former CBS producer who is now with the Ford Foundation which supports the Newsroom program with a grant.

Other staff members discounted the possibility of outside influence, saying that the most direct pressure came from a majority of the staff who felt Mrs. Woestendiek's job had compromised her husband's position as editor.

Kampelman, the WETA chairman, and Stephen Ailes, the vice chairman who was Secretary of the Army during the Johnson administration, were unavailable for comment today.

[From the Washington Daily News, Apr. 15, 1970]

WETA Fires Husband of Martha's PR Gal

The educational television station in the nation's capital fired the editor of its hour-long news show last night because his wife had been hired by Mrs. John N. Mitchell, wife of the U.S. attorney general.

WETA said it was taking the action "to avoid any possible charge of bias or influence which might affect the program."

William Woestendieck, 46, a former managing editor of the Houston Post and executive editor of Newsday, said he was simply "tapped on the shoulder" at the end of the program, "Newsroom," and handed his dismissal.

His blonde wife, Kay, joined Martha Mitchell last week as a press aide on the attorney general's private payroll in the midst of a controversy generated by Mrs. Mitchell's early-morning call to the Arkansas Gazette demanding it "crucify" Sen. J. William Fulbright, D-Ark., April 10.

"They gave me an ultimatum earlier saying it was the policy of the station that either I had to ask Kay to resign or it would take some other action," Mr. Woestendieck told UPI. "This was the 'other action.'"

A statement signed by William J. McCarter, vice president and general manager of the Channel 26 station, said, "It has been announced that Mrs. Woestendieck was recently hired as the press secretary to the wife of a national public official and is on their private payroll. We have great respect for Mrs. Woestendieck but this station's action was necessary to avoid any possible charge of bias or influence which might affect the program."

The statement added, "the action was also necessary to avoid any relationship that might arouse public concern which could compromise the credibility of the program or its participants."

The station said that Mr. Woestendieck would be replaced by "guest editor" Ben W. Gilbert, associate editor of the Washington Post whose resignation from the paper was announced Tuesday.

[From the Washington Post, Apr. 19, 1970]

"Pressure" Denied in TV Firing

(By Tom Wilkinson)

Officials of WETA insisted yesterday the firing of William Woestendiek, editor of the public broadcasting station's new "Newsroom" show, was a local decision devoid of any "outside pressures."

Station general manager William J. McCarter reiterated that the 46-year-old Woestendiek was dismissed because of the "sharp conflict of interest" resulting from the employment of Woestendiek's wife, Kay, as press secretary to Attorney General John N. Mitchell's wife, Martha.

A story of the Friday night firing in yesterday's editions of The Washington Post mentioned Fred W. Friendly, television adviser to the Ford Foundation, which funds "Newsroom," and Max Kampelman, Washington attorney and chairman of the WETA board, as sources of possible outside pressure. Kampelman has been active in Democratic national politics.

Mr. Carter and Friendly denied any such pressures. Kampelman has been at St. Thomas in the Virgin Islands since Tuesday and could not be reached yesterday.

PRESSURE DENIED

In a statement from New York, Friendly said: "I can assure you that no pressure came from me. The Ford Foundation has never, and will never, get into who works where. We have nothing to do with personnel and the content of a program. That's the way they want it and the way we want it."

McCarter said he had held a "short, informational" discussion with Friendly during the week. "He said it was the station's concern," declared McCarter. "He expressed no opinion one way or the other. That's all there was to it."

"Newsroom" staff members also rejected the "outside pressure" theory and said there was "vigorous and vocal opposition" by staff members to Woestendiek's wife taking the press secretary position.

Some staff members also spoke of disenchantment with Woestendiek's performance in the editor's job and characterized the press secretary development as "the final straw."

The controversy also attracted the attention of Sen. Mark O. Hatfield (R-Ore), who said the firing "puts WETA in a position of setting out to punish the attorney general's wife and this is outrageous."

"It casts aspersions on the integrity of every newsman in this nation to say that they cannot do a professional and unbiased job because a member of his family may work for a government figure," Hatfield said.

Public support for educational or public television will be destroyed, said the Senator, if there are attempts "to intimidate and fire newsmen and executives for political reasons or reasons involving the empoyment of a man's wife."

Television sources said the future of public television depends to a large degree on a friendly national administration. They expressed the fear that firing Woestendiek because his wife worked for a powerful administration official might jeopardize that future.

FEAR ADMITTED

Questioned about that aspect, McCarter said it is "one of a lot of things that run through your mind."

"But we must be meticulous in avoiding situations affecting the show's credibility, and every time there would be a story from that part of the administration people would make the connection over and over. It would eat away at us," said the general manager.

McCarter said he consulted with members of the five-man "Newsroom" liaison committee of WETA's board of trustees, headed by Austin Kiplinger of "Kiplinger's Letter." Kiplinger said he approved McCarter's action and noted that "public television has a rigid obligation to remain impartial."

The station general manager recounted numerous discussions with Woestendiek, who said Friday he saw no conflict and refused to ask his wife to resign. Mrs. Woestendiek said yesterday she would have quit had her husband asked her.

Asked if Woestendiek's performance as an editor was a factor, McCarter said that was "a completely foreign dimension" and would not comment.

Ben W. Gilbert, who resigned recently as an associate editor of The Washington Post, will replace Woestendiek Monday as "guest editor."

[From the Washington Star, Apr. 19, 1970]

"Pressure" Is Denied in WETA Firing

(By John Mathews)

The general manager of WETA, Channel 26, yesterday labeled as "untrue" reports that "political or other pressures" led to the dismissal of the editor of the educational television station's experimental "Newsroom" program.

The editor, William Woestendiek, was "relieved" of his duties because his wife, Kay was hired April 10 as the press aide for Atty. Gen. John Mitchell's outspoken wife Martha.

Four other participants on the program, upset at Woestendiek's firing, turned in their resignations yesterday, United Press International reported. They are Tom Wicker, associate editor of The New York Times; Hugh Sidey, White House correspondent for Life magazine; Bonny Angelo, Time magazine; and Charles McDowell Jr., Richmond (Va.) Times-Dispatch.

Walter J. McCarter, WETA's general manager and vice president, said in a statement yesterday that the same action would have been taken if a member of Woestendiek's family had "accepted employment of this nature with any national public official, but especially anyone involved in national public policy."

The general manager said the decision to fire Woestendiek was made after he, McCarter, met with the station's general management and a board of trustees committee headed by publisher Austin Kiplinger.

McCarter acknowledged, however, that before making his decision he had consulted with Fred W. Friendly, former CBS producer and an official of the Ford Foundation, which supports the Newsroom program, and with Max M. Kampelman, Washington lawyer and lobbyist who is chairman of the WETA board and a close associate of former Vice President Hubert H. Humphrey.

The general manager said Friendly had called him and made no recommendation on the possible conflict of interest situation.

AWARE OF SITUATION

McCarter said Kampelman, vacationing in the Virgin Islands, was aware that the situation was developing and "might have leaned the other way" regarding the firing of Woestendiek.

There has been speculation among staff reporters of the Newsroom program that Kampelman, closely identified with the Democratic Party, had a part in acting against Woestendiek because of his wife's connection with the Republican administration.

Sen. Mark Hatfield, R-Ore., yesterday accused the station of undermining freedom of the press and applying a "double standard since other members of its staff and the station's board have ties with the Democratic leadership."

The station's 67-member board has a number of former Johnson administration appointees including Stephen Ailes, a board vice chairman who formerly was Secretary of the Army. Several board members, however, are Republicans.

Hatfield went on to charge that the firing of Woestendiek also "puts WETA in the position of setting out to punish the attorney general's wife and that this is outrageous."

He concluded that the "quickest way to destroy public support for educational television is to intimidate or fire newsmen and executives for political reasons."

Yesterday, Woestendiek said he would not accept another assignment from the station.

"It's not easy to give up a $50,000-a-year job, because you think there are certain basic individual human rights human beings must have," Woestendiek said.

The station yesterday was bombarded with telephone calls from viewers, who according to one source, overwhelmingly criticized the firing.

In a telephone interview, Friendly acknowledged that he had talked with "both parties" to the issue, but had made "no decision or recommendation."

BIG FORD GRANT

Ford has given nearly $1 million in grants to support the experimental program on which reporters and an editor discuss news stories. Friendly said that once a grant is made the local station has full control.

Mrs. Woestendiek, formerly women's editor of the Houston Post, was hired by Mrs. Mitchell as a press aide following a controversial call by the attorney general's wife to the Arkansas Gazette.

McCarter said he felt it would be appropriate for the Newsroom program, now headed by "guest editor" Ben W. Gilbert, who resigned Tuesday as associate editor of the Washington Post, to have a full report on its Monday night show of the Woestendiek firing. "I think Bill should be invited to appear," he added.

The program is seen weeknights at 7 p.m. and is rebroadcast at 11 p.m.

[From the Washington Post, Apr. 20, 1970]

WETA: Leaning Too Far Over Backward

Martha Mitchell, the wife of Attorney General Mitchell, is given to moments of exuberance in which she has expressed herself vigorously, some would say excessively, on a variety of public issues, and in ways which we presume do not reflect considered administration policy. The Attorney General has been very good about this, in our view—not that it is necessarily any of our business. He has been loyal and relaxed, taking the view that there is no automatic connection between what his wife says or does as a private citizen and his role as a public official. Recently he hired a former newspaperwoman, Kay Woestendiek, as press secretary for his wife, presumably in an effort to help keep this distinction clear. Whereupon, Mrs. Woestendiek's husband William was summarily fired from his job as editor of WETA's "Newsroom" show, on the grounds that his wife's job with Mrs. Mitchell somehow endangered the show's "credibility." There is fine irony in this: Mr. Mitchell hires a press secretary for the presumed purpose of helping maintain the line between his public life and his wife's private life, and WETA sacks the press secretary's husband for fear that his professional life would be compromised by his wife's job.

"Every time there would be a story from that part of the administration," said William J. McCarter, general manager of the local public broadcasting station, "people would make the connection over and over. It would eat away at us."

Nonsense. WETA has every good reason to maintain its independence of mind. But if that is what it takes, its independence of mind must be in a pretty soggy state. It has been flatly denied that the decision was made under the influence of outside pressure, notably from Fred W. Friendly, television adviser to the Ford Foundation, which supports the "Newsroom" show. The finger points, instead, to pressure from the WETA staff. But this only makes it worse; assuming that it was an inside job, the decision was still Mr. McCarter's and what he is saying, in effect, is that WETA cannot keep its balance unless it controls the wives of its employees. In our view, President Nixon made a lot more sense on this same issue when he declined, after one of Mrs. Mitchell's more outspoken contributions to the public dialogue, to take responsibility for the wives of members of his cabinet. In these matters there are sometimes hard choices—between what people will think and what is right. James Thurber had it about right in the moral he wrote to one of his famous fables. You might just as well fall flat on your face, he said, as lean too far over backward.

[From the Washington Star, Apr. 20, 1970]

SDX Asked To Investigate WETA Case

Rep. Clarence J. Brown, R-Ohio, has asked Sigma Delta Chi, the national professional journalism fraternity, to investigate the dismissal last week of television station WETA's "Newsroom" editor.

The editor, William Woestendiek, was "relieved" of his duties as head of the experimental news-discussion program because his wife, Kay, was hired as press secretary for Mrs. Martha Mitchell, outspoken wife of the U.S. attorney general. Woestendiek said he resisted pressure from the station management to ask his wife to resign.

In a telegram yesterday to Frank Angelo, managing editor of the Detroit Free Press and Sigma Delta Chi president, Brown asked the fraternity to find out whether "a professional journalist has been denied employment because of the professional employment of his journalist wife." Brown edited and now publishes a family newspaper in Urbana, Ohio.

Four contributing editors, of about 12 who appear occasionally on the program, announced their resignation over the weekend, protesting Woestendiek's firing. Sen. Mark O. Hatfield, R-Ore., has also criticized the station's action.

Ben W. Gilbert, associate editor of the Washington Post, whose retirement was announced last week, will be "guest editor" beginning tonight. The program is broadcast at 7 p.m. and replayed at 11.

Gilbert said after a conference this morning, "We've decided we're going to report the events as an important news story, and newsmen have been assigned with the instructions to use all their skill and resources in covering this story as they would any other story."

Taped Interview Possible

That would include talking with all the principals, Gilbert said.

"If Bill Wostendiek decides that he wants to say something on his behalf, then we'll make a provision for that. It would probably be a taped or broadcast interview, rather than having him come onto the show," Gilbert added.

Gilbert said that Peter Janssen had been assigned as the principal reporter, while the rest of the staff "has been encouraged to contribute in any way they can."

[From the Washington Post, Apr. 20, 1970]

Four Quit "Newsroom" at WETA

Four contributing editors have quit WETA's "Newsroom" show in the wake of the firing of William Woestendiek as editor of the show.

The contributing editors are Tom Wicker, of the New York Times; Hugh Sidey, of Time Magazine; Charles McDowell Jr., of the Richmond Times-Dispatch, and Bonnie Angelo, a Time Magazine Correspondent.

WETA said it dismissed Woestendiek Friday because of a "sharp conflict of interest" resulting from employment of his wife, Kay, as press secretary to Attorney General John N. Mitchell's wife, Martha.

"Newsroom" had about a dozen contributing editors who appeared at various intervals in addition to the show's own staff of reporters.

In another development Rep. Clarence R. Brown (R-Ohio) has called on Sigma Delta Chi, national professional journalism fraternity, to investigate the matter.

He said some reports indicate WETA's general manager consulted with an official of the Ford Foundation, which funds "Newsroom," before firing Woestendiek.

On Saturday, The Washington Post erred in quoting sources who said Fred W. Friendly, television advisor to the foundation, may have applied pressure to fire Woestendiek. Friendly said he did not apply pressure.

"I see little difference between an advertiser intimidating a newspaper to fire a reporter and a tax-exempt foundation being able to influence journalistic employment because it provides funds to the nonprofit television station," Brown said. WETA is a public broadcasting station.

[From the Washington Daily News, Apr. 20, 1970]

WETA's Ex-Editor Wants Answers

(By Jack Mann)

Bill Woestendiek planned to get out at 9:30 this morning and mow the lawn he rents at 4524 38th-st nw. He has nothing else to do.

Well, one other thing. He might run a carpet sweeper over the acrilan rug, so new it's still shedding nap. It's expensive and risky to put wall-to-wall-to-wall carpet in a rented home, but until 7:59 p.m. Friday Woestendiek had a $50,000-a-year job and nobody had told him he wasn't doing it right.

Then there was the hand on his shoulder.

The editor of Newsroom, WETA's seminar-format news program, was saying goodnight to the Viewers when program director Jack Hunter told him he was wanted in the office of general manager William J. McCarter.

PR JOB BLAMED

A few minutes later Bill Woestendiek was unemployed, fired because his wife had taken a job as press aide to Martha Mitchell, wife of the attorney general.

Or so it seemed. A mimeographed sheet handed Mr. Woestendiek by Mr. McCarter said the 46-year-old editor had been "relieved of his active duties pending further consideration of his status by WETA."

"What does it mean?" Mr. Woestendiek asked.

"It means exactly what it says," Mr. McCarter replied.

"Does it mean I'm fired?"

"It means exactly what it says," Mr. McCarter repeated.

"I asked at least three more questions," Mr. Woestendiek said yesterday. "I asked if I was still employed as a consultant, and if they wanted me to help Ben Gilbert (appointed his successor in the same memo). I asked what I was expected to do Monday. Each time McCarter said, "It means exactly what it says."

"My seven-year-old can write plainer than that," a member of Mr. Woestendiek's news staff said, after he had received the same answer.

HER OWN THING

Kay Woestendiek accepted her job with Mrs. Mitchell April 8, the day the Senate rejected G. Harrold Carswell's nomination to the Supreme Court. The question of conflict of interest was broached obliquely to her husband two days later. "Linc Furber (WETA's news and public affairs director) told me I'd have to talk to McCarter about Kay's job," Mr. Woestendiek said.

"We talked Monday and he asked how the staff had reacted. I told him a couple of them were worried that their news sources might dry up. They said they didn't like Mrs. Mitchell, and they were uncomfortable about it. But they agreed that Kay had a right to do her own thing."

Wednesday night Mr. McCarter told Mr. Woestendiek the integrity of public broadcasting was at stake.

LOOK WORRIED

"Thursday morning I told him I had no intention of asking Kay to resign. He shook his head and went thru it again. He said the staff was upset. 'I can see it in their eyes,' he said."

"It wouldn't be so bad," Mr. Woestendiek quoted Mr. McCarter say saying, "if you'd just look worried. You act as if you're the same Bill Woestendiek you were last week."

"I thought I was," Mr. Wostendiek said, "and Kay was the same woman she was before she took the job. Man is influenced by his wife, not her job.

"Kay and I do not agree on everything. In some areas she is much more conservative. She would tend to be more anti-labor for example, or have stronger feelings about welfare abuses. But in five years that hasn't made me any less liberal than I always was.

"There was a reporter on my staff who is married to an aide to a U.S. Senator. I just happened to find that out. I never questioned my staff about who their wives were, or what they did."

TONIGHT'S SHOW

After his dismissal Mr. Woestendiek asked news director Furber if the management had consulted with any "professionals," in the news business, and was told it had. When he asked which "professionals," he was told, "It's none of your business."

Over the week-end Mr. McCarter suggested Mr. Woestendiek be invited by his successor to appear on Newsroom tonight. "I've had no invitation," Woestendiek said. "I might accept, but only if McCarter and Furber appear too. I've asked a lot of questions that didn't get answered. I think I'd like to be told again that it's none of my business on the air."

(Mr. McCarter's wording left it to Mr. Gilbert, Mr. Woestendiek's successor, to do the inviting. "It would be easy," Woestendiek said last night. "He lives at 4537 Grant road nw. He's our neighbor across the back yard.")

Mrs. Woestendiek planned to report for work at the Watergate this morning. "We're so used to eating," she said. "I still don't know how much I'm making, but I have a job.

"I don't think I've ever been as close to falling apart as I am now," she added. This seemed difficult to believe because Kay Woestendiek, former women's editor of the Houston Post, is an intellectually tough woman.

For the past two months since they came to Washington, Mr. Woestendiek has worked 9 a.m. to 9 p.m. at "the new, creative thing" he had to do. The only reason he didn't work longer was that his wife appeared after his show each night to take him home. And he went.

ORDEAL

Last October she found out that This Week, the news magazine of which her husband was editor, was folding up. At almost the same time she was notified that Robert, her 21-year-old son by an earlier marriage, had been in a horrible auto crash in Texas.

For two weeks she was told he wouldn't live, and for four more weeks that he'd never walk or talk. Throughout that six-week coma Mrs. Woestendiek was at his bedside, "talking to him as if he could hear." She never cracked. "He learned to walk again in January," she said yesterday, "just before his 22d birthday. How many mothers get to see their children learn to walk and talk twice.

MAN'S INHUMANITY

"That was bad," she said of Robert's ordeal. "But it was a matter between Robert and God and myself. I don't think God is involved in this thing at all.

"Thru that experience I saw people—all kinds of people—trying to help us. It was people at their best. This is something else. This is man's inhumanity to man."

The phone rang one more time and Bill Woestendiek answered. It was one more reporter, but he wasn't working.

"It was a guy who applied for a job at the station," Mr. Woestendiek said. "I didn't hire him. He called to say he thought I got a dirty deal, and he was sorry.

"That's sort of nice," Bill Woestendiek concluded.

[From the Washington Post, Apr. 21, 1970]

WETA–TV MEETING TO AIR FIRING

(By Martin Weil)

The executive committee of WETA–TV will hold a special meeting Wednesday to discuss the firing of William Woestendiek, editor of "Newsroom," and to "heal the wounds" it left, Max M. Kampelman, board chairman, said yesterday.

He said the meeting would be "mainly informational," designed to "get us together as one team to go ahead building the station and 'Newsroom.' "

In another development, Kampelman, who had been erroneously linked with the dismissal in one early report, said yesterday he had opposed it.

In an April 15 memo to William J. McCarter, the station's general manager, Kampelman said he found it difficult to understand how Woestendiek's ability to do his job as a newsman would be impaired by his wife's job with Martha Mitchell, wife of Attorney General John N. Mitchell. Woestendiek was dismissed last Friday.

McCarter, general manager of the public broadcasting station, said that Woestendiek was dismissed because of the "sharp conflict of interest resulting from his wife's employment as Mrs. Mitchell's press secretary."

Meanwhile, Austin Kiplinger, publisher of Changing Times magazine and head of the WEATA-TV trustees' liaison committee with the "Newsroom" show, said in an interview yesterday that he had told McCarter last week that he believed a "serious" conflict of interest was involved.

Kiplinger said he felt the situation was "fraught with danger" and had to be resolved.

But he also said he felt that as a result of the forthcoming executive committee meeting "it is quite possible Bill (McCarter) might be overruled . . ." He said he believed some trustees felt McCarter had erred in his judgment.

Told of this late yesterday, Kampelman said "That was not my purpose in calling the executive committee meeting."

"Newsroom," an hour-long seminar-type show on UHF Channel 26, went on the air at 7 o'clock last night with "guest editor" Ben W. Gilbert presiding.

Woestendiek's dismissal was the major story covered.

One reporter expressed disagreement with the inference that the "Newsroom" staff concurred in Woestendiek's release.

Two reporters, David Jewell and Peter Janssen, said they were the only ones to go so far as to push for a decision on Woestendiek's status.

At least one staff member, Stephen Northup, a photographer, said he thought the dismissal "a grievous mistake."

Six senators criticized the dismissal on the Senate floor yesterday. Five joined with Sen. Mark O. Hatfield (R-Ore.) who called the incident "outrageous."

In his April 15 memorandum minimizing the conflict of interest question, Kampelman said he thought that if Mrs. Woestendiek had become press aid to Mrs. Edward M. Kennedy or Mrs. Richard Nixon, the question might not have been so vigorously raised.

In the memorandum that he telephoned here last week while on a trip to the Virgin Islands, he recommended taking no action until the executive committee of the 67-member board of trustees could meet.

Kiplinger said last night that he was able to reach two others of the five-member "Newsroom" advisory committee to consult about the situation last week.

The three, he said, "felt there was conflict." But, he added, "I don't know if this was controlling."

McCarter, he said, "made his decision with all the counsel he could get."

[From the Washington Daily News, Apr. 21, 1970]

NEW WETA NEWS EDITOR'S WIFE IS WORKING GAL, TOO

Ben Gilbert, who was named editor of WETA–TV's program "Newsroom" to replace Bill Woestendiek after it was charged that Mrs. Woestendiek's new job as press aide to Martha Mitchell, the outspoken wife of the Attorney General, constituted a conflict of interest, also has a working wife.

Those supporting WETA's action have argued that the wife-job principal involved is the same, whether Mrs. Woestendiek is employed by Mrs. Mitchell or any high Government official or his wife.

Mrs. Gilbert has worked for five years for Mrs. Bennetta Washington, wife of Mayor Walter Washington, in the Women's Job Corps, an Office of Economic Opportunity program staffed entirely by volunteers.

"She's a volunteer, and she never made a dime at it. She doesn't even get transportation expenses," said Mrs. Washington. "The great bulk of her time is devoted to education. She does no public relations work. We have a public information office in the Job Corps, and it's a paid staff."

William McCarter, WETA general manager said "I think the differences in their wives' jobs are so obvious, that it doesn't require any comment. One is a volunteer in social work and the other is a paid employee of an individual whose husband is involved in national policy."

Mr. Gilbert said he had sought a job at WETA before Mr. Woestendiek was fired.

He said he discussed the job with WETA officials the day Mr. Woestendiek was ousted.

"In that session, in the interest of full disclosure, I told of my wife's position. We spent some time discussing the nature of the relationship. I proposed to withdraw if they thought there was a parallel with Mr. Woestendiek's situation. But they didn't," he said.

Meanwhile, WETA's board chairman Max M. Kampelman revealed that the television station's executive committee will meet tomorrow to discuss the firing of Mr. Woestendiek, and to "heal the wounds" the firing has left.

Mr. Kampelman said tomorrow's special meeting would be "mainly informational," and would be designed to "get us together as one team to go ahead building the station and 'Newsroom.' "

[From the Washington Star, Apr. 21 1970]

WETA REPORTER QUITS IN ROW OVER FIRING

(By Jack Kneece and Ronald Sarro)

One of the 10 regular reporters on WETA's "Newsroom" resigned today because of the station's firing of William Woestendiek as editor of the experimental television news program.

Columbus Smith, 26, who had worked under Woestendiek at the Houston Post and was hired by him at WETA, said in submitting his resignation, "It has never been made clear enough by management that the firing was not politically motivated."

Smith, in a letter to station general manager William McCarter, said he felt "conscience bound" to resign because Woestendiek's firing "had left many ranking doubts in my mind as to the qualifications of Channel 26 (WETA) to be in the news business."

Woestendiek, former managing editor of the Houston Post, was fired last week because his wife, Kay, was hired as the personal press aide for Martha Mitchell, the outspoken and controversial wife of the attorney general.

Smith joins four contributing editors who submitted their resignations Saturday because of the firing of the editor. Staff members said today that none of the other nine regular reporters is expected to leave, but conceded that there is bitterness among them because of the situation.

McCarter was not available for comment this morning on Smith's resignation, but news director Lincoln Furber said the resignation was "sad." He added that Smith obviously was closest to Woestendiek. The two have known each other five years.

Austin Kiplinger, publisher of Changing Times magazine and head of the station's trustee liaison committee with "Newsroom," said today that it was possible that general manager McCarter's decision to fire Woestendiek could be overruled tomorrow at the executive committee meeting—"anything's possible and there are some members who think he should be (overruled). I do not."

Kiplinger said he felt a "serious" conflict of interest was involved.

Guest Editor Ben Gilbert, who recently resigned as associate editor of the Washington Post, announced at the beginning of last night's program that making the firing a major news item violated "an old journalistic rule against newsmen dwelling on their own affairs."

Gilbert added that the program, supported by the Ford Foundation, nonetheless would attempt a "thorough, professional, journalistic report."

TWO STAFFERS NAMED

A salient part of the next 35 minutes was that the firing (everyone agreed that "firing" was the word) was pushed by two of the program's staffers, Peter Janssen, 33, and David Jewell, 34.

Finally, as it became more and more apparent that Janssen and Jewell alone led the effort to force the issue, Smith remarked that it seemed to be impropitious to allow Janssen and Jewell to explain to the public how the firing came about.

Smith said it was "quite frankly distasteful" that Jewell and Janssen were allowed to give the report.

Woestendiek said after * * * shown to him by all but two members of his former staff.

"POOR JUDGMENT"

"If they had thrown a surprise party for me it couldn't have been any better," said Woestendiek.

Woestendiek said, however, that he thought it was "poor judgment" to allow the principal two staffers who had moved to force the issue to explain it to the public.

But he said he thought Janssen was fair "in the play-by-play" of how it had come about.

Janssen, a former Newsweek writer, said Max M. Kampelman, chairman of the WETA board, had written a memorandum in which he said Woestendiek's objectivity would not be compromised because of his wife's job and opposed the firing.

Smith obviously was the most bitter member of the reporting staff during "Newsroom's" report last night on the firing of Woestendiek's $50,000-a-year editor of the infant program.

The staff reported the behind-the-scenes maneuvering which led to the firing of Woestendiek, after his wife was hired and "briefed" by the attorney general April 10.

SEEKING NEW POSITION

Smith, who was a public relations man for the Army's Green Berets in Vietnam after Houston and before reporting with the Dayton Daily News, until March, said "I'm going to start looking for a job."

[From the Washington Star, April 21, 1970]

THE "NEWSROOM" STORY—UPTIGHT

(By Bernie Harrison)

The obligation to cover the story on its own front stoop was there, so WETA-26's "Newsroom" spent the greater part of its hour last night reviewing the dismissal of its editor, Bill Woestendiek.

(Bill was relieved of his duties because his wife, Kay, was hired as press secretary for the outspoken Martha Mitchell, and station manager William McCarter and a subcommittee of trustees dealing with this particular program felt that this constituted a conflict of interest.)

Last night's review began calmly, with a summary of Mrs. Mitchell's meteoric rise as an unofficial commentator. Reporter Peter Janssen detailed the event's leading to the dismissal, some of which had been erroneously reported. Thereupon the subject was opened to comment by all reporters present, and the program inevitably, and humanly, fell apart. Everybody spoke up, but they were speaking to each other, not particularly to the viewers, and on several occasions not getting through to either.

The evidence was obvious: the staff is uptight. The really unhappy thing about the Woestendiek dismissal is its impact on a young, experimental show which has yet to fix on its role, and on reporters who are just beginning to orient themselves to the camera. The task of station management and guest editor Ben Gilbert is formidable: to determine what that role is and to evolve some effective style of TV reporting. The idea of reporters sitting around a copy desk and talking their stories to the editor strikes one as the kind of a thing print-minded journalists would think up for TV. And after a few weeks' trial I was hoping it would be abandoned. That will be tougher to do now.

The story isn't ended yet—there may be other developments today, but the case symbolizes what may be public TV's most difficult problem in the months ahead. It may seem "drastic" to fire an editor because his wife takes a job with a government official's wife, but that really isn't the point. The point is that public TV carries a unique responsibility to avoid all possible conficts, slight as they may seem to be, and establishing this as a value (as educational television ventures into the news area) is fundamental. It was an unhappy thing to have to do, but—in this reporter's judgment—necessary.

DR. BEATRICE AITCHISON—A WINNER OF NATIONAL CIVIL SERVICE LEAGUE'S CAREER SERVICE AWARD

(Mr. DELLENBACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DELLENBACK. Mr. Speaker, I was pleased to note that Dr. Beatrice Aitchison of the Post Office Department and a graduate of the University of Oregon at Eugene—as well as a former teacher at that institution—has been selected as one of 10 winners of the National Civil Service League's annual Career Service Awards for outstanding Federal employees.

The Post Office Department recently issued the following statement concerning the award to Dr. Aitchison—the only woman among the 10 so honored.

Selection of a postal official to receive one of the National Civil Service League's 10 annual awards for outstanding Federal Government service drew praise today from Postmaster General Winton M. Blount.

In a letter of commendation to Dr. Beatrice Aitchison, Director of Transportation Economics in the Post Office Department, Mr. Blount commented:

> The award is a well-deserved recognition of your exemplary career of government service, and, more especially, it is a tribute to the unique contributions made by you in the field of transportation research.

The award will be presented to Dr. Aitchison May 8 during a Civil Service League banquet in Washington. It includes a plaque, a gold watch, and a check for $1,000.

Dr. Aitchison holds a Ph. D. degree from the Johns Hopkins University, together with several other degrees. In 1961, she received one of the first Federal Woman's Awards for her outstanding work in the complex field of mail transportation.

She has been with the postal service for 17 years and has been in the Federal service since 1938.

She is a fellow of the American Statistical Association and of the American Association for the Advancement of Science.

In recommending Dr. Aitchison to the Civil Service League for the award, Mr. Blount said, in part:

> Dr. Aitchison possesses qualifications and abilities which are not replaceable except at a lesser degree of perfection. Through her unassuming attitude, complete dedication and application of her capabilities to the fullest, she has continued to accomplish the Department's objectives while establishing herself in the transportation industry as an expert and authority on matters relating to realistic and economic procurement and purchase of mail transportation, both domestic and international.

CURIOUS DOUBLE STANDARD OF ETHICS DISPLAYED BY THE JUNIOR SENATOR FROM INDIANA

(Mr. THOMPSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Georgia. Mr. Speaker, a nationally syndicated columnist, with whom I sometimes agree, disclosed in the Washington Post yesterday morning a rather curious double standards of ethics displayed by the junior Senator from Indiana who seems to be so concerned about ethics of southern nominees to the Supreme Court of the United States.

According to Jack Anderson's Wash-

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ington Merry-Go-Round, every year since the junior Senator from Indiana was elected, he has enjoyed with his wife and family a vacation normally which would cost hundreds of dollars at a plush Miami Beach hotel without paying one penny for it. This hotel, according to Mr. Anderson, is mortgaged to the tune of $13,000,000 by the Teamsters' pension fund and apparently the Senator's personal bills are picked up by a multimillionaire political godfather.

Last week, Mr. Speaker, you may recall that I took exception to the junior Senator from Indiana degrading the character of Judges Haynsworth and Carswell by a "three-legged dog" quote appearing in the Atlanta Journal.

Now in the Friday, April 17 issue of the Atlanta Journal, the Senator is further quoted as having called the nomination of Judges Haynsworth and Carswell "Supreme Court pollution." Curiously, though, in the same article the Senator is reported as stating that Judge Blackmun, a northerner, appears to be acceptable.

This southern Congressman cannot help but wonder why the junior northern Senator who made so much loud noise about Judge Haynsworth not disqualifying himself from a case involving a company which had on their premises vending machines supplied by a firm in which the judge held stock, now apparently is for Judge Blackmun who did not disqualify himself in at least two instances in cases involving companies in which he was directly part owner.

I suppose the only explanation for the announced position of the junior Senator from Indiana is that Judge Blackmun is a northerner and Judge Haynsworth is a southerner. The junior Senator apparently sees no need to apply the same standards to the northern jurist that he would apply to the southern jurist, and perhaps in view of his free Miami Beach hotel stays, he would not even apply the same standards to his own activities.

SENATOR BAYH'S VACATIONS

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, I would like to make just a few comments following the remarks of the gentleman from Georgia (Mr. THOMPSON), relative to an article published April 20, 1970, by the syndicated columnist, Jack Anderson.

The column hints of possibly unethical behavior on the part of the junior Senator from Indiana, the Honorable BIRCH BAYH, involving his vacations at a Miami Beach hotel at the invitation of Mr. Miklos Sperling, of Indianapolis, Ind.

Mr. Speaker, I know nothing of Senator BAYH's vacations, but I do know Senator BAYH, I know Mr. Sperling, and I know of their close friendship of many years.

That Senator BAYH and his family would accept Mr. Sperling's invitation to be his guests during winter holidays should be neither surprising nor disturbing.

Mr. Sperling, who I believe is now retired, is highly respected in Indiana by both Democrats and Republicans. He is no more sinister than Father Flanagan of Boys Town.

THE PRESIDENT'S VIETNAM STATEMENT—THE HUMAN SIDE OF THE WAR

(Mr. MacGREGOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include the President's address.)

Mr. MacGREGOR. Mr. Speaker, if anyone asks me why I support the President's position on troop withdrawal from Vietnam, I do not give one argument. I give 115,500 arguments. That is the number of American soldiers who have been withdrawn from Vietnam since the President began his troop withdrawal program. By spring of next year at the latest, there will be a total of 265,500 such arguments.

All other arguments—political, philosophical, historical—seem paltry compared with even the single argument of an American removed from danger. The President reminded us that when the crew of Apollo 13 was in danger the whole world offered help for their return. President Nixon has helped 115,500 men return from danger—he is concerned with human beings and not with rhetoric.

Two hundred and sixty-five thousand five hundred arguments such as these are proof of good policy, good planning and courageous leadership.

Mr. Speaker, I include with my remarks the text of the President's address from California last night:

TEXT OF THE PRESIDENT'S MESSAGE

Good evening, my fellow Americans.

I have requested this television time to give you a progress report on our plan to bring a just peace to Vietnam.

When I first outlined our program last June, I stated that the rate of American withdrawals from Vietnam would depend on three criteria—progress in the training of South Vietnamese, progress in the Paris negotiations, and the level of enemy activity.

Tonight I am pleased to report that progress in training and equipping South Vietnamese forces that substantially exceeded our original expectations last June.

Very significant advances have also been made in pacification. The percentage of the rural population in secure areas under the government of South Vietnam has grown steadily while that under Vietcong control has dropped sharply.

Although we recognize that problems remain, these are encouraging trends.

ENEMY DEMANDS

However, I must report with regret that no progress has taken place on the negotiating front. The enemy still demands that we unilaterally and unconditionally withdraw all American forces, that in the process we overthrow the elected government of South Vietnam and that the United States accept a political settlement that would have the practical consequence of the forcible imposition of a Communist government upon the people of South Vietnam.

That would mean humiliation and defeat for the United States. As I have repeatedly stated, that we cannot and will not accept.

Let me now turn to the third criteria for troop withdrawals—the level of enemy activity. In several areas since December, that level has substantially increased.

In recent months Hanoi has sent thousands more of their soldiers to launch new offensives in neutral Laos in violation of the Geneva Accords of 1962 to which they were signatories.

CONSISTENT PATTERN

South of Laos, almost 40,000 Communist troops are now conducting overt aggression against Cambodia, a small neutralist country the Communists have used for years as a base for attacks upon South Vietnam in violation of the Geneva Accords of 1954 to which they were also signatories.

This follows the consistent pattern of North Vietnamese aggression in Indochina. During the past eight years they have sent tens of thousands of troops into all three countries of the peninsula across every single common border.

Men and supplies continue to pour down the Ho Chi Minh trail; and in the past two weeks, the Communists have stepped up their attack upon allied forces in South Vietnam.

However, despite this new enemy activity, there has been an over-all decline in enemy force levels in South Vietnam since December.

As the enemy force levels have declined and as the South Vietnamese have assumed more of the burden of battle, American casualties have declined.

AN EXTRA 150,000

In the first three months of 1970 the number of Americans killed in action dropped to the lowest first quarter level in five years.

In June, a year ago, when we began troop withdrawals, we did so on a "cut and try" basis—with no certainty the program would be successful. In June we announced withdrawal of 25,000 American troops; in September an additional 35,000 and in December another 50,000. These withdrawals have now been completed and as of April 15 a total of 115,500 men have returned from Vietnam.

We have now reached a point where we can confidently move from a period of "cut and try" to a longer-range program for the replacement of Americans by South Vietnamese troops.

I am, therefore, tonight announcing plans for the withdrawal of an additional 150,000 American troops to be completed during the spring of next year. This will bring a total reduction of 265,500 men in our armed forces in Vietnam below the level that existed when we took office 15 months ago.

The timing and pace of these new withdrawals within the overall schedule will be determined by our best judgment of the current military and diplomatic situation.

This far-reaching decision was made after consultation with our commanders in the field. It has the approval of the government of South Vietnam.

SOME RISKS

Viewed against the enemy's escalation in Laos and Cambodia, and the stepped-up attacks this month in South Vietnam, it clearly involves some risks.

But again I remind the leaders of North Vietnam that while we are taking these risks for peace they will be taking grave risks should they attempt to use the occasion to jeopardize the security of our remaining forces in Vietnam by increased military action in Vietnam, in Cambodia or in Laos.

I repeat what I said Nov. 3 and Dec. 15. If I conclude that increased enemy action jeopardizes our remaining forces in Vietnam, I shall not hesitate to take strong and effective measures to deal with that situation.

The decision I have announced tonight to withdraw 150,000 more men over the next year is based entirely on the progress of our Vietnamization program.

There is a better, shorter path to peace—through negotiations. We shall withdraw more than 150,000 over the next year if we make progress in the negotiating front.

Had the other side responded positively at Paris to our offer of May 14 last year, most American and foreign troops could already have left South Vietnam.

It is Hanoi's intransigence that has forced us down the road of Vietnamization. We desire nothing more than the opportunity to withdraw all American forces and bring a just peace to Vietnam.

A political settlement is the heart of the matter. It is what the fighting has been about in Indochina for 30 years.

We have noted with interest the recent statement by Soviet Deputy Foreign Minister Yakov A. Malik concerning a possible new Geneva conference on Indochina.

READY FOR SETTLEMENT

We do not yet know the full implications of this statement.

It is in the spirit of the letters I wrote on April 7, to signatories of the 1962 Geneva Accords urging consultations and observance of the Accords. We have consistently said we were willing to explore any reasonable path to peace. We are in the process of exploring this one.

But whatever the fate of this particular move we are ready for a settlement fair to everyone.

Let me briefly review the principles that govern our view of a just political settlement.

First, our overriding objective is a political solution that reflects the will of the South Vietnamese people and allows them to determine their future without outside interference.

I again reaffirm his government's acceptance of eventual, total withdrawal of American troops. In turn, we must see the permanent withdrawal of all North Vietnamese troops and be given reliable assurances they will not return.

Second, a fair political solution should reflect the existing relationship of political forces. We recognize the complexity of shaping machinery that would fairly apportion political power in South Vietnam. We are flexible; we have offered nothing on a take-it-or-leave-it basis.

Third, we will abide by the outcome of the political process agreed upon. President Thieu (of South Vietnam) and I have repeatedly stated our willingness to accept the free decision of the South Vietnamese people. But, we will not agree to the arrogant demand that the elected leaders of the government of Vietnam be overthrown before real negotiations can begin.

Let me briefly review the record of our efforts to end the war in Vietnam through negotiations.

We were told repeatedly in the past that our adversaries would negotiate seriously—

If only we stopped the bombing of North Vietnam.

If only we began withdrawing our forces from South Vietnam.

If only we dealt with the National Liberation Front as one of the parties to the negotiations.

If only we agreed in principle to remove all our forces from Vietnam.

We have taken all these steps.

The United States over a year and a half ago halted all bombing of North Vietnam. Long ago we agreed to negotiate with the National Liberation Front as one of the parties. We have already withdrawn 115,000 American troops. I have announced tonight a decision to reduce American force levels by a quarter of a million men from what they were 15 months ago. We have offered repeatedly to withdraw all of our troops if the North Vietnamese would withdraw theirs. We have taken risks for peace that every fair and objective man can readily recognize.

Still there is no progress at the peace table.

It is Hanoi, and Hanoi alone, that stands today blocking the path to a just peace for the peoples of Southeast Asia.

VALUE OF HUMAN LIFE

When our astronauts returned safely to earth last Friday, the whole world rejoiced with us. We could have had no more eloquent demonstration of a profound truth—that the greatest force working for peace in the world today is the fact that men and women everywhere regardless of differences of race, religion, nationality, or political philosophy value the life of a human being. We were as one as we thought of those brave men, their wives, their children, their parents.

The death of a single man in war whether he is an American, a South Vietnamese, Vietcong or North Vietnamese is a human tragedy. That is why we want to end this war and achieve a just peace. We call upon our adversaries to join us in working at the conference table toward that goal.

No presidential statement on Vietnam would be complete without an expression of our concern for the fate of the American prisoners of war.

The callous exploitation of the anxieties and anguish of the parents, the wives and children of those brave men, as negotiating pawns, is an unforgivable breach of the elementary rules of conduct between civilized nations. We shall continue to make every possible effort to get Hanoi to provide information on the whereabouts of all prisoners; to allow them to communicate with their families; to permit inspection of prisoners of war camps; and to provide for the early release of at least the sick and wounded.

PEACE IN SIGHT

Five years ago American combat troops were first sent to Vietnam. The war since that time has been the longest and one of the most costly and difficult conflict in our history.

The decision I have announced tonight means that we finally have in sight the just peace we are seeking. We can now say with confidence that the South Vietnamese can develop the capability for their own defense. We can say with confidence that all American combat forces can and will be withdrawn.

I could not make these statements tonight had it not been for the dedication, bravery and sacrifice of hundreds of thousands of young men who have served in Vietnam. Nor could I have made it had it not been for the perseverence of millions of Americans at home.

When men write the history of the nation they will record that no people in the annals of time made greater sacrifice in a more selfless cause than the American people sacrificed for the right of 18 million people in a faraway land to avoid the imposition of Communist rule against their will and for their right to determine their own future free of any outside interference.

The enemy has failed to win the war in Vietnam because of three basic errors in their strategy.

They thought they could win a military victory. They have failed to do so.

They thought they could win politically in the United States. This proved to be their most fatal miscalculation.

In this great free country of ours, we debate, we disagree, sometimes violently, but the mistake the totalitarians make over and over again is to conclude that debate in a free country is proof of weakness. We are not a weak people. We are a strong people. America has never been defeated in our proud 190-year history and we shall not be defeated in Vietnam.

Tonight I want to thank the American people for the support which you have given so generously to the cause of a just peace in Vietnam.

It is your steadiness and your stamina that the leaders of North Vietnam are watching tonight. It is these qualities, as much as any proposals, that will bring them to negotiate.

It is America's resolve, as well as America's reasonableness, that will achieve our goal of a just peace in Vietnam and strengthen the foundations of a just and lasting peace in the Pacific and in the world.

Thank you and good night.

THE PRESIDENT'S REPORT ON THE STATE OF THE WAR IN VIETNAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, last night the report by the President on the state of the war in Vietnam was highly encouraging to the great majority of Americans who seek an honorable peace. It is encouraging to see the continued withdrawal of American troops on a responsible and constructive basis. It is encouraging to see the President make a winding down of the war possible—a war that has cost so many lives and so many billions of dollars.

Mr. Speaker, the President's report of last night proves there is a better way of solving Vietnam other than total surrender. It proves we can give continued leadership in Vietnam, in Southeast Asia, without being caught ever deeper in the quagmire of Southeast Asia.

The fact that the President can order home another 150,000 men is proof that we can solve the war with honor.

Mr. Speaker, I was pleased, as all of us were, by the President's strong indication of deep concern concerning the American prisoners of war held so cruelly and treated so badly by the North Vietnamese and Vietcong.

Mr. Speaker, it is clear now that we can indeed have a just peace in Vietnam by pursuing the kinds of policies that we are currently undertaking.

We would all prefer to see a negotiated settlement in Southeast Asia. But as the President noted, the North Vietnamese are blocking the door to that settlement.

And so we can be thankful that the President's Vietnamization policy is proving to be so successful that we can continue to move toward withdrawing all of our combat forces from Vietnam.

We can be grateful for the President's leadership, and we can give him all the support he needs as he leads us toward a just peace.

Statement by the President of an Update Report on Vietnam, April 20, 1970

Good evening, my fellow Americans.

I have requested this television and radio time to give you a progress report on our plan to bring a just peace to Vietnam.

When I first outlined our program last June, I stated that the rate of American withdrawals from Vietnam would depend on three criteria—progress in the training of the South Vietnamese, progress in the Paris negotiations, and the level of enemy activity.

Tonight, I am pleased to report that progress in training and equipping South Vietnamese forces has substantially exceeded our original expectations last June.

Very significant advances have also been made in pacification.

Although we recognize that problems remain, these are encouraging trends.

However, I must report with regret that no progress has taken place on the negotiating front. The enemy still demands that we unilaterally and unconditionally withdraw all American forces, that in the process we overthrow the elected government of South Vietnam and that the United States accept a political settlement that would have the practical consequence of the forcible imposition of a Communist government upon the people of South Vietnam.

That would mean humiliation and defeat for the United States. This we cannot and will not accept.

Let me now turn to the third criteria for troop withdrawals—the level of enemy activity. In several areas since December, that level has substantially increased.

In recent months Hanoi has sent thousands more of their soldiers to launch new offensives in neutral Laos in violation of the Geneva Accords of 1962 to which they were signatories.

This follows the consistent pattern of North Vietnamese aggression in Indochina. During the past eight years they have sent tens of thousands of troops into all three countries of the peninsula and across every single common border.

Men and supplies continue to pour down the Ho Chi Minh trail; and in the past two weeks, the Communists have stepped up their attacks upon allied forces in South Vietnam.

However, despite this new enemy activity, there has been an overall decline in enemy force levels in South Vietnam since December.

As the enemy force levels have declined and as the South Vietnamese have assumed more of the burden of battle, American casualties have declined.

I am glad to be able to report tonight that in the first three months of 1970 the number of Americans killed in action dropped to the lowest first quarter level in five years.

In June, a year ago, when we began troop withdrawals, we did so on a "cut and try" basis—with no certainty that the program would be successful. In June we announced withdrawal of 25,000 American troops; in September another 35,000 and then in December 50,000 more. These withdrawals have now been completed and as of April 15, a total of 115,500 men have returned home from Vietnam.

We have now reached a point where we can confidently move from a period of "cut and try" to a longer-range program for the replacement of Americans by South Vietnamese troops.

I am, therefore, tonight announcing plans for the withdrawal of an additional 150,000 American troops to be completed during the spring of next year. This will bring a total reduction of 265,500 men in our Armed Forces in Vietnam below the level that existed when we took office fifteen months ago.

The timing and pace of these new withdrawals within the overall schedule will be determined by our best judgment of the current military and diplomatic situation.

This far-reaching decision was made after consultation with our commanders in the field and it has the approval of the Government of South Vietnam.

Now viewed against the enemy's escalation in Laos and Cambodia, and in view of the stepped-up attacks this month in South Vietnam, this decision clearly involves some risks.

But I again remind the leaders of North Vietnam that while we are taking these risks for peace, they will be taking grave risks should they attempt to use the occasion to jeopardize the security of our remaining forces in Vietnam by increased military action in Vietnam, in Cambodia, or in Laos.

I repeat what I said November 3rd and December 15th. If I conclude increased enemy action jeopardizes our remaining forces in Vietnam, I shall not hesitate to take strong and effective measures to deal with that situation.

My responsibility as Commander in Chief of our Armed Forces is for the safety of our men, and I shall meet that responsibility. The decision I have announced tonight to withdraw 150,000 more men over the next year is based entirely on the progress of our Vietnamization program.

There is a better, shorter path to peace—through negotiations. We shall withdraw more than 150,000 over the next year if we make progress on the negotiating front.

Had the other side responded positively at Paris to our offer of May 14 last year, most American and foreign troops would have left South Vietnam by now.

A political settlement is the heart of the matter. That is what the fighting in Indochina has been about for the past 30 years.

We have noted with interest the recent statement by Soviet Deputy Foreign Minister Malik concerning a possible new Geneva Conference on Indochina.

We do not yet know the full implications of this statement. It is in the spirit of the letters I wrote on April 7, to signatories of the 1962 Geneva Accords urging consultations and observance of the Accords. We have consistently said we were willing to explore any reasonable path to peace. We are in the process of exploring this one.

But whatever the fate of this particular move we are ready for a settlement fair to everyone.

Let me briefly review for you the principles that govern our view of a just political settlement.

First, our overriding objective is a political solution that reflects the will of the South Vietnamese people and allows them to determine their future without outside interference.

I again reaffirm this Government's acceptance of eventual, total withdrawal of American troops. In turn, we must see the permanent withdrawal of all North Vietnamese troops and be given reasonable assurances they will not return.

Second, a fair political solution reflect the existing relationship of political forces within South Vietnam. We recognize the complexity of shaping machinery that would fairly apportion political power in South Vietnam. We are flexible; we have offered nothing on a take-it-or-leave-it basis.

And third, we will abide by the outcome of the political process agreed upon. President Thieu and I have repeatedly stated our willingness to accept the free decision of the South Vietnamese people. But we will not agree to the arrogant demand that the elected leaders of the government of Vietnam be overthrown before real negotiations begin.

Let me briefly review the record of our efforts to end the war in Vietnam through negotiations.

We were told repeatedly in the past that our adversaries would negotiate seriously—

If only we stopped the bombing of North Vietnam

If only we began withdrawing our forces from South Vietnam

If only we dealt with the National Liberation Front as one of the parties to the negotiations

If only we would agree in principle to remove all our forces from Vietnam.

We have taken all these steps.

The United States, over a year and a half ago, halted all bombing of North Vietnam. Long ago we agreed to negotiate with the National Liberation Front as one of the parties. We have already withdrawn 115,500 American troops. Tonight I have announced a decision to reduce American force levels by a quarter of a million men from what they were fifteen months ago. We have offered repeatedly to withdraw all of our troops if the North Vietnamese would withdraw theirs. We have taken risks for peace that every fair and objective man can readily recognize.

Still there is no progress at the negotiating table.

It is Hanoi and Hanoi alone, that stands today blocking the path to a just peace for all the peoples of Southeast Asia.

When our astronauts returned safely to earth last Friday, the whole world rejoiced with us. We could have had no more eloquent demonstration of a profound truth—that the greatest force working for peace in the world today is the fact that men and women everywhere regardless of differences in race, religion, nationality, or political philosophy, value the life of a human being. We were as one as we thought of those brave men, their wives, their children, their parents.

The death of a single man in war, whether he is an American, a South Vietnamese, Viet Cong, or a North Vietnamese, is a human tragedy. That is why we want to end this war and achieve a just peace. We call upon our adversaries to join us in working at the conference table toward that goal.

No Presidential statement on Vietnam would be complete without an expression of our concern for the fate of the American prisoners of war.

The callous exploitation of the anxieties and anguish of the parents, the wives and the children of these brave men, as negotiating pawns, is an unforgivable breach of the elementary rules of conduct between civilized nations. We shall continue to make every possible effort to get Hanoi to provide information on the whereabouts of all prisoners; to allow them to communicate with their families; to permit inspection of prisoners of war camps; and to provide for the early release of at least the sick and the wounded.

My fellow Americans, five years ago American combat troops were first sent to Vietnam. The war since that time has been the longest and one of the most costly and difficult conflicts in our history.

The decision I have announced tonight means that we finally have in sight the just peace we are seeking. We can now say with confidence that pacification is succeeding. We can now say with confidence that the South Vietnamese can develop the capability for their own defense. And we can say with confidence that all American combat forces can and will be withdrawn.

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XUM

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Thank you and good night.

THE SPINOFF FROM OUR SPACE PROGRAM

The SPEAKER pro tempore (Mr. EDMONDSON). Under a previous order of the House, the gentleman from Florida (Mr. FREY) is recognized for 60 minutes.

Mr. FREY. Mr. Speaker, it has been my privilege to serve in the U.S. Congress for the past 16 months, and during that time I have traveled to various sections of this country. Frustration is very much a part of this job. Usually Congressmen are frustrated because they see many things which are wrong with the country and the Government does not seem to be responding quickly enough with solutions to the problems.

But I am particularly frustrated over something that is right, but not many people seem to realize it. There is more misunderstanding and misstatements about our Nation's space effort than any other major Federal program. Time and time again I hear, "If we had used the billions spent on the space program in our cities, we wouldn't have the severe problems which exist today," or "We've spent almost $25 billion just to beat the Russians to the moon to bring back some rocks."

Patiently and politely I reply to this type of remark, but each time I become more and more convinced that the many thousands of us involved in the space effort have done an inadequate job informing the American public and Congress of the tremendous direct and indirect benefits they enjoy as a result of this program.

Soon Congress will again be discussing the various aspects of the space program to decide a spending level for fiscal 1971. At this time I would like to put our space program in what I believe to be its proper perspective.

The President's fiscal 1971 budget would provide $3.4 billion in outlays for NASA, as compared to the high of $5.9 billion expended in fiscal 1966. This year's request represents approximately 1.7 percent of the total Federal budget. And yet interest on the national debt for fiscal 1970 will be approximately $18.8 billion, or 5½ times the amount budgeted for space.

In terms of the gross national product, we spend four times the amount of money on alcohol in this country as we do on the space program, and we spend twice as much money on cigarettes in this country as we do as far as our space program goes.

The space program, however, must be viewed today as part of our national requirements and we must ascertain what place, if any, it holds in our national priorities. If we decide it has no place, then it should be abandoned entirely. But if it does have a place, then it must be adequately funded. To do otherwise would be both uneconomical for the Nation as a whole and unsafe for those involved in the program.

What return do we receive for our space dollar?

Surely no one will deny today that the United States is first in space. Our national prestige, at a low in 1958 after Sputnik, is at an all-time high. Our extraordinary accomplishments are made even greater by the fact we conduct the entire Apollo program in the open for all to see. Parenthetically, the people in this country were truly united for the first time in years as they shared the successful Apollo 11 moon landing with the rest of the world. Our increased knowledge of the universe and the scientific and technological improvements also cannot be denied.

The opportunity for future discoveries, the need to explore and learn about the unknown—they are all a part of our heritage. Many speak out against further exploration. But then many would have voted against Columbus leaving in 1492 to explore a new world. Furthermore, to stop now would be to throw away the dollars previously invested in our space program. Would you throw away $25 billion when the scientific benefits are just starting to accumulate?

Within the last month a sample of moon soil killed three common earth bacteria and Dr. Gordon Zubrod, chief of the National Cancer Institute's drug investigation program, has asked for a sample to test its anticancer potential. True, no one knows if this moon dust will actually be useful. In fact, no one ever thought it had the potential to kill bacteria. Yet is this not true of most new discoveries?

In my opinion, these factors are inducement enough to continue the space program. But let us shift gears, and look at it from a purely materialistic point of view. What is in it for the economy and material improvement of our country? What is in it for the individual? The answer is an obvious one to those Americans who are still working in the space program. Admittedly, the number has been reduced from 420,000 in 1965 to approximately 197,000 today, and the total will drop to about 144,000 by June of 1971. In May of last year 14,369 aerospace firms were doing more than $10,000 in annual business in 1,882 cities in all 50 States and the District of Columbia.

The estimated payroll for the aerospace industry in 1969 was $14 billion. The industry did an annual business of $27 billion that year—and had a $28 billion backlog.

Between 1965 and 1971 NASA awarded grants and research contracts for 1,640 programs to 223 colleges and universities in all 50 States and the District of Columbia. The total university expenditures by NASA from 1959 through 1969 totaled $2.7 billion and contributed greatly to this Nation's educational goals by the development of new scientific disciplines, technologies and educational facilities.

It seems apparent we are not, as some have said, "throwing our money out into space." Remember, the money is spent here—in America—for goods and services. In the final analysis, it means jobs, people's salaries. When the normal economic multiplier of five to seven is added, the positive impact of the space industry on our economy is approximately $20 billion each year.

What I have just finished mentioning, in essence direct economic benefits, only scratches the surface of the total benefits this Nation receives from the program. "Spinoff"—a word which you would not find in the dictionary—coupled with direct technological benefits are in themselves enough justification for the entire space effort.

That is quite a statement—but the concrete proof exists to back it up. It has been said that more technology has developed from the space program in the last decade than any other time in our history. This is particularly noteworthy because most of the previous significant technological developments have resulted from a major war.

Beginning in the early 1960's the space program developed and put into operation revolutionary new systems for weather forecasting. In 1969, Hurricane Camille killed 256 persons, another 68 are missing and presumed dead and the total damage is estimated at $1.42 billion. Yet this deadly hurricane's path, force, and extent were predicted early and accurately enough by a satellite to permit the evacuation of 70,000 people from the affected gulf coast States. Without this warning, ESSA estimated that 50,000 people might have lost their lives.

A severe freeze in Florida 2 years ago damaged citrus and other agricultural crops to the tune of $100 million. In California last year major floods caused $265 million in damage. In a 1966 speech, Dr. Glenn Seaborg, presently Chairman of the Atomic Energy Commission, estimated that if weather could be accurately predicted even 3 days in advance, man could save $60 billion a year. Yes, that is billion, not million. His estimates came from a comprehensive 17-volume study made by the IBM Corp. on the ability of satellites to improve weather forecasting. While the study assumes that the forecast would be 90 to 95 percent accurate and that the respective agencies or corporations involved would act immediately to minimize the effects of severe weather, this is an amazing prediction.

A study panel of the National Academy of Sciences' National Research Council rated economic benefits of a long-range forecasting system at $2.5 billion yearly. This estimate covers only the four broadest and most visible areas of benefit—agriculture, construction, transportation, and flood-storm control—and is for the United States alone.

The weather affects many other

XUM

things—such as outdoor sporting events, aircraft routing and scheduling, and on-location movie filming, just to mention three. More accurate weather forecasting through the use of space program satellites is fast becoming a reality. The Nimbus III satellite launched in April of 1969 for the first time relayed to earth a vertical profile of atmospheric temperature from the ground to the upper level of the atmosphere. This has advanced our present meteorological satellites immensely—as presently they are based on cloud cover photos. This is not enough, as the primary clues to the distribution of solar energy—and hence the type of weather—are temperature, pressure, the movement of air masses, and the moisture content of the air. Today the information is obtained from 700 stations covering only one-fifth of the earth's surface. And these reports are periodic rather than continuous. The only way to obtain the required data on the entire earth is by satellites. The only way to collect, analyze and disseminate the information is by an integrated, computerized data transmission facility. The required new sensors will be tested through Nimbus and application technology satellites. ESSA hopes to have operational satellites by 1972. If all goes well, and this includes adequate funding, the system will be in full operation by the end of the 1970's, giving us the weather not 3 days, but 2 weeks in advance. When we know what is coming, it will then be our responsibility to minimize the damage and loss of life from severe weather. Sounds fantastic, but there is no question it will happen. How soon is up to us.

Another major example of spinoff is in the area of communications. This can be summed up in two words: satellites and microminiaturization.

Through our communications satellites network, we are now able to transmit audio and visual information to every corner of the earth and, to date, as far into space as the planet Mars.

Because of the payload limitations inherent to space flight, the art of microminiaturization as applied to electronics has flourished under the space program. To realize the spinoff, you need only look into a department store to see television sets, radios, tape recorders and other electronic gear, which are dramatically diminishing in size with each passing year.

Intelsat III is the third generation of commercial communications satellites built for the Communications Satellite Corp.—Comsat—manager of the 62-nation International Telecommunications Satellite Consortium—Intelsat. Comsat, by the way, provides hundreds of jobs in the urban areas of our country which many say do not benefit from the space program. Before the Comsat came along, it was necessary to route long-distance radio signals either by cable or by means of tall relay towers, each in line-of-sight or within about 30 miles of its neighbor. Either alternative is expensive, but the yearly cost of a satellite channel runs about one-sixth that of a circuit on a submarine cable.

Although underseas cables and shortwave radio provides communications between many areas of the world, each of these methods has inherent limitations in the development of a global system that will enable all countries to communicate directly and instantly. Cables give service only to those areas that are linked together within the cable network and normally do not carry television. Radio communications often are degraded by violent disturbances in the atmosphere and ionosphere.

Satellite communications, however, can cover all areas of the earth, and they are not subject to natural interference because they operate at higher—microwave—frequencies.

Communications satellites serve as "radio towers" in space. They receive communications signals beamed from earth stations, they amplify signals, and they transmit them back to other earth stations. A single satellite can be visible from about one-third the earth's surface; a series of satellites properly placed in orbit around the earth can provide complete global coverage. Countries within sight of a satellite will be able to communicate with each other.

One of the most widely known communication satellite demonstrations was the international TV coverage of the Olympics from Japan in October 1964. TV programs were transmitted to the United States and Europe, marking the first time that two satellites had been employed in tandem for TV broadcasting purposes, and shortening the delivery time of the program material from a matter of days by aircraft to a matter of minutes by satellites. It is worthwhile noting, as cited in the "President's Annual Report on Activities and Accomplishments Under the Communications Satellite Act," that as of the end of 1969, the four Intelsat satellites in service were being used at approximately 75 percent capacity and provided an estimated 75,000 trunk route miles containing an estimated 1,800,000 individual circuit route miles. The investment cost for circuit year in these satellites has fallen from $16,000 for Early Bird to about $1,000 Intelsat III. The projection for Intelsat IV is about $600 investment cost per circuit year.

Between 1965 and 1969 Comsat reduced its television rates twice. Charges for the satellite portion of a 1-hour color telecast between New York and Europe are now only 19 percent of what they were 3 years ago—a reduction of 81 percent. The American consumer—and the U.S. Government is perhaps the largest single consumer of communications services—is today benefiting directly—both in hard dollar terms and in terms of new services such as international television—from national commercial capabilities that are an outgrowth of NASA's aggressive research and development programs.

Adequate development of the resources program may be the greatest single spinoff benefit of the space program. The satellites in this program utilize remote sensors in space for the discovery, inventory, evaluation, development, and conservation of natural and cultural resources.

While a substantial amount of money would be involved in the spaceborne observation program, the benefits both economically and in terms of usefulness to the people are expected to far outweigh the costs. The estimated dollar value for performing such tasks as mapping of world vegetation, agricultural crop surveys, land use studies, worldwide ocean-sea data, and environmental monitoring for air and water pollution is difficult to estimate.

A recently developed multichannel imaging system which operates in the visible part of the spectrum like a camera but which can also record in the thermal infrared world of temperature has several applications. In agriculture and forestry it will provide early detection of crop and forest disease, fire detection and mapping, classification of vegetation, water transpiration measurement, and both insect and disease detection. Eventually, these satellites will be able to give us an extremely accurate determination of an annual basis of the total crop yield and monitor the dynamics of the world's population. At an early stage we will, for example, know when a crop is infected or when rangeland is deficient in necessary nutrients. This information will allow us to correct the deficiencies to produce the maximum yield from our land. In these times when more than half of the world's population goes hungry each day, the data supplied by these earth resources satellites can help us alleviate a great deal of this hunger. Based on the present pace, NASA is expected to orbit the first satellites in 1972.

The development of the biomedical applications teams organized by NASA has provided us another major spinoff benefit from the space program. For example, infants, comatose children, or adult patients sometimes require surgical implantation of a tracheotomy tube in the windpipe to ease breathing. If the tube becomes clogged, breathing will stop and brain damage or death can result within 2 to 4 minutes. Ordinarily a full-time nurse is required, who checks the tube visually and takes immediate corrective action when necessary. Integrated circuitry, designed and fabricated for aerospace use by NASA's Ames Research Center, has been modified to note differences in temperature of air passing through the tube, and actuate an audible or visible alarm within 10 seconds of any change. The signal can be given at a nurse's station, or in another room if the patient is at home.

One of the aerospace contractors has developed a personal health monitoring system now in use at a Miami hospital's intensive care unit. Small battery-powered devices strapped to a patient's arm or leg transmit physiological information, including temperature and blood pressure, from as many as 64 patients to one nurse seated at a monitoring console.

This is the type of benefit which is of particular assistance when we note that many of the VA hospitals in our country do not have the necessary personnel to adequately care for the patients.

A sight switch, developed to give astronauts an extra pair of arms, has been adapted for use by people suffering from

XUM

paralysis. With it a patient can manipulate a motor-driven wheelchair with only the movement of his eyes. The switch operates on the principle of infrared reflection from the eyeball. An infrared light source bounces light off the white of the eye into a photo-electric cell which carries the message to a control activator. When the eyes are moved sideward, one eye reflects the light while the pupil of the other eye absorbs it. The resulting imbalance of voltage controls the direction of the chair.

A sling support device was developed by the Langley Research Center for the purpose of acquainting astronauts with gravity conditions on the lunar surface where the force of gravity is one-sixth that found on earth. This device was made known to the Texas Institute for Rehabilitation and Research. With assistance from Langley personnel, TIRR has adapted the lunar gravity simulator to suit their needs in training the handicapped.

A six-legged vehicle proposed for unmanned exploration of the moon was redesigned as a walking chair for crippled children. An astronaut's helmet has become a respirometer for young children. Even in the area of cancer research, a NASA scientist engaged in basic research into the effects of space radiation and body cells has discovered intercellular linkages which may help in understanding the behavior of certain types of cancer. He has devised and demonstrated a theory that helps to explain the source of uncontrolled malignant growth and indicates shortcuts to the development of chemical countermeasures against cancer. For the first time this theory has provided an explanation of the functional connection between the two major pathological features of cancer—uncontrolled growth of cells and the spread of the disease on the body.

What dollar value then do we place on the value of a human life or improving the ability of a person to function as near to normal as possible?

The space program is also helping in many ways to prevent accidents and their resulting deaths or crippling effects on survivors. NASA's work on aircraft tire hydroplaning led to grooving airport runways and the same equipment is now being used on dangerous sections of highways in 18 States. Reported results are an 80- to 90-percent reduction in damage, injury, and death from skid accidents.

In the area of urban affairs, spinoffs from space technology have provided a new method of tackling old problems. This new method is the systems approach, utilizing the application of mathematics to simulate and determine the interaction of complex systems and predict their behavior. Former Vice President Hubert Humphrey, when he was Chairman of the National Aeronautics and Space Council, stated that the techniques used to put man on the moon were exactly the techniques needed to solve the monumental problems in our cities.

NASA's educational efforts in the Nation's secondary and elementary schools have been many and varied, but one of the unpublicized and most important has been its programs to assist underprivileged youth in the inner city. The problem has been tackled in a number of locations by a wide variety of techniques, including special materials, instructors, and so forth.

Now in effect are several programs, including the Cardozo School aerospace project and the Bruce School model city project, both in the District of Columbia. Others are the Montgomery County, Md., space project in 13 schools; Cleveland, Ohio, inner city project, two schools; New Orleans, La., aerospace project, two schools; Baltimore, Md., inner city aerospace project, two schools; Brooklyn-Bronx, N.Y., inner city space project, 27 schools; and the successful 50-city youth project that NASA staged for the Vice President's youth opportunity program last summer.

To many apparent school failures, low-achievers, low-income and ghetto dwellers, these programs provided in many cases incentives to stay in school, broadened career objectives, and increased interest in science.

There are many other areas of spinoff that have helped, and are helping, each and every person in this country. We have only touched on a few of them. But how can people say the space program is not helping right here on earth?

I hope the point is made. There is more to the space program than just going to the moon. The space program is important. It does help each and every American whether in the city or the farm, whether in the North or the South, whether a housewife or a cab driver. The space program today is returning more to us than the dollars we are putting into it and directly benefiting and improving the quality of life on earth.

I believe there are only a few in Congress who, if they understand completely the space program, including spinoff, would not be willing to continue funding it on a reasonable basis. I hope when they get letters from their constituents which say, "Why are we wasting money in space," they can directly and honestly answer, "We are not wasting money in space." This money has produced important advancements for each and every American. Without the space program we would not have these benefits. There are few programs in Congress which have given us such returns and offer such potential of even greater returns. To cut this program off today, to reduce this program even lower, is to throw away our investment without realizing its maximum return. It is not often that Congress has the ability and opportunity to back a humanitarian program with such great benefits to all Americans and to all mankind.

Mr. BIAGGI. Mr. Speaker, will the gentleman yield?

Mr. FREY. I yield to the gentleman from New York.

Mr. BIAGGI. Mr. Speaker, I compliment my colleague, the gentleman from Florida (Mr. FREY) for the work he has been doing in this area. I associate myself with his remarks.

Mr. Speaker, it has been well established that during the past 12 years NASA has been discovering new things about the earth, the moon, the planets, and the universe. Not nearly as well known is the important fact that NASA has also been discovering new things about human beings, materials, and machinery. Some have understood from the very beginning of the space age that maximum benefit would result only if all of these discoveries were widely shared.

For this reason, over the years information acquired by NASA has been collected and made available to prospective users both within and outside the Government. The NASA information bank now contains more than 500,000 documents and thousands more are added to it every month. A major task, then, is to help individuals and companies find and benefit from the particular parts of this enormous storehouse of technical information.

While it is impossible to track down every possible use or application of specific items of technical information, it is clear that a great deal of it is moving into all sectors of our society. We are now witnessing a growing amount of aerospace technology geared specifically to the needs of the general economy and a broad variety of urgent national problems. For example, NASA's contractors each year report an increasing number of examples of nonaerospace applications of space technology. There are thousands each year.

A number of studies have summarized an impressive array of applications in a number of fields: urban problems, transportation, environment control, medical applications, power generation, material applications, information systems, construction, and education. Mr. Speaker, a number of my colleagues are speaking today about various kinds of specific application examples. Therefore, I will not repeat what they are saying. A point I would like to make, however, is that if each of us today spent all of our time simply reading lists of such applications we would cover only a small fraction of the total.

There is no doubt that one of the major national problems today is how to manage effectively a large urban area. From our limited experience to date, it seems reasonable to forecast that advances in aerospace technology offer great potential for solutions to many urban problems. The potential applications are numerous and range from new approaches in the management of large-scale systems to specific applications in improved construction of homes, schools, factories, and office buildings.

The management skills required to operate and deal with the large-scale problems of today's cities call for the mobilization of Government, university, and industry teams. NASA has shown how this can be done. A specific example of what I am talking about is the adaptation of the systems approach to the cities' problems, in contrast to treating each of them in a piecemeal way.

As one watches television coverage of the mission control center for Apollo, it is not at all inconceivable to visualize

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that cities of the future will have comparable control centers built around computer capabilities developed in the space program. For example, mayors, city councils, and city managers are becoming increasingly aware of the potential of the systems approach—coupled with computers—in dealing with municipal information systems, transportation systems, general communication systems, police communications systems, land use, and zoning planning.

From these brief remarks I hope that I leave with you the impression that the benefits of the Nation's space program is not one, but consists of many different activities that add to an impressive total. While many of the various benefits can be readily measured, others are more intangible. In the long run perhaps it is the intangible which will have the major impact. By this I mean the changes which may take place in the way we manage our cities, the ways we carry out the education of our children. Such effects are subtle and difficult to define but, nevertheless, they are real. Inevitably, they will have a major impact on the future of our Nation.

Mr. PRICE of Texas. Mr. Speaker, will the gentleman yield?

Mr. FREY. I am glad to yield to the gentleman from Texas.

Mr. PRICE of Texas. Mr. Speaker, this Thursday, the House is scheduled to debate and vote on the NASA authorizations bill for fiscal year 1971. During the 2 hours which have been allotted for general discussion I predict that certain of my colleagues will question the level of this Nation's commitment to the manned space program, even granted the fact that the Science and Astronautics Committee, of which I am a member, approved an austerity budget for our space program—a budget much in line with the President's reduced budget requests for the coming fiscal year.

By way of prelude to the forthcoming debate, I think that a valuable perspective on our Nation's efforts to conquer space can be achieved by examining the great harvest for mankind that is being reaped from the manned space program.

In this connection, I commend my fellow member of the Science and Astronautics Committee, the gentleman from Florida (Mr. FREY), for reserving a time period for such a discussion. Throughout our committee hearings on the NASA authorizations bill for fiscal year 1971, the gentleman displayed great leadership in this vital area. Moreover, aside from his regular committee duties, he established an advisory committee which extensively investigated this subject. The report of their findings is entitled "Spin-off-From-Space Report." I consider it must reading for all those concerned with the nature and extent of the various benefits accruing from our manned space program.

Mr. Speaker, the remarks of many of the other Members participating in this discussion will undoubtedly center on the public benefits of the space program from a program and operations viewpoint.

Accordingly, in an effort to avoid duplication, I am limiting my remarks to a consideration of the efforts that the aerospace industry is making to apply the benefits of space research to the problems of man on earth today.

The examples I will cite are by no means exhaustive; nor are they meant to be. Their function is to illustrate the fact that private industry is demonstrating its social responsibility by dedicating a great deal of talent and productive resources to solving public problems.

The value of such a listing is twofold. It helps shed more light on the giant yield to be harvested from space research and activities. It also vividly demonstrates to those who think that Federal action is a panacea, that the free enterprise system has the will, the power, and the dedicaton to be a positive force for advancing the public interest.

For the sake of clarity, I am going to categorize my examples of private industry involvement in space spinoff into eight broad categories: urban affairs, medical applications, educational systems, environmental management, transportation systems, information systems, power generation, and materials applications.

URBAN AFFAIRS

In the area of urban affairs, aerospace companies are utilizing space-research developed engineering and design capabilities. General Dynamics is heavily involved in projects to improve police communications systems, provide skill training and on-the-job instruction for so-called unemployables. Aerojet-General Corp. is applying areospace systems analysis techniques to crime prevention and control, and State-sponsored social assistance programs. TRW is utilizing the systems approach to determine community renewal plans and alternatives. North American Rockwell is utilizing space age management and planning techniques to facilitate programs for ordered urban development and community expansion.

MEDICAL APPLICATIONS

The medical applications of aerospace technology have been equally significant. United Aircraft's Hamilton Standard Division has developed for the National Heart Institute, a spacesuit-like garment for heart attack victims. The Convair Division of General Dynamics has devised a dry immersion bed for hospital patients with severe skin burns or ulcers. The Astropower Laboratories of McDonnell Douglas are experimenting with the use of computer technology in an early warning system for individuals subject to epileptic seizures. North American Rockwell is utilizing a space research developed cross-spectural analysis computer program for medical research and brain studies. Hercules, Inc., is investigating the potential application to medical uses of several materials, technology, and analytical techniques developed in solid propellant rocket programs. Lockheed Aircraft systems technology is now helping major blood banks sharply reduce their inefficiencies and wastes. Computer programs developed by North American Rockwell in its rocket engine production are being used by doctors in Australia for hearing research efforts, and by U.S. university research specialists to study and combat disease.

EDUCATION SYSTEMS

Expertise achieved in aerospace research is also being extensively applied in the field of education. Through the use of space age simulative controls systems, Lockheed Missiles & Space Co. is developing an innovative simulations approach to the problem of instructing youngsters on the subject of the effects of drug abuse. Avco's Economics Systems Corp. is using systems analysis techniques developed in aerospace programs to evaluate the U.S. Department of Labor's "new careers" program. Westinghouse Learning Corp. is using advanced training techniques to prepare volunteers to work for the domestic Peace Corps. The Far West Laboratory of Lockheed Aircraft is developing an information network on educational research and development.

MANAGING THE ENVIRONMENT

Aerospace technology has also found significant application in the field of managing our earth's resources. TRW is conducting a complete systems analysis of national and regional air pollution as a basis for a national air pollution information control system. An environmental information system has been developed by the Convair Division of General Dynamics to collect, process, interpret and distribute information on all factors relating to weather and to land and ocean resources. A major air pollutant may be removed from coal-fired powerplants and turned into a valuable industrial product as the result of a process being developed by Atomics International, a division of North American Rockwell. Hercules, Inc., is utilizing aerospace technologies to create new techniques for combating water pollution and for recovering and up-grading usable materials from solid wastes. Westinghouse Electric Corp. is constructing facilities to convert acid and stream polluting mine drainage wastes into pure water. In an effort to eliminate a source of pollution in harbors and waterways, General Electric's re-entry systems organization is developing a prototype waste treatment system which can be tested aboard ships. North American Rockwell Corp. is utilizing a laser beam system to detect and measure minute movements of the earth's surface as a means of predicting earthquakes.

TRANSPORTATION SYSTEMS

National and international transportation systems have been another source of special benefit from aerospace technology. Using advanced systems and manufacturing techniques, Rohr Corp. will build 250 high-speed transit cars for the San Francisco Bay Area Rapid Transit District. LTV Aerospace Corp. has developed a traffic monitoring sentinel system that uses electro-optical and computer techniques to obtain complete legal evidence of unsafe speeds including a photograph of the vehicle, the license plate and the driver of a speeding vehicle. TRW is attempting to provide technological solutions to the problems of passengers, baggage, and mail distribution into, out of, and within the Kennedy Airport complex in New York. Drawing on broad experience in supplying solid propellant gas generators, Thiokol Chemical is investigating the possibility of using a gas generator to inflate a pillow which protects passengers from impacting a vehicle's windshield or dashboard upon sudden stops. The Sikorsky Aircraft Division of United Aircraft has designed turbo train, a high-speed, lightweight passenger train based on the principles of flight. Realizing that constraints to air travel extend literally from the traveler's door to the door of his destination, the Boeing Co. is using systems analysis as a major tool in determining air travel requirements for the future.

INFORMATION SYSTEMS

National and international information systems have profited greatly from space related research and activities. Lockheed Missilies & Space Co. has studied and assessed the potential for worldwide communications satellite systems, including international sea rescue networks, educational television programs, and global detective work. United Aircraft is studying the computerization of library functions and the automation of law enforcement intelligence gathering activities. Closed circuit, on-site telecasts will soon be available for schools due to a mobile video control room developed by General Precision Systems, Inc. Analysis, programing, and computer support is being provided by TRW to Alberta, Canada, for Government-sponsored comprehensive health programs. Lockheed Aircraft is developing an information system designed to provide greater fairness and efficiency in the administration of criminal justice in California. Computer programs, information systems activities, and management techniques developed by North American Rockwell for the space program have found a wide variety of uses in the commercial market, among them being a study of the American Stock Exchange procedures to reduce the paperwork logjam and bring about more efficient operations.

POWER GENERATION

The production of domestic power for use in homes and businesses has greatly benefited from space research. Pratt & Whitney has demonstrated that its Apollo fuel cell can also produce electrical power directly from fuel, thus greatly conserving natural resources and reducing pollution. Philco-Ford Corp. is using data processing techniques to match electric power generating capacities to consumer demand for such utilities as Houston Lighting & Power Co. An electron beam rock cutter which could some day carve tunnels out of mountains is being developed by Westinghouse Electric. Sundstrand Aviation is developing an on-site electrical power system designed to fulfill the need for gas-fired power supplies for small commercial and industrial building. A self-contained nuclear power system to provide a power source which turns generators without the use of an air-breathing powerplant has been developed by Aerojet-General Corp. A modified Avco Lycoming TF-25 industrial gas turbine powerplant has been installed in a truck-mounted oil-fracturing rig to feed sand slurry pressure into "lagging" or "sluggish" oil wells as a means of increasing production performance. Fairchild Hiller Corp. has developed a self-contained total energy power system suitable for use in remote areas of the world not presently having any power facilities.

MATERIALS APPLICATIONS

Aerospace research and activities have found particular applications in material technology. Aerojet-General Corp., has developed a new means of studying liquified natural gas, opening new possibilities for the use of natural gas in remote areas and in many mobile operations. A lockseal high pressure pipe joint developed by Lockheed for rocket motors shows high promise for a number of oil field applications, particularly in offshore work, North American Rockwell's Atomics International has developed a process of neutron radiography which could be used for fighting disease and solving industrial problems. The United Technology Center Division of United Aircraft Corp., has fabricated a new high strength pipe suitable for carrying water or fluids for sewage, irrigation, flood control, and numerous agricultural applications. Northrop Corp. is studying the use of substituting hydrodynamic bearings for certain speed-limited ball bearings utilized for standard textile producing machinery. A Westinghouse Electric Corp. research program on high temperature plastics has created a new family of plastics that have outstanding strength at temperatures up to 650 degrees F. A versatile portable brazing furnace is being increasingly used for commercial metal fabrication as a direct offshoot of rocket propulsion work by Aerojet-General Corp. North American Rockwell has developed a lightweight plastic spray-on foam for commercial fishing insulation; it also can be used for on-the-spot splinting of bone fractures in a medically approved fashion.

Mr. Speaker, these eight areas: urban affairs, medical applications, educational systems, environmental management, transportation systems, information systems, power generation, and materials applications represent quite a broad area in which the harvest of space research has been keenly felt. Compared to the coming decades, however, the present yield is but a trickle. This is a fact that the American taxpayers should be made more aware of. It is, perhaps, as important a justification for our space program as is man's age-old dream of colonizing the stars.

Mr. MOSHER. Mr. Speaker, will the gentleman yield to me?

Mr. FREY. I am happy to yield to the gentleman.

Mr. MOSHER. Mr. Speaker, today we are emphasizing the practical benefits that already have been derived from our Nation's space program. In my share of the time available, I want to call special attention to what is probably the greatest benefit of all, the accumulation of new knowledge. I suggest the history of mankind teaches us that new knowledge proves almost always to be "worth its weight in gold," to use an old-fashioned phrase.

Our advances into space, and indeed, on earth depend on new knowledge, both its acquisition and use, and the search for new knowledge, the process we call science, is both the key and the quest in the exploration of space.

This quest began early in 1958 with the launch of the first two U.S. satellites, Exployer I and Vanguard I. The latter, a grapefruit-sized instrumented satellite still is whirling in space; but on March 31 of this year, Explorer I, a 30.8-pound spaceship whose entry into space on January 31, 1958, marked the birth of the U.S. space age, plunged back to earth and vanished in a burst of flame.

The launch of the orbiting Vanguard and the Explorer I as well as all our space satellites, is for a common mission—to search out the secrets of an unknown and harsh environment, to expose its scientific truths, not for territorial conquest but for the knowledge that brings with it understanding. And the knowledge gained from the first Explorer and the Vanguard satellites gave both substance and pattern to the amorphous atmosphere, and literally changed our knowledge of the shape of our earth.

From Vanguard we learned that the earth was somewhat pear-shaped rather than round; and among the important truths transmitted to earth from Explorer I was that the earth was circled by radiation belts, the Van Allen belts, a major scientific finding and one of utmost importance in helping us to understand the earth-sun relationship upon which all life on earth depends.

From Explorer I, our first investment in space, we discovered that the atmosphere of the earth has an upper boundary and does not extend indefinitely out into space as previously believed. We learned that earth's magnetic field is not a simple bar magnet extending indefinitely outward, but is complex and limited. The discovery of the Van Allen belts also revealed the magnetosphere encompassing these energy streams; and it also enlarged our understanding of the solar wind.

This new knowledge transmitted to earth from instruments borne into space by Explorer I, revolutionized all earlier concepts of space surrounding earth and have brought important new understanding of the manner in which the sun's various radiations control our atmosphere, including our weather and climate.

The space geodosy revealed by Vanguard concerning the true shape of our planet—where it flattens and how it bulges, has—as will all knowledge—proved much more than just an interesting fact. It has enabled us to map the earth and navigate more accurately both on land, on the sea, and into space. It has provided more precise measurements of the earth's gravitational field, knowledge that is vital for the operation of space vehicles and satellies, whether designed purely for science or its application—as in the instance of our weather and communications satellites.

Progress in weather satellites has accelerated and the pace continues to be a rapid and productive one. For example, NASA's Nimbus III, launched last April, carries a new infrared spectrometer to measure the vertical temperature of the atmosphere. It has proven highly accurate and has transmitted daily from orbit the equivalent of 10,000 conventional atmospheric soundings by balloons or sounding rockets. Its use operationally for weather forecasting began last June and has significantly improved prediction with respect to upper atmospheric flow.

But forecasting is only one part of the service to which our weather satellites contribute. Perhaps the most dramatic impact of weather satellites is with respect to the detection and tracking of major storms, providing the capability of early warning and thus permitting life and property-saving decisions concerning the routing of air traffic, marine navigation, water management, agricultural warnings, and the evacuation of threatened areas. Hurricane Camille was first observed and then tracked by satellite; and its path and force was predicted early enough to permit authorities to evacuate 70,000 persons from the gulf coast.

Estimates are that had this early warning by satellite not been available to permit this decision, 50,000 lives would have been lost. This is only one of many such instances that can be cited; and the savings from these weather satellites, not including the incalculable price of human life, has been in the millions. This has not been limited to the United States.

Through our weather satellites and NASA's Applications Technology Satellites—ATS—with Automatic Picture Taking—APT—systems on ATS and weather satellites and APT receiving systems whose design we have made available to all nations, more than 50 countries today are able to view daily weather patterns over their own territory, an outstanding example of the use of space for the benefit of men everywhere. And through the World Meteorological Center every nation has access to cloud picture mosaics from our satellites routinely made available by our Weather Bureau to the Center.

You may recall that the first communications satellites were NASA's ECHO, Telestar, Relay, Syncom, and the Soviet satellite Molniya. As with our weather satellites, when the development of communications satellites went beyond the experimental to the operational stage, the development of systems was undertaken outside of NASA. The expanded use and operation of weather satellites was undertaken outside of NASA. The expanded use and operation of communications satellites was undertaken in 1965 by the new Comsat Corporation; and Intelsat, and international consortium was created to handle global satellite communications. What has this meant? Well, in 1960 live TV could not be transmitted across the Atlantic. In 1965 it was possible but expensive; and by 1969, quality of transmission has been vastly improved and the cost reduced by 19 percent of the cost in 1965.

Current Intelsat satellites have a capacity of 1,200 two-way telephone circuits or four color TV channels. Those scheduled for next year will be able to handle 5,000 two-way circuits. The Intelsat satellites are operating at 75 percent capacity, with demand on the increase. An indication of this is the fact that ground stations have grown from five in 1965 to an estimate of 52 by 1971; and station cost has decreased from $15 million to a present cost of less than $4 million.

Early this year satellites provided closed-circuit television and two-way voice circuits between the United States and Europe so that 30,000 European doctors could hear and see a 3-hour transatlantic conference between American doctors in Houston and San Antonio, Tex., and their counterparts in Switzerland, Germany, and Austria all taking part in the 18th International Congress for Post-graduate Medical Instruction in which, incidentally, Dr. Charles Berry of NASA's Manned Spacecraft Center participated.

Communications satellites now are used largely for transoceanic traffic at great savings. Before satellites, for example, a west coast-to-Japan cable circuit cost $15,000 per month. Comsat can now offer this service at a cost of $4,000. But such satellites also have a significant domestic application including low cost message, data, and TV transmissions from coast-to-coast and anywhere in between.

The decision by the FCC to entertain proposals and suggestions for a U.S. domestic satellite system opens a whole range of new uses. And the benefits to society through better communications are infinite; for communications are the nervous system of organized society and offer a basic tool for economic and social progress.

The largest audience in world history, over half a billion people, witnessed man's first steps on the moon. They shared with those men their instant observations and reactions to the first visit to our earth's satellite. They shared in discovery and participated in our grand quest for knowledge and a most important probe into our beginnings, the search back to discover the history of our solar system and the origin of our earth. Scientific earth-based research into earth's history is hampered by the fact that the surface of earth is affected by erosion, folding, cracking, and other movements of its crust. Scientists long have believed that the lunar surface may hold the clues to our past and that of the entire solar system because its surface has been spared the changes that occur on earth.

Discoveries from Apollo 11 and 12 resulting from examination of soil samples from the moon revealed that the lunar soil is indeed 4.5 billion years old; and the continuing investigation of the moon promises to be most productive in the knowledge and understanding it should yield not only of the moon but of our own planet.

The study of our sister planets also contributes directly to our investigation of earth itself. For example, studies of the Martian atmosphere have highlighted the importance of radiative transfer of energy in atmospheric dynamics, providing an insight into our own atmosphere that we are able to achieve only through the perspective afforded by looking at another planet. Planetary atmospheres are quite fragile as is demonstrated by the changes caused by earth life in this planet's own atmosphere. The study of planetary atmospheres, therefore, may be the most significant way to determine the true nature of the changes on earth we now are causing.

Not all the benefits of space come from observations outside of earth. Knowledge also has been gained from preparatory work and research in earth laboratories.

A study on radiation effects on cells to determine the possible effects of space radiation on astronauts led to the discovery that suggests that an alteration in the molecular structure of the cell surface is what permits the uncontrolled proliferation and metastasis characterizing cancer. This opens a promising new avenue for possible chemical control of cancer.

This pursuit of knowledge so basic to the exploration of space is one of the greatest of human adventures; and the space program probably has done more to interest our young people and the average citizen in science than any other activity. This interest and what it may yield is of substantial value to the advancement of science and the advancement of man.

Mr. PETTIS. Mr. Speaker, will the gentleman yield?

Mr. FREY. I am happy to yield to the gentleman from California.

Mr. PETTIS. Mr. Speaker, our spectacular achievements in the national space program have overshadowed many of the tangible benefits, and there are many, that have resulted from this great national effort. It has been a great national effort and thousands of Americans have already benefited directly from the program.

Before I discuss positive, easily understood results that have contributed to our well-being, let me discuss one specific aspect that has great merit but is easily overlooked and sometimes discounted by opponents of the program. At one time, the NASA space program utilized upward of 400,000 engineers, scientists, technicians, and other skilled employees of the Government and industry. That figure will reduce to something below 145,000 in fiscal year 1970. I believe that most of my colleagues fully appreciate the demanding skill, the attention to detail, the complex nature, and the heretofore unheard of reliability requirements needed to insure success in our space missions.

I ask, Mr. Speaker, although we now no longer employ 250,000 Americans with space program dollars, are these skills acquired over the past 10 years lost to society? Is this sharply honed capability of no value to the country? The obvious answer is "yes," but let me ask you to place a value upon it.

It has been said, and I believe it, that the benefits in training, in forward thinking, in our positive "can do" attitude, in awakening and exposing our youth to the curiosities of space will more than compensate us for an expenditure of 1.7 percent of our national budget. Certainly, it is a program of excellence, setting a high standard for our people and the world. I ask my colleagues, Mr. Speaker, how many other programs that they have voted for meet the same standards required in the space program? How many other programs have provided stimuli of this significance to our youth and to our country as well as captured the imagination and esteem of the people of the world?

Some of our colleagues, Mr. Speaker, have been saying that the space program benefits only those persons involved in it. This is patently false, of course. When we point to the communications satellite system and the world weather warning satellites that have proven themselves and in the case of the weather satellites which have saved thousands of lives and millions of dollars, their retort is—what are you doing for me today? Certainly, we are still doing those same things, and doing it better. Additionally, however, the NASA applications technology satellite is being used to demonstrate domestic educational programs; it has proved the high quality, highly reliable ship-to-shore communications over long distances, the same for oceanic spanning aircraft leading the way to improved transoceanic navigation and traffic control capabilities adding safety for our citizens in worldwide travel.

In a specific agreement with the Indian Government, a later version of this ATS satellite will provide an operational system for instructional use in India. It will broadcast over that vast country directly to special low-cost television receivers. Built and maintained by India, the program is scheduled for operation in 1972. The Indian Government will provide initially programed information on improvements to local agriculture and on population control. The educational advantages are enormous for this type of system and underdeveloped countries throughout the world will get first-hand information on the practical value of such a system. The economic and social value to them of such a system is beyond measure.

Additionally, the earth resources satellite offers similarly startling payoffs. NASA Administrator Paine, in remarks to the Senate Space Committee said:

> For the not-too-distant future, there is clearly visible a new wealth of space bonuses of even more significant impact. An area of especially broad potential is the use of satellites to make possible far more efficient management of earth's natural resources. The projected earth resources satellite can serve as a space observation post equipped with a variety of sensing devices and communications equipment to relay resource data to regional information banks all over the world. The information can be put to work for more effective utilization of existing resources, for earlier discovery of new resources and for the identification of trouble zones for quick remedial action.
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> The earth resources satellite can "see" things not visible to the human eye, by means of viewing devices operating in the infrared and ultraviolet portions of the spectrum in addition to regular cameras photographing in visible light. Because various types of vegetation reflect light in different bands of the spectrum and in different degrees, a crop-imaging sensor can be programed to "see" one particular kind of vegetation—wheat, for instance. Thus, it can picture the entire wheat crop and report its findings to the data bank, providing the basis for predicting crop yield and planning its distribution. In addition, because diseased wheat would show up as a different coloration, the satellite can reduce crop losses by pinpointing trouble areas for immediate treatment.
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> In areas other than agriculture, the earth resources satellite system could identify terrain features associated with new oil and mineral deposits, particularly in those areas not surveyed by aircraft; it could identify the type of pollutants in the atmosphere and chart their distribution; it could detect water-pollution trends and locate fresh water reserves in underground streams and springs; it could provide a complete inventory of lake and reservoir levels; it could allow quicker prediction of floods and earthquakes; it could aid the fishing industry by accurate location of fish schools; it could spot ice fields for iceberg warning; it could show population density and spread trend for urban development and transportation planning. And these are but a few of many potentials.

These are just a few of the advantages that have accrued to the taxpayers of this country from this program. And all of these advantages are ours together with the prime objectives of the program envisioned for the seventies.

Mr. WINN. Mr. Speaker, will the gentleman yield?

Mr. FREY. I yield to the gentleman from Kansas.

Mr. WINN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, we hear much talk today about the values and benefits of our national space program. Yet, it is my view that the American people are far from fully aware of the benefits that have already accrued from our national space effort. Without question, our space program has been an impetus to our society toward excellence in education, science, and technology.

Most revealing to me, however, has been the major contributions that our national space effort is making in the area of meteorology such that we can now track storms, measure winds, record temperatures at different heights, and report on the moisture content of the atmosphere by the use of satellites. The significance of this is that we are providing better advance warning on storms and approaching the day when we will be able to provide long-range predictions as to the amount of rain that will be available to various districts of the country.

There is no question that a man whose livelihood depends on farming will well appreciate the benefits of long range and more accurate weather prediction. Already our current satellites have given us advanced warning of major storms and hurricanes. We will enter in the next few years an era of water management and rain prediction and evaluation capability for flood and storm areas.

For example, Camille was first observed and tracked by satellite. The hurricane's path force, and extent were predicted early and accurately enough to permit evacuation of 70,000 people on the gulf coast. The Environmental Science Services Administration estimates that 50,000 people could well have been injured or perished in this devastating storm had this information not been available.

I could cite many other examples including Hurricane Laura in 1969, the heavy rains of 1968 that threatened to overload a reservoir in Mexico's Nazso River Valley and inundate two small towns. On the basis of satellite pictures, it was decided to keep that dam closed and the rains did, indeed, stop and the dam held saving both the water supply and towns. In 1969 alone, our satellites watched 12 Atlantic hurricanes, 10 Eastern Pacific hurricanes, and 17 Western Pacific typhoons.

The Navy is using weather satellite pictures for ice control and to schedule resupply. Airline pilots at Kennedy Airport routinely receive weather photos of their trans-Atlantic routes. In addition to weather satellites, we also have navigation satellites in orbit. It is now possible to buy equipment for shipboard use to provide navigation with accuracies of less than 1 mile for ships at sea.

It is well known that communication satellites are to play a major role in our total communications in the United States and throughout the world. The communications business has grown from $22 billion a year to over $47 billion a year now in the United States. This industry has doubled its mileage every 10 years since 1935. If our Nation is to maintain adequate capability, it is necessary to expand our communications systems not only domestically, but internationally. To do this with conventional ground equipment alone will require excess investment.

However, if we take advantage of the satellite technology we have, this investment will be significantly reduced and our communication needs will be met in the 1970's.

It is not only in hardware that the NASA programs have contributed to the wealth and growth of this Nation, but also in the area of management. A recent article in Fortune magazine by Tom Alexander provides a thoughtful analysis of the tremendous contributions to new management techniques being made within the space program. As our environmental and urban problems grow in complexity and size, new approaches to the management of these problems is required. The Nation as a whole has much to gain from the management techniques and skills developed in managing our complex national space program. To date, over 18,000 individual technology items have been identified in the NASA program through their technology utilization effort which are useful to industry. Over 3,000 of these items have been fully documented as technical briefs and 38 million copies sold and distributed. Essentially what has happened is that at small costs an individual subscriber has been and is able to search and make use of NASA's extensive technology data bank. This has lead to new and improved products and services.

I could continue and cite many specific contributions in the area of medical research and equipment, metal and materials technology, and other areas such as earth resource surveys, but I believe the promise of space is already being fulfilled. If we invest our money wisely in the next few years, the promise of space will reach its full fruition in benefit to man right here on earth.

Mr. FREY. I thank the gentleman for his remarks.

Mr. GOLDWATER. Mr. Speaker, will the gentleman yield?

Mr. FREY. I yield to the gentleman from California.

Mr. GOLDWATER. Mr. Speaker, my committee colleagues have spoken and will speak further on the benefits the people of America and of the world are receiving from space technologies and exploration. But today I want to devote my time to the other statutory responsibility of NASA; aeronautics.

I need not detail for the House the importance of the aviation industry to the United States nor the extent to which it has become a great national resource. Most of us fly with the commercial carriers on a fairly regular basis and some of us are pilots who are personally involved with and have a deep appreciation of our dependence on excellent aeronautical research.

It is a fundamental fact that the United States leads the rest of the world in aerospace technology because of outstanding aeronautical research programs that, in turn, have been translated by our unmatchable aircraft industry into safe and economical aircraft. That leadership cannot be regarded as static or a foregone reality in the future. International competition is intensifying. It is growing by leaps and bounds not only with the British, French, and German industries but also with the Soviet Union. They are coming forward with national decisions on new types of aircraft much sooner and with greater dispatch than we are.

I need only cite the vertical- and short-take-off-and-landing aircraft and the supersonic transports, already being test flown by the British-French consortium and by the U.S.S.R. I am saying in effect that this country cannot afford, as a matter of survival, to lessen our efforts in this area. In fact, we must increase them in some research activities to maintain a strong aerospace industry.

NASA's research in aerodynamics, engines, structures, avionics, guidance, and controls has been supporting the aviation industry—the aircraft builders and the carriers—and the passengers who depend in this country on airlines for almost all long-range travel. To give the House some idea, 168 million U.S. airline passengers were carried domestically and internationally last year on almost 1,800 jet transports. And they were carried in comfort and with safety.

Now I want to dwell for a moment on what NASA is doing now to help aviation in both the commercial and private sectors. One area in which great strides have been taken is the problem of jet engine noise. Last year, NASA contractors were able to devise a technique by which acoustic materials were applied to muffling the engines of a Boeing 707 and a McDonnell Douglas DC-8. The result proved that the noise around airports today can be reduced by 85 percent. That is quite an improvement.

The real answer, however, is an engine that is designed from the beginning as a quiet engine. NASA is working very vigorously on that, and achievements to date are extremely promising.

Another activity of great importance is NASA's work in aircraft proximity and collision avoidance devices. I know that it is of great concern to all of us who fly and who are greatly distressed by midair collisions which have occurred in the recent past. NASA is directing its efforts to develop instrumentation to prevent such catastrophes that will be within the economic reach of general aviation, in which the approximately 600,000 pilots and about 120,000 aircraft are certified. Some aviation people would include other categories that would increase those figures significantly. But my conservative figures are nonetheless staggering in scope and implications.

Hence, NASA's efforts to produce proximity warning and collision devices costing in the region of $600 are a very great contribution to air safety, efficient aircraft operation, and to air traffic control.

These are only a few examples of what NASA is doing for aeronautics and aviation. Now, what has NASA done in the past? It produced from its research such very important advances in aerodynamics as the "Coke" bottle-shaped fuselage, which permits high-speed aircraft such as jet fighters to enter the supersonic region of flight without experiencing extremely dangerous buffeting and structure failure. It originated the variable geometric wing, the so-called swing wing now in use on military aircraft both here and abroad. NASA-sponsored research with the Boeing Co. has helped to a great degree the creation of the B-747 transport into an efficient, economical aircraft.

There are many other examples I can cite. The fact is that NASA as a research organization has not separated away its research into space technology from aeronautical technology. In fact, several NASA centers are conducting both types of research and often use the same people for both. Aircraft large and small in design today and in the future will incorporate vastly superior configurations, structures, systems, and materials purely because aeronautics and space research have been melded in NASA's organization. In doing this, the Nation's leadership has been wise indeed.

And the results have been that everybody benefits, even our competitors.

Mr. FREY. Mr. Speaker, I thank the gentleman from California for his excellent remarks, and I thank all my colleagues for their excellent remarks.

Mr. LUKENS. Mr. Speaker, there is no question in my mind that we will never be able to perceive and trace back all the benefits that have come to the American people from the national space program. Many are too subtle in application, and too deeply intertwined in the great technical sophistication of the aerospace industry that has made possible the successes NASA and the country have enjoyed so far in space exploration.

But there are several very evident benefits of space technology that are serving mankind every hour and day of the year. One of these is the series of weather satellites operating routinely in orbit around the earth, measuring and transmitting back to earth weather phenomena which has enabled meteorologists to improve the forecasting of weather by a very significant degree. Not only that, we are able to gather weather data of large land areas in a fraction of the time it formerly required. It has enabled us to obtain weather information from areas of the world never before sampled. It is important to remember that information from large segments of the globe, particularly over seldom-traveled ocean areas was practically nonexistent. Today such data are acquired daily and become part of a worldwide assessment.

Apart from weather prediction, one of the valuable functions performed by the weather satellites is the detection and tracking of destructive storms, hurricanes, and threatening weather patterns precisely and early enough to permit timely warning and prompt decision.

An outstanding example of this occurred only last fall. Hurricane Camille was first detected far out in the Atlantic by the Nimbus satellite before there was any indication from surface observation that any such storm was brewing. It was continually tracked and its force and path accurately predicted. As a result the Federal and local authorities were able to evacuate about 70,000 people from the gulf coast to places of safety inland. If we did not have the benefit of Nimbus-gathered readouts made several times a day from orbit, there are very firm estimates that at least 50,000 people could have lost their lives.

What value do you suppose people would place on the research and the necessary technology needed to produce such a system? Despite the tremendous property damage done by Camille and the economic cost involved, there can be no comparison with the importance of the lives saved. That is one instance. I can cite another, not affecting the United States.

Late in 1968 very heavy rains filled the Nazas River Valley Dam in Mexico to a dangerous level which threatened to break the earthen dam. In order to relieve the pressure, it would have been necessary to release great quantities of water that would have wiped out the towns of Torreon and Gomex Palacios. But the Mexican authorities had available to them weather satellite readouts that showed the weather was clearing to the west. As a result the dam was not opened, the weather did clear, and the previous irrigation supply and the towns were preserved. What value do you think the Mexican officials place on the information they received from space?

XUM

These are only two examples of benefits we are presently receiving from weather satellites. But there are other satellites in development that promise to bring about unprecedented capabilities to deal with problems of earth environment. These satellites are called earth resources satellites. They will make it possible to learn enough about global weather patterns that will make it possible to approach the problems of climate control.

We will learn much more about the large area effects of the oceans and the oceanic processes that interact with seafood production and ocean pollution. We will gather in great detail knowledge of sources of continental water supply important to ever expanding human population. For example, in this instance we already discovered from space very large seepages of fresh water draining out of the Continental Shelf under the surface of the sea in such places as off the coast of California and the Red Sea. We will be able to analyze crops from orbit and detect the healthy from the diseased, discover unexpected threatening blights as well as infestations from locusts and the like.

These are not figments of fevered imagination. They are real, because much of the technology is in hand and has been validated. And there will be more to come in years ahead, just so long as the program receives prudent and adequate support. We in Congress will have a large role to play in the future of the space program. We must continue to exercise the wisdom that the House and the Senate have demonstrated toward the exploration and utilization of space through the NASA programs, if only to help make it possible for our future generations and those elsewhere to cope with enormous social and economic problems that are sure to plague mankind in the future.

SPACE PROGRAM VITAL TO FUTURE

Mr. FUQUA. Mr. Speaker, future generations will judge us on the decisions which we will make in the next year as to the future of this Nation in space.

The space program has its detractors. Certainly it is an expensive undertaking, but in a larger sense it may well have been the most beneficial investment any nation has undertaken.

It is the largest scientific program in the history of man. It is no mere thrill-seeking ride to the planets, but a serious endeavor by man to understand the universe and the advances which we have made in medicine, science, technology, propulsion, and so forth, will far more than repay the investment which has been made by the American people.

Because of our involvement in the space program, we have developed new machines and tools, new methods of manufacturing, new combinations of metals, and other advances which future generations will put to use for the benefit of mankind.

Take astronomy for example. We have unleashed a whole new era as man has been able to move beyond the atmosphere to study the universe and its complex of galaxies, infrared and X-rays, the planets and the stars. We have only scratched the surface.

We are learning much about geophysics and the pollution of our environment. Satellites are increasingly called upon to aid in predicting the weather.

New methods of communications have had to be developed to augment the space program. Oceanography has been advanced faster because of the space program than at any time in history.

Electricity and electronic systems have advanced more during the period of the space program experimentation than at any time in history.

And perhaps the area which will be the most far reaching and beneficial to individuals has been that of the field of medicine.

Ours has not been a limited glamorous program, but rather a broad based scientific program of which the flights of man into space are but one integral part.

The permanent benefits already gained from the space program are with us now in the Nation and over the world.

The level of U.S. technology would be significantly lower today if we had not made the effort and achieved the advances required in all the technical disciplines in order to get to the moon. There are new systems that work under what were impossible conditions, new materials with properties until recently beyond achievement.

There are benefits and advances which have come from the demands of the space program; the interaction of government, industry, and education to meet this challenge has created what had not existed for application in space and on earth.

A good example of this kind of interaction and its beneficial results is found in the computer industry. Space exploration requires large, complex, and extraordinarily fast computer systems. Applications of computers in space include needs for unusual flexibility in their use as in the real-time monitoring of space missions, the computation of planetary trajectories, and the modeling of global weather patterns.

Consider some of the changed computer requirements since the beginning of our manned space flights. In project Mercury, ground-based computers only determined, with speed and accuracy, booster cutoff conditions. In Apollo, computers must calculate throughout the mission in real-time, the trajectory to the moon and back, compare three separate solutions for the lunar descent, record and analyze thousands of bits of telemetered spacecraft information, compare these to predicted values to detect trouble, and simultaneously monitor the well-being of the crew.

The computer program for Mercury contained 40,000 "computer words," the program for Apollo needed 1,500,000 words.

The computer industry of the United States met the challenge of these vastly increased needs and produced both the hardware and programing required. In so doing it was helped in achieving its present dominant world position. It better and more quickly learned how to exploit more fully the capabilities of its machines to meet these and other requirements. Practically every direct access computer system in the world today is American with reflection of space requirements of several years ago.

This $8 billion a year industry which in 1969 accounted for $728 million in U.S. exports has been stimulated by space requirements, has met these challenges so as to spread its expanded capabilities to a myriad of other beneficial uses.

This is one of many examples of how the benefits of the space age are with us now.

This Nation and mankind are richer for the investment we have made in the space program. It would be a serious mistake for this Nation to abandon this endeavor.

It would not be many years before this Nation would see the folly of such abandonment and we would see another space program developed. It is vital to mankind's future.

Therefore, it behooves us today to plan intelligently for a continuation of the space program on a sensible basis. I do not speak of a "crash program," but rather a continual building upon the foundations which have been laid.

Future generations will look back and applaud our efforts as having been one of the most significant and forward looking decisions our Nation has ever made.

GENERAL LEAVE

Mr. FREY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order, and to include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

PROPOSED IMPEACHMENT OF AN ASSOCIATE SUPREME COURT JUSTICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. McCloskey) is recognized for 60 minutes.

Mr. McCLOSKEY. Mr. Speaker, I rise in response to the remarks of my distinguished leader, the gentleman from Michigan (Mr. Gerald R. Ford) last Wednesday evening, when he set forth his views of the constitutional power of impeachment and stated certain facts and opinions which, in his judgment, justified his vote for the immediate impeachment of Associate Supreme Court Justice William O. Douglas. The dialog which ensued is reported in the Congressional Record of April 15, 1970, at pages 11912 through 11927.

I respectfully disagree with the basic premise "that an impeachable offense is whatever a majority of the House of Representatives considers it to be at a given moment in history."

To accept this view, in my judgment, would do grave damage to one of the most treasured cornerstones of our liber-

XUM

ties, the constitutional principle of an independent judiciary, free not only from public passions and emotions, but also free from fear of executive or legislative disfavor except under already-defined rules and precedents.

The arguments presented last Wednesday raise grave constitutional issues, and I hope my colleagues will understand that I speak not in derrogation of my leader's judgment, but to express a differing view of the law of impeachment and the criteria to be applied by the House to conduct attributed to a member of the Judiciary. I do not speak in defense of Justice Douglas, whom I have met but once many years ago. I would like to speak, however, for the principle of judicial independence and the concept that Congress should not challenge a sitting judge except under the clearest showing of misconduct.

Also, in view of the fact that the issues are those of law and precedent, I think it especially incumbent on those of us who are lawyers to discuss all aspects of the case from the various points of view traditional to our profession.

The first two sentences of the canons of ethics of the American Bar Association impose a special duty on lawyers:

> It is the duty of the lawyer to maintain towards the courts a respectful attitude, not for the sake of the temporary incumbent of the judicial office, but for the maintenance of its supreme importance. Judges, not being wholly free to defend themselves, are peculiarly entitled to receive the support of the bar against unjust criticism and clamor.

In my State of California, the attorney's duty to the courts has been referred to as among the foremost of his obligations.

> The members of the legal profession should, above all other members of society, be the first to uphold the dignity of judicial tribunals and to protect them against falling into that disrepute to which they would be hastened if proceedings before them were conducted without order or decorum. . . . *Platnauer* v. *Superior Court*, 32 Cal. App. 463, 473 (1917).

Attorneys must observe the principles of truth, honesty, and fairness, especially in criticism of the courts. In re Humphrey, 174 Cal. 290, 295 (1917).

No one would question that our duties to the Nation as Members of Congress supersede any duty to the courts occasioned by our professional background, but I do think the canons and court decisions lend support to the tradition of this Nation that our courts are not to be attacked in the same manner that we might criticize political opponents or members of the executive branch.

It also seems appropriate for Members of the House who are also privileged to be members of the bar to lay before the House such historical facts, interpretations, and legal argument as may warrant a stricter construction of the term "good behavior" than those urging impeachment have suggested.

First, I should like to discuss the concept of an impeachable offense as "whatever the majority of the House of Representatives considers it to be at any given time in history." If this concept is accurate, then of course there are no limitations on what a political majority might determine to be less than good behavior. It follows that judges of the Court could conceivably be removed whenever the majority of the House and two-thirds of the Senate agreed that a better judge might fill the position. But this concept has no basis, either in our constitutional history or in actual case precedent.

The intent of the framers of the Constitution was clearly to protect judges from political disagreement, rather than to simplify their ease of removal.

The Original Colonies had had a long history of difficulties with the administration of justice under the British Crown. The Declaration of Independence listed as one of its grievances against the King:

> He has made Judges dependent on his Will alone, for the tenure of their offices and the amount and payment of their salaries.

The signers of the Declaration of Independence were primarily concerned about preserving the independence of the judiciary from direct or indirect pressures, and particularly from the pressure of discretionary termination of their jobs or diminution of their salaries.

In the debates which took place in the Constitutional Convention 11 years later, this concern was expressed in both of the major proposals presented to the delegates. The Virginia and New Jersey plans both contained language substantively similar to that finally adopted, as follows:

> Article III, Section 1 states "The Judges, both of the Supreme and inferior Courts, shall hold their offices during good Behavior, and shall, at stated times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office."

The "good behavior" standard thus does not stand alone. It must be read with reference to the clear intention of the farmers to protect the independence of the judiciary against executive or legislative action on their compensation, presumably because of the danger of political disagreement.

If, in order to protect judicial independence, Congress is specifically precluded from terminating or reducing the salaries of Judges, it seems clear that Congress was not intended to have the power to designate "as an impeachable offense whatever a majority of the House of Representatives considers it to be at a given moment."

If an independent judiciary is to be preserved, the House must exercise decent restraint and caution in its definition of what is less than good behavior. As we honor the Court's self-imposed doctrine of judicial restraint, so we might likewise honor the principle of legislative restraint in considering serious charges against members of a coequal branch of Government which we have wished to keep free from political tensions and emotions.

The gentleman from Michigan has properly mentioned the analogy of impeachment to a prosecution, with the House acting as prosecutor, the Senate sitting as judge and jury. In this connection impeachment itself is a judicial proceeding with roots going back in our colonial history long preceding the adoption of the Constitution itself.

The Fundamental Orders of Connecticut, adopted in 1638, first gave the power to the colonial assembly to remove officials, and the Charter of Rhode Island in 1663 used the term "impeachment" for this removal process. William Penn's proposed Frame of Government in 1682 provided for prosecution of impeachment by the general assembly with trial of the impeachment by the Pennsylvania Council, or upper house, and this principle was later adopted in various forms in the constitutions of a number of the original 13 States.

There is considerable evidence in the adoption of the Constitution itself that the Founding Fathers considered impeachment as analogous to criminal proceedings. The first full draft of a constitution, presented by the Committee of Five on August 6, 1787, contained a specific clause:

> The trial of all criminal offences (except in cases of impeachment) shall be in the state where they shall be committed; and shall be by jury.

Under common law, a prosecutor must generally prove his case beyond a reasonable doubt. The presumption that a man is innocent until proven guilty by persuasive evidence is one which binds prosecutors as well as judges.

No prosecutor, for example, should take a case before the court unless he is reasonably satisfied of the guilt of the accused. Merely "thinking" that the accused is possibly guilty is not enough. I suggest that the hope that further investigation may develop facts which will prove his case should not justify the prosecuter's institution of a criminal charge, nor should it justify the House in filing an impeachment if impeachment is indeed analogous to a criminal proceeding.

There is a far graver question, however, with the argument that "good behavior," or lack of it, is whatever the majority of the House wants to make it.

The term "good behavior," as the Founding Fathers considered it, must be taken together with the specific provisions limiting cause for impeachment of executive branch personnel to treason, bribery or other high crimes and misdemeanors. The higher standard of good behavior required of Judges might well be considered as applicable solely to their judicial performance and capacity and not to their private and nonjudicial conduct unless the same is violative of the law. Alcoholism, arrogance, nonjudicial temperament, and senility of course interfere with judicial performance and properly justify impeachment. I can find no precedent, however, for impeachment of a Judge for nonjudicial conduct which falls short of violation of law.

In looking to the nine cases of impeachment of Judges spanning 181 years of our national history, in every case involved, the impeachment was based on either improper judicial conduct or nonjudicial conduct which was considered as criminal in nature.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

XUM

Mr. McCLOSKEY. I will yield.

Mr. GROSS. What is nonjudicial conduct of a judge? Conduct that takes place when he is not sitting as a judge? How can there be nonjudicial conduct?

Mr. McCLOSKEY. In the sense I use these terms, judicial conduct would be in the conduct of his office on the bench and nonjudicial conduct would be his private and personal life off the bench and utterances unconnected with the performance of his judicial duties. That is the sense I use it in this discussion.

Mr. GROSS. What the gentleman is saying, then, is if he wants to be a Lothario, that is all right as long as it does not involve what he is actually doing on the bench. Is that what the gentleman is saying?

Mr. McCLOSKEY. If his private or personal life should constitute a violation of criminal or civil law, then, in my judgment, it would justify impeachment for the failure of good behavior. If, on the other hand, his private life might be such as to cause blame to fall on him on the part of some, but not others, then I think that the Congress at its peril goes into the question of reaching for the first time a definition of what is different, rather than good, behavior.

Let me continue, if I may, and I will yield further as I try to bring out this point.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield on that very point?

Mr. McCLOSKEY. Yes. I yield to the gentleman.

Mr. PUCINSKI. I wonder if the gentleman will clarify this hypothesis. Is it within the purview of proper conduct for a member of the Supreme Court, an associate justice, to permit his publisher to publish his works in a magazine that has a cartoon of the President of the United States comparing him to King George III of England when this very judge may be sitting and every day does sit on matters involving the executive branch of Government? Does it come within the purview of proper conduct?

Mr. McCLOSKEY. The question that the gentleman asks is, Should a man permit his publisher to publish something of his, and I would like to state it has been my privilege as a private attorney to represent both authors and publishers. The standard form of contract between an author and a publisher places that discretion entirely in the hands of the publisher later on with no power on the part of the author to say to the publisher where it is and where it is not reprinted. I will make that point specifically a little later on, if I may.

From the brief research I have been able to do on these nine cases, and as reflected in the Congressional Quarterly of April 17, 1970, the charges were as follows:

District Judge John Pickering, 1804: Loose morals, intemperance, and irregular judicial procedure.

Associate Supreme Court Justice Samuel Chase, 1805: Partisan, harsh, and unfair conduct during trials.

District Judge James H. Peck, 1831: Imposing an unreasonably harsh penalty for contempt of court.

District Judge West H. Humhpreys, 1862: Supported secession and served as a Confederate judge.

District Judge Charles Swayne, 1905: Padding expense accounts, living outside his district, misuse of property and of the contempt power.

Associate Court of Commerce Judge Robert Archbald, 1913: Improper use of influence, and accepting favors from litigants.

District Judge George W. English, 1926: Tyranny, oppression, and partiality.

District Judge Harold Louderback, 1933: Favoritism, and conspiracy.

District Judge Halsted L. Ritter, 1936: Judicial improprieties, accepting legal fees while on the bench, bringing his court into scandal and disrepute, and failure to pay his income tax.

The bulk of these challenges to the court were thus on judicial misconduct, with scattered instances of nonjudicial behavior. In all cases, however, insofar as I have been able to thus far determine, the nonjudicial behavior involved clear violation of criminal or civil law, and not just a "pattern of behavior" that others might find less than "good."

If the House accepts precedent as a guide, then, an impeachment of a Justice of the Supreme Court based on charges which are neither unlawful in nature nor connected with the performance of his judicial duties would represent a highly dubious break with custom and tradition at a time when, as the gentleman from New York (Mr. HORTON), stated last Wednesday:

> We are living in an era when the institutions of government and the people who man them are undergoing the severest tests in history.

There is merit, I think, in a strict construction of the words "good behavior" as including conduct which complies with judicial ethics while on the bench and with the criminal and civil laws while off the bench. Any other construction of the term would make judges vulnerable to any majority group in the Congress which held a common view of impropriety of conduct which was admittedly lawful. If lawful conduct can nevertheless be deemed an impeachable offense by a majority of the House, how can any Judge feel free to express opinions on controversial subjects off the bench? Is there anything in our history to indicate that the framers of our Constitution intended to preclude a judge from stating political views publicly, either orally or in writing? I have been unable to find any constitutional history to so indicate.

The gentleman from New Hampshire (Mr. WYMAN) suggests that a judge should not publicly declare his personal views on controversaries likely to come before the Court. This is certainly true. But it certainly does not preclude a judge from voicing personal political views, since political issues are not within the jurisdiction of the court and thus a judge's opinions on political matters would generally not be prejudicial to interpretations of the law which his jurisdiction is properly limited.

To subject a judge to impeachment for controversial political views stated off the Bench has a ring of ex post facto unless there is some precedent which can be found in our own rather colorful history as a Nation.

Against this background of the impeachment power, I would now like to take up the factual allegations of misconduct made by the gentleman from Michigan.

It should be noted, first of all, that the attack on Justice Douglas specifically does not include attack on his judicial opinions, although there is reference to criticism of Justice Douglas for "liberal" opinions and reference to two specific decisions in a 31-year career on the Court, both of which are sharply controversial, the stay of execution granted to the Rosenbergs, and the dissent relating to the allegedly "filthy" film, "I am Curious, Yellow."

It is likewise conceded that it would be improper to exclude a man from the Court because of his ideology but much of the argument against Justice Douglas rests on the following references to his ideology:

1. "The article itself is not pornographic, although it praises the lusty, lurid and risque along with the social protest of *left-wing* folk-singers." (Emphasis added.)

2. "It (Justice Douglas' book) is a *fuzzy harangue intended to give historic legitimacy to the militant hippie-yippie movement* and to bear testimony that a 71-year old Justice of the Supreme Court is one in spirit with them." (Emphasis added.)

3. "One wonders how this *enthusiastic traveler inside the Iron Curtain* is able to warn seriously against alleged Washington hotel rooms equipped with two-way mirrors and microphones." (Emphasis added.)

4. "It is more serious than simply a summation of conventional *liberal* poppycock," as one columnist wrote. (Emphasis added.)

5. "Douglas described President-elect Bosch as an old friend" . . . and a few minutes later, "Juan Bosch was about to be inaugurated as the new *liberal* President." (Emphasis added.)

6. "Mr. Justice Douglas moved immediately into closer connection with the *leftish* 'Center for the Study of Democratic Institutions.'" (Emphasis added.)

7. In 1965 the Santa Barbara Center, which is tax-exempt and ostensibly serves as a scholarly retreat, sponsored and financed the National Conference for New Politics which was, in effect, the birth of the *New Left* as a political movement." (Emphasis added.)

8. *"Mr. Justice Douglas appears to represent . . . Dr. Robert Hutchins and his intellectual incubators for the New Left and the SDS and others of the same ilk."* (Emphasis added.)

If political philosophy is not a proper ground for impeachment, then why is there need to mention it at all in a discussion of alleged judicial misconduct which is limited to less than good behavior and excludes the question as to whether a man is conservative, moderate, or liberal?

I am impelled to note the similarity to Mark Antony's eloquence on Caesar's death: "For Brutus is an honorable man."

It is in the substance of the allegations of misconduct, however, where a strict construction of what is good behavior and what is not for impeachment purposes leads to a different conclusion than that impeachment is justified.

Essentially, five charges are made,

only the first of which relates to alleged judicial misconduct on the bench. This is, therefore, the most serious charge, since admittedly judicial behavior short of criminal conduct has historical precedent as justifying impeachment.

THE FAILURE TO DISQUALIFY

Justice Douglas wrote an article on folk singing for the magazine Avant Garde at a time when a predecessor magazine was a defendant in a lower court case which could be, and was later, appealed to the Supreme Court. No allegation is made that Justice Douglas knew of the lawsuit when he wrote the article in question, or that he knew or dealt with the defendant publisher, Ginsberg.

After the article was written and a fee of $350 paid to Justice Douglas, the case was appealed to the Supreme Court. Justice Douglas did not disqualify himself, apparently believing that he was not in violation of title 28, United States Code 455, in that he did not have a "substantial interest in the case or had been so related to or connected with any party in the case to render it improper, in his opinion, to sit on the trial." No allegation appears in the record that Justice Douglas knew of the connection between the magazines or that the publisher was the same from whom he had received an author's fee or that a $350 fee paid for a magazine article is such a connection or relationship as to require disqualification. Reasonable minds may differ on this point, but standing alone it would hardly seem to justify the serious consideration of impeachment. The charge is made:

> Writing signed articles for notorious publications of a convicted pornographer is bad enough. Taking money from them is worse. Declining to disqualify one's self in this case is inexcusable.

The third statement might constitute misconduct, but any fair judge would require more factual evidence than that thus far presented. If there are other facts which would justify that his conduct is indeed as alleged: "insolence by which Mr. Justice Douglas has evidently decided to sully the high standards of his profession, and defy the conventions and convictions of decent Americans," then it seems to me that fairness would require their disclosure at this point in time.

It might also be noted that the statute which requires a judge to disqualify himself pointedly leaves this up to the judge's own decision:

> Any justice or judge of the United States should disqualify himself in any case in which he . . . is so related to or connected with any party or his attorney as to render it improper, *in his opinion*, for him to sit on the trial, appeal or other proceeding therein.

Opinions can change, and in retrospect judges sometimes look back and feel they should have disqualified themselves in cases on which they once elected to sit. President Nixon's present nominee to the Supreme Court, Circuit Court Judge Harry A. Blackmun, has forthrightly and candidly admitted just such a change of opinion from an earlier decision not to disqualify himself.

I suggest in considering this alleged impropriety of Justice Douglas we might properly pay heed to Ben Franklin's famous words on the final day of the Constitutional Convention of 1787:

> Mr. President, I confess that there are several parts of this Constitution which I do not at present approve, but I am not sure I shall never approve them. For, having lived long, I have experienced many instances of being obliged, by better information or fuller consideration, to change opinions, even on important subjects, which I once thought right, but found to be otherwise. It is, therefore, that, the older I grow the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others . . ."

The second charge against Justice Douglas stems from his book, "Points of Rebellion." I have read the book since the speeches of last Wednesday evening, and while again reasonable minds may differ in interpretation, I would not necessarily call it any more a distorted diatribe against the Government of the United States, than some of the arguments I have heard in this House when we challenge some aspect of executive branch operation. Nor am I compelled to the conclusion that this book is based on the thesis that violence may be justified and perhaps only revolutionary overthrow of the establishment can save the country.

The language most seriously challenged that "redress, honored in tradition, is also revolution," seems more of a statement of fact than an exhortation to violence, especially when taken in context with later paragraphs expressing the thoughts that the revolution could be "in the nature of an explosive political regeneration," and the fear that America could face "an awful ordeal" if the alleged establishment became repressive.

The third charge relates to the publishing of excerpts from the book in the magazine, Evergreen in juxtaposition with other articles or drawings which are obscene or, if not, in exceedingly bad taste for any association with the dignity of the U.S. Supreme Court.

Conceding that such association is in bad taste, there is still no evidence stated in the record which would indicate Justice Douglas knew of his publisher's choice to permit the excerpted reprint that the Justice had expectation or control over what might be printed with it, or even whether the Justice had the right under the contract to stop publication.

From my personal experience as an attorney for both authors and publishers, an author does not generally have such right under the standard form of author-publisher contract.

The fourth charge alleges that for many years Justice Douglas was the paid president of the Albert Parvin Foundation, a foundation granted a tax exemption by the IRS, and that he "may" have helped set up the foundation and that he "apparently" gave legal advice to its creator, Mr. Parvin. Even with the immunity of allegations on the floor of the House, there is included in the record no unequivocal allegation that Justice Douglas did these things in violation of title 28, United States Code, section 454. It appears only that he "may" have done so or "apparently" did so. Certainly the receipt of funds for off-the-job services to foundations has only recently been considered as possibly improper for either judges or legislators. To criticize judges for past action at a time when we in the House have just begun to consider whether to disclose our own honoraria has a touch of ex post facto about it.

There are also alleged a number of associations, primarily between Albert Parvin and gamblers or between Parvin's attorneys and mobsters. There is the further allegation that Justice Douglas had taught former Justice Fortas in law school and that they remained the closest friends on and off the Supreme Court. In general, the associations complained of are between the associates of Justice Douglas and third parties, not between the Justice and such parties.

Where is there any legal or historical precedent for a charge of judicial misconduct against a judge for having questionable friends?

Boiled down to essentials, the case rests on, first, Justice Douglas' failure to disqualify himself in a case against a magazine where he had received a $350 fee from a successor magazine; second, views stated in a book; third, excerpts from such book being published in juxtaposition to tasteless articles or drawings by others; fourth, Justice Douglas' employment by a foundation of undetermined but allegedly "mysterious" activities, and, fifth, the association of Justice Douglas' associates with third parties.

In my humble judgment, these facts are inadequate to justify the extraordinary remedy of impeachment under the historic constitutional principles which I have set forth.

XUM

Preserving judicial independence seems to me a far more valuable benefit to this Nation than the impeachment of one judge on the facts which have thus far been brought to light. If additional facts are disclosed, of course, we might want to reexamine the situation. I contend only that the facts alleged last Wednesday do not meet the proper criteria of law and precedent the House should apply to the serious issue of impeachment.

In conclusion, I would like to apologize to my colleagues for the hasty research which has gone into the preparation of this argument. But for the sudden speed with which this immensely important issue has been placed before us, I would have liked to have had the privilege of many more quiet hours of historical research before imposing these views on the House. I will be grateful for such corrections as my more knowledgeable colleagues may call to my attention.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman.

Mr. GROSS. I thought the gentleman stated at the opening of his remarks that he was not rising in defense of Justice William O. Douglas?

Mr. McCLOSKEY. That is correct.

Mr. GROSS. I do not think anyone—and there are very few here—but I do not think anyone who has listened to the gentleman on the floor of the House could possibly construe what he has said as being anything but a defense of Douglas. That is No. 1——

Mr. McCLOSKEY. If I may respond to that, what I have tried to do is to take the factual allegations against Justice Douglas and compare them with the strict constitutional criteria of either good behavior or criminal conduct which we would require as prosecutors, if we were going to try to prove a case beyond a reasonable doubt. I have suggested that the historical and constitutional background of impeachment requires that we, as the House, as prosecutors, as the gentleman from Michigan suggested last week, have that same burden as any prosecutor has—that we must satisfy ourselves that the evidence presents a case beyond a reasonable doubt before we take it further. I contend that whatever Justice Douglas may be or whoever he is, the facts alleged against him do not meet that test.

Mr. GROSS. The gentleman seems to want to put Justice Douglas on the same footing as a Member of the House, for example.

Mr. McCLOSKEY. I would not ask of any Justice of the Supreme Court that he meet the same standards of judicial excellence and judicial behavior that the courts require themselves. This is a different standard of behavior as a Member of the House.

Mr. GROSS. I am speaking of the conduct or answerability to the public. The gentleman, I think, understands there is at least a slight difference between the two positions—a Justice of the U.S. Supreme Court, who is appointed for life, removable only for cause, and a Member of the House, who can be taken out at the end of every 2 years without very much difficulty by the voters.

Mr. McCLOSKEY. That is correct, and it was precisely the desire of the framers of the Constitution that we set aside our judges free from passion, prejudice, and attack by either legislative or executive branches so that they could deliberate on the major issues of our time without any worry about public clamor or popular views.

Mr. GROSS. A Justice of the Supreme Court is not on all fours with respect to the situation of a Member; is that correct?

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman from Illinois.

Mr. YATES. As I listened to the gentleman's speech, I thought the comparison the gentleman made, between members of the Supreme Court and Members of the House was with respect to the question of the payment of honorariums; namely, the gentleman was referring to the acceptance by Justice Douglas of a sum of money for serving on the foundation on which he served, and he compared that to the fact that Members of the House are finally looking into the question as to whether or not honoraria that they receive should be subject to public scrutiny.

Mr. GROSS. If the gentleman will yield, he was not predicating it on any single basis, that or the number of wives a Member of the House might have as compared to a Justice of the Supreme Court.

Mr. YATES. I was making my comment with respect to what the gentleman has said in his speech.

Mr. GROSS. He covered the waterfront.

Mr. YATES. No; he did not.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield

Mr. McCLOSKEY. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I wish to congratulate my colleague for his scholarly presentation today. It brings into the subject some new dimensions of understanding. I think he has performed a most notable service to the House with the extensive research he has done.

But I am troubled with some of the conclusions that the gentleman has stated. We have a tendency to view the Supreme Court as an adjunct of Government. Instead, it is a coequal branch of Government. Coequal with the executive and the legislative branches.

Mr. McCLOSKEY. I have noted that we are quite free to criticize the Court, but when we refer to ourselves, it is only in terms that Congress in its wisdom has done something.

Mr. PUCINSKI. The fact of the matter is that the Supreme Court, made up of nine men appointed for life, is the keystone of the Republic. They are the ones who are charged with the responsibility of sitting in judgment over what we in the legislative branch do and what the executive branch does. So it would seem that because of the peculiar position, one, being coequal; two, being only nine men; and, three, having this awesome responsibility and authority, that their conduct at all times, unlike the conduct of the legislative or the executive, would be beyond reproach.

And I find it difficult to see how the American people can find confidence in and accept with no question the final judgments of the Supreme Court on these very important subjects that it rules on, when we find one member whose conduct does not beget such confidence. I find it difficult to understand how we can expect the American people to accept these judgments without question, and there has to be some final authority to settle the relationship in a free society.

When we see this one member of the Court permitting his publisher to have his works reprinted in a magazine which is hardcore pornography, a magazine that has run a scandalous cartoon of the President of the United States sitting on a throne as King George. I am not persuaded by my colleague's explanation that contracts between a publisher and author give the publisher the final authority. I am sure the gentleman is right, and I respect him as a lawyer, but again I say that as a Supreme Court Justice—and there are only nine in this country and in the world—that Supreme Court Justice must use prudence and judgment beyond that of the average citizen or average lawyer or average author or average writer or a Congressman or even the President.

Mr. McCLOSKEY. Mr. Speaker, I am sure on any future occasion anyone who may write an article, and particularly Justice Douglas or anyone in that high position, is going to look at the fine print in the contract between his publisher and himself to make sure he has some control over what is in the preceding and following pages where his article might appear.

I am only saying that generally the author does not have that right; that once it is published, the publisher owns the property; and that the sole obligation of the publisher is to pay the royalty to the author when the article is published wherever the publisher so chooses.

If there is evidence in the case brought before the House last Wednesday that Mr. Justice Douglas knew this article would be printed in juxtaposition with these other things, I would say that is in bad taste, and there is some question of his judgment. But we sit here as prosecutors, and we are not to speculate. We would have to satisfy ourselves, as we would have ultimately to satisfy the Senate, that these facts are beyond doubt, and to speculate is beyond the dignity of the Congress of the United States.

Mr. PUCINSKI. I may be wrong, and time will have to prove that, but the gentleman tries to create the impression that Justice Douglas has a right to participate in a dual role, one, as a member of the high tribunal and, two, as a member of society who is just another citizen.

The thing that bothers me—and I may be wrong and time may prove me wrong—is I would think when one reflects upon the role of the Supreme Court and the nine Justices on that Court in this Republic of ours, we must also reflect that everybody loses confidence, the people lose confidence in this tribunal. The Court must be outstanding and enjoy the respect of the people, because it sits in final judgment.

I would say to the gentleman, I think Justice Douglas has been wrong in assuming the role of an ordinary citizen when he ought to be exercising extraordinary prudence and watching every single thing he does because of the position he holds. That is the only point I make.

Mr. McCLOSKEY. I do not question that point, and I value the gentleman's contribution, and it behooves all of us as well as the court to try to reestablish the faith of the people in the Government and in the institutions of the United States, and I agree that his conduct should be exemplary.

I merely point out that when we write an article or a book, that has never been considered in the past to constitute a violation of our duties as public officials, and what we wanted to say outside the conduct of our official positions on political matters was not considered unethical or bad judgment such as to justify impeachment.

I do not disagree with what the gentleman says. I merely say if we add up that conduct against the very stern burden of proof we should require before we institute the very extraordinary means of impeachment—which, after all, is a

XUM

means of attacking the stability of our institutions—we should demand a very strong burden of proof.

Mr. WHALEN. Mr. Speaker, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman from Ohio.

Mr. WHALEN. Mr. Speaker, I thank the gentleman for yielding.

It would seem to me the gentleman from Illinois (Mr. PUCINSKI) is making the argument that the conduct of the Supreme Court Justices should be different and over and above that of Members of Congress, because of the awesome responsibility they seem to hold. I would suggest we in Congress have even greater responsibilities than members of the Supreme Court when one considers that we hold the power of life and death. This is certainly not a direct responsibility of the Supreme Court, although the Court occasionally decides on capital punishment cases.

It would seem to me that the Members of Congress, in approving these last number of years military appropriations which were used and expended in Vietnam, are certainly partially responsible for the death of 40,000 youngsters there.

In view of this awesome responsibility of Congress, perhaps the conduct of Members of Congress should be subjected to even higher standards than that of the members of the Supreme Court.

Mr. McCLOSKEY. I would agree with the gentleman that we are coequal branches of Government.

The gentleman from Illinois introduced the question as to how we explain this to the people of the United States. I would suggest that there is a possibility the common man on the street, if he were asked what he was more concerned with, either the judicial declaration of the laws of the land by the Supreme Court and the interpretation of the laws passed by the Congress or, on the other hand, how his taxes are to be raised or lowered and how the $200 billion it is our responsibility to spend are spent, he might make a higher demand on those of us who initiate his taxes and spend his money.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman from Illinois.

Mr. YATES. Have there not been Members of Congress who have also written articles published in magazines which others have classified as being pornographic?

Mr. McCLOSKEY. I should like to respond to the gentleman before yielding further.

As I mentioned, we in the Congress have seen fit on numerous occasions to challenge the judicial determinations of the Supreme Court. It would seem hardly fair to deny them carte blanche to speak on political matters which come before our jurisdiction.

Mr. YATES. Mr. Speaker, will the gentleman yield further?

Mr. McCLOSKEY. I yield.

Mr. YATES. I want to congratulate the gentleman on what I consider to be the most important thrust of his argument, and that is that the Members of the House should not go off half cocked or emotionally on this very grave charge which may lead to impeachment; that we ought to look at the facts unemotionally and dispassionately in this situation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman from Iowa.

Mr. GROSS. What was the salary paid to Justice Douglas by the Parvin-Dohrmann Foundation?

Mr. McCLOSKEY. My understanding is it was $12,000 a year. I know it has been disclosed publicly that a U.S. Senator has received $20,000 a year plus travel and expenses. We raised no question about that.

Mr. GROSS. Of course, the gentleman and others seem to want to cast Justices of the Supreme Court on the same basis as Members of Congress. The public can get at every Senator every 6 years and at every Member of the House every 2 years, if they question his ethics or conduct.

Mr. McCLOSKEY. Do I understand the gentleman correctly that he would impose a different standard of conduct on the Supreme Court?

Mr. GROSS. Not at all. What I am saying is that the public has this opportunity, which they do not have in the case of a Justice of the Supreme Court.

That is what the gentleman from Illinois (Mr. PUCINSKI) was saying in another way.

Mr. McCLOSKEY. What I respond to that is that the constitutional framers of the United States intended that the people should not have that power, that we were to have a third branch of the Government, the judiciary, set apart from public clamor and complaint.

Mr. GROSS. So the gentleman believes it is all right for him to take $12,500 a year from the Parvin-Dohrmann Foundation and give tax advice to them while he sits as a Justice of the Supreme Court?

Mr. McCLOSKEY. I do not speak to the tax point at all. If there were an allegation made here, and made unequivocally, that he did give that tax advice, that is an entirely different matter.

Mr. GROSS. What about his salary? The gentleman agrees that a Justice of the Supreme Court should take a $12,500 salary from a foundation?

Mr. McCLOSKEY. I do not agree; but I do not believe, if I may say this in response to the gentleman from Iowa, that until this year, 1970, has the Government of the United States or the people of the United States come to the point where we say that our Congressmen or Senators or Supreme Court Justices should not accept honoraria for speeches or articles they write, or that the Supreme Court Justices or Members of Congress should not serve and receive compensation from nonprofit foundations.

My own personal judgment is that the jobs we hold and the jobs the Supreme Court Justices hold require so much of our time that none of us should accept compensation from any other source. But we have not yet determined that in our own rules for ourselves. This would impose an ex post facto provision on the Supreme Court Justice, when many Members of Congress receive far more than $12,500 a year for working outside their own duties, and I believe that is stretching it pretty far.

Mr. GROSS. Of course, this was not an honorarium. It is a salary they paid. The $12,500 from this foundation was a salary, not an honorarium.

I agree with the gentleman with respect to honoraria. I certainly do. Certainly, Members of Congress should conduct themselves properly and be held to it. However, there is a vast difference between a man who is appointed for life to serve on the Supreme Court made up of nine men and a man who serves in the House of Representatives in that respect.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I wonder if my colleague from Ohio and my colleague from Illinois (Mr. YATES) would address themselves to the very important distinction that the gentleman from Iowa makes?

It is true that whenever a Member of the legislative branch of Government or a member of the executive branch of Government strays off the beaten path, the voters, the American people, have an opportunity to deal with his conduct every 2 years in the case of a Member of Congress, every 4 years in the case of the President, and every 6 years in the case of a Senator. But what is the rule with respect to this sort of conduct when one has a lifetime appointment on the Supreme Court? Do we expect a different course of conduct from the Justices than we do from the other two branches of Government? They say, "No, we do not, but we do believe when they do engage in conduct that is seriously questionable, the legislative branch under the Constitution has a right to look into it." That is exactly what the gentleman from New York (Mr. CELLER), the chairman of the Committee on the Judiciary, is doing at this time.

However, I would like to hear my colleagues address themselves to the basic differences between the legislative branch service and conduct and the Supreme Court Justices who enjoy a lifetime appointment. The only way you can change it is to enact my legislation to limit the term of the Supreme Court Justices to 14 years. At that time their term will expire as is true with reference to the Federal Reserve Board and you would have some new blood coming onto the Supreme Court Bench.

But how do you deal with a problem like this which is now pending before us?

Mr. McCLOSKEY. If I may respond to one of those points first, I conducted a poll of my constituency recently and the result of that poll reflected that 82 percent felt that all Justices ought to retire at age 70 and an even higher percentage of my constituency in that poll thought that each Congressman should retire at the age of 70.

I do not question the fact that the Government of the United States might benefit if we had a mandatory retirement age. But I do say what is being forgotten

XUM

in this discussion by the gentleman from Illinois, is that we have made a distinction between Supreme Court Justices and elected officials, because we have deliberately through our colonial history and possibly as a result of our dealings with the British Crown wanted to have the privilege of judges sitting in independent judgment. We have had long experience with legislation perhaps because the King removed certain justices because they may have from time to time disagreed with his policies. Therefore, we chose to have judicial independence so that those justices could deliberate without the fear that some of their conduct might result in the termination of the payment of their salary.

I have tried to point out the fact that we must balance the disrespect that we may feel that the Justice has brought upon himself against the need to preserve an independent judiciary because long after a personality may have been forgotten, we must have an independent judiciary free to deliberate on the issues of law which is far more desirable than the temporary disappointment we may feel against an individual whom we may feel has brought this upon us.

Mr. PUCINSKI. Mr. Speaker, if the gentleman will yield further, this is why I think this dissertation by the gentleman is so necessary and is deserving of the in-depth study which the gentleman has made. However, I think it proves what we have been saying, and that is that the Founding Fathers did draw a distinction between the executive, the legislative, and the Supreme Court to the effect that the conduct of those nine Justices, unlike any other American, must be of extraordinary prudence.

Mr. McCLOSKEY. We are in agreement, but if we ask judicial restraint we should as Members of Congress exercise legislative restraint when we criticize the Court. We also must not bring disrespect upon the law and the institutions of this country. And, when we ask the young people of the land to obey the law and respect it, at the same time we may contribute ourselves to a great disaffection between the public and the law and the Government that administers that law.

Mr. FOLEY. Mr. Speaker, I want to compliment the gentleman on his presentation and the legal research that he has so carefully undertaken. I think he has added a new scope and dimension to this question. In view of an earlier comment by the gentleman from Iowa (Mr. GROSS), I want to say on my own behalf, that I think I understand very clearly why the gentleman from California has made his statement. I do not regard his remarks as being a personal defense of Justice Douglas. I believe the gentleman is deeply concerned, as I am with the independence of the judiciary. I think the gentleman is saying that regardless of the personal feelings or attitudes of individual Members, the question of impeachment of a Justice is one that should be approached with the most serious caution and restraint, with the deepest concern for precedent and then only on compelling evidence of judicial or other misconduct justifies so grave a remedy.

As I understand the gentleman, he is stating that allegations made earlier this week by the distinguished minority leader, are not of themselves and without additional evidence of misconduct sufficient to justify impeachment.

Mr. McCLOSKEY. I thank the gentleman for that statement.

Mr. FOLEY. I wonder if I could ask the gentleman a question.

It is my understanding that since 1813 when the Judiciary Committee of the House of Representatives was established as a permanent committee of this House there have been some 40 impeachment proceedings involving judges. In each of those save one the jurisdiction has gone to the Judiciary Committee; the one exception occurring in 1839.

Does the gentleman feel there is a basis now to ignore the 130-year tradition of presenting questions of impeachment or investigation of impeachment to the Committee on the Judiciary and instead of that adopting a proposal to set up a select committee to conduct an impeachment investigation?

Mr. McCLOSKEY. I can only say from my own research and experience I do not believe that my experience in the House makes me competent to comment on that. As much as younger Members would like to see procedures of the House changed, we all recognize the wisdom and the experience which has gone into the formulation of the rules, so that we do not want to consider changing them lightly. Precedent is a part of the law. It is a very important part. People try to predict what action the courts will take on the basis of precedent and on how they have acted earlier. I consider the court precedents one of the great parts of the fabric of the law that hold the country together. We have a common understanding of how the law will be implemented, because the courts have so construed these laws in the past. I would not like to change that precedent. And I will say further that my own research and experience does not include that knowledge that the gentleman calls for.

Mr. WHALEN. Mr. Speaker, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman from Ohio.

Mr. WHALEN. Mr. Speaker, I would like to respond briefly to the questions posed by the gentleman from Illinois (Mr. PUCINSKI) relative to the conduct of Members of Congress vis-a-vis the conduct of members of the Supreme Court. I make four observations in this regard.

First, the conduct of Members of both bodies should be above reproach.

Second, I believe for that reason there should be no dual standard. The conduct of members of the Supreme Court should not be more above reproach than that of Members of the House and Senate. As I mentioned previously, we not only theoretically are coequal, but in practical terms Members of Congress actually wield more power, the power of life and death, than do the members of the Supreme Court.

Third, I would say that if Justice Douglas at this time were a member of the court of appeals and had been nominated for membership on the Supreme Court, his conduct probably would lead to the defeat of that nomination just as it did in the case of Mr. Carswell, Mr. Haynsworth, and Mr. Fortas.

The fourth point I would like to make is simply this: that this is not a confirmation proceeding. For Justice Douglas, that decision was made 31 years ago. Rather we are talking here about impeachment.

I think that the basic question, the one that the gentleman (Mr. McCLOSKEY) raised, is while Justice Douglas' conduct may be questionable, is it impeachable? Should it lead to impeachment? And to my knowledge and my research on it I have seen no evidence that laws have been broken. His conduct on occasion may have been questioned, but certainly I have seen no evidence in my research that it should lead to impeachment of Justice Douglas.

Mr. McCLOSKEY. I am glad the gentleman has made the third and fourth points, because I gathered from the dialog last Wednesday that there were Members who feel that the same criteria should be applied as to Justices under consideration for appointment as to the impeachment of a Justice. And the thrust of my remarks is essentially that this is incorrect, because while we should carefully scrutinize the ability, background, and every aspect of the past behavior of men who are desiring to be appointed to the high office, when we are considering impeachment we are also considering legislative intrusion into judicial activity, and there our constitutional backgrounds and history show the framers of the Constitution clearly wanted to remove the sitting Justices of the Supreme Court from any fear or consideration for their removal because of their political views or because of some dissatisfactory type of service of less than the ablest judge on the Bench. And it is the whole thrust of the remarks that we should not be led in the fashions of the moment into consideration of less than impeachable criteria unless determined by precedent.

When we have had some 181 years of our Government, and only nine cases of impeaching judges, and where in all those instances it was either for criminal behavior or behavior on the Bench which was primarily not judicial in nature, I think we should go very slowly before bringing an impeachment proceeding without showing that those criteria have been met.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I certainly would agree with my colleague from Ohio on all four of his points. I would not want the RECORD to indicate in any manner we are trying to set up a dual standard on personal conduct or ethics.

But I do believe there is a basic difference between a member of the legislative branch of the Government, the President, a member of the executive branch of the Government, and the judiciary. We in this House are divided

XUM

through the two-party system, there is a majority leader and a minority leader. The very essence of the two-party system of our political institution is reflected every day in this House. It is also reflected in the philosophy that the White House adopts in the executive branch of the Government, and that shows the wisdom of the Founding Fathers, that the third coequal branch of the Government, the Supreme Court, is totally apolitical. Its only responsibility is to interpret our actions as they apply to the Constitution.

So I say again—and I must admit with my colleague that I believe that impeachment might be a very extraordinary effort, that we do not want to take in this case. I think the gentleman has done a good job today in putting into proper perspective the dilemma we find ourselves in here, but the fact still is that this does not in any way mitigate the fact that a Supreme Court Justice, unlike any other citizen in this Republic, has to be extraordinarily careful of his conduct, and his prudence. If anything, I think that Justice Douglas has been imprudent.

Now, there is a charge against that, but I am not too sure that we have a clear case or showing for this in trying to pursue the impeachment road. That is why I feel that we ultimately ought to have a 14-year limitation as a constitutional amendment, or whatever it takes, on Supreme Court Justices, because then we would not have that question, and this would take care of both good Justices and bad Justices.

Mr. McCLOSKEY. Mr. Speaker, I want to commend the gentleman for that suggestion, because I do think that in these years of rapidly changing technology, population explosion, and the tremendous pressures that our institutions are under to respond to the tremendous new problems that were not the case earlier, we do benefit by a more rapid turnover of our executive and of our legislative branches.

I, myself, lean toward the position of retirement at age 70, rather than a fixed term of years for Supreme Court Justices.

I hope that this dialog will be carried on and that further consideration will be given in the 91st Congress to this subject.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman.

Mr. GROSS. Does the gentleman know whether Justice Douglas signed his wide-open contract with the book publisher after the article appeared in Avant Garde or whatever the name of the publication?

Mr. McCLOSKEY. I have no idea of the facts of that matter other than as was set forth in the Record last Wednesday by the distinguished minority leader and the gentleman from New Hampshire (Mr. Wyman). I have no idea of the facts at all in this case and I make no defense of the Justice and I attack him not.

But I do think, looking at the facts in the Record, that they would not be sufficient to justify impeachment and that is one of the questions that should be understood before impeachment were to be considered.

Mr. GROSS. If the gentleman will indulge me in one quick observation, I think that the Justices of the Supreme Court have all that they can do to take care of the business of the Supreme Court without going outside to serve as tax advisers on cases that may come before them for solution at a later time.

I can recall one writ that has been pending before the U.S. Supreme Court since January of 1966 and it has not yet been disposed of—and that is 4 years ago.

Mr. McCLOSKEY. I fully agree with the gentleman. I think of all the remarks I have heard the distinguished gentleman from Iowa make, his comments last week, when he was advised of the legislative schedule for this week, on what we ought to do, to give consideration to turning back some of our pay, is the most impressive that I have heard. I think we should impose on the Supreme Court and all the justices of the U.S. district courts and appellate courts a full working day and more rapid handling of cases before them.

I hesitate, however, to criticize the Court when I feel that we here in the Congress are the ones considering the issue of impeachment, and this is our obligation, to impose legislative restraint and caution on ourselves.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries.

THIRD ANNIVERSARY OF GREEK REVOLUTION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois (Mr. Pucinski) is recognized for 60 minutes.

(Mr. PUCINSKI asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. PUCINSKI. Mr. Speaker, today marks the third anniversary when a military regime took over the affairs of Greece.

During these 3 years there has been considerable debate in all corners of the world on the attitude that the free world ought to take toward Greece under military rule.

On this third anniversary, I believe it is proper and in order to review the American role vis-a-vis the Greek nation and the present military government of that nation.

I believe the United States is correct in continuing to recognize the caretaker government of Greece and in continuing to press that government for restoration of parliamentary rule and constitutional safeguards for all of the civil liberties the people of Greece have a right to expect from a nation that founded democracy.

Yesterday I had occasion to place in the Record on page 12484, a table showing the forms of government being practiced today by all the nations of the world.

It is indeed a sad reflection on this troubled world of ours that less than one-third of the world's nations are governed by a system of government which we know as democracies; it is a sad reflection on the state of the world when we ponder the fact that more than two-thirds of the nations of this world today have governments or forms of governments or political systems that are different from democratic rule as we know it. I asked, quite properly yesterday, why it is that there has been so much criticism and such brutal attacks on the situation in Greece, when almost two-thirds of the world today is governed by political systems other than democracies?

And I have a right again today to ask, where is the outrage of those who have been so quick to criticize the situation in Greece but meekly accept other systems of government throughout the world which deny to their people the basic rights of democracy?

The United States continues to recognize Greece because we know the difficulty we as a democracy have in trying to provide leadership to a world dominated by a majority of governments which are not democracies. The United States obviously has to take into consideration many factors; factors that are ignored by those quick to criticize Greece.

I believe that one ought to reflect upon what was the situation in Greece prior to April 21, 1967, when the group of army colonels staged their coup and took over the reins of that government.

Greece at that point was in complete chaos and on the verge of total collapse. There was no hope for forming any sort of government that could manage the affairs of that nation even though an election was coming up on May 27. There was open talk that no party could get enough votes to form a government without the help of the Communists.

And it was public knowledge that the terms of the Communists for forming a government would be withdrawal of Greece from NATO and a surrender to the South Union. The situation was chaotic, to say the least, and Greece was faced with the prospect of becoming yet another captive nation of the Kremlin.

What the Communists were not able to achieve in the civil war of 1947, they were about to accomplish through the chaos which swept Greece in the spring of 1967.

The coup of April 21, 1967, frustrated the Kremlins plans for the capture of Greece.

I am not surprised that well meaning people throughout the world ask if the military regime has restored constitutional government or parliamentary government to Greece. Obviously, it has not and that is why we continue to press for reforms.

But, when we take the whole situation on balance, we realize that Greece continues to be important to the military defense of Europe and certainly the defense of our interest in the Mediterranean. The American 6th Fleet finds facilities in Athens harbor. We are deeply concerned when we see the Soviet fleet moving into the Mediterranean for the first time in

XUM

history and harassing the American fleet; when we see the Soviet Union extending its influence in the Middle East by rearming each of the Arab States, it is only a matter of time before the Kremlin announces a new Brezhnev doctrine in the Middle East regarding the Arab States.

When we look at the whole picture of that part of the world, we then realize that Greece indeed is important to NATO and Greece is important to us as an American ally.

So I believe the administration should be commended for having the wisdom of not panicking, for not running away from the difficult position, but, instead, maintaining diplomatic relations with Greece, sending to Greece one of our most capable American diplomats, Ambassador Tasca, to continue the difficult effort of helping the present government of Greece return constitutional government and parliamentary rule as quickly as possible.

Anyone who knows the Greek people, anyone who knows the history of the Greek people knows that for anyone to suggest that you can deny democracy to the Greek people indefinitely is really not to know the Greek people at all.

Just as day follows night, democracy must return to Greece. I have no doubt that both Premier George Papadopoulos and Deputy Premier Stylianos Pattakos do have a timetable for restoration of democracy and the United States must do all it can to bring about the fruition of such a plan.

The Greeks invented democracy. They are the ones who laid down the great principles of self-determination in government. Their great scholars and philosophers gave us the very keystone for a system of democracy that is practiced today in too few nations of the world.

So I have reason to believe the course the United States has taken is the wise course. The wise course is to maintain the lines of communication with that Government and to continue urging establishment of democratic institutions and for the restoration of the Constitution and the restoration of the Parliament.

The Greek Government repeatedly has indicated it wants to restore the king to the throne in Greece. If that is the kind of government the people want, that is what they ought to have. But surely it is in the best interests of peace to maintain diplomatic relations with that country.

Mr. Speaker, I believe many things have happened in Greece in these last 3 years that sometimes get obscured by those who consistently denounce the present government.

First of all, the military government has moved on many fronts toward restoration of democracy. Not fast enough but unlike most other nondemocratic governments, it at least has moved. They have given our country their pledge. They have given this pledge to our President and to our Secretary of State. As we look over the various nations of the world that are ruled either by military juntas or by Communists or by other despotic forms of government, we do not find a single instance where we have a commitment that there will be a restoration of constitutional government and a restoration of the parliament and a restoration of free elections. In each instance we find coups occurring in these countries and strong dictatorial governments coming in, and they offer no hope that they will restore some semblance of democracy to those countries.

That is not the picture with the present government in Greece. That government has been responsive in many instances—perhaps not as many as they should be and certainly not as many as we in America, in the United States, would want them to be. But the fact remains that only last week that government issued a decree restoring habeas corpus to the people of Greece. They have tried to move in the direction of restoring freedom of the press. I am not satisfied with the progress there, but at least we see some forward movement. They have indeed tried to improve the judicial system so that their people would have a greater opportunity for immediate trial for any offenses.

I abhor the arrest of any political prisoners anywhere in the world, whether in Greece or in any other country. I have introduced before this Congress a resolution calling for world habeas corpus, so that people all over the world would have access to an international tribunal when they are being held against their will, and without cause, for political crimes.

I think the basis of all problems of the world today is persecution of people for their political beliefs.

I do believe the record will show this government has in the last 3 years tried to move forward toward a restoration of some semblance of democracy to that country.

Mr. Speaker, at this point I should like to include an editorial from the Washington Star which I believe states the case well.

The editorial follows:

PAPADOPOLOUS TO THE GREEKS

Greece's military junta, under the leadership of Premier George Papadopolous, now has softened some of its dictatorial restrictions. This comes at a time when more than a score of opponents of the Athens regime have been convicted and sentenced for the crime of sedition. Several of the accused had been charged with making bombs and setting them off indiscriminately.

It is against this background that the junta, to its credit, has eased its martial law. It has restored a number of constitutional rights to the people, including guarantees against arbitrary arrest. The restoration, however, is still limited. Papadopolous has declared that he does not think the time is yet ripe in Greece for a complete return to individual and group freedom. He has put it this way: Greek society has the alternative of dying in a jungle of unlimited liberty or of surviving by restricting the citizenry's behavior in a framework of law.

In the Premier's words, "The political and intellectual leadership should hoist the flag of legality against anarchy and impose the laws necessary to lead society to a safe harbor." This may not be the language of one of Greece's great poets or philosophers, but it makes some sense within the Greek context.

But only on a temporary basis. The Papadopolous regime owes it to itself and to Greece's international reputation to restore freedom and representative government to Greece. A start has been made. More progress is awaited.

The Chicago Tribune covered a report the other day of nine changes in Greece which follows:

GREEK REGIME EASES CURBS ON FREEDOMS—PLACES RESTRICTION ON MARTIAL LAW

ATHENS, April 10.—The Greek government announced today a series of measures easing martial law thru restoration of a number of civil liberties.

At a press conference timed for the coming third anniversary of his regime's takeover of power, Premier George Papadopoulos announced:

An end to arbitrary arrests and the return of the right of habeas corpus.

LIMITS MILITARY COURTS

Restriction of the jurisdiction of military courts solely to military cases and to cases involving national security.

Restoration of freedom of speech and assembly.

Release of nearly 400 political prisoners held since the coup of April 21, 1967.

Establishment of a "parliament of merit"—a consultative council of 50 members representing local government and professional groups.

ACCESS TO COUNCIL

He also issued a decree enabling citizens to have recourse to the State council, the nation's highest court, to settle disputes between themselves and the state.

On Greece's international position, Papadopoulos said he was provoked to repeat "to our friends and to our enemies abroad that Greece's problems were assumed by the April 1967, revolution."

"Our responsibility cannot be assumed by anyone else. Let outsiders leave this country alone. We will trace our own course. We know what we want and have decided to do it without advice or orders from abroad."

Thus, we see, Mr. Speaker, that it is easy to pull a coup and to stage a revolution, but the most difficult part is to restore the institutions of democracy after a revolution. The whole problem of derevolutionizing a revolution is not a simple one.

Those who look for easy solutions are indeed not facing up to reality.

As we look at the nations of the world which today do not enjoy democratic rule, and we view this third anniversary of the situation in Greece, it should become quite apparent to us that the whole problem of trying to help nations return to democracy is not an easy one. I would call upon the political scientists of this country to show us some methods and some means of trying to help these countries restore democracy, rather than condemning them.

I believe the greatest mistake of our time was made by the Council of Europe, in trying to ostracize Greece, instead of keeping her in the Council and trying to work with that country and to provide leadership for that country to restore its traditional democracy.

I have always been guided by the principle that it is better to light a candle than to complain about the dark.

This shows the total inability of the nations of Europe, which themselves every day are capitulating more and more to the Communist conspiracy because they do not have the stamina or the courage to stand up.

Twenty-five years have elapsed. Where is there a nation of Europe today which demands freedom for the 180 million people behind the Iron Curtain? Today European leaders, in the Council of Europe, are quick to denounce the situation in Greece, to the extent that they will drive Greece out of the Council, but not one of those major powers raised a voice in defense of the 180 million people who today live behind the Iron Curtain, slaves of Communist bondage.

Not one of these nations lifted a voice to demand that freedoms enjoyed by those captive nations of Europe before World War II be restored to the captive nations today.

Instead, the leaders of Europe, the very people sitting on the Council of Europe, denounce Greece, and then sit meekly and idly by, afraid to lift a finger, when Brezhnev announced the Brezhnev doctrine after the brutal invasion of Czechoslovakia last year when Russia destroyed the spark of freedom in that country.

So I say to you, Mr. Speaker, the difficult role today falls to the United States. I am indeed very pleased that our own American Government is mature enough and sensible enough to say that another wave of chaos in Greece would plunge that country behind the Iron Curtain.

The Communists came within a flicker of doing that in 1967, before the coup occurred on the morning of April 21, 1967, 3 years ago today.

All over Greece people were saying, "What kept you so long in coming?" Because the people of Greece realized the chaos that their country was suffering was an open invitation for the Communists to move in and take over.

Ask yourselves: At what point are the rulers of Europe, supposedly our allies, going to realize the continuing menace of international communism?

At what point will they realize that the Soviet Union will not rest until Greece falls into the Soviet orbit, because Athens harbor today remains as the only port the free world has in southern Europe for the 6th Fleet. Greece today is our best defense for the defense of the whole of southern Europe.

At what point are these leaders going to see the extent to which the Communists are rearming all the Arab States and setting up another cordon sanitaire in the Middle East?

At what point will these European leaders realize that the Soviet Union has a mission in every nation of Africa, hoping, ultimately, to take that rich-in-natural-resources continent and drive the United States out?

At what point will the leaders of Europe realize what is happening in Vietnam today is yet another effort by the Communists to set up a cordon sanitaire of pro-Communist nations in Southeast Asia?

So the question we ask ourselves is, Are these men who claim to speak for their nations in the Council of Europe capable of recognizing the fact that the Soviet Union has not changed its plans? On this third anniversary of the situation in Greece I think it is proper that we Americans rededicate ourselves to the proposition that we shall continue pressing this Government for the restoration of parliamentary rule, of the Greek Constitution, and democratic freedoms in that country. Surely Greece is one of our oldest allies. President Truman recognized the value of Greece as early as 1947 when the Soviet Union tried to take it over in the civil war at that time. Mr. Truman quite properly enunciated the Truman doctrine, which said that Greece must remain free. Nothing has changed as far as the American attitude is concerned. We are as much concerned today about freedom in Greece as we were 23 years ago. But the fact of the matter is that you do not restore parliamentary government, you do not restore the institutions of democracy, and you do not restore freedom to these countries by driving them out of our alliances. I can tell you this: Greece's three Communist neighbors are just waiting for the day when that nation is weak enough so that they can move in their troops and take over this gem, this great prize, for the Soviet Union. I hope that we Americans will remain resolute and I hope we will continue pressing for the restoration of freedom in Greece, but I hope we will do it in the realization that today we need Greece a great deal more than Greece needs us.

I hope we will continue recognizing that progress has been made.

I viewed with interest a recent table showing expenditures for domestic needs which indicate an impressive record of progress. The Greek Government has stated publicly it is trying to set the groundwork for internal reforms as a prerequisite to the return of constitutional government. The table follows:

PAYMENTS

[Dollar amounts in millions]

Programs	1963–67 5-year period		1968–72 5-year period	
	Amount	Percent	Amount	Percent
Agriculture, forests, fishing	$7,926	26.5	$11,940	19.6
Land improvements				
Industries, mines	1,559	5.2	1,858	3.1
Communications	10,336	34.5	13,767	22.6
Railways	1,341	4.5	2,136	3.5
Tourism, etc.	1,480	4.9	3,060	5.0
Education	1,892	6.3	6,186	10.01
Settlements, housing	1,202	4.0	2,682	4.4
Health, welfare	363	1.2	1,526	2.5
Water supplies, sewerage	$253	.8	$1,693	2.8
Public administration	462	1.6	1,078	1.8
Technical assistance	246	.9	189	.3
Regional, prefectual	1,589	5.3	9,338	15.3
Various and past obligations	1,292	4.3	1,064	1.7
Administrative expenses			983	1.6
Reserve			3,500	5.7
Total payments	29,941	100.0	61,000	100.0

It results from this table that, after regional development, education shows the largest increase in expenditures. However, if regional development means the closing of the social and cultural gap between the capital and provincial Greece, education means a rise of educational level in general of the people. Both are designed to lead to the disappearance of the social and cultural causes which are exploited by communism, and to the return to democracy.

It is my hope that during the next 12 months, the world will see Greece return to the family of democratic nations, strong and secure against Communist threat.

GAS SHORTAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BUSH) is recognized for 5 minutes.

Mr. BUSH. Mr. Speaker, this country faces a serious gas shortage. New England felt it a little this past winter. It will be much worse next winter. It will be supercritical in 1972.

We need to take action today to alleviate this shortage. For gas production is not like a light switch—it cannot be turned on and off at will.

Therefore, Mr. Speaker, the purpose of this special order is to urge my colleagues representing large gas consuming areas to—

First, study the supply situation for natural gas,

Second, review carefully the problems that have come from control of prices of gas at the well head, and

Third, review, once again, what would happen to our already precarious gas supply if exploration declined drastically.

The Chairman of the Federal Power Commission, along with the other commissioners, has repeatedly warned other Government agencies and the people of America about the critical shortages of gas that are developing. Yet, little is being done. If anything, the Government is actually hampering further exploration.

And, who is going to be hurt by all this—the consumer. The first place to feel this shortage will be New England. Yet the elected representatives of this part of the country and other large gas consuming areas continue to harass the oil and gas industry.

Tomorrow has been designated Earth Day. All week many of us have been emphasizing the positive actions that can be taken to improve our environment. I support this effort.

Inherent in this concern for the environment, however, is the danger that some will place an unrealistic overemphasis on problems to the detriment of the interests of the consumer and our national economy.

Take, for example, the situation that

XUM

exists in the Gulf of Mexico in regard to the sale of leases in offshore Louisiana and the gulf coast.

This sale is being opposed on conservation grounds by people who know better. Vicious cartoons and editorials are appearing which would smear the entire production end of oil and gas. Little note is given to the fact that the recent blowout off the Louisiana coast has been brought under control with no apparent ecological imbalance resulting and with no danger to the oyster reefs.

Yet, I will bet that almost every American, from reading the reports, feels that permanent damage has been done to the oyster beds.

No followup stories have appeared to accurately portray the fact that due to the energies of many companies and the cooperation given them by the Interior Department, no serious and lasting environmental disruption has taken place.

Conservation and offshore drilling are compatible. Secretary Hickel's efforts to make every oil company operate within government regulations are to be commended. No one should cut corners in a business as risky as offshore drilling or production. The Secretary is absolutely 100 percent correct when he insists that the oil companies live by the rules.

I am pleased that the Secretary is reviewing the regulations to determine what operating procedures should be followed in the future. This kind of constant review is essential if we are to maintain the ecological balance.

XUM

Sound environmental practice is totally compatible with drilling for and the production of oil and gas. There is no question about this. We have the technology to control—and to a large extent prevent—blowouts in the gulf. So there is no point in "burying the car" offshore. What is needed is adherence to the law, continual review of operating procedures and then a strong exploration effort so that the consumers of natural gas will not have to be rationed or cut off come next winter.

The wildcat gas sale, which has been delayed by Interior, must be firmly scheduled now for the following reasons:

First. A critical deep-water drilling rig shortage is developing. Many rigs have moved out of the gulf into foreign waters because of a shortage of gulf coast locations. A big rig costs $7.5–$10 million and takes a long time to build. A sale soon will keep some of these rigs in the gulf so drilling can commence when the tracts are awarded.

Second. Seismic work cannot take place until specific tracts are announced. Seismic work is slowed way down during the hurricane season. Without proper seismic work the tracts will not be bid on, or certainly will not bring the most bonus to the Government.

Third. Not even the largest oil company can participate in a lease sale without outside financing. The uncertainty of this matter is making it impossible to guarantee that adequate funds will be available to buy and develop offshore properties.

I strongly urge that Secretary Hickel immediately announce a firm date for a wildcat sale in the Gulf of Mexico.

The drainage sale should take place right away and the hearing announced by the Secretary in order to review the existing regulations should be scheduled and held immediately.

I hope the Secretary, recognizing the critical gas shortage that is upon us, will announce immediately,

(a) a firm date for the drainage sale;

(b) a firm date for the hearing;

(c) a firm date for the wildcat sale—said announcement to include the specific tracts to be bid on.

If the Secretary so moves, the consumer will be protected, the conservation specialists will have their say, and industry will be able to plan ahead.

I am chairman of the Republican Task Force on Earth Resources and Population. We have been holding fascinating hearings on our energy supply. All witnesses agree that we now have a crucial gas supply shortage.

The other day Mr. David Freeman from Dr. Dubridge's office gave us excellent testimony on the power shortage that could develop this summer. He also addressed himself to the gas shortage most likely to be felt in the consumer areas next winter.

Chairman Nassikas of the Federal Power Commission has warned repeatedly against policies which will aggravate the growing gas shortage. The other commissioners concur, I understand.

Hollis Dole, the Assistant Secretary of the Interior, testified extensively before the Ways and Means Committee on his fears about the gas shortage.

The coal people have appeared before our task force and they have confirmed the fact that the gas supply is getting critical.

I understand the Office of Emergency Preparedness is worried about gas shortages.

Secretary of Commerce Stans in the recent Oil Import Task Force study put his Department on record as well aware of and concerned about the shortages of natural gas.

These experts are not in error.

This is a national problem of some magnitude, but it can be partially solved by moving ahead with the Federal lease sale offshore which hopefully will add appreciably to this country's ability to supply gas to the consuming areas.

Government must not be a party to aggravating the situation.

Sound conservation practices are compatible with a vigorous and growing petroleum industry offshore.

The long-range answer to the gas shortage doesn't lie in Federal offshore lease sales alone. But the short-range answer could be in a successful lease sale held soon.

Mr. Speaker, I include in the RECORD, an article from the Wall Street Journal of April 10 which discusses the natural gas shortage in this country:

COLUMBIA GAS TO LIMIT NEW COMMITMENTS TO SELL NATURAL GAS; SHORT SUPPLY CITED

NEW YORK.—The national shortage of natural gas supplies was highlighted again as Columbia Gas System Inc., the nation's largest gas utility, announced that it will limit new contract commitments for sale of natural gas.

A similar announcement was made last fall by Consolidated Natural Gas Co., another large supplier and distributor. Both Columbia and Consolidated sell natural gas directly to residential and industrial consumers, and to nonaffiliated public utilities.

The announcements mean industrial customers and public utilities cannot expect to be supplied with substantially more natural gas from the two companies this coming winter than they were last winter. Gas usage is highest during the winter months owing to higher demands for home heating.

Residential customers so far have been generally unaffected by gas shortages. But during several cold days this past winter many gas utilities cut off service to large industrial users, who buy on "interruptible" contracts.

LIMITS ARE DETAILED

"In no event will Columbia System retail companies accept new volume loads in excess of 300,000 cubic feet daily," said Cecil E. Loomis, Columbia's chairman and chief executive officer. "We are urging our wholesale customers to apply the same limitations in their sales and use that we are adopting.

"This is necessary because these customers have recently made requests for next winter far exceeding the requirements they had previously indicated," he said. "We cannot obtain the additional gas to meet these demands. Even if we could get the gas, it would be physically impossible to build the delivery facilities in time to move it."

Mr. Loomis said the shortage was due to "unrealistic area pricing policies on gas production," combined with increasing demand. Pricing of gas sold in interstate commerce is controlled by the Federal Power Commission.

"Higher standards of living in the markets we serve are causing rising requirements for all kinds of fuel and energy, and natural gas demand has risen especially sharply because of accelerated efforts to reduce air pollution, shortages of bituminous coal, and delays in construction of electric generating stations," he said.

Electric utilities use natural gas to produce electricity with gas turbine generators. Gas utilities purchase gas for distribution to residential, commercial, and industrial customers.

PROVED RESERVES DECLINE

Last week the American Gas Association reported that proved natural gas reserves declined in 1969 for the second year in a row, to 275.1 trillion cubic feet, from 287.3 trillion cubic feet at the end of 1968. This means that gas is being consumed faster than new supplies are being developed.

Consolidated Gas says its supply situation hasn't improved substantially since mid-winter, when the company began encouraging some large users to substitute other fuels for gas for the balance of the season. The company also reduced promotion of additional large-volume commercial and industrial gas sales in order to protect its ability to serve existing markets.

Consolidated hasn't set numerical limits on new sales. But Walter C. Kronke, treasurer, says the company's distribution subsidiaries and several nonaffiliated public utility customers, mostly in Upstate New York, have been told not to expect substantially increased supplies. "We've told them how much gas they can expect from us," he said. "It's up to them to decide how to use it."

Sales of both Columbia and Consolidated are concentrated in Ohio, West Virginia, Pennsylvania, and Upstate New York. Columbia also sells in parts of Kentucky, Virginia and Maryland. More than 100 public utilities buy gas from Columbia.

Columbia receives 88% of its gas from producers in the Southwest U.S., through its own interstate pipelines and those of five unaffiliated pipeline companies. Customers supplied by Columbia or Consolidated, which also operates a pipeline of its own, cannot easily increase purchases from other suppliers since the shortage problem applies to all.

Nevertheless, some companies, such as National Fuel Gas Co., Buffalo, and American Natural Gas Co., located in Detroit, says present pipeline contracts are adequate to get them through next winter without substantial shortages.

"There is no immediate problem with gas supply," says National Fuel's secretary-treasurer, Robert L. Pyner. "But we could begin to have shortages in the winter of 1972–73 unless new supplies are developed." National and American Natural both buy gas from Canada.

Columbia's Mr. Loomis says that in addition to exploration for additional southwest and Appalachian reserves, the company is studying alternative sources from Canada and Alaska, and has entered an agreement to import liquefied natural gas from Algeria.

In Houston, a spokesman for Tenneco Inc., a major gas supply pipeline, said, "We could sell between 200 million and 300 million more cubic feet of gas a day if we had the supply." Other pipeline concerns declined estimates.

Potential gas reserves—gas believed to be in the ground but yet to be discovered are larger than ever before, the American Gas Association says. Their estimate of the potential, 1,227 trillion cubic feet, would be sufficient supply to meet indicated need into the 21st century, they say.

EARTH SCIENCE WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. Fish) is recognized for 10 minutes.

Mr. FISH. Mr. Speaker, this week the attention of our Nation is being focused upon our endangered environment by the celebration of Earth Science Week. Tomorrow has been set aside as Earth Science Day, to be marked by environmental teach-ins in universities and colleges, as well as secondary and primary schools throughout our land.

One of the most pressing problems we face in the cleanup and preservation of our environment is adequate and scientific disposal of the tons of solid waste generated by our technological way of life. To mark the importance of Earth Science Week, and as a step toward the solution of how to finance and organize modern planned solid waste disposal, today I have introduced a bill to establish a national system of solid waste management.

I have introduced this legislation, even though I am a sponsor of all seven administration bills dealing with our environment, including H.R. 16025, which specifically treats with solid waste. I have done this as H.R. 16025, as well as other legislation dealing with the subject, I believe, fails to come to grips with the most basic problem of all: How we are to adequately finance any plan for solid waste disposal. My bill is designed to come squarely to grips with this critical problem.

The underlying philosophy embodied in the legislation I have introduced is that solid waste disposal costs are factually and properly a consumer charge, and not properly, as is now the case, a tax upon the general public. The thrust of my bill is that if disposal of a ton of beer cans, for example, cost $50, in effect that beer has been underpriced to the consumer, with the taxpayers of our municipalities underwriting the balance through taxes.

The fact is that we, as a nation, are producing garbage at such a rate that getting rid of it has become our third highest municipal cost, topped only by highways and schools. Actually, American garbage statistics are staggering. We, as a nation, manage to create some 3.5 billion tons of solid waste each year while disposing of this mountain of trash costing the American taxpayer $4.5 billion a year. These figures are expected to triple by 1980.

To give some idea of the magnitude of the problem, ponder the fact that Americans throw out an estimated 7.6 million TV sets, junk 7 million cars and trucks, throw away 50 billion cans and 30 billion bottles and jars. We inadequately dispose of tons of plastic, countless refrigerators, stoves, bath tubs, washing machines, and all those other items which make the American way of life the most comfortable, but the most trash producing the world has ever known.

The problem of what to do with garbage has been a problem since the time man first lived in settlements, and the refuse of ancient civilization have provided archeologists with insights into the past. The modern solid waste problem has taken on new dimensions, due to modern packaging materials. Aluminum and plastic will not rust, rot, or burn. They are virtually indestructible, and the archeologist of tomorrow will find many of our packaging materials in as pristine a condition in 5,000 years as they are when thrown away.

The legislation I have introduced would establish a basis upon which to sensibly come to grips with our mounting heaps of solid waste. For although today we lavish vast amounts of tax treasure on getting rid of garbage, we do it neither wisely or well. In fact, the money spent today tends to cause as many or more problems than it solves. Vast areas of our country are given over to trash heaps which pollute the ground water supply, are breeding places for rats, and are not only health hazards, but sight hazards.

The legislation I have introduced would establish a Solid Waste Management Commission, whose duty it would be to hold hearings to set charges on manufactured items based upon cost of disposal of the nonconsumable portion of that product. This disposal charge or tax would be dependent upon the cost of disposal only. The more easily disposed of, the lower the charge. I feel that this charge would provide a very real incentive for our manufacturers to discover and develop new materials that will more easily deteriorate and are more easily disposed of.

Funds raised by this disposal charge would go into a solid waste management trust fund, which would allocate the fund both for technological study and development of scientific solid waste disposal systems, as well as for grants to State, interstate, and local entities for development, planning, and construction of solid waste disposal systems.

My bill also calls for establishment of Federal Solid Waste Corporation similar to the Tennessee Valley Authority, whose duty it will be to carry out a coordinated nationwide solid waste management program, which would include development of strategically located garbage processing centers across the country.

Such, in brief outline, are the concepts included in the legislation I introduce today. What I wish to stress here, is that I believe that within this legislation and the concepts it contains, lies an answer as to who should pay, how the charges imposed can be collected, a method of fund distribution and the creation of a structure through which funds can be distributed in a way which will be meaningful in solving the mounting problem of how we are to deal with our piles of solid waste both economically and efficiently.

The day has passed, Mr. Speaker, when we can simply bury our wastes—or burn it, or dump it in our streams or lakes or oceans. Not only are the penalties paid by our environment too high for this, but the fact of shrinking natural resources coupled with a technological and population explosion will no longer allow us such extravagance if we are to survive.

As we consider these problems, we must remember that however we pay, pay we must. Whatever plan is finally adopted, the adoption of a plan is mandatory if we are not to see a gradual and steady decline in our living conditions. I believe the legislation I have introduced today provides a sound basis for payment and for planning.

LEGISLATION TO REQUIRE THE OPEN DATING OF PACKAGED FOODS—IV

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. Farbstein) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, last November, I introduced H.R. 14816, legislation to require the last date a food can safely be kept on a grocer's shelves to appear on the label of all perishable and semiperishable foods. A couple of weeks ago, I released the results of two surveys of District of Columbia supermarket dating practices, which uncovered large amounts of out-of-date food being sold. Such practices are unfortunately not limited to the District of Columbia but exist throughout the country. Last week, I reintroduced the legislation with 57 cosponsors.

Yesterday, the Washington Post editorially endorsed the legislation.

I insert in the Record at this point the Post editorial:

[From the Washington Post, Apr. 20, 1970]

A Fresh Idea on Staleness

0420. BKA. 3647. These numbers and letters, plus thousands of combinations like them, are seen daily by shoppers in Washington-area groceries and supermarkets. What do they mean? Most consumers don't know. Moreover, they aren't supposed to know. The codes, which are stamped on every item (except produce) sold in food stores, are for the benefit of the store employees. The numbers indicate a date that tells when the item was packaged or when it should be pulled off

XUM

the shelf before rotting or going stale. Thus, 0420 on a slab of cheese may mean today's date: the 4th month and the 20th day. BKA on butter might indicate Feb. 1: B for February and A for the 1st, with K thrown in as a fakeout, 3047 on a steak may mean October 4: add the first and last number to get the 10th month, with 04 indicating the day.

It's all too confusing and Rep. Leonard Farbstein and the Democratic Central Committee Consumer Action group believe the confusion is intentional. They recently made two surveys of 18 Washington supermarkets in the A&P, Safeway and Giant chains. "The surveys," said Farbstein, "found large quantities of out-of-date food. They found stores which repackaged items with new labels and code date." The committee's report said that 20 per cent of the product lines in A&P stores, 18 per cent in the product lines of Giant stores, and 16 per cent of the product lines in Safeway stores had one or more items which should have been removed from the shelf.

Last week, 55 congressmen joined Farbstein in co-sponsoring national legislation to require the open dating of packaged foods. The bill would require stamping the final date a food can safely be kept on the shelves. With open dating, the consumer has personal policing powers over a store manager who tries to pass off stale or rotting food as fresh: he merely leaves it on the shelf until the manager gets the hint.

Spokesmen for the food industry naturally object. Open dating, they argue, would invite customers to buy only the freshest products and thus create both a waste in food and increase in prices. This argument doesn't hold. First, nothing can justify selling stale or rotting food to a consumer who thinks he is getting fresh goods. Second, aging products can be sold at reduced prices—for the consumers who don't mind, say, bread a few days old or oleo not exactly straight from the vat.

This bill should be passed as quickly as possible. A few places, like New York City, require the dating of milk. Federal law demands dates on items like drugs and film. Should open dating of food not become law, abuses will continue. Such as the one in which a local store manager, who ignored code dates, said he would remove poultry from the shelves when it began to smell, turn red or yellow, or when little growths began to appear.

A CAUSE OF PROMISE

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Illinois, Mr. MIKVA, is recognized for 10 minutes.

Mr. **MIKVA**. Mr. Speaker, tomorrow millions of concerned Americans will join together in a common cause—a cause bred of despair and nurtured by fury, but a cause in the end of promise. On Earth Day, we are not going to share our time and our voices and our labor only to decry once again the miserable condition of the environment which we have created for ourselves. Rather, we are going to join together to offer an alternative. We are going to say tomorrow "We will no longer accept the decay and degradation and death of our earthly resources. We are going to, instead, affirm life, and dedicate our efforts to revitalization."

This word, "revitalization"—literally, to reendow with life—is the driving force behind Earth Day. We want to begin to reendow the earth, not with continued sickness and blight and misery, but with life, a life we all can share and celebrate.

The new life we will seek, beginning with tomorrow's symbolic efforts may not be at all the same as the old life we have known. It could hardly be. New values will have to prevail. Some old comforts will have to be abandoned in favor of new responsibilities. Some old negligences will have to be corrected by new scrutinies. And many old indifferences will have to be cut short by the new awareness we all must gain of our ecological role on earth.

But we must revitalize. It is our only hope.

We must revitalize our waters; fish must once again spawn and multiply; waterborne plants must once again flourish, unhindered by the chemical debauchers we have up until now inflicted upon them.

We must revitalize our atmosphere; no longer should we have to wheeze and weep from the soot and pollutants in the air; no longer should our laundry grow gray on the lines from smoke.

We must revitalize our lands; we must sacrifice no more soil needlessly to concrete, or beautiful scenery to modernization.

We must revitalize. This is what Earth Day is all about.

We must think again on the need to limit our numbers. We must think again on the potential of our bodies to grow and be fit. We must think again on how much and in what creative ways we have deadened our senses—by noise and garish lights and noxious fumes. And we must revitalize.

We must begin in earnest to search out the ways to accomplish this rebirth. We must expend our energies and our technological skills to discover the strategy, the many-faceted attack on ugliness and decay, which will indeed "Give Earth a Chance"; because earth's chance is our chance, the only one we have.

SAN JACINTO DAY

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PICKLE) is recognized for 15 minutes.

Mr. **PICKLE**. Mr. Speaker, nearly all commerce has halted today in Texas to honor the Battle of San Jacinto, which was fought on April 21, 1836.

Historians agree that few battles have had greater historic impact than that of San Jacinto. This battle lead to the independence of Texas and its later annexation to the United States.

This moment in history came as the Texas army was somewhat in disarray. All along, the Texans were fighting a foe with superior manpower and weapons and we had just experienced successive tragedies at San Antonio, San Patricio, Agua Dulce, Goliad, Refugio and Victoria. Panic reigned as the Texas army was in full retreat.

However, the Mexican Army under Santa Anna had swept past the rag-tag Texans and Gen. Sam Houston managed to command the high ground overlooking a vastly superior force. The Mexican Army, with 400 fresh troops, now numbered 1,600. Houston had between 6 and 7 hundred men under his command.

On April 20, the day before the battle, Houston took his position across from the Mexican camp at the junction at the San Jacinto River and Buffalo Bayou. Surely he knew of the tremendous battle that might take place the next afternoon.

But his men were equal to the task. They charged suddenly to the music of "Won't you Come to the Bower" and with the battle cry "Remember the Alamo: Remember Goliad."

According to Houston's account, the Mexicans were routed, suffering a loss of 630 killed, 280 wounded and 730 captured—all this with a Texas army of less than 700 men.

This battle is more than a part of history; it is our living heritage. Texans the world over stop on this day to remember, to reflect, to appreciate again the importance of man's quest for freedom and independence.

It took a long time for the wounds to heal, but Texas and Mexico are now great neighbors and great friends. Much of our culture today was inherited from the Mexican influence.

This battle of 135 years ago was inevitable under the conditions that existed. The descendants of both Texas and Mexico have long since appreciated and accepted the conditions that brought about the conflict and have resolved over the years to work closely together on matters that affect our common welfare. We are good neighbors, with the highest respect for each other.

REPORT ON ADMINISTRATION OF NATURAL GAS PIPELINE SAFETY ACT OF 1968—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The **SPEAKER** pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

I herewith transmit to you the second Annual Report on the administration of the Natural Gas Pipeline Safety Act of 1968. This report has been prepared in accordance with section 14 of the act, and covers the period of January 1, 1969, through December 31, 1969.

RICHARD NIXON.

THE WHITE HOUSE, *April 21, 1970.*

REPORT ON COMPENSATION OF OFFICERS AND EMPLOYEES OF OFFICE OF ECONOMIC OPPORTUNITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The **SPEAKER** pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and Labor:

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To the Congress of the United States:

Pursuant to Section 610-1(b) of the Economic Opportunity Act of 1964, as amended, the Director of the Office of Economic Opportunity has submitted a list of the names of officers or employees whose compensation is subject to the limitations set forth in Section 610-1(a) and who were receiving, at the end of the last fiscal year, salary at a rate of $10,000 or more per year, together with the amount of actual compensation paid to each person and the amount of such compensation paid from funds advanced or granted pursuant to the Act. I am transmitting the report to the Congress herewith.

RICHARD NIXON.

THE WHITE HOUSE, *April 21, 1970*.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN REPORTS

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The **SPEAKER** pro tempore (Mr. BURKE of Massachusetts). Without objection, it is so ordered.

There was no objection.

TRANSPORTATION BILLS NEED A SPECIAL COMMITTEE

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, since 1956, the Federal Government has invested more than $48.4 billion in Federal highway programs from the highway trust fund, while sorely needed urban mass transit systems have received only about $638 million since Federal funds were first provided for that purpose in 1961.

To remedy this irrational imbalance, which has contributed so greatly to our current transportation—and environmental—crisis, I have sponsored and urged consideration since 1965 of legislation that would permit State and local officials to elect to use a portion of the highway trust fund moneys they receive for new and improved mass transit facilities. I have urged passage of this measure as a first step toward a general transportation trust fund which would provide balanced Federal assistance for all modes of ground transportation.

Because my legislation affects the highway trust fund, it has been referred in each Congress to the Public Works Committee, which has jurisdiction over roads and highways. In previous years, I have presented my views on its behalf in testimony before the Subcommittee on Roads of the Public Works Committee in spite of that committee's lack of jurisdiction over rail-mass transit.

Last week, I received word that the Subcommittee on Roads will again be holding hearings on proposals affecting the highway program, including my bill, H.R. 135. Those hearings got underway today.

In his announcement of these hearings, Chairman Fallon indicated the committee would consider "a possible program of assistance to highway-oriented mass transit," as well as other measures related to highways, but that the major "vehicle" for the hearings is a bill sponsored by Chairman FALLON and Roads Subcommittee Chairman KLUCZYNSKI—H.R. 16788—that would extend the highway trust fund and the Federal-aid highway program through 1978.

This announcement, and my past experience, makes it clear to me that it is impossible for my legislation or any legislation that would provide for comprehensive consideration of transportation priorities and needs, to be seriously considered by this committee of the Congress. Committee jurisdiction in the transportation field is divided three ways—rail-mass transit under Banking and Currency; highways under Public Works; and other transportation under Interstate and Foreign Commerce. None of these committees can give serious consideration to legislation that would directly affect types of transportation other than the one over which it has jurisdiction. Yet, if this Nation is to develop a balanced transportation system and solve its deepening transportation crisis, such broad legislation is essential.

This is one of a number of cases where, indeed, our problems are directly a result of weaknesses in our governmental structure and procedures, as so many of our young people are charging.

I have, therefore, decided now to go to the heart of the problem—to seek a change in the legislative system in the transportation area. I have advised Chairman FALLON and Subcommittee Chairman KLUCZYNSKI that, for the reasons I have outlined here, I do not feel my proposed legislation or any comprehensive transportation legislation can receive a proper hearing in their committee, and I have therefore declined their invitation to testify before them.

Instead, I am today introducing a resolution in the House to set up a Special House Committee on Transportation. That committee would be charged with the responsibility of looking into first, the causes, effects, and extent of the transportation crisis in this country; second, how we might change current machinery and procedures of the Congress and the executive branch to reach a solution of that crisis; and third, what comprehensive measures might be taken to assure Federal support and assistance for each mode of transportation based on relative need within a balanced transportation system.

I am happy to say that this resolution, the text of which is set forth below, has been cosponsored by Messrs. HATHAWAY, KOCH, MIKVA, OTTINGER, REES, ROSENTHAL, RYAN, and SCHEUER. I hope it will be considered favorably by the Rules Committee and the House.

The resolution referred to, follows:

RESOLUTION

Resolved, That there is hereby created a select committee to be composed of seven Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation and study of transportation problems in the United States, including (1) their causes, extent, and effects; (2) the adequacy of current machinery and procedures of the Congress and the executive branch pertaining to the solution of such problems; and (3) comprehensive measures to assure Federal support and assistance for each mode of transportation based on the relative need for such support in order to achieve a balanced transportation system, including proposals to extend the use of the highway trust fund to rail-mass transit and to establish a general transportation trust fund to replace the highway trust fund.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

SWEET SMELL?

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HALL. Mr. Speaker, this week's issue of Barron's carries a front page editorial condemning the financial nightmare the Economic Development Administration and the Small Business Administration have foisted on the taxpayers of this Nation by their bankrolling of Maine Sugar Industries, Inc.

As the editorial comments:

> Nobody knows how many other commercial follies SBA and EDA have perpetrated over the years. Perhaps it's time Congress found out.

I include the editorial at this point for insertion in the RECORD:

SWEET SMELL?—THE UNITED STATES SHOULD STOP PLAYING SUGAR DADDY

The stock market of late has come to resemble a mine field, where even the brashest, or most foolhardy, increasingly fear to tread. Like mines, the dangers are usually hidden from the naked eye, surfacing explosively only when a company issues a disappointing earnings report or a huge block of stock hits the tape on a downtick. Once in a while, however, the hazards are marked by the legal equivalent of a skull-and-crossbones. Take the registration statement recently filed by a concern called Maine Sugar Industries Inc. which carries, in capital letters and boldface, one caveat after another. "This offering," it discloses at once, "entails a very high degree of risk." The document explains. "A purchaser of the common stock being offered hereunder is cautioned that due to the company's weak financial condition, lack of working capital, absence of a positive cash flow, defaults on loan and lease agreements, the fact that there

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is no assurance that the proceeds from said public offering will be raised and since there is no escrow provision with respect to a specified amount of proceeds, he may lose his entire investment."

Win or lose, prospective buyers of the issue will find themselves in distinguished financial company. Largest fellow shareholder is Vahlsing Inc., which owns 19% of the outstanding stock of Maine Sugar Industries and over $1 million worth of its obligations; Vahlsing, a family-controlled potato-processor, is run by Fred, Jr., a man whose business talents match his political gifts. MSI's loans and notes—the bulk of which enjoys a government guarantee—are held by several of the best commercial banks in Boston and New York. Among the major creditors are state and federal agencies, notably the Aroostook Development Corp. and the Economic Development Administration (U.S. Department of Commerce, which hold first and second mortgages of nearly $20 million on the property. Smaller creditors (three of whom, according to a legend stamped in red on the front page of the prospectus, "with claims totaling approximately $4,000, have filed a petition in the U.S. District Court . . . seeking the company to be adjudged a bankrupt") include nine persons with mechanics' liens of $890,000, the Finger Lakes Sugar Beet Growers Association and the Internal Revenue Service.

Going public or going broke, to be sure, is nothing new. Yet the offering by Maine Sugar Industries and the financial woes it betokens are noteworthy. As the capital structure suggests, the company was organized more in response to political expediency than to pressing economic need; to launch it required a special U.S. Department of Agriculture allotment of sugar beet acreage to Maine, inhospitable soil which had never previously favored the crop, as well as a downgrading by Augusta of a local stream, the Prestile (to the status, claim conservationists, of a sewer).

Throughout its brief and deficit-ridden career, moreover, the company has enjoyed a remarkable degree of official forbearance, which, even under a Republican administration, has overlooked such lapses as failure to meet debt payments as they fell due. In their efforts to promote economic development and otherwise "do good," finally, the bureaucrats have succeeded in exposing not only taxpayers but also businessmen and farmers to heavy loss. Wall Street, as we have said before, corrects its mistakes; Washington tends to perpetuate them. Here is one blunder that both would do well to write off.

What arises from the Prestile these days, in short, is not the sweet smell of success. Several years ago, however, everything was coming up roses. The venture evoked enthusiasm at the Small Business Administration, which furnished the preliminary financing, according to SBA's glowing report: "The subject project will succeed economically to a higher percentage of profit than any operating plant now in existence because of the innovation and improvements contained in this plant . . ." Opening day at Easton in October 1966 featured open house for miles around, as well as laudatory speeches by Sen. Edmund S. Muskie (D., Me.), who reportedly played a major role in the political wheeling and dealing, and other dignitaries. Maine Sugar Industries that same year sold its first issue of stock at $5 per share. After reaching a subsequent high of nearly $25, the stock last Friday was quoted seventy-five cents bid, one dollar asked.

Even in its heyday, the project had its share of detractors and skeptics, notably the Great Western Sugar Co. which, after feasibility studies of its own, bowed out, as well as a vocal Congressman from Massachusetts, Rep. Thomas O'Neill, Jr. who flatly labelled it a "colossal waste of the taxpayers' money." Events have richly—if that is the word—borne out the nay-sayers. For one thing, Maine farmers never planted more than two-thirds of their allotted 33,000 acres: last year, harvestings dwindled to 10,867. To make matters worse, beet yields ran to a scanty five tons per acre, or barely 30% of the national average. Hence, a facility designed to process 600,000 tons of beets annually has operated at a fraction of capacity. In the 12 months ended October 31, 1969, on gross revenues of $8.1 million, Maine Sugar Industries Inc. lost $6.7 million. As the company points out, it is now in arrears on its obligations to a host of creditors.

In such dire straits, a privately financed venture would doubtless go under. Washington has done its best to keep the company afloat. Last April, as part of a transaction whereby the first mortgage on the Easton plant (held by a commercial bank) was refinanced, EDA agreed to subordinate part of its interest. Furthermore, "EDA agreed to a deferment of interest and principal payments due from April through November 1969 . . . and on September 19, 1969, informed the company that it would agree to a further deferment of all interest payments until October 1, 1971, and principal payments . . . until October 1, 1973 . . ." The proposed new offering in turn, hangs upon EDA's willingness to assume $3.6 million in guaranteed bank indebtedness. On this score, official consent seems assured. To quote Robert Podesta, Assistant Secretary of Commerce and EDA head: "We desperately hope that they can succeed. If this doesn't work out, the farmers will lose, the stockholders will lose, and nobody will win. They need all the sympathetic consideration they can get."

Nobody likes to see an undertaking, even a questionable one, go down the drain. Yet there is such a thing as throwing good money after bad. One way or another, taxpayers are already on the hook for upwards of $15 million. What is perhaps worse, the company's plight has adversely affected the fortunes of hundreds, perhaps thousands, of suppliers, many of whom are now being offered stock (valued at five times the market price) in return for their claims. New capital and the forgiveness of debt might tide the company over for a while. However, unless the soil of Maine—or the quality of management—should improve overnight, another, potentially costlier ordeal might well lie ahead. Sympathy is well and good, but often in the realm of profit-and-loss, hardheadedness is better.

To judge by the record, bureaucracy could use a bit more. According to Rep. H. R. Gross (R., Iowa) and fellow watchdogs on Capitol Hill, the Small Business Administration, fresh from its near-disaster in Maine, is planning to play sugar daddy again in Virginia. (Yes, Virginia, there is a Santa Claus.) Nobody knows how many other commercial follies SBA and EDA have perpetrated over the years. Perhaps it's time Congress found out.

RECESSION AND INFLATION—THE PRODUCT OF REPUBLICAN ECONOMIC POLICIES

(Mr. ALBERT asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. ALBERT. Mr. Speaker, last week's report by the Commerce Department that the economy's real output underwent its most rapid drop in a decade during the past quarter while inflation picked up speed, clearly demonstrates the utter bankruptcy of the economic policies being pursued by President Nixon's administration. The decline in gross national product for the second consecutive quarter is positive proof that those economic policies have driven this Nation into a recession. The GNP suffered its sharpest deterioration since its drop during the third Eisenhower recession in 1960. Republican economic policies have likewise failed miserably to dampen the fires of inflation. Quite to the contrary, last week's report shows that the annual rate of inflation surged upward from 4.5 percent in the final 1969 quarter to 5 percent during the first 3 months of this year. The Republican administration has thus at one and the same time, succeeded in strangling the American economy into a recession and fathering the worst inflationary binge this country has experienced in 20 years.

The report on the decline in economic growth and the further acceleration of inflation is a double dose of bad news for the American people. Coming as it does on the heels of the recent report that unemployment had jumped to 4.4 percent in March and that a million more people were now unemployed than when President Nixon took office, it points up the absymal failure of the traditional Republican high interest rate, tight money policies currently being foisted upon this Nation. These identical policies produced three recessions during the 1950's. So disastrous was the resulting economic stagnation that unemployment stood at 7 percent when President Kennedy took office in January 1961.

With the many demands upon our resources required to cope with problems of poverty, environment, urban life, and so forth, we simply cannot in the 1970's tolerate a repetition of the rusting and corrosion of this Nation's economic machine which characterized the 1950's. I call upon President Nixon to immediately abandon the primitive medieval economic bloodletting now being carried out by the antediluvian economic high priests of his administration.

EARTH DAY AND ENVIRONMENTAL EDUCATION

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, tomorrow, April 22, is Earth Day.

Millions of Americans across the country will be participating in the environmental teach-in and other Earth Day activities. Central to their participation is the conviction that we must develop a new ethic of caring for the earth instead of desecrating it, as we have done in the past and continue to do today.

Mr. Speaker, I take this time to draw to the attention of the House legislation which three of my colleagues and I have introduced which is aimed at providing Federal support for education about the whole spectrum of problems we have come to call environmental or ecological.

H.R. 14753, the Environmental Quality Education Act, which is sponsored by Mr. Scheuer, of New York, Mr. Reid of New York, Mr. Hansen of Idaho, and myself—a bipartisan effort, therefore—would provide assistance for elementary and secondary school and adult education courses in environmental studies as well as curriculum development and teacher training in environmental education.

The House Select Subcommittee has in recent weeks been hearing some excellent testimony on the need for environmental education legislation and we have also had drawn to our attention a number of first-class essays and articles on the subject.

Mr. Speaker, I insert at this point in the RECORD the statements of two witnesses on the bill, some articles that touch on the subject and an address of my own.

The first article, "A Theology of the Earth," by Dr. Rene Dubos, eloquently describes the need for a new earth ethic, a religious commitment to the care of the earth.

The second series of articles, "Environmental Degradation and Education," published by McGraw-Hill Co. in "Nation's Schools" and "College and University Business," is an excellent compilation of current efforts in environmental education.

I also insert here the statement before the Select Subcommittee on Education of Dr. John S. Steinhart, a coauthor of "The Universities and Environmental Quality," a report to the President's Council on Environmental Quality.

In addition, I include the testimony of John Osman of the Brookings Institution. Dr. Osman has had long experience in training government and industry leaders on the need for including environmental education in the policy-making process.

Finally, I insert the text of a speech I delivered last Sunday in St. Louis, Mo., to some of the delegates attending the annual general conference of the United Methodist Church.

The material follows:

A THEOLOGY OF THE EARTH

(A lecture delivered by Dr. Rene Dubos on October 2, 1969, at the Smithsonian Institution in Washington, D.C., under the sponsorship of the Smithsonian Office of Environmental Sciences)

Ladies and gentlemen, the title of this lecture would be pretentious if it did not express profound feelings that I experienced a few months ago at the time of the Apollo 8 mission. Shortly after the return to earth of Apollo 8 the science editor of the Columbia Broadcasting System, Earl Ubell, interviewed the crew over the CBS network. Through skillful and persistent questioning he tried to extract from the astronauts what had been their most profound impression during their trip through space. What turned out was that their deepest emotion had been to see the earth from space. The astronauts had been overwhelmed by the beauty of the earth as compared with the bleakness of space and the grayness of the moon.

On the whole, I have been rather skeptical concerning the scientific value of the man-in-space program. But, while listening to the Apollo 8 crew, I became interested in that effort because I felt that it would pay unexpected dividends—namely, make us objectively aware, through our senses as it were, of the uniqueness of the earth among other bodies in the sky.

The incredible beauty of the earth as seen from space results largely from the fact that our planet is covered with living things. What gives vibrant colors and exciting variety to the surface of the earth is the fact that it is literally a living organism. The earth is living by the very fact that the microbes, the plants, the animals, and man have generated on its surface, conditions that occur nowhere else, as far as we know, in that part of the universe that we can hope to reach. The phrase "theology of the earth" thus came to me from the Apollo 8 astronauts' accounts of what they had seen from their space capsule, making me realize that the earth is a living organism.

My presentation will be a mixture of the emotional response of my total being to the beauty of the earth, and of my mental processes as a scientist trying to give a rational account of the earth's association with living things. The phrase "theology of the earth" thus denotes for me the scientific understanding of the sacred relationships that link mankind to all the physical and living attributes of the earth.

I shall have to touch on many different topics because I want to convey my belief that we have collectively begun to engage in a kind of discovery of ourselves—who we are, where we belong, and where we are going. A few lines from T. S. Eliot in his poem "Four Quartets" seems to me the ultimate expression of what I shall try to express emotionally and to analyze scientifically:

> "We shall not cease from exploration
> And the end of all our exploring will be
> To arrive where we started
> And know the place for the first time."

All archaic peoples, all ancient classical cultures, have practiced some form of nature religion. Even in our times a large number of isolated, primitive tribes in Australia, in Africa, and in South America still experience a feeling of holiness for the land in which they live. In contrast, respect for the earth and for nature has almost completely disappeared from industrialized people in most of the countries that have accepted the ways of western civilization.

Primitive religion, with its sense of holiness of the environment, was always linked with magic. It is easy to understand how there can be links between primitive religious beliefs and the attempts to control nature through the mysterious influences of the world. Even though they always have coexisted among primitive people, religion and magic represent two very different kinds of attitudes.

In the words of the anthropologist Malinovsky: "Religion refers to the fundamental issues of human existence while magic turns round specific, concrete and practical problems."

Most of my remarks this evening will be based on the conviction that the ecological crisis in the modern world has its root in our failure to differentiate between the use of scientific technology as a kind of modern magic and what I shall call modern religion, namely, knowledge as it relates to man's place in the universe and, especially, his relation to the earth.

THE SPIRIT OF THE PLACE

All ancient peoples personified a locality or a region with a particular god or goddess that symbolized the qualities and the potentialities of that place. Phrases such as "the genius of the place" or "the spirit of the place" were commonly used in the past. All followers of ancient cultures were convinced that man could not retain his physical and mental health and fulfill his destiny unless he lived in accordance wtih the traditions of his place and respected the spirit of that place. I believe it was this attitude that helped ancient peoples to achieve rich and creative adjustment to their surroundings. Now you may say: "Spirit of place; genius of place? This is no longer for us. We are far too learned and sophisticated."

Yet, rationalistic and blasé as we may be, we still feel, deep in our hearts, that life is governed by forces that have their roots in the soil, in the water, and in the sky around us. The last part of Lawrence Durrell's book *Spirit of Place* deals with this very topic. There is not one among us who does not sense a deep meaning in phrases such as "the genius of New England" or "the spirit of the Far West." We still sense that there is some kind of uniqueness to each place, each location, which gives it a very special meaning in our minds. But while we pine for the sense of holiness in nature, we do not know how to introduce this sense in our social structure. I am convinced that this has much to do with the ecological crisis.

I am not the first to express the feeling that we shall not be able to solve the ecological crisis until we recapture some kind of spiritual relationship between man and his environment. Some two years ago, for example, the learned American scholar Lynn White, Jr., a professor at the University of California in Los Angeles, delivered before The American Association for the Advancement of Science a special lecture titled "The Historical Roots of Our Ecological Crisis." This lecture must strike a very sensitive chord in the minds of Americans because it has been reproduced again and again in several journals—ranging from *The Oracle*, the organ of the Hippie movement in San Francisco, to the plush magazine *Horizon*. Among the many interesting and important things White says, I single out a particular item with which I disagree in part. He stated that, in his opinion, the lack of reverence for nature on the part of modern industrial man, especially in the United States, and the desecration of nature by technology are consequences of biblical teachings. He traced them to the first chapter of Genesis in which it is said that man and woman were given the right and the duty to replenish the earth, subdue it, and have dominion over all living things. According to White, this biblical teaching has had such a profound and lasting influence on western civilization that it has made modern man lose any feeling for nature and to be concerned only with the conquest of nature for his own benefit. Also, White sees no hope of retracing our steps through science and technology because both exemplify the authority expressed in that statement in the first chapter of Genesis. The only solution to the ecological crisis, therefore, is to try to recapture the worshipful attitude that the monks of the Franciscan Order had toward nature in the thirteenth century. The last sentence of White's lecture is, if my memory serves me right, "I propose Francis as a patron saint for ecologists."

All of us have some kind of sentimental, romantic sympathy with Lynn White's thesis. All of us are happy that there have been practical expressions of this attitude in the development of the national parks in the attempts to preserve as much wildlife as possible. By preserving the state of certain wilderness areas, with their animal and plants, their rocks and marshes, mankind symbolizes that it has retained some form of respect for the natural world. In passing, it is not without interest that the United States—the country which has certainly been the most successful and has done the most toward achieving dominion over the earth through technology—is also the one country which is doing the most to save some fragments of wilderness. I wonder at times whether Glacier Park and Monument Valley do not represent a kind of atonement for God's own junkyard.

ST. BENEDICT

Despite my immense admiration for Lynn White's scholarship, I find it difficult to believe that the Judeo-Christian tradition has been as influential as he thinks in

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bringing about the desecration of the earth. One does not need to know much history to realize that the ancient Chinese, Greek, and Moslem civilizations contributed their share to deforestation, to erosion, and to the destruction of nature in many other ways. The goats of primitive peoples were as efficient as modern bulldozers in destroying the land. In any case, the Judeo-Christian attitude concerning the relation of man to nature is not expressed only in the first chapter of Genesis. The second chapter of Genesis states that man, after he had been placed in the Garden of Eden, was instructed by God to dress it and to keep it—a statement which has ecological implications. To dress and keep the land means that man must be concerned with what happens to it.

Man is rarely, if ever, just a worshiper of nature, a passive witness of its activities. He achieved his humanness by the very act of introducing his will into natural events. He became what he is while giving form to nature. For this reason I believe that ecologists should select St. Benedict as a much truer symbol of the human condition than Francis of Assisi. Most of you probably know little about St. Benedict, perhaps even less about the history of the Benedictine Order. So allow me to elaborate on them for a few minutes because they represent a topic that is crucial to my personal attitude toward conservation.

St. Benedict created the first great monastery in the western world on Monte Cassino, in Italy, in the sixth century. He must have been a wise man, because when he formulated the rules of conduct for Monte Cassino—rules which became a model for monastic life all over the world—he decided that the monks should not only pray to God but also should work. Moreover, he urged that the monastery by self-sufficient. The rule of work and the need for self-sufficiency led the Benedictine monks to master a multiplicity of practical arts, especially those relating to building and to architecture. The monks learned to manage the land in such a manner that it supplied them with food and clothing, and in such a manner that it retained its productivity despite intensive cultivation. Moreover, they developed an architecture which was lasting, well-suited to the country in which they lived as well as to their activities, and which for these reasons had great functional beauty. Those of you who have traveled over the world know that the Benedictine monasteries are marvels of medieval architecture.

It seems to me that the Benedictine rule implies ecological concepts which are much more in tune with the needs of the modern world than is the worshipful attitude of St. Francis. Perhaps most influential among the monks who followed the Benedictine rule were those of the Cistercian Order. For reasons that I shall not discuss, the Cistercians established their monasteries in the lowlands and swamps; consequently, they had to learn to drain the land, and therefore they learned to use water power. And, through these technological practices, they converted areas of swamps and forests (that were not suitable for human habitation because of the prevalence of malaria) into wonderful fertile land which now makes up much of Europe's countryside.

If I have talked so long about St. Francis and St. Benedict it is not to give you a course in the history of medieval religion. Rather it is to illustrate two contrasting—but, I believe, equally important—attitudes toward nature: on the one hand, passive worship; on the other, creative intervention.

I have no doubt that the kind of worship symbolized by St. Francis helps man to retain his sanity by identifying himself with the totality of creation from which he emerged. Preserving the wilderness and all forms of wildlife is essential not only for esthetic and moral reasons but also for biological reasons.

Unfortunately, it will become increasingly difficult in the modern world to protect the wilderness from human use. In fact, no longer can there be any true wilderness. No fence is tight enough to shut out radiation clouds, air and water pollution, or noise from aircraft. Some ten or twenty years ago we could still escape from the insults of technological civilization by moving to the Rocky Mountains, to the Greek islands, or to the islands of the Pacific Ocean, but now the national parks and the isolated islands are almost as crowded and as desecrated as Coney Island. The only solution left to us is to improve Coney Island. In his short novel *Candide*, Voltaire pointed out that Candide discovered at the end of his adventures that the surest formula for happiness was to cultivate one's own garden. I believe that our Garden of Eden will have to be created in our own backyards and in the hearts of our cities. Just as the Benedictine monasteries had to apply, although empirically, ecological principles so as to remain self-supporting and viable, so must we learn to manage the earth in such a manner that every part of it becomes pleasant.

ECOLOGICAL TRANSFORMATIONS

The achievements of the Cistercian monks serve to illustrate another aspect of modern ecologic philosophy. As I mentioned before, the swamps in which they established their monasteries were unfit for human life because of insects and malaria. But monastic labor, skill, and intelligence converted these dismal swamps into productive agricultural areas, many of which have become centers for civilization. They demonstrate that transforming of the land, when intelligently carried out, is not destructive but, instead, can be a creative art.

My speaking of medieval times in Europe was not meant to convey the impression that only then have there been great achievements in the management of the land. One need only look at the Pennsylvania Dutch country to see a striking demonstration of land that has been created out of the forest, that became highly productive, and that has been well preserved. One could cite many similar feats all over the world. But the tendency at present is to determine the use of lands and waters, mountains and valleys, only on the basis of short-range economic benefits. And yet one can safely assert that sacrificing ecological principles on the altar of financial advantage is the road to social disaster, let alone esthetic degradation of the countryside. I shall now present a few remarks about how we can create land. By this I mean taking nature as it is presented to us and trying to do with it something which is both suitable for human life and for the health of nature.

To do this it is essential that we identify the best "vocation" for each part of our spaceship. In Latin the word for "vocation" refers to the divine call for a certain kind of function. I wish we could apply this word, and indeed I shall apply it, to the different parts of the earth because each part of the earth has, so to speak, its vocation. It is our role as scientists, humanists, and citizens, and as persons who have a feeling for the earth, to discover the vocation of each part of it.

Certain parts of the earth, like certain persons, may have only one vocation. For example, there may be only one kind of thing that can be done with the Arctic country; there may be only a limited range of things that can be done with certain tropical lands. But in practice most places, like most persons, have several vocations, several options, and this indeterminism adds greatly to the richness of life. To illustrate with a few concrete examples of what I have in mind, I ask that you consider what has happened to the primeval forest in the temperate parts of the world. I am not going to speak about the tropics. I am only going to speak of western Europe and the United States—the two parts of the world that I know best.

Much of the primeval forest in temperate countries has been transformed into farmland, but what is interesting is that each part of this primeval forest transformed into farmland has acquired its own agricultural specialization, social structure, and esthetic quality. On the other hand, the temperate forest need not become agricultural land. In Scotland and eastern England such lands progressively were transformed into moors—the famous moor country of the Scottish Highlands and eastern England. This happened largely through lumbering activities and also through the sheep grazing of the Benedictine monks. The moors are not very productive from the agricultural point of view, but their charm has enriched the life of Great Britain and played a large part in literature. In North America, much of the primeval forest was transformed into prairie country as a result of the fire set by the pre-agricultural Indians. The prairies have now been converted in large part into agricultural land, but they have left a lasting imprint on American civilization.

I have quoted a few transformations of the land from one ecological state to another which have been successful, but I hasten to acknowledge that many other such transformations have not been as successful. Much of the country around the Mediterranean has been almost destroyed by erosion, and very little is left of the famous cedars of Lebanon. The transformation from one ecological state to another has given desirable results, especially where it has occurred slowly enough to be compatible with adaptive processes either of a purely biological nature or when it involved the adaptation of man to the new conditions. This is the case for the moors in Great Britain. In this case the creation of romantic moors out of forest land took a thousand years, so there was a chance for all the adjustments that always occur in nature, when there is enough time, to come about. Contrast this with what happened in many parts of the United States where massive and hasty lumbering has been responsible for ghost towns and for eroded land.

A NEW KIND OF ECOLOGICAL KNOWLEDGE

From now on most of the transformations of the earth's surface will occur so rapidly that we may often create those terrrible situations resulting in erosion and destruction of the land. It therefore is urgent that we develop a new kind of ecological knowledge to enable us to predict the likely consequences of massive technological intervention, and to provide rational guides as substitutes for the spontaneous and empirical adjustments that centuries used to make possible.

I have spoken so far chiefly of the transformations of the forest into new ecological structures that have economic value. But utilitarian considerations are only one aspect of man's relation to the earth. The widespread interest in the preservation of wildlife and primeval scenery is sufficient evidence that man does not live by bread alone and wants to retain some contact with his distant origins. In practice, however, the only chance that most people have to experience and enjoy nature is by coming into contact with its humanized aspects—cultivated fields, parks, gardens, and human settlements. It is, of course, essential that we save the redwoods, the Everglades, and as much wilderness as possible, but it is equally important that we protect the esthetic quality of our farmland, and to use this image again, that we improve Coney Island.

I wish there were time to discuss at length the factors that make for a beautiful landscape. Clearly, there is a kind of magic splendor and magnitude which gives a unique quality to certain landscapes. The Grand Canyon, the Painted Desert, and Niagara Falls are examples of scenery to which man's presence never adds anything, and may detract a great deal. In most cases, however, the quality of the landscape consists, in a sense, of fitness between man and his surroundings. This fitness accounts for most of the charm of ancient settlements, not only in the Old World but in the New World as well. The river villages of the Ivory Coast in Africa, the Mediterranean hill towns, the pueblos of the Rio Grande, the village greens of New England, and all the old cities so well organized around peaceful rivers represent many different types of landscapes that derive their quality not so much from topographical or climatic peculiarities as from an intimate association between man and nature.

Among the many factors that play a role in the sense of identification between man and nature, let me just mention in passing how history and climate condition the architecture and the materials of dwellings and churches. Also, how the climate determines the shape and the botany of gardens and parks.

The formal gardens of Italy and France didn't just happen through accidents or through the fancy of some prince or wealthy merchant. These wonderful parks and gardens were successful because they fitted very well into the physical, biological, and social atmosphere of Italy and France at the time of their creation. Such formal parks and gardens also flourished in England, especially during the seventeenth century, but the English school achieved its unique distinction by creating an entirely different kind of park. The great and marvelous English parks of the late seventeenth and eighteenth centuries were characterized, as we all know, by magnificent trees grouped in meadows and vast expanses of lawn. This style was suited to the climate of the British Isles, to the abundance of rain, and to the fact that insolation is sufficiently limited to permit certain types of growth. In France many attempts were made in the eighteenth century to create gardens and parks in the English style. Except in a few cases, however, English-type parks and gardens were not very successful in France.

On this topic, there is an interesting letter of Horace Walpole, who was one of the prophets of the English landscape school. He traveled in France and after his return he expressed a critical opinion of the attempts to duplicate the English park on the Continent. "The French will never have lawns as good as ours until they have as rotten a climate," he wrote in a letter. The witticism expresses the biological truth that landscape styles can be lastingly successful only if they are compatible with the ecological imperatives of the countries in which they develop. This is what Alexander Pope summarized in his famous line, "In everything respect the genius of the place." The word "genius" here express the total characteristics and potentialities of a particular area.

THE THEOLOGY OF THE EARTH

We should have Horace Walpole's phrase in mind when we look at what is being done in our large cities toward creating parks and gardens. Just as the climate in France cannot produce the green magnificence of the English parks, so in general the atmosphere in most of our large cities is unable to support most plant species. This does not mean that plant life is out of place in our cities, only that much more effort should be made to identify and propagate for each particular city the kinds of trees, flowers, and ground cover that can best thrive under its own particular set of climatic and other constraints. When I look on New York City parks and notice how their ordinary grass can appear so pathetic, and when I see how monotonous row after row of plain trees can be. I feel that botanists and foresters should be encouraged to develop other plant species congenial to urban environment. This is a wonderful field for plant ecologists because, in the very near future, pioneers of plant ecology are likely to be much more needed in the city than in the wilderness.

To summarize my remarks, let me restate that the "genius" or the "spirit of the place" is made up of all the physical, biological, social, and historical forces which, taken together, give uniqueness to each locality. This applies not only to the wilderness but also to human settlements—Rome, Paris, London, Hamburg, New York, Chicago, San Francisco—and I have selected these cities as representatives of very different types. Each of these cities has a genius that transcends its geographical location, commercial importance, and population size. The great cities of the world contribute to the richness of the earth by giving it the wonderful diversity that man adds to the diversity of nature. The "genius of the place" will be found in every part of the world if we look for it.

In the final analysis the theology of the earth can be expressed scientifically in the form of an enlarged ecological concept. Since this theology will be formulated by human minds it inevitably will involve man's interplay with nature. We certainly must reject the attitude which asserts that man is the only value of importance and that the rest of nature can be sacrificed to his welfare and whims. But we cannot escape, I believe, an anthropocentric attitude which puts man at the summit of creation while still a part of it. Fortunately, one of the most important consequences of enlightened anthropocentricism is that man cannot effectively manipulate nature without loving nature for her own sake. And here I shall have to summarize a set of complex biological concepts in the form of general and dogmatic statements which, I hope, will convey to you some feeling of what I would have liked to state more scientifically.

It is not just a sentimental platitude to say that the earth is our mother. It is biologically true that the earth bore us and that we endanger ourselves when we desecrate her. The human species has been shaped biologically and mentally by the adaptive responses it has made to the conditions prevailing on the earth when the planet was still undisturbed by human intervention. Man was shaped biologically and mentally while responding to wild nature in the course of his evolution. The earth is our mother not only because she nurtures us now but especially because our biological and mental being has emerged from her, from our responses to her stimuli.

Furthermore, the earth is our mother in more than an evolutionary sense. In the course of our individual development from conception to death, our whole being is constantly influenced by the stimuli that reach us from the environment. In other words, we constantly are being modified by the stimuli that reach us from nature and also from what we have done to the earth. To a great extent, we therefore come to reflect what we create. I shall restate here a phrase of Winston Churchill's that I quoted two years ago in this very room:

"We shape our buildings and afterward our buildings shape us."

This means that everything we create, good and bad, affects our development and, more importantly, affects the development of children. In his notes of a *Native Son* James Baldwin expressed even more vividly the influence of our environment on our biological and mental characteristics. Here are three phrases:

"We cannot escape our origins however hard we try, those origins which contain the key, could we but find it, to all that we later become."

"It means something to live where one sees space and sky, or to live one sees nothing but rubble or nothing but high buildings."

"We take our shape within and against that cage of reality bequeathed us at our birth."

In the light of the remarks that I have presented to you, I have come to a sort of general philosophy about the meaning of the word "conservation"; and it is with a brief statement of this philosophy that I end my presentation. Conservation programs, whether for wilderness or for man-made environments, usually are formulated and conducted as if their only concern were to the human species and its welfare. Yet they can be effective only if they incorporate another dimension, namely, the earth and her welfare. This is not sentimentality but hard biological science. Man and the earth are two complementary components of an indivisible system. Each shapes the other in a wonderfully creative symbiotic and cybernetic complex. The theology of the earth has a scientific basis in the simple fact that man emerged from the earth and then acquired the ability to modify it and shape it, thus determining the evolution of his own future social life through a continuous act of creation.

QUESTIONS AND ANSWERS

(Dr. Dubos then invited questions from the audience.

(Question by Frank M. Potter, Jr., executive director, Environmental Clearinghouse, Inc., Washington, D.C.)

When you were talking earlier about the necessity for striking a balance in nature it occurred to me that a basic problem is that an important part of the American myth is an uncritical belief in the desirability of a constantly growing economy—that somehow the development of our gross national product is felt to be one of the highest and best purposes that we can achieve. Can this be reconciled with your beliefs as to the rational way to treat nature?

Dr. DUBOS. I shall not discuss your question because I agree so profoundly with its spirit. I shall instead try to formulate the problem in a more positive form. Would it not be profitable to look in the world at large, and especially in this country, to recognize those situations in which people have survived and become reasonably prosperous but yet have maintained the environment around them in a form that is pleasant and viable? We would find, I believe, that in these situations men did not take growth per se as their goal. In the first chapter of Genesis man is instructed to populate the earth, subdue it, and gain dominion over it. But in the second chapter man is instructed to take care of the earth. I wonder whether there is not an interesting historical aspect of man's relation to the earth implied in these two versions. There was a time, probably until the eighteenth century, when it was advantageous to increase the population to utilize the resources of the earth, and thereby to create social life. Now that this phase is completed and we have gone beyond it, the attitude expressed in the second chapter of Genesis is the one really relevant to our present condition.

The feeling that the only measure of success is creating more people and greater gross national income is a social invention not built in man's nature. In fact, we may be at the end of the phase when expansion just for the sake of growth is considered the chief social value. I am wondering whether—despite our sense of despair at seeing what is happening to this continent—we are not nearer than we think to a change in the national mood. One of the most interesting psychological events in the United States has been that, for the first time, we are beginning to hear many voices expressing that, as you said, the gross national income is not a goal of real value. I am impressed by the fact that this belief has been expressed in the United States, not in Europe. The probable reason is because it's here that technological society has been most successful. This topic is being discussed all over the country. I am aware that discussions and conferences do not solve problems, but they do create a climate of opinion which I am sure will change public attitude within your generation, if not mine.

(Question by Dr. I. Eugene Wallen, Director, Office of Environmental Sciences, Smithsonian Institution.)

You have indicated a position which in one sense makes you a prophet of doom. I wonder whether you would make a prediction as to what will happen when the gross national product begins to drop?

Dr. DUBOS. Answering this question would be pretentious on my part because it would imply knowledge of sociology and economics that I do not have. But it may be worth while to mention what is being done in Sweden. I have the impression that the policy of the Swedish government during the past twenty years has been to organize the national economy, not for the sake of increased gross national product but on the basis of rearranging the community. The Swedes may not have been successful everywhere, but they certainly have gone much further than we have toward saving the countryside, improving the cities, arranging the life of people in such a manner that growth for growth's sake is not the only ideal.

This does not mean abandoning technology but rather redirecting science. One of the crucial issues in our time is how we can continue to develop and utilize knowledge and to develop technology, not for the sake of growth but for the improvement of our total environment. There is so much to be done in this regard that it will occupy two or three generations. Nothing irritates me more in this respect than to hear that there won't be any work for anybody, that everything will be done by machines or computerized equipment. The crude fact is that 75 percent of the housing in this country should be destroyed because it is so bad and will obviously become slums in the near future. Reconstructing of our environment will not be done by computers, but it will demand that people become very much involved. The magnificent natural beauty of the United States is being spoiled everywhere, and everybody's participation is required to change this course. Fortunately, a few things are being done. To limit myself to only one example involving the use of powerful technology: See what is happening to some of the parkways.

For example, the stretch of the Taconic State Parkway beyond New York. This is a product of technology which has transformed nature while still respecting her character. I think that the Taconic State Parkway is a kind of creation which in some ways is the equivalent of the medieval cathedrals. It seems to me that it's all there to be done; it only demands a redirection of the national effort. I think we will find the way, because we always find political solutions when goals are sufficiently well-defined to permit creative and intelligent use of science and technology.

ENVIRONMENTAL DEGRADATION AND EDUCATION

(NOTE.—Principal authors of this report are William L. Steif and George N. Arnstein.

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Suddenly ecology has become a great national consensus, and saving the earth has become a national mission.

In San Francisco, for example, where beatniks and flower children used to flourish, youth groups have been organized with such unlikely names as Ecology Action to Build the Earth, Zero Population Growth, and Citizens League Against Sonic Boom, David Brower, for 16 years the Sierra Club's executive secretary, has founded Friends of the Earth, whose principal benefactor turns out to be the board chairman of the Atlantic-Richfield Oil Co., Robert O. Anderson.

Resources for the Future, a Washington-based think tank, reports that "rising public, professional and governmental concern with environmental problems was evident in 1969."

Education Commissioner James E. Allen Jr. goes out of his way to endorse environmental education, and the Democratic Policy Council lists it as a national goal. Senator Edmund Muskie suggests changing the objective of land-grant universities' agriculture schools so that they become "schools of human environmental studies."

Dozens of colleges, universities and high schools swiftly crank up ecology courses and even ecology majors.

Industry sees a good thing and moves in on it.

Westinghouse Electric, for instance, forms an antipollution training school to teach electric utilities' personnel "legal and technological aspects of environmental management" in a four-week course.

Bethlehem Steel boasts that in the next five years 11 per cent of its capital expenditures will go to pollution control, and some companies talk of spending as much as 30 per cent of their capital investment on antipollution projects.

General Motors and Ford ride with the tide by endorsing the battle for clean air and promising to come up with auto engines that use lead-free gasoline.

Republic Steel hires a Director of Environmental Planning fresh from NASA, and hundreds of firms, big and little, jump into the environment business, manufacturing everything from smoke scrubbers to flocculating chemicals.

TV, magazines, newspapers and radio go wild with the subject.

A scientist, quoted in *Fortune*, describes the phenomenon:

"First, islands of anxiety about specific environmental ills—like the redwoods, the rivers, or the slums—rose from a sea of apathy; when they rose further, land appeared between them; we became aware that all these separate environmental issues were connected, all part of a single challenge to our civilization."

The President, in his 37 point program for rescuing the nation's environment, called for more money and tougher laws to improve "the quality of American life" by "total mobilization" against pollution.

Nixon laid down 23 major legislative proposals and 14 executive orders running the gamut of air and water pollution, waste control, park acquisition, and even population planning. His program was the product of ecological thinking, broad-based and done primarily by a half-dozen young men led by Chris DeMuth, a 23 year old Harvard graduate who had served as secretary of the liberal Ripon Society at college.

Some critics felt the Nixon program was a "cop-out" on the nation's racial and central-city problems, and it may be, for it is certainly easier to cope with the physical needs of cleansing the Potomac River than it is to cope, for example, with the physical, mental and spiritual needs of the two-thirds of Washington's population who are black.

The Nixon program, at any rate, is the kind of thing that can capture wide popular support. It is calculated to engage the interests and sympathies of young and old, and especially younger, white, middle-class suburbanites who want to be "with it" and who incidentally comprise a kind of balance of power around the nation.

In short, the President's ecological approach to the polluted American environment has a lot of political sex appeal.

No doubt, many western stockmen applauded Nixon's message. But they also had their eyes on something more fundamental—to them.

Within days of the Nixon environmental message, Interior Secretary Walter J. Hickel and Agriculture Secretary Clifford Hardin ruled that a scheduled increase in grazing fees on 180 million acres of western public lands would not take place. This obscure ruling, on an obscure issue, in the obscure bureaucracies of the Bureau of Land Management (Interior) and the Forest Service (Agriculture), may have more effect on the American environment than all the pious phrases in the President's heavily publicized message.

After more than a decade of argument and study, the outgoing Democratic Interior and Agriculture Secretaries, after the 1968 Presidential election, ordered a 10 year, phased increase of the outrageously low grazing fees western stockmen pay to the federal government for the use of public land. The present fees average 44 cents a month for a cow and a calf; private owners of range charge up to seven times as much.

The increase would have raised about $15 million a year, which could have been used to rehabilitate the public range. This land is being wrecked by erosion, and overgrazing is the cause; the reason for overgrazing is that western stockmen find it cheaper to graze their animals on low-cost public lands than on private range.

Raising the grazing fee would have had the twin effects of increasing the funds available for improving the range and excluding marginal cattle and sheep operations, thus relieving pressure on the lands.

But all that went by the boards at about the same time the President was telling Congress that "we in this country have too casually and too long abused our natural environment . . . The time has come when we can wait no longer to repair the damage already done and to establish new criteria to guide us in the future."

This is not to doubt, for a moment, the sincerity of President Nixon, his proposals, or many of his Administration's advisers. What happened in the case of the stockmen under the Nixon Administration is no different from what happened in the case of the oilmen under the Johnson Administration, the coal men under the Eisenhower Administration, and back, back in time.

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The system simply works this way, and there seems to be none better.

Indeed, there are signs of the increasing effectiveness of an aroused public opinion, fanned by media which find it economically useful to deal in terms of daily crises. Random samples come to mind:

Timber companies might be "harvesting" (sweet euphemism) the last of California's redwoods by now if it weren't for public pressure.

Coal companies might not be restoring some badly scarred strip-mine areas if it weren't for that kind of pressure.

The nation might be building a handy-dandy ecological disaster, in the form of two dams at either end of the Grand Canyon, if public voices had not prevailed.

Decimation of Florida's Everglades, through construction of an international jetport, might be proceeding apace, and the whooping crane might be a dusty museum memory like the passenger pigeon.

Los Angeles County might be enclosed in a permanent smog, Lake Erie might be well on its way to becoming a swamp, and the Missouri might run red chronically from the wastes of the packinghouses at Omaha, Kansas City, and St. Joe.

There is, in short, improvement, even without the rhetoric of Presidential messages and the lip-service of ambitious politicians. The messages and lip-service help, but actions are more important.

With so many people paying tribute to "ecology" and the "environmental revolution" these days, it probably is old-fashioned to point out that Gifford Pinchot and President Theodore Roosevelt really originated the earth-saving business in this country. Essentially, they were romantics, but from that kind of romanticism grew the conservation movement, which was one of the vital forerunners of the present ecological approach.

The other front of present-day ecology is academic, represented chiefly by the biological sciences and expressed emphatically through men like Barry Commoner of Washington University, St. Louis, and Stanford's Paul Ehrlich. The academics tend to view the environment with such alarm that they scare the pants off most politicians—and politicians without trousers generally don't run very far.

In fact, the extremist is the bane of the politician, whose essential job is to synthesize; yet it is also true that without the sharp jab of informed opinion, the politician many not move at all.

With the last two decades, these two streams—the conservationists' romantic view and the biologists' alarmist view on our environment—have merged and brought considerable pressure to bear on succeeding administrations and on the Congress.

From the House and Senate Public Works Committees came a rising tide of legislation designed to cope with air and water pollution, even as the same committes authorized immense expenditures for projects which created more air and water pollution; from the House and Senate Interior Committees came measures to preserve our lands, waters and animal populations, even as the same committees bent to special-interest lobbyists and open public lands to exploitation; other committees tossed in legislation to stimulate planning and provide for city open spaces, even as they were assuring the destruction of the downtowns and the sprawl of the suburbs. We are so rich and productive and, at the same time, so wasteful and voraciously consuming, that we compartmentalize our thinking from our actions.

One current, solid estimate is that, excluding such operations as construction and earth moving, the American economy uses 2.5 billion tons of material a year—nearly 13 tons a person.

Yet it is unthinkable that Americans would retreat from their advanced technology to the low technology of Thoreau's Walden Pond or modern Nepal, where man and nature are in consonance.

What the rise in ecological thinking indicates is a surfacing of awareness that some kinds of self-sacrifice are necessary to reach the goal of a quality life for all, without destroying our earth.

The basic question is whether Americans are willing and self-disciplined enough to forgo some traditional freedoms in order not to ruin their environment.

WHAT CAN EDUCATION DO ABOUT ENVIRONMENT?

Education should be concerned with the environment, if only because of immediate self-interest: survival; but what, specifically can the education community do about environmental improvement?

Much has already been done, as evidenced by a sampling of reports and recommendations on the environment and related problems. The contributions of researchers and teachers are clearly meaningful and visible.

However, neither the academic community nor society has done enough—not enough thinking, planning, and, above all, not enough following through toward more effective action programs. Let's take a look at what we know and what we are being urged to do by some of the best minds within and without the academic community.

Technology assessment

Concurrent with the rise in awareness of environmental problems there has grown an awareness of the double-edged nature of technology. We enjoy the products of technology but not the noise, litter, pollution and congestion that are its side effects and consequences.

Reports on the technology assessment by the National Academy of Sciences and the National Academy of Engineering are confident that these assessments are possible, that present procedures can be improved, and that there is a need for new institutions. Clearly, the brainpower will have to come from the academic community.

Political lag

There is an increasing realization that our institutions and organizations are not responsive to present problems. Philip M. Hauser, professor of sociology at the University of Chicago, enumerated some of the shortcomings:

"We are trying to deal with 20th Century problems with 18th Century ideologies, institutions and values. . . . As recently as 1960 there were 39 states with urban popular majorities but not a single state in which this urban majority controlled the state legislature. We are hampered by the dead hand of the past if we still believe that government is best which governs least. Do we really mean that we don't want or need Social Security, pure food and drug protection, or a Federal Communications Commission?"

What does this have to do with schools and colleges and their responsibilities? The environment and its problems is a relevant subject, central to the lives of students and citizens, and it calls for new rules, which the faculty may find harder to learn than the students.

Roger Revelle calls for such changes in a forthcoming book, "America's Changing Environment," in which he cites three roles for education: manpower development, creation of heightened sensitivity among young people, and the "formulation and inculcation of the moral and intellectual values on which environmental improvement must rest." While this kind of teaching will ask teachers to undergo a massive rethinking, he thinks the teaching of values is necessary.

Organizational lag

Most of our institutions are lagging, but there is also hope and forward motion. Henry L. Diamond, counsel for the Citizens' Advisory Committee on Environmental Quality, reported to the National Commission for UNESCO:

Government at all levels . . . has been literally unable to pull itself together to face the rising environmental aspiration of the American people.

The courts seem increasingly responsive but there has been very little litigation about the environment. "We may be seeing a whole new body of law in the making."

Education—"a huge mass of thousands of self-governing entities. . . ." Some school systems have begun to teach environmental aawareness and new college courses, departments and programs "seem to be proliferating."

Foundations are showing increased interest but there is a lack of over-all voluntary environmental organization.

The same can be said for the academic community.

The Citizens Advisory Committee on Environmental Quality's "Report to the President" was quite critical on the subject of environmental education:

"Our formal educational system has done little to produce an informed citizenry, sensitive to environmental problems, and prepared and motivated to work toward their solution. . . .

"Some federal programs have elements of environmental education in them, but . . . these programs can be made more responsive to a growing public need.

"In partial response to a recommendation of the (predecessor) committee, the position of Coordinator of Environmental Education was established in the U.S. Office of Education; however, one person has been able to accomplish little, and it appears that a fully staffed service unit is required. . . .

"Extension service programs are generally out of touch with environmental problems."

Although directed primarily to elementary and secondary education, the committee describes how Title I of the Higher Education Act of 1965 could be used better.

At USOE there is the promise of increased interest and activity. James E. Allen Jr., commissioner of education, said USOE will:

Support the environmental teach-in activities scheduled for April 22, including suggested follow-up activities for teachers during the summer.

Call for a major conference in June on environmental/ecological education.

Support suitable federal legislation to stimulate environmental education.

Set up a staff to redirect existing resources and plan new programs.

F. Kenneth Hare, professor of geography at the University of Toronto, recently called for a new kind of discipline that is "basically synthesizing in method," noting that "a really positive and successful program of environmental studies ought to involve a large part of the university, and it ought to spread downward until it contributes heavily to the undergraduate curriculum and influences what is done in the schools."

Whether the schools can do as much as is expected of them is most uncertain. NEA's Project Man's Environment is considering testimony on environmental education, warning that "education cannot overcome prevailing and existing values in our society. If adults pollute and destroy (and if advertising and public opinion favor smoking, big cars, and throwaway bottles), then it is not realistic to ask teachers and the schools to cancel out adult values and attitudes. . . .

"(We need) effective legislation dealing with environmental degradation so that the American consumer becomes aware of the money cost of degradation, of the social costs, of the direct and indirect damage. . . This calls for effluent charges, disincentives, taxes on pollution, services charges, not so much to generate revenue as to effect changes in behavior, to bring about awareness."

It is only after creating such awareness that we can ask educational programs to reinforce this thrust.

"EARTH DAY" IS ONLY THE BEGINNING: STUDENT ACTION WILL GO ON

For Denis Hayes, the April 22 "Earth Day" is just a starting point.

Hayes, 25, is national coordinator of Environmental Teach-In, Inc., a non-profit, tax-exempt educational foundation which is acting as a kind of big daddy to thousands of local groups, including at least 700 in colleges and 1,400 in high schools, working to reverse the growing pollution of the American environment.

Hayes' headquarters in the second floor of an aging office building just off Washington's hippie heaven, DuPont Circle. Stuffed into the 10 rooms are about 100 volunteers (not all present at the same time) and 16 paid assistants ("on subsistence salaries," Hayes says). The people are busy phoning, compiling lists, selling buttons and posters, writing and packing pamphlets, and preparing and mimeographing sheets with names like "Eco Facts."

As many as 300 letters daily come to the headquarters. Four regional coordinators handle the four quadrants of the nation, and a fifth handles high schools. The purpose is simply informational—and to build what Hayes and his colleagues call a "national constituency for the environment," which can exert pressure on local, state and national government.

Co-chairmen of Earth Day are Sen. Gaylord Nelson (D-Wis.) and Rep. Paul N. McClosky (R-Calif.) who was active in the movement to "save" San Francisco Bay before he beat Shirley Temple Black in a special election in the fall of 1967.

Nelson originally tossed out the proposal for "national environmental teach-ins next spring" in a speech last Sept. 20, in Seattle. He repeated the idea several times and it took hold; soon his office was getting letters asking how to organize the teach-ins. So he, McClosky and President Sydney Howe of the Conservation Foundation organized the new group and just before Thanksgiving, the Internal Revenue Service gave it its tax-exempt status.

A leader was needed. "Nelson heard about me," Hayes recalls. "I talked with him and out of that came an offer."

Since then, Hayes has been on his own. "I haven't seen Nelson," he says.

But he knows what he's doing. He puts it this way:

"Our underlying philosophy is the clear assumption that some fundamental mistakes have been made in this country. These are not aberrations but the natural end-result of what has been called progress."

As an example of a mistake, he cites the internal combustion engine and notes that "emphysema has been increasing 12 per cent a year for the last decade in California . . . an auto driven a block consumes as much oxygen as 100 people use in a month.

"But to eliminate the internal combustion engine you have to take on the auto and oil industries. For that matter, nearly every family has a vested interest, with $2,000 or so invested in a car. What do you do?

"Well, you start with small steps. First comes the warning label on the car, like the one on cigarette packages. Later, perhaps, you limit auto purchases to one per family, or one per lifetime. People will accept the inconvenience and move to mass transit. They will start realizing the problem is not the auto but how to perpetuate life on this planet.

"We look for responsiveness, we try to touch people, to change life styles. There are going to have to be significant pressures for sacrifices."

In addition to schools involved, a lot of unions, garden clubs, volunteer firemen, and other community groups have taken up the cause. Hayes says campus groups often don't have the expertise needed to stage community actions. He is keen on bringing non-academic types into the movement.

The predictably activist college and university student bodies have cranked up elaborate Earth Day events. But quieter, smaller schools at all levels also have seized on the idea, for instance:

Students at Emory & Henry College, in southwest Virginia, are staging an "envirothematic art contest."

Students at Cubberley High School, Palo Alto, Calif., are working on environmental proposals to be sent to government officials.

Students in four colleges around Charleston, W. Va., are petitioning the President for stronger air pollution controls against the state's biggest single industrial enterprise.

Several Chicago area high schools have organized projects to identify main industrial polluters and instigate picketing and petition activities.

A group of students from Pittsburgh area high schools are tutoring elementary school youngsters about environmental projects, utilizing materials from current magazines.

Students at Mississippi State University, in Starkville, are putting on weekly, quarter-hour radio shows explaining how agricultural and household products contribute to pollution.

Students at St. Louis University and Washington University are planning an Eco-Fair at which they will sell pure Ozark water.

Philadelphia high school and elementary school students are working with recently prepared study guides in experimental ecology courses, which include instruction in special air monitoring centers set up for students to measure pollution.

University of Alabama students at Tuscaloosa want the Warrior River, fouled by paper mills, closed to human use by April 22, and if it isn't, they'll post their own signs.

Students at Coe and Cornell Colleges, at Mt. Vernon, Iowa, plan a "Breathe-In."

High school students from several Midwestern states have formed a regional student council on pollution which planned an early teach-out last month.

Long before the April 22 date, the campaign began showing results in such varied actions as the creation of the nation's first regional clean-air consortium (Duke, North Carolina State, and the University of North Carolina), endorsements by federal officials like Education Commissioner James E. Allen, Jr., and Environmental Council Chairman Russell Train, and—most of all—by a flood of proposed legislation and actions at all governmental levels.

And Hayes calmly went about his business, selling his message and raising money.

He doesn't know what the effort will cost over-all—it started with $1,000 Conservation Foundation donation and could run as much as $100,000 or as little as $25,000.

After April 22?

Hayes, a tall, blond, strong-faced chap who wears desert boots and buckskin jackets, isn't sure, but he knows "a lot of local groups are acquiring an interest in change. I don't know if this is a national vehicle, but we could develop coordinating functions around a fight on the SST or the Alaskan Pipeline or a new canal across the Central American Isthmus.

"I don't feel terribly messianic, but I know that if we don't change pretty fast we're going to have one vast wilderness. . . . And if my staff ever loses its drive, I'm going to fly the whole group to Los Angeles. That'll shake 'em up."

BEARDED AND BEARDLESS JOIN BATTLE IN POLLUTION

A year ago, whenever a member of the under-30 generation referred to "the movement," you could be sure he meant the antiwar, antiracist, antiestablishment movement, whose devotees could invariably be identified by dress, hair-style and vocabulary. Today the definition has to be enlarged to include antipollution votaries, who are not so readily distinguishable from the rest of the population. In fact, some of them wear vests and talk in sentences, and some of them have hair that is not only short but gray. It has even been suggested by a few optimistic observers that the antipollution could become the means of linking "the movement" with the rest of the society.

Whether this is a real possibility or a vain hope may be made clear in classrooms and corridors and on campuses around the country on April 22, when the bearded and the beardless will join forces for the National Teach-In on the Crisis of the Environment, an exercise aimed at bringing elementary, high school and college students, teachers, scientists, community and industry leaders and environmental specialists together to examine threats to the environment.

Depending on the position of the viewer, this occasion may be seen as either an ecological apocalypse or an invitation to disaster. "It is hoped that the teach-in will deeply involve communities, environmentally concerned organizations and high school and grade school as well as college students," said national co-chairmen Sen. Gaylord Nelson, (D-Wis.) and Rep. Paul McCloskey, (R-Calif.). "We anticipate that a successful teach-in will involve more diverse elements of our society working toward a common goal than this country has ever seen before."

Taking a gloomier view, a public relations adviser for the oil industry suggested that the teach-ins were an invitation for "down-with-everything types to harangue industry, government and the establishment. Campus activists are looking for environmental issues to become their cause celebre to replace Vietnam," he added, obviously wishing the activists would go back to the war.

Actually, both sides may be right. Getting a jump on Earth Day, some schools have already initiated action programs that are getting results, as at the University of Washington in Seattle, for example, where a "plant-in" on a former garbage dump owned by the university resulted in a commitment to build a permament park. In New York City, students are calling the offenders whenever they see smokestacks emitting black smoke. Their slogan: "It will cost you a dime, but it may save your life."

Elsewhere in New York, another student leader had a different goal: "The civil rights movement and antiwar protests showed young people that they could organize and could have political action," he said. "The public is badly mistaken if they think the environmental question is taking the place of antiwar or civil rights." It's all in the same bag. Our primary concern is to mobilize people, to get them out on the street."

At Northwestern University in Evanston, Ill., Earth Day was anticipated in late January when 10,000 students, faculty members, scientists, environmental specialists and miscellaneous visitors thronged to the campus for an all-day, all-night teach-in that may be a foretaste of what will happen all over on April 22. At Northwestern, Earth

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Day, or Earth Night, was a gallimaufry of information, enlightenment, discussion, harangue and protest. "If Lady Bird Johnson, President Nixon, Spiro Agnew, Shell Oil, and Senators from Mississippi are all for ecology, what's wrong?" said one bewildered speaker.

Contemplating the coming nationwide teach-in, a professor of English at the University of Oklahoma took the long view: "I think it unlikely that there will be demonstrations," he said. "The reason is that there's such a widespread belief now that this problem has got to be solved. The function of a protest is to draw attention to a problem. There is plenty of public attention; what is needed now is specific identification of problems, and practical suggestions."

While it is likely that hundreds or perhaps thousands of suggestions may emerge from Earth Day, they may not all be practical, for one thing, and, for another, the solutions aren't going to be all that easy.

In a recent test examination of just one environmental problem, the proposed construction of a jetport north of the Everglades in Florida, the National Academy of Sciences-National Research Council found that, among other things, any solution would require consideration of population growth and location, protection of water supplies, proper allocation of resources for agriculture, sound development of public transportation, insurance of adequate living conditions, and protection of unique national resources.

"The large number of interested segments of the society, the number of involved governmental agencies, the scope of the technological, sociological, political and economic aspects of environmental problems, all point to the need for a variety of responsive institutional innovations. No single one can do the job," said the N.A.S.-N.R.C.

It wasn't exactly what the N.A.S.-N.R.C. had in mind, but Earth Day should at least produce a variety of responsive institutional innovations.

ENVIRONMENTAL EDUCATION IS ALL THINGS

One reason why the present surge for a better environment is so widespread is that each supporter sees his own segment and thinks that everybody shares his special vision of the good life.

On closer examination, however, this apparent consensus is somewhat illusory.

Those who want better health may want to ban persistent pesticides like DDT, on the grounds that they eventually end up in the human body. But farmers have found that they can greatly increase food production through preventive spraying with DDT to kill crop-destroying insects.

Those who fear malaria will favor the draining of swamps, but duck hunters like marshes because they are home to the ducks.

Members of traditional conservation societies want to maintain and expand wilderness areas, bird refuges, and save the California condor. Some persons, while not opposed, believe that there are more urgent priorities than putting large chunks of public funds into new parks or efforts to save a vulture.

Both sides are advocating a better environment.

There is a great range of concepts presently subsumed under the heading of environmental *quality*.

The same situation exists under environmental education (EE).

There are those who think it is an expanded version of conservation education.

They are right. Environmental education certainly includes the concepts of traditional conservation, sometimes referred to as classical conservation: preservation of our natural resources, use of technics of soil conservation, contour plowing, windbreaks, afforestation, expansion and preservation of wilderness areas.

Schools have been doing a pretty fair job of teaching these concepts and values for half a century, although the increasing shift to our cities has brought with it some lags. Conservation education tends to be too rural. It needs updating, but its basic concepts and ideas are sound. There are some new textbooks and some new ideas emerging. They are part of an honorable and sound tradition which should be encouraged to meet the needs of our increasing urban and suburban population.

There are those who think EE is a new version of science education.

They are right. Environmental education surely must have scientific content and new curriculums are being developed. A report to the Environmental Studies Board of the National Academy of Sciences singles out the Science Curriculum Improvement Study developed for Grades K–6 at the University of California at Berkeley (*Institutions for Effective Management of the Environment*, Part I, January 1970 p. 30). At the same time it notes the need for a high priority Junior Environmental Education Program (Grades 7–9).

The programs have a strong bent toward science, especially the attempt to build the programs around things which can be handled or touched. It is a deliberate attempt to get away from abstract learning and to emphasize tactile, visual, manipulable learning—which leads to abstractions.

There are those who think environmental education is an expanded version of outdoor education.

They are right. Man and his relationship to nature is an important part of environmental education, and we ought to welcome almost any educational experience which will take the students outside the four walls, the box-like environment in which they spend half of their waking hours.

There are those who think that environmental education is an enlargement of biology into ecology, a modification of geography into something broader and deeper, an addition to English courses so they will include a composition on how we cleaned up our picnic area.

They are right, and they should be encouraged in broadening and modifying existing educational programs.

There are those who think that environmental education is the constructive use of field trips to national landmarks, to the environmental study areas being set up by the National Park Service, to the use of the American countryside (and urban settings) to tie together nature, history and an appreciation of our heritage.

They are right.

There are those who think that environmental education is something to be added to the curriculum, a special unit on the environment the way certain states have legislated units on the evils of alcohol, tobacco or drugs.

They are wrong—because this approach is perfunctory, and it doesn't work. It fails to get to the heart of the matter, which is what environmental education really means or should mean:

The pervasive and conscious examination and understanding of man's relationship to nature, influenced by our growing population which produces congestion, and which, in turn, calls for a change in values and attitudes.

How, for example, can environmental education hope to be successful as long as it is part of a society which still worships the Holy Grail of a rising Gross National Product (to borrow a phrase from former Secretary Udall).

If adults pollute and destroy, is it realistic to ask teachers to expose the evils of pollution and despoliation? As long as advertising favors smoking, big cars with high-compression engines and leaded gasoline, can we expect the schools to overcome the deliberate and expensive assault staged by our sophisticated media? As long as we favor throwaway bottles, can we hope to persuade children that litter and waste are extravagant, expensive and ugly?

One of the hazards of the environmental bills now being considered by the Congress is that they may raise false hopes. If they merely lead to add-on teaching units with the up-to-date label of environmental and ecological education, they may merely widen the credibility gap and increase youthful cynicism about adult hypocrisy.

LEGISLATIVE PROPOSALS SEEK AID FOR ENVIRONMENTAL TEACHING PROGRAMS

Several bills have been proposed in Congress to nourish environmental education, and while hearings on the bills are only beginning, most observers feel it is only a matter of time before new federal money starts to flow into schools and universities for programs of this kind.

In the Senate, the Environmental Reclamation Act of 1969, introduced on December 11, by Senator Charles Goodell (R-N.Y.) would pump $37 million over three years into developing environmental programs at all education levels.

In introducing the bill, Senator Goodell said:

"Title I of the bill authorizes the Secretary of Health, Education and Welfare to develop a truly national environmental-ecological education program ranging from the preschool to the graduate school level. . . .

"It contemplates the utilization of such programs—which will include curriculum development and teacher training—in state and local school systems, institutions of higher education, adult education courses, community action programs, and in educational television.

"It also authorizes the establishment, throughout the nation, of a system of regional ecological-environmental education centers, which would develop, collect and disseminate to the general public information, materials, data and statistics concerning:

"the nature, sources, causes, extent, prevention, control and abatement of air and water pollution, and activities affecting undesirable environmental and ecological change. . . .

"the present and prospective impact of technology upon the environment and ecological cycle. . . .

"It is hoped," Goodell concluded, "that the federal government can point the way—for state and local governments and the private sector—to more responsible management of technological change consistent with our national environmental goals."

In the House of Representatives, Bill HR 14753,[1] introduced on November 12 by John Brademas (D-Ind.), James Scheuer (D-N.Y.), Ogden Reid (R-N.Y.), and Orval Hansen (R-Idaho)—and HR 15288, an identical measure reintroduced to allow more co-sponsors—would provide federal grants to universities and other organizations to develop teaching materials in environmental studies and to train teachers. Called the Environmental Quality Education Act, it would also provide aid to elementary schools for courses on ecology, pollution control, and natural resources and would set aside additional funds for adult education, through city or state agencies.

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[1] Senator Gaylord Nelson (D-Wis.) introduced an identical bill in the Senate on November 19, 1969.

No appropriation amount is specified in the bill, whose programs would be administered by the U.S. Commissioner of Education with approval of state education agencies.

An advisory committee to be appointed by the Secretary of the Department of Health, Education and Welfare would oversee the program and make recommendations about allocation of funds. The committee would have 21 members from outside government.

UNIVERSITY PROGRAM STRESSES MAN'S NATURAL, SOCIAL AND SCIENTIFIC ENVIRONMENT

Few places seem so favored by nature as Green Bay, Wis., nestled against the shore of a long inlet of Lake Michigan, the Fox River winding through its wooded hills. But the polluted bay is closed to swimmers, the river is virtually an open sewer, the woods provide raw materials for the paper companies whose smokestacks dominate the skyline.

In the midst of unsolved problems of physical and social environment, the University of Wisconsin at Green Bay (UWGB) has created an academic plan focused on ecology—the study of man in relation to his surroundings—that is producing a new academic environment by involving the student with his university, with his community and region, and reaching out into the wider world.

The environmental emphasis is an outgrowth of the mission stipulated by the Wisconsin legislature in creating the university in 1965: to respond to the needs and potential of the Northeastern Wisconsin community and the Northern Great Lakes region. Integrated with the main campus are three two-year campuses, at Manitowoc, Marinette and Menasha.

The UWGB college structure is based on environmental themes, rather than disciplines: the College of Environmental Sciences emphasizes the problems of the natural environment; the College of Community Sciences focuses on the process by which man relates to his social (manmade) environment; the College of Human Biology emphasizes human adaptability to the social and physical environment, and the College of Creative Communication is centered on human identity—man's impact on his social environment. A School of Professional Studies complements the theme colleges.

The theme colleges are more than tricky names for the traditional divisions; they emphasize the university's whole approach of involving the student in the interrelationships not only between the disciplines, but between knowledge and application, between the university and the community, and between the community and the world.

"Teaching melds imperceptibly with research, and teaching and research with community outreach until you can't tell where one leaves off and another begins," says UWGB Chancellor Edward W. Weidner.

A project completed last month illustrates the approach. Two freshmen, two sophomores, and a junior worked with a local clinic and physician on the relation between contraceptive pills and an apparent vitamin B6 deficiency. Students prepared the patient questionnaires; the doctor administered them; the clinic took the blood samples, but students did the analysis and reported the results.

"This is the sort of project that at the usual university only graduate or honors students would get involved with," says John Beaton, dean of Human Biology.

Community involvement is especially meaningful at UWGB because some 85 per cent of the students live within 80 miles of the campus. They study water pollution where they used to swim; they study a packaging plant as a contributor to pollution with an awareness of its economic contribution because their parents or brothers or possibly they themselves are employed there (80 per cent of the students work at least part time).

The result is what Chancellor Weidner calls "communiversity"—community input into the campus and student outreach into the community.

All sophomores undertake an off-campus project that relates their academic interest to the problems of the area. In their junior year they study this same problem as a comparative cultural experience, for example studying a branch of a local plant in rural Arkansas or in Brussels. Students who went to London for the January special projects "term" looked at the problems of industrialization.

This field orientation, Mr. Weidner says, makes "students and teachers fellow explorers of knowledge, mutual seekers of solutions."

This involvement carries beyond the classroom; because students and faculty are working together on projects that are meaningful to both, they meet informally in snack bars, the student club (there is, deliberately, no faculty club), and in the "people pockets" built into the buildings.

Students are represented on nearly all faculty and university committees, there are student advisory committees to each of the five colleges, they are active on community committees, and a student advisory group meets every two weeks with Chancellor Weidner in a free-wheeling session at his home.

"This involvement of students in university governance is basic to our environmental approach." Mr. Weidner says. "You can't expect students to get involved in changing their community or world environment if they can't exert meaningful change on their own university."

The success of this approach is summed up in that much over-used and under-utilized term—relevance. As a transfer student from the Madison campus expressed it, "You just don't think in terms of tossing a brick through a window when you love the school and you love what it's doing."

CURRICULUM GUIDE FOR AIR POLLUTION UNIT

The following curriculum guide for a unit on air pollution, which features student involvement in activities that take place in the school, home and community, is excerpted from materials offered as a resource for teachers of seventh grade science classes in the Philadelphia public school system. The material was prepared by William Whiteley, a teacher at Penn Treaty Junior High School, under the direction of the district's Science Office, which has suggested that four topics be emphasized in this and in an additional guide for senior high students: air pollution, water conservation, pest control, and waste disposal. While the material is tentative and unedited and is for experimental and evaluative use only, it represents a significant attempt by a school system to meet the urgent demand for prompt and concerted action in the field of environmental education.

Activities

Have students review the composition of the atmosphere and make a chart for showing this.

Have students explain how to demonstrate the gases present in the atmosphere.

a. Carbon Dioxide—by blowing breath into a container of limewater.

b. Oxygen—by burning a candle in a beaker with water about one quarter of the way up the candle, then inverting a large cylinder over the burning candle.

c. Water vapor in the air—soak strips of paper in solution of cobalt chloride. The dried strips of paper will turn color as the moisture in the air changes.

Burn pieces of soft and hard coal. Observe the difference in amount of smoke and ash. Tell class that soft coal is cheaper and relate this to industrial pollution.

Have the children observe the number of different ways pollutants are being put into the air at home and on the way to school. Have them list the sources.

Field trip to area air monitoring station, where youngsters can observe equipment for measuring pollution levels.

Discuss with students how *they* add to air pollution.

On map have children locate industries in their own neighborhoods. What do they produce or manufacture? Have children volunteer information where father works and what his company manufactures.

Discuss with class why the amount of air pollution increases with industry and increasing population.

Ask children to project what will happen in the future.

Have a child trace the development of the word "smog" and report on Dr. Des Voeux who coined the word.

Have children create their own smog. Beat board erasers for dust, burn sulfur, etc.

To demonstrate the dilution of pollution by air movement, burn a small amount of red phosphorous in a room with little or no air movement. Have the children observe.

From the children's observations discuss the presence or absence of smog in Philadelphia.

Have the children collect materials from newspapers, magazines, etc., and report to class.

Make a diagram of the atmosphere under normal conditions and during a temperature inversion.

Reports on several of the serious smog incidents: Los Angeles; London, 1952; Donora, Pa., 1948.

Reports on the respiratory conditions associated with smog: emphysema, miners' asthma, etc.

On a walking tour of the area near school, have children attempt to point out evidence of damage by air pollution.

Ask children why cleaning has to be repeated so often.

Place piece of polished aluminum copper and silver coins in an exposed area for some time. At the same time, place polished controls away from the air.

In demonstrating sources of manmade pollution (auto engines, burning fuels and waste products), show effects of incomplete combustion of fuels. Demonstate with a Bunsen burner the amount of carbon produced with various amounts of air. Hold a pyrex tube over the burner flame with the air opening set at different levels. (Make sure time remains constant.)

To show that the major source of urban air pollution is the automobile, have children stand at a corner near their home for five minutes and count the numbers of cars and trucks that pass by. Have them also keep a count of the number that are emitting blue or black smoke.

Discuss other ways automobiles pollute the air, besides fumes from the engine.

Ask children what would happen if they sat inside a closed garage with the car motor running.

Produce a small amount of H2S by reacting dilute HCL with ferric sulfide. Explain some of the sources of this type of air pollution. Caution: H2S is toxic.

Use analogy of preventive medicine and disease (e.g. vaccination, injections, etc.) in having children understand significance of preventive measures.

Have children obtain information on latest pollution control laws.

Report on auto smog equipment.

Report on new means of generating power.

Report on new types of auto power. Relate current interest in electric and steam powered automobiles to this problem.

Discuss ways of removing the waste gases from the industrial process.

At this time, review the material covered by the children.

STATEMENT ON ENVIRONMENTAL EDUCATION

(By James E. Allen, Jr., U.S. Commissioner of Education)

The issues of the "quality of life" and our threatened environment have become a very important topic in recent months. The American public has been aroused by the degradation of our air, water and land resources. This concern has engendered citizen participation by students, teachers, businessmen and housewives, all trying to impart a new consciousness of environmental problems and their solutions. Within this framework, the educational component has often been neglected.

The Office of Education, however, is committed to the belief, shared by many in the education community and the private sector, that the key to survival is education. It is through the process of education that we will acquire the knowledge and understanding needed to make the right choices and to take the actions necessary to solve our society's pressing environmental problems.

In response to this need, the U.S. Office of Education has established as one of its major goals for the 1970s that of assisting the introduction of Environmental/Ecological Education throughout the educational continuum, from preschool through continuing and adult education. The objectives of Environmental/Ecological Education are to develop a citizenry that is—

Aware of how man affects and is affected by his environment;

Concerned about man's unique responsibility to re-establish balanced relationships among all forms of life within the closed earth system;

Motivated and trained to work toward solving interrelated environmental problems.

Such an educational program would attempt to convey (1) a clear understanding that man is an inseparable part of a system composed of men, culture and the natural environment, and that man's technology alters the interrelationships of this system; (2) an appreciation of the environment, both natural and manmade; (3) a fundamental knowledge of the problems confronting man, ways to solve these problems, and the need for citizen and governmental partnership in working out solutions, and (4) attitudes, ethical standards, and behavioral patterns which will foster citizen commitment and action to overcome the environmental crisis and to improve the quality of life in the 70s and 80s.

Based on the holistic concepts inherent in its component parts—environment, ecology and education—Environmental Education will require the synthesis of the natural sciences, the social sciences, the arts and humanities. It is teacher and pupil centered education and its major resources are outside the classroom. We must begin immediately the task of designing and providing this interdisciplinary education for not one but two generations—the adults and the students. The commitment and dedication of the education community can do much to ensure that man restores the environmental balance and maintains in fact the fragile relationships that sustain and replenish life, and that he not lose sight of the elemental fact that the most fundamental needs of mankind—water, air, light, land and companionship—are derived from his environment, not his technology.

The Office of Education, in cooperation and partnership with the American educational system and the private sector, intends to do its part in insuring that Environmental/Ecological Education is introduced into every level of the educational experience of all our citizens in the years ahead.

Undertaking this vast new educational enterprise will have far reaching and highly beneficial implications for American education. It will be a catalyst whose impact will register in every classroom and in every home, office, and plant in America.

The active involvement of an educational system in problems that pervade the lives of all will help to make the educational process more relevant and responsive.

TESTIMONY OF JOHN S. STEINHART, PROFESSOR, INSTITUTE OF ENVIRONMENTAL STUDIES, UNIVERSITY OF WISCONSIN

Mister Chairman, on the week of April 22nd the people of Madison, Wisconsin, will stage an environmental week. Plans involve all segments of our local society from Chamber of Commerce groups to high school students and from rich to poor. Prominent figures from the national scene will speak and participate in panels. Demonstrations will doubtlessly take place, including not only the youths of the university, but children and middle-aged citizens of all political persuasions and from all economic strata. Such scenes will be repeated across the country and remind us once again of the depth of feeling and imminence of concern about our environmental problems. Because this feeling has now become widespread and because it is shared by the members of Congress and particularly the members of this subcommittee considering H.R. 14753, I do not intend to give a catalogue listing of our environmental problems. We have had a great many doomsday tales about the futures that await us and we shall undoubtedly have more. Only if we take the depth of concern seriously and if vigorous attempts are made to bring mankind once again into some reasonable balance with the environment will we be able to rid ourselves of the uneasy feelings that some of the doomsday predictions just might come to pass.

It will take serious and stringent efforts by all elements of society—government at all levels, citizens groups, industry and labor, educational institutions and individual citizens—if we are to halt and reverse the trends of environmental degradation and restore the search for human dignity, meaning, and satisfaction to the center of our lives. Of crucial importance to these efforts to solve our environmental problems are the educational efforts needed to inform all elements of society of the nature of these problems, their order of priority and such solutions to individual problems as are understood.

In the same way, we must provide as a part of the ordinary educational process understanding of the environment, the society, and the technology which has become such a pervasive part of it. This education is needed both for those who wish to become professionals working on environmental problems and those who will, in fact, occupy other roles in society but need the understanding of this large collection of environmental issues, almost all of which impinge on their individual lives. I will talk primarily about the role of higher education, not because it is the only important role, but because it is the one about which I know the most.

Conceptually there are three tasks in searching for solutions to our environmental problems: first, we must seek a better understanding in detail and in the broad general sense so that we understand not only the technical details, but how various problems are interrelated and solutions therefore dependent one upon the other; second, we must search for particular and general solutions whether technical ones, statutory ones or social solutions are indicated; and finally, we must encourage forward the discussion of our collective and individual goals for our society so that the search for environmental quality does not become a collection of prohibitions but includes in it such general goals for a better quality of life as are common to all Americans.

The colleges and universities of the nation have already illustrated their ability to assist in the first two tasks through research on problems leading to better understanding through engineering efforts to provide viable solutions to particular problems and through examinations of our government and its structure with an eye to recommending particular statutes, statutory policies or government reorganization.

It is in the third task, however, where the colleges and universities of the nation may play the most important and perhaps crucial role in dealing with our environmental problems. The environmental concerns go far beyond the mere wish to remove irritants from our surroundings. Feelings about the degradation of life and dehumanization of individual occupations will not disappear even if water pollution and air pollution are suddenly terminated or brought to an acceptable minimum. We must stop inquiring at some time where our blind devotion to a century-old attitude of unbridled growth and exploitation are leading us and inquire instead where it is we wish to go and what kind of lives we wish to lead.

The President almost a year ago appointed a commission on national goals. Such a commission is itself a recognition that we do not possess, at present, a clear idea of the common goals of all Americans nor do we possess any positive programs that will lead us there. But I submit that national goals are not arrived at by presidential commissions, but by wide-spread discussion openly held across the nation. Colleges and universities are so spread across the nation in small towns and large cities and have a tradition of conducting just such discussions and, in the case of land grant colleges like the University of Wisconsin, also a tradition of including citizens from all parts of society in these discussions through extension services and other direct participation.

I suggest that the bill currently under consideration could be an important piece of legislation in urging this discussion onward so that after a period of such free discussion of our common goals in society it may be easier for the Federal Government as well as government at other levels to select those common purposes which should become part of our political aims.

Unfortunately, this discussion does not proceed very rapidly at present. Our universities are badly in need of change and reorganization. I am told that Congress is similiarly in need of reorganization and that such a reorganization, in the Congress, confronts considerable difficulty. If it is difficult to reorganize the Congress, it is at least as difficult to reorganize the purposes of the universities. They are bound by tradition and devoted to the narrow technical expertise presently represented by—and I am afraid bound in—the narrow disciplinary departments. Warren Bennis remarked in a recent article that a university "was harder to reorganize than a cemetery."

As a man who has tried from the position of Vice-President of a major university, Dr. Bennis was expressing just the frustration I have alluded to. I will not try and reorganize Congress, but I urge Congress not to try and reorganize the universities. Nevertheless, those at universities anxious to get on with difficult multidisciplinary problems, like those related to the environment, need the help of Congress, and need bills like this one to make available to them funds that

XUM

will help break through some of the traditional rigidity and enable those who wish to, to get on with solving our present day problems.

Let me raise one or two questions which it seems to me are of crucial importance and yet find no place in the usual college or university structures:

With rapidly expanding technology, we know that each new advance brings with it certain side effects, some desirable, some undesirable and some unpredictable. Considering all these side effects and the rapid rate of change, are things getting better or getting worse?

The finite size of our resources and our planetary environment have begun to concern us. Are these problems and challenges qualitatively different than they have been in the past?

Most of the environmental questions confronting our society contain in them complex technical considerations (though not necessarily narrow specialist ones). Is it possible to have a free society or even a representative society when large portions of the citizenry do not understand the technical issues?

This list could be expanded endlessly, but I think the point is clear. New kinds of questions ought to be asked and ought to be at the central focus of educational programs. I assert that at present they are not.

I urge this committee to pass this bill and either in the bill or in the instructions to the granting agencies to look carefully at applicants for monies appropriated to ascertain whether the applicants have a commitment to working on these problems or simply wish to acquire monies to do what they have been doing all along. Last year, at the request of the President's Environmental Quality Council, I participated in an investigation of environmental quality programs at universities. My associate was an undergraduate from the University of California. Our report was published in September of 1969, entitled "The Universities and Environmental Quality."

In that document we stated our findings that there were indeed a wide variety of college and university teachers prepared to move in new directions but hampered by the lack of federal funds and by the conservatism and traditional resistance of their own institutions. Speaking now in behalf of the group at the University of Wisconsin, I can say that with the help of administrators in our own university and the interested members of the faculty we can solve the second problem if you can help us solve the first.

I urge that the fund-granting agencies under this bill look carefully at the commitment of both administrators and faculties who apply under the titles of this bill, to see indeed whether they are this new kind of teacher that is needed—one as willing to learn as to teach and one clearly devoted to solution of society's problems whether or not all aspects of the problems fall within his particular traditional disciplinary focus.

The content of environmental education—and I grow increasingly uncomfortable with that term—is not at all clear at this time. We are in desperate need of ecologists in the sense of ecology as a discipline, but we need many other things as well. The root of many of our problems is in technological side effects, or for that matter in our long time devotion to unbridled growth of consumer goods, or consumption and of population. We should not, therefore, devote all our efforts to producing more scientific ecologists. We shall need social change and new kinds of government regulations and structures. Garrett Hardin, over a year ago, illustrated very clearly that some of our problems, in particular population growth, not only do not have technological solutions, but cannot have technological solutions.

This leaves only the option of social change and government regulation for whole classes of problems. A part of the educational process will need to be the communication of this fact and that we cannot sit around Micawber-like, awaiting "for something to turn up." We should involve in this process not only the brighter students and the future Nobel Prize winners, although they may be needed, but the less able students as well who can make important and significant contributions to both the understanding of our environmental problems and their solutions. We do not know how to do all these things yet. A bill such as this one will help us learn and begin to act.

Finally, Gentlemen, we need the open discussion of alternatives for our future. We have already begun a period of rapid social change. The report of the young republican congressman visiting college campuses a year ago or simple observation of a college campus, or reports of young peoples' activities in the newspapers can persuade us that this is so. This odd behavior and the strange culture among our young people is not the result of some massive biological mutation, but a response to the very real problems and dissatisfactions which in somewhat more muted ways trouble us all. The kind of open discussion of future alternatives in the way we live with ourselves and with our environment is bound to make some of us uneasy.

Those of us over 30 or 35 are likely to be most uneasy of all when long standing ideas and goals of our society are challenged (and I am told that a majority of Congress may be over 30). Nevertheless, I think we can join in the effort to put the idea of man back where it once stood, at the focus of our lives and in the words of Archibald McLeish, "To make the end of education the preparation of men to be men, and so to restore to mankind—and above all to this nation of mankind—this conception of humanity with which humanity can live."

Thank you for your patience.

TESTIMONY OF JOHN OSMAN, SENIOR STAFF MEMBER, ADVANCED STUDY PROGRAM, THE BROOKINGS INSTITUTION

I am John Osman, a Senior Staff Member and Director of the Urban Policy Conferences of the Advanced Study Program at the Brookings Institution.

The opinions stated here are my own and do not purport to represent the views of the other staff members, Officers, or Trustees of the Brookings Institution.

Urban Policy Conferences are continuing policy planning processes in which we work with the civic leadership of cities, regions, and states in policy analysis and policies planning. Conferences have been conducted for approximately ten years. They have as their purpose informing policy makers concerning the newest knowledge and the results of recent research in urbanization. In the course of ten years, this policy planning process has been institutionalized in more than twenty-five places and has had an impact upon an impressive number of policy makers from the public and private sectors of American life.

We understand urbanization to be a resource; the source of economic and social energies, and look upon cities and towns as technologies to transform the energies generated by urbanization into the new institutions needed by a changing society. It requires a revolution in policy making to approach urbanization as a positive rather than a negative force; to consider urbanization as a constructive instead of a destructive influence in human affairs.

The process of urbanization can be compared to the flow of a great river. Energies lying latent in the river are lost; they are destructive, until the technological systems of dams, turbines, dynamos, and an electrification system extracts and disciplines the energies of the river.

So it is with urbanization until the technological system of cities and towns, of transportation and communications, and of social and economic institutions organizes and orders the flows of human energy. Intensification and extensification of urbanization has to be supported by a tremendous manmade technological system.

Consequently, urbanization has tended to transform the natural environment into a manmade environment. As you know, almost all of Northern Italy, the Rhine Valley, the Netherlands, and England are manmade environments. Little remains of the original and natural state of these parts of Europe. The transformation of the United States into a total manmade environment is taking place rapidly.

For some time, our Conferences have included a unit dealing with the ecological revolution, or the emergence of this manmade environment. This unit considers ways in which urbanization has extended the reach of the public interest and produced a new political geography with new policy areas which, in turn, require new policy perspectives.

We have endeavored to invent the new policies needed to guide the evolution of the extended environment. Embryonic institutions such as councils of governments and development districts find it difficult to embrace emerging large-scale environmental problems. Our task has been to help build political models, economic models, and ecological models to assist the policy makers in these new policies as they build the new institutions needed by an advanced urban age.

We have been concerned with the ecological balance and the environmental quality of a number of changing regions of the nation such as Hampton Roads; the Carolinas Piedmont; Dallas-Fort Worth; Maricopa County, Arizona; the Mid-South; the Ohio Valley; the State of Alaska. In the past, we approached environmental issues in two ways, from the perspectives of politics and of economics. Neither the political nor the economic approach was entirely satisfactory. Several years ago, we began to introduce natural scientists into the Urban Policy Conferences in addition to the political scientists and the economists who had been dealing with environmental policy from their points of view.

A Conference on the Future of the Ohio Valley is presently in process. Civic leaders from the four States of Indiana, Ohio, Kentucky, and West Virginia meet regularly to formulate policies that will invent the future Ohio Valley. An effort was made at the last several Seminar sessions to draft an Ohio Valley environmental policy. Among other things, we considered an ecological model or a mathematical model of the total Ohio Valley which could be used to control the quality of development. We have editors of major newspapers, managers of important industries, and distinguished public officials present, but it is apparent we do not have a satisfactory ecological foundation for formulating an Ohio Valley environmental policy.

We conducted a Conference on the Future of Alaska this year at the invitation of the State Legislature. I was impressed with the deep sense of dedication which all Alaskans have for the natural beauty of their State. I share this devotion to the mountains, the glaciers, the streams, and the tundra—to the

XUM

wild life wandering in this wilderness. Most of the arguments advanced for particular policies were the product of personal opinion, however, rather than resulting from sound scientific knowledge about the ways in which development would disturb the ecological balance of Alaska. More knowledge is required if satisfactory policies are to be prepared, and, indeed, a consequence of the Alaska Conference is a new state department to deal with environmental concerns.

In my judgment, the environmental era will produce a revolution in the policy making process. When the Urban Policy Conferences commenced in 1960, the major policy issues included metropolitan government, urban renewal, and the revitalization of central business districts. We drew largely upon the academic disciplines of government and sociology for the knowledge needed in policies planning. It was well into the 1960's before a distinct urban economics and an urban geography generated new insights into the urban process through the information these disciplines discovered. In those years, the contributions of the policy scientist to the policy maker were the metropolitan government model and the economic base model of the ever expanding urban system.

Conditions confronting the policy maker at all levels of the public and private sectors have changed, and his information needs have changed, too. We enter an ecologically-oriented era, and there are reasons for it. Industrial development and increasing demand for energy have disturbed the ecological balance and eroded environmental quality. Highly industrialized countries, like England and West Germany and Japan, have reached similar stages in their environmental evolution.

It appears the United States is the first country in history, however, which has reached such an advanced stage of evolution that it can consider shifting the emphasis of its public policies and programs from a concern for economic development to a commitment to environmental quality. More importantly, perhaps, the United States is the first nation to be able to entertain the idea of requesting its industrial system to shift from a quantitative to a qualitative production of goods and services.

If the technological transformation of the American life-style caused the environmental crisis, then the extraordinary inventiveness of the American industrial system should provide the road to ecological redemption.

However, such an ecological revolution requires a reorientation of the policy making process of this country. This reorientation has to happen at all levels of policy making: in city hall, in county courthouse, in state capitol, and in Washington.

The ecological revolution in policy making requires a re-ordering of the policy sciences. We have endeavored to recognize this new order in our Conference programs. Where the policy sciences have been traditionally government, economics, and sociology, essentially the social sciences, the environmental era expects to include the natural sciences as major resources for policy making purposes. Physics, biology, botany, chemistry in all their combinations—studies of the natural and living systems—all now have a part to play in the making of environmental policy. The new geography and ecology encompass the two realms of sciences; and engineering has its place in the application of the new policy sciences. Emergence of the environmental era places new intellectual demands upon the policy maker and the people.

One foreseeable implication of the emerging era is the emphasis on environmental issues in the political process. What are the fundamentals of the ecological concerns confronting the nation? To what extent do an expanding population and associated technologies threaten the natural life processes? Where is the realm of reconciliation between essential economic endeavors and environmental erosion? How does a free-enterprise market-oriented economy shift from quantity to quality production? What is the scientific basis of ecological balance in the various regions of the nation? These are some of the hard questions to be answered by all Americans in the environmental era.

Unfortunately, the average American enters the environmental age uneducated in the natural sciences and unable to use their knowledge in discharging his responsibilities of citizenship. Indeed, only a few select individuals are educated to use the lessons of the natural sciences in the production of policies dealing with environmental problems. Understanding the intricate interrelations in the ecological system is essential, however, to the preparation of an effective environmental policy. Such an understanding will provide a necessary new system of ideas and, hopefully, furnish the framework for analyzing and planning policy. If the average American and the policy maker need education in the environmental-oriented sciences in order to place ecological problems in the proper political perspective, then, on the other hand, the scientists need to understand how to make their knowledge relevant to the civic dialogue dealing with the preparation of policy. Environmental education is essential at all levels of the American society; and is a particular aspect of the policy making process. In the absence of such education, all Americans can become altogether too dependent upon the expert since we will be dealing with highly sophisticated bodies of scientific knowledge in the environmental era.

Unless a sound scientific basis for environmental policy is established, irreparable mistakes will be made by well-meaning people. Witness the present predicament of the Trans Alaska Pipeline and the activities associated with it. To what extent are the arguments advanced by both sides of the controversy based upon sound ecological foundations? Consider the South Carolina situation in which the chemical plan proposed for the tidewater threatens to become a casualty of a controversy which appears to ignore the scientific facts about the pollution of the Edisto estuary.

It is necessary in the environmental era that the policies planning process have a sound scientific base. Fortunately, the ecological system is subject to scientific inquiry and study, and environmental policy can be quantified. Recognizing there will be always an emotional element involved in environmental matters, maybe such subjectivity can be molified by scientific objectivity based upon a sound environmental education as proposed in the "Environmental Quality Education Act."

As an emphasis upon economic growth is replaced with a dedication to environmental quality, the need for understanding the ecological system suddenly emerges. Consequently, it is important that education to enhance everyone's understanding of the ecological system be made available soon. Environmental teach-ins and Earth Days emphasize the crisis; serious study will be necessary to correct the conditions confusing the ecological systems of this country.

Such education is important in the public schools, at the undergraduate level of the college, or at the graduate level of the university, but it is even more important today outside the walls of academia, among the citizens with the ballot, and the government officials and legislators who determine the direction of environmental policy. In the immediate years ahead, it will be obligatory to educate Americans in order for them to deal with the policy issues to be produced as the energies of economic development demanded by the American system degrade the quality of the environment.

Let me illustrate how the "Environmental Quality Education Act" might be implemented by using a program in present preparation for the Mid-South this coming year. The purpose is to produce a Mid-South environmental policy. The new knowledge and recent research into the nature of the ecological system will be presented to the Conference by the leading environmental scientists. In the course of the Conference, teams of task forces will seek out existing environmental problems. Each team will be accompanied by scientists and lawyers; scientists to establish the scientific nature of the problem, and lawyers to learn if any laws are available to be applied to this condition. In this manner, the Mid-South ecological system can be examined scientifically, and its problems probed in the light of the newest knowledge.

Inevitably, an advancing America moves into what has been called the environmental era. Its people have not been prepared to assume the intellectual responsibilities of the era. The "Environmental Quality Education Act" would assist in preparing all Americans for the intellectual challenges confronting them as citizens in the years ahead.

ENVIRONMENT, EDUCATION, AND HUMAN VALUES

(An address by Congressman JOHN BRADEMAS, St. Louis, Missouri, April 19, 1970.)

It is altogether fitting that an Annual General Conference of the United Methodist Church should be taking place during the week when, in thousands of communities across the United States, we shall be observing Earth Day—a day designed to dramatize the importance of learning a reverence for the inter-relationship of all living things.

I want to talk to you today from the perspective of a Member of Congress who sees in some of the activities that have led to the Environmental Teach-In some signs of hope at a time when many despair—some signs of hope for our country and for mankind.

For I want to suggest to you that the awakening concern, especially of young Americans, to the dangers to our environment goes far beyond protests against the pollution of land, air and water.

ENVIRONMENT AND SENSITIVITY TO LIFE

I believe that the rapidly rising awareness of the environmental crisis reflects a deepening sensitivity to the fundamental values of human life.

Indeed, it seems to me not too much to say that if we do not allow the current intense preoccupation with the issue of ecology to fizzle out and wither away, the new awareness of the deteriorating environment and of its implications for the future of human life can have a profoundly regenerative effect on every aspect of our society.

You have all heard descriptions of the ways in which we have befouled the environment of which we are a part.

Few persons, however, have so eloquently summed up the situation than the distinguished contemporary American printer, Robert Motherwell, who appeared before my Congressional subcommittee last month.

Here is what Robert Motherwell said:

"I suppose America began as a few people on a vast tract of land, so vast that one could be as greedy and wasteful as one wanted, and there was still more. That time is gone. Now there are millions of people and millions more in the offing, and that vast land is becoming more like the scale of a park humanly speaking, but a park filled with waste—rusting cars, bottles, garbage, enormous signs seducing you to buy what you

XUM

don't want or need, housing projects that don't show a rudimentary sense of proportion in any shape or line or material—suburbs that are a parody of the barrenness of the Bronx and the gaudiness of Las Vegas.

Indeed, if God had said to a group of men, "Here is a vast park of millions of square miles. Let's see how quickly you can cover it with everything that is an affront to the human spirit, and above all be certain that it is done on a scale of such extravagance and waste and lack of regard for the sensibilities of the inhabitants of the other parks in the world, then we might by definition call that group of men that God so addressed Americans.

"No wonder our youth are up in arms! . . ."

What is to be our response to this frontal assault on what Kenneth Boulding, in that apt phrase—all the more apt after the events of last week—called "Spaceship Earth".

Senator Edmund Muskie and Senator Gaylord Nelson and many other in Congress have helped write a whole series of measures aimed at strengthening our capacity to protect the environment and prevent its pollution.

And I am a strong supporter of these efforts—and I am sure you are too.

Yet I venture to say—and I do not think any champions of clean air, land and water would disagree—that if we are to be able to make substantial advance in meeting the ecological crisis, we are going to need a citizenry informed and educated about the whole spectrum of issues that are called environmental—and we are going to need as well changes in basic attitudes toward the environment and man's place in it.

ENVIRONMENTAL QUALITY EDUCATION ACT AND FUNDAMENTAL VALUES

This is why several colleagues of mine and I introduced last year the Environmental Quality Education Act—a bill that would authorize Federal funds to support elementary and secondary education courses in environmental studies, adult education and community conferences on ecology, as well as curriculum development and teacher training in environmental studies.

We have held several days of hearings in Washington and in New York on the bill and hope to complete hearings with testimony later this month in Idaho and California.

I must tell you, however, that we chose as witnesses for the first day, in addition to an ecologist, a painter, Robert Motherwell, and a theologian, Dr. Joseph Sittler of the University of Chicago Divinity School.

We asked Mr. Motherwell and Dr. Sittler to lead off hearings because we wanted to establish at the outset that in discussing the environmental crisis, we were talking about far more than dirty air, land and water.

Rather we were discussing the fundamental values of human life.

As Professor Sittler said:

"What man does with the world-as-nature is a result of what he *thinks* about nature; it is shaped in the profoundest care of what he *feels* about the natural world, what evaluation he has of the world of things and plants and animals.

"If the world of the not-self is felt as a mere resource to be used it will surely be abused; if the world is regarded as a gift, a wonder, as a reality having an integrity of its own—it will be rightly used.

"That proposition is swiftly and powerfully true: and our present ecological crisis is a result of the denial of its truth. For nature, though often silent is not without power to condemn as well as power to bless man. And when man so uses nature as to deny her integrity, defile her cleanliness, disrupt her order, or ignore her needs—the reprisals of insulted nature take an often slow but terribly certain form. Nature's protest against deflement is ecological reprisal."

If, then, there is one theme that has emerged again and again during our hearings on the Environmental Education bill, it is that we must have basic changes in values and in attitudes toward our society.

To be specific, "We must," as John Kenneth Galbraith has said, "explicitly assert the claims of beauty against those of economics. That something is cheaper, more convenient or more efficient is no longer decisively in its favor."

THE EXPANDING GNP

To put the point another way, we can no longer worship the golden calf of a constantly rising Gross National Product as if a constantly growing economy were somehow an objective to which man had been divinely admonished.

Let me here add that I am not one of those who believe that we can conquer the problem of pollution by reversion to the view of the Luddites.

It is, for reasons I shall here not go into but which are cogently presented by Edwin Dale in this morning's New York Times Magazine, going to the impossible greatly to slow the rise in GNP in this country.

And moreover, technology, as Senator Muskie said only yesterday in New York, can and should be harnessed to help provide a better quality of life for the people of our country.

So I do not suggest that there are easy answers to the three-fold dilemma of maintaining a high standard of living for most Americans, expanding economic opportunities for the poor, and still protecting the environment.

Surely, however, we can make no headway in resolving this complex of problems unless we begin to change our attitude toward the environment.

And this is why I believe we must attend to the words of Rene Dubos in his superb essay, "A Theology of Earth," in which this distinguished scientist reminds us that although in the first chapter of Genesis man is instructed to populate the earth, subdue it, gain dominion over it, in the second chapter man is instructed to take care of the earth.

"There was a time," says Dubos, "when it was advantageous to increase the population to utilize the resources of the earth and thereby to create social life.

"Now that this phase is completed and we have gone beyond it, the attitude expressed in the second chapter of Genesis is the one really relevant to our present condition."

As one listens to the voices of such men as Motherwell, Sittler, Dubos and many others, does not one come to this conclusion—that if we are to develop effective ways of coping with actions that destroy nature, we must have what is basically a religious attitude toward the unity of all life—of man and things and plants and animals?

A THEOLOGY OF ECOLOGY

Do we not in short need a theology of ecology to help man realize the sacredness of the relationships among all living things?

I believe that the answer to this question is yes—and that in addition to teaching ecology in the schools to our children and in the community to adults, we must begin to shape a theology of ecology.

And because religion touches on every dimension of man's existence, the churches should be in the forefront of developing a religious ethic for the environment.

As Dubos puts it, we must identify the best vocation, or divine calling, for the different parts of the earth.

But even as we heed the warnings of the ecologists about the future of man on this planet, let us hear another voice.

It is that of a woman who has been described as the "world's scrappiest anthropologist," Margaret Mead, who also appeared a few days ago before my subcommittee to testify on the Environmental Education bill.

Said Dr. Mead, "I think it is very important that unless we talk about people who are suffering now, we cannot expect anybody to worry about people who are going to suffer later."

". . . Because as long as we tolerate hunger in the United States . . . who is going to worry about pollution or ugliness of the environment fifty years from now?"

As the word is today, Right On!

Indeed, many of the speakers at this meeting tonight are addressing themselves to precisely this question:

THOSE SUFFERING NOW

What is to be done about *people* who are *suffering now?*

I shall not of course in my remaining moments attempt to review with you all the other problems that afflict the American people in addition to the sins we visit on our own environment.

The problems of adequate health care, housing, job opportunities and racial discrimination—these are only four of the most important areas of unfinished business on our national agenda.

Nor are the problems of which I speak confined to the blacks, the Indians, the Mexican Americans and other minority groups in the United States.

The lack of health care, for example, and of housing at reasonable cost reaches into the great not-so-silent majority as well, while the current slowdown in the economy is beginning to touch the lives of many workers and their families who would on no sociologist's chart appear as "disadvantaged".

But there is one subject of which I do want to say just a few words because it is one that tells much about where our country is now and where it will go in the years ahead.

THE ADMINISTRATION AND EDUCATION

I speak of education—of good education and of access to it.

Let me, as a Congressman whose last eleven years as a member of the House Education and Labor Committee have been largely devoted to legislation aimed at improving the quality of our schools and colleges and universities and at enhancing access to them, assert that education and the role of the Federal government in supporting it represents one of the principal battlefields in Washington today.

Let me assert further that the Administration of Richard Nixon has become enemy territory for all those concerned to strengthen education in the United States and not to weaken it.

When Mr. Nixon was elected President, he named a task force of top experts on Education to advise him on what he should do in this crucial field.

His own counsellors, led by Alan Pifer, President of the Carnegie Corporation, warned the new President in words of extraordinary bluntness: "Speaking frankly, we do not believe that President-elect Nixon with all his varied and high qualifications for office would at present by most Americans be considered to have the kind of special concern for education that the times require."

Since his inauguration one year and a quarter ago President Nixon's policies with respect to education seem almost entirely directed toward proving the validity of this stark judgment on the part of his own advisors.

I think it is fair to assert that, on the basis

XUM

of the record so far, no Administration has been so hostile toward education since the Federal government has begun to play a significant role in education as has the Administration of Richard Nixon.

When Congress last year, with majorities of both Democrats and Republicans voting for the action, voted to add $1 billion to the budget for education, Mr. Nixon vetoed the bill.

When 80 members of the House of Representatives introduced legislation to help schools teach about the dangers of the abuse of dangerous drugs, the Administration witness testified in opposition to the bill—the House later passed it unanimously. But the Nixon Administration has not yet reversed its position.

Last week the Administration sent witnesses to Capitol Hill to urge a higher education program which can mean a tripling of the costs of college education for thousands of college students as well as the death of a variety of Federal programs vital to the strength of higher education in the United States, including aid for building classrooms, libraries and laboratories; grants for basic library resources; and support for language and area studies.

In the field of elementary and secondary education, the Administration has called for shap cuts in funds for hard-pressed local schools and has had the gall to announce a "Right to Read" program at the same time that it is opposing all funds for elementary and secondary school library books.

They want to teach people to read; they just don't want them to have any books.

And only a week ago, the United States Civil Rights Commission, chaired by my own distinguished constituent, Father Theodore M. Hesburgh, President of the University of Notre Dame, attacked President Nixon's March 24th statement on school desegregation as "a major departure from the policy of moving toward integrated schools."

A year ago, President Nixon said that "so crucial is the matter of early growth that we must make a national commitment to providing all American children an opportunity for helpful and stimulating development during the first five years of life."

Now, a year later, the Administration has just announced a cutback of funds for Headstart Programs and Administration witnesses have testified in opposition to my bill, which has bipartisan support, to provide comprehensive preschool, day care and other early childhood programs for all American children.

I could give you other examples but my point is simple: it is that this Administration has almost totally abdicated leadership in an area most crucial to the future of our society—investment in the most valuable national resource of any society—educated men and women.

What are we to do?

We might, I think, take a cue from the new surge of concern about the environment, the new awareness of which I spoke earlier.

THE POSSIBILITY OF CHANGE

For ecology is not confined to man's relation to nature; it involves his relation to other people as well. Therefore, our preoccupation with how our land will look half a century from now should enhance, not diminish, our efforts to meet the urgent needs of our people here and now—in the years and in the decade immediately ahead.

It seems to me, then, that we should give serious attention to the thesis set forth this week by the distinguished economist, Robert L. Heilbroner. Mr. Heilbroner writes: "The ecological enthusiasts may be right when they speak of the deteriorating environment as providing the *possibility* for a new political rallying ground.

"If a new Deal capable of engaging both the efforts and beliefs of this nation is the last great hope to which we cling in the face of what seems otherwise to be an inevitable gradual worsening and coarsening of our style of life, it is possible that a determined effort to arrest the ecological decay might prove to be its underlying theme.

"Such an issue, immediate in the experience of us all, carries an appeal that might allow vast improvements to be worked in the American environment, both urban and industrial.

"However slim the possibility of such a change, it does at least make the ecological crisis, unquestionably the gravest long-run threat of our times, potentially the source of its greatest short-term promise."

It is my hope that the churches of our land—and of course our own church included—will not be found wanting in helping us meet so grave a threat or realize so great a promise.

For as the second chapter of Genesis reads: "And the Lord God planted a garden eastward in Eden; and *there* He put the man whom he had formed . . . to *dress* it and *keep* it."

DEMOCRATIC PARTY OF ST. JOSEPH COUNTY, IND., CONDUCTS COUNTY CONVENTION

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, one of the results of the controversial Democratic National Convention of 1968 was the recommendation that efforts be made at every level—local, State, and national—to open party structures to new people and new ideas.

Mr. Speaker, I am very pleased to see that the Democratic Party of St. Joseph County, Ind., my own home county, has taken these recommendations seriously. The result has been a series of actions which I believe will be of interest to all persons, both Democrats and Republicans, concerned with making our two major political parties more responsive and effective instruments of our democracy.

Although, Mr. Speaker, the recommendations contained in this report apply to the Democratic Party, I think it quite obvious that many of these recommendations will be of interest to and possibly adaptable for the use of local Republican Party organizations in the United States. If so, so much the better for them. The question of improving our party structures in this country and making them more democratic—with a small "d"—goes beyond partisanship.

Some months ago Mr. Ideal Baldoni, chairman of the Central Committee of the Democratic Party of St. Joseph County, announced the appointment of a Democratic study group composed of a large number of persons representative of every group and viewpoint within the Democratic Party of that county.

The members of this study group labored long and hard to develop a number of recommendations aimed at making the party organization more responsive to the will of its members, with particular attention to the importance of encouraging young people to play an active role in the party activities.

One of the principal recommendations of the St. Joseph County Democratic Study Group was the adoption of a convention, the delegates to be composed of precinct committee men and women. The convention would assume the responsibility of recommending qualified candidates for nomination to public office at the primary election, which is the procedure by which most nominees are chosen under Indiana law.

I am pleased to report, Mr. Speaker, that on April 19, 1970, the first St. Joseph County, Ind., Democratic Convention was held and that precinct committeemen and vice committeewomen from throughout the county participated in the selection of candidates who would receive party support at the forthcoming primary election on May 5.

I take this opportunity to commend Chairman Baldoni, the other officers of the St. Joseph County Democratic Committee and all of the members of the St. Joseph County Democratic Study Group who took part in the preparation of the report which was issued at the recommendation of the county convention.

Mr. Speaker, at this point in the Record, I insert the text of the St. Joseph County Democratic Study Group report to which I have referred:

REPORT OF DEMOCRATIC STUDY GROUP OF ST. JOSEPH COUNTY, IND., 1970

INTRODUCTION

The Democratic Study Group in St. Joseph County, like its counterparts on the State and National levels, is an outgrowth of the ferment within the party which surfaced at the Democratic National Convention in August of 1968.

That extraordinary political year brought great numbers of Americans into politics for the first time and demonstrated the effectiveness of committed young people and amateurs as "politicians". Most of the new politicians sought a home in the Democratic party. Most of the pressure for change was within the Democratic party.

Yet, when new ideas were presented, policy changes suggested or issue joined over existing policy, many Democrats, new and old, found their party resistant to change and innovation. Archaic State laws, creaky internal party machinery, the seniority system and a "don't rock the boat" attitude, combined to make the party unresponsive to the popular will.

We lost a presidential election in 1968 but we gained the determination to examine our problems and to correct them.

We are advised that the local Democratic Study Group is the only one in the country on a county level. The fact that any county level study is being done is a credit to Chairman Ideal Baldoni who commissioned the work and gave us direction and advice.

The work began in the Spring of 1969 identifying areas for study in consultation with party leaders and office holders. To secure the views of a wide cross section of interested Democrats a large organizational meeting was held in the Summer. Well over one hundred party leaders and workers attended. Subcommittees were formed to concentrate their attention on one area of interest. The subcommittees, generally composed of about twenty members each, met frequently and devoted countless man-hours to thinking through problems and examining alterna-

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tives. They then reported to the Study Group. This report rests upon that broad base of thoughtful effort.

Democrats should not be dismayed by the ferment and pressure for change within their party. Its vitality and sensitivity to the general welfare are proven by that ferment. No corresponding self-examination is taking place in the Republican party. In 1913 Woodrow Wilson said that the Republican party had not had a new idea for fifty years. It is now more than one hundred years.

In a democracy, political power must be linked with responsibility, and is constantly obliged to defend and justify itself within the framework of the general good. Good government must be the purpose and goal of the Democratic party; government concerned with the general welfare and responsive to the will of its citizens. So too, must the Democratic party be sensitive to the issues confronting Americans and responsive to the wishes of all Democrats.

We present our recommendations.

THE YOUNG AND ISSUE ORIENTED POLITICS

Today, more than one-half of all the people in the United States of America are under twenty-five (25) years of age. Sixteen million new voters will be eligible to vote in their first presidential election in 1972.

The statistics never fail to amaze; we are a young nation, and growing younger.

There are almost seven million college students on the nation's campuses. Over three million of them are eligible to vote. Administrators at Indiana University, South Bend, advise that they expect an enrollment of over eight thousand by 1975.

Only one conclusion can be drawn from the population statistics. The political party which ignores the young ignores its own future and may well forfeit its very existence.

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In attempting to attract young voters, the Democratic party has a distinct advantage. The age group under thirty has consistently favored Democratic candidates in recent years and a large majority of the under thirty vote was in the Democratic column in the four presidential elections prior to 1968. Voter preference surveys (Gallup) taken in 1965 indicated that at that time 48% of the voters under thirty were Democrats, 30% were independent and 22% were Republicans. By September of 1968, fully 40% of the voters under thirty years of age classified themselves as independents, while 38% were Democrats and 22% were Republicans. It is interesting to note that while the Democratic party lost some ground in the three-year interval, it was lost to people who classified themselves as independents. Those voters under thirty who identified with the Republican party remained a consistently low 22%.

How can the Democratic party attract the young? First and foremost, the Democratic party will attract young people when it becomes issue oriented. When it takes positions and vigorously champions them, especially those issues which most closely touch the lives of young people. Young Americans are idealistic. They deplore hypocrisy. They are moved by the great issues of the day and by political leaders identified with those issues; political leaders who are candid enough to "tell it like it is" and forthright enough to take an unequivocal position.

If young Americans are cynical about politics and the chances for reforms through the Democratic process, it is because we have made them that way. Many young people rightly view the political parties in the terms that we have come to let characterize them; "the machine"; "the smoked filled room"; "bossism"; "patronage". The young see quite clearly that we have largely forgotten that politics and political parties should be instrumentalities for good government: delineating issues, developing new and talented candidates and advancing programs for the common good.

If we are to attract the support of younger voters the Democratic party will have to become issue oriented rather than patronage supported.

If 1968 taught us anything it is that young Americans are interested in politics and constitute a tremendous untapped natural resource which could be available to the Democratic party. There is sufficient manpower on the college campuses to ring every doorbell, talk to every voter and perform the myriad of other jobs necessary to the success of a political campaign, if the commitment is aroused. St. Joseph County is blessed with an abundance of student manpower on its college campuses.

Young Democrats should be involved in the affairs of the party as party leaders and as candidates. Talented young people should be encouraged to seek elective office as Democratic nominees by the party leadership. Young people should be encouraged to get in on the ground floor, and to work at the precinct level. They are more willing to do volunteer political work than their older brothers, (Gallup Survey) and just as willing to contribute money to the party.

The Democratic party should continue to support and work for a lowering of the voting age to 18 or 19. Additionally as young adults comprise the most mobile segment of a highly mobile American population, the Democratic party should work for the reduction of long State residence requirements for voter registration (one year in Indiana and thirty-one other states) and the complete elimination of such residence requirements in federal elections. To quote George Gallup:

"Young adults, those twenty-one to thirty years of age, embrace the highest percentage of non-registered citizens. . . . Unfortunately for the Democrats, persons in this age group have consistently favored Democratic over Republican candidates in recent years.

"Gallup studies have shown that it is not lack of interest which keeps persons in this age group from registering so much as residence requirements of the various states. As a group, young adults are highly mobile. In fact, one survey revealed that four in ten had moved their place of residence within a period of twelve months.

* * * * *

"Democrats suffer more than do Republicans from low voter registration. When a sample of the twenty-nine million non-registered voters is examined, twice as many are found to have Democratic leanings as Republican."

The same issues which affect all Americans affect the young but in many instances touch their lives more intimately. They, like all of us, desire a world at peace and decreased military spending. They need low cost housing and access to jobs. They desire an equitable military draft law, fairly and evenly administered. They need increased educational opportunities. They are concerned with the quality of American life.

The Democratic party is the natural home for young Americans because it has always been the party concerned with the needs and welfare of all Americans. They want to join us; we only need to invite them to participate.

PARTY STRUCTURE

The future role of the Precinct Committeeman was a dominant theme throughout discussions of internal party structure. Precinct Committeemen of long tenure felt their views and the views of those of their constituents were infrequently solicited. They complained that apart from pre-election-day meetings, there was no regular forum in which they could discuss their problems and attitudes in their precincts. Conversely, they felt that the positions taken by the County Chairman and Central Committee in exercising party leadership were not adequately communicated to the Committeemen. In addition, members of the subcommittee, many of whom were introduced to politics through the presidential primaries and fall elections of 1968, thought that in order to involve the growing numbers of young voters, the party must in fact be an open one and must rid its sometime image of a "private club". Seeking the office of Precinct Committeeman should be a natural and obvious way to become involved and to have a representative voice. Yet too often the Precinct Committeeman was viewed as a mere cog in election day machinery. Thus there was general agreement that the Precinct Committeeman must have a real and evident role in party affairs and that communication between the "base" and leadership must be improved. To this end, several recommendations were made.

1. We recommend the establishment of a permanent party headquarters for the St. Joseph County Democratic Party.

A permanent party headquarters can play a vital role in serving the Democratic party. The headquarters should be staffed with a capable secretary. The headquarters should maintain a calendar of all events thereby enabling the scheduling of future party functions. The headquarters should serve as an office for the County Chairman and the Central Committee. A clipping file should be maintained at the headquarters to better serve elected officials and candidates with vital information concerning the community.

2. There should be regular meetings of the Central Committee and Precinct Committeemen and women.

Increased understanding of community problems and solutions can be obtained by instituting more frequent meetings of the Precinct Committeemen. These meetings should provide a forum where the party leadership can be apprised of the attitudes of the precinct organization and problems of mutual interest can be appropriately discussed. The role of the Precinct Committeeman must be enlarged if it is to be meaningful. We recommend that Precinct Committeemen be encouraged to actively participate in the regular meetings.

3. We recommend that the Democratic Party establish a newsletter for distribution to all interested party members.

A party newsletter issued as often as money permits and need requires should serve the function of providing deeper understanding of public problems confronted by the community. The newsletter will also enable information of a purely party character to be widely disseminated. The newsletter should be self-supporting with funds coming from interested Democrats. Ideally, residents of each of the county's precincts should be asked to make a modest contribution for the support of the newsletter.

4. We recommend the establishment of District Chairmen to assist the Central Committee.

District Chairmen chosen by the Precinct Committeemen and Vice Committeemen of the various districts should have the responsibility of seeking out qualified individuals to serve as Precinct Committeemen. They should also serve as a liaison between the Central Committee and the Precinct Committeemen of the various districts. District Chairmen could be effective in election day planning and could serve as coordinators for their district on election day.

5. The County Chairman should be compensated for the political work he does.

The County Chairman should be a full-time job in a County the size of St. Joseph. The individual holding the position should be fully compensated for his work so that he can devote full time to the job.

6. Fees charged convention delegates should be reduced.

If the Democratic party is to remain the party of all of the people, its State and National conventions must be open to people of modest financial circumstances. The ten dollar assessment charged delegates to the State convention is nominal but arrangements should be made to waive it, or pay it from party funds, in circumstances of special need. The five hundred dollar assessment charged delegates to the National convention is prohibitive for all but a few and should be drastically reduced.

CANDIDATE SELECTION

There was considerable agreement among the members of the subcommittee on Candidate Selection that the present and recent system of candidate selection has not always been adequate in providing good candidates. Specifically, the Committee felt that the older system of "slating" was inadequate because it took into consideration primarily the views of a few influential individuals and failed to provide an opportunity for a broad cross section of the party to express itself in candidate selection. The Committee felt that "slating" by a few is contrary to the best interests of democratic candidate selection and should be rejected. Similarly, the committee opposes the recent system of "open primaries" since, because of ABC voting, ethnic fragmentation and other problems, inadequate candidates may be successful in the primary election. The Democratic party has a responsibility to make candidate recommendations since the party is blamed when elected officials conduct themselves improperly. The process for making these selections should avoid the evils of "bossism" whereby a few make the choices and the opposite evil of "open primaries" where a candidate with a name falling early in the alphabet or an unknown and inadequate candidate can accidentally be nominated.

The Committee recommends that a "convention" method of selection be employed to select candidates. Precinct Committeemen and Women who are selected by all the voters of the community should be the delegates to the convention. Utilization of a convention would have the additional benefit of reinvigorating the role of Precinct Committeeman since this individual would be given a greater role in the decision making process within the party.

1. The party is encouraged to recommend and support candidates in primary elections.

The Committee is opposed to the so-called "open primary" and believes it essential that the Democratic party take the initiative in seeking out qualified candidates and supporting them in primary elections. Party responsibility for the actions of office holders is desirable but it can only be made effective if the party takes the initiative in recommending qualified candidates. Good government requires the participation of all segments of the community. The Democratic party must be receptive to qualified individuals from all segments of the community and should serve as a means of enabling qualified individuals to serve their community through success in the electoral process.

2. The process by which the candidates are selected should be democratic.

Candidate selection should not be made by a few individuals acting in the "back room". Instead, candidate selection for party recommendations should be made by a process in which a representative cross section of party members can have a voice in making the selections. Party Precinct Committeemen and Women should play a key role in candidate selection since they come from all segments of the community, are chosen by all the residents of their precincts each two years, and have a demonstrated interest in serving the Democratic party.

3. A party convention method should be used to make candidate recommendations.

A party convention, to be held prior to the end of the spring candidate filing period, would provide a suitable opportunity for the selection of candidates to be recommended in the subsequent primary election. All candidates interested in obtaining party support should be welcome at the convention. They should be given appropriate opportunity to seek support at the convention and upon completion of candidate presentations a secret ballot should be taken to determine the preferences of the convention. The County Chairman should have the special responsibility of seeking out capable candidates from all segments of the community and he should encourage them to submit themselves as candidates. He may recommend qualified candidates to the convention.

4. We recommend that candidates' names be rotated on the voting machines in primary elections to assure equal opportunity to all candidates.

The evils of the ABC's advantage should be eliminated. Other communities in Indiana rotate the names of candidates on their voting machines to prevent undue advantage accruing to a candidate because his names begins with a letter falling early in the alphabet. We believe all individuals should stand on an equal footing and that rotation will best accomplish this goal. Failing rotation by precinct, the subcommittee recommends the listing of names by random selection.

PARTY FINANCES

Any political party which is not well financed invites disaster on election day.

No matter how high the principles or how worthy the resolution of the Democratic party, if it cannot get its message across to the people it will fail on election day.

In the last third of the 20th Century there has developed among the electorate a dependency upon and trust of the mass media that makes it mandatory that a political party use these techniques if it wishes to win.

These techniques, plus the already heavy expense of other campaign activities which are also necessary, have placed a huge financial burden on the Democratic party. But to be successful a political party must find the money to effectively use the mass media and at the same time have funds to carry on the normal election activities.

Therefore, since a premium is placed on available funds the Democratic party ought to streamline its fund raising activities and at the same time tighten its financial bookkeeping so that the maximum amount of funds will be raised and they will be used in the most effective ways.

Therefore, the subcommittee on Party Finances recommends:

1. That one member of the St. Joseph County Democratic Central Committee be directly responsible for fund raising activities. He and his committee should conceive, plan, direct and carry out all fund raising activities of the Central Committee, thus leaving the Chairman free to give the party overall direction and leadership. The Committee should be as broadly based as possible, representing all segments of the community and the party.

2. That one member of the St. Joseph County Democratic Central Committee be responsible for keeping of the party accounts, and that his reports be distributed as widely as possible among party members.

3. That the St. Joseph County Democratic Central Committee form a committee of qualified party members to conceive, plan, budget and spend the funds during a campaign. This committee should be composed of the Central Committee, the candidates, party office holders and experts in the field of mass media and communications techniques. The entire committee should plan and review the expenses projected for a campaign and make value judgments as to the effectiveness and value of all campaign funds spent. It should also make as great a use as possible of computer technology and sampling techniques.

4. That the fund raising activities of the party be put on a regularly established basis in order to have adequate funds at all times. This should mean budgets for spending in on-election years and fund raising in these years.

5. That any fund raising be of such a nature that as many members of the Democratic party as possible can participate. Our party has always prided itself as being the party which best represents the interests of the people. Party fund raising efforts should reflect this fact.

SPECIAL INTEREST GROUPS

The subcommittee on Special Interest Groups began by questioning the wisdom of the often traditional approach to voters in ethnic, religious or racial terms. First, this approach was frequently found offensive by members of such groups. Second, members of the subcommittee questioned the effectiveness of such an approach today as opposed to former times. The foregoing, however, is not to deny the existence of discernible interest groups. But the common denominator today is less frequently one's ancestry and more often common problems and similar concerns over particular issues. The recent outcry concerning local budgetary cuts in mental retardation funds illustrates the existence and strength of issue oriented groups. This confirmed for the subcommittee the need for the local party to become more concerned with issues or else face the prospect of non-support and even active opposition from these increasingly powerful groups.

The subcommittee also noted that the growth in recent years of residential communities near the periphery of the city has created a new and large group known as the "suburban voter". Faced with certain common problems and concerns, the suburban voter is generally independent and responsive to issues and individual candidates, yet he has in a large part either been ignored by the Democratic party or conceded to the Republicans. The subcommittee felt this attitude to be both foolish and dangerous. While few straight-ticket Democratic voters may be found in the suburbs, neither are they automatically Republican. Where attempts have been made by individual Democrats to actively seek voter support in suburban developments, the results have generally been good. But such voters cannot be reached by Democratic candidates traveling the traditional campaign route. The candidates must appear at shopping centers in addition to factory gates and they must appear at community centers and "coffees" as well as Democratic clubs.

ISSUES

A political party, to be alive and vital, must face and offer solutions for the problems that are of concern to its constituency.

A political party can exist solely on patronage for only a limited time. A completely patronage oriented party soon loses its appeal to an ever increasing number of voters and eventually even patronage isn't enough to carry it successfully through elections.

For too long the St. Joseph County Democratic party has relied heavily upon patronage as a chief method of attracting voters to our candidates. This is neither desirable nor possible today. The more affluent our

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society becomes, the less the attraction of patronage and the greater the importance of issues.

What is needed in addition to patronage in our local political system is a greater orientation towards issues. These two facets of our political system must be brought into greater balance.

Both are important, for they essentially appeal to different, but often overlapping, parts of the electorate.

Therefore, to increase the role played by issues in the Democratic party of St. Joseph County we recommend:

1. That a permanent system of keeping records of public statements, speeches, newspaper clippings, radio and television recordings and other relevant material be established by the St. Joseph County Democratic Central Committee. The material collected should concern city, county, state and national issues.

2. That this material be available to all party members who wish to use it.

3. That the Democratic party Chairman or appropriate members of the Central Committee act as spokesman for the party in matters concerning issues that affect the entire party.

4. That a permanent broadly based committee be established to make recommendations on national, state and local issues in all areas that directly or indirectly have a bearing upon St. Joseph County.

5. That the party sponsor or encourage others to sponsor, conferences on the major, local, state and national issues of the day.

APPORTIONMENT

The Democratic Study Group heartily endorses the principle that each citizen's vote should have the same weight as every other vote. Conversely, each legislator should represent, as nearly as possible, an equal number of constituents. This principle of representative democracy found expression in the "one man-one vote" decision of the Supreme Court and is the law of the land.

In St. Joseph County, the County Commissioners Districts and the County Council are both mal-apportioned. We note that the Commissioner Districts vary widely in population. According to the 1960 census, the Western District Commissioner represents 16,359 people; the Middle District Commissioner represents 170,706; and the Eastern District Commissioner represents 51,549. These discrepancies have a ratio of more than ten to one. The County Council Districts are similarly mal-apportioned. New district lines should be drawn for both of these deliberative bodies. Since there is a general election this year, the new district lines should be drawn without delay so that any necessary changes in voter registration records may be made.

The Democratic party should maintain a constant vigilance to see that all deliberative bodies on the County and State levels are properly apportioned. The party should not hesitate to resort to the courts to vindicate this fundamental principle of representative democracy.

SPECIAL ORGANIZATIONS

St. Joseph County is perhaps unique in the State of Indiana for the large number of Democratic Clubs with which we are blessed. These clubs, many with their own buildings or club rooms, constitute an asset to the County Democratic Party which is not available to the opposition.

The Democratic Clubs serve a social function and are a source of fellowship and manpower. The clubs raise funds for Democratic causes and candidates; they provide a meeting place for party rallies and for meetings between candidates, office holders and the electorate. Their effectiveness often lies in their close communication with the people in the areas where they are located.

Historically, the Democratic clubs in this County have endorsed and advanced candidates and provided advice to the Central Committee. They should be encouraged in those functions. The clubs should also be encouraged to hold discussion groups and informational meetings to spotlight issues and inform their members and guests on the important issues of the day. Office holders, candidates and party leaders should attend club functions as often as possible, both to inform and to listen.

Campus clubs of Young Democrats should be organized and encouraged at Notre Dame and at Indiana University, South Bend. They should be involved in the councils of the party in a meaningful way, and when they are, will provide an important source of manpower for the work of the party.

The County Council of Clubs should continue to serve as a clearing house for information on scheduling of events and should furnish guidance and leadership to the clubs so as to enlarge their memberships and make them vital and active organizations.

ELECTION DAY PROCEDURES

Perhaps no one area can produce greater diversity of opinion than campaign procedures and techniques. No one knows for sure what is effective and necessary and what is merely out-worn tradition. The very nature of elections inevitably produces some uncertainty and there is a natural tendency to try everything and abandon nothing. Limited resources, however, demand that certain decisions be made. The subcommittee on election day procedures accordingly, made the following recommendations:

1. Greater discretion should be given to the individual committeemen as to the election day requirements of his precinct. Automobile rides to the polls are necessary in some precincts and superfluous in others. Rather than establish inflexible city-wide policies, committeemen should be free to fashion available resources to their most effective use within the precinct.

2. The practice of distributing materials at the polls should be seriously re-evaluated. A substantial number of the members of the subcommittee question the effectiveness of such election day distribution. Many felt it was of little value and if anything, alienated voters who had previously decided how they were to cast their vote. To be effective, distribution of materials should be done well in advance of election day by direct mail or in conjunction with door-to-door canvassing which proved successful in the Presidential Primary of 1968. Finally, there should be an attempt to limit the number of pieces of campaign literature which in recent years have grown to unmanageable proportions.

3. Greater use of modern polling techniques should be employed to evaluate the effectiveness of individual campaign techniques.

4. Communications with central headquarters should be improved so that precinct committeemen can quickly receive information to answer voter questions.

5. The practice of paying election day workers should be reconsidered. Several committee members noted the large total expense of such payments and suggested that precinct committeemen could in many instances recruit volunteers.

GAYRE ON BANTU AFFAIRS IN RHODESIA AND NEGROID-CAUCASOID PROBLEMS

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, the foremost remaining myth and superstition for civilized man to overcome is race and racial differences.

Sex, abortion, and the pill are commonplace conversation pieces but any exploration into race or racial differences remain a forbidden taboo to many.

Because the percentage of racial differences is constantly exploited by uninformed intellectuals in every discussion of Rhodesia, a mature understanding of Africa requires that information and knowledge of the Bantu be made available to overcome the prejudices of close-minded naivete.

Mr. R. Gayre of Gayre, a world renowned scholar, lecturer, and author of racial history and genetics, has favored mankind with a recent paper entitled "Practical Considerations Which Are Fundamental in Bantu Affairs in Rhodesia and for an Understanding of Negroid-Caucasoid Problems Generally." This work first appeared in the Mankind Quarterly for October–December 1969 and because of great demand has been reprinted by the Mankind Quarterly, 1 Darnaway Street, Edinburg 3, Scotland. Because Mr. Gayre's work is current and follows that of Dr. Jensen, I insert the full text to be reprinted in the RECORD for the consideration of all who can approach the problem of race with a desire for truth and honesty:

PRACTICAL CONSIDERATIONS WHICH ARE FUNDAMENTAL IN BANTU AFFAIRS IN RHODESIA AND FOR AN UNDERSTANDING OF NEGROID-CAUCASOID PROBLEMS GENERALLY

(By R. Gayre of Gayre*)

INTRODUCTORY OUTLINE OF THE POPULATION ORIGINS OF RHODESIA

From early times a Boskopoid population has been associated with Eastern Africa. After the Christian era, however, changes were developing which ended in altering the whole ethnic composition of Eastern, Central, and Southern Africa.

In the north-east of Africa there is in Nubia, parts of the Sudan, Eritrea, Ethiopia and Somaliland a group of peoples who are Cushitic (with an overlay in Abyssinia of Caucasoid Semitic). In my opinion all these are hybrid stock created by selection out of an amalgam of Hamitic Caucasoids, derived from the northern littoral of Africa, and an indigenous people of what I would generally consider to have been Australoid type rather than anything else. This region of north-eastern Africa is probably the furthest western extension of the Australoid type, which is traceable eastwards to the tribal peoples in the interior of India (Murias of Bastar), Ceylon (Veddahs), and so by stages to Australia, with a northern, more advanced and less retrogressed branch, represented by the Ainu of Japan, which separated from them probably in or near India, if it is not an intermediate stock between Australoid and Caucasoid.

Originally, south of these Cushitic peoples were the Cappoids. These were once distributed right across the Sahara which was then a savannah country. They were in two parts. The northern section would appear to have been partly crossed with Cushitic, and from them came the Hottentots. They may also have had some infusion of Malay or Indonesian which would reinforce the Mongoloid type derived from the Bushman. They were pastoralists, and probably owed the advance in civilisation which this represents over the hunting stage to this con-

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tact and absorption of Cushitic elements from whom they probably obtained their cattle. It is due to this infusion that we find elements in their language which some have believed to be Hamitic. South of these Hottentots were the Bushmen, a hunting folk, as they have remained to this day. Even in our times there are pockets of Bushmen-like people in certain parts of Somalia, remnants left behind in their subsequent general migration to the south. Consequently it is a mistake to think of the Bushmen as belonging to the Cape of Good Hope.[1]

Somewhere about the early centuries of the Christian era exotic food plants appear to have reached Eastern Africa, probably from Asia, and such countries as Malaya. It may be that very thin settlements of Negroid peoples had already come to occupy the wet littorals of the great rivers flowing from west to east, such as the Zambesi and the Limpopo. Nevertheless the land, in general, was not under Negro occupation. It was the home of the Cappoid peoples to whom we have referred, who were not interested in the wetter lands along the banks of such rivers. There was no such thing as a Negro occupation of Eastern Africa and such settlements as there were were only of this character—a thin line of dwellings in the valleys of these rivers. The new, intrusive contacts from the east brought to the mouths of these rivers new food plants. No doubt the newcomers captured such Negroid individuals as they could find immediately at hand in these riverine situations to work for them as their slaves. The new food plants were thereby sown by these Negroes. The food plants spread up the river valleys until eventually they entered the Negro zone of Africa which is in the Congo and Niger regions. Here they provoked a population explosion. Flowing north-eastward the expanding Negroid peoples reached the outskirts of the hard core of Cushitic peoples in the Sudan, Ethiopia and Somalia. They were thrown back, and, turning round, they began to move south along the eastern side of Africa.

In such a change of direction they pressed upon the Hottentots who, although a warrior people, had to retire before them simply because they, the Hottentots, were pastoralists. The agricultural Negroids took more and more land for cultivation, and being more numerous on the ground at any single place than the pastoralists, who are always scattered over large areas, they forced the Cappoids to retire before them.

Meanwhile the pastoralist being, in his turn, stronger than the hunting groups, we find that the Bushmen retired before the Hottentots. Thus began the steady creep of Bushman, Hottentot, and Negroid down the eastern half of Africa.

It was, therefore, in this order that we find the influx of people into Rhodesia at a much later period of the Christian era. We know that when the Portuguese arrived at the end of the fifteenth century the Negroids had only reached the Limpopo. Therefore, it is possible that they crossed the Zambesi in the twelfth or thirteenth centuries at the earliest, and they could not have reached the borderlands of Cape Province much before 1650 to 1700. This accounts for the fact that when the Portuguese, and much later the Dutch, arrived they found only Hottentots and Bushmen at the Cape of Good Hope.

The result of this series of migrations is that in Rhodesia at the present time there are only Bantu tribes of Negroid origin. However, sight must not be lost of the fact that often individuals have a yellow or tawny skin—a very frequent phenomenon in the Transvall—which must be derived from a Cappoid origin, especially where accompanied by pepper-corn hair rather than an evenly covered head of frizzy hair, and by short legs and, in the females, enlarged buttocks.

In addition there had been a migration southwards of pre-Islamic and later Islamic Arab Caucasoid peoples along the coast, and probably some Ethiopic elements overland as well—a subject which has and is being dealt with elsewhere. The result of the former is seen in the frequent occurrence of people of lighter skin, Dinaric, Armenoid, or Eastern Mediterranean shaped noses, and other features such as thin lips and noses to be associated with the Caucasoid races, and in this case, no doubt, due to infiltration of such stocks of Arabs, Persians, Indians and other peoples.

I associate this intrusion with the development of gold mining and trading by Caucasoid peoples who were, ultimately, responsible for the Zimbabwean civilisation. Later from the Portuguese, the Dutch, and the British Caucasoids there came the White peoples who now occupy the country.

From the background of this complex ethnology, speaking in general terms, one can say that we have a Negroid stock (mixed as it may be, as we have shown) and also a Caucasoid stock in Rhodesia. It is, therefore, desirable to consider the differences which exist between these two strains. The tendency today is to minimise racial differences, but if we do not take into consideration such differences we will be in danger of drawing false conclusions and inferences through our wrong assessment of the mental and physical traits of each stock.

DIFFERENCES BETWEEN THE CAUCASOID AND NEGROID RACES

Although, as we have just observed, the tendency today is to minimise racial differences, or even allege they do not exist, nevertheless at one time is was taken as axiomatic from general observation that there were fundamental differences between these two big branches of humanity. These were considered to be not merely of a physical nature but also of a mental nature. This is in sharp contrast to what we find today when there are strong pressures which have been developed to deny this. They are ethical and political in origin, and are not based upon either general or detailed scientific observation. It is such thinking that exists behind the Race Relations Act of Parliament in Britain. This was challenged successfully in the race relations trial in the High Court of England before the Assizes at Lewes in 1968.[2]

Therefore, since this is a very significant matter in our times, I want at this stage to go over briefly some of the evidence which makes it clear that there are considered differences betwen these two stocks, quite apart from those of manifest colour and other readily discernible traits such as the shape of nose, lips, bodily proportions, and so on.

Take, for instance, the ability to taste phenylthiocarbamide (PTC). We find that PTC can be detected by an average of 71 per cent of Caucasoids and peoples related to them and by 94 per cent of Negroes. This means there is a difference in our all-tasteing ability between the two stocks which could have social consequences.

When we come to the question of the frequency for the cde blood group—the Rh negative—we find among Caucasoids it is 25–46 whereas among the Negroids it is 4–29. But in respect of Rh positive we find cDe 1–5 in the Caucasoids compared to 34–82 in the Negroids; and CDe is 39–55 in the Caucasoids to 0–21 in the Negroids.[3] When we realise that it is these blood groups which are concerned with Rhesus compatibility or otherwise it is clear that these differences are highly significant and have a very direct bearing on the well-being of society. It suggests that in racial crossing, for instance, we may expect a high degree of personal tragedies for the White partners in such matings.

In the matter of sickle cell anemia we find when this is homozygous that it results in this disease. It is found almost exclusively in those of Negroid ancestry.[4] There are subtle differences in a host of other ways. For instance, to mention only one other, the Negro skeleton is denser on the whole than that of the Caucasoid.[5]

It has often been observed that there is a difference of a very marked degree between the Caucasoid and the Negroid stocks in the matter of foresight and of visualisation in three dimensions. This is extremely important because it is these qualities which make invention possible, since any new technological development must be conceived in the mind before it can be translated into the form of drawings, and ultimately materalise in the final product. This lack of a ready visualisation is the reason why we have no trace of any material invention which has been a step in the development of technology which can be attributed to the Negro brain and genius. All invention, so far as we can see, is due either to the Caucasoid or Mongoloid stocks of mankind. Since to create an urban society with building, planning, sanitation, and so on, requires the same qualities it is an observed fact that nowhere in Negroid society have cities arisen or buildings which require the minds of engineers and architects. The most which has been produced in the past has been a straw hut, or a fence to keep out cattle, or large kraals based on such units. Even where some small stone walling is found, as among the Vendas and Lembas in the Transvaal, it is among peoples who have been derived from the Zimbabwean culture, and who clearly have Caucasoid genes. This is proved by their features, and made certain by many of their religious customs which have obvious Semitic origins. (It is needless for me here to assert that the ridiculous claims made for a Bantu origin for Zimbabwe, Whami, Dhlo Dhlo, and the rest, have no foundation in fact, but are essentially propaganda for an ideological cause).[6]

Actually, the Negroid peoples have over countless ages of time been on the doorsteps of high civilisations, or within easy reach of them, and much closer to them than many of the more distant Caucasoid groups, and so were in a privileged position to have become advanced peoples very early if they had had the inclination and ability to move in that direction. Carthage, the White Libyans, ancient Egypt (all Caucasoid civilisations), and Ethiopia (a Caucasoid-Cushitic civilisation) were all very much closer to the Negroid peoples and easier of access as centres of advanced technology from which to learn than were Rome and Greece for the more distant Caucasoid peoples such as the north-west Celts and northern Germans and Gothonic peoples.

However, when we realise that the structure of Negroid thinking tends to eschew activities where planning and foresight are fundamental we understand why this should be the case, and so why they never took advantage of the opportunities which lay so close at hand.

Even to suggest, however, that there are mental differences in our times leads to an immediate hostile reaction. It is at this point that we find reiterated declamatory statements which are repeated in all media *ad nauseam* that there is no difference in the brain of these two stocks despite the fact that there is such evidence in the observations which I have just made of unequal differences of advance towards urban and technological civilisation. This must inevitably prove there are such differences, even

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if all anatomical investigation failed to find any.

However, lest anyone may think I am avoiding the evidence, I will mention just a few facts and authorities who have demonstrated that there are actually substantial differences in certain parts of the brains of these two stocks.

F. W. Vint,[7] when dealing with the supragranular or pyramidal cell layer, draws attention to the fact that "the average depth of this layer in the native is .70mm, whereas Bolton's figure for the normal European is .83mm. Thus the pyramidal layer of the native has only attained to 84 per cent of the development of the European. . . . The other outstanding feature of the native supragranular layer is the great number of small undifferentiated cells which are present in comparison with the number seen in the White brain."

This is clear enough. However, we know that it is in the frontal area of the brain, and particularly the frontal lobes, that we have the centres which appear to concern foresight, from that the faculty for taking care and precautions, and in fact for worrying. When this part of the brain is damaged, it is a known fact that the patient becomes inconsequential, feckless if you like, and ceases to take thought for the morrow. I doubt if any such patient will ever suffer from ulcers or coronary thrombosis. It is almost superfluous to ask experienced people who know the Negro in general to what races such an attitude nearest approximates.

Such stress diseases are not normal among Negroids since if left to themseves they do not attempt to provide for the future. Only now are such symptoms beginning to be found among them in the abnormal living conditions of the gold mines in South Africa. Owing to the American refusal to pay more than the 1934 price for gold of $35 an ounce many mines have had to close down. In order to survive many of the others have had to go to what would otherwise be considered abnormal lengths of mechanisation to improve efficiency. In this development the Bantu labourer has become the victim. Burdens are now placed upon his back which he would not normally expect to bear. In such a situation stress is induced by the drive for efficiency of which he is the victim—and he is beginning to suffer accordingly. However, these stress complaints which are now beginning to make themselves felt are different in their causes from those of the Caucasoids. These latter bring them about in a large measure from their voluntary striving to better themselves and provide for the future. They are not entirely due (as in the case of the Bantu) to external forces inducing worry and care from outside.

There is a difference of mentality (and consequent reaction to stress) in a sector of activity which is recognised as being closely related to the frontal lobes.

It is, therefore, not unexpected when we find that it is in this very character of the frontal lobes and frontal area generally that the Negroid brain differs from that of the Caucasoid, and I would suppose also from the Mongoloid. For R. Bennett Bean [8] made a study of Negro and Caucasoid brains and he found that the frontal lobes of the former were smaller on average. In the case of the Caucasoids he found that 66 had large frontal lobes as against 22 small, whereas in the Negro brains 106 had small and only 56 large.[9]

Franklin P. Mall,[10] working with a smaller number of specimens, did not confirm these findings, although he did verify and found correct the view that has been put forward by others of the smaller size of the Negro brain compared with that of the Caucasoid. As Professor Wesley Critz George,[11] in his succinct monograph on this subject, points out, a more extensive comparative study of the human brain has been done by Professor Cornelius J. Connolly,[12] who is professor of Physical Anthropology in the Catholic University of America. In this he draws attention to the pattern of the frontal lobes in the Caucasoid brains as being more regular than in the Negroid, while they are more fissurated "and there is more anastomosing of the sulci".[13] Commenting on this, and Mall's failure to confirm Bean's findings with regard to the frontal lobes Professor George says: "Connolly suggests the possibility that Mall's material might have been less representative of the Negro race, as no special selection was made of the material and it might have included mulattoes." Since this study was made in America (where by my observation a large proportion of the so-called "Negroes" are in fact Mulattoes) it would seem that this is highly probable. Any examination of the anatomy of the brain (without the most rigorous ethnological evaluation of the subjects in the first instance) must tend to minimise the differences. Nevertheless, despite this masking effect which has occurred in this case, it is evident that the differences are there, and in so far as they are, this is completely consistent with the mental traits which we observe in the Negroid populations, including the Bantu.

In all evolutionary and zoological studies the size of brain relative to size or weight is of crucial importance in placing each species or sub-species in its proper place in tables of advanced or less advanced stocks. I see no reason why, by the exercise of some magical formula, by some mystique of certain sociological thinkers whose evaluations in this field approximate to, and are as obscure as, those of the witch-doctor, these principles should be abandoned when we come to man. If that is so then the evidence in regard to Caucasoid and Negroid brain sizes and weights is of importance. The fact is that according to the various investigators there is an average difference in weight. The research worker who has shown the least to my knowledge is Mall.[14] Even he has shown that the average brain of the Negro differs in weight, being 100 grams or thereabouts less than the average of the Caucasoid. Since, as has been suggested, he may have had Mulattoes in his samples, this would mean that his samples would show less difference than those of others dealing with less mixed people. Nevertheless, while this would reconcile the findings, they are in themselves of marked significance. It is quite impossible to maintain that the brains are the same when we find a distinct difference of this kind.

It is relevant here to draw attention to the statement of Professor Carleton S. Coon [15] who says that the seat of the intelligence is the central nervous system and that the size of the brain is related to the "capacity for performance in thinking, planning, communicating and behaving in groups" and that differences are found in relative sizes of the lobes and surface areas of the cortex. That being so it is clear that the differences revealed by Bean, Mall, and others are highly significant.

Wilder Pennfield and Theodore Rasmussen [16] have referred to Brodmann's estimate which gives not less than 64 per cent for the total cerebral hemisphere as against 7 per cent as being hidden in the fissures in respect of the human and the lowest monkey respectively.[17] Now sulcification of the brain is the result of this enfoldment of the fissures and the degree of sulcification is evidence of development from one stage to another, or one type in respect of another. Thus it is that the fact that there is a difference as pointed out by Connolly [18] in the sulcal pattern of the Caucasoid and Negroid brain is of importance, for the fissuration of the former is more marked.[19] On the basis, therefore, that the greater the fissuration, which is the greater the degree of the cerebral hemisphere which is enfolded in fissures, the higher is the stock, we can infer that the White or Caucasoid strain is more advanced than the Negroid.

C. Judson Herrick [20] has made the point that the racial differences in mental capacity and attitude are to be correlated with corresponding differences in the bodily organisation.[21]

Professor George,[22] quoted Strong and Elwin,[23] says that the significance in the reduced supragranular layer of the Negro compared with the European (where it is of the order of about 14 per cent), shows that the layers involved are the latest to have arisen and are the most highly differentiated and most extensive in man.

Much more could be written on this subject on the evident differences in the brain between Caucasoid and Negroid, and to indicate what the significance of these differences are. The reader, however, is directed to Dr. George's work.[24] There is no doubt that the differences are important, and mean that the Black and White races have quite distinct traits in their brain formations, which influence very significantly the output and character and the modes of thought as well as their quality in each of these stocks.

If we now follow conclusions which several serious investigations have found arising from this difference of brain structure we may first of all quote Carothers,[25] who refers to the result of this difference in the frontal lobes to which I have referred by saying: ". . . . The African, with his lack of total synthesis, must, therefore, use his frontal lobes but little, and all the peculiarities of African psychiatry can be envisaged in terms of frontal idleness." [26]

The same investigator has also said of the Negro [27]

"The first and most striking point is a failure to see an event as an element in a total situation and as having a variety of relevant relationships.

"The second point is a continual tendency to follow routine procedures in an unreasoning fashion.

"The third point is a lack of interest and attention unless the situation appeals in a directly personal and emotional fashion."

This statement by Dr. Carothers was reprinted as a World Health Organisation monograph in 1953, but because of the political racist climate of our times, which is devoted to establishing a new kind of flatearthism, or a new form of thinking analogous to the geocentric astronomical theories of the Dark Ages, this led to an outcry and I believe that Dr. Carothers has been induced to modify or withdraw this statement. But one has the feeling that had not this pressure been generated it would have been allowed to stand. Withdrawal of such a statement in the circumstances has about as much validity as the withdrawal of the statements of theologians before the Holy Office of the Inquisition in the sixteenth century! However, we are not dependent alone on Dr. Carothers, for I would cite a continental scholar, Dr. Gérard Wintringer who writes [28]

"It is incontestable that the methods and means used to test the intelligence of the African Negro contain ample safeguards which permit us to accept the recorded results with confidence. If it is true that certain tests do not seem completely 'culture free' (Koh's Cubes and certain verbal tests) and that the number of subjects tested is insufficient, we can still conclude that the populations tested demonstrated a positive intellectual inferiority."

The same author continues [29]

"The intellectual inferiority of the Negro is explained by a mental behavior profoundly conditioned by an intuitive and concrete attitude, and directed towards the synthetic perception of the visual reality. Therefore

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XUM

most negroes are incapable of carrying out a mental process according to the classic method of abstraction, or of simultaneously handling opposing conceptual relations. For the Negro, visible knowledge appears to predominate over strictly intellectual knowledge. The actions of the Negro are less influenced by abstract reflections than those of the White."

This is really saying that the quality of Negro thinking is different from that of the Caucasoid to that degree that the frontal lobes and the fissuration of the brain is less, since it is these parts which in fact are believed to be associated with these very qualities which are here lacking or at least less developed than in other stocks. If, in fact, no anatomical investigation could show the differences to which we have drawn attention, on all *a priori* forms of reasoning they ought to do so or if not then there are some other inherent factors which must be involved in the functioning of the brain which must account for these wide differences between White and Yellow on the one hand and Black on the other.

So far I have not touched upon the results of intelligence tests. I will not go into them at this stage because I believe the evidence I have already advanced is sufficient. But if one is not satisfied one can take the corpus of work collected by Dr. Audrey Shuey in her book which has now reached a second edition.[30] The collection of facts is so overwhelming in its evidence that it leaves no doubt that there is a vast difference, on average, in the intelligence of the White and Negroid stocks.

It was with surprise that in conversation with a former head of the Social Anthropology Department in Salisbury University College on an occasion when I took a seminar of the staff and research members some years ago that I heard him say of Dr. Shuey's authoritative work: "We have it here in the University, but we do not recommend it because we do not believe it." I hardly knew if I could believe my ears. I thought of some professor of astronomy in the time of Galileo, questioned about the latter's heliocentric theories, and replying: "We have heard of these but we do not believe them"!

This is a work that will stand as the most profound one in this field of investigation. Dr. Shuey's survey covers 50 years of testing of Negro intelligence. As many as 382 studies are dealt with, and the number of differing tests employed are as many as 81. Hundreds of thousands of Negro children and adults have been examined from the United States, Jamaica, Canada and elsewhere. In so far as the tests involve the armed forces they are heavily biased in favour of the Negroes of America, since the American Negro soldier is selected more rigorously than the White man, and is, as a consequence, higher than average for his racial type. Even so the I.Q. tests in the First World War, for instance, gave the order of intelligence as Northern White, Southern (and Border) White, Northern Black, and Southern (and Border) Black. Where the Second World War is concerned the Negro soldier averaged from 25 to 30 standard score points below the white recruit.[31]

However, such studies are not isolated. We have a huge corpus of testimony all to the same effect. There is the outstanding work of Professor Henry E. Garrett,[32] Professor Stanley Porteus,[33] Leona Tyler,[34] and Professor Porteus and Marjorie E. Babcock.[35]

In addition, Dr. F. C. J. McGurk[36] has shown that when due weight has been given to differences of a social and economic nature the mean score for Negro intelligence tests was significantly below those of the Caucasoid, and what is more, the differences were greater, not less, in those subjects which were classed as least cultural. This led Professor McGurk[37] to conclude that as the social and economic status of the Negro is enhanced differences between the Negro and the Caucasoids increase.

This is confirmed by the author's observations in India when comparing the Hindus—a people of Caucasoid origin and Indo-European culture—with the black tribal peoples of Bastar in Central India—who are a matrix of Negroid and Australoid with some Caucasoid. The experience of the Hindu teachers was that, on average, from the age of eleven years the Black children were virtually ineducable compared with the light-skinned Indian children.

Recently, the Nobel prize-winner, Professor William Shockley, has indicated that there are substantial grounds for inquiry into the whole question of genetic differences in various segments of society in the United States of America, which means, in ultimate, not only between White slum dwellers and the White élite, but also between White and Black.

In his speech to the American National Academy of Sciences on the 24th April 1968 he made it clear that the concept that environment moulded human intelligence was an illusion. He added:[38] "The most dangerous illusion is 'there is absolutely no question of any genetic differential: intelligence potential is distributed among Negro infants in the same proportion and pattern as among Icelanders or Chinese or any other group.' The only reason that I do not characterise this statement as a lie, and in my opinion a damnably evil lie, is that I have no way to appraise the intellectual acumen of its authors. They may actually believe it."

He further adds that all the data leads him to conclude that the "major defect in Negro intellectual performance must be primarily of hereditary origin and thus irremediable by practical improvements in the environment."

Professor Arthur R. Jensen, of the University of California at Berkeley has carried out an extensive study[39] without relying upon some of the authorities we have mentioned in this paper and he comes to the conclusion that genetic factors are much more important than environmental factors in producing I.Q. differences."[40] He also draws attention to what we would associate with differences in the frontal areas of the brain, and that is that the American Negroes perform poorly in tests intended to measure abstract ability.[41] Furthermore, he draws attention to the fact that although the view that the Negroes have a lower scoring in intelligence tests has been denounced by some educationists, "they have neither contradicted nor discredited (it) by evidence."[42]

Recently Professor Sir Cyril Burt, emeritus professor of education of London University, has reiterated his views on the genetic basis of intelligence—which means that the well-established difference in I.Q. between White and Negro must be substantially due to hereditary and not primarily to social factors.

Mr. Nathaniel Weyl[43] makes a comparison of mental-test scores in his recent study of Puerto Ricans, American Indians, Mexicans, Oriental Americans, Negroes, and White Americans. Although the Chinese and Japanese immigrants to the United States came into the country as underprivileged people, not from the highest social strata of their own Mongoloid stock, it is they and not the Negroes who equal or surpass the White majority in performance. Even the underprivileged Amerindian shows a higher achievement than the Negro. Mr. Weyl says:[44] "Though ranking lowest in monetary income and economic status, American-Indians were found to rank closer to the White majority than to the Negroes in non-verbal mental-test scores. Despite low motivation Indians contributed proportionately twice as many professionals as did Negroes. The Negro ranks at the bottom in mental-test scores, representation in the professions and particularly in those professions requiring non-verbal reasoning of a difficult sort. . . . The Chinese-Americans are an outstanding elites."[45]

Not only, however, are there differences of intelligence but as Coon[46] has made clear there is a difference also of temperament. This is even observed within the various races and ethnic groups within such as the Caucasoid stock. The difference between the dour Scot and Dutchman on the one hand, and the excitable Maltese or Sicilian on the other, is not a matter of education but one of inheritance. It still survives among these stocks after they have migrated abroad and have been brought up in a different *milieu*, in different social, and educational systems.

This might not surprise us as the same thing is true in animals. Gun dogs, sheep dogs, and guard dogs are born not made by training or education, although this will, within the bounds of heredity, be useful as far as it can polish the natural aptitudes. When we are dealing with distinct stocks which have had a separate evolutionary history over a long period of time, that differences are hereditary would be self-evident in any other age than our own, which is preoccupied with denying heredity and emphasising the influences of environment.[47]

If we have a state of innate equality of potential in all human racial stocks (which would be very surprising as it is contrary to our experience with other living strains) then we would have seen at some stages in world history the evidence of this. At no stage from the prehistoric to the present has either the Negroid or the Australoid equalled, even for a brief moment, the record of the Caucasoid of Mongoloid stocks. There is every reason to believe that every technological advance from the first discovery of the use of fire and the techniques of flint chipping, to the taming of animals, the use of the wheel, the discoveries of metallurgy, the building in bricks and stone, and the creation of urban civilisation, has been the result of the mind of the Caucasoid and Mongoloid stocks of mankind. Yet this lag of the Melanoid races, when viewed from the standpoint of world history, has not been due to adverse conditions over much of that period. It was the Caucasoids and Mongoloids who suffered the catastrophes of recurrent ice ages. It was they who suffered starvation and cold, and not the two black stocks. Furthermore, it is well recognised that urban, technological civilisations, whether of the character of those of ancient Egypt or Babylonia, cannot arise until man has migrated from the cold into the warmer climates. A good example of this is in the case of the Americas. It is in Central America, not in the north, that the Maya, Aztec, and similar civilisations arose. Yet, the Negroid races throughout the whole of their evolution were living adjacent to such climatic regions, the occupation of which was a prerequisite for the development of advanced civilisations.

Therefore, when we consider all these facts, it is clear that we are not dealing with stocks of men who are innately and potentially equal—they are innately and potentially different, specialised for different functions and ways of life over several hundred thousand years of evolution.

Since we have established, for any reasonable person who is prepared to accept the overwhelming weight of evidence, the difference of physiology of the brain and the consequent quality and character of the mind, it is usual at this juncture to find that someone immediately suggests that the solution is to produce a cross-bred stock by encouraging racial miscegenation.

There are considerable objections to this solution even if it could be achieved. First of

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all if such a hybrid could be produced it would be at the expense of the qualities of each stock and not least those of the Caucasoids and Mongoloids. For them it would result in a general lowering of standards of mental activity and achievement, while the ecological balance of each stock with its own environment would be upset. However, putting this aside, it cannot be achieved unless selection of a kind reminiscent of the stockyard, with the destruction of the unwanted strains, takes place. For by the laws of Mendelian inheritance mixed stocks, unless influenced by some form of selection, breed back by genetic segregation to their original strains. That means in fact that out of a Mulatto stock there can emerge in process of time descendants who are Caucasoid and Negroid respectively. An instance of this is to be found in the case of some of the Afrikaner population of South Africa. There is no doubt, judging by the parish registers, that some of the early Dutch settlers married Hottentot slaves in the absence of White women in the early settlements. Yet, today, the amount of mixed blood in the Afrikaner or other European stocks in South Africa is very slight, and only in some individuals, whereas one would have expected, in view of the number of entries of this kind which are found, that it would be quite large.

The process which occurs in all such cases is that in the first place genetic segregation takes place, of which the simplest example is that illustrated by the classic example of the Blue Andalusian fowl, which is derived from the crossing of a White and a Black parentage. If these Blues are inbred the first generation produces 25 per cent offspring as segregated White (which breed truly white thereafter), 25 per cent Black (which are equally true in breeding) and 50 percent Blue, which, however, when inbred repeat again these proportions. Consequently after only a few generations for all practical purposes the crossbred Blue has disappeared. This process is more complex in man, and even more so in dogs, which have a bigger number of chromosomes than man, but nevertheless, inexorably, in process of time the segregation will occur except where actual hybrids are established by special selective processes.

In the course of this Mendelian inheritance it is possible to segregate out fixed hybrids which would be a new type if the methods of breeders are used, either in artificial selection, or again when the same process occurs in natural selection. But in the former case this is not done unless a decided advantage is to be gained through creating the fixed hybrid, which we have shown would not be so in the case of a Black-White hybrid. For such a hybrid would be bound to have a midway position in many characters, and since the brain and bodily functions of each stock are the creation of half a million years of evolution to suit particular environments and to be in ecological balance with them, all this would be shattered, and the hybrid could not hope to succeed. The White races are adapted, for instance, to cold climates. Their light skins (and often hair and eyes) are a decided advantage in permitting through absorption of sunlight the synthesizing of Vitamin D, which has enabled them to survive in the colder parts of the world. The Negroids have not needed this mechanism in their hot lands, and have not got, as a consequence, this mechanism. But without it any hybrid which did not possess this light skin could not hope to survive indefinitely in the cooler lands which are those best suited to be the centers of world power, energy, and technological dynanism. In addition, the wide nostril, greater number of sweat glands, and so on, of the Negroids would place them at a further disadvantage, and any hybrids which were evolved which possessed these traits would die out. Left to natural selection, therefore, there would be no future for hybrids who had traits from the other stock, as they must have in some organ or another, which was not suited to the environment in which they came to be located.

The way such a hybrid can be formed is seen if we consider the simple illustration of the inheritance of two unit characters, such as in a Black short-haired guinea pig crossed with a White long-haired one.

The first generation would be cross-bred with Black colour and short coat. When these were inbred we would get a graduation of sixteen genetic types, of which one-sixteenth would follow one of the ancestral parent stocks and another sixteenth the other. But there would be one-sixteenth which would be White with short hair, and another sixteenth which would be Black with long hair. These would be new hybrids which have been created. However, only if these new hybrids had some decided advantage would they survive. As we have already observed in man, owing to the complete ecological balance each great stock has with its natural environment and the specialised role which it has to fulfill, it is doubtful if the creation of such new hybrids could survive. In the past they have occurred. I believe that the Cushitic peoples are an example of this kind. Elsewhere I have called them a racial-breed, meaning by that that they present intermediate characters (as does any breed, for instance among animals) midway between two other stocks, in this case the Caucasoid and a Black one (which I think is Australoid rather than Negroid). In the case of this Cushitic type it lies in a geographical zone between tropical and equatorial lands in the south and the Mediterranean and temperate in the north, and so is in a position of ecological balance with its environment. Consequently this hybrid was able to occupy such lands not ideally suited to either the White or the Black stocks. But there are no more major zones where clearly demarcated stocks can be created and in which they can settle. Nature has created her hybrids only where they were needed. Therefore, it is unlikely that as any new hybrids arose from crossbreeding they would find places where their characters would be of advantage which would enable them to have any future.

Taking the example of the guinea-pigs as an instance of what happens when two stocks are crossed, we would have four-sixteenths which would be completely unstable, real mongrels which would, given the opportunity to do so, revert in due course by segregation to the original strains. There would be eight-sixteenths which would be stable for one character only and would breed true in respect of it but not the other, while on the other hand, one-sixteenth would breed true to each of the original strains and two would be entirely new hybrid ones. In such a situation as this there is no doubt that segregation would take place towards either the original strains or the two new hybrids, if the selective factors of environment would permit these latter to survive at all which is highly problematical. Assortative mating [48] as well as environmental selection would rapidly end by creating a polarisation round the four true breeding stocks, of which, in the end, only the original two strains would survive because they had been evolved previously to exist in ecological balance with their own environments. For instance, in man, if it were possible to produce a hybrid with half Negroid traits and half White (which would, of course, breed true) it is unlikely that it could compete successfully against the Nordic or East Baltic Caucasoids in Northern Scandinavia. Such a hybrid would die out.

From this the futility as well as the instability of any hybridisation attempts becomes quite apparent. Therefore, there is no solution in attempting to get rid of race by this means. For, instead of having achieved one intermixed race, we should have a mongrel matrix out of which breeding back to the original races would be occurring all the time. The mixed stock would be of varying unstable gradations from one type to the other and would be breeding back all the time, until in time we were left with the original races, the cross-breds having disappeared. Instead, therefore, of eliminating the racial problem by race-mixing we would find it would be very much there all the time and, what is more, the number of races might even, in certain circumstances, have been increased by the creation of new hybrid races to add to the difficulties which it had been intended to remove. Therefore, there is no salvation for man in the escapism from reality of racial miscegenation.

On the social and cultural side such an attempt could be disastrous. Traits which are in harmony between the specialisation of the type and its environment would have been broken up until, after a long painful process, genetic resegregation had again restored racial and ecological harmony.

To ignore wide racial differences, as exist between one major stock and another, or to see the solution of racial differences in intermixture, has no warranty from any of the facts we can gather from scientific data over a wide field of investigation.

Furthermore, the attempt to do this, which is inherent in much of the thinking of our times, and in some of the legislation in certain countries, leads to vastly complicated and expensive systems of administration. Yet, after all, and despite all, it is doomed to failure, simply because in the end Mendel is true and Lamarck is false. But an age based on Lamarckist fallacies, as our own is, is hard to convince of its own follies.

By enforcing integration of two or more distinctly different stocks insoluble problems in the fields of education,[49] public health,[50] and law and order [51] are created.

WHAT IS THE SOLUTION?

Since, therefore, we have established that the Bantu are a specialised group of racial breeds born out of the Negroid stock, crossed with some Cappoid, and since the Negroids, as a whole, have distinct differences not only in outward physical traits, but also in quality and size of brain which result in differences of mental and psychological outlook, it follows that any solution, if it is to be to their benefit, must be in terms of these facts.

Where two stocks of fundamentally widely different characters are in juxtaposition to each other, as the facts we have reviewed show to be in this case, there is no possibility of any conception of integration of the Bantu or Negroids as a whole being to their advantage.

Integration is primarily to the advantage of the European. For since the Negroid stock which has evolved is basically non-technological the Negro is not able to compete on equal terms, and the evidence shows that educational and technical advances tend to widen the gap between the Negro and the Europeans rather than to narrow it. This is, in any case, proved by our general experience. While America has placed men on the moon, the technologically backward African meantime has not even attained an industrialisation the Caucasoids achieved over a century ago. Integration, therefore, becomes solely or largely something which is to the advantage of the Caucasoid—or at least conceived to be to his advantage—on the short-term basis, for man's perspective and planning is rarely of a long-term variety. The Bantu provide a cheap source of labour in the homes, in industry, in commerce. A modiem

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Footnotes at end of article.

XUM

of the European's educational system better fits the Bantu (and this is true of the Negro generally) to perform this rôle of a servant. Because there is overlap in aptitudes and intelligence between these major stocks there will be some Bantu who will succeed in this urbanisation process, just as there are Europeans who fall economically and culturally below the Caucasoid average. But such are the exceptions and the mass of them should not be sacrificed on the altar of the advancement of a small élite which can thrive even in competition with the White man. In any case their talents should be given to their own people. It is there, among the Negroid peoples, that their duty lies, and they should be the leadership elements supporting and maintaining the Bantu masses in a *milieu* which is most beneficial to the majority. Integration produces a "brain drain" from the Negroid masses.

In the short term, integration is beneficial to the European as he makes use of this ready pool of labour at a time when he needs labourers and menial servants. The effect of this is to detribalise and denationalise, if it goes on long enough, the Bantu so employed and so deprive them of their own cultures. They become second-class citizens, even falling behind, economically confined to areas of poorer housing, and always made conscious, even when this is not the White man's intention, of their inadequacy to equal his achievements. The psychological damage and cruelty which this entails is quite horrifying and yet, in order to enforce a non-genetic theory of racial equality based on an outmoded Lamarckian mythology, otherwise good people and organisations are dedicated to enforcing an integration which can only result in this great wrong and damage being done to the Black races. To achieve this they often deploy vast resources which they have at their command from the state and foundations.

From the long term point of view, whatever the short term gains, there is only utter disaster. The psychological damage breeds, from the feeling of inadequacy which is generated in competition with advanced peoples, resentment and hate which turns outwards against the European, as we see in the United States today, giving that country a well-nigh insoluble problem. This coincides, or will coincide in this case, with the progress from present industrial conditions to advanced automated industry when there may well be great difficulty finding employment for large sections of the unadaptable or less intelligent White people. At such a time there will be no future for a large part of a vast Negroid proletariat in the European parts of any country. Strife on a scale which cannot be imagined now is sure to occur, unless before that the prognositicated world famine has struck, with its wake of disease, when, of course, whole populations all over the world might well be in the condition that occurred in Europe after the Black Death.

Disaster, therefore, short of a miracle or some horrible decimation through famine and disease, lies ahead of all countries dedicated to an integrationist policy.

It is at this juncture that we can seize upon the alternative to integration—which is the road of self-determinism. This is the one which has created our own European nationalities and which, being organic, is the road which man has always followed when allowed to do so unhindered. It is the road of nationality. All peoples have a right to be independent and to rule themselves. Any elite of a particular stock has a primary duty to lead its own people. All stocks are different. One may be inferior to another in a foreign *milieu* and judged by alien conditions. But each stock has been evolved by nature to function within its own ambient and geographical environment, and there it will do better than any other, and in that it will not merely be different from the others but superior. The Negro competing against technological man, who has been specialised for that development by selective breeding over several hundred thousand years may well be less qualified, as those traits indicate to which we have drawn attention, than the Caucasoid or the Mongoloid. But in his own environment, grappling with the problems of his own way of life, in a social order suited to his own physical, mental, psychic, and temperamental inheritance he will be supreme and more efficient than the White man can make him when trying to bend him to his way of life.

Therefore, separate development, nationalism, or self-determinism, call it what you will, is the way man has evolved till now and any who out of misplaced ideas of social conditioning seek to deny that line of development will only create disaster for themselves and those they say they seek to assist. All stocks of men are different and must be allowed to remain different.

The elite of each stock will only find its fulfillment in the leadership of its own. Only in that context will it, in return, provide the leadership which its own people requires. I believe that the ultimate pattern which will evolve in much of Africa, where the racial and social structures have not been unduly distorted by European interference, will be of national states based on those major nations, which we mistakenly called "tribes," perhaps subconsciously because we seek to evade the issue which, if left alone, would have evolved into nation-states in any case. These will be within themselves stable societies. But where remnants of integration remain there will be internal instability until inexorably the laws of nature prevail to undo what nineteenth and twentieth century Europe has imposed on Africa.

In that context intelligence tests which seek to show a position in the scale of evolutionary development which has brought the Caucasoid and Mongoloid on the road of technological development, or the underlying differences of average brain structure, of which intelligence testing is the manifestation, will be irrelevant. For each stock will be, as nature has evolved it to be, competing within its own society, within the protection and security of its own people, and fulfilling a national role suitable to its own temperament and genius. Superior and inferior, more developed and less developed, more or less fit for this or that function in life, only becomes significant as between races in an integrated society. It is the integrationist (often moved by misconceived idealism, ethical, or religious ideology) who enforces an examination of man in such terms by his creation of situations where it becomes necessary to make objective assessments in order to ascertain the truth so as to find solutions for situations which in nature would arise far less frequently, and so be of little pressing concern.

FOOTNOTES

[*] This article is part of two lectures delivered to senior officials of the Ministry of Internal Affairs and medical technologists in Rhodesia on 13th August, 1966.

[1] It is for that reason we think that because the "Cape" has been used to designate the Khoisan peoples it is better to make a non-geographical word of it and spell it Cappoid. Thereby there is no intention to infer that these people are of Cape people in origin.

[2] This writer was called as expert witness for the defense and the whole of his testimony turned on whether the differences which we see between Negroids and Caucasoids are genetic, and so not changeable by external influences, such as environment or, indeed, by education or social conditioning. In the event the jury found the defendants in that trial not guilty, so it can be assumed that the court did not find the statement and concept that there are marked differences in mental and other traits between these stocks as untrue.

[3] Carleton Coon, *The Living Races of Man*, Alfred A. Knopf, New York, 1965, pp. 264 and 286.

[4] R. E. Kuttner (editor), *Race and Modern Science*, New York, 1967, p. 145, paper by David C. Rife, on *Race and Heredity*.

[5] R. E. Kuttner, *op. cit.*, p. 201, paper by R. E. Kuttner, on *Biochemical Antropology*.

[6] The assertion that the Zimbabwean civilisation had Bantu origins has been sustained superficially by the suppression and ignoring of evidence and basic facts connected with the ethnology and demographic migration in Africa, and exaggeration of the rôle performed by the Bantu in the development of this civilisation.

[7] F. W. Vint, *East African Medical Journal*, 1932, p. 46.

[8] R. Bennett Bean, "Some Racial Peculiarities of the Negro Brain," *American Journal of Anatomy*, 1906, Vol. V, pp. 353 ff.

[9] *Ibid.*, p. 375.

[10] Franklin P. Mall, "On Several Anatomical Characters of the Human Brain, Said to Vary According to Race and Sex, with Special Reference to the Frontal Lobe," *American Journal of Anatomy*, 1909, Vol. X, pp. 1 ff.

[11] Wesley Critz George, "The Biology of the Race Problem," Commission of the Governor of Alabama, published by the National Putnam Letters Committee, New York, 1962, p. 30.

[12] Cornelius J. Connolly, *External Morphology of the Primate Brain*, Charles C. Thomas, Springfield, Illinois, 1950.

[13] *Ibid.*, p. 203.

[14] Franklin P. Mall, *op. cit.*, pp. 1 ff.

[15] Carleton S. Coon, *The Origin of Races*, Alfred A. Knopf, New York, 1962, p. 662.

[16] Wilder Pennfield and Theodore Rasmussen, *The Cerebral Cortex of Man*, The Macmillan Company, New York, 1957.

[17] Dwight J. Ingle, "Comments on the Teachings of Carleton Putnam," THE MANKIND QUARTERLY, Vol. IV, No. 1, July–September, 1963, pp. 37–42, quotes Pennfield and Rasmussen as apparently contradicting these statements. But neither in fact brings forward specific evidence against the citations made of their evidence, and so far as Pennfield is concerned he lapses into generalities. Vaud says he believes there is the same innate intellectual capacity in all races, which is a manifest absurdity in the light of all the other evidence. Carleton Putnam, "A Reply to Dwight Ingle," THE MANKIND QUARTERLY, Vol. IV, No. 1, July–September, pp. 43–48, has dealt adequately with this attempt on the part of Pennfield to wriggle out of the implications of the evidence he has provided.

[18] Cornelius J. Connolly, *op. cit.*, p. 258.

[19] *Ibid.*, p. 203.

[20] C. Judson Herrick, *The Evolution of Human Nature*, University of Texas Press, 1956, p. 387.

[21] Dwight J. Ingle, *op. cit.*, p. 37, says that Herrick, now dead, was no racist. This one readily admits. It does not seem to me that to point out racial differences constitutes being a racist in the current smear manner in which that term is used. As I see it, a racist must be a person who writes to persecute or suppress another stock in the interests of his own. Merely to say there are differences does not constitute that.

[22] Wesley Critz George, *op. cit.*, p. 33.

[23] Oliver S. Strong and Adolph Elwyn, *Human Neuroanatomy*, Williams and Wilkins, Baltimore, 1953, p. 405.

[24] Wesley Critz George, *op. cit.*, pp. 32–34 in particular.

[25] J. C. Carothers, "The Brain and its Functioning." *The African Mind in Health*

XUM

and Disease, World Health Organisation, Geneva, 1953.

[26] J. C. Carothers, *op. cit.*, p. 157.

[27] J. C. Carothers, *Journal of Mental Science,* Vol. XCVII, 1951, p. 31.

[28] Gérard Wintringer, "The Intelligence of the African Negro," THE MANKIND QUARTERLY, Vol. V, No. 1, July–September 1964, pp. 35–44.

[29] *Ibid.*, p. 44.

[30] Audrey My Shuey, *The Testing of Negro Intelligence,* Social Science Press, New York, 1966.

[31] *Ibid.*, pp. 496–497.

[32] Henry E. Garrett, *Great Experiments in Psychology,* Appleton-Century-Crofts, New York, 1957.

[33] Stanley D. Porteous, *Primitive Intelligence and Environment,* Macmillan, New York, 1937.

[34] Leona Tyler, *The Psychology of Human Differencec,* Appleton-Century-Crofts, New York, 1956, pp. 43–44.

[35] Stanley Porteus and Marjorie E. Babcock, *Temperament and Race,* Badger, Boston, 1926.

[36] Frank C. J. McGurk, *Comparison of the Performance of Negro and White School Seniors on Cultural and Non-cultural Psychological Test Questions,* Catholic University of America Press, Washington, 1951.

[37] Frank C. J. McGurk, "On White and Negro Test Performance and Socio-Economic Factors," *Journal of Abnormal and Social Psychology,* Vol. XLVIII, p. 450.

[38] Quoting Daniel P. Moynihan, *The Negro Family: The Case for National Action,* United States Department of Labor, Washington, D.C., 1965.

[39] Arthur R. Jensen, "How Much Can We Boost I.Q. and Scholastic Achievement?" *Harvard University Educational Review,* Vol. 39, No. 1, Winter, 1969.

[40] *Ibid,* p. 1.

[41] *Ibid,* p. 81.

[42] *Ibid,* p. 82.

[43] Nathaniel Weyl, "Some Comparative Performance Indexes of American Ethnic Minorities," THE MANKIND QUARTERLY, Vol. IX, No. 3, January–March, 1969, pp. 106–119.

[44] *Ibid,* p. 118.

[45] It is a matter of self-evident fact that the Indian indentured labour imported to East Africa rose to a professional and commercial class—despite their being illiterate and underprivileged—while the Bantu among whom they settled remain static.

[46] Carleton S. Coon, *The Origin of Races, op. cit.*, pp. 115–116.

[47] Although there is less justification today for this we know the facts of Mendelian inheritance which shows conclusively that the Lamarckian concept of the inheritance of acquired characteristics is a delusion. While science is based on Mendel almost all sociological thinking adheres to the unfounded theories of Lamarck.

[48] Assortative mating is operative in man as in animals. It can be shown that there is evidence which suggests that we tend subconsciously to select mates on the basis of traits in our own family background. The resultant matings appear to be as close, genetically speaking, as second cousins. With this factor operative the segregation back to the original types, or a new hybrid type, is made the more certain and the more speedy, and makes the production of a permanent mongrel population impossible to achieve.

[49] Where such wide ranges of inherent ability are involved.

[50] Where inherited different reactions to disease exist, and where differences of blood groups alone create the need for more complicated blood systems to be stored.

[51] Where we have widely differing temperamental reactions to varying types and outbursts.

TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a Nation. In 1967, there were 17,328,000 students enrolled in secondary schools in the United States. There were 15,050,000 in India and 8,179,000 in the Soviet Union.

WETA UNFIT TO BE THE ONLY SO-CALLED EDUCATIONAL TV IN THE NATION'S CAPITAL

(Mr. MICHEL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MICHEL. Mr. Speaker, I have read with concern and indignation the reports that William Woestendiek, editor of WETA TV's "Newsroom" program has been fired because his wife accepted a job as press secretary to Mrs. Martha Mitchell. This is a clear-cut example of bias. Of course, the job was done artfully and the station manager tried to pass it off as being in the interest of retaining the station's credibility and unbiased outlook. The truth of the matter is that this is a hatchet job by liberals on a purely partisan political basis. I suggest that the Internal Revenue Service look into the financing of WETA, especially its connections with the Ford Foundation. This station has employed Max Kampelman, a former employee of Hubert Humphrey. Kampelman was involved in a scandal involving defrauding the taxpayers, but the station apparently is without fear of tarnishing its image or compromising its credibility. WETA obviously has become an enclave of the liberal camp, partisan, prejudiced, ruthless, and I suggest, unfit to be the only so-called educational TV in the Nation's Capital. I might hope that when its annual fund solicitation campaign is launched, that thinking people remember that they are perpetuating a one-sided, unfair, far-liberal station, whose views of being nonpartisan and pure consist of firing anyone even remotely connected with the Republican Party.

WHEN MR. TRUMAN BECAME PRESIDENT—RECOLLECTIONS OF 1945

(Mr. RANDALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RANDALL. Mr. Speaker, on Saturday afternoon, April 11, it was my privilege to be present at the Truman Library in Independence, Mo., to attend an observance of the 25th anniversary of the day Harry S. Truman became the 32d President of the United States.

While the true date of his succession to the Presidency was on April 12, 1945, because this anniversary fell on Sunday the observance was scheduled for the preceding day, Saturday, April 11.

It was a beautiful spring afternoon in Independence. Although The Man of Independence was not present, the Library auditorium which seats 250 people was filled to capacity. There were so many distinguished Americans present that I shall not enumerate this long list. On the stage as speakers and participants were Senator EDMUND S. MUSKIE; former Secretary of State Dean Acheson; former Ambassador and Governor of New York, Averill Harriman; and former Chief Justice Earl Warren.

The remarks of Senator MUSKIE that afternoon have been publicized and also preserved as a part of the CONGRESSIONAL RECORD. Another speech by John W. Snyder, a close personal friend of Mr. Truman, was so very interesting and informative that it should be shared with all Members of Congress and deserves to be perpetuated as a part of the CONGRESSIONAL RECORD. Mr. Snyder served as Federal Loan Administrator, Director of War Mobilization and Reconversion, and as Secretary of the Treasury.

Mr. Snyder's remarks reveal for the first time some happenings that transpired in the hours following Mr. Truman's ascension to the Presidency, as well as events during the drama-filled days that followed. These were times that Mr. Truman realized the magnitude of the task of being President of the United States. Mr. Snyder is most qualified to relate these incidents, because he was a long-time friend whom Mr. Truman called upon for help in his time of need.

Most revealing is Mr. Snyder's account of how quickly the new President informed himself about the war complications, when he learned that he had not been kept fully advised on critical matters by his predecessor.

Most interesting is the former Secretary of the Treasury's account of what he called the blockbusting experiences and attendant decisions that had to be made by President Truman in the first 4 months of his Presidency, ending with the surrender of Japan.

Mr. Snyder's recitation of some of President Truman's scores of sound decisions and appraisal of the facets of Mr. Truman's makeup that enabled him to make prompt decisions is better than any other of President Truman's biographers.

The remarks follow:

REMARKS OF JOHN W. SNYDER AT TRUMAN LIBRARY

Mr. Chairman, Mr. President, Ladies and Gentlemen: At nine o'clock on the morning of April 14, 1945, I walked into the office of the new President of the United States. And within an hour my whole life's plan for the future was completely changed.

So, gentlemen, I was particularly pleased to have your invitation to be with you on this occasion for the observance of the 25th anniversary of a most memorable day—Harry S. Truman's succession to the Presidency, and I am highly complimented that you have asked me to make a few remarks on my favorite subject, President Truman.

Before I proceed further, I would like to commend this illustrious group for the splendid work that you are doing in assembling, examining, analyzing and disseminating the

XUM

history of the eminent career of a truly great President.

I, also, would like at this time to express my warm appreciation of the honor that you have accorded me in naming me a member of the Institute Board.

Yes, the events of this period, twenty-five years ago, are indelibly upon my memory.

At noon on April 12, 1945, I was in Mexico City. A joint group of United States-Mexican bankers had just concluded a successful conference on exchange rates concerning our export-import business.

Floyd Ransom, a prominent American businessman in Mexico City, had invited a number of the conference participants to his home for a luncheon to celebrate our significant accomplishment. It turned out to be a typical Mexican luncheon that lasted the remainder of the afternoon.

We were still at the table when the butler announced that the radio had just flashed the story of President Roosevelt's death.

A. P. Giannini, the founder of the Bank of America, was sitting next to me, and had been inquiring about the background of the Vice President, as there had been numerous rumors on the West Coast regarding Roosevelt's health.

The announcement had the effect of a startling explosion, which started everyone to talking at once. There was great speculation as to what sort of President Mr. Truman would make and because of my long friendship with him I was plied with many questions.

Due to my close observation of his activities as a military leader, County Court official, Senator, and Chairman of the Truman Committee, I talked particularly about his great skill in choosing men of experience in connection with the individual task that he was working on at any given time. This facet of Mr. Truman's makeup greatly impressed Giannini. He made one remark, "I really feel better."

Later in the evening at the Reforma Hotel, I talked with President Truman by phone, telling him how greatly shocked we all were to learn of Roosevelt's death. "Yes," he said, "I feel like I have been struck by a bolt of lightning." I went on to assure him of my deepest sympathy in the trying hours he was experiencing. He broke in to ask how soon I could get to Washington. I said that I would be there at the earliest possible moment. The conversation ended with his telling me, "Come to see me as soon as you get here."

I finally arrived in Washington at 10:40 p.m., the night of April 13th. It had been a sad, depressing trip across the country. At each stop we made, the terminal was filled with dazed apprehensive mourners lamenting the death of a great leader.

The next morning, April 14, I was on the way for my first visit with *President* Truman. I can assure you that it was in a prayerful mood that I approached my appointment with a man who so richly deserved the fullest and the most earnest support of every citizen of our country, and for that matter, of the world.

In spite of the problems that had been piling in on him. I was pleased to see that the President appeared to have had a good night's rest and was confidently taking up his myriad tasks.

He spent about fifteen minutes bringing me up to date. The first official act had been to declare a National mourning period and in making arrangements for the White House funeral rites of President Roosevelt. He had talked with his Cabinet, with leaders of Congress, advised foreign Heads of State, conferred with the Secretary of State to receive information reports on foreign matters, including the war posture. He had met with Admiral Leahy and the military leaders, including the Secretaries of War and Navy, he had arranged to address a Joint Session of Congress on April 16. Throughout the day he had received messages from all over the world and had had a visit with Jimmy Byrnes. He was learning that he had not been kept informed on critical matters by his predecessor. He also had learned the day before for the first time that Stalin was not living up to the agreements that he had made with Churchill and Roosevelt. A matter that greatly distressed President Truman was the unhappy complications which were developing in the Polish situation. He said that he had spent some hours the evening before reading the position papers on this development.

That morning before I arrived he had already talked to Steve Early and Sam Rosenman about his forthcoming speech before Congress. Another matter that he must decide that day was about the final arrangements for the United Nations Conference which had been scheduled in San Francisco for that month.

Frankly, I was appalled at the volume of matters that he had acted on in the few hours since he had been sworn in.

He then told me that he wanted me to be in Washington with him. The day before he had checked for a suitable assignment and had learned that the job of Federal Loan Administrator was vacant. So he wanted me to take that one immediately. Personally, I felt that I could be of far greater help as the President of the First National Bank in St. Louis, a position that I had been elected to assume on July 1. We were still discussing the matter when Jim Byrnes came in. He told Jim that I was holding out on the appointment. Jimmy spoke up and said, "Harry, don't forget who you are now. Order him to do it." That ended the discussion. Three days later, on April 17, the President sent my nomination as Federal Loan Administrator to the Senate as his first major appointment.

As I was leaving, Secretary Morgenthau came in for a very short call.

Another day's heavy schedule was ahead for the new President.

At four p.m. James Byrnes and I proceeded to the East Room of the White House to attend the simple funeral rites of a great President. The service was conducted by Bishop Angus Dunn. A few words by the Bishop, some of President Roosevelt's favorite hymns were sung, and the service was over. The brevity was at the request of Mrs. Roosevelt.

President Truman, Mrs. Truman and Margaret went to Hyde Park for the services there. I met the train upon its return Sunday evening and rode with the Trumans to their Connecticut Avenue apartment. En route we discussed the speech which he was to deliver before the Joint Session of Congress the next day. I was pleased with what he planned to say. We changed one or two parts and decided to add a couple of thoughts to emphasize that the war was not yet over and to touch on the U.S. role after the war.

I left him at the apartment with the understanding that I would be at the White House early the next morning.

On Monday morning I had an opportunity to go over the full draft of the speech and later went with the President to the Capitol to hear him deliver it. It was well received—at one point with a standing ovation, when he reasserted the demand for an unconditional surrender.

I saw President Truman two or three times a day during the week. I had lunch with him, Vaughan and Ed McKim at the Blair House. This was quite a reunion from old Fort Riley days during the Twenties and Thirties when as Colonels, Truman commanded the 370th F. A. Reserve Regiment, Vaughan the 380th and I the 381st, *for two weeks each summer*. I recall this military phase as it was in those days that Colonel Truman and I began to apply the Five Paragraph Military Order to problems in our civilian life. To refresh your memory, the Five Paragraph Order requires:

1. Situation: a. Enemy Forces (Elements working against us); b. Own Forces (Resources we have available).
2. Mission: (What we are trying to do).
3. Solution: (How can we handle problems).
4. Administration and Logistics: (Implementation of our resources).
5. Order and Communication: (Retained direction); (Delegated direction); (Line of authority).

I know that formula was of great value to our President in the critical first months, as it was throughout his entire administration.

A delightful incident occurred as we were returning to the White House. As we reached the center of Pennsylvania Avenue, the President suddenly stopped and said, "Oh, Hell! I left my White House pass on the dresser."

Tuesday morning, the 16th, among other matters we discussed the world's critical food situation. I took the occasion to mention former President Hoover's experience after W. W. I. I had met him in Paris in 1919. Others thought well of the idea, and some time later Mr. Truman called him to the White House to discuss Europe. This led to his appointment by the President, as Honorary Chairman, Famine Emergency Committee. They became warm friends. Years later when I was talking with President Hoover, he said that the appointment added ten years to his life.

The President spent some minutes in discussing the problems that would follow the fall of Hitler. He felt, from reports, that victory was imminent in Europe. There were many matters that would require conferences with Churchill and with Stalin. He was most interested in meeting Churchill, though he did not wish to offend Stalin by a premature talk with the British. It was a delicate situation about which he was seeking diplomatic advice. He was considerably concerned about the organization of the Occupation of Germany, the logistics of some withdrawal of troops, and the reenforcement of the forces in the Pacific. He told me that he had learned something that might materially affect the Pacific situation but was not in position to discuss it yet. (It was his first knowledge of the *atom bomb*.)

Later that morning, I attended the President's first press and radio conference at 10:30 a.m. President Truman had, with the assistance of Steve Early, and others, prepared a set of rules of conduct for future press conferences. As they were somewhat similar to those of his predecessor they were accepted without discussion and after a few announcements covering White House staff, a letter from Mrs. Roosevelt, and one or two other matters, he said he was ready for questions. Everything went well, although the President passed up a few questions that he preferred to discuss at a more appropriate time.

The Trumans moved to the Blair House that day.

The night of the 17th, the President made a world-wide broadcast to the U.S. Armed Forces in foreign service.

The warmth, understanding and courage conveyed by this message was reassuring to the troops around the world that they were under the continued leadership of a dedicated commander.

The remainder of the week I spent considerable time on the Hill and at the R.F.C. The hearing on Friday was relatively short as most of the Committee had had me before them numerous times during Defense Plant days and already knew my policies.

I had off-the-record visits with President Truman on Saturday and Sunday. In summing up the week, he felt that making the final arrangements for the United Nations

Conference in San Francisco, the study and discussions of the Food Problem, his budget discussions with Harold Smith, the talks on the Polish Problem, his talks with Secretary of State Stettinius, Ambassador Harriman and State Department experts on the perfidy of Stalin, his first friendly cooperative talk with Molotov: all of these discussions were most helpful to him in making the decisions he had had to make quickly. He confided that although he had communicated with Churchill several times during the week, he was most anxious to meet him. He added that he was greatly pleased with his first speech to Congress, its reception and his first press conference.

The President told me that he was particularly pleased with his talk with Harriman who had flown back from Moscow for the conference. "Harriman knows what he is talking about," he remarked. "He is well informed on the Polish situation. His views on Stalin were most revealing. His dispatches, which I have carefully read are frank and to the point." He grinned when he told me that Harriman had been fearful that he had not read his reports and would not, therefore, fully understand the situations. "I told him," he said, "that if he sent in good reports, I would always read them carefully."

Incidentally, the attitude of Molotov completely toughened in the later talk Monday when President Truman forcefully insisted that the Polish agreements arrived at in Yalta should be carried out. I was told by Ambassador Harriman later that the President was very firm in his talk with Molotov, insisting that Russia live up to her agreements.

I would like to inject here that it was Ambassador Harriman who advised Jesse Jones and me on one of his visits to Washington in 1943 that Stain was not trustworthy about all of his agreements.

During one of our talks, the President said that he thought that he would take his time about making major changes in personnel. He strongly felt that as President Roosevelt had been elected to the Presidency by a substantial majority only five months before, he, Truman should carry out, to the best of his ability, the policies on which Roosevelt had been elected. He believed that Cabinet members and staff who were close to the former President could help him materially in learning about those commitments. He had asked all Cabinet members to stay on. He said, however, that he had already asked Jim Byrnes, off the record, to be Secretary of State, after the United Nations meeting. He worried about Presidential succession. He considered that Byrnes would be highly qualified.

He told me then that he knew that Frank Walker, the Postmaster General, wanted to quit due to health reasons. He had been trying to leave for some time. He further felt that Francis Biddle, Miss Perkins and Claude Wickard would also like to be relieved. He hoped none would want to leave until the war situation was clearer. "I want to talk to Sam Rosenman, Fred Vinson and you about those three, as I have someone in mind for each of these posts. I'm not too sure of Ickes." I spoke up to say that Ickes had been very cooperative with DPC in furnishing power for the light metals reduction plants. "Yes," he said, "he is a good man, but I am afraid that he will not always remember who is boss. Anyway, I am not ready to make a change there yet," he added. He then said that he also wanted to talk with me about the Treasury, as he was not pleased with some of Morgenthau's positions. I promptly brought up Fred Vinson's name, as I immediately thought of the tax problems that would confront the Administration. When asked how well I knew him, I had to confess that my acquaintance was largely by reputation, but that he appeared to have considerable political charisma. Frankly, I didn't use that word as it hadn't been liberated at the time.

Mr. Truman said he had thought of him—and one or two others. We were interrupted about that time and further discussions had to be postponed.

I left early the next day, Monday, for St. Louis to terminate my First National Bank connection, and make peace with my family.

In light of what has happened to some Presidential nominations recently, I probably was a little over-confident. The Senate, however, saved me by unanimously approving my appointment the next day, Tuesday April 24th.

I remained in St. Louis four days in closing matters at the bank and in arranging to bring my family to Washington. Walter Smith, then President of the St. Louis bank, said he would not hurry in replacing me in the hope that I might be able to get back soon. With that same hope in mind, we stored our furniture and planned to bring only a few things to Washington. It turned out that few months stretched out into eight years, and I never got back to St. Louis.

I arrived back in Washington at 10:30 a.m. on April 30th and was sworn in at the White House at two-thirty that afternoon. And there I was, back in government service again. My face was really quite reddened when I received a telegram from Giannini saying, "I see that Truman is following his old policy in selecting men."

President Truman was present at the swearing-in. He called me into his office and told me not to get so tied up at the RFC that I wouldn't show up regularly for informal talks. "I want you around where I can talk with you or I wouldn't have brought you back here."

It was at that time that we made an agreement that we kept through three jobs and nearly eight years of time. We would keep my name off the calendar when I came to see him. As a result our visits were mostly off-the-record except on rare occasions.

Upon taking charge as Federal Loan Administrator, I immediately began work on two important projects to which I had devoted much study. The first, because of the imminent ending of the war, was to take steps to get Congressional authority to merge all of the wartime subsidiary corporations into the parent corporation, and second, to begin planning for the reconversion of war plants of the Defense Plant Corporation into peacetime production and to start studies for providing financing to business for post-war developments. These were ideas that the President and I had started discussing when he was Chairman of the Truman Committee and I, at the DPC. We both felt that these two steps would greatly accelerate the return of our economy from a total war status to a private enterprise basis.

Briefly the high lights of the plans were for the RFC to absorb:

Defense Plant Corporation;
Rubber Reserve Corporation;
Metals Reserve Corporation; and
Defense Supplies Corporation.

and the liquidation of War Damage Corporation.

And for the RFC to provide leadership in:

1. Making loans against terminated contracts;
2. Making loans for civilian consumer goods production;
3. Financing plant and equipment for peacetime production;
4. Making business loans to returning veterans; and
5. Making commitments for future loans to industry for prompt reconversion after cessation of hostilities.

The objectives of these plans were to:

1. To provide and simplify financing of business reconversion;
2. Speed plant clearance of government owned machine tools; and
3. Speed up advance negotiations for prompt sale or lease of government owned plants and the immediate sale of surplus industrial property after the war.

It was my opinion, which was confirmed some months later, that banks and the RFC *working together* could speed up the solution of the financial problems that would confront business, both large and small, in the post-war period. Congress promptly authorized the mergers.

I have taken time to summarize these actions in some detail in order to demonstrate the policy that the President and I would follow a few months later in OWMR in unwinding some of the scores of wartime agencies that had come into being during the years of war preparation and operation.

In the latter cases we did not ask for consent of Congress, but used Executive Orders to discontinue agencies and transfer their liquidation to appropriate permanent departments or agencies.

On July 1, 1945, the first Cabinet changes were made: Tom Clark, Clint Anderson, Bob Hannegan and Lou Schwellenbach were sworn in. On July 3, 1945, James Byrnes became Secretary of State. On July 23, 1945, Fred Vinson became Secretary of the Treasury, and I became Director of Office of War Mobilization and Reconversion.

In those early days, when pressures were greatest, President Truman came in contact intimately with a number of able, effective leaders with whom he had had only casual acquaintance before. The foundations were laid then for friendships that have lasted through good days and bad for twenty-five years—among those I would like to name two, who are here today, whose help, advice and encouragement were and are continuing to be a great comfort to President Truman. They are Ambassador Harriman and Secretary Acheson. I am delighted to see them here taking an active part in the deliberations of this Institute.

Let us pause for a moment to catalog some of the blockbusting experiences and the attendant decisions that had to be made by President Truman in the first four months of his presidency, ending with the surrender of Japan.

In his recent splendid book on the Truman Administration, "Present At the Creation," Dean Acheson ventured that Mr. Truman learned fast. This is really quite an understatement when you consider that on April 12, 1945, Harry S. Truman was suddenly catapulted from the relatively peaceful atmosphere of the Senate into the seething caldron of exploding events in the midst of a war about which he had not been briefed.

To this day I am still filled with pride and admiration at the amazing speed with which President Truman assimilated the huge piles of information about hitherto unknown, to him, facts, situations, figures and personalities, and came through promptly with scores of sound decisions.

Consider for a moment of suddenly being made aware:

(1) That you were the President of the United States,

(2) Of the necessity to assure continuity of the functions of the entire U.S. responsibilities—orient with Cabinet—with Staff—with Congress—with Foreign Powers,

(3) Communicate with troops in the field all over the world,

(4) Take up share of direction of a World War,

(5) Assimilate the vast amount of information covering diplomatic arrangements, including briefings on Heads of State, Foreign Ambassadors here and ours abroad,

(6) Consider changes in Cabinet,

(7) Carry on discussions and plans for the war with people you had never met or communicated with before.

(8) Arrange to quietly learn if any unrecorded commitments had been made to the British or to the Russians.

(9) Address *close* of the United Nations Conference, June 26th, 1945.

(10) In three weeks face the countless problems of the surrender of the Germans, May 8th, 1946.

(11) Arrange and attend the Potsdam Conference.

(12) The change of British Prime Ministers in the midst of the Potsdam Conference.

(13) The decision to drop the atom bomb.

(14) And square off for the holocaust brought on by V-J Day:

Decision to have MacArthur take the Japanese Surrender; Demobilization; Reconstruction; Economic adjustments; Occupation of defeated enemy countries; Russia's threat; Interim Aid; Foreign Aid; and, importantly, state of our domestic economy.

Yes, gentlemen, those four months were busy days for the President.

It was fortunate, as I have said, that he was able to quickly recruit able talent to help him bear the burden of those and later days.

I am impelled to tell you of a few of those whose names stand out, to me, in their invaluable aid to President Truman during those early months.

I have listed them alphabetically, as it is impossible to apply priorities to wholehearted superb all-essential thoughts and deeds.

Dean Acheson—Early assistance in State Department briefing and position papers—congressional lesson. He earned his salt in later days.

Alben Barkley on Congressional matters.

James Byrnes on Roosevelt, Teheran, Yalta-Potsdam.

William Clayton on European Food Situation and pending economic crisis.

Winston Churchill—Early communications, Stalin, Potsdam negotiations.

Steve Early—White House, Roosevelt, Press.

General Dwight Eisenhower—Military and civilian matters in Europe.

James Forrestal—Military and Naval briefings.

W. Averell Harriman—Stalin, Russia, Poland—diplomatic matters.

Harry Hopkins—Roosevelt—trip for Truman to see Stalin.

Admiral William D. Leahy—War posture—military counsel-knowledgeable appraisals.

General George Marshall—Military genius—great statesman—diplomat.

Sam Rayburn—Congressional matters—advice.

Sam Rosenman—Roosevelt—legal—speeches—advice.

Charles Ross—Press—counsel—dependable information.

Edward Stettinius—State Department briefings on foreign relations and war posture. Constant availability of experts was of great value.

Henry Stimson—War situation—atom bomb.

Major General Harry H. Vaughan—Military Aide—Personal Contacts—Sustained optimism.

Fred Vinson—Politics—Taxes—Domestic Economy—Consultant.

And, of course, his top source of strength—Bess Truman.

There were doubtless others, but these are the ones I find mentioned prominently in my notes of those days who seemed to be effectively helping shoulder the load. One or two that I have mentioned disappointed the President later, but that doesn't detract from their early assistance.

In closing I want to give you a few of my impressions of the strengths of Mr. Truman that stood him in good stead in meeting the tremendous demands on his courage, strength, faith and character in that testing period of heart and mind.

There were many facets to Mr. Truman's make-up that enabled him to make decisions promptly:

(1) His capacity to quickly classify, weigh and make use of facts presented to him.

(2) His choice of counsellors on specific matters.

(3) His instinctive ability to sort out essentials.

The President was once asked if he had ever regretted having made a major decision. His reply was revealing, "Events followed events so closely that there were many thing that had to be done almost instantly as a delay might have been disastrous. Had I had more time to contemplate some of the matters they might have been handled in some other way. But considering the information available at the time and the circumstances prevailing when the decisions had to be made, I do not see how I could have acted very differently."

President Truman once taught me a most valuable lesson the principle of which, without doubt, enabled him to carry his great burdens with such composure.

He told me that when he was preparing for bed at night he would searchingly ask himself whether or not he had acted on matters of the day to the best of his abilities. If the answer was in the affirmative he went soundly to sleep and awakened the next morning refreshed, and ready for the day's trials.

Dean Acheson in speaking of Truman some years after the close of the Truman Administration said, "If a President will make decisions, you're in luck. That is the essential quality. And if he has a high batting average in the correctness of his decisions, then you're in clover."

As to the quality of President Truman's decisions there was never any doubt.

Eric Severeid summed up my remarks for me when he wrote:

"Chance, in good part, took Harry Truman to the Presidency, but it was his character, his simplicity, his honesty and his self-discipline that kept him there and determined his historical fate. He is, without any doubt, destined to live in the books as one of the strongest and most decisive of the American Presidents."

ENVIRONMENTAL TEACH-IN

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, all across the country this week, Americans are participating in activities designed to increase their knowledge and awareness of the impact of modern living on our life-sustaining environment. In addition, the events of the nationwide environmental teach-in are designed to increase our enthusiasm for the full range of actions which must be taken to guarantee the continued existence of a life-supporting and pleasing environment.

Officials estimate that there are close to a thousand destroyed urban bodies of water throughout the country, to say nothing of the once beautiful Great Lakes, which are now a mess. And from the standpoint of air pollution, there is hardly a major urban center in the United States which is not enshrouded in a combination of jet streams, industrial soot, burning trash, automobile and tractor trailer exhaust, and plain old garden variety dirt and grime.

It seems to me that there are basically two dimensions, or if you will, two principal theses toward which our attention should be directed during this period. The first is our total dependence on the earth and its atmosphere for our existence and the survival of all life. The second is the sustaining and enriching of human life that flows from a pleasing and healthy environment. I do not believe that we can underestimate the need for a natural environment that contributes to the restoring and the enriching of the human spirit.

In each of these dimensions there are certain related responsibilities which must be borne alike by both the citizenry and their governments. A governmental unit which fails to provide adequate treatment of sewage is guilty, as is the industry which pours pollution into the air and water. In a smaller way, the individual also fails of his responsibility when he litters the highways, recreation areas, or his own neighborhood. In each case there is a failure to understand and accept the two dimensions I mentioned a moment ago: That we cannot sustain life in a polluted environment; and that we cannot elevate and enrich the human spirit in a polluted environment.

The first step toward the development of a comprehensive and systematic approach to the environment, is a heightened and widespread awareness of our dependency on the earth for survival and for growth. This purpose is being served by the events of the environmental teach-in, and I want to commend all those who have organized the activities and those who are participating in them. It is hoped that the initial result of Earth Day will be an increased sensitivity on the part of citizens to the tasks which lie ahead. I am convinced that the quality and the depth of Government response to the environmental crisis on a sustained basis depend in large measure on the interest and the pressure of citizens.

As an elected representative of the public, I have consistently proposed and supported legislative efforts to get our environmental programs moving. This is a keystone of my responsibility to the citizens I represent. But I know, and I am sure that every other elected public official, at the local, State or Federal level knows that an effort of this magnitude cannot and will not succeed without public awareness and public support. The environmental programs being held on 2,500 campuses and in 10,000 high schools this week, hopefully, will generate that awareness and support.

It is difficult to summarize what is being done by Government and what needs to be done. Each of the levels of Government, village, town, city, county, State, and Federal all have responsibilities to the environment. However, responsibility for major decisions and major programs has gravitated to the Federal level. Only the Federal level can see to it, for example, that automobile engines are designed and constructed in a way that will not contribute to the pollution of our air. Right now, the automobile is the largest single source of air pollution. The Federal Government must move against air and noise pollution from jet aircraft, also.

Only the resources of the Federal Government are capable of producing the vast amounts of revenue needed to guarantee that municipal sewage is properly treated before it enters our lakes and streams. The Federal level is also the logical place to focus research and development into all of the areas of environmental concern. Also, the Federal level is uniquely suited to the task of providing the resources and the planning needed to guarantee the preservation and development of all of the recreational acres which are needed. In addition, the Federal Government has the power and the resources to see to it that the United States has a well-planned and balanced national transportation system. The proliferation of highways, freeways, and superhighways, along with more and larger airports, contributes to the destruction of our natural environment.

There will be a number of test cases this year in Congress by which to measure the depth of the existing commitment to preserving and restoring the environment. The issue will be one of priorities, and environmental programs will have to compete with other pressing domestic needs, like housing and education, and others dealing with human and social progress. Defense expenditures will loom largest, and domestic expenditures will be in competition with the Defense budget. There will be great legislative issues also, stricter standards for aid and water pollution, increased expenditures, and so on.

There is only one element associated with the heightened attention to the natural environment that gives me some concern, and this involves the possibility of a reduction in the attention which must continue to be focused on the human and social evils which exist in this country and around the world. Our eyes and our programs and our resources must remain fixed on the problems of poverty, ill health, bad housing, inadequate education, racial hatred, illiteracy, and lack of employment opportunities and skills. Solving these problems must go hand in hand with work on the natural environment.

TRANSFERRING SPECIAL ORDER FROM WEDNESDAY, APRIL 22 TO THURSDAY, APRIL 23

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that the special order of the gentleman from New York (Mr. Farbstein) scheduled for Wednesday, April 22, be transferred to Thursday, April 23.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Pucinski, today, for 60 minutes, to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. Pucinski) to revise and extend their remarks and include extraneous matter:)

Mr. Mikva, for 10 minutes, today.

Mr. Gonzalez, for 15 minutes, today.

Mr. Bush, for 15 minutes, today.

Mr. Fish, for 10 minutes, today.

Mr. Beall of Maryland, for 30 minutes, April 22.

(The following Members (at the request of Mr. Dellenback) and to revise and extend their remarks and include extraneous material:)

Mr. Farbstein, for 20 minutes, today.

Mr. Farbstein, for 20 minutes, April 22.

Mr. Pickle (at the request of Mr. Pucinski) for 15 minutes today and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Randall in two instances and to include extraneous matter.

Mr. Edmondson in three instances, and to include extraneous matter.

Mr. Foley to revise and extend his remarks during special order taken by Mr. McCloskey.

(The following Members (at the request of Mr. Dellenback) and to include extraneous matter:)

Mr. Bush in two instances.

Mr. Horton.

Mr. Fish in two instances.

Mr. Gude.

Mr. Lukens.

Mr. Gubser.

Mr. Poff.

Mr. Brotzman.

Mr. Pelly.

Mr. Rhodes.

Mr. Findley.

Mr. Brown of Ohio.

Mr. Hogan.

Mr. Ashbrook in two instances.

Mr. Duncan.

Mr. Smith of New York.

Mr. Brown of Michigan.

Mr. Hutchinson.

(The following Members (at the request of Mr. McKneally) and to include extraneous matter:)

Mr. McClory.

Mr. Hastings.

Mr. Meskill.

Mr. Roudebush in three instances.

Mr. Anderson of Illinois.

Mr. Button.

Mr. Scherle in two instances.

(The following Members (at the request of Mr. Pucinski) and to include extraneous material:)

Mr. Hanna in five instances.

Mr. Cabell in five instances.

Mr. Murphy of New York in two instances.

Mr. Minish.

Mr. Dorn in two instances.

Mr. Rarick in three instances.

Mr. Evins of Tennessee in two instances.

Mr. Johnson of California in three instances.

Mr. Matsunaga.

Mr. Howard.

Mr. Charles H. Wilson.

Mr. Kluczynski in two instancs.

Mr. Rodino in two instances.

Mr. Annunzio in three instances.

Mr. Ryan in three instances.

Mr. Adams in three instances.

Mr. Anderson of California in four instances.

Mr. Blatnik.

Mr. Pickle.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3127. An act to provide for the exchange of governmental officials between the United States and the Union of Soviet Socialist Republics; to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. PUCINSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until Thursday, April 23, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1945. A communication from the President of the United States, transmitting a proposed supplemental appropriation to pay claims and judgments rendered against the United States (H. Doc. No. 91–315); to the Committee on Appropriations and ordered to be printed.

1946. A letter from the Chairman, the United States Advisory Commission on International Educational and Cultural Affairs, transmitting the seventh annual report of the Commission, pursuant to section 107 of Public Law 87–256 (H. Doc. No. 91–316); to the Committee on Foreign Affairs and ordered to be printed.

1947. A letter from the Secretary of Transportation, transmitting a revised estimate of the cost of completing the National System of Interstate and Defense Highways, pursuant to the provisions of section 104(b)5, title 23, United States Code (H. Doc. No. 91–317); to the Committee on Public Works and ordered to be printed, with an illustration.

1948. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 6, 1968, submitting a report, together with accompanying papers and illustrations, on Posten Bayou, Ark., in partial response to Resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted September 12, 1959 and February 24, 1960 (H. Doc. No. 91–318); to the Committee on Public Works and ordered to be printed, with illustrations.

1949. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 9, 1968, submitting a report, together with accompanying papers and an illustration, on South Shore of Lake Ontario, Fort Niagara State Park, requested by a resolution of the Committee on Public Works, House of Representatives, adopted April 14, 1964 (H. Doc. No. 97–319); to the Committee on Public Works and ordered to be printed, with an illustration.

1950. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 19, 1969, submitting a report, together with accompanying papers and an illustration, on Lido Key, Sarasota County, Fla., in partial response to resolution of the Committees on Public Works, U.S. Senate and House of Representatives, adopted August 21, 1964 and September 3, 1964 (H. Doc. No. 91–320); to the Committee on Public Works and ordered to be printed, with an illustration.

1951. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 10, 1969, submitting a report, together with accompanying papers and illustrations, on Souris River, N. Dak., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted March 28, 1949 and July 29, 1955 (H. Doc. No. 91–321); to the Committee on Public Works and ordered to be printed, with illustrations.

1952. A letter from the Secretary of the Army, transmitting the annual report of the U.S. Soldiers' Home for fiscal year 1969, together with a report of the annual general inspection of the home, pursuant to the provisions of 24 U.S.C. 59, 60; to the Committee on Armed Services.

1953. A letter from the Secretary of the Army, transmitting the semiannual report of Department of the Army contracts for military construction awarded without formal advertisement for the period July 1–December 31, 1969, pursuant to section 704 of Public Law 91–142; to the Committee on Armed Services.

1954. A letter from the Secretary of the Air Force, transmitting a report on the Air Force military construction contracts awarded by the Department of the Air Force without formal advertisement for the period July 1–December 31, 1969, pursuant to section 804, Public Law 90–110; to the Committee on Armed Services.

1955. A letter from the assistant to the Commissioner, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to provide for a tax on motor vehicle fuels sold within the District of Columbia, and for other purposes"; to the Committee on the District of Columbia.

1956. A letter from the Director, District Unemployment Compensation Board, District of Columbia, transmitting the 34th annual report for the year 1969, pursuant to section 313(c), title 46, District of Columbia Code; to the Committee on the District of Columbia.

1957. A letter from the Comptroller General of the United States, transmitting a report on the opportunity to reduce Federal interest costs by changing loan disbursement procedures under the guaranteed student loan program; Office of Education, Department of Health, Education, and Welfare; to the Committee on Government Operations.

1958. A letter from the Comptroller General of the United States, transmitting a report on the need to improve military supply systems in the Far East, Department of Defense; to the Committee on Government Operations.

1959. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for titles I through IV through fiscal year 1971; to the Committee on Public Works.

1960. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 27, 1968, submitting a report, together with accompanying papers and an illustration, on Bissell Cove, R.I., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 23, 1964; to the Committee on Public Works.

1961. A letter from the Deputy Administrator, Veterans' Administration, transmitting a draft of proposed legislation to remove time limitations on the duration of eligibility of veterans for guaranteed and direct loans; to the Committee on Veterans' Affairs.

1962. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to ease the tax burdens of small businesses, and for other purposes; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BOLLING: Committee on Rules. House Resolution 930. Resolution providing for the consideration of the bill (H.R. 8298) (Rept. No. 91–1013). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 943. Resolution for reconsideration of H.R. 10138, a bill to amend section 211 of the Public Health Service Act to equalize the retirement benefits for commissioned officers of the Public Health Service with retirement benefits provided for other officers in the uniformed services (Rept. No. 91–1014). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 944. Resolution for consideration of H.R. 15693, a bill to amend title 39, United States Code, to exclude from the mails as a special category of nonmailable matter certain material offered for sale to minors, to protect the public from the offensive intrusion into their homes of sexually oriented mail matter, and for other purposes (Rept. No. 91–1015). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 945. A resolution for consideration of H.R. 16200, a bill to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations and provide for the uniform compensation of Assistant Directors (Rept. No. 91–1016). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RIVERS:

H.R. 17123. A bill to authorize appropriations during the fiscal year 1971 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. ADDABBO:

H.R. 17124. A bill to amend title 39, United States Code, to provide rates of pay for postal field service employees in certain areas and locations in accordance with private enterprise pay rates in these areas to assist in recruitment and retention of postal field service employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 17125. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. BLANTON:

H.R. 17126. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

H.R. 17127. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. BLATNIK:

H.R. 17128. A bill to designate the Kettle River, in the State of Minnesota, as a component of the national wild and scenic rivers system; to the Committee on Interior and Insular Affairs.

By Mr. BRASCO:

H.R. 17129. A bill to provide for the elimination, over a 10-year period, of the mandatory oil import control program; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 17130. A bill to amend the National Wild and Scenic Rivers Act of 1968 (Public Law 90–542), to include the Eel, Klamath, and Trinity Rivers as components of the national wild and scenic rivers system; to the Committee on Interior and Insular Affairs.

By Mr. FALLON:

H.R. 17131. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. FISH:

H.R. 17132. A bill to establish a national system of solid waste management; to the Committee on Ways and Means.

By Mr. FRIEDEL:

H.R. 17133. A bill to extend the provisions of title XIII of the Federal Aviation Act of 1958, as amended, relating to war risk insurance; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Tennessee:

H.R. 17134. A bill to establish a senior citizens skill and talent utilization program; to the Committee on Education and Labor.

By Mr. HELSTOSKI:

H.R. 17135. A bill to amend title 5, United States Code, to require the heads of the respective executive agencies to provide the Congress with advance notice of certain planned organizational and other changes or actions which would affect Federal civilian employment, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 17136. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. LLOYD:

H.R. 17137. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. McMILLAN (for himself, Mr. DOWDY, Mr. HAGAN, Mr. FUQUA, Mr. JACOBS, Mr. HUNGATE, Mr. CABELL, Mr. BLANTON, Mr. NELSEN, Mr. HARSHA, Mr. BROYHILL of Virginia, Mr. WINN, Mr. HOGAN, Mr. THOMSON of Wisconsin, and Mr. LANDGREBE):

H.R. 17138. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 and the District of Columbia Teachers' Salary Act of 1955 to increase salaries, and for other purposes; to the Committee on the District of Columbia.

By Mr. MONAGAN:

H.R. 17139. A bill to extend through June 30, 1972 the suspension of duty on certain forms of copper; to the Committee on Ways and Means.

By Mr. RARICK:

H.R. 17140. A bill to invest in the Government of the United States the full absolute,

XUM

complete, and unconditional ownership of the 12 Federal Reserve banks; to the Committee on Banking and Currency.

By Mr. SEBELIUS (for himself, Mr. Shriver, Mr. Skubitz, and Mr. Mize):

H.R. 17141. A bill to amend the Internal Revenue Code of 1954 to provide for the continuation of the investment tax credit for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. STEED:

H.R. 17142. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas; to the Committee on Ways and Means.

By Mr. WHITTEN:

H.R. 17143. A bill to provide for orderly trade in textile articles and articles of leather footwear and for other purposes; to the Committee on Ways and Means.

By Mr. WOLD:

H.R. 17144. A bill to improve and modernize the postal service, to reorganize the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FLOWERS:

H.J. Res. 1183. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H. Con. Res. 581. Concurrent resolution relating to an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mr. BINGHAM (for himself, Mr. Hathaway, Mr. Koch, Mr. Mikva, Mr. Ottinger, Mr. Rees, Mr. Rosenthal, Mr. Ryan, and Mr. Scheuer):

H. Res. 942. A resolution creating a select committee to conduct a full and complete investigation and study of transportation problems in the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE of Massachusetts:

H.R. 17145. A bill for the relief of Branca C. Alvernaz; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 17146. A bill supplemental to the act of February 9, 1821, incorporating the Columbian College, now known as The George Washington University, in the District of Columbia and the acts amendatory or supplemental thereof; to the Committee on the District of Columbia.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

359. By the SPEAKER: A memorial of the Legislature of the State of Oklahoma, relative to protecting the continued operation of small meat slaughtering businesses; to the Committee on Agriculture.

360. Also, a memorial of the Legislature of the State of Hawaii, relative to increasing the Federal milk subsidy for Hawaii under the National School Lunch Act; to the Committee on Education and Labor.

361. Also, a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to taking certain actions in remembrance of the Katyn Forest Massacre; to the Committee on Foreign Affairs.

362. Also, a memorial of the Senate of the Legislature of the State of Hawaii, relative to adopting a policy which would bring the war in Vietnam to an end immediately; to the Committee on Foreign Affairs.

363. Also, a memorial of the Legislature of the State of Oklahoma, relative to amending the Constitution of the United States to provide for the selection and retention of Federal judges on a merit basis; to the Committee on the Judiciary.

364. Also, a memorial of the Senate of the Commonwealth of Massachusetts, relative to textile imports from countries employing cheap labor; to the Committee on Ways and Means.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

454. By the SPEAKER: Petition of Orville L. Cain, Grass Valley, Calif., relative to redress of grievances (pt. 1); to the Committee on House Administration.

455. Also, petition of the mayor of the city of Palatka, Fla., relative to designating Cape Kennedy as the operational base for the space shuttle system; to the Committee on Science and Astronautics.

456. Also, petition of the city council of the city of Maitland, Fla., relative to designating Cape Kennedy as the operational base for the space shuttle system; to the Committee on Science and Astronautics.

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EXTENSIONS OF REMARKS

TRIBUTE TO L. STOREY STEMMONS

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1970

Mr. CABELL. Mr. Speaker, under leave to extend my remarks in the Record, I include the following message delivered by Dr. Luther Holcomb, Thursday, April 16, 1970, at the funeral of L. Storey Stemmons:

Message Delivered by Dr. Luther Holcomb

Storey Stemmons was a man of many dimensions. He brought to his work high gifts of mind and spirit.

He was trained to be a lawyer. He was a man of the law—a warm, vibrant, open man. His very being depicted the largeness of the West. It was natural and comfortable for many of us to call him "Judge." He would have made a truly great judge.

Storey Stemmons was a man of honesty. His honesty was total, complete, simple—a matter of course.

He was a man of essential humility—the humility of the brave, free and brilliant.

Even though possessing a legal mind, the appellate robes were not meant for this one. They would have been like a halter on an eagle.

The law gave him a foundation for business. His delight was in putting a business transaction together. He would look at them upside-down, inside-out, right-to-left and left-to-right.

Such was the genius of this man—a genius for the law and for business.

Let us think about another side of your friend and mine:

One had to be with him in Tower East at 2700 Stemmons Freeway to fully appreciate and understand this one. There was the view of the city that he loved and one could see the relationship with his staff that was characterized by respect, loyalty and genuine affection.

No one who has ever been on a fishing or hunting trip with him will forget the personality of Storey Stemmons. By a campfire or in a boat, Storey reflected something special. He would bring this "something special" into every situation. This was true even during the long months of his final illness. When the doctors told him recently that the end was near, he was still the gracious host wanting to offer them refreshments and escort them to the door.

Yes, the inspirational qualities of Storey Stemmons—his buoyant disposition, his enthusiasm for life, his courage and determination will forever live in our hearts.

These traits were a part of his being. I believe they came from his heritage, his abiding faith in God, his dedication to the simple, old virtues and his unfailing belief in and love for his country.

Storey Stemmons had an exceptional capacity for love and devotion for his wife, Grace, and his brother, John.

I know Storey would have me say today that the greatest lady ever is the one named Grace. Grace, you have responded with a love and devotion that is akin to the greatest romance ever.

No two brothers could have a greater understanding and respect for each other than did Storey and John. Their devotion, each for the other, was a way of life with them.

Let us pray.

With lasting gratitude in our hearts for Thy servant, Storey, knowing that the peace he sought is now forever given him, for he dwells with Thee and so do we, O Thou holy bridge of all eternity. Lord, let Thy servant be in peace according to Thy word, for mine eyes have seen Thy salvation which Thou hast prepared. Glory be to the Father, and to the Son, and to the Holy Ghost, as it was in the beginning, is now, and ever shall be. Amen.

PRIVATE INITIATIVE ON POLLUTION

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. FINDLEY. Mr. Speaker, private initiative to meet air pollution problems is especially gratifying in this era when so many people seem to turn automatically to government with every problem.

Accordingly, I was very pleased to read of the progress in air quality control undertaken by an Illinois private utility, Central Illinois Public Service Co., Springfield, Ill. The utility serves much of the central part of the State.

Here is the text of the firm's announcement:

Private Initiative on Pollution

A major phase in the air quality control program of Central Illinois Public Service Co. is completed and several others are well under way, according to D. G. Raymer, of Springfield, operations vice president for CIPS.

The utility is engaged in a five-year, $16 million program to install electrostatic precipitators at all four of its electric generating stations. Precipitators remove fly ash, which is residue from burning coal in power station boilers in the production of electricity. OIPS uses about 3,000,000 tons of Illinois coal annually.

While approval for the program was granted by the Illinois Air Pollution Control Board last year, the design and engineering for the project had been in progress at least two years previously, Raymer said.

"EXCELLENT RESULTS" AT GRAND TOWER

Two of the precipitators have been installed and are in operation at Grand Tower Station in Jackson County, completing one major phase of the system-wide program. Performance of the devices was described as "excellent" by Raymer, who added that "We are extremely pleased with the results, which indicate our company's program should be most successful."

Installation of a third precipitator at the station is scheduled to start early next month. In addition, construction on a new sewage treatment plant is nearing completion, and a new ash pond has been built. The pond, a large scooped-out area enclosed on all sides by dikes, is used to store ashes from coal burned in the power station boilers. The pond prevents the ashes from being washed into the Mississippi River.

NEW EQUIPMENT FOR MEREDOSIA STATION

Equipment now is being installed for one of the boilers at Meredosia Station, in Morgan County. This equipment will modify a precipitator already in operation at the station. When completed in May, this will give the present precipitator a much higher degree of efficiency, Raymer said.

New ash ponds will be constructed at the station, with work to begin in the near future.

TWO PRECIPITATORS AT HUTSONVILLE STATION

Engineering is under way preparatory to installing two precipitators at Hutsonville Power Station, in Crawford County. A new sewage treatment plant at the station was completed last year, and a new ash pond was constructed in 1968.

At Coffeen Power Station, in Montgomery County, where a second unit of 600,000-kilowatt capacity is under construction, CIPS will install precipitators for both the new unit and the 365,000-kilowatt unit now in operation. The present sewage treatment plant at the station will be modified upon installation of the new unit.

CIPS TAKING PART IN RESEARCH PROGRAM

CIPS also is participating with 15 other utilities in a new research program to develop an advanced air pollution control system for power stations.

Goal of the $7 million program is a commercial system to eliminate 99 percent of solid pollutants and 90 percent of gaseous, more-difficult-to-control sulfur oxides from the exhaust of power station boilers.

CONGRESSIONAL VISION EXCELLENT IN COMBATING POLLUTION

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. JOHNSON of California. Mr. Speaker, I rise today, April 21, 1970, to give special recognition to the activities which will be held throughout the Nation tomorrow in observance of Earth Day.

It is my feeling that as we recognize this event we should not only look to the future and the massive job of preserving our environment, but we should also be aware of that which has been accomplished already. As one who has been proud of an active legislative role in this effort, I am extremely pleased that the popular attention, which we see demonstrated during this Earth Week, is directed at the need to preserve our environment and that the Nation as a whole is supporting an effort which Congress began a score or more years ago.

A review of the record established by the Congress of the United States especially during the last half decade provides us with a solid foundation upon which to build. I believe the Congress has exercised great wisdom and leadership in tackling the task of eliminating air and water pollution and in solving the problems of solid waste disposal.

The past 5 years have been marked by substantial legislative progress in all three fields. These measures include the Clean Air Act, the Federal Water Pollution Control Act, the Land and Water Conservation Act, the Water Resources Planning Act, and Solid Waste Disposal Act. The tools to win these battles are available to us now, but they must be put to work through adequate funding.

There are several proposals which would sharpen the tools we have even now and help our war to preserve our environment. Some have been cleared by the 91st Congress. These include the National Environmental Policy Act, improvements to the Clean Air Act and Federal Water Pollution Control Act, expansion of sewage treatment plant construction grants, protection of endangered species of fish and wildlife, continuation of saline water conversion program, extension of the National Council on Marine Resource and Engineering, and addition of two California forest areas—including one in the Second Congressional District which I have the honor to represent—to the Wilderness System.

However, as long as pollution exists, be it in the air we breathe or the water we drink, the responsibility to eliminate it has not been met and our task is not completed. Congress still has before it such proposals as the Environmental Quality Education Act, the National Environmental Laboratory Act, and a variety of programs to improve the Federal Water Pollution Control Act and Clean Air Act.

The Federal Government, prodded by congressional leadership, has been actively engaged in the pollution battle for many, many years, as indicated by passage of the original Federal Water Pollution Control Act, approved by the 80th Congress some 22 years ago. The original 1948 act extended to local and State governments Federal technical research and planning assistance in solving water pollution problems.

The water pollution control program as we know it today, first was enacted in 1956 and was modernized and expanded in 1961, 1965, 1966, and again in 1970. This provides for construction grants and enforcement procedures, along with research programs initiated earlier. Grants funded under this program meant $65 million alone to the State of California this year.

In 1956 some $50 million a year was authorized. This level of Federal assistance was increased in subsequent legislation, until $1 billion was authorized for this fiscal year.

As we can recall, last year one of the major battles fought in Congress was over full funding of the program. The President had recommended only $214 million be spent. Pollution fighters in Congress sought the full $1 billion allowed. The end result was an appropriation of $800 million.

For next year, the water quality control program is authorized at $1.25 billion, but the administration has proposed a new program which would, in effect, reduce this amount to $1 billion.

Turning to the problem of air pollution, in 1955 the Congress passed legislation authorizing a Federal program of research in air pollution and technical assistance to State and local governments. This legislation established the policy—still in effect—that State and local governments have a fundamental responsibility to deal with community air pollution problems, and the Federal Government has an obligation to provide leadership and support.

By 1963, it was clear that progress toward understanding the problem was not being matched by progress toward better control, largely because States and local governments were not equipped to cope effectively with community air pollution problems. In December 1963, Congress passed the Clean Air Act to help States and local governments join with the Federal Government in a more vigorous attack.

The Clean Air Act authorized two major Federal activities: First, grants made directly to States and local agencies to assist them in working up, establishing, and improving control programs; and second, Federal action to abate interstate air pollution, a situation obviously beyond the reach of individual States and cities.

Amendments to the 1963 act were passed in 1965, under which national standards for controlling motor vehicle pollution were promulgated for initial application for the 1968 motor vehicle model year. However, air pollution problems despite the national and local effort grew and worsened. In 1967, the Air Quality Act was passed, calling for a coordinated attack on air pollution on a regional basis and giving something of a blueprint for action at all levels of government and industry.

The third major pollution threat is in solid wastes. The Secretary of Health, Education, and Welfare is charged, under the Solid Waste Disposal Act of 1965, with coordination of research, training, demonstrations, surveys, and studies of solid waste programs; development and application of new and improved methods of solid waste disposal; and financial and other assistance to public and private agencies in solid waste disposal programs.

Yes, Congress has begun. We have been confronted with the problem and we must vigorously continue our efforts to preserve our environment. I certainly want to voice my commitment to expand the legislative beginnings we have made into a comprehensive national program dedicated to the investment of time, re-

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sources, and funds which must be made available to secure a clean, pleasant, and safe nation for each and every American to live, grow, and prosper.

VETERANS OFFICER IS OUTSPOKEN ON WAR DISSENTERS

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. ROUDEBUSH. Mr. Speaker, serving this year as national commander of the Veterans of Foreign Wars is Mr. Raymond A. Gallagher of South Dakota.

He is doing an outstanding job and some of the accomplishments of his tenure in office have been reviewed recently in a column appearing in the Indianapolis News, Wednesday, March 25, 1970.

The article was written by Mr. Lou Hiner, Jr., the veteran Washington correspondent for the News.

I commend the article to the Congress. It follows in its entirety:

BACKS NIXON—VETERANS OFFICER IS OUTSPOKEN ON WAR DISSENTERS

(By Lou Hiner Jr.)

Raymond A. Gallagher, the genial South Dakotan who is commander-in-chief of the Veterans of Foreign Wars, is an outspoken man.

On one subject, the Vietnam war, Commander Gallagher is one of the Nixon administration's staunchest supporters.

On another, the treatment of war veterans, Gallagher is an out-and-out critic of the man in the White House and his program.

In an interview, the 48-year-old Gallagher lashed out at the "vocal minority" and said it is a national tragedy that the group is "disrupting our country and undermining the well being and safety of our men in Vietnam."

The message Gallagher has sent out to the more than 10,000 VFW posts across the country is:

"The time has come when the great silent majority in this country, and that includes members of Congress, must stand up and be counted as to where they stand. Time is running out and if we don't speak out, that vocal minority will most certainly take over all that is meaningful in this country of ours."

And when Gallagher waves the flag and speaks out, there are plenty of people to listen. Scarcely a day goes by when he isn't out speaking two or three times on Americanism. He's been heckled by the discontents, but it doesn't approach the applause of those who agree with him.

Gallagher is no easy-chair commander. He's been to the boondocks in Vietnam three times to talk and listen to our servicemen. His last visit was soon after he became commander last August.

The commander realizes the desire of Americans to have our troops withdrawn from Vietnam is great, but he expresses concern that too rapid a withdrawal will weaken the Vietnamization program, where the South Vietnamese will fight the war for themselves.

Gallagher predicts our troop strength in the war area will level off around 250,000 men. How long that number will remain there is questionable, he says, and depends on how fast the Vietnamese can make their own way.

On the problems of the war veterans in this country, Gallagher is equally persuasive. He feels they are being short-changed. Some Veterans Administration hospitals are not up to par; some are inadequately staffed, and there are not enough facilities to care for the growing number of veterans. He points out there are 27 million veterans today and the number is being increased by roughly 1 million each year.

One bright light in the treatment of veterans, Gallagher says, is the sudden attention Congress is giving to legislation establishing a new GI Bill of Rights.

On the matter of Selective Service, the VFW neither endorses nor opposes the new lottery system. He believes young men under it are better able to plan their futures, but it would be fairer if there were no exemptions for such reasons as college educations.

The VFW in Gallagher's year as commander is likely to reach a record membership of 1.6 million veterans by August. The highest to date is the 1,544,000 enrolled just after World War II.

NATIONAL YWCA WEEK

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. FISH. Mr. Speaker, the YWCA of Poughkeepsie, N.Y., has been a vital influence for good in the community for 90 years. Today its members and its energy are found, as in the past, in the forefront of constructive action to meet community problems.

Typical of these efforts are the sponsorship of the YWCA with other women's organizations in Dutchess County of panel discussions on government which are open to the public. Senior citizens meet in its buildng and classes are held there.

This is National YWCA Week, a time when all of us can express our gratitude for the concern shown by YWCA members and to commend their efforts on our behalf. I should like to add my personal congratulations and well done to the board members and staff of the Poughkeepsie YWCA. The Sunday, April 19 issue of the Poughkeepsie Journal commended the Poughkeepsie YWCA in its lead editorial which I include now in the RECORD:

VALUE OF THE YWCA

"Nothing is certain in this life except change." So runs a hoary maxim that puzzled many of us as children. People today have learned the hard truth of that fact more rapidly than in any other era of our history.

The unrest, dissension and rebellion mounting among our people testify to that. Change always brings with it a disruptive influence in society. But the rapidity with which change has come in this era has bewildered most of us and made the influence more disruptive.

So many and varied are the problems and concerns accompanying the changes, the average individual is apt to feel confused and powerless to cope with them alone.

To the women and girls of Dutchess County who need help in coping with their problems or who want to join others in seeking answers to community problems, the YWCA offers opportunity. For 90 years the YWCA in Poughkeepsie has been in the forefront of constructive action for the individual and the community.

This is National YWCA Week which is being observed by the association in more than 7,400 locations across the United States around the theme, "Your Concern is Ours—Join the YWCA".

We commend this organization for its steadfast evidence of concern for others and its continuing progress in working with the individual, the community and the nation for the benefit of all.

WATER POLLUTION

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. HOWARD. Mr. Speaker, last week President Nixon sent a message to the Congress stating that he wants a study made of the practice of dumping solid wastes into the oceans. For this I want to commend President Nixon highly.

Mr. Speaker, today there is no more water on earth than there was when this earth was created. In 1970, however, the United States alone will use some 400 billion gallons of water each day, as compared with about 40 billion gallons of water a day in 1900. Much of the water used this year will become polluted in the process of use—and the treatment it receives after use will not remove the pollutants from it. Factories will pour billions upon billions of water out each day in 1970. Much of that water will be polluted because of the content of solid waste. Treatment will not be removing the pollutants from that water either.

Because these pollutants are not removed, this water will be completely unusable; and we will have lost more of a vital resource which cannot be replaced.

Mr. Speaker, for years conservationists have been warning that we should not continue to pollute our rivers and streams; but those sensible warnings fell on deaf ears. Today, as a result of our unwillingness to listen to these appeals, there is not a major body of water in the United States which is not polluted, and the cost of cleaning it up is very high.

This is the reason for the importance of the President's recent statement proposing that this study be made and completed by September. This is also the reason this effort should receive strong bipartisan support, because pollution does not recognize political boundaries, nor political parties.

We should not allow our oceans to become open sewers in the same manner in which we let this happen to our lakes and streams throughout the United States. Unfortunately, however, there seems to be an attitude about, which feels we can continue to dump anything and everything into the oceans that we wish because they are so vast that they can never become polluted. But those who believe this are as wrong as those who felt that our rivers and streams would never become so polluted as to render them useless.

To my dismay, I have, in the past several years become well acquainted with this attitude, because of continued dumping of solid waste material off the New Jersey shore. This dumping, which is permitted presently at less than 10 miles offshore has created a serious pollution problem, quite literally a "dead" area of sea around the dumping site. Continuation of this dumping at the present site might result in widespread pollution which would force us to close our beaches, cause serious financial damage to our resort business, and continue to harm marine life.

Some time ago, I introduced legislation which would require barges to go out at least 25 miles from shore before dumping sewage, and would also require extensive research into the possibilities of reviving these dead waters. On February 23, 1970, I served as chairman of the House Subcommittee on Rivers and Harbors when it conducted a congressional hearing on this legislation.

I feel that those hearings were a good start, and I am presently in the process of gathering further information so that we can conduct another congressional hearing on this subject. These are problems which must be faced, and we must have a national commitment to solve them. To those who say we cannot afford to make a realistic fight against water pollution, I say we can ill afford not to make such a fight. President Nixon's recent message would seem to indicate his agreement that this must become a top priority issue. I salute this effort, and pledge to support and assist in this fight in any way possible.

QUEEN ISABELLA DAY

HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. BUTTON. Mr. Speaker April 22 is the anniversary of the birth of one of the most celebrated figures in all history, Queen Isabella of Spain. My distinguished colleague, the Honorable JAMES G. FULTON of Pennsylvania, is the sponsor of House Joint Resolution 213 which would make that date officially designated as Queen Isabella Day.

The mayor of my own city, the Honorable Erastus Corning II, of Albany, N.Y., has quite properly proclaimed the day as Queen Isabella Day. I take pleasure in inserting Mayor Corning's proclamation of tribute to Queen Isabella in the RECORD at this point:

PROCLAMATION

Whereas, April 22, 1970, marks the 519th Anniversary of the birth of Queen Isabella, dynamic Castillian queen, who through her faith and confidence in Christopher Columbus, gave the civilized world a new dimension; and

Whereas, Queen Isabella, wife of Ferdinand of Aragon, by her support of Columbus in his plans for exploration earned for herself a unique place in the history of Western civilization; and

Whereas, in her own time, Isabella was a queen noted for her clear intellect, energy, virtue and patriotism; and

Whereas, the qualities of confidence in the future, spirit of adventure with a purpose and sacrifice in the cause of human progress exhibited by Queen Isabella are characteristics worthy of emulation in our twentieth century era of exploration;

Now, therefore, I, Erastus Corning 2nd, Mayor of the City of Albany, New York, do hereby proclaim April 22, 1970, as Queen Isabella Day in the City of Albany, and urge that all citizens, schools, historical and other interested organizations suitably observe this significant event in the history of the world.

Given under my hand and seal this 19th day of February, 1970.

ERASTUS CORNING II,
Mayor.

THE "NEW UNEMPLOYMENT": A NEW PROBLEM

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. CHARLES H. WILSON. Mr. Speaker, a new economic phenomenon has arisen which is unique to the industrial and scientific climate of the post World War II United States. I refer to the increasingly serious problem of the "new unemployment"—unemployment affecting the highly educated, well-paid personnel who for so long have been the backbone of our Nation's remarkable defense and aerospace industries.

Because the aerospace industry employs about 27 percent of our country's engineers and scientists and because this industry is, therefore, the largest employer of research and development scientists and engineers in the United States, I think it merits our concern when conditions in this Government-related industry throw these highly trained and dedicated workers into a high rate of unemployment.

Mass layoffs were once associated only with blue-collar workers who, over the years, learned to view them as a real hazard. Now, hundreds of highly educated and highly paid white-collar workers have learned that the cancellation or loss of a major contract can throw them onto the streets with little warning. Thus, it is becoming apparent that economic conversion of what have been primarily defense and aerospace firms is emerging as a clear necessity if these workers are to be productively employed in civilian endeavors.

The Southern California Professional Engineering Association's executive secretary, Mr. Robert Leventhal, has been active in the effort to bring this situation to the attention of Federal, State, and local authorities in order to encourage the development of some remedial action.

A recent article from the Los Angeles Times clearly depicts the depressed situation in which many individuals, primarily engineers, now find themselves. It graphically complements the current dialog which Mr. Leventhal and members of various professional groups are now fostering. I include the Times article at this point in the RECORD:

[From the Los Angeles Times, Mar. 19, 1970]

AEROSPACE CUTS: NEW JOBLESS: THE HIGHLY PAID OUT ON STREETS

(By Robert A. Rosenblatt)

What happens when your income drops from $327 a week to $65?

"We eat hamburgers and chili beans," says A. G., a 57-year-old engineer with a master's degree who hasn't worked since October.

"My wife and I changed functions. She goes to work every day. I stay home and take care of the house and the children."

For A. G. and thousands of others, the aerospace industry cutback is a full-scale depression. Hired two years ago, he was laid off by McDonnell Douglas Corp., a St. Louis-based firm that dismissed 15,000 Southern California workers in 1969.

During 13 years in the industry, A. G. worked at four companies on a variety of missile and space program jobs. He was transferred to Houston once during an economy move but never was laid off.

Now he's out on the street and desperately looking for work.

NEW ECONOMIC PHENOMENON

A. G. is part of a new phenomenon in the post-World War II economy—the suddenly growing ranks of the highly educated, highly paid who have lost their jobs.

Layoffs traditionally hit the man carrying a lunch pail, not the man with a briefcase.

However, American industry's growing sophistication produced a highly educated, professional work force. Modern companies have an ever growing number of white collar jobs. When layoffs come, they hit large numbers of these employes.

A. G.'s income is $65 a week in unemployment insurance benefits, and he is nearing the end of the eligibility period.

Letters and resumes to more than 100 companies as far away as South Africa, and 8,000 miles of car trips around California haven't produced a job.

A CHANGED HIRING SCENE

The boom and bust aerospace industry is deep in a down part of the business cycle with little relief in sight. In previous slack times, layoffs at one company were balanced by hiring somewhere else.

"People could move from one job to another and keep their homes and families in the same area," recalls Frank Smith, director of industrial relations at Northrop Corp., Beverly Hills, which has sliced 1,600 workers from its West Coast payrolls this year.

A slimmed down defense budget, curtailment of the space program, and a slackening of orders for civilian aircraft hit the industry all at once.

Commercial aircraft development, and subcontracting jobs for military contracts are expected to put some people back to work in Southern California. But industry sources agree that these improvements won't offset recent cutbacks, at least in the near future.

Even for workers who are willing to leave the state for another aerospace job, the picture is gloomy. Boeing Co., Seattle, has laid off 12,000 in the Puget Sound area, plus 3,000 elsewhere. Since Jan. 1. Grumman Corp., Bethpage, N.Y., has been planning to trim its 32,500-man work force to 27,500 by the end of the year. About 8,000 employes at the Ft. Worth, Tex., and Pomona plants of General Dynamics Corp. lost their jobs in a cutback that started in mid-1969.

The British government reports a huge upsurge in applications from aerospace engineers who emigrated to the United States during the "brain drain" of the past decade.

"Sure, I'll pick up and move in a minute if somebody offered me a decent job," says a $20,000-a-year administrator laid off by North American Rockwell Corp., El Segundo, in February. The company dismissed 17,000 workers last year, and another 5,000 will be jobless by April 1. About 30% of the jobless are engineers, and 10% are managers.

XUM

XUM

LEAVING INDUSTRY

The former administrator says, "I would be willing to take a pay cut to $16,000 or $18,000 a year, but nobody is offering any work."

He's ready to leave the industry. "I was going to lease some land and run a boarding stable for horses, but the property didn't become available." He also applied unsuccessfully for jobs managing a resort and working on industrial development for a Chamber of Commerce.

One engineer is running a gas station, another writes for a financial magazine, and several have taken civilian jobs in South Vietnam.

Three of every five aerospace people applying to one Los Angeles-based employment agency are asking for jobs outside the industry.

"Hundreds of them want to be salesmen in the engineering field or handling technical products," said one job counselor. "They feel it's a chance to get big money and have more job security."

But, he warns, "These jobs aren't so easy to get. A man has to have the right background and personality to be a good salesman."

Many unemployed professionals are job hunting in government agencies at the state and city levels. Others are signing up for federal civil service examinations.

"My main interests now are job security and a decent wage even if it's not as much as I was getting before," says a former contract planner at North American Rockwell.

He has applied for management jobs at the Post Office, the Internal Revenue Service and the Los Angeles County Engineering Department.

Aerospace firms are holding job fairs, where representatives of businesses ranging from computer manufacturing to grocery retailing can pick up packages of resumes and get a line on the skills now available.

Hiring has been spotty, with no trends apparent on how aerospace professionals will be absorbed into the economy.

In aerospace itself, some hiring is going on, to take care of normal attrition but the new jobs are mostly restricted to specialties such as structural engineers.

TIES TO SOUTHLAND

An exodus from the southern California area has not yet begun. Most of the unemployed are going through their savings and cutting expenditures for everything but necessities while they search for work.

"It's very difficult to relocate people," says an employment agency executive. "Their kids are in school, they have 5% loans on their homes, and they like living in California. People don't want to pick up and move. They don't want to face an 8.5% or 9% loan for a home somewhere else. Many of them say the cities in the East are too crowded and uncomfortable."

Some aerospace workers are getting jobs in the computer and computer peripheral equipment industries, reports Leo May, technical manager at VIP Agency, Inc., Los Angeles.

NORTH VIETNAMESE MAKE FATAL MISCALCULATION

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. BUSH. Mr. Speaker, President Nixon last night put his finger directly on the biggest miscalculation North Vietnam and her sympathizers throughout the world have made.

The President said:

> They thought they could win politically in the United States. This proved to be their most fatal miscalculation.

How right he is.

There may be those who disagree with the President. There may be a few who actually sympathsize with the enemy. We have had those in every war. The tories, the copperheads, the bundists, and this war is no different.

But the bulk of the American people reject the idea of defeat. They reject the idea of running out on their allies or their fighting men.

And when it comes right down to it, they rally behind their leaders, so long as their leaders deal forthrightly with them. President Nixon has dealt this way—honestly and above board. The American people have responded.

Mr. Speaker, it is time now for the North Vietnamese to reassess their policies. The President has made it clear—they can have peace; they cannot have surrender.

H.R. 17099, LEGISLATION PROTECTING THE GREAT LAKES

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. KLUCZYNSKI. Mr. Speaker, I am pleased to join my distinguished colleagues on the Public Works Committee in sponsoring legislation, H.R. 17099, to create a program and procedures that will aid in protecting the Great Lakes. This legislation is a direct outgrowth of hearings and investigations conducted, initially at my request, by our Public Works Committee and the Corps of Engineers.

We have been concerned for some time about the long-range effect on the lakes of dumping of dredge materials. Much of the dredgings are not polluted, but some of it is, and any further pollution of the lakes should be prevented.

My own city of Chicago has been working closely with the Corps of Engineers to establish diked and other disposal areas for the dredgings. We know we cannot jeopardize the economic value of our river and harbor navigation depths. We also know we must not jeopardize the lakes.

The program proposed in the legislation we are introducing today is an outgrowth and expansion of a pilot program which has already demonstrated that this kind of approach can succeed. I realize that it will pose problems in choices of land use and financial resources, but I am convinced that those problems can be solved.

This legislation does something else that I believe is important. It points up the fact that the Corps of Engineers is not the polluter—that the pollution arises from the economic development of the areas involved, and that the Corps is only the agent of the Federal Government in its cooperation with the local government in that economic development. The Corps has unjustly been required to bear the brunt of the blame; by its division of responsibility for solving the problem where it belongs—and the areas the river and harbor development serves.

I hope we can look forward to prompt action and widespread support for this bill.

THE CHESAPEAKE BAY

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. GUDE. Mr. Speaker, Naomi S. Rovner, of the Baltimore Sun Washington bureau, in a recent series of articles has provided a valuable account of the discussion of the effects on the Chesapeake Bay by the enlargement of the Chesapeake and Delaware Canal. With these articles the Sun has focused attention on an important aspect of the citizens' concern with preservation of the Chesapeake Bay, one of the east coast's most valuable natural resources.

The Sun articles have given proper perspective to the importance of the growing maritime commerce of the bay, and at the same time to the delicate balance of the bay's precious natural resources of fish and wildlife, and the many recreational assets of the bay. As the Nation dedicates itself this week to an environmental emphasis, I commend to my colleagues this valuable series of Naomi Rovner and the editorial of the Baltimore Sun:

[From the Baltimore Sun, Mar. 21, 1970]

CHESAPEAKE AND DELAWARE CANAL WORK POSES THREAT TO BAY, GUDE WARNS

(By Naomi S. Rovner)

WASHINGTON, March 20.—Representative Gilbert Gude (R., 8th) warned today that completion of the Chesapeake and Delaware canal project might spell disaster for the ecology of the Chesapeake Bay. He angrily dismissed as "completely unsatisfactory" an Army engineer's report minimizing the pollution potential of the canal project.

The 10-year project to widen and deepen the canal is scheduled for completion in June, 1972. It is considered of critical importance to the economic stance of the port of Baltimore in the East Coast competition for containership traffic.

But Mr. Gude warned today that in their haste to complete the waterway, Army scientists may have overlooked the possible impact on the ecology of the Bay.

"The potential for environmental disaster is much greater with the C. & D. Canal enlargement than with the atomic reactor at the Calvert Cliffs," Mr. Gude declared.

WARNED BY SCIENTISTS

He said he was first alerted to the possible dangers by four Johns Hopkins University scientists, who noted that the canal project will require a massive diversion of fresh water from the Chesapeake Bay to the Delaware Bay with the resultant increase in the salinity of the Chesapeake.

The Hopkins professors who alerted Mr. Gude to the potential dangers of the project were John C. Geyer, chairman of the department of geography and environmental engineering, Charles E. Renn, and M. Gordon

Wolman, professors in that department, and Owen M. Phillips, chairman of the department of earth and planetary sciences.

The scientists had urged the further canal work be postponed until the proposed hydraulic model of the Chesapeake Bay is completed and the actual impact of the canal could be adequately tested.

HARM TO OYSTERS FEARED

But, Mr. Gude pointed out that the Bay model itself is not scheduled for completion until 1976—long after completion of the canal.

In a letter to the Eighth district Republican, Col. Edwin D. Patterson, deputy division engineer, admitted that the Army could not assess the significance of the new flow patterns, especially during dry periods. He wrote: "the effect of these flows during dry periods on the characteristics of Chesapeake Bay is not known at this time, and I agree with you that these could be checked out in the Bay model when it is completed."

To this, Mr. Gude said today: "the Army thinks the Bay model would be fine to study what's going to happen after it happens."

The congressman noted that one possible effect of the flow and the resultant high salt content of the Bay water, would likely be a new invasion of the oyster killing protozoan parasite MSX, which thrives only in water with a high salinity factor.

The Army letter described the total inflow caused by the canal as "not likely to be significant over the long term of seasonally varying fresh water inflows into the Chesapeake Bay."

EARLY IMPACT FEARED

Mr. Gude said that his concern, however, was over the damage which could be caused, for example to the oyster beds, in a single dry season. Statistically, viewed over a hundred-year period, the Bay could recover, but in fact, the immediate damage could be disastrous, he said.

The Marylander said he had hoped that the dangers of the canal would be explored in hearings on the Bay model authorization requests late last year, and has written his request to Representative George Fallon (D., 4th), the chairman of the House Public Works Committee and a powerful proponent of the canal project.

Mr. Gude said he would urge investigation of the problem at the "highest levels," before the project has gone beyond the point of saving the Bay.

[From the Baltimore Sun, Mar. 25, 1970]

Morton, Gude Demand Halt To Work On Chesapeake and Delaware Canal

(By Naomi S. Rovner)

WASHINGTON, March 24.—Two Maryland legislators demanded today that all work on the Chesapeake and Delaware Canal project be halted immediately.

In letters to the Secretary of the Interior and the Secretary of the Army, Representative Gilbert Gude (R., 8th) and Representative Rogers C. B. Morton (R., 1st) noted that a newly released, Interior Department study of estuaries throughout the country specifically warns of disruption to the Chesapeake Bay's ecology caused by fresh water diversions engendered by the canal.

The interior study which was completed last January but was made available to Mr. Gude only last week, stated in reference to the canal project: "The consequences of water diversion among river systems within the estuary or beyond the Chesapeake basin should be clearly understood before diversions are planned."

SCIENTISTS ALERT

Mr. Gude said last week that four Johns Hopkins University scientists had alerted him to the potential dangers of the canal, which is expected to be finished in 1972.

The $2 billion project has been given the highest priority by Maryland congressmen, reflecting the urgency of Baltimore port interests which are blocked from using modern shipping techniques until the completion of the work to widen and deepen the canal.

The canal work is under the jurisdiction of the Army Corps of Engineers, which is itself under intensified criticism from antipollution forces who are charging that it has been permitted to construct dams, bridges, canals and other projects on the nation's waterways without proper regard for environmental impact.

Mr. Gude and Mr. Morton also wrote today to Russell Train, chairman of the President's Environmental Quality Council, and to Representative George H. Fallon (D., 4th), chairman of the House Public Works Committee.

As head of the committee which authorized the Army engineer project, Mr. Fallon has been one of the leading proponents of rapid completion of the canal project.

He has also supported the Chesapeake Bay study and hydraulic model which, Army engineer spokesmen concede, might have provided accurate data about the canal's potential impact on the bay.

However, appropriations for the Bay model, which is scheduled to be built in Mr. Morton's congressional district, have lagged behind those for the canal, and the date for completion of the Bay model has been tentatively set for 1976.

HALT PENDING OPERATION

In their letters, Mr. Gude and Mr. Morton ask that the canal work be stopped until the Bay model is operative.

At the same time, they urged Mr. Fallon to provide the Corps of Engineers with the authority to conduct a feasibility study on the installation of some kind of barriers in the canal to prevent the outflow of fresh water from the Bay when the canal is completed.

Mr. Morton, chairman of the Republican National Committee and once a leading candidate to head the Department of the Interior himself, will be weighing his influence in this matter against that of Mr. Fallon, whose committee controls the priority, and even the very existence, of Corps of Engineers projects.

The question of the canal's impact on the Bay was raised by state Bay experts several years ago, but then quickly smothered under what seemed then to be the more critical question of what the effect on the economy of the Port of Baltimore would be if the canal were not improved.

But the Interior Department's own report now speaks of the potential dangers not only to the wildlife in the Bay, but to offshore game fish which spawn in the Bay.

The report notes that the bottom currents move into the Bay from as far as 35 miles offshore.

Then, it declares: "Since the Susquehanna is the major fresh-water source for the Chesapeake estuary and it is presently among the least utilized of all water sources in the United States, we can expect there will be an increasing demand for water from the Philadelphia and New York City area" with the canal completion.

[From the Baltimore Sun, Mar. 26, 1970]

Hearings Planned on Chesapeake and Delaware Canal—Fallon Hopes To Find if Project Poses Pollution Threat

(By Naomi S. Rovner)

WASHINGTON, March 25—Representative George H. Fallon (D., 4th.) said today he would hold special hearings "as soon after Easter as possible" to explore the possible pollution threat posed by the widening and deepening of the Chesapeake and Delaware Canal.

Mr. Fallon is chairman of the House Public Works Committee, which has jurisdiction over all projects, including the canal, that are handled by the Army Corps of Engineers.

His announcement came on the heels of a demand by Representatives Gilbert Gude (R., 8th) and Rogers C. B. Morton (R., 1st) for an embargo on the canal's construction until the proposed hydraulic model of Chesapeake Bay is constructed by about 1976 and the precise effects of the canal project can be assessed.

DEEPLY CONCERNED

Mr. Gude and Mr. Morton said they were "deeply concerned" over the unknown effects on the bay's ecology of massive diversions of fresh water from the streams feeding into the bay and the subsequent increase of the bay's salt level.

Army engineers have minimized the "statistical effect," but they admit that they do not know what would happen in dry seasons.

Mr. Fallon, who plays a powerful role in determining priorities for engineering projects said today: "Of course we don't want to pollute the bay."

He said he was aware of the question regarding water diversions, but added: "No one can definitely state it would do the damage."

INTERESTED PARTIES INVITED

In any case, he said he would invite Mr. Morton, Mr. Gude, Interior Department officials, Army Corps of Engineers spokesmen, ecologists, bay specialists, the Johns Hopkins University professors who warned Mr. Gude and "any other interested parties" to testify at the hearings.

He said he hoped the canal work would not have to be stopped. "If there is any danger, we ought to see if we can't correct it by a lock or something," the veteran legislator from Baltimore said.

Mr. Morton and Mr. Gude yesterday wrote Walter J. Hickel, Secretary of the Interior, Russel Train, the under secretary and chairman of the President's New Environmental Quality Control Council and Stanley R. Resor, Secretary of the Army, demanded the embargo on the canal project.

They also wrote Mr. Fallon, urging him to help get authorization for the Army to take corrective measures in the matter.

The canal is considered critical to the economic well-being of the port of Baltimore, because until its completion, the new giant container vessels are unable to reach the Baltimore harbor. The $100 million improvement project has a completion date of 1972. Only about 15 miles remains to be widened and deepened, but it is this last work that could have the most disastrous impact on the bay.

Mr. Gude noted last week that the bay model will be able to duplicate the bay's complicated system of tides and currents exactly. In addition, it will be able to "speed up time" so that, for example, 100 years of tides and currents could be duplicated in a few hours, and their exact impact measured accurately.

He said he is convinced that the canal poses a much greater potential threat to the bay's ecology than does the controversial atomic reactor that is planned at Calvert Cliffs.

[From the Baltimore Sun, Apr. 8, 1970]

Chesapeake and Delaware Protection Called Costly—General Says Fresh Water Plan Will Cost "Ton of Money"

(By Naomi S. Rovner)

WASHINGTON, April 7.—Installation of protective devices on the Chesapeake and Delaware Canal to prevent loss of fresh water from the upper Chesapeake Bay would "cost a ton of money," Brig. Gen. Richard M. Groves, of the Army Corps of Engineers, said today.

General Groves pledged that "we in the Corps are thinking positively in this matter," but he told a congressional panel today that "intensive studies" on the project to widen and deepen the canal had shown that "in general, the beneficial effects outweighed the detrimental."

General Groves testified during the first day of special hearings before the House Public Works Committee which were prompted by charges that the ecology of the Chesapeake faced "catastrophe" if the canal were completed as anticipated.

CESSATION OF WORK URGED

Two Maryland congressmen, Representatives Gilbert Gude (R., 8th) and Rogers C. B. Morton (R., 1st) have demanded the cessation of work on the nearly completed canal until the potential hazards are fully investigated and steps have been taken to avoid them.

Representative William C. Cramer (R., Fla.), a member of the committee, challenged General Groves' reluctance to slow down the project until the ultimate effects can be measured and charged that "as far as I'm concerned the Corps of Engineers better start getting ecology-oriented."

"Perhaps," the soft-spoken Republican suggested, "because the Corps is strait-jacketed into a cost-benefit ratio by the Bureau of the Budget," costs outweighed adequate consideration of environment.

General Groves said the Army was in the process of setting up mathematical models of the bay which will give some indication of how serious the change in water flow will be, and he promised that if "it looks as though we're headed for trouble," a partial plug, now stemming some of the canal flow while the work proceeds, will be left in place pending remedial steps.

An ecologist from Mississippi, who was later identified as an Army consultant on the canal project, suggested that even if the fresh water diversion occurred, "I like salt better—it might be beneficial if the salinity increased a little."

Dr. Gordon Gunter, who works for the Gulf Coast Research Laboratory, conceded, however, that most of his research on the project had involved the disposition of silt from the dredging operations, and his knowledge of the salinity situation was from studies conducted by others.

CHARGES RENEWED

Mr. Gude and a representative from Mr. Morton's office reviewed their charges today that the Chesapeake's wildlife was threatened by a change in the salt levels and that the Army was taking too casual an attitude.

Representative George M. Fallon (D., 4th), the chairman of the Public Works Committee, emphasized his own support for the hydraulic model of the Chesapeake Bay which Mr. Gude and Mr. Morton believe should have preceded the canal work.

OF CRUCIAL IMPORTANCE

But Mr. Fallon noted that the completion of the canal project was of crucial importance to Baltimore shipping interests.

He indicated that he seriously questioned the need for halting construction on the project now, because the bay model is not scheduled for completion until 1975.

The canal should be open to increase tonnage traffic by 1972.

[From the Baltimore Sun, Apr. 9, 1970]

DELAY IN CHESAPEAKE AND DELAWARE WORK URGED PENDING BAY WILDLIFE STUDY

(By Naomi S. Royner)

WASHINGTON, April 8.—An assistant secretary of the interior recommended today that the Army Corps of Engineers suspend work on the Chesapeake and Delaware Canal until the project's effect on the Chesapeake Bay's fish and wildlife population can be evaluated.

But as the second day of congressional hearings here on the poteitial dangers of the canal drew to a close, it was clear that members of the House Public Works Committee were leaning toward completion of the project on which $80 million of a $104 million authorization has already been spent.

TOO MUCH AT STAKE

Dr. Leslie L. Glasgow, the Interior Department assistant secretary for fish and wildlife, said that "there is just too much at stake for us to proceed without having the necessary information."

Two Maryland bay specialists, Dr. L. Eugene Cronin, director of the Chesapeake Biological Laboratory, and Donald W. Pritchard of the Chesapeake Bay Institute of the Johns Hopkins University, said they believed the canal work should proceed—but only along with specified research and corrective work.

They submitted a preliminary cost estimate of almost $1 million for research on the project. The costs, however, did not include those for their proposals for "reliable structures" to prevent the potentially dangerous diversion of fresh water from the Chesapeake Bay.

CALLED TOO EXPENSIVE

A spokesman for the Army Corps of Engineers indicated at yesterday's hearings that such control structures would be too expensive to install and said merely that the corps would continue its own unspecified and low-financed research as it completed the canal.

Dr. Pritchard produced charts today to show that according to a just-completed mathematical bay model, the canal, deepened to 35 feet from its present 27-feet, would not unduly upset the bay's ecological balance, as has been charged.

But he warned that although the fresh water diverted by the canal might not in itself cause disaster in the bay, completion of the canal is "robbing somebody of drinking water."

Both he and Dr. Cronin noted that New York and Philadelphia will increasingly need to draw on the Susquehanna River for drinking water and the subsequent increased diversion of fresh water combined with the canal might produce the oversalting of the bay that is feared by canal critics.

Dr. Cronin said it would be "just stupid" to proceed with the canal work without building controls into the system and without performing the detailed biological research he proposed, including completion of a hydraulic bay model.

The potential dangers to the bay were raised by Representatives Gilbert Gude (R., 8th) and Rogers C. B. Morton (R., 1st) who have asked that the canal be delayed until after the hydraulic bay model, a $15 million project, is completed. It now has a tentative completion date of 1975.

Other scientific witnesses pointed out, however, that even the hydraulic model will not answer questions about the biology of the bay.

There was some testimony today that the increased salinity in the bay could have beneficial effects and it was noted that surprised scientists discovered that the striped bass or rock fish uses the canal itself as a spawning ground.

The scientists said, however, that they could not begin to tell whether the increased flow in the deepened channel would help or hurt the young fish and the fish eggs.

Dr. Pritchard, the strongest scientific witness for proceeding with the work, noted that while he personally felt that the canal work alone would not harm the bay, he could not say his work or his new mathematical computer-model was "absolutely infallible."

He reiterated that continued work on the canal was a "risk," and that "measurable and detrimental" effects on the bay could be expected if the fresh water flow were lowered any more.

BEGAN AS 10-FOOT DEEP CANAL

Dr. Glasgow, whose official recommendation that the canal be delayed drew incredulous questions from some committee members, also noted that in the past there have been repeated requests for deepening the canal. He noted that the C.&D. canal began as a 10-foot deep channel in the Seventeenth Century.

[From the Baltimore Sun, Apr. 12, 1970]

TON OF MONEY

The project to make the Chesapeake and Delaware Canal wider and deeper, now under way, is a vital one for the port of Baltimore. And what is vital for the port is vital for the economic structure of the state. There is, though, another side of the picture: another vitality. The Chesapeake Bay and its wildlife also are important to Baltimore and the state's economy. Here we have the rub: The claim is made that the canal project will divert fresh water from the upper reaches of the bay with an adverse effect on the ecology of the Chesapeake area.

There are those who believe that the welfare of the port is more important than the bay's ecology. There are those who hold the opposite view. There are those who think that the escape of fresh water through the canal would not adversely affect wildlife.

Can the canal widening and deepening be carried out and at the same time the bay be given full protection? Brig. Gen. Richard M. Groves, of the Army Corps of Engineers, has said that the furnishing of such protection would "cost a ton of money." How much a ton of money is can be left to the Department of the Treasury. But Maryland will want assurance that the Chesapeake will not be harmed through lack of direct action to protect it.

THE PRESIDENT'S VIETNAM STATEMENT: "THE ENEMY HAS FAILED"

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. RHODES. Mr. Speaker, "the enemy has failed to win the war in Vietnam."

In President Nixon's candid and confident speech on the situation in Southeast Asia, those words were—to my mind—the most significant.

Hanoi had hoped for a military victory. Then Hanoi had hoped to win a propaganda victory in the United States that would destroy the will of the American people.

As our President proudly said, the American people held fast, and the enemy has failed.

Vietnamization is working.

Pacification is working.

American casualties have declined.

In the past year, 115,500 of our young men have come home from Vietnam. During the next year 150,000 more will come home.

President Nixon's policy—deliberate, firm, confident—is working. Now it should be clear to all that only one more step is needed to bring the war to an end: Hanoi should come to the bargaining table with a realistic approach and move toward a sound political settlement. No longer should the enemy demand humiliation and defeat for the United States. For the enemy has failed.

CONGRESSIONAL QUESTIONNAIRE

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. MESKILL. Mr. Speaker, once again, I am sending my annual congressional questionnaire to residents of the Sixth Congressional District. The questionnaire contains 18 questions on some of the most controversial issues confronting the Nation. When the results of this poll have been tabulated, I will report them to the Congress, to the President, and to the residents of the Sixth Congressional District in Connecticut.

I am inserting the full text of my questionnaire in the RECORD in the hope that my colleagues will find the questions food for thought.

The questionnaire follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April, 1970.

DEAR FRIENDS: We have entered the decade of the seventies. The Second Session of the 91st Congress has assembled, and we have begun our work of voting on many controversial issues.

As in past years, I have again prepared a questionnaire to seek your views on many of the complex issues facing our Nation today; such as inflation, drug control, and the conflict in Southeast Asia. I would like to ask you to take a moment or two of your time to share your opinions on some of these issues with me. Knowing your views enables me to do a better job of representing you in Washington.

The results will be tabulated and reported to the Congress, the President, and to you.

You do not need an envelope to return this questionnaire, Just refold it and affix a 6¢ stamp. A prompt return will expedite the tabulation of results.

Thanking you in advance. I remain

Sincerely yours,

THOMAS J. MESKILL,
Member of Congress.

(Not printed at taxpayers' expense.)

CONGRESSIONAL QUESTIONNAIRE

In answering the multiple questions, please indicate your opinion by inserting a, b, c, d, or e in the space provided. Other questions answer "yes" or "no". Your answers will be held in confidence. The questions are designed so that both husband and wife can express their views.

1. Do you agree with Vice President Agnew's charge that news media are often biased?

2. Should wage and price controls be imposed to stop inflation?

3. Do you think the President has been candid with the American public about this Nation's involvement in Laos and Cambodia?

4. Should the United States provide Laos and Cambodia with:

(a) military equipment

(b) advice

(c) military support (bombing and reconnaissance)

(d) ground troops

(e) leave them on their own?

5. Do you feel our children are receiving:

(a) an excellent education

(b) a good education

(c) an adequate education

(d) a poor education?

6. Do you favor:

(a) increasing Federal aid to education under existing programs

(b) reducing allocations to existing programs

(c) maintaining aid at present levels for existing programs

(d) restructuring and reforming our entire Federal aid to education program?

7. Do you favor bussing school children to achieve a better racial balance?

8. Has the Supreme Court been too lenient in its decisions on pornography and obscenity?

9. So that industry will install pollution abatement devices, would you favor:

(a) granting tax credits for such installations

(b) issuing a deadline for abatement with a fine for failure to comply?

10. Do you favor a Federal gun registration law?

11. Do you approve of the way President Nixon has handled the war in Vietnam?

12. Do you favor a four-year term for Congressmen?

13. Do you think local, State, or Federal employees should have the right to strike?

14. Do you favor increasing postal rates to pay the cost of pay raises for Federal employees?

15. Do you favor continuing our spending to explore space?

16. What do you think are our most important domestic problems today? (List in order of importance; 1, 2, 3, etc.)

— — Crime
— — Pollution
— — Racial hostility
— — Education
— — Pornography through mail
— — Communism
— — Campus rebellions
— — Drug problems
— — Poverty
— — More emphasis on health needs and health research, e.g., conquering diseases such as the common cold, arthritis, leukemia, multiple sclerosis.
— — Other

17. On student disorders in universities and colleges, are you in favor of: (Answer yes or no for each question.)

(a) stopping Federal aid to students convicted by a civil court or disciplined by school authorities for disorder?

(b) stopping Federal aid to schools where the administration fails to curb disorder?

(c) use of Federal troops to quell violence?

(d) giving schools complete control over their campuses?

18. On the Selective Service System, do you favor:

(a) retaining selective service boards

(b) a lottery

(c) an all-volunteer armed force

(d) use of draft only in time of declared war

(e) other?

Comments:

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,400 American prisoners of war and their families.

How long?

LONGSHOREMEN URGED TO KEEP PRESSURE ON REDS

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. SMITH of New York. Mr. Speaker, a recent article by Victor Riesel published in the Buffalo Courier Express describes the hard-nosed efforts of the International Longshoremen's Association toward the release of American prisoners of war.

I congratulate the International Longshoremen's Association—ILA—for the very practical action that they have taken and their great support of our men who are prisoners of war in North Vietnam. At the same time, I vehemently condemn the North Vietnamese for their continued intransigence in acknowledging or implementing the Geneva Convention on the treatment of prisoners.

The International Longshoremen's Association is offering a deal to the Soviet Union to effect the release of American prisoners from North Vietnam, thereby ending the longshoremen's 20-year boycott of Soviet ships. They offer to work one Soviet ship for the release of five American POW's. I do not see how Moscow can turn this offer down.

The Victor Riesel article follows:

LONGSHOREMEN URGED TO KEEP PRESSURE ON REDS

(By Victor Riesel)

NEW YORK.—It could be you think strong men don't weep. They do. You would too, if you sat at a desk across which came letters from mothers and young wives pleading but not begging, beseeching but not crawling, searching, albeit futilely, for any hint of their sons and husbands among the 1,400 Americans now prisoners of war in North Vietnam.

The desk across which these letters flow is that of Johnny Bowers, International Longshoremen's Assn. (ILA) executive vice president. He has the gut for the waterfront, the heart for a cause, but somehow these notes get his stomach—and mine—in ship-tight knots.

From across the land these letters come to Bowers because he has offered to end the union's 20-year boycott of Soviet cargo and passenger ships and work each Red craft in exchange for Moscow's effecting the release of five American PWs.

Just to pick at random in the mound of letters, there is the note from Mrs. Patricia A. Biene from the area of Alameda, Calif.

"It's not easy having a husband missing in action," she writes "but to know that someone cares helps terribly. The futility of one small person trying to persuade a nation to at least release a list of prisoners is now set aside by the help which you and your union have provided. Bless you all." Her husband has been missing in action since Oct. 5, 1966.

And there is Mrs. Gerald A. Gartley of Dunedin, Fla. who tells Bowers: "I am the mother of Lt. Markham L. Gartley, USN, whose plane was shot down over North Vietnam August 17, 1969 and who has been held a prisoner in North Vietnam since that time. We have not had a letter from him . . . This letter is to thank you, Mr. Bowers, for your efforts in behalf of these fine American boys who have been the forgotten men . . . May God bless your efforts." And she signs herself as "a grateful mother."

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There are more and more. Lots more. And Bowers and his national union president, Ted Gleason, send word they are willing to strike a bargain. But there's no reply.

There is, indeed, word from the Soviet Union—constantly and recently. But not on the prisoners-of-war exchange. What Moscow's maritime trust wants is open access to the fine piers of New York harbor, now useless to them because the ILA's men won't load or unload them—and indeed would paralyze the port if anyone tried to bring in executives to tie up and service a Soviet vessel.

The Russians have attempted several ploys. Not too long ago they considered offering to retain former Ambassador Arthur Goldberg as special counsel. They were prepared to offer $50,000 for him to argue their case or take legal action. This came to nothing when Gleason sent word indirectly advising the Soviet mission here to save its money, time and diplomatic energy.

Earlier, the Soviet Embassy in Washington had pressured the State Dept. into contacting the Port of New York Authority in an effort to "persuade" the longshoremen to end their boycott begun in 1950 when a Soviet master intelligence agent, Gerhart Eisler, fled this city half a step ahead of the authorities. He slipped aboard a Communist ship.

Then, according to reports in the highest Washington diplomatic circles, Port Authority executives consulted Goldberg. Somewhere along the line, the former Supreme Court Justice telephoned Secretary of State William Rogers. The attorney wanted to know whether all this had official State Dept. approval. Was this an official State Dept. project?

There is no word on the results of this telephone call. There is word on the Soviet pressure. It continues. More recently, Gleason again was called by an intermediary and asked if he would see Goldberg. Again the word was no.

Gleason and Bowers need no pressure nor will they react with anything but disdain. They want it known, and this column can so report officially, that they are ready to handle Soviet craft on a five prisoners-of-war to one-ship basis.

Otherwise the Soviet pressure will result in an open blast by the American longshoremen.

Bluntly they see Russia's tactic as arrogant. The Russians are asking for the right to compete with our own merchant and passenger fleets which are in such bad shape the Duchy of Liechtenstein probably wouldn't take them as a gift.

The Soviets want their passenger ships cleared here—though the American trade is so run down there isn't an American flag ship on the North Atlantic passenger run. In all, there are about four U.S. passenger lines sailing from any port.

But the longshoremen are willing to handle Soviet craft if they can get a few boys freed. Gleason and Bowers want no piece of foreign policy making. But they've just read the letter from Mrs. L. I. Williams of Tampa, Fla.:

"I am the mother of a Navy pilot who was shot down near Hanoi in April of 1967. We have every reason to believe he is a PW, but Hanoi has never verified this.

"I know what it is to live in anguish and anxiety at all times, and it is almost unbearable when thinking of the mistreatment they get at all times. I'm sure you are aware that we are trying to put pressure on Hanoi to at least let us know who they are holding and to give them humane treatment.

"But the public isn't very responsive. Unless someone is directly involved, they don't seem to have time to help someone else. So that makes me more appreciative of people like you. Please continue to help us. I'm sure it would help the morale of the PWs if they could hear about people like you instead of all the bad things . . ."

So the offer holds. One ship for five American PWs.

EARTH DAY—APRIL 22

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. RODINO. Mr. Speaker, tomorrow is Earth Day—a national day of commitment to assess the state of our environment. Throughout the Nation, citizens will participate in ceremonies and constructive activities to further efforts to improve the quality of our life. It is particularly heartening to me, as one who has for many years fought for antipollution programs, that our young people—from those in college to those still in elementary school—have joined in this effort with such dedication and fervor.

Earth Day ceremonies and projects provide a wonderful example of the value of constructive demonstration on behalf of a cause vital to all Americans, and indeed to our entire planet.

It is particularly significant that this day is termed "Earth Day," rather than "Environment Day" or "Antipollution Day," for the battle to restore our despoiled environment is truly global. We all rejoiced last week when our courageous astronauts overcame tremendous obstacles and returned safely from outer space to planet earth. But planet earth is an ailing world that must be healed if earth is not to become as barren and hostile to life as the moon.

Much attention has, and will be, given to Federal, State, and local programs to combat air and water pollution, to abate noise and to devise solutions to the problems of land use and solid waste disposal. And I am glad to state that there is growing consciousness of the global nature of our environmental problems and the need for international cooperation to cope with them.

Mr. Speaker, as a member of the North Atlantic Assembly and Vice Chairman of its Scientific and Technical Committee, I can report that great interest exists among members of this parliamentary arm of the North Atlantic Treaty Organization for a united effort to improve the environment of our world and reverse the encroachment of pollution which now ravages it. In this connection, I would like to include in the RECORD two documents I prepared for the Scientific and Technical Committee's meetings when we discussed mutual problems of air and water pollution. The first, "Air Pollution in the United States," was submitted at our 1968 meeting and the second, "U.S. Reaction to Santa Barbara Oil Spill," was presented at the 1969 meeting.

Mr. Speaker, I have great hope that many benefits for planet earth will flow from the nationwide Earth Day activities tomorrow, and I commend all the individuals and organizations who will take part in these observances.

The documents referred to, follow:

REPORT ON AIR POLLUTION

(Submitted to the Scientifical Technical Committee by P. W. RODINO, JR., Vice Chairman)

I. AIR POLLUTION IN THE UNITED STATES

Economic expansion and technological progress are hallmarks of our modern society. In America, they have enabled us to enjoy a high standard of living. But these important trends of the 20th century, coupled with the trend of increasing urban population, have had many unplanned and unwanted side effects on our health and welfare. Air pollution is one such side effect—a very serious one whose impact is being felt by millions of Americans in all parts of the country.

The sources of air pollution in the United States are numerous and varied. They include such activities as the burning of fuel to produce heat and electric power, the use of motor vehicles, the burning of refuse, and the manufacture and use of such staples of modern life as steel and other metals, paper, and chemicals. No city or town in America is entirely without sources of air pollution. And in most cities and towns there are enough sources emitting enough gases and solid particles to cause a community air pollution problem.

America is paying a high price for air pollution. Through injury to vegetation and livestock, corrosion and soiling of materials and structures, lowering of property values, and interference with air and surface travel, contamination of the air costs billions of dollars each year in economic damage alone. Of far greater concern are the adverse effects of air pollution on human health. Episodes of extreme pollution have caused illness among thousands of exposed people and resulted in the deaths of many more. Also, research conducted over the past 10 to 15 years has produced a growing body of evidence which indicates that the long-term effects of exposure to lower concentration of air pollutants adversely affects the health of many and may result in chronic disease and premature death. Among the major illnesses which have been linked with air pollution are emphysema, bronchitis, asthma, lung cancer, and even the common cold.

While the present levels of pollution represent a serious national problem, the outlook for the immediate future indicates that, for many American communities, the problem could become a critical one. The continued upwards trends in the factors which contribute to the contamination of the atmosphere—increasing urban population, increasing industrialization, greater demands for power produced by the burning of fossil fuels, more and more dependence on the automobile to meet our rising transportation needs—these and other trends of growth leave no doubt that the potential scope and severity of the air pollution problem and its effects will intensify unless the Nation substantially and rapidly augments its control efforts.

Emergence of the contemporary problem

As recently as the early 1940's, we thought of air pollution in the United States as a relatively simple problem, having to do with the emission of black smoke and cinders, and confined to a relatively few Eastern and Midwestern industrial cities. Air pollution was considered to be a nuisance, rather than a real threat to anyone's health, and in any case purely a local matter demanding only local attention. In fact, it received very little attention of any kind, for the annoyance of smoke pollution was long considered a small price to pay for the high level of economic activity it symbolized. When the smoke problem finally became so intense in cities such as Pittsburgh, St. Louis, and Cleveland as to bring on a public clamor for relief, the city governments applied the sim-

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ple technology required to control the nuisance. This technology consisted of improvements in combustion practices, restrictions on the kind of fuel used, and in some cases, devices to control cinder emissions. With its application—together with the change from steam to diesel powered locomotives and the substitution of gas and oil for coal in space heating which began to take place at about the same time—the atmosphere of these cities visibly improved.

It was the experience of Los Angeles, whose explosive growth in the 1940's and 1950's brought with it the emergence of the modern phenomenon of photochemical smog, which helped to focus national attention on the growing problem of air pollution—and to awaken America from its complacent tolerance of what it had so long considered nothing more than a relatively harmless annoyance.

Even when the Los Angeles smog problem began to be clearly noticeable, Americans still labored for a time under the impression that another local nuisance had arisen. But when, despite the establishment of the most ambitious and stringent control program in the history of the world, the Los Angeles problem, not only continued to worsen but spread to other cities, it became apparent to the Nation that the air pollution problem it now confronted was simething vastly different from, and vastly more complex than, a vexing concentration of smoke and cinders over some of our urban areas.

Today's problem and some of its components

Today, in spite of all of the control efforts we have made till now, a variety of damaging pollutants is being released into the air over the United States at a rate of more than 130 million tons a year or about three-quarters of a ton for each American.

This mass of toxic matter in the air constitutes one of the major health challenges confronting the American people.

Smoke still remains the most obvious component of the contaminated atmosphere—the smoke that rises from thousands of power-plant and factory smokestacks, from millions of homes in our residential areas, and from countless incinerators and garbage dumps. While this particulate-laden smoke is highly visible, it constitutes only about 10 percent of the pollution in the air over the United States.

A full 90 percent of U.S. air pollution consists of largely invisible but potentially dangerous gases. More than half of the contamination, for example, consists of carbon monoxide—most of it issuing from the exhausts of automobiles, trucks, and buses.

The second most plentiful gas pollutant is composed of oxides of sulfur, produced by home, power-plant and factory combustion of coal and oil containing large percentages of sulfur.

More than a tenth of the air-pollution in the United States consists of hydrocarbons, most of them emanating as unburned or only partially burned gaseous compounds from automobile fuel systems.

Combustion also produces large quantities of carbon dioxide, nitrogen oxides, and other gases.

Unpleasant and dangerous enough by themselves, some of these products of combustion undergo complicated chemical changes in the atmosphere that make even worse. In the presence of sunlight, for example, the hydrocarbons and nitrogen oxides, emitted largely by automobile exhausts react to produce the brownish and irritating photochemical smog that blankets Los Angeles on many days of the year. This so-called "Los Angeles smog" is a highly complex mixture containing, among other things, nitrogen dioxide, hydrocarbons, ozone, and peroxyacyl nitrate (commonly called PAN).

Occurrence and distribution

It has been estimated that 308 urban places in the United States with a population of 2500 or more have air pollution problems which can be ranked as serious. Nearly 45,000,000 people—or about 24 percent of the Nation's population—live in these areas. In total, it has been estimated that about 7300 communities—representing some 60 percent of the population—have air pollution problems of a greater or lesser degree.

In 1967, the U.S. Public Health Service evaluated the air pollution problems in the 65 United States Standard Metropolitan Statistical Areas having an industrial population of 40,000 or more. Essentially, an SMSA is a socially and economically integrated area with a central city, or city, containing 50,000 or more population. In this evaluation, the 10 areas having the most severe pollution problems were listed as Chicago, Cleveland, Los Angeles-Long Beach, New York, Philadelphia, Boston, Detroit, Newark, Pittsburgh, and St. Louis.

But, admittedly, attempting to make comparisons of the problems faced by different cities is an extremely difficult matter.

In the first place, air pollution is not the same everywhere. New York City, for example, burns large amounts of sulfur-bearing fuels to generate electricity and to heat buildings. As a result, one of the major components of New York's air pollution problem is the sulfur oxides. Los Angeles, on the other hand, with its abundant sunshine, frequent weather stagnations, and dense automobile populations, is well known for its photochemical smog problem. The two kinds of pollution are very different chemically, and so are their effects.

In the second place, gaging the overall seriousness of an air pollution problem is not simply a matter of measuring the amounts of the various kinds of pollutants discharged to the atmosphere. The presence of some pollutants in the atmosphere will influence the effects of others. Particulate pollution, for example, exaggerates the effects of the sulfur oxides. Some pollutants may react with others to form new substances, and the extent of these reactions in the atmosphere is influenced by temperature, relative humidity, sunlight, and the concentrations of pollutants. The emission of pollutants will in itself vary in time with such factors as the onset of rush hour traffic, the onset of the heating season, and slowing down of business on a weekend. Finally, the meteorological and topographical characteristics of a place can have a considerable influence on the seriousness of the air pollution problem.

A recent Public Health Service summary efforts to measure air pollution levels in cities and towns throughout the United States contains this pertinent statement: "The air quality sampling activities carried on by the many air pollution agencies in the Nation give us the answers to some of the questions we ask about the quality of the air we breathe. The most significant conclusion to be drawn from the data is that wherever we have looked for air pollution, we have found it."

The fight for cleaner air

The solution to the air pollution problem is by no means simple. Our modern civilization would collapse if we were to stop all the activities that contribute to air pollution. But we need not take such drastic measures. There are acceptable ways of reducing air pollution without disrupting the economy, without stopping the forward progress of technology, and without depriving us of any of the conveniences of modern life.

The United States today is moving toward developing and applying these acceptable solutions.

The U.S. Department of Health, Education, and Welfare was first authorized to conduct an air pollution program in 1955. In approving this pioneer legislation, the Congress gave recognition to the fact that air pollution had become too difficult and complex a problem to be solved through the unaided efforts of local and State governments. It therefore authorized the Federal Government to render aid to cities and States in the form of research support and technical assistance.

While this initial Federal effort helped to produce a substantial improvement in scientific knowledge of the nature and national extent of air pollution, it was extremely modest in scope, as indicated by its first year funding of less than $200,000.

By 1963 it had become evident that progress toward better understanding of the problem was not being matched by real progress toward control. Contamination of the national air resource was still increasing, and most State and local governments were still not equipped to assume responsibility for preventing and controlling community air pollution problems. Obviously, a much more vigorous attack on the problem was needed, and this realization led to the adoption of the Clean Air Act in December 1963.

With more realistic funding—increasing to more than $64 million in 1967—progress toward more effective control of air pollution sources increased significantly. The Act authorized direct Federal grants to assist in the improvement of control efforts throughout the country, and awards of these grants resulted in an unprecedented expansion of State and local control programs. Prior to passage of the Clean Air Act, only 16 States had passed air pollution control legislation. Today, 46 of the 50 States have done so. Under authority of the 1963 law, Federal abatement actions have been initiated which will ultimately be of benefit to millions of people living in areas where air pollution is an interstate problem. Expanded research efforts have helped to demonstrate the need for, and have hastened the development of, new and improved control technology. Under amendments to the Act enacted in 1965, we have begun to control emissions from motor vehicles, which represent the most important single source of air pollution in the United States today.

While this progress has been heartening, it has fallen far short of the need. It has fallen short because the trends of urban, industrial, and technological growth have continued to rise and continued to add to worsening of the problem.

It was because the problem was still growing—rather than lessening—that the President, in January 1967, recommended the enactment of far-reaching new control legislation.

In his message to the Congress recommending this action, the President said: ". . . the pollution problem is getting worse. We are not even controlling today's level of pollution. Ten years from now, when industrial production and waste disposal have increased and the number of automobiles on our streets and highways exceeds 110 million, we shall have lost the battle for clean air—unless we strengthen our regulatory and research efforts now."

The Congress responded with passage, in November 1967, of the broad new Air Quality Act of 1967.

The Air Quality Act—An effective control plan

Because pollution in the air is distributed by the wind without regard for man-made political boundaries, the Air Quality Act is designed to control pollution on a *regional* basis. Control systems will be established and enforced by regional agencies in interstate or intrastate metropolitan areas sharing a common air pollution problem.

The major thrust of the new legislation is regulatory—providing the blueprint for a systematic application of the presently available methods for controlling the sources of air pollution. At the same time, through a broadly expanded research and development program, the Act provides the means by which existing control methods can be vastly improved, thereby achieving more comprehensive and more complete control.

Under the Act, the U.S. Department of

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Health, Education, and Welfare must first delineate broad atmospheric areas of the Nation, a task now completed. Next, the Department must designate air quality control regions based on meteorological and other technical factors, as well as social and political factors. Concurrently, the Department must develop and publish air quality criteria indicating the extent to which air pollution is harmful to health and damaging to property, as well as detailed information on techniques for preventing and controlling air pollution. Provided with this information, States are then expected to develop ambient air quality standards and plans for implementing these standards in air quality control regions. The Department will review and evaluate these standards and plans, and once they are approved, the States will be expected to take action to control pollution sources in the matter outlined in their plans. If a State's efforts prove inadequate, the Secretary of Health, Education, and Welfare is empowered to initiate abatement action.

With a first year budget of approximately $65 million, the National Air Pollution Control Administration—an agency of the U.S. Public Health Service of the Department of Health, Education, and Welfare has begun the designation of air quality control and reports on control techniques. Under the Air Quality Act, the United States hopes to start winning—instead of losing—the battle for clean air.

REPORT ON U.S. REACTION TO SANTA BARBARA OIL SPILL

(Submitted by Congressman PETER W. RODINO, JR.)

I. THE COURSE OF EVENTS

1. At around 11:00 a.m. on Tuesday, January 28, 1969 the Union Oil Company experienced a blow-out on a well that was being drilled on their Platform A. located approximately 6 miles south-east of Santa Barbara, California.

2. The US Coast Guard was notified of the incident at 12:50 p.m. Air surveillance from the Coast Guard stations in San Diego and Los Angeles as well as on-scene command coordination of control preparations, began immediately.

3. When the incident occurred the Union Oil Company had three wells ready to flow and work was proceeding on the fourth (A21) and fifth (A38) wells. At the defective well (A21), the crew had completed the drilling to the producing horizon at 3500 feet. A 5-inch drill pipe was in the hole, with the drill bit connected at the end, at the 3500 foot level. The crew was going through the procedure of taking the drilling bit and the drilling strings out of the hold. It was during this period of retrieving the bit and strings at a distance of approximately 500 or 700 feet that gas and oily mud were ejected from the drilling pipe. Mud came up at such a rate that it poured over the top of the derrick.

4. On January 29 the Coast Guard reported that a gas pressure blowout had occurred at 720 feet from the bottom of the drill hole. The Union Oil crew had dropped the drill pipe back into the hole and had taken other preventive measures to seal this outlet. However, oil was being released through natural faults some 200 yards east of the platform, estimated by the Coast Guard at about 30,000 barrels per day. The slick was sprayed with detergents, and oil booms were placed to protect on-shore marinas.

5. On February 4 the Coast Guard reported that oil had broken through the booms and was being deposited on the Santa Barbara beach. The Operations Center of the California Disaster Office was activated, arranging for equipment, facilities and prisoner-personnel to initiate cleanup efforts.

6. On February 5 the Coast Guard announced that the Federal Government had taken control of the oil containment and cleanup operations. Union Oil Company efforts included pumping mud into the well in an attempt to seal the leaks, cocentrating the oil on the water surface with log booms and pumping it into barges, and spreading mulched straw and perlite talc to absorb the oil near the beaches, where it could be picked up later for disposal at dumps.

7. On February 7, with the concurrence of the President and the Department of Justice, Interior Secretary Walter Hickel ordered all wells closed and the drilling halted in the part of the Santa Barbara channel under Federal jurisdiction. This order affected 72 wells that had been drilled or were in the process of being drilled. Twenty-seven of the wells were actively producing oil and two more were completed for production, but had not yet been put on a production basis.

8. On February 8, Union Oil advised that it appeared the well had been brought under control and that the flow of oil and gas was invisible from the offshore tower.

9. On February 9, Los Angeles County began constructing booms as a precautionary measure, anticipating 7 to 10 days before arrival of the oil slick in their area. Ventura County indicated that the entire coastline, from the northern county border to Port Hueneme, had been contaminated in varying degrees by oil; however, double booms and a new type styrofoam pontoon with attached slip shield were effectively protecting harbor and marina facilities. Straw placed between the double booms was reported effective if changed periodically. All beaches in the affected area were closed due to oil contamination and raw sewage from the Santa Clara and Ventura Rivers. Santa Barbara County reported over 28 miles of coastline and 700 to 800 privately owned vessels were affected by the oil. The harbor was double-boomed. However, oil was found on sea walls and pier pilings, and harbor facilities remained open to workboat traffic only.

10. On February 13 at 2:41 p.m., Union Oil Company reported that the capping had blown out and that well A21 was leaking again. The Coast Guard confirmed that there was increased oil in the vicinity of the original leak and an aerial survey revealed a new slick 75 to 100 feet wide and 6 to 8 miles long. This slick was reported to be ⅛ inch thick at the Union Oil Company platform. After a survey by a diver and 2-man submarine, Union Oil reported that the new problem was created by residual oil and gas flows from upper oil sands which were pressurized as a result of the original incident and not from the capping being blown.

11. At this date, there is still some seepage.

II. THE GEOLOGY OF THE SANTA BARBARA AREA

12. The blowout at this well is considered unusual and difficult to control, considering that the flow of oil and gas from the well itself has been shut off. Apparently, oil and gas have found their way outside the well wall and are continuing to be discharged from the seabed at several points along a line running eastward about 800 feet from the drilling platform.

13. The well is on what is termed the Rincon Structural Trend, along which, in places, the oil-bearing sands begin within a few hundred feet of the seabed.

14. In reply to questions from the House Public Works Committee, the US Geological Survey has provided the following geological information. The Santa Barbara Channel area differs from the oil field areas of the Gulf Coast, Mid-Continent, or the Rocky Mountain States; but it resembles most other California oil field areas in its general characteristics. The Channel area is the submerged western half of the Ventura sedimentary basin. Elongate anticlinal structures and fault traps that are productive of oil and gas onshore and under State waters continue many miles into the central part of the basin. All of the Pacific Coastal Zone is seismically active. In the Ventura and Los Angeles sedimentary basins most of the significant folding and faulting of the oil-bearing sediments occurred several million years ago. Minor deformation is continuing into the present time, but these areas are relatively less active seismically than other areas of California, including oil fields areas that are along some of the major fault system such as the San Andreas Fault. The oil field structure under the Union Oil Company lease that suffered the blowout is very similar, geologically, to most coastal California oil fields. Like most, it is a folded, faulted, elongate geologic structure. It differs from most other structures, however, in the greater thickness of its oil sands, its shallower depth, and lower pressures. Early production in California also came from shallow depths, both onshore and offshore.

15. The remainder of this paper describes further action taken so far by the Administration and the Congress to deal with the continuing problem of well A21, as well as the future of other offshore oil operations indicated by this disaster.

III. ADMINISTRATIVE ACTION

16. Federal regulations pertaining to mineral leasing, operations and pipelines in the outer continental shelf are set forth in Title 30 and Title 43 of the Code of Federal Regulations. The *Outer Continental Shelf Lands Act* of 1953 (67 Stat. 462) provides that the Secretary of the Interior may at any time amend these regulations "as he determines to be necessary and proper in order to provide for the prevention of waste and the conservation of natural resources in the outer continental shelf".

17. On February 17, Interior Secretary Hickel[1] announced a new regulation holding oil companies liable for the total costs of cleaning up oil spills from offshore drilling operations. This amendment also provided that, if an oil company did not act to clean up an oil spill, the Federal Government would step in and conduct the cleanup at the company's expense. Prior to issuance of this regulation Union Oil Company had agreed to pay all cleanup costs of the Santa Barbara incident.

18. On March 21, Secretary Hickel issued more detailed amendments to the regulations affecting safety controls, training of platform crews, antipollution devices, and Federal inspection. These new provisions specifically call for the following:

(1) More casing is required on all wells, including specific requirements for near-surface casing to prevent blowouts in shallow formations.

(2) Any major variance from the new casing requirements must be submitted to the U.S. Geological Survey Headquarters in Washington for approval.

(3) Tests to ensure isolation of zones of oil, gas and fresh water from each other must be witnessed by representatives of the U.S. Geological Survey.

(4) Pressure tests in each casing string now are required to meet a standard of not more than 10 percent pressure decline in 30 minutes.

(5) Blowout prevention requirements are more stringent and, in some cases, additional preventers are required.

(6) While the drilling is in progress, blowout preventers will be tested daily rather than weekly as required before.

(7) A weekly blowout prevention drill is required for each crew to ensure proper training in emergency duties.

(8) A standby blowout preventer assembly and a safety valve will be kept on the rig floor to aid in case of the potential loss of control during drilling.

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[1] See Annex 2: Press Release August 22, 1969 on rules adopted in final form.

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(9) Safety valves will now be required both above and below the Kelley which is part of the drive mechanism for drilling.

(10) Warning devices are required to indicate automatically the condition and level of the drilling mud in the hole during drilling and withdrawal procedure.

(11) Additional safety and antipollution devices now are required on platforms. These include gas detector and alarm systems, fire-fighting systems, automatic shutdown devices for the wells and equipment on the platform, pipeline alarm, and auxiliary power equipment for safety.

(12) Pollution control equipment is required to be located nearby each fixed platform, drilling ship or floating platform, and must be available prior to undertaking drilling operations. This includes booms to control the spread of oil slicks, skimming apparatus to remove oil slicks from the surface of the water, and approved chemical dispersants.

(13) More scheduled and unscheduled inspections of all operations will be conducted by representatives of the US Geological Survey. Failure to comply with orders and regulations can result in immediate suspension of operations.

19. On March 21, Secretary Hickel signed a second order which turned an existing 2-mile buffer zone opposite the existing Santa Barbara State Oil Sanctuary into a permanent ecological preserve. The current buffer zone of 21,000 acres is augmented by an additional 34,000 acres south of the preserve, totalling 55,000 acres where no drilling or production will be permitted. This is intended to protect the view and coastal amenities of Santa Barbara. The city itself already has regulations prohibiting oil drilling or oil exploration on the ocean front within the boundaries of the municipality.

IV. CONGRESSIONAL ACTION

20. On April 16, the US House of Representatives by a 392–1 roll call vote passed the Water Quality Improvement Act of 1969 (H.R. 4148) which, among other things, is designed to protect public waters from future oil pollution.

21. The Act contains a liability provision with respect to offshore facilities, setting a maximum possible liability at 8 million. In testifying on this provision the Administration witnesses argued in favor of a concept of absolute liability and, indeed, Secretary Hickel has already issued regulations to that effect. The Administration presently contends that offshore structures on the outer continental shelf are there under contractual agreement with the US Government. One of the conditions is that their activities cause no damage to the environment. If any is caused, they should be liable under the contractual agreement. (With regard to vessels, the long tradition of Admiralty law has established the rule of limited liability.)

22. In considering this position, the House Public Works Committee questioned whether absolute liability without limitation for cleanup is insurable.

23. Senate Hearings are proceeding[2] on these and related aspects of offshore legislation, including an examination of the proposal offered by California Senator Cranston that all drilling for oil, gas and other minerals in the Santa Barbara Channel under Federal lease be terminated. Secretary Hickel has not directly endorsed the Cranston proposal, although he has noted that the new oil reserves opened on the North Slope of Alaska might make it possible to limit future drilling in areas where other economic interests strongly oppose oil development.

CHAIRMAN PATMAN SPEAKS OUT ON BANK TRUST DEPARTMENT EVILS

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. ANNUNZIO. Mr. Speaker, the distinguished chairman of the House Banking and Currency Committee, the gentleman from Texas (Mr. PATMAN) is the cover subject of the April 1970 issue of Finance magazine.

It is fitting that this prestigious magazine should afford Chairman PATMAN a cover story since Chairman PATMAN has so correctly predicted our economic course in recent times. At a time when the Federal Reserve System chose to tighten the screws on our economy, Chairman PATMAN forecast that unless that monetary control were eased, our Nation would suffer dire economic consequences. One only has to look at the housing market and the plight of the small businessman to realize the correctness of Chairman PATMAN's statements. I join in the alarm expressed by Chairman PATMAN in the Finance article in which he deplores the power over American businesses held by the trust departments of our Nation's banks. For instance, Chairman PATMAN points out that of the $282 billion in combined trust assets in the United States, "over 50 percent is held by only 19 banks." Chairman PATMAN further points out that through trust departments, banks are able to control the flow of credit to various industries and to deny credit to companies who are competitors of those whose stock is held by a bank trust department.

Mr. Speaker, the concentration of economic power held by trust departments of commercial banks is awesome. If left unchecked, it could make serious inroads in our free enterprise system. To counter this, Chairman PATMAN is proposing a Government agency which would oversee the operations of bank trust departments and he has my wholehearted support for his proposal.

Mr. Speaker, I am including the Finance magazine article in my remarks because it outlines all too realistically many of the economic problems faced by our country today. I commend this article to the Members of this body and urge their support for Chairman PATMAN's proposal to regulate bank trust departments.

The article follows:

BANK TRUST BUSTING

Wright Patman, at 76, shows no signs of slowing in the stretch. The vociferous chairman of the House Banking and Currency Committee is readying a new phase of his 41-year campaign against what he deems conflict of interest situations in the nation's commercial banks.

This time, Patman, is zeroing in on bank trusts.

In an exclusive series of interviews, the Texas Democrat revealed to FINANCE Magazine that he plans to call hearings later this year to explore possible legislation in the trust field.

It has been Patman's long-standing ambition to probe and hopefully limit the influence of bank trust departments. Already, he is talking about such far-reaching measures as establishing a new governmental agency to supervise trusts and even the complete divorcement of banks from trust activities.

Although the exact timetable for the hearings is unsettled, Patman is clear about his objectives. He contends that there is no meaningful supervision of trust departments by either Federal or state bank regulatory agencies. Thus, his first goal is to summon regulatory officials to Capitol Hill to discuss their views about trust supervision.

Patman sees the possibility for a new trust supervisory agency growing out of this debate. He also suggests that the hearings "might lead to a separation of trust funds from banks"—in other words, commercial banking being separated from trust activities.

At this most Patmanesque, he summarizes his intentions this way:

"We want to pinpoint the evils of the system. We want to make the public more aware of the need for proper surveilliance of bank trust activities."

There has been relative silence on bank trusts in Washington since mid-1968 when the House Domestic Finance Subcommittee, which Patman also heads, released a two-volume, 1,945-page tome on "Commercial Banks and Their Trust Activities."

To Patman, the 1968 staff study is a bible, and he promises that its legislative recommendations will serve as a "springboard" for the hearings. Patman feels the report clearly shows that commercial banks control the investment of billions of dollars of funds and vote large blocks of stock of major corporations in practically every important industry in the economy.

No doubt, the report will fuel many other specific allegations which Patman will make at the hearings. But he looks at the concentration of power issue as primary.

Of the $282 billion in combined trust assets in the U.S., "over 50 per cent is held by only 19 banks," Patman says. Some 3,100 of the nation's 13,000 commercial banks maintain trust departments.

Sometimes, individual bank trust departments hold large amounts of the stock of a single corporation. According to the 1968 study, Morgan Guaranty Trust Co., which conducts America's largest trust operation, held 17.5 per cent of Kennecott Copper's common stock.

At the time the report was issued, Morgan noted that it bought all stocks for investment purposes and not for the sake of exercising influence over any company. A Morgan spokesman recently supplemented this view, noting that "it is not correct to view a block of stock held by a trust department as monolithic. Each holding is divided among many different trust beneficiaries. They are the ultimate holders of the securities and they have many different investment objectives. No block of stock held by a bank can be moved as a single force."

Patman, of course, is not convinced. He fully agrees with the conclusion of the subcommittee staff that "banks by virtue of their trust powers alone . . . possess the power to dominate the behavior of large segments of U.S. industry."

The 1968 trust study showed that 49 large banks had 768 interlocking directorships with 286 of the nation's 500 largest industrial corporations. Patman suggests that this has grave implications on the question of credit availability.

"The only source of large amounts of credit in the country is a half dozen big banks in New York. And you haven't any chance to get a loan from them if the prospective borrower is a competitor of major corporations whose officials sit on the boards of these banks.

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[2] S. 7, a bill amending the Federal Water Pollution Control Act, was reported by the Senate Public Works Committee on August 5, 1969. Annex 3 presents excerpts from S. Rept. No. 91–551 on the subject of liability on vessels and on off-shore facilities.

"And you'll see the same people sitting on the boards of insurance companies," Patman adds. The study showed that 49 large banks had 146 interlocking directorships with 29 of the nation's 50 largest life insurance firms.

Patman also wonders what happens when a bank, through its trust operation, invests heavily in a company and a competitor of that company later seeks a large loan from the bank.

"Does it make the loan on its merits?" Patman asks. "Or does it remember that it is heavily invested in a competing company and refuse the loan to protect its trust department's holdings?"

Basically, Patman is rankled over the "endless possibilities for conflicts of interest" in banking. Unfortunately for bankers, Patman's concern doesn't stop there.

He is upset, he says, about reports that "huge brokerage commission fees" generated by bank trust departments are being used "to force commercial banking services on brokerage firms, perhaps even in violation of trust agreements."

Bank trust departments account for about 10 to 15 per cent of trading on the stock market, he estimates. Trust beneficiaries—not the banks—pay the brokerage fees, he says. Yet in return for this business banks are favored with sizable demand deposits from these firms with which to expand their commercial banking business.

In particular, he is interested in re-examining a situation in early 1969 where the trust department of New York City's Chase Manhattan Bank was exchanging Pan American World Airways stock for securities of Resorts International, a real estate and gambling concern in the Bahamas.

The subcommittee staff said Resorts International was trying to acquire control of Pan Am and that Gulf & Western Industries, a conglomerate that had received acquisition financing from Chase, was planning, at the same time, to sell Resorts International some of its Pan Am holdings in a separate deal.

A Chase official acknowledged that the bank was aware of G & W's planned transaction with Resorts International, but argued that Chase's exchange transaction was a separate matter in which the bank's sole consideration was "what was best for our trusts." The bank official also declared that "in no way was there a relationship between the two transactions"—the one between Chase and Resorts International and the other between G & W and Resorts International.

Of course, Patman may not wait for the hearings to get the anti-trust ball rolling. He says he is considering introducing a bill encompassing some of the recommendations of the 1968 study, including creation of a regulatory agency to assume supervisory jurisdiction over management of employee benefit funds.

This agency would develop and enforce standards of protection for investment of these funds. It also would be empowered to challenge trustees in the courts on behalf of employee benefit fund participants and their beneficiaries.

Other study recommendations deal with slapping restrictions on bank trust activities and increasing disclosure requirements.

A key prohibition would bar a bank trust department from holding more than 10 per cent of the stock of any corporation whose securities are registered with the Securities and Exchange Commission.

To discourage the use of inside information by bank trust departments, the prohibition in the Securities Exchange Act of 1934 against short-swing profits for corporate insiders would be extended to all securities dealings of trust departments that have interlocking directorships with other corporations. Banks would be barred from holding or voting their own stock held in their trust departments.

Officers or directors of commercial banks, mutual savings banks, savings and loan associations and insurance companies would be prohibited from serving in a similar capacity with other financial institutions. These officials also would be prohibited from serving on the boards of any corporation whose employee benefit fund is managed by the financial institution. And these financial institution officials would be prohibited from serving as officers or directors of any other corporation, if the financial institution held more than five per cent of the stock of that company.

Bank trustees would also be required to disclose annually their aggregate holdings of registered securities, but would not have to reveal the holdings in any individual trust account.

Pension funds would be required to disclose the contents of their portfolios. And bank trust departments would have to disclose all proxy voting of registered securities.

Patman's pursuit of bank trust department reform is closely related to his continuing crusade to defend the Glass-Steagall Act, the statute enacted by Congress in 1933 to separate commercial banking from investment banking.

"This demarcation line was generally honored until recent years," he says. "However, since the early 1960's, we have seen a growing attempt in many directions to break down this basic separation."

He cites the entry of New York City's First National City Bank into the mutual fund business after its proposed commingled managing agency account was approved by the Comptroller of the Currency's office and the Securities and Exchange Commission.

The FNCB fund was challenged in the courts, but last year the U.S. Circuit Court of Appeals for the District of Columbia, overruling a lower court, upheld its legality. That decision has since been appealed to the U.S. Supreme Court.

Should the Supreme Court agree with the appeals court that the FNCB fund is a lawful national bank activity, under the National Bank Act, Patman says he would consider proposing prohibitive legislation.

Recent efforts of several hundred banks to form one-bank holding companies "so that they can enter nonbank activities, particularly in the financial services area" is another irritation to Patman. One-bank holding companies are exempt from the Bank Holding Company Act of 1956, which subjects companies owning two or more banks to Federal regulation and restricts their activities.

A bill Patman pushed through the House last year would change this. It would subject one-bank holding companies to Federal regulation and prohibit bank and nonbank subsidiaries of all bank holding companies from entering such activities as mutual funds, travel agencies, the general insurance business, equipment leasing, data processing and accounting.

Most segments of the banking industry are strongly opposed to the House-passed bill and are urging the Senate to delay action until the newly formed Commission on Financial Institutions formed by President Nixon makes its recommendations.

At this point, it's difficult to gauge how successful Patman's onslaught against the trusts will be. There is little question, however, that an increasingly disgruntled consumer movement will be eager to nourish itself on any antagonism to banking that can be generated.

Yet, if the past can be relied on for any degree of precedent, Patman's bark should prove several degrees worse than his bite.

Essentially, the Congressman's tune has gone unchanged for years. In victory and defeat, he has steadfastly defended the anti-banking faith.

FILL 'ER UP SAN PEDRO

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. ANDERSON of California. Mr. Speaker, each day thousands of military men in the Pacific depend on and make use of many different types of fuel for such diverse purposes as lighting a lantern and powering a jet aircraft. A large quantity of their fuel comes from the San Pedro, Calif., fuel depot where the combination of highly developed technology and highly skilled depot personnel enable the job to be done swiftly and successfully.

The innovations which allow the efficiency so necessary to support our military men are described in "Fill 'Er Up San Pedro," which appeared in the April 1970 edition of All Hands—the U.S. Navy's monthly magazine.

Like the thousands of men who depend on San Pedro for fuel, thousands of Navy men across the globe depend on All Hands for entertainment and information. So that my colleagues may be aware of the Navy's efforts to keep its men informed, and so they may also realize the important contributions being made by the workers of the San Pedro fuel depot, the article is submitted for insertion in the RECORD:

FILL 'ER UP SAN PEDRO

(By Ernie Filtz)

If you could transplant a shovel wielder of the old coal-burning Navy to the modern Navy's San Pedro Fuel Depot, he probably would think its operation was much too easy. After all, that's not the way they did it in the Old Navy.

The men at San Pedro, however, know their operation depends upon a highly developed technology which responds to the touch of a strong button-pushing finger and an occasional twist of a valve.

The San Pedro Depot is, according to its reckoning, the Navy's largest bulk petroleum fuel supplier on the Pacific Coast. Its products are quite likely to be found in almost any part of the world from a Marine's lantern in Vietnam to the fuel tanks of aircraft carriers and Navy jet planes.

More than one and one-half million barrels of all types of fuel can be stored at San Pedro and every drop of it is shipped to military users.

Most of the depot's products are stored in underground tanks, each of which has a capacity of 50,000 barrels. There are, however, three tanks above ground.

A pipeline labyrinth spreads throughout the Eleventh Naval District carrying petroleum products from suppliers throughout the district to the depot to be dispensed from there to military users, which include the other armed forces as well as the Navy.

The old Navy's coal passers would be surprised to learn that it requires only a pressed button or a turned valve at the depot to start thousands of gallons of black oil moving at 7000 barrels an hour.

Another button push will measure the oil level in any one of the depot's 26 tanks and give a reading on the temperature of the tanks' contents. Buttons, too, can open miles of pipeline, activate pumping stations and cause fuel to flow into or out of the depot.

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In addition to its storage facilities and pipelines, the depot has tank truck loading racks, a drum filling plant, drum storage area, a quality control program and laboratory and a Petroleum School for officers and enlisted men who handle petroleum products aboard ship.

The San Pedro Depot is also handling a new product, which eventually will replace the Navy's traditional black oil. It is a new distillate which will come into full use after the existing stockpiles of fuel have been exhausted and after the fuel pumps aboard Navy ships have been modified or replaced to accommodate the changes.

The modern equipment, new products, and can-do-spirit of the Navy's San Pedro Fuel Depot insure the future petroleum support of our far-reaching fleet and armed forces wherever they might be deployed.

UTAH'S LAGOON

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. BURTON of Utah. Mr. Speaker, my good friend, Robert E. Freed, is beginning his 25th year as general manager of Lagoon, which has been ranked in the amusement industry as among the 10 most successful resorts in the United States following Disneyland. Lagoon is located in Davis County, Utah, 18 miles north of Salt Lake, and Bob has succeeded in making it a family-type entertainment center that attracts thousands of Utahans each year, as well as visitors from neighboring States. Howard Pearson, entertainment editor of the Deseret News, wrote an interesting feature article on Bob Freed, recently, and I include it at this point in the Record:

[From the Deseret News, Apr. 14, 1970]

Local Resort Supplies Fun For 75 Years

(By Howard Pearson)

What do the Remagen Bridge in Germany, a couple of magicians and Utah's Lagoon have in common?

The answer is Robert E. Freed, easy-going bespectacled general manager of the popular Davis County resort.

As told by Mr. Freed, the association came about in this way:

"After my company crossed the Rhine on the Remagen Bridge (during World War II) we received mail call. One of my letters was from my brother, Dave, in Salt Lake. The war was nearing its end and he was discussing what I should do after the war.

"He and a friend, Ranch Kimball, had been performing magic shows together. During their travels, they had talked about Lagoon, which at the time was closed down because of gas rationing and the fact the Bambergers (operators of the resort) didn't have time to devote to it.

"Dave wrote about this. He wondered why I didn't consider going into the resort business when I got home. I thought about it for a second, shrugged and stuffed the letter in my duffel bag.

"When the war was over and I returned home, I went into the jewelry business. I didn't like it. I remembered the letter about Lagoon, talked to Dave about it and Ranch and I were introduced and became partners, he was president of Lagoon and I was secretary and general manager. Two other brothers Dan and Peter, also were associated with us at first."

When Kimball and Freed took Lagoon over in 1946, it was run down, in need of a paint job, new attractions or something. It had 8 rides. It now has 32 rides and nearly 50 other attractions, and is celebrating its 75th year.

"Ranch changed the color scene from gray and drab to solid colors of all hues," Bob recalls. "That's about all we did the first year and then we mapped out a long-range program. I really didn't know anything about a resort, but when I smelled popcorn and hot dogs, I was hooked.

"That was my life's work, I knew. I'm frightened when I think that I'm going into my 25th year with the resort, and that is as third as long as Lagoon has been in existence."

Lagoon has undergone many changes since it was established in the pleasant rural setting 18 miles north of Salt Lake hard by the mostly barren but always sheltering hills and in the midst of a pleasantly peaceful rural atmosphere.

The resort's man-made artesian well-supplied lake was about once again as large as it now is and moonlight boat cruises used to be popular on its waters.

Bob recalls that when he became associated in the resort's operation he found the lake filling up with vegetation. "Someone told me I should plant carp and catfish to get rid of the growth," he recalls. "We planted them the second year and they did the job.

But there was also a side benefit. People at Lagoon started feeding the fish." Seeing a chance for a sideline, the canny Bob had fish food prepared and now packages of the delicacy are sold to patrons who want to see the big finny creatures gather in bunches and jump for the food.

"There are some giants in that lake," says Bob. "If they were trout, they'd be worth their weight in gold."

While the lake has been cut down in size, the park itself has expanded from the original 60 acres to the present 150 acres. Latest acquisition was to the north to include the former Davis County racetrack and fairgrounds.

Here Lagoon stages rodeos and similar events. The rodeos have been added to the Lagoon attractions in the past couple of years and represent an interesting feature of the park's history. Ten years ago, the rodeo program probably wouldn't have drawn nearly as many people as it does today, according to Bob.

He has seen other attractions come and go over the years. "When we first took over, we were in the midst of the era of big bands," he recalled. "Benny Goodman and the like were popular. We still receive letters from people who remember the romance of the old songs as the bands used to play in the old open-air dancehall.

"After that came the solo singers, then the groups like Christy Minstrels and Kingston Trio, then the nice rock groups and the acid-rock groups. When the acids, like The Doors, appeared, we decided we had had enough. They weren't attracting desirable elements anyway, so we decided to cut them out. When they came along, we had switched to the Patio Gardens and roller-skating was back in fancy, so we introduced roller-skating.

Talk of the dance-concert program at the resort must include the fact that the Beach Boys got their traveling start at Lagoon and have always drawn well. The Kingston Trio started and ended their professional careers under Bob's sponsorship. He started them at the Terrace, which Bob also operates. They appeared there several times and then at Lagoon and sang their last concert together at the Davis County resort last summer.

Another interesting celebrity connected with Bob has been Johnny Cash, who is now one of the big-time singers in the country. He sang at Lagoon when he was an unknown. Over the years, he has become increasingly famous, but has always been anxious to perform for Bob. This year, Bob has booked him into the Salt Palace, under sponsorship of Lagoon. It will be Cash's 14th appearance in Utah and only one of six shows he will perform on the road this season. "He is a celebrity who remembers a favor," says Bob.

Although Bob started out to keep a clean and attractive resort, he says that impetus for additional cleanliness was given by the opening of Disneyland. "I marveled at the spic-and-span condition of that resort when I first visited it," he said. "Mr. Disney did incalculable good for the resort industry. He went into the business when it was at a low ebb. Shill-games were present in many resorts. The family atmosphere had been forgotten, Mr. Disney pointed the way to a better business and fun atmosphere!

One of the attractions of Lagoon is the flower gardens and plantings which are changed with the seasons. Bob gives credit to Carl Swaner for the year-around job of arranging the hothouses, and then planting the flowers. Mr. Swaner succeeded his father in the job. A feature of the plantings this year will be a gigantic birthday cake for the resort's 75th anniversary.

The fact the Mr. Swaner would follow his father into the gardening job at the resort points up the employer-employe relationship program of Lagoon. "First, we hire young, good-looking attractive high school and college students," says Bob.

"If anyone applies for a job and mentions he has had experience with a carnival, we don't want him. As Ranch Kimball said at the start, "We want the natural look—no painted faces, no heavy perfume, no beards, no levis—and most important: no low spirits.' We want everyone to have fun."

As part of this program, Lagoon has a scholarship program for its workers. On the closing day, a breakfast is held. Scholarship winners are announced at this time and Lagoon has awarded 100 scholarships worth $200 each in 10 years.

A few surprises have come to Bob in operating the park. The children have become more sophisticated, he says. His Mother Goose Land was constructed for kids up to 8. "Now it appeals to kids up to 5 only. After that they want to go on the big rides," he says. "In some cases, I see young men and women bringing their kids to the park and I find out these mothers and fathers of today were playing at Mother Goose Land when it was first opened."

What are the most popular rides? "Well, year in and year out, the roller coaster remains the biggest attraction. At one time it was swimming," says Bob, "but now there are swimming pools all around us, and that is no longer the big draw it was a few years ago."

Does psychology play any part in the park's operation? "Well, the psychology of cleanliness, for one. The desire of a boy to show off to a girl. This is why kewpie dolls were popular at one time and why the plush rabbits, dogs or other animals are popular now."

And what do you think about screams on some of the rides? "Well, there's little danger if people follow the rules. But I think the screams, especially on the coaster, are for the purpose of impressing someone. Like a girl and a boy. After all, if a boy takes a girl on the coaster and she just sits there and doesn't say anything, the guy will think he has a dead fish."

Another psychological factor takes place in the length of rides. "People keep saying they want longer rides, but whenever the time has been lengthened, we hear more complaints that they want to get off, either because they want to run to another or they feel a bit queezy. Much as they say they want a long ride, they don't."

What are your most recent additions and how are they drawing? "Well, we put in the Wild Mouse after some customers mentioned they thought such a ride might be fun, and we've installed our Gay Nineties area with the country store and the Lagoon Opera

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House. We found that the melodrama didn't draw the first year, but the musical did and musicals did the second, so now we'll have one musical all season, "Little Mary Sunshine," which will start in June.

What are some of the projects of which you are the proudest? "Well, we take pride in the family, company and civic groups that picnic at Lagoon and the fact they seem always to want to relax and enjoy themselves. We like the program that brings high school students from five western states to Lagoon each year and the fact they have conducted themselves without any major disturbances. We think the Easter egg roll is popular and other special events."

Bob estimates he averages 12 hours a day at the park. He spends time on the rides and just generally browsing around. In this, he is like the late Mr. Disney who never let a day pass when he was in southern California without walking around Disneyland and riding some of the attractions. Bob has four sons, the eldest being 16. Despite the fact they could probably ride everything all day every day, their parents ration their riding.

He supports University of Utah Theater activities and he and his wife, whom he met at Lagoon when she was a ticket taker and he was handling cash, visit New York every year to attend shows. He was co-founder of the Playbox, an independent theater group, 25 years ago. His partner then, Robert Hyde Wilson, is now a professor of drama at the University and maestro for the Lagoon Opera House. Bob says the "ham" in him from his acting days at the University, brought about the Opera House.

Bob is proud that Lagoon has been ranked in the amusement industry as among the ten most successful resorts in the U.S. after Disneyland. He says people of the area must like Lagoon. "They have to keep wanting to come back because we have a population of 750,000 persons to draw from in this area. Pittsburgh and Denver, with many more persons to draw from are below Lagoon in popularity ranking."

Bob will never forget his darkest hour at Lagoon. In 1953, much of the resort was destroyed by fire. This included everything on the west end, including the ballroom. "It looked as if everything was over," he recalls. "It was the best thing that happened, although I didn't feel that way at the time. We had to rebuild then, and we were able to build it the way we wanted."

What does he see for the future? "Changes, more changes, expansion, more rides. More and more nice people."

NIXON MAKING DETERMINED EFFORT TO END THE WAR

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. QUILLEN. Mr. Speaker, we must bring the war in Vietnam to a speedy and honorable conclusion. I feel as though the dreams of thousands of American citizens for a just peace in Southeast Asia are rapidly becoming a reality.

Despite arguments to the contrary, simple arithmetic proves that the U.S. involvement in the Vietnam conflict, in terms of the number of servicemen we have there, is less now than ever before.

The President's announcement of withdrawing an additional 150,000 men from Vietnam is certainly keeping in line with his Vietnamization policy. There will be 50 percent fewer American troops in Vietnam after this withdrawal than there were under the Johnson administration.

President Nixon must be commended for his very effective plan of withdrawing American troops and replacing them with the forces of South Vietnam. Indeed, the plan is working.

As I have stated many times in the past, I feel the Nixon administration is making an unparalleled and determined effort to terminate the war.

I have continuously approved the plan of gradually withdrawing American troops and replacing them with South Vietnamese forces as a way to end the war.

Perhaps the best means of bringing the war to an honorable conclusion would be a negotiated settlement at the Paris peace talks. Nonetheless, I feel the President's Vietnamization plan will eventually enhance our position at the peace table, and subsequently result in a just peace.

We need to bring our men home and end the war without further delay

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A THOUGHTFUL TAXPAYER

HON. EDWARD HUTCHINSON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. HUTCHINSON. Mr. Speaker, especially at this time of the year we all receive a lot of low-boiling-point mail from constituents who have just given " 'til it hurts" to the Internal Revenue Service. Thus it came as a pleasant surprise the other day to open a letter from St. Joseph, Mich., and read the thoughtful views of Mr. Bjorn Heyning, a resident of that most pleasant city on Lake Michigan's eastern shore.

I could not resist the temptation to share Mr. Heyning's "tax day" thoughts—expressed in verse—and am pleased to insert his poem in the CONGRESSIONAL RECORD:

INCOME TAX REVERIE

What do you think when you mail your return
On income, both Federal and State?
Thinking with sadness what all it could buy
For you and your kids and your mate?
Maybe you dream of a car or a home,
Or hundreds of things you could get. . . .
Wishing the Tax wouldn't drain you so dry
And leave you a little more "net"!

Stop and consider now what you have bought
Together with neighbor and friend:
Your share of a Nation that's best in the world,
A home that is worth to defend.
Part of a State that we like for the space,
The water and rivers and roads,
Forests and factories, orchards and fields,
And many delightful abodes.

You can recall how the dollar was split:
A major part went for defense;
Interest on what was borrowed before. . . .
The principle seems to make sense.
But, you may say that it isn't the way
That YOU would have spent it by choice. . . .
Well, come next election, be sure that you vote,
For that's where we all have a voice!

PACKAGING AND ECOLOGY

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. ROSENTHAL. Mr. Speaker, I had the privilege to speak yesterday before the American Management Association's national packaging conference in New York. Since this annual meeting coincided with our country's first Earth Day, I tried to relate the activities of the packaging industry to the concerns of many citizens about the need to use our natural resources more prudently.

My remarks follow:

REMARKS OF CONGRESSMAN BENJAMIN S. ROSENTHAL, EIGHTH DISTRICT, NEW YORK, BEFORE THE PACKAGING CONFERENCE OF THE AMERICAN MANAGEMENT ASSOCIATION, THE AMERICANA HOTEL, NEW YORK CITY, N.Y., APRIL 20, 1970

Ladies and Gentlemen: I am privileged to be here today and I thank you for inviting me. I note your convention concludes on Wednesday, April 22, which is Earth Day. I hope this turns out to be more than a mere coincidence. For there is a genuine connection between your concerns, as packaging experts, and the outcry which will occur Wednesday over the violence our production-oriented society is inflicting on the earth we all share.

I want to speak about that connection today. The nation is in an uproar about pollution, waste of resources, and corporate irresponsibility. And in the midst of this concern several hundred packaging executives meet this week primarily to discuss new and better ways of promoting the use of packages, with only minimal concern about the problems of solid waste disposal that increased package use will create.

You meet, perhaps appropriately, in New York City which no longer has the space to dispose of its garbage. Our sanitation authorities have sent emissaries to Long Island, to Albany, even to West Virginia. But no one wants this city's trash.

I know that you have not created this problem alone, either as individuals or as an industry. As an elected public official, I share this responsibility. So I want to tell you how I see the traditional marketplace today and how I interpret some of its ominous signs.

I see an imminent and major collision of interests which promises to alter significantly the demands of the consumer and the operations of the businessman.

One element in this coming conflict is the environmental crisis caused by an advanced technology and an expanding population. The other is the inertia of doing business as usual. The diminution of our natural resources and the pollution of our environment—in which both producer and consumer share responsibilities—threatens the historical assumptions underlying our economy: that consumption is good, that more is better and that an inexhaustible supply of resources await our exploitation. Resolving this conflict will ultimately demand sacrifices from both buyers and sellers in the marketplace.

Simply stated, we must reduce the per capita consumption of irreplaceable natural resources and the percapita production of solid waste. We can no longer tolerate that era of environmental permissiveness which we have enjoyed throughout our history.

What kind of sacrifices are we talking about? Consumers must use less; use it longer, and if at all possible, use it over and over again. Elimination of waste and cutting back on life's daily luxuries in a society that has

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become accustomed to self-indulgence will not be easy. But survival is a harsh taskmaster. The only real danger is that people won't realize their existence is at stake—until it is too late.

We have begun to be told what some of these marketplace changes may involve: smaller, fewer and, perhaps, different kinds of cars; restrictions on certain chemicals now in everyday use; and even some limitations on the consumption of household items we now take for granted.

Kenneth Boulding has said that we all live on the same "Spaceship Earth". As in all spaceships, sustained life requires a meticulous balance between the capability of the vehicle to support life and the demands made by the inhabitants of the craft. That balance is now in terrible jeopardy!

As Chairman of the House consumer subcommittee, I am well aware of the different interests and responsibilities of producer and consumer. I recognize, for example, that consumers may have to pay something extra to subsidize environmental protection devices. But the consumer will gain eventually, if manufacturers produce products with greater durability. Planned obsolescence to encourage expanding sales volume can no longer be tolerated.

Yes, the consumer will have to make sacrifices. And he will need the assistance of the businessman, who may have to place public interest above private gain in matters where environmental preservation and consumer protection are at stake.

Consumer self-restraint can make a difference. For example, just by reinstituting the minor task of returning bottles or containers to the store for reuse, Americans could save approximately $1.5 billion annually, an equivalent of $25 for each of America's 60 million families. A sum like this could go a long way towards cleaning up air and water pollution, while eliminating roughly 800,000 large trailer loads of trash, bottles and cans per year that now result from the widespread use of throwaway containers.

If we ignore the problem, the $15 billion the public paid for the production, collection and disposal of packages in 1966 is expected to balloon to more than $21 billion by 1976.

It is appropriate to ask at this point why the packaging industry has promoted the sale of disposable containers when their use exploits consumers economically and creates solid waste disposal problems.

Who benefits from nonreturnable containers? The bottle manufacturer and the can manufacturer who can make and sell about 19 units to replace one unit of a returnable container.

Who bears the cost? The consumer who must pay more. The consumer must pay an additional price for a nonreturnable can or bottle. The consumer will pay again to have the container collected and fed into his local government's disposal mechanism. And when that persistent container does not degrade but lives on to foul environmental quality, the consumer must pay again. The four-time loser of packaging is the American consumer. In my view, I do not believe that to be a public convenience.

This garbage produces about 13 per cent of the nation's solid waste output which has become a major pollution problem with the dwindling number of sites available for disposal. City sanitation authorities across America are involved in heated struggles with suburban officials over attempts to transport garbage to locations outside of congested cities.

If a conference such as this had occurred ten years ago, it would have had a different focus. The emphasis would no doubt have been placed upon improving packaging technology. How does one package food so that it will not spoil? What types of materials are most desirable for safety and durability? What machinery is available to package a product quickly and efficiently?

Then, some time ago, the packaging industry underwent a revolution. With the growth of self-service stores and the intensification of non-price competition, the packaging industry began to realize that a manufacturer's package could become an integral part of his product.

The time has arrived for a new revolution in the packaging industry. The potent forces of consumerism and ecology have combined to cause a transition from merchandising on the one hand, to informational and ecological responsibility on the other. Your response will indicate whether traditional business can survive the revolution.

By "informational responsibility", I mean the need to provide consumers with the type of information about price and quality they require in order to make intelligent decisions in the marketplace.

I believe that consumers are more knowledgeable and inquisitive than ever before. They have become particularly conscious of the need to obtain the most for their money. They are less apt to be fooled by package design. They are beginning to resent pretty colors and designs on packages which fail to inform or which deceive the consumer.

The packaging industry must provide consumers with containers that honestly and fairly inform them of the quantity of the contents, which accurately reflect the true relationship between content and filler, and which enable them to determine nutritional value and the true shelf life of the product.

By "ecological responsibility", I mean responsibility to our environment.

I believe we are on the verge of suffocating in our own garbage. Our citizens are becoming increasingly alarmed at developments for which the packaging industry bears much responsibility. What is your industry's role?

First, it will no longer be sufficient for the packaging industry to believe that its responsibility ends with the placement of the product on the store shelf. The industry must now accept it's responsibility to provide for the ultimate disposal of its containers.

Second, the industry must ask itself some serious and important questions. For example, what are the social consequences of packaging decisions like the use of disposable rather than returnable containers? One-way, no deposit, no return containers will capture 80 per cent of the market during the next 6 years, an increase of 127 per cent. This means that instead of the 25 billion nonreturnable bottles and metal cans that we had to try and dispose of in 1958, we will be inundated by the disposal problems of over 58 billion nonreturnable bottles and cans in 1976. And it is glass and metal packaging wastes that are the most resistant to disposal. Thus, your industry will increase the production of boxes, bottles and cans that cause us the most solid waste and environmental problems. Your industry must use its proven ingenuity and technology to create packages which are either bio-degradable or subject to recycling.

Disposal problems can be resolved in a manner beneficial to mankind; such as compaction of waste matter into treated blocks which would be biologically safe and have engineering characteristics suitable for construction or land fill.

I am convinced that much progress in both better consumer information and more enlightened conservation can be accomplished without sacrificing efficiency in packaging and design just as the revolution in packaging sacrificed little commercial utility. Yet if the industry does not act voluntarily, legislation will be enacted to force a response to these and other consumer needs. And even beyond new law, consumers are organizing for the more direct attacks on the corporate practices they question.

It is first important to understand that our corporate system like our governmental system, is primarily one of advocacy. Ideas and concepts vie for attention and adoption in a setting not unlike that between the parties in a court of law. Because corporate decision-making is accomplished in this way, it follows that only those interests that are specifically represented are taken into full account.

All major American corporations—not just General Motors—must establish an effective mechanism through which the public interest can be represented and considered.

The election of "public interest" representatives from outside the company to its board of directors may be the best solution, since their independence will be guaranteed. The establishment inside the corporation of a Vice President for Consumer Affairs or Public Affairs would appear to be a useful complement.

What does all this mean for a group like yours? I am asking you to join ranks with the new consumer movement. If industry delays or thwarts the legitimate rights of consumers, the federal government may be forced to act sooner and more drastically.

Don't force the aroused consumer to choose between industry and the federal government. If you do, both the consumer and industry will lose. Instead, join the consumer in furthering his legitimate goals. He may still go to Washington with his problems, but he will go less frequently and with an improved understanding of your special problems and your good will. The ultimate result will be a better economic system and a better society.

POLLUTION PARALLELS

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. BROTZMAN. Mr. Speaker, a friend and constituent of mine, Mrs. William McFerren, noted an interesting parallel between the situation which confronted the astronauts of Apollo 13 and the situation which confronts us here on earth.

Mrs. McFerren compares the earth to a spaceship which has only a limited amount of oxygen and other consumables essential to sustain life. Through careful resource allocation, the crew of Apollo 13 was able to safely return home. I hope that we in the Congress will take the necessary action to assure a continuing safe voyage for the inhabitants of the earth.

Mr. Speaker, I believe Mrs. McFerren's letter, the text of which follows, will be of great interest to the Members of the House:

POLLUTION PARALLELS

When I read in tonight's paper that one of the problems confronting the three tired astronauts was air pollution, it struck me as almost prophetic, for in many ways their situation resembles ours here on earth. Is this old world really anything more than a space ship upon which we have all embarked, supplied with a given quantity of oxygen and other essential ingredients to sustain life?

That's essentially what it amounts to and, like the astronauts, we had better ration them wisely, and tend equally wisely to disposal of our wastes, or we may find ourselves in the same precarious situation that Lovell, Haise and Swigert, through no fault of their own, tonight are battling so courageously to overcome.

MRS. WILLIAM MCFERREN, Jr.

THE QUALITY OF LIFE—A PROGRAM FOR GLOBAL ACTION

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. ADAMS. Mr. Speaker, I would like to call my colleagues' attention to the keynote address being delivered today at the second Institute of International Affairs, organized by the League of Women Voters in Seattle, Wash. The address was given by Richard N. Gardner, professor of law and international organization at Columbia University in New York City, the U.S. member of the board of trustees of the United Nations Institute for Training and Research, and the former Deputy Assistant Secretary of State for International Organization Affairs between 1961 and 1965. In his address, Professor Gardner presents his program for action to improve the quality of life on earth, which calls for a three-pronged effort on a global scale to deal with the problems of pollution, poverty, and overpopulation. I feel that his thoughts on this crucial subject deserve our careful consideration.

The text of the address follows:

THE QUALITY OF LIFE—A PROGRAM FOR GLOBAL ACTION

(Address by Richard N. Gardner)

My central theme today can be quickly summarized:

To protect and enlarge the quality of life on our planet, we need action on a global scale to deal with three interrelated problems—environmental pollution, poverty, and the population explosion. If we fail on any one of these problems, I believe we will fail in all.

THE ENVIRONMENT

Man's thoughtless rush toward industrialization and urbanization, coupled with unregulated population growth, threatens to undermine the basis of a decent life on this planet. We are in danger of creating an incredible disharmony in nature which could ultimately degrade and enslave us.

The uncontrolled exploitation of science and technology could spell disaster for mankind, not only in the service of military ambitions, but in the service of economic ends. To maintain the balance of nature, to exploit nature's abundance without destroying it, to preserve and extend the dignity of life, we need cooperative action by men and nations.

The problem of oil spillage on the oceans; the contamination of lakes and streams with industrial waste; the pollution of air above major cities; the destruction of wildlife and natural areas; the depletion of the marine harvest; the dangers to human and animal life from drugs and pesticides; the dramatic possibilities of desalting water by means of nuclear power—these are challenges that call for international as well as national action.

Some effective measures to husband resources can be taken by individual nations alone. But there are resources that do not belong entirely to any nation—the sea, international lakes and rivers, migratory animals—whose effective management requires international cooperation. And even the management of resources within the confines of a single nation may benefit from the sharing of national experience.

A number of international agencies are already at work on these problems—but their efforts are still inadequate when measured against the magnitude of the problem. The United Nations conference scheduled for Stockholm in 1972 should be the occasion for the enlargement and coordination of presently inadequate and piecemeal efforts.

I doubt whether the traditional activities of international agencies will be enough. If we are to deal adequately with environmental issues, we will have to change the long-established idea that how a nation deals with resources wholly within its borders is its own and nobody else's business.

This view of national sovereignty has been rendered obsolete by several factors:

By our new recognition of the unity of the biosphere (all people are affected by how any substantial number of them treat their air, water, and land);

By our awakening understanding that all mankind is dependent on the same scarce and relatively shrinking resource pool and therefore has an interest in the wise husbanding of these resources no matter where they may be located;

And by the growing recognition of business firms here and overseas that they cannot accept the heavy additional costs of antipollution measures unless their overseas competitors do the same.

For all these reasons, our strategy for environmental protection must look beyond traditional approaches under which international agreements have been reserved mainly for resources beyond the geographic confines of a single nation—the high seas, international lakes and rivers, migratory animals. The international community must be deeply involved in the protection of resources wholly within the nation-state itself.

I used to believe that the threat of nuclear war would be the major factor pushing mankind toward a more rational world order. I now think the most powerful impulse will come from the urgent necessity of transnational measures to protect the global environment.

President Kennedy asked the General Assembly in 1963 for a U.N. effort to deal with environmental problems—but nobody was listening. Although President Nixon mentioned the environment in his address to the Assembly last fall, his only proposals for international action have been made in NATO. As an organization of limited membership whose principal function is military defense, NATO is not well suited to be the centerpiece of our effort in this field.

The global environment concerns all nations, regardless of national, ideological, or racial differences. Some work on the environment can be usefully undertaken in regional agencies like OECD, but a universal problem needs a universal system of organizations to deal with it. The U.N. system, including its regional commissions and Specialized Agencies, is the nearest thing to a universal system we have. The Stockholm Conference provides an additional reason to make it more universal by admitting mainland China and divided states. At the very least, the U.N. should invite the Peking regime, the two Germanies, the two Viet Nams, and the two Koreas to participate in the Stockholm meeting.

The recent proposal of George Kennan in *Foreign Affairs* that research and policy-making on the global environment should be done by a "club" of rich countries is unrealistic and politically naive. The developed countries of the world control less than one-half of the world's land area. Moreover, they have no authority to legislate for the oceans and polar regions without the consent of the less developed countries.

Although most of the world's pollution is now done by the advanced countries, the actions of the less developed countries can have serious effects on the global environment. As they press forward with their own plans for development, it is vital to their own and the general welfare that they not make all the same mistakes that we have made. Rich and poor countries alike, for example, must be concerned if Middle East countries permit oil pollution from drilling off their coasts or if African countries permit the destruction of their wildlife and natural resources.

There is no choice, therefore, but to engage all nations, developed and less developed, at the political level where firm commitments to national action can be made. The U.N. system of agencies, with all its weaknesses, is still the only system available for this purpose.

Action by the U.N. system should take the following forms:

1. The U.N. should undertake a massive program to educate the world's people, particularly political leaders, on the problems of the environment; should sponsor joint research efforts and studies; and should finance the training of specialists to handle different environmental problems.

2. The U.N. should organize a world-wide observation network, making use of new technology like observation satellites, to monitor the world's environment on a continuing basis, and should operate a service for the evaluation and dissemination of this information.

3. The U.N. should encourage the negotiation of international agreements providing for firm anti-pollution and other environmental commitments so that the nations and industries ignoring their environmental responsibilities receive no competitive advantage in international trade.

4. The U.N. should insure that multilateral aid programs are carried forward with due regard for their environmental implications, and should encourage the application of environmental safeguards in bilateral aid. (Down-stream erosion from the Aswan Dam, we now discover, may wash away as much productive farm land as is opened by the new irrigation systems around Lake Nasser.)

5. The U.N. should establish a voluntary Program for the World Heritage. Eligible for inclusion in the Program would be those scenic, historic and natural resources including wildlife now in danger of extinction whose survival is a matter of concern to all mankind.

Obviously, each nation should be free to decide whether or not to nominate a property within its territory for inclusion in the Program. At the same time, the community of nations should be free to decide whether or not to include it.

Countries whose resources were included in the Program would gain the advantage of international technical and financial aid in their development with consequent benefits to their economies as a whole. And the world community would be in a position to safeguard unique and irreplaceable resources in which all mankind has a common interest—resources such as Venice, Angkor Vat, the Grand Canyon, and some of the great wildlife reserves of Africa.

THE INTERNATIONAL WAR ON POVERTY

All mankind has a vital stake in the successful development of the less developed countries. It is true that development by itself cannot guarantee political stability; but it is equally true that there can be no stability without development.

And President Kennedy once said: "If we cannot help the many who are poor, we cannot save the few who are rich." It is ironic that many people who have suddenly awakened to the costs and injustices of neglecting poverty at home, seem unable to apply the lessons of domestic experience to the world in which they live.

It is time to face the disagreeable fact that the international war on poverty is now being lost. The efforts of rich and poor countries alike are grossly inadequate when measured against our common objective—the achievement of living standards in the less developed countries compatible with minimum human dignity. To turn the tide we need new forms of international cooperation and an entirely

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new level of effort on the part of both developed and less developed countries.

The industrialized countries should put into effect in stages over the next 20 years, a policy of one-way free trade in favor of the less developed countries. They should eliminate tariffs, internal taxes and quota restrictions on both manufactures and primary products exported by the poor countries without asking for reciprocity from these countries in return. While this policy would be implemented gradually over a period of twenty years, a commitment to the objective should be taken *now*.

This bold policy in the field of trade should be matched by an equally bold policy in the field of aid. The heads of the industrialized countries should meet at an early opportunity to chart a program of steady escalation of their foreign aid efforts. The objective should be the achievement by 1975 of capital transfers by the developed countries equivalent to one per cent of their gross national products. This would mean a doubling of their foreign aid efforts, taking into account present rates of economic growth. The bulk of this increased aid should be channeled through multilateral agencies, particularly agencies of the U.N. such as the International Development Association, and the regional banks in Asia, Africa and Latin America.

As Cold War tensions diminish, efforts should be made to involve the Soviet Union and Eastern Europe in sharing the burden of economic aid. Development should be a cooperative, not a competitive enterprise. This objective may not be realizable immediately in all parts of the world. But we can move toward it on a case-by-case basis in countries where the Soviet Union and the West recognize a measure of common interest.

As a first step, we should invite the Soviet Union to join the World Bank consortium for India. India's economic and political stability in the face of the Chinese threat is important to the Soviets and ourselves, and our assistance programs should be closely coordinated in recognition of this fact.

These bold actions by the developed countries should be matched by equally bold actions by the less developed countries. A very large part of the responsibility for the failure of the poor countries to make greater progress rests with those countries themselves.

Many less developed countries have overvalued exchange rates or severe inflation or inefficient state industries which make it impossible to export successfully, whatever trade policies are followed by the industrialized countries. Many are unduly dependent on large imports of food because of their failure to deal with the twin problems of food production and population growth. Many seem unwilling to tax their own wealthy classes or implement meaningful programs of land reform. And many are diverting to armaments scarce resources that are urgently needed for development.

Perhaps the greatest challenge to the United Nations in this area is to develop a new pattern of international cooperation in which commitments to increased trade and aid by the rich are balanced by commitments to greater self-help by the poor. The implementation by the industrialized countries of their obligations under new multilateral trade and aid arrangements should be tied to the satisfactory pursuit by less developed countries of sound internal policies previously agreed upon with international agencies. What we need, in short, is multilateral surveillance over both the aid policies of the rich and the development policies of the poor.

THE POPULATION EXPLOSION

The defense of the human environment and the international war on poverty are both doomed unless massive efforts are taken—and taken soon—to reduce present rates of population growth.

The facts about the world population explosion are now well known. It took hundreds of thousands of years, from the beginning of life on earth to the beginning of this century, for the population of the world to reach 1.5 billion. In the first two-thirds of this century, this number doubled to the present total of something over 3 billion. In the last one-third of this century, if present trends continue, this figure will more than double to over 7 billion.

This unparalleled increase in man's numbers is causing problems even for highly developed countries. The United States, with a population growth rate of about 1 percent a year, is likely to see its present population of 200 million reach 300 million by the year 2,000. Uncontrolled fertility is adversely affecting the health of mothers and children, family life, and opportunities for decent housing, education, employment and a better standard of living.

The relatively high birth rate in poverty-stricken families is an important contributing cause of their poverty; it condemns a significant portion of the American people to living in conditions of economic and cultural deprivation. Rapid population growth is adding other strains to American society in the form of air and water pollution, the breakdown of mass transportation, overcrowding in urban areas, the depletion of precious natural resources, and the destruction of needed recreation areas and open spaces.

The results of present population trends are even more ominous in the less developed areas of the world. The average annual increase of population in these countries is approximately 2.5 percent—sufficient to double population every 28 years. In many countries the annual growth rate has reached 3 percent or more.

In Latin America, the region of the world where population growth is highest, total population will rise from something over 200 milion today to approximately 600 million at the end of the century if present trends continue. Comparable figures for population growth in key countries in other parts of the world, if present trends continue, are no less frightening: India, 500 million to 1 billion; Indonesia, 110 million to 280 milion; Egypt, 30 milion to 70 million. And then there is China, about whose population so little is known, which at present growth rates is likely to increase from 800 million to at least 1.2 billion.

Public discussion of the population problem has focused attention on the relation between the number of people and the supply of food. In the less developed countries as a whole, food production in recent years has failed to keep pace with population growth. In the 1965–1966 crop year, food production per capita in Asia, Africa and Latin America actually declined by 4 to 5 percent. The Food and Agriculture Organization has estimated that world food production will have to increase at least threefold by the end of the century to provide an adequate diet for the world's increased numbers. Despite the "green revolution," the spectre of world famine in the 1980's or 1990's is all too real unless drastic changes are made in food and population policies.

Yet the reason for reducing present rates of population growth in the less developed countries is not exclusively—nor even primarily—that of avoiding starvation. These countries, whose citizens have an average income of little more than $100 a year, are seeking rapid increases in their living standards. To achieve these increases they must achieve a substantial rate of investment as well as meet their current consumption needs. Yet it is all many of these countries can do to enlarge total economic product as fast as the additional mouths to feed—so that little or nothing is left over for additions to capital stock.

Recent economic studies have indicated that the costs in both domestic investment and foreign aid of preventing one birth are of the order of 1 percent of the costs of supplying an additional person with the present low standards of living over his lifetime. Thus effective family planning can enormously increase the potential of the limited capital resources of the less developed countries for expanding per capita levels of living.

Of course, the menace of population growth cannot be calculated in economic terms alone. In many countries uncontrolled population growth—even when accompanied by modest increases in per capita income—may threaten human dignity and undermine the very foundations of civilized society. The population increase and migration from the countryside have outstripped the capacity of many of the world's great cities to supply minimum levels of housing, sanitation, education and transportation. Uncontrolled fertility has been accompanied by increasing resort to abortion—both legal and illegal. Moreover, increasing numbers of illegitimate children are growing up without the benefits of family life. These conditions multiply individual frustrations and take their toll on society in the form of delinquency, crime, revolution, and war.

Unfortunately, there are no quick and simple solutions to the many problems associated with rapid population growth. It will take time before appropriate measures for the limitation of births can be made available to all who would make use of them. And even if birth rates decline, future increases in population will result from the population growth of the past as more people pass through the childbearing years. Moreover, the application of modern science and medicine in less developed countries will further reduce the death rate and spur population growth.

Thus development policy for the less developed countries will have to reckon with large and continuous increases in population. Family planning will not quickly or easily alter the demographic facts of life. Nor can it be a substitute for other measures to help the less developed countries. Nevertheless, the success with which the world applies a policy of voluntary family planning in the next few years can spell the difference between rates of population growth that are compatible with human dignity and those that spell certain misery for a growing majority of people in the world.

We hear a great deal these days about the "trade gap," the "aid gap" and the "food gap". But none of these gaps can be closed unless we reduce the "family planning gap"—the gap between the number of married women who now have access to modern birth control techniques and the number that would make use of them if given the opportunity.

About 40 percent of the children born in the world are unwanted, in the sense that they would not have been born had their mothers had access to modern methods of family planning. The figures suggest the staggering toll in terms of individual suffering and social cost resulting from the absence of family planning services.

If we wish to make a success of a program of voluntary family planning, time is of the essence. The rate of world population growth is so great—its consequences are so grave—that this may be the last generation that has the opportunity to limit population growth on the basis of free choice. If we do not make voluntary family planning pos-

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sible in this generation, we will make compulsory planning inevitable in future generations.

Family planning programs cannot succeed without a massive investment in health and other basic services. This will require additional external financing. To be sure, family planning can reduce the amount of international assistance needed to produce a given increase in per capita income, and may hasten the day when some countries can become substantially self-supporting. But, in the foreseeable future, even with the most vigorous action in family planning, it will take a substantial increase in international aid to reach living standards in the less developed countries compatible with minimum human dignity.

From a psychological point of view, moreover, family planning programs are likely to meet resistance at the governmental and popular level if they are presented as a means of cutting back investment in a country's war on poverty. The Black Power extremists in the United States who have urged American Negroes to resist family planning programs have their counterparts in other countries who will exploit any evidence that family planning is being used by the rich to avoid their responsibilities to the poor.

In a sensitive area like family planning, the case for multilateral aid is particularly compelling. International agencies can help promote a broad consensus on the nature of the population problem and on what ought to be done about it. They can help countries share responsibility for taking controversial steps that may be opposed by particular domestic interests. They can help prevent family planning from becoming a cold war issue involving political ideologies—or a subject of disagreement between national or racial groups. The United Nations and its family of agencies are thus a logical place for cooperative action to deal with the population problem.

Fortunately, the U.N. system at long last is beginning to face up to the world population problem. But the ratio of talk to action remains distressingly high. To move forward in this field, the following measures are desirable:

1. The present Trust Fund for Population should be increased more than ten-fold to at least $100 million in voluntary contributions per year.

2. A Commissioner for Population should be established to administer the Fund, implement population projects financed from the Fund, and represent the U.N. in dealings with governments and in intergovernmental forums concerned with population.

3. The Commissioner for Population should be prepared to sponsor or support projects extending across the whole spectrum of population and family planning programs, such as the training of medical and paramedical personnel; family planning components of health facilities; the use of mass-communication techniques; the manufacture of contraceptive materials; the establishment of special population study centers as well as ongoing statistical census and demographic work.

4. The Commissioner for Population should devote substantial resources from the Population Trust Fund to the support of research into better methods of fertility control, into the operation of family planning programs and into the relationship between population policy and development policy. The World Bank should also be encouraged to devote substantial sums to this purpose.

CONCLUSION

In concluding, I would emphasize again that for economic and political reasons we are unlikely to deal successfully with the environmental, poverty, and population problems unless we deal with them all.

Without action on the environment, our efforts at development and population control will result in a world unfit for habitation.

Without population control, there is no amount of spending on the poverty and environmental problems that can possibly solve them.

Without an increase in the quantity and quality of global aid efforts, the financial and political basis for population control and environmental protection in the less developed countries will not exist. Not only does action on the population and environmental problems cost money that the developing countries do not have, but political resistance to population and environment efforts is likely to grow in these countries if international assistance is status or declining. Already, at the U.N., some countries are charging that the new emphasis by the United States on population and the environment is a gigantic "cop out" to justify our declining foreign aid effort.

This brings me to my final point. The massive effort by international agencies to deal with the related problems of the environment, poverty, and population growth is unlikely to be undertaken unless the United States plays a leading part.

Unfortunately, the present posture of the United States in the U.N. is deeply disquieting. Congress has cut the U.S. contributions to the U.N. Development Program to the point that the U.S. can no longer put up its traditional 40% of the total. Congress has even required that $2.5 million of the U.S. assessed share of the regular budgets of U.N. agencies be paid in non-convertible foreign currencies—a requirement inconsistent with the U.N. financial regulations. The United States, which has rightly complained in the past of the failure of other U.N. members to meet their fiscal responsibilities under the Charter, is now slipping into default itself.

The implications of these developments for the UN's efforts in the fields I have discussed are devastating. Due to budgetary pressures from Congress and the Executive branch, U.S. delegates are in the anomalous position of saying that they favor U.N. initiatives in environment, development, and population problems—providing they don't cost money. Obviously, as long as this financial attitude persists, the U.N. will not be able to respond as it should to the new challenges confronting it. Moreover, and this is a point frequently overlooked in Washington, the United States will be in a poor position to press for needed reforms in the U.N.—for better coordination of assistance efforts or for more rational methods of taking decisions—if it is disengaging itself from its financial responsibilities and narrowly circumscribing the conditions of its participation.

The "Nixon doctrine" in foreign policy states a commendable objective—that we should do less by ourselves and more in partnership with others. So far, however, we have seen concrete manifestation of only the first of these propositions. I earnestly hope that President Nixon will use the occasion of the 25th anniversary of the U.N. to give concrete expression to the second—and to do so on a scale equal to the challenge that now confronts us.

One thing, I think, is very clear. Our talk of partnership will not yield results if it merely looks like an excuse to get others to pick up our burdens. Our country—and other countries as well—would do well to follow a maxim adapted from some well-remembered words of a decade ago:

"Ask not what international cooperation can do for you. Ask what you can do for international cooperation."

Or better still:

"Ask what all our nations can do together through the United Nations to create a liveable world."

UTOPIA OR DYSTOPIA

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. GALLAGHER. Mr. Speaker, the campaign against the human spirit continues unabated in America today. In the attempt to ameliorate the very real social, economic, racial, and political crises, we are acquiescing in the passage of laws and the creation of administrative actions which can only be described as repressive.

Carl T. Rowan, the distinguished columnist for the Washington Star, is one of the few writers who clearly sees the threat facing a free America. His columns are continual beacons of light on the rapidly darkening scene in Washington. The column I will insert of April 19, 1970, points up the clearest danger: we are creating an atmosphere of fear for all Americans in response to the calculated violence of a handfull of radicals.

Mr. Speaker, the greatest danger to a free society is that once repressive measures are cloaked with the armor of law, they can be manipulated to dictate the actions of all our citizens. This is especially true of intricate structures created by benevolent men which have two dangers: First, America is too big and too diverse to gracefully accept standardization of thought and action; and, second, the fact that those who create the structures are men of good will is no guarantee that the second or third generation in power will continue to demonstrate such good will.

The most recent book outlining the disasters of a computerized future is Ira Levin's "This Perfect Day." Edmund Fuller's review from the Wall Street Journal of April 17 points out the strength of Mr. Levin's imagination as well as lending credence to my long-held suspicion that unless it is properly controlled, the computer will become "Rosemary's Baby."

Mr. Speaker, a visitor from outer space would be hard put to tell whether Mr. Rowan or Mr. Levin is creating fiction. I suspect that Thomas Jefferson would have the same trouble. However, we must firmly recognize that Mr. Rowan is writing about things which are happening now and Mr. Levin is writing about a future which I am terribly afraid will be the logical result. I insert the two articles referred to at this point in the RECORD in the hope that Mr. Rowan's present will not produce Mr. Levin's future:

SIGNS OF A RIGHTWING TAKEOVER INCREASE

(By Carl T. Rowan)

Self-styled revolutionary Abbie Hoffman told a Texas audience the other day that because the United States is "losing the Vietnam war, it is turning to fascism at home."

There very definitely has been a swing toward repression and the trappings of fascism in this society, but I don't think the reason is Vietnam. The reason is Abbie Hoffman and his kind.

The promoters of violence, the bomb planters, the mad reformers push on zealously to prove a point that I made in an earlier column: That this country is not remotely in danger of a left-wing takeover; the danger

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is that fear of violent upheaval will provoke the great mass of Americans to tolerate aspects of fascism if that promises law and order.

Many "dreamers" in the Abbie Hoffman crowd say they know exactly what they are doing. They welcome a right-wing dictatorship, they say, because only when "the establishment" shows its "true fascistic colors" will the people rise up and smash this system.

Could we really let a rag-tag band of unkept reformers, shouting the rhetoric of revolution, force upon the nation so much panic that the people would tolerate a dictatorship? One need not be an alarmist to conclude that the answer is yes.

The American Civil Liberties Union and several Congressmen, like Rep. Cornelius E. Gallagher, D-N.J., months ago challenged the Army practice of putting into a computerized data bank information on civilians involved in disturbances and demonstrations and who might become civil disrupters at some time in the future.

Army Secretary Stanley Resor sent a memorandum to the Army Chief of Staff March 6 stating: "No such intelligence data bank operations relating to civil disturbances or other activities involving civilians not affiliated with the Department of Defense should be instituted without the prior approval of the Secretary of the Army and the Chief of Staff. In view of the sensitivity of such operations, approvals will not be granted without consultations with concerned committees of the Congress."

The ACLU will charge in the U.S. District Court here Wednesday that while the Army proposes to close down its computerized data bank at Ft. Holabird, Md., it is collecting and storing such data elsewhere.

One need not be a raving liberal, or even a civil libertarian, to see the dangers of having the military snooping on civilian dissenters, compiling its own computerized lists of Americans the Pentagon regards as "potential security risks."

But the danger is there because the violent dissenters are a reality. Because the bombers and rioters are already here, much of the public is far more afraid of them than of a "military takeover" that is just an intellectual threat in the future.

The public's willingness to surrender basic individual liberties and rights of privacy will become all the greater if Nixon's aides can sell the idea that the country is endangered by extreme radicals who cannot be won over by racial, social, economic, or political reforms.

The New York Times quoted an unnamed Nixon assistant as saying: "It wouldn't make a bit of difference if the war and racism ended overnight. We're dealing with the criminal mind, with people who have snapped for some reason."

So, to protect society from "revolutionary terrorism," some Nixon aides are advocating a vastly expanded domestic intelligence apparatus—that is, more wiretaps and buggings, more undercover agents, more informers.

Think how far we have gone toward a police state in one year and where we might be in another year: the Pentagon with its master computer list of "risks" to internal security, the FBI listening in on more and more private conversations, a corps of "secret police" and their informers in every community, policemen permitted to burst into just about any private home without knocking, Post Office bureaucrats authorized to open and read your first class letters from overseas, Clark Mollenhoff or some other presidential political operative permitted to examine your income tax return, "preventive detention" laws that authorize jailing people someone believes might commit a crime, a proposal (just rejected by the White House) to subject all the 6- to 8-year-olds in the country to psychological tests to determine if they are inclined toward future criminal behavior.

All this and more because the men now around the throne in Washington can't think of any other way to deal with Abbie Hoffman, or the Black Panthers, or the Weatherman faction of the Students for a Democratic Society.

THE HORRORS OF DYSTOPIA

From the terrors of witchcraft in "Rosemary's Baby," Ira Levin, in his new novel "This Perfect Day" plunges us into the more imminent horrors of computercraft. His novel is a skillfully imagined, dramatically absorbing venture into that modern literary tradition of dystopia—the opposite of utopia. From Plato through Sir Thomas More to Edward Bellamy, utopian literature looked ahead toward a future ideal society that would be rational, humane, just—all made possible, as many saw it, by the advancement of science.

This century has seen the disillusionment of that dream. Aldous Huxley wrote the first great dystopian book—the vision of a scientific future as a dehumanized horror—in "Brave New World." Orwell's "1984" was a variation on the theme, more political in emphasis. They have had a host of lesser followers, among whom Levin, with this novel, takes an honorable place. If this theme interests you, take a look at "From Utopia to Nightmare," by Chad Walsh (Harper & Row), which was the first study of this reversal of expectations and which gave currency to the term "dystopia."

In "This Perfect Day" the world, projected well over a century and a half into the future (that may be the one optimistic note), is run by UniComp, shortened in common usage to Uni. It had been the crowning successor to an earlier phase when there had been five continental computers sharing this function. The people of Uni's globe-girdling domain are known as the Family. Every citizen is numbered and the prime duty of each is to help spread the Family through the universe.

It is a perversion of that Family of Man celebrated in Edward Steichen's famous collection of pictures. The Family anthem is worth quoting:

"One mighty family,
  A single perfect breed,
  Free of all selfishness,
  Aggressiveness and greed;
Each member giv-ing all he has to give
And getting all he needs to live!"

Races have been molded into a prevalent tan skin, black hair, brown eyes. Rare variations occur, some as odd as the green right eye of the hero, whose "nameber" is Li RM35M4419, but who likes to be called "Chip," as his slightly disreputable grandfather had dubbed him.

As a boy, Chip is given a slight introduction to subversion by that grandfather, who had been one of the builders of Uni. Chip later discovered there are outright rebels in an underground movement. He learns that if you can manage to avoid the monthly treatments in the Medicenter you will really begin to come alive and experience the frightening thrill of being an individual. He also hears about islands where "incurables" live, people not under Uni's control—reminiscent of the "savage" reservations in "Brave New World." They are carefully concealed but Chip manages to learn where they are and to reach one. Convinced that "it's wrong to let Uni have the world without trying to get it back," he leads a small group in the dangerous effort to destroy Uni, which is at EUR-Zip-One, known to an earlier age as Geneva.

What happens in the assault on Uni is the source of high suspense, and you are not likely to outguess Ira Levin who comes up with a succession of surprising twists.

In this world a famous four-letter word is standard usage but "fight" is grossly obscene. It is all right for an artist to draw the nude, but to draw a person without the identity bracelet that one must constantly touch against check points is also obscene.

Analogous to Huxley's "soma" are the monthly treatments that keep all Family members tranquil and obedient. Any rebel is simply treated with stronger doses—no "punishment" is needed.

Uni plans everyone's life, charts his education, designates his career, moves him around the globe as needed, chooses his marriage partner, tells him whether he may have any children at all, and if so, how many. Sex is a pleasure mechanism, but regimented. Population is strictly controlled. One of the rights the rebels wish to gain is that of having children by free choice. Today, when population control is a much-discussed subject, Levin's book makes us wonder whether population can ever be controlled except under a repressive society that would engender revolt against itself, thus ending control again.

The constant surveillance by Uni is represented to the people as security. When the grandfather illegally takes young Chip past the revered false front of UniComp to deep levels of the real machine, the boy is frightened by the thought, "Uni didn't know where he was!"

Though the computer is an entity of enormous power, the adult Chip discovers that there is a surprising factor behind Uni unsuspected by the Family at large. "This Perfect Day" is a menacing picture of enforced social perfection. The happy note in it, as in other dystopias, is that there are always some people out of step. It's something to remember when rebels vex us.

—EDMUND FULLER.

("This Perfect Day." By Ira Levin. Random House, 309 pages. $6.95.)

RHODESIA—VICTIM OF MYTH AND SUPERSTITION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. RARICK. Mr. Speaker, the attempt of the red-black bloc to overthrow civilization in Rhodesia through a barbaric declaration of limited war has proven a classic among international poppycock. Myth and superstition have never been able to blot out the truth.

Sanctions against peaceful, self-governing Rhodesia has but emphasized the sheer hypocrisy and dictatorial self-serving prejudices of a nonrepresentative international body which never had the support of free-thinking people and whose credibility has now been reduced to a sham.

Free people the world over cannot accept the distortions and untruths being circulated by the red-black bloc, so they take it upon themselves firsthand to learn the truth. Free people who want to investigate the facts and arrive at their personal conclusions are at individual hardship and personal expense flocking to Rhodesia, South Africa, and the Portuguese provinces to see firsthand peaceful conditions which have been exploited by the United Nations Organization as "a threat to international peace."

Without exception, those who learn the truth can but regard the United Na-

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tions propaganda as the serious setback to peace, progress, and mankind.

The internationally regulated, thought manipulators and synthetic prophets of doom of the UNO belittle the intelligence of free men by thinking that through an international war program they can prejudice people from learning the truth.

I ask that several firsthand reports of Rhodesian visitors from the United States, England, and elsewhere, follow my comments. As an individual American, I am ashamed of the cowardly policy of the political party presently in power in my country for participating in this retrogressive cabal of the internationalists merely in the expectation of gaining favor by a few bloc votes at the discredited UNO.

I include the related news clippings and a letter from the assistant to the President at the White House in the RECORD:

[From the Rhodesian Commentary, March 1970]

AMERICAN JOURNALISTS MEET THE PRIME MINISTER

The Prime Minister, Mr. Ian Smith, at a press conference with 41 visiting American newspaper owners and journalists in Salisbury on March 2, was well received.

The leader of the tour, Mr. Nathan Bolton, of Hastrop, Louisiana, told the Prime Minister they were delighted that by coincidence they were in Rhodesia on the day a republic was declared, and said there was considerable support for Rhodesia in the United States.

The visitors, who call themselves Newspaper Adventurers, were in Rhodesia for two days at the end of a two-week South African tour. They are from all over the United States.

After the conference they toured Salisbury and visited an African craft village outside the city before having lunch at Lake McIlwaine. At the craft village, an authentic replica of the traditional tribal set-up, the Americans were enthralled with the tribal dancing and the herbalist's hut; had their fortune's read in African fashion; and left with sculptures and pieces of art from the workshop.

The following are points made by Mr. Smith.

A DESIRE TO DESTROY

"We are on the side of the West and for this reason we have never been able to understand why countries such as America and Britain wish to destroy Rhodesia. We have stood by them and fought with them in their wars gone by. So what we really ask is that people should not condemn us in ignorance or through hearsay. We just ask that you come and see for yourself. Then if you don't like what we are doing, that's fair enough, we will have to agree to differ; but give us a fair trial. And this, of course, is one of the basic tenets of Western democracy, is it not?"

CONTROL OF DEMONSTRATORS

"I don't believe that people have a right to demonstrate to an extent where they are interfering with the legitimate rights of the law-abiding citizens—and this is where I don't agree with what is happening in Britain today . . . (applause) . . . and in your own country of America."

Mr. Smith said times were changing and there must be powers to deal with the times.

"If I have to choose between defending the rights of the decent, law-abiding citizens, especially women and children, or looking after the rights of mischiefmakers, then I don't hesitate as to who I'm looking after—it's the decent law-abiding citizen."

If people wanted to demonstrate, to gather in great numbers and hold a procession they had to obtain permission from the local District Commissioner or Magistrate and in most cases this was granted.

But if the party or society concerned had a reputation for stirring up trouble, the local authority had the right to say "No" to a demonstration in the middle of a city or a town where other people were going about their legitimate business.

A CIVILIZED MAN

One of the most difficult things in the world was to try to determine what are the criteria for assessing a civilized man. Education was part of it. But he believed moral principles probably were more important than almost anything else. The ability to play the game, to act decently to other people, to safeguard the rights of minorities. This was something completely absent from so many countries in the world, especially the newly independent countries.

Rhodesia had chosen Income Tax contributions to the state as the criteria to determine parliamentary representation of the two main racial groups. Within those groups, there was another qualification which was salary and education.

Mr. Smith said he had not heard of a better yardstick to obtain the vote.

[From the Rhodesian Viewpoint, Apr. 10, 1970]

U.S. EDITORS OPPOSE CUTTING RHODESIAN LINK: APPROVE VETO

In a sample survey of American newspaper editorials during March 1970 by the Rhodesian information office taken from clippings supplied by a commercial press clipping service in Washington, D.C., it is evident that an overwhelming majority of American editors disapprove of the U.S. administration's action in closing their consulate in Salisbury. A majority of editors, in ratio of 20 to 1, approved the use of the first United States veto by U.N. Ambassador Charles B. Yost when a resolution on Rhodesia was introduced into the U.N. Security Council by the Afro-Asian bloc of nations on March 17. The single newspaper editorial opposed to this action appeared in the columns of the New York Times.

On the question of the closure of the U.S. Consulate in Salisbury, 67 editorials were received, of which 57 opposed the action and 10 approved. Regarding the first use by the United States of its power of veto in the Security Council of the United Nations, 21 editorials were received, of which 20 endorsed the action and 1 opposed it. The following are some of the views expressed by the editors:

Portland Oregonian, Oregon: "We need to be more consistent in our overseas representation and act on hard facts rather than political emotion or favors to another nation."

Muncie Star, Indiana: "America cannot possibly influence Rhodesian developments—in favor of civil rights—if the U.S. government maintains no contact at all with the constitutional government of Rhodesia. The U.S. presence in Rhodesia was politically desirable—for Rhodesia as well as the U.S."

Glendale News-Press, California: "If we closed consulates in every country where we find cause for disagreement, there would be mass unemployment in the diplomatic service."

Lincoln Star, Nebraska: ". . . to ignore Rhodesia diplomatically because we do not approve of its government policy is both inconsistent and immature on the part of the U.S. Our government blundered in pulling the U.S. representative out of Rhodesia."

Phoenix Gazette, Arizona: "To put Rhodesia ahead of Red China . . . on our hate list is dishonest and unforgivable."

Rock Island Argus, Illinois: "Governments are generally recognized because of their prima facie ability to govern and not because of moral reasons. But if morality is to be the test, Rhodesia ranks far above Russia."

Worcester Gazette, Massachusetts: "Diplomatic relations do not imply that nations approve of each other, or agree with each other. But refusal to talk practically guarantees that solutions won't be found. . . . It is highly unlikely that this step will improve conditions for Rhodesians of any race, or for the United States."

Columbus Citizen Journal, Ohio: "As a matter of principle, the United States is wrong. We normally recognize any government if it is well established, no matter what we think of its policies. We are making an extraordinary exception of Rhodesia."

Pensacola Journal, Florida: "It seems reasonable to counsel a reappraisal free from British influence."

San Diego Tribune, California: "If it is indeed our intention not to interfere in the internal affairs of other nations, it seems that our government could affirm that recently announced policy by easing our rigid position on Rhodesia."

Fort Worth Star-Telegram, Texas: "In Salisbury, the Rhodesian Government says it is surprised by the U.S. action. . . . What the Rhodesian Government failed to take into account was how piously sanctimonious 13 struggling colonies can become over the course of a couple of centuries' progress towards super-power status."

Minneapolis Tribune, Minnesota: "If representative government is to be the criterion for official relations, the United States will have to close up shop in quite a number of other countries."

Evening Star, Washington, D.C.: "While closure of the American consulate in Rhodesia will win brief plaudits from the black African regimes, they certainly will not be satisfied with this. They can be expected to press their demand that Britain and the United States apply even tougher methods. . . . Five years from now, the situation is likely to be the same."

Bangor News, Maine: "To blackball Rhodesia while wooing Communist powers strikes us as singularly inconsistent."

Milwaukee Sentinel, Wisconsin: "We punish a nation, including both its black and white residents, that does us no harm, and reward another nation that is the chief supplier and sustainer of the forces that have been killing American men in South Vietnam."

[From the Rhodesian Commentary, April 1970]

FIRST VISIT IS EYE-OPENER

(By Bernadine Bailey)

A first visit to Rhodesia is an illuminating and delightful experience. Illuminating because the average overseas visitor has no conception of what Rhodesia is really like. The truth, in fact, is the exact opposite of the propaganda we have been fed. Never a word are we told of the orderly way of life, the diversity and amazing growth of industry, the potential for development and the contentment of the African population.

And certainly never a word about the well thought out, far-reaching programme for "helping the Africans to help themselves" by providing them every possible opportunity for study, technical and cultural development, enjoyment of sports, hospital facilities, social life, decent housing—while at the same time allowing them to follow their own cultural pattern and way of life in so far as they care to do so. If ever a people were in a position to "eat their cake and have it", it is the native Africans in the new Republic of Rhodesia.

SCORN AND ABUSE

And for all its pains in securing the well being and eventual franchise (a black man may vote as soon as he qualifies by paying an income tax, which automatically indicates that he is a responsible citizen, not a parasite, who is contributing to the economy and growth of his country), what does Rhodesia get? The scorn and abuse and economic harassment of the Western world. Have the Communists gone so far that they can influence the non-Communist nations to act thusly?

While in Rhodesia, I made a point of talking to a number of Africans about their Government and their Prime Minister, Mr. Ian Douglas Smith. Without exception, they spoke highly of both, adding "Mr. Smith is a very fine man". Never at any time was there a word of criticism or complaint.

COURTESIES

Furthermore every African with whom I came in contact was courteous, pleasant and eager to be helpful.

The Europeans whom I met in Rhodesia went far beyond the normal courtesies extended to a visitor. People whom I had never even heard of before entertained me in their homes, drove me to places of interest and offered to be of help in any way they could. Is it surprising that I hope to make a return visit in the not too distant future?

It is indeed ironical that the United States, of all the Western powers, should join in the economic and diplomatic stampede against a small independent nation that is doing no harm to anyone—least of all to its own native African people—and under no circumstances could be considered a threat to world peace.

And after all, who are we—after our shameful treatment of our American natives, the long-suffering Indians—to cast the first stone.

We had our own U.D.I.—back in 1776—and broke all diplomatic ties with England. Only we did it by force, while Rhodesia was wise enough to cut the umbilical cord without casualties.

If the United Nations is a truly "peacekeeping" body, it should heap praise, rather than censure, on a nation that is doing everything humanly possible to improve life for all the races within its borders.

Since this was my fourth visit to the African continent, I had already seen (in Zanzibar, Kenya, Congo, Nigeria, Ghana, Liberia, etc.) the chaos that results from "one man, one vote—one time only", as Prime Minister Smith so accurately phrases it.

In startling contrast, Rhodesia is a refreshing area of order, progress, well-being and high hopes for the future. The Prime Minister and his Parliament appear to represent the true will of the electorate. In other words, this country has not been taken over by the Communists and or the huge financial interests who seek control of the world and its natural resources. Let us hope that the Rhodesians will continue to have the courage and the stamina to keep it that way.

[From the Rhodesian Commentary, April 1970]

Friends in Britain Made Rhodesian Flag

Maurice V. Devine, of Wankie, on a recent visit to England took the photograph. He writes: "Mr. Aden B. Spencer, for three years secretary of the Southend-on-Sea branch, hit upon the idea of making the flag. With the aid of a small car sticker of the flag he and his helpers were able to make one in a most ingenious manner.

"They first bought the necesary green and white material. Then, after photographing the small coat-of-arms in the centre of the flag sticker, they enlarged the print to two foot square. This they placed under the white central panel of the flag and shone a bright light underneath it whilst they traced the outline onto the white panel. Then the coat-of-arms was embroidered by a local lady in silks of the appropriate colour.

"The completed flag is a veritable work of art, which, in fact, makes an ordinary flag look dull by comparison, for the raised silks give the flag a certain 'body' which is lacking in ordinary flags.

"This flag hangs in the hall at all meetings of the Society and I thought that it was such a sterling effort that I told members I would tell the story when I got home."

Mr. Devine in a footnote to his letter says: "It is particularly important to remember that we do still have plenty of friends in Britain."

[From the Rhodesian Commentary, April 1970]

A Visitor From Baltimore

Professor Gottfried Dietze, a lecturer in political science at the Johns Hopkins University, Baltimore, Maryland, U.S.A., who, after a visit to South Africa as a guest of the Government, took the opportunity to pay a short visit to Rhodesia.

Speaking at a presentation concert of the Rhodesian Academy of Music in Bulawayo, the Minister of Education, Mr. Philip Smith, said the Academy's work had been overshadowed by more material requirements of a developing country. But the time was approaching when real evidence of mature civilization would be sought in Rhodesia.

"This will be provided by the artistic output of its citizens, not the least of these being the achievements of its musicians."

[From the Rhodesian Commentary, April 1970]

Government Reassures Churchmen

The Minister of Lands, Mr. Philip van Heerden, has issued the following statement:

Churchmen of various denominations have recently expressed concern about the effect the introduction of the Land Tenure Act will have on the use of land owned or occupied by Missions.

In the Land Tenure Act there is no special classification of Mission land as there was in the Land Apportionment Act. It has been reapportioned and included in either the European Area or the African Area, depending on its situation.

RIGHTS OF OCCUPATION

The Land Apportionment Act gave rights of occupation to African tenants on Mission land in the European Area. The Land Tenure Act calls for the registration of these rights and gives the responsible Minister the power to terminate them.

The reason for the granting to Government of such wide powers is to enable it to clear up islands of African occupation which lie within European areas but which are quite unrelated to the actual work of the Mission.

Indeed, in some cases the occupation of Mission land by tenants has almost certainly become an embarrassment to the Missions themselves, as the land in many instances is no longer capable of sustaining the tenants and their families, and further subdivisions would not only create opposition from existing tenants, but would be sub-economic and lead to a land use problem of the first order.

Government has taken cognizance of this fact and through the Land Tenure Act will be able to deal with any problems that may arise.

DISPOSAL OF LAND

The policy of the Government in so far as Missions in the African Area are concerned, will be to encourage the disposal of land being used for agricultural purposes to individual Africans. The Government intends to hold discussions with the Missions to determine how it can best assist them to do this.

The approach in the European areas, however, will be, as soon as possible, to terminate rights of occupation by African tenants, subject to their being suitably placed in the African areas or in African townships within the European area, depending upon the nature of the area which they at present occupy. In terms of the Act there is provision for compensation for right holders and it is hoped that resettlement will be effected with the close co-operation of all the parties concerned.

DEVELOPMENT PLAN

The Missions have played a great part in bringing Christianity to Rhodesia through the establishment of churches and other religious foundations, educational institutions, clinics and hospitals. It is not Government's intention to hinder activities on existing Mission land, and the traditional Government policy of assisting Missions in the educational and medical fields will continue.

The Churches, therefore, need have no fear in this regard, but it should be recognized that the expansion of existing establishments must conform to the overall plan of development for the area in which they are located.

Mission institutions which are to be established for the benefit of Africans who are not working in the European area will be encouraged to develop in the African areas rather than on Mission-owned land in the European area. This is in conformity with Government's policy of fostering the development of the African areas.

[From the Rhodesian Commentary, April 1970]

World Commerce Undermining Sanctions War

Speaking to the Umtali branch of Rotary—on the eve of its World Understanding Week, the Minister of Commerce and Industry, Mr. Jack Mussett, said there existed today many world councils of various forms comprising different organizations possessing similar aims. There must be countless clubs or societies operating under different names whose aims and objects amounted to international understanding. He would suggest that only good could come from a movement to promote the interchange of factual information between Rotary and these groups.

Some of a group of international journalists visiting Rhodesia as guests of the Salisbury Rotary Club: Mrs. Horst-Alexander Siebert and her husband, Dr. Siebert, foreign trade editor of Die Welt, West Germany; Mr. Takis Sotirhos, an editor of Vradyni, daily evening newspaper of Athens; and Mr. John William Hughes, a television commentator from Wales.

It was, after all, as a result of similar efforts on the part of government that trade relations were entered into. Nowhere would one find a greater cross-section of people than those which made up the General Agreement on Trade and Tariffs, yet here was a trading relationship which was honored by all for the good of all.

The European Common market was another example of people of different nationalities getting together for a common good.

"International understanding, peace and goodwill are fundamental principles of life which must be encouraged wherever possible," said Mr. Mussett. "I can see no reason why it should not start in a country where conventions are honoured in spite of the fact that politically we appear not to be completely accepted.

"This form of close liaison is nothing new after all. The world of commerce has long been linked by an unwritten desire to trade freely and make profits.

"Without doubt, much of the credit for undermining the sanctions war being waged against us must go to the international body of men who operate as individuals yet in terms of a common ideal.

"They do not consciously belong to one great organization but they all, irrespective of their other many and varied affiliations, believe in their right to trade with each other irrespective of racial or political differences.

Many countries, including Rhodesia, respected and honoured this international understanding and afforded the same consideration to goods passing through their territories from one country to another as they gave their own commodities passing within the country from Point A to B.

It was accepted that there were countries who were not quite so scrupulous in their dealing with goods that did not belong to them and, through either inefficiency or spite, created delays which resulted in the wastage of perishables urgently required elsewhere. But this did not undermine the basic righteousness of the system.

"There are those who will continually endeavour through a basic lack of knowledge, to destroy the lives of others, either by way of economic or political means, in much the same way as many are trying to destroy Rhodesia at present.

"I am convinced that there will be many who will endeavour for this same lack of knowledge, to undermine the appeal that has been made by the Rotary International President.

"The only way of countering this cancer which is spreading throughout the nations of the world is by an honest attempt to understand the other person's point of view."

THE WHITE HOUSE,
Washington, D.C., April 7, 1970.

Hon. JOHN R. RARICK,
House of Representatives,
Washington, D.C.

DEAR JOHN: The President has asked that I reply further to your letter of March 11, in which you were joined by 76 of your colleagues, commenting on our relations with Rhodesia and our decision to close the Consulate in Salisbury. We appreciate this opportunity to explain our action.

We have repeatedly made clear that the United States regards the United Kingdom as the legal sovereign in Southern Rhodesia. We indicated that when the Rhodesians established a republic we would review the status of our Consular office. On March 2, 1970, the Rhodesian authorities implemented the new Constitution which substituted a President for the Queen as head of state, intending a formal and final break with the United Kingdom and formal establishment of a republic. The Government of the United Kingdom asked that, in these circumstances, the United States withdraw its consular mission. Since our Consulate was accredited to the United Kingdom, we acceded to its request in accord with usual diplomatic practice.

As a matter of further background, it should be noted that no government has formally recognized the Smith regime or Rhodesian independence. Of the twenty-two countries which maintained some form of consular representation in Salisbury at the time of Rhodesia's unilateral declaration of independence in 1965, only South Africa and Portugal continue to do so. These two governments, however, have not taken any action to extend formal recognition to Rhodesia. Rhodesia has not been admitted to the United Nations and there is little likelihood that it will be.

The United States has acted in consonance with the rest of the international community in its treatment of the present regime in Southern Rhodesia. In December of 1966 the Security Council of the United Nations declared the situation in Southern Rhodesia a threat to international peace and security and imposed selective mandatory economic sanctions in an effort to induce the Smith regime to negotiate a peaceful settlement of the problem. In May 1968 the Security Council unanimously reaffirmed its earlier action and decided to make the sanctions comprehensive. The restrictions on our imports of Rhodesian chrome are derived from those United Nations Security Council sanctions resolutions. The effects of these restrictions on U.S. firms and the overall chrome supply situation is kept under continuing review.

We have viewed this issue in the context of the President's statement in his Foreign Policy Report to the Congress:

"Clearly, there is no question of the United States condoning, or acquiescing in, the racial policies of the white-ruled regimes. For moral as well as historical reasons, the United States stands for the principles of racial equality and self-determination."

You may be assured that the decision to close our Consular office in Salisbury was taken after very careful consideration of all relevant factors and in pursuit of the overall interests and objectives of the United States. We have taken steps to insure that consular services to our citizens residing in Rhodesia will be provided through posts in neighboring countries.

I hope that this explanation is helpful to you. If there is further information you desire, I shall try to be of assistance.

With warm regard,

Sincerely,

WILLIAM E. TIMMONS,
Assistant to the President.

WHOLESOME MEAT ACT

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. GUBSER. Mr. Speaker, a few years ago Congress passed the Wholesome Meat Act in an effort to assure the consuming public that only clean and healthful meat would be offered for sale. Now it appears that there is danger that congressional intent will be bypassed and a serious loophole created which will allow major marketers of meat products to avoid inspection.

Section 301(c)(2) of the Wholesome Meat Act provided an exemption for normal retail outlets which sell directly to consumers. In order to provide regulatory language, the Department of Agriculture proposed in August 1969 that a retail store operating under this exemption could sell up to 10 percent of its volume to restaurants and institutions. Comments were received and the Department has not yet published a final regulation.

However, it has been reliably reported to me that the Department is considering the issuance of a regulation which would allow retailers operating under their exemption to do as much as 49 percent of their business with restaurants, institutions, and so forth, without being required to comply with the Wholesome Meat Act.

Mr. Speaker, I do not believe such a regulation would comply with the intent of Congress. As a practical matter, it would allow small wholesale firms, which must now operate under inspection, to set up a retail counter and thereby avoid inspection.

Existing retailers could increase their wholesale business to 49 percent of their total business, all without inspection.

It is likely that hundreds of new firms would open up with a nominal retail counter, which would really be wholesale businesses operating without inspection in order to avoid the act which Congress passed.

Many of the protective aspects of the present law would be abolished as they pertain to hospitals, restaurants, and other institutions.

We could not insure the proper labeling of ingredients in ground meat products to show the use of cheap substitutes such as soy protein.

We could not be certain that hearts, lips, lungs, and other offal products are not used in ground beef.

We could not control fat limits.

We could not insure against the use of unapproved preservatives such as sodium benzoate.

We could not insure against the use of otherwise stale meat for grinding where its staleness can be better disguised, especially when sold as meat patties.

There would be no supervision of cleaning to insure sanitary conditions appropriate to food handling establishments. Inadequate cleaning attracts rodents and initiates infections.

We could not force a cleanup after cutting or grinding pork, which can contaminate beef with trichinae which can be transferred to consumers when they eat rare beef. Salmonella poisoning can be similarly transferred to beef from poultry.

We could not be certain that grinding machines are washed every few hours when operated at room temperature.

We could not guarantee against failure to segregate raw meat from cooked meat items, thus causing contamination of the cooked items.

We could not guarantee against failure to maintain adequate standards for delivery equipment. Many retailers use open trucks and station wagons which receive very little cleaning.

Mr. Speaker, I have written the Secretary of Agriculture, urging his earnest consideration of these facts. I sincerely hope that the rumor regarding this unreasonable extension of the existing exemption to the Wholesome Meat Act is unfounded. Congressional intent should not be violated. The consuming public deserves the protection which Congress intended.

SAFE RETURN

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. TEAGUE of Texas. Mr. Speaker, as we celebrate the return of the astronauts of Apollo 13 and recognize the outstanding performances of Astronauts

Lovell, Swigert, and Haise, and their magnificent ground crew, it is important to note that in large measure Apollo 13 was truly a success. The editorial in the Saturday, April 18 edition of the New York Times points out that travel in space is as yet far from routine but that it can be accomplished with the dedicated effort exemplified by the flight of Apollo 13. The editorial follows:

SAFE RETURN

The most dramatic space flight in history ended yesterday with the safe return of Apollo 13's crew. For three-and-a-half days all three astronauts had lived at the brink of death in a crippled vehicle whose reserves were so near exhaustion that it had margin neither for human error nor for further malfunctioning of its equipment.

In this perilous condition, Lovell, Swigert and Haise nevertheless swung around the moon and traveled about 300,000 miles to make their perfect splashdown. This almost incredible feat would have been impossible were it not for the steady nerves, courage and great skill of the astronauts themselves, and the smooth functioning of the vast NASA network whose teams of experts performed miracles of emergency improvisation.

Only in a formal sense, Apollo 13 will go into history as a failure. It did not place a landing party on the Fra Mauro hills as planned nor did it bring back the eagerly awaited soil and rock samples from the lunar highlands. However, Apollo 13's booster rocket was sent crashing into the moon on schedule, and that did produce some useful and important scientific data.

But in a larger sense, Apollo 13's flight was enormously productive. The emergency which so gravely endangered its crew turned this flight into a crucial—though unintended—experiment in space rescue. Apollo 13 was the first space ship to be permanently disabled in midcourse, but it assuredly will not be the last. The lessons learned from this near-disaster will help save spacefarers who are still unborn. And Apollo 13's ordeal must raise more insistently than ever the question of creating an international space rescue organization with the rockets, crews and other necessities required to give aid to distressed travelers in space.

Now that Lovell, Haise and Swigert are back safely, the first priority is an investigation of the cause of the explosion that almost brought disaster. Was Apollo 13 the victim of a most improbable collision with a meteroroid, or was their an equipment malfunction born of some mistake in manufacture or installation? Fortunately, the astronauts were able to see and photograph the effects of the explosion, thus obtaining valuable information for those who will scrutinize the mishap intensively in the days ahead.

In the most general sense, the chief result of Apollo 13 has been to alter sharply the entire atmosphere of the lunar exploration effort. From the first Apollo 8 flight around the moon at Christmas 1968, all the Apollo missions were fantastically successful until last Monday. Apollos 8 to 12 wrote the most brilliant chapters of manned space exploration; yet their fantastically complex and dangerous missions were successful only because their organizers established a level of vigilance and care never before approached in any major human project. The quality of the preparation and the superb skills demanded in flight were dramatically illustrated by the very fact that—despite the accident—the three astronauts of Apollo 13 were able to return safely home.

Now, both specialists and laymen have been rudely reminded that a trip to the moon is not routine. Any assumption that it will go off precisely as planned can only be vindicated through ceaseless vigilance during flight preparation and good luck after launch. It is perhaps appropriate that it was the Apollo numbered 13 that taught that lesson, the cost of which, fortunately, did not include the lives of three exceedingly brave men.

ANNIVERSARY OF THE GREEK PUTSCH

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. EDWARDS of California. Mr. Speaker, today marks the third anniversary of the putsch that swept away constitutional government in Greece and replaced it with the military rule of Colonel Papadopoulos and his junta. Three years after the event we can see where their reassurances of a speedy return to democracy have led.

Within recent weeks, 27 Greeks have been convicted of sedition and sentenced to terms of up to life in prison. The evidence suggests torture was used to extract confessions from some of them. At the same time, publishers of the Athens newspaper Ethnos were heavily fined and imprisoned and the newspaper forced to close after they published an article calling for a return to democracy. That same week, 15 nations of the Council of Europe released a report that "torture and ill treatment" of political prisoners in Greece is commonplace.

In light of these recent developments, the renewed assurances by Papadopoulos that he will relax military rule and restore the rights of individuals sound as hollow as the same assurances proved to be when they were first offered 3 years ago. It would appear that the regime is becoming more, not less repressive as time goes on.

All of this is distressing enough to anyone acquainted with the tragic history of the Greek people and their passionate love of freedom. But for Americans it should be doubly distressing, because the Papadopoulos regime could not survive without the continued support of our Government. While our military assistance to Greece has been reduced, it continues in a steady flow of surplus materials, including warships.

Just as damning as the military aid is our continuing unseemly cordiality toward the leaders of the regime. While the above events were in progress, Greek democrats were dismayed by the arrival in Piraeus of several ships of the U.S. 6th Fleet. At the same time, the society pages of a Washington newspaper reported on the gala reception being planned for the chief of the Greek Navy. In my concern, I wired the Secretaries of State, Defense, and Navy to object. I received the following reply from Mr. Chafee, Secretary of the Navy:

APRIL 14, 1970.

Hon. DON EDWARDS,
House of Representatives,
Washington, D.C.

DEAR MR. EDWARDS: Both Secretary Laird and I have received your telegram regarding your concern over the visit to the United States of Vice Admiral Margaritis, Commander of the Hellenic Navy. At the request of Secretary Laird, and on my own behalf, I take this opportunity to provide our reply to your concern.

Vice Admiral Margaritis is visiting the United States as an official guest of the Chief of Naval Operations. Both the Secretary of Defense and I approved this visit. The purpose of Vice Admiral Margaritis' visit is for general orientation and familiarization with the United States Navy, and his travel to this country is at Greek expense. His visit is part of a continuing program in which the leaders of foreign navies sharing mutual defense interests with the United States make official visits to this country. Since March 1968, fifteen Chiefs of foreign navies have visited the United States in connection with this program.

The United States Navy has enjoyed for many years an amicable and cooperative association with the Hellenic Navy. As a participating member of the NATO alliance, the Hellenic Navy makes a significant contribution to the defense of the southern flank of NATO. Our Navy personnel consistently have been cordially received by both the Hellenic Navy and the Greek people during visits of our Sixth Fleet ships to Greek ports.

These contributions of the Hellenic Navy serve to enhance the defense posture of our own country. A continued spirit of cooperation between the U.S. Navy and the Hellenic Navy serves the best interests of that posture. The visit of Vice Admiral Margaritis is a part of that cooperative endeavor.

Sincerely yours,

JOHN H. CHAFEE.

If I am not mistaken, the purpose of NATO was to preserve freedom in Western Europe. Mr. Chafee's letter suggests that is not the case. It suggests that we do not distinguish between free nations and totalitarian regimes. It suggests that we extend our friendship to any government, however hostile it may be to our ideals of freedom and democracy, if some military advantage may accrue from the relationship. If this is not the case with regard to Greece, it is incumbent on our Nation's leaders to make clear their position before the world. Their continued silence can only be interpreted as approval of what is going on there.

SECRETARIES WEEK—APRIL 19–25

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. HASTINGS. Mr. Speaker, this is Secretaries Week and I should like to take this opportunity to pay a very warm and deserved tribute to these wonderful people without whom I am sure we would not be able to function. They serve with quiet efficiency, dedication, and superb skill, contributing in great abundance to the well-ordered operation of any office. They are an integral part of every business, industry, and profession.

Mrs. Hope W. Piper, chairman of the Secretaries Week Publicity Committee, District of Columbia Chapter of NSA, International, has provided me with some material regarding the week-long observance, which is keyed to the theme "Bet-

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ter Secretaries Mean Better Business." Under leave to extend my remarks in the RECORD, I should like to include the following:

FOR ALL SECRETARIES

"Better Secretaries Mean Better Business" is the theme of the nineteenth consecutive annual Secretaries Week, April 19–25, 1970. Wednesday, April 22, is designated Secretaries Day.

Governors and mayors throughout the United States will officially proclaim Secretaries Week, and their counterparts in Canada will do the same. For the seventh straight year, the Outdoor Advertising Association has undertaken Secretaries Week as a public service project, and billboards will be made available throughout the country. Many Chambers of Commerce also observe Secretaries Week, and service clubs such as Rotary, Lions, and Kiwanis frequently invite secretaries to participate in special programs.

The purpose of Secretaries Week is to bring recognition to secretaries for the vital role they play in business, industry, education, government, and the professions. Secretaries Week was originated in 1952 by The National Secretaries Association (International) in cooperation with the U.S. Department of Commerce to draw attention to the secretary's contribution to the educational, professional, and civic growth of the community. It also serves to remind secretaries of their responsibilities to their employers and to their profession.

Many secretaries also will participate in secretarial seminars. Only through performance can secretaries command respect from superiors, colleagues, and subordinates, says NSA's International President, Bertha J. Stronach, CPS, who is secretary and senior staff assistant to L. M. Collins, Manager of Educational Marketing Programs, IBM, New York.

"Admittedly, secretaries are in a sellers' market," Miss Stronach says. "With the ever-adjusting law of supply and demand in the labor market, we have to be on guard against the erosion of the secretarial 'image' that will ultimately come from any compromise of the standards we are committed to elevate. When and if the pendulum swings to a buyers' market, we don't want to be remembered from the difficult days of the so-called secretarial shortage.

"On every side, management bewails the fact that secretaries are in short supply and that they are having to settle for minimal job fulfillment at maximal salary levels. Yet, some of the same management attempts to recruit from weakness rather than strength and to offer lures that can only be termed frivolous when applied to a business environment. Naturally, we favor appropriate fringe benefits in the form of adequate paid vacations, hospital and retirement insurance plans, and profit-sharing programs. But non-job-related inducements such as a day at the races, a night at the theater, or unearned vacations are not what makes a professional secretary job happy.

One major incentive to a secretary, Miss Stronach notes, is job satisfaction, as has been demonstrated by NSA research, although it does not necessarily follow that a successful secretary is satisfied with her job or that a secretary who is satisfied with her job is successful.

"A satisfied secretary," she says, "is one who is given a challenge and can make a vital contribution to an integral part of the over-all business at hand. When such challenge is offered along with room for advancement, there is a qualified secretary who will be attracted to and remain happy in the position. The key points of what a secretary expects to measure up to are found in NSA's own definition of a secretary: 'A secretary shall be defined as an executive assistant who possesses a mastery of office skills, who demonstrates the ability to assume responsibility without supervision, who exercises initiative and judgment, and who makes decisions within the scope of assigned authority.'

"One of the primary moves management can make toward eliminating the secretarial shortage," Miss Stronach says, "is to put priority on defining the scope of the secretary's authority on more liberal terms. Then, together, we can work out of the stigmatic, unbalanced atmosphere of the current sellers' market for secretaries."

COMPUTER CONTROLS A MUST

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. MURPHY of New York. Mr. Speaker, I would like to call your attention to a recent article in the business and financial section of the New York Times.

This article, based on an interview with Joseph J. Wasserman, president of Computer Audit Systems, Inc., of East Orange, N.J., calls attention to the need for computer controls; this article is particularly timely in view of the growing use of computers in virtually every phase of business and government and in light of our Government's plan to establish a National Data Bank.

Mr. Wasserman and his organization are to be commended for the leadership and the foresight they have displayed in developing computer audit programs which will have a very beneficial impact on our economy. Under the leave to extend my remarks in the RECORD, I include the following excellent story by William D. Smith from the New York Times:

CONTROLS HAVEN'T CAUGHT UP TO BOOM IN COMPUTERS

(By William D. Smith)

New York erupted into a frenzied, spontaneous shower of ticker tape and paper last year when the bumbling, beloved Mets became the World Champions of baseball.

When the celebration had passed, many businessmen awoke to a horrible hangover brought on by the fact that enthusiastic employes had tossed valuable computer tape and punched cards out office windows in tribute to their heroes.

Irreplaceable payroll, inventory and accounts receivable records joined the tons of useless ticker tape as fodder for the city's garbage trucks.

STILL AN ADOLESCENT

Before the advent of the computer, valuable records would have been protected from irresponsible hands by established practices of audit and control. The computer however, is only in its adolescence as a business tool, and audit and control techniques for the computer are in their infancy.

Employe irresponsibility in the face of a baseball victory is perhaps a once-in-a-lifetime occurrence, but the danger to business from lack of control over computer activities is a day-to-day situation.

Inadequate control over business computers opens the door to fraud and embezzlement that can cost companies thousands and millions of dollars. Because no proper computer audit system was available, a programer in a Mid-Western bank was able to alter a savings account program to transfer the "round-off fractions" of cents in the interest calculations of every depositor to an account maintained under a fictitious name. He was able to withdraw large sums of money before he was detected.

Yet as far as internal security is concerned, losses from fraud are minuscule compared with honest mistakes resulting from programing errors. The United States Army had a loss of more than $100 million when over a period of years a computer program covering certain family allotment checks failed to provide for cancellation of payments after the men had left the service.

AWARE OF DANGERS

Business and government have become increasingly aware of the dangers from lack of audit and control techniques, but, as yet, most companies have not been able to develop the systems they need to protect themselves.

One reason for the gap between desire and performance is that most traditional auditing personnel have no knowledge of computers while most computer personnel are ignorant of auditing requirements, according to Joseph J. Wasserman, president of Computer Audit Systems, Inc. Mr. Wasserman, who had been manager of audit development for the Bell Telephone Laboratories, is one of the pioneers in developing techniques in the field.

Many of the traditional accounting and management consulting concerns have also developed audit and control methods, but implementing them with clients has presented some problems because of the conflict between old methods and new machines.

Mr. Wasserman contends that many companies have eliminated traditional controls for checking human calculations because "computers don't make mistakes." But he noted, "Humans program computers, and humans do make mistakes."

A good place to start in the control of computer operations is keeping unauthorized personnel and visitors out of the computer room. Companies that consider their computer installations to be showplaces, welcoming visitors are inviting disaster, according to Mr. Wasserman.

He contends that a simple, but not always followed, technique is to keep back-up files for all important information at a totally separate place in case of fire or other disaster.

He points out that in pre-computer days only certain people could officially change records, but today many major companies still have no control over programers, allowing them access to all programs.

"Only one person or operating group should be responsible for an operation at any one time. Ideally, this means drawing lines between the employes who authorize a transaction and produce the output for reports or other management purposes. Don't ever let one man or group of men follow a transaction through from beginning to end," he warned.

Mr. Wasserman advocates building the audit and control techniques into the computer system from the ground up. "In the past, people just wanted to know what the computer could do without any thoughts about controlling it," he observed. "Now the sophisticated users have become aware that preventing the computer from doing certain things is also important."

FALSE REPORTS

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. HOGAN. Mr. Speaker, the news media has become famous—or infamous as the case may be—for devoting

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many inches of newsprint to the sensational activities of that small, but vociferous, minority who oppose the traditional value of the so-called establishment.

I would like to call the attention of my colleagues to a different kind of message which is not often found in newspapers these days. The Christian Science Monitor on April 7 printed an editorial, entitled "False Reports," which tells it like it really is.

Particularly this week, we again have evidence that our youth have not been so disillusioned with the system that they have lost their humanitarianism. Hundreds of thousands of high school and college students will this week participate in activities to engender concern for the environment. Cleanup projects and teach-ins will be the priority item on Earth Day, April 22.

Mr. Speaker, I fail to see why more newspapers cannot follow the lead of the Christian Science Monitor and praise the youths who are constructively furthering the cause of humanity.

I insert the editorial at this point in the RECORD:

FALSE REPORTS

What do people feel is to be gained by spreading half-truths and exaggerations about youth? What do they feel can be won by handing those who now criticize the news and information media new ammunition? Why should youth trust an older generation which, either through ignorance or commercial desire, works youth an ill?

These questions arose in our mind as we read the following statement in a news release publicizing the spring, 1970, issue of a high-cost, slick-paper magazine. It reads, "As the 1970's begin, the liberal, rational, humanitarian way of thought that has persisted for several centuries is on the way out. Today's younger generation finds mysticism superior to rationalism, communication by touch superior to speech, living with animals more rewarding than living with people, ecstasy induced by drugs or fasting or music superior to self-control."

Let us begin by stating that we look upon such a judgment as a gross exaggeration and injustice in at least two directions. The first is that it includes all youth in its embrace. The second is that it gives a half-baked picture of the direction in which youth as a whole seems to be moving.

Even if we confine ourself to that proportionately small segment of youth which is most active in questioning today's inherited values, we by no means find that the majority are copping out, placing vague mysticism above rationality or reason, or avoiding their fellow human beings in favor of animals. And to imply that this is true of all youth is the height of irresponsibility.

Where is the persuasive evidence that today's youth is turning away from humanitarianism. On the contrary, and notwithstanding the overenthusiasm and lack of experience which sometimes accompany youth's protests, we doubt if there was ever a young generation more sincerely interested in helping mankind and society, thereby demonstrating true humanitarianism.

Such accusations against youth are an example of missing the forest because of a few trees. It cannot be denied that the increased tempo, the greater nervousness, the speed of various kinds of permissiveness, the problems which rack contemporary society have produced a higher degree of alienation among youth than formerly. But we are convinced that the great majority of young people, regardless of higher hemlines and lower hairlines, are still hard-headed and hard-working. To say otherwise is no service to anyone.

COMMONSENSE APPLIED TO ENVIRONMENT QUESTION

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. EDMUNDSON. Mr. Speaker, the members of the Southern Interstate Nuclear Board and a number of interested Oklahomans were treated Monday evening to an authoritative commonsense assessment of American's energy needs with relationship to protection of our environment.

The assessment came in a speech to the Interstate Board, meeting at Fountainhead Lodge on the shore of Oklahoma's Eufaula Reservoir, by Dr. Glenn T. Seaborg, chairman of the U.S. Atomic Energy Commission.

Dr. Seaborg's remarks were entitled, "Energy and Environment—A Rational Outlook." Dr. Seaborg frankly discussed the national emotionalism which has grown out of the current activities aimed at protecting the environment, particularly the broadside attacks on the business of producing energy. He also took a realistic look at the energy requirements of the United States in the years to come. Against this background, Dr. Seaborg stated a strong and rational conclusion that production of energy and protection of the environment can both be accomplished.

This excellent speech was the fitting climax of a day which saw the dedication of a major new industry in eastern Oklahoma—a uranium processing plant built by Kerr-McGee Corp.—with participation by two of the great Members of this body, Chairman WAYNE ASPINALL and Chairman CHET HOLIFIELD.

Mr. Speaker, I would like to have Dr. Seaborg's speech made a part of the RECORD, and I commend it to my colleagues as an outstanding example of commonsense.

The speech follows:

ENERGY AND ENVIRONMENT—A RATIONAL OUTLOOK

(By Dr. Glenn T. Seaborg)

With so much that seems irrational in our world today perhaps I am foolhardly to attempt to speak on a *rational* outlook on energy and environment. When discussed separately these subjects—energy and environment—seem to evoke some fairly emotional responses from many people. When approached together they often have the effect of creating their own "critical mass" in terms of a public reaction. In spite of all this (and knowing my audience this evening) I feel pretty daring (more honestly, secure), so to paraphrase a familiar expression I say "Come, let us reason together" about this matter of energy and the environment.

As a point of departure for my discussion I would like to refer to an important event coming up in the next two days and to some of the thinking that has preceded and will no doubt pervade that event. What I am referring to is the national "Environmental Teach-In" that will be taking place on April 22 across the country. The general tenor of the thinking I have in mind is the philosophy that all additional growth in our newly recognized limited environment is essentially destructive—suicidal—and that the release of any additional energy in support of that growth can only hasten the demise of man and the biosphere.

Let's examine some of the background and logic of this trend of thought. To begin with, a number of events, many revelations and still more forecasts have combined in recent years to engender a strong public attitude about growth and the environment.

The population explosion has become a major topic of discussion and a source of alarm as new Malthusian statistics are brought to public attention and the crowded conditions of our stressful urban life—with their growing number of riots, crimes, accidents, etc.—seem to back up the doomsday feeling behind them.

Industrial production figures—once unanimously considered as an indication of human progress—are now viewed by many with apprehension and alarm as the impact of industrial growth on the environment is stressed over the positive effect of the products produced. Increasing environmental degradation, dwindling natural resources and mounting waste are singled out as effects of a growing Gross National Product (GNP). Instead of looking forward to a trillion dollar GNP, there are those who see it only as a forecast of ecological disaster, who demand that we reverse our economic trends and seek to establish not only a zero population growth rate but a zero economic growth rate as well.

And in addition, man's latest technological triumph—his journey to the moon and much of the information obtained from it—is being used by anti-technologists to argue against further technological developments here on earth. The full view of this beautiful blue and green planet, apparently the only heavenly body covered with life in millions—most likely billions or trillions—of miles of black space, offers a most effective argument against any forces that might upset the delicate mechanism responsible for sustaining that precious life.

I throw all this trend of thinking at you—all these devastating attitudes and the harsh questions they raise—all at once not merely to be perverse or send you all home with indigestion after this fine banquet. I do it to give you the feeling of the tide of action and reaction that is sweeping a good part of this country today. This, I believe, is a prevailing and growing climate of opinion we are going to be living with, not just during the day of the Environmental Teach-In but for some time. And what is most disturbing to me about it is that this trend of thinking is filled with enough logic and truth to suggest that many of the nightmares projected by today's doomsayers could come true—if we were to continue unresponsively and irresponsibly on our current course. That is a very big *if* which I plan to deal with in a moment. But first let me continue the thrust of the pessimistic argument, relating it now to the role of energy.

Looking at energy strictly in terms of the villain that some see it, what has been said about it? Just as energy is the basis of our growing economy and affluence, so is it the root of all our environmental evils. It is cheap, ubiquitous power that allows us to mutilate our landscape, devour our natural resources, manufacture wasteful and waste-producing products (that must be forced on us by advertising), to congest our cities, to assault our ears, poison our air and befoul our water. In addition (and let me emphasize that I am still paraphrasing others' thinking) energy itself is responsible directly for much of our ecological disaster.

If you believe I am exaggerating the anti-energy feeling being engendered today—and particularly among the young people who will be the most involved in the Environmental Teach-In in the next two days—let me quote directly from "The Environmental Handbook," a best selling item prepared for the teach-in by a leading conservationist organization. Here is how the section titled "Energy" begins:

All power pollutes.

Each of the major forms of power generation does its own kind of harm to the environment. Fossil fuels—coal and oil—produce smoke and sulfur dioxide at worst; even under ideal conditions they convert oxygen to carbon dioxide. Hydroelectric power requires dams that cover up land, spoil wild rivers, increase water loss by evaporation, and eventually produce valleys full of silt. Nuclear power plants produce thermal and radioactive pollution and introduce the probability of disaster.

We are often told that it is essential to increase the amount of energy we use in order to meet demand. This "demand," we are told, must be met in order to increase or maintain our "standard of living." What these statements mean is that if population continues to increase, and if per capita power continues to increase as in the past, then power generation facilities must be increased indefinitely.

Such statements ignore the environmental consequences of building more and more power generation facilities. They ignore the destruction of wild rivers by dams, the air pollution by power plants, the increasing danger of disease and disaster from nuclear power facilities.

These effects can no longer be ignored, but must be directly confronted. The perpetually accelerating expansion of power output is not necessary.

Having gotten off to this strong start the author continues his indictment of power by elaborating on such things as the growing per capita use of power, the evils of the present-day automobile and the possible effects of the buildup of CO_2 in the atmosphere. He concludes with the suggestion that "one goal of the environmental movement should be the reduction of total energy use in this country by 25 percent over the next decade." And as a few steps toward this goal he urges that we press for more public transportation and more bicycles and walking paths as well as changing the price system for power use to encourage decreasing the consumption of electricity. Again there is a mixture of thinking and ideas here that one can neither dismiss dogmatically nor accept wholeheartedly.

But having presented some of the general feeling that all these ideas convey, I want to go back now and rethink with you some of these broad concepts and many specific points.

Let me begin with some straightforward observations that do run counter to much of the pessimistic thinking I have reviewed.

First of all let me make clear, to those who do not realize it, that energy is the source of all life and that man's use of energy throughout the ages has done far more to advance the human race, to uplift man in body and spirit, than it has to harm either man or his environment. As not too long ago I devoted an entire speech—"The Human Side of Energy"—to this very subject I am not going to defend that premise in detail here tonight. However, I would like to offer the observation that man's use of energy, like his use of many things, is subject to something akin to the "Law of Diminishing Returns" and when his unwise or excessive use of it results in feedback that tells him to reduce his use of energy or use it in other ways, he will do so. Today through our environmental problems and from other sources we are getting such feedback, and I think we are reacting to it.

But in addition to the question of reacting in time and in proper measure to such problems, which I will cover later, there is also the question of overreacting, which also poses many great dangers. Let me offer some specific examples of this.

The first that comes to mind is the delay in the construction of currently necessary electric generating facilities caused by the protest of various public groups concerned with conservation, the preservation of scenic areas and the natural environment. The basic intentions of such groups may be fine but are they weighing all the consequences of their actions? The delay of certain generating facilities could result in blackouts and brownouts in the urban areas depending on that increase in power. To those areas such power is a vital element—the lifeblood—of its man-made ecology. The results of a power loss or reduction in those cities might range from an occasional nuisance to a serious problem. To avoid being accused of "scaremongering" I will not go into detail on those problems. It does not take much imagination to figure them out.

But the point I want to stress is that the protesting groups who delay power plant construction and expose the public that needs that power to potential problems which range from minor inconveniences to extreme dangers are often foisting their own value judgments on a larger segment of their fellow citizens. Such protesting groups must be responsible to those other citizens. They must either make the case successfully for their reduced use of electric power and inaugurate the acceptable "load shedding" that might allow eventually for fewer power plants to be built, or they must work cooperatively with the electric utility to find alternate methods or sites that would supply the needed power with the least harmful environmental impact. I think this can be done—I think it must be done—in the future, and the sooner the better. We must find public methods of evaluating and balancing the needs of the natural environment with that of the man-made environment. Obviously we live in both and cannot ignore either.

In line with what I have said about power needs and some of the diverse opinions being expressed on this today, let me discuss a few ideas that I think must be aired today fully and frankly.

It must be stressed that the economic relationship between energy and our man-made environment cannot be overlooked. Many of our younger environmental enthusiasts tend to ignore the fact that by far the larger portion of our total energy goes to industry and transportation, not to residential use. Any cutback in the use of energy in those sectors which affects production so that employment is also affected can play havoc with people's livelihoods. This is another human factor involved with energy that must be weighed by those who believe our energy systems can just be turned off or on, or up or down, at will. I point this out not to show we are in the grip of some technological system that we cannot control—this is an argument frequently heard today too—but again to make those whose sense of urgency to save the environment is overwhelming realize that there are human and environmental aspects to economics that they cannot ignore. This is an unpopular argument with many—for reasons that will probably be clearer as I proceed—but it is the kind of painful truth that sooner or later must be recognized. And I have a feeling that as soon as it is more broadly appreciated, when we start to factor into our economic system the costs for a clean environment and provide economic incentives for achieving it, we may make much more progress than we are now.

One subject that I can only touch on this evening but which is going to be widely debated in the days ahead is, how much power do we really need? And this boils down further to a question of the relationship of our energy level to our standard of living. As I indicated before, there is a school of opinion among today's environmentalists which sees our high standard of living as a major villain, and those of this school often make their case by showing the per capita consumption of resources and expenditure of energy of a U.S. citizen and comparing them with those of a citizen of a lesser developed country. Naturally, the contrast is startling.

But arguing the extremes—resorting to the "excluded middle" approach—in discussing living standards and the relationship of energy to our environment is actually misleading and harmful. We are not faced with an either-or situation in the use of resources and energy as many would have us believe. And at this point I want to present some thoughts that lead me to believe that we can and will find and follow a reasonable path in the coming years to allow us to grow in many ways and yet remain compatible with our natural environment.

The first thought I have is that, prompted by our present recognition of, and concern over, environmental problems, we are going to see a vast restructuring in our approach to using energy and resources. The old Industrial Age approach of applying every technological development to the hilt is drawing to a close. In its place we are going to see a whole new philosophy of development—one that is based on wide systemization, great efficiency, recycle and a balancing of economic and environmental relations. And, I must add, one that has a highly human orientation. In this regard there is no doubt that Technological Assessment is an idea whose time has come. I also have the feeling, based on observing many of our young people today and the "counter culture" a number of them are pursuing, that we will see a shift in many values and a corresponding change in our use of technologies.

Changes involving all these aspects of what has been referred to as our "Post-Industrial Age" are beginning to happen today and their implementation and effects will grow and be felt increasingly in the years ahead.

The effects of all this on our use of energy will, of course, be significant. For one thing, I believe it will eventually reduce the growth rate of energy use. For example, the doubling of electric capacity demand every ten years is not going to continue indefinitely even with electricity capturing a larger share of the total energy market. Greater efficiency and the miniaturization of many technologies will be responsible for allowing us to accomplish more with less energy. And in technologies where more energy may be used—as will be the case in its application for materials recycling—we will have the trade-off of an environment free from the pollution of solid waste as well as a limiting of the drain on many natural resources.

What about the thinking to which I referred earlier in my remarks—that all power pollutes, and that the environmental effects of growing power demands are ignored? Neither of these assumptions is fully true or justified today and both will have decreasing validity in the future. Pollution must be viewed as a relative term and we cannot say that *all* power pollutes *any more than we can* say that *all* life or *all* nature pollutes. Every release of waste material or energy does not constitute pollution. Furthermore, today—right now—hundreds of government, industrial and research organizations are engaged in a vast number of studies and active programs that will lead to increased control over the environmental effects of producing power and find many alternatives to energy sources that are harmful at present.

What are some of the results we may expect from these varied efforts?

I think we will see a cleaner burning internal combustion engine using fuel that releases less pollutants. And coinciding with this will be a shift to other modes of transportation—mass transit, fuel cell- or electric-powered vehicles and more cycling and walking—that will have many beneficial effects on our environment.

I think we will see a measurable success in the work of reducing certain contaminants, such as sulfur dioxide and particulate matter from fossil fuels.

I think we will see the thermal effects of steam generating plants on the environ-

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ment more fully understood and dealt with. And this will involve the use of good national and regional plans for the siting of such plants. Probably such siting plans, which should be formulated and put into effect as soon as we feel confident we have the necessary knowledge, will go beyond the consideration of thermal effects and take into full account the preservation of scenic areas and wildlife and other aesthetic considerations. Technological innovations now under development, such as cryogenic cables capable of carrying huge loads of electricity over very long distances, will be most helpful in making such plant siting possible.

Finally, I think the growth of nuclear power will play a significant role in giving us more power with less environmental pollution. And I would like to elaborate briefly on this subject since it is one of major interest to this audience.

As I am sure you know, the growth of nuclear power, which has taken hold economically only in recent years, has come under fire recently on environmental grounds. Some of our critics tell us, as if to assuage our unhappiness, that we should not take it too personally, that nuclear power is just one of many forces caught in this historic period of environmental concern. Some of the same critics also admit that in their assaults on nuclear power they are resorting to a bit of "overkill" to drive home their points—particularly to the public. Certainly it is regrettable that both these conditions exist. But I somehow feel they will not turn out to be all bad. Much of the environmental controversy now raging will have a positive effect on the growth of nuclear power, which I believe, when the smoke clears, will come out better than ever. As I indicated before, we must and we will solve the problems involved with thermal effects of all steam generating plants. A variety of solutions already exists. It is mainly a question of bringing them and new alternatives—including ways to put the waste heat to beneficial use—before the public and making clear what considerations and costs are involved in balancing their need for electricity with their need for a healthy environment.

Relating to matters having to do with radioactive effluents there are a variety of considerations. All the discussions on radiation standards notwithstanding, I believe that nuclear power is by far the safest and most environmentally advantageous method of generating electricity we have today, and in this regard it will continue to improve. As you all know, the radiation exposures for the general public are such that the average person receives much less radiation from nuclear power activities than he does from natural radiation background. (And I will not repeat the comparative increases he receives by living in Denver or taking a jet flight across the country. I am sure these are getting to be radiation cliches appreciated by neither the Denver Chamber of Commerce nor the airlines.)

Most of the nuclear power plants on the line today are releasing in the normal course of their daily operation only a small fraction of the radioactivity allowed by our standards, and we are putting into effect a regulatory approach that would virtually assure that this activity is kept close to this low operational level. Even with the projected growth of nuclear power, we are confident that radioactive effluents can be kept well below the level at which they will produce any harmful effects on the environment or the population.

Of course, radiation, standards and the data behind them are under constant review, and the Federal Radiation Council is now in the process of a thorough reevaluation of them at the request of its Chairman, Robert Finch, Secretary of the Department of Health, Education and Welfare. While some people believe that changes might result from the extensive review, others feel that the current standards will receive a clean bill of health. In either case I believe that nuclear power plants, as they are operating today and will operate in the future, will be found environmentally safe and desirable.

The most important basis for their desirability must be in their comparison with other methods of generating electricity—primarily coal, since it is the chief competitor of nuclear power. In such a comparison there can be no doubt that nuclear power comes out looking like Mr. Clean. One has only to examine the statistics on air pollution to realize the advantages of a fission plant over a fossil fueled one. The estimated annual cost of the adverse effects of air pollution in the U.S. is now about $15 billion. And this does not include the human costs of illness and death resulting from respiratory ailments such as lung cancer and emphysema. A major factor in such air pollution is the sulfur dioxide released from fossil-fueled plants. Such plants are responsible for about three-quarters of the 35 million tons of SO_2 now released annually in the U.S.—and this figure may well rise to about 95 million tons annually by 1990. Fortunately, a shift toward nuclear power will help to alleviate this problem as well as those associated with other combustion products.

Of course there are a number of other environmental advantages of nuclear power—the more aesthetic appearance of the plant, the absence of the traffic, noise and eyesores associated with the hauling, dumping and storage of coal and the removal of ash. I know you are familiar with these comparisons so I am not going to take time to review them in detail. But all this leads me to believe that in the final analysis nuclear power is going to make a major contribution toward our efforts to balance our needs for energy with those for a healthy environment.

How we use the power we will be able to draw in abundance from the atom—from today's light water reactors, from tomorrow's advanced converters and fast breeders and hopefully someday from controlled fusion—should not depend merely on the amount of power available or even how economic it becomes. We will have to be wiser than that. Other values—human values—will ultimately determine how and to what use we put this great energy. I have a feeling though, that we, and this new generation which is so rightfully concerned with these problems, will more than meet the challenges posed today by the confrontations that have resulted between our technological civilization and our natural environment. I think we can muster both the intelligence and the will to do this. Our whole world, and our whole life, has now become an "Environmental Teach-In"—and we are learning. We are learning very fast.

SAVING THE ENVIRONMENT: AN URGENT CHORE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. DULSKI. Mr. Speaker, tomorrow, April 22, has been designated as "Earth Day."

Across the Nation there will be a concerted effort to focus attention on our urgent need for dealing with the problems of our environment—while there still is time.

One of the most heartening aspects of the current movement is the involvement of our young people in our colleges and our high schools. Here is an issue which they have come to understand as well as—in some cases better than—their elders.

There is a pertinent lesson on this subject in connection with last week's aborted flight into space of Apollo 13. All of us prayed for the safe return of the brave astronauts after the major breakdown of their equipment.

Thankfully, they returned safely—a tribute to the skill of both the men in the spacecraft and those thousands of individuals on the ground in stations around the world.

The lesson I would cite regarding Apollo 13 is that the crisis involved a breakdown in their equipment providing them with the manmade environment for humans in space flight. Suddenly, there was massive failure of their system for providing life-maintaining oxygen and water.

Their environment in the space vehicle was rapidly deteriorating. With counsel from their earthbound partners, jerry-built adaptations and strict conservation of remaining resources, the astronauts made it home.

Each day, our air and water here on earth are being polluted to an ever-increasing degree. There have been many efforts by many levels of government and by many concerned groups and individual citizens. But these efforts have not yet been enough. The contamination is increasing faster than the corrective steps can take hold.

I have given and am giving full support to antipollution and associated efforts dealing with our environment both on the national and local front. I shall continue to lend my full support.

Mr. Speaker, the job of saving our environment is a huge job. It is one in which we all must join together because it is only through united effort that we are going to be able to get ahead of the current process of deterioration.

Clearly it is a national issue which is bringing together folks in all walks of life. Awareness of the problem is the first and most essential ingredient. This broad understanding is necessary to provide the needed push behind the corrective steps as they come along.

In a feature article the other day, Paul MacClennan of the Buffalo, N.Y., Evening News staff, put the picture in very timely perspective. He relates the impressive evidence of awareness in my home area.

Mr. Speaker, as a part of my remarks, I include the text of Mr. MacClennan's excellent article:

SAVING THE ENVIRONMENT: AT LAST A NATIONAL ISSUE TO BRING FOLKS TOGETHER

(By Paul MacClennan)

Concern for the environment is universal today. It is preached from the pulpit, the comics, the White House and in prestigious business magazines.

But perhaps one of the most hopeful signs today for the long-range needs of restoration is the ecology action movement now sweeping American college campuses and high schools.

Western New York is no exception.

While April 22—Earth Day—is a major target for a national teach-in on problems of the environment, the drive appears to have more far-reaching effects.

Attitudes now being molded on the campus and in the classroom about the steps necessary to overcome man's past indifference are likely to have impact for years to come.

IMPACT PREDICTED

"Sure the teach-in is going to have an impact, a tremendous one and this is important, but just as significant, I think, is the fact that these students are concerned about the problem and are knowledgeable about it," one professor said.

"These are the people who will pay the taxes and vote for the sewer bonds, the consumers who will exert economic pressure on industry to clean up, the informed citizen who demand that government continue to act after the first bloom is over.

"They are young and enthusiastic and excited. It's not likely that they'll forget the lessons that they are learning today and this will make the difference in the long haul."

A major portion of the campus energy at the moment is dedicated to research on the problems and its solutions in preparation for the teach-in.

EVERYBODY'S BAG

It's bringing together some strange bedfellows.

Unlike the Vietnam issue that split off in hawks and doves, civil rights that divided haves and have-nots or urban issues that often creates divisions, pollution is everybody's bag.

At the State University of Buffalo, for example, it's bringing together the Law School, the Medical School, biology, liberal arts, history and the whole spectrum of campus movements from militant activists to the far right.

"This is something that affects everyone and while there may be disagreement on tactics, there's agreement that something's got to be done," one student told The Buffalo Evening News.

A lot of students are angry again at the over-30 generation whose legacy has been a "waste economy" that threatens to destroy their future.

NO PLATITUDES

That factor greatly influences the campus attitudes ranging from some who feel that nothing short of a total reordering of America's priorities and values will turn the ecological tide to those who take the road of pressuring governmental officials whose laxity they blame for the crisis.

Unlike many of their counterparts in the community, the student ecologists are in most cases "doing their homework."

They are besieging local officials with requests for information and they won't settle for platitudes. They want to know the laws. They aren't satisfied with numbers, they want names of polluters. And often most embarrassing, they want to know why the pace of enforcement isn't quicker.

The perceptive nature of their inquiries is often startling. One official told The News that he has received inquiries that indicate some of the students and professors have knowledge exceeding his own and admits it frankly.

PURSUE KNOWLEDGE

In their pursuit of knowledge they are attending public hearings on such issues as international pollution of the Great Lakes or proposals to develop reservoirs as a method of better utilizing water resources.

The movement nationally has already spawned its own Washington headquarters and a paperback, "The Environmental Handbook," has been published as a guide for the "first national environmental teach-in."

Will it replace Vietnam as a campus issue?

"As the major issue and as the war is phased out, I think you will see it dominate student activity because regardless of the approach or the background all of us breathe the air, live near Lake Erie and see the mounting piles of junk even if you don't go out of the student union building," was one reaction.

Some civil rights leaders have criticized the ecology activists for weakening the rights movement on the campus, but the ecologists reply that if problems of environment aren't solved now, the other fight will be meaningless.

DRASTIC EVIDENCE

They also note that ghetto residents often bear the brunt of air pollution and other environmental conditions that lead to blight, decay and deteriorating housing.

Student leaders and their professors are still feeling their way on the "action" end of the ecology action movement, but already there are these things in the wind:

At Alfred University more than 40 students and two profs from the Ceramics College hauled four truckloads of beer cans, junk and assorted litter out of a half-mile section of Kanakadea Creek that splits the 180-acre campus.

It was piled up in front of the Campus Center as dramatic evidence of man's indifference.

Backed by research from faculty in the Engineering and Applied Sciences Department, UB students are voicing concern about operations of the Nuclear Fuel Services plant in Ashford.

They've conducted pollution picket lines at the plant, called for Atomic Energy Commission investigation and are pressing state government to act.

REPORT PLANNED

Students at State University College at Buffalo spent two week-ends gathering data on the effect of a fish-ash dumping problem on the health and welfare of a nearby residential area in Tonawanda and plan to report results soon.

Ecology Action, a student-based movement at UB, is delving into regional pollution problems and has already published an extensive newspaper supplement on its findings. Campus papers generally are devoting more space to problems of ecology.

Scores of elementary and high schools in the Buffalo area are preparing Earth Day programs and are soliciting speakers for April 22.

St. Francis High School in Athol Springs has taken Lake Erie as an education target and Clarence Junior High School students fired off a 2472-name petition to Congress asking for an investigation of the failure of government to solve water-pollution problems.

WARMLY PRAISED

At a recent Great Lakes pollution hearing, a group of Hamilton students received warm praise from the International Joint Commission for pointing out that while a technical report provided interim methods for cleaning up the Lakes, none of the scientists "had thought beyond tomorrow in terms of suggesting the fundamental changes necessary to end man's destruction of nature.

Canisius College students, organized as the Society for Unpolluted Environment (SE), published a frequent newsletter and are mobilizing for the teach-in. They voted one "most valuable polluter award" and plan follow-up citations.

Woven into the campus activity are efforts of individual professors who have been instrumental in activating a Sierra Club chapter and who are working with ABATES, a major effort to consolidate citizen effort.

ON THE INCREASE

Ecology courses are on the upswing.

UB has a half-dozen new courses and many departments sensing the movement are encouraging participation in courses that combine basic science background with a liberal sprinkling of "today" activity.

Efforts are under way to convert an Ecology Action Workshop into a fully accredited college.

Many students are appalled at the cumbersome and fragmented machinery of government that deals with the problem. But they are also equally concerned about the bandwagon techniques of politicians who see an issue to get aboard. One said:

"Sure there's a lot of talk about pollution. You're going to find every politician from President Nixon on down latching onto the issue—but while there will be a lot of talk, I wonder how much will really be done about the problem in a meaningful way. I'm afraid a lot of it is just going to be that—talk."

IMPATIENT FOR CHANGES

To change this mood and keep pollution abatement on the track is a main goal of the campus movement and while April 22 is a keynote date, most see it as a fight that will occupy their energies beyond the day they get degrees.

Many of the campus groups see as one of their missions the uniting of all environmentalists into a more powerful lobby.

Two UB students said they will actively encourage creation of a central clearing house to provide focus and information in the war on pollution.

They think it will take both numbers and knowledge and see unity as a key. Anything short of total effort they think will not bring man to peace with his environment.

Perhaps the today generation's impatience is its most powerful force. Their impatience with what wasn't good enough yesterday, won't do today and can't save tomorrow. They are impatient for the changes that will preserve our waters, our air, our landscape, and our earth.

WESTERN PENNSYLVANIA CONSERVANCY—A RECOGNIZED ENVIRONMENTAL LEADER

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. MOORHEAD. Mr. Speaker, tomorrow as we celebrate Earth Day in forums, demonstrations, and speeches around the country—hoping to rally support for the major effort to "do something about the environment—I think it is entirely appropriate to call attention to the leadership role played by the Western Pennsylvania Conservancy in my congressional district, Pittsburgh, Pa.

The Western Pennsylvania Conservancy, on whose board of directors I once had the privilege to serve, is a private, nonprofit citizens' group which was selected in 1967 as the "Conservation Organization of the Year" by the National Wildlife Federation, and also received the Sears, Roebuck Foundation Award as the Nation's outstanding conservation group.

In his message of March 18, the president of the conservancy, Mr. Joshua Whetzel, stated:

> A major role of a private organization is to make the public aware not only of a problem but of possible solutions, and thus create a demand for progress toward its eradication . . . our work must not be done alone, nor in competition with other conservation organizations . . . all mankind is in it to-

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gether and we must pool our efforts and resources in the common cause.

Mr. Whetzel's message is an excellent statement on "The Environment," which I include at this point in the RECORD for the attention of my colleagues:

PRESIDENT'S MESSAGE—WESTERN PENNSYLVANIA CONSERVANCY, ANNUAL MEETING OF MEMBERS, MARCH 18, 1970

Among the major issues of our day, probably the most serious, in the long range, is the deterioration of our environment. Because it is concerned with physical processes on which survival all of man's world depends, the environment must transcend all others in importance.

I am sure you are well familiar with this subject and that there is some concern, too, that it will be talked to death. Having said that, I hope I don't contribute to its demise while I comment on a few aspects of the problem as background for discussion of the role of the Western Pennsylvania Conservancy in this region.

In recent time, a fantastic demand for goods and services has been fueled by a population expanding at an exponential rate. Numbers of people and their demands are still increasing, causing a collision of values between our essentially conservative American culture and the response needed to such rapid growth.

Within the span of two generations we have witnessed in the United States the change from a fundamentally agricultural society with horse drawn transportation to our present supersonic moon age. In this period the world population has more than doubled while the United States population has tripled. The "crunch" is becoming increasingly felt in the urbanized areas where most of us live.

What went wrong with the "American Dream" to end up with little but dreary "slurbs" at the edges of our urban areas?

Why do we have rivers that smell where one can swim only at peril to his health?

For what reason must we breath exhaust polluted air along our streets?

It has been a case of a "little bit more won't hurt". For what difference did it really make in the earlier years of this nation to dump whatever in the river? It was the logical thing to do and so long as it remained on a small scale, in a big river—what harm? Most of our rivers would have benefited by a little sewage—for the same reason that fertilizer is often needed to increase fish production in a farm pond.

With regard to land development, Charles Little says it very well in the preface to his book *Challenge of the Land:*

"There was a time—and not so long ago at that—when the 'challenge of the land' involved beating back the wilderness, homesteading, forging westward across a roadless continent, establishing thriving settlements where only Indian villages had stood before.

"To this enterprise, the early settlers and pioneers brought a zeal tinged with moral and religious fervor. The establishment of civilization was, on its face, Good. The primeval forest, the virgin prairie sod, resisting the axe and single ploughshare, seemed, because they stood in opposition to man, bad.

"But yard by yard, acre by acre, mile by mile, the continent gave way. This early challenge of the land was met. Man with his strength and will prevailed over nature and much of the continental United States capitulated to civilization completely. But man turned out to be a not very noble victor. When Nature was on her back he kept stomping and stomping until in some places there was nothing left."

What developed in an earlier day has continued because of our inborn resistance to change and in large part because too few have really thought about the trade-off which has actually occurred—more affluence *now* for more degraded surroundings *now*.

The single most alarming fact about the environment is the predicted future rate of deterioration, not the condition of affairs right now. We seem to be botching things up fast enough but can you conceive of the *twice* as many people we are told will be around doing the same thing on this earth within the lifetime of most of us here?

Better environmental conditions can result only from basic changes in attitudes which can lead to concerted action by government, private industry and private citizens on a scale never before contemplated. And the action must be taken now before the expected onslaught of larger numbers and *their* needs and "wants".

The approach scientists use is, I think, needed. They deal at the edge of the unknown and are trained to forge ahead, making judgments based only on the facts in a situation. The rest of us, too often, look for historic precedent or are guided by irrelevant mores.

Consider, for example, private property rights. Historically there is given to the owner of land the right to do with it what he wishes regardless of the consequences to the land and its future benefit to a community. Should this not be challenged, and replaced by a doctrine which better suits our time—that an owner is only trustee of a part of the public estate and is allowed only such uses as do not deny future beneficial use?

This legal principle, generalized, would enable the best and most orderly land use controls, for the long range benefit of any community and its people.

It's probable that all our past sacred notions of individual freedom of action will be sorely tested before we have come to grips with the environmental problems we face. The more of us there are, the more each person's actions will affect another and by this alone our individual freedom is restricted.

Will we as a race change soon enough in fundamental ways and be able to cooperate in the manner we must? Mind you, Southwestern Pennsylvania governed as 411 separate units—*six* counties going *411* separate ways?

Against this background of our dilemma, what is the role of this organization in helping to work for a better regional environment?

The past activities of the Conservancy are well known to all of you. I will not repeat in detail the many triumphs of land planning and acquisition in assembling state parks, and the valuable program at the nature reserves. The splendid job of restoring the Old Stone House and the Johnston Tavern and the program at Fallingwater, architectural triumph of the late Frank Lloyd Wright, are familiar to us all.

This adds up to a most satisfactory range of accomplishments of which you, as members, should be particularly proud. For the outstanding leadership he exercised during the past 13 years, we should all join, too, in tribute to our President Emeritus, Dr. Charles F. Lewis.

Acquisition of large areas for state park purposes, preservation of unique natural habitats, the operation of nature reserves for public education—all these would appear, at first, to be enough for one organization to try to undertake—but, can we stop here?

Public awareness of what has been understood only by a few has rapidly grown—the functions of our natural environment in support of all life, including human life, are inter-related and inter-dependent. Ecology is the science of the relationships of living organisms to their physical environment and the lessons of ecologists are well worth heeding, for, indeed, our lives depend on an understanding of these truths.

What is done with the land affects the supply and quality of water. Man's use of the air resource affects all life on land and sea. The reverse is also true, because oxygen, the essential component of our atmosphere, is generated photosynthetically on land and sea.

Human beings differ from lesser animals in requiring aesthetic satisfaction in life. Thus, the stresses of crowding and noise cause psychosomatic disease; ugly surroundings breed ugly values and living green spaces seem essential to our inner selves, perhaps remembering an earlier and more primitive age.

As with all great truths, we wonder why it took us so long to learn. The necessary harmony of man and his natural environment makes great sense. It makes great sense, too, for this organization to broaden its concern to include all of man's environment. This is a logical, if not inevitable, step to take building on the solid base of past accomplishment.

For the past nine months, the Conservancy staff has been evaluating the programs in which we are presently engaged, retaining the best of these and planning for new departures.

For the first time since 1959, the dues for members have been increased and when you hear about the program we have embarked upon you will know why it has been necessary. I hope our members will accept this in good spirit. Even at the higher level, we predict receipts from dues will be only 18.5% of all income in 1970.

For the first time, also, charges have been instituted at our nature reserves for nonmembers in the form of parking fees and admission charges for lectures. Members also now receive a special discount of 50¢ per ticket for two tickets each year for admission to Fallingwater. These practices should enhance the membership privilege and help bring us new members as well as, of course, defraying some of the substantial cost of operating the reserves.

Our new program is now taking shape, although all of it is not yet rigidly defined and probably it never will be. It involved *Open Space Activities, Environmental Education,* and *Information and Community Services.*

The first element of the new program, our *Open Space* work, is essentially an expansion of the land acquisition for which the Conservancy is so well known. There is so much to be done regarding open space and there is so great a need to set aside that available before it is gone, that I do not believe we can rely only on acquisition as a method. There is simply not enough money to buy all that is needed.

I believe the Conservancy has a job to do helping local communities plan for open space by providing information on preservation techniques with proven value. These could include the methods of Green Space Development or "cluster" development and transactions in easements or less-than-total ownership in tracts of land. Newly developing uses of zoning are promising but subject to the vagaries of court rulings. All of these methods require a fine judgment of terrain and real estate development potential.

Conservation commissions, centers of open space action within local government, have worked very well in the Northeast and in New Jersey. Perhaps they would work in Pennsylvania. It would be a proper function of the Conservancy to explain and help establish a network of these commissions.

Despite these new involvements, we are ready to assist the acquisition efforts of government at all levels, just as we have in the past.

Education programs of the Conservancy will be broadened to include more emphasis on teacher education. Our reserves will be used as training grounds for future conservation education teachers. We are now in

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the midst of active discussion of this subject with several colleges.

We could contribute also to curriculum development, influencing curriculum choice and content. For example, environmental considerations are part of a nation's culture and, from an educational point of view, belong in all curricula. This should be emphasized particularly in social studies courses, yet most such curricula don't consider the influence of resource development patterns or misuse of resources on the history of man and his culture.

The third phase of our new program, perhaps the furthest departure from earlier Conservancy efforts, can be called *Information and Community Services*. You have seen one part of this effort, with the change in the format and coverage of Water Land and Life, of which I hope you all approve. As you can see, we have attempted to broaden the content of this publication, but we are still reaching for what is best. Probably we should analyze subjects in depth, providing the background necessary for understanding environmentally related topics. In the first two issues in the new format, we ranged widely, including reporting of Conservancy news, which, of course, will continue.

In addition to publications, the Conservancy has an obligation to become involved in other kinds of information programs regarding important environmental matters. Last fall, when the new State and County clean air standards were being proposed, we did this through participation in information meetings open to anyone, and thus provided a forum for public discussion of the proposals. These were controversial issues—and many will be. I don't think we can avoid controversy.

Our activities will not be confined to air pollution. We are equally concerned with water pollution abatement, highway location, noise abatement, soil erosion and sedimentation control and so on—the whole spectrum of topics which relate to man's use of the natural environment.

More than ever before people are aware of the environmental crisis. All the media, local as well as national, continually roll the drums (almost too much it seems for we don't want to see the environment overplayed and dismissed like another fad). An objective of every concerned individual and every civic group is a decent and viable environment. Thus, there is a very broad basis of support for accomplishment. Politicians clearly recognize the appeal of these issues.

Answers to environmental problems are available—more than are being used. The technical means to abate nearly every form of pollution are now known. Planning approaches which would enable highways to be routed with minimum social cost are understood. Techniques needed to build attractive and efficient communities are well known. Furthermore, we have impressive environmental control laws already on the books and agencies created to administer these laws.

The time has come to get on with the job! The tools are at hand; people are ready; let's stop wringing our hands; it's time to get into the action! The question is—*how* to get on with the job?

We think that the answer lies in serving as a catalyst for *local* community action. The problems are too enormous and rooted too deeply in local situations to ever be solved from Washington. Yet these problems are often complex and the means to their solution, even if available, might not be known at the point of need.

A major role of a private organization is to make the public aware not only of a problem but of possible solutions, and thus create a demand for progress toward its eradication.

I see, then, a growing commitment on the Conservancy's part to provide the information on which citizens can base responsible environmental decisions. Non-profit organizations dependent on tax-deductible support can not engage in political activity to any substantial extent and therefore we are prohibited from outright advocacy of a particular action by a public body. But, we are able to discuss issues so long as there is full and fair disclosure of all points of view.

Our work must not be done alone, nor in competition with other conservation organizations. We will cooperate with all citizen groups interested in environmental improvement and this includes almost every civic minded organization. All mankind is in it together and we must pool our efforts and resources in the common cause.

I intend to guide this organization—your organization—in carrying out the programs which will best benefit the environment of this region. In this effort I appreciate more than anything else your suggestions and support. You, our members, are the strength of this organization.

TRIBUTE TO ALBERT ISEN

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. ANDERSON of California. Mr. Speaker, Albert Isen has served with distinction for 16 years as the mayor of Torrance, Calif.

Although born in Los Angeles, Mayor Isen has lived in Torrance since 1913. He attended Torrance High School and, later, the University of Southern California. He was awarded an LL.B. degree from USC in 1930.

Albert Isen's devotion to public service, and love for his city, is evident by his activity in various civic organizations. He is a member of the South Bay Bar Association, the Torrance area B'nai B'rith, and the Elks and Moose Clubs of Torrance. Further, he is a member of the Masons, El Toga, and South Bay Shrines. He has been given honorary membership in the Civitan organization and the Torrance Mounted Police. Mayor Isen is the past president of three organizations: The Torrance Lions Club, South Bay Bar Association, and the Torrance Area B'nai B'rith Lodge.

His Honor, Mayor Albert Isen, or "Al," as he is called by his friends, a practicing attorney since 1933, was elected to the city council in 1954. The following year he was named mayor by his fellow councilmen. He served as appointive mayor until 1958 when a charter change made the office elective, at which time he was elected mayor. He was reelected in 1962 and again in 1966. During those many years he had the distinction of being the only elected mayor that the city ever had.

From the moment he took office things began to happen. Under this guidance the city acquired and developed the civic center with a new city hall, police station, municipal plunge, central and branch fire stations, recreational buildings, an independent library system and branches thereof, and a municipal and superior court.

Since Mayor Isen entered public life, the city has grown from a relatively small town of 40,000 to a municipality of nearly 140,000 people, ranking third in population in Los Angeles County.

He has worked untiringly to promote industrial development, business expansion, and good residential planning and has been instrumental in bringing many industries and businesses to the city, including the Del Amo financial and shopping center complex.

Mayor Isen's insistence upon a balance of industry, commercial and residential development has enabled Torrance to achieve its phenomenal growth accompanied by a steady lowering of the city's tax rate. Torrance was recognized nationally in 1956 when the city was named as an All-American City by Look magazine and the National Municipal League.

No tribute to Al Isen would be complete without mentioning his gracious wife, Sara. Over the years, her help, support, and sacrifice have given him a source of inspiration that cannot be surpassed. Mrs. Isen, although active in her own right with the Torrance Women's Club, has complemented Mayor Isen and I feel that his success, to a large measure, reflects her devotion and support.

Following a testimonial dinner in his honor, attended by over 600 guests, the Press-Herald published the following editorial:

> Behind all of his driving energy is a deep-rooted lover for his city. Few of us have the zeal for the City which is displayed daily by Mayor Isen. His enthusiasm for the City and for its development during his 14 years as Mayor has led it to the ranking as an All American City, has brought national attention through the Annual Armed Forces Day celebration, and has sparked many of the City's residents to new pride in their community. A salute to Albert Isen for his lifetime devotion to his City. His contributions to the development of the community he loves can hardly be measured.

I am very pleased to be able to share with the House of Representatives the examples of this man's extraordinary dedication and service. I extend my congratulations and best wishes to Al Isen.

THE APOLLO RECOVERY—A STUDY IN NAVIGATIONAL SKILL

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. THOMPSON of New Jersey. Mr. Speaker, I think it safe to say that all Americans were thrilled, as well as relieved, at the safe return to earth of the three astronauts from the recent Apollo moon voyage. We all shared the drama of the splashdown through the magic of television. Another electronic miracle made it possible for the U.S.S. *Iwo Jima* to be within 4 miles of the exact site where the command ship came to rest.

The carrier was guided to the precise Apollo 13 recovery point 600 miles southeast of Samoa in the Pacific by signals from a Navy satellite.

The ship, as did the Apollo 12 recovery vessel U.S.S. *Hornet*, carries aboard a set called SRN-9, which was installed on the *Iwo Jima* about 6 weeks ago by engineers of the Johns Hopkins Applied Physics Laboratory which developed the satellites and the navigation system for the Navy. The system permits navigation fixes to about one-tenth of a mile, and can be used any place in the world in any weather day or night. In the recovery of the Apollo 12—November 1969—in the Pacific, when there was overcast skies, Capt. C. J. Seiberlich said navigation would have been limited had not the satellite navigation set been aboard. Celestial observations were made about 180 miles from the Apollo 12 pickup site, and then the weather closed in. Captain Seiberlich said that dead reckoning was unprecise and "had the NAVSAT set not been aboard, the navigation problem would have been considerable." Loran navigation was not available in the area of the Apollo 12 recovery, the *Hornet* skipper said, and neither is it available to assist the U.S.S. *Iwo Jima* in the Samoan waters.

The Navy satellite navigation system makes use of four satellites in constant orbit at about an altitude of 500 miles. I am pleased to note that the most advanced of the four satellites was manufactured at the Astro-Electronics Division of RCA at Princeton, N.J. Signals from the spacecraft are picked up by ships by special equipment which fits into an area of the ship about the size of an office desk. The set includes a receiver, an oscillator for comparing the doppler frequency changes in the signals form the satellite and a computer. Navigation by satellite is based upon the measurement of the change in the frequency—droppler shift—of the signal from the satellite as the space craft approaches and passes over a listening point on the earth. The change in the signals has been likened to the change in the sound of a whistle of a train as it approaches and passes a station.

Johns Hopkins' scientists when tracking the first Russian satellite Sputnik found they were able to fix its position by measuring the droppler shift of its signal. They also determined that the reverse could be true, and that signals from the satellite could be used for precise positional fixes on the earth. This was the basis of Navy navigation satellite system.

The system has been in operation for over 5 years, and has recently been made available for commercial shipping. A commercial model of the military set was used by the U.S.S. *Manhattan* on her voyage through the Northwest Passage and is used by the *Queen Elizabeth 2*, oceanographic research ships, and cable-laying and rescue vessels.

Mr. Speaker, I thought the House would be interested in this account of the marvelous instrumentation which has been developed by John Hopkins and carried into production by RCA.

MIDDLE EAST CRISIS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. BIAGGI. Mr. Speaker, the Middle East crisis, a subject of great debate in this Congress not too many weeks ago, is extremely more volatile today than it was when Secretary Rogers announced his initial plan for peace in the Middle East. The President's subsequent declaration of policy in this area has also done little, if anything, to reestablish a balance of power in that part of the world—a condition vital to the promotion of peaceful coexistence between the Arab nations and Israel.

We need only review the events of recent weeks for us to conclude that the conflict has so increased in intensity and severity that it now stands closer to world tragedy than it ever did since the "low profile" announcement of this administration.

Mr. Speaker, there is no doubt that Israel is firmly implanted in the hearts of all of us who cherish freedom. But to stand behind Israel is not and should not be a policy based on emotionalism alone. Pragmatism tells us that the cause of Israel closely parallels the cause of America and ultimate justice for the Israelis also means strategic security for the United States.

We in Congress must not, therefore, assume that, having once raised our voices in behalf of a distant ally, democracy in the Middle East will survive and the U.S. posture in international affairs will be secure. On the contrary, a cry for the constant exercise of American diplomatic and economic influence in the Middle East must be loud, must be clear, and must be continuous.

I therefore urge my colleagues in both Houses to reconsider the consequences of silence and again open the floodgate of protest against a policy of appeasement in the Middle East.

In addition, Mr. Speaker, Americans with a strong commitment to democratic ideals and a deep sense of conviction concerning the issues facing the Middle East ought to continue their collective outcries for an acceptable U.S. policy. Their voices, joined with those of this Congress, should provide the administration with the guidance it so urgently needs in developing an effective and realistic approach to the Middle East crisis.

One such group of Americans is the Bronx County Council of the Jewish War Veterans of the United States of America, the oldest active veterans organization in our country. Familiar with world wars and desirous of world peace, the Bronx County Council has added its name to the long list of petitioners for American promotion of face-to-face negotiation between Arabs and Israel.

Mr. Speaker, I offer for the RECORD a statement recently made by the Bronx County Council of Jewish War Veterans of the United States of America, which forthrightly restates the views of millions of Americans in regard to the Middle East crisis:

> Mr. Rogers, your Middle East peace plan isn't a solution. Your Middle East plan is appeasement.
>
> In an address to the U.N. Assembly on September 18, 1969, President Nixon said: "A peace to be lasting must leave no seeds of future war . . . It must rest on a settlement in which both sides have a vested interest . . . We are equally convinced that peace cannot be achieved on the basis of anything less than a binding, irrevocable commitment by the parties to live together in peace."
>
> Mr. Secretary, where in your proposal is the binding, irrevocable commitment to live together in peace?
>
> On June 19, 1967, President Johnson said, "Clearly the parties to the conflict must be the parties to the peace . . . It is hard to see how it is posible for nations to live together in peace if they cannot learn to reason together."
>
> Mr. Secretary, only the adversaries can reconcile their problems—and only when face to face.
>
> On January 15, 1965, President Nixon said, "Whenever we have tried to purchase peace at any price, the price is always an installment on a bigger war."
>
> Mr. Secretary, your so-called "Peace Plan" is precisely peace at any price.
>
> On July 28, 1960, President Nixon stated, "The Communists proclaim over and over again that their aim is the victory of Communism throughout the world. It is not enough for us to reply that our aim is to contain Communism, to defend the free world against Communism, to hold the line against Communism. The only answer to a strategy of victory for the Communist world is a strategy of victory for the free world."
>
> Mr. Secretary, who if not Soviet Russia, fans the fires of the Mid-East conflict? Do we appease Russia by appeasing the Arab world or do we safeguard democracy by assuring a just peace that recognizes the continued existence of the only true democracy in the Middle East?
>
> The Jewish War Veterans are opposed to the latest United States formula for a Middle East settlement and will not rest until our Country recognizes the essential need for an Israel-Arab face to face negotiation that includes the basic acceptance of Israel's right to exist. If there is to be reconciliation, there has to be negotiation.
>
> The United States has only one proven friend in the Mid-East, namely Israel:—we must help her—yet what our government proposes would mean the signing of her death warrant. This must be prevented.

MORE ON MERCURY—WHO IS IN CHARGE?

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. OBEY. Mr. Speaker, the poisoning of three children in New Mexico has brought to the attention of the American public the dangers which may be present from the use of mercury pesticides.

As a recent Associated Press story points out, however, evidence of this sort is not particularly new. In the past half-dozen years, mercury poisoning has resulted in 35 deaths in Iraq, four in West Pakistan, and 20 in Guatemala. This is in addition to the 88 deaths which occurred in Minamata, Japan. Injuries and congenital defects from mercury poisoning have also been reported in the hundreds.

It is difficult to believe then, as the following article states, that no one in our well-populated bureaucracy has yet decided who is "in charge" when it comes to patrolling mercury residues.

At a time when we have choices to make about priorities and putting first things first, I would think that the protection of the public health and welfare would certainly appear high on the list.

I hope that someone at the Department of Agriculture, the Department of Health, Education, and Welfare, or the Department of the Interior thinks so, too, and soon.

The Associated Press story referred to follows:

PUBLIC PRESSURE HAS STARTED MERCURY POISON CRACKDOWN

(By G. C. Thelen, Jr.)

WASHINGTON.—Farmers and manufacturers poured billions of pounds of a toxic chemical mercury into the nation's food and water supply for years while the government did nothing to stop them.

Although there had been significant and early warnings from abroad about the danger of the pollution, federal authorities did not stir until three children in New Mexico were severely injured recently from eating mercury-contaminated pork and after mercury-tainted fish showed up in the Great Lakes.

From 1964 until early this year, when it began removing some unneeded mercury pesticides, the Agriculture Department rejected every objection—hundreds of them—from the Food and Drug Administration to the registration of the chemical.

And then, according to a department official, it acted "only because of the New Mexico incident and the resulting public pressure."

The FDA objections were brushed aside, the official said, "because they offered no substantiating evidence of their opinions."

During that time, mercury poisoning from contaminated grain accounted for 35 deaths and 321 injury cases in Iraq in 1961, four deaths and 34 injury cases in West Pakistan in 1963 and 20 deaths and 45 injury cases in Guatemala during 1966.

A mercury discharge from an industrial plant in Japanese waters contaminated sea food, resulting in 43 deaths and uncounted birth defects.

MERCURY DATA

The facts on mercury, as compiled by a recent government pesticide commission, are these:

Some 5.3 million pounds of mercury are used annually by industry, 800,000 pounds going in manufacture of pesticides.

Mercury is a permanent element and "residues can persist up to 100 years in polluted lakes" accumulating in mounting concentration in fish and shell fish, the commission said.

"Human consumption of such seafood may lead to accumulation of methyl-mercury to even lethal levels," the commission said.

Although the FDA had worried for some time about mercury in pesticides, apparently no government agency did anything about industrial discharges of the chemical into water supplies.

"To my knowledge, no one has been monitoring it," said one Interior Department water pollution official.

"We've been discussing the problem with Interior but haven't decided who is in charge," said an official of the Department of Health, Education, and Welfare.

STUDY REFUTES CLAIMS FOR PREVENTIVE DETENTION

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. MIKVA. Mr. Speaker, on April 7 the National Institute of Law Enforcement and Criminal Justice made public a study of defendants released prior to trial in the District of Columbia during 4 selected weeks in 1968. The study, done by the National Bureau of Standards, NBS, demonstrates as conclusively as any statistical evidence can that the kind of preventive detention proposed by the Justice Department—and now included in the House-passed version of the District of Columbia crime bill—is both unnecessary and unworkable.

What is most frightening about the study, in fact, is not its conclusions, but the way the Department of Justice has attempted to pervert those conclusions to serve its own ends. Since the study does not support the need for, or feasibility of, preventive detention, we could have expected that the Attorney General would release it without comment. But here is the way in which the Department of Justice attempted to twist the findings of the study to suit is own political purposes:

> The Department of Justice notes that this study strongly documents the need for the Administration's legislative proposal for pretrial detention of dangerous criminal defendants.

Perhaps the administration was counting on the fact that this study was written by statisticians, rather than public relations experts, and thus would not be given too much public notice. But anyone who reads the NBS study finds out not only that actual crime committed by persons released prior to trial is low, but also that even in those instances where rearrests occur, the defendants who are rearrested would be absolutely impossible to predict in advance. In fact, the study showed that in order to prevent 17 rearrests—not convictions, only rearrests—out of 401 pretrial releasees, it would have been necessary to incarcerate 39 people who were not rearrested—page 162. Two mistakes for every possible right guess is not a very good score when you are guessing about the liberty of American citizens.

THE STUDY'S REAL CONCLUSIONS

For those who are interested, the real conclusions of the NBS study relate entirely to the inadequacy of present information and present techniques for predicting the likelihood of rearrest of persons released prior to trial. The study makes eight numbered recommendations. Since these occur in the section of the report labeled "Observations and Recommendations," we can be pretty sure these are the recommendations of the study's authors, and not of Justice Department officials trying to impose their preconceptions on us. Every one of these eight recommendations—on pages 163 to 167—relates to the need for additional information before reliable predictive techniques can be developed. The authors of the study summarize their findings:

> Thus though some predictive criteria have been isolated, *our understanding* of what are the "essential" criteria and the proper weights for each is still *so incomplete as to preclude a workable and reasonable method to estimate the probability of recidivism* [specially defined in the study to mean rearrest, not commission of a second crime] for a specific type or class of defendants (emphasis added). P. 162

Another of the "real" conclusions of the report is that the amount of crime actually committed by persons released prior to trial—for previous crimes which they also committed—is very low. The Justice Department press release accompanying publication of the study said:

> The NBS study reveals a 25 percent rate of rearrest on pretrial release for defendants charged with "dangerous crimes" and 17 percent for defendants charged with "crimes of violence."

This is true as far as it goes, but it does not go very far. For what the press release writers might have seen if they had read the report further is that only "17 of 41 initially charged with a dangerous crime were convicted of that or another dangerous crime" and that there were only "six convicted of charge in initial case and rearrest case"—on page 148. Thus only six defendants out of 217 felony defendants released prior to trial during the period in question actually were guilty of both the initial crime and the crime for which they were rearrested—about 2.7 percent. That is somewhat lower than a "25 percent rate of rearrest" would imply.

FAILURE TO USE EXISTING CONTROLS NOT CONSIDERED

Three other findings that emerge from a close reading of the report indicate that more attention must be given to utilizing present methods of controlling pretrial releasees before resorting to radical solutions like preventive detention. First, there was absolutely no consideration given to the effect of probation and parole revocation on controlling crime by pretrial releasees—on pages 35 and 36. For example, if men are arrested for a crime while out on probation or parole after a previous conviction, they can already be detained—legally and constitutionally—simply by having the supervising authority revoke or modify their probation or parole. But our court and law enforcement records are so bad that it is virtually impossible to find out when an arrested defendant is already on probation or parole, especially if he is from a jurisdiction outside the District of Columbia.

Thus, we are not even utilizing the fully constitutional control devices over pretrial releasees which we already have, yet we are being asked to enact preventive detention. The NBS study shows that the already quite low rate of crime—as opposed to arrest—by defendants released prior to trial—in which they are convicted—could be reduced even further if we had sufficient data coordination to allow full use of probation and parole controls already available to our courts. In a computer age there is no excuse for this lack of coordination.

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Another factor indicates that the study's results—meager as they are for supporters of preventive detention—may still overestimate the value of detaining "dangerous" defendants. This factor is the inclusion in the survey sample of presentence and preappeal releasees—page 4 of "Executive Summary." Federal courts already have ample authority to control the release of "dangerous" defendants who have been convicted and are awaiting sentence or appeal. Indeed, section 3148 of title 18 specifically authorizes detention when "no one or more conditions of release will reasonably assure that the person will not flee or pose a danger to any other person or to the community."

Thus the inclusion of these releasees in the survey sample almost certainly resulted in an overestimate of the contribution which preventive detention would make to crime reduction. Since these convicted releasees are already subject to preventive detention, whatever benefit society would derive from such a procedure is presumably already being experienced. In fact, if postconviction releasees are committing crimes pending sentencing or appeal, this would seem to prove that preventive detention is not effective, and that even when judges have the power to detain "dangerous defendants, they cannot use it effectively because of the impossibility of accurately predicting who will commit additional crimes during release.

Finally, a third finding of the study underlines the need to concentrate on presently available devices for controlling the pretrial behavior of released defendants before instituting pretrial preventive detention. The study shows that restrictive conditions placed on the behavior of pretrial releases by the District of Columbia courts now are almost totally unenforced because of lack of resources and manpower. In other words, we have gone from a Federal procedure in which defendants were unconstitutionally restrained prior to trial by excessive monetary bail, to a system in which, under the Federal Bail Reform Act of 1966, financial resources are not considered and only conditions on pretrial release are used. But we have not provided the courts and the District of Columbia Bail Agency with sufficient manpower and resources to make enforcement of these conditions possible. The NBS study noted:

> The Washington [pretrial release] program has varying levels of contact, ranging from personal telephone calls to weekly checkins. This program, however, is *unable to follow-up on all violations of bail conditions* (emphasis added) p. 77.

Thus, preventive detention advocates are screaming for a new device to control defendants when the existing controls—pretrial release conditions—are not even being effectively enforced.

The District of Columbia crime bill for the first time makes available to the District of Columbia Bail Agency money and resources for supervising the conduct of defendants released prior to trial. We should at least wait until we see whether this supervision can reduce the small amount of pretrial crime before resorting to as questionable a device as preventive detention.

IMPORTANT IMPLICATIONS FOR SPEEDY TRIAL

The results of the NBS study were especially rewarding for those of us who have contended that the way to deal with crime by defendants released prior to trial is by guaranteeing those defendants what the Constitution says they are entitled to anyway—a speedy trial. One of the real innovations of the NBS study is that it developed an index for measuring the likelihood of rearrest based on "man-days of release." What this index compares is, first, the likelihood of rearrest of a pretrial releasee; and second, the length of time he is on release before his first trial. The study's conclusion is that "there is a strong indication that crime on pretrial release in the District of Columbia is almost directly related to the man-days released"—on page 148. What this means is that there is now statistical evidence to show what most people of commonsense could have figured out anyway—that the chance of a rearrest increases in direct proportion to the delay in bringing the defendant to trial for the first offense.

What is even more important, however, is that the man-days-of-release predictive index proves that during the first 60 days a defendant is released, the likelihood of his being rearrested is very low, and that during the 5- to 8-month period after release it is comparatively very high. Moreover, the likelihood the felony defendants will be rearrested during the first 2 months of pretrial release is less than half of the likelihood for misdemeanor defendants—see the chart on page 137.

In terms of the administration's preventive detention proposal this means that we would be incarcerating defendants during the period when they are statistically least likely to be rearrested, but that we will have to let them go—unless a speedy trial can be guaranteed—just when they are becoming most likely to be rearrested. Also we would be incarcerating only felony defendants while misdemeanor defendants—who are two to three times more likely to be rearrested—would go free.

SUMMARY OF REAL CONCLUSIONS

The NBS study of defendants released prior to trial in the District of Columbia shows us five principal things:

First. We have no reliable predictive techniques to tell us which defendants released prior to trial will even be rearrested, let alone which will commit crimes while released. Applying our present crude criteria of "dangerousness," we would have to detain two people who would not be rearrested for every one who would—and many of those who would be rearrested would be innocent of either the initial crime or the second crime.

Second. The amount of crime actually committed by defendants during release prior to a trial for an initial offense which they also committed is very low, about 2.7 percent.

Third. Little or no use is made of the existing devices for control of repeat offenders prior to trial; namely, the revocation of probation and parole, detention of "dangerous" defendants pending sentencing or appeal, and strict enforcement of pretrial release conditions.

Fourth. Not only are the chances of a defendant's committing a crime greater the longer he is out on pretrial release, but it is greater for misdemeanor defendants than for felony defendants and is extremely low for all defendants during the first 60 days after pretrial release.

Fifth. We need to begin systematizing and ordering police, court, bail agency, probation, parole, and prison records so that they will yield readily useful information—and perhaps reliable predictive techniques—on crime by pretrial releases and on the probation and parole status of arrested defendants.

All of these conclusions, I submit, support the speedy trial/revocation of probation-parole approach which I urged on the House during debate on the District of Columbia crime bill. None of them supports the administration's preventive detention proposal.

I urge the conferees on the District of Columbia crime bill to take note of these findings. They are probably the most reliable statistical evidence now in existence on the problem of crime by defendants released prior to trial. As incomplete as even these data are, they certainly show that the administration's preventive detention proposal is no answer to pretrial crime either for the Federal courts or for the District of Columbia.

BEWARE OF PHONY MARTYRS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. ASHBROOK. Mr. Speaker, in addition to setting himself up as the final authority on what laws to break or obey, the Reverend Daniel Berrigan, one of the Catonsville Nine, would seemingly have his political martyr's crown while foregoing the consequences. Convicted of burning draft files in Catonsville, Md., he has chosen not to accept the penalty resulting from his violation of law and remains a fugitive from justice. One conjures up visions of the early Christians accepting the martyr's sacrifice on the condition that domesticated members of the cat family, instead of lions, be used in the arena confrontation.

As I have stated time and time again, the dangers stemming from the doctrine of civil disobedience cannot be emphasized too often. This pernicious principle, refined and practiced by the late Dr. Martin Luther King, could make of our rule of law a shambles if practiced extensively. At least Reverend King's doctrine called for a willing acceptance of penalties accruing from law violations even though this acceptance neither justified the civil disobedience nor made its effects less dangerous to our society.

Reverend Berrigan's conduct is an extension of the civil disobedience doctrine which results when a citizen sets himself up as the final authority: if he is justi-

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fied in breaking the law, why must he submit to the consequences? If it is honorable to break some laws, why is there not honor in being a fugitive from justice?

I insert at this point an item from the Washington Post of April 20 entitled, "Father Berrigan Vows To Stay a 'Fugitive'."

FATHER BERRIGAN VOWS TO STAY A "FUGITIVE"

ITHACA, N.Y., April 19.—The Rev. Daniel Berrigan, the Jesuit priest sought by the FBI following his conviction for burning draft files in Catonsville, Md., said in a statement today he would "resist the enslavers of men as long as I possibly can."

The statement, attributed to Father Berrigan, was read before several thousand persons at a rally held in Father Berrigan's honor on the Cornell University campus.

Father Berrigan, who made a surprise appearance at a similar rally Friday evening in Cornell's ROTC armory, said he "chose once again to disappear, to guard my honorable status of 'fugitive from injustice'." No attempt was made then to arrest him, apparently to avoid trouble that might have developed in the large crowd.

"And whether at large or in prison," Father Berrigan said, "I hope with all my heart that you will live your lives as we of Catonsville are trying to live ours—responsibly before the community of man, in resistance to the enemies of man's peace."

TRIBUTE TO VERNON W. COIL

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. ANDERSON of California. Mr. Speaker, Mr. Vernon W. Coil was recently reelected to his third term in the office of city clerk of Torrance, Calif. I wish to share with the House of Representatives Mr. Coil's many accomplishments which reflect his dedication to public service.

Vernon Coil has lived in Torrance for 43 years. He served his country well in World War II as a tech sergeant in the Air Force in North Africa. As an aerial gunner of a flying fortress in 50 combat missions and four invasions, he was awarded the Air Medal with three Silver Clusters, the African Campaign Medal, and the Good Conduct Medal.

Being active in civic and private organizations, he has served as commander of the Torrance VFW and service officer of the Torrance American Legion as well as director of the 20–30 Club and Optimist Club. He is a past treasurer of the Southern California City Clerk's Association. In addition, he is currently active in the International Institute of Municipal Clerks, the American Records Management Association, the Elks, and Rotary Club.

Mr. Coil, in his duties as city clerk, initiated 3- and 5-year insurance policies on a guaranteed premium plan, a blanket equipment floater policy, and an excess liability policy—the first city in the county to have such coverage. He revamped the employee group insurance program, making available a dual-choice health insurance plan, and life insurance coverage on a voluntary basis.

The recodification of the municipal code, completed in 1967, was under the direction of the city clerk. He is responsible for keeping the code current, and each time the council adopts an amendatory ordinance, his staff incorporates the new provisions into the code by means of looseleaf supplementary pages distributed to departments and agencies who use it in their work.

Mr. Coil issues a monthly calendar of public meetings to the council, department heads, commissioners, and to the newspapers. He maintains a roster of public officials and keeps a record of information pertaining to their terms of office.

He effected a reduction in the cost of municipal elections of approximately $4,500 by setting up his own precinct boards, which had previously been handled by a contractor. When the county purchased the votomatic devices and made them available to cities for municipal elections, Vernon Coil, always on the alert, seized the opportunity to use them, effecting a further savings by reducing the number of precincts, as well as considerable saving of time in receiving the returns for the 1968 election.

He maintains an "open office," and is available to anyone who comes into the office with a gripe or complaint.

Mr. Coil's wife, Pauline, has been a valuable asset with her active support and aid. While raising two sons is a full-time job in itself, Mrs. Coil's devotion to her husband and his success is always evident.

I join in extending congratulations to Vernon Coil for such dedicated service and in wishing him the best in the coming term.

CONGRESSIONAL REPORTS TO NINTH DISTRICT RESIDENTS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. HAMILTON. Mr. Speaker, it is my practice to send to Ninth District residents each week a report on an issue before Congress. Under leave to extend my remarks in the RECORD, I include several of the reports I have distributed this year:

WASHINGTON REPORT

(By Congressman LEE H. HAMILTON)

As I make the rounds of the Ninth District, one question is being asked with increasing frequency: "How's the economy doing?"

The wage-earner is uneasy, seeing the prospect of less overtime, fewer hours of work, lay-offs, or, in some cases, loss of his job. The businessman has his eye on growing inventories, lagging sales, and declining profits. Young couples wanting to buy homes, elderly couples watching their fixed income shrink as prices rise, housewives shopping at the supermarket, storeowners wanting to modernize their places of business, and farmers wanting to buy more land—all voice deep concern.

It's easy to tell them where we've been. The harsh statistics for 1969 point to (1) the worst inflation in 19 years, (2) the highest interest rates on record, (3) a slowdown in real growth, and (4) an increase in unemployment.

The direction of the economy is not clear, and the signposts point in different directions. We really don't know whether the economy is moving into a recession or launching into another inflationary spiral.

Those who see inflation as the threat point to—

The increase in social security benefits;

The 10 percent boost in capital expenditures by business;

The ending of the 5 percent tax surcharge on June 30;

The Federal pay increases, retroactive to December 27, 1969;

The Federal budgets for 1970 now moving toward deficits;

The continuing rise in the consumer price index; and

The generous wage contract agreements.

Those who fear recession claim we are now in a recession, with no real growth, and they point out:

Industrial production has declined steadily since last summer;

The unemployment rate has risen to 4.4 percent, the highest in more than four years, with 3.7 million people out of work;

Personal income growth is sluggish; and

Corporate profits are dropping.

Confronted with these conflicting developments, the President apparently has altered his economic course, changing the emphasis from one of fighting inflation to one of warding off recession. He has moved from a policy of restraining the economy, to stimulating it ever so slightly through the release of Federal construction funds and the encouragement of a less strict monetary policy.

Dr. Paul McCracken, the President's top economic adviser, has said the downturn in our economy is a little sharper than anticipated. Business activity in the first months of 1970 has proven less lively than expected, and most experts are shaving their economic forecasts. The odds, they say, are moving in favor of a modest recession, and they anticipate a gross national product of about $982 billion this year instead of the trillion dollars predicted earlier.

If this is true, it means that inflation will lose some of its momentum, yet remain a serious problem, and unemployment will continue to rise for most of the year.

No one wants the situation of recent months, when we have had continuing rise in the price level, an increase in unemployment, a credit crunch and a stagnant economy. Economic policy today is especially difficult because of the delicate and complex nature of the efforts to slow down inflation without sending the economy into recession.

To set us on a course of adequate growth, stable prices, and high levels of productivity and employment, this nation must pursue economic policies of balance, flexibility and modernization. The Federal budget should be in surplus, monetary policy should allow moderate growth in the money supply in alignment with real growth, the level of interest rates should ease, and policy should be flexible to compensate for changes in either direction in the economy.

(By Congressman LEE H. HAMILTON)

Crime, in all of its forms, continues to degrade the quality of American life. Somber statistics tell us that reported crimes increased by 11 percent over the previous year in 1969, and that the rate of crime increased faster than our population rate in the last decade.

Last year, one out of every 50 Americans was the victim of a crime . . . one out of every 20 juveniles committed a criminal act . . . the "take of organized crime was estimated

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to be $50 billion . . . and the cost of crime to taxpayers amounted to additional billions of dollars.

These tragic statistics do not take into account an even greater cost to the country—the fear of crime. It is impossible to calculate the loss of business, declining property values, the loss of community growth, and the loss of confidence in our system. Fear of crime literally is forcing many thousands of Americans to alter the pattern of their lives.

Crime was an issue in the 1968 Presidential campaign, and it now looms as an issue in the 1970 elections. Unfortunately the rhetoric of the past campaign has blurred our understanding of the lines of responsibility in combating crime. The public has been led to believe that crime in the streets is a Federal responsibility. It is not. It is primarily a local responsibility and the Federal government is limited in what it can do to fight local crime.

The Federal responsibility is to provide the strongest possible support to local law enforcement agencies, enabling them to hire more policemen, purchase better equipment, provide better probation, correction and rehabilitation systems, and improve the administration of justice in the courts. The record of legislation in recent years shows that Congress has enacted:

1. The Law Enforcement Assistance Act of 1965, providing grants to local and state agencies to improve police work, correctional systems and court procedures.

2. The Prisoner Rehabilitation Act of 1965, providing more effective ways to assist offenders to re-enter society and reduce the "repeater" rate.

3. Anti-obscenity legislation in 1967 to curb the flow of pornography in the U.S. mails.

4. Legislation creating a House Select Committee on Crime to provide a forum for discussion of new anti-crime legislation.

5. The Juvenile Delinquency Prevention and Control Act of 1965, providing grants to states to combat delinquency and improve rehabilitation methods.

6. And most importantly, the Omnibus Crime Control and Safe Streets Act of 1968, providing funds to create planning agencies in states, improve recruitment procedures, to construct law enforcement facilities, improve community-police relations, and strengthen police and court procedures. The Congress appropriated $268 million for these programs this year, 85 percent of which goes directly to the states in block grants, and 15 percent of which is allocated for special and innovative crime control and improved court facilities.

I believe the people are growing tired of the political jockeying and the partisan rhetoric on the crime issue, the charges and counter-charges between the Administration and the Congress. It is time for the Federal government to concentrate on:

1. Providing increased financial aid to states and communities under legislation already on the books.

2. Sharpen the weapons against organized crime, aiming particularly at gambling, the function which finances organized crime. Additionally, we need to enact legislation providing new legal and investigative tools for use against organized crime. The McClellan bill, already approved by the Senate Judiciary Committee, strengthens the government's hand through improved grand jury procedures, witness protection, syndicate gambling controls, and curbs on the infiltration of racketeers into legitimate business.

3. Improve crime controls in the District of Columbia, and use these procedures as a model anti-crime program for other cities.

4. Place new emphasis on combating juvenile crime, where the greatest increase in offenders has been, and control of narcotics, which is among the root cause of much crime.

(By Congressman LEE H. HAMILTON)

Each Arab or Israeli military strike reminds us that the Middle East is a powder keg. It may well be the primary testing point of American foreign policy over the next five years. The United States has great economic and security interests in this area and cannot remain aloof while dangerous instability increases.

The dilemma the United States faces in the Middle East is how to maintain its friendship with Israel while, at the same time, stop losing its influence in the Arab world.

The basis of U.S. policy in the area is the Security Council Resolution of November, 1967, which provides for:

1. The withdrawal of Israeli armed forces from territories occupied in the June, 1967 conflict.

2. The termination of all claims of belligerency and respect for the sovereignty of every state in the area, and their right to live in peace within secure and recognized boundaries.

3. Guaranteed freedom of navigation through international waterways.

4. The achievement of a just settlement of the refugee problem.

5. Guaranteeing the territorial integrity of each state in the area through measures that include the establishment of demilitarized zones.

The United States holds firm to the view that there is a need for a mutually binding contractual peace based on negotiated agreements, and that a just and lasting peace is the only means by which any state in the region will find a secure existence. The U.S. believes that the best way to begin a negotiating process is to support the mission of UN Special Representative Gunnar Jarring.

The history of efforts to negotiate in the Middle East over the past 2½ years makes it clear that negotiations between parties are unlikely to get started at all without some kind of outside pressure and without flexibility on both sides with respect to the negotiating procedures. The United States and the Soviet Union can help to bring the parties to the negotiating table and help define a framework for agreement, but we cannot agree for the parties. The United States does not seek to impose a settlement.

The most significant feature of the United States' proposal is that it leaves open large and vital areas of negotiation to the parties involved. The only pre-conditions contained in the U.S. proposals are those laid down in the 1967 Security Council Resolution. For example, the United States does not propose that Israel withdraw from occupied Arab territory except in the context of a mutually accepted peace and with measures to insure the security of both sides. The Israeli position, in contrast, is to have negotiations without any pre-conditions. But this disregards the UN Resolution.

The openness of the American proposal is reflected in many areas. For example, with regard to the United Arab Republic (Egypt), the security arrangements for Sharm al-Shaykh, the demilitarization of the Sinai peninsula, and the Gaza Strip are all left open to negotiation.

With regard to Jordan, the status of the West Bank, the fundamental problem of the refugees, and the control and administration of Jerusalem are also left open to negotiation. On the refugee question, the Americans have proposed a choice of allowing the refugees to return to Israel or to be resettled in another area. Israel would, under this proposal, however, be permitted a veto on the number of refugees it brings into the country.

The American proposal says nothing with regard to Syria and the Golan Heights.

The United States is also seeking to slow the arms race. The U.S. would prefer an arms limitation agreement with the Soviet Union, but no concrete results have occurred yet. Short of an arms limitation agreement, then, we must seek an arms balance in the area. There is no certain way of determining when there is a balance of arms, but one good indicator is what happens on the ground. In this light it is clear that, as of today, Israel is superior to the Arab forces.

Peace continues to be elusive in the Mid-East. No one has a formula for instant peace. But the U.S. must continue to try to bring a stable peace which would free the vast resources of the area—both material and human—for the good of the entire region. It will be necessary to keep in mind the comment "optimism is to the diplomat what courage is to the soldier".

LEGISLATION TO DESIGNATE THE KETTLE RIVER A COMPONENT OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. BLATNIK. Mr. Speaker, Minnesota has been blessed with some of the most beautiful and exciting lake and forest country in the entire United States. We can be justly proud of our 10,000 lakes, connected by tumbling rivers, many of them navigable only by canoe. One of our loveliest rivers, the St. Croix, bounds my district on the east, and has been named part of the national wild and scenic rivers system. Today, I am joining my good friend, Senator WALTER MONDALE, in introducing a bill which will make the Kettle River part of the wild and scenic rivers system, along with the St. Croix, which it joins at its southern extremity.

From its headwaters in Carlton County to its mouth at the St. Croix, the Kettle River is about 53 miles long. It flows through a wide variety of geological formations and spectacular scenery. At its source, it courses through glacial moraine, with pools, caves, kettle holes, and closely spaced rapids. Then it widens into larger pools, longer rapids, and eventually small islands. Below the confluence of the Moose River, the Kettle narrows, with difficult rapids, then widens again, to give a magnificent view of rock outcroppings, fields, and hardwood and pine forests.

When the river enters Banning State Park, it drops into a gorge 130 feet deep, and the rapids become swift, challenging, and continue that way for over a mile. Then the river widens and becomes pacid, only to change once again into shallow rapids, very wide, and very popular for canoeists. Finally, it flows into the St. Croix, which is part of our national wild rivers system.

Mr. Speaker, as I realize the variety of moods of the Kettle River, I am reminded of the line from Yeats where the poet pledges to "love the sorrows of your changing face"—a river like this is indeed like a woman, always changing, always challenging, always lovely in her way.

But, we can value it for more than its lovely scenery and its challenging variety. The Kettle River lies in a basin

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roughly 60 to 75 miles from the Twin Cities and 50 miles from Duluth. These two metropolitan areas contain about half the entire population of Minnesota, and are growing larger every day. The Kettle River, so near to both, offers a fine opportunity for outdoor recreation—trails, canoeing, fishing, camping, at only 1 hour's drive over a good interstate highway. Fishing is excellent, especially for walleyes, sturgeon, and small-mouth bass. There are caves, gorges, glacial outwash plains, remains of lumbering activity—all inviting exploration.

The area through which the Kettle flows, Carlton and Pine Counties is largely farming country; but, there are plans to develop the area's substantial tourism potential, tieing it in with the Danish heritage of the early settlers who have contributed so much to Minnesota and the Nation. Including the Kettle River in the national wild and scenic rivers system would greatly aid the development of the tourist industry in this area, so much in need of economic stimulus.

So, Mr. Speaker, I offer this bill to protect the Kettle River for future uses by including it in the national wild and scenic rivers system. But the bill will do much more than that. It will open the river for the more than 2 million Minnesotans who increasingly will need outdoor recreational opportunities as the urban areas expand. It will give them an experience of the wildness and the beauty that so stunned and awed the first explorers. It will help the economy of one area of Minnesota that badly needs an economic boost. And, it will enhance the already great scenic and recreational opportunities of the St. Croix. For all these reasons it truly deserves the protection of the wild rivers system.

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CALLING DR. HUTSCHNECKER—DR. HUTSCHNECKER, REPORT TO THE FAA, PLEASE

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. GALLAGHER. Mr. Speaker, it is not hard to imagine the words in that headline ringing through the corridors of the highest levels of Government, in view of the article in the Washington Post of April 18. In that article, it was disclosed that the Federal Aviation Agency had constructed a psychiatric profile on F. Lee Bailey. Allegedly, this pseudoscientific dossier, including studies of his childhood and observation of his public performances, was to assist in dealing with Mr. Bailey's leadership of the recent "sick out" of air traffic controllers.

It may have been a "sick out" of controllers, but it resulted in a "sick in" at the FAA.

I am sure it will be recalled that Dr. Arnold Hutschnecker was the proud parent of the proposal to test every American 6-year-old for criminal potential. By testing tots, he was going to mop up moppets.

Mr. Speaker, one does not have to approve of the actions of Mr. Bailey in order to view with considerable alarm the actions of the Federal Aviation Agency in this matter. This story makes all the more compelling the reasons to totally discredit Federal compilation of the results of all psychological tests, for obviously, had such results been available to the FAA, they would have been added to Mr. Bailey's profile. In addition, this represents another reason why a national data bank would undoubtedly be abused, should it be established.

During my Privacy Subcommittee's investigation of the proposal of Dr. Hutschnecker, it came to our attention that the vast majority of responsible professionals in psychology and psychiatry soundly rejected the proposal. But I suspect that it was only when congressional critics joined the struggle and public hearings were threatened, that the idea was firmly rejected. Certainly, the FAA's obviously unethical and probably unsound personality profile on Mr. Bailey lends strong credence to that view, for the dossier was being assembled at exactly the time HEW was preparing its report on Dr. Hutschnecker's modest proposal. It is my opinion that this was the most appalling misuse of the name of psychiatry since a magazine purported to give a personality profile on Senator BARRY GOLDWATER.

Mr. Speaker, I insert the most recent evidence supporting my call for a Select Committee on Technology, Human Values, and Democratic Institutions into the RECORD at this point:

FAA ADMITS PROBING BAILEY'S PERSONALITY

The government said yesterday three doctors, including a psychiatrist, helped collect personal information on attorney F. Lee Bailey during the air traffic controllers' "sick-out" in which Bailey played a major role.

A spokesman for the Federal Aviation Administration (FAA) acknowledged in response to questions that the agency put together a "profile" on the flamboyant lawyer because "it was our responsibility to define the issues and personalities" involved in the three-week slowdown.

Bailey is executive director of the Professional Air Traffic Controllers Organization (PATCO).

The FAA was questioned after the New York Times reported doctors had studied his childhood and observed his public performance and concluded he was motivated primarily by a need "to destroy authority." The Times said the doctors called him "a head-hunter . . . his role in life is to slay Goliaths."

The FAA doctors who assembled the "profile" on Bailey include Dr. Peter V. Siegel, the federal air surgeon; Dr. Homer L. Reighard, his deputy, and Dr. H. C. Haynes, a staff psychiatrist.

Reighard denied that either he or Siegel put together a report on Bailey. "We are not qualified to make a psychiatric analysis of anyone," he said.

THIRTIETH ANNIVERSARY OF THE KATYN MASSACRE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. DERWINSKI. Mr. Speaker, the 30th anniversary of the Katyn massacre was one of the most brutal acts of genocide in World War II. The facts of the case have been studied by researchers and historians and are, thus, well known to world public opinion. May I remind the Members of the historical facts.

THIRTIETH ANNIVERSARY OF THE KATYN MASSACRE

The first news of the mass graves at Katyn was announced by the German Radio on April 13th, 1943. In the next few days, citing personal documents, identification cards, letters and newspapers found in the graves as well as quoting expert opinion of the pathologists, the Germans accused the Russians of mass-murdering Polish officers and intellectuals in the month of March of 1940.

On April 15th, 1943, Radio Moscow not only denied the accusations made, but in turn, charged the Germans with this hideous crime of genocide.

On April 17th, 1943, the Polish Government-in-Exile in London appealed to the International Red Cross at Geneva to conduct an impartial investigation and determine the actual facts of the Katyn crime.

Nine days later, on April 26th, 1943, the Soviet Union severed diplomatic relations with the Polish Government in London, denouncing it falsely as acting in collaboration with Nazi Germany.

With the quoted dates as the background, the following facts were ascertained and established.

The bodies of 4,423 Polish officers, scientists, professors, chaplains, lawyers and students were found in three mass graves in the Katyn Forest. Their last place of imprisonment has been the military prisoners camp at Kozielsk.

Held in another camp at Starobielsk were an additional 3,290 Polish officers, while 6,570 officers were interned in the third camp near Ostashkov. These prisoners of war from the Starobielsk and Ostashkov camps disappeared without a single clue or trace as to their whereabouts. The conclusion is thus inescapable that they met with the same fate as that which befell their fellow-officers of the Kozielsk camp. It has not been established as yet whether they rest in some unidentified up to the present time mass graves, or were simply heretofore drowned at sea.

Thus, 14,283 Polish Officers and Intellectuals, taken as prisoners of war by the Soviets in September of 1939, were brutally and inhumanely murdered in one of the most shocking crimes of genocide in the history of mankind.

On September 18, 1951, the House of Representatives appointed a Select Committee to Investigate the Katyn Massacre. Headed by Rep. Ray J. Madden of Indiana, the Committee was composed of Representatives Daniel L. Flood of Pennsylvania, Foster Furcolo of Massachusetts: Thaddeus Machrowicz of Michigan: Alvin O'Konski of Wisconsin, and Timothy P. Sheehan of Illinois.

After a scrupulous and detailed investigation of the pertinent documents and the hearing of testimony of hundreds of duly identified witnesses, the Committee stated in its two reports, one of July 2nd, 1952, and the second of December 22nd, 1952, that beyond the slightest shadow of doubt, Russia stands accused of the Katyn Massacre, and likewise that Russia planned other crimes of genocide against Poland as early as the year of 1939.

The Committee asked the President and the State Department that this indictment with all of the documentary evidence can be filed with the United Nations General Assembly, and that, eventually the case be brought before the International Tribunal in the Hague.

These facts should have shocked the conscience of the entire world, and brought about an awareness to the western nations of the true face of communism.

It is a fact of crime, of deceit, of falsehood and of treachery, which cannot be hidden behind the facade of scientific and technological progress of Russia. Science in itself is not wisdom. Wisdom is based upon moral and spiritual values, not upon a calculated and conquest motivated progress of essentially neutral sciences.

At the time of the discovery of the Katyn Massacre, the West seemed to have been hypnotized by Russia and her war-time so termed "co-operation".

Indeed it is truly a sad commentary upon our times, that to this day, the West in its dealings with the Soviet Union, seems to be suffering as yet from strange post-hypnotic misconceptions and illusions. They weaved around as yet under an illusory doctrine of so-called co-existence.

Stalin's Russia was deceiving the West with its promises of co-operation.

Present day rulers of Russia are deceiving us now with a false promise of peaceful coexistence.

Mr. Speaker, the President of the Polish American Congress and Polish National Alliance, Mr. Aloysius Mazewski, delivered an address at the 30th anniversary of the Katyn massacre Sunday, April 12, in Chicago and I insert his remarks into the Record at this point as a continuation of my remarks:

30th Anniversary of Katyn Massacre

The Katyn Massacre is a singularly savage and abhorrent crime not only against the Polish nation, but against entire humanity.

It is not only an act of premeditated genocide that will forever blot the pages of man's history on earth.

In the vast panorama of humanity's struggle for dignity, justice, brotherhood and a viable world in terms of progress and reverence for life—the Katyn Massacre stands in bold and terrifying relief as the unresolved, unexpiated and hastily covered up crisis of the conscience of the 20th century mankind—a forever disturbing knowledge that is gnawing at the hearts and minds of men of good will everywhere.

We all know the facts:—the Soviet secret service wantonly, without any cause or provocation, murdered 15,000 Polish officers, intellectuals, educators and professional men in the Katyn-Ostashkov area. Some four thousand mutilated bodies were found in the Katyn Forest. The rest of the victims remain in unknown graves.

We also know that the guilt of the Soviet Union in this crime has been established beyond any shadow of doubt by both—the Polish authorities in London during the closing months of World War Two, and later, by the House of Representatives Select Committee.

In the mass of incontrovertible evidence, Russia stands before the world as the perpetrator of this ghastly crime of genocide.

Yet the Russian masters, with Polish blood on their hands, were accepted without any protest in international councils and conference.

In the minds of honest and concerned men everywhere, Russia stands accused of the Katyn Massacre.

Yet,—neither in the United Nations nor in the diplomatic chancelleries of great powers, is one word even whispered about this horrifying Soviet guilt.

Diplomatic sophistry tells us that the time is not opportune for pressing charges against the Soviets in this matter. Nearly three decades elapsed since the discovery of the Katyn mass graves. In these decades, the statesmen and diplomats of the West played havoc with human conscience by pretending that the evil of the Soviet design against the basic human decency does not exist.

And this compromising with evil as exemplified in the Katyn Massacre shall remain a deeply disturbing factor in international relations as long as it remains unpunished and hidden under the cloak of diplomatic expediency.

And those nations which choose to accept the knowledge of the Katyn crime in silence, carry an irreducible moral debt on their historical ledgers. And sooner or later, in one form or another, this debt will have to be paid.

For once we accept a compromise in moral issues, involving the conscience, the dignity and the responsibilities of man, then we are opening the floodgates of lawlessness, irresponsibility and anarchy in both external and internal affairs of the nation.

It is, therefore, fitting, proper and incumbent upon us of Polish heritage, upon us, who more poignantly than any other group, understand the terrifying meaning of the Katyn Massacre—to be the pangs of conscience of the modern man, to tell him that the Katyn crime is the beginning of an evil which, if unchecked by the law of truth and judgment, could, under the communist direction and conspiracy, engulf entire humanity.

UNITED NATIONS COMMEMORATES ITS IDOL, LENIN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. RARICK. Mr. Speaker, on Wednesday, the 22d of April, the United Nations Organization will exert its influence to honor the anti-Christian butcher, V. I. Lenin on the occasion of his 100th anniversary. That Lenin has been eulogized by UNESCO, the propaganda arm of the UNO, as the foremost international humanist but reminds us that "humanism" is now being employed synonymously with atheism.

To honor or laud Lenin, except as the foremost butcher of humanity the world has ever known—is an affront to free people everywhere and a disgrace to the memory of the millions of victims of Lenin and his Bolshevik totalitarian socialist dictatorship. By comparison with Lenin—Hitler, Genghis Khan, Eichmann, and Nero must be considered rank amateurs. Who next will the upside down leadership of the United Nations Organization honor? Dillinger, Al Capone, Bonnie and Clyde?

I insert reports on the "humanist" repression of churches in Russia and a related newsclipping follow:

How Many Churches Are Still Open in the U.S.S.R.?

(Press release of Synod of Bishops of the Russian Orthodox Church, outside of Russia Mar. 24, 1970)

In 1952 Archbishop Boris stated in New York, that there were 24,000 open churches in U.S.S.R. (Newsweek January, 1952). Nine years later, in 1961, the Moscow Patriarchate told the World Council of Churches that it had 20,000 churches. The average number officially quoted by the Patriarchate during the last five years was 10,000. However, in 1966, in an official Communist Party publication "Spravochnik Propagandista i Agitatora" it was stated that the Patriarchate has only 7,500 churches. This figure is more reliable since the Patriarchate has always exaggerated the number of open churches for the purpose of propaganda abroad.

Since 1966 very many more churches have been closed. We can assume therefore that number of open churches at present is *much lower* than 7,500.

The Soviets continue to close and destroy the churches, and the faithful are complaining that their Bishops with Metropolitan Nikodim at the head are cooperating with the authorities in that respect.

How far has the closing of churches gone by now?

The believers of Gorky (Nizhni Novgorod) in their petition to the World Council of Churches in 1969 state that in that city (population 1.2 million) there are only three churches accommodating 4,000 altogether. According to Soviet official statements at least 10% of the population are still believers. That means that only 30% of the officially acknowledged number of believers can attend the churches. This is a rather typical case. However we must take into account the fact that the real figure of believers is much higher than the 10% officially admitted.

We must also remember that more and more churches are still being closed under various pretexts. We are rapidly coming to a situation which existed before the World War II when the number of open churches in U.S.S.R. was not more than 2,000.

In the mean time Metropolitan Nigodim will still be making statements that everything is all right and that the Soviet Government is not at all hostile in regard to religion.

Statement by Very Rev. Archpriest George Grabbe on Metropolitan Nikodim

Recent activities on the part of the Moscow Patriarchate make a statement necessary in the name of the Russian Orthodox Church Outside of Russia. We wish to stress once more the fact that the present Moscow Patriarchate and Metropolitan Nikodim, who has arrived to New York recently, are not true representatives of the Russian Orthodox Church.

Patriarch Alexis and Metropolitan Nikodim represent only that part of the Russian Church which is under very tight control of the Soviet State and the Communist Party. It is no secret but an openly stated fact that the aim of Communists is to destroy every religion. Organized and registered religious bodies in the U.S.S.R. are therefore permitted to exist only as far as it does not interfere with that program.

Our Church has realized the meaning of that process long ago. Therefore we consistently protest against any talks whatever with prelates of the official Moscow Church who claim to represent the Russian Orthodox Church but actually are agents of the Soviet Government. No priest or Bishop can be appointed to any position without an approval of the Government. Brave defenders of the Faith do not receive a clearing. True believers among the clergy, actually devoted to the Church in the first place, more and more are disappearing from the scene being substituted by persons fully obedient to the Soviets. These people make a lot of false statements about the freedom of religion in U.S.S.R. Such a case came to the open when Metropolitan Nikodim declared that a letter of Kirov believers about the persecution of the Church was anonymous. Mr. Talantov, one of the signers and probably the author of that open letter, learned of this statement by Metropolitan Nikodim from a BBC broadcast. A new statement by Talantov reached us abroad in which he protests against the words of the Metropolitan who went so far as to express his readiness to swear to the truth of his false statement. "After this broadcast", writes Talantov, "it became clear to me why the KGB officer had proposed to me that I repudiate my signature to the 'Open Letter' ".

MOSCOW AND THE CHURCH IN AMERICA

It is comprehensible that those who are familiar with the fact that the Patriarchate's Foreign Relations Department is actually di-

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rected by the Soviet Government are suspicious of very enterprise of Metropolitan Nikodim. That is the reason why the question of granting to the Russian American Metropolia of the status of authocephaly from Moscow has become a very controversial matter, often raising a whole uproar. The newspaper in Russian, "Novoye Russkoye Slovo", was so overloaded with articles in the form of paid advertisements, that it stopped printing and accepting them. They were mainly directed against the acceptance of the authocephaly from Moscow and often written in very strong language. The action has caused a lot of discord in parishes which could be expected from the very beginning. The leaders of the Moscow Patriarchate and officers of the MVD directing Church affairs could not fail to forsee it. The issue has caused discord between Moscow, Constantinople, the Metropolia and other Churches. It has also weakened the authority of the leadership of the Metropolia among its clergy and parishes. If Constantinople sticks to its guns and Moscow will not back out, the authocephaly of the Metropolia will be recognized only by Churches directly controlled from Moscow, and relations with other Churches will be strained as Patriarch Athenagoras has justly stated in his letter to Patriarch Alexis. Even the merger of parishes of the Moscow Patriarchate in this country with the Metropolia is questionable. It seems that the opposition among them is very strong. In that way Moscow will have a good excuse to maintain its foothold and spread its influence in the parishes of her daughter-Church. Future development will no doubt be bringing them closer and closer together, opening new opportunities for Moscow propaganda. The same thing is happening in Japan.

MOSCOW AND THE VATICAN

Another important thing has happened in the relationship between the Moscow Patriarchate and the Vatican. Moscow has surprised the Orthodox World by its agreement with the Vatican permitting Roman Catholics to have access to Russian Orthodox sacraments. From the Vatican point of view according to Instructions issued after Vatican II sacraments may be given to the Orthodox on a reciprocal basis. However, this is inconsistent with the Orthodox canon law. Therefore a unilateral decision of the Moscow Patriarchate, even without consultation with other Orthodox Churches, has been quite a shock for them, so closely following the shock made by the unilateral decision in regard to the authocephaly in America.

At every action involving foreign relations this could not be done without instructions from the atheist government. As the Synod of the Church of Greece has pointed out in its statement on that occasion, it is impossible to find cannonical or dogmatical grounds for such a decision. We must therefore look for motives of the Moscow Patriarchate on another side. We know that a lively exchange of visits took place lately between Rome and Moscow. Two Russian priests are living in Rome at the Russicum for quite a long time. Metropolitan Nikodim as a pilgrim and Metropolitan Philaret Denisenko of Kiev have visited Rome recently. We can therefore presume that some negotiations preceded the Moscow decision. In that respect we must take into consideration that Vatican has much to discuss with Moscow since the Roman Catholics and the Uniates have been very much persecuted in the U.S.S.R. Nearly all the Roman Catholic churches are closed and of course the Vatican must be worried about its faithful deprived of all sacraments. Presumably that question had to be raised in the talks during exchanges of visits, at meetings with Metropolitan Nikodim and perhaps in direct talks with Soviet officials. It is my guess that the Vatican was offered the consolidation in the form of permitting Roman Catholics to receive all sacraments in the Orthodox Church without renouncing their faith and being converted. On the other hand that decision is pleasing for the Vatican as being in harmony with its ecumenical views and aims. If that act provokes confusion in the Orthodox World the Soviet Government does not care.

RELIGIOUS MOVEMENT IN U.S.S.R.

Our last and perhaps the most interesting point of discussion today is the reaction of believers to the persecution of Religion. More and more parishes are closed. Enormous efforts are made by the Soviets to wipe out any traces of Religion from the minds of the people. However, an underground movement is growing. It always existed but the voice of brave believers was rarely heard abroad. It was hushed up in the cells of prisons and offices of the KGB. Now some channels have appeared through which we hear the voice of those who challenge the Soviet policies in open statement. They are largely encouraged by radio emissions and smuggled religious literature from the West.

Mr. Gleb Rar can give you some information about the response to that work. He is taking part in it as a member of a group of our believers in Europe called "The Orthodox Action". Formerly he has given much time to the study of the situation of Religion in the U.S.S.R. and has published a book about it. He has also worked several years in Berlin helping escapees before their flow was stopped by the building of the wall between East and West parts of the City.

[From the Baton Rouge (La.) Advocate, Apr. 19, 1970]

Communists Schedule Near-Religious Rites for Lenin Anniversary

Rulers of countries populated by more than a billion people plan extravagant quasi-religious rites this week to celebrate the legacy of Lenin.

The man who took that revolutionary name was born Vladimir Olyich Ulyanov 100 years ago on April 22 in Simbirsk, now Ulyanovsk, and died almost 5 years later in Moscow.

What blessings were bequeathed to mankind by the founder of Bolshevism and the Soviet state? A glance around the world provides plenty of evidence of the legacy.

In the 25 years since World War II ended, the world has seen more than 400 major eruptions of violence. Several had the superpowers on the brink of nuclear war. Lenin's teachings, as applied by his successors, must share the blame.

Today Lenin's writings are endlessly quoted as incontrovertible gospel to justify actions both of the violent, impatient revolutionaries and the cautious Communist bureaucrats entrenched in their own countries.

Much of Lenin is self-contradictory. His works can be interpreted by widely divergent elements to support their respective causes. The Chinese Communists claim to be the only true Leninists. The Russians denounce the Chinese as outrageous heretics and claim to be the only true Leninists. National Communists, international Communists, Trotskyists, Stalinists, Maoists all claim to be the only true Leninists. And all these have something in common: a conviction that revolution led by communists must sweep over the world.

For all of them, Lenin is the true prophet. Orthodox Moscow-liners and far-out ultrarevolutionaries alike select and adapt Lenin as needed, believing with him that victory is the only goal, hesitation the only crime, that the end justifies any means at all.

Lenin's works are used as a blueprint for strategy and tactics and have much to do with today's turmoil around the world. Here are only a few of the teachings of Leninism:

Item: The doctrine that violent revolution must engulf the world.

With his government newly installed after seizure of the Russian revolution by the Bolsheviks, Lenin wrote that "either the Soviet government triumphs in every country in the world or the most reactionary imperialism triumphs . . . one or the other. There is no middle course." When Soviet power was fully established, he predicted, "We may expect the world revolution."

Item: The doctrine that only constant violence can bring political change.

"Great historical questions," wrote Lenin, "can be solved only by violence, and organization of violence in the modern struggle is a military organization."

Item: The doctrine that wars are inevitable until the day of world communism.

"As long as capitalism and socialism exist we cannot live in peace," wrote Lenin. "In the end, one or the other will triumph—a funeral dirge will be sung over the Soviet republic or over world capitalism." Again:

"The existence of the Soviet republic side by side with imperialist states for a long time is unthinkable. One or the other must triumph in the end. And before that end supervenes, a series of frightful collisions between the Soviet republic and the bourgeois states will be inevitable."

Item: The notion that there are good wars and bad wars.

"Socialists, without ceasing to be Socialists, cannot oppose any kind of war," said Lenin. "Socialists never would oppose revolutionary wars." But "if war is waged by the exploiting class with the object of strengthening its class rule, such war is a criminal war," translated, this means that wars for Communist aims are good, all others are bad.

Item: The concept of guerrilla war as an instrument to spread communism.

"Of course," Lenin told the Communist international in 1921, "there are many more difficulties in this sphere than in any others, but at all events the movement is advancing and in spite of the fact that the masses of toilers and peasants in colonial countries are still backward, they will play a very important part in coming phases of the world revolution.

Item: Terror and coercion must be used by proletarians as instruments of state authority.

"We have never rejected terror in principle, nor can we do so," wrote Lenin. "Terror is a form of military operation which may be usefully applied or maybe even essential in certain moments, under certain conditions." Again: "The state belongs to the sphere of coercion. It would be madness to renounce coercion, particularly in the epoch of the dictatorship of the proletariat."

VANGUARD ROLE

Item: The Communists are an anointed elite destined to lead the masses, and only one party must wield all the power.

"Bolsheviks," counseled Lenin, "must never forget their role as the vanguard as distinct from "the whole of the masses.'" The concept of proletarian dictatorship, he wrote, "has meaning only when the single class knows that it alone take political power into its hands and does not deceive either itself or others by fine speeches about 'popular, generally elected, sanctified by all the people' authority."

Item: Communists in all countries owe their first allegiance to Moscow.

"Every party that wishes to affiliate to the Communist International," Lenin told that world conspiracy, "must render selflessly devoted assistance to every Soviet republic in its struggle against counter revolutionary forces."

Item: Organized subversion and deception abroad is a revolutionary tactic.

Lenin said Communists must combine il-

XUM

legal and legal activities, "resort to all sorts of strategems, maneuvers, illegal methods, evasions and subterfuges so as only to get into the trade unions, remain in them and carry on Communist work within them at all costs." They must be able to accept defeat and humiliation whenever it helps the cause, because the end justifies the means. "If you are unable to adapt yourself, if you are not inclined to crawl in the mud on your belly, you are not a revolutionary, but a chatterbox."

POWERFUL OPPONENT

What if the system the Communists oppose is powerful? Compromise may be temporarily necessary because "to accept battle at a time when it is obviously advantageous to the enemy and not to us is a crime, and those political leaders of the revolutionary class who are unable to tack, to maneuver, to compromise in order to avoid an obviously disadvantageous battle are good for nothing."

INDIANA SOIL AND WATER CONSERVATION DISTRICT PUBLIC SPEAKING CONTEST

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. BRADEMAS. Mr. Speaker, three students from Indiana's Third Congressional District have been winners in the Indiana Soil and Water Conservation District public speaking contest.

These speeches highlight the efforts of the soil and water conservation districts in protecting the quality of our environment for over 30 years.

Phil Rarrick, a student at Clay High School, South Bend, won the St. Joseph County division of this public speaking contest.

In the northwestern Indiana area division of the contest, Larry Stucker was the winner and Joe Zsigray placed second. Both of these Marshall County students attend the Divine Heart Seminary at Donaldson, Ind.

Mr. Speaker, I insert these three speeches in the RECORD:

THE SOIL AND WATER CONSERVATION DISTRICT—ITS ROLE IN DEVELOPING A QUALITY ENVIRONMENT FOR HOOSIERS

(By Phil Rarrick)

Turtle Creek was a typical Indian town—until the floods came, causing erosion of the rich topsoil and extensive crop damage. Then droughts followed the floods, drying up the meager water supplies and destroying more crops. As these calamities continued, the farmers found it increasingly difficult to make a living. The townspeople suffered also, since the farmers could not buy merchandise from their stores. Like a man slowly wasting away from the lethal growth of cancer, Turtle Creek was gradually dying.

Suddenly, the people realized that they were in a fight for survival. Quickly they organized a soil and water conservation district (SWCD). If Turtle Creek was to survive, its people concluded, it must develop a quality environment as soon as possible. They decided that the SWCD's role would, therefore, be four-fold. First, the community would have to be unified. Then it would have to be educated. Next, a plan for dealing with the immediate conservation problems and those of the future would have to be made. Finally, with a unified, educated community, and a plan to follow, action could be taken enlisting the necessary cooperation of nature.

MULTIPHASED ROLES

The first part of the SWCD's multiphased role called for the unification of the people of Turtle Creek. Farmer, businessman, housewife, student, and manufacturer all affect nature and, conversely, are affected by nature. Thus, no segment of the community can be overlooked. Realizing this important fact, the district united the county government, news media, civic groups, churches and schools, and other local organizations with the common goal of developing a quality environment for Turtle Creek.

The next step, the education of the community, was accomplished through education programs and such events as tours, exhibits, and a conservation camp for the youth. Soil and water conservation experts were asked to speak to the Turtle Creek landowners. Bulletins from the Agricultural Research Center of the U.S. Department of Agriculture were distributed throughout the community. Several leaders from the community were elected to be trained by the State Soil and Water Conservation Committee so that the SWCD would be intelligently directed.

The third step in the SWCD's multiphased role to develop a quality environment was to establish a plan of action, one that would not only solve the present problems, but also prevent future ones from arising. This required intelligent planning, ample foresight, and accurate information on the soils in the district. To obtain this information, soil surveys were taken to discover where flooding might occur, where drainage was a problem, where septic tanks would not work, what soils were not safe for buildings or roads, and similar important facts. With this necessary information, the SWCD was able to plan watershed and flood prevention projects whose main purpose was to control flooding and protect the land. However, it was necessary to take such needs as community water supply needs, recreation needs, and wildlife needs into consideration before Turtle Creek could have a comprehensive plan that would be mutually beneficial to all.

Finally, the last step could be taken to fulfill the SWCD's four-fold role. The people were united, educated, and had a plan to follow. The fourth phase called for the plan to be implemented and the people of Turtle Creek, with the assistance of the SWCD, attacked their problems with a confident zeal. The district helped landowners develop, apply, and maintain conservation plans on their land. It sponsored small watershed programs. It provided leadership for area and community-wide conservation projects. The district also assisted several community organizations in developing a beautiful and functional landscape for the community.

A QUALITY ENVIRONMENT

Today, the people of Turtle Creek only need to look around them to see how effective their SWCD has been in fulfilling its comprehensive role to develop a quality environment. A system of pipes drains the fields and protects against floods. A reservoir has increased the available water supply three times, thus erasing fears of drought damage in the future. The farmers have become more prosperous than ever before and, in turn, the townsfolk have thrived. Living now in a quality environment, the people of Turtle Creek are reaping the benefits nature bestows those who use her wisely.

Turtle Creek is, of course, a hypothetical example, illustrating the SWCD's multiphased role in developing a quality environment. In the development stage, this role is a step by step process. However, when a quality environment is developed, the SWCD must continue to unify, educate, plan, and assist the community. As can be seen in the Turtle Creek illustration, if all phases are carefully followed, a quality environment can be obtained and maintained.

SPEECH OF LARRY STEIKER, DIVINE HEART SEMINARY DONALDSON, IND.

Ladies and Gentlemen, good evening.

"The wind grew strong and hard, and it worked at the rain crust in the corn fields. Little by little the sky was darkened by the mixing dust, and the wind felt over the earth loosened the dust and carried it away. The finest dust did not settle back to the earth now, but disappeared into the darkening sky. The corn threshed the wind, and made a dry rushing sound."

ABANDONING OLD WAYS OF LIFE

The preceeding passage, from John Steinbeck's, "Grapes of Wrath", conveys the hardships of the farmers who lived through the dust storms of the 1930's. Plagued by dust storms, bankruptcy, and other calamities, the farmers of Oklahoma, as depicted by John Steinbeck's Pulitzer Prize winning novel, "The Grapes of Wrath", were a sullen frustrated lot. The tragedies of depression heightened their frustration, the frustration, that forced them to abandon not only their homes and farms, but . . . their ways of life.

"The Soil and Water Conservation District—Its roles in developing a quality environment for Hoosiers."

In my speech tonight, I would like to discuss the functions of the Soil and Water Conservation District and the problems that it confronts.

OPERATING STRUCTURE OF THE SOIL AND WATER CONSERVATION DISTRICT

Soil and Water Conservation Districts are legally constituted units or instrumentalities of State government, created to administer soil and water conservation work within their boundaries. Each district is self-governed. It has authority to enter into working agreements with other governmental agencies and with private concerns to carry out its purposes. The Soil and Water Conservation District provides assistance to rural land owners and operators, watershed associations, and others. Once established, a soil and water Conservation District, is legally responsible for soil and water conservation within its territory, much as a county is responsible for roads or a school district for education.

The Soil and Water Conservation District enters into cooperative agreements with land owners and operators who wish to participate in the district's program.

In general, a two-point consensus is reached by the state and its districts, and that is this:

(1) The land owner or operator agrees to prepare and follow a conservation plan for using his land within its capability and treating it according to its needs.

(2) The district agrees to provide a soil and land capability map, information, technical assistance, and other services and materials as available and needed to help the "cooperator" (and this is an important term), carry out the plan.

Individual farm, ranch, and other soil and water conservation plans are the backbone of a soil and water conservation program.

A plan gives a land owner or operator a picture of his soil and water resources, his land's conservation needs, and the soil and water management problems. It enables him to make needed land use changes and to install needed combinations of practices in an orderly manner.

Actually the purposes and objectives of the district, boil down to this; the installment of a spirit of welfare and general concern, and cooperation among the agricultural community.

This cooperation manifests itself in face

XUM

of the overwhelming problems which confront the agricultural community today.

GROWING PROBLEMS OF POLLUTION

The problems of the 1930's are past, but that is not to say that there are not problems of the same magnitude and dimension existing today.

The complex problems of ecology and man's struggle with his environment are reflected in the growing problems of pollution.

Industries are encouraged to move into rural and suburban areas where often, laws governing the disposal of waste are either weak or nonexistent. In order to economize, industrialists often choose low-priced farm acreage to deposit large amounts of waste.

The massive abuse of our water resources is graphically proven by the Department of Interior, which claims that only 6.7% of water that Industry draws for its own use, is actually used. 6.7%!!

And looking further into the peripheral of problems facing the agricultural as well as the urban communities. One must perceive the inevitable rise in population.

Unless the agricultural community, and the urban community cooperate on matters of conservation, by working through these state-wide Soil and Water Conservation Districts, Hoosiers will eventually be faced with these questions. Will Indiana be ready to feed a growing population? Is there enough clean water for Hoosiers? Can Hoosiers live in a quality environment with such abuse and pollution?

It is no longer a luxury for the State of Indiana to become involved in the conservation to our environment. It is no longer a hobby to be concerned about our soil and water problems.

Improper price stabilization contributes not only to the imbalance of the agricultural community, but to the American economy as well.

When a farmer lacks knowledge of flood prevention and draining techniques and other essentials, he not only deprives himself of success, but damages agricultural progress as well.

COOPERATION AND COMMUNITY SPIRIT

The Soil and Water Conservation District is a cooperative, and a community. When one member of the community contributes poorly, he endangers the progress of the entire community. And likewise, when a farmer achieves success, his accomplishments contribute to the welfare of the entire community. A farmer's success in the district can actually be attributed in many cases to the cooperation he received from his fellow farmers in the Soil and Water Conservation District.

The well-being of the whole—depends entirely upon the efforts of each individual member. A machine cannot work properly unless all of its parts function correctly, . . . and so it is with the Soil and Water Conservation District.

Probably the closest parallel that can be drawn to the Hoosier/American Soil and Conservation District system, is the "kibbutz" system in Israel. A "kibbutz" or "moshav" in Israel, impresses upon each individual his importance to the community. A "moshav" is a group of families living in one community. Each family, each individual contributes to the betterment of the other, through agricultural production. A democratically run organization, the moshav provides the equipment and training that is necessary for the farmer to survive successfully.

This is the type of organization that the Soil and Water Conservation District is. The district provokes interest in its activities by sponsoring such projects as the Orathorical Contest that you are now listening to.

Cooperation and community spirit generate the successful Soil and Water Conservation District, and it is no exaggeration to state that conservation is every one's concern.

In the novel "Grapes of Wrath," which I referred to in the beginning of my speech, the Joad Family is forced to flee their home because of inevitable disaster. I sometimes wonder that if the Joad family were able to utilize an organization such as the Soil and Water Conservation District, as an effective weapon to combat their problems, they might never have been forced from their homestead, and their way of life.

Good Evening.

Winner Sub-area Contest

The Soil and Water Conservation District: Its Role in Developing a Quality Environment for Hoosiers

(By Joe Zsigray)

Thirty years ago, the Soil and Water Conservation District was established in the State of Indiana. Its purpose: to help solve the growing problems facing conservation in the state. Since 1940 to the present time, it has labored at this task.

Although the Soil and Water Conservation District does exist, what is its role in the State of Indiana? I feel that the answer to this question can be found in the topic on which we are to speak about tonight. The role of the Soil and Water Conservation District is developing a quality environment for hoosiers. The next logical question is to ask, Is the role of developing a quality environment for hoosiers being fulfilled by the Soil and Water Conservation District? Let us examine this question!

FULFILLING PAST ROLE

Let's turn to the past! In the past has the Soil and Water Conservation District fulfilled its role? Since its conception in 1940, the Soil and Water Conservation District has worked hard in trying to solve the problems of flooding, erosion, improper land useage, and other such conservation problems plagueing the State, thus helping to develop a quality environment for hoosiers. Since its conception in 1940, the Soil and Water Conservation District has renovated over ¾ million acres of pastureland, thus not only providing a source of food for livestock but also preventing erosion by planting grasses to hold the soil firm. To protect our crop lands from erosion, over ¼ million acres of contour plowing and over 2000 miles of terracing have been done. In the area of water care, over 22,000 erosion and water control structures have been established. Some of these structures include check dams and grass water-ways to prevent excessive soil loss due to flooding waters, ponds and reservoirs to store water needed for use. To protect and to develop our forests, the Soil and Water Conservation District has planted over 106,000 acres of trees, not only is it providing wood and lumber supplies for our future generations, but more importantly it is making available a home for wildlife which needs the forest for survival. So in the past, I think we can safely say that the Soil and Water Conservation District has fulfilled its role in developing a quality environment for Hoosiers.

LIKE A HAND

Now, how about the present? Is the Soil and Water Conservation District fulfilling its role in the present? The answer to this question lies largely with us. For we are the Soil and Water Conservation District, so what we do will determine whether or not the District Fulfills its role.

For you see, the Soil and Water Conservation District is like a hand. A hand is made up of fingers, each individual and capable of some movement. But put these Fingers in an organized structure such as the hand they are able to do amazing feats, such as grasping, picking up, setting down, pushing, or pulling. So to with The Soil and Water Conservation District. We, the individual land owners and operators, are the fingers of the District. Each individual can do a limited amount of work, but put all these individuals into an organized structure such as the Soil and Water Conservation District, the work which can be done is astonishing. The results of the District's work in the past testifies to this fact. Again, the results of the District's work in the present depends on us.

The same problems that have plagued the State in the past are in existence today. Maybe they exist to a lesser degree, but the fact remains that they still do exist. The approach in dealing with these problems is through the Watershed programs sponsored by the districts. Presently, 87 such projects have been approved for construction. These programs cover about 35% of the state's land mass. But these programs must have our full support if they are to be successful. We must support these programs not only in spirit, but also more importantly by our financial assistance and by our work. So is the Soil and Water Conservation District fulfilling its role of developing a quality environment for Hoosiers? I think it is, for the cooperation and the spirit presently is high, and the Watershed programs are very much developing in the state.

CHALLENGE OF THE FUTURE

My final question is: Will the Soil and Water Conservation District fulfill its role in the future? This is a very serious question, for in the future, the population of this state will increase. With this population increase, cities will also become larger and will have to expand. The result: large industrial cities, a large hungry population, and a smaller agricultural area in which to raise crops to support this population. Therefore, it will be of the utmost importance that land be wisely and properly used, that erosion caused by wind and water be kept to a minimum. It will only be in this way, can the land yield its full amount year after year which will be needed to support so large a population. But this can only be done through the cooperation of rural and urban communities alike.

We have seen the role of the Soil and Water Conservation District. That role is developing a quality environment for Hoosiers. We have seen that the Soil and Water Conservation District has fulfilled its role in the past and is continuing to do so in the present. The big question is: Will the Soil and Water Conservation District fulfill its role in developing a quality environment in the future?

You are the Soil and Water Conservation District. That question I leave to you.

SOUTH AFRICAN THREADS AMONG THE GOLD

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. HANNA. Mr. Speaker, I would like at this time to include in the Record an article written by my noted colleague from Wisconsin, Congressman Henry Reuss. Extracted from the March 20, 1970, issue of Commonweal, the article deals with an area in which the Congressman is eminently qualified, international finance. Long interested in and

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concerned about international monetary problems, Mr. Reuss now serves as chairman of the Subcommittee on International Finance.

Already an author in his own right, the Congressman has added but one more credit to his knowledge and expertise, having presented in this article an interesting and informed consideration of the current policies of the Treasury Department toward South African gold purchases and the international gold market. Mr. Reuss has suggested contradictions in this policy which deserve consideration by concerned individuals, both in Congress and in the public at large.

The article follows:

SOUTH AFRICAN THREADS AMONG THE GOLD

(By Henry S. Reuss)

The United States Treasury apparently just can't stand prosperity. No sooner had the world monetary system won the war by South Africa to force the free market price of gold dangerously out of sight than the Treasury, last December 30, concluded an agreement with South Africa and the International Monetary Fund whereby the IMF—and ultimately the United States—will support the price of South African gold by buying it at $35 an ounce whenever the price dips below that figure in the free market.

To understand the meaning of the year-end gold agreement, let us look at the history of gold and the dollar in the last 25 years. Under the 1945 Bretton Woods Charter on which the international monetary system is based, the United States agreed to sell gold to official monetary authorities for $35 an ounce. The U.S. gold reserve was then some $20 billion, and foreign dollar claims against it were only $7 billion. Thus it looked as if the United States could support this vestige of the gold standard without embarrassment to itself.

But for the last 20 years the United States has been losing gold and accumulating short-term debts it owes foreigners. Today our gold stock is $11.9 billion, and the dollar claims outstanding in foreign hands are $42.6 billion. This four-to-one bookkeeping "insolvency" exposes us to pressures which caused us seriously to retard economic growth in the first half of the 1960's and to impose undesirable controls on American investment and aid in more recent years.

Countries like France have a long history of using financial power for political purposes. France withdrew funds from Austria in 1931 to pressure Austria into avoiding union with Germany—a move that led to the collapse of the Credit-Anstalt bank in Vienna, which in turn led to a collapse of the international monetary system and in part to the rise of Hitler.

More recently, in the mid-1960's, France embarked upon a campaign to harass the dollar. If the United States were forced to give up her gold for French-held dollars, the French authorities reasoned, a panic could well be started which could induce the United States to bolster her flagging reserve position by doubling the price of gold. Thus the French gold speculators would be rewarded in their speculation.

France's efforts to have the price of gold doubled were vigorously joined in by the largest gold producer, South Africa, which today produces three-fourths of the world's newly mined gold. The Soviet Union, the other large gold producer, sat by, hoping that the effort to raise the price of gold would succeed.

These efforts to torpedo the dollar came to a climax in the winter of 1967–1968. The time was propitious, because international financial markets were unsettled by the devaluation of the pound sterling in November, 1967, and by the disastrous fourth-quarter United States balance of payments deficit. The United States, the United Kingdom, and other members of the "gold pool" poured gold into the London market, trying to prevent the speculators from raising the price to well above $35. The fear was that if the free market price of gold went to around $50 an ounce, central bankers would sell their gold in this market for a profit, replace it from the United States at $35 an ounce by presenting their dollars, and then repeat the process until the United States was forced to raise the price of gold. The gold pool poured some $3 billion of gold into the London market within a few weeks. But the price of gold continued to go up, and a catastrophe loomed ahead.

But then, in the nick of time, the seven gold pool countries framed the March 17, 1968 Washington two-tier gold agreement. Professor Richard Cooper of Yale, adviser to both the Johnson and Nixon Administrations, describes that agreement: "To prevent further losses, in March 1968 the pool took the far-reaching step of allowing the market price of gold to go free. The intent of this action was to divide gold into two commodities, one for monetary purposes and one for private uses. All new gold was to be directed to private uses; central banks agreed neither to sell nor to buy gold outside the monetary system. It was as if all monetary gold on March 17 were painted indelibly blue, with the claim that no new gold would be so painted in the future. This blue gold could transfer among central banks in settlement of international debts at a value of $35 an ounce. Metallic gold could sell in the market like any other non-ferrous metal, the price reflecting a balance between supply and demand for private uses. This division of markets was to be policed by the refusal of the U.S. Treasury, the only government committed to buy and sell gold for its currency, to deal in gold with those central banks that traded in gold with the private sector."

Within a few weeks the United States had obtained the adherence to the two-tier gold agreement of more than 80 countries—everybody important but France and South Africa. South Africa for more than a year—until mid-1969—tried to break the agreement by playing the old monopolist game of withholding its product from the market. The free market price of gold accordingly shot above $40 an ounce.

South Africa needs to sell practically all her annual gold production—around $1 billion—in order to overcome her normal balance of payments deficit, also about $1 billion. By keeping her gold off the market, she was able to force the price up, in the hope that central banks would depart from the two-tier agreement and once again threaten the United States with the necessity of doubling the price of gold, or else. But to South Africa's disappointment, the central banks (with one unimportant exception, Portugal) held firm and refused to buy. Thus South Africa, desperate for foreign exchange, was forced to sell gold on the free market in the second half of 1969. The price of gold promptly declined, ending up below $35 an ounce.

You would have thought that the United States Treasury would be rejoicing that the war had been won. There were problems, but they could have been easily handled.

The first problem was that some central bankers were understandably queasy at the prospect of their cherished gold reserves declining in value below $35 an ounce. Their citizens might well question the wisdom of their money managers, who put so much of the nation's reserves into such a fragile commodity as gold. These legitimate fears of central bankers could well have been stilled had the U.S. taken the lead in asking the IMF to guarantee the $35 an ounce value of all legitimate monetary gold.

A second concern was that the world's central bankers might begin to welsh on the March, 1968, two-tier agreement, and openly or clandestinely buy and sell gold in the private market in order to make a quick profit. The House-Senate Subcommittee on International Exchange and Payments pointed out that the Treasury had a splendid weapon for dissuading foreign central banks who might be tempted to violate the March, 1968, agreement. As the Subcommittee recommended: "The Secretary of the Treasury could condition his purchase of gold from a foreign monetary authority on the latter's assurance that it had not obtained 'bootleg' gold, whether newly mined or hoarded, from the private market. This Treasury 'condition' would be intended to, and in all likelihood would in fact, discourage foreign official purchases of 'bootleg' gold because of the knowledge that to do so would cause the withdrawal of any U.S.-financed floor."

The Subcommittee went on to warn that "the U.S. Treasury should under no foreseeable circumstances agree to support—either directly, through the IMF, or by sanctioning the purchases of other industrial countries—the free market price of gold."

RECOMMENDATION IGNORED

The Treasury chose to ignore the Subcommittee's recommendation—as of course it has a legal right to do. On December 30, 1969, with Congress safely out of session, the Treasury entered into the agreement with South Africa. Under that agreement, South Africa will sell its current gold output in the private gold markets when the price is above $35 an ounce (an agreement of doubtful value, since South Africa had just established that it, for all practical purposes, has to do this in any event in order to avoid a balance of payment crisis for South Africa). When the price is below $35 an ounce, South Africa will be able to sell the IMF whatever amounts of gold are needed in order to pay for South Africa's trade and investment. The IMF would immediately unload its gold to its members. As the only country in the world committed to buy gold at a fixed price, the United States thus undertook an open-ended commitment to act as a purchaser of last resort for any South African gold entering the international monetary system. The agreement concluded, South Africa Finance Minister Nicolaas Diederichs went home to Pretoria, to well-deserved applause.

What is puzzling is that the United States Treasury also apparently expected applause for its agreement. The official Treasury justification for the agreement was that it was "essential to the preservation of the two-tier 1968 agreement." But the 1968 agreement, as Professor Cooper has described it, was to retain existing monetary gold in the system, but not to add to it. Every ounce of South African gold added to official monetary reserves weakens the two-tier agreement. Already the IMF has been purchasing South African gold under the December 30, 1969, agreement, since the free market price has remained below the $35 an ounce level.

Americans were shocked to hear some months ago an American major describe the leveling of a South Vietnamese village: "In order to save it, we had to destroy it." Apparently this reasoning appeals to the Treasury: in order to save the two-tier agreement not to introduce new gold into the system, we have to introduce new gold into the system

The December 30, 1969, agreement is unwise for at least four reasons:

1. It gives speculators against the dollar a new lease on life. South Africa is given a direct never-below-$35 guarantee. Private

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speculators, and the Soviet Union, will get the spin-off encouragement that the South African agreement will tend to produce some floor on the free price of gold higher than otherwise would be the case. It thus improves their speculative abilities.

2. January, 1970, saw the distribution of $3.5 billion in paper gold—Special Drawing Rights—by the IMF to its members. This constructive new arrangement is designed to produce an orderly and controlled influx of new reserves into the system, one that will avoid both inflation and deflation. What becomes of the orderly SDR arrangement now that SDR's will be supplemented by uncontrollable amounts of new South African gold coming into the system?

3. The December 30, 1969, agreement rubbed salt in the wounds of the less developed countries. They were understandably distressed because two-thirds of the new SDR's—manna from heaven, in that they do not require the transfer of real resources from the countries receiving them—went to the wealthy developed countries. Stung by the deterioration in the export prices of their basic commodities, such as coffee, cocoa and tin, they succeeded in the September, 1967, Rio meeting of the IMF in getting a resolution adopted dealing with "the decisive importance of the stabilization of prices of primary products at a remunerative level for the economic advancement of the developing countries."

The IMF's first move on "stabilization of primary products" is the December 30, 1969, agreement to stabilize the price of the primary product, gold, of South Africa. That wealthy South Africa is a nation which pursues apartheid as a means of maintaining the control of a white minority over an increasingly persecuted and revolutionary black majority does not make the discrimination any easier to bear.

4. From the standpoint of the United States citizen, the December 30, 1969, agreement exposes us to losing real resources—goods and services that Americans produce by the sweat of their brows—in order to buy gold needed not for legitimate monetary reserve purposes, but to please South Africa. More, this South African gold will be paid for not by the ordinary method of asking for a congressional authorization and appropriation of the necessary millions or billions, but by simply printing the dollars that are used to make the sale. As University of Chicago Professor Milton Friedman has said: "The Treasury is authorized to create money to pay for gold it buys, so that expenditures for the purchase of gold do not appear in the budget and the sums required need not be explicitly appropriated by Congress . . ."

All told, the Treasury's December 30, 1969, agreement is a large step backward. The Congress is unhappy about it. Quite a few citizens and taxpayers, when they study the agreement, will be unhappy about it too.

UTAH STATE HAS A NEW DEAN

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. BURTON of Utah. Mr. Speaker, we in Utah take great pride in Utah State University's College of Natural Resources and the reputation that its faculty and graduates enjoy throughout the academic world. I am confident that Dr. Thadis W. Box, new dean of the college, will provide leadership in the wise use of our natural resources in relation to man's total environment. His ideas for bringing a broader dimension to the college are explained in further detail in an article in the February 1970 Outlook, the school publication.

The article follows:

NEW DEAN, NEW IDEAS IN COLLEGE OF NATURAL RESOURCES

It seems quite reasonable that Utah State's College of Natural Resources should be one of the best in the country. After all it's surrounded by mountains, forests, lakes and rivers—everything a good natural resources man cares about.

But Utah State didn't earn its reputation as a good natural resources school because of the location. Rather, it is widely known because of its chief resource—people. The people on its faculty and the people it has graduated.

Take any college or university which teaches courses in forestry, wildlife, range, conservation and you'll probably find a Utah State Natural Resources graduate on the faculty. It's the same in the professional field. Chief of the U.S. Forest Service, President of the American Society of Range Management, U.S. Commissioner of Wildlife, Commissioner of the U.S. Bureau of Land Management—all Utah State graduates. In Mexico, Kenya and Sudan key resource positions are held by former Aggies. Typical of the accomplishments of USU faculty Dr. Allen W. Stokes, professor of wildlife resources, was named to one of three distinguished lectureships provided by the Utah State Board of Higher Education. (See story page 5.) Over the past five years the college itself has shown a 23 per cent increase in undergraduates and a 50 per cent rise in graduate enrollment.

An enviable record and talking to the new dean of the College, Dr. Thadis W. Box, leaves no doubt about the future record. Thad Box is a Texan, coming back to USU from Texas Technological College, and though his voice carries a slight drawl you know what he says is more than the idle brag often reputed to be a Texas trait.

"We believe our purpose is to provide leadership in and knowledge for the use of natural resources in relation to man's total environment," he says explaining a broader dimension for the College.

"We've been working against pollution for years, but it's been primarily water pollution and today's world requires a much larger view."

Addressing their curriculum to the entire spectrum of ecology will expand several areas of the College of Natural Resources. Some of these fields include outdoor recreation and tourism; land use appraisal such as instituting compromises between rural and urban interests to bring about wise use of land; and animal nutrition such as applying feedlot principles to fish cultivation to supply a rising population's need for protein.

The dean, who was a member of the USU faculty from 1959 to 1962 before going to Texas Tech, realizes that educating people for new fields means a realignment of disciplines. No longer can the departments of the college, Range Science, Forest Science and Wildlife Management, remain separate entities. A great deal of overlapping is required to train people properly.

Possessing a sensitive feeling about today's world, Dr. Box feels the need to expose students outside the College of Natural Resources to their environment. With the fervency that does not require physical expression, he states, "In my biased opinion, it is as vital for students to have a knowledge of ecology as it is for them to know literature, math and philosophy." "We have a responsibility to man's general education."

This deep feeling of responsibility explains his attitude about what type of students they should hope for in the college.

"We want to seek out the academically excellent and the underprivileged, the blacks, Indian-Americans and Mexican-Americans," he says.

On the surface, seeking these two groups seems contradictory, but Dr. Box explains.

"The underprivileged must be accepted on terms other than academic achievement and then tutored and brought up to the level of the incoming freshman. Only the input would be watered down, never the finished product. When any student graduates from here, no one will have to apologize for his education."

Providing the guidance necessary to train students to be leaders in the field looms as no easy task. To Dean Thad Box it means the college must have the expertise to address itself to the problems of the real world. "We can't afford the luxury of a poor teacher," he explains.

Research is the key—research relating to the overall education program in direct support of teaching. Dr. Box believes students tend to be more enthusiastic about a subject when the teacher is involved in developing new knowledge about it through research. He calls it the contagion of enthusiasm.

"Research is our obligation to students and society and new developments must be published so they don't become buried in a drawer and lost forever."

In concise terms, Dean Box sums up the goals of teaching and research in the College of Natural Resources, saying, "It is our job to expose the student to the problem, give him the tools he needs and teach him how to apply them, and most important to inspire him to get out and use them."

THE COMMON PURPOSE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. ANDERSON of California. Mr. Speaker, I would like to call to the attention of my colleagues an editorial by Radio Station KFWB of the Los Angeles, Calif., area on April 8, 1970. This editorial deals with one of the major problems facing our Nation today. This is the problem of the relationship of our law enforcement officials and the public.

The continued tragic loss of so many of our outstanding law enforcement personnel merits our concern and expanded efforts to help alleviate the problem.

The editorial follows:

THE COMMON PURPOSE

(By Gordon Davis, Vice President)

APRIL 8, 1970.

A re-evaluation of the stereotyped role of the policeman must be made . . . as well as of the citizens he serves.

Monday's senseless murders of four young California Highway Patrol officers and the subsequent terror that coursed through a quiet, remote residential canyon have shocked California and the nation. That four young men, the oldest 25, should be gunned down and killed, that four wives are turned into widows and seven children into orphans is horror compounded, brutal senseless horror. The tragedy should force us to look upon ourselves and the violence festering, as a historian once wrote, just beneath the surface of the skin of the American character.

America is not a police state. Recent ju-

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dicial and philosophical changes in the nation's outlook have firmly established this. We believe in liberty, but the liberty we believe in is not license.

America is not a criminal state either, leftist cries to the contrary. America is still a land for the innocent, where within the judicial system the accused are innocent until judged otherwise.

But a policeman today cannot approach any unknown car assuming innocence until he learns to the contrary. He looks to see if both hands are clearly on top of the steering wheel. He watches for sudden moves. *You* may know you're not a criminal, but the policeman does not and is staking his life to find out.

His responsibility is to treat you with courtesy and as an equal. Americans demand that he do this even though in a riot-area the rifle he holds may be shaking in his hands. For ourselves, the citizens, we must also treat *him* with respect and understanding. That shield he wears protects both policeman and citizen . . . it is a shield for *both* against violence and useless carnage.

There is a link between Monday's murders and the assassinations and terror bombings which afflict our times. These crimes are not committed by foreign revolutionaries or strangers. We are a nation warring against itself and these are manifestations of that war, of our own un-ease, our own inner conflicts.

But meanwhile the policeman should be looked upon as a citizen in uniform. He has his rights and obligations and fears, as do those who sometimes must confront him.

The police and the citizen who believe in a society of democratic law must draw together. We must know that we have a common purpose.

EARTH DAY IN NUTLEY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. RODINO. Mr. Speaker, I was delighted to note that on Earth Day tomorrow, the town of Nutley, N.J., has plans for a communitywide event that may be "the only of its kind in America." It will be a constructive demonstration centering on a mammoth parks cleanup, focused around the Third River which runs through the town.

This is a heartening example of what can be done when a community unites in a common cause. The project has had the able leadership of Mayor Harry W. Chenoweth, who has officially proclaimed April 22 as "Earth Day in Nutley" and urged townspeople to participate in the communitywide program. I commend all the individual citizens, organizations and public officials who will work on this fine project, and I would like to include in the RECORD an article from the Nutley Sun of April 16 which describes the undertaking:

NEXT WEDNESDAY'S "EARTH DAY" UNITING OUR BEAUTIFUL PEOPLE

(By Phil White)

The entire community is being mustered for Nutley's "Earth Day" demonstration next Wednesday. Planned is a mammoth parks cleanup with the center of attention focused upon the Third River which runs through the middle of town.

The idea for a constructive "demonstration" on Earth Day here was born only a few weeks ago. As the Sun went to press, the list of participating organizations was still growing at a rapid rate.

Earth Day is a national day of environmental demonstrations. New York City is closing Fifth Avenue and 14th Street to traffic as one example. Current estimates are that close to 1,000 colleges and universities and about 4,000 high schools will have some sort of Earth Day demonstration next Wednesday.

The Nutley program, however, is a community-wide event—perhaps the only of its kind in America. Two Nutley High seniors—who inspired the Third River cleanup idea—are serving as chairmen. But the group that met to crystallize the effort last Wednesday night included representatives from most key town organizations—including all the service clubs, the Clergy Fellowship, scouting groups and several social organizations.

"We're hoping that everyone that has some free time next Wednesday will put on some old clothes and come down and join the project," the Rev. Daniel Sullivan, rector of Grace Episcopal Church said.

Parks Commissioner Henry G. Ludwig is going all out for the program too. He has already announced plans to reassign all Parks-Public Property personnel to the project next Wednesday.

"I think this is a great idea—in fact a fantastic idea," Ludwig said. "For once, someone is doing something about a problem rather than just talking about it."

The word "demonstration" however, need not be considered derogatory as the Rev. Peter Brown of Holy Trinity Lutheran Church notes.

"In this case, we still will have a demonstration, but the difference is that the town will be demonstrating constructively and solving the problem the demonstration is supposed to be about in the first place," Pastor Brown says.

The specifics for Wednesday:

A quick meeting is set for 10 a.m. at the Park Oval. From that meeting, "demonstrators" will be grouped into seven teams and dispatched to sections of the Nutley Park system along the Third River.

Parks Department trucks will be on duty throughout the day to pick up debris taken from the river. Helping coordinate activities will be Nutley Boy Scout Troops, members of the Lions, Optimist, Rotary, Kiwanis, Jaycees, Elks, and Unico.

Again, as The Sun went to press, additional groups were still being contacted and it was anticipated that by Wednesday, virtually every organization in Nutley would be represented in the Earth Day project.

In the event of rain or high river water, the Earth Day project will be postponed until Saturday, April 25, at the same 10 a.m. hour.

Fire Chief Walter Journey, who is assigning firemen to the project to help maintain communications between work groups via walkie-talkies, reports that if the weather or river conditions force the need to postpone the project until April 25, the town's fire horns will sound at 9 a.m. Wednesday.

Ray Giordano, president of the Nutley High Student Council, was named chairman of the project by a large group of townspeople that met to crystallize the project last week.

That same meeting—attended by representatives of several Nutley organizations—set up a few ground rules which need to be stressed:

Sneakers must be worn by anyone planning to help with the river clean-up. Thin-soled tennis shoes do not offer enough protection. Snowboot-type shoes also are not suitable because they quickly fill with water and become bogged down.

Adult leaders working with student group coordinators will be supervising the various teams and will not permit anyone too small or ill equipped to enter the water.

Certain areas of the Third River are considered too dangerous to be tackled by the Earth Day volunteers. Those areas include the Essex County Park area that is walled with cement, and the area west of the Harrison-Franklin Avenue bridge. These areas, however, will soon be cleared as an extension of Earth Day activities by trained teams of Boy Scouts.

Individual citizens interested in helping out Wednesday need only to show up at the Park Oval at 10 a.m. If you want to join in the spirit of the day, wear some old clothes, a thick soled pair of shoes and you'll be in great shape for the Earth Day happening.

As people and groups learn of the plans for Wednesday, the response has been enthusiastic without exception.

Thomas Viola, while being installed as the new president of the Nutley Chamber of Commerce Saturday night, urged town businessmen to join in the program Wednesday. "And if you can't make it to the Park, then at the very least, police the area around your stores and businesses," Viola said. "Make it known that we're behind this project 100 per cent."

Carl A. Orechio was installed as the new exalted leader of Nutley Elks last week. He too has offered the support of the Lodge and will have several men helping with the project.

Members of the Elks Auxiliary and Legion Auxiliary unit 70 have also expressed an interest.

All service clubs, churches, police and fire departments, first aid squad, Public Works personnel, DeMolay, Girl Scouts, Human Relations Council leaders, school officials and Commissioners have endorsed the project.

Mayor Harry W. Chenoweth calls the planned program "in the finest tradition of the volunteer spirit evident in Nutley."

The day has, in short, been hailed by all. The happening starts at 10 a.m. Wednesday. "We hope to see everyone there," the chairmen say.

THIRTY-EIGHTH ANNIVERSARY OF ITALIAN AMERICAN WAR VETERANS OF THE UNITED STATES, INC.

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. ANNUNZIO. Mr. Speaker, this year marks the 38th anniversary of the founding of one of the most distinguished ethnic veterans organizations in our country—the Italian American War Veterans of the United States Inc.

I want to welcome to our Nation's Capital the officers and members of this outstanding organization who have been in Washington for 2 days, yesterday and today, to participate in the proceedings of their eighth Washington conference and to commemorate their 38th anniversary.

One of the objectives of the conference is to bring to the attention of Senators, Members of Congress, and Department officials the issues of immediate concern to the Italian American War Veterans. Among these are are the following privileges presently extended by the Federal Government to other veterans organizations but denied to the Italian American War Veterans:

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First. Incorporation under a Federal charter.

Second. Printing of annual convention proceedings as a House document.

Third. Acquisition of rifles for funeral, ceremonial, and other purposes.

Fourth. Official recognition by the Veterans' Administration.

Since coming to Congress in 1965, I have introduced legislation in the House of Representatives specifically aimed at eliminating these inequities in our law. The time to extend this recognition and these rights to the Italian American War Veterans of the United States Inc. is long overdue. Since its inception more than 38 years ago, this worthy organization has given dedicated, honest, and invaluable assistance to all veterans who have approached it seeking help.

The Italian American War Veterans, however, is operating under serious handicaps because it is unable to present and prosecute claims before the Veterans' Administration—it cannot acquire rifles for ceremonial purposes—it cannot secure a Federal charter—and it is denied other privileges which I have already mentioned.

I want to point out that the right to present claims before the Veterans' Administration is now enjoyed by about 25 other national service organizations, including the American Legion, the Catholic War Veterans, and the Jewish War Veterans. The privileges that are extended to one group should be equally extended to other qualified groups including the Italian American War Veterans of the United States Inc.

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The Italian American War Veterans has a membership numbering in the thousands and posts in 10 States including my own State of Illinois. It counts among its members such distinguished Americans as Secretary of Transportation John Volpe of Massachusetts, Senator JOHN PASTORE of Rhode Island who I understand is an honorary member, Judge William Cercone of Massachusetts, Congressman PETER RODINO of New Jersey, Judge Edward Re of New York, Gino Merli, Congressional Medal of Honor winner, and countless other veterans of Italian descent who have fought with valor to protect our freedom and our democratic way of life.

I am particularly pleased to announce that the Italian American War Veterans of the United States Inc. is gaining another outstanding veteran as a member. I refer to my distinguished colleague from Connecticut, Honorable EMILIO Q. DADDARIO, who today is joining the Monaco-Carlino Post No. 1 of Hartford, Conn.

On the occasion of this anniversary celebration, I want to urge my colleagues in the House of Representatives to join together in reevaluating policies which deny a deserving segment of our population the same rights which others now enjoy and to restore these rights by early enactment of the corrective legislation which I have introduced.

In its 38th year of existence, the Italian American War Veterans of the United States Inc. continues its steadfast and patriotic service to our Nation. I want to commend National Commander Frank Cretella, East Haven, Conn., for his capable leadership, as well as Anthony V. LoPopolo, Philadelphia, Pa., conference chairman; Nicholas Raimo, Belleville, N.J., conference co-chairman; John Nave, Syracuse, N.Y., conference vice chairman; and all of the other officers and members of this great organization whose untiring efforts in the service of our country deserve the appreciation of all of us.

I am happy to congratulate the Italian American War Veterans of the United States Inc. on the occasion of its 38th anniversary and to wish its members Godspeed in their work in the years ahead.

Mr. Speaker, I include at this point in the RECORD the agenda for the eighth Washington conference of the Italian American War Veterans and a policy statement issued today by National Commander Frank Cretella on behalf of the organization. The agenda and the policy statement follow:

AGENDA

MONDAY, APRIL 20, 1970

1:00 P.M. to 5:00 P.M. Meeting with U.S. Senators and Congressmen & Federal Officials.

8:30 P.M. to 10:30 P.M. Buffet, Cocktail Party, in Celebration of the 38th Anniversary of its founding.—Holiday Inn, Washington Central.

11:45 P.M. Meeting of National Officers attending the Conference.

TUESDAY, APRIL 21, 1970

10:00 A.M. Visitation of Kennedy Gravesite Arlington National Cemetery.

10:30 A.M. Laying of Wreath at Tomb of Unknown Soldier—Arlington National Cemetery, by National Commander, Frank Cretella.

12:30 P.M. Congressional Luncheon—Joseph Martin's Dining Room, Room H-139, The Capitol, Washington, D.C. Chairmen: Congressmen Frank Annunzio and Peter W. Rodino, Jr.

3:30 P.M. Conclusion of Conference.

ADDRESS OF FRANK CRETELLA, NATIONAL COMMANDER OF THE ITALIAN AMERICAN WAR VETERANS OF THE UNITED STATES, INC. AT THE EIGHTH ANNUAL WASHINGTON CONFERENCE, HOLIDAY INN CENTRAL, WASHINGTON, D.C., APRIL 20, 21, 1970

We the Italian American War Veterans of the United States are assembled in Washington, D.C. to confer with our Senators and Congressmen, from the States in which we are incorporated, and other government officials on matters of mutual concern to us and to the nation as well. We are openly appalled at the lack of a uniform program to combat the lawlessness and civil disobedience that permeates every large city and institution of higher learning in our country. The time has come for all interested groups, in a voluntary way, to devise a coordinated system to protect the institutions engendered with the sweat and toil of us and our forebears and to protect the welfare of all law abiding citizens.

First, each community in the United States should have a community militia to augment the regular police force, much in the same way our forebears banded together to offset the roaming menaces of Indians, wild animals, robbers and attackers. People know that regular police are not enough. Second, we should have community judges, judges elected from the community in which they live and who are well aware of the community's problems and who can take judicial notice of them. Third, the appellate courts of the States and the Supreme Court of the United States should temper the individual rights of each United States citizen so that these rights by extreme reasoning do not impinge on the rights of all citizens as a society to live under law. There is just as much a transgression on the rights of all citizens when the defense of individual rights destroys the rights of all citizens, so these courts must have an even balance between society and individual rights. When extremism exists in the courts it becomes our God given right for the protection of society to impeach these judges for the protection of society. A cause no matter how just does not justify the destruction of everything in its path to acquire that end. This is totalitarianism. This has no place in the United States. Veterans have fought many wars to defeat it. Are we going to allow it here in the United States?

The methods I have advocated above, in a voluntary way, are a start, a beginning, to move our society from the sick to the healthy. No society, no matter how great, can survive if it allows each citizen to do what he pleases when this exercise interferes with the same rights of others. Freedom has a limit just as nature has a limit. To allow such people to bomb and riot is just the same as placing a cobra and a ferocious animal in society. Society, for its protection, must defend itself. Anything that presents a clear and present danger to society must be removed from society, no matter what the cause. This is my position and, I think, the stand of all society. I have outlined my stand for protection against sick citizens. A society to prosper must be healthy, and it must correct its sickness and remove its disease or die.

The Italian American War Veterans, which is thirty-eight years old this year, came into being as a result of injustice, the denial to veterans of Italian descent of the right to speak in other veterans organizations. But in an orderly society, we are united not militantly but voluntarily to push our cause. Today we exist to take pride in our Italian American heritage as in all other diversified groups. We have injustices. Again, we pursue them voluntarily not militantly to persuade the necessary Congressmen and Senators and government officials to give us our due. Yet in patience we wait. Has our patience been in vain? I hope not. Our conference will open on April 20, 1970 with a reception for all United States Senators and Congressmen from the States and communities in which we have State Departments and Posts. It will conclude with a Congressional Luncheon in the Joseph Martin Dining Room on Tuesday, April 21, 1970 under the chairmanship of Congressman Peter Rodino from New Jersey and Congressman Frank Annunzio from Chicago.

EARTH DAY

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1970

Mr. FISH. Mr. Speaker, April 22 is Earth Day. It comes in a week of emphasis in schools and colleges throughout our Nation on the crisis in our environment. Educators everywhere should be commended for taking this time to focus on this fundamental and very serious problem facing our Nation.

The Hudson Valley, celebrated in lore, architecture, and painting has not remained isolated from the effects of pollution any more than have other parts of our Nation. The editorial from the Poughkeepsie Journal, Poughkeepsie, N.Y., April 19 issue lists some of the harmful effects reported from pesticides, oil leaks, thermal pollution, and air pollution and the use of detergents. As the editorial so aptly says:

> The world is our nest and it is time that we start handling our environment gently, with great care and concern.

Mr. Speaker, I look forward that this week with its emphasis on Earth Day will bring home to our youth the basic unity of man and nature. The first step is to understand the life cycle of plants and animals and marine life and the equilibrium between man and his environment. We must then learn of the specific dangers of pollution to given areas of the environment. Once the harm is identified and we recognize ourselves as the pollutants then corrective steps can be outlined.

I commend the editorial "Earth Day" to my colleagues and insert it in the Record:

EARTH DAY

Ideas catch hold in this age of instant communication and wash like great waves across the nation.

We are now seeing another great movement in the country an understanding of our environment and the threat to it.

The times must be right before such an idea catches hold. For many years now conservation groups, sometimes referred to scornfully as "bird watchers" have battled a lonely fight against pollution or against the elimination of some natural resource.

The nation seemed so vast, its assets so great, its water and air so abundant that the emphasis was placed on development—termed "progress"—with little thought of these assets running out.

And so it went, with the bulldozers filling in what were considered useless swamps, axes clearing away the "limitless" forests, cities and villages using their streams and rivers for handy sewage disposal system.

Ecology is defined as the science of the relationships between organisms and their environments.

Those who specialized in this science were little known, or ignored until it became apparent to most that terrible situations were developing all over the nation.

The stories came to the public, first in tiny doses and then in a flood. And the complexity of the problems began to unfold.

Everyone knew the Hudson River was polluted, they could tell by looking at it and by smelling it. But the Great Lakes? They seemed to be too large. The Finger Lakes? They seemed too remote and untroubled.

Yet the pollution so apparent in the Hudson River is there and is growing worse.

More stories trickled in—eagles were dying and may become extinct because the pesticides were washing from the land, into the waters, into the fish the birds feed on and finally retarding the development of the shells of the unborn birds.

Oil washing ashore from leaky tankers has killed thousands, maybe millions of sea birds, shell fish and fish.

Warm water from nuclear plants has changed the delicate balance of life in the Hudson River at Indian Point and killed thousands of fish.

Air pollution has reached out and killed trees in the forests on mountains far from the original source of the pollution.

We find daily that things we once thought were protecting the environment have not been accomplishing that goal. Take, for example, the proof that is coming forth that treated sewage, once thought harmless, is polluting some lakes.

We find that detergents we use to keep clean pollute vast quantities of water.

The swamps that have been filled in order to get rid of mosquitoes or in order to make use of the land turn out to be important parts of the natural system—sources of food and cover for many living things.

As the picture has developed, it turns out that no part of this nation is immune from the destructive nature, or just plain carelessness, of man. From the tractor marks scarring the tundra in Alaska, to the destruction of plant life in American deserts, man has caused and is causing untold harm.

Now comes the wave in the United States aimed at washing away these threats to our environment. This week college and high schools, service clubs and organizations of all types are working on projects for Earth Day.

The idea is to bring home to all habits of dirtying his own nest.

The world is our nest and it is time that we start handling our environment gently, with great care and concern.

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